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Dear Counsel

**SCC Arbitration V (2015/092)**  
**Littop Enterprises Limited et al - v - Republic of Ukraine**

The Tribunal has considered the letters and attachments from Fieldfisher and Latham & Watkins of 23 March 2018, in respect of Respondent's application for an extension of time for the filing of its Rejoinder on the Merits and its Reply on Jurisdiction. The Tribunal has also considered the Fieldfisher letter of 25 March and the Latham & Watkins letter of 26 March 2018.

The Tribunal is disappointed that once again a further extension of time is sought especially as the Tribunal stated clearly in its letter dated 16 January 2018 that no further extensions of time would be allowed "*absent exceptional circumstances*". Respondent is represented by an international law firm with experienced international arbitration lawyers who are well

able to manage their time to ensure the filing of submissions within the time provided by the Tribunal.

However, the Tribunal acknowledges that the translation of a large number of documents may take time and it is difficult to foresee and plan for an expert being ill (other than to work to complete the task in advance of the deadline date).

This Arbitration has been ongoing for some time and the parties and counsel are well aware of the issues. There have been persistent requests for extensions of time, with both parties blaming the other. This resulted in the loss of the February 2018 hearing dates.

The Tribunal has decided reluctantly to allow Respondent the extension of time requested. Accordingly, Respondent's Rejoinder on the Merits and Reply on Jurisdiction should be filed no later than 6 April 2018.

The timetable for Claimants' Reply on Jurisdiction will be extended also by 17 days. Claimants may not need an additional 17 days for its Rejoinder on Jurisdiction, but should it seek that time for good reason the Tribunal will consider that application at the time.

Yours sincerely



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