

September 19, 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 August 26, 2005, the Tribunal issued its Procedural Order No. 4 that, among other things, extended until September 15, 2005, the time for the Parties to identify Objections to Document Requests on which they wish the Tribunal to rule.
2. A hearing on such Objections is now scheduled for October 3, 2005.
3. By email dated September 15, 2005, counsel for the Claimant requested a one-day extension for both Parties for identification of such Objections, on the ground that the extension was necessary due to the extensive nature of the documentary discovery in this arbitration. The email stated that counsel for the Respondent had been consulted and did not oppose the request.
4. On September 16, 2005, the Claimant submitted a Request for Production of Documents Withheld by Respondent. The Request consisted of a 35-page legal memorandum and various documentary appendices.

II. Applicable Law

5. This arbitration is conducted under the UNCITRAL Arbitration Rules. Under the Rules, the Tribunal has discretion to regulate the document discovery process.

III. Decisions

6. In view of the foregoing, the Tribunal extends until September 16, 2005, the time for identification of such Objections.
7. The Tribunal hereby grants the Respondent until September 29, 2005, to file a memorandum in opposition to the Claimant's memorandum of September 16, 2005. In addition to filing with ICSID, the Respondent should continue the practice of directly serving counsel for the Claimant and Members of the Tribunal by email.

8. The Schedule for further proceedings is otherwise unchanged.

Michael K. Young

President of the Tribunal on behalf of the Tribunal

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