

Jury Orders Marcos to Pay \$22 Billion for Golden Treasure

\$450 Million in Swiss Bank Account Is Already Attached

By Bill Ibelle

\$22 BILLION

Roxas v. Marcos

Type of case: Theft of treasure, torture and imprisonment

Date of Verdict: July 19

Court: Honolulu Circuit Court, Hawaii

Status: ON APPEAL

Plaintiff's attorneys: Peter and Daniel Cathcart, Magina, Cathcart & McCarthy, Los Angeles

Size of firm: Eight lawyers

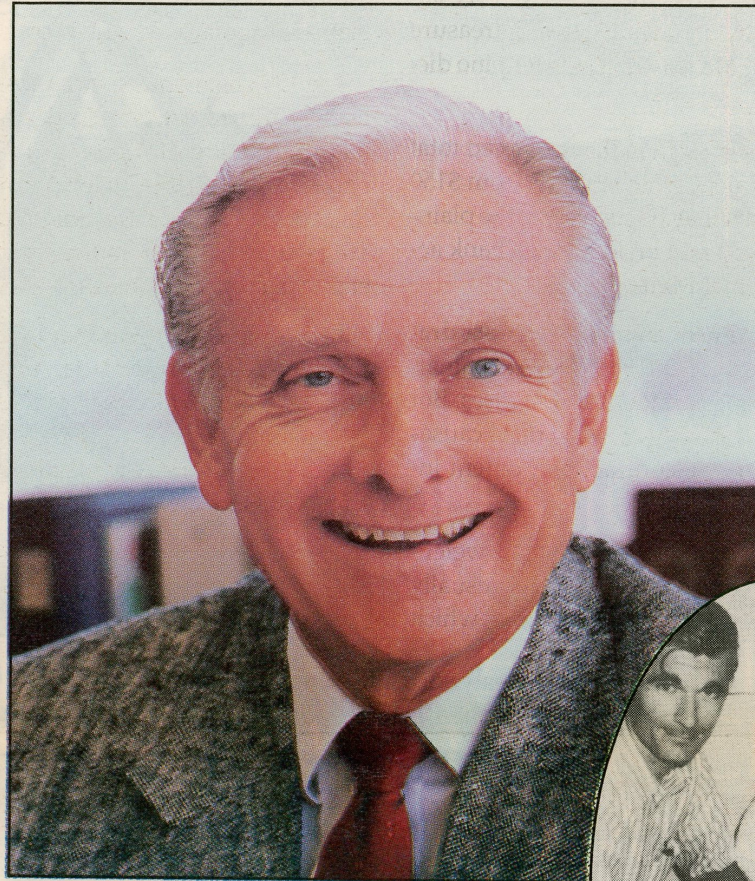
Defense attorneys: James Linn, Linn & Neville, Oklahoma City

Size of firm: Seven lawyers

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When Daniel Cathcart was offered the case that would win him a \$22 billion verdict, the largest verdict in U.S. history, he threw the letter in the trash.

"It sounded kooky," says Cathcart. Kooky is an understatement.

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Daniel Cathcart (above) used a 1971 photo to prove the Buddha — and therefore the treasure — existed. In the photo are the plaintiff (r) and former G.I. Ken Cheatham (l).



Photo by Ken Cheatham

tunnel opening with dynamite. His plan was to sell the gold and the Buddha to raise the money needed to excavate the rest of the treasure.

"When he got the Buddha back to his house, he discovered that the head was detachable and there were three huge handfuls of diamonds in the statue's hollow stomach," says Cathcart.

Rumors of the historic find spread quickly and soon made their way to the royal palace, which was then home to President-For-Life Ferdinand Marcos.

On April 5, 1971, Filipino soldiers, acting on orders from Marcos, broke into Roxas' home, stole the Buddha and gold and threw Roxas in prison. He remained in custody for two years until he revealed the location of the secret tunnels.

"He was beaten, burned and had electrodes attached to sensitive parts of his body," says Cathcart. "As a result, he lost the sight in one eye, which still bulged out of his head and was one-and-a-half times the size of its mate when I met him 15 years later."

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"It sounded kooky," says Cathcart. Kooky is an understatement.

The letter told the tale of the theft of a fortune's worth of gold bars as well as a three-foot statue of 22-carat gold that was said to have a hollow chest cavity stuffed with diamonds. But few had ever seen the treasure or the "Golden Buddha," and there was no definitive proof they even existed.

"I got that letter 10 years ago, and it was accompanied by an article that looked like it came from a supermarket tabloid," recalls Cathcart. "I put it in the wastebasket, and it stayed there until I finished reading all my other mail. Then I pulled it out and read it again."

Cathcart decided that a tale this bizarre was at least worthy of a phone call. That call was the beginning of a 10-year roller coaster ride that would end in what he unabashedly calls, "The biggest verdict in the history of planet earth!"

By the time Cathcart was finished, he had developed a case that involved a plundering army, an executed Japanese general, tunnels lined with boxes of gold bars, steaming Philippine jungles, coded maps, torture, an amateur treasure hunter and, finally, the defendants — deposed Filipino dictator Ferdinand Marcos and his widow Imelda.

In the midst of the trial, Judge Marie Milks is reported to have said: "All we need now is Indiana Jones."

Almost all of the award was for the theft of the gold bars and the Buddha.



Daniel Cathcart (above) used a 1971 photo to prove the Buddha — and therefore the treasure — existed. In the photo are the plaintiff (r) and former G.I. Ken Cheatham (l).

The jury also awarded several million dollars on the torture claim.

Now that Cathcart has the verdict, the struggle will be to collect. Cathcart has already gotten an attachment on a Swiss bank account that contains \$450 million and says he has tracked portions of the Marcos' vast fortune to locations around the world.

A Fantastic Footnote to History

The origin of the gold treasure is shrouded in mystery.

According to rumor, it was stolen by the Japanese Imperial Army as it plundered dozens of Asian nations in the years leading up to World War II, with the Buddha being seized from Burma.

The treasure is said to have arrived in the Philippines along with Gen. Yomouki Yamashita, known as "The Tiger of Malaya," who was executed for war crimes following World War II. His vast treasure was never found, and Yamashita was rumored to have buried it in secret tunnels somewhere on the island during the waning days of the war.

But no one knew where. Treasure hunters, driven by visions of unparalleled riches, searched for decades without success. Among these gold-hungry adventurers was a little-known Filipino guerilla fighter named Ferdinand Marcos.

But the jury concluded that a 27-year-old locksmith with a fourth-grade education beat him to it.

In January 1971, the locksmith, Rogelio "Roger" Roxas, met a man of mixed Filipino/Japanese descent whose father had been a translator for Gen. Yamashita during the war. When the man was 15 years old, his father had taken him into the jungles behind the hospital in Baguio City to show him tunnels lined with boxes of gold. The father had left a map, but the man had no luck relocating the treasure and eventually burned the map in frustration, only to learn from his sister that the map was intended to be read backwards in a mirror.

Despairing at his stupidity, the man contacted Roxas, who was known locally for his exploits as an amateur treasure hunter.

Later that month, Roxas hit paydirt. He broke into a tunnel that was lined, floor to ceiling, with more than 1,000 boxes of gold bullion. Among all the boxes, Roxas also found the Golden Buddha, a metric ton of solid gold (1.1 U.S. tons).

With the help of 10 friends, Roxas hauled the Buddha and a few bars of gold to the surface and then closed the

suit, he lost the sight in one eye, which still bulged out of his head and was one-and-a-half times the size of its mate when I met him 15 years later."

While Roxas was in confinement, Marcos forced him to swear that his story was a hoax and that the Buddha was made of bronze. Marcos then released Roxas, giving him a bronze replica and keeping the Golden Buddha for himself.

In 1973, 60 of Marcos' soldiers reopened the secret tunnels and spent nearly a year removing the 1,000 boxes of gold.

Scene Two: Hawaii

The story resumes in 1986 when Ferdinand and Imelda Marcos fled the Philippines aboard a U.S. Army plane in the midst of the "People Power" rebellion.

After they landed in Hawaii, Roxas served them with a lawsuit alleging theft of the treasure, torture and false imprisonment.

Shortly after Marcos arrived in Hawaii, Roxas formed The Golden Buddha Corporation. His goal was twofold: (1) Move the jurisdiction of his lawsuit from the Philippines to the United States, where it would be heard free from Filipino political corruption, and (2) Reduce the threat to his own life by assigning rights to the treasure to a corporation.

After seven years of pre-trial maneuvering, the trial was finally set for May 25, 1993. On May 24, Cathcart called Roxas, who was still living in the

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