

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

**Marco Gavazzi and Stefano Gavazzi v. Romania
(ICSID Case No. ARB/12/25)**

PROCEDURAL ORDER NO 8

Prof. Hans van Houtte, President of the Tribunal
Mr. V. V. Veeder, Arbitrator
Mr. Mauro Rubino-Sammartano, Arbitrator

Secretary of the Tribunal
Ms. Martina Polasek

November 5, 2015

I. Background

1. The Tribunal issued Procedural Order No. 7 on September 24, 2015, which, further to the agreement of the parties, amended the procedural timetable for the parties' submissions on quantum that had been fixed on June 16, 2015.
2. Following the schedule set out in Annex A of Procedural Order No. 7, the Respondent filed its Counter-Memorial on Quantum on October 14, 2015.
3. By email communications of October 15, 2015, the parties agreed to extend the deadline for the Claimants' Reply on Quantum until November 16, 2015. The Tribunal approved the extension on October 16, 2015.
4. On November 2, 2015 the Claimants requested an additional seven-day extension of the deadline for filing the Reply as a result of "the significant production of new documents and evidence made by Romania" with its Counter-Memorial on quantum. The Claimants also noted that they are in the process of obtaining and translating documents in Romanian to be filed with the Reply. The Claimants proposed that the Respondent also be granted an additional seven days for filing its Rejoinder on Quantum and stated that the hearing dates should be preserved.
5. On November 3, 2015, the Respondent replied and confirmed that it had no objection to Claimants' request for a seven-day extension of the deadline for the Reply. At the same time, the Respondent requested that it be permitted until January 15, 2016 to file its Rejoinder in order to account for the holiday period.
6. On the same date, the Claimants opposed the Respondent's request to file the Rejoinder by January 15, 2016, stating that the corresponding extension of time should expire on December 23, 2015, *i.e.* before the holiday period.

II. The Tribunal's Decision

7. Having considered the parties' respective requests for extension, the Tribunal has decided to amend the procedural timetable as set out in Annex A.
8. The Claimants' Reply on Quantum shall be filed by Monday, November 23, 2015, as agreed by the parties, allowing the Claimants an additional seven days for the preparation of the Reply.
9. The Tribunal notes that an equal, seven-day extension for the preparation of the Rejoinder would conclude on December 30, 2015 (ie. the 30-day period originally fixed in Procedural Order No. 6 plus an additional seven days). In order to account for holidays, the Respondent shall be granted an extension until Tuesday, January 5, 2016, to file its Rejoinder.

10. All other dates in the procedural timetable shall be preserved.

On behalf of the Tribunal

[signed]

Prof. Hans van Houtte,
President of the Tribunal

Annex A – Procedural Timetable

Date	Party / Tribunal	Description
July 7, 2015	CLAIMANTS	Supplemental Brief on Quantum
October 14, 2015	RESPONDENT	Counter-Memorial on Quantum
November 23, 2015	CLAIMANTS	Reply on Quantum
January 5, 2016	RESPONDENT	Rejoinder on Quantum
January 12, 2016 (11:15 am EST / 5:15 pm CET)	ALL	Pre-hearing Organizational Meeting
February 1 – 4, 2016 (The hearing will commence at 2:00pm CET on February 1)	ALL	Hearing on Quantum