



AD HOC ARBITRATION

Case No. NN 452/FM

KONSORTIUM OECONOMICUS V. THE CZECH REPUBLIC

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ADDENDUM TO THE AWARD ON COSTS

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22 February 2012

Tribunal:

[Sabine Konrad](#) (Appointed by the State)

[Andreas Ueltzhöffer](#) (Appointed by the investor)

[Eduardo Silva Romero](#) (President)

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# Addendum to the Award on Costs

## 1. INTRODUCTION

1. This Addendum is rendered pursuant to Respondent's communication dated 14 February 2012 requesting a correction of the Arbitral Tribunal's Award on Costs in Case No. NN 452/FM between Konsortium Oeconomicus and the Czech Republic dated 8 February 2012 ("**Award on Costs**"), and to Article 38 of the 2010 UNCITRAL Rules.
2. Article 38 of the 2010 UNCITRAL Rules ("**Rules**") provides as follows:
  1. *Within 30 days after the receipt of the award, a party, with notice to the other parties, may request the arbitral tribunal to correct in the award any error in computation, any clerical or typographical error, or any error or omission of a similar nature. If the arbitral tribunal considers that the request is justified, it shall make the correction within 45 days of receipt of the request.*
  2. *The arbitral tribunal may within 30 days after the communication of the award make such corrections on its own initiative.*
  3. *Such corrections shall be in writing and shall form part of the award. The provisions of article 34, paragraphs 2 to 6, shall apply.*
3. For the purposes of notification of this Addendum, the Parties are:

### 1.1 Claimant

4. The Claimant in this arbitration is Konsortium Oeconomicus ("Konsortium" or "Claimant") with an address for service at Fiergasse 22, P.O. Box 1458, 8023 Zurich, Switzerland, Pursuant to a Power-of Attorney of 24 August 2031, JUDr [REDACTED] and Mr [REDACTED] are acting as representatives of Konsortium. By the same Power of Attorney, JUDr [REDACTED] and Mr [REDACTED] have appointed JUDr [REDACTED] and JUDr [REDACTED] to represent the Claimant as counsel in these proceedings.
5. The present Addendum shall be notified to Claimant at the address of their counsel stated above.

### 1.2 Respondent

6. The Respondent is The Czech Republic ("**Czech Republic**" or "**Respondent**"), with an address for service at Letenská 15, 118 10 Prague 1, Czech Republic.

7. Respondent is represented by Ms. Karolina Horakova, WEIL GOTSHAL & MANGES s.r.o., Charles Bridge Center, Krizovnicke namesti 193/2, 110 00 Prague 1, Czech Republic, as counsel in these proceedings.
8. The present Addendum shall be notified to Respondent at the address of their counsel stated above.

## 2. RESPONDENT'S REQUEST FOR A CORRECTION OF THE AWARD ON COSTS

9. Whereas, by communication dated 14 February 2012, Respondent requested that a correction be made to paragraph 52 of the Award on Costs.
10. Whereas paragraph 52 of the Award on Costs presently reads as follows :  
*Ordering JUDr [REDACTED] and Mr [REDACTED] jointly and severally, to pay to Claimant CZK 8,024,742.85 for Respondent's legal fees and expenses as well as EUR 25,000 for the reimbursement of Respondent's share of the advance on costs.*
11. Whereas in its communication dated February 14, 2012, Respondent noted that on the basis of the content of all the preceding sections of the Award on Costs, it was of the view that paragraph 52 should read so as to order JUDr [REDACTED] and Mr. [REDACTED] to pay Respondent rather than Claimant.
12. Whereas the Arbitral Tribunal determines that the aforementioned reference to "Claimant" rather than "Respondent" in paragraph 52 of the Award on Costs is due to a clerical error.
13. For the foregoing reasons, the Arbitral Tribunal hereby renders the following:

## DECISION

14. The operative part of the Award on Costs, namely Paragraphs 52 and 53 of the Award on Costs, is hereby corrected to read as follows:

### AWARD

*52. Declaring that JUDr [REDACTED] and Mr. [REDACTED] are jointly and severally liable for the costs of this arbitration as defined in Article 40 of the 2010 UNCITRAL Rules, including Respondent's reasonable legal and other costs of the present proceedings as well as the fees and expenses of the Arbitral Tribunal; and*

*53. Ordering JUDr [REDACTED] and Mr [REDACTED] jointly and severally, to pay to Respondent CZK 8,024,742.85 for Respondent's legal fees and expenses as well as EUR 25,000 for the reimbursement of Respondent's share of the advance on costs.*