



## **US lawyers take US\$1 billion lawsuit against ChevronTexaco to Ecuador**

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QUITO, Ecuador (AP) - A decade after unsuccessfully filing in U.S. courts, American lawyers representing poor Ecuadoreans who say their rainforest homeland was destroyed by a U.S oil company took their claim to Ecuador Tuesday.

"We will have for the first time in history a company like ChevronTexaco subjected to the laws of a small community," lawyer Cristobal Bonifaz said at a news conference in the capital.

The lawyers said they want California-based ChevronTexaco to clean up pollution that they allege has poisoned drinking water and rivers and led to higher cancer rates.

The cleanup and medical monitoring costs for the 30,000 Ecuadoreans the lawyers represent could exceed US\$1 billion, Bonifaz said.

ChevronTexaco says the oil company followed Ecuadorean environmental laws and cleaned up before leaving.

Bonifaz, an Ecuadorean-born environmental lawyer who practices in Amherst, Massachusetts, said the lawsuit would be filed Wednesday in a small courthouse in the jungle town of Lago Agrio, 115 miles (185 kilometers) northeast of Quito.

The lawsuit alleges that a Texaco subsidiary that operated near Lago Agrio from the early 1970s until the early 1990s took advantage of lax Ecuadorean environmental standards to cut costs by dumping wastewater brought to the surface by drilling into open pits.

By the time the oil company began operations in the Ecuadorean jungle, many U.S. states were already requiring drillers to pump contaminated water back underground, Bonifaz said.

"They were making decisions they knew would have a devastating effect on the environment, because they wouldn't have drilled for oil that way in the United States or any other part of the world," said Joseph Kohn, a Philadelphia-based class action lawyer working on the case.

Bonifaz said the oil company left behind some 350 ponds full of water contaminated with oil and cancer-causing chemicals scattered across a 31 mile (50 kilometer) by 62 mile (100 kilometer) area.

Maripat Sexton, a ChevronTexaco spokeswoman in Houston, Texas, told The Associated Press that the oil company paid US\$40 million in a clean up agreement that the Ecuadorean government signed off on in 1998.

"The plaintiffs have yet to present any credible, substantiated independent evidence supporting a connection between Texaco operations - which ended over a decade ago - and an alleged negative impact," Sexton said.

The case was first filed in U.S courts in 1993. After winding through the court system, the 2nd U.S. Circuit Court of Appeals in New York sided with oil company lawyers, ruling in August that the case should be heard in Ecuador, where the damage allegedly occurred.

The American lawyers originally wanted the case tried in U.S. courts because they said the Ecuadorean government's dependence on oil revenues would make it unlikely for courts to deliver justice. Oil exports account for about 40 percent of Ecuador's revenue.

Bonifaz said his team prepared for a possible move from U.S. courts.

The lawyers worked with Ecuadorean legislators to draft a law similar to the U.S. Superfund law, which was enacted in 1980 and requires polluters in the United States to pay for cleanups even if a site was sold or is no longer operating.

Ecuador passed its "Superfund" law in 1999, Bonifaz said.

He said he expected a ruling within six to seven months if the Ecuadorean court accepted the case.

Texaco merged with Chevron in 2001.

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<http://www.chevrontexaco.com> [<http://www.chevrontexaco.com>]

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