

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

COPPER MESA MINING CORPORATION)
))
Petitioner,)
))
v.) Civil Action No. 1:17-cv-0394 (TNM)
))
THE REPUBLIC OF ECUADOR,)
))
Respondent.)
))

**THE PETITIONER’S AND RESPONDENT’S JOINT MOTION FOR A STAY OF THE
PENDING ACTION PENDING COMPLETION OF SETTLEMENT AGREEMENT**

Petitioner Copper Mesa Mining Corporation (“Copper Mesa”) and Respondent, the Republic of Ecuador, jointly move to stay this action to allow for completion of the Parties’ Settlement Agreement dated July 19, 2018 (the “Settlement Agreement”).

Good cause supports the granting of this motion for the following reasons:

1. On March 3, 2017, Copper Mesa filed its Petition for Confirmation, Recognition and Enforcement of Foreign Arbitral Award (“Petition”) (DE 1). On May 7, 2018, the Republic of Ecuador responded to Copper Mesa’s Petition with a Motion to Dismiss Copper Mesa’s Petition for Lack of Jurisdiction (“Motion to Dismiss”) (DE 30).

2. On Friday, May 11, 2018, the Parties held settlement discussions. Given the progress made during those discussions, the Parties have jointly sought enlargements of time from this Court on the pending deadlines so that the Parties’ counsel could focus on completing a negotiated resolution to their dispute. Pursuant to the Court’s Order dated June 29, 2018, Copper

Mesa's opposition to the Republic of Ecuador's Motion to Dismiss is due July 31, 2018, and the Republic of Ecuador's reply brief in support of its Motion to Dismiss is due August 17, 2018.

3. On July 19, 2018, the Parties finalized a Settlement Agreement. That Settlement Agreement contemplates performance of its terms through November 20, 2018.

4. Accordingly, the Parties request a stay of this proceeding pending completion of the terms agreed to by the Parties in their Settlement Agreement, up through and including November 30, 2018. Within five (5) days after the terms of the Settlement Agreement have been completed, Copper Mesa will dismiss this proceeding with prejudice.

5. Copper Mesa reserves the right to petition this Court to lift the requested stay in the event of a material default by the Republic of Ecuador of the Settlement Agreement's terms.

6. This request is made in good faith and is not interposed for improper delay purposes. No party will be prejudiced by the granting of the requested stay, which is sought in an effort to allow completion of the Parties' Settlement Agreement. The Parties agree that a stay as set forth in attached proposed Order would best conserve the Parties' and Court's resources.

7. Counsel for Copper Mesa and Counsel for the Republic of Ecuador confirm that pursuant to LCvR 7(m) they have conferred and jointly agree to the relief requested herein.

8. The Parties have attached a proposed order granting this Motion.

9. WHEREFORE, Copper Mesa and the Republic of Ecuador respectfully request that this Honorable Court stay this proceeding up through and including November 30, 2018.

Dated: July 25, 2018

Respectfully submitted,

/s/ Ryan E. Bull

BAKER BOTTS L.L.P.

Ryan E. Bull
Noah R. Mink
Cailyn Reilly Knapp
1299 Pennsylvania Avenue, N.W.
Washington D.C. 20004-2400
Tel: (202) 639-7700
Fax: (202) 639-7890

Counsel for Respondent

/s/ Tara J. Plochocki

**LEWIS BAACH KAUFMANN
MIDDLEMISS PLLC**

Tara J. Plochocki
1899 Pennsylvania Ave. N.W., Suite 600
Washington, DC 20006

REED SMITH LLP

José I. Astigarraga (*admitted pro hac vice*)
M. Cristina Cárdenas (*admitted pro hac vice*)

1001 Brickell Bay Drive, Suite 900
Miami, Florida 33131
Telephone: (786) 747-0200
Facsimile: (786) 747-0299

Counsel for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July, 2018, I electronically caused the foregoing document to be filed with the Clerk of the Court using CM/ECF and that the foregoing document is being served this day to all parties via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Tara J. Plochocki

Tara J. Plochocki