UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NOVENERGIA II – ENERGY & ENVIRONMENT (SCA),

Petitioner,

v.

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

THE KINGDOM OF SPAIN,

Respondent.

JOINT STATUS REPORT REGARDING SET-ASIDE PROCEEDINGS <u>PENDING IN THE SVEA COURT OF APPEAL</u>

Pursuant to the Court's Order dated January 27, 2020, Petitioner Novenergia II - Energy

& Environment (SCA) ("Novenergia") and Respondent the Kingdom of Spain ("Spain") submit

this joint status report regarding the proceedings pending before the Svea Court of Appeal ("Svea

Court") to set aside the arbitral award (the "Award") at issue in this case.

1. On April 8, 2020, Novenergia submitted its observations on the European

Commission's request to the Svea Court and its brief replying to Spain's December 18, 2018

brief.

Dated: May 4, 2020

NOVENERGIA II – ENERGY & ENVIRONMENT (SCA)

By its attorneys,

LATHAM & WATKINS LLP

<u>/s/ Claudia Salomon</u> Allen M. Gardner (DC Bar No. 456723) Rebekah Soule (DC Bar No. 1033203) 555 11th St. NW Washington, D.C. 20004 (202) 637-2200 allen.gardner@lw.com rebekah.soule@lw.com

Claudia Salomon (*pro hac vice*) Lilia Vazova (*pro hac vice*) 885 Third Avenue New York, NY 10022 (212) 906-1200 claudia.salomon@lw.com lilia.vazova@lw.com

Fernando Mantilla-Serrano (*pro hac vice*) 45, rue Saint-Dominique Paris 75007 France +33 1 40 62 20 00 fernando.mantilla@lw.com

Attorneys for Petitioner

Respectfully submitted,

KINGDOM OF SPAIN

By its attorneys,

FOLEY HOAG LLP

/s/ Derek C. Smith Derek C. Smith (D.C. Bar No. 468674) Lawrence H. Martin (D.C. Bar No. 476639) Nicholas M. Renzler (D.C. Bar No. 983359) Diana Tsutieva (D.C. Bar No. 1007818) 1717 K Street, NW Washington, DC 20006-5350 202-223-1200 dcsmith@foleyhoag.com Imartin@foleyhoag.com dtsutieva@foleyhoag.com

Andrew Z. Schwartz (D.D.C. Bar No. MA0017) Andrew B. Loewenstein (D.D.C. Bar No. MA0018) Seaport West 155 Seaport Boulevard Boston, MA 02210-2600 617-832-1000 aschwartz@foleyhoag.com aloewenstein@foleyhoag.com

Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2020, I caused a true and correct copy of the foregoing to be filed with the Clerk of the Court using the ECF system and thereby served upon all counsel of record.

<u>/s/ Claudia T. Salomon</u> Claudia T. Salomon