

PCA Case No. 2018-39

**IN THE MATTER OF AN ARBITRATION UNDER THE TREATY BETWEEN THE
GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF
THE REPUBLIC OF BOLIVIA CONCERNING THE ENCOURAGEMENT AND
RECIPROCAL PROTECTION OF INVESTMENT, SIGNED ON APRIL 17, 1998 AND
ENTERED INTO FORCE ON JUNE 6, 2001**

- and -

**THE ARBITRATION RULES OF THE UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW, AS REVISED IN 2010/2013 (the “UNCITRAL Rules”)**

- between -

**1. THE ESTATE OF JULIO MIGUEL ORLANDINI-AGREDA
2. COMPAÑÍA MINERA ORLANDINI LTDA.**

(the “Claimants”)

- and -

THE PLURINATIONAL STATE OF BOLIVIA

(the “Respondent”, or “Bolivia”, and together with the Claimants, the “Parties”)

PROCEDURAL ORDER NO. 13

Post-Hearing Matters

Tribunal

Dr. Stanimir A. Alexandrov (Presiding Arbitrator)
Professor Dr. Guido Santiago Tawil
Dr. José Antonio Moreno Rodríguez

June 9, 2021

I. Background

1. The Oral Hearing on Jurisdiction and Liability was held by videoconference between May 17 and May 22, 2021 (the “**Hearing**”).
2. At the closing of the Hearing, the Tribunal invited the Parties to confer and attempt to agree on deadlines for (i) transcript corrections; (ii) the filing of (and page-limit for) post-hearing briefs; and (iii) the filing of simultaneous costs submissions. The Tribunal also noted that it would in due course put questions in writing to the Parties, which would be addressed within the post-hearing briefs. The Tribunal reiterated this invitation on May 31, 2021.
3. By separate communications of June 4, 2021, the Parties provided their respective comments on the abovementioned post-hearing matters. The Respondent provided additional observations on June 7, 2021. In essence, the Parties reached agreement on the deadlines for transcript corrections and the filing of simultaneous costs submissions, but certain differences persisted in respect of the content of the post-hearing briefs and the costs submissions.

II. Order

4. Having considered the Parties’ views as set out in the abovementioned correspondence, the Tribunal directs that the Parties shall:
 - (i) Exchange their respective corrections to the English and Spanish transcripts on **Thursday, June 10, 2021**, at 2 pm EST / 8 pm CEST. The Parties will then review the proposed corrections and seek to reach agreement thereon by **Thursday, June 17, 2021**, at 2 pm EST / 8 pm CEST. Thereafter, the Parties will jointly communicate to the Tribunal their proposed corrections to the English and Spanish transcripts on **Monday, June 21, 2021**, indicating also their respective positions on any disputed corrections;
 - (ii) Submit simultaneous post-hearing briefs within three weeks, i.e., on **Wednesday, June 30, 2021**. No new factual evidence or legal authorities may be submitted with the post-hearing briefs, unless express leave has been granted by the Tribunal further to a reasoned request by the relevant Party (any such request shall not include the new factual evidence or legal authorities in question). The post-hearing briefs shall be written in Times New Roman font with a 1.5 line spacing and the answers to the Tribunal’s questions shall not exceed 50 pages. In addition to addressing the questions provided by the Tribunal in its letter of June 9, 2021, the post-hearing briefs may contain a section addressing other issues of the Parties’ choice, which shall not exceed 25 pages; and
 - (iii) Provide costs submissions to the Tribunal in the form of cost certificates (excluding any argument) on **Wednesday, July 14, 2021**.

Place of Arbitration: Paris, France



Dr. Stanimir A. Alexandrov
(Presiding Arbitrator)

On behalf of the Tribunal