

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NOVENERGIA II – ENERGY &
ENVIRONMENT (SCA),

 Petitioner,

 v.

THE KINGDOM OF SPAIN,

 Respondent.

Civil Action No. 1:18-cv-1148 (TSC)

FORESIGHT LUXEMBOURG SOLAR 1
S.À.R.L., et al.,

 Petitioners,

 v.

THE KINGDOM OF SPAIN,

 Respondent.

Civil Action No. 1:20-cv-925 (TSC)

**JOINT STATUS REPORT REGARDING
SET ASIDE PROCEEDINGS PENDING IN THE SVEA COURT OF APPEAL**

Pursuant to the Court’s Order dated September 9, 2020, Petitioners Novenergia II – Energy & Environment (SCA) (“Novenergia”), Foresight Luxembourg Solar 1 S.À.R.L., Foresight Luxembourg Solar 2 S.À.R.L., Greentech Energy Systems A/S (now known as Athena Investments A/S), GWM Renewable Energy I S.P.A., and GWM Renewable Energy II S.P.A. (the last five hereinafter referred to, collectively, as the “Foresight Petitioners”), and Respondent the Kingdom of Spain (“Spain”) submit this joint status report regarding the two separate proceedings

brought by Spain in the Svea Court of Appeal in Sweden (“Svea Court”) to set aside each of the two arbitral awards at issue in these actions.

I. Proceedings in Spain’s Action to Set Aside the Award in *Novenergia*

In their April 5, 2021 Joint Status Report (ECF No. 64), Spain and Novenergia reported that the Svea Court ordered the *Novenergia* set aside proceedings to be stayed pending the outcome of proceedings before the Court of Justice of the European Union (“CJEU”). The proceedings remain stayed and there are no updates to report.

II. Proceedings in Spain’s Action to Set Aside the Award in *Foresight*

In their April 5, 2021 Joint Status Report (ECF No. 64), Spain and the Foresight Petitioners reported that the Svea Court ordered the *Foresight* set aside proceedings to be stayed pending the outcome of proceedings before the CJEU. The proceedings remain stayed and there are no updates to report.

Dated: September 7, 2021

NOVENERGIA II – ENERGY &
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