

International Centre for Settlement of Investment Disputes

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June 4, 1998

Metalclad Corporation
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Salinas, California 93901

United Mexican States
Secretaría de Comercio y Fomento Industrial
c/o Mr. Hugo Perezcano Díaz
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Colonia Condesa
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Ref: Metalclad Corporation v. United Mexican States (ICSID
Case No. ARB(AF)/97/1).

Dear Sirs,

I have been asked by the President of the Tribunal to bring to your attention a number of points in respect of which the Tribunal would appreciate the assistance of the parties.

- i. All volumes of documents should be clearly labeled so as to show from which party they emanate and to which stage of the pleadings they relate. This applies equally to the original text and to translations.
- ii. The Tribunal recalls that it was agreed that only the relevant parts of documents need to be translated. However, a summary of a document in the language into which it is to be translated will not suffice to meet this requirement since it does not enable the Tribunal to identify what is relevant and to read the relevant part in full.
- iii. Parties should take care to ensure that all documents which are referred to in the text and relied on as part of their arguments should be included in their annexes and should be duly translated.

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- iv. It would be very helpful if, where possible, each annex could carry a cross-reference to the place in the pleadings to which it relates.
- v. The pages of documents should be stapled together. Where several documents are bound together in a single volume it would be helpful if the separation between each document could be marked by a numbered tab. A list of the documents in the volume identified by tab number should be placed at the beginning of the volume.
- vi. It would be helpful if each party could prepare a chronological list of the document annexes which it submits, together with an indication of where each document may be found. If these lists could be submitted to the Secretariat on computer disks the Secretariat would then prepare a consolidated chronological list of all the documents in the case.
- vii. The Tribunal thinks it essential that all correspondence addressed or copied by either party to the Tribunal should be in both the English and the Spanish languages.

The Tribunal hopes that the parties will not feel unduly burdened by meeting the requests set out above. Compliance will considerably assist the Tribunal in handling the large mass of documents which the parties are submitting to it.

Sincerely yours,



Alejandro A. Escobar
Secretary of the Tribunal

cc:

Professor Elihu Lauterpacht, Q.C.

Mr. Benjamin R. Civiletti

Mr. José Luis Siqueiros