

**IN THE MATTER OF AN ARBITRATION UNDER THE
NORTH AMERICAN FREE TRADE AGREEMENT**

- and -

**THE ARBITRATION RULES OF THE
UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW (1976)**

- between -

Alicia Grace; Ampex Retirement Master Trust; Apple Oaks Partners, LLC; Brentwood Associates Private Equity Profit Sharing Plan; Cambria Ventures, LLC; Carlos Williamson-Nasi in his own right and on behalf of Axis Services, Axis Holding, Clue and F. 305952; Carolyn Grace Baring; Diana Grace Beard; Floradale Partners, LLC; Frederick Grace; Frederick J. Warren; Frederick J. Warren IRA; Gary Olson; Genevieve T. Irwin; Genevieve T. Irwin 2002 Trust; Gerald L. Parsky; Gerald L. Parsky IRA; John N. Irwin III; José Antonio Cañedo-White in his own right and on behalf of Axis Services, Axis Holding and F. 305952; Nicholas Grace; Oliver Grace III; ON5 Investments, LLC; Rainbow Fund, L.P.; Robert M. Witt; Robert M. Witt IRA; Vista Pros, LLC; Virginia Grace

Claimants

v.

The United Mexican States

Respondent

PROCEDURAL ORDER NO. 26

ON RESPONDENT'S REQUEST TO SUBMIT NEW DOCUMENTS TO THE RECORD

Tribunal

Prof. Diego P. Fernández Arroyo, President
Mr. Andrés Jana Linetzky, Arbitrator
Mr. Gabriel Bottini, Arbitrator

Secretary of the Tribunal

Ms. Patricia Rodríguez Martín

13 April 2022

I. Procedural Background

1. On 7 April 2022, the Respondent sent a letter to the Tribunal requesting leave to submit new documents to the arbitration record pursuant to Section 18.3 of Procedural Order No. 1. Specifically, the Respondent requested to include: (i) two articles which show that the investigative services of B.C. Strategy UK Ltd. (Black Cue) constitute espionage services; and (ii) the *amparo directo en revisión* judgment 1015/2021 (the “Judgment”), which, according to the Respondent, shows that there is no judicial decision declaring the early terminations of the Perforadora-DEP contracts illegal and to which the Respondent only had access a few days ago.
2. On 8 April 2022, the Tribunal invited the Claimants to comment on the Respondent’s letter of 7 April 2022, by 13 April 2022.
3. On 11 April 2022, the Claimants sent a letter to the Tribunal stating that it is false that the Respondent was unable to access the Judgment until “just a few days ago” since it was published on the official website since 29 November 2021. Nevertheless, the Claimants did not oppose the Respondent’s request to add any of the three aforementioned documents to the record. As to the two articles, they noted that they are irrelevant to Mr. Yanus’s testimony, and with respect to the Judgment, they requested that their expert, Mr. Alfonso M. López Melih, be permitted to provide his comments during his direct examination.

II. Order

4. The Tribunal notes that the Parties agree to include the three documents identified by the Respondent to the arbitration record, and therefore the Tribunal invites the Respondent to submit the three documents as soon as possible.
5. The Tribunal further confirms that Mr. Alfonso M. López Melih may provide his comments on the Judgment during his direct examination during the Hearing.

On behalf of the Tribunal,

[Signed]

Professor Diego P. Fernández Arroyo
President of the Tribunal
Date: 13 April 2022
Seat of the arbitration: Toronto, Canada