

**IN THE MATTER OF AN ARBITRATION UNDER THE NORTH AMERICAN FREE
TRADE AGREEMENT AND THE AGREEMENT BETWEEN THE UNITED STATES OF
AMERICA, THE UNITED MEXICAN STATES, AND CANADA**

-and-

**THE ARBITRATION RULES OF THE UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW (1976)**

-between-

**AMERRA CAPITAL MANAGEMENT, LLC,
AMERRA AGRI FUND, L.P.,
AMERRA AGRI OPPORTUNITY FUND, L.P., AND
JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, ON BEHALF OF THE
JPMORGAN CHASE RETIREMENT PLAN
(the “Claimants”)**

and

**THE UNITED MEXICAN STATES
(the “Respondent”)**

ICSID Case No. UNCT/23/1

PROCEDURAL ORDER NO. 4

Members of the Tribunal

Prof. Albert Jan van den Berg, Presiding Arbitrator
Mr. Eduardo Siqueiros T., Arbitrator
Prof. Jorge Viñuales, Arbitrator

Secretary of the Tribunal

Ms. Mercedes Cordido-Freytes de Kurowski, Legal Counsel, ICSID

Assistant to the Tribunal

Ms. Emily Hay

November 29, 2023

I. PROCEDURAL BACKGROUND

1. On April 14, 2023, the Tribunal held the First Session of the Tribunal with the disputing parties (“**Disputing Parties**” or “**Parties**”) by video conference.
2. On May 11, 2023, the Tribunal issued Procedural Order No. 1, which included a detailed Procedural Timetable attached under Annex A.
3. On November 21, 2023, Respondent requested leave from the Tribunal for a two-week extension of the deadline for the filing of its Statement of Defence, currently due on December 14, 2023. Respondent informed the Tribunal that at Respondent’s request and subject to the Tribunal’s approval, the Parties had agreed to extend the deadline for Respondent’s Statement of Defence until December 28, 2023, with corresponding extensions to the remaining deadlines in the Procedural Timetable. Respondent further confirmed that the Parties’ agreed amendments to the Procedural Timetable, enclosed with its communication of November 21, 2023, would not affect the Hearing Dates fixed under Annex A to Procedural Order No. 1.
4. On November 22, 2023, Claimants confirmed the Parties’ agreement as expressed in Respondent’s communication of November 21, 2023.

II. TRIBUNAL’S CONSIDERATIONS AND DECISION

5. In light of the Parties’ agreement, the Tribunal decides as follows:
 - a. The Tribunal hereby grants Respondent a two-week extension to present its Statement of Defence, i.e., until **Thursday, December 28, 2023**.
 - b. The Tribunal confirms the Parties’ proposed Procedural Timetable, which revises the one provided as Annex A to Procedural Order No. 1, and is now attached as Annex A to this Procedural Order with effect as of today’s date.

[Signed]

Prof. Albert Jan van den Berg
President of the Tribunal
Date: November 29, 2023

**Amerra Capital Management et al v. United Mexican States
(ICSID Case No. UNCT/23/1)**

Timetable - Annex A to PO 4 and Revised Annex A to PO 1

| Description | By | Days | Date | PO1 § |
|--|--------------------------|-------------|-----------------|------------------|
| First Session | All | 0 | Fri-14-Apr-2023 | |
| Statement of Claim | Claimants | 122 | Mon-14-Aug-2023 | 12.2 |
| Statement of Defence including Jurisdiction and Bifurcation Request, if any | Respondent | 136 | Thu-28-Dec-2023 | 12.2, 12.3, 12.4 |
| Production of Documents Phase | | | | |
| Requests for Production of Documents | Claimants and Respondent | 21 | Thu-18-Jan-2024 | 15.4 |
| Objections to Document Requests | Claimants and Respondent | 21 | Thu-08-Feb-2024 | 15.6 |
| Production of Non-Objected Documents (rolling basis, if necessary) | Claimants and Respondent | 18 | Mon-26-Feb-2024 | 15.5 |
| Responses to Objections | Claimants and Respondent | 3 | Thu-29-Feb-2024 | 15.6.3 |
| Decision on Requests | Tribunal | 14 | Thu-14-Mar-2024 | 15.6.6 |
| Production as Ordered | Claimants and Respondent | 32 | Mon-15-Apr-2024 | 15.6.6 |
| Reply | Claimants | 112 | Mon-05-Aug-2024 | 12.2, 12.3 |
| Rejoinder | Respondent | 112 | Mon-25-Nov-2024 | 12.2, 12.3 |
| Applications for leave to file non-disputing party (<i>amicus</i>) submissions, if any | TBD | 15 | Tue-10-Dec-2024 | 25.1 |
| Submissions under NAFTA Article 1128, if any | TBD | 0 | Tue-10-Dec-2024 | 24.1 |
| Comments on applications for leave to file non-disputing party (<i>amicus</i>) submissions, if any | Claimants and Respondent | 15 | Wed-25-Dec-2024 | 25.2 |
| Comments on NAFTA Article 1128 submissions | Claimants and Respondent | 0 | Wed-25-Dec-2024 | 24.3 |
| Notification of Witnesses and Experts | Claimants and Respondent | 2 | Fri-27-Dec-2024 | 18.5 |
| Pre-Hearing Organizational Meeting | All | 7 | Fri-03-Jan-2025 | 19.1 |

**Amerra Capital Management et al v. United Mexican States
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Timetable - Annex A to PO 4 and Revised Annex A to PO 1

| | | | | |
|--|--------------------------|---------------------------|-----------------|------|
| Decision on applications for leave to file non-disputing party (<i>amicus</i>) submissions, if any | Tribunal | 0 | Fri-03-Jan-2025 | 25.1 |
| Claimants' and Respondent's comments on non-disputing party (<i>amicus</i>) submissions | Claimants and Respondent | 17 | Mon-20-Jan-2025 | 25.2 |
| Hearing Commencement | All | 42 | Mon-03-Mar-2025 | 20.1 |
| Hearing Ends (1 week + 1 week reserve) | All | 11 | Fri-14-Mar-2025 | 20.1 |
| Simultaneous Post-Hearing Submissions | Claimants and Respondent | TBD at the end of hearing | TBD | 22.1 |
| Simultaneous Reply Post-Hearing Submissions | Claimants and Respondent | TBD at the end of hearing | TBD | 22.1 |
| Simultaneous Costs Submissions | Claimants and Respondent | TBD at the end of hearing | TBD | 22.2 |
| Award | Tribunal | | TBD | 6.5 |