

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

<p>OSTRIDER LIMITED, Petitioner/Plaintiff, v. PDVSA PETROLEO S.A., Respondent/Defendant.</p>	<p style="text-align: center;">C.A. No. 23-1405-LPS</p>
<p>UML BLANDFORD LIMITED, Petitioner/Plaintiff, v. PDVSA PETROLEO S.A., Respondent/Defendant.</p>	<p style="text-align: center;">C.A. No. 23-1406-LPS</p>
<p>UNION GLORY LIMITED, Petitioner/Plaintiff, v. PDVSA PETROLEO S.A., Respondent/Defendant.</p>	<p style="text-align: center;">C.A. No. 23-1407-LPS</p>

<p>CLION LIMITED, Petitioner/Plaintiff, v. PDVSA PETROLEO S.A., Respondent/Defendant.</p>	<p>C.A. No. 23-1408-LPS</p>
<p>CLION LIMITED, Petitioner/Plaintiff, v. PDVSA PETROLEO S.A., Respondent/Defendant.</p>	<p>C.A. No. 23-1409-LPS</p>

MEMORANDUM ORDER

WHEREAS, on December 7, 2023, the petitioners/plaintiffs in each of the above-captioned actions (“Petitioners/Plaintiffs”) filed a Petition to Recognize, Confirm, and Enforce Foreign Arbitration Award (“Petitions”), seeking to confirm and recognize a foreign arbitral award and to enter a judgment against Respondent/Defendant PDVSA Petroleo S.A. (“PDVSA S.A.”). (*See, e.g.*, C.A. No. 23-1405 D.I. 1 at 1)¹

WHEREAS, on December 20, 2023, Petitioners/Plaintiffs filed a motion to expedite consideration of the Petitions. (D.I. 5 at 2)

WHEREAS, on December 26, 2023, Petitioners/Plaintiffs filed an affidavit of service relating to the Petitions, stating that service of notice was made upon PDVSA S.A. between

¹ All references to the docket index (“D.I.”) are to C.A. No. 23-1405, unless otherwise noted. Substantively identical documents have been filed in all five actions addressed in this Order.

December 15 and December 21, 2023. (D.I. 7 at 3-4)

WHEREAS, on January 2, 2024, Petitioners/Plaintiffs filed a status report, indicating they had “invited counsel for” *Petróleos de Venezuela S.A.* (“PDVSA”) and PDVSA S.A. “in related matters to have a meet and confer,” but “counsel did not respond to [the] request to meet and confer, other than with the non-responsive communications . . . that they did not represent PDVSA [S.A.]” in the above-captioned actions.² (D.I. 8 at 1) Petitioners/Plaintiffs noted that counsel had “appeared for both” PDVSA and PDVSA S.A. in at least three other actions before the Court. (*Id.* at 1-2)

WHEREAS, on January 4, 2024, Petitioners/Plaintiffs filed a “certification of no objection,” requesting that the Court grant the Petitions as unopposed. (D.I. 9 at 3)

WHEREAS, on January 5, 2024, the Court ordered PDVSA S.A. to show cause as to why the Court should not grant the Petitions as unopposed, by filing a letter no later than January 12, 2024. (D.I. 10 at 3) The Court also ordered Petitioners/Plaintiffs to serve the order to show cause upon PDVSA S.A. in a manner consistent with Federal Rules of Civil Procedure. (*Id.* at 2)

WHEREAS, on January 9, 2024, Petitioners/Plaintiffs filed an affidavit of service, stating that service of the order to show cause was made upon PDVSA S.A. between January 5 and January 9, 2024. (D.I. 12 at 2-4)

WHEREAS, as of the issuance of this Memorandum Order, PDVSA S.A. has not appeared in the above-captioned actions, has not filed the letter pursuant to the order to show cause issued by the Court on January 5, 2024, and has not otherwise opposed the Petitions.

² On January 8, 2024, the Court received a letter from Mr. Samuel T. Hirzel, II of Heyman Enerio Gattuso & Hirzel LLP, dated December 29, 2023, in which Mr. Hirzel, counsel of record for PDVSA in *Crystallex International Corp. v. Bolivarian Republic of Venezuela* (Misc. No. 17-151), represented that his law firm had not been retained by PDVSA S.A. in the above-captioned actions. (D.I. 11)

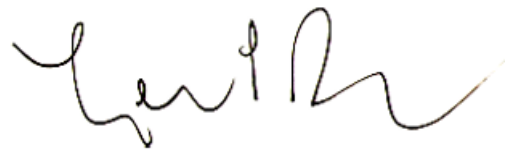
NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Petitions to Recognize, Confirm, and Enforce Foreign Arbitration Award filed in each of the above-captioned actions (C.A. No. 23-1405 D.I. 1, C.A. No. 23-1406 D.I. 1, C.A. No. 23-1407 D.I. 1, C.A. No. 23-1408 D.I. 1, C.A. No. 23-1409 D.I. 1) are unopposed and **GRANTED**.

2. The motions to expedite the consideration of the Petitions filed in each of the above-captioned actions (C.A. No. 23-1405 D.I. 5, C.A. No. 23-1406 D.I. 5, C.A. No. 23-1407 D.I. 5, C.A. No. 23-1408 D.I. 5, C.A. No. 23-1409 D.I. 5) are **DENIED AS MOOT**.

3. By no later than January 22, 2024, Petitioners/Plaintiffs in each of the above-captioned actions **SHALL** submit a proposed judgment order consistent with this Memorandum Order.

January 18, 2024
Wilmington, Delaware



HONORABLE LEONARD P. STARK
UNITED STATES DISTRICT COURT