



SCHONBRUN DESIMONE SEPLOW
HARRIS & HOFFMAN LLP
www.sdshh.com

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CONTACT

Jonathan Kaufman (USA) +1 (202) 466 5188 x 103
Ximena Warnars (Peru) +986 67 0373
Andrew Miller (USA) +1 (202) 423 4828

jonathan@earthrights.org
ximena@earthrights.org
andrew@amazonwatch.org

PERUVIAN INDIGENOUS COMMUNITIES PLEASED WITH SETTLEMENT OF POLLUTION
LAWSUIT AGAINST OCCIDENTAL PETROLEUM

MARCH 5, 2015, LIMA, PERU – Indigenous Achuar plaintiffs from the Corrientes River Basin in the Peruvian Amazon release the following statement concerning their lawsuit against Occidental Petroleum (Oxy) for alleged contamination of Achuar communities at a press conference in Lima, Peru, today:

“The parties are pleased to confirm a mutual settlement of the claims in the litigation. Under the settlement, the terms of which are confidential, Oxy will provide assistance for community development projects for the benefit of these five Achuar communities. All parties are satisfied with the resolution of this dispute.”

EarthRights International (ERI) represented the plaintiffs in the lawsuit, filed in U.S. federal court in Los Angeles in 2007. The case was closed in a sealed proceeding on September 16, 2013, but the parties have not announced the settlement until now.

The funds provided by Oxy through a trust will fund community development projects carried out by the Fondo de Desarrollo de Alto Corrientes (FODAC), the Upper Corrientes Development Fund, which is a collective of the five indigenous Achuar communities that participated in the lawsuit.

Background on the case

Plaintiff Adolfina Garcia Sandi alleged that she lost her 11-year-old son after he consumed water from the contaminated river. Other plaintiffs alleged that their children were the victims of widespread lead poisoning. These are only some of the many lives affected by years of Oxy’s operations in the Peruvian Amazon.

After Oxy left Peru, residents from five indigenous Achuar communities (Antioquía, José Olaya, Nueva Jerusalén, Pampa Hermosa, and Sauki) and Amazon Watch jointly sued Oxy in the United States. The suit claimed that the company had dumped toxic by-products and spilled significant quantities of oil, contaminating Achuar territory and water and causing premature deaths, birth defects, and other health problems. A 2007 report by Amazon Watch



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and ERI found elevated levels of lead and cadmium in Achuar children's blood and documented other signs of long-term oil pollution.

Although this case was initially dismissed in 2008 when the federal district court agreed with Oxy that the case should be heard in Peru rather than Los Angeles, the plaintiffs successfully appealed to the Ninth Circuit to overturn this decision, and the U.S. Supreme Court refused to hear Oxy's arguments in 2013.

The case is *Maynas Carijano v. Occidental Petroleum*, No. 07-cv-05068 (C.D. Cal.). In addition to ERI, the plaintiffs were represented by California firm Schonbrun DeSimone Seplow Harris & Hoffman, and San Francisco-based attorney Natalie Bridgeman Fields.

More information about the case is available on Amazon Watch's website, <http://amazonwatch.org/work/block-1ab>, and on ERI's website, <http://www.earthrights.org/legal/maynas-v-occidental>. The 2007 report, *A Legacy of Harm*, is available in English and Spanish at <http://www.earthrights.org/publication/legacy-harm>.

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EarthRights International (ERI) is a nongovernmental, nonprofit organization that combines the power of law and the power of people in defense of human rights and the environment, which we define as "earth rights." We specialize in fact-finding, legal actions against perpetrators of earth rights abuses, training grassroots and community leaders, and advocacy campaigns, and have offices in Southeast Asia, the United States and Peru. More information on ERI is available at <http://www.earthrights.org>.

Amazon Watch is a nonprofit organization founded in 1996 to protect the rainforest and advance the rights of indigenous peoples in the Amazon Basin. We partner with indigenous and environmental organizations in campaigns for human rights, corporate accountability and the preservation of the Amazon's ecological systems. Visit our website to learn more:amazonwatch.org.