

EXHIBIT 23

POWER AND CRIMINAL SUIT AGAINST
MR. OYDÉN ORTEGA DURÁN,
JUSTICE OF THE CIVIL COURTROOM OF THE
SUPREME COURT OF JUSTICE

MR. PRESIDENT OF THE NATIONAL ASSEMBLY

I, **VICTOR ANTONIO CROSBIE CASTILLERO**, Panamanian, adult, male, with personal I.D. 8-155-1933, practicing lawyer, with professional license dully issued by the Supreme Court of Justice N° 11138, with professional offices located at Torre Banco Delta, Piso No.13, Oficina 1302, teléfono 263-8225, in virtue of the General Power that is dully registered and in force, appear before the National Assembly of Representatives in representation of **RICHARD SAM LEHMAN**, adult, male, United States Citizen, bearer Passport No. 420303869 and I.D. number N.L-550-757-44-081-0, with residence at 2600 N. Military Trail # 270 Boca Raton, Fl 33431, Florida, United States of America, in order to interpose a Criminal Complaint against Mr. **OYDÉN ORTEGA DURÁN**, Justice of the Civil Courfroom of the Supreme Court of Justice, for having committed the offense of Improper Prevarication regulated in Book II, Title X (Offenses against the Public Administration), Chapter II (Corruption of Public Servants) Articles 342, Criminal Code.

Mr. Victor Antonio Crosbie Castillero is authorized to act according to the clauses established in the General Power for lawsuits, which is attached to this complaint.

Date of Submission.

LICDO. VÍCTOR CROSBIE CASTILLERO
License No 11138

PRESIDENTE DE LA ASAMBLEA NACIONAL, E.S.D.

I am **VICTOR ANTONIO CROSBIE CASTILLERO**, Practicing Lawyer, in virtue of the faculties expressed in the General Power aforementioned, acting in name and representation of Richard Sam Lehman, person whose particulars are included in the General Power for lawsuits, I appear before the National Assembly of Representatives to interpose a Formal Criminal Complaint against Mr. Oyden Ortega D., Justice of the Civil Courtroom of the Supreme Court of Justice, for having committed the offense of Improper Prevarication, regulated in Book II, Title X (Offenses against the Public Administration), Chapter II (Corruption of Public Servants) Articles 342, Criminal Code; in the file that is being processed before your office. This Complaint is being formalized in the following manner:

- I. **PLAINTIFF:** Is attorney Richard Sam Lehman, adult, male, United States Citizen, bearer of Passport No. 420303869 and I.D. number N.L-550-757-44-081-0, residing at 2600 N. Military Trail # 270 Boca Raton, Fl 33431, Florida, United States of America.

- II. **DEFENDANT:** Is Mr. OYDEN ORTEGA DURAN, Justice of the Civil Courtroom of the Supreme Court of Justice, whose particulars we are not aware of, however reachable in the stand of the Supreme Court of Justice.

- III. **OFFENSE ATTRIBUTED.** Is the Offense of Improper Prevarication being regulated in Article 342 of the Criminal Code, as one of the modalities of corruption of public servants.

Article 342. The public servant who, by performing, as a member of the Judicial Organ or the Public Ministry, administrative authority, arbitrate or any other position that should decide a matter of his knowledge or competency, personally or through an interposed person, accepts, receives or requests or solicits a donation, promise, on Money, benefit or advantage to harm or favor one of the parties in the proceedings or as a consequence of having harmed and favor one of them, be sanctioned with prison of four to eight years. The same sanction will be

applied to the public official of the Judicial Organ or the Public Ministry that:

1. By collusion or any other fraudulent mean issues a resolution glaringly contrary to the Constitution or Law, in the manner that it causes harm.
2. By collusion or any other fraudulent mean, receives or gives legal advice to any of the parties, in the manner that it causes harm.
3. Maliciously delays a proceeding submitted to his decision.

If one of the conducts established in this article results in a sentence of an innocent person, the sanction will be of five to 10 years of prison.

IV. FORM OF COMMISSION OF THE OFFENSE. This offense is executed intentionally by the Defendant, at the time that in the Civil Cassation Proceedings, in the Testamentary Estate proceeding of Wilson Charles Lucom, uttered a signed resolution, glaringly contrary to the established by the Constitution and the Law. We must point out that the **Political Constitution**, rules in its article **215 numeral 2**, "The object of the proceeding is the acknowledgement of the rights consigned is the fundamental law", which in the doctrine is called Due Process of Law, which is regulated in the **Judicial Code, article 231** "Every person has free access to the courts of justice to expect a guardianship of the rights acknowledged by law. Such guardianship cannot be limited, but through an agreement or dispositions of the law" and **article 469** "By uttering his decisions, the Judge must take into consideration that the object of the proceeding is the acknowledgement of the rights consigned by the fundamental law and this criteria should be used to interpret the dispositions of the actual Code...."

Before the Constitution and the Law, it absolutely unfounded and inexplicable, that Justice Oyden Ortega D., utter a resolution in the Civil Cassation Proceeding, in which he would appoint Mrs. Hilda Piza as the sole albacea and administrator of Wilson Charles Lucom's inheritance, who in other civil and criminal suits, is not familiar with the Will's legitimacy in which she is appointed as one of the legatees and as one of the testamentary executors.

It is timely to point out that this offense it is unnecessary to accredit that the Defendant received something in Exchange of his decision, not even

the famous summary. We just need to have the Credential Commission of the Representative Assembly to review the proceedings to confirm this absurd remoteness to the constitutional and legal regulation, aforementioned.

The execution of prevarication is palpable in numeral 1 of article 342 of the Criminal Code. The defendant prevaricates due to the following:

1. He intentionally fails to guard the rights of Richard Sam Lehman and others, by appointing by means of legal resolution, Mrs. Hilda Plza as sole Albacea, violating the testamentary will of Wilson Charles Lucom, who appointed as Albaceas of his Will

1. Richard Sam Lehman, Christopher Rudy and Mrs. Hilda Piza.
2. He intentionally is not aware of Mr. Richard Sam Lehman's rights as Testamentary Albacea and this was the testator's wish.
3. He internationally validates one parties of the Will, favoring Hilda Piza, although she has questioned and refuted the legitimacy of the Will, as confirmed in the proceedings. Additionally, as stated in the resolutions, Mrs. Hilda Piza confessed she suffers from a degenerative mental illness such as Alzheimer which makes her even more unsuited due to her age (90-years old) to exert the Administration of the inheritance.

Such appointment has as a fundamental purpose, to allow the Infante & Pérez Airmillano firm to finally exert the administration of the inheritance and to mock the poor children of Panama, at the same time in which Hilda Piza cannot even wander on her own and the Alzheimer is causing its negative effects.

4. Being aware of the existence of a criminal proceeding for document falseness that had been carried out (Wilson Charles Lucom's signature) in the Will, he is unaware that the experts determined that it was indeed Wilson Charles Lucom who signed his Will therefore the same could not be modified but through the formalities established by the Law. (Civil Code).
5. Deliberately affecting Richard Sam Lehman he is unaware of Article 1526 of the Judicial Code, by being appointed as Testamentary Albacea of the Wilson Charles Lucom Estate.
6. Richard Sam Lehman is affected in his condition as Testamentary Albacea testamentary appointed by the cujus. Is the one who is presently fighting to have the testator's will met, investing large sums of money of his own pocket, in order for the poor children of Panama to be benefitted with the Lucom inheritance, given that it was his last will.
7. He is intentionally unaware of article 772 of the Civil Code which establishes that: "The Will cannot be revoked fully or in part, but through the necessary solemnities to testate". One of the solemnities to change the testator's will, is not through legal will, given that then the Judge becomes the testator, but precisely using the formal means through which the Will was elaborated (the testator's will and notary formality).

REQUEST: For the reasons aforementioned, we respectfully request the members of the Credential Committee of the National Assembly, to accept this Criminal Complaint, to assure the right of defense of the accused and to request the National Assembly the sentence established by the law for the Justice of the Civil Courtroom of the Supreme Court of Justice, Mr.Oydén Ortega D.

PRUEBAS:

1. Solicitamos a la Honorable Asamblea Nacional de Diputados que requieran de la Sala Civil de la Corte Suprema de Justicia, el expediente original de casación civil de la Sucesión testamentaria de Wilson Charles Lucom, actualmente en el despacho del Magistrado Oydén Ortega Durán.
2. Declaraciones de Hilda Piza ante la fiscalía 4ª de circuito donde manifestó padecer de Alzheimer.
3. Copia debidamente autenticada del Testamento dejado por Wilson Charles Lucom.
4. Poder General otorgado por Richard Sam Lehman al Licenciado Victor Crosbie Castillero.

DERECHO: Constitución Nacional, Ley 31 de 1998. Código Judicial, Reglamento Interno de la Asamblea.

Fecha de presentación.

LICDO. VÍCTOR CROSBIE CASTILLERO
Idonidad No.

DECLARES NON PROVEN the Nullity Motion submitted by Mrs. Doris Serrano....
And (CASA?) the Superior Court decision dated April 4, 2007 , in the manner that
its resolution part will be the following:

MODIFIES resolution 1025/173/06 dated July 5, 2006 issued by the Fourth Circuit
Civil Court of the First Judicial Circuit of Panama whose resolution part will be the
following:

1. That Wilson Charles Lucom's Estate proceedings is opened.
2. That the beneficiaries, without harming any third parties, are Hilda Piza Lucom, Isabel Maria Clark, Robert Clark, Alexander Clark, Lanny Clark , Cassandra Clark, Mayo Clinic of Rochester ..., Melinda Morrice, Hilda Abdelnour, Madelaine Arias, Gilberto Arias, Margarita Arias, Norah Garner, James Gibbons, Ann Smith, Walter Garner, Gary Elkins, Christopher Ruddy, Dr. Peter Hibberd, Mario Boyd, Andrea Ospina, Tanya Ramos, Israel Tejada and Edilberto Soto.
3. Appoints Hilda Piza Lucom as Executor and Trustee of the inheritance according to article 857 and 858 of the Civil Code in order to her to exert her position as executor and trustee and will have to appear before the court to take possession of her charge.
4. Any person in their right and that have interest should appear, the law summons referred to in article 1526 of the Judicial code is ordered and fixed.

DECLARA NO PROBADO el incidente de nulidad presentado por la Lcda. Doris Serrano.....y CASA el auto Civil de 4 de mayo de 2007 del T. Sup., de manera que su parte resolutive quedará así:

MODIFICA el auto 1025/173/06 de 5 de julio de 2006 expedido por el Juzgado 4º de Circuito Civil del Primer Circuito Judicial de Panamá, cuya parte resolutive quedará así:

1. Que está abierto el proceso de sucesión testada de Wilson Charles....
2. Que son sus legatarios, sin perjuicio de terceros, Hilda Piza Lucom, Isabel María Clark, Robert Clark, Alexander Clark, Lanny Clark, Cassandra Clark, Clínica Mayo de Rochester..., Melinda Morrice, Hilda Abdelnour, Madeline Arias, Gilberto Arias, Margarita Arias A., Norah Garner, James Gibson, Ann Smith, Walter Garner, Gaby Elkins, Christopher Ruddy. Dr. Peter Hibberd, Mario Boyd, Andrea Ospina, Tanya Ramos, Isabel Tejada y Edilberto Soto.
3. Se nombra como albacea y fiduciario de la herencia a Hilda Piza Lucom para que de conformidad con los artículos 857 y 858 del C. Civil ejerza el carga de albacea y fiduciaria, quien deberá comparecer al tribuna a tomar posesión.
4. Se ordena que comparezcan a estar en Derecho todas las personas que tengan algún interés en la misma y que se fije y publique el edicto emplazatorio de que trata el artículo 1526 del C.J.