

**IN THE MATTER OF AN ARBITRATION
BEFORE A TRIBUNAL CONSTITUTED IN ACCORDANCE WITH
THE FREE TRADE AGREEMENT BETWEEN THE REPUBLIC OF KOREA AND THE
UNITED STATES OF AMERICA, DATED 30 JUNE 2007**

- and -

**THE ARBITRATION RULES OF THE UNITED NATIONS COMMISSION
ON INTERNATIONAL TRADE LAW, 1976**

PCA CASE N° 2018-55

- between -

- 1. MASON CAPITAL L.P. (U.S.A.)**
- 2. MASON MANAGEMENT LLC (U.S.A.)**
(the “Claimants”)

- and -

REPUBLIC OF KOREA
(the “Respondent,” and together with the Claimants, the “Parties”)

PROCEDURAL ORDER NO. 4

The Arbitral Tribunal
Professor Dr. Klaus Sachs (Presiding Arbitrator)
The Rt. Hon. Dame Elizabeth Gloster
Professor Pierre Mayer

Registry
Permanent Court of Arbitration

12 March 2020

WHEREAS the Tribunal notified its Decision on Respondent’s Preliminary Objections to the Parties on 24 January 2020 and invited them to confer and seek agreement on the procedural calendar for the next phase of the proceedings;

WHEREAS the Parties submitted a joint proposal to the Tribunal on 28 February 2020;

WHEREAS the Tribunal suggested to amend certain deadlines in the Parties’ proposal on 9 March 2020;

WHEREAS the Parties confirmed their agreement with the Tribunal’s proposed amendments on 10 and 12 March 2020;

WHEREAS Claimants have, in the Parties’ joint proposal of 28 February 2020, reserved the right to submit a Statement of Rejoinder on Objections to Jurisdiction, if any are raised in the Statement of Defence;

WHEREAS Claimants have, in their email of 12 March 2020, reserved the right to apply for an extension of the envisaged date for the submission of Claimants’ Statement of Rejoinder on Objections to Jurisdiction;

THE TRIBUNAL HEREBY ORDERS:

As agreed by the Parties, the following Procedural Calendar shall apply to the next phase of the proceedings:

Event	Party	Date
Receipt of Decision on Respondent’s Preliminary Objections	Tribunal	Fri 24 January 2020
<i>Phase 1: First-Round Written Submissions</i>		
Amended Statement of Claim	Claimants	Fri 12 June 2020
Statement of Defence	Respondent	Fri 30 October 2020
<i>Phase 2: Document Production / Non-Disputing Party Submission</i>		
Document production requests	Parties	Tue 17 November 2020
Objections to production	Parties	Fri 04 December 2020
Responses to objections (submitted to Tribunal)	Parties	Tue 15 December 2020
Tribunal decision on objections	Tribunal	Mon 11 January 2021
Voluntary production and involuntary production	Parties	Mon 01 February 2021

Non-Disputing Party Submission (if any)	United States	Mon 01 February 2021
<i>Phase 3: Second-Round Written Submissions</i>		
Statement of Reply [and Defence to Objections to Jurisdiction] (and observations on Non-Disputing Party Submission)	Claimants	Mon 5 April 2021
Statement of Rejoinder [and Reply on Objections to Jurisdiction] (and observations on Non-Disputing Party Submission)	Respondent	Fri 30 July 2021
[Statement of Rejoinder on Objections to Jurisdiction, if any]	Claimants	Wed 8 September 2021
<i>Phase 4: Hearing</i>		
Notification of witnesses and experts to be cross- examined	Parties	Mon 13 September 2021
Pre-Hearing Conference (conference call)	All	Thu 16 September 2021
Hearing (New York City)	All	Mon 04 October 2021 until Friday, 15 October 2021

Place of arbitration (legal seat): Singapore



Professor Dr. Klaus Sachs
(Presiding Arbitrator)

On behalf of the Tribunal