

EXHIBIT C

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 08-1803-cv

Caption [use short title]

Motion for: Issuance of Mandate Forthwith

Wiwa v. Shell Petroleum Development Company of Nigeria Limited

Set forth below precise, complete statement of relief sought:
The parties move jointly pursuant to Rule 41(b) of the Federal Rules of Appellate Procedure for issuance of the mandate forthwith with respect to the Court's Summary Order entered June 3, 2009 vacating and remanding the action.

MOVING PARTY:

OPPOSING PARTY: N/A

- Plaintiff Defendant
Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Thomas G. Rafferty
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, N.Y. 10019
(212) 474-1000
trafferty@cravath.com

MOVING ATTORNEY [Name]:
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, N.Y. 10012
(212) 614-6431

Court-Judge/Agency appealed from: S.D.N.Y. (Honorable Kimba M. Wood)

Please check appropriate boxes:

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL

Has consent of opposing counsel:

Has request for relief been made below? Yes No

- A. been sought? Yes No
B. been obtained? Yes No

Has this relief been previously sought in this Court? Yes No

Has service been effected? Yes No
[Attach proof of service]

Is oral argument requested? Yes No
(requests for oral argument will not necessarily be granted)

Requested return date and explanation of emergency:

Has argument date of appeal been set? Yes No
If yes, enter date: May 12, 2009

Signature of Moving Attorney:
Date:

Signature of Moving Attorney:
Date:

ORDER

IT IS HEREBY ORDERED that the motion is GRANTED

DENIED.

FOR THE COURT:
CATHERINE O'HAGAN WOLFE, Clerk of Court

Date:
Form T-1080 (Revised 10/31/02)

By:

RULES OF THE UNITED STATES COURT OF APPEALS FOR THE 2ND CIRCUIT  
Local Rule 27; Interim Local Rule 25

INSTRUCTIONS

Form of Notice of Motion and Supporting Papers for Motions and Opposition Statements

- (1) The moving party should submit the Motion Information Statement in the format approved by the Court with such changes as the Chief Judge may from time to time direct.
- (2) Supporting Papers for Motions and Opposition Statements:
  - (a) All motions must be accompanied by an affidavit containing factual information only.
  - (b) Motions may not exceed the limits prescribed by Local Rule 27(a) (1) (c).
  - (c) A copy of the lower court or agency decision must be included as a separately identified exhibit if a moving party is seeking substantive relief.
  - (d) Exhibits attached should be only those necessary for the determination of the motion.
  - (e) Proof of service should be included.
- (3) Number of copies: **FOUR** copies must be filed with the original.
- (4) Non-compliance Sanctions: If the moving party has not complied with this rule, the motion may be dismissed by the Clerk without prejudice to renew upon proper papers. If an application is promptly made, the action of the Clerk may be reviewed by a single Judge. If the responding party fails to comply with this rule, the court may refuse to hear that party at oral argument. The court may impose costs and an appropriate fine against either party for failure to comply with this rule.
- (5) All documents submitted in connection with the motion should be sent electronically under one e-mail as one document to the appropriate electronic mailbox as designated in Interim Local Rule 25(a)(3)(A). The T-1080 Motion Information Statement should be the first page, and the supporting documents (e.g., affidavit, proof of service) and then antivirus certificate should follow.

**MOTION INFORMATION STATEMENT**

**UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT**

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**DOCKET NO.**

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Attorney(s) for Petitioner  
*Office & Post Office Address & Telephone Number*