

May 9, 2017

**By email**

Messrs. Brett, Aaron and Trevor Berkowitz  
c/o Mr. Diego Brian Gosis  
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and  
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**Re: Aaron C. Berkowitz, Brett E. Berkowitz and Trevor B. Berkowitz v.  
Republic of Costa Rica (UNCT/13/2)**

Dear Mesdames and Sirs,

I write on the instruction of the Presiding arbitrator on behalf of the Tribunal.

The Tribunal has considered the Parties' correspondence dated May 1, 2017 on the issues of the correction of the Interim Award and the termination of the proceedings. The Tribunal has concluded that it is appropriate that the Interim Award is corrected to reflect the developments in the Costa Rican proceedings, drawn to its attention by the Respondent's correspondence dated April 4, 2017, concerning the properties that remain the subject of these proceedings between the period of the finalization of the Interim Award and its transmittal to the Parties. The Tribunal will accordingly proceed to correct the Interim Award as appropriate.

Having regard to the requests and the submissions of the Parties on the issue of termination, the Tribunal will thereafter issue an Order terminating the arbitral proceedings, to be reflected in an Order on Correction and Termination.

Having regard to the Parties' submissions, as well as to the Claimants' default in respect of the request for funds first made in the letter of the Secretariat dated March 3, 2017, the Tribunal will address any outstanding issue of costs in its Order on Correction and Termination.

The Tribunal anticipates that the corrected Interim Award, in both English and Spanish, and the Order on Correction and Termination, will be finalized for transmission to the Parties in the coming weeks

Yours sincerely,

A handwritten signature in black ink, appearing to read "Anneliese Fleckenstein", written over a horizontal line.

Anneliese Fleckenstein  
Secretary of the Tribunal

cc: Members of the Tribunal