

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CRYSTALLEX INTERNATIONAL CORP.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Misc. No. 17-151-LPS
	:	
BOLIVARIAN REPUBLIC OF VENEZUELA,	:	
	:	
Defendant.	:	

MEMORANDUM ORDER

At Wilmington this 17th day of February, 2023, having reviewed the briefing submitted in connection with PDVSA,¹ PDVH, and CITGO Petroleum's motion (D.I. 509), joined by the Bolivarian Republic of Venezuela (D.I. 511), to disqualify the Special Master (D.I. 512, 513, 515, 516), IT IS HEREBY ORDERED that:

1. The Venezuela Parties, Crystalex, and the Special Master shall submit additional briefing, addressing the questions listed below, on the schedule provided in this order. ConocoPhillips is also invited to submit additional briefing, if it wishes.
2. The forthcoming briefing shall address the following:
 - A. If the Venezuela Parties are correct that the Court must disqualify the Special Master, would the same reasoning require Judge Stark to recuse himself as well?
 - B. Are the Venezuela Parties moving to recuse Judge Stark?
 - C. Is any party seeking an evidentiary proceeding to resolve the fact dispute as to when the Venezuela Parties were told that the Special Master would not permit them to attend his meeting with OFAC (*compare* D.I. 515 at 1-

¹ As used in this memorandum order, capitalized but undefined terms have the same meaning ascribed to them in the Sale Procedures Order. (See D.I. 481)

3 with D.I. 512 at 6) and, if not, how do you propose the court resolve this dispute?

3. The parties' additional briefs shall consist of:

- A. Opening letter briefs, not to exceed five pages each, due on Friday, February 24th.
- B. Responsive letter briefs, not to exceed five pages each, due on Friday, March 3rd.

4. The Court will hear argument on the motion on Thursday, March 30th in courtroom 4A in the Boggs Federal Building in Wilmington, Delaware. The specific time will be provided nearer to the date. The Court will also conduct a status conference, with at least the Sales Process Parties, on the same date and in the same courtroom.

IT IS THE COURT'S INTENT THAT THE SPECIAL MASTER CONTINUE TO UNDERTAKE ANY AND ALL EFFORTS HE BELIEVES NECESSARY TO FULFILL THE RESPONSIBILITIES PLACED ON HIM BY THE COURT, INCLUDING ALL HIS DUTIES SET OUT IN THE SALE PROCEDURES ORDER, NOTWITHSTANDING THE PENDENCY OF THE MOTION.

The Court's interest in hearing argument on the motion, and holding a status conference, should not be misunderstood as indicating a likelihood the Court will be persuaded to grant the motion.



HONORABLE LEONARD P. STARK
UNITED STATES DISTRICT COURT