



PRESS RELEASE

MICHAEL BALLANTINE AND LISA BALLANTINE (U.S.A.) v. THE DOMINICAN REPUBLIC

THE HAGUE, 29 AUGUST 2018

Hearing on Jurisdiction and Merits

The hearing on jurisdiction and merits in the arbitration between Michael Ballantine and Lisa Ballantine, as claimants, and the Dominican Republic, as respondent, will be held from Monday, September 3rd, 2018, to Friday, September 7th, 2018. There is a possibility that the hearing may continue through Saturday, September 8th, 2018, which remains in reserve as an extra hearing day, if needed.

The arbitral proceedings are being conducted pursuant to Chapter Ten of the Dominican Republic, Central America and United States Free Trade Agreement (the "DR-CAFTA").

The hearing will be held in Washington, D.C., USA, and on each of the aforementioned dates it is scheduled to begin at 9:15 am (UTC-4), and to conclude at 6 pm (UTC-4).

Live Streaming

In accordance with Article 10.21(2) (*Transparency of Arbitral Proceedings*) of the DR-CAFTA and paragraph 10.2 (*Transparency*) of Procedural Order No. 1, "[t]he tribunal shall conduct hearings open to the public and shall determine, in consultation with the disputing parties, the appropriate logistical arrangements. However, any disputing party that intends to use information designated as protected information in a hearing shall so advise the tribunal. The tribunal shall make appropriate arrangements to protect the information from disclosure." The Parties have agreed that the hearing be video recorded and streamed in real time (*i.e.*, via live feed) on the website of the Permanent Court of Arbitration ("PCA") (www.pca-cpa.org), in both English and Spanish.

Background of the Arbitration

Pursuant to Article 10.16 (*Submission of a Claim to Arbitration*) of the DR-CAFTA and the 2013 UNCITRAL Arbitration Rules, through a Notice of Intent to Submit a Claim to Arbitration dated June 12th, 2014, Michael Ballantine and Lisa Ballantine instituted arbitral proceedings against the Dominican Republic. The Tribunal is composed of Prof. Ricardo Ramírez Hernández (Presiding Arbitrator), Ms. Marney L. Cheek, and Prof. Raúl Emilio Vinuesa. The PCA acts as registry in this arbitration.

Further Information

Further information about the proceedings, including the Parties' written submissions and the Tribunal's procedural orders, is available on the PCA website at <https://pca-cpa.org/en/cases/143/>. Pursuant to paragraph 10.1 (*Transparency*) of the Procedural Order No. 1, the arbitration shall be conducted in accordance with the procedure set forth in Article 10.21 of the CAFTA-DR. The PCA shall make available to the public, on its website, the information and documents listed in Article 10.21(1) of the CAFTA-DR, unless the Tribunal decides otherwise in accordance with the provisions of that Article.

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Background on the Permanent Court of Arbitration

The Permanent Court of Arbitration is an intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 121 Contracting Parties. Headquartered at the Peace Palace in The Hague, the Netherlands, the PCA facilitates arbitration, conciliation, fact-finding, and other dispute resolution proceedings among various combinations of States, State entities, intergovernmental organizations, and private parties. The PCA's International Bureau is currently administering 3 interstate disputes, 93 investor-State arbitrations, and 54 cases arising under contracts involving a State or other public entity. More information about the PCA can be found at www.pca-cpa.org.

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