

PLEIDOI PHASE OF TRIAL – MANADO DISTRICT COURT JANUARY 2007

1. What is a pleidoi?

A: It is effectively the defense's closing arguments in the case. The word originated from the Dutch legal system. The pleidoi presents the evidence and legal analysis that demonstrates our innocence, and also contains the defense's response to the prosecution's charge.

2. Why are there three pleidois? How are they different?

A: Under Indonesian law the defense attorneys, on behalf of the defendants, have the right to produce their defense. In this case there are two defendants, the company and the company's President Director Richard B. Ness. Each has a pleidoi. In addition to those two documents to be submitted to and read before the court, the individual defendant has the right to produce a personal pleidoi.

In this case, the principal differences among the pleidois are that the two pleidois submitted by the attorneys focus on the law and the facts and the pleidoi submitted by Rick Ness principally focuses on the facts from Rick's personal point of view.

3. Is it common for a defendant to submit both a formal defense prepared by his lawyers and a personal defense?

A: Yes. This is provided for under Indonesian procedure.

4. What happens during this phase of the trial?

A: Our attorneys, and perhaps Rick Ness to some extent, will read each of the pleidois in open court. This is the defense's opportunity to summarize the evidence produced during the trial to explain to the Panel of Judges how that evidence falls short of proving a crime under the relevant law. Because of the amount of evidence produced during this lengthy trial, the pleidois are not brief documents. It will take a number of days for the defense to read out the three pleidois.

5. What happens next in the trial?

A: The prosecutors will have the opportunity to respond to our pleidois, in a document called the Replik. After their response, the defense will then have an opportunity to offer its counter-response, called the Duplik. After that, the trial enters the final stage wherein the judges evaluate the evidence, deliberate, and then deliver their verdict. **Both the prosecutor and the defendant then have the right, within seven days, to appeal the verdict.**

6. When do you expect the judges to reach their verdict?

A: It is difficult to predict, as we do not know how long the Panel of Judges will take during their deliberations. Assuming no significant delays in submitting the Replik and the Duplik, we believe a verdict is possible by late March or April.