



**RICHARD S. LEHMAN, P.A.**  
ATTORNEY AT LAW

March 1, 2010

Honorable Giuseppe A. Bonissi C.  
Acting Attorney General  
Ave. Peru, Calle 33A  
Apartado 0816-06747, Zona 1  
Panama, Republic of Panama

Dear Honorable Attorney General:

I would like to introduce myself and congratulate you on your appointment to your honored position in Panama. I would also like to ask you to reopen an important investigation into judicial and prosecutorial corruption that was covered up and completely ignored for almost four years by your predecessor, Ana Matilde Gomez.

I am Richard S. Lehman, a U.S. attorney. For almost four years I have been the legally appointed Albacea of the Estate of an expatriate American who moved to and came to love Panama and its people. His name was Wilson Lucom. He died in Panama in 2006. The Estate and the will left by Lucom were generous to many beneficiaries including Hilda, Mr. Lucom's widow, the Mayo Clinic in the U.S. and friends, family and trusted employees.

Lucom's will was most generous of all to the malnourished poor children of Panama. Lucom's will left the poor children millions of dollars to feed them and the will has been approved by two Panama courts. In doing this, Lucom gave a gift to the whole country of Panama. Nevertheless, that estate is being depleted and stolen now as a result of corruption.

I write to you to request that you reopen a previous request for an investigation of the judicial and prosecutorial corruption in the legal case involving the Estate of Wilson C. Lucom. This case was summarily dismissed by Ms. Gomez. This case requires investigation because of the fact that even though under Panama law I have been the duly appointed Executor of the Lucom Estate for almost four (4) years, **I HAVE NOT BEEN ABLE TO PAY ONE PENNY OF LUCOM'S MONEY TO YOUR COUNTRY'S POOR CHILDREN.** Your most innocent citizens have been harmed. This is a result of provable prosecutorial and judicial corruption.

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**The Lucom case must have an investigation or it will not be decided based on the law. It will be decided based upon corruption.**

Rather than provide you with details of the corruption in this letter, I have included two documents that I mailed three months ago to the attention of Ms. Gomez and to Jose Luis Varela Rodriguez, President of the National Assembly of Panama.<sup>1/</sup> These documents tell you the whole story of the attempt to steal this entire Lucom Estate and make sure your most innocent and helpless citizens do not receive anything whatsoever from their gift. I am requesting an investigation based on the documents referred to in his letter. Only the power of the law acting through your honorable offices can stop the theft.

It might be expected that in making a request to you I would compliment you or your honored office. Indeed, I do have a compliment. It is about your President and it is much more sincere than a compliment made just to accompany a request. It is a compliment that is very heartfelt and is important for me to say, whether my request receives your attention or not.

For almost four years now, because this case has required almost all of my attention as a lawyer, I have become somewhat of a student of certain aspects of Panamanian society. My view as an outsider and an attorney, who has practiced international tax law for my entire 40 year career, has often caused me to comment to both Panamanians and Americans that the only real impediment to Panama's greatness is the lack of respect of the law by a small group of people. Sadly, some of the people in that small group of miscreants have been entrusted with the sacred duty of protecting the law. Instead they use the public's office to corrupt the law.

My compliment is that I honor the vision of President Martinelli. Finally a Panama leader sees just how important the respect for the rule of law is to Panama. Equally important, I honor the courage your President has shown to make changes and to make examples of a few of the most blatant offenders. That is what stops corruption, more than just talk.

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<sup>1/</sup> The two documents enclosed as Exhibits 1 and 2 refer to another extensive set of exhibits that prove each material statement in the enclosed documents. These exhibits can be found at [www.lucompanama.com](http://www.lucompanama.com).

I hope I am not out of line with the following final comments. I write them because the truth has never been harmful when the law is involved and more of the truth needs to be told here. As in many of the recent corruption scandals, the Lucom case has at its center a certain Panama law firm.

What you will uncover by instituting a proper investigation now in this Lucom case is an orchestrated and provable corruption implemented by Hector Infante, a Panama lawyer, and the law firm of Infante & Perez Almillano. A corruption with one purpose, to steal money destined for the mouths of your poor children. Everything possible has been done to illegally attempt to nullify this will and my ability to defend it. This is the same group of lawyers that is using the same tactics now to defend Perez Balladares and themselves.<sup>2/</sup>

You will see in the Lucom case, illegal and immoral tactics employed to abuse the law that will not only make you disgusted but will cause you to have concerns for Panama's image to the world. These tactics emanate from the same law firm that has been shown to be the implementers of the Balladares money laundering scheme, the same law firm that was the center of the Kamusi affair in Nicaragua, the PECC scandal, and the same law firm involved in the recent rulings by a Panama judge to favor and wrongly exonerate Perez Balladares. This same former president Balladares has also heavily influenced this Lucom case to force its outcome at the Panama Supreme Court against the rights of Panama's poor children.

For almost four years I have been able to defend Lucom's will for the rightful beneficiaries. It has not been easy and I am gravely concerned for reasons described below that the children will never get their gift of life without the help of your good offices.

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<sup>2/</sup> I am enclosing a very recent judgment obtained in your Panama courts that I was awarded against the law firm of Infante & Perez Almillano in the amount of \$3.8 Million. This judgment is a result of one of that law firm's blatant illegal attempts to abuse the laws of Panama in the Lucom case against me. While this attempt failed, the most dangerous corruption continues at the highest judicial levels.

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Recusal of Justice Harley Mitchell

Mr. Attorney General, you will see in the letter to the President of your Congress, (Exhibit 2), I make no charges against Justice Harley Mitchell of the Panama Supreme Court. However, in that letter I do cite facts that cause me to have great concern for my rights as a human being entitled to equal treatment under the law and my rights as an appointed Albacea who has successfully defended Lucom's will for the rightful beneficiaries.

I have this great concern in this Lucom legal case because I believe that Justice Harley Mitchell has taken unwarranted and unconstitutional actions against me to date solely because I am the Albacea. These are actions that could have lead to my imprisonment in Panama without just cause. Yet, Justice Mitchell will not recuse himself from ruling about my legal rights as the Albacea in this case. His failure to recuse himself in this case in light of his actions against me does not represent just the "appearance" of injustice but rather a blatant slap in the face of justice.

I have a good faith belief that a full review of the Supreme Court records in this case will show that Justice Harley Mitchell unconstitutionally prevented me from being in Panama and from defending Lucom's will for 11 months by failing to rule timely on a Habeas Corpus Motion. I understand that legally he was required to rule on this motion in 48 hours under Panama law.

Furthermore, I have a good faith belief that Justice Mitchell began a project in the Supreme Court to rule against me and declare me a criminal and incarcerate me before I ever had a trial. His project was based upon a criminal complaint filed personally against me by lawyer, Hector Infante, who Justice Mitchell purportedly personally met with during this case. It is my understanding that Justice Mitchell's project to imprison me was overridden by the entire Panama Supreme Court.

I would request that you determine the truth of this information. If this is true, I ask you, Mr. Attorney General, how can a Justice attempt to illegally deprive me of my basic human right to liberty and then continue to sit in judgment of me? Justice Mitchell's failure to recuse himself under these circumstances will make Panama's judicial system both feared and an object of derision all over the world.

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Very recently a U.S. movie producer, David Griffiths, traveled to Panama to begin work on a movie about "Lucom's Gift". He was interviewed by a local Panama paper. See La Estrella, January 31, 2010. That movie producer's answer to one of the interviewer's questions captures the awesome responsibility that you have in your hands to make sure that the letter of the law is followed in this case in Panama.

The movie producer saw the presentation of Lucom's gift as follows:

One can't imagine a worthier cause than feeding a hungry child. Meanwhile, it's hard to think of something less useful than making a few rich people even richer. One looks for clarity when making movies, so as not to confuse the audience. It's very rare to encounter it in a true story. This story has as much clarity as the morality plays of the middle ages, where good and evil struggled for the hero's soul. The soul in hazard here belongs to Panama, which will also be a character in the movie. And the film will have a perfect Hollywood ending. I'm thinking of using newsreel footage of when the poor children receive their inheritance . . .

Mr. Attorney General, I hope you will investigate this matter for the sake of the soul of Panama.

Respectfully yours,

RICHARD S. LEHMAN

cc: President Ricardo Martinelli Berrocal  
President Supreme Court  
Vice President Supreme Court, Cigarista  
Demetrio Papadimitriu  
H.d. Jose Luis Varela Rodriguez,  
President de la Asamblea Nacional  
Dr. Fernando Nunez Fabrega, Executive Secretary,  
National Transparency Council Against Corruption