

## **PRESS RELEASE**

**Buenos Aires, December 23, 2011**

### **Cablevisión also pressed charges against Judge Bento with the Judiciary Council**

**The charges have been pressed this morning, after the criminal charges pressed yesterday against the same Judge and other participants in the irregular breaking into the company.**

Today, Cablevisión has pressed charges at the Council of the Judiciary in order to impeach Walter Bento, the Judge from the Province of Mendoza who, with manifest lack of jurisdiction and abuse of authority, ordered that the company be broken into by gendarmes, at the request of Grupo Vila Manzano, one the multimedia groups most favored by the National Government. This irregular preliminary injunction turned out to be a tool within the official strategy that seeks to affect - by whatsoever means – the licenses of and services rendered by Cablevisión and Fibertel

The impeachment request against Bento is additional to the criminal charges for "abuse of authority" pressed by Cablevisión against the same judge and other third parties that illegally broke into the company.

Cablevisión's filing with the Council contains a detailed description of the serious charges against Bento:

1.- Charges have been pressed against Bento for potential offenses while exercising his duties. According to the charges, Bento's conduct may be classified "prima facie" within the criminal hypothesis set forth in Section 248 of the Criminal Code (abuse of authority), and the criminal courts have been requested to investigate the potential perpetration of the crimes set forth in Sections 257 and 258 of the said Criminal Code (bribery), that is, the fact that he had been allegedly functional to the plaintiff in exchange for an undue promise.

As informed, the Judge committed abuse of authority in transcribing paragraphs of a judgment rendered 6 years ago in a case where the same plaintiff made a similar request. In other words, the decision in question would not have been an intellectual action from the Judge, but rather the potential result from an agreement between the judge and the plaintiff, which scope will be investigated by the courts. All the aforesaid would entail an arbitrary and evil action aimed at favoring one of the parties to the proceeding, in detriment to the other (Cablevisión).

2.- Secondly, charges have been pressed against the judge for misfeasance and bad conduct since Bento's arbitrariness and non-adherence to the law and the Constitution in issuing the controversial preliminary injunction are not inherent to his investiture, and instead of safeguarding the rights and interests as he was entrusted to when appointed judge, he ended up damaging them by way of an arbitrary preliminary injunction that caused significant prejudice to Cablevisión.

3.- Finally, he was also charged with manifest disregard of the law for the sole purpose of favoring the plaintiff.

Some quotes from Cablevisión's allegations in other parts of the claims:

"Several sections of the preliminary injunction clearly reveal that Judge Bento has rendered a conclusive opinion on matters that should only be resolved on the merits of the case, thus turning the preliminary injunction – which should have been an interlocutory decision – into an unquestionable decision on the merits, which also orders the execution thereof prematurely."

"Thus, the preliminary injunction is in fact a decision on the merits and, at the same time, the execution of such order. Undoubtedly, all procedural steps have been simplified in order to favor the plaintiff without listening to the defendants."

"All the irregularities found in the issuance of the preliminary injunction, as well as many others that will be eventually reported to the Judiciary Council, lead to strongly believe that Judge Bento committed abuse of authority and clearly colluded with the plaintiff who was evidently favored by the said injunction."

"Let's by no way ignore the fact that Bento literally transcribed some paragraphs from the ruling rendered in 2005 to an overly controversial preliminary injunction that seeks to annul an EFFECTIVE merger. Also of particular note are the circumstances of the manner in which the preliminary injunction was intended to be executed".

"In fact, the supervisor (*interventor*) and co-administrator appointed by Bento –naturally following his instructions- deployed an extremely intimidating raid with national gendarmes breaking into Cablevisión WITHOUT ANY JUSTIFYING REASON."

"The presence of Mr. Alessio Aguirre escorting the supervisor (*interventor*) and co-administrator appointed by the Judge, Mr. Enrique Anzoise, at Cablevisión's premises on December 20, 2011 is, in our view, another serious irregularity for which we have already pressed criminal charges and is related to the potential link between Bento and the plaintiff, since Mr. Aguirre would be the CEO of Holder Korpus –visit [www.holder-korpus.com](http://www.holder-korpus.com)- a private company engaged in the intelligence and research business."

"Notwithstanding the fact that the defendant reserves the right to amend the claim in the light of the arbitrary and irregular actions embraced in the issuance of the said preliminary injunction, the truth is that all statements included in this filing are sufficient grounds to seriously consider that Judge Benito failed to duly perform his duties rendering judgment on the basis of his sound and free discretion, but rather forced the facts and the law to favor the plaintiff, causing intentional and extremely grievous damage to Cablevisión."

"For all the aforesaid, Judge Benito should, at least, be summoned by this Judiciary Council to give all the explanations of the case and be eventually removed from office."