

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF ZAMBOANGA DEL NORTE)
CITY OF DIPOLOG)
..... X

JOINT AFFIDAVIT

We, PONCIANO ABACIAL, of legal age, Filipino, widow, a farmer, and resident of Barangay Candiz, Siocon, Zamboanga del Norte, and GORGONIO S. BALAWAG, of legal age, Filipino, married, a farmer and also resident of Barangay Candiz, Siocon, Zamboanga del Norte after having been sworn to an oath in accordance with law, hereby depose and say;

That on November 22, 2004 at around 5:00 in the afternoon we went to Lituban river, in Sitio Cristal, barangay Candiz which is approximately six (6) kilometers from TVI mining operation to catch fish.

That when we started throwing our nets (locally called laya) to the river till around 6:00 in early evening the water was still very clear. However, later on we noticed that it started getting brown color, thus we decided to go home thinking that there was rain upstream that cause the flood and would be more difficult for us to cross said river.

That while we are on the river we started to feel itchy on our skin then to the whole body, we tend to scratch it but it is so painful.

That since the first night when we had acquired such skin sickness we could no longer sleep well.

That on the following days November 23-24 since we don't have money for proper medication we tried some local medications called " binisaya " and herbal medicines, yet no recovery.

That on November 25, we asked some assistant from our neighbor Mrs. Apolonia Bulagao who brought us to Siocon Health Center and we were treated by Dr. VIDAL M. MICUBO and found out that we have acquired " fungal infection R/o Chemical involvement" as stated in his medical certificate.

That for almost 20 years we have been catching fishes in Lituban River, but we have not experienced nor acquired any skin diseases.

That fishes caught on that time, many have rotten skin, damaged flesh which smells bad, thus cast it back to the river.

That we are executing this affidavit to attest the fact that Lituban River is where we got the skin disease, it is no longer advisable for fish catching, clothes washing, swimming / bathing and for what other purposes this joint affidavit may serve best.
(Page 1 of 2)

IN WITNESS WHEREOF, We have here unto affixed our signatures this 30th day of NOV., 2004 in Dipolog City, Philippines.

Ponciano D. Abacial
PONCIANO D. ABACIAL
Affiant

Gorgonio S. Balawag
GORGONIO S. BALAWAG
Affiant

SUBSCRIBED AND SWORN to before me this 30th day of November, 2004 in Dipolog City, Philippines.

Rodolfo R. Ruan
RODOLFO R. RUAN
CITY PROSECUTOR
DIPOLIG CITY

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF ZAMBOANG DEL NORTE)
CITY OF DIPOLOG)
.....X

AFFIDAVIT

I, AIDA D. BALAWAG, of legal age, Filipino, married, a farmer, and resident of Barangay Candiz, Siocon, Zamboanga del Norte, after having been sworn to an oath in accordance with law, hereby depose and say;

That I have acquired skin disease/irritation from Lituban River which was also examined and diagnosed by DR. VIDAL M. MICUBO of Siocon Health Center last November 25, 2004 as "Fungal Infection R/o Chemical involvement".

That it is already a month ago since I am suffering this skin disease, however I was not thinking that I got it from the Lituban river where I used to wash our clothes and took a bath.

That on November 22, 2004 at around 5:00 in the afternoon I went again to Lituban River together with my husband who also went to catch fish, while I myself was to wash our clothes and also took a bath.

That on that afternoon while washing our clothes, I felt that the skin disease /irritation / that I have was worsen.

That since that time I found out that the skin disease / irritation that I have acquired month long ago is taken from the Lituban River, as my husband and his friend who were catching fish using net locally called laya also had acquired the same skin disease / irritation right on that time.

That I am executing this affidavit to attest the fact that the said skin disease I have suffered for a month ago already is from Lituban River and for whatever purposes it may serve best.

AFFIANT FURTHER SAYS NOTHING.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 30th day of NOV, 2004 in Dipolog City.



AIDA D. BALAWAG
Affiant

SUBSCRIBED AND SWORN to before me this, 30th November, 2004 in Dipolog City.


RODOLFO B. RUAY
PROSECUTOR
DIPOLOG CITY

SIOCON DISTRICT HOSPITAL
Siocon, Zamboanga del Norte

November 25, 2004
Date

MEDICAL CERTIFICATE

04-69-72
Record Number

TO WHOM IT MAY CONCERN:

This is to certify that according to hospital record

AIDA D. BALAWAG of Candis, Siocon, ZDN.
(Name of the Patient) (Address)

was examined and treated/confined in this hospital on/from

November 25, 2004 to XXXXXX with the

following findings and/or diagnosis. Fungal Infection
R/o Chemical Involment.

and would need medical attendance for 2 wks days barring complications.

8

VIDAL M. MICHISO, M.D.
Medical Officer III

SIOCON DISTRICT HOSPITAL
Siocon, Zamboanga del Norte

November 25, 2004
Date

MEDICAL CERTIFICATE

04-69-73
Record Number

TO WHOM IT MAY CONCERN:

This is to certify that according to hospital record

PONCIANO ABACIAL of Candis, Siocon, ZDN.
(Name of the Patient) (Address)

was examined and treated/confined in this hospital on/from

November 25, 2004 to XXXXXX with the

following findings and/or diagnosis. Fungal Infection
R/o Chemical Involment

and would need medical attendance for 2 wks days barring complications.

8

VIDAL M. MICHISO, M.D.
Medical Officer III

SIOCON DISTRICT HOSPITAL
Siocon, Zamboanga del Norte

November 25, 2004
Date

MEDICAL CERTIFICATE

04-69-71
Record Number

TO WHOM IT MAY CONCERN:

This is to certify that according to hospital record

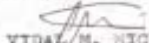
GORGONIO B. BALAWAG of Candis, Siocon, SDN.
(Name of the Patient) (Address)

was examined and treated/confined in this hospital on/from

November 25, 2004 to XXXXXX with the

following findings and/or diagnosis: Fungal Infection
R/o Chemical Involment

and would need medical attendance for _____ days barring complications.


VIDAL M. NICUBO, M.D.
Medical Officer III



Ponciano Abacial and Gorgonio Balawag



Infected Ear



Aida Balawag, Ponciano Abacial and Gorgornio Balawag