## **United States Department of State**



Washington, D.C. 20520

August 7, 2009

By E-mail & Facsimile

President Fali S. Nariman Professor S. James Anaya Mr. John R. Crook c/o Katia Yannaca-Small Secretary of the Tribunal ICSID, 1818 H Street, NW Washington, DC 20433

Re: Grand River Enterprises et al. v. United States of America

Dear Members of the Tribunal:

On behalf of Respondent United States of America, we respond to the ICSID Secretariat's letter dated July 31, 2009, in which the Tribunal asked the parties to confer and agree on a period between November 9 and November 30, 2009 for the rescheduled hearing in this matter. The parties have conferred on this issue, but were not able to reach agreement. The United States is available from November 9 through November 25, 2009. We understand from Claimants, however, that they are not available during the dates proposed by the Tribunal. As stated in the United States' July 17, 2009 e-mail to the ICSID Secretariat, given our own commitments in 2010, the United States would prefer to hold the hearing in 2009.

Respectfully submitted,

Jeffrey D. Kovar

Assistant Legal Adviser

Office of International Claims and

**Investment Disputes** 

## Copies:

Leonard Violi, Esq.
Chantell Macinnes Montour, Esq.
Todd Weiler, Esq. (by e-mail only)
Robert J. Luddy, Esq. (by e-mail only)
Devashish Krishan, Esq. (by e-mail only)