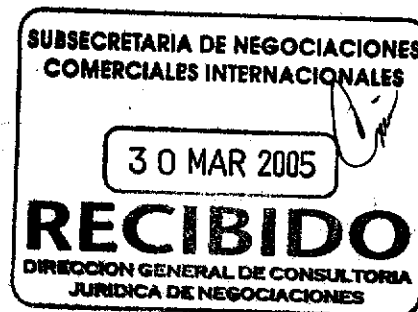


Corn Products International, Inc. v. United Mexican States**(ICSID Case No. ARB(AF)/04/1)****PROCEDURAL ORDER NO. 3**

1. The present Tribunal was constituted under Article 1120 of the North American Free Trade Agreement ("NAFTA") on April 28, 2004, and reconstituted under the same provision on July 13, 2004.
2. In its Procedural Order No. 2, the Tribunal fixed the following schedule:-
 - (a) the Claimant should file its Memorial no later than 15 February 2005;
 - (b) the Respondent should file its Counter-Memorial no later than 15 July 2005;
 - (c) the Claimant should file its Reply no later than 26 August 2005;
 - (d) the Respondent should file its Rejoinder no later than 7 October 2005.
3. In February 2005, the Tribunal agreed to extend these deadlines as follows:-
 - (a) the Claimant should file its Memorial no later than 17 March 2005;
 - (b) the Respondent should file its Counter-Memorial no later than 17 August 2005;
 - (c) the Claimant should file its Reply no later than 26 September 2005;
 - (d) the Respondent should file its Rejoinder no later than 7 November 2005.
4. These schedules were established in the knowledge that the Respondent was making an application to a tribunal established under Article 1126 to have the present proceedings consolidated with a claim filed by ADM/Staley. As recognized in paragraph 5 of Procedural Order No. 2, if the Article 1126 tribunal decides to assume jurisdiction over the present case, then the present Tribunal will cease to have



jurisdiction with respect to such part or parts of the case over which the Article 1126 tribunal assumes jurisdiction.

5. At the time Procedural Order No. 2 was issued, the Tribunal had assumed that the Article 1126 tribunal would take a decision on the Respondent's application before the deadline for the Claimant to file its Memorial. That has not been the case. It follows that the present Tribunal still possesses jurisdiction with regard to the present claim.

6. By a letter dated March 16th, 2005, the Claimant asked the Tribunal to call on Mexico to show cause why the present proceedings should not go forward. In considering this request, the Tribunal has been guided by the twin considerations that (a) it has no jurisdiction over the consolidation proceedings or power to affect the timetable of those proceedings; but (b) unless and until the Article 1126 tribunal assumes jurisdiction over the present case, the Tribunal has a jurisdiction which it must exercise.

7. Accordingly, the Tribunal has decided that unless and until the Article 1126 Tribunal assumes jurisdiction over the present case, the Tribunal will continue to exercise its jurisdiction and to do so in as timely a fashion as possible. In view of the delays which have occurred over the last few weeks, the Tribunal extends the deadline for the filing of the Claimant's Memorial to April 15th, 2005. This extension will have the effect of moving the subsequent deadlines as follows:-

- (a) the Respondent should file its Counter-Memorial no later than 15 September 2005;
- (b) the Claimant should file its Reply no later than 26 October 2005;
- (c) the Respondent should file its Rejoinder no later than 7 December 2005.

8. The Tribunal does not propose to permit any further extensions based upon the existence of the consolidation proceedings. If the Article 1126 tribunal decides to assume jurisdiction over the present case, then Article 1126(8) will come into play. Unless and until that happens, it is the intention of the Tribunal that the present case

will proceed according to the timetable set out above. The Tribunal will, of course, be prepared to consider applications from either Party based upon demonstrated prejudice but will be unlikely to vary the timetable further unless the Party requesting such variation can show very good cause.



For the Tribunal

Christopher Greenwood, CMG, QC

President of the Tribunal

March 29th, 2005