

IN THE MATTER OF:

THE LOEWEN GROUP, INC. and
RAYMOND L. LOEWEN,

Claimants/Investors,

v.

THE UNITED STATES OF AMERICA

Respondent/Party

ICSID Case No. ARB(AF)/98/3

**COUNTER-MEMORIAL OF THE
CLAIMANT RAYMOND L. LOEWEN ON THE
U.S. OBJECTION DATED MARCH 1, 2002**

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March 29, 2002

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I. RAYMOND L. LOEWEN'S 1116 CLAIM UNAFFECTED BY US OBJECTION

1. The Claimant, Raymond L. Loewen, advances claims as an investor under Article 1116 and claims on behalf of The Loewen Group Inc. ("TLGI") pursuant to Article 1117.

2. No objection has been made in the recent filing by the United States to Raymond L. Loewen's Article 1116 claim. Raymond L. Loewen has always been and remains a Canadian citizen.

3. Raymond L. Loewen respectfully notes that as there has been no objection to his claim pursuant to Article 1116 of NAFTA he requests that the Tribunal render its award on the merits of his claim.

II. RAYMOND L. LOEWEN'S 1117 CLAIM

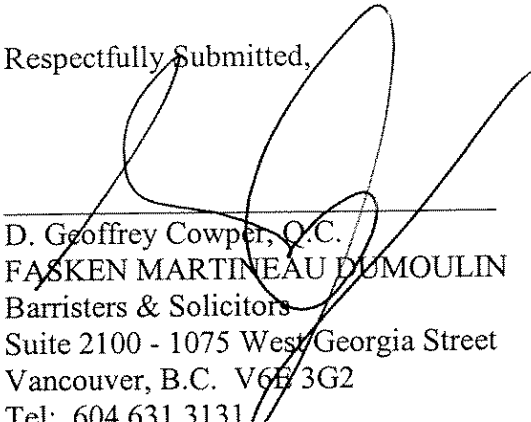
4. No comment is made by the U.S. with respect to Raymond L. Loewen's 1117 claim except footnote 48 at page 35 of the U.S. Memorial, which reiterates the U.S. Objection advanced at the competence and jurisdictional hearing and suggests that the reorganization of LGII strengthens its objection to Raymond L. Loewen's standing to claim on behalf of an enterprise under Article 1117.

5. Raymond L. Loewen's 1117 claim is unaffected by the reorganization of the company since the severance of his relationship with TLGI and LGII predated the reorganization.

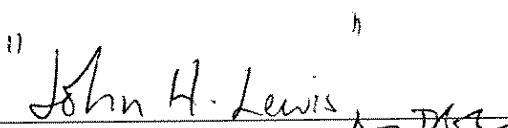
6. The issues with respect to Raymond L. Loewen's 1117 claim were fully briefed prior to the Competence and Jurisdiction Hearing. The Decision of the Arbitral Tribunal dated January 5, 2001 adjourned the further hearing of this ground and joined it to the hearing on the merits. The United States did not add to that objection either in the written materials or oral submissions received by the Tribunal in October, 2002.

7. Raymond L. Loewen relies upon the facts and submissions already made and contained in the Memorial filed October 18, 1999, the Submission filed May 25, 2000 and the final Submission filed July 27, 2000 with respect to his 1117 claim.

Respectfully Submitted,



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