

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Eco Oro Minerals Corp.

Claimant

v.

Republic of Colombia

Respondent

(ICSID Case No. ARB/16/41)

PROCEDURAL ORDER No. 5

Members of the Tribunal

Mrs. Juliet Blanch, President of the Tribunal
Professor Horacio A. Grigera Naón, Arbitrator
Professor Philippe Sands, Arbitrator

Secretary of the Tribunal

Mrs. Ana Constanza Conover Blancas

Assistant to the President of the Tribunal

Mr. João Vilhena Valério

21 December 2018

Procedural Order No. 5

I. PROCEDURAL BACKGROUND

1. On 10 October 2018, the Tribunal issued Procedural Order No. 4, concerning adjustments to the procedural calendar. In its order, the Tribunal granted a 60-day extension to the Respondent to file its Counter-Memorial on the Merits and Memorial on Jurisdiction and allowed a 60-day extension to the Claimant for the filing of its Reply on the Merits and Counter-Memorial on Jurisdiction, if so required.
2. By communications of 26 and 29 October 2018, and 27 and 29 November 2018, the Parties consulted with the Tribunal concerning potential alternative hearing dates, in case the Claimant were to apply for a 60-day extension under Procedural Order No. 4 and the end-January 2020 hearing needed to be moved. Having consulted with the Parties, the Tribunal concluded that it was necessary to keep the January 2020 hearing dates to avoid several additional months of delay in the proceeding.
3. By communications of 18 and 20 December 2018, the Parties informed the Tribunal of their agreement to propose amendments to the procedural calendar with respect to the timetable for the remaining procedural steps prior to the hearing.

II. ORDER

4. The Tribunal approves the Parties' proposed amendments to the procedural calendar, as revised on 20 December 2018. The Tribunal issues this Procedural Order No. 5, memorializing such amendments.
5. In view of the above, Annex A to Procedural Order No. 1 is hereby amended as follows:

Procedural Order No. 5

Annex A – Procedural Calendar

Eco Oro Minerals Corp. v. Republic of Colombia
(ICSID Case No. ARB/16/41)

Description	Party / Tribunal	Period of Time	Due Date
Counter-Memorial on the Merits and Memorial on Jurisdiction	Respondent	+60 days from 25 October 2018	Respondent files with ICSID on 24 December 2018 deadline established in Procedural Order No. 4, but ICSID holds Counter-Memorial in “escrow” and delivers to Claimant and the Tribunal on <u>2 January 2019</u>
Cut-off date for submission of applications for leave to file a Non-Disputing Party submission	Non-Disputing Parties	+7 days from date in which Respondent files with ICSID Counter-Memorial on Merits and Memorial on Jurisdiction	31 December 2018
Comments on the applications from Non-Disputing Parties seeking leave to file submissions	Parties	+28 days from cut-off date for applications from Non-Disputing Parties	28 January 2019
Decision concerning applications from Non-Disputing Parties	Tribunal	+21 days from the Parties’ Comments on the applications from Non-Disputing Parties seeking leave to file submissions	18 February 2019
Requests for Production of Documents	Parties	+49 days from Claimant’s receipt of the Counter-Memorial on the Merits and Memorial on Jurisdiction	20 February 2019

Eco Oro Minerals Corp. v. Republic of Colombia
(ICSID Case No. ARB/16/41)

Procedural Order No. 5

Description	Party / Tribunal	Period of Time	Due Date
Objections to Production Requests and Production of Uncontested Documents	Parties	+14 days from the Requests for Production of Documents	6 March 2019
Responses to Objections to Production Requests	Parties	+ 14 days from the Objections to Production Requests	20 March 2019
Deadline to file Non-Disputing Party submission	Non-Disputing Parties	+30 days from the Tribunal's Decision concerning applications from Non-Disputing Parties	20 March 2019
Ruling on Parties' Requests for Production of Documents	Tribunal	+ 14 days from Responses to Objections to Productions Requests	3 April 2019
Document Production in accordance with the Tribunal's Rulings	Parties	+ 21 days from the Ruling on Parties' Requests for Production of Documents	24 April 2019
Reply on the Merits and Counter-Memorial on Jurisdiction	Claimant	+149 days from Claimant's receipt of the Counter-Memorial on the Merits and Memorial on Jurisdiction	31 May 2019
Rejoinder on the Merits and Reply on Jurisdiction	Respondent	+130 days from the Reply on the Merits and Counter-Memorial on Jurisdiction	8 October 2019
Rejoinder on Jurisdiction	Claimant	+57 days from Rejoinder on the Merits and Reply on Jurisdiction	4 December 2019
Witness notification	Claimant & Respondent	35 days before the Hearing	16 December 2019
Pre-Hearing Organizational Meeting	All	30 days before the Hearing	20 December 2019

Eco Oro Minerals Corp. v. Republic of Colombia
(ICSID Case No. ARB/16/41)

Procedural Order No. 5

Description	Party / Tribunal	Period of Time	Due Date
Hearing	All	In the period between 20-31 January 2020	In the period between 20-31 January 2020

On behalf of the Tribunal,

[Signed]

Mrs. Juliet Blanch
President of the Tribunal
Date: 21 December 2018