

UNDERSTANDING RECENT DEVELOPMENTS IN THE CHEVRON-ECUADOR CASE

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INTRODUCTION

After 19 years of litigation, the monumental class action lawsuit against oil giant Chevron for environmental devastation in the Ecuadorian Amazon is nearing an end. On January 3, 2012, an Ecuadorian appeals court confirmed an \$18 billion judgment against Chevron. This judgment is exceeded in size only by BP's expected outlay for the 2010 Gulf of Mexico oil spill. The judgment is internationally binding, and it sends the message that corporations cannot evade justice for their crimes around the world. It sets major precedents, not only for Ecuador's indigenous people and farmer communities, but also for international human rights, environmental law and corporate accountability.

The marathon legal process is not yet over, however, as Chevron is fighting last-ditch legal battles in U.S. courts and an international arbitration tribunal, trying to throw sand into the wheels of justice. The endgame is likely to be an accelerating race against the clock, as lawyers for the plaintiffs attempt to enforce the judgment by seizing Chevron's key assets in Latin America, while Chevron desperately seeks legal stratagems to protect its tankers, oilfields and refineries from confiscation.

The result will determine the meaning of the largest and most controversial environmental disaster in history. Mountains of evidence— including thousands of contamination samples taken by Chevron— prove the company (through Texaco, which it purchased in 2001) is responsible for oil contamination in the rainforest of northeastern Ecuador. Over nearly three decades of oil production, it is estimated that Texaco spilled or deliberately dumped the equivalent of 345 million gallons¹ of crude in the region.

Since then, Chevron has poured immense resources into a legal and public-relations offensive designed to portray the case and the courts as corrupt and lay a basis for evading enforcement of the judgment. Instead of dealing with the indisputable evi-



dence of its responsibility, the company has instead launched a strategy of intimidation, distraction and delay.

Chevron's nearly unlimited legal resources — including its battalion-size legal team of as many as 500 attorneys — allow the company to file a nonstop assault of legal briefs, motions and attacks, attempting to overwhelm, outspend and bankrupt the plaintiffs' scrappy, underdog team of about 15 lawyers.

Below is a summary of this historic legal battle, followed by an outline of some of Chevron's strategies to evade accountability for one of the world's worst environmental disasters.

ENVIRONMENTAL DISASTER

1964: Texaco Discovers Oil in Ecuador

Texaco operations in Ecuador began in 1964 and continued until 1992. Until 1990, Texaco served as sole operator of a concession covering approximately 1,500 square miles of Ecuador's Amazon rainforest. Texaco alone was responsible for planning, constructing and operating more than 350 well sites in a region that was, and still is, the ancestral home to numerous indigenous and farming communities. In violation of Ecuadorian laws and regulations, as well as standard operating practices being used in the United States at the time, Texaco engineered and oversaw a system responsible for what experts believe is the worst oil-related environmental disaster in the world.²

Texaco Departs Ecuador in 1992; Ecuadorians Sue for Cleanup in 1993

In 1992, Texaco departed Ecuador, turning over its shares in the oil concession to Ecuador's national oil company, Petroecuador. The following year, plaintiffs representing some 30,000 Ecuadorians filed a lawsuit against Texaco in the United States, demanding cleanup of the contamination and compensation for damages. The plaintiffs obtained smoking-gun documents through legal discovery that confirmed Texaco had chosen to use substandard oilfield technology and practices rather than the norms in oilfields elsewhere despite knowing it would cause massive contamination. It is this legacy of pollution and the resulting health problems that form the basis of the ongoing litigation.³

For years, Texaco vigorously fought to move the case to Ecuador. The company submitted 10 affidavits attesting to the competency, independence, and transparency of the Ecuadorian courts and judicial system.⁴ As a precondition of the case's removal to Ecuadorian

CHEVRON'S TOXIC LEGACY IN ECUADOR—THE FACTS:

- Chevron dumped at least 18.5 billion gallons of toxic wastewater and sludge into rainforest waterways used by local residents
- Independent, peer-reviewed health studies show elevated cancer rates in the impacted region, with 1,400+ deaths attributed to Chevron's contamination
- Hundreds of waste pits abandoned by Chevron continue to leach dangerous toxins into local communities' water and soil
- Five indigenous cultures have been heavily impacted by oil operations in their previously pristine ancestral lands

courts, Texaco agreed to submit to jurisdiction in Ecuador and waived its rights to utilize various defenses, including statute of limitations, and agreed to satisfy any adverse final judgment, subject only to limited enforcement defenses under U.S. law.⁵

Chevron Absorbs Texaco; Case Moves to Ecuador

By the time the plaintiffs re-filed the case in Ecuador in 2003, Texaco had merged with California-based oil giant Chevron, creating a mammoth new adversary.

Ecuador immediately proved a hostile environment for the plaintiffs' legal efforts. On the day before the trial was set to begin, the presiding judge reported that he received a phone call threatening him if he did not dismiss the case. Throughout the trial, members of the plaintiffs' team and their families have been repeatedly threatened, and are currently protected, according to precautionary measures decreed by the Inter-American Human Rights Commission.⁶

Chevron's opening arguments turned out to be a precursor to the kinds of dishonest legal tactics the company has employed in recent years. In blatant defiance of the U.S. court order that implemented the transfer to Ecuadorian courts, Chevron opened by arguing that the company was not bound by Ecuadorian jurisdiction, that it had been too long since the 'alleged' crimes occurred, and that the plaintiffs were suing the wrong company⁷. This set the stage for Chevron's evolving series of quasi-legal and extra-legal tactics designed to evade justice and remain above the law.

Chevron's Tactics of Distraction, Deception and Delay

After its initial disingenuous legal arguments got the company nowhere, Chevron turned to manipulating the trial proceedings, especially the judicial field inspections of polluted oil well sites. The first judicial inspection in indigenous territory was canceled outright when Chevron colluded with the Ecuadorian military to produce a false "security report" citing a threat against company employees. An investigation⁸ revealed that the threat was invented, and the military personnel involved in the fraud were sanctioned.⁹

During the field inspections that followed, Chevron employed classic junk science in an attempt to conceal contamination. Company technicians took samples selectively in areas—uphill or upstream from pollution sites—in order to minimize the presence of contaminants. Chevron scientists then used inappropriate testing techniques to minimize the detection of toxins in their samples.¹⁰ More recently, a former friend of a Chevron employee in Ecuador became a whistleblower and released recordings of the self-proclaimed 'dirty tricks' operative explaining how the company 'cooked evidence' in the trial. (see 'Extra-Legal Maneuvers,' below)

The field inspections and lab tests became a major battle of wills between the sides, with the integrity of the entire trial at risk. Judicial authorities eventually imposed order on the process and successfully conducted a comprehensive series of inspections and tests according to professional standards.

CHEVRON'S RECENT TACTICS IN ECUADOR

The evidence pointing clearly to Chevron's liability is voluminous, by any standard. The record contains more than 200,000 pages of evidence, roughly 63,000 chemical sampling results produced by

laboratories contracted by both parties and the court experts, and testimony from dozens of witnesses, and dozens of judicial field inspections of former Chevron wells and production sites conducted over a five-year period.

Attempting to divert attention from the proof of its crimes, Chevron has increasingly focused on tactics to delay, disrupt, and derail the trial.

- **Abuse of the Judicial System**

Chevron has overwhelmed the courts with redundant motions and paperwork, in a two-pronged attempt at delaying the judicial proceedings, and advancing the disingenuous argument that the judge is biased against the company, based on the repeated rejections of Chevron's empty motions. Ecuadorian lead attorney and Goldman Prize winner Pablo Fajardo noted that in one half-hour period on August 5, 2010, "Chevron bombarded the court with 19 separate and largely repetitive petitions."¹¹

- **Extra-Legal Maneuvers**

While legal analysts had expected the trial in Ecuador to come to a close in early 2010, Chevron pulled off a last-minute stunt in September 2009 to derail the trial's conclusion when the company unveiled what it called a 'bribery scandal' implicating the presiding judge. The judge vehemently denied the allegations and, under scrutiny, they evaporated. However, the judge recused himself to avoid any appearance of impropriety, causing another delay.

Investigation by a private investigator for the plaintiffs, as well as Amazon Watch, uncovered the contrived scandal as a sting operation by a former Chevron employee named Diego Borja whom Chevron paid to relocate from Ecuador to a home only minutes from Chevron's Headquarters. Disgusted by Borja's actions as a self-proclaimed 'dirty tricks' operative for Chevron, a friend-turned-whistleblower made recordings of Borja detailing a variety of activities he spearheaded in an attempt to undermine the plaintiffs' case. The whistleblower testified to Borja's admissions before Ecuador's Prosecutor General's office, including his involvement in manipulating evidence and taking fraudulent court-ordered contamination samples (apparently, up to 30Km from the polluted sites meant to be tested).¹²

- **Boycotting Proceedings and Inventing Bias**

As mentioned in the introduction, a court-appointed expert released a report in April 2008 recommending that Chevron pay \$27.3 billion in damages. Despite having the opportunity to furnish materials to the expert, Chevron boycotted the damages assessment process, and then accused the plaintiffs of fraud for following court orders to assist the expert in making his determinations. After repeated complaints by Chevron about the process by which the original damages report was produced, the court ordered both parties to submit new damages assessments for the judge to consider in deciding a verdict. Chevron once again boycotted this process, and on the day the submissions were due, instead filed a motion with the court to have the presiding judge removed. Conveniently ignoring the day's other significant deadline, Chevron claimed that the judge had failed to promptly respond to Chevron's repeated motions was biased because he had not found in favor of the company's complaints about the original damages assessment. The court then gave

Chevron a tactical victory, announcing the removal of the presiding judge¹³ for a procedural failure: the judge had not replied to Chevron's motions in the allotted time.

CHEVRON SUFFERS HISTORIC DEFEATS

On February 14, 2011, the Provincial Court of Justice of Sucumbíos issued a judgment in which it found Chevron liable for damages (primarily for the remediation of contaminated soils). On January 3, 2012, the Ecuadorian appeals court confirmed an \$18 billion judgment, and two months later, on March 12, an appellate court declared that the judgment is final and enforceable.

Chevron has appealed the ruling to the National Court of Justice in Quito, Ecuador's highest court. However, Chevron refused to post a bond that would be required to stop international enforceability of the judgment, and the National Court has not yet indicated whether it will accept the case on appeal. In the meantime, the case now has an internationally valid judgment that can be enforced in Ecuador (where Chevron has no assets) or any other nation.

CHEVRON'S RECENT TACTICS IN U.S. COURTS

In the face of repeated setbacks in Ecuadorian courts, Chevron has focused its efforts on U.S. and international courts.¹⁴ Chevron brought on Gibson Dunn, a corporate law behemoth that brags on its website, "clients in deep trouble turn to Gibson Dunn for fresh, aggressive thinking and innovative rescues."¹⁵ Chevron's latest legal strategies include:

- **Forum Shopping**

Shortly after its contrived 'bribery scandal,' Chevron filed an international arbitration claim against Ecuador,¹⁶ in effect seeking to permanently remove the case—sixteen years in litigation at that point—from Ecuadorian jurisdiction. The plaintiffs have noted that they would not even be allowed to appear before an international arbitration panel to argue their claims, and one international law expert characterized Chevron's arbitration bid as "forum shopping" and a "textbook case of abusive litigation."¹⁷

- **Using Political Influence to Undermine Rule of Law**

In an attempt to pressure the government of Ecuador to intervene in the case being heard in its courts, Chevron has aggressively lobbied Congress and the U.S. Trade Representative to eliminate trade benefits received by Ecuador under the Andean Trade Preferences Act (ATPA). In testimony before the House Ways and Means Trade Subcommittee, Representative Linda Sanchez called Chevron's lobbying efforts "little more than extortion" Sanchez told the subcommittee, "Apparently, if it can't get the outcome it wants from the Ecuadorian court system, Chevron will use the U.S. government to deny trade benefits until Ecuador cries uncle."¹⁸

- **Undermining the First Amendment**

Chevron and its Gibson Dunn lawyers outraged 1st Amendment supporters¹⁹ by going after documentary filmmaker Joe Berlinger, whose acclaimed documentary film *Crude* explores Chevron's legacy in Ecuador. Chevron demanded the raw footage from the making of the film, which free speech experts and media organizations asserted must be protected in the same

way as a reporter's notes.²⁰ Outgunned, Berlinger fought the demand for months but eventually turned over hundreds of hours of footage, which Chevron and its lawyers have spliced and diced and presented out of context in an attempt to manipulate U.S. courts and public opinion against the plaintiffs' case.

- **Creating a Legal Hydra and Attacking Plaintiffs' Allies**

In addition to its attacks against Berlinger, Chevron has pursued separate legal actions in 10 different federal courts against 22 other people who have served the plaintiffs' team, including the team of expert scientists from Boulder-based Stratus Consulting, the environmental consulting firm that has played a key role in advising the plaintiffs. Chevron has attacked Stratus for "ghostwriting" the \$27 billion damages assessment report, when in reality, the court-appointed expert Richard Cabrera was free to adopt materials submitted by both parties to the litigation during the court-ordered damages assessment process, which Chevron boycotted. Having had precisely the same kinds of contacts not only with court experts but also with the court itself, Chevron disingenuously claims that the plaintiffs' assistance to court expert Richard Cabrera constituted "fraud" and has used this as a basis for its sprawling legal effort against the plaintiffs' allies.

- **Inventing Fraud to Cripple Plaintiffs' Counsel and Evade Accountability**

Chevron's latest legal action has been using out-of-context clips from discarded footage shot during the making of Berlinger's film *Crude* to make serious accusations of fraud and misconduct against Steven Donziger, lead U.S. attorney for the plaintiffs in Ecuador. While Donziger has admitted that some of his remarks have been "ill-advised," he characterizes Chevron's efforts as a "campaign of personal destruction to undermine the claims of its victims."²¹ Berlinger told *Fortune Magazine*²² that he was "dismayed at the level of mischaracterizations in Chevron's Memorandum brief... The footage citations are being taken out of context and not being presented to the court in its entirety, creating numerous false impressions, precisely what we feared when we were first issued the original subpoena."

Referring to the ex parte contacts between the plaintiffs' team and the court expert that Chevron claims constitute fraud, Jonathan Abady, an American lawyer for the plaintiffs, writes in *The Wall Street Journal*²³, "Chevron knows that such contacts were allowed by the court and were common practice by both parties. Chevron devised this narrative as part of a strategy to defeat enforcement of a potentially adverse judgment."

In the Second District Court of New York, Chevron sued the Ecuadorian plaintiffs, their lawyers, and consultants under the RICO (Racketeering Influence and Corrupt Organizations) law, alleging that they colluded with Ecuadorian officials to extort a judgment from Chevron.

At first, Chevron's gambit seemed to work spectacularly. On March 7, 2011, Judge Lewis Kaplan issued a preliminary injunction that purported to bar the Ecuadorian plaintiffs and their legal representatives from pursuing enforcement of any Ecuadorian court judgment outside the country of Ecuador.

But the Ecuadorians appealed, and Kaplan's judicial overreach was soon slapped down. The U.S. Second Circuit of Appeals vacated the

injunction in its entirety on September 19, 2011, noting that the courts had no legal basis to serve “as a transnational arbiter to dictate to the entire world which judgments are entitled to respect and which countries’ courts are to be treated as international pariahs.”²⁴

As of April 2012, Chevron’s case before Kaplan was ongoing, with the company trying increasingly desperate legal tactics. Chevron was asking Kaplan to essentially freeze the plaintiffs’ financing — an attempt that would cut the Ecuadorians off at the knees and completely violate due process and their rights to a fair trial.

INTERNATIONAL ARBITRATION

In addition to its RICO suit, Chevron has also sought to defend itself though international arbitration against the government of Ecuador under the provisions of the U.S.-Ecuador Bilateral Investment Treaty (BIT).

In September 2009, Chevron initiated international arbitration proceedings against the government of Ecuador at the Permanent Court of Arbitration in The Hague. Among other requests for relief, Chevron asked that the arbitral panel issue a “declaration that Ecuador or Petroecuador is exclusively liable for any judgment that may be issued in the Lago Agrio Litigation.”

In February, the arbitration panel ordered the Ecuadorian government —and all of its branches, including the judiciary— to prevent enforcement and recognition of the \$18.2 billion judgment. The award expanded on a prior award requiring the government to “take all measures at its disposal to suspend or cause to be suspended the enforcement or recognition within and without Ecuador of any judgment.”

However, the Ecuadorian appeals court promptly rejected this request, saying that to do so would be a violation of Ecuador’s obligation under international human rights law. As a result, the arbitration ruling entered a sort of legal twilight zone, full of apparent diplomatic gravitas but little immediate impact.

CONCLUSION

Much of the media coverage of the case has focused on the legal fireworks, of which there undoubtedly has been a grand show. The most important issue, of course, is less headline-grabbing — the ongoing human suffering in Ecuador and Chevron’s indisputable responsibility for environmental devastation.

As the Financial Times noted²⁵, Chevron and other international oil companies fear the case will set a worldwide precedent that will encourage people harmed by corporate malfeasance to demand redress. So by stonewalling the case and counterattacking against the plaintiffs, Chevron is trying not only to hold off a very expensive judgment but to send a message to all others who might challenge companies for their abuses: Cross us and you will be punished.

For the rest of us — all those committed to building a more just and sustainable future — this David and Goliath struggle in Ecuador is indeed about setting a precedent. It is a historic opportunity to end corporate impunity and advance the struggle for human rights and environmental justice for indigenous Ecuadorians and for peoples of all kinds around the world.

For more information, and to learn how you can help, visit
www.ChevronToxico.com

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Endnotes

- 1 Amazon Defense Coalition press release: ‘Chevron’s \$27 Billion Liability In Ecuador “Gloriously Low” In Light of BP Disaster,’ June 8, 2010 <http://chevrontoxico.com/news-and-multimedia/2010/0608-chevrons-27-billion-liability-in-ecuador-gloriously-low-in-light-of-bp-disaster.htm>
- 2 Pablo Fajardo and George Byrne, Corporate Accountability, Human Rights and Pursuing Justice in the Ecuadorian Amazon: Attorney Pablo Fajardo’s Perspective on *Aguinda v. Chevron*, Harvard International Law Journal Online, Volume 51, August 31, 2010
- 3 A 1972 internal Texaco memo entitled “Reporting of Environmental Incidents: New Instructions,” explains “a) Only major events as per Oil Spill Response Plan instructions are to be reported. Those events are to be reported immediately; b) A major event is further defined as one which attracts the attention of press and/or regulatory authorities or in your judgment merits reporting; and c). No reports are to be kept on a routine basis and all previous reports are to be removed from Field and Division offices and destroyed.” Among other documents is a 1972 Texaco patent request for re-injection technology that would reinject toxic by-products from the drilling process underground. Texaco never used this standard industry practice in Ecuador, and instead dumped the toxic waste directly into surface streams. Also uncovered was a cost estimate to enclose open waste pits so people and animals would not come into contact with the pits. This was ultimately deemed too costly and never implemented. Yet another document boasts of the company’s influence with the Ecuadorian government. The 1982 “Government Relations Brief” ends, “We will educate new ministers relative to Texaco’s economic situation and will continue to use our influence in higher levels of government in order to achieve the benefits required. We expect to be reasonably successful.”
- 4 Affidavit of Dr. Rodrigo Perez Pallares, attorney for Chevron: “the Ecuadorian courts provide an adequate forum for claims such as those asserted by the plaintiffs”; Texaco Inc.’s Memorandum of Law in Support of Its Renewed Motions to Dismiss Based on Forum Non Conveniens and International Comity: “Ecuador’s judicial system provides a fair and adequate alternative forum”; Brief for Chevron, U.S. Court of Appeals for the Second Circuit “Ecuadorian legal norms are similar to those in many European nations.”
- 5 If awarded a judgment by Ecuadorian courts, the plaintiffs will have to file for enforcement of the judgment in jurisdictions where Chevron currently has assets, which don’t include Ecuador. In seeking removal of the case from the U.S. to Ecuador, Chevron agreed to satisfy a final judgment, subject only to review under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards.
- 6 Inter-American Commission on Human Rights Annual Report, 2005, <http://www.cidh.org/annualrep/2005eng/chap.3b.htm>
- 7 Chevron lawyers have claimed throughout the process that the U.S. judge’s order only applied to Texaco, not Chevron, despite the merger of the two companies on Oct. 9, 2001—a litigation strategy rarely mentioned in the U.S. because of its blatantly disingenuous nature. In fact, Texaco and Chevron merged in 2001 while the case was still pending in U.S. courts, and the new company, then called ChevronTexaco lauded the removal of the case to Ecuador in August 2002.
- 8 Military Report on Cancellation of Guanta Inspection, October 20, 2005, <http://chevrontoxico.com/news-and-multimedia/2005/1020-military-report-on-cancellation-of-guanta-inspection.html>
- 9 During the time the false report was produced, Chevron employees resided on the Rayo 24 military base and were granted around-the-clock protection by the military. After repeated complaints of intimidation by

- the plaintiffs, the Ecuadorian government ended the arrangement.
- 10 Amazon Defense Coalition press release: ‘New Evidence Shows Chevron Manipulated Lab Results in Landmark Environmental Trial,’ February 4, 2009, <http://chevrontoxico.com/news-and-multimedia/2009/0204-new-evidence-shows-chevron-manipulated-lab-results.html>
- 11 Amazon Defense Coalition press release, September 15, 2010, ‘New Damages Assessments Due Thursday in Ecuador, but Chevron Refusing to Participate’ <http://chevrontoxico.com/news-and-multimedia/2010/0915-new-damages-assessments-due-thursday-in-ecuador-but-chevron-refusing-to-participate.html>
- 12 Chevron’s Dirty Tricks Operative in Ecuador, Diego Borja: Whistleblower Report: <http://chevrontoxico.com/news-and-multimedia/borja-report>
- 13 Reuters: ‘Ecuador judge hearing Chevron case changed again,’ October 1, 2010, <http://www.reuters.com/article/idUSN0125462520101001>
- 14 Fox News: ‘Chevron Down as it Continues to Fight \$27B Environmental Lawsuit in Ecuador,’ August 24, 2010.
- 15 www.gibsondunn.com (accessed September 24, 2010)
- 16 Reuters: ‘Chevron takes Ecuador fight to trade arbitrators,’ September 23, 2009, <http://www.reuters.com/article/idUSTRE58M75O20090923>
- 17 International Law Business Advisor: ‘Ecuador Class Action Plaintiffs Strike Back at Chevron’s Cynical Game of Musical Jurisdictions,’ January 18, 2010, <http://www.internationalbusinesslawadvisor.com/2010/01/17/international-litigation/ecuador-class-action-plaintiffs-strike-back-at-chevrons-cynical-game-of-musical-jurisdictions>
- 18 Members of Congress Urge USTR to Ignore Chevron Petition on Ecuador Legal Case, website of Rep. Linda Sanchez, http://lindasanchez.house.gov/index.php?option=com_content&task=view&id=490&Itemid=32
- 19 The New York Times, ABC, CBS, NBC, HBO, Dow Jones, AP, Hearst, Gannett and The Washington Post joined together to submit a friend-of-the-court brief written by high-profile First Amendment attorney in support of Berlinger’s fight against Chevron’s subpoena. NYTimes.com Arts Beat blog: ‘Media Companies File Brief on Behalf of Filmmaker in Chevron Case,’ June 2, 2010, <http://artsbeat.blogs.nytimes.com/2010/06/02/media-companies-file-brief-on-behalf-of-filmmaker-in-chevron-case>
- 20 Los Angeles Times editorial, May 20, 2010, ‘Chevron Sues Over ‘Crude’ - A documentary’s unused footage, akin to reporters’ notes, should be protected’: <http://articles.latimes.com/2010/may/20/opinion/la-ed-chevron-20100521>
- 21 Steven Donziger Response to Chevron’s Campaign to Deflect Attention from Its Liability for Massive Oil-Related Environmental Contamination in Ecuador, September 23, 2010, <http://chevrontoxico.com/news-and-multimedia/borja-report>
- 22 Fortune: ‘Chevron pushes ahead in key First Amendment case,’ August 6, 2010, http://money.cnn.com/2010/08/05/news/companies/chevron_first_amendment.fortune
- 23 The Wall Street Journal, Letters, ‘Chevron Should Pay for Its Pollution in Ecuador,’ October 1, 2010, <http://online.wsj.com/article/SB10001424052748704116004575522301163187566.html#articleTabs%3Darticle>
- 24 The American Lawyer: The Global Lawyer: Where the Second Circuit Leaves Chevron. <http://www.law.com/jsp/tal/PubArticleFriendlyTAL.jsp?id=1202540485952>
- 25 Financial Times: ‘Fear of precedents drives Chevron fight against Ecuador claims,’ January 20, 2010, <http://blogs.ft.com/energy-source/2010/01/20/precedent-setting-requires-chevron-to-fight-ecuador-claims>