

1 [START 7- ANA BOUCHE.mp3]

2 MALE SPEAKER: At twenty one minutes

3 past [hour cut off] today, November

4 28, 2014, Ana Beatriz Bouche

5 González, whose personal information

6 is known to this office, appears at

7 the office of the Prosecutor

8 designated by the National Assembly

9 for the investigation of former

10 Supreme Court Justice Alejandro

11 Moncada Luna, located in the new

12 National Assembly Building, 5th

13 floor.

14 00:00:20 She appears for the purpose of

15 conducting the interview with the

16 Prosecutor in charge of the case,

17 based on Article 320 of the Code of

18 Criminal Procedure adopted by Law 63

19 of 2008. And

20 00:00:40 we proceed [unintelligible] to ask

21 the first question. Ms. Bouche, in

22 your first interview, you told us

23 that you had taken part in the

24 incorporation of two companies for

25 Judge

26 00:01:00 Alejandro Moncada Luna, or on his

27 instructions. The first, the

28 Corporación Celestial S.A. and the

29 second Alpil SA. Later, you even

30 provided us with an e-mail that not

31 only

32 00:01:23 gave instructions to issue a stock

33 certificate 50% for Alejandro Moncada

34 Luna and 50% for María del Pilar

35 Fernández de Moncada Luna in the case

36 of the company Alpil S.A., but also

37 indicated and mentioned another

38 company,

39 00:01:42 SARELAN, SA. Can you tell us if this

40 is another company that you helped to

41 incorporate? And for what reason?

42 SENORA ANA BOUCHE: That is correct.

43 On the instructions of Judge

44 Alejandro Moncada Luna, I proceeded

45 to complete the paperwork and

46 formalities for

47 00:02:00 incorporating two more companies he

48 wanted. One of them was SARELAN

49 Corporation, whose articles of  
50 incorporation were sent to Notary  
51 Office Two on November 7, 2012 to be  
52 recorded in a public instrument, and  
53 then Corporación LUXOL SA, whose  
54 00:02:20 articles of incorporation we sent to  
55 the same notary office on November  
56 18, 2013. Both were processed on  
57 instructions from Judge Alejandro  
58 Moncada Luna.

59 MALE SPEAKER: Why do you remember  
60 the dates on which these steps were  
61 taken so accurately?

62 00:02:40 ANA BAUCHE: Because when he wanted a  
63 company, he asked me to draw up the  
64 articles of incorporation, the so-  
65 called draft of the articles of  
66 incorporation, and take the  
67 appropriate steps with the notary  
68 office. We generally used circuit  
69 Notary Office Two.

70 00:03:00 On both occasions, with SARELAN  
71 Corporation and with LUXOL, it was up  
72 to me to prepare the articles of

73 incorporation which, as you can see,  
74 have the same format, and see that  
75 the notary office prepared the public  
76 instruments so we could then have  
77 them picked up and recorded in the  
78 Public Registry.

79 00:03:20 To incorporate those companies, he  
80 would tell me who he wanted to appear  
81 as Directors and as Resident Agent.  
82 For the SARELAN Corporation, he even  
83 asked me to do him the favor of  
84 providing him with the name of one of  
85 my relatives and told me that

86 00:03:40 he wanted to use that company to have  
87 a fund that would serve one of his  
88 children - his 2-year old youngest  
89 son - because, as he told me at that  
90 time, he was very interested in  
91 having a fund for that baby and

92 00:04:02 since I couldn't appear in the  
93 company, if anything should happen to  
94 him, there would be a relative of  
95 mine who could help manage the fund  
96 he wanted to create for his son at

97 any given time.

98 So that is why, in the SARELAN

99 Corporation, you will see

100 00:04:20 Xenia del Carmen González, who is an

101 aunt of mine, a blood relative, as

102 president. At that time, Humberto

103 Juárez appeared as the company's

104 secretary. He is someone who

105 Alejandro Moncada has known

106 00:04:41 for over 20 years. In fact, he always

107 used him to create companies or to

108 sit on the board of directors of

109 companies in which he had a stake.

110 Like Omega Security, for example,

111 where he was a shareholder. If you

112 look, Humberto Juárez

113 00:05:00 is in that company. And he has been

114 in several of companies which

115 [Alejandro Moncada] has indicated.

116 And at first, Ms. Montserrat Coles,

117 who is someone that knows Alejandro

118 Moncada Luna, was also in that

119 company as Treasurer, but once

120 00:05:22 the company was incorporated, she

121 told him that she was not interested  
122 in participating in it and that she  
123 was very sorry, but she was not going  
124 to sign any document.

125 The thing was that she had to be  
126 asked for an authorization because a  
127 bank account was going to be opened  
128 for that company and the bank was  
129 asking to have

130 00:05:40 the respective records signed so they  
131 could check with the APC and such -  
132 so when - I even had to call her and  
133 ask if she would sign for me and she  
134 refused. And I spoke with him and  
135 told him that moreover, she didn't  
136 agree with having her name used in  
137 that company.

138 00:06:00 In SARELAN Corporation.  
139 So another change had to be made. We  
140 made that change on November 27,  
141 2012. I remember the date because I  
142 have kept the respective e-mails

143 00:06:20 I sent to the Notary Office asking  
144 them, in this case, to prepare an

145 official record for a change of  
146 Treasurer, and I can make those e-  
147 mails available to the Prosecutor's  
148 Office.

149 And on November 27, 2012,  
150 00:06:40 Tatiana Marín, who is the mother of  
151 Alejandro Moncada Luna's youngest  
152 son, became the Treasurer of SARELAN  
153 Corporation, she entered the company  
154 as Treasurer and he told me that she  
155 was going to have an associate  
156 participation for anything his son  
157 needed in the future. And that was  
158 how he was protecting him.

159 00:07:00 MALE SPEAKER 1: Did you know about a  
160 Stock Certificate that was issued?

161 ANA BOUCHE: Yes. Specifically, with  
162 regard to SARELAN Corporation, on  
163 January 24, 2013, I sent an email to  
164 the office of Luis Adolfo Corró,  
165 00:07:20 asking him to prepare the Stock  
166 Certificates for the Alpin  
167 Corporation, 50% for María del Pilar  
168 de Mocada Luna and 50% for Alejandro

169 Moncada Luna. And in that same e-  
170 mail, as first company, I included  
171 SARELAN Corporation, where he told me  
172 that on  
173 00:07:40 instructions from [unintelligible],  
174 100% of the shares were for him.  
175 They issued the certificates, Luis  
176 Adolfo Corró, the office, and they  
177 called me the next day. They even  
178 sent me an email telling me that the  
179 certificates were ready and that we  
180 could go there to pick them up.  
181 00:08:00 I picked them up and with regard to  
182 SARELAN Corporation, I myself took  
183 the Stock Certificate with the  
184 certification to my aunt so that she  
185 could sign them for me because she  
186 was president of the SARELAN  
187 Corporation. And she  
188 00:08:20 signed them for me, both the stock  
189 certificate in the name of Alejandro  
190 Moncada Luna, the 100%, and the  
191 certification. And I delivered both  
192 documents to Judge Alejandro Moncada

193 Luna personally and he had to get the  
194 signature of the secretary Humberto  
195 Juárez. But she  
196 00:08:40 signed that stock certificate.  
197 MALE SPEAKER 1: And once the company  
198 was incorporated, a bank account was  
199 opened in the name of  
200 [unintelligible].  
201 ANA BOUCHE: With regard to SARELAN,  
202 I remember very well that he brought  
203 a number of documents from the  
204 00:09:00 Banco Universal and asked me to  
205 please help him by filling in all the  
206 information. I had to fill in the  
207 part about the company's president,  
208 Xenia del Carmen González, all her  
209 information. Moreover the  
210 00:09:20 the bank's file where that  
211 information is found is in my  
212 handwriting because I did it by hand  
213 with regard to Xenia del Carmen  
214 González and Humberto  
215 00:09:40 Juárez, who was the Secretary.  
216 With regard to the Treasurer, Tatiana

217 Marín, I didn't fill in the  
218 information at that time because I  
219 didn't have it at hand and he was in  
220 a hurry and told me that the most  
221 important thing was the information  
222 about the President and the  
223 Secretary, which is what I filled in  
224 by hand.

225 00:10:00 MALE SPEAKER: Do you remember the  
226 date?

227 ANA BOUCHE: That account was opened  
228 just after the company was  
229 incorporated.

230 MALE SPEAKER: The request, the  
231 second one, the modification when the  
232 Treasurer was changed from Montserrat  
233 Coles to Tatiana Marín,

234 00:10:20 was on the 27th ...

235 ANA BOUCHE: of November 2012. So the  
236 account was opened after that date  
237 because we didn't have the  
238 information about Ms. Montserrat  
239 Coles. Therefore, so that we could  
240 move forward, I filled in the

241 information for  
242 00:10:40 Humberto Juárez and for Xenia del  
243 Carmen González.  
244 MALE SPEAKER: Yes, but in the  
245 previous question, you said that the  
246 e-mail asking to produce the 100%  
247 stock certificate was sent on January  
248 24, 2013 ...  
249 00:11:00 ANA BOUCHE: That is correct. Because  
250 he ordered making the - sorry -  
251 ordered opening the account, but at  
252 the time, he didn't remember that he  
253 hadn't issued the stock certificates.  
254 I imagine it wasn't very important to  
255 him at that time. However, when the  
256 Alpil Corporation was created, which  
257 for him meant buying the  
258 00:11:20 property, he did want the stock  
259 certificates immediately. So, he told  
260 me to take advantage of the fact that  
261 he was ordering the certificates for  
262 Alpil to also do it for SARLEAN. That  
263 is why the SARELAN stock certificate  
264 is dated - was ordered on

265 00:11:40 January 24, along with Corporación  
266 Alpil. Because it wasn't issued right  
267 after the company was incorporated.  
268 MALE SPEAKER: From what date to what  
269 date was Xenia del Carmen González  
270 the Legal Representative and  
271 President of ...

272 00:12:00 ANA BOUCHE: Xenia del Carmen  
273 González was a signatory of the  
274 SARELAN Corporation Articles of  
275 Association and was there from the  
276 time of its incorporation. If my  
277 memory doesn't fail me, she resigned  
278 on August 24, 2014, in other words,  
279 after

280 00:12:20 we learned about that entire  
281 irregular situation that was  
282 happening with Corporación Alpil. I  
283 decided to have her go to Notary  
284 Office Two and draw up an official  
285 resignation from SARELAN because if  
286 what was coming out about Corporación  
287 Alpil was true, we didn't know about  
288 00:12:40 what was being done with SARELAN

289 Corporation. And so that she wouldn't  
290 have any liability in that regard,  
291 she resigned, and in her resignation,  
292 she even states for the record that  
293 she is resigning because she doesn't  
294 know about what has been done with  
295 that company by the shareholder from  
296 the time of its incorporation up to  
297 00:13:00 the date of her resignation. I can  
298 provide a copy of her resignation  
299 later.

300 MALE SPEAKER: Yes. I'm asking you  
301 this question because in the account  
302 opened in the Banco Universal in  
303 December 2012 for the  
304 00:13:20 SARELAN corporation, in the file you  
305 provided us with during this  
306 investigation, we find Stock SARELAN  
307 Corporation Certificate Number 1  
308 00:13:40 which states that the owner of 100%  
309 of the shares of the company's  
310 capital

311 00:14:00 is Felipe Alejandro Vires. The same  
312 certificate is signed by a different

313 person as interim president, whose  
314 signature we have identified as that  
315 of Tatiana  
316 00:14:20 Marín, who was acting as Treasurer of  
317 that company; and as secretary, an  
318 individual whose signature we have  
319 identified as that of Humberto Elías  
320 Juárez Barroyo. I am showing you this  
321 document to see what comments can  
322 make to this Prosecutor's office  
323 about it.

324 00:14:42 The certificate is dated December 7,  
325 2012.

326 ANA BOUCHE: In that regard, I can  
327 only tell you that after that date, I  
328 can provide the e-mail  
329 00:15:00 where I order a stock certificate to  
330 be prepared in the name of Alejandro  
331 Moncada Luna for 100% of the shares  
332 in that company and that this stock  
333 certificate was signed by the  
334 President, Xenia del Carmen González.  
335 Once again, I can provide that e-mail  
336 00:15:20 and the certificate was ordered on

337 January 24, 2013. In other words, it  
338 would be after that photocopy you are  
339 showing me here. And also, at that  
340 time,

341 00:15:40 December 7, 2012, the company had  
342 already been incorporated, Xenia del  
343 Carmen González already held the  
344 position of president and I was  
345 working with Alejandro Moncada Luna,  
346 and at no time did he, in particular,  
347 ask me to have - uh -

348 00:16:00 Ms. González sign any Stock  
349 Certificate where the shares were in  
350 the name of Mr. Felipe Ruiz.

351 MALE SPEAKER: Yes. I'm going to show  
352 you the file we assembled during the  
353 investigation in connection with the

354 00:16:20 SARELAN account. There are a number  
355 of documents where, on the top, the  
356 name Montserrat Coles is crossed out  
357 by hand ..

358 ANA BOUCHE: Uh huh.

359 00:16:40 MALE SPEAKER: And the name Tatiana  
360 Marín is added in handwriting.

361 ANA BOUCHE: Correct.

362 MALE SPEAKER: These are forms for  
363 opening the account and I wanted to  
364 see  
365 00:17:01 if you recognize that handwriting.

366 ANA BOUCHE: Yes, it is the  
367 handwriting of Alejandro Moncada  
368 Luna. After 19 years of working with  
369 him, believe me, I know it, and also  
370 based on the 9 years' experience I  
371 had at the Judicial Technical Police  
372 in investigation matters and working  
373 with experts. That is the handwriting  
374 of Alejandro  
375 00:17:21 Moncada Luna.

376 MALE SPEAKER: Now I will show you a  
377 form for opening an account with the  
378 customer's information. In this case,  
379 we are talking about - that the  
380 00:17:41 name Montserrat Coles is also crossed  
381 out and the name Tatiana Marín is  
382 once again written in and the same  
383 handwriting appears in the rest of  
384 the form.

385 00:18:00 The name is Tatiana Cristal Marín,  
386 and her personal information. And a  
387 number of personal references; name  
388 of a close relative and phone number.  
389 And finally, the personal references  
390 with telephone numbers from people  
391 who are not  
392 00:18:20 relatives. I would like you to tell  
393 me if this handwriting -  
394 ANA BOUCHE: This is precisely the  
395 form - the only form for the SARELAN  
396 Corporation account in the Banco  
397 Universal that I didn't fill out. In  
398 other words, in my handwriting. I  
399 repeat, what I filled out was for the  
400 secretary and  
401 00:18:40 president. And - exactly - and here  
402 it is, in the handwriting of  
403 Alejandro Moncada Luna, I see -  
404 Rolando Jaén, who worked or currently  
405 works - I say 'works' because I was  
406 there until January 2014 and  
407 00:19:00 can only attest to what happened up  
408 to then, - in the office of Alejandro

409 Moncada Luna, appointed by Alejandro  
410 Moncada Luna to perform office duties  
411 in Chamber Three of the Supreme Court  
412 of Justice. The cell phone number  
413 00:19:20 that appears in his name there - if  
414 you would allow me to look in my cell  
415 phone - [pause]

416 MALE SPEAKER: I can tell you for a  
417 fact that it is [REDACTED]

418 00:19:40 ANA BOUCHE: I have it recorded in my  
419 cell phone as the number of -  
420 belonging to Alejandro Moncada Luna,  
421 Jr. [REDACTED].

422 MALE SPEAKER: Yes. [pause]

423 ANA BOUCHE: Looking at the document,  
424 00:20:00 I see that among the references,  
425 Gisela Estanciola is the Secretary of  
426 the Office of Judge Alejandro Moncada  
427 Luna, with whom I worked. And the  
428 cell phone number that appears  
429 matches the one I also have in my  
430 cell phone: [REDACTED]

431 00:20:20 [REDACTED] And María de los Ángeles  
432 Juntin. In the beginning, when we

433 started working at the office of  
434 Alejandro Moncada Luna, she was one  
435 of the office assistants and  
436 subsequently, when I left the office  
437 of Alejandro Moncada Luna, she  
438 assumed the  
439 00:20:40 coordination of the assistants. In  
440 other words, she held the position I  
441 had until January 8, 2014 and  
442 therefore is also an official of the  
443 office of Alejandro Moncada Luna and  
444 it matches the cell phone number I  
445 00:21:00 have recorded in my cell phone. [REDACTED]  
446 [REDACTED]  
447 [END 7- ANA BOUCHE.mp3]