

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

DISCOVERY GLOBAL LLC

(United States)

Claimant

– v –

THE SLOVAK REPUBLIC

Respondent

(ICSID Case No. ARB/21/51)

**CONSOLIDATED INDEX
OF FACTUAL EXHIBITS**

Members of the Tribunal:

Professor Gabrielle Kaufmann-Kohler, President
Mr. Stephen L. Drymer, Arbitrator
Professor Philippe Sands, Arbitrator

SQUIRE 
PATTON BOGGS

Factual Exhibits submitted with the Request for Security for Costs		
Exhibit No.	Description	Date
R-001	Texas Franchise Tax Public Information Report	2020
R-002	Discovery Global Tax Returns	2017-2020
R-003	Application for Reinstatement and Request to Set Aside Revocation or Forfeiture	18 May 2010
R-004	Texas Secretary of State, <i>Business Organizations Inquiry</i>	
R-005	Texas Assumed Name Certificate	8 August 2016
R-006	Letter from Squire Patton Boggs to Signature Litigation	17 February 2022
R-007	Letter from Squire Patton Boggs to the Tribunal	4 March 2022
R-008	Letter from Signature Litigation to the Tribunal	18 March 2022
R-009	Email from Squire Patton Boggs to Signature Litigation	17 June 2022
R-010	Email from Signature Litigation to Squire Patton Boggs	23 June 2022
R-011	Email from Squire Patton Boggs to Signature Litigation	19 July 2022
R-012	Email from Signature Litigation to Squire Patton Boggs	22 July 2022
Factual Exhibits submitted with the Counter-Memorial		
R-013-ENG	Articles of Association of the Forest Protection Association VLK	-
R-013-SLO	Articles of Association of the Forest Protection Association VLK	-
R-014-ENG	Decision on determination of exploration area Svidník	18 July 2006
R-014-SLO	Decision on determination of exploration area Svidník	18 July 2006
R-015-ENG	Resolution of the Smilno Municipal Council	23 July 2015
R-015-SLO	Resolution of the Smilno Municipal Council	23 July 2015
R-016-ENG	SME, <i>Clash between protesters and miners occurred in Prešov</i>	12 January 2016
R-016-SLO	SME, <i>Clash between protesters and miners occurred in Prešov</i>	12 January 2016
R-017-ENG	Invitation to the municipal public meeting in Smilno	16 June 2015
R-017-SLO	Invitation to the municipal public meeting in Smilno	16 June 2015
R-018	Constitution of the Slovak Republic	-
R-019-ENG	Act No. 160/2015 Coll. Civil Procedure Code, as amended	-

R-019-SLO	Act No. 160/2015 Coll. Civil Procedure Code, as amended	-
R-020-ENG	Act No. 161/2015 Coll. Civil Procedure Code for Non-adversarial Proceedings, as amended	-
R-020-SLO	Act No. 161/2015 Coll. Civil Procedure Code for Non-adversarial Proceedings, as amended	-
R-021-ENG	Act No. 153/2001 Coll. on Prosecution, as amended	-
R-021-SLO	Act No. 153/2001 Coll. on Prosecution, as amended	-
R-022	Act No. 301/2005 Coll. Criminal Procedure Code, as amended	-
R-023-ENG	Act No. 154/2001 Coll. on Prosecutors and Aspirants, as amended	-
R-023-SLO	Act No. 154/2001 Coll. on Prosecutors and Aspirants, as amended	-
R-024-ENG	Order of the Regional Prosecutor No. 6/2011 which regulates the service duty within the Regional Prosecutors Office in Prešov	28 November 2011
R-024-SLO	Order of the Regional Prosecutor No. 6/2011 which regulates the service duty within the Regional Prosecutors Office in Prešov	28 November 2011
R-025	Act No. 300/2005 Coll. on Criminal Code, as amended	-
R-026	UNESCO, <i>Bardejov Town Conservation Reserve</i>	-
R-027	SEVEROVYCHOD webpage, <i>Bardejov (UNESCO)</i>	-
R-028-ENG	Slovakia Travel webpage, <i>Spa of Bardejov</i>	-
R-028-SLO	Slovakia Travel webpage, <i>Spa of Bardejov</i>	-
R-029-ENG	Webpage of Makovica resort	-
R-029-SLO	Webpage of Makovica resort	-
R-030-ENG	Decision on determination of exploration area Medzilaborce	17 July 2006
R-030-SLO	Decision on determination of exploration area Medzilaborce	17 July 2006
R-031-ENG	Decision on determination of exploration area Snina	18 July 2006
R-031-SLO	Decision on determination of exploration area Snina	18 July 2006
R-032-ENG	<i>Ropa v Smilne, Niebiezscany – Smilno’s twin?</i>	24 December 2015
R-032-SLO	<i>Ropa v Smilne, Niebiezscany – Smilno’s twin?</i>	24 December 2015
R-033-ENG	<i>Ropa v Smilne, Oil miners are back</i>	7 June 2016

R-033-SLO	Ropa v Smilne, <i>Oil miners are back</i>	7 June 2016
R-034-ENG	SME, <i>Pilots are searching for oil in the east</i>	30 August 2012
R-034-SLO	SME, <i>Pilots are searching for oil in the east</i>	30 August 2012
R-035-ENG	Title Deed No. 1367	-
R-035-SLO	Title Deed No. 1367	-
R-036-ENG	Letter from Law Office Slamka to Mrs. Varjanová	30 December 2015
R-036-SLO	Letter from Law Office Slamka to Mrs. Varjanová	30 December 2015
R-037	Videorecording of Mr. Crow's Incident	-
R-038-ENG	Letter from Mr. [REDACTED] to the District Court Bardejov	20 June 2016
R-038-SLO	Letter from Mr. [REDACTED] to the District Court Bardejov	20 June 2016
R-039-ENG	Letter from AOG to the District Court Bardejov	20 June 2016
R-039-SLO	Letter from AOG to the District Court Bardejov	20 June 2016
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
R-041-ENG	Information about statute	-
R-041-SLO	Information about statute	-
R-042-ENG	Act No. 569/2007 Coll. on Geological Works, as amended (applicable from 15 June 2014 until 30 June 2016)	-
R-042-SLO	Act No. 569/2007 Coll. on Geological Works, as amended (applicable from 15 June 2014 until 30 June 2016)	-
R-043-ENG	Act No. 543/2002 Coll. on Nature and Landscape Protection, as amended	-
R-043-SLO	Act No. 543/2002 Coll. on Nature and Landscape Protection, as amended	-
R-044-ENG	Act No. 51/1988 Coll. on Mining Activities, as amended	-
R-044-SLO	Act No. 51/1988 Coll. on Mining Activities, as amended	-
R-045-ENG	Act No. 24/2006 Coll. on Environmental Impact Assessment, as amended (applicable as of 1 January 2017)	-
R-045-SLO	Act No. 24/2006 Coll. on Environmental Impact Assessment, as amended (applicable as of 1 January 2017)	-
R-046-ENG	Act No. 58/2014 Coll. on Explosives, as amended	-
R-046-SLO	Act No. 58/2014 Coll. on Explosives, as amended	-
R-047-ENG	The Regulation of the Slovak Mining Agency No. 89/1988 Coll. on rational utilization of exclusive deposit and on	-

	permission and reporting the mining activity and on reporting the activity carried out by mining manner, as amended	
R-047-SLO	The Regulation of the Slovak Mining Agency No. 89/1988 Coll. on rational utilization of exclusive deposit and on permission and reporting the mining activity and on reporting the activity carried out by mining manner, as amended	-
R-048-ENG	Act No. 44/1988 on Protection and Use of the Natural Resources, as amended	-
R-048-SLO	Act No. 44/1988 on Protection and Use of the Natural Resources, as amended	-
R-049-ENG	AOG Full Extract from the Commercial Register	17 February 2023
R-049-SLO	AOG Full Extract from the Commercial Register	17 February 2023
R-050-ENG	Annual Report for 2007	2007
R-050-SLO	Annual Report for 2007	2007
R-051-ENG	Annual Report for 2009	2009
R-051-SLO	Annual Report for 2009	2009
R-052-ENG	Annual Report for 2010	2010
R-052-SLO	Annual Report for 2010	2010
R-053	Investors' Chronicle, <i>Seven oil shares that could rocket</i>	11 March 2011
R-054	Hart Energy, <i>Aurelian O&G Sees Encouraging Signs From Its Polish Shale Prospects</i>	25 March 2011
R-055	Financial Times, <i>Aurelian's sale plan fails to lift shares</i>	10 February 2012
R-056	Cadastral Map of Land Plots 945 and 2721/780	-
R-057-ENG	Act No. 135/1961 Coll. on Roads, as amended	-
R-057-SLO	Act No. 135/1961 Coll. on Roads, as amended	-
R-058-ENG	STN 73 6100 Terminology of Surface Communications	-
R-058-SLO	STN 73 6100 Terminology of Surface Communications	-
R-059-ENG	Resolution of the District Court Prešov, File No. 20Co/14/2017-256	16 February 2017
R-059-SLO	Resolution of the District Court Prešov, File No. 20Co/14/2017-256	16 February 2017
R-060-ENG	Act No. 50/1976 Coll. on Spatial Planning and Construction Order, as amended	-

R-060-SLO	Act No. 50/1976 Coll. on Spatial Planning and Construction Order, as amended	-
R-061-ENG	Letter from Smilno Municipality	3 November 2016
R-061-SLO	Letter from Smilno Municipality	3 November 2016
R-062	Act No. 40/1964 Coll. the Civil Code, as amended	-
R-063-ENG	Decision of Regional Court in Prešov	14 April 2016
R-063-SLO	Decision of Regional Court in Prešov	14 April 2016
R-064-ENG	Consent from Mrs. [REDACTED]	23 May 2016
R-064-SLO	Consent from Mrs. [REDACTED]	23 May 2016
R-065	Videorecording of Mr. Crow's Incident	-
R-066-ENG	Letter from District Prosecutor's Office on FOIA response	4 July 2016
R-066-SLO	Letter from District Prosecutor's Office on FOIA response	4 July 2016
R-067-ENG	Act No. 171/1993 Coll. on Police Forces, as amended	-
R-067-SLO	Act No. 171/1993 Coll. on Police Forces, as amended	-
R-068-ENG	Decree No. 9/2008 implementing the Road Traffic Act	20 December 2008
R-068-SLO	Decree No. 9/2008 implementing the Road Traffic Act	20 December 2008
R-069-ENG	Act No. 8/2009 Coll. on Road Traffic, as amended	-
R-069-SLO	Act No. 8/2009 Coll. on Road Traffic, as amended	-
R-070-ENG	Act No. 326/2005 Coll. on Forests, as amended	-
R-070-SLO	Act No. 326/2005 Coll. on Forests, as amended	-
R-071-ENG	Act No. 575/2001 Coll. on Organization of Government Activities and Organization of Central Government, as amended	-
R-071-SLO	Act No. 575/2001 Coll. on Organization of Government Activities and Organization of Central Government, as amended	-
R-072-ENG	Act No. 111/1990 Coll. on the State Enterprise, as amended	-
R-072-SLO	Act No. 111/1990 Coll. on the State Enterprise, as amended	-
R-073	Lesy SR website, <i>Forests of the Slovak Republic: About us</i> , https://www.lesy.sk/forest/about-us/ (last accessed 20 February 2023)	-
R-074-ENG	Letter from AOG to the LSR dated	16 December 2015

R-074-SLO	Letter from AOG to the LSR dated	16 December 2015
R-075-ENG	Decision of the Ministry of Environment	27 June 2017
R-075-SLO	Decision of the Ministry of Environment	27 June 2017
R-076-ENG	Act No. 71/1967 Coll. on Administrative Procedure (Administrative Procedure Code), as amended	-
R-076-SLO	Act No. 71/1967 Coll. on Administrative Procedure (Administrative Procedure Code), as amended	-
R-077-ENG	Resolution of the District Court Humenné, File No. 5C/564/2015	27 November 2015
R-077-SLO	Resolution of the District Court Humenné, File No. 5C/564/2015	27 November 2015
R-078-ENG	Act No. 99/1963 Coll. the Code of Civil Procedure, as amended	-
R-078-SLO	Act No. 99/1963 Coll. the Code of Civil Procedure, as amended	-
R-079-ENG	Resolution of the District Prosecutor's Office Humenné	12 April 2016
R-079-SLO	Resolution of the District Prosecutor's Office Humenné	12 April 2016
R-080-ENG	Resolution of the District Directorate of Police Forces	28 July 2016
R-080-SLO	Resolution of the District Directorate of Police Forces	28 July 2016
R-082-ENG	EIA Act (applicable until 31 December 2016)	-
R-082-SLO	EIA Act (applicable until 31 December 2016)	-
R-083-ENG	Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment	13 December 2011 -
R-083-SLO	Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment	13 December 2011 -
R-084	European Commission, Interpretation of definitions of project categories of annex I and II of the EIA Directive	2015
R-085-ENG	TERAZ.SK, <i>Alpine Oil and Gas shall have an assessment of impacts of wells carried out</i>	2 April 2017

R-085-SLO	TERAZ.SK, <i>Alpine Oil and Gas shall have an assessment of impacts of wells carried out</i>	2 April 2017
R-086	Directive No. 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment	-
R-087-ENG	Preliminary EIA submission of Smilno-1	May 2017
R-087-SLO	Preliminary EIA submission of Smilno-1	May 2017
R-088-ENG	Preliminary EIA submission of Poruba-1	June 2017
R-088-SLO	Preliminary EIA submission of Poruba-1	June 2017
R-089-ENG	Preliminary EIA submission of Krivá Oľka-1	July 2017
R-089-SLO	Preliminary EIA submission of Krivá Oľka-1	July 2017
R-090	London Evening Standard, <i>JKX oligarch's assets frozen over bank spat</i>	21 December 2017
R-091-ENG	Decision of MoE on extension of NAFTA a.s. exploration area licence	19 March 2018
R-091-SLO	Decision of MoE on extension of NAFTA a.s. exploration area licence	19 March 2018
R-092	The University of Chicago Law Review Online, <i>The Troubling Case of the Unlimited Pass-Through Deduction: Section 2304 of the CARES Act</i>	29 June 2020
R-093	Email from Slovak Republic to Discovery	9 February 2021
R-094	Deloitte, <i>Tracking the Trends 2019: Top 10 Issues Transforming the Future Of Mining</i>	2019
R-095	EY, <i>License to Operate: Top 10 business risks facing mining and metals in 2019-20</i>	2018
R-096	Reuters, <i>Texas judge upholds \$3 million fracking verdict</i>	15 July 2014
R-097-ENG	Decision of District Office Humenné	13 January 2015
R-097-SLO	Decision of District Office Humenné	13 January 2015
R-098-ENG	Extract from the Register of Public Sector Partners of Nafta a.s.	16 February 2023
R-098-SLO	Extract from the Register of Public Sector Partners of Nafta a.s.	16 February 2023
R-099-ENG	Decision of the Minister of Environment	17 May 2013
R-099-SLO	Decision of the Minister of Environment	17 May 2013
R-100-ENG	Decision of MoE on extension of Ochtiná exploration area license	17 July 2018

R-100-SLO	Decision of MoE on extension of Ochtiná exploration area license	17 July 2018
R-101	Nafta website, <i>We support</i> , https://www.nafta.sk/en/corporate-responsibility/we-support (last accessed 1 March 2023)	-
R-102	Nafta a.s. 2015 Annual Report	31 December 2015
R-103	Nafta a.s. 2017 Annual Report	31 December 2017
R-104-ENG	Government Decree No. 50/2002 on the payment for the mining area, the payment for the extracted minerals and on the payment for the storage of gases or liquids	-
R-104-SLO	Government Decree No. 50/2002 on the payment for the mining area, the payment for the extracted minerals and on the payment for the storage of gases or liquids	-
R-105-ENG	Geology Act (applicable from 1 January 2019 until 31 August 2019)	-
R-105-SLO	Geology Act (applicable from 1 January 2019 until 31 August 2019)	-
R-106-ENG	Act No. 44/1988 Coll. on protection and use of the natural resources, as amended	-
R-106-SLO	Act No. 44/1988 Coll. on protection and use of the natural resources, as amended	-