

**IN THE MATTER OF AN ARBITRATION UNDER CHAPTER 11 OF
THE NORTH AMERICAN FREE TRADE AGREEMENT
AND THE INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT
DISPUTES (“ICSID”) ARBITRATION (ADDITIONAL FACILITY) RULES**

BETWEEN:

MERCER INTERNATIONAL INC.

Claimant

AND

CANADA

Respondent

PROCEDURAL ORDER NO. 4

ICSID Case No. ARB(AF)/12/3

19 December 2013

TRIBUNAL:

**Mr. V.V. Veeder (President)
Professor Francisco Orrego Vicuña
Professor Zachary Douglas**

I. REQUEST FOR A CONSENT ORDER

1. The Tribunal is in receipt of joint correspondence from the Claimant and the Respondent (the “disputing parties”) requesting an order amending the schedule of proceedings and outlining the process pursuant to which the parties will file Confidential and Restricted Access versions of their written submissions, witness statements, expert reports, transcripts, orders and awards in this arbitration.

II. THE TRIBUNAL’S ORDER

2. The Tribunal hereby orders that the Schedule of Proceedings attached to the parties’ correspondence replace the original Schedule of Proceedings set out in Procedural Order No. 1. The Tribunal also orders that the parties adopt the process outlined in the joint correspondence for the filing of redacted copies of written submissions, witness statements, expert reports, transcripts, orders and awards in this arbitration.

3. A copy of the joint correspondence is attached to this order.

[signed]

Mr. V.V. Veeder, President

Action	Party	Date
Canada's final production of documents	Respondent	December 20, 2013
Submission to the Tribunal of Claimant's objections to Canada's Privilege Log for Documents of Special Institutional Sensitivity, if any	Claimant	January 8, 2014
Canada's Reply to Claimant's objections, if any	Respondent	January 22, 2014
Tribunal's Order on the production of Canada's Privilege Log for Documents of Special Institutional Sensitivity	Tribunal	February 5, 2014
Production of documents ordered by the Tribunal.	Respondent	February 14, 2014
Memorial with Witness Statement(s) and Expert Report(s). (Restricted Access Version).	Claimant	March 14, 2014
The Parties exchange proposed redactions for the Memorial, Witness Statement(s) and Expert Report(s)	Both Parties	March 21, 2014
The Claimant files the Public and Confidential versions of the Memorial	Both Parties	March 28, 2014
Counter-Memorial with Witness Statement(s) and Expert Report(s). (Restricted Access Version).	Respondent	July 14, 2014
The Parties exchange proposed redactions for the Counter-Memorial, Witness Statement(s) and Expert Report(s)	Both Parties	July 21, 2014
The Respondent files the Public and Confidential versions of the Counter-Memorial	Both Parties	July 28, 2014
Procedural Conference Call (if necessary).	Disputing Parties and Tribunal	July 29, 2014

Reply with Witness Statement(s) and Expert Report(s). (Restricted Access Version).	Claimant	October 22, 2014
The Parties exchange proposed redactions for the Reply, Witness Statement(s) and Expert Report(s)	Both Parties	October 29, 2014
The Claimant files the Public and Confidential versions of the Reply	Both Parties	November 5, 2014
Rejoinder with Witness Statement(s) & Expert Reply Report(s). (Restricted Access Version).	Respondent	February 2, 2015
The Parties exchange proposed redactions for the Rejoinder, Witness Statement(s) and Expert Report(s)	Both Parties	February9 , 2015
The Respondent files the Public and Confidential versions of the Rejoinder	Both Parties	February 16, 2015
NAFTA Article 1128 Submissions	Non-disputing NAFTA Parties	February 18, 2015
Disputing parties' Reply to Article 1128 Submissions, if any.	Disputing Parties	April 13, 2015
Pre-Hearing Teleconference	Disputing Parties and Tribunal	TBD
Oral Hearing (10 effective days)	All Parties & Tribunal	TBD
Award	Tribunal	TBD