

ARBITRATION UNDER THE UNCITRAL RULES

PCA CASE N° 2010-13 / DUN-BZ

DUNKELD INTERNATIONAL INVESTMENT LTD (CLAIMANT)

v.

THE GOVERNMENT OF BELIZE (RESPONDENT)

ORDER NO. 2

21 MAY 2014

CONSIDERING:

- (A) The Tribunal's Order No. 1 of 6 February 2014, which fixed among other things the schedule for these proceedings;
- (B) The Parties' agreement, communicated to the Tribunal on 23 April 2014, to revise the timetable, including extending the deadline for submission of the Respondent's Statement of Defence until 23 May 2014, which was approved by the Tribunal on 25 April 2014;
- (C) The decision of the Court of Appeal of Belize dated 15 May 2014 in the matter of Civil Appeals Nos. 18, 19, and 21 of 2012;¹
- (D) The Respondent's application of 16 May 2014 for an extension of three weeks to the deadline for the submission of the Respondent's Statement of Defence, in order to permit the Respondent to "review and analyze the impact of this opinion on the various issues relevant to these proceedings";
- (E) The Claimant's letter of 20 May 2014, opposing the Respondent's application;
- (F) The Respondent's letter of 20 May 2014 in further support of its application;
- (G) The Claimant's letter of 21 May 2014, reiterating its opposition to the Respondent's application;

¹ Civil Appeal No. 18: (1) *The Attorney General of Belize*; (2) *The Minister of Public Utilities v. British Caribbean Bank Limited*; Civil Appeal No. 19: (1) *The Attorney General of Belize*; (2) *The Minister of Public Utilities v. (1) Dean Boyce*; (2) *Trustees of the BTL Employees Trust*; Civil Appeal No. 21: *Fortis Energy International (Belize) Inc. v. (1) The Attorney General of Belize*; (2) *The Minister of Public Utilities*.

THE ARBITRAL TRIBUNAL HEREBY DECIDES AS FOLLOWS:

1. The deadline for the submission of the Respondent's Statement of Defence is extended for one week, until **Friday, 30 May 2014**.
2. The remaining procedural deadlines shall be extended by a corresponding amount, as follows:

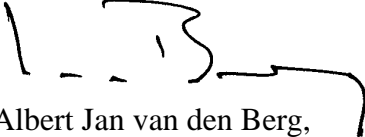
	Description	By	Days	Date	PO2 §
(a)	Telephone Conference	All		Monday, 27 January 2014	
(b)	Statement of Claim	Claimant	32	Friday, 28 February 2014	7.1(a); 8.1
(d)	Statement of Defence	Respondent	91	Friday, 30 May 2014	7.1(e); 8.1
	Production of Documents Phase				
(e)	Request	Claimant and Respondent	11	Tuesday, 10 June 2014	8.4-8.7
(f)	Production of Non-Objected Documents and Objections	Claimant and Respondent	14	Tuesday, 24 June 2014	8.4-8.7
(g)	Responses to Objections	Claimant and Respondent	14	Tuesday, 8 July 2014	8.4-8.7
(h)	Decision on Request	Tribunal	10	Friday, 18 July 2014	8.4-8.7
(i)	Production as Ordered	Claimant and Respondent	19	Wednesday, 6 August 2014	8.4-8.7
(j)	Reply on the Merits	Claimant	14	Wednesday, 20 August 2014	7.1(f); 8.2; 8.3
(k)	Rejoinder on the Merits	Respondent	44	Friday, 3 October 2014	7.1(g); 8.2; 8.3
(l)	Notification of Witnesses and Experts	Claimant and Respondent		To be agreed between the Parties	9.4; 9.8
(m)	Cut-off Date for Additional Documents	Claimant and Respondent		To be agreed between the Parties	8.3
(n)	Pre-Hearing Telephone Conference	All		To be agreed between the Parties	10.2-10.3
(o)	Hearing Commencement	All		Wednesday, 5 November 2014	7.1(h); 9.3-9.10
(p)	Hearing Ends	All	4	Sunday, 9 November 2014	7.1(h); 9.3-9.10; 10
(q)	Simultaneous Post-Hearing Memorials	Claimant and Respondent		TBD	7.1(i)

(r)	Simultaneous Reply Post-Hearing Memorials	Claimant and Respondent		TBD	7.1(i)
(s)	Simultaneous Cost Submissions	Claimant and Respondent		TBD	7.1(i)
(t)	Award	Tribunal		TBD	

3. With respect to ¶¶ 2(l)-(n) above, the Tribunal requests the Parties to agree on dates and communicate them to the Tribunal for the Tribunal's approval.

4. The Tribunal notes that the revised timetable does not allow for further extensions of time without jeopardizing the scheduled hearing dates. Accordingly, the Parties are requested to be diligent in meeting the deadlines as amended in the revised timetable.

On behalf of the Arbitral Tribunal,


Albert Jan van den Berg,
Presiding Arbitrator