Statement of Steven R. Donziger on the Motion to Withdraw Filed By Legal Counsel In the Ecuador Case Against Chevron

May 3, 2012

The historic judgment won by Ecuadorian rainforest communities against Chevron is not about me -- nor is it about the United States. As Chevron itself recognized two decades ago when it demanded that the trial be heard in Ecuador, the litigation is about contamination in Ecuador, the suffering of the indigenous and farmer communities in Ecuador, and it is now about a judgment rendered against Chevron in Ecuador that has been affirmed on appeal in Ecuador.

Chevron has now openly adopted a strategy of retaliation, suing me and the other lawyers for the Ecuadorians in the United States. Chevron has harassed us, spied on us, and pressured us so that, in the words of Chevron CEO John Watson, the lawyers "give up." This strategy has nothing to do with justice or merit. It is the strategic, cynical use of overwhelming resources to try to crush the opposition. With precious few exceptions, many in the United States have quietly nodded their heads at this approach, ignoring its moral bankruptcy and the fundamental threat it poses to the rights of all citizens in our democracy who try to hold powerful corporations accountable for their abuses.

The rest of the world, however, will see the moral bankruptcy and cynicism of Chevron's approach for what it is. Lawsuits targeting billions of dollars in Chevron assets are proceeding around the world and will continue until the full amount of the Ecuador judgment is satisfied. Nothing that happens in Judge Lewis A. Kaplan's New York court can stop this process. While litigating an eight-year trial in the face of Chevron's constant efforts to sabotage the proceedings was not easy, the process in Ecuador was fundamentally fair and the Ecuadorian judgment is firmly grounded in multiple corroborating layers of scientific evidence pointing to Chevron's liability. These indisputable facts will drive the enforcement process to conclusion. Chevron's lawsuit against me in New York is a sideshow designed by the oil company to sap the limited resources of the rainforest communities and slow their march to justice.

It is in this context that I admit that Chevron's strategy of resource exhaustion has succeeded in the short-term to the point that I can no longer afford to pay my lawyers at Keker & Van Nest to represent me in

the New York proceeding. I thank those at Keker & Van Nest who have fought valiantly to give me a voice in a courtroom run by a judge who regularly maligns me from the bench, has refused to recuse himself, and has not just encouraged but has co-engineered Chevron's strategy to exhaust our limited resources through pointless motion practice, one-sided decisions, and massive discovery obligations.

As my lawyer told the Court of Appeals for the Second Circuit, what Chevron has sought and received in the district court is a show trial, with my role that of a goat tethered to a stake. Although we had no trouble convincing the Second Circuit to vacate the portion of this farce that was then on review, I simply cannot afford the legal costs of doing the same with the remainder of the case. As such, I will now proceed *pro se* against Chevron with the option of trying to re-hire my lawyers should circumstances change.

In the interests of fundamental fairness, I reiterate my call for Judge Lewis A. Kaplan to step aside and allow this case to be re-assigned to a judge who takes seriously the obligation of courts to be fair and impartial.

I also want to thank the legal team at Smyser Kaplan & Veselka who have represented my Ecuadorian colleagues in this case with great commitment, honor, and tenacity.

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