

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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CC/DEVAS (MAURITIUS) LTD., <i>et al</i> ,	)	
	)	
<i>Petitioners</i> ,	)	
	)	
v.	)	Civil Action No. 1:21-cv-106-RCL
	)	
REPUBLIC OF INDIA,	)	
	)	
<i>Respondent</i> .	)	
_____	)	

**JOINT STATUS REPORT**

The Parties—Petitioners CC/Devas (Mauritius) Ltd., et al, and Respondent Republic of India (“India”)—respectfully submit this joint status report further to the Court’s Order dated March 24, 2022, which stated:

It is further **ORDERED** that on or before April 30, 2022, the parties shall file a joint status report providing an update to the Court on the ongoing set-aside proceedings in the Netherlands. The parties shall file additional status reports every thirty (30) days thereafter until the conclusion of the set-aside proceedings.

Order, ECF No. 41.

The parties have conferred and jointly provide the following status update on the proceedings in the Netherlands.

On October 27, 2016, India applied to the District Court of The Hague to annul the Award on Jurisdiction and Merits issued by the arbitral tribunal on July 25, 2016 (the “Merits Award”). The District Court of The Hague rejected India’s application to set aside the Merits Award, and, on February 12, 2019, India commenced an appeal before the Court of Appeal of the Hague. The Court of Appeal of The Hague rendered its judgment on February 16, 2021, rejecting India’s appeal. On May 17, 2021, India commenced an appeal in cassation as of right before the Supreme

Court of the Netherlands. The Supreme Court rendered its judgment in this case on February 3, 2023, rejecting India's cassation appeal. *See* ECF 53, 54.

On February 5, 2021, India also commenced a separate annulment proceeding before the District Court of The Hague in relation to the Award on Quantum dated October 13, 2020 (the "Quantum Award"). The court held a hearing on May 25, 2023. The court delivered its judgment on October 25, 2023, and "denie[d] India's claim seeking that the Award on Quantum be set aside." *See* Ex. A at 26. India filed its appeal on January 22, 2024.

On April 14, 2022, India commenced revocation proceedings before the Court of Appeal in The Hague, wherein it has sought revocation of both the Merits Award and the Quantum Award based on allegations that Petitioners committed fraud ("Revocation 1"). In the revocation proceedings, Petitioners appeared before the Court of Appeal in The Hague at the docket session of October 18, 2022, and were granted until December 27, 2022, to file a Statement of Defense. On December 26, 2022, Petitioners filed their Statement of Defense. On April 11, 2023, India filed its Reply Statement, which included an Incidental Application requesting that the Court order the production of documents prior to any further conduct of the proceedings. In this revocation proceeding, on May 4, 2023, the Delaware shareholders of Petitioners also filed a writ containing a reason for suspension and resumption of the proceedings under Art. 225(2) and 227(1)(a) of the Dutch Code of Civil Procedure ("DCCP"). On June 27, 2023, India filed a statement, which included its defense on suspension and resumption and a new Incidental Application for the production of additional documents. The shareholders of Petitioners filed a written answer on July 25, 2023.

On May 3, 2023, India commenced separate revocation proceedings before the Court of Appeal in The Hague, wherein it sought revocation of the February 16, 2021 judgment of the Court

of Appeal of The Hague (“Revocation 2”). On October 31, 2023, the first docket date, the Delaware shareholders of Petitioners filed an earlier-served writ containing a reason for suspension and resumption of the proceedings under Art. 225(2) and 227(1)(a) of the DCCP. India requested an opportunity to address that writ. India submitted a statement in this regard on December 12, 2023, wherein it included an Incidental Application for the production of documents and requested an oral hearing. On December 19, 2023, the Delaware shareholders of Petitioners requested the joinder of these revocation proceedings with the separate proceedings requesting revocation of the Merits Award and the Quantum Award. India objected to such a joinder. On January 22, 2024, the Court consolidated the two revocation proceedings on its docket such that oral argument would be heard simultaneously but the proceedings remain independent. On April 16, 2024, the Delaware shareholders submitted their answer to India’s statement of December 12, 2023, regarding the Incidental Applications. The Court scheduled the hearing for both Revocation 1 and Revocation 2 for December 16, 2024.

Dated: June 28, 2024  
Washington, DC

**Gibson, Dunn & Crutcher LLP**

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Respectfully submitted,

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