

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: **Electronically Filed**
THE REPUBLIC OF ECUADOR AND PETROECUADOR, :
: 04 Civ. 8378 (LBS)
: Plaintiffs, Counterclaim Defendants, :
:
: -against- :
:
CHEVRONTEXACO CORPORATION AND TEXACO PETROLEUM : **PLAINTIFFS' NOTICE**
COMPANY, : **OF MOTION**
: **TO AMEND REPLY**
:
: Defendants, Counterclaim Plaintiffs. :
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PLEASE TAKE NOTICE that on the accompanying Plaintiffs' Memorandum of Law in Support, etc. and Declaration of C. MacNeil Mitchell in Support, Plaintiffs the Republic of Ecuador and Petroecuador (together, "Plaintiffs") will move this Court in Courtroom 15-A at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007 on the 13th day of July, 2006, at 2:15 p.m., or as soon thereafter as counsel may be heard, for an order granting Plaintiffs leave to amend their Reply to the Counterclaims of Defendants, ChevronTexaco Corporation and Texaco Petroleum Company (together, "Defendants"), in order to assert an additional affirmative defense, namely, that the 1995 Settlement Agreement and the 1998 Release (collectively, the "Agreements") are void, unenforceable and subject to rescission because induced by Defendants' fraudulent misrepresentations, all as more specifically set forth in Plaintiffs' accompanying papers.

PLEASE TAKE FURTHER NOTICE that Defendants' answering papers, if any, are required to be served on Plaintiffs by 12:00 noon on the 10th day of July 2006.

Dated: New York, New York
June 20, 2006

