
**IN THE MATTER OF AN ARBITRATION UNDER CHAPTER ELEVEN OF THE NORTH
AMERICAN FREE TRADE AGREEMENT AND THE 1976 UNCITRAL ARBITRATION RULES**

between

RESOLUTE FOREST PRODUCTS INC.

Claimant

and

GOVERNMENT OF CANADA

Respondent

(PCA CASE NO. 2016-13)

**PROCEDURAL ORDER NO. 8
ON REVISED SCHEDULE FOR THE MERITS AND DAMAGES PHASE**

ARBITRAL TRIBUNAL:

Judge James R. Crawford, AC (President)

Dean Ronald A. Cass

Dean Céline Lévesque

August 15, 2018

Procedural Order No. 8 – Revised Schedule for the Merits and Damages Phase

1. PROCEDURAL HISTORY

- 1.1 The Tribunal issued Procedural Order No. 7 on Scheduling for the Merits and Damages Phase on March 23, 2018.
- 1.2 On June 22, 2018, the Disputing Parties advised the Tribunal that they were discussing a revised schedule for document disclosure.
- 1.3 On July 24, 2018, the Disputing Parties informed the Tribunal that they had conferred and reached agreement on a new proposed schedule, which followed “the same sequencing of events as the original schedule”. They presented the schedule to the Tribunal “for its review, approval and entry”.

2. ORDER

- 2.1 The Tribunal approves the revised schedule agreed by the Disputing Parties for the Merits and Damages Phase, which shall now be as follows:

	Procedural Step	Date
A.	Tribunal’s Procedural Order on the schedule for the Merits and Damages Phase	n/a
B.	Exchange of requests for the production of documents	n/a
C.	Objections to requests for the production of documents	n/a
D.	Responses to objections to requests for the production of documents	n/a
E.	Production of documents in response to undisputed document requests	July, 20 2018
F.	Submission of Redfern Schedule for disputed document requests / application to the Tribunal for Order on disputed requests for the production of documents	July 27, 2018

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	Procedural Step	Date
G.	Tribunal's Order on the production of documents	August 31, 2018
H.	Production of documents as ordered by the Tribunal	September 28, 2018
I.	Claimant's Memorial on the Merits and Damages	November 29, 2018
J.	Respondent's Counter-Memorial on the Merits and Damages	February 4, 2018
K.	Exchange of additional requests for the production of documents. Each additional request should be the consequence of the pleadings and should identify with precision a statement, claim, or argument in the other Disputing Party's pleading that warrants further discovery or additional documents.	March 6, 2019
L.	Objections to additional requests for the production of documents	March 20, 2019
M.	Production of documents in response to undisputed additional document requests Responses to objections to disputed additional document requests	April 3, 2019
N.	Submission of Redfern Schedule for disputed document requests/ application to the Tribunal for Order on disputed requests for the production of documents	April 10, 2019
O.	Tribunal's Order on the production of additional documents	April 24, 2019
P.	Production of additional documents as ordered by the Tribunal	May 8, 2019
Q.	Claimant's Reply Memorial on the Merits and Damages	June 7, 2019
R.	Respondent's Rejoinder Memorial on the Merits and Damages	July 22, 2019

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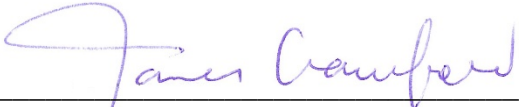
Procedural Order No. 8 – Revised Schedule for the Merits and Damages Phase

	Procedural Step	Date
S.	NAFTA Article 1128 Submissions and Amici Submissions/Applications	August 21, 2019
T.	Disputing Parties' comments in response to Article 1128 Submissions and Amici Submissions/Applications	September 20, 2019
U.	Pre-hearing conference and List of Issues to the Disputing Parties per Article 22 of Procedural Order No. 1	TBD
V.	Hearing on the Merits and Damages	TBD

- 2.2 As agreed by the Parties, each document production request should be the consequence of the pleadings and should identify with precision a statement, claim, or argument in the other Disputing Party's pleading that warrants further discovery or additional documents.

Date: August 15, 2018

For the Arbitral Tribunal



Judge James R. Crawford, AC