

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01470-WYD-MEH

THE REPUBLIC OF ECUADOR, and
DIEGO GARCIA CARRION, Dr., the Attorney General of the Republic of Ecuador,

Petitioners,

v.

BJORN BJORKMAN,

Respondent.

CHEVRON CORPORATION,

Interested Party.

ORDER RE: MOTION FOR RECONSIDERATION

Michael E. Hegarty, United States Magistrate Judge.

Before the Court is Chevron Corporation's and Bjorn Bjorkman's (Respondents') Motion for Reconsideration of the Court's March 5, 2013 Order [[filed March 11, 2013; docket #124](#)]. The matter is fully briefed and has been referred to this Court for disposition. For the following reasons, the Court **grants in part and denies in part** the present motion.

Upon review of the information produced *in camera*, as well as that provided in the briefing, the Court concludes that translation to English of the withheld draft reports written in Spanish is unnecessary. The Court can determine from the documents themselves and from information provided by the Respondents whether the documents are properly withheld pursuant to Fed. R. Civ. P. 26(b)(4). Therefore, the Court modifies its March 5, 2013 order to remove the requirement that Respondents provide the Court with English-translated copies of the withheld draft reports written

in Spanish.

However, the Court cannot determine from the documents and information provided by Respondents whether the emails written in Spanish are properly withheld. Therefore, the Court must order that, on or before April 15, 2013, Respondents provide to the Court English translations of all emails written in Spanish that appear on Respondents' Fifth Revised Privilege Log, dated January 10, 2013. Respondents concede that the "burden and cost" for translation of the Spanish-written emails is "less" than for the draft reports (Motion, docket #124 at 5), and they do not appear to seek cost-sharing for the translation of the emails alone. Therefore, Respondents' requests for the appointment of a Special Master and for sharing the costs of translation are denied.

Accordingly, Chevron Corporation's and Bjorn Bjorkman's (Respondents') Motion for Reconsideration of the Court's March 5, 2013 Order [filed March 11, 2013; docket #124] is **granted in part and denied in part** as set forth herein.

Dated and entered at Denver, Colorado, this 28th day of March, 2013.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is written in a cursive style with a large initial 'M' and 'H'.

Michael E. Hegarty
United States Magistrate Judge