

*INTERNATIONAL CENTRE FOR SETTLEMENT  
OF INVESTMENT DISPUTES*

RIVERSIDE COFFEE, LLC

Claimant

v.

REPUBLIC OF NICARAGUA

Respondent

ICSID CASE NO. ARB/21/16

HEARING ON JURISDICTION AND MERITS

8 July 2024

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ARBITRAL TRIBUNAL

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09:00:10 1 PRESIDENT: Good morning. Are the parties  
2 ready to start? Claimant?  
3 MR. APPLETON: Good morning. We are.  
4 PRESIDENT: And Respondent?  
09:00:16 5 MR. MOLINA: Good morning. We are as well.  
6 PRESIDENT: The usual question first. Any  
7 housekeeping issues that either party would like to  
8 raise? Mr. Appleton?  
9 MR. APPLETON: No, thank you.  
09:00:32 10 MR. MOLINA: None from our side, thank you.  
11 PRESIDENT: Excellent. So we did have a  
12 refreshing weekend then.  
13 So let's bring in the witness. It will be  
14 Mr. López.  
09:00:48 15 MR. MOLINA: It's my understanding he is on  
16 his way.  
17 PRESIDENT: Very good.  
18 Good morning, Mr. López.  
19 MR. LÓPEZ: Good morning.  
09:01:58 20 PRESIDENT: You hear us well?  
21 THE INTERPRETER: Excuse me, Mr. President.  
22 I'm not sure what you just said.  
23 PRESIDENT: I just asked whether the  
24 witness hears us well.  
09:02:35 25 THE INTERPRETER: Yes. The witness needs

09:02:36 1 to get much closer to the mic. The witness is too far  
2 from the microphone or is speaking too soft.

3 **JOSÉ VALENTIN LÓPEZ BLANDÓN**

4 PRESIDENT: May I first ask you to state  
09:02:40 5 your full name for the record, please.

6 MR. LÓPEZ: My name is José Valentin López  
7 Blandón.

8 PRESIDENT: Thank you very much. You have  
9 been called as a witness of fact to this proceeding, and  
09:02:57 10 as a witness of fact you will be required to tell the  
11 truth. I would, therefore, ask you to make the witness  
12 declaration which you should have in front of you,  
13 please.

14 MR. MOLINA: Mr. President, he needs his  
09:03:34 15 reading glasses. I think he left them in the room.

16 PRESIDENT: He has his glasses.

17 MR. MOLINA: Thank you.

18 MR. LÓPEZ: I hereby declare as witness, I  
19 solemnly declare on my honor and conscience that I shall  
09:04:12 20 speak the truth, the whole truth and only the truth.

21 PRESIDENT: Thank you, Mr. López. You have  
22 submitted two witness statements in this proceeding, the  
23 first one dated March 3, 2023 and the second one dated  
24 March 8, 2024.

09:04:33 25 You should have hard copies of these

09:04:34 1 witness statements on the desk in front of you. Can you  
2 please confirm you have them? *(Pause)*

3                   Is there an issue with interpretation? I  
4 asked you to confirm whether you have your witness  
09:05:21 5 statements in front of you on the desk. Can you please  
6 confirm you have them?

7                   MR. LÓPEZ: Yes. Yes, I have three.

8                   PRESIDENT: Two, I believe. There should  
9 be two witness statements.

09:05:43 10                   MR. LÓPEZ: It's three.

11                   MR. MOLINA: If I may, Mr. President. I  
12 believe he says three because he has his two  
13 declarations, and then he's got a separate document that  
14 has some clarifications that he plans to make.

09:05:59 15                   PRESIDENT: Okay. Understood.

16                   Can you please take a look at your  
17 statements, the documents you have on the desk, and  
18 confirm that these are your statements?

19                   MR. LÓPEZ: Yes. I have three statements  
09:06:35 20 on my second statement. First, at paragraph 13 in the  
21 first line --

22                   PRESIDENT: Mr. López, you can make the  
23 corrections then with counsel. So I just asked you to  
24 confirm that these are -- I would just ask you to confirm  
09:06:53 25 that these are your statements, and then we will move on.



09:07:11 1 MR. LÓPEZ: Yes, they are.

2 PRESIDENT: Just to explain briefly the way  
3 the process will work, there will be first a brief  
4 examination by counsel for the Respondent, Republic of  
09:07:23 5 Nicaragua, and there will be cross-examination by counsel  
6 for the Claimant, Riverside, and then possibly further  
7 questions by counsel for the Respondent. The three  
8 members of the Tribunal may put questions to you at any  
9 time. Is that clear?

09:07:51 10 MR. LÓPEZ: Yes.

11 PRESIDENT: Very good. I'll hand over to  
12 counsel for the Respondent, please.

13 **DIRECT EXAMINATION**

14 BY MR. MOLINA:

09:07:56 15 Q. Good morning, Mr. López.

16 A. Good morning.

17 Q. Could you get a little closer to the  
18 microphone, please? How are you?

19 A. Fine, fine.

09:08:07 20 Q. You just confirmed for the President that you  
21 submitted two witness statements in this case, correct?

22 A. Yes, that's right.

23 Q. And you have clarifications to make to your  
24 testimony, right?

09:08:19 25 A. Yes, that's right.

09:08:20 1 Q. Could you read them out loud, please?

2 A. Yes. I have three clarifications to make to my  
3 second statement. First, at paragraph 13 of my first  
4 statement, there I'm referring to Carlos Rondón Voysest.  
09:08:48 5 And then in the same paragraph at lines 8 and 9, I want  
6 to clarify that I'm referring to Mr. Carlos Rondón  
7 Molina, who's the son.

8 Second, in the last sentence of  
9 paragraph 23, I'd like to insert a footnote, and that  
09:09:27 10 would be to add Exhibit R-177, tab 39.

11 Next, at paragraph 25 after the word  
12 "approximately," I'd like to add the following phrase:  
13 "after the first Mr. Rondón Voysest."

14 Q. Could you read the last clarification one more  
09:09:59 15 time, please, the third one?

16 A. The third one. Third, at paragraph 25, after  
17 the word "approximately," I'd like to add the following  
18 phrase: "after the death of Mr. Rondón Voysest."

19 Q. Thank you very much, Mr. López. Obviously  
09:10:28 20 you're able to read my question for you.

21 MR. APPLETON: I'm sorry. I'm just  
22 confused. The corrections were to the first witness  
23 statement, in particular, one with the new footnote at  
24 paragraph 23, or was that to the second?

09:10:41 25 MR. MOLINA: All three were to the second.

09:10:44 1 PRESIDENT: Oh. He said the first, so  
2 that's why we couldn't find this as we were going  
3 through.

4 MR. MOLINA: Understood.

09:10:51 5 MR. APPLETON: And it would have made no  
6 sense to be able to refer to an exhibit that wasn't  
7 available. That's the only reason so ...

8 MR. MOLINA: All three were to the second.

9 PRESIDENT: He did say the second.

09:11:01 10 MR. APPLETON: Pardon me?

11 PRESIDENT: He did say these corrections  
12 were to the second witness statement.

13 MR. APPLETON: I believe he also said the  
14 first. As long as we're clear, we don't need to go back.  
09:11:09 15 I just want to make sure that we're clear so we don't  
16 have a problem. So these are all to the second  
17 statement?

18 MR. MOLINA: That's correct.

19 MR. APPLETON: As he has noted.

09:11:20 20 MR. MOLINA: Yes.

21 MR. APPLETON: So sorry.

22 Q. Mr. López, obviously you're able to read. My  
23 question for you is how far did you go in school?

24 A. Sixth grade.

09:11:36 25 Q. And why did you not continue studying beyond

09:11:39 1 that?

2 A. I did not continue studying because at that  
3 time the war came, the war of the counterrevolution, and  
4 I was a contra. I went to the war, and I joined the  
09:11:55 5 struggle against the Sandinista Front at that time, at  
6 that time the government.

7 Q. I'm now going to put some questions to you  
8 about your testimony very briefly. When did you go to  
9 live at Hacienda Santa Fé?

09:12:07 10 A. In 1990.

11 Q. And after you went there that year, what  
12 happened?

13 A. After we demobilized, we gathered, and we were  
14 taken to the Hacienda Santa Fé where they gave us some  
09:12:25 15 lands. They gave us that farm.

16 Q. And when you went there initially, who did you  
17 encounter there?

18 A. Well, when they took us there initially, there  
19 was no one there. I got there, we were there for a  
09:12:41 20 time, then Mr. Carlos Rondón Voysesst introduced himself  
21 and he spoke with us. We proposed to him that we should  
22 negotiate. The property had been assigned to us, so he  
23 came to agreement with us. We had an oral agreement  
24 that we should take a part of the upper part of the  
09:13:06 25 property which was abandoned, and we took that area

09:13:12

1 then.

2 Q. And what did you do when you took possession of  
3 that area? What did you do in the following years?

09:13:23

4 A. Yes, at that time we began to work to raise our  
5 families, our houses, plant crops. Everything that we  
6 could do there.

7 Q. And what else did you do to strengthen your  
8 community in that upper part?

09:13:45

9 A. Yes, we began to grow stronger. We organized  
10 in a cooperative in order to take out loans and to be  
11 able to engage in transactions with the government so  
12 they'd give us an answer regarding the property.

13 Q. And just to confirm, this upper part, you  
14 called it El Pavón?

09:13:59

15 A. Yes, El Pavón.

16 Q. And why do you no longer live in El Pavón  
17 today?

09:14:19

18 A. Well, yes, because at least we were doing well  
19 up until 1997. After the death of Carlos Rondón  
20 Voysest, things changed because the children,  
21 Don Carlos' children came and they came in to change  
22 things.

23 Q. And how did they change things?

09:14:32

24 A. Because they took initiatives vis-à-vis the  
25 government. They came with a multimillion dollar

09:14:36 1 project that they were going to have with ferns, and  
2 we -- well, we were there where they were going to plant  
3 the ferns. So they took initiatives vis-à-vis the  
4 government, and they removed us in 2003.

09:14:54 5 Q. And after they removed you, where did you go to  
6 live?

7 A. After they removed me -- I was the first one to  
8 be removed. They took down my house. I had to leave.  
9 Some were still on the property and I went to my place,  
09:15:15 10 which was a kilometer away from El Pavón.

11 Q. We're now going to skip to 2017-2018. In your  
12 witness statement you speak of events that occurred at  
13 the Hacienda Santa Fé in those years. Could you first  
14 give us a summary of what you testified to as to those  
09:15:42 15 events?

16 A. Well, in 2007, Mr. Wendel Blandón, known as  
17 Wama, came --

18 Q. I'm sorry. 2007 or 2017?

19 A. '90 -- no, I'm sorry. 2017.

09:16:01 20 Q. Go ahead.

21 A. In 2017, this man known as Wama came and  
22 invited me to take this property once again because  
23 there were documents from the previous government. He  
24 said, "Come with me, we can take it. The property is  
09:16:24 25 abandoned and now they can give us assurances in respect

09:16:27 1 of this property," and I told him at the time that I  
2 couldn't, because there were already a lot of problems  
3 and we had done that before and it wasn't possible to go  
4 there because it was private property, we could have  
09:16:42 5 problems.

6 Q. And so you did not participate in that  
7 takeover?

8 A. No, I did not.

9 Q. And if you did not participate, how do you know  
09:16:51 10 or how do you have knowledge of what happened in that  
11 takeover?

12 A. Well, yes, because the members would pass by my  
13 house. There's a path on the way, about a kilometer  
14 away. There's a path to get there, rather, that goes by  
09:17:08 15 my house and they told me that they were there on that  
16 property which they had taken.

17 Q. Mr. López, do you recall that at paragraph 7 of  
18 your first statement, you presented a map of Hacienda  
19 Santa Fé?

09:17:21 20 A. Yes, that's right.

21 Q. I'm going to ask that the map be shown on the  
22 screen, and I'm going to ask the members of the Tribunal  
23 to allow you to get up from your chair and to point to  
24 where you live in relation to the Hacienda if the  
09:17:48 25 President would so permit.

09:17:58 1 MR. HILL: We put a pointer up there. If  
2 he would like to use the pointer, it might be more  
3 comfortable for him.

4 MR. MOLINA: I'm not sure he knows how to  
09:18:02 5 use it and I'd rather just -- thank you, Mr. Hill.

6 PRESIDENT: Mr. Molina, let's go ahead and  
7 see. The other thing we need to make sure is that he has  
8 a microphone so that we have his explanation on the  
9 record.

09:18:14 10 MR. MOLINA: I'm going to ask this,  
11 Mr. President. Can I just have him point and then I will  
12 read into the record where he's pointing? Would that be  
13 okay?

14 PRESIDENT: That would be okay.

09:18:28 15 Q. Mr. López, if you could take the headphones off  
16 for a second, and if you could get up from the chair and  
17 approach the map that's on the table in front of -- or  
18 that's on the screen in front of your table -- and if  
19 you could, without blocking the Tribunal's view, show us  
09:18:51 20 exactly where you live.

21 MR. MOLINA: For the record, Mr. López just  
22 pointed to an area approximately 1 kilometer to the west  
23 of the western side of the El Pavón sector.

24 With this, I have no further questions.

09:19:16 25 PRESIDENT: Thank you very much. Can you



09:19:19 1 put on your headphones? Now, Mr. López, we'll move to  
2 the cross-examination. It will be conducted by the  
3 Claimant's counsel. Because there is a simultaneous  
4 interpretation, I would ask you to wait for a second  
09:19:34 5 before you start answering the question so that the  
6 interpreter can catch up and translate what is being  
7 said. And, of course, the same applies to the Claimant's  
8 counsel, as you already know.

9 MR. HILL: Thank you, Mr. President.

09:19:52 10 MR. APPLETON: Excuse me. Mr. President, I  
11 understand that the live streaming has gone down, and I  
12 would not want this witness to not be available to the  
13 public and it's just been brought to my attention. I  
14 thought this might be appropriate before everything  
09:20:06 15 begins. Could we just make an investigation?  
16 PRESIDENT: Okay. Let's go off the record  
17 for a second.  
18 *(Discussion off the record)*  
19 PRESIDENT: Do we have a longer break or do  
09:30:27 20 we have this part of the transcript published on the  
21 website of ICSID? Claimant?  
22 MR. APPLETON: Mr. President, I'm sorry.  
23 The hearing needs to be public. Because the Tribunal has  
24 decided not to post the videos each day and the only  
09:30:40 25 opportunity for the public is the live stream, it's

09:30:42 1 especially important that it's done in that way.  
2 Because, otherwise we can't meet the obligation of the  
3 treaty.

4 I think that we're right on schedule. I  
09:30:54 5 think we can work around this in general, but I think we  
6 should wait for the live stream. And I'm hoping it will  
7 be relatively soon. I simply would also add, while  
8 they're checking, if they have an idea of whether it was  
9 working at all with respect to the direct because we  
09:31:13 10 have to decide how we handle that as well.

11 PRESIDENT: Respondent?

12 MR. MOLINA: We're willing to do whatever  
13 is needed to get through this efficiently.

14 (The Tribunal withdrew)

09:36:02 15 PRESIDENT: Shall we go back on record?  
16 Apparently there has been no live streaming since this  
17 morning, so what we would do is we will post a video  
18 recording of the hearing from the beginning of the day  
19 until the end of the direct examination on the ICSID  
09:36:23 20 website as soon as it's available.

21 We will wait for half an hour to see  
22 whether the problem can be sorted out. That much we  
23 have leeway in the program. If it's not sorted out by  
24 then, we will resume the hearing and the video recording  
09:36:43 25 which is being done in any event will be then posted on

09:36:46 1 the ICSID website as soon as possible. So we have now a  
2 break of half an hour until 10:00.

3 MR. APPLETON: Before we take the break, I  
4 just want to report that counsel used the time while the  
09:37:01 5 Tribunal was deliberating to see if we could come up with  
6 some other practical answers along the way as this  
7 process goes along. Mr. Molina can speak on that as  
8 well.

9 So we just wanted to pass along on a  
09:37:17 10 preliminary basis, assuming that we're able to get the  
11 next day underway properly and smoothly, we would like  
12 to be in a position to have the damages experts to each  
13 start on their individual day. In other words,  
14 Mr. Kotecha will start on the morning of the day he's  
09:37:36 15 scheduled so he'll have an opportunity to hear and  
16 evaluate the legal evidence before him. And  
17 furthermore, Mr. Hart won't be started at the end of the  
18 day but start at the beginning of the next day, and that  
19 will give him an opportunity.

09:37:52 20 So, in other words, we're going to try to  
21 refrain from breaking those witnesses overnight because  
22 we think we'll have enough time, but it's not enough to  
23 get both on at the same time.

24 So our difficulty is we don't have enough  
09:38:06 25 hearing hours on one day to hear both damages experts on

09:38:10 1 one day, so it is about what are our best ways to order  
2 that at that part of the hearing. We wanted to pass  
3 that -- our agreement along to see if that was  
4 acceptable to the Tribunal.

09:38:21 5 PRESIDENT: Mr. Molina?

6 MR. MOLINA: I confirm that we spoke on a  
7 preliminary basis that, provided that we don't fall  
8 behind schedule, ideally we would have the damages expert  
9 for Claimant on Wednesday and the damages expert for  
10 Respondent on Thursday. Again, provided that today and  
11 tomorrow we don't incur any unforeseen delays.

12 PRESIDENT: That is roughly what we have in  
13 the program in any event. We have simply the tail end of  
14 Mr. Sequeira's examination on Wednesday morning so that  
15 would be the ideal in any event regardless of the delay  
16 caused today.

17 Hopefully we can catch up today. Let's  
18 see where we are at the end of the day and we take it  
19 step by step. But now we break for 20 minutes until  
20 10:00 and see where we are with the technical issues.

21 MR. MOLINA: Mr. López, we are going to  
22 take a 30-minute break.

23 PRESIDENT: Let me instruct the witness.

24 So we will have a 20-minute break,  
25 Mr. López --

09:39:44 1 Mr. López, we will have a 20-minute break  
2 now because of technical issues. We will resume at  
3 10:00. In the meantime, you can leave the room, have a  
4 cup of coffee or do whatever you would like to do, but  
09:39:56 5 what you cannot do is to discuss your testimony with  
6 anybody during the break. Please be back at 10:00.

7 MR. LÓPEZ: Very well, sir. Very well.

8 *(Brief Recess)*

9 PRESIDENT: We will resume. Apparently the  
10:00:09 10 problem is World Bank-wide, so it cannot be sorted out  
11 now or immediately, but the technical team is working and  
12 as soon as the problem is sorted out, they will let us  
13 know.

14 In the meantime, we will proceed as we  
10:00:28 15 discussed earlier. There is, in any event, a recording  
16 of this part of the hearing since the morning. We  
17 understand that it will be posted -- or can be posted on  
18 the ICSID website by noon tomorrow, so that will be in  
19 lieu of the live streaming, and we will now proceed, as  
10:00:52 20 indicated earlier, with the examination of Mr. López.

21 MR. APPLETON: Mr. President, just before  
22 we begin, the secretary has asked the parties -- and I  
23 was just discussing this with Mr. Molina -- to be  
24 particularly careful today to the extent that there is  
10:01:08 25 any confidential information, that we have as much time

10:01:11 1 and warning as we can as possible.

2 Both Mr. Molina -- I'll let him speak as  
3 well for himself -- Mr. Molina and I both do not believe  
4 that we should be venturing into any protected  
10:01:23 5 information on today's testimony, but we just wanted to  
6 avert to this fact and tell you that we'll do everything  
7 we can to be as particularly careful as we can in light  
8 of the technical difficulties until this is resolved.

9 PRESIDENT: Mr. Molina.

10:01:45 10 MR. MOLINA: The question is if we  
11 anticipate having confidential information. Was that the  
12 issue?

13 PRESIDENT: That is the issue and in any  
14 event this doesn't change anything because you are  
10:01:52 15 required to identify in any event if you want to deal  
16 with confidential information, so it doesn't change the  
17 way confidential information is to be dealt with.

18 The only issue is that if there is  
19 confidential information discussed during this part of  
10:02:08 20 the hearing where there is no live streaming, it means  
21 that you have to then redact the video and that will  
22 cause delay with posting.

23 MR. MOLINA: Thank you, Mr. President. We  
24 understand that procedure. We also do not anticipate  
10:02:20 25 there being a need to go through that procedure, but if

10:02:25 1 we have to, we will adhere to the order.

2 MR. APPLETON: We're just being  
3 particularly careful because of that extra step because  
4 of the technical issues. Again, we're following the  
10:02:36 5 normal process, but we're going an extra bit to be as  
6 careful as we can. We just simply wanted to ensure that  
7 the Tribunal was aware that counsel have talked about  
8 this and are trying to be extra mindful.

9 PRESIDENT: Of course. And that is  
10:02:51 10 appreciated.

11 So we continue or, rather, start with the  
12 cross-examination of Mr. López. Mr. Hill, I understand?

13 MR. HILL: Yes, Mr. President. Thank you.  
14 May I proceed?

10:03:04 15 PRESIDENT: Please proceed.

16 **CROSS-EXAMINATION**

17 BY MR. HILL:

18 Q. Good morning, Mr. López.

19 A. Good morning.

10:03:11 20 Q. My name is William Hill. I will be asking you  
21 questions today. We are speaking through a translator.  
22 The President has indicated that to you. If you do not  
23 understand my questions, though, I do ask that you say  
24 so, and I will rephrase.

10:03:30 25 Commissioner López, have you watched any

10:03:32 1 of these proceedings on video?

2 A. No.

3 Q. Have you read any of the transcripts?

4 A. Yes.

10:03:50 5 Q. Which day -- and I'm talking now about the days  
6 of the transcripts of the hearing itself.

7 A. Yes.

8 Q. All right. I'll go on.

9 Sir, what is your occupation?

10:04:10 10 A. I am a farmer.

11 Q. And do you have a farm?

12 A. Yes, an area of work.

13 Q. And where is that, sir?

14 A. Where I live.

10:04:40 15 Q. And how long have you had that plot of land to  
16 work?

17 A. About 10 years of working where I live.

18 Q. You also hold a position in the government, do  
19 you not?

10:05:03 20 A. That's correct.

21 Q. What is that position?

22 A. I have been a council member from 2008 to 2012,  
23 2012 to 2016.

24 Q. I mean, you're a commissioner now, are you not?

10:05:36 25 A. Yes. In 2022 again I am again council member.



10:05:43 1 I am commissioner again.

2 Q. And that is on behalf of the Sandinista  
3 Liberation Front, correct?

4 A. Yes, by means of an alliance we came back as  
10:06:00 5 councilmen in San Rafael del Norte.

6 Q. And in all the times that you've held this  
7 position, either as alternate council member or regular  
8 council member, that was on behalf of the Sandinista  
9 National Liberation Front?

10:06:20 10 A. Yes, that is correct, as part of the alliance  
11 we had.

12 Q. Just one clarification from before when you  
13 said that you had read transcripts. Did your legal  
14 counsel advise you not to read the transcripts of the  
15 hearing before you testified?

10:06:41 16 A. No.

17 MR. MOLINA: Could I just ask that you  
18 clarify what -- what do you mean by transcript? That  
19 would be useful.

10:07:02 20 MR. HILL: I did before. I said the  
21 transcripts of this hearing.

22 MS. GREENWOOD: But, Counsel, can we make  
23 sure this witness understands precisely what you mean by  
24 "transcript"? It's a very particular term. He may not  
10:07:14 25 have come across it before. I appreciate your efforts.

10:07:17 1 You have made efforts to explain them to him, but if you  
2 could.

3 MR. HILL: I will defer to you to make sure  
4 if you would like -- or Mr. Molina on redirect. I just  
10:07:25 5 didn't want to use my time for that.

6 MR. APPLETON: Perhaps this would be an apt  
7 time for the Tribunal to get an understanding directly.  
8 I think that would be good for everyone.

9 PRESIDENT: It's up to you what kind of  
10:07:39 10 questions you ask on cross entirely, and it's then for  
11 the Respondent to ask any questions on redirect that  
12 arise out of the questions you have put. They cannot  
13 raise questions on redirect that don't arise from the  
14 cross-examination.

10:08:08 15 Q. Commissioner López, when did you join the  
16 Sandinista party?

17 THE INTERPRETER: He needs to turn on the  
18 mic.

19 Q. I heard you say 2006. Is that correct?

10:08:36 20 A. 2006, yes. It was 2006.

21 Q. Thank you. And you've remained loyal to the  
22 Sandinista party ever since that time, correct?

23 A. Yes, because we are -- back then we were part  
24 of an alliance, and we were working together.

10:09:05 25 Q. And you're still working together now, correct?

10:09:13

1

A. Yes.

2

Q. And, according to your witness statement, you

3

ceased being a commissioner representing the Sandinista

4

party in 2016. Is that right?

10:09:31

5

A. That is correct.

6

Q. Was there an election?

7

A. Yes.

8

Q. You lost the election in 2016?

9

A. That is correct.

10:09:43

10

Q. You were reelected in 2022?

11

A. Yes. In 2021, and we took office in 2022.

12

Q. Understood, thank you.

13

When do you stand for election again?

14

A. 2025.

10:10:11

15

Q. Do you intend to stand for reelection at that

16

time?

17

A. I don't know yet.

18

Q. Even during the time, the approximately six

19

years when you were not a commissioner, you remained

10:10:29

20

loyal to the party, did you not?

21

A. Back then I was retired.

22

MS. CONOVER: Would you repeat your answer?

23

A. I was retired for two years. I was not in -- I

24

had retired from that. I was not with the party for

10:11:00

25

two years.

10:11:03 1 Q. Did you join another political party at that  
2 time?

3 A. No, no.

4 Q. You did not join an opposition party?

10:11:16 5 A. No, no.

6 Q. So you remained a party member?

7 A. Yes. Yes, but I did not participate in the  
8 party.

9 Q. I understand that, but you were also a  
10:11:37 10 community leader during that time, were you not?

11 A. Yes, that is correct.

12 Q. And you were -- strike that.

13 As a loyal member of the Sandinista party,  
14 you did listen to President Ortega's national dialogue  
10:11:56 15 speech in 2018, did you not?

16 A. That is correct.

17 Q. It's a long speech. Did you listen to the  
18 whole thing?

19 A. Part. In part.

10:12:13 20 Q. You did not listen to the whole thing?

21 A. No.

22 Q. Which parts did you listen to, beginning,  
23 middle, end? Do you recall?

24 A. Yes, the end.

10:12:34 25 Q. Do you recall the part where the president said

10:12:37 1 and issued an order to the police not to shoot?

2 MR. MOLINA: Mr. President, I'm sorry to  
3 interrupt Mr. Hill, but there's nothing in Mr. López's  
4 testimony in his two declarations about the speech or  
10:12:50 5 about this order or about Mr. Ortega at all. I'm not  
6 sure why this would be within the scope.

7 PRESIDENT: The scope of a  
8 cross-examination is not strictly limited to the witness  
9 statement. It can cover personal knowledge of the  
10:13:12 10 witness. So please proceed, Mr. Hill.

11 MR. HILL: Well, he did testify -- okay.  
12 Thank you.

13 Q. So do you recall the part where the president  
14 issued an order to the police not to shoot?

10:13:29 15 A. Yes, that's correct.

16 Q. Now, you testified that you live very close to  
17 the area of Hacienda Santa Fé that you call El Pavón.  
18 Is that right?

19 A. That is correct.

10:13:43 20 Q. Now, today I'm going to refer to the entire  
21 property as Hacienda Santa Fé, and the part that you  
22 call El Pavón, I'm going to refer to it as El Pavón, if  
23 that's okay with you. That's what you call it, right?

24 A. That's correct.

10:14:03 25 Q. And because you lived close to that area, you

10:14:06 1 were at all times aware of the developments taking place  
2 at the property, were you not?

3 A. That's correct.

4 Q. You knew about the operation of the Hass  
10:14:21 5 avocado farming at Hacienda Santa Fé?

6 A. Yes.

7 Q. I'd like to take a moment. Could you pull up  
8 the map? I believe it was in his witness statement.  
9 First witness statement RWS-04 at page 4.

10:15:01 10 Commissioner López, I've placed in front  
11 of you just by your screen there a little device that  
12 looks like a flashlight. It's very simple. If you  
13 click the end, it's like a little flashlight. It's a  
14 laser pointer. Instead of getting up and down I'm going  
10:15:15 15 to ask you just a few questions about areas around the  
16 map. It will be easier for you. Could you try that?  
17 It's right in front of you there. Do you see it? Do  
18 you see the laser pointer, sir? It's right by your  
19 screen.

10:15:37 20 PRESIDENT: We don't see it.

21 MR. HILL: May I approach and just show it  
22 to him?

23 PRESIDENT: Of course.

24 Q. Now, at the very back there's a little button  
10:15:55 25 to flip on. Click it. Don't look at it. If you can

10:16:11 1 point on the big map -- actually behind you is fine --  
2 if you'll turn around, there's a big map behind you on  
3 the screen so the Tribunal and everyone can see it. Can  
4 you turn around, sir? Okay. Now you'll just have to  
10:16:27 5 kind of grab your microphone, just get it a little close  
6 to you.

7                   Okay. Can you point to the place where  
8 you live?

9           A.     Here.

10:16:47 10           Q.     So that's just west of the northern part. Is  
11 that correct?

12           A.     No, north. North. In the north.

13           Q.     But it's -- point to El Pavón first, please.

14           A.     This is El Pavón.

10:17:07 15           Q.     I got it. Thank you. And, for the record,  
16 could you say which part of the property that is? It's  
17 the far north quadrant like a triangle at the top?

18           A.     This is the north. The north.

19           Q.     Now, again, place it right as close as you can  
10:17:25 20 where you live.

21                   MR. HILL: Let the record reflect --

22           Q.     And that is outside the property, correct, sir?

23           A.     Yes.

24           Q.     And it's just west of the property in the  
10:17:50 25 northern portion?

10:17:57 1 A. That is correct.

2 Q. Is there a public access to El Pavón at that  
3 place?

4 A. Yes. Here. Here. Right there.

10:18:08 5 Q. That is public land outside there?

6 A. No, no. It's not public. It's a private area.

7 Q. Thank you. It's a private area, correct?

8 A. That's correct.

9 Q. So for you to access the property, you go  
10:18:24 10 through that private area?

11 A. Yes, yes.

12 Q. And is that an area that's actively being  
13 farmed?

14 A. I apologize.

10:18:46 15 Q. I'll rephrase.

16 The area that you said was private and  
17 which gave access to El Pavón, is it presently being  
18 actively farmed?

19 A. No, it's community. Community.

10:19:06 20 Q. And is that where you presently farm?

21 A. That's correct.

22 Q. Yes, you can put it down now. You can turn it  
23 off and put it down. Thank you, sir.

24 Now, Commissioner López, you must spend a  
10:19:47 25 lot of your time driving around the roads of Hacienda



10:19:52 1 Santa Fé. Is that correct?

2 A. Correct.

3 Q. You have a vehicle?

4 A. No, no. We travel by bus.

10:20:12 5 Q. Okay. And can you just describe -- you don't  
6 have the pointer now -- but what portion of the property  
7 do you travel through by bus?

8 A. The south part. South. That's the public area  
9 in Jinotega.

10:20:44 10 Q. Okay. Thank you.

11 By the way, do you ever go to the new  
12 community forest nursery that has been created there?

13 A. No.

14 Q. You are aware that there is a community forest  
15 nursery there now?

16 A. No.

17 Q. You're not aware that there is a community  
18 forest -- you don't know that there was a community  
19 forest nursery created by INAFOR in 2021?

10:21:33 20 A. No, no. I don't know.

21 Q. Have you ever heard of the Antonio Rizo  
22 community forest nursery?

23 A. No. I do not know.

24 Q. Toño Loco? You don't know that there's a  
10:21:53 25 nursery there that was named after Toño Loco by the

10:21:58 1 government, by INAFOR?

2 A. No, I don't know that.

3 Q. Commissioner López, you were a member of the  
4 Jinotega Municipal Council when the community forest  
10:22:19 5 nursery was dedicated, were you not? 2021, I said?

6 A. No.

7 Q. I stand corrected. Thank you, sir. Do you  
8 know Toño Loco?

9 A. No. No, I do not.

10:22:45 10 Q. Do you know who he is?

11 A. No.

12 Q. Comandante Toño Loco.

13 A. No, no. No, I do not know him.

14 Q. Have you ever heard his name?

10:23:05 15 A. Yes, I heard -- I heard his name, but I don't  
16 know who he is.

17 Q. He was not one of the occupants of the land  
18 with your group at El Pavón, was he?

19 A. No, no.

10:23:33 20 Q. Now, you said that you fought on behalf of the  
21 resistance, you were a Contra, and that there was a  
22 peace process that ended in 1990, correct?

23 A. That is correct.

24 Q. And that was after the election of President  
10:23:51 25 Chamorro?

10:23:55 1 A. Correct.

2 Q. And you say in your witness statement that it  
3 was the Chamorro government that committed and agreed to  
4 trade land for guns, correct?

10:24:13 5 A. That is correct.

6 Q. You describe this as the government of  
7 Chamorro's promise of giving you land.

8 A. Correct.

9 Q. But as we know, it didn't happen with Hacienda  
10 Santa Fé. Isn't that correct?

10:24:33 10  
11 A. Yes, no. No.

12 Q. Her government did not fulfill its promise, did  
13 it?

14 A. No.

10:24:49 15 Q. And the next government, the government of  
16 President Alemán, they did not fulfill the promise of  
17 giving you that land, did they?

18 A. No. Did not do it either.

19 Q. Thank you. And the subsequent government of  
10:25:05 20 President Bolaños did not give you that land, correct?

21 A. No, they did not either.

22 Q. So the government never fulfilled its promise  
23 to you?

24 A. Never, never.

10:25:20 25 Q. You did not come onto the land to use it,

10:25:27 1 El Pavón, by an invasion, did you?

2 A. No.

3 Q. Did you attend a meeting with the Human Rights  
4 Commission of the Nicaraguan Resistance in 1999 with  
10:25:42 5 El Pavón co-op members?

6 A. Yes.

7 Q. Could we pull up R-177, tab 7, starting at  
8 page 1, please. I'm sorry, it's tab -- yes, tab 7,  
9 page 1, thank you. It says in the end of the first  
10:26:51 10 paragraph:

11 "There were 72 beneficiaries who presented  
12 their viewpoints."

13 Do you see that? Yes, bottom of the first  
14 paragraph.

10:27:03 15 MR. MOLINA: Is it possible to have him put  
16 on his reading glasses so he can --

17 MR. HILL: Of course. Of course.

18 Q. Sir, if you need your reading glasses, by all  
19 means, any time, and any time you need a break, if you  
10:27:17 20 need more water, please. This is not meant to make you  
21 uncomfortable, sir.

22 A. That's good.

23 Q. Yes, correct. So by "beneficiaries", that  
24 means people who were subject to the "land for guns"  
10:27:36 25 deal?

10:27:44 1 A. Correct.

2 Q. Like yourself?

3 A. That's right.

4 MR. MOLINA: Mr. Hill, do you mind just  
10:27:54 5 having him confirm that he can read the text and, if  
6 not --

7 MR. HILL: Sure. Of course.

8 MR. MOLINA: -- just ask if he needs to  
9 have it blown up a little bit? That would be great.

10:28:04 10 Thank you.

11 Q. Sir, if at any time I'm asking you about  
12 documents on the screen and they're too small or you  
13 otherwise can't read them, please let me know, and we  
14 will make sure that they're -- you'd like it a little  
10:28:18 15 bigger?

16 MR. HILL: Can you blow up just a little  
17 bit.

18 A. Yes, please. Yes.

19 Q. Okay. And we confirm 72 beneficiaries?

10:28:36 20 A. That is correct.

21 Q. Now, in paragraph 1, it says:

22 "They requested to be given the  
23 certificate of assignment and then the certificate of  
24 possession."

10:28:51 25 Do you see that?

10:28:55

1 A. Yes.

2 Q. But in paragraph 2, it says:

3 "They also mentioned that they are still  
4 waiting for President Alemán to offer them a solution

10:29:07

5 since such property, which consists of 800 manzanas, was  
6 given to them in 1990."

7 Do you see that?

8 A. Yes.

10:29:23

9 Q. So you're still waiting for the government to  
10 fulfill its promise at this time, correct?

11 A. Correct. That's right.

12 Q. Okay.

10:30:03

13 MR. HILL: You can take that down. Can we  
14 put that back up? Sorry, I had one more. Slide down on  
15 the English side for a moment. I'll tell you when to  
16 stop. No, go back up. First page.17 Q. In the next part of that same paragraph, it  
18 indicates --

10:30:44

19 MR. HILL: Bottom of the page. Last bit on  
20 the English side. "To date", can you highlight that for  
21 him on the Spanish side.

22 Q. The last sentence says:

10:31:12

23 "During the decade of the government of  
24 Chamorro, and as agreed by the national resistance  
25 demobilization, 1,190 people were placed in this area

10:31:17 1 and given the property on November 22nd of that year."

2 Is that correct?

3 A. That is correct.

4 Q. And also, the last sentence:

10:31:37 5 "To this date their situation has not been  
6 solved."

7 A. That's right. That's right.

8 Q. Now, there's no mention in this document that

9 El Pavón members had any dispute with INAGROSA, the

10:31:54 10 company?

11 A. That's right.

12 Q. Or with the Rondón family?

13 A. Neither.

14 Q. In fact, you've never met Mr. Carlos Rondón,

10:32:10 15 the son. You mentioned the father, but now I'm speaking

16 of Carlos Rondón Molina. You've never met that

17 gentleman, have you?

18 A. I have seen him sometime. Nothing more.

19 Q. And you've never met Mr. Luis Gutiérrez. Is

10:32:33 20 that correct?

21 A. No, I don't know who that is.

22 Q. You've never spoken to Mr. Carlos Rondón Molina

23 on the telephone, have you?

24 A. No, never.

10:32:52 25 Q. You never called him?

10:32:55

1

A. Never.

2

Q. Never wrote him a letter?

3

A. No, never.

4

Q. Never written an email?

10:33:06

5

A. No, I have not.

6

Q. You've never had any communication with

7

Mr. Rondón about the El Pavón property, have you?

8

A. No, never.

9

Q. Do you recall that there was an inspection of

10:33:24

10

El Pavón in 1999 carried out by Mr. Francisco Rivera?

11

A. No.

12

Q. Let me see if I can refresh your recollection.

13

MR. HILL: Please pull up R-177, tab 12.

14

Paragraph 3.

10:34:12

15

Q. Just read that to yourself, sir. Paragraph 3

16

of R-177, tab 12.

17

I'll ask a different question.

18

Do you recall a time in 1999 when the

19

officers of the OTR and the Human Rights Commission for

10:34:39

20

Agrarian Affairs of the former Nicaraguan Resistance

21

inspected the property? Do you see that?

22

MR. MOLINA: Could you just ask him to make

23

sure that he's following along before you ask him

24

questions? I just want to make sure that he's had a

10:34:52

25

chance to read and understand the text that you want him



10:34:54 1 to read before he answers any question.

2 MR. HILL: Fair enough, Mr. Molina.

3 Q. Were you able to read paragraph 3 to yourself?

4 Okay. Were you able to read paragraph 3?

10:35:48 5 A. Yes.

6 Q. Does it refresh your recollection that there  
7 was such an inspection of the El Pavón area in 1999?

8 A. Yes.

9 Q. And it also says that they verified that there  
10:36:03 10 were about 70 demobilized members of the former  
11 Resistance working that part of the land. Is that  
12 accurate?

13 A. Yes, that's right.

14 Q. So by this date -- well, in 1999, as it  
10:36:21 15 references, there were now 70 members -- about 70  
16 members there, correct?

17 A. Yes. Families.

18 Q. Now, in the next paragraph -- read the next  
19 paragraph, sir, please.

10:37:34 20 MR. MOLINA: While he reads, Mr. Hill, have  
21 you -- I'm sorry, I don't remember hearing it -- have you  
22 identified to him what this document is?

23 MR. HILL: Yes, I have.

24 MR. MOLINA: As in who sent it as well?

10:37:46 25 MR. HILL: We can do that.

10:37:48 1 MR. MOLINA: Please.

2 Q. First of all, let me confirm you've read  
3 paragraph 4.

4 A. Yes, that's right.

10:37:54 5 MR. HILL: Fair enough, Mr. Molina. Could  
6 you go up to the top and let's identify the document,  
7 please, more clearly? That's fair. I'm sorry, the top  
8 of this tab. Tab 12. Top of this particular page.  
9 Okay.

10:38:27 10 Q. So this is a letter from the Ministry of  
11 Finance and Public Credit, Property Intendancy, Office  
12 of Rural Title Registration sent to an engineer, José  
13 David Castillo, Secretary of the President's Office and  
14 dated January 5, 2001.

10:39:02 15 A. That's right.

16 Q. Have you seen this document before?

17 A. Yes.

18 MR. HILL: So slide back down to the last  
19 paragraph again. Paragraph 5 -- paragraph 4.

10:39:23 20 Q. You've read that to yourself. And this  
21 indicates at the end that they were agreeing to send a  
22 Mr. Francisco Rivera, the Presidential Delegate for  
23 Agrarian Affairs of the former Nicaraguan Resistance, to  
24 visit the property in coordination with OTR.

10:39:43 25 Do you see that?

10:39:49 1 A. Yes, that's right.

2 Q. So page 2, please. Can you read the part  
3 starting with "Por lo anteriormente" -- "Based on the  
4 foregoing ..." -- read that to yourself and the (a) and  
10:40:31 5 (b).

6 A. Yes.

7 Q. So this indicates that there were two -- well,  
8 first, they were going to verify the possession of the  
9 demobilized people. That was your group, El Pavón,  
10:40:53 10 correct?

11 A. That is correct.

12 Q. And then do one of two things:

13 "Separate the area in possession of the  
14 demobilized people, declare it of public use and pay the  
10:41:05 15 Rondón family in cash."

16 Or second:

17 "Negotiate with the registration claimants  
18 a potential relocation in another property previously  
19 owned by the State."

10:41:18 20 Did I read that accurately?

21 A. Yes, yes.

22 Q. Now, by that time I think we saw it was  
23 January 5, 2001. Your testimony was that there were  
24 only former members of the Resistance in your group,  
10:41:47 25 El Pavón, working the land. Is that right?

10:41:49 1 A. Yes, that's right.

2 Q. That's who were sent to the land in 1990,  
3 correct?

4 A. Yes, that's right.

10:42:00 5 PRESIDENT: Just for the record, the live  
6 streaming has now resumed in both languages as of around  
7 10:40.

8 MR. HILL: Thank you, Mr. President.

9 Q. But you know that there were other people  
10:42:17 10 working the land at that time, do you not?

11 A. Yes.

12 Q. How did they get there?

13 A. I'm sorry. The question, what date?

14 Q. 2001. The letter was January 2001. I'm saying  
10:42:41 15 that general time frame.

16 A. Correct, yes. They were family members of the  
17 ones who were there, who were working there.

18 Q. They didn't pay to be able to work there?

19 A. No.

10:43:00 20 Q. They didn't pay El Pavón members to have the  
21 right to work the land?

22 A. No, no.

23 Q. Because that would be land trafficking,  
24 correct?

10:43:14 25 A. Correct. You can't sell something that you

10:43:21 1 don't legally have.

2 Q. Of course. So you didn't do that, did you?

3 A. No, I did not.

4 Q. Did anyone else in your group do that?

10:43:32 5 A. No.

6 Q. And you would have known that, correct?

7 A. Excuse me?

8 Q. You would have known because you've stated that

9 you knew everything that was going on, correct?

10:43:51 10 A. Yes. Had that been done, I would have known.

11 But no.

12 Q. Now, you know that as --

13 MR. HILL: You can take that one down,

14 please.

10:44:00 15 Q. So that letter we just looked at, R-177, tab

16 12, indicated that there would be another -- that there

17 would be an inspection of the property by Mr. Francisco

18 Rivera, correct?

19 A. Yes, that's right.

10:44:16 20 Q. Did you go with him the day he made that

21 inspection?

22 A. No. He never arrived for any inspection.

23 Q. Are you -- okay.

24 MR. HILL: Pull up R-177, tab 14, please.

10:45:13 25 I stand corrected. This was actually an inspection by --

10:45:18 1 let's look at a document. We've pulled up R-177, tab 14.  
2 And this is a memorandum to a Marco Centeno Caffarena to  
3 Francisco Rivera.

4 Q. Do you see that?

10:45:40 5 A. Yes.

6 Q. And this was dated February 5, 2001. Do you  
7 see that?

8 A. Yes.

9 Q. And it first indicates that in the middle of  
10:45:50 10 the prior year, an inspection was conducted in the  
11 property named Hacienda Santa Fé. Is that correct?

12 A. Yes.

13 Q. And it says:

14 "There were about 200 workers who grew  
10:46:05 15 coffee and coffee nurseries ready to be planted in the  
16 different plots of land of the parcel."

17 Do you see that?

18 A. Yes.

19 Q. And it says it's connected --

10:46:19 20 MR. MOLINA: Mr. Hill, sorry to interrupt.  
21 Do you mind either highlighting or at least blowing up  
22 the text that you want him to read?

23 MR. HILL: Thank you, Mr. Molina.

24 Paragraph 1, please blow it up a little bit and highlight  
10:46:31 25 it.

10:46:39 1 Q. Okay. I want to make sure you can read  
2 paragraph 1. You can read it, sir?

3 A. Yes.

4 Q. So when it's talking about the 200 workers  
10:46:51 5 growing coffee in the different plots ready to plant,  
6 this is talking about Hacienda Santa Fé, the INAGROSA  
7 operation, correct?

8 A. Yes, but that's not what we had in El Pavón.  
9 It was just us.

10:47:18 10 Q. Yes. This is the part of the INAGROSA farming  
11 operations, the coffee plantation, correct?

12 A. That's right.

13 Q. Now, next paragraph, please. If you can just  
14 read briefly the second paragraph, I'll ask you a couple  
10:47:54 15 of questions.

16 It says, "They walked around the property  
17 to check if there were any demobilized members of the  
18 Resistance. There were some huts with some corn crops  
19 in the eastern area. When we talked to the people  
10:48:12 20 living in those huts and asked why they were there, they  
21 could not provide any concrete explanation."

22 Do you see that? Do you see the words  
23 there, sir?

24 A. Yes, yes.

10:48:36 25 Q. The question is were you there for that

10:48:39 1 inspection in 2000 -- in 2000?

2 A. Correct.

3 Q. So you were there with Mr. Jiménez -- I mean,  
4 Mr. Rivera that day?

10:48:58 5 A. He did not introduce himself. He did not  
6 arrive.

7 Q. So you're saying that Mr. Jiménez is not  
8 telling the truth when he says we walked around the  
9 property?

10:49:16 10 A. Yes.

11 Q. You understand that he was the Presidential  
12 Delegate for Agrarian Affairs of the Nicaraguan  
13 Resistance, correct?

14 PRESIDENT: You said Mr. Jiménez. Did you  
10:49:31 15 mean to say --

16 MR. HILL: I don't know why I got on  
17 Jiménez. There are too many -- thank you, Mr. President.

18 Q. Mr. Rivera. Mr. Francisco Rivera was -- let me  
19 go back to the question.

10:49:43 20 You are aware that Mr. Francisco Rivera  
21 was the Presidential Delegate for Agrarian Affairs of  
22 the Nicaraguan Resistance, correct?

23 A. Yes, that's right.

24 Q. Do you know that gentleman?

10:49:58 25 A. No, no.



10:50:01 1 Q. So you're saying that this letter is a fraud?

2 A. No, I don't know about that letter.

3 Q. Okay. It says --

4 MR. HILL: In the next paragraph, please.

10:50:32 5 Q. Well, let me clarify first.

6 Were you present for an inspection in  
7 around the middle of 2000 whether or not Mr. Jiménez was  
8 there?

9 A. That's right.

10:50:50 10 Q. Who was there from the government?

11 A. The delegate at that time.

12 Q. Let me back up, and I'm going to say -- let me  
13 finish this. I'll go on.

14 In the fourth paragraph it indicates:

10:51:15 15 "The people in charge of those huts were  
16 summoned to the OTR INAGROSA office."

17 Did that happen?

18 MR. MOLINA: Mr. Hill, do you mind on the  
19 Spanish version going to the fourth paragraph and letting  
10:51:32 20 him read it, please?

21 Q. Go ahead and read it, Commissioner López.

22 MR. MOLINA: I don't believe the fourth  
23 paragraph --

24 MR. HILL: It's the third paragraph. The  
10:51:48 25 third paragraph. The one at the bottom of the page in

10:51:50 1 Spanish.

2 MR. MOLINA: Thank you.

3 MR. HILL: Could you highlight the English

4 also? Thank you.

10:52:10 5 Q. Have you read the third paragraph?

6 A. Yes.

7 Q. Are you aware that people from El Pavón were

8 summoned to the OTR Jinotega office?

9 A. Yes.

10:52:43 10 Q. And it describes a man named Gutiérrez. Do you

11 see that?

12 A. No.

13 Q. Well, it does describe a man that says he was

14 named Gutiérrez. Do you see the words?

10:53:08 15 A. Yes.

16 Q. It says -- it says he was a saddler, whose

17 address was in the Jinotega market. Do you see that?

18 A. Yes.

19 Q. Do you know someone named Gutiérrez who was a

10:53:27 20 saddler?

21 A. No, no.

22 Q. You don't know this gentleman?

23 A. No, no.

24 Q. And it says at the end of the sentence:

10:53:38 25 "He was not subject to the Agrarian Reform

10:53:42 1 but rather one who, according to him, bought from other  
2 people."

3 Do you see that?

4 A. Yes, yes.

10:53:56 5 Q. And you're saying that that didn't happen, even  
6 though it's contained in this government report?

7 A. That did not happen.

8 Q. You said you were present during this  
9 inspection, correct?

10:54:15 10 A. Yes.

11 Q. Did you show the inspectors the houses that  
12 were built there?

13 A. Yes, that's right.

14 Q. Did you show him the schools that were built  
10:54:33 15 there?

16 A. Yes, that's right.

17 Q. Did you show him the roads that your group,  
18 El Pavón, built?

19 A. That's right.

10:54:43 20 Q. Did you show him the extensive crops that you  
21 had planted?

22 A. That's right.

23 Q. So all those things you showed the inspectors  
24 that are not contained in this report, what's your  
10:54:59 25 response to that?

10:55:15 1 A. Excuse me, but what exactly is the question?

2 Q. I'll move on. At the bottom -- sorry, at the  
3 next page where you -- there we go.

4 Now, this report from Mr. Rivera, if you  
10:55:34 5 could just read in there opinion and recommendations.

6 A. Yes.

7 Q. And those recommendations were to conduct a  
8 final inspection in order to verify the true land  
9 claimants, negotiate with those true beneficiaries of  
10:56:05 10 the Resistance in order to relocate them, and then it  
11 will be agreed with INAGROSA.

12 Do you see that?

13 A. Yes.

14 Q. And as we've established, that never happened,  
10:56:24 15 correct?

16 A. It never happened.

17 MR. HILL: Mr. President, I know we were  
18 delayed but this might be an appropriate time for a  
19 break.

10:56:34 20 PRESIDENT: Yes, I was going to suggest or  
21 rather ask if we could break around now.

22 You have estimated an hour and a half.

23 Are you on target?

24 MR. HILL: Mr. President, it's going a  
10:56:50 25 little slower with the translation and the reading, so

10:56:53 1 it's going to take a little longer than that.

2 PRESIDENT: Okay. Let's break for 15  
3 minutes until 10 past 11.

4 MR. MOLINA: Mr. President, do you mind  
10:57:15 5 giving instructions to --

6 PRESIDENT: Mr. López, I should remind you  
7 again you are still under examination so you shouldn't  
8 speak with anybody during the break about your testimony.

9 MR. LÓPEZ: Okay.

10:57:30 10 *(Brief Recess)*

11 PRESIDENT: Let's go on. Mr. Hill?

12 MR. HILL: Thank you, Mr. President.

13 BY MR. HILL:

14 Q. Commissioner López, shortly before the break I  
11:14:34 15 was asking you about selling land, and you said  
16 absolutely that did not happen, correct?

17 A. That's correct.

18 Q. Did you personally sell any land to the Obando  
19 family?

11:14:54 20 A. No.

21 Q. Do you know the Obando family?

22 A. I do not.

23 Q. You don't know Freddie Obando.

24 A. I do not.

11:15:13 25 Q. You don't know Alvaro Obando?

11:15:15 1 A. No, I don't know him either.

2 Q. Do you know their mother?

3 A. I do not.

4 Q. These people who lived at the property and

11:15:22 5 worked at the property, you don't know them?

6 A. I do not.

7 Q. Do you know a gentleman named Ciribo?

8 A. I do not.

9 Q. Did you sell him land to work on at Hacienda

11:15:46 10 Santa Fé?

11 MR. MOLINA: Mr. Hill, I believe he said he  
12 doesn't know him.

13 A. I do not.

14 Q. Do you know -- okay. Well, did you sell

11:15:55 15 property to Victor Herrera?

16 A. No, I didn't either.

17 Q. Are you saying that none of these people ever  
18 worked on the land at Hacienda Santa Fé?

19 A. Yes.

11:16:19 20 Q. Do you know how the Obando -- never mind. Move  
21 on.

22 This was in about 2000. Is it your  
23 testimony that the Obando family did not work the land  
24 at Hacienda Santa Fé?

11:16:39 25 A. 2000?

11:16:40 1 Q. Yes, the year 2000. The Obando family were on  
2 the land at Hacienda Santa Fé working, correct?  
3 A. Yes, they were working there. Yes.  
4 Q. Okay. They were working in the El Pavón  
11:16:53 5 sector, correct?  
6 A. El Pavón. They were working in El Pavón.  
7 Q. They were part of your group then?  
8 A. Yes.  
9 Q. Were they beneficiaries of the Agrarian Reform?  
11:17:10 10 A. Yes.  
11 Q. They were former Contreras?  
12 A. Yes.  
13 Q. Were they listed as part of your group?  
14 A. Yes.  
11:17:23 15 Q. When I asked you a minute ago about Freddie  
16 Obando, you said you did not know him?  
17 A. Well, no. The name escaped me a little bit.  
18 Q. The name -- well, I said both Obando and  
19 Freddie Obando and you said no, no, no. Are you  
11:17:47 20 changing your testimony?  
21 A. Well, what happens is that a long time went by,  
22 and I didn't really remember the name. The last name.  
23 Q. And how about Álvaro?  
24 A. Álvaro Obando, you say. I think he's his  
11:18:23 25 brother.

11:18:24

1

Q. Yes.

2

At what time did they come onto the land?

3

A. In El Pavón, when we went in they came in as

4

well. 1990, thereabouts.

11:18:48

5

Q. Okay. Now, I'd asked you questions before

6

about selling land to them, and you were saying you

7

didn't know them. Now that you remember that you know

8

them, did you sell them land?

9

A. I did not.

11:19:09

10

Q. And if they tell people that you sold them

11

land, they would be lying?

12

A. They would be lying, yes. I had not done that.

13

Q. Sir, let's go back one more time to

14

Victor Herrera. Take your time now and think about it.

11:19:36

15

Have you forgotten him as well?

16

A. Victor Herrera. I have heard that name, yes.

17

Q. Did he also work on the land at Hacienda

18

Santa Fé?

19

A. He did not.

11:20:09

20

Q. How old were you in -- how old are you now,

21

sir?

22

A. 56.

23

Q. So you were born in 1968?

24

A. That's right.

11:20:26

25

Q. Sir, in your first witness statement you



11:20:31 1 described your occupation as a farmer, and you did not  
2 include the fact that you were also a commissioner for  
3 the Sandinista party. Isn't that right?

4 A. Yes, that's right.

11:20:51 5 Q. Did you not want our side to know that you were  
6 a member of the Sandinista party and an elected  
7 government official?

8 A. I didn't mention it at the time because I am a  
9 farmer. I'm the council member, and I'm just a leader,  
11:21:17 10 and sometimes I go to meetings at the mayor's office.  
11 That's why I didn't mention it at the time.

12 Q. Is it something that you just forgot, like the  
13 Obando family?

14 MR. MOLINA: I'd really -- I'd like to make  
11:21:35 15 an objection. I don't appreciate that this -- the way  
16 Mr. Hill is characterizing the testimony Mr. López is  
17 giving. He's been asked questions about people that he  
18 supposedly knew or may have known more than 20 years ago.  
19 And if Mr. Hill has a question about whatever testimony  
11:21:57 20 he wants -- Mr. López has given, that's fine. I don't  
21 think it's fair to characterize it to Mr. López that he's  
22 forgotten or that he's -- I'd just generally object to  
23 this line of questioning.

24 PRESIDENT: I think it's fair, he didn't  
11:22:15 25 mention this in his witness statement, so please proceed.

11:22:17 1 It's up to you how you formulate the questions to elicit  
2 the answers that would be useful for the Tribunal.

3 MR. HILL: Thank you, Mr. President.

4 Q. Sir, you are aware that by at least  
11:23:01 5 September 2001, the government had made the decision to  
6 relocate the occupiers of the Hacienda Santa Fé  
7 property. Is that right?

8 A. I think that is not correct. I think they were  
9 evicted in 2003.

11:23:23 10 Q. Yes, but I'm asking before 2003, the government  
11 had clearly expressed that the decision had been made to  
12 relocate your members of your co-op. Whether it took  
13 until 2003 for the eviction, the question is at that  
14 time, 2001, the government made the decision?

11:23:52 15 A. That's correct. That's correct.

16 Q. So there was no more decision-making at the  
17 government with regard to the possibility of allowing  
18 the co-op members to stay on the land at Hacienda  
19 Santa Fé?

11:24:18 20 A. In 2003, they didn't allow us to stay in  
21 El Pavón.

22 Q. But in 2001, the decision had been made that  
23 you were going to be relocated, not stay on El Pavón, as  
24 you call it?

11:24:42 25 A. Yes, that's correct. But we were there. We

11:24:45 1 were waiting for them to recognize the improvements and  
2 things still.

3 Q. You weren't still waiting for that in 2001.  
4 You knew that the government had made the decision to  
11:24:58 5 move you to somewhere else. Relocation?

6 A. Yes, that's correct.

7 Q. And that then the property would be returned to  
8 its legal owners, correct?

9 A. That's right. That's right.

11:25:19 10 Q. Now let's talk about the eviction. The  
11 eviction occurred in 2003 and early 2004, correct?

12 A. That's right.

13 Q. You say in your witness statement that security  
14 guards of Hacienda Santa Fé tore down and burnt houses.  
11:25:38 15 Is that right?

16 A. That's correct.

17 Q. Now, you don't cite any evidence that those  
18 things happened, do you?

19 A. I think there are pictures -- there's a  
11:25:57 20 picture. They tore down houses and the schools and they  
21 destroyed everything.

22 Q. Okay. We'll look at that in a moment. I think  
23 I know what you're referring to. But you -- in your  
24 witness statement you talk about those things, but you  
11:26:11 25 do not say you were actually there to see it. Isn't

11:26:16 1 that right?

2 A. Yes, that's correct.

3 Q. And you have -- you yourself have no pictures.  
4 You cited a newspaper article in your witness statement?

11:26:40 5 MR. CASTRO: Yes.

6 MR. HILL: Let's pull up R-36, please.

7 Q. Okay. We have pulled up R-36, and this is a  
8 newspaper article. Is this the -- are these the photos  
9 that you were speaking about a moment ago?

11:27:46 10 A. That's right.

11 Q. And this is the only objective evidence that  
12 you cite for the fact that you say the Hacienda Santa Fé  
13 guards tore down and burned buildings -- or tore down  
14 and burned houses, correct?

11:28:06 15 A. That's right.

16 Q. And I think you said -- correct me if I'm  
17 wrong -- that they also tore down and burned schools.  
18 Is that right?

19 A. Yes.

11:28:16 20 Q. There are no pictures of any schools here, are  
21 there, sir?

22 A. Of course. Well, let's see. The schools --  
23 well, it's the place where the schools were, just that.

24 Q. I don't understand your testimony, sir.

11:28:35 25 Are there pictures here -- there's three

11:28:38 1 pictures. Picture 1 is a gentleman standing in front of  
2 a wooden hut, the second is a gate, and the third is  
3 some piles of what looks like lumber. Where is the  
4 school in these photos?

11:29:10 5 A. Right here. Down here. The one down here.

6 Q. The bottom picture? The bottom picture is a  
7 picture of the school?

8 A. I'm sorry. That's where the school was. It's  
9 been -- that's where the school was.

11:29:49 10 PRESIDENT: Thank you.

11 Q. I'm asking -- sir, I'm asking if one of these  
12 three pictures shows the actual school, the structure?  
13 You've said that there were schools there and that they  
14 were torn down. Please show the Tribunal where the  
11:30:06 15 schools were torn down shown in this picture.

16 A. Just the area that was destructed, not the  
17 structure. The area.

18 Q. So there's no picture of the schools that you  
19 say were destroyed?

11:30:32 20 A. No, there is none.

21 Q. Go to the next page of the English, please.  
22 We're going to have to find a way to highlight the  
23 Spanish.

24 Now, when we started this, I asked if you  
11:30:42 25 had any objective evidence -- photos, et cetera --

11:30:45 1 regarding what you say was the Hacienda Santa Fé guards  
2 tearing down buildings, and you pointed to this  
3 newspaper article. Is that right?

4 A. That's right.

11:31:06 5 MR. HILL: Can you blow up the first two  
6 paragraphs of the Spanish? That much will be enough for  
7 now. The left column there, can you highlight that for  
8 him? Highlight the left -- yes.

9 MR. MOLINA: Mr. Hill, could you make sure  
11:31:28 10 that he has his reading glasses if you're going to have  
11 him read from this and give him a chance to confirm that  
12 he's actually able to read it?

13 MR. HILL: Of course.

14 Q. Take your time, sir. Reading glasses?

11:32:14 15 Sir, just to be clear, any time I ask you  
16 to read something, please take your time. Get your  
17 glasses. I'll try to remind you to do so, but you're  
18 not being tested on your eyesight. We just want to test  
19 your testimony. Okay?

11:32:28 20 All right. So the first paragraph  
21 indicates that the children's school was destroyed,  
22 houses burned down, et cetera. Do you see that in the  
23 first paragraph? It talks about the school and houses.  
24 You see that?

11:32:46 25 A. That's right.

11:32:47 1 Q. And then in the second paragraph it indicates  
2 that you, Commissioner López, the President of the  
3 Cooperative, was the source of that information?

4 A. That's right.

11:33:05 5 Q. So when you say you have objective evidence  
6 from this newspaper article, you were just quoting  
7 yourself. Isn't that right?

8 A. Yes.

9 Q. And you weren't there?

11:33:24 10 A. What do you mean, I wasn't there?

11 Q. You weren't there when this happened, you said  
12 a moment ago.

13 A. At that point in time I wasn't there.

14 Q. Thank you.

11:33:40 15 MR. HILL: Now go to the second page of the  
16 English, and I'll pinpoint the place that we want to get  
17 to in Spanish, please. Thanks, Joe. Second page of  
18 English -- I'm sorry, we're on the second. Third page,  
19 please. Okay. If you could highlight the part that  
20 starts with "El Nuevo Diario." Then please find that  
21 same part in the Spanish, and I'm going to ask a question  
22 while you get that up.

11:34:03 23 Q. I'm just going to ask you to confirm your  
24 testimony is that the Rondón family promised  
11:34:36 25 compensation to the families who were being relocated or

11:34:39 1 being evicted from Hacienda Santa Fé. Correct? They  
2 promised money?

3 MR. MOLINA: Mr. Hill, if you're quoting or  
4 characterizing a portion of his written testimony, do you  
11:34:52 5 mind just referring him to it?

6 MR. HILL: Certainly, Mr. Molina, if he  
7 says he doesn't remember. I think he'll remember this.

8 Q. Sir, you said the Rondón family promised you  
9 money to help with relocation. Do you remember that?

11:35:14 10 A. Yes, the ones left behind, they had promised  
11 that, yes.

12 Q. (No audible question)

13 A. No, I don't know because I wasn't there. The  
14 people that left behind.

11:35:37 15 THE REPORTER: Your question wasn't on the  
16 audio record.

17 MR. HILL: Let me go back to that. For the  
18 audio, sir, I'm going to repeat the question.

19 Q. The question was you have testified that the  
11:35:49 20 Rondón family did not pay the people who were evicted?

21 A. Yes.

22 Q. Now, in the paragraph that we have highlighted  
23 that begins "El Nuevo Diario." Do you see that?

24 A. That's right.

11:36:16 25 Q. And this paragraph indicates that Mr. Marco



11:36:19 1 Molina and Mr. López Bonilla, who represented the Rondón  
2 family as attorney in fact and administrator of Hacienda  
3 Santa Fé, denied that any of this happened. And I think  
4 that means the burning and destruction that you say was  
11:36:51 5 done by the Hacienda Santa Fé guards. Do you see that?

6 A. Yes.

7 Q. But your story is different. You do say it was  
8 the Hacienda Santa Fé guards who actually did that,  
9 correct?

11:37:07 10 A. That's right.

11 Q. Not the police who were there also?

12 A. Also the police was there.

13 Q. Okay. Did the police tear things down?

14 A. Yes. They were there at that time.

11:37:21 15 Q. Well, you weren't there?

16 A. Not me, but I was told. I was told by those  
17 who were there.

18 Q. It also says that Mr. López Bonilla and  
19 Mr. Molina indicated that they "summoned those occupying  
11:37:42 20 the 800 manzanas of land that belong to the company, who  
21 willingly accepted 1,000 córdobas to abandon their  
22 parcels with the commitment of being relocated anywhere  
23 they wanted."

24 Do you see that?

11:38:01 25 A. Yes.

11:38:03 1 Q. But you deny that the Rondón family or INAGROSA  
2 paid these people, correct?

3 A. Yes. I was saying that because I didn't see  
4 that in due course.

11:38:23 5 Q. Because you weren't there?

6 A. Correct. That's right.

7 Q. So if you weren't there to see it, you can't  
8 verify that it happened, correct?

9 A. Yes.

11:38:36 10 MR. HILL: Let's go back now to page 1 of  
11 the English. I'm sorry, this page. Page 2 of the  
12 English and let me find the portion and then we'll  
13 highlight the Spanish. This will be the second to the  
14 last paragraph in the English starting with "Dionisio  
11:38:56 15 Rugama Espinoza."

16 Q. Do you know Mr. Espinoza?

17 A. No.

18 Q. The newspaper article recites that it was his  
19 house that was burned down. Do you see that?

11:39:29 20 A. Yes.

21 Q. Are you saying that he was not somebody who  
22 lived at the land at Hacienda Santa Fé?

23 A. Yes.

24 Q. He didn't even live there?

11:39:48 25 A. Yes.

11:39:49 1 Q. All right. Well, the newspaper article quotes  
2 him as saying that his house was burned down?

3 A. That's correct.

4 Q. But that can't be correct because you said he  
11:40:07 5 didn't live there, right?

6 A. Yes, at that point. But at that moment -- I  
7 wasn't there. I wasn't there when the house was burned  
8 down.

9 Q. So let's go down to the part that says:

11:40:22 10 "Three agents entered his house, they  
11 removed machetes, then forced him to sign a receipt  
12 giving one thousand córdobas to his wife, one thousand  
13 to him, and one thousand to his sister-in-law."

14 Do you see that?

11:40:52 15 A. Just a second.

16 Yes.

17 Q. But your testimony before was that the Rondón  
18 family never paid compensation, right?

19 A. Usually I am saying no because I didn't see it,  
11:41:05 20 but I don't know if they would pay them.

21 Q. You don't know if they paid anyone who had been  
22 working at -- hold on, sir. I've got to finish my  
23 question. Sorry.

24 You don't know if anyone who was at  
11:41:20 25 Hacienda Santa Fé during the eviction of 2003 was paid

11:41:24 1 compensation. Isn't that right?

2 A. Yes. They were there, but I don't know whether  
3 they got paid or not.

4 Q. Thank you.

11:41:41 5 Then if the newspaper article quoting this  
6 gentleman says that he got paid, then the newspaper is  
7 wrong. Is that right?

8 A. Could be.

9 Q. Commissioner López, in 2003 you were no longer  
11:42:22 10 the president of the co-op. Is that right?

11 A. Of course I was still.

12 Q. One moment, please.

13 MR. HILL: Could we pull up his witness  
14 statement, RWS-04? I'll go to paragraph 10.

11:42:58 15 Q. And sir, you've got your glasses. Could you  
16 take out your witness statement, the first one. It's in  
17 front of -- yes, it's in that folder, sir. Sir?

18 Did you get the translation?

19 Yes, sir, could you take out your witness  
11:43:29 20 statement, the first one, RWS-04, and turn to  
21 paragraph 10. This indicates that you formalized the  
22 cooperative in 1995, and you were president until 2003.  
23 Do you see that?

24 A. Yes, that's right.

11:44:12 25 Q. So at what point in time did you cease being

11:44:17 1 the president of the co-op?

2 A. Up to 2005, when I was removed, I continued to  
3 be -- I was in possession, I was outside, but we were  
4 working to see if the rest of the people that had been  
11:44:45 5 evicted can be resettled.

6 Q. So in fact, you were the president until 2005,  
7 not until 2003. Is that right?

8 A. Yes. Yes.

9 MR. HILL: We can take that down.

11:45:07 10 Q. And isn't it true, sir, that you were removed  
11 because you mishandled money of the co-op?

12 A. No, that is not true.

13 Q. After the evictions, you wrote some letters to  
14 the government. Do you remember that?

11:45:27 15 A. That is correct.

16 MR. HILL: Could we have R-54, please?

17 Q. I am showing you a letter which is R-54. It's  
18 a letter --

19 MR. HILL: Scroll to the end on the Spanish  
11:45:58 20 side so he can see.

21 Q. Is that your signature?

22 A. That's right.

23 Q. So you wrote this letter --

24 MR. HILL: Back up to the top, please.

11:46:10 25 Q. -- to Mr. Andres Tinoco?

11:46:17

1

A. Yes.

2

Q. He was department delegate, property  
intendancy, City of Jinotega?

3

4

A. That's right.

11:46:32

5

Q. In this letter the co-op was demanding land and  
got a commitment from the government to provide co-op  
members the La Paz parcel. Is that right? Let's find  
it.

6

7

8

9

A. Yes.

11:46:52

10

Q. You listed 27 members who wanted to go to  
La Paz.

11

12

MR. HILL: Slide down to show him the  
members, please.

13

14

Q. 27 members of your co-op. Is that right?

11:47:10

15

A. That's right.

16

Q. Now, Mr. Rondón and his company did not make a  
commitment in this regard, did they?

17

18

A. What do you mean? At that time they did.

19

Q. No, they -- I'm saying that it was the  
government that made the commitment.

11:47:32

20

21

A. Yes, yes, it committed.

22

Q. Yes, the government committed.

23

A. The government.

24

Q. Thank you. But by this time they had not  
made -- they had not fulfilled that commitment, correct?

11:47:49

25

11:47:53 1 A. That is correct.

2 Q. And you're talking about moving to La Paz, not  
3 moving back to Santa Fé?

4 A. That's correct, yes.

11:48:05 5 MR. HILL: Okay. You can take down that  
6 exhibit and pull up R-35, please. Actually, pull up his  
7 witness statement, please, RWS-4. The first witness  
8 statement.

9 Q. Sir, I'm going to be asking you questions about  
11:48:27 10 paragraph 18 of your first witness statement. You have  
11 it open in front of you.

12 I'm simply going to read it into the  
13 record and then confirm I've got it accurately:

14 "On December 12, 2005 I sent another  
11:49:04 15 letter to the Property Intendancy delegate in Jinotega,  
16 making references to the history of how we had been  
17 allocated the El Pavón area and requesting the property  
18 to be returned to the communities or, failing this, that  
19 we should be relocated to Finca La Paz, as we had been  
11:49:25 20 promised."

21 Paragraph 18 of your witness statement.

22 A. That is correct.

23 MR. HILL: Show the footnote, please,  
24 footnote 11. It's a little small on the Spanish. I  
11:49:43 25 think the English is a little bigger, so can you -- yes,

11:49:51 1 there we go. On the Spanish side, make sure he can see  
2 it because I want to confirm this with him.

3 Q. Your reference, can you see that footnote 11?  
4 I know it's small, but you should be able to see  
11:50:08 5 footnote 11 that cites as your source R-35.

6 A. Yes.

7 MR. HILL: Now let's go to R-35, please.  
8 Slide down, please. One moment. Slide down. Slide  
9 down. Wait. Slide down. At the bottom here. If you  
11:52:03 10 could highlight the part in the last substantive  
11 paragraph, "We hope to be relocated to La Paz."

12 Q. The question is -- can you read that, sir?

13 MR. HILL: No, no, no. It's further up --  
14 further down on the Spanish. Further down on the  
11:53:05 15 Spanish.

16 MR. MOLINA: Mr. Hill, I think that the  
17 text you highlighted is the correct text. Do you mind  
18 just blowing it up a little bit so he can read it better?

19 MR. HILL: Yes, there it is.

11:53:24 20 Q. So this is requesting -- it says:

21 "We hope to be relocated to the La Paz  
22 parcel as soon as possible."

23 Correct?

24 A. That's correct.

11:53:38 25 Q. This letter does not say "We hope to be



11:53:40 1 relocated to La Paz or returned to El Pavón," does it?

2 A. Yes.

3 Q. It does not say that, correct?

4 A. Yes, it does.

11:54:01 5 Q. It says you want to go back to El Pavón?

6 A. The request is to be located in La Paz.

7 Q. Thank you. Not El Pavón?

8 A. No.

9 MR. HILL: Thank you. You can take that

11:54:36 10 down.

11 Q. Sir, is it fair to say that in 2003, 2004,  
12 2005, the time frame we've been talking about during and  
13 just after the eviction, you were disappointed in the  
14 government not fulfilling its promise to you for  
11:55:20 15 relocation?

16 A. That's correct.

17 Q. Sir, when you left the property this morning on  
18 your direct exam you said you went to "my place." Isn't  
19 that right?

11:55:49 20 A. That's right.

21 Q. So during the time that you say you were living  
22 at El Pavón, you also had a different place outside,  
23 correct?

24 A. No. No, I went back to the place where my mom  
11:56:09 25 was.

11:56:13 1 Q. Now, I've reviewed -- you write a lot of  
2 letters. We've seen a lot of them in the record, sir.  
3 Is that right?

4 A. Yes.

11:56:24 5 Q. And did you write them yourself?

6 A. No.

7 Q. Did you review them and approve them?

8 A. Yes.

9 Q. Just like your witness statement, right?

11:56:44 10 A. That's right.

11 Q. Now, I've reviewed carefully both your witness  
12 statements. I do not see any letters that you wrote  
13 after that one we just saw, R-35, in December 2005.

14 Did you write any further letters to the  
11:57:00 15 government after that December 2005 letter that we just  
16 looked at?

17 A. No. I don't know, no.

18 Q. And I do not see any record from your testimony  
19 or the documents of any trespass on Hacienda Santa Fé  
11:57:30 20 until 2018. Isn't that right?

21 A. Yes.

22 Q. Now, your witness statement says that you  
23 understood that INAGROSA planted avocado, but the  
24 results were not as expected. Do you see that? Or do  
11:58:02 25 you know that? Do you remember that?

11:58:06 1 A. That's right.

2 Q. But you have no personal knowledge of the  
3 success of the avocado production?

4 A. No.

11:58:15 5 Q. You never worked there?

6 A. No, never.

7 Q. And in that statement you did not even give a  
8 hearsay source. That is, you didn't even say who  
9 supposedly told you that, did you?

11:58:34 10 A. No.

11 Q. And you also said that the El Pavón sector  
12 seemed to be abandoned. And again, I'm forward now in  
13 time. Around the time of the invasions.

14 A. I apologize, but what is the question?

11:59:06 15 Q. You testified that at around the time of the  
16 invasions, the El Pavón sector of Hacienda Santa Fé  
17 seemed to be abandoned. Is that right?

18 A. That is right.

19 Q. Now, this is a big farm, is it not, sir?

11:59:26 20 A. Yes.

21 Q. And the El Pavón sector is a big portion,  
22 correct?

23 A. Yes, it was big.

24 Q. I have from the record that El Pavón is about  
11:59:39 25 1,200 -- let me do manzanas. 1,737 manzanas. Does that

11:59:48 1 sound about right?

2 A. That's right.

3 Q. And on that property there were a lot of trees,  
4 large and small, correct?

12:00:03 5 A. Yes.

6 Q. And a lot of brush, correct?

7 A. Brush. A lot of brush.

8 Q. Yet, you testified that you could see that a  
9 farm of this size was abandoned from your vantage point

12:00:21 10 outside the property?

11 A. Yes, that's right.

12 Q. Council Member López, you still live in the  
13 area, correct?

14 A. That's right.

12:00:37 15 Q. When you wrote your witness statement, you  
16 could have gone to the places where you were during the  
17 time of the invasions, taken photos and shown how  
18 clearly you could see across this vast wooded property,  
19 could you not?

12:00:59 20 A. No, no, no.

21 Q. You couldn't have taken pictures from where you  
22 were watching and looking into the property and show  
23 that you could see that the property was abandoned? You  
24 couldn't do that?

12:01:13 25 A. No, no.

12:01:15 1 Q. Well, where were you when you were looking into  
2 the property to say that the property was abandoned?  
3 A. From the place where I live, one can see.  
4 Q. And my question is you could have taken a  
12:01:34 5 picture from there to show this Tribunal that you can  
6 see all the way across that property, correct?  
7 A. Yes. No, no, I wouldn't -- not a photo.  
8 Q. You could not take a photo?  
9 A. No, no.  
12:02:01 10 Q. You're not able to take a photo of anything?  
11 A. Not at that time. Not of the trajectory  
12 through the farm.  
13 Q. You could see it but you couldn't take a photo?  
14 A. That's right.  
12:02:32 15 Q. Now, your witness statement says that it was  
16 El Pavón that was abandoned, but you know that Hacienda  
17 Santa Fé, the other area, was not abandoned at that  
18 time, correct?  
19 A. Yes.  
12:02:47 20 Q. Sir, what was the date of the invasion of  
21 Hacienda Santa Fé?  
22 A. 2007.  
23 Q. Did you mean 2017, sir?  
24 A. Yes.  
12:03:08 25 Q. So let's talk about the so-called invasion in

12:03:10 1 2017. Now, everyone here knows that there was an  
2 invasion of the eastern section of Hacienda Santa Fé in  
3 June 2018. There's been extensive testimony and  
4 documentation on that.

12:03:25 5 Is it possible that you got your years  
6 wrong, sir?

7 A. No.

8 Q. Now, your witness statement was written about  
9 six years after 2017 and five years after 2018. Again,  
10 maybe just a mistake?

11 A. Excuse me. What's the question?

12 Q. The question is you wrote your witness  
13 statement in this case six years after 2017. It was in  
14 2023 you wrote your witness statement. And I'm saying  
15 with that passage of time, is it possible that you made  
16 a mistake on the date?

17 A. Yes.

18 Q. Now, you are aware that Wama and others invaded  
19 the eastern sector of Hacienda Santa Fé on June 16,  
20 2018, correct?

21 A. No, it was 2017.

22 Q. Well, you do know that there was a later  
23 invasion, correct?

24 A. That's right.

12:04:48 25 Q. And you know that when the invasion happened in

12:04:53 1 2018, the invaders were immediately discovered by  
2 Hacienda Santa Fé security guards, correct?

3 A. That's right.

4 Q. And the INAGROSA employees called the police  
12:05:08 5 the same day. You're aware of that, correct?

6 A. I don't know whether they called them or not.

7 Q. You say -- well, you've testified that you  
8 could see, from where you live, that the land was  
9 abandoned, correct?

12:05:28 10 A. That's right.

11 Q. From outside the property?

12 A. From outside.

13 Q. You're aware that the farm, Hacienda Santa Fé,  
14 had trucks, a Rhino, ATV vehicles, and the employees of  
12:05:43 15 the farm could move around quickly across the farm,  
16 correct?

17 A. Yes.

18 Q. And, yet, you swear that 170 people occupied a  
19 portion of the farm for a year without being detected?

12:06:06 20 A. Yes.

21 Q. Even though you could see across the whole farm  
22 and these people were inside the farm and had access to  
23 all the parts with these fast ATV vehicles and 170  
24 people went undetected for a year?

12:06:21 25 MR. MOLINA: I'm just going to object.

12:06:23 1 You're telling him that he -- are --

2 THE INTERPRETER: Interpreter apologizes,  
3 wrong channel.

4 MR. MOLINA: Are we good?

12:06:36 5 I'm just going to object. You're telling  
6 him that he could see across the whole farm. If you  
7 could point me to the transcript where he said that. If  
8 not, please, I would ask that you -- if you're going to  
9 characterize testimony to Mr. López, that it be  
10 accurate. Thank you.

11 MR. HILL: I'll ask it a different way.

12 Q. Sir, you could see across at least the whole  
13 El Pavón area from where you lived, right?

14 A. Yes.

12:07:03 15 Q. That's how you knew it was abandoned?

16 A. That's right.

17 Q. But you're testifying that the employees,  
18 guards inside the farm with all these ATV vehicles,  
19 access to roads, ability to move around the farm, did  
12:07:23 20 not detect 170 invaders for a full year. Is that your  
21 testimony to this Tribunal?

22 A. That's right, yes.

23 Q. Now, you never visited the Hacienda Santa Fé  
24 area that you say was occupied during 2017, did you?

12:07:49 25 A. That's right.



12:07:51 1 Q. No photos?

2 A. Yes.

3 Q. You had photos?

4 A. No. There is a letter.

12:08:05 5 Q. I'm not asking about a letter. I'm asking  
6 about photos.

7 You've produced no texts from anyone, from  
8 Wama or anyone else, saying things are great here at  
9 El Pavón?

12:08:20 10 A. No.

11 Q. Sir, you know that you're the only witness  
12 that's been called by the government to testify about  
13 the invasion in 2017. Is that correct?

14 A. That's right.

12:08:38 15 Q. And you only know it based on a conversation  
16 that you had with Wama. Isn't that right?

17 A. That's right.

18 Q. Hearsay -- sorry, I lost the translation.

19 I said, "And that was hearsay?"

12:09:13 20 A. Yes, yes.

21 Q. Now, in 2017 you had recently finished a term  
22 as the regular council member on behalf of the  
23 Sandinistas, correct?

24 A. No.

12:09:29 25 Q. When did you finish your term at about that

12:09:33

1 time?

2 A. 2016.

3 Q. Okay. And you said Wama comes to you and  
4 invites you to invade Hacienda Santa Fé, right?

12:09:50

5 A. That's right.

6 Q. You did not accept the invitation?

7 A. No, no.

8 Q. Because you knew the land was privately owned?

9 A. That's right.

12:10:03

10 Q. There's no dispute about that? Is that  
11 correct? There's no dispute about it was privately  
12 owned?

13 A. I'm sorry, I didn't understand.

14 Q. I'll move on. You knew you could face trouble?

12:10:46

15 A. Correct.

16 Q. This is the crime of trespassing.

17 A. Yes, that's right.

18 Q. And despite the fact that you were a leader of  
19 the community, and until recently a commissioner, you  
12:11:05 20 did nothing to stop it?

21 A. No.

22 Q. You didn't call the police?

23 A. No, no.

24 Q. You didn't report that there was a crime about  
12:11:20 25 to be committed?

12:11:25 1 A. No, no.

2 Q. And during the year that you say they were on  
3 the property, from 2017 to 2018, you never called the  
4 police, even though you knew a crime was in progress,  
12:11:37 5 correct?

6 A. Yes. No, I did not.

7 Q. Now, then you say that Wama was joined later by  
8 Avispa, Gorgojo and about 170 other people. Is that  
9 right?

12:12:01 10 A. That's right.

11 Q. But Wama, Avispa, Gorgojo, none of the actual  
12 invaders have been called by the government as a witness  
13 in this case. Isn't that right?

14 A. Yes, that's right.

12:12:14 15 Q. You testified in your statement, you said the  
16 communities also believed they could take the land based  
17 on agreements they signed in the 1990s, correct?

18 A. That's right.

19 Q. But you don't give any names of those people in  
12:12:29 20 the community who believed that, do you?

21 A. No.

22 Q. Now, in June 2018, you said that the invaders  
23 came down from the upper area into the lower area. Is  
24 that correct?

12:13:04 25 A. Yes.

12:13:05 1 Q. Is it possible that you got the timing wrong  
2 there, sir?

3 A. No.

4 Q. Well, you said that they invaded that parcel  
12:13:17 5 also because they thought they had a right to it. Isn't  
6 that correct?

7 A. That's right.

8 Q. But you know that that portion -- what we  
9 sometimes call Hacienda Santa Fé as opposed to  
12:13:31 10 El Pavón -- was never part of what the government had,  
11 you say, promised you, correct?

12 A. Yes.

13 Q. But you didn't tell them, no, you can't go to  
14 that area, that was never even part of what we were  
12:13:47 15 looking for. Isn't that right?

16 A. Yes.

17 Q. And you have no firsthand knowledge of any of  
18 this, do you, sir? It's all hearsay?

19 A. Yes.

12:14:04 20 Q. Now, you also knew that the invaders left after  
21 making an agreement with the government in 2021,  
22 correct?

23 A. That's right.

24 Q. And they were relocated, correct?

12:14:21 25 A. Yes.

12:14:21 1 Q. Despite the fact that you were afraid that  
2 there would be trouble if you trespassed the property,  
3 you know that not even Wama was ever arrested for this,  
4 correct?

12:14:34 5 A. Yes.

6 Q. No jail time?

7 A. No.

8 Q. Now, you said that in 2018 in June, there were  
9 only security guards and some permanent workers  
10 remaining on the property. Isn't that right?

11 A. No. I said 2017.

12 Q. I'm turning to 2018.

13 MR. HILL: Could you pull up RWS-04. I  
14 think I've confused you, sir. I'm moving forward to  
15 June 2018. RWS-04. His statement, yes.

16 Q. If you could pull up your statement, sir,  
17 paragraph 23.

18 So now I'm moving forward, I don't think I  
19 made that clear to you. This is an area of your  
20 statement that says the "Invasion of Santa Fé in June  
21 and July of 2018 (southern area)." Do you see that?

22 MR. MOLINA: Mr. Hill, do you mind having  
23 your technician highlight the text you want him to read  
24 and maybe blow it up a little bit so he can follow along.

12:16:04 25 MR. HILL: Thank you, Mr. Molina.

12:16:06 1 PRESIDENT: Can you avoid speaking at the  
2 same time. We won't have it on the transcript if you do  
3 that.

4 MR. HILL: Yes, Mr. President. Thank you.

12:16:22 5 A. Yes.

6 Q. And now please highlight paragraph 23. Can you  
7 read paragraph 23, sir?

8 A. Yes.

9 Q. So this is what I was asking, that during 2018  
12:16:46 10 you say "Only security guards and some permanent workers  
11 remained on the property, the manager only occasionally  
12 going there. The place was not very busy ..."

13 Is that your testimony?

14 A. That's right.

12:17:10 15 Q. You said the place was not busy. You did not  
16 say it was abandoned, do you? Just not busy, right?

17 A. That's right.

18 MR. HILL: Highlight paragraph 24, please.

19 Q. Please read paragraph 24 to yourself, sir.  
12:17:46 20 I'll have a couple of questions.

21 A. Yes.

22 Q. So this is where your testimony is that it was  
23 in June 2018 that Gorgojo, Cinco Estrellas and others  
24 went down from the upper part down to the Casa Hacienda  
12:18:35 25 Santa Fé, the lower part of the property, to occupy it.

12:18:39

1 Is that your testimony, that it was in  
2 June 2018 that they moved from the upper to the lower  
3 part?

4 A. No, it was 2017. I speak of 2017, not of 2018.

12:18:53

5 Q. So this says 2018. Is that mistaken?

6 A. A mistake. It was a mistake.

7 Q. You can explain.

8 A. It was a mistake.

9 Q. All of this was in June 2017? Or you explain.

12:19:36

10 A. Yes, that's right. You asked was it 2018, and  
11 I said it was 2017.

12 Q. Okay. I'm asking about your statement that  
13 says -- please listen to my question carefully.

14 This part says that in June 2018, the  
15 invaders went from the upper part to the lower part.  
16 That's my question. Is it your testimony that that  
17 occurred in June 2018?

12:19:56

18 A. Yes. Perhaps it was a mistake of one of those.

19 Q. Because it actually is 2017?

12:20:22

20 A. 2017.

21 Q. Okay.

22 MR. HILL: You can take this down for now.

23 Q. Commissioner López, did El Pavón cooperative  
24 ever bring a judicial action against the Rondón family  
12:20:44 25 or their companies?

12:20:46

1

A. No.

2

Q. Did you ever personally bring a lawsuit against the Rondón family, the company INAGROSA, or the Rondón family companies?

3

4

12:21:00

5

A. No.

6

MR. HILL: Mr. President, I will tender the witness for redirect.

7

8

MR. CASTRO: Thank you very much, Mr. Hill. Redirect?

9

12:21:29

10

MR. MOLINA: Yes, Mr. President. It's 12:21. Does it make sense to take our lunch now? I will have more than -- I will have probably 15 to 20 minutes at least. It's up to you, Mr. President. If we continue, I would need at least a five-minute break just to --

11

12

13

14

12:21:50

15

PRESIDENT: Let's have the five-minute break now and try to finish with the witness before lunch.

16

17

18

19

MR. MOLINA: That's fine.

12:29:14

20

*(Brief Recess)*

21

PRESIDENT: Let's resume. Mr. Molina, the floor is yours.

22

23

MR. MOLINA: Thank you very much, Mr. President.

24

25



12:29:42

1

**REDIRECT EXAMINATION**

2

BY MR. MOLINA:

3

Q. Hello again, Mr. López, how are you? Look, you recall that Claimant's counsel asked you whether you had read the transcript of this hearing before giving testimony here today. Do you remember that?

12:29:53

5

6

7

A. I do.

8

Q. Just to be clear, have you participated in this hearing before providing testimony to us today?

12:30:11

10

A. No.

11

Q. Excuse me, what did you say?

12

A. No.

13

Q. Have you seen videos of this hearing before participating here today?

12:30:22

15

A. No. Yes. What did you ask?

16

MR. MOLINA: Members of the Tribunal, just to make this clear, I would appreciate some leeway, if possible, to ask yes or no questions to the witness on this particular issue.

12:30:49

20

PRESIDENT: That's fine.

21

MR. MOLINA: Thank you, I appreciate that.

22

Q. Mr. López, do me a favor. I'm going to ask you questions. I'm going to ask you to answer my questions. When you answer, please speak close to the mic.

24

12:31:08

25

A. Correct, sir.

12:31:12 1 Q. In this case you submitted written witness  
2 statements, correct?

3 A. Yes.

4 Q. In those witness statements, you said that you  
12:31:20 5 read statements from other witnesses to prepare your  
6 witness testimony, correct?

7 A. That's right.

8 Q. I'm asking you not about your written  
9 statements, but about your statement here, your  
12:31:35 10 testimony here.

11 A. Okay.

12 Q. You understand that this hearing started a week  
13 ago, right?

14 A. That's right.

12:31:44 15 Q. Have you been present at this hearing before  
16 today?

17 A. No.

18 Q. Have you seen videos of the testimony of  
19 witnesses in this hearing before today?

12:31:54 20 A. No.

21 Q. Have you had the chance to read transcripts of  
22 the testimony provided by witnesses at this hearing  
23 before today?

24 A. No.

12:32:12 25 MR. MOLINA: Mr. President, I just got a

12:32:13 1 note that the video feed may be down again. I'm okay to  
2 continue. I just wanted to note it.

3 MS. CONOVER: The feed should resume  
4 shortly.

12:32:31 5 PRESIDENT: Let's wait for a minute or two.

6 Q. Mr. López, we are going to wait because it  
7 appears that the video feed is down again. We're going  
8 to wait a few minutes.

9 MS. CONOVER: Live streaming is up again.

12:32:56 10 PRESIDENT: Please proceed.

11 Q. Okay. Mr. López, do you remember that counsel  
12 for Claimant -- well, called you "commissioner" a number  
13 of times. Are you a commissioner?

14 A. I am not.

12:33:16 15 Q. What is the position that you have in the  
16 government of Nicaragua?

17 A. I'm a council member.

18 Q. What is a council member?

19 A. It's a leader elected by popular vote within  
12:33:26 20 the municipality. Elections are held and the person is  
21 elected by popular vote.

22 Q. What municipality chose you as a council  
23 member?

24 A. The municipality of San Rafael del Norte.

12:33:39 25 Q. As a council member, who do you respond to?

12:33:48 1 A. I report to the mayor. It's a woman. And the  
2 secretary of the council.

3 Q. Do you work for the mayor or for the people?

4 A. I work for the people. I work on projects with  
12:34:02 5 the communities. That's my work.

6 Q. You also talked about an alliance. You  
7 remember that counsel for Claimant asked you whether you  
8 were a member of the *Frente Sandinista* and you said you  
9 were because there was an alliance, remember?

12:34:19 10 A. Yes, that's right.

11 Q. Just to clarify, what did you mean when you  
12 said that there was an alliance?

13 A. I referred to that because I was a member of  
14 the other party, the Nicaraguan Resistance party.

12:34:38 15 Q. What parties allied?

16 A. Well, it was the PRN and Nicaraguan Resistance.

17 Q. When did that alliance take place?

18 A. In 2006.

19 Q. Do you know the reason why the alliance took  
12:34:58 20 place?

21 A. Yes, from the government. They wanted to work  
22 with all of the demobilized sectors, it's called, that  
23 was made by the government. The government asked  
24 everyone to come together and work.

12:35:19 25 Q. Just to clarify, because you talked about a

12:35:22 1 number of years during which you served as a council  
2 member.

3                   When did you serve as a council member for  
4 the municipality of San Rafael del Norte?

12:35:38 5           A.    I was elected in '08 to 2012, to 2016.

6           Q.    And after 2016, when?

7           A.    Until 2021, and then I resumed in 2022.

8           Q.    So you were elected in 2021 and you started  
9 working in 2022, correct?

12:35:59 10          A.    Correct.

11          Q.    Counsel for Claimant asked you a number of  
12 questions about your relationship with Mr. Rondón. You  
13 recall that?

14          A.    I do.

12:36:17 15          Q.    When you first started providing evidence here,  
16 there are two Mr. Rondóns. Is that correct?

17          A.    That's right.

18          Q.    Who are the two Mr. Rondóns?

19          A.    The father and the son.

12:36:35 20          Q.    When you talk about Rondón father, do you know  
21 the full name of that person?

22          A.    Carlos Rondón Voysest. That was the father.

23          Q.    And when you are talking about Mr. Rondón as  
24 the son, who is that person?

12:36:47 25          A.    Carlos Rondón Molina.

12:36:50 1 Q. Do you recall that counsel for Claimant asked  
2 you whether you had held any conversations with  
3 Mr. Rondón Molina? You said once. Do you recall that?

4 A. I do.

12:37:08 5 MR. HILL: Objection. I don't recall that  
6 testimony that he said he had a conversation. I believe  
7 the testimony was that he had seen him.

8 MR. MOLINA: Okay. So let me rephrase.  
9 I'm happy to rephrase.

12:37:25 10 Q. Mr. López, do you recall that counsel for  
11 Claimant asked you a question about Mr. Rondón Molina  
12 and you said that you had some experience with this  
13 gentleman? Do you remember that?

14 A. Yes, I do.

12:37:48 15 Q. What was that experience? Can you clarify that  
16 to us?

17 A. Which one are you talking about, the father or  
18 the son?

19 Q. I am talking about Carlos Rondón Molina, the  
12:38:02 20 son of Carlos Rondón Voysese.

21 A. Well, just one time, but I haven't had any --

22 Q. Excuse me. Can you speak closer to the mic?

23 A. I just saw him once. I haven't spoken to him.  
24 I never spoke to him.

12:38:20 25 Q. What kind of relationship did you have with

12:38:23 1 Carlos Rondón Voysest?

2 A. Well, yes, we spoke to him at the beginning.  
3 Everything was very calm.

4 Q. Just to clarify, a number of questions were  
12:38:39 5 asked about your relationship or your impression of  
6 Mr. Rondón. As we clarified before, there are two  
7 Mr. Rondóns, so my question is very specific. Please  
8 listen to the question carefully and then speak close to  
9 the mic when you answer.

12:38:58 10 First question: what was your relationship  
11 like with Mr. Carlos Rondón Voysest?

12 A. It was good. It was good.

13 Q. Why was it good?

14 A. It was good because back then he never bothered  
12:39:20 15 us. We were working -- we were working there, and he  
16 never did anything against us, no.

17 Q. The same question about your relationship with  
18 Carlos Rondón Molina.

19 A. We never had any relationship with him. No.

12:39:46 20 Q. When is it that Mr. Carlos Rondón Molina  
21 entered Hacienda Santa Fé?

22 A. In '97, after his father died.

23 Q. You said that there was an eviction, that you  
24 were evicted in 2003. You recall that? You recall  
12:40:11 25 having spoken about that?

12:40:12

1 A. I do.

2 Q. You recall that counsel for Claimant showed you  
3 a newspaper article about that event?

4 A. Yes.

12:40:22

5 Q. And you answered counsel for Claimant, and you  
6 told him that you were not at the Hacienda Santa Fé  
7 during the eviction, the one shown on the pictures in  
8 that article?

9 A. Yes.

12:40:41

10 Q. Just to clarify, when you were evicted from the  
11 Hacienda -- when were you evicted from the Hacienda?

12 A. 2003.

13 Q. What month, approximately?

14 MR. HILL: It's going too fast. I can't

12:40:56

15 possibly hear the question and object before the answer  
16 goes in. We really need to slow down.

17 PRESIDENT: Limit the pace.

18 MR. MOLINA: I'm so sorry. I will slow  
19 down.

12:41:07

20 Q. I'm going to repeat the question.

21 You just said that you were evicted in  
22 2003. My question is do you know what month -- in what  
23 month approximately were you evicted from Hacienda  
24 Santa Fé?

12:41:28

25 A. June 2003.



12:41:36 1 Q. After you were evicted, where did you go  
2 immediately afterwards?

3 A. I went to a place that is nearby, about 1  
4 kilometer away from there, on the eastern part of  
12:41:49 5 El Pavón.

6 Q. What conversations did you have while you were  
7 there in that house 1 kilometer away from the Hacienda  
8 in 2003? What conversations did you have with the  
9 people who were still inside Hacienda Santa Fé?

12:42:07 10 A. Well, they came --

11 MR. HILL: Objection. I don't recall this  
12 in the direct. I think it's outside the scope.

13 PRESIDENT: You did ask about the hearsay  
14 evidence, as you called it, about what happened to the --  
12:42:20 15 what happened during the eviction. So it's within the  
16 scope of the cross.

17 Q. Let me ask you again, sir.

18 My question is what conversations did you  
19 have with the people who were still inside the Hacienda  
12:42:42 20 Santa Fé while you had already been evicted and living a  
21 kilometer away from the Hacienda?

22 A. Well, I continued to manage things for them to  
23 get an answer because they had been evicted by the  
24 government.

12:42:58 25 Q. How did you know what was going on inside the

12:43:01 1 Hacienda while you had been evicted?

2 A. Well, they told me things that were there.

3 Q. How would you describe the eviction you  
4 suffered from Hacienda Santa Fé?

12:43:20 5 A. It was brutal because we were -- we were just  
6 kicked out, just like that.

7 Q. How do you mean?

8 A. Well, by force. We were evicted by force.

9 Q. Just to clarify, who were responsible for your  
12:43:40 10 eviction in 2003?

11 A. I think that the government, because at the  
12 time it was the government. We knew that the owners  
13 were doing things, processing things and we did the same  
14 but they had the last word for the eviction.

12:44:12 15 Q. What role did the Rondón Molina family have in  
16 your eviction in 2003?

17 A. Nothing. They asked that I be evicted and not  
18 allowing me to return to that place.

19 Q. A number of questions were asked about  
12:44:34 20 Francisco Rivera.

21 A. Yes.

22 Q. What do you know about Mr. Francisco Rivera?

23 A. I don't know him.

24 Q. I understand that your testimony is that you do  
12:44:49 25 not personally know him?

12:44:50 1 A. That's right.

2 Q. What do you know about Mr. Rivera? That's my  
3 question.

4 A. I know nothing.

12:45:02 5 Q. What do you know about Mr. Marcos Molina?

6 A. He was the administrator over there, an  
7 engineer.

8 Q. You recall that you also said that 70 families  
9 were at the Hacienda?

12:45:23 10 A. Yes.

11 Q. Just to clarify, before the 2003 eviction,  
12 approximately how many individuals lived in Hacienda  
13 Santa Fé as members of the cooperative El Pavón?

14 A. Well, in the cooperative we had over 100  
15 families that had come in and all the family members.  
16 About 600 people. 100 families.

17 Q. Do you recall that questions were asked as well  
18 in connection with the avocado plantation in the  
19 Hacienda Santa Fé?

12:46:19 20 A. Yeah, that's right.

21 Q. And you answered that you never worked in that  
22 plantation?

23 A. That's right.

24 Q. How did you know that there was an avocado  
12:46:37 25 plantation in Hacienda Santa Fé in 2017 and 2018?

12:46:46 1 A. Well, we knew that because there's a public  
2 roadway, and you can go by and you can see the  
3 plantation on the side of the roadway that you go by.  
4 It's a public road that goes to Jinotega, so you could  
12:46:57 5 see the plantations. But knowledge of them, no.

6 Q. A number of questions were asked of you about  
7 your testimony that, in 2017 and 2018, Hacienda Santa Fé  
8 was abandoned. Do you remember that?

9 A. That's right.

12:47:20 10 Q. Again, my question is how did you know that  
11 Hacienda Santa Fé was abandoned on those dates?

12 A. Because you didn't see a lot of movement there.  
13 There was very little movement there.

14 Q. When you talk about movement, what are you  
12:47:41 15 making reference to?

16 A. I'm referring to activity of workers when there  
17 is work there. You see a lot of people working there,  
18 and that's why I'm saying that there wasn't a lot of  
19 movement.

12:48:00 20 Q. Just to understand, where would you have the  
21 expectation -- okay. I'm going to rephrase the  
22 question.

23 Where would you see that movement? Where  
24 would you expect to see this movement that you referred  
12:48:21 25 to do a moment ago?

12:48:23 1 A. Well, in the Casa Hacienda, because it has to  
2 be the place where we went by and you should see  
3 movement of vehicle, men working, and things like that.  
4 That's why I said that.

12:48:42 5 Q. You recall that a number of questions were  
6 asked of you about your testimony that Hacienda Santa Fé  
7 was invaded in 2017, you recall that?

8 A. That's right.

9 Q. Just to clarify, apart from your testimony,  
12:49:04 10 what other evidence have you seen that supports that  
11 testimony?

12 A. There is a letter and a group of Pantasmeños  
13 had sent to the prosecutor's office. I remember having  
14 seen that letter and they say that they were there in  
12:49:30 15 2017.

16 MR. MOLINA: Can we put on the screen,  
17 R-94, please.

18 Q. Mr. López, we're showing you a document that  
19 has been marked in this arbitration as R-0094. This is  
12:50:09 20 a letter dated 28 October 2019 and sent to the delegate  
21 of Nicaragua's Attorney General's office in Jinotega.

22 Can you see the letter?

23 A. Yes.

24 Q. Please put your glasses on. Let me know when  
12:50:42 25 you're ready for me to ask a question about this letter.

12:50:46 1 A. Yes, yes, I'm ready.

2 Q. Is this the letter that you were making  
3 reference to a moment ago?

4 A. Yes, this is it.

12:50:55 5 Q. Why is it that you say that this letter  
6 supports your testimony that there were people in 2017  
7 in Hacienda Santa Fé?

8 A. Well, because it's there. They say that  
9 they've been there for two years working the land.

12:51:17 10 MR. MOLINA: I think the witness has made  
11 reference to the paragraph that says "we are a group" and  
12 the last line in that paragraph.

13 Q. Just to confirm for the record, that is the  
14 line that you're making reference to, right, the last  
12:51:47 15 line in that paragraph?

16 A. Yes.

17 Q. And I'm going to read that line just for the  
18 record. It says here:

19 "We are a group of demobilized members of  
12:52:01 20 the Sandinista Popular Army (EPS) and the Patriotic  
21 Military Service (SMP) in the municipality of Santa  
22 Maria de Pantasma. Our group includes a total of 27  
23 demobilized comrades and 7 settlers, who possess a plot  
24 of land of 135 manzanas in the community of Santa Fé in  
12:52:28 25 El Pavón. We have been working these lands for

12:52:30 1 two years and we have built our houses in each plot."

2                   Apart from the letter that we've just  
3 seen -- okay.

4                   Let me ask you another question.

12:52:58 5                   You've testified that you did not  
6 participate in that 2017 takeover, correct?

7           A.     Correct.

8           Q.     I'm going to ask you a question. Please answer  
9 completely and in detail so that the record is complete.

12:53:12 10 Okay?

11                   So the question is if you did not  
12 participate in that takeover, how is it that you have  
13 knowledge of what happened during the takeover?

14           A.     Yes. They told me -- those people came by my  
12:53:39 15 house every day, and they told me that they were working  
16 there regularly and they knew -- they went down the  
17 road, and they told me that they were working there.

18           Q.     In your opinion, what is it that they told you  
19 what they were doing at the Hacienda?

12:53:57 20           A.     Well, they said that they were waiting for the  
21 government to provide title to them so that they can get  
22 titling again.

23           Q.     Do you have an opinion or you know why they  
24 told you what they were doing at the Hacienda?

12:54:14 25           A.     Yes.

12:54:16 1 Q. Why?

2 A. Because before they told me that they had  
3 documents in the past and that they had possession, and  
4 because they had possession they were going to be  
12:54:30 5 provided security.

6 Q. Do you remember that counsel for Claimant, when  
7 he was asking you about this invasion, asked you if your  
8 testimony was that the people who came in to the  
9 Hacienda in 2017 -- well, that your testimony was that  
12:55:03 10 they were there without the guards having seen them,  
11 right?

12 A. Yes.

13 Q. You know the area. Why is it that you say that  
14 the security guards did not see the individuals who took  
12:55:20 15 over the upper Hacienda in 2017?

16 A. I said that they didn't because it's a large  
17 area, 3 kilometers. There's a lot of brush in there and  
18 it's hilly so only two or three CPFs could be there and  
19 see the demobilized people.

12:55:46 20 Q. So the guards of the Hacienda Santa Fé, where  
21 were they located?

22 A. In the Casa Hacienda.

23 Q. And where is the Casa Hacienda?

24 A. In the southern area of the Hacienda in what we  
12:56:01 25 call lower Santa Fé.



12:56:25 1 Q. You were asked a question, you may recall,  
2 about the events that took place at the Hacienda in  
3 2018. You recall that?

4 A. Yes.

12:56:36 5 Q. Could you please tell us, sitting here today --  
6 well, we understand that you said that they convened  
7 with Wama in 2017. After 2017, what is it that you  
8 understand happened at that Hacienda? Can you tell us  
9 step by step what your understanding is?

12:56:56 10 A. Well, my understanding is that -- well, there  
11 were people in El Pavón. They gathered in a group and  
12 they came to occupy the lower Hacienda.

13 Q. Why is it that you say that you held  
14 conversations with them?

12:57:15 15 A. Yes, because they went by around where I live.

16 Q. Why do you think that they decided to go from  
17 El Pavón to the Casa Hacienda?

18 A. Like I said before, they had emotions, and they  
19 said, well, we had documents before and they thought  
12:57:40 20 that the government was going to give it to them  
21 again -- they're talking about 1800 manzanas -- and they  
22 thought that the government perhaps was going to provide  
23 title to them.

24 Q. Do you have any idea as to when they went from  
12:58:02 25 El Pavón and they took over Casa Hacienda?

12:58:06 1 A. Well, from a little bit later on, around 2018,  
2 I would say.

3 MR. MOLINA: Mr. President, I don't have  
4 any further questions. Thank you.

12:58:20 5 PRESIDENT: Thank you very much.

6 QUESTIONS BY THE TRIBUNAL

7 A couple of questions from the Tribunal.

8 Mr. López, I understand you have been  
9 living in your farm, the same farm, since 2003 until  
10 today?

12:58:36 11 MR. LÓPEZ: That's right.

12 PRESIDENT: It is the same farm that is  
13 located 1 kilometer from the boundary of El Pavón?

14 MR. LÓPEZ: That's correct.

12:59:05 15 PRESIDENT: So in terms of the departure of  
16 the occupants, do you remember when they left El Pavón  
17 and the larger Hacienda Santa Fé?

18 MR. LÓPEZ: I was told that they left -- in  
19 2021, they left that place.

12:59:30 20 PRESIDENT: You didn't see them leaving  
21 yourself?

22 MR. LÓPEZ: I did not.

23 PRESIDENT: You described how you spoke  
24 with the occupants in 2017, 2018, and that's why you knew  
12:59:47 25 what was going on at the Hacienda. How about in 2019,

12:59:57 1 2020, 2021? Were you still in contact with the  
2 occupants?

3 MR. LÓPEZ: No. I attest to that because  
4 there was a public roadway there and you saw movement and  
01:00:18 5 we could see them. And that's why we knew that they were  
6 there.

7 PRESIDENT: But you spoke with them -- as  
8 you just explained to Mr. Molina, you spoke with the  
9 occupants in 2017, '18 and they explained to you why they  
01:00:34 10 were there and why they went down to the Hacienda. Did  
11 you continue to speak with them in 2019, '20, '21?

12 MR. LÓPEZ: Yes. They were saying the  
13 same, that they were there because of what happened  
14 before because there were old documents from the previous  
01:01:07 15 administration and that the administration could title  
16 them to them. That's why they were there because of the  
17 possession. They told me what was going on, yes.

18 PRESIDENT: Was it the same people who  
19 continued to occupy in 2019, 2020, 2021, the same people  
01:01:25 20 who were there in 2017, '18?

21 MR. LÓPEZ: Yes, that is correct.

22 PRESIDENT: Would you know or did you  
23 discuss this with the occupants why was it that they  
24 occupied the property in 2017 and 2018 and not earlier,  
01:01:47 25 say 2010, 2012? In other words, was there a particular

01:01:50 1 reason why they occupied the property in 2017, 2018 as  
2 you have testified?

3 MR. LÓPEZ: Yes, because at that point at  
4 least when they started to work, they moved them, there  
01:02:13 5 were coffee crops and they were working there. It was in  
6 operation until 2012. So it was in proper operation, but  
7 then production started to decline and it was abandoned.  
8 There was nothing.

9 PRESIDENT: Okay. Thank you.  
01:02:33 10 Do the questions from the Tribunal give  
11 rise to any questions -- further questions -- by  
12 counsel? Claimant?

13 MR. HILL: No, Mr. President.

14 MR. MOLINA: No, Mr. President.

01:02:43 15 PRESIDENT: Thank you very much. So that  
16 concludes your examination, Mr. López. Thank you for  
17 being here and traveling a long distance. Thank you for  
18 your time. You are released.

19 MR. LÓPEZ: Thank you.

01:03:02 20 PRESIDENT: So we will break now for lunch  
21 until 2 p.m., and we continue then with the next witness,  
22 which will be Mr. Enriquez. Very good, until then.  
23 Bon appetit.

24 *(Lunch Recess)*

25

02:01:57

1

FAVIO DARIO ENRIQUEZ GÓMEZ

2

PRESIDENT: Good afternoon, Mr. Enriquez.

3

MR. ENRIQUEZ: Good afternoon to everyone.

4

PRESIDENT: Welcome to the hearing. I

02:03:48

5

should first ask you to state your full name for the

6

record, please.

7

MR. ENRIQUEZ: My name is Favio Dario

8

Enriquez Gómez.

9

PRESIDENT: Thank you. You have been

02:04:05

10

called as a witness of fact to this arbitration

11

proceeding, and you will be required to tell the truth.

12

For that purpose, I would ask you to make

13

the declaration of a witness. You should have the text

14

on the desk. Can you please make the declaration?

02:04:31

15

MR. ENRIQUEZ: I solemnly declare upon my

16

honor and conscience that I shall speak the truth, the

17

whole truth and nothing but the truth.

18

PRESIDENT: You have given one witness

19

statement in this arbitration dated March 8, 2024. You

02:04:52

20

should have a hard copy of that statement in front of

21

you. You have it there?

22

MR. ENRIQUEZ: Yes.

23

PRESIDENT: Can you please look at the

24

statement and confirm that it is your statement?

02:05:13

25

MR. ENRIQUEZ: Yes, this is the one.

02:05:19 1 PRESIDENT: Thank you very much.  
2 Just briefly to explain how the process is  
3 going to work, there will first be a brief direct  
4 examination by counsel for the Respondent, Republic of  
02:05:28 5 Nicaragua. Then there will be a cross-examination by  
6 counsel for the Claimant, Riverside, LLC, and then  
7 possibly further questions by counsel for the  
8 Respondent. The three members of the Tribunal may put  
9 questions to you at any time. Is that understood?

02:05:53 10 MR. ENRIQUEZ: Yes.  
11 PRESIDENT: Very good. Over to the  
12 Respondent, please.  
13 MR. MOLINA: Mr. Diego Zuniga will be  
14 directing Mr. Enriquez.

02:06:04 15 PRESIDENT: Mr. Zuniga, please proceed.  
16 MR. ZUNIGA: Thank you, Mr. President.  
17 **DIRECT EXAMINATION**  
18 BY MR. ZUNIGA:  
19 Q. Good afternoon, Mr. Enriquez.  
02:06:14 20 A. Good afternoon.  
21 Q. As you have already stated, you have presented  
22 one witness statement in this proceeding, correct?  
23 A. Yes.  
24 Q. Is that the document you have in front of you?  
02:06:22 25 A. Yes.

02:06:24 1 Q. Do you have any correction or clarification to  
2 make?

3 A. Yes, indeed. I have two corrections and one  
4 clarification for the record.

02:06:37 5 Q. Could you please tell the Tribunal what those  
6 clarifications and corrections are?

7 A. Yes. The first correction, paragraph 14 where  
8 it reads:

9 "Consequently, I categorically deny having  
02:06:57 10 encountered Luis Gutiérrez at the Jinotega Central Park  
11 in September 2018 or having discussed with him matters  
12 related to the taking of Hacienda Santa Fé."

13 MS. GREENWOOD: If you'd ask the witness to  
14 slow down and go through with him the fact that we are  
02:07:15 15 recording his testimony. Thank you.

16 MR. ZUNIGA: Surely, Ms. Greenwood.

17 Q. Mr. Enriquez, could you please read a little  
18 bit slower?

19 A. Certainly.

02:07:25 20 Q. You don't need to repeat the paragraph, but  
21 from now on, please read slower.

22 A. Okay. It should read:

23 "Consequently, I categorically deny having  
24 talked to Mr. Luis Gutiérrez on topics -- on matters  
02:07:46 25 related to the taking of Hacienda Santa Fé during our

02:07:57 1 encounter at the Jinotega Central Park."

2                   Second correction, paragraph 15, fourth  
3 line, where it reads:

4                   "That alleged encounter in the  
02:08:15 5 surroundings of a road blockade never happened. It is  
6 also false that I told Gutiérrez that the government of  
7 Nicaragua was taking Hacienda Santa Fé to put pressure  
8 on the business sector."

9                   It should read that:

02:08:42 10                   "It is false that I told Gutiérrez that  
11 the government of Nicaragua was taking Hacienda Santa Fé  
12 to put pressure on the business sector."

13                   Clarification for the record: In  
14 paragraphs 13, 17 and 18 of my statement I refer to HSF.  
02:09:15 15 I should say that when I say HSF, I am referring to  
16 Hacienda Santa Fé.

17                   MS. GREENWOOD: Apologies. It may be me  
18 not understanding the second correction or may be the  
19 translation, but I'm missing a distinction between the  
02:09:38 20 text and the correction in paragraph 15.

21                   MR. ZUNIGA: Would you like me to explain  
22 the correction?

23                   MS. GREENWOOD: If you could. My  
24 apologies.

02:09:49 25                   MR. ZUNIGA: Yes, certainly.



02:09:51 1 MS. GREENWOOD: I'm just not seeing it. It  
2 is to the last sentence which begins: "It is also  
3 false..."

4 MR. ZUNIGA: Yes, the correction  
02:09:59 5 basically -- in para 15, the correction basically goes to  
6 the fact that, in his original statement, he's saying  
7 that encounter never happened, referring to the encounter  
8 in --

9 MS. GREENWOOD: Yes, that's the correction  
02:10:13 10 to 14. But what's the precise correction to the text of  
11 15?

12 MR. ZUNIGA: Oh. The first line in that  
13 paragraph, and I'm going to read it in Spanish, so the  
14 translator can help me with this.

02:10:26 15 "That alleged encounter in the  
16 surroundings of a road blockage never happened."

17 MS. GREENWOOD: That's the correction to  
18 14, which I understand.

19 MR. ZUNIGA: In 15 as well.

02:10:47 20 PRESIDENT: I had the same confusion  
21 because he stated the last two sentences exactly as they  
22 are in the witness statement, so it's unclear what the  
23 correction was, because we didn't get any correction.

24 MS. GREENWOOD: To paragraph 15. I think  
02:10:57 25 the Tribunal understands the correction to paragraph 14.

02:11:01 1 MR. ZUNIGA: Okay. So let me read slowly  
2 what paragraph 15 says currently in Spanish, and then  
3 I'll --

02:11:12 4 PRESIDENT: I think you only need to read  
5 the last two sentences because those he wanted to  
6 correct.

7 MR. ZUNIGA: So the correction, the last  
8 two sentences should say now:

02:11:25 9 "It is false that I told Gutiérrez that  
10 the government of Nicaragua was taking Hacienda Santa Fé  
11 to put pressure on the business sector."

12 So it's basically --

13 MS. GREENWOOD: That's what it says in the  
14 original.

02:11:39 15 MR. ZUNIGA: The thing is currently the  
16 second sentence starts with "also." So he's taking the  
17 "also" because he has taken the first sentence  
18 altogether, so there's no need for the "also" now.

02:11:53 19 MS. GREENWOOD: Okay. So we just strike  
20 the "also"?

21 MR. ZUNIGA: Yes.

22 MS. GREENWOOD: Thank you. That makes  
23 sense.

24 MR. ZUNIGA: Thank you for your patience.

02:12:00 25 MS. GREENWOOD: Thank you, Counsel.

02:12:01 1 PRESIDENT: So what is the story with the  
2 preceding sentence then? Is he still leaving in the  
3 preceding sentence, "That alleged encounter in the  
4 surroundings of a road blockade never happened?"

02:12:16 5 MR. ZUNIGA: Exactly. That should be  
6 stricken altogether.

7 PRESIDENT: It is stricken altogether.  
8 That is where the confusion is.

9 MR. ZUNIGA: Yes.

02:12:19 10 PRESIDENT: I understand.

11 MR. ZUNIGA: Do the members of the Tribunal  
12 have any more questions about the corrections?

13 MS. GREENWOOD: No.

14 MR. ZUNIGA: Okay. Thank you.

02:12:31 15 Q. Would you like to introduce any correction, any  
16 additional correction to your statement, Mr. Enriquez?

17 A. I think that we have -- with the first  
18 correction we also clarified the second correction and  
19 also the clarification to the record.

02:12:47 20 Q. Thank you very much.

21 MR. ZUNIGA: I have no further questions  
22 for the witness, Mr. President.

23 PRESIDENT: Thank you very much.

24 MR. APPLETON: Mr. President, Mr. Bart will  
02:13:08 25 be taking this witness.

02:13:10 1 PRESIDENT: Please proceed, Mr. Bart.

2 MR. BART: Thank you, Mr. President.

3 **CROSS-EXAMINATION**

4 BY MR. BART:

02:13:17 5 Q. Good afternoon, Mr. Enriquez. My name is  
6 Alan Bart, and I am counsel to the Claimant in these  
7 proceedings. Thank you for being here. I just have a  
8 few questions for you this afternoon, okay?

9 A. Okay.

02:13:29 10 Q. In order to prepare your witness statement, you  
11 reviewed the witness statements of Carlos Rondón and  
12 Luis Gutiérrez, correct?

13 A. Yes.

14 Q. And you also reviewed certain pleadings that  
02:13:47 15 counsel to the Claimant submitted to the Tribunal,  
16 correct, sir?

17 A. Yes.

18 Q. And you submitted your witness statement on  
19 March 8th of this year. Correct, sir?

02:14:08 20 A. Yes.

21 Q. Have you reviewed additional materials after  
22 counsel for the government submitted your witness  
23 statement on March 8, 2024?

24 A. I reviewed my witness statement. I have  
02:14:27 25 reviewed references from the Memorial translated, and

02:14:35 1 also I reviewed replies by Claimant.

2 Q. Have you reviewed any other materials, sir?

3 A. No.

4 Q. Have you watched any portion of the hearing  
02:14:57 5 proceedings?

6 A. No, sir.

7 Q. Have you read any transcripts of the hearing  
8 proceedings?

9 A. I don't understand the question. Would you  
02:15:12 10 restate?

11 Q. Do you understand, sir, that these proceedings  
12 in this hearing are being transcribed by a court  
13 reporter?

14 A. No.

02:15:31 15 Q. When did you first learn of these proceedings?

16 A. I didn't learn about it.

17 Q. Well, you submitted a witness statement to the  
18 Tribunal. Correct, sir?

19 A. My witness statement, yes.

02:15:56 20 Q. So you understood that was for use in this  
21 proceeding, correct, sir?

22 A. Yes.

23 Q. I'm just asking when was the first time that  
24 you learned that Riverside was pursuing a claim against  
02:16:13 25 the government of Nicaragua?

02:16:21

1 A. In 2024.

2 Q. Was that in March? When in 2024?

3 A. Early. Early 2024.

4 Q. Was that when you were asked to submit a

02:16:43

5 witness statement in this hearing?

6 A. That's correct, sir.

7 Q. Who asked you to provide your witness

8 statement?

9 A. Counsel for the Republic of Nicaragua.

02:17:01

10 Q. And in your witness statement, sir, you rebut

11 other witness statements submitted by Mr. Rondón and

12 Mr. Luis Gutiérrez, correct?

13 A. Yes.

14 Q. Mr. Rondón's statement was submitted -- initial

02:17:19

15 witness statement was submitted to the Tribunal in

16 September of 2022, and Mr. Luis Gutiérrez's witness

17 statement -- first witness statement was submitted in

18 October of 2022, but you waited until March of 2024 to

19 submit your statement, correct?

02:17:41

20 A. That's right.

21 Q. And you would agree with me that your witness

22 statement discusses most of the events that occurred in

23 2017 and 2018, correct, sir?

24 A. I do not understand the question. Would you

02:17:58

25 please restate?

02:18:04 1 Q. In your witness statement you generally discuss  
2 events that occurred in 2017 and 2018, correct, sir?

3 A. I do not understand your question, where you  
4 want to go.

02:18:38 5 MR. BART: Can we put up Mr. Enriquez's  
6 witness statement?

7 Q. Mr. Enriquez, you're familiar with your witness  
8 statement, correct?

9 A. Would you please show me the signature line of  
02:18:59 10 that document?

11 Q. Of course.

12 MR. BART: Joe, can we please go to the end  
13 of the document?

14 Q. Mr. Enriquez, just so you know, we have the  
02:19:20 15 initial statement that you submitted in Spanish on the  
16 screen on the left and a translation in English on the  
17 right. Okay, sir?

18 A. Yes.

19 Q. Do you recognize your signature on this  
02:19:31 20 document, sir?

21 A. That's right, sir.

22 Q. Do you recognize this document as the witness  
23 statement that you provided to the Tribunal?

24 A. Yes.

02:19:45 25 Q. Generally speaking, do you agree with me that

02:19:47 1 the events you refer to in your witness statement  
2 occurred in 2017 and 2018?

3 A. Can you show me the paragraph where I say that?

4 Q. Sir, I'm just asking generally if you recall in  
02:20:11 5 your witness statement -- when did the events occur that  
6 you refer to in your witness statement?

7 A. No, I need to see the paragraph in particular  
8 where it is referring to those events.

9 MR. BART: Joe, can we go to paragraph 7,  
02:20:32 10 please?

11 Q. Mr. Enriquez, you're free to read whatever you  
12 would like, but I would direct your attention to  
13 paragraph 7 of your witness statement, the first  
14 sentence. It reads, "I met Mr. Gutiérrez in 2017."

02:20:51 15 Do you see that, sir?

16 A. Yes.

17 Q. And, generally speaking, you would agree with  
18 me that the rest of that paragraph discusses the year  
19 2017, correct?

02:21:11 20 A. Yes.

21 Q. And on the same page, sir, above paragraph 9 in  
22 bold letters, it says, "My encounter with Mr. Gutiérrez  
23 at a road blockade on July 16, 2018."

24 Do you see that, sir?

02:21:40 25 A. Yes, I can see it.



02:21:42 1 Q. Having reviewed those paragraphs of your  
2 witness statement, those portions of your witness  
3 statement, will you agree with me generally your witness  
4 statement discusses events from 2017 and 2018?

02:21:53 5 A. Yes.

6 Q. And we've already covered that the witness  
7 statements of Mr. Rondón and Mr. Luis Gutiérrez were  
8 submitted in the fall of 2022. Correct, sir?

9 A. Would you repeat your question, please?

02:22:20 10 Q. Mr. Enriquez, I just want to know why did you  
11 wait so long to submit a witness statement to this  
12 Tribunal?

13 A. I do not understand why -- or where you're  
14 going with that question. Could you please restate it,  
02:22:40 15 rephrase it, so that I can better understand it?

16 Q. You discuss events that occurred in 2017 and  
17 2018, correct?

18 A. Yes.

19 Q. And you've already told me that in your witness  
02:23:01 20 statement you are rebutting the statements provided by  
21 Mr. Rondón and Mr. Luis Gutiérrez, correct?

22 A. I don't -- I don't think I can understand. Can  
23 you repeat the last part of your question?

24 Q. In your witness statement, sir, you disagree  
02:23:42 25 with certain statements provided to the Tribunal by

02:23:44 1 Mr. Carlos Rondón and Mr. Luis Gutiérrez, correct?

2 A. That is correct.

3 Q. And you already agreed that Mr. Rondón  
4 submitted his witness statement in September of 2022,  
02:24:05 5 correct?

6 A. I do not know.

7 Q. If Mr. Rondón submitted his statement in  
8 September of 2022 and Mr. Luis Gutiérrez submitted his  
9 statement in October of 2022, why did you wait until  
02:24:30 10 March 8, 2024 to submit your witness statement? Because  
11 all of the information was available to you, wasn't it,  
12 sir?

13 A. No, sir. The information was not available. I  
14 learned of this in 2024.

02:24:58 15 Q. What information was new to you in 2024 that  
16 you included in your witness statement?

17 A. I don't think I understand the question.  
18 Please repeat or please ask me your question  
19 differently.

02:25:19 20 Q. Okay. Let's move on, sir.

21 You hold the position of departmental  
22 agricultural delegate within the Ministry of Agriculture  
23 and Cattle Raising, correct?

24 A. I am a delegate of the Ministry of Agriculture.

02:25:50 25 Q. The ministry of Agriculture and Cattle Raising

02:25:53 1 is an entity responsible for designing, implementing,  
2 monitoring and assessing the agricultural sector policy  
3 in Nicaragua, correct?

4 A. Yes, sir.

02:26:12 5 Q. You've been in your position since at least  
6 2017, correct, sir?

7 A. That is right.

8 Q. Prior to this position, you held an interim  
9 position with a similar title, correct, sir?

02:26:32 10 A. Yes. I was a provisional delegate between 2016  
11 and 2017.

12 Q. And you still hold the same position today,  
13 correct?

14 A. Yes, sir.

02:26:48 15 Q. You've been in that position for just over  
16 eight years, correct, sir?

17 A. No, about seven years in this position.

18 Q. Your duties include organizing technical  
19 training courses for farmers and parcel administrators  
02:27:14 20 in Jinotega, correct?

21 A. Yes.

22 Q. What other duties do you have, sir?

23 A. As part of the Ministry of Agriculture, we are  
24 in charge of monitoring and following up on the  
02:27:42 25 agricultural and cattle raising production.

02:27:49 1 Q. You write in your witness statement that part  
2 of your job was to send engineers to farms to do a  
3 follow-up on the harvest cycle, correct?

4 A. Would you please show me the paragraph where  
02:28:12 5 you're reading that?

6 MR. BART: Joe, can we look at --

7 Q. I'm sorry, sir. I was actually referring to  
8 Luis Gutiérrez's witness statement, CWS-02, at  
9 paragraph 83.

02:29:01 10 Mr. Enriquez, on the screen is the witness  
11 statement of Luis Gutiérrez, which you said you  
12 reviewed, correct?

13 A. I'm sorry, I don't think I can understand.  
14 Could you reiterate your question?

02:29:20 15 MR. ZUNIGA: Counsel, if I may, maybe it  
16 would be helpful for you to highlight the paragraph  
17 you're referring to?

18 MR. BART: Sure. Looking at paragraph 83,  
19 Joe, if we could highlight that.

02:29:33 20 Q. But in the meantime, I was just asking,  
21 generally speaking, Mr. Enriquez, you said that you  
22 reviewed Mr. Luis Enriquez's witness statement, which is  
23 on the screen in front of you, correct, sir?

24 A. No, sir. I think you are mistaken with the  
02:29:55 25 name that you just mentioned.

02:29:58 1 MR. BART: Joe, can we go to the first page  
2 of each of these statements, please?

3 Q. Sir, do you recognize this document as the  
4 witness statement of Luis Gutiérrez submitted to the  
02:30:19 5 Tribunal on October 5, 2022?

6 A. No, sir.

7 Q. Have you ever seen this document before, sir?

8 A. I have only read excerpts of the witness  
9 statement, and those excerpts were translated into  
02:30:59 10 Spanish and also responses of the Claimant. But I  
11 hadn't seen that document.

12 Q. So you've never reviewed the entirety of  
13 Luis Gutiérrez's statements to this Tribunal, sir?

14 A. I've read the references where Mr. Luis  
02:31:22 15 Gutiérrez and Mr. Rondón refer to me.

16 Q. Have you ever read the entire witness  
17 statements provided by Luis Gutiérrez to this Tribunal?

18 A. The one you're showing me up on the screen?  
19 No.

02:32:29 20 Q. On the screen we have Luis Gutiérrez's reply  
21 statement marked CWS-10. Do you recognize this  
22 document?

23 A. No, sir.

24 Q. It's safe to assume that you've not reviewed  
02:32:48 25 this document then, correct, sir?

02:32:59 1 A. Can you show me the contents of the document,  
2 please?

3 MR. BART: Sure. Joe, can you please  
4 scroll through slowly?

02:33:12 5 Q. Mr. Enriquez, if you would like for him to stop  
6 or if you would like to review any certain portion of  
7 this, you're free to do so.

8 A. Stop, stop, please.

9 Q. Having reviewed the portion of the document,  
02:33:31 10 does that refresh your recollection whether you've  
11 reviewed this document in the past?

12 A. No, sir. I have not read it.

13 Q. You say in your witness statement you've  
14 reviewed Carlos Rondón's witness statement. Have you  
02:33:55 15 reviewed the entirety of Mr. Rondón's witness statement?

16 A. What I've read are references, references that  
17 were translated, in this case the Memorial and the  
18 Replies by Claimant. But that document that you showed  
19 me, no, sir.

02:34:28 20 MR. BART: Joe, can we please go to RWS-21  
21 at paragraph 5? Can we blow that up so we can see it?

22 Q. Sir, on the screen is your witness statement.  
23 Do you recognize this document?

24 A. Yes, well, if you could highlight it, please.

02:35:10 25 Q. I'm just asking generally if you recognize this

02:35:12 1 to be your own witness statement that you also have  
2 submitted.

3 A. Yes. Could you bring it up, please, just to  
4 see the cover page?

02:35:29 5 Q. Of course.

6 MR. BART: Joe, can we go to page 1,  
7 please?

8 Q. You agree with me that this is a copy of your  
9 witness statement. Yes, sir?

02:35:49 10 A. Yes.

11 Q. And if we look at paragraph 5 of the witness  
12 statement, will you read that paragraph to yourself,  
13 please, sir, and let me know when you've finished?

14 A. I've completed reading it.

02:36:39 15 Q. You say in paragraph 5 that you reviewed  
16 sections of the Memorial, correct, sir?

17 A. That's right, translated sections of the  
18 Memorial.

19 Q. And the same is true for the Reply submitted by  
02:37:12 20 the Claimant, correct?

21 A. What are you referring to when you say the same  
22 thing can be said?

23 Q. That you reviewed sections of Claimant's Reply  
24 Memorial. Correct, sir?

02:37:40 25 A. I reviewed the Reply submitted by the Claimant.

02:37:46 1 Q. Did you review the entirety of the Reply or  
2 only portions of it?

3 A. Well, what I made clear is that I reviewed  
4 Claimant's Reply.

02:38:06 5 Q. And I'm asking, sir, did you review the  
6 entirety of the Reply or only portions of it? Do you  
7 know whether you read the whole thing?

8 A. Well, I repeat that what I put forward in the  
9 document, my personal testimony, is that I've read the  
02:38:38 10 Reply submitted by the Claimant.

11 Q. Approximately how many pages --

12 PRESIDENT: Mr. Enriquez, I think you need  
13 to answer the question. The question was did you read  
14 the entire document or only parts of it?

02:39:03 15 MR. ENRIQUEZ: Just some sections of the  
16 document.

17 MR. BART: Thank you, Mr. President.

18 Q. You state in paragraph 5 that you read Carlos  
19 Rondón's first statement submitted on September 30, 2022  
02:39:16 20 and Luis Adolfo Gutiérrez Cruz' first and second witness  
21 statements submitted on October 5, 2022 and October 27,  
22 2023. Do you see that, sir?

23 A. Could you read it once again?

24 Q. In paragraph 5 of your statement on the screen,  
02:39:44 25 sir. You're welcome to read it. Please let me know



02:39:51 1 when you've finished.

2 A. Yes, I've concluded the reading.

3 Q. Did you review the entirety of Carlos Rondón's  
4 first witness statement submitted on September 30, 2022?

02:40:36 5 A. No.

6 Q. Do you know which sections of Carlos Rondón's  
7 first witness statement you reviewed?

8 A. Right now, I don't remember.

9 Q. Did you review the entirety of Luis Gutiérrez's  
02:41:07 10 first witness statement?

11 A. What I have said is I've reviewed sections of  
12 Mr. Gutiérrez's witness statement.

13 Q. With respect to his second witness statement,  
14 did you only review sections, or did you review the  
02:41:41 15 entirety of the statement?

16 A. No, just sections, nothing more.

17 Q. Who provided the excerpts to you, sir?

18 A. The attorneys for the Republic of Nicaragua.

19 Q. Did you ever ask them if you could read the  
02:42:07 20 entirety of the statements?

21 A. No, sir.

22 Q. That wasn't important to you that you were  
23 going to respond to those statements, that you read the  
24 entirety of them?

02:42:25 25 A. I don't know, sir.

02:42:27 1 Q. Well, was it important or not?

2 A. I think I already answered. I don't know.

3 Q. You don't know whether it was important to you  
4 to read the entire statement before you responded to it?

02:42:49 5 MR. ZUNIGA: Mr. President, I object to  
6 this line of questioning. The witness has already  
7 answered, and he has explained that he has reviewed  
8 experts -- excerpts, I'm sorry, of the witness statements  
9 where he was referenced. That's it.

02:43:03 10 PRESIDENT: Yes, it's asked and answered.  
11 Please move on.

12 MR. BART: Thank you, Mr. President.

13 Q. Mr. Enriquez, we were talking about your job  
14 and the responsibilities that you have, and I asked a  
02:43:22 15 question: do you agree with me that part of your job was  
16 to send engineers to farms to do a follow-up on the  
17 harvest cycle?

18 A. If you -- please, I need you to show me the  
19 paragraph where what you're saying is to be found.

02:43:44 20 Q. Sir, you've been employed in your job for over  
21 seven years, correct?

22 A. I was appointed in 2017 as departmental  
23 delegate of the Ministry of Agriculture in Jinotega.

24 Q. And you've been doing that job for seven years,  
02:44:11 25 correct?

02:44:16

1 A. Yes.

2 Q. I'm just asking, generally speaking, part of  
3 your job, you send engineers to farms to review the  
4 harvest cycle. Isn't that right?

02:44:33

5 A. No, I need you to show me where that  
6 information is in the document or in my statement.

7 PRESIDENT: Mr. Enriquez, you should be  
8 able to answer these questions without going to your  
9 witness statement. If you don't remember, you don't  
10 remember. If you don't know, you don't know, but you  
11 have to be able to answer these kind of questions without  
12 going to your witness statement.

02:44:47

13 Another question whether -- another issue  
14 whether these questions are relevant, Mr. Bart. You may  
15 want to focus on issues that are in dispute in this  
16 case.

02:45:08

17 MR. BART: Thank you, Mr. President.

18 Q. Mr. Enriquez, do you have any other jobs?

19 A. No.

02:45:26

20 Q. So your job is important to you, isn't it, sir?

21 A. Yes.

22 Q. Do you consider your job to be prestigious,  
23 sir?

02:45:51

24 A. I am an employee of the Ministry of Agriculture  
25 in the department of Jinotega.

02:45:53 1 Q. And you're proud of that, aren't you, sir?

2 A. Yes, sir.

3 Q. You don't want to lose your job, do you, sir?

4 A. Why do you put that to me? I'm on my job, I am

02:46:24 5 proud of my work, and of course I don't want to lose my

6 work, my job.

7 Q. Thank you, sir.

8 You say in your statement, and you've told

9 the Tribunal, that your full name is Favio Dario

02:46:41 10 Enriquez Gómez, correct?

11 A. That's right.

12 Q. Generally speaking, you say that you are not

13 Enrique Favio Dario, right?

14 A. That is not my name.

02:46:57 15 Q. Nor is Favio Enrique Dario, correct?

16 A. That is also not my name.

17 Q. You would agree with me, sir, that Favio sounds

18 a lot like Fabio, right?

19 A. Could you repeat that, please?

02:47:23 20 Q. Sir, we can agree that Carlos Rondón and

21 Luis Gutiérrez just made a mistake in their witness

22 statements about your full name, right?

23 A. Yes.

24 Q. Have you ever met Carlos Rondón, sir?

02:47:54 25 A. No, sir.

02:47:58 1 Q. You have met Luis Gutiérrez, correct?

2 A. That's right.

3 Q. If we look at paragraph 4 of your witness  
4 statement. The last sentence of paragraph 4, sir, you  
02:48:38 5 write:

6 "I am indeed surprised that Mr. Gutiérrez,  
7 who claims to have met and interacted with me, does not  
8 know my name."

9 Do you see that, sir?

02:48:54 10 A. Yes.

11 Q. You have, in fact, met Mr. Luis Gutiérrez, so  
12 he's not claiming anything, right, sir?

13 A. I've met Luis Gutiérrez, but as I've mentioned,  
14 I don't know Mr. Carlos Rondón.

02:49:25 15 Q. So Luis Gutiérrez is telling the truth that he  
16 interacted with you in 2017, correct?

17 A. Yes.

18 Q. Do you know Mr. Gutiérrez's full name, sir?

19 A. Yes. Luis Adolfo Gutiérrez Cruz.

02:50:05 20 Q. And you knew that Mr. Gutiérrez was affiliated  
21 with the Hacienda Santa Fé because you and the engineers  
22 on your team provided advisory and consultancy services  
23 to farmers in Jinotega, correct?

24 A. That is correct.

02:50:30 25 Q. And you knew he worked at Hacienda Santa Fé,

02:50:33 1 correct?

2 A. That's correct.

3 Q. Sir, based on your knowledge of and familiarity  
4 with agriculture in Jinotega, do you know whether  
02:50:55 5 avocados are currently being grown in Jinotega?

6 A. I do not know.

7 Q. Okay. Let's talk about July 2018. Okay, sir.

8 You admit that you encountered  
9 Luis Gutiérrez on June 16, 2018 near a roadside  
02:51:28 10 blockade, correct?

11 A. That's right, sir.

12 Q. So Mr. Gutiérrez wasn't lying about that,  
13 correct?

14 A. Regarding the meeting, no.

02:52:00 15 Q. And at this June 16, 2018 meeting,  
16 Mr. Gutiérrez informed that you Hacienda Santa Fé was  
17 occupied by invaders, correct?

18 A. I never met with him, and that was never a  
19 topic of conversation.

02:52:31 20 Q. You never met with Mr. Gutiérrez on July 16,  
21 2018?

22 A. No, sir. We did not meet. We just encountered  
23 one another at a tranque, at one of the roadside  
24 barricades.

02:53:03 25 Q. And when you encountered one another, he

02:53:05 1 informed you that Hacienda Santa Fé had been invaded,  
2 correct?

3 A. No, sir.

4 Q. Has Mr. Gutiérrez ever informed you that  
02:53:45 5 invaders had taken Hacienda Santa Fé during the summer  
6 of 2018?

7 A. No, sir.

8 Q. Is it possible, sir, that the two of you just  
9 have different recollections of this encounter?

02:54:19 10 A. No, sir. What I state in my witness statement  
11 is based on real facts.

12 Q. So in your mind, sir, it's not possible at all  
13 that Mr. Luis Gutiérrez told you about the invasion and  
14 you forgot? It's not possible at all?

02:55:16 15 A. It is not possible, sir, because it was an  
16 encounter at a roadblock where there were armed  
17 criminals. In addition, it was a very difficult  
18 situation in the country and a very complex situation in  
19 the City of Jinotega.

02:55:36 20 At that time we were risking our lives,  
21 our personal safety, and it wasn't possible for us to  
22 have a meeting with Mr. Gutiérrez, nor for us to have  
23 discussed any specific topic. Nor is it possible  
24 because at that time I had no knowledge of the supposed  
02:55:58 25 invasion of Hacienda Santa Fé, plus I never had been to

02:56:06 1 Hacienda Santa Fé. I learned of the supposed invasion  
2 of Hacienda Santa Fé only when the lawyers for the  
3 Republic of Nicaragua spoke with me. And also based on  
4 what I've read in the Memorial.

02:57:01 5 Q. Sir, at the barricades on June 16, 2018 where  
6 you were present, who else was there with you?

7 A. At that encounter, Mr. Gutiérrez was there, and  
8 there were other persons who were waiting to get  
9 through. There were also criminals. We had criminals  
02:57:33 10 right in front of the roadblock. They were the ones who  
11 were stopping the traffic or obstructing one of the main  
12 roads in the City of Jinotega.

13 Q. Other members of MAGFOR were present with you  
14 at that time, weren't they, sir?

02:58:03 15 A. No, sir.

16 Q. Was Lourdes Otto present? Let me re-ask the  
17 question, please.

18 Was Lourdes present with you, sir?

19 A. No, sir.

02:58:25 20 Q. Otto?

21 A. No, sir.

22 MR. ZUNIGA: Mr. President, I have to  
23 object. There's no reference in either Mr. Gutiérrez's  
24 witness statements or Mr. Rondón's witness statements  
02:58:36 25 about this person Lourdes Otto. Mr. Enriquez certainly



02:58:43 1 did not make any reference to such person.

2 PRESIDENT: Mr. Bart, what is the basis of  
3 these questions?

4 MR. BART: Mr. President, my understanding  
02:58:57 5 is that there were other individuals from Mr. Enriquez's  
6 department present at this encounter, and I think it's  
7 material that he did not include that in his witness  
8 statement.

9 PRESIDENT: What is your -- that was my  
02:59:10 10 question. What is your understanding based on?  
11 Documents in the file or a witness statement?

12 MR. BART: Mr. President, it's from  
13 Mr. Gutiérrez himself.

14 PRESIDENT: But it wasn't in his witness  
02:59:39 15 statement?

16 MR. BART: That's correct.

17 PRESIDENT: So then proceed. Move on to  
18 another topic.

19 Q. Sir, let's talk about the agriculture  
03:00:37 20 conference and the discussions that allegedly occurred  
21 or -- that occurred in August and September of 2018.

22 In your witness statement you claim to  
23 have had a telephone conversation with Luis Gutiérrez in  
24 August 2018 during which you invited him to attend an  
03:00:50 25 agricultural conference, correct?

03:00:59 1 A. That's right, sir.

2 Q. Did you call him, or did he call you?

3 A. I called him.

4 Q. You have his contact information?

03:01:12 5 A. That's right.

6 Q. His cell phone number?

7 A. Yes.

8 Q. So if at some point the government of Nicaragua

9 wanted to contact someone associated with Hacienda

03:01:33 10 Santa Fé, they could have contacted MAGFOR, and you

11 could have put them in touch with Mr. Gutiérrez,

12 correct?

13 A. No, I didn't really understand your question.

14 Could you please rephrase it and perhaps if you put it

03:01:54 15 in terms that I can understand it better.

16 Q. That's okay, sir. We can move on.

17 What was the agricultural conference in

18 the summer of 2018 to which you refer in your witness

19 statement?

03:02:17 20 A. It was in August 2018. You're saying the

21 summer. The summer in Nicaragua -- August is the

22 winter, sir. Not the summer.

23 Q. Thank you. What was the conference in August

24 of 2018, generally speaking?

03:02:43 25 A. It was a conference with agriculture producers.

03:02:48 1 Q. Why did you invite Mr. Gutiérrez?

2 A. Because Mr. Gutiérrez -- well, we had already  
3 invited him before to participate in a training course.  
4 We had him as a reference at the time.

03:03:15 5 Q. And you wouldn't have invited someone who was  
6 not an educated member of the agricultural community,  
7 correct?

8 A. What do you mean? Could you please explain or  
9 rephrase your question?

03:03:42 10 Q. If Mr. Gutiérrez didn't know anything about  
11 agriculture, you would not have had reason to invite him  
12 to this conference, correct?

13 A. I understand that he is the administrator, the  
14 manager of a farm. That is why he was invited, because  
03:04:03 15 we provide services to producers and to farm managers.

16 Q. And you say this conversation occurred in  
17 August 2018, correct?

18 A. It was in early August of 2018.

19 Q. And Mr. Luis Gutiérrez never mentioned the  
03:04:27 20 invasion of Hacienda Santa Fé, correct, according to  
21 you?

22 A. That is correct, sir.

23 Q. Does it seem strange to you, sir, that his farm  
24 had just been invaded, and while you were inviting him  
03:04:45 25 to an agricultural conference, he didn't say to you,

03:04:47 1 "Actually, there's no reason for me to go anymore  
2 because my farm has been taken over?"

3 A. No, sir. That is not what he said to me.  
4 Also, at that time I had no knowledge of the invasion of  
03:05:09 5 the Hacienda Santa Fé. I became aware of that when the  
6 lawyers for the Republic of Nicaragua told me about the  
7 case and after looking at the documents and the Memorial  
8 that I read. That's when I realized the matter. At  
9 that time I did not know that Hacienda Santa Fé had been  
03:05:36 10 invaded or that it had been taken over.

11 Q. Mr. Enriquez, it's not clear to me. Do you  
12 admit or deny that you met Mr. Gutiérrez at Jinotega  
13 Central Park in September 2018?

14 A. I met with Mr. Gutiérrez in the central park of  
03:06:22 15 Jinotega. I truly do not remember exactly when that  
16 meeting took place.

17 Q. Mr. Enriquez, in your statement you write --  
18 you say that you are not and never have been a spokesman  
19 for the government, correct, sir?

03:07:34 20 A. That's right, sir.

21 Q. You agree with me that MAGFOR is an agency of  
22 the government, correct, sir?

23 PRESIDENT: Can you repeat the question?  
24 We didn't hear it.

03:07:44 25 Q. You agree with me that MAGFOR is an agency of

03:07:47 1 the Nicaraguan government. Correct, sir?

2 A. Let me clarify something. MAGFOR today does  
3 not exist anymore. MAGFOR was operational until 2014.  
4 Starting in May 2014, a new agency was created, which  
03:08:19 5 was the agricultural ministry.

6 Q. Thank you for the reminder, sir.

7 Does MAG -- MAG, as you refer to it in  
8 your witness statement, is an agency of the Nicaraguan  
9 government, isn't it, sir?

03:08:40 10 A. MAG is an institution.

11 Q. And it's part of the government, isn't it, sir?

12 A. It is a public institution.

13 Q. Mr. Enriquez, do you have a Facebook account?

14 A. I do.

03:09:06 15 Q. Is it possible on your Facebook account that  
16 you've posted photos of yourself and other MAG members  
17 demonstrating in favor of the government?

18 MR. ZUNIGA: Mr. President, maybe Mr. Bart  
19 can show the picture or the photo or the Facebook profile  
03:09:29 20 he's referring to with the pictures, please?

21 PRESIDENT: If the profile is on record,  
22 you may proceed. But if not, move on.

23 MR. BART: Thank you, Mr. President. It is  
24 not currently part of the record, so we will move on.

03:09:49 25 Q. Mr. Enriquez, understanding that you disagree

03:09:50 1 about the conversations you've had with Mr. Luis  
2 Gutiérrez, whatever you did say to him during that time,  
3 you did so while you were employed by MAG, correct?

4 A. What do you mean by your question? Please  
03:10:09 5 rephrase it. I don't really understand it very well.

6 Q. You were employed by MAG every time that you  
7 spoke with Mr. Gutiérrez between 2017 and the present.  
8 Correct, sir?

9 A. Now, you're making reference to something, and  
03:10:37 10 I have not engaged in conversations related to the  
11 statements made by Mr. Gutiérrez, and I am currently a  
12 delegate of the ministry of the -- agricultural  
13 ministry.

14 Q. Mr. Enriquez, thank you for being here and  
03:11:04 15 traveling to be here. We appreciate it. Those are the  
16 questions I have for you. I expect that your counsel  
17 may have some questions.

18 PRESIDENT: Thank you, Mr. Bart. Any  
19 redirect?

03:11:13 20 MR. ZUNIGA: No redirect, Mr. President.

21 PRESIDENT: Any questions from my  
22 colleagues?

23 Just one question from the Tribunal,  
24 Mr. Enriquez.

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03:11:24

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QUESTIONS BY THE TRIBUNAL

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PRESIDENT: When you had this encounter with Mr. Gutiérrez at the roadblock, what did you discuss?

03:11:39

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MR. ENRQUEZ: We didn't really talk about anything. It was simply happenstance really the fact that we met there, ran into each other there at that roadblock. There were people wearing balaclavas. There were armed criminals right in front of that roadblock

03:12:02

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that were against the government of Nicaragua. So we really didn't engage in any kind of dialogue, nor were we meeting at the time. We didn't hold any meeting at the time. We just greeted each other, or I just greeted him, actually.

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PRESIDENT: You just greeted and that's it? There was no discussion?

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MR. ENRIQUEZ: There was no dialogue or conversation whatsoever. We did not engage in dialogue.

03:12:36

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PRESIDENT: Okay. Thank you very much.

MS. GREENWOOD: Sorry. My apologies. Just one additional question, if I may.

I believe Mr. Gutiérrez mentioned he was on his motorbike. I may or may not have that right. But were you in a car or on a motorbike as well?

03:12:57

25

MR. ENRIQUEZ: I was in a vehicle. I was

03:13:00 1 parked in a vehicle when that encounter happened. And  
2 the only thing I did is I greeted Mr. Gutiérrez.

3 MS. GREENWOOD: And Mr. Gutiérrez was on  
4 his motorbike?

03:13:17 5 MR. ENRIQUEZ: That's right, he was on his  
6 motorbike.

7 MS. GREENWOOD: Thank you. That's helpful.  
8 Thank you. No more questions.

9 PRESIDENT: Thank you, Ms Greenwood. Any  
03:13:34 10 questions from counsel arising from the questions of the  
11 Tribunal?

12 MR. BART: No, Mr. President. Thank you.

13 MR. ZUNIGA: Nothing from us,  
14 Mr. President.

03:13:42 15 PRESIDENT: Thank you. That concludes your  
16 examination, Mr. Enriquez. Thank you for your time. You  
17 are released.

18 MR. ENRIQUEZ: Thank you, everyone.

19 PRESIDENT: Very good. Let's break now for  
03:13:58 20 15 minutes, until 3:30. We have in fact completed the  
21 witnesses of fact and we will start with the experts,  
22 with Mr. Gutiérrez first, Mr. Renaldy Gutiérrez. Is he  
23 going to make a presentation?

24 MR. APPLETON: Yes, it's actually my fault.  
03:14:25 25 I've been so interested here and I didn't know when this



03:14:28 1 was going to finish. I'll press the button. I have the  
2 email ready with the presentation to go out right now.  
3 I'm sorry. I apologize. This went longer and it got me  
4 very interested. I apologize profoundly.

03:14:40 5 PRESIDENT: All I wanted to ask was that  
6 he's making a presentation instead of a direct  
7 examination.

8 MR. BART: Yes, Mr. President.

9 MR. APPLETON: And the document has just  
03:14:49 10 been sent.

11 PRESIDENT: Okay. Very good. So we will  
12 resume in 15 minutes.

13 *(Brief Recess)*

14 RENALDY GUTIÉRREZ

03:33:20 15 PRESIDENT: Okay. Let's resume.

16 Good afternoon, Mr. Gutiérrez.

17 MR. GUTIÉRREZ: Good afternoon,

18 Mr. President.

19 PRESIDENT: I understand you will be giving  
03:33:33 20 evidence in English.

21 MR. GUTIÉRREZ: Yes, sir.

22 PRESIDENT: You have been presented as an  
23 expert witness in this arbitration, so you need to make a  
24 declaration of an expert witness. You should have the  
03:33:45 25 text of the declaration on the desk. Can you please make

03:33:51 1 the declaration?

2 MR. GUTIÉRREZ: I solemnly declare upon my  
3 honor and conscience that my statement will be in  
4 accordance with my sincere belief.

03:34:12 5 PRESIDENT: If you could pull the  
6 microphone a bit closer, it will be easier for us.

7 MR. GUTIÉRREZ: Yes, sir.

8 PRESIDENT: Now, we understand you will be  
9 making a presentation of 40 minutes -- up to 40 minutes.

03:34:30 10 As you know, the rules are that 30 minutes relate to the  
11 evidence that you have already given, and you have  
12 ten minutes to comment on the expert evidence of the  
13 Respondent that were submitted after you submitted your  
14 expert opinion.

03:34:50 15 MR. GUTIÉRREZ: I understand.

16 PRESIDENT: We understand there will be no  
17 introductory questions by the Claimant. So please  
18 proceed, Mr. Gutiérrez, with your presentation.

19 **PRESENTATION**

03:35:04 20 MR. GUTIÉRREZ: Thank you, Mr. President.

21 My name is Renaldy Gutiérrez. I am a  
22 practicing attorney both in Nicaragua and in the United  
23 States. I graduated in Nicaragua from Universidad  
24 Centroamericana in Managua in 1970. Then I taught at  
03:35:27 25 the university for several years covering contracts,

03:35:34 1 obligations, commercial code and legal ethics.

2 I worked for a bank in Nicaragua for  
3 several years. It was a developing bank with a lot of  
4 loans for agriculture and all the industries that  
03:35:57 5 existed at that time, at that time meaning the '70s.

6 I also got my juris degree at the Miami  
7 Law School, and that was in 1985 and began practicing  
8 law in the United States in 1986. I was authorized to  
9 practice law in the United States.

03:36:33 10 I also founded a law firm in Miami where I  
11 work, and we cover in our practice commercial  
12 transactions, contracts, mortgages and execution of  
13 mortgages, among other things.

14 My presentation today will have three  
03:37:09 15 parts. Two parts that Mr. President has already  
16 explained, the 30 and the 10 minutes. In the first  
17 portion of my presentation, we will cover the judicial  
18 order, the private wildlife reserve question, permits  
19 and authorization and, finally, other issues as  
03:37:37 20 confirming the validity of a promissory note.

21 Beginning with the judicial order, it is  
22 important to note that the Respondent named a wrong  
23 domicile for Riverside. It gave an address in a country  
24 which doesn't exist. It was indicated to be United  
03:38:13 25 States of California.

03:38:18 1                   Furthermore, the judicial order also,  
2 although it required notice to the affected party,  
3 notice was not given. And that was required by the  
4 statute, the Civil Code of Procedure, as well by the  
03:38:43 5 order itself. Because the order was obtained in a  
6 proceeding ex parte, obviously neither Riverside nor  
7 INAGROSA were part of that proceeding, and in that case  
8 the law says that if the parties affected were not a  
9 participant in the proceeding, then when the order is  
03:39:14 10 issued, should be given to the party. That didn't  
11 happen.

12                   Nicaragua's failure to provide notice  
13 thwarted Riverside's rights of opposition against the  
14 judicial order. Precisely the opportunity the code  
03:39:40 15 gives to the party is to raise objections to the order,  
16 to submit arguments indicating that the order is  
17 inadmissible. That opportunity was lost for Riverside  
18 for the lack of notification of the order.

19                   The Civil Code says that -- established a  
03:40:06 20 procedure the court is to follow once an opposition is  
21 submitted, and that procedure is giving notice again to  
22 the other side of the petition. Hearing arguments for  
23 both parties before the judge. And because of -- these  
24 matters are urgent typically, the code says that the  
03:40:28 25 judge must make a decision immediately. And once that

03:40:33 1 decision is made, as it was in this case, it should be  
2 served on the other party.

3           But the failure of Nicaragua to give  
4 notice impeded Riverside from having the opportunity to  
03:40:51 5 challenge the order. That's a violation of due process  
6 and law which quite clear is an egregious violation of  
7 the rule of law.

8           Furthermore, the judicial order has, at  
9 least we can contemplate, two effects: one is a de facto  
03:41:22 10 effect of the judicial order and the other is a de jure  
11 effect.

12           Concerning the de facto effect, the order  
13 deprived INAGROSA of its exclusive rights to the  
14 property as an owner, including possession and control,  
03:41:38 15 and also severely affected Riverside's ability in the  
16 financial planning of their project. Why? Because they  
17 were deprived of the use of the property for a mortgage,  
18 for a loan or for other purposes.

19           And the de jure effect that we see is that  
03:42:07 20 although INAGROSA remained on the title with Nicaragua,  
21 the judicial order consequently divested INAGROSA of its  
22 possessory rights. A reading of the certificate that  
23 was taken from the registry and that is part of the  
24 record portrays a very confusing information given to  
03:42:34 25 the public as to the ownership of the property or title

03:42:41 1 to the property.

2 Now we turn to section 2 regarding the  
3 private wildlife reserve, which has been contested in  
4 this Tribunal, in this proceeding.

03:42:59 5 The ministerial resolution that approves  
6 the reserve, 021-2018, issued by the Ministry of  
7 Environment and Natural Resources, MARENA, we believe  
8 that that resolution is valid because there is nothing  
9 on its face that said otherwise. But it never entered  
03:43:29 10 into effect. It's a valid administrative resolution  
11 which never entered into effect.

12 And this is so because the publication of  
13 the ministerial resolution was having a requirement both  
14 under the law and also under the resolution itself.

03:43:57 15 This resolution should have been publicized in  
16 newspapers and in La Gaceta never.

17 There were two conditions that were  
18 attached to the approval of ministerial resolution,  
19 which requires, No. 1, a management agreement signed by  
03:44:18 20 both parties, a management agreement that was going to  
21 be prepared by the applicant, Riverside (INAGROSA), and  
22 approved by the government and signed by both parties.

23 The other element is also a management  
24 plan and an annual operative plan. Those necessary  
03:44:47 25 agreements were not signed, and there is no evidence

03:44:52 1 that they exist. But the MARENA resolution says the  
2 following. The resolution that approved the private  
3 wildlife reserve says that this resolution is subject to  
4 the terms and conditions set forth in the Private  
03:45:15 5 Wildlife Reserve Administration Agreement that we just  
6 mentioned, the operation and plan for monitoring and  
7 follow-up.

8 In other words, it was impossible to apply  
9 the resolution without those two pieces of legal  
03:45:36 10 framework within which the preservation -- the final  
11 preservation was supposed to function.

12 The MARENA resolution was not published,  
13 as we said before. And in that, it's important to note  
14 that the approval itself in article 6 states that it  
03:46:02 15 "shall become effective upon publication in the written  
16 press" or in the gazette. So there was no question  
17 about that. Because the wording of the statute says it  
18 will take effect only after.

19 Now we move to section 3, permits and  
03:46:26 20 authorizations. Let me start by saying we already  
21 indicated in our presentation that Nicaragua -- the  
22 Nicaraguan government never gave notice to INAGROSA of  
23 any warning, infraction, or sanction related to any  
24 violation that now Nicaragua is claiming under the laws  
03:46:50 25 of Nicaragua and regulations.

03:46:58 1                   Nicaragua had many opportunities to do so,  
2 to open a proceeding, make an investigation, but they  
3 never did that. It was not until they filed the  
4 counter -- the response that they claimed those things,  
03:47:18 5 those issues. I'm not saying that they didn't have the  
6 authority or the power to claim it, but what I'm saying  
7 is that those were not issues while INAGROSA was in  
8 operation, but it became an issue after this arbitration  
9 was filed.

03:47:39 10                   Nicaraguan government officials made  
11 numerous visits to the Hacienda Santa Fé, and in the  
12 course of the operations they talked to Luis Gutiérrez,  
13 who was the manager of the Hacienda and represented the  
14 owner at the Hacienda.

03:47:57 15                   Just to put this information in context  
16 and in a timeline, in 2015-2018, INAGROSA had the visit  
17 from the Ministry of Agriculture and Cattle Raising to  
18 monitor harvest cycle.

03:48:19 19                   In 2016, INAGROSA had the inspection from  
20 MARENA officials in December 13, 2016 in connection with  
21 the private wildlife reservation.

22                   In 2017, it had the visit from the  
23 Institute of Agricultural Technology (INTA) for the  
24 purpose of inspections of the Hass avocado nursery.

03:48:41 25                   MARENA officials confirmed in writing that



03:48:44 1 INAGROSA was in compliance with the laws and Nicaraguan  
2 legislation as of February 27, 2018, four months prior  
3 to the invasion of the Hacienda. If that is the case,  
4 then when did these permit issues arise after they said  
03:49:10 5 everything was fine? To me, those permit issues are  
6 non-issues whatsoever.

7 All the alleged permits and authorizations  
8 violations require the initiation of a lengthy  
9 administrative proceeding that will take control of the  
03:49:30 10 situation, open a case, give opportunity to the party to  
11 amend and impose a sanction if necessary. But that  
12 didn't happen.

13 In section 4, to which we are turning now  
14 of my presentation, I just want to say that the  
03:49:55 15 promissory note that has been submitted is legal and  
16 valid according to the laws of Nicaragua. We also  
17 confirmed corporate nationality issues that were raised  
18 and confirmed that the La Gaceta, the official  
19 Nicaraguan newspaper, continues its publications even  
03:50:16 20 within the period of insurrections that existed in 2018.  
21 Manifestations in the streets, barricades and things  
22 like that. My information is that La Gaceta never  
23 stopped from publishing.

24 Now I will turn to the Rejoinder  
03:50:42 25 statements and to the witness statements that were

03:50:44 1 submitted before my previous opinion. In this section  
2 we'll deal with three areas: one, again the judicial  
3 order, the private wildlife reserve and the permits and  
4 authorization.

03:51:00 5           Regarding the judicial order, Dr. Byron  
6 Sequeira posited that Riverside could have challenged  
7 the judicial application for the appointment of a  
8 judicial depository and they didn't do it and,  
9 therefore, they don't have claim to do with that part.

03:51:22 10           However, Riverside could not have made  
11 that claim because the proceeding within which the order  
12 was issued, notice was not given to Riverside, and that,  
13 as we said before, that notice was a requirement by the  
14 law to be given to the parties.

03:51:50 15           Since the Attorney General of Nicaragua  
16 proceeded ex parte, Riverside and INAGROSA were excluded  
17 from the proceedings and had no knowledge of what was  
18 happening at that time. Riverside could not have  
19 intervened even if it wanted to because the judicial  
03:52:14 20 case, once the order was issued, was closed and the  
21 proceedings were sent to archive as a closed case.

22           MS. GREENWOOD: Mr. Gutiérrez, apologies  
23 for interrupting your presentation. Just on that point  
24 about the judicial case file being definitively closed,  
03:52:33 25 if I have this right, there was then a renewal of the

03:52:38 1 order. Is that correct?

2 MR. GUTIÉRREZ: There could be -- a party  
3 could ask for a renewal if there's something that merits  
4 the renewal.

03:52:47 5 MS. GREENWOOD: But that doesn't change  
6 your analysis?

7 MR. GUTIÉRREZ: No, because neither  
8 Riverside nor INAGROSA were a party to those proceedings.

9 MS. GREENWOOD: Thank you.

03:53:01 10 MR. GUTIÉRREZ: They would never receive a  
11 summons.

12 MS. GREENWOOD: Thank you. And do proceed.

13 MR. GUTIÉRREZ: I also want to respond to  
14 Dr. Sequeira's comments of INAGROSA being 100 percent  
03:53:12 15 owner of the Hacienda Santa Fé.

16 In April of 2021, we got information that  
17 the Nicaraguan Institute of Forestry (INAFOR)  
18 inaugurated a community forest nursery in Hacienda  
19 Santa Fé. This public community forest was dedicated by  
03:53:37 20 the government of Nicaragua on Hacienda Santa Fé lands  
21 owned by INAGROSA, as I said, in 2021.

22 The inauguration of this event, we see  
23 that Alvaro Mendez from Jinotega department delegate and  
24 Ney Ariel Ortega Kuan, the one that is called El Chino  
03:54:03 25 were participants in the event. El Chino, as we know,

03:54:07 1 was one of the invaders of Hacienda Santa Fé.

2 But what is even more despicable, if I may  
3 say, the community forest nursery that was being  
4 inaugurated was dedicated to Luis Antonio Rizo, the one  
03:54:22 5 called El Chino, that was the leader of the rebels --  
6 not the rebels -- the invaders.

7 MS. GONZÁLEZ: Mr. President, I'm sorry. I  
8 would like to object. This is nowhere in Mr. Renaldy  
9 Gutiérrez's expert report, nor in the pleadings anywhere.

03:54:40 10 PRESIDENT: We haven't seen that either.  
11 Can you refer to any document on the record?

12 MR. APPLETON: Mr. President, if I might.  
13 The witness is allowed to be able to address matters that  
14 were arising out of the reports that came subsequent,  
03:54:58 15 were in that part of the zone. He identified  
16 specifically to what he was referring, which is the point  
17 raised by Dr. Sequeira with respect to 100 percent  
18 ownership.

19 He then did his own research and  
03:55:09 20 identified information which he can't put into the  
21 record because it's after his last filing, unless you  
22 give permission, in which case we'd be delighted to put  
23 it in the record. We have it available to be here. He  
24 has that information. He's bringing that information  
03:55:24 25 within his ten-minute period and he's responding

03:55:28 1 expressly and specifically to the matter that has been  
2 raised by the other side.

3           Now, it's up to you to decide, but it  
4 seems to me that if there's something material that  
03:55:36 5 indicates that there is something that indicates that  
6 the documents that we're dealing with are inaccurate and  
7 there's been an actual taking of property on the lands  
8 here, I would think that that would be something that  
9 would be worth knowing about.

03:55:52 10       A. I'm sorry, Mr. President. The Procedural Order  
11 1 established a proceeding to -- if Claimant wants to  
12 introduce new evidence -- this is new evidence and  
13 there's a proceeding for that. We object.

14           MR. APPLETON: Again, we disagree. This is  
03:56:06 15 his testimonial evidence. He is allowed to have his  
16 testimonial evidence --

17           PRESIDENT: Let's not argue.

18           MR. APPLETON: We're not arguing about  
19 putting the document in. For that we would have to have  
03:56:17 20 the leave.

21           PRESIDENT: The Tribunal will withdraw to  
22 deliberate, and we will rule on this. We hear the  
23 parties.

24           (The Tribunal withdrew)

03:59:17 25           PRESIDENT: The Tribunal has deliberated.

03:59:20 1 Mr. Gutiérrez is an expert witness. He is not the  
2 witness of fact, and this would be factual evidence.  
3 It's not a legal opinion, so this cannot be admitted into  
4 the record. So this slide is excluded from the record.

03:59:39 5 The parties know that there is a mechanism  
6 for introducing new evidence, and that mechanism has  
7 been set out in PO1. Introducing late evidence after  
8 the last written submission, that is the way to  
9 introduce or seek leave for new evidence. But this is  
04:00:00 10 not the way to introduce new factual evidence.

11 So please proceed, Mr. Gutiérrez, but you  
12 cannot comment further on this subject. This is  
13 evidence of fact, not expert evidence.

14 MR. GUTIÉRREZ: Thank you, Mr. President.

04:00:20 15 Regarding the private wildlife reserve,  
16 Dr. Sequeira suggests that MARENA's Ministerial  
17 Resolution 21-2018 is completely valid and, therefore,  
18 constitutes obligations on both of the parties and  
19 benefits to the applicant, in whose name the  
04:00:51 20 preservation was granted.

21 I reviewed the MARENA interactive map,  
22 which is part of MARENA's web page, and they indicate  
23 the location of all the private wildlife reserves in the  
24 area. The Santa Fé reserve is not in that location. In  
04:01:21 25 my opinion, Dr. Sequeira's view is mistaken.

04:01:25 1 Recognition of the private wildlife  
2 reserve has conditional -- is a precondition to the  
3 execution of the administration agreement and management  
4 agreement and management plans that we've mentioned  
04:01:41 5 before.

6 The publication of the order in La Gaceta  
7 to make it public, of the concession -- not a concession  
8 -- but the granting of the private wildlife reserve is  
9 not an event in the background, as witness González  
04:02:12 10 says, but is an event to the core of the creation and  
11 enforcement of the private wildlife reserve declaration.

12 Remember what we said before, that it was  
13 going to be effective upon its publication, by its own  
14 wording.

04:02:39 15 Regarding the permits and authorizations  
16 the 2014 Hass avocado planting, MARENA alleges that  
17 INAGROSA required a change of land use permit. Our  
18 position is that no permit was required because there  
19 was no change of use. At that time changing crops from  
04:03:06 20 avocado to coffee, or vice versa, was not a change of  
21 use of soil.

22 Regarding the planned extension to  
23 200 hectares that Mrs. González also referred to, we  
24 need to emphasize the fact that no use of the land was  
04:03:36 25 made. The only thing that happened at that time was the

04:03:42 1 staking of the perimeter of the area, but the area was  
2 not clean. So no permits were required.

3           Regarding Decree 20/2017, it was  
4 inapplicable because the planting occurred before 2017  
04:04:07 5 came into effect. There was no planting done in 2018  
6 because we had the invasion of the property.

7           Regarding Mr. Lacayo's statement, which is  
8 RWS-16, the hydrological study that was prepared at that  
9 time was a document for internal purposes only and for  
04:04:39 10 use of INAGROSA. And here is the timeline regarding the  
11 no notice. No notice of any permit.

12           In 1997-2018, no notice of any permit or  
13 authorizations violations of Nicaragua and regulations  
14 was given.

04:05:02 15           In 2018-2021, INAGROSA ceased operations  
16 due to the illegal taking by the invaders.

17           And in October of 2023, Nicaragua files  
18 its Counter-Memorial then, and only then, alleging  
19 violations of local permits and authorizations.

04:05:30 20           Mr. President, this ends my presentation.

21           PRESIDENT: Thank you very much. I just  
22 notice that some of the evidence you gave in response to  
23 the Respondent's last round of submissions was, in fact,  
24 evidence of fact. We were expecting that you would

04:05:44 25 comment on Mr. Sequeira's expert evidence because that is



04:05:49 1 your matching expert.

2 MR. GUTIÉRREZ: Yes.

3 PRESIDENT: You are here as an expert  
4 witness, not as a witness of fact to comment on the  
04:05:56 5 factual evidence, and I want to remind the parties going  
6 forward, now that we are entering the phase of hearing  
7 expert evidence, that the same rule would apply.

8 The opportunity given for the Claimant to  
9 comment on the last round of submissions should be  
04:06:23 10 presented within the framework of the evidence given by  
11 each expert. So experts should not be used to comment  
12 on evidence of fact but to respond and comment on the  
13 corresponding expert evidence given by the Respondent's  
14 experts.

04:06:40 15 MR. APPLETON: Mr. President, if you  
16 recall, there was a special circumstance with respect to  
17 this expert because of the choice as to how the  
18 Respondent decided to respond to his report, his initial  
19 report, dealt with three principal areas, one being the  
04:06:57 20 private wildlife reserve, the other one being the issue  
21 of the MARENA resolution, the third being about the  
22 permissions and the permits.

23 Since they decided, and you had  
24 submissions already before you on how they filed the  
04:07:08 25 materials with the Rejoinder and their submissions, they

04:07:12 1 filed all of that evidence not with their expert but  
2 separately.

3           And so, if you recall, when we had the  
4 discussion that led eventually to Procedural Order No.  
04:07:21 5 11, at the prehearing we had that discussion  
6 specifically about the scope of what this type of  
7 evidence would be, and at that discussion we said  
8 specifically that the expert Gutiérrez would have to be  
9 able to comment on the types of materials that came from  
04:07:39 10 those regulators. And those are exactly the types of  
11 points -- he referred either to Dr. Sequeira's report or  
12 to those witness statements from those regulators, and  
13 that's what were in that section of his report.

14           Now, the experts get to decide what goes  
04:07:56 15 into their report so that's a matter that we'll pass  
16 along with respect to the next expert who's presenting,  
17 but I'd merely point out that in this circumstance, to  
18 save us from having to have six additional witnesses  
19 called to deal with that because of the imbalance as to  
04:08:15 20 how it was done, that if Dr. Sequeira had actually  
21 responded on those issues in his report, then it would  
22 have just been legal expert and legal expert. But it  
23 would have been profoundly unfair and inappropriate to  
24 have the legal expert who responded and put that into  
04:08:34 25 his first report and yet had the responses and factual

04:08:37 1 witnesses to not be able to comment on that.

2                   And I thought that was quite clear in our  
3 discussion previously, and I don't believe that that  
4 would be inappropriate here because, I mean, that's what  
04:08:47 5 he's commenting on and that's what he commented on in  
6 his report initially.

7                   PRESIDENT: To the extent that he was  
8 commenting on the evidence given by the regulators?

9                   MR. APPLETON: Yes.

04:08:59 10                   PRESIDENT: On legal issues, that's fine.  
11 That's on the record.

12                   MR. APPLETON: That's all he did.

13                   PRESIDENT: All I was saying is that to the  
14 extent that he's commenting on issues of fact, they are  
04:09:08 15 outside his expertise. He is not a witness of fact. We  
16 noted that the Respondent did not object to these  
17 comments except on that one slide. They are on the  
18 record.

19                   I was simply making a point going forward  
04:09:26 20 that experts should stick to giving expert evidence and  
21 not commenting on the facts because they were not there.

22                   MR. APPLETON: I don't believe that's going  
23 to present itself as a problem with respect to the  
24 damages.

04:09:39 25                   PRESIDENT: There is a mechanism -- if you

04:09:40 1 want to introduce new documentary evidence, you can  
2 produce that. There is a mechanism under PO1 for that  
3 purpose, and that mechanism should be used and not using  
4 experts to give evidence of facts. That's all we are  
04:09:53 5 saying.

6 Okay. We continue, and it will be for the  
7 Respondent to cross-examine, please.

8 MS. GONZÁLEZ: Thank you, Mr. President.  
9 And just for the record, I think it was mentioned that  
04:10:20 10 the slide that was being taken out of the presentation  
11 was slide 38, but actually it's slide 37, in addition to  
12 38.

13 MR. APPLETON: I just need to look at this.

14 PRESIDENT: Let's have it right in the  
04:10:48 15 record. We don't have a hard copy, but we can, of  
16 course, address counsel in agreeing on the right slide.  
17 It's 37.

18 MS. GREENWOOD: And 38.

19 MS. GONZÁLEZ: 37 and 38, Mr. President.

04:11:01 20 PRESIDENT: Okay. Those are excluded.

21 MR. APPLETON: I want to understand your  
22 position. Your position is that it's 38?

23 MS. GONZÁLEZ: Both 37 and 38.

24 MR. APPLETON: You're saying it's two  
04:11:20 25 pages.

04:11:22 1 MS. GONZÁLEZ: Yeah.

2 MR. APPLETON: Let me just look. Okay.

3 MS. GONZÁLEZ: May I start, Mr. President?

4 PRESIDENT: Yes. Please proceed.

04:11:42 5 **CROSS-EXAMINATION**

6 BY MS. GONZÁLEZ:

7 Q. Mr. Gutiérrez, it's nice to meet you. My name  
8 is Analia González. I'm an attorney for the Republic of  
9 Nicaragua, and today I'm going to be putting some  
04:11:50 10 questions to you and, indeed, there are two members of  
11 our team who are going to put questions to you in this  
12 cross-examination. We're going to address two very  
13 different issues.

14 A. Okay.

04:12:05 15 MR. APPLETON: I'm sorry, Mr. President.  
16 We have to object to that. It's very improper to tag  
17 team two different counsel with respect to a witness, and  
18 we have a serious objection to that. We were unaware  
19 this was ever going to be the suggestion. The normal  
04:12:23 20 process is that one counsel handles one witness. Not  
21 that -- you can't do tag team wrestling and be able to  
22 touch it and switch it over. It's highly inappropriate,  
23 and we object to that.

24 MS. GONZÁLEZ: Mr. President, just to  
04:12:40 25 explain, I will conduct the first half of the

04:12:45 1 cross-examination dealing with the provisional measure.  
2 Then we would go to a break, and when we come back,  
3 Ms. Cortes will deal with the private wildlife reserve.

4 So there is nothing in Procedural Order  
04:13:00 5 No. 1 that mentions that one member of the team has to  
6 conduct the cross-examination. I've seen this in other  
7 hearings, so I don't see a problem with that. I don't  
8 see that it is forbidden by any of the procedural  
9 orders.

04:13:12 10 PRESIDENT: Okay. We will deliberate.

11 (Pause)

12 PRESIDENT: You can proceed as suggested  
13 because it's not really a tag team if you are dividing  
14 the topics and you are not changing between the two of  
04:13:56 15 you in terms of the questions that you're asking. But  
16 please keep in mind that once you have completed your  
17 topic, the next counsel cannot ask questions on the  
18 topics that you have covered. So there must be a  
19 complete separation between the topics.

04:14:16 20 MS. GONZÁLEZ: Yes. That is how we are  
21 prepared to proceed, Mr. President.

22 MR. APPLETON: Mr. President, we have a  
23 second procedural matter.

24 Normally the expert will say in which  
04:14:25 25 language they wish to be examined. We've just noticed

04:14:30 1 that, in fact, that is missing here. That's not an  
2 invitation to immediately switch the language. I  
3 believe at a minimum the witness should be asked, and  
4 since the witness already has testified in English -- it  
04:14:45 5 would normally be my presumption since his report was in  
6 English. But at a minimum I think the witness needs to  
7 be asked what language he would like to be examined in.  
8 MS. GONZÁLEZ: Yes. You didn't give me the  
9 opportunity. I was going there, but you interrupted.

04:14:58 10 MR. APPLETON: We would do that before we  
11 would start. In other words, we would start in the  
12 language that he had been in before and that his report  
13 was in and deal with that procedurally before. That's a  
14 procedural issue.

04:15:08 15 So I don't know what the Tribunal would  
16 like to do with that. We are prepared, just to make  
17 this as simple and easy as possible, to leave the choice  
18 to the expert. What we don't want to do is switch  
19 things around so we know and to be able to organize how  
04:15:24 20 things are going to be put together.

21 PRESIDENT: That is fair enough. Can you  
22 first find out whether the expert is comfortable in  
23 answering questions in Spanish?

24 MS. GONZÁLEZ: Yes, of course,  
04:15:36 25 Mr. President. Just for the record, opposing counsel has

04:15:39 1 asked questions in another language -- in the other  
2 language to witnesses -- our witnesses that have  
3 testified. I will do the cross-examination in Spanish  
4 and they have started in English and, you know, they have  
04:15:53 5 not asked anything. But I am happy to ask.

6 MR. APPLETON: But that's the language for  
7 the witness. You can ask a language in whatever --  
8 whatever language you want. The question is to what  
9 language the witness should be responding in and whether  
04:16:04 10 we have to use translation and the pieces that go with  
11 it. Certainly at a minimum, we will want to ensure that  
12 the witness has headsets on and other things like that  
13 and all of those other things. So we need to start with  
14 that before we go ahead.

04:16:18 15 So perhaps we might just get this out of  
16 the way before we even -- and we shouldn't count it in  
17 your time. Let's get that cleared up, and we can go to  
18 the other pieces here.

19 PRESIDENT: Yes, it's for the expert to  
04:16:32 20 choose the language that he will testify in, either in  
21 Spanish or English, and you may want to find out that  
22 before we start.

23 BY MS. GONZÁLEZ:

24 Q. Mr. Gutiérrez, I understand that in your expert  
04:16:46 25 report you indicated that, if called to testify, you



04:16:49 1 would testify in English. Today I will conduct my  
2 cross-examination in Spanish. I feel more comfortable  
3 discussing Nicaraguan law in my language, in Spanish.  
4 Would you prefer to respond to my questions in English  
04:17:05 5 or in Spanish?

6 A. I would prefer English for the simple reason  
7 that my report was prepared in English, and the  
8 discussions we have had with the team for the defense  
9 have been in English.

04:17:22 10 We have recourse to Spanish perhaps to  
11 feel more precise in the information that we have read,  
12 but the language of our work has been in English. So my  
13 preference would be that we do it in English.

14 Q. Okay. And if I need to show you a document,  
04:17:42 15 would you prefer that I showed you that document in  
16 Spanish if the original was in Spanish or in English?

17 A. If it is in English -- if there is an English  
18 translation which is part of the records, I would prefer  
19 to read that translation which is part of the record  
04:17:58 20 rather than the Spanish.

21 Q. Understood. Thank you very much,  
22 Mr. Gutiérrez.

23 So I'm going to begin.

24 PRESIDENT: Mr. Gutiérrez, if you want and  
04:18:27 25 if you are comfortable, you can listen to the questions

04:18:32 1 in Spanish without translation. It's entirely up to you.

2 MR. GUTIÉRREZ: I'd rather listen to what  
3 you are listening, Mr. President.

4 PRESIDENT: Okay. That's your choice.

04:18:42 5 Please.

6 MR. GUTIÉRREZ: Thank you.

7 Q. Mr. Gutiérrez, you received your law degree in  
8 Nicaragua in 1970. Is that correct?

9 A. That's correct.

04:19:05 10 Q. After you received your law degree, you taught  
11 at the Universidad Centroamericana in Managua. Is that  
12 Correct?

13 A. That's correct.

14 Q. Specifically you taught commercial law,  
04:19:20 15 contracts and professional ethics, correct?

16 A. Correct.

17 Q. In what years did you teach that subject?

18 A. Actually, I began teaching when I was still a  
19 student at the university in commercial code, commercial  
04:19:40 20 law. I was assistant professor of my professor at that  
21 time. When was that? Probably 1967, '63. Because back  
22 then the law school was seven years -- six years, I'm  
23 sorry. Six years.

24 Q. And subsequently you worked for the housing  
04:20:06 25 bank in Nicaragua. Is that correct?

04:20:09 1 A. Yes. And I also worked for the National Bank  
2 of Nicaragua.

3 Q. And that was from 1974 to 1977, correct?

4 A. Not exactly, because when I worked for Banco  
04:20:26 5 Nacional, it was just for Banco Nacional. When I -- and  
6 when I worked for the other institution, I didn't work  
7 for the other. But it was in the period between, I  
8 would say, 1970 to the end of the '70s.

9 Q. Okay. I just referred to this because of the  
04:20:55 10 information on your website. It says that you worked at  
11 the Banco de la Vivienda of Nicaragua from 1974 to 1975  
12 and that you subsequently worked in --

13 MR. APPLETON: Excuse me, Mr. President.  
14 Now we're going to object again. Is that in the record?  
04:21:09 15 It's exactly the same objection you've just made. Can  
16 you show us where that is when you talk about the  
17 website? Is that in the record?

18 MS. GONZÁLEZ: It's at the website of  
19 Dr. Gutiérrez's law firm.

04:21:21 20 MR. APPLETON: Yes, but I'm just asking  
21 where is it in the record? The same rule applies for  
22 everybody. Where -- can you just take us to that  
23 exhibit? Otherwise, you know there's a process to be  
24 able to put new evidence in, as the President has pointed  
04:21:36 25 out twice to us today. Can you show us that document or

04:21:40 1 else I don't believe it would be appropriate for us to  
2 cross-examine on that?

3 PRESIDENT: If the website is not on the  
4 record, please go to another topic.

04:21:48 5 MS. GONZÁLEZ: Okay.

6 Q. From 1976 to '79 you worked at Zuñiga &  
7 Gutiérrez law firm in Nicaragua?

8 A. Yes.

9 Q. And your practice was commercial transactions  
04:22:08 10 and litigation in general, correct?

11 A. Yes.

12 Q. In your expert report you identify under "My  
13 experience" that that experience is in commercial  
14 litigation, transactions, commercial law, real estate  
04:22:30 15 law and international transactions, correct?

16 A. Correct.

17 Q. In your report under the "My expertise"  
18 section, you don't mention experience in Nicaraguan  
19 administrative law, correct?

04:22:52 20 A. I have worked in some administrative things.

21 Q. Excuse me. The specific question is whether in  
22 your expert report at paragraph 15, where you describe  
23 your experience, did you include experience in  
24 Nicaraguan administrative law?

04:23:17 25 A. You said paragraph 15?

04:23:20 1 Q. Paragraph 15.

2 A. Yes, I believe it is. I was referring here to  
3 the practice of Gutiérrez & Associates.

4 Q. Yes, but my question is whether in the section  
04:24:16 5 of your report on "My experience", whether you indicate  
6 anywhere that you're an expert in or have experience in  
7 Nicaraguan administrative law. Do you indicate that?

8 A. I didn't indicate that.

9 Q. And in the same section, do you indicate that  
04:24:35 10 you're an expert in Nicaraguan environmental law?

11 A. No, I did not.

12 Q. Did you indicate that you have experience or  
13 are an expert in hydric regulation or water resource  
14 regulation in Nicaragua?

04:24:52 15 A. I didn't cite that, but I have read about the  
16 issues.

17 Q. I'm sorry. You've answered me already.

18 I'm asking you specifically about the  
19 experience that you included in your expert report. In  
04:25:04 20 your expert report you mention that you have had  
21 experience in phytosanitary regulation. Did you  
22 indicate that under "My experience" section?

23 A. No, I did not. But, again, I have some --

24 Q. Thank you. Excuse me. You can expand on your  
04:25:22 25 answers --

04:25:24 1 MR. APPLETON: Excuse me. The witness is  
2 answering. It's not fair to cut him off. You should let  
3 him answer the question, and then we can go from there.  
4 But it's rude and inappropriate for an expert. He's  
04:25:34 5 answering your question. He said that he wanted to  
6 qualify what was there. I don't think that's  
7 appropriate, and also I do point out that we need some  
8 time for the translation, and so we're finding it very  
9 difficult to be able to keep up because there's no time  
04:25:49 10 for the translation to be able to kick in into English  
11 back and forth here.

12 PRESIDENT: Yes, Ms. González, you should  
13 allow -- if the witness wants to make brief additional  
14 comments, you should allow the witness to make that  
04:26:06 15 comment. If there's a long explanation, Mr. Gutiérrez,  
16 that's for the counsel for Claimant to deal with on  
17 redirect. But you should allow the witness to comment,  
18 make an additional comment.

19 MS. GONZÁLEZ: Understood. Understood.

04:26:24 20 Q. In your report under the "My experience"  
21 section, do you mention that you're an expert in  
22 Nicaraguan procedural law?

23 A. I did not specifically say that I am an expert,  
24 but from my wealth of practice years, I have been  
04:26:42 25 dealing with procedural knowledge extensively.

04:26:50 1 Q. Did you indicate in your expert -- did you  
2 indicate in your expert report -- did you attach a list  
3 of these procedural matters that you just mentioned on  
4 which you've had an opportunity to work?

04:27:14 5 A. No, I did not, but I do have that experience in  
6 the United States and in Nicaragua. Just now I'm  
7 handling, with another lawyer in Nicaragua, a  
8 foreclosure case on a residential property, for  
9 instance.

04:27:49 10 Q. And in the part of your expert report on your  
11 experience, you don't mention that you have had  
12 experience on phytosanitary regulations under Nicaraguan  
13 law, correct?

04:28:03 14 A. Correct. But as I said before, I have had  
15 information there about phytosanitary issues. It's a  
16 matter of instruction.

04:28:24 17 Q. And these issues have to do with water resource  
18 regulation, phytosanitary regulation. You didn't  
19 consider it important -- in the section under your areas  
20 of expertise, you didn't think it would be relevant to  
21 include that information under the section on "My  
22 experience"? You prefer to include your experience  
23 working on mortgage loans, for example?

04:28:44 24 A. That's part of my practice. And when you  
25 handle a case, you prepare for the case. And that's how

04:28:49 1 our experts arise by preparation for the cases. I'm a  
2 lawyer, and as a lawyer, I have the ability to introduce  
3 knowledge in a case, perhaps that I never saw it before.  
4 That's the nature of a lawyer. That's what we do as a  
04:29:08 5 lawyer. That's what I'm doing here.

6 Q. Correct. So you're telling me that you had not  
7 had an opportunity before to work on issues that had to  
8 do with phytosanitary regulations, water resource  
9 regulations of Nicaragua? Just that you read and  
04:29:29 10 studied these things for the purpose of this case where  
11 you are now serving as an expert, correct?

12 A. No. I was a lawyer for an enterprise in  
13 Nicaragua that had a shrimp farm and fishing operations  
14 and it was really regulated and I participated in the  
04:29:55 15 board meetings and reviewed things for them.

16 Q. And as this case is so important, such an  
17 important case in which there is analysis of water  
18 resource regulation, phytosanitary regulation, you  
19 didn't think it would be important to include this  
04:30:16 20 experience or this case you're mentioning to me here in  
21 your expert report, the case you worked on?

22 A. The problem is that one of the principles that  
23 we are ruled by is the nondisclosure of relationship  
24 with clients, who the client is, what they would do for  
04:30:34 25 the client. And I just didn't include it as I didn't



04:30:40 1 include other people, other clients that I worked for.  
2 For instance, I cannot tell another lawyer  
3 who my client is. That's the first principle of counsel  
4 responsibility.

04:30:57 5 If the Tribunal asks me what the -- who  
6 the client is, I certainly would be obligated to tell  
7 them. Otherwise, it's under the principle of  
8 confidentiality.

9 Q. In paragraph 15, when you mention your  
04:31:15 10 experience in connection with contracts and mortgages,  
11 you did not mention who your clients are, right? You  
12 said that you had that experience, but you were able to  
13 do that without having to divulge who your clients were,  
14 right?

04:31:31 15 A. Yes, I didn't mention the name of the clients.

16 Q. The dispute in this arbitration has something  
17 to do with banking matters or foreclosure matters,  
18 right? Mortgage foreclosure matters?

19 A. It has to do with real estate. This project is  
04:31:54 20 within a real estate. We are talking of limitations to  
21 the use of property. We talk about liens on the  
22 property, restrictions on the property, taking of the  
23 property. All of that has to do with real estate.

24 Q. You deal with issues that have to do with  
04:32:16 25 franchises, mortgages or banks in your report. You

04:32:21 1 mention your specialty, which is mortgages. You do  
2 mention this in your report, right?

3 A. I mention real estate transactions, I believe,  
4 which is a broad term to include title matters, to  
04:32:32 5 include mortgages, including loans, I would think.

6 Q. Sir, in your report you mention that you are  
7 admitted to exercise law in Nicaragua. Didn't you  
8 consider it important to include a list of cases in  
9 which you have worked on in Nicaragua, specifically  
04:32:57 10 because the substantial law that you're dealing with in  
11 your report is Nicaraguan law?

12 A. I gave information about the expertise which  
13 covers a number of years and a myriad of things. No, I  
14 didn't. I didn't include that, and I have always had a  
04:33:17 15 reservation about that because of the confidentiality  
16 principle. Because even if you do not mention the  
17 client, if you relate the nature of the transaction,  
18 other people can connect what I'm saying with the  
19 clients that I was representing. And I haven't found a  
04:33:38 20 client -- exceptionally perhaps -- that will tell me:  
21 "Oh, yeah, go ahead and tell everyone that you are  
22 working for me on this and this and that."

23 It's exactly the opposite. A client  
24 expects you to keep the information we get -- the nature  
04:33:54 25 of the operation or the transaction, to keep it

04:33:57 1 confidential. So I am always influenced by that. If I  
2 may give you an explanation as to why not.

3 Q. I understand your inclination, sir. Let's go  
4 back to paragraph 15. You said that in general you have  
04:34:14 5 experience in commercial transactions, international  
6 transactions, business transactions in general, but you  
7 did not include in your report a similar paragraph that  
8 says, "and also I have experience in general," without  
9 naming any clients, "in water regulation of Nicaragua,  
04:34:34 10 phytosanitary regulations in Nicaragua, matters of  
11 procedural law of Nicaragua." You decided not to  
12 include a paragraph under "My expertise" in your report  
13 detailing that experience, right?

14 A. In my experience as a lawyer for a number of  
04:34:52 15 years, we acquire knowledge, we acquire training,  
16 discipline, and a way to investigate matters, whether  
17 they are new or they are old. So I didn't need -- I  
18 didn't see the necessity of specifying on those things.

19 Q. You just mentioned that you, as a lawyer,  
04:35:19 20 acquired training, you said. In all these years, have  
21 you taken courses in connection with water regulations  
22 or phytosanitary regulations of Nicaragua in the context  
23 of the trainings that you have taken when exercising  
24 your profession?

04:35:41 25 A. No.

04:35:50

1 Q. Very well. Thank you, Mr. Gutiérrez.

2

3 Let us now move to the protective measure  
4 and matters related to it. But before that, I wanted to  
5 ask you, have you been following the live streaming of  
6 this hearing?

04:36:09

6 A. Some parts.

7

7 Q. Perfect. Very well.

8

9 A. Excuse me. I've been reading portions of the  
10 transcript, but I have not been listening to the  
11 hearing.

04:36:22

11 Q. Perfect, thank you, Mr. Gutiérrez.

12

13 You're familiar with the protective  
14 measure of 13 November 2021. The Attorney General of  
15 Nicaragua asked that it be given, this protective  
16 measure. The Attorney General asked the court in  
17 Nicaragua to pass the measure.

04:36:44

17 A. I'm aware.

18

19 Q. And this protective measure had to do with an  
20 order allowing this protective measure. This was issued  
21 as urgent.

04:37:04

22 A. Excuse me. You have made several questions,  
23 and you jump from one to the other while the translator  
24 was giving me your response. I'll appreciate very much  
25 if you can repeat your question and for the future maybe  
if we can just keep your questions to one question. The

04:37:21

04:37:28 1 multiplicity of questions are problematic for  
2 interpretation and for me to respond.

3 Q. What I'm going to do, Mr. Gutiérrez, is I'm  
4 going to change channels so that I can hear the  
04:37:42 5 translation as well. And I think that's going to help  
6 us slow down a little bit if you see fit.

7 A. You can do it as you wish.

8 Q. Now, the order whereby the protective measure  
9 was ordered shows that this protective measure was  
04:38:10 10 required and granted as urgent, right?

11 A. That's what the resolution says, but it doesn't  
12 quite explain what urgency is or why is the matter  
13 urgent. If you read the transcript, you cannot figure  
14 out why the Attorney General requested it to be urgent,  
04:38:35 15 and you don't see anything from the judge evaluating  
16 what the urgency of the matter was that would justify an  
17 ex parte proceeding.

18 The judge, according to the law, was  
19 required to explain the reasons of the statute and  
04:38:56 20 explain why it was permissible to do it ex parte. We  
21 all realize that an ex parte hearing is something that  
22 can be thrown into an individual and devastate the  
23 situation, legal and otherwise, of the party that  
24 suffers that thing.

04:39:18 25 So I mentioned that because that is the

04:39:21 1 essence of the ex parte, and that wasn't explained at  
2 all, neither by the Attorney General, nor by the court,  
3 as it should have.

4 Q. In this order the court understood that the  
04:40:00 5 protective measure was justified as urgent and it  
6 understood that the reasons provided in the application  
7 made it possible for -- in this protective measure, to  
8 be deemed urgent, correct?

9 A. That's not what the law requires. The law  
04:40:20 10 requires from the judge to reason and to explain.  
11 Buying the assertions made by the petitioner is one  
12 thing, but the Judge, if she's doing that or he is doing  
13 that, is not complying with the requirements of the law.  
14 Ex parte is a very delicate matter. It cannot be  
04:40:46 15 handled haphazard.

16 Q. In the order the judge indicated that the  
17 reasons given by the applicant duly justified the  
18 adoption of the protective measure as an urgent measure,  
19 right?

04:41:04 20 A. No. What is the allegation that the judge  
21 accepted, if you can tell me that, to understand this  
22 matter?

23 Q. Well --

24 A. Excuse me. It may be even appropriate, for the  
04:41:17 25 benefit of the Tribunal, that we can have that document

04:41:21 1 up.

2 Q. Perfect. Could we please put on the screen  
3 C-251 where it says "Matters of law"? I don't know if  
4 we can have the Spanish version as well, both the  
04:41:45 5 English and the Spanish versions. Page 4, point 5.

6 A. Could it be enlarged?

7 Q. If you could please go to (5) in the Spanish  
8 version, which is on page 4.

9 MR. APPLETON: Mr. President, I'm having a  
04:42:14 10 problem with the size, and I have good eyesight. Oh,  
11 yes. Thank you. That's much better. Okay. Thank you.

12 Q. Mr. Gutiérrez --

13 THE INTERPRETER: Yes, Mr. President, my  
14 apologies. It's going too fast.

04:43:08 15 PRESIDENT: There was a problem with the  
16 interpretation. Can you please repeat the question and a  
17 bit more slowly?

18 MS. GONZÁLEZ: Yes.

19 Q. Mr. Gutiérrez, on the screen you will see point  
04:43:23 20 5 of this order. It says here "legal grounds" and the  
21 court understood that, "in the opinion of this court,  
22 the reasons given by the applicant duly justify the  
23 adoption of the measures as a matter of urgency, taking  
24 into account the principle of proportionality, trying to  
04:43:48 25 avoid the greatest seriousness or onerous to the

04:43:55 1 defendant."

2 Do you see that? That is what the court  
3 understood when granting the protective measure, right?

4 A. The court is talking about principles in the  
04:44:02 5 second part of that paragraph, without making reference  
6 to the actual situation -- factual situation, I would  
7 say -- that raise the approval of an ex parte thing. If  
8 you read this paragraph, you cannot determine why did  
9 the court decide to grant the ex parte. You can't.

04:44:32 10 Q. The judge understood that the reasons given by  
11 the Attorney General's office duly justified the  
12 adoption of the protective measure as urgent. It's  
13 shown here in the order. Is that correct?

14 A. That's not what the law requires, attorney.  
04:44:53 15 The law requires the judge -- for the judge to give the  
16 reasons why the measure is justified, and there is  
17 nothing there that gives that justification. So I want  
18 to know what is the justification?

19 THE INTERPRETER: Please speak close to the  
04:45:13 20 mic, sir.

21 A. So we need to know what is the justification.  
22 Paragraph 5 doesn't give us that answer.  
23 That's fundamental.

24 Q. You are aware that the Hacienda at the time had  
04:45:33 25 been invaded and the individuals had been evicted and



04:45:40 1 the Attorney General's office understood that it was  
2 necessary to protect the Hacienda to prevent new  
3 invasions or those individuals from returning to the  
4 Hacienda?

04:45:55 5 A. So what is your question?

6 Q. Did you know that the Hacienda had been invaded  
7 and that the measure was deemed urgent and applied as  
8 urgent to prevent the invaders from returning to the  
9 Hacienda and invade it again?

04:46:17 10 A. Obviously we are here because of the invasions,  
11 the invasion of the land, the taking of the land. We  
12 know that. But the problem is what was the situation of  
13 the farm at that time that would require an urgent  
14 measure if the state -- if the power of the State of  
04:46:38 15 Nicaragua was the one who was in control of the  
16 property.

17 It is not that the property was just  
18 abandoned and hanging in without protection. At that  
19 time the government, through the police power or other  
04:46:54 20 resources, legal resources, was in control of the  
21 property.

22 Why it was urgent then that they appoint  
23 this measure? What would it change if the State was  
24 before in control of the property for the State to  
04:47:11 25 become now in control of the property as well? That's

04:47:16 1 what it doesn't make sense, this portion of the order  
2 that require urgency. There was no urgency. And that's  
3 probably why the judge couldn't explain it.

4 Q. What the judge is indeed explaining is that it  
04:47:38 5 had looked at the reasons provided by the applicant and  
6 the court understood that this merited an urgent  
7 protective measure, correct?

8 A. I don't follow you. In my view, the Attorney  
9 General in that petition never said to the judge:  
04:47:51 10 "Judge, we got in control of this property. We evicted  
11 all the invaders, but we want to take control of the  
12 property again by the appointment of a receiver, and you  
13 appoint me as a depository." That's what transpired  
14 from this document. I don't see any protection for  
04:48:18 15 anybody because the property was already being protected  
16 in a way by the State.

17 Q. But without a protective measure, there was a  
18 risk of a new invasion of the Hacienda, correct?

19 A. No. Why? The invaders didn't know -- they  
04:48:36 20 don't know law probably. They don't know what happened  
21 there, but they know that they were evicted and that the  
22 State was in control at that point.

23 Q. I don't know if you have read about the history  
24 of this farm, but in the past, when people had been  
04:48:54 25 evicted, the people returned. The invaders returned. I

04:48:57 1 assume you have read the case file. You understand that  
2 that's what happened, right?

3 A. I have no idea because I wasn't there.  
4 Before -- also what we have now is a case of invasion, a  
04:49:13 5 case in which the State was in control of the property  
6 at the time this petition was made, and you don't see  
7 anything in the order explaining the property is in the  
8 hands of the State. The State is there. But we are  
9 afraid that the people will come back. Therefore, we  
04:49:34 10 need a depository to avoid that the people doesn't come  
11 back. Well, it is preposterous to me to take that  
12 position.

13 Q. Let us look at the application to see what the  
14 reasons were. The reasons provided by the Attorney  
04:49:54 15 General's office and that the judge considered were  
16 reasons --

17 A. Can we see that? Excuse me, can we see what  
18 you are reciting in the document?

19 Q. We're going to go there, sir. One moment.  
04:50:12 20 Do you agree with me that in the order --

21 MR. APPLETON: Excuse me. He's asked you  
22 to show him the document. At least --

23 PRESIDENT: Let her conduct --

24 MS. GONZÁLEZ: Yes, we're going to go  
04:50:22 25 there. We're going to go there.

04:50:25 1 PRESIDENT: She'll go there.

2 MR. APPLETON: All right.

3 Q. Before going to that document, I would like for  
4 you to confirm that, in the order, the judge indicated  
04:50:35 5 that the reasons given by the applicant justified duly  
6 the adoption of this measure as urgent?

7 A. I'm sorry. That's not what the mandamiento  
8 says, and that's why I've been trying to flesh out the  
9 real reasons why a depository was necessary --

04:51:00 10 "Depository" is a legal term. I don't see  
11 that this legal term will deter any invader to coming  
12 back. The actual deterrence, I think, was the presence  
13 of the State, and that was there. I've seen -- I think  
14 there was another motive behind this petition, and  
04:51:20 15 that's what I would like to know.

16 MS. GREENWOOD: Counsel, I really apologize  
17 for interrupting but, if I may, I'd like to ask the  
18 witness a question --

19 MS. GONZÁLEZ: Sure.

04:51:32 20 MS. GREENWOOD: -- just while we're on this  
21 point.

22 You mentioned just then, Mr. Gutiérrez,  
23 that the actual deterrence was the presence of the State  
24 in your opinion.

04:51:46 25 MR. GUTIÉRREZ: Yes.

04:51:46 1 MS. GREENWOOD: And not the judicial order  
2 so much. Is that correct?

3 MR. GUTIÉRREZ: Yes, Madam Arbitrator.

4 MS. GREENWOOD: In that case, help me  
04:51:58 5 understand what the State can do without the judicial  
6 order. So can the State put security guards in in the  
7 absence of the judicial order?

8 MR. GUTIÉRREZ: The State has all the power  
9 it has under the constitution and also the obligation to  
04:52:20 10 protect individuals that are being dispossessed of their  
11 property. We heard testimony of Mr. Rondón the other day  
12 where he was calling the police, the head of the police,  
13 et cetera.

14 MS. GREENWOOD: Sorry. I'm really talking  
04:52:33 15 about, separate from the police, we know that there  
16 was -- I think a private security firm was hired. In  
17 your opinion, can the State do that without a judicial  
18 order of the type we're discussing?

19 MR. GUTIÉRREZ: In the exercise of its  
04:52:56 20 police power to protect life or property, the State could  
21 avail itself of any means that they can find.

22 MS. GREENWOOD: Including, in your view,  
23 putting a private security firm onto the site?

24 MR. GUTIÉRREZ: It could be. Whatever they  
04:53:14 25 feel necessary to comply with their duties. The duties

04:53:17 1 of the police.

2 MS. GREENWOOD: Thank you. And, Counsel, I  
3 do apologize for the interruption. Thank you.

4 PRESIDENT: Ms. González, we should break  
04:53:28 5 in the next five, ten minutes when you have a convenient  
6 place in your line of questions.

7 Q. Sir, I'm not asking you whether you considered  
8 whether the measure should or should not have been  
9 granted on an urgent basis. I'm asking whether you  
04:53:57 10 agree with the fact that the measure was requested as  
11 urgent and it was issued as an urgent protective  
12 measure? Do you agree that that's the manner in which  
13 the protective measure was issued?

14 A. No, I cannot agree with your statement because  
04:54:15 15 I don't see in the order the necessary presentation by  
16 the judge as to why he or she considered that to be --  
17 to go ex parte and deprive the individual of his rights  
18 to a certain extent.

19 Q. I understand that you do not agree in the  
04:54:42 20 manner in which this was justified in the order. Would  
21 you agree with me that the protective measure was issued  
22 as urgent under article 380 of the Civil Procedure Code?  
23 Do you agree that that is the manner in which the  
24 protective measure was issued?

04:55:03 25 A. It was issued upon an article of the code, and

04:55:07 1 that's why I've been arguing to you that that provision  
2 of the code was not followed, then creating or opening  
3 to a due process of law violation.

4 Q. According to article 380 of the Civil  
04:55:28 5 Procedural Code of Nicaragua, a protective measure --

6 A. Can we see it? I'd like to see the provision  
7 you are citing, please.

8 Q. Yes. Under article 380 --

9 MS. GONZÁLEZ: And if we could please put  
04:55:51 10 it on the screen.

11 Q. -- mention is made here that there is no remedy  
12 under article 380 of the Civil Procedural Code of  
13 Nicaragua, correct?

14 A. What is your question, please? I just asked --

04:56:12 15 Q. My question --

16 A. I just asked for the provision you are relying  
17 on to be put on so that we can see it, and then you ask  
18 me your question. I think it's fair to ask for that. I  
19 have read the provision, but I don't have it all in my  
04:56:26 20 mind. I want to see it. We are kind of eviscerating a  
21 provision, and for that reason I need to see it. We all  
22 need to see it.

23 Q. I'm going to show you on the screen the  
24 provision, of course, but I wanted to show the order  
04:56:44 25 before, and the resolution says that there is no remedy

04:56:49 1 in accordance with 380 of the Procedural Code of  
2 Nicaragua. Is that correct?

3 A. That's a different question. We are not  
4 talking about that.

04:56:59 5 Q. I am now asking the questions. I'm asking you  
6 now whether you agree that in the order it was provided  
7 that against the resolution no remedy exists under  
8 article 380 of the Civil Code of Procedure of Nicaragua.  
9 You agree?

04:57:18 10 A. It appears that that is the case in the code,  
11 but later on the code says that the affected party will  
12 have the right to counter the approval.

13 Q. I haven't talked about that yet. I have not  
14 talked about that yet. We're going to get there, but I  
04:57:36 15 haven't asked you that question, Mr. Gutiérrez.

16 PRESIDENT: Mr. Gutiérrez, answer the  
17 questions, and the explanations, keep them to a minimum.  
18 Otherwise, this will go on forever.

19 MR. GUTIÉRREZ: Yes, Mr. President. Thank  
04:57:51 20 you.

21 MS. GONZÁLEZ: If you could please show on  
22 the screen legal authority 001 in Spanish, page 133. My  
23 apologies to the members of the Tribunal because the  
24 extracts that were translated of this section of the Code  
04:58:28 25 of Civil Procedure do not include article 380. So we're



04:58:32 1 going to do our best to read it so that we have a  
2 translation on the record. A translation of this  
3 article. Page 133 of the pdf.

4 I'm going to read the article,  
04:59:12 5 Mr. President, because there is no translation of this  
6 article.

7 Article 380, processing and hearing in  
8 connection with urgent protective measures. When the  
9 applicant asks for the adoption of a protective measure  
04:59:31 10 that are urgent in nature without a hearing of the other  
11 party, it must evidence the reasons or allege that the  
12 hearing may compromise the success of the protective  
13 measure.

14 Q. Sir, do you agree that in the case of the  
04:59:56 15 adoption of an urgent protective measure, the protective  
16 measure may be adopted without the need to have a  
17 hearing with the other party, with a counterparty, in  
18 accordance with this article?

19 A. The article doesn't talk about any hearing.

05:00:24 20 Q. There is reference to protective measures  
21 without any hearing by the other party. Basically  
22 ex parte without listening to the other party.

23 A. Oh, yes. Well, that's the provision 4. But  
24 you can see there that the judge is obligated to reason  
05:00:56 25 on the presence of the requisite observation and the

05:01:01 1 reasons to order the provision without a hearing that  
2 includes the defendant.

3 Q. And as we saw before in the order at item  
4 No. 5, the judge understood that the reasons offered by  
05:01:21 5 the Office of the Attorney General in the application  
6 were sufficient to justify an urgent protective measure,  
7 correct?

8 A. The judge can understand anything they want,  
9 but the law is asking the judge to give reasons -- the  
05:01:39 10 judge -- not the Attorney General -- the judge to give  
11 reasons why this is going to go ex parte. And the judge  
12 didn't do that. He just said, I buy what the Attorney  
13 General is saying. That's not a reason.

14 Q. Do you have any reason to believe that the  
05:01:57 15 judge only bought what the other party was saying  
16 without analyzing?

17 A. I don't see it in the resolution. That  
18 analysis, I don't see it in the resolution.

19 Q. But did you read them, and did you understand  
05:02:13 20 that they were justified and sufficient? Correct?

21 A. How could that be? I'm asking you for the  
22 judge, the reasoning, which is not there. And where  
23 there is no such reason, I submit to you it attacks the  
24 due process of law. It is a breach of the due process  
05:02:37 25 of law as far as the defendant is concerned, and it

05:02:42 1 shouldn't have been granted. And although it says there  
2 that there is no recourse, we have the situation of  
3 absolute nullity in Nicaragua. And absolute --

4 Q. I have not asked you questions about that. You  
05:03:00 5 may address that with the attorney -- with counsel for  
6 the other party.

7 A. Excuse me. You said -- you asked me to agree  
8 with you that that provision cannot be attacked, that  
9 that order cannot be attacked, that that order has to go  
05:03:14 10 as it was. That's why I mentioned the absolute nullity,  
11 but it has to do with that situation and I wanted to use  
12 it to answer your question properly.

13 Q. Perfect. I'm not asking you what happened in  
14 this case in particular. I'm asking you about the law.  
05:03:37 15 In connection with article 380, is it possible to adopt  
16 protective measures of an urgent nature in an ex parte  
17 fashion, based on what you read there? Yes or no?

18 A. In principle, yes. But we are talking of facts  
19 and circumstances of the case. And whatever --

05:03:55 20 PRESIDENT: She was only asking about the  
21 law, not about the circumstances of the case. Please  
22 keep your answers short. Please answer the question. We  
23 understand you want to make explanations. You have given  
24 your explanations and your opinion. If there's anything  
05:04:08 25 ambiguous about your answer, counsel for the Claimant

05:04:11 1 will be able to follow up on redirect.

2 MR. GUTIÉRREZ: Thank you, Mr. President.

3 PRESIDENT: But please keep your answers  
4 short and focused, otherwise we will be here until

05:04:22 5 tomorrow.

6 MR. GUTIÉRREZ: Yes, sir.

7 MS. GONZÁLEZ: Mr. President, you had asked  
8 me about the right moment for break, and this is the  
9 right moment.

05:04:31 10 PRESIDENT: Okay. Let's break for 15  
11 minutes, until -- let's break only for ten minutes  
12 because this is slower than expected. So we continue at  
13 15 past. Quarter past 5. Thank you.

14 *(Recess taken)*

05:17:35 15 PRESIDENT: Let's go on. Ms. González.

16 MS. GONZÁLEZ: Thank you, Mr. President.

17 BY MS. GONZÁLEZ:

18 Q. Dr. Renaldy, in your report you say that  
19 INAGROSA were impacted by the lack of notification --

05:17:51 20 the lack of notice of the order, correct?

21 A. Yes.

22 Q. Would it be fair to say that Riverside and  
23 INAGROSA took notice or learned of the order around  
24 June 2022?

05:18:08 25 A. I'm not familiar with that date. I don't know.

05:18:14

1

Q. Can we now look at Exhibit C-60?

2

MS. GONZÁLEZ: Can we zoom in, Ricky?

3

Q. Do you recognize this document as a related

4

certificate that was issued by the public registry of

05:18:45

5

the Jinotega property, Mr. Gutiérrez?

6

A. Yes.

7

Q. And its date of issuance was June 30, 2022,

8

correct?

9

A. Issuance of recording. What do you mean by

05:19:11

10

issuance?

11

Q. The date when this certificate was issued. If

12

you look at the bottom left, it says it was issued on

13

June 30, 2022. Do you see it?

14

A. Yes.

05:19:34

15

Q. In this related certificate that was issued by

16

the property registry, we see under "annotations and

17

liens" that there is a protective measure; that is to

18

say, we see that record. Do you see that?

19

A. I see the box. I see the box that refers to a

05:20:04

20

preliminary annotation being -- notice of protective

21

measure.

22

Q. Could you please speak up? I cannot hear you.

23

Or closer to the mic, please?

24

A. Certainly. I was saying that I don't know what

05:20:30

25

"officio" means that is mentioned there in Spanish. Do

05:20:37 1 you have this in English so that the arbitrators can  
2 read it or not?

3 Q. You studied law in Nicaragua?

4 A. Yes. In the context of your question, I didn't  
05:20:55 5 know what "officio" is, and I have to answer your  
6 question based on what I see in the screen.

7 MR. APPLETON: Can we answer his question?  
8 Do you have it in English? And if you do, perhaps you  
9 could put it up, as he's requested.

05:21:11 10 MS. GONZÁLEZ: Okay. This is a document  
11 submitted by Claimant. Therefore, let me check if there  
12 is an English version. But at any rate --

13 MR. APPLETON: Often there's a document  
14 that may be submitted by the Republic of Nicaragua with a  
05:21:31 15 separate number that may be a translation, as we've seen  
16 in a number of situations such as in the notarized  
17 document that you -- dealing with what we call the  
18 inventory. And so if that's available, that would  
19 probably answer his question. Are you aware?

05:21:48 20 MS. GREENWOOD: It's available at R-0005 in  
21 English. Is that what we're looking for?

22 MR. APPLETON: I believe the bundle may be  
23 of assistance in the index for this.

24 MS. GREENWOOD: R-0005-ENG is the English  
05:22:23 25 translation.

05:22:25 1 MR. APPLETON: Thank you so much.

2 Q. Do you see the translation there?

3 A. No, I don't. I don't have it here.

4 Q. It's on the screen.

05:22:50 5 A. I'm sorry, yes.

6 Q. So this related certificate, at this point in  
7 time, in June 2022, showed or served notice that there  
8 was a protective measure at that moment, correct?

9 A. Yes.

05:23:16 10 Q. Therefore, my initial question was whether it  
11 would be fair to say that Riverside and INAGROSA learned  
12 of the protective measure around June 2022, correct?

13 A. No. No, because, first, Riverside was not the  
14 owner of the property, and it couldn't have access to  
05:23:45 15 the register.

16 Q. Would you repeat your answer? I apologize, but  
17 I cannot hear you.

18 THE INTERPRETER: That's what the attorney  
19 is saying.

05:23:59 20 A. Yes. Right.

21 What I said is no, because Riverside was,  
22 and is, a US entity, not related to the property. And  
23 we know that, as of today, the registry of Nicaragua  
24 ceased to be public as a result of a memorandum from the  
05:24:23 25 Supreme Court saying that the publicity of the registry

05:24:28 1 was suspended and gave some other instructions as to how  
2 to proceed. So by virtue of an annotation in the  
3 registry, which I cannot have access to, we cannot say  
4 that the company had knowledge or notice.

05:24:51 5 MS. GONZÁLEZ: Ricky, would you please show  
6 R-001? That is, Exhibit R-0001.

7 Q. This was a request, an application by INAGROSA,  
8 to the public land registry on July 6, 2022 for the  
9 issuance of a certificate, of a related certificate,  
05:25:49 10 correct?

11 You would read at line 10 --

12 A. I haven't finished reading it.

13 Q. Okay. I'll give you some time for you to  
14 finish reading it.

05:26:36 15 A. Thank you. Yes, I can see it's a petition made  
16 by the lawyers of a certificate of annotation or a  
17 registry entry.

18 Q. INAGROSA's counsel, correct?

19 A. They call themselves a special -- special power  
05:27:08 20 or something like that. Special attorney. I don't know  
21 what that means.

22 Q. On behalf of Inversiones Agropecuarias,  
23 Sociedad Anónima?

24 A. Yes, but they qualify themselves as a special  
05:27:24 25 attorney, which means that their power of attorney was



05:27:29 1 limited for the purpose that they were being  
2 commissioned to get a copy of the registry. So that's  
3 very important because it is not the same if the person  
4 going to the registry has a broad power of attorney in  
05:27:44 5 such matter that they will represent the company in  
6 everything, that's one thing. And another when you give  
7 a power of attorney to an attorney to go to court and  
8 get a copy of some documents. So the attorney cannot do  
9 anything except just get the copy and bring it to you.

05:28:04 10 Q. Understood. Understood. That is very  
11 important.

12 Now, you would agree that, according to  
13 this document, INAGROSA requested a related certificate  
14 to the registry on June 6, 2022?

05:28:23 15 A. Yes. That's the date of the application to the  
16 court.

17 Q. And the document, the related document that was  
18 obtained by means of this application, was the related  
19 certificate -- the related certificate that we were  
05:28:44 20 reviewing a couple of minutes ago, and I can show it on  
21 the screen again -- that showed an issuance date of  
22 June 30, 2022, correct?

23 A. I don't know what they got after they submitted  
24 this document. Presumably they got a copy of the entry  
05:29:07 25 in the registry of whatever was reflected there. But we

05:29:11 1 don't know what they got when they submitted the  
2 petition. What they got back.

3 Q. In accordance with this request, a related  
4 certificate was requested for the real estate property  
05:29:28 5 recorded under number 6145, and there we see the book,  
6 the page and also it says "Entry 6, registrations  
7 column," correct? You see that this is the request at  
8 that point in time?

9 A. The request is whatever it says there, yes.

05:29:52 10 MS. GONZÁLEZ: Now we are going to show  
11 document C-60. And I apologize, I do not know the number  
12 in English of that exhibit. This is the document, and  
13 let me show it to you in English in a minute. This is  
14 the document that we just saw a couple of minutes ago?

05:30:33 15 A. Can we enlarge this from top to bottom, please?

16 MS. GONZÁLEZ: Excuse me, President. I am  
17 trying to locate the English language version of this  
18 document.

19 MS. GREENWOOD: It's R-0005. My apologies.

05:31:13 20 A. Can I see an enlargement of this document so I  
21 can see it entirely?

22 Q. I'm showing it to you on the screen. This is  
23 the English language version on the screen now.

24 A. Can you scroll down, please?

05:31:58 25 Q. If you'd like. Let me know once you've

05:32:00 1 finished reviewing it, and then I'll put a number of  
2 questions to you.

3 A. I've finished reading it.

4 Q. Okay. Once again, this is a related  
05:32:10 5 certificate -- a related certificate that was issued on  
6 30 June 2022, correct? We have gone over the date  
7 earlier.

8 A. Yes.

9 Q. Okay. If we could scroll up, please. Here in  
05:32:30 10 this certificate it shows that the owner of Hacienda  
11 Santa Fé is Inversiones Agropecuarias, and the  
12 percentage ownership is 100 percent, correct?

13 A. Yes.

14 Q. And in the second paragraph -- I'm sorry -- in  
05:32:52 15 the second section, where it says "requested entry  
16 data", it describes, once again, the entry identified as  
17 Entry 6, which is what was requested, indicating that  
18 Inversiones Agropecuarias is the owner of Hacienda  
19 Santa Fé. Do you see it there?

05:33:24 20 A. I see the certificate.

21 Q. Thank you. So this line of questions had begun  
22 because you'd indicated in your report that Riverside  
23 and INAGROSA had been negatively impacted by the failure  
24 to give notice of the order. And after that I indicated  
05:33:48 25 that would -- or I asked would you agree that Riverside

05:33:51 1 and INAGROSA came to have knowledge around this date of  
2 30 June 2022 of the existence of a protective measure  
3 order?

4 Now, you've seen here that INAGROSA  
05:34:06 5 requested this related certificate which indicates in  
6 the annotations that there is a protective measure. Do  
7 you see that?

8 A. I don't see -- I don't know what your question  
9 is, really. You gave a dissertation of what is in the  
05:34:28 10 document, but as to your question to me to consider, I  
11 don't see it. Can you rephrase it or give it to me, and  
12 I will be happy to respond?

13 Q. Of course. Would you agree that around June of  
14 2022, INAGROSA had knowledge of the existence of a  
05:34:47 15 protective measure?

16 A. Which protective measure?

17 Q. The first one, which was issued in December of  
18 2021 and which was entered in the registry for a  
19 duration of two years. Would you agree that this  
05:35:12 20 certificate is showing the existence of a protective  
21 measure?

22 A. Let me clarify. This measure you are talking  
23 now is the same measure that gave rise to the 2021  
24 preliminary measure, or if this pertains to the renewal  
05:35:39 25 of the order?

05:35:44 1 Q. Excuse me. This was issued in 2022. The  
2 renewal was done in 2024. And so it wasn't possible in  
3 2022 to have any reflection in this document of a  
4 renewal that happened in 2024, and so here reference is  
05:36:03 5 being made to the protective measure that was entered in  
6 late 2021/2022.

7 So have you seen anything in the record  
8 where Riverside or INAGROSA, after having learned in  
9 June of 2022 of this, had made any effort to appear  
05:36:34 10 before the courts to complain about this protective  
11 measure?

12 A. Let me say something about this certificate  
13 because I have seen another certificate issued --  
14 PRESIDENT: Can you please answer the  
05:36:49 15 question?

16 A. I'm not aware of that.

17 Q. Okay, fine.  
18 Riverside could have gone before the  
19 courts to seek an annulment or a relative annulment  
05:37:17 20 under article 144 of the Code of Civil Procedure, which  
21 refers to the correction of acts of communication,  
22 correct?

23 A. Can I see article -- 124 is the one?

24 Q. 144. It's RL-0001. It's article 144 of the  
05:37:46 25 Code of Civil Procedure of Nicaragua.

05:37:55 1 And I understand that you referred to that  
2 in your presentation.

3 A. Excuse me. Now I need to see it in the context  
4 of your question.

05:38:07 5 Q. I'm going to show it to you.

6 A. Thank you.

7 Q. 144.

8 MS. GONZÁLEZ: I am trying, Mr. President,  
9 to locate this article in the English language version.  
05:39:09 10 If you could please put up on the screen RL-191, which is  
11 the English language version of this article. And there  
12 we have the text in both languages. If you could please  
13 enlarge both article -- article 144, the version -- both  
14 Spanish and English language versions, please.

05:39:53 15 A. Yeah, I've seen it.

16 Q. Would you agree that, according to this  
17 article, INAGROSA or Riverside, once they found out  
18 about the existence of this protective measure, if they  
19 felt that their rights had been violated for failure to  
05:40:17 20 have received notice, could have turned to the courts to  
21 seek relative nullity or in curing defects in  
22 communications as per this article?

23 A. No, because the article not only talks about  
24 knowledge or information, the article also talks about  
05:40:49 25 that person who was being, let's say, harmed by the

05:40:56 1 order or the decision, that that person had the  
2 procedural opportunity before the court to allege  
3 against the defective measure.

4                   We know -- I understand that legal  
05:41:17 5 procedures -- legal proceedings before courts move in  
6 the context of hearings, presence of the parties and  
7 decisions. It is not just a question that whenever you  
8 pass by the court, or you are stepping into the court,  
9 then you have to make the decision. That's not what the  
05:41:40 10 article says.

11                   The article says in your first  
12 "actuación," which is your first appearance in court, at  
13 least that's the meaning of that thing. Let me see how  
14 they translated it because I was reading in Spanish.

05:42:05 15                   It says "at the first appearance in  
16 court." I think that translation is not absolutely  
17 accurate.

18           Q.     Exactly.

19           A.     Because the way I read the article, it means  
05:42:21 20 the first time that the party has the opportunity to  
21 appear in court to make a petition. It is a court  
22 giving opportunity to the party. The knowledge of the  
23 event is totally irrelevant to the conclusion you are  
24 making.

05:42:54 25           Q.     Mr. Gutiérrez, since I see a mistake in the

05:42:57 1 translation, it's not exactly accurate, entirely  
2 accurate, I'd ask you to focus on the Spanish language  
3 version of article 144, second section. I'm going to  
4 read it so that the interpreters can interpret it once  
05:43:14 5 again and so that it can be reflected in the record.

6 Here it says: "Nonetheless ..."

7 A. Excuse me.

8 Q. No, excuse me. It's my time, and I'm reading  
9 the article.

05:43:31 10 "When the person notified, summonsed or  
11 otherwise called to appear has found out about the  
12 matter, or is considered to have found out about the  
13 matter and does not denounce the nullity of the measure  
14 in their first action, this will then have all of its  
05:44:04 15 effect, or have full effect as if notice had been served  
16 in keeping with the provisions of this code."

17 So here it's saying that once the person  
18 who has not received notice finds out, they have the  
19 opportunity to take action, which is to say to go to the  
05:44:28 20 court to complain that they weren't notified at that  
21 time, correct?

22 A. No. And I say no because you need to go first  
23 to the premise of the section. The premise of the  
24 article is that the party has been given notice, has  
05:44:51 25 been cited, has been summoned. So one of the three



05:44:58 1 things must have occurred first before you impose that  
2 obligation to the party and that type of sanction.

3 That sanction cannot be applied if the  
4 party -- I will say it again -- if the party has not  
05:45:15 5 been notified cited -- excuse me.

6 When the party has been notified, cited,  
7 summoned, or obligated to, et cetera. That doesn't work  
8 in a vacuum. That is a principle of law that you cannot  
9 be obligated to do something in court unless you are  
05:45:45 10 cited, summoned, or required. That doesn't exist here.

11 Neither Riverside, nor INAGROSA, had never  
12 been given official notice or called to answer by any  
13 court of law in Nicaragua.

14 Q. Mr. Gutiérrez, article 144 refers to curing  
05:46:11 15 acts of communication, correct?

16 A. I'm sorry, ma'am. I didn't understand your  
17 question. Could you repeat it?

18 Q. This article 144 of the Code of Civil Procedure  
19 of Nicaragua refers to measures that should be taken to  
05:46:32 20 cure acts of communication, correct?

21 A. No, because it refers to another matter, which  
22 is the protection of the offended party.

23 Q. Could you please read the title of article 144,  
24 if you'd be so kind?

05:46:52 25 A. Yes. It refers to what is called relative

05:46:55 1 nullity in Nicaragua, and it refers to the way that that  
2 infraction can be corrected. And for that to happen,  
3 several things need to occur.

4 No.1 --

05:47:15 5 Q. I'm sorry. I just asked if you could read what  
6 it says, the title of article 144, if you'd be so kind  
7 to do so. Yes, I haven't put the next question to you  
8 yet.

9 You are an expert in Nicaraguan law, and  
05:47:36 10 so I'm going to put a hypothetical to you.

11 Let us assume that tomorrow I go before a  
12 judge in Nicaragua to ask for an alimony order for my  
13 daughter, and the judge grants it to me, but fails to  
14 give notice to the child's father. So are you telling  
05:48:16 15 me that in that case, once the father finds out that he  
16 has to pay alimony for his daughter, he has no remedy to  
17 go before the courts to complain about this alimony  
18 order?

19 A. I'm not familiar with family law, and really I  
05:48:42 20 cannot apply this article to the one family law. I  
21 know, for instance, here in Florida the father --

22 Q. Excuse me, we're not talking about Florida law.  
23 We're talking about Nicaraguan law. And you are here in  
24 this arbitration --

05:49:01 25 MR. APPLETON: Ms. González, I'm sorry to

05:49:01 1 object. He's answering. Allow him to answer. The  
2 Tribunal, if they feel he's going off base, will step in  
3 as well. But allow him to answer. He's giving an  
4 example. He's giving an analogy to give his answer.

05:49:14 5 It's appropriate to allow will him to do that to the  
6 question you posed him which he was answering to the  
7 question you posed.

8 I know it's late in the day. I understand  
9 that. But everybody needs to try to work together so we  
05:49:26 10 can understand what's going on. That's all.

11 PRESIDENT: But I don't think we need to  
12 know what Florida law says, so let's --

13 MR. APPLETON: I think his answer was that  
14 it was by analogy but --

05:49:36 15 PRESIDENT: You can come back to that on  
16 redirect if you want to, but let's try to keep the  
17 answers short and focused on the question. Otherwise, we  
18 will not be able to finish according to the plan.

19 So please go on with your question,  
05:49:53 20 Ms. González.

21 MS. GONZÁLEZ: Thank you.

22 Q. I'm going to put another hypothetical to you  
23 that might seem a bit more familiar. Let's assume that  
24 a Nicaraguan court forecloses a mortgage in respect of  
05:50:23 25 my person and doesn't notify me of that foreclosure. I

05:50:32 1 don't find out about it.

2           Are you saying that once the case is  
3 archived, I have no way, because I wasn't given notice,  
4 to go to a Nicaraguan court to uphold my rights,  
05:50:46 5 considering that I have not found out about it?

6           A.     The case you cited is a case of absolute  
7 nullity. And as you know, absolute nullity can be  
8 alleged at any time, even to the judge himself  
9 *sua sponte* can decide on it and the party can raise it  
05:51:08 10 at any time before the expiration of the statute of  
11 limitations. So the hypothetical you gave us is  
12 different from the case we're discussing here,  
13 specifically article 144 of the code.

14           PRESIDENT: May I intervene here and ask  
05:51:30 15 Mr. Gutiérrez, in article 144, in your view what is the  
16 defect that is being cured? What is the defect that this  
17 provision deals with?

18           MR. GUTIÉRREZ: It doesn't deal with any  
19 specific provision, Mr. President. It deals with a  
05:51:49 20 situation when there has been a violation of a civil  
21 procedure requirement.

22           PRESIDENT: That is my question. What is  
23 the violation, or what is the defect, because that's the  
24 heading in the provision? What is the defect that it is  
05:52:04 25 talking about?

05:52:05 1 MR. GUTIÉRREZ: Whatever it may be. She  
2 has given us hypotheticals. So what she's referring  
3 to --

4 PRESIDENT: Now I'm asking you, what is the  
05:52:13 5 defect that is being cured, or what is the defect that  
6 this provision deals with?

7 MS. GUTIÉRREZ: That the party didn't  
8 receive notice, that there wasn't notice to the affected  
9 party and in that situation there is a nullity, that may  
05:52:33 10 be absolute nullity or relative nullity, and it's a big  
11 difference between the two.

12 PRESIDENT: I'm not sure I understand your  
13 answer.

14 Are you saying that the provision deals  
05:52:49 15 with failure to give notice or another procedural  
16 failure?

17 MR. GUTIÉRREZ: The provision deals with  
18 the following:

19 If notice was not given, then the law  
05:53:03 20 says -- and the party that was affected by the  
21 non-notice is required to go to court once he or she got  
22 knowledge of what happened and he had -- he must allege  
23 that error, to call it, or that, I guess, nullity in the  
24 first appearance in court that we dealt with before.

05:53:36 25 So, again, this article 144 stands for the

05:53:42 1 fact that the party has been notified, cited, summonsed,  
2 et cetera. If that doesn't happen, this article cannot  
3 apply.

4 PRESIDENT: That was precisely my question.  
05:53:58 5 If there has been notification, if this provision deals  
6 with the scenario where there has been notification, then  
7 what is the defect that this provision deals with?

8 MR. GUTIÉRREZ: The lack of notification,  
9 which is crucial for the proceeding.

05:54:16 10 PRESIDENT: Okay. Understood. Thank you.

11 Q. Mr. Gutiérrez, you're familiar with article 215  
12 of the Code of Civil Procedure of Nicaragua with respect  
13 to procedural paths for being able to claim absolute and  
14 relative nullity or annullability?

05:54:45 15 A. Let's see the article, please.

16 MS. GONZÁLEZ: Of course. If you could  
17 please show article 215. Unfortunately, I think we only  
18 have it in Spanish, but we can read it.

19 This article, in its second paragraph,  
05:55:06 20 establishes that in cases of relative nullity or  
21 avoidability, the parties, on the first opportunity they  
22 have, and before there being a resolution that puts an  
23 end to the proceeding, may, through the remedies  
24 established in this code, seek the nullity of all the  
05:55:32 25 actions or one in particular.

05:55:35 1 Q. So would you agree that relative nullity could  
2 have been applied for at any time on the first occasion  
3 that INAGROSA had after having learned of the fact that  
4 it considered to be a violation of its rights?

05:55:55 5 A. No, because you need to read the code in its  
6 context, in its whole context. You cannot take a  
7 provision, read it and apply it with total disregard on  
8 what other provisions of the code say. We have seen  
9 another provision of the code that says this applies if  
05:56:20 10 you have since been summoned, cited or required to a  
11 court. So the first time you go to court, after that is  
12 when it applies what you are saying.

13 Q. So would you agree -- this is a very simple  
14 question, that according to article 215, relative  
05:56:38 15 nullity can be applied for on the first occasion that  
16 the parties have? I'm just asking you to confirm that  
17 that's what article 215 in the second paragraph says.

18 A. As long as we understand -- as long as we  
19 understand the --

05:56:58 20 Q. Sorry to interrupt you. I'm just asking you to  
21 confirm that that's what the article says. I haven't  
22 asked you anything more.

23 A. I cannot confirm what you're saying. I'm  
24 sorry.

05:57:08 25 Q. So you can't read this article and say that in

05:57:11 1 cases of relative nullity, the parties can apply on the  
2 first opportunity they have? You don't read that on  
3 your screen in the second paragraph, Dr. Gutiérrez?

4 A. Counselor, I know how to read, and I don't  
05:57:30 5 think it's a graceful thing that you said to another  
6 colleague that is trying to understand not only the core  
7 of your position. I have given explanations why your  
8 position is wrong, and we have to understand the code in  
9 the full context of the code. That's how we interpret  
05:57:51 10 codes in the civil law system, not article by article.

11 Q. Understood. The problem is we have limited  
12 time, and you are, in your answers, going beyond the  
13 scope of the questions that I'm putting to you, most of  
14 which simply call for a yes or no answer. So I would  
05:58:13 15 ask that you please limit yourself to answering my  
16 questions, and if you have any clarifications you would  
17 like to make afterwards, then your lawyers certainly  
18 will put the relevant questions to you.

19 A. I cannot agree to something which is wrong.

05:58:30 20 Q. Okay. Understood.

21 Now, if INAGROSA had hired you for you to  
22 advise them at the time when they realized that they had  
23 been negatively impacted by a protective measure,  
24 whatever it might be, what would you have recommended to  
05:58:51 25 them?



05:58:53 1 A. I would have to read the entire proceedings  
2 that occurred, see when INAGROSA was cited or summoned,  
3 how was it summoned, was the summon properly done, then  
4 we'll have to see the code provisions to see if the code  
05:59:20 5 requirements were complied with or not. Here you have  
6 been talking only of relative nullity, whereas I think  
7 that the violations you are talking about are absolute  
8 nullity.

9 And why is that? Because when there is a  
05:59:35 10 failure or a breach in the due process and that breach  
11 affects a party, that breach -- that procedural breach  
12 constitutes or creates the problem of absolute nullity.

13 So I would have to make that analysis.  
14 You asked me if I were appointed counsel of INAGROSA to  
06:00:01 15 determine if it is relative nullity, or if it is  
16 absolute nullity. Because it makes a difference.  
17 That's, you know, a big difference. But we cannot go on  
18 to use the concepts and the rules of relative nullity  
19 just because we want to. It has to have a connection  
06:00:25 20 between the circumstances of the case, what happened in  
21 the case, and what the code says.

22 Q. I understand that you have conducted that  
23 analysis. After that analysis, wouldn't you have told  
24 your client to go before the Nicaraguan courts to have  
06:00:47 25 his or her rights upheld in connection with this

06:00:50 1 protective measure?

2 A. No, if the nullity we see that happened is  
3 absolute nullity. Because I will never lose the  
4 right -- or almost never lose the right -- to challenge  
06:01:06 5 the provision. We know it cannot be -- it cannot be  
6 corrected and the party -- the affected party can bring  
7 it up at any time before the statute of limitations,  
8 which in this case will be ten years.

9 So maybe you can wait and say to the  
06:01:26 10 client let's wait until the conditions in the country  
11 are better. Let's wait until we have a certain sense of  
12 justice around us, and then we file the petition. But  
13 that's for the client to decide, not for me.

14 PRESIDENT: Ms. González, when do you think  
06:01:47 15 you will be able to finish your part? If it's going to  
16 take more than 10, 15 minutes --

17 MS. GONZÁLEZ: No, I'm not going to be able  
18 to finish in 10, 15 minutes.

19 PRESIDENT: So I suggest we break now then.  
06:02:05 20 According to the plan, we still have  
21 three hours with Mr. Gutiérrez tomorrow. How long do  
22 you think you need? Half an hour?

23 MS. GONZÁLEZ: I'm sorry?

24 PRESIDENT: How long do you think you need?  
06:02:18 25 Half an hour or more?

06:02:20 1 MS. GONZÁLEZ: I need one hour more.

2 PRESIDENT: You need one more.

3 MS. GONZÁLEZ: And one hour and a half, at  
4 least, Ms. Cortes.

06:04:08 5 (The Tribunal conferred)

6 PRESIDENT: So we'll break now, and you may  
7 want to use the evening to streamline your questions so  
8 that we are efficient tomorrow.

9 I should remind again also, Mr. Gutiérrez,  
06:04:23 10 please answer the question, make a brief explanation if  
11 you want to add an explanation if you think you need to  
12 add an explanation to your answer, but this is not  
13 really a debate between counsel and you. This is a  
14 cross-examination, and we should all keep that in mind.

06:04:43 15 The goal is to finish tomorrow by noon,  
16 and hopefully earlier, so let's try to keep this  
17 focused.

18 MR. GUTIÉRREZ: May I say something about  
19 the way I've been receiving questions and all that?

06:05:05 20 My problem, as a lawyer, is that you know  
21 and I know that the law has many facets, many ways to  
22 see it. One lawyer may see it in this way and  
23 interpretation may be different from another lawyer.

24 But the counselor wants me to agree on things that I  
06:05:27 25 cannot agree, and then I say I do not agree and I want

06:05:34 1 to explain why I don't agree.

2 PRESIDENT: That is entirely fine. You can  
3 say if you don't agree. If she's asking you to answer  
4 yes or no, that is always the beginning of the answer,  
06:05:47 5 yes or no. If you don't agree you say "no" and explain  
6 briefly why you don't agree. But you don't need to  
7 engage in lengthy explanations. That's not the purpose  
8 of a cross-examination.

9 We have your opinion, so we know what your  
06:06:00 10 opinions are. But the purpose of this exercise is to  
11 test your opinion. You give your opinion. You don't  
12 need to worry about what other lawyers think about the  
13 same issue. But the purpose of a cross-examination is  
14 to establish your views. Counsel for the Claimant will  
06:06:18 15 be able to put further questions to you on redirect if  
16 they think that your answer was incomplete or ambiguous  
17 or if it requires further clarification.

18 But let's try to be efficient tomorrow.  
19 Again, this is not a debate but an examination of your  
06:06:38 20 evidence.

21 MR. GUTIÉRREZ: Thank you, Mr. President.

22 PRESIDENT: Very good. Just one  
23 housekeeping issue. We were just looking at article 215  
24 of the Code of Civil Procedure. I don't think we have an  
06:06:52 25 English translation of that provision, at least not in

06:06:56 1 RL-191. Since this is the Respondent's legal authority,  
2 you may want to produce -- or we would, rather, ask you  
3 to produce a translation of that provision for the  
4 record.

06:07:09 5 MS. GONZÁLEZ: We will. Thank you.

6 MR. GUTIÉRREZ: Mr. President, to save  
7 time, can we -- or can I at least receive a copy of the  
8 translation to make sure it's accurate, and we can start  
9 without getting into that tomorrow?

06:07:23 10 PRESIDENT: Sure. It will be shared with  
11 the Claimant, and the Claimant can share it with you.

12 MR. APPLETON: Yes, we need special  
13 permission to do that because he's giving evidence.

14 PRESIDENT: This is not evidence. This is  
06:07:33 15 a legal authority.

16 MR. APPLETON: So if we're all clear, we'd  
17 be delighted to get your translation to look at.  
18 Assuming we're fine with it, we will send it over to the  
19 witness so he can see it. That will save time for  
06:07:48 20 everybody.

21 PRESIDENT: Of course, and he has already  
22 seen the Spanish version, which is on the record. So if  
23 you have any comments on the translation, you are free to  
24 make comments, but it will be helpful to have that on the  
06:07:59 25 record since we have questions to the expert on that

06:08:03

1 provision.

2

Very good. Unfortunately, Mr. Gutiérrez,  
you are still under examination, so you cannot speak  
with anybody about your examination or your evidence

06:08:15

5

today. So it will be a lonely evening. The TV has been  
invented so you'll find hopefully a way of spending your  
time. Thank you very much.

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(Hearing adjourned at 6:08 p.m.)

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<p><b>MR. APPLETON:</b>  <b>[46]</b> 1283/3 1283/9  1287/21 1288/5  1288/10 1288/13  1288/19 1288/21  1294/10 1294/22  1296/3 1298/21  1300/2 1303/6  1392/24 1421/24  1422/9 1433/12  1434/14 1434/18  1438/15 1440/9  1440/12 1440/22  1441/13 1441/21  1441/24 1442/2  1442/15 1443/22  1444/10 1445/6  1448/13 1448/20  1451/1 1460/9  1464/21 1465/2  1475/7 1475/13  1475/22 1476/1  1487/25 1488/13  1498/12 1498/16  <b>MR. BART: [19]</b>  1393/2 1396/5  1396/12 1397/9  1401/6 1401/18  1402/1 1403/3  1403/20 1404/6  1405/17 1407/12  1408/17 1414/4  1414/12 1414/16  1418/23 1421/12  1422/8  <b>MR. CASTRO: [2]</b>  1337/5 1365/8  <b>MR. ENRIQUEZ:</b>  <b>[11]</b> 1386/3 1386/7  1386/15 1386/22  1386/25 1387/10  1405/15 1420/17  1420/25 1421/5  1421/18  <b>MR. ENRQUEZ: [1]</b>  1420/5  <b>MR. GUTIÉRREZ:</b>  <b>[29]</b> 1422/17 1422/21  1423/2 1423/7  1423/15 1423/20  1432/2 1432/7  1432/10 1432/13  1435/14 1438/2  1447/2 1447/6  1465/25 1466/3  1466/8 1466/19  1466/24 1469/19  1473/2 1473/6  1489/18 1490/1  1490/17 1491/8  1496/18 1497/21  1498/6</p>	<p><b>MR. HILL: [61]</b>  1293/1 1294/9  1300/13 1302/20  1303/3 1306/11  1307/21 1308/21  1313/17 1314/7  1314/16 1315/13  1315/19 1317/13  1318/2 1318/23  1318/25 1319/5  1319/18 1321/8  1322/13 1322/24  1323/23 1325/16  1326/4 1326/24  1327/3 1329/17  1329/24 1330/12  1335/3 1337/6 1339/5  1339/13 1340/15  1341/6 1341/17  1343/10 1345/13  1346/9 1346/16  1346/19 1346/24  1347/12 1348/5  1348/23 1349/7  1349/13 1349/19  1350/9 1357/11  1362/13 1362/25  1363/4 1363/18  1364/22 1365/6  1371/5 1373/14  1374/11 1385/13  <b>MR. LÓPEZ: [19]</b>  1283/19 1284/6  1284/18 1285/7  1285/10 1285/19  1286/1 1286/10  1298/7 1330/9  1383/11 1383/14  1383/18 1383/22  1384/3 1384/12  1384/21 1385/3  1385/19  <b>MR. MOLINA: [54]</b>  1283/5 1283/10  1283/15 1284/14  1284/17 1285/11  1287/25 1288/4  1288/8 1288/18  1288/20 1293/4  1293/10 1293/21  1295/12 1297/6  1297/21 1299/10  1299/23 1302/17  1306/2 1313/15  1314/4 1314/8  1317/22 1318/20  1318/24 1319/1  1323/20 1326/18  1326/22 1327/2  1330/4 1331/11  1334/14 1339/9  1341/3 1349/16  1356/25 1357/4</p>	<p>1362/22 1365/10  1365/19 1365/23  1366/16 1366/21  1367/25 1371/8  1373/18 1378/16  1379/10 1383/3  1385/14 1387/13  <b>MR. ZUNIGA: [23]</b>  1387/16 1388/16  1389/21 1389/25  1390/4 1390/12  1390/19 1391/1  1391/7 1391/15  1391/21 1391/24  1392/5 1392/9  1392/11 1392/14  1392/21 1401/15  1407/5 1413/22  1418/18 1419/20  1421/13  <b>MS. CONOVER: [3]</b>  1304/22 1368/3  1368/9  <b>MS. GONZÁLEZ:</b>  <b>[33]</b> 1433/7 1441/8  1441/19 1441/23  1442/1 1442/3  1442/24 1443/20  1444/8 1444/24  1448/18 1449/5  1451/19 1460/18  1464/24 1465/19  1468/9 1469/21  1473/7 1473/16  1474/2 1475/10  1477/5 1479/10  1479/16 1483/8  1488/21 1491/16  1495/17 1495/23  1496/1 1496/3 1498/5  <b>MS. GREENWOOD:</b>  <b>[31]</b> 1302/22 1388/13  1389/17 1389/23  1390/1 1390/9  1390/17 1390/24  1391/13 1391/19  1391/22 1391/25  1392/13 1420/20  1421/3 1421/7  1431/22 1432/5  1432/9 1432/12  1441/18 1465/16  1465/20 1466/1  1466/4 1466/14  1466/22 1467/2  1475/20 1475/24  1479/19  <b>MS. GUTIÉRREZ:</b>  <b>[1]</b> 1490/7  <b>PRESIDENT: [154]</b>  1282/24 1283/4  1283/6 1283/11  1283/17 1283/20</p>	<p>1283/23 1284/4  1284/8 1284/16  1284/21 1285/8  1285/15 1285/22  1286/2 1286/11  1288/1 1288/9  1288/11 1293/6  1293/14 1293/25  1294/16 1294/19  1295/11 1295/15  1297/5 1297/12  1297/23 1298/9  1299/9 1299/13  1300/9 1300/15  1303/9 1306/7  1307/20 1307/23  1321/5 1325/14  1329/20 1330/2  1330/6 1330/11  1334/24 1338/10  1363/1 1365/16  1365/21 1366/20  1368/5 1368/10  1373/17 1374/13  1383/5 1383/12  1383/15 1383/20  1383/23 1384/7  1384/18 1384/22  1385/9 1385/15  1385/20 1386/2  1386/4 1386/9  1386/18 1386/23  1387/1 1387/11  1387/15 1390/20  1391/4 1392/1 1392/7  1392/10 1392/23  1393/1 1405/12  1407/10 1408/7  1414/2 1414/9  1414/14 1414/17  1417/23 1418/21  1419/18 1419/21  1420/2 1420/15  1420/19 1421/9  1421/15 1421/19  1422/5 1422/11  1422/15 1422/19  1422/22 1423/5  1423/8 1423/16  1433/10 1434/17  1434/21 1434/25  1437/21 1438/3  1440/7 1440/10  1440/13 1440/25  1441/14 1441/20  1442/4 1443/10  1443/12 1444/21  1445/19 1446/24  1447/4 1449/3  1451/12 1460/15  1464/23 1465/1  1467/4 1469/16  1472/20 1473/3</p>	<p>1473/10 1473/15  1482/14 1488/11  1488/15 1489/14  1489/22 1490/4  1490/12 1491/4  1491/10 1495/14  1495/19 1495/24  1496/2 1496/6 1497/2  1497/22 1498/10  1498/14 1498/21  <b>THE INTERPRETER:</b>  <b>[7]</b> 1283/21 1283/25  1303/17 1357/2  1460/13 1461/19  1476/18  <b>THE REPORTER: [1]</b>  1341/15</p> <hr/> <p>'08 [1] 1370/5  '18 [2] 1384/9  1384/20  '20 [1] 1384/11  '21 [1] 1384/11  '63 [1] 1447/21  '70s [2] 1424/5  1448/8  '79 [1] 1449/6  '90 [1] 1291/19  '97 [1] 1372/22</p> <hr/> <p><b>0</b></p> <p><b>0001 [2]</b> 1477/6  1482/24  <b>0005 [2]</b> 1475/20  1479/19  <b>001 [2]</b> 1469/22  1477/6  <b>0094 [1]</b> 1378/19  <b>02 [1]</b> 1401/8  <b>021-2018 [1]</b>  1427/6  <b>04 [5]</b> 1307/9  1345/14 1345/20  1362/13 1362/15</p> <hr/> <p><b>1</b></p> <p><b>1,000 [1]</b> 1342/21  <b>1,190 [1]</b> 1315/25  <b>1,200 [1]</b> 1352/25  <b>1,737 [1]</b> 1352/25  <b>10 [8]</b> 1301/17  1330/3 1345/14  1345/21 1402/21  1477/11 1495/16  1495/18  <b>10 minutes [1]</b>  1424/16  <b>100 [2]</b> 1376/14  1376/16  <b>100 percent [3]</b>  1432/14 1433/17  1480/12</p>
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<b>1</b>	1448/11 <b>1975 [1]</b> 1448/11 <b>1976 [1]</b> 1449/6 <b>1977 [1]</b> 1448/3 <b>1985 [1]</b> 1424/7 <b>1986 [1]</b> 1424/8 <b>1990 [5]</b> 1289/10 1311/22 1315/6 1321/2 1333/4 <b>1990s [1]</b> 1360/17 <b>1995 [1]</b> 1345/22 <b>1997 [1]</b> 1290/19 <b>1997-2018 [1]</b> 1437/12 <b>1999 [5]</b> 1313/4 1317/10 1317/18 1318/7 1318/14	<b>2012 [5]</b> 1301/22 1301/23 1370/5 1384/25 1385/6 <b>2014 [3]</b> 1418/3 1418/4 1436/16 <b>2015-2018 [1]</b> 1429/16 <b>2016 [9]</b> 1301/23 1304/4 1304/8 1359/2 1370/5 1370/6 1400/10 1429/19 1429/20 <b>2017 [49]</b> 1291/18 1291/19 1291/21 1354/23 1355/1 1355/9 1355/13 1355/21 1357/24 1358/13 1358/21 1360/3 1362/11 1364/4 1364/4 1364/9 1364/11 1364/19 1364/20 1376/25 1377/7 1378/7 1378/15 1379/6 1380/6 1381/9 1381/15 1382/7 1382/7 1383/24 1384/9 1384/20 1384/24 1385/1 1395/23 1396/2 1397/2 1397/14 1397/19 1398/4 1398/16 1400/6 1400/11 1407/22 1410/16 1419/7 1429/22 1437/3 1437/4 <b>2017-2018 [1]</b> 1291/11 <b>2018 [56]</b> 1291/11 1305/15 1351/20 1355/3 1355/9 1355/20 1356/1 1360/3 1360/22 1362/8 1362/12 1362/15 1362/21 1363/9 1363/23 1364/2 1364/4 1364/5 1364/10 1364/14 1364/17 1376/25 1377/7 1382/3 1383/1 1383/24 1384/24 1385/1 1388/11 1395/23 1396/2 1397/2 1397/23 1398/4 1398/17 1411/7 1411/9 1411/15 1411/21 1412/6 1413/5 1414/21 1414/24 1415/18 1415/20 1415/24 1416/17 1416/18 1417/13	1427/6 1429/16 1430/2 1430/20 1435/17 1437/5 1437/12 <b>2018-2021 [1]</b> 1437/15 <b>2019 [4]</b> 1378/20 1383/25 1384/11 1384/19 <b>2020 [2]</b> 1384/1 1384/19 <b>2021 [15]</b> 1304/11 1310/19 1311/5 1361/21 1370/7 1370/8 1383/19 1384/1 1384/19 1432/16 1432/21 1437/15 1457/13 1481/18 1481/23 <b>2021/2022 [1]</b> 1482/6 <b>2022 [30]</b> 1301/25 1304/10 1304/11 1370/7 1370/9 1395/16 1395/18 1398/8 1399/4 1399/8 1399/9 1402/5 1405/19 1405/21 1406/4 1473/24 1474/7 1474/13 1476/7 1476/12 1477/8 1478/14 1478/22 1480/6 1481/2 1481/14 1482/1 1482/3 1482/6 1482/9 <b>2023 [4]</b> 1284/23 1355/14 1405/22 1437/17 <b>2024 [14]</b> 1278/15 1282/1 1284/24 1386/19 1393/23 1395/1 1395/2 1395/3 1395/18 1399/10 1399/14 1399/15 1482/2 1482/4 <b>2025 [1]</b> 1304/14 <b>21 [1]</b> 1403/20 <b>21-2018 [1]</b> 1435/17 <b>215 [5]</b> 1491/11 1491/17 1492/14 1492/17 1497/23 <b>22nd [1]</b> 1316/1 <b>23 [5]</b> 1287/9 1287/24 1362/17 1363/6 1363/7 <b>24 [2]</b> 1363/18 1363/19 <b>25 [2]</b> 1287/11 1287/16 <b>251 [1]</b> 1460/3 <b>27 [5]</b> 1347/10 1347/14 1379/22	1405/21 1430/2 <b>28 [1]</b> 1378/20
<b>10:00 [4]</b> 1296/2 1297/20 1298/3 1298/6 <b>10:40 [1]</b> 1321/7 <b>11 [5]</b> 1330/3 1348/24 1349/3 1349/5 1439/5 <b>12 [5]</b> 1317/13 1317/16 1319/8 1322/16 1348/14 <b>124 [1]</b> 1482/23 <b>12:21 [1]</b> 1365/11 <b>13 [5]</b> 1285/20 1287/3 1389/14 1429/20 1457/13 <b>133 [2]</b> 1469/22 1470/3 <b>135 [1]</b> 1379/24 <b>14 [6]</b> 1322/24 1323/1 1388/7 1390/10 1390/18 1390/25 <b>144 [13]</b> 1482/20 1482/24 1482/24 1483/7 1483/13 1485/3 1486/14 1486/18 1486/23 1487/6 1489/13 1489/15 1490/25 <b>15 [20]</b> 1330/2 1365/12 1389/2 1389/20 1390/5 1390/11 1390/19 1390/24 1391/2 1421/20 1422/12 1449/22 1449/25 1450/1 1454/9 1456/4 1473/10 1473/13 1495/16 1495/18 <b>16 [8]</b> 1278/11 1355/19 1397/23 1411/9 1411/15 1411/20 1413/5 1437/8 <b>17 [1]</b> 1389/14 <b>170 [4]</b> 1356/18 1356/23 1357/20 1360/8 <b>177 [7]</b> 1287/10 1313/7 1317/13 1317/16 1322/15 1322/24 1323/1 <b>18 [3]</b> 1348/10 1348/21 1389/14 <b>1800 [1]</b> 1382/21 <b>191 [2]</b> 1483/10 1498/1 <b>1967 [1]</b> 1447/21 <b>1968 [1]</b> 1333/23 <b>1970 [3]</b> 1423/24 1447/8 1448/8 <b>1974 [2]</b> 1448/3	<b>2</b> <b>2 p.m [1]</b> 1385/21 <b>20 [3]</b> 1297/19 1334/18 1365/12 <b>20-minute [2]</b> 1297/24 1298/1 <b>20/2017 [1]</b> 1437/3 <b>200 [2]</b> 1323/14 1324/4 <b>200 hectares [1]</b> 1436/23 <b>2000 [5]</b> 1325/1 1325/1 1331/22 1331/25 1332/1 <b>2000 whether [1]</b> 1326/7 <b>2001 [9]</b> 1319/14 1320/23 1321/14 1321/14 1323/6 1335/5 1335/14 1335/22 1336/3 <b>2003 [20]</b> 1291/4 1335/9 1335/10 1335/13 1335/20 1336/11 1344/25 1345/9 1345/22 1346/7 1350/11 1372/24 1373/12 1373/22 1373/25 1374/8 1375/10 1375/16 1376/11 1383/9 <b>2004 [2]</b> 1336/11 1350/11 <b>2005 [6]</b> 1346/2 1346/6 1348/14 1350/12 1351/13 1351/15 <b>2006 [4]</b> 1303/19 1303/20 1303/20 1369/18 <b>2007 [3]</b> 1291/16 1291/18 1354/22 <b>2008 [1]</b> 1301/22 <b>2010 [1]</b> 1384/25	<b>2012 [5]</b> 1301/22 1301/23 1370/5 1384/25 1385/6 <b>2014 [3]</b> 1418/3 1418/4 1436/16 <b>2015-2018 [1]</b> 1429/16 <b>2016 [9]</b> 1301/23 1304/4 1304/8 1359/2 1370/5 1370/6 1400/10 1429/19 1429/20 <b>2017 [49]</b> 1291/18 1291/19 1291/21 1354/23 1355/1 1355/9 1355/13 1355/21 1357/24 1358/13 1358/21 1360/3 1362/11 1364/4 1364/4 1364/9 1364/11 1364/19 1364/20 1376/25 1377/7 1378/7 1378/15 1379/6 1380/6 1381/9 1381/15 1382/7 1382/7 1383/24 1384/9 1384/20 1384/24 1385/1 1395/23 1396/2 1397/2 1397/14 1397/19 1398/4 1398/16 1400/6 1400/11 1407/22 1410/16 1419/7 1429/22 1437/3 1437/4 <b>2017-2018 [1]</b> 1291/11 <b>2018 [56]</b> 1291/11 1305/15 1351/20 1355/3 1355/9 1355/20 1356/1 1360/3 1360/22 1362/8 1362/12 1362/15 1362/21 1363/9 1363/23 1364/2 1364/4 1364/5 1364/10 1364/14 1364/17 1376/25 1377/7 1382/3 1383/1 1383/24 1384/24 1385/1 1388/11 1395/23 1396/2 1397/2 1397/23 1398/4 1398/17 1411/7 1411/9 1411/15 1411/21 1412/6 1413/5 1414/21 1414/24 1415/18 1415/20 1415/24 1416/17 1416/18 1417/13	1427/6 1429/16 1430/2 1430/20 1435/17 1437/5 1437/12 <b>2018-2021 [1]</b> 1437/15 <b>2019 [4]</b> 1378/20 1383/25 1384/11 1384/19 <b>2020 [2]</b> 1384/1 1384/19 <b>2021 [15]</b> 1304/11 1310/19 1311/5 1361/21 1370/7 1370/8 1383/19 1384/1 1384/19 1432/16 1432/21 1437/15 1457/13 1481/18 1481/23 <b>2021/2022 [1]</b> 1482/6 <b>2022 [30]</b> 1301/25 1304/10 1304/11 1370/7 1370/9 1395/16 1395/18 1398/8 1399/4 1399/8 1399/9 1402/5 1405/19 1405/21 1406/4 1473/24 1474/7 1474/13 1476/7 1476/12 1477/8 1478/14 1478/22 1480/6 1481/2 1481/14 1482/1 1482/3 1482/6 1482/9 <b>2023 [4]</b> 1284/23 1355/14 1405/22 1437/17 <b>2024 [14]</b> 1278/15 1282/1 1284/24 1386/19 1393/23 1395/1 1395/2 1395/3 1395/18 1399/10 1399/14 1399/15 1482/2 1482/4 <b>2025 [1]</b> 1304/14 <b>21 [1]</b> 1403/20 <b>21-2018 [1]</b> 1435/17 <b>215 [5]</b> 1491/11 1491/17 1492/14 1492/17 1497/23 <b>22nd [1]</b> 1316/1 <b>23 [5]</b> 1287/9 1287/24 1362/17 1363/6 1363/7 <b>24 [2]</b> 1363/18 1363/19 <b>25 [2]</b> 1287/11 1287/16 <b>251 [1]</b> 1460/3 <b>27 [5]</b> 1347/10 1347/14 1379/22	1405/21 1430/2 <b>28 [1]</b> 1378/20
<b>3</b>	<b>30 [8]</b> 1405/19 1406/4 1424/16 1474/7 1474/13 1478/22 1480/6 1481/2 <b>30 minutes [1]</b> 1423/10 <b>30-minute [1]</b> 1297/22 <b>35 [4]</b> 1348/6 1349/5 1349/7 1351/13 <b>36 [2]</b> 1337/6 1337/7 <b>37 [4]</b> 1441/11 1441/17 1441/19 1441/23 <b>38 [6]</b> 1441/11 1441/12 1441/18 1441/19 1441/22 1441/23 <b>380 [9]</b> 1467/22 1468/4 1468/8 1468/12 1469/1 1469/8 1469/25 1470/7 1472/15 <b>39 [1]</b> 1287/10 <b>3:30 [1]</b> 1421/20	<b>4</b>	<b>40 [2]</b> 1423/9 1423/9	
<b>5</b>	<b>54 [2]</b> 1346/16 1346/17 <b>56 [1]</b> 1333/22	<b>6</b>	<b>60 [2]</b> 1474/1 1479/11 <b>600 [1]</b> 1376/16 <b>6145 [1]</b> 1479/5 <b>6:08 [1]</b> 1499/8	
<b>7</b>	<b>70 [4]</b> 1318/10 1318/15 1318/15 1376/8 <b>72 [2]</b> 1313/11 1314/19	<b>8</b>	<b>800 [2]</b> 1315/5 1342/20 <b>83 [2]</b> 1401/9 1401/18 <b>8th [1]</b> 1393/19	
<b>9</b>	<b>94 [1]</b> 1378/17	<b>9</b>		



<p><b>A</b></p> <p><b>abandoned [16]</b> 1289/25 1291/25 1352/12 1352/17 1353/9 1353/23 1354/2 1354/16 1354/17 1356/9 1357/15 1363/16 1377/8 1377/11 1385/7 1462/18</p> <p><b>ability [3]</b> 1357/19 1426/15 1453/2</p> <p><b>able [28]</b> 1287/20 1288/6 1288/22 1290/11 1296/10 1318/3 1318/4 1321/18 1339/12 1349/4 1354/10 1408/8 1408/11 1433/13 1439/9 1440/1 1442/21 1444/19 1448/24 1451/9 1451/10 1454/12 1473/1 1488/18 1491/13 1495/15 1495/17 1497/15</p> <p><b>about [136]</b> 1289/8 1292/13 1297/1 1300/7 1301/5 1301/17 1306/4 1306/5 1306/5 1307/4 1307/15 1314/11 1317/7 1318/10 1318/15 1323/14 1324/4 1324/6 1326/2 1330/8 1330/15 1331/22 1332/15 1332/23 1333/6 1333/14 1334/17 1334/19 1336/10 1336/24 1337/9 1339/23 1348/2 1348/9 1350/12 1352/24 1353/1 1354/25 1355/8 1358/5 1358/6 1358/12 1358/25 1359/10 1359/11 1359/24 1360/8 1364/12 1367/8 1367/9 1369/6 1369/25 1370/12 1370/20 1370/23 1371/11 1371/17 1371/19 1372/5 1372/17 1372/25 1373/3 1374/3 1374/13 1374/14 1375/19 1375/22 1376/2 1376/5 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1357/8 1357/11 1366/15 1366/18 1366/22 1366/23 1374/13 1374/17 1378/25 1380/4 1380/8 1386/5 1386/12 1388/13 1399/18 1406/19 1413/16 1422/5 1432/3 1443/17 1445/5 1445/7 1457/4 1465/17 1468/17 1468/18 1485/2 1487/12 1489/14 1493/15 1498/2</p> <p><b>asked [45]</b> 1283/23 1285/4 1285/23 1298/22 1324/20 1332/15 1333/5 1334/17 1338/24 1364/10 1366/4 1369/7 1369/23 1370/11 1371/1 1371/11 1372/5 1375/17 1375/19 1376/17 1377/6 1378/6 1381/7 1382/1 1395/4 1395/7 1407/10 1407/14</p>
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<p><b>A</b></p> <p><b>asked... [17]</b> 1444/3 1444/7 1445/1 1445/5 1457/14 1457/15 1464/21 1468/14 1468/16 1469/15 1472/4 1472/7 1473/7 1480/25 1487/5 1492/22 1494/14</p> <p><b>asking [35]</b> 1300/20 1314/11 1330/15 1335/10 1338/11 1338/11 1348/9 1358/5 1358/5 1363/9 1364/12 1367/8 1381/7 1394/23 1397/4 1401/20 1403/25 1405/5 1408/2 1443/15 1448/20 1450/18 1467/7 1467/9 1469/5 1469/5 1471/9 1471/21 1472/13 1472/14 1472/20 1490/4 1492/16 1492/20 1497/3</p> <p><b>asks [2]</b> 1454/5 1470/9</p> <p><b>assertions [1]</b> 1459/11</p> <p><b>assessing [1]</b> 1400/2</p> <p><b>assigned [1]</b> 1289/22</p> <p><b>assignment [1]</b> 1314/23</p> <p><b>assistance [1]</b> 1475/23</p> <p><b>assistant [1]</b> 1447/20</p> <p><b>associated [1]</b> 1415/9</p> <p><b>ASSOCIATES [2]</b> 1280/5 1450/3</p> <p><b>assume [4]</b> 1402/24 1464/1 1487/11 1488/23</p> <p><b>assuming [2]</b> 1296/10 1498/18</p> <p><b>assurances [1]</b> 1291/25</p> <p><b>attach [1]</b> 1452/2</p> <p><b>attached [1]</b> 1427/18</p> <p><b>attacked [2]</b> 1472/8 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[1]</b> 1298/10</p> <p><b>banking [1]</b> 1454/17</p> <p><b>banks [1]</b> 1454/25</p> <p><b>barricades [3]</b> 1411/24 1413/5 1430/21</p> <p><b>Barry [1]</b> 1280/6</p> <p><b>Bart [8]</b> 1280/12 1392/24 1393/1 1393/6 1408/14 1414/2 1418/18 1419/18</p> <p><b>base [1]</b> 1488/2</p> <p><b>based [9]</b> 1320/3 1358/15 1360/16 1411/3 1412/11 1413/3 1414/10 1472/17 1475/6</p> <p><b>basically [4]</b> 1390/5 1390/5 1391/12 1470/21</p> <p><b>basis [4]</b> 1296/10 1297/7 1414/2 1467/9</p> <p><b>be [193]</b> 1283/13 1284/10 1285/9 1286/3 1286/5 1287/10 1288/6 1290/10 1291/8 1292/21 1293/2 1293/12 1293/14 1294/2 1294/12</p>	<p>1294/14 1294/23 1295/7 1295/22 1295/25 1296/12 1296/17 1297/15 1298/6 1298/10 1298/17 1298/17 1298/18 1298/23 1299/4 1299/7 1299/17 1300/5 1300/8 1300/20 1302/19 1303/6 1303/8 1306/6 1307/16 1314/9 1314/22 1321/18 1321/23 1322/16 1322/17 1323/15 1329/11 1329/18 1333/11 1333/12 1335/2 1335/23 1336/7 1339/6 1339/15 1343/13 1344/4 1345/8 1346/3 1346/5 1348/9 1348/18 1348/19 1349/4 1349/11 1349/21 1349/25 1350/6 1352/12 1352/17 1357/9 1359/25 1362/2 1366/8 1368/1 1375/17 1378/2 1381/4 1381/18 1385/22 1386/11 1387/3 1387/5 1387/13 1389/17 1389/18 1392/5 1392/25 1401/16 1404/1 1404/22 1407/19 1408/7 1408/11 1408/22 1419/15 1422/19 1423/3 1423/6 1423/8 1423/16 1424/24 1425/10 1426/1 1427/21 1431/14 1432/2 1433/13 1433/22 1433/23 1434/8 1434/9 1435/2 1435/3 1436/13 1438/9 1438/11 1439/7 1439/8 1440/1 1440/4 1441/3 1441/6 1442/9 1442/19 1442/21 1443/18 1443/25 1444/3 1444/5 1444/7 1444/7 1444/19 1444/20 1445/9 1446/13 1448/23 1449/1 1451/9 1451/10 1452/20 1453/19 1454/6 1457/14 1458/14 1458/22</p>	<p>1459/8 1459/14 1459/24 1460/6 1466/24 1467/16 1468/17 1470/16 1471/21 1472/8 1472/9 1473/1 1473/4 1473/22 1475/14 1475/15 1475/22 1476/11 1476/24 1481/12 1485/5 1486/3 1486/9 1486/19 1486/24 1487/2 1487/6 1488/18 1489/7 1490/1 1490/10 1492/4 1492/15 1493/24 1495/5 1495/5 1495/8 1495/15 1495/17 1496/23 1497/15 1497/18 1498/10 1498/17 1498/24 1499/5</p> <p><b>became [2]</b> 1417/5 1429/8</p> <p><b>because [117]</b> 1285/12 1289/2 1290/18 1290/20 1290/24 1291/22 1292/2 1292/4 1292/12 1294/3 1294/23 1295/2 1295/9 1296/21 1298/2 1299/14 1300/3 1300/3 1303/23 1306/25 1321/23 1322/8 1334/8 1341/13 1343/3 1343/5 1344/4 1344/19 1346/11 1349/2 1359/8 1361/5 1364/19 1368/6 1369/9 1369/13 1369/25 1372/14 1374/23 1375/5 1375/11 1377/1 1377/12 1378/1 1379/8 1381/2 1381/4 1381/16 1382/15 1384/3 1384/13 1384/14 1384/16 1385/3 1390/21 1390/23 1391/5 1391/17 1399/10 1410/21 1412/15 1412/24 1416/2 1416/14 1417/2 1425/5 1425/23 1426/16 1427/8 1427/12 1428/17 1431/11 1431/19 1432/7 1433/21 1436/18 1437/4</p>
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<p><b>B</b></p> <p><b>because... [40]</b>  1437/6 1437/25  1438/17 1439/19  1440/4 1440/21  1443/13 1447/21  1448/4 1448/9 1451/9  1455/10 1455/15  1455/16 1458/25  1462/10 1463/15  1464/3 1467/14  1469/23 1470/5  1473/12 1476/13  1476/21 1478/3  1480/22 1482/13  1483/23 1484/14  1484/19 1485/22  1486/21 1489/3  1489/23 1492/5  1494/9 1494/16  1494/19 1495/3  1498/13</p> <p><b>become [2]</b> 1428/15  1462/25</p> <p><b>been [85]</b> 1284/9  1289/22 1294/13  1295/16 1301/22  1310/12 1316/5  1322/10 1334/17  1335/11 1335/22  1338/9 1344/21  1346/4 1348/16  1348/19 1350/12  1355/3 1358/12  1360/12 1367/15  1374/20 1374/23  1375/1 1378/19  1379/9 1379/25  1383/8 1386/9 1400/5  1400/15 1407/20  1407/24 1412/1  1412/25 1416/24  1417/2 1417/9  1417/10 1417/18  1421/25 1422/10  1422/22 1427/3  1427/15 1430/15  1434/1 1434/7 1435/7  1439/22 1439/23  1444/12 1446/9  1446/12 1451/24  1457/4 1457/8 1457/9  1461/25 1461/25  1462/6 1463/24  1465/8 1467/8 1468/1  1472/1 1480/23  1483/19 1485/15  1485/24 1485/25  1485/25 1486/5  1486/6 1486/12  1489/20 1491/1  1491/5 1491/6 1492/2  1492/10 1493/23</p>	<p>1494/6 1496/19  1499/5</p> <p><b>before [69]</b> 1292/3  1294/5 1294/14  1296/3 1296/16  1298/21 1302/12  1302/15 1302/20  1302/25 1317/23  1318/1 1319/16  1330/14 1333/5  1335/10 1344/17  1365/17 1366/5  1366/9 1366/13  1367/15 1367/19  1367/23 1372/6  1373/15 1376/11  1381/2 1382/18  1382/19 1384/14  1402/7 1407/4 1416/3  1425/23 1428/13  1431/1 1431/13  1436/5 1436/12  1437/4 1438/24  1444/10 1444/12  1444/13 1445/14  1445/16 1445/22  1452/14 1453/3  1453/7 1457/3  1462/24 1464/4  1465/3 1468/25  1471/3 1482/10  1482/18 1484/2  1484/5 1486/1  1487/11 1487/17  1489/10 1490/24  1491/22 1494/24  1495/7</p> <p><b>began [4]</b> 1290/4  1290/9 1424/7  1447/18</p> <p><b>begin [2]</b> 1298/22  1446/23</p> <p><b>beginning [6]</b>  1295/18 1296/18  1305/22 1372/2  1424/21 1497/4</p> <p><b>begins [3]</b> 1294/15  1341/23 1390/2</p> <p><b>begun [1]</b> 1480/21</p> <p><b>behalf [7]</b> 1280/3  1281/3 1302/2 1302/8  1311/20 1358/22  1477/22</p> <p><b>behind [6]</b> 1297/8  1308/1 1308/2  1341/10 1341/14  1465/14</p> <p><b>being [35]</b> 1294/6  1295/25 1299/25  1300/2 1304/3  1309/12 1309/17  1339/18 1340/25  1341/1 1342/22</p>	<p>1345/25 1356/19  1385/17 1393/7  1394/12 1411/5  1419/14 1431/24  1432/14 1433/3  1438/19 1438/20  1438/21 1441/10  1463/15 1466/10  1474/20 1478/1  1482/5 1483/25  1489/16 1490/5  1491/13 1491/22</p> <p><b>belief [1]</b> 1423/4</p> <p><b>believe [18]</b> 1285/8  1285/12 1288/13  1299/3 1307/8  1326/22 1331/11  1371/6 1420/22  1427/7 1440/3  1440/22 1444/3  1449/1 1450/2 1455/3  1471/14 1475/22</p> <p><b>believed [2]</b> 1360/16  1360/20</p> <p><b>belong [1]</b> 1342/20</p> <p><b>beneficiaries [5]</b>  1313/11 1313/23  1314/19 1329/9  1332/9</p> <p><b>benefit [1]</b> 1459/25</p> <p><b>benefits [1]</b> 1435/19</p> <p><b>best [2]</b> 1297/1  1470/1</p> <p><b>better [5]</b> 1349/18  1398/15 1415/15  1460/11 1495/11</p> <p><b>between [9]</b> 1389/19  1400/10 1419/7  1443/14 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1291/11 1292/21 1292/22 1293/10 1296/20 1297/21</p>	<p>1300/5 1306/20 1306/22 1307/14 1320/8 1322/9 1326/12 1326/19 1329/20 1329/24 1330/1 1335/23 1338/22 1339/10 1340/21 1340/23 1341/18 1348/9 1348/12 1356/25 1357/5 1357/8 1363/12 1366/22 1366/23 1368/6 1368/7 1373/14 1373/20 1374/25 1377/21 1379/17 1380/8 1381/4 1382/20 1382/22 1383/25 1384/17 1387/3 1390/13 1398/14 1406/23 1408/8 1408/12 1421/23 1422/1 1427/20 1436/13 1438/5 1440/19 1440/22 1442/9 1442/11 1442/12 1442/19 1444/9 1444/20 1446/23 1448/14 1458/3 1458/4 1458/5 1460/14 1464/19 1464/24 1464/25 1465/3 1468/23 1469/14 1470/1 1470/4 1471/11 1478/4 1479/10 1483/5 1485/3 1487/10 1488/2 1488/10 1488/22 1493/12 1495/15 1495/17</p> <p><b>gone [4]</b> 1294/11 1353/16 1480/6 1482/18</p> <p><b>Gonzalez [1]</b> 1281/6</p> <p><b>González [9]</b> 1436/9 1436/23 1442/8 1451/12 1467/4 1473/15 1487/25 1488/20 1495/14</p> <p><b>good [32]</b> 1282/24 1283/3 1283/5 1283/17 1283/18 1283/19 1286/11 1286/15 1286/16 1300/18 1300/19 1303/8 1313/22 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[40]</b>  1382/12 1382/17  1382/25 1383/17  1383/25 1384/10  1388/12 1388/25  1389/7 1389/11  1389/16 1391/10  1410/21 1410/25  1411/16 1412/1  1412/5 1412/25  1413/1 1413/2 1415/9  1416/20 1417/5  1417/9 1429/11  1429/13 1429/14  1430/3 1432/15  1432/18 1432/20  1433/1 1461/24  1462/2 1462/4 1462/6  1462/9 1463/18  1480/10 1480/18  <b>had [117]</b> 1289/22  1289/23 1291/8  1292/3 1292/16  1301/15 1302/11  1302/13 1304/24  1315/14 1316/9  1317/6 1317/24  1322/10 1324/8  1328/21 1333/12  1335/5 1335/11  1335/11 1335/22  1336/4 1338/25  1341/10 1344/21  1346/4 1347/24  1347/25 1348/16  1348/19 1350/22  1356/14 1356/22  1358/3 1358/16  1358/21 1361/5  1361/10 1366/4  1367/21 1371/2  1371/6 1371/7  1371/12 1371/21  1372/19 1374/20  1374/23 1375/1  1375/14 1376/14  1376/15 1378/13  1381/2 1381/3 1381/4  1382/18 1382/19  1390/20 1412/1  1412/5 1412/24  1412/25 1413/9  1414/23 1416/2  1416/4 1416/11  1416/24 1417/4  1417/9 1417/10  1419/1 1420/2 1429/1  1429/16 1429/19  1429/22 1431/17  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 1451/5 1459/12  1466/12 1467/16  1471/12 1487/15  1487/16 1488/6  1490/21 1490/22  1490/22 1498/19  1498/21  <b>he'll [2]</b> 1296/15  1341/7  <b>he's [27]</b> 1285/13  1293/12 1296/14  1317/23 1317/24  1332/24 1334/17  1334/21 1334/22  1339/12 1390/6  1391/16 1410/12  1418/20 1422/6  1433/24 1433/25  1440/5 1440/14  1451/4 1464/21  1475/9 1488/1 1488/2  1488/3 1488/4  1498/13  <b>head [1]</b> 1466/12</p>	<p><b>heading [1]</b> 1489/24  <b>headphones [2]</b>  1293/15 1294/1  <b>headsets [1]</b>  1445/12  <b>hear [9]</b> 1283/20  1296/15 1296/25  1373/15 1417/24  1434/22 1458/4  1474/22 1476/17  <b>heard [7]</b> 1303/19  1310/21 1311/14  1311/15 1311/15  1333/16 1466/11  <b>hearing [37]</b>  1278/14 1294/23  1295/18 1295/24  1296/25 1297/2  1298/16 1299/20  1301/6 1302/15  1302/21 1318/21  1366/5 1366/9  1366/13 1367/12  1367/15 1367/19  1367/22 1386/4  1394/4 1394/7  1394/12 1395/5  1425/22 1438/6  1457/5 1457/10  1458/21 1470/7  1470/10 1470/12  1470/17 1470/19  1470/21 1471/1  1499/8 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[36]</b> 1370/15 1379/18 1382/5 1385/17 1393/7 1419/14 1419/15 1421/25 1433/23 1434/8 1437/10 1438/3 1440/4 1444/1 1445/18 1450/2 1451/11 1453/5 1453/20 1460/20 1461/13 1462/10 1468/11 1473/4 1476/3 1480/9 1481/4 1482/4 1485/6 1485/17 1486/10 1487/21 1487/23 1489/12 1489/14 1494/5</p> <p><b>hereby [1]</b> 1284/18</p> <p><b>Hernaldo [1]</b> 1281/16</p> <p><b>Herrera [3]</b> 1331/15 1333/14 1333/16</p> <p><b>highlight [15]</b> 1315/20 1323/24 1327/3 1338/22 1339/7 1339/8 1340/19 1343/13 1349/10 1362/23 1363/6 1363/18 1401/16 1401/19 1403/24</p> <p><b>highlighted [2]</b> 1341/22 1349/17</p> <p><b>highlighting [1]</b> 1323/21</p> <p><b>highly [1]</b> 1442/22</p> <p><b>Hill [19]</b> 1280/15 1293/5 1300/12 1300/20 1306/3 1306/10 1314/4 1318/20 1323/20 1326/18 1330/11 1331/11 1334/16 1334/19 1339/9 1341/3 1349/16 1362/22 1365/8</p> <p><b>hilly [1]</b> 1381/18</p> <p><b>him [73]</b> 1289/21 1292/1 1293/3 1293/11 1296/16 1296/19 1299/2 1303/1 1307/22 1311/13 1313/15 1314/5 1315/21 1316/18 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[1]</b> 1402/21</p> <p><b>market [1]</b> 1327/17</p> <p><b>matching [1]</b> 1438/1</p> <p><b>material [2]</b> 1414/7 1434/4</p> <p><b>materials [4]</b> 1393/21 1394/2 1438/25 1439/9</p> <p><b>matter [14]</b> 1417/8 1434/1 1439/15 1443/23 1452/16 1458/12 1458/16 1459/14 1459/22 1460/23 1478/5 1485/12 1485/13 1486/21</p> <p><b>matters [13]</b> 1388/11 1388/24 1425/24 1433/13 1452/3 1454/17 1454/17 1454/18 1455/4 1456/10 1456/16 1457/3 1460/3</p> <p><b>may [41]</b> 1284/4 1285/11 1286/8 1300/14 1302/24 1307/21 1334/18 1368/1 1382/1 1387/8 1389/17 1389/18 1401/15 1408/14 1418/4 1418/22 1419/17 1420/21 1420/23 1420/23 1433/2 1442/3 1445/21 1456/2 1459/24 1465/17 1470/12 1470/16 1472/5 1475/14 1475/15 1475/22 1489/14 1490/1 1490/9 1491/23 1496/6 1496/18 1496/22 1496/23 1498/2</p> <p><b>May 2014 [1]</b> 1418/4</p> <p><b>maybe [6]</b> 1355/10 1362/24 1401/15 1418/18 1457/24 1495/9</p> <p><b>mayor [2]</b> 1369/1 1369/3</p> <p><b>mayor's [1]</b> 1334/10</p> <p><b>me [129]</b> 1283/21 1288/10 1291/7 1291/22 1291/24 1292/15 1294/10 1297/23 1314/13 1317/12 1319/2 1322/7 1325/18</p>	<p>1326/5 1326/12 1326/12 1329/1 1332/17 1337/16 1341/17 1342/16 1343/12 1352/25 1355/11 1357/7 1366/11 1366/22 1371/8 1371/22 1374/17 1375/2 1375/18 1378/24 1378/25 1380/4 1380/14 1380/15 1380/17 1381/2 1384/17 1389/17 1389/21 1390/14 1391/1 1395/21 1396/9 1396/25 1397/3 1397/18 1398/3 1398/19 1399/18 1401/4 1402/15 1402/18 1403/1 1403/19 1404/8 1404/13 1405/25 1407/15 1407/18 1408/5 1409/4 1409/17 1410/7 1413/3 1413/16 1417/1 1417/3 1417/6 1417/11 1417/21 1417/25 1418/2 1422/3 1428/20 1430/5 1434/4 1442/2 1444/8 1448/13 1449/21 1450/17 1450/24 1451/1 1453/6 1453/20 1454/5 1455/20 1455/22 1457/8 1457/21 1457/23 1458/2 1459/21 1459/24 1463/13 1464/11 1464/17 1464/20 1464/21 1466/4 1467/21 1468/18 1472/7 1472/7 1473/8 1475/11 1479/13 1479/16 1479/25 1481/10 1481/11 1481/22 1482/1 1482/12 1483/3 1484/13 1485/7 1485/8 1486/5 1487/13 1487/15 1487/22 1488/25 1494/14 1495/13 1496/24</p> <p><b>mean [14]</b> 1301/24 1302/18 1302/23 1325/3 1325/15 1340/10 1347/18 1354/23 1369/11</p>	<p>1375/7 1416/8 1419/4 1440/4 1474/9</p> <p><b>mean to [1]</b> 1325/15</p> <p><b>meaning [2]</b> 1424/5 1484/13</p> <p><b>means [11]</b> 1299/20 1302/4 1313/19 1313/24 1342/4 1466/21 1474/25 1477/21 1477/25 1478/18 1484/19</p> <p><b>meant [1]</b> 1313/20</p> <p><b>meantime [3]</b> 1298/3 1298/14 1401/20</p> <p><b>measure [53]</b> 1443/1 1457/2 1457/13 1457/15 1457/16 1457/18 1457/19 1458/8 1458/9 1459/5 1459/7 1459/18 1459/18 1461/3 1461/12 1461/16 1462/7 1462/14 1462/23 1463/7 1463/17 1465/6 1467/8 1467/10 1467/12 1467/13 1467/21 1467/24 1468/5 1470/9 1470/13 1470/15 1470/16 1471/6 1474/17 1474/21 1476/8 1476/12 1481/2 1481/6 1481/15 1481/16 1481/21 1481/22 1481/23 1481/24 1482/5 1482/11 1483/18 1484/3 1485/13 1493/23 1495/1</p> <p><b>measures [5]</b> 1460/23 1470/8 1470/20 1472/16 1486/19</p> <p><b>mechanism [5]</b> 1435/5 1435/6 1440/25 1441/2 1441/3</p> <p><b>meet [3]</b> 1295/2 1411/22 1442/7</p> <p><b>meeting [7]</b> 1313/3 1411/14 1411/15 1412/22 1417/16 1420/12 1420/12</p> <p><b>meetings [2]</b> 1334/10 1453/15</p> <p><b>Melva [1]</b> 1280/18</p> <p><b>member [21]</b> 1301/22 1301/25 1302/7 1302/8 1305/6 1305/13 1311/3</p>	<p>1334/6 1334/9 1353/12 1358/22 1368/17 1368/18 1368/23 1368/25 1369/8 1369/13 1370/2 1370/3 1416/6 1443/5</p> <p><b>members [28]</b> 1286/8 1292/12 1292/22 1313/5 1316/9 1318/10 1318/15 1318/16 1320/24 1321/16 1321/20 1324/17 1335/12 1335/18 1347/7 1347/10 1347/13 1347/14 1366/16 1376/13 1376/15 1379/19 1387/8 1392/11 1413/13 1418/16 1442/10 1469/23</p> <p><b>memorandum [2]</b> 1323/2 1476/24</p> <p><b>Memorial [8]</b> 1393/25 1403/17 1404/16 1404/18 1404/24 1413/4 1417/7 1437/18</p> <p><b>men [1]</b> 1378/3</p> <p><b>Mendez [1]</b> 1432/23</p> <p><b>mention [17]</b> 1316/8 1334/8 1334/11 1334/25 1449/18 1450/20 1451/21 1452/11 1454/9 1454/11 1454/15 1455/1 1455/2 1455/3 1455/6 1455/16 1468/11</p> <p><b>mentioned [15]</b> 1315/3 1316/15 1401/25 1410/13 1416/19 1420/22 1428/6 1436/4 1441/9 1452/3 1456/19 1458/25 1465/22 1472/10 1474/25</p> <p><b>mentioning [1]</b> 1453/20</p> <p><b>mentions [1]</b> 1443/5</p> <p><b>merely [1]</b> 1439/17</p> <p><b>merited [1]</b> 1463/6</p> <p><b>merits [2]</b> 1278/14 1432/3</p> <p><b>met [14]</b> 1316/14 1316/16 1316/19 1397/14 1409/24 1410/1 1410/7 1410/11 1410/13 1411/18 1411/20 1417/12 1417/14 1420/7</p>	<p><b>Miami [2]</b> 1424/6 1424/10</p> <p><b>mic [7]</b> 1284/1 1303/18 1366/24 1371/22 1372/9 1461/20 1474/23</p> <p><b>microphone [5]</b> 1284/2 1286/18 1293/8 1308/5 1423/6</p> <p><b>middle [3]</b> 1305/23 1323/9 1326/7</p> <p><b>might [7]</b> 1293/2 1294/14 1329/18 1433/12 1445/15 1488/23 1493/24</p> <p><b>Military [1]</b> 1379/21</p> <p><b>mind [12]</b> 1314/4 1323/21 1326/18 1330/4 1331/20 1341/5 1349/17 1362/22 1412/12 1443/16 1468/20 1496/14</p> <p><b>mindful [1]</b> 1300/8</p> <p><b>minimum [4]</b> 1444/3 1444/6 1445/11 1469/17</p> <p><b>ministerial [4]</b> 1427/5 1427/13 1427/18 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1452/23 1454/18 1488/24</p> <p><b>mortgages [6]</b> 1424/12 1424/13 1454/10 1454/25 1455/1 1455/5</p> <p><b>most [2]</b> 1395/22 1493/13</p> <p><b>mother [1]</b> 1331/2</p> <p><b>motive [1]</b> 1465/14</p>	<p><b>motorbike [4]</b> 1420/23 1420/24 1421/4 1421/6</p> <p><b>move [17]</b> 1285/25 1294/1 1329/2 1331/20 1336/5 1356/15 1357/19 1359/14 1399/20 1407/11 1414/17 1415/16 1418/22 1418/24 1428/19 1457/2 1484/5</p> <p><b>moved [2]</b> 1364/2 1385/4</p> <p><b>movement [8]</b> 1377/12 1377/13 1377/14 1377/19 1377/23 1377/24 1378/3 1384/4</p> <p><b>moving [4]</b> 1348/2 1348/3 1362/14 1362/18</p> <p><b>Mr [23]</b> 1278/22 1279/7 1279/21 1279/22 1280/11 1280/12 1280/15 1280/19 1281/7 1281/8 1281/10 1281/11 1281/12 1281/13 1281/16 1281/19 1287/19 1293/6 1387/18 1418/13 1421/22 1448/13 1460/13</p> <p><b>Mr. [296]</b></p> <p><b>Mr. Andres [1]</b> 1346/25</p> <p><b>Mr. Appleton [1]</b> 1283/8</p> <p><b>Mr. Bart [6]</b> 1392/24 1393/1 1408/14 1414/2 1418/18 1419/18</p> <p><b>Mr. Carlos [8]</b> 1287/6 1289/20 1316/14 1316/22 1372/11 1372/20 1399/1 1410/14</p> <p><b>Mr. Diego [1]</b> 1387/13</p> <p><b>Mr. Enriquez [25]</b> 1385/22 1386/2 1387/14 1387/19 1388/17 1392/16 1393/5 1396/7 1396/14 1397/11 1398/10 1401/10 1401/21 1403/5 1405/12 1407/13 1408/7 1408/18 1413/25 1417/11 1417/17 1418/25 1419/14 1419/24</p>	<p>1421/16</p> <p><b>Mr. Enriquez's [2]</b> 1396/5 1414/5</p> <p><b>Mr. Espinoza [1]</b> 1343/16</p> <p><b>Mr. Francisco [6]</b> 1317/10 1319/22 1322/17 1325/18 1325/20 1375/22</p> <p><b>Mr. Gutiérrez [50]</b> 1397/14 1397/22 1410/6 1410/20 1411/12 1411/16 1411/20 1412/4 1412/22 1413/7 1414/13 1415/11 1416/1 1416/2 1416/10 1417/12 1417/14 1419/7 1419/11 1420/3 1420/22 1421/2 1421/3 1422/16 1423/18 1431/22 1435/1 1435/11 1442/7 1445/24 1446/22 1446/24 1447/7 1451/15 1457/1 1457/11 1458/3 1460/12 1460/19 1465/22 1469/15 1469/16 1474/5 1484/25 1486/14 1489/15 1491/11 1495/21 1496/9 1499/2</p> <p><b>Mr. Gutiérrez's [3]</b> 1406/12 1410/18 1413/23</p> <p><b>Mr. Hart [1]</b> 1296/17</p> <p><b>Mr. Hill [17]</b> 1293/5 1300/12 1306/3 1306/10 1314/4 1318/20 1323/20 1326/18 1330/11 1331/11 1334/16 1334/19 1339/9 1341/3 1349/16 1362/22 1365/8</p> <p><b>Mr. Jiménez [4]</b> 1325/3 1325/7 1325/14 1326/7</p> <p><b>Mr. Kotecha [1]</b> 1296/14</p> <p><b>Mr. Lacayo's [1]</b> 1437/7</p> <p><b>Mr. Luis [14]</b> 1316/19 1388/24 1395/12 1395/16 1398/7 1398/21 1399/1 1399/8 1401/22 1402/14 1410/11 1412/13 1416/19 1419/1</p>	<p><b>Mr. López [31]</b> 1283/14 1283/18 1284/21 1285/22 1286/15 1288/22 1292/17 1293/15 1293/21 1294/1 1297/21 1297/25 1298/1 1298/20 1300/12 1300/18 1330/6 1334/16 1334/20 1334/21 1342/1 1342/18 1357/9 1366/3 1366/22 1368/6 1368/11 1371/10 1378/18 1383/8 1385/16</p> <p><b>Mr. López's [1]</b> 1306/3</p> <p><b>Mr. Marco [1]</b> 1341/25</p> <p><b>Mr. Marcos [1]</b> 1376/5</p> <p><b>Mr. Molina [15]</b> 1296/7 1297/5 1298/23 1299/2 1299/3 1299/9 1303/4 1318/2 1319/5 1323/23 1341/6 1342/19 1362/25 1365/21 1384/8</p> <p><b>Mr. Ortega [1]</b> 1306/5</p> <p><b>Mr. President [72]</b> 1283/21 1284/14 1285/11 1293/11 1294/9 1294/10 1294/22 1298/21 1299/23 1300/13 1306/2 1321/8 1325/17 1329/17 1329/24 1330/4 1330/12 1335/3 1363/4 1365/6 1365/10 1365/13 1365/24 1367/25 1383/3 1385/13 1385/14 1387/16 1392/22 1392/24 1393/2 1405/17 1407/5 1407/12 1408/17 1413/22 1414/4 1414/12 1418/18 1418/23 1419/20 1421/12 1421/14 1422/8 1422/18 1423/20 1424/15 1433/7 1433/12 1434/10 1435/14 1437/20 1438/15 1441/8 1441/19 1442/3 1442/15 1442/24</p>	<p>1443/21 1443/22 1444/25 1447/3 1460/9 1469/19 1470/5 1473/2 1473/7 1473/16 1483/8 1489/19 1497/21 1498/6</p> <p><b>Mr. Renaldy [2]</b> 1421/22 1433/8</p> <p><b>Mr. Rivera [4]</b> 1325/4 1325/18 1329/4 1376/2</p> <p><b>Mr. Rondón [16]</b> 1287/13 1287/18 1317/7 1347/16 1370/12 1370/23 1371/3 1371/11 1372/6 1395/11 1398/7 1398/21 1399/3 1399/7 1402/15 1466/11</p> <p><b>Mr. Rondón's [3]</b> 1395/14 1403/15 1413/24</p> <p><b>Mr. Rondóns [3]</b> 1370/16 1370/18 1372/7</p> <p><b>Mr. Sequeira's [2]</b> 1297/14 1437/25</p> <p><b>Mr. Wendel [1]</b> 1291/16</p> <p><b>Mr. Zuniga [1]</b> 1387/15</p> <p><b>Mrs. [1]</b> 1436/23</p> <p><b>Mrs. González [1]</b> 1436/23</p> <p><b>Ms [13]</b> 1278/23 1279/9 1279/13 1279/16 1279/17 1279/20 1280/7 1280/8 1280/18 1281/6 1281/9 1421/9 1487/25</p> <p><b>Ms. [8]</b> 1388/16 1443/3 1451/12 1467/4 1473/15 1488/20 1495/14 1496/4</p> <p><b>Ms. Cortes [2]</b> 1443/3 1496/4</p> <p><b>Ms. González [5]</b> 1451/12 1467/4 1473/15 1488/20 1495/14</p> <p><b>Ms. Greenwood [1]</b> 1388/16</p> <p><b>much [22]</b> 1284/1 1284/8 1287/19 1293/25 1295/22 1298/25 1339/6 1365/8 1365/23 1383/5 1385/15 1387/1 1392/20</p>
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[9]</b> 1392/23 1420/19 1437/21 1446/21 1457/23 1460/11 1466/2 1476/1 1499/7</p> <p><b>Mullins [1]</b> 1280/11</p> <p><b>multimillion [1]</b> 1290/25</p> <p><b>multiplicity [1]</b> 1458/1</p> <p><b>Municipal [1]</b> 1311/4</p> <p><b>municipality [5]</b> 1368/20 1368/22 1368/24 1370/4 1379/21</p> <p><b>must [6]</b> 1309/24 1425/25 1443/18 1470/11 1486/1 1490/22</p> <p><b>my [102]</b> 1283/15 1284/6 1284/19 1285/20 1287/2 1287/3 1287/20 1288/22 1291/8 1291/9 1292/12 1292/15 1294/13 1300/20 1300/23 1303/5 1344/22 1350/18 1350/24 1354/4 1364/13 1364/16 1366/23 1369/5 1372/7 1373/22 1374/18 1376/2 1377/10 1380/14 1382/10 1386/7 1386/15 1389/14 1389/23 1393/5 1393/24 1394/19 1397/22 1405/9 1408/6 1409/4 1409/5 1409/5 1409/6 1409/14 1409/16 1410/8 1412/10 1414/4 1414/9 1417/2 1419/21 1420/20 1421/24 1423/2 1423/3 1423/4 1423/21 1424/6 1424/14 1424/17 1430/14 1430/22 1431/1 1435/25 1437/20 1442/7 1444/5 1446/1 1446/3 1446/4 1446/7 1446/12 1447/20 1449/12 1449/17 1450/4 1450/5 1450/22 1451/20 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<p><b>Q</b></p> <p><b>question... 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<p><b>Respondent's [3]</b> 1437/23 1438/13</p>
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[1]</b> 1498/1</p> <p><b>responding [2]</b> 1433/25 1445/9</p> <p><b>response [4]</b> 1328/25 1429/4 1437/22 1457/23</p> <p><b>responses [2]</b> 1402/10 1439/25</p> <p><b>responsibilities [1]</b> 1407/14</p> <p><b>responsibility [1]</b> 1454/4</p> <p><b>responsible [2]</b> 1375/9 1400/1</p> <p><b>rest [2]</b> 1346/4 1397/18</p> <p><b>restate [3]</b> 1394/10 1395/25 1398/14</p> <p><b>restrictions [1]</b> 1454/22</p> <p><b>result [1]</b> 1476/24</p> <p><b>results [1]</b> 1351/24</p> <p><b>resume [7]</b> 1295/24 1298/2 1298/9 1365/21 1368/3 1422/12 1422/15</p> <p><b>resumed [2]</b> 1321/6 1370/7</p> <p><b>retired [3]</b> 1304/21 1304/23 1304/24</p> <p><b>return [1]</b> 1375/18</p> <p><b>returned [5]</b> 1336/7 1348/18 1350/1 1463/25 1463/25</p> <p><b>returning [2]</b> 1462/3 1462/8</p> <p><b>review [9]</b> 1351/7 1403/6 1405/1 1405/5 1406/3 1406/9 1406/14 1406/14 1408/3</p> <p><b>reviewed [27]</b> 1351/1 1351/11 1393/11 1393/14 1393/21 1393/24 1393/25 1394/1 1394/2 1398/1 1401/12 1401/22 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<p><b>S</b>  <b>see... 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1403/12  1403/19 1403/22  1404/9 1404/13  1404/16 1404/24  1405/5 1405/22  1405/25 1406/17  1406/21 1406/25  1407/20 1408/20  1408/23 1409/1  1409/2 1409/3 1409/7  1409/17 1409/20  1409/24 1409/25  1410/4 1410/9  1410/12 1410/18  1411/3 1411/7  1411/11 1411/22  1412/3 1412/7 1412/8  1412/10 1412/12  1412/15 1413/5  1413/14 1413/15  1413/18 1413/19  1413/21 1414/19  1415/1 1415/16  1415/22 1416/22  1416/23 1417/3  1417/19 1417/20  1417/22 1418/1  1418/6 1418/9  1418/11 1419/8  1422/21 1423/7  1455/6 1456/3  1461/20 1464/19  1467/7 1470/14  1473/6  <b>sister [1]</b> 1344/13</p>
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<p><b>S</b></p> <p><b>site [1]</b> 1466/23</p> <p><b>sitting [1]</b> 1382/5</p> <p><b>situation [12]</b> 1316/5 1412/18 1412/18 1430/10 1458/23 1461/6 1461/6 1462/12 1472/2 1472/11 1489/20 1490/9</p> <p><b>situations [1]</b> 1475/16</p> <p><b>six [6]</b> 1304/18 1355/9 1355/13 1439/18 1447/22 1447/23</p> <p><b>Sixth [1]</b> 1288/24</p> <p><b>size [2]</b> 1353/9 1460/10</p> <p><b>skip [1]</b> 1291/11</p> <p><b>slide [13]</b> 1315/14 1319/18 1347/12 1349/8 1349/8 1349/8 1349/9 1435/4 1440/17 1441/10 1441/11 1441/11 1441/16</p> <p><b>slide 37 [1]</b> 1441/11</p> <p><b>slide 38 [1]</b> 1441/11</p> <p><b>slow [4]</b> 1373/16 1373/18 1388/14 1458/6</p> <p><b>slower [4]</b> 1329/25 1388/18 1388/21 1473/12</p> <p><b>slowly [3]</b> 1391/1 1403/4 1460/17</p> <p><b>small [4]</b> 1314/12 1348/24 1349/4 1353/4</p> <p><b>SMITH [1]</b> 1280/10</p> <p><b>smoothly [1]</b> 1296/11</p> <p><b>SMP [1]</b> 1379/21</p> <p><b>so [202]</b> 1283/11 1283/13 1285/23 1288/1 1288/7 1288/15 1288/16 1288/21 1289/22 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[40]</b> 1345/6 1348/13 1360/7 1370/7 1372/8 1372/14 1385/7 1385/21 1385/22 1387/5 1387/6 1391/2 1392/2 1402/25 1414/17 1423/24 1425/9 1430/4 1431/25 1433/19 1437/18 1437/18 1439/21 1443/2 1447/22 1451/3 1462/22 1465/22 1468/2 1468/17 1480/1 1484/9 1485/14 1490/19 1491/6 1493/17 1494/3 1495/12 1495/19 1496/25</p> <p><b>there [236]</b></p> <p><b>there's [27]</b> 1292/13 1292/14 1306/3 1307/24 1308/2 1310/24 1316/8 1336/19 1337/25 1338/18 1355/3 1359/10 1359/11 1377/1 1381/17 1391/18 1413/23 1417/1 1432/3 1434/4 1434/7 1434/13 1448/23 1451/9 1451/15 1472/24 1475/13</p> <p><b>thereabouts [1]</b> 1333/4</p> <p><b>therefore [6]</b> 1284/11 1431/9 1435/17 1464/9 1475/11 1476/10</p> <p><b>these [32]</b> 1284/25 1285/18 1285/24 1285/25 1288/11 1288/16 1301/1 1331/4 1331/17 1337/8 1338/4 1338/11 1343/2 1356/22 1356/23 1357/18 1379/25 1393/6 1394/11 1394/15 1402/2 1408/8 1408/11 1408/14 1414/3 1425/23 1430/4 1440/16 1452/3 1452/17 1453/10 1456/20</p> <p><b>they [196]</b> 1286/1 1289/14 1289/15 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1487/3 1496/24</p> <p><b>think [61]</b> 1284/15 1295/4 1295/5 1295/5 1296/22 1303/8 1320/22 1332/24 1333/14 1334/21 1334/24 1335/8</p>	<p>1335/8 1336/19 1336/22 1337/16 1341/7 1342/3 1348/25 1349/16 1362/14 1362/18 1374/12 1375/11 1379/10 1382/16 1390/24 1391/4 1392/17 1398/22 1399/17 1401/13 1401/24 1405/12 1407/2 1414/6 1434/8 1441/9 1444/6 1451/6 1452/20 1453/19 1455/5 1458/5 1465/12 1465/13 1466/16 1468/18 1484/16 1488/11 1488/13 1491/17 1493/5 1494/6 1495/14 1495/22 1495/24 1496/11 1497/12 1497/16 1497/24</p> <p><b>third [9]</b> 1287/15 1287/16 1287/16 1326/24 1326/25 1327/5 1338/2 1340/18 1438/21</p> <p><b>this [308]</b></p> <p><b>those [41]</b> 1291/13 1291/14 1296/21 1324/20 1326/15 1328/23 1329/7 1329/9 1336/17 1336/24 1342/16 1342/19 1360/19 1364/18 1367/4 1377/11 1380/14 1388/5 1391/5 1397/8 1398/1 1398/2 1402/9 1406/23 1419/15 1427/24 1428/9 1429/4 1429/5 1429/7 1430/5 1432/8 1439/10 1439/10 1439/12 1439/12 1439/21 1441/20 1445/13 1456/18 1462/3</p> <p><b>though [4]</b> 1300/23 1328/6 1356/21 1360/4</p> <p><b>thought [5]</b> 1294/14 1361/5 1382/19 1382/22 1440/2</p> <p><b>thousand [3]</b> 1344/12 1344/12 1344/13</p> <p><b>three [18]</b> 1285/7 1285/10 1285/12 1285/19 1286/7 1287/2 1287/25</p>	<p>1288/8 1337/25 1338/12 1344/10 1381/18 1387/8 1424/14 1431/2 1438/19 1485/25 1495/21</p> <p><b>three hours [1]</b> 1495/21</p> <p><b>through [12]</b> 1288/3 1295/13 1299/25 1300/21 1309/10 1310/7 1354/12 1388/14 1403/4 1413/9 1462/19 1491/23</p> <p><b>thrown [1]</b> 1458/22</p> <p><b>Thursday [1]</b> 1297/10</p> <p><b>thwarted [1]</b> 1425/13</p> <p><b>time [103]</b> 1286/9 1287/15 1289/3 1289/5 1289/6 1289/20 1290/4 1292/1 1296/4 1296/22 1296/23 1298/25 1303/5 1303/7 1303/22 1304/16 1304/18 1305/2 1305/10 1309/25 1313/19 1313/19 1314/11 1315/10 1317/18 1320/22 1321/10 1321/15 1326/11 1329/18 1332/21 1333/2 1333/13 1333/14 1334/8 1334/11 1335/14 1339/14 1339/15 1339/16 1340/13 1342/14 1345/25 1347/18 1347/24 1350/12 1350/21 1352/13 1352/13 1352/15 1353/17 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[17]</b> 1464/6 1476/7 1477/13 1479/8 1484/20 1485/8 1485/21 1489/8 1489/10 1492/2 1492/11 1493/12 1493/22 1495/7 1498/7 1498/19 1499/7</p> <p><b>timeline [2]</b> 1429/16 1437/10</p> <p><b>times [3]</b> 1302/6 1307/1 1368/13</p> <p><b>timing [1]</b> 1361/1</p> <p><b>Tinoco [1]</b> 1346/25</p> <p><b>title [10]</b> 1319/12 1380/21 1382/23 1384/15 1400/9 1426/20 1426/25 1455/4 1486/23 1487/6</p> <p><b>titling [1]</b> 1380/22</p> <p><b>today [23]</b> 1290/17 1297/10 1297/16 1297/17 1298/24 1300/21 1306/20 1366/6 1366/9 1366/14 1367/16 1367/19 1367/23 1382/5 1383/10 1400/12 1418/2 1424/14 1442/9 1446/1 1448/25 1476/23 1499/5</p> <p><b>today's [1]</b> 1299/5</p> <p><b>together [5]</b> 1303/24 1303/25 1369/24 1444/20 1488/9</p> <p><b>told [23]</b> 1292/1 1292/15 1342/16 1342/16 1352/9 1373/6 1375/2 1380/14 1380/15 1380/17 1380/18 1380/24 1381/2 1383/18 1384/17 1389/6 1389/10 1391/9 1398/19 1409/8 1412/13 1417/6 1494/23</p> <p><b>tomorrow [9]</b> 1297/11 1298/18 1473/5 1487/11 1495/21 1496/8 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him [1]</b> 1323/22</p> <p><b>wanted [16]</b> 1296/9 1297/2 1299/5 1300/6 1342/23 1347/10 1368/2 1369/21 1391/5 1415/9 1422/5 1431/19 1451/5 1457/3 1468/24 1472/11</p> <p><b>wants [4]</b> 1334/20 1434/11 1451/13 1496/24</p> <p><b>war [3]</b> 1289/3 1289/3 1289/4</p> <p><b>warning [2]</b> 1299/1 1428/23</p> <p><b>was [376]</b></p> <p><b>Washington [1]</b> 1278/17</p> <p><b>wasn't [19]</b> 1288/6 1292/3 1340/10 1340/13 1341/13 1341/15 1344/7 1344/7 1377/18 1399/11 1406/22 1411/12 1412/21 1414/14 1459/1 1464/3 1482/2 1489/3 1490/8</p> <p><b>watched [2]</b> 1300/25 1394/4</p> <p><b>watching [1]</b> 1353/22</p> <p><b>water [7]</b> 1313/20 1450/13 1452/17 1453/8 1453/17 1456/9 1456/21</p> <p><b>way [22]</b> 1283/16 1286/2 1292/13 1295/1 1296/6 1299/17 1310/11 1334/15 1338/22 1354/6 1357/11 1435/8 1435/10 1445/16 1456/16 1463/16 1484/19 1487/1 1489/3 1496/19 1496/22 1499/6</p> <p><b>ways [2]</b> 1297/1 1496/21</p> <p><b>we [365]</b></p> <p><b>we'd [2]</b> 1433/22</p>
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1408/5</p>	<p>1412/16 1413/5 1424/10 1448/16 1448/21 1448/22 1449/22 1453/10 1460/3 1466/12 1471/22 1480/15 1482/8 1491/6</p> <p><b>whereas [1]</b> 1494/6</p> <p><b>whereby [1]</b> 1458/8</p> <p><b>whether [28]</b> 1283/23 1285/4 1295/8 1295/22 1326/7 1335/12 1345/2 1356/6 1366/4 1369/7 1371/2 1403/10 1405/7 1407/3 1408/13 1408/14 1411/4 1444/22 1445/9 1449/21 1450/4 1450/5 1456/16 1467/7 1467/8 1467/9 1469/6 1476/10</p> <p><b>which [68]</b> 1284/12 1289/25 1291/10 1292/16 1295/25 1301/5 1305/22 1308/16 1309/17 1315/5 1346/17 1370/1 1371/17 1385/22 1390/2 1390/18 1401/11 1401/22 1406/6 1414/24 1415/18 1418/4 1424/24 1426/6 1427/3 1427/11 1427/19 1428/10 1430/13 1431/11 1433/16 1433/20 1433/22 1435/22 1437/7 1443/24 1446/18 1446/19 1452/4 1453/17 1455/1 1455/4 1455/9 1455/12 1460/8 1464/5 1467/12 1467/20 1467/23 1471/22 1477/3 1477/25 1480/17 1481/5 1481/16 1481/17 1481/18 1482/20 1483/10 1484/12 1485/19 1486/21 1488/6 1491/9 1493/14 1493/19 1495/8 1498/22</p> <p><b>while [12]</b> 1295/7 1296/4 1318/20 1340/22 1374/6 1374/20 1375/1 1416/24 1419/3</p>	<p>1429/7 1457/22 1465/20</p> <p><b>who [57]</b> 1289/16 1311/10 1311/16 1313/11 1313/24 1316/21 1318/24 1321/2 1321/17 1321/17 1323/14 1326/10 1327/19 1328/1 1331/4 1340/25 1341/20 1342/1 1342/8 1342/11 1342/17 1342/20 1343/21 1344/21 1344/24 1347/10 1352/8 1360/20 1368/25 1370/18 1370/24 1374/9 1374/19 1375/9 1379/23 1381/8 1381/14 1384/18 1384/20 1395/7 1406/17 1410/7 1413/6 1413/8 1413/10 1416/5 1429/13 1439/24 1442/11 1453/24 1454/3 1454/5 1454/11 1454/13 1462/15 1483/25 1485/18</p> <p><b>who's [2]</b> 1287/7 1439/16</p> <p><b>whole [9]</b> 1284/20 1305/18 1305/20 1356/21 1357/6 1357/12 1386/17 1405/7 1492/6</p> <p><b>whose [2]</b> 1327/16 1435/19</p> <p><b>why [50]</b> 1288/2 1288/25 1290/16 1306/6 1324/20 1325/16 1334/11 1369/19 1372/13 1377/18 1378/4 1379/5 1380/23 1381/1 1381/13 1382/13 1382/16 1383/24 1384/5 1384/9 1384/10 1384/16 1384/23 1385/1 1398/10 1398/13 1399/9 1409/4 1416/1 1416/14 1426/16 1456/2 1458/12 1458/14 1458/20 1461/8 1461/16 1462/22 1463/3 1463/19 1465/8 1465/9 1467/16 1468/1 1471/11</p>	<p>1472/10 1493/7 1494/9 1497/1 1497/6</p> <p><b>wide [1]</b> 1298/10</p> <p><b>wife [1]</b> 1344/12</p> <p><b>wildlife [13]</b> 1424/18 1427/3 1428/3 1428/5 1429/21 1431/3 1435/15 1435/23 1436/1 1436/8 1436/11 1438/20 1443/3</p> <p><b>will [97]</b> 1283/13 1284/10 1285/25 1286/3 1286/3 1286/5 1293/11 1294/2 1295/6 1295/17 1295/21 1295/24 1295/25 1296/14 1296/19 1297/24 1298/1 1298/2 1298/9 1298/12 1298/14 1298/17 1298/18 1298/19 1299/21 1300/1 1300/20 1300/24 1303/3 1307/16 1314/14 1329/11 1339/6 1343/13 1365/6 1365/11 1365/12 1373/18 1385/20 1385/22 1386/11 1387/3 1387/5 1387/13 1392/24 1398/3 1404/12 1418/24 1421/21 1422/11 1422/19 1423/3 1423/6 1423/8 1423/16 1424/14 1424/17 1428/18 1430/9 1430/24 1434/21 1434/22 1441/6 1442/25 1443/3 1443/10 1443/24 1445/3 1445/11 1445/20 1446/1 1455/20 1460/19 1464/9 1465/11 1469/11 1469/18 1473/1 1473/4 1478/5 1481/12 1485/14 1486/4 1488/2 1488/5 1488/18 1493/18 1495/3 1495/8 1495/15 1497/14 1498/5 1498/10 1498/18 1498/19 1498/24 1499/5</p> <p><b>William [2]</b> 1280/15 1300/20</p> <p><b>willing [1]</b> 1295/12</p> <p><b>willingly [1]</b> 1342/21</p> <p><b>Winger [1]</b> 1280/18</p>	<p><b>winter [1]</b> 1415/22</p> <p><b>wish [2]</b> 1443/25 1458/7</p> <p><b>withdraw [1]</b> 1434/21</p> <p><b>withdrew [2]</b> 1295/14 1434/24</p> <p><b>within [10]</b> 1306/6 1368/19 1374/15 1399/22 1428/10 1430/20 1431/11 1433/25 1438/10 1454/20</p> <p><b>without [21]</b> 1293/19 1356/19 1381/10 1408/8 1408/11 1428/9 1447/1 1454/13 1456/8 1461/5 1462/18 1463/17 1466/5 1466/17 1470/10 1470/16 1470/21 1470/22 1471/1 1471/16 1498/9</p> <p><b>witness [156]</b> 1283/13 1283/24 1283/25 1284/1 1284/9 1284/10 1284/11 1284/18 1284/22 1285/1 1285/4 1285/9 1286/21 1287/22 1288/12 1291/12 1294/12 1297/23 1302/23 1304/2 1306/8 1306/10 1307/8 1307/9 1312/2 1333/25 1334/25 1336/13 1336/24 1337/4 1345/13 1345/16 1345/19 1348/7 1348/7 1348/10 1348/21 1351/9 1351/11 1351/22 1353/15 1354/15 1355/8 1355/12 1355/14 1358/11 1360/12 1365/7 1365/17 1366/18 1367/1 1367/4 1367/6 1379/10 1385/21 1386/10 1386/13 1386/18 1387/22 1388/13 1390/22 1392/22 1392/25 1393/10 1393/11 1393/18 1393/22 1393/24 1394/17 1394/19 1395/5 1395/7 1395/10 1395/11 1395/15</p>
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<p><b>W</b></p> <p><b>witness... [81]</b>  1395/16 1395/17  1395/21 1396/1  1396/6 1396/7  1396/22 1397/1  1397/5 1397/6  1397/13 1398/2  1398/2 1398/3 1398/6  1398/11 1398/19  1398/24 1399/4  1399/10 1399/16  1401/1 1401/8  1401/10 1401/22  1402/4 1402/8  1402/16 1403/13  1403/14 1403/15  1403/22 1404/1  1404/9 1404/11  1405/20 1406/4  1406/7 1406/10  1406/12 1406/13  1407/6 1407/8 1408/9  1408/12 1409/21  1410/3 1412/10  1413/24 1413/24  1414/7 1414/11  1414/14 1414/22  1415/18 1418/8  1422/23 1422/24  1430/25 1433/13  1435/1 1435/2 1436/9  1438/4 1438/4  1439/12 1440/15  1442/17 1442/20  1444/3 1444/4 1444/6  1445/7 1445/9  1445/12 1451/1  1451/13 1451/14  1451/17 1465/18  1498/19</p> <p><b>witnesses [9]</b>  1296/21 1367/5  1367/19 1367/22  1421/21 1439/18  1440/1 1445/2 1445/2</p> <p><b>woman [1]</b> 1369/1  <b>won't [2]</b> 1296/17  1363/2</p> <p><b>wooded [1]</b> 1353/18  <b>wooden [1]</b> 1338/2  <b>word [3]</b> 1287/11  1287/17 1375/14  <b>wording [2]</b> 1428/17  1436/14</p> <p><b>words [7]</b> 1296/13  1296/20 1324/22  1327/14 1384/25  1428/8 1444/11</p> <p><b>work [28]</b> 1286/3  1290/4 1295/5  1301/12 1301/16  1321/18 1321/21</p>	1331/9 1331/23 1333/17 1369/3 1369/4 1369/4 1369/5 1369/21 1369/24 1377/17 1385/4 1387/3 1409/5 1409/6 1424/11 1446/12 1448/6 1452/4 1453/7 1486/7 1488/9 <p><b>worked [17]</b> 1331/5  1331/18 1352/5  1376/21 1410/25  1424/2 1447/24  1448/1 1448/4 1448/6  1448/10 1448/12  1449/6 1449/20  1453/21 1454/1  1455/9</p> <p><b>worked in [1]</b>  1448/12</p> <p><b>workers [5]</b> 1323/14  1324/4 1362/9  1363/10 1377/16</p> <p><b>working [27]</b> 1295/9  1298/11 1301/17  1303/24 1303/25  1318/11 1320/25  1321/10 1321/17  1332/2 1332/3 1332/4  1332/6 1344/22  1346/4 1370/9  1372/15 1372/15  1377/17 1378/3  1379/9 1379/25  1380/15 1380/17  1385/5 1452/23  1455/22</p> <p><b>World [1]</b> 1298/10  <b>worry [1]</b> 1497/12  <b>worth [1]</b> 1434/9  <b>would [124]</b> 1283/7  1284/11 1285/24  1287/10 1288/5  1292/12 1292/25  1293/2 1293/12  1293/14 1294/4  1294/12 1295/7  1295/17 1296/11  1297/8 1297/15  1298/4 1302/19  1303/4 1303/6 1303/8  1304/22 1306/6  1314/9 1321/23  1322/6 1322/8  1322/10 1322/16  1322/17 1333/11  1333/12 1335/2  1336/7 1344/20  1357/8 1362/2  1365/14 1366/17  1375/3 1377/20  1377/23 1377/24  1383/2 1384/22</p>	1386/12 1389/21 1392/15 1394/9 1395/21 1395/24 1396/9 1397/12 1397/12 1397/17 1398/9 1401/4 1401/16 1403/5 1403/6 1409/17 1416/11 1432/10 1433/8 1434/8 1434/8 1434/9 1434/19 1435/2 1437/24 1438/7 1439/7 1439/8 1439/21 1439/23 1440/4 1443/2 1444/5 1444/7 1444/10 1444/11 1444/11 1444/15 1446/1 1446/4 1446/6 1446/13 1446/15 1446/18 1448/8 1449/1 1452/20 1453/19 1453/24 1454/6 1455/5 1458/16 1461/6 1462/13 1462/23 1465/3 1465/15 1467/20 1473/22 1475/18 1476/11 1476/16 1477/5 1477/11 1478/12 1480/25 1480/25 1481/13 1481/19 1483/16 1492/1 1492/13 1493/14 1493/16 1493/24 1494/1 1494/13 1498/2 <p><b>wouldn't [3]</b> 1354/7  1416/5 1494/23</p> <p><b>wrestling [1]</b>  1442/21</p> <p><b>write [6]</b> 1351/1  1351/5 1351/14  1401/1 1410/5  1417/17</p> <p><b>writing [1]</b> 1429/25  <b>written [7]</b> 1317/4  1341/4 1355/8 1367/1  1367/8 1428/15  1435/8</p> <p><b>wrong [8]</b> 1337/17  1345/7 1355/6 1357/3  1361/1 1424/22  1493/8 1493/19</p> <p><b>wrote [7]</b> 1317/2  1346/13 1346/23  1351/12 1353/15  1355/12 1355/14</p>	1483/15 <b>year [10]</b> 1289/11 1316/1 1323/10 1332/1 1356/19 1356/24 1357/20 1360/2 1393/19 1397/18 <p><b>years [30]</b> 1290/3  1291/13 1301/17  1304/19 1304/23  1304/25 1334/18  1355/5 1355/9 1355/9  1355/13 1370/1  1379/9 1380/1  1400/16 1400/17  1407/21 1407/24  1423/25 1424/3  1447/17 1447/22  1447/22 1447/23  1451/24 1455/13  1456/15 1456/20  1481/19 1495/8</p> <p><b>yes [292]</b>  <b>yet [7]</b> 1304/17  1353/8 1356/18  1439/25 1469/13  1469/14 1487/8</p> <p><b>you [1371]</b>  <b>you'd [6]</b> 1314/14  1388/13 1479/25  1480/22 1486/24  1487/6</p> <p><b>you'll [3]</b> 1308/2  1308/4 1499/6</p> <p><b>you're [47]</b> 1287/20  1288/22 1301/24  1303/25 1310/17  1315/9 1325/7 1326/1  1328/5 1336/23  1339/10 1339/17  1341/3 1348/2  1354/10 1356/5  1356/13 1357/1  1357/5 1357/8  1357/17 1358/11  1378/25 1379/14  1396/7 1397/11  1398/13 1401/5  1401/17 1402/18  1403/7 1405/25  1407/19 1409/1  1415/20 1419/9  1441/24 1443/15  1450/6 1450/10  1451/21 1453/6  1453/20 1455/10  1457/12 1491/11  1492/23</p> <p><b>you've [34]</b> 1302/6  1303/21 1316/14  1316/16 1316/19  1316/22 1317/6  1319/2 1319/20</p>	1322/8 1338/13 1345/15 1356/7 1358/7 1380/5 1398/19 1400/5 1400/15 1402/12 1402/24 1403/10 1403/13 1404/13 1406/1 1407/20 1407/24 1409/8 1418/16 1419/1 1448/15 1450/17 1452/4 1479/25 1481/4 <p><b>your [279]</b>  <b>yours [1]</b> 1365/22  <b>yourself [13]</b> 1314/2  1317/15 1318/3  1319/20 1320/4  1337/3 1340/7 1351/5  1363/19 1383/21  1404/12 1418/16  1493/15</p>
			<p><b>Z</b></p> <p><b>Zetina [1]</b> 1281/8  <b>zone [1]</b> 1433/15  <b>zoom [1]</b> 1474/2  <b>Zuniga [4]</b> 1281/11  1387/13 1387/15  1387/18  <b>Zuñiga [1]</b> 1449/6</p>	
			<p><b>Á</b></p> <p><b>Álvaro [2]</b> 1332/23  1332/24</p>	