

PROCEDURAL ORDER No.4

August 26, 2005

Glamis Gold, Ltd., Claimant

v.

The United States of America, Respondent

An Arbitration Under Chapter 11 of the North American Free Trade Agreement (NAFTA),
in accordance with the United Nations Commission on International Trade Law
(UNCITRAL) Arbitration Rules, and administered by the International Centre for
Settlement of Investment Disputes (ICSID)

Michael K. Young, President

David D. Caron, Arbitrator

Donald L. Morgan, Arbitrator

I. Procedural Background to this Order

1. On March 3, 2005, the Tribunal issued its Procedural Order No. 1 (“Order No. 1”) outlining a schedule of proceedings which, among other things, directed the Parties to serve their Request for Documents to each other on May 10, 2005, and any Objections to such Requests for Documents on May 24, 2005.
2. The Parties timely submitted their Requests for Documents to the Tribunal.
3. On May 18, 2005, the Parties jointly requested the Tribunal to extend to June 7, 2005, the deadline for submitting their Objection to Document Requests (“Objections”). The Tribunal granted this request in its May 23, 2005, letter to the Parties and its Procedural Order No. 2 issued on May 31, 2005.
4. The Parties timely submitted their Objections to the Tribunal.
5. On June 21, 2005, the Tribunal Issued its Procedural Order No. 3 (“Order No. 3”) outlining a schedule of proceedings which, among other things, directed the Parties, if they wish the Tribunal to rule on such Objections, to identify the Objections and to state the grounds for denying them by August 11, 2005. Order No. 3 also reserved the date of August 19, 2005, for a hearing to address any unresolved document production issues.
6. The Tribunal’s Decision on Objections, dated July 20, 2005, extended the time to identify Objections that should be addressed until August 23, 2005, and rescheduled a hearing on unresolved document production issues for August 26.
7. By letter of August 19, 2005, the Parties requested a further extension to identify Objections that should be addressed until September 15, 2005, and proposed a tentative scheduling of a hearing for the week of September 26, 2005. The

letter stated that no other change was requested in the schedule in Order No. 1 as amended. The Tribunal informally advised the Parties that the extension would be granted and suggested several possible hearing dates.

II. Modification of the Schedule of Proceedings and of the Date for filings pursuant to The Fair Trade Commission's Statement on Non-disputing Party Participation

8. The time to identify Objections is hereby extended to September 15, 2005. A hearing on any unresolved document production issues is tentatively scheduled for October 3, 2005 at 9 AM, in Washington, D.C., at which time two members of the Tribunal will appear in person and the third telephonically.
9. Order No. 1 is hereby amended respecting the filing of applications and submissions by non-parties in accordance with the Statement of the Free Trade Commission on Non-disputing Party Participation. The Tribunal, wishing to provide the Claimant and the Respondent time to respond to the merits of any such submissions authorized and accepted by the Tribunal while simultaneously avoiding delay in completion of the arbitration proceedings, sets September 30, 2005 as the date for the filing of applications and submissions pursuant to the Statement.
10. The Schedule otherwise set forth in Order No. 1, as amended by Order No. 3, remains unchanged.

Michael K. Young

President of the Tribunal on behalf of the Tribunal

David D. Caron, Tribunal Member
Donald L. Morgan, Tribunal Member