

International Centre for Settlement of Investment Disputes

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January 27, 2009

By e-mail

Grand River Enterprises Six Nations, Ltd.,
Jerry Montour, Kenneth Hill and
Arthur Montour
c/o Mr. Todd Grierson-Weiler
950 Centre Ave NE
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Calgary, Alberta T2E 0P3, Canada
and
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and
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c/o Jeffrey D. Kovar
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Office of International Claims and
Investment Disputes
United States Department of State
2430 E Street, N.W.
Suite 203, South Building
Washington, D.C. 20037-2800, U.S.A.

Re: Grand River Enterprises *et al* v. United States of America – NAFTA/UNCITRAL Arbitration Rules Proceeding

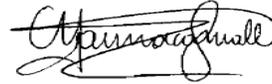
Dear Mesdames and Sirs,

I write to you as directed by the Tribunal. The Tribunal has received an unsolicited letter from a non-party supporting a Party in the pending arbitration. In considering whether to accept and consider this letter, or any other submissions by non-Parties, the Tribunal intends to be guided by the October 7, 2003 Free Trade

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Commission's statement on non-party participation and will decide in due course whether to consider the submission, in light of any views the Parties may wish to indicate in the Reply and Rejoinder.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Katia Yannaca-Small', written in a cursive style.

Katia Yannaca-Small
Secretary of the Tribunal

cc: Members of the Tribunal