

WITNESS STATEMENT OF ROGELIO ORTA CAMPOS

I. General Data

My name is Rogelio Orta Campos. I was born on January 14th, 1949 in the Ejido of Los Amoles. I have lived my whole life here. I identify myself with my election card No. 0452340009737, Folio: 42317674.

I make this declaration after a request of counsel for the Mexican Government in order to be presented before the Honorable Tribunal in the lawsuit presented by Metalclad Corp. against the United Mexican States.

II. We in the community became aware that they were drilling the land at the La Pedrera site and we went to ask what they were doing. They told us they were digging some wells and that they would open an agricultural farm, at which we could work. This was in 1990. We trusted them. After some time we came back to the place, and then we could see that this was a toxic waste dump. It was after this first lie that we started to distrust deeply everything that was going on there and what we were being told.

III. Some years after, as far as I remember in 1993, some men came to our community. They told us that now the owners had changed. The former Mexican owners from S.L.P. had sold the landfill to a North American company called Metalclad.

These men, one of them was named Salomon Leyva, told us that they would do things in a different manner. That this would no longer be a dump but a landfill. They would treat the waste and separate it and transform it into stones, which then would be stored.

I personally understood their proposal, but the community was already too much against and they did not believe them. What we demanded was to clean up the site. They explained to us that, in order to remediate it, they needed to receive more waste. The majority did not agree with this proposition, and so we continued to oppose the landfill.

On one occasion they came to one of our ejidal meetings. But they did not get the support they were looking for. The *comisario* then was PRAXEDIS PALOMO. As far as I remember, this was in 1995.

IV. The counsel showed me a list with names on which mine also appears. I want to state that I never gave my name to support the opening of the landfill. If my name is on the list, I do not know how the plaintiff (Metalclad) can present it as support, because I was always against it. I do remember that at this time (in 1995) they were requesting our signatures for water trucks.

I provide this statement to assist the Tribunal to have a better understanding of the facts of this claim. I declare that to the best of my recollection and understanding this statement is true. I acknowledge that I can be required to appear before the Tribunal to be cross-examined on my statement. I provide this statement with the promise to tell the truth and in those areas where I have testified on matters that I did not witness directly, I state that the information contained in my witness statement is true to the best of my knowledge, information and belief.

Los Amoles, February 17th of 1999

Signature