



## **Introduction**

1. On 6 November 2023, in response to Order No. 154 (NBI/2023), the parties filed a joint statement of agreed and disagreed facts. By the same filing, the parties also stated their positions regarding holding a hearing on the merits.
2. On 20 November 2023 and on 20 December 2023, the parties filed their responses to Order No. 169 (NBI/2023).

## **Consideration**

3. The Tribunal notes that some of the claims in the case may have been resolved in the various parties' submissions.
4. Consequently, the Tribunal has decided to hold a case management discussion ("CMD"). The purpose of the CMD is to:
  - a. Discuss and identify the remaining claims and issues in the case;
  - b. Discuss any possibility for an amicable resolution of the remaining issues;
  - c. Discuss if there is still a need for a hearing; and
  - d. Generally deal with any other matter relating to the consideration and determination of this application.

## **Conclusion**

5. In view of the foregoing IT IS ORDERED THAT:
  - a. A CMD in this case will take place on **Tuesday, 6 February 2024 at 10 a.m.** (Nairobi Time, UTC +3) via Microsoft Teams; and

- b. The parties or their duly designated representatives must attend the CMD.  
The Registry will provide a link to access the meeting.

*(Signature)*

Judge Sean Wallace

Dated this 22<sup>nd</sup> day of January 2024

Entered in the Register on this 22<sup>nd</sup>