

CLAIMANT'S WAIVER

The undersigned, Omega Engineering LLC; Omega Engineering Inc.; and Mr. Oscar Iván Rivera Rivera, at 1521 Alton Road, # 878, Miami Beach, Florida, USA (“**Claimants**”), hereby expressly:

- (i) **CONSENT** to submit to arbitration before the International Centre for the Settlement of Investment Disputes any dispute arising out of or relating to Claimants’ qualifying investments in the Republic of Panama as determined by the United States-Panama Bilateral Investment Treaty and the United States-Panama Trade Promotion Agreement (the “**TPA**”);

- (ii) **WAIVE** any right to initiate or continue before any administrative tribunal or court under the law of any State, or dispute settlement procedures other than as described in (i) above, any proceeding with respect to any measure alleged to constitute a breach referred to in Article 10.16 of the TPA; and

- (iii) **RESERVE** its rights to initiate or continue actions that seek interim injunctive relief and does not involve the payment of monetary damages before a judicial or administrative tribunal, provided that such actions are brought for the sole purpose of preserving Claimants’ rights and interests during the pendency of the arbitration, in strict accordance with Article 10.18.3 of the TPA.

Claimants further reaffirm that Counsel for Claimants, as established in Claimants’ Request for Arbitration dated 30 November 2016, have the widest powers to represent Claimants before the International Centre for the Settlement of Investment Disputes.



OMEGA ENGINEERING, LLC
By: Oscar I. Rivera
Date: December 17, 2016



OMEGA ENGINEERING, INC.
By: Oscar I. Rivera
Date: December 17, 2016



OSCAR IVÁN RIVERA RIVERA
By: Oscar I. Rivera
Date: December 17, 2016