



AD HOC ARBITRATION

INTERNATIONAL THUNDERBIRD GAMING CORPORATION V. THE UNITED MEXICAN  
STATES

---

DECISION OF THE TRIBUNAL ON THE REQUEST FOR INTERIM MEASURES

---

26 November 2003

Tribunal:

[Albert Jan van den Berg](#) (President)

[Thomas Wälde](#) (Appointed by the investor)

[Agustín Portal Ariosa](#) (Appointed by the State)

# Table of Contents

Decision of the Tribunal on the Request for Interim measures.....	1
---	---

# Decision of the Tribunal on the Request for Interim measures

1. Reference is made to Thunderbird's request for interim measures dated 27 June 2003. During the August 15 conference call held between the Chairman and the parties in connection with the interim measures, a number of practical aspects relating to the application were agreed, and in particular that the parties would carry out a joint visit of the sites.

The Tribunal is in receipt of Mexico's letter of 13 November 2003, confirming that the joint visit of the sites took place on 5, 6 and 7 November 2003. The Tribunal therefore considers that Claimant's application for interim measures has become moot, without prejudice to the right of either party to apply for interim measures in the appropriate circumstances.

2. Reference is also made to Claimant's Supplemental Request for Production of Documents dated 26 August 2003, and Mexico's response thereto, filed by letter of 15 October 2003.

By letter of 20 October 2003, Claimant was invited by the Tribunal to file any observations it may have on Mexico's response by 23 October 2003. The Tribunal notes that Thunderbird has not reacted to Mexico's letter within the time allotted by the Tribunal, from which the Tribunal infers that the matter does not require **further action from the Tribunal**.

3. Reference is finally made to Mexico's Supplemental Request for Production of Documents dated 29 August 2003. The Tribunal acknowledges receipt of Mexico's application to the Tribunal of 21 November 2003. Thunderbird is requested to file its response to the application on or before **Tuesday 2 December 2003**,