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# Kluwer Arbitration Blog

## Plaintiffs' Lawyer Pablo Fajardo Discusses Chevron Ecuador Judgment

Roger Alford (General Editor) (Notre Dame Law School) · Tuesday, February 15th, 2011

As I [discussed](#) yesterday, an Ecuador Court has issued an \$8.6 billion judgment against Chevron. I just got off a press conference call with plaintiff's chief lawyer in Ecuador, Pablo Fajardo. He stated that the plaintiffs will seek enforcement of the [Lago Agrio judgment](#) throughout the world as soon as the Ecuador appeals process is complete. (At least two levels of appeal are anticipated). No specific countries were mentioned as preferred venues to enforce the judgment, although he seemed to believe that the judgment might still be enforceable in the United States.

He stated that Judge Kaplan does not have jurisdiction over the non-American lawyers or plaintiffs, and therefore he felt no obligation to comply with his [order](#). He admits that his American co-counsel will be prevented from assisting in the enforcement of the judgment as a result of Judge Kaplan's order, but suggested that there are plenty of other lawyers or third-party funders who will facilitate enforcement and recognition of the judgment. He also stressed that Judge Kaplan's order is now on appeal, and therefore it is not yet binding.

As for the BIT arbitral tribunal's [injunction](#) ordering Ecuador to prevent recognition and enforcement of the judgment at home and abroad, he stated that the private plaintiffs are not parties to that arbitration and that the Ecuador courts are constitutionally protected from any such attempts at interference by the Ecuador government. When I asked about the prospect of the tribunal ordering Ecuador to pay Chevron for damages it incurs in the recognition and enforcement of the Lago Agrio judgment, he seemed unconcerned about the possibility. He viewed the entire BIT arbitration as an illegitimate attempt by Chevron to undermine the Ecuador litigation.

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This entry was posted on Tuesday, February 15th, 2011 at 7:50 pm and is filed under [Investment Arbitration](#)

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