

CFA Society Toronto
120 Adelaide St. W., Suite 2205
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October 27, 2022

Dear CFA Society Toronto, 65th Annual Investment Dinner Sponsors, all concerned,

Re: 65th Annual Investment Dinner: “Geopolitical Risk with Acclaimed Author and Investor, Bill Browder”

“Russian girls would throw themselves at you—and into your bed—almost upon meeting. There was no sport to it at all, no chase, no courting. Just ‘Hi,’ and the next thing you knew, some slender vixen with perfect lips and mysterious eyes was wrapping herself around you as your mind calculated where the nearest bed—or private room of any kind—was.” (**“Red Notice” – Chapter 16: “Tuesdays With Morie”**, p. 147, *Simon & Schuster Paperbacks* edition, pub. October 2015.)

A reasonable and informed person may well reflexively laugh and/or recoil at this ridiculous characterization of mendacious Anglo-American huckster, career conman Bill Browder, guest-speaker at your November 7, 2022 dinner in Toronto, Canada.

However preposterous it is to imagine *Hermitage Capital's* front-man exuding animal magnetism as the irresistible James Bond-like stud portrayed, (in the above excerpt from BB's ghost-written fictional memoir), the misogyny and bigotry in such fantasy underscores a dark reality. It's propaganda-porn that exploits the ignorance and prejudices of those who don't – and/or don't want to – know better.

Ignorance – be it in a naive or willful state – is form ill-fitting to a Chartered Financial Analyst and/or any other financial, legal+ professional worth their salt. Chronic toxicity of *Hermitage* networks' false narratives – abundantly evident through review and analyses of public-record documents+ readily-accessible globally via court, police, corporate, press and other filings – prompts this letter.

Before further lending your good name(s) to bad, herein you'll find remedy – via ten-or-so sign-posts marking some of the many avenues open for due diligence:

- 1) **Transcript of Examination-Under-Oath: Todd S. Hyman (March 3, 2014** *Deposition also available in video format.*) Todd Hyman, Special Agent, *US Dept. of Homeland Security*, lead investigator in a civil forfeiture case for the U.S.A. (v. *Prevezon Holdings Ltd.*) acting upon *Hermitage's* representations and claims, acknowledges his team interviewed no (zero) independent witnesses. Exam confirms purported money “tracing” by *Hermitage* is conjured from “copies, that are not authenticated, of records that are incomplete, based on an accounting assumption.” (***Southern District of New York Court Transcript*** p. 92+) @ <https://jaccuse.news/Hyman-deposition.pdf>

- 2) **Transcript of Examination-Under-Oath: William F. Browder** (*April 15, 2015 Deposition also available in video format.*) Revealing facts + history behind the dreck of “*Red Notice*” and years of *Hermitage*+ myth-making, this sworn examination dismantles – and in forensic detail – various false pillars of the global “Magnitsky” campaign (so-branded, cynically and/or exploitatively by some, in memory of the deceased *Firestone Duncan*-employed & *Hermitage*-teamed accountant/auditor Sergei Magnitsky). Self-incriminating video-taped deposition of Bill Browder available on *YouTube*+. **Court transcript** on public file in ***Southern District of New York (SDNY)*** docket @ <https://jaccuse.news/Prevezonbrowder-deposition.pdf>

NB Links/URLs above provide simple download access to these *SDNY* court filings via my own website (about which more is noted particularly in Point 10 below). These same docs and the full case record, (hundreds of docket texts + attachments), can, naturally, be accessed via a court database/service of your choice such as *Docket Alarm*, *Pacer* etc.

For example, **United States of America v. Prevezon Holdings Ltd. et al 1:13-cv-06326 | New York Southern District Court** is found on *Docket Alarm* @:
<https://www.docketalarm.com/cases/New York Southern District Court/1--13-cv-06326/United States of America v. Prevezon Holdings Ltd. et al/>

Find testimony transcripts cited above, (of Hyman and Browder, respectively) @:
<https://www.docketalarm.com/cases/New York Southern District Court/1--13-cv-06326/United States of America v. Prevezon Holdings Ltd. et al/81/1/>
+
<https://www.docketalarm.com/cases/New York Southern District Court/1--13-cv-06326/United States of America v. Prevezon Holdings Ltd. et al/281/1/>

The Judgment detailing Browder's first criminal conviction is another of many material documents you'll find in this *SDNY* docket. On July 11, 2013 Browder's convicted of tax evasion “on a large scale” in connection with the *Saturn Investments / Dalnaya Steppe* fraud. Presiding Judge I.B. Alisov in *Tverskoy District Court of Moscow (Moscow City Court)*: “**Document 422-16**” being “**Exhibit 50-Part 1-William Browder's Conviction**” @ <https://www.docketalarm.com/cases/New York Southern District Court/1--13-cv-06326/United States of America v. Prevezon Holdings Ltd. et al/422/16/>

Establishing, as it does, the fraudulent nature of key *Hermitage* narratives, and in revealing the *modus operandi* of players behind this corrupt campaign, the *USA v. Prevezon SDNY* docket proves effective and efficient a resource.

- 3) “**Document 723**”, as you'll find excerpted verbatim below, addresses and demolishes a foundational pillar of the Magnitsky myth-makers' campaign. The *Council of Europe (CoE) / Parliamentary Assembly of the Council of Europe (PACE)*'s “Gross report” – filed by then *Rapporteur* Andreas Gross & *Head of the Secretariat* Günter Schirmer on June 18, 2013 – is touted by *Hermitage* forces, acolytes et al as an authoritative, definitive, examination of the Sergei Magnitsky case. It's been relied upon by political law-makers in the EU, USA, Canada+ as justification for 'Magnitsky laws', international sanctions etc.

On May 3, 2017 Hon. William H. Pauley III, District Judge, *Southern District of New York (SDNY)* excoriates it thusly: “the Gross report is some piece of work, and I mean that in hyperbole.” Adjudicating, Judge Pauley rules it’s unacceptable to be introduced into the court record “even for very limited purposes” (rejecting the request of counsel for the US gov., an actor sharing lines w. *Hermitage*). The judge's reasoning is spelled out on pp. 32 – 34 of the docket Doc. 723 and is excerpted in full immediately below these links:

a) “**Document 723: TRANSCRIPT of Proceedings re: argument held on 5/3/2017 before Judge William H. Pauley, III**” found online @

https://www.docketalarm.com/cases/New_York_Southern_District_Court/1--13-cv-06326/United_States_of_America_v._Prevezon_Holdings_Ltd._et_al/723/

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b) CoE/PACE “Gross report” aka “**Refusing impunity for the killers of Sergei Magnitsky**” @

https://web.archive.org/web/20140701194600/http://www.assembly.coe.int/Communication/aidoc24_2013.pdf

SOUTHERN DISTRICT REPORTERS, P.C.

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H53VPREA

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

v. 13 CV 6326 (WHP)

PREVEZON HOLDINGS, ET AL,

Defendants. ARGUMENT

-----X

New York, N.Y.

May 3, 2017

5:17 p.m.

Before:

HON. WILLIAM H. PAULEY III,

District Judge

THE COURT: This Court grants Prevezon's motion to exclude the Gross report primarily on the basis that the report's principal focus is on a subject that this Court has already excluded: The circumstances surrounding Magnitsky's death. And it also, in my judgment, suffers from a lack of trustworthiness, having read it.

These factors, taken together, present the risk that the jury will be confused by the report's contents and opinions and distracted from the real claims at issue. Of the four factors that courts look to to determine the trustworthiness of a public report, the factors regarding timeliness of the investigation, whether the assembly or any other of its subcommittees conducted a hearing, and possible motivational problems weigh against finding that the report is trustworthy.

First, the parliamentary assembly commissioned this report several years after the events in question. Even if this Court measured the time from the primary event investigated, Magnitsky's death in November of 2009, almost three years elapsed before the assembly's legal affairs committee passed its resolution appointing Gross as the reporter in November 2012.

Second, there doesn't appear to have ever been an actual hearing conducted following the dissemination of Gross's report or any drafts of his report. While the government claims that members of the legal affairs committee voted to adopt the draft resolution formed after Gross's investigation without objection, there's no evidence that an actual hearing with the appropriate procedural safeguards was actually conducted.

Finally, the inception of this report appears to have been predicated on a series of events that bring into question certain motivational problems. The Gross report cites "earlier work" of the assembly regarding Magnitsky's death. One of the events that may have colored the investigation from the outset is William Browder's interference with the assembly's work. In June 2011, it appears that Browder "made an intervention at a parliamentary seminar" at a meeting of the committee that ultimately authorized Gross's involvement in conducting his investigation.

Further, the Gross report is replete with statements from witnesses that are sympathetic to Magnitsky and Browder, among others. There's several individuals who were paid and directed by Hermitage to investigate Magnitsky-related events who were interviewed by Gross.

While Gross cites certain conversations he had with Russian officials and the documents he received from them, those references are eclipsed by the statements and opinions by Browder, Hermitage, and other self-interested parties. By Gross's own admission, he "regrets nevertheless" that he did not "speak directly with the persons most immediately concerned by the allegations of criminal conspiracy," despite having sought them out. That's the Gross report, paragraph 4. That omission brings into doubt that Gross "heard both sides of the story," a fact that renders his findings and conclusions unreliable. In *Re Parmalat Securities Litigation*, 477 F. Supp. 2d 637, 641 (S.D.N.Y. 2007).

Most troubling is that the report's author, Andreas Gross, refused to appear for deposition in this action, citing humiliation as the reason. He appears unable to stand behind and defend the findings and conclusions of his report, a decision which only undermines the credibility and trustworthiness of that report. His position, whatever its

genesis, has undermined the ability of Prevezon to challenge his conclusions. See *Parmalat Securities*, 477 F. Supp. 2d 641. In other words, the Gross report is some piece of work, and I mean that in hyperbole.

Accordingly, Prevezon's motion to exclude the report is granted.

Case 1:13-cv-06326-WHP Document 723 Filed 05/19/17
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(NB I'm informed personally by a long-sitting Canadian Member of Parliament – an MP who's a direct witness to, and participant in, our Federal political processes at the time 'Magnitsky' legislation came before this country's Parliament – they did no independent research or investigation, instead relying upon Bill Browder and his false narratives being vouched for by lobbyist Irwin Cotler, a former MP and government minister, allied with *Hermitage*. The scoop on corrupt Cotler – who, in pre-Jody Wilson-Raybould times, was our Minister of Justice & AG circa 2003 - 2006 – warrants separate, further, examination/discussion along with that of Browder and/or *Hermitage* historical employers, mentors, partners and/or key backers such as Robert Maxwell, Edmond Safra, Jakir Daniel Sha'ashoua & Beny Steinmetz.)

An experienced trier of facts, one who is neither a partisan nor a puppet – in this case, US Federal District Judge Pauley – reads and considers the material text then assesses the Gross report based on its evidentiary merits not its politics. It's no surprise that such a fact-based, reasoned, approach results in rejection of a sham. (Just as it's predictable those politicians, bureaucrats, staffers, lobbyists and the like who may traverse corridors of power and a coterie of press stenographers oft parrot the claims of propagandists.)

Synchronously, in Spring 2017 as smoke-and-mirrors of this long-running con are being blown away in *SDNY*'s American court chambers, across the pond – at a Coroner's inquest in London's 'Old Bailey' (Central Criminal Court of England and Wales) – a distinguished "Silk" is acutely diagnosing the *Hermitage*+ campaign's *m.o.* as Browder dishes up more posthumous porkies (something of a specialty of the house):

"I am going to suggest and put it to you (Mr. Browder) that you and your company have been responsible for placing florid stories in the media and then subsequently relying on those self-same stories as if they are evidence admissible in this court." (p. 8) John Beggs, QC, Joint Head of Chambers at *Serjeant's Inn*, pointedly describes the Browder/*Hermitage*+ campaign as "a rule of media" rather than being about "rule of law". (p. 39) NB other pages and transcript of other dates also reward the diligent ("**Day 5 Inquest into the death of Alexander Perepilichnyy – 9 June 2017**" @ <https://www.judiciary.uk/wp-content/uploads/2017/04/9-June-2017-Transcript-day-five.pdf>)

Threaded throughout the years is a recurring pattern that speaks to an egregious lack, or, even, entire absence of real, independent, due diligence by journalists, law-makers and others propagating, amplifying, and/or perpetuating the myths of networks+ of self-

interested geopolitical and/or criminal actors. For those that actually do know the facts and fail to act with integrity and who misinform the public – it says something more.

Returning to the period 2014 – 2017 and *Hermitage+*-spawned narratives collapsing under examination – undermined by the damaging sworn testimony of Hyman and Browder – then US Attorney for *SDNY*, Preet Bharara, has to amend the government's pleadings in salvage. Germany's major news-weekly *Der Spiegel* summarizes: “The responsible U.S. investigator admitted during questioning that his findings were based exclusively on statements and documents from Browder and his team. The trial ended in a settlement. The Russian Katsyv clan, whom Browder accuses of profiting from the tax fraud, has ensured that the settlement statement contains an explicit mention that it had nothing to do with the Magnitsky case.”

(“**Why DER SPIEGEL Stands Behind Its Magnitsky Reporting**” – *Der Spiegel*, December 17, 2019 @ <https://www.spiegel.de/international/world/spiegel-responds-to-browder-criticisms-of-magnitsky-story-a-1301716.html>)

- 4) This century public record court and police filings, press reports+ esp. from Europe & Asia chronicle actions of *Hermitage+* players, their course + those of associated geopolitical+ networks. Recent examples of the latter include: *Der Spiegel*'s exposés of Browder et al's dishonesty (of which one feature article is cited above and about more you'll find noted below – see Point 8); the full-scale demolition of the hoax in Denmark; and other exemplary reportage.

a) An 'early warning' flashes in *Radio Free Europe / Radio Liberty*'s 2002 spotlighting of the *Avisma* scam in “**Corruption Watch**”. US-government-funded *RFE / RL* points to the involvement of Browder/*Hermitage+* players – in a case that combines mechanisms of profit-skimming, transfer-pricing and offshore-money-laundering – asking: “Are Americans involved in defrauding Russian companies to the point of near collapse and making millions of dollars in illicit profits in the process? If so, can such activities help promote the image of the United States among Russian elites?” (“**Corruption Watch: ‘U.S. SUIT CASTS NEW LIGHT ON ‘THE LITTLE GUY’**” – *RFE / RL* May 23, 2002, Volume 2, Number 20 @ <https://www.rferl.org/a/1342412.html>)

NB Coverage of the *Avisma* case is led on the North American continent by deservedly-legendary Lucy Komisar, recipient of *The Gerald Loeb Award* (est. 1957 for *Distinguished Business and Financial Journalism*) – America's highest honour for financial reportage. The **United Nations Educational, Scientific, and Cultural Organization / UNESCO Series on Journalism Education** leads off “**The Global Investigative Journalism Casebook**” section on offshore criminality – “**Chapter Six Following the money: frauds and offshore funds**” – with a major story broken by LK in 2010 in *The Miami Herald* – her exposé of sports investor/financier & Ponzi swindler (Robert) Allen Stanford (convicted in 2012 + sentenced to 110 years in US Federal prison for his crimes). (*UNESCO* pub. 2012 @ <https://unesdoc.unesco.org/ark:/48223/pf0000217636>)

“Everyone has heard of Bernie Madoff, and how he got away with ruining thousands of people, and stealing billions of dollars, while the American authorities looked the other way,” the *Herald*'s editor intros. “The story below is in some ways even more shocking, because it describes a multi-billion dollar international fraud that state authorities in the US effectively aided and abetted. The originating author, Lucy

Komisar, is one of a very few reporters who understand offshore banking and follow it regularly.”

In a recent interview, (found @ <https://www.thekomisarscoop.com/2022/10/radio-interview-about-the-browder-hoax-with-hrvoje-moric-of-tnt/> – **The Hrvoje Morić Show**, TNT, September 22, 2022), this indefatigable American investigative journalist recounts how *Avisma* served as entry-point for her decades-deep study of Bill Browder et al:

“In 2000 I got a *U.S. National Research Council* grant to study money laundering in Russia. I found it!

But the crook I discovered was William Browder, who was involved in illegally [siphoning profits from Avisma](#), a Russian titanium company, through transfer pricing on the Isle of Man. That means an Isle of Man shell company bought *Avisma* titanium at a fake low price and sold it on the market at the real price, with Browder and collaborators skimming the difference.

Browder and his collaborators had bought *Avisma* from Mikhail Khodorkovsky, another crook, who passed along the transfer pricing operation as part of the deal. Browder spoke at a Moscow event to which press were invited, and I asked him about *Avisma*. He replied with an attack on me, but at the coffee break other reporters who knew the truth laughed. From then, I began to investigate Browder.”

For her investigation of Allen Stanford, Lucy Komisar's received the aforementioned *Gerald Loeb Award* plus the *National Press Club*, *Sigma Delta Chi*, and *National Headliner* awards. Komisar's work on the *Hermitage* networks' Magnitsky+ fraud merits additional mention – and is so cited below (Point 9) – this *Avisma* side-bar's illustrative of the lengthy span of corrupt enterprise. Today she dedicates an entire section of her website, “**The Komisar Scoop**” to “**The Browder Hoax**” (found @ <https://www.thekomisarscoop.com/category/thebrowderhoax/>)

b) In mid-2010 *Moskovskij Komsomolets* (MKRU) published a landmark three-part series by award-winning Russian investigative journalist, Vadim Rechkalov. (Even *Wikipedia* has not a discouraging word for this publication source – saying: “*Moskovskij Komsomolets* is a Moscow-based daily newspaper with a circulation approaching one million, covering general news. Founded in 1919, it is famed for its topical reporting on Russian politics and society.”) This MKRU-published three-parter consists of:

“Magnetic field. Part 1 – The Russian Ministry of Internal Affairs protects the English thief”, July 11, 2010 @

<https://www.mk.ru/social/article/2010/07/11/515655-magnitskoe-pole-chast-1.html>

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“Magnetic field. Part 2 – Why Sergey Magnitsky was killed”, July 15, 2010 @

<https://www.mk.ru/social/article/2010/07/15/516832-magnitskoe-pole-chast-2.html>

+

“Magnetic field. Part 3 – Noble robber Jamison Reed Firestone”, July 28, 2010 @

<https://www.mk.ru/politics/article/2010/07/28/519565-magnitskoe-pole-chast-3.html>

(NB Articles linked/cited herein were not limited from public view by privacy settings, paywalls etc. when originally accessed. As such settings can-and-do change over time,

should you find any items inaccessible to you now, please, let me know. As with Danish and German language original source content links such as those below, browsers+ on most computers and/or other devices can simply translate Russian and other foreign-language texts. Human translations, naturally, can provide still more clarity + precision.)

Vadim Rechkalov (who passed in 2017) + MKRU also produced in 2010 a documentary short, **“Offshore People”**. This eighteen-minute-length film w. English subtitles is viewed @ https://www.youtube.com/watch?v=LYN4P_6jxos

The film offers insight into *Hermitage* / *Firestone Duncan* (FD)+ players' exploitation of handicapped people in Kalmykia, an autonomous, economically-impooverished, republic located in the southern part of the Russian Federation. Employing these poor people as props proves a key element of the financial fraud giving rise to Bill Browder's tax-evasion for which he's criminally convicted on July 11, 2013. (The hedge-fund honcho's second conviction and sentencing, the first for *Hermitage*'s Ivan Cherkasov, is for different crimes of tax evasion “on a massive scale” + fraudulent bankruptcy – see **Verdict of the Tverskoy District Court of Moscow**, Presiding Judge D.S. Gordeyev – December 29, 2017 @ <https://jaccuse.news/VerdictBrowderCherkasov20171229adjudicationEnglish.pdf>)

NB Part of the *m.o.* of Bill Browder and others in *Hermitage*+ networks who perennially deceive the uninformed world about the Magnitsky case – as you'll hear in-person in Toronto's *Fairmont Royal York “Canadian Room”* come November 7, 2022 (should you wish) – the years-long propaganda campaign involves: 1) omission of material facts; as well as 2) acts of commission eg. misrepresentations and/or distortions of others. (*Der Spiegel* reports, as well, what appears to be evidence of document-falsification.)

A prime example of the former tactic, (which actually combines deception by omission and also commission in practice), the propagandists ignore and/or conceal the *European Court of Human Rights (ECHR)* finding that Sergei Magnitsky's arrest in connection with the Kalmykia fraud and tax evasion case was not arbitrary. The Russian authorities' investigation – Criminal Case Number 153123 – into those schemes involving *LLC Dalnaya Steppe* and *LLC Saturn Investments* in Kalmykia and other entities beyond (Cyprus+) is legitimate say courts East and West. (And the facts thereof strip away the facade of Browder/*Hermitage* innocence as is shown in **“The Magnitsky Myth & Other Keys to the Geopolitical Hoax of the Century”**, *Index* – researched, authored + edited by myself, Adrian du Plessis @ <https://jaccuse.news>)

Following is verbatim extract from pp. 40 – 42, (NB which is pp. 38 – 40 as printed on the physical/hard-copy page), of the pdf format Judgment of the *ECHR* rendered August 27, 2019 in Strasbourg, France – seat of the European Parliament (and found online as a download from the **“CASE OF MAGNITSKIY AND OTHERS v. RUSSIA JUDGMENT”** web-page @ <https://hudoc.echr.coe.int/eng?i=001-195527>)

“B. The Court’s assessment

198. The Court would reiterate the general principles governing the notion of arbitrary detention which are set out at paragraphs 77-79 in *Mooren v. Germany* ([GC], no. 11364/03, 9 July 2009). Detention will be “arbitrary” where, despite complying with the letter of national law, there has been an element of bad faith or deception on the part of the authorities

(compare with *Saadi v. the United Kingdom* [GC], no. 13229/03, § 69, ECHR 2008, and *Bozano v. France*, 18 December 1986, § 59, Series A no. 111).

199. Furthermore, in the context of sub-paragraph (c) of Article 5 § 1 of the Convention, the reasoning of the decision ordering detention is a relevant factor in determining whether a person's detention must be considered arbitrary. The Court has considered the absence of any grounds given by the judicial authorities in their decisions authorising detention for a prolonged period of time to be incompatible with the principle of the protection from arbitrariness enshrined in Article 5 § 1 (see *Belevitskiy v. Russia*, no. 72967/01, § 91, 1 March 2007; *Nakhmanovich v. Russia*, no. 55669/00, § 70, 2 March 2006; and *Stašaitis v. Lithuania*, no. 47679/99, § 67, 21 March 2002). Conversely, it has found that an applicant's detention on remand could not be said to have been arbitrary if the domestic court gave certain grounds justifying its continuation (compare *Khudoyorov*, cited above, § 131), unless the reasons given are extremely laconic and without reference to any legal provision which would have permitted the applicant's detention (compare *Khudoyorov*, cited above, § 157).

200. An essential part of the safeguard against arbitrary arrest and detention is the "reasonableness" of the suspicion on which an arrest must be based. Having a "reasonable suspicion" presupposes the existence of facts or information which would satisfy an objective observer that the person concerned may have committed the offence (see *Podeschi v. San Marino*, no. 66357/14, § 144, 13 April 2017, and *Fox, Campbell and Hartley v. the United Kingdom*, 30 August 1990, § 32, Series A no. 182).

201. Turning to the circumstances of the present case, the Court notes that although the alleged conflict of interests could be an argument in support of a finding that the first applicant's detention was arbitrary, it cannot by itself lead to that conclusion. The Court can only reach such a decision if it establishes an element of bad faith or deception on the part of the authorities.

202. It does not discern any such elements in the instant case. The Court observes that the inquiry into alleged tax evasion, resulting in the criminal proceedings against Mr Magnitskiy, started in 2004, long before he complained that prosecuting officials had been involved in fraudulent acts (see paragraph 31 above). The decision to arrest him was only made after the investigating authority had learned of his application for an entry visa to the United Kingdom, and of his having booked tickets to Kyiv, and after it had been unable to find him at his place of residence (see paragraphs 38 and 39 above). On the day following his arrest the first applicant was brought before a competent court, which had to decide on the preventive measure to be applied. That was enough to make his arrest compatible with the "purpose" requirement of Article 5 § 1 (c) of the Convention (see *Merabishvili v. Georgia* [GC], no. 72508/13, § 188, 28 November 2017). The Court is also mindful of the fact that at the hearing on the preventive measure neither the first applicant nor his lawyer made any allegations of bad faith, or police pressure (see paragraph 39 above).

203. The Court further observes that the first applicant was arrested on

suspicion of having been involved in two episodes of tax evasion. The suspicion was based on documentary evidence and statements by several witnesses. One of them testified to the first applicant's having been involved in arranging sham employment, paying money for it and giving instructions on how to behave if interrogated by the authorities (see paragraphs 31 and 36 above). The Court finds that such evidence at the relevant time was sufficient to satisfy an objective observer that the first applicant might have committed the offence he was accused of (compare with *Gusinskiy v. Russia*, no. 70276/01, § 55, ECHR 2004-IV, and contrast with *Kasparov v. Russia*, no. 53659/07, § 53, 11 October 2016; *Rasul Jafarov v. Azerbaijan*, no. 69981/14, §§ 121-32, 17 March 2016; *Ilgar Mammadov v. Azerbaijan*, no. 15172/13, §§ 90-99, 22 May 2014; and *Kandzhov v. Bulgaria*, no. 68294/01, §§ 57-61, 6 November 2008).

204. The Court further observes that the District Court also justified Mr Magnitskiy's detention by reference to the gravity of the charges and the risks of his influencing witnesses, absconding, or reoffending. Those allegations were based on the finding that he had influenced witnesses, had not been residing at his registered address when the investigator had attempted to summon him, and had been preparing to flee abroad (see paragraph 39 above). This list of reasons for detention was thus specific and sufficiently detailed.

205. In view of the above, the Court concludes that the first applicant's arrest was not arbitrary, and that it was based on reasonable suspicion of his having committed a criminal offence. Accordingly, this complaint is manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, and must be rejected pursuant to Article 35 § 4."

The *FD* accountant/auditor Sergei Magnitsky was, himself, exploited – in death and life. The documentary short "**Offshore People**" points to this terrible truth, and, the full-length (two hours 32 minutes) film cited next makes the tragedy still more evident.

- 5) Norway's Oscar-nominated *Piraya Film A/S* summarizes "**The Magnitsky Act: Behind the Scenes**" – a film *Piraya* produced together with: the *Norwegian Broadcasting Corporation, Norsk Rikskringkasting A/S* (equiv. to *CBC* in Canada, the *BBC* in UK etc.); Finland's national public broadcasting company *Yleisradio (YLE)*; Finnish documentary production house *Illume Oy*; German public-service television broadcaster *ZDF Arte*; and partners distributed by the *Norwegian Film Institute*. Film credits+ on *IMDb* @ <https://www.imdb.com/title/tt6028446/>

"What started as a docu-drama about a Russian police plot to steal a billion dollars from a US financier and to murder his faithful tax lawyer Sergei Magnitsky, became an investigation of a massive hoax and an unprecedented international cover-up. The Magnitsky Case in the version of the financier Bill Browder became the basis for laws and sanctions targeting Russian police and other officials, and for the claims that Putin personally had received a share of the millions looted from the Russian people. The film's director and a Kremlin critic, Andrei Nekrasov discovers that a narrative defining Western Russia policies is riddled with falsehoods." – *Piraya Film A/S* Filmography+ on *IMDb* @ <https://www.imdb.com/search/title/?companies=co0017685>

Acclaimed auteur, Russian film & television director Andrei Nekrasov – *IMDb* bio+ @ <https://www.imdb.com/name/nm0624963/> – winner of the *Oxfam Novib/PEN Award for Freedom of Expression*, partners with Norwegian documentary film producer Torstein Grude – *IMDb* bio+ @ <https://www.imdb.com/name/nm1164921/> – and a transnational team. Their revelatory film has weathered censorship and smear campaigning by *Hermitage* and Anglo-American state/intell+ forces. It continues to reward audiences with facts and insights buried in the main by “legacy” press in North America and the U.K. Released world-wide on June 25, 2016, ***“The Magnitsky Act: Behind the Scenes”*** is available in multiple language viewing options @ <https://www.magnitskyact.com/>

- 6) On the occasion of the 10th anniversary of the tragic death of *Firestone Duncan* (*Hermitage* partner) accountant/auditor Sergei Magnitsky, *Forbes* magazine's Moscow bureau – Writer/Editor Anton Verzhbitskii – retraces narratives from the inception of *Hermitage* – when launched “51% owned by *Safra Republic Investments*, and 49% owned by *Wiltonia Investments* of Israeli billionaire Benjamin Steinmetz.” With respect to themes and personages most immediate to discussion-at-hand, Steinmetz introduced Bill Browder to Edmond Safra. Safra and Steinmetz in 1996 together put up USD \$25 million to create *Hermitage* – and Beny Steinmetz became a Director:

“Bad Guys: why in the history of Sergei Magnitsky there are no goodies” / “Плохие парни: почему в истории Сергея Магнитского нет положительных героев”
Forbes, Nov. 16, 2016 @ <https://www.forbes.ru/finansy/investitsii/332335-plokhie-parni-pochemu-v-istorii-sergeya-magnitskogo-net-polozhitelnykh-ge>

(NB Intersection of such players with Browder/*Hermitage* et al is open “at depth” – to be in-filled for additional context and understanding of the whole. Re: *Republic National Bank of New York*/Edmond Safra eg. author Robert I. Friedman – in ***“The Money Plane”***, a **January 22, 1996 *New York magazine*** cover-story – asks saliently: “why are *Republic National Bank* and the *U.S. Federal Reserve* continuing to supply millions of crisp, clean \$100 bills to banks that so many money-laundering experts agree are tainted?” @ <https://books.google.ca/books?id=OOICAAAAMBAJ&lpg=PP1&dq=%22the%20money%20plane%22%20%2B%20%22new%20york%20magazine%22&pg=PP1#v=onepage&q&f=false>

“Robbie” Friedman passed in 2002 – a 2000 book, *“Red Mafiya,”* his last ground-breaker – one for which I provided some research on Canadian+ links to Russian+ organized crime. Had he lived a longer life we may not be talking about Bill Browder today. Another Safra avenue opens in *‘Iran Contras’* reportage esp. articles/books penned by the late Robert Parry, the intrepid investigative journalist whose stories for *AP* and *Newsweek* in the 1980s were key in unlocking that huge geopolitical+ scandal. Parry then founded the internet's first investigative news magazine in which we find, among other pieces, ***“Iran-Contra & the Safra Mystery”***, *Consortium News* – December 4, 1999 @ <https://www.consortiumnews.com/1999/120499a.html>

RNBoNY's role as Corporate Advisor to *Bre-X Minerals Ltd.*, the largest mine “salting” swindle in recorded history is under-examined, and on. Drill, as well, into *Beny Steinmetz Group Resources* / *BSGR*'s Beny Steinmetz “blood diamonds”, bribery, and

corruption scandals which form historically rich veins. In more recent years there appears to be some 'falling out amongst thieves'. Regardless, they hatched *Hermitage*.)

- 7) The country and culture of Denmark brings us Hans Christian Andersen and a timeless parable of ***"The Emperor's New Clothes"***. (" 'But he hasn't got anything on!' said a little child... 'But all the same,' the Emperor thought to himself, 'I must go through with the procession.' So he held himself more proudly than before, and the lords in waiting walked on bearing the train—the train that wasn't there at all." – HCA, first-published April 7, 1837 English-language translation by M. R. James as part of ***"Hans Andersen Forty-Two Stories"*** pub. 1930
<https://gutenberg.ca/ebooks/andersen-emperor/andersen-emperor-00-h.html>

Fittingly, numerous Danish journalists have unraveled threads of *Hermitage*-woven illusions to expose a naked fraud. And this journalism of high quality and credibility makes transparent how too-credulous-and-worse press counterparts in Scandinavia and flocks of mockingbird media elsewhere in Europe, the UK and particularly on this (N.A.) continent bob-and-weave about the historical record in tailoring words such that they cloak and disguise what's really a bald-faced hoax. In serious newspaper and magazine articles – and a best-selling book in Denmark – we find the sort of critical-thinking essential to true journalism, that which serves the public interest with integrity.

Renowned Danish commentator, columnist, editor+ Flemming Rose examines in some detail the fabric of claims made by peddlers of the Magnitsky myth: "In his own words, Sergey Magnitsky was neither Bill Browder's lawyer nor a whistleblower. It is in his witness statements." Rose explains, "I salute the fight against human rights abuses and personally was active in this fight in the former Soviet Union. But I fear that, by relying on untruths, Browder's campaign could undermine this fight rather than support it."

a) ***"Bill Browder and the hunt for foreign agents"*** – *Berlingske*, April 5, 2019 @
<https://www.berlingske.dk/kommentatorer/bill-browder-and-the-hunt-for-foreign-agents>

b) ***"»Hvidvaskjægeren« og russiske agenter"*** (NB Danish can pose a particular challenge for machine translation. It's an idiomatic language and contains considerable nuanced inflections+, still, *Google*, *Yandex* and/or your browser of choice can do a serviceable job. Texts translated from Danish or any other language into English for civil or criminal court use, as we know, ideally calls for a certified, human, language translator.)

Translated to English language as ***"The 'Money Laundering Hunter' and Russian agents"*** – *Berlingske*, March 19, 2019 @
<https://www.berlingske.dk/kommentatorer/hvidvaskjaegeren-og-russiske-agenter>

At *"Finans"*, (a publication of Danish media company *JP/Politikens Hus A/S*), exemplary due diligence by journalists Jette Aagaard & Kristoffer Brahm pairs with contributions from the financial newspaper's fine data reporting and graphics team. eg. on-point factual content presented in clear form & style is hallmark of such articles as the March 12, 2019 feature (linked below) titled: ***"Danske Bank and Nordea's evil money laundering spirit has enormous influence – but can you trust the man sentenced to nine years in prison for tax fraud?"*** This combination brings us a remarkable business news series – including:

- c) ***"Hvidvaskjægeren Bill Browder gemmer på en speget fortid" / "The money-laundering Hunter Bill Browder hides a troubled past"*** – *Finans*, March 3, 2019 @ <https://finans.dk/finans/ECE11247093/hvidvaskjaegeren-bill-browder-gemmer-paa-en-speget-fortid/>

- ci) ***"Nordea igen i spotlyset for hvidvask, men hvad er det nye?" / "Nordea again in the spotlight for money laundering, but what's new?"*** – *Finans*, March 5, 2019 @ <https://finans.dk/finans/ECE11220159/nordea-igen-i-spotlyset-for-hvidvask-men-hvad-er-det-nye/>

- cii) ***"Danske Bank og Nordeas onde hvidvaskånd har enorm indflydelse – men kan man stole på manden, der er idømt ni års fængsel for skattesvindel?" / "Danske Bank and Nordea's evil money laundering spirit has enormous influence – but can you trust the man sentenced to nine years in prison for tax fraud?"*** – *Finans*, March 12, 2019 @ <https://finans.dk/erhverv/ECE11243114/danske-bank-og-nordeas-onde-hvidvaskaand-har-enorm-indflydelse-men-kan-man-stole-paa-manden-der-er-idoemt-ni-aars-faengsel-for-skattesvindel/>

- ciii) ***"Hvidvaskjægeren Bill Browder vil ikke afsløre, hvem der finansierer hans arbejde" / "Money laundering Hunter Bill Browder will not reveal who is funding his work"*** – *Finans*, March 13, 2019 @ <https://finans.dk/finans/ECE11249017/hvidvaskjaegeren-bill-browder-vil-ikke-afsløre-hvem-der-finansierer-hans-arbejde/>

- civ) ***"Bill Browder brugte selv skattely til sine selskaber" / "Bill Browder himself used tax havens for his corporations"*** – *Finans*, March 14, 2019 @ <https://finans.dk/finans/ECE11249056/bill-browder-brugte-selv-skattely-til-sine-selskaber/>

- cv) ***"Magnitskij eller ej: EU rykker et skridt nærmere sanktioner mod menneskerettighedskrænker" / "Magnitsky or not: EU moves one step closer to sanctions against human rights violators"*** – *Finans*, March 14, 2019 @ <https://finans.dk/finans/ECE11250479/magnitskij-eller-ej-eu-rykker-et-skridt-naermere-sanktioner-mod-menneskerettighedskraenkere/>

- cvi) ***"Svensk bagmandspoliti dropper Browder-anmeldelse i hvidvasksag" / "Swedish police officers drop Browder complaint in money laundering case"*** – *Finans*, April 1, 2019 @ <https://finans.dk/finans/ECE11290506/svensk-bagmandspoliti-dropper-browderanmeldelse-i-hvidvasksag/>

Final example in Denmark's *Finans* series linked above, an article (dated April 1, 2019) by Alexander Bitsch, reports Swedish police authorities are not pursuing "out of date" accusations made by Bill Browder against *Swedbank*. "According to Browder, several of his underlying investment companies were stolen in 2007 and used to subsequently loot the Russian treasury for 1.5 billion. But his credibility has recently been called into question," this piece concludes.

Such news underscores another element of the *Hermitage+* propaganda campaign. Browder et al trumpet continually those investigations and/or cases the network(s) generate or spur – feeding a dogs-breakfast of material to press, pols and/or gov

agencies+ (as is shown in embarrassing *USA v. Prevezon SDNY* gambit which back-fired). Plenty of media/political hype and lobbying may envelope such manoeuvres and herald their course – but manipulative campaigners bury facts concerning authorities around the world discovering there's an absence of evidence upon which to further pursue matters. When subject cases generated are dropped, (or not opened/pursued), the pattern is for *Hermitage* team-players to steer clear of activating their public megaphones and/or to misrepresent events+ still further aka employ 'spin'.

“Oh, what a tangled web we weave, when first we practice to deceive”. Did *Hermitage*+ players skip 'the classics' in school? Sir Walter Scott's words fit them like a glove.

And does poetic justice, too, sail over the heads of such actors? – as when, on July 21, 2021, the *Office of the Attorney General of Switzerland (OAG)* “closed the criminal proceedings being conducted against persons unknown on suspicion of money laundering” that's “Based on a report alleging criminal activity filed by Hermitage Capital Management Ltd.” (on March 3, 2011). Thus, the 'mother of all Magnitsky cases', a false-flagged ship that's preceded a flotilla of bogus media stories and politically-steered initiatives launched o'er the span of a decade, is scrapped.

In the wake of this sinking of yet another anchor of *Hermitage*-fabricated mythology a dive into the wreckage uncovers the OAG's needle has surgically punctured the seal – thus deflating another bubble of the compartmentalized grand illusion:

“Review of Hermitage's status as a complainant

As part of the proceedings, Hermitage was recognised as a complainant in 2011. However, in the course of the investigation other parties to the proceedings cast doubt on Hermitage's status as a complainant.

In reaching its decision to close proceedings, the OAG therefore re-examined the question of Hermitage's status as a complainant. It concluded that despite extensive enquiries, it had not been possible to demonstrate that the funds under investigation in Switzerland originated from an offence committed to Hermitage's detriment. The OAG has therefore decided to revoke Hermitage's status as a complainant.”

“Laundering of funds misappropriated from the Russian Treasury: closure of proceedings and partial forfeiture of assets” – *Office of the Attorney General of Switzerland (OAG)*, Bern, 27.07.2021 @

<https://www.bundesanwaltschaft.ch/mpc/en/home/medien/archiv-medienmitteilungen/news-seite.msg-id-84542.html>

Surfacing, we circumnavigate a return to the Danes' debunking of the Browder/*Hermitage*+ fraud upon the public.

d) ***“Kampagne mod Danske Bank” / “Campaign Against Danske Bank”*** by Carsten Jorgensen is the cover feature of *Magasinet Finans* nr. 5/2019, (a publication of Denmark's *Finansforbundet*), available in print format October 7, 2019 + posted to *Issu* online Oct 11, 2019. Original Danish-language version (w. images) is found @ https://issuu.com/magasinetfinans/docs/finans_0519 and @ <https://jaccuse.news/MagasinetFinansENGLISHTRANSLATION.pdf> you'll find a English-language machine-translated version (w/o images).

This investigative report in a business-focused publication, naturally, explores financial machinations. Materially it also shines light on a vital cog – the role of our *fourth estate* in manufacturing / maintaining public perception of actors + actions in play. Our press, when properly functioning, can enable a layperson to recognize a naked agenda of the emperor – in this instance rights-activism/morality as window-dressing for Bill Browder + *Hermitage* courtiers. When broken it serves to bear a train that's not there at all:

“The rich man and the PR genius Bill Browder uses the money-laundering case in Estonia and Danish media, playing tricks as pieces in his fight against Russia according to the book '*The Wizard*'. He's reported banks for laundering to police in more than 15 countries. None of these reports has led to a conviction.”

Carsten Jorgensen so introduces the work and persons of investigative journalists Lars Abild & Birgitte Dyrekilde whose full-bodied book laying the hoax bare for all to see is a Danish best-seller titled “***Troldmanden: Historien om Danske Bank, hvidvask og manden, der bedrog verden***” / “***The Wizard: The story of Danske Bank, money laundering and the man who deceived the world***”.

“In '*The Wizard*' the authors describe how Bill Browder lies and manipulates. He even speaks of Sergei Magnitsky as a lawyer and whistleblower, although he worked as an accountant and tax advisor. A Russian-Ukrainian banker, Alexander Perepilichnyy, who fell in 2012 and died during a jog by his home near London, according to Bill Browder was assassinated because he was a whistleblower for Browder and was to testify in Switzerland. Several media outlets wrote Bill Browder's version of the death but the police and authorities, after years of investigation, concluded the case as one of natural death and the autopsy did not show signs of something criminal.

“In the book's preface, the authors present a 2002 quote from Bill Browder summarizing his way of achieving political influence via the media:

“ 'You must understand that the press does not know about the stories, that they do not have the ability to understand the complicated activities or can't afford to carry out the research. We have a lot of money invested. We are affected. We can allocate resources to do what is required really understanding how things work.' ”

“***Troldmanden***”, by authors Abild & Dyrekilde, is published originally August 12, 2019 in a Danish-language edition found online @ <https://www.kontrovers.eu/troldmanden> Though a more literal English-language translation of the best-selling book's Danish title is “*The Wizard*” or “*Master of Trolls*”, when, on June 12, 2020, the tome's published in English it's titled “***Man of Power: A True Story About Bill Browder, Money Laundering and Media Manipulation***”. This latter 376-page edition's found @ <https://www.kontrovers.eu/man-of-power>

In either language we learn how: “For more than a decade, Bill Browder has pushed the story of his dead 'lawyer' Sergei Magnitsky worldwide; a story, which is distorted at best, at worst entirely false.”

NB Pressenævnet, the *Danish Press Council*, following a typical reaction from the *Hermitage*/Browder camp and/or proxies, and the lodging of a formal complaint, (Case No. 2019-80-0303), conducts an extraordinarily thorough review of contents of 2019's series of articles in *Finans* newspaper which expose Bill Browder as a criminal/conman and flag factually-threadbare narratives of *Hermitage* players as false and/or misleading.

On December 12, 2019 *Pressenævnet* publishes an Order (findings and ruling) with respect to the case. It delivers something of a clinic on journalism – and further insight into the illusory character of *Hermitage* narratives and the dubious process of forging same. Exhaustive analyses reproduced in the 45-page Order illuminates journalistic standards and practices of *Finans* in their reportage. These Danes provide a model, a template, should employees of mainstream+ media outfits on our own continent(s) ever seek to restore some measure of lost credibility and public trust.

Find the full *Pressenævnet* Order (downloadable in English-language translation) @ <https://jaccuse.news/PRESSENAEVNETDanishPressCouncilDecisionENGLISHFinansBrowder.pdf>

- 8) In November 2019 major German news-weekly, *Der Spiegel* alerts readers: “Ten years ago, **tax expert Sergei Magnitsky** died in Russian custody. His boss, former billionaire investor and one-time Putin supporter Bill Browder, has since described the case as a **perfidious political assassination plot** - and has won US sanctions against Russian officials. Magnitsky even became the namesake of a law punishing human rights violations. But is the story that Browder describes true? Editor **Benjamin Bidder** and documentary filmmaker **Anika Zeller** evaluated countless files over months and have doubts about Browder's presentation. Bidder met Magnitsky's Moscow lawyer back in 2009, and "even then, Browder's account was only partially consistent with the facts," he says. The story works "only clearly, as long as you ignore all the details".

Are the US sanctions against Russia based on a history of lies? Read more about the Magnitsky case here.

Der Spiegel's Bidder and Zeller let the facts determine the story and they choose to not ignore all the details. Such diligence reverse-engineers Browder et al's fictions into non-fiction reportage thereby delivering the myth-busting investigative journalism of “**Story ohne Held**” (which translates as “**Story Without a Hero**”) published November 23, 2019: “The story of Sergei Magnitsky has come to symbolize the brutal persecution of whistleblowers in Russia. Ten years after his death, inconsistencies in Magnitsky's story suggest he may not have been the hero many people -- and Western governments -- believed him to be.” English-language version of this exemplary feature-length article is published Nov. 26 under the title “**Questions Cloud Story Behind Us Sanctions**” @ <https://www.spiegel.de/international/world/the-case-of-sergei-magnitsky-anti-corruption-champion-or-corrupt-anti-hero-a-1297796.html>

On December 11, 2019, a complaint is made to *Deutscher Presserat* (the *German Press Council*) via letter addressed from *Hermitage* rep Ivan Cherkasov, Bill Browder's partner-in-crime. (Quite literal a sobriquet as Cherkasov and Browder, together, stand convicted on December 29, 2017 of charges relating to tax-evasion “on a massive scale” and

fraudulent bankruptcy – details of this court **Verdict**, previously cited, are found @ <https://jaccuse.news/VerdictBrowderCherkasov20171229adjudicationEnglish.pdf>)

The public learns – from the response of *Deutscher Presserat* – that the *Hermitage* camp claims “serious factual errors” in the published findings of *Der Spiegel*'s investigative team: “Sergei Magnitsky was not deliberately killed; Sergei Magnitsky had not testified against the officials of the *Russian Interior Ministry*; Sergei Magnitsky was not a lawyer; Major Pavel Karpov was not involved in a fraud Sergei Magnitsky denounced.” (See letter of Jens Rudulovic, Spokesperson, *Deutscher Presserat* to *Hermitage* / Cherkasov @ <https://www.thekomisarscoop.com/wp-content/uploads/2020/05/German-Press-Board-ruling-on-Browders-complaint-against-Der-Spiegel-article.pdf>)

On December 17, 2019 *Der Spiegel* responds in detail to *Hermitage*'s allegations and press complaint. In, both, German and English, languages it publishes a second article. This follow-up report is replete with links to source documents enabling the public to examine the bases and foundation of the research + reporting and to independently assess the veracity of the magazine's first article and the credibility of Browder et al:

“On Nov. 23, DER SPIEGEL reported on the background of the so-called Magnitsky sanctions (the English report was published on Nov. 26). The sanctions, applied by the U.S. and others to Russian officials, are largely based on depictions provided by the former investor Bill Browder and are related to the fate of his employee Sergei Magnitsky.

Magnitsky died in 2009 in a Moscow prison under circumstances that haven't been completely clarified. Browder claims that Magnitsky was murdered because he had uncovered a tax scandal. The report from DER SPIEGEL describes the inconsistencies in Browder's version of events and demonstrates that he is unable to present sufficient proof for his claims.

Browder has now gone public with his complaints about the DER SPIEGEL story in the form of a letter to the newsmagazine's editor-in-chief in addition to a complaint filed with the German Press Council. In his letter, he accuses DER SPIEGEL of having misrepresented the facts.

We believe his complaint has no basis and would like to review why we have considerable doubts about Browder's story and why we felt it necessary to present those doubts publicly. The English text of the original story can be found [here](#), and the paywall has been removed from the German version, which can be read [here](#). In addition, you will find links below to some of the sources that we relied on in our reporting.

Der Spiegel's second, annotation-document-URL-and-pdf-laden, article is found @ <https://www.spiegel.de/international/world/spiegel-responds-to-browder-criticisms-of-magnitsky-story-a-1301716.html> – “**Why DER SPIEGEL Stands Behind Its Magnitsky Reporting**” – English language version pub. December 17, 2019

On January 22, 2020, upon completion of its audit, or critical review, of *Der Spiegel*'s reportage that's subject of the campaigners' complaint, *Deutsche Presserat*'s Spokesperson writes, (ie. see aforementioned linked letter of Jens Rudulovic) to Ivan Cherkasov c/o *Hermitage* explaining the reasons for rejection of the Browder team's assertions and the dismissal of their complaint by the *German Press Council*.

For example, Sergei Magnitsky's profession is one of so many misleading and/or false threads stitched up by *Hermitage* players over the years. Magnitsky's not a lawyer in life. He's disingenuously called one posthumously. In Russia, in civil (not criminal) courts + arbitration settings, a layperson can save fees and/or for other reason(s) represent themselves and/or other parties by choice. Still, it does not make them a lawyer (which is a profession in Russia distinct to those in accountancy+ just as we know here).

Deutsche Presserat tells Cherkasov/*Hermitage*: “The statement that Sergei Magnitsky was not a lawyer is also not objectionable. It may be that Sergei Magnitsky offered legal advice and representation and was allowed to do so under Russian law. For the professional title of lawyer, however, the completion of a law degree is mandatory in Germany. Obviously, Sergei Magnitsky did not have this.” (English translation from the original German-language: “Auch die Aussage, Sergej Magnitski sei kein Rechtsanwalt gewesen, ist nicht zu beanstanden. Zwar mag es sein, dass Sergej Magnitski Rechtsberatung und -vertretungsangebot und dies nach russischem Recht auch durfte. Für die Berufsbezeichnung Rechtsanwalt ist in Deutschland jedoch zwingend der Abschluss eines Jurastudiums verbunden. Dieses hatte Sergej Magnitski offenkundig nicht.”)

Regarding this point, Sergei Magnitsky's official academic and work records, his police witness statements etc., all establish the fact that he's an accountant and auditor (such documents are available in the *SDNY USA v Prevezon* court docket, on “*J'Accuse News*” website and several other locations online). Magnitsky's own personal lawyer, Dmitry Kharitonov, has stated on the public record that his client was not a lawyer, but was, in fact, an accountant & auditor. This distinction between professions is made not only in Germany and other countries of the Western world – it's also the case in Russia. This is confirmed in an “*Ekho Moskv*” interview that – an early instance of this reality being acknowledged. (Though it remains denied+ to this day by *Hermitage* players.)

On November 16, 2010 Dmitry (also spelled Dimitri) Kharitonov is the featured guest on “*Echo of Moscow*” (“*Ekho Moskv*”) Radio program “*U-turn*” (“*Пазворот*”) for an ‘anniversary’ discussion with show hosts Olga Zhuravleva and Andrey Belkevich about “*Sergei Magnitsky: a year after death*”: audio mp3 file is playable/downloadable @ <https://web.archive.org/web/20211125175326/https://cdn.echo.msk.ru/snd/2010-11-16-razvorot-1508.mp3> And the text transcript in original Russian language is found @ <https://web.archive.org/web/20101119110029/http://echo.msk.ru/programs/razvorot/726597-echo/>

Here's what's said vis-a-vis professional status on “*U-turn*” transcribed in English & Russian (w. intro/outro incl. establishing identity of Magnitsky's legal representative):

English-language verbatim transcript (translation):

“A. BELKEVICH – Dmitry Kharitonov is Sergei Magnitsky's lawyer in our studio. Exactly one year has passed today - November 16 since the death of Sergei Magnitsky in the Moscow pre-trial detention center. And we will talk about a new turn in this case today. Good afternoon.

D. KHARITONOV - Good afternoon.

...

“O. ZHURAVLEVA - It's just that today in the news, among other things, it says that he worked as an accountant, he evaded taxes, he wasn't really a lawyer.

D. KHARITONOV - A friend of mine tweeted today that yesterday the Investigative Committee reported that Magnitsky had never been a lawyer, but he was an accountant. And, fidgeting, he said: how everything has changed. In fact, Seryozha* did not have a legal education, and that little confusion is most likely due to the fact that people who deal with and conduct tax cases in courts are commonly called lawyers in the West. Sergei really was a bookkeeper..., he was an auditor, he had a license until the moment when it was needed... (*diminutive form of the name Sergei)

O. ZHURAVLEVA - That is, he had an economic education.

D. KHARITONOV - Yes, but he conducted a large number of trials in arbitration courts, representing clients who had problems with taxes.

A. BELKEVICH – Quote from the UPC: Magnitsky is an economist by education and worked as an accountant and auditor. And as an accountant, he developed tax avoidance schemes.

D. KHARITONOV - I agree with everything except the statement that he developed tax avoidance schemes.

...

A. BELKEVICH – Unfortunately, we don't have another minute. Dmitry Kharitonov, Sergei Magnitsky's lawyer was on the air.”

=

Russian-language verbatim transcript (original):

А. БЕЛЬКЕВИЧ – “У нас в студии Дмитрий Харитонов - адвокат Сергея Магнитского. Ровно год сегодня исполнился - 16 ноября со смерти Сергея Магнитского в московском СИЗО. И о новом повороте этого дела мы сегодня будем говорить. Добрый день.

Д. ХАРИТОНОВ - Добрый день.

...

О. ЖУРАВЛЕВА - Просто сегодня в новостях, в том числе говорится о том, что он работал как бухгалтер, он уклонялся от налогов, он на самом деле не был юристом.

Д. ХАРИТОНОВ - Один мой друг сегодня написал в твиттере, что вчера Следственный комитет сообщил, что Магнитский никогда не был юристом, а он был бухгалтером. И, ерничая, сказал: как все поменялось. На самом деле у Сережи не было юридического образования, и та небольшая путаница, скорее всего,

связана с тем, что людей, которые занимаются и ведут налоговые дела в судах, принято на Западе называть юристами. Сергей действительно был бухгалтер..., он был аудитором, у него была лицензия до того момента, когда она была нужна...

О. ЖУРАВЛЕВА - То есть у него было экономическое образование.

Д. ХАРИТОНОВ - Да, но он вел большое количество процессов в арбитражных судах, представляя клиентов, у которых были проблемы с налогами.

А. БЕЛЬКЕВИЧ – Цитата из СКП: Магнитский по образованию экономист и работал бухгалтером и аудитором. И как бухгалтер, разрабатывал схемы ухода от налогов.

Д. ХАРИТОНОВ - Согласен со всем, кроме утверждения, что он разрабатывал схемы ухода от уплаты налогов.

...

А. БЕЛЬКЕВИЧ – К сожалению, нет больше у нас ни минуты. Дмитрий Харитонов, адвокат Сергея Магнитского был в эфире.”

###

As with the earlier resounding defeat before *Pressenævnet*, the *Danish Press Council*, (re *Finans* journos unraveling the Magnitsky myth in Denmark), *Hermitage* players make noise about filing a complaint against the investigative journalism of Benjamin Bidder, Anika Zeller & *Der Spiegel* in Germany – it's then radio silence when intensive press council review/audit finds in favour of the journalists and supports publication of facts that are disagreeable to the campaigners and which discredit *Hermitage+* narratives.

This resonates with Browder's articulation of how media manipulation can be effective for his campaigning. Though its design is hagiographic – ie. the sort of aggrandizement useful to inflating the mythos of a self-identifying chick-magnet with an attraction to asset-stripping, green-mail, illegal share-purchases, tax-evasion, fraud and assorted criminal conduct while in Russia – a paper titled “***The Hermitage Fund: Media and Corporate Governance in Russia***” can't help but expose aspects of the manipulative game Browder plays as face of *Hermitage+* networks. Quotes from your next CFA dinner-speaker and presented by Alexander Dyck – ***Harvard Business School pub. N2-703-010*** October 17, 2002 – show us how media sausage, casing and filling, is made @ https://www.academia.edu/41195991/The_Hermitage_Fund_Media_and_Corporate_Governance_in_Russia

The basic recipe is found on page nine:

“Originally we would give one reporter the whole story. They would want to check every bit of it out, get the other side’s point of view, or ignore it seeing this as too complicated and time consuming to pursue. Now we give a small piece of the story to a journalist and let them know that we’ll give it to someone else in three days if they don’t write anything. It seems that journalists are more concerned about losing the story to a competitor than almost anything else.”

And further directions can be found on page 10:

“We also go to courts. We’ve been involved in 32 lawsuits. And we win in terms of public attention regardless of the outcome, where we’ve lost 31 times. I think the proportion of number of words written in the press when a lawsuit is initiated to when it is dismissed is 50 to 1.”

Easily-digested is how QC John Beggs nailed a bulls-eye in London's 'Old Bailey' during the 2017 Perepilichnyy inquest when he remarked, (as cited earlier – see following Point 3b), the Browder/*Hermitage m.o.* is “a rule of media” – it's not about “rule of law”.

- 9) A journalist repelled by corruption and unwaveringly attracted to the side of truth and justice is America's Lucy Komisar (referenced previously in the *UNESCO/Miami Herald* exemplar – see Point 4a above). Lucy Komisar's been on the front-lines of truth-telling since 1962/63 when she traveled from New York, NY to Jackson, Mississippi, USA to be a newspaper editor. Clayborne Carson, *Stanford University* Professor of History – entrusted by Coretta Scott King to edit and publish the papers of Dr. Martin Luther King Jr. – cites "Lucy's Komisar's *Mississippi Free Press*" alongside the *Student Nonviolent Coordinating Committee (SNCC)*'s "*Student Voice*" as those journals that lit his awareness during the battle for black civil rights, particularly in the USA's Deep South.

In 1970, Komisar's Vice-President of the *National Organization for Women (NOW)* working with/for Betty Friedan et al – breaking down barriers and busting the chains that bind women in society. In addition to being a pioneering force for good in the civil rights and womens' rights movements, she's exposed kickback schemes behind US school lunch programs, authored a book on Corazon Aquino, another on feminism, and one on the history of the American welfare system. An independent investigative journalist she's published in: *Scientific American*, *The Nation*, *The Wall Street Journal*, *The New York Times*, *The Washington Post*, *Christian Science Monitor*, *Los Angeles Times*, *Chicago Tribune*, *Boston Globe* and more plus found on numerous digital-age platforms incl. her own, “**The Komisar Scoop**” @ <https://www.thekomisarscoop.com/>

By the start of this century, Lucy Komisar's work focuses on a common denominator to corruption and injustices she's exposed throughout her life – the financial rackets / racketeers. Appropriately – as referenced above – it's in 2000 she first encounters “the crook” Bill Browder via the *Avisma* scam. Recipient of the prestigious *Gerald Loeb Award* for her reporting on Ponzi swindler Robert Allen Stanford in *The Miami Herald*, “*The Komisar Scoop*” includes this primer on *Hermitage*-related matters, “**Did Bill Browder's Tax Troubles in Russia Color Push for Sanctions?**” @ <https://www.thekomisarscoop.com/2017/11/the-man-behind-the-magnitsky-act-did-bill-browders-tax-troubles-in-russia-color-push-for-sanctions/> And there's a wealth of prime due diligence territory mapped-out across “**The Browder Hoax**” @ <https://www.thekomisarscoop.com/category/thebrowderhoax/>

- 10) “*The Vancouver Sun*’s David Baines, working with freelance securities investigator and writer Adrian du Plessis, unraveled the intriguing tale of *YBM Magnex International Inc.*, the Canadian company that operated as a money laundering vehicle for the Russian mafia. *The Sun* began its early work on the company’s murky business dealings and links to organized crime even as

investors were driving its share prices to record levels on the *Toronto Stock Exchange*. Judges called it a thoroughly comprehensive effort that combined extraordinary initiative, research, analysis and writing."

That's how judges billed the May 8, 1999 presentation to my colleague, iconic business journalist David Baines, and I, of a *National Newspaper Award (NNA)*, Canada's top prize for print journalism. This recognition's for our investigation – and 1998 series of newspaper articles – leading coverage of the *YBM Magnex* fraud. *YBM*'s a purported industrial magnets operation with bases in Europe (incl. Hungary) and America (in Newtown, PA) trading on the *TSE*, Canada's largest stock exchange. *YBM* pubco peaked around CDN \$1 billion market cap. In truth, *YBM* players engaged in *smoke-and-mirrors* last century as do *Hermitage+* networks since. (See "***The Magnex Files***", "***Investigative Research and Analysis***" archive. Published March 10, 1998 – November 2, 1999 @ <http://web.archive.org/web/20000818052141/http://www.imagenisp.com/howenow/hrb1v1s5.html>)

For decades, to help protect individuals and society from predatory forces, I forensically investigated corporate / organized crime and malfeasance, informing and/or assisting law enforcement and regulatory agencies, professionals in law, accounting, and news media – re the latter group, working with and/or for a tremendous array of the world's top press organizations (incl. examples cited in the accompanying cover-letter).

In 1999, *BBC's "Panorama"* sent a documentary team to N.A. to interview: myself on Canadian+ connections of crime-lord Semion Mogilevich & the *YBM Magnex* case; and, stateside, *FBI, DoJ+* reps, past and/or present, incl. the late Robert (Bob) Levinson (*FBI* Special Agent from 1976 - 1998 – tragically lost to family, friends and colleagues on a subsequent *CIA* Middle Eastern mission). The resulting "***Panorama***" episode first aired on ***BBC Television*** – December 6, 1999. "***The Billion Dollar Don***", cued to the 'CanCon' segment, is viewable @ <https://www.youtube.com/watch?v=RzhC4FDYL9M&t=1369s> Text transcript of this pioneering doc on Russian-meets-Western criminal networks is @ http://news.bbc.co.uk/hi/english/static/events/panorama/transcripts/transcript_06_12_99.txt

Our government's "*Public Safety Canada*" site-pages host/share the money-laundering case-study book, "***All Is Clouded by Desire: Global Banking, Money Laundering, and International Organized Crime***", authored by Allan A. Block and Constance A. Weaver. (Block is *Professor Emeritus* of Crime, Law and Justice, and Jewish Studies at the *Pennsylvania State University*. Weaver's consultant to private investigation firms working on criminal cases.) On pp. 154 – 163 of their book, (pub. 2004 by *Praeger*), the authors examine the case of Mogilevich / *YBM Magnex* – citing my investigation on p. 160: " Stock analyst Adrian Du Plessis, the singular authority on stock fraud who ran an extraordinary eleven-part Internet series on *YBM Magnex* in 1998..." You'll find "***All Is Clouded by Desire***" freely-available as a *Public Safety Canada* electronic resource @ <https://www.passengerprotect-protectiondespassagers.gc.ca/cnt/rsrscs/lbrr/ctlg/dtls-en.aspx?d=PS&i=46658196>

The *YBM Magnex* case served as 'capper' to my many years of successfully exposing scams and their perpetrators. Essentially, I 'closed shop' – post-Y2K (2000) studiously paying no mind to the world of corporate+ sociopathy for near two decades until, in

mid-2018, I learned of career conman Bill Browder's inverted-reality parading as a Western media-marketed 'anti-corruption' crusader.

Last century Browder's on training-wheels employed, first, by press-baron, fraudster, British pension-fund-pillager, multi-nation-spy, Robert Maxwell (until 1991's death-at-sea of Browder's then-boss, the "Bouncing Czech" Maxwell). The more-recently-minted-as-hero-and-hot-chick-magnet's next under wing of *Trade Development Bank, Republic National Bank of New York*+ money-conduit Edmond Safra. About *RNBONY* authors Block & Weaver remark that, by August 1998, "it had been obnoxiously crooked for a long time" – p. 166, "*All Is Clouded by Desire*", *ibid.* (The December 1999 death-from-smoke-asphyxiation of Safra, Monaco penthouse-parked co-bankroller/founder of *Hermitage*, book-ending w. Maxwell's demise a decade of dubious deals and deeds.)

Previously mentioned, (eg. see Point 6 above), Safra's reported upon with distinction by the late Robert Parry, an investigative journalist who broke the '*Iran Contras*' scandal open, and, also, by the late "Robbie" Friedman, in magazine-published reportage and a pivotal book, "***Red Mafiya: How the Russian Mob Has Invaded America***" – Robert I. Friedman, pub. 2000, Warner Books, Inc. / Hachette Book Group available today through Little Brown and Company @

<https://www.littlebrown.com/titles/robert-i-friedman/red-mafiya/9780316092876/>

On page 122 of "*Red Mafiya*" Friedman introduces us to Safra – the money-source that would ultimately launch *Hermitage* in tandem with funds from weapons-and-diamonds-merchant Beny Steinmetz. Of Edmond J. Safra, the book notes:

"In 1966, he founded Republic National Bank in New York with a scant \$11 million in capital and a single branch in a Manhattan brownstone. Republic quickly became known on the street as a bank that would send an armored car to pick up large sums from its customers with no questions asked. In the 1980s, Republic became the Russian bootleggers' bank of choice, and its suspect client accounts were subpoenaed by federal officials. Although Marat Balagula and dozens of other Russians were subsequently convicted* of gasoline bootlegging, by then, hundreds of millions of dollars of illicit bootleg money was already flowing through the U.S. banking system, having been washed through a welter of shell companies."

(*Brighton Beach, Brooklyn, NYC-based crime-boss Balagula's conviction for tax evasion on a large scale by gasoline bootlegging came in November 1992.)

As for the more-widely-infamous Robert Maxwell there's scores of texts with which to conduct due diligence – even his declassified *FBI* files can be found archived online detailing, (albeit in redacted form), Maxwell's involvement between 1983 and his death in the "dissemination, marketing or sale of computer software systems" including what's broadly known as an international spy-scandal linking stolen PROMIS software and a matrix of nations incl. Britain, the USA, Israel and the (former) Soviet Union:

<https://archive.org/details/RobertMaxwellFBIFile/FBIFOIACDRobertMaxwell/mode/2up>

To trace how "hedgie" Bill Browder's graduated to headliner status fronting *Hermitage* – buoyed through untruths promulgated via global geopolitical propaganda machinery – those formative years under Maxwell and Safra are, understandably, important check-points. And for a more Canadian-centric entry to the trail, a diligent investigator would be remiss to neglect under-explored episodes such as those of Browder's mid-1990s

dealings while at *Salomon Brothers International Limited* eg. “*PeterStar*” and its scandalous flame-out.

“Following the November 1991 death of his employer, Robert Maxwell, and before he's protégé to another such figure in the murky waters of global finance, conman Bill Browder's engaged in stock plays for *Salomon Brothers* including that of *Petersburg Long Distance Inc. / PLD Telekom Inc.* The *PLD* saga, to be told someday, involves a Canadian shell company, *Ventech Healthcare Corp. Inc.* which transformed itself into *NWE Capital Corp.* before yet another metamorphosis – into a Russian telecom operation. Shareholders of the shell included (Lord) *Beaverbrook Canadian Foundation*, and amongst the cast of characters bridging these various promotions was corporate 'master of disaster' Rupert Galliers-Pratt.”

(“***The Magnitsky Myth & Other Keys to the Geopolitical Hoax of the Century***”, **Index Page** – author Adrian du Plessis @ <https://jaccuse.news/>)

Had I not retired from the field of investigative research and analyses before the turn of this century, closing all active case/file investigations, I'd have welcomed opportunity to probe “*PeterStar*” and later years Browder/*Hermitage* skulduggery executed in concert with the notorious Ziff Brothers. (For now, enjoy something of this 'busman's holiday' report on *Hermitage/Ziff sleight of hand* @ “***The Magnitsky Myth & Other Keys to the Geopolitical Hoax of the Century***”, **Page 5** – ibid @ <https://jaccuse.news/page5.html>)

I exited the milieu of “old-fashioned hanky-panky” – in *BBC “Panorama”* investigative journalist & host Tom Mangold's parlance – and left behind me as well the new-fangled crimes and predations of such players so as to devote my hours to assisting young artists seeking to navigate the popular music industry – something I've found a joyful, soul-satisfying, vocation now for a couple of decades+.

This musical rhapsody's interrupted with a broadcast by one of my former employers as I recount in a section of my soon-thereafter-published “*J'Accuse News*” website:

“That was then. I retired 20 years ago and had no plans to revisit this territory until our nation's public broadcaster, *CBC Radio*, in June 2018 aired news of a geopolitical hoax rooted in too-familiar, toxic, soil. At once singularly transparent and harmful, American-turned-British tax-evading con-man Bill Browder is now championing a pair of Russian fraudsters, Igor and Irina Bitkov, seeking refugee status and asylum in Canada.”

(See “***Propaganda and a 'slow-motion' / 'soft' coup in Guatemala***” in “***The Magnitsky Myth & Other Keys to the Geopolitical Hoax of the Century***”, **Page 1** – ibid @ <https://jaccuse.news/page1.html>)

And this is now. You are legion – CFAs+, professionals, people of integrity from all across Canada and around our world. O'er 10,500 CFA charterholders in Toronto itself.

Each of us can do right. We can stop bearing a train that's not there at all.

Sláinte! Adrian du Plessis

Investigative Researcher & Analyst
J'Accuse News @ <https://www.jaccuse.news/>