

**IN THE MATTER OF AN ARBITRATION  
BEFORE A TRIBUNAL CONSTITUTED IN ACCORDANCE WITH  
THE FREE TRADE AGREEMENT BETWEEN THE REPUBLIC OF KOREA AND THE  
UNITED STATES OF AMERICA, DATED 30 JUNE 2007**

**- and -**

**THE ARBITRATION RULES OF THE UNITED NATIONS COMMISSION  
ON INTERNATIONAL TRADE LAW, 1976**

**PCA CASE N° 2018-55**

**-between-**

- 1. MASON CAPITAL, L.P. (U.S.A.)**
- 2. MASON MANAGEMENT LLC (U.S.A.)**  
**(the “Claimants”)**

**-and-**

**REPUBLIC OF KOREA**  
**(the “Respondent,” and together with the Claimants, the “Parties”)**

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**PROCEDURAL ORDER NO. 7**

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**The Arbitral Tribunal**

Professor Dr. Klaus Sachs (Presiding Arbitrator)

The Rt. Hon. Dame Elizabeth Gloster

Professor Pierre Mayer

**Registry**

Permanent Court of Arbitration

**21 April 2021**

**WHEREAS** on 12 March 2020, the Tribunal issued Procedural Order No. 4 establishing the Procedural Calendar for the current phase of the proceedings and setting hearing dates;

**WHEREAS** on 6 April 2021, the Claimants informed the Tribunal that the Parties were considering making a joint request for extension of the schedule for filing the Claimants' Reply, and requested the Tribunal confirm its availability for hearing dates in the first quarter of 2022 in the event that the current October 2021 hearing dates needed to be released;

**WHEREAS** on 7 April 2021, the Tribunal informed the Parties of its availability for a 10-day hearing to be held during the first quarter of 2022;

**WHEREAS** on 8 April 2021, the Claimants requested that the Tribunal grant a three-week extension of the deadline for filing the Claimants' Reply but keep all other deadlines as scheduled and maintain the October 2021 hearing dates;

**WHEREAS** on 13 April 2021, the Respondent requested that the Tribunal deny the Claimants' request, release the October 2021 hearing dates, and direct the Parties to agree on dates for a hearing to be held in the first quarter of 2022;

**WHEREAS** on 14 April 2021, the Claimants proposed in the alternative that they limit their request for extension and modify the schedule for submission of the Parties' Rejoinders in order to maintain the October 2021 hearing dates;

**WHEREAS** on 15 April 2021, the Tribunal proposed two options for modifying the Procedural Calendar and requested that the Parties confer with a view to reaching an agreement on one of the two options;

**WHEREAS** by their e-mails dated 19 April 2021, the Parties confirmed their agreement with one of the Tribunal's proposed amendments to the Procedural Calendar, subject to certain conditions;

**THE TRIBUNAL HEREBY ORDERS:**

As agreed by the Parties, the Procedural Calendar is revised as follows:


Statement of Reply and Defence to Objections to Jurisdiction	Friday, 23 April 2021
Statement of Rejoinder and Reply on Objections to Jurisdiction	Friday, 13 August 2021
Notification of witnesses and experts to be cross-examined	Friday, 20 August 2021
Statement of Rejoinder on Objections to Jurisdiction	Wednesday, 15 September 2021
Notification of any further witnesses and experts to be cross-examined in light of the Claimants' Rejoinder on Jurisdiction	Monday, 20 September 2021

Pre-Hearing Conference	Wednesday, Thursday, or Friday, 22-24 September 2021
Hearing	Saturday until the following Saturday, 9-16 October 2021

As agreed by the Parties, the Tribunal shall hold in reserve hearing dates for Saturday, 19 March to Saturday, 26 March 2022. After consulting with the Parties, the Tribunal shall decide by 13 August 2021 whether the hearing shall proceed on 9 to 16 October as per the revised Procedural Calendar.

The Tribunal may also revert to the Parties at an earlier date with a view to deciding whether the hearing shall proceed in October 2021. If the Tribunal decides on 13 August 2021, or at an earlier date, to sit in October 2021, it will release the March 2022 dates.

**Place of arbitration (legal seat):** Singapore



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Professor Dr. Klaus Sachs  
(Presiding Arbitrator)

On behalf of the Tribunal