

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

DISCOVERY GLOBAL LLC

(United States)

Claimant

– v –

THE SLOVAK REPUBLIC

Respondent

(ICSID Case No. ARB/21/51)

**CONSOLIDATED INDEX
OF FACTUAL EXHIBITS**

Members of the Tribunal:

Professor Gabrielle Kaufmann-Kohler, President
Mr. Stephen L. Drymer, Arbitrator
Professor Philippe Sands, KC, Arbitrator

SQUIRE 
PATTON BOGGS

Factual Exhibits submitted with the Request for Security for Costs		
Exhibit No.	Description	Date
R-001	Texas Franchise Tax Public Information Report	2020
R-002	Discovery Global Tax Returns	2017-2020
R-003	Application for Reinstatement and Request to Set Aside Revocation or Forfeiture	18 May 2010
R-004	Texas Secretary of State, <i>Business Organizations Inquiry</i>	
R-005	Texas Assumed Name Certificate	8 August 2016
R-006	Letter from Squire Patton Boggs to Signature Litigation	17 February 2022
R-007	Letter from Squire Patton Boggs to the Tribunal	4 March 2022
R-008	Letter from Signature Litigation to the Tribunal	18 March 2022
R-009	Email from Squire Patton Boggs to Signature Litigation	17 June 2022
R-010	Email from Signature Litigation to Squire Patton Boggs	23 June 2022
R-011	Email from Squire Patton Boggs to Signature Litigation	19 July 2022
R-012	Email from Signature Litigation to Squire Patton Boggs	22 July 2022
Factual Exhibits submitted with the Counter-Memorial		
R-013-ENG	Articles of Association of the Forest Protection Association VLK	-
R-013-SLO	Articles of Association of the Forest Protection Association VLK	-
R-014-ENG	Decision on determination of exploration area Svidník	18 July 2006
R-014-SLO	Decision on determination of exploration area Svidník	18 July 2006
R-015-ENG	Resolution of the Smilno Municipal Council	23 July 2015
R-015-SLO	Resolution of the Smilno Municipal Council	23 July 2015
R-016-ENG	SME, <i>Clash between protesters and miners occurred in Prešov</i>	12 January 2016
R-016-SLO	SME, <i>Clash between protesters and miners occurred in Prešov</i>	12 January 2016
R-017-ENG	Invitation to the municipal public meeting in Smilno	16 June 2015
R-017-SLO	Invitation to the municipal public meeting in Smilno	16 June 2015
R-018	Constitution of the Slovak Republic	-
R-019-ENG	Act No. 160/2015 Coll. Civil Procedure Code, as amended	-

R-019-SLO	Act No. 160/2015 Coll. Civil Procedure Code, as amended	-
R-020-ENG	Act No. 161/2015 Coll. Civil Procedure Code for Non-adversarial Proceedings, as amended	-
R-020-SLO	Act No. 161/2015 Coll. Civil Procedure Code for Non-adversarial Proceedings, as amended	-
R-021-ENG	Act No. 153/2001 Coll. on Prosecution, as amended	-
R-021-SLO	Act No. 153/2001 Coll. on Prosecution, as amended	-
R-022	Act No. 301/2005 Coll. Criminal Procedure Code, as amended	-
R-023-ENG	Act No. 154/2001 Coll. on Prosecutors and Aspirants, as amended	-
R-023-SLO	Act No. 154/2001 Coll. on Prosecutors and Aspirants, as amended	-
R-024-ENG	Order of the Regional Prosecutor No. 6/2011 which regulates the service duty within the Regional Prosecutors Office in Prešov	28 November 2011
R-024-SLO	Order of the Regional Prosecutor No. 6/2011 which regulates the service duty within the Regional Prosecutors Office in Prešov	28 November 2011
R-025	Act No. 300/2005 Coll. on Criminal Code, as amended	-
R-026	UNESCO, <i>Bardejov Town Conservation Reserve</i>	-
R-027	SEVEROVYCHOD webpage, <i>Bardejov (UNESCO)</i>	-
R-028-ENG	Slovakia Travel webpage, <i>Spa of Bardejov</i>	-
R-028-SLO	Slovakia Travel webpage, <i>Spa of Bardejov</i>	-
R-029-ENG	Webpage of Makovica resort	-
R-029-SLO	Webpage of Makovica resort	-
R-030-ENG	Decision on determination of exploration area Medzilaborce	17 July 2006
R-030-SLO	Decision on determination of exploration area Medzilaborce	17 July 2006
R-031-ENG	Decision on determination of exploration area Snina	18 July 2006
R-031-SLO	Decision on determination of exploration area Snina	18 July 2006
R-032-ENG	<i>Ropa v Smilne, Niebiezscany – Smilno's twin?</i>	24 December 2015
R-032-SLO	<i>Ropa v Smilne, Niebiezscany – Smilno's twin?</i>	24 December 2015
R-033-ENG	<i>Ropa v Smilne, Oil miners are back</i>	7 June 2016

R-033-SLO	Ropa v Smilne, <i>Oil miners are back</i>	7 June 2016
R-034-ENG	SME, <i>Pilots are searching for oil in the east</i>	30 August 2012
R-034-SLO	SME, <i>Pilots are searching for oil in the east</i>	30 August 2012
R-035-ENG	Title Deed No. 1367	-
R-035-SLO	Title Deed No. 1367	-
R-036-ENG	Letter from Law Office Slamka to Mrs. Varjanová	30 December 2015
R-036-SLO	Letter from Law Office Slamka to Mrs. Varjanová	30 December 2015
R-037	Videorecording of Mr. Crow's Incident	-
R-038-ENG	Letter from Mr. ██████████ to the District Court Bardejov	20 June 2016
R-038-SLO	Letter from Mr. ██████████ to the District Court Bardejov	20 June 2016
R-039-ENG	Letter from AOG to the District Court Bardejov	20 June 2016
R-039-SLO	Letter from AOG to the District Court Bardejov	20 June 2016
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	██	████████████████
R-041-ENG	Information about statute	-
R-041-SLO	Information about statute	-
R-042-ENG	Act No. 569/2007 Coll. on Geological Works, as amended (applicable from 15 June 2014 until 30 June 2016)	-
R-042-SLO	Act No. 569/2007 Coll. on Geological Works, as amended (applicable from 15 June 2014 until 30 June 2016)	-
R-043-ENG	Act No. 543/2002 Coll. on Nature and Landscape Protection, as amended	-
R-043-SLO	Act No. 543/2002 Coll. on Nature and Landscape Protection, as amended	-
R-044-ENG	Act No. 51/1988 Coll. on Mining Activities, as amended	-
R-044-SLO	Act No. 51/1988 Coll. on Mining Activities, as amended	-
R-045-ENG	Act No. 24/2006 Coll. on Environmental Impact Assessment, as amended (applicable as of 1 January 2017)	-
R-045-SLO	Act No. 24/2006 Coll. on Environmental Impact Assessment, as amended (applicable as of 1 January 2017)	-
R-046-ENG	Act No. 58/2014 Coll. on Explosives, as amended	-
R-046-SLO	Act No. 58/2014 Coll. on Explosives, as amended	-
R-047-ENG	The Regulation of the Slovak Mining Agency No. 89/1988 Coll. on rational utilization of exclusive deposit and on	-

	permission and reporting the mining activity and on reporting the activity carried out by mining manner, as amended	
R-047-SLO	The Regulation of the Slovak Mining Agency No. 89/1988 Coll. on rational utilization of exclusive deposit and on permission and reporting the mining activity and on reporting the activity carried out by mining manner, as amended	-
R-048-ENG	Act No. 44/1988 on Protection and Use of the Natural Resources, as amended	-
R-048-SLO	Act No. 44/1988 on Protection and Use of the Natural Resources, as amended	-
R-049-ENG	AOG Full Extract from the Commercial Register	17 February 2023
R-049-SLO	AOG Full Extract from the Commercial Register	17 February 2023
R-050-ENG	Annual Report for 2007	2007
R-050-SLO	Annual Report for 2007	2007
R-051-ENG	Annual Report for 2009	2009
R-051-SLO	Annual Report for 2009	2009
R-052-ENG	Annual Report for 2010	2010
R-052-SLO	Annual Report for 2010	2010
R-053	Investors' Chronicle, <i>Seven oil shares that could rocket</i>	11 March 2011
R-054	Hart Energy, <i>Aurelian O&G Sees Encouraging Signs From Its Polish Shale Prospects</i>	25 March 2011
R-055	Financial Times, <i>Aurelian's sale plan fails to lift shares</i>	10 February 2012
R-056	Cadastral Map of Land Plots 945 and 2721/780	-
R-057-ENG	Act No. 135/1961 Coll. on Roads, as amended	-
R-057-SLO	Act No. 135/1961 Coll. on Roads, as amended	-
R-058-ENG	STN 73 6100 Terminology of Surface Communications	-
R-058-SLO	STN 73 6100 Terminology of Surface Communications	-
R-059-ENG	Resolution of the District Court Prešov, File No. 20Co/14/2017-256	16 February 2017
R-059-SLO	Resolution of the District Court Prešov, File No. 20Co/14/2017-256	16 February 2017
R-060-ENG	Act No. 50/1976 Coll. on Spatial Planning and Construction Order, as amended	-

R-060-SLO	Act No. 50/1976 Coll. on Spatial Planning and Construction Order, as amended	-
R-061-ENG	Letter from Smilno Municipality	3 November 2016
R-061-SLO	Letter from Smilno Municipality	3 November 2016
R-062	Act No. 40/1964 Coll. the Civil Code, as amended	-
R-063-ENG	Decision of Regional Court in Prešov	14 April 2016
R-063-SLO	Decision of Regional Court in Prešov	14 April 2016
R-064-ENG	Consent from Mrs. ██████████	23 May 2016
R-064-SLO	Consent from Mrs. ██████████	23 May 2016
R-065	Videorecording of Mr. Crow's Incident	-
R-066-ENG	Letter from District Prosecutor's Office on FOIA response	4 July 2016
R-066-SLO	Letter from District Prosecutor's Office on FOIA response	4 July 2016
R-067-ENG	Act No. 171/1993 Coll. on Police Forces, as amended	-
R-067-SLO	Act No. 171/1993 Coll. on Police Forces, as amended	-
R-068-ENG	Decree No. 9/2008 implementing the Road Traffic Act	20 December 2008
R-068-SLO	Decree No. 9/2008 implementing the Road Traffic Act	20 December 2008
R-069-ENG	Act No. 8/2009 Coll. on Road Traffic, as amended	-
R-069-SLO	Act No. 8/2009 Coll. on Road Traffic, as amended	-
R-070-ENG	Act No. 326/2005 Coll. on Forests, as amended	-
R-070-SLO	Act No. 326/2005 Coll. on Forests, as amended	-
R-071-ENG	Act No. 575/2001 Coll. on Organization of Government Activities and Organization of Central Government, as amended	-
R-071-SLO	Act No. 575/2001 Coll. on Organization of Government Activities and Organization of Central Government, as amended	-
R-072-ENG	Act No. 111/1990 Coll. on the State Enterprise, as amended	-
R-072-SLO	Act No. 111/1990 Coll. on the State Enterprise, as amended	-
R-073	Lesy SR website, <i>Forests of the Slovak Republic: About us</i> , https://www.lesy.sk/forest/about-us/ (last accessed 20 February 2023)	-
R-074-ENG	Letter from AOG to the LSR dated	16 December 2015

R-074-SLO	Letter from AOG to the LSR dated	16 December 2015
R-075-ENG	Decision of the Ministry of Environment	27 June 2017
R-075-SLO	Decision of the Ministry of Environment	27 June 2017
R-076-ENG	Act No. 71/1967 Coll. on Administrative Procedure (Administrative Procedure Code), as amended	-
R-076-SLO	Act No. 71/1967 Coll. on Administrative Procedure (Administrative Procedure Code), as amended	-
R-077-ENG	Resolution of the District Court Humenné, File No. 5C/564/2015	27 November 2015
R-077-SLO	Resolution of the District Court Humenné, File No. 5C/564/2015	27 November 2015
R-078-ENG	Act No. 99/1963 Coll. the Code of Civil Procedure, as amended	-
R-078-SLO	Act No. 99/1963 Coll. the Code of Civil Procedure, as amended	-
R-079-ENG	Resolution of the District Prosecutor's Office Humenné	12 April 2016
R-079-SLO	Resolution of the District Prosecutor's Office Humenné	12 April 2016
R-080-ENG	Resolution of the District Directorate of Police Forces	28 July 2016
R-080-SLO	Resolution of the District Directorate of Police Forces	28 July 2016
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
R-082-ENG	EIA Act (applicable until 31 December 2016)	-
R-082-SLO	EIA Act (applicable until 31 December 2016)	-
R-083-ENG	Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment	13 December 2011
R-083-SLO	Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment	13 December 2011
R-084	European Commission, Interpretation of definitions of project categories of annex I and II of the EIA Directive	2015
R-085-ENG	TERAZ.SK, <i>Alpine Oil and Gas shall have an assessment of impacts of wells carried out</i>	2 April 2017

R-085-SLO	TERAZ.SK, <i>Alpine Oil and Gas shall have an assessment of impacts of wells carried out</i>	2 April 2017
R-086	Directive No. 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment	-
R-087-ENG	Preliminary EIA submission of Smilno-1	May 2017
R-087-SLO	Preliminary EIA submission of Smilno-1	May 2017
R-088-ENG	Preliminary EIA submission of Poruba-1	June 2017
R-088-SLO	Preliminary EIA submission of Poruba-1	June 2017
R-089-ENG	Preliminary EIA submission of Krivá Oľka-1	July 2017
R-089-SLO	Preliminary EIA submission of Krivá Oľka-1	July 2017
R-090	London Evening Standard, <i>JKX oligarch's assets frozen over bank spat</i>	21 December 2017
R-091-ENG	Decision of MoE on extension of NAFTA a.s. exploration area licence	19 March 2018
R-091-SLO	Decision of MoE on extension of NAFTA a.s. exploration area licence	19 March 2018
R-092	The University of Chicago Law Review Online, <i>The Troubling Case of the Unlimited Pass-Through Deduction: Section 2304 of the CARES Act</i>	29 June 2020
R-093	Email from Slovak Republic to Discovery	9 February 2021
R-094	Deloitte, <i>Tracking the Trends 2019: Top 10 Issues Transforming the Future Of Mining</i>	2019
R-095	EY, <i>License to Operate: Top 10 business risks facing mining and metals in 2019-20</i>	2018
R-096	Reuters, <i>Texas judge upholds \$3 million fracking verdict</i>	15 July 2014
R-097-ENG	Decision of District Office Humenné	13 January 2015
R-097-SLO	Decision of District Office Humenné	13 January 2015
R-098-ENG	Extract from the Register of Public Sector Partners of Nafta a.s.	16 February 2023
R-098-SLO	Extract from the Register of Public Sector Partners of Nafta a.s.	16 February 2023
R-099-ENG	Decision of the Minister of Environment	17 May 2013
R-099-SLO	Decision of the Minister of Environment	17 May 2013
R-100-ENG	Decision of MoE on extension of Ochtiná exploration area license	17 July 2018

R-100-SLO	Decision of MoE on extension of Ochtiná exploration area license	17 July 2018
R-101	Nafta website, <i>We support</i> , https://www.nafta.sk/en/corporate-responsibility/we-support (last accessed 1 March 2023)	-
R-102	Nafta a.s. 2015 Annual Report	31 December 2015
R-103	Nafta a.s. 2017 Annual Report	31 December 2017
R-104-ENG	Government Decree No. 50/2002 on the payment for the mining area, the payment for the extracted minerals and on the payment for the storage of gases or liquids	-
R-104-SLO	Government Decree No. 50/2002 on the payment for the mining area, the payment for the extracted minerals and on the payment for the storage of gases or liquids	-
R-105-ENG	Geology Act (applicable from 1 January 2019 until 31 August 2019)	-
R-105-SLO	Geology Act (applicable from 1 January 2019 until 31 August 2019)	-
R-106-ENG	Act No. 44/1988 Coll. on protection and use of the natural resources, as amended	-
R-106-SLO	Act No. 44/1988 Coll. on protection and use of the natural resources, as amended	-
Factual Exhibits submitted with the Rejoinder		
R-107-ENG	Signatures Sheets	-
R-107-SLO	Signatures Sheets	-
R-108-ENG	Information about number of Smilno inhabitants	25 May 2015
R-108-SLO	Information about number of Smilno inhabitants	25 May 2015
R-109-ENG	Cover letters from Ms. Varjanová to Smilno municipality	July 2015
R-109-SLO	Cover letters from Ms. Varjanová to Smilno municipality	July 2015
R-110-ENG	Title Deed No. 971	-
R-110-SLO	Title Deed No. 971	-
R-111-ENG	Power of Attorney from Mr. ██████████	24 February 2016
R-111-SLO	Power of Attorney from Mr. ██████████	24 February 2016
R-112	Global Sustainable Tourism Council webpage, <i>GSTC Members</i> , https://www.gstccouncil.org/membership/ (last accessed 6 December 2023)	-
R-113-ENG	Email from Ms. Maťová to Mr. Benada	16 July 2015

R-113-SLO	Email from Ms. Mařová to Mr. Benada	16 July 2015
R-114-ENG	Letter from Geophysical Services Ltd. to Municipality of Chmeřová	14 May 2008
R-114-SLO	Letter from Geophysical Services Ltd. to Municipality of Chmeřová	14 May 2008
R-115-ENG	Schedule of Service Duty	4 January 2016
R-115-SLO	Schedule of Service Duty	4 January 2016
R-116	AOG Report to Romgaz (Redacted by Claimant)	6 September 2018
R-117	First activists meeting note	5 February 2017
R-118	Email from M. Lewis to ██████████	9 December 2016
R-119	AOG Presentation	September 2017
R-120	Rejoinder to Akard Response	15 January 2017
R-121	Email from Kinnear to ██████████	11 December 2014
R-122	Email from S. Benada to A. Fraser	14 June 2016
R-123	Exploration Project Agreement between Discovery and Clermont	7 July 2014
R-124	Email from D. Robinson to Clermont	20 October 2014
R-125	Email from M. Lewis	October 2014
R-126	Email from Clermont to Kinnear	17 November 2014
R-127	Email from Clermont to M. Lewis	11 December 2014
R-128	Email from M. Lewis to Clermont	11 December 2014
R-129	Email from M. Lewis to A. Fraser and Clermont	21 January 2015
R-130	D. Elliot, <i>Oil and gas disclosure requirements and new issues: NI 51-101 sets standards</i> , Standards, Best Practices & Guidance for Mineral Resources & Mineral Reserves, Canadian Institute of Mining, Metallurgy and Petroleum ("CIM")	September 2011
R-131	Email from A. Fraser to M. Lewis and Clermont	22 January 2015
R-132	Email from A. Fraser	7 February 2015
R-133	Email from Clermont to Discovery	8 February 2015
R-134	Email from Clermont to ██████████ and Discovery	9 February 2015
R-135	Email from A. Fraser to M. Lewis	26 February 2015
R-136	Email from M. Lewis to A. Fraser	26 February 2015

R-137	Email from Clermont to [REDACTED]	4 March 2015
R-138	Email from M. Lewis to Clermont	7 May 2015
R-139	Email from A. Fraser to Clermont	28 August 2015
R-140	Email from A. Fraser to Clermont	13 October 2015
R-141	Email from M. Lewis to Clermont	24 October 2015
R-142	Akard Notice of Default	2 January 2017
R-143	Akard Response to Notice of Default	13 January 2017
R-144-ENG	DenníkN, <i>She fights against the oil company: I am blocking them with my own body, there is no other way left</i>	22 November 2016
R-144-SLO	DenníkN, <i>She fights against the oil company: I am blocking them with my own body, there is no other way left</i>	22 November 2016
R-145	Third activists meeting note	4 March 2017
R-146	Fourth activists meeting note	27 March 2017
R-147	Report from Mr. Lewis	21 April 2017
R-148-ENG	Information about the Intent	-
R-148-SLO	Information about the Intent	-
R-149-ENG	Letter from District Office Hlohovec	12 December 2018
R-149-SLO	Letter from District Office Hlohovec	12 December 2018
R-150-ENG	Resolution of the District Police Department Bardejov	15 February 2016
R-150-SLO	Resolution of the District Police Department Bardejov	15 February 2016
R-151-ENG	Letter from AOG to Smilno Municipality	3 February 2016
R-151-SLO	Letter from AOG to Smilno Municipality	3 February 2016
R-152-ENG	Letter from Smilno Municipality to AOG	9 February 2016
R-152-SLO	Letter from Smilno Municipality to AOG	9 February 2016
R-153-ENG	Letter from AOG to Smilno Municipality	29 December 2015
R-153-SLO	Letter from AOG to Smilno Municipality	29 December 2015
R-154	Status Update and Activity Summary	7 March 2016
R-155-ENG	Email from M. Sýkora to Smilno Municipality	17 May 2016
R-155-SLO	Email from M. Sýkora to Smilno Municipality	17 May 2016
R-156-ENG	Statement of Smilno municipality regarding the classification of the Road	6 June 2016
R-156-SLO	Statement of Smilno municipality regarding the classification of the Road	6 June 2016

R-157-ENG	Act No. 40/1964 Coll., the Civil Code, as amended	-
R-157-SLO	Act No. 40/1964 Coll., the Civil Code, as amended	-
R-158-ENG	Act No. 135/1961 Coll. on Roads, as amended (applicable as of 1 January 2023)	-
R-158-SLO	Act No. 135/1961 Coll. on Roads, as amended (applicable as of 1 January 2023)	-
R-159	Email from A. Fraser to K. Mihaliková	26 October 2016
R-160-ENG	Statement of the Ministry of Interior regarding the classification of the Road	19 December 2016
R-160-SLO	Statement of the Ministry of Interior regarding the classification of the Road	19 December 2016
R-161-ENG	Letter from AOG to LSR	18 July 2016
R-161-SLO	Letter from AOG to LSR	18 July 2016
R-162	Email from D. Cvečková to A. Fraser	29 November 2016
R-163	Email from K. Mihaliková to A. Fraser	5 February 2017
R-164	Email from K. Mihaliková to A. Fraser	6 February 2017
R-165	Report from Mr. Lewis	28 March 2017
R-166	Report from Mr. Lewis	28 February 2019
R-167	Email from A. Fraser to V. Beran	7 September 2017
R-168	Email from A. Fraser to V. Beran regarding Smilno EIA results	7 September 2017
R-169	Email from M. Lewis to A. Fraser and attorneys	5 February 2017
R-170-ENG	Act No. 71/1967 Coll. on Administrative Procedure (“Administrative Procedure Code”), as amended	-
R-170-SLO	Act No. 71/1967 Coll. on Administrative Procedure (“Administrative Procedure Code”), as amended	-
R-171-ENG	Decision of the District Office Medzilaborce	8 March 2018
R-171-SLO	Decision of the District Office Medzilaborce	8 March 2018
R-172-ENG	Letter from the Ministry of Environment to AOG	4 March 2016
R-172-SLO	Letter from the Ministry of Environment to AOG	4 March 2016
R-173-ENG	Decree of Ministry of Interior No. 30/2020 Coll., on Traffic Signage, as amended	-
R-173-SLO	Decree of Ministry of Interior No. 30/2020 Coll., on Traffic Signage, as amended	-

R-174-ENG	Act No. 8/2009 Coll. on Road Traffic, as amended (“Road Traffic Act”)	-
R-174-SLO	Act No. 8/2009 Coll. on Road Traffic, as amended (“Road Traffic Act”)	-
R-175-ENG	Act No. 135/1961 Coll. on Roads, as amended (“Road Act”)	-
R-175-SLO	Act No. 135/1961 Coll. on Roads, as amended (“Road Act”)	-
R-176-ENG	Proposal of Lease Agreement	-
R-176-SLO	Proposal of Lease Agreement	-
R-177-ENG	Letter from Geology and Natural Resources Division to Legal and Legislative Division	29 December 2017
R-177-SLO	Letter from Geology and Natural Resources Division to Legal and Legislative Division	29 December 2017
R-178-ENG	Judgment of the Supreme Court of the Slovak Republic, File No. 5Szd/1/2010	29 September 2011
R-178-SLO	Judgment of the Supreme Court of the Slovak Republic, File No. 5Szd/1/2010	29 September 2011
R-179-ENG	Email from V. Beran to ██████████	9 March 2017
R-179-SLO	Email from V. Beran to ██████████	9 March 2017
R-180-ENG	Decision of MoE on determination of the exploration area to NAFTA a.s.	17 September 2018
R-180-SLO	Decision of MoE on determination of the exploration area to NAFTA a.s.	17 September 2018
R-181-ENG	Decision of MoE on determination of the exploration area to CE Metals s.r.o.	27 January 2017
R-181-SLO	Decision of MoE on determination of the exploration area to CE Metals s.r.o.	27 January 2017
R-182-ENG	Letter from V. Beran to the Ministry of Transport, Construction and Regional Development	22 November 2016
R-182-SLO	Letter from V. Beran to the Ministry of Transport, Construction and Regional Development	22 November 2016
R-183-ENG	Minutes from the Forest Property Commission	14 October 2015
R-183-SLO	Minutes from the Forest Property Commission	14 October 2015
R-184-ENG	Preliminary EIA submission of Smilno-1	May 2017
R-184-SLO	Preliminary EIA submission of Smilno-1	May 2017

R-185-ENG	Preliminary EIA submission of Poruba-1	June 2017
R-185-SLO	Preliminary EIA submission of Poruba-1	June 2017
R-186-ENG	Preliminary EIA submission of Krivá Oľka-1	July 2017
R-186-SLO	Preliminary EIA submission of Krivá Oľka-1	July 2017
R-187	Application of the EIA Directive to projects related to the exploration and exploitation of unconventional hydrocarbon	2012
R-188-ENG	Judgment of the Supreme Court of the Slovak Republic, File No. 2Szo/92/2016	18 December 2019
R-188-SLO	Judgment of the Supreme Court of the Slovak Republic, File No. 2Szo/92/2016	18 December 2019
R-189-ENG	Letter from the District Office in Bardejov to AOG	17 May 2017
R-189-SLO	Letter from the District Office in Bardejov to AOG	17 May 2017
R-190-ENG	Act No. 364/2004 Coll., on Waters and on the Amendment of Act of the Slovak National Council No. 372/1990 Coll. on Misdemeanours as amended (“Water Act”)	-
R-190-SLO	Act No. 364/2004 Coll., on Waters and on the Amendment of Act of the Slovak National Council No. 372/1990 Coll. on Misdemeanours as amended (“Water Act”)	-
R-191-ENG	Decision of the District Office Bardejov	2 August 2017
R-191-SLO	Decision of the District Office Bardejov	2 August 2017
R-192-ENG	Minutes from the Meeting	30 November 2017
R-192-SLO	Minutes from the Meeting	30 November 2017
R-193-ENG	Decision of the District Office Bardejov	30 November 2017
R-193-SLO	Decision of the District Office Bardejov	30 November 2017
R-194	Report from Mr. Lewis	23 January 2018
R-195	Report from Mr. Lewis	6 December 2017
R-196	Discovery Global Investor Presentation	June 2017
R-197	Email from ██████████ to A. Fraser	27 July 2017
R-198	Email from A. Fraser to ██████████	25 August 2017
R-199	Letter of Intent from Mr. Lewis to Claren	15 November 2017

R-200-ENG	Act No. 24/2006 Coll. on Environmental Impact Assessment, as amended (“EIA Act”) (applicable as of 1 January 2017)	-
R-200-SLO	Act No. 24/2006 Coll. on Environmental Impact Assessment, as amended (“EIA Act”) (applicable as of 1 January 2017)	-
R-201-ENG	Act No. 50/1976 Coll. on spatial planning and construction order, as amended	-
R-201-SLO	Act No. 50/1976 Coll. on spatial planning and construction order, as amended	-
R-202-ENG	Letter from the Presidium of the Police Forces to Regional Police Directorates	3 May 2010
R-202-SLO	Letter from the Presidium of the Police Forces to Regional Police Directorates	3 May 2010
R-203-ENG	Letter from the Ministry of Transport to the District Office in Pezinok	6 September 2023
R-203-SLO	Letter from the Ministry of Transport to the District Office in Pezinok	6 September 2023
R-204-ENG	Decision of the Ministry of Transport	19 June 2023
R-204-SLO	Decision of the Ministry of Transport	19 June 2023
R-205-ENG	Judgment of the Regional Court Košice, case No. 6Co/188/2016	31 January 2017
R-205-SLO	Judgment of the Regional Court Košice, case No. 6Co/188/2016	31 January 2017
R-206	Technical Specification of TD 160 CA A7 Drilling Rig	-
R-207-ENG	Snapshot from Geoportal showing different types of roads	-
R-207-SLO	Snapshot from Geoportal showing different types of roads	-
R-208	Email from Squire Patton Boggs to Signature Litigation	6 July 2023
R-209-ENG	Aerial photographs of the field track	-
R-209-SLO	Aerial photographs of the field track	-
R-210-ENG	Act No. 514/2008 Coll. on disposing of waste from the mining industry, as amended (“Act on Mining Waste”)	-
R-210-SLO	Act No. 514/2008 Coll. on disposing of waste from the mining industry, as amended (“Act on Mining Waste”)	-
R-211	Geoportal, First Orthophotomosaic of the Slovak Republic production cycle (2017 - 2019),	

	https://www.geoportal.sk/en/zbgis/orthophotomosaic/1st-cycle/ (last accessed 4 December 2023)	
R-212-ENG	Statement from the Geodesy and Cartography Office of the Slovak Republic	8 December 2023
R-212-SLO	Statement from the Geodesy and Cartography Office of the Slovak Republic	8 December 2023
R-213	Email from A. Fraser to [REDACTED] and M. Lewis (Redacted by Claimant)	15 December 2015
R-214	Email from A. Fraser to [REDACTED] and M. Lewis (Unredacted)	15 December 2015
R-215-ENG	Decision from District Office Nové Zámky	12 December 2016
R-215-SLO	Decision from District Office Nové Zámky	12 December 2016
R-216-ENG	SPP Infrastructure Independent Auditor's Report as of 30 June 2016	10 August 2016
R-216-SLO	SPP Infrastructure Independent Auditor's Report as of 30 June 2016	10 August 2016
R-217-ENG	Nafta Annual Report	2016
R-217-SLO	Nafta Annual Report	2016
R-218-ENG	Act No. 372/1990 Coll. on the Misdemeanors, as amended	-
R-218-SLO	Act No. 372/1990 Coll. on the Misdemeanors, as amended	-
R-219-ENG	Act No. 9/2010 Coll. on Complaints, as amended	-
R-219-SLO	Act No. 9/2010 Coll. on Complaints, as amended	-
R-220-ENG	Consent to the use of agricultural land for non-agricultural purposes	5 May 2016
R-220-SLO	Consent to the use of agricultural land for non-agricultural purposes	5 May 2016
R-221	Email from A. Fraser to M. Sikora	26 October 2016
R-222	Report from Mr. Lewis	3 July 2017
R-223	Respondent's Responses and Objections to Claimant's Redfern Schedule	23 May 2023

Factual Exhibits submitted with Expert Report of Doc. JUDr. Ľubomír Fogaš, Csc.		
Exhibit No.	Description	Date
LF-01-ENG	Act No. 40/1964 Coll., the Civil Code, as amended	-
LF-01-SLO	Act No. 40/1964 Coll., the Civil Code, as amended	-
LF-02-ENG	Charter of Fundamental Rights and Freedoms	-
LF-02-SLO	Charter of Fundamental Rights and Freedoms	-
LF-03-ENG	Constitution of the Slovak Republic	-
LF-03-SLO	Constitution of the Slovak Republic	-
LF-04-ENG	Act No. 99/1963 Coll., the Code of Civil Procedure, as amended	-
LF-04-SLO	Act No. 99/1963 Coll., the Code of Civil Procedure, as amended	-
LF-05-ENG	Act No. 757/2004 Coll. on Courts and on amendment and supplement of other acts, as amended	-
LF-05-SLO	Act No. 757/2004 Coll. on Courts and on amendment and supplement of other acts, as amended	-
LF-06-ENG	M. Števček, S. Ficová et al., <i>Rules of Civil Procedure, part I</i> (2nd edition, 2012)	2012
LF-06-SLO	M. Števček, S. Ficová et al., <i>Rules of Civil Procedure, part I</i> (2nd edition, 2012)	2012
LF-07-ENG	Resolution of the Supreme Court of the Slovak Republic, File No. 5Cdo/190/2014	24 September 2014
LF-07-SLO	Resolution of the Supreme Court of the Slovak Republic, File No. 5Cdo/190/2014	24 September 2014
LF-08-ENG	Resolution of the Supreme Court of the Czech Republic, File No. 25 Cdo 1017/2001	31 October 2001
LF-08-CZE	Resolution of the Supreme Court of the Czech Republic, File No. 25 Cdo 1017/2001	31 October 2001
LF-09-ENG	V. Handl, J. Rubeš, <i>Rules of Civil Procedure, Commentary, part I</i> (1985)	1985
LF-09-CZE	V. Handl, J. Rubeš, <i>Rules of Civil Procedure, Commentary, part I</i> (1985)	1985
LF-10-ENG	Resolution of the Supreme Court of the Slovak Republic, File No. 4Obo 89/2012	26 November 2012
LF-10-SLO	Resolution of the Supreme Court of the Slovak Republic, File No. 4Obo 89/2012	26 November 2012

LF-11-ENG	Resolution of the Supreme Court of the Slovak Republic, File No. 6M Cdo 5/2012	28 November 2012
LF-11-SLO	Resolution of the Supreme Court of the Slovak Republic, File No. 6M Cdo 5/2012	28 November 2012
LF-12-ENG	J. Mazák, <i>Security Measures in Civil Procedure</i> (1997)	1997
LF-12-SLO	J. Mazák, <i>Security Measures in Civil Procedure</i> (1997)	1997
LF-13-ENG	A. Winterová, <i>Procedural Civil Law</i> , University Handbook (2004)	2004
LF-13-SLO	A. Winterová, <i>Procedural Civil Law</i> , University Handbook (2004)	2004
LF-14-ENG	Resolution of the Supreme Court of the Slovak Republic, File No. 3Cdo/149/2010	5 August 2010
LF-14-SLO	Resolution of the Supreme Court of the Slovak Republic, File No. 3Cdo/149/2010	5 August 2010
LF-15-ENG	Resolution of Regional Court Trnava, File No. 11Co/208/2012	12 June 2012
LF-15-SLO	Resolution of Regional Court Trnava, File No. 11Co/208/2012	12 June 2012
LF-16-ENG	Judgement of the District Court Bardejov, File No. 1C/29/2016-268	5 October 2016
LF-16-SLO	Judgement of the District Court Bardejov, File No. 1C/29/2016-268	5 October 2016
LF-17-ENG	Appeal of company AOG against the decision of District Court Bardejov	2 March 2016
LF-17-SLO	Appeal of company AOG against the decision of District Court Bardejov	2 March 2016
LF-18-ENG	Act No. 160/2015 Coll., the Civil Procedural Code, as amended	-
LF-18-SLO	Act No. 160/2015 Coll., the Civil Procedural Code, as amended	-
LF-19-ENG	Resolution of the Supreme Court of the Slovak Republic, File No. 3Cdo 32/2005	-
LF-19-SLO	Resolution of the Supreme Court of the Slovak Republic, File No. 3Cdo 32/2005	-
LF-20-ENG	Submission Report of District Court Bardejov	12 January 2017
LF-20-SLO	Submission Report of District Court Bardejov	12 January 2017

LF-21-ENG	Resolution of the Constitutional Court of the Slovak Republic, File No. I. ÚS 390/2019-11	26 September 2019
LF-21-SLO	Resolution of the Constitutional Court of the Slovak Republic, File No. I. ÚS 390/2019-11	26 September 2019
LF-22-ENG	Letter from Mr. ██████████ to the District Court Bardejov	20 June 2016
LF-22-SLO	Letter from Mr. ██████████ to the District Court Bardejov	20 June 2016
LF-23-ENG	Letter from AOG to the District Court Bardejov	20 June 2016
LF-23-SLO	Letter from AOG to the District Court Bardejov	20 June 2016
LF-24-ENG	Repeated Request of AOG to District Court Bardejov	2 December 2016
LF-24-SLO	Repeated Request of AOG to District Court Bardejov	2 December 2016
LF-25-ENG	Resolution of the Supreme Court of the Slovak Republic, File No. 4 Obdo/75/2014	28 January 2015
LF-25-SLO	Resolution of the Supreme Court of the Slovak Republic, File No. 4 Obdo/75/2014	28 January 2015
LF-26-ENG	Act No 162/1995 Coll., on Cadastre of Real Estate and the Registration of Ownership and Other Rights to Real Estate (Cadastral Act) as amended	-
LF-26-SLO	Act No 162/1995 Coll., on Cadastre of Real Estate and the Registration of Ownership and Other Rights to Real Estate (Cadastral Act) as amended	-
LF-27-ENG	Resolution of the Supreme Administrative Court of the Slovak Republic, File No. 1SKomp/25/2022	21 April 2022
LF-27-SLO	Resolution of the Supreme Administrative Court of the Slovak Republic, File No. 1SKomp/25/2022	21 April 2022
LF-28-ENG	Act No. 160/2015 Coll., the Civil Procedure Code, as amended	-
LF-28-SLO	Act No. 160/2015 Coll., the Civil Procedure Code, as amended	-
LF-29-ENG	Act No. 757/2004 Coll., on Courts, as amended	-
LF-29-SLO	Act No. 757/2004 Coll., on Courts, as amended	-
LF-30-ENG	Constitution of the Slovak Republic	-
LF-30-SLO	Constitution of the Slovak Republic	-
LF-31-ENG	Statistical bulletins of the Ministry of Justice of the Slovak Republic for 2016	2016
LF-31-SLO	Statistical bulletins of the Ministry of Justice of the Slovak Republic for 2016	2016
LF-32-ENG	Statistical bulletins of the Ministry of Justice of the Slovak Republic for 2017	2017

LF-32-SLO	Statistical bulletins of the Ministry of Justice of the Slovak Republic for 2017	2017
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Factual Exhibits submitted with Expert Report of Dr. Chris Longman		
Exhibit No.	Description	Date
CDL 001	Modified from Geology and Hydrocarbon Resources of the Outer Carpathians, Poland, Slovakia, and Ukraine: General Geology, Slaczka et al, AAPG Memoir 84	2006
CDL 002	Reconstruction of Petroleum Systems Based on Integrated Geochemical and Geological Investigations - Examples from the Middle Outer Carpathians in Poland, Matyasik & Dziadzio	2005
CDL 003	Hydrocarbon Resources of the Polish Outer Carpathians—Reservoir Parameters, Trap Types, and Selected Hydrocarbon Fields: A Stratigraphic Review, Dziadzio et al	2006
CDL 004	Oil industry in the Carpathian Area –an outline history, current state and development prospects, Stefaniuk & Tytko	2014
CDL 005	Exploration of Oil and Natural Gas Fields in the Turzovka and Mikova Areas, Vitalos et al.	2004
CDL 006	SPEE Survey of Parameters Used in Property Evaluation	2002
CDL 007	Exploration Asset Valuation Using Risk Adjusted Values, Moore, SPEE	2013
CDL 008	RPS CPR Evaluation of Aurelian Oil & Gas Ltd Assets in Poland, Slovakia and Romania	-
CDL 009	Alpine Oil & Gas letter from Michael P. Lewis, no addressee	12 December 2019
CDL 010	Evaluation of the Interests of Gulf Shores Resources Ltd. In Medzilaborce, Svidnik and Snina Oil and Gas Concessions in North-Eastern Slovakia	31 December 2014
CDL 011	Email from Clermont Energy Partners to Discovery Global	9 February 2015
CDL 012	Risk Analysis and Management of Petroleum Exploration Ventures, Peter R. Rose	2000
CDL 013	Responsible reporting of uncertain petroleum reserves McLane, Gouveia, Citron, Mackay & Rose	2008
CDL 014	Benchmarking Analysis Excel spreadsheet of data and analysis used in Section 4.1	-

Factual Exhibits submitted with Expert Report of Dr. Tiago Duarte-Silva and Richard Acklam		
Exhibit No.	Description	Date
CRA-01	Duarte-Silva & Acklam Market Comparables Analysis	31 March 2023
CRA-02	Duarte-Silva & Acklam FTSE 350 Oil & Gas Index	31 March 2023
CRA-03	Duarte-Silva & Acklam Exchange Rates	31 March 2023
CRA-01 - CRA 03_Updated	Duarte-Silva & Acklam Market Comparables Analysis, FTSE 350 Oil & Gas Index, Exchange Rates	31 March 2023
CRA-04	ADX Energy, Letter from Chairman – Dougga Appraisal Project Update	20 December 2017
CRA-05	ADX Energy, Letter from Chairman – Low Risk Appraisal Program Providing a Rapid Path to Cash Flow Onshore Romania	8 August 2017
CRA-06	ADX Energy, Nilde Area Oil Project Progress Update	21 April 2016
CRA-07	ADX Energy, Investor Presentation	31 January 2023
CRA-08	ADX Energy, Activities Report For Quarter Ended 31 December 2022	31 January 2023
CRA-09	BP, Approximate conversion factors	July 2021
CRA-10	Ascent Resources, Annual Report 2017	16 April 2018
CRA-11	Ascent Resources, Annual Report 2021	30 June 2022
CRA-12	Ascent Resources, Annual Report 2018	10 May 2019
CRA-13	Ascent Resources, Interim Financial Statements for the six months ended 30 June 2022	12 September 2022
CRA-14	Cadogan Petroleum, Annual Report 2014	30 April 2015
CRA-15	Cadogan Petroleum, Annual Report 2015	25 April 2016
CRA-16	Cadogan Petroleum, Annual Report 2017	25 April 2018
CRA-17	Cadogan Petroleum, Annual Report 2021	28 April 2022
CRA-18	Cadogan Petroleum, Annual Report 2018	23 April 2019
CRA-19	Caspian Sunrise, Annual Report 2018	23 May 2019
CRA-20	Caspian Sunrise, Annual Report 2021	24 June 2022
CRA-21	Cub Energy, Annual Report 2017	4 April 2018

CRA-22	Cub Energy, Statement of Reserves Data and Other Oil and Gas Information, 2021	25 April 2022
CRA-23	Cub Energy, Annual Report 2018	26 March 2019
CRA-24	Europa Oil & Gas, Annual Report 2017	27 October 2017
CRA-25	Europa Oil & Gas, Annual Report 2019	9 October 2019
CRA-26	Europa Oil & Gas, Annual Report 2020	12 October 2020
CRA-27	Europa Oil & Gas, Annual Report 2021	20 October 2021
CRA-28	Europa Oil & Gas, Annual Report 2022	11 November 2022
CRA-29	JKX Oil & Gas, Annual Report 2017	27 April 2018
CRA-30	JKX Oil & Gas, Annual Report 2020	31 March 2021
CRA-31	JKX Oil & Gas, Annual Report 2018	5 April 2019
CRA-32	JKX Oil & Gas, Half Year Report for the six months ended 30 June 2021	9 August 2021
CRA-33	Serinus Energy, Annual Report 2018	20 March 2019
CRA-34	Serinus Energy, Annual Report 2021	18 March 2021
CRA-35	ASX, Listing Rules, Chapter 5	1 July 2022
CRA-36	European Securities and Markets Authority, ESMA update of the CCSR recommendations	20 March 2013
CRA-37	VALMIN Committee, Australasian Code for Public Reporting of Technical Assessments and Valuations of Mineral Assets, 2015 Edition	30 January 2016
CRA-38	Emily Darko, Short guide summarizing the oil and gas industry lifecycle for a non-technical audience	October 2014
CRA-39	Shell, Annual Report 2022	8 March 2023
CRA-40	CIM Committee, The CIMVAL Code for the Valuation of Mineral Properties	29 November 2019
CRA-41	BP, Annual Report 2022	10 March 2023
CRA-42	Society of Petroleum Engineers, Petroleum Resources Management System	June 2018
CRA-43	Society of Petroleum Engineers, Guidelines for Application of the Petroleum Resources Management System	July 2022
CRA-44	Society of Petroleum Evaluation Engineers, 41 st Annual Survey of Parameters Used in Property Evaluation	June 2022

CRA-45	Newsfile, Gulf Shores Resources Ltd.: Slovakian Concessions and New Director	19 March 2015
CRA-46	Bård Misund & Petter Osmundsen, Valuation of proved vs. probable oil and gas reserves	13 October 2017
CRA-47	Tiago Duarte-Silva and Aaron Dolgoff, The end of LIBOR: Which benchmark rate for pre-award interest?	1 March 2023
CRA-48	Europe Brent Spot Price FOB (Dollars per Barrel)	31 October 2023
CRA-49	Akard Interest Calculation	12 November 2023
CRA-50	RPS Energy, Evaluation of Aurelian Oil and Gas Ltd Assets in Poland, Slovakia and Romania	22 May 2012
CRA-51	Akard Notice of Default	2 January 2017
CRA-52	ADX Annual Report, 2022	31 December 2022
CRA-53	ADX Activities Report, Q1	28 April 2023
CRA-54	ADX Activities Report, Q2	31 July 2023
CRA-55	ADX Activities Report, Q3	31 October 2023
CRA-56	Ascent Resources, Annual Report 2022	28 June 2023
CRA-57	Ascent Resources, Interim Report 2022	30 June 2023
CRA-58	Cadogan, Annual Report 2022	28 May 2023
CRA-59	Caspian Sunrise plc, Annual Report 2022	7 July 2023
CRA-60	Form 51-101F5 Notice of Ceasing to Engage in Oil and Gas Activities	2 May 2023
CRA-61	Europa Oil & Gas, Annual Report 2022	23 October 2023
CRA-62	Serinus Energy plc, Annual Report 2022	20 March 2023
CRA-63	San Leon Energy plc, Annual Report and Accounts 2015	29 June 2016