

**ARBITRATION UNDER THE UNCITRAL RULES**

**PCA CASE NO. 2010-21 / DUN-BZ II**

**DUNKELD INTERNATIONAL INVESTMENT LTD (CLAIMANT)**

v.

**THE GOVERNMENT OF BELIZE (RESPONDENT)**

**ORDER NO. 5**

**1 MARCH 2011**

**CONSIDERING:**

- (A) Paragraph 8.3 of Order No. 2;
- (B) Claimant's letter of 16 February 2011, requesting the Tribunal to rely on six evidentiary documents and one legal authority listed in its letter, "all of which relate to existing factual and legal submissions in [Claimant's] Statement of Claim" and "relate to points which have been already pleaded". Claimant also proposes, subject to the Tribunal's confirmation that Claimant may rely on the said documents, to prepare and submit a supplementary exhibits bundle and supplementary authorities bundle pursuant to paragraph 6 of Order No. 2 (hereinafter "Claimant's Request").
- (C) The Arbitral Tribunal's email of 18 February 2011, requesting Respondent to comment on Claimant's Request on or before Wednesday, 23 February 2011;
- (D) The fact that Respondent has not commented on Claimant's Request;
- (E) The Arbitral Tribunal's finding that the documents Claimant wishes to rely upon appear to be relevant and material to the outcome of these arbitral proceedings;

**THE ARBITRAL TRIBUNAL HEREBY DECIDES AS FOLLOWS:**

1. Pursuant to paragraph 8.3 of Order No. 2, Claimant's Request is granted.
2. Claimant is requested to submit a supplementary exhibits bundle and a supplementary authorities bundle containing the documents listed in Claimant's Request, pursuant to paragraphs 6.1 and 8.10-8.11 of Order No. 2, on or before **Monday, 7 March 2011.**

On behalf of the Arbitral Tribunal,

A handwritten signature in blue ink, appearing to read 'A. J. van den Berg', is written over a horizontal line.

Albert Jan van den Berg,  
Presiding Arbitrator