Extent

1 folder, approximately 138 pages

Summary

This collection consists of records related to Mondev International, Ltd. v United States, a North American Free Trade Agreement (NAFTA) arbitration case brought by Mondev International Ltd. before the International Centre for Settlement of Investment Disputes (ICSID). The collection contains National Security Council records related to the case, including the Notice of Arbitration filed with the Department of State. The United States did not file a response to the Notice of Arbitration until June of 2001, after the end of the Clinton Presidency.

Scope and Content Note

The materials in FOIA 2016-0015-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. Researchers interested in this topic should also see FOIA 2010-0021-F. Freedom of Information Act (FOIA) request 2016-0015-F was for records related to the North American Free Trade Agreement (NAFTA) arbitration case brought by Mondev International Ltd. against the United States. The case, filed before the International Centre for Settlement of Investment Disputes (ICSID), was Mondev International, Ltd. v. United States (ARB (AF) 99/2). National Security Council records include the Notice of Arbitration filed with the Department of State. Mondev International Ltd., a Canadian company, formed a partnership with Sefrius Corporation forming a company called Lafayette Place Associates (LPA). This partnership signed a tripartite agreement in 1978 with the city of Boston to redevelop an area of downtown Boston. The project was developed in phases and the project moved apace over the course of the next fifteen years. However in the late 1980s the second phase of the project ran into a number of difficulties. Ultimately LPA’s lender foreclosed on the property and the project. LPA sued their

business partner and the city of Boston and won a jury verdict in Massachusetts in 1994. The judge in that case recognized the jury’s decision but vacated the award on the premise that Boston was immune under commonwealth law. The parties both appealed to the Massachusetts Supreme Judicial Court that case was decided in May 1998 and the writ of certiorari to the United States Supreme Court was denied in early 1999. Seeing no other recourse but still feeling aggrieved, Mondev International Ltd. brought a case against the United States before the International Centre for Settlement of Investment Disputes (ICSID) styled as Mondev International, Ltd. v. United States (ARB (AF) 99/2). Mondev claimed damages and loss of interest in its investments under Chapter 11 of NAFTA. The United States did not file a response to the Notice of Arbitration until June of 2001, after the end of the Clinton presidency.

Record Type

Textual

System of Arrangement

Records that were responsive to this request were found in these collection areas—Clinton Presidential Records: White House Staff and Office Files. Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 U.S.C. Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 U.S.C. 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 U.S.C. Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archivist, 2015. Previously restricted materials are added as they are released.

Last Modified Date

2015-10-26

Container List

The following is a list of documents and folders processed in response to 2016-0015-F:
Box 1
Clinton Presidential Records: White House Staff and Office Files
National Security Council
International Economic Affairs
Duncan, John
NAFTA—Arbitration, Mondev International [OA/ID 4025]