

KAPLAN, J.S.

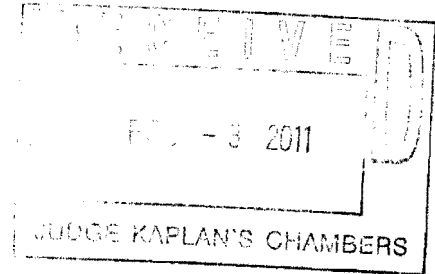
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHEVRON CORPORATION,

Plaintiff,

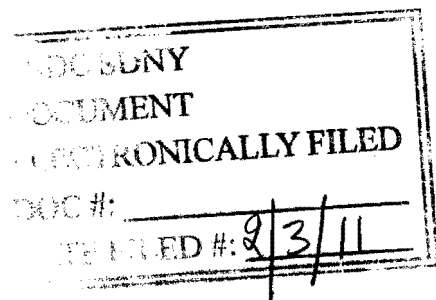
v.

STEVEN DONZIGER, THE LAW OFFICES OF
STEVEN R. DONZIGER, PABLO FAJARDO
MENDOZA, LUIS YANZA, FRENTE DE
DEFENSA DE LA AMAZONIA A/K/A AMAZON
DEFENSE FRONT, SELVA VIVA SELVIVA
CIA, LTDA., STRATUS CONSULTING, INC.,
DOUGLAS BELTMAN, ANN MAEST, MARIA
AGUINDA SALAZAR, CARLOS GREFA
HUATATOCA, CATALINA ANTONIA
AGUINDA SALAZAR, LIDIA ALEXANDRA
AGUINDA AGUINDA, PATRICIO ALBERTO
CHIMBO YUMBO, CLIDE RAMIRO AGUINDA
AGUINDA, LUIS ARMANDO CHIMBO
YUMBO, BEATRIZ MERCEDES GREFA
TANGUILA, LUCIO ENRIQUE GREFA
TANGUILA, PATRICIO WILSON AGUINDA
AGUINDA, CELIA IRENE VIVEROS
CUSANGUA, FRANCISCO MATIAS
ALVARADO YUMBO, FRANCISCO
ALVARADO YUMBO, OLGA GLORIA GREFA
CERDA, LORENZO JOSÉ ALVARADO
YUMBO, NARCISA AIDA TANGUILA
NARVÁEZ, BERTHA ANTONIA YUMBO
TANGUILA, GLORIA LUCRECIA TANGUILA
GREFA, FRANCISCO VICTOR TANGUILA
GREFA, ROSA TERESA CHIMBO TANGUILA,
JOSÉ GABRIEL REVELO LLORE, MARÍA
CLELIA REASCOS REVELO, MARÍA
MAGDALENA RODRÍGUEZ BARCENES,
HUGO GERARDO CAMACHO NARANJO, JOSÉ
MIGUEL IPIALES CHICAIZA, HELEODORO
PATARON GUARACA, LUISA DELIA
TANGUILA NARVÁEZ, LOURDES BEATRIZ
CHIMBO TANGUILA, MARÍA HORTENCIA
VIVEROS CUSANGUA, SEGUNDO ÁNGEL



Case No. 11-CV-0691

**[PROPOSED] ORDER TO
SHOW CAUSE WHY A
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION SHOULD NOT
BE ENTERED**



AMANTA MILÁN, OCTAVIO ISMAEL :
 CÓRDOVA HUANCA, ELIAS ROBERTO :
 PIYAHUAJE PAYAHUAJE, JAVIER PIAGUAJE :
 PAYAGUAJE, DANIEL CARLOS LUSITANDE :
 YAIGUAJE, BENANCIO FREDY CHIMBO :
 GREFA, GUILLERMO VICENTE PAYAGUAJE :
 LUSITANTE, DELFÍN LEONIDAS PAYAGUAJE :
 PAYAGUAJE, ALFREDO DONALDO :
 PAYAGUAJE PAYAGUAJE, TEODORO :
 GONZALO PIAGUAJE PAYAGUAJE, MIGUEL :
 MARIO PAYAGUAJE PAYAGUAJE, FERMIN :
 PIAGUAJE PAYAGUAJE, REINALDO :
 LUSITANDE YAIGUAJE, LUIS AGUSTÍN :
 PAYAGUAJE PIAGUAJE, EMILIO MARTÍN :
 LUSITANDE YAIGUAJE, SIMON LUSITANDE :
 YAIGUAJE, ARMANDO WILFRIDO PIAGUAJE :
 PAYAGUAJE, and ÁNGEL JUSTINO :
 PIAGUAJE LUSITANTE, :
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 Defendants. :
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Upon sufficient cause appearing from Chevron Corporation’s Complaint in this matter, dated February 1, 2011; the Declaration of Kristen L. Hendricks and supporting exhibits, dated February 3, 2011; the Declaration of Vladimiro Álvarez Grau and supporting exhibits, dated February 1, 2011; and the Memorandum of Law in Support of Chevron’s Application by Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction, dated February 3, 2011, it is hereby

ORDERED that defendants Steven Donziger, the Law Offices of Steven R. Donziger, Pablo Fajardo Mendoza, Luis Yanza, Frente de Defensa de la Amazonia a/k/a Amazon Defense Front, Selva Viva Selviva CIA, Ltda., Stratus Consulting, Inc., Douglas Beltman, Ann Maest, Maria Aguinda Salazar, Carlos Grefa Huatatoca, Catalina Antonia Aguinda Salazar, Lidia Alexandra Aguinda Aguinda, Patricio Alberto Chimbo Yumbo, Clide Ramiro Aguinda Aguinda,

Luis Armando Chimbo Yumbo, Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Patricio Wilson Aguinda Aguinda, Celia Irene Viveros Cusangua, Francisco Matias Alvarado Yumbo, Francisco Alvarado Yumbo, Olga Gloria Grefa Cerda, Lorenzo José Alvarado Yumbo, Narcisa Aida Tanguila Narváez, Bertha Antonia Yumbo Tanguila, Gloria Lucrecia Tanguila Grefa, Francisco Victor Tanguilla Grefa, Rosa Teresa Chimbo Tanguila, José Gabriel Revelo Llore, María Clelia Reascos Revelo, María Magdalena Rodríguez Barcenes, Hugo Gerardo Camacho Naranjo, José Miguel Ipiales Chicaiza, Heleodoro Pataron Guaraca, Luisa Delia Tanguila Narváez, Lourdes Beatriz Chimbo Tanguila, María Hortencia Viveros Cusangua, Segundo Ángel Amanta Milán, Octavio Ismael Córdova Huanca, Elias Roberto Piyahuaje Payahuaje, Javier Piaguaje Payaguaje, Daniel Carlos Lusitande Yaiguaje, Benancio Fredy Chimbo Grefa, Guillermo Vicente Payaguaje Lusitande, Delfin Leonidas Payaguaje Payaguaje, Alfredo Donaldo Payaguaje Payaguaje, Teodoro Gonzalo Piaguaje Payaguaje, Miguel Mario Payaguaje Payaguaje, Fermin Piaguaje Payaguaje, Reinaldo Lusitande Yaiguaje, Luis Agustín Payaguaje Piaguaje, Emilio Martín Lusitande Yaiguaje, Simon Lusitande Yaiguaje, Armando Wilfrido Piaguaje Payaguaje, and Ángel Justino Piaguaje Lucitande (collectively, “Defendants”),

and their officers, agents, servants, employees and attorneys, and all persons in active concert or participation with them, show cause before this Court, at Room 2D, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on February 8, 2011, at 2:00 p.m. EST, why an order should not be issued, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, temporarily enjoining and restraining, until after the Court has had an opportunity to ~~hold a hearing and~~ rule on Chevron’s application for a preliminary injunction, and then preliminarily enjoining, Defendants and any persons acting in concert with them from funding, commencing, prosecuting, advancing in any way, or receiving benefit from, directly or

indirectly, any action or proceeding for recognition or enforcement of any judgment entered against Chevron in *Maria Aguinda y Otros v. Chevron Corporation*, No. 002-2003 (“Lago Agrio Litigation”) currently pending in the Provincial Court of Justice of Sucumbios in Ecuador, or for prejudgment seizure or attachment of assets based on any such judgment; and it is further

ORDERED that Chevron is granted permission to file an oversized brief of up to 70 pages in support of its Application by Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction; and it is further *and Defendants may file one or more briefs collectively totaling up to 70 pages*

ORDERED that service of a copy of this Order to Show Cause and all of the papers submitted in support thereof, and of the Summons and Complaint, by hand, facsimile, email or overnight mail upon the Defendants or their counsel, including all foreign Defendants named in the Complaint in this matter, or their counsel, on or before 1:00 p.m. EST on February 4, 2011, shall be deemed good and sufficient service thereof; and it is further

ORDERED that, pursuant to Federal Rule of Civil Procedure 4(f), for purposes of effecting service on defendants Luis Yanza (“Yanza”) and Pablo Fajardo (“Fajardo”) as called for by this Order, it shall be deemed good and sufficient service on Yanza and Fajardo to serve this Order, the papers submitted in support thereof, and the Summons and Complaint by e-mail; and it is further

ORDERED that, pursuant to Federal Rule of Civil Procedure 4(f), for purposes of effecting service on the 47 individual defendants also known as the “Lago Agrio Plaintiffs”¹, as

¹ The 47 Lago Agrio Plaintiff defendants are: Maria Aguinda Salazar, Carlos Grefa Huatatoca, Catalina Antonia Aguinda Salazar, Lidia Alexandra Aguinda Aguinda, Patricio Alberto Chimbo Yumbo, Clide Ramiro Aguinda Aguinda, Luis Armando Chimbo Yumbo,

[Footnote continued on next page]

called for by this Order, it shall be deemed good and sufficient service on the 47 Lago Agrio Plaintiff defendants to serve this Order, the papers submitted in support thereof, and the Summons and Complaint, by email on Defendant Pablo Fajardo, who it has been represented to this Court possesses a power of attorney on behalf of those 47 individuals²; and it is further

ORDERED that, pursuant to Federal Rule of Civil Procedure 4(f), for purposes of effecting service on defendants Frente de Defensa de la Amazonia a/k/a Amazon Defense Front (“FDA”) and Selva Viva Selviva Cia, Ltda. (“Selva Viva”), as called for by this Order, it shall be deemed good and sufficient service on FDA and Selva Viva to serve this Order, the papers submitted in support thereof, and the Summons and Complaint by e-mail and/or mail; and it is further

[Footnote continued from previous page]

Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Patricio Wilson Aguinda Aguinda, Celia Irene Viveros Cusangua, Francisco Matias Alvarado Yumbo, Francisco Alvarado Yumbo, Olga Gloria Grefa Cerda, Lorenzo José Alvarado Yumbo, Narcisa Aida Tanguila Narváez, Bertha Antonia Yumbo Tanguila, Gloria Lucrecia Tanguila Grefa, Francisco Victor Tanguilla Grefa, Rosa Teresa Chimbo Tanguila, José Gabriel Revelo Llore, María Clelia Reascos Revelo, María Magdalena Rodríguez Barcenes, Hugo Gerardo Camacho Naranjo, José Miguel Ipiates Chicaiza, Heleodoro Pataron Guaraca, Luisa Delia Tanguila Narváez, Lourdes Beatriz Chimbo Tanguila, María Hortencia Viveros Cusangua, Segundo Ángel Amanta Milán, Octavio Ismael Córdova Huanca, Elias Roberto Piyahuaje Payahuaje, Javier Piaguaje Payaguaje, Daniel Carlos Lusitande Yaiguaje, Benancio Fredy Chimbo Grefa, Guillermo Vicente Payaguaje Lusitante, Delfín Leonidas Payaguaje Payaguaje, Alfredo Donald Payaguaje Payaguaje, Teodoro Gonzalo Piaguaje Payaguaje, Miguel Mario Payaguaje Payaguaje, Fermin Piaguaje Payaguaje, Reinaldo Lusitande Yaiguaje, Luis Agustín Payaguaje Piaguaje, Emilio Martín Lusitande Yaiguaje, Simon Lusitande Yaiguaje, Armando Wilfrido Piaguaje Payaguaje, and Ángel Justino Piaguaje Lucitante.

² See *In re Application of Chevron*, No. 10 MC 00002, Dkt. 165-1, 165-2 (LAK)

ORDERED that papers in opposition to Chevron's motion for a preliminary injunction, if

any, shall be served by hand, facsimile, email, or overnight mail upon Chevron's counsel ~~on or~~ ^{by such}
time as the Court may fix by subsequent order
before :00 .m. EST on February , 2011; and it is further

ORDERED that reply papers in further support of Chevron's motion for a preliminary

injunction, if any, shall be served by hand, facsimile, email, or overnight mail upon the
Defendants or their counsel, ~~on or before~~ ^{by such time as the Court may fix by subsequent order}
before :00 .m. EST on February , 2011; and it is further

ORDERED that the Defendants and their officers, agents, servants, employees and

attorneys, and all persons in active concert or participation with them, show cause before this
Court, at Room 12D, United States Courthouse, 500 Pearl Street, in the City, County and State of
New York, ~~on February , 2011, at :00 .m. EST,~~ ^{by such time as the Court may fix by subsequent order} why an order should not be issued,
pursuant to Rule 65(a) of the Federal Rules of Civil Procedure, preliminarily enjoining
Defendants and any persons acting in concert with them from funding, commencing,
prosecuting, advancing in any way, or receiving benefit from, directly or indirectly, any action or
proceeding for recognition or enforcement of any judgment entered against Chevron in *Maria
Aguinda y Otros v. Chevron Corporation*, No. 002-2003 ("Lago Agrio Litigation") currently
pending in the Provincial Court of Justice of Sucumbíos in Ecuador, or for prejudgment seizure
or attachment of assets based on any such judgment.

Dated: February 3, 2011
New York, New York

SO ORDERED


U.S.D.J. ^{ms}