

In The Matter Of:
Claudia Balcerro Giraldo, et al. vs.
Drummond Company, Inc., et al.

Letters Rogatory Video Hearing - Jairo de Jesus Charris
Castro
Vol. 2
May 17, 2012

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VOLUME II
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
(Southern Division)

CLAUDIA BALCERO GIRALDO,

et al.

Plaintiffs

vs.

Case No. 2:09-cv-1041-RDP

DRUMMOND COMPANY, INC.,

et al.

Defendants

_____ /

The Letters Rogatory Video Hearing of JAIRO DE JESUS CHARRIS CASTRO, as translated by CONSUELO BURRANCA and JAIME FATAS, was continued on Wednesday, May 17, 2012, commencing at 9:07 a.m., at the Second Civil Circuit Court of Popayan, Colombia before The Honorable Gloria O. Bonilla de Diaz and Steven Poulakos, Notary Public.

REPORTED BY: Steven Poulakos

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1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: We're now on the record
3 in the matter of Claudia Balcerro Giraldo, et al. versus
4 Drummond Company, Incorporated, et al. in the United
5 States District Court for the Northern District of
6 Alabama, Southern Division, Case Number 209-cv-1041.

7 Today's date is May 17th, 2012. The
8 time is approximately 9:07 a.m. This is the video
9 recorded deposition of Jairo de Jesus Charris Castro
10 being taken at the 2nd Civil Circuit Court of
11 Popayan, Colombia before the Honorable Gloria O.
12 Bonilla de Diaz.

13 My name is John Sherman here on behalf
14 of Gore Brothers Reporting & Videoconferencing
15 located at 20 South Charles Street, Baltimore,
16 Maryland 21201, Suite 901. The court reporter is Steve
17 Poulakos from Gore Brothers.

18 Will all attorneys, please, identify
19 themselves and the party they represent beginning
20 with the party noticing this proceeding.

21 MR. COLLINGSWORTH: Terry Collingsworth and

1 Lorraine Leete here for the Plaintiffs.

2 MR. JEFFRESS: William Jeffress, Bryan
3 Parr, Tony Davis, and Jose Miguel Linares representing
4 the Defendants.

5 THE CLERK: Good morning everyone. It is
6 9:09 a.m. of the 17th of May of the year 2012. We will
7 continue with the deposition of Mr. Jairo de Jesus
8 Charris, and my name is Javier Viero. I am the
9 secretary of these courthouse dually identified with my
10 official identification number 8763120.

11 This is the Superior Court 2nd Circuit
12 of Popayan, and we are continuing with these
13 proceedings in compliance with the requirement for
14 international judicial assistance as pursuant to a
15 Letter Rogatory of the District Court of the United
16 States, Northern District of Alabama, Southern
17 Division for Case Number 709-cv-1041 of Claudia
18 Balcerro Giraldo versus Drummond Company who have
19 been referred collectively as Drummond, the
20 Defendants.

21 The counsel for the Defendant has the

1 floor now and we may proceed with the proceedings.

2 EXAMINATION BY MR. JEFFRESS:

3 Q May I remind the witness that he's still
4 under oath.

5 Mr. Charris, yesterday I began asking you
6 about your trial in 2009 for participating in the
7 murders of the union leaders. That was in the 11th
8 Special Criminal Court in the Bogota, correct? Is that
9 correct?

10 A No, sir.

11 Q What court was it in?

12 A Well, the judge who sentenced me is
13 actually a judge from the 11th Special Court with
14 special tradition for the OIT.

15 THE JUDGE'S COURT REPORTER: (Speaking in
16 Spanish)

17 THE INTERPRETER: The court reporter for
18 the Colombian court didn't get the answer from Mr.
19 Charris, so she's asking for a repetition of the
20 answer.

21 THE WITNESS: Well, I was sentenced by the

1 11th Special Criminal Court before the OIT in Bogota
2 and then a second instance on appeal it went to the
3 Superior Court of Bogota.

4 BY MR. JEFFRESS:

5 Q Did you testify on April the 23rd of 2009
6 in the course of your trial?

7 THE JUDGE'S COURT REPORTER: (Speaking in
8 Spanish)

9 THE WITNESS: But I always gave testimony,
10 I always testified for the prosecution after being
11 sentenced and also for the judge and in many other
12 instances, as you can see, if you check the records of
13 the case.

14 BY MR. JEFFRESS:

15 Q Mr. Charris, did you testify that you were
16 innocent of the charges against you?

17 A Well, at the beginning, at the beginning of
18 my sentence when the prosecutor actually got me I still
19 didn't talk about the responsibilities of Drummond
20 Company in the deaths of the union leaders and many
21 union members.

1 I broke my silence with the prosecutor
2 number 12 from human rights and also with the judge of
3 the 11th Criminal Court as long as they guaranteed my
4 security in Colombia as well as that of my family.

5 Q Mr. Charris, I'm going to show you the
6 transcript of your testimony before the Court on April
7 the 23rd of 2009. We're going to mark that as Exhibit
8 10.

9 (Defendants' Exhibit JC10 was marked for
10 purposes of identification.)

11 THE INTERPRETER: Thank you very much.

12 BY MR. JEFFRESS:

13 Q Mr. Charris, do you recognize this
14 transcript as the transcript of your trial before the
15 Court in Bogota in April of 2009?

16 A (Witness reviewing document.)

17 Q May I correct myself? I gave the wrong
18 date. It's not April the 23rd, 2009, it's June 23rd,
19 2009.

20 I ask you to turn to the page that there's
21 handwritten page number 259. I'm sorry. We need to

1 start over here.

2 Put that exhibit down, please.

3 (Defendants' Exhibit JC11 was marked for
4 purposes of identification.)

5 BY MR. JEFFRESS:

6 Now, Mr. Charris, I have put before you
7 what appears to be the transcript of the Court
8 proceeding on June the 23rd, 2009, before the Court in
9 Bogota. The document I put before you is in Spanish.
10 Do you recognize it to be the transcript of your
11 proceeding that day?

12 A Well, this document shown to me as part of
13 the record, I don't have them and I think that I should
14 have a copy of this; but this is part of the record of
15 the proceedings that took place in the 11th Criminal
16 Court.

17 Q Would you turn to the handwritten page
18 number 259 at the top? You'll see a handwritten page
19 number.

20 THE INTERPRETER: This is the interpreter.
21 Just to clarify, would that be the page that begins

1 with testimony that was already given? That's to you,
2 Counsel. This is the interpreter. Just to make sure
3 we are on the same page, is that the page that begins
4 the sentence, testimony that was already given?

5 MR. JEFFRESS: Yes.

6 THE INTERPRETER: Thank you very much.

7 BY MR. JEFFRESS:

8 Q Mr. Charris, you see where you told the
9 prosecutor and the Court, quote, I am innocent of these
10 crimes?

11 A Yes.

12 Q And you told the Court in your testimony
13 that the person responsible, or the persons responsible
14 for ordering the murders were Jim Adkins and Jaime
15 Blanco, correct?

16 THE INTERPRETER: Yes.

17 THE WITNESS: Yes, sir.

18 BY MR. JEFFRESS:

19 Q You also said you were only a witness to
20 those events, correct?

21 A Well, let's see, let's clarify here. Why

1 because the prosecutor and the criminal court of the
2 OIT sentenced me for being a material actor, but my
3 participation was intellectual inside the Drummond
4 mine.

5 Q After you testified and said you were
6 innocent of the crimes the Court found you guilty of
7 material participation in the murders, correct?

8 A Not guilty as to the material actor, but
9 inside the Drummond Company I pled guilty as an
10 intellectual participant.

11 Q Well, let me clarify that, Mr. Charris.
12 You didn't plead guilty, did you, you told the Court
13 you were innocent?

14 THE JUDGE'S COURT REPORTER: (Speaking in
15 Spanish)

16 THE INTERPRETER: Well, the interpreter
17 will have to have summarize the last statement.

18 THE WITNESS: I always denied my
19 participation as a material actor in front of the
20 prosecutor and the criminal judge. I accepted my --
21 I never accepted those charges, but I accepted my

1 participation as intellectual participant in the
2 commission of those crimes.

3 I think that Jaime Blanco Maya and the
4 Drummond Company should be found fully participants
5 of the commission of these crimes.

6 BY MR. JEFFRESS:

7 Q Mr. Charris, I'm going to show you the
8 judgment of the 11th Special Criminal Court in Bogota
9 dated August 4th, 2009, which we will mark as Exhibit
10 12.

11 (Defendants' Exhibit JC12 was marked for
12 purposes of identification.)

13 MR. JEFFRESS: Interpreter ready?

14 THE WITNESS: Well, really not a tribunal,
15 this is just a court it says here that is a juzgado, in
16 Spanish, that is not a tribunal, per se.

17 BY MR. JEFFRESS:

18 Q Do you recognize this as the -- as a
19 judgment and sentence, the Court's judgment and
20 sentence against you?

21 MR. COLLINGSWORTH: Object as to form.

1 THE WITNESS: Well, the judgment of the
2 Court was confirmed by the 11th Court and also it was
3 restated by the Superior Court in Bogota for the
4 commission of homicide of the two union leaders.

5 BY MR. JEFFRESS:

6 Q And what is before you is Exhibit 12 is a
7 copy of the Court's judgment entered on August the 4th,
8 2009?

9 A This is from the 11th Court of the Criminal
10 Circuit.

11 Q And looking at page 17 of the Court's
12 judgment, the top paragraph -- I'm sorry, it's page 69.
13 The Spanish version page 69.

14 At the very bottom of the page the Court
15 stated that you, Jairo de Jesus Charris, is therefore
16 liable as one of the perpetrators of the double
17 homicide, correct?

18 A The decision of the Court is here, but the
19 same court also sent copy to prosecutor number 12,
20 human rights prosecutor, with regards to full
21 investigation on Garry Drummond, Augusto Jimenez, Mike

1 Tracey, Jim Adkins, and Jaime Blanco Maya for the very
2 responsibility in the commission of those murders.

3 MR. JEFFRESS: And I will move to strike as
4 nonresponsive everything after his admission that this
5 finding is here.

6 BY MR. JEFFRESS:

7 Q The Court also found, Mr. Charris, looking
8 at the top of page 70, that notwithstanding -- would
9 you look at the top of page 70 with me?

10 A (Witness reviewing document.)

11 Q The Court also found that notwithstanding
12 your counsel's arguments for acquittal that you would
13 be sentenced to the criminal penalties provided for the
14 crime as requested by the prosecutor's office, the
15 public ministry, and the counsel for the victims,
16 correct?

17 A Well, Drummond, or the Colombian justice
18 system, sentenced those who declared that Drummond was
19 responsible for those acts, they shift all of the
20 burden, the responsibility of those acts, to me.

21 MR. JEFFRESS: I move to strike as

1 nonresponsive --

2 BY MR. JEFFRESS:

3 Q -- and ask you whether it is true that the
4 Court found, notwithstanding your counsel's arguments,
5 that you would be sentenced for the crimes?

6 MR. COLLINGSWORTH: Object as to form.

7 THE WITNESS: Yes, sir.

8 BY MR. JEFFRESS:

9 Q And finally if you would look on page 67?

10 A (Witness reviewing document.)

11 THE INTERPRETER: It was interpreter's
12 mistake. Page 67.

13 BY MR. JEFFRESS:

14 Q Looking at the first full paragraph, the
15 last sentence. Did the Court say, quote, the
16 Defendants' position is absurd from the standpoint of
17 logic and reason?

18 MR. COLLINGSWORTH: Object to form.

19 THE JUDGE'S COURT REPORTER: (Speaking in
20 Spanish)

21 THE WITNESS: Well, the Court always tried

1 to lie a bit in the Drummond case. If we take into
2 account the statements of Javier Ernesto Ochoa Quinones
3 given as part of these proceedings, of those
4 proceedings.

5 MR. JEFFRESS: I move to strike as
6 nonresponsive.

7 BY MR. JEFFRESS:

8 Q Did the Court say in its judgment, quote,
9 the Defendants' position is absurd from the standpoint
10 of logic and reason; yes or no?

11 MR. COLLINGSWORTH: Object to form.

12 THE WITNESS: The Court ruled against me.

13 BY MR. JEFFRESS:

14 Q Mr. Charris, I'm going to ask you now about
15 some of your testimony yesterday. You testified that
16 while you worked for Viginorte you, on behalf of
17 Drummond coordinated with the AUC; is that correct?

18 THE INTERPRETER: Excuse me, Counsel.

19 THE WITNESS: Yes, sir.

20 BY MR. JEFFRESS:

21 Q Apparently your microphone --

1 THE VIDEOGRAPHER: We need to go off the
2 record for one second.

3 We're off the record at 9:43.

4 (Deposition recessed at 9:43 a.m.)

5 (Deposition resumed at 9:44 a.m.)

6 THE VIDEOGRAPHER: We're back on the record
7 at 9:44.

8 BY MR. JEFFRESS:

9 Q Mr. Charris, I've put before you what's
10 marked as Exhibit 5. Is that a declaration that you
11 signed at the request of Plaintiffs' counsel in
12 September of 2009?

13 MR. COLLINGSWORTH: Objection, no
14 foundation and form.

15 THE WITNESS: Yes, sir.

16 BY MR. JEFFRESS:

17 Q So that we're clear, this declaration was
18 signed by you after you had been convicted and
19 sentenced by a Court in Bogota, correct?

20 MR. JEFFRESS: I said this was signed after
21 you had been convicted and sentenced by the Court in

1 Bogota.

2 THE INTERPRETER: I think the
3 interpreter -- this is the interpreter.

4 The interpreter interpreted convicted
5 and sentenced as (Speaking in Spanish).

6 MR. LINARES: (Speaking in Spanish)

7 THE INTERPRETER: Very well. So I will put
8 that on the record.

9 Counsel for the Defendant said that Mr.
10 Charris signed this document after he was convicted
11 and sentenced.

12 MR. JEFFRESS: That's the question.

13 THE INTERPRETER: Thank you very much.

14 THE WITNESS: This statement happened when
15 I was still in the process of being found guilty or not
16 guilty.

17 BY MR. JEFFRESS:

18 Q We'll come back to the signing of the
19 declaration, but let me ask you, Mr. Charris: Did you,
20 in this declaration, talk about your work for Viginorte
21 at the Drummond mine?

1 MR. COLLINGSWORTH: Objection to form.

2 THE WITNESS: Yes, sir.

3 BY MR. JEFFRESS:

4 Q If you would look in paragraphs 3 you
5 describe your work for Viginorte and your colonel and
6 that you gave daily reports to Colonel Garzon
7 concerning those duties, correct?

8 A Well, the security plan during the years I
9 work as Viginorte's coordinator always included
10 coordination with Colonel Garzon regarding matters
11 concerning Drummond's railroad, that included a daily
12 report to Colonel Garzon.

13 Q Nowhere in the declaration do you say
14 anything about coordination with the AUC while you
15 worked for Viginorte, correct?

16 MR. COLLINGSWORTH: Object as to form.

17 THE WITNESS: Well, inside Drummond, you as
18 attorney for Drummond, for Drummond, Drummond sometimes
19 did not know, did not want to know about the
20 self-defense activities around the mine, and I met with
21 El Tigre.

1 MR. JEFFRESS: I move to strike as
2 nonresponsive.

3 BY MR. JEFFRESS:

4 Q Mr. Charris, my question is simply this:
5 Did you say anywhere in this declaration that's Exhibit
6 5 anything about coordinating with the AUC while you
7 worked for Viginorte?

8 MR. COLLINGSWORTH: Object as to form.

9 THE WITNESS: Could you, please, repeat the
10 question?

11 BY MR. JEFFRESS:

12 Q Does this declaration state anywhere
13 anything about coordinating with the AUC while you
14 worked for Viginorte?

15 MR. COLLINGSWORTH: Same objection to form.

16 THE WITNESS: The relationship, the direct
17 relationship between Drummond and AUC inside the
18 Drummond mine was through me and through Jaime Blanco
19 Maya. I'll continue, yes?

20 MR. JEFFRESS: It's nonresponsive.

21 BY MR. JEFFRESS:

1 Q I ask witness to listen to my question,
2 please.

3 Where in your declaration, Exhibit 5, do
4 you say anything about coordinating with the AUC while
5 you worked for Viginorte?

6 MR. COLLINGSWORTH: Same objection as to
7 form.

8 THE WITNESS: Yes, I worked for Viginorte
9 as a coordinator, but this is not my full statement.
10 I've given many statements and this is just the
11 beginning of our proceeding.

12 BY MR. JEFFRESS:

13 Q The answer to my question is, no, you don't
14 mention it in the declaration?

15 MR. COLLINGSWORTH: Object as to form.

16 BY MR. JEFFRESS:

17 Q Correct?

18 THE INTERPRETER: Interpreter didn't get
19 the last statement from Mr. Jeffress.

20 BY MR. JEFFRESS:

21 Q The answer to my question is no?

1 THE INTERPRETER: After that you stated one
2 word, but I didn't understand that.

3 MR. JEFFRESS: Is that correct?

4 THE INTERPRETER: Thank you very much.

5 MR. COLLINGSWORTH: Object to form.

6 MR. JEFFRESS: Yes --

7 MR. COLLINGSWORTH: Can we get that answer?

8 MR. JEFFRESS: I'm sorry.

9 THE WITNESS: What is here is correct, but
10 this is not all. There is more to it.

11 BY MR. JEFFRESS:

12 Q We'll come back to that.

13 Yesterday we marked as Exhibit 8 your
14 statement to the Fiscalia in July of 2008 after you
15 were arrested. Do you have that exhibit before you?

16 A I don't have it here right now.

17 Q When you spoke to the Fiscalia after your
18 arrest in July of 2008, were you asked the following
19 question and did you give the following answer?

20 Question: Do you know if between Drummond and the AUC
21 in the area there were coordinations? Answer: No.

1 A Well, at that proceeding with the attorney
2 general, with the prosecutor's office, whose head
3 was Claudia Milena Sanchez Martinez --

4 THE INTERPRETER: Excuse me. Interpreter
5 will correct.

6 THE WITNESS: -- Claudia Milena Sanchez
7 Martinez, that was Division Number 12 and that was what
8 did I know about the coordination activities between
9 Drummond and the AUC. I said no, but I did not have my
10 safety. Drummond is a monster and I fear for my safety
11 and that of my family.

12 May I continue?

13 BY MR. JEFFRESS:

14 Q Of course.

15 A May I continue.

16 Q Are you answering the you did give that
17 correct?

18 A Yes, sir, I said no but also what I just
19 told you.

20 Q And then on in your testimony at the trial
21 you didn't mention anything about coordination between

1 Drummond and the auction while you worked in the
2 Viginorte correct?

3 MR. COLLINGSWORTH: Object as to form.

4 THE WITNESS: I talked to the prosecutor
5 and I also talked to the judge of the criminal court
6 about the link between Drummond and the deaths of the
7 union leaders.

8 BY MR. JEFFRESS:

9 Q Do you have your testimony on June the 23rd
10 of 2009 in your proceeding that's Exhibit 11?

11 MR. JEFFRESS: Excuse me.

12 THE INTERPRETER: I'm sorry about the
13 delay, Counsel. This is it.

14 MR. JEFFRESS: Yes.

15 BY MR. JEFFRESS:

16 Q Would you turn to the page that has
17 handwritten numbered 266 at the top? Looking just a
18 little more than halfway down the page, you were asked
19 question: Do you know what sort of relationship the
20 Drummond Company had with paramilitary groups and you
21 answered no. Is that what you said?

1 A I really can't read this. I really can't
2 read it.

3 MR. JEFFRESS: Bryan, would you point out
4 to him where that appears.

5 THE INTERPRETER: I think it has to do with
6 the size of the font and not the quality. I just
7 marked it here.

8 BY MR. JEFFRESS:

9 Q I'm sorry, is there a problem with the
10 quality of the copy?

11 A Yes, sir. Yes.

12 Q Can you read it sufficiently to see that
13 you were asked do you know what sort of relationship
14 the Drummond Company had with paramilitary groups and
15 you answered no? Do you see that?

16 A (Witness reviewing document.)

17 Well, I said no, but I repeat, my family
18 was not safe, and, you know, I still had problems with
19 Drummond. I didn't want to break the silence because
20 my family was not safe and then tell the world justice,
21 Colombia, the responsibility of Drummond in the case

1 having to do with the death of the union leaders.

2 Q Mr. Charris, this was the same day that you
3 testified that Jim Adkins, Garry Drummond, Augusto
4 Jimenez, Mike Tracey and others approved the murder of
5 the union leaders, you testified to that the same day
6 you made this statement, correct?

7 MR. COLLINGSWORTH: Object to form.

8 THE WITNESS: Yes, I said no, but I said so
9 because I still did not have guaranties about Drummond
10 and the responsibilities of Drummond --

11 BY MR. JEFFRESS:

12 Q So you lied under oath in your trial?

13 THE WITNESS: -- in the assassination of
14 the union leaders.

15 MR. COLLINGSWORTH: Object as to form.

16 THE WITNESS: In some files you can look
17 for those as Drummond's representatives had it to with
18 Teresa Ron Luna at the prosecutor's office after I was
19 sentenced. The prosecutor called me frequently to give
20 statements there. Besides related to this case about
21 the Drummond multi-national company the prosecutor that

1 was in charge of the case actually was fired.

2 MR. JEFFRESS: I move to strike as
3 nonresponsive.

4 BY MR. JEFFRESS:

5 Q Did you or did you not lie to the court
6 under oath?

7 MR. COLLINGSWORTH: Object as to form.

8 THE WITNESS: I did not lie. I did not lie
9 before the Court.

10 BY MR. JEFFRESS:

11 Q Do you recall, Mr. Charris, in February of
12 2010, some seven or eight months after your trial, the
13 Fiscalia took testimony from you about Drummond and
14 Alfredo Araujo?

15 MR. COLLINGSWORTH: Objection, no
16 foundation.

17 THE WITNESS: After the prosecutor told me
18 the trial in front of the judge they will call me
19 frequently to their offices. I was section number 2.
20 They would call me frequently in section number 12.

21 THE INTERPRETER: That was interpreter's

1 mistake.

2 (Charris Exhibit JC13 was marked for
3 purposes of identification.)

4 BY MR. JEFFRESS:

5 Q I'll show you what I've marked as
6 Exhibit 13 and I'll ask you, Mr. Charris, is that your
7 signature on the last page of that document?

8 A (Witness reviewing document.)

9 Well, the signatures on all of the pages
10 there and on all of the folios, those are mine, but the
11 last one is not signed by me.

12 Q You did initial each page?

13 A (Witness reviewing document.)

14 THE INTERPRETER: There are two versions of
15 this document, one in Spanish and one in English, and
16 Counsel for the Defendant just indicated, very kindly,
17 that we might not be referring to the right page
18 because it was on the last page of the first section
19 the first part of this document that is the Spanish
20 version.

21 BY MR. JEFFRESS:

1 Q So, Mr. Charris, did you sign the document?

2 A Yes, sir.

3 Q And in this testimony you were sworn to
4 tell the truth; is that correct?

5 A (Witness reviewing document.)

6 Well, that day this was a statement given
7 in front of the special prosecutor number 22 that is
8 the anti-terrorism office and that day, no, it was no
9 sworn proceeding that day.

10 Q Do you see on the first page of this
11 document it says, the prosecutor advised you of the
12 penalties for false testimony and the document reads as
13 follows: It proceeds to take his oath.

14 So I ask you again, did you testify to the
15 prosecutor on July 1st -- I'm sorry, February 1st,
16 2010, under oath?

17 A No, this proceeding was not under the
18 penalties of perjury.

19 Q Did you lie in this statement?

20 MR. COLLINGSWORTH: Object as to form.

21 THE WITNESS: What I said at this hearing

1 in front of the prosecutor was the responsibility --
2 the attorney of Alfredo Araujo was and also Jaime
3 Bernal Cuellar, I requested actually copies of these
4 proceeding to the prosecutor, but those were never
5 given to me.

6 BY MR. JEFFRESS:

7 Q My question is: Did you lie to the
8 Fiscalia?

9 MR. COLLINGSWORTH: Object to form.

10 THE INTERPRETER: Interpreter filed put on
11 the record that counsel for the Plaintiff objected to
12 the form of the previous question.

13 THE WITNESS: Well, I want --

14 THE INTERPRETER: Interpreter failed again
15 to state for the record that counsel for the Plaintiff
16 objected to the form of the question.

17 THE WITNESS: Well, I want I asked again
18 for copies to the prosecutor of my statement so I will
19 have that for my record and I would have the benefit of
20 being able to review its contents.

21 BY MR. JEFFRESS:

1 Q Did you lie to the Fiscalia?

2 MR. COLLINGSWORTH: Objection, asked and
3 answered, no foundation, form.

4 BY MR. JEFFRESS:

5 Q Yes or no, did you lie?

6 A Never I never lied to the prosecutor. What
7 I always said is the truth and nothing but the truth.

8 Q I ask you to look at page 7?

9 A Well, you see this characters for mere very
10 do I have for he to read.

11 THE INTERPRETER: The interpreter it will
12 be my pleasure.

13 THE WITNESS: The characters are very small
14 for me too read.

15 BY MR. JEFFRESS:

16 Q I will read for Mr. Charris from this
17 statement that you signed. You were asked: Please
18 state if you were aware, or if you knew, if Mr. Alfredo
19 Araujo Castro had any link relation closeness with the
20 self-defense units of Colombia and your answer was: I
21 have no evidence on that, sir.

1 Was that true?

2 MR. COLLINGSWORTH: Object to form.

3 MR. JEFFRESS: I don't understand the
4 objection. Are you saying I didn't read it correctly?

5 MR. COLLINGSWORTH: No, I'm saying the
6 question is vague and ambiguous in terms of the
7 terminology used. And I don't want to do speaking
8 objections but you want it that's it.

9 BY MR. JEFFRESS:

10 Q Were you asked that question and did you
11 give that answer? Did you say that?

12 A Counsel --

13 THE INTERPRETER: (Speaking in Spanish).

14 THE WITNESS: What did justice in this
15 case. I said yes and the prosecutor wrote no, and they
16 altered the content of these proceedings.

17 BY MR. JEFFRESS:

18 Q Mr. Charris, is that your initials on that
19 very page of the document?

20 A Well, it might be my signature, but the
21 content were prepared by the prosecutor, helped by the

1 prosecutor's office.

2 Q It was prepared before you signed it,
3 correct?

4 A Well, when the prosecutor, the assistants
5 for the prosecutor has made questions, they
6 manipulated, manipulated the information. What is
7 behind justice so Drummond doesn't show up as
8 responsible for the deaths of the union leaders you
9 know that is the state of Colombian justice.

10 Q Why did you sign the statement?

11 A Well, the prosecutor, division number 22
12 had never gave me a copy of my statement made me sign
13 it.

14 Q So they made you sign it, is that your
15 testimony?

16 A It is not that the prosecutor forced me to
17 do it, but they just gave me the document and I didn't
18 read it.

19 Q I want to go back now to your declaration
20 which is Exhibit 5. Mr. Charris, that document has
21 been given to the Defendants by the Plaintiffs' lawyers

1 as your statement signed in September of 2009 regarding
2 this case.

3 My first question is: When did you first
4 speak with Mr. Collingsworth or anybody else
5 representing the Plaintiffs?

6 A It has to be switched because this is the
7 English version.

8 MR. JEFFRESS: I think he has both of them.

9 THE WITNESS: I will need for you to repeat
10 the question, please.

11 BY MR. JEFFRESS:

12 Q When did you first speak with Mr.
13 Collingsworth or any representatives of the Plaintiffs
14 in this case?

15 A Who is Mr. Collingsworth is he the attorney
16 for?

17 Q Yes, Mr. Collingsworth is the who asked you
18 questions yesterday?

19 MR. COLLINGSWORTH: You can call me Terry,
20 it's fine.

21 THE WITNESS: Yes, I was talking with

1 Mr. Francisco Ramirez.

2 BY MR. JEFFRESS:

3 Q And who is Mr. Francisco Ramirez?

4 A He's an attorney an attorney -- I don't
5 know, from the Coresh (ph) firm. I don't know.

6 Q Where did you speak with Mr. Ramirez?

7 A I spoke with him at the Picota jail and
8 also at come at the come at the Bogota and Modelo
9 Bogota high security prison.

10 Q Did Mr. Ramirez call you to arrange an
11 appointment?

12 A Let's see, Mr. Ramirez through some union
13 members -- the names were Raul Sosa and Victor Uztariz,
14 through those two persons the appointment was the
15 meeting was arranged to meet with Mr. Francisco Ramirez
16 at the Modelo prison in Bogota.

17 Q When did this happen?

18 A He was there often in 2009, 2010 would he
19 visit me very frequently.

20 Q When did he first visit you?

21 A The first time I do not remember, but his

1 entry to the Modelo jail in Bogota must be recorded
2 there.

3 Q Okay. How did you get in touch with Raul
4 Sosa and Victor Uztariz, how did you get in touch with
5 the union members?

6 A Mr. Raul Sosa and Mr. Victor Uztariz
7 Guerra, they went through the general prosecutor's
8 office of the nation that was Dr. Claudia Milena
9 Suarez.

10 Q When did you meet Mr. Collingsworth, or I
11 guess you call him Terry; is that right?

12 A Mr. Terry I met him in 2010 at Picota, at
13 Picota, yes.

14 Q Well, the declaration that you signed,
15 which is Exhibit 5, although it's undated, your
16 signature is undated, okay? I will tell you that was
17 provided to us under the date of September 2009.

18 Let me withdraw that and start over.

19 Mr. Charris, did you meet Terry before you
20 signed the declaration that's Exhibit 5?

21 A The declaration I've always given, I have

1 given it to Mr. Francisco Ramirez who works for
2 Mr. Terry.

3 Q When you met Terry did you also meet
4 Lorraine Leete who is sitting next to Terry here today?

5 A Yes, sir.

6 Q Did you meet Pedro Mahecha who was in court
7 yesterday but is not here in court today?

8 A Could you repeat, please?

9 Q Did you meet Pedro Mahecha at the same
10 time?

11 A Yes, sir, Pedro Mahecha in Combita, Boyaca.

12 Q Have you met with Ivan Otero, who is here
13 in court today?

14 A With Mr. Ivan Otero when I met with him was
15 this week when he visited me at the jail in Popayan.

16 Q Is he your lawyer?

17 MR. COLLINGSWORTH: Object as to form.

18 THE WITNESS: Yes, sir.

19 BY MR. JEFFRESS:

20 Q When did Mr. Otero begin to represent you?

21 A Well, this week, this week when he visited

1 me at San Isidro, Popayan.

2 Q Do you know that Mr. Otero also represents
3 Jaime Blanco, El Tigre, and Samario?

4 MR. COLLINGSWORTH: Object as form.

5 THE WITNESS: No, sir.

6 BY MR. JEFFRESS:

7 Q If Mr. Otero represents Jaime Blanco that's
8 news to you today?

9 MR. COLLINGSWORTH: Object as to form.

10 THE WITNESS: If an attorney such as
11 Attorney Ivan Otero who is present at that meeting, who
12 is a transparent, honest, and serious in the judicial
13 branch, who also represents, as I find out in this
14 proceeding, that he also represents Jaime Blanco Maya,
15 Samario, and El Tigre, and at this time he is
16 representing me. This is with a purpose of getting
17 this judicial proceeding to keep it, bringing it before
18 the Colombian and United States justice.

19 BY MR. JEFFRESS:

20 Q Who is paying the fees for Mr. Otero?

21 MR. COLLINGSWORTH: Object as to form.

1 THE WITNESS: The Coresh (ph) firm, the one
2 I just mentioned to you now.

3 BY MR. JEFFRESS:

4 Q Who is paying that firm?

5 MR. COLLINGSWORTH: Object as to form.

6 THE WITNESS: I have no knowledge of who
7 pays that firm.

8 BY MR. JEFFRESS:

9 Q But you're not paying, correct?

10 A No, no, I am not the one that pays the
11 attorney.

12 Q Who wrote the document that is Exhibit 5?

13 A (Witness reviewing document.)

14 MR. COLLINGSWORTH: I'm going to object as
15 to form.

16 THE WITNESS: This was the statement taken
17 to me by Attorney Francisco Ramirez.

18 THE JUDGE'S COURT REPORTER: (Speaking in
19 Spanish)

20 THE WITNESS: This is the statement taken
21 to me by Attorney Francisco Ramirez. Yes, the

1 attorney.

2 BY MR. JEFFRESS:

3 Q So Mr. Ramirez brought you this statement
4 and you signed it?

5 MR. COLLINGSWORTH: Object as to form.

6 THE JUDGE'S COURT REPORTER: (Speaking in
7 Spanish)

8 THE WITNESS: No, sir. Francisco Ramirez
9 took my statement. Francisco Ramirez took my statement
10 to find out about the death of the union leaders and
11 about all the knowledge that I had without the
12 installations of the Drummond mine about the
13 relationship Jaime Blanco had with me and also about
14 all of the deaths that were carried out in the name of
15 Drummond by the paramilitary.

16 BY MR. JEFFRESS:

17 Q Okay. So Mr. Ramirez asked you about all
18 of those subjects before you signed the declaration is
19 that correct?

20 MR. COLLINGSWORTH: Objection to form.

21 THE WITNESS: Francisco Ramirez takes my

1 statement he takes a draft of my statement. This is a
2 statement which I'm holding here in my hand. This is
3 the statement I rendered for attorney Francisco
4 Ramirez. This is the statement taken by him of me.

5 BY MR. JEFFRESS:

6 Q There's nothing in that statement Mr.
7 Charris, about any payments by Drummond through Jaime
8 Blanco to the AUC.

9 When did you first say anything about that
10 too Mr. Collingsworth or Mr. Ramirez or any other
11 Plaintiffs' lawyer?

12 MR. COLLINGSWORTH: Object as to form.

13 THE WITNESS: I again repeat, all the
14 content all the statement that I gave to Francisco
15 Ramirez, this is not even the first part of what
16 happened between Drummond and the union leaders.

17 Take into account, Mr. Attorney, that
18 the jail's high security jails, in my case, that is
19 a case that has national and international
20 connotations, impact generally when a prisoner comes
21 in the entry and exit of attorneys is very

1 restricted because of security reasons.

2 That is why here not everything that I
3 said includes the relationship of Drummond, the
4 finances that they had, and other topics that was
5 not told Mr. Francisco Ramirez.

6 BY MR. JEFFRESS:

7 Q Well, I'm trying to make the question
8 simple.

9 When was the first time that you told
10 Mr. Ramirez or Mr. Collingsworth anything about
11 payments by Drummond to the AUC through Jaime Blanco?

12 THE JUDGE'S COURT REPORTER: (Speaking in
13 Spanish)

14 THE INTERPRETER: We are going to repeat
15 the question.

16 THE JUDGE'S COURT REPORTER: (Speaking in
17 Spanish)

18 THE WITNESS: After I gave this statement.

19 BY MR. JEFFRESS:

20 Q Earlier that week is that when you first
21 said anything to Mr. Collingsworth about this subject?

1 MR. COLLINGSWORTH: Object as to form, no
2 foundation.

3 THE WITNESS: That was the day he visited
4 me at La Picota Alta with Dr. Attorney Lorraine.

5 BY MR. JEFFRESS:

6 Q I'm sorry. Let me back up. Did you meet
7 with Mr. Collingsworth earlier this week at the prison
8 in Popayan. Terry?

9 A Mr. Collingsworth, Terry, did not go in.
10 The one that went in was Mr. Ivan Otero.

11 Q Okay. And Pedro Mahecha, was he there?

12 A Only Ivan Otero.

13 Q How many times had you met with Terry or
14 Lorraine?

15 A At these proceedings and at the time he
16 visited me at La Picota.

17 Q How many times?

18 A If I say during this proceedings and at La
19 Picota, how many times would that be?

20 Q That's my question.

21 MR. COLLINGSWORTH: Object as to form.

1 THE WITNESS: That is the answer I am
2 giving you.

3 BY MR. JEFFRESS:

4 Q Forgive me, Mr. Charris, I don't understand
5 your answer. Are you saying you only met with Terry or
6 Lorraine once?

7 A Here at this proceeding and at La Picota,
8 that would be two times because we are in a judicial
9 proceeding.

10 Q And the other times, did you say you met
11 many times with Francisco Ramirez, correct?

12 A Francisco Ramirez many times, no. You're
13 saying many times with Francisco Ramirez. I met at
14 Combita and La Picota. That is a few times.

15 Q Did you provide to Mr. Ramirez or to Terry
16 anything in writing, any written documents?

17 A Written documents of statements given to
18 Mr. Francisco Ramirez was all this and also a part
19 which is not included within this.

20 Q What are you referring to that's not
21 included?

1 A What is not included there are parts, there
2 are that are not included. Again I repeat, again I
3 repeat. The statement taken of me by Attorney
4 Francisco Ramirez was a short statement because of the
5 short time that there was at the jail.

6 Q Well, it's 17 paragraphs and eight pages
7 single spaced. How long did Mr. Ramirez speak to you
8 before taking this statement?

9 A Can you, please, repeat the question?

10 Q Well, first I pointed out that the
11 statement is eight pages single spaced with 17
12 paragraphs. And my question to Mr. Charris is: How
13 long did Francisco Ramirez speak to you before taking
14 this statement?

15 A From one to two hours.

16 Q You, Mr. Charris, I notice you brought
17 files or documents yesterday and you have that file in
18 front of you, your personal documents; is that correct?

19 A Those files, those are personal documents
20 that have to do with Drummond and so forth.

21 Q Does the file contain documents that you

1 had given or shown to Francisco Ramirez or to Terry or
2 Lorraine?

3 A This file contains documents, documents
4 that have everything to do with Drummond, documents
5 that Mr. Terry has as well as what you are doing in the
6 Drummond case.

7 There are about four attorneys representing
8 Drummond here. This documents have to do with
9 everything that has to do with Drummond in my
10 proceeding.

11 Q Who has provided you with those documents?

12 A These are documents provided to me by my
13 family. They give them, send them this document to me
14 through Servientrega.

15 Q I'm sorry, through who?

16 A Servientrega.

17 MR. JEFFRESS: I'm told the tape is just
18 about out and we need to change the tape.

19 THE VIDEOGRAPHER: Going off the record at
20 11:05.

21 (Deposition recessed at 11:05 a.m.)

1 (Deposition resumed at 11:18 a.m.)

2 THE COURT: Continue with the proceeding.

3 THE VIDEOGRAPHER: We're back on the record
4 at 11:18 with tape two.

5 BY MR. JEFFRESS:

6 Q Mr. Charris, since you have been in prison,
7 have you had conversations about Drummond with Jose del
8 Carmen Gelvez Albarracin? G-E-L?

9 A Jose del Carmen Gelvez Albarracin was a
10 worker for Prodeco. His alias is El Canoso. I met him
11 at ISA because he would come as a member, a security
12 member, for Prodeco and I also met him at yard number 7
13 where all extraditable individuals are at Combita,
14 Boyaca prison.

15 Q Let me ask first. Your met Mr. Gelvez
16 Albarracin while you worked for ISA, Jaime Blanco's
17 company?

18 A Yes, sir.

19 Q And you first went to work for ISA when?

20 A For ISA I started working there the last
21 months of 1999.

1 Q And Mr. Gelvez Albarracin was working for
2 Prodeco at that time? That's your testimony?

3 MR. COLLINGSWORTH: Object as to form.

4 THE WITNESS: Yes, he told me that he
5 worked for Prodeco and he would come to the casino to
6 come and have food that I would give him as a gift.

7 But that he not only worked for Prodeco
8 because he has participated in public hearings, he
9 was one of the extraditable individuals. I don't
10 know if he has been taken away yet or not.

11 Q When you spoke to him in yard number 7 at
12 prison did you ask him to contact Francisco Ramirez?

13 A Not what I talked to yard number 7, but he
14 went to visit alias Pipinta. What I said was that he
15 was confined in yard number 7. These are the prisoners
16 that are to be extradited, and I was at yard number 6
17 Pipinta told me there --

18 Q Can I ask you do spell that, alias what?

19 A P-I-P-I-N-T-A.

20 Q Thank you.

21 A Pipinta. His name is Pablo Fernan Sierra.

1 Pipinta told me the that El Canoso needed to talk to
2 me, that he knew many Drummond Americans that would
3 come to the Prodeco mine and that he before giving his
4 statement before the Supreme Court of Justice that he
5 knew about the knowledge that Drummond had, that he
6 knew about Drummond and the paramilitaries.

7 Q My question was: Did you --

8 MR. JEFFRESS: -- move to strike as
9 nonresponsive.

10 BY MR. JEFFRESS:

11 Q Did you ask Mr. Gelvez Albarracin to
12 contact Francisco Ramirez?

13 A I don't remember. There were many
14 questions, but I had many questions -- many
15 conversations with Albarracin.

16 Q Since you've been in prison, have you had
17 conversations about Drummond with El Tigre? Just yes
18 or no?

19 A No.

20 Q Do you know Hendrick van Bilderbeek?

21 A No, no. Can you repeat it better, Ben

1 Curry.

2 Q I'm sorry?

3 A No, no. Can you repeat it? Can you
4 pronounce it better? Ben Curry, I do know him.

5 Q I'm speaking of a prisoner at La Picota who
6 has a Dutch name.

7 A What is his name.

8 Q Hendrick van Bilderbeek?

9 A I do not know him.

10 Q Have you had conversations about Drummond
11 since you were in prison with Samario?

12 A With Samario I was at the last --

13 THE JUDGE'S COURT REPORTER: (Speaking in
14 Spanish).

15 THE INTERPRETER: Repeat the question.

16 THE WITNESS: I will repeat the answer.

17 I have seen Samario since I have been in
18 prison. It was at the last sentencing hearing at
19 court number 11.

20 BY MR. JEFFRESS:

21 Q Did you attend meetings between Tolemaida

1 and Jaime Blanco at which Samario was present?

2 A Samario. Samario was the head of security
3 for Tolemaida. I repeat. I will repeat. Do I
4 continue? Do I continue?

5 Q Yes, I'd like to know whether you met
6 with -- whether Samario was present when Jaime Blanco
7 met with Tolemaida?

8 A As head of security for a criminal such as
9 Tolemaida it's just a given thing that Samario as he's
10 head of security has to be present there.

11 Q Was Samario present when Tolemaida met with
12 Jaime Blanco at the casino?

13 MR. COLLINGSWORTH: Object as to form.

14 THE JUDGE'S COURT REPORTER: One moment,
15 please.

16 THE WITNESS: Many times. Well, many times
17 when Tolemaida arrived there to talk to Jaime Blanco
18 and myself, it was from that point on when the union
19 started to talk to Drummond about the presence that
20 they had in the casino, in the food hall.

21 And Mr. Samario at all meetings with

1 Tolemaida he was inside the food hall.

2 BY MR. JEFFRESS:

3 Q Did you hear what was discussed at meetings
4 between Jaime Blanco and Tolemaida?

5 MR. COLLINGSWORTH: Object as to form.

6 THE WITNESS: But at those meetings when
7 Jaime Blanco and Tolemaida met at the food hall, the
8 casino, and I was present he would come in, he would
9 listen, he would participate and he would leave after
10 that and then Jaime Blanco will keep on talking with
11 Tolemaida.

12 I know, I know how and why Tolemaida
13 would go frequently to the food hall, to the casino
14 to meet with Tolemaida.

15 BY MR. JEFFRESS:

16 Q And in many of those?

17 THE INTERPRETER: Assume to meet with Jaime
18 Blanco.

19 It was interpreter's mistake.

20 BY MR. JEFFRESS:

21 Q In any of those meetings between Tolemaida

1 and Jaime Blanco, was the murder of union leaders
2 discussed?

3 A Not only at those meetings in the food
4 hall, the casino, but also in San Angel, Magdalena
5 where Tolemaida had his military headquarters. The
6 agreement the top particular what they always discussed
7 was strategy against the union.

8 Q The strategy against the union was the
9 topic of discussion between Tolemaida and Jaime Blanco?

10 A First, they talk about the presence of
11 paramilitary forces in the casino and the Drummond
12 mine. Secondly, when Jim Adkins went to visit the mine
13 or went to Drummond, he went there to talk about the
14 workers or the daily operations. He went to see how he
15 could get rid of those workers and leave them out, just
16 like dogs in the street.

17 MR. JEFFRESS: I move to strike as
18 nonresponsive.

19 BY MR. JEFFRESS:

20 Q And I ask you to listen carefully to my
21 question.

1 Did you hear Jaime Blanco and Tolemaida
2 discussing strategy against the union?

3 A Yes, sir.

4 Q Did you in March of 2001, less than a week
5 before the murders of the union leaders, did you go
6 with Jaime Blanco to meet with Tolemaida in San Angel?

7 THE JUDGE'S COURT REPORTER: (Speaking in
8 Spanish)

9 THE WITNESS: Well, after the meeting of
10 the 6th of March with Jim Adkins, Jaime Blanco,
11 Tolemaida, and myself met in San Angel, Magdalena and
12 the goal was to order Adinael, who was the commander in
13 that area with a special mission, that it was to kill
14 the union leaders.

15 BY MR. JEFFRESS:

16 Q Is it accurate to say that Jaime Blanco
17 asked you to go meet with Tolemaida to coordinate the
18 deaths of the union leaders?

19 MR. COLLINGSWORTH: Object as to form.

20 THE WITNESS: It was an order of Jim
21 Adkins, an order to Jaime Blanco Maya and myself to

1 meet with Tolemaida in San Angel.

2 BY MR. JEFFRESS:

3 Q Did you hear the conversation between
4 Tolemaida and Jaime Blanco?

5 MR. COLLINGSWORTH: Object as to form.

6 THE WITNESS: Tolemaida, Jaime Blanco,
7 myself in San Angel, we were there with a specific goal
8 to talk to discuss by order of Jim Adkins anything that
9 had to do with the union leaders and the operation.

10 BY MR. JEFFRESS:

11 Q Let's be accurate. Mr. Jim Adkins was not
12 present at this meeting with Tolemaida in San Angel,
13 correct?

14 A Mr. Jim Adkins never, never went to San
15 Angel to talk to Tolemaida.

16 Q Did Jaime Blanco tell you after the meeting
17 with Tolemaida that Tolemaida had given the order to
18 Adinael and others to carry out the murders?

19 A As agree, as agreed with the meeting of the
20 12th of March of the year 2001 that Tolemaida told us,
21 to Jaime and myself, that he would give the order to

1 Commander Adinael.

2 Q Did you tell Jaime Blanco if that happened,
3 if the union leaders were murdered, he, Jaime Blanco,
4 would lose his contract with Drummond?

5 A That at Jim Adkins being Jim and Jaime I
6 told him Jim Jaime if we do this if we kill the union
7 leaders we will lose the contract with Drummond.

8 Q Well, let me ask you to look at paragraph
9 11 of your declaration which is Exhibit 5.

10 A (Witness reviewing document.)

11 Q And do you see in paragraph 11, Mr.
12 Charris, you say that after Jaime Blanco met with
13 Tolemaida in San Angel you told Jaime Blanco that he
14 would lose the contract he had with Drummond, correct?

15 A (Witness reviewing document.)

16 The paragraph referring to is number 11?

17 Q Paragraph 11.

18 A It is true that I have trouble with my
19 sight and I can't see very well.

20 Q I can read it.

21 A In the record, so I will just read it to

1 you. Paragraph 11 says, I told Jaime Blanco that he
2 would lose the contract he had with Drummond. Now,
3 that's something you told him after he met with
4 Tolemaida, correct?

5 THE INTERPRETER: Just one second, please.

6 MR. JEFFRESS: It's at the end.

7 THE INTERPRETER: The interpreter will read
8 for the record.

9 MR. JEFFRESS: Yes, please.

10 THE INTERPRETER: (Reading document in
11 Spanish)

12 BY MR. JEFFRESS:

13 Q And what did Jaime Blanco respond to you?

14 A That we were going kill the union leaders
15 that Drummond will terminate accurate I had with thank
16 it was for the provision of food services and that many
17 mothers and heads of household will be unemployed.

18 Q Your declaration says, and I ask the
19 interpreter to read this to you in Spanish.

20 In your declaration you say: He, Jaime
21 Blanco, answered that he was tired of so many problems

1 with those people from the union and that he could not
2 turn back. My question is: Did Jaime Blanco say that
3 to you?

4 A Yes, sir.

5 Q Did Jaime Blanco also say -- and this is
6 the next sentence of the declaration -- that he had
7 taken it as something personal and was too involved to
8 turn back on the plan?

9 THE INTERPRETER: Interpreter is just
10 giving her some time.

11 MR. JEFFRESS: Sure.

12 THE WITNESS: (Witness reviewing document.)

13 THE JUDGE'S COURT REPORTER: (Speaking in
14 Spanish).

15 THE WITNESS: He told me so, but with the
16 following goal.

17 BY MR. COLLINGSWORTH:

18 Q I'm sorry, with the following what?

19 A Goal.

20 Q Goal?

21 A Goal. When Jaime Blanco says not to go

1 back on the plan, on the plan, he wanted to comply with
2 instructions given to him by Jim Adkins at the office.

3 MR. JEFFRESS: Move to strike that last
4 part as nonresponsive.

5 BY MR. JEFFRESS:

6 Q Going back to the March 6th, 2001, meeting
7 inside the mine with Mr. Adkins --

8 MR. JEFFRESS: Translate that, please.

9 THE INTERPRETER: Interpreter translating.

10 BY MR. JEFFRESS:

11 Q First it is true, Mr. Charris, that you
12 went inside the Drummond mine as much as once or twice
13 a week in connection with the business of ISA, correct?

14 A I went in frequently when Jim Adkins called
15 me, and also to the camp at Gecolsa had inside a food
16 hall for the workers of the Caterpillar company.

17 Q When you went Gecolsa you needed to enter,
18 go through the entrance to the mine, correct?

19 A Drummond, Drummond mine, has only one main
20 entrance. Well --

21 MR. JEFFRESS: Could you translate that?

1 THE WITNESS: And it has several external
2 points of entry. One is 200 meters from Viginorte, the
3 camp that Viginorte has there. The other one is facing
4 the military base, the Centro de Entrenamiento training
5 center that goes to Becerril, Aguas de Birico, Jaiguas
6 de Birico, Las Palmitas and other villages in the area
7 of the Cesar.

8 BY MR. JEFFRESS:

9 Q Well, my question was: To visit Gecolsa
10 did you need to go through one of the entrances to the
11 Drummond mine?

12 MR. LINARES: No, no, no.

13 THE INTERPRETER: I'm sorry. That was
14 interpreter's mistake. The interpreter will restate
15 the question.

16 MR. JEFFRESS: Gecolsa.

17 THE WITNESS: Yes, sir.

18 BY MR. JEFFRESS:

19 Q Did Jim Adkins ask Jaime Blanco during that
20 meeting on March the 6th of 2001 whether Jaime Blanco
21 had any connections with the AUC?

1 A Yes, sir.

2 Q And what did Jaime Blanco respond?

3 THE INTERPRETER: I need to clarify
4 something.

5 THE WITNESS: Well, Jaime Blanco told me at
6 that meeting and, you know, why Jim Adkins is telling
7 or asking Jaime Blanco at that meeting on the 6th of
8 March if he had someone from the AUC why Jim asked
9 Jaime that question because Jaime did not know well
10 Tolemaida by name.

11 BY MR. JEFFRESS:

12 Q I'm sorry? Jaime Blanco did not know
13 Tolemaida well?

14 A He was acquainted, always had been
15 acquainted with El Tigre. That was it. That was it.

16 Q My question to you was: When Jim Adkins
17 asked whether Jaime Blanco had any connections with the
18 AUC what did; Jaime Blanco tell Jim Adkins?

19 THE JUDGE'S COURT REPORTER: (Speaking in
20 Spanish)

21 THE INTERPRETER: (Speaking in Spanish)

1 MR. JEFFRESS: Blanco.

2 THE WITNESS: That he had some relationship
3 with the AUC.

4 BY MR. JEFFRESS:

5 Q And did Jim Adkins -- let me just ask you.
6 In your declaration paragraph 7 -- do you see your
7 declaration, paragraph 7, it says -- your declaration
8 says Jim Adkins told Jaime Blanco that he should talk
9 to Commander Tolemaida to get him to provide security
10 for the railroad and to do other jobs?

11 Was that true that statement in your
12 declaration?

13 A Yes, sir.

14 Q So before -- this meeting was March 6th,
15 2001, correct?

16 A Yes, sir.

17 Q So, to your knowledge, the Juan Andres
18 Alvarez Front was not at that time providing security
19 for the railroad?

20 MR. COLLINGSWORTH: Object as to form.

21 THE INTERPRETER: So as you knew back

1 then --

2 MS. LEETE: Spanish.

3 THE INTERPRETER: My mistake. Thank you
4 very much.

5 THE WITNESS: By the year 2001, by the year
6 2000 as well, there at the railroad area and around the
7 mine it was no guerilla presence.

8 BY MR. JEFFRESS:

9 Q Okay. Do you know what the Colectivo Jose
10 Alvear Restrepo is?

11 MR. LINARES: Alvear?

12 MR. JEFFRESS: A-L-V-E-A-R.

13 THE WITNESS: I don't know what Alvear
14 Restrepo is. I don't know the question.

15 BY MR. JEFFRESS:

16 Q I'm just about done, Mr. Charris.

17 You received a 30-year sentence for
18 participation in the murders of the union leaders; is
19 that correct?

20 A Yes, sir.

21 Q And did you tell the Court at your trial

1 that you were seeking to qualify for benefits under the
2 Justice and Peace program?

3 A Well, at that hearing, at that sentencing
4 hearing, in front of the judge that was a proceeding
5 with many judicial problems that justice, the Court,
6 sentences me to 30 years in jail.

7 And I would like to say something else.

8 But charges of the prosecution in all
9 respects, the prosecution states that '2001 the day of
10 the deed I was already a member of the paramilitary
11 forces of the front Juan Andres Alvarez.

12 Q Okay. But my question is just this: Are
13 you hoping to obtain benefits under the Justice and
14 Peace program?

15 THE JUDGE'S COURT REPORTER: Pardon?

16 THE WITNESS: Well Justice and Peace, the
17 only benefit that I could receive from them is to seek
18 an alternative sentence from five to eight years in
19 jail according to the law 975 of the year 2005 and then
20 specialized justice and then for possible apprehensions
21 of Jaime Blanco Maya who is the brother of the ex

1 attorney general Edgardo Maya Villazon --

2 THE JUDGE'S COURT REPORTER: (Speaking in
3 Spanish).

4 THE WITNESS: -- and, secondly, for the
5 potential apprehension or capture of Oscar Jose Ospino
6 Pacheco, also Tolemaida, who gave information to an
7 agent of the CTI that is prosecution division number 12
8 and then also for clarification of these facts the
9 deeds for cooperation that produces results according
10 to article number 413 of the criminal code.

11 BY MR. JEFFRESS:

12 Q Do you understand -- is anything that you
13 have told us in the last two days or anything that you
14 have told Francisco Ramirez or Terry, is any of that
15 information likely to increase your sentence of 30
16 years?

17 MR. COLLINGSWORTH: Object as to form.

18 THE JUDGE'S COURT REPORTER: Pardon?

19 THE WITNESS: Will you repeat the question?
20 I don't understand it.

21 THE INTERPRETER: Interpreter can repeat

1 the question.

2 MR. JEFFRESS: Sure. I'll repeat it,
3 shorten it.

4 BY MR. JEFFRESS:

5 Q Is anything that you have said to the
6 Plaintiffs' lawyers or to us here likely to increase
7 your 30-year sentence?

8 MR. COLLINGSWORTH: Same objection as to
9 form.

10 THE WITNESS: What I said yesterday that
11 Drummond, Drummond attorneys published that they sent
12 their congratulations to the Department of Justice for
13 the sentence the 30-year sentence that they gave me.

14 BY MR. JEFFRESS:

15 Q Okay. Let me ask it a different way. Mr.
16 Charris, you have talked here for two days about your
17 knowledge concerning Drummond and Jim Adkins and the
18 murder of the union leaders, correct?

19 And my question is: Is anything that you
20 have said likely to lengthen your sentence beyond 30
21 years?

1 MR. COLLINGSWORTH: Object to form.

2 THE WITNESS: Yes, sir.

3 Well, I am waiting for the decision of
4 the prosecutor before the Court about the kidnapping
5 and torture of Victor Hugo Orcasita who was the
6 vice-president of the Sintramienegetica union at
7 Drummond. I think that they are going give me more
8 time regarding those facts.

9 BY MR. JEFFRESS:

10 Q Let me ask you about that. So the sentence
11 that you have received doesn't include the murder of
12 the Victor Orcasita but only Valmore Locarno?

13 MR. LINARES: No, no, no.

14 THE JUDGE'S COURT REPORTER: (Speaking in
15 Spanish)

16 THE WITNESS: Well, I say it again, as I
17 stated several times during these proceedings, well,
18 the Colombian justice sentenced me to 30 years for the
19 killings of the union leaders, Valmore Locarno and
20 Victor Hugo Orcasita, president and vice-president of
21 the Sintramienegetica union of the Drummond Company.

1 Now, division 12 of the nation's
2 prosecutorial office is charging me for the
3 kidnapping and torture of Victor Hugo Orcasita
4 although I had no material participation in the
5 case.

6 BY MR. JEFFRESS:

7 Q I guess my question to you is: Is there
8 anything that you have said yesterday or today that
9 could in your mind subject you to more imprisonment
10 than you already have?

11 A Yes, sir.

12 Q Now, and what is that?

13 MR. COLLINGSWORTH: Object as to form.

14 THE WITNESS: Well, I'm not sentence about
15 the kidnapping without factors and torture, I have to
16 respond with a good legal defense in order to show to
17 the prosecutors that I had no material participation in
18 those facts.

19 BY MR. JEFFRESS:

20 Q You testified yesterday about a company
21 called Secolda. Do you remember that? Go ahead.

1 A Yes, sir.

2 Q What was Secolda?

3 A Well, Secolda, yes, I don't know if they
4 are still in operation, but it was a security company
5 that would provide first services to the Drummond
6 Company.

7 Q And you said something about Secolda
8 participated in providing money to the AUC. Is that
9 your testimony?

10 MS. LEETE: Not to the AUC.

11 MR. COLLINGSWORTH: Correct him.

12 THE INTERPRETER: I misunderstood. The
13 interpreter would like to correct the statement.
14 Interpreter misinterpreted as agency of AUC.

15 THE WITNESS: Well, Secolda, Secolda that
16 was first that provided security services inside the
17 mine, Drummond's mine. Well, it was the first company
18 that provided Secolda services, but like I said, like I
19 said, it was also to laundry money was a company --
20 it's a company property of Tolemaida and Jose Alfredo
21 Daza to laundry money for the AUC.

1 BY MR. JEFFRESS:

2 Q Who told you that?

3 A Mr. Jose Alfredo Daza Ortiz was killed by
4 the AUC.

5 Q When did he tell you that?

6 A He told me so on the 11th of March of the
7 year 2007.

8 THE INTERPRETER: Will you excuse us just
9 one second, please?

10 BY MR. JEFFRESS:

11 Q And that's not something that you had ever
12 heard before?

13 A Before I have a position as coordinator of
14 the Juan Andres Alvarez Front the first job that Jose
15 Daza Ortiz offered me and Commander Tolemaida was to
16 give a security service to the rail line that Santa
17 Marta and the area between Copey and Drummond.

18 MR. JEFFRESS: I move to strike that as
19 nonresponsive.

20 BY MR. JEFFRESS:

21 Q I'm asking you, you said Jose Daza told you

1 in 2007 that Secolda had laundered money for Drummond
2 and I believe you said to the AUC?

3 MR. JEFFRESS: Translate that.

4 BY MR. JEFFRESS:

5 Q And my question is: That's the basis of
6 your knowledge about Secolda payments to the AUC?

7 A What Jose Daza Ortiz said, he said to me --
8 he told me, Tolemaida, that he would launder the money
9 for Tolemaida in over 70 percent of all illegal things
10 and all finances that Jose Daza himself would obtain.

11 Q You mentioned Edwin Angulo Blanco? Was he
12 related to Jaime Blanco?

13 A Yes, sir.

14 Q How was he related?

15 A Mr. Edwin Angulo Blanco you have to see,
16 Mr. Attorney for Drummond, he was appointed by
17 Commander Tolemaida and by Jaime Blanco Maya to point
18 out the union leaders whom he pointed out to on
19 March 12th since he was with Adinael.

20 And the prosecutor's office in this whole
21 judicial proceeding tells me that the person that was

1 the guide was myself. There are many, many questions,
2 a lot of confusion, about the participation of Edwin
3 Angulo Blanco.

4 Q And you deny telling Mr. Ochoa in prison in
5 2003 that you were the one who pointed out the union
6 leaders to the murder?

7 THE JUDGE'S COURT REPORTER: (Speaking in
8 Spanish)

9 THE WITNESS: In 2003 in the jail, in the
10 mid-security prison in Valledupar, I met with
11 Mr. Ernesto Ochoa Quinones, alias El Mecanico, where we
12 have the differences. He tells me -- he tells me about
13 the crime I was in prison for. He asked me what crime
14 I was in prison for and I told him that it was for
15 conspiracy to commit a crime.

16 I was captured on November 27th, 2003,
17 before me being the coordinator for the Juan Andres
18 Alvarez Front, he as an official document says a
19 statement provided to the prosecutor's office that
20 it was the second commander, alias James or El
21 Amiguito, that it was James or El Amiguito for which

1 reason, I don't know why he gave this statement
2 against me where he says that I on the day the facts
3 took place I was in the operation and he also tells
4 me that I was at the mine. Take into account that I
5 cannot be in two places at the same time.

6 MR. JEFFRESS: Just a moment. That's all
7 of the questions I have, Mr. Charris.

8 MR. COLLINGSWORTH: Your Honor, could I,
9 please, ask three or four follow-up questions?

10 THE CLERK: Yes, you may.

11 MR. COLLINGSWORTH: Thank you.

12 FURTHER EXAMINATION BY MR. COLLINGSWORTH:

13 Q Mr. Charris, just a few questions. I know
14 you're tired.

15 A Yes, sir.

16 Q If you can get Exhibit 5 which is your
17 declaration. I think that's it on top. You'll recall
18 that Mr. Jeffress asked you a number of questions about
19 paragraph 7, and the questions he asked you were about
20 whether Jaime Blanco on March 6th, 2001, at the meeting
21 you described had a contact with Tolemaida at that

1 time?

2 MR. JEFFRESS: Objection.

3 That wasn't my question.

4 THE INTERPRETER: Hold on one second.

5 THE JUDGE'S COURT REPORTER: Please, can
6 you repeat. The question was: I would like to ask --

7 BY MR. COLLINGSWORTH:

8 Q Did Mr. Jeffress was asking you about
9 whether Adkins had asked Mr. Blanco about his
10 connection to do Mr. Tolemaida?

11 MR. JEFFRESS: Objection. Objection.

12 That wasn't my question.

13 BY MR. COLLINGSWORTH:

14 Q My question is: Prior to March 6th, 2001,
15 did Jaime Blanco have connections to the AUC?

16 A Yes, sir.

17 Q And who had been his contact prior to
18 March 6th, 2001?

19 THE JUDGE'S COURT REPORTER: Pardon?
20 (Speaking in Spanish)

21 THE WITNESS: Commander Jhon Jairo

1 Esquivel, alias El Tigre.

2 BY MR. COLLINGSWORTH:

3 Q Do you know approximately when El Tigre
4 stopped being the commander of the Juan Andres Alvarez
5 Front?

6 A Commander El Tigre stopped working with the
7 Juan Andres Alvarez Front in July of the year 2000
8 because by the date of June or July he was captured in
9 Violencia, Cordoba.

10 Q And who took over for El Tigre after he was
11 captured as the head of the Juan Andres Alvarez Front?

12 A The taking over of the whole Juan Andres
13 Alvarez, the whole Juan Andres Alvarez Front, was left
14 in the hands of Tolemaida.

15 Q And on March 6th, 2001, did either you or
16 Jaime Blanco have a relationship with Tolemaida?

17 A Yes, sir.

18 Q And did -- at the meeting at March 6th,
19 2001, did you tell Jim Adkins this?

20 THE JUDGE'S COURT REPORTER: (Speaking in
21 Spanish)

1 THE INTERPRETER: Jim Adkins.

2 THE WITNESS: At the meeting, that the
3 meeting of March the 6th by the same saying of Jaime
4 Blanco he knew that -- you knew that he had direct
5 connection with Commander Tolemaida.

6 BY MR. COLLINGSWORTH:

7 Q Mr. Jeffress asked you a number of
8 questions about two e-mails that were sent to Drummond
9 and you testified that Jaime Blanco wrote them and not
10 you. Do you recall that?

11 THE JUDGE'S COURT REPORTER: (Speaking in
12 Spanish).

13 BY MR. COLLINGSWORTH:

14 Q I'm just asking: Do you remember that
15 discussion yesterday?

16 A Yes, sir.

17 Q And he asked you if you knew that Drummond
18 had turned those e-mails over to the prosecutor's
19 office, and what was your response to that?

20 MR. JEFFRESS: Objection.

21 You're repeating.

1 THE JUDGE'S COURT REPORTER: One moment.

2 BY MR. COLLINGSWORTH:

3 Q Let me ask a fresh question. Before Mr.
4 Jeffress told you that Drummond had turned those over
5 e-mails to the prosecutor's office, did you know that?

6 A I knew, I knew about what Jorge Blanco Maya
7 had said --

8 MR. COLLINGSWORTH: Jaime Blanco Maya.

9 THE WITNESS: About what Jaime Blanco Maya
10 had said to Augusto Jimenez.

11 THE INTERPRETER: Interpreter repeating.

12 MR. COLLINGSWORTH: She was translating his
13 answer.

14 THE WITNESS: I knew about what Jaime
15 Blanco Maya had said to Augusto Jimenez. I knew about
16 the preparation of that e-mail to send it to Augusto
17 himself and to Mr. Lineros. Since Jaime Blanco Maya
18 was the one that had the e-mail, the e-mail addresses
19 of those two individuals, and that cause that because
20 Jaime Blanco Maya in the apartment in Bogota told me
21 that Drummond, through whichever means, would send this

1 to the prosecutor's office so that they will then give
2 an order to capture me.

3 BY MR. COLLINGSWORTH:

4 Q Did you -- do you believe that part of the
5 reason you were captured is because Drummond sent those
6 e-mails to the Fiscalia?

7 A Yes, sir.

8 Q Why do you think Drummond did that?

9 MR. JEFFRESS: Objection.

10 THE WITNESS: Drummond sent that e-mail to
11 the prosecutor's office with the purpose of cleaning
12 their hands and make them believe that this was --
13 making them believe that this was extortion, that I was
14 trying to extort this to Drummond officials so that
15 they could wash their hands.

16 BY MR. COLLINGSWORTH:

17 Q What do you mean by wash their hands?

18 MR. JEFFRESS: Objection.

19 THE WITNESS: Just to take all
20 responsibility away from Drummond.

21 BY MR. COLLINGSWORTH:

1 Q Mr. Jeffress asked you some questions about
2 Exhibit 13 which was your testimony to the Fiscal
3 William Pacheco Granados. Do you remember giving that
4 testimony?

5 THE JUDGE'S COURT REPORTER: (Speaking in
6 Spanish)

7 THE WITNESS: Yes. Mr. Jeffress handed
8 me the document.

9 BY MR. COLLINGSWORTH:

10 Q Did you testify that you had requested a
11 copy of that testimony from Mr. Pacheco and never
12 received it?

13 MR. JEFFRESS: Objection, leading.

14 THE JUDGE'S COURT REPORTER: One moment.

15 THE WITNESS: On two occasions, on two
16 occasions I requested to him, I formally requested
17 this to him through legal means from the medium- and
18 high-security prison jails in San Isidro, Popayan
19 Cauca to prosecutor number 22 counterterrorism in
20 Bogota to send me the statement given before the
21 office, and up to this date he has not provided an

1 answer to that request.

2 The administrative code in articles 5
3 and 6 and 27 states the following: That petitions
4 sent before the legal function areas of the
5 Colombian government have to be answered in a period
6 of 8 to 15 days.

7 BY MR. COLLINGSWORTH:

8 Q When you finally saw this testimony here
9 today, when Mr. Jeffress gave you a copy of it, you
10 believe that it had been altered, that you didn't
11 testify as the document says; is that correct?

12 A Yes, sir.

13 Q Did you have a chance to observe the
14 demeanor between the prosecutor, Mr. Pacheco, and the
15 lawyer for Augusto Jimenez, Jaime Bernal Cuellar, and
16 the lawyer for Alfredo Araujo, Nodier Agudelo, and then
17 court? Did you have a chance to observe the demeanor
18 before them?

19 MR. JEFFRESS: Objection, form, vague.

20 MR. COLLINGSWORTH: That's not what I
21 asked.

1 THE INTERPRETER: I'm sorry?

2 MR. COLLINGSWORTH: Here are the names.

3 THE INTERPRETER: Counsel, excuse me, the
4 interpreter could you, please, repeat the question and
5 I will read the names carefully.

6 BY MR. COLLINGSWORTH:

7 Q I asked: Did he have a chance to observe
8 the demeanor between the prosecutor, Mr. Pacheco, the
9 lawyer for Augusto Jimenez, whose name is Jaime Bernal
10 Cuellar, and the lawyer for Alfredo Araujo, whose name
11 is Nodier Agudelo Betancourt?

12 MR. COLLINGSWORTH: Nodier.

13 MR. JEFFRESS: I repeat the objection.

14 THE WITNESS: The demeanor of Jaime Bernal
15 Cuellar who presented himself in that proceeding as the
16 attorney for Augusto Jimenez and the other attorney that
17 did not identify himself, and I knew this through what
18 the prosecutor said that he was the attorney of Alfredo
19 Araujo Castro where Jaime Bernal Cuellar told me he
20 was -- he focused what he said on the point of asking
21 me in what jail was I confined. His tone was kind of

1 malicious.

2 BY MR. COLLINGSWORTH:

3 Q Did the lawyers who were present appear
4 friendly with the prosecutor Mr. Pacheco?

5 MR. JEFFRESS: Objection, leading, form.

6 THE WITNESS: Yes, sir.

7 BY MR. COLLINGSWORTH:

8 Q What did you observe to lead you to that
9 conclusion?

10 THE JUDGE'S COURT REPORTER: One moment.

11 THE WITNESS: As long as the Colombian
12 justice operates in the fashion in our country which is
13 Colombia, beautiful, wonderful, I even mistrust even my
14 own shadow.

15 The prosecutor's office number 22 with
16 the two Drummond attorneys they had conversations
17 that were favorable to Drummond for convenience of
18 Drummond.

19 BY MR. COLLINGSWORTH:

20 Q Can you explain a bit more what you mean by
21 that?

1 MR. JEFFRESS: Objection.

2 THE WITNESS: What do you want to say about
3 this, that Mr. Garry Drummond with his money he wants
4 to put out the fire over everything he ordered to be
5 done in Colombia. I respect the Colombian justice, but
6 a lot of money is moved here.

7 MR. COLLINGSWORTH: Let me have my document
8 back.

9 BY MR. COLLINGSWORTH:

10 Q I just have one more question I think.
11 It's going to be a little long.

12 MR. JEFFRESS: In that case I object.

13 BY MR. COLLINGSWORTH:

14 Q I am going to refer to Exhibit 11 which Mr.
15 Jeffress asked you some questions about. Mr. Jeffress
16 read you a simple exchange which I'm going to now read
17 to you.

18 The question was -- and this is from page
19 266 of Exhibit 11. The question was: Do you know what
20 sort of relationship the Drummond Company had with
21 paramilitary groups? Answer: No.

1 I'm going to read you the rest of that
2 exchange. Question: You don't know? Answer: Please,
3 repeat your question. I'm not sure here.

4 THE JUDGE'S COURT REPORTER: I, please, ask
5 you to go a little slower.

6 BY MR. COLLINGSWORTH: I'm pretty sure my
7 English speed is not relevant here.

8 THE JUDGE'S COURT REPORTER: The thing is I
9 am not listening to you, the interpreter.

10 MR. COLLINGSWORTH: If she needs someone to
11 slow down, she needs you to slow down, okay? So I'm
12 going continue to read this and you go as slow as you
13 need to to make sure she gets it. I'll begin again.

14 BY MR. COLLINGSWORTH:

15 Q Question: You don't know? Answer:
16 Please, repeat your question. I'm not sure here.

17 Question: Do you know what sort of relationship the
18 Drummond Company had with the paramilitaries? Answer:
19 I'll tell you, ma'am, as per the meeting from that day
20 when the American stated that the job needed to be done
21 on the labor unionist in order to dismantle the union

1 well as per that meeting before those meetings Jaime
2 Blanco spoke with the colonel --

3 MR. JEFFRESS: I'm sorry, there's words in
4 the Spanish that you're not reading.

5 MR. COLLINGSWORTH: Well, there's a paren
6 that says illegible.

7 MR. JEFFRESS: You're reading an English
8 translation which is not correct. If you look at the
9 Spanish, the words are there.

10 MR. COLLINGSWORTH: I'm going to continue
11 with my question.

12 MR. JEFFRESS: But you're reading it
13 inaccurately.

14 MR. COLLINGSWORTH: I realize what I'm
15 reading.

16 BY MR. COLLINGSWORTH:

17 Q Spoke with the Colonel Luis Carlos and it
18 Jean Haki -- with more illegible -- did not --

19 MR. JEFFRESS: Object.

20 It's not illegible.

21 BY MR. COLLINGSWORTH:

1 Q -- because they would not -- they would,
2 paren, illegible --

3 MR. JEFFRESS: That's not a mistake.

4 BY MR. COLLINGSWORTH:

5 Q They would review the surroundings of the
6 mine. Question: In relation to the question asked and
7 the answer given are you referring at all to
8 paramilitary groups? Answer: I'm not sure if I
9 responded to your question or not. I'm not sure of
10 that, ma'am.

11 Do you recall giving that testimony?

12 A You have to ask me that question with
13 greater detail.

14 Q I'm asking if you recall being clear at all
15 about what was being asked and answered in that
16 exchange.

17 A If you're referring to the meeting on March
18 the 6th where through Garry Drummond the mission
19 assigned to Jim Adkins it was that if Jim Adkins
20 through Jaime Blanco Maya or myself, if we had any
21 relationship with the AUC.

1 Q I'm simply asking that in that long
2 exchange that I read was it clear to you what was being
3 discussed in terms of the relationship between the AUC
4 and Drummond?

5 MR. JEFFRESS: Objection.

6 THE WITNESS: Yes, sir.

7 THE JUDGE'S COURT REPORTER: (Speaking in
8 Spanish)

9 BY MR. COLLINGSWORTH:

10 Q At the time you were giving this testimony
11 in Exhibit 11, which was June 23rd, 2009, in the
12 exchange I just read to you, were you clear on the
13 questions that were being asked?

14 MR. JEFFRESS: Objection, asked and
15 answered.

16 THE WITNESS: The questions asked by whom,
17 by the Drummond attorney?

18 BY MR. COLLINGSWORTH:

19 Q No, by the prosecutor in this testimony
20 given on June 23rd, 2009, Exhibit 11.

21 A No. No, they were not clear. That

1 proceeding, if we're talking about prosecutor number
2 22, that was altered.

3 Q As you sit here now, is it your testimony
4 that there was a relationship between Drummond and the
5 AUC that you observed?

6 MR. JEFFRESS: Objection, leading, asked
7 and answered.

8 THE WITNESS: Yes, sir.

9 MR. COLLINGSWORTH: I have no further
10 questions.

11 MR. JEFFRESS: One question.

12 FURTHER EXAMINATION BY MR. JEFFRESS:

13 Q Mr. Charris, the request you made to
14 prosecutor 22 for a copy of your statement in
15 February 2010, was that request in writing?

16 THE INTERPRETER: What was that?

17 MR. JEFFRESS: Was the request in writing
18 from prosecutor 22?

19 THE WITNESS: Can I explain that to you?

20 BY MR. JEFFRESS:

21 Q Sure.

1 A According to Colombian law, under the
2 charter and the penal code and the code of criminal
3 procedure, the international human rights, the Geneva
4 treaties where they say that every individual who are
5 not free and who are in jails in Colombia they will
6 request to the legal entities through the right to
7 petition where the same accusing party, which is
8 prosecutor number 22, is violating my rights on due
9 process.

10 Q My only question is: Did you make a
11 written request? Was it in writing?

12 A Two petitions.

13 Q Would you provide copies of those petitions
14 to counsel for the Plaintiffs' and to me?

15 A For the copies to be sent to you could you,
16 please, provide me the address where they should be
17 sent to so that on forwarding these correspondence the
18 stamps of the penitentiary would appear on it; that I
19 have them with me where I am at, which is the primary
20 cell where the dates, the forwarding date, appears and
21 the date of when the document was prepared.

1 Q Will you do that?

2 MR. JEFFRESS: That's all I have.

3 MR. COLLINGSWORTH: Your Honor, thank you
4 very much for your patience. We appreciate it and I
5 think we can now go off the record.

6 THE VIDEOGRAPHER: Going off the record at
7 1:13.

8 THE COURT: Thank you to all. Could you
9 please remain for the signing of the proceedings.

10 MR. COLLINGSWORTH: Of course.

11 (Letters Rogatory Video Hearing concluded
12 at 1:13 p.m.)

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1 District of Columbia,

2 At Large, to wit:

3 I, Steven Poulakos, a Notary Public of
4 the District of Columbia, do hereby certify that the
5 within-named witness personally appeared before me
6 at the time and place herein set out, and after having
7 been duly sworn by me, according to law, was examined
8 by counsel.

9 I further certify that the examination was
10 recorded stenographically by me and this transcript
11 is a true record of the proceedings.

12 I further certify that I am not of counsel
13 to any of the parties, nor in any way interested in
14 the outcome of this action.

15 As witness my hand this 4th day of June,
16 2012.

17  ———

18 Steven Poulakos

19 Notary Public

20 My commission expires:

21 May 31, 2013

	2009 (16) 133:6;134:5;135:7,15,18,19; 136:8;139:9;140:8;144:12; 151:10;161:1;162:18;163:17; 214:11,20		216:7 acquainted (2) 188:14,15
1		6	acquittal (1) 141:12
1:13 (2) 217:7,12		6 (2) 175:16;207:3	action (1) 218:14
10 (1) 135:8	2010 (5) 154:12;156:16;162:18; 163:12;215:15	67 (2) 142:9,12	activities (2) 146:20;150:8
100 (1) 129:11	2012 (3) 131:7;132:6;218:16	69 (2) 140:12,13	actor (3) 138:2,8,19
10-07 (1) 129:5	2013 (1) 218:21	6th (12) 181:10;186:6;187:20;188:7; 189:14;200:20;201:14,18; 202:15,18;203:3;213:18	acts (2) 141:19,20
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