

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Bank of Nova Scotia
Claimant

v.

Republic of Peru
Respondent

(ICSID Case No. ARB/22/30)

PROCEDURAL ORDER No. 3
On Procedural Calendar

Members of the Tribunal

Ms. Lucy Reed, President of the Tribunal
Prof. Dr. Kaj Hobér, Arbitrator
Prof. Zachary Douglas K.C., Arbitrator

Secretary of the Tribunal

Ms. Veronica Lavista

2 July 2024

1. The Tribunal has considered the Parties' submissions of 25, 27 and 28 June 2024 concerning the Procedural Timetable going forward, including the draft Procedural Timetables (for three bifurcation-related Scenarios) provided by each side.
2. The Tribunal appreciates the Respondent's position that its proposed date of 23 August 2024 for the Claimant to file its Memorial on the Merits and follow-on deadlines are consistent with the Parties' discussions in January 2024 concerning the Procedural Timetable. However, the Tribunal also appreciates that several months have passed since those discussions and the circumstances have changed significantly for the Claimant and its counsel, leading the Claimant to request 29 November 2024 as the filing date for its Memorial on the Merits.
3. The Tribunal has determined to accept the Claimant's request to schedule its Memorial on the Merits for submission on 29 November 2024, with other deadlines generally to follow the Parties' agreed intervals.
4. The Tribunal has also determined to use the 12-week interval proposed by the Respondent for submission of its Counter-Memorial on the Merits in Scenario 1 (no request for bifurcation) rather than automatically match the interval for submission of the Claimant's Memorial on the Merits. If the Respondent considers that it needs more time to prepare its Counter-Memorial on the Merits or a bifurcation request, the Tribunal will entertain an application at the relevant time.

ORDER

5. The Tribunal directs the Parties to follow the attached Procedural Timetables for Scenarios 1, 2 and 3.

On behalf of the Tribunal,

[Signed]

Ms. Lucy Reed
President of the Tribunal
Date: 2 July 2024