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## VIA EMAIL

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Re: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7): Claimants' Comments on Disqualification Request

Dear Messrs. Binnie and Poncet:

A decade ago, Ms. Stern identified the biggest challenge facing investment arbitration: “The biggest challenge is ensuring that all the stakeholders — both the investors and the host states — consider the system is trustworthy.”<sup>1</sup> Transparency throughout the entire arbitration process assures its trustworthiness. Indeed, transparency provides parties insight on the character and expertise of an arbitrator. It also alerts parties to possible concerns about an arbitrator’s ability to uphold her duty of independence and impartiality.

Unfortunately, transparency in this arbitration remains nebulous and at times elusive. Ms. Stern acknowledges that she is “most often nominated by States.” Ms. Stern does not refute that she has a pro-State reputation. This is the logical conclusion anyone reaches based on what little public information is available about her prior, repeated State appointments and decisions favoring States. Given the one-sided nature of the ICSID system where only investors can sue and only states are sued, Ms. Stern’s reputation and 80+ State-appointments become more problematic. Ms. Stern admitted as much herself, “Arbitrators have to make choices to resolve the disputes, which are of course informed by their political standpoint.”<sup>2</sup>

In light of these facts, Claimants had just cause to seek additional information about Ms. Stern — none of which is readily ascertainable — to assure her independence and impartiality in deciding

<sup>1</sup> Ross, Alison, *Brigitte in Brazil*, Global Arbitration Review, Volume 5, Issue 3 at 7 (July 5, 2010).

<sup>2</sup> Ross, Alison, *Brigitte in Brazil*, Global Arbitration Review, Volume 5, Issue 3 at 4 (July 5, 2010).

the outcome of this arbitration.<sup>3</sup> Unfortunately, Ms. Stern has a very narrow view of what information Claimants should have to assure that she is and can be independent and impartial. When Claimants asked for additional basic information about her prior engagements with States, whether through appointments or otherwise, Ms. Stern refused to disclose this information.<sup>4</sup> Although Ms. Stern claims that investors like Claimants should have trust in the system, she refused to be transparent about her relationships with States and State-owned entities, including her prior State appointments and investor challenges to such.

In response, on October 9, 2019, Claimants pleaded with Ms. Stern to provide this information.<sup>5</sup> They explained their concern about Ms. Stern's history of State appointments and pro-State reputation and the impact such has on the fundamental fairness and due process of this arbitration. Fundamentally, if an arbitrator's main source of income and career opportunities depends on the decision of a State, it is reasonable to raise questions as to her independence and impartiality.

More than a week later, on October 18, 2019, Claimants had to ask ICSID if Ms. Stern planned to respond to Claimants' October 9, 2019 plea.<sup>6</sup> Thirteen days after Claimants' plea for disclosure, on October 22, 2019, ICSID emailed, "Professor Brigitte Stern confirms her message of September 7, 2019, and considers that she has fulfilled her duty of disclosure."<sup>7</sup> Not knowing the details of Ms. Stern's response, Claimants promptly asked ICSID to share what Ms. Stern had transmitted to ICSID.<sup>8</sup>

ICSID did not forward Ms. Stern's written response. Instead, Claimants received a letter from Ms. Stern on October 23, 2019. That letter explains that ICSID forwarded Claimants' October 9, 2019 plea "without any comment, and ICSID did not ask me to give more information than what had already been provided."<sup>9</sup> Presumably, Ms. Stern had a telephone conversation with ICSID about Claimants' October 18, 2019 follow-up request. Similar to her response here, Ms. Stern's October 23, 2019 letter claimed that Claimants requested her to write a letter. Claimants are not aware of making any such request. They were simply trying to see the written communication from Ms. Stern to ICSID, hoping that Ms. Stern would provide an explanation about why she believed that she did not have to answer Claimants' reasonable questions to assure transparency.

Ms. Stern's decision to limit her disclosures to Claimants forced Claimants to initiate the instant challenge for her removal. Both Egypt and Ms. Stern responded. However, they largely avoid the critical issue: in light of Ms. Stern's known State appointments (in which most she ruled in favor of States), her reputation of being pro-State, was it reasonable for Claimants to ask Ms. Stern to disclose additional information so Claimants could assess whether she is and can be independent and impartial in ruling upon their claims?

Instead, Egypt attempts to impose an insurmountable disqualification threshold, i.e., one that is "enormously high." Egypt then contends that only Ms. Stern can determine what information to

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<sup>3</sup> See, e.g., Exhibit C-1 (Letter from Claimants to ICSID (September 11, 2019)); Exhibit C-2 (Email from ICSID transmitting Ms. Stern's response to Claimants' September 11, 2019 letter) (September 16, 2019)); Exhibit C-3 (Letter from Claimants to ICSID (October 3, 2019)).

<sup>4</sup> Exhibit C-4 (Letter from ICSID to Claimants transmitting Ms. Stern's response to Claimants' October 3, 2019 letter (October 7, 2019)).

<sup>5</sup> Exhibit C-5 (Letter from Claimants to ICSID (October 9, 2019)).

<sup>6</sup> Exhibit C-6 (Email from Claimants to ICSID (October 18, 2019)).

<sup>7</sup> Exhibit C-7 (Email from ICSID to Claimants (October 22, 2019)).

<sup>8</sup> Exhibit C-8 (Email from Claimants to ICSID (October 22, 2019)).

<sup>9</sup> Exhibit C-9 (Letter from B. Stern to Claimants (October 23, 2019)).

disclose so Claimants can determine if she is and can be impartial and independent. Such arguments are nonsensical and without basis under ICSID Convention Articles 57 or 14.

Taking Egypt's argument to its logical conclusion leads to absurd outcomes. According to Egypt, Ms. Stern can be on its payroll and Ms. Stern would not have to disclose that fact if *she* does not believe it affects her ability to be independent and impartial. Even then, Egypt excuses Ms. Stern's failure to disclose this fact. Worse, Egypt excuses Ms. Stern's refusal to answer Claimants' reasonable requests for additional information, all of which relate to her known pro-State reputation.

Indeed, Egypt's rationale highlights the problem. Under Egypt's position, only Ms. Stern can decide what information *she* believes is important. Ms. Stern can also dismiss Claimants' reasonable inquiries for additional information that relates to any potential bias. Although Ms. Stern has advocated for the need to ensure that investors trust investment arbitration, Egypt promotes a process that wholly undermines it.

Egypt appears to believe that Ms. Stern is subject to disqualification only if she has a direct financial benefit from Egypt, i.e., being on its payroll. Equally disconcerting, Egypt appears to believe that Ms. Stern would need to disclose this information only if *she* believes it is necessary to assess her independence and impartiality. This logic has no basis under ICSID Convention Articles 57 or 14 and only serves to undermine the trust that investors should have in the system.

Ms. Stern's response is equally disconcerting. Ms. Stern agrees with Egypt. Ms. Stern believes that she is the only person who decides what facts investors like Claimants should have when seeking to assess whether she is and can be independent and impartial.

Moreover, Ms. Stern avoids directly addressing Claimants' arguments about her refusal to disclose facts that Claimants believe are important in assessing her independence and impartiality. Instead, Ms. Stern makes blanket arguments supporting her position while denying Claimants rebuttal facts that only she can provide. For example, she claims that States (and not investors) continuously appoint her — so much so that she has garnered a pro-State reputation — simply because she was a “professor of international law.” Yet she does not believe that Claimants are entitled to know facts that rebut this assertion. Indeed, Ms. Stern's selective disclosures in her response only raise further questions about her ability to be independent and impartial in adjudicating this dispute.

As further explained below, Ms. Stern has not fulfilled her disclosure obligations under ICSID Arbitration Rule 6 that specifically required Ms. Stern to disclose “any other circumstance that might cause my reliability for independent judgment **to be questioned by a party.**” (emphasis added). For this reason alone, Ms. Stern should be disqualified under ICSID Convention Article 57. Moreover, Ms. Stern's undisputed 80+ State appointments (in investment disputes alone), and her repeated appointments by Egypt — individually and collectively — far exceeds the ICSID Convention Article 57's disqualification threshold. Ms. Stern's refusal to disclose important facts about her relationship with States, coupled with her overwhelming number of State appointments and undisputed pro-State reputation, undermines Claimants' trust in having a fair process. As such, Ms. Stern should be disqualified.

#### **I. MS. STERN INCORRECTLY CHARACTERIZES CLAIMANTS' EFFORTS TO OBTAIN FACTS**

As an initial matter, Claimants find it odd that Ms. Stern professes a need to “clarify” the disclosure process. It appears that Ms. Stern has a very different understanding of what transpired in Claimants' attempts to obtain relevant facts about her ability to be independent and impartial.

On October 3, 2019, Claimants sought to obtain additional facts about Ms. Stern's association with States beyond Egypt. It is important to understand why. Ms. Stern's reputation as a pro-State arbitrator needs to be recognized. She was asked about this in 2010:

The majority of your appointments seem to be by state parties. Why do you think this is, and is it a concern?

Statistically, you are completely right. It's not a concern for me at all. I guess the main reason states appoint me is that I have a background in public international law. There are not many arbitrators with this background so, naturally, states will always nominate from the same small group. I think claimants sometimes assume that the more nominations from states you receive, the more pro-state you must be, but that's not necessarily so.

I must note that I've also been appointed by claimant parties, and served as the president of investment treaty tribunals. In one or two cases I was appointed by a claimant party but had to refuse the appointment because I had recently been nominated by the respondent state in another case. Given the narrow timeframe of the two appointments, I felt it was difficult to sit in both.

Ms. Stern's admissions above raise serious concerns for any investor seeking trust in the process. Ms. Stern acknowledged that States mostly appointment her. As here, Ms. Stern claimed that it was because of her background in "public international law" even though others also have this knowledge. Importantly, she did not reject the notion that she is pro-State; instead, she hedges in her response about such not being "necessarily so."<sup>10</sup> Finally, she attempts to portray a balance by claiming that claimants (read: investors) have appointed her. Yet, she does not quantify the number of those arbitrations.

This is why Claimants' October 3, 2019 letter sought information from Ms. Stern about the number of times both investors and States had previously appointed her. Such information is not easily accessible, and in some cases, it cannot be accessed at all. Similarly, to understand if other investors shared Claimants' concerns about Ms. Stern's pro-State reputation, Claimants also asked Ms. Stern to explain prior challenges to her appointment. For unknown reasons, arbitrator challenges tend to remain hidden from the public, an apparent conflict with efforts to make investment arbitrations more transparent. Finally, Claimants obtained information that Ms. Stern had not disclosed about possible relationships with Egypt and a private company that she had not disclosed, thus, Claimants included these reasonable inquiries.

On October 7, 2019, Claimants received a letter from ICSID transmitting her response. In short, Ms. Stern responded that she did not believe that Claimants need to know about her prior appointments, challenges to such, her possible relationships with Egypt, or the work for States (including Egypt) conducted through her private company "Brigitte Stern." Ms. Stern suggests that "Claimants however came back to ICSID and asked an answer through a letter and not through e-mails forwarded by the Secretary of ICSID." Claimants do not understand why Ms. Stern included this statement, and they have a different recollection of the facts.

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<sup>10</sup> Ross, Alison, *Brigitte in Brazil*, Global Arbitration Review, Volume 5, Issue 3 at 5 (July 5, 2010).

Claimants' October 9, 2019 letter is clear. Claimants were concerned that Ms. Stern chose to dismiss Claimants' attempt to obtain information about her history with States that only Ms. Stern could provide. Claimants detailed their reasoning based on the public information that showed an alarming number of State appointments, a lack of investor appointments, and her undisputed pro-State reputation. Because of Ms. Stern's cursory response, Claimants asked Ms. Stern to disclose the percentage of her income originating from States, whether through appointments as an arbitrator or otherwise. According to prior ICSID tribunals, this is important to assessing her independence and impartiality.

Nine days passed. By October 18, 2019, Claimants had to ask if ICSID knew whether Ms. Stern would respond to Claimants' October 9, 2019 letter. ICSID advised that it would inquire.<sup>11</sup> On October 22, 2019, Claimants received the following email from ICSID:<sup>12</sup>

In response to the Claimants' letter of October 9 and follow up of October 18, 2019, please note that Professor Brigitte Stern confirms her message of September 7, 2019, and considers that she has fulfilled her duty of disclosure.

Because this message appeared to be a summary of Ms. Stern's response, Claimants asked ICSID to share it.<sup>13</sup> Ms. Stern responded on October 23, 2019 that she would not provide Claimants with any additional information that they were seeking.

Ms. Stern's October 23, 2019 letter and her response suggest that Claimants insisted that she write a letter. Claimants do not know what gave Ms. Stern this impression. Claimants also do not know why she felt it necessary to repeat it in her response. Including such extraneous comments suggests that a bias may have formed, if one did not exist already.<sup>14</sup> Claimants ask the remaining members of the Tribunal to weigh this when assessing the merits of her arguments about her disclosures required under ICSID Arbitration Rule 6(2).

## II. CONVENTION ARTICLES 57 AND 14 REQUIRE MS. STERN'S DISQUALIFICATION

ICSID's rules about arbitrator disclosures and disqualifications are not complicated. ICSID Arbitration Rule 6(2) required Ms. Stern to sign a declaration that she disclosed "any other circumstance that might cause my reliability for independent judgment **to be questioned by a party.**" The emphasized language makes clear that the disclosure is from the party's perspective, i.e., whether there is a circumstance that would cause such party to question the arbitrator's independence.

ICSID Convention Articles 57 and 14 require disqualification when a reasonable person would conclude that the arbitrator appears biased. This is consistent with the IBA Guidelines and standard arbitration practice. Egypt and Ms. Stern disagree about whether a failure to disclose information is grounds to disqualify an arbitrator. Claimants agree with Ms. Stern that Articles 57 and 14 apply to disqualify an arbitrator when she does not disclose facts that go towards her potential bias or

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<sup>11</sup> Exhibit C-6 (Email from ICSID to Claimants (October 18, 2019)).

<sup>12</sup> Exhibit C-7 (Email from ICSID to Claimants (October 22, 2019)).

<sup>13</sup> Exhibit C-8 (Email from Claimants to ICSID (October 22, 2019)).

<sup>14</sup> *Burlington Resources, Inc. v. Republic of Ecuador*, ICSID Case No. ARB/08/5, Decision on the Proposal for Disqualification of F. Orrego Vicuña ¶ 79 ("Such comments do not serve any purpose in addressing the proposal for disqualification or explaining circumstances relevant to the allegations that the arbitrator manifestly lacks independence or impartiality.") (December 13, 2013).

independence. And that is what happened here. Despite repeated requests, Ms. Stern refused to disclose facts related to her ability to be independent and impartial in this arbitration.

**A. Ms. Stern's continued failure to disclose**

Egypt and Ms. Stern both claim that ICSID Arbitration Rule 6(2) allows an arbitrator sole discretion over what to disclose. They also claim that Ms. Stern did not breach her disclosure obligations. Finally, they claim that even if Ms. Stern did fail to disclose important information that should not result in her disqualification. These arguments are inconsistent with the ICSID Convention, the ICSID Arbitration Rules, prior ICSID tribunals, and common practice.

**(1) ICSID Arbitration Rule 6(2) does not allow an arbitrator sole discretion on disclosures**

An arbitrator does not have sole discretion on what to disclose. The plain language of Arbitration Rule 6(2) confirms that a party's perspective controls the scope of an arbitrator's disclosures. Rule 6(2) requires arbitrators to disclose facts and circumstances that "might" cause an arbitrator's independence and impartiality "to be questioned by a party." In other words, an arbitrator standing in a party's shoes should ask, what information does that party need to be able to determine whether the arbitrator is and can be independent and impartial?

Ms. Stern does not address how a party's perspective dictates her disclosures under Arbitration Rule 6(2). Instead, Ms. Stern apparently believes that she can withhold information from Claimants under an amorphous standard of "honest exercise of discretion." Put simply, Ms. Stern believes that she can choose what information to provide to Claimants so they can make an independent assessment about any potential bias she might have. Indeed, the current situation where Ms. Stern chose to ignore Claimants' requests and then selectively make disclosures in her response underscores the problem with the moniker "honest exercise of discretion." It also leads to the obvious question: what else has Ms. Stern decided not to disclose?

Similarly, citing *Suez Aguas*, Egypt argues that Arbitration Rule 6(2) provides Ms. Stern with the sole and unfettered discretion to decide what she believed that Claimants should know about her independence and impartiality. Applying Egypt's rationale to the facts, Claimants only needed to know about Egypt's prior five appointments of Ms. Stern in its arbitrations. That is the only information that she initially disclosed.<sup>15</sup>

This is a misapplication of Arbitration Rule 6(2). Claimants agree that an arbitrator makes the disclosure. However, the party's perspective, in this case Claimants' perspective, determines the scope of such disclosure. The former Chairman of ICSID's Administrative counsel clearly explained the spirit of Rule 6(2)'s language: "parties to investment arbitrations have an interest in knowing any facts or circumstances that may exist that may give rise to doubts about an arbitrator's independence and impartiality."<sup>16</sup> In that arbitration. Mr. Zoellick examined whether it was reasonable for the claimant to complain about Ms. Stern's failure to disclose prior appointments that were otherwise publicly available. Notably, neither Egypt nor Ms. Stern address Mr. Zoellick's application of how Rule 6(2) operates in favor of disclosure from a reasonable party's perspective.

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<sup>15</sup> Exhibit C-10 (Ms. Stern's Disclosure Statement) (September 5, 2019)).

<sup>16</sup> *Universal Compression International Holdings, S.L.U. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/10/09, Decision on the Proposal to Disqualify B. Stern and G. Santiago Tawil ¶ 90 (May 20, 2011) (emphasis added).

Three sentences from the conclusion of Ms. Stern's response expose the severe prejudice created by arguing ICSID Arbitration Rule 6(2) allows an arbitrator absolute discretion in what to disclose rather than viewing that decision from Claimants' perspective. Although Ms. Stern refused to respond to Claimants' reasonable inquiries about her relationships with States, Ms. Stern claims, "I fulfilled my disclosure obligations." She then accuses, "Claimants have not put forward any precise fact 'indicating a manifest lack of the qualities required by paragraph 1 of Article 14' of the ICSID Convention." In support, she cites a prior attempt to disqualify her based on her frequent State appointments: "General considerations are not sufficient, some precise facts must be invoked . . . ."

This reasoning is troubling. Two things are undisputed: Ms. Stern has a reputation of being pro-State and States have repeatedly appointed her as an arbitrator with perhaps one or two appointments by investors. Armed with these facts, Claimants sought to obtain additional facts by asking Stern about her relationships with States. Ms. Stern refused to disclose these facts — facts that only she can provide. Like the fox guarding the henhouse, she now chastises Claimants for not providing those "precise facts" that test her bias and independence. Indeed, such logic and conduct further exacerbate the biggest challenge to investment arbitration that Ms. Stern identified: investors need to believe that investment arbitration is trustworthy. Accordingly, Claimants' perspective controls the scope of Ms. Stern's disclosures.

## (2) Ms. Stern breached Arbitration Rule 6(2)

Ms. Stern initially disclosed that Egypt previously appointed her five times in the past 15 years. Ms. Stern does not dispute that this alone invokes the Orange List under the IBA Rules. In a prior challenge to her appointment in *Elitech B.V. v. Republic of Croatia*, Ms. Stern acknowledged that Orange List circumstances "impose a duty of disclosure by the arbitrator."<sup>17</sup> Yet she limited her disclosures only to prior appointments by Egypt. And when asked for further disclosure, Ms. Stern refused to share any information about her extensive prior State appointments, other business relationships with States (including Egypt), and the impact of such on her income.

Ms. Stern does not refute that Claimants were reasonable in trying to obtain information related to her ability to be independent and impartial. Ms. Stern also does not explain why she ignored Claimants' repeated requests to obtain these facts. Instead, Ms. Stern's response continues to obfuscate the true nature of her extensive relationship with States, either through arbitration appointments or otherwise. As explained below, this too gives ample grounds for her disqualification.

Claimants asked Ms. Stern to disclose "the number of times that [her] appointment was challenged over the past ten years, and to the extent possible, a brief description of why." Ms. Stern ignored this request. In 2011, the Chairman of ICSID's Administrative Council put Ms. Stern on notice that investors should have complete information available to them, even if that information is otherwise public. In any case, why investors have previously challenged Ms. Stern is not readily available publicly. These facts remain hidden despite repeated calls for transparency in investment arbitrations.

In her response, Ms. Stern discounts Claimants' attempt to obtain this information by casually referencing an ICSID decision where a State who appointed her also challenged her. That decision is not public, so Claimants do not know why. More importantly, Ms. Stern could have disclosed this non-public information to Claimants in October 2019. It is unclear why Ms. Stern chose to wait until

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<sup>17</sup> *Elitech B.V. v. Republic of Croatia*, ICSID Case No. ARB/17/32, Decision on the Proposal to Disqualify B. Stern ¶ 34 (citing Ms. Stern's letter of March 8, 2018) (March 23, 2018).

now to do so, and even then, chose not to provide any details about that challenge. This non-public information is what Claimants sought to obtain from Ms. Stern.

Tellingly, other than one purported challenge by Bolivia, Ms. Stern does not disclose how many times other States have sought to disqualify her or why. More importantly, however, Ms. Stern continues to avoid disclosing how many times other investors have challenged her and why they felt compelled to do so. Instead, Ms. Stern selectively cites three arbitrations in which investors challenged her appointment, two of which focused on her repeated appointments by States to those arbitrations.<sup>18</sup> The reasoning for the challenge in the third cited decision is unknown because Claimants do not have access to it publicly.<sup>19</sup> Indeed, Ms. Stern's use of this latter non-public decision exemplifies how egregious her decision was not to respond to Claimants' reasonable inquiry to obtain this information.

Similarly, Claimants asked Ms. Stern to disclose "the percentage of her total annual income derived from work originated from States (including state-owned entities), both as a consultant personally or through her firm or as an arbitrator appointed by a State."<sup>20</sup> In October 2019, Ms. Stern refused to disclose this information. Ms. Stern's response now is equally disturbing because she changed Claimants' request to avoid directly responding to Claimants' concern: that her annual income largely depends on State appointments.

Ms. Stern rewords Claimants' inquiry about her annual income derived from work *originating* from States. She rewords it to contend that Claimants asked about her "work for States." This allowed Ms. Stern to deflect from the portion of Ms. Stern's income attributable to State appointments. Ms. Stern knows why Claimants sought this information. In *Universal Compression*, the former Chairman of ICSID's Administrative Council noted, "Professor Stern has been appointed in more than twenty ICSID cases, evidencing that she is not dependent — **economically or otherwise** — upon Respondent for her appointment in these cases."<sup>21</sup> Conversely, repeated State appointments can show an economic dependence, which affects Ms. Stern's ability to be independent and impartial.

Ms. Stern's rewording allowed her to exclude all income earned from her numerous State appointments and solely focus on examples of when a State engaged her as counsel or hired her as an expert. This information was part of Claimants' inquiry, which Ms. Stern did not see fit to disclose before now. Regardless, Ms. Stern's wordsmithing allowed her to summarily claim, "a very minor part of my income comes from 'work for States'." Respectfully, that is not what Claimants asked. Indeed, Ms. Stern's deflection only elevates the concern about her ability to be independent and impartial as an arbitrator in this dispute.

Ms. Stern's responses about her other connections to Egypt raise other concerns about her duty of inquiry and subsequent disclosure. Ms. Stern understood that her prior repeated appointments by Egypt created an Orange List situation under the IBA Rules. As such, Ms. Stern understood that she had a heightened duty of disclosure. Yet she did not disclose her connections to the Université

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<sup>18</sup> *Elitech B.V. v. Republic of Croatia*, ICSID Case No. ARB/17/32, Decision on the Proposal to Disqualify B. Stern (March 23, 2018); *Tidenwater Investment SRL and Tidenwater Caribe, C.A. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/10/5, Decision on Claimants' Proposal to Disqualify B. Stern (December 23, 2010).

<sup>19</sup> *Iskandar Safa and Akram Safa v. Hellenic Republic*, ICSID Case No. ARB/16/20, Decision on Disqualification of Brigitte Stern (March 7, 2017).

<sup>20</sup> Exhibit C-5 (Letter from Claimants to ICSID (October 9, 2019)).

<sup>21</sup> *Universal Compression International Holdings, S.L.U. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/10/09, Decision on the Proposal to Disqualify B. Stern and G. Santiago Tawil ¶ 77 (May 20, 2011) (emphasis added).



Paris 1 Panthéon-Sorbonne's Institute of International Business Law (IDAI) based in the Cairo University law school and the "Scientific Board of the Centre René-Jean Dupuy for law and development, University of Alexandria."

Ms. Stern excuses her non-disclosure by claiming that she was not aware of the connections between her former employer and the Egyptian government through these institutions. With respect to the Sorbonne's IDAI, it is curious that Ms. Stern did not know about it. During her nearly 20-year tenure as a "professor of international law" at the Sorbonne, the IDAI existed as a branch of the Sorbonne specifically dedicated to international law. Indeed, the IDAI promotes its various international studies.<sup>22</sup> As such, one would have expected a significant overlap between Ms. Stern's work and that of the IDAI.

Ms. Stern's response about the Centre René-Jean Dupuy is more curious. Ms. Stern claims that she needed to look up this institution on the Internet. Ms. Stern suggests that she was appointed to the Centre's Scientific Council because of her "prestigious name" and that she may or may not ("even if") have participated in its meetings. Yet, she saw fit to promote this appointment on her CV to the United Nations when appointed to its Administrative Tribunal:<sup>23</sup>

**Functions outside the University**

Member of the ICSID List of Conciliation and of Arbitration, on proposal of France, since 16 January 1992.

Member of the List of the French National Committee of the ICC.

Member of the Administrative Tribunal of the Asian Development Bank (1995-1997).

Member of the legal team of the Bosnian Government in the case of *Bosnia v. Federal Republic of Yugoslavia (Serbia and Montenegro)* before the International Court of Justice.

Expert and consultant for the French Government and many foreign Governments, international organizations (United Nations, United Nations University) and corporations (Dumez, BRGM, etc.).

President of the National Commission for the Elimination of Antipersonnel Mines.

Listed on the roster of arbitrators of the Commercial Conciliation and Arbitration Centre of the Dubai Chamber of Commerce and Industry.

Member of the Scientific Board of the Centre René-Jean Dupuy for law and development, University of Alexandria, since 1998.

Member of several academic societies: Société française de droit international (SFDI), International Law Association (ILA), Association internationale de droit économique (AIDE), Société québécoise de droit international (SQDI), American Society of International Law (ASIL).

Ultimately, Claimants rely on what Ms. Stern decides to disclose (or not) so Claimants can assess her independence and impartiality. Given Ms. Stern's undisputed pro-State reputation, her 80+ State appointments, her five previous appointments by Egypt, and her other work for States, Ms. Stern's minimal disclosures were inadequate. In light of these facts, it was reasonable for Claimants to inquire about Ms. Stern's relationships with Egypt and other States. Although Ms. Stern had access to such information and many opportunities to disclose it, she chose not to, denying Claimants the ability to assess her independence and impartiality. Her latest response fares no better. Ms. Stern provides only the information that she believes Claimants should have, either by rephrasing Claimants' inquiry,

<sup>22</sup> Institute of International Business Law (homepage), available at, <https://idai.univ-paris1.fr>.

<sup>23</sup> B. Stern CV, Appointment of Members of the United Nations Administrative Tribunal at p. 14, available at, <https://undocs.org/pdf?symbol=en/A/C.5/59/8>.

chastising it, or ignoring it altogether. One must ask: why does Ms. Stern not want Claimants to have a complete picture of her relationships with States, whether directly or indirectly through her multiple appointments as a party-appointed arbitrator?

**(3) Ms. Stern’s failure to comply with her disclosure obligations requires disqualification**

Egypt incorrectly asserts that Ms. Stern’s failure to comply with Arbitration Rule 6(2) is irrelevant to disqualification. Egypt even proclaims, “[i]t is firmly settled that a failure to disclose, if any, does not stand as a basis for the disqualification of an arbitrator.” This is nonsense and encourages violations of Rule 6(2) without consequence. Not to mention, it is inconsistent with Convention Articles 57 and 14 and standard industry practice as reflected in the IBA Rules of Ethics.<sup>24</sup>

Even Ms. Stern disagrees with Egypt’s extreme view. However, relying on *EDF v. Argentina*, she contends that only failure to disclose *certain* facts can lead to disqualification. Claimants do not necessarily disagree with that proposition as applied to the facts of *EDF v. Argentina*. At issue there was whether an arbitrator was required to disclose a potential conflict on their own initiative.<sup>25</sup> Here, however, there is more at issue. In addition to Ms. Stern’s initial disclosures, the Tribunal must decide whether an arbitrator can first ignore and later dismiss specific inquiries from Claimants that, depending on the answer, would disqualify her. *EDF v. Argentina* does not address this situation. Accordingly, like Egypt’s, Ms. Stern’s legal proposition is also incorrect.

As Claimants previously explained, it is well settled that failure to disclose may indicate bias, and thus, require disqualification. Tribunals consider multiple factors to determine whether disqualification is appropriate. Although Claimants previously submitted them, in light of Ms. Stern’s response, they are worth repeating:<sup>26</sup>

Whether the failure to disclose was inadvertent or intentional, whether it was the result of an honest exercise of discretion, whether the facts that were not disclosed raised obvious questions about impartiality and independence, and whether the non-disclosure is an aberration on the part of the conscientious arbitrator or part of a pattern of circumstances raising doubts as to impartiality. . . .

Claimants take Ms. Stern at her word that her nondisclosure of the Sorbonne’s Institute of International Business Law (IDAI) and the Centre René-Jean Dupuy was unintentional. At a minimum, however, it reveals her inadequate search. Additionally, it is undisputed that Ms. Stern’s ignoring Claimants’ October 2019 inquiries and later dismissing them was intentional. As noted above, Ms. Stern even withheld information responsive to at least two of them until January 2020. Such behavior — especially considered in connection with Ms. Stern’s factual mischaracterizations and adversarial comments — is not an aberration. Rather, it is part of a pattern of bias against Claimants.

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<sup>24</sup> IBA Rules of Ethics for International Arbitrators, Article 4.1 (“[f]ailure to make such disclosure creates an appearance of bias, **and may of itself be a ground for disqualification even though the non-disclosed facts or circumstances would not of themselves justify disqualification.**” (emphasis added)).

<sup>25</sup> See generally *EDF International S.A., SAUR International S.A. & León Participaciones Argentinas S.A. c/ República Argentina*, ICSID Case No. ARB/03/23, Challenge Decision Regarding Professor Gabrielle Kaufmann-Kohler (June 25, 2008).

<sup>26</sup> *Universal Compression International Holdings, S.L.U. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/10/09, Decision on the Proposal to Disqualify B. Stern and G. Santiago Tawil ¶ 94 n.107 (May 20, 2011).

Accordingly, Ms. Stern's failure to comply with Arbitration Rule 6(2) indicates an appearance of bias and requires her disqualification.

### **B. Ms. Stern's previous appointments by States**

Both Egypt and Ms. Stern concede that she has an unprecedented number of State appointments. Previously, Claimants believed that States had appointed Ms. Stern **84** times. That should concern all involved in international arbitration. But it actually may be worse. Ms. Stern now confirms that out of "**almost 150**" career arbitrations, an investor has nominated her **once** — nearly two decades ago. This is simply unconscionable.

Egypt tries to ignore this troubling statistic, reasoning that it is not a fact "peculiar" to the dispute. From its position as a State, Egypt has no difficulty making this argument because the statistics are skewed in Egypt's favor. Apart from being an incorrect legal standard, Egypt ignores the reality that under such circumstances, Ms. Stern has a higher duty of disclosure. This is particularly true when Claimants have tried to obtain facts from Ms. Stern that relate directly to her possible bias, and she refuses to disclose them. Thus, it is disingenuous for Egypt to claim that Ms. Stern's abundant State appointments have no bearing on the analysis.

To put it simply, if a patient knows that pharmaceutical company sponsors a doctor, it is reasonable for the patient to ask if the medicine prescribed is the best for her health. At a minimum, the patient needs to know about the relationship with the pharmaceutical company. Similarly, if a public servant receives money from a lobbyist, it is reasonable to question whether the policies they promote are in the public interest. In the same vein, if an arbitrator's main source of income and career opportunities depends on State appointments, it is reasonable for an investor to question the arbitrator's independence and impartiality. Claimants sought to obtain this information to assess whether Ms. Stern would be independent and impartial in the face of 80+ State appointments, but Ms. Stern refused. Ms. Stern's decision to withhold this information should disqualify her as an arbitrator.

### **C. Ms. Stern's previous appointments by Egypt**

Egypt's repeated appointments of Ms. Stern follows the same pattern as other States. Of the publicly-known investment arbitrations, Egypt has appointed Ms. Stern nearly 20% of the time.<sup>27</sup> Egypt explains this statistic because of a "small pool of arbitrators." Yet ICSID's website lists nearly two hundred qualified arbitrators.

Indeed, both Egypt and Ms. Stern acknowledge that Egypt's repeated appointments place this current situation on the Orange List of the IBA Rules. However, both contend that Ms. Stern should not be disqualified because of Egypt's repeated appointments of Ms. Stern. They miss two important points.

*First*, at least one other tribunal has found that investment arbitrations impose a more rigorous standard because of the important public interests at stake.<sup>28</sup> Applying this standard would more appropriately categorize Egypt's five appointments of Ms. Stern on the "Red List," requiring disqualification. Unfortunately, Ms. Stern attempts to trivialize this important decision by calling it an

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<sup>27</sup> Egypt has appointed Ms. Stern in 6 of 35 investor-state arbitrations that Claimants were able to ascertain.

<sup>28</sup> See *Highbury International AVV, Compañía Minera de Bajo Caroní AVV, and Ramstein Trading Inc. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/14/10, Decision on the Proposal for Disqualification of B. Stern ¶¶ 84-85 (June 9, 2015).

“inexistent” rule. Such a statement is ironic given her public comments about parties not sensing that the system is trustworthy.

*Second*, Egypt and Ms. Stern ignore Claimants’ repeated attempts to obtain facts that relate directly to any bias that Ms. Stern may have towards Egypt (or any other State) because of her repeated appointments. Claimants should not be expected to act like an ostrich, stick their heads in sand, and simply accept that five prior appointments by Egypt coupled with 80+ State appointments presents no concern about Ms. Stern’s ability to be independent and impartial. That is preposterous. Ms. Stern should have responded to Claimants’ request for supplemental disclosures. She summarily refused. Ms. Stern’s summary refusal to provide such supplemental disclosures did not instill confidence in Ms. Stern’s independence and impartiality. Claimants anticipated a very different arbitration process when they decided to invest in Egypt. Transparency is the only way to assure investment arbitrations are trustworthy to both States and investors alike.

In conclusion, if Claimants’ application is rejected, it will send an alarming message to the investment arbitration world. Without any consequence, arbitrators can accept a plethora of appointments by States. They can accept many appointments by a particular State. And if asked for information about these relationships, a concerned investor can go ignored. Not previously rectifying these issues has caused investor trust in the system to deteriorate, it’s time to restore that trust.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Melsheimer". The signature is fluid and cursive, with a large initial "A" and a long horizontal stroke at the end.

Andrew Melsheimer

cc: Aïssatou Diop (by email to [adiop3@worldbank.org](mailto:adiop3@worldbank.org))  
Dr. Abdelhamid Elnagashy (by email to [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg))  
Amr Arafa Hasaan (by email to [aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg))  
Fatma Khalifa (by email to [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg))  
Razan Abou Zaid (by email to [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg))  
Lela Kassem (by email to [lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg))  
Mohamed H. Negm (by email to [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg))  
Yousra Mohamed (by email to [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg))  
Ebtehal Ahmed (by email to [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg))  
Mohamed Makky (by email to [mmakky@sla.gov.eg](mailto:mmakky@sla.gov.eg))

# EXHIBIT C-1

# THOMPSON & KNIGHT LLP

ATTORNEYS AND COUNSELORS

ANDREW MELSHEIMER

DIRECT DIAL: (214) 969-1305  
EMAIL: Andrew.Melsheimer@tklaw.com

1722 ROUTH ST., SUITE 1500  
DALLAS, TEXAS 78701  
214.969.1700  
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www.tklaw.com

AUSTIN  
DALLAS  
FORT WORTH  
HOUSTON  
NEW YORK  

---

ALGIERS  
LONDON  
MEXICO CITY  
MONTERREY

September 11, 2019

## VIA EMAIL

Aïssatou Diop  
ICSID Legal Counsel  
1818 H Street, NW, MSN C3-300  
Washington, DC 20433 USA  
[adiop3@worldbank.org](mailto:adiop3@worldbank.org)

Re: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7)

Dear Ms. Diop:

We acknowledge receipt of Ms. Brigitte Stern's declaration and statement of her past and present involvement with the parties and their counsel.

As an initial matter, Respondent has not identified its external counsel, if any, for this matter. We would ask Respondent to disclose this information without further delay. Likewise, we would ask Ms. Stern to update her statement to reflect any involvement with Respondent's external counsel.

Claimants currently have four inquiries regarding Ms. Stern's disclosures of five previous arbitrations where "Egypt" nominated her as arbitrator.

*First*, Ms. Stern's disclosures do not identify the attorneys and/or law firms representing "Egypt" in the five listed arbitrations. We kindly ask Ms. Stern to disclose this information for these arbitrations and the other arbitrations she discloses in response to the following requests.

*Second*, Ms. Stern's disclosures appear to be limited to investment arbitrations in which "Egypt" nominated her. We kindly ask Ms. Stern to disclose all of the arbitrations, including commercial arbitrations, where she was nominated as arbitrator by the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

*Third*, Ms. Stern's disclosures do not identify any arbitration where she served as President of the Tribunal involving the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises. We kindly ask Ms. Stern to disclose any such arbitrations and explain if the parties to any such arbitration played a role in her appointment.

*Fourth*, Ms. Stern is held out as an "expert and international legal advisor for States and various organisations". We kindly ask Ms. Stern to disclose her professional activities (as advisor, expert,


September 11, 2019

Page 2

consultant, or otherwise), if any, with the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

We appreciate a prompt response to the above inquiries.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Melsheimer', with a stylized flourish at the end.

Andrew Melsheimer

cc: Yousra Mohamed (by email to [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg))  
Mohamed Khalaf (by email to [mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg))  
Nada Elkashef (by email to [nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg))  
Maha Mohamed (by email to [mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg))  
Mahmoud Elkhrahy (by email to [melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg))  
Amr Arafa Hasaan (by email to [aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg))  
Fatma Khalifa (by email to [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg))  
Lela Kassem (by email to [lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg))  
Reem Hendy (by email to [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg))  
Eng. Abed Ezz El Regal (by email to [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg))  
Samia Saber Ali (by email to [samiaa@egpc.com.eg](mailto:samiaa@egpc.com.eg))  
His Excellency Mostafa Madbouli (by email to [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg))  
Her Excellency Sahar Nasr (by email to [investment@miic.gov.eg](mailto:investment@miic.gov.eg))  
His Excellency Tarek El-Molla (by email to [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg))  
Petroceltic case email account (by email to [arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org))

# EXHIBIT C-2



**From:** [Aissatou Diop](#)  
**To:** [Melsheimer, Andrew](#); [Yousra Mohamed](#)  
**Cc:** [Mohamed Khalaf](#); [Nada Elkashef](#); [Maha Mohamed](#); [Derman, Andrew B.](#); [Auner, T.J.](#); [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [Petrocelltic case email account](#); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); [MIIC Egypt](#); [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); [Mahmoud Elkhrahy](#); [Amr Arafa Hasaan](#); [Fatma Khalifa](#); [Lela Kassem](#); [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [Petrocelltic case email account](#); [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)  
**Subject:** Petrocelltic Holdings Limited and Petrocelltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant’s questions re Stern - Stern’s answers  
**Date:** Monday, September 16, 2019 9:20:00 PM

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Dear Counsel,

Please see the correspondence below from Professor Stern, further to the Claimant’s inquiry of September 11, 2019, regarding her Statement.

“[M] answers to the inquiries raised regarding my Statement.

1. I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will, if necessary, update my Statement to reflect any involvement with Respondent’s external counsel

2. In the five cases mentioned in my Statement, where I have been previously nominated by Egypt, the external counsels of Egypt were as follows:

- in Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt, ICSID Case No. ARB/04/13): Bredin Prat.
- in National Gas S.A.E. v. Arab Republic of Egypt, ICSID Case No. ARB/11/7): Bredin Prat.
- in Ossama Al Sharif v. Arab Republic of Egypt, ICSID Case No. ARB/13/3): Eversheds.
- in ArcelorMittal S.A. v. Arab Republic of Egypt (ICSID Case No. ARB/15/47): no external counsel.
- in Nile Douma Holding Co. WLL V. Arab Republic of Egypt, (PCA Case 17-09): Bredin Prat.

3. I have not been nominated as arbitrator by the Government of Egypt, any of its branches,

or any of its state-owned or affiliated enterprises, in any other case.

4. I have not served as President of a Tribunal involving the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

5. I have not had any professional activities with the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

These informations are given to the best of my knowledge.

with best regards

Brigitte Stern”

---

**From:** Aissatou Diop

**Sent:** Thursday, September 12, 2019 3:14 PM

**To:** Melsheimer, Andrew ; Yousra Mohamed

**Cc:** Mohamed Khalaf ; Nada Elkashef ; Maha Mohamed ; Derman, Andrew B. ; Auner, T.J ; ceo@egpc.com.eg; samiaa@egoc.com.eg; pm@cabinet.gov.eg; MIIC Egypt ;

contact@petroleum.gov.eg; Mahmoud Elkhrahy ; Amr Arafa Hasaan ; Fatma Khalifa ; Lela Kassem ; ceo@egpc.com.eg; Petroceltic case email account ; rhendy@sla.gov.eg

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant's questions re Stern

Dear Counsel,

I confirm that we have received your letter which we have transmitted to Professor Stern.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Wednesday, September 11, 2019 11:19 AM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kassem@sla.gov.eg](mailto:kassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

[External]

Dear Ms. Diop,

Please see the attached.

Kind regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201

214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |

[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard | www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.

---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Thursday, September 05, 2019 12:32 PM

**To:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>;

Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg);  
[pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg);  
Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>;  
Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg);  
Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

Dear Counsel,

Please see the attached correspondence regarding Professor Brigitte Stern's acceptance of her appointment in this case.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



**From:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>

**Sent:** Sunday, September 1, 2019 7:40 AM

**To:** Aïssatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg);  
[pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg);  
Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>;  
Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

[External]

Dear Ms. Diop,

Kindly find attached ESLA's letter whereby it respectfully informs ICSID that the Respondent appoints Prof. Brigitte Stern as arbitrator in the aforementioned case.

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311

Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311  
Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Saturday, August 31, 2019 3:17 AM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>;  
Nada EL-kashef <[Nelkashef@sla.gov.eg](mailto:Nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>;  
Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>;  
[ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt  
<[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy  
<[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa  
<[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of  
Egypt (ICSID No. ARB/19/7) – Notice of Appointment

Dear Counsel,

Please see the attached correspondence.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Sent:** Thursday, August 29, 2019 5:03 PM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Cc:** [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg); [mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>;  
[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ

<TJ.Auner@tklaw.com>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); [investment@miic.gov.eg](mailto:investment@miic.gov.eg); [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); [melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg); [aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg); [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg); [lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg); [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

[External]

Dear Ms. Diop,

Claimants appoint Charles Poncet as arbitrator. His contact information is as follows:

Charles Poncet

Rue Bovy-Lysberg 2 · case postale 5271 · 1211 Genève 11

T + 41 22 404 10 10

M + 41 79 280 18 31

[charles@poncet.law](mailto:charles@poncet.law)

ICSID issued its Notice of Registration on April 4, 2019. Respondent has not commented on Claimants' proposed appointment process. More than 60 days have passed since the Notice of Registration, Claimants invoke the default appointment process under Article 37(2)(b) of the ICSID Convention.

Additionally more than 90 days have passed since the Notice of Registration. Accordingly, Claimants request that the Chairman of the Administrative Council appoint Respondent's arbitrator under Article 38 of the ICSID Convention.

Claimants stand ready to assist the Chairman as needed.

Sincerely,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201

214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |

[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard](http://www.tklaw.com/andrew-melsheimer) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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# EXHIBIT C-3

# THOMPSON & KNIGHT LLP

ATTORNEYS AND COUNSELORS

ANDREW MELSHEIMER

DIRECT DIAL: (214) 969-1305  
EMAIL: Andrew.Melsheimer@tklaw.com

1722 ROUTH ST., SUITE 1500  
DALLAS, TEXAS 78701  
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NEW YORK

ALGIERS  
LONDON  
MEXICO CITY  
MONTERREY

October 3, 2019

## VIA EMAIL

Aïssatou Diop  
ICSID Legal Counsel  
1818 H Street, NW, MSN C3-300  
Washington, DC 20433 USA  
[adiop3@worldbank.org](mailto:adiop3@worldbank.org)

Re: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt  
(ICSID No. ARB/19/7)

Dear Ms. Diop:

Ms. Brigitte Stern's September 16, 2019 responses have raised additional inquiries. We kindly ask her to supplement her disclosures with the following:

- (1) The number of arbitrations during the past five years (a) for which Ms. Stern was appointed as an arbitrator and (b) for which a State (including a state-owned entity) appointed her as an arbitrator.
- (2) The number of times that Ms. Stern's appointment was challenged over the past ten years, and to the extent possible, a brief description of why.
- (3) Clarification of the work that Ms. Stern has done to be publicly described as "act[ing] as expert and international legal advisor for States and various organisations" in a February 2019 seminar hosted by the Hong Kong International Arbitration Centre. In this regard, it would be helpful to have Ms. Stern explain why she is known as an expert/legal advisor for States (including state-owned entities).
- (4) A list of conferences or professional events that Ms. Stern has attended in Egypt, including those at embassies and organized or sponsored by Egypt or its state-owned entities, over the past five years.
- (5) An explanation of Ms. Stern's involvement, if any, with the University of Pantheon-Sorbonne's branch located at the Cairo University law school (the "IDAI"), and if none, her understanding of the relationship between her employer and the Cairo University law school.
- (6) Disclosure of any entity in which Ms. Stern has an interest which provides advice to States (including state-owned entities) and whether such entity has been engaged by Egypt or any of its state-owned entities.

October 3, 2019

Page 2

- (7) Disclosure of those clients of Ms. Stern's company, "Brigitte Stern" (Registration No. 411413990), if any, that are affiliated or are otherwise connected to Egypt or its state-owned entities and a brief description of Ms. Stern's work for such clients.

Finally, Respondent advised that "currently, the ELSA is the sole representative of Egypt . . . ." This statement is not clear. Respondent suggests that it may have engaged external counsel for this arbitration but not yet disclosed such engagement; alternatively, Respondent may engage and disclose external counsel at a later point during this arbitration. Either way, not identifying or disclosing its outside counsel is impeding the ability to assure proper disclosures from Ms. Stern, Mr. Poncet, and the future president of the tribunal. As such, we again ask the ELSA to disclose its outside counsel engaged for this matter, if any.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Melsheimer". The signature is fluid and cursive, with a large initial "A" and "M".

Andrew Melsheimer

cc: Dr. Abdelhamid Elnagashy (by email to [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg))  
Fatma Khalifa (by email to [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg))  
Razan Abou Zaid (by email to [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg))  
Lela Kassem (by email to [lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg))  
Mohamed H. Negm (by email to [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg))  
Nada Elkashef (by email to [nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg))  
Yousra Mohamed (by email to [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg))  
Ebtehal Ahmed (by email to [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg))  
His Excellency Tarek El-Molla (by email to [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg))



# EXHIBIT C-4

October 7, 2019

By email

Petroceltic Holdings Limited and Petroceltic  
Resources Limited  
c/o Mr. Andrew B. Derman  
Mr. Andrew Melsheimer  
Mr. TJ Auner  
Thompson & Knight LLP  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
United States of America

Arab Republic of Egypt  
c/o Counselor Dr. Abdelhamid Elnagashy  
Counselor Fatma Khalifa  
Counselor Razan Abou Zaid  
Counselor Lela Kassem  
Counselor Mohamed H. Negm  
Counselor Nada Elkashef  
Counselor Yousra Mohamed  
Counselor Ebtehal Ahmed  
Egyptian State Lawsuits Authority  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza  
P.O. Box: 12311  
Arab Republic of Egypt

**Re: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt**  
(ICSID Case No. ARB/19/7)

Dear Counsel,

Further to the Claimants' letter of October 3, 2019, requesting, *inter alia*, Professor Brigitte Stern to make further disclosures, please note that Professor Stern has asked us to transmit the message below to the parties:

“I read carefully the letter sent by counsel for Claimant on 3 October 2019, in which he requested 7 further items of disclosure. After due consideration, I conclude that my declaration annexed to my acceptance to sit as an arbitrator transmitted on 5 September 2019 to ICSID, as well as the additional [*sic*] e-mail to ICSID dated 16 September 2019 are made in full conformity with my deontological duties of disclosure and that they do not require, at this stage, any further disclosure.

I confirm also that I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will, if necessary, update my Statement to reflect any involvement with Respondent's external counsel.

Best regards  
Brigitte Stern”

Yours sincerely,



Aïssatou Diop  
Legal Counsel

# EXHIBIT C-5

# THOMPSON & KNIGHT LLP

ATTORNEYS AND COUNSELORS

ANDREW MELSHEIMER

DIRECT DIAL: (214) 969-1305  
EMAIL: Andrew.Melsheimer@tklaw.com

1722 ROUTH ST., SUITE 1500  
DALLAS, TEXAS 78701  
214.969.1700  
FAX 214.969.1751  
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AUSTIN  
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NEW YORK

ALGIERS  
LONDON  
MEXICO CITY  
MONTERREY

October 9, 2019

## VIA EMAIL

Aïssatou Diop  
ICSID Legal Counsel  
1818 H Street, NW, MSN C3-300  
Washington, DC 20433 USA  
[adiop3@worldbank.org](mailto:adiop3@worldbank.org)

Re: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt  
(ICSID No. ARB/19/7)

Dear Ms. Diop:

Claimants are concerned about Ms. Stern's refusal to disclose important information in response to Claimants' additional requests.

Claimants are simply attempting to obtain certain non-public information to ascertain whether Respondent's appointed arbitrator has prior relationships that would impact her ability to be impartial and independent. Claimants are aware of the publicly available information on ICSID's website: 98% of Ms. Stern's party appointments — 65 of 66 — were by States.<sup>1</sup> Such routine appointment by host governments have garnered her a reputation for being pro-State.<sup>2</sup> Obviously, her overwhelming number of appointments by States, the lack of appointments by investors, and her reputation at large raise concerns about the fundamental fairness and due process of this arbitration. Indeed, Ms. Stern's refusal to provide the requested information is particularly alarming and creates a presumption that such information adversely impacts her ability to be impartial and independent.

Claimants insist that Ms. Stern respond to its requests dated October 3, 2019. In addition, Claimants further request that Ms. Stern disclose the percentage of her total annual income derived from work originated from States (including state-owned entities), both as a consultant personally or through her firm or as an arbitrator appointed by a State. Ms. Stern's summary refusal to respond to Claimants' request for disclosure denies Claimants their fundamental due process rights.

Based on your letter, ICSID apparently prefers for Claimants to enforce Ms. Stern's disclosure obligations under ICSID Arbitration Rule 6(2). This rule requires Ms. Stern to disclose her past and present professional, business, and other relationships (if any) with the parties and any other

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<sup>1</sup> ICSID Profile for Ms. Stern, available at, <https://icsid.worldbank.org/en/Pages/arbitrators/ViewProfile.aspx?cvid=91>.

<sup>2</sup> See, e.g., *Brigitte in Brazil*, Global Arbitration Review, Volume 5, Issue 3 (2010) ("The majority of your appointments seem to be by state parties. Why do you think this is, and is it a concern?" "Statistically, you are completely right. It's not a concern for me at all ...").

October 9, 2019

Page 2

circumstance that might cause her reliability for independent judgment to be questioned by Claimants. Indeed, the former Chairman of ICSID's Administrative Council properly noted,

[P]arties to investment arbitrations have an interest in knowing any facts or circumstances that may exist that may give rise to doubts about an arbitrator's independence and impartiality. Indeed, as is reflected in Arbitration Rule 6(2), disclosure by arbitrators of any such facts or circumstances is required.

We encourage ICSID to join Claimants in having Ms. Stern be more forthcoming in disclosing pertinent facts and circumstances, particularly those in her exclusive dominion.

We appreciate prompt responses to the above inquiries.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Melsheimer', with a stylized flourish at the end.

Andrew Melsheimer

cc: Dr. Abdelhamid Elnagashy (by email to [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg))  
Fatma Khalifa (by email to [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg))  
Razan Abou Zaid (by email to [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg))  
Lela Kassem (by email to [lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg))  
Mohamed H. Negm (by email to [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg))  
Nada Elkashef (by email to [nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg))  
Yousra Mohamed (by email to [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg))  
Ebtehal Ahmed (by email to [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg))  
His Excellency Tarek El-Molla (by email to [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg))

# EXHIBIT C-6

**From:** [Aissatou Diop](#)  
**To:** [Auner, TJ](#); [Melsheimer, Andrew](#)  
**Cc:** [anagashy@sla.gov.eg](#); [Yousra Mohamed](#); [Fatma Khalifa](#); [rabouzaid@sla.gov.eg](#); [Lela Kassem](#); [monegm@sla.gov.eg](#); [Nada Elkashef](#); [aahmed@sla.gov.eg](#); [Derman, Andrew B.](#); [Petroceltic case email account](#); [contact@petroleum.gov.eg](#); [Petroceltic case email account](#); [Ekaterina Minina](#)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern  
**Date:** Friday, October 18, 2019 4:17:57 PM

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Dear Mr. Auner,

I write to confirm that we have followed up with Professor Stern and will inform the parties of her response, upon receipt.

I wish everyone a nice weekend.

Kind regards,  
Aïssatou

---

**From:** Auner, TJ <TJ.Auner@tklaw.com>  
**Sent:** Friday, October 18, 2019 2:38 PM  
**To:** Aissatou Diop <adiop3@worldbank.org>; Melsheimer, Andrew <Andrew.Melsheimer@tklaw.com>  
**Cc:** anagashy@sla.gov.eg; Yousra Mohamed <ymohamed@sla.gov.eg>; Fatma Khalifa <fkhalifa@sla.gov.eg>; rabouzaid@sla.gov.eg; Lela Kassem <lkassem@sla.gov.eg>; monegm@sla.gov.eg; Nada Elkashef <nelkashef@sla.gov.eg>; aahmed@sla.gov.eg; Derman, Andrew B. <Andrew.Derman@tklaw.com>; Petroceltic case email account <arb/19/7@icsidcases.worldbank.org>; contact@petroleum.gov.eg; Petroceltic case email account <arb/19/7@icsidcases.worldbank.org>; Ekaterina Minina <eminina@worldbank.org>  
**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

[External]

Dear Ms. Diop,

Claimants would greatly appreciate it if ICSID would follow up with Ms. Stern.

A nice weekend to all.

Kind regards,

TJ

**TJ Auner | Thompson & Knight LLP**  
Associate Attorney

1722 Routh Street, Suite 1500, Dallas, TX 75201  
214-969-2186 (direct) | [tj.auner@tklaw.com](mailto:tj.auner@tklaw.com)  
[www.tklaw.com](http://www.tklaw.com)

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.

---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Friday, October 18, 2019 12:56 PM  
**To:** Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; Ekaterina Minina <[eminina@worldbank.org](mailto:eminina@worldbank.org)>  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

Dear Mr. Auner,

We have not yet received a response from Ms. Stern, but could follow up with her if the Claimants would like us to do so.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**  
Legal Counsel  
1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>



**Sent:** Friday, October 18, 2019 10:44 AM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Youstra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; Ekaterina Minina <[eminina@worldbank.org](mailto:eminina@worldbank.org)>

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

[External]

Dear Ms. Diop,

We write to follow up on our last inquiry to Ms. Stern.

When does ICSID anticipate Ms. Stern's response?

Kind regards,

TJ

**TJ Auner | Thompson & Knight LLP**

Associate Attorney

1722 Routh Street, Suite 1500, Dallas, TX 75201  
214-969-2186 (direct) | [tj.auner@tklaw.com](mailto:tj.auner@tklaw.com)  
[www.tklaw.com](http://www.tklaw.com)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Wednesday, October 9, 2019 9:45 PM

**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Youstra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; Ekaterina

Minina <[eminina@worldbank.org](mailto:eminina@worldbank.org)>

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

Dear Counsel,

I confirm that we have received the Claimants' letter of today, which we have transmitted to Professor Brigitte Stern.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Wednesday, October 9, 2019 3:24 PM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B.

<[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

[External]

Dear Ms. Diop,

Please see the attached letter.

Regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |  
[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)  
vCard | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Monday, October 07, 2019 10:25 AM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

Dear Counsel,

Please see the attached correspondence dated today.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Thursday, October 3, 2019 6:04 PM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

[External]

Dear Ms. Diop,

Please see the attached letter.

Kind regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |  
[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)  
[vCard | www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.

---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Monday, September 16, 2019 9:20 PM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>  
**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkrashy <[melkrashy@sla.gov.eg](mailto:melkrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant's questions re Stern - Stern's answers

Dear Counsel,

Please see the correspondence below from Professor Stern, further to the Claimant's inquiry of September 11, 2019, regarding her Statement.

"[M] answers to the inquiries raised regarding my Statement.

1. I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will, if necessary, update my Statement to reflect any involvement with Respondent's external counsel

2. In the five cases mentioned in my Statement, where I have been previously nominated by Egypt, the external counsels of Egypt were as follows:

- in Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt, ICSID Case No. ARB/04/13): Bredin Prat.
- in National Gas S.A.E. v. Arab Republic of Egypt, ICSID Case No. ARB/11/7): Bredin Prat.
- in Ossama Al Sharif v. Arab Republic of Egypt, ICSID Case No. ARB/13/3): Eversheds.
- in ArcelorMittal S.A. v. Arab Republic of Egypt (ICSID Case No. ARB/15/47): no external counsel.
- in Nile Douma Holding Co. WLL V. Arab Republic of Egypt, (PCA Case 17-09): Bredin Prat.

3. I have not been nominated as arbitrator by the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises, in any other case.

4. I have not served as President of a Tribunal involving the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

5. I have not had any professional activities with the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

These informations are given to the best of my knowledge.

with best regards

Brigitte Stern”

---

**From:** Aissatou Diop  
**Sent:** Thursday, September 12, 2019 3:14 PM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>  
**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant's questions re Stern

Dear Counsel,

I confirm that we have received your letter which we have transmitted to Professor Stern.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**  
Legal Counsel  
1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Sent:** Wednesday, September 11, 2019 11:19 AM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>  
**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>;

Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

[External]

Dear Ms. Diop,

Please see the attached.

Kind regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |  
[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)  
[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Thursday, September 05, 2019 12:32 PM

**To:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v.

Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

Dear Counsel,

Please see the attached correspondence regarding Professor Brigitte Stern’s acceptance of her appointment in this case.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>

**Sent:** Sunday, September 1, 2019 7:40 AM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

[External]

Dear Ms. Diop,

Kindly find attached ESLA’s letter whereby it respectfully informs ICSID that the Respondent appoints Prof. Brigitte Stern as arbitrator in the



aforementioned case.

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311  
Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311  
Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Saturday, August 31, 2019 3:17 AM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada EL-kashef <[Nelkashef@sla.gov.eg](mailto:Nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v.

Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

Dear Counsel,

Please see the attached correspondence.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Thursday, August 29, 2019 5:03 PM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Cc:** [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg); [mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); [investment@miic.gov.eg](mailto:investment@miic.gov.eg); [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); [melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg); [aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg); [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg); [lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg); [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

[External]

Dear Ms. Diop,

Claimants appoint Charles Poncet as arbitrator. His contact information is as follows:

Charles Poncet  
Rue Bovy-Lysberg 2 · case postale 5271 · 1211 Genève 11  
T + 41 22 404 10 10  
M + 41 79 280 18 31  
[charles@poncet.law](mailto:charles@poncet.law)

ICSID issued its Notice of Registration on April 4, 2019. Respondent has not commented on Claimants' proposed appointment process. More than 60 days have passed since the Notice of Registration, Claimants invoke the default appointment process under Article 37(2)(b) of the ICSID Convention.

Additionally more than 90 days have passed since the Notice of Registration. Accordingly, Claimants request that the Chairman of the Administrative Council appoint Respondent's arbitrator under Article 38 of the ICSID Convention.

Claimants stand ready to assist the Chairman as needed.

Sincerely,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |  
[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)  
[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.

# EXHIBIT C-7

## Auner, TJ

---

**From:** Aissatou Diop <adiop3@worldbank.org>  
**Sent:** Tuesday, October 22, 2019 9:28 AM  
**To:** Auner, TJ; Melsheimer, Andrew  
**Cc:** anagashy@sla.gov.eg; Yousra Mohamed; Fatma Khalifa; rabouzaid@sla.gov.eg; Lela Kassem; monegm@sla.gov.eg; Nada Elkashef; aahmed@sla.gov.eg; Derman, Andrew B.; Petroceltic case email account; contact@petroleum.gov.eg; Petroceltic case email account; Ekaterina Minina  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

Dear Counsel,

In response to the Claimants' letter of October 9 and follow up of October 18, 2019, please note that Professor Brigitte Stern confirms her message of September 7, 2019, and considers that she has fulfilled her duty of disclosure.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**  
Legal Counsel  
1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Auner, TJ <TJ.Auner@tklaw.com>  
**Sent:** Friday, October 18, 2019 10:44 AM  
**To:** Aissatou Diop <adiop3@worldbank.org>; Melsheimer, Andrew <Andrew.Melsheimer@tklaw.com>  
**Cc:** anagashy@sla.gov.eg; Yousra Mohamed <ymohamed@sla.gov.eg>; Fatma Khalifa <fkhalifa@sla.gov.eg>; rabouzaid@sla.gov.eg; Lela Kassem <lkassem@sla.gov.eg>; monegm@sla.gov.eg; Nada Elkashef <nelkashef@sla.gov.eg>; aahmed@sla.gov.eg; Derman, Andrew B. <Andrew.Derman@tklaw.com>; Petroceltic case email account <arb/19/7@icsidcases.worldbank.org>; contact@petroleum.gov.eg; Petroceltic case email account <arb/19/7@icsidcases.worldbank.org>; Ekaterina Minina <eminina@worldbank.org>  
**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

[External]  
Dear Ms. Diop,

We write to follow up on our last inquiry to Ms. Stern.

When does ICSID anticipate Ms. Stern's response?

Kind regards,

TJ

**TJ Auner | Thompson & Knight LLP**

Associate Attorney

1722 Routh Street, Suite 1500, Dallas, TX 75201  
214-969-2186 (direct) | [tj.aurer@tklaw.com](mailto:tj.aurer@tklaw.com)  
[www.tklaw.com](http://www.tklaw.com)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Wednesday, October 9, 2019 9:45 PM

**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; Ekaterina Minina <[eminina@worldbank.org](mailto:eminina@worldbank.org)>

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

Dear Counsel,

I confirm that we have received the Claimants' letter of today, which we have transmitted to Professor Brigitte Stern.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Sent:** Wednesday, October 9, 2019 3:24 PM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [ahmed@sla.gov.eg](mailto:ahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)  
**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

[External]  
Dear Ms. Diop,

Please see the attached letter.

Regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**  
Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) | [andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)  
[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Monday, October 07, 2019 10:25 AM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [ahmed@sla.gov.eg](mailto:ahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

Dear Counsel,

Please see the attached correspondence dated today.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**  
Legal Counsel  
1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)

---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Sent:** Thursday, October 3, 2019 6:04 PM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>;  
[rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef  
<[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ  
<[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>;  
[contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

[External]  
Dear Ms. Diop,

Please see the attached letter.

Kind regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**  
Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) | [andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)  
[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Monday, September 16, 2019 9:20 PM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>  
**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed  
<[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ  
<[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account  
<[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt  
<[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr  
Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>;  
[ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant's questions re Stern - Stern's answers

Dear Counsel,



Please see the correspondence below from Professor Stern, further to the Claimant's inquiry of September 11, 2019, regarding her Statement.

"[M] answers to the inquiries raised regarding my Statement.

1. I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will, if necessary, update my Statement to reflect any involvement with Respondent's external counsel

2. In the five cases mentioned in my Statement, where I have been previously nominated by Egypt, the external counsels of Egypt were as follows:

- in Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt, ICSID Case No. ARB/04/13): Bredin Prat.
- in National Gas S.A.E. v. Arab Republic of Egypt, ICSID Case No. ARB/11/7): Bredin Prat.
- in Ossama Al Sharif v. Arab Republic of Egypt, ICSID Case No. ARB/13/3): Eversheds.
- in ArcelorMittal S.A. v. Arab Republic of Egypt (ICSID Case No. ARB/15/47): no external counsel.
- in Nile Douma Holding Co. WLL V. Arab Republic of Egypt, (PCA Case 17-09): Bredin Prat.

3. I have not been nominated as arbitrator by the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises, in any other case.

4. I have not served as President of a Tribunal involving the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

5. I have not had any professional activities with the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

These informations are given to the best of my knowledge.

with best regards

Brigitte Stern"

---

**From:** Aissatou Diop

**Sent:** Thursday, September 12, 2019 3:14 PM

**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>; Yousra Mohamed <[yomohamed@sla.gov.eg](mailto:yomohamed@sla.gov.eg)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant's questions re Stern

Dear Counsel,

I confirm that we have received your letter which we have transmitted to Professor Stern.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**  
Legal Counsel  
1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Sent:** Wednesday, September 11, 2019 11:19 AM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>  
**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)  
**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

[External]  
Dear Ms. Diop,

Please see the attached.

Kind regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**  
Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) | [andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)  
<vCard> | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Thursday, September 05, 2019 12:32 PM  
**To:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkrashy <[melkrashy@sla.gov.eg](mailto:melkrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

Dear Counsel,

Please see the attached correspondence regarding Professor Brigitte Stern's acceptance of her appointment in this case.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>  
**Sent:** Sunday, September 1, 2019 7:40 AM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkrashy <[melkrashy@sla.gov.eg](mailto:melkrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)  
**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

[External]

Dear Ms. Diop,

Kindly find attached ESLA's letter whereby it respectfully informs ICSID that the Respondent appoints Prof. Brigitte Stern as arbitrator in the aforementioned case.

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311  
Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311  
Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Saturday, August 31, 2019 3:17 AM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada EL-kashef <[Nelkashef@sla.gov.eg](mailto:Nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg);  
[samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>;  
[contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>;  
[ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

Dear Counsel,

Please see the attached correspondence.

Kind regards,  
Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



**ICSID**

International Centre for  
Settlement of Investment Disputes  
WORLD BANK GROUP

---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Thursday, August 29, 2019 5:03 PM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Cc:** [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg); [mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); [investment@miic.gov.eg](mailto:investment@miic.gov.eg); [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); [melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg); [aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg); [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg); [lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg); [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

[External]

Dear Ms. Diop,

Claimants appoint Charles Poncet as arbitrator. His contact information is as follows:

Charles Poncet

Rue Bovy-Lysberg 2 · case postale 5271 · 1211 Genève 11

T + 41 22 404 10 10

M + 41 79 280 18 31

[charles@poncet.law](mailto:charles@poncet.law)

ICSID issued its Notice of Registration on April 4, 2019. Respondent has not commented on Claimants' proposed appointment process. More than 60 days have passed since the Notice of Registration, Claimants invoke the default appointment process under Article 37(2)(b) of the ICSID Convention.

Additionally more than 90 days have passed since the Notice of Registration. Accordingly, Claimants request that the Chairman of the Administrative Council appoint Respondent's arbitrator under Article 38 of the ICSID Convention.

Claimants stand ready to assist the Chairman as needed.

Sincerely,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201

214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) | [andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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# EXHIBIT C-8

**From:** [Melsheimer, Andrew](#)  
**To:** [Aissatou Diop](#); [Auner, TJ](#)  
**Cc:** [anagashy@sla.gov.eg](#); [Yousra Mohamed](#); [Fatma Khalifa](#); [rabouzaid@sla.gov.eg](#); [Lela Kassem](#); [monegm@sla.gov.eg](#); [Nada Elkashef](#); [aahmed@sla.gov.eg](#); [Derman, Andrew B.](#); [Petroceltic case email account](#); [contact@petroleum.gov.eg](#); [Petroceltic case email account](#); [Ekaterina Minina](#)  
**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern  
**Date:** Tuesday, October 22, 2019 9:31:48 AM

---

Dear Ms. Diop,

We would be grateful if you shared Ms. Stern's response to our inquiries.

Thank you in advance and regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201

214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |

[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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---

**From:** Aissatou Diop

**Sent:** Tuesday, October 22, 2019 9:28 AM

**To:** Auner, TJ ; Melsheimer, Andrew

**Cc:** [anagashy@sla.gov.eg](#); [Yousra Mohamed](#) ; [Fatma Khalifa](#) ; [rabouzaid@sla.gov.eg](#); [Lela Kassem](#) ; [monegm@sla.gov.eg](#); [Nada Elkashef](#) ; [aahmed@sla.gov.eg](#); [Derman, Andrew B.](#) ; [Petroceltic case email account](#) ; [contact@petroleum.gov.eg](#); [Petroceltic case email account](#) ; [Ekaterina Minina](#)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

Dear Counsel,

In response to the Claimants' letter of October 9 and follow up of October 18, 2019, please note that Professor Brigitte Stern confirms her message of September 7, 2019, and considers that she has fulfilled her duty of disclosure.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



**From:** Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>

**Sent:** Friday, October 18, 2019 10:44 AM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Melsheimer, Andrew

<[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** [anagashy@sla.gov.eg](#); [Yousra Mohamed](#) <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; [Fatma Khalifa](#)



<[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>;  
[monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew  
B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Petroceltic case email account  
<[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Petroceltic case email account  
<[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; Ekaterina Minina <[eminina@worldbank.org](mailto:eminina@worldbank.org)>

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt  
(ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern  
[External]

Dear Ms. Diop,

We write to follow up on our last inquiry to Ms. Stern.

When does ICSID anticipate Ms. Stern's response?

Kind regards,

TJ

**TJ Auner | Thompson & Knight LLP**

Associate Attorney

1722 Routh Street, Suite 1500, Dallas, TX 75201

214-969-2186 (direct) | [tj.aurer@tklaw.com](mailto:tj.aurer@tklaw.com)

[www.tklaw.com](http://www.tklaw.com)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Wednesday, October 9, 2019 9:45 PM

**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa  
<[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>;  
[monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman,  
Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic  
case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg);  
Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; Ekaterina Minina  
<[eminina@worldbank.org](mailto:eminina@worldbank.org)>

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of  
Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Further Disclosures from Ms. Stern

Dear Counsel,

I confirm that we have received the Claimants' letter of today, which we have transmitted to Professor Brigitte Stern.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Wednesday, October 9, 2019 3:24 PM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [ahmed@sla.gov.eg](mailto:ahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

[External]

Dear Ms. Diop,

Please see the attached letter.

Regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201

214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |

[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Monday, October 07, 2019 10:25 AM

**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [ahmed@sla.gov.eg](mailto:ahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern

Dear Counsel,

Please see the attached correspondence dated today.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



---

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Thursday, October 3, 2019 6:04 PM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Cc:** [anagashy@sla.gov.eg](mailto:anagashy@sla.gov.eg); Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; [rabouzaid@sla.gov.eg](mailto:rabouzaid@sla.gov.eg); Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [monegm@sla.gov.eg](mailto:monegm@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [aahmed@sla.gov.eg](mailto:aahmed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimants' Requests for Additional Disclosures from Ms. Stern [External]

Dear Ms. Diop,

Please see the attached letter.

Kind regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201

214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |

[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard](http://www.tklaw.com/andrew-melsheimer) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

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**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Monday, September 16, 2019 9:20 PM

**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[arafa@sla.gov.eg](mailto:arafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant's questions re Stern - Stern's answers

Dear Counsel,

Please see the correspondence below from Professor Stern, further to the Claimant's inquiry of September 11, 2019, regarding her Statement.

"[M] answers to the inquiries raised regarding my Statement.

1. I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will, if necessary, update my Statement to reflect any involvement with Respondent's external counsel
2. In the five cases mentioned in my Statement, where I have been previously nominated by Egypt, the external counsels of Egypt were

as follows:

- in Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt, ICSID Case No. ARB/04/13): Bredin Prat.
- in National Gas S.A.E. v. Arab Republic of Egypt, ICSID Case No. ARB/11/7): Bredin Prat.
- in Ossama Al Sharif v. Arab Republic of Egypt, ICSID Case No. ARB/13/3): Eversheds.
- in ArcelorMittal S.A. v. Arab Republic of Egypt (ICSID Case No. ARB/15/47): no external counsel.
- in Nile Douma Holding Co. WLL V. Arab Republic of Egypt, (PCA Case 17-09): Bredin Prat.

3. I have not been nominated as arbitrator by the Government of Egypt, any of its branches,

or any of its state-owned or affiliated enterprises, in any other case.

4. I have not served as President of a Tribunal involving the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

5. I have not had any professional activities with the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

These informations are given to the best of my knowledge.

with best regards

Brigitte Stern”

---

**From:** Aissatou Diop

**Sent:** Thursday, September 12, 2019 3:14 PM

**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkrashy <[melkrashy@sla.gov.eg](mailto:melkrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[lkassem@sla.gov.eg](mailto:lkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Claimant's questions re Stern

Dear Counsel,

I confirm that we have received your letter which we have transmitted to Professor Stern.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)

**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Sent:** Wednesday, September 11, 2019 11:19 AM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>; [rhendy@sla.gov.eg](mailto:rhendy@sla.gov.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

[External]

Dear Ms. Diop,

Please see the attached.

Kind regards,

Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201

214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |

[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard | www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.

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**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>

**Sent:** Thursday, September 05, 2019 12:32 PM

**To:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrahy@sla.gov.eg](mailto:melkhrahy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); Petroceltic case email account <[arb/19/7@icsidcases.worldbank.org](mailto:arb/19/7@icsidcases.worldbank.org)>

**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Acceptance of Appointment

Dear Counsel,

Please see the attached correspondence regarding Professor Brigitte Stern's acceptance of her appointment in this case.

Kind regards,

Aïssatou Diop

**Aïssatou Diop**

Legal Counsel

1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA

T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



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**From:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>

**Sent:** Sunday, September 1, 2019 7:40 AM

**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>; Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>

**Cc:** Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>;

[ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kassem@sla.gov.eg](mailto:kassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)

**Subject:** RE: Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment [External]

Dear Ms. Diop,

Kindly find attached ESLA's letter whereby it respectfully informs ICSID that the Respondent appoints Prof. Brigitte Stern as arbitrator in the aforementioned case.

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)  
42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311  
Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

Best Regards,

Counselor/ Yousra Mohamed  
International Law Division  
Foreign Disputes Department  
Egyptian State Lawsuits Authority (ESLA)

42 Gameat El Dowal El Arabiya St.,  
Mohandeseen, Giza,  
Arab Republic of Egypt,  
P.O. Box: 12311  
Tel: 002 0237621357  
Fax: 002 0237621351  
Email: [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)

---

**From:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Sent:** Saturday, August 31, 2019 3:17 AM  
**To:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Cc:** Yousra Mohamed <[ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg)>; Mohamed Khalaf <[mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg)>; Nada EL-kashef <[Nelkashef@sla.gov.eg](mailto:Nelkashef@sla.gov.eg)>; Maha Mohamed <[mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg)>; Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); MIIC Egypt <[investment@Miic.gov.eg](mailto:investment@Miic.gov.eg)>; [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); Mahmoud Elkhrahy <[melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg)>; Amr Arafa Hasaan <[aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg)>; Fatma Khalifa <[fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg)>; Lela Kassem <[kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment

Dear Counsel,  
Please see the attached correspondence.  
Kind regards,  
Aïssatou Diop

**Aïssatou Diop**  
Legal Counsel  
1818 H Street, NW | MSN C3-300 | Washington, DC 20433 USA  
T 202-458-9833 | F 202-522-2615/2027 | [adiop3@worldbank.org](mailto:adiop3@worldbank.org)



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**From:** Melsheimer, Andrew <[Andrew.Melsheimer@tklaw.com](mailto:Andrew.Melsheimer@tklaw.com)>  
**Sent:** Thursday, August 29, 2019 5:03 PM  
**To:** Aissatou Diop <[adiop3@worldbank.org](mailto:adiop3@worldbank.org)>  
**Cc:** [ymohamed@sla.gov.eg](mailto:ymohamed@sla.gov.eg); [mkhalaf@sla.gov.eg](mailto:mkhalaf@sla.gov.eg); Nada Elkashef <[nelkashef@sla.gov.eg](mailto:nelkashef@sla.gov.eg)>; [mmohamed@sla.gov.eg](mailto:mmohamed@sla.gov.eg); Derman, Andrew B. <[Andrew.Derman@tklaw.com](mailto:Andrew.Derman@tklaw.com)>; Auner, TJ <[TJ.Auner@tklaw.com](mailto:TJ.Auner@tklaw.com)>; [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg); [samiaa@egoc.com.eg](mailto:samiaa@egoc.com.eg); [pm@cabinet.gov.eg](mailto:pm@cabinet.gov.eg); [investment@miic.gov.eg](mailto:investment@miic.gov.eg); [contact@petroleum.gov.eg](mailto:contact@petroleum.gov.eg); [melkhrashy@sla.gov.eg](mailto:melkhrashy@sla.gov.eg); [aarafa@sla.gov.eg](mailto:aarafa@sla.gov.eg); [fkhalifa@sla.gov.eg](mailto:fkhalifa@sla.gov.eg); [kkassem@sla.gov.eg](mailto:kkassem@sla.gov.eg); [ceo@egpc.com.eg](mailto:ceo@egpc.com.eg)  
**Subject:** Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt (ICSID No. ARB/19/7) – Notice of Appointment  
[External]

Dear Ms. Diop,  
Claimants appoint Charles Poncet as arbitrator. His contact information is as follows:

Charles Poncet  
Rue Bovy-Lysberg 2 · case postale 5271 · 1211 Genève 11  
T + 41 22 404 10 10  
M + 41 79 280 18 31  
[charles@poncet.law](mailto:charles@poncet.law)

ICSID issued its Notice of Registration on April 4, 2019. Respondent has not commented on Claimants' proposed appointment process. More than 60 days have passed since the Notice of Registration, Claimants invoke the default appointment process under Article 37(2)(b) of the ICSID Convention.

Additionally more than 90 days have passed since the Notice of Registration. Accordingly, Claimants request that the Chairman of the Administrative Council appoint Respondent's arbitrator under Article 38 of the ICSID Convention. Claimants stand ready to assist the Chairman as needed.

Sincerely,  
Andrew

**Andrew Melsheimer | Thompson & Knight LLP**

Partner

One Arts Plaza, 1722 Routh Street, Suite 1500, Dallas, TX 75201  
214.969.1305 (direct) | 214.999.1575 (fax) | 214.356.1533 (mobile) |  
[andrew.melsheimer@tklaw.com](mailto:andrew.melsheimer@tklaw.com)

[vCard](#) | [www.tklaw.com/andrew-melsheimer](http://www.tklaw.com/andrew-melsheimer)

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message.



# EXHIBIT C-9

Brigitte STERN  
Emeritus Professor of International Law  
7 rue Pierre Nicole  
75005 PARIS  
**TEL:** + 33 (0)1 40 46 93 79  
**FAX :** + 33 (0)1 40 46 96 98  
**Mobile :** + 33 (0)6 08 80 01 45  
**e-mail:** [brigitte.stern@jstern.org](mailto:brigitte.stern@jstern.org)

Paris, 23 October 2019

Dear Counsel,

I have been informed by ICSID that, during a call with them, you indicated that you preferred that I answer to your letters by a formal letter rather than by e-mails, which I do through the present correspondence.

I have carefully read the letters of 11 September 2019 and 3 October 2019 addressed to me, as well as the letter addressed to ICSID on 9 October 2019 and forwarded to me.

As you know, ICSID sought my acceptance as an arbitrator nominated by Egypt on 3 September 2019. I accepted this nomination and sent, on 5 September 2019, my Declaration, accompanied by a Statement of all the cases in which I have ever been nominated by Egypt, this information going back to 15 years.

On 11 September 2019, you requested some more information with 5 questions, to which I answered by an e-mail of 16 September 2019, transmitted to you by ICSID on the next day, which I reproduce at the end of this letter, for ease of reference.

On 3 October 2019, you asked for answers to 7 additional questions. I sent again an answer to your letter in an e-mail to ICSID, on 7 October 2019, which was transmitted to you on the same day. Again, I reproduce this e-mail at the end of this letter.

Two days later, you sent a letter to ICSID, in which you “encourage ICSID to join Claimants in having msStern be more forthcoming in disclosing pertinent facts and circumstances.” This

letter has been forwarded to me by ICSID without any comment, and ICSID did not ask me to give more information than what had already been provided.

On 21 October 2019, ICSID asked me whether they can inform Claimants that I have answered their questions. As I agreed, they send you the following message: “Professor Stern confirms her message of 7 September 2019 [sic] and considers that she has fulfilled her duty of disclosure.”

This prompted your request that I write a letter myself, which is entirely justified, as the message forwarded by ICSID was not clear: it should have indeed said that I confirm my message of 7 October 2019 and not 7 September (reproduced below).

For full clarity, I therefore reiterate in this letter addressed to you, as counsel of Claimants, that I consider that at this stage – with no counsel for Respondent and no President – I have fully complied with my obligations of disclosure, provided for in Rule 6(2) of the ICSID Arbitration Rules and reproduced in the Declaration to be submitted by arbitrators, which states the following:

Attached is a statement of (a) my past and present professional, business and other relationships (if any) with the parties and (b) any other circumstance that might cause my reliability for independent judgment to be questioned by a party. I acknowledge that by signing this declaration, I assume a continuing obligation promptly to notify the Secretary-General of the Centre of any such relationship or circumstance that subsequently arises during this proceeding.

I reiterate also that I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will of course, if necessary, in line with my ongoing duty of disclosure all along the proceeding, update my Statement to reflect any involvement with Respondent’s external counsel, and the same is true when a President is chosen or if new elements would appear that require disclosure.

Best regards

Handwritten signature of Brigitte Stern in black ink, with a horizontal line underneath the name.

**E-mail sent by me to ICSID on 16 September 2019 :**

Dear Aïssatou

Pursuant to Claimant's letter dated 11 September 2019, please inform the Parties of my answers to the inquiries raised regarding my Statement.

1. I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will, if necessary, update my Statement to reflect any involvement with Respondent's external counsel

2. In the five cases mentioned in my Statement, where I have been previously nominated by Egypt, the external counsels of Egypt were as follows:

- in Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt, ICSID Case No. ARB/04/13): Bredin Prat.

- in National Gas S.A.E. v. Arab Republic of Egypt, ICSID Case No. ARB/11/7): Bredin Prat.

- in Ossama Al Sharif v. Arab Republic of Egypt, ICSID Case No. ARB/13/3): Eversheds.

- in ArcelorMittal S.A. v. Arab Republic of Egypt (ICSID Case No. ARB/15/47): no external counsel.

- in Nile Douma Holding Co. WLL V. Arab Republic of Egypt, (PCA Case 17-09): Bredin Prat.

3. I have not been nominated as arbitrator by the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises, in any other case.

4. I have not served as President of a Tribunal involving the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

5. I have not had any professional activities with the Government of Egypt, any of its branches, or any of its state-owned or affiliated enterprises.

These informations are given to the best of my knowledge.

with best regards

Brigitte Stern

**E-mail sent by me to ICSID on 7 October 2019 :**

Dear Assaitou

Can you forwar the following message to counsel for Claimant

Thanks

Brigitte

"I read carefully the letter sent by counsel for Claimant on 3 October 2019, in which he requested 7 further items of disclosure.

After due consideration, I conclude that my declaration annexed to my acceptance to sit as an arbitrator transmitted on 5 September 2019 to ICSID, as well as the additional e-mail to ICSID dated 16 September 2019 are made are in full conformity with my deontological duties of disclosure and that they do not require, at this stage, any further disclosure.

I confirm also that I have not been informed of the appointment of an external counsel by Respondent. If this happens, I will, if necessary, update my Statement to reflect any involvement with Respondent's external counsel

Best regards

Brigitte Stern"

# EXHIBIT C-10

**Statement in *Petroceltic Holdings Limited and Petroceltic Resources Limited v. Arab Republic of Egypt***  
(ICSID Case No. ARB/19/7)

I was asked by ICSID to include a statement of my past and present involvement with the parties and counsel, which I do with the present statement. I consider that there is no circumstance that could cause my reliability for independent and impartial judgment.

First, I want to confirm my **availability** to deal with the mentioned case. My planned schedule perfectly allows me to fulfill the commitment that I have taken by accepting the present case.

Second, I consider that there is no circumstance that could cause my reliability for **independent and impartial judgment**. However, for full information and transparency, I provide the following information.

I have been previously nominated by Egypt in the following cases:

In **2004**, in *Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt*, ICSID Case No. ARB/04/13. The award was rendered on 6 November 2008.

In **2011**, in *National Gas S.A.E. v. Arab Republic of Egypt*, ICSID Case No. ARB/11/7. The award was rendered on 3 April 2014.

In **2013**, in *Ossama Al Sharif v. Arab Republic of Egypt*, ICSID Case No. ARB/13/3. The case was terminated by an Order taking note of the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 43(1) issued on May 27, 2015.

In **2016**, in *ArcelorMittal S.A. v. Arab Republic of Egypt* (ICSID Case No. ARB/15/47). The case was terminated by an Order taking note of the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 43(1) issued on 5 December 2016.

In **2017**, in *Nile Douma Holding Co. WLL V. Arab Republic of Egypt*, (PCA Case 17-09). The case is pending.

I add that I am currently sitting in two other Arbitral Tribunals with Charles Poncet, appointed by the Claimant.

Brigitte Stern  
\_\_\_\_\_