

AFFIDAVIT OF YUNIOR DESPAIGNE

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority personally appeared YUNIOR DESPAIGNE, who after first being duly sworn states:

1. I am over 18 years of age and legally competent to testify as to the facts herein of which I have personal knowledge.

2. I am familiar with all pertinent facts of this case and specifically with the contents of this affidavit.

3. I am an eyewitnesses presented by the MIGUEL ANGEL CORBACHO DAUDINOT in his complaint which was filed in the United States District Court in the Southern District of Florida against Yasiel Puig and his mother, Maritza Valdes Gonzalez, alleging that Puig and his mother conspired to imprison and torture Corbacho in the case of *Corbacho Daudinot v. Puig Valdes et al*, Case No. 13-cv-22589, which is currently underway in Miami, Florida, USA in the U.S. District Court for Southern District of Florida. I have informed Plaintiff that I would be willing to testify in court to the veracity of the facts I disclose in this affidavit.

4. I have been asked by Plaintiff to provide this affidavit in response to Defendants' Motion to Dismiss the Plaintiff's Amended Complaint, which may result in Plaintiff's having to further Amend the Complaint to include further factual details concerning Puig's involvement in a conspiracy with the Cuban government.

5. I had previously not provided Plaintiff's counsel with the information contained herein due to legitimate fears for my life. I am providing these facts now because Puig, in an attempt to silence me and intimidate me to stop me from participating as a witness in this case, has deliberately targeted my family that is still in Cuba, working with his family in Cuba and the Cuban government to imprison my younger brother, who is only 20 years old and was arrested just minutes after his first-born son, my nephew, was born. My brother is still languishing in prison for the alleged crime of Human Trafficking, for which the government is seeking 15 – 20 years deprivation of liberty.

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6. In Cuba I was a professional boxer, who represented Cuba on the national boxing team, and, although not a baseball player, I was famous in my own right.

7. I shared a personal relationship with Puig for many years prior to his defection from Cuba because we were both athletes from the province of Cienfuegos, who represented the nation in our respective sports on the national team. We went to the same preparatory athletic school in Cienfuegos and were distinguished by Cienfuegos on a yearly basis for our excellent athletic performance.

8. In addition to being friendly with each other, we frequented the same social circles and shared many of the same friends and acquaintances, among them two men named Carlos Ivan Hernandez Concepcion (hereinafter "Hernandez" and Paulito, whose last name I cannot remember (hereinafter "Paulito").

9. At the end of 2009, I am uncertain as to the exact date, Puig was sanctioned by the Cuban government for attempting to leave Cuba. He was removed from the national baseball team as well as from the National Series baseball team of Cienfuegos.

10. After the Cuban government grounded him, Puig accused Hernandez and Paulito of having offered and orchestrated his defection.

11. I did not become involved in the situation until Hernandez and Paulito's families visited me, asking for my help. They told me that Hernandez and Paulito were being treated like traitors in prison, that they were being targeted by the guards for severe punishments, that Hernandez had been beaten by the guards, and that both Hernandez and Paulito had been held in solitary confinement without food or water for days, and that the guards were threatening Hernandez and Paulito's lives.

12. Since I had an uncle who was in prison, I was aware that such severe treatment was directed against those who had committed political crimes. I told them that I would talk to Puig to attempt to persuade him not to testify.

13. I visited Puig in his home in Cienfuegos around October or November 2009 when and asked him about the situation that occurred with Hernandez and Paulito, and he told me that they were in prison at that time because they were caught attempting to take him out of the country, and that he was due to testify against them in the coming months.

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14. Since I was also an athlete, who was a national figure in Cuba and who knew the way the system worked, I countered his response by saying “you know very well that they would not be in prison if you had not accused them of offering to take you out.” Puig acknowledged that that was true, but that he needed to look out for himself, his interests, and his future, and if that meant working with state security to accuse people of human trafficking, then he would accuse as many people as necessary to get back on the baseball team.

15. Since we were both athletes, we spoke frankly about the situation, and I pled with Puig not to testify against Hernandez and Paulito or to recant his accusation at trial. I asked him if he knew how serious a crime was Human Trafficking in Cuba, that is was considered as a national security crime, to which he responded that he did know, and that is why he accused them of the crime; he said that Human Trafficking was the only crime State Security cared about, and the more people he reported, the better it would be for him.

16. I asked him, “man, do you know how they are being treated in prison?” I told him that Hernandez and Paulito were treated like traitors in prison for trying to take out a baseball player, that they were being targeted by the guards for severe punishment, that they had spent days in solitary confinement without food or water, that Hernandez had been beaten severely by the guards, that Hernandez and Paulito’s lives were being threatened by the guards and might even be killed. Puig shrugged his shoulders and said that he knew how they were being treated, but that that was not his problem, that his only interest was in getting back on national team, and he would do anything that he needed to do to make that happen, and that he would be testifying in Hernandez’s and Paulito’s trial.

17. I asked him, “what if they are killed in prison because of your accusation?” and he only shrugged his shoulders, and said “They probably won’t be killed. Guards hardly ever beat prisoners to death anymore.”

18. Puig told me that if he cooperated with state security, he would be permitted back on the baseball team. Puig told me that he had had several meetings with Higinio Vélez, the commissioner of baseball in Cuba at that time, and was scheduled to meet again with him in the coming days. Vélez guaranteed to him that Puig would get back on the national team and the National Series team if Puig bided his time and kept working with

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State Security. Puig said that Velez told him that he could prove his loyalty and clean his name if he worked with the state to expose persons who were stealing Cuban athletes through trafficking.

19. I knew that speaking to him further about the matter would not help and could be dangerous to me since he was working with state security to accuse people of Human Trafficking, so I left.

20. Months later I learned through Puig that he did testify against Hernandez and Paulito and that they received six (6) years imprisonment as a result of his testimony.

21. Throughout 2010, I knew that Puig had accused several persons of Human Trafficking, and that he had managed to get back on the National and National Series baseball teams. I remained on the same friendly terms I had shared with him prior to his accusations of Hernandez and Paulito.

22. In the first part of 2011—I cannot remember the exact date—the Cuban government removed me from the national boxing team. When I asked them why I had been pulled from the national team, my trainer, along with an official from state security informed me that I was considered a flight risk because one of my uncles had defected from Cuba to live in the United States. When I informed them truthfully that the thought of leaving Cuba had never entered my mind, they told me that I could earn the government's trust and be allowed back on the national team if I agreed to become an informant for them and disclose traffickers or other athletes who were potential flight risks. I had no information to give them and I refused to inform on members of my family or friends, some of who I knew did want to leave the country.

23. In retaliation for my refusal to become an informant for the state security, they stripped me from the team, removed me from Havana, where I had been living and training for several years, relegated me to Cienfuegos, where I had originally hailed, and imposed severe restrictions on my ability to travel; I was not permitted to leave Cienfuegos under any circumstances.

24. In was approximately in April or May 2011 that I received a phone call from a man named Raul Pacheco, who was living in Miami, Florida. Pacheco had been referred to me through a mutual acquaintance, who was aware that I knew Puig. Pacheco informed

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me that he and several other men in the United States wanted to get Puig out of Cuba, but that they needed somebody who knew Puig in order to extend their offer to him, and that they would smuggle me out of Cuba as well.

25. Pacheco told me that the plan that I should propose to Puig was that Pacheco and the other financial backers would plan and pay for his defection from Cuba using a speed boat from Mexico that would pick Puig and a few others up from the coast of Cuba and take us to Mexico, where Puig would establish residency and become a free agent. If Puig accepted the offer, he would have to repay the financial backers the cost of getting him out of Cuba, and provide them with twenty percent (20%) of any future contracts that he entered into with the major leagues, which they would divide among themselves.

26. I approached Puig with Pacheco's offer. I was scared about approaching Puig because I know that, aside from Hernandez and Paulito, Puig had sent several people to jail, among them Corbacho Daudinot and several others whose names I cannot recall.

27. When I visited Puig, we engaged in small talk and then I told him "I know that you are with state security, and that you have sent many people to jail," and I mentioned some of the names of the people he had sent to prison, including that of Corbacho Daudinot. Puig nodded his head and said "Yeah, so what?" to which I responded "You know I'm a national athlete too so let me tell you something, if you snitch on me, if you tell the state security anything I say here, I will snitch on you too. I will say that everything was your idea and that it was you who wanted to take me out of the country." Puig nodded his acknowledgement of my warning and indicated that I should continue. After I told Puig about Pacheco's proposal, and gave him a few hundred dollars that Pacheco had sent from the United States, Puig told me that he would think about it, and I left.

28. During the months that followed, Puig agreed to leave Cuba with me, but requested money from the financial backers in the United States for various different reasons, and those individuals sent Puig between \$25,000 - \$30,000, all of which was sent to me to give to him.

29. During the year that followed, we attempted to leave Cuba at least five times, and were forced to abort many plans due to Puig's reluctance and to his continual work with

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State Security in an attempt to reintegrate with the national team, from which he had been suspended a second time in 2011.

30. Puig told me that he was meeting with Vélez, the commissioner of baseball, who told Puig that if Puig continued to prove his loyalty and he would ensure that Puig was returned to the national team.

31. I knew not to trust Puig. He openly admitted to be a government informant, and in front of me, he and another baseball player got into a discussion about which one of them was the bigger snitch, by comparing the number of people they had each accused to the state security, and how many he had sent to prison. So I watched him and followed his lead in all things. If we attended a secret meeting where we plotted our defection, I would leave as soon as Puig made his exit. Without fail, the state security would disrupt every meeting that occurred almost immediately after Puig decided to leave it.

32. On several occasions in the course of attempting to leave Cuba, Puig, carrying his mobile phone, would separate himself from the presence of the group by locking himself in a room of the safe house or by going upstairs, and within the hour after his disappearance the state security would invariably arrive to arrest everybody.

33. Several months into our ongoing plan to leave Cuba via speedboat, Puig asked me to come to see him at his home on the following day. When I went to his house as per his invitation, I was told by his family that he had left earlier that day for an extended stay in a separate province. I went to that province in search of him, I was directed to a government-owned mansion with lavish rooms and a pool, that was fully stocked with food, alcohol and drinks. Puig, having forgotten that he invited me to his home, was surprised to see me there, but invited me inside nonetheless. When I asked him about the house, he said that “these are the kinds of perks you can get when you worked with the state security” and that they had given Puig the house for a week’s vacation.

34. During the course of our third defection attempt, we had rented a van that had broken in the municipality of Cueto, Cuba. While we were repairing the van, a man who identified himself as an official from state security called my cellular phone, to which only the fellow members of the group attempting to leave Cuba were given the number. The official asked for Yasiel or Yoan, Puig’s brother, and when I responded that I did not know

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anybody with those names, he stated “You know who I’m talking about. Give them a message. You tell them that they are in no way to meet the boat. We put them there to give us information, not to actually leave the country.”

35. It was at that point that my worse fears were confirmed, that Puig was not simply an informant, giving state security information on unknown individuals, but that he was working both sides of the fence in order to receive the largest advantage and that he was divulging all of our plans to state security. During the course of our attempts to leave Cuba, Puig accused Odalys Diaz Gonzalez and Armando Muniz to the state security.

36. We made a total of five (5) escape attempts from Cuba, the last of which was successful. Two of the attempts were stopped by the state security in safe houses that were in the middle of nowhere after Puig had disappeared from the presence of the group.

37. It was not until the financial backers in the United States refused to provide Puig with any further funds that we finally made it out of the safe house and onto the speed boat. The reason that attempt failed was because we were intercepted by the United States Coast Guard.

38. Our fifth and final attempt to leave Cuba was successful. We—Puig, Jenny Reyes, Lester Quesada, and myself—were picked up by speedboat and taken to Isla Mujeres, Mexico by the crew of the speedboat, who we knew as Tomasito, Leo , “El Menor”, “El Chino”, and “El Hungaro”.

39. While the financial backers in Miami had paid the smugglers the agreed-upon amount of \$250,000 in order to take Puig out of Cuba, the smugglers concluded that Puig would be worth more money and demanded that the Miami investors pay them \$400,000, which the backers insisted that they did not have.

40. Since the smugglers refused to release us until the financial backers paid the increased amount that they were demanding, we were kept there for an entire month before the financial backers in Miami hired several men to clandestinely take us away from the smugglers in Isla Mujeres and take us to Cancun and then to Mexico City DF.

41. While in Cancun, I met Jaime Torres, Puig’s current agent, who visited Puig there. Jaime Torres also came to visit Puig in Mexico City DF in the company of Gilberto Suarez and Marcos Gonzalez, who I learned were two of the financial backers from Miami.

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42. I became separated from Puig after about 20 days of remaining in Mexico City DF, and I witnessed when they provided Puig with his Mexican residency in about a week's time.

43. After approximately 20 days I was escorted to the U.S./Mexico border at Texas, where I entered the United States, and was flown to Miami, where I met with the final member of the financial backers, Alberto Fariñas.

44. I stayed with Pacheco for a few months until he was arrested for an unrelated crime, and then moved to Fariñas' home for a few months. Staying with them, I was privy to many of the conversations between them because they would discuss the issues concerning Puig in front of me.

45. Through conversations with them, I learned that Marcos Gonzalez paid approximately \$500,000 to bring Puig to the United States and that Puig paid him \$600,000 in a single bank transaction. Puig still owes Gonzalez money as part of his contractual obligation.

46. Through conversations with them, I learned that Puig paid Raul Pacheco \$300,000 in a transaction which occurred in the name of Pacheco's sister. Puig still owes Pacheco money as part of his contractual obligation.

47. Through conversations with them, I learned that Puig paid between \$400,000.00 to \$500,000.00 to Alberto Fariñas in a transaction which occurred in the name of either a company or Fariñas' son. Puig still owes Fariñas money as part of his contractual obligation.

48. Through conversations with them, I learned that Gilberto Suarez received a percentage of Puig's major league contract, which is equal to or exceeds the percentage given to Jaime Torres.

49. After we were all successfully in the United States and Puig had secured his contract with the Los Angeles Dodgers, the smugglers from Mexico who had taken us out of Cuba were attempting to collect on their payment, which they claimed was still owed to them. One of the smugglers, Leo, sent a man to come and find me to deliver a message to Puig. The man pushed me up against my car and pressed a pistol to my liver and told me to tell Puig that if he didn't pay them, that they would kill him.

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50. Puig took the situation to Gilberto Suarez, whom I heard tell Puig over the telephone not to worry; that he, Gilberto, would have Leo “neutralized”.

51. About a month later Gilberto Suarez asked me if I wanted proof that he, Gilberto, took care of problems and that he meant business. When I said OK, he told me to look up on the internet the name Yandrys Leon, which was Leo’s full name, and to see what happened to him. When I searched the internet for his name, I saw several articles that reported on Leo’s murder in Cancun, the news articles stated that Leo had been shot and killed. I do not know if Gilberto Sanchez ordered Leo to be killed, or if he simply took advantage of the fact that Leo had been killed by a third party to imply that he, Suarez, was responsible for it.


52. As I write this Affidavit, I am concerned that something may happen to me as a result of my part in cooperating with Plaintiff’s counsel in this case. Puig has already personally threatened me by saying “You do what you are going to do, but then don’t cry over the consequences.”

53. Approximately on December 2013, Pacheco, Puig, his father, Omar framed my younger brother in Cuba. Puig, who had already severed his personal ties to me, deliberately sought out my brother in Cuba, claiming that he needed to send his good friend, Noelvis Entenza González, some money and that he could find no direct way of getting it to Entenza. Puig sent my brother the money, and my innocent young brother, not suspecting a trap, dutifully delivered the money to Entenza, who after accepting the money, accused my brother of offering the money in order to smuggle a differing baseball player Barbaro Erisbel Arruebarruena out of Cuba.

54. I have no financial interest in the outcome of the case of Corbacho Daudinot v. Puig Valdez. It is because of Puig’s deliberate targeting of my family, that I am coming forward with the entire history of Puig’s work with the Cuban government as I learned it through him and through my own observations of Puig. Puig knowingly worked with the Cuban government to accuse people in Cuba of Human Trafficking, which unfailingly resulted in their imprisonment. Puig knew what kind of treatment those he accused were suffering, because he not only told me that he knew they were tortured, but he appeared to take a strange sort of pride in the number of people that he had sent to prison.

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FURTHER AFFIANT SAYETH NAUGHT.



YUNIOR DESPAIGNE

SWORN TO and subscribed before me on this 6th day of December, 2013 at the state and county above mentioned.



Notary Public, State of Florida

My Commission Expires:
(Personally known to me)

