

International Centre for Settlement of Investment Disputes

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April 18, 2008

By e-mail

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United States of America
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United States Department of State
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Re: Grand River Enterprises *et al* v. United States of America – NAFTA/UNCITRAL Arbitration Rules Proceeding

Dear Madame and Sirs,

In connection with the Claimants' letter of April 6, 2008, and the Respondent's letter of April 9, 2008, the President of the Tribunal has asked me to inform you the following:

1. As stated in the Tribunal's letters of January 28 and February 4, 2008, the question of production of documents is *closed*.
2. As requested by the Claimants and not objected to by the Respondent, the Tribunal decides to extend the deadlines for the parties' submission on the merits. The Tribunal

grants therefore forty-five days to the Claimants to file their Memorial on the merits and ninety days to the Respondent to file its Counter-Memorial on the merits.

3. The other deadlines set out in paragraphs (iii), (iv) and (v) of the Tribunal's letter of January 28, 2008 are extended by ninety days.
4. Therefore, the schedule for the parties' submissions is as follows:
 - (i) The Claimants shall file their Memorial by June 26, 2008. The Memorial should include all documentary evidence, witnesses' statements and experts' reports relied on by the Claimants.
 - (ii) The Respondent shall file its Counter-Memorial by November 24, 2008. The Counter-Memorial should include all documentary evidence, witnesses' statements and experts' reports relied on by the Respondent.
 - (iii) Canada and Mexico's observations in accordance with NAFTA Article 1128 and any amicus curiae submissions shall be filed by December 22, 2008.
 - (iv) The Claimants shall file their Reply by January 19, 2009. Only rebuttal evidences and/or testimonies are permitted in the Reply.
 - (v) The Respondent shall file its Rejoinder by March 16, 2009. Only rebuttal evidences and/or testimonies are permitted in the Rejoinder.
5. The date for the hearing on the merits will be determined subsequently.
6. Except for the new dates for the parties' submissions set in this letter, the content of the Tribunal's letter of January 28, 2008, shall remain in effect.

Respectfully yours,



Claudia Frutos-Peterson
Secretary of the Tribunal

cc:
Members of the Tribunal