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J. CHRISTOPHER THOMAS, QC

Barrister & Solicitor
Chartered Arbitrator

October 21, 2009

Mr. Nassib Ziadé
Deputy Secretary-General
International Centre for Settlement of Investment Disputes
World Bank
1818 H Street, N.W.
Washington, DC 20433

Dear Mr. Ziadé:

Re: Vito G. Gallo v. Government of Canada

I am writing in response to your decision, dated 14 October 2009, in which you request that I choose between providing any legal advice to the third NAFTA Party during the pendency of the arbitration or continue to serve as an arbitrator in this case. In light of your findings, and without knowing what Mexico might do in the future, I must resign from the Tribunal.

As requested, I attach a copy of a letter of same date to my colleagues, Mssrs. Fernández-Armesto and Castel.

I appreciate your attention to this matter.

Yours truly,


J.C. Thomas, Q.C.

cc (with attachment):
Mr. Chuck Gastle, counsel for the Claimant
Mr. Michael Owen, counsel for the Respondent
Mr. Paul-Jean Le Cannu, Permanent Court of Arbitration

JCT/yns

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