

**Arbitration Tribunal Established Pursuant
To Article XV of the Agreement Signed At
The Hague On 20 January 1930**

Dr. Horst Reineccius, Claimant v. Bank for International Settlements, Respondent (Claim no. 1)
First Eagle SoGen Funds, Inc., Claimant v. Bank for International Settlements, Respondent (Claim no. 2)
Pierre Mathieu and la Société Hippique de la Châtre, Claimants v. Bank for International Settlements, Respondent
(Claim no. 3)

Procedural Order No. 8

(Computer Assisted Projections, Requirements for Late Submissions of Evidence or Authorities)
23 August 2002

Whereas the Tribunal has received copies of: (1) a letter from the Bank for International Settlements (hereafter the Bank) dated 19 August 2002, (2) a letter from First Eagle SoGen Funds Inc. (hereafter First Eagle) dated 20 August 2002 and (3) a letter from the Bank dated 21 August 2002, and

Whereas in those letters the Bank and First Eagle have indicated they are unable to agree on the procedural requirements for (1) the employment of computer technology to project evidence and illustrate oral argument during the Hearings, and (2) the submission of evidence or legal authorities after the deadlines established in consultation with the Parties and set forth in Procedural Orders No. 3 and 4,

having considered the written submissions of the Parties, the Tribunal finds that:

1. Use of demonstrative exhibits and other visual aids, whether computer assisted or otherwise, is not unusual in international arbitration hearings. Such visual aids may be employed by the Parties so long as the material concerned is based solely on evidence already in the record and has been shown to the opposing party prior to the Hearing for purposes of verification.
2. Introduction of new evidence will not be permitted unless a proper application has been made to the Tribunal, the latter has granted leave, and the opposing party has sufficient opportunity to present its comments thereon.
3. New legal authorities can be referred to at the Hearing as rebuttal or additional authorities, provided that they are not excessive in number.
4. Issues concerning allegedly truncated copies of legal authorities are in the first instance to be resolved between counsel. The Party alleging that authorities are incomplete has the duty to identify them to the Party that submitted them.

Prof. Michael Reisman, President, on behalf of the Tribunal