

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----X	
CHEVRON CORPORATION,	:
	:
Plaintiff,	:
	:
-against-	:
	: Case No. 1:12-MC-65 GLS/CFH
STEVEN DONZIGER, et al.,	:
	:
Defendants.	:
	:
-----X	

**DECLARATION OF ALEXANDER T. MARX ON BEHALF OF CHEVRON CORPORATION IN OPPOSITION TO THE NON-PARTY MOVANTS' MOTION TO QUASH SUBPOENAS TO MICROSOFT CORPORATION**

I, Alexander T. Marx, declare:

1. I am an attorney duly admitted to the State Bar of New York and an associate at the law firm of Gibson, Dunn & Crutcher LLP, attorneys of record for Chevron Corporation in the above-captioned action. I am over the age of eighteen years and am not a party to this action. I have personal knowledge of the facts set forth in this declaration. Each of the exhibits identified below is a true and correct copy of the respective document as it is maintained in the files of Gibson, Dunn & Crutcher LLP in the normal course of business.

2. Attached hereto as "Exhibit 1" is a true and correct copy of an email exchange dated May 17, 2010 among Lago Agrio Plaintiffs' U.S. lawyers, including S. Donziger to A. Wilson, I. Maazel, and J. Abady, with the subject "Re: Colorado Disclosures," produced by S. Donziger and bearing Bates number DONZ00031315.

3. Attached hereto as "Exhibit 2" is a true and correct copy of the subpoena to Microsoft Corporation issued by Chevron Corporation, dated September 10, 2012.

4. Attached hereto as "Exhibit 3" is a true and correct copy of an email from S. Tegel to S. Donziger and others dated April 22, 2008, with the subject "Re: wsj letter," produced by S. Donziger and bearing Bates number DONZ-HDD-0171047.

5. Attached hereto as "Exhibit 4" is a true and correct copy of an email from S. Tegel to S. Donziger dated April 22, 2008, with the subject "IBD Draft," produced by S. Donziger and bearing Bates number DONZ-HDD-0170617.

6. Attached hereto as "Exhibit 5" is a true and correct copy of an email from S. Tegel to S. Donziger dated May 28, 2008, with the subject "release pasted only (in case other version is slow in arriving)," produced by S. Donziger and bearing Bates number DONZ00128918.

7. Attached hereto as "Exhibit 6" is a true and correct copy of an email from P. Fajardo to M. Yopez, S. Donziger and others dated August 5, 2008, with the subject "CITA," produced by S. Donziger and bearing Bates number DONZ-HDD-0037895, and a certified translation thereof.

8. Attached hereto as "Exhibit 7" is a true and correct copy of an email from P. Fajardo to M. Yopez, S. Donziger and others, with the subject "Re: Corte suprema," produced by S. Donziger and bearing Bates number DONZ00047745.

9. Attached hereto as "Exhibit 8" is a true and correct copy of an email from S. Donziger to M. Yopez dated February 14, 2007, with the subject "Re: Tareas," produced by S. Donziger and bearing Bates number DONZ-HDD-0100756, and a certified translation thereof.

10. Attached hereto as "Exhibit 9" is a true and correct copy of an email from L. de Heredia to S. Donziger dated October 16, 2007, with the subject "Volunteers are here," produced by S. Donziger and bearing Bates number DONZ-HDD-0131188.

14. Attached hereto as "Exhibit 10" are true and correct copies of three subpoenas on Yahoo! Inc. by Friedman, Kaplan, Seiler & Adelman LLP, counsel for S. Donziger, respectively dated November 29, 2010, December 9, 2010, and January 3, 2011.

15. Attached hereto as "Exhibit 11" is a true and correct copy of an email from A. Guerra to S. Donziger dated September 5, 2010, with the subject "Saludos de Quito," produced by S. Donziger and bearing Bates number DONZ00059141, and a certified translation thereof.

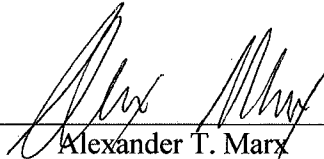
16. Attached hereto as "Exhibit 12" is a true and correct copy of a web page displaying the results of an Internet search for the term "Simeon Tegel," conducted using the Google search engine on January 14, 2013.

17. Attached hereto as "Exhibit 13" is a true and correct copy of an email from S. Donziger to M. Yopez and others dated September 7, 2009, with the subject "note Charles James menciona Callejas abajo en la entrevista," produced by S. Donziger and bearing Bates number DONZ00066778.

18. Attached hereto as "Exhibit 14" is a true and correct copy of Microsoft's Online Privacy Statement, downloaded from Internet on January 9, 2013.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 15 day of January, 2013, in Los Angeles, California.

  
\_\_\_\_\_  
Alexander T. Marx

# **EXHIBIT 1**

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**From:** Steven Donziger [sdonziger@donzigerandassociates.com]  
**Sent:** Monday, May 17, 2010 12:21 PM  
**To:** Andrew Wilson  
**Cc:** Ilann M. Maazel; Jonathan S. Abady; Westenberger, Eric; jhorowitz; Daleo, Eric; Yennock, Edward  
**Subject:** Re: Colorado Disclosures

Should we talk about this?

Seems we have a tension b/w the strategy as outlined by Jim (fight hard on all fronts all the time and concede nothing, buy as much time as possible) and Hegerty's expectation as outlined by Jay in his email of last night that something should be turned over.

It just makes my skin crawl to give them anything... particularly in light of Jay's Rule 60 motion which as I understand is not in fact dead, at least not yet.

How to resolve this issue?

On Mon, May 17, 2010 at 12:00 PM, Andrew Wilson <awilson@ecbalaw.com> wrote:

We need to decide now whether we are going to object to the disclosure of public documents that are responsive to the Stratus subpoenas. I am inclined to allow those to be produced - but if others disagree, we need to write around this issue in the reply brief.

Here is the complete section below ---

\* \* \*

The second category of documents discussed at the April 27 Hearing were those materials responsive to the Stratus Subpoenas and disclosed to third parties. While such documents are subject to production - the scope of that production is narrower than sought by Chevron.

Chevron should be limited to the "limited" scope of its § 1782 application. See Pl. Br. 26-27. While responsive documents concerning the Cabrera Reports shared with non-privileged third parties are subject to disclosure, there is no basis for a broad inquiry into all of the Consulting Experts' contacts with media that touch on the present case. Chevron's argument that limited public appearances by the Consulting Experts, publication of select work performed by the consulting experts, and/or public discussion of the Consulting Experts' work should operate as a global waiver of all protections otherwise adhering to the Consulting Experts' work product is contrary to the weight of authority protecting consultants.

As a general matter, the publication of the expert reports "does not waive the protection for the underlying drafts and materials because the work-product doctrine exists not to protect a 'confidential relationship,' but rather 'to promote the adversary system by safeguarding the fruits of an attorney's trial preparations from the discovery attempts of an opponent.'" In re Vioxx Products Liability Litigation, MDL No. 1657, 2007 U.S. Dist. LEXIS 23164, at \*14 (E.D. La. March 5, 2007) (citing *Shields v. Sturm, Ruger & Co.*, 864 F.2d 379, 382 (5th Cir. 1989)); see also In re Trasyolol Products Liability Litigation, MDL No. 08-1928, 2009 U.S. Dist. LEXIS 85553, at \*87 (S.D. Fla. Aug. 12, 2009). In Vioxx, due to public criticism and shareholder demands, Merck established a committee to investigate the conduct of its senior management in the creation of the drug Vioxx. Id. at \*3. The committee's investigation culminated in the public release of an investigative report. Id. at \*3-4. Plaintiffs in the product liability suit ultimately sought discovery of all underlying

documents relating to the "creation, preparation, and publication" of the report. Id. at \*4. Just as Chevron asserts in this case, the Vioxx plaintiffs argued that, under the "fairness doctrine," publication of the final report waived any protection adhering to the underlying material. See id. at \*6-15. There, as here, production was not justified.

Any work that the Consulting Experts performed in the realm of public relations is irrelevant to the Lago Agrio Litigation, and outside the scope of the subpoenas, for two reasons. First, while it is understandable that Chevron would like to take discovery providing a window into Plaintiffs' public relations strategy, Plaintiffs' public relations matters are not probative as to any issue with respect to the Lago Agrio Litigation itself (or the Bilateral Investment Treaty Arbitration).

Second, even if Stratus's public relations work were somehow theoretically relevant and discoverable, no fewer than 23 of the 25 exhibits attached to Chevron's "Stratus Publicity RJN" (Dkt. 120) post-date Cabrera Report. Insofar as the instant Section 1782 proceeding is purportedly aimed at determining the extent to which Plaintiffs influenced Mr. Cabrera's Report, whatever services Stratus provided to Plaintiffs after the release of the Cabrera Report are by definition irrelevant and outside the scope of the subpoenas. Chevron's almost exclusive focus on statements made after the Cabrera Report betrays its alleged premise for this discovery proceeding: Chevron's efforts are not really about proving "fraud," but rather, are simply about obtaining a free shot at the confidential, undisclosed insights of Plaintiffs' litigation team. None of the materials that post-date the Cabrera report can have anything to do with the materials that were "considered" by Cabrera.

Chevron cannot seek documents given to third parties except to the extent responsive to the subpoenas.

O. Andrew F. Wilson  
Emery Celli Brinckerhoff & Abady LLP  
75 Rockefeller Plaza, 20th Floor  
New York, New York 10019  
Tel: 212-763-5000  
Fax: 212-763-5001

The pages accompanying this email transmission contain information from the law firm of Emery Celli Brinckerhoff & Abady LLP which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this email. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this e-mail in error please notify us by telephone immediately so that we can arrange for the retrieval of the email at no cost to you.

--  
Steven Donziger  
[REDACTED]  
212-409-8628 (fax)  
[REDACTED]

Steven R. Donziger  
Law Offices of Steven R. Donziger, P.C.  
[REDACTED]  
Email: sdonziger@gmail.com

# **EXHIBIT 2**

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of New York

CHEVRON CORP. )
Plaintiff )
v. ) Civil Action No. 11 Civ. 0691 (LAK)
STEVEN DONZIGER, et al., )
Defendant ) (If the action is pending in another district, state where:
Southern District of New York )

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Microsoft Registered Agent, Corporation Service Company, 80 State Street, Albany, NY 12207

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Table with 2 columns: Place (GIBSON, DUNN & CRUTCHER LLP, 200 Park Avenue, New York, NY 10166-0193 c/o Alex Marx) and Date and Time (10/08/2012 9:00 am)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 09/10/2012

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk and Attorney's signature (Rachel Brook)

The name, address, e-mail, and telephone number of the attorney representing (name of party) Chevron Corporation, who issues or requests this subpoena, are:

Rachel Brook, Gibson, Dunn & Crutcher LLP, 200 Park Avenue, New York, NY 10166-0193 Telephone: (212)351-2609, rbrook@gibsondunn.com



Civil Action No. 11 Civ. 0691 (LAK)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)****(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney’s fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

**(i)** At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

**(ii)** These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party’s officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

**(i)** fails to allow a reasonable time to comply;

**(ii)** requires a person who is neither a party nor a party’s officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

**(iii)** requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

**(iv)** subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

**(i)** disclosing a trade secret or other confidential research, development, or commercial information;

**(ii)** disclosing an unretained expert’s opinion or information that does not describe specific occurrences in dispute and results from the expert’s study that was not requested by a party; or

**(iii)** a person who is neither a party nor a party’s officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

**(i)** shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

**(ii)** ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.****(1) Producing Documents or Electronically Stored Information.**

These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

**(i)** expressly make the claim; and

**(ii)** describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty’s failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(i).

## **SCHEDULE A**

### **DEFINITIONS**

1. "DOCUMENT" has the full meaning ascribed to it in Rule 34 of the Federal Rules of Civil Procedure and Rule 26.3 of the Local Rules for the United States District Court for the Southern District of New York and shall include all originals of any nature whatsoever and all non-identical copies thereof, whether different from the originals by reason of any notation made on such copies or otherwise, including but not limited to all writings in any form, notes, memoranda, manuals, reports, records, correspondence, drawings, graphs, charts, photographs, phone records, data compilations of whatever nature (including those from which information can be obtained or translated if necessary), audio tapes, electronic mail messages, and electronic data (including any exchange of information between computers, all information stored in an electronic form or computer database, and all forms and formats of storage).

2. "RELATED TO," "RELATING TO," "IN RELATION TO," "REGARDING" and "CONCERNING" means in relation to, related to, consisting of, referring to, reflecting, concerning, discussing, evidencing, commenting on, describing, constituting, supporting, contradicting or having any logical or factual connection with the matter identified, in whole or in part.

### **INSTRUCTIONS**

1. These requests are governed by Rules 26 and 45 of the Federal Rules of Civil Procedure and any applicable law and Local Rule.

2. You are requested to produce all DOCUMENTS and things described below at Gibson, Dunn & Crutcher, LLP, c/o Alex Marx, 200 Park Avenue, New York, NY 10166-0193, on or before October 8, 2012.

3. In answering and responding to these document requests, you are requested to produce all DOCUMENTS that are in your possession, custody, or control, or that are in the possession, custody, or control of your principals, agents, employees, attorneys, representatives, insurers, and any other persons or entities, acting on your behalf.

4. If any of the information or DOCUMENTS supplied in response to these document requests does not come from your records, please specify the source of the DOCUMENTS.

5. If you refuse to produce any requested DOCUMENT under a claim of attorney-client privilege, work product privilege, or any other privilege or protection, it is requested that you submit for each DOCUMENT withheld a written statement that: specifies the privilege or other asserted basis for withholding the DOCUMENT; summarizes the substance of the DOCUMENT; identifies the person or entity who prepared the DOCUMENT and any persons or entities to which the DOCUMENT was sent or disclosed; and specifies the dates on which the DOCUMENT was prepared, transmitted, or received.

6. The time period covered by these document requests runs from 2003 to the present. This is a continuing request. Any DOCUMENT obtained or located after the date of production that would have been produced had it been available or had its existence been known at that time should be produced immediately.

7. If an objection is made to any numbered request, or any subpart thereof, state with specificity all grounds for the objection.

8. All responsive and potentially responsive documents and tangible things should be preserved and maintained pending the outcome of this matter.

### **DOCUMENTS REQUESTED**

All DOCUMENTS RELATED TO (A) the identity of the user of the following email addresses, including but not limited to DOCUMENTS that provide all names, mailing addresses, phone numbers, billing information, date of account creation, account information and all other identifying information associated with the email address under any and all names, aliases, identities or designations RELATED TO the email address; and (B) the usage of the following email addresses, including but not limited to DOCUMENTS that provide IP logs, IP address information at time of registration and subsequent usage, computer usage logs, or other means of recording information concerning the email or Internet usage of the email address.

1. Examen\_pericial@hotmail.com
2. muerteenlaselva@hotmail.com
3. ingracabrerav@hotmail.com
4. rcabrerav@hotmail.com
5. crisobalvillao@hotmail.com
6. luisvillacreces@hotmail.com
7. julprieto@hotmail.com
8. juanpasaenz@hotmail.com
9. gaer69chzpr@hotmail.com
10. donaldmoncayo@hotmail.com
11. alex\_anchundia2007@hotmail.com
12. erikatorres\_19@hotmail.com
13. gabrielitaep@hotmail.com
14. hannagoanna@hotmail.com

15. [duruti@hotmail.com](mailto:duruti@hotmail.com)
16. [aulestiajuan@hotmail.com](mailto:aulestiajuan@hotmail.com)
17. [maryelji20@hotmail.com](mailto:maryelji20@hotmail.com)
18. [mey\\_1802@hotmail.com](mailto:mey_1802@hotmail.com)
19. [monica\\_pareja@hotmail.com](mailto:monica_pareja@hotmail.com)
20. [pirancha@hotmail.com](mailto:pirancha@hotmail.com)
21. [nick\\_aussie@hotmail.com](mailto:nick_aussie@hotmail.com)
22. [renatog85@hotmail.com](mailto:renatog85@hotmail.com)
23. [selvaviva2004@hotmail.com](mailto:selvaviva2004@hotmail.com)
24. [simeontegel@hotmail.com](mailto:simeontegel@hotmail.com)
25. [patriciogarcia\\_2009@hotmail.com](mailto:patriciogarcia_2009@hotmail.com)
26. [criscadena@hotmail.com](mailto:criscadena@hotmail.com)
27. [albertoguerrab@hotmail.com](mailto:albertoguerrab@hotmail.com)
28. [faisal\\_baki@hotmail.com](mailto:faisal_baki@hotmail.com)
29. [Hjploro@hotmail.com](mailto:Hjploro@hotmail.com)
30. [osimonc@hotmail.com](mailto:osimonc@hotmail.com)

# **EXHIBIT 3**

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**From:** Simeon Tegel [tegelsimeon@gmail.com] on behalf of Simeon Tegel [simeon@amazonwatch.org]  
**Sent:** Tuesday, April 22, 2008 1:19 PM  
**To:** Steven Donziger  
**Cc:** Kevin Koenig; Atossa Atossa Soltani; Mitch Anderson; Paul Paz y Mino  
**Subject:** Re: wsj letter

Atossa just sent this text to WSJ letters page, with a note that because they named us and had significant factual errors, we very much hope that they will publish, and that they should keep us informed:

Your editorial "Banana Republic and Friends" tries to undermine the credibility of Amazon Watch and the legal case against Chevron in Ecuador. Let's see how accurate your facts are. The so-called "release" cited in your editorial does not apply to private claims of the type in the Ecuador litigation. Chevron's "remediation", which you laud, was a sham as confirmed by laboratory samples provided by a court-appointed expert and by Chevron itself. Pablo Fajardo, the lawyer you scorn, works under death threats and has been recognized worldwide for his personal courage. Chevron was the sole operator of the concession and as such is entirely responsible for building a system that was designed to pollute. The dismissed San Francisco case against Chevron has no connection to the Ecuador matter and involved entirely different legal claims. Ecuador's so-called "kangaroo courts" have been praised repeatedly by Chevron as transparent and impartial to avoid going to trial in the U.S. Now that the evidence is in, Chevron and the Journal suddenly can stand neither Ecuador's courts nor these basic facts. It seems the misinformation is in your editorial, not on our website.

Atossa Soltani  
Executive Director  
Amazon Watch

Simeon Tegel  
Director of Communications  
Amazon Watch  
One Hallidie Plaza, Suite 402  
San Francisco, CA 94102  
Tel: + 415-487-9600  
Fax: + 415-487-9612  
simeon@amazonwatch.org  
www.amazonwatch.org

On Apr 22, 2008, at 7:48 AM, Steven Donziger wrote:

I would send the letter in now or you will be shut out. Deal with larger issues later -- time is of the essence. I wouldn't lengthen it or it will not get in probably.

SRD

On 4/22/08, **Kevin Koenig** <kevinkoenig@mindspring.com> wrote:  
Steven --

I think this is a great letter. I like the tone, that its concise, and deals only with the WSJ's inaccurate facts. But it's infuriating that the WSJ continues to just swallow CVX spin, and it's hard to unpack it all in the small amount of space of a LTE. I absolutely think a board meeting is necessary. They might not write something as a direct response, but they need to get the facts straight. I wonder whether bringing someone like Pat Doherty or someone from NYPERS would be helpful.

4/22/2008

DONZ-HDD-0171047

As far as the letter goes, it might muddy it a bit, but I wonder whether we want to respond beyond their misinformation, and at least lay out:  
+ that PE was the sole operator, and as such violated both Ecuadorian, U.S., and intl norms. PE is no friend to the environment, but that doesn't negate CVX responsibility.  
+ that threats to Pablo and Luis are deemed grave enough for OAS-IAHCR precautionary measures in an attempt to ensure their safety  
+ explicitly say that Chevron praised the transparency and impartiality of Ecuador courts FOR TEN YEARS and their petition for jurisdiction in Ecuador was granted.

Either way, lets get this in today.  
Thanks,  
Kevin

Original Message:

-----  
From: Steven Donziger [sdonziger@gmail.com](mailto:sdonziger@gmail.com)  
Date: Mon, 21 Apr 2008 19:31:01 -0400  
To: [simeon@amazonwatch.org](mailto:simeon@amazonwatch.org), [mitch@amazonwatch.org](mailto:mitch@amazonwatch.org), [atossa@amazonwatch.org](mailto:atossa@amazonwatch.org), [kevin@amazonwatch.org](mailto:kevin@amazonwatch.org), [paz@amazonwatch.org](mailto:paz@amazonwatch.org)  
Subject: Try this for ltr to WSJ

To the editor:

Your editorial "Banana Republic and Friends" tries to undermine the credibility of the legal case against Chevron in Ecuador by claiming Amazon Watch offers "one stop shopping for misinformation" in support of the plaintiffs. Let's see how accurate your facts are. The so-called "release" cited in your editorial does not apply to private claims of the type in the Ecuador litigation. Chevron's "remediation" that you laud was a sham as confirmed by laboratory samples provided by a court-appointed expert and by Chevron itself. Pablo Fajardo, the lawyer you scorn, works under death threats and has been recognized worldwide for his personal courage. The San Francisco case against Chevron that was dismissed has no connection to the Ecuador matter and involved entirely different legal claims. Ecuador's so-called "kangaroo courts" have been praised repeatedly by Chevron as transparent and impartial to avoid trial in the U.S.

Now that the evidence is in, Chevron and the Journal suddenly can't stand Ecuador's courts nor these basic facts. Sounds to us like the misinformation is in your editorial, not on our website.

Atossa Soltani

On 4/21/08, Simeon Tegel <[simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)> wrote:

>  
> Primero lo primero, ie WSJ.  
>  
>  
> Simeon Tegel  
> Director of Communications  
> Amazon Watch  
> One Hallidie Plaza, Suite 402  
> San Francisco, CA 94102  
> Tel: + 415-487-9600  
> Fax: + 415-487-9612



> [simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)  
> [www.amazonwatch.org](http://www.amazonwatch.org)  
>  
>  
> On Apr 21, 2008, at 4:04 PM, Steven Donziger wrote:  
>  
> you mean ltr to WSJ or IBD?  
>  
> On 4/21/08, Simeon Tegel <[simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)> wrote:  
>>  
>> Could you let us know as soon as you hear from WSJ re your op-ed. If  
>> they don't publish, we will hit them up separately; they have named us  
>> afterall!  
>>  
>> Separately, I will draft a Letter to the Editor on Tue (unless you have  
>> time to do that for us?); any suggestions for specific points to include  
>> welcomed. Re ed board meeting: yes, agreed. But we can leave that request  
>> until later in the week, especially if they give us little/no right of  
>> reply.  
>>  
>>  
>> Simeon  
>>  
>>  
>>  
>> Simeon Tegel  
>> Director of Communications  
>> Amazon Watch  
>> One Hallidie Plaza, Suite 402  
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>> Tel: + 415-487-9600  
>> Fax: + 415-487-9612  
>> [simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)  
>> [www.amazonwatch.org](http://www.amazonwatch.org)  
>>  
>>  
>> On Apr 21, 2008, at 11:45 AM, Steven Donziger wrote:  
>>  
>> did u redline this?  
>>  
>> On 4/21/08, Simeon Tegel <[simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)> wrote:  
>>>  
>>> See attached. I lost 80 words but then added 30 or so with the UN and  
>>> IACHR reference. Also changed intro to simplify syntax, although I can see  
>>> why you wanted it phrased the way you originally had, and made other minor  
>>> stylistic suggestions. TC on.  
>>>  
>>> Simeon  
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>>>  
>>> Simeon Tegel  
>>> Director of Communications  
>>> Amazon Watch  
>>> One Hallidie Plaza, Suite 402  
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>>> Fax: + 415-487-9612  
>>> [simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)  
>>> [www.amazonwatch.org](http://www.amazonwatch.org)  
>>>  
>>>  
>>> On Apr 21, 2008, at 9:37 AM, Steven Donziger wrote:  
>>>  
>>> yes, lop some shit off if u can  
>>>  
>>> tks  
>>>

4/22/2008

DONZ-HDD-0171049

>>>  
>>>> On 4/21/08, Simeon Tegel <[simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)> wrote:  
>>>>  
>>>> Steven,  
>>>>  
>>>>  
>>>> The WSJ op-ed looks good to me, with a couple of minor suggestions:  
>>>>  
>>>>  
>>>> 1. Maybe add the words "and operated" to the penultimate par, after  
>>>> "designed and built"?  
>>>>  
>>>>  
>>>> 2. In the par two thirds of the way down, about the death threats,  
>>>> I'd add in a line about the public interventions from the UN and  
>>>> Inter-American Commission on Human Rights.  
>>>>  
>>>>  
>>>> No typos that I could find, although I might be able to lop off a  
>>>> hundred redundant words or so, if you wanted me to do that?  
>>>>  
>>>>  
>>>> Simeon  
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>>>>  
>>>> Simeon Tegel  
>>>> Director of Communications  
>>>> Amazon Watch  
>>>> One Hallidie Plaza, Suite 402  
>>>> San Francisco, CA 94102  
>>>> Tel: + 415-487-9600  
>>>> Fax: + 415-487-9612  
>>>> [simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)  
>>>> [www.amazonwatch.org](http://www.amazonwatch.org)  
>>>>  
>>>>  
>>>>> On Apr 20, 2008, at 3:11 PM, Steven Donziger wrote:  
>>>>>  
>>>>> Editorial for Wall Street Journal/Donziger  
>>>>>  
>>>>> That an independent, court-appointed expert recently found Chevron  
>>>>> faces a judgment of up to \$16 billion in Ecuador for causing environmental  
>>>>> damage in the Amazon rainforest should come as little surprise to anyone  
>>>>> familiar with the underlying facts on which the claim is based. What  
>>>>> is odd is how the Wall Street Journal ignores these facts in praising the  
>>>>> pledge of Chevron General Counsel Charles James "not to succumb to  
>>>>> extortion" and in wondering "whose interests are served" by the legal case.  
>>>>> In fact, Mr. James and his employer have for years tried to  
>>>>> undermine the rule of law in the court systems of both the U.S. and Ecuador  
>>>>> to avoid liability for oil-related contamination linked to Chevron's  
>>>>> production practices.  
>>>>>  
>>>>> Chevron (via its predecessor company Texaco) was the exclusive  
>>>>> operator of a large concession in Ecuador's Amazon from 1964 to 1990.  
>>>>> To lower production costs, Chevron discharged roughly 18 billion  
>>>>> gallons of water of formation – highly saline and filled with carcinogens  
>>>>> such as benzene -- directly into Amazon waterways in an area where six  
>>>>> indigenous groups had prospered for centuries. The company also  
>>>>> carved about 900 open-air and unlined waste pits out of the jungle floor and  
>>>>> filled them with the waste byproducts of drilling, which include oil sludge  
>>>>> and heavy metals such as chromium, lead, and zinc. The grotesque  
>>>>> forms of the waste pits, some the size of a football field, can be still be  
>>>>> seen in the area where they leech their contents into soils and groundwater.  
>>>>>  
>>>>>  
>>>>> These systemic practices were bad enough. But a 1989 government  
>>>>> study also found that Chevron was spilling 20,000 gallons of oil \*per  
>>>>> week\* in the region, or about 16 million gallons over the course of  
>>>>> its operation.  
>>>>>  
>>>>> Using unlined pits and dumping formation waters were considered  
>>>>> outdated in the U.S. by most people in the oil industry in the 1940s.  
>>>>> The Texas Railroad Commission banned unlined pits in 1939. Even the

>>>> industry-backed American Petroleum Institute in the early 1960s was warning  
>>>> oil companies to re-inject the toxic water deep into underground wells.  
>>>> The bottom line is that Chevron decided to employ practices in  
>>>> Ecuador that it would never use in the United States.

>>>> Today, the pristine rainforest ecosystem where Chevron built and  
>>>> operated 356 wells and 22 production stations – covering an area roughly the  
>>>> size of Rhode Island -- suffers from what experts fear could be one of the  
>>>> worst oil-related contaminations on the planet. Several  
>>>> peer-reviewed health evaluations have found skyrocketing rates of  
>>>> spontaneous miscarriages and cancer in the provinces of Sucumbios and  
>>>> Orellana, including childhood leukemia levels four times higher than in  
>>>> other parts of Ecuador. Thousands of people are drinking water and  
>>>> bathing in rivers laced with toxins multiple times daily. Soils and  
>>>> groundwater around and near the waste pits contain hydrocarbons that are  
>>>> hundreds, even thousands, of times over norms in the U.S. and Ecuador.

>>>> Given this dire situation, what is surprising is how Mr. James and  
>>>> his employer have been unable to get out ahead of the problem. The  
>>>> court-appointed special master who Mr. James has attacked as "biased" was  
>>>> actually somebody whose salary had been paid in part by Chevron in an  
>>>> earlier part of the case, when the company did not object to his  
>>>> qualifications (he worked with 14 other technical specialists on the latest  
>>>> report).

>>>> The Journal also falls prey to Chevron's spin over its so-called \$40  
>>>> million "remediation" and subsequent legal "release". This all  
>>>> sounds like a neat solution for Chevron except for one glaring defect:  
>>>> the release has plain language that specifically carves out private  
>>>> claims of the type currently being litigated. Our clients are not  
>>>> parties to that release, and therefore are not covered by it.

>>>> This still leaves open the question of the level of responsibility  
>>>> of PetroEcuador, the state oil company that inherited Chevron's operation in  
>>>> 1992. The lawsuit asserts that Chevron is 100% responsible not only  
>>>> for the contamination it created during the years it operated, but also for  
>>>> the contamination that has occurred by its successor company using the same  
>>>> negligent system that Chevron designed in violation of legal standards.  
>>>> For Chevron to try to blame the entire problem on a separate oil  
>>>> company using the system it designed and built is nothing more than a folly  
>>>> to distract shareholders from the extent of its potential liability, which  
>>>> it has never reported in its public filings.

>>>> The trial in Ecuador reflects a genuine legal dispute that is being  
>>>> hotly litigated by both parties. Chevron has vigorously defended  
>>>> itself, submitted more than 200,000 pages of documentary evidence and 52,000  
>>>> chemical sampling results. Despite Chevron's strategy of delay, a  
>>>> judgment should be forthcoming in several months assuming the court  
>>>> exercises its inherent powers to move the matter along at a reasonable pace.  
>>>> The result is not foreordained. Chevron should let the process  
>>>> finish instead of attacking the rule of law in a transparent attempt to  
>>>> accomplish its desired result through extrajudicial pressure.

>>>> #

>>>> --  
>>>> Steven Donziger

>>>> 212-570-9944 (fax)

>>>> Steven R. Donziger

>>>> Law Offices of Steven R. Donziger, P.C.

>>>> Email: [sdonziger@gmail.com](mailto:sdonziger@gmail.com)

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Kevin Koenig  
Northern Amazon Program Coordinator  
Amazon Watch

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Quito Office: 593-2-333-1348  
[REDACTED]

[kevin@amazonwatch.org](mailto:kevin@amazonwatch.org)  
[www.amazonwatch.org](http://www.amazonwatch.org)

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Steven Donziger  
[REDACTED]

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[REDACTED]

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Law Offices of Steven R. Donziger, P.C.  
[REDACTED]

Email: [sdonziger@gmail.com](mailto:sdonziger@gmail.com)

# **EXHIBIT 4**

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**From:** Simeon Tegel [tegelsimeon@gmail.com] on behalf of Simeon Tegel [simeon@amazonwatch.org]  
**Sent:** Tuesday, April 22, 2008 6:00 PM  
**To:** Steven Donziger  
**Subject:** IBD draft

I was going to send the below to IBD, mentioning that they had named us. Short but all I have time for right now. Do you want to add anything?

Your editorial (“Ecuador Shakedown”, April 17) reads as though written by Chevron’s publication relations department, twisting facts and ignoring Chevron’s own admission that it dumped 18 billion gallons of toxic wastewater into the Ecuadorian Amazon.

You assert the “suit was laughed out of court” in the US. In fact, the judge agreed merely that Ecuador was a more appropriate jurisdiction than the US, conditioning his decision on Chevron’s acceptance that it abide by the outcome of the Ecuadorian court system. You describe Richard Cabrera as an “activist” when, in truth, he is a qualified geologist appointed by the judge in the *Aguinda vs. Texaco* litigation rather than either of the parties in the case.

The facts of the case are simple: Chevron designed, implemented and operated sub-standard technology during its three decades in Ecuador, before fleeing the country. As a result, as Chevron itself does not deny, the operation dumped 18 billion gallons of toxic wastewater directly into Amazonian waterways. Now, as peer-reviewed epidemiology studies show, cancer rates in the region are skyrocketing and Chevron refuses to help, effectively rendering meaningless its touted human rights and environmental policies.

By ignoring these key points, and unquestioningly accepting Chevron’s one-eyed version of events, the Investor’s Business Daily has called its own editorial independence and integrity into question.

Sincerely,  
Atossa Soltani  
Executive Director  
Amazon Watch

Simeon Tegel  
Director of Communications  
Amazon Watch  
One Hallidie Plaza, Suite 402  
San Francisco, CA 94102  
Tel: + 415-487-9600  
Fax: + 415-487-9612  
[simeon@amazonwatch.org](mailto:simeon@amazonwatch.org)  
[www.amazonwatch.org](http://www.amazonwatch.org)

4/22/2008

DONZ-HDD-0170617

# **EXHIBIT 5**



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**From:** Simeon Tegel [simeon@amazonwatch.org]  
**Sent:** Wednesday, May 28, 2008 2:15 PM  
**To:** Steven Donziger  
**Subject:** release pasted only (in case other version is slow in arriving)

FOR IMMEDIATE RELEASE: May 28, 2008

CONTACTS: Simeon Tegel: 510-962-0195; Mitch Anderson: 415-342-4783;

“Systemic” Human Rights Abuses Dominate Chevron Annual General Meeting

Chevron’s Victims from Burma, Ecuador and Nigeria Travel Around the World to Confront CEO David O’Reilly at Shareholder Meeting

B-Roll and photos of Ecuador pollution available upon request.

San Ramon — In a dramatic face-to-face showdown at Chevron’s annual general meeting, victims of the company’s grave human rights abuses from three continents today told shareholders and senior executives that the oil major must make amends to the communities whose lives and lands it has ruined

Community representatives from Burma, Ecuador and Nigeria participated in the meeting as proxy shareholders, calling on Chevron CEO David O’Reilly to stop hiding behind lawyers and corporate greenwashing and acknowledge and their suffering.

In Burma, revenue from a Chevron pipeline props up the repressive military dictatorship while pipeline security forces have been accused of murder, rape and forced labor. In Ecuador, the company is facing a \$16 billion damages payout for dumping 18 billion gallons of toxic wastewater and leaving local communities to suffer a wave of cancers. In Nigeria, Chevron is accused of massive environmental contamination and having soldiers shoot and kill peaceful protestors.

Mr. O’Reilly’s response today was to label one Nigerian shooting survivor a “criminal” and to switch off the microphone of an Ecuadorian woman who lives on a site polluted and supposedly “remediated” by Texaco (now part of Chevron) and is now disfigured by a mystery skin condition.

Larry Bowoto, who was shot multiple times by Nigerian soldiers flown in by Chevron to stop a peaceful protest at the company’s devastation of wetlands on which local communities depend, told the meeting survivors of the notorious 1998 shooting in the Niger Delta had been tortured by police, apparently with the company’s knowledge. “We were unarmed. We were there to protest the loss of our fish, our clean drinking water and our food trees.”

Mr. O’Reilly responded by labeling Mr. Bowoto a “criminal”. Mr. Bowoto has never faced an legal proceedings arising from the incident and is now a plaintiff in a lawsuit against Chevron due to be heard in Federal Court in San Francisco in September.

Mercedes Jaramillo, who had traveled by days from her home on a former Texaco oil concession in the Ecuadorian Amazon, had just got two sentences into her presentation before she was cut off by Mr. O’Reilly who claimed, inaccurately, that Texaco had cleaned up the area and attempted to blame Ecuadorian company

PetroEcuador, despite the fact that the overwhelming majority of the pollution in the area was caused by Texaco, which only handed over the concession to PetroEcuador once it was largely exhausted.

Atossa Soltani, Executive Director of Amazon Watch, a US environmental group working on the Ecuador case, then told the meeting that Ms. Jaramillo had wanted to say that her skin condition covers most of her body. Ms. Soltani then asked Mr. O'Reilly what he wanted legacy he wanted to leave Chevron. "Chevron was the sole operator," she added, noting that Chevron designed, constructed and operated the outdated technology that caused devastating toxic contamination.

The controversy appeared to cause growing unrest among the shareholders, several of whom asked Mr. O'Reilly and the other executives why Chevron was failing to put these human rights abuses behind it, allowing its reputation and brand to continue to be tarnished.

Meanwhile, outside the meeting, more than 50 protestors donned full-body haz-mat suits and brooms in a public "clean-up" display highlighting the grave human rights and environmental violations which they say are systemic and rooted in inadequate governance at Chevron's global headquarters in San Ramon.

Emergildo Criollo, an indigenous leader from Ecuador whose two children died after drinking contaminated water and whose wife has suffered uterine cancer, said: "I felt ashamed and embarrassed for Chevron after the cut me off. They wouldn't even hear my voice."

And Omeyele Sowore, a Nigerian human rights campaigner, accused Mr. O'Reilly of being a self-appointed "sheriff", accusing innocent people of being criminals. Ms. Soltani added: "He is enjoying a \$17 billion profit and were are here to remind him that there is a human toll, which his company must address. These issues are not going away and neither are we, unless and until Chevron makes amends to the families and communities it has devastated."

Investors owning more than \$12 billion of Chevron shares supported a resolution filed by New York City's public pension funds, some of the largest institutional investors in the US, calling on management to explain how it assesses human rights protections in countries where it operates. The resolution thus passed the threshold needed for it be re-submitted next year.

Pat Doherty, New York City's Director of Corporate Social Responsibility told the meeting: "As long-term investors we are concerned that potentially serious liabilities such as these arising from the company's international operations run the risk of depressing long-term shareholder value. We are concerned that the company may not be properly evaluating potential environmental and hr risks in its international operations. " Calls for independent review by board of directors.

Today's confrontation comes two months after Chevron was hit with a damages assessment of between \$7 billion and \$16 billion in a landmark class-action environmental lawsuit in Ecuador of up to \$16 billion – potentially the largest judgment in civil court history – and after a U.S. federal judge in San Francisco ordered the company to stand trial in September over the Nigerian slayings.

In light of the various human rights issues, members of San Francisco's Board of Supervisors, including Tom Ammiano, Ross Mirkarimi, and Chris Daly, are filing a resolution that condemns "... Chevron Corporation for a systematic pattern of socially irresponsible activities and complicity in human rights violations that is at odds with the values of the citizens of San Francisco, and at odds with the standards of ethical conduct those citizens expect from corporations based in the Bay Area, in our own communities as well as abroad."

The main human rights issues include:

Nigeria: Security forces flown in and closely supervised by Chevron Nigeria shot nonviolent environmental protestors in an infamous case that will be the focus of two trials in San Francisco later this year. Two people died, several others were injured and some survivors of the attack were then tortured in a Nigerian jail. One decade after the incident, and after years of legal wrangling in American courts, Chevron management has yet to compensate the families of those killed and injured or resolve the original issues raised by the community.

Burma: Chevron's Yadana pipeline has provided revenues that have propped up the country's repressive military dictatorship, while security forces guarding the pipeline have been accused of rape, murder and forced labor. The pipeline has also had significant direct and indirect environmental impacts on the Tenassirm region, one of the largest surviving tracts of tropical rainforest in Southeast Asia, including illegal logging, fishing and poaching. Meanwhile, the pipeline has exacerbated the human rights abuses perpetrated by Burmese security forces against the region's Mon, Karen and Tavoyans indigenous peoples. Naw Musi, a Karen woman who lives in exile, will attend the shareholder's meeting.

Ecuador: Chevron faces an environmental damages claim of between \$7 billion and \$16 billion for causing what experts believe is the most extensive oil-related contamination on the planet. Chevron had admitted to deliberately dumping 18 billion gallons of toxic waste into Amazon waterways and abandoning almost 1,000 open-air toxic waste pits, leading to the decimation of indigenous groups. A court-appointed special master recently found 428 deaths from cancer in the region related to Chevron's oil operations. In addition, community leaders heading the lawsuit have been subject to death threats, office break-ins, and assaults that have resulted in protective measures being ordered by the Inter-American Commission on Human Rights. Community leader Luis Yanza, recently awarded the Goldman Environmental Prize, will lead a delegation of Ecuadorians that includes Emergildo Criollo, a Cofan indigenous leader.

United States: In Richmond, in the East Bay, 35,000 families live in the shadow of a Chevron refinery that spewed out three million pounds of contaminants during the last three years. Existing pollution from Chevron already causes premature death, cancer, and other health ailments. Richmond asthma rates are 5x the state level. Now Chevron wants to expand the refinery, allowing it to process both more and dirtier crude oil, despite overwhelming opposition from local residents. Most of the people who live in the area are minorities, leading to charges of environmental racism.

Concern about Chevron's apparent disregard for human rights has now spilled over to Chevron's shareholders and San Ramon staff. A source within the company has said employees at San Ramon are now increasingly preoccupied by the constant flow of negative news, particularly from Ecuador, and are waiting for CEO David O'Reilly to show leadership on the issue.

###

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[www.amazonwatch.org](http://www.amazonwatch.org)

# **EXHIBIT 6**

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**From:** Pablo Fajardo Mendoza [pafabibi@gmail.com]  
**Sent:** Tuesday, August 05, 2008 1:18 PM  
**To:** Yanza; Mar?a Eugenia Y?pez Regalado; Steven Donziger  
**Subject:** APPOINTMENT

Greetings Maria.

I think we need to have a meeting with the President of the Supreme Court of Justice, to discuss the problem with the Nueva Loja Court. I know the guy is a little or a huge son of a bitch, but I think we need to do it, if possible next week.

BB

# MERRILL CORPORATION

Merrill Communications LLC



25 West 45th Street, 8th Floor  
New York, NY 10036 • (212) 840-1133

State of New York	)	
Estado de Nueva York	)	
	)	ss:
	)	a saber:
County of New York	)	
Condado de Nueva York	)	

### Certificate of Accuracy Certificado de Exactitud

This is to certify that the attached translation is, to the best of our knowledge and belief, a true and accurate translation from Spanish into English of the attached document.

Por el presente certifico que la traducción adjunta es, según mi leal saber y entender, traducción fiel y completa del idioma español al idioma inglés del documento adjunto.

Dated: March 16, 2011  
Fecha: 16 de marzo de 2011

  
\_\_\_\_\_  
Violeta Lejtman  
Team Lead – Legal Translations  
Merrill Brink International/Merrill Corporation

[firmado]  
\_\_\_\_\_  
Violeta Lejtman  
Líder del equipo – Traducciones Legales  
Merrill Brink International/Merrill Corporation

Sworn to and signed before  
Jurado y firmado ante  
Me, this \_\_\_ 16<sup>th</sup> \_\_\_ day of  
mí, a los \_\_\_ 16 \_\_\_ días del  
\_\_\_ March \_\_\_ 2011  
mes de \_\_\_ marzo \_\_\_ de 2011

  
\_\_\_\_\_  
Notary Public  
Notario Público

GINA ST LAURENT  
Notary Public, State of New York  
No. 01ST6146442 [firmado]  
[sello]

**From:** Pablo Fajardo Mendoza [pafabibi@gmail.com]  
**Sent:** Tuesday, August 05, 2008 1:18 PM  
**To:** Yanza; Mar?a Eugenia Y?pez Regalado; Steven Donziger  
**Subject:** CITA

Saludos Mar?a.

Creo que es necesario que mantengamos una reuni?n con el se?or Preisdente de la Corte Suprema de Justicia, para tratar el problema de la Corte de Nueva Loja. Se que el tipo es un poco o bastante Hijo de puta, pero creo que es necesario, de ser posible para la semana siguiente.

BB

# **EXHIBIT 7**



---

**From:** Pablo Fajardo Mendoza [pafabibi@gmail.com]  
**Sent:** Friday, September 12, 2008 3:35 PM  
**To:** María Eugenia Yépez Regalado  
**Cc:** sdonziger  
**Subject:** Re: Corte suprema

Buen trabaj amiga y colegas. seguimos. Yo insisto que el lunes disparemos. El mismo lunes podemos poner el escrito que menciona Julio, como parte de la presión lega y pública.

BB

El 12 de septiembre de 2008 17:28, María Eugenia Yépez Regalado <[mey\\_1802@hotmail.com](mailto:mey_1802@hotmail.com)> escribió:  
STEVEN

TE CUENTO QUE DESDE LAS TRES DE LA TARDE HASTA ESTE MOMEMENTO QUE ACABAMOS DE LLEGAR A LA OFICINA CON JULIO Y RENATO HEMOS ESTADO HABLANDO CON LOS MIEMBROS DE LA SALA 1 DE LA CORTE SUPREMA DE JUSTICIA, DONDE CAYO EL SORTEO DE LO NUESTRO, REALMENTE FUE MUY POSITIVO ,EL SECRETARIO DE LA SALA QUE ES QUIEN A LA FINAL DARA LAS PAUTAS PARA EL PROCEDIMIENTO, NOS GARANTIZO QUE NO LO HARA PRESCRIBIR Y QUE HAY MUCHAS FORMAS DE SINTETIZAR LOS TRAMITES , EL DIA LUNES CONSEGUI LA CITA CON EL PRESIDENTE DE LA CORTE Y CON EL PRESIDENTE SDE LA SALA QUE ES EL DOCTOR CAZAREST,EXACO HA ESTADO COMO HORMIGAS EN LA CORTE QUISIERA QUE NO TE PREOCUPES TANTO CASI ESTA CONTROLADO.LO UNICO QUE ES NECESARIO Y COINCIDO ES CON LA CARTA QUE PROPONE JULIO A LA CORTE

SALUDOS

MEY

---

Invite your mail contacts to join your friends list with Windows Live Spaces. It's easy! [Try it!](#)

# **EXHIBIT 8**

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**From:** Steven Donziger [sdonziger@gmail.com]  
**Sent:** Wednesday, February 14, 2007 5:28 PM  
**To:** Maria Eugenia Yepez Regalado  
**Subject:** Re: tasks

That's great!!! You're the best. I'd like to speak with you tonight – where can I call you?

On 2/14/07, **Maria Eugenia Yepez Regalado** <[mey\\_1802@hotmail.com](mailto:mey_1802@hotmail.com)> wrote:

EVEN

THIS MORNING I SPOKE WITH MARCO ESTRADA FROM THE MINISTRY OF HEALTH, HE TOLD ME THE MINISTER EXPLAINED OUR ISSUE AT THE CABINET MEETING AND THAT THE PRESIDENT TOLD HER TO URGENTLY FORM A COMMITTEE TO FOLLOW THE CASE CLOSE UP AND REPORT EVERY STEP TO HIM, THE MINISTER OF COURSE HAS ORDERED THE MINISTRY'S ATTORNEYS TO PREPARE A FORM AGREEMENT TO SIGN WITH US TOMORROW I'LL FIRM UP THE MEETING WITH THE ATTORNEYS FOR THE PURPOSE OF REVIEWING THE PROPOSAL. WITH OUR ATTORNEYS.

THE APPOINTMENT WITH THE PRESIDENT HASN'T MATERIALIZED YET, HE HAS BEEN VERY BUSY WITH THE CONGRESS MATTER, I'M BEHIND IT.

TOMORROW I'LL HAVE THE THING FOR AMBATO READY AND WE'VE SET IT WITH LUIS FOR MARCH 2, THE PRESS CONFERENCE IS INITIALLY SET FOR MONDAY, FEBRUARY 26, AS LONG AS THE ORDER COMES OUT.

I REQUESTED THE APPOINTMENTS WITH *COMERCIO* AND *LA HORA* [media outlets], IT WILL BE MATERIALIZED TOMORROW, I'VE REQUESTED THEM FOR FEBRUARY 28.

MARIA EUGENIA IS ALREADY WELL ALONG IN HER WORK AS WELL AS SILVIA.

REGARDING THE POSTERS, ON FRIDAY I'VE GOT A MEETING WITH THE PEOPLE WHO HAVE DESIGNED THEM IN ORDER TO DEFINE PICTURES AND MESSAGES.

I'LL REPORT TO YOU ON THE REST TOMORROW.

CIAO, LITTLE OGRE!

YOUR SERVANT, ISaura

MARIA EUGENIA YEPEZ.

---

Chat with your friends online through MSN Messenger:  
<http://messenger.latam.msn.com/>

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Steven Donziger  
212-570-4499 (land)  
212-570-9944 (fax)  
917-566-2526 (cell)

Steven R. Donziger  
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	)	ss:
	)	a saber:
County of New York	)	
Condado de Nueva York	)	

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**Certificado de Exactitud**

This is to certify that the attached translation is, to the best of our knowledge and belief, a true and accurate translation from Spanish into English of the attached document.

Por el presente certifico que la traducción adjunta es, según mi leal saber y entender, traducción fiel y completa del idioma español al idioma inglés del documento adjunto.

Dated: March 11, 2011  
Fecha: 11 de marzo de 2011

\_\_\_\_\_  
Violeta Lejtman  
Team Lead – Legal Translations  
Merrill Brink International/Merrill Corporation

[firmado]

\_\_\_\_\_  
Violeta Lejtman  
Líder del equipo – Traducciones Legales  
Merrill Brink International/Merrill Corporation

Sworn to and signed before  
Jurado y firmado ante  
Me, this \_\_\_ 11<sup>th</sup> \_\_\_ day of  
mí, a los \_\_\_ 11 \_\_\_ días del  
\_\_\_ March \_\_\_ 2011  
mes de \_\_\_ marzo \_\_\_ de 2011

\_\_\_\_\_  
Notary Public  
Notario Público

GINA ST LAURENT [firmado]  
Notary Public, State of New York [sello]  
No. 01ST6146442  
New York County  
Commission Expires May 15, 2014

---

**From:** Steven Donziger [sdonziger@gmail.com]  
**Sent:** Wednesday, February 14, 2007 5:28 PM  
**To:** María Eugenia Yépez Regalado  
**Subject:** Re: tareas

Que bueno!!! Eres la maxima. Quiero hablar con Ud esta noche -- donde te puedo llamar?

On 2/14/07, **María Eugenia Yépez Regalado** <mey\_1802@hotmail.com> wrote:  
ETEVEN

ESTA MAÑANA HABLE CON MARCO ESTRADA DEL MINISTERIO DE SALUD , ME COMENTO QUE LA MINISTRA EXPUSO LO NUESTRO EN LA REUNION DE GABINETE Y QUE EL PRESIDENTE LE DIJO QUE EN FORMA URGENTE CONFORME UNA COMISIÓN QUE SIGA DE CERCA EL CASO Y QUE LE INFORMARA CADA PASO , LA MINISTRA POR SUPUESTO HA DISPUESTO A LOS ABOGADOS DEL MINISTERIO PARA QUE HAGAN UN FORMATO DE ACUERDO PARA FIRMARLO CON NOSOTROS MAÑANA CONCRETO LA REUNION CON LOS ABOGADOS A FIN DE REVISAR LA PROPUESTA.CON NUESTROS ABOGADOS .

LA CITA CON EL PRSIDENTE NO SE CONCRETA TODAVIA , EL HA ESTADO MUY OCUPADO CON EL TEMA DEL CONGRESO , ESTOY TRAS DE ELLO.

MAÑANA TENGO LISTO LO DE AMBATO Y LO HEMOS FIJADO CON LUIS PARA EL 2 DE MARZO, LA RUEDAD PRENSA EN PRINCIPIO ESTA PARA EL DIA LUNES 26 DE FEBRERO,TODA VEZ QUE SALGA LA PROVIDENCIA.

PEDI LAS CITAS CON COMERCIO Y LA HORA , MAÑANA SE CONCRETA , LAS HE PEDIDO PARA EL 28 D FEBRERO.

MARIA EGENIA YA TIENE MUY AVANZADAS SUS TAREAS AL IGUAL QUE SILVIA.

SOBRE LOS AFICHES EL VIERNES TENGO UNA REUNIÓN CON LOS QUE YA HA DISEÑADO PARA DEFINIR FOTOGRAFIAS Y MENSAJES.

MAÑANA TE INFORMARE SOBRE EL RESTO DE COSAS.

CHAO OGRITO

TU ESCLAVA ISAURA

MARRIA EUGENIA YEPEZ.

---

Charla con tus amigos en línea mediante MSN Messenger:  
<http://messenger.latam.msn.com/>

--

Steven Donziger  
212-570-4499 (land)  
212-570-9944 (fax)  
917-566-2526 (cell)

Steven R. Donziger  
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New York, New York 10025  
Email: [sdonziger@gmail.com](mailto:sdonziger@gmail.com)

# EXHIBIT 9



---

**From:** M<sup>a</sup> Guadalupe De Heredia [lupitadeheredia@gmail.com]  
**Sent:** Tuesday, October 16, 2007 2:29 PM  
**To:** Steven Donziger  
**Subject:** Volunteers are here

Steven,  
The law students from Colorado are here, i told them to translate the "panfleto" and they are coming back this afternoon around 3 o'clock when Joseph is going to be here.  
I want to work out with them and Joseph a plan for international organisations in the US to let them know about us.  
Please let me know if you have more things for them to do till you come here.  
LDH

--  
M<sup>a</sup> Guadalupe De Heredia  
Tel. 59399707-369  
Quito- Ecuador

10/16/2007

DONZ-HDD-0131188

# **EXHIBIT 10**

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

In re Application of Chevron Corporation, et al

Plaintiff

v.

Defendant

Civil Action No. 10-MC-0002

(If the action is pending in another district, state where:

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Yahoo! Inc. (c/o Registered Agent CT Corporation System, 111 Eighth Avenue, New York, New York 10011)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: Documents adequate to permit the account holder of "documents2010@gmail.com" to access the e-mail stored in the account. The account password would satisfy this request. This request is made with the consent of the account holder/subscriber, Steven R. Donziger (the account was created by Mr. Donziger's assistant, Andrew M. Woods, who also consents to this request).

Table with 2 columns: Place (Friedman Kaplan Seiler & Adelman LLP, 1633 Broadway, 46th Floor, New York, New York 10019) and Date and Time (12/03/2010 9:00 am)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 11/29/2010

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

Handwritten signature of Steven R. Donziger

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Steven R. Donziger, who issues or requests this subpoena, are:

Bruce S. Kaplan, Friedman Kaplan Seiler & Adelman LLP, 1633 Broadway, 46th Floor, NY, NY 10019

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

In re Chevron Corporation
Plaintiff
v.
Defendant
Civil Action No. 10-MC-0002
(If the action is pending in another district, state where: Southern District of New York)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Yahoo! Inc.
Custodian of Records, Legal Department, 701 1st Avenue, Sunnyvale, CA 94089

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: The contents, including all e-mail, of the account "documents2010@ymail.com"

This request is made with the consent of the account holder/subscriber, Steven R. Donziger (the account was created by Mr. Donziger's assistant, Andrew M. Woods, who also consents to this request).

Table with 2 columns: Place (Friedman Kaplan Seiler & Adelman LLP, 1633 Broadway, 46th Floor, New York, NY 10019) and Date and Time (12/16/2010 9:00 am)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 12/09/2010

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Handwritten signature of Bruce S. Kaplan

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Steven R. Donziger, who issues or requests this subpoena, are:

Bruce S. Kaplan, Friedman Kaplan Seiler & Adelman LLP, 1633 Broadway, 46th Floor, NY, NY 10019

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

In re Chevron Corporation

Plaintiff

v.

Defendant

Civil Action No. 10-MC-0002

(If the action is pending in another district, state where: Southern District of New York)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Yahoo! Inc. Custodian of Records, Legal Department, 701 1st Avenue, Sunnyvale, CA 94089

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: The documents identified in the attached "Exhibit A."

This request is made with the consent of the account holder/subscriber, Steven R. Donziger (the account was created by Mr. Donziger's assistant, Andrew M. Woods, who also consents to this request).

Table with 2 columns: Place (Friedman Kaplan Seiler & Adelman LLP, 1633 Broadway, 46th Floor, New York, NY 10019) and Date and Time (01/07/2011 9:00 am)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 01/03/2011

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

Handwritten signature of Steven R. Donziger

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Steven R. Donziger, who issues or requests this subpoena, are:

Bruce S. Kaplan, Friedman Kaplan Seiler & Adelman LLP, 1633 Broadway, 46th Floor, NY, NY 10019 (FAX: 212-833-1250) (EMAIL: bkaplan@fklaw.com)

**EXHIBIT A**

1. All documents identifying IP addresses associated with attempts to access the account “documents2010@ymail.com”.
2. All documents providing any information about attempts (whether successful or unsuccessful) to gain access to the account “documents2010@ymail.com”. This would include, but is not limited to, documents identifying the dates and times of such attempts and/or the location (whether by IP address or otherwise) of the attempts.
3. All documents reflecting any information provided to Yahoo! when the account “documents2010@ymail.com” was created. This would include, but is not limited to, documents reflecting any information provided by the user of the account. It would also include documents that reflect the time and date of the account creation, and the location (whether by IP address or otherwise) of the user who created the account.
4. All documents reflecting information about transactional activity associated with the account “documents2010@ymail.com.” This would include, but is not limited to, documents reflecting the time(s) that the account is accessed, and the nature of activity in the account (such as transmission or receipt of e-mails).

# **EXHIBIT 11**

---

**From:** Alberto Guerra [albertoguerrab@hotmail.com]  
**Sent:** Sunday, September 05, 2010 3:07 PM  
**To:** Steven Dozinger  
**Subject:** Regards from Quito

Dear Steven:

Alberto Guerra Bastidas here, apart from a warm greeting, I would appreciate your helping my daughter Gabriela Guerra with respect to the mechanics of obtaining her residence in the United States. She entered [the US] last October of 2009 with a tourist visa. Later, in June of 2010 she changed her status from tourist to student, so she is legal for one year until June 2011. She has an American boyfriend who for the purpose of making her legal, and for love, she says, they want to get married. Questions: is it more convenient to have the wedding in the US or in Ecuador.- With the marriage how long will it take to get the residency worked out.- What is an estimate of the cost of the procedures.- and attorney's fees. By the way, my daughter is in Chicago. I will support the matter of Pablo Fajardo so it will come out soon and well.

I have asked my daughter to write or call you on the phone, for the second case I will ask Pablo for your number.

Affectionately.



**MERRILL  
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Merrill Communications LLC



225 Varick Street  
New York, NY 10014

State of New York	)	
Estado de Nueva York	)	
	)	ss:
	)	a saber:
County of New York	)	
Condado de Nueva York	)	

**Certificate of Accuracy**  
**Certificado de Exactitud**

This is to certify that the attached translation is, to the best of our knowledge and belief, a true and accurate translation from Spanish into English of the attached document.

Por el presente certifico que la traducción adjunta es, según mi leal saber y entender, traducción fiel y completa del idioma español al idioma inglés del documento adjunto.

Dated: August 16, 2011  
Fecha: 16 de agosto de 2011

  
\_\_\_\_\_  
Violeta Lejtman  
Team Lead – Legal Translations  
Merrill Brink International/Merrill Corporation

\_\_\_\_\_  
[firmado]  
Violeta Lejtman  
Líder del equipo – Traducciones Legales  
Merrill Brink International/Merrill Corporation

Sworn to and signed before  
Jurado y firmado ante  
Me, this \_\_\_ 16<sup>th</sup> \_\_\_ day of  
mí, a los \_\_\_ 16 \_\_\_ días del  
\_\_\_ August \_\_\_ 2011  
mes de \_\_\_ agosto \_\_\_ de 2011

  
\_\_\_\_\_  
Notary Public  
Notario Público  
GINA ST LAURENT [firmado]  
Notary Public, State of New York  
No. 01ST6146442 [sello]  
Qualified in New York County  
Commission Expires May 15, 2014

---

**From:** Alberto Guerra [albertoguerrab@hotmail.com]  
**Sent:** Sunday, September 05, 2010 3:07 PM  
**To:** Steven Dozinger  
**Subject:** Saludos de Quito

Estimado Steven:

Alberto Guerra Bastidas, aparte de saludarte muy afectuosamente, te solicito tengas a bien orientar a mi hija Gabriela Guerra respecto a la mecanica para obtener su residencia en los Estados Unidos. Ella, ingreso en octubre pasado del 2009 con visa de turismo. Posteriormente, en junio del 2010 cambio su status de turista a estudiante, por lo que se encuentra legal por un año esto es hasta junio del 2011. Tiene un novio amricano mismo que a efecto de legalizarla y por amor segun señala, quiere casarse. Inquietudes: el matrimonio es conveniente hacerlo en USA o Ecuador.- Con el matrimonio en que tiempo se arregla la situacion de residencia.- Estimativamente cuanto cuesta el tramite.- y Honorarios de un abogado. A proposito mi hija se encuentra en la ciudad de Chicago. Yo apoyo para que el tema relacionado con Pablo Fajardo salga pronto y bien.

He solicitado a mi hija que te escriba o llame por telefono, para eñil segundo caso, solicitare tu numero a Pablo. Afectuosamenete.

# **EXHIBIT 12**

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✓ [Simeon Tegel | GlobalPost](#)

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by Simeon Tegel - in 26 Google+ circles - More by Simeon Tegel  
Simeon Tegel is a British journalist based in Lima, Peru. He covers a broad range of themes across Latin America including politics, society, culture and sports ...

🔍 [SIMEON TEGEL](#)

[simeontegel.com/](http://simeontegel.com/)

Simeon Tegel is a British journalist based in Peru. He writes about a broad range of themes across Latin America but specializes in environment and adventure.

✓ [Simeon Tegel \(SimeonTegel\) on Twitter](#)

<https://twitter.com/SimeonTegel>

Simeon Tegel. @SimeonTegel. British freelance journalist based in Peru. Covers LatAm, specializes in environment and adventure. Writes for GlobalPost and ...

✓ [Simeon Tegel - The Independent](#)

[www.independent.co.uk/biography/simeon-tegel](http://www.independent.co.uk/biography/simeon-tegel)

by Simeon Tegel - in 26 Google+ circles - More by Simeon Tegel  
Simeon Tegel. Simeon Tegel is a British journalist based in Lima, Peru, and covering Latin America. Visit his website at [simeontegel.com](http://simeontegel.com). Follow Simeon Tegel ...

✓ [Simeon Tegel | Pulitzer Center](#)

[pulitzercenter.org/people/simeon-tegel](http://pulitzercenter.org/people/simeon-tegel)

Simeon Tegel is a British journalist based in Lima, Peru. He covers a broad range of themes across Latin America, including politics, society, culture and sport ...

✓ [Simeon Tegel | Facebook](#)

[www.facebook.com/simeon.tegel](http://www.facebook.com/simeon.tegel)

Simeon Tegel is on Facebook. Join Facebook to connect with Simeon Tegel and others you may know. Facebook gives people the power to share and makes ...

✓ [Simeon Tegel | The Guardian](#)

[www.guardian.co.uk/profile/simeon-tegel](http://www.guardian.co.uk/profile/simeon-tegel)

Aug 31, 2011 – Simeon Tegel is a British journalist based in Lima, Peru. His writing on environmental and other issues appears in newspapers and magazines ...

✓ [Images for simeon tegel](#) - Report images



✓ [Simeon Tegel - chileno.co.uk](#)

[www.chileno.co.uk/blogs/blog1.php/contributors/simeon-tegel](http://www.chileno.co.uk/blogs/blog1.php/contributors/simeon-tegel)

2 days ago – Simeon Tegel is a British journalist based in Lima, Peru. He writes about a broad range of themes across Latin America and publishes widely.

✓ [Simeon Tegel | MinnPost](#)

[www.minnpost.com/author/simeon-tegel](http://www.minnpost.com/author/simeon-tegel)

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[www.salon.com/writer/simeon\\_tegel/](http://www.salon.com/writer/simeon_tegel/)

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# **EXHIBIT 13**

**From:** Steven Donziger  
**To:** Juan Pablo Sáenz; JULIO PRIETO; Pablo Fajardo Mendoza; LUIS YANZA; Kevin Koenig; M<sup>a</sup> Guadalupe De Heredia G.; María Eugenia Yépez Regalado  
**Sent:** Mon 9/7/2009 11:42:23 PM GMT  
**Subject:** note Charles James menciona Callejas abajo en la entrevista

Creo que todo eso fue organizado de la oficina de Callejas; hay que llamar alla que la oficina de Callejas sea investigado por su papel corrupto y ilegal. Eso puede seguir lo cobertura alla por varias dias mas.

Lupe y MEY, siguen con las entrevistas de radio dia tras dia; cada dia revela un poca mas informacion, para que sigue todos los dias y estamos controlando las noticias. hablamos por telefono primera hora martes.

abrazos, SRD

Former Chevron GC Speaks Out On Ecuadorian Recordings

Posted by Brian Baxter  
Charles James's legal career just got a little more interesting.

The former antitrust chair at Jones Day and head of the Justice Department's antitrust division was promoted to executive vice president of Chevron in April after serving as general counsel for seven years. During that time James oversaw a mammoth environmental mass torts case filed against the company by 30,000 indigenous plaintiffs in Ecuador. On Monday that case took yet another dramatic turn when Chevron announced it had obtained a series of videotaped meetings showing evidence of bribery on the part of Judge Juan Núñez, who has overseen legal proceedings in the northern Ecuadorian town of Lago Agrio since August of last year. (Judge Núñez is the fourth judge on the case.) The Am Law Daily caught up with James to talk about the case, the videotapes, and where he sees Chevron's decade-long legal battle going next.

When did you become aware of these recordings?

The recordings came to the attention of one of our company representatives in Ecuador in early June. I received a call from Edward Scott, the vice president and general counsel of our upstream business unit, shortly thereafter.

Was there due diligence done on the tapes?

We wanted to handle this as responsibly as we could and not have a hysterical reaction. So first we went about getting interviews with [the two individuals who did the recording] and making sure we had good transcriptions of the tapes. We also did some forensic analysis. We're an energy company, not an investigator, so we had to do some due diligence before we turned this over to the appropriate authorities.

Were outside and in-house counsel involved in this process?

The interviews were conducted predominantly by outside counsel, although our method of legal organization is for us to exercise fairly close in-house oversight of outside lawyers. So in-house legal resources have been involved in this.

By outside lawyers does that mean Tim Cullen from Jones Day and Doak Bishop from King & Spalding?

Unfortunately, this whole affair has forced us to engage quite a few lawyers. But those are among the lead lawyers, yes. Adolfo Callejas is our senior outside lawyer in Ecuador.

Chevron claims it had no prior relationship or knowledge of one of the individuals who recorded these conversations--American businessman Wayne Hansen. The company admits it has had a contractual relationship with the second, Diego Borja. Did they retain outside counsel in their interviews with Chevron?

We're not going to get into the details of their legal situations. We'll speak to ours. Borja and his family have been relocated by Chevron outside of Ecuador because of security concerns.

What's the next step in this process for Chevron? I know that a letter has been sent to the prosecutor general of Ecuador. Have you received a response?

Thus far what we have seen is wild and accusatory responses from Alexis Mera, whom I understand is the moral equivalent of White House counsel in Ecuador. We've seen a more measured response from the prosecutor general, who says he's conducting an investigation. We'll proceed to follow up and file through the judicial process our motions to disqualify the judge and annul his rulings. And then we hope that this investigation by the prosecutor general is a fair, transparent, and comprehensive one. Once we understand the findings of that inquiry, we'll contemplate our next step.

What's your response to Mera's allegations that Chevron illegally intercepted conversations without authorization?

We were disappointed that he appears to be taking a lead role with regard to this as his name comes up fairly prominent on those tapes. We'd hope that the investigation and the [Ecuadorian] government's response would be unconflicted and independent. But obviously we don't run that country. Here in the U.S., a person mentioned in an investigation probably wouldn't be one of the same people conducting it. The differences between the two [countries] seem to be becoming stark and more apparent by the day.

What about Judge Núñez's denials?

Even if you separate the bribery aspect of this, our perspective is that the whole event of the meetings with the judge was inappropriate. The meetings were not with parties to the case. And [Núñez] is talking about granting contracts for a judgment that he hasn't even entered! I can't imagine a set of ethical standards with some semblance of impartiality that would permit these kind of discussions.

Does Chevron want to get this case back to the U.S. where it was filed in 1993?

This case is going to be fought in multiple jurisdictions as it goes along. We have not asked for the case to be brought back to the U.S. We think it ought to be dismissed in Ecuador, not necessarily because of these events, but because the cause is meritless and fraught with corruption and political irregularities. These events only confirm some of the things that we've been saying about the circumstances [in Ecuador] for quite some time.

Have you ever been to Ecuador?

I have never been there and probably won't be going soon. Throughout this entire trial in Ecuador the lawyers that we've had to engage within our company and outside it have had to act with a certain kind of courage just to participate in legal proceedings. One of our principal local lawyers was indicted last year.

Would you say that the chips in Ecuador are stacked against you?



It would be easy for me to say, 'Yes,' but the reality is we recognize that we're a company held to high standards. We try to meet those standards. There have been cases like Bowoto where we've been completely vindicated. Bowoto was considered the human rights case of the century until we won it, in which case it became nothing. And we had a complete jury verdict in our favor--in San Francisco.

Any thoughts about the documentary scheduled for release next week that talks about a David v. Goliath-like battle going on in Ecuador involving Chevron?

In reality this case is American plaintiffs' lawyers working in complicity with a government. So who is Goliath in this sense is unclear to me. As for the documentary, I haven't seen it. But I've seen clips of plaintiffs' lawyers saying you have to play dirty in Ecuador. I'd love to hear more about those statements.

All interviews are condensed and edited for grammar and style. The Am Law Daily will be talking to lead plaintiffs lawyer Steven Donziger about his work on this case in the coming days. Check our blog for more on the latest in Aguinda v. ChevronTexaco.

Make a comment

--

Steven Donziger  
212-570-4499 (land)  
212-409-8628 (fax)  
917-566-2526 (cell)

Steven R. Donziger  
Law Offices of Steven R. Donziger, P.C.  
245 W. 104th St., #7D  
New York, New York 10025  
Email: sdonziger@gmail.com

# **EXHIBIT 14**



## Microsoft Online Privacy Statement

(last updated April 2012)

[view the privacy statement highlights](#)

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We self-certify compliance with:



This privacy statement applies to websites and services of Microsoft that collect data and display these terms, as well as its offline product support services. It does not apply to those Microsoft sites, services and products that do not display or link to this statement or that have their own privacy statements.

Please read the Microsoft Online Privacy Statement below and also any supplemental information listed to the right for further details about particular Microsoft sites and services you use. Some products, services

or features mentioned in this statement may not be available in all markets at this time. Additional information on Microsoft's commitment to protecting your privacy can be found at <http://www.microsoft.com/privacy>.

### Collection of Your Personal Information

We collect information as part of operating our Websites and services.

- At some Microsoft sites, we ask you to provide personal information, such as your e-mail address, name, home or work address, or telephone number. We may also collect demographic information, such as your ZIP code, age, gender, preferences, interests and favorites. If you choose to make a purchase or sign up for a paid subscription service, we will ask for additional information, such as your credit card number and billing address.
- In order to access some Microsoft services, you will be asked to sign in with an e-mail address and password, which we refer to as your Microsoft account. By signing in on one Microsoft site or service, you may be automatically signed into other Microsoft sites and services that use Microsoft account. For more information, see the Windows Live ID privacy supplement.
- We collect additional information about your interaction with Microsoft sites and services without identifying you as an individual. For example, we receive certain standard information that your browser sends to every website you visit, such as your IP address, browser type and language, access times and referring Web site addresses. We also use Web site analytics tools on our sites to retrieve information from your browser, including the site you came from, the search engine(s) and the keywords you used to find our site, the pages you view within our site, your browser add-ons, and your browser's width and height.
- We use technologies, such as cookies and web beacons (described below), to collect information about the pages you view, the links you click and other actions you take on our sites and services.
- We also deliver advertisements (see the Display of Advertising section below) and provide Web site analytics tools on non-Microsoft sites and services, and we collect information about page views on these third party sites as well.
- When you receive newsletters or promotional e-mail from Microsoft, we may use web beacons (described below), customized links or similar technologies to determine whether the e-mail has been opened and which links you click in order to provide you more focused e-mail communications or other information.

In order to offer you a more consistent and personalized experience in your interactions with Microsoft, information collected through one Microsoft service may be combined with information obtained through other Microsoft services. We may also supplement the information we collect with information obtained from other companies. For example, we may use services from other companies that enable us to derive a general geographic area based on your IP address in order to customize certain services to your geographic area.

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### Use of Your Personal Information

Microsoft collects and uses your personal information to operate and improve its sites and services. These uses include providing you with more effective customer service;

#### Supplemental Privacy Information

- [Bing](#)
- [Messenger](#)
- [Microsoft Advertising](#)
- [Microsoft Employment Candidates](#)
- [Microsoft Tag Reader](#)
- [MSN](#)
- [Office.com](#)
- [Support Services](#)
- [Windows Live](#)
- [Windows Live ID](#)
- [WindowsMedia.com](#)
- [Xbox LIVE, Games for Windows LIVE and Xbox.com](#)

#### Related Links

- [FTC Privacy Initiatives](#)
- [Security at Home](#)
- [Silverlight Privacy Statement](#)
- [Trustworthy Computing](#)

making the sites or services easier to use by eliminating the need for you to repeatedly enter the same information; performing research and analysis aimed at improving our products, services and technologies; and displaying content and advertising that are customized to your interests and preferences. For more information about the use of information for advertising, see the [Display of Advertising](#) section below.

We also use your personal information to communicate with you. We may send certain mandatory service communications such as welcome letters, billing reminders, information on technical service issues, and security announcements. Some Microsoft services, such as Windows Live Hotmail, may send periodic member letters that are considered part of the service. Additionally, with your permission, we may also occasionally send you product surveys or promotional mailings to inform you of other products or services available from Microsoft and its affiliates, and/or share your personal information with Microsoft partners so they may send you information about their products and services. You can opt-out from receiving newsletters or promotional e-mail anytime by using this web form or by following the steps as described in the respective newsletter or promotional e-mail.

Personal information collected on Microsoft sites and services may be stored and processed in the United States or any other country in which Microsoft or its affiliates, subsidiaries or service providers maintain facilities. Microsoft abides by the U.S.-EU Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of data from the European Economic Area, and Switzerland. To learn more about the Safe Harbor program, and to view our certification, please visit <http://www.export.gov/safeharbor>.

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## Sharing of Your Personal Information

Except as described in this statement, we will not disclose your personal information outside of Microsoft and its controlled subsidiaries and affiliates without your consent. Some Microsoft sites allow you to choose to share your personal information with select Microsoft partners so that they can contact you about their products, services or offers. Other sites, such as MSN instead may give you a separate choice as to whether you wish to receive communications from Microsoft about a partner's particular offering (without transferring your personal information to the third party). See the Communication Preferences section below for more information.

Some Microsoft services are co-branded by Microsoft and another company (partner). If you register to or use such a service, both a Microsoft privacy statement and the partner's privacy statement may be displayed. If so, both Microsoft and the partner will receive information you provide such as on registration forms.

Microsoft occasionally hires other companies (vendor) to provide limited services on our behalf, such as handling the processing and delivery of mailings, providing customer support, hosting websites, processing transactions, or performing statistical analysis of our services. Those service providers will be permitted to obtain only the personal information they need to deliver the service. They are required to maintain the confidentiality of the information and are prohibited from using it for any other purpose than for delivering the service to Microsoft in accordance with Microsoft's instructions and policies. However, our vendors may use aggregate data for fraud detection to help improve their services. This helps them to more accurately detect fraudulent transactions. We may access or disclose information about you, including the content of your communications, in order to: (a) comply with the law or respond to lawful requests or legal process; (b) protect the rights or property of Microsoft or our customers, including the enforcement of our agreements or policies governing your use of the services; or (c) act on a good faith belief that such access or disclosure is necessary to protect the personal safety of Microsoft employees, customers or the public. We may also disclose personal information as part of a corporate transaction such as a merger or sale of assets.

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## Accessing Your Personal Information

Some Microsoft services give you the ability to view or edit your personal information online. To help prevent your personal information from being viewed by others, you first will be required to sign in. The method(s) for accessing your personal information will depend on which sites or services you have used.

- **Microsoft.com** - You can access and update your profile on microsoft.com by visiting the [Microsoft.com Profile Center](#).
- **Microsoft Billing and Account Services** - If you have a Microsoft Billing account, you can add to or update your information at the [Microsoft Billing Web site](#) by clicking on the "Personal Information" or "Billing Information" links.
- **Microsoft Connect** - If you are a registered user of Microsoft Connect, you can access and edit your personal information by clicking [Manage Your Connect Profile](#) at the Microsoft Connect Web site.
- **Windows Live** - If you have used Windows Live services, you can update your profile information, change your password, view the unique ID associated with your credentials, or close certain accounts by visiting Windows Live [Account Services](#).
- **Windows Live Public Profile** - If you have created a public profile on Windows Live, you may also edit or delete information in your public profile by going to your [Windows Live profile](#).
- **Search Advertising** - If you buy search advertising through Microsoft Advertising, you can review and edit your personal information at the [Microsoft adCenter Web site](#).
- **Microsoft Partner Programs** - If you are registered with Microsoft Partner Programs, you can review and edit your profile by clicking [Manage Your Account](#) on the Partner Program Web site.
- **Xbox** - If you are a Xbox LIVE or Xbox.com user, you can view or edit your personal information, including billing and account information, privacy settings, online safety and data sharing preferences by accessing [My Xbox](#) on the Xbox 360 console or on the Xbox.com website. For account information select My Xbox, Accounts. For other personal information settings, select My Xbox, Profile then Online Safety Settings.
- **Zune** - If you have a Zune account or a Zune Pass subscription, you can view and edit your personal information at [Zune.net](#) (sign in, access your Zune tag then My Account or through the Zune software, (sign in, access your Zune tag, then select Zune.net profile.)"

In case you cannot access personal data collected by Microsoft sites or services via the links above, these sites and services may provide you with alternative means of access to your data. In any case, you can contact Microsoft by using the [web form](#).

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## Communication Preferences

You can stop the delivery of future promotional e-mail from Microsoft sites and services by following the specific instructions in the e-mail you receive.

Depending on the respective service, you may also have the option of proactively making choices about the receipt of promotional e-mail, telephone calls, and postal mail from particular Microsoft sites or services by visiting and signing into the following pages:

- Microsoft's [Promotional Communications Manager](#) allows you to update contact information, manage Microsoft-wide contact preferences, opt out of subscriptions, and choose whether to share your contact information with Microsoft partners. If you do not have a Microsoft account, you can manage your Microsoft email communication preferences by using this [web form](#).
- The [Microsoft.com Profile Center](#) allows you to choose whether you wish to receive marketing communications from Microsoft.com, to select whether Microsoft.com may share your contact information with selected third parties, and to subscribe or unsubscribe to newsletters about our products and services.

- The [MSN & Windows Live Communications Preferences](#) page allows you to choose whether you wish to receive marketing material from MSN or Windows Live. You may subscribe and unsubscribe to MSN Newsletters by going to the [MSN Newsletters website](#).
- If you have an Xbox.com or Xbox LIVE account, you can set your contact preferences and choose whether to share your contact information with Xbox partners by accessing [My Xbox](#) on the Xbox 360 console or on the Xbox.com website. To access these settings on the Xbox.com website, select My Xbox, Profile then Contact Preferences. On the Xbox 360 console, select My Xbox, Profile then Online Safety.
- If you are registered with Microsoft Partner Programs, you can set your contact preferences or choose to share your contact information with other Microsoft partners by clicking [Manage Your Account](#) on the Partner Program Web site.
- If you have a Zune account or a Zune Pass subscription, you can set your contact preferences and choose whether to share your contact information with Zune partners at [Zune.net](#) (sign in, access your Zune tag then My Account, Newsletter options or through the Zune software (sign in, access your Zune tag, then select Zune.net profile.)

In any case, you can inform Microsoft by using this web form about your wish to stop the delivery of future promotional e-mail. These choices do not apply to the display of online advertising: please refer to the section "Display of Advertising (Opt-out)" for information on this matter. Nor do they apply to the receipt of mandatory service communications that are considered part of certain Microsoft services, which you may receive periodically unless you cancel the service.

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## Display of Advertising (Opt-Out)

Many of our Web sites and online services are supported by advertising.

Most of the online advertisements on Microsoft sites are displayed by Microsoft Advertising. When we display online advertisements to you, we will place one or more persistent cookies on your computer in order to recognize your computer each time we display an ad to you. Because we serve advertisements on our own websites as well as those of our advertising and publisher partners, we are able to compile information over time about the types of pages, content and ads you, or others who are using your computer, visited or viewed. This information is used for many purposes, for example, it helps us try to ensure that you do not see the same advertisements over and over again. We also use this information to help select and display targeted advertisements that we believe may be of interest to you.

**You may opt-out of receiving targeted ads from Microsoft Advertising by visiting our [opt-out page](#).** For more information about how Microsoft Advertising collects and uses information, please see the [Microsoft Advertising Privacy Supplement](#).

We also allow third-party ad companies, including other ad networks, to display advertisements on our sites. In some cases, these third parties may also place cookies on your computer. These companies currently include, but are not limited to: [24/7 Real Media](#), [aCerno, Inc](#), [AdBlade](#), [AdConion](#), [AdFusion](#), [Advertising.com](#), [AppNexus](#), [Bane Media](#), [Brand.net](#), [CasaleMedia](#), [Collective Media](#), [Fox Interactive](#), [Interclick](#), [Millennial](#), [PrecisionClick](#), [ROI Media](#), [Social Media](#), [SpecificMedia](#), [TrafficMarketplace](#), [Tribal Fusion](#), [ValueClick](#), [Yahoo!](#), [YuMe](#), and [Zumobi](#). These companies may offer you a way to opt-out of ad targeting based on their cookies. You may find more information by clicking on the company names above and following the links to the Web sites of each company. Many of them are also members of the [Network Advertising Initiative](#) or the [Digital Advertising Alliance](#), which each provide a simple way to opt-out of ad targeting from participating companies.

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## Security of Your Personal Information

Microsoft is committed to protecting the security of your personal information. We use a variety of security technologies and procedures to help protect your personal information from unauthorized access, use, or disclosure. For example, we store the personal information we collect on computer systems with limited access, which are located in controlled facilities. When we transmit highly confidential information (such as a credit card number or password) over the Internet, we protect it through the use of encryption, such as the Secure Socket Layer (SSL) protocol.

If a password is used to help protect your accounts and personal information, it is your responsibility to keep your password confidential. Do not share this information with anyone. If you are sharing a computer with anyone you should always log out before leaving a site or service to protect access to your information from subsequent users.

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## Collection and Use of Children's Personal Information

Many Microsoft sites and services are intended for general audiences and do not knowingly collect any personal information from children. When a Microsoft site does collect age information, and users identify themselves as under 13, the site will either block such users from providing personal information, or will seek to obtain consent from parents for the collection, use and sharing of their children's personal information. We will not knowingly ask children under the age of 13 to provide more information than is reasonably necessary to provide our services.

Please note that if you grant consent for your child to use Microsoft services, this will include such general audience communication services as e-mail, instant messaging, and online groups, and your child will be able to communicate with, and disclose personal information to, other users of all ages. Parents can change or revoke the consent choices previously made, and review, edit or request the deletion of their children's personal information. For example, on MSN and Windows Live, parents can visit Account Services, and click on "Permission for kids." If we change this privacy statement in a way that expands the collection, use or disclosure of children's personal information to which a parent has previously consented, the parent will be notified and we will be required to obtain the parent's additional consent.

If you have an MSN Premium, MSN Plus, or MSN 9 Dial-Up account, and use MSN Client software version 9.5 or below, you can choose to set up MSN Parental Controls for the other users of that account. Please read the supplemental privacy information for [MSN](#) for further information.

We encourage you to talk with your children about communicating with strangers and disclosing personal information online. You and your child can visit our [online safety resources](#) for additional information about using the Internet safely.

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## Use of Cookies

Most Microsoft Web sites use "cookies," which are small text files placed on your hard disk by a Web server. Cookies contain information that can later be read by a Web server in the domain that issued the cookie to you.

One of the primary purposes of cookies is to store your preferences and other information on your computer in order to save you time by eliminating the need to repeatedly enter the same information and to display your personalized content and targeted advertising on your later visits to these sites. Microsoft Web sites also use cookies as described in the [Display of Advertising](#) sections of this privacy statement.

When you sign in to a site using your Microsoft account, we store your unique ID number, and the time you signed in, in an encrypted cookie on your hard disk. This cookie allows you to move from page to page at the site without having to sign in again on each page. When you sign out, these cookies are deleted from your computer. We also use cookies to improve the sign in experience. For example, your e-mail address may be stored in a cookie that will remain on your computer after you sign out. This cookie allows your e-mail address to be pre-populated, so that you will only need to type your password the next time you sign in. If you are using a public computer or do not otherwise

want this information to be stored, you can select the appropriate radio button on the sign-in page, and this cookie will not be used.

You have the ability to accept or decline cookies. Most Web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to sign in or use other interactive features of Microsoft sites and services that depend on cookies, and some advertising preferences that are dependent on cookies may not be able to be respected.

If you choose to accept cookies, you also have the ability to later delete cookies that you have accepted. For example, in Internet Explorer 8, you can delete cookies by selecting "Tools", "Delete browsing history". Then select the control box "Cookies" and click the "Delete" button. If you choose to delete cookies, any settings and preferences controlled by those cookies, including advertising preferences, will be deleted and may need to be recreated.

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## Use of Web Beacons

Microsoft Web pages may contain electronic images known as Web beacons - sometimes called single-pixel gifs - that may be used to assist in delivering cookies on our sites and allow us to count users who have visited those pages and to deliver co-branded services. We may include Web beacons in promotional e-mail messages or our newsletters in order to determine whether messages have been opened and acted upon.

Microsoft may also employ Web beacons from third parties in order to help us compile aggregated statistics regarding the effectiveness of our promotional campaigns or other operations of our sites. We prohibit Web beacons on our sites from being used by third parties to collect or access your personal information.

Finally, we may work with other companies that advertise on Microsoft sites to place Web beacons on their sites in order to allow us to develop statistics on how often clicking on an advertisement on a Microsoft site results in a purchase or other action on the advertiser's site.

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## Controlling Unsolicited E-mail ("Spam")

Microsoft is concerned about controlling unsolicited commercial e-mail, or "spam." Microsoft has a strict [Anti-Spam Policy](#) prohibiting the use of a Windows Live Hotmail or other Microsoft-provided e-mail account to send spam. Microsoft will not sell, lease or rent its e-mail subscriber lists to third parties. . While Microsoft continues to actively review and implement new technology, such as expanded filtering features, there is no technology that will totally prevent the sending and receiving of unsolicited e-mail. Using junk e-mail tools and being cautious about the sharing of your e-mail address while online will help reduce the amount of unsolicited e-mail you receive.

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## TRUSTe Certification

Microsoft has been awarded TRUSTe's Privacy Seal signifying that this privacy statement and our practices have been reviewed by TRUSTe for compliance with TRUSTe's program requirements including transparency, accountability and choice regarding the collection and use of your personal information. The TRUSTe program does not cover information that may be collected through downloadable software. TRUSTe's mission, as an independent third party, is to accelerate online trust among consumers and organizations globally through its leading privacy trustmark and innovative trust solutions.

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## Enforcement of This Privacy Statement

If you have questions regarding this statement, you should first contact us by using our [Web form](#). If you do not receive acknowledgement of your inquiry or your inquiry has not been satisfactorily addressed, you should then contact TRUSTe at [http://www.truste.org/consumers/watchdog\\_complaint.php](http://www.truste.org/consumers/watchdog_complaint.php). TRUSTe will serve as a liaison with Microsoft to resolve your concerns.

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## Changes to This Privacy Statement

We will occasionally update this privacy statement to reflect changes in our services and customer feedback. When we post changes to this Statement, we will revise the "last updated" date at the top of this statement. If there are material changes to this statement or in how Microsoft will use your personal information, we will notify you either by prominently posting a notice of such changes prior to implementing the change or by directly sending you a notification. We encourage you to periodically review this statement to be informed of how Microsoft is protecting your information.

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## How to Contact Us

For more information about our privacy practices, go to the full [Microsoft Online Privacy Statement](#).

- If you have a technical or general support question, please visit <http://support.microsoft.com/> to learn more about Microsoft Support offerings.
- If you suspect your Hotmail/Live account has been hacked or taken over, please visit [Live Help](#).
- If you have a Hotmail/Live password question, please visit [Live Help](#).
- For general Microsoft Privacy issues, please contact us by using our [Web form](#).

Microsoft Privacy, Microsoft Corporation, One Microsoft Way, Redmond, Washington 98052 USA • 425-882-8080

To find the Microsoft subsidiary in your country or region, see <http://www.microsoft.com/worldwide/>.

[Anti-Spam Policy](#)

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