

**IN THE MATTER OF AN ARBITRATION  
BEFORE A TRIBUNAL CONSTITUTED IN ACCORDANCE WITH  
THE FREE TRADE AGREEMENT BETWEEN THE REPUBLIC OF KOREA AND THE  
UNITED STATES OF AMERICA, DATED 30 JUNE 2007**

**- and -**

**THE ARBITRATION RULES OF THE UNITED NATIONS COMMISSION  
ON INTERNATIONAL TRADE LAW, 2013**

**PCA CASE NO. 2018-51**

**-between-**

**ELLIOTT ASSOCIATES, L.P. (U.S.A.)  
(the “Claimant”)**

**-and-**

**REPUBLIC OF KOREA  
(the “Respondent,” and together with the Claimant, the “Parties”)**

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**PROCEDURAL ORDER NO. 9**

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**The Arbitral Tribunal**

Dr. Veijo Heiskanen (Presiding Arbitrator)

Mr. Oscar M. Garibaldi

Mr. J. Christopher Thomas QC

**Registry**

Permanent Court of Arbitration

17 January 2020

**I. PROCEEDINGS**

1. On 11 October 2019, the Tribunal issued Procedural Order No. 6, approving a revised procedural timetable agreed by the Parties.
2. On 13 January 2020, the Tribunal issued Procedural Order No. 8, setting out the Tribunal's decision regarding the Parties' disputed requests for the production of documents.
3. By email dated 16 January 2020, the Claimant wrote to the Tribunal on behalf both Parties, requesting the Tribunal's approval for the Parties' agreement to extend the time limits for the voluntary and involuntary production of documents from 7 February 2020 to 10 February 2020, and for the submission of the Claimant's Statement Reply from 7 June 2020 to 8 June 2020.

**II. THE TRIBUNAL'S DECISION**

4. In view of the above, the Tribunal decides as follows:
  - (a) The Tribunal takes note of, and approves, the revised procedural timetable as agreed by the Parties; and
  - (b) The proceedings shall be conducted in accordance with the revised timetable reproduced in the Annex to the present Procedural Order.

**Place of Arbitration:** London, United Kingdom



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Dr. Veijo Heiskanen  
(Presiding Arbitrator)

On behalf of the Tribunal

Annex

<b><i>Phase 1: First-Round Written Submissions</i></b>		
Amended Statement of Claim	Claimant	4 April 2019
Statement of Defence (and any preliminary objections)	Respondent	27 September 2019
<b><i>Phase 2: Document Production and Non-disputing Party Submission</i></b>		
Document production requests	Parties	1 November 2019
Objections to production	Parties	22 November 2019
Responses to objections (submitted to Tribunal)	Parties	13 December 2019
Notice by non-disputing Party that it intends to file a submission in accordance with Article 11.20(4) of the Treaty	United States	6 January 2020
Tribunal decision on objections	Tribunal	10 January 2020
Non-disputing party submission in accordance with Article 11.20(4) of the Treaty	United States	7 February 2020
Voluntary production and involuntary production	Parties	10 February 2020
<b><i>Phase 3: Second-Round Written Submissions</i></b>		
Statement of Reply (and Defence to Preliminary Objections, if any)	Claimant	8 June 2020
Statement of Rejoinder (and Reply to Preliminary Objections, if any)	Respondent	7 September 2020
(Claimant's Rejoinder on Preliminary Objections, if any)	(Claimant)	(29 October 2020)
<b><i>Phase 4: Hearing</i></b>		
Notification of witnesses and experts to be cross-examined	Parties	23 November 2020
Pre-Hearing Conference	All	7 December 2020
Hearing	All	The weeks of 25 January and 1 February 2021