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**DATE:** October 12, 2007**CLIENT/FILE NO.** 9992-22222**NAME OF CASE:** Gonzales v. Texaco, Inc.**PLEASE DELIVER AS SOON AS POSSIBLE TO:**

<b>RECIPIENT</b>	<b>COMPANY</b>	<b>FAX NO.</b>	<b>PHONE NO.</b>
Thomas F. Cullen, Esq.	Jones Day	202-626-1700	202-879-3939
Michael Kolis, Esq.	Jones Day	202-626-1700	202-879-3686
Cristobal Bonifaz, Esq.	Office of Cristobal Bonifaz	413-256-0774	413-256-5626

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PONCE,  
 FERNANDEZ DE CORDOBA  
 & VON RECKOW

Estudio Jurídico  
 Isabel la Católica N24-642 y Coruña, 1C. Quito-Ecuador  
 Telex (593 2) 222 8594 / 252 0281 / 252 0288  
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October 9, 2007

**VIA FACSIMILE and FIRST CLASS MAIL**

Thomas F. Cullen, Jr., Esquire  
 Jones Day  
 51 Louisiana Avenue, N.W.  
 Washington, D.C. 20001-2113

Cristóbal Bonifaz, Esquire  
 Law Offices of Cristóbal Bonifaz  
 Tucker Taft Building  
 48 North Pleasant Street, Suite 304  
 Amherst, MA 01002-1703

**Re: *Gonzales, et al., v. Texaco, Inc., et al***  
**Case No.: C 06-02820 WHA**

Dear Messrs. Cullen and Bonifaz:

It has come to my attention and the attention of the other lawyers litigating the matter in Lago Agrio, Ecuador that Mr. Bonifaz has made certain statements in papers recently filed in the United States District Court for the Northern District of California in the case entitled *Gonzales, et al., v. Texaco, Inc., et al.*, concerning representation of the Plaintiffs in the Lago Agrio case.

Attached to this letter is my formal declaration together with attached documents setting forth the facts concerning the discharge of Mr. Bonifaz as counsel in that matter by the plaintiffs.

We kindly request that you submit these papers to the United States District Court in the Northern District of California so that the Court may be fully apprised of the facts. If you choose not to submit these papers to the Court, we intend to do so on October 12, 2007.

Very truly yours,

Alejandro Ponce-Villacis

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

-----		X
		:
GONZALES, <i>ET AL.</i> ,		:
		:
	Plaintiffs	:
		:
	-against-	:
		:
TEXACO INC., <i>ET AL.</i> ,		:
		:
	Defendants	:
		:
-----		X

CASE NO.: C 06-02820  
WHA

**DECLARATION OF DR. ALEJANDRO PONCE-VILLACIS**

I, Alejandro Ponce-Villacis, hereby declare under 28 U.S.C. § 1746 under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am one of the counsel for plaintiffs (the "Lago Agrio Plaintiffs") in the active litigation entitled *Maria Aguinda, et al. v. ChevronTexaco Corporation* (Case No. 002/2003) in the Superior Court of Nueva Loja (Lago Agrio), Ecuador (the "Lago Agrio Litigation"). This litigation is similar to a class action in the U.S., in that a certain number of named plaintiffs represent all the inhabitants who live in Ecuador in the area where Chevron operated. I provide this declaration to inform the Court of what I believe to be inaccuracies in the sworn submission of Cristobal Bonifaz, dated 17 September of the current year, in the above-captioned matter regarding this Court's Order To Show Cause On Monetary Sanctions.
2. My CV is attached hereto as Exhibit A. In brief, I am currently a professor of law on the faculty of Universidad San Francisco de Quito, where I have taught courses in Civil Law, Civil Procedure and International Law for eight years, and I have an office for the practice of law located in Quito, Ecuador. My private practice specializes in civil and international litigation. I have a graduate degree in law from the Washington College of Law at American University in Washington, D.C.
3. On the plaintiff's side, the Lago Agrio litigation is being managed by a team of Ecuadorian lawyers that includes (besides myself) Pablo Fajardo Mendoza, Julio Prieto, and Alexandra Achundia. All of the lawyers on our team are aware of my Declaration and are in accordance with its contents.
4. In the aforementioned sworn submission, Mr. Bonifaz inaccurately represents the nature of his relationship to the plaintiffs in the Lago Agrio matter. Mr. Bonifaz was

discharged from any connection to the Lago Agrio case via a resolution passed on February, 10, 2006 by the elected representatives of an assembly created to represent the plaintiff's class. The assembly represents all of the communities and indigenous groups where the 46 named plaintiffs in the Lago matter reside (originally, there were 47 named plaintiffs but one is deceased). The Assembly is the decision-making body for the plaintiff's class and as such has authority to hire and fire counsel. This resolution, a copy and certified translation of which are attached as Exhibit **B**, was sent to Mr. Bonifaz in March of 2006.

5. Mr. Bonifaz himself acknowledged that he no longer had authority to represent the Lago Agrio plaintiffs in a letter emailed to Luis Yanza, the leader of the Assembly, dated January 25, 2007 (attached as Exhibit **C** with certified translation), after Mr. Yanza had complained that Mr. Bonifaz had failed to desist in his representation.
6. In addition to the aforementioned resolution discharging Mr. Bonifaz, the vast majority of the individual named plaintiffs in the Lago Agrio litigation signed a separate resolution verifying the discharge of Mr. Bonifaz and acknowledging the authority of the elected Assembly to make decisions on their behalf with regard to the Lago matter, including issues relating to the hiring and firing of counsel. This second resolution, attached hereto as Exhibit **D**, was signed by 39 of the named 46 plaintiffs (those that did not sign could not be located or were traveling). The resolution stated that "in light of the recent inconveniences created by the acts of Dr. Cristobal Bonifaz... we hereby resolve" to support the resolution adopted on February 10, 2006. The second resolution signed by the named class members also stated that the February 10, 2006 resolution adopted by the Assembly "states clearly that Mr. Bonifaz has not represented any of us in the [Lago Agrio] trial as of that date, and that in fact Mr. Bonifaz has never represented us since the beginning of said trial."
7. Given the above facts, the statement of Mr. Bonifaz in Par. 2 of his affirmation that he holds contracts with the named plaintiffs in the Lago Agrio litigation is inaccurate and has been since February 10, 2006. Further, Mr. Bonifaz does not hold contracts with any of the Ecuadorian lawyers currently litigating the Lago Agrio matter, which he claims in Par. 3 of his affirmation.
8. Mr. Bonifaz was discharged from the Lago Agrio litigation for a variety of reasons that I believe violated his professional duties as a lawyer. These reasons include, but are not limited to, the following: a) a failure to respond to communications sent by the representatives of the plaintiff's class asking basic questions about the status of the case and Mr. Bonifaz's role in it; b) a constructive abandonment of the case, as Mr. Bonifaz refused invitations by his clients to travel to Ecuador to participate in the Lago Agrio matter after its initial filing in 2003; c) a failure to seek a waiver from the Lago Agrio clients to represent the Government of Ecuador in a related matter against Chevron over an international arbitration, when the interests of the Lago Agrio plaintiffs historically had collided with those of the government; and, e) the waiver, while representing the Government of Ecuador with his co-counsel Terry Collingsworth, of the defense of sovereign immunity, causing severe prejudice to the interests of the Government and by extension the Lago Agrio clients and costing the

Government of Ecuador significant legal fees that were paid to subsequent counsel to deal with the error. This inadvertent waiver resulted in the discharge of Mr. Bonifaz by Ecuador's government and was a factor in his dismissal in the Lago Agrio matter.

9. The statement of Mr. Bonifaz in Par. 3 that he and Mr. Collingsworth "saved" the Lago Agrio litigation is likewise inaccurate, given the aforementioned facts.
10. Since the discharge of Mr. Bonifaz, he has on multiple occasions made highly prejudicial public statements about his former clients; failed to desist in his representation of the Lago Agrio plaintiffs by claiming publicly to the media and in sworn statements to this Court that he still represents them; and failed to return papers and case files that had been requested by current counsel to the Lago Agrio plaintiffs.

Quito, October 8, 2007



Alejandro Ponce-Villacis

**Alejandro Ponce-Villacís**  
**Isabel la Católica N24-682**  
**Quito-Ecuador**  
**593 9 7594147**  
**aponcev@uio.satnet.net**

-Academic Titles: LL.M (International Legal Studies, International Protection of Human Rights), Washington College of Law, American University, December 1994; Juris Doctor, Pontificia Universidad Católica del Ecuador, April 1993; Attorney at Law, Pontificia Universidad Católica del Ecuador, April 1993; Licenciante at Law, Pontificia Universidad del Ecuador, March 1993.

-Work Experience: Universidad San Francisco de Quito, Quito, Director of the Legal Clinics, Professor of International Law, International Humanitarian Law and Introduction to Human Rights (2002- ); Consultant for UNDP, 2002 and 2004, Quito; Senior Partner at "Ponce, Fernández de Córdoba & von Reckow" Law Firm since 1998, responsible for conducting litigation for the firm, Quito; Professor of Law for the Masters Program in Constitutional Law at Universidad Andina Simón Bolívar, 1999-2002, Quito; Deans Fellow at the International Human Rights Law Clinic, Washington College of Law, 1994, Washington; Member of "Quevedo & Ponce" Law Firm, 1993-1997, Quito; Professor of Law at Universidad Católica del Ecuador, 1993, 1995-1999, Quito; Banco de Guayaquil, legal assistant, 1989-1991, Quito

- Languages:  
Spanish (native) and English.

-Publications:

Un análisis de la Conducta del Estado Ecuatoriano frente al Sistema Interamericano de Derechos Humanos (An Analysis of the state conduct of Ecuador towards the Inter-American System of Human Rights), Revista Iuris Dictio, Colegio de Jurisprudencia, Universidad San Francisco de Quito, 2005.

Los Derechos de los Pueblos Indígenas (Indigenous Peoples Rights), published as part of "El Derecho Internacional de los Derechos Humanos" by the Academy on Human Rights and Humatarian Law of the Washington College of Law, American University in association with Universidad Iberoamericana , 2005.

Sin Luz al Final de Tunel: breve análisis de la jurisprudencia constitucional sobre la Directa Aplicación de Derecho Internacional (A Short Analisis of Constitutional Jurisprudente Regarding Direct Application of International Law). Revista Iuris Dictio, Colegio de Jurisprudencia, Universidad San Francisco de Quito, 2004.

La Constitución y el Derecho Internacional (The Constitution and International Law), as part of a collection of articles of Constitutional Law by the Academy for Constitutional Law, Colegio de Jurisprudencia, Ediciones Legales and Universidad San Francisco de Quito. (2003)

El Derecho a las Reparaciones en la Jurisprudencia de la Corte Interamericana de Derechos Humanos ( The right to Reparations under the Jurisprudence of the Inter-American Court of Human Rights), Revista Iuris Dictio, Colegio de Jurisprudencia de la Universidad San Francisco de Quito, 2002.

La Exigibilidad de los Derechos Económicos Sociales, Culturales y Colectivos (Enforcement of Economic, Social, Cultural and Collective Rights) , Revista Iuris Dictio no. 5, Colegio de Jurisprudencia de la Universidad San Francisco de Quito, 2002

La Sentencia de la Corte Interamericana de Derechos Humanos en el caso Suárez Rosero: su cumplimiento, (The Suarez Rosero Decision Issued by the Inter American Court of Human Rights) Revista de la Asociación Escuela de Derecho, Pontificia Universidad Católica del Ecuador, 2000

El Derecho a la libre Determinación de los Pueblos Indígenas (The Right to Self-Determination of Indigenous Peoples) Revista de la Universidad Católica del Ecuador, 1997.

El Uso de la Fuerza en Caso de Graves Violaciones a los Derechos Humanos (The Use of Force In case of Grave Violations of Human Rights), Revista de la Asociación Escuela de Derecho de la Pontificia Universidad Católica del Ecuador, 1996.

**-Other Activities:**

Assistant to the Inter-American Comisión of Human Rights in the Suarez Rosero Case, before the Inter-American Court of Human Rights. (1995-1997)

Assistant to the Inter-American Comisión of Human Rights in the Cevallos-Benavides Case, before the Inter-American Court of Human Rights.(1996-1998)

## **EL COMITÉ EJECUTIVO DE LA ASAMBLEA DE AFECTADOS POR TEXACO**

### **CONSIDERANDO:**

QUE, el juicio de los afectados por las operaciones petroleras de Texaco en Ecuador en contra de Chevron (antes Texaco), desde el 7 de mayo del 2003 está siendo litigado por abogados ecuatorianos conforme lo disponen las normas nacionales;

QUE, el equipo legal actual, encabezado por abogado Pablo Fajardo, trabaja en el caso bajo las normas y procedimientos internos de representación y toma de decisiones de los afectados;

QUE, en reiteradas ocasiones los dirigentes y miembros del Comité Ejecutivo han insistido a los miembros del equipo legal, de manera especial al abogado Cristóbal Bonifaz, sobre la necesidad de reunirse con los dirigentes, con el propósito de resolver asuntos de orden interno y otros temas de enorme importancia para el beneficio del proceso legal, recibiendo la respuesta oportuna de todos excepto del abogado Bonifaz, lo cual constituye una falta de respeto hacia los afectados;

QUE, muchas acciones del abogado Cristóbal Bonifaz en los últimos años han sido decididas en forma unilateral y personal, sin consultar a los afectados, hechos que constituyen, a más de una grave falta de respeto, una violación a nuestros procesos internos para tomar decisiones en torno al proceso legal, lo cual ha creado un ambiente de desconfianza en los dirigentes y miembros del equipo legal;

QUE, es nuestra responsabilidad precautelar el proceso legal y los intereses de los afectados, en el presente y en el futuro, garantizando, dentro de lo posible, absoluta transparencia, honestidad y participación de los afectados en las decisiones trascendentales del proceso legal;

Por lo tanto, el Comité Ejecutivo de la Asamblea de Afectados, luego de haber analizado este tema en tres reuniones distintas, y en uso de sus atribuciones legítimas, legales y reglamentarias,

### **RESUELVE**

1. Reconocer los esfuerzos realizados por el abogado Cristóbal Bonifaz, hasta la presente fecha, en beneficio de nuestro proceso legal en contra de Chevron (antes Texaco) y retirar todo nuestro respaldo y confianza, desde hoy en adelante, por lo que no podrá ejecutar acto alguno a nombre de los afectados relacionados, directa o indirectamente, con nuestro caso legal. Sus esfuerzos económicos a que tiene derecho serán reconocidos al final del proceso, siempre y cuando exista una resolución favorable a los demandantes.
2. Notificar la presente resolución, a través de la coordinación de la Asamblea de Afectados, luego de que haya sido conocida y ratificada por la Asamblea de Delegados, máxima instancia orgánica de decisión y representación de los afectados.

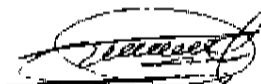
Dado y firmado en Nueva Loja, a los 10 días del mes de febrero del 2006.

**EL COMITÉ EJECUTIVO DE LA ASAMBLEA DE AFECTADOS**






**Emiel Chávez**  
**PRESIDENTE DEL FDA**



**Ricardo Payaguaje**  
**PRESIDENTE DE LA OISE**  
**Representante legal de la Nacionalidad**  
**Secoya**



**Luis Narváez**  
**PRESIDENTE DE LA FEINCE**  
**Representante legal de la Nacionalidad**  
**Cofán**



**Venancio Criollo**  
**PRESIDENTE DE LA ONISE**  
**Representante legal de la Nacionalidad**  
**Siona**

**CERTIFICO.-** Que la resolución que antecede fue conocida y ratificada por la Asamblea de Delegados, organismo conformado por representantes de las comunidades y nacionalidades afectadas por las operaciones petroleras de Texaco, quienes se reunieron en sesión ordinaria el 17 de febrero del 2006, en Nueva Loja, provincia de Sucumbíos.

**LO CERTIFICO.-**



**Srta. Soraya Benítez**  
**SECRETARIA DE LA ASAMBLEA**

## **THE EXECUTIVE COMMITTEE OF THE ASSEMBLY OF THE VICTIMS OF TEXACO**

### **WHEREAS:**

The lawsuit brought by the victims of the petroleum operations of Texaco in Ecuador against Chevron (formerly Texaco) has been litigated by Ecuadorian attorneys since May 7, 2003, pursuant to national regulations;

The current legal team, headed by attorney Pablo Fajardo, is working on the case under the internal regulations and procedures for representation and decision-making for those affected;

On numerous occasions, the directors and members of the Executive Committee have insisted on the need of the members of the legal team, especially attorney Cristobal Bonifaz, to meet with the directors in order to resolve internal issues and other issues of transcendence for the benefit of the legal process, and have received a prompt response from all members except attorney Bonifaz, which constitutes a lack of respect towards those affected;

Many actions by attorney Cristobal Bonifaz during the past years have been decided in a unilateral and personal fashion, without consulting with those affected, and this constitutes, more than a serious lack of respect, a violation of our internal decision-making processes in regards to the legal process, which has created an environment of distrust amongst the directors and members of the legal team;

It is our duty to take precautionary measures for the legal process and the interests of those affected now and in the future, guaranteeing to the utmost degree possible transparency, honesty, and participation of those affected in the significant decisions of the legal process;

Therefore, the Executive Committee of the Assembly of Victims, after having analyzed this subject during three separate meetings, and in exercise of its legitimate, legal, and regulatory powers,

### **HEREBY RESOLVES**

1. To recognize the efforts made to date by attorney Cristobal Bonifaz in support of our legal process against Chevron (formerly Texaco) and reiterate all of our support and trust, from today on, that he will not carry out any activity in the name of those affected who are related either directly or indirectly with our legal case. His economic efforts to which he is justified shall be recognized at the end of the process as long as there is a favorable judgment for the claimants.
2. Publicize this resolution, in coordination with the Assembly of Victims, after it has been known and ratified by the Assembly of Delegates, the highest decision-making and representative body for the victims.

Issued and signed in Nueva Loja, on February 10, 2006.

**THE EXECUTIVE COMMITTEE OF THE ASSEMBLY OF VICTIMS**

**[Illegible signature]**  
**Ernel Chavez**  
**President of the FDA**

**[Illegible signature]**  
**Ricardo Payaguaje**  
**President of the OISE**  
**Legal Representative of the Secoya Nationality**

**[Illegible signature]**  
**Luis Narvaez**  
**President of the FEINCE**  
**Legal Representative of the Cofan**  
**Nationality**

**[Illegible signature]**  
**Venancio Criollo**  
**President of the ONISE**  
**Legal Representative of the Siona**  
**Nationality**

**I CERTIFY – that the above resolution was known and ratified by the Assembly of Delegates, a body made up of representatives of the communities and nationalities affected by the petroleum operations of Texaco, who met in general session on February 17, 2006 in Nueva Loja, Sucumbios Province.**

**I CERTIFY IT –**

**[Illegible signature]**  
**Ms. Soraya Benitez**  
**Secretary of the Assembly**

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De: "Cristobal Bonifaz" <cbonifaz@comcast.net>    Ver detalles de contacto

A: "Julia Francisco" <locca62@yahoo.com.mx>

CC: "Estenio Mendoza" <pefem@ecuanex.net.ec>    "Pedro Freire"  
<pedrofrelre69@yahoo.es>, "Emel Chavez" <manemachavez@gmail.com>,  
"Ximena Elizalde" <admin@ids.ecuanex.net.ec>

Asunto: Re: Carta afectados ecuatorianos

Fecha: Thu, 25 Jan 2007 19:59:04 -0500

Estimados Todos:

De lo que me han acusado es completamente falso. En primer lugar los únicos que pueden arreglar con Chevron o el Gobierno son los demandantes. Los abogados de ustedes no pueden arreglar nada con nadie. En segundo lugar yo no los represento a ustedes en nada desde la carta que me enviaron el 8 de marzo de 2006. O sea que pensar que puedo, o voy a arreglar, o tengo el poder de arreglar algo con nadie con respecto al caso en Lago Agrio es una verdadera tontería y es completamente falso.

Si existe alguien en el Ecuador o en los Estados Unidos que cree o piensa que yo voy, puedo o tengo el poder de arreglar nada con nadie con respecto al caso en Lago Agrio yo les doy aquí mi autorización para que Ustedes desmientan esto inmediatamente usando esta carta.

Sinceramente,

Cristóbal

----- Original Message -----  
From: Julia Francisco  
To: cbonifaz@comcast.net  
Cc: Estenio Mendoza; Pedro Freire; Emel Chavez; Ximena Elizalde  
Sent: Thursday, January 25, 2007 6:08 PM  
Subject: Carta afectados ecuatorianos

Doctor Bonifaz:  
Le escribo esta nota que resume el sentimiento de los dirigentes que representamos a los afectados y somos los responsables de precautelar sus

C

intereses y derechos, y de cumplir sus mandatos.

Hemos conocido por varias fuentes de que usted sigue diciendo a un bufete de San Francisco que tiene el poder de hacer un arreglo con Chevron en nombre de los demandantes de Lago Agrio. Permítame recordarle que usted no tiene ningún poder ni autorización de hablar en nombre de los demandantes de este juicio y lo que usted está haciendo no es ético ni moral. Hace un año le enviamos una resolución de los representantes de los afectados donde desconocimos su representación y le habíamos retirado nuestra confianza en usted. Los firmantes de la demanda también suscribieron un documento igual ratificando dicha resolución. Si a esto sumamos que en nuestro juicio son abogados encabezados por el doctor Pablo Fajardo, los que nos representan, es clara la conclusión para cualquier persona sensata que usted nada tiene que hacer en este proceso.

Por lo dicho, exigimos a usted otra vez de que se abstenga de atribuirse la representación y de hablar a nombre de los demandantes ecuatorianos, a pesar de que las comunidades adopten otras decisiones para hacer prevalecer sus derechos y las resoluciones tomadas. Vamos hacer todos los contactos necesarios, incluso con abogados Norteamericanos y la misma Chevron y todos los involucrados en este proceso para impedir que personas que nada tienen que ver en este caso se tomen nuestro nombre.

Reitero que lo dicho no es mi posición personal si que resume los sentimientos y el malestar de nuestros representados a quienes nos debemos.

Cordialmente,

Luis Yanze  
COORDINADOR CASO TEXACO  
ASAMBLEA DE AFECTADOS POR TEXACO

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[Move](#)**Folders**[\[Add – Edit\]](#)**Inbox (2)**This message is not highlighted [ [Highlight message](#) – [Printable copy](#)  
[Mark as unread](#) ]**Draft****Sent****Bulk Mail (7)**[\[ Empty \]](#)**Trash [Empty]**From: "Cristobal Bonifaz" [cbonifaz@comcast.net](mailto:cbonifaz@comcast.net) [See contact details](#)  
To: "luis francisco" [lcoca62@yahoo.com.mx](mailto:lcoca62@yahoo.com.mx)Cc: "Estenio Mendoza" [pafam@ecuanex.net.ec](mailto:pafam@ecuanex.net.ec), "Pedro Freire"  
[pedrofreire69@yahoo.es](mailto:pedrofreire69@yahoo.es), "Ernel Chavez" [amanemachetes@gmail.com](mailto:amanemachetes@gmail.com)  
"ximena elizalde" [dmin@fda.ecuanex.net.ec](mailto:dmin@fda.ecuanex.net.ec)**Search Shortcuts**[My Photos](#)[My Attachments](#)Subject: Re: Ecuadorian Victims' Letter  
Date: Thu, 25 Jan 2007 19:59:04 -0500

Dear Everyone,

I have been falsely accused. In the first place, the only ones who can settle with the government or Chevron are the plaintiffs. Your lawyers can't settle anything with anyone. Furthermore, I am not representing you on anything, not since the letter you sent me on the 8<sup>th</sup> of March, 2006. Therefore, to think that I can or might settle, or that I have the power to settle, with anyone related to the Lago Agrio case is plain foolish and completely false.

If there is anyone in Ecuador or the United States who thinks or believes that I will, can or have the power to settle anything concerning the Lago Agrio case, I hereby authorize you to refute them by using this letter.

Sincerely,  
Cristóbal

----- Original Message -----

From: [luis francisco](mailto:luis francisco)To: [cbonifaz@comcast.net](mailto:cbonifaz@comcast.net)

Cc: Estenio Mendoza ; Pedro Freire ; Ernel Chavez ; ximena elizalde

Sent: Thursday, January 25, 2007 6:08 PM

Subject: Ecuadorian Victims' Letter

Attorney Bonifaz:

[http://mx.f322.mail.yahoo.com/ym/ShowLetter?MsgId=6436\\_0\\_10341\\_1815\\_3484\\_0\\_8...](http://mx.f322.mail.yahoo.com/ym/ShowLetter?MsgId=6436_0_10341_1815_3484_0_8...)

1

**Communication with Bonifaz pt2**

revChevron-Texaco - English (2)

Yahoo! Mail – lcoca62@yahoo.com.mx

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I am writing this note to express the feelings of the leaders who represent the victims, and it is we who are responsible for obeying their wishes and protecting their rights and interests.

We have learned through various sources that you are still telling a law firm in San Francisco that you have the power to settle with Chevron in the name of the plaintiffs of the Lago Agrio trial. Allow me to remind you that you have no power or authorization to speak in the name of this trial's plaintiffs, and by doing so you are behaving in an immoral and unethical manner. One year ago we sent you the resolution of the representatives of the victims wherein we revoked your representation and withdrew our confidence in you. The plaintiffs also signed a document ratifying said resolution. Also, if we take into consideration that the lawyers representing us are being led by Pablo Fajardo, it becomes apparent that you have nothing to do with our litigation.

Having said that, we demand that you cease portraying yourself as our representative and that you refrain from claiming that you speak in the name of the Ecuadorian plaintiffs. Otherwise, the affected communities will be forced to undertake other actions to defend their rights and decisions. We will make whatever contacts are required, including contacting American attorneys and even Chevron itself and everyone involved in this process, if necessary, to prevent people who have no connection to our case from using our names.

I reiterate that what is expressed here is not only my personal opinion, but that it also reflects the feeling of uneasiness of the people whom I represent.

Cordially,

Luis Yanza  
TEXACO CASE COORDINATOR  
ASSEMBLY OF VICTIMS OF TEXACO

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**Communication with Bonifaz pt3**

revChevron-Texaco - English (2)

**RESOLUCION DE LOS FIRMANTES DE LA DEMANDA QUE DIO ORIGEN AL  
JUICIO QUE INDIGENAS Y CAMPESINOS ESTAMOS LLEVANDO ADELANTE  
CONTRA CHEVRON CORPORATION (Texaco) SOBRE EL INCONVENIENTE  
SUSCITADO CON EL DR. CRISTÓBAL BONIFAZ.**

Los firmantes de la demanda que dio origen al Juicio No. 002/2003, que seguimos en la Presidencia de la Corte Superior de Justicia de Nueva Loja, reunidos el día de hoy, martes 12 de Diciembre de 2006, en la ciudad de Nueva Loja, en pleno uso de nuestros derechos constitucionales y procesales, ante los inconvenientes suscitados con el Dr. Cristóbal Bonifaz, resolvemos:

1. Respalidar y adherirnos a la resolución adoptada el 10 de febrero de 2006 por el Comité Ejecutivo de la Asamblea de Afectados por Texaco, y ratificada por los representantes de las comunidades afectadas reunidos en sesión ordinaria el 17 del mismo mes y año, en Nueva Loja, provincia de Sucumbios, en el que, a partir de esa fecha, el abogado Bonifaz ya no nos representaba en el juicio, como nunca nos había representado desde cuando el caso se instauró en el Ecuador.
2. Dejar constancia y clarificado que nos sentimos plenamente representados por la Asamblea de Afectados por Texaco a través de nuestras organizaciones y comunidades a las que pertenecemos todos y cada uno de los firmantes, organismo que tiene la autoridad para tomar las decisiones trascendentales en defensa de nuestros intereses y el de los afectados por Texaco, en todos los aspectos relacionados con el proceso judicial en contra de Chevron, como efectivamente estuvieron autorizados para tomar la decisión del 10 y 17 de febrero pasado.
3. Autorizar al Comité Ejecutivo de la Asamblea de Afectados por Texaco para que proceda a notificar en forma inmediata al Dr. Cristóbal Bonifaz y demás personas, empresas e instituciones públicas y privadas, nacionales o extranjeras, que tengan interés sobre éste particular.
4. Continuar el proceso legal con el equipo legal encabezado por el Abogado Pablo Fajardo Mendoza, a quien le reconocemos como nuestro procurador común.

Para constancia de lo expresado procedemos a estampar nuestras firmas o huellas dactilares.

Dado y firmado en la ciudad de Nueva Loja, a los 12 días del mes de diciembre de 2006.

APELLIDOS Y NOMBRES	CEDULA	FIRMA
TANGUILA GUEFA GLORIA LUCRECIA	150014236-5	
ALVARADO YUMBO FRANCISCO	150011615-5	
GUEFA CERDA OLGA GLORIA	160020225-1	
ALVARADO YUMBO LORENZO JOSE	150021110-5	



RESOLUCION DE LOS FIRMANTES DE LA DEMANDA QUE DIO ORIGEN AL  
JUICIO QUE INDIGENAS Y CAMPESINOS ESTAMOS LLEVANDO ADELANTE  
CONTRA CHEVRON CORPORATION (Texaco) SOBRE EL INCONVENIENTE  
SUSCITADO CON EL DR. CRISTOBAL BONIFAZ

Pag. 02...

RODRIGUEZ BANCENAS MARIA MAGDALENA	190939464-3	<i>Maria Rodriguez</i>
VIVERRI KUSANGWA MARIA MONTEPERA	040099554-6	<i>Montepera</i>
TAMBUILA MANUAEZ NARFISA AIDA	150030173-2	<i>Narisatambuila</i>
TAMBUILA GREGA FRANCISCO VICTOR	150011193-3	<i>Victor Grega</i>
ALVARADO JUMBA FRANCISCO MATIAS	150009328-9	<i>Francisco Jumba</i>
JUMBA TAMBUILA BERTHA ANTONIA	150025854-2	<i>Bertha Jumba</i>
IPIAALES IHLIATZA JOSE MIGUEL	020048204-6	<i>Jose Miguel Ipialles</i>
REASTOS REVELO MARIA CELIA	190905712-8	<i>Maria Celia Reastos</i>
PATANON GUARACA HELEODORO	0600557044	<i>Heleodoro Patanon</i>
CAMACHO NARANJO NUBO GERARDO	080056932-5	<i>Gerardo Camacho</i>
GRADAYA HUANKA QETAVID	110076783-3	<i>Qetavid Gradaya</i>
ABUINDA ABUINDA PATRICIO	150032679-6	<i>Patricio Abuinda</i>
GREGA TAMBUILA WILDO ERIBIANE	150056375-2	<i>Wildo Grega</i>
GREGA TAMBUILA BEATRIZ	150051885-5	<i>Beatriz Grega</i>

RESOLUCION DE LOS FIRMANTES DE LA DEMANDA QUE DIO ORIGEN AL JUICIO QUE INDIGENAS Y CAMPESINOS ESTAMOS LLEVANDO ADELANTE CONTRA CHEVRON CORPORATION (Texaco) SOBRE EL INCONVENIENTE SUSCITADO CON EL DR. CRISTÓBAL BONIFAZ.

Pag. 03...

CHIMBO GREGA BENANCIO 210004574-5

PAYAGUAJE LUISANTE GUILLERMO 150025906-5

PAYAGUAJE PAYAGUAJE ALFREDO 150026076-9

PAYAGUAJE PAYAGUAJE TERRORO 150028227-0

PAYAGUAJE PAYAGUAJE MIGUEL 150025372-1

PAYAGUAJE PAYAGUAJE LUIS 150015677-6

PAYAGUAJE PAYAGUAJE ELIAS 150014127-0

PAYAGUAJE PAYAGUAJE ARMANDO 210004556-2

PAYAGUAJE PAYAGUAJE JAVIER 210004527-3

LUSITANDE YALGUAJE DANIEL 210004503-0

PAYAGUAJE PAYAGUAJE FELIX 150029880-5

LUSITANDE YALGUAJE BENAIPO 150025902-7

LUSITANDE YALGUAJE EMILIO 150029889-3

LUSITANDE YALGUAJE SIMON 150025908-8

**RESOLUTION OF SIGNATORIES TO THE PETITION UNDERLYING THE LEGAL ACTION  
THAT WE, THE INDIGENOUS PEOPLES AND FARMERS, ARE BRINGING  
AGAINST CHEVRON CORPORATION (Texaco) REGARDING THE OBJECTION  
TO ATTORNEY CRISTOBAL BONIFAZ.**

We, the signatories to the petition underlying Legal Action No. 002/2003 which we are pursuing at the Presidency of the Superior Court of Justice of Nueva Loja, are hereby gathered on this day, Tuesday, December 12, 2006, in the city of Nueva Loja, in the full exercise of our constitutional rights and processes, with respect to the objection to Attorney Cristóbal Bonifaz, and do hereby resolve:

1. To back and subscribe to the resolution adopted on February 10, 2006, by the Executive Committee of the Assembly of Victims of Texaco and ratified by the representatives of the affected communities gathered in general session on the 17<sup>th</sup> day of the same month and year in Nueva Loja, Sucumbios Province, wherein from that date forth Attorney Bonifaz no longer represented us in the legal action, since he had never represented us since the case was reinstated in Ecuador.
2. To let the record show and be clear that we feel ourselves to be fully represented by the **Assembly of Victims of Texaco** through our organizations and communities to which each and every one of us signatories belongs, an organization with the authority to make transcendent decisions in defense of our interests and that of the victims of Texaco in every respect related to the legal process against Chevron, since they were effectively authorized to make the decision on the 10<sup>th</sup> and 17<sup>th</sup> of this past February.
3. To authorize the Executive Committee of the Assembly of Victims of Texaco to proceed to immediately notify Attorney Cristóbal Bonifaz and other persons, companies, and public and private, or domestic or foreign institutions which may have an interest in this matter.
4. To continue the legal process with the legal team headed by Attorney Pablo Fajardo Mendoza, who we jointly recognize as our court representative.

In order that the record may show what has been expressed above, we hereby affix our signatures or fingerprints.

Executed and signed in the city of Nueva Loja on the 12<sup>th</sup> day of the month of December, 2006.

<b>SURNAMES AND GIVEN NAMES</b>	<b>IDENTITY CARD</b>	<b>SIGNATURE</b>
Tanguila Grefa Glora Luznecia	150014256-5	[Illegible Signature]
Alvarado Yumbo Francisco	150011615-5	[Illegible Signature]
Grefa Cerda Olga Gloria	160020225-1	[Illegible Signature]
Alvarado Yumbo Lorenzo Jose	150021110-5	[Illegible Signature]

**Resolutionofthesignatories10 August 07**

**RESOLUTION OF SIGNATORIES TO THE PETITION UNDERLYING THE LEGAL ACTION  
THAT WE, THE INDIGENOUS PEOPLES AND FARMERS, ARE BRINGING  
AGAINST CHEVRON CORPORATION (Texaco) REGARDING THE OBJECTION  
TO ATTORNEY CRISTOBAL BONIFAZ.**

Page 02...

Rodrigues Barcenas Maria Magdalena	170934767-3	[Illegible Signature]
Viveros Cusangua Maria Hortencia	040098554-6	[Illegible Signature]
Tanguila Narvaez Narcisa Aida	150030173-2	[Illegible Signature]
Tanguila Grefa Francisco Victor	150011193-3	[Illegible Signature]
Alvarado Yumbo Francisco Matias	150009328-9	[Illegible Signature]
Yumbo Tanguila Bertha Antonia	150025954-2	[Illegible Signature]
Ipiaales Chicaiza Jose Miguel	020048207-6	[Illegible Signature]
Reascos Revelo Maria Clelia	170705717-8	[Illegible Signature]
Pataron Guaraca Heleoporo	060055304-4	[Illegible Signature]
Camacho Naranjo Hugo Gerardo	020058932-5	[Illegible Signature]
Cordova Huanca Octavio	110076783-7	[Illegible Signature]
Aguinda Aguinda Patricio	150032679-6	[Illegible Signature]
Grefa Tanguila Lucio Enrique	150056375-2	[Illegible Signature]
Grefa Tanguila Beatriz	150051885-5	[Illegible Signature]

**Resolutionofthesignatoriespt2 10 August 07**

**RESOLUTION OF SIGNATORIES TO THE PETITION UNDERLYING THE LEGAL ACTION  
THAT WE, THE INDIGENOUS PEOPLES AND FARMERS, ARE BRINGING  
AGAINST CHEVRON CORPORATION (Texaco) REGARDING THE OBJECTION  
TO ATTORNEY CRISTOBAL BONIFAZ.**

Page 03...

Chimbo Grefa Benancio	210004574-5	[Illegible Signature]
Payaguaje Lusitante Guillermo	150025906-5	[Illegible Signature]
Payaguaje Payaguaje Alfredo	150026016-9	[Illegible Signature]
Piaguaje Payaguaje Teodoro	150028727-0	[Illegible Signature]
Payaguaje Payaguaje Miguel	150035372-7	[Illegible Signature]
Payaguaje Piaguaje Luis	150015571-6	[Illegible Signature]
Piaguaje Payahuaje Elias	150014131-0	[Illegible Signature]
Piaguaje Payaguaje Armando	210004556-2	[Illegible Signature]
Piaguaje Payaguaje Javier	210004527-3	[Illegible Signature]
Lusitande Yaiguaje Daniel	210004562-0	[Illegible Signature]
Payaguaje Payaguaje Delfin	150029880-5	[Finger Print]
Lusitande Yaiguaje Reinaido	150025902-7	[Finger Print]
Lusitande Yaiguaje Emilio	150029879-7	[Finger Print]
Lusitande Yaiguaje Simon	150025908-8	[Finger Print]

**Resolutionofthesignatoriespt3 10 August 07**