

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Application of:

CHEVRON CORPORATION, et al.,

Applicants,

for an Order Pursuant to 28 U.S.C. § 1782 to
Conduct Discovery for Use in Foreign Proceedings

Index No. 10-mc-0002 (LAK)

**NOTICE OF MOTION FOR
LEAVE TO WITHDRAW AS
COUNSEL**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Jonathan S. Abady, dated February 7, 2011, Emery Celli Brinckerhoff & Abady LLP will respectfully move this Court before the Honorable Lewis A. Kaplan, at the United States Courthouse, 500 Pearl Street, Courtroom 12D, New York, New York, 10007, at such time as counsel may be heard, for leave to withdraw as counsel for the Lago Agrio Plaintiffs, pursuant to Local Rule 1.4.¹

¹ The Ecuadorian Plaintiffs include: Daniel Carlos Lusitande Yaiguaje, Venancio Freddy Chimbo Grefa, Miguel Mario Payaguaje Payaguaje, Teodoro Gonzalo Piaguaje Payaguaje, Simón Lusitande Yaiguaje, Armando Wilmer Piaguaje Payaguaje, Javier Piaguaje Payaguaje, Fermín Piaguaje, Luis Agustín Payaguaje Piaguaje, Emilio Martin Lusitande Yaiguaje, Reinaldo Lusitande Yaiguaje, María Victoria Aguinda Salazar, Carlos Grega Huatatoca, Catalina Antonia Aguinda Salazar, Lidia Alexandra Aguinda Aguinda, Clide Ramiro Aguinda Aguinda, Luis Armando Chimbo Yumbo, Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Patricio Wilson Aguinda Aguinda, Patricio Alberto Chimbo Yumbo, Segundo Ángel Amanta Milán, Francisco Matías Alvarado Yumbo, Olga Gloria Grefa Cerda, Narcisa Tanguila Narváez, Bertha Yumbo Tanguila, Lucrecia Tanguila Grefa, Francisco Víctor Tanguila Grefa, Rosa Teresa Chimbo Tanguila, María Clelia Reascos Revelo, Heleodoro Pataron Guaraca, María Viveros Cusangua, Lorenzo José Alvarado Yumbo, Francisco Alvarado Yumbo, José Gabriel Revelo Llore, Luisa Delia Tanguila Narváez, José Miguel Ipiates Chicaiza, Hugo Gerardo Camacho Naranjo, María Magdalena Rodríguez, Elías Piyahuaje Payahuaje, Lourdes Beatriz Chimbo Tanguila, Octavio Córdova Huanca, Celia Irene Vivero Cusangua, Guillermo Payaguaje Lucitande, Alfredo Payaguaje, and Delfín Payaguaje.

Respectfully submitted,

Dated: February 7, 2011
New York, New York

EMERY CELLI BRINCKERHOFF
& ABADY LLP

/s/ Jonathan S. Abady

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**DECLARATION OF JONATHAN S. ABADY IN SUPPORT OF EMERY CELLI
BRINCKERHOFF & ABADY LLP'S MOTION TO WITHDRAW AS COUNSEL**

JONATHAN S. ABADY declares, under penalty of perjury, pursuant to 28
U.S.C. § 1746, that the following is true and correct:

1. I am a partner at Emery Celli Brinckerhoff & Abady LLP ("ECBA"), co-counsel for the Ecuadorian Plaintiffs. I submit this declaration in support of ECBA's Motion to Withdraw as Counsel for the Ecuadorian Plaintiffs in this case, pursuant to Local Rule 1.4.¹

2. This action will not be disrupted by ECBA's withdrawal because the Ecuadorian Plaintiffs in this action are also represented by able counsel, Motley Rice LLP, which is fully familiar with this action.

¹ The Ecuadorian Plaintiffs include: Daniel Carlos Lusitande Yaiguaje, Venancio Freddy Chimbo Grefa, Miguel Mario Payaguaje Payaguaje, Teodoro Gonzalo Piaguaje Payaguaje, Simón Lusitande Yaiguaje, Armando Wilmer Piaguaje Payaguaje, Javier Piaguaje Payaguaje, Fermín Piaguaje, Luis Agustín Payaguaje Piaguaje, Emilio Martin Lusitande Yaiguaje, Reinaldo Lusitande Yaiguaje, María Victoria Aguinda Salazar, Carlos Grega Huatatoca, Catalina Antonia Aguinda Salazar, Lidia Alexandra Aguinda Aguinda, Clide Ramiro Aguinda Aguinda, Luis Armando Chimbo Yumbo, Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Patricio Wilson Aguinda Aguinda, Patricio Alberto Chimbo Yumbo, Segundo Ángel Amanta Milán, Francisco Matías Alvarado Yumbo, Olga Gloria Grefa Cerda, Narcisa Tanguila Narváez, Bertha Yumbo Tanguila, Lucrecia Tanguila Grefa, Francisco Víctor Tanguila Grefa, Rosa Teresa Chimbo Tanguila, María Clelia Reascos Revelo, Heleodoro Pataron Guaraca, María Viveros Cusangua, Lorenzo José Alvarado Yumbo, Francisco Alvarado Yumbo, José Gabriel Revelo Llore, Luisa Delia Tanguila Narváez, José Miguel Ipiales Chicaiza, Hugo Gerardo Camacho Naranjo, María Magdalena Rodríguez, Elías Piyahuaje Payahuaje, Lourdes Beatriz Chimbo Tanguila, Octavio Córdova Huanca, Celia Irene Vivero Cusangua, Guillermo Payaguaje Lucitande, Alfredo Payaguaje, and Delfín Payaguaje.

3. The reasons for ECBA's withdrawal implicate various confidences and privilege issues. If the Court requires disclosure of those issues, ECBA requests that any such disclosure occur *in camera* and *ex parte*.

4. I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: New York, New York
February 7, 2011

/s Jonathan S. Abady
Jonathan S. Abady