

Christopher F. Dugan Esq
Paul Hastings,
1299 Pennsylvania Avenue, NW
10th Floor,
Washington DC 20004-2400, USA
By Fax: 00 1 202 508 9700

Mark A. Clodfelter Esq
Barton Legum Esq
Office of the Legal Adviser (L/CID)
United States Department of State
2430 E Street, N.W. Suite 203, South Building
Washington DC 20047-2800, USA
By Fax: 00 1 202 776 8388

V. V. Veeder QC

**Essex Court Chambers
24 Lincoln's Inn Fields
London WC2A 3ED**

**Telephone: (Int + 44) 171 813-8000
Fax (as Arbitrator): (Int + 44) 171 813-2024
Fax (as Counsel): (Int + 44) 171 813-8080
E-mail: 100662.2602@compuserve.com**

30 June 2003

Dear Colleagues,

*Re. NAFTA Arbitration
Methanex Corporation v. United States of America*

The Tribunal has considered the letters dated 16 & 19 June 2003 from Methanex and the letter dated 16 June 2003 from the USA; and it orders the following time-table:

- (1) By 5 December 2003, the USA shall complete its Fresh Pleading, together with all evidential materials adduced in support of its case, in answer to Methanex's Fresh Pleading (excluding all issues of quantum);
- (2) By 9 January 2004, Canada and Mexico are invited to make any submissions pursuant to NAFTA Article 1128. The Tribunal intends to invite amici curiae to make written submissions at this stage;
- (3) By 13 February 2004, Methanex shall submit a Reply to the USA's Fresh Pleading, together with all further evidential materials in rebuttal of the USA's evidential materials;
- (4) By 9 April 2004, the USA shall submit a Rejoinder to Methanex's Reply, together with all further evidential materials in rebuttal of Methanex's evidential materials;
- (5) As regards witness statements and expert witness reports, the Disputant Parties shall follow the requirements of Articles 4 and 5 of the IBA Rules, respectively;
- (6) Depending on the differences between the expert reports adduced by the Disputing Parties, the Tribunal may make one or more orders under Article 5(3) of the IBA Rules, requesting the expert witnesses to "meet and confer" and make a joint or supplementary report prior to the main hearing;

(7) By 14 May 2004, Methanex and the USA shall advise the Tribunal of the identity of any witness advanced by the other which it requires to cross-examine at the jurisdictional hearing; and upon such notification, unless otherwise ordered by the Tribunal, that witness shall be available as an oral witness at the main hearing; and

(8) Beginning on 7 June 2004, there shall be a hearing at the World Bank, Washington DC (currently estimated not to exceed eight days) at which principally (i) the Disputing Parties shall address all the USA's extant jurisdictional challenges, including the USA's new challenge made in Paragraphs 109 to 113 of its Supplemental Statement of Defense on Intent (pages 35-37); (ii) the Disputant Parties shall address the merits of Methanex's Claim, excepting all issues of quantum; and (iii) the relevant factual and expert oral witnesses shall be examined by the Disputant Parties before the Tribunal.

(It may be necessary later to modify or add further items to this timetable, including a further procedural meeting to address practical matters relating to the hearing. However, it is not currently anticipated that the Disputing Parties will experience any difficulty in meeting this time-table. Nonetheless, if any such difficulty were to be experienced by a Disputing Party, it is essential that the difficulty is raised with the other Disputing Party and the Tribunal at the earliest opportunity, without awaiting for the expiry of any deadline).

Yours Sincerely,

V. V. Veeder

cc. Mr William Rowley QC: by fax: 00 1 416 865 5519; Professor Michael Reisman: by fax: 00 1 203 432 7247; Ms Margrete Stevens, ICSID: by fax: 00 1 202 522 2615.

cc. Mexico and Canada; by fax.