

**IN THE MATTER OF AN ARBITRATION UNDER CHAPTER 11 OF  
THE NORTH AMERICAN FREE TRADE AGREEMENT  
AND THE INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT  
DISPUTES (“ICSID”) ARBITRATION (ADDITIONAL FACILITY) RULES**

BETWEEN:

**MERCER INTERNATIONAL INC.**

**Claimant**

AND

**CANADA**

**Respondent**

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**PROCEDURAL ORDER NO. 5**

**ICSID Case No. ARB(AF)/12/3**

**11 March 2014**

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**TRIBUNAL:**

**Mr. V.V. Veeder (President)  
Professor Francisco Orrego Vicuña  
Professor Zachary Douglas**

## **I. REQUEST FOR A CONSENT ORDER**

1. The Tribunal is in receipt of joint correspondence from Claimant and Respondent (the “disputing parties”) requesting an order amending the schedule of proceedings.

## **II. THE TRIBUNAL’S ORDER**

2. The Tribunal hereby orders that the Schedule of Proceedings attached to the parties’ correspondence replace the original Schedule of Proceedings set out in Procedural Order No. 4.

3. A copy of the joint correspondence is attached to this order.

A handwritten signature in black ink, appearing to read "V.V. Veeder". The signature is written in a cursive, somewhat stylized font. Below the signature is a short horizontal line.

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**Mr. V.V. Veeder, President**

<b>Action</b>	<b>Party</b>	<b>Date</b>
Memorial with Witness Statement(s) and Expert Report(s). (Restricted Access Version).	Claimant	March 31, 2014
The Parties exchange proposed redactions for the Memorial, Witness Statement(s) and Expert Report(s)	Both Parties	April 7, 2014
The Claimant files the Public and Confidential versions of the Memorial	Both Parties	April 14, 2014
Counter-Memorial with Witness Statement(s) and Expert Report(s). (Restricted Access Version).	Respondent	July 31, 2014
The Parties exchange proposed redactions for the Counter-Memorial, Witness Statement(s) and Expert Report(s)	Both Parties	August 7, 2014
The Respondent files the Public and Confidential versions of the Counter-Memorial	Both Parties	August 14, 2014
Procedural Conference Call (if necessary).	Disputing Parties and Tribunal	September 8, 2014
Reply with Witness Statement(s) and Expert Report(s). (Restricted Access Version).	Claimant	October 31, 2014
The Parties exchange proposed redactions for the Reply, Witness Statement(s) and Expert Report(s)	Both Parties	November 7, 2014
The Claimant files the Public and Confidential versions of the Reply	Both Parties	November 14, 2014
Rejoinder with Witness Statement(s) & Expert Reply Report(s). (Restricted Access Version).	Respondent	February 2, 2015
The Parties exchange proposed redactions for the Rejoinder, Witness Statement(s) and Expert Report(s)	Both Parties	February 9, 2015
The Respondent files the Public and Confidential versions of the Rejoinder	Both Parties	February 16, 2015
NAFTA Article 1128 Submissions	Non-disputing NAFTA Parties	February 18, 2015
Disputing parties' Reply to Article 1128 Submissions, if any.	Disputing Parties	April 13, 2015
Pre-Hearing Teleconference	Disputing Parties and Tribunal	TBD
Oral Hearing (10 effective days)	All Parties & Tribunal	TBD
Award	Tribunal	TBD