

COURT OF APPEAL

IN THE MATTER OF AN ARBITRATION PURSUANT TO CHAPTER ELEVEN  
OF THE NORTH AMERICAN FREE TRADE AGREEMENT BETWEEN  
METALCLAD CORPORATION AND THE UNITED MEXICAN STATES,  
ICSID ADDITIONAL FACILITY CASE NO. ARB (AF)/97/1

BETWEEN:

THE UNITED MEXICAN STATES,

PETITIONER  
(APPELLANT)

AND:

METALCLAD CORPORATION,

RESPONDENT  
(RESPONDENT)

AND:

ATTORNEY GENERAL OF CANADA and LA PROCUREURE GENERALE  
DU QUEBEC ON BEHALF OF THE PROVINCE OF QUEBEC,

INTERVENORS

NOTICE OF ABANDONMENT OF APPEAL

In the matter of the appeal commenced by Notice of Appeal filed the 31<sup>st</sup> day of May, 2001, from the order of the Honourable Mr. Justice Tysoe of the Supreme Court of British Columbia, pronounced the 2<sup>nd</sup> day of May, 2001;

TAKE NOTICE that The United Mexican States, appellant in the above-noted matter, hereby wholly abandons this appeal as designated by the signature below.

Date: Oct 29, 2001

  
Patrick G. Foy, Q.C.  
(BORDEN LADNER GERVAIS LLP)  
Solicitor for the Appellant

Please be advised that Metalclad Corporation, respondent, wholly abandons its position in this appeal as designated by the signature below.

Date: 30th Oct. '01

FMD by D.G. Cowper  
D. Geoffrey Cowper, Q.C.  
(FASKEN MARTINEAU DuMOULIN LLP)  
Solicitor for the Respondent

This NOTICE OF ABANDONMENT OF APPEAL is filed by Patrick G. Foy, Q.C., of the firm of Borden Ladner Gervais LLP, solicitors for the Appellant whose place of business and address for service is 1200 Waterfront Centre, 200 Burrard Street, P.O. Box 48600, Vancouver, British Columbia, V7X 1T2, Tel (604) 687-5744.