



1           A.       I don't know. How's that? Sorry. Oh,  
2 no, I'll take that back, now that I think about it.

3                    We got it through Leo Giruta's father, who  
4 owns a safety equipment company. He didn't supply  
5 them, but he had a colleague or a friend or associate  
6 or whatever that did supply glassware, and at one  
7 point, that's where we were getting it.

8           Q.       Were you responsible for selecting the  
9 particular jars that were to be used, or did someone  
10 else do that?

11           A.       I think it was, you know, in discussion of  
12 what type of samples we were taking, what type of  
13 jars we were going to need. It was a consensus we  
14 were going to need one-liter bottles and we were  
15 going to need small, hundred-ml size containers, what  
16 they call septum bottles. They have a little, it's  
17 like a rubber top that you can fill with water so you  
18 have no air space in it. There were basic sample  
19 containers that we needed.

20           Q.       Now, we stole your passport on the break,  
21 so I'm going to return it to you.

22           A.       Okay. You can't go anywhere with it  
23 anyway.

24           Q.       How long were you in Ecuador setting up  
25 the camp in Lago Agrio?

1           A.     We basically had it set up in the first  
2 week that -- and I guess, again, that was that week  
3 of August -- I'm sorry, July 24th. And then they  
4 wanted to scout some areas, look around and see what  
5 the sites were going to look like.

6           Q.     Who wanted to scout the area?

7           A.     The lawyers and, you know, the people that  
8 were going to do the sampling, have an idea of what  
9 the terrain was and what they were going to work on.

10                   And I don't know -- I think at one point  
11 they asked Monica if they could take samples, and  
12 that went to the judge. And, you know, the answer  
13 was you can take samples and run them all you want,  
14 but they can't -- they're not admissible.

15                   So I don't know if they -- I think they  
16 did take some just for the knowledge of how to best  
17 take them, and then they did more work with the GPS  
18 and the ground-penetrating radar just to understand  
19 what they were seeing when they got the readings back  
20 out of the machine, what it actually was telling  
21 them.

22           Q.     You're talking about taking samples at the  
23 sites before the official inspections started?

24           A.     Yes.

25           Q.     Who did that?

1           A.       That would have been done by the  
2 geologists.  And let's see -- I mean it would have  
3 been the geology team that would have taken samples  
4 for -- just to determine what they were dealing with,  
5 you know, soil-wise and profiles.

6           Q.       Do you recall who the geologists were?

7           A.       Reinoso was the first one, R-E-I-N-O-S-O.  
8 I can't remember his first name.  And then he was put  
9 under another one, and that was -- I can't remember  
10 his name, I'm sorry.

11          Q.       That's okay.  Were you involved at any  
12 sampling at the sites prior to the start of the  
13 official judicial inspections?

14          A.       No.

15          Q.       How long did the second trip to Ecuador  
16 where you set up the camp last?

17          A.       I was there from July 24th to August 7th.

18          Q.       When you returned to the U.S. did you  
19 continue to work on the case or did you return to  
20 your other work?

21          A.       I returned to my other work, basically.

22          Q.       When did you next work on the case?  And  
23 by "the case," I should say the Lago Agrio  
24 litigation.

25          A.       Right.  I understand.  Pardon me while I

1 poke around here.

2 I went in August 14th and returned to the  
3 States September 22nd. After that, I went back down  
4 October 4th and returned back to the States on  
5 October 22nd, and that was the end of my work. Now,  
6 they --

7 Q. So you have been looking at your passport  
8 to remind you of the particular dates; is that fair?

9 A. Correct.

10 Q. I'm just going to ask the court reporter  
11 to mark as Exhibit 4 a copy of your passport that you  
12 allowed us to make.

13 A. Sure.

14 (Exhibit 4 was marked for  
15 identification.)

16 BY MS. NEUMAN:

17 Q. So by my count, you made a total of four  
18 trips to Ecuador in connection with your work for the  
19 plaintiffs; is that right?

20 A. Yes, I believe so.

21 Q. We've talked about the first two trips.  
22 The third trip from July 24th to August 7th, can you  
23 describe for me what you did on that trip?

24 A. I've got to remember. I believe we  
25 started doing the judicial inspections at that time.

1 I may be wrong. That's what happens when you get  
2 old.

3 Q. I like to think it happens while you're  
4 still young.

5 A. I don't even have a schedule with me. I  
6 gave you one. That should be in here. So, you know,  
7 if you look at the documents that you have as  
8 Exhibit 2 --

9 Q. Uh-huh.

10 A. -- the names that we were looking for  
11 before --

12 Q. What page are you on?

13 A. Page 000117.

14 Q. Give me one. I picked up the wrong half.  
15 I'm with you.

16 A. Okay. These are basically team members.  
17 Eduardo Galarza was -- it's G-A-L-A-R-Z-A. He was  
18 the geologist in charge.

19 It wasn't Bejar, it's Bejarano. My  
20 mistake. It's B-E-J-A-R-A-N-O, Roberto Bejarano and  
21 Monserrathe Bejarano. Roberto was an ingeniero, an  
22 engineer.

23 Jennifer Bilbao. That's Monserrathe  
24 Bejarano.

25 And then Jorge Jurado was the fellow that

1 was there until the beginning of the -- well, the  
2 initial inspections that they did, not the official.  
3 I guess it was a week before the official  
4 inspections, judicial inspections.

5 Q. So he participated in the pre-inspections  
6 of the sites, right?

7 A. Right, at Sacha 6. And that's -- he was  
8 the one that was released.

9 Q. He's the gentleman you mentioned earlier  
10 that you said was only on the matter for several  
11 weeks?

12 A. Correct.

13 Q. Do you know why he was released?

14 A. Because they had picture of him sleeping  
15 in the car and Donziger didn't like that.

16 Q. Who had the picture of him sleeping in the  
17 car?

18 A. One of the crew. He -- I mean he really  
19 had just finished driving I don't know how many miles  
20 and all and he wasn't really needed, so he at  
21 lunchtime laid back and was taking a nap. And one of  
22 the crew members thought it was cute and took a  
23 picture of him. Donziger saw that, and I guess that  
24 was, you know, his justification for getting rid of  
25 him.

1 Q. Did you say "crew" members or "crude"  
2 members?

3 A. Crew.

4 Q. Crew?

5 A. I'm sorry.

6 Q. Was Mr. Donziger present when you were  
7 setting up the camp in Lago Agrio?

8 A. He came down for a couple of days to,  
9 again, give briefings and discuss, you know, the, I  
10 guess the goal he was seeking in the case, you know,  
11 what he wanted to show. And, again, you know, find  
12 contamination and we'll go from there.

13 Q. Did Mr. Donziger tell the plaintiff  
14 peritos, including yourself, that he wanted to find  
15 contamination at the sites?

16 A. I wouldn't say he put it that way, no. He  
17 just -- he was hoping to find it and we were  
18 instructed, you know, to find it.

19 Q. To your knowledge, at which sites did they  
20 do the pre-inspections where they went out and took  
21 samples prior to the start of the official judicial  
22 inspections?

23 A. I think Sacha 6 was the only one, and that  
24 was about a week before the official inspection  
25 occurred.



1 Q. We were just looking at pages 117 and 118  
2 of Exhibit 2, which is a handwritten document that  
3 you produced.

4 A. Right.

5 Q. Whose handwriting is that?

6 A. I think it is Jennifer Bilbao's.

7 Q. And this relates basically to everybody on  
8 the team being able to drive vehicles?

9 A. Correct.

10 Q. Now, from our records, it appears the  
11 first judicial inspections were in early September,  
12 say September 8th.

13 A. Okay.

14 Q. Does that do anything to refresh your  
15 recollection about what you might have been doing on  
16 the July 24th to August 7th trip to Ecuador, which  
17 would have predated the start of the official  
18 inspections?

19 A. Again, that would have been, you know,  
20 getting the team ready, you know, telling them how to  
21 handle samples and going over procedures with them.  
22 That was one of the things that they were not trained  
23 in or adept at was what are chain of custody  
24 requirements, what are sampling handling  
25 requirements. You know, there were issues as to