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Ms. Katalin Baranyi and Mr. Herman J Berge
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Procureur d'Etat (State Public Prosecutor)
Palais de Justice
P.O. Box 15
L-2010 LUXEMBOURG

Luxembourg March 24 2010

Att	: Mr. Laurent Seck
Re	: Danske Bank S.A. – Criminal Complaint XIX
Case #	:
Your reference	:
Our reference	:
Posting by	: Mail and fax
Your fax #	: +352 26 20 25 29
Numbers of pages	: 4
Attachment	: 1 (1 p)
Copy	: CSSF; OLAF

C R I M I N A L C O M P L A I N T

1. FORMAL INFORMATION

Date of Crime : March 18 2010.

Scene of Crime : Danske Bank International S.A., 13, rue Edward Steichen, P.O. Box 173, 2011 Luxembourg.

Perpetrators : Managing Director; Klaus Mønsted Pedersen (Luxembourg)
Legal Adviser; Ole Stenersen (Luxembourg)
Wealth Manager; Anne Kaupang Leighton (Steinsel)

The above named persons are employees of the Danske Bank International S.A., 13, rue Edward Steichen, P.O. Box 173, 2011 Luxembourg.

In regards to the facts in this matter, we refer to previous criminal complaints of 221208, 260109, 280109, 020209, 030209, 050209, 100209, 110209, 091209 (IX, X, XI and XII), 101209, 141209, 150110 (XV and XVI), 190110, 200110 and 270110 which we advise you to read and assess thoroughly.

As mentioned in the criminal complaint submitted on December 22 2008, the bank informed us in their letters of October 17 2008 and November 3 2008 – as well as in their letter of January 14 2009 – that we were in breach of a Multipurpose Line Agreement (MLA) which sole purpose (according to the MLA itself) was acquisition of real estate (i.e. house loan).

Firstly, documents presented to the public prosecutor in this matter proves that we have never been in breach of the MLA as alleged by the bank.

Secondly we do oppose to the notion that we are part of a lawfully established MLA agreement, in this regard please see the criminal complaint I of December 22 2008.

Furthermore these documents prove that Danske Bank International S.A. never was authorised for this "financial activity" in Norway. Hence all contracts are null and void, but for the sake of the argument, let us nevertheless presume that this MLA is valid.

2. THE OFFENCE

On March 18 2010 the bank sold securities (SG Ocean Fund Equities / Japan Target II AC JPY) worth some JPY 3.025.397. Please find enclosed the bank's letter of March 22 2010 as **Appendix I** to this criminal complaint, proving the illicit sale.

In the letter the bank states that it has: "*...completed your market order...*"

We have not ordered the bank to sell anything. Such document, or other proof of authorisation for this sale, does not exist. The bank is thus wilfully lying in this letter – making it look like the bank was authorised to act and trade as they did – which is a criminal offence as well as a violation of Directive 2004/39/EC, article 19. Such actions are, according to the EU Commision's *Call for Evidence on Directive 1997/9/EC*, not as unusual as one would think:

> "*The financial crisis is affecting not only banking activities but also the provision of investment services in financial instruments both by investment firms and credit institutions. Moreover, malpractice and fraud is likely to happen in turbulent situations. In addition, in recent years the Commission services have received information from investors about cases where delinquencies were committed and investors perceived that the schemes regulated by the Directive did not work efficiently.*"

As mentioned in criminal complaint XII we have never signed nor have we agreed upon the so called MIFID documents.[1] Furthermore the bank has consistently ignored the fact that these documents were never signed nor agreed upon. Consequently the bank has *not* been eligible/qualified to trade with any of our securities since at the latest November 1 2007. Nevertheless the bank has traded with our savings as if its banking activity was in compliance with the MIFID regulation and directive. Inducing a fake default, producing false statements and documents, and on these false grounds seizing our savings and – in its actions – wilfully violating the MIFID regulation is regarded as criminal offences.

It seems that someone in the bank, at one point and for some reason or other, has decided to "take over" our savings and in this picture they decided to construct a default situation in order to "justify" the seize of our cash and, later on, a sell-off of our securities. As mentioned in criminal complaint XVI, the value of our securities has by far, and at any time, exceeded the security level set out by the bank, hence the bank is aware of the fact that we have never been in default. Withholding, concealing and destroying documents and voice recordings proving this fact, is regarded as a criminal offence.

Whether the bank – by its actions since the summer of 2008, or earlier – is attempting to cover up for a self-induced blunder or a bigger systemised criminal activity, is beside the point at this stage. The prosecutor is only to investigate and assess whether we have authorised the bank to sell the securities in question. If the prosecutor can't find any documentation origination from us, authorising the bank to sell our assets, the sale is a crime and is hence to be prosecuted.

[1] However, this situation doesn't exempt the bank from complying with the MIFID regulations and directives.

The public prosecutor has been furnished with all necessary information and documentation to conclude – with us – that the bank was not authorised by us to sell securities (as alleged), and furthermore that the bank is concealing documents and other means of information which will prove criminal activity. The seizing of our cash as well as the sale of our securities is regarded as gross embezzlement and is thus a criminal offence. The statement, that we ordered the sale of the securities in question, is a lie carried out in order to embezzle our savings, and is thus a criminal offence.

In the light of 19 criminal complaints submitted by us (five of them directly involving violations on the bank secrecy), and how the CSSF and the Public Prosecutor has responded to these complaints, there are no reasons to **conclude** otherwise than that the state of Luxembourg does not provide any bank secrecy. Secondly, that the clients of the banks located in Luxembourg in reality are not protected by any law, and finally that the Government of Luxembourg is accepting (*en masse)* criminal activity within the financial industry as well as its violations of the MIFID regulations and other relevant EU regulations and directives. In stead of protecting us it has become clear that both the public prosecutor as well as the CSSF, by their actions or lack of such, are protecting criminal activities in which the banks are involved in (as well as the offenders), *instead of* investigating such activities. In the light of a statement in a report from FIN-USE of April 2009,[2] it seems safe to conclude that the following statement is a realistic description of the situation in regards to the protection of investors in Luxembourg:

> *"...like the MIFID Regulation, that has acted as a mere protector shield for the financial industry, failing in its real target and purpose, which is to give a robust and real protections for consumers"*

As a consequence of obvious malfunctional control bodies (CSSF and the public prosecutor), consistently and effortlessly protecting the banks' interests (see previous criminal complaints), the State itself is liable to any loss incurred by this malfunction.

3. IN CLOSING WE PETITION THE PROCUREUR D'ETAT (PUBLIC PROSECUTOR):

- to investigate the above mentioned actions and prosecute the offenders.
- to inform us, within two weeks of this letter, whether the actions pointed out in this and the previous criminal complaints are offences or not according to Luxembourg law.

We do reserve the right to claim compensation for any economic loss, as well as non-pecuniary damages, these actions have caused us. In this regard we wish to be notified by the Public Prosecutor whether such claims can be filed as part of the criminal case.

This Criminal Complaint is submitted to the Procureur d'etat in English in accordance with the ECHR.

Sincerely,

Katalin Baranyi

Herman J Berge

DATED in Luxembourg this 24th day of March 2010; delivered by fax and mail to the attention of Mr. Laurent Seck with the Procureur d'etat.

[2] FIN-USE response to Call for Evidence on Directive 1997/9/EC on Investor-Compensation Schemes

Danske Bank

International Private Banking

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MOTTATT
24 MARS 2010

22 March 2010

ISIN LU0227368684
Account 6531471203
Custody 3007764316

Your sale of 'SG Ocean Fund Equities/Japan Target II AC JPY'

Deal reference	100322-057444			
Trade date	18 March 2010	Settlement date		24 March 2010
Quantity	240.5142			
Unit Price	4,883.8256	Market value	JPY	1,174,629.00
Settlement amount			JPY	1,174,629.00

We have completed your market order at 09:59 with the bank as venue and counterpart. Deviant value date has been taken into consideration in the unit price.09:59

Aggregated trading cost amount to total of: JPY 0.00.

The securities will be withdrawn from your custody account, and the amount will be credited to your account on 24 March 2010. Our payment of the settlement amount is subject to our being given unconditional ownership of the securities on 24 March 2010.

The trade has been executed without the Bank having prepared a personal recommendation for you.

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