

**INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES**

In the arbitration proceeding between

**MIRIAN G. DEKANOIDZE AND T.G. TRADE LLC**

**Claimants**

**v.**

**GEORGIA**

**Respondent**

**(ICSID Case No. ARB/23/45)**

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**PROCEDURAL ORDER NO. 4**  
**Post-Hearing Matters (Hearing on the Rule 41 Objection)**

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***Members of the Tribunal***

Ms. Judith Levine, President of the Tribunal

Dr. Hamid Gharavi, Arbitrator

Prof. Attila Massimiliano Tanzi, Arbitrator

***Secretary of the Tribunal***

Ms. Ella Rosenberg

Date: 25 November 2024

## **I. PROCEDURAL BACKGROUND**

1. The Tribunal and the Parties held a virtual hearing on the Respondent's Rule 41 objection ("**Hearing**") on 19 November 2024.
2. At the end of the Hearing, the Tribunal and the Parties discussed various post-hearing matters, including the timing and length of costs submissions as well as the opportunity to correct the transcript of the Hearing.
3. On 22 November 2024, the Tribunal circulated a draft version of this procedural order ("Draft PO4") and invited the Parties to provide their comments by 25 November 2024.
4. On 25 November 2024, the Parties provided their comments on the Draft PO4.

## **II. CORRECTIONS TO THE TRANSCRIPT OF THE HEARING**

5. The transcript of the Hearing was circulated to the Parties and the Tribunal by the court reporter ( [REDACTED] ) on 19 November 2024.
6. The Parties shall agree on corrections to the transcript of the Hearing and advise the Tribunal of disagreements, if any, by **29 November 2024**. The Tribunal will then make a determination to resolve such disagreements.

## **III. COSTS SUBMISSIONS**

7. The Parties shall file one simultaneous round of costs submissions by **9 December 2024**.
8. The Parties' costs submissions shall be limited to no more than 5 pages and shall include (i) a simple accounting of costs, identifying and quantifying the different categories of costs incurred in these proceedings until the date of such submissions, and (ii) brief submissions on entitlement to and allocation of costs.

## **IV. PROCEDURAL TIMETABLE**

9. In accordance with the Tribunal's prior instructions, by emails of 8 and 11 November 2024, the Parties provided their joint proposal for Scenario 3 of the procedural calendar (Annex B) to Procedural Order No. 1 dated 5 September 2024.

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10. The Tribunal has accepted the proposal of the Parties and attaches as Annex A to this Procedural Order the revised procedural timetable applicable to this proceeding, including Scenarios 1 and 2, and the dates set out in this Order.

For and on behalf of the Tribunal,

[Signature]

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Ms. Judith Levine  
President of the Tribunal  
Date: 25 November 2024

**ANNEX A**

**SCENARIO 1 – NO BIFURCATION REQUEST**

<b>Item</b>	<b>Event</b>	<b>Date</b>	<b>Interval</b>
1.	Respondent's Rule 41 Objection	19 July 2024	
2.	First Session	6 August 2024	
3.	Claimants' Response to the Rule 41 Objection	4 October 2024	77 days (from item 1)
4.	Respondent's Reply to the Rule 41 Objection	21 October 2024	17 days
5.	Claimants' Rejoinder to the Rule 41 Objection	7 November 2024	17 days
6.	Parties to submit proposals for Rule 41 hearing schedule and time allocation	12 November 2024	5 days
7.	Hearing on the Rule 41 Objection via Zoom	19 November 2024	12 days
7a.	Parties to submit corrections to transcript	29 November 2024	10 days
7b.	Parties to submit costs submissions	9 December 2024	10 days
8.	Tribunal's Decision or Award	Week of 20 January 2025 (indicative, as discussed at Hearing on Rule 41 Objection)	60 days as per ICSID Rule 41(2)(e)
9.	Claimants' Memorial	25 April 2025	95 (from item 8 if Tribunal decision issued on 20 January 2025)

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<b>Item</b>	<b>Event</b>	<b>Date</b>	<b>Interval</b>
			<i>Claimants reserve right to seek an extension to this deadline if Tribunal's Decision in item 8 is delayed beyond 8 Feb 2025</i>
10.	Respondent's Counter-Memorial and Objections to Jurisdiction	25 July 2025	91 days
11.	Parties' Requests for Production of Documents	8 August 2025	14 days
12.	Parties' Responses and/or Objections to Requests for Production of Documents	29 August 2025	21 days
13.	Parties' Replies to Objections to Requests for Production of Documents	12 September 2025	14 days
14.	Parties' Production of Documents which are not subject to Objections	19 September 2025	21 days (from item 12)
15.	Tribunal's Decision on Objections to Requests for Production of Documents	26 September 2025	14 days (from item 13)
16.	Parties' Production of Documents ordered by Tribunal	10 October 2025	14 days
17.	Case Management Conference	Week of 19 October 2025	N/A
18.	Claimants' Reply and Counter-Memorial on Jurisdictional Objections	14 November 2025	35 days (from item 16)
19.	Respondent's Rejoinder and Reply on Jurisdictional Objections	16 February 2026	94 days
20.	Claimants' Rejoinder on Jurisdictional Objections	2 April 2026	45 days
21.	Parties to identify witnesses and experts for cross-examination at hearing	TBD	4 weeks prior to hearing
22.	Pre-hearing organizational meeting	TBD	2 weeks prior to hearing
23.	Hearing	Week of 25 May 2026	

**SCENARIO 2 – WITH BIFURCATION REQUEST BUT NO BIFURCATION OF PROCEEDINGS**

<b>Item</b>	<b>Event</b>	<b>Date</b>	<b>Interval</b>
1.	Respondent’s Rule 41 Objection	19 July 2024	
2.	First Session	6 August 2024	
3.	Claimants’ Response to the Rule 41 Objection	4 October 2024	77 days (from item 1)
4.	Respondent’s Reply to the Rule 41 Objection	21 October 2024	17 days
5.	Claimants’ Rejoinder to the Rule 41 Objection	7 November 2024	17 days
6.	Parties to submit proposals for Rule 41 hearing schedule and time allocation	12 November 2024	5 days
7.	Hearing on the Rule 41 Objection	19 November 2024	12 days
7a.	Parties to submit corrections to transcript	29 November 2024	10 days
7b.	Parties to submit costs submissions	9 December 2024	10 days
8.	Tribunal’s Decision or Award	Week of 20 January 2025 (indicative, as discussed at Hearing on Rule 41 Objection)	60 days as per ICSID Rule 41(2)(e)
9.	Claimants’ Memorial	25 April 2025	92 (from item 8 if Tribunal decision issued on 20 January 2025) <i>Claimants reserve right to seek an extension to this deadline if Tribunal’s Decision in item 8 is delayed</i>

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<b>Item</b>	<b>Event</b>	<b>Date</b>	<b>Interval</b>
			<i>beyond 8 Feb 2025</i>
10.	Respondent's bifurcation request (Arbitration Rules 42 and 44)	9 June 2025	45 days (from item 9)
11.	Claimants' observations to bifurcation request	1 July 2025	22 days
12.	Tribunal's decision on bifurcation	31 July 2025	30 days
13.	Respondent's Counter-Memorial and Objections to Jurisdiction	13 October 2025	74 days (from item 12)
14.	Parties' Requests for Production of Documents	27 October 2025	14 days
15.	Parties' Responses and/or Objections to Requests for Production of Documents	10 November 2025	14 days
16.	Parties' Replies to Objections to Requests for Production of Documents	24 November 2025	14 days
17.	Parties' Production of Documents which are not subject to Objections	27 November 2025	17 days (from item 15)
18.	Tribunal's Decision on Objections to Requests for Production of Documents	8 December 2025	14 days (from item 16)
19.	Parties' Production of Documents ordered by Tribunal	22 December 2025	14 days
20.	Case Management Conference	Week of 5 January 2026	N/A
21.	Claimants' Reply and Counter-Memorial on Jurisdictional Objections	26 January 2026	35 days (from item 19)
22.	Respondent's Rejoinder and Reply on Jurisdictional Objections	24 April 2026	88 days
23.	Claimants' Rejoinder on Jurisdictional Objections	29 May 2026	35 days
24.	Parties to identify witnesses and experts for cross-examination at hearing	TBD	4 weeks prior to hearing
25.	Pre-hearing organizational meeting	TBD	2 weeks prior to hearing
26.	Hearing	Week of 15 June 2026	

**SCENARIO 3 – BIFURCATION REQUEST, BIFURCATION GRANTED**

Item	Event	Date	Interval
1.	Respondent’s Rule 41 Objection	19 July 2024	
2.	First Session	6 August 2024	
3.	Claimants’ Response to the Rule 41 Objection	4 October 2024	77 days (from item 1)
4.	Respondent's Reply to the Rule 41 Objection	21 October 2024	17 days
5.	Claimants' Rejoinder to the Rule 41 Objection	7 November 2024	17 days
6.	Parties to submit proposals for Rule 41 hearing schedule and time allocation	12 November 2024	5 days
7.	Hearing on the Rule 41 Objection	19 November 2024	12 days
7a.	Parties to submit corrections to transcript	29 November 2024	10 days
7b.	Parties to submit costs submissions	9 December 2024	10 days
8.	Tribunal’s Decision or Award	Week of 20 January 2025 (indicative, as discussed at Hearing on Rule 41 Objection)	60 days as per ICSID Rule 41(2)(e)
9.	Claimants’ Memorial	25 April 2025	92 (from item 8 if Tribunal decision issued on 20 January 2025) <i>Claimants reserve right to seek an extension to this deadline if Tribunal’s Decision in item 8 is delayed beyond 8 Feb 2025</i>

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<b>Item</b>	<b>Event</b>	<b>Date</b>	<b>Interval</b>
10.	Respondent's Bifurcation request (Arbitration Rules 42 and 44)	9 June 2025	45 days (from item 9)
11.	Claimants' observations to bifurcation request	1 July 2025	24 days
12.	Tribunal's decision on bifurcation	31 July 2025	30 days
13.	Respondent's bifurcated objections	11 September 2025	42 days
14.	Claimants' response to bifurcated objections	23 October 2025	42 days
15.	Respondent's reply on bifurcated objections	21 November 2025	29 days
16.	Claimants' rejoinder on bifurcated objections	22 December 2025	31 days
17.	Hearing on bifurcated objections	Week of 12 January 2026	21 days
18.	Tribunal's decision on bifurcated objections	Week of 13 July 2026	180 days after the last submission, in accordance with ICSID Arbitration Rules 44(3)(c) and 58(1)(b)
19.	Respondent's Counter-Memorial and Objections to Jurisdiction (if any others)	13 October 2026	3 months (from item 18)
20.	Parties' Requests for Production of Documents	27 October 2026	14 days
21.	Parties' Responses and/or Objections to Requests for Production of Documents	10 November 2026	14 days
22.	Parties' Replies to Objections to Requests for Production of Documents	24 November 2026	14 days
23.	Parties' Production of Documents which are not subject to Objections	26 November 2026	30 days (from item 20)
24.	Tribunal's Decision on Objections to Requests for Production of	8 December 2026	14 days (from item 22)

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<b>Item</b>	<b>Event</b>	<b>Date</b>	<b>Interval</b>
	Documents		
25.	Parties' Production of Documents ordered by Tribunal	22 December 2026	14 days
26.	Case Management Conference	Week of 4 January 2027	N/A
27.	Claimants' Reply and Counter-Memorial on Jurisdictional Objections	15 February 2027	55 days (from item 25)
28.	Respondent's Rejoinder and Reply on Jurisdictional Objections	17 May 2027	91 days
29.	Claimants' Rejoinder on Jurisdictional Objections	28 June 2027	42 days
30.	Parties to identify witnesses and experts for cross-examination at hearing	9 August 2027	4 weeks prior to hearing
31.	Pre-hearing organizational meeting	Week of 23 August 2027	2 weeks prior to hearing
32.	Hearing	Week of 6 September 2027	