

**EXHIBIT 8**



*Republic of Panama*  
*The Judiciary*

**SECOND SUPERIOR COURT OF JUSTICE IN AND FOR THE FIRST JUDICIAL CIRCUIT OF PANAMA. Panama, November twenty-one (21) two thousand seven (2007).**

**HABEAS CORPUS No. 60.**

HAVING CONSIDERED:

Attorney Carlos Eugenio Carrillo Gomila filed an Preventive Habeas Corpus action on behalf of RICHARD SAM LEHMAN, who is the object of an arrest warrant.

He based his action, and indicating the Court should find the arrest warrant for RICHARD SAM LEHMAN is contrary to law, issued by the Fourth Prosecutor's Office in and for the First Judicial Circuit of Panama in a proceeding dated September 10, 2007, while the file is in Chambers of the Seventh Circuit Judge, against whom the constitutional action is filed.

He stated that the motive for the referenced proceeding is contrary to law and the acts allegedly investigated are unrelated to the criminal offense charged, wherefor his preventive detention is ordered; fraud, as a criminal offense, involves a concurring deceit to the detriment of

the victim of the crime, and evidence of the falseness and recklessness of the charges against RICHARD SAM LEHMAN has been provided; the arrest warrant does not coherently provide how RICHARD SAM LEHMAN could have deceived WILSON CHARLES LUCOM (R.I.P.) based on the fraud charge, which occurred on June 2, 2006; that is, when Mr. WILSON CHARLES LUCOM was already dead. With respect thereto, he alluded to jurisprudence that defines deceit.

He explained that the accusations that are the basis for the charges against RICHARD SAM LEHMAN and his preventive detention refer to his actions in the performance of his duties as executor, which post began in a proceeding dated July 6, 2006 before the Fourth Circuit Civil Court in and for the First Judicial Circuit of Panama, wherefor it is erroneous to accuse him of allegedly committing fraud to the detriment of a deceased inasmuch as none of the acts RICHARD LEHMAN is accused of happened prior to the death of WILSON CHARLES LUCOM, wherefor there is no probative evidence because all of the acts of his principal, consisting of opening bank accounts and managing funds belonging to the estate of WILSON CHARLES LUCOM were done in the performance of his duties as executor and while there was no suspension by the Civil Court for performing his duties.

He stated that counsel for Mrs. HILDA PIZA BLONDET, before the Fourth Circuit Prosecutor's Office, dismissed the criminal actions against Atty. Agustin Sellhorn and Mr. Christopher Ruddy, with reservations as to the fact that the said dismissal did not apply to the rest

inasmuch as the dismissal is unconditional and implies a final waiver of a claim; he transcribed Article 92 of the Criminal Code, regarding private action offenses, which sets forth that if there are several [persons] who are liable, forgiveness by the victim reaches all of them and alludes to an order issued by the Second Division of the Supreme Court of Justice indicating that the benefit of a proceeding dismissing a criminal action in favor of AGUSTIN SELLHORN and CHRISTOPHER RUDDY also extends to the remaining accused; therefore, the order to take an unsworn statement and the arrest warrant are contrary to law. However, the Prosecutor's Office denied the said dismissal when, in fact, it was the court who had to decide inasmuch as its admission or rejection is not a jurisdictional power. (Pp. 1-18 of the file)

Upon issuing the habeas corpus order, Atty. Leticia Vergara, Seventh Circuit Criminal Court Judge in and for the First Judicial Circuit of Panama, in charge, stated that she did not order the preventive detention of RICHARD SAM LEHMAN, but that it had been the Fourth Circuit Prosecutor's Office by way of a proceeding dated September 10, 2007; that Mr. LEHMAN is at the disposal of the said Court and that setting a date for the preliminary hearing was pending. (Pp. 71-72 of the file)

## LEGAL BASIS

The object of the Habeas Corpus action is to review whether the detention of a person has been ordered in accordance with Constitutional and legal provisions; basically, if the warrant has been issued by the competent authority, in writing, and if it describes the facts and circumstances which serve as the basis for the execution of the criminal conduct as well as the involvement of the person whose detention is ordered.

These requirements are set forth in Articles 21 of the National Constitution and in Article 2152 of the Judicial Code, which stipulate a person who believes he is unjustly detained has the right to file a Habeas Corpus action to have a higher court to review the legality or illegality of that detention.

Thus we note that the investigation begins with the complaint filed by the law firm of Infante & Perez Almillano, represented by Atty. Edna Ramos Chue, acting for and on behalf of HILDA PIZA LUCOM or HILDA PIZA BLONDET against RICHARD SAM LEHMAN and others for fraud, misrepresentation, the illegal practice of the [legal] profession and conspiracy to commit a crime.

The central point of the complainant's brief indicated that RICHARD SAM LEHMAN, by and through his law office ALVAREZ CROSBIE & ASOCIADOS requested the opening of the

testamentary probate proceeding of WILSON CHARLES LUCOM (R.I.P.), which was granted by the Fourth Civil Court in and for the First Judicial Circuit of Panama in Order No. 1025/173-06, dated July 5, 2006; it stated that RICHARD LUCOM, chief counsel for WILSON LUCOM is sued for aggravated fraud inasmuch as he had allegedly established FUNDACION WILSON C. LUCOM TRUST FUND and FUNDACION END WAR TRUS to be the heirs of his fortune and it was thus set forth in his will, but said foundations did not exist when the public deed was granted; wherefor, upon the death of WILSON LUCOM on June 2, 2006, days after RICHARD LEHMAN moved for the opening of the testamentary probate proceeding, and the civil court appointed him the executor of the testamentary succession.

Availing himself of the spurious will, RICHARD LEHMAN performed acts disposing of assets, specifically a total of B./ 655,241.25 from account No. 1010077045838 at First National Bank in Palm Beach, thereby deceiving WILSON LUCOM for his benefit or that of a third party by claiming to administer the referenced foundations in his capacity as executor, but without honoring the will of WILSON CHARLES because he refused to provide the monthly expenses that were set forth in the will for the benefit of the widow, HILDA PIZA (Pg. 1).

At pages 5,793 through 5,481 is the proceeding dated September 10, 2007, whereby an order for the unsworn statement and consequent preventive detention of RICHARD SAM LEHMAN is issued under the same presumptions set forth in the proceeding, clarifying that the crime investigated was proven by incorporating to the preliminary investigation the proceeding of the Site Inspection at GLOBAL BANK, S.A., thereby establishing that account No. 50-102-23051 was opened in the

name of RICHARD SAM LEHMAN with Banco Nacional checks 7911 and 7912, pertaining to the Banco Disa settlement for B/. 60,440.38, corroborated by the sworn statement of MONICA GARCIA DE PAREDES CHAPMAN, a Global Bank private banking employee, who indicated that RICHARD LEHMAN opened the said account with two checks drawn payable to the ESTATE OF WILSON C. LUCOM by RICHARD S. LEHMAN, EXECUTOR; No. 7911, the first check, dated August 1, 2006 in the amount of B/. 57,791.61 and Check No. 7912, dated August 1, 2006 in the amount of B/. 2,648.77, and indicated that these were from the Banco Disa settlement.

Further, the Prosecutor's Office stated that the offense and involvement of RICHARD SAM LEHMAN were proven with the Site Inspection at Banco Disa (pg. 5,727), where it was established that the referenced checks were issued payable to WILSON LUCOM, but that in accordance with an internal memorandum, a record was provided of the fact that the said check was voided, drawing two new ones payable to RICHARD LEHMAN inasmuch as the document was shown, thereby showing that he was the executor of the estate of WILSON CHARLES LUCOM; and checks were continued to be drawn from the said account after he was suspended as the executor and administrator of the assets of Mr. LUCOM. Some of these payments were made to the company ROSSANA URIBE Y ASOCIADOS for advertising work done by her company after August 18, 2006, involving a campaign to make known one of the foundations earmarked for creating funds for

the poor children of Panama, in keeping with provisions set forth in his estate by Mr. WILSON LUCOM.

With respect to the foregoing, we note that in the sworn statement given by MONICA GARCIA DE PAREDES (5,779-5,782), a GLOBAL BANK private banking employee, and who interviewed the accused RICHARD LEHMAN upon requesting the opening of the account at the said institution, she indicated that he opened the account with two checks that were payable to the ESTATE OF WILSON C. LUCOM by RICHARD S. LEHMAN, EXECUTOR; the first check, No. 7911 dated August 1, 2006 for B/. 57,791.61 and Check No. 7912 dated August 1, 2006 for B/. 2,648.77; therefore, said transactions were conducted prior to issuance of order No. 1188/17-06 by the Fourth Civil Judge in and for the First Judicial Circuit of Panama on August 18, 2006, thereby denying the motion filed by RICHARD LEHMAN to perform duties as the executor or administrator of the assets of M. WILSON LUCOM, inasmuch as the order that declares the opening of the intestate succession he filed and his appointment as executor in the said order were appealed and the said appeal was granted with a deferred effect, wherefor his duties as executor were suspended.

In conjunction therewith, from the statement given by MELANIE MARLENE BENITEZ (pp. 5,784/5,792), a Global Bank private banking employee, one notes that after the account in favor of RICHARD LEHMAN was opened with Victor Lucom's [sic] funds, transactions with the account were conducted, drawing checks until October, 2006, which is corroborated with the statements of



the bank account, incorporated to the criminal file after the Site Inspection at Global Bank (pp. 3,295-3,313).

As to the deceit committed by RICHARD LEHMAN, according to the allegations of the complaining party, which state that he deceived Mr. WILSON LUCOM by making him believe that he had established Fundación WILSON C. LUCOM TRUST FUND to benefit the poor children of Panama, we have that in an Order dated May 4, 2007, the First Superior Court in and for the First Judicial Circuit (pp. 3,685-3,708) clarified that the said foundation is nothing more than a trust established on May 26, 2006 in the Island of Nevis, wherein WILSON LUCOM himself appears as the settler and his will provides that the remainder of the testator's accounts, after satisfying the bequests, and the product of the sale of real property must go to that foundation for the main purpose of feeding the needy children in Panama and not in favor of the accused; and that order even decided that the testamentary probate proceeding of WILSON CHARLES LUCOM shall remain open and appoints RICHARD LEHMAN, CHRISTOPHER RUDDY and HILDA PIZA LUCOM as the executors and trustees.

Therefore, the criminal act attributed to RICHARD LEHMAN in the complaint, as well as the charges filed by the Prosecutor's Office against RICHARD LEHMAN and wherefor his preventive detention was ordered were allegedly for FRAUD; but thus far the Court does not perceive evidence of the crime clearly, a situation that will have to be entertained by the judge pres-

iding over the case when deciding if the preliminary investigation has merits; particularly, when the governing verb in the criminal offense is deceit, inasmuch as the prosecutor's office has not explained where the trickery lies, when the crime was committed or against whom the said deceitful conduct occurred.

With regard thereto, it is pertinent to note that the authority who issued the arrest warrant in the case of Mr. RICHARD LEHMAN has not fulfilled the requirements set forth in Article 21 of the National Constitution, as well as requirements in Articles 2140 and 2152 of the Judicial Code so that the application of the precautionary measure, which is of an extreme nature, can be deemed to be legal; the written arrest warrant was issued by a competent authority, however, the punishable act or the involvement of the person whose arrest is ordered has not been clearly shown.

As to the exceptions of the accused and arguments by the defense, these are primarily facts and circumstances that should be considered by the Trial Court when it must decide the different stages of the process he/she presides, whether it is the intermediate stage to decide if there are merits to proceed, or the plenary stage, if he is summoned for trial.

In accordance with the foregoing, the only thing that remains for the Court to do is to proceed to find that the arrest warrant issued for RICHARD LEHMAN is illegal, and we shall entertain that hereinafter.

**DISPOSITIVE PART**

Based on the foregoing, the SECOND SUPERIOR COURT OF JUSTICE IN AND FOR THE FIRST JUDICIAL CIRCUIT OF PANAMA, administering justice for and on behalf of the Republic and as vested by law, declares **ILLEGAL** the arrest warrant for RICHARD SAM LEHMAN for the crime against property.

LEGAL BASIS: Article 21 of the National Constitution, 2140, 2152 and 2574 et seq. of the Judicial Code.

/s/ Illegible

**JUDGE GENEVA C. AGUILAR DE LADRON DE GUEVARA**

/s/ Illegible

**JUDGE ELVIA M. BATISTA S.**

/s/ Illegible

**JUDGE LUIS M. CARRASCO**

/s/ Illegible

**ATTY. ANA E. GONZALEZ F.  
CLERK, IN CHARGE**

[Stamp:] IN PANAMA ON THE 22<sup>nd</sup>  
DAY IN NOVEMBER 2007  
AT 2:40 IN THE AFTERNOON  
ILLEGIBLE CARLOS CARRILLO GOMILA  
/s/ Illegible CLERK

....In Panama City, at ten in the morning (10:00 a.m.) of Friday, December first (1<sup>st</sup>) of two thousand six (2006), mister RICHARD S. LEHMAN appears before the 15<sup>th</sup> District Court of the Panama's First Judicial Circuit, with the purpose of extending his sworn deposition in the actual investigations. Due to the fact that the appearer does not dominate the Spanish language, translator ROBERTO BOSCO CIRE of the English to Spanish and vice versa language will be assigned to him, with personal i.d. number 8-407-194, particular translator with offices in Edificio Torres Ebel, floor 13-B, for which all information, questions and answers will be made through the translator. We proceed by having the witness take an oath, warning him on the content of Article 355 of the Penal Code, which refers to the False testimony offence, in virtue of which he promises to tell the truth on everything that he knows and is asked about. Forwardly, he is questioned in the following manner: QUESTION: What was the motive of your presence in this office this morning. ANSWER: I am here to testify regarding the VALORES GLOBALES shares that were stolen from Wilson C. Lucom's inheritance. Today I am going to testify regarding a letter that was submitted to my lawyers in Florida. This letter was written by Julian Cabarcos, who is related to HILDA through his marriage and said he was acting on behalf of VALORES GLOBALES. In the United States and maybe here, I don't know, one of our main rights is to have our own lawyer present to represent us. We call that the right to a legal representation. In this letter written by Julian Cabarcos on October 25 of 2006, Julian Cabarcos threatened my lawyer to make sure he resigned and stopped representing me. I am going to speak about the letter, but before doing that it is important to mention the whole context of the situation, this way this threatening letter can be valued in its totality. The situation is as follow. Hector Infante, the lawyer that represents HILDA LUCOM, who is trying to void the notarial will, which bequeaths approximately thirty million dollars to the poor children of Panama. They are trying to ensure that WILSON C. LUCOM's inheritance goes to HILDA LUCOM who is 83 years old and not to the poor children of Panama, due to the fact that the notarized will was accepted by the court it will be difficult for it to be voided. There is a plan to try and take this money for HILDA LUCOM which involves many actions, which most of them are aimed at getting me out of the way given that I have been appointed as the Albacea and I am the only one who can stop them. Hector Infante's office has presented official charges against me in Panama on

behalf of Mrs. Lucom, and just yesterday Hector Infante offered me three million dollars if I resigned. This happened in a meeting in which I was present as well as OCTAVIO DEL MORAL, attorney, MARIO BOYD, attorney, HECTOR INFANTE and one of Hector's associates whose name I do not know, this happened yesterday Thursday, November 30 in a restaurant near Infante's office. The reason for this meeting was to talk and try to resolve all of these differences. I found this very strange given that the court has not ruled that HILDA LUCOM has any right, other than the one mentioned in the will. Now I will talk about the theft of the VALORES GLOBALES shares and Julian Cabarcos' letter. It is important for this to be on record, to confirm that a judge in Florida has suspended HILDA LUCOM'S actions to exert any right on the VALORES GLOBALES shares. I am waiting to receive another order from the British Virgin Islands, where VALORES GLOBALES was incorporated, saying that HILDA LUCOM has no faculty to exert the right to vote. A judge in Florida has prevented HILDA from voting on the VALORES GLOBALES shares, given that she has denied to testify against me. In Florida you cannot report someone without any evidence. She has denied to testify. In Panama, the authorities must demand HILDA LUCOM to testify in person this way my rights are dully protected. I cannot understand how a judge can decide without her testimony in person. Now we will talk about JULIAN CABARCOS' letter. HILDA LUCOM'S accountant, SABY BONILLA, testified that the VALORES GLOBALES shares never left Mr. Lucom's home. From mid June until October 5, when she testified, despite that, JULIAN CABARCOS' letter, in which he threatens my lawyer, clearly confirms that HILDA PIZA LUCOM is in possession of shares that represent all of the VALORES GLOBALES shares. Who is telling the truth? SABY BONILLA, HILDA LUCOM or JULIAN CABARCOS. Also, in JULIAN CABARCOS' letter he accuses me of committing a serie of offences in Panama, none of which have been proved. Moreover, his letter affirms the following regarding my position as albacea: "The Panamanian Court has prohibited his capacity to act as Albacea". This is not true. Specific powers have been suspended; however I am still the Albacea. Paragraphs 2, 3 and 4 of the letter, make many erroneous statements on me. Due to this letter my attorney resigned and no other lawyer to whom I have showed this letter is willing to represent me. These actions, which are against the United States' constitutional rights, are just one of many of the erroneous actions against me in this case. I would like to ask Hector Infante, where he got the power to try to buy me with moneys derived from the LUCOM inheritance, while the inheritance

is still being administered and his client HILDA LUCOM has no such rights, other than the ones disposed in the will. I want ask the prosecution if it is an offence to try to buy off an Albacea to prevent him from administrating an inheritance? as well as his threats to avoid us from having a legal representation? That is all. QUESTION: What type of specific powers are you referring to, which have been suspended, such as previously expressed and why were they suspended? ANSWER: I don't remember exactly, but in general they were 2 things, one: I would have nothing to do with Hacienda Santa Monica, and two: that I should not do anything with a serie of bank accounts in Panama. It is very hard for me to explain the reason of this decision, given that there was no hearing whatsoever, this was just an automatic act in response to something HECTOR INFANTE submitted, however my lawyers in Panama, have told me that they think that my suspension was illegal and is presently in appeal in a civil court here in Panama, I don't know which one. QUESTION: Please state if you wish to add anything else to the present diligence which you consider is important. ANSWER: That is all. At this point and not being any other the object of this diligence, the same is over, after having the witness read and sign it.