



Chevron Ecuador Litigation

The judgment against Chevron Corporation in Ecuador was the product of fraud, bribery and corruption. Decisions by courts in the United States, Argentina, Brazil, Canada, Gibraltar and an international tribunal in The Hague confirm that the fraudulent Ecuadorian judgment should be unenforceable in any court that respects the rule of law.

The U.S. District Court for the Southern District of New York (SDNY) held that the judgment against Chevron was product of fraud and racketeering, finding it unenforceable in the United States.

The court found that the lead American lawyer behind the lawsuit, Steven Donziger, violated the U.S. racketeering statute (RICO) by committing extortion, wire fraud, money laundering, obstruction of justice, witness tampering and Foreign Corrupt Practices Act violations. The [SDNY judgment](#) was unanimously affirmed by the Court of Appeals. The appeals court stated that Donziger and his team engaged in a “parade of corrupt actions...including coercion, fraud and bribery.” [\[Appeals Court judgement page 85\]](#). The judgment is now final after having been denied review by the U.S. Supreme Court.

The court ordered Donziger to stand trial for criminal contempt for repeatedly refusing to comply with court orders. He is currently under house arrest subject to electronic monitoring while awaiting trial. Donziger has been disbarred in New York and his license to practice law has been suspended in Washington, D.C. for a pattern of racketeering activity in connection with the case.

The environmental claims against Chevron are false and unsupported by scientific evidence.

All legitimate science points towards one conclusion, which is counter to the judgment reached in Ecuador: there is no merit to the allegations of environmental harm. The plaintiffs’ own scientific experts and consultants have admitted that there is no scientific evidence to support plaintiffs’ environmental claims. If there was legitimate evidence to support the plaintiffs’ lawyers’ case, they would not have had to resort to fraud.

An international tribunal in The Hague, in a unanimous ruling - including an arbitrator appointed by the government of Ecuador - found that the Ecuadorian judgement against Chevron was procured through fraud, bribery and corruption and should not be enforced anywhere in the world. The international tribunal further held that following completion of a \$40-million environmental remediation program by Texaco’s local subsidiary approved by the Ecuadorian government, the Ecuadorian government released Chevron from the environmental claims on which the fraudulent Ecuadorian judgment is exclusively based. The tribunal’s decision details the corruption by Donziger and his team, finding the evidence to be “overwhelming” noting that “[s]hort of a signed confession by the miscreants . . . the evidence establishing ‘ghostwriting’ in this arbitration ‘must be the most thorough documentary, video, and testimonial proof of fraud ever put before an arbitral tribunal.’” [\[Tribunal award page 489\]](#)

For additional information about this litigation, please see the below sites and articles:

Chevron

<https://www.chevron.com/ecuador>

Bloomberg

[Lawyer Donziger Faces Criminal Contempt After Chevron RICO Row](#)

National Review

[Steven Donziger and the Plot against Chevron](#)

Wall Street Journal

[The Legal Fraud of the Century](#)

Steven Donziger's tort raid on Chevron was 'dishonest and corrupt.'

There are plenty of candidates for that title, but after Tuesday the prize belongs to attorney Steven Donziger. Federal judge Lewis Kaplan ruled that the environmental activist had engaged in a massive racketeering scheme and declared that a \$9.5 billion judgment against Chevron in an Ecuadorian court cannot be enforced in the United States.

As our readers know, in 1993 Mr. Donziger sued Texaco (now merged with Chevron) for what he said was the company's failure to clean up oil pits it drilled in Lago Agrio in the 1970s with state oil company PetroEcuador. Chevron had signed proof that it had cleaned its portion of the pits and had been absolved of any liability, but Mr. Donziger sniffed the potential windfall of a media-ready environmental "disaster" and sued the company for \$113 billion.

He enlisted all manner of celebrity helpers, including actress Daryl Hannah.

He won in Ecuador, but only thanks to what Judge Kaplan found were "dishonest and corrupt" measures including bribery, coercion and engaging an American consulting firm to ghostwrite an independent expert's reports. In a 485-page opinion, the judge called the case "extraordinary," calling the actions of Mr. Donziger and his legal team "offensive to the laws of any nation that aspires to the rule of law, including Ecuador." The corrupt extortion was intended to "instill fear of a catastrophic outcome in order to increase the amount Chevron would pay to avoid the worst," Judge Kaplan wrote.

Chevron refused to give in, and now the case may serve as an example of how companies can fight back if they have the nerve and the cash. Mr. Donziger says he'll appeal, but on the factual record he stands discredited. Another worthy casualty may be financially strapped Washington law firm Patton Boggs, which got involved on behalf of Burford Capital's effort to provide litigation financing to the plaintiffs. Tuesday's opinion means the firm won't collect any plunder, which couldn't happen to a nicer crowd.

Mr. Donziger is a pioneer of the foreign environmental tort, trying to exploit Third World juries to bleed U.S. companies regardless of the merits. We're glad to see his dishonesty face American justice.