

**IN THE MATTER OF AN ARBITRATION UNDER CHAPTER ELEVEN OF
THE NORTH AMERICAN FREE TRADE AGREEMENT AND THE UNCITRAL
ARBITRATION RULES**

BETWEEN:

LONE PINE RESOURCES INC.

Claimant

AND

GOVERNMENT OF CANADA

Respondent

PROCEDURAL ORDER NO. 4

27 July 2017

THE ARBITRAL TRIBUNAL:

**Mr. V.V. Veeder (President)
Professor Brigitte Stern
Mr. David Haigh**

1. The Tribunal refers to the Respondent's application by its first email dated 24 July 2017 for an extension of three working days (from Tuesday 1 August 2017 to Friday 4 August 2017) for the submission of its Rejoinder (i.e. both its substantive pleading and all related evidential and legal materials). The Claimants opposed this application by email message dated 25 July 2017, albeit also offering a compromise whereby the Respondent should submit its Rejoinder (the substantive pleading) on 4 August 2017 but all other related materials by 1 August 2017. By its second email message dated 25 July 2017, the Respondent rejected that compromise and re-stated its application for an extension of time to 4 August 2017 for both its Rejoinder and all related materials.
2. The Tribunal notes that the period from Saturday 5 August to Monday 7 August is a public holiday in Canada. Hence, the relevant delay to the current procedural timetable is significant.
3. In the circumstances, to which both Parties have contributed, the Tribunal sees no alternative but to grant the Respondent's application. As a result, the deadline for the submission of the Respondent's Rejoinder with all related materials shall be Friday, 4 August 2017.
4. To the Tribunal's understanding, the Parties envisaged the Respondent providing to the Claimant a courtesy translation of its Rejoinder (i.e. the substantive pleading only) approximately three weeks after the submission of that pleading in French. Given the difficulties described by the Claimant as to translation, the Tribunal requests the Respondent to provide to the Claimant a draft translation as soon as possible after 4 August 2017, hopefully by 8 August but in any event no later than 11 August 2017. To the extent necessary, that draft may be finalised by the Respondent as soon as practicable thereafter, but no later than 18 August 2017.
5. The Tribunal acknowledges that the Respondent's application, as here accepted by the Tribunal, may have an adverse effect on the future procedural timetable running up to the oral hearing beginning on 2 October 2017. Whilst there is to be no question whatsoever of disturbing the dates of that hearing, the Tribunal will consider any further submissions from the Parties as to any required changes to the procedural timetable up to 2 October 2017. It appears to the Tribunal that certain changes will be required to at least Steps 16 to 18 of the revised timetable forming part of Procedural Order No 3 of 14 June 2017. The Tribunal requests the Parties to make any such submissions in writing as soon as practicable, but no later than 4 August 2017.

[Signed]

V.V. Veeder
On behalf of the Tribunal
Date: 27 July 2017