

JONES DAY

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September 4, 2009

Dr. Rafael Parreño
Deputy Solicitor General of Ecuador
Av. Eloy Alfaro N32 250 y República
Quito, Ecuador

Dear Dr. Parreño:

I am writing in response to your letter of September 2, 2009, requesting materials to facilitate your investigation. I will address your requests in the order they appear in your letter.

1. Complete, unedited copies of all videotapes in Chevron's possession.

On Monday, September 7, 2009, a package will be hand delivered to your office containing the following: a DVD containing complete, unedited copies of all recordings in Chevron's possession; copies of the full-length and highlight videos with Spanish and English subtitles; and copies of the transcripts of the recordings, along with certifications of accuracy by the translator.

2. A copy of the wiring instructions sent by Ruben Miranda.

A copy of the payment-instruction emails from Mr. Miranda to Mr. Borja, as well as a copy of an email from Mr. Patricio García to Mr. Borja will also be enclosed in the package to be delivered on Monday.

3. Any other evidence Chevron wishes to have considered.

In my August 31, 2009, letter to Dr. Pesántez, I set forth the names of the meeting participants and their stated positions. Chevron requests that the Prosecutor General fully investigate the backgrounds of these persons, their roles in the purported bribery scheme described by Mr. Patricio García, and their relationships to the judge, the executive branch, and each other.

Chevron requests that the Prosecutor General investigate the statements made in the recordings that the government has provided lawyers to help craft the opinion against Chevron, including any involvement by Alexis Mera or other Ecuador officials in seeking to influence the outcome of the litigation.

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Chevron requests that the Prosecutor General work with U.S. authorities to investigate the bank account in Galveston, Texas, including the account holder and any monies flowing through that account that relate to Ecuador.

Chevron requests that the Prosecutor General review Judge Núñez's ties to the court-appointed expert, Richard Cabrera, who recommended the \$27 billion ruling against Chevron that the judge discussed in the recorded meetings. The judge has refused to allow Chevron to depose Mr. Cabrera and has denied Chevron's attempts to obtain source materials and other alleged support for his recommendation.

Chevron requests that the Prosecutor General investigate any assertions by Judge Núñez or others that they can influence or interfere with the appeal to render it a formality.

Chevron requests that the Prosecutor General investigate any communications among or between any parties, including the plaintiffs in the Lago Agrio lawsuit, the presidency, the court, or any other government entity, relating to the distribution, use, or administration of any damages awarded by the Lago Agrio court.

4. Request that Chevron make Mr. Borja available.

We suggest that you contact Mr. Borja's [REDACTED]
[REDACTED]

Very truly yours,

Thomas F. Cullen, Jr. / TFC

Thomas F. Cullen, Jr.

cc : Dr. Diego García Carrion, Attorney General of Ecuador