

**IN THE MATTER OF AN ARBITRATION UNDER THE NORTH AMERICAN FREE TRADE
AGREEMENT AND THE UNITED STATES-MEXICO-CANADA AGREEMENT**

- and -

**THE ARBITRATION RULES OF THE
UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW (1976)**

- between -

Coeur Mining, Inc.

(the “Claimant”)

and

United Mexican States

(the “Respondent”)

ICSID Case No. UNCT/22/1

PROCEDURAL ORDER N°2

Tribunal

Ms. Sabina Sacco, President

Mr. Pierre Bienvenu, Ad. E.

Prof. Hugo Perezcano Díaz

Secretary of the Tribunal

Ms. Veronica Lavista

9 January 2024

I. INTRODUCTION

1. On 3 November 2023, the Respondent presented a Request for Bifurcation, along with Exhibit R-0001 and Legal Authorities RL-0001 to RL-0020. The Respondent raised two objections to the Tribunal's jurisdiction,¹ and requested that those objections be resolved as a preliminary question pursuant to Article 21 of the 1976 UNCITRAL Arbitration Rules.
2. On 4 December 2023, the Parties informed the Tribunal that they had come to an agreement to bifurcate the jurisdictional phase of the proceedings and agreed on a bifurcated schedule.
3. On 7 December 2023, the Tribunal confirmed the schedule agreed to by the Parties, subject to their availability for the bifurcation hearing and pre-hearing conference, and vacated the procedural calendar in Procedural Order No. 1.
4. On 11 December 2023, the Tribunal invited the Parties to confirm their availability on certain proposed dates for the pre-hearing conference and hearing.
5. On 15 December 2023, the Parties confirmed their availability for the pre-hearing conference on 10 April 2024 at 10am (EST), as well as for a remote hearing on jurisdiction on 17 and 18 April 2024 (half days), with a half day held in reserve on 19 April 2024.
6. In light of the Parties' and the Tribunal's availability, and taking into consideration the time difference between the various cities where counsel and the Tribunal members are located, the Tribunal issues the revised procedural calendar below:

	Procedural Step	Party	Number of Days	Due Date
1.	Memorial on Jurisdiction	Respondent	N/A	13 December 2023
2.	Counter-Memorial on Jurisdiction	Claimant	50 days	1 February 2024
3.	NDP Submissions (if any)	Non-Disputing Parties	10 days	12 February 2024
4.	Reply on Jurisdiction (with any Comments on NDP Submissions)	Respondent	25 days	8 March 2024
5.	Rejoinder on Jurisdiction (with any Comments on NDP Submissions)	Claimant	25 days	2 April 2024
6.	Parties to Identify Witnesses and Experts (if any)	Claimant/Respondent	3 days	5 April 2024
7.	Pre-hearing Conference	Claimant/Respondent	5 days	10 April 2024 at 10 a.m. EST

¹ Specifically, the Respondent submits that the Tribunal lacks jurisdiction *ratione voluntatis* and/or *ratione materiae* to resolve the Claimant's claim (Primary Objection), and that the Tribunal lacks jurisdiction *ratione materiae* over the expropriation claim (Secondary Objection) (Respondent's Request for Bifurcation).

Coeur Mining, Inc. v. United Mexican States
(ICSID Case No. UNCT/22/1)

Procedural Order No 2

8.	Hearing on Jurisdiction	Claimant/Respondent	N/A	17 and 18 April 2024 (two half days) 19 April 2024 held in reserve (half day) All half days will start at 8 am Mexico City / 10 am EST / 4 pm CET and end at 1 pm Mexico City / 3 pm EST / 9 pm CET
----	-------------------------	---------------------	-----	---

On behalf of the Tribunal,

[Signed]

Ms. Sabina Sacco
Presiding Arbitrator
Date: 9 January 2024