

PCA Case No. 2016-17

**IN THE MATTER OF AN ARBITRATION UNDER THE DOMINICAN REPUBLIC-  
CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT,  
SIGNED ON AUGUST 5, 2004 (“CAFTA-DR”)**

– and –

**THE UNCITRAL ARBITRATION RULES (AS ADOPTED IN 2013)  
(the “UNCITRAL Rules”)**

– between –

**MICHAEL BALLANTINE AND LISA BALLANTINE**

**(the “Claimants”)**

– and –

**THE DOMINICAN REPUBLIC**

**(the “Respondent”, and together with the Claimants, the “Parties”)**

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**PROCEDURAL ORDER NO. 6**

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*Tribunal*

Prof. Ricardo Ramírez Hernández (Presiding Arbitrator)  
Ms. Marney L. Cheek  
Prof. Raúl Emilio Vinuesa

**October 18, 2017**

1. On October 6, 2017, the Claimants sent a letter along with two attachments, to the attention of the Tribunal. In said letter, the Claimants explained that the Parties had met and conferred with regard to scheduling matters, as well as procedures for confidentiality for documents produced.
2. On the same date, the Respondent confirmed the agreements of the Parties as reflected in the Claimants' letter.
3. By letter of October 9, 2017, the Tribunal informed the Parties that it acknowledged receipt of their correspondence and approved the Parties' agreements on scheduling matters as well as on the agreed procedures for confidentiality for documents produced.
4. For the sake of good order, an amended Procedural Calendar including the agreed revised dates is enclosed herewith as Annex 1.

**Place of Arbitration: Washington, D.C., United States of America**



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Ricardo Ramírez Hernández  
(Presiding Arbitrator)

On behalf of the Tribunal

## Annex 1: Procedural Calendar

<u>Event</u>	<u>Original Date</u>	<u>Revised Date</u>
<i>Initial Phase</i>		
[...]		
<i>Written Pleadings</i>		
Claimants' Reply	MONDAY, OCTOBER 9, 2017 <sup>1</sup> (i.e., two months and one week from production of remaining documents)	THURSDAY, NOVEMBER 9, 2017 (i.e., three months, one week, and one day from production of remaining documents)
Respondent's Rejoinder	MONDAY, JANUARY 16, 2018 (i.e., three months and one week from deadline for Claimant's Reply)	MONDAY, MARCH 19, 2018 <sup>2</sup> (i.e., four months, one week, and one day from deadline for Claimants' Reply)
Claimants' Rejoinder on Jurisdiction (if any)	FRIDAY, MARCH 16, 2018 (i.e., two months from deadline for Respondent's Rejoinder)	MONDAY, MAY 21, 2018 <sup>3</sup> (i.e., two months from deadline for Respondent's Rejoinder)
Written submissions from "non-disputing Parties" and notification of their wish to present oral submissions to the Tribunal, both regarding the interpretation of the CAFTA-DR, pursuant to Article 10.20(2) of the Treaty. Any submission or notification made pursuant to said Article shall be made in conformity with section 10 of the Terms of Appointment.	MONDAY, APRIL 16, 2018 (i.e., one month following the submission of the Claimants' Rejoinder on Jurisdiction)	THURSDAY, JUNE 21, 2018 (i.e., one month following the submission of the Claimants' Rejoinder on Jurisdiction)

<sup>1</sup> The precise date falling two months and one week after the Respondent's Statement of Defense would be Sunday, October 8, 2017. The deadline has been extended by one day so that it falls on a business day.

<sup>2</sup> The precise date falling four months, one week and one day after the Claimant's Reply would be Sunday, March 18, 2018. The deadline has been extended by one day so that it falls on a business day.

<sup>3</sup> The precise date falling two months after the Respondent's Rejoinder would be Saturday, May 19, 2018. The deadline has been extended by two days so that it falls on a business day.

***Oral Pleadings***<sup>4</sup>

Witness Notifications	APPROXIMATELY ONE MONTH BEFORE THE HEARING	APPROXIMATELY ONE MONTH BEFORE THE HEARING
Pre-hearing Conference	APPROXIMATELY ONE MONTH BEFORE THE HEARING	APPROXIMATELY ONE MONTH BEFORE THE HEARING
Oral Hearing	AT LEAST TWO MONTHS FOLLOWING THE DEADLINE FOR THE CLAIMANT'S REJOINER	FROM MONDAY, SEPTEMBER 3 TO FRIDAY, SEPTEMBER 7, 2018 (reserving SATURDAY, SEPTEMBER 8, should it be necessary) IN WASHINGTON D.C.

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<sup>4</sup> Pending the Tribunal's decision on written pleadings.