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Foreign Affairs and  
International Trade Canada

Department of Justice



Affaires étrangères et  
Commerce international Canada

Ministère de la Justice

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**Can 7**

By Email

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**Re: Gallo v. Canada**

Dear Professor Fernández-Armesto and Members of the Tribunal,

Canada is in receipt of the Claimant's correspondence GAL 8, filed earlier today. Canada's position is that there is no basis for considering this unsolicited submission as no new issues were raised by Canada in CAN 6.

Canada made its proposal concerning section 5 of the *Adams Mine Lake Act, 2004* ("AMLA") in response to the Claimant's request at the procedural hearing that Canada offer assurances that it would not rely on this provision to oppose a request for the assistance of an Ontario court with document production or witness attendance. This proposal makes a concession that the Claimant requested and cannot be used to

justify additional argument on the separate issue of whether section 5 of the *AMLA* could be referred to in a future application to set aside an award.

Canada considers that the remainder of the Claimant's submission simply reiterates argument it has already offered in its written submission or at the procedural hearing and that it should be rejected for this reason.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'MK', with a long horizontal line extending to the right.

<sup>FOR</sup>  
Meg Kinnear  
Senior General Counsel and  
Director General  
Trade Law Bureau

cc. Chuck Gastle  
Murdoch Martyn  
Rizza Andrade