

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

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

PROCEDURAL ORDER NO 9

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

December 1, 2015

I. Background

1. On November 5, 2015, the Tribunal issued Procedural Order No. 8, which amended the procedural timetable for the parties' submissions on quantum following a request for an extension filed by the Claimants.
2. In accordance with the schedule set out in Annex A of Procedural Order No. 8, the Claimants filed their Reply on Quantum on November 23, 2015.
3. On November 24, 2015 the Respondent requested an extension of the deadline for the Rejoinder on Quantum from January 5, 2016 to January 8, 2016, in order to account for legal holidays in Romania.
4. The Tribunal invited both parties to provide their comments on the Respondent's request, including proposals of a timetable that would permit the hearing to take place as scheduled and provide sufficient time for both parties to prepare for the hearing.
5. On November 27, 2015, the parties provided their comments. The Claimants indicated that the requested extension would not allow sufficient time for the Claimants to prepare for the pre-hearing organizational meeting scheduled for January 12, 2016, and would reduce the available time to prepare for the hearing. The Respondent expressed its view that there would be no need to amend any of the fixed deadlines in order to account for the requested extension.

II. The Tribunal's Decision

6. Having considered the Respondent's request of November 24, 2015, and the parties' comments of November 27, 2015, the Tribunal has decided to amend the procedural timetable as set out in Annex A.
7. The Tribunal grants the Respondent's request for a three-day extension of the deadline for the Rejoinder and has postponed the Pre-Hearing Organizational Meeting until January 14, 2016 at 5.15 p.m. CET, 11.15 a.m. EST. The Meeting will be held by telephone conference between the parties and the President of the Tribunal, assisted by the Secretary of the Tribunal.
8. The Tribunal notes that, in light of the written testimony filed to date, joint examination of the quantum experts will likely be required during the hearing. Accordingly, the parties should make efforts to ensure the availability of the experts throughout the reserved hearing dates.

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 8, 2016	RESPONDENT	Rejoinder on Quantum
January 14, 2016 (11:15 am EST / 5:15 pm CET)	PRESIDENT, PARTIES AND SECRETARY OF THE TRIBUNAL	Pre-hearing Organizational Meeting
February 1 – 4, 2016 (The hearing will commence at 2:00pm CET on February 1)	ALL	Hearing on Quantum