

## Villagran, Angelica

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**From:** mkurowski@worldbank.org  
**Sent:** Friday, April 27, 2007 11:31 AM  
**To:** jterry@torys.com; jmaclean@torys.com; rffear@torys.com; Goodman, Ronald; Di Rosa, Paolo; Gehring Flores, Gaela; galvarez@pgr.gob.ve; Evseev, Dmitri; Fischer, Geraldine; Silver, Nicole; Sorgi, Cristina; Ballena, Kelby; Sanchez, Margarita; cfrutospeterson@worldbank.org; mkurowski@worldbank.org; Slee2@worldbank.org; msalomon@worldbank.org  
**Subject:** Vannessa Ventures Ltd. v. Bolivarian Republic of Venezuela (ICSID Case No. ARB(AF)/04/6)  
**Attachments:** 009.04.27.07.electronic copy.pdf



009.04.27.07.electronic copy.p...

Dear Mesdames and Sirs,

Please see the attached.

Yours sincerely,

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Mercedes Kurowski  
Counsel

International Centre for Settlement of Investment Disputes (ICSID) The World Bank Group  
1818 H Street, NW  
Washington, DC 20433

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(See attached file: 009.04.27.07.electronic copy.pdf)

## International Centre for Settlement of Investment Disputes

1818 H Street, N.W., Washington, D.C. 20433, U.S.A.  
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By e-mail

April 27, 2007

Vannessa Ventures Ltd.  
c/o Mr. John Terry and  
Ms. Julie Maclean  
Torys LLP  
Suite 3000  
Toronto, ON  
Canada M5K 1N2

Bolivarian Republic of Venezuela  
c/o Ms. Gladys Gutiérrez Alvarado  
Procuradora General de la República and  
Ms. María Catalina Cornielles  
Directora de lo Contencioso  
Procuraduría General de la República  
Avenida Lazo Marti  
Edificio Procuraduría General de la República  
Piso 8  
Santa Mónica  
Caracas, Venezuela  
and  
c/o Messrs. Ronald E. M. Goodman  
and Paolo Di Rosa  
Winston & Strawn LLP  
1700 K Street, N.W.  
Washington, D.C., 20006  
and  
c/o Mr. Gilberto A. Guerrero-Rocca  
Guerrero & Velásquez  
Av. Fco. de Miranda  
Torre La Primera. Ofic. 4-E, Piso 4  
Caracas, Venezuela

Re: Vannessa Ventures Ltd. v. Bolivarian Republic of Venezuela  
(ICSID Case No. ARB(AF)/04/6)

Dear Sirs and Mesdames,

I write to you in the absence of Claudia Frutos-Peterson from the office this week.

By letter of April 25, 2007, we trasmitted to the parties and to the members of the Tribunal a list of the people that will be attending the forthcoming hearing on jurisdiction in the above case. The list was prepared by the Secretariat, on the basis of the information provided by each party.

Having reviewed the full list of participants, the President of the Tribunal has asked me to convey to you the Further Declaration below:

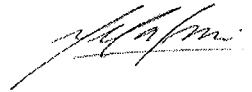
"I wish to make the further declaration of my professional relationship with Professor Greenwood. Professor Greenwood, as an independent member of the English Bar, is a door-tenant at Essex Court Chambers (from which I also

practice), he is currently a co-arbitrator with me in an (unrelated) ICSID arbitration; and he is one of several co-counsel with me in another (also unrelated) ICSID arbitration. I do not consider myself that this relationship affects adversely my independence, impartiality or ability to serve on this Tribunal." (Mr. V.V. Veeder QC)

Judge Charles N. Brower has also asked me to transmit to you his Further Declaration, which follows:

"Having just been notified of the prospective appearance of Professor Greenwood in the hearing in this case to be held 7-11 May 2007, I wish to advise you that he and I currently are serving as co-arbitrators in an unrelated ICSID case. In addition, I understand that he is representing Occidental Petroleum in English judicial proceedings brought by the Republic of Ecuador to set aside the unanimous Final Award issued in favor of the former by an UNCITRAL Rules tribunal of which I was a member. I do not consider myself that any of the foregoing affects in any way my independence, impartiality or ability to serve on this Tribunal." (Judge Charles N. Brower)

Sincerely yours,



Mercedes de Kurowski  
Counsel

cc (by e-mail):

Members of the Tribunal



**International Centre for Settlement of Investment Disputes**

1818 H Street, N.W., Washington, D.C. 20433, U.S.A.  
Telephone: (202) 458-1534 Fax: (202) 522-2615/2027  
Website: www.worldbank.org/icsid

April 30, 2007

By e-mail

Mr. V.V. Veeder QC  
Essex Court Chambers,  
24 Lincoln's Inn Fields,  
London WC2A 3EG,  
United Kingdom

Judge Charles N. Brower  
Iran-United States Claims Tribunal  
Parkweg 13, 2585 JH The Hague  
The Netherlands

Mr. Jan Paulsson  
2-4 rue Paul Cézanne  
75375 Paris Cedex 08  
France

**Re: Vannessa Ventures Ltd. v. Bolivarian Republic of Venezuela**  
**(ICSID Case No. ARB(AF)/04/6)**

Dear Members of the Tribunal,

In the absence of Claudia Frutos-Peterson from the office, please find attached a copy of a letter dated April 27, 2007, which we received by e-mail from counsel for the Claimants.

Sincerely yours,



Mercedes de Kurowski  
Counsel

Attachment

cc by e-mail without incoming:

Vannessa Ventures Ltd.  
c/o Mr. John Terry and  
Mrs. Julie Maclean  
Torys LLP  
Suite 3000  
Toronto, ON  
Canada M5K 1N2

cc by e-mail with incoming:

Bolivarian Republic of Venezuela  
c/o Ms. Gladis Gutiérrez Alvarado  
Procuradora General de la República and  
Mrs. María Catalina Cornielles  
Directora de lo Contencioso  
Procuraduría General de la República  
Avenida Lazo Martí  
Edificio Procuraduría General de la República  
Piso 8  
Santa Mónica, Caracas, Venezuela  
and

April 30, 2007

c/o Dr. Ronald E. M. Goodman  
Mr. Paolo Di Rosa  
Winston & Strawn LLP  
1700 K Street, N.W.  
Washington, D.C., 20006

and

c/o Mr. Gilberto A. Guerrero-Rocca  
Guerrero & Velásquez  
Av. Fco. de Miranda  
Torre La Primera. Ofic. 4-E, Piso 4  
Caracas, Venezuela

April 27, 2007

**VIA EMAIL**

Ms. Mercedes Kurowski, Counsel  
International Centre for Settlement of Investment Disputes  
ICSID – The World Bank  
MSN U3-301  
Dulles Commerce Center, Bldg. 100  
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Sterling, VA 20166  
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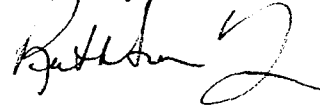
Dear Ms. Kurowski:

**Re: Vanessa Ventures Ltd. v. Bolivarian Republic of Venezuela  
ICSID Case No. ARB(AF)/04/6**

Please find attached Vanessa Ventures Ltd. Errata Sheet to its Rejoinder on  
Jurisdiction.

Please contact me if you have any concerns or require any further information.

Yours truly,



Ruth Anne Flear  
Assistant to John Terry

JT:raf  
Enclosures  
cc: Mr. Ronald Goodman

## ERRATA SHEET

Case name: *Vannessa Ventures Ltd. v. Bolivarian Republic of Venezuela*  
ICSID Case No.: ARB(AF)(04/06)  
Document Name: Vannessa Ventures Ltd. Rejoinder on Jurisdiction

## CORRECTIONS

<u>Pg.</u>	<u>Para.</u>	<u>Now Reads</u>	<u>Should Read</u>
52	138	“They rely on the CVG/Hecla contract as an example of a mining contract entered into by the CVG that contained both a non-assignment clause, like Article 28 of the <b>1997 Shareholders’ Agreement...</b> ”	“They rely on the CVG/Hecla contract as an example of a mining contract entered into by the CVG that contained both a non-assignment clause, like Article 28 of the <b>Work Contract...</b> ”
53	FN 110	“ <i>Ibid.</i> para. <b>28</b> ”	“ <i>Ibid.</i> para. <b>30</b> ”
61	159	“At paragraph 104(a), Venezuela criticizes Vannessa for keeping its negotiations with <b>the CVG</b> confidential.”	“At paragraph 104(a), Venezuela criticizes Vannessa for keeping its negotiations with <b>Placer Dome</b> confidential.”
64	165	“Vannessa provided Venezuela with a copy of the Transaction Agreement as soon as it filed its Memorial <b>on Jurisdiction...</b> ”	“Vannessa provided Venezuela with a copy of the Transaction Agreement as soon as it filed its <b>Merits</b> Memorial...”
68	FN 163	“ <b>Vannessa’s Vows to Fiscal</b> for Gold Mine”	“ <b>Vannessa Vows to Fight</b> for Gold Mine”
69	180	“Even if this Tribunal were to accept the evidence of Venezuela’s witness that MINCA should have filed a <i>desistimiento del procedimiento</i> rather than a <i>desistimiento de la acción</i> (which Vannessa denies)...”	“Even if this Tribunal were to accept the evidence of Venezuela’s witness that MINCA should have filed a <i>desistimiento de la acción</i> rather than a <i>desistimiento del procedimiento</i> (which Vannessa denies)...”