

**ARBITRATION UNDER
THE NORTH AMERICAN FREE TRADE AGREEMENT
AND THE 2010 UNCITRAL ARBITRATION RULES**

Between

DETROIT INTERNATIONAL BRIDGE COMPANY

(on its own behalf and on behalf of its enterprise The Canadian Transit Company)

Claimant

and

THE GOVERNMENT OF CANADA

Respondent

(and together with the Claimant, the “*Disputing Parties*”)

PROCEDURAL ORDER No. 4

March 27, 2013

Arbitral Tribunal

Mr. Yves Derains (Chairman)
The Hon. Michael Chertoff
Mr. Vaughan Lowe, Q.C.

WHEREAS a procedural hearing was held on March 20, 2013 at the New York office of Boies, Schiller & Flexner LLP;

WHEREAS the attendees at the procedural hearing were:

For the Arbitral Tribunal:

Mr. Yves Derains
The Hon. Michael Chertoff
Mr. Vaughan Lowe, Q.C

For the Claimant:

Mr. Jonathan D. Schiller
Mr. William A. Isaacson
Mr. Edward Takashima

For the Respondent:

Mr. Mark A. Luz
Ms. Sylvie Tabet
Ms. Marie-Claude Boisvert
Mr. Adam Douglas
Ms. Heather Squires

Also attending:

Mr. Patrick Moran
Mr. Dan Stamper
Ms. Marie Foley (court reporter)

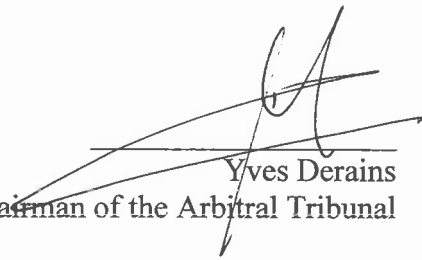
WHEREAS during the procedural hearing the Arbitral Tribunal and the Disputing Parties agreed on a schedule for the first round of written submissions on jurisdiction;

THE TRIBUNAL DIRECTS AS FOLLOWS:

1. The Respondent shall file its Memorial on Jurisdiction and admissibility by June 15, 2013 with all available documents, Witness Statements and Experts Reports relied upon, if any and, as the case may be, a request for production of documents on jurisdiction and admissibility;
2. The Claimant shall file its Counter-memorial on Jurisdiction by August 23, 2013 with all available documents, Witness Statements and Experts Reports, if any, relied upon in rebuttal and, as the case may be, a request for production of documents on jurisdiction and admissibility;
3. The Arbitral Tribunal shall convene with the Disputing Parties for a telephone conference on September 17, 2013 to discuss a schedule for further written submissions on jurisdiction and admissibility and the possibility of having a round of document production on jurisdiction and admissibility.
4. The Arbitral Tribunal expects the above time limits to be respected and requests for extension will be disfavored.
5. When deciding the further schedule after the September 17, 2013 telephone conference, the Arbitral Tribunal will provide a time frame for Applications for leave to file *amicus curiae* briefs and for the presentation of submissions by other NAFTA parties as contemplated in article 28 and 30 of Procedural Order n°3 issued on March 27, 2013.

Place of arbitration: Washington DC, USA

Date: March 27, 2013



Yves Derains
Chairman of the Arbitral Tribunal