

Ruby River Capital LLC v. Canada
(ICSID Case No. ARB/23/5)

Annex A

Annex A: Procedural Calendar (version corrected 10 January 2025)

| | Step | Parties / Tribunal | Days | Date |
|-----|---|--------------------|-------------------|------------------------|
| 1. | Procedural Order No. 1 | Tribunal | | 23 August 2023 |
| 2. | Memorial | Claimant | 90 | 21 November 2023 |
| | <i>Decision on bifurcation</i> | <i>Tribunal</i> | | <i>26 April 2024</i> |
| 3. | Counter-Memorial on the Merits and Memorial on Jurisdiction | Respondent | 80 | 15 July 2024 |
| 4. | Parties' respective Requests to Produce Documents | Parties | 35 | 19 August 2024 |
| 5. | Objections to Requests to Produce Documents | Parties | 30 | 18 September 2024 |
| 6. | Deadline for applications for leave to submit <i>amicus curiae</i> submissions, if any, attaching the proposed submission | Third-parties | 102 (from step 3) | 25 September 2024 |
| 7. | Replies to objections to Requests to Produce Documents | Parties | 30 (from step 5) | 25 October 2024 |
| 8. | Observations on applications for leave to submit <i>amicus curiae</i> submissions | Parties | 30 (from step 6) | 25 October 2024 |
| 9. | Decision on applications for leave to submit <i>amicus curiae</i> submissions | Tribunal | | 20 December 2024 |
| 10. | Decision by the Tribunal on Requests to Produce Documents | Tribunal | | 30 November 2024 |
| 11. | Privilege log with redacted versions of documents identifying the grounds for redacting | Respondent | | 10 December 2024 |
| 12. | Production of Documents (both non-contested and as ordered by the Tribunal) responding to requests 5,9, 10, 13, 14, 16, 17, 18, 19, 20, 21, 22, 24, 25, 27, 30, 36, 37, 38, 39. | Parties | | 13 to 20 December 2024 |

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| 13. | Request for production of documents identified in Respondent's privilege log ("documents identified as privileged") | Claimant | | 19 December 2024 |
| 14. | Opposition to requests for production of documents identified as privileged. | Respondent | | 26 December 2024 |
| 15. | Reply to Respondent's opposition | Claimant | | 30 December 2024 |
| 16. | Production of documents as ordered by the Tribunal on 20 December 2024 | Claimant | | 20 January 2025 (at the latest) |
| 17. | Decision on requests for production of documents identified as privileged | Tribunal | | 23 January 2025 (at the latest) ¹ |
| 18. | Production of documents as ordered by the Tribunal in Step 17 | Respondent | 7 days from Step 17 | 30 January 2025 (at the latest) |
| 19. | Production of documents (both non-contested and as ordered by the Tribunal) responding to requests 1, 2, 3, 4, 6, 7, 8, 12, 23, 25, 26, 28, 29, 31, 32, 33, 34, 35 and production of a privilege log | Respondent | | 21 December 2024 – 14 February 2025 |
| 20. | Production of documents and of a final privilege log | Parties | | 14 February 2025 |
| 21. | Requests for production of documents identified as privileged or of the redacted documents | Parties | | 25 February 2025 |
| 22. | Decision on the requests for production of documents identified as privileged | Tribunal | | 11 March 2025 |
| 23. | Production of documents as ordered by the Tribunal in Step 21 | Parties | | 18 March 2025 |
| 24. | Reply on the Merits and Counter-Memorial on Jurisdiction | Claimant | | 9 April 2025 |
| 25. | Rejoinder on the Merits and Reply on Jurisdiction | Respondent | 70 | 18 June 2025 |

¹ 23 January 2025 is a deadline and the Tribunal will make its best efforts to issue its decision before that date.

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| 26. | Rejoinder on Jurisdiction | Claimant | 61 | 18 August 2025 |
| 27. | NAFTA Article 1128 Submissions by non-disputing NAFTA Parties, if any | Non-disputing NAFTA Parties | 30 | 17 September 2025 |
| 28. | List of witnesses and experts to be cross-examined during the hearing | Parties | At least 4 weeks before the dates for Hearing | 7 October 2025 |
| 29. | Request for leave to present witnesses/experts not called by the other Party. | Parties | Within 48 hours of step 28 | 9 October 2025 |
| 30. | Disputing Parties' Submissions, if any, on NAFTA Article 1128 Submissions | Parties | 30 | 17 October 2025 |
| 31. | Indication of witnesses/experts called by the Tribunal and Tribunal's ruling on Parties' requests for leave to present witnesses/experts not called by the other Party. | Tribunal | Within 2 weeks of step 29 | 23 October 2025 |
| 32. | Pre-hearing organizational teleconference/videoconference | All | At least 4 weeks before the dates for Hearing | 4 November 2025 |
| 33. | Hearing | All | | 2 to 12 December 2025 [with 1 or 2 days in reserve] |
| 34. | Post-Hearing Briefs | Parties | TBC | TBC |
| 35. | Cost submissions | Parties | TBC | TBC |