UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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NOVENERGIA II – ENERGY & ENVIRONMENT (SCA),)))
Petitioner, v.))) Civil Action No. 1:18-cv-1148 (TSC))
THE KINGDOM OF SPAIN, Respondent.))))
FORESIGHT LUXEMBOURG SOLAR 1 S.À.R.L., et al., Petitioners, v.))))) Civil Action No. 1:20-cv-925 (TSC)
THE KINGDOM OF SPAIN, Respondent.	

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. (collectively, 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

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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

On December 18, 2020, Novenergia filed a submission commenting on the Court's draft case summary and Spain's submission on November 5, 2020. Spain will file its final submission on the case summary by January 22, 2021.

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

On December 17, 2020, pursuant to the leave granted by the Svea Court, the European Commission submitted an *amicus curiae* brief. On December 22, 2020, the Svea Court ordered the parties to submit comments on that brief by January 29, 2021.

Pursuant to leave granted by the Svea Court, the Foresight Petitioners will submit comments on Spain's brief of October 15, 2019 by January 8, 2021.

Dated: January 4, 2021

NOVENERGIA II – ENERGY & ENVIRONMENT (SCA)

By its attorneys,

LATHAM & WATKINS LLP

Respectfully submitted,

KINGDOM OF SPAIN

By its attorneys,

FOLEY HOAG LLP

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By their attorneys,

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