

CRUDE

A First Run Features Release

Production Notes



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(in order of appearance)

Pablo Fajardo Plaintiffs' attorney
Luis Yanza Plaintiffs' case coordinator
German Yanez Presiding Judge, Superior Court of Nueva Loja
Adolfo Callejas Chevron attorney
Diego Larrea Chevron attorney
Emergildo Criollo Cofán indigenous community leader
Steven Donziger Plaintiffs' consulting attorney
Atossa Soltani President, Amazon Watch
Alejandro Ponce Plaintiffs' attorney
Joseph Kohn Plaintiffs' consulting attorney
Maria Garofalo Resident of the village of San Carlos, Ecuador
Sara McMillan Chevron Chief Environmental Scientist
Ricardo Reis Veiga Managing Counsel, Chevron Latin America
Rosa Moreno Nurse, village of San Carlos
Rafael Correa President of Ecuador
Trudie Styler Co-Founder, The Rainforest Foundation
Silvia Yanez Daughter of Maria Garofalo
Richard Cabrera Court-appointed scientific expert

THE FILMMAKERS

Directed & Produced by JOE BERLINGER
Producer and 2nd Unit Director MICHAEL BONFIGLIO
Edited by ALYSE ARDELL SPIEGEL
Produced by J.R. DELEON
..... RICHARD STRATTON
Director of Photography JUAN DIEGO PÉREZ
Cinematography POCHO ALVAREZ
..... JOE BERLINGER
..... MICHAEL BONFIGLIO
Sound Recordists EDWARD L. O'CONNOR
..... LEÓN FELIPE TROYA
Executive Producers LIESL COPLAND
..... TED SARANDOS
..... JOE BERLINGER
..... JON KAMEN
..... ROBERT FRIEDMAN
..... FRANK SCHERMA
..... JUSTIN WILKES
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..... DANIEL LUCIANO
..... LESLIE LUCIANO
..... DANIELLE PELLAND
Associate Producers POCHO ALVAREZ
..... EDWARD L. O'CONNOR
..... JUAN DIEGO PÉREZ
..... RENEE PURSE
..... STUART ZWEIBEL
Original Music by WENDY BLACKSTONE

About the Production

Production Company credits: A Red Envelope Entertainment Presentation of an Entendre Films Production, in association with @radical.media and Third Eye Motion Picture Company, Inc.

Filming locations:

Ecuador: Quito, Lago Agrio, Shushufindi, Dureno, San Pablo, San Carlos, Guayaquil, Puerto Lopez, various Amazon locations

United States: New York (New York City), California (San Francisco, San Ramon, Los Angeles), Texas (Houston), Florida (Coral Gables), District of Columbia (Washington, DC), Colorado (Boulder), Pennsylvania (Philadelphia), New Jersey (East Rutherford)

United Kingdom: London

World Premiere: January 18, 2009 – Sundance Film Festival, U.S. Documentary Competition

MPAA Rating: Not rated (some profanity/disturbing images)

Genre: Documentary

Languages: English, Spanish, A'ingae, Secoya (English subtitles)

Running time: Theatrical Version: 104 minutes (including end credit roll)

Brief synopsis: Three years in the making, this *cinéma-vérité* feature from acclaimed filmmaker Joe Berlinger (*Brother's Keeper*, *Paradise Lost*, *Metallica: Some Kind of Monster*) is the epic story of one of the largest and most controversial legal cases on the planet. An inside look at the infamous \$27 billion “Amazon Chernobyl” case, *Crude* is a real-life high stakes legal drama set against a backdrop of the environmental movement, global politics, celebrity activism, human rights advocacy, the media, multinational corporate power, and rapidly-disappearing indigenous cultures. Presenting a complex situation from multiple viewpoints, the film subverts the conventions of advocacy filmmaking as it examines a complicated situation from all angles while bringing an important story of environmental peril and human suffering into focus.

Synopsis

Three years in the making, this *cinéma-vérité* feature from acclaimed filmmaker Joe Berlinger (*Brother's Keeper*, *Paradise Lost*, *Metallica: Some Kind of Monster*) is the epic story of one of the largest and most controversial environmental lawsuits on the planet. The inside story of the infamous “Amazon Chernobyl” case, *Crude* is a real-life high stakes legal drama, set against a backdrop of the environmental movement, global politics, celebrity activism, human rights advocacy, the media, multinational corporate power, and rapidly-disappearing indigenous cultures. Presenting a complex situation from multiple viewpoints, the film subverts the conventions of advocacy filmmaking, exploring a complicated situation from all angles while bringing an important story of environmental peril and human suffering into focus.

The landmark case takes place in the Amazon jungle of Ecuador, pitting 30,000 indigenous and colonial rainforest dwellers against the U.S. oil giant Chevron. The plaintiffs claim that Texaco – which merged with Chevron in 2001 – spent three decades systematically contaminating one of the most biodiverse regions on Earth, poisoning the water, air and land. The plaintiffs allege that the pollution has created a “death zone” in an area the size of the Rhode Island, resulting in increased rates of cancer, leukemia, birth defects, and a multiplicity of other health ailments. They further allege that the oil operations in the region contributed to the destruction of indigenous peoples and irrevocably impacted their traditional way of life. Chevron vociferously fights the claims, charging that the case is a complete fabrication, perpetrated by “environmental con men” who are seeking to line their pockets with the company’s billions.

The case takes place not just in a courtroom, but in a series of field inspections at the alleged contamination sites, with the judge and attorneys for both sides trudging through the jungle to litigate. And the battleground has expanded far beyond the legal process. The cameras rolled as the conflict raged in and out of court, and the case drew attention from an array of celebrities, politicians and journalists, and landed on the cover of *Vanity Fair*. Some of the film’s subjects sparked further controversy as they won a CNN “Hero” award and the Goldman Award, the environmental equivalent of the Nobel Prize.

Shooting in dozens of locations on three continents and in multiple languages, Berlinger and his crew gained extraordinary access to players on all sides of the legal fight and beyond, capturing the drama as it unfolded while the case grew from a little-known legal story to an international cause célèbre. *Crude* is a ground-level view of one of the most extraordinary legal dramas of our time, one that has the potential of forever changing the way international business is conducted. While the environmental impact of the consumption of fossil fuels has been increasingly documented in recent years, *Crude* focuses on the human cost of our addiction to oil and the increasingly difficult task of holding a major corporation accountable for its past deeds.

Director's Statement, by Joe Berlinger

I visited the Ecuadorean Amazon for the first time in 2005, and was shown a shocking ecological disaster. I saw and smelled the foul petrochemical sludge that for decades has been dumped into open pits or directly into the water and soil—a system designed by Texaco when the company began drilling for oil there in the late 1960's and early 1970's (in 2001, Texaco was acquired by Chevron). I talked with people who were sick and dying from cancer and other diseases—some of the 30,000 settlers and indigenous people who call themselves *los afectados*, “the affected ones.” I also met Pablo Fajardo, the remarkable 35-year-old lawyer who was once a poor manual laborer in the oil fields. Pablo still lives in relative poverty, but today he is the lead attorney in the largest oil-related environmental lawsuit on the planet.

I left that first trip feeling sick – literally, from the noxious fumes I ingested – and figuratively, from the things I saw and stories I heard. I knew there was an important story to be told, but I quickly realized that if I was going to go through with the extraordinary effort it would take to make a film, I would have to do something different than what might be expected from this kind of environmental story. I wanted to break from the standard formula of an environmental disaster exposé, and create a unique and challenging cinematic experience that brings an audience into a world they probably have never seen before.

In making this film, I felt it was important not just to show the situation and try to point fingers at a culprit, but to pull back and tell this massive – and massively complicated – story from a wider and more nuanced viewpoint. How did this happen in the first place? What are the roles of corporate power, of government, the media, and big money in a case with the long history and potentially enormous consequences as this one? What does it take to tackle a problem of this magnitude? Is it really as bad as it seems? I knew that to do the story justice and also satisfy my own creative and journalistic impulses, I would have to go beyond simply showing the alleged environmental damage and human suffering and explore the messy, ambiguous process of getting justice in the real world.

Much of my previous work, such as *Brother's Keeper*, *Paradise Lost* and *Metallica: Some Kind of Monster*, has sought to break down stereotypes and preconceived notions and probe beneath the surface of people and situations. In the real world, things aren't black and white, and this is how I approached this story, as well. An indigenous Amazonian leader doesn't just show up at a Chevron shareholders' meeting and confront the CEO all by himself – he is coached by a Harvard-educated attorney. The Ecuadorean plaintiffs can't spend fifteen years in court on their own – they need a high-powered Philadelphia law firm specializing in class action lawsuits to pay for the investigations that Ecuadorean law requires – and that law firm stands to profit from any judgment. The attorneys for both the oil company and the plaintiffs compete for media attention, but the spotlight on the case gets brighter when celebrity activists Trudie Styler and Sting come on board. Yet here too I hope the film topples the usual clichés, as Trudie proves herself to be anything but a token “rent-a-celeb,” delivering on a promise she makes to help ease the suffering of the people. And while some people may initially perceive the representatives from Chevron as simply being part of a “big bad oil company,” they come across as real human beings who make a number of very intriguing legal and scientific claims.

Despite these ambiguities, the film never loses sight of what has true value. In the midst of the messy, murky world of this case, there are still good guys to root for, and even a clear hero in Pablo Fajardo. Cool and calm in the jungle, surrounded by press and adversarial lawyers, Pablo is unwavering in his insistence that you cannot put a price tag on human life, clean air and water or a healthy planet, regardless of who is right or wrong in the lawsuit. One of the themes of the film is that in a world in which the Exxon *Valdez* judgment took nearly two decades to appeal, it will be generations before this case is fully resolved. So while the lawyers argue and various parties jockey for position with the media, the indigenous people who have lived in harmony with nature on these lands for millennia continue to suffer. That's why the last scene of the film shows a group of Cofán Indians heading down river to an uncertain future. At the end of the journey of the film, *Crude* comes back to where it started, bearing witness to the lives of these people and the once-rich land they live on, leaving us to think about why this story matters to us all.

“CRUDE REALITIES,”* by Joe Berlinger

During the summer of 2005, a charismatic American environmental lawyer named Steven Donziger knocked on my Manhattan office door. He was running a class-action lawsuit on behalf of 30,000 Ecuadorean inhabitants of the Amazon rainforest and was looking for a filmmaker to tell his clients’ story. Since I am not known as an environmental filmmaker — my last film, “Metallica: Some Kind of Monster,” was a warts-and-all portrait of a heavy metal band in crisis — I was a little surprised that Donziger had sought me out to me to make his pitch.

The story the lawyer told me was indeed shocking: From the mid-1960s until the early 1990s, Texaco (now Chevron) dumped 18 billion gallons of oil and toxic waste into the Amazon rainforest of Ecuador, creating a 1,700-square-mile “cancer death zone” the size of Rhode Island. The plaintiffs he represented alleged that birth defects, leukemia, miscarriages and other ailments were plaguing the people of the region, and the Amazon itself — one of the few places on Earth to survive the last ice age — was gasping for breath under the strain of oil exploitation.

But, while it seemed like a heartbreaking situation that someone should document, I was skeptical that it could be a feature-length film that I should get involved in. First of all, this multibillion-dollar lawsuit to clean up the region had been going on for more than a decade and a half, so it seemed like much of the action had already taken place. Since I am a *cinéma-vérité* filmmaker who captures unfolding stories in the present tense — such as a rock band undergoing group therapy while recording an album (“Metallica”) or documenting murder trials as they unfold (“Brother’s Keeper,” “Paradise Lost”) — it appeared that I had missed the boat on this one. And, with so many plaintiffs and a story rooted in the past, I wasn’t sure there would be a compelling central character to hang the narrative on in order to reach people on an emotional level. (While Steven seemed to be an intriguing character, I wasn’t sure a film could be built around him.)

I was also concerned from an aesthetic and philosophical standpoint, as I eschew voice-over narration and other techniques that tell an audience specifically how to think about a subject, and here was a plaintiffs’ lawyer looking for a filmmaker to be their advocate with a very singular point of view. I explained to him that I believe the best way to serve the truth is to explore a situation from all sides without overtly revealing the filmmaker’s viewpoint, allowing each audience member to come up with his or her own conclusion about the events they are witnessing onscreen. This is the opposite approach of the standard environmental and human rights advocacy film in which a single point of view is clearly conveyed, often just preaching to the converted instead of winning people over through the active process of weighing the pros and cons. Finally, I was also (selfishly) concerned with who would pay for a subtitled documentary about indigenous rainforest dwellers in a faraway country that many Americans know nothing about. Ever since Bruce Sinofsky and I each maxed out 10 credit cards and took out second mortgages on our homes almost 20 years ago to finance our first film, “Brother’s Keeper,” I had vowed never to start a film unless there was a budget or a distribution outlet in place.

I was upfront with Donziger about all of my misgivings and advised him he might be better off pitching a newsmagazine show like “60 Minutes” for a story of this kind or seeking out a more overtly activist kind of filmmaker, several of whom I would have been happy to recommend. But he was man on a mission and persuaded me to at least tour the region. He was interested in my kind of storytelling, even if it meant he could not control the outcome or the message. The lawyer was convinced that I would have a change of heart about taking on the film if only I saw the environmental degradation.

On my first trip to Ecuador, I was shocked by the foul petrochemical sludge and toxic water that, for decades, had been dumped into open pits or directly into the area’s rivers and streams, and was surprised at the scant press coverage this story had received in the U.S. I talked with people who were sick and dying from cancer and other maladies — some of the 30,000 settlers and indigenous people who are signed onto the lawsuit and who call themselves “los afectados” (the affected ones).

On the third day of that first trip, our canoe pulled up to the shoreside village of the indigenous Cofán people. As we got out of the canoe, I noticed a group of Cofán sitting by the riverbank, preparing a meal by an open fire using processed tuna fish from a big industrial-sized can that came from another corner of the world. They were preparing their meal right next to the river, but were eating this canned tuna because the fish that swam in their river, which had fed these proud people for millennia, were dead.

This image of indigenous people being forced to eat canned tuna deep in the heart of the Amazon rainforest spoke deeply to me. I realized that I needed to re-think my criteria for making a film. I had the skills and the resources to get the ball rolling on a documentary on my own, so I stopped caring who was going to pay for it and how it was going to be seen. I was doing OK with my film and television career, so I could afford to throw some of my own resources at this story. I also decided then and there that if this situation lacked some of the narrative ingredients that I usually look for — most notably that, having missed 15 years of the story, I wasn't sure what the present-tense action was going to be or who, if anyone, the central character would be — then so be it. I would work it out in the editing room.

And if distributors didn't want to buy a Spanish-and-A'ingae-language documentary about indigenous people dying of cancer, I would figure out how to find an audience. In short, it hit me like a ton of filthy bricks: How could I go home and return to my pleasant life of directing television programs and commercials without trying to help these people get some fresh water through wider exposure of their story, regardless of who won the lawsuit? I left that first trip feeling sick — literally, from the noxious fumes I ingested, and figuratively, from the things I saw and stories I heard. I felt like the universe was tapping me on the shoulder, declaring that I am the person who has been enlisted to shine a light on this situation, despite the litany of doubts I had harbored at the outset of the trip.

But a strange thing happened once I gave into this calling from the universe to lighten up and try to help others. Doors began opening and, on my second trip to the region, great narrative ingredients started materializing. Once I committed to making this film in my own mind, the earth started to move and circumstances started falling into place.

First, I met Pablo Fajardo, the remarkable 35-year-old Ecuadorean lawyer who was once a poor manual laborer in the oil fields. Pablo still lives in relative poverty, but today he is the lead attorney in the largest oil-related environmental lawsuit on the planet, which more than likely will result in a \$27-billion judgment against Chevron — the largest ever levied against an oil company. His humble beginnings and his love of his people — and the love he gets in return — stand in stark contrast to the label of “environmental con-man” bestowed upon him by Chevron's PR department. This gaping chasm in perception in how he is seen by his people and how he is talked about by the oil giant seemed like the seeds of great drama that I had not originally anticipated.

I also learned, on the second trip, that after more than a decade of delay, the evidentiary phase of the trial was about to begin in the form of judicial field inspections of the pollution sites in which the judge, both opposing legal teams, the community and various experts trudge out to the jungle and the lawyers argue their case. As soon as I arrived at the first of these three-year proceedings, I knew we had a fabulous present-tense *cinéma-vérité* opportunity on which to hang our structure. Even my original concern about making a one-sided activist film melted away in the jungle because the trial itself was not only dramatic, it offered a highly visual way to present the audience with both sides of the case and to understand a multiplicity of viewpoints. The film was starting to take on a life of its own.

Ironically, by observing these dramatic exchanges between lawyers (and cultures) in 120-degree equatorial heat, I also realized that this story was not merely about this single lawsuit. There are deeper, more nuanced and complex themes that resonate far beyond this particular case. What are the roles of corporate power, government, the media and big money in cases such as this, with a long history and potentially enormous consequences? What does it take to tackle an environmental and human rights problem of this magnitude? How has the white man's historically appalling treatment of indigenous

people in the Americas over the past five centuries played a role in the history — and outcome — of this case? I knew that to do the story justice and also satisfy my own creative and journalistic impulses, I would have to go beyond simply showing the alleged environmental damage and human suffering and explore the messy, ambiguous process of getting justice in the real world.

In many ways, despite my initial fears that we had missed the story because it had been going on for so long, the timing couldn't have been better. In the three years we spent filming, we were able to capture an extraordinary series of events. The election of President Rafael Correa marked a change in the political tide, enabling us to explore the geopolitical implications of the case and its history. Trudie Styler, the celebrity wife of musician Sting, got involved, allowing us to examine the sometimes uncomfortable yet increasingly essential intersection of celebrity culture and social justice. And the charismatic young plaintiffs' attorney Pablo Fajardo's dramatic rise from obscurity to international recognition for his work, in the form of his invitation to the Live Earth concert courtesy of Sting, his CNN Heroes Award and his Goldman Environmental Prize, gave his character (and the film) an incredible, unanticipated narrative arc.

The extended production period also gave us time to convince Chevron to participate in the film, which is a critical component of the balanced portrait we always hoped to create. It took nearly a year of negotiation, but in the eleventh hour, just as we were readying our rough cut to submit to the Sundance Film Festival, the company offered up two spokespeople to sit for interviews, elevating the film to a new level late in the game. And, although I funded the film myself for the first year, even the financing eventually fell into place, with a significant investment by a new L.A.-based production company called Entendre Films and a smaller investment by the now-defunct Red Envelope Entertainment production label of Netflix. (In fact, "Crude" is the last film to be funded by Red Envelope.)

The positive arc of the film's journey has extended into its release, with extremely warm reception at dozens of film festivals around the globe, from Sundance to Human Rights Watch; a television acquisition by Sundance Channel; and a fall theatrical release in the top 25 U.S. markets, followed by a DVD release via New York-based First Run Features. I expected none of this when Steven Donziger first knocked on my door.

I don't want to make light of how difficult the process was for me and my crew. Filming "Crude" was an arduous process. We were shooting in some fairly dangerous locations, near the border with Colombia where drug runners and the FARC — the Colombian revolutionary military group — are very active. Aside from these man-made dangers, working in the intense jungle heat was taxing and the pollution was debilitating. We had to dress for being in a malaria zone; we all got multiple cases of chiggers (nasty little bugs that bite into your skin, causing incredible itching); and producer/second unit director Michael Bonfiglio contracted Hepatitis A.

Despite these ordeals, however, the making of this film has been a fascinating journey. By experiencing empathy for the plight of others, I allowed myself to throw out all of my rules and criteria for making a film only to find myself creating a documentary that best represents the filmmaking principles that have guided me for the past two decades. I had to abandon my filmmaking philosophy in order to satisfy it, while bringing a much-needed portrait of human suffering to a wider audience.

**The above article was written by Joe Berlinger for the upcoming October, 2009 issue of Moving Pictures Magazine.*

Historical Timeline of Events

March, 1964 — Texaco begins exploring for oil in the Oriente region of Ecuador, under an exploration concession with the Ecuadorean government. A consortium for 50/50 ownership of the oil fields is formed between Texaco and Gulf.

1967 — Texaco drills the first oil well in the Ecuadorean Amazon, located on the ancestral territory of the Cofán indigenous people. The well and the town built around it are named *Lago Agrio* (Sour Lake), after Sour Lake, Texas – the birthplace of Texaco.

June, 1974 — PetroEcuador, Ecuador’s state-run oil company, acquires a 25% share of the consortium.

December, 1976 — PetroEcuador acquires Gulf’s remaining share, becoming the majority partner with 62.5% ownership, while Texaco remains the exclusive operator of the consortium fields for the next 14 years.

June, 1992 — Texaco’s concession expires. PetroEcuador acquires complete ownership of the consortium oil fields.

November, 1993 — *Aguinda v. Texaco* class action is filed in New York, on behalf of 30,000 Ecuadorean plaintiffs. For the next nine years, a jurisdictional battle ensues, in which Texaco argues that the suit should be tried in Ecuador, rather than in the United States.

May, 1995 — Texaco signs a \$40M settlement agreement with the government of Ecuador, conducting an environmental remediation of a portion of the sites. The plaintiffs later charge that the remediation was inadequate and fraudulent.

September, 1998 — The government of Ecuador grants Texaco a release from liability, certifying the completion of the remediation work under the settlement agreement. The release exempts the company from all future government claims, but not those of private, third-party individuals.

October, 2001 — Chevron acquires Texaco in a \$45 billion merger, at the time making Chevron the world’s fourth largest oil company.

August, 2002 – Chevron wins the jurisdictional battle, as a U.S. federal court in New York sends the case to be tried in Ecuador.

May 2003 — *Aguinda v. ChevronTexaco* lawsuit is filed in the Nueva Loja Superior Court in Lago Agrio, Ecuador.

November, 2005 — Principal photography begins on *Crude*. During the production period, the film captures the evidentiary phase of the Lago Agrio trial, including field inspections and the appointment of independent expert Richard Cabrera to assess the region.

November 27, 2006 — Rafael Correa is elected president of Ecuador, and becomes the first president in the country's history to tour the alleged environmental damage in the Ecuadorean Amazon.

April 1, 2008 — Independent court-appointed expert Richard Cabrera submits non-binding 4,000-page "global assessment" report, recommending that Chevron pay up to \$16 billion in clean-up costs, damages and compensation. The recommendation is later increased to \$27.3 billion.

August, 2008 – The government of Ecuador indicts two Chevron attorneys and seven former Ecuadorean government officials on charges of fraud relating to the remediation conducted in the 1990s. Chevron condemns the indictments.

A Conversation with Filmmaker Joe Berlinger

Q: How did you get involved in this story?

Joe Berlinger: I met [plaintiffs' consulting attorney] Steven Donziger in the Fall of 2005, through [producer] Richard Stratton. Richard is a screenwriter I'd known for a while through our mutual friend, the late crime novelist Eddie Bunker. Steven told me about the case and it sounded interesting, so I went down to Ecuador to check it out. When I saw the devastation in the Amazon and heard stories from the local people, I was shocked, disturbed and profoundly moved. Plus, it seemed like a huge story that at the time no one was really paying any attention to.

Q: Did you know right away that this would be your next film?

JB: I'm always on the lookout for stories, but I didn't immediately see this as a feature documentary. Despite being deeply affected by what I saw in Ecuador, it didn't strike me that it would translate into something other than a news story or some kind of one-sided environmental exposé, neither of which interested me. But I did feel like I wanted to help these people in some way. I was haunted by images of the people I saw in the Amazon, suffering from disease, eating canned tuna because they can no longer fish in their once-pristine river in a place that used to be a paradise. This location, after all, was one of the few places on earth that remained fertile throughout the last ice age, yet it is struggling to survive industrial development.

Q: When did you know this would be your next film?

JB: Even though I wasn't initially thinking about it as my next film, the things I saw and heard in Ecuador continued to gnaw at me, so I wanted to keep shooting and find out more about the case. I decided to go back to shoot a judicial inspection, and on a subsequent trip I observed the trial process, with the judge, the lawyers, and people from the local communities all going out into the field to litigate and sample evidence right in the moment. I've been in a fair number of courtroom situations, but this was so different, and the scene was so inherently dramatic. Having been introduced to the situation through Steven Donziger, I was initially more familiar with the plaintiffs' viewpoint, but seeing the attorneys from both sides argue so passionately and articulately, I began to realize how complicated the whole thing was and it intrigued me even further... I felt there were the seeds of drama in addition to a story that needed to be told. We shot at the next judicial inspection, started getting better access to the local communities, and put together a 20-minute trailer to start looking for funding while continuing to shoot. By the time we secured our budget, the story was already unfolding in more and more interesting ways.

Q: At what point did you realize that this film would go so far beyond the ins and outs of the legal case?

JB: To me, this was always a human story about people you don't normally see onscreen, which is something I've always been attracted to. And as in much of my past work, the issues that this case unleashes are massive and universal ones that resonate beyond this particular situation. Ideas about the power of companies and governments over individual rights; the importance of maintaining and preserving our irreplaceable natural world and the knowledge and culture of indigenous peoples; the role of the media and celebrity in shaping a narrative for the public; geopolitical interests and political change; even the very nature of what qualifies as "justice." All of these ideas are infused in the film. But what I'm really most interested in is telling a good story about interesting people. With *Crude*, the story took so many twists and turns throughout the three years of shooting that we were able to address these complicated issues organically within the film, without banging them over people's heads or distracting from the basic narrative of the story. Hopefully they enhance the story, and my goal is not to provide concrete solutions, but to leave people thinking about these things afterward.

Q: Was this the first film you've made in a foreign country? Were there challenges specific to shooting in the Amazon?

JB: I've shot in a number of different countries for many different film and television projects, including four seasons of *Iconoclasts*, which has taken me to a number of far-flung locations, but this was the first time I made an entire feature with so much time spent shooting in a foreign country. I made an hour-long doc a few years ago called *Gray Matter*, which we shot in Austria, but there's no real comparison between the two experiences. *Crude* was an extremely complicated production, and working in the Amazon was exhilarating but challenging. Aside from the language, the jungle heat was fairly intense, and the conditions overall were far from cushy. There's a big difference between touring Europe with Metallica, filming on Richard Branson's private island, or filming Eddie Vedder surfing on Maui for *Iconoclasts*, and this project, where we stayed in sparse accommodations in some fairly dangerous towns with a skeleton crew. Lago Agrio for example, is right near Ecuador's border with Columbia, and it's known as a popular R&R destination for members of the FARC guerrilla group. Shushufindi, where [plaintiffs' attorney] Pablo Fajardo lives, has staggering rates of murder and other violent crime.

In the jungle itself, we all ended up with multiple cases of chiggers – nasty little insects that bore into your skin, lay eggs and itch like hell – and a variety of other ailments (Michael Bonfiglio, my producer and 2nd Unit director, contracted Hepatitis A). I did have a budget on *Crude*, but we stretched it to the breaking point as the story evolved and we had to keep shooting well beyond what was initially allotted in order to capture what was happening. With the massive scale on which this story played out, we wound up shooting 600 hours of material, on three different continents and in more than a dozen different cities.

We had to prepare very carefully and be creative with what we had, because when you're in the middle of the jungle and you realize you need a piece of equipment that you chose not to bring because you didn't want it to weigh you down, you adapt and find a solution. We shot with small handheld prosumer HDV cameras, which not only got us a really nice look at a great price, but was also helpful in terms of keeping the production agile. We often shot in multiple locations in the same day, and with the frequent rain in the Amazon, we were often racing the sunlight. But the natural light is also quite beautiful in the rainforest, so we were able to shoot without a lot of additional lighting.

Also, for the first year we were filming I was paying for everything out of my own pocket, and begging favors from crew and vendors. But even if we'd had all the money in the world and a massive crew, dealing with some of the locations and working with real life – especially in one of the poorest regions of a developing nation – is a challenge, but making this film was also a great adventure. In many ways it brought me back to my roots of a more lean-and-mean, almost guerilla-style, DIY filmmaking that Bruce Sinofsky and I employed when we made *Brother's Keeper* on a shoestring almost 20 years ago.

Q: How else was this like getting back to your roots?

JB: *Crude* was a conscious attempt to return to my roots making *Brother's Keeper*. As we did back then, I just dove into a subject that I wanted to film without worrying about how we were going to pay for it or who was going to show it. (*Crude* didn't get funded until we'd been shooting for nearly a year.) The last few years of my career have been marked by bigger budget projects like *Metallica: Some Kind of Monster* and several high-profile TV series. Those have been wonderful experiences, but part of me felt that I was drifting from that internal fire that excites me to make a film for the love of the process and the pure desire to tell a certain story for a big-screen audience.

Q: You've done films about trials before. What attracts you to these kinds of stories?

JB: With any good story you hope to have a beginning, a middle and an end. Of course conflict is helpful too, and a trial has all of those things built right in. With *Metallica: Some Kind of Monster*, the basic structure wasn't a trial, but the making of an album, which also theoretically has a beginning, middle and end, but doesn't

necessarily have the conflict that occurred in that particular situation. But the central narrative structure is also just a lens to use in order to examine broader issues. While *Crude* is ostensibly about a trial, just like with *Brother's Keeper* and *Paradise Lost*, the trial is just an organizing principle from which to explore other themes and ideas and tell a good story. Of course the film has to hold up to extremely high journalistic standards, and real life is messy and often refuses to adhere to classic cinematic story structure. So it's always challenging to make a documentary that plays like a movie and reflects the emotional truth of a story, but is still completely factually accurate. I think that like those previous films, *Crude* succeeds in doing that.

Q: *Crude* doesn't seem to take a position on the legal battle. Do you have an opinion on what the outcome should be?

JB: From a legal and scientific standpoint, I think that both sides make a number of valid points. I'm not a judge or a lawyer or a scientist, and I certainly wouldn't presume to attempt to try a case as complicated as this one in an hour and forty minutes. As a filmmaker I feel it is my responsibility to show both sides of an issue to the best of my ability, but it's not my job to reach a conclusion about the legal case. Both sides have literally hundreds of points that are simply not included in the film. One issue that neither side disputes is that the conditions for the people and the environment in this region are not good, which is ultimately what the film is about. And while the film does not take an overt position on the legal case, I think it does raise issues about the long history of multinational corporations working with governments, with the results for average citizens – especially in the long term – being detrimental. Whether that is illegal or simply immoral is for others to decide.

When Texaco first arrived in Ecuador and began exploring for oil, they did so with the permission of the Ecuadorean government. In my opinion, neither the government nor the oil company paid any attention to the indigenous people who were already living on the land. An interesting fact that unfortunately I wasn't able to find room for in the film is that Lago Agrio, the name of the town where Texaco drilled its first oil well in Ecuador, was named Lago Agrio after Sour Lake, Texas – the birthplace of the Texaco Corporation (“Lago Agrio” means “Sour Lake” in Spanish). This was the ancestral territory of the Cofán people, who were completely ignored in the pursuit of oil riches. To me, that sort of speaks volumes about the mindset of the time.

Q: Is it even possible to tell the whole truth in such a huge and complicated situation?

JB: Of course it's not possible to address every issue, and I think that when they see this film, people on both sides of the legal case will find elements of the film to embrace and to reject. To me, that means I've done my job in maintaining an editorial balance. They'll probably wonder why I didn't include this, that or the other. But you can't try a case like this in a 100-minute film. That's not the point, and that's what the courts are for. What we've tried to do in this film is include a roughly equal number of points on both sides, a cross-section of the dozens of different arguments made on each side, in order to give the audience a taste of the main issues. This film is a reflection of our experiences over the three years that we spent working on it. What I see in this situation is a complicated, protracted legal battle in which both sides make some salient arguments, and surrounding those arguments is a real human tragedy and the legacy of a company going into a pristine area to extract its natural resources with the aid and assistance of a government. It's about the extraordinary price we pay to fill up our gas tanks, how we value commodities like oil over irreplaceable resources like indigenous knowledge and culture and the natural world, and how we can make better choices in the future. It's also about how to find justice in the 21st Century, when cases like this take generations to resolve while people continue to suffer. And while *Crude* confronts all of these larger questions, at the end of the day it's a film about the people who live with this situation and continue to be affected by it.

About The Film's Subjects: Who's Who in *Crude*

THE TRIAL

For the Plaintiffs:

Aguinda v. Chevron-Texaco is the official name of the case, named after Maria Aguinda, the first name listed on the lawsuit (the plaintiffs' names are organized alphabetically). The plaintiffs are approximately 30,000 individuals, including members of five indigenous groups (the Cofán, the Secoya, the Siona, the Kichwa, and the Huaorani) as well as numerous non-indigenous colonial settlers in the region. The plaintiffs allege that over the course of its operations, Texaco dumped over 18 billion gallons of toxic waste and formation water directly into streams, rivers and the jungle floor, that nearly 18 million gallons of crude oil was spilled and leaked from pipelines, that more than 235 billion cubic feet of natural gas were burned into the atmosphere, and that nearly 1000 unlined toxic waste pits were built throughout the region – an area approximately the size of the U.S. state of Rhode Island. For more information about the plaintiffs, please visit www.chevrontoxico.org.

Pablo Fajardo is the lead attorney for the *Aguinda* plaintiffs. Fajardo grew up in poverty in the Amazon region, attending college and law school with the sponsorship of the Catholic Church. The Chevron lawsuit is his first case. Fajardo is featured throughout the film, arguing the case during the judicial inspections and elsewhere. He first appears in news clips, receiving the 2008 Goldman Environmental Prize in San Francisco, California, along with Luis Yanza.

Luis Yanza is the President of the Frente de Defensa de la Amazonia (Amazon Defense Front), an organization founded to represent the plaintiffs in the class action suit. Yanza is the case coordinator, responsible for organizing the plaintiffs from various communities and managing the day-to-day operations of the case. Yanza is featured throughout the film, first appearing in news clips as he receives the 2008 Goldman Prize in San Francisco, along with Pablo Fajardo.

Steven Donziger is a New York-based attorney who consults with the plaintiffs' legal team. Donziger has been involved in the case since it began in 1993, when it was initially filed in the U.S. Donziger is featured throughout the film, first seen in a Houston, TX hotel room.

Joseph Kohn is a Philadelphia-based attorney who consults with the plaintiffs' legal team. Kohn has been involved in the case since it began in 1993, and his firm – Kohn, Swift & Graf – is the main financial sponsor for the plaintiffs' legal efforts. Kohn is seen in his office in Philadelphia.

Alejandro Ponce is a Quito-based attorney for the plaintiffs. He is seen in CRUDE arguing in a judge's office in Quito and talking to the local press in a heated exchange with Chevron attorney Diego Larrea.

For the Defendants:

Chevron is one of the world's largest integrated energy companies. Headquartered in San Ramon, California, Chevron conducts business in more than 100 countries. In 2001, Texaco – the company that originally explored for oil in the Amazon region of Ecuador beginning in 1964, and operated there until 1992 – merged with Chevron. For more information about Chevron, please visit www.chevron.com.

Adolfo Callejas is an Ecuadorean attorney representing Chevron. Callejas previously worked for Texaco during its concession in Ecuador. Seen arguing Chevron's case at the judicial inspections, Callejas is tall and thin, wearing glasses and frequently a straw hat.

Diego Larrea is an Ecuadorean attorney representing Chevron. Larrea previously worked for Texaco during its concession in Ecuador. Usually seen arguing Chevron's case at the judicial inspections, Larrea wears glasses and has salt-and-pepper hair, and is part of a heated exchange with the plaintiffs' attorneys in a judge's office in Quito.

For the Court:

German Yanez is the President of the Nueva Loja Superior Court, based in Lago Agrio, in the Sucumbíos Province of the Ecuadorean Amazon. Yanez was the presiding judge throughout the judicial inspections presented in *Crude*.

Richard Cabrera is the independent expert appointed by the Court to conduct a "global assessment" of the region, evaluating the validity of the plaintiffs' claims, and calculating the cost to repair any alleged damage. His report was submitted to the Court on April 1, 2008, and found Chevron to be liable for up to \$16 billion in damages. Cabrera's report recommends compensation for health care, environmental remediation, reparations for loss of indigenous culture, cancer deaths, and Texaco's "unjust enrichment" from its operations. The report is not binding, and the Court is not required to adhere to the report's findings or recommendations. In late November of 2008, Cabrera amended his report to recommend \$27 billion in compensation. Chevron rejects the report and claims that Cabrera is biased and unqualified.

OTHER KEY FIGURES:

Ricardo Reis Veiga is the Managing Counsel for Chevron Latin America, who appears in "talking head" interviews filmed in Coral Gables, Florida. Reis Veiga previously worked for Texaco, overseeing the remediation process undertaken by Texaco after the company departed Ecuador in 1992. Reis Veiga, along with seven former Ecuadorean government officials, is currently under indictment in Ecuador under charges that the remediation was fraudulent. Chevron rejects the indictments as being politically motivated.

Sara McMillan is Chevron's Chief Environmental Scientist, who appears in "talking head" interviews filmed in Coral Gables, Florida.

Emergildo Criollo is a leader of the Cofán indigenous community of Dureno, in the Ecuadorean Amazon. In *Crude*, Criollo is first seen in his community and later in Houston, Texas preparing to give a speech to Chevron management at the 2006 Chevron shareholders meeting.

Atossa Soltani is the president and founder of Amazon Watch, a non-profit organization dedicated to supporting human rights and environmental causes in the Amazon region. Amazon Watch has aligned with the plaintiffs to promote awareness of the case. Soltani is first seen in Houston, Texas conducting a press conference on the eve of the 2006 Chevron shareholders' meeting.

Maria Garofalo and **Silvia Yanez** (no relation to Judge German Yanez) are residents of San Carlos, a small village in the Ecuadorean Amazon. Their home is located next to a Sacha Sur production station, initially operated by Texaco, now operated by PetroEcuador. Maria is first seen at her home wearing a red shirt, and later seen traveling on an 18-hour bus ride for Silvia's cancer treatment.

Rosa Moreno is a nurse in the village of San Carlos. Moreno is seen in the health clinic she operates.

Rafael Correa was elected president of Ecuador on November 26, 2006. He was inaugurated on January 15, 2007 and as of January 1, 2009, he is still the president of Ecuador.

Trudie Styler is the co-founder – along with her husband, the musician Sting – of the Rainforest Foundation, a non-profit organization dedicated to supporting indigenous and traditional people of the world's rainforests.

About The Filmmakers

Joe Berlinger

Director/Producer/Executive Producer/Cinematographer

Joe Berlinger is an award-winning filmmaker, journalist and photographer, whose films include the celebrated documentaries *Brother's Keeper*, *Paradise Lost*, and *Metallica: Some Kind of Monster*.

Joe Berlinger made his first independent film in 1989. *Outrageous Taxi Stories*, a documentary short, became a cult favorite on the festival circuit. Three years later, Berlinger and frequent collaborator Bruce Sinofsky received international acclaim for their Sundance-winning feature *Brother's Keeper*. Named 1992's "Best Documentary" by the DGA, the New York Film Critics Circle and the National Board of Review, the film appeared on the "10 Best Films of the Year" lists of over 50 major critics. *Brother's Keeper* became one of the most successful self-distributed documentaries of all time, helping usher in a new era of independent documentary filmmaking.

Released in 1996, Berlinger and Sinofsky's *Paradise Lost: The Child Murders at Robin Hood Hills* captured a year in the life of an Arkansas town as it came to grips with the most horrifying crime in its history. The film also revealed the innocence of three teenagers wrongfully convicted of capital murder, sparking an international movement to "Free the West Memphis Three." Originally made for HBO, *Paradise Lost* had its world premiere at the Sundance Film Festival. It went on to win a Primetime Emmy, a Peabody and the National Board of Review's "Best Documentary" Award. The film was released theatrically by the filmmakers and played in over fifty cities across the U.S. Berlinger and Sinofsky's *Revelations: Paradise Lost 2* premiered on HBO, updating the story four years later. It was nominated for a Primetime Emmy and released in theatres by Artisan Entertainment. A third *Paradise Lost* film is currently in production.

Metallica: Some Kind of Monster debuted at the 2004 Sundance Film Festival, and was released in the U.S. by IFC Films and shown theatrically in fifteen other countries, becoming an instant classic in the "rock doc" genre, drawing comparisons to *Don't Look Back*, *Gimme Shelter* and *Let It Be*. The film won the Independent Spirit Award for "Best Documentary," was nominated by the IDA for "Best Documentary Feature" and was placed on the "10 Best Films of the Year" lists of over 30 critics. The DVD of *Some Kind of Monster* was distributed by Paramount Home Entertainment, and was one of the company's most successful music-related releases, selling over 1 million copies in its first year.

In addition to his feature documentary work, Berlinger has produced and directed a great deal of television, both fiction and nonfiction, including *The Begging Game* for ABC News and PBS/Frontline and *Where It's At: The Rolling Stone State of the Union*, an ABC primetime special created in celebration of the magazine's 30th anniversary. Berlinger was the creator of the VH-1 series "FanClub," and the Court-TV series "The Wrong Man." He was the director of HBO's *Judgment Day: Should the Guilty Go Free*, an unblinking look at crime and the U.S. parole system, and the Emmy-nominated *Gray Matter*, which chronicled his personal search for 86-year-old former Nazi Dr. Heinrich Gross, for Cinemax, CBC and France 2. Berlinger's fiction television directorial credits include Barry Levinson and Tom Fontana's groundbreaking series *Homicide*, among others, and he directed and co-wrote the feature film *Book of Shadows: Blair Witch 2* for Artisan Entertainment.

Berlinger is co-executive producer and director of the acclaimed series *Iconoclasts*, now in its fourth season on Sundance Channel. In 2006, he won an "Outstanding Nonfiction Series" Emmy as co-executive producer of The History Channel's *10 Days that Unexpectedly Changed America*, for which he also directed an episode about the assassination of President William McKinley and the rise of Theodore Roosevelt.

Berlinger is currently developing two narrative feature films which he plans to produce and direct: *Education of a Felon* about the life of cult prison novelist Edward Bunker; and *Facing The Wind*, based on Julie Salamon's bestselling nonfiction book of the same name.

Berlinger's articles and photographs have appeared in the *New York Times*, *ArtForum*, *Film Comment*, *Aperture*, and numerous other publications, and his first book, *Metallica: This Monster Lives, The Inside Story of Some Kind of Monster*, was published in 2004 by St. Martin's Press.

Michael Bonfiglio
Producer/2nd Unit Director/Cinematographer

Michael Bonfiglio is a producer, writer, director, and camera operator who has worked in documentary film for more than a decade. He has shot in courtrooms, jails, deserts, oceans, jungles, and metropolises, at rock concerts, Mardi Gras, off-road races and mental hospitals, working in eight different countries with people ranging from high-profile celebrities and politicians to rarely-photographed indigenous communities.

Bonfiglio began his career in film working with *Crude* director Joe Berlinger and Berlinger's frequent collaborator Bruce Sinofsky, beginning with the theatrical distribution of their landmark film *Paradise Lost*. He was an associate producer of Berlinger & Sinofsky's acclaimed *Revelations: Paradise Lost 2*, and their instant-classic rock doc *Metallica: Some Kind of Monster*, also producing that film's massive award-winning 9-hour DVD.

Bonfiglio was a writer and producer of the Emmy-nominated *Gray Matter*, and writer/producer of *Murder at the Fair: The Assassination of President McKinley*, an episode of the Emmy-winning *10 Days that Unexpectedly Changed America*. He produced the pilot for the VH1 series *FanClub*, a segment of HBO's anthology special *Addiction*, and has worked on multiple episodes of Sundance Channel's acclaimed series *Iconoclasts*, serving as a producer, story editor and camera operator over three seasons.

In 2006, he was nominated for a Best Documentary Emmy for his work as Executive Producer of *Left of the Dial*, an HBO documentary about the rise, fall and resurrection of Air America Radio. He was a producer and camera operator of *Two Roads to Baja*, about the legendary 1000-mile Mexican off-road race and the producer of *Hollywood High*, a documentary for AMC about contemporary portrayals of drug culture in cinema that featured interviews with luminaries of cinema and literature including Jim Jarmusch, John Waters, Darren Aronofsky, and the late Hubert Selby, Jr.

He is currently producing *Paradise Lost 3*, and developing a number of new projects. Bonfiglio speaks Spanish and Portuguese, and is a member of the DGA. He lives in New York City.

Alyse Ardell Spiegel
Editor

Alyse Ardell Spiegel has worked in documentary and commercial film editing for the past five years on projects including feature documentaries, television series, advertising and groundbreaking web content.

Prior to her work on *Crude*, she has served as Associate Editor on VH-1's multi-part series *The Drug Years* and *And You Don't Stop: 30 Years of Hip Hop* with renowned documentarians Hart & Dana Perry. She worked as assistant editor on numerous projects including The History Channel's Emmy Award-winning *10 Days That Unexpectedly Changed America* and *The Exonerated*, director Bob Balaban's television adaptation of the critically acclaimed stage play which followed the lives of recently released prisoners after serving sentences for crimes they didn't commit.

As an editor, Spiegel's work has appeared as part of the Emmy-nominated PSA's for Bono's ONE campaign to end poverty and the Clio Award-winning web documentary series *Ford Bold Moves*, which chronicled the effort to turn around the Ford Motor Company.

Alyse began her editing career after living in Cuba and being inspired by Cuban cinema. Fluent in Spanish, Spiegel has traveled extensively in Latin America and brings her passion for the culture and people of that region to her work on this project.

Juan Diego Pérez

Director of Photography/Associate Producer

Juan Diego Pérez is a photographer, cinematographer and director living in Quito. He has filmed and directed more than twenty documentaries over the past fifteen years, frequently focusing on themes of nature, people and identity.

His work includes *Yasuní*, winner of the 1998 International National Parks Festival in Sondrio, Italy, and *Quito, La Ciudad Imaginaria (Quito, the Imaginary City)*, winner of the second prize in the 1996 Festival of Documentaries and Cities (UCCI) in Madrid. His recent works include *Animales que Cantan y Encantan (Animals that Sing and Enchant)* and 2008's *Rostros del Agua (Faces of the Water)*.

Pérez's photography book *Sapos Mariposas y Orquídeas (Frogs, Butterflies and Orchids)* was published in 2005, and he is one of eight photographers featured in the book *Ecuador Mas Cerca del Sol (Ecuador, Closest to the Sun)*, published that same year. He is currently working on a new book of photography, tentatively entitled *Identidades (Identities)*.

Pocho Alvarez

Cinematographer/Associate Producer

Pocho Alvarez is an Ecuadorean director, cinematographer, photographer and editor. He has worked for more than thirty years making documentary films with political, social, environmental content. He has made documentaries in numerous countries throughout Latin America, Asia and Europe, and collaborated with acclaimed writer Jorge Enrique Adoum on the book *Ecuador Imágenes de un Pretérito Presente (Ecuador: Images of a Present Past)*.

Edward L. O'Connor

Sound Recordist/Associate Producer

Edward L. O'Connor has worked as a sound recordist for over twenty years. He has worked on both television and feature film productions for employers including HBO, PBS, National Geographic and The Smithsonian. O'Connor's credits include the Emmy nominated series *Frontier House* and the Academy Award-nominated documentary *My Architect*.

Wendy Blackstone

Composer

Wendy Blackstone has created over one hundred film scores ranging stylistically from offbeat to orchestral to Latin to jazz. For years she has experimented weaving originally designed sounds with acoustic ensembles to create fresh innovative music. When Wendy finished scoring *Dear Diary*, Executive Producer Steven Spielberg said "Wendy's music took the show from a 3 to a 9." The show, directed by David Frankel, won an Academy Award. Five films Wendy has scored have either been nominated or won Academy Awards.

Feature film accomplishments include: *Love Walked In* starring Terence Stamp and Denis Leary; Nick Gomez's *New Jersey Drive* Executive Produced by Spike Lee, Glenn Close's *Journey*; Latin music for Betty Thomas' comedy *Only You*; *The Dutch Master*, Susan Seidelman's comedy starring Mira Sorvino. Wendy has scored four primetime television series: "Profiler," "New York News," "For The People," and "Maybe It's Me," starring Fred Willard and Julia Sweeney. Her tele-films include "ATF," directed by Dean Parisot; Ian Sander and Thomas Carter's "Someone She Knows," "Chasing the Dragon" and "Uninvited." Her numerous collaborations with Tom Fontana are a highlight in her career.

Scoring documentaries is an imperative to whom she is as an artist. Some recent titles include: *Crude*, HBO's *ALIVE DAY: Memories from Iraq*, *Secrets of the Code*, *9/12*, Alex Gibney's *Human Behavior Experiments*, Snoop Dogg's *California Youth Authority*, and *Locks of Love*. Wendy also scored Anna Deavere Smith's *Twilight: Los Angeles 1992*, directed by George C. Wolfe (*Angels In America*), taking her music to Broadway's Cort Theatre and helping the show to gain two Tony nominations.

A native of New York, Wendy has taken advantage of the rich diversity of her City. While studying orchestration and composition at Conservatory, she studied with NY's finest in Jazz performance and arranging. Her fluent Spanish is the result of her strong ties with the Latin music community and the bands she performed and arranged for. Her connection with the downtown music scene is a vital part of her artistic personae. She values her mentors, the late Elmer Bernstein and Dizzy Gillespie, who continue to inspire her.

Entendre Films

Production Company

Entendre Films is an independent feature and documentary film production and finance company which was founded in 2007 by Danielle Pelland and J.R. DeLeon. Ms. Pelland is an entertainment industry event organizer who is highly regarded by various industry players. Mr. DeLeon is a successful software and internet entrepreneur.

Entendre Films' founders have named the company as a play on the expression "double entendre," a word or phrase having a double sense, especially as used to convey an indelicate meaning.

Principally established for artistic expression, Entendre looks to develop, produce and finance films of social, political and spiritual significance that are engaging, entertaining and eye opening. Entendre Films is currently developing projects to partner with various talent, producers, distributors, and financiers who are interested in pushing the boundaries of filmed entertainment.

Entendre Films' first project is *Crude*, a Joe Berlinger documentary about the largest oil-related environmental case in history, pitting indigenous Amazon people against the multibillion-dollar U.S. company, Chevron-Texaco. *Crude* will have its world premiere in competition at the 2009 Sundance Film Festival in the U.S. Documentary category.

Netflix/Red Envelope Entertainment

Production Company

Netflix, Inc. (NASDAQ: NFLX) is the world's largest online movie rental service, with more than eight million subscribers. For one low monthly price, Netflix members can get DVDs delivered to their homes and can instantly watch movies and TV episodes streamed to their TVs and PCs, all in unlimited amounts. Members can choose from over 100,000 DVD titles and a growing library of more than 12,000 choices that can be watched instantly. There are never any due dates or late fees. DVDs are delivered free to members by first class mail, with a postage-paid return envelope, from 55 distribution centers. More than 95 percent of Netflix members live in areas that generally receive shipments in one business day. Netflix is also partnering with leading consumer electronics companies to offer a range of devices that can instantly stream movies and TV episodes to members' TVs from Netflix. For more information, visit <http://www.netflix.com/>.

@radical.media

Production Company

To create ideas unlike any other, @radical.media is a company unlike any other. From its origins in television commercials, @radical.media has evolved into a powerful force in fields as diverse as feature films, television programs, music programming, original photography, graphic and interactive design, and the emerging field of branded content.

From the Academy Award winner for Best Documentary *The Fog of War*, to the Grammy Award-winning memorial for George Harrison titled Concert for George, @radical.media has received critical acclaim in the feature film arena. Credits include Jay-Z's *Fade to Black*, and *Metallica: Some Kind of Monster* which won Best Documentary at the Independent Spirit Awards. More recently, the company produced *Rent Filmed Live on Broadway*, which is currently in theaters.

The company's television credits are no less imposing, including the production of the pilot episode of the Emmy and Golden Globe award-winning series "Mad Men," another Emmy-winning series "10 Days That Unexpectedly Changed America" for the History Channel, "Ironic Iconic America" for Bravo TV and the Tommy Hilfiger brand and "Britney: For The Record" for MTV and SkyOne. In addition, @radical's fourth season of the highly successful series "Iconoclasts" is currently on air on The Sundance Channel with Grey Goose Entertainment, presenting intimate portraits of groundbreaking icons. Participants for Season Four are: Anglican Archbishop Desmond Tutu and entrepreneur Sir Richard Branson; fashion designer Stella McCartney and artist Edward Ruscha; skateboarder Tony Hawk and filmmaker/actor Jon Favreau; political humorist Bill Maher and music industry executive Clive Davis; tennis champion Venus Williams and musician/producer Wyclef Jean; and actress Cameron Diaz and architect Cameron Sinclair.

As the company grows beyond international borders and across all forms of media, it stays true to its pioneering spirit in marrying art and commerce. In the branded content space, for instance, @radical.media continues to re-invent the rules, producing innovative projects for courageous brands. With Wieden + Kennedy, @radical produced the "Nike Battlegrounds" series for MTV, which has placed among the network's highest-rated programs. Recently, @radical produced two projects with Nike China airing on CCTV, which both won a Gold and Silver at the One Show Entertainment. Additional long form branded projects include: "The Gamekillers," a scripted reality dating series produced for Unilever's Axe deodorant, as well as Toyota's "Two Roads to Baja" and its sequel "Two Roads to Taupo," and the webisode series "Ford Bold Moves" and "The Adventures of Seinfeld & Superman" for American Express.

Most recently, @radical launched "driverTV," a first-of-its kind video-on-demand channel available in 30 million homes built to transform the way consumers shop for vehicles. A newly announced partnership with NBC Universal will bring the channel to even more viewers in the coming months.

As part of the company's deep commitment to public service advertising, @radical.media played a key role in public awareness campaigns such as the ONE campaign, Conservation International, Clinton Global Initiative, and works closely with the New York City Mayor's Office of Film, Theater & Television.

In addition to its Grammys, Golden Globe and Oscar wins, @radical.media has earned two Palme d'Or Awards at the Cannes Lions Advertising Festival. The company has won numerous Emmys, D&AD Pencils, One Show Pencils, MTV VMA Awards, Clios, Art Directors Club medals and the prestigious Smithsonian National Design Award for Communications Media.

Third Eye Motion Picture Company, Inc. Production Company

Third Eye Motion Picture Company is filmmaker Joe Berlinger's independent production and distribution company. Launched in 1999, Third Eye has been a partner in a number of Berlinger's projects including *Metallica: Some Kind of Monster* and *Gray Matter*. For the last eight years, Third Eye has had a first-look/overhead deal with @radical.media, with Third Eye running the bulk of its productions through @radical. Third Eye is currently developing the fact-based narrative features *Education of a Felon*, based on novelist Edward Bunker's acclaimed memoir of the same name, and *Facing the Wind*, Julie Salamon's bestselling nonfiction book.