



Lawyer Who Won \$9.5B Case Against Chevron Spent 993 Days Under House Arrest - Demands Biden Pardon

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Talia Baroncelli (TB): You're watching *theAnalysis.news*, and I'm Talia Baroncelli. Today, I'll be speaking to human rights lawyer Steven Donziger. We'll be speaking about his case against Chevron and why it's absolutely crucial that President Biden now pardon Steven Donziger.

If you'd like to support the work that we do, you can go to our website, *theAnalysis.news*. You can hit the donate button at the top right corner of the screen. Most importantly, make sure you're on our mailing list; that way, we can send all of our content straight to your inbox. You can like and subscribe to our YouTube channel or listen to us on podcast streaming services such as Apple or Spotify. See you in a bit with Steven Donziger.

My guest today is Steven Donziger. He's a renowned American human rights attorney who's been fighting for environmental justice and the rights of Indigenous people for his entire career. Most notably, he won a landmark case against the oil giant Chevron, requiring Chevron to pay \$9.5 billion in damages to Indigenous communities in Ecuador due to the amount of pollution and toxic waste that Chevron had spilled on their lands. Chevron subsequently launched a case against Steven Donziger, accusing him of fabricating evidence in the case.

After a U.S. federal court refused to prosecute the case, a judge appointed a corporate prosecutor to pursue charges against Donziger. This court, which was without a jury, found him guilty of being in contempt of court. He served a total of 993 days under house arrest, as well as time spent in jail for what should have just been a six-month misdemeanor.

I have the privilege of getting Steven on the line, and I wanted to ask him why it's so important that Biden now pardon him. Steven, it's really great to have you today. We just saw 34 members of Congress write a letter to ask Biden to pardon you. This comes after Biden has pardoned a whole bunch of other people who actually committed crimes, but you have not committed the crime that you're accused of having committed. Can you explain why it's so important for Biden to pardon you now and how that would be holding big oil to account?

Steven Donziger (SD): Yeah, well, thank you. I think there are two reasons. One is personal to me, the other really is about what society we want to live in. What happened to me has never happened to anyone else before. Look, there are a lot of people in prison who have been victimized by flaws in our criminal justice system in the United States. What happened to me is a whole different thing.

Basically, I helped Amazon communities in Ecuador win a landmark \$10 billion pollution judgment against Chevron. In retaliation, Chevron convinced a judge to appoint the company lawyers to stand in the shoes of the U.S. government and criminally prosecute me on a baseless contempt of court charge, which was not a crime. They really used this case to deny me a jury and to lock me up for almost three years on a misdemeanor. A misdemeanor, for those who don't know, has a maximum sentence in prison of six months. I was locked up for over four times that amount because Chevron prosecuted me.

On a personal level, getting a pardon is super important because Chevron persecuted me and abused the law to restrict my ability to do my work as a human rights lawyer to help the Amazon communities in Ecuador who desperately need legal counsel to really stave off extinction and to remediate their ancestral lands down in the Amazon.

As importantly, a pardon would allow President Biden to send a very clear message to our society that private corporate prosecutions and the jailing of human rights lawyers by corporations will never again happen in the United States of America. Unfortunately, President Biden is my court of last resort because even though several federal judges have ruled the case against me was totally unconstitutional, five jurists in the United Nations have

ruled it violates international law, the reality is none of these appellate courts ever reversed my non-jury misdemeanor conviction, (conviction in quotes). So it really still stands.

The Supreme Court, even though two justices issued a ruling that my conviction was unconstitutional, the rest of the justices wouldn't take up my appeal to even consider it. I need President Biden to act. The world needs President Biden to act. The climate movement needs him to act. Really, everyone who believes in free speech and everyone who engages in advocacy needs him to act. We simply cannot live in a society where corporations can criminally prosecute people and lock them up, and that's what happened to me.

TB: Yeah, I will ask you more about the Supreme Court refusing to hear your appeal. Actually, I think it was Neil Gorsuch who ruled that holding you and detaining you in this manner is unconstitutional. But before we get to that aspect, maybe we could speak a bit more about what the original case was back in the '90s and what Chevron, I think the company was Texaco at the time and was later bought by Chevron, what they were doing, what toxic waste they were spilling in Indigenous communities and on their land in Ecuador. Then we can speak about how the case was actually completely hijacked by Chevron and these tactics that are called SLAPP, so strategic litigation against public prosecution, how these companies actually engage in those really illegal and shady means of trying to actually target the lawyers who are behind trying to bring justice to the victims rather than pay out damages.

TB: Well, so what happened is Texaco went into this pristine area, the rainforest, way back in the 1960s, and they built hundreds of well sites over 1,500 square mile area of rainforest. They did not spill the oil. They deliberately designed a system of oil extraction to collude, that is, to offload, over time, literally billions of gallons of cancer-causing oil waste into the rivers and streams that the local Indigenous groups and farmer communities use as their water supply as their drinking water. They use these waters, these freshwater sources, for fishing, bathing, and sustenance. The Indigenous groups had lived there for millennia, literally thousands of years. In a few short years, because of Texaco making this decision, they essentially poisoned the water supply that five Indigenous nations had relied on, as well as dozens and dozens of farmer communities, tens of thousands of people in this ecosystem, this beautiful natural ecosystem, which is essentially destroyed.

When I first went down there in 1993, I saw all this, and I saw these open-air, Olympic-size pools of oil waste gouged out of the jungle floor with no lining. Many of them had pipes to run the oil waste into the nearby rivers and streams that, again, people were relying on for drinking water.

We decided, a small group of lawyers, along with the community leaders down there, to launch this lawsuit in U.S. courts. Ultimately, at that time, it was against Texaco. Chevron later bought Texaco, so they're now the defendant. But at that time, the oil company fought relentlessly for years to move the litigation down into Ecuador's courts because they were so scared of a jury trial in the United States. Eventually, they succeeded in moving it to Ecuador

on the condition that they accepted the jurisdiction of Ecuador's courts.

To make a very long story short, over the next eight years, we litigated this case. I say eight years because Chevron deployed literally dozens and dozens of lawyers to delay and sabotage the trial every step of the way. They simply felt it would be more cost-effective for them to pay lawyers to get in the way of justice than to let the case run its normal course to the conclusion that they were certain to lose based on the evidence.

Eventually, we overcame all the delay tactics. We won the case. Even though they had accepted jurisdiction in Ecuador, even though they had promised to pay any adverse judgment, instead of doing that, they went after me personally to try to really ruin my life, force me out of the case because they calculated that given my... I had a pretty vital role in organizing this lawsuit, managing the lawsuit, and raising the money needed to do the lawsuit; I think they determined that if they could knock me out and intimidate me into leaving, the entire case would fall apart. The people of Ecuador who, even though they're vital, they really, without lawyers, would have no way to defend themselves. They determined that if they could knock me out and knock the other lawyers out, they could win the case based on might, even though they couldn't win it based on merit.

As a result, they launched what really has turned out to be the most vicious and well-financed corporate retaliation campaign targeting a lawyer in U.S. history, and I'm the target.

TB: At some point, they said that they didn't recognize Ecuador's jurisdiction anymore. They wanted the case to be brought back to the United States, and then they were trying to get \$6 million in damages from you, but then they cut that \$60 million requirement so that there would be no damages involved; that way, they could actually ensure that there would be no jury. Is that correct?

SD: Well, what they really... you got your numbers a bit wrong, but the thrust of it is correct. They sued me for \$60 billion, not million. Based on this civil racketeering theory, the theory being that the entire mitigation that we had worked on for almost two decades at that point was a criminal conspiracy. They tried to criminalize the campaign of these Amazon communities and their lawyers to hold them accountable for poisoning the rainforest. They tried to make that into a criminal act. By the way, you see this more and more in American society now with what oil, the fossil fuel industry, is doing to activists. That's what you referred to earlier as a SLAPP lawsuit. That's what a SLAPP lawsuit is. It's a lawsuit meant to intimidate, harass, and take away people's rights to be advocates and to have free speech. That's what this lawsuit is. It's probably the mother of all SLAPP lawsuits. SLAPP lawsuits are totally illegitimate. Often courts, particularly now in the United States, when our courts have moved to, generally, a very pro-corporate tilt, our courts have moved to the right, a lot of judges are entertaining these cases as a way to help corporations evade liabilities, this being one obvious example.

Rather than pay the judgment, they went after me and sued me for \$60 billion. When you sue

for damages in the U.S., the defendant is entitled to a jury trial under our Constitution. In my case, literally on the eve of the trial, they dropped every penny of the damages claims to avoid a jury because they were so scared of a jury. The judge was completely on their side. He was pro-corporate. He was orchestrating it along with their lawyers to try to help them not pay the liability to the people of Ecuador. It was an awful experience for me personally to be a defendant in a completely unfair, I would even argue, farcical legal proceeding in U.S. courts.

At the end of the day, they dropped the money damages as a way to avoid a jury. The judge predictably would not let me defend myself. He ruled against me based largely on witness testimony from a man Chevron paid millions of dollars to. Completely illegal. You're not allowed to pay witnesses. The judge let them pay this witness. He lied about me in court claiming I bribed the trial judge in Ecuador. He later admitted under oath that he lied repeatedly in court, but the judge never overturned his ruling against me. It wasn't about truth and justice. It was about using the courts, weaponizing the courts to really stop a brilliantly constructed campaign and legal effort by vulnerable communities to hold an oil company accountable. I fell into this situation in the U.S., where the legal system got corrupted by an oil company, which ultimately led to my detention for almost three years.

TB: Could you explain a bit more about how this case actually fell under Judge Lewis Kaplan at the U.S. District Court of Manhattan? Who was it that appointed him? He has all sorts of ties to Chevron. He's made investments in Chevron and is a corporate lawyer, so that's already super sketchy that he would be appointed. But how did this actually happen? Take us through the steps of that.

SD: Well, this is my opinion. Others differ. Those in Chevron differ. I believe it was all rigged from the beginning, and this is how it happened. Kaplan, who was appointed in the 1990s to a lifetime appointment as a federal trial judge, is known as a very pro-corporate jurist. He's a corporate hitman. His legal career before he became a judge was to defend the tobacco industry from litigation over smoking and health problems caused by smoking. He knew all the tricks of the trade of corporate defense. He was working with the Chevron lawyers to trick up the case and rig it. It's not an accident he was assigned to the case. Cases are supposed to be, by law, were supposed to be assigned randomly, but it was not an accident. They steered the case to him. He grabbed the case from the clerk's office and began to work with them to orchestrate this vicious weaponization of the law to try to attack me as a way of not paying the people of Ecuador and bringing down the judgment.

Now, it so happened that in me, he met someone with a fair amount of determination, resilience, and tenacity. I'm far from a perfect lawyer, but I stand by my clients, and I will fight. I was able to really mobilize a really good legal team, even though I had virtually no money. People represented me pro bono and fought back. Ultimately, even though he ended up issuing a judgment, the judgment had no credibility because the main witness he relied on admitted that he had been paid millions of dollars by Chevron and repeatedly lied in his testimony about me. We went to Canada to try to enforce judgment in the racketeering case

against we had little credibility. The underlying case in Ecuador had a huge amount of credibility, to the point where the Supreme Court of Canada issued a unanimous opinion in 2015, saying the Ecuadorians could sue Chevron in Canada and try to seize their assets. Once that happened, they did another level of trickery, where the judge charged me with criminal contempt of court for refusing to turn over my confidential case file to Chevron lawyers, which, by the way, is an unprecedented order. Never happened before in the history of civil litigation in the United States, forcing a lawyer to give his file to the other lawyers.

TB: I mean, it's a breach of attorney-client privileges, right?

SD: Exactly. It's crazy. It's crazy. When I appealed that order, he charged me with criminal contempt of court for not complying with the legal order he issued that I was appealing. At that point, the U.S. attorney, which gets these charges from a judge, by the way, is the only charge any judge can ever file directly since the executive branch prosecutes crime, not the judicial branch. But judges are allowed to charge criminal contempt, like when you disobey an order or act disrespectfully in court. He used that power to charge me. But the charges go to the prosecutor, the Department of Justice, to prosecute. Well, the Department of Justice of the United States, even under Trump, there's a Trump administration, refused to prosecute me. They rejected this case. At that point, it should have ended. This bar should have ended. Instead, this judge, Kaplan, appointed a private corporate law firm to stand in the shoes of the U.S. government to prosecute me. It turned out the law firm was really an oil and gas law firm with Chevron as a client. He didn't disclose that.

TB: That was in 2019, right?

SD: It was in 2019, a law firm called Seward & Kissel was completely conflicted. The whole entire case was illegal because I was being prosecuted by a judge and a prosecutor he appointed and was supervising rather than the executive branch, the Department of Justice. This became a huge issue on appeal. It's a technical issue. But the bottom line is that it was a way to rig a case and orchestrate a persecution of me that ended up putting me in detention at the behest of Chevron lawyers. These are the very lawyers I beat in court in Ecuador who came back and prosecuted me in the name of the U.S. government.

I just want to tell your viewers here that this is dangerous. This is a corporate playbook. It's really about corporate capture of at least elements of our federal judiciary. I don't know about you, but I don't really want to live in a country where a corporation can criminally prosecute its critic and jail him. That's what happened to me. Again, that's why a pardon from President Biden is so damn important. I need the pardon to work. I need the pardon to get my law license back, get my passport back, and help my clients. Yeah, I definitely need the pardon for that. Our society needs Biden to pardon me because we cannot live in a society where corporations can do this to their critics.

My case, look, there are a lot of people who deserve pardons, i.e., Leonard Peltier, Jessica Reznicek, and many people believe Edward Snowden and others.

TB: Julian Assange.

SD: Julian Assange. This case is a whole different animal. By the way, I haven't suffered personally. Look, this has been terrible being detained, especially when you didn't commit a crime. There was suffering involved. But I want to acknowledge that my suffering really pails in comparison to those of others who deserve pardons who have been victimized by our criminal justice system, and they deserve pardons, too. But in my case, because of this larger issue of corporate power over our courts, it's really important President Biden issue a pardon.

TB: Just a technical question. Usually, when a prosecutor brings a case, it would say the United States versus maybe Donziger in this case. But does it say Chevron versus Donziger? What do they put on paper?

SD: No, they put United States, even though it wasn't. Even though the United States had rejected the case, they called themselves the United States, and it's crazy.

TB: Well, it kind of is accurate if the corporate lobbies are controlling people in government and the court system. It's a sad reflection of reality.

SD: I mean, yeah. Look, I worked in the law and human rights for decades, and I've seen an increasing corporate consolidation of power over our courts, our government, and our society. Remember when Trump came in for the first time? The Secretary of State was the CEO of Exxon, Rex Tillerson. The fossil fuel industry, the oil industry, and a lot of the big industries, pharmaceuticals, for example, insurance, have really penetrated elements of our government such that they really are able to twist government to serve their interests.

It used to be in the '70s, '80s, and '90s when I was a young lawyer or even a student, the government generally acted as a check on corporate power. The government acted as the neutral party that was really set up to protect minorities and to protect consumers from corporate abuse. That's all changed. The government has now become an instrument of corporate power, and we're going to see that in full force in this next presidential term. We've also seen it through the Clinton years, the Obama years, and now the Biden years. They are still pretty much captured by corporate influence. Not completely. There are some good things that President Biden has done that corporations did not like, but the power of corporations, the unleashing of corporate money over our political system, and the Citizens United case have frankly completely changed American society. The place you can most see that, a lot of this is not necessarily visible to the naked eye, but the place where it's most obvious is in our Supreme Court. In our Supreme Court, there are basically six unelected justices. By the way, two of them back me.

TB: Yeah, I wanted to ask you about that. Why was it that not all of them back you? This is really a clear case, at least in my view; the corporations are at fault here and not you. Why wouldn't they hear your case at the Supreme Court level?

SD: That's a great question. They should have. They should have. So think about this. There are nine justices on the Supreme Court. It takes four to accept a case for an appeal and to review the case. I clearly had two who wanted to accept it. Two of the six ultra-conservatives. What happened to the three liberals?

TB: What happened to [Sonia] Sotomayor?

SD: All I needed was [Elena] Kagan, Sotomayor, or Ketanji Brown Jackson, two of those three to side with Gorsuch and [Brett M.] Kavanaugh, and my appeal would have been in there. Frankly, I think I would have won my appeal nine, nothing or eight-one or worse, seven-two. They would have reversed my conviction. This was BS, and they knew it. There were people from all across the political spectrum, from various differing judicial philosophies who were super offended by the idea that a corporation was able to prosecute somebody. It's not that they had any sympathy for the people of Ecuador or for environmental justice lawyering. They were just offended by the idea that a judge, an activist judge, in this case, Lewis Kaplan, could carry out this ridiculous scheme where he could appoint a Chevron law firm to prosecute Chevron's main critic criminally in the name of the government. People were offended by that.

I was really disappointed that I didn't get two of the three to bring it up. The bigger issues might be a little technical. My case got caught up a little bit in the politics of the court. What I mean by that is my case became a symbol of out-of-control judicial activism. The Conservatives, that is, Gorsuch and Kavanaugh, saw it as a way to help clarify lines of authority, such as the executive power that is the president. His or her power could be strengthened, and it could be made clear that only the executive branch, not judges, get to prosecute crime. But because this is a Federalist Society tenant, I think the three liberals didn't want to let Gorsuch and Kavanaugh use my case, even though I have such a strong claim, as the vehicle to carry out a Federalist Society power grab for the executive branch. I don't see it that way, but I think there were certain philosophical differences on the court. My case got caught up in a larger battle that really had very little to do with the fundamental justice that I'm due.

I'll add, though, by the way, there's another Court outside the United States called the Working Group on Arbitrary Detention of the United Nations. They take cases from individuals who are arbitrarily detained all over the world. There are five very respected international jurists, and they took my case. They issued a unanimous decision in 2021, calling my detention arbitrary and illegal. So the United States, in addition to the fact that two Supreme Court justices and another federal judge, all found my case unconstitutional under U.S. law. There are now five international jurists who have found the entire treatment to be illegal under international law. There are a bunch of judges who have determined, who agree with me. This isn't just me talking, There's evidence to back my opinion here.

TB: Well, even Amnesty International, even the German Amnesty International branch, I'm

based in Berlin. They've been writing all sorts of papers and statements calling for you to be pardoned by Biden. This is not a partisan issue in any way at all.

SD: That's exactly right. By the way, speaking of Amnesty International, I love them. They have been so supportive of me. They've issued an urgent action calling for President Biden to pardon me. When I was detained, they issued an urgent action for people to support me, and it really helped protect me in prison. When the prison authorities know that Amnesty is scrutinizing their treatment of a particular prisoner who's in for political reasons. I was a political prisoner, in my opinion, in the United States of America. They respect you a lot more, and you're able to be more safe. I was truly, truly fearful that I would be harmed in prison because, given how corrupt it had become in the courts, I didn't know how far that power extended. I didn't know if the judge or the Chevron lawyers could get the Bureau of Prisons, which is the federal bureaucracy that runs our federal prison system if they could get them to carry out their wishes. I was scared. I'm not scared to stand for my beliefs or face it. I was scared that I would, frankly, be killed in prison. I was nervous about that.

People, by the way, get killed in prison all the time. Nothing ever happens. It's a lawless environment. I was fearful of that, and Amnesty really helped protect me. Raising the profile of my case protected me. I want to take this opportunity to thank them. I still need their support, and they're still supporting me. Thanks to all the people in Amnesty who also wrote me letters. I literally got hundreds and hundreds of letters from Amnesty supporters around the world when I was in prison.

TB: You still can't leave the country because of this contempt charge, and Biden hasn't pardoned you yet. I'm just wondering when you look at this from a bird's-eye view, do you see this happening again? Because in this particular instance, it was unprecedented that a judge was able to appoint a prosecutor, even if the federal courts didn't want to do so. Do you see this happening more in the future, or are there any ways to prevent this corporate prosecution from continuing?

SD: Well, this is the only time it's happened. I do think there's a high risk it could happen again, particularly given that no court has stopped it yet. Even though judges have ruled it was unconstitutional, it still stands. I think a lot of oil companies would take inspiration from the fact Chevron, at least up to now, has gotten away with it. That's the reason why I'm asking President Biden to pardon me. It's not just about me. It's about sending a message to our society that corporations can't do this. Corporations cannot have this level of power and impunity where they can literally take over our court system to lock somebody up. So, yeah, I think there's a high risk.

By the way, I'll say that the climate justice movement around the world, given the nature of the climate crisis and the intensifying problems stemming from our failure to really stop an increase in fossil fuel production. All that has led to more protests, more activism, and more people on the streets. In the United States, we're seeing more draconian laws and sentencing of activists. There's a corporate playbook. The government has, for the most part, been way

too compliant and playing along with it to attack activism to criminalize activists.

Jessica Reznicek, who, by the way, also should have her sentence commuted, is a wonderful woman who, during the Dakota Pipeline protest, vandalized the pipeline. She committed an act of peaceful, nonviolent civil disobedience. The maximum sentence she could get was three years in prison. But the Justice Department went in and asked for an additional five years on this weird statute that allows a court to enhance a sentence if someone can be designated a terrorist. She was designated a terrorist for a peaceful act of nonviolence, civil disobedience that was designed to confront this polluting industry that was completely destroying Indigenous lands in the United States. That's awful.

Climate justice activists are not terrorists. There is this mass effort by the fossil fuel industry and other sectors, other corporate sectors in our society, to criminalize activism. Way too many state governments are playing along, and our federal courts too often play along. What happened to me is part of this trend, and that is why, again, it is so important it be stopped. I need to get a pardon.

By the way, there's another thing that needs to happen, which is there's a federal anti-SLAPP law for the first time that has now been filed both in the House and the Senate. Jamie Raskin, he's a great lawyer. He's now the ranking member on the House Judiciary Committee, is leading the effort in the House, and this bill needs to pass. These corporations need to know there will be a price to pay if they keep bringing these SLAPP lawsuits.

TB: Could you speak about climate litigation and some of the cases out there right now that you think are encouraging? We often see companies such as Chevron or Exxon use the First Amendment to say that they have a right not to inform the public and to spread inaccurate information about the effects of their toxic spills and burning fossil fuels. They've often used the First Amendment against Greenpeace activists, for example. I know Ted Broussard, who was representing Chevron in a lot of these climate liability cases, actually has ties to Citizens United. He was one of the lawyers who won Citizens United. Could you speak about some of these cases which you think are really important at the moment?

SD: Well, first of all, there are a lot of really good things happening in the climate justice space in courts, not just in the United States but all over the world. I want to caution everyone. The courts are not the solution. Courts reflect deeper things going on in other segments of our society, particularly mass citizen action. Courts very rarely lead. They follow. But the courts are the mechanism to implement significant legal changes that are needed to save the planet, which grows out of people organizing and pushing. I would encourage people who are lawyers and not lawyers to get involved in the climate justice movement and understand that courts, while they have great promise, have great limitations. That's the first thing to really be clear about.

The second thing is there are a lot of litigations that, I think, reflect the growing strength of the climate justice movement. I would say there are two I'd like to call attention to. One is a

series of cases from various U.S. states against the fossil fuel industry that are suing over the deception, the deceit that the industry has foisted on our society for decades, essentially lying about global warming, covering it up, funding front groups to create uncertainty, cast doubt on the science, and to keep things uncertain so they can keep producing fossil fuels, which, of course, are destroying the planet and protect their profits.

There's a whole series of cases where the industry as a whole, I think 11 states now have these cases, including California, Massachusetts, Maine, and many other states, that collectively could create really hundreds of billions of dollars, even trillions of dollars of liability for this industry for damage caused by the deception and the weather-related damages caused all over this country constantly now because of intensifying hurricanes, storms, heat, and the like. There's that series of cases that need to be watched.

The industry strategy on those cases is to get the Supreme Court to basically knock them out by saying they deal with federal questions, and they should be in federal court. Again, our federal courts are much friendlier to corporations than state courts. Ted Broussard, by the way, the guy you just mentioned, is leading the charge for the industry, trying to get the Supreme Court to just wholesale, get rid of all these cases. I don't think the court's going to do it. It would really undermine whatever legitimacy is left of the Supreme Court. I think they're going to let them twist a little bit and let these cases go forward and maybe deal with them at a later date if they have to.

The other case, which I think is a standalone fascinating case, is brought by a friend of mine, Melissa Sims, who is the lead lawyer on a case out of Puerto Rico. This is a different case. It's a federal RICO case, a racketeering case. Actually, the same law Chevron used in a bogus way against me personally. There's communities in Puerto Rico. There's the government of Puerto Rico that's using this RICO law to sue all the major oil companies, the American Petroleum Institute, for damages related to hurricanes in Puerto Rico and all sorts of storms. These damages are probably well over \$100 billion, dating back to 2017. That case is really important because it's in federal court. Even if the state court cases get dismissed, that case will survive as the leading case that could create a significant liability for the industry.

Now, on top of those cases, which are about money, there are other very interesting cases brought by various youth activists around the country in state court asking for rulings that require state governments to really deal with the fossil fuel problem. This happened in Montana and Hawaii. These kids are winning these cases, and there's something to watch because all of this is about creating change in government. It's about holding the industry accountable, having state governments deal with this issue, and coming up with plans to transition to clean energy. All of this is about chipping away at the impunity of the industry. I'm actually quite encouraged by all the creative climate justice litigation out there. I try to keep an eye on it. I would put our case against Chevron in the same basket of climate cases because one of the key things to stopping climate change is to make sure if a company pollutes, they pay for the pollution. Because when they don't pay for the pollution, we subsidize them because we have to pay for the cleanup. Once companies understand that they

have to actually pay for all their costs of pollution, they're going to be much less incentivized to drill in various parts of the world. All of these cases are extremely important. All of them matter. It's really important our government, our Congress, and our President protect the political space in our country, protect our democratic rights and freedoms such that we can do this work that we can be advocates we can confront corporate abuse, we can have corporate accountability legal cases without being jailed.

My final point on this is to make sure you connect up the litigation and all the climate justice protests with the need to preserve our democratic rights and freedom so this work can be done.

TB: Everyone should go to freedonziger.com. What else can people do right now to urge President Biden to pardon you?

SD: First of all, go to my campaign website, [freedonziger](http://freedonziger.com), D-O-N-Z-I-G-E-R.com. You can sign a petition, and you can also call the White House. The number is 202-456-1111. This is an interesting thing we're doing. We are inundating the White House switchboard from all over the world with citizen calls, leaving a message that President Biden pardon me. It's a little tricky, but make sure you try to get a live voice on the phone. Sometimes it takes a few minutes. Raise some respectful hell with the person who answers because they keep logs of this, and be sure that they understand that we are a movement, and there are literally millions of people involved around the world, and we are going to demand this not only for me, for the people of Ecuador, but for all of us who advocate for justice.

TB: All right, Steven Donziger, it's been a pleasure speaking to you. Thanks so much for your time.

SD: Thank you for having me. I really, really appreciate it.

TB: Thank you for watching *theAnalysis.news* and for all of your support. See you next time.

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