



SECRETARÍA DE
ECONOMÍA

**SUBSECRETARÍA DE NEGOCIACIONES
COMERCIALES INTERNACIONALES**
Dirección General de Consultoría
Jurídica de Negociaciones

Oficio No.: DGCJN.511.13.162.05

México D.F. a 31 de marzo de 2005

Asunto International Thunderbird Gaming Corporation
c. los Estados Unidos Mexicanos

MIEMBROS DEL TRIBUNAL

At'n: Gonzalo Flores
Centro Internacional de Arreglo de
Diferencias relativas a Inversiones
1818 H Street, N.W.
Washington, D.C.
20433, EE.UU.

En respuesta a la comunicación del Tribunal del 17 de marzo de 2005, el gobierno de México informa que los costos en los que ha incurrido a partir del 3 de agosto¹ en virtud de la reapertura del procedimiento son los siguientes²:

- 116,122.06 dólares³ por honorarios y gastos de consultores externos⁴;
- 75,000 dólares por concepto de pagos al CIADI;

que dan un total de 191,122.06 dólares. Estos gastos no incluyen los gastos y costos en los que incurrieron la Secretaría de Economía y la Secretaría de Gobernación internamente.

La demandada considera que la reapertura del procedimiento causó perjuicio al gobierno de México, por lo que respetuosamente solicita al Tribunal lo considere en el momento de resolver sobre las costas del procedimiento.

Atentamente,
El Consultor Jurídico

Hugo Pérezcano Díaz

Ccp. James D. Crosby. Representante legal de International Thunderbird Gaming Corporation.

¹ Fecha en la que International Thunderbird Gaming Corporation presentó nuevas pruebas documentales.

² Los documentos de soporte que detallan los costos antes referidos están disponibles al Tribunal en caso de que los requiera.

³ Todas las cantidades se proporcionan en dólares de los Estados Unidos de América.

⁴ Véase testimonios de los Sres. Stephan Becker de Shaw Pittman, LLP y Cameron Mowatt de Thomas & Partners. Anexo 1.

**In the Matter of the Arbitration Proceeding
Pursuant to NAFTA Chapter Eleven:**

BETWEEN:

INTERNATIONAL THUNDERBIRD GAMING CORPORATION

Claimant/Investor

AND:

THE GOVERNMENT OF THE UNITED MEXICAN STATES

Respondent/Party

AFFIDAVIT OF J. CAMERON MOWATT

Dated: March 30, 2005

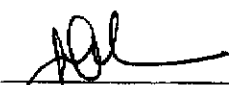
I, JAMES CAMERON MOWATT, Barrister and Solicitor, of 226-2211 West 4th Avenue, Vancouver, British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I make this affidavit in support of the claim by the Government of Mexico for recovery of additional fees and disbursements paid to its external legal consultants in connection with the Claimant's application to submit new evidence after the filing of the post-hearing submissions in this proceeding.

2. I am a partner in the law firm of Thomas & Partners, which carries on business in Vancouver, British Columbia and Ottawa, Ontario. Thomas & Partners has an annual retainer with the Government of Mexico for the provision of advice and representation in a wide range of matters relating to Mexico's rights and obligations under the NAFTA and other international agreements. The fees set out below are based on our specific matter ledger for charges recorded to file 40010-113, being the NAFTA Chapter Eleven claim by International Thunderbird Gaming Corporation.

3. Thomas & Partners received payment of US \$20,012.81 for services rendered between August 1, 2004 and October 31, 2004, by myself, J. Christopher Thomas and Lic. Alejandro Barragan, in connection with Mexico's response to the Claimant's application to submit new evidence. There were no further disbursements charged to the file.

Sworn before me at Vancouver, British
Columbia, this 30th day of March, 2005



A Commissioner for Taking Affidavits in the
Province of British Columbia



JAMES CAMERON MOWATT

J.J. ANKENMAN
ANKENMAN HUBS-VENUE
#410-1639 W. 2ND AVE.
VANCOUVER, CANADA

**INTERNATIONAL THUNDERBIRD
GAMING CORPORATION,
CLAIMANT,
v.
UNITED MEXICAN STATES,
RESPONDENT**

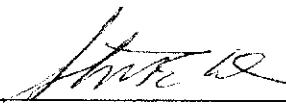
AFFIDAVIT OF STEPHAN E. BECKER

BEFORE me, the undersigned notary public, personally came and appeared Stephan E. Becker, who after being duly sworn, did state as follows:

- 1) I am a partner in the law firm Shaw Pittman LLP, located at 2300 N Street, NW, Washington, DC 20037.
- 2) I submit this affidavit in support of the Government of Mexico's statement of costs in the above-referenced arbitration. Based on data from my firm's internal accounting system, the total charges billed by Shaw Pittman in connection with the arbitration from August 5, 2004 to date is \$96,109.25, which includes \$94,622.50 for fees and \$1,486.75 for expenses.
- 3) As affirmed in my affidavit dated August 6, 2004, our charges through August 4, 2004 were \$579,040. Accordingly, the total combined charges for both before and after August 4, 2004 are \$675,149.25.


I declare under penalty of perjury that the foregoing is true and correct.

March 24, 2005



Stephan E. Becker

Sworn To And Subscribed
On This 24th Day Of
March, 2005



NOTARY PUBLIC
My Commission expires: 6/30/2006