

**IN THE MATTER OF AN ARBITRATION PROCEEDING UNDER ARTICLE 8(2)(A) OF THE
AGREEMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF THE CZECH AND SLOVAK FEDERAL REPUBLIC FOR THE PROMOTION
AND PROTECTION OF INVESTMENTS AND THE UNCITRAL ARBITRATION RULES (1976)**

A11Y LTD.

v.

CZECH REPUBLIC

(ICSID Case No. UNCT/15/1)

PROCEDURAL ORDER NO. 10 – Post-Hearing Submissions

Tribunal

Yves Fortier, PC, CC, OQ, QC, Presiding Arbitrator
Stanimir Alexandrov, Arbitrator
Anna Joubin-Bret, Arbitrator

Secretary to the Tribunal

Jara Mínguez Almeida

Assistant to the Tribunal

Annie Lespérance

27 December 2017

1. The Hearing on the Merits and the remaining jurisdictional objection (the “**Hearing**”) in this case took place from 13 to 17 November 2017 at the World Bank Paris Conference Center.

2. At the conclusion of the Hearing on 17 November 2017, the President said:

We've been briefed both in writing as well as orally very thoroughly by both parties, and we will indeed retire to our respective libraries and consider whether we need written briefs on any specific issue that we are likely to identify.

I would hope that by the end of next week we will be in a position to send you a message on behalf of the Tribunal asking, as is most likely, certain questions to you. We cannot do it today.¹

3. Because of intervening issues with which the Parties are familiar, the Tribunal, having now considered the parties’ oral and written submissions, and deliberated, has compiled the attached List of Tribunal Questions to be answered by the Parties by way of Post-Hearing Briefs.

4. The Post-Hearing Briefs:

(a) shall have a 30-page limit;

(b) shall be filed simultaneously;

(c) shall only address each question raised in the List of Tribunal Questions with specific references to the transcript and exhibits on the record; and

(d) shall not be a repetition of the Parties’ written pleadings.

5. Upon an application to the Tribunal, the Parties may request to file simultaneously a short reply to the other party’s Post-Hearing Brief. Such a reply shall have a 10-page limit.

¹ Tr Day 5/1199/13-21.

6. The Tribunal invites the Parties to discuss and seek to agree a procedural calendar in respect of post-hearing submissions and report back to the Tribunal on the outcome of their discussions **by 3 January 2018**. In their discussions, the Parties should bear in mind that the Tribunal has committed to do its utmost to issue a Final Award by 1 April 2018. Accordingly, the Tribunal orders the Parties to agree a calendar which would lead to the completion of their briefing by the end of the month of January at the latest.
7. Such procedural calendar shall also include the date for the simultaneous filing of Statements of Costs. As recorded in paragraph 28 of Procedural Order No. 9, the Statements of Costs shall not exceed three pages.

Paris, this 27th day of December 2017

Signed on behalf of the Arbitral Tribunal

[signed]

The Hon. L. Yves Fortier, QC
President