

Chiquita Brands International, Inc.

Multi-PageTM

(b)(7)(C)

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<p>1 concerning the lack of certainty that monies allegedly being 2 paid to the guerrillas were in fact going to the guerrillas? 3 A No. 4 Q I hand you a document that has previously been 5 marked as Commission Exhibit 34. Have you ever seen this 6 document before? 7 A I don't remember seeing it, but my name's on it, so 8 I guess I did. 9 Q Let me back up for a second and let me describe 10 Exhibit 34 for the record. Exhibit 34 is a multi-page 11 document spanning Bates Stamp range 4CHQ1-000643 through and 12 including 000670. The document's first page is a memo form. 13 It is to (b)(7)(C) from (b)(7)(C) It is 14 dated July 19, 1996 and the subject is Colombia General 15 Manager's Expenses, 1993 to 1996. 16 I am sorry. You do not recall ever seeing this 17 document before? The co -- 18 THE COURT REPORTER: I did not hear the answer to 19 that. 20 THE WITNESS: I did not recall seeing this document 21 before, but it's very possible since my name's on it that I 22 have received it. 23 BY (b)(7)(C) 24 Q And the (b)(7)(C) at the bottom of the page -- 25 A That's me.</p>	<p>1 representing that these words are exact, but I will go 2 upstairs at lunch and see if I can find it, that you had 3 responded to him, "Jorge, if there are no killings, you know 4 the money is getting to the guerrillas." 5 Do you recall that? 6 A Never. 7 Q Have you ever had a conversation like that with 8 anyone? 9 A Like what? 10 Q About the idea that the only way you know the money 11 is getting to the guerrillas is when bad things do not happen 12 to your Colombian operations? 13 A No. 14 Q To be very clear about it, other people have said - 15 - and I understand this -- this is not the thing you get a 16 receipt for is how it has been phrased to me. And that the 17 only way they know that the money is in fact getting there is 18 because your building is not burned down; your farms are 19 still there the next day; and your employees are there. So 20 that is the way it has been phrased to me before and that is 21 the kind of conversation I am asking whether you have had 22 with anyone. 23 A I don't remember having that type of conversation 24 with anyone. 25 Q Okay.</p>
<p>Page 66</p> <p>1 Q -- is you? 2 A Mm-hmm. That's correct. 3 Q I had asked you previously whether you were aware 4 that (b)(7)(C) and Internal Audit and the Legal Department 5 were having some difficulty gathering together the 6 supporting information. Does this refresh your recollection 7 at all on that point? 8 A No. 9 Q I was told that in response to the request that 10 this document -- this document being Exhibit 34 embodies that 11 (b)(7)(C) gathered together to the extent he could the 12 information that was being requested and I think he testified 13 that he physically brought it in or around August 1996 to 14 Cincinnati and met with a group of people that included 15 yourself. Do you remember that meeting at all? 16 A No. 17 Q Okay. And I bring it up for a more important point 18 because (b)(7)(C) recalled part of a conversation with you 19 where he says he said to you that he was uncomfortable with 20 the fact that he could not audit the guerrilla payments 21 because he was not sure that the money was going where it was 22 supposed to be going, to the guerrillas. Do you recall that 23 conversation at all with (b)(7)(C) 24 A Not at all. 25 Q Okay. (b)(7)(C) also said that -- and I am not</p>	<p>Page 68</p> <p>1 (b)(7)(C) Go off the record, please. 2 (Off the record.) 3 (b)(7)(C) Back on the record. It is 4 approximately 12:05. No discussions of substance were had 5 while we were off the record. 6 Is that correct? 7 (b)(7)(C) That is correct. 8 (b)(7)(C) Okay. We are going to break for 9 lunch at this point. Off the record. 10 (Whereupon, at 12:03 p.m., a luncheon recess was 11 taken.) 12 * * * * * 13 AFTERNOON SESSION 14 (b)(7)(C) We are back on the record at 15 approximately 1:10 p.m. No discussions of substance were had 16 while we were off the record. 17 Is that correct? 18 (b)(7)(C) Correct. 19 EXAMINATION (Continued) 20 BY (b)(7)(C) 21 Q We spent a good portion this morning discussing 22 sensitive payments procedures. Who was the individual with 23 the primary responsibility for the nuts-and-bolts of making 24 sure there were proper books and records for guerrilla 25 payments?</p>

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