

PROCEDURAL ORDER NO. 1

This Procedural Order No. 1 contains answers to the requests for clarifications.

Where questions have not been answered, it should be assumed that they are either irrelevant, the answer is apparent from the facts already provided, the omission is deliberate, or that the resolution of the issue is a matter for the parties to determine by reference to the law and by drawing suitable inferences.

Parties should also note that minor typographical errors and mix ups occur in any business context. If the error is apparent then no clarification is provided.

Parties should also note that the Rules state that “*Teams are not to introduce additional facts or evidence into the moot unless they are a logical and necessary extension of the given facts*”.

THE TRIBUNAL MAKES THE FOLLOWING PROCEDURAL ORDER AFTER HAVING CONSIDERED THE PARTIES’ JOINT COMMUNICATION TO THE TRIBUNAL:

1. It is common ground between the Parties that: -
 - i. The name of the Vessel in question is the MV “NIUYANG”.
 - ii. The Bill of Lading No. is “COW-001A” and was issued on 4 September 2023.
 - iii. The Respondent was first informed of the Vessel’s next employment on 29 September 2023.
 - iv. The correspondence on 20 September 2023 between the Claimant and the Charterers the reference to “LOE” is intended to refer to the “LC”.
 - v. No issue arises as to the contents or interpretation of Chinese law.

2. The Claimant is granted leave to amend : -

The Statement of Claim (“**SOC**”) as follows : -

 - i. The penultimate sentence of paragraph 8 of the SOC is to read “... *Rider Clause 76 78 provides for English law to govern the Charterparty...*”

The Statement of Reply and Defence to Counterclaim (“**RDCC**”) as follows: -

 - ii. Paragraph 6 of the RDCC is to read “*Paragraphs 12 and 13 13 and 14 of the D&CC are denied*”.

3. The Respondent is granted leave to amend: -

The Statement of Defence and Counterclaim (“**D&CC**”) as follows: -

- i. Paragraph 3A. of the D&CC is to read "*The Respondent is entitled to damages amounting to USD ~~3,399,820~~ 4,249,752.50.*"

Dated this 29th day of February 2024

Signed by the Tribunal