

**Part 5**

1 WALTER VAN DE VIJVER

2 recommendation?

3 A. No.

4 Q. So each and every time you  
5 recommended a course of action with respect to  
6 the operations or prospects of this company you  
7 believed that it was in the best interest of  
8 Shell to do it in the way that you were  
9 recommending it?

10 A. Yes.

11 Q. Did you ever submit a business  
12 plan to ExCom, CMD, or Conference that you did  
13 not think was real?

14 A. No, but I would always give the  
15 context of the stretch or not that would be in  
16 that plan.

17 Q. I understand.

18 During your tenure as CEO of E&P  
19 did anyone inside or outside Shell ever ask you  
20 to lie to a Shell investor, member of the  
21 securities analyst community, or a member of the  
22 financial media?

23 A. No.

24 MR. FERRARA: I want to thank you  
25 for responding to those questions. I don't have

1 WALTER VAN DE VIJVER

2 any further questions at this time, but I would  
3 like to hear if there are other questions that I  
4 might want to come back to seek clarification  
5 on, but I'm done.

6 MR. GOLDSTEIN: I would like to  
7 suggest we just take a break. I think I can  
8 shorten it.

9 MR. DOWD: What do you want to do,  
10 Joe?

11 MR. GOLDSTEIN: I want to go off  
12 the record for a minute because I think based on  
13 the questions Ralph asked I can shorten it.

14 THE VIDEOGRAPHER: We are going  
15 off the record. The time is 1:43 p.m.

16 (A brief recess was taken.)

17 THE VIDEOGRAPHER: We are back on  
18 the record. The time is 1:59 p.m.

19 MR. FERRARA: We have no further  
20 questions.

21 MR. GOLDSTEIN: No further  
22 questions.

23 MS. SENNETT: I would just like to  
24 confirm in light of the agreements that  
25 Mr. Ferrara outlined at the beginning of his

1 WALTER VAN DE VIJVER

2 questioning that based on your representation  
3 that you will continue to cooperate in further  
4 proceedings we will not ask any questions on  
5 behalf of Judy Boynton today, either.

6 MR. GOLDSTEIN: I would like to  
7 add the same representations.

8 MR. DOWD: We don't have to  
9 cooperate with you, we'll cooperate with Shell.  
10 I'm just kidding.

11 (Laughter.)

12 MR. HABER: Again from plaintiffs'  
13 side we're done. I want to thank you very much,  
14 Mr. Van de Vijver, for sitting through these  
15 last two-and-a-half days. We wish you a good  
16 trip back.

17 THE VIDEOGRAPHER: This marks the  
18 end of the deposition of Mr. Van de Vijver. The  
19 total number of tapes used today was two. We're  
20 going off the record. The time is 2:00 p.m.

21 (Whereupon, at 2:00 p.m., the  
22 deposition was concluded.)

23 - - - - -  
24  
25

1 WALTER VAN DE VIJVER

2 ACKNOWLEDGMENT OF DEPONENT

3  
4 I do hereby acknowledge that I have  
5 read and examined the foregoing pages of the  
6 transcript of my deposition and that:

7  
8 (Check appropriate box):

9  
10 ( ) the same is a true, correct and  
11 complete transcription of the answers given by  
12 me to the questions therein recorded.

13  
14 ( ) except for the changes noted in  
15 the attached errata sheet, the same is a true,  
16 correct and complete transcription of the  
17 answers given by me to the questions therein  
18 recorded.

19  
20  
21  
22  
23  
24  
25 \_\_\_\_\_  
DATE

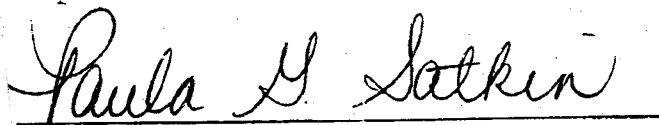
\_\_\_\_\_  
SIGNATURE

WALTER VAN DE VIJVER

CERTIFICATE OF NOTARY PUBLIC

I, Paula G. Satkin, the officer before whom  
the foregoing proceedings were taken, do hereby  
certify that the witness whose testimony appears  
in the foregoing proceeding was duly sworn by  
me; that the testimony of said witness was taken  
by me in stenotype and thereafter reduced to  
typewriting under my direction; that said  
proceedings is a true record of the testimony  
given by said witness; that I am neither counsel  
for, related to, nor employed by any of the  
parties to the action in which these proceedings  
were taken; and, further, that I am not a  
relative or employee of any attorney or counsel  
employed by the parties hereto, nor financially  
or otherwise interested in the outcome of the  
action.

My commission expires October 31, 2010.



PAULA G. SATKIN

Notary Public in and for the

District of Columbia







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