

EXHIBIT 5

DECLARATION OF HARRY E. DUNKELBERGER III

1. I, Harry E. Dunkelberger III, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct to the very best of my recollection, and based on personal knowledge:

2. I am a former employee of The Weinberg Group, and in that capacity, performed work as a consultant for the Lago Agrio Plaintiffs in their action against Chevron Corporation in or around mid-August 2010 through the first week in October 2010.

3. On Friday, March 1, 2013, at approximately 6:45 p.m., two men wearing dark suits and carrying large file folders knocked on the door of my home. At the time the two men arrived, I was just preparing to leave my home to go out to dinner with my family.

4. When I answered the door, the men asked me to confirm that I was in fact Ted Dunkelberger. When I did, they informed me that they were investigators with a company called Stroz Friedberg, working on behalf of the law firm Gibson Dunn & Crutcher and Chevron.

5. The investigators stated that they had reason to believe that I, in my capacity as a former employee of The Weinberg Group, had been duped by Steven Donziger, counsel for the Lago Agrio Plaintiffs. The investigators asked me if they could enter my home and speak with me.

6. I told the investigators that I would not invite them in because a) I was going to dinner with my family, b) I wasn't sure who they were and was not comfortable inviting them in, and c) I did not feel that it was appropriate to discuss with them my confidential work as a consultant.

7. Nevertheless, the investigators continued to try and convince me to let them in. The investigators said that they would only need a few minutes of my time, and that they wanted to show me some documents related to Donziger that would make it apparent why they were there. The investigators claimed that several other consultants who worked with Donziger had retracted their work product and "turned over" on Donziger.

8. Again, I responded that I was not willing to talk to them. This did not work. The investigators continued to ask, albeit politely, if they could just come in for a few minutes to show me documents and ask questions. During the course of this interaction, the investigators also suggested, in so many words, that it would be easiest for me if we just "get this over with" and have a discussion off the record.

9. The over-persistence of these investigators, and the timing of their visit, was unsettling. I began to feel as if I was some under some obligation to do what they asked. But once again, I told them that I did not feel comfortable talking with them. Hoping it would make the investigators leave, I stated that if someone with Gibson Dunn wanted to talk to me, they could call me themselves.

10. Finally, the investigators left. I and my family found the ordeal disconcerting.

11. On or about the following Tuesday, I received two voicemail messages on my home telephone from Stroz Friedberg, indicating that they still wanted to come to my home and speak with me. I did not respond to these messages.

12. On either the same day or the very next day, I received a telephone call from Kimberly Lindsay Friedman, who identified herself as an associate with Gibson Dunn. This was the first of three calls that I received from Ms. Friedman.

13. Over the course of our conversations, Ms. Friedman explained that her firm would like me to come to Gibson Dunn's offices, in either New York or Washington, D.C., to answer questions about my involvement in the case. Ms. Friedman advised that coming to Gibson Dunn's offices would be far easier than the "alternative" I would face, although she did not state expressly what that alternative might be.

14. I told Ms. Friedman that I did not think I could comply with her request, because I cannot discuss confidential consulting projects with counsel for my former clients' adversary.

15. Ms. Friedman responded that Gibson Dunn lawyers had looked at this issue very carefully, and that she did not think there were any confidentiality issues preventing me from discussing the case with lawyers from her firm. She advised that it would be fine if I did so because I am not currently employed with The Weinberg Group. She also told me that other consultants for the Lago Agrio Plaintiffs had "flipped," which indicated to me that I might be on an island, so to speak, if I did not at least cooperate to some extent.

16. I told Ms. Friedman that I did not appreciate the fact that her firm sent investigators to my home, without warning, at dinner time on a Friday evening. Ms. Friedman admitted that she was not personally in favor of that idea, but others made the decision to approach me in this manner.

17. Despite my reservations, I told Ms. Friedman that I would mull over her proposal—particularly in light of the fact that it was made clear to me that some sort of hassle would follow if I turned down Gibson Dunn's request.

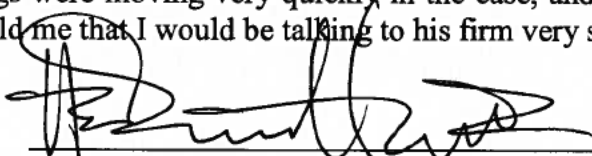
18. Ultimately, I asked Ms. Friedman who she was working with. She responded that Jim Walden was the partner in charge of the case, and indicated that I would receive a call from him.

19. A couple of days later, Jim Walden called me. I asked Walden whether he would be comfortable revealing his clients' information to an adversary. He responded that this is a different situation. Walden went on to say that he personally had taken a look at the "agreements," and that I would not be in breach of any obligation if I talked to Gibson Dunn. Walden told me that I seemed like a "smart guy," and that since I know they will be talking to me one way or another, I ought to just do it the easy way and come in.

20. When I told Walden that I was concerned about my obligations to The Weinberg Group, he dismissed that concern, telling me that if I felt the need to tell my former employer about this, I should "tell" them that I am going to talk to Gibson Dunn, as opposed to "asking" for their permission to do so. I told Walden that I needed to do more thinking.

21. Roughly three or four days later, I called Walden back and told him I could not do what Gibson Dunn was asking. I told Walden that, in the interim, I had examined a copy of my agreement with The Weinberg Group, and that I clearly had agreed to maintain confidences for a period of seven years following my employment. At this point, Walden's tone changed and he became dismissive. He told me that things were moving very quickly in the case, and that big developments were happening. Walden told me that I would be talking to his firm very soon.

Executed: June 6, 2013

 6/6/2013
Harry E. Dunkelberger III