

PCA Case No. 2023-22

**IN THE MATTER OF AN ARBITRATION UNDER THE UNITED STATES – PERU TRADE
PROMOTION AGREEMENT, ENTERED INTO FORCE ON 1 FEBRUARY 2009**

- and -

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

- between -

BACILIO AMORRORTU (USA)

(the “Claimant”)

- and -

THE REPUBLIC OF PERU

(the “Respondent”, and together with the Claimant, the “Parties”)

PROCEDURAL ORDER NO. 3

Updated Procedural Calendar

Tribunal

Hon. Justice Mr. David Unterhalter (Presiding Arbitrator)
Professor Bryan Schwartz
Mr. Hugo Perezcano Díaz

Registry

Permanent Court of Arbitration

18 April 2024
(Revised on 17 May 2024)

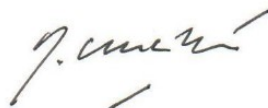
I. PROCEDURAL BACKGROUND

1. On 18 March 2024, the Tribunal issued Procedural Order No. 2 (Decision on Bifurcation), whereby (i) it rejected the Respondent's request for the bifurcation of the proceedings; and (ii) it directed the Parties to confer and attempt to agree on a procedural calendar for the next phase of the proceedings.
2. On 25 March 2024, the Parties submitted jointly a proposed procedural calendar for the next phase of the proceedings.
3. On 3 April 2024, the Tribunal noted that, while it intended to adopt the Parties' proposed calendar, it was not available on the dates on which the Parties had proposed to hold the hearing. The Tribunal invited the Parties to confirm their availability to attend the hearing on a different set of dates and also to attempt to agree on a venue for the hearing.
4. On 10 April 2024, the Parties (i) confirmed their availability to attend the hearing from 21 July to 8 August 2025; and (ii) conveyed their agreement that the hearing be held at the facilities of the International Centre for the Settlement of Investment Disputes ("**ICSID**") in Washington, D.C.
5. On 18 April 2024, the Tribunal issued Procedural Order No. 3 (Updated Procedural Calendar).
6. By separate communications dated 14 and 16 May 2024, the Parties agreed to modify the updated procedural calendar enclosed with Procedural Order No. 3.

II. PROCEDURAL CALENDAR

7. Having consulted the Parties and taken note of their agreement to amend the procedural calendar enclosed with the version of Procedural Order No. 3 issued on 18 April 2024, the Tribunal:
 - a. **ADOPTS** the updated Procedural Calendar set forth in the **Annex** to this Procedural Order; and
 - b. **DIRECTS** that the Hearing be held from Monday, 28 July through Friday, 1 August 2025 at the facilities of ICSID in Washington, D.C., United States of America.

Place of Arbitration: New York, United States of America



Justice David Unterhalter
(Presiding Arbitrator)

On behalf of the Tribunal

Annex - Procedural Calendar

Description	By	Period	Dates
<i>Initial Phase</i>			
Statement of Defence, including any objection to the Tribunal's jurisdiction and/or counterclaim, with any Witness Statement(s) and Expert Report(s)	Respondent	42 days from Decision on Bifurcation	Monday, 29 April 2024
<i>Document Production Phase</i>			
Requests to Produce	Claimant and Respondent	20 days from Statement of Defence	Monday, 20 May 2024
Parties' Responses and/or Objections to Requests for Production of Documents	Claimant and Respondent	30 days from last step	Wednesday, 19 June 2024
Parties' Replies to Responses and/or Objections to Requests for Production of Documents, submitting any Applications for Document Production to the Tribunal	Claimant and Respondent	20 days from last step	Tuesday, 9 July 2024
Production of non-objected documents	Claimant and Respondent	7 days from last step	Tuesday, 16 July 2024
Decision on Request to Produce	Tribunal	15 days from Parties' Replies	Wednesday, 24 July 2024
Production as ordered	Claimant and Respondent	30 days from last step	Friday, 23 August 2024
<i>Written Pleadings</i>			
Reply with any Reply Witness Statement(s) and Expert Report(s)	Claimant	90 days from last step	Thursday, 21 November 2024
Rejoinder with any Rejoinder Witness Statement(s) and Expert Report(s)	Respondent	90 days from last step	Wednesday, 19 February 2025
Rejoinder on Jurisdiction	Claimant	30 days from last step	Friday, 21 March 2025
Notification of witnesses and experts for examination at the Hearing	Claimant and Respondent	30 days from last step	Monday, 21 April 2025

United States' Non-Disputing Party Submission	United States	30 days from Claimant's Rejoinder on Jurisdiction	Monday, 21 April 2025
Pre-hearing conference	All	10 days from last step	Thursday, 1 May 2025
Simultaneous submission of the Parties commenting on United States' Non-Disputing Party Submission	Claimant and Respondent	32 days from last step	Monday, 2 June 2025
Hearing	All	56 days from last step	Monday, 28 July 2025 to Friday, 1 August 2025