

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Case No. 10 MC 00002(LAK)

-----x

In re:

APPLICATION OF CHEVRON

-----x

December 29, 2010

8:51 a.m.

Continued Videotaped Deposition of
STEVEN DONZIGER, pursuant to Subpoena,
held at the offices of Gibson Dunn &
Crutcher LLP, 200 Park Avenue, New York,
New York, before Todd DeSimone, a
Registered Professional Reporter and
Notary Public of the State of New York.

Page 2064

1
2 A P P E A R A N C E S :
3 MOTLEY RICE LLC
4 One Corporate Center
4 20 Church Street
17th Floor
5 Hartford, Connecticut 06103
Attorneys for Ecuadorian Plaintiffs
6 BY: MATHEW P. JASINSKI, ESQ.
mjasinski@motleyrice.com
7
8
9
10 COVINGTON & BURLING LLP
620 Eighth Avenue
New York, New York 10018-1405
11 Attorneys for Ricardo Reis Veiga
BY: ALAN VINEGRAD, ESQ.
12 avinegrad@cov.com
NATALIE MacLEAN LEINO, ESQ.
13 nleino@cov.com
14
15
16 RIVERO MESTRE & CASTRO
2525 Ponce De Leon Blvd.
Suite 1000
17 Miami, Florida 33134
Attorneys for Rodrigo Perez
18 Pallares
BY: CATHERINE C. GRIEVE, ESQ.
19 cgrieve@rnc-attorneys.com
ANDRES RIVERO, ESQ.
20 arivero@rnc-attorneys.com
21
22
23
24
25

Page 2065

1
2 A P P E A R A N C E S : (Continued)
3 GIBSON DUNN & CRUTCHER LLP
200 Park Avenue
4 New York, New York 10166
Attorneys for Chevron Corporation
5 BY: KRISTEN HENDRICKS, ESQ.
khendricks@gibsondunn.com
6 VIKRAM KUMAR, ESQ.
vkumar@gibsondunn.com
7 SRIPRIYA NARASIMHAN, ESQ.
snarasimhan@gibsondunn.com
8 RANDY MASTRO, ESQ.
rmastro@gibsondunn.com
9
- and -
10
11 GIBSON DUNN & CRUTCHER LLP
3161 Michelson Drive
12 Irvine, California 92612-4412
BY: ANDREA E. NEUMAN, ESQ.
13 aneuman@gibsondunn.com
14
15 WINSTON & STRAWN LLP
1700 K Street, N.W.
16 Washington, D.C. 20006
Attorneys for Republic of Ecuador
17 BY: NICOLE Y. SILVER, ESQ.
nsilver@winston.com
18
19
20 FREIDMAN KAPLAN SEILER & ADELMAN LLP
1633 Broadway
21 New York, New York 10019-6708
Attorneys for Steven Donziger
22 BY: BRUCE S. KAPLAN, ESQ.
bkaplan@fklaw.com
23
24
25

Page 2066

1
2 A P P E A R A N C E S : (Continued)
3
4
5 ALSO PRESENT:
6
7 MAX GITTER, ESQ., Special Master
8
9 JUSTIN L. ORMAND, ESQ., Assistant to
10 Special Master
11 JAMES ROBERTS, Videographer
12
13 VINCE MAGGIANO, Videographer
14
15
16
17
18
19
20
21
22
23
24
25

Page 2067

1
2 THE VIDEOGRAPHER: Good
3 morning. We are going on the record. My
4 name is James Roberts of Veritext
5 Reporting with offices in New York City,
6 New York. Today's date is December 29,
7 2010. The time is approximately 8:51 a.m.
8 This deposition is being held at the
9 office of Gibson Dunn & Crutcher located
10 at 200 Park Avenue, New York City, New
11 York. The caption of the case, In Re
12 Application of Chevron, in the U.S.
13 District Court, Southern District of New
14 York, case number 10 MC 00002 (LAK). The
15 name of the witness is Steven Donziger.
16 This is Volume VIII.
17 THE SPECIAL MASTER: Good
18 morning, everyone. I told everyone at the
19 conclusion of the session on Thursday
20 afternoon that I would read this
21 transcript of Thursday very carefully. I
22 did, both with respect to the witness'
23 behavior and some points I raised about
24 objections.
25 Judge Kaplan has now spoken

Page 2068

1 DONZIGER
2 with an order with respect to the witness'
3 behavior. I don't think I need to go
4 beyond what he said. And I think you all
5 understand both the meaning of what he
6 said and the potential consequences if his
7 order is disobeyed in any respect.
8 I want to talk about
9 objections. I'm sorry that Mr. Abady
10 isn't here, because I had some questions
11 of him like the ones I'm going to have of
12 you, Mr. Kaplan. I'm not going to spend
13 an awful lot of time, but I want to just
14 take a few examples.
15 Would you please turn to page
16 1726. I'm sorry, before you do that,
17 please turn to page 1731.
18 I'm sorry, I will read it into
19 the record. At page 1731 of the
20 transcript beginning at line 15, and this
21 was in the middle of questioning, my
22 questioning of the witness, to deal with a
23 ruling I ultimately made, or to deal with
24 the subject that led to a ruling I
25 ultimately made with respect to the

Page 2069

1 DONZIGER
2 nonprivileged nature of the Garro report,
3 and at 1731, line 15, the transcript shows
4 the following: The Special Master asking,
5 "And that declaration" -- that is the
6 Garro declaration -- "was created for the
7 purpose of perhaps submitting to a court,
8 correct?
9 "Mr. Kaplan: Objection."
10 Mr. Kaplan, what was the nature
11 of that objection?
12 MR. KAPLAN: I think it was at
13 variance -- I don't have the page because
14 I have the rough in front of me, but I
15 think the basis for the objection was I
16 think the testimony was at variance from
17 what you said in the question.
18 THE SPECIAL MASTER: No, it
19 wasn't.
20 MR. KAPLAN: I think you said
21 "for the purpose" and I think the
22 testimony was "the possibility."
23 THE SPECIAL MASTER: "The
24 possibility" came later.
25 MR. KAPLAN: Maybe I have to

Page 2070

1 DONZIGER
2 take a moment and find it. "It was
3 created potentially for the purpose of
4 submitting to a court?"
5 THE SPECIAL MASTER: Yes.
6 MR. KAPLAN: And the witness
7 said potentially yes.
8 THE SPECIAL MASTER: But that
9 was later.
10 MR. KAPLAN: I'm sorry, you are
11 referring to something earlier.
12 THE SPECIAL MASTER: What
13 happened was, I asked first -- my first
14 question was "Did you ever get a
15 declaration or an affidavit from
16 Mr. Garro?
17 "The Witness: Well,
18 Mr. Narwold was the person who was
19 getting -- or managing Dr. Garro and at
20 some point he did send me a declaration."
21 Then came the question I asked.
22 And that question was "And that
23 declaration was created for the purpose of
24 perhaps submitting to a court, correct?"
25 And I said "perhaps submitting to a court,

Page 2071

1 DONZIGER
2 correct?"
3 Answer -- no answer.
4 "Mr. Kaplan: Objection."
5 What was the basis for that
6 objection, Mr. Kaplan?
7 MR. KAPLAN: I thought that the
8 witness had previously testified --
9 THE SPECIAL MASTER: He
10 testified to it --
11 MR. KAPLAN: -- to Ms. Neuman's
12 question earlier that it was a
13 possibility. And maybe I was reacting --
14 maybe my ear was being too sharp.
15 THE SPECIAL MASTER: First of
16 all, that is wrong. Second of all, my
17 question included the word "perhaps
18 submitting to a court." Do you see that?
19 MR. KAPLAN: The phrase was
20 "created for the purpose of perhaps
21 submitting to a court." I may have heard
22 it and reacted to it too critically in
23 that objection, in light of what you are
24 saying.
25 THE SPECIAL MASTER: All right,

Page 2072

1 DONZIGER
2 that is one. I'm just going to give you
3 some examples, Mr. Kaplan.
4 Number two, let's go to number
5 two, on page 1726, lines 12 to 15 --
6 MR. KAPLAN: This is earlier,
7 sir?
8 THE SPECIAL MASTER: Yes. The
9 Special Master asking "And what was the
10 reason that you wanted to not disclose
11 his" -- meaning Garro's -- "identity?
12 "Mr. Kaplan: Objection."
13 What was the basis for that
14 objection, Mr. Kaplan?
15 MR. KAPLAN: I didn't think a
16 question from either the counsel or the
17 Special Master as to his thought process
18 would be a proper question.
19 THE SPECIAL MASTER: On a
20 question of whether or not it is
21 privileged, his thought process in
22 creating the document or in not wanting a
23 disclosure is not relevant?
24 MR. KAPLAN: As I understand --
25 as I understood the question then, you are

Page 2073

1 DONZIGER
2 harkening to the fact that he sought to
3 confer with me on the grounds of privilege
4 and then asserted -- and after conferring
5 with him I asserted an objection on the
6 basis of privilege.
7 THE SPECIAL MASTER: And
8 ultimately you withdrew it. Now I'm
9 asking the question, you ultimately
10 withdrew it at the end of the previous
11 session, now I'm turning to questions
12 going to the substance of the report. And
13 I asked him -- I'm absolutely entitled to
14 ask him why he wanted to keep the
15 subject -- the man's name confidential.
16 It goes to the subject of privilege.
17 In any event, Mr. Kaplan, the
18 objection is in my judgment was then and
19 still is without merit, as was the
20 previous one I have just cited. And I'm
21 telling you now I've gone through this
22 transcript very carefully and these are
23 some of the many examples I have seen.
24 More important, Mr. Kaplan,
25 let's go back to how I began. And I began

Page 2074

1 DONZIGER
2 by saying "Counsel, I have a few questions
3 of Mr. Donziger. First, this morning, and
4 I suspect there will be some objections to
5 my questions, unless you are going to
6 instruct the witness not to answer any of
7 my questions, please hold your objections
8 to the break that is going to follow my
9 relatively few questions immediately
10 afterward." Do you see that?
11 MR. KAPLAN: I don't.
12 THE SPECIAL MASTER: Well, I'm
13 reading it accurately. And then I went on
14 to say "You have a standing objection to
15 every question I ask. Understood?" And
16 then you said "That is of substance. I
17 don't object to clarifying questions that
18 you may feel necessary to ask for
19 privilege reasons.
20 "The Special Master: You
21 decide what you want to do. But, please,
22 I don't want to be interrupted, if
23 possible. The only thing you can
24 interrupt with is an instruction not to
25 answer."

Page 2075

1 DONZIGER
2 Do you see that?
3 MR. KAPLAN: I would like a
4 page reference because I do not see it.
5 THE SPECIAL MASTER: It is on
6 1725.
7 MR. KAPLAN: I see it.
8 THE SPECIAL MASTER: Now,
9 whatever the basis for your objections,
10 was there any reason that you could not
11 simply hold those objections for the very
12 few minutes that I asked you to not
13 interrupt me? And I asked it twice.
14 MR. KAPLAN: I don't think
15 either one interrupted you because the
16 witness responded to the question
17 immediately.
18 THE SPECIAL MASTER: Mr. Kaplan,
19 I'm talking about the subject of
20 objections. And I told you on Thursday
21 afternoon one of the things that results
22 from repetitious, too many objections, is
23 not only the flow broken and not only do I
24 then have to think about it, but this
25 witness, notwithstanding an instruction

Page 2076

1 DONZIGER
 2 not to wait once an objection is made, has
 3 repeatedly continued to wait.
 4 But there is absolutely no
 5 reason, Mr. Kaplan, for you not to wait
 6 just the two minutes that I wanted so that
 7 I could finish my questions while they
 8 were still fresh in my mind. Is there any
 9 reason you couldn't wait? Of course there
 10 isn't.
 11 MR. KAPLAN: I made 12
 12 objections to form in the course of that
 13 entire long day of 330 pages. I can wait.
 14 If I thought more carefully about it, I
 15 would have waited. And I will wait.
 16 THE SPECIAL MASTER: Okay,
 17 next. Let me just show you, there are a
 18 number of objections going to relevance.
 19 And let me show you what these are like.
 20 This is page 1766. "Question:
 21 Have you ever undertaken to confirm
 22 whether or not the leaders of these five
 23 indigenous nations are in fact authorized
 24 to represent the plaintiffs in the Ecuador
 25 litigation?"

Page 2077

1 DONZIGER
 2 "Mr. Kaplan: Objection,
 3 relevance." Also joined in by Mr. Abady.
 4 Mr. Kaplan, isn't it obvious
 5 what the relevance was? And I'm going to
 6 come back to it.
 7 MR. KAPLAN: I don't think so,
 8 in the 1782 proceeding, and the basis that
 9 was submitted to his Honor for getting
 10 permission to take this deposition.
 11 I would add, sir, that in the
 12 course of that long day I made nine
 13 objections to relevance in the entire 300
 14 and some pages, and you agreed with a
 15 number of them, at pages 1789, 1800, 1826,
 16 1828 to 29, 1834, 1850, 1851, 52, you in a
 17 very gentle and professional way said to
 18 Ms. Neuman in words or substance to
 19 perhaps move along, to perhaps not get
 20 into such great level of detail.
 21 THE SPECIAL MASTER: That's not
 22 a relevance objection. I was just moving
 23 things along.
 24 Look, Mr. Kaplan, and here is
 25 another one, on page 1795 -- 1794 and 95,

Page 2078

1 DONZIGER
 2 and the subject of the questioning -- I'm
 3 not going to go on much longer about
 4 this -- the subject of the questioning was
 5 why was there withdrawal of inspections
 6 for the vast majority of the sites that
 7 originally had been identified. And
 8 obviously counsel was getting at the
 9 point, she I think specifically asked, she
 10 was getting at the point that the ones
 11 that were -- the sites that were withdrawn
 12 were withdrawn by the plaintiffs' lawyers
 13 because they would show the opposite of
 14 what the plaintiffs' lawyers wanted to
 15 show.
 16 And so here comes a question,
 17 at the bottom of page 1794, this is
 18 Ms. Neuman. "Question: Other than
 19 Mr. Fajardo, were there any Ecuadorian
 20 lawyers involved in deciding to withdraw
 21 from the inspections?
 22 "Answer: Yes.
 23 "Question: Can you name those
 24 for me, please?
 25 "Mr. Kaplan: Objection,

Page 2079

1 DONZIGER
 2 relevance."
 3 Mr. Kaplan, isn't the relevance
 4 obvious? She is entitled to find out who
 5 else was involved in the decisions, so
 6 that, for example, she might ask them or
 7 somebody might ask them why the objections
 8 were withdrawn, disagreeing with
 9 Mr. Donziger's asserted view of why they
 10 were withdrawn.
 11 Next, on relevance --
 12 MR. KAPLAN: Do you want a
 13 comment on that, sir?
 14 THE SPECIAL MASTER: Actually,
 15 I don't, because we are going to move on.
 16 But if you feel you need to, go ahead.
 17 MR. KAPLAN: Only with your
 18 permission.
 19 THE SPECIAL MASTER: You have
 20 my permission only if you need to. The
 21 point I'm trying to make is most of this
 22 stuff you don't need to.
 23 MR. KAPLAN: That relevance
 24 objection was a mistake. It should have
 25 been I did have an objection that it was

Page 2080

1 DONZIGER
 2 attorney-client privileged but I didn't
 3 make it.
 4 THE SPECIAL MASTER: Well, had
 5 you done that, then we would have had a
 6 more interesting proceeding.
 7 Let's go to 1772, lines 20
 8 through 25. "Question: How was the
 9 Frente formed?
 10 "Answer: How was it formed?
 11 "Question: Yes, sir.
 12 "Mr. Kaplan: Objection,
 13 relevance." Joined in by Mr. Abady.
 14 MR. KAPLAN: What's the
 15 difference, I thought, about how the
 16 Frente was formed?
 17 THE SPECIAL MASTER: Mr. Kaplan,
 18 everything about the Frente is relevant.
 19 The Frente is at least in the center of
 20 this matter as much as Mr. Donziger is.
 21 It allegedly signed the authorization to
 22 retain Mr. Donziger and Mr. Kohn as we saw
 23 in an exhibit. It is everywhere in the
 24 clips. It disburses money, according to
 25 Mr. Donziger. There is substantial

Page 2081

1 DONZIGER
 2 evidence that it would be the receiver of
 3 an award; indeed, Mr. Donziger so said.
 4 It organizes burials of the individuals in
 5 effigy, is the organizer of the armies to
 6 surround the courthouse as we saw in one
 7 of the clips.
 8 How it was formed has a great
 9 deal to do with its alleged authority to
 10 appoint counsel and many of the other
 11 tasks that it has been described as
 12 performing. How could you possibly think
 13 it isn't relevant is my point?
 14 MR. KAPLAN: I remember
 15 carefully the papers submitted by Chevron
 16 in order to gain permission to conduct
 17 this deposition and it was heavily focused
 18 on the Cabrera report and the alleged
 19 impropriety of that report. For the
 20 individuals it was focused on alleged
 21 inappropriate conduct by my client with
 22 respect to governmental authorities in
 23 connection with the criminal prosecutions.
 24 If this were a United States
 25 case in a United States court between

Page 2082

1 DONZIGER
 2 litigants here this would be -- you would
 3 be correct. But I don't think considering
 4 this is a statute designed to get specific
 5 evidence for a foreign proceeding or
 6 before a foreign tribunal or a foreign
 7 criminal proceeding, I think that was too
 8 far afield. That's why I made the
 9 objection.
 10 THE SPECIAL MASTER: It is
 11 overruled. That is just plain dead wrong.
 12 In any event, now let me get to
 13 the point about objections as to form and
 14 questions about objections as to
 15 relevance. In a normal deposition, as you
 16 know, all objections as to relevance are
 17 held until trial unless you are prepared
 18 to stop the deposition and risk going to a
 19 court to proceed, right?
 20 MR. KAPLAN: That is correct.
 21 THE SPECIAL MASTER: I'm not
 22 going to do that, but I'm going to ask for
 23 the following indulgence, and I'm going to
 24 say something more about the nature of the
 25 objections and what effect they have.

Page 2083

1 DONZIGER
 2 I'm going to ask you to hold
 3 any relevance objection until the very
 4 next break and you will have an exception
 5 so that if you raise a relevance objection
 6 at the break and I rule it an appropriate
 7 objection, I will strike my question or
 8 whoever else's question and the answer.
 9 Okay? Is that satisfactory?
 10 MR. KAPLAN: I will obey your
 11 instruction.
 12 THE SPECIAL MASTER: Is it
 13 satisfactory to you?
 14 MR. KAPLAN: Yes.
 15 THE SPECIAL MASTER: Now, as to
 16 objections as to form, as Judge Kaplan
 17 ruled, you can utter the word "objection
 18 as to form," the words, and there is to be
 19 nothing further unless somebody asks for
 20 an explanation. Do you remember that?
 21 MR. KAPLAN: Yes.
 22 THE SPECIAL MASTER: I don't
 23 believe that there has been one occasion
 24 that has arisen in which an explanation
 25 was sought by the examiner. My own

Page 2084

1 DONZIGER
 2 personal answer to objections as to form
 3 in the depositions is I will just take my
 4 chances, Counsel. This is not a jury
 5 case. If you were in a courtroom in the
 6 Southern District of New York, if you made
 7 a dozen objections as to form, or 20, or
 8 80 as happened one day, you would be at a
 9 minimum chastised because almost nobody
 10 asks pristine questions all the time. And
 11 so to take up the time and to, you know,
 12 insist on an objection as to form no
 13 matter how technical, even if you are
 14 right technically, the fact is most of
 15 them don't make a difference. And as you
 16 have seen, if it really would make a
 17 difference, if it is truly a question that
 18 may lead to misunderstanding, if it is
 19 really a botched question, you will see
 20 that I have uttered on more than one
 21 occasion the word "sustained" on my own
 22 volition because I found the question so
 23 absurd. All right?
 24 MR. KAPLAN: At page 1823, for
 25 example.

Page 2085

1 DONZIGER
 2 THE SPECIAL MASTER: For
 3 example. I think I'm at least as good as
 4 you are in finding an objectionable
 5 question. And I do that only when it is
 6 really important. And I ask you, sir, to
 7 behave as if you were in a courtroom in a
 8 nonjury case before Judge Kaplan in making
 9 your objections as to form. Do it when it
 10 means something, not just repetitively and
 11 not just instinctively.
 12 One has the impression that you
 13 and Mr. Abady, it is like the game shows
 14 where somebody has got a hand on a buzzer
 15 and the person who hits the buzzer first
 16 wins. Keep your hand off the buzzer
 17 unless you need to have it on the buzzer
 18 is my preference. It is highly likely
 19 that I will sustain on my own volition an
 20 objection not made if the form is really
 21 bad. Okay?
 22 But, in any event, I mean, I
 23 can't direct you to not make objections as
 24 to form, but I can ask you to behave as if
 25 you were in a federal courthouse in the

Page 2086

1 DONZIGER
 2 Southern District in a nonjury case. You
 3 wouldn't be making this many objections.
 4 And I'm sorry Mr. Abady isn't
 5 here because I have as many questions for
 6 him, believe me, as I had of you.
 7 And then of course on privilege
 8 you are of course entitled to assert a
 9 privilege objection and then direct the
 10 witness not to answer. You know how that
 11 works.
 12 So let's keep the hands off the
 13 buzzer to the extent possible because, A,
 14 it is causing the witness to pause; B,
 15 sometimes the tone of them, Mr. Kaplan,
 16 and I have been listening to the tone,
 17 that's one of the reasons why I asked for
 18 the video to be sent to me, sometimes the
 19 tone is such that I think it sort of
 20 encourages this witness to behave the way
 21 he has been behaving, talking back to the
 22 examiner, talking back to me, and
 23 therefore I ask you to try to reduce the
 24 total number of objections, hold your
 25 objections as to relevance until the next

Page 2087

1 DONZIGER
 2 break. And I told you what I would do if
 3 I find them meritorious. And, generally,
 4 keep your hands off the buzzer.
 5 And one final point. What is
 6 the basis for your objection that the
 7 Special Master not ask substantive
 8 questions of the witness?
 9 MR. KAPLAN: I have not in my
 10 years of experience had a deposition
 11 presided over by a Special Master. But I
 12 thought that, especially in light of the
 13 reference order by Judge Kaplan, that the
 14 task of the Special Master was to
 15 supervise in the sense of calling the
 16 balls and strikes, ruling on privilege,
 17 and keeping things orderly.
 18 THE SPECIAL MASTER: Moving,
 19 and orderly.
 20 MR. KAPLAN: I think many
 21 instances, sir, and you are an agent of
 22 the court more than a mere officer of the
 23 court in this context, and so you are
 24 entitled to great deference, and I feel
 25 that deference, and I hope I show it. But

Page 2088

1 DONZIGER
2 when there is substantive
3 cross-examination by a Special Master that
4 is in the nature of adversarial
5 cross-examination, I don't think that that
6 is appropriate. I can't cite you a case
7 except the law seems to be that the powers
8 of the Special Master are limited by the
9 reference order.
10 THE SPECIAL MASTER: That is
11 so. But there are some powers that are
12 inherent in the nature of the assignment
13 as, for example, the Court of Appeals
14 confirmed in its order to me, one of them
15 is that I have the inherent power to keep
16 the proceedings orderly and to move them
17 along.
18 And in terms of privilege,
19 first of all, let me just go to -- I want
20 to show you an example of something.
21 MR. KAPLAN: Which day are we?
22 THE SPECIAL MASTER: It is
23 Thursday. It is still Thursday. It is
24 the one I spent a great deal of time on.
25 I want to find the place where after

Page 2089

1 DONZIGER
2 Mr. Vinegrad finished asking his questions
3 about that clip, I asked some questions
4 about the clip. 1972, that's where
5 Mr. Vinegrad starts. Now I want to go to
6 the place where I am. Oh, 1972, sorry,
7 yes, 1972.
8 Mr. Vinegrad had just finished
9 going over the clip, this is at the top of
10 page 1972, and Mr. Vinegrad says "I have
11 no other questions on this clip." And,
12 Mr. Kaplan --
13 MR. KAPLAN: I'm sorry, I'm in
14 the rough transcript.
15 THE SPECIAL MASTER: The rough
16 is the same, it is 1972. Somebody give it
17 to him.
18 Now, I had indicated a little
19 earlier that I had some questions. So
20 Mr. Vinegrad finishes and he says "I have
21 no other questions on this clip,"
22 whereupon you, Mr. Kaplan, say "I'll
23 object to the Special Master conducting
24 substantive cross-examination of my
25 client." And then Mr. Abady joins. Do

Page 2090

1 DONZIGER
2 you see that?
3 MR. KAPLAN: I do see it.
4 THE SPECIAL MASTER: At that
5 point, sir, you hadn't the faintest clue
6 what I was going to ask, did you?
7 MR. KAPLAN: I did have a clue
8 what you were going to ask.
9 THE SPECIAL MASTER: Oh,
10 really?
11 MR. KAPLAN: You had in words
12 or substance in some sense given the
13 impression that you were about to
14 cross-examine him about the clip and the
15 variance between what was shown in the
16 clip and the e-mail about which
17 Mr. Vinegrad had questioned.
18 THE SPECIAL MASTER: Mr. Kaplan,
19 your uttering of the word
20 "cross-examination" is not going to do you
21 any good because that happens to be the
22 nature of my questioning when I clarify or
23 do almost anything, because the surest way
24 to deal with a witness who tends to just
25 volunteer as much as he wants is to ask

Page 2091

1 DONZIGER
2 questions in the form that I've asked
3 them.
4 Now, sir, do you notice
5 something about this transcript relating
6 to that clip?
7 MR. KAPLAN: I'm not sure what
8 the question is.
9 THE SPECIAL MASTER: I'll tell
10 you what I'm talking about. You don't see
11 any videos here, do you? You don't see
12 any photographs here, do you? In the
13 transcript?
14 MR. KAPLAN: No.
15 THE SPECIAL MASTER: I was
16 raised, Mr. Kaplan, I suspect you were
17 also raised, by some of the same people
18 who raised us both, to think transcript.
19 And I always think transcript. This
20 transcript and the other transcripts in a
21 sense have to stand on their own because
22 not every reader, neither Judge Kaplan nor
23 the Court of Appeals nor some other court,
24 not every reader is going to have a disk
25 player or wants to really spend time on a

Page 2092

1 DONZIGER
2 disk player. So for this record to be
3 actually clear, there has to be some
4 descriptive material a lot of the time.
5 Often counsel are not doing that.
6 What struck me about this clip
7 was that the reader would want to know, I
8 would want to know, the reader would want
9 to know that it was essentially impossible
10 given what we saw on the clip, but the
11 reader of this transcript didn't see, it
12 was essentially impossible for there to
13 have been lotion rubbed on this
14 secretary's body as set out in the
15 document. That's what the clarification
16 was. I asked was she wearing long
17 sleeves, was she wearing pants, and so on.
18 The way I asked them is the way I know how
19 to ask a question so as to not elicit a
20 volunteered, evasive statement from the
21 witness. That's what I did.
22 MR. KAPLAN: I thought
23 Mr. Vinegrad had made a clear record in
24 his questions.
25 THE SPECIAL MASTER: Well, I

Page 2093

1 DONZIGER
2 didn't think so. For example --
3 MR. KAPLAN: And he did so in a
4 way that was aggressive and yet
5 professional.
6 THE SPECIAL MASTER: Excuse me,
7 you didn't know what I was going to be
8 doing and I think all I did -- whether I
9 did or not, that is in fact what happened,
10 I clarified the record. No reader of this
11 transcript knew that that woman was
12 wearing long pants designed to keep bugs
13 away, for example, not from Mr. Vinegrad
14 or anybody else.
15 I've said what I'm going to say
16 about objections. You have my thoughts.
17 The only order I'm going to make is that
18 you just hold, and you said you don't have
19 a problem with it, you are going to hold
20 relevance objections until the very next
21 break. We have plenty of breaks.
22 MR. KAPLAN: I will. But I
23 would like to say something for a couple
24 of minutes.
25 THE SPECIAL MASTER: Go ahead.

Page 2094

1 DONZIGER
2 MR. KAPLAN: Mr. Abady is not
3 here.
4 THE SPECIAL MASTER: I wish he
5 were.
6 MR. KAPLAN: I understand. But
7 your comments, accurate comments about how
8 you can interrupt a deposition by
9 frequency of objection, coaching
10 objections, or otherwise seeking to break
11 the flow, I don't think that occurred in
12 the context of Mr. Vinegrad's examination.
13 He was within his rights not to comment
14 when Mr. Abady sought to get him to say
15 something about it.
16 The objections were few enough
17 in number, brief enough in words, there
18 was no coaching, there was no
19 argumentation, which is one way people get
20 the questioner off track. And so, you
21 know, in a way I want to be on record in
22 saying that his point was correct insofar
23 as it went. Your point is also correct
24 and trumps the other point, which is that
25 if a questioner chooses to dissect a

Page 2095

1 DONZIGER
2 paragraph that has four or five
3 interrelated sentences he has a right to
4 do so for purposes of his
5 cross-examination and the witness has an
6 obligation to answer the questions that
7 are put. That is a lesson that came from
8 that which I did meet with my client and
9 made very, very clear to him and I think
10 he understands it clear as crystal,
11 including what Judge Kaplan has said and
12 the possible consequences of diverting
13 from the proper path.
14 THE SPECIAL MASTER: Thank you.
15 And you will notice that in my e-mail to
16 Judge Kaplan asking for assistance, I
17 expressed my gratitude that you were going
18 to independently caution the witness. And
19 let's hope that this witness is now fully
20 cautioned and starts to behave as a
21 witness.
22 By the way, I should have said
23 it, there were several objections made,
24 including two by Mr. Abady, where the
25 objection was made after the witness had

Page 2096

1 DONZIGER
2 answered directly and then after the
3 objection was made somehow he felt the
4 need to expand on his answer. That's
5 another respect in which constant
6 objections have a way of, how shall I put
7 the word, maybe enabling a witness who
8 wants to misbehave to continue to do that.
9 Having said all that, let's
10 stop. I would like to take two minutes
11 off the record with counsel alone in our
12 break-out room if you don't mind. One
13 lawyer per party.
14 MR. JASINSKI: Mr. Gitter,
15 before we do that, may I speak briefly on
16 the record?
17 THE SPECIAL MASTER: Yes.
18 MR. JASINSKI: On behalf of the
19 Ecuadorian plaintiffs, Mathew Jasinski
20 from Motley Rice.
21 I just want to say that the
22 Ecuadorian plaintiffs adopt the statement
23 by Mr. Kaplan regarding Mr. Abady's
24 behavior. But we are very aware of the
25 Special Master's view on objections and

Page 2097

1 DONZIGER
2 will take the Special Master's comments to
3 heart today and going forward.
4 THE SPECIAL MASTER: Thank you.
5 One counsel per party, please, in the
6 break-out room.
7 THE VIDEOGRAPHER: Off the
8 record, 9:24 a.m.
9 (Recess taken.)
10 THE VIDEOGRAPHER: We are going
11 back on the record at 9:36 a.m.
12 * * *
13 STEVEN DONZIGER,
14 having been previously duly sworn,
15 testified further as follows:
16 CONTINUED EXAMINATION
17 BY MS. NEUMAN:
18 Q. Good morning, Mr. Donziger.
19 A. Good morning.
20 Q. You understand you are still
21 under oath?
22 A. Yes.
23 Q. Is there any reason you cannot
24 give your best testimony today?
25 A. No.

Page 2098

1 DONZIGER
2 Q. You attended a book launch
3 event in Quito in November of 2005 for a
4 book written by Fernando Reyes; is that
5 right?
6 A. I don't remember.
7 MS. NEUMAN: I'm going to mark
8 as Exhibit --
9 THE SPECIAL MASTER: Is it just
10 a question of the date, Mr. Donziger?
11 THE WITNESS: No, I don't
12 remember.
13 MS. NEUMAN: I'm going to mark
14 as Exhibit 777 a document that we have
15 compiled from six different documents
16 produced by Mr. Donziger. Each of the six
17 documents contains a portion of the
18 diary.doc or the notes that Mr. Donziger
19 kept.
20 THE SPECIAL MASTER: Exhibit
21 422, in other words?
22 MS. NEUMAN: It is not the same
23 as Exhibit 422. Between September '05 and
24 September '07. Mr. Vinegrad questioned
25 Mr. Donziger about a portion of these

Page 2099

1 DONZIGER
2 diaries earlier.
3 This composite diary includes
4 excerpts from the following documents:
5 DONZ 00027156, pages 1-2 of 111; DONZ
6 00027256, pages 1-58 of 109; DONZ
7 00036274-82; DONZ 00036231 through 42;
8 DONZ 00023089 pages 21 to 22 of 52; DONZ
9 00036243 through 72.
10 We reviewed all copies and
11 segments of the diary, and this composite
12 was created to cover all entries given to
13 us while eliminating duplication and
14 overlapping entries and it is in reverse
15 chron order. I hope that was a model of
16 clarity.
17 (Exhibit 777 marked for
18 identification.)
19 THE SPECIAL MASTER: If I
20 recall correctly, 422 also was in reverse
21 chron order; is that right?
22 MS. NEUMAN: I would think so.
23 Q. If you look at page DONZ
24 00036259-60.
25 THE SPECIAL MASTER: They are

Page 2100

1 DONZIGER
2 also numbered page 1 of 111; are they not?
3 MS. HENDRICKS: They are
4 numbered. But they are different
5 documents.
6 THE SPECIAL MASTER: I see. So
7 we are looking only at the Bates stamps;
8 is that it?
9 MS. NEUMAN: Yes, the bottom
10 Bates stamp. And it is towards the end of
11 the document.
12 THE SPECIAL MASTER: I'm sorry,
13 what page number?
14 MS. NEUMAN: 36259.
15 Q. Have you found it,
16 Mr. Donziger?
17 A. Yes.
18 Q. Do you see where you wrote
19 "Gustavo Pinto spoke at book event, very
20 formal, we need to get to these people.
21 Met with Aulestia over plan, must convince
22 Luis."
23 THE SPECIAL MASTER: I'm sorry,
24 would you go slowly, please. First go
25 slowly for the court reporter, but also

Page 2101

1 DONZIGER
2 slowly for me, because I don't see where
3 you are.
4 MS. NEUMAN: Yes, sir.
5 Q. At the bottom of the page of
6 Exhibit 777, the page that bears the Bates
7 number 00036259, the very last partial
8 paragraph that begins "Indigenous people,"
9 at the very bottom of the page, the last
10 sentence of that paragraph that starts on
11 that page says "Gustavo Pinto spoke."
12 Do you see that?
13 A. I see it. I see it. Do you
14 want me to read that one sentence?
15 Q. Yes. And this entry is from
16 November 17th of 2005, correct?
17 A. I see November 17th. I don't
18 know what year it would be.
19 Q. When you created the documents
20 that form Exhibit 777, did you date the
21 entries accurately?
22 A. I'm sure I did. But I don't
23 know what year that would be. I take your
24 word for it, but I do not know the year as
25 I look at this entry.

Page 2102

1 DONZIGER
2 Q. Does reading about Mr. Pinto
3 speaking at a book event refresh your
4 recollection that you attended such an
5 event?
6 A. I have a vague recollection.
7 Q. Did you speak to Fernando Reyes
8 at this event?
9 A. I don't know.
10 Q. Who is Gustavo Pinto?
11 A. He is a well-known I think
12 engineer in Quito.
13 Q. And you have met him, correct?
14 A. Yes.
15 Q. Where did you first meet him?
16 A. I don't know.
17 Q. Do you recall how you first met
18 him?
19 A. I believe I was introduced to
20 him by someone I knew, who might have been
21 Fausto Penafiel, but my recollection is
22 vague. I remember meeting him. I don't
23 remember the first time, or whether that
24 was the first time, I should say.
25 Q. When did you first meet

Page 2103

1 DONZIGER
2 Fernando Reyes?
3 A. I don't know.
4 Q. Did you discuss with Fernando
5 Reyes becoming involved in the Ecuador
6 litigation?
7 A. Yes.
8 Q. Did you discuss with Gustavo
9 Pinto becoming involved in the Ecuador
10 litigation?
11 A. Yes.
12 Q. Mr. Pinto was the president of
13 a leading professional society for
14 geological engineers in Ecuador, correct?
15 A. I believe he was.
16 Q. Were you interested in having
17 both Gustavo Pinto and Fernando Reyes work
18 for the plaintiffs because of their
19 expertise and professional reputations in
20 Ecuador as engineers?
21 A. Yes.
22 Q. You ultimately reached an
23 agreement with Mr. Pinto and Mr. Reyes to
24 act as supposed independent monitors of
25 the Ecuador litigation, correct?

Page 2104

1 DONZIGER
2 A. I don't know. I wouldn't
3 characterize it that way.
4 Q. Did you ever reach an agreement
5 with Mr. Pinto and Mr. Reyes that they
6 would act as if they were independently
7 monitoring the Ecuador litigation, but
8 would in fact be paid by and work directly
9 with the plaintiffs?
10 A. Those are two different
11 premises. I can't answer that.
12 Q. Did you ask Mr. Pinto and
13 Mr. Reyes to act as if they were
14 monitoring independently the Ecuador
15 litigation at any time?
16 A. I believe I asked them to play
17 some role in monitoring the litigation.
18 Q. And did you ask them to purport
19 that they were playing that role as
20 independent from the plaintiffs?
21 A. I believe I asked them to
22 monitor it, and I expect that it would be
23 done independently per their independent
24 expertise.
25 Q. Did you enter into an agreement

Page 2105

1 DONZIGER
2 to pay them, Reyes and Pinto, for this
3 so-called independent monitorship?
4 A. I believe we did pay them, yes.
5 Q. When you say "we," who are you
6 referring to?
7 A. The Lago Agrio plaintiffs.
8 Q. Who else was involved in
9 reaching the agreement with Mr. Pinto and
10 Mr. Reyes to work for the plaintiffs?
11 A. I don't know. Possibly
12 Mr. Penafiel. I don't remember.
13 Q. Do you recall if there was
14 anyone other than yourself involved?
15 A. Well, I remember when I met
16 with Mr. Pinto at some point, I believe
17 Mr. Penafiel was with me or perhaps
18 Mr. Reyes. I don't believe I was alone.
19 Q. Can you turn in Exhibit 777 to
20 DONZ 00036258, the page before the paper
21 we were looking at a minute ago. Do you
22 see the last paragraph?
23 A. Yes.
24 Q. Where it states "Deal with
25 Gustavo Pinto - feel like I have gone over

Page 2106

1 DONZIGER
2 to the dark side. First meeting like that
3 I was not eaten alive. Made modest offer,
4 plus bonus. Agreed to keep it between us,
5 no written agreement. Independent
6 monitoring."
7 Do you see that?
8 A. Yes.
9 Q. Did you write that entry on
10 November 18th?
11 A. Yes.
12 Q. What was the modest offer that
13 you made to Gustavo Pinto that is
14 referenced in that November 18th entry of
15 Exhibit 777?
16 A. I believe it was a sum of money
17 for the work that we had arranged.
18 Q. What was the sum?
19 A. I don't remember.
20 Q. Do you have an estimate? Is
21 there a document in which the payment to
22 Mr. Pinto would be reflected?
23 A. Possibly out of the Selva Viva
24 office. But those amounts of money were a
25 few hundred dollars, a thousand dollars,

Page 2107

1 DONZIGER
2 in that neighborhood, to the best of my
3 recollection.
4 Q. You are saying you paid
5 Mr. Pinto between a few hundred and a
6 thousand dollars; is that right?
7 A. I don't remember. The
8 estimate, as I wrote it here, to the best
9 of my recollection, is in that range.
10 Q. When you say the money would
11 have come out of the Selva Viva office,
12 would it be reflected in a Selva Viva
13 ledger of some kind?
14 A. I would presume.
15 Q. Do you know one way or the
16 other?
17 A. No.
18 Q. What did you make Mr. Pinto a
19 modest offer to do?
20 A. The idea was that he would go
21 down to monitor the judicial inspections.
22 Q. When you say "monitor," do you
23 mean just watch?
24 A. Watch and maybe opine.
25 Q. He would offer an opinion to

Page 2108

1 DONZIGER
2 the court?
3 A. I don't know what the idea was.
4 I think it might have included that and
5 other things.
6 Q. Well, can you say exactly what
7 it is you reached an agreement with
8 Mr. Pinto to do?
9 A. As a general matter, we asked a
10 lot of people, he included in this case,
11 to monitor the trial, to act as a layer of
12 protection to prevent what we felt were
13 corrupt activities from taking place. And
14 the monitoring could include just
15 watching. It could include opinions about
16 sampling by the parties. That kind of
17 stuff.
18 Q. You indicate in Exhibit 777
19 that you reached an agreement that
20 Mr. Pinto will be entitled to a bonus. Do
21 you see that?
22 A. Yes.
23 Q. What did he have to do to get
24 the bonus?
25 A. I don't remember.

Page 2109

1 DONZIGER
2 Q. When you say "agreed to keep it
3 between us," are you referring to yourself
4 and Mr. Pinto?
5 A. I believe so.
6 Q. And that's an agreement that
7 you would keep the fact that Mr. Pinto was
8 working for the plaintiffs confidential?
9 A. I think that was the idea.
10 Q. What did Mr. Pinto ultimately
11 do for the plaintiff?
12 A. To the best of my recollection,
13 I think he made one trip to observe the
14 trial for a period of one or maybe two
15 days.
16 Q. Did he do anything else?
17 A. I don't remember. I don't
18 believe he did. It is possible he wrote
19 something up, but I don't remember.
20 Q. Did you ever make payments to
21 Fernando Reyes?
22 A. Well, when you say "you," I did
23 not personally make payments to Mr. Reyes.
24 Q. Did the plaintiffs' team make
25 payments to Fernando Reyes?

Page 2110

1 DONZIGER
2 A. Yes.
3 Q. How much was Mr. Reyes paid?
4 A. I don't know.
5 Q. Was it agreed that Mr. Reyes
6 would partner up with Mr. Pinto for this
7 independent monitorship?
8 A. I have a vague recollection
9 that that might have been the idea. I
10 don't remember specifically.
11 Q. Was there a plan at one time
12 for you to pay Mr. Reyes and Mr. Pinto
13 \$50,000, "you" being the plaintiffs?
14 A. I don't know. Possible.
15 Q. You referred to Gustavo Pinto
16 and Fernando Reyes in your diary as GF,
17 correct?
18 A. I don't know. I use a lot of
19 shorthand in here.
20 Q. Let's look at page DONZ
21 00036255 of Exhibit 777.
22 Under the January 12th entry,
23 the second paragraph, "50K came today.
24 Met on roof to plan payment of" -- I think
25 that is a typo -- "to GF. Luis has his

Page 2111

1 DONZIGER
2 doubts; I explained we are not paying for
3 time, but for value. Juan came later to
4 collect the plata."
5 Did you write that entry?
6 A. Yes.
7 Q. 50K, that refers to \$50,000?
8 A. Yes.
9 Q. You say "met on the roof." The
10 roof of what?
11 A. In our office in Quito there
12 was a big roof deck. We would often meet
13 up there.
14 Q. And with whom did you plan the
15 payment to Gustavo Pinto and Fernando
16 Reyes?
17 A. I think Luis Yanza.
18 Q. The representative of the
19 Frente?
20 A. Yes.
21 Q. Was the Frente providing the
22 \$50,000?
23 A. No.
24 Q. Who was providing the \$50,000?
25 A. Well, I don't accept the

Page 2112

1 DONZIGER
2 premise that this was about \$50,000. I
3 don't think that was what happened. But
4 whatever money would have been paid to
5 these individuals would have come from
6 Selva Viva.
7 Q. Are you saying that where you
8 wrote "\$50,000 came today, met on roof to
9 plan payment" --
10 THE SPECIAL MASTER: Excuse me,
11 he wrote 50K.
12 Q. I'm sorry, "50K came today, met
13 on roof to plan payment to GF," the
14 \$50,000 does not refer to a payment that
15 was to be paid to Gustavo Pinto and
16 Fernando Reyes?
17 A. I don't believe so, no.
18 Q. The reference to "Luis has his
19 doubts," that's Luis Yanza?
20 A. Yes.
21 Q. What were Luis Yanza's doubts
22 about paying Gustavo Pinto and Fernando
23 Reyes?
24 A. I think Luis always had a lot
25 of doubts when people would ask us for

Page 2113

1 DONZIGER
2 money because he had a feeling that we
3 were being taken advantage of. So his
4 doubts related to paying additional
5 individuals with our very limited budget.
6 THE SPECIAL MASTER: Excuse me
7 one second. I'm going to ask the witness
8 to leave the room now.
9 (Witness departs the room.)
10 THE SPECIAL MASTER: At page
11 47 -- this is the rough of today -- at
12 line 6 -- in any event, going back several
13 questions from where we stopped,
14 Ms. Neuman asked the question, referring
15 to this entry after it was read, about the
16 50K, "Did you write that entry?"
17 "Answer: Yes."
18 "Question: 50K, that refers to
19 \$50,000?"
20 "Answer: Yes."
21 Then we get to -- when we get
22 to the subject of Mr. Yanza and the
23 Frente, the question is was the Frente
24 providing the \$50,000, the witness just
25 having said that 50K is \$50,000. Now the

Page 2114

1 DONZIGER
2 answer is no.
3 "Question: Who was providing
4 the \$50,000?"
5 "Answer: Well, I don't accept
6 the premise that this was about \$50,000.
7 I don't think that was what happened. But
8 whatever money would have been paid to
9 these individuals would have come from
10 Selva Viva."
11 Mr. Kaplan, there was no
12 premise that this was about \$50,000. The
13 witness had just given flat, square,
14 direct testimony that 50K meant \$50,000.
15 Are you going to object if I
16 now question the witness about this?
17 MR. KAPLAN: No. He should not
18 have said "I don't accept the premise."
19 He is not permitted to do that. I would
20 not object to your questioning.
21 THE SPECIAL MASTER: I agree
22 with you. He should not have said "I
23 don't accept the premise."
24 MR. JASINSKI: May I be heard?
25 Putting aside whether the

Page 2115

1 DONZIGER
2 witness said that or not, I think I
3 understand the confusion, and if I may
4 explain what I understand --
5 THE SPECIAL MASTER: No, you
6 are not here to testify.
7 MR. JASINSKI: For the record,
8 Mr. Gitter, I believe the witness is
9 stating that the \$50,000, although \$50,000
10 was not a payment of \$50,000 made to GF,
11 that any payment to GF might have been a
12 subset of that.
13 I think that the premise to
14 what he is referring is the suggestion
15 that all \$50,000 went to those two
16 individuals.
17 THE SPECIAL MASTER: So that's
18 your formulation?
19 MR. JASINSKI: That is my
20 understanding of the testimony, sir. I
21 obviously don't know.
22 THE SPECIAL MASTER: Yes, you
23 obviously don't.
24 I'm going to let this stand and
25 Ms. Neuman can make whatever she wants of

Page 2116

1 DONZIGER
2 it or the individuals can make whatever
3 they want of this testimony. And actually
4 I'm going to not strike anything. What I
5 am going to strike is your comment. Your
6 comment is stricken.
7 I think this testimony really
8 speaks for itself and says a great deal.
9 But Counsel's comment is stricken. He is
10 not here to testify. And if it is
11 referred to in any fashion --
12 MR. JASINSKI: No, sir, I --
13 THE SPECIAL MASTER: You
14 understand what striking means?
15 MR. JASINSKI: Of course I do,
16 sir. I just wanted to --
17 THE SPECIAL MASTER: I see what
18 you are saying. I must tell you, let's
19 let the record -- this record stand
20 exactly as it is and let Ms. Neuman and
21 counsel for the individuals make of it
22 what they want.
23 And when it comes your client's
24 turn to say whatever they want to say --
25 actually, they have no say in the criminal

Page 2117

1 DONZIGER
2 proceeding about this or anything else.
3 This record stands except for that your
4 comment is stricken, sir.
5 MR. KAPLAN: I would like to
6 bring him back, and in so doing, reinforce
7 the point.
8 THE SPECIAL MASTER: No. He is
9 going to be brought back by Mr. Ormand.
10 Let's go on.
11 MS. NEUMAN: Can you read back
12 the last question and answer.
13 (The record was read.)
14 THE SPECIAL MASTER: While the
15 witness is out of the room, I can say not
16 only counsel can make of this testimony
17 what they wish, but also other readers
18 such as the judge can make of it what the
19 judge wishes. I have my own views.
20 MR. KAPLAN: One of the parts
21 of the judge's order was that the witness
22 was to obey your instructions.
23 THE SPECIAL MASTER: I know.
24 MR. KAPLAN: Therefore, I would
25 respectfully request you to tell him --

Page 2118

1 DONZIGER
2 THE SPECIAL MASTER: I'm not
3 going to give him any instructions on
4 this. Let this testimony stand as is.
5 (Witness returns to the room.)
6 THE SPECIAL MASTER: Proceed,
7 Ms. Neuman.
8 MS. NEUMAN: Thank you.
9 BY MS. NEUMAN:
10 Q. Mr. Donziger, did Gustavo Pinto
11 and Fernando Reyes come to you with the
12 idea for the independent monitorship or
13 did you propose it to them?
14 A. I don't know. I think I
15 proposed it to them, but it might have
16 been Mr. Penafiel. I'm not really sure.
17 Q. You can't recall one way or the
18 other?
19 A. No.
20 Q. Do you know of anything that
21 you could look at to refresh your
22 recollection?
23 A. Is it --
24 Q. Is that a yes or a no?
25 A. I don't know.

Page 2119

1 DONZIGER
2 Q. With regard to the issue of
3 paying Mr. Pinto and Mr. Reyes, did you
4 ask them -- I'm sorry, let me withdraw
5 that.
6 With regard to paying Mr. Pinto
7 and Mr. Reyes, did they ask you for a
8 certain sum of money for the independent
9 monitorship or did you make them an offer
10 first?
11 A. To the best of my recollection,
12 I believe they expected to be paid and
13 asked me for money.
14 Q. Do you recall how much they
15 requested to receive for the independent
16 monitorship?
17 A. I don't remember their request.
18 THE SPECIAL MASTER: I think
19 that was already asked and answered,
20 Ms. Neuman, in any event, just that way.
21 Q. In the entry in Exhibit 777 at
22 DONZ 36255 where it states "Juan came
23 later to collect the plata," do you see
24 that?
25 A. Yes.

Page 2120

1 DONZIGER

2 Q. That's referring to money?

3 A. Yeah, plata is money.

4 Q. Juan refers to Juan Aulestia?

5 A. Yes.

6 Q. What was his role as part of

7 the plaintiffs' team?

8 A. Juan was a person who

9 occasionally did work for us on a project

10 basis and was a general friend of the case

11 is how I would describe him.

12 THE SPECIAL MASTER: Is he an

13 attorney?

14 THE WITNESS: No.

15 Q. What was Mr. Aulestia's

16 employment, if he had any?

17 A. At the time I believe he was

18 the head of a foundation in Ecuador.

19 Q. What was the name of the

20 foundation?

21 A. I don't remember.

22 Q. Is Mr. Aulestia affiliated with

23 Duke University in any way?

24 A. He is today.

25 Q. You say "Juan came later to

Page 2121

1 DONZIGER

2 collect the money." Was Mr. Aulestia

3 collecting the money to pay to Mr. Pinto

4 and Mr. Reyes?

5 A. I believe so.

6 Q. And why was the money going

7 through Mr. Aulestia?

8 A. I believe that Mr. Pinto for

9 some reasons related to his professional

10 association didn't want to be paid

11 directly. That's to the best of my

12 recollection.

13 Q. The money that you gave to

14 Mr. Aulestia to pay to Mr. Pinto and

15 Mr. Reyes, was that given to him in cash?

16 A. I don't remember.

17 Q. How many times did you meet

18 with Fernando Reyes and Gustavo Pinto

19 together?

20 A. Excuse me, just to clarify, I

21 don't believe I gave money to

22 Mr. Aulestia. That would have been done

23 by Mr. Yanza.

24 Q. You mean Mr. Yanza would have

25 been the one to physically hand him the

Page 2122

1 DONZIGER

2 cash?

3 A. Yeah. In other words, the

4 money that would come in to Ecuador would

5 go into the Selva Viva account that

6 Mr. Yanza administered.

7 Q. Mr. Yanza ran Selva Viva in

8 addition to running the Frente?

9 A. I believe he ran Selva Viva.

10 But at that time I think his role in the

11 Frente had changed and another person had

12 taken over the Frente.

13 Q. How many times did you meet

14 with Fernando Reyes and Gustavo Pinto

15 together?

16 A. I don't remember.

17 Q. Did you ever direct Fernando

18 Reyes and Gustavo Pinto to meet with the

19 court's settling expert, Johnny Zambrano?

20 A. I don't remember.

21 Q. Do you know whether Mr. Pinto

22 and Mr. Reyes met with the court's

23 settling expert, Johnny Zambrano?

24 A. I don't know.

25 THE SPECIAL MASTER: Ms. Neuman,

Page 2123

1 DONZIGER

2 I have now seen the phrase several times.

3 Would you mind clarifying for me and the

4 record what the term "settling expert"

5 means.

6 Q. In the judicial inspections,

7 the court had court-appointed experts to

8 act on its behalf, correct?

9 A. Yes.

10 Q. Those experts were called

11 settling experts in the Ecuadorian

12 proceeding; is that right?

13 A. I never understood the origin

14 of the term. I thought it came from

15 Chevron itself. I don't think that's an

16 official term under Ecuadorian law, as I

17 understand it.

18 Q. What did you believe the

19 court's experts to be referred to as?

20 A. The court-appointed experts --

21 court-appointed experts, as opposed to

22 party-nominated experts appointed by the

23 court.

24 Q. And the court-appointed experts

25 who were appointed to assist the court

Page 2124

1 DONZIGER
2 with disputes regarding the judicial
3 inspections, what were they referred to?
4 Like Cabrera was referred to as the global
5 expert, what were the ones who conducted
6 the JIs referred to as?
7 A. I mean, we called them the
8 judge's experts.
9 Q. When I was previously asking
10 you questions regarding the settling
11 expert, Johnny Zambrano, you knew who I
12 was referring to, correct?
13 A. Yes, based on what I have seen
14 Chevron -- how Chevron describes those
15 individuals.
16 Q. To your knowledge, did
17 Mr. Pinto and Mr. Reyes ever represent
18 themselves to the judge's judicial
19 inspection experts as independent monitors
20 of the case unaffiliated with the
21 plaintiffs?
22 A. I don't know.
23 Q. Could you turn for me in
24 Exhibit 777 to DONZ 00023089.
25 MR. KAPLAN: I'm sorry, could I

Page 2125

1 DONZIGER
2 have the page reference again, please?
3 MS. NEUMAN: Yes, it is DONZ
4 00023089, labeled page 22 of 52. It is in
5 the latter portion of the document.
6 A. 22 of 52?
7 Q. Yes. Are you on a page that
8 has a February 6th entry?
9 A. Yes.
10 Q. February 6th, "talk to
11 Gustavo" --
12 THE SPECIAL MASTER: I'm sorry,
13 have I got the wrong page?
14 MR. ORMAND: I think there are
15 two 23089s.
16 THE SPECIAL MASTER: Yes, there
17 are two. There is a page 21 of 52 and
18 then there is a page 22 of 52, both Bates
19 stamped 23089.
20 Q. Are you on page 22 of 52?
21 A. Yes.
22 Q. Do you see the entry that
23 starts with February 6th?
24 A. Yes.
25 Q. It states "Talked to Gustavo

Page 2126

1 DONZIGER
2 this morning about perito dir report. I
3 keep thinking we pay them so little and
4 they know the court's peritos make so
5 much, why would they want to keep doing
6 this for us. This was my one bargain with
7 the devil, but we can't win with the devil
8 because they can always pay more. Really
9 frustrating. Feeling really boxed in it."
10 Do you see that?
11 A. Yes.
12 Q. Did you make those statements?
13 A. Yes.
14 Q. When you say "talked to
15 Gustavo," that refers to Gustavo Pinto,
16 correct?
17 A. Yes.
18 Q. When you say "perito dir
19 report," what are you referring to?
20 A. The perito dirimente report.
21 Q. What was the perito dirimente
22 report that you were referring to in your
23 February 6th entry?
24 A. I believe it would be a report
25 that the judge's experts would write.

Page 2127

1 DONZIGER
2 Q. Now, in your plaintiff's
3 petition to stay the arbitration in New
4 York they referred to those experts as the
5 settling experts as well. Are you
6 comfortable with continuing to refer to
7 them as the settling experts?
8 A. It is not a term that I think
9 completely describes their role. But if
10 you want to use it to describe what I
11 would call the judge's experts, I'll
12 accept that.
13 THE SPECIAL MASTER: Ms. Neuman,
14 are you saying -- you are representing
15 that the plaintiff's petition to stay the
16 arbitration in New York, their papers
17 refer to these experts as the settling
18 experts; is that right?
19 MS. NEUMAN: Yes. They stated
20 each side will designate an expert and the
21 court would appoint settling experts to
22 resolve discrepancies.
23 THE SPECIAL MASTER: Thank you.
24 I'm sorry to have interrupted you. I
25 don't know if there is a question pending.

Page 2128

1 DONZIGER
2 No, there isn't.
3 Q. When you wrote "I keep thinking
4 we pay them so little," that refers to
5 Pinto and Reyes, correct?
6 A. Yes.
7 Q. And when you say "and they know
8 the court's peritos make so much," you are
9 referring to the judicial inspection
10 settling experts, correct?
11 A. Yes.
12 Q. When you say "this was my one
13 bargain with the devil," you are referring
14 to the independent monitorship agreement
15 you reached with Pinto and Reyes; is that
16 right?
17 A. I'm referring to the fact we
18 had to pay them.
19 Q. For the independent
20 monitorship, correct?
21 A. For the work they were doing,
22 yes.
23 Q. Did Gustavo Pinto and Fernando
24 Reyes write a report for the plaintiffs
25 concerning the settling expert's Sacha 53

Page 2129

1 DONZIGER
2 report?
3 A. I don't remember. It is
4 possible.
5 Q. Did Gustavo Pinto and Fernando
6 Reyes provide you with a draft of such a
7 report?
8 A. I don't remember.
9 Q. Had you asked Pinto and Reyes
10 to try and discredit the Sacha 53 settling
11 expert's report?
12 A. I might have asked them to
13 comment on it because I felt like it was
14 deficient in a number of respects. But I
15 don't remember specifically.
16 Q. Did they provide you a draft
17 report that you -- let me withdraw that.
18 Did Fernando Reyes and Gustavo
19 Pinto provide you a draft report
20 commenting on the Sacha 53 settling expert
21 report that you found unsatisfactory?
22 A. It is possible. I don't know.
23 Q. You don't have any recollection
24 of that?
25 A. As you are asking me these

Page 2130

1 DONZIGER
2 questions, I have not reviewed this before
3 this series of questions. As you ask me
4 these questions and I look at this, I have
5 a vague recollection that they prepared
6 some sort of document and gave it to me.
7 I don't remember when, what it was about,
8 other than it was related to something
9 related to the Lago Agrio fieldwork.
10 Q. You ended the independent
11 monitorship, correct, that project?
12 A. It did end. I don't know if I
13 ended it or it just ended.
14 Q. You don't recall whether you
15 had a lunch with Fernando Reyes in Quito
16 to end that monitorship?
17 A. No.
18 Q. After you ended the independent
19 monitorship with Fernando Reyes and
20 Gustavo Pinto, you entertained the idea of
21 having Fernando Reyes serve as the court's
22 global expert, correct?
23 A. Yes.
24 Q. Did you interview Mr. Reyes for
25 that position?

Page 2131

1 DONZIGER
2 A. I talked to him I believe on a
3 number of occasions about whether or not
4 he would be interested in us putting forth
5 his name to the court.
6 THE SPECIAL MASTER: Ms. Neuman,
7 if recollection serves, there was a
8 sentence that either Mr. Vinegrad or
9 Mr. Rivero read into the record from
10 Exhibit 422 that talked about an interview
11 of Mr. Reyes and had some more descriptive
12 activity in it.
13 So I'm not sure -- do you need
14 this as foundation for something? And if
15 so, why don't we just go to that sentence.
16 And Mr. Vinegrad is here and can probably
17 direct you to it with very little trouble.
18 MS. NEUMAN: I think I can go
19 on.
20 THE SPECIAL MASTER: You don't
21 have to go on. I'm just trying to help
22 you -- help you go on, if you want to
23 continue with this. It is up to you. But
24 we have had -- I'm quite certain we have
25 had a sentence from Exhibit 422 about this

Page 2132

1 DONZIGER
2 subject, at least one sentence.
3 Q. Did Fernando Reyes have any
4 role in getting Cabrera appointed as a
5 court JI settling expert?
6 A. I don't know.
7 Q. Did Fernando Reyes find Cabrera
8 so that he could serve as a settling
9 expert?
10 A. It is possible.
11 Q. Did you have any communications
12 with Richard Cabrera prior to his
13 appointment as one of the court's settling
14 experts for the judicial inspections?
15 A. To the best of my recollection,
16 I don't believe I did.
17 Q. Can you look in Exhibit 777 at
18 DONZ 00027256, page 18 of 109.
19 A. 27256?
20 Q. Yes, sir.
21 A. I have it. It says page 53 of
22 109.
23 Q. No, it is page 18 of 109. I'm
24 sorry, they are all the same Bates number.
25 Once you are in that Bates number, it is

Page 2133

1 DONZIGER
2 page 18 of 109. And on the prior page, 17
3 of 109, there is a date, February 12th,
4 '07. And in the top of that page, it says
5 "flying home on LAN." Do you see that?
6 A. Yes.
7 Q. In the third paragraph down,
8 you write "Key legal issue, who will be
9 the perito." That's referring to the
10 global expert for the court, correct?
11 A. I believe so.
12 Q. "According to Pablo, 22 people
13 could be it. Judge eliminated 15 from
14 both sides. That leaves 7."
15 Do you see that?
16 A. Yes.
17 Q. That refers to the seven
18 settling experts that the court had
19 appointed to conduct judicial inspections,
20 correct?
21 A. I believe so.
22 Q. "Eliminate the first five of
23 the seven (the corrupt freaks), and that
24 leaves Echeverria and Richard."
25 Do you see that?

Page 2134

1 DONZIGER
2 A. Yes.
3 Q. That is referring to Richard
4 Cabrera?
5 A. I believe so.
6 Q. You go on to say "Richard
7 served in the last inspection and he was
8 found by Fernando Reyes, who has turned
9 out to be a good friend of the case."
10 Do you see that?
11 A. Yes.
12 Q. You wrote all that?
13 A. Yes.
14 Q. What did you mean when you
15 wrote "Richard was found by Fernando
16 Reyes"?
17 A. I don't know. We often would
18 try to find competent technical people in
19 Ecuador who had the fortitude to serve --
20 THE SPECIAL MASTER: I'm sorry,
21 I think you've answered the question with
22 "I don't know."
23 MR. JASINSKI: Objection.
24 THE SPECIAL MASTER: Strike
25 everything after the words "I don't know."

Page 2135

1 DONZIGER
2 MR. JASINSKI: Objection.
3 Q. Was Richard Cabrera found by
4 Fernando Reyes on behalf of the plaintiffs
5 and then recommended to the court to serve
6 as a settling expert for the judicial
7 inspections?
8 A. It is possible.
9 Q. Did you have any discussions
10 with the judge in the Lago Agrio case
11 about Cabrera being appointed as a
12 judicial settling expert?
13 A. I don't believe I did, to the
14 best of my recollection.
15 Q. Did you have any discussions
16 with the judge in the Lago Agrio case
17 about Cabrera being appointed as the
18 global expert?
19 A. I have had some discussions
20 with that particular judge, but I don't
21 remember if they were specifically about
22 Mr. Cabrera or just generally about the
23 need to expedite the process.
24 Q. When you say "that particular
25 judge," which judge are you referring to?

Page 2136

1 DONZIGER

2 A. The judge who was presiding

3 over the trial during the pendency of the

4 appointment of the global damages expert.

5 And I believe his name was German Yanez.

6 THE SPECIAL MASTER: That is

7 the judge's name was German Yanez?

8 THE WITNESS: Yes.

9 Q. Prior to Judge Yanez appointing

10 Richard Cabrera as the global expert for

11 the court, did you ever discuss with him

12 plaintiffs wanting him to appoint Cabrera?

13 A. I don't remember. I remember

14 discussing with him --

15 THE SPECIAL MASTER: I think

16 anything after that is a volunteered

17 statement, anything after "I don't

18 remember."

19 Q. When Mr. Cabrera was appointed

20 as a judicial inspection expert to act on

21 behalf of the court, he was ordered to act

22 with absolute objectivity and

23 independence, correct?

24 A. I believe so, yes.

25 Q. And he was ordered to act

Page 2137

1 DONZIGER

2 independent of the parties, correct?

3 A. Yes.

4 Q. Was there any disclosure made

5 to Chevron that Mr. Cabrera had been found

6 by Mr. Reyes to act as a judicial

7 inspection expert?

8 A. I don't know.

9 Q. Did anyone associated with the

10 plaintiffs make any monetary payments to

11 Mr. Cabrera for his work as a judicial

12 inspection settling expert?

13 A. I believe so.

14 Q. Who made those payments?

15 A. I believe they were made by

16 Selva Viva, per court rules.

17 Q. Other than payments made on the

18 public record through the court, was

19 anything of value given to Cabrera for his

20 work as a settling expert by anyone acting

21 on behalf of the plaintiffs?

22 A. I don't believe so, no.

23 MR. KAPLAN: Mr. Gitter, the

24 witness has asked whether we can take a

25 comfort break.

Page 2138

1 DONZIGER

2 THE SPECIAL MASTER: Of course.

3 THE VIDEOGRAPHER: Off the

4 record, 10:32 a.m. This is the end of

5 disk one, volume VIII, deposition of

6 Steven Donziger.

7 (Recess taken.)

8 THE VIDEOGRAPHER: We are back

9 on the record at 10:43 a.m. This is the

10 beginning of disk two, volume VIII, in the

11 deposition of Steven Donziger.

12 BY MS. NEUMAN:

13 Q. Mr. Donziger, could you turn in

14 Exhibit 777 back to page 27256, page 18 of

15 109.

16 A. Yes.

17 Q. And look at the third paragraph

18 down, which begins "Key legal issue on

19 Friday." Do you see that?

20 A. Yes.

21 Q. When you say "Eliminate the

22 first five of the seven (the corrupt

23 freaks)," you are referring to five of the

24 settling experts that had been appointed

25 by the Ecuador court, correct?

Page 2139

1 DONZIGER

2 A. Yes.

3 Q. How were those five eliminated

4 from consideration by the judge?

5 A. I was -- I don't know.

6 Q. I'm going to show you a

7 document that has previously been marked

8 as Exhibit 340. I apologize for the print

9 size. This e-mail was produced by the --

10 THE SPECIAL MASTER: Hold on

11 one second, please. When I'm done, I

12 offer this huge magnifier to anybody else

13 who will go blind from trying to read

14 this.

15 MS. NEUMAN: The witness would

16 like to utilize it.

17 Just to explain for the record,

18 Exhibit 340 was produced by the Crude

19 filmmakers, whose computers use Apple, and

20 when they convert some of these e-mails

21 for printing, we don't know, but it makes

22 some of them quite small and puts in some

23 of the computer talk. But it has been

24 authenticated.

25 THE SPECIAL MASTER: Okay.

Page 2140

1 DONZIGER
 2 Anybody else need this? Pass this to the
 3 witness, please.
 4 Q. Mr. Donziger, I plan to ask you
 5 about this portion of the e-mail chain
 6 (indicating), which is an e-mail that came
 7 from you.
 8 THE SPECIAL MASTER: Has this
 9 been identified by date in the usual way,
 10 and the other usual ways, apart from the
 11 fact that it comes from an Apple computer
 12 that is causing all of us to squint?
 13 MS. NEUMAN: It is an e-mail
 14 exchange that is dated February 26th,
 15 2007, including Mr. Berlinger,
 16 Mr. Bonfiglio, and Mr. Donziger.
 17 THE WITNESS: I've read it.
 18 Q. Do you see in Exhibit 340, the
 19 e-mail from yourself to Mr. Berlinger, in
 20 which you state on February 26th, 2007, "I
 21 am a little rushed now because things are
 22 happening that could be determinative, and
 23 I feel like you guys are just floating
 24 along waiting for this to end in a year,
 25 which it might. But this case could end

Page 2141

1 DONZIGER
 2 soon, which is what I want to talk to you
 3 about, but it is also difficult for me
 4 because most of this is highly
 5 confidential and I'm taking a risk by
 6 sharing it with you. Thus, the time frame
 7 is potentially much more compressed than
 8 all of us had assumed. That is where a
 9 lot of my comments are coming from."
 10 Do you see that?
 11 A. Yes.
 12 Q. Did you write that e-mail?
 13 A. Yes.
 14 Q. When you said in February of
 15 '07, "this case could end soon, that is
 16 what I want to talk to you about," to Joe
 17 Berlinger, what were you referring to?
 18 A. The possibility of settlement
 19 discussions being initiated with Chevron.
 20 Q. Were you referring in any way
 21 to anything about the appointment of a
 22 global expert of the plaintiffs' choosing?
 23 A. I don't believe so.
 24 Q. When you said "things are
 25 happening that could be determinative,"

Page 2142

1 DONZIGER
 2 was that also only referring to settlement
 3 discussions or something else?
 4 A. I believe it only refers to
 5 settlement discussions.
 6 Q. I will show the witness a
 7 document previously marked as Exhibit 341.
 8 This is an e-mail exchange from March 2nd,
 9 2007, including Mr. Donziger,
 10 Mr. Bonfiglio and Mr. Berlinger.
 11 Were you able to read Exhibit
 12 341, Mr. Donziger?
 13 A. Yes.
 14 Q. This e-mail exchange is dated
 15 March 2nd of 2007. That was the day
 16 before plaintiffs' consultants and lawyers
 17 met with Mr. Cabrera, correct?
 18 A. Yes.
 19 Q. Do you see at the bottom of
 20 Exhibit 341 where Mr. Berlinger inquires
 21 "How did the 'fax shoot' go the other
 22 day?"
 23 A. Yes.
 24 Q. The reference to a fax shoot,
 25 that refers to a plan to film the

Page 2143

1 DONZIGER
 2 plaintiffs' lawyers receiving a fax from
 3 the court informing them that Cabrera had
 4 been appointed as the global expert,
 5 correct?
 6 A. I believe so, although I don't
 7 know if it came from the court or from our
 8 team in Lago Agrio.
 9 Q. And you expected to receive an
 10 order appointing Cabrera prior to the
 11 March 3rd meeting, correct?
 12 A. I don't know.
 13 Q. On Exhibit 341, in response to
 14 Mr. Berlinger asking how the fax shoot
 15 went, you respond "The judge never came
 16 through. Texaco is delaying, pressuring
 17 him. It is a real problem for the case,
 18 but we will fight through it. Should
 19 happen Monday."
 20 Do you see that?
 21 A. Yes.
 22 Q. Are you referring to the fact
 23 that the judge never came through with
 24 Cabrera's appointment prior to March 2nd
 25 of '07?

Page 2144

1 DONZIGER
2 A. I believe so, yes.
3 Q. Had you arranged for the March
4 3rd meeting between Cabrera and
5 plaintiffs' consultants and lawyers
6 because you expected that he would have
7 already have been appointed as the court's
8 global expert by that time?
9 A. I don't know.
10 Q. Did you instruct the cameramen
11 of the March 3rd meeting not to film
12 Mr. Cabrera?
13 A. I don't believe I did.
14 Q. Did anyone, to your knowledge,
15 instruct the cameramen at the March 3rd
16 meeting not to film Mr. Cabrera?
17 A. I don't believe so.
18 Q. Other than yourself, who was
19 able to direct the activities of the
20 cameramen at the March 3rd meeting?
21 A. I don't understand the
22 question.
23 Q. The Crude film crew attended
24 the March 3rd meeting between Cabrera and
25 plaintiffs' lawyers and consultants,

Page 2145

1 DONZIGER
2 correct?
3 A. Yes.
4 Q. And there were two cameramen
5 there. Do you recall that?
6 A. I don't. I know there was at
7 least one.
8 Q. The cameramen that were there,
9 did you give them any instructions about
10 what they should film, what they shouldn't
11 film, anything of that nature?
12 A. I don't believe I did. But it
13 is possible. I mean, when I would
14 interact with them, I often would say "You
15 should shoot this, it would be good for
16 the film."
17 But I don't remember
18 specifically what instructions I might
19 have given regarding that particular
20 meeting other than to say you could shoot
21 it.
22 Q. And you had an understanding
23 with Mr. Berlinger that you could turn the
24 cameras off if you wanted to, correct?
25 A. Yes.

Page 2146

1 DONZIGER
2 Q. Did Pablo Fajardo also have the
3 right to instruct the cameramen to turn
4 the cameras off?
5 A. I believe he did, yes.
6 Q. Did anyone else in attendance
7 at the March 3rd meeting have the
8 authority to instruct the cameramen to
9 turn the cameras off?
10 A. I don't know. Possibly
11 Mr. Yanza. Other than him, I don't think
12 anybody else.
13 Q. Did anyone other than yourself,
14 Mr. Fajardo and possibly Mr. Yanza have
15 the authority at the March 3rd meeting to
16 tell the cameramen not to film certain
17 events?
18 A. Other than those three people?
19 Q. Yes, sir.
20 A. I don't believe so.
21 Q. Did Mr. Cabrera make a
22 presentation at the March 3rd meeting?
23 A. I don't think he did, to the
24 best of my recollection.
25 Q. Did Pablo Fajardo ever instruct

Page 2147

1 DONZIGER
2 the Crude cameramen not to film Cabrera?
3 A. I don't know.
4 Q. Did Luis Yanza ever instruct
5 the Crude cameramen not to film Cabrera?
6 A. I don't know.
7 Q. During the course of the March
8 3rd meeting you assumed Mr. Cabrera would
9 be appointed as the court's global expert,
10 correct?
11 A. I think I did, yes.
12 Q. In the meeting, you refer to
13 him as Richard. Do you recall that?
14 A. Yes.
15 Q. How many times had you met with
16 Mr. Cabrera prior to the March 3rd
17 meeting?
18 A. I don't know the exact number.
19 Q. Can you give me an estimate,
20 please?
21 A. Maybe one or two. I think I
22 base that on something I read in my notes.
23 Q. Are you referring to Exhibit
24 777?
25 A. Yes.

Page 2148

1 DONZIGER
2 Q. Did you begin calling him
3 Richard at your very first meeting with
4 him?
5 A. I don't know.
6 Q. The one or two meetings that
7 you had with Mr. Cabrera prior to the
8 March 3rd meeting, do you recall when the
9 first of those two meetings was?
10 THE SPECIAL MASTER: Well,
11 whatever the number it was, whether it was
12 one, two, or more, do you remember the
13 first meeting you had?
14 THE WITNESS: Sometime in the
15 preceding weeks.
16 Q. The weeks preceding March 3rd?
17 A. Yes.
18 Q. Was it after Cabrera had been
19 appointed and served as a settling expert
20 for the court for the judicial
21 inspections?
22 A. I don't know. I don't remember
23 the dates of those inspections.
24 Q. Those inspections were in
25 December of '06.

Page 2149

1 DONZIGER
2 A. It could have been between the
3 two. I believe it probably was. And I'm
4 basing this on what I had read in this.
5 Q. And by "this" you mean Exhibit
6 777?
7 A. Yes.
8 Q. Would you agree that the
9 appointment of Cabrera was a significant
10 event in the Lago Agrio case?
11 A. Yes.
12 Q. In meeting with Cabrera between
13 the time he served as the judicial
14 inspection expert and the March 3rd
15 meeting, what was the purpose of those
16 interim meetings?
17 A. To search for individuals who
18 had competence as technical people who
19 could serve as the global expert so we
20 could present their names to the judge.
21 Q. Well, at this point in time you
22 were aware that the judge was going to
23 select the global expert from among the
24 seven settling experts, correct?
25 A. I don't know.

Page 2150

1 DONZIGER
2 Q. Can you look back at Exhibit
3 777, DONZ 27256, page 18 of 109. We just
4 read a moment ago --
5 THE SPECIAL MASTER: Refresh us
6 as to the date of this entry, please. Oh,
7 I see it, February 12.
8 MS. NEUMAN: February 12, '07,
9 Monday.
10 Q. Where you wrote "Who will be
11 the perito? According to Pablo, 22 people
12 could be it. Judge eliminated 15 from
13 both sides. That leaves 7. Eliminate the
14 first five of the seven (the corrupt
15 freaks), and that leaves Echeverria and
16 Richard."
17 Do you see that?
18 A. Yes.
19 Q. So as of February 12th, '07 you
20 knew that the judge was going to select
21 the global expert from among the seven
22 court settling experts, correct?
23 A. That was my belief, yes, at
24 that time.
25 Q. And you were meeting with

Page 2151

1 DONZIGER
2 Mr. Cabrera to discuss his becoming the
3 court's global expert, correct?
4 A. That's correct.
5 Q. In meeting with Mr. Cabrera to
6 discuss his becoming the court's global
7 expert, were you discussing with him the
8 fact that you wanted him to work with the
9 plaintiffs' team?
10 MR. JASINSKI: I object to
11 form.
12 THE SPECIAL MASTER: Answer,
13 please.
14 A. I don't remember.
15 THE SPECIAL MASTER: Hold on
16 one second, please. Go on.
17 Q. Can you deny that you discussed
18 with Cabrera prior to his appointment as
19 the global expert the fact that you wanted
20 him to work with the plaintiffs after he
21 was appointed as a court expert?
22 MR. JASINSKI: I object to
23 form.
24 A. I can't answer that yes or no.
25 Q. Are you the person who invited

Page 2152

1 DONZIGER
2 Richard Cabrera to the March 3rd meeting
3 with plaintiffs' consultants and lawyers?
4 A. To the best of my recollection,
5 I don't believe so.
6 Q. Who invited Mr. Cabrera to that
7 meeting?
8 A. I don't know.
9 Q. Did you approve Mr. Cabrera
10 being invited to the March 3rd meeting
11 with plaintiffs' consultants and lawyers?
12 A. Yes.
13 Q. Other than yourself, who on
14 plaintiffs' team was in contact with
15 Mr. Cabrera during this time frame?
16 A. I believe the local counsel
17 team was in contact with him.
18 Q. By "local counsel," you mean
19 the lawyers, Mr. Fajardo; is that right?
20 A. Yes.
21 Q. Other than Mr. Fajardo, who do
22 you know of the plaintiffs' lawyers who
23 had direct contact, and yourself, who had
24 direct contact with Mr. Cabrera?
25 THE SPECIAL MASTER: I think it

Page 2153

1 DONZIGER
2 is now a confusing question. Other than
3 yourself and Mr. Fajardo, who had direct
4 contact with Mr. Cabrera?
5 THE WITNESS: Among the
6 lawyers, I'm not sure.
7 Q. Who on plaintiffs' technical
8 team had direct contact with Mr. Cabrera?
9 A. I believe Mr. Reyes did.
10 Q. Anyone else?
11 A. I don't know.
12 Q. Prior to the March 3rd meeting,
13 had plaintiffs' counsel other than
14 yourself met with Mr. Cabrera privately?
15 A. I don't know.
16 Q. Prior to the March 3rd meeting,
17 had anyone on plaintiffs' technical team
18 met with Mr. Cabrera privately?
19 A. Well, I believe Mr. Reyes met
20 with him when I met with him. Other than
21 that, I don't know.
22 Q. The first meeting that you had
23 with Cabrera, who attended that meeting
24 other than yourself and Mr. Reyes?
25 A. To the best of my recollection,

Page 2154

1 DONZIGER
2 I think it was just us. There might -- I
3 don't know.
4 Q. Just the three of you?
5 A. I believe so, but, again, I'm
6 basing that on what I've read in these
7 notes.
8 Q. You don't have any independent
9 recollection of first meeting Richard
10 Cabrera?
11 A. I do, but, as I believe I
12 testified, it was at the -- in the field
13 during the judicial inspections.
14 Q. Where did you and Mr. Reyes
15 meet with Mr. Cabrera?
16 A. I believe it was in the Hotel
17 Quito.
18 Q. In a private room or in a
19 public area?
20 A. I don't know.
21 Q. During the meeting that you and
22 Mr. Reyes had with Mr. Cabrera, did he
23 confirm that he was willing to serve as
24 the court's global expert?
25 A. I don't remember the specifics

Page 2155

1 DONZIGER
2 of that meeting.
3 Q. During the meeting that you and
4 Mr. Reyes had with Mr. Cabrera, did
5 Mr. Cabrera confirm that he would be
6 willing to work with the plaintiffs while
7 serving publicly as the court's global
8 expert?
9 MR. JASINSKI: I object to
10 form.
11 THE SPECIAL MASTER: Hold on a
12 second. I'm going to ask the witness to
13 leave, please.
14 (Witness departs the room.)
15 THE SPECIAL MASTER: Counsel,
16 what's the nature of the objection?
17 MR. JASINSKI: Mr. Gitter, I
18 find the phrase "worked with the
19 plaintiffs" to be vague. I have no idea
20 what that means. It could mean many
21 different things, from benign and
22 innocuous to inflammatory.
23 MS. NEUMAN: I don't think it
24 is open to a benign --
25 THE SPECIAL MASTER: No, no,

Page 2156

1 DONZIGER
2 no. Whether that is objectionable or not
3 is not the issue for me right now. Bring
4 the witness back. I want to hear what the
5 answer is and whether he can answer the
6 question. Let's just get the witness
7 back.
8 No, before that happens,
9 Ms. Neuman, I'm not sure you were here; in
10 fact, I'm sure you weren't here -- no, I'm
11 not sure you weren't here -- but there was
12 extensive questioning by Mr. Vinegrad, I
13 believe, or maybe with Mr. Rivero, about
14 something in 422 with respect to the
15 conversations that the witness had with
16 Mr. Cabrera before he was appointed. And
17 I believe there was more in 422 than the
18 page you are just looking at now.
19 Are you aware of that?
20 MS. NEUMAN: Yes, I'm aware
21 there is another entry.
22 THE SPECIAL MASTER: Okay,
23 fine. All right.
24 Mr. Jasinski, have you read the
25 other materials in 422 that deal with this

Page 2157

1 DONZIGER
2 subject?
3 MR. JASINSKI: I do not believe
4 that I have read 422.
5 THE SPECIAL MASTER: Have you
6 read the testimony that was elicited from
7 422 on this very subject that you've just
8 objected to as to form?
9 MR. JASINSKI: I have read much
10 of the transcript. I don't have a
11 specific recollection of reading about
12 422.
13 THE SPECIAL MASTER: Let's see
14 what the witness' answer is to this
15 question and then we may take another
16 break.
17 (Witness returns to the room.)
18 THE SPECIAL MASTER: Let's have
19 the pending question read to the witness
20 without any of the colloquy, please.
21 (The record was read.)
22 THE SPECIAL MASTER: You may
23 answer.
24 A. I don't know.
25 Q. Prior to --

Page 2158

1 DONZIGER
2 THE SPECIAL MASTER: Stop. I'm
3 going to ask the witness to leave the room
4 again. I'm sorry.
5 (Witness departs the room.)
6 THE SPECIAL MASTER: I'm going
7 to wait until the lunch break so I can go
8 back over the testimony from before, but
9 we are going to have a further discussion
10 about this. Let's call the witness back.
11 Mr. Reporter, would you please
12 mark for my further discussion or review
13 the objections at lines -- there have been
14 three objections to form in the last three
15 pages all made by Mr. Jasinski. I would
16 like you to mark those and the witness'
17 answers after those objections when we
18 discuss this again. Thank you.
19 (Witness returns to the room.)
20 THE SPECIAL MASTER: I think
21 there is no question pending, Ms. Neuman.
22 BY MS. NEUMAN:
23 Q. At some point prior to the
24 March 3rd meeting was an agreement reached
25 with Mr. Cabrera that while serving

Page 2159

1 DONZIGER
2 publicly as the court's global expert, he
3 would work privately with plaintiffs'
4 consultants and lawyers on the case?
5 A. That is not exactly how I would
6 characterize it.
7 MS. NEUMAN: Move to strike as
8 nonresponsive.
9 THE SPECIAL MASTER: No, I
10 think the question was long enough so
11 that, you know, in a sense you invited it.
12 I think you could do -- you
13 could hone in, and particularly in light
14 of the materials that I remember from
15 Exhibit 422 that were discussed
16 previously. If you want to wait to review
17 422 at the break, the lunch break or
18 something, and return to this, you would
19 be welcome to do that.
20 MS. NEUMAN: That's fine.
21 I'm going to mark as Exhibit
22 778 handwritten notes produced by Ann
23 Maest bearing the Bates number Stratus
24 Native 128168 through 128171.
25 (Exhibit 778 marked for

Page 2160

1 DONZIGER
2 identification.)
3 Q. And I think we had a discussion
4 about Ms. Maest's name at the last session
5 of your deposition, Mr. Donziger. It is
6 Maest and not Maest.
7 A. Do you want me to review this
8 document?
9 Q. Let me just -- I'm going to
10 only focus you on a couple of parts of it.
11 Have you seen Exhibit 778 before?
12 A. I remember seeing notes from
13 Ms. Maest in an earlier day of my
14 deposition testimony. I don't know if it
15 is these particular notes.
16 Q. In your work with Ms. Maest,
17 did you see that she was prone to taking
18 detailed notes?
19 A. Yes.
20 Q. Now, in Exhibit 778, at the
21 top, it says "call with Steven Donziger -
22 lawyer - Ecuador." Do you see that?
23 A. Yes.
24 Q. Is November of 2005 about the
25 time that you first started working with

Page 2161

1 DONZIGER
2 Ms. Maest?
3 A. I think so.
4 Q. What led you to contact her?
5 A. We needed technical support on
6 the case and I reached out to her to try
7 to strengthen our technical team.
8 Q. If you turn to page 3 of
9 Exhibit 778, do you see in the center
10 where it says "time is of the essence, two
11 to three months, fieldwork"?
12 A. Yes.
13 Q. Did you ask Ms. Maest to
14 conduct fieldwork on behalf of the
15 Ecuadorian plaintiffs?
16 A. I remember that being an issue
17 we discussed.
18 Q. And was this fieldwork related
19 to the global assessment or something
20 else?
21 A. I believe it was something
22 else.
23 Q. What was it related to?
24 A. I believe the judicial
25 inspections process. It might have been

Page 2162

1 DONZIGER
2 the global assessment, too. I'm not --
3 I'm not sure.
4 Q. If you turn to the last page of
5 Exhibit 778, Ms. Maest wrote "initial trip
6 to meet with Ministry people to get clear
7 on work plan."
8 Do you see that?
9 A. Yes.
10 Q. Do you know what Ms. Maest was
11 referring to when she said "initial trip
12 to meet with Ministry people"?
13 A. No.
14 Q. Had you set up for Ms. Maest to
15 meet with people in any of the Ecuadorian
16 Ministries?
17 A. I don't remember. It is
18 possible.
19 Q. Do you know of any meetings
20 that Ms. Maest had with any people in the
21 Ecuadorian Ministries?
22 A. I don't remember.
23 Q. The reference on page 4 of
24 Exhibit 728 to a work plan, is that a
25 reference to the work plan for the global

Page 2163

1 DONZIGER
2 assessment?
3 A. I don't know.
4 Q. I show you Exhibit 36. This is
5 an English translation of the work plan
6 that Cabrera filed with the Ecuadorian
7 court in June of 2007.
8 Have you seen Exhibit 36
9 before, Mr. Donziger?
10 A. I believe I have, the Spanish
11 version.
12 Q. And you recall that Mr. Cabrera
13 filed a work plan in June of '07 to lay
14 out the parameters for his global
15 inspection work?
16 A. Yes.
17 Q. Was anyone associated with the
18 plaintiffs involved in developing
19 Cabrera's work plan?
20 A. I believe there were people on
21 the plaintiffs' team who were involved,
22 yes.
23 Q. Who were they?
24 A. I think it was a combination of
25 people.

Page 2164

1 DONZIGER
 2 Q. Could you list them, please.
 3 A. I think it was some person or
 4 persons out of Stratus Consulting, as well
 5 as individuals or somebody who was working
 6 on our local technical team at the time.
 7 It might have been Luis Villacreces, but I
 8 don't remember specifically.
 9 Q. Can you remember specifically
 10 who from Stratus Consulting was involved
 11 in working on the Cabrera work plan?
 12 A. I don't remember specifically
 13 who.
 14 Q. Was the Cabrera work plan
 15 initially drafted in English?
 16 A. I don't know.
 17 Q. Do you recall ever seeing an
 18 English version of it before the Spanish
 19 version was filed with the court in June
 20 of '07?
 21 A. I have a vague recollection I
 22 might have seen something.
 23 Q. Who drafted the Cabrera work
 24 plan?
 25 A. I'm not sure.

Page 2165

1 DONZIGER
 2 Q. Did the plaintiffs' team draft
 3 the Cabrera work plan?
 4 A. I believe the plaintiffs' team
 5 drafted a work plan that was given to him
 6 for his adoption. I don't know if he
 7 adopted that exact plan, modified it, or
 8 did some other version.
 9 Q. Were you present when the work
 10 plan that plaintiffs drafted was provided
 11 to Cabrera?
 12 A. I don't believe I was.
 13 Q. Do you have any knowledge as to
 14 how the work plan that plaintiffs drafted
 15 was provided to Cabrera? And by that I
 16 mean was it handed to him or e-mailed to
 17 him, or how did he get it?
 18 A. I don't know.
 19 Q. The work that Stratus
 20 Consulting did on the Cabrera work plan,
 21 was that done at your direction?
 22 A. I don't remember.
 23 Q. At the time that -- let me
 24 withdraw that.
 25 It was never disclosed to the

Page 2166

1 DONZIGER
 2 Ecuadorian court that plaintiffs provided
 3 Cabrera with a draft work plan, correct?
 4 A. I don't know. I don't think at
 5 the time it was.
 6 Q. Has it ever been disclosed to
 7 the Ecuadorian court that plaintiffs
 8 provided Cabrera with a draft work plan?
 9 A. I don't know. There has been a
 10 lot of disclosures in recent months. I'm
 11 not sure if that's among the disclosures.
 12 Q. At the time that plaintiffs
 13 provided Cabrera with a draft work plan,
 14 it is true, isn't it, that Cabrera was
 15 under an order from the Ecuadorian court
 16 to act independent from the parties?
 17 A. I believe so, yes.
 18 Q. The work plan that plaintiffs
 19 drafted for Cabrera did not indicate on it
 20 anywhere that it had been drafted by the
 21 plaintiffs, correct?
 22 A. That's correct.
 23 Q. I'm going to hand the witness a
 24 document that has previously been marked
 25 as Exhibit 38 entitled "Draft, 27 June

Page 2167

1 DONZIGER
 2 2006, Ann Maest, Approach for Conducting
 3 the Peritaje Global, Chevron Texaco Case,
 4 Ecuador."
 5 Mr. Donziger, have you seen
 6 Exhibit 38 before?
 7 A. I think I have. I don't
 8 remember specifically. I think I have.
 9 Q. Did you ask Ms. Maest as early
 10 as June of '06 to develop an approach for
 11 conducting the global assessment part of
 12 the Ecuador case?
 13 A. I believe I did.
 14 Q. In Exhibit 38 there is a
 15 discussion of approaches for fieldwork,
 16 sampling and site selection. Do you see
 17 that?
 18 A. Yes.
 19 Q. Were the plaintiffs involved in
 20 selecting the sites that Mr. Cabrera
 21 decided to inspect?
 22 A. To the best of my recollection,
 23 I believe somebody on our team suggested
 24 to him specific sites that we thought
 25 would be helpful for him to inspect.

Page 2168

1 DONZIGER
2 Q. And those became in fact the
3 sites that Mr. Cabrera inspected, correct?
4 A. I don't know.
5 Q. You didn't keep track of
6 whether Mr. Cabrera inspected the sites
7 that the plaintiffs requested that he
8 inspect?
9 A. No.
10 MS. NEUMAN: I'm going to mark
11 as Exhibit 779 e-mails with attached
12 charts dated March 21, 2007 from Pablo
13 Fajardo to Steven Donziger, CC'd to Luis
14 Yanza, subject, "Plans for Expert
15 Examination," and an English translation.
16 (Exhibit 779 marked for
17 identification.)
18 Q. Mr. Donziger, did you receive
19 Exhibit 778 and its attachments on or
20 about March 21st of 2007?
21 A. I assume I did, reading this
22 e-mail.
23 MR. JASINSKI: I think we are
24 on 779. Am I mistaken?
25 THE SPECIAL MASTER: No, you

Page 2169

1 DONZIGER
2 are correct.
3 MS. NEUMAN: We are on 778,
4 aren't we?
5 MR. KAPLAN: That was
6 Ms. Maest's notes.
7 THE SPECIAL MASTER: No, no.
8 MR. KAPLAN: I'm sorry.
9 MS. NEUMAN: I apologize, I
10 didn't put the sticker on the document, so
11 it was still here.
12 THE SPECIAL MASTER: What is
13 the number?
14 MS. NEUMAN: 779.
15 Q. Let me try that again.
16 Mr. Donziger, did you receive
17 what has now been marked as Exhibit 779 on
18 or about March 21st, 2007?
19 A. I believe I did, yes.
20 Q. This e-mail was sent three or
21 four days after Mr. Cabrera had been
22 appointed as the court's global expert,
23 correct?
24 A. I don't know. I don't know the
25 date he was actually appointed as I sit

Page 2170

1 DONZIGER
2 here today.
3 Q. He was appointed on March 19th
4 of 2007.
5 THE SPECIAL MASTER: This
6 should not be a matter of controversy.
7 There was a clip showing a receipt of the
8 fax with his appointment and it is in the
9 log of the Crude filmmakers. Could we
10 just get that?
11 I'm sure the witness will adopt
12 it if we can establish it so we don't have
13 to get more hypotheticals into the
14 questions. So let's just establish the
15 date.
16 There is an outtake in the
17 Selva offices in which the fax is
18 received. That outtake is recorded on the
19 log of the filmmakers. If you have the
20 Bonfiglio deposition here, you will find
21 it recorded in the transcript. Why don't
22 we just take a short break so we don't
23 have to have hypotheticals thrown into the
24 questions relating to the date if we don't
25 have the date agreed upon. The witness I

Page 2171

1 DONZIGER
2 assume will adopt it.
3 THE VIDEOGRAPHER: Off the
4 record, 11:33 a.m.
5 (Recess taken.)
6 THE VIDEOGRAPHER: Back on the
7 record, 11:50 a.m. This is the beginning
8 of disk three, volume VIII, deposition of
9 Steven Donziger.
10 THE SPECIAL MASTER: I don't
11 know where you want to be, but we left the
12 record at the point where you had raised
13 the question of whether Mr. Cabrera was
14 appointed on March 19, 2007.
15 And I think we now have an
16 actual piece of paper that will allow you
17 to show it to the witness, and my hunch is
18 that the witness is prepared to accept the
19 representation of the piece of paper, will
20 suffice, so that you can proceed on the
21 assumption that the date is agreed upon.
22 MS. NEUMAN: I'm going to hand
23 the witness a document that has been
24 marked as Exhibit 780. It is the original
25 Spanish preceded by an English translation

Page 2172

1 DONZIGER
2 of the order of the Lago Agrio court
3 appointing Richard Cabrera as the global
4 expert dated March 19th, 2007.
5 (Exhibit 780 marked for
6 identification.)
7 BY MS. NEUMAN:
8 Q. Mr. Donziger, can you turn to
9 page 2 of Exhibit 780. Do you see the
10 longest paragraph on that page, a little
11 over halfway down?
12 A. Yes.
13 Q. Do you see where it states
14 "With regard to point number two, once the
15 court clerk has issued the certification
16 pursuant to the order of 7 February '07
17 and in accordance with Article 252 of the
18 Code of Civil Procedure, Mr. Richard
19 Cabrera is appointed as the expert for the
20 expert evaluation requested by the
21 plaintiffs within the legal evidentiary
22 period as indicated in the order issued at
23 5:55 p.m. on 29 October '03. He shall
24 assume his duties within five business
25 days after receiving the notification,"

Page 2173

1 DONZIGER
2 and so on.
3 Do you see that?
4 A. Yes.
5 Q. Is 780 sufficient to refresh
6 your recollection that Richard Cabrera was
7 appointed as the global expert on March
8 19th of 2007?
9 A. Yes.
10 Q. Do you still have Exhibit 779
11 in front of you, sir?
12 A. Yes.
13 Q. Two days after Mr. Cabrera's
14 appointment as the global expert,
15 Mr. Fajardo sent you, copying Mr. Yanza,
16 an e-mail entitled "Plans for the Expert
17 Examination," correct?
18 A. Yes.
19 Q. Mr. Fajardo wrote "Friends,
20 attached please find the first draft of
21 the plan and schedule of activities to be
22 carried out in the expert examination.
23 Please review. Pablo F."
24 Do you see that?
25 A. Yes.

Page 2174

1 DONZIGER
2 Q. When Mr. Fajardo says "the
3 expert examination," he is referring to
4 the global examination, correct?
5 A. I believe so, yes.
6 Q. If you turn to page 2 of
7 Exhibit 779 -- I think those are just
8 duplicates, if that's confusing you. If
9 you want to set those aside.
10 A. They look different. I think
11 this has an additional page. So I'm going
12 to put these aside.
13 Q. Yes. I don't know why they
14 were attached, these extra pieces.
15 You see the chart on page 2 of
16 Exhibit 779 entitled Activities Plan for
17 the Global Expert Examination?
18 A. Yes.
19 Q. It has a column of activities
20 to be performed and then a series of
21 months. Do you see that?
22 A. Yes.
23 Q. Do you know who drafted the
24 activities plan for the global expert
25 examination?

Page 2175

1 DONZIGER
2 A. I don't know if the original
3 was in Spanish or in English. So I don't
4 know.
5 Q. This is a translation. The
6 original Spanish is attached. Are you
7 looking at the original Spanish now?
8 A. Yes. I don't know who drafted
9 that.
10 Q. The Activities Plan for the
11 Global Expert Examination that's attached
12 to Mr. Fajardo's March 21st, '07 e-mail
13 lays out the activities that plaintiffs
14 are going to perform during the global
15 expert examination, correct?
16 A. I don't believe that's the
17 case.
18 Q. The chart activities for the
19 expert global examination, is that
20 something that was prepared by the
21 plaintiffs or provided to them?
22 A. I believe it was prepared by
23 the plaintiffs for the purpose of
24 assisting --
25 THE SPECIAL MASTER: You've

Page 2176

1 DONZIGER
2 answered the question. The question was,
3 was something prepared by one or the
4 other, plaintiffs or provided to them.
5 The answer to that question is one of
6 those two.
7 Q. The third entry down reads
8 "geographers advance fieldwork." Do you
9 see that?
10 A. Yes.
11 Q. Does that refer to pre-sampling
12 at sites that the plaintiffs were going to
13 have Cabrera inspect?
14 A. I don't recall.
15 Q. The fifth entry down says "hire
16 laboratory." Were the plaintiffs involved
17 in hiring the laboratory that Cabrera
18 used?
19 A. I don't know.
20 Q. The next entry down reads
21 "drafting of field technical procedural
22 manual." Do you see that?
23 A. Yes.
24 Q. Did the plaintiffs' team draft
25 a field technical procedural manual and

Page 2177

1 DONZIGER
2 provide it to Cabrera?
3 A. I don't know.
4 Q. The next entry down reads
5 "creation of the work team." Is that a
6 reference to Cabrera's work team?
7 A. I assume it is.
8 Q. Was anyone affiliated with the
9 plaintiffs involved in putting together
10 Cabrera's work team?
11 A. I believe so.
12 Q. Who on plaintiffs' team was
13 involved in putting together Cabrera's
14 work team?
15 A. I don't know who specifically.
16 Q. Do you know any of the people
17 who were involved?
18 A. Well, I remember efforts to
19 suggest to him people who might be
20 competent to carry out various field
21 tasks, suggestions made by members of our
22 team. But I don't remember who
23 specifically.
24 Q. Were those suggestions made
25 orally to Mr. Cabrera or in writing?

Page 2178

1 DONZIGER
2 A. I believe they were made
3 orally. They may be in writing, too. I
4 don't know. I don't think I've seen
5 anything in writing.
6 Q. Were those suggestions as to
7 who Mr. Cabrera should have on his work
8 team made publicly or privately?
9 A. I believe they were made to
10 him, however you want to characterize it.
11 Q. To him in private?
12 A. I assume.
13 Q. They weren't made through any
14 sort of a court filing, correct?
15 A. I don't believe so.
16 Q. The team that assisted Cabrera
17 during his judicial inspections while he
18 was acting as the court's global expert,
19 was that team trained by anyone on
20 plaintiffs' technical team?
21 A. I don't know.
22 Q. The particular sampling
23 locations where Cabrera took samples at
24 the various sites, were those sampling
25 locations chosen by people on plaintiffs'

Page 2179

1 DONZIGER
2 team?
3 A. I don't believe so, to the best
4 of my recollection.
5 Q. The next entry on the chart
6 says "investigative fieldwork." Do you
7 see that?
8 A. Yes.
9 Q. Does that refer to
10 pre-inspecting the sites that would be
11 part of the global inspection?
12 A. I believe it refers to the
13 actual fieldwork that the global expert
14 would do.
15 THE SPECIAL MASTER: Excuse me
16 one second. I need to go back to
17 something.
18 Mr. Donziger, could you please
19 tell me who Luis Villacreces is.
20 THE WITNESS: He was a member
21 of the Lago Agrio plaintiffs' technical
22 team.
23 THE SPECIAL MASTER: Going back
24 to the question Ms. Neuman asked before
25 about the particular sampling locations

Page 2180

1 DONZIGER
 2 where Cabrera took samples of the various
 3 sites. Do you remember that question?
 4 THE WITNESS: Yes.
 5 THE SPECIAL MASTER: How many
 6 such sites were there, approximately?
 7 THE WITNESS: That Mr. Cabrera
 8 did?
 9 THE SPECIAL MASTER: Yeah.
 10 THE WITNESS: I think there
 11 were roughly about 40 or 50 sites.
 12 THE SPECIAL MASTER: Go on.
 13 I'm sorry. I'm sorry to have interrupted.
 14 Q. The entries in the bottom half
 15 of the chart that refer to the drafting
 16 and reviewing of the report, do you see
 17 those?
 18 A. Yes.
 19 Q. That's referring to the global
 20 expert report, correct?
 21 A. I believe so, yes.
 22 Q. And then there is an entry for
 23 the presentation of that report to the
 24 court. Do you see that?
 25 A. Yes.

Page 2181

1 DONZIGER
 2 Q. And there is no entry on this
 3 chart for the presentation of a draft
 4 report to Cabrera, correct?
 5 A. No. I think it was assumed.
 6 MS. NEUMAN: Move to strike
 7 everything after "no."
 8 THE SPECIAL MASTER: It is
 9 stricken. Now I want to go back to
 10 something. Who is Tania Naranjo?
 11 THE WITNESS: I believe she was
 12 a member of the technical team for the
 13 plaintiffs.
 14 THE SPECIAL MASTER: And Luis
 15 Villacreces is the member of the technical
 16 team that you mentioned before, correct?
 17 THE WITNESS: Yes.
 18 THE SPECIAL MASTER: And who is
 19 Olga Lucia?
 20 THE WITNESS: Olga Lucia Gomez
 21 is also a member technical -- was a member
 22 of the technical team.
 23 THE SPECIAL MASTER: And I
 24 assume "Pablo F" means Pablo Fajardo,
 25 correct?

Page 2182

1 DONZIGER
 2 THE WITNESS: Probably. I
 3 don't know exactly where you are reading
 4 from.
 5 THE SPECIAL MASTER: Ms. Neuman,
 6 are you going to get to pages -- are you
 7 planning to go on to the pages of this
 8 document that succeed the chart that
 9 you've been examining about?
 10 MS. NEUMAN: Yes. You mean the
 11 next three pages?
 12 THE SPECIAL MASTER: Yes.
 13 MS. NEUMAN: Yes.
 14 THE SPECIAL MASTER: Thank you.
 15 Q. Could you turn to the next page
 16 of Exhibit 779, Mr. Donziger.
 17 A. Yes.
 18 Q. This is a Word version rather
 19 than a chart version of the expert
 20 examination activity plan; do you see
 21 that?
 22 A. Yes.
 23 Q. Do you know who drafted this,
 24 the original that's in Spanish?
 25 A. No.

Page 2183

1 DONZIGER
 2 Q. On the work plan that's on page
 3 3 of Exhibit 779 --
 4 THE SPECIAL MASTER: That is
 5 the third physical page?
 6 MS. NEUMAN: Third physical
 7 page.
 8 THE SPECIAL MASTER: Third and
 9 fourth physical page, correct?
 10 MS. NEUMAN: Correct. It is on
 11 the third and fourth physical pages of
 12 Exhibit 779.
 13 THE SPECIAL MASTER: Just so
 14 the record is clear, we are talking about
 15 Bates numbers 38729, page 1 of 2 and page
 16 2 of 2. Is that right?
 17 MS. NEUMAN: Yes.
 18 THE SPECIAL MASTER: Let's just
 19 make sure that the reader of the document
 20 and the transcript knows what we are
 21 talking about. Okay?
 22 MS. NEUMAN: Yes.
 23 THE SPECIAL MASTER: Thank you.
 24 Q. Can you look first at the page
 25 bearing the Bates number 38729.

Page 2184

1 DONZIGER
2 A. Yes.
3 Q. Under "Select Sites for Expert
4 Examination Study," do you see that as an
5 activity listed for March of '07?
6 A. Yes.
7 Q. And then next to it, it has a
8 Responsible column.
9 A. Uh-huh.
10 THE SPECIAL MASTER: He can't
11 take down "uh-huh."
12 A. Yes.
13 Q. Under "Responsible for Select
14 Sites for Expert Examination Study," it
15 lists Tania N, Luis V, Olga Lucia and
16 Pablo F. Do you see that?
17 A. Yes.
18 Q. That is Tania Naranjo. How do
19 you say that?
20 A. Naranjo.
21 Q. She is a member of plaintiffs'
22 team, correct?
23 A. Yes.
24 Q. Luis V is Luis Villacreces?
25 A. Villacreces.

Page 2185

1 DONZIGER
2 Q. Villacreces. He is also a
3 member of plaintiffs' team?
4 A. Yes.
5 Q. Olga Lucia is a member of
6 plaintiffs' team?
7 A. Yes.
8 Q. And Pablo F is Pablo Fajardo,
9 correct?
10 A. I believe so.
11 Q. And those were the people who
12 were assigned the task of selecting the
13 sites for the global expert inspection,
14 correct?
15 A. They were assigned the task of
16 selecting sites to present to Mr. Cabrera
17 to inspect.
18 THE SPECIAL MASTER: Hold on
19 one second, please.
20 Go on, Ms. Neuman.
21 Q. Mr. Donziger, it is not true,
22 is it, that they were selecting sites to
23 propose to Mr. Cabrera, they were just
24 selecting the sites that he was going to
25 inspect, correct?

Page 2186

1 DONZIGER
2 A. My understanding was they were
3 selecting sites to propose to him to
4 inspect.
5 Q. If you look at page 5 of
6 Exhibit 779, bearing the Bates number DONZ
7 00038730, you see the heading "Site Plan
8 for the Global Expert Examination"?
9 A. Yes.
10 Q. Do you see that it states "The
11 sites that will be part of the project for
12 the global expert examination will be
13 chosen by Fausto Penafiel, Olga Lucia,
14 Luis Villacreces and Pablo Fajardo"? Do
15 you see that?
16 A. Yes.
17 Q. Do you know who wrote that?
18 A. This document?
19 Q. Yes.
20 A. Was the original in Spanish?
21 Q. Yes.
22 A. I don't know. I assume it was
23 somebody on our team in Ecuador.
24 Q. There is no reference --
25 THE SPECIAL MASTER: Whatever

Page 2187

1 DONZIGER
2 it says, it says.
3 Q. Going back to page 3 of Exhibit
4 779, do you see that there are times that
5 Richard Cabrera is indicated as the person
6 responsible for doing certain of the tasks
7 listed?
8 A. Yes.
9 Q. Prior to the time that Exhibit
10 779 was created, was there agreement
11 between the plaintiffs and Mr. Cabrera as
12 to who would do which of the tasks shown
13 on pages 3 and 4 of Exhibit 779?
14 A. I don't know.
15 Q. Did you discuss that issue with
16 anybody after receiving Exhibit 779?
17 A. I don't remember. I remember a
18 lot of discussions about the global report
19 and the progress of it with local counsel.
20 I don't remember if we discussed that
21 specifically.
22 Q. The last entry in the chart
23 where it says "Start of Fieldwork," and
24 then under the Responsible column it lists
25 "Richard, technical team and logistical

Page 2188

1 DONZIGER
2 team," do you see that?
3 A. Yes.
4 Q. Is that referring to
5 plaintiffs' technical and logistical team?
6 A. I don't know.
7 Q. The last column, which is
8 entitled Observations, states, with regard
9 to the start of the fieldwork, the second
10 sentence, "to be continued to the other
11 fields at the discretion of the technical
12 team in coordination with SV."
13 Do you see that?
14 A. Yes.
15 Q. SV refers to Selva Viva,
16 correct?
17 A. I don't know. Possible.
18 Q. Could you turn to the next page
19 of Exhibit 779. There is an entry that's
20 entitled "perform field study at special
21 sites." Do you see that?
22 A. Yes.
23 Q. What are special sites?
24 A. I don't know.
25 Q. Under the Responsible Persons

Page 2189

1 DONZIGER
2 column, it lists Luis Villacreces, Ann,
3 and Expert. Do you see that?
4 A. Yes.
5 Q. Is that a reference to Ann
6 Maest?
7 A. I believe it is.
8 Q. Is the word "expert" a
9 reference to Richard Cabrera?
10 A. I don't know.
11 Q. Did Ms. Maest work directly
12 with Mr. Cabrera on field studies at
13 special sites?
14 A. I don't know.
15 Q. Under the Comments, it says
16 "Together they must determine the elements
17 that must be analyzed, sampling analysis
18 techniques..." Do you see that?
19 A. Yes.
20 Q. Did Ms. Maest work directly
21 with Mr. Cabrera to determine the elements
22 that he would sample for?
23 A. I don't know if she worked
24 directly with him or not.
25 Q. If you go down to the entry

Page 2190

1 DONZIGER
2 that reads "July 10, create the first
3 draft of the global report." Do you see
4 that?
5 A. Yes.
6 Q. At the last -- in the last
7 column, it says "This report must be
8 prepared in coordination with the legal
9 and multinational technical team." Do you
10 see that?
11 A. Yes.
12 Q. Is "the legal team" referring
13 to plaintiffs' legal team?
14 A. I believe so, yes.
15 Q. This report refers to the
16 global expert, correct, the global expert
17 report?
18 A. Yes.
19 Q. And "multinational technical
20 team," is that referring to plaintiffs'
21 U.S. technical consultants?
22 A. I think it is. Possibly not
23 limited to that, but I think it is.
24 Q. Next down, it says "review of
25 the first draft, legal team." Does that

Page 2191

1 DONZIGER
2 refer to plaintiffs' legal team?
3 A. I believe so.
4 Q. And had it been agreed at this
5 point on March 21st of 2007 that
6 plaintiffs' legal team would be reviewing
7 and commenting on a draft of the global
8 expert report?
9 A. Well, the draft that was to be
10 prepared by Stratus Consulting.
11 Q. If you look at the line above
12 that, do you see where it says "create the
13 first draft of the global expert report"?
14 A. Yes.
15 Q. Do you see where it says "the
16 person responsible will be the expert
17 within the support team"?
18 A. Yes.
19 Q. "The expert" refers to Cabrera,
20 correct?
21 A. I believe so.
22 Q. Does that indicate to you that
23 the plan was for Cabrera to work with
24 plaintiffs' team to draft the report?
25 A. I would assume so based on this

Page 2192

1 DONZIGER
2 document.
3 Q. And then it is after that that
4 it is going to be reviewed by plaintiffs'
5 legal team, correct?
6 A. According to this document,
7 yes.
8 Q. The last two pages of Exhibit
9 779 --
10 THE SPECIAL MASTER: Wait.
11 Before you get to the last two pages, can
12 I ask a question, please?
13 MS. NEUMAN: Yes.
14 THE SPECIAL MASTER: What was
15 the name of the laboratory that was used
16 by the expert?
17 THE WITNESS: I don't know. I
18 see there is a name on here, Corp Lab, but
19 I don't know if that's the one that was
20 used.
21 THE SPECIAL MASTER: I'm sorry,
22 Ms. Neuman, go on.
23 Q. The last two pages of Exhibit
24 779, the Word document entitled "Final
25 Plan from the Global Expert Examination,"

Page 2193

1 DONZIGER
2 do you see that?
3 A. Yes.
4 Q. Do you know who drafted these
5 two pages?
6 A. No.
7 Q. Did you draft any part of them?
8 A. I don't believe so.
9 Q. Under "Sample Analysis" on
10 Bates number page 38730, it states
11 "Analyses will only be performed for TPH
12 and chromium VI and" --
13 THE SPECIAL MASTER: "Will be
14 performed on," not "for."
15 MS. NEUMAN: I apologize.
16 Q. After "Sample Analysis," it
17 states "Analyses will be performed on TPH
18 and chromium VI in each soil and
19 underground water sample where possible."
20 Do you see that?
21 A. Yes.
22 Q. Do you know who made the
23 decision that analyses would be performed
24 only for TPH and chromium VI?
25 A. No.

Page 2194

1 DONZIGER
2 MS. NEUMAN: I don't have
3 anything further on Exhibit 779.
4 THE SPECIAL MASTER: Is this a
5 good time for a lunch break, Ms. Neuman?
6 MS. NEUMAN: Yes.
7 THE SPECIAL MASTER: Let's take
8 our lunch break.
9 THE VIDEOGRAPHER: Off the
10 record, 12:19 p.m.
11 (Luncheon recess: 12:19 p.m.)
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 2195

1 DONZIGER
2 A F T E R N O O N S E S S I O N
3 1:11 p.m.
4 S T E V E N D O N Z I G E R, resumed.
5 THE VIDEOGRAPHER: We are going
6 back on the record at 1:11 p.m.
7 CONTINUED EXAMINATION
8 BY MS. NEUMAN:
9 Q. Good afternoon, Mr. Donziger.
10 A. Good afternoon.
11 Q. Are you okay to proceed with
12 your deposition?
13 A. Yes.
14 MS. NEUMAN: I'm going to mark
15 as Exhibit 781 a February 27th, '07 e-mail
16 from yourself to Joseph C. Kohn,
17 "E-Tech/Urgent," bearing the Bates number
18 DONZ 00024274.
19 (Exhibit 781 marked for
20 identification.)
21 Q. Mr. Donziger, is Exhibit 781 an
22 e-mail that you sent to Joe Kohn on about
23 February 27th, '07?
24 A. Yes.
25 Q. In the first sentence you state

Page 2196

1 DONZIGER
 2 "E-Tech needs an assurance that we will
 3 cover their expenses and fee to come down
 4 for three days over this weekend to
 5 finalize the work plan for the global."
 6 Do you see that?
 7 A. Yes.
 8 Q. Are you referring to the work
 9 plan for the global inspection in the
 10 Ecuador case?
 11 A. Yes.
 12 Q. You go on to say "Ann Maest is
 13 definitely coming and Richard Kamp might
 14 come." Do you see that?
 15 A. Yes.
 16 Q. Both Ms. Maest and Mr. Kamp
 17 ultimately went down to Ecuador for the
 18 March 3rd and 4th meetings, correct?
 19 A. Yes.
 20 Q. And part of what was done at
 21 those meetings was to finalize the work
 22 plan for the global inspection, correct?
 23 A. The work plan that the
 24 plaintiffs would want done, yes.
 25 Q. I'm going to hand you Exhibit

Page 2197

1 DONZIGER
 2 727 which was previously marked. This is
 3 a work plan for the --
 4 THE SPECIAL MASTER: Wait one
 5 second while we get the exhibits, please.
 6 Ms. Neuman, is there an English version of
 7 this or not? I'm looking at a Spanish
 8 version.
 9 MS. NEUMAN: Yes, I want to
 10 look at the Spanish version.
 11 THE SPECIAL MASTER: Very good.
 12 That's fine.
 13 Q. Mr. Donziger, what's the title
 14 of Exhibit 727 in English?
 15 A. Work plan for the inspection.
 16 Q. If you look at the last page of
 17 Exhibit 727, and it is copied
 18 double-sided, so if you go to the back,
 19 you see there is a signature block for
 20 Richard Cabrera?
 21 A. Yes.
 22 Q. Is this the work plan that the
 23 plaintiffs drafted for Mr. Cabrera?
 24 A. I don't know.
 25 Q. You are familiar with how

Page 2198

1 DONZIGER
 2 documents look as they are obtained from
 3 the court file in Lago Agrio, correct?
 4 A. Generally. I don't know what
 5 you mean. You mean like stamped by the
 6 court?
 7 Q. Yes, sir. If this document had
 8 been obtained from the court file, it
 9 would have court markings, correct?
 10 A. Yes.
 11 Q. In the absence of the court
 12 markings and a signature of Mr. Cabrera,
 13 does that indicate to you that this is the
 14 work plan that the plaintiffs drafted for
 15 Mr. Cabrera?
 16 A. I don't know. It could be.
 17 Q. Mr. Quarles testified that you
 18 provided him with this document. Do you
 19 recall doing that?
 20 A. No.
 21 Q. Do you know how you obtained a
 22 copy of a work plan that bears
 23 Mr. Cabrera's name but not his signature
 24 nor any court markings?
 25 A. I assume it was sent to me by

Page 2199

1 DONZIGER
 2 local counsel. I don't know.
 3 Q. Do you know whether the court
 4 work plan that the plaintiffs drafted is
 5 identical to the one that Mr. Cabrera
 6 signed and filed under his name?
 7 A. No.
 8 THE SPECIAL MASTER: Ms. Neuman,
 9 do the Q's at the upper right of each page
 10 of this exhibit indicate that these are
 11 Bates stamps from a production by
 12 Mr. Quarles?
 13 MS. NEUMAN: Yes.
 14 THE SPECIAL MASTER: Could you
 15 identify for the record who Mr. Quarles
 16 is, please?
 17 MS. NEUMAN: Mark Quarles was
 18 an individual who worked with E-Tech and
 19 the plaintiffs' team.
 20 THE SPECIAL MASTER: Is that
 21 description correct, Mr. Donziger, of
 22 Mr. Quarles?
 23 THE WITNESS: Yes.
 24 THE SPECIAL MASTER: Thank you.
 25 Q. You worked with Mr. Quarles to

Page 2200

1 DONZIGER
2 prepare an affidavit that he submitted on
3 behalf of the Republic of Ecuador,
4 correct?
5 A. I believe so, yes.
6 Q. I'm going to hand the witness a
7 document that has been previously marked
8 as Quarles Exhibit 4.
9 MR. JASINSKI: Are we just
10 calling this Quarles 4? I notice Quarles
11 6 was marked as 727. I wasn't sure how
12 the numbering was working.
13 MS. NEUMAN: I think we will
14 just call it Quarles 4.
15 Q. Mr. Donziger, you were aware in
16 September of '07 that there was
17 litigation ongoing between the Republic of
18 Ecuador and PetroEcuador, and Chevron and
19 Texaco in the Southern District of New
20 York, correct?
21 A. Yes.
22 Q. You contacted Mr. Quarles and
23 requested that he provide a declaration on
24 behalf of the Republic of Ecuador and
25 PetroEcuador in that Southern District of

Page 2201

1 DONZIGER
2 New York litigation, correct?
3 A. I think so. I don't remember
4 specifically who contacted him.
5 Q. If Mr. Quarles testified that
6 it was you, would you have any reason to
7 dispute that?
8 A. No.
9 Q. Mr. Quarles also testified that
10 you paid him for the work he did in
11 preparing and submitting this declaration;
12 is that correct?
13 A. I don't know. I think it might
14 have been Mr. Kohn, if there was a bill.
15 Q. You reviewed and approved the
16 language in Quarles Exhibit 4 before
17 Mr. Quarles executed it, correct?
18 A. I remember reviewing it, but it
19 wasn't my affidavit to sign off on. So I
20 reviewed it.
21 Q. Did you, during the time that
22 Mr. Quarles' affidavit was being drafted,
23 did you provide him edits on the draft
24 affidavits?
25 A. It is possible. I don't

Page 2202

1 DONZIGER
2 remember specifically.
3 Q. Mr. Quarles in connection with
4 preparing this affidavit went down to
5 Ecuador to watch Mr. Cabrera at certain
6 site inspections, correct?
7 A. Yes.
8 Q. He did that at your request,
9 correct?
10 A. Well, I don't know if he went
11 for purposes of this affidavit or not. I
12 think he went at my request to witness
13 what was going on in the field and be able
14 to testify, should it become necessary, to
15 what he saw.
16 Q. During your interactions with
17 Mr. Quarles, did you ever disclose to him
18 that the plaintiffs had drafted the
19 Cabrera work plan?
20 A. I can't answer that yes or no.
21 Q. Prior to the time that
22 Mr. Quarles went to Ecuador to view
23 Mr. Cabrera in the field, the plaintiffs
24 had been working with Mr. Cabrera in
25 connection with the global expert

Page 2203

1 DONZIGER
2 inspection, correct?
3 A. Yes.
4 Q. They had provided him with a
5 work plan, correct?
6 A. Yes.
7 Q. They had been -- they, the
8 plaintiffs, had been involved in
9 Mr. Cabrera's site selection and -- well,
10 withdraw that.
11 Plaintiffs had been involved in
12 Mr. Cabrera's site selection, correct?
13 A. Yes.
14 Q. They had also been involved in
15 his sampling protocols, correct?
16 A. I think protocols were
17 suggested to him by the plaintiffs.
18 Q. Did you ever tell Mr. Quarles
19 about plaintiffs' interactions with
20 Mr. Cabrera on these technical issues?
21 A. I don't know.
22 Q. Did you ever represent to
23 Mr. Quarles that Mr. Cabrera was acting
24 independently from the plaintiffs, not
25 having technical interaction with the

Page 2204

1 DONZIGER
2 plaintiffs?
3 MR. JASINSKI: I object to
4 form.
5 THE SPECIAL MASTER: Answer the
6 question.
7 A. To the best of my recollection,
8 I don't believe so.
9 Q. Did you ever disclose to
10 Mr. Quarles prior to the time that he
11 signed Quarles Exhibit 4 that plaintiffs
12 had had private meetings with Mr. Cabrera?
13 A. I don't know.
14 Q. If you look at page 3 of
15 Quarles Exhibit 4, Mr. Quarles stated
16 "Based upon my review of Mr. Cabrera's
17 plan, my knowledge of past Phase I
18 judicial inspections, my site visits and
19 my professional experience, I have reached
20 the following conclusions. Number 1,
21 Mr. Cabrera and his team have acted
22 independently from both the plaintiffs and
23 the defendant at the three Phase II
24 inspections that were witnessed on
25 September 6-7, 2007."

Page 2205

1 DONZIGER
2 Do you see that?
3 A. Yes.
4 Q. You were aware that Mr. Quarles
5 was making that statement in a declaration
6 that was going to be filed in the Southern
7 District of New York, correct?
8 A. I think so.
9 Q. You requested that Mr. Quarles
10 opine that Mr. Cabrera was acting
11 independently from the plaintiffs and the
12 defendant, correct?
13 A. I don't know. I want to --
14 well --
15 THE SPECIAL MASTER: No, no,
16 no.
17 MS. NEUMAN: I'm going to mark
18 as Exhibit 782 an e-mail exchange between
19 Mr. Donziger and Mr. Quarles dated
20 September 3rd, 2007 bearing the Bates
21 numbers DONZ 39696, pages 1 of 4 -- or 1
22 through 4, I should say.
23 (Exhibit 782 marked for
24 identification.)
25 THE SPECIAL MASTER: Ms. Neuman,

Page 2206

1 DONZIGER
2 was Mr. Quarles deposed?
3 MS. NEUMAN: Yes, he was.
4 THE SPECIAL MASTER: Is the
5 transcript in the room? May I see it,
6 please.
7 Q. Mr. Donziger, is Exhibit 782,
8 the top e-mail on that exhibit, an e-mail
9 that you sent to Mark Quarles on September
10 3rd, 2007?
11 A. Yes.
12 Q. And you are discussing with
13 Mr. Quarles in this e-mail what he should
14 put in his declaration, correct?
15 A. Part of that, yeah.
16 Q. At the bottom of the first
17 paragraph, you state "You just need to
18 capture whether or not what Cabrera is
19 doing is honest sampling or not and point
20 out that Texaco's criticisms are petty and
21 self-serving. If you can't do that, I
22 will have wasted a lot of money."
23 Do you see that?
24 A. Yes.
25 Q. When you say "wasted a lot of

Page 2207

1 DONZIGER
2 money," are you referring to paying for
3 Mr. Quarles to have gone to Ecuador and
4 observe Cabrera?
5 A. Yes.
6 Q. The next line, you say "I will
7 send the signature page tonight when my
8 assistant comes to take care of this."
9 Are you referring to the
10 signature page to Mr. Quarles' declaration
11 that he gave on behalf of the Republic of
12 Ecuador?
13 A. I don't know. Possibly.
14 Q. The next line, you say
15 "Call me later to discuss loyalty and
16 confidentiality. We need to get such a
17 clause in your contract." Do you see
18 that?
19 A. Yes.
20 Q. Did you enter into a contract
21 with Mr. Quarles that had a loyalty and
22 confidentiality clause?
23 A. I don't know.
24 Q. Did you also work with
25 attorneys for the Republic of Ecuador in

Page 2208

1 DONZIGER
2 obtaining the Quarles declaration?
3 A. I believe so.
4 Q. Do you know which ones?
5 A. I don't remember specifically.
6 I think it was either Eric Bloom or Neil
7 Mitchell.
8 Q. Prior to the time that
9 Mr. Quarles' declaration was filed on
10 September 17th of 2007, did Mr. Bloom know
11 that the plaintiffs had been working
12 directly with Mr. Cabrera?
13 MR. JASINSKI: I object to
14 form.
15 THE SPECIAL MASTER: You may
16 answer. In fact, I instruct you to
17 answer.
18 A. I don't know.
19 Q. Do you recall ever doing so?
20 A. I'm sorry, maybe I
21 misunderstood the question.
22 Q. Prior to the time that the
23 Quarles declaration was filed on September
24 17th, 2007, did you ever tell Mr. Bloom
25 that the plaintiffs had been working

Page 2209

1 DONZIGER
2 directly with Mr. Cabrera?
3 A. I don't remember telling him
4 that.
5 Q. Prior to the time that the
6 Quarles declaration was filed on September
7 17th of 2007, did you ever tell
8 Mr. Mitchell that plaintiffs were working
9 directly with Mr. Cabrera?
10 A. I don't remember.
11 THE SPECIAL MASTER: You don't
12 remember at all or you don't remember
13 doing that?
14 THE WITNESS: I don't remember
15 doing that.
16 THE SPECIAL MASTER: So, in
17 other words, to the best of your
18 recollection, you did not tell him,
19 correct?
20 THE WITNESS: Yes.
21 MR. JASINSKI: Objection.
22 THE SPECIAL MASTER: The same
23 goes true for Mr. Bloom, that is to the
24 best of your recollection sitting here
25 today, you did not tell him what you had

Page 2210

1 DONZIGER
2 asked him?
3 THE WITNESS: That's correct.
4 Q. Contrary to what Mr. Quarles
5 states in his affidavit, Mr. Cabrera was
6 not acting independently from both the
7 plaintiffs and the defendants in
8 conducting his inspections, correct?
9 A. I don't believe he states that.
10 Q. Do you see the statement
11 numbered paragraph 1, under paragraph 7 on
12 page 3 of Quarles 4?
13 A. I'm sorry, direct me to which
14 paragraph.
15 Q. Could you turn to page 3.
16 A. Yes. Bottom?
17 Q. "Mr. Cabrera and his team have
18 acted independently from both the
19 plaintiffs and the defendant at the three
20 Phase II inspections that were witnessed
21 on September 6th and 7th of 2007."
22 Do you see that?
23 A. Yes.
24 Q. It is inaccurate, isn't it,
25 that Mr. Cabrera was acting independent

Page 2211

1 DONZIGER
2 from the plaintiffs in conducting his
3 inspections?
4 A. No.
5 Q. Did you read the pleadings
6 submitted by the Republic of Ecuador in
7 which this declaration was cited?
8 A. I don't remember if I did.
9 Q. Was the purpose of the Quarles
10 declaration to argue to the court in the
11 Southern District of New York that Cabrera
12 was acting independent from the plaintiffs
13 in his work as the global expert?
14 A. I don't remember the specifics
15 of the thinking at that time.
16 Q. Did you speak to Mr. Quarles
17 prior to his deposition in his --
18 Chevron's 1782 matter?
19 A. I have spoken to him a couple
20 of times in recent months. I don't
21 remember if it was prior to his
22 deposition.
23 Q. When did you speak to him most
24 recently?
25 A. I think about two or three

Page 2212

1 DONZIGER
2 weeks ago.
3 Q. Was it on the phone or in
4 person?
5 A. On the phone.
6 Q. How long was the call?
7 A. Very short. It might have been
8 an exchange of messages now that I think
9 about it. I'm not sure if I actually
10 talked to him.
11 Q. What was the substance of the
12 messages?
13 A. It regarded payment for his
14 time.
15 Q. For his time testifying?
16 A. I think preparing for
17 testifying and testifying.
18 Q. Have plaintiffs paid
19 Mr. Quarles for the time he spent
20 preparing to testify and testifying in the
21 1782 matter?
22 A. I believe so.
23 Q. How much has Mr. Quarles been
24 paid?
25 A. I don't know the exact number,

Page 2213

1 DONZIGER
2 but my estimate is around \$9,000.
3 Q. Did Mr. Quarles know at the
4 time he testified that plaintiffs were
5 going to pay him for his prep and
6 testifying time?
7 A. I think that was his
8 expectation.
9 Q. Was that expectation based on
10 the fact that you told him he was going to
11 get paid?
12 A. I believe it was asked of me
13 via his counsel and I indicated that we
14 would endeavor to pay him for his time.
15 Q. When you say "his counsel," you
16 mean Motley Rice?
17 A. Yes. I guess not his counsel,
18 but the Lago counsel that was representing
19 the Lago Agrio plaintiffs in that
20 particular 1782.
21 Q. And that same counsel
22 represented Mr. Quarles, correct?
23 A. I don't know. I thought he
24 might have had his own counsel.
25 Q. Was it Ms. Moll from Motley

Page 2214

1 DONZIGER
2 Rice that requested that you pay
3 Mr. Quarles for his prep time and his
4 deposition time in the 1782 matter?
5 A. I think Ms. Moll asked -- was
6 relaying a request by Mr. Quarles to me.
7 THE SPECIAL MASTER: Excuse me,
8 I'm looking at the transcript of his
9 deposition and it reflects on the first
10 page in the Appearances section that the
11 respondent, namely Mr. Quarles, was being
12 represented by Ingrid Moll of the Motley
13 Rice firm and no other counsel.
14 Q. The \$9,000 that was paid to
15 Mr. Quarles for his testimony, where did
16 that money come from?
17 A. It came from a case account.
18 Q. And where does the money -- who
19 put the money in the case account?
20 A. I believe an investor.
21 Q. Do you know which one?
22 A. I'm not 100 percent sure, but I
23 believe it was Burford.
24 Q. Have you had any discussions
25 with Mr. Quarles since his deposition on

Page 2215

1 DONZIGER
2 any topic other than paying him for the
3 time he spent preparing and testifying?
4 A. I don't believe so.
5 Q. Did you ever discuss with
6 Mr. Quarles the substance of his
7 testimony?
8 A. I don't believe I have, no.
9 Q. The other 1782 witnesses --
10 THE SPECIAL MASTER: Excuse me
11 one second. Can somebody please advise me
12 whether any of the documents that were
13 shown here today, including Exhibits 422,
14 779 and 777, were any of those documents
15 provided by anybody to Judge Sand at any
16 time? That is at any time since that
17 affidavit was submitted by Mr. Quarles.
18 Mr. Rivero; do you know?
19 MR. RIVERO: Not to my
20 knowledge, Mr. Gitter, but I do not know.
21 THE SPECIAL MASTER: Mr.
22 Vinegrad?
23 MR. VINEGRAD: Same answer.
24 THE SPECIAL MASTER: Ms. Neuman?
25 MS. NEUMAN: I do not believe

Page 2216

1 DONZIGER
2 so.
3 THE SPECIAL MASTER: Excuse me,
4 one more question. Has any document been
5 filed by Mr. Quarles or anyone on his
6 behalf correcting any of the statements he
7 made in his affidavit? Mr. Rivero?
8 MR. RIVERO: Not to our
9 knowledge.
10 THE SPECIAL MASTER: Mr.
11 Vinegrad?
12 MR. VINEGRAD: Same answer.
13 THE SPECIAL MASTER: Ms. Neuman?
14 MS. NEUMAN: No.
15 Q. Was Mr. Kamp paid for the time
16 he spent preparing for and testifying in
17 the 1782 matter that was directed to him?
18 A. I think he expected to be paid.
19 I don't know if he has actually been paid.
20 Q. You don't know one way or the
21 other?
22 A. No.
23 Q. Was Mr. Powers paid for the
24 time he spent preparing for and testifying
25 in the Chevron 1782 matter directed to

Page 2217

1 DONZIGER
2 him?
3 A. I don't know.
4 Q. The Stratus individuals who
5 have been deposed in 1782 matters, have
6 they all billed the plaintiffs for their
7 time preparing for testimony and
8 testifying?
9 A. I believe there has been bills
10 sent for that. I'm not 100 percent sure
11 that all the Stratus people have billed.
12 Q. Mr. Horzac, who testified on
13 behalf of 3TM in a 1782 matter, was he
14 paid for his preparation time or time
15 testifying by the plaintiffs?
16 A. I think he asked to be. I
17 don't know if he actually was.
18 Q. Were either Mr. -- I'm going to
19 withdraw that.
20 Was Mr. Champ paid for his time
21 preparing for testimony or testifying?
22 A. I don't know.
23 Q. Was Mr. Berlinger paid for his
24 time preparing or testifying?
25 A. No.

Page 2218

1 DONZIGER
2 Q. Was Mr. Bonfiglio?
3 A. No.
4 MS. NEUMAN: I'm going to give
5 the witness a document that has previously
6 been marked as Exhibit 39 in the Powers
7 deposition.
8 (Witness perusing document.)
9 Q. Mr. Donziger, Exhibit 39, dated
10 April 9th, 2006 and entitled Financial
11 Activities Report for E-Tech Ecuador
12 Project, bearing the Bates numbers Kamp
13 Native 102-103, was produced by Dick Kamp
14 in his 1782 proceeding.
15 Have you seen this document
16 before?
17 A. I believe I have. You are
18 talking about Powers Exhibit 39?
19 Q. Yes, sir.
20 In the third full paragraph,
21 the document reads "Two trips to Ecuador
22 have been taken to date, the first in
23 January to visit selected inspection sites
24 and define the scope of E-Tech's support
25 for the peritaje global phase."

Page 2219

1 DONZIGER
2 That's referring to the phase
3 of the case where Cabrera was the global
4 expert, correct?
5 A. Yes.
6 MR. JASINSKI: Ms. Neuman, I
7 don't mean to interrupt your flow, but I'm
8 curious, I notice you said there are Bates
9 numbers on the document. I don't see
10 them. I just want to make sure the record
11 is clear. And it might be my mistake.
12 MS. NEUMAN: My copy has Bates
13 numbers, but perhaps yours doesn't.
14 MR. JASINSKI: Does the
15 witness' copy have Bates numbers?
16 THE WITNESS: No.
17 MS. NEUMAN: His just has the
18 exhibit stamp.
19 MR. JASINSKI: I just want to
20 be sure whatever is in the record is
21 consistent with the transcript.
22 Q. Yours has the Exhibit 39 stamp
23 on it, correct?
24 A. Yes.
25 Q. And it is dated April 9th,

Page 2220

1 DONZIGER
2 2006?
3 A. Yes.
4 Q. And it has the language that I
5 read to you?
6 A. Yes.
7 THE SPECIAL MASTER: Do you
8 want to read it again so that we don't
9 break the flow?
10 Q. The third paragraph down of
11 Exhibit 39 reads "Two trips to Ecuador
12 have been taken to date, the first in
13 January to visit selected inspection sites
14 and to define the scope of E-Tech's
15 support for the peritaje global phase, and
16 the second in early March to present a
17 critique of Chevron's sampling methodology
18 at the San Carlos inspection and limited
19 pre-sampling at a number of candidate
20 peritaje global sites."
21 Do you see that?
22 A. Yes.
23 MR. KAPLAN: The word "conduct"
24 is before "sampling."
25 "Conduct limited sampling."

Page 2221

1 DONZIGER
2 THE SPECIAL MASTER: Actually,
3 "conduct limited pre-sampling."
4 MS. NEUMAN: Yes, "conduct
5 limited pre-sampling at a number of the
6 peritaje global sites."
7 Q. The peritaje global phase,
8 that's the global inspection phase that
9 Cabrera was ultimately appointed the
10 expert for, correct?
11 A. Yes.
12 Q. Did you participate in the two
13 trips to Ecuador referenced in Exhibit 39?
14 A. I remember traveling to Ecuador
15 with these individuals at various points.
16 I don't know if it was those two trips or
17 not.
18 Q. Were you present when persons
19 from E-Tech conducted limited pre-sampling
20 at a number of the candidate peritaje
21 global sites?
22 A. I don't know.
23 Q. Was Mr. Quarles present?
24 A. I don't know.
25 Q. The pre-sampling that was done

Page 2222

1 DONZIGER
2 at the candidate peritaje global sites, do
3 you know where those samples were sent for
4 analysis?
5 A. As I sit here today, I don't
6 know that that was actually done. So I
7 don't know where the samples might have
8 gone.
9 Q. You don't know whether the
10 pre-sampling was done?
11 A. That's referenced in this
12 letter by E-Tech, I don't know if that was
13 done or not.
14 Q. It is not clear to you that
15 this paragraph is in the past tense?
16 A. Oh, I'm going to modify my
17 testimony. Based on this, I think it was
18 done.
19 Q. Do you know what lab it was
20 sent to, if it was sent to a lab?
21 A. No.
22 Q. The next paragraph of Exhibit
23 39 states "A third trip is currently
24 planned in late April to select six to ten
25 sites for the peritaje global final

Page 2223

1 DONZIGER
2 argument sampling program. It is at these
3 sites that sampling will also be conducted
4 some distance from the well and station
5 sites to verify the extent of the
6 contamination for the purposes of
7 calculating remediation cost."
8 Do you see that?
9 A. Yes.
10 Q. Do you know if this third trip
11 was taken?
12 A. I don't know.
13 Q. Do you know if on a
14 pre-sampling trip samples were actually
15 taken some distance from the well and
16 stations to verify the extent of the
17 contamination?
18 A. I don't know.
19 Q. Were you overseeing E-Tech's
20 work at this time in 2006?
21 A. Yes.
22 Q. Was Mr. Quarles on the E-Tech
23 team?
24 A. My best recollection is he
25 joined the team subsequent to Ms. Maest

Page 2224

1 DONZIGER
 2 and Dick Kamp and Bill Powers at some
 3 later time.
 4 Q. At a later date?
 5 A. I believe so.
 6 Q. And do you have a recollection
 7 as to when approximately that would have
 8 been?
 9 A. I think within a few weeks or
 10 months after they initiated their work.
 11 Maybe after the first trip.
 12 Q. The next line reads "The focus
 13 of E-Tech's work over the coming months is
 14 the preparation of judicial annexes and
 15 conducting the peritaje global sampling
 16 program."
 17 Do you see that?
 18 A. Yes.
 19 Q. Is that an accurate description
 20 of what E-Tech's assignment was for the
 21 coming months?
 22 A. I think that was the idea at
 23 that time.
 24 Q. Did plaintiffs have access to
 25 Cabrera's sampling data during the

Page 2225

1 DONZIGER
 2 judicial inspections?
 3 A. You mean during his fieldwork
 4 of the peritaje global report?
 5 Q. Yes.
 6 A. I think there came a time where
 7 members of our technical team had access
 8 to his sampling results.
 9 Q. While the inspections were
 10 still ongoing?
 11 A. I don't know. It might have
 12 been after.
 13 Q. How did that come to be?
 14 A. I'm not sure. I don't know.
 15 Q. I'm going to hand the witness a
 16 document that has previously been marked
 17 as Exhibit 52 in the deposition of Doug
 18 Beltman. It is an e-mail from Preston
 19 Sowell to Doug Beltman, Ann Maest and
 20 Jennifer Peers dated October 2nd, 2007.
 21 Have you seen Exhibit 52
 22 before, Mr. Donziger?
 23 A. I don't believe I have.
 24 Q. Do you see in the last
 25 paragraph where Mr. Sowell writes "I am

Page 2226

1 DONZIGER
 2 having some files posted to the ftp site
 3 (public folder) in a folder called Selva
 4 Viva. There will be information from the
 5 GW sampling and some GIS files with
 6 topographic data, including detailed topo
 7 data for the five GW sampling effort that
 8 was recently generated by a survey team.
 9 The GW sampling folder includes Richard
 10 Cabrera TPH soils data for the five GW
 11 sample sites. These data are not
 12 officially released yet and are considered
 13 'secret.'
 14 Do you see that?
 15 A. Yes.
 16 Q. Do you understand GW to refer
 17 to groundwater?
 18 A. I didn't understand that. But
 19 it makes sense as I look at it now.
 20 Q. Were you aware that Stratus in
 21 October of '07 had Richard Cabrera TPH
 22 soil data for the five GW sample sites?
 23 A. I don't remember as I sit here
 24 today whether I was aware of it at the
 25 time.

Page 2227

1 DONZIGER
 2 Q. You were overseeing Stratus'
 3 work at this time, correct?
 4 A. Generally, yes.
 5 Q. Do you have any knowledge as to
 6 how Stratus came into possession of soil
 7 data from samples that were taken by
 8 Richard Cabrera and his team during the
 9 global inspection?
 10 A. No.
 11 THE SPECIAL MASTER: Excuse me
 12 one second. Can I please inquire who
 13 Preston Sowell is?
 14 MS. NEUMAN: He is a member of
 15 Stratus Consulting.
 16 THE SPECIAL MASTER: Is that
 17 your impression, Mr. Donziger?
 18 THE WITNESS: Yes, sir.
 19 THE SPECIAL MASTER: And who is
 20 Jennifer Peers, she is another person
 21 related to Stratus?
 22 THE WITNESS: She is an
 23 employee, or was.
 24 THE SPECIAL MASTER: Thank you.
 25 Q. The data from Cabrera's

Page 2228

1 DONZIGER
 2 sampling was not publicly made available
 3 to the parties until the Cabrera report
 4 was filed on April 1st of 2008, correct?
 5 A. I don't know if it was made
 6 publicly available before then.
 7 Q. Do you know who informed
 8 Stratus "these data are not officially
 9 released yet and are considered 'secret'"?
 10 A. No.
 11 MS. NEUMAN: I'm going to mark
 12 as Exhibit 783 Stratus Native 008897. It
 13 is a typewritten document with handwritten
 14 notes.
 15 (Exhibit 783 marked for
 16 identification.)
 17 THE SPECIAL MASTER: May I ask
 18 a question, please.
 19 Was there a lawyer working with
 20 you in Ecuador, Mr. Fajardo or another,
 21 who was interacting with Stratus during
 22 this period October of 2007?
 23 THE WITNESS: I think Stratus
 24 would have been interacting with all the
 25 members of our local legal team.

Page 2229

1 DONZIGER
 2 THE SPECIAL MASTER: Thank you.
 3 And also with Mr. Yanza?
 4 THE WITNESS: Yes.
 5 THE SPECIAL MASTER: Thank you.
 6 Q. Who on the local legal team
 7 speaks English?
 8 A. Juan Pablo Saenz speaks English
 9 and Julio Prieto speaks English a bit.
 10 Alejandro Ponce speaks good English. And
 11 Dr. Wray speaks a little bit of English.
 12 Q. Ms. Maest and Mr. Beltman do
 13 not speak Spanish, correct?
 14 A. I don't think Mr. Beltman does
 15 and I think Ms. Maest speaks a little bit.
 16 Q. Have you ever seen Exhibit 783
 17 before?
 18 A. I don't believe I have.
 19 Q. There is a date at the top that
 20 says February 2008 and then it is entitled
 21 Things To Do Next Week In Quito. Do you
 22 see that?
 23 A. Yes.
 24 Q. Number 1 reads "Reconcile
 25 database - Jen will work with Tania and

Page 2230

1 DONZIGER
 2 Olga to incorporate the changes that we
 3 noticed need to be made."
 4 Do you see that?
 5 A. Yes.
 6 Q. And then at the top in
 7 handwriting it says "merge sample types
 8 into Cabrera's DB." Do you understand DB
 9 to be database?
 10 A. It looks like -- that's what it
 11 looks like to me.
 12 Q. Are Jen, Tania and Olga all
 13 members of plaintiffs' team?
 14 A. Yes.
 15 Q. And in February of '08 were the
 16 plaintiffs creating a merged database that
 17 included both Cabrera's sampling results
 18 and their own?
 19 A. I don't know.
 20 Q. Do you know anything about
 21 that?
 22 A. Just based on what I'm reading
 23 here.
 24 Q. Number 3 reads "meet with HAVOC
 25 to discuss their QA/QC procedures for JI

Page 2231

1 DONZIGER
 2 samples (Ann)."
 3 Do you see that?
 4 A. Yes.
 5 Q. Did Ms. Maest meet with HAVOC
 6 to discuss their QA/QC procedures?
 7 A. I don't know.
 8 THE SPECIAL MASTER: Does JI
 9 stand for judicial inspections?
 10 THE WITNESS: Yes.
 11 Q. HAVOC was the lab that was
 12 supposed to be conducting the independent
 13 analysis of plaintiffs' judicial
 14 inspection results, correct?
 15 A. Yes.
 16 Q. I'm going to mark as Exhibit
 17 784 an e-mail exchange --
 18 THE SPECIAL MASTER: Can we
 19 just stop for a second while I'm looking
 20 at this document. I would just like to
 21 get some clarification here. There is
 22 handwriting in the lower left. I can't
 23 read the first word. Is it --
 24 MS. NEUMAN: Perito, I think.
 25 THE SPECIAL MASTER: Is that

Page 2232

1 DONZIGER
2 the first column, Perito, Mr. Donziger?
3 THE WITNESS: Yes.
4 THE SPECIAL MASTER: And who is
5 Gomez?
6 THE WITNESS: I don't know.
7 THE SPECIAL MASTER: And seeing
8 this entry here under Lab, "Corplab,
9 Ecuador," does that indicate to you when
10 we saw the word Corplab on the exhibit
11 that was attached to the e-mail from
12 Mr. Fajardo, Exhibit 779, that that's the
13 same lab?
14 THE WITNESS: I assume it is.
15 THE SPECIAL MASTER: Okay.
16 Q. Mr. Donziger, on Exhibit 783,
17 in a circle towards the bottom right,
18 there is a cwtierney@comcast.com. Do you
19 know who that is?
20 A. No.
21 Q. Is there anybody named Tierney
22 working with the plaintiffs on the Ecuador
23 matter?
24 A. Not that I can recall.
25 Q. Do you recognize the

Page 2233

1 DONZIGER
2 handwriting on Exhibit 783?
3 A. I mean, it looks to me like
4 Ms. Maest's handwriting based on the notes
5 from the previous exhibit you showed me.
6 Q. In the paragraph numbered 5, do
7 you see where it says "gather information
8 from annexes"?
9 A. Yes.
10 Q. Is that a reference to the
11 annexes that Stratus was drafting for the
12 Cabrera report?
13 A. I believe it was a reference to
14 the annexes they were -- I should say the
15 plaintiffs' team was going to give to him
16 for his consideration.
17 Q. Is the reference to Gomez a
18 reference to Olga Lucia Gomez?
19 A. I don't know. I don't believe
20 she was a perito in the case.
21 Q. Now marked as Exhibit 784, an
22 e-mail exchange between Doug Beltman,
23 Jennifer Peers and Ann Maest all of
24 Stratus dated March 6th, 2008, and bearing
25 the Stratus Native Bates number

Page 2234

1 DONZIGER
2 069147-069150.
3 (Exhibit 784 marked for
4 identification.)
5 (Witness perusing document.)
6 Q. Have you had a chance to read
7 Exhibit 784, Mr. Donziger?
8 A. I have perused it and I haven't
9 read it completely. But if you want to
10 direct me.
11 Q. Can you look at the second --
12 the bottom of the first page, there is an
13 e-mail from Ann Maest dated March 4th,
14 2008 to Jennifer Peers re "Yet another
15 updated perito DB."
16 Do you see that?
17 A. Yes.
18 Q. And then she begins the e-mail
19 "Jen, here are my questions for you
20 and" -- is it Tania?
21 A. Tania.
22 Q. -- "Tania and Luis V (maybe
23 Olga too)."
24 Now, those are all members of
25 the plaintiffs technical team, correct?

Page 2235

1 DONZIGER
2 A. Yes.
3 Q. Now, if you turn to the next
4 page, the third bullet point down,
5 Ms. Maest writes "I wasn't sure what Tania
6 meant here. Can you ask her?" And then
7 there is a Spanish phrase that I will not
8 butcher. "I wasn't sure if we were
9 supposed to do something or if she was
10 going to ask RC for these volumes and
11 areas or ???"
12 Do you see that?
13 A. Yes.
14 Q. Do you understand RC to refer
15 to Richard Cabrera?
16 A. It looks that way to me.
17 Q. Was Tania on the plaintiffs'
18 team in contact with Mr. Cabrera at this
19 time, March 6th of '08?
20 A. I don't know.
21 Q. Was it your understanding that
22 plaintiffs' technical team was interacting
23 with Mr. Cabrera as they were working on
24 various parts of the global expert report?
25 A. That was my understanding, yes.

Page 2236

1 DONZIGER
2 Q. Then on the first page of
3 Exhibit 784, in the March 6th e-mail from
4 Jennifer Peers to Ann Maest and Doug
5 Beltman, Ms. Peers states "Ann, I finally
6 got an explanation of the" -- how do you
7 say that phrase?
8 A. "Manda a preguntar."
9 Q. "Apparent the perito asked
10 Tania had the work on the quantification
11 of volumes of contaminated soils was
12 going. She was confused because no one in
13 Ecuador is doing this. I think Doug is
14 doing this for the input to a removal
15 calculation. Is that right? Thanks,
16 Jen."
17 The perito being referred to
18 there is Richard Cabrera, correct?
19 A. I would guess that's correct.
20 Q. And is it also correct that
21 Stratus is the one who quantified the
22 volumes of contaminated soils for the
23 global expert report?
24 A. I don't know.
25 Q. Were you aware that Mr. Cabrera

Page 2237

1 DONZIGER
2 was asking the plaintiffs' team how their
3 work on quantifying the volumes of
4 contaminated soils was going?
5 A. I don't believe I was aware of
6 that at the time.
7 Q. When did you become aware of
8 it?
9 A. Reading this e-mail right now.
10 Q. In the next e-mail up, you see
11 that Mr. Beltman responds "Yes, that's
12 right. We/I calculated how much soil
13 needs to be remediated at the pits and
14 spills. Doug."
15 Do you see that?
16 A. Yes.
17 Q. And it is accurate that it was
18 Stratus Consulting that calculated the
19 claimed amount of soil that needs to be
20 remediated at the pits and spills as set
21 forth in the Cabrera report, correct?
22 A. I think that's correct.
23 THE SPECIAL MASTER: Is this a
24 good time for a break?
25 MS. NEUMAN: Yes.

Page 2238

1 DONZIGER
2 THE VIDEOGRAPHER: Off the
3 record, 2:15 p.m. This is the end of disk
4 three, volume VIII, in the deposition of
5 Steven Donziger.
6 (Recess taken.)
7 THE VIDEOGRAPHER: Back on the
8 record 2:31 p.m. This is the beginning of
9 disk four, volume VIII, in the deposition
10 of Steven Donziger.
11 BY MS. NEUMAN:
12 Q. Mr. Donziger, I'm going to hand
13 you a document that is previously marked
14 as Quarles 5. It is a pleading filed in
15 the Southern District of New York in the
16 Republic of Ecuador and PetroEcuador
17 versus Chevron Texaco by Winston & Strawn
18 and Arnold & Porter. The pleading is
19 dated September 17th, 2007, set up for the
20 signature of C. MacNeil Mitchell.
21 I'm going to direct your
22 attention -- luckily I don't want you to
23 read the whole thing -- to page 26,
24 footnote 20. This is where the Quarles
25 declaration that we were looking at

Page 2239

1 DONZIGER
2 earlier is cited by the Republic's
3 counsel.
4 And at footnote 20, the
5 Republic counsel states to the court in
6 the Southern District of New York "and
7 notwithstanding recent Texaco
8 criticism" --
9 THE SPECIAL MASTER: Wait a
10 second. Please let me find where you are.
11 Where in the footnote are you? I found
12 it. I found it. Go ahead.
13 Q. Halfway through footnote 20, it
14 reads "and notwithstanding recent Texaco
15 criticism of the court-appointed expert,
16 Mr. Cabrera, Texaco has previously allowed
17 Mr. Cabrera to act as the court's expert
18 without objection. Indeed, Mr. Cabrera
19 has methodically conducted environmental
20 site inspections at a variety of sites,"
21 and there is a cite to the Ponce-Villacis
22 declaration, paragraph 8, declaration of
23 Mark Quarles (Quarles declaration)
24 paragraphs 7(4), 7(9) and 7(10).
25 Then it goes on, "Mr. Cabrera

Page 2240

1 DONZIGER
2 has worked independently of both the
3 plaintiffs and the defendants in the Lago
4 Agrio case and both parties have been
5 permitted to monitor his work. See
6 Quarles declaration paragraphs 7(1), 7(3);
7 see also id paragraphs 7(5) through 7(9)."
8 Did you read Quarles Exhibit 5
9 before it was filed by the Republic of
10 Ecuador?
11 A. You mean the affidavit?
12 Q. No, this pleading.
13 A. I don't remember.
14 Q. Did you ever represent to
15 counsel for the Republic of Ecuador that
16 "Mr. Cabrera has worked independently of
17 both the plaintiffs and the defendants in
18 the Lago Agrio case"?
19 A. I don't know.
20 Q. Would you have ever made such a
21 representation to them?
22 MR. JASINSKI: Objection.
23 THE SPECIAL MASTER: That one
24 is sustained.
25 MS. SILVER: Objection, joint

Page 2241

1 DONZIGER
2 privilege defense.
3 THE SPECIAL MASTER: No, no,
4 no. You are here as a complete bystander,
5 I'm sorry. But in any event, the
6 objection is sustained. You anticipated
7 my own objection to the question.
8 Go on, Ms. Neuman.
9 MS. NEUMAN: Proceeding, I'm
10 going to mark as Exhibit 785 a handwritten
11 document dated December 10th of 2007
12 bearing the Bates number Stratus Native
13 008844.
14 (Exhibit 785 marked for
15 identification.)
16 THE SPECIAL MASTER: Let me be
17 clear, Ms. Silver, I wasn't responding to
18 your joint privilege defense objection, I
19 was responding to the objection as to
20 form. That's the reason I sustained the
21 objection. I don't need to reach your
22 joint privilege defense, and haven't so
23 far. Try not to force me to do so.
24 Q. Mr. Donziger, have you seen
25 Exhibit 785 before?

Page 2242

1 DONZIGER
2 A. I don't believe I have.
3 Q. Does this look to you to be
4 Ms. Maest's handwriting?
5 A. Based on what I saw from the
6 previous document, yes.
7 Q. Did you have a call with Ann
8 Maest and Doug Beltman on or about
9 December 10th of 2007 regarding damages
10 assessment?
11 A. I don't have any recollection
12 of such a call as I sit here today.
13 Q. The first bullet point of
14 Exhibit 785 appears to read "Take over
15 info for trial (pull together). Meet with
16 court-appointed expert in Quito (Richard
17 Cabrera). Meet with Cabrera December
18 20-21."
19 Do you see that?
20 A. Yes.
21 Q. Did you have a call with Ann
22 Maest and Doug Beltman to discuss their
23 meeting with Richard Cabrera in Quito in
24 late 2007?
25 A. I don't remember specifically.

Page 2243

1 DONZIGER
2 I had a lot of calls with them.
3 Q. Do you remember arranging for
4 Ms. Maest and Mr. Beltman to meet with
5 Mr. Cabrera originally scheduled for
6 December of '07?
7 A. I remember there was a meeting
8 that they attended and I attended that was
9 in -- I believe in January of '08 that
10 Mr. Cabrera attended.
11 Q. And was the purpose of this
12 meeting to allow Stratus to "take over
13 info for trial"?
14 A. I don't believe it was, no.
15 Q. In the top right-hand corner,
16 Ms. Maest has a reference to \$10 billion.
17 Do you see that?
18 A. Yes.
19 Q. Do you know what that refers
20 to?
21 A. No.
22 Q. Prior to -- I'll withdraw that.
23 Who contacted Mr. Cabrera about
24 meeting with Mr. Beltman and Ms. Maest in
25 this time frame?

Page 2244

1 DONZIGER
2 A. I don't know.
3 Q. Who contacted you about
4 arranging a meeting between Ms. Maest and
5 Mr. Beltman and Mr. Cabrera?
6 A. Well, generally my contact was
7 Mr. Fajardo and Mr. Yanza. So I assume
8 that one of those two individuals arranged
9 for the meeting.
10 Q. Did you have discussions with
11 anyone about the idea of having Maest and
12 Beltman meet with Cabrera?
13 A. I don't remember.
14 Q. The meeting did not go forward
15 in December of '07, correct?
16 A. I don't remember the meeting
17 that involved these individuals and
18 Mr. Cabrera and the dates that are listed
19 on this memo or these notes.
20 Q. Do you recall a meeting between
21 yourself, Ms. Maest, Mr. Beltman and
22 others that took place in January of '08
23 in Quito?
24 A. Yes.
25 Q. Where was that meeting held?

Page 2245

1 DONZIGER
2 A. I believe it was at the private
3 residence of Juan Aulestia.
4 Q. Who all attended that meeting?
5 A. To the best of my recollection,
6 it was Ms. Maest, Mr. Beltman,
7 Mr. Fajardo, Mr. Yanza, Mr. Cabrera, and I
8 believe one or two individuals from our
9 technical team, like possibly
10 Mr. Villacreces.
11 Q. How long did the meeting last?
12 A. I don't remember exactly. I
13 would estimate on the order of one to two
14 hours.
15 Q. Now, Mr. Beltman and Ms. Maest
16 attended the meeting at your request,
17 correct?
18 A. I believe so, yes.
19 Q. Who requested the Ecuadorian
20 members of plaintiffs' technical team to
21 be at this meeting?
22 A. I don't know. I believe either
23 Mr. Fajardo or Mr. Yanza.
24 THE SPECIAL MASTER: I'm just
25 trying to keep the players straight. Are

Page 2246

1 DONZIGER
2 all the individuals you've identified as
3 meeting with Mr. Cabrera on this occasion
4 in January of 2008, were they all present
5 at that meeting that is the subject -- the
6 two-day meeting that is the subject of
7 that outtake dated, if I recall correctly,
8 March 3rd and 4th, 2007?
9 THE WITNESS: I don't believe
10 there is a complete overlap of the
11 individuals.
12 THE SPECIAL MASTER: Okay.
13 Thank you.
14 Q. Who contacted Mr. Aulestia
15 about hosting this meeting?
16 A. I don't remember.
17 Q. Other than providing his
18 residence as a meeting place, did
19 Mr. Aulestia have any other role in the
20 meeting?
21 A. I don't believe so, no.
22 Q. As of this meeting in January
23 '08, Mr. Cabrera had not begun drafting
24 the global expert report, correct?
25 A. I don't know.

Page 2247

1 DONZIGER
2 Q. At this meeting in January '08,
3 was it discussed that plaintiffs'
4 consultants would draft the Cabrera global
5 expert report?
6 A. I think there was a discussion
7 that the Stratus individuals would draft
8 materials that would be given to
9 Mr. Cabrera for his hoped-for adoption in
10 his report.
11 Q. At this point in time did
12 Cabrera have access to the combined
13 database in which his samples -- sample
14 results resided?
15 A. I don't know.
16 Q. Did Mr. Cabrera agree at the
17 January '08 meeting to accept a draft
18 report from Mr. Beltman and Ms. Maest?
19 A. To the best of my recollection,
20 he seemed open to it.
21 Q. Was the purpose of the meeting
22 to determine -- I'll withdraw that.
23 Was there any discussion at
24 this meeting about requests that
25 Mr. Cabrera would make of the Lago Agrio

Page 2248

1 DONZIGER
2 court?
3 A. I don't know.
4 Q. Was the substance of how the
5 plaintiffs would draft the global expert
6 report discussed at this meeting?
7 A. I believe so, yes.
8 Q. And was that worked out in
9 advance with Mr. Cabrera?
10 THE SPECIAL MASTER: Counsel,
11 do you mean before the meeting?
12 MS. NEUMAN: No, I'm sorry,
13 I'll rephrase that. I'll just withdraw
14 that.
15 Q. Separate from the report that
16 Stratus and plaintiffs' other technical
17 consultants would be drafting on
18 Mr. Cabrera's behalf --
19 MR. JASINSKI: I object to
20 form. I'm sorry.
21 THE SPECIAL MASTER: The
22 question hasn't been finished, Counsel.
23 MR. JASINSKI: You are correct,
24 I'm sorry.
25 THE SPECIAL MASTER: Get your

Page 2249

1 DONZIGER
2 hand off the buzzer so fast, please.
3 Q. Separate from the report that
4 Stratus and plaintiffs' other technical
5 consultants would be drafting on
6 Mr. Cabrera's behalf, was Mr. Cabrera, to
7 your knowledge, drafting anything?
8 MR. JASINSKI: I object to
9 form.
10 THE SPECIAL MASTER: Overruled.
11 Please answer the question.
12 A. I don't know.
13 MS. NEUMAN: Marked as Exhibit
14 788, a series of handwritten notes dated
15 January 15th, '08 and entitled Meeting In
16 Quito.
17 (Exhibit 788 marked for
18 identification.)
19 Q. What number did I put on that?
20 A. 788.
21 Q. I'm sorry, I skipped a couple.
22 MR. KAPLAN: What's the number
23 of the exhibit, please?
24 MS. NEUMAN: 788.
25 (Witness perusing document.)

Page 2250

1 DONZIGER
2 Q. Have you seen Exhibit 788
3 before, Mr. Donziger?
4 A. No.
5 Q. Did you note that at the
6 meeting with Mr. Cabrera in January of '08
7 Ms. Maest took notes?
8 A. I didn't note that at the time.
9 Q. Based on the other documents
10 that we've seen today, does this appear to
11 you to be Ms. Maest's handwriting?
12 A. Yes.
13 Q. On page 1 of Exhibit 788, there
14 is a little star where Ms. Maest wrote
15 "get list of what perito Richard is
16 supposed to do."
17 Do you see that?
18 A. Yes.
19 Q. After the meeting with Cabrera,
20 did you provide to Stratus a list of what
21 Mr. Cabrera was supposed to do to fulfill
22 his obligations to the court?
23 A. I don't have any recollection
24 of that. I might have. I don't think I
25 did.

Page 2251

1 DONZIGER
2 Q. Do you know if anyone on
3 plaintiffs' team provided Stratus with
4 such a list?
5 A. I don't know.
6 Q. The next several pages appear
7 to outline various information about a
8 social study, biodiversity impacts, and so
9 forth. Do you see that?
10 A. Yes.
11 Q. Were these the topics that were
12 discussed at the meeting with Cabrera?
13 A. I don't know. I have a very
14 vague recollection of that meeting.
15 Q. Did Ms. Maest and Mr. Beltman
16 have a translator at the meeting?
17 A. I don't know. It is possible.
18 Q. Did anyone make a presentation
19 at the meeting?
20 A. I remember people talking.
21 Q. Do you remember anybody making
22 any sort of a formal presentation?
23 A. I remember a lot of talk. I
24 don't know if anyone stood up and made a
25 presentation or if it was more of a

Page 2252

1 DONZIGER
2 discussion.
3 Q. If you look at the page of
4 Exhibit 788 that bears the Bates number
5 Stratus Native 008857, do you see where it
6 says Parts of Peritaje Global?
7 A. Yes.
8 Q. Was it planned out in this
9 meeting with Cabrera that these would be
10 the various parts of the peritaje global
11 report that Stratus would draft?
12 A. I believe the meeting was more
13 along the lines of a general discussion
14 about what areas could be drafted by
15 Stratus.
16 Q. What areas of the global
17 report?
18 A. Well, what areas of damages
19 that could be drafted that would be given
20 to Mr. Cabrera.
21 Q. On the next page, Ms. Maest
22 again writes "need list of what perito
23 Richard is supposed to present to the
24 court." Do you see that?
25 A. I'm sorry, can you refer me to

Page 2253

1 DONZIGER
2 the page number again?
3 Q. 008858.
4 A. Yes, I see that.
5 Q. Was it agreed that Stratus
6 would draft the report in a form that it
7 could be submitted directly to the
8 Ecuadorian court by Mr. Cabrera?
9 A. I don't have a specific
10 recollection, but I think that was the
11 general idea.
12 Q. Now, right under that, it says
13 "Backbone of the report options - social,
14 social guy prefers; toxicos, Steven
15 prefers; motelo, Pablo prefers."
16 Do you see that?
17 A. Yes.
18 Q. Do you know what that refers
19 to?
20 A. Not exactly.
21 Q. Were you discussing what the
22 theme, overall theme of the global report
23 would be?
24 A. Possibly. That is of the
25 materials Stratus was going to prepare, I

Page 2254

1 DONZIGER
2 should say.
3 MS. NEUMAN: Move to strike
4 everything after "possibly."
5 THE SPECIAL MASTER: I'll leave
6 it. Are you done with this document?
7 MS. NEUMAN: Yes, sir.
8 THE SPECIAL MASTER: I think
9 this needs a little clarification.
10 First of all, on the first
11 page, there is a reference to a Dr. Adolfo
12 Maldonado. Do you see that?
13 THE WITNESS: Yes.
14 THE SPECIAL MASTER: Was this
15 person present?
16 THE WITNESS: I don't believe
17 so.
18 THE SPECIAL MASTER: Do you
19 know who he is?
20 THE WITNESS: Yes.
21 THE SPECIAL MASTER: Who is he?
22 THE WITNESS: He is a doctor, a
23 Ph.D., who lives in Quito who is
24 associated with an environmental
25 organization.

Page 2255

1 DONZIGER
2 THE SPECIAL MASTER: How many
3 of the people who were present at this
4 meeting spoke English -- speak English?
5 You, right?
6 THE WITNESS: Myself.
7 THE SPECIAL MASTER: Ms. Maest?
8 THE WITNESS: Ms. Maest,
9 Mr. Beltman.
10 THE SPECIAL MASTER: Fajardo,
11 no. Yanza?
12 THE WITNESS: No.
13 THE SPECIAL MASTER: Cabrera?
14 THE WITNESS: No.
15 THE SPECIAL MASTER: Anybody
16 else speak English?
17 THE WITNESS: Only if Mr. Saenz
18 was there. But I don't remember if he was
19 there.
20 THE SPECIAL MASTER: This is a
21 lot of notes. I find it strange to have
22 this many notes where so many people speak
23 no English. Do you remember that there
24 was a translator present?
25 THE WITNESS: Well, what I was

Page 2256

1 DONZIGER
 2 going to say, and I think I testified to
 3 this, I think there might have been a
 4 translator here, but I don't remember
 5 specifically. It is also possible that I
 6 translated some, because occasionally I
 7 would do that in meetings.
 8 THE SPECIAL MASTER: In my
 9 experience, people who take a lot of
 10 notes, as Ms. Maest seems to do, take the
 11 notes as a speaker is speaking.
 12 Can you identify for us whether
 13 any of these notes are recordings of
 14 people speaking, and, if so, who those
 15 people were? I don't mean actual
 16 recordings, I mean reports or references
 17 to. Just tell me who they were if you
 18 recognize any of the seeming speakers
 19 here.
 20 THE WITNESS: Well, I note on
 21 page 852 where it says "biodiversity
 22 impacts," there is a name to the left that
 23 says Lorena.
 24 THE SPECIAL MASTER: I was
 25 going to ask you that. Who is that?

Page 2257

1 DONZIGER
 2 THE WITNESS: That might be a
 3 woman whose name I believe was Lorena
 4 Gamboa, who was an Ecuadorian woman who
 5 might have been at the meeting.
 6 THE SPECIAL MASTER: What does
 7 she do?
 8 THE WITNESS: I think she is a
 9 social scientist or something along those
 10 lines.
 11 THE SPECIAL MASTER: On page
 12 8856, there is a heading at the top that
 13 looks like Pablo. Do you see that?
 14 THE WITNESS: Yes.
 15 THE SPECIAL MASTER: Was there
 16 a Pablo present?
 17 THE WITNESS: That was probably
 18 Pablo Fajardo.
 19 THE SPECIAL MASTER: So if she
 20 was recording or reporting on what
 21 Mr. Fajardo was saying, there must have
 22 been a translator there; doesn't that seem
 23 right?
 24 THE WITNESS: Yes, or someone
 25 translated.

Page 2258

1 DONZIGER
 2 THE SPECIAL MASTER: Thank you,
 3 sir.
 4 Q. Dr. Maldonado was also working
 5 with the plaintiffs, correct?
 6 A. He was a supporter and would
 7 often help, yes.
 8 THE SPECIAL MASTER: By the
 9 way, there was nobody from Chevron at this
 10 meeting, right?
 11 THE WITNESS: No.
 12 THE SPECIAL MASTER: Or Texaco?
 13 THE WITNESS: No.
 14 Q. Was there anybody at the
 15 meeting affiliated with the Lago Agrio
 16 court other than Mr. Cabrera?
 17 A. I don't believe so.
 18 Q. Now, following the January
 19 meeting with Cabrera, Stratus was tasked
 20 with drafting an outline --
 21 THE SPECIAL MASTER: Excuse me,
 22 I want to ask a couple of more questions
 23 here.
 24 Did Mr. Cabrera have an office?
 25 THE WITNESS: I believe he did.

Page 2259

1 DONZIGER
 2 THE SPECIAL MASTER: And was
 3 there a conference room at the courthouse?
 4 THE WITNESS: I don't remember
 5 a conference room at the courthouse.
 6 THE SPECIAL MASTER: Where was
 7 this residence at which this meeting was
 8 held?
 9 THE WITNESS: In Quito.
 10 THE SPECIAL MASTER: In the
 11 city itself or was it in a suburb?
 12 THE WITNESS: It was pretty
 13 city center, but it is actually a little
 14 town called Guapulo which is contiguous to
 15 Quito.
 16 THE SPECIAL MASTER: And whose
 17 idea was it to hold the meeting at a
 18 private residence rather than an office or
 19 a conference room?
 20 THE WITNESS: I'm sure it came
 21 from our team, as we would often have
 22 meetings at Mr. Aulestia's house because
 23 it was pretty quiet.
 24 THE SPECIAL MASTER: A lot of
 25 trees around his house? I'm joking. Go

Page 2260

1 DONZIGER
2 ahead. Go on, Ms. Neuman.
3 Q. After the January '08 meeting
4 with Cabrera, Stratus was tasked with
5 drafting an outline of the global expert
6 report, correct?
7 A. I believe so, yes.
8 MS. NEUMAN: I'm going to mark
9 as Exhibit 786 a document dated January
10 16th, '08 entitled Potential Tasks For
11 Stratus Consulting, Stratus Native
12 128118-119.
13 (Exhibit 786 marked for
14 identification.)
15 Q. Have you ever seen Exhibit 786
16 before, Mr. Donziger?
17 A. I don't believe so.
18 Q. Under the heading Potential
19 Tasks For Stratus Consulting, number 1
20 reads "write draft outline or structure
21 for peritaje global report for submittal
22 to FDA legal team." Do you see that?
23 A. Yes.
24 Q. And did Stratus in fact draft
25 an outline for the peritaje global report

Page 2261

1 DONZIGER
2 that they submitted to the FDA legal team?
3 A. I think so.
4 Q. Is the FDA legal team the same
5 as the plaintiffs' legal team?
6 A. I think that was the -- whoever
7 wrote this, I think that was what they
8 meant.
9 Q. Down at number 7, it says "beef
10 up unjust enrichment analysis." Do you
11 see that?
12 A. Yes.
13 Q. And subpart (a) says "3TM: Add
14 gas flaring, new pit numbers, pipeline
15 maintenance and spill response, properly
16 paving roads; fences/exclusion around
17 wells." Do you see that?
18 A. Yes.
19 Q. Was 3TM work to be used in the
20 peritaje global report as drafted by
21 Stratus?
22 A. I remember Stratus
23 subcontracting some work to them.
24 Q. And was the plan to use that
25 work as backup for the global expert

Page 2262

1 DONZIGER
2 report?
3 A. I don't remember. It might
4 have been.
5 Q. Mr. Cabrera filed a request
6 with the court in January of '08 asking
7 for materials from the plaintiffs and
8 Chevron. Do you recall that?
9 A. Yes.
10 Q. Did you have any discussions
11 with Mr. Cabrera before he filed that
12 about his filing a request to the court to
13 ask for information from plaintiffs?
14 A. Not that I can remember.
15 Q. Did anyone on plaintiffs' team,
16 to your knowledge?
17 A. Not that I know.
18 Q. Prior to January of '08
19 Mr. Cabrera had never formally through the
20 court requested any information from the
21 plaintiffs, correct?
22 A. I don't know that to be true.
23 I have a recollection that several months
24 prior there was some court order, I don't
25 know if he requested it or not, asking the

Page 2263

1 DONZIGER
2 parties to provide information to him. I
3 believe, to the best of my recollection.
4 Q. And you think that order was
5 dated when?
6 A. This is a vague recollection,
7 but I believe there was an order several
8 months prior, possibly around August of
9 the previous year.
10 Q. Just two months after he was
11 appointed?
12 A. I believe so. I believe so.
13 Q. Would you have a copy of such
14 an order?
15 A. I think I might.
16 Q. If there was such an order --
17 A. If it exists, I'm sorry.
18 Again, it is my recollection.
19 MS. NEUMAN: I'm going to mark
20 as Exhibit 787 a request from Richard
21 Cabrera to the Lago Agrio court dated
22 January 7th of 2008.
23 (Exhibit 787 marked for
24 identification.)
25 Q. This exhibit has the Spanish

Page 2264

1 DONZIGER
2 original pleading that was filed as well
3 as a certified English translation.
4 Prior to January 7th, 2008 the
5 plaintiffs had already provided
6 information to Mr. Cabrera, correct?
7 A. Yes.
8 Q. Now, in this January 2008
9 document, Mr. Cabrera states "It is
10 conceivable that the litigants might have
11 relevant information that should be
12 considered in this case, and therefore I
13 request that you order the parties to
14 provide me with any information that they
15 consider necessary to incorporate into the
16 expert's report. I should clarify, the
17 information that the parties provide to
18 me, if they choose to, will be selected by
19 me."
20 Do you see that?
21 A. Yes.
22 Q. Did anybody on the plaintiffs'
23 team have any involvement in drafting this
24 pleading that Mr. Cabrera filed?
25 A. I don't believe so.

Page 2265

1 DONZIGER
2 Q. Mr. Cabrera goes on to say
3 "Here is a list of the basic information
4 that I am requesting that the parties
5 cooperate in providing to me if they have
6 it at their disposal." And then he goes
7 on to list three types of information. Do
8 you see that?
9 A. Yes.
10 Q. Mr. Cabrera then states "If the
11 parties are willing to cooperate in
12 providing this information, I would
13 request that they do so as soon as
14 possible since I am concluding the
15 preparation of the expert's report."
16 Do you see that?
17 A. Yes.
18 Q. Based on your meeting with
19 Mr. Cabrera a week later to discuss the
20 structure of the expert report, is it
21 accurate when he informed the court that
22 on January 7th, '08 that he was concluding
23 the preparation of the expert report?
24 A. I don't know what he meant by
25 that.

Page 2266

1 DONZIGER
2 Q. As of the time that you met
3 with Cabrera in January 15th of '08, the
4 court had not ruled on his request that
5 the parties provide him with information,
6 correct?
7 A. I don't know.
8 Q. You don't know one way or the
9 other?
10 A. No.
11 Q. Is it your understanding that
12 if Mr. Cabrera wanted information from the
13 parties, he was supposed to request it
14 through the court?
15 A. I don't know what the situation
16 was exactly.
17 Q. You knew that Mr. Cabrera was
18 ordered to be independent and impartial,
19 correct?
20 A. Yes.
21 Q. And did you see the order that
22 ordered him to be -- to conduct his
23 analysis strictly independent from the
24 parties?
25 A. Yes, I did see that.

Page 2267

1 DONZIGER
2 MS. NEUMAN: I'm going to
3 mark --
4 THE SPECIAL MASTER: I'm sorry,
5 I just need a little clarification here.
6 If I recall correctly, and I
7 just can't keep scrolling back on the
8 screen, you testified a little while ago
9 to Ms. Neuman that one of the things that
10 happened at that report was that -- sorry,
11 one of the things that happened at the
12 meeting in mid-January was that Stratus
13 was going to draft -- do a first draft of
14 the report and that Mr. Cabrera seemed
15 open to that.
16 Do you remember that? Do you
17 remember that testimony?
18 THE WITNESS: I remember
19 testifying he seemed open to what they
20 were proposing.
21 THE SPECIAL MASTER: And what
22 they were proposing was to create a first
23 draft of his report, correct?
24 THE WITNESS: I don't believe
25 it was the entire report, but it was a

Page 2268

1 DONZIGER
2 substantial amount of material.
3 THE SPECIAL MASTER: And then
4 you testified in response to Ms. Neuman
5 that after the meeting Stratus was tasked
6 with creating an outline of the report,
7 correct? Am I wrong about that? I think
8 I'm not.
9 THE WITNESS: I think that's
10 correct.
11 THE SPECIAL MASTER: I'm sorry?
12 THE WITNESS: I believe that is
13 correct, yeah, I testified to that.
14 THE SPECIAL MASTER: So if as
15 of the time of the meeting and shortly
16 thereafter, A, Stratus was going to create
17 an outline for the first time, and, B,
18 create a draft of a substantial -- the
19 first draft of a substantial part of the
20 report, that is by mid-January, it cannot
21 be that as of January 7th Mr. Cabrera was
22 "concluding the preparation of the
23 expert's report." Isn't that so?
24 THE WITNESS: Are you asking
25 me?

Page 2269

1 DONZIGER
2 THE SPECIAL MASTER: Yes.
3 THE WITNESS: It is not how I
4 would have characterized it. I don't know
5 what he was thinking.
6 THE SPECIAL MASTER: I see. Go
7 on, Ms. Neuman.
8 Q. When the court ruled on
9 Mr. Cabrera's requests, it ordered that
10 the parties provide the three categories
11 of information listed on Exhibit 787. Do
12 you recall that?
13 A. I remember a court order in
14 late January. I don't know if it was
15 related to this request. I never
16 understood the origin of that.
17 Q. After the court indicated that
18 the parties could provide certain
19 categories of information to Mr. Cabrera,
20 the plaintiffs filed with the court the
21 information they indicated they were
22 providing to Mr. Cabrera, correct?
23 A. I've understood that there was
24 a submission after that order by the
25 plaintiffs.

Page 2270

1 DONZIGER
2 MS. NEUMAN: I'm going to mark
3 as Exhibit 789 a filing with a certified
4 English translation that the plaintiffs
5 made on February 18th of 2008 in the
6 Ecuador litigation.
7 (Exhibit 789 marked for
8 identification.)
9 MS. NEUMAN: I'm also going to
10 mark as Exhibit 790 the court's order
11 dated January 30th of 2008 on
12 Mr. Cabrera's request for information from
13 the parties.
14 (Exhibit 790 marked for
15 identification.)
16 Q. Looking first at Exhibit 790,
17 Mr. Donziger, did you see this order from
18 the Ecuadorian court at or about the time
19 it was issued?
20 A. I don't believe I did.
21 Q. As part of your representation
22 of the Lago Agrio plaintiffs, did you read
23 all the Ecuadorian court orders?
24 A. No.
25 Q. How did you decide which orders

Page 2271

1 DONZIGER
2 you were and weren't going to read?
3 A. Given my responsibilities, I
4 found it impossible to keep up with all
5 the materials that were coming out of the
6 court after a little bit of time. So I
7 would count on local counsel to show me
8 materials that they felt I needed to read
9 for me to be able to fulfill my duties.
10 Q. Now, in this order, the
11 Ecuadorian court states "Add to the record
12 the document filed by Mr. Richard Cabrera
13 Vega at 8:15 a.m. on 29 January '08, and
14 with regard to its contents, the expert is
15 hereby granted a 30-day extension for
16 submitting his report so that he can
17 process the information requested from the
18 parties."
19 Do you see that?
20 A. Yes.
21 Q. Mr. Cabrera had previously
22 requested an extension of the deadline by
23 which to file his expert report, correct?
24 A. I don't know. I remember there
25 were several -- I thought there were

Page 2272

1 DONZIGER
2 several requests for extensions.
3 Q. Were the plaintiffs involved in
4 requesting Mr. Cabrera to request
5 extensions of the date on which his report
6 was due?
7 A. I don't know.
8 Q. Were you involved in any such
9 discussions?
10 A. No.
11 Q. The order goes on to say "Add
12 to the court record the document filed by
13 Mr. Richard Cabrera Vega at 6 p.m. on 7
14 January 2008, and with regard to its
15 contents, issue a notification to the
16 parties and as soon as possible provide to
17 the expert the information he requested
18 consisting of aerial photographs taken
19 after 1990 of the sites identified in his
20 document, file documents related to the
21 drilling of wells and pertaining to
22 environmental treatment reports, and
23 documentation on spills, mud pits and
24 environmental accidents, communications
25 and responses from regulatory agencies,

Page 2273

1 DONZIGER
2 and, in general, documents on
3 environmental and related actions,
4 documentation on the environmental audits
5 of defendant's operations."
6 Do you see that?
7 A. Yes.
8 Q. And those three categories of
9 documents which the court approved being
10 provided to Mr. Cabrera by the parties
11 matched the three bullet points of
12 Mr. Cabrera's requests, correct?
13 A. It appears that way.
14 Q. And the court did not adopt
15 Mr. Cabrera's request that the parties
16 provide to him "any information that they
17 consider necessary," correct?
18 A. I don't know.
19 Q. The order doesn't provide that,
20 right?
21 A. No, this order doesn't.
22 Q. Now, following the court's
23 order which has been marked as Exhibit
24 790, the plaintiffs, on February 18th of
25 2008, filed a submission to be delivered

Page 2274

1 DONZIGER
2 to Mr. Cabrera, correct?
3 A. I don't know.
4 Q. Can you take a look at Exhibit
5 789 for me, sir.
6 A. Yes, I'm sorry. The answer is
7 yes.
8 Q. Were you involved in the
9 preparation of Exhibit 789, the original
10 Spanish?
11 A. No.
12 Q. Were you involved in the
13 preparation of the materials that are
14 referred to as annexes to Exhibit 789?
15 A. I don't believe I was.
16 Q. In Exhibit 789, Mr. Fajardo
17 states "In light of your Honor's order,
18 the plaintiffs acknowledge it is our
19 obligation to cooperate with the legal
20 system to clarify matters in this case and
21 in particular with the expert so that he
22 may produce an efficient, transparent,
23 well-founded and impartial report."
24 Do you see that?
25 A. Yes.

Page 2275

1 DONZIGER
2 Q. Then Mr. Fajardo goes on to
3 state, towards the bottom of the next
4 paragraph "In compliance with the court's
5 order, the plaintiffs hereby submit an
6 array of documents that we believe the
7 expert should take into account in his
8 report."
9 Do you see that?
10 A. Yes.
11 Q. Was the proper procedure for
12 submitting documents to Mr. Cabrera to
13 submit them to the court and ask that they
14 be delivered to Mr. Cabrera if the court
15 approved?
16 A. My understanding based on what
17 local counsel was telling me was that that
18 was one of the proper procedures.
19 Q. Were any of the materials
20 prepared by Stratus attached to
21 plaintiffs' February 18th, '08 filing?
22 A. Reading this description, it
23 doesn't appear that that was the case.
24 Q. And are you referring on page 2
25 to where Mr. Fajardo stated "We clarify

Page 2276

1 DONZIGER
2 that all the information we are delivering
3 to the expert through the court has been
4 provided to us by various Ecuadorian
5 public institutions over the last four
6 years. The accuracy of the information is
7 therefore guaranteed"?
8 A. Yes.
9 Q. Is it your understanding that
10 that was an accurate description of what
11 the plaintiffs were submitting to the
12 court to be provided to Mr. Cabrera?
13 A. I don't know, because I have
14 never seen these documents that were
15 submitted.
16 Q. You do not have a copy of the
17 annexes A through K that were attached to
18 the version of Exhibit 789 that was
19 provided to Mr. Cabrera?
20 A. I don't believe so.
21 Q. Did you ever approve any
22 pleadings for filing in the United States
23 that indicated that Stratus materials were
24 attached to this 2-18 filing?
25 A. I don't know.

Page 2277

1 DONZIGER
2 Q. Did you ever approve any
3 pleadings for filing in the United States
4 that indicated that plaintiffs did not
5 begin working with and providing
6 information to Mr. Cabrera until after the
7 Lago Agrio court's June -- I'm sorry,
8 January 30th, '08 order?
9 A. I don't know.
10 MS. NEUMAN: I'm going to mark
11 as Exhibit 791 Reply Memorandum of Points
12 and Authorities in Further Support of
13 Ecuadorian Plaintiffs' Motion for a
14 Protective Order, filed in the United
15 States District Court for the District of
16 Colorado on May 17th, 2010.
17 (Exhibit 791 marked for
18 identification.)
19 A. Do you want me to read it?
20 Q. Were you involved in the
21 preparation of Exhibit 791, Mr. Donziger?
22 A. I don't remember. I did not
23 write it. I know that. It is possible I
24 read some draft or maybe the final version
25 before it went in, but I don't remember as

Page 2278

1 DONZIGER
2 I sit here now.
3 Q. Did you retain Emery Celli to
4 represent the Ecuadorian plaintiffs in the
5 United States District Court in Denver?
6 A. Yes. I should say the
7 plaintiffs did at my recommendation.
8 Q. Did any of the individual
9 plaintiffs sign a retainer agreement with
10 Emery Celli?
11 A. No.
12 Q. If you look at page 2 of the
13 reply brief, it states "For example,
14 Chevron places substantial weight on an
15 out of context quote from one of
16 Mr. Cabrera's defenses of his impartiality
17 in response to Chevron's accusations in
18 the fall of 2007. Mr. Cabrera's
19 translated statement that it would be
20 'unthinkable' that plaintiffs would have
21 provided him with 'technical information
22 and support staff' was made in response to
23 specific allegations that plaintiffs were
24 in 'close contact' with him in October of
25 2007. This statement was made before the

Page 2279

1 DONZIGER
2 court order authorizing him to get
3 materials from the parties. When the
4 court ordered Mr. Cabrera to consider
5 whatever submissions were provided by the
6 parties, the landscape changed
7 considerably. Nonetheless, Chevron
8 conflates Mr. Cabrera's '07 statements
9 with conduct that occurred after court
10 authorization was given in 2008 in a
11 misleading attempt to convince this court
12 that the communications with Mr. Cabrera
13 were improper."
14 Do you see that?
15 A. Yes.
16 Q. Did you approve that language
17 before it was submitted to the District
18 Court in Colorado?
19 A. I don't believe I did.
20 Q. Do you agree with the statement
21 that "when the court ordered Mr. Cabrera
22 to consider whatever submissions were
23 provided by the parties, the landscape
24 changed considerably"?
25 A. I don't know.

Page 2280

1 DONZIGER
2 THE SPECIAL MASTER: Who signed
3 this document?
4 MS. NEUMAN: Andrew O.
5 Wilson -- or O. Andrew F. Wilson.
6 THE SPECIAL MASTER: Of the
7 Emery Celli firm?
8 MS. NEUMAN: Yes, sir.
9 Q. Plaintiffs provided Mr. Cabrera
10 with technical information and support
11 both before and after October of 2007,
12 correct?
13 A. Yes.
14 Q. And plaintiffs met with and
15 interacted with Mr. Cabrera both before
16 and after the January 30th, '08 order of
17 the Ecuadorian court, correct?
18 A. Yes.
19 THE SPECIAL MASTER: Excuse me
20 a second. I'm having a good deal of
21 difficulty here, counsel, and the witness.
22 A meeting was originally
23 scheduled, according to Ms. Maest's notes,
24 and your testimony, for sometime in
25 December among Mr. Cabrera and the Stratus

Page 2281

1 DONZIGER
2 people and yourself, correct?
3 THE WITNESS: I don't believe I
4 testified to that. It was reflected in
5 her notes, though.
6 THE SPECIAL MASTER: That's
7 what Ms. Maest's notes said.
8 And as you've just testified,
9 there were contacts between Stratus and
10 the plaintiffs' lawyers and Mr. Cabrera
11 both before and after October 2007,
12 correct?
13 THE WITNESS: Yes.
14 THE SPECIAL MASTER: And then
15 Mr. Cabrera goes to the trouble of filing
16 an official request with the court on
17 January 7th asking that through the court
18 the parties provide him with certain
19 information, correct?
20 THE WITNESS: Yes.
21 THE SPECIAL MASTER: And that
22 occurs a week before a meeting that you've
23 described at length and Ms. Maest took
24 notes at length from at which a lot of
25 things about a prospective report are

Page 2282

1 DONZIGER
2 discussed, some of which are agreed upon,
3 or whatever, correct?
4 THE WITNESS: Yes.
5 THE SPECIAL MASTER: Thereafter
6 the court goes through the trouble, that
7 is the Ecuadorian court, goes through the
8 trouble of issuing an order saying that
9 the parties may or shall deliver the
10 materials identified in Mr. Cabrera's
11 January 7 request, leaving out, you know,
12 the catch-all, all the general stuff,
13 right?
14 THE WITNESS: Yes.
15 THE SPECIAL MASTER: And then
16 on February 18 Mr. Fajardo submits a
17 pleading to the court going on at length
18 about the fact that a request was filed
19 for information by the expert and we are
20 herewith providing for transmission to the
21 expert through the court a whole number of
22 annexes which must total at least a
23 thousand pages, according to the page
24 count that's shown on Exhibit 789, right?
25 THE WITNESS: Yes.

Page 2283

1 DONZIGER
2 THE SPECIAL MASTER: What's
3 submitted to the court for transmission to
4 the expert does not include Stratus'
5 outline of the entire report, correct?
6 THE WITNESS: Based on what I'm
7 reading here, I believe that's correct.
8 THE SPECIAL MASTER: Nor does
9 it include its first draft of a
10 substantial part of the report, correct?
11 THE WITNESS: Yes.
12 THE SPECIAL MASTER: And do I
13 understand your testimony to be that
14 somebody on the plaintiffs' team, legal
15 team in Ecuador, told you it was okay to
16 transmit to Mr. Cabrera materials like the
17 outline or like the first draft outside of
18 the processes of the court?
19 THE WITNESS: Yes. But I think
20 my impression was it was all part of the
21 same process.
22 THE SPECIAL MASTER: Well, who
23 was it that told you that it was okay for
24 them to submit to Mr. Cabrera the draft of
25 the report or outline and these other

Page 2284

1 DONZIGER
2 things that are not being sent through the
3 court? Which person on your legal team in
4 Ecuador said that?
5 THE WITNESS: It was local
6 counsel, led by Mr. Fajardo.
7 THE SPECIAL MASTER: And
8 Mr. Fajardo did not tell the Court in his
9 pleading of January 18 that it was going
10 to supply or the plaintiffs' team was
11 going to supply other materials to
12 Mr. Cabrera outside of the processes of
13 the court; is that correct?
14 THE WITNESS: That's correct.
15 But I don't know what other communications
16 he might have had with the court. This is
17 one pleading.
18 THE SPECIAL MASTER: And it is
19 in response to a pleading by Mr. Cabrera
20 that he wanted the information post haste
21 because he was "concluding the preparation
22 of the expert's report," correct?
23 THE WITNESS: Well, that's what
24 he said. But I don't know what he meant.
25 THE SPECIAL MASTER: I

Page 2285

1 DONZIGER
2 understand, that's what he said.
3 THE WITNESS: Yeah.
4 THE SPECIAL MASTER: You don't
5 have to answer this. I am confused, at a
6 minimum. Go on, Ms. Neuman.
7 BY MS. NEUMAN:
8 Q. Mr. Donziger, isn't it true
9 that both Mr. Cabrera and plaintiffs had
10 filed pleadings with the Lago Agrio court
11 denying that they were linked or
12 coordinating or anything of that nature?
13 MR. JASINSKI: I object to
14 form.
15 THE SPECIAL MASTER: Take out
16 either "linked" or "coordinating," please.
17 Q. Mr. Donziger, isn't it true
18 that both Mr. Cabrera and plaintiffs had
19 filed pleadings with the Lago Agrio court
20 denying that they were linked?
21 A. I remember there were pleadings
22 where Mr. Cabrera made representations
23 about independence and transparency, which
24 I reviewed.
25 Q. I'm going to hand the witness a

Page 2286

1 DONZIGER
2 document previously marked as Exhibit 107.
3 For the record, this document is dated
4 July 23rd of 2007. It is filed by Richard
5 Cabrera Vega in the court in Lago Agrio.
6 Have you seen Exhibit 107
7 before, Mr. Donziger?
8 A. I don't believe I have. I
9 might have read a summary of it in a
10 brief.
11 Q. Do you see that Exhibit 107,
12 Mr. Cabrera states to the Ecuadorian court
13 "I should clarify that I do not have any
14 relation or agreements with the plaintiff,
15 and it seems to me to be an insult against
16 me that I should be linked with the
17 attorneys of the plaintiffs"? Do you see
18 that?
19 A. Yes.
20 Q. That statement was false,
21 correct?
22 A. I don't think it is an accurate
23 statement.
24 Q. You do not think it is an
25 accurate statement?

Page 2287

1 DONZIGER
2 A. No.
3 Q. Mr. Cabrera did have a
4 relationship with the attorneys for the
5 plaintiffs --
6 THE SPECIAL MASTER: He just
7 told you that he didn't think it was an
8 accurate statement.
9 Q. I'm going to hand the witness
10 an exhibit that has been previously marked
11 as 108, another filing by Mr. Cabrera,
12 this time in October of 2007 in Lago
13 Agrio.
14 Have you seen the original of
15 Exhibit 108 before, Mr. Donziger?
16 A. I don't believe I have, but I
17 have read about it.
18 Q. Do you see in paragraph 2
19 Mr. Cabrera states "Your Honor, being the
20 professional that I am and in compliance
21 with the orders issued by you regarding my
22 designation, confirmation and acceptance
23 of my appointment as expert, I have
24 performed my work with absolute
25 impartiality, honesty, transparency and

Page 2288

1 DONZIGER
2 professionalism." Do you see that?
3 A. Yes.
4 Q. Do you agree that's a false
5 statement?
6 A. There is four different words
7 there. So no, I wouldn't agree the whole
8 thing is false.
9 Q. Do you agree the statement
10 taken as a whole was false, the sentence?
11 MR. KAPLAN: I object to the
12 form.
13 THE SPECIAL MASTER: No, I'll
14 allow that.
15 A. I don't think the whole
16 statement is false, no.
17 THE SPECIAL MASTER: I think
18 there is a difference between taken as a
19 whole and the whole statement. So would
20 you answer her question, please, which is
21 why I overruled the objection.
22 A. I don't think, looking at it as
23 a whole, I don't think it is fully
24 accurate.
25 THE SPECIAL MASTER: Next

Page 2289

1 DONZIGER
2 question, Ms. Neuman.
3 Q. In paragraph 6, second
4 sentence, Mr. Cabrera states "It is clear
5 that I could not perform a job of this
6 magnitude alone and therefore -- have
7 therefore employed several technicians and
8 experts to perform these tasks under my
9 coordination and responsibility. Once I
10 submit my report to this court, your
11 Honor, the names of all the technicians
12 that have collaborated in my study under
13 my responsibility will be public."
14 Do you see that?
15 A. Yes.
16 Q. Mr. Cabrera's report as
17 submitted did not disclose that plaintiff
18 team members had collaborated on his
19 report, correct?
20 A. I think those are two different
21 things. I don't think --
22 THE SPECIAL MASTER: Different
23 or not, can you answer her direct
24 question, please?
25 THE WITNESS: The short answer

Page 2290

1 DONZIGER
2 is no.
3 Q. Can you turn to page 3 of
4 Exhibit --
5 THE SPECIAL MASTER: Wait,
6 wait, wait.
7 What about the statement by
8 Mr. Cabrera "the names of all the
9 technicians that have collaborated in the
10 study under my responsibility will be
11 public," that statement is inaccurate
12 also, isn't it, in light of your testimony
13 about Stratus; isn't that so?
14 THE WITNESS: It is not fully
15 accurate, in my opinion.
16 THE SPECIAL MASTER: Go on,
17 Ms. Neuman.
18 Q. Turn to page 3 under the
19 paragraph entitled My Alleged Relationship
20 With The Plaintiffs. There Mr. Cabrera
21 states to the Ecuadorian court "The
22 defendants' attorneys allege that the
23 plaintiffs are in 'close contact' with me
24 and that the plaintiff has provided me
25 with 'technical information and support

Page 2291

1 DONZIGER
2 staff' to assist the expert examination.
3 This is untrue."
4 Do you see that?
5 A. Yes.
6 Q. Plaintiffs had in fact provided
7 Mr. Cabrera with technical assistance and
8 support staff prior to October 11th, 2007,
9 correct?
10 A. I don't know what he was
11 thinking. But certainly the plaintiffs
12 provided materials for his consideration
13 prior to this time.
14 Q. Mr. Cabrera goes on to say "If
15 I need any technical information in
16 connection with this case, all I have to
17 do is request it from the court. The idea
18 that plaintiffs would be helping me with
19 that is unthinkable."
20 Do you see that?
21 A. Yes.
22 Q. That's another false statement
23 by Mr. Cabrera to the Ecuadorian court,
24 correct?
25 A. It is not accurate as far as I

Page 2292

1 DONZIGER
2 know.
3 Q. Mr. Cabrera goes on to state,
4 "With regard to personnel, I admit that
5 initially a person associated with the
6 plaintiff did provide me with logistical
7 support for the expert examination, but
8 this has no bearing on the core subjects
9 of the expert examination, and therefore
10 no influence or actual relationship
11 exists. After the first days, I decided
12 to rectify this situation and not allow
13 any person associated with the parties to
14 participate in my work in order to avoid
15 absurd or ill-intentioned comments."
16 Do you see that?
17 A. Yes.
18 Q. Those statements are false,
19 correct?
20 A. I wouldn't characterize it that
21 way. I think he is referring to fieldwork
22 when he writes this, as I read it.
23 Q. It is true, isn't it, that
24 Mr. Cabrera allowed persons associated
25 with the plaintiffs to participate in his

Page 2293

1 DONZIGER
2 work prior to October 11th of 2007?
3 MR. JASINSKI: I object to
4 form.
5 A. I don't know what he was
6 thinking or how he was defining the word
7 "participate."
8 MS. NEUMAN: I'm going to move
9 to strike as nonresponsive.
10 THE SPECIAL MASTER: If the
11 word "participate" is used in its normal
12 meaning, Mr. Donziger, the statement by
13 Mr. Cabrera that's been quoted here is
14 inaccurate, isn't it?
15 MR. JASINSKI: Asked and
16 answered. I object to form. I apologize.
17 THE SPECIAL MASTER: Please
18 answer my question.
19 THE WITNESS: I'm being asked
20 to get into his head. I would not
21 characterize it that way. But I don't
22 know what he is talking about specifically
23 because there are a lot of allegations
24 related to his fieldwork, and as I read
25 this, I suspect that's what he was

Page 2294

1 DONZIGER
2 referring to. But I don't know, because I
3 don't know what -- I'm not in his head.
4 THE SPECIAL MASTER: So
5 basically your answer to the question
6 about the portion that is being quoted
7 here is you don't know what he is talking
8 about; is that right?
9 THE WITNESS: I think there is
10 two parts to my answer. One is I wouldn't
11 characterize it this way, but I don't know
12 what he is talking about. It is hard for
13 me to get into his head.
14 THE SPECIAL MASTER: Okay,
15 thank you. Go on, Ms. Neuman.
16 Q. Mr. Donziger, to your
17 knowledge, did anyone on the plaintiffs'
18 team have any involvement in drafting
19 Exhibit 108 before it was filed with the
20 Ecuadorian court?
21 A. I don't think so.
22 Q. Whether you saw Exhibits 107
23 and 108 before, you were aware that
24 Chevron had raised the issue of Cabrera
25 collaborating secretly with the plaintiffs

Page 2295

1 DONZIGER
2 with the Ecuadorian court, correct?
3 A. I don't know if I was aware of
4 court filings, but I was generally aware
5 that Chevron was making some allegations
6 against Cabrera along those lines in
7 Ecuador and elsewhere.
8 Q. You were also aware that
9 Cabrera was denying that he had any
10 relationship with the plaintiffs, correct?
11 A. I think I had a general
12 awareness. I don't have a specific
13 recollection of what I was thinking at
14 that time as I sit here today.
15 Q. Did you approve of any
16 pleadings by the Ecuadorian plaintiffs in
17 which they in turn denied having a close
18 relationship with the independent expert
19 Richard Cabrera?
20 A. I don't believe I did.
21 MR. JASINSKI: Ms. Neuman, are
22 you moving to a different exhibit?
23 MS. NEUMAN: Yes.
24 MR. JASINSKI: Just for the
25 record, with respect to Exhibits 108 and

Page 2296

1 DONZIGER
2 107, there appears to be photocopying of
3 highlighting, and I presume that the
4 document that was actually submitted to
5 the court didn't have that. I just want
6 the record to reflect that the document is
7 highlighted.
8 THE SPECIAL MASTER: That is
9 fine. Noted. Thank you. The
10 highlighting is obviously the portion that
11 Ms. Neuman read into the record. No harm
12 done, Counsel.
13 MS. NEUMAN: I'm going to mark
14 as Exhibit 792 the Spanish original and
15 English translation of a pleading filed by
16 the Lago Agrio plaintiffs on April 25th of
17 2008.
18 (Exhibit 792 marked for
19 identification.)
20 MS. NEUMAN: We can go off the
21 record.
22 THE SPECIAL MASTER: Do you
23 want to finish this up? Is this going to
24 take very long?
25 MS. NEUMAN: We can go off the

Page 2297

1 DONZIGER
2 record.
3 THE VIDEOGRAPHER: Off the
4 record at 3:50 p.m. This is the end of
5 disk four, volume VIII, in the deposition
6 of Steven Donziger.
7 (Recess taken.)
8 THE VIDEOGRAPHER: We are going
9 back on the record at 4:04 p.m. This is
10 the beginning of disk five, volume VIII,
11 deposition of Steven Donziger.
12 BY MS. NEUMAN:
13 Q. Could you get Exhibit 792 in
14 front of you, Mr. Donziger, please.
15 A. Yes.
16 Q. This is a pleading filed on
17 behalf of the Lago Agrio plaintiffs by
18 Pablo Fajardo on April 25th of 2008.
19 If you turn to the second page
20 of the English translation, there is a
21 heading that reads "The plaintiffs'
22 technicians or leaders are accused of
23 having a close relationship with
24 independent expert Richard Cabrera -
25 another infamy, your Honor."

Page 2298

1 DONZIGER
2 Do you see that?
3 A. Yes.
4 Q. In this pleading, Mr. Fajardo
5 denies that plaintiffs have a close
6 relationship with Richard Cabrera,
7 correct?
8 A. I've got to read this. I never
9 read it before.
10 Q. You never saw this pleading
11 before it was filed?
12 A. I don't believe so.
13 Q. Okay. Let me know when you are
14 done.
15 (Witness perusing document.)
16 Q. Exhibit 792 was filed after
17 Cabrera had filed the Cabrera report,
18 correct?
19 A. Yes.
20 Q. And in it, plaintiffs are
21 denying a close relationship with the
22 independent Richard Cabrera, correct?
23 THE SPECIAL MASTER: In 792
24 rather than the Cabrera, right?
25 MS. NEUMAN: In 792, right.

Page 2299

1 DONZIGER
2 A. Mr. Fajardo is denying that the
3 plaintiffs have a close relationship with
4 Mr. Cabrera.
5 Q. Were you aware that Mr. Fajardo
6 was denying the plaintiffs' relationship
7 with Cabrera to the Ecuadorian court?
8 A. I became aware of it at a
9 certain point.
10 Q. What point was that?
11 A. I don't remember.
12 Q. Can you estimate?
13 A. Well, I didn't really focus on
14 it until I started to see Chevron's
15 pleadings in the various 1782 actions in
16 the United States, this year.
17 Q. Did Mr. Fajardo ever discuss
18 with you that he was going to deny
19 plaintiffs' relationship with Cabrera to
20 the Ecuadorian court?
21 A. I don't remember.
22 Q. Did Mr. Fajardo ever discuss
23 with you why he felt it was necessary to
24 deny plaintiffs' relationship with
25 Mr. Cabrera to the Ecuadorian court?

Page 2300

1 DONZIGER
2 A. I don't know if he did or
3 didn't.
4 Q. After February of 2007, did you
5 ever publicly deny that plaintiffs had
6 worked privately with Cabrera?
7 A. I might have. I don't know.
8 Q. Why would you have denied that
9 plaintiffs -- I'll withdraw that.
10 Did you ever discuss with other
11 U.S. counsel for the Ecuadorian plaintiffs
12 whether or not to admit the plaintiffs'
13 team involvement with Cabrera and the
14 writing of the Cabrera report?
15 MR. JASINSKI: Objection,
16 privileged.
17 THE SPECIAL MASTER: Mr. Kaplan,
18 are you going to instruct the witness not
19 to answer that question?
20 MR. JASINSKI: Mr. Gitter,
21 would you allow Mr. Kaplan and myself to
22 confer for a moment?
23 THE SPECIAL MASTER: Yes. The
24 witness will leave the room.
25 MR. JASINSKI: We can leave the

Page 2301

1 DONZIGER
2 room also. I just would like to speak to
3 him off the record.
4 THE SPECIAL MASTER: Go
5 outside, then.
6 (Discussion off the record.)
7 MR. JASINSKI: I will withdraw
8 the objection.
9 MS. NEUMAN: Can you read the
10 question back to the witness, please.
11 (The record was read.)
12 A. I don't remember specifically.
13 I had a lot of discussions with other U.S.
14 counsel about the Cabrera report.
15 Q. In your discussions with other
16 U.S. counsel about the Cabrera report, did
17 you always fully disclose plaintiffs'
18 interactions with Cabrera starting in
19 February of '07?
20 MR. JASINSKI: I object to
21 form.
22 THE SPECIAL MASTER: No, that's
23 fine.
24 A. I did my best to disclose facts
25 as I was learning them at the time I began

Page 2302

1 DONZIGER
2 to focus on it after Chevron's first 1782
3 was filed in Colorado.
4 Q. The February and March '07
5 meetings with Cabrera, the drafting of his
6 work plan, and all the work that Stratus
7 did on the Cabrera report, those were all
8 things you knew at the time they happened,
9 correct?
10 A. In a general sense, yes. But
11 at the beginning of this year the
12 situation was so fact-intensive and there
13 was a lot I didn't remember, even know at
14 the time it was happening, that I did my
15 best to look at the situation and gather
16 as many facts as I could. And as I
17 received facts, I did my best to inform
18 other U.S. counsel.
19 Q. And you knew of the meetings
20 that you had personally participated in
21 with Cabrera, correct?
22 A. Yes.
23 Q. And you knew of the work that
24 you had approved Stratus and its
25 subcontractors doing that related to the

Page 2303

1 DONZIGER
2 global assessment and the global report,
3 correct?
4 A. In a general sense, yes.
5 Q. Well, weren't you specifically
6 involved with the Stratus work?
7 A. Yes, but -- yeah, I was
8 involved, but I don't remember every
9 single annex, every letter, all that kind
10 of stuff.
11 Q. Was it agreed among the U.S.
12 counsel that the approach would be to say
13 that the plaintiffs submitted materials to
14 Cabrera for his consideration?
15 MR. JASINSKI: I object to
16 form. May I just have a minute to
17 consider whether I also need to object to
18 privilege?
19 THE SPECIAL MASTER: The form
20 is overruled. Go on to privilege if you
21 are going to assert it, or, more
22 precisely, whether Mr. Kaplan is going to
23 assert it and direct the witness not to
24 answer.
25 MR. KAPLAN: May we hear the

Page 2304

1 DONZIGER
2 question back, please.
3 THE SPECIAL MASTER: Was it
4 agreed among the U.S. counsel that the
5 approach would be to say that the
6 plaintiffs submitted materials to Cabrera
7 for his consideration?
8 MR. JASINSKI: No further
9 objection.
10 THE SPECIAL MASTER: Go on,
11 Ms. Neuman.
12 Do you want the question read
13 back again, Mr. Donziger?
14 THE WITNESS: Please.
15 THE SPECIAL MASTER: Was it
16 agreed among the U.S. counsel that the
17 approach would be to say that the
18 plaintiffs submitted materials to Cabrera
19 for his consideration?
20 THE WITNESS: I wouldn't
21 characterize it that way. So the answer
22 would be no.
23 MS. NEUMAN: I'm going to
24 provide the witness a document I have
25 marked as Exhibit 793, DONZ 00031368,

Page 2305

1 DONZIGER
2 pages 1 through 6.
3 (Exhibit 793 marked for
4 identification.)
5 Q. Exhibit 793 is a series of
6 e-mails dated --
7 A. Do you want me to review this
8 entire e-mail chain?
9 Q. Yes.
10 A. Starting at the bottom?
11 Q. I would start with the bottom,
12 or the last page, and then go forward. It
13 is a series of e-mails dated June 14th,
14 2010 and June 15th, 2010.
15 (Witness perusing document.)
16 THE SPECIAL MASTER: I'm not
17 following where this begins, Ms. Neuman.
18 Oh, on page 4?
19 MR. ORMAND: The bottom of page
20 4, the very bottom.
21 THE SPECIAL MASTER: So
22 Mr. Abady's e-mail is the first one?
23 MS. NEUMAN: Yes, the first
24 substance is on the top of page 5.
25 THE SPECIAL MASTER: I

Page 2306

1 DONZIGER
2 understand. But it in turn refers -- let
3 me explain my perplexity here.
4 The e-mail begins "This is my
5 proposal for the Ecuador filing based on
6 the last two e-mails I've sent." Do you
7 see? I mean, there are obviously two
8 e-mails that precede this. Then he goes
9 on, "We need to agree on it conceptually,
10 fill in the remaining (small) open items
11 and get this thing filed," etc. But there
12 are two e-mails preceding it. Is this
13 really the beginning of the e-mail chain?
14 MS. NEUMAN: This is the
15 beginning. Mr. Abady may be like me and
16 he may not know how to attach previous
17 e-mails to the chain.
18 THE SPECIAL MASTER: You are
19 now seeing what a technodinosaur I am. So
20 I will start where you tell me to start.
21 (Witness perusing document.)
22 Q. Have you finished reviewing
23 Exhibit 793?
24 A. Yes.
25 THE SPECIAL MASTER: Ms. Neuman,

Page 2307

1 DONZIGER
2 I've just read this trail. To say it is
3 disturbing is a gross understatement. I
4 would like an identification of the people
5 that are listed here, please.
6 Q. Mr. Donziger --
7 THE SPECIAL MASTER: Wait a
8 second. Let me do it. I want to know who
9 these people are. Who is Eric Daleo?
10 THE WITNESS: He is a lawyer at
11 Patton Boggs.
12 THE SPECIAL MASTER: Who is
13 Edward Yennock?
14 THE WITNESS: He is a lawyer at
15 Patton Boggs.
16 THE SPECIAL MASTER: I know who
17 Mr. Jasinski is, I know who Ms. Moll is, I
18 know who Narwold is. Who is Jason
19 Rockwell?
20 THE WITNESS: He is a lawyer at
21 Patton Boggs.
22 MR. JASINSKI: Mr. Gitter, for
23 the record, I note, and I only notice this
24 with respect to my own name, but it
25 doesn't appear that the continuing trail

Page 2308

1 DONZIGER
2 after the first e-mail from Mr. Abady
3 necessarily includes all the same
4 recipients as his first e-mail.
5 I notice my name is missing
6 from the subsequent --
7 THE SPECIAL MASTER: I
8 understand. That's fine. That's fine.
9 You make the record. Let me look at what
10 the question was going to be.
11 MS. NEUMAN: There wasn't one
12 yet.
13 THE SPECIAL MASTER: I will
14 tell you when I'm ready. Is there no
15 pending question?
16 MS. NEUMAN: No, sir.
17 THE SPECIAL MASTER: Oh, I know
18 what the previous question was. I'm
19 sorry, that's what I was thinking about.
20 What is the name of this filing?
21 MS. NEUMAN: Villao.
22 THE SPECIAL MASTER: What case
23 is that?
24 MS. NEUMAN: That is a 1782 in
25 New Jersey in which Judge Chesler made a

Page 2309

1 DONZIGER
2 crime fraud claim.
3 THE SPECIAL MASTER: I have not
4 read what was submitted to him. Are the
5 two e-mails that Mr. Abady refers to at
6 the very beginning part of the record,
7 that is, part of what was produced?
8 MS. NEUMAN: I have not seen
9 those two e-mails, nor the original
10 document attachment that Mr. Abady
11 references in his first e-mail of the
12 chain.
13 THE SPECIAL MASTER: What was
14 the date of the submission of the new
15 expert reports in Ecuador, please?
16 MS. NEUMAN: The reports
17 themselves were submitted on September
18 9th.
19 MR. KAPLAN: 16th.
20 MS. NEUMAN: 16th.
21 THE SPECIAL MASTER: September
22 16th?
23 MS. NEUMAN: Of 2010. But I
24 believe this is referring to the request
25 for the opportunity to submit those

Page 2310

1 DONZIGER
2 reports.
3 THE SPECIAL MASTER: And when
4 was that filed?
5 MS. NEUMAN: In June of 2010.
6 THE SPECIAL MASTER: That I
7 figured out. When in June of 2010?
8 MS. NEUMAN: I will have to
9 look that date up. I want to say June
10 21st.
11 THE SPECIAL MASTER: I would
12 like a ten-minute break to think about
13 this, folks.
14 THE VIDEOGRAPHER: Off the
15 record, 4:28 p.m.
16 (Recess taken.)
17 (Witness not present in the
18 room.)
19 THE VIDEOGRAPHER: Back on the
20 record, 4:42 p.m.
21 THE SPECIAL MASTER: Gentlemen,
22 I wanted a break to think about my
23 obligations to the witness and otherwise,
24 and I've decided that given the fact that
25 we have here a witness who is a very

Page 2311

1 DONZIGER
2 sophisticated lawyer and he has got a very
3 highly sophisticated counsel, I'm
4 confident that between the two of them
5 they have analyzed all of his rights and
6 obligations, and therefore I won't go any
7 further as to any obligation I have to the
8 witness for the moment.
9 I would like to ask a few
10 questions and then I will tell you what I
11 think.
12 First, and I'm looking at 793,
13 has this document been presented to any
14 court?
15 MS. NEUMAN: Not to my
16 knowledge.
17 THE SPECIAL MASTER: It has not
18 been filed with any court?
19 MR. RIVERO: Not to my
20 knowledge.
21 MS. NEUMAN: It was only
22 produced in the subsequent production made
23 by Mr. Donziger.
24 MR. MASTRO: The most recent
25 one.

Page 2312

1 DONZIGER
2 MS. NEUMAN: Very recent.
3 MR. MASTRO: Where we said that
4 they haven't had sufficient production and
5 they produced another 1,600 documents.
6 THE SPECIAL MASTER: Next I
7 would like to find out whether or not -- I
8 was already told that no corrective
9 statement was filed with Judge Sand about
10 the Quarles declaration, correct?
11 MR. RIVERO: Yes.
12 THE SPECIAL MASTER: Has any
13 corrective statement been filed with the
14 court in Colorado which was the recipient
15 of this reply brief that is Exhibit 791?
16 Was anything filed by way of correction to
17 that document?
18 MS. NEUMAN: They
19 subsequently -- Stratus filed a statement
20 which had a footnote that admitted ex
21 parte contact with Cabrera. That
22 statement has never been corrected, but
23 they have modified the presentation of
24 their position since that reply brief.
25 MR. JASINSKI: Respectfully,

Page 2313

1 DONZIGER
2 I'm not sure I agree with that
3 characterization. I think that --
4 THE SPECIAL MASTER: I just
5 want to know whether a court --
6 MR. JASINSKI: Well, the
7 characterization is that the statement has
8 never been corrected, but the position has
9 been modified. I'm not sure that's
10 correct.
11 MS. NEUMAN: I'm very familiar
12 with the Denver pleadings. If you want to
13 point me to a place where that statement
14 has been corrected, I'm happy to look at
15 it.
16 THE SPECIAL MASTER: No, I
17 don't want to get into a fight with you
18 folks at this point. I will continue to
19 think about my obligations afterward.
20 But I think the most -- the
21 correct thing for me to do at this
22 juncture and the most conservative thing
23 for me to do at this juncture is to just
24 let the questioning proceeding, and
25 therefore Ms. Neuman may proceed. I'm not

Page 2314

1 DONZIGER
2 going to do anything further.
3 Ms. Silver, do you want to
4 speak?
5 MS. SILVER: When you say has
6 something been clarified with Judge Sand,
7 are you asking with respect to the --
8 THE SPECIAL MASTER: Quarles
9 affidavit.
10 MS. SILVER: In the Chevron
11 case back in 2007?
12 THE SPECIAL MASTER: Wherever
13 the Quarles affidavit was filed before
14 Judge Sand. He is still a judge of the
15 Southern District of New York.
16 MS. SILVER: I understand that.
17 It was just not an issue in that case.
18 THE SPECIAL MASTER: An
19 affidavit was filed before Judge Sand.
20 There is a record that has been made
21 today.
22 My question is, has somebody
23 compared that affidavit with the record
24 that has been produced today and made any
25 correction to that affidavit. I

Page 2315

1 DONZIGER
2 understand that's no. That's all I've
3 done, Ms. Silver. Okay? Whether it is
4 material to the proceeding there or not is
5 not my question. I just want to know what
6 has happened. I'm not doing anything
7 about anything right now.
8 I think the most conservative
9 thing for me to do and the proper thing
10 for me to do is simply let the questioning
11 go on at the moment.
12 Ms. Neuman, are you ready?
13 MS. NEUMAN: I'm ready.
14 (Witness returns to the room.)
15 BY MS. NEUMAN:
16 Q. Mr. Donziger, do you still have
17 Exhibit 793 in front of you, sir?
18 A. Yes.
19 Q. Can you turn to the top of
20 page 5 -- well, before you do that, can
21 you turn to the bottom of page 4.
22 THE SPECIAL MASTER: I'm sorry,
23 I didn't hear that. Okay, got it.
24 Q. Do you see the CC line on
25 Mr. Abady's e-mail?

Page 2316

1 DONZIGER
2 A. Yes.
3 Q. Julia Brickell, who is that?
4 A. She is an attorney at H5.
5 Q. And the name beside
6 Ms. Brickell's or the e-mail address
7 neconomou@H5.com, who is that?
8 A. Nicolas Economou.
9 Q. Who is Mr. Economou?
10 A. He is the CEO of H5.
11 THE SPECIAL MASTER: By the
12 way, there was one thing I forgot to ask
13 now that I see it. I meant to ask this.
14 Was a submission made to the
15 judge in New Jersey or some other court
16 after this e-mail trail?
17 MR. JASINSKI: I'm not sure
18 what you mean, "a submission."
19 THE SPECIAL MASTER: There is a
20 reference here on page 4 to "we are not
21 suggesting not doing a submission." Was a
22 submission made as a result of this e-mail
23 trail to a judge in New Jersey? I
24 understand the judge is Stanley Chesler.
25 MS. NEUMAN: This e-mail chain

Page 2317

1 DONZIGER
2 is discussing a submission to the court in
3 Ecuador. If you read the first e-mail
4 from Mr. Abady, "this is my proposal for
5 the Ecuadorian filing," at the top of page
6 5.
7 THE SPECIAL MASTER: So the
8 answer is no submission -- I understand
9 the overall tenor of this, Ms. Neuman.
10 My question was, did this
11 result in a submission in the case
12 involving the Villao; is that the right
13 name? And is that the proceeding in New
14 Jersey?
15 MR. JASINSKI: I believe that's
16 the proceeding in New Jersey. I do not
17 believe this resulted in a submission in
18 New Jersey.
19 THE SPECIAL MASTER: That was
20 my question.
21 MS. NEUMAN: I don't disagree.
22 There obviously has been subsequent
23 filings in New Jersey and in the Third
24 Circuit after the date of this.
25 THE SPECIAL MASTER: I'm sorry

Page 2318

1 DONZIGER
2 to interrupt. Go on.
3 Q. Mr. Donziger, in Exhibit 793,
4 which begins with Mr. Abady's e-mail of
5 June 14th of 2010, the subject is Final
6 Proposed Draft. Do you see that?
7 A. Yes.
8 Q. Then on the next page,
9 Mr. Abady writes "This is my proposal for
10 the Ecuadorian filing based on the last
11 two e-mails I've sent. We need to agree
12 on it conceptually, fill in the small
13 remaining open items and get this thing
14 filed."
15 Do you see that?
16 A. Yes.
17 Q. Did you receive this e-mail and
18 the other e-mails in the chain on Exhibit
19 793 on June 14th and June 15th of 2010?
20 A. I assume I did if I'm listed.
21 I don't know independent of what I'm
22 reading here.
23 Q. The plaintiffs filed on June
24 21st, 2010 a pleading with the Ecuadorian
25 court requesting that they be given the

Page 2319

1 DONZIGER
2 opportunity to submit new expert reports,
3 correct?
4 A. Yes.
5 Q. Plaintiffs' counsel's strategy
6 to offer new expert testimony in Ecuador
7 was developed in direct response to
8 Chevron being able to prove plaintiffs'
9 involvement with Cabrera, correct?
10 MR. JASINSKI: I'm going to
11 object. I believe that this --
12 THE SPECIAL MASTER: I'm sorry,
13 there is no colloquy in front of the
14 witness. That's a rule we have.
15 MR. JASINSKI: On the basis of
16 privilege.
17 THE SPECIAL MASTER: Okay, just
18 say that.
19 MR. JASINSKI: Privilege.
20 THE SPECIAL MASTER: Mr. Kaplan,
21 are you going to direct the witness not to
22 answer?
23 MR. KAPLAN: May I hear the
24 question back, please.
25 MS. NEUMAN: Plaintiffs'

Page 2320

1 DONZIGER
 2 counsel's strategy to offer new expert
 3 testimony in Ecuador was developed in
 4 direct response to Chevron being able to
 5 prove plaintiffs' involvement with
 6 Cabrera, correct?
 7 MR. KAPLAN: I'm not directing.
 8 A. It was one of several purposes.
 9 Q. So that's a yes?
 10 A. That was one of the purposes,
 11 yes.
 12 Q. If we turn to page 4 of 6,
 13 there is an e-mail from --
 14 THE SPECIAL MASTER: Excuse me
 15 one second, Mr. Jasinski, you can take up
 16 this privilege objection of yours, if you
 17 still want to assert it, at the next
 18 break.
 19 MR. JASINSKI: Thank you.
 20 Q. On page 4 of Exhibit 793, there
 21 is an e-mail from Jason Rockwell. You
 22 indicated that Mr. Rockwell is with Patton
 23 Boggs; is that right?
 24 A. Yes.
 25 Q. And dropped off of

Page 2321

1 DONZIGER
 2 Mr. Rockwell's e-mail appear to be the H5
 3 attorneys and the Motley Rice attorneys.
 4 Does that look correct to you?
 5 A. Yes.
 6 Q. Do you have any understanding
 7 as to why the H5 and Motley Rice attorneys
 8 were dropped off the e-mail chain at this
 9 juncture?
 10 A. No.
 11 Q. Mr. Rockwell writes "In light
 12 of the issues raised by the Villao
 13 situation in NJ and the fact that the Ann
 14 Maest notes suggest more coordination with
 15 Cabrera than counsel simply dropping off
 16 two sets of documents, I'm concerned that
 17 we are really going out on a limb with the
 18 last three paragraphs of Section II."
 19 Do you see that?
 20 A. Yes.
 21 Q. Do you understand "the Villao
 22 situation in NJ" to refer to Chevron's
 23 1782 to UBR that was filed in New Jersey?
 24 A. Yes.
 25 Q. Mr. Rockwell goes on to

Page 2322

1 DONZIGER
 2 state --
 3 THE SPECIAL MASTER: Excuse me,
 4 can I interrupt? Are the things, the
 5 sections that are being referred to and
 6 the other things that are being referred
 7 to in this e-mail trail, have those been
 8 produced so that we can get a context for
 9 what exactly is being said in each of
 10 these e-mails?
 11 MS. NEUMAN: We have not been
 12 able to locate the original attachment to
 13 Mr. Abady's original e-mail, which I think
 14 is what is being discussed in the
 15 reference to --
 16 THE SPECIAL MASTER: Why don't
 17 we ask the witness. What document, what
 18 sections of what document are being
 19 discussed in this e-mail trail? Or
 20 documents.
 21 Q. When Mr. Rockwell states "I'm
 22 concerned that we are really going out on
 23 a limb with the last three paragraphs of
 24 Section II," what document is he referring
 25 to?

Page 2323

1 DONZIGER
 2 A. I believe he is referring to a
 3 draft of a filing that we intended to make
 4 in Ecuador.
 5 Q. With regard to the new expert
 6 request?
 7 A. That and various other issues I
 8 think that were included in that filing.
 9 Q. The June 21st, 2010 filing that
 10 was made in Ecuador, that was the first
 11 filing in which plaintiffs disclosed to
 12 the Ecuadorian court that they had
 13 provided Cabrera with analyses, correct?
 14 A. It was a filing where we
 15 intended to put all the facts before the
 16 Ecuador court. But I don't -- I don't
 17 know the specifics as I sit here right
 18 now. I haven't read that for a long time.
 19 Q. You read it before it was
 20 filed, correct?
 21 A. I believe I did, yes.
 22 Q. And it was developed in
 23 conjunction with the attorneys shown on
 24 Exhibit 793; is that right?
 25 MR. JASINSKI: I object to

Page 2324

1 DONZIGER
2 form.
3 THE SPECIAL MASTER: Overruled.
4 Answer the question. Let's go back to the
5 old instruction. If you don't hear a
6 "sustained," answer the question.
7 A. Yes, it was a group effort by
8 these attorneys as far as I remember.
9 Q. The situation with Mr. Villao
10 and UBR was that Mr. Villao was a member
11 of Cabrera's supposedly independent team,
12 correct?
13 MR. JASINSKI: I object to
14 form.
15 THE SPECIAL MASTER: Answer the
16 question.
17 A. He was a member of his team.
18 Q. And he was at the same time
19 employed by plaintiffs, correct?
20 A. He had been.
21 Q. Employed by plaintiffs?
22 A. Yes.
23 Q. Mr. Rockwell states "nor do we
24 know what happened with Villao." Do you
25 see that?

Page 2325

1 DONZIGER
2 A. Yes.
3 Q. At this point in time, did you
4 know the extent of plaintiffs' interaction
5 with Mr. Villao?
6 A. It is Mr. Villao.
7 Q. Villao?
8 A. Yes.
9 I knew his role in working with
10 UBR in preparing a report that we used for
11 a mediation with Chevron. And at some
12 point I knew that he had become part of
13 Mr. Cabrera's technical team.
14 Q. And you knew -- you are
15 referring to a report on a potable water
16 system, correct?
17 A. Yes.
18 Q. And you knew that the potable
19 water system report -- now I have
20 forgotten how to say it --
21 A. Villao.
22 Q. -- that Mr. Villao helped
23 prepare was included in the Cabrera report
24 as an annex, correct?
25 A. I do know that, yes, some

Page 2326

1 DONZIGER
2 version of it.
3 Q. Do you know why Mr. Rockwell
4 says in June of 2010 "nor do we really
5 know what happened with Villao"?
6 A. I can only assume that --
7 THE SPECIAL MASTER: I'm sorry,
8 the question is --
9 A. I don't know.
10 Q. Mr. Rockwell goes on to state
11 "It seems quite risky to me to draft this
12 as if nothing more than a delivery of
13 documents occurred if we are not certain
14 that is correct." Do you see that?
15 A. Yes.
16 Q. You knew prior to June 14th of
17 2010 that plaintiffs had done much more
18 with Cabrera than deliver documents,
19 correct?
20 A. Yes.
21 Q. Had you previously informed
22 Mr. Rockwell of that fact?
23 A. I don't know. I generally
24 didn't communicate with him. I
25 communicated with other lawyers at Patton

Page 2327

1 DONZIGER
2 Boggs.
3 Q. Who did you generally
4 communicate with at Patton Boggs?
5 A. Mr. Westenberger, Eric
6 Westenberger, and Mr. Tyrrell, Jim
7 Tyrrell.
8 Q. Prior to June of 2010, had you
9 informed Mr. James Tyrrell and Mr. Eric
10 Westenberger of plaintiffs' interaction
11 with Cabrera beginning in February of '07?
12 A. Yes.
13 THE SPECIAL MASTER: Are you
14 done, Ms. Neuman, with this?
15 MS. NEUMAN: With the whole
16 document?
17 THE SPECIAL MASTER: Yes.
18 MS. NEUMAN: I had --
19 THE SPECIAL MASTER: Please go
20 on.
21 Q. Can you turn with me to page 2
22 of 6.
23 Following a discussion of
24 whether plaintiffs should admit to the
25 collaboration and contact with Cabrera,

Page 2328

1 DONZIGER
2 Mr. Westenberger writes "but we don't know
3 everything there is to admit." Do you see
4 that?
5 A. Yeah.
6 MR. JASINSKI: I object to
7 form.
8 Q. Do you know why
9 Mr. Westenberger believed that plaintiffs'
10 counsel didn't know everything there was
11 to admit?
12 MR. JASINSKI: I object to
13 form.
14 A. I don't know.
15 Q. Above that, Mr. Abady responds
16 "which is why we are not admitting
17 everything, only what we have to." Do you
18 see that?
19 A. Yes.
20 Q. Was that the approach that the
21 plaintiffs decided to take in the June
22 21st, 2010 filing with the Ecuadorian
23 court?
24 A. I don't know. I remember the
25 discussion being much more complex than

Page 2329

1 DONZIGER
2 that.
3 Q. If you turn to page 1 of 6,
4 there is an e-mail from Andrew Wilson; do
5 you see that?
6 A. Yes.
7 Q. That's the same Andrew Wilson
8 that signed Exhibit 791 filed in the
9 Denver federal district court, correct?
10 A. Yes.
11 Q. Mr. Wilson says "Shall we talk
12 this through on a call? I agree with most
13 of what Jason says here, especially the
14 second paragraph, but I wonder whether we
15 do better by explaining that we authored
16 the report rather than letting Chevron
17 tell that story like Nancy Drew."
18 Do you see that?
19 A. Yes.
20 Q. By "the report," he is
21 referring to Cabrera's report filed in
22 April of '08 in Ecuador, correct?
23 A. I believe so.
24 Q. Mr. Wilson goes on to state "I
25 don't see how attempting to minimize and

Page 2330

1 DONZIGER
2 potentially misrepresenting the facts
3 surrounding the Cabrera report shuts down
4 their 1782 efforts. I think it does the
5 opposite. Chevron will point to this and
6 claim it is the latest in plaintiffs'
7 perpetuation of the fraud on the court
8 that they need to disprove. They will say
9 that you are only now admitting providing
10 documents because you got caught, but that
11 the truth is much worse. I can't see how
12 this shuts down 1782 actions."
13 Do you see that?
14 A. Yes. I believe you misspoke,
15 though.
16 THE SPECIAL MASTER: Yes, you
17 did. It is Mr. Rockwell who said that and
18 not Mr. Wilson.
19 Was that your point,
20 Mr. Donziger?
21 THE WITNESS: Yes.
22 MS. NEUMAN: Oh, I'm sorry.
23 Q. The last quote I just read was
24 by Mr. Rockwell, correct?
25 A. I believe so, yes.

Page 2331

1 DONZIGER
2 Q. And it is accurate that
3 plaintiffs had done much more than provide
4 documents to Cabrera, correct?
5 A. Yes.
6 Q. Mr. Rockwell goes on to state
7 "In my view, what we say in this
8 submission will have no impact on their
9 1782 efforts. The only thing that will
10 help with the 1782 actions is if we get
11 the relief we want - the Ecuador court to
12 order new reports."
13 Do you see that?
14 A. Yes.
15 Q. Was one of the goals of filing
16 the June 21st, 2010 request for new expert
17 reports to have an argument based on which
18 to attempt to shut down Chevron's 1782
19 efforts in the U.S.?
20 MR. JASINSKI: Objection,
21 privilege.
22 THE SPECIAL MASTER: I think we
23 better ask the witness to leave and we
24 will have a discussion as to the reason.
25 (Witness departs the room.)

Page 2332

1 DONZIGER
 2 THE SPECIAL MASTER: By the
 3 way, before we have that discussion,
 4 Mr. Kaplan, do you have an intention to
 5 direct the witness not to answer that
 6 question?
 7 MR. KAPLAN: No.
 8 THE SPECIAL MASTER: I'm taking
 9 a great deal of time, Mr. Jasinski,
 10 because I'm trying to figure out whether
 11 or not your two objections here are going
 12 to compel me to reach an issue I don't
 13 want to reach. You know what that issue
 14 is.
 15 MR. JASINSKI: I certainly do,
 16 Mr. Gitter, and I appreciate the hesitancy
 17 there.
 18 THE SPECIAL MASTER: I'm now
 19 troubled by your objections, because off
 20 the top of my head it seems to me that
 21 they might force me to do that. I may
 22 want to think about that some more and
 23 maybe somebody will want to give me some
 24 learning or tell me that there is another
 25 way to get at this.

Page 2333

1 DONZIGER
 2 My immediate reaction, I will
 3 be perfectly candid with you, is that you
 4 may be compelling me to reach that
 5 subject.
 6 MR. JASINSKI: I obviously
 7 don't want to do that. And I don't
 8 believe that that would be a correct
 9 decision. But I appreciate your
 10 conservatism.
 11 My concern is that obviously I
 12 recognize that these documents are now
 13 public, or at least have been waived
 14 according to Judge Kaplan's ruling.
 15 THE SPECIAL MASTER: Correct.
 16 MR. JASINSKI: But to the
 17 extent that Ms. Neuman is inquiring about
 18 work product in the form of plaintiffs'
 19 overall strategy, I don't believe that
 20 that has been waived. Now, we are looking
 21 at one discrete document. And I realize
 22 that the Special Master has concerns about
 23 whether this document, I think as you put
 24 it, you found it troubling at first blush.
 25 THE SPECIAL MASTER: You bet.

Page 2334

1 DONZIGER
 2 Didn't you find it troubling at first
 3 blush? You pointed out to me that your
 4 name was removed from part of it.
 5 MR. JASINSKI: I don't think
 6 any inference should be taken. Merely for
 7 the record because you wanted to see who
 8 was on the e-mail, and I thought it was
 9 appropriate to clarify. That isn't to
 10 suggest that I want to distance myself
 11 from the contents. I don't believe that
 12 anything in this e-mail is remotely
 13 improper or inappropriate. It is being
 14 read out of context. Much of what is in
 15 this e-mail is parroting what the
 16 plaintiffs understood Chevron's narrative
 17 to be.
 18 So I think there are statements
 19 that could be easily taken out of context.
 20 For example --
 21 THE SPECIAL MASTER: You want
 22 to argue it now? You want to argue this
 23 now? That's fine. I mean, we can do
 24 that.
 25 MR. JASINSKI: I'm willing to

Page 2335

1 DONZIGER
 2 withdraw -- what I'm concerned about is
 3 some sort of global waiver. I'm certainly
 4 willing to give Ms. Neuman a great deal of
 5 latitude with this document because it is
 6 in front of us, and I don't want to be,
 7 you know, obstreperous. But there are
 8 degrees, I believe, of waiver.
 9 THE SPECIAL MASTER: Look, I'm
 10 here. I'm here because Judge Kaplan
 11 specifically said "Look, here is what I'm
 12 doing with respect to the documents. To
 13 the extent the questioning goes beyond the
 14 documents, I appoint the Special Master."
 15 I'm here in very large part to
 16 deal with exactly what you are talking
 17 about. As I told you, I prefer, you know,
 18 to take the most conservative approach
 19 here, which is not to reach an issue that
 20 I don't have to reach. I don't want to
 21 force you to withdraw an objection that
 22 you don't -- believe me, I don't, that's
 23 not my job. My job is to try to get the
 24 parties to agree, however, when something
 25 like that comes up.

Page 2336

1 DONZIGER
2 If you want to see if you can
3 reach some agreement with the other side
4 about what you won't object to, that's
5 fine. In fact, as everybody knows, I'm a
6 big believer in the Humphrey Bogart and
7 Claude Rains theory of life.
8 So do you want to take five
9 minutes and think about it and try to work
10 something out with the other side?
11 MR. JASINSKI: I'm willing to
12 do that, certainly.
13 MS. NEUMAN: Should we go off
14 the record?
15 THE SPECIAL MASTER: Obviously
16 that would be off the record.
17 THE VIDEOGRAPHER: Off the
18 record, 5:10 p.m.
19 (Recess taken.)
20 (Witness returns to the room.)
21 THE VIDEOGRAPHER: We are going
22 back on the record at 5:24 p.m. This is
23 the beginning of disk six, volume VIII, in
24 the deposition of Steven Donziger.
25 MR. JASINSKI: Mr. Gitter,

Page 2337

1 DONZIGER
2 thank you for the time to both try and
3 track down some of my colleagues and also
4 to confer with opposing counsel.
5 I agree to withdraw my
6 privilege objections to this line of
7 questioning, and Mr. Mastro has indicated
8 that Chevron will not argue that my
9 failure to object to this line of
10 questioning is a global waiver.
11 Is that correct, Mr. Mastro?
12 MR. MASTRO: That's correct.
13 THE SPECIAL MASTER: Very good.
14 Let's go back to questioning, which is why
15 we are here.
16 MS. NEUMAN: Can you read the
17 pending question back to the witness,
18 please.
19 (The record was read.)
20 A. I think that was one of the
21 purposes.
22 Q. Now, in Exhibit 793, after
23 Mr. Wilson's Nancy Drew comment, Mr. Abady
24 says "I'm available until 11 to discuss.
25 Can people make a 10:15 a.m. call to talk

Page 2338

1 DONZIGER
2 this through? Please respond ASAP." And
3 you respond "Yes." Do you see that?
4 A. Yes.
5 Q. Did this call occur?
6 A. I don't remember.
7 Q. Do you recall a discussion
8 among counsel about the issues raised in
9 Exhibit 793?
10 A. Yes.
11 Q. What was the substance of that
12 discussion?
13 A. I recall many discussions about
14 this particular submission. There were
15 different viewpoints and a lot of hands in
16 the submission, a lot of lawyers looking
17 at it.
18 Q. Was the issue of whether the
19 plaintiffs should explain that they --
20 THE SPECIAL MASTER: Excuse me,
21 I'm sorry.
22 The question was, what was the
23 substance of that discussion? And the
24 answer was "I recall many discussions
25 about this particular submission. There

Page 2339

1 DONZIGER
2 were different viewpoints and a lot of
3 hands looking at it."
4 But I don't think, Counsel,
5 that you got the substance that you asked
6 about.
7 Q. Do you recall the substance of
8 the discussion that followed this e-mail
9 chain in particular?
10 A. No.
11 Q. Do you recall a discussion of
12 whether the plaintiffs should admit that
13 "we authored the report"?
14 A. Yes.
15 Q. What was decided about whether
16 plaintiffs should make that admission?
17 A. Well, the final decision as
18 reflected in what was in the submission,
19 and I would characterize it as a decision
20 made collectively by a lot of lawyers.
21 THE SPECIAL MASTER: Is that
22 submission available? Is it in English?
23 Is there a version in English?
24 MS. NEUMAN: Yes. I will mark
25 as Exhibit 794 plaintiffs' June 21st, 2010

Page 2340

1 DONZIGER
 2 submission to the Ecuadorian court.
 3 (Exhibit 794 marked for
 4 identification.)
 5 THE SPECIAL MASTER: Are you
 6 moving off 793 now and moving on to this
 7 other one, or not?
 8 MS. NEUMAN: Yes. They are
 9 related, but yes.
 10 THE SPECIAL MASTER: Of course.
 11 I wanted to ask one question about 793 and
 12 the statement that the witness had made.
 13 Mr. Donziger, you said earlier
 14 that the purpose -- a purpose of the
 15 submission was to disclose all the facts
 16 about the connections with Cabrera. Do
 17 you remember that testimony?
 18 THE WITNESS: Yes, sir.
 19 THE SPECIAL MASTER: That were
 20 known at the time, or something like that.
 21 At the time this submission was
 22 made, of course the outtakes from the
 23 Crude film had not yet been disclosed,
 24 correct?
 25 THE WITNESS: Yes.

Page 2341

1 DONZIGER
 2 THE SPECIAL MASTER: Nor had
 3 any of the documents that had been
 4 produced by the filmmakers been disclosed,
 5 correct?
 6 THE WITNESS: I believe that's
 7 correct.
 8 THE SPECIAL MASTER: I haven't
 9 obviously seen the submission because it
 10 has just been handed to me, but does the
 11 submission, for example, disclose that on
 12 March 4th -- 3rd and 4th of 2007, there
 13 was a very long meeting, strategy meeting,
 14 about the global assessment and
 15 Mr. Cabrera attended essentially the
 16 entirety of it?
 17 THE WITNESS: I don't
 18 understand. Your question is, is that in
 19 the submission?
 20 THE SPECIAL MASTER: Yes.
 21 THE WITNESS: I don't know.
 22 I'm just looking at this submission. I
 23 haven't read it in a while. I don't know.
 24 THE SPECIAL MASTER: All right,
 25 we'll see.

Page 2342

1 DONZIGER
 2 A. Do you want me to read this
 3 submission?
 4 Q. Yes, if you need to.
 5 (Witness perusing document.)
 6 Q. Before you do that, you were
 7 involved in the preparation of Exhibit
 8 794, correct?
 9 A. I think I looked at it and made
 10 comments on it. I don't believe I drafted
 11 it.
 12 Q. Who was the primary
 13 draftsperson of Exhibit 794?
 14 A. I don't know.
 15 Q. Was it originally drafted in
 16 English?
 17 A. I believe it was. I believe it
 18 was somebody either from the Emery Celli
 19 firm or the Patton Boggs firm.
 20 Q. Go ahead and let me know when
 21 you are done.
 22 (Witness perusing document.)
 23 Q. Have you had a chance to review
 24 Exhibit 794, Mr. Donziger?
 25 A. Yes.

Page 2343

1 DONZIGER
 2 Q. Can you put 793 in front of you
 3 as well.
 4 A. Uh-huh, yes.
 5 Q. And can you turn in Exhibit 793
 6 to page 4 of 6. And in Exhibit 794 can
 7 you turn to physical page 4, but it is
 8 actually labeled Exhibit C, page 20.
 9 A. Yes.
 10 Q. In Exhibit 794 you see that
 11 there is a heading Roman numeral II?
 12 A. Yes.
 13 Q. That begins "Cabrera's adoption
 14 of scientific findings, conclusions and
 15 valuations proposed to him by plaintiffs."
 16 Do you see that?
 17 A. Yes.
 18 Q. Now, in the e-mail exchange
 19 that we have marked as Exhibit 793,
 20 Mr. Rockwell had stated "I'm concerned
 21 that we are really going out on a limb
 22 with the last three paragraphs of Section
 23 II."
 24 Do you see that?
 25 A. Yes.

Page 2344

1 DONZIGER

2 Q. Are the three paragraphs of

3 Section II, the last three paragraphs of

4 Section II that Mr. Rockwell was referring

5 to, the same last three paragraphs of

6 Section II that appear in the filed

7 document?

8 A. I don't know.

9 Q. Well, looking at the first of

10 those last three paragraphs which appears

11 on page -- well, it is marked Exhibit C,

12 page 21, it starts, the paragraph,

13 "Cabrera performed approximately 48

14 separate inspections." Do you see that?

15 A. I think that is the fourth to

16 the last paragraph, if I'm not mistaken.

17 Q. Okay. Then let's look at the

18 first paragraph at the top of page 22,

19 Exhibit C, as marked in Exhibit 794.

20 Do you see where it says

21 "Chevron enjoyed the same opportunity as

22 plaintiffs to provide information to

23 Cabrera in support of its position in the

24 case"? Do you see that?

25 A. Yes.

Page 2345

1 DONZIGER

2 Q. That's not an accurate

3 statement, is it?

4 A. I believe it is accurate.

5 Q. Do you believe of any

6 opportunity that Chevron had to meet

7 privately with Mr. Cabrera?

8 MR. JASINSKI: I object to

9 form.

10 THE SPECIAL MASTER: Overruled.

11 A. I believe Chevron had the

12 opportunity and chose to boycott the

13 process.

14 THE SPECIAL MASTER: That's

15 unresponsive. Would you answer the

16 question as posed.

17 MR. KAPLAN: Let me hear the

18 question, please.

19 THE SPECIAL MASTER: The

20 question was "You believe any opportunity

21 that Chevron had" -- I think there is a

22 missing word there. "Do you believe that

23 Chevron had any opportunity to meet

24 privately with Mr. Cabrera?" That's the

25 question.

Page 2346

1 DONZIGER

2 THE WITNESS: Yes.

3 Q. And you believe it would have

4 been proper for Chevron to meet privately

5 with Mr. Cabrera while he was serving as

6 the court's independent and neutral

7 expert; is that your testimony?

8 A. Yes.

9 Q. In the next paragraph of the

10 June 21st submission, it is stated

11 "Moreover, plaintiffs took advantage of

12 the opportunity to advocate their own

13 findings, conclusions and valuations for

14 Cabrera for him to consider their

15 potential adoption. The information

16 provided to Cabrera by plaintiffs' counsel

17 included proposed findings of fact and

18 economic valuations for the environmental

19 and other damages caused by TexPet's

20 practices and pollution. Cabrera was of

21 course free to adopt wholly or in part

22 plaintiffs' views, proposed findings and

23 valuations, and in fact, apparently

24 finding them credible, Cabrera adopted the

25 proposals, analyses and conclusions of the

Page 2347

1 DONZIGER

2 plaintiffs concerning the damages and the

3 valuations."

4 Do you see that?

5 A. Yes.

6 Q. There is nowhere in the June

7 21st filing that has been marked as

8 Exhibit 794 that plaintiffs disclosed that

9 they met privately with Cabrera, correct?

10 A. I believe that's correct, yes.

11 Q. And there is nowhere in the

12 June 21st filing that has been marked as

13 Exhibit 794 that plaintiffs disclosed that

14 they drafted the work plan that Cabrera

15 filed with the Ecuadorian court, correct?

16 A. Yes.

17 Q. And there is nowhere in Exhibit

18 794, plaintiffs' June 21st filing, that

19 plaintiffs' consultants were the original

20 authors of the bulk of Cabrera's April 1st

21 report, correct?

22 MR. JASINSKI: I object to

23 form.

24 THE SPECIAL MASTER: Overruled.

25 A. I think that's not spelled out

Page 2348

1 DONZIGER
2 here. I think that's right.
3 Q. Is it true that plaintiffs'
4 counsel and consultants were working on
5 the draft of the Cabrera report right up
6 until the time that it was filed?
7 A. I think it was being worked on
8 right up until, as I understand it, around
9 the 20th of March, or maybe later. I'm
10 not sure.
11 Q. And isn't it also true that
12 Mr. Cabrera did not have some alternative
13 report that he could file if he didn't
14 sign and file the one that plaintiffs had
15 drafted?
16 MR. JASINSKI: I object to
17 form.
18 THE SPECIAL MASTER: Overruled.
19 A. I don't know.
20 Q. You don't have any basis to
21 believe that Mr. Cabrera had an
22 alternative report that he could sign and
23 file if he didn't sign and file the one
24 provided by plaintiffs, do you?
25 A. I don't know.

Page 2349

1 DONZIGER
2 THE SPECIAL MASTER: Do you
3 know of one?
4 THE WITNESS: No.
5 THE SPECIAL MASTER: Thank you.
6 Q. Do you know of any changes that
7 Mr. Cabrera made to the summary report and
8 annexes that plaintiffs prepared and
9 provided to him prior to signing and
10 filing them?
11 A. I don't know if he made
12 changes.
13 THE SPECIAL MASTER: As you sit
14 here, do you know of any that he did make?
15 THE WITNESS: I have a
16 recollection he made some changes to the
17 part that is referred to as the executive
18 summary, but I'm not sure. I don't know.
19 I haven't compared them.
20 Q. Were you present when
21 plaintiffs provided their draft of the
22 peritaje global report and annexes to
23 Cabrera?
24 A. No.
25 Q. Do you know how it was provided

Page 2350

1 DONZIGER
2 to him?
3 A. I assume it was given to him by
4 local counsel.
5 Q. Do you know, sir?
6 A. I don't know exactly.
7 Q. Do you know whether the
8 Ecuadorian plaintiffs' local counsel
9 printed out the report and provided a hard
10 copy to Mr. Cabrera or whether they
11 provided it electronically?
12 A. I don't know. I remember
13 hearing or reading testimony about
14 printouts. But I'm not sure.
15 Q. The original document that was
16 attached to the first e-mail that you
17 received from Mr. Abady that begins the
18 chain shown in Exhibit 793, do you know of
19 any reason why you could not recover the
20 original attachment to this e-mail chain?
21 A. No.
22 MS. NEUMAN: I'm going to
23 request that that attachment be produced.
24 MR. KAPLAN: If we have it, we
25 will produce it and we will look for it

Page 2351

1 DONZIGER
2 promptly.
3 MS. NEUMAN: Thank you.
4 THE SPECIAL MASTER: Will your
5 looking include the other people who are
6 likely to have it apart from Mr. Donziger?
7 MR. KAPLAN: That's my only
8 client here.
9 Q. I'm done with that document,
10 Mr. Donziger.
11 THE SPECIAL MASTER: Just a
12 second. I'm thinking. I do not have the
13 power to, I don't believe, to order the
14 Lago Agrio plaintiffs to produce any
15 documents.
16 However, I think I do have the
17 power that if any privilege issue relating
18 to any of this is brought to Judge Kaplan,
19 that you provide Judge Kaplan with, among
20 other things, and I will give you another
21 list of things, you provide him with the
22 drafts of this document. I think in
23 fairness to him that would be required
24 distribution.
25 MR. JASINSKI: Mr. Gitter, are

Page 2352

1 DONZIGER
2 you making an order?
3 THE SPECIAL MASTER: You can do
4 it in camera if you wish.
5 MR. JASINSKI: Are you ordering
6 us to do so?
7 THE SPECIAL MASTER: No, I'm
8 telling you I think that would be the fair
9 thing to be done. He could make the
10 order.
11 MR. JASINSKI: I understand,
12 sir. Are you ordering us to provide to --
13 THE SPECIAL MASTER: No, what
14 I'm telling you is if an issue of
15 privilege relating to this is brought to
16 Judge Kaplan by your side, that, among the
17 things, I will give you another list of
18 things that came up today in the documents
19 that were the subject of questioning, but
20 I think in fairness you would need to
21 provide him also with the drafts of this
22 submission.
23 MR. JASINSKI: I appreciate
24 that. I will take that under advisement
25 and relay that to my colleagues.

Page 2353

1 DONZIGER
2 Q. Mr. Donziger, is it accurate
3 that certain firms have withdrawn from
4 representing the Lago Agrio plaintiffs
5 after learning of the nature of the
6 plaintiffs' interactions with Mr. Cabrera,
7 U.S. firms, I mean, law firms?
8 A. Yes.
9 Q. Was one of those firms
10 Constantine Cannon?
11 A. Yes.
12 Q. When was Constantine Cannon
13 first retained to represent the Lago Agrio
14 plaintiffs?
15 A. Approximately February, I
16 think, of this year.
17 Q. Who retained Constantine Cannon
18 in 2010 to represent the Lago Agrio
19 plaintiffs?
20 A. I did on behalf of the client
21 representatives, I believe.
22 Q. Did you sign the retainer
23 agreement with Constantine Cannon?
24 A. I believe so.
25 Q. And when you say "on behalf of

Page 2354

1 DONZIGER
2 the client representatives," are you
3 referring to Mr. Fajardo and Mr. Yanza or
4 someone else?
5 A. Mr. Fajardo and Mr. Yanza.
6 Q. Did Mr. Kohn consent to the
7 hiring of Constantine Cannon?
8 A. He was not involved in the case
9 at that point. So the answer is no.
10 Q. What were you hiring
11 Constantine Cannon to do on behalf of the
12 Lago Agrio plaintiffs?
13 A. Initially to assist in
14 representation related to 1782 actions
15 filed by Chevron as part of a broader
16 representation relating to the case
17 itself.
18 Q. And who at Constantine Cannon
19 specifically did you deal with?
20 A. A gentleman by the name of
21 Jeffrey Shinder primarily.
22 Q. When did Constantine Cannon
23 withdraw from representing the Lago Agrio
24 plaintiffs?
25 MR. JASINSKI: I object to

Page 2355

1 DONZIGER
2 form.
3 THE SPECIAL MASTER: Answer the
4 question.
5 A. I believe sometime in March of
6 this year.
7 Q. So about a month after they
8 were hired?
9 A. Approximately.
10 Q. What reason did Constantine
11 Cannon give for withdrawing from the
12 representation?
13 A. Well, specifically Mr. Shinder,
14 and he indicated he wasn't comfortable
15 with representing the Lago plaintiffs.
16 Q. Did Mr. Shinder state why he
17 wasn't comfortable representing the Lago
18 plaintiffs?
19 A. Yes.
20 Q. What did he say?
21 A. Well, to the best of my
22 recollection, he gave a couple of reasons.
23 One is, he didn't feel, in light of the
24 nature of Chevron's allegations and the
25 facts of Stratus' role, that it would be

Page 2356

1 DONZIGER
2 viable to enter the case on some level of
3 contingent fee basis.
4 Q. What was his second reason?
5 A. I think he felt that the case
6 was not strong enough in terms of an
7 ultimate result, that is enforceability of
8 a judgment.
9 Q. So when you say "the case," you
10 are referring to the underlying case in
11 Ecuador as opposed to any particular 1782
12 proceeding; is that right?
13 A. I think it was all related in
14 his mind, but yes, I'm talking about the
15 underlying case, ultimately, because
16 that's what they were being hired to do.
17 Q. Did Mr. Shinder say that he
18 felt because of Stratus' role in the
19 Cabrera report, the judgment would
20 ultimately be unenforceable?
21 A. No, he didn't say that.
22 Q. What did he tell you as to why
23 he thought the case wasn't strong enough
24 to have enforceability of a judgment?
25 A. He felt like in light of

Page 2357

1 DONZIGER
2 Chevron's allegations and facts he educed
3 I think by talking to Mr. Beltman about
4 Stratus' role, that he just didn't feel
5 like it was something he wanted his firm
6 to commit to.
7 Q. At the time that Constantine
8 Cannon withdrew in March of 2010, had
9 Mr. Shinder been accurately informed as to
10 the interaction between plaintiffs'
11 attorneys and consultants and Cabrera?
12 MR. JASINSKI: I object to
13 form.
14 A. Can you repeat the question,
15 please?
16 Q. Sure.
17 At the time that Constantine
18 Cannon withdrew in March of 2010, had
19 Mr. Shinder been accurately informed as to
20 the interaction between plaintiffs'
21 attorneys and consultants and Cabrera?
22 A. I believe the answer to that is
23 yes.
24 Q. I'm going to hand the witness a
25 document previously marked as Exhibit 465.

Page 2358

1 DONZIGER
2 THE SPECIAL MASTER: I'm sorry,
3 can somebody tell me, who is keeping count
4 of the hours here today?
5 MR. VINEGRAD: I am.
6 THE SPECIAL MASTER: And what
7 is the time?
8 MR. VINEGRAD: Today --
9 THE SPECIAL MASTER: Roughly.
10 MR. VINEGRAD: Six hours.
11 THE VIDEOGRAPHER: 6:15.
12 THE SPECIAL MASTER: All right.
13 We will go another half hour. Let people
14 who have to deal with the snow get home.
15 Q. Have you seen Exhibit 465
16 before, Mr. Donziger?
17 A. Yes.
18 Q. And, for the record, the
19 exhibit bears the Bates numbers DONZ
20 00036529 through 36531. This is an April
21 13th, 2010 letter to Pablo Fajardo and
22 Juan Pablo Saenz from Joseph C. Kohn.
23 How did you come to have
24 possession -- how did you come into
25 possession of this letter?

Page 2359

1 DONZIGER
2 A. I think it was sent to me by
3 the clients, by Mr. Yanza or Mr. Fajardo.
4 Q. In Exhibit 465, Mr. Kohn states
5 "I am writing to you again because of very
6 disturbing recent events relating to the
7 case taking place in the U.S. As you are
8 well aware, Steven stopped providing us
9 with information, consulting with us or
10 following any of our advice the last
11 year."
12 Do you see that?
13 A. Yes.
14 Q. Is it true that you stopped
15 providing Mr. Kohn with information in
16 2009?
17 A. Well, my understanding was his
18 firm had withdrawn from the case in late
19 2009.
20 Q. And did you stop providing
21 Mr. Kohn and his firm information and
22 updates at that point in time?
23 A. We pretty much ceased
24 communication. So the answer would be
25 yes.

Page 2360

1 DONZIGER
 2 THE SPECIAL MASTER: Did you
 3 stop providing information to Mr. Kohn
 4 before or after his firm had withdrawn
 5 from the case in late 2009?
 6 THE WITNESS: That's a question
 7 directed at me?
 8 THE SPECIAL MASTER: Yes, I'm
 9 sorry.
 10 THE WITNESS: After.
 11 Q. Mr. Kohn goes on to write in
 12 Exhibit 467, "First, as you may be aware,
 13 Chevron sought deposition testimony from a
 14 former expert who worked for plaintiffs,
 15 Charles Calmbacher. Steven, without
 16 consulting us, hired the Constantine firm
 17 in New York to handle this issue."
 18 Did you hire the Constantine
 19 firm to deal with the Calmbacher 1782?
 20 A. That was one of the things that
 21 they were hired to deal with.
 22 Q. Mr. Kohn goes on to write, "In
 23 early March I received a request for some
 24 background information from a lawyer at
 25 the Constantine firm and we promptly

Page 2361

1 DONZIGER
 2 provided all requested information. We
 3 then found out from Chevron's press
 4 release the deposition of Calmbacher had
 5 taken place and no one was there
 6 representing the plaintiffs."
 7 Do you see that?
 8 A. Yes.
 9 Q. Had the Constantine firm
 10 withdrawn prior to the date of
 11 Mr. Calmbacher's deposition?
 12 A. Yes.
 13 Q. Mr. Kohn goes on to write, "I
 14 called the Constantine lawyer to find out
 15 what happened and he said he had withdrawn
 16 from the case due to disturbing facts
 17 surrounding another expert, Stratus, and
 18 the information Chevron is seeking from
 19 Stratus."
 20 Do you see that?
 21 A. Yes.
 22 Q. Is that consistent with what
 23 Mr. Shinder told you about why Constantine
 24 Cannon was withdrawing?
 25 A. Yes, one of the reasons.

Page 2362

1 DONZIGER
 2 Q. Other than Mr. Beltman, who
 3 else did Mr. Shinder meet with from
 4 Stratus?
 5 A. I believe he met with Jennifer
 6 Peers, possibly another individual.
 7 Q. Were you present for the
 8 meeting between Mr. Shinder and
 9 Mr. Beltman?
 10 A. No.
 11 Q. Were you present for the
 12 meeting between Mr. Shinder and Ms. Peers?
 13 A. No.
 14 Q. Mr. Shinder also met with Laura
 15 Belanger; is that correct?
 16 A. Yes.
 17 Q. Were you present at that
 18 meeting?
 19 A. No.
 20 Q. Mr. Shinder met with
 21 Ms. Belanger on March 17th, 2010. Did
 22 they withdraw shortly after that meeting?
 23 A. I believe so, yes.
 24 Q. Did Mr. Shinder relay to you
 25 anything specific he learned in the

Page 2363

1 DONZIGER
 2 meeting with Laura Belanger that caused
 3 him to withdraw from representing the
 4 Ecuadorian plaintiffs?
 5 MR. JASINSKI: I object to
 6 form. I'm sorry, I withdraw the
 7 objection.
 8 A. I don't believe so.
 9 Q. On the second page of Exhibit
 10 465, Mr. Kohn wrote "Second, Steven has
 11 hired other firms to deal with the
 12 depositions from Stratus. He informed me
 13 last week, without providing any details
 14 or facts, that the information Stratus may
 15 be providing will be damaging to the case
 16 and highly embarrassing."
 17 Do you see that?
 18 A. Yes.
 19 Q. Did you tell Mr. Kohn that the
 20 information Stratus may be providing will
 21 be damaging to the case and highly
 22 embarrassing?
 23 A. I believe I told him the way
 24 Chevron was characterizing it would be
 25 damaging -- could be damaging and

Page 2364

1 DONZIGER
2 embarrassing.
3 Q. Mr. Kohn goes on to say "We
4 have no knowledge of what he is talking
5 about except what Steven has now
6 reluctantly told us, that it involves
7 communications with Cabrera, something
8 that surprised us and that we find quite
9 disturbing, if true."
10 Do you see that?
11 A. Yes.
12 Q. Was this the first time that
13 you had informed Mr. Kohn that plaintiffs'
14 team had direct communications with
15 Cabrera?
16 A. I don't believe so, no.
17 Q. When do you think you first
18 informed him of that?
19 A. In a general sense, I kept him
20 updated on activities regarding the case
21 and I believe I informed him that Stratus
22 was preparing materials to be given to the
23 expert for his hoped-for adoption.
24 Q. Did you inform Mr. Kohn when
25 you met with Cabrera in February of '07

Page 2365

1 DONZIGER
2 before he was appointed as the court's
3 expert?
4 A. I don't remember.
5 Q. Did you inform Mr. Kohn about
6 the March 3rd meeting between plaintiffs'
7 team and Cabrera?
8 A. I don't know.
9 Q. Did you inform Mr. Kohn of any
10 of the work that was done on Cabrera's
11 work plan or selecting the sites he would
12 inspect?
13 A. I don't know if I informed him
14 of that specifically as I sit here today.
15 Q. Had you informed Mr. Kohn of
16 the meetings between Stratus and Cabrera
17 that led to the drafting of the global
18 expert report by Stratus?
19 A. I don't remember.
20 Q. In the conversation that
21 Mr. Kohn is referring to with you where he
22 says that you reluctantly told him about
23 these communications with Cabrera, did he
24 actually express surprise?
25 A. I don't remember.

Page 2366

1 DONZIGER
2 Q. In the conversation that
3 Mr. Kohn is describing in Exhibit 465
4 where he says he found what you told him
5 quite disturbing, did he relate that to
6 you at the time?
7 A. I don't remember the
8 conversation as I sit here today that he
9 describes.
10 Q. You don't remember anything
11 about it?
12 A. No. I don't know what he is
13 talking about. I remember I met him on
14 one occasion in New York for a brief
15 period of time in person and we discussed
16 general case matters, trying to resolve
17 our issues.
18 I don't know if he is talking
19 about that or some other conversation. I
20 don't remember -- I mean, I should say
21 when I read this, I don't know what he is
22 talking about.
23 Q. Mr. Kohn goes on to say, in the
24 numbered paragraph 3, "You and the rest of
25 the team in Ecuador should be interviewed

Page 2367

1 DONZIGER
2 by a lawyer on behalf of the plaintiffs
3 and provide all facts you are aware of
4 concerning these issues. I proposed this
5 to Steven last year when the charges
6 against Judge Nunez were made and he
7 opposed it."
8 Do you see that?
9 A. Yes.
10 Q. Is the statement, the second
11 statement, accurate?
12 A. As regarding the videotapes
13 made of Judge Nunez, that whole incident?
14 Yes.
15 Q. The first statement, that
16 Mr. Kohn suggests that Mr. Fajardo and the
17 rest of the team in Ecuador be interviewed
18 by a lawyer on behalf of the plaintiffs,
19 did that ever happen?
20 MR. JASINSKI: I object to
21 form.
22 A. Not that I'm aware of.
23 Q. On the next page, in numbered
24 paragraph 5, Mr. Kohn states "You should
25 come to the U.S. to meet with us as soon

Page 2368

1 DONZIGER
2 as possible to review all of the above."
3 Do you see that?
4 A. Yes.
5 Q. Do you know whether or not
6 Mr. Fajardo or Mr. Yanza or Juan Pablo
7 ever came to the U.S. to meet with
8 Mr. Kohn after April of 2010?
9 A. Yes.
10 Q. Did they?
11 A. Yes.
12 Q. And when did that meeting
13 occur?
14 A. I believe later that same
15 month.
16 Q. Were you present for that
17 meeting?
18 A. No.
19 Q. How do you know the meeting
20 occurred?
21 A. I was told it occurred by
22 Mr. Yanza and Mr. Fajardo and
23 Mr. Piaguaje, who was there.
24 Q. What did they tell you happened
25 in the meeting with Mr. Kohn in April of

Page 2369

1 DONZIGER
2 2010?
3 A. They described it as a pretty
4 extensive, detailed discussion about the
5 status of the case and potential role for
6 the Kohn firm going forward.
7 Q. And what was that potential
8 role that was discussed?
9 A. I think they included picking
10 up on some of the financing issues, paying
11 expenses, and becoming more involved in
12 the case.
13 Q. Is it your understanding that
14 the Kohn firm was offering to remain
15 involved in the case in April of 2010?
16 A. Yes.
17 Q. Did the Kohn firm after this
18 meeting in April of 2010 subsequently
19 renew its involvement in the case?
20 A. I don't believe so.
21 Q. Do you know why not?
22 A. I believe because Mr. Kohn
23 never came to an agreement with the
24 clients on the terms of his involvement,
25 what it would be.

Page 2370

1 DONZIGER
2 Q. Were there negotiations at this
3 point in time?
4 A. I think there were discussions.
5 Q. Did you see anything in writing
6 on this or were you simply made aware of
7 discussions?
8 A. I don't know. I mean, I was
9 told about some of this by the clients and
10 I think I saw some written correspondence
11 between Mr. Kohn and either Mr. Fajardo or
12 Mr. Yanza or Mr. Saenz.
13 Q. The meeting that Mr. Kohn had
14 with Mr. Fajardo and Mr. Yanza, and, I'm
15 sorry, who was the other person you said
16 attending?
17 A. Mr. Humberto Piaguaje.
18 Q. The meeting that Mr. Kohn had
19 with Mr. Fajardo, Mr. Yanza and
20 Mr. Humberto Piaguaje, where did that
21 occur?
22 A. I believe in Mr. Kohn's office
23 in Philadelphia.
24 Q. On the same trip where they met
25 with Mr. Kohn, did Mr. Fajardo, Mr. Yanza

Page 2371

1 DONZIGER
2 and Mr. Humberto Piaguaje come to New York
3 to meet with you?
4 A. Yes.
5 Q. And that was also in April of
6 2010?
7 A. Yes.
8 Q. Have you on more than one
9 occasion met with Mr. Fajardo and
10 Mr. Yanza in New York to work on the
11 Ecuador litigation?
12 A. Yes.
13 Q. Can you estimate on how many
14 occasions?
15 A. A handful. Maybe four or five.
16 Q. Is April of 2010 the most
17 recent time that Mr. Yanza and Mr. Fajardo
18 were in New York?
19 A. It is the most recent time I
20 remember.
21 THE SPECIAL MASTER: For either
22 one?
23 THE WITNESS: For either one,
24 yes.
25 MS. NEUMAN: I'm going to mark

Page 2372

1 DONZIGER
2 as Exhibit 795 a document dated March 12,
3 2010 entitled Action Items and bearing the
4 Bates number DONZ 00037672.
5 (Exhibit 795 marked for
6 identification.)
7 Q. Mr. Donziger, have you seen
8 Exhibit 795 before?
9 A. I believe I have, yes.
10 Q. Can you tell me who drafted the
11 typewritten portion?
12 A. I don't know.
13 Q. Can you tell me whose
14 handwriting is on Exhibit 795?
15 A. It looks like mine.
16 Q. Under "Action Items," it says
17 "Constantine Cannon, Steven Law
18 Offices" -- is that right -- "Steven R.
19 Donziger," and then "Selva Viva - Ecuador
20 team." And then is the codes given there,
21 CC, SRD and SV used in the chart below.
22 A. Yes.
23 Q. That indicates assignments for
24 those different action items; is that
25 right?

Page 2373

1 DONZIGER
2 A. I believe so, yes.
3 Q. In number 3, it states
4 "write-up of facts that dismantles
5 Chevron's claim that Cabrera report was
6 written in part by Stratus." Do you see
7 that?
8 A. Yes.
9 Q. That was to be written by
10 yourself?
11 A. Apparently, according to this
12 document.
13 Q. And it says there is a draft --
14 THE SPECIAL MASTER: Have we
15 established who wrote this document?
16 MS. NEUMAN: Not the
17 typewritten portion, only the handwritten
18 portion.
19 THE SPECIAL MASTER: Let me
20 just try to understand. This document was
21 written on March 12, 2010?
22 THE WITNESS: Well, it is dated
23 that day.
24 THE SPECIAL MASTER: Was it
25 written at or the result of a meeting?

Page 2374

1 DONZIGER
2 MR. JASINSKI: I object to
3 form.
4 THE WITNESS: Was it written at
5 a meeting?
6 THE SPECIAL MASTER: Either at
7 a meeting or as a result of a meeting.
8 THE WITNESS: I think it was
9 written as a result of discussions with
10 counsel.
11 THE SPECIAL MASTER: And who
12 wrote it?
13 THE WITNESS: I don't know.
14 The typewritten part, I think it was -- it
15 might have been someone in my law firm or
16 possibly the Brownstein law firm, I'm not
17 sure.
18 THE SPECIAL MASTER: What's the
19 Brownstein law firm?
20 THE WITNESS: It is a law firm
21 in Denver that was hired to represent the
22 Lago plaintiffs in the 1782 action in
23 Colorado. Or maybe it was Constantine.
24 I'm not sure.
25 THE SPECIAL MASTER: And did

Page 2375

1 DONZIGER
2 you see this document at or about the time
3 it was created?
4 THE WITNESS: I believe I did
5 because my notes are on it.
6 THE SPECIAL MASTER: I must be
7 missing stuff here. Next to the item
8 "write-up of facts that dismantle
9 Chevron's claim the Cabrera report was
10 written in part by Stratus," the
11 responsible party listed there is SRD.
12 That's you, correct?
13 THE WITNESS: Yes.
14 THE SPECIAL MASTER: And there
15 is a statement next to it that there is a
16 draft pending review; is that right?
17 THE WITNESS: Yes.
18 THE SPECIAL MASTER: Had you
19 created a draft pending review?
20 THE WITNESS: I don't know. I
21 don't think so, but I don't know as I sit
22 here right now.
23 THE SPECIAL MASTER: You wrote
24 marginal comments next to other items.
25 You didn't write any marginal comments,

Page 2376

1 DONZIGER
 2 for example, disputing that you were the
 3 responsible party or that there was a
 4 draft pending review, correct?
 5 THE WITNESS: That's correct.
 6 THE SPECIAL MASTER: You don't
 7 dispute, or you didn't earlier today, that
 8 the Cabrera report was in part written by
 9 Stratus; isn't that correct?
 10 THE WITNESS: Well, my
 11 testimony is that Stratus prepared
 12 materials that were adopted by Cabrera.
 13 THE SPECIAL MASTER: You
 14 testified, as I recall it -- I'm sorry,
 15 sir, but with all respect, you testified,
 16 as I recall it, that at the meeting in
 17 mid-January 2008, it was proposed that
 18 Stratus write, as you put it, a
 19 substantial section, at least, of the
 20 draft and that Mr. Cabrera was receptive
 21 to that. Do you remember that?
 22 THE WITNESS: Yes.
 23 THE SPECIAL MASTER: So it is a
 24 fact that Mr. Cabrera -- that the Cabrera
 25 report was in part written by Stratus,

Page 2377

1 DONZIGER
 2 isn't it?
 3 THE WITNESS: Stratus wrote up
 4 parts of the report, or materials, I
 5 should say, that were adopted by him
 6 verbatim. So with that caveat, the answer
 7 to your question would be yes.
 8 THE SPECIAL MASTER: And what
 9 was it that you were going to write or
 10 were writing that would dismantle
 11 Chevron's claim?
 12 THE WITNESS: Well, I don't
 13 remember writing this, first of all. But
 14 it would be along the lines I previously
 15 testified to.
 16 THE SPECIAL MASTER: All right.
 17 Your testimony is what it was all day. I
 18 still don't understand.
 19 But go on, Ms. Neuman.
 20 BY MS. NEUMAN:
 21 Q. The materials that Stratus
 22 wrote up included an actual peritaje
 23 global summary report, correct?
 24 A. Yes.
 25 Q. And the materials that Stratus

Page 2378

1 DONZIGER
 2 drafted included annexes to the peritaje
 3 global report, correct?
 4 A. Yes, that were going to be
 5 given to Mr. Cabrera.
 6 Q. So they drafted an actual
 7 report with annexes in Cabrera's name,
 8 correct?
 9 A. I believe so, yes.
 10 Q. Can you read for me the
 11 handwriting on Exhibit 795?
 12 A. I think on the top it says
 13 "scholarly bent."
 14 Q. And what were you referring to
 15 there?
 16 A. I think an affidavit of
 17 Ecuadorian law.
 18 Q. Okay.
 19 A. Then in the upper left, it says
 20 "Bloom, Wray, Tomas."
 21 Q. What is that referring to?
 22 A. I think those are individuals
 23 who might be able to help with such a
 24 declaration.
 25 Q. Bloom is Eric Bloom?

Page 2379

1 DONZIGER
 2 A. Yes.
 3 Q. Wray is Alberto Wray?
 4 A. Yes.
 5 Q. Who is Tomas?
 6 A. Tomas Leonard. He is a lawyer
 7 at Winston & Strawn.
 8 The handwriting in the upper
 9 right in the first box, I don't recognize
 10 that as my handwriting.
 11 Q. Does it appear to say "AMP
 12 speaking with Ecuador team"?
 13 A. I think so.
 14 Q. Do you know what AMP refers to?
 15 A. I think Aaron Page.
 16 Q. What about the handwriting at
 17 the bottom?
 18 A. "Aaron memo to Brownstein.
 19 Bad-faith affidavit. Nobody turned over
 20 documents. Differences analysis."
 21 Q. What does the reference to
 22 "bad-faith affidavit" refer to?
 23 A. Whether or not Chevron was
 24 litigating in bad faith.
 25 Q. What affidavit are you

Page 2380

1 DONZIGER
2 referring to in particular?
3 A. The concept of preparing an
4 affidavit. I don't think one was actually
5 prepared.
6 Q. The reference "nobody turned
7 over documents," what does that refer to?
8 A. I don't know.
9 Q. Was there any issue at this
10 point in time as to whether the affidavit
11 that Andrew Woods submitted in Denver on
12 March 3rd, 2010 was made in bad faith?
13 MR. JASINSKI: I'm sorry, what
14 time? At this time? "This time" is
15 today?
16 MS. NEUMAN: No, at the time of
17 this document.
18 A. I don't believe so.
19 Q. In addition to Constantine
20 Cannon, the Brownstein firm also withdrew
21 from representing the Ecuadorian
22 plaintiffs, correct?
23 A. Yes.
24 Q. The person that you dealt with
25 at the Brownstein firm was John McDermott?

Page 2381

1 DONZIGER
2 A. He was the partner in charge.
3 Q. When was the Brownstein firm
4 first hired to represent the Ecuadorian
5 plaintiffs?
6 A. I believe in January or maybe
7 February of 2010.
8 Q. The Brownstein firm and
9 Mr. McDermott were hired to represent the
10 Ecuadorian plaintiffs in the Stratus 1782;
11 is that right?
12 A. Either the plaintiffs or
13 Stratus, or both, or something along those
14 lines.
15 Q. Did you hire the Brownstein
16 firm on behalf of the Ecuadorian
17 plaintiffs?
18 A. Yes.
19 Q. Were you the individual that
20 executed a retainer agreement with the
21 Brownstein firm?
22 A. Yes.
23 Q. Do you have a copy of it?
24 A. I don't know.
25 Q. The Brownstein firm,

Page 2382

1 DONZIGER
2 Mr. McDermott withdrew in March of 2010,
3 correct?
4 A. Yes.
5 Q. Why did they withdraw?
6 MR. JASINSKI: I object to
7 form.
8 THE SPECIAL MASTER: Answer the
9 question.
10 A. My understanding is there was
11 different reasons, but I think they were
12 troubled by the allegations Chevron was
13 making about Stratus' role writing
14 materials to be given to Cabrera.
15 Q. Were they troubled by the
16 allegations or the actual facts?
17 MR. JASINSKI: I object to
18 form.
19 A. I don't know.
20 Q. I will provide the witness a
21 document that has been marked as Exhibit
22 903.
23 THE SPECIAL MASTER: Just a
24 second. Was this the counsel who were
25 representing -- counsel of record in

Page 2383

1 DONZIGER
2 Denver representing -- who were hired to
3 represent Stratus?
4 MS. NEUMAN: They were hired to
5 represent the Ecuadorian plaintiffs.
6 THE SPECIAL MASTER: They were
7 hired to represent the Ecuadorian
8 plaintiffs and/or Stratus; is that
9 correct?
10 THE WITNESS: Yes.
11 THE SPECIAL MASTER: And were
12 they given sufficient facts, to your
13 knowledge, to undertake that
14 representation appropriately?
15 THE WITNESS: I believe they
16 were. But at the time we were working
17 through what the facts were. And it
18 involved a need to do further
19 investigation. And as a result, I don't
20 think all the facts were known to them.
21 THE SPECIAL MASTER: And when
22 they learned the facts, they withdrew from
23 representation; is that correct?
24 THE WITNESS: Well, not
25 exactly. They learned facts as relayed by

Page 2384

1 DONZIGER
 2 Mr. Beltman to Mr. Shinder. And I think
 3 at that point, that situation in
 4 combination with other facts led them to
 5 withdraw.
 6 THE SPECIAL MASTER: So in
 7 total, how many law firms withdrew from
 8 this case on behalf of the Lago Agrio
 9 plaintiffs when they learned the facts
 10 concerning Stratus' role, however you
 11 characterize it, in connection with the
 12 Cabrera report?
 13 THE WITNESS: Two.
 14 THE SPECIAL MASTER: And those
 15 two were Constantine and Brownstein?
 16 THE WITNESS: Yes, sir.
 17 THE SPECIAL MASTER: What about
 18 the Kohn firm? Isn't that a third?
 19 THE WITNESS: No, the Kohn firm
 20 had withdrawn earlier, the previous year.
 21 THE SPECIAL MASTER: But the
 22 reason they stated they were withdrawing,
 23 wasn't it that they were disturbed by the
 24 facts concerning the connections between
 25 the plaintiffs' attorneys and Cabrera?

Page 2385

1 DONZIGER
 2 THE WITNESS: No.
 3 THE SPECIAL MASTER: Okay. Go
 4 on, Ms. Neuman.
 5 BY MS. NEUMAN:
 6 Q. Did the Recht & Kornfeld firm
 7 withdraw?
 8 A. No. I mean, well, they
 9 withdrew, but we switched counsel.
 10 MS. NEUMAN: I'm providing the
 11 witness a document previously marked as
 12 Exhibit 903.
 13 THE SPECIAL MASTER: Ms. Neuman,
 14 we are going to break after this line of
 15 questioning. Okay?
 16 MS. NEUMAN: Yes.
 17 Q. Mr. Donziger, can you review
 18 Exhibit 903 for me.
 19 (Witness perusing document.)
 20 Q. Did you receive the e-mail at
 21 the bottom half of Exhibit 903 from John
 22 McDermott on or about March 21st of 2010?
 23 A. Yes.
 24 Q. Mr. McDermott begins by stating
 25 "Steven, based on what we have learned

Page 2386

1 DONZIGER
 2 regarding Stratus and Cabrera, including
 3 the troubling information we gathered in
 4 our call with you and Andrew and
 5 conversations with Jeff Shinder and our as
 6 yet unresolved questions regarding
 7 Ecuadorian laws of privilege or
 8 confidentiality of materials submitted to
 9 the court, we are in an untenable
 10 position."
 11 Do you see that?
 12 A. Yes.
 13 Q. The Andrew that he is referring
 14 to, is that Andrew Wilson or Andrew Woods?
 15 A. I think it is Andrew Woods.
 16 Q. Did you and Mr. Woods have a
 17 conversation with Mr. McDermott regarding
 18 Stratus' interaction with Cabrera?
 19 A. Yes, I believe we did.
 20 Q. Do you know what Mr. McDermott
 21 was referring to as "the troubling
 22 information" that was gathered in his call
 23 with you and Andrew?
 24 A. Yes.
 25 Q. What was that?

Page 2387

1 DONZIGER
 2 A. I believe it was Stratus' role
 3 in preparing materials that were adopted
 4 by Cabrera.
 5 Q. Do you know what Mr. McDermott
 6 was referring to in terms of the
 7 information he gathered in conversations
 8 with Jeff Shinder?
 9 A. Well, I wasn't on that call,
 10 but I encouraged him to talk to
 11 Mr. Shinder.
 12 Q. You encouraged him to talk to
 13 Mr. Shinder before or after Mr. Shinder
 14 had withdrawn?
 15 A. After.
 16 Q. Mr. McDermott goes on to state,
 17 "At this point we are not sure what
 18 position we can reasonably take in
 19 opposition to the discovery Chevron is
 20 seeking. We presently have no reliable
 21 basis for asserting a privilege either
 22 under U.S. or Ecuadorian law in part
 23 because we have no authoritative
 24 pronouncement of any relevant Ecuadorian
 25 law on which we can reasonably rely."

Page 2388

1 DONZIGER
2 Do you see that?
3 A. Yes.
4 Q. He then goes on to say, "But
5 having been left out of the fact-gathering
6 efforts in Boulder and without reliable
7 materials relating to Ecuadorian law, we
8 lack the information necessary to meet and
9 confer with Gibson Dunn in good faith."
10 Do you see that?
11 A. Yes.
12 Q. What is Mr. McDermott referring
13 to when he says "having been left out of
14 the fact-gathering efforts in Boulder," as
15 you understand it?
16 A. Well, we did not have
17 sufficient funds at that time to pay the
18 McDermott firm what they needed to
19 adequately represent the Lago plaintiffs.
20 So the idea with the Constantine firm was
21 they would come in on a somewhat partial
22 contingency fee basis and take over the
23 bulk of the workload with the Brownstein
24 firm remaining in support.
25 So Jeff Shinder came out to do

Page 2389

1 DONZIGER
2 the factual work with the Stratus people,
3 and we didn't include the Brownstein firm
4 in that because of the fee issue, to keep
5 our costs down.
6 So after Mr. Shinder met with
7 the Stratus people and withdrew, I asked
8 Mr. McDermott to talk to Mr. Shinder about
9 what he had learned.
10 Q. And this conversation between
11 Mr. McDermott and Mr. Shinder followed
12 Mr. Shinder's interviews of Mr. Beltman,
13 Ms. Peers and Ms. Belanger; is that right?
14 A. Yes.
15 Q. Mr. McDermott goes on to state,
16 "As a result, we are concerned about our
17 ability to satisfy our obligations to
18 Judge Kane and to the court if we continue
19 in our representation of the Lago Agrio
20 plaintiffs in this case."
21 Do you see that?
22 A. Yes.
23 Q. And it is immediately after
24 sending Exhibit 903 that the McDermott
25 firm withdrew from representing the Lago

Page 2390

1 DONZIGER
2 Agrio plaintiffs, correct?
3 A. Yes. I think it was two or
4 three days later after we secured
5 substitute counsel.
6 Q. Do the Lago Agrio plaintiffs
7 have an agreement with the Republic of
8 Ecuador not to sue PetroEcuador?
9 A. I don't believe so.
10 Q. Have the Lago Agrio plaintiffs
11 ever had an agreement with the Republic of
12 Ecuador not to sue PetroEcuador?
13 A. I have seen those allegations
14 by Chevron. I don't have any personal
15 knowledge of that.
16 Q. Have the Lago Agrio plaintiffs
17 ever had an agreement with the Republic of
18 Ecuador not to sue the Republic of
19 Ecuador?
20 A. I don't believe so.
21 MS. NEUMAN: I'm going to mark
22 as Exhibit 796 a document entitled Log
23 Protected by Attorney-Client Privilege
24 where clients are the Republic of Ecuador
25 and PetroEcuador. It is numbered pages 1

Page 2391

1 DONZIGER
2 through 23, prepared and produced by
3 Cristobal Bonifaz.
4 (Exhibit 796 marked for
5 identification.)
6 Q. And as the evening grows
7 longer, Mr. Donziger, I only want you to
8 look at page 10 of Mr. Bonifaz's log that
9 we have marked as Exhibit 796.
10 Do you see the second entry
11 that reads CH-231-234?
12 A. Yes, I do.
13 Q. And the to is Joseph Kohn, the
14 from is C. Bonifaz, and the date is
15 November 20th, 1996?
16 A. Yes.
17 Q. And the description of the
18 document is "letter with agreement not to
19 sue Ecuador (second page of cover letter
20 missing)."
21 Do you see that?
22 A. Yes.
23 Q. Are you familiar with a letter
24 with agreement not to sue Ecuador dated
25 November of 1996?

Page 2392

1 DONZIGER

2 A. If such a letter exists, I

3 don't believe I've ever seen it.

4 Q. If you look further down on

5 page 10, do you see the entry CH-270-285?

6 A. Yes.

7 Q. Three columns are blank and the

8 description reads "Agreement not to sue

9 Ecuador and letters disclosed prior page."

10 Do you see that?

11 A. Yes.

12 Q. Have you ever seen an agreement

13 not to sue Ecuador?

14 A. No.

15 THE SPECIAL MASTER: Let's

16 break for the night.

17 MS. NEUMAN: Off the record.

18 (Continued on the next page.)

19

20

21

22

23

24

25

Page 2393

1 DONZIGER

2 THE VIDEOGRAPHER: Off the

3 record, 6:36 p.m. This is the end of disk

4 six, volume VIII, deposition of Steven

5 Donziger.

6

7 [TIME NOTED: 6:36 p.m.]

8

9

10 _____

11 STEVEN DONZIGER

12

13

14 Subscribed and sworn to before me

15 this ____ day of _____, 20__.

16

17 _____

18 Notary Public

19

20

21

22

23

24

25

Page 2394

1

2 I N D E X

3

WITNESS	EXAMINATION BY	PAGE
DONZIGER	NEUMAN	2097

5

6 E X H I B I T S

7

EXHIBIT	DESCRIPTION	PAGE
Exhibit 777	Excerpts from Donziger notes	2099
Exhibit 778	STRATUS-NATIVE 128168 through 128171	2159
Exhibit 779	DONZ00038727, 00038728 and 00038729 page 1 of 2 through page 2 of 2	2168
Exhibit 780	Document entitled Office of the President of the Superior Court with English translation	2172
Exhibit 781	DONZ00024274	2195
Exhibit 782	DONZ00039696 page 1 of 4 through page 4 of 4	2205
Exhibit 783	STRATUS-NATIVE008897	2228
Exhibit 784	STRATUS-NATIVE069147 through 069150	2234
Exhibit 785	STRATUS-NATIVE008844	2241
Exhibit 786	STRATUS-NATIVE128118 through 128119	2260
Exhibit 787	Statement of Cabrera dated 1/7/08	2263
Exhibit 788	STRATUS-NATIVE008849 through 008861	2249
Exhibit 789	Statement of Fajardo	2270
Exhibit 790	Statement of Guzman	2270
Exhibit 791	Reply Memorandum of Points and Authorities in Further Support of Ecuadorian Plaintiffs' Motion for a Protective Order	2277

25

Page 2395

1

2 E X H I B I T S (Continued)

3

EXHIBIT	DESCRIPTION	PAGE
Exhibit 792	Statement of Fajardo	2296
Exhibit 793	DONZ00031368 page 1 of 6 through page 6 of 6	2305
Exhibit 794	Document entitled Judge of the Provincial Court of Justice of Sucumbios	2340
Exhibit 795	DONZ00037672	2372
Exhibit 796	Document entitled Log Protected by Attorney Client Privilege Where Clients are the Republic of Ecuador and PetroEcuador	2391

10

11

12

13 DIRECTIONS NOT TO ANSWER

14 Page Line

15 (NONE)

16

17 REQUESTS

18 Page Line

19 2350 20

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATION

I, TODD DeSIMONE, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose testimony as herein set forth, was duly sworn by me; and that the within transcript is a true record of the testimony given by said witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of December, 2010.

TODD DESIMONE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ERRATA SHEET
VERITEXT REPORTING COPANY

CASE NAME: IN RE CHEVRON
DATE OF DEPOSITION: 12/29/10
WITNESS' NAME: STEVEN DONZIGER

PAGE/LINE(S)	CHANGE	REASON
6	/	/
7	/	/
8	/	/
9	/	/
10	/	/
11	/	/
12	/	/
13	/	/
14	/	/
15	/	/
16	/	/
17	/	/
18	/	/
19	/	/

STEVEN DONZIGER

SUBSCRIBED AND SWORN TO BEFORE ME
THIS ____ DAY OF _____, 20__.

(NOTARY PUBLIC) MY COMMISSION EXPIRES:

<p>& & 2063:16 2064:9 2064:15 2065:3,11 2065:15,20 2067:9 2238:17,18 2379:7 2385:6</p>	<p>2150:8,19 2163:13 2164:20 2172:16 2175:12 2184:5 2195:15,23 2200:16 2226:21 2243:6 2244:15 2279:8 2301:19 2302:4 2327:11 2364:25</p>	<p>108 2287:11,15 2294:19,23 2295:25 109 2099:6 2132:18 2132:22,23 2133:2 2133:3 2138:15 2150:3 10:15 2337:25 10:32 2138:4 10:43 2138:9 10th 2241:11 2242:9 11 2337:24 111 2099:5 2100:2 11:33 2171:4 11:50 2171:7 11th 2291:8 2293:2 12 2072:5 2076:11 2150:7,8 2372:2 2373:21 12/29/10 2397:4 128118-119 2260:12 128119 2394:19 128168 2159:24 2394:9 128171 2159:24 2394:10 12:19 2194:10,11 12th 2110:22 2133:3 2150:19 13th 2358:21 14th 2305:13 2318:5 2318:19 2326:16 15 2068:20 2069:3 2072:5 2133:13 2150:12 15th 2249:15 2266:3 2305:14 2318:19 1633 2065:20 16th 2260:10 2309:19,20,22 17 2133:2 1700 2065:15 1725 2075:6 1726 2068:16 2072:5</p>	<p>1731 2068:17,19 2069:3 1766 2076:20 1772 2080:7 1782 2077:8 2211:18 2212:21 2213:20 2214:4 2215:9 2216:17,25 2217:5,13 2218:14 2299:15 2302:2 2308:24 2321:23 2330:4,12 2331:9 2331:10,18 2354:14 2356:11 2360:19 2374:22 2381:10 1789 2077:15 1794 2077:25 2078:17 1795 2077:25 17th 2064:4 2101:16 2101:17 2208:10,24 2209:7 2238:19 2277:16 2362:21 18 2132:18,23 2133:2 2138:14 2150:3 2282:16 2284:9 1800 2077:15 1823 2084:24 1826 2077:15 1828 2077:16 1834 2077:16 1850 2077:16 1851 2077:16 18th 2106:10,14 2270:5 2273:24 2275:21 19 2171:14 1972 2089:4,6,7,10 2089:16 1990 2272:19 1996 2391:15,25 19th 2170:3 2172:4 2173:8</p>
<p>0</p>	<p>08 2230:15 2235:19 2243:9 2244:22 2246:23 2247:2,17 2249:15 2250:6 2260:3,10 2262:6 2262:18 2265:22 2266:3 2271:13 2275:21 2277:8 2280:16 2329:22</p>	<p>10:15 2337:25 10:32 2138:4 10:43 2138:9 10th 2241:11 2242:9 11 2337:24 111 2099:5 2100:2 11:33 2171:4 11:50 2171:7 11th 2291:8 2293:2 12 2072:5 2076:11 2150:7,8 2372:2 2373:21 12/29/10 2397:4 128118-119 2260:12 128119 2394:19 128168 2159:24 2394:9 128171 2159:24 2394:10 12:19 2194:10,11 12th 2110:22 2133:3 2150:19 13th 2358:21 14th 2305:13 2318:5 2318:19 2326:16 15 2068:20 2069:3 2072:5 2133:13 2150:12 15th 2249:15 2266:3 2305:14 2318:19 1633 2065:20 16th 2260:10 2309:19,20,22 17 2133:2 1700 2065:15 1725 2075:6 1726 2068:16 2072:5</p>	<p>1731 2068:17,19 2069:3 1766 2076:20 1772 2080:7 1782 2077:8 2211:18 2212:21 2213:20 2214:4 2215:9 2216:17,25 2217:5,13 2218:14 2299:15 2302:2 2308:24 2321:23 2330:4,12 2331:9 2331:10,18 2354:14 2356:11 2360:19 2374:22 2381:10 1789 2077:15 1794 2077:25 2078:17 1795 2077:25 17th 2064:4 2101:16 2101:17 2208:10,24 2209:7 2238:19 2277:16 2362:21 18 2132:18,23 2133:2 2138:14 2150:3 2282:16 2284:9 1800 2077:15 1823 2084:24 1826 2077:15 1828 2077:16 1834 2077:16 1850 2077:16 1851 2077:16 18th 2106:10,14 2270:5 2273:24 2275:21 19 2171:14 1972 2089:4,6,7,10 2089:16 1990 2272:19 1996 2391:15,25 19th 2170:3 2172:4 2173:8</p>
<p>00002 2063:4 2067:14 00023089 2099:8 2124:24 2125:4 00024274 2195:18 00027156 2099:5 00027256 2099:6 2132:18 00031368 2304:25 00036231 2099:7 00036243 2099:9 00036255 2110:21 00036258 2105:20 00036259 2101:7 00036259-60 2099:24 00036274-82 2099:7 00036529 2358:20 00037672 2372:4 00038728 2394:10 00038729 2394:11 00038730 2186:7 2394:12 008844 2241:13 008857 2252:5 008858 2253:3 008861 2394:21 008897 2228:12 03 2172:23 05 2098:23 06 2148:25 2167:10 06103 2064:5 069147-069150 2234:2 069150 2394:17 07 2098:24 2133:4 2141:15 2143:25</p>	<p>1</p>	<p>1 2100:2 2183:15 2204:20 2205:21,21 2210:11 2229:24 2240:6 2250:13 2260:19 2305:2 2329:3 2390:25 2394:11,12,15 2395:4 1,600 2312:5 1-2 2099:5 1-58 2099:6 1/7/08 2394:20 10 2063:4 2067:14 2190:2 2239:24 2243:16 2391:8 2392:5 100 2214:22 2217:10 1000 2064:16 10018-1405 2064:10 10019-6708 2065:21 10166 2065:4 102-103 2218:13 107 2286:2,6,11 2294:22 2296:2</p>	<p>1 2100:2 2183:15 2204:20 2205:21,21 2210:11 2229:24 2240:6 2250:13 2260:19 2305:2 2329:3 2390:25 2394:11,12,15 2395:4 1,600 2312:5 1-2 2099:5 1-58 2099:6 1/7/08 2394:20 10 2063:4 2067:14 2190:2 2239:24 2243:16 2391:8 2392:5 100 2214:22 2217:10 1000 2064:16 10018-1405 2064:10 10019-6708 2065:21 10166 2065:4 102-103 2218:13 107 2286:2,6,11 2294:22 2296:2</p>

<p>1:11 2195:3,6 1st 2228:4 2347:20</p>	<p>2263:22 2264:4,8 2270:5,11 2272:14</p>	<p>2234 2394:17 2241 2394:18</p>	<p>30 2271:15 300 2077:13</p>
<p>2</p>	<p>2273:25 2279:10</p>	<p>2249 2394:20</p>	<p>30th 2270:11 2277:8</p>
<p>2 2172:9 2174:6,15 2183:15,16,16 2275:24 2278:12 2287:18 2327:21 2394:11,11,11,12,12 2394:12</p>	<p>2296:17 2297:18 2376:17 2009 2359:16,19 2360:5 2010 2063:9 2067:7 2277:16 2305:14,14 2309:23 2310:5,7 2318:5,19,24 2323:9 2326:4,17 2327:8 2328:22 2331:16 2339:25 2353:18 2357:8,18 2358:21 2362:21 2368:8 2369:2,15 2369:18 2371:6,16 2372:3 2373:21 2380:12 2381:7 2382:2 2385:22 2396:17</p>	<p>2260 2394:18 2263 2394:19 2270 2394:21,22 2277 2394:22 2296 2395:4 23 2391:2 2305 2395:4 23089 2125:19 23089s 2125:15 231-234 2391:11 2340 2395:5 2350 2395:18 2372 2395:7 2391 2395:7 23rd 2286:4 25 2080:8 252 2172:17 2525 2064:16 25th 2296:16 2297:18</p>	<p>2280:16 3161 2065:11 330 2076:13 33134 2064:17 340 2139:8,18 2140:18 341 2142:7,12,20 2143:13 36 2163:4,8 36255 2119:22 36259 2100:14 36531 2358:20 38 2166:25 2167:6 2167:14 38729 2183:15,25 38730 2193:10 39 2218:6,9,18 2219:22 2220:11 2221:13 2222:23 39696 2205:21</p>
<p>2-18 2276:24</p>	<p>2097 2394:4</p>	<p>26 2238:23</p>	<p>3:50 2297:4</p>
<p>20 2064:4 2080:7 2084:7 2238:24 2239:4,13 2343:8 2393:15 2395:18 2397:23</p>	<p>2099 2394:8 20th 2348:9 2391:15 21 2099:8 2125:17 2168:12 2344:12 2159 2394:9 2168 2394:10 2172 2394:13 2195 2394:15 21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>26th 2140:14,20 27 2166:25 270-285 2392:5 27256 2132:19 2138:14 2150:3 27th 2195:15,23 29 2063:9 2067:6 2077:16 2172:23 2271:13 29th 2396:17 2:15 2238:3 2:31 2238:8 2nd 2142:8,15 2143:24 2225:20</p>	<p>3rd 2143:11 2144:4 2144:11,15,20,24 2146:7,15,22 2147:8,16 2148:8 2148:16 2149:14 2152:2,10 2153:12 2153:16 2158:24 2196:18 2205:20 2206:10 2246:8 2341:12 2365:6 2380:12</p>
<p>20-21 2242:18</p>	<p>22 2099:8 2125:4,6 2125:18,20 2133:12 2150:11 2344:18</p>	<p>3</p>	<p>4</p>
<p>200 2063:17 2065:3 2067:10</p>	<p>2205 2394:15 2228 2394:16</p>	<p>3 2161:8 2183:3 2187:3,13 2204:14 2210:12,15 2230:24 2240:6 2290:3,18 2366:24 2373:3</p>	<p>2261:13,19</p>
<p>20006 2065:16</p>	<p>2097 2394:4</p>	<p>3</p>	<p>4</p>
<p>2005 2098:3 2101:16 2160:24</p>	<p>2099 2394:8</p>	<p>3</p>	<p>4</p>
<p>2006 2167:2</p>	<p>2099 2394:8</p>	<p>3</p>	<p>4</p>
<p>2218:10 2220:2 2223:20</p>	<p>20th 2348:9 2391:15</p>	<p>3</p>	<p>4</p>
<p>2007 2140:15,20</p>	<p>21 2099:8 2125:17</p>	<p>3</p>	<p>4</p>
<p>2142:9,15 2163:7 2168:12,20 2169:18 2170:4 2171:14 2172:4 2173:8 2191:5 2204:25 2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2205:20 2206:10 2208:10,24 2209:7 2210:21 2225:20 2228:22 2238:19 2241:11 2242:9,24 2246:8 2278:18,25 2280:11 2281:11 2286:4 2287:12 2291:8 2293:2 2300:4 2314:11 2341:12</p>	<p>21st 2168:20 2169:18 2175:12 2191:5 2310:10 2318:24 2323:9 2328:22 2331:16 2339:25 2346:10 2347:7,12,18 2385:22</p>	<p>3</p>	<p>4</p>
<p>2008 2228:4 2229:20 2233:24 2234:14 2246:4</p>	<p>2205 2394:15 2228 2394:16</p>	<p>3</p>	<p>4</p>

2320:12,20 2343:6 2343:7 2394:16,16 2394:16 40 2180:11 42 2099:7 422 2098:21,23 2099:20 2131:10,25 2156:14,17,25 2157:4,7,12 2159:15,17 2215:13 465 2357:25 2358:15 2359:4 2363:10 2366:3 467 2360:12 47 2113:11 48 2344:13 4:04 2297:9 4:28 2310:15 4:42 2310:20 4th 2196:18 2234:13 2246:8 2341:12,12	5:55 2172:23 6 6 2113:12 2200:11 2272:13 2289:3 2305:2 2320:12 2327:22 2329:3 2343:6 2395:5,5,5 6-7 2204:25 620 2064:10 6:15 2358:11 6:36 2393:3,7 6th 2125:8,10,23 2126:23 2210:21 2233:24 2235:19 2236:3 7 7 2133:14 2150:13 2172:16 2210:11 2239:24,24,24 2240:6,6,7,7 2261:9 2272:13 2282:11 72 2099:9 727 2197:2,14,17 2200:11 728 2162:24 777 2098:14 2099:17 2101:6,20 2105:19 2106:15 2108:18 2110:21 2119:21 2124:24 2132:17 2138:14 2147:24 2149:6 2150:3 2215:14 2394:8 778 2159:22,25 2160:11,20 2161:9 2162:5 2168:19 2169:3 2394:9 779 2168:11,16,24 2169:14,17 2173:10 2174:7,16 2182:16 2183:3,12 2186:6 2187:4,10,13,16 2188:19 2192:9,24	2194:3 2215:14 2232:12 2394:10 780 2171:24 2172:5 2172:9 2173:5 2394:13 781 2195:15,19,21 2394:15 782 2205:18,23 2206:7 2394:15 783 2228:12,15 2229:16 2232:16 2233:2 2394:16 784 2231:17 2233:21 2234:3,7 2236:3 2394:17 785 2241:10,14,25 2242:14 2394:18 786 2260:9,13,15 2394:18 787 2263:20,23 2269:11 2394:19 788 2249:14,17,20 2249:24 2250:2,13 2252:4 2394:20 789 2270:3,7 2274:5 2274:9,14,16 2276:18 2282:24 2394:21 790 2270:10,14,16 2273:24 2394:22 791 2277:11,17,21 2312:15 2329:8 2394:22 792 2296:14,18 2297:13 2298:16,23 2298:25 2395:4 793 2304:25 2305:3 2305:5 2306:23 2311:12 2315:17 2318:3,19 2320:20 2323:24 2337:22 2338:9 2340:6,11 2343:2,5,19 2350:18 2395:4	794 2339:25 2340:3 2342:8,13,24 2343:6,10 2344:19 2347:8,13,18 2395:5 795 2372:2,5,8,14 2378:11 2395:7 796 2390:22 2391:4 2391:9 2395:7 7th 2210:21 2263:22 2264:4 2265:22 2268:21 2281:17 8 8 2239:22 80 2084:8 852 2256:21 8856 2257:12 8:15 2271:13 8:51 2063:10 2067:7 9 9 2239:24 2240:7 9,000 2213:2 2214:14 903 2382:22 2385:12,18,21 2389:24 92612-4412 2065:12 95 2077:25 9:24 2097:8 9:36 2097:11 9th 2218:10 2219:25 2309:18 a a.m. 2063:10 2067:7 2097:8,11 2138:4,9 2171:4,7 2271:13 2337:25 aaron 2379:15,18 abady 2068:9 2077:3 2080:13 2085:13 2086:4 2089:25 2094:2,14 2095:24 2306:15
--	---	--	---

<p>2308:2 2309:5,10 2317:4 2318:9 2328:15 2337:23 2350:17</p> <p>abady's 2096:23 2305:22 2315:25 2318:4 2322:13</p> <p>ability 2389:17</p> <p>able 2142:11 2144:19 2202:13 2271:9 2319:8 2320:4 2322:12 2378:23</p> <p>absence 2198:11</p> <p>absolute 2136:22 2287:24</p> <p>absolutely 2073:13 2076:4</p> <p>absurd 2084:23 2292:15</p> <p>accept 2111:25 2114:5,18,23 2127:12 2171:18 2247:17</p> <p>acceptance 2287:22</p> <p>access 2224:24 2225:7 2247:12</p> <p>accidents 2272:24</p> <p>account 2122:5 2214:17,19 2275:7</p> <p>accuracy 2276:6</p> <p>accurate 2094:7 2224:19 2237:17 2265:21 2276:10 2286:22,25 2287:8 2288:24 2290:15 2291:25 2331:2 2345:2,4 2353:2 2367:11</p> <p>accurately 2074:13 2101:21 2357:9,19</p> <p>accusations 2278:17</p> <p>accused 2297:22</p> <p>acknowledge 2274:18</p>	<p>act 2103:24 2104:6 2104:13 2108:11 2123:8 2136:20,21 2136:25 2137:6 2166:16 2239:17</p> <p>acted 2204:21 2210:18</p> <p>acting 2137:20 2178:18 2203:23 2205:10 2210:6,25 2211:12</p> <p>action 2372:3,16,24 2374:22 2396:13</p> <p>actions 2273:3 2299:15 2330:12 2331:10 2354:14</p> <p>activities 2108:13 2144:19 2173:21 2174:16,19,24 2175:10,13,18 2218:11 2364:20</p> <p>activity 2131:12 2182:20 2184:5</p> <p>actual 2171:16 2179:13 2256:15 2292:10 2377:22 2378:6 2382:16</p> <p>add 2077:11 2261:13 2271:11 2272:11</p> <p>addition 2122:8 2380:19</p> <p>additional 2113:4 2174:11</p> <p>address 2316:6</p> <p>adelman 2065:20</p> <p>adequately 2388:19</p> <p>administered 2122:6</p> <p>admission 2339:16</p> <p>admit 2292:4 2300:12 2327:24 2328:3,11 2339:12</p> <p>admitted 2312:20</p>	<p>admitting 2328:16 2330:9</p> <p>adolfo 2254:11</p> <p>adopt 2096:22 2170:11 2171:2 2273:14 2346:21</p> <p>adopted 2165:7 2346:24 2376:12 2377:5 2387:3</p> <p>adoption 2165:6 2247:9 2343:13 2346:15 2364:23</p> <p>advance 2176:8 2248:9</p> <p>advantage 2113:3 2346:11</p> <p>adversarial 2088:4</p> <p>advice 2359:10</p> <p>advise 2215:11</p> <p>advisement 2352:24</p> <p>advocate 2346:12</p> <p>aerial 2272:18</p> <p>affidavit 2070:15 2200:2 2201:19,22 2202:4,11 2210:5 2215:17 2216:7 2240:11 2314:9,13 2314:19,23,25 2378:16 2379:19,22 2379:25 2380:4,10</p> <p>affidavits 2201:24</p> <p>affiliated 2120:22 2177:8 2258:15</p> <p>afield 2082:8</p> <p>afternoon 2067:20 2075:21 2195:9,10</p> <p>afterward 2074:10 2313:19</p> <p>agencies 2272:25</p> <p>agent 2087:21</p> <p>aggressive 2093:4</p> <p>ago 2105:21 2150:4 2212:2 2267:8</p> <p>agree 2114:21 2149:8 2247:16</p>	<p>2279:20 2288:4,7,9 2306:9 2313:2 2318:11 2329:12 2335:24 2337:5</p> <p>agreed 2077:14 2106:4 2109:2 2110:5 2170:25 2171:21 2191:4 2253:5 2282:2 2303:11 2304:4,16</p> <p>agreement 2103:23 2104:4,25 2105:9 2106:5 2108:7,19 2109:6 2128:14 2158:24 2187:10 2278:9 2336:3 2353:23 2369:23 2381:20 2390:7,11 2390:17 2391:18,24 2392:8,12</p> <p>agreements 2286:14</p> <p>agriog 2105:7 2130:9 2135:10,16 2143:8 2149:10 2172:2 2179:21 2198:3 2213:19 2240:4,18 2247:25 2258:15 2263:21 2270:22 2277:7 2285:10,19 2286:5 2287:13 2296:16 2297:17 2351:14 2353:4,13 2353:18 2354:12,23 2384:8 2389:19 2390:2,6,10,16</p> <p>ahead 2079:16 2093:25 2239:12 2260:2 2342:20</p> <p>alan 2064:11</p> <p>alberto 2379:3</p> <p>alejandros 2229:10</p> <p>alive 2106:3</p> <p>allegations 2278:23 2293:23 2295:5 2355:24 2357:2</p>
--	--	--	--

<p>2382:12,16 2390:13 allege 2290:22 alleged 2081:9,18,20 2290:19 allegedly 2080:21 allow 2171:16 2243:12 2288:14 2292:12 2300:21 allowed 2239:16 2292:24 alternative 2348:12 2348:22 amount 2237:19 2268:2 amounts 2106:24 amp 2379:11,14 analyses 2193:11,17 2193:23 2323:13 2346:25 analysis 2189:17 2193:9,16 2222:4 2231:13 2261:10 2266:23 2379:20 analyzed 2189:17 2311:5 andrea 2065:12 andres 2064:19 andrew 2280:4,5 2329:4,7 2380:11 2386:4,13,14,14,15 2386:23 aneuman 2065:13 ann 2159:22 2167:2 2189:2,5 2196:12 2225:19 2231:2 2233:23 2234:13 2236:4,5 2242:7,21 2321:13 annex 2303:9 2325:24 annexes 2224:14 2233:8,11,14 2274:14 2276:17 2282:22 2349:8,22 2378:2,7</p>	<p>answer 2071:3,3 2074:6,25 2078:22 2080:10 2083:8 2084:2 2086:10 2095:6 2096:4 2104:11 2113:17,20 2114:2,5 2117:12 2151:12,24 2156:5 2156:5 2157:14,23 2176:5 2202:20 2204:5 2208:16,17 2215:23 2216:12 2249:11 2274:6 2285:5 2288:20 2289:23,25 2293:18 2294:5,10 2300:19 2303:24 2304:21 2317:8 2319:22 2324:4,6,15 2332:5 2338:24 2345:15 2354:9 2355:3 2357:22 2359:24 2377:6 2382:8 2395:12 answered 2096:2 2119:19 2134:21 2176:2 2293:16 answers 2158:17 anticipated 2241:6 anybody 2093:14 2139:12 2140:2 2146:12 2187:16 2215:15 2232:21 2251:21 2255:15 2258:14 2264:22 apart 2140:10 2351:6 apologize 2139:8 2169:9 2193:15 2293:16 apparent 2236:9 apparently 2346:23 2373:11 appeals 2088:13 2091:23</p>	<p>appear 2250:10 2251:6 2275:23 2307:25 2321:2 2344:6 2379:11 appearances 2214:10 appears 2242:14 2273:13 2296:2 2344:10 apple 2139:19 2140:11 application 2063:7 2067:12 appoint 2081:10 2127:21 2136:12 2335:14 appointed 2123:7 2123:20,21,22,24,25 2132:4 2133:19 2135:11,17 2136:19 2138:24 2143:4 2144:7 2147:9 2148:19 2151:21 2156:16 2169:22,25 2170:3 2171:14 2172:19 2173:7 2221:9 2239:15 2242:16 2263:11 2365:2 appointing 2136:9 2143:10 2172:3 appointment 2132:13 2136:4 2141:21 2143:24 2149:9 2151:18 2170:8 2173:14 2287:23 appreciate 2332:16 2333:9 2352:23 approach 2167:2,10 2303:12 2304:5,17 2328:20 2335:18 approaches 2167:15 appropriate 2083:6 2088:6 2334:9</p>	<p>appropriately 2383:14 approve 2152:9 2276:21 2277:2 2279:16 2295:15 approved 2201:15 2273:9 2275:15 2302:24 approximately 2067:7 2180:6 2224:7 2344:13 2353:15 2355:9 april 2218:10 2219:25 2222:24 2228:4 2296:16 2297:18 2329:22 2347:20 2358:20 2368:8,25 2369:15 2369:18 2371:5,16 arbitration 2127:3 2127:16 area 2154:19 areas 2235:11 2252:14,16,18 argue 2211:10 2334:22,22 2337:8 argument 2223:2 2331:17 argumentation 2094:19 arisen 2083:24 arivero 2064:20 armies 2081:5 arnold 2238:18 arranged 2106:17 2144:3 2244:8 arranging 2243:3 2244:4 array 2275:6 article 2172:17 asap 2338:2 aside 2114:25 2174:9,12 asked 2070:13,21 2073:13 2075:12,13</p>
--	---	---	---

<p>2078:9 2086:17 2089:3 2091:2 2092:16,18 2104:16 2104:21 2108:9 2113:14 2119:13,19 2129:9,12 2137:24 2179:24 2210:2 2213:12 2214:5 2217:16 2236:9 2293:15,19 2339:5 2389:7 asking 2069:4 2072:9 2073:9 2089:2 2095:16 2124:9 2129:25 2143:14 2237:2 2262:6,25 2268:24 2281:17 2314:7 asks 2083:19 2084:10 assert 2086:8 2303:21,23 2320:17 asserted 2073:4,5 2079:9 asserting 2387:21 assessment 2161:19 2162:2 2163:2 2167:11 2242:10 2303:2 2341:14 assigned 2185:12,15 assignment 2088:12 2224:20 assignments 2372:23 assist 2123:25 2291:2 2354:13 assistance 2095:16 2291:7 assistant 2066:6 2207:8 assisted 2178:16 assisting 2175:24 associated 2137:9 2163:17 2254:24 2292:5,13,24</p>	<p>association 2121:10 assume 2168:21 2171:2 2172:24 2177:7 2178:12 2181:24 2186:22 2191:25 2198:25 2232:14 2244:7 2318:20 2326:6 2350:3 assumed 2141:8 2147:8 2181:5 assumption 2171:21 assurance 2196:2 attach 2306:16 attached 2168:11 2173:20 2174:14 2175:6,11 2232:11 2275:20 2276:17,24 2350:16 attachment 2309:10 2322:12 2350:20,23 attachments 2168:19 attempt 2279:11 2331:18 attempting 2329:25 attendance 2146:6 attended 2098:2 2102:4 2144:23 2153:23 2243:8,8 2243:10 2245:4,16 2341:15 attending 2370:16 attention 2238:22 attorney 2080:2 2120:13 2316:4 2390:23 2395:8 attorneys 2064:5,11 2064:17 2065:4,16 2065:21 2207:25 2286:17 2287:4 2290:22 2321:3,3,7 2323:23 2324:8 2357:11,21 2384:25</p>	<p>attorneys.com 2064:19,20 audits 2273:4 august 2263:8 aulestia 2100:21 2120:4,22 2121:2,7 2121:14,22 2245:3 2246:14,19 aulestia's 2120:15 2259:22 authenticated 2139:24 authored 2329:15 2339:13 authoritative 2387:23 authorities 2081:22 2277:12 2394:23 authority 2081:9 2146:8,15 authorization 2080:21 2279:10 authorized 2076:23 authorizing 2279:2 authors 2347:20 available 2228:2,6 2337:24 2339:22 avenue 2063:17 2064:10 2065:3 2067:10 avinegrad 2064:12 avoid 2292:14 award 2081:3 aware 2096:24 2149:22 2156:19,20 2200:15 2205:4 2226:20,24 2236:25 2237:5,7 2294:23 2295:3,4,8 2299:5,8 2359:8 2360:12 2367:3,22 2370:6 awareness 2295:12 awful 2068:13</p>	<p>b b 2086:14 2268:17 2394:6 2395:2 back 2073:25 2077:6 2086:21,22 2097:11 2113:12 2117:6,9,11 2138:8 2138:14 2150:2 2156:4,7 2158:8,10 2171:6 2179:16,23 2181:9 2187:3 2195:6 2197:18 2238:7 2267:7 2297:9 2301:10 2304:2,13 2310:19 2314:11 2319:24 2324:4 2336:22 2337:14,17 backbone 2253:13 background 2360:24 backup 2261:25 bad 2085:21 2379:19,22,24 2380:12 balls 2087:16 bargain 2126:6 2128:13 base 2147:22 based 2124:13 2191:25 2204:16 2213:9 2222:17 2230:22 2233:4 2242:5 2250:9 2265:18 2275:16 2283:6 2306:5 2318:10 2331:17 2385:25 basic 2265:3 basically 2294:5 basing 2149:4 2154:6 basis 2069:15 2071:5 2072:13</p>
---	---	---	---

<p>2073:6 2075:9 2077:8 2087:6 2120:10 2319:15 2348:20 2356:3 2387:21 2388:22 bates 2100:7,10 2101:6 2125:18 2132:24,25 2159:23 2183:15,25 2186:6 2193:10 2195:17 2199:11 2205:20 2218:12 2219:8,12 2219:15 2233:25 2241:12 2252:4 2358:19 2372:4 bearing 2159:23 2183:25 2186:6 2195:17 2205:20 2218:12 2233:24 2241:12 2292:8 2372:3 bears 2101:6 2198:22 2252:4 2358:19 becoming 2103:5,9 2151:2,6 2369:11 beef 2261:9 began 2073:25,25 2301:25 beginning 2068:20 2138:10 2171:7 2238:8 2297:10 2302:11 2306:13,15 2309:6 2327:11 2336:23 begins 2101:8 2138:18 2234:18 2305:17 2306:4 2318:4 2343:13 2350:17 2385:24 begun 2246:23 behalf 2096:18 2123:8 2135:4 2136:21 2137:21 2161:14 2200:3,24</p>	<p>2207:11 2216:6 2217:13 2248:18 2249:6 2297:17 2353:20,25 2354:11 2367:2,18 2381:16 2384:8 behave 2085:7,24 2086:20 2095:20 behaving 2086:21 behavior 2067:23 2068:3 2096:24 belanger 2362:15,21 2363:2 2389:13 belief 2150:23 believe 2083:23 2086:6 2102:19 2103:15 2104:16,21 2105:4,16,18 2106:16 2109:5,18 2112:17 2115:8 2119:12 2120:17 2121:5,8,21 2122:9 2123:18 2126:24 2131:2 2132:16 2133:11,21 2134:5 2135:13 2136:5,24 2137:13,15,22 2141:23 2142:4 2143:6 2144:2,13 2144:17 2145:12 2146:5,20 2149:3 2152:5,16 2153:9 2153:19 2154:5,11 2154:16 2156:13,17 2157:3 2161:21,24 2163:10,20 2165:4 2165:12 2166:17 2167:13,23 2169:19 2174:5 2175:16,22 2177:11 2178:2,9 2178:15 2179:3,12 2180:21 2181:11 2185:10 2189:7 2190:14 2191:3,21 2193:8 2200:5</p>	<p>2204:8 2208:3 2210:9 2212:22 2213:12 2214:20,23 2215:4,8,25 2217:9 2218:17 2224:5 2225:23 2229:18 2233:13,19 2237:5 2242:2 2243:9,14 2245:2,8,18,22 2246:9,21 2248:7 2252:12 2254:16 2257:3 2258:17,25 2260:7,17 2263:3,7 2263:12,12 2264:25 2267:24 2268:12 2270:20 2274:15 2275:6 2276:20 2279:19 2281:3 2283:7 2286:8 2287:16 2295:20 2298:12 2309:24 2317:15,17 2319:11 2323:2,21 2329:23 2330:14,25 2333:8 2333:19 2334:11 2335:8,22 2341:6 2342:10,17,17 2345:4,5,11,20,22 2346:3 2347:10 2348:21 2351:13 2353:21,24 2355:5 2357:22 2362:5,23 2363:8,23 2364:16 2364:21 2368:14 2369:20,22 2370:22 2372:9 2373:2 2375:4 2378:9 2380:18 2381:6 2383:15 2386:19 2387:2 2390:9,20 2392:3 believed 2328:9 believer 2336:6 beltman 2225:18,19 2229:12,14 2233:22</p>	<p>2236:5 2237:11 2242:8,22 2243:4 2243:24 2244:5,12 2244:21 2245:6,15 2247:18 2251:15 2255:9 2357:3 2362:2,9 2384:2 2389:12 benign 2155:21,24 bent 2378:13 berlinger 2140:15 2140:19 2141:17 2142:10,20 2143:14 2145:23 2217:23 best 2097:24 2107:2 2107:8 2109:12 2119:11 2121:11 2132:15 2135:14 2146:24 2152:4 2153:25 2167:22 2179:3 2204:7 2209:17,24 2223:24 2245:5 2247:19 2263:3 2301:24 2302:15,17 2355:21 bet 2333:25 better 2329:15 2331:23 beyond 2068:4 2335:13 big 2111:12 2336:6 bill 2201:14 2224:2 billed 2217:6,11 billion 2243:16 bills 2217:9 biodiversity 2251:8 2256:21 bit 2229:9,11,15 2271:6 bkaplan 2065:22 blank 2392:7 blind 2139:13 block 2197:19 blood 2396:14</p>
---	--	---	---

<p>bloom 2208:6,10,24 2209:23 2378:20,25 2378:25</p> <p>blush 2333:24 2334:3</p> <p>blvd 2064:16</p> <p>body 2092:14</p> <p>bogart 2336:6</p> <p>boggs 2307:11,15,21 2320:23 2327:2,4 2342:19</p> <p>bonfiglio 2140:16 2142:10 2170:20 2218:2</p> <p>bonifaz 2391:3,14</p> <p>bonifaz's 2391:8</p> <p>bonus 2106:4 2108:20,24</p> <p>book 2098:2,4 2100:19 2102:3</p> <p>botched 2084:19</p> <p>bottom 2078:17 2100:9 2101:5,9 2142:19 2180:14 2206:16 2210:16 2232:17 2234:12 2275:3 2305:10,11 2305:19,20 2315:21 2379:17 2385:21</p> <p>boulder 2388:6,14</p> <p>box 2379:9</p> <p>boxed 2126:9</p> <p>boycott 2345:12</p> <p>break 2074:8 2083:4,6 2087:2 2093:21 2094:10 2096:12 2097:6 2137:25 2157:16 2158:7 2159:17,17 2170:22 2194:5,8 2220:9 2237:24 2310:12,22 2320:18 2385:14 2392:16</p> <p>breaks 2093:21</p>	<p>brickell 2316:3</p> <p>brickell's 2316:6</p> <p>brief 2094:17 2278:13 2286:10 2312:15,24 2366:14</p> <p>briefly 2096:15</p> <p>bring 2117:6 2156:3</p> <p>broader 2354:15</p> <p>broadway 2065:20</p> <p>broken 2075:23</p> <p>brought 2117:9 2351:18 2352:15</p> <p>brownstein 2374:16 2374:19 2379:18 2380:20,25 2381:3 2381:8,15,21,25 2384:15 2388:23 2389:3</p> <p>bruce 2065:22</p> <p>budget 2113:5</p> <p>bugs 2093:12</p> <p>bulk 2347:20 2388:23</p> <p>bullet 2235:4 2242:13 2273:11</p> <p>burford 2214:23</p> <p>burials 2081:4</p> <p>burling 2064:9</p> <p>business 2172:24</p> <p>butcher 2235:8</p> <p>buzzer 2085:14,15 2085:16,17 2086:13 2087:4 2249:2</p> <p>bystander 2241:4</p>	<p>2136:12,19 2137:5 2137:11,19 2142:17 2143:3,10 2144:4 2144:12,16,24 2146:21 2147:2,5,8 2147:16 2148:7,18 2149:9,12 2151:2,5 2151:18 2152:2,6,9 2152:15,24 2153:4 2153:8,14,18,23 2154:10,15,22 2155:4,5 2156:16 2158:25 2163:6,12 2164:11,14,23 2165:3,11,15,20 2166:3,8,13,14,19 2167:20 2168:3,6 2169:21 2171:13 2172:3,19 2173:6 2176:13,17 2177:2 2177:25 2178:7,16 2178:23 2180:2,7 2181:4 2185:16,23 2187:5,11 2189:9 2189:12,21 2191:19 2191:23 2197:20,23 2198:12,15 2199:5 2202:5,19,23,24 2203:20,23 2204:12 2204:21 2205:10 2206:18 2207:4 2208:12 2209:2,9 2210:5,17,25 2211:11 2219:3 2221:9 2226:10,21 2227:8 2228:3 2233:12 2235:15,18 2235:23 2236:18,25 2237:21 2239:16,17 2239:18,25 2240:16 2242:17,17,23 2243:5,10,23 2244:5,12,18 2245:7 2246:3,23 2247:4,9,12,16,25</p>	<p>2248:9 2249:6 2250:6,19,21 2251:12 2252:9,20 2253:8 2255:13 2258:16,19,24 2260:4 2262:5,11 2262:19 2263:21 2264:6,9,24 2265:2 2265:10,19 2266:3 2266:12,17 2267:14 2268:21 2269:19,22 2271:12,21 2272:4 2272:13 2273:10 2274:2 2275:12,14 2276:12,19 2277:6 2279:4,12,21 2280:9,15,25 2281:10,15 2283:16 2283:24 2284:12,19 2285:9,18,22 2286:5,12 2287:3 2287:11,19 2289:4 2290:8,20 2291:7 2291:14,23 2292:3 2292:24 2293:13 2294:24 2295:6,9 2295:19 2297:24 2298:6,17,17,22,24 2299:4,7,19,25 2300:6,13,14 2301:14,16,18 2302:5,7,21 2303:14 2304:6,18 2312:21 2319:9 2320:6 2321:15 2323:13 2325:23 2326:18 2327:11,25 2330:3 2331:4 2340:16 2341:15 2344:13,23 2345:7 2345:24 2346:5,14 2346:16,20,24 2347:9,14 2348:5 2348:12,21 2349:7 2349:23 2350:10</p>
	<p>c</p>		
	<p>c 2064:2,18 2065:2 2066:2 2195:16 2238:20 2343:8 2344:11,19 2358:22 2391:14</p> <p>cabrera 2081:18 2124:4 2132:4,7,12 2134:4 2135:3,11 2135:17,22 2136:10</p>		

<p>2353:6 2356:19 2357:11,21 2364:7 2364:15,25 2365:7 2365:16,23 2373:5 2375:9 2376:8,12 2376:20,24,24 2378:5 2382:14 2384:12,25 2386:2 2386:18 2387:4 2394:19 cabrera's 2143:24 2163:19 2173:13 2177:6,10,13 2198:23 2203:9,12 2204:16 2224:25 2227:25 2230:8,17 2248:18 2249:6 2269:9 2270:12 2273:12,15 2278:16 2278:18 2279:8 2282:10 2289:16 2324:11 2325:13 2329:21 2343:13 2347:20 2365:10 2378:7 calculated 2237:12 2237:18 calculating 2223:7 calculation 2236:15 california 2065:12 call 2127:11 2158:10 2160:21 2200:14 2207:15 2212:6 2242:7,12 2242:21 2329:12 2337:25 2338:5 2386:4,22 2387:9 called 2105:3 2123:10 2124:7 2226:3 2259:14 2361:14 calling 2087:15 2148:2 2200:10 calls 2243:2</p>	<p>calmbacher 2360:15 2360:19 2361:4 calmbacher's 2361:11 camera 2352:4 cameramen 2144:10 2144:15,20 2145:4 2145:8 2146:3,8,16 2147:2,5 cameras 2145:24 2146:4,9 candid 2333:3 candidate 2220:19 2221:20 2222:2 cannon 2353:10,12 2353:17,23 2354:7 2354:11,18,22 2355:11 2357:8,18 2361:24 2372:17 2380:20 caption 2067:11 capture 2206:18 care 2207:8 carefully 2067:21 2073:22 2076:14 2081:15 carlos 2220:18 carried 2173:22 carry 2177:20 case 2063:4 2067:11 2067:14 2081:25 2084:5 2085:8 2086:2 2088:6 2108:10 2120:10 2124:20 2134:9 2135:10,16 2140:25 2141:15 2143:17 2149:10 2159:4 2161:6 2167:3,12 2175:17 2196:10 2214:17,19 2219:3 2233:20 2240:4,18 2264:12 2274:20 2275:23 2291:16 2308:22 2314:11,17</p>	<p>2317:11 2344:24 2354:8,16 2356:2,5 2356:9,10,15,23 2359:7,18 2360:5 2361:16 2363:15,21 2364:20 2366:16 2369:5,12,15,19 2384:8 2389:20 2397:3 cash 2121:15 2122:2 castro 2064:15 catch 2282:12 categories 2269:10 2269:19 2273:8 catherine 2064:18 caught 2330:10 caused 2346:19 2363:2 causing 2086:14 2140:12 caution 2095:18 cautioned 2095:20 caveat 2377:6 cc 2315:24 2372:21 cc'd 2168:13 ceased 2359:23 celli 2278:3,10 2280:7 2342:18 center 2064:3 2080:19 2161:9 2259:13 ceo 2316:10 certain 2119:8 2131:24 2146:16 2187:6 2202:5 2269:18 2281:18 2299:9 2326:13 2353:3 certainly 2291:11 2332:15 2335:3 2336:12 certification 2172:15 2396:2 certified 2264:3 2270:3</p>	<p>certify 2396:6,12 cgrieve 2064:19 ch 2391:11 2392:5 chain 2140:5 2305:8 2306:13,17 2309:12 2316:25 2318:18 2321:8 2339:9 2350:18,20 champ 2217:20 chance 2234:6 2342:23 chances 2084:4 change 2397:5 changed 2122:11 2279:6,24 changes 2230:2 2349:6,12,16 characterization 2313:3,7 characterize 2104:3 2159:6 2178:10 2292:20 2293:21 2294:11 2304:21 2339:19 2384:11 characterized 2269:4 characterizing 2363:24 charge 2381:2 charges 2367:5 charles 2360:15 chart 2174:15 2175:18 2179:5 2180:15 2181:3 2182:8,19 2187:22 2372:21 charts 2168:12 chastised 2084:9 chesler 2308:25 2316:24 chevron 2063:7 2065:4 2067:12 2081:15 2123:15 2124:14,14 2137:5 2141:19 2167:3</p>
---	---	--	--

<p>2200:18 2216:25 2238:17 2258:9 2262:8 2278:14 2279:7 2294:24 2295:5 2314:10 2319:8 2320:4 2325:11 2329:16 2330:5 2337:8 2344:21 2345:6,11 2345:21,23 2346:4 2354:15 2360:13 2361:18 2363:24 2379:23 2382:12 2387:19 2390:14 2397:3 chevron's 2211:18 2220:17 2278:17 2299:14 2302:2 2321:22 2331:18 2334:16 2355:24 2357:2 2361:3 2373:5 2375:9 2377:11 choose 2264:18 chooses 2094:25 choosing 2141:22 chose 2345:12 chosen 2178:25 2186:13 chromium 2193:12 2193:18,24 chron 2099:15,21 church 2064:4 circle 2232:17 circuit 2317:24 cite 2088:6 2239:21 cited 2073:20 2211:7 2239:2 city 2067:5,10 2259:11,13 civil 2172:18 claim 2309:2 2330:6 2373:5 2375:9 2377:11</p>	<p>claimed 2237:19 clarification 2092:15 2231:21 2254:9 2267:5 clarified 2093:10 2314:6 clarify 2090:22 2121:20 2264:16 2274:20 2275:25 2286:13 2334:9 clarifying 2074:17 2123:3 clarity 2099:16 claud 2336:7 clause 2207:17,22 clear 2092:3,23 2095:9,10 2162:6 2183:14 2219:11 2222:14 2241:17 2289:4 clerk 2172:15 client 2080:2 2081:21 2089:25 2095:8 2351:8 2353:20 2354:2 2390:23 2395:8 client's 2116:23 clients 2359:3 2369:24 2370:9 2390:24 2395:9 clip 2089:3,4,9,11 2089:21 2090:14,16 2091:6 2092:6,10 2170:7 clips 2080:24 2081:7 close 2278:24 2290:23 2295:17 2297:23 2298:5,21 2299:3 clue 2090:5,7 coaching 2094:9,18 code 2172:18 codes 2372:20 collaborated 2289:12,18 2290:9</p>	<p>collaborating 2294:25 collaboration 2327:25 colleagues 2337:3 2352:25 collect 2111:4 2119:23 2121:2 collecting 2121:3 collectively 2339:20 colloquy 2157:20 2319:13 colorado 2277:16 2279:18 2302:3 2312:14 2374:23 column 2174:19 2184:8 2187:24 2188:7 2189:2 2190:7 2232:2 columns 2392:7 combination 2163:24 2384:4 combined 2247:12 comcast.com. 2232:18 come 2077:6 2107:11 2112:5 2114:9 2118:11 2122:4 2196:3,14 2214:16 2225:13 2358:23,24 2367:25 2371:2 2388:21 comes 2078:16 2116:23 2140:11 2207:8 2335:25 comfort 2137:25 comfortable 2127:6 2355:14,17 coming 2141:9 2196:13 2224:13,21 2271:5 comment 2079:13 2094:13 2116:5,6,9 2117:4 2129:13 2337:23</p>	<p>commenting 2129:20 2191:7 comments 2094:7,7 2097:2 2141:9 2189:15 2292:15 2342:10 2375:24,25 commission 2397:25 commit 2357:6 communicate 2326:24 2327:4 communicated 2326:25 communication 2359:24 communications 2132:11 2272:24 2279:12 2284:15 2364:7,14 2365:23 compared 2314:23 2349:19 compel 2332:12 compelling 2333:4 competence 2149:18 competent 2134:18 2177:20 compiled 2098:15 complete 2241:4 2246:10 completely 2127:9 2234:9 complex 2328:25 compliance 2275:4 2287:20 composite 2099:3 2099:11 compressed 2141:7 computer 2139:23 2140:11 computers 2139:19 conceivable 2264:10 concept 2380:3 conceptually 2306:9 2318:12</p>
--	---	---	---

concern 2333:11 concerned 2321:16 2322:22 2335:2 2343:20 2389:16 concerning 2128:25 2347:2 2367:4 2384:10,24 concerns 2333:22 concluding 2265:14 2265:22 2268:22 2284:21 conclusion 2067:19 conclusions 2204:20 2343:14 2346:13,25 conduct 2081:16,21 2133:19 2161:14 2220:23,25 2221:3 2221:4 2266:22 2279:9 conducted 2124:5 2221:19 2223:3 2239:19 conducting 2089:23 2167:2,11 2210:8 2211:2 2224:15 2231:12 confer 2073:3 2300:22 2337:4 2388:9 conference 2259:3,5 2259:19 conferring 2073:4 confident 2311:4 confidential 2073:15 2109:8 2141:5 confidentiality 2207:16,22 2386:8 confirm 2076:21 2154:23 2155:5 confirmation 2287:22 confirmed 2088:14 conflates 2279:8	confused 2236:12 2285:5 confusing 2153:2 2174:8 confusion 2115:3 conjunction 2323:23 connecticut 2064:5 connection 2081:23 2202:3,25 2291:16 2384:11 connections 2340:16 2384:24 consent 2354:6 consequences 2068:6 2095:12 conservatism 2333:10 conservative 2313:22 2315:8 2335:18 consider 2264:15 2273:17 2279:4,22 2303:17 2346:14 considerably 2279:7 2279:24 consideration 2139:4 2233:16 2291:12 2303:14 2304:7,19 considered 2226:12 2228:9 2264:12 considering 2082:3 consistent 2219:21 2361:22 consisting 2272:18 constant 2096:5 constantine 2353:10 2353:12,17,23 2354:7,11,18,22 2355:10 2357:7,17 2360:16,18,25 2361:9,14,23 2372:17 2374:23 2380:19 2384:15	2388:20 consultants 2142:16 2144:5,25 2152:3 2152:11 2159:4 2190:21 2247:4 2248:17 2249:5 2347:19 2348:4 2357:11,21 consulting 2164:4 2164:10 2165:20 2191:10 2227:15 2237:18 2260:11,19 2359:9 2360:16 contact 2152:14,17 2152:23,24 2153:4 2153:8 2161:4 2235:18 2244:6 2278:24 2290:23 2312:21 2327:25 contacted 2200:22 2201:4 2243:23 2244:3 2246:14 contacts 2281:9 contains 2098:17 contaminated 2236:11,22 2237:4 contamination 2223:6,17 contents 2271:14 2272:15 2334:11 context 2087:23 2094:12 2278:15 2322:8 2334:14,19 contiguous 2259:14 contingency 2388:22 contingent 2356:3 continue 2096:8 2131:23 2313:18 2389:18 continued 2063:14 2065:2 2066:2 2076:3 2097:16 2188:10 2195:7 2392:18 2395:2	continuing 2127:6 2307:25 contract 2207:17,20 contrary 2210:4 controversy 2170:6 conversation 2365:20 2366:2,8 2366:19 2386:17 2389:10 conversations 2156:15 2386:5 2387:7 convert 2139:20 convince 2100:21 2279:11 cooperate 2265:5,11 2274:19 coordinating 2285:12,16 coordination 2188:12 2190:8 2289:9 2321:14 company 2397:2 copied 2197:17 copies 2099:10 copy 2198:22 2219:12,15 2263:13 2276:16 2350:10 2381:23 copying 2173:15 core 2292:8 corner 2243:15 corp 2192:18 corplab 2232:8,10 corporate 2064:3 corporation 2065:4 correct 2069:8 2070:24 2071:2 2082:3,20 2094:22 2094:23 2101:16 2102:13 2103:14,25 2110:17 2123:8 2124:12 2126:16 2128:5,10,20 2130:11,22 2133:10
--	--	---	--

<p>2133:20 2136:23 2137:2 2138:25 2142:17 2143:5,11 2145:2,24 2147:10 2149:24 2150:22 2151:3,4 2166:3,21 2166:22 2168:3 2169:2,23 2173:17 2174:4 2175:15 2178:14 2180:20 2181:4,16,25 2183:9,10 2184:22 2185:9,14,25 2188:16 2190:16 2191:20 2192:5 2196:18,22 2198:3 2198:9 2199:21 2200:4,20 2201:2 2201:12,17 2202:6 2202:9 2203:2,5,12 2203:15 2205:7,12 2206:14 2209:19 2210:3,8 2213:22 2219:4,23 2221:10 2227:3 2228:4 2229:13 2231:14 2234:25 2236:18,19 2236:20 2237:21,22 2244:15 2245:17 2246:24 2248:23 2258:5 2260:6 2262:21 2264:6 2266:6,19 2267:23 2268:7,10,13 2269:22 2271:23 2273:12,17 2274:2 2280:12,17 2281:2 2281:12,19 2282:3 2283:5,7,10 2284:13,14,22 2286:21 2289:19 2291:9,24 2292:19 2295:2,10 2298:7 2298:18,22 2302:9 2302:21 2303:3</p>	<p>2312:10 2313:10,21 2319:3,9 2320:6 2321:4 2323:13,20 2324:12,19 2325:16 2325:24 2326:14,19 2329:9,22 2330:24 2331:4 2333:8,15 2337:11,12 2340:24 2341:5,7 2342:8 2347:9,10,15,21 2362:15 2375:12 2376:4,5,9 2377:23 2378:3,8 2380:22 2382:3 2383:9,23 2390:2 corrected 2312:22 2313:8,14 correcting 2216:6 correction 2312:16 2314:25 corrective 2312:8 2312:13 correctly 2099:20 2246:7 2267:6 correspondence 2370:10 corrupt 2108:13 2133:23 2138:22 2150:14 cost 2223:7 costs 2389:5 counsel 2072:16 2074:2 2078:8 2081:10 2084:4 2092:5 2096:11 2097:5 2116:21 2117:16 2152:16,18 2153:13 2155:15 2187:19 2199:2 2213:13,15,17,18,21 2213:24 2214:13 2239:3,5 2240:15 2248:10,22 2271:7 2275:17 2280:21 2284:6 2296:12</p>	<p>2300:11 2301:14,16 2302:18 2303:12 2304:4,16 2311:3 2321:15 2328:10 2337:4 2338:8 2339:4 2346:16 2348:4 2350:4,8 2374:10 2382:24,25 2385:9 2390:5 counsel's 2116:9 2319:5 2320:2 count 2271:7 2282:24 2358:3 couple 2093:23 2160:10 2211:19 2249:21 2258:22 2355:22 course 2076:9,12 2077:12 2086:7,8 2116:15 2138:2 2147:7 2340:10,22 2346:21 court 2063:2 2067:13 2069:7 2070:4,24,25 2071:18,21 2081:25 2082:19 2087:22,23 2088:13 2091:23,23 2100:25 2108:2 2123:7,7,20,21,23 2123:24,25 2127:21 2131:5 2132:5 2133:10,18 2135:5 2136:11,21 2137:16 2137:18 2138:25 2143:3,7 2148:20 2150:22 2151:21 2163:7 2164:19 2166:2,7,15 2172:2 2172:15 2178:14 2180:24 2198:3,6,8 2198:9,11,24 2199:3 2211:10 2239:5,15 2242:16 2248:2 2250:22</p>	<p>2252:24 2253:8 2258:16 2262:6,12 2262:20,24 2263:21 2265:21 2266:4,14 2269:8,13,17,20 2270:18,23 2271:6 2271:11 2272:12 2273:9,14 2275:13 2275:14 2276:3,12 2277:15 2278:5 2279:2,4,9,11,18,21 2280:17 2281:16,17 2282:6,7,17,21 2283:3,18 2284:3,8 2284:13,16 2285:10 2285:19 2286:5,12 2289:10 2290:21 2291:17,23 2294:20 2295:2,4 2296:5 2299:7,20,25 2311:14,18 2312:14 2313:5 2316:15 2317:2 2318:25 2323:12,16 2328:23 2329:9 2330:7 2331:11 2340:2 2347:15 2386:9 2389:18 2394:14 2395:6 court's 2122:19,22 2123:19 2126:4 2128:8 2130:21 2132:13 2144:7 2147:9 2151:3,6 2154:24 2155:7 2159:2 2169:22 2178:18 2239:17 2270:10 2273:22 2275:4 2277:7 2346:6 2365:2 courthouse 2081:6 2085:25 2259:3,5 courtroom 2084:5 2085:7</p>
---	---	--	---

<p>cov.com 2064:12,13 cover 2099:12 2196:3 2391:19 covington 2064:9 create 2190:2 2191:12 2267:22 2268:16,18 created 2069:6 2070:3,23 2071:20 2099:12 2101:19 2187:10 2375:3,19 creating 2072:22 2230:16 2268:6 creation 2177:5 credible 2346:24 crew 2144:23 crime 2309:2 criminal 2081:23 2082:7 2116:25 crisobal 2391:3 critically 2071:22 criticism 2239:8,15 criticisms 2206:20 critique 2220:17 cross 2088:3,5 2089:24 2090:14,20 2095:5 crude 2139:18 2144:23 2147:2,5 2170:9 2340:23 crutcher 2063:17 2065:3,11 2067:9 crystal 2095:10 curious 2219:8 currently 2222:23 cwtierney 2232:18</p>	<p>damaging 2363:15 2363:21,25,25 dark 2106:2 data 2224:25 2226:6 2226:7,10,11,22 2227:7,25 2228:8 database 2229:25 2230:9,16 2247:13 date 2067:6 2098:10 2101:20 2133:3 2140:9 2150:6 2169:25 2170:15,24 2170:25 2171:21 2218:22 2220:12 2224:4 2229:19 2272:5 2309:14 2310:9 2317:24 2361:10 2391:14 2397:4 dated 2140:14 2142:14 2168:12 2172:4 2205:19 2218:9 2219:25 2225:20 2233:24 2234:13 2238:19 2241:11 2246:7 2249:14 2260:9 2263:5,21 2270:11 2286:3 2305:6,13 2372:2 2373:22 2391:24 2394:20 dates 2148:23 2244:18 day 2076:13 2077:12 2084:8 2088:21 2142:15,22 2160:13 2246:6 2271:15 2373:23 2377:17 2393:15 2396:17 2397:23 days 2109:15 2169:21 2172:25 2173:13 2196:4 2292:11 2390:4</p>	<p>db 2230:8,8 2234:15 de 2064:16 dead 2082:11 deadline 2271:22 deal 2068:22,23 2081:9 2088:24 2090:24 2105:24 2116:8 2156:25 2280:20 2332:9 2335:4,16 2354:19 2358:14 2360:19,21 2363:11 dealt 2380:24 december 2063:9 2067:6 2148:25 2241:11 2242:9,17 2243:6 2244:15 2280:25 2396:17 decide 2074:21 2270:25 decided 2167:21 2292:11 2310:24 2328:21 2339:15 deciding 2078:20 decision 2193:23 2333:9 2339:17,19 decisions 2079:5 deck 2111:12 declaration 2069:5 2069:6 2070:15,20 2070:23 2200:23 2201:11 2205:5 2206:14 2207:10 2208:2,9,23 2209:6 2211:7,10 2238:25 2239:22,22,23 2240:6 2312:10 2378:24 defendant 2204:23 2205:12 2210:19 defendant's 2273:5 defendants 2210:7 2240:3,17 2290:22 defense 2241:2,18 2241:22</p>	<p>defenses 2278:16 deference 2087:24 2087:25 deficient 2129:14 define 2218:24 2220:14 defining 2293:6 definitely 2196:13 degrees 2335:8 delaying 2143:16 deliver 2282:9 2326:18 delivered 2273:25 2275:14 delivering 2276:2 delivery 2326:12 denied 2295:17 2300:8 denies 2298:5 denver 2278:5 2313:12 2329:9 2374:21 2380:11 2383:2 deny 2151:17 2299:18,24 2300:5 denying 2285:11,20 2295:9 2298:21 2299:2,6 departs 2113:9 2155:14 2158:5 2331:25 deposed 2206:2 2217:5 deposition 2063:14 2067:8 2077:10 2081:17 2082:15,18 2087:10 2094:8 2138:5,11 2160:5 2160:14 2170:20 2171:8 2195:12 2211:17,22 2214:4 2214:9,25 2218:7 2225:17 2238:4,9 2297:5,11 2336:24 2360:13 2361:4,11</p>
d			
<p>d 2097:13 2195:4 2394:2 d.c. 2065:16 daleo 2307:9 damages 2136:4 2242:9 2252:18 2346:19 2347:2</p>			

<p>2393:4 2397:4 depositions 2084:3 2363:12 describe 2120:11 2127:10 described 2081:11 2281:23 2369:3 describes 2124:14 2127:9 2366:9 describing 2366:3 description 2199:21 2224:19 2275:22 2276:10 2391:17 2392:8 2394:7 2395:3 descriptive 2092:4 2131:11 designate 2127:20 designation 2287:22 designed 2082:4 2093:12 desimone 2063:18 2396:4,20 detail 2077:20 detailed 2160:18 2226:6 2369:4 details 2363:13 determinative 2140:22 2141:25 determine 2189:16 2189:21 2247:22 develop 2167:10 developed 2319:7 2320:3 2323:22 developing 2163:18 devil 2126:7,7 2128:13 diaries 2099:2 diary 2099:3,11 2110:16 diary.doc 2098:18 dick 2218:13 2224:2 difference 2080:15 2084:15,17 2288:18</p>	<p>differences 2379:20 different 2098:15 2100:4 2104:10 2155:21 2174:10 2288:6 2289:20,22 2295:22 2338:15 2339:2 2372:24 2382:11 difficult 2141:3 difficulty 2280:21 dir 2126:2,18 direct 2085:23 2086:9 2114:14 2122:17 2131:17 2144:19 2152:23,24 2153:3,8 2210:13 2234:10 2238:21 2289:23 2303:23 2319:7,21 2320:4 2332:5 2364:14 directed 2216:17,25 2360:7 directing 2320:7 direction 2165:21 directions 2395:12 directly 2096:2 2104:8 2121:11 2189:11,20,24 2208:12 2209:2,9 2253:7 dirimente 2126:20 2126:21 disagree 2317:21 disagreeing 2079:8 disburses 2080:24 disclose 2072:10 2202:17 2204:9 2289:17 2301:17,24 2340:15 2341:11 disclosed 2165:25 2166:6 2323:11 2340:23 2341:4 2347:8,13 2392:9 disclosure 2072:23 2137:4</p>	<p>disclosures 2166:10 2166:11 discovery 2387:19 discredit 2129:10 discrepancies 2127:22 discrete 2333:21 discretion 2188:11 discuss 2103:4,8 2136:11 2151:2,6 2158:18 2187:15 2207:15 2215:5 2230:25 2231:6 2242:22 2265:19 2299:17,22 2300:10 2337:24 discussed 2151:17 2159:15 2161:17 2187:20 2247:3 2248:6 2251:12 2282:2 2322:14,19 2366:15 2369:8 discussing 2136:14 2151:7 2206:12 2253:21 2317:2 discussion 2158:9 2158:12 2160:3 2167:15 2247:6,23 2252:2,13 2301:6 2327:23 2328:25 2331:24 2332:3 2338:7,12,23 2339:8,11 2369:4 discussions 2135:9 2135:15,19 2141:19 2142:3,5 2187:18 2214:24 2244:10 2262:10 2272:9 2301:13,15 2338:13 2338:24 2370:4,7 2374:9 disk 2091:24 2092:2 2138:5,10 2171:8 2238:3,9 2297:5,10 2336:23 2393:3</p>	<p>dismantle 2375:8 2377:10 dismantles 2373:4 disobeyed 2068:7 disposal 2265:6 disprove 2330:8 dispute 2201:7 2376:7 disputes 2124:2 disputing 2376:2 dissect 2094:25 distance 2223:4,15 2334:10 distribution 2351:24 district 2063:2,3 2067:13,13 2084:6 2086:2 2200:19,25 2205:7 2211:11 2238:15 2239:6 2277:15,15 2278:5 2279:17 2314:15 2329:9 disturbed 2384:23 disturbing 2307:3 2359:6 2361:16 2364:9 2366:5 diverting 2095:12 doctor 2254:22 document 2072:22 2092:15 2098:14 2100:11 2106:21 2125:5 2130:6 2139:7 2142:7 2160:8 2166:24 2169:10 2171:23 2182:8 2183:19 2186:18 2192:2,6 2192:24 2198:7,18 2200:7 2216:4 2218:5,8,15,21 2219:9 2225:16 2228:13 2231:20 2234:5 2238:13 2241:11 2242:6</p>
---	--	--	---

2249:25 2254:6 2260:9 2264:9 2271:12 2272:12,20 2280:3 2286:2,3 2296:4,6 2298:15 2304:24 2305:15 2306:21 2309:10 2311:13 2312:17 2322:17,18,24 2327:16 2333:21,23 2335:5 2342:5,22 2344:7 2350:15 2351:9,22 2357:25 2372:2 2373:12,15 2373:20 2375:2 2380:17 2382:21 2385:11,19 2390:22 2391:18 2394:13 2395:5,7 documentation 2272:23 2273:4 documents 2098:15 2098:17 2099:4 2100:5 2101:19 2198:2 2215:12,14 2250:9 2272:20 2273:2,9 2275:6,12 2276:14 2312:5 2321:16 2322:20 2326:13,18 2330:10 2331:4 2333:12 2335:12,14 2341:3 2351:15 2352:18 2379:20 2380:7 doing 2092:5 2093:8 2117:6 2126:5 2128:21 2187:6 2198:19 2206:19 2208:19 2209:13,15 2236:13,14 2302:25 2315:6 2316:21 2335:12 dollars 2106:25,25 2107:6	donz 2099:5,5,6,7,8 2099:8,23 2105:20 2110:20 2119:22 2124:24 2125:3 2132:18 2150:3 2186:6 2195:18 2205:21 2304:25 2358:19 2372:4 donz00024274 2394:15 donz00031368 2395:4 donz00037672 2395:7 donz00038727 2394:10 donz00039696 2394:15 donziger 2063:15 2065:21 2067:15 2068:1 2069:1 2070:1 2071:1 2072:1 2073:1 2074:1,3 2075:1 2076:1 2077:1 2078:1 2079:1 2080:1,20,22,25 2081:1,3 2082:1 2083:1 2084:1 2085:1 2086:1 2087:1 2088:1 2089:1 2090:1 2091:1 2092:1 2093:1 2094:1 2095:1 2096:1 2097:1,18 2098:1 2098:10,16,18,25 2099:1 2100:1,16 2101:1 2102:1 2103:1 2104:1 2105:1 2106:1 2107:1 2108:1 2109:1 2110:1 2111:1 2112:1 2113:1 2114:1	2115:1 2116:1 2117:1 2118:1,10 2119:1 2120:1 2121:1 2122:1 2123:1 2124:1 2125:1 2126:1 2127:1 2128:1 2129:1 2130:1 2131:1 2132:1 2133:1 2134:1 2135:1 2136:1 2137:1 2138:1,6,11 2138:13 2139:1 2140:1,4,16 2141:1 2142:1,9,12 2143:1 2144:1 2145:1 2146:1 2147:1 2148:1 2149:1 2150:1 2151:1 2152:1 2153:1 2154:1 2155:1 2156:1 2157:1 2158:1 2159:1 2160:1,5,21 2161:1 2162:1 2163:1,9 2164:1 2165:1 2166:1 2167:1,5 2168:1,13,18 2169:1,16 2170:1 2171:1,9 2172:1,8 2173:1 2174:1 2175:1 2176:1 2177:1 2178:1 2179:1,18 2180:1 2181:1 2182:1,16 2183:1 2184:1 2185:1,21 2186:1 2187:1 2188:1 2189:1 2190:1 2191:1 2192:1 2193:1 2194:1 2195:1,9,21 2196:1 2197:1,13 2198:1 2199:1,21 2200:1 2200:15 2201:1	2202:1 2203:1 2204:1 2205:1,19 2206:1,7 2207:1 2208:1 2209:1 2210:1 2211:1 2212:1 2213:1 2214:1 2215:1 2216:1 2217:1 2218:1,9 2219:1 2220:1 2221:1 2222:1 2223:1 2224:1 2225:1,22 2226:1 2227:1,17 2228:1 2229:1 2230:1 2231:1 2232:1,2,16 2233:1 2234:1,7 2235:1 2236:1 2237:1 2238:1,5,10,12 2239:1 2240:1 2241:1,24 2242:1 2243:1 2244:1 2245:1 2246:1 2247:1 2248:1 2249:1 2250:1,3 2251:1 2252:1 2253:1 2254:1 2255:1 2256:1 2257:1 2258:1 2259:1 2260:1,16 2261:1 2262:1 2263:1 2264:1 2265:1 2266:1 2267:1 2268:1 2269:1 2270:1,17 2271:1 2272:1 2273:1 2274:1 2275:1 2276:1 2277:1,21 2278:1 2279:1 2280:1 2281:1 2282:1 2283:1 2284:1 2285:1,8,17 2286:1 2286:7 2287:1,15 2288:1 2289:1
--	---	--	--

2290:1 2291:1 2292:1 2293:1,12 2294:1,16 2295:1 2296:1 2297:1,6,11 2297:14 2298:1 2299:1 2300:1 2301:1 2302:1 2303:1 2304:1,13 2305:1 2306:1 2307:1,6 2308:1 2309:1 2310:1 2311:1,23 2312:1 2313:1 2314:1 2315:1,16 2316:1 2317:1 2318:1,3 2319:1 2320:1 2321:1 2322:1 2323:1 2324:1 2325:1 2326:1 2327:1 2328:1 2329:1 2330:1,20 2331:1 2332:1 2333:1 2334:1 2335:1 2336:1,24 2337:1 2338:1 2339:1 2340:1,13 2341:1 2342:1,24 2343:1 2344:1 2345:1 2346:1 2347:1 2348:1 2349:1 2350:1 2351:1,6,10 2352:1 2353:1,2 2354:1 2355:1 2356:1 2357:1 2358:1,16 2359:1 2360:1 2361:1 2362:1 2363:1 2364:1 2365:1 2366:1 2367:1 2368:1 2369:1 2370:1 2371:1 2372:1,7,19 2373:1 2374:1 2375:1 2376:1 2377:1 2378:1	2379:1 2380:1 2381:1 2382:1 2383:1 2384:1 2385:1,17 2386:1 2387:1 2388:1 2389:1 2390:1 2391:1,7 2392:1 2393:1,5,11 2394:4 2394:8 2397:4,21 donziger's 2079:9 double 2197:18 doubts 2111:2 2112:19,21,25 2113:4 doug 2225:17,19 2233:22 2236:4,13 2237:14 2242:8,22 dozen 2084:7 dr 2070:19 2229:11 2254:11 2258:4 draft 2129:6,16,19 2165:2 2166:3,8,13 2166:25 2173:20 2176:24 2181:3 2190:3,25 2191:7,9 2191:13,24 2193:7 2201:23 2247:4,7 2247:17 2248:5 2252:11 2253:6 2260:20,24 2267:13 2267:13,23 2268:18 2268:19 2277:24 2283:9,17,24 2318:6 2323:3 2326:11 2348:5 2349:21 2373:13 2375:16,19 2376:4 2376:20 drafted 2164:15,23 2165:5,10,14 2166:19,20 2174:23 2175:8 2182:23 2193:4 2197:23 2198:14 2199:4 2201:22 2202:18	2252:14,19 2261:20 2342:10,15 2347:14 2348:15 2372:10 2378:2,6 drafting 2176:21 2180:15 2233:11 2246:23 2248:17 2249:5,7 2258:20 2260:5 2264:23 2294:18 2302:5 2365:17 drafts 2351:22 2352:21 draftsperson 2342:13 drew 2329:17 2337:23 drilling 2272:21 drive 2065:11 dropped 2320:25 2321:8 dropping 2321:15 due 2272:6 2361:16 duke 2120:23 duly 2097:14 2396:8 dunn 2063:16 2065:3,11 2067:9 2388:9 duplicates 2174:8 duplication 2099:13 duties 2172:24 2271:9	2199:18 2205:18 2206:8,8,13 2218:11,24 2220:14 2221:19 2222:12 2223:19,22 2224:13 2224:20 2225:18 2231:17 2232:11 2233:22 2234:13,18 2236:3 2237:9,10 2305:6,8,13,22 2306:4,6,8,12,13,17 2308:2,4 2309:5,9 2309:11 2315:25 2316:6,16,22,25 2317:3 2318:4,11 2318:17,18 2320:13 2320:21 2321:2,8 2322:7,10,13,19 2329:4 2334:8,12 2334:15 2339:8 2343:18 2350:16,20 2385:20 2394:2,6 2395:2 ear 2071:14 earlier 2070:11 2071:12 2072:6 2089:19 2099:2 2160:13 2239:2 2340:13 2376:7 2384:20 early 2167:9 2220:16 2360:23 easily 2334:19 eaten 2106:3 echeverria 2133:24 2150:15 economic 2346:18 economou 2316:8,9 ecuador 2065:16 2076:24 2103:5,9 2103:14,20,25 2104:7,14 2120:18 2122:4 2134:19 2138:25 2160:22 2167:4,12 2186:23
		e	
		e 2064:2,2 2065:2,2 2065:12 2066:2,2 2090:16 2095:15 2097:13,13,13 2139:9,20 2140:5,6 2140:13,19 2141:12 2142:8,14 2165:16 2168:11,22 2169:20 2173:16 2175:12 2195:2,2,4,4,4,15,17 2195:22 2196:2	

<p>2196:10,17 2200:3 2200:18,24 2202:5 2202:22 2207:3,12 2207:25 2211:6 2218:11,21 2220:11 2221:13,14 2228:20 2232:9,22 2236:13 2238:16 2240:10,15 2270:6 2283:15 2284:4 2295:7 2306:5 2309:15 2317:3 2319:6 2320:3 2323:4,10 2323:16 2329:22 2331:11 2356:11 2366:25 2367:17 2371:11 2372:19 2379:12 2390:8,12 2390:18,19,24 2391:19,24 2392:9 2392:13 2395:9 ecuadorian 2064:5 2078:19 2096:19,22 2123:11,16 2161:15 2162:15,21 2163:6 2166:2,7,15 2245:19 2253:8 2257:4 2270:18,23 2271:11 2276:4 2277:13 2278:4 2280:17 2282:7 2286:12 2290:21 2291:23 2294:20 2295:2,16 2299:7 2299:20,25 2300:11 2317:5 2318:10,24 2323:12 2328:22 2340:2 2347:15 2350:8 2363:4 2378:17 2380:21 2381:4,10,16 2383:5,7 2386:7 2387:22,24 2388:7 2394:24</p>	<p>edits 2201:23 educed 2357:2 edward 2307:13 effect 2082:25 efficient 2274:22 effigy 2081:5 effort 2226:7 2324:7 efforts 2177:18 2330:4 2331:9,19 2388:6,14 eighth 2064:10 either 2072:16 2075:15 2131:8 2208:6 2217:18 2245:22 2285:16 2342:18 2370:11 2371:21,23 2374:6 2381:12 2387:21 electronically 2350:11 elements 2189:16,21 elicit 2092:19 elicited 2157:6 eliminate 2133:22 2138:21 2150:13 eliminated 2133:13 2139:3 2150:12 eliminating 2099:13 else's 2083:8 embarrassing 2363:16,22 2364:2 emery 2278:3,10 2280:7 2342:18 employed 2289:7 2324:19,21 employee 2227:23 employment 2120:16 enabling 2096:7 encouraged 2387:10 2387:12 encourages 2086:20 endeavor 2213:14 ended 2130:10,13 2130:13,18</p>	<p>enforceability 2356:7,24 engineer 2102:12 engineers 2103:14 2103:20 english 2163:5 2164:15,18 2168:15 2171:25 2175:3 2197:6,14 2229:7,8 2229:9,10,11 2255:4,4,16,23 2264:3 2270:4 2296:15 2297:20 2339:22,23 2342:16 2394:14 enjoyed 2344:21 enrichment 2261:10 enter 2104:25 2207:20 2356:2 entertained 2130:20 entire 2076:13 2077:13 2267:25 2283:5 2305:8 entirety 2341:16 entitled 2073:13 2079:4 2086:8 2087:24 2108:20 2166:25 2173:16 2174:16 2188:8,20 2192:24 2218:10 2229:20 2249:15 2260:10 2290:19 2372:3 2390:22 2394:13 2395:5,7 entries 2099:12,14 2101:21 2180:14 entry 2101:15,25 2106:9,14 2110:22 2111:5 2113:15,16 2119:21 2125:8,22 2126:23 2150:6 2156:21 2176:7,15 2176:20 2177:4 2179:5 2180:22 2181:2 2187:22</p>	<p>2188:19 2189:25 2232:8 2391:10 2392:5 environmental 2239:19 2254:24 2272:22,24 2273:3 2273:4 2346:18 eric 2208:6 2307:9 2327:5,9 2378:25 errata 2397:2 especially 2087:12 2329:13 esq 2064:6,11,12,18 2064:19 2065:5,6,7 2065:8,12,17,22 2066:5,6 essence 2161:10 essentially 2092:9 2092:12 2341:15 establish 2170:12,14 established 2373:15 estimate 2106:20 2107:8 2147:19 2213:2 2245:13 2299:12 2371:13 evaluation 2172:20 evasive 2092:20 evening 2391:6 event 2073:17 2082:12 2085:22 2098:3 2100:19 2102:3,5,8 2113:12 2119:20 2149:10 2241:5 events 2146:17 2359:6 everybody 2336:5 evidence 2081:2 2082:5 evidentiary 2172:21 ex 2312:20 exact 2147:18 2165:7 2212:25 exactly 2108:6 2116:20 2159:5</p>
--	--	---	---

2182:3 2245:12 2253:20 2266:16 2322:9 2335:16 2350:6 2383:25 examination 2088:3 2088:5 2089:24 2090:20 2094:12 2095:5 2097:16 2168:15 2173:17,22 2174:3,4,17,25 2175:11,15,19 2182:20 2184:4,14 2186:8,12 2192:25 2195:7 2291:2 2292:7,9 2394:3 examine 2090:14 examiner 2083:25 2086:22 examining 2182:9 example 2079:6 2084:25 2085:3 2088:13,20 2093:2 2093:13 2278:13 2334:20 2341:11 2376:2 examples 2068:14 2072:3 2073:23 exception 2083:4 excerpts 2099:4 2394:8 exchange 2140:14 2142:8,14 2205:18 2212:8 2231:17 2233:22 2343:18 exclusion 2261:16 excuse 2093:6 2112:10 2113:6 2121:20 2179:15 2214:7 2215:10 2216:3 2227:11 2258:21 2280:19 2320:14 2322:3 2338:20 executed 2201:17 2381:20	executive 2349:17 exhibit 2080:23 2098:8,14,20,23 2099:17 2101:6,20 2105:19 2106:15 2108:18 2110:21 2119:21 2124:24 2131:10,25 2132:17 2138:14 2139:8,18 2140:18 2142:7,11 2142:20 2143:13 2147:23 2149:5 2150:2 2159:15,21 2159:25 2160:11,20 2161:9 2162:5,24 2163:4,8 2166:25 2167:6,14 2168:11 2168:16,19 2169:17 2171:24 2172:5,9 2173:10 2174:7,16 2182:16 2183:3,12 2186:6 2187:3,9,13 2187:16 2188:19 2192:8,23 2194:3 2195:15,19,21 2196:25 2197:14,17 2199:10 2200:8 2201:16 2204:11,15 2205:18,23 2206:7 2206:8 2218:6,9,18 2219:18,22 2220:11 2221:13 2222:22 2225:17,21 2228:12 2228:15 2229:16 2231:16 2232:10,12 2232:16 2233:2,5 2233:21 2234:3,7 2236:3 2240:8 2241:10,14,25 2242:14 2249:13,17 2249:23 2250:2,13 2252:4 2260:9,13 2260:15 2263:20,23 2263:25 2269:11 2270:3,7,10,14,16	2273:23 2274:4,9 2274:14,16 2276:18 2277:11,17,21 2282:24 2286:2,6 2286:11 2287:10,15 2290:4 2294:19 2295:22 2296:14,18 2297:13 2298:16 2304:25 2305:3,5 2306:23 2312:15 2315:17 2318:3,18 2320:20 2323:24 2329:8 2337:22 2338:9 2339:25 2340:3 2342:7,13 2342:24 2343:5,6,8 2343:10,19 2344:11 2344:19,19 2347:8 2347:13,17 2350:18 2357:25 2358:15,19 2359:4 2360:12 2363:9 2366:3 2372:2,5,8,14 2378:11 2382:21 2385:12,18,21 2389:24 2390:22 2391:4,9 2394:7,8,9 2394:10,13,15,15,16 2394:17,18,18,19,20 2394:21,22,22 2395:3,4,4,5,7,7 exhibits 2197:5 2215:13 2294:22 2295:25 exists 2263:17 2292:11 2392:2 expand 2096:4 expect 2104:22 expectation 2213:8 2213:9 expected 2119:12 2143:9 2144:6 2216:18 expedite 2135:23	expenses 2196:3 2369:11 experience 2087:10 2204:19 2256:9 expert 2122:19,23 2123:4 2124:5,11 2127:20 2129:20 2130:22 2132:5,9 2133:10 2135:6,12 2135:18 2136:4,10 2136:20 2137:7,12 2137:20 2141:22 2143:4 2144:8 2147:9 2148:19 2149:14,19,23 2150:21 2151:3,7 2151:19,21 2154:24 2155:8 2159:2 2168:14 2169:22 2172:4,19,20 2173:7,14,16,22 2174:3,17,24 2175:11,15,19 2178:18 2179:13 2180:20 2182:19 2184:3,14 2185:13 2186:8,12 2189:3,8 2190:16,16 2191:8 2191:13,16,19 2192:16,25 2202:25 2211:13 2219:4 2221:10 2235:24 2236:23 2239:15,17 2242:16 2246:24 2247:5 2248:5 2260:5 2261:25 2265:20,23 2271:14 2271:23 2272:17 2274:21 2275:7 2276:3 2282:19,21 2283:4 2287:23 2291:2 2292:7,9 2295:18 2297:24 2309:15 2319:2,6 2320:2 2323:5
---	--	--	--

<p>2331:16 2346:7 2360:14 2361:17 2364:23 2365:3,18 expert's 2128:25 2129:11 2264:16 2265:15 2268:23 2284:22 expertise 2103:19 2104:24 experts 2123:7,10 2123:11,19,20,21,22 2123:24 2124:8,19 2126:25 2127:4,5,7 2127:11,17,18,21 2128:10 2132:14 2133:18 2138:24 2149:24 2150:22 2289:8 expires 2397:25 explain 2115:4 2139:17 2306:3 2338:19 explained 2111:2 explaining 2329:15 explanation 2083:20 2083:24 2236:6 express 2365:24 expressed 2095:17 extension 2271:15 2271:22 extensions 2272:2,5 extensive 2156:12 2369:4 extent 2086:13 2223:5,16 2325:4 2333:17 2335:13 extra 2174:14</p>	<p>2128:17 2140:11 2143:22 2151:8,19 2156:10 2168:2 2208:16 2213:10 2260:24 2282:18 2291:6 2302:12 2310:24 2321:13 2326:22 2336:5 2346:17,23 2376:24 2388:5,14 facts 2301:24 2302:16,17 2323:15 2330:2 2340:15 2355:25 2357:2 2361:16 2363:14 2367:3 2373:4 2375:8 2382:16 2383:12,17,20,22,25 2384:4,9,24 factual 2389:2 failure 2337:9 faintest 2090:5 fair 2352:8 fairness 2351:23 2352:20 faith 2379:19,22,24 2380:12 2388:9 fajardo 2078:19 2146:2,14,25 2152:19,21 2153:3 2168:13 2173:15,19 2174:2 2181:24 2185:8 2186:14 2228:20 2232:12 2244:7 2245:7,23 2255:10 2257:18,21 2274:16 2275:2,25 2282:16 2284:6,8 2297:18 2298:4 2299:2,5,17,22 2354:3,5 2358:21 2359:3 2367:16 2368:6,22 2370:11 2370:14,19,25 2371:9,17 2394:21</p>	<p>2395:4 fajardo's 2175:12 fall 2278:18 false 2286:20 2288:4 2288:8,10,16 2291:22 2292:18 familiar 2197:25 2313:11 2391:23 far 2082:8 2241:23 2291:25 2324:8 fashion 2116:11 fast 2249:2 fausto 2102:21 2186:13 fax 2142:21,24 2143:2,14 2170:8 2170:17 fda 2260:22 2261:2 2261:4 february 2125:8,10 2125:23 2126:23 2133:3 2140:14,20 2141:14 2150:7,8 2150:19 2172:16 2195:15,23 2229:20 2230:15 2270:5 2273:24 2275:21 2282:16 2300:4 2301:19 2302:4 2327:11 2353:15 2364:25 2381:7 federal 2085:25 2329:9 fee 2196:3 2356:3 2388:22 2389:4 feel 2074:18 2079:16 2087:24 2105:25 2140:23 2355:23 2357:4 feeling 2113:2 2126:9 felt 2096:3 2108:12 2129:13 2271:8 2299:23 2356:5,18 2356:25</p>	<p>fences 2261:16 fernando 2098:4 2102:7 2103:2,4,17 2109:21,25 2110:16 2111:15 2112:16,22 2118:11 2121:18 2122:14,17 2128:23 2129:5,18 2130:15 2130:19,21 2132:3 2132:7 2134:8,15 2135:4 field 2154:12 2176:21,25 2177:20 2188:20 2189:12 2202:13,23 fields 2188:11 fieldwork 2130:9 2161:11,14,18 2167:15 2176:8 2179:6,13 2187:23 2188:9 2225:3 2292:21 2293:24 fifth 2176:15 fight 2143:18 2313:17 figure 2332:10 figured 2310:7 file 2198:3,8 2271:23 2272:20 2348:13,14,23,23 filed 2163:6,13 2164:19 2199:6 2205:6 2208:9,23 2209:6 2216:5 2228:4 2238:14 2240:9 2262:5,11 2264:2,24 2269:20 2271:12 2272:12 2273:25 2277:14 2282:18 2285:10,19 2286:4 2294:19 2296:15 2297:16 2298:11,16,17 2302:3 2306:11 2310:4 2311:18</p>
f			
<p>f 2173:23 2181:24 2184:16 2185:8 2195:2 2280:5 fact 2073:2 2076:23 2084:14 2093:9 2104:8 2109:7</p>			

<p>2312:9,13,16,19 2314:13,19 2318:14 2318:23 2321:23 2323:20 2329:8,21 2344:6 2347:15 2348:6 2354:15 files 2226:2,5 filing 2178:14 2262:12 2270:3 2275:21 2276:22,24 2277:3 2281:15 2287:11 2306:5 2308:20 2317:5 2318:10 2323:3,8,9 2323:11,14 2328:22 2331:15 2347:7,12 2347:18 2349:10 filings 2295:4 2317:23 fill 2306:10 2318:12 film 2142:25 2144:11,16,23 2145:10,11,16 2146:16 2147:2,5 2340:23 filmmakers 2139:19 2170:9,19 2341:4 final 2087:5 2192:24 2222:25 2277:24 2318:5 2339:17 finalize 2196:5,21 finally 2236:5 financial 2218:10 financing 2369:10 find 2070:2 2079:4 2087:3 2088:25 2132:7 2134:18 2155:18 2170:20 2173:20 2239:10 2255:21 2312:7 2334:2 2361:14 2364:8 finding 2085:4 2346:24</p>	<p>findings 2343:14 2346:13,17,22 fine 2156:23 2159:20 2197:12 2296:9 2301:23 2308:8,8 2334:23 2336:5 finish 2076:7 2296:23 finished 2089:2,8 2248:22 2306:22 finishes 2089:20 firm 2214:13 2280:7 2342:19,19 2357:5 2359:18,21 2360:4 2360:16,19,25 2361:9 2369:6,14 2369:17 2374:15,16 2374:19,20 2380:20 2380:25 2381:3,8 2381:16,21,25 2384:18,19 2385:6 2388:18,20,24 2389:3,25 firms 2353:3,7,7,9 2363:11 2384:7 first 2070:13,13 2071:15 2074:3 2085:15 2088:19 2100:24 2102:15,17 2102:23,24,25 2106:2 2119:10 2133:22 2138:22 2148:3,9,13 2150:14 2153:22 2154:9 2160:25 2173:20 2183:24 2190:2,25 2191:13 2195:25 2206:16 2214:9 2218:22 2220:12 2224:11 2231:23 2232:2 2234:12 2236:2 2242:13 2254:10,10 2267:13,22 2268:17</p>	<p>2268:19 2270:16 2283:9,17 2292:11 2302:2 2305:22,23 2308:2,4 2309:11 2311:12 2317:3 2323:10 2333:24 2334:2 2344:9,18 2350:16 2353:13 2360:12 2364:12,17 2367:15 2377:13 2379:9 2381:4 five 2076:22 2095:2 2133:22 2138:22,23 2139:3 2150:14 2172:24 2226:7,10 2226:22 2297:10 2336:8 2371:15 flaw.com 2065:22 flaring 2261:14 flat 2114:13 floating 2140:23 floor 2064:4 florida 2064:17 flow 2075:23 2094:11 2219:7 2220:9 flying 2133:5 focus 2160:10 2224:12 2299:13 2302:2 focused 2081:17,20 folder 2226:3,3,9 folks 2310:13 2313:18 follow 2074:8 followed 2339:8 2389:11 following 2069:4 2082:23 2099:4 2204:20 2258:18 2273:22 2305:17 2327:23 2359:10 follows 2097:15 footnote 2238:24 2239:4,11,13</p>	<p>2312:20 force 2241:23 2332:21 2335:21 foreign 2082:5,6,6 forgot 2316:12 forgotten 2325:20 form 2076:12 2082:13 2083:16,18 2084:2,7,12 2085:9 2085:20,24 2091:2 2101:20 2151:11,23 2155:10 2157:8 2158:14 2204:4 2208:14 2241:20 2248:20 2249:9 2253:6 2285:14 2288:12 2293:4,16 2301:21 2303:16,19 2324:2,14 2328:7 2328:13 2333:18 2345:9 2347:23 2348:17 2355:2 2357:13 2363:6 2367:21 2374:3 2382:7,18 formal 2100:20 2251:22 formally 2262:19 formed 2080:9,10 2080:16 2081:8 former 2360:14 formulation 2115:18 forth 2131:4 2237:21 2251:9 2396:8 fortitude 2134:19 forward 2097:3 2244:14 2305:12 2369:6 found 2084:22 2100:15 2129:21 2134:8,15 2135:3 2137:5 2239:11,12 2271:4 2333:24</p>
---	--	--	--

2361:3 2366:4 foundation 2120:18 2120:20 2131:14 founded 2274:23 four 2095:2 2169:21 2238:9 2276:5 2288:6 2297:5 2371:15 fourth 2183:9,11 2344:15 frame 2141:6 2152:15 2243:25 fraud 2309:2 2330:7 freaks 2133:23 2138:23 2150:15 free 2346:21 freidman 2065:20 frente 2080:9,16,18 2080:19 2111:19,21 2113:23,23 2122:8 2122:11,12 frequency 2094:9 fresh 2076:8 friday 2138:19 friend 2120:10 2134:9 friends 2173:19 front 2069:14 2173:11 2297:14 2315:17 2319:13 2335:6 2343:2 frustrating 2126:9 ftp 2226:2 fulfill 2250:21 2271:9 full 2218:20 fully 2095:19 2288:23 2290:14 2301:17 funds 2388:17 further 2083:19 2097:15 2158:9,12 2194:3 2277:12 2304:8 2311:7 2314:2 2383:18	2392:4 2394:23 2396:12 <p style="text-align: center;">g</p> g 2097:13 2195:4 gain 2081:16 gamboa 2257:4 game 2085:13 garro 2069:2,6 2070:16,19 garro's 2072:11 gas 2261:14 gather 2233:7 2302:15 gathered 2386:3,22 2387:7 gathering 2388:5,14 general 2108:9 2120:10 2252:13 2253:11 2273:2 2282:12 2295:11 2302:10 2303:4 2364:19 2366:16 generally 2087:3 2135:22 2198:4 2227:4 2244:6 2295:4 2326:23 2327:3 generated 2226:8 gentle 2077:17 gentleman 2354:20 gentlemen 2310:21 geographers 2176:8 geological 2103:14 german 2136:5,7 getting 2070:19 2077:9 2078:8,10 2132:4 gf 2110:16,25 2112:13 2115:10,11 gibson 2063:16 2065:3,11 2067:9 2388:9 gibsondunn.com 2065:5,6,7,8,13	gis 2226:5 gitter 2066:5 2096:14 2115:8 2137:23 2155:17 2215:20 2300:20 2307:22 2332:16 2336:25 2351:25 give 2072:2 2089:16 2097:24 2118:3 2145:9 2147:19 2218:4 2233:15 2332:23 2335:4 2351:20 2352:17 2355:11 given 2090:12 2092:10 2099:12 2114:13 2121:15 2137:19 2145:19 2165:5 2247:8 2252:19 2271:3 2279:10 2310:24 2318:25 2350:3 2364:22 2372:20 2378:5 2382:14 2383:12 2396:10 global 2124:4 2130:22 2133:10 2135:18 2136:4,10 2141:22 2143:4 2144:8 2147:9 2149:19,23 2150:21 2151:3,6,19 2154:24 2155:7 2159:2 2161:19 2162:2,25 2163:14 2167:3,11 2169:22 2172:3 2173:7,14 2174:4,17,24 2175:11,14,19 2178:18 2179:11,13 2180:19 2185:13 2186:8,12 2187:18 2190:3,16,16 2191:7,13 2192:25 2196:5,9,22	2202:25 2211:13 2218:25 2219:3 2220:15,20 2221:6 2221:7,8,21 2222:2 2222:25 2224:15 2225:4 2227:9 2235:24 2236:23 2246:24 2247:4 2248:5 2252:6,10 2252:16 2253:22 2260:5,21,25 2261:20,25 2303:2 2303:2 2335:3 2337:10 2341:14 2349:22 2365:17 2377:23 2378:3 go 2068:3 2072:4 2073:25 2078:3 2079:16 2080:7 2088:19 2089:5 2093:25 2100:24,24 2107:20 2117:10 2122:5 2131:15,18 2131:21,22 2134:6 2139:13 2142:21 2151:16 2158:7 2179:16 2180:12 2181:9 2182:7 2185:20 2189:25 2192:22 2196:12 2197:18 2239:12 2241:8 2244:14 2259:25 2260:2 2269:6 2285:6 2290:16 2294:15 2296:20,25 2301:4 2303:20 2304:10 2305:12 2311:6 2315:11 2318:2 2324:4 2327:19 2336:13 2337:14 2342:20 2358:13 2377:19 2385:3 goals 2331:15
---	--	---	--

<p>goes 2073:16 2209:23 2239:25 2265:2,6 2272:11 2275:2 2281:15 2282:6,7 2291:14 2292:3 2306:8 2321:25 2326:10 2329:24 2331:6 2335:13 2360:11,22 2361:13 2364:3 2366:23 2387:16 2388:4 2389:15 going 2067:3 2068:11,12 2072:2 2073:12 2074:5,8 2076:18 2077:5 2078:3 2079:15 2082:18,22,22,23 2083:2 2089:9 2090:6,8,20 2091:24 2093:7,15 2093:17,19 2095:17 2097:3,10 2098:7 2098:13 2113:7,12 2114:15 2115:24 2116:4,5 2117:9 2118:3 2121:6 2139:6 2149:22 2150:20 2155:12 2158:3,6,9 2159:21 2160:9 2166:23 2168:10 2171:22 2174:11 2175:14 2176:12 2179:23 2182:6 2185:24 2187:3 2192:4 2195:5,14 2196:25 2200:6 2202:13 2205:6,17 2213:5 2213:10 2217:18 2218:4 2222:16 2225:15 2228:11 2231:16 2233:15 2235:10 2236:12 2237:4 2238:12,21</p>	<p>2241:10 2253:25 2256:2,25 2260:8 2263:19 2267:2,13 2268:16 2270:2,9 2271:2 2277:10 2282:17 2284:9,11 2285:25 2287:9 2293:8 2296:13,23 2297:8 2299:18 2300:18 2303:21,22 2304:23 2308:10 2314:2 2319:10,21 2321:17 2322:22 2332:11 2336:21 2343:21 2350:22 2357:24 2369:6 2371:25 2377:9 2378:4 2385:14 2390:21 gomez 2181:20 2232:5 2233:17,18 good 2067:2,17 2085:3 2090:21 2097:18,19 2134:9 2145:15 2194:5 2195:9,10 2197:11 2229:10 2237:24 2280:20 2337:13 2388:9 governmental 2081:22 granted 2271:15 gratitude 2095:17 great 2077:20 2081:8 2087:24 2088:24 2116:8 2332:9 2335:4 grieve 2064:18 gross 2307:3 grounds 2073:3 groundwater 2226:17 group 2324:7 grows 2391:6</p>	<p>guapulo 2259:14 guaranteed 2276:7 guess 2213:17 2236:19 gustavo 2100:19 2101:11 2102:10 2103:8,17 2105:25 2106:13 2110:15 2111:15 2112:15,22 2118:10 2121:18 2122:14,18 2125:11 2125:25 2126:15,15 2128:23 2129:5,18 2130:20 guy 2253:14 guys 2140:23 guzman 2394:22 gw 2226:5,7,9,10,16 2226:22</p> <hr/> <p style="text-align: center;">h</p> <hr/> <p>h 2394:6 2395:2 h5 2316:4,10 2321:2 2321:7 h5.com 2316:7 half 2180:14 2358:13 2385:21 halfway 2172:11 2239:13 hand 2085:14,16 2121:25 2166:23 2171:22 2196:25 2200:6 2225:15 2238:12 2243:15 2249:2 2285:25 2287:9 2357:24 2396:17 handed 2165:16 2341:10 handful 2371:15 handle 2360:17 hands 2086:12 2087:4 2338:15 2339:3</p>	<p>handwriting 2230:7 2231:22 2233:2,4 2242:4 2250:11 2372:14 2378:11 2379:8,10,16 handwritten 2159:22 2228:13 2241:10 2249:14 2373:17 happen 2143:19 2367:19 happened 2070:13 2084:8 2093:9 2112:3 2114:7 2267:10,11 2302:8 2315:6 2324:24 2326:5 2361:15 2368:24 happening 2140:22 2141:25 2302:14 happens 2090:21 2156:8 happy 2313:14 hard 2294:12 2350:9 harkening 2073:2 harm 2296:11 hartford 2064:5 haste 2284:20 havoc 2230:24 2231:5,11 head 2120:18 2293:20 2294:3,13 2332:20 heading 2186:7 2257:12 2260:18 2297:21 2343:11 hear 2156:4 2303:25 2315:23 2319:23 2324:5 2345:17 heard 2071:21 2114:24 hearing 2350:13 heart 2097:3</p>
--	--	---	---

<p>heavily 2081:17</p> <p>held 2063:16 2067:8 2082:17 2244:25 2259:8</p> <p>help 2131:21,22 2258:7 2331:10 2378:23</p> <p>helped 2325:22</p> <p>helpful 2167:25</p> <p>helping 2291:18</p> <p>hendricks 2065:5 2100:3</p> <p>hereunto 2396:16</p> <p>herewith 2282:20</p> <p>hesitancy 2332:16</p> <p>highlighted 2296:7</p> <p>highlighting 2296:3 2296:10</p> <p>highly 2085:18 2141:4 2311:3 2363:16,21</p> <p>hire 2176:15 2360:18 2381:15</p> <p>hired 2355:8 2356:16 2360:16,21 2363:11 2374:21 2381:4,9 2383:2,4,7</p> <p>hiring 2176:17 2354:7,10</p> <p>hits 2085:15</p> <p>hold 2074:7 2075:11 2083:2 2086:24 2093:18,19 2139:10 2151:15 2155:11 2185:18 2259:17</p> <p>home 2133:5 2358:14</p> <p>hone 2159:13</p> <p>honest 2206:19</p> <p>honesty 2287:25</p> <p>honor 2077:9 2287:19 2289:11 2297:25</p> <p>honor's 2274:17</p>	<p>hope 2087:25 2095:19 2099:15</p> <p>hoped 2247:9 2364:23</p> <p>horzac 2217:12</p> <p>hosting 2246:15</p> <p>hotel 2154:16</p> <p>hour 2358:13</p> <p>hours 2245:14 2358:4,10</p> <p>house 2259:22,25</p> <p>huge 2139:12</p> <p>huh 2184:9,11 2343:4</p> <p>humberto 2370:17 2370:20 2371:2</p> <p>humphrey 2336:6</p> <p>hunch 2171:17</p> <p>hundred 2106:25 2107:5</p> <p>hypotheticals 2170:13,23</p> <p style="text-align: center;">i</p> <p>idea 2107:20 2108:3 2109:9 2110:9 2118:12 2130:20 2155:19 2224:22 2244:11 2253:11 2259:17 2291:17 2388:20</p> <p>identical 2199:5</p> <p>identification 2099:18 2160:2 2168:17 2172:6 2195:20 2205:24 2228:16 2234:4 2241:15 2249:18 2260:14 2263:24 2270:8,15 2277:18 2296:19 2305:4 2307:4 2340:4 2372:6 2391:5</p> <p>identified 2078:7 2140:9 2246:2</p>	<p>2272:19 2282:10</p> <p>identify 2199:15 2256:12</p> <p>identity 2072:11</p> <p>ii 2204:23 2210:20 2321:18 2322:24 2343:11,23 2344:3 2344:4,6</p> <p>immediate 2333:2</p> <p>immediately 2074:9 2075:17 2389:23</p> <p>impact 2331:8</p> <p>impacts 2251:8 2256:22</p> <p>impartial 2266:18 2274:23</p> <p>impartiality 2278:16 2287:25</p> <p>important 2073:24 2085:6</p> <p>impossible 2092:9 2092:12 2271:4</p> <p>impression 2085:12 2090:13 2227:17 2283:20</p> <p>improper 2279:13 2334:13</p> <p>impropriety 2081:19</p> <p>inaccurate 2210:24 2290:11 2293:14</p> <p>inappropriate 2081:21 2334:13</p> <p>incident 2367:13</p> <p>include 2108:14,15 2283:4,9 2351:5 2389:3</p> <p>included 2071:17 2108:4,10 2230:17 2323:8 2325:23 2346:17 2369:9 2377:22 2378:2</p> <p>includes 2099:3 2226:9 2308:3</p>	<p>including 2095:11 2095:24 2140:15 2142:9 2215:13 2226:6 2386:2</p> <p>incorporate 2230:2 2264:15</p> <p>independence 2136:23 2285:23</p> <p>independent 2103:24 2104:20,23 2105:3 2106:5 2110:7 2118:12 2119:8,15 2124:19 2128:14,19 2130:10 2130:18 2137:2 2154:8 2166:16 2210:25 2211:12 2231:12 2266:18,23 2295:18 2297:24 2298:22 2318:21 2324:11 2346:6</p> <p>independently 2095:18 2104:6,14 2104:23 2203:24 2204:22 2205:11 2210:6,18 2240:2 2240:16</p> <p>indicate 2108:18 2166:19 2191:22 2198:13 2199:10 2232:9</p> <p>indicated 2089:18 2172:22 2187:5 2213:13 2269:17,21 2276:23 2277:4 2320:22 2337:7 2355:14</p> <p>indicates 2372:23</p> <p>indicating 2140:6</p> <p>indigenous 2076:23 2101:8</p> <p>individual 2199:18 2278:8 2362:6 2381:19</p>
---	--	--	---

<p>individuals 2081:4 2081:20 2112:5 2113:5 2114:9 2115:16 2116:2,21 2124:15 2149:17 2164:5 2217:4 2221:15 2244:8,17 2245:8 2246:2,11 2247:7 2378:22</p> <p>indulgence 2082:23</p> <p>infamy 2297:25</p> <p>inference 2334:6</p> <p>inflammatory 2155:22</p> <p>influence 2292:10</p> <p>info 2242:15 2243:13</p> <p>inform 2302:17 2364:24 2365:5,9</p> <p>information 2226:4 2233:7 2251:7 2262:13,20 2263:2 2264:6,11,14,17 2265:3,7,12 2266:5 2266:12 2269:11,19 2269:21 2270:12 2271:17 2272:17 2273:16 2276:2,6 2277:6 2278:21 2280:10 2281:19 2282:19 2284:20 2290:25 2291:15 2344:22 2346:15 2359:9,15,21 2360:3,24 2361:2 2361:18 2363:14,20 2386:3,22 2387:7 2388:8</p> <p>informed 2228:7 2265:21 2326:21 2327:9 2357:9,19 2363:12 2364:13,18 2364:21 2365:13,15</p> <p>informing 2143:3</p>	<p>ingrid 2214:12</p> <p>inherent 2088:12,15</p> <p>initial 2162:5,11</p> <p>initially 2164:15 2292:5 2354:13</p> <p>initiated 2141:19 2224:10</p> <p>innocuous 2155:22</p> <p>input 2236:14</p> <p>inquire 2227:12</p> <p>inquires 2142:20</p> <p>inquiring 2333:17</p> <p>insist 2084:12</p> <p>insofar 2094:22</p> <p>inspect 2167:21,25 2168:8 2176:13 2185:17,25 2186:4 2365:12</p> <p>inspected 2168:3,6</p> <p>inspecting 2179:10</p> <p>inspection 2124:19 2128:9 2134:7 2136:20 2137:7,12 2149:14 2163:15 2179:11 2185:13 2196:9,22 2197:15 2203:2 2218:23 2220:13,18 2221:8 2227:9 2231:14</p> <p>inspections 2078:5 2078:21 2107:21 2123:6 2124:3 2132:14 2133:19 2135:7 2148:21,23 2148:24 2154:13 2161:25 2178:17 2202:6 2204:18,24 2210:8,20 2211:3 2225:2,9 2231:9 2239:20 2344:14</p> <p>instances 2087:21</p> <p>instinctively 2085:11</p> <p>institutions 2276:5</p>	<p>instruct 2074:6 2144:10,15 2146:3 2146:8,25 2147:4 2208:16 2300:18</p> <p>instruction 2074:24 2075:25 2083:11 2324:5</p> <p>instructions 2117:22 2118:3 2145:9,18</p> <p>insult 2286:15</p> <p>intended 2323:3,15</p> <p>intensive 2302:12</p> <p>intention 2332:4</p> <p>intentioned 2292:15</p> <p>interact 2145:14</p> <p>interacted 2280:15</p> <p>interacting 2228:21 2228:24 2235:22</p> <p>interaction 2203:25 2325:4 2327:10 2357:10,20 2386:18</p> <p>interactions 2202:16 2203:19 2301:18 2353:6</p> <p>interested 2103:16 2131:4 2396:15</p> <p>interesting 2080:6</p> <p>interim 2149:16</p> <p>interrelated 2095:3</p> <p>interrupt 2074:24 2075:13 2094:8 2219:7 2318:2 2322:4</p> <p>interrupted 2074:22 2075:15 2127:24 2180:13</p> <p>interview 2130:24 2131:10</p> <p>interviewed 2366:25 2367:17</p> <p>interviews 2389:12</p> <p>introduced 2102:19</p> <p>investigation 2383:19</p>	<p>investigative 2179:6</p> <p>investor 2214:20</p> <p>invited 2151:25 2152:6,10 2159:11</p> <p>involved 2078:20 2079:5 2103:5,9 2105:8,14 2163:18 2163:21 2164:10 2167:19 2176:16 2177:9,13,17 2203:8,11,14 2244:17 2272:3,8 2274:8,12 2277:20 2303:6,8 2342:7 2354:8 2369:11,15 2383:18</p> <p>involvement 2264:23 2294:18 2300:13 2319:9 2320:5 2369:19,24</p> <p>involves 2364:6</p> <p>involving 2317:12</p> <p>irvine 2065:12</p> <p>issue 2119:2 2133:8 2138:18 2156:3 2161:16 2187:15 2272:15 2294:24 2314:17 2332:12,13 2335:19 2338:18 2351:17 2352:14 2360:17 2380:9 2389:4</p> <p>issued 2172:15,22 2270:19 2287:21</p> <p>issues 2203:20 2321:12 2323:7 2338:8 2366:17 2367:4 2369:10</p> <p>issuing 2282:8</p> <p>item 2375:7</p> <p>items 2306:10 2318:13 2372:3,16 2372:24 2375:24</p>
--	--	---	--

j	2345:8 2347:22 2348:16 2351:25 2352:5,11,23 2354:25 2357:12 2363:5 2367:20 2374:2 2380:13 2382:6,17	judge 2067:25 2083:16 2085:8 2087:13 2091:22 2095:11,16 2117:18 2117:19 2133:13 2135:10,16,20,25,25 2136:2,9 2139:4 2143:15,23 2149:20 2149:22 2150:12,20 2215:15 2308:25 2312:9 2314:6,14 2314:14,19 2316:15 2316:23,24 2333:14 2335:10 2351:18,19 2352:16 2367:6,13 2389:18 2395:5	2347:6,12,18 jury 2084:4 justice 2395:6 justin 2066:6
james 2066:8 2067:4 2327:9 january 2110:22 2218:23 2220:13 2243:9 2244:22 2246:4,22 2247:2 2247:17 2249:15 2250:6 2258:18 2260:3,9 2262:6,18 2263:22 2264:4,8 2265:22 2266:3 2267:12 2268:20,21 2269:14 2270:11 2271:13 2272:14 2277:8 2280:16 2281:17 2282:11 2284:9 2376:17 2381:6 jasinski 2064:6 2096:14,18,19 2114:24 2115:7,19 2116:12,15 2134:23 2135:2 2151:10,22 2155:9,17 2156:24 2157:3,9 2158:15 2168:23 2200:9 2204:3 2208:13 2209:21 2219:6,14 2219:19 2240:22 2248:19,23 2249:8 2285:13 2293:3,15 2295:21,24 2300:15 2300:20,25 2301:7 2301:20 2303:15 2304:8 2307:17,22 2312:25 2313:6 2316:17 2317:15 2319:10,15,19 2320:15,19 2323:25 2324:13 2328:6,12 2331:20 2332:9,15 2333:6,16 2334:5 2334:25 2336:11,25	jason 2307:18 2320:21 2329:13 jeff 2386:5 2387:8 2388:25 jeffrey 2354:21 jen 2229:25 2230:12 2234:19 2236:16 jennifer 2225:20 2227:20 2233:23 2234:14 2236:4 2362:5 jersey 2308:25 2316:15,23 2317:14 2317:16,18,23 2321:23 ji 2132:5 2230:25 2231:8 jim 2327:6 jis 2124:6 job 2289:5 2335:23 2335:23 joe 2141:16 2195:22 john 2380:25 2385:21 johnny 2122:19,23 2124:11 joined 2077:3 2080:13 2223:25 joins 2089:25 joint 2240:25 2241:18,22 joking 2259:25 joseph 2195:16 2358:22 2391:13 juan 2111:3 2119:22 2120:4,4,8,25 2229:8 2245:3 2358:22 2368:6	judge's 2117:21 2124:8,18 2126:25 2127:11 2136:7 judgment 2073:18 2356:8,19,24 judicial 2107:21 2123:6 2124:2,18 2128:9 2132:14 2133:19 2135:6,12 2136:20 2137:6,11 2148:20 2149:13 2154:13 2161:24 2178:17 2204:18 2224:14 2225:2 2231:9,13 julia 2316:3 julio 2229:9 july 2190:2 2286:4 juncture 2313:22,23 2321:9 june 2163:7,13 2164:19 2166:25 2167:10 2277:7 2305:13,14 2310:5 2310:7,9 2318:5,19 2318:19,23 2323:9 2326:4,16 2327:8 2328:21 2331:16 2339:25 2346:10	k k 2065:15 2276:17 kamp 2196:13,16 2216:15 2218:12,13 2224:2 kane 2389:18 kaplan 2065:20,22 2067:25 2068:12 2069:9,10,12,20,25 2070:6,10 2071:4,6 2071:7,11,19 2072:3,6,12,14,15 2072:24 2073:17,24 2074:11 2075:3,7 2075:14,18 2076:5 2076:11 2077:2,4,7 2077:24 2078:25 2079:3,12,17,23 2080:12,14,17 2081:14 2082:20 2083:10,14,16,21 2084:24 2085:8 2086:15 2087:9,13 2087:20 2088:21 2089:12,13,22 2090:3,7,11,18 2091:7,14,16,22 2092:22 2093:3,22 2094:2,6 2095:11 2095:16 2096:23 2114:11,17 2117:5 2117:20,24 2124:25 2137:23 2169:5,8 2220:23 2249:22 2288:11 2300:17,21 2303:22,25 2309:19 2319:20,23 2320:7 2332:4,7 2335:10 2345:17 2350:24 2351:7,18,19

<p>2352:16 kaplan's 2333:14 keep 2073:14 2085:16 2086:12 2087:4 2088:15 2093:12 2106:4 2109:2,7 2126:3,5 2128:3 2168:5 2245:25 2267:7 2271:4 2389:4 keeping 2087:17 2358:3 kept 2098:19 2364:19 key 2133:8 2138:18 khendricks 2065:5 kind 2107:13 2108:16 2303:9 knew 2093:11 2102:20 2124:11 2150:20 2266:17 2302:8,19,23 2325:9,12,14,18 2326:16 know 2082:16 2084:11 2086:10 2092:7,8,9,18 2093:7 2094:21 2101:18,23,24 2102:9,16 2103:3 2104:2 2105:11 2107:15 2108:3 2110:4,14,18 2115:21 2117:23 2118:14,20,25 2122:21,24 2124:22 2126:4 2127:25 2128:7 2129:22 2130:12 2132:6 2134:17,22,25 2137:8 2139:5,21 2143:7,12 2144:9 2145:6 2146:10 2147:3,6,18 2148:5 2148:22 2149:25</p>	<p>2152:8,22 2153:11 2153:15,21 2154:3 2154:20 2157:24 2159:11 2160:14 2162:10,19 2163:3 2164:16 2165:6,18 2166:4,9 2168:4 2169:24,24 2171:11 2174:13,23 2175:2 2175:4,8 2176:19 2177:3,15,16 2178:4,21 2182:3 2182:23 2186:17,22 2187:14 2188:6,17 2188:24 2189:10,14 2189:23 2192:17,19 2193:4,22 2197:24 2198:4,16,21 2199:2,3 2201:13 2202:10 2203:21 2204:13 2205:13 2207:13,23 2208:4 2208:10,18 2212:25 2213:3,23 2214:21 2215:18,20 2216:19 2216:20 2217:3,17 2217:22 2221:16,22 2221:24 2222:3,6,7 2222:9,12,19 2223:10,12,13,18 2225:11,14 2228:5 2228:7 2230:19,20 2231:7 2232:6,19 2233:19 2235:20 2236:24 2240:19 2243:19 2244:2 2245:22 2246:25 2247:15 2248:3 2249:12 2251:2,5 2251:13,17,24 2253:18 2254:19 2262:17,22,25 2265:24 2266:7,8 2266:15 2269:4,14 2271:24 2272:7</p>	<p>2273:18 2274:3 2276:13,25 2277:9 2277:23 2279:25 2282:11 2284:15,24 2291:10 2292:2 2293:5,22 2294:2,3 2294:7,11 2295:3 2298:13 2300:2,7 2302:13 2306:16 2307:8,16,17,18 2308:17 2313:5 2315:5 2318:21 2323:17 2324:24 2325:4,25 2326:3,5 2326:9,23 2328:2,8 2328:10,14,24 2332:13 2335:7,17 2341:21,23 2342:14 2342:20 2344:8 2348:19,25 2349:3 2349:6,11,14,18,25 2350:5,6,7,12,18 2365:8,13 2366:12 2366:18,21 2368:5 2368:19 2369:21 2370:8 2372:12 2374:13 2375:20,21 2379:14 2380:8 2381:24 2382:19 2386:20 2387:5 knowledge 2124:16 2144:14 2165:13 2204:17 2215:20 2216:9 2227:5 2249:7 2262:16 2294:17 2311:16,20 2364:4 2383:13 2390:15 known 2102:11 2340:20 2383:20 knows 2183:20 2336:5 kohn 2080:22 2195:16,22 2201:14 2354:6 2358:22</p>	<p>2359:4,15,21 2360:3,11,22 2361:13 2363:10,19 2364:3,13,24 2365:5,9,15,21 2366:3,23 2367:16 2367:24 2368:8,25 2369:6,14,17,22 2370:11,13,18,25 2384:18,19 2391:13 kohn's 2370:22 kornfeld 2385:6 kristen 2065:5 kumar 2065:6</p>
I			
<p>I 2066:6 lab 2192:18 2222:19 2222:20 2231:11 2232:8,13 labeled 2125:4 2343:8 laboratory 2176:16 2176:17 2192:15 lack 2388:8 lago 2105:7 2130:9 2135:10,16 2143:8 2149:10 2172:2 2179:21 2198:3 2213:18,19 2240:3 2240:18 2247:25 2258:15 2263:21 2270:22 2277:7 2285:10,19 2286:5 2287:12 2296:16 2297:17 2351:14 2353:4,13,18 2354:12,23 2355:15 2355:17 2374:22 2384:8 2388:19 2389:19,25 2390:6 2390:10,16 lak 2063:4 2067:14 lan 2133:5</p>			

landscape 2279:6,23 language 2201:16 2220:4 2279:16 large 2335:15 late 2222:24 2242:24 2269:14 2359:18 2360:5 latest 2330:6 latitude 2335:5 launch 2098:2 laura 2362:14 2363:2 law 2088:7 2123:16 2353:7 2372:17 2374:15,16,19,20 2378:17 2384:7 2387:22,25 2388:7 laws 2386:7 lawyer 2096:13 2160:22 2228:19 2307:10,14,20 2311:2 2360:24 2361:14 2367:2,18 2379:6 lawyers 2078:12,14 2078:20 2142:16 2143:2 2144:5,25 2152:3,11,19,22 2153:6 2159:4 2281:10 2326:25 2338:16 2339:20 lay 2163:13 layer 2108:11 lays 2175:13 lead 2084:18 leaders 2076:22 2297:22 leading 2103:13 learned 2362:25 2383:22,25 2384:9 2385:25 2389:9 learning 2301:25 2332:24 2353:5 leave 2113:8 2155:13 2158:3	2254:5 2300:24,25 2331:23 leaves 2133:14,24 2150:13,15 leaving 2282:11 led 2068:24 2161:4 2284:6 2365:17 2384:4 ledger 2107:13 left 2171:11 2231:22 2256:22 2378:19 2388:5,13 legal 2133:8 2138:18 2172:21 2190:8,12,13,25 2191:2,6 2192:5 2228:25 2229:6 2260:22 2261:2,4,5 2274:19 2283:14 2284:3 leino 2064:12 length 2281:23,24 2282:17 leon 2064:16 leonard 2379:6 lesson 2095:7 letter 2222:12 2303:9 2358:21,25 2391:18,19,23 2392:2 letters 2392:9 letting 2329:16 level 2077:20 2356:2 life 2336:7 light 2071:23 2087:12 2159:13 2274:17 2290:12 2321:11 2355:23 2356:25 limb 2321:17 2322:23 2343:21 limited 2088:8 2113:5 2190:23 2220:18,25 2221:3 2221:5,19	line 2068:20 2069:3 2113:12 2191:11 2207:6,14 2224:12 2315:24 2337:6,9 2385:14 2395:13,18 2397:5 lines 2072:5 2080:7 2158:13 2252:13 2257:10 2295:6 2377:14 2381:14 linked 2285:11,16 2285:20 2286:16 list 2164:2 2250:15 2250:20 2251:4 2252:22 2265:3,7 2351:21 2352:17 listed 2184:5 2187:7 2244:18 2269:11 2307:5 2318:20 2375:11 listening 2086:16 lists 2184:15 2187:24 2189:2 litigants 2082:2 2264:10 litigating 2379:24 litigation 2076:25 2103:6,10,25 2104:7,15,17 2200:17 2201:2 2270:6 2371:11 little 2089:18 2126:3 2128:4 2131:17 2140:21 2172:10 2229:11,15 2250:14 2254:9 2259:13 2267:5,8 2271:6 lives 2254:23 llc 2064:3 llp 2063:17 2064:9 2065:3,11,15,20 local 2152:16,18 2164:6 2187:19 2199:2 2228:25 2229:6 2271:7	2275:17 2284:5 2350:4,8 locate 2322:12 located 2067:9 locations 2178:23 2178:25 2179:25 log 2170:9,19 2390:22 2391:8 2395:7 logistical 2187:25 2188:5 2292:6 long 2076:13 2077:12 2092:16 2093:12 2159:10 2212:6 2245:11 2296:24 2323:18 2341:13 longer 2078:3 2391:7 longest 2172:10 look 2077:24 2099:23 2101:25 2110:20 2118:21 2130:4 2132:17 2138:17 2150:2 2174:10 2183:24 2186:5 2191:11 2197:10,16 2198:2 2204:14 2226:19 2234:11 2242:3 2252:3 2274:4 2278:12 2302:15 2308:9 2310:9 2313:14 2321:4 2335:9,11 2344:17 2350:25 2391:8 2392:4 looked 2342:9 looking 2100:7 2105:21 2156:18 2175:7 2197:7 2214:8 2231:19 2238:25 2270:16 2288:22 2311:12 2333:20 2338:16
---	---	--	--

2339:3 2341:22 2344:9 2351:5 looks 2230:10,11 2233:3 2235:16 2257:13 2372:15 lorena 2256:23 2257:3 lot 2068:13 2092:4 2108:10 2110:18 2112:24 2141:9 2166:10 2187:18 2206:22,25 2243:2 2251:23 2255:21 2256:9 2259:24 2281:24 2293:23 2301:13 2302:13 2338:15,16 2339:2 2339:20 lotion 2092:13 lower 2231:22 loyalty 2207:15,21 lucia 2181:19,20 2184:15 2185:5 2186:13 2233:18 luckily 2238:22 luis 2100:22 2110:25 2111:17 2112:18,19,21,24 2147:4 2164:7 2168:13 2179:19 2181:14 2184:15,24 2184:24 2186:14 2189:2 2234:22 lunch 2130:15 2158:7 2159:17 2194:5,8 luncheon 2194:11	2167:2,9 2189:6,11 2189:20 2196:12,16 2223:25 2225:19 2229:12,15 2231:5 2233:23 2234:13 2235:5 2236:4 2242:8,22 2243:4 2243:16,24 2244:4 2244:11,21 2245:6 2245:15 2247:18 2250:7,14 2251:15 2252:21 2255:7,8 2256:10 2281:23 2321:14 maest's 2160:4 2169:6 2233:4 2242:4 2250:11 2280:23 2281:7 maggiano 2066:9 magnifier 2139:12 magnitude 2289:6 mail 2090:16 2095:15 2139:9 2140:5,6,13,19 2141:12 2142:8,14 2168:22 2169:20 2173:16 2175:12 2195:15,22 2205:18 2206:8,8,13 2225:18 2231:17 2232:11 2233:22 2234:13,18 2236:3 2237:9,10 2305:8 2305:22 2306:4,13 2308:2,4 2309:11 2315:25 2316:6,16 2316:22,25 2317:3 2318:4,17 2320:13 2320:21 2321:2,8 2322:7,13,19 2329:4 2334:8,12 2334:15 2339:8 2343:18 2350:16,20 2385:20	mailed 2165:16 mails 2139:20 2168:11 2305:6,13 2306:6,8,12,17 2309:5,9 2318:11 2318:18 2322:10 maintenance 2261:15 majority 2078:6 making 2085:8 2086:3 2205:5 2251:21 2295:5 2352:2 2382:13 maldonado 2254:12 2258:4 man's 2073:15 managing 2070:19 manda 2236:8 manual 2176:22,25 march 2142:8,15 2143:11,24 2144:3 2144:11,15,20,24 2146:7,15,22 2147:7,16 2148:8 2148:16 2149:14 2152:2,10 2153:12 2153:16 2158:24 2168:12,20 2169:18 2170:3 2171:14 2172:4 2173:7 2175:12 2184:5 2191:5 2196:18 2220:16 2233:24 2234:13 2235:19 2236:3 2246:8 2302:4 2341:12 2348:9 2355:5 2357:8,18 2360:23 2362:21 2365:6 2372:2 2373:21 2380:12 2382:2 2385:22 marginal 2375:24 2375:25	mark 2098:7,13 2158:12,16 2159:21 2168:10 2195:14 2199:17 2205:17 2206:9 2228:11 2231:16 2239:23 2241:10 2260:8 2263:19 2267:3 2270:2,10 2277:10 2296:13 2339:24 2371:25 2390:21 marked 2099:17 2139:7 2142:7 2159:25 2166:24 2168:16 2169:17 2171:24 2172:5 2195:19 2197:2 2200:7,11 2205:23 2218:6 2225:16 2228:15 2233:21 2234:3 2238:13 2241:14 2249:13,17 2260:13 2263:23 2270:7,14 2273:23 2277:17 2286:2 2287:10 2296:18 2304:25 2305:3 2340:3 2343:19 2344:11,19 2347:7 2347:12 2357:25 2372:5 2382:21 2385:11 2391:4,9 markings 2198:9,12 2198:24 marriage 2396:14 master 2066:5,7 2067:17 2069:4,18 2069:23 2070:5,8 2070:12 2071:9,15 2071:25 2072:8,9 2072:17,19 2073:7 2074:12,20 2075:5 2075:8,18 2076:16 2077:21 2079:14,19 2080:4,17 2082:10
m			
maclean 2064:12 macneil 2238:20 maest 2159:23 2160:6,6,13,16 2161:2,13 2162:5 2162:10,14,20			

2082:21 2083:12,15 2083:22 2085:2 2087:7,11,14,18 2088:3,8,10,22 2089:15,23 2090:4 2090:9,18 2091:9 2091:15 2092:25 2093:6,25 2094:4 2095:14 2096:17 2097:4 2098:9,20 2099:19,25 2100:6 2100:12,23 2112:10 2113:6,10 2114:21 2115:5,17,22 2116:13,17 2117:8 2117:14,23 2118:2 2118:6 2119:18 2120:12 2122:25 2125:12,16 2127:13 2127:23 2131:6,20 2134:20,24 2136:6 2136:15 2138:2 2139:10,25 2140:8 2148:10 2150:5 2151:12,15 2152:25 2155:11,15,25 2156:22 2157:5,13 2157:18,22 2158:2 2158:6,20 2159:9 2168:25 2169:7,12 2170:5 2171:10 2175:25 2179:15,23 2180:5,9,12 2181:8 2181:14,18,23 2182:5,12,14 2183:4,8,13,18,23 2184:10 2185:18 2186:25 2192:10,14 2192:21 2193:13 2194:4,7 2197:4,11 2199:8,14,20,24 2204:5 2205:15,25 2206:4 2208:15 2209:11,16,22 2214:7 2215:10,21	2215:24 2216:3,10 2216:13 2220:7 2221:2 2227:11,16 2227:19,24 2228:17 2229:2,5 2231:8,18 2231:25 2232:4,7 2232:15 2237:23 2239:9 2240:23 2241:3,16 2245:24 2246:12 2248:10,21 2248:25 2249:10 2254:5,8,14,18,21 2255:2,7,10,13,15 2255:20 2256:8,24 2257:6,11,15,19 2258:2,8,12,21 2259:2,6,10,16,24 2267:4,21 2268:3 2268:11,14 2269:2 2269:6 2280:2,6,19 2281:6,14,21 2282:5,15 2283:2,8 2283:12,22 2284:7 2284:18,25 2285:4 2285:15 2287:6 2288:13,17,25 2289:22 2290:5,16 2293:10,17 2294:4 2294:14 2296:8,22 2298:23 2300:17,23 2301:4,22 2303:19 2304:3,10,15 2305:16,21,25 2306:18,25 2307:7 2307:12,16 2308:7 2308:13,17,22 2309:3,13,21 2310:3,6,11,21 2311:17 2312:6,12 2313:4,16 2314:8 2314:12,18 2315:22 2316:11,19 2317:7 2317:19,25 2319:12 2319:17,20 2320:14 2322:3,16 2324:3	2324:15 2326:7 2327:13,17,19 2330:16 2331:22 2332:2,8,18 2333:15,22,25 2334:21 2335:9,14 2336:15 2337:13 2338:20 2339:21 2340:5,10,19 2341:2,8,20,24 2345:10,14,19 2347:24 2348:18 2349:2,5,13 2351:4 2351:11 2352:3,7 2352:13 2355:3 2358:2,6,9,12 2360:2,8 2371:21 2373:14,19,24 2374:6,11,18,25 2375:6,14,18,23 2376:6,13,23 2377:8,16 2382:8 2382:23 2383:6,11 2383:21 2384:6,14 2384:17,21 2385:3 2385:13 2392:15 master's 2096:25 2097:2 mastro 2065:8 2311:24 2312:3 2337:7,11,12 matched 2273:11 material 2092:4 2268:2 2315:4 materials 2156:25 2159:14 2247:8 2253:25 2262:7 2271:5,8 2274:13 2275:19 2276:23 2279:3 2282:10 2283:16 2284:11 2291:12 2303:13 2304:6,18 2364:22 2376:12 2377:4,21 2377:25 2382:14	2386:8 2387:3 2388:7 mathew 2064:6 2096:19 matter 2080:20 2084:13 2108:9 2170:6 2211:18 2212:21 2214:4 2216:17,25 2217:13 2232:23 2396:15 matters 2217:5 2274:20 2366:16 max 2066:5 mc 2063:4 2067:14 mcdermott 2380:25 2381:9 2382:2 2385:22,24 2386:17 2386:20 2387:5,16 2388:12,18 2389:8 2389:11,15,24 mean 2085:22 2107:23 2121:24 2124:7 2134:14 2145:13 2149:5 2152:18 2155:20 2165:16 2182:10 2198:5,5 2213:16 2219:7 2225:3 2233:3 2240:11 2248:11 2256:15,16 2306:7 2316:18 2334:23 2353:7 2366:20 2370:8 2385:8 meaning 2068:5 2072:11 2293:12 means 2085:10 2116:14 2123:5 2155:20 2181:24 meant 2114:14 2235:6 2261:8 2265:24 2284:24 2316:13 mediation 2325:11
--	--	---	--

meet 2095:8 2102:15,25 2111:12 2121:17 2122:13,18 2154:15 2162:6,12 2162:15 2230:24 2231:5 2242:15,17 2243:4 2244:12 2345:6,23 2346:4 2362:3 2367:25 2368:7 2371:3 2388:8 meeting 2102:22 2106:2 2143:11 2144:4,11,16,20,24 2145:20 2146:7,15 2146:22 2147:8,12 2147:17 2148:3,8 2148:13 2149:12,15 2150:25 2151:5 2152:2,7,10 2153:12,16,22,23 2154:9,21 2155:2,3 2158:24 2242:23 2243:7,12,24 2244:4,9,14,16,20 2244:25 2245:4,11 2245:16,21 2246:3 2246:5,6,15,18,20 2246:22 2247:2,17 2247:21,24 2248:6 2248:11 2249:15 2250:6,19 2251:12 2251:14,16,19 2252:9,12 2255:4 2257:5 2258:10,15 2258:19 2259:7,17 2260:3 2265:18 2267:12 2268:5,15 2280:22 2281:22 2341:13,13 2362:8 2362:12,18,22 2363:2 2365:6 2368:12,17,19,25 2369:18 2370:13,18 2373:25 2374:5,7,7	2376:16 meetings 2148:6,9 2149:16 2162:19 2196:18,21 2204:12 2256:7 2259:22 2302:5,19 2365:16 member 2179:20 2181:12,15,21,21 2184:21 2185:3,5 2227:14 2324:10,17 members 2177:21 2225:7 2228:25 2230:13 2234:24 2245:20 2289:18 memo 2244:19 2379:18 memorandum 2277:11 2394:22 mentioned 2181:16 mere 2087:22 merely 2334:6 merge 2230:7 merged 2230:16 merit 2073:19 meritorious 2087:3 messages 2212:8,12 mestre 2064:15 met 2100:21 2102:13,17 2105:15 2110:24 2111:9 2112:8,12 2122:22 2142:17 2147:15 2153:14,18,19,20 2266:2 2280:14 2347:9 2362:5,14 2362:20 2364:25 2366:13 2370:24 2371:9 2389:6 methodically 2239:19 methodology 2220:17 miami 2064:17 michelson 2065:11	mid 2267:12 2268:20 2376:17 middle 2068:21 mind 2076:8 2096:12 2123:3 2356:14 mine 2372:15 minimize 2329:25 minimum 2084:9 2285:6 ministries 2162:16 2162:21 ministry 2162:6,12 minute 2105:21 2303:16 2310:12 minutes 2075:12 2076:6 2093:24 2096:10 2336:9 misbehave 2096:8 misleading 2279:11 misrepresenting 2330:2 missing 2308:5 2345:22 2375:7 2391:20 misspoke 2330:14 mistake 2079:24 2219:11 mistaken 2168:24 2344:16 misunderstanding 2084:18 misunderstood 2208:21 mittell 2208:7 2209:8 2238:20 mjasinski 2064:6 model 2099:15 modest 2106:3,12 2107:19 modified 2165:7 2312:23 2313:9 modify 2222:16 moll 2213:25 2214:5 2214:12 2307:17	moment 2070:2 2150:4 2300:22 2311:8 2315:11 monday 2143:19 2150:9 monetary 2137:10 money 2080:24 2106:16,24 2107:10 2112:4 2113:2 2114:8 2119:8,13 2120:2,3 2121:2,3,6 2121:13,21 2122:4 2206:22 2207:2 2214:16,18,19 monitor 2104:22 2107:21,22 2108:11 2240:5 monitoring 2104:7 2104:14,17 2106:6 2108:14 monitors 2103:24 2124:19 monitorship 2105:3 2110:7 2118:12 2119:9,16 2128:14 2128:20 2130:11,16 2130:19 month 2355:7 2368:15 months 2161:11 2166:10 2174:21 2211:20 2224:10,13 2224:21 2262:23 2263:8,10 morning 2067:3,18 2074:3 2097:18,19 2126:2 motelo 2253:15 motion 2277:13 2394:24 motley 2064:3 2096:20 2213:16,25 2214:12 2321:3,7 motleyrice.com 2064:6
--	--	--	--

<p>move 2077:19 2079:15 2088:16 2159:7 2181:6 2254:3 2293:8 moving 2077:22 2087:18 2295:22 2340:6,6 mud 2272:23 multinational 2190:9,19</p>	<p>2394:9 native008844 2394:18 native008849 2394:20 native008897 2394:16 native069147 2394:17 native128118 2394:18 nature 2069:2,10 2082:24 2088:4,12 2090:22 2145:11 2155:16 2285:12 2353:5 2355:24 necessarily 2308:3 necessary 2074:18 2202:14 2264:15 2273:17 2299:23 2388:8 neconomou 2316:7 need 2068:3 2079:16,20,22 2085:17 2096:4 2100:20 2131:13 2135:23 2140:2 2179:16 2206:17 2207:16 2230:3 2241:21 2252:22 2267:5 2291:15 2303:17 2306:9 2318:11 2330:8 2342:4 2352:20 2383:18 needed 2161:5 2271:8 2388:18 needs 2196:2 2237:13,19 2254:9 negotiations 2370:2 neighborhood 2107:2 neil 2208:6 neither 2091:22</p>	<p>neuman 2065:12 2077:18 2078:18 2097:17 2098:7,13 2098:22 2099:22 2100:9,14 2101:4 2113:14 2115:25 2116:20 2117:11 2118:7,8,9 2119:20 2122:25 2125:3 2127:13,19 2131:6 2131:18 2138:12 2139:15 2140:13 2150:8 2155:23 2156:9,20 2158:21 2158:22 2159:7,20 2168:10 2169:3,9 2169:14 2171:22 2172:7 2179:24 2181:6 2182:5,10 2182:13 2183:6,10 2183:17,22 2185:20 2192:13,22 2193:15 2194:2,5,6 2195:8 2195:14 2197:6,9 2199:8,13,17 2200:13 2205:17,25 2206:3 2215:24,25 2216:13,14 2218:4 2219:6,12,17 2221:4 2227:14 2228:11 2231:24 2237:25 2238:11 2241:8,9 2248:12 2249:13,24 2254:3 2254:7 2260:2,8 2263:19 2267:2,9 2268:4 2269:7 2270:2,9 2277:10 2280:4,8 2285:6,7 2289:2 2290:17 2293:8 2294:15 2295:21,23 2296:11 2296:13,20,25 2297:12 2298:25 2301:9 2304:11,23</p>	<p>2305:17,23 2306:14 2306:25 2308:11,16 2308:21,24 2309:8 2309:16,20,23 2310:5,8 2311:15 2311:21 2312:2,18 2313:11,25 2315:12 2315:13,15 2316:25 2317:9,21 2319:25 2322:11 2327:14,15 2327:18 2330:22 2333:17 2335:4 2336:13 2337:16 2339:24 2340:8 2350:22 2351:3 2371:25 2373:16 2377:19,20 2380:16 2383:4 2385:4,5,10 2385:13,16 2390:21 2392:17 2394:4 neuman's 2071:11 neutral 2346:6 never 2123:13 2143:15,23 2165:25 2262:19 2269:15 2276:14 2298:8,10 2312:22 2313:8 2369:23 new 2063:3,17,18,20 2064:10,10 2065:4 2065:4,21,21 2067:5,6,10,10,13 2084:6 2127:3,16 2200:19 2201:2 2205:7 2211:11 2238:15 2239:6 2261:14 2308:25 2309:14 2314:15 2316:15,23 2317:13 2317:16,18,23 2319:2,6 2320:2 2321:23 2323:5 2331:12,16 2360:17 2366:14 2371:2,10 2371:18 2396:5</p>
<p>n</p>			
<p>n 2064:2 2065:2 2066:2 2097:13,13 2184:15 2195:2,2,2 2195:4,4 2394:2 n.w. 2065:15 name 2067:4,15 2073:15 2078:23 2120:19 2131:5 2136:5,7 2160:4 2192:15,18 2198:23 2199:6 2256:22 2257:3 2307:24 2308:5,20 2316:5 2317:13 2334:4 2354:20 2378:7 2397:3,4 named 2232:21 names 2149:20 2289:11 2290:8 nancy 2329:17 2337:23 naranjo 2181:10 2184:18,20 narasimhan 2065:7 narrative 2334:16 narwold 2070:18 2307:18 natalie 2064:12 nations 2076:23 native 2159:24 2218:13 2228:12 2233:25 2241:12 2252:5 2260:11</p>			

<p>nicolas 2316:8 nicole 2065:17 night 2392:16 nine 2077:12 nj 2321:13,22 nleino 2064:13 nominated 2123:22 nonjury 2085:8 2086:2 nonprivileged 2069:2 nonresponsive 2159:8 2293:9 normal 2082:15 2293:11 notary 2063:20 2393:18 2396:4 2397:25 note 2250:5,8 2256:20 2307:23 noted 2296:9 2393:7 notes 2098:18 2147:22 2154:7 2159:22 2160:12,15 2160:18 2169:6 2228:14 2233:4 2244:19 2249:14 2250:7 2255:21,22 2256:10,11,13 2280:23 2281:5,7 2281:24 2321:14 2375:5 2394:9 notice 2091:4 2095:15 2200:10 2219:8 2307:23 2308:5 noticed 2230:3 notification 2172:25 2272:15 notwithstanding 2075:25 2239:7,14 november 2098:3 2101:16,17 2106:10 2106:14 2160:24 2391:15,25</p>	<p>nsilver 2065:17 number 2067:14 2072:4,4 2076:18 2077:15 2086:24 2094:17 2100:13 2101:7 2129:14 2131:3 2132:24,25 2147:18 2148:11 2159:23 2169:13 2172:14 2183:25 2186:6 2193:10 2195:17 2204:20 2212:25 2220:19 2221:5,20 2229:24 2230:24 2233:25 2241:12 2249:19,22 2252:4 2253:2 2260:19 2261:9 2282:21 2372:4 2373:3 numbered 2100:2,4 2210:11 2233:6 2366:24 2367:23 2390:25 numbering 2200:12 numbers 2183:15 2205:21 2218:12 2219:9,13,15 2261:14 2358:19 numeral 2343:11 nunez 2367:6,13</p>	<p>2303:15,17 2319:11 2323:25 2324:13 2328:6,12 2336:4 2337:9 2345:8 2347:22 2348:16 2354:25 2357:12 2363:5 2367:20 2374:2 2382:6,17 objected 2157:8 objection 2069:9,11 2069:15 2071:4,6 2071:23 2072:12,14 2073:5,18 2074:14 2076:2 2077:2,22 2078:25 2079:24,25 2080:12 2082:9 2083:3,5,7,17 2084:12 2085:20 2086:9 2087:6 2094:9 2095:25 2096:3 2134:23 2135:2 2155:16 2209:21 2239:18 2240:22,25 2241:6 2241:7,18,19,21 2288:21 2300:15 2301:8 2304:9 2320:16 2331:20 2335:21 2363:7 objectionable 2085:4 2156:2 objections 2067:24 2068:9 2074:4,7 2075:9,11,20,22 2076:12,18 2077:13 2079:7 2082:13,14 2082:16,25 2083:16 2084:2,7 2085:9,23 2086:3,24,25 2093:16,20 2094:10 2094:16 2095:23 2096:6,25 2158:13 2158:14,17 2332:11 2332:19 2337:6</p>	<p>objectivity 2136:22 obligation 2095:6 2274:19 2311:7 obligations 2250:22 2310:23 2311:6 2313:19 2389:17 observations 2188:8 observe 2109:13 2207:4 obstreperous 2335:7 obtained 2198:2,8 2198:21 obtaining 2208:2 obvious 2077:4 2079:4 obviously 2078:8 2115:21,23 2296:10 2306:7 2317:22 2333:6,11 2336:15 2341:9 occasion 2083:23 2084:21 2246:3 2366:14 2371:9 occasionally 2120:9 2256:6 occasions 2131:3 2371:14 occur 2338:5 2368:13 2370:21 occurred 2094:11 2279:9 2326:13 2368:20,21 occurs 2281:22 october 2172:23 2225:20 2226:21 2228:22 2278:24 2280:11 2281:11 2287:12 2291:8 2293:2 offer 2106:3,12 2107:19,25 2119:9 2139:12 2319:6 2320:2</p>
	<p>o</p>		
	<p>o 2097:13 2195:2,2 2195:2,4 2280:4,5 oath 2097:21 obey 2083:10 2117:22 object 2074:17 2089:23 2114:15,20 2151:10,22 2155:9 2204:3 2208:13 2248:19 2249:8 2285:13 2288:11 2293:3,16 2301:20</p>		

<p>offering 2369:14 office 2067:9 2106:24 2107:11 2111:11 2258:24 2259:18 2370:22 2394:13 officer 2087:22 offices 2063:16 2067:5 2170:17 2372:18 official 2123:16 2281:16 officially 2226:12 2228:8 oh 2089:6 2090:9 2150:6 2222:16 2305:18 2308:17 2330:22 okay 2076:16 2083:9 2085:21 2139:25 2156:22 2183:21 2195:11 2232:15 2246:12 2283:15,23 2294:14 2298:13 2315:3,23 2319:17 2344:17 2378:18 2385:3,15 old 2324:5 olga 2181:19,20 2184:15 2185:5 2186:13 2230:2,12 2233:18 2234:23 once 2076:2 2132:25 2172:14 2289:9 ones 2068:11 2078:10 2124:5 2208:4 ongoing 2200:17 2225:10 open 2155:24 2247:20 2267:15,19 2306:10 2318:13 operations 2273:5 opine 2107:24 2205:10</p>	<p>opinion 2107:25 2290:15 opinions 2108:15 opportunity 2309:25 2319:2 2344:21 2345:6,12 2345:20,23 2346:12 opposed 2123:21 2356:11 2367:7 opposing 2337:4 opposite 2078:13 2330:5 opposition 2387:19 options 2253:13 orally 2177:25 2178:3 order 2068:2,7 2081:16 2087:13 2088:9,14 2093:17 2099:15,21 2117:21 2143:10 2166:15 2172:2,16,22 2245:13 2262:24 2263:4,7,14,16 2264:13 2266:21 2269:13,24 2270:10 2270:17 2271:10 2272:11 2273:19,21 2273:23 2274:17 2275:5 2277:8,14 2279:2 2280:16 2282:8 2292:14 2331:12 2351:13 2352:2,10 2394:25 ordered 2136:21,25 2266:18,22 2269:9 2279:4,21 ordering 2352:5,12 orderly 2087:17,19 2088:16 orders 2270:23,25 2287:21 organization 2254:25</p>	<p>organizer 2081:5 organizes 2081:4 origin 2123:13 2269:16 original 2171:24 2175:2,6,7 2182:24 2186:20 2264:2 2274:9 2287:14 2296:14 2309:9 2322:12,13 2347:19 2350:15,20 originally 2078:7 2243:5 2280:22 2342:15 ormand 2066:6 2117:9 2125:14 2305:19 ot 2110:24 outcome 2396:15 outline 2251:7 2258:20 2260:5,20 2260:25 2268:6,17 2283:5,17,25 outside 2283:17 2284:12 2301:5 outtake 2170:16,18 2246:7 outtakes 2340:22 overall 2253:22 2317:9 2333:19 overlap 2246:10 overlapping 2099:14 overruled 2082:11 2249:10 2288:21 2303:20 2324:3 2345:10 2347:24 2348:18 overseeing 2223:19 2227:2</p>	<p>p.m. 2172:23 2194:10,11 2195:3 2195:6 2238:3,8 2272:13 2297:4,9 2310:15,20 2336:18 2336:22 2393:3,7 pablo 2133:12 2146:2,25 2150:11 2168:12 2173:23 2181:24,24 2184:16 2185:8,8 2186:14 2229:8 2253:15 2257:13,16,18 2297:18 2358:21,22 2368:6 page 2068:15,17,19 2069:13 2072:5 2075:4 2076:20 2077:25 2078:17 2084:24 2089:10 2099:23 2100:2,13 2101:5,6,9,11 2105:20 2110:20 2113:10 2125:2,4,7 2125:13,17,18,20 2132:18,21,23 2133:2,2,4 2138:14 2138:14 2150:3 2156:18 2161:8 2162:4,23 2172:9 2172:10 2174:6,11 2174:15 2182:15 2183:2,5,7,9,15,15 2183:24 2186:5 2187:3 2188:18 2193:10 2197:16 2199:9 2204:14 2207:7,10 2210:12 2210:15 2214:10 2234:12 2235:4 2236:2 2238:23 2250:13 2252:3,21 2253:2 2254:11 2256:21 2257:11 2275:24 2278:12</p>
p			
<p>p 2064:2,2,6 2065:2 2065:2 2066:2,2</p>			

<p>2282:23 2290:3,18 2297:19 2305:12,18 2305:19,24 2315:20 2315:21 2316:20 2317:5 2318:8 2320:12,20 2327:21 2329:3 2343:6,7,8 2344:11,12,18 2363:9 2367:23 2379:15 2391:8,19 2392:5,9,18 2394:3 2394:7,11,11,12,12 2394:15,16 2395:3 2395:4,5,13,18 2397:5</p> <p>pages 2076:13 2077:14,15 2099:5 2099:6,8 2158:15 2182:6,7,11 2183:11 2187:13 2192:8,11,23 2193:5 2205:21 2251:6 2282:23 2305:2 2390:25</p> <p>paid 2104:8 2107:4 2110:3 2112:4,15 2114:8 2119:12 2121:10 2201:10 2212:18,24 2213:11 2214:14 2216:15,18 2216:19,23 2217:14 2217:20,23</p> <p>pallares 2064:18</p> <p>pants 2092:17 2093:12</p> <p>paper 2105:20 2171:16,19</p> <p>papers 2081:15 2127:16</p> <p>paragraph 2095:2 2101:8,10 2105:22 2110:23 2133:7 2138:17 2172:10 2206:17 2210:11,11 2210:14 2218:20</p>	<p>2220:10 2222:15,22 2225:25 2233:6 2239:22 2275:4 2287:18 2289:3 2290:19 2329:14 2344:12,16,18 2346:9 2366:24 2367:24</p> <p>paragraphs 2239:24 2240:6,7 2321:18 2322:23 2343:22 2344:2,3,5,10</p> <p>parameters 2163:14</p> <p>park 2063:17 2065:3 2067:10</p> <p>parroting 2334:15</p> <p>part 2120:6 2167:11 2179:11 2186:11 2193:7 2196:20 2206:15 2268:19 2270:21 2283:10,20 2309:6,7 2325:12 2334:4 2335:15 2346:21 2349:17 2354:15 2373:6 2374:14 2375:10 2376:8,25 2387:22</p> <p>parte 2312:21</p> <p>partial 2101:7 2388:21</p> <p>participate 2221:12 2292:14,25 2293:7 2293:11</p> <p>participated 2302:20</p> <p>particular 2135:20 2135:24 2145:19 2160:15 2178:22 2179:25 2213:20 2274:21 2338:14,25 2339:9 2356:11 2380:2</p> <p>particularly 2159:13</p>	<p>parties 2108:16 2137:2 2166:16 2228:3 2240:4 2263:2 2264:13,17 2265:4,11 2266:5 2266:13,24 2269:10 2269:18 2270:13 2271:18 2272:16 2273:10,15 2279:3 2279:6,23 2281:18 2282:9 2292:13 2335:24 2396:13</p> <p>partner 2110:6 2381:2</p> <p>parts 2117:20 2160:10 2235:24 2252:6,10 2294:10 2377:4</p> <p>party 2096:13 2097:5 2123:22 2375:11 2376:3</p> <p>pass 2140:2</p> <p>path 2095:13</p> <p>patton 2307:11,15 2307:21 2320:22 2326:25 2327:4 2342:19</p> <p>pause 2086:14</p> <p>paving 2261:16</p> <p>pay 2105:2,4 2110:12 2121:3,14 2126:3,8 2128:4,18 2213:5,14 2214:2 2388:17</p> <p>paying 2111:2 2112:22 2113:4 2119:3,6 2207:2 2215:2 2369:10</p> <p>payment 2106:21 2110:24 2111:15 2112:9,13,14 2115:10,11 2212:13</p> <p>payments 2109:20 2109:23,25 2137:10 2137:14,17</p>	<p>peers 2225:20 2227:20 2233:23 2234:14 2236:4,5 2362:6,12 2389:13</p> <p>penafiel 2102:21 2105:12,17 2118:16 2186:13</p> <p>pendency 2136:3</p> <p>pending 2127:25 2157:19 2158:21 2308:15 2337:17 2375:16,19 2376:4</p> <p>people 2091:17 2094:19 2100:20 2101:8 2108:10 2112:25 2133:12 2134:18 2146:18 2149:18 2150:11 2162:6,12,15,20 2163:20,25 2177:16 2177:19 2178:25 2185:11 2217:11 2251:20 2255:3,22 2256:9,14,15 2281:2 2307:4,9 2337:25 2351:5 2358:13 2389:2,7</p> <p>percent 2214:22 2217:10</p> <p>perez 2064:17</p> <p>perfectly 2333:3</p> <p>perform 2175:14 2188:20 2289:5,8</p> <p>performed 2174:20 2193:11,14,17,23 2287:24 2344:13</p> <p>performing 2081:12</p> <p>period 2109:14 2172:22 2228:22 2366:15</p> <p>peritaje 2167:3 2218:25 2220:15,20 2221:6,7,20 2222:2 2222:25 2224:15 2225:4 2252:6,10</p>
--	--	---	--

<p>2260:21,25 2261:20 2349:22 2377:22 2378:2 perito 2126:2,18,20 2126:21 2133:9 2150:11 2231:24 2232:2 2233:20 2234:15 2236:9,17 2250:15 2252:22 peritos 2126:4 2128:8 permission 2077:10 2079:18,20 2081:16 permitted 2114:19 2240:5 perpetuation 2330:7 perplexity 2306:3 person 2070:18 2085:15 2120:8 2122:11 2151:25 2164:3 2187:5 2191:16 2212:4 2227:20 2254:15 2284:3 2292:5,13 2366:15 2370:15 2380:24 personal 2084:2 2390:14 personally 2109:23 2302:20 personnel 2292:4 persons 2164:4 2188:25 2221:18 2292:24 pertaining 2272:21 perused 2234:8 perusing 2218:8 2234:5 2249:25 2298:15 2305:15 2306:21 2342:5,22 2385:19 petition 2127:3,15 petroecuador 2200:18,25 2238:16 2390:8,12,25</p>	<p>2395:9 petty 2206:20 ph.d. 2254:23 phase 2204:17,23 2210:20 2218:25 2219:2 2220:15 2221:7,8 philadelphia 2370:23 phone 2212:3,5 photocopying 2296:2 photographs 2091:12 2272:18 phrase 2071:19 2123:2 2155:18 2235:7 2236:7 physical 2183:5,6,9 2183:11 2343:7 physically 2121:25 piaguaje 2368:23 2370:17,20 2371:2 picking 2369:9 piece 2171:16,19 pieces 2174:14 pinto 2100:19 2101:11 2102:2,10 2103:9,12,17,23 2104:5,12 2105:2,9 2105:16,25 2106:13 2106:22 2107:5,18 2108:8,20 2109:4,7 2109:10 2110:6,12 2110:15 2111:15 2112:15,22 2118:10 2119:3,6 2121:3,8 2121:14,18 2122:14 2122:18,21 2124:17 2126:15 2128:5,15 2128:23 2129:5,9 2129:19 2130:20 pipeline 2261:14 pit 2261:14 pits 2237:13,20 2272:23</p>	<p>place 2088:25 2089:6 2108:13 2244:22 2246:18 2313:13 2359:7 2361:5 places 2278:14 plain 2082:11 plaintiff 2109:11 2286:14 2289:17 2290:24 2292:6 plaintiff's 2127:2,15 plaintiffs 2064:5 2076:24 2078:12,14 2096:19,22 2103:18 2104:9,20 2105:7 2105:10 2109:8,24 2110:13 2120:7 2124:21 2128:24 2135:4 2136:12 2137:10,21 2141:22 2142:16 2143:2 2144:5,25 2151:9 2151:20 2152:3,11 2152:14,22 2153:7 2153:13,17 2155:6 2155:19 2159:3 2161:15 2163:18,21 2165:2,4,10,14 2166:2,7,12,18,21 2167:19 2168:7 2172:21 2175:13,21 2175:23 2176:4,12 2176:16,24 2177:9 2177:12 2178:20,25 2179:21 2181:13 2184:21 2185:3,6 2187:11 2188:5 2190:13,20 2191:2 2191:6,24 2192:4 2196:24 2197:23 2198:14 2199:4,19 2202:18,23 2203:8 2203:11,17,19,24 2204:2,11,22 2205:11 2208:11,25</p>	<p>2209:8 2210:7,19 2211:2,12 2212:18 2213:4,19 2217:6 2217:15 2224:24 2230:13,16 2231:13 2232:22 2233:15 2234:25 2235:17,22 2237:2 2240:3,17 2245:20 2247:3 2248:5,16 2249:4 2251:3 2258:5 2261:5 2262:7,13 2262:15,21 2264:5 2264:22 2269:20,25 2270:4,22 2272:3 2273:24 2274:18 2275:5,21 2276:11 2277:4,13 2278:4,7 2278:9,20,23 2280:9,14 2281:10 2283:14 2284:10 2285:9,18 2286:17 2287:5 2290:20,23 2291:6,11,18 2292:25 2294:17,25 2295:10,16 2296:16 2297:17,21 2298:5 2298:20 2299:3,6 2299:19,24 2300:5 2300:9,11,12 2301:17 2303:13 2304:6,18 2318:23 2319:5,8,25 2320:5 2323:11 2324:19,21 2325:4 2326:17 2327:10,24 2328:9 2328:21 2330:6 2331:3 2333:18 2334:16 2338:19 2339:12,16,25 2343:15 2344:22 2346:11,16,22 2347:2,8,13,18,19 2348:3,14,24 2349:8,21 2350:8</p>
---	--	---	--

<p>2351:14 2353:4,6 2353:14,19 2354:12 2354:24 2355:15,18 2357:10,20 2360:14 2361:6 2363:4 2364:13 2365:6 2367:2,18 2374:22 2380:22 2381:5,10 2381:12,17 2383:5 2383:8 2384:9,25 2388:19 2389:20 2390:2,6,10,16 2394:24 plan 2100:21 2110:11,24 2111:14 2112:9,13 2140:4 2142:25 2162:7,24 2162:25 2163:5,13 2163:19 2164:11,14 2164:24 2165:3,5,7 2165:10,14,20 2166:3,8,13,18 2173:21 2174:16,24 2175:10 2182:20 2183:2 2186:7 2191:23 2192:25 2196:5,9,22,23 2197:3,15,22 2198:14,22 2199:4 2202:19 2203:5 2204:17 2261:24 2302:6 2347:14 2365:11 planned 2222:24 2252:8 planning 2182:7 plans 2168:14 2173:16 plata 2111:4 2119:23 2120:3 play 2104:16 player 2091:25 2092:2 players 2245:25</p>	<p>playing 2104:19 pleading 2238:14,18 2240:12 2264:2,24 2282:17 2284:9,17 2284:19 2296:15 2297:16 2298:4,10 2318:24 pleadings 2211:5 2276:22 2277:3 2285:10,19,21 2295:16 2299:15 2313:12 please 2068:15,17 2074:7,21 2078:24 2097:5 2100:24 2125:2 2139:11 2140:3 2147:20 2150:6 2151:13,16 2155:13 2157:20 2158:11 2164:2 2173:20,23 2179:18 2185:19 2192:12 2197:5 2199:16 2206:6 2215:11 2227:12 2228:18 2239:10 2249:2,11 2249:23 2285:16 2288:20 2289:24 2293:17 2297:14 2301:10 2304:2,14 2307:5 2309:15 2319:24 2327:19 2337:18 2338:2 2345:18 2357:15 plenty 2093:21 plus 2106:4 point 2070:20 2078:9,10 2079:21 2081:13 2082:13 2087:5 2090:5 2094:22,23,24 2105:16 2117:7 2149:21 2158:23 2171:12 2172:14 2191:5 2206:19</p>	<p>2235:4 2242:13 2247:11 2299:9,10 2313:13,18 2325:3 2325:12 2330:5,19 2354:9 2359:22 2370:3 2380:10 2384:3 2387:17 pointed 2334:3 points 2067:23 2221:15 2273:11 2277:11 2394:23 pollution 2346:20 ponce 2064:16 2229:10 2239:21 porter 2238:18 portion 2098:17,25 2125:5 2140:5 2294:6 2296:10 2372:11 2373:17,18 posed 2345:16 position 2130:25 2312:24 2313:8 2344:23 2386:10 2387:18 possession 2227:6 2358:24,25 possibility 2069:22 2069:24 2071:13 2141:18 possible 2074:23 2086:13 2095:12 2109:18 2110:14 2129:4,22 2132:10 2135:8 2145:13 2162:18 2188:17 2193:19 2201:25 2251:17 2256:5 2265:14 2272:16 2277:23 2368:2 possibly 2081:12 2105:11 2106:23 2146:10,14 2190:22 2207:13 2245:9 2253:24 2254:4 2263:8 2362:6</p>	<p>2374:16 post 2284:20 posted 2226:2 potable 2325:15,18 potential 2068:6 2260:10,18 2346:15 2369:5,7 potentially 2070:3,7 2141:7 2330:2 power 2088:15 2351:13,17 powers 2088:7,11 2216:23 2218:6,18 2224:2 practices 2346:20 pre 2176:11 2179:10 2220:19 2221:3,5 2221:19,25 2222:10 2223:14 precede 2306:8 preceded 2171:25 preceding 2148:15 2148:16 2306:12 precisely 2303:22 prefer 2335:17 preference 2085:18 prefers 2253:14,15 2253:15 preguntar 2236:8 premise 2112:2 2114:6,12,18,23 2115:13 premises 2104:11 prep 2213:5 2214:3 preparation 2217:14 2224:14 2265:15,23 2268:22 2274:9,13 2277:21 2284:21 2342:7 prepare 2200:2 2253:25 2325:23 prepared 2082:17 2130:5 2171:18 2175:20,22 2176:3 2190:8 2191:10</p>
---	---	---	---

<p>2275:20 2349:8 2376:11 2380:5 2391:2</p> <p>preparing 2201:11 2202:4 2212:16,20 2215:3 2216:16,24 2217:7,21,24 2325:10 2364:22 2380:3 2387:3</p> <p>present 2066:4 2149:20 2165:9 2185:16 2220:16 2221:18,23 2246:4 2252:23 2254:15 2255:3,24 2257:16 2310:17 2349:20 2362:7,11,17 2368:16</p> <p>presentation 2146:22 2180:23 2181:3 2251:18,22 2251:25 2312:23</p> <p>presented 2311:13</p> <p>presently 2387:20</p> <p>presided 2087:11</p> <p>president 2103:12 2394:13</p> <p>presiding 2136:2</p> <p>press 2361:3</p> <p>pressuring 2143:16</p> <p>preston 2225:18 2227:13</p> <p>presume 2107:14 2296:3</p> <p>pretty 2259:12,23 2359:23 2369:3</p> <p>prevent 2108:12</p> <p>previous 2073:10,20 2233:5 2242:6 2263:9 2306:16 2308:18 2384:20</p> <p>previously 2071:8 2097:14 2124:9 2139:7 2142:7 2159:16 2166:24</p>	<p>2197:2 2200:7 2218:5 2225:16 2238:13 2239:16 2271:21 2286:2 2287:10 2326:21 2357:25 2377:14 2385:11</p> <p>prieto 2229:9</p> <p>primarily 2354:21</p> <p>primary 2342:12</p> <p>print 2139:8</p> <p>printed 2350:9</p> <p>printing 2139:21</p> <p>printouts 2350:14</p> <p>prior 2132:12 2133:2 2136:9 2143:10,24 2147:16 2148:7 2151:18 2153:12,16 2157:25 2158:23 2187:9 2202:21 2204:10 2208:8,22 2209:5 2211:17,21 2243:22 2262:18,24 2263:8 2264:4 2291:8,13 2293:2 2326:16 2327:8 2349:9 2361:10 2392:9</p> <p>pristine 2084:10</p> <p>private 2154:18 2178:11 2204:12 2245:2 2259:18</p> <p>privately 2153:14 2153:18 2159:3 2178:8 2300:6 2345:7,24 2346:4 2347:9</p> <p>privilege 2073:3,6 2073:16 2074:19 2086:7,9 2087:16 2088:18 2241:2,18 2241:22 2303:18,20 2319:16,19 2320:16 2331:21 2337:6 2351:17 2352:15</p>	<p>2386:7 2387:21 2390:23 2395:8</p> <p>privileged 2072:21 2080:2 2300:16</p> <p>probably 2131:16 2149:3 2182:2 2257:17</p> <p>problem 2093:19 2143:17</p> <p>procedural 2176:21 2176:25</p> <p>procedure 2172:18 2275:11</p> <p>procedures 2230:25 2231:6 2275:18</p> <p>proceed 2082:19 2118:6 2171:20 2195:11 2313:25</p> <p>proceeding 2077:8 2080:6 2082:5,7 2117:2 2123:12 2218:14 2241:9 2313:24 2315:4 2317:13,16 2356:12</p> <p>proceedings 2088:16</p> <p>process 2072:17,21 2135:23 2161:25 2271:17 2283:21 2345:13</p> <p>processes 2283:18 2284:12</p> <p>produce 2274:22 2350:25 2351:14</p> <p>produced 2098:16 2139:9,18 2159:22 2218:13 2309:7 2311:22 2312:5 2314:24 2322:8 2341:4 2350:23 2391:2</p> <p>product 2333:18</p> <p>production 2199:11 2311:22 2312:4</p>	<p>professional 2063:19 2077:17 2093:5 2103:13,19 2121:9 2204:19 2287:20</p> <p>professionalism 2288:2</p> <p>program 2223:2 2224:16</p> <p>progress 2187:19</p> <p>project 2120:9 2130:11 2186:11 2218:12</p> <p>promptly 2351:2 2360:25</p> <p>prone 2160:17</p> <p>pronouncement 2387:24</p> <p>proper 2072:18 2095:13 2275:11,18 2315:9 2346:4</p> <p>properly 2261:15</p> <p>proposal 2306:5 2317:4 2318:9</p> <p>proposals 2346:25</p> <p>propose 2118:13 2185:23 2186:3</p> <p>proposed 2118:15 2318:6 2343:15 2346:17,22 2367:4 2376:17</p> <p>proposing 2267:20 2267:22</p> <p>prosecutions 2081:23</p> <p>prospective 2281:25</p> <p>protected 2390:23 2395:8</p> <p>protection 2108:12</p> <p>protective 2277:14 2394:24</p> <p>protocols 2203:15 2203:16</p> <p>prove 2319:8 2320:5</p>
--	--	--	---

<p>provide 2129:6,16 2129:19 2177:2 2200:23 2201:23 2250:20 2263:2 2264:14,17 2266:5 2269:10,18 2272:16 2273:16,19 2281:18 2292:6 2304:24 2331:3 2344:22 2351:19,21 2352:12 2352:21 2367:3 2382:20</p> <p>provided 2165:10 2165:15 2166:2,8 2166:13 2175:21 2176:4 2198:18 2203:4 2215:15 2251:3 2264:5 2273:10 2276:4,12 2276:19 2278:21 2279:5,23 2280:9 2290:24 2291:6,12 2323:13 2346:16 2348:24 2349:9,21 2349:25 2350:9,11 2361:2</p> <p>providing 2111:21 2111:24 2113:24 2114:3 2246:17 2265:5,12 2269:22 2277:5 2282:20 2330:9 2359:8,15 2359:20 2360:3 2363:13,15,20 2385:10</p> <p>provincial 2395:6</p> <p>public 2063:20 2137:18 2154:19 2226:3 2276:5 2289:13 2290:11 2333:13 2393:18 2396:4 2397:25</p> <p>publicly 2155:7 2159:2 2178:8 2228:2,6 2300:5</p>	<p>pull 2242:15</p> <p>purport 2104:18</p> <p>purpose 2069:7,21 2070:3,23 2071:20 2149:15 2175:23 2211:9 2243:11 2247:21 2340:14,14</p> <p>purposes 2095:4 2202:11 2223:6 2320:8,10 2337:21</p> <p>pursuant 2063:15 2172:16</p> <p>put 2095:7 2096:6 2169:10 2174:12 2206:14 2214:19 2249:19 2323:15 2333:23 2343:2 2376:18</p> <p>puts 2139:22</p> <p>putting 2114:25 2131:4 2177:9,13</p> <p style="text-align: center;">q</p> <p>q's 2199:9</p> <p>qa 2230:25 2231:6</p> <p>qc 2230:25 2231:6</p> <p>quantification 2236:10</p> <p>quantified 2236:21</p> <p>quantifying 2237:3</p> <p>quarles 2198:17 2199:12,15,17,22,25 2200:8,10,10,14,22 2201:5,9,16,17,22 2202:3,17,22 2203:18,23 2204:10 2204:11,15,15 2205:4,9,19 2206:2 2206:9,13 2207:3 2207:10,21 2208:2 2208:9,23 2209:6 2210:4,12 2211:9 2211:16 2212:19,23 2213:3,22 2214:3,6 2214:11,15,25</p>	<p>2215:6,17 2216:5 2221:23 2223:22 2238:14,24 2239:23 2239:23 2240:6,8 2312:10 2314:8,13</p> <p>question 2069:17 2070:14,21,22 2071:12,17 2072:16 2072:18,20,25 2073:9 2074:15 2075:16 2076:20 2078:16,18,23 2080:8,11 2083:7,8 2084:17,19,22 2085:5 2091:8 2092:19 2098:10 2113:14,18,23 2114:3,16 2117:12 2127:25 2134:21 2144:22 2153:2 2156:6 2157:15,19 2158:21 2159:10 2171:13 2176:2,2,5 2179:24 2180:3 2192:12 2204:6 2208:21 2216:4 2228:18 2241:7 2248:22 2249:11 2288:20 2289:2,24 2293:18 2294:5 2300:19 2301:10 2304:2,12 2308:10 2308:15,18 2314:22 2315:5 2317:10,20 2319:24 2324:4,6 2324:16 2326:8 2332:6 2337:17 2338:22 2340:11 2341:18 2345:16,18 2345:20,25 2355:4 2357:14 2360:6 2377:7 2382:9</p> <p>questioned 2090:17 2098:24</p>	<p>questioner 2094:20 2094:25</p> <p>questioning 2068:21 2068:22 2078:2,4 2090:22 2114:20 2156:12 2313:24 2315:10 2335:13 2337:7,10,14 2352:19 2385:15</p> <p>questions 2068:10 2073:11 2074:2,5,7 2074:9,17 2076:7 2082:14 2084:10 2086:5 2087:8 2089:2,3,11,19,21 2091:2 2092:24 2095:6 2113:13 2124:10 2130:2,3,4 2170:14,24 2234:19 2258:22 2311:10 2386:6</p> <p>quiet 2259:23</p> <p>quite 2131:24 2139:22 2326:11 2364:8 2366:5</p> <p>quito 2098:3 2102:12 2111:11 2130:15 2154:17 2229:21 2242:16,23 2244:23 2249:16 2254:23 2259:9,15</p> <p>quote 2278:15 2330:23</p> <p>quoted 2293:13 2294:6</p> <p style="text-align: center;">r</p> <p>r 2064:2 2065:2 2066:2 2097:13 2195:2,4 2372:18</p> <p>rains 2336:7</p> <p>raise 2083:5</p> <p>raised 2067:23 2091:16,17,18 2171:12 2294:24</p>
---	--	---	--

<p>2321:12 2338:8 ran 2122:7,9 randy 2065:8 range 2107:9 rc 2235:10,14 reach 2104:4 2241:21 2332:12,13 2333:4 2335:19,20 2336:3 reached 2103:22 2108:7,19 2128:15 2158:24 2161:6 2204:19 reaching 2105:9 reacted 2071:22 reacting 2071:13 reaction 2333:2 read 2067:20 2068:18 2101:14 2113:15 2117:11,13 2131:9 2139:13 2140:17 2142:11 2147:22 2149:4 2150:4 2154:6 2156:24 2157:4,6,9 2157:19,21 2211:5 2220:5,8 2231:23 2234:6,9 2238:23 2240:8 2242:14 2270:22 2271:2,8 2277:19,24 2286:9 2287:17 2292:22 2293:24 2296:11 2298:8,9 2301:9,11 2304:12 2307:2 2309:4 2317:3 2323:18,19 2330:23 2334:14 2337:16,19 2341:23 2342:2 2366:21 2378:10 reader 2091:22,24 2092:7,8,11 2093:10 2183:19 readers 2117:17</p>	<p>reading 2074:13 2102:2 2157:11 2168:21 2182:3 2230:22 2237:9 2275:22 2283:7 2318:22 2350:13 reads 2176:7,20 2177:4 2190:2 2218:21 2220:11 2224:12 2229:24 2230:24 2239:14 2260:20 2297:21 2391:11 2392:8 ready 2308:14 2315:12,13 real 2143:17 realize 2333:21 really 2084:16,19 2085:6,20 2090:10 2091:25 2116:7 2118:16 2126:8,9 2299:13 2306:13 2321:17 2322:22 2326:4 2343:21 reason 2072:10 2075:10 2076:5,9 2097:23 2201:6 2241:20 2331:24 2350:19 2355:10 2356:4 2384:22 2397:5 reasonably 2387:18 2387:25 reasons 2074:19 2086:17 2121:9 2355:22 2361:25 2382:11 recall 2099:20 2102:17 2105:13 2118:17 2119:14 2130:14 2145:5 2147:13 2148:8 2163:12 2164:17 2176:14 2198:19 2208:19 2232:24</p>	<p>2244:20 2246:7 2262:8 2267:6 2269:12 2338:7,13 2338:24 2339:7,11 2376:14,16 receipt 2170:7 receive 2119:15 2143:9 2168:18 2169:16 2318:17 2385:20 received 2170:18 2302:17 2350:17 2360:23 receiver 2081:2 receiving 2143:2 2172:25 2187:16 receptive 2376:20 recess 2097:9 2138:7 2171:5 2194:11 2238:6 2297:7 2310:16 2336:19 recht 2385:6 recipient 2312:14 recipients 2308:4 recognize 2232:25 2256:18 2333:12 2379:9 recollection 2102:4 2102:6,21 2107:3,9 2109:12 2110:8 2118:22 2119:11 2121:12 2129:23 2130:5 2131:7 2132:15 2135:14 2146:24 2152:4 2153:25 2154:9 2157:11 2164:21 2167:22 2173:6 2179:4 2204:7 2209:18,24 2223:24 2224:6 2242:11 2245:5 2247:19 2250:23 2251:14 2253:10 2262:23</p>	<p>2263:3,6,18 2295:13 2349:16 2355:22 recommendation 2278:7 recommended 2135:5 reconcile 2229:24 record 2067:3 2068:19 2092:2,23 2093:10 2094:21 2096:11,16 2097:8 2097:11 2115:7 2116:19,19 2117:3 2117:13 2123:4 2131:9 2137:18 2138:4,9 2139:17 2157:21 2171:4,7 2171:12 2183:14 2194:10 2195:6 2199:15 2219:10,20 2238:3,8 2271:11 2272:12 2286:3 2295:25 2296:6,11 2296:21 2297:2,4,9 2301:3,6,11 2307:23 2308:9 2309:6 2310:15,20 2314:20,23 2334:7 2336:14,16,18,22 2337:19 2358:18 2382:25 2392:17 2393:3 2396:10 recorded 2170:18 2170:21 recording 2257:20 recordings 2256:13 2256:16 recover 2350:19 rectify 2292:12 reduce 2086:23 refer 2112:14 2127:6,17 2147:12 2176:11 2179:9 2180:15 2191:2</p>
---	--	--	--

2226:16 2235:14 2252:25 2321:22 2379:22 2380:7 reference 2075:4 2087:13 2088:9 2112:18 2125:2 2142:24 2162:23,25 2177:6 2186:24 2189:5,9 2233:10 2233:13,17,18 2243:16 2254:11 2316:20 2322:15 2379:21 2380:6 referenced 2106:14 2221:13 2222:11 references 2256:16 2309:11 referred 2110:15 2116:11 2123:19 2124:3,4,6 2127:4 2236:17 2274:14 2322:5,6 2349:17 referring 2070:11 2105:6 2109:3 2113:14 2115:14 2120:2 2124:12 2126:19,22 2128:9 2128:13,17 2133:9 2134:3 2135:25 2138:23 2141:17,20 2142:2 2143:22 2147:23 2162:11 2174:3 2180:19 2188:4 2190:12,20 2196:8 2207:2,9 2219:2 2275:24 2292:21 2294:2 2309:24 2322:24 2323:2 2325:15 2329:21 2344:4 2354:3 2356:10 2365:21 2378:14,21 2380:2 2386:13,21 2387:6 2388:12	refers 2111:7 2113:18 2120:4 2126:15 2128:4 2133:17 2142:4,25 2179:12 2188:15 2190:15 2191:19 2243:19 2253:18 2306:2 2309:5 2379:14 reflect 2296:6 reflected 2106:22 2107:12 2281:4 2339:18 reflects 2214:9 refresh 2102:3 2118:21 2150:5 2173:5 regard 2119:2,6 2172:14 2188:8 2271:14 2272:14 2292:4 2323:5 regarded 2212:13 regarding 2096:23 2124:2,10 2145:19 2242:9 2287:21 2364:20 2367:12 2386:2,6,17 registered 2063:19 regulatory 2272:25 reinforce 2117:6 reis 2064:11 relate 2366:5 related 2113:4 2121:9 2130:8,9 2161:18,23 2227:21 2269:15 2272:20 2273:3 2293:24 2302:25 2340:9 2354:14 2356:13 2396:12 relating 2091:5 2170:24 2351:17 2352:15 2354:16 2359:6 2388:7	relation 2286:14 relationship 2287:4 2290:19 2292:10 2295:10,18 2297:23 2298:6,21 2299:3,6 2299:19,24 relatively 2074:9 relay 2352:25 2362:24 relayed 2383:25 relaying 2214:6 release 2361:4 released 2226:12 2228:9 relevance 2076:18 2077:3,5,13,22 2079:2,3,11,23 2080:13 2082:15,16 2083:3,5 2086:25 2093:20 relevant 2072:23 2080:18 2081:13 2264:11 2387:24 reliable 2387:20 2388:6 relief 2331:11 reluctantly 2364:6 2365:22 rely 2387:25 remain 2369:14 remaining 2306:10 2318:13 2388:24 remediated 2237:13 2237:20 remediation 2223:7 remember 2081:14 2083:20 2098:6,12 2102:22,23 2105:12 2105:15 2106:19 2107:7 2108:25 2109:17,19 2110:10 2119:17 2120:21 2121:16 2122:16,20 2129:3,8,15 2130:7 2135:21 2136:13,13	2136:18 2145:17 2148:12,22 2151:14 2154:25 2159:14 2160:12 2161:16 2162:17,22 2164:8 2164:9,12 2165:22 2167:8 2177:18,22 2180:3 2187:17,17 2187:20 2201:3,18 2202:2 2208:5 2209:3,10,12,12,14 2211:8,14,21 2221:14 2226:23 2240:13 2242:25 2243:3,7 2244:13 2244:16 2245:12 2246:16 2251:20,21 2251:23 2255:18,23 2256:4 2259:4 2261:22 2262:3,14 2267:16,17,18 2269:13 2271:24 2277:22,25 2285:21 2299:11,21 2301:12 2302:13 2303:8 2324:8 2328:24 2338:6 2340:17 2350:12 2365:4,19 2365:25 2366:7,10 2366:13,20 2371:20 2376:21 2377:13 remotely 2334:12 removal 2236:14 removed 2334:4 renew 2369:19 repeat 2357:14 repeatedly 2076:3 repetitious 2075:22 repetitively 2085:10 rephrase 2248:13 reply 2277:11 2278:13 2312:15,24 2394:22 report 2069:2 2073:12 2081:18,19
---	---	---	---

2126:2,19,20,22,24 2128:24 2129:2,7 2129:11,17,19,21 2180:16,20,23 2181:4 2187:18 2190:3,7,15,17 2191:8,13,24 2218:11 2225:4 2228:3 2233:12 2235:24 2236:23 2237:21 2246:24 2247:5,10,18 2248:6,15 2249:3 2252:11,17 2253:6 2253:13,22 2260:6 2260:21,25 2261:20 2262:2 2264:16 2265:15,20,23 2267:10,14,23,25 2268:6,20,23 2271:16,23 2272:5 2274:23 2275:8 2281:25 2283:5,10 2283:25 2284:22 2289:10,16,19 2298:17 2300:14 2301:14,16 2302:7 2303:2 2325:10,15 2325:19,23 2329:16 2329:20,21 2330:3 2339:13 2347:21 2348:5,13,22 2349:7,22 2350:9 2356:19 2365:18 2373:5 2375:9 2376:8,25 2377:4 2377:23 2378:3,7 2384:12 reporter 2063:19 2100:25 2158:11 reporting 2067:5 2257:20 2397:2 reports 2256:16 2272:22 2309:15,16 2310:2 2319:2	2331:12,17 represent 2076:24 2124:17 2203:22 2240:14 2278:4 2353:13,18 2374:21 2381:4,9 2383:3,5,7 2388:19 representation 2171:19 2240:21 2270:21 2354:14,16 2355:12 2383:14,23 2389:19 representations 2285:22 representative 2111:18 representatives 2353:21 2354:2 represented 2213:22 2214:12 representing 2127:14 2213:18 2353:4 2354:23 2355:15,17 2361:6 2363:3 2380:21 2382:25 2383:2 2389:25 republic 2065:16 2200:3,17,24 2207:11,25 2211:6 2238:16 2239:5 2240:9,15 2390:7 2390:11,17,18,24 2395:9 republic's 2239:2 reputations 2103:19 request 2117:25 2119:17 2202:8,12 2214:6 2245:16 2262:5,12 2263:20 2264:13 2265:13 2266:4,13 2269:15 2270:12 2272:4 2273:15 2281:16 2282:11,18 2291:17	2309:24 2323:6 2331:16 2350:23 2360:23 requested 2119:15 2168:7 2172:20 2200:23 2205:9 2214:2 2245:19 2262:20,25 2271:17 2271:22 2272:17 2361:2 requesting 2265:4 2272:4 2318:25 requests 2247:24 2269:9 2272:2 2273:12 2395:17 required 2351:23 resided 2247:14 residence 2245:3 2246:18 2259:7,18 resolve 2127:22 2366:16 respect 2067:22 2068:2,7,25 2081:22 2096:5 2156:14 2295:25 2307:24 2314:7 2335:12 2376:15 respectfully 2117:25 2312:25 respects 2129:14 respond 2143:15 2338:2,3 responded 2075:16 respondent 2214:11 responding 2241:17 2241:19 responds 2237:11 2328:15 response 2143:13 2261:15 2268:4 2278:17,22 2284:19 2319:7 2320:4 responses 2272:25 responsibilities 2271:3	responsibility 2289:9,13 2290:10 responsible 2184:8 2184:13 2187:6,24 2188:25 2191:16 2375:11 2376:3 rest 2366:24 2367:17 result 2316:22 2317:11 2356:7 2373:25 2374:7,9 2383:19 2389:16 resulted 2317:17 results 2075:21 2225:8 2230:17 2231:14 2247:14 resumed 2195:4 retain 2080:22 2278:3 retained 2353:13,17 retainer 2278:9 2353:22 2381:20 return 2159:18 returns 2118:5 2157:17 2158:19 2315:14 2336:20 reverse 2099:14,20 review 2158:12 2159:16 2160:7 2173:23 2190:24 2204:16 2305:7 2342:23 2368:2 2375:16,19 2376:4 2385:17 reviewed 2099:10 2130:2 2192:4 2201:15,20 2285:24 reviewing 2180:16 2191:6 2201:18 2306:22 reyes 2098:4 2102:7 2103:2,5,17,23 2104:5,13 2105:2 2105:10,18 2109:21 2109:23,25 2110:3
--	---	--	---

<p>2110:5,12,16 2111:16 2112:16,23 2118:11 2119:3,7 2121:4,15,18 2122:14,18,22 2124:17 2128:5,15 2128:24 2129:6,9 2129:18 2130:15,19 2130:21,24 2131:11 2132:3,7 2134:8,16 2135:4 2137:6 2153:9,19,24 2154:14,22 2155:4 ricardo 2064:11 rice 2064:3 2096:20 2213:16 2214:2,13 2321:3,7 richard 2132:12 2133:24 2134:3,6 2134:15 2135:3 2136:10 2147:13 2148:3 2150:16 2152:2 2154:9 2172:3,18 2173:6 2187:5,25 2189:9 2196:13 2197:20 2226:9,21 2227:8 2235:15 2236:18 2242:16,23 2250:15 2252:23 2263:20 2271:12 2272:13 2286:4 2295:19 2297:24 2298:6,22 right 2071:25 2082:19 2084:14,23 2095:3 2098:5 2099:21 2107:6 2123:12 2127:18 2128:16 2146:3 2152:19 2156:3,23 2183:16 2199:9 2232:17 2236:15 2237:9,12 2243:15 2253:12 2255:5 2257:23 2258:10</p>	<p>2273:20 2282:13,24 2294:8 2298:24,25 2315:7 2317:12 2320:23 2323:17,24 2341:24 2348:2,5,8 2356:12 2358:12 2372:18,25 2375:16 2375:22 2377:16 2379:9 2381:11 2389:13 rights 2094:13 2311:5 risk 2082:18 2141:5 risky 2326:11 rivero 2064:15,19 2131:9 2156:13 2215:18,19 2216:7 2216:8 2311:19 2312:11 rmastro 2065:8 rnc 2064:19,20 roads 2261:16 roberts 2066:8 2067:4 rockwell 2307:19 2320:21,22 2321:11 2321:25 2322:21 2324:23 2326:3,10 2326:22 2330:17,24 2331:6 2343:20 2344:4 rockwell's 2321:2 rodrigo 2064:17 role 2104:17,19 2120:6 2122:10 2127:9 2132:4 2246:19 2325:9 2355:25 2356:18 2357:4 2369:5,8 2382:13 2384:10 2387:2 roman 2343:11 roof 2110:24 2111:9 2111:10,12 2112:8 2112:13</p>	<p>room 2096:12 2097:6 2113:8,9 2117:15 2118:5 2154:18 2155:14 2157:17 2158:3,5 2158:19 2206:5 2259:3,5,19 2300:24 2301:2 2310:18 2315:14 2331:25 2336:20 rough 2069:14 2089:14,15 2113:11 roughly 2180:11 2358:9 rubbed 2092:13 rule 2083:6 2319:14 ruled 2083:17 2266:4 2269:8 rules 2137:16 ruling 2068:23,24 2087:16 2333:14 running 2122:8 rushed 2140:21</p>	<p>2189:17 2203:15 2206:19 2220:17,19 2220:24,25 2221:3 2221:5,19,25 2222:10 2223:2,3 2223:14 2224:15,25 2225:8 2226:5,7,9 2228:2 2230:17 san 2220:18 sand 2215:15 2312:9 2314:6,14 2314:19 satisfactory 2083:9 2083:13 satisfy 2389:17 saw 2080:22 2081:6 2092:10 2202:15 2232:10 2242:5 2294:22 2298:10 2370:10 saying 2071:24 2074:2 2094:22 2107:4 2112:7 2116:18 2127:14 2257:21 2282:8 says 2089:10,20 2101:11 2116:8 2132:21 2133:4 2160:21 2161:10 2174:2 2176:15 2179:6 2187:2,2,23 2189:15 2190:7,24 2191:12,15 2229:20 2230:7 2233:7 2252:6 2253:12 2256:21,23 2261:9 2261:13 2326:4 2329:11,13 2337:24 2344:20 2365:22 2366:4 2372:16 2373:13 2378:12,19 2388:13 schedule 2173:21 scheduled 2243:5 2280:23</p>
		<p>s</p>	
		<p>s 2064:2 2065:2,22 2066:2 2097:13 2195:2,2,2,4 2394:6 2395:2 2397:5 sacha 2128:25 2129:10,20 saenz 2229:8 2255:17 2358:22 2370:12 sample 2189:22 2193:9,16,19 2226:11,22 2230:7 2247:13 samples 2178:23 2180:2 2222:3,7 2223:14 2227:7 2231:2 2247:13 sampling 2108:16 2167:16 2176:11 2178:22,24 2179:25</p>	

scholarly 2378:13 scientific 2343:14 scientist 2257:9 scope 2218:24 2220:14 screen 2267:8 scrolling 2267:7 search 2149:17 second 2071:16 2110:23 2113:7 2139:11 2151:16 2155:12 2179:16 2185:19 2188:9 2197:5 2215:11 2220:16 2227:12 2231:19 2234:11 2239:10 2280:20 2289:3 2297:19 2307:8 2320:15 2329:14 2351:12 2356:4 2363:9,10 2367:10 2382:24 2391:10,19 secret 2226:13 2228:9 secretary's 2092:14 secretly 2294:25 section 2214:10 2321:18 2322:24 2343:22 2344:3,4,6 2376:19 sections 2322:5,18 secured 2390:4 see 2071:18 2074:10 2075:2,4,7 2084:19 2090:2,3 2091:10 2091:11 2092:11 2100:6,18 2101:2 2101:12,13,13,17 2105:22 2106:7 2108:21 2116:17 2119:23 2125:22 2126:10 2133:5,15 2133:25 2134:10 2138:19 2140:18	2141:10 2142:19 2143:20 2150:7,17 2157:13 2160:17,22 2161:9 2162:8 2167:16 2172:9,13 2173:3,24 2174:15 2174:21 2176:9,22 2179:7 2180:16,24 2182:20 2184:4,16 2186:7,10,15 2187:4 2188:2,13 2188:21 2189:3,18 2190:3,10 2191:12 2191:15 2192:18 2193:2,20 2196:6 2196:14 2197:19 2205:2 2206:5,23 2207:17 2210:10,22 2219:9 2220:21 2223:8 2224:17 2225:24 2226:14 2229:22 2230:4 2231:3 2233:7 2234:16 2235:12 2237:10,15 2240:5 2240:7 2242:19 2243:17 2250:17 2251:9 2252:5,24 2253:4,16 2254:12 2257:13 2260:22 2261:11,17 2264:20 2265:8,16 2266:21 2266:25 2269:6 2270:17 2271:19 2273:6 2274:24 2275:9 2279:14 2286:11,17 2287:18 2288:2 2289:14 2291:4,20 2292:16 2298:2 2299:14 2306:7 2315:24 2316:13 2318:6,15 2321:19 2324:25 2326:14 2328:3,18 2329:5,18,25	2330:11,13 2331:13 2334:7 2336:2 2338:3 2341:25 2343:10,16,24 2344:14,20,24 2347:4 2359:12 2361:7,20 2363:17 2364:10 2367:8 2368:3 2370:5 2373:6 2375:2 2386:11 2388:2,10 2389:21 2391:10,21 2392:5,10 seeing 2160:12 2164:17 2232:7 2306:19 seeking 2094:10 2361:18 2387:20 seen 2073:23 2084:16 2123:2 2124:13 2160:11 2163:8 2164:22 2167:5 2178:4 2218:15 2225:21 2229:16 2241:24 2250:2,10 2260:15 2276:14 2286:6 2287:14 2309:8 2341:9 2358:15 2372:7 2390:13 2392:3,12 segments 2099:11 seiler 2065:20 select 2149:23 2150:20 2184:3,13 2222:24 selected 2218:23 2220:13 2264:18 selecting 2167:20 2185:12,16,22,24 2186:3 2365:11 selection 2167:16 2203:9,12 self 2206:21	selva 2106:23 2107:11,12 2112:6 2114:10 2122:5,7,9 2137:16 2170:17 2188:15 2226:3 2372:19 send 2070:20 2207:7 sending 2389:24 sense 2087:15 2090:12 2091:21 2159:11 2226:19 2302:10 2303:4 2364:19 sent 2086:18 2169:20 2173:15 2195:22 2198:25 2206:9 2217:10 2222:3,20,20 2284:2 2306:6 2318:11 2359:2 sentence 2101:10,14 2131:8,15,25 2132:2 2188:10 2195:25 2288:10 2289:4 sentences 2095:3 separate 2248:15 2249:3 2344:14 september 2098:23 2098:24 2200:16 2204:25 2205:20 2206:9 2208:10,23 2209:6 2210:21 2238:19 2309:17,21 series 2130:3 2174:20 2249:14 2305:5,13 serve 2130:21 2132:8 2134:19 2135:5 2149:19 2154:23 served 2134:7 2148:19 2149:13 serves 2131:7
---	---	---	--

serving 2155:7 2158:25 2206:21 2346:5 session 2067:19 2073:11 2160:4 set 2092:14 2162:14 2174:9 2237:20 2238:19 2396:8,16 sets 2321:16 settlement 2141:18 2142:2,5 settling 2122:19,23 2123:4,11 2124:10 2127:5,7,17,21 2128:10,25 2129:10 2129:20 2132:5,8 2132:13 2133:18 2135:6,12 2137:12 2137:20 2138:24 2148:19 2149:24 2150:22 seven 2133:17,23 2138:22 2149:24 2150:14,21 sharing 2141:6 sharp 2071:14 sheet 2397:2 shinder 2354:21 2355:13,16 2356:17 2357:9,19 2361:23 2362:3,8,12,14,20 2362:24 2384:2 2386:5 2387:8,11 2387:13,13 2388:25 2389:6,8,11 shinder's 2389:12 shoot 2142:21,24 2143:14 2145:15,20 short 2170:22 2212:7 2289:25 shorthand 2110:19 shortly 2268:15 2362:22 show 2076:17,19 2078:13,15 2087:25	2088:20 2139:6 2142:6 2163:4 2171:17 2271:7 showed 2233:5 showing 2170:7 shown 2090:15 2187:12 2215:13 2282:24 2323:23 2350:18 shows 2069:3 2085:13 shut 2331:18 shuts 2330:3,12 side 2106:2 2127:20 2336:3,10 2352:16 sided 2197:18 sides 2133:14 2150:13 sign 2201:19 2278:9 2348:14,22,23 2353:22 signature 2197:19 2198:12,23 2207:7 2207:10 2238:20 signed 2080:21 2199:6 2204:11 2280:2 2329:8 significant 2149:9 signing 2349:9 silver 2065:17 2240:25 2241:17 2314:3,5,10,16 2315:3 simply 2075:11 2315:10 2321:15 2370:6 single 2303:9 sir 2072:7 2077:11 2079:13 2080:11 2085:6 2087:21 2090:5 2091:4 2101:4 2115:20 2116:12,16 2117:4 2132:20 2146:19 2173:11 2198:7	2218:19 2227:18 2254:7 2258:3 2274:5 2280:8 2308:16 2315:17 2340:18 2350:5 2352:12 2376:15 2384:16 sit 2169:25 2222:5 2226:23 2242:12 2278:2 2295:14 2323:17 2349:13 2365:14 2366:8 2375:21 site 2167:16 2186:7 2202:6 2203:9,12 2204:18 2226:2 2239:20 sites 2078:6,11 2167:20,24 2168:3 2168:6 2176:12 2178:24 2179:10 2180:3,6,11 2184:3 2184:14 2185:13,16 2185:22,24 2186:3 2186:11 2188:21,23 2189:13 2218:23 2220:13,20 2221:6 2221:21 2222:2,25 2223:3,5 2226:11 2226:22 2239:20 2272:19 2365:11 sitting 2209:24 situation 2266:15 2292:12 2302:12,15 2321:13,22 2324:9 2384:3 six 2098:15,16 2222:24 2336:23 2358:10 2393:4 size 2139:9 skipped 2249:21 sleeves 2092:17 slowly 2100:24,25 2101:2	small 2139:22 2306:10 2318:12 snarasimhan 2065:7 snow 2358:14 social 2251:8 2253:13,14 2257:9 society 2103:13 soil 2193:18 2226:22 2227:6 2237:12,19 soils 2226:10 2236:11,22 2237:4 somebody 2079:7 2083:19 2085:14 2089:16 2164:5 2167:23 2186:23 2215:11 2283:14 2314:22 2332:23 2342:18 2358:3 somewhat 2388:21 soon 2141:2,15 2265:13 2272:16 2367:25 sophisticated 2311:2,3 sorry 2068:9,16,18 2070:10 2086:4 2089:6,13 2100:12 2100:23 2112:12 2119:4 2124:25 2125:12 2127:24 2132:24 2134:20 2158:4 2169:8 2180:13,13 2192:21 2208:20 2210:13 2241:5 2248:12,20 2248:24 2249:21 2252:25 2263:17 2267:4,10 2268:11 2274:6 2277:7 2308:19 2315:22 2317:25 2319:12 2326:7 2330:22 2338:21 2358:2 2360:9 2363:6 2370:15 2376:14
--	---	--	---

2380:13 sort 2086:19 2130:6 2178:14 2251:22 2335:3 sought 2073:2 2083:25 2094:14 2360:13 southern 2063:3 2067:13 2084:6 2086:2 2200:19,25 2205:6 2211:11 2238:15 2239:6 2314:15 sowell 2225:19,25 2227:13 spanish 2163:10 2164:18 2171:25 2175:3,6,7 2182:24 2186:20 2197:7,10 2229:13 2235:7 2263:25 2274:10 2296:14 speak 2096:15 2102:7 2211:16,23 2229:13 2255:4,16 2255:22 2301:2 2314:4 speaker 2256:11 speakers 2256:18 speaking 2102:3 2256:11,14 2379:12 speaks 2116:8 2229:7,8,9,10,11,15 special 2066:5,7 2067:17 2069:4,18 2069:23 2070:5,8 2070:12 2071:9,15 2071:25 2072:8,9 2072:17,19 2073:7 2074:12,20 2075:5 2075:8,18 2076:16 2077:21 2079:14,19 2080:4,17 2082:10 2082:21 2083:12,15 2083:22 2085:2	2087:7,11,14,18 2088:3,8,10,22 2089:15,23 2090:4 2090:9,18 2091:9 2091:15 2092:25 2093:6,25 2094:4 2095:14 2096:17,25 2097:2,4 2098:9,20 2099:19,25 2100:6 2100:12,23 2112:10 2113:6,10 2114:21 2115:5,17,22 2116:13,17 2117:8 2117:14,23 2118:2 2118:6 2119:18 2120:12 2122:25 2125:12,16 2127:13 2127:23 2131:6,20 2134:20,24 2136:6 2136:15 2138:2 2139:10,25 2140:8 2148:10 2150:5 2151:12,15 2152:25 2155:11,15,25 2156:22 2157:5,13 2157:18,22 2158:2 2158:6,20 2159:9 2168:25 2169:7,12 2170:5 2171:10 2175:25 2179:15,23 2180:5,9,12 2181:8 2181:14,18,23 2182:5,12,14 2183:4,8,13,18,23 2184:10 2185:18 2186:25 2188:20,23 2189:13 2192:10,14 2192:21 2193:13 2194:4,7 2197:4,11 2199:8,14,20,24 2204:5 2205:15,25 2206:4 2208:15 2209:11,16,22 2214:7 2215:10,21 2215:24 2216:3,10	2216:13 2220:7 2221:2 2227:11,16 2227:19,24 2228:17 2229:2,5 2231:8,18 2231:25 2232:4,7 2232:15 2237:23 2239:9 2240:23 2241:3,16 2245:24 2246:12 2248:10,21 2248:25 2249:10 2254:5,8,14,18,21 2255:2,7,10,13,15 2255:20 2256:8,24 2257:6,11,15,19 2258:2,8,12,21 2259:2,6,10,16,24 2267:4,21 2268:3 2268:11,14 2269:2 2269:6 2280:2,6,19 2281:6,14,21 2282:5,15 2283:2,8 2283:12,22 2284:7 2284:18,25 2285:4 2285:15 2287:6 2288:13,17,25 2289:22 2290:5,16 2293:10,17 2294:4 2294:14 2296:8,22 2298:23 2300:17,23 2301:4,22 2303:19 2304:3,10,15 2305:16,21,25 2306:18,25 2307:7 2307:12,16 2308:7 2308:13,17,22 2309:3,13,21 2310:3,6,11,21 2311:17 2312:6,12 2313:4,16 2314:8 2314:12,18 2315:22 2316:11,19 2317:7 2317:19,25 2319:12 2319:17,20 2320:14 2322:3,16 2324:3 2324:15 2326:7	2327:13,17,19 2330:16 2331:22 2332:2,8,18 2333:15,22,25 2334:21 2335:9,14 2336:15 2337:13 2338:20 2339:21 2340:5,10,19 2341:2,8,20,24 2345:10,14,19 2347:24 2348:18 2349:2,5,13 2351:4 2351:11 2352:3,7 2352:13 2355:3 2358:2,6,9,12 2360:2,8 2371:21 2373:14,19,24 2374:6,11,18,25 2375:6,14,18,23 2376:6,13,23 2377:8,16 2382:8 2382:23 2383:6,11 2383:21 2384:6,14 2384:17,21 2385:3 2385:13 2392:15 specific 2082:4 2157:11 2167:24 2253:9 2278:23 2295:12 2362:25 specifically 2078:9 2110:10 2129:15 2135:21 2145:18 2164:8,9,12 2167:8 2177:15,23 2187:21 2201:4 2202:2 2208:5 2242:25 2256:5 2293:22 2301:12 2303:5 2335:11 2354:19 2355:13 2365:14 specifics 2154:25 2211:14 2323:17 spelled 2347:25 spend 2068:12 2091:25
--	--	---	--

<p>spent 2088:24 2212:19 2215:3 2216:16,24</p> <p>spill 2261:15</p> <p>spills 2237:14,20 2272:23</p> <p>spoke 2100:19 2101:11 2255:4</p> <p>spoken 2067:25 2211:19</p> <p>square 2114:13</p> <p>squint 2140:12</p> <p>srd 2372:21 2375:11</p> <p>sripriya 2065:7</p> <p>staff 2278:22 2291:2 2291:8</p> <p>stamp 2100:10 2219:18,22</p> <p>stamped 2125:19 2198:5</p> <p>stamps 2100:7 2199:11</p> <p>stand 2091:21 2115:24 2116:19 2118:4 2231:9</p> <p>standing 2074:14</p> <p>stands 2117:3</p> <p>stanley 2316:24</p> <p>star 2250:14</p> <p>start 2187:23 2188:9 2305:11 2306:20,20</p> <p>started 2160:25 2299:14</p> <p>starting 2301:18 2305:10</p> <p>starts 2089:5 2095:20 2101:10 2125:23 2344:12</p> <p>state 2063:20 2140:20 2195:25 2206:17 2275:3 2292:3 2322:2 2326:10 2329:24 2331:6 2355:16</p>	<p>2387:16 2389:15 2396:5</p> <p>stated 2127:19 2204:15 2275:25 2343:20 2346:10 2384:22</p> <p>statement 2092:20 2096:22 2136:17 2205:5 2210:10 2278:19,25 2279:20 2286:20,23,25 2287:8 2288:5,9,16 2288:19 2290:7,11 2291:22 2293:12 2312:9,13,19,22 2313:7,13 2340:12 2345:3 2367:10,11 2367:15 2375:15 2394:19,21,22 2395:4</p> <p>statements 2126:12 2216:6 2279:8 2292:18 2334:18</p> <p>states 2063:2 2081:24,25 2105:24 2119:22 2125:25 2172:13 2186:10 2188:8 2193:10,17 2210:5,9 2222:23 2236:5 2239:5 2264:9 2265:10 2271:11 2274:17 2276:22 2277:3,15 2278:5,13 2286:12 2287:19 2289:4 2290:21 2299:16 2322:21 2324:23 2359:4 2367:24 2373:3</p> <p>stating 2115:9 2385:24</p> <p>station 2223:4</p> <p>stations 2223:16</p> <p>status 2369:5</p>	<p>statute 2082:4</p> <p>stay 2127:3,15</p> <p>steven 2063:15 2065:21 2067:15 2138:6,11 2160:21 2168:13 2171:9 2238:5,10 2253:14 2297:6,11 2336:24 2359:8 2360:15 2363:10 2364:5 2367:5 2372:17,18 2385:25 2393:4,11 2397:4,21</p> <p>sticker 2169:10</p> <p>stood 2251:24</p> <p>stop 2082:18 2096:10 2158:2 2231:19 2359:20 2360:3</p> <p>stopped 2113:13 2359:8,14</p> <p>story 2329:17</p> <p>straight 2245:25</p> <p>strange 2255:21</p> <p>strategy 2319:5 2320:2 2333:19 2341:13</p> <p>stratus 2159:23 2164:4,10 2165:19 2191:10 2217:4,11 2226:20 2227:2,6 2227:15,21 2228:8 2228:12,21,23 2233:11,24,25 2236:21 2237:18 2241:12 2243:12 2247:7 2248:16 2249:4 2250:20 2251:3 2252:5,11 2252:15 2253:5,25 2258:19 2260:4,11 2260:11,19,24 2261:21,22 2267:12 2268:5,16 2275:20 2276:23 2280:25</p>	<p>2281:9 2283:4 2290:13 2302:6,24 2303:6 2312:19 2355:25 2356:18 2357:4 2361:17,19 2362:4 2363:12,14 2363:20 2364:21 2365:16,18 2373:6 2375:10 2376:9,11 2376:18,25 2377:3 2377:21,25 2381:10 2381:13 2382:13 2383:3,8 2384:10 2386:2,18 2387:2 2389:2,7 2394:9,16 2394:17,18,18,20</p> <p>strawn 2065:15 2238:17 2379:7</p> <p>street 2064:4 2065:15</p> <p>strengthen 2161:7</p> <p>stricken 2116:6,9 2117:4 2181:9</p> <p>strictly 2266:23</p> <p>strike 2083:7 2116:4 2116:5 2134:24 2159:7 2181:6 2254:3 2293:9</p> <p>strikes 2087:16</p> <p>striking 2116:14</p> <p>strong 2356:6,23</p> <p>struck 2092:6</p> <p>structure 2260:20 2265:20</p> <p>studies 2189:12</p> <p>study 2184:4,14 2188:20 2251:8 2289:12 2290:10</p> <p>stuff 2079:22 2108:17 2282:12 2303:10 2375:7</p> <p>subcontracting 2261:23</p> <p>subcontractors 2302:25</p>
--	--	---	---

subject 2068:24 2073:15,16 2075:19 2078:2,4 2113:22 2132:2 2157:2,7 2168:14 2246:5,6 2318:5 2333:5 2352:19 subjects 2292:8 submission 2269:24 2273:25 2309:14 2316:14,18,21,22 2317:2,8,11,17 2331:8 2338:14,16 2338:25 2339:18,22 2340:2,15,21 2341:9,11,19,22 2342:3 2346:10 2352:22 submissions 2279:5 2279:22 submit 2275:5,13 2283:24 2289:10 2309:25 2319:2 submits 2282:16 submittal 2260:21 submitted 2077:9 2081:15 2200:2 2211:6 2215:17 2253:7 2261:2 2276:15 2279:17 2283:3 2289:17 2296:4 2303:13 2304:6,18 2309:4 2309:17 2380:11 2386:8 submitting 2069:7 2070:4,24,25 2071:18,21 2201:11 2271:16 2275:12 2276:11 subpart 2261:13 subpoena 2063:15 subscribed 2393:14 2397:22	subsequent 2223:25 2308:6 2311:22 2317:22 subsequently 2312:19 2369:18 subset 2115:12 substance 2073:12 2074:16 2077:18 2090:12 2212:11 2215:6 2248:4 2305:24 2338:11,23 2339:5,7 substantial 2080:25 2268:2,18,19 2278:14 2283:10 2376:19 substantive 2087:7 2088:2 2089:24 substitute 2390:5 suburb 2259:11 succeed 2182:8 sucumbios 2395:6 sue 2390:8,12,18 2391:19,24 2392:8 2392:13 suffice 2171:20 sufficient 2173:5 2312:4 2383:12 2388:17 suggest 2177:19 2321:14 2334:10 suggested 2167:23 2203:17 suggesting 2316:21 suggestion 2115:14 suggestions 2177:21 2177:24 2178:6 suggests 2367:16 suite 2064:16 sum 2106:16,18 2119:8 summary 2286:9 2349:7,18 2377:23 superior 2394:14	supervise 2087:15 supply 2284:10,11 support 2161:5 2191:17 2218:24 2220:15 2277:12 2278:22 2280:10 2290:25 2291:8 2292:7 2344:23 2388:24 2394:23 supporter 2258:6 supposed 2103:24 2231:12 2235:9 2250:16,21 2252:23 2266:13 supposedly 2324:11 sure 2091:7 2101:22 2118:16 2131:13 2153:6 2156:9,10 2156:11 2162:3 2164:25 2166:11 2170:11 2183:19 2200:11 2212:9 2214:22 2217:10 2219:10,20 2225:14 2235:5,8 2259:20 2313:2,9 2316:17 2348:10 2349:18 2350:14 2357:16 2374:17,24 2387:17 surest 2090:23 surprise 2365:24 surprised 2364:8 surround 2081:6 surrounding 2330:3 2361:17 survey 2226:8 suspect 2074:4 2091:16 2293:25 sustain 2085:19 sustained 2084:21 2240:24 2241:6,20 2324:6 sv 2188:12,15 2372:21	switched 2385:9 sworn 2097:14 2393:14 2396:8 2397:22 system 2274:20 2325:16,19 <hr/> <p style="text-align: center;">t</p> <hr/> t 2097:13 2195:2,4 2394:6 2395:2 take 2068:14 2070:2 2077:10 2084:3,11 2096:10 2097:2 2101:23 2137:24 2157:15 2170:22 2184:11 2194:7 2207:8 2242:14 2243:12 2256:9,10 2274:4 2275:7 2285:15 2296:24 2320:15 2328:21 2335:18 2336:8 2352:24 2387:18 2388:22 taken 2097:9 2113:3 2122:12 2138:7 2171:5 2218:22 2220:12 2223:11,15 2227:7 2238:6 2272:18 2288:10,18 2297:7 2310:16 2334:6,19 2336:19 2361:5 talk 2068:8 2125:10 2139:23 2141:2,16 2251:23 2329:11 2337:25 2387:10,12 2389:8 talked 2125:25 2126:14 2131:2,10 2212:10 talking 2075:19 2086:21,22 2091:10 2183:14,21 2218:18 2251:20 2293:22
---	---	--	---

<p>2294:7,12 2335:16 2356:14 2357:3 2364:4 2366:13,18 2366:22 tania 2181:10 2184:15,18 2229:25 2230:12 2234:20,21 2234:22 2235:5,17 2236:10 task 2087:14 2185:12,15 tasked 2258:19 2260:4 2268:5 tasks 2081:11 2177:21 2187:6,12 2260:10,19 2289:8 team 2109:24 2120:7 2143:8 2151:9 2152:14,17 2153:8,17 2161:7 2163:21 2164:6 2165:2,4 2167:23 2176:24 2177:5,6 2177:10,12,14,22 2178:8,16,19,20 2179:2,22 2181:12 2181:16,22 2184:22 2185:3,6 2186:23 2187:25 2188:2,5 2188:12 2190:9,12 2190:13,20,25 2191:2,6,17,24 2192:5 2199:19 2204:21 2210:17 2223:23,25 2225:7 2226:8 2227:8 2228:25 2229:6 2230:13 2233:15 2234:25 2235:18,22 2237:2 2245:9,20 2251:3 2259:21 2260:22 2261:2,4,5 2262:15 2264:23 2283:14,15 2284:3 2284:10 2289:18</p>	<p>2294:18 2300:13 2324:11,17 2325:13 2364:14 2365:7 2366:25 2367:17 2372:20 2379:12 tech 2195:17 2196:2 2199:18 2218:11 2221:19 2222:12 2223:22 tech's 2218:24 2220:14 2223:19 2224:13,20 technical 2084:13 2134:18 2149:18 2153:7,17 2161:5,7 2164:6 2176:21,25 2178:20 2179:21 2181:12,15,21,22 2187:25 2188:5,11 2190:9,19,21 2203:20,25 2225:7 2234:25 2235:22 2245:9,20 2248:16 2249:4 2278:21 2280:10 2290:25 2291:7,15 2325:13 technically 2084:14 technicians 2289:7 2289:11 2290:9 2297:22 techniques 2189:18 technodinosaur 2306:19 tell 2091:9 2116:18 2117:25 2146:16 2179:19 2203:18 2208:24 2209:7,18 2209:25 2256:17 2284:8 2306:20 2308:14 2311:10 2329:17 2332:24 2356:22 2358:3 2363:19 2368:24 2372:10,13</p>	<p>telling 2073:21 2209:3 2275:17 2352:8,14 ten 2222:24 2310:12 tends 2090:24 tenor 2317:9 tense 2222:15 term 2123:4,14,16 2127:8 terms 2088:18 2356:6 2369:24 2387:6 testified 2071:8,10 2097:15 2154:12 2198:17 2201:5,9 2213:4 2217:12 2256:2 2267:8 2268:4,13 2281:4,8 2376:14,15 2377:15 testify 2115:6 2116:10 2202:14 2212:20 testifying 2212:15 2212:17,17,20 2213:6 2215:3 2216:16,24 2217:8 2217:15,21,24 2267:19 testimony 2069:16 2069:22 2097:24 2114:14 2115:20 2116:3,7 2117:16 2118:4 2157:6 2158:8 2160:14 2214:15 2215:7 2217:7,21 2222:17 2267:17 2280:24 2283:13 2290:12 2319:6 2320:3 2340:17 2346:7 2350:13 2360:13 2376:11 2377:17 2396:7,10 texaco 2143:16 2167:3 2200:19</p>	<p>2238:17 2239:7,14 2239:16 2258:12 texaco's 2206:20 texpet's 2346:19 thank 2095:14 2097:4 2118:8 2127:23 2158:18 2182:14 2183:23 2199:24 2227:24 2229:2,5 2246:13 2258:2 2294:15 2296:9 2320:19 2337:2 2349:5 2351:3 thanks 2236:15 theme 2253:22,22 theory 2336:7 thing 2074:23 2238:23 2288:8 2306:11 2313:21,22 2315:9,9 2316:12 2318:13 2331:9 2352:9 things 2075:21 2077:23 2087:17 2108:5 2140:21 2141:24 2155:21 2229:21 2267:9,11 2281:25 2284:2 2289:21 2302:8 2322:4,6 2351:20 2351:21 2352:17,18 2360:20 think 2068:3,4 2069:12,15,16,20,21 2072:15 2075:14,24 2077:7 2078:9 2081:12 2082:3,7 2085:3 2086:19 2087:20 2088:5 2091:18,19 2093:2 2093:8 2094:11 2095:9 2099:22 2102:11 2108:4 2109:9,13 2110:24</p>
---	---	---	--

<p>2111:17 2112:3,24 2114:7 2115:2,13 2116:7 2118:14 2119:18 2122:10 2123:15 2125:14 2127:8 2131:18 2134:21 2136:15 2146:11,23 2147:11 2147:21 2152:25 2154:2 2155:23 2158:20 2159:10,12 2160:3 2161:3 2163:24 2164:3 2166:4 2167:7,8 2168:23 2171:15 2174:7,10 2178:4 2180:10 2181:5 2190:22,23 2200:13 2201:3,13 2202:12 2203:16 2205:8 2208:6 2211:25 2212:8,16 2213:7 2214:5 2216:18 2217:16 2222:17 2224:9,22 2225:6 2228:23 2229:14,15 2231:24 2236:13 2237:22 2247:6 2250:24 2253:10 2254:8 2256:2,3 2257:8 2261:3,6,7 2263:4,15 2268:7,9 2283:19 2286:22,24 2287:7 2288:15,17 2288:22,23 2289:20 2289:21 2292:21 2294:9,21 2295:11 2310:12,22 2311:11 2313:3,19,20 2315:8 2322:13 2323:8 2330:4 2331:22 2332:22 2333:23 2334:5,18 2336:9 2337:20 2339:4 2342:9</p>	<p>2344:15 2345:21 2347:25 2348:2,7 2351:16,22 2352:8 2352:20 2353:16 2356:5,13 2357:3 2359:2 2364:17 2369:9 2370:4,10 2374:8,14 2375:21 2378:12,16,22 2379:13,15 2380:4 2382:11 2383:20 2384:2 2386:15 2390:3 thinking 2126:3 2128:3 2211:15 2269:5 2291:11 2293:6 2295:13 2308:19 2351:12 third 2133:7 2138:17 2176:7 2183:5,6,8,11 2218:20 2220:10 2222:23 2223:10 2235:4 2317:23 2384:18 thought 2071:7 2072:17,21 2076:14 2080:15 2087:12 2092:22 2123:14 2167:24 2213:23 2271:25 2334:8 2356:23 thoughts 2093:16 thousand 2106:25 2107:6 2282:23 three 2146:18 2154:4 2158:14,14 2161:11 2169:20 2171:8 2182:11 2196:4 2204:23 2210:19 2211:25 2238:4 2265:7 2269:10 2273:8,11 2321:18 2322:23 2343:22 2344:2,3,5</p>	<p>2344:10 2390:4 2392:7 thrown 2170:23 thursday 2067:19 2067:21 2075:20 2088:23,23 tierney 2232:21 time 2067:7 2068:13 2084:10,11 2088:24 2091:25 2092:4 2102:23,24 2104:15 2110:11 2111:3 2120:17 2122:10 2141:6 2144:8 2149:13,21 2150:24 2152:15 2160:25 2161:10 2164:6 2165:23 2166:5,12 2187:9 2194:5 2201:21 2202:21 2204:10 2208:8,22 2209:5 2211:15 2212:14,15,19 2213:4,6,14 2214:3 2214:4 2215:3,16 2215:16 2216:15,24 2217:7,14,14,20,24 2223:20 2224:3,23 2225:6 2226:25 2227:3 2235:19 2237:6,24 2243:25 2247:11 2250:8 2266:2 2268:15,17 2270:18 2271:6 2287:12 2291:13 2295:14 2301:25 2302:8,14 2323:18 2324:18 2325:3 2332:9 2337:2 2340:20,21 2348:6 2357:7,17 2358:7 2359:22 2364:12 2366:6,15 2370:3 2371:17,19 2375:2 2380:10,14,14,14,16</p>	<p>2383:16 2388:17 2393:7 times 2121:17 2122:13 2123:2 2147:15 2187:4 2211:20 title 2197:13 today 2097:3,24 2110:23 2112:8,12 2113:11 2120:24 2170:2 2209:25 2215:13 2222:5 2226:24 2242:12 2250:10 2295:14 2314:21,24 2352:18 2358:4,8 2365:14 2366:8 2376:7 2380:15 today's 2067:6 todd 2063:18 2396:4 2396:20 told 2067:18 2075:20 2087:2 2213:10 2283:15,23 2287:7 2312:8 2335:17 2361:23 2363:23 2364:6 2365:22 2366:4 2368:21 2370:9 tomas 2378:20 2379:5,6 tone 2086:15,16,19 tonight 2207:7 top 2089:9 2133:4 2160:21 2206:8 2229:19 2230:6 2243:15 2257:12 2305:24 2315:19 2317:5 2332:20 2344:18 2378:12 topic 2215:2 topics 2251:11 topo 2226:6 topographic 2226:6</p>
--	---	---	--

<p>total 2086:24 2282:22 2384:7 town 2259:14 toxicos 2253:14 tph 2193:11,17,24 2226:10,21 track 2094:20 2168:5 2337:3 trail 2307:2,25 2316:16,23 2322:7 2322:19 trained 2178:19 transcript 2067:21 2068:20 2069:3 2073:22 2089:14 2091:5,13,18,19,20 2092:11 2093:11 2157:10 2170:21 2183:20 2206:5 2214:8 2219:21 2396:9 transcripts 2091:20 translated 2256:6 2257:25 2278:19 translation 2163:5 2168:15 2171:25 2175:5 2264:3 2270:4 2296:15 2297:20 2394:14 translator 2251:16 2255:24 2256:4 2257:22 transmission 2282:20 2283:3 transmit 2283:16 transparency 2285:23 2287:25 transparent 2274:22 traveling 2221:14 treatment 2272:22 trees 2259:25 trial 2082:17 2108:11 2109:14 2136:3 2242:15</p>	<p>2243:13 tribunal 2082:6 trip 2109:13 2162:5 2162:11 2222:23 2223:10,14 2224:11 2370:24 trips 2218:21 2220:11 2221:13,16 trouble 2131:17 2281:15 2282:6,8 troubled 2332:19 2382:12,15 troubling 2333:24 2334:2 2386:3,21 true 2166:14 2185:21 2209:23 2262:22 2285:8,17 2292:23 2348:3,11 2359:14 2364:9 2396:9 truly 2084:17 trumps 2094:24 truth 2330:11 try 2086:23 2129:10 2134:18 2161:6 2169:15 2241:23 2335:23 2336:9 2337:2 2373:20 trying 2079:21 2131:21 2139:13 2245:25 2332:10 2366:16 turn 2068:15,17 2105:19 2116:24 2124:23 2138:13 2145:23 2146:3,9 2161:8 2162:4 2172:8 2174:6 2182:15 2188:18 2210:15 2235:3 2290:3,18 2295:17 2297:19 2306:2 2315:19,21 2320:12 2327:21 2329:3 2343:5,7</p>	<p>turned 2134:8 2379:19 2380:6 turning 2073:11 twice 2075:13 two 2072:4,5 2076:6 2095:24 2096:10 2104:10 2109:14 2115:15 2125:15,17 2138:10 2145:4 2147:21 2148:6,9 2148:12 2149:3 2161:10 2172:14 2173:13 2176:6 2192:8,11,23 2193:5 2211:25 2218:21 2220:11 2221:12,16 2244:8 2245:8,13 2246:6 2263:10 2289:20 2294:10 2306:6,7 2306:12 2309:5,9 2311:4 2318:11 2321:16 2332:11 2384:13,15 2390:3 types 2230:7 2265:7 typewritten 2228:13 2372:11 2373:17 2374:14 typo 2110:25 tyrrell 2327:6,7,9</p>	<p>2103:22 2109:10 2196:17 2221:9 2356:15,20 unaffiliated 2124:20 underground 2193:19 underlying 2356:10 2356:15 understand 2068:5 2072:24 2094:6 2097:20 2115:3,4 2116:14 2123:17 2144:21 2226:16,18 2230:8 2235:14 2283:13 2285:2 2306:2 2308:8 2314:16 2315:2 2316:24 2317:8 2321:21 2341:18 2348:8 2352:11 2373:20 2377:18 2388:15 understanding 2115:20 2145:22 2186:2 2235:21,25 2266:11 2275:16 2276:9 2321:6 2359:17 2369:13 2382:10 understands 2095:10 understatement 2307:3 understood 2072:25 2074:15 2123:13 2269:16,23 2334:16 undertake 2383:13 undertaken 2076:21 unenforceable 2356:20 united 2063:2 2081:24,25 2276:22 2277:3,14 2278:5 2299:16</p>
		u	
		<p>u.s. 2067:12 2190:21 2300:11 2301:13,16 2302:18 2303:11 2304:4,16 2331:19 2353:7 2359:7 2367:25 2368:7 2387:22 ubr 2321:23 2324:10 2325:10 uh 2184:9,11 2343:4 ultimate 2356:7 ultimately 2068:23 2068:25 2073:8,9</p>	

university 2120:23 unjust 2261:10 unresolved 2386:6 unresponsive 2345:15 unsatisfactory 2129:21 untenable 2386:9 unthinkable 2278:20 2291:19 untrue 2291:3 updated 2234:15 2364:20 updates 2359:22 upper 2199:9 2378:19 2379:8 urgent 2195:17 use 2110:18 2127:10 2139:19 2261:24 usual 2140:9,10 utilize 2139:16 utter 2083:17 uttered 2084:20 uttering 2090:19	2276:4 2299:15 2323:7 vast 2078:6 vega 2271:13 2272:13 2286:5 veiga 2064:11 verbatim 2377:6 verify 2223:5,16 veritext 2067:4 2397:2 version 2163:11 2164:18,19 2165:8 2182:18,19 2197:6 2197:8,10 2276:18 2277:24 2326:2 2339:23 versus 2238:17 vi 2193:12,18,24 viable 2356:2 video 2086:18 videographer 2066:8,9 2067:2 2097:7,10 2138:3,8 2171:3,6 2194:9 2195:5 2238:2,7 2297:3,8 2310:14 2310:19 2336:17,21 2358:11 2393:2 videos 2091:11 videotaped 2063:14 videotapes 2367:12 view 2079:9 2096:25 2202:22 2331:7 viewpoints 2338:15 2339:2 views 2117:19 2346:22 viii 2067:16 2138:5 2138:10 2171:8 2238:4,9 2297:5,10 2336:23 2393:4 vikram 2065:6 villacis 2239:21 villacreces 2164:7 2179:19 2181:15	2184:24,25 2185:2 2186:14 2189:2 2245:10 villao 2308:21 2317:12 2321:12,21 2324:9,10,24 2325:5,6,7,21,22 2326:5 vince 2066:9 vinegrad 2064:11 2089:2,5,8,10,20 2090:17 2092:23 2093:13 2098:24 2131:8,16 2156:12 2215:22,23 2216:11 2216:12 2358:5,8 2358:10 vinegrad's 2094:12 visit 2218:23 2220:13 visits 2204:18 viva 2106:23 2107:11,12 2112:6 2114:10 2122:5,7,9 2137:16 2188:15 2226:4 2372:19 vkumar 2065:6 volition 2084:22 2085:19 volume 2067:16 2138:5,10 2171:8 2238:4,9 2297:5,10 2336:23 2393:4 volumes 2235:10 2236:11,22 2237:3 volunteer 2090:25 volunteered 2092:20 2136:16	waited 2076:15 waiting 2140:24 waived 2333:13,20 waiver 2335:3,8 2337:10 want 2068:8,13 2074:21,22 2079:12 2088:19,25 2089:5 2092:7,8,8 2094:21 2096:21 2101:14 2116:3,22,24 2121:10 2126:5 2127:10 2131:22 2141:2,16 2156:4 2159:16 2160:7 2171:11 2174:9 2178:10 2181:9 2196:24 2197:9 2205:13 2219:10,19 2220:8 2234:9 2238:22 2258:22 2277:19 2296:5,23 2304:12 2305:7 2307:8 2310:9 2313:5,12,17 2314:3 2315:5 2320:17 2331:11 2332:13,22,23 2333:7 2334:10,21 2334:22 2335:6,20 2336:2,8 2342:2 2391:7 wanted 2072:10 2073:14 2076:6 2078:14 2116:16 2145:24 2151:8,19 2266:12 2284:20 2310:22 2334:7 2340:11 2357:5 wanting 2072:22 2136:12 wants 2090:25 2091:25 2096:8 2115:25
v			
v 2097:13 2184:15 2184:24 2195:4 2234:22 vague 2102:6,22 2110:8 2130:5 2155:19 2164:21 2251:14 2263:6 valuations 2343:15 2346:13,18,23 2347:3 value 2111:3 2137:19 variance 2069:13,16 2090:15 variety 2239:20 various 2177:20 2178:24 2180:2 2221:15 2235:24 2251:7 2252:10	2276:4 2299:15 2323:7 vast 2078:6 vega 2271:13 2272:13 2286:5 veiga 2064:11 verbatim 2377:6 verify 2223:5,16 veritext 2067:4 2397:2 version 2163:11 2164:18,19 2165:8 2182:18,19 2197:6 2197:8,10 2276:18 2277:24 2326:2 2339:23 versus 2238:17 vi 2193:12,18,24 viable 2356:2 video 2086:18 videographer 2066:8,9 2067:2 2097:7,10 2138:3,8 2171:3,6 2194:9 2195:5 2238:2,7 2297:3,8 2310:14 2310:19 2336:17,21 2358:11 2393:2 videos 2091:11 videotaped 2063:14 videotapes 2367:12 view 2079:9 2096:25 2202:22 2331:7 viewpoints 2338:15 2339:2 views 2117:19 2346:22 viii 2067:16 2138:5 2138:10 2171:8 2238:4,9 2297:5,10 2336:23 2393:4 vikram 2065:6 villacis 2239:21 villacreces 2164:7 2179:19 2181:15	2184:24,25 2185:2 2186:14 2189:2 2245:10 villao 2308:21 2317:12 2321:12,21 2324:9,10,24 2325:5,6,7,21,22 2326:5 vince 2066:9 vinegrad 2064:11 2089:2,5,8,10,20 2090:17 2092:23 2093:13 2098:24 2131:8,16 2156:12 2215:22,23 2216:11 2216:12 2358:5,8 2358:10 vinegrad's 2094:12 visit 2218:23 2220:13 visits 2204:18 viva 2106:23 2107:11,12 2112:6 2114:10 2122:5,7,9 2137:16 2188:15 2226:4 2372:19 vkumar 2065:6 volition 2084:22 2085:19 volume 2067:16 2138:5,10 2171:8 2238:4,9 2297:5,10 2336:23 2393:4 volumes 2235:10 2236:11,22 2237:3 volunteer 2090:25 volunteered 2092:20 2136:16	waited 2076:15 waiting 2140:24 waived 2333:13,20 waiver 2335:3,8 2337:10 want 2068:8,13 2074:21,22 2079:12 2088:19,25 2089:5 2092:7,8,8 2094:21 2096:21 2101:14 2116:3,22,24 2121:10 2126:5 2127:10 2131:22 2141:2,16 2156:4 2159:16 2160:7 2171:11 2174:9 2178:10 2181:9 2196:24 2197:9 2205:13 2219:10,19 2220:8 2234:9 2238:22 2258:22 2277:19 2296:5,23 2304:12 2305:7 2307:8 2310:9 2313:5,12,17 2314:3 2315:5 2320:17 2331:11 2332:13,22,23 2333:7 2334:10,21 2334:22 2335:6,20 2336:2,8 2342:2 2391:7 wanted 2072:10 2073:14 2076:6 2078:14 2116:16 2145:24 2151:8,19 2266:12 2284:20 2310:22 2334:7 2340:11 2357:5 wanting 2072:22 2136:12 wants 2090:25 2091:25 2096:8 2115:25
		w	
		wait 2076:2,3,5,9,13 2076:15 2158:7 2159:16 2192:10 2197:4 2239:9 2290:5,6,6 2307:7	

<p>washington 2065:16 wasted 2206:22,25 watch 2107:23,24 2202:5 watching 2108:15 water 2193:19 2325:15,19 way 2077:17 2086:20 2090:23 2092:18,18 2093:4 2094:19,21 2095:22 2096:6 2104:3 2107:15 2118:17 2119:20 2120:23 2140:9 2141:20 2216:20 2235:16 2258:9 2266:8 2273:13 2292:21 2293:21 2294:11 2304:21 2312:16 2316:12 2332:3,25 2363:23 2396:14 ways 2140:10 we've 2250:10 wearing 2092:16,17 2093:12 week 2229:21 2265:19 2281:22 2363:13 weekend 2196:4 weeks 2148:15,16 2212:2 2224:9 weight 2278:14 welcome 2159:19 wells 2261:17 2272:21 went 2074:13 2094:23 2115:15 2143:15 2196:17 2202:4,10,12,22 2277:25 westenberger 2327:5,6,10 2328:2 2328:9</p>	<p>whereof 2396:16 wholly 2346:21 willing 2154:23 2155:6 2265:11 2334:25 2335:4 2336:11 wilson 2280:5,5 2329:4,7,11,24 2330:18 2386:14 wilson's 2337:23 win 2126:7 wins 2085:16 winston 2065:15 2238:17 2379:7 winston.com 2065:17 wish 2094:4 2117:17 2352:4 wishes 2117:19 withdraw 2078:20 2119:4 2129:17 2165:24 2203:10 2217:19 2243:22 2247:22 2248:13 2300:9 2301:7 2335:2,21 2337:5 2354:23 2362:22 2363:3,6 2382:5 2384:5 2385:7 withdrawal 2078:5 withdrawing 2355:11 2361:24 2384:22 withdrawn 2078:11 2078:12 2079:8,10 2353:3 2359:18 2360:4 2361:10,15 2384:20 2387:14 withdrew 2073:8,10 2357:8,18 2380:20 2382:2 2383:22 2384:7 2385:9 2389:7,25 witness 2067:15,22 2068:2,22 2070:6</p>	<p>2070:17 2071:8 2074:6 2075:16,25 2086:10,14,20 2087:8 2090:24 2092:21 2095:5,18 2095:19,21,25 2096:7 2098:11 2113:7,9,24 2114:13,16 2115:2 2115:8 2117:15,21 2118:5 2120:14 2136:8 2137:24 2139:15 2140:3,17 2142:6 2148:14 2153:5 2155:12,14 2156:4,6,15 2157:14,17,19 2158:3,5,10,16,19 2166:23 2170:11,25 2171:17,18,23 2179:20 2180:4,7 2180:10 2181:11,17 2181:20 2182:2 2192:17 2199:23 2200:6 2202:12 2209:14,20 2210:3 2218:5,8 2219:15 2219:16 2225:15 2227:18,22 2228:23 2229:4 2231:10 2232:3,6,14 2234:5 2246:9 2249:25 2254:13,16,20,22 2255:6,8,12,14,17 2255:25 2256:20 2257:2,8,14,17,24 2258:11,13,25 2259:4,9,12,20 2267:18,24 2268:9 2268:12,24 2269:3 2280:21 2281:3,13 2281:20 2282:4,14 2282:25 2283:6,11 2283:19 2284:5,14 2284:23 2285:3,25</p>	<p>2287:9 2289:25 2290:14 2293:19 2294:9 2298:15 2300:18,24 2301:10 2303:23 2304:14,20 2304:24 2305:15 2306:21 2307:10,14 2307:20 2310:17,23 2310:25 2311:8 2315:14 2319:14,21 2322:17 2330:21 2331:23,25 2332:5 2336:20 2337:17 2340:12,18,25 2341:6,17,21 2342:5,22 2346:2 2349:4,15 2357:24 2360:6,10 2371:23 2373:22 2374:4,8 2374:13,20 2375:4 2375:13,17,20 2376:5,10,22 2377:3,12 2382:20 2383:10,15,24 2384:13,16,19 2385:2,11,19 2394:3 2396:7,11 2396:16 2397:4 witnessed 2204:24 2210:20 witnesses 2215:9 woman 2093:11 2257:3,4 wonder 2329:14 woods 2380:11 2386:14,15,16 word 2071:17 2083:17 2084:21 2090:19 2096:7 2101:24 2182:18 2189:8 2192:24 2220:23 2231:23 2232:10 2293:6,11 2345:22</p>
---	---	--	--

<p>words 2077:18 2083:18 2090:11 2094:17 2098:21 2122:3 2134:25 2209:17 2288:6 work 2103:17 2104:8 2105:10 2106:17 2120:9 2128:21 2137:11,20 2151:8,20 2155:6 2159:3 2160:16 2162:7,24,25 2163:5,13,15,19 2164:11,14,23 2165:3,5,9,14,19,20 2166:3,8,13,18 2177:5,6,10,14 2178:7 2183:2 2189:11,20 2191:23 2196:5,8,21,23 2197:3,15,22 2198:14,22 2199:4 2201:10 2202:19 2203:5 2207:24 2211:13 2223:20 2224:10,13 2227:3 2229:25 2236:10 2237:3 2240:5 2261:19,23,25 2287:24 2292:14 2293:2 2302:6,6,23 2303:6 2333:18 2336:9 2347:14 2365:10,11 2371:10 2389:2 worked 2155:18 2189:23 2199:18,25 2240:2,16 2248:8 2300:6 2348:7 2360:14 working 2109:8 2160:25 2164:5,11 2200:12 2202:24 2208:11,25 2209:8 2228:19 2232:22</p>	<p>2235:23 2258:4 2277:5 2325:9 2348:4 2383:16 workload 2388:23 works 2086:11 worse 2330:11 wray 2229:11 2378:20 2379:3,3 write 2106:9 2111:5 2113:16 2126:25 2128:24 2133:8 2141:12 2260:20 2277:23 2360:11,22 2361:13 2373:4 2375:8,25 2376:18 2377:9 writes 2225:25 2235:5 2252:22 2292:22 2318:9 2321:11 2328:2 writing 2177:25 2178:3,5 2300:14 2359:5 2370:5 2377:10,13 2382:13 written 2098:4 2106:5 2370:10 2373:6,9,21,25 2374:4,9 2375:10 2376:8,25 wrong 2071:16 2082:11 2125:13 2268:7 wrote 2100:18 2107:8 2109:18 2112:8,11 2128:3 2134:12,15 2150:10 2162:5 2173:19 2186:17 2250:14 2261:7 2363:10 2373:15 2374:12 2375:23 2377:3,22</p>	<p style="text-align: center;">y</p> <p>y 2065:17 yanez 2136:5,7,9 yanza 2111:17 2112:19 2113:22 2121:23,24 2122:6 2122:7 2146:11,14 2147:4 2168:14 2173:15 2229:3 2244:7 2245:7,23 2255:11 2354:3,5 2359:3 2368:6,22 2370:12,14,19,25 2371:10,17 yanza's 2112:21 yeah 2120:3 2122:3 2180:9 2206:15 2268:13 2285:3 2303:7 2328:5 year 2101:18,23,24 2140:24 2263:9 2299:16 2302:11 2353:16 2355:6 2359:11 2367:5 2384:20 years 2087:10 2276:6 yennock 2307:13 york 2063:3,17,18 2063:20 2064:10,10 2065:4,4,21,21 2067:5,6,10,11,14 2084:6 2127:4,16 2200:20 2201:2 2205:7 2211:11 2238:15 2239:6 2314:15 2360:17 2366:14 2371:2,10 2371:18 2396:5</p>
	<p style="text-align: center;">x</p> <p>x 2063:5,8 2394:2,6 2395:2</p>	<p style="text-align: center;">z</p> <p>z 2097:13 2195:4 zambrano 2122:19 2122:23 2124:11</p>