

Bogotá D.C. 24 of 2005.

Dr. MARTHA LUCIA PEÑA MANOSALVA
THIRD COMMISSIONED PROSECUTOR

Ref: Proceeding No. 2182 L.A.

PERSONS LINKED: HENDRIK VAN BILDERBEEK AND OTHERS

I, Hendrik Van Bilderbeek, in my capacity of linked person within the process in virtue of my constitutional and legal rights, with legitimate right to defense and to know the origin and the legal base of this investigation, kindly request from you the following:

- 1). Please inform me through **evidence** the entailment of “giorgio” and “calique” to the **narcotics sale**, transported from the **Cesar region**, Colombia, through Venezuela.
- 2). Please inform me, through **evidence** the **sale** of such **narcotics** in **Europe** and the **United States**.
- 3). Please inform me through **evidence** the **transfer** of the **money** product of such sale **to** the accounts of **Llanos Oil and/or Servicios Petroleros del Caribe**.
- 4). Please inform me the **entailment between “giorgio” and “calique” with Llanos Oil Exploration Ltd., Servicios Petroleros del Caribe and any of their officials involved in the process.**

5). Please inform me through **evidence the entailment of Llanos Oil, Servicios Petroleros del Caribe and any of their officials involved, with CI Florandina and Mr. Enrique Ramirez.**

6). Please inform me through **evidence any money received by Florandina** in its accounts coming from transactions mentioned in several rogatory letters registered in the file, **transferred to Llanos Oil Exploration Ltd., and Servicios Petroleros del Caribe accounts.**

7). Please inform me through **evidence any entailment between CI Florandina and Enrique Ramirez and other persons involved in the current process.**

8). Please inform me through **evidence, in what moment** and based on what, the **presumptive laundering is not for “giorgio” and “calique” organization but for Autodefensas de Colombia.**

9). Please inform me through **evidence how the Prosecutor’s Office knows** the existence of the **declaration given to DEA, by my relative Albert Van Bilderbeek,** requested from the South Court of Florida through rogatory letter number 761 dated on November 8th 2004.

10). Please explain **why reports number 1 to 12 from DAS-SIU are not in the file.**

11). Please inform why the report No. 157 from DAS-SIU dated on September 30th 2004, date when the respective warrants for arrest were issued, **informs in its page No. 6 “according to written answers submitted by ECOPETROL these two companies never performed with this national company a contract” lying seriously when information in writing from ECOPETROL ratifies all on the contrary.**

12). Please **inform why being fully identified Llanos Oil and Spc** according to the report No. 120 from DAS, dated on November 10th 2003, only until August 2004, nine months after, and **eighteen months after the start of the investigation, the verification of the exploratory activities are requested from ECOPETROL.**

13). Please inform **which department and which persons** are in charge to **receive and submit information to the media** in general and specifically for this case in **DAS** and in the **Prosecutor's Office.**

Attached is the official translation of the report from DEA issued to the Austrian authorities during the investigation of Helena Lowen, as informed in the nullity request, and that according to that investigation, is the base of the criminal process in course in the Court of Orlando, Florida, against the undersigned and my relative Albert. From the DEA report it comes off that apart from ECOPETROL in this report is involved by the DEA to be related with entrance of smuggling of cocaine and the importation and supply of chemical products used to process cocaine and money laundering, the criminal process against the undersigned and my relative Albert in the United States has the same apparent origin of that in course in Colombia against the undersigned.

To justify any investigation under the law, it is necessary to have defined the legal base, so that the law gives the legal frame to the development of such investigation without incur otherwise in outrage and/or false accusations. A clear example of that is the following: If the prosecutor's office accuses to a B person to have participated in the assassination of the C person arguing that the A person is the assassin, it would not be possible to sustain such accusation in law if the prosecutor's office does not have a convincing evidence of the assassination committed by the A person; in other words, without this convincing evidence of the assassination committed by the A person, the investigation on

the B person would be completely outrage, without base and therefore illegal, because it would be a setup to justify and give a legal frame to that investigation.

Is enough to see also rogatory letters coming from abroad, in which it can be clearly seen the legal base and their respective evidences to justify investigations.

In virtue of the above, it is kindly requested from the Third Commissioned Prosecutor to give answer to the requested points, in view of the fact that to their total absence in the file they openly violate my legal rights making my arrest outrage, without legal foundation.

Signed: (illegible signature)

HENDRIK VAN BILDERBEEK

C.C. 79.942.302

There is a seal that says: INSTITUTO NACIONAL PENITENCIARIO Y CARCELARIO. CARCEL NACIONAL MODELO. JANUARY 24TH 2005.

CC. Office of the Attorney General. Dr. Germán Ignacio Mateus Loaiza.

Dutch Ambassador Dr. F.B.A.M. Van Haren

Leventhal and Slaughter Lawyers, Orlando, Florida.

OFFICE OF THE NATIONAL PROSECUTOR GENERAL
REGISTRATION No. 2182LA
NATIONAL UNIT TO THE DOMINION EXTENSION AND AGAINST ASSETS
LAUNDERING
THIRD COMMISSIONED PROSECUTOR'S OFFICE
Bogotá D.C. January 28th 2005.

1. Regarding the letter submitted by the lawyer Elkin Muñoz Boder, defender to CAMILO ARTURO REYES CARO (fl 150a 154c. 11) it is decided:
 - 1.1 The questioning amplification of his constituent will be held on the coming February 9th since 1:30 PM. Please request its delivery in advance to the establishment where he is arrested.
 - 1.2 Before any statement on the petitions in numerals 2nd and 4th the professional will be required to state the relevancy, conveyance and need of the diligences mentioned there.
 - 1.3 Documents listed in the numeral 3 of the communication mentioned, will be attached to the file to be evaluated in the corresponding opportunity.
 - 1.4 In order to make the inspection mentioned in numeral 5 the petitioner will be requested to give the concrete address of the office mentioned by ANDRES VELEZ FRANCO and FRANCIA ROCIO BARONA, in their questionings like the one Andres Velez shared with CAMILO REYES CARO AND THAT Velez located in the "calle 53 around 9) (fl. 4 c.6) and Francia at "Seventh with 58" (fl.262 c.4), not at the Calle 101 No. 17-59 where ANDRES VELEZ FRANCO locates his last office (fl. 4 c.6)
 - 1.5 The accounting analysis was already ordered where aspects mentioned in the numeral 6 will be established; The DAS- Dominion Extinction Group

and assets laundering appointed the experts who will receive the necessary documents on time, taking into account the circumstance mentioned in the writing of the preceding folio No. 137

2. Regarding the writing addressed by HENDRIK VAN BILDERBEEK requesting the evidence which confirms statements listed there, it is indicated that in resolution issued on **October 18th 2004** where his juridical situation is defined, it is stated in a **precise manner the temporary accusation done particularly by the prosecutor's office and the evidence where it is supported, to which he can consult in order to exercise his right to contradict because it is in the file and its attachments.**

On the other hand the reading of the procedures complied by the prosecutor's office, about interventions of other defendants in the process and of decisions adopted, will permit him to clarify questions he outlines around entailments between persons in the investigation and companies to which they are related.

Regarding the **point No. 10** of the communication, it is precise that the numbering of reports that **DAS or any other investigating organism** submits for a process , **do not correspond to an internal order of the process** but to the consecutive numbering in the respective Department in order to issue all its communications in a determined period of time. Due to this reason, the number assigned to the reports in any process including this one, is random and it is not sequential, because it corresponds to the internal number in the issuing Department.

Regarding **points 12 and 13** it is indicated that the resolution issued on December 30th 2004, serviced to the petitioner, deals specifically the

situation stated in point No. 12; regarding point No. 13 the **Department of the Prosecutor's office in charge to release of information is the Disclosure and Press Office. In the case of DAS, this office doesn't know the internal organization of that entity.**

The defendant must be informed through the most suitable mean and leaving certainties in this case about the answer to his writing.

3. The photocopy attached to his writing by HENDRIK VAN BILDERBEEK **will be attached to the file to be evaluated in the corresponding time.**
4. Pursuant the Prisons and Jails Code, article 106, the petition done by Dr. Martha Yasmine Cortés, who is the defender to Christian Ayalde Ocaña, will be sent through the most suitable mean to the director of the prison where he is arrested, for her purposes.
5. To request from the CTI that supports the Human Rights National Unit, to inform if in agreement with information received from self defense groups which operate in this city and in the eastern flats, any of the front chiefs has been identified with the alias of "El Profe", specifying if possible, his real identification, if it knows about investigations against him, and any other names with which he can be identified.

Identical information must be submitted on "Gregorio" or "Don Alvaro" who is entailed with the called Bloque Capital of the AUC; "Omar", who is related with the same organization but operating in the Ubaté zone and "Don Dario" and "Efrain" also from the AUC with base in Antioquia. Plus "Coco" and "Beneco" or "Veneco".

6. In order to comply with orders from that Office in the point No. of the Resolution issued on October 22nd 2004 and the point No. 3 of the

Resolution issued on November 18th in the same year, please sent the CDs forthwith to that end. The urgency of the answer will be indicated.

7. To send the necessary communications in order to obtain the information required in the n.9 of the Resolution issued on December 22nd 2004.
8. To make an appointment with Fernando Montejo on the coming February 14th at 8:30 am so that he submits deposition requested by the defender to JULIO CESAR GALINDO MARIN, attending request in folio 233 c. 11.
9. To hear Mrs. GILMA FLECHAS TAMAYO in amplification of questioning on February 15th since 8:00 am as requested by her defender (fl. 234c.11). Please send the remission order in advance.

In a separated resolution it will be resolved on deposition required by the defense in the same writing.

10. To ask an answer from Multivalores SA, to the letter No. 11996 dated on the last November 2nd , issued to comply with order in resolution issued on October 22nd of the previous year. The urgency of that answer will be indicated.
11. To insist before DAS-SIU to carry out completely and on time the work mission ordered in the point 29 of that decision and in the remission of information extracted from the CPUs seized in the housebreaking carried out at the beginning of this instruction.

The diskettes found in the same diligences will be given to the same Group, so they can be examined to establish if they have information related with the facts in this process. To develop this labor a term of 20 days is granted, to submit the corresponding report.

Once the order in the previous paragraph is done, based on the Criminal Procedural Code, article 64, elements that do not belong to the investigation will be returned with the corresponding certainties to the person mentioned by the interested party.

12. Pursuant the Criminal Procedural Code, Article 64, it is ordered the restitution of the communication equipment seized from CARLOS ALBERTO ALVAREZ BORREGO, taking into account that the information in them was taken out. Pleas inform to the interested party about this decision and to his defender as well, for the pertinent things and let certainty in the respective minute of the restitution to be done.
13. Based on documents related to CI Transglobal Intertrans S.A, Intertextil Intertuna S.A, and CI Flora Andina in the file, the DAS group of accountants supporting this Unit will render a report, to state if the money movements in such documents maintain a relationship with the financial statements reported by these companies, with their income tax returns, and with the corporate purpose assigned to each of them; likewise they will determine if their economical behavior keeps relation with the frame of their corporate purpose in agreement with companies in the same sector. Regarding resources received from abroad, the group will determine to what these moneys belong to, the concept why they receive the money, amounts, senders and dates when received; to that end they must gather from DIAN, Ministry of External Trade, and from entities in the financial sector through which these transactions were done, is necessary, the documents required to develop this task.

A term of 30 days is granted to submit this report.

14. The group will request from the corresponding entities to sent as soon as possible, opening documents for the accounts listed below, same as copies of the documents showing foreign exchange income (drafts, refunds, etc.) of their bank statements and documents that show withdrawals in amounts for more than five million pesos, If the withdrawals were done by checks, they will send copies of such documents on both sides. The information will refer to the period between January 2001 until September 2004.
 - 14.1 Standard Chartered Bank Colombia: Account 01-601-111446858 in the name of CI Intertextil Intertuna S.A. and the account No. 0001038884 in the name of Servicios Petroleros del Caribe Ltda.
 - 14.2 Banco Santander: Accounts numbers 505-026-2 and 095-02691-0 in the name of CI Transglobal Intertrans S.A.
 - 14.3 Bancafé: Accounts 132-05690-4 and 129038709 in the name of Transglobal Intertrans S.A.
 - 14.4 Banco de Bogotá: Account No. 1590000111 in the name of Transglobal Intertrans S.A. From this account only will be required copies of the checks drawn in amounts greater than five million pesos.
 - 14.5 BBVA: Account 503001372 in the name of CI Transglobal Intertrans S.A., and account No. 243005378 in the name of Schillsw Food EU and/or Camilo Arturo Reyes Caro.
15. To request from the Department of Weapons Trade Control of the Ministry of National Defense to inform if CARLOS ALBERTO ALVAREZ BORRERO is registered as purchaser of fire arms, indicating which type

of license he has with respect to such fire arms. In the corresponding letter it will be indicated the identity of the mentioned person to facilitate the information search. Likewise, it will inform who is the holder of the weapons found to ALVAREZ BORREGO when he was arrested, which are listed in the folios 233 and 234 of c. 3

16. To request from DAS Criminalistic Section, to make a technical study to such weapons and to submit them to the IBIS system. This decision will be informed to the SIU Group in the same entity that has them under custody, so that hand them over to the expert designated who once finished with his work will submit the weapons to the DAS gunsmith to this Office disposition to where he has to send certainty of the delivery of these elements.
17. To establish with the allocations Office of the Criminal Courts of the Circuit of Bogotá, to which court corresponded the process that the Sectional Prosecutor's Office carried out against HENDRIK VAN BILDERBEEK. Once the information is obtained it will be determined in which status is it, and if judgment has been uttered, to get a copy of it.
18. It will be requested from the allocation of the Punishment Execution Courts to inform what is the office in charge the fulfillment of the penalty imposed to ANDRES DE JESUS VELEZ FRANCO, by the 30th Criminal Court of the Bogotá Circuit, which condemned him due to swindle.
19. To obtain from the corresponding motor vehicles office a certification about the current owner of the motorbike with license plate number GZX 31 and the vehicle with license plate No. MAT 582 from Manizales

20. To request from the Ministry of Foreign Affairs if it issued passport to Grimaneza Quintero Cardona, holder of the Colombian Citizenship Card No. 31.253.415, and if so, the document number and its validity.
21. To obtain from the Civil Status National registrar copy of the ten fingers fingerprints corresponding to the Colombian Citizenship Card No. 79.614.029
22. From documents submitted to the process it is necessary to find out the activity developed by companies and individuals different from CI Flora Andina Ltda, Servicios Petroleros del Caribe Ltda, Llanos Oil Exploration Ltda, CI Transglobal Intertrans SA., and CI Intertextil Intertuna S.A., same as the ones of the entailed in the process.

Due to this reason the necessary copies will be sent to initiate the corresponding previous investigation in order to determine if such activities infringe the criminal provision, who exercise them and how, and all other circumstances mentioned in the Criminal Procedural Code, Article 322.

Before that, it will be requested from the unit headquarters the assignation of a registration number and the appointment of an official to do it.

23. To develop numerals 11, 14, 17, 18, 19 20 and 21 of this resolution, a commission is ordered to DAS-SIU during a 20 days period, with wide powers included the one to make inspections, to submit the corresponding report with the documents obtained or which are supporting it.

Please send the corresponding communications.

24. To request from the Women Confinement Direction of Cali to send a report on activities accomplished with respect of MARIA CLARA JARAMILLO SOTO, REFERRED TO IN THE Criminal Code, Article 38, numeral 5th paragraph 2.

- 25 Taking into account communication received from the Legal Medicine and Forensic Sciences National Institute western regional, to send the necessary communications to practice the health examination to TOMAS BECERRA RINCON.

26. It is established the coming date of February 16th to hear in questioning amplification to Mr. ENRIQUE RAMIREZ since 8:00 AM

Please send the transportation order in a timely manner.

- 26 The questioning amplification to HECTOR MAURICIO BETANCUR BEDOYA, will be held on the coming February 10th since 8:00 a.m. The transfer of the office will be managed on time to Cartagena city where he is arrested.

Let it be accomplished.

Signed: MARTHA LUCIA PEÑA MANOSALVA

Third Commissioned Prosecutor.