

EXHIBIT A

In The Matter Of:

UNITED STATES OF AMERICA

v.

PREVEZON HOLDINGS LTD., ET AL.

TODD S. HYMAN - Vol. 1

March 3, 2014

MERRILL CORPORATION

LegalLink, Inc.

225 Varick Street
10th Floor
New York, NY 10017
Phone: 212.557.7400
Fax: 212.692.9171

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

UNITED STATES OF AMERICA,

Plaintiff,

-against-

No. 1:13-CV-06326-TPG

09:36:02

PREVEZON HOLDINGS LTD.,
PREVEZON ALEXANDER, LLC,
PREVEZON SOHO USA, LLC,
PREVEZON SEVEN USA, LLC,
PREVEZON PINE USA, LLC,
PREVEZON 1711 USA, LLC,
PREVEZON 1810, LLC,
PREVEZON 2009 USA, LLC,
PREVEZON 2011 USA, LLC,
FERENCOI INVESTMENTS, LTD.,
KOLEVINS, LTD.,

Defendant.

-----x

(Caption continued on following page.)

March 3, 2014
9:35 a.m.

Videotaped Deposition of TODD S. HYMAN,
taken by Defendants, at the offices of
Baker Botts, 30 Rockefeller Plaza, New
York, New York, before ERIC J. FINZ, a
Shorthand Reporter and Notary Public
within and for the State of New York.

1

2

-----x

3

ANY AND ALL ASSETS OF PREVEZON
HOLDINGS, LTD.,

4

5

ANY AND ALL ASSETS OF PREVEZON ALEXANDER,
LLC, INCLUDING BUT NOT LIMITED TO ALL
RIGHT, TITLE AND INTEREST IN THE REAL
PROPERTY AND APPURTENANCES KNOW AS
ALEXANDER CONDOMINIUM, 250 EAST 49TH
STREET, NEW YORK, NEW YORK 10017, UNIT
COMM3 ("250 EAST 49TH STREET, UNIT COMM3")
AND ANY AND ALL FUNDS ON DEPOSIT IN BANK
OF AMERICA ACCOUNT NUMBER 4830 4456 8293
HELD IN THE NAME OF PREVEZON ALEXANDER
LLC (THE "PREVEZON ALEXANDER ACCOUNT"),

10

11

ANY AND ALL ASSETS OF PREVEZON SOHO USA,
LLC, INCLUDING BUT NOT LIMITED TO ANY AND
ALL FUNDS ON DEPOSIT IN BANK OF AMERICA
ACCOUNT NUMBER 4830 1515 8084 HELD IN THE
NAME OF PREVEZON SOHO USA LLC (THE
"PREVEZON SOHO ACCOUNT"),

12

13

14

15

16

17

18

19

20

21

22

23

24

25

ANY AND ALL ASSETS OF PREVEZON SEVEN USA,
LLC, INCLUDING BUT NOT LIMITED TO ALL
RIGHT, TITLE AND INTEREST IN THE REAL
PROPERTY AND APPURTENANCES KNOWN AS 127
SEVENTH AVENUE A/K/A 166 WEST 18TH STREET,
RETAIL UNIT #2, NEW YORK, NEW YORK ("127
SEVENTH AVENUE, RETAIL UNIT 2") AND ANY
AND ALL FUNDS ON DEPOSIT IN BANK OF
AMERICA ACCOUNT NUMBER 4830 4174 6021
HELD IN THE NAME OF PREVEZON SEVEN USA
LLC (THE "PREVEZON SEVEN ACCOUNT"),

26

27

28

29

30

31

32

33

34

35

ANY AND ALL ASSETS OF PREVEZON PINE USA,
LLC, INCLUDING BUT NOT LIMITED TO ALL
RIGHT, TITLE AND INTEREST IN THE REAL
PROPERTY AND APPURTENANCES KNOWN AS THE
20 PINE STREET CONDOMINIUM, 20 PINE
STREET, NEW YORK, NEW YORK 10005, UNIT
2308 ("20 PINE STREET, UNIT 2308"),

36

(Continued)

37

1

2 ANY AND ALL ASSETS OF PREVEZON 1711 USA,
3 LLC, INCLUDING BUT NOT LIMITED TO ALL
4 RIGHT, TITLE AND INTEREST IN THE REAL
5 PROPERTY AND APPURTENANCES KNOWN AS THE
6 20 PINE STREET CONDOMINIUM, 20 PINE
7 STREET, NEW YORK, NEW YORK 10005, UNIT
8 1711, ("20 PINE STREET, UNIT 1711"),

9 ANY AND ALL ASSETS OF PREVEZON 1810, LLC,

10 ANY AND ALL ASSETS OF PREVEZON 2009 USA,
11 LLC, INCLUDING BUT NOT LIMITED TO ALL
12 RIGHT, TITLE AND INTEREST IN THE REAL
13 PROPERTY AND APPURTENANCES KNOWN AS THE
14 20 PINE STREET CONDOMINIUM, 20 PINE
15 STREET, NEW YORK, NEW YORK 10005, UNIT
16 2009 ("20 PINE STREET, UNIT 2009"),

17 ANY AND ALL ASSETS OF PREVEZON 2011 USA,
18 LLC, INCLUDING BUT NOT LIMITED TO ALL
19 RIGHT, TITLE AND INTEREST IN THE REAL
20 PROPERTY AND APPURTENANCES KNOWN AS THE
21 20 PINE STREET CONDOMINIUM, 20 PINE
22 STREET, NEW YORK, NEW YORK 10005, UNIT
23 1816 ("20 PINE STREET, UNIT 1816"),

24 ANY AND ALL ASSETS OF FERENCOI
25 INVESTMENTS, LTD.,

ANY AND ALL ASSETS OF KOLEVINS, LTD.,

and all property traceable thereto,

18

Defendants in Rem.

19

-----x

20

21

22

23

24

25

1

2 A P P E A R A N C E S:

3 UNITED STATES DEPARTMENT OF JUSTICE
4 U.S. ATTORNEY'S OFFICE
5 SOUTH DISTRICT OF NEW YORK
6 Attorneys for Plaintiff

7 One Saint Andrews's Plaza
8 New York, New York 10007

9 BY: ANDREW C. ADAMS, ESQ.
10 (andrew.adams@usdoj.gov)

11 -and-

12 CHRISTINE I. MAGDO, ESQ.
13 (christine.magdo@usdoj.gov)

14

15

16 BAKER & HOSTETLER LLP
17 Attorneys for Defendants
18 45 Rockefeller Plaza
19 New York, New York 10111

20 BY: JOHN W. MOSCOW, ESQ.
21 (jmoscow@bakerlaw.com)

22 NICK ROSE, ESQ.
23 (nrose@bakerlaw.com)

24 JESSIE M. GABRIEL, ESQ.
25 (jgabriel@bakerlaw.com)

26 -and-

27 LOURA ALAVERDI, ESQ.
28 (lalaverdi@bakerlaw.com)

29 -AND-

30 BAKER & HOSTETLER LLP
31 Washington Square
32 1050 Connecticut Avenue, N.W.
33 Washington, D.C. 20036

34 BY: MARK A. CYMROT, ESQ.
35 (mcyrot@bakerlaw.com)

36 -AND-

37

38

1

2 A P P E A R A N C E S:

3 BAKER BOTTS LLP

Attorneys for Defendants

4 30 Rockefeller Plaza

New York, New York 10112

5

BY: SETH T. TAUBE, ESQ.

6 (seth.taube@bakerbotts.com)

-and-

7 NICHOLAS MARGIDA, ESQ.

(nicholas.margida@bakerbotts.com)

8

9

10 ALSO PRESENT:

11 ADAM KOWALCZYK, Videographer

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

THE VIDEOGRAPHER: Good morning.

09:35:10

3

This is the videographer speaking,

09:35:22

4

Adam Kowalczyk of Merrill Legal

09:35:25

5

Solutions, 225 Varick Street, New York

09:35:28

6

City, New York 10014. Today's date is

09:35:30

7

Monday, March 3, 2014, and the time is

09:35:34

8

approximately 9:35 a.m.

09:35:37

9

We are at the offices of Baker

09:35:40

10

Botts, 30 Rockefeller Plaza, New York

09:35:43

11

City, New York, to take the videotaped

09:35:46

12

deposition of Mr. Todd Hyman, in the

09:35:48

13

matter of United States of America

09:35:50

14

versus Prevezon Holdings Limited, et

09:35:53

15

al., in the United States District

09:35:56

16

Court, Southern District of New York,

09:35:58

17

Case No. 1:13-CV-06326-TPG.

09:36:00

18

Will all counsel present please

09:36:09

19

introduce themselves for the record

09:36:11

20

and whom they represent.

09:36:12

21

MR. MOSCOW: John W. Moscow,

09:36:14

22

Baker & Hostetler, representing the

09:36:17

23

defendants.

09:36:20

24

MR. ROSE: Nick Rose, Baker &

09:36:22

25

Hostetler, representing the

09:36:24

1		
2	defendants.	09:36:25
3	MR. CYMROT: Mark Cymrot, Baker	09:36:27
4	& Hostetler, representing defendants.	09:36:29
5	MR. TAUBE: Seth Taube and	09:36:29
6	Nicholas Margida, Baker Botts,	09:36:29
7	representing the defendants.	09:36:29
8	MS. ALAVERDI: Loura Alaverdi	09:36:36
9	with Baker Hostetler, also	09:36:36
10	representing the defendants.	09:36:37
11	MS. GABRIEL: Jessie Gabriel,	09:36:37
12	with Baker Hostetler, representing the	09:36:41
13	defendants.	09:36:42
14	MR. ADAMS: Andrew Adams for the	09:36:43
15	United States.	09:36:45
16	THE VIDEO OPERATOR: Thank you.	09:36:45
17	Will you the court reporter,	09:36:46
18	Eric Finz of Merrill Legal Solutions,	09:36:49
19	please swear in the witness.	09:36:52
20	T O D D S. H Y M A N,	09:36:54
21	having been first duly sworn by the Notary	09:36:54
22	Public (Eric J. Finz), was examined and	09:36:54
23	testified as follows:	09:36:54
24		
25		

1		
2	EXAMINATION BY	09:37:01
3	MR. MOSCOW:	09:37:01
4	Q. Could you tell us your full	09:37:02
5	name?	09:37:06
6	A. My name is Todd Steven Hyman.	09:37:06
7	Q. What is your occupation?	09:37:09
8	A. I'm a special agent with the	09:37:11
9	Department of Homeland Security, Homeland	09:37:13
10	Security Investigations.	09:37:16
11	Q. For how long have you worked for	09:37:16
12	the United States Government?	09:37:17
13	A. Approximately fourteen years.	09:37:18
14	Q. In what capacities?	09:37:20
15	A. A special agent.	09:37:22
16	Q. For?	09:37:24
17	A. For the Department of Homeland	09:37:25
18	Security and the Department of Treasury.	09:37:27
19	Q. Which part of the Department of	09:37:30
20	the Treasury?	09:37:32
21	A. IRS Criminal Investigation.	09:37:32
22	Q. When did you work there?	09:37:35
23	A. From 2001 to 2009. And since	09:37:37
24	then, the Department of Homeland Security.	09:37:44
25	Q. And which portion of the	09:37:46

1

2 Department of Homeland Security? 09:37:48

3 A. Homeland Security 09:37:49

4 Investigations. 09:37:53

5 Q. Do you work with what used to be 09:37:53

6 Immigration and Customs Enforcement? 09:37:56

7 A. The Homeland Security 09:37:59

8 Investigations is under Immigration and 09:38:01

9 Customs Enforcement. 09:38:05

10 Q. And you understand that today 09:38:05

11 you are being asked to testify on behalf of 09:38:08

12 the United States? 09:38:11

13 A. Yes, I do. 09:38:12

14 Q. This is not in a personal 09:38:13

15 capacity? 09:38:15

16 A. I understand. 09:38:15

17 Q. Did you receive or did you have 09:38:16

18 occasion to see a notice of deposition? 09:38:24

19 A. Yes, I did. 09:38:26

20 Q. Did you go over it? 09:38:27

21 A. I reviewed the form. 09:38:30

22 Q. With whom did you speak in 09:38:32

23 preparing to testify today? 09:38:35

24 A. Assistant United States Attorney 09:38:37

25 Andrew Adams. 09:38:40

1

2 Q. With whom else did you speak, if 09:38:41
3 anyone? 09:38:43

4 A. The other Assistant United 09:38:44
5 States Attorneys involved in the case, 09:38:47
6 Christine Magdo, and Paul Monteleoni. 09:38:48

7 Q. With whom else did you speak, if 09:38:52
8 anyone? 09:38:55

9 A. Regarding preparation for the 09:38:55
10 deposition? 09:38:56

11 Q. In preparation, whether you 09:38:57
12 spoke about -- 09:38:59

13 A. That's it. 09:39:00

14 Q. -- facts or simply to prepare 09:39:01
15 yourself. 09:39:05

16 A. That's it. 09:39:05

17 Q. What documents did you review? 09:39:06

18 A. Just the criminal complaint that 09:39:07
19 was filed. 09:39:09

20 Q. Did you review any of the files 09:39:09
21 of the United States in preparation for the 09:39:12
22 deposition? 09:39:14

23 A. No, I did not. 09:39:15

24 Q. Did you review any documents in 09:39:16
25 the possession of the United States in 09:39:24

1

2 preparation for the deposition? 09:39:26

3 A. No, I did not. 09:39:27

4 Q. You will be speaking on behalf 09:39:29

5 of the United States and your answers will 09:39:35

6 bind the United States. 09:39:37

7 Do you understand that? 09:39:40

8 A. Yes, I do. 09:39:40

9 Q. Did the United States bring a 09:39:41

10 complaint in this case? 09:39:57

11 A. Yes, they did. 09:39:58

12 Q. Did they subsequently bring an 09:39:58

13 amended, proposed amended complaint? 09:40:02

14 A. I believe so. 09:40:04

15 Q. Did you -- are you aware of 09:40:05

16 whether or not there was a proposed amended 09:40:12

17 complaint that was brought? 09:40:15

18 A. I'm aware there is a proposed 09:40:16

19 amended complaint. 09:40:19

20 Q. Did you have anything to do with 09:40:23

21 preparing, you personally have anything to 09:40:24

22 do -- I'm sorry. 09:40:26

23 On behalf of the United States, 09:40:27

24 please tell me whether Todd Hyman helped 09:40:29

25 prepare the proposed amended complaint or 09:40:32

1

2 had anything to do with it. 09:40:34

3 MR. ADAMS: Objection. 09:40:36

4 You can answer. 09:40:38

5 A. I verified, I'm the person who 09:40:40

6 verified the complaint. 09:40:44

7 Q. When the complaint was verified 09:40:46

8 to be filed on behalf of the United States, 09:40:50

9 did you take any steps in the verification 09:40:53

10 process, such as reading it? 09:40:57

11 A. Which complaint? 09:41:00

12 Q. The proposed amended complaint. 09:41:02

13 A. I would read the proposed 09:41:04

14 amended complaint, yes. 09:41:06

15 Q. Did you read it? 09:41:07

16 A. Yes, I did. 09:41:08

17 Q. Now, what training did you 09:41:09

18 have -- I'm sorry. 09:41:19

19 What is your education after 09:41:20

20 high school? 09:41:22

21 A. I have a bachelors degree and I 09:41:22

22 have an MBA in accounting. 09:41:24

23 Q. From where? 09:41:26

24 A. From Baruch, which is part of 09:41:27

25 CUNY, City University of New York. 09:41:29

1

2

Q. When did you earn that?

09:41:32

3

A. February 2000.

09:41:33

4

Q. Was that while you were working

09:41:34

5

for the IRS?

09:41:39

6

A. No, that's prior to.

09:41:40

7

Q. What accounting experience did

09:41:41

8

you have before you joined the IRS?

09:41:44

9

A. I have approximately less than a

09:41:47

10

year with Deloitte & Touche. And just the

09:41:50

11

accounting experience I acquired with the

09:41:53

12

IRS as well.

09:41:56

13

Q. Which office of Deloitte &

09:41:57

14

Touche did you work with?

09:42:01

15

A. The one that was in the

09:42:02

16

Financial Center, downtown Manhattan, in New

09:42:03

17

York.

09:42:06

18

Q. When was that?

09:42:06

19

A. Approximately year 2000 to 2001.

09:42:10

20

(Deposition Exhibit 1 for

09:42:10

21

identification, verified complaint.)

09:42:41

22

(Deposition Exhibit 2 for

09:42:41

23

identification, amended verified

09:42:55

24

complaint.)

09:42:57

25

(Deposition Exhibit 3 for

09:42:57

1

2

identification, ex parte application

09:43:13

3

for a post-complaint protective

09:43:14

4

order.)

09:43:30

5

(Deposition Exhibit 4 for

09:43:30

6

identification, post-complaint

09:43:30

7

protective order.)

09:43:31

8

(Deposition Exhibit 5 for

09:43:31

9

identification, notice of deposition.)

09:43:50

10

BY MR. MOSCOW:

09:44:24

11

Q. Direct your attention to Exhibit

09:44:25

12

1. What is that?

09:44:28

13

A. This is a copy of the original

09:44:28

14

verified complaint.

09:44:31

15

Q. And whose name is signed on the

09:44:33

16

verification?

09:44:35

17

A. That would be my name.

09:44:35

18

Q. It would be, but is it?

09:44:37

19

A. Yes, it is.

09:44:39

20

Q. Did you sign it?

09:44:40

21

A. Yes, I did.

09:44:41

22

Q. Okay. I direct your attention

09:44:42

23

to Exhibit 2. What is that?

09:44:44

24

A. This is a copy of the amended

09:44:46

25

verified complaint. Or the proposed

09:44:50

1

2 verified -- amended verified complaint.

09:44:59

3 Q. Did you sign the verification on
4 that?

09:45:02

09:45:04

5 A. Yes, I did.

09:45:04

6 Q. Direct your attention to Exhibit
7 3. What is that?

09:45:05

09:45:06

8 A. This is a copy of an ex parte
9 application for a post-complaint protective
10 order.

09:45:10

09:45:15

09:45:18

11 Q. Direct your attention to Exhibit
12 4. What is that?

09:45:19

09:45:21

13 A. This is a copy of a
14 post-complaint protective order as well.

09:45:23

09:45:26

15 Q. Now, do those all -- those four
16 documents all apply to the same case?

09:45:32

09:45:36

17 A. Yes, they do.

09:45:39

18 Q. And is that the United States
19 versus Prevezon Holdings Limited, Prevezon
20 Alexander, LLC, Prevezon SoHo USA, Prevezon
21 Seven USA, Prevezon Pine USA -- I'm sorry,
22 after Alexander they are all LLCs. Prevezon
23 1711 USA, Prevezon 1810, Prevezon 2009,
24 Prevezon 2011 USA, Ferencoi Investments and
25 Kolevins Limited?

09:45:40

09:45:44

09:45:47

09:45:53

09:45:58

09:46:03

09:46:10

09:46:23

1

2 A. Yes, they are. 09:46:25

3 Q. You're here to speak, as I said, 09:46:26

4 on behalf of the United States in connection 09:46:32

5 with this case. 09:46:34

6 Who investigated this case for 09:46:39

7 the United States? 09:46:40

8 A. I would be the special agent 09:46:42

9 assigned to this case. I am. 09:46:45

10 Q. Are you the person who 09:46:50

11 investigated this case for the United 09:46:54

12 States? 09:46:56

13 A. Yes, I am. 09:46:56

14 Q. And what did the -- did you work 09:46:58

15 alone or with others? 09:47:01

16 A. Oh, I worked with others. 09:47:02

17 Q. And what did the investigators 09:47:05

18 for the United States do in connection with 09:47:07

19 investigating this case? 09:47:10

20 A. In general, we interviewed 09:47:11

21 witnesses, we reviewed documents obtained 09:47:13

22 from the witnesses, we conducted various 09:47:17

23 public records checks. 09:47:20

24 Q. What witnesses did you 09:47:25

25 interview? 09:47:27

1

2

A. We interviewed William Browder,

09:47:28

3

we interviewed Vadim Kleiner, and other

09:47:31

4

associates with William Browder.

09:47:39

5

Q. Where was William Browder in the

09:47:46

6

period from January 2007 on, respecting the

09:47:51

7

territory of the Russian Federation?

09:47:56

8

MR. ADAMS: Objection.

09:47:59

9

Q. Inside or outside?

09:47:59

10

MR. ADAMS: Objection.

09:48:01

11

If you know you can answer.

09:48:02

12

A. I would not know.

09:48:03

13

Q. In the course of your

09:48:08

14

investigation, did the United States learn

09:48:10

15

that he was not inside Russia after January

09:48:11

16

2007?

09:48:16

17

MR. ADAMS: Objection.

09:48:17

18

You can answer.

09:48:18

19

A. At some point he was not in

09:48:19

20

Russia after that time.

09:48:22

21

Q. You said that he was a witness.

09:48:23

22

What events, if any -- what paragraphs in

09:48:25

23

this complaint, if any, did he observe?

09:48:28

24

A. I would have to ask -- you'd

09:48:31

25

have to ask Mr. Browder himself that. I'm

09:48:34

1

2 not sure.

09:48:38

3

Q. In the course of your

09:48:38

4

investigation, did he tell you what he

09:48:39

5

observed of his own knowledge?

09:48:42

6

A. Well, he observed the documents

09:48:45

7

he provided to us.

09:48:49

8

Q. To the extent that he was a

09:48:52

9

witness, did he tell you that he had

09:48:54

10

observed transactions or did he merely

09:48:57

11

provide you with documents?

09:49:01

12

A. He provided us with documents.

09:49:02

13

Q. What witnesses did you interview

09:49:04

14

who observed the transactions set forth in

09:49:08

15

Exhibit 1, the complaint?

09:49:12

16

A. You're referring to the

09:49:17

17

documents he provided or events in the

09:49:18

18

documents he provided?

09:49:20

19

Q. No, I'm asking you what -- let

09:49:21

20

me step back.

09:49:23

21

If I ask a question and you

09:49:24

22

don't understand, please make that clear.

09:49:26

23

A. Sure.

09:49:28

24

Q. Do you know what a witness is?

09:49:28

25

A. Yes.

09:49:29

1

2

Q. Okay. Assuming we're talking

09:49:29

3

about someone who is competent to say I saw

09:49:32

4

something, I felt something, I smelled

09:49:35

5

something, I touched something, or I heard

09:49:38

6

something. A direct competent witness.

09:49:40

7

A. Okay.

09:49:45

8

Q. Did you interview any direct

09:49:46

9

competent witnesses to the facts set out in

09:49:48

10

Exhibit 1?

09:49:52

11

A. No, I did not.

09:49:53

12

Q. Did the United States interview

09:49:54

13

any direct competent witnesses to the facts

09:49:56

14

set out in Exhibit 1?

09:49:59

15

A. Not that I'm aware of.

09:50:01

16

Q. As you sit here now, has the

09:50:02

17

United States interviewed any such

09:50:05

18

witnesses?

09:50:07

19

A. Not that I'm aware of.

09:50:08

20

Q. What documents did you obtain in

09:50:10

21

the course of the investigation conducted by

09:50:38

22

the United States?

09:50:40

23

A. We obtained copies of bank

09:50:42

24

records, copies of wire transactions, copies

09:50:45

25

of public records that we obtained here.

09:50:51

1

2 We've obtained copies of statements from 09:50:55
3 public websites. We obtained flow charts, 09:50:59
4 work product that he provided to us. 09:51:07

5 Q. When you say "charts that he 09:51:10
6 provided to us," who is the he? 09:51:13

7 A. It would be William Browder and 09:51:17
8 his associates, his agents working for him. 09:51:19

9 Q. Okay. Would it be easier if you 09:51:22
10 were to refer collectively to Hermitage 09:51:24
11 agents? 09:51:29

12 A. Sure, that's fine. 09:51:29

13 Q. Would that be generically 09:51:30
14 correct? 09:51:32

15 A. Yes. 09:51:32

16 Q. You said flow charts, bank 09:51:33
17 records, we'll get to those. When you say 09:51:40
18 public records, to what are you referring? 09:51:46

19 A. Well, part of the investigation, 09:51:49
20 we had to determine who owned property in 09:51:52
21 New York. So there are various public 09:51:54
22 websites in New York that display deeds, 09:51:57
23 mortgages, or various UCC filings. So those 09:51:59
24 types of public records. Other public 09:52:05
25 records would include searches on the 09:52:07

1

2 internet. 09:52:10

3 Q. Okay. Let me stop you there. 09:52:10

4 We're asking what happened. So the fact 09:52:13

5 that public records would include something 09:52:15

6 is an irrelevance. 09:52:17

7 What did you look at? 09:52:18

8 A. Oh, I looked at the recorded 09:52:19

9 deeds and the mortgage recordance from New 09:52:21

10 York ACRIS. 09:52:25

11 Q. And these are for properties 09:52:26

12 owned by? 09:52:28

13 A. Prevezon. 09:52:29

14 Q. The companies named Prevezon 09:52:29

15 other than Prevezon Holdings; is that 09:52:33

16 correct? 09:52:35

17 A. That's correct. 09:52:35

18 Q. Did you check any -- did you 09:52:35

19 check the holdings of Ferencoi Investments 09:52:40

20 before the complaint was brought? 09:52:42

21 A. No, I did not. 09:52:44

22 Q. Did you check the holdings of 09:52:45

23 Kolevins Limited before the complaint was 09:52:46

24 brought? 09:52:49

25 A. No, I did not. 09:52:50

1

2

Q. Did you know what assets were

09:52:51

3

being frozen by the protective order when it

09:52:54

4

was signed?

09:52:58

5

A. Yes, I did.

09:52:59

6

Q. Okay. What assets of Ferencoi

09:53:00

7

were being frozen?

09:53:03

8

A. It would be their interests in

09:53:05

9

the properties that Prevezon would be

09:53:08

10

purchasing.

09:53:12

11

Q. When the protective -- do you

09:53:13

12

have the protective order, Exhibit 4?

09:53:16

13

A. Yes.

09:53:18

14

Q. Take a look at it.

09:53:19

15

A. Sure.

09:53:21

16

Okay.

09:53:30

17

Q. Does that freeze any and all

09:53:33

18

assets of Ferencoi?

09:53:35

19

A. Yes, it does.

09:53:39

20

Q. Does the United States know what

09:53:41

21

it was freezing when it froze it?

09:53:45

22

A. No.

09:53:47

23

Q. Does it freeze all of the assets

09:53:49

24

of Kolevins?

09:53:51

25

A. Yes, it does.

09:53:52

1

2

Q. Did the United States know what

09:53:53

3

those assets were when they froze them?

09:53:56

4

A. Not all of them.

09:53:58

5

Q. What assets does the United

09:53:59

6

States now know that Kolevins owned that

09:54:01

7

were frozen?

09:54:05

8

A. It would just be their interest

09:54:07

9

in the Prevezon --

09:54:10

10

MR. ADAMS: If you know.

09:54:15

11

MR. MOSCOW: Excuse me, I'm

09:54:16

12

sorry. Counselor, the witness is

09:54:18

13

speaking for the United States. If

09:54:22

14

the answer is that the United States

09:54:24

15

does not know, that's an answer. It

09:54:26

16

is binding. If the answer is that you

09:54:28

17

need time to consult and ascertain an

09:54:30

18

answer for the United States, that's

09:54:33

19

another option and we can do that,

09:54:34

20

okay.

09:54:37

21

But it's not his personal

09:54:37

22

knowledge, he is speaking for the

09:54:38

23

United States after preparation by its

09:54:40

24

agents. So he's the witness for the

09:54:42

25

country, and if you need additional

09:54:44

1

2

time for him to be in a position to

09:54:47

3

give an answer, that's a perfectly

09:54:49

4

fair request and will be granted.

09:54:53

5

Is that your request?

09:54:55

6

MR. ADAMS: If you need more

09:54:57

7

time to answer that question, request

09:54:57

8

it.

09:55:00

9

THE WITNESS: May I have more

09:55:01

10

time to answer that question?

09:55:02

11

MR. MOSCOW: Sure. After you

09:55:03

12

have had an opportunity to consult

09:55:05

13

with others from the United States on

09:55:06

14

another day, we'll continue this, not

09:55:08

15

a problem.

09:55:10

16

THE WITNESS: Okay.

09:55:10

17

BY MR. MOSCOW:

09:55:13

18

Q. Now, as to Prevezon Holdings,

09:55:17

19

what assets other than its interests in

09:55:21

20

Prevezon Alexander and the other Prevezon

09:55:25

21

named companies did you know you were

09:55:29

22

freezing with the freeze order?

09:55:32

23

A. Well, there were three bank

09:55:34

24

accounts, several bank accounts.

09:55:35

25

Q. Were they in the name of

09:55:37

1

2 Prevezon Holdings? 09:55:39

3 A. No, they were in the name of the 09:55:40

4 various entities in the complaint. 09:55:42

5 Q. Okay. The order froze all 09:55:44

6 the -- any and all assets of Prevezon 09:55:47

7 Holdings. And that included a large share 09:55:50

8 in each of these Prevezon named entities; is 09:55:54

9 that correct? 09:55:57

10 A. Yes, that's correct. 09:55:57

11 Q. What other -- other than real 09:55:59

12 estate or securities involved in co-ops or 09:56:04

13 whatever, leases and bank accounts in the 09:56:09

14 names of the Prevezon entities, what other 09:56:13

15 assets did you know you were freezing when 09:56:15

16 the protective order was obtained? 09:56:20

17 A. Well, we were aware of a 09:56:22

18 Prevezon Holdings asset in AFI. 09:56:24

19 Q. In Europe? 09:56:26

20 A. AFI Europe. And then that was 09:56:27

21 the asset that we found. The remaining 09:56:31

22 assets, we expect to uncover additional 09:56:33

23 assets when discovery is completed. 09:56:38

24 Q. As to the AFI asset, in fact 09:56:42

25 there was a sale of that asset; was there 09:56:44

1

2 not?

09:56:46

3

A. I believe the sale was

09:56:48

4

subsequent to the filing of the complaint.

09:56:49

5

Q. Was the sale perhaps in June of

09:56:59

6

2013?

09:57:01

7

A. I don't recall the specific

09:57:03

8

date.

09:57:06

9

Q. Does the United States know when

09:57:06

10

the sale took place?

09:57:08

11

A. Yes, it does.

09:57:10

12

Q. When did it take place?

09:57:12

13

A. I would need more time to find

09:57:13

14

the specific details.

09:57:16

15

Q. Is it the understanding of the

09:57:18

16

United States that whenever the sale took

09:57:21

17

place, the transaction was not consummated

09:57:23

18

pending the release of the freeze order?

09:57:26

19

A. My understanding is that the

09:57:33

20

funds that were due Prevezon were not

09:57:37

21

released to Prevezon.

09:57:41

22

Q. Now, those funds are currently

09:57:42

23

frozen in the Netherlands; are they not?

09:57:45

24

A. I believe the debt due Prevezon

09:57:47

25

is frozen, so they aren't paying. I do not

09:57:54

1

2 believe that the Dutch government itself has 09:57:57

3 frozen the funds, the actual funds. 09:57:59

4 Q. Is it your understanding on 09:58:01

5 behalf of the United States that Prevezon 09:58:07

6 has not received the benefits of the sale of 09:58:09

7 those assets? 09:58:11

8 A. That's my understanding. 09:58:12

9 Q. And those assets were stock in 09:58:13

10 companies; is that correct? 09:58:15

11 A. Whose assets, Prevezon? 09:58:17

12 Q. Yes. 09:58:20

13 A. Prevezon was to turn over the 09:58:20

14 stock. That was their asset. 09:58:22

15 Q. Prevezon owned stock and sold 09:58:24

16 it; isn't that correct? 09:58:27

17 A. That's correct. 09:58:27

18 Q. And that stock is currently 09:58:28

19 frozen -- the stock or the proceeds from the 09:58:29

20 sale of that stock, whichever, are currently 09:58:32

21 frozen? 09:58:34

22 A. The proceeds of the sale of the 09:58:34

23 stock. 09:58:37

24 Q. Okay. We'll come back to that. 09:58:37

25 A. Okay. 09:58:39

1

2

Q. Do you know what other assets

09:58:41

3

were frozen by the order?

09:58:43

4

A. No, I do not.

09:58:45

5

MR. MOSCOW: Bear with me for a

09:58:46

6

moment.

09:58:53

7

Q. Let's go back to the

09:59:10

8

investigation. What documents did you

09:59:10

9

examine?

09:59:13

10

A. A variety of documents to

09:59:15

11

include flow charts --

09:59:17

12

Q. Okay. Flow charts, okay.

09:59:20

13

A. Bank records.

09:59:24

14

Q. Which banks?

09:59:25

15

A. We saw bank records from Alfa

09:59:27

16

Bank, we saw bank records -- we saw flow

09:59:38

17

charts and spreadsheets prepared from bank

09:59:43

18

records, along with the bank records from a

09:59:45

19

variety of Russian banks, various Russian

09:59:48

20

banks, a bank in Moldova, and an American

09:59:53

21

bank.

09:59:59

22

Q. Which bank?

09:59:59

23

A. In preparing the complaint?

10:00:01

24

Q. Let's start off. We'll get back

10:00:04

25

to the flow charts in a moment.

10:00:07

1

2

You saw bank records from Alfa

10:00:10

3

Bank?

10:00:12

4

A. We saw bank records from a

10:00:12

5

variety of Russian banks, or a spreadsheet

10:00:15

6

provided from some of their wire

10:00:18

7

transactions.

10:00:20

8

Q. Please. I'm not asking about

10:00:21

9

spreadsheets provided by -- pieces provided.

10:00:22

10

Let's start off with, you say

10:00:26

11

that the United States saw bank records from

10:00:27

12

Alfa Bank. Is that correct?

10:00:29

13

A. I don't recall specifically

10:00:30

14

which Russian bank. I would need time to

10:00:33

15

prepare to make sure. But there were

10:00:35

16

several.

10:00:39

17

Q. Excuse me. The deposition

10:00:39

18

notice was served.

10:00:41

19

A. Correct.

10:00:42

20

Q. You spoke with the Assistant

10:00:42

21

United States Attorneys.

10:00:44

22

A. Correct.

10:00:44

23

Q. You did not read any documents

10:00:45

24

in preparation for the deposition?

10:00:46

25

A. Correct.

10:00:48

1

2

Q. And now you're saying that you

10:00:48

3

do not know what banks the records --

10:00:50

4

A. No.

10:00:54

5

Q. -- what banks you have records

10:00:54

6

from because you have to refresh your

10:00:56

7

recollection?

10:00:58

8

THE WITNESS: Well, I have a

10:00:58

9

question concerning some of the

10:00:59

10

records may be privileged. So may I?

10:01:00

11

MR. MOSCOW: Bank records are

10:01:04

12

privileged? Is that your position?

10:01:06

13

MR. ADAMS: Let's take a second.

10:01:12

14

MR. MOSCOW: Sure. Take two

10:01:14

15

minutes, go into room F.

10:01:17

16

THE VIDEOGRAPHER: The time is

10:01:22

17

10:01 a.m., we are going off the

10:01:24

18

record.

10:01:26

19

(A recess was taken.)

10:09:12

20

THE VIDEOGRAPHER: We are back

10:09:15

21

on the record, the time is 10:09 a.m.

10:09:28

22

THE WITNESS: May I continue my

10:09:32

23

answer?

10:09:34

24

MR. MOSCOW: You may.

10:09:34

25

THE WITNESS: Let me clarify

10:09:37

1
2 what I said before, because I'm a 10:09:38
3 little uncertain as to exactly what 10:09:41
4 you're referring to. If you are 10:09:43
5 referring to bank records that I have 10:09:44
6 obtained from Russian, various Russian 10:09:46
7 bank entities, then no, I have not 10:09:49
8 seen that. 10:09:50
9 What I have seen are bank 10:09:51
10 records provided -- copies of bank 10:09:52
11 records provided to me in the 10:09:54
12 investigation by William Browder and 10:09:56
13 Hermitage agents. They would include 10:10:00
14 bank records -- 10:10:02
15 MR. MOSCOW: Wait, stop. 10:10:04
16 MR. ADAMS: Watch the 10:10:05
17 hypothetical. 10:10:07
18 THE WITNESS: They include bank 10:10:08
19 records from Russian banks, and I'm 10:10:09
20 going to refresh my recollection in 10:10:13
21 the use of Exhibit 1. In Alfa Bank, 10:10:16
22 Univers Bank, Intercommerz Bank, bank 10:10:24
23 records for a company called Anika, a 10:10:45
24 USB bank. We have other banks include 10:10:52
25 a bank in Moldova, Banca De Economii, 10:10:54

1

2

which was not a Russian bank.

10:10:58

3

We have bank records -- I have

10:11:01

4

examined some of these, copies of

10:11:03

5

these bank records. And I'm probably

10:11:05

6

going to mispronounce the name of the

10:11:09

7

bank, but it's in the complaint, it's

10:11:13

8

Mosstroieconombank. You can reference

10:11:18

9

paragraph 87.

10:11:22

10

BY MR. MOSCOW:

10:11:25

11

Q. Direct your attention to Exhibit

10:11:25

12

B of the complaint.

10:11:27

13

A. Exhibit D?

10:11:28

14

Q. B as in boy.

10:11:29

15

A. Okay. This is double-sided.

10:11:40

16

Q. Exhibit B should be a chart.

10:11:46

17

A. A flow chart. Okay.

10:11:48

18

Okay, I'm looking at it.

10:11:55

19

Q. Is it the position of the United

10:11:59

20

States that you have examined documents from

10:12:01

21

William Browder that purport to reflect

10:12:04

22

transactions shown on Exhibit B?

10:12:07

23

A. Yes.

10:12:09

24

Q. And is that true for each of the

10:12:09

25

financial entities shown on Exhibit B?

10:12:12

1

2

A. Yes.

10:12:14

3

Q. Okay. We will get back to that.

10:12:16

4

Did you get in touch with the

10:12:19

5

banks, did the United States get in touch

10:12:21

6

with the banks and verify the bank records

10:12:25

7

that you had received?

10:12:27

8

A. No, we did not.

10:12:28

9

Again, we expect copies of

10:12:33

10

these, some of the accounts, foreign

10:12:36

11

accounts, such as the transfers that went

10:12:38

12

into Prevezon to come through the discovery

10:12:40

13

process.

10:12:42

14

Q. In other words, the transactions

10:12:42

15

from Moldova?

10:12:44

16

A. That's correct.

10:12:45

17

Q. What about the transfers from

10:12:47

18

Russia, has a request been made by the

10:12:51

19

United States for those records?

10:12:54

20

A. There is pending a Mutual Legal

10:12:55

21

Assistant Treaty request to Russia.

10:12:59

22

Q. You say pending.

10:13:00

23

A. It's in works.

10:13:01

24

Q. Meaning the United States is now

10:13:02

25

seeking to prepare a document that it will

10:13:04

1

2 send to Russia? 10:13:06

3 A. That's correct. 10:13:08

4 Q. And without that, does the 10:13:13

5 United States have any way of authenticating 10:13:16

6 the transactions involving Intercommerz 10:13:18

7 Bank, Sberbank, Alfa Bank and the other 10:13:22

8 Russian banks listed on Exhibit B? 10:13:26

9 MR. ADAMS: Objection. 10:13:28

10 A. I don't know. We would have 10:13:29

11 to -- I believe not. 10:13:32

12 Q. Directing your attention to USB 10:13:38

13 Bank. Do the records of USB still exist? 10:13:46

14 A. Presumably. We would have to 10:13:56

15 find out from the Russians. 10:14:01

16 Q. Does the complaint not refer to 10:14:03

17 the fact that the Russians said the records 10:14:04

18 were destroyed? 10:14:06

19 A. That's true. But we will still 10:14:07

20 ask for it and see if they can obtain them 10:14:09

21 anyway. 10:14:12

22 Q. So you will submit a diplomatic 10:14:13

23 request saying since you lied publicly 10:14:16

24 please give us the records as a favor? 10:14:19

25 MR. ADAMS: Objection. 10:14:21

1

2 Q. Is that the question you'll be 10:14:21
3 asking? 10:14:23

4 MR. ADAMS: Objection. 10:14:23

5 A. I'm not asking -- I'm not 10:14:24
6 involved with the preparation of the Mutual 10:14:26
7 Legal Assistant Treaty. But I will presume 10:14:30
8 that we will be asking the Russian 10:14:31
9 government for any and all documents 10:14:33
10 regarding these transactions. 10:14:35

11 Q. But you have not yet done so? 10:14:38

12 A. Not to my knowledge, no. 10:14:41

13 Q. And you had not started on the 10:14:42
14 process when the property was frozen, the 10:14:45
15 property of these companies was frozen? 10:14:48

16 A. Not to my knowledge. 10:14:50

17 Q. Okay. What bank records of Alfa 10:14:51
18 Bank have you seen? Bearing in mind that 10:15:03
19 they are copies and that you cannot 10:15:06
20 authenticate them. 10:15:08

21 MR. ADAMS: Objection. 10:15:10

22 MR. MOSCOW: I'm sorry. Don't 10:15:11
23 bear that in mind. 10:15:13

24 Q. Are they copies? 10:15:14

25 A. Yes. 10:15:15

1

2

Q. Are you in a position to

10:15:16

3

authenticate them?

10:15:17

4

MR. ADAMS: Objection.

10:15:18

5

A. No.

10:15:19

6

Q. Bearing in mind they are copies

10:15:19

7

and that you cannot authenticate them, what

10:15:24

8

is it you've seen of records that purport to

10:15:27

9

be of Alfa Bank?

10:15:30

10

A. We have seen copies of wire

10:15:31

11

transfers from Alfa Bank. And if I may, may

10:15:33

12

I refresh my recollection from the exhibit?

10:15:36

13

Q. Look at the exhibit.

10:15:39

14

A. 78 I believe it starts.

10:15:45

15

Okay. We have seen, referring

10:16:53

16

to paragraph 90 in the complaint, you will

10:16:57

17

see we've examined records from Alfa Bank,

10:16:59

18

held in the name of a Bank Krainiy Sever.

10:17:03

19

And they include wire transfers to and from

10:17:08

20

the Alfa Bank account.

10:17:12

21

Q. For the purpose of clarity, is

10:17:15

22

it the position of the United States that

10:17:19

23

Alfa Bank was a correspondent for a Russian

10:17:21

24

bank named Krainiy Sever?

10:17:25

25

A. Yes.

10:17:29

1

2 Q. Have you seen the opening 10:17:29
3 account statements for Krainiy Sever at Alfa 10:17:35
4 Bank? Opening account documents, I'm sorry. 10:17:42

5 A. I have not seen the opening 10:17:45
6 account documents at Krainiy Sever. 10:17:47

7 Q. Do you have the record of all 10:17:49
8 deposits and withdrawals -- I'm sorry. 10:18:01

9 Do you have copies of the items 10:18:05
10 deposited into the account at Krainiy Sever, 10:18:08
11 of Krainiy Sever, at Alfa Bank, for the 10:18:12
12 period January 1, 2008 to March 30, 2008? 10:18:15

13 A. We have copies of some of those. 10:18:20

14 Q. Do you have copies of all of 10:18:25
15 them? 10:18:26

16 A. No. 10:18:27

17 Q. Do you have copies of the 10:18:27
18 transfers out of the account of Bank Krainiy 10:18:32
19 Sever at Alfa Bank for the period January 1, 10:18:38
20 2008 to March 30, 2008? 10:18:41

21 A. Again, we have some of these 10:18:44
22 records. 10:18:45

23 Q. And those are all 10:18:48
24 unauthenticated? 10:18:49

25 MR. ADAMS: Objection. 10:18:51

1

2

A. I'm not in a position to

10:18:52

3

authenticate them, no.

10:18:54

4

Q. From whom did you receive them?

10:18:55

5

A. From William Browder.

10:18:57

6

Q. Is he in a position to

10:19:00

7

authenticate them, according to what he told

10:19:04

8

you?

10:19:06

9

A. No, not that I'm aware of.

10:19:06

10

Q. Do you know what the deal

10:19:08

11

balances were in the account of Bank Krainiy

10:19:15

12

Sever at Alfa Bank during the period from

10:19:19

13

January 1, 2008 through March 30, 2008?

10:19:23

14

A. Some of them.

10:19:27

15

Q. The daily balances?

10:19:33

16

A. There would be copies on a --

10:19:35

17

some of the wire trans -- transactions were

10:19:38

18

transposed into a spreadsheet that had daily

10:19:42

19

balances.

10:19:44

20

Q. By whom was that transposition

10:19:45

21

done?

10:19:47

22

A. Heritage agents.

10:19:47

23

Q. Do you know whether they had

10:19:50

24

access to all of the items in and all of the

10:19:51

25

items out?

10:19:55

1

2

A. I do not.

10:19:55

3

Q. Were you a revenue agent or a

10:19:57

4

special agent?

10:20:00

5

A. Special agent.

10:20:00

6

Q. Would you prepare a chart of a

10:20:01

7

daily balance on an account without the

10:20:06

8

items in and the items out?

10:20:08

9

A. That would depend on what --

10:20:10

10

what's the purpose of the chart and why I'm

10:20:14

11

creating it and what I'm being asked, the

10:20:16

12

chart is showing. In general I prepare work

10:20:19

13

products that are comprehensive and would

10:20:21

14

include all transactions.

10:20:23

15

Q. Did you see the transactions out

10:20:29

16

from Bank Krainiy Sever?

10:20:30

17

A. Some of the transactions, yes.

10:20:34

18

Q. Were they going from Alfa Bank?

10:20:36

19

A. If I may have a moment.

10:20:40

20

They were going from Alfa Bank.

10:20:45

21

Q. And the transactions that you

10:20:47

22

saw, where were they going to?

10:20:48

23

A. They were being transferred to a

10:20:55

24

Moldovan bank, Banca De Economii, and to two

10:20:57

25

different companies in Moldova.

10:21:01

1

2

Q. Did you see any other

10:21:07

3

transactions from Bank Krainiy Sever than

10:21:08

4

the transactions to two companies at Banca

10:21:14

5

De Economii?

10:21:18

6

A. Again, we saw some other

10:21:18

7

transactions as well.

10:21:20

8

Q. Going out from Krainiy Sever to

10:21:21

9

other banks?

10:21:23

10

A. From it, yes.

10:21:24

11

Q. Are they relevant to this case?

10:21:26

12

A. I would say no.

10:21:30

13

Q. What documents did you see

10:21:39

14

regarding the transfers from Bank Krainiy

10:21:41

15

Sever to Elenast? That's one of the

10:21:45

16

companies at Banca De Economii; is it not?

10:21:49

17

A. Correct.

10:21:52

18

Q. What documents did you see?

10:21:53

19

A. Copies of wire transfers and --

10:21:54

20

from the Alfa account into the Banca De

10:21:57

21

Economii accounts belonging to Elenast.

10:22:00

22

Q. When you say wire transfers,

10:22:04

23

please explain what you mean by wire

10:22:06

24

transfers.

10:22:08

25

A. A wire transfer would be an

10:22:08

1

2 instruction from one bank to another bank, 10:22:11
3 crediting or debiting the account of a 10:22:14
4 receiver into the account of a beneficiary 10:22:17
5 of the account, the receiving account. 10:22:21

6 Q. Who fills out the wire transfer 10:22:23
7 forms? 10:22:25

8 A. The banks. Bank personnel. 10:22:26
9 With instruction from their clients. 10:22:31

10 Q. When you say with instruction 10:22:34
11 from your clients, you mean that's the 10:22:39
12 normal way it should happen; is that 10:22:42
13 correct? 10:22:46

14 A. Well, a client would request the 10:22:46
15 wire transfer. And the amounts and such. 10:22:47

16 Q. Fine. 10:22:51
17 So you say that the client, in 10:22:52
18 this case, did request the transfer? Yes or 10:22:54
19 no. 10:22:56

20 A. I don't know. I couldn't say 10:22:57
21 definitively. 10:23:04

22 Q. Again, you're speaking for the 10:23:05
23 United States. 10:23:07

24 Did the client request the 10:23:08
25 transfer from Bank Krainiy Sever to Elenast? 10:23:10

1

2 A. Which client are you talking 10:23:17

3 about now? 10:23:18

4 Q. It was your word. Let's step 10:23:19

5 back. 10:23:25

6 Did you examine documents which 10:23:25

7 disclosed who directed that there be a 10:23:28

8 transfer from Krainiy Sever to Banca De 10:23:30

9 Economii for the benefit of Elenast? 10:23:33

10 A. No. 10:23:37

11 Q. So you don't know who gave the 10:23:37

12 instructions? 10:23:39

13 A. No, I do not. 10:23:39

14 Q. The complaint refers to an 10:23:40

15 organization; does it not? 10:23:46

16 A. Yes, it does. 10:23:48

17 Q. Was the person who gave the 10:23:49

18 instructions part of the organization? 10:23:52

19 A. I don't know. 10:23:53

20 Q. Who gave the instructions to 10:23:54

21 transfer funds from Krainiy Sever to 10:24:00

22 Bunicon? 10:24:04

23 A. I don't know. 10:24:05

24 Q. Here you're speaking for the 10:24:06

25 United States. You understand that? 10:24:09

1

2

A. Yes, I do.

10:24:12

3

Q. Was the person who gave the

10:24:12

4

instructions to transfer money from Krainiy

10:24:16

5

Sever to Bunicon acting on the instructions

10:24:19

6

of a member of the organization?

10:24:22

7

A. I do not know.

10:24:23

8

Q. Was it in fact a member of the

10:24:25

9

organization?

10:24:28

10

A. I do not know.

10:24:29

11

Q. So money went from Krainiy

10:24:34

12

Sever, you said, to Elenast. Is that

10:24:38

13

correct?

10:24:43

14

A. That's correct.

10:24:43

15

Q. Did you see that there were such

10:24:44

16

transfers?

10:24:47

17

A. Can you clarify the question?

10:24:50

18

Q. Did you see -- on the records

10:24:52

19

that you were told might be bank records,

10:24:54

20

did you see that those reflected transfers?

10:24:57

21

A. Yes, I did.

10:25:00

22

Q. But you did not verify that?

10:25:01

23

A. No.

10:25:03

24

Q. You have not checked that with

10:25:03

25

the bank in Moldova as we sit here now; have

10:25:05

1

2 you?

10:25:09

3 A. No, I have not.

10:25:09

4 Q. And again, you're speaking for
5 the United States.

10:25:10

10:25:12

6 MR. MOSCOW: Bear with me for a
7 moment.

10:25:21

10:25:23

8 Q. What wire transfer forms have
9 you seen from Alfa Bank on behalf of its
10 customer Krainiy Sever to Banca De Economii
11 on behalf of Elenast?

10:25:30

10:25:33

10:25:37

10:25:40

12 A. We have seen copies of wire
13 transfers.

10:25:43

10:25:46

14 Q. What do you mean by "wire
15 transfers"?

10:25:47

10:25:48

16 A. Oh, copies of instructions, bank
17 instructions, regarding the transfer of
18 funds from one account to another.

10:25:49

10:25:51

10:25:55

19 Q. What do you mean by "bank
20 instructions"?

10:26:00

10:26:05

21 A. Form piece of paper -- a copy
22 provided saying to send the money from this
23 account to another account.

10:26:07

10:26:13

10:26:14

24 Q. How did bank -- how did Alfa
25 Bank communicate to Banca De Economii?

10:26:19

10:26:22

1

2

A. Through written wire

10:26:25

3

instruction.

10:26:28

4

Q. Do you know what kind of wire

10:26:29

5

instructions?

10:26:30

6

A. I'm uncertain of what you're

10:26:32

7

asking. I would examine a copy of a piece

10:26:36

8

of paper that explained, you know, the wire,

10:26:39

9

the actual wire transaction.

10:26:44

10

Q. Krainiy Sever's bank account, in

10:26:48

11

what currency was it maintained, if you

10:26:53

12

know?

10:26:55

13

A. I believe the initial

10:26:56

14

transaction into it was in rubles.

10:26:59

15

Q. And what is the basis of your

10:27:03

16

belief?

10:27:05

17

A. Statements given to me -- in

10:27:06

18

documents given to me from Hermitage,

10:27:10

19

examination of the documents and the

10:27:12

20

amounts. And then on the work product

10:27:17

21

spreadsheets that they provided from

10:27:18

22

Hermitage, you would have a column for the

10:27:21

23

rubles, the amount in rubles.

10:27:24

24

Q. Do you know how -- withdrawn.

10:27:34

25

The account at Elenast, was that

10:27:35

1

2 in dollars or in rubles? 10:27:40

3 A. I don't recall. If I can 10:27:43

4 refresh, I can take a look. 10:27:47

5 Q. Sure. 10:27:49

6 With what are you refreshing 10:27:51

7 your recollection? 10:27:54

8 A. Exhibit 1. And I'm looking at 10:27:54

9 paragraph 91. 10:27:58

10 They were in rubles. 10:28:10

11 Q. Now, if there is a transfer in 10:28:14

12 rubles, what is the wire system for 10:28:16

13 transferring rubles from bank to bank? 10:28:22

14 A. In rubles? I don't know. 10:28:26

15 Q. United States is telling us that 10:28:34

16 they traced money. 10:28:36

17 A. Correct. 10:28:38

18 Q. They have seized tens of 10:28:38

19 millions of dollars worth of property. The 10:28:41

20 question is, when you prepared Exhibit B and 10:28:43

21 when the complaint was prepared, what 10:28:50

22 records did you have? And you say you had 10:28:53

23 wire transfer forms. 10:28:56

24 A. Correct. 10:28:58

25 Q. And so now my question is, what 10:28:58

1

2 is the system for transmitting rubles? 10:29:00

3 (Ms. Magdo entered the 10:29:04

4 deposition room.) 10:29:06

5 A. A wire bank instruction form. 10:29:08

6 Q. Do you know any more than that? 10:29:10

7 A. No, I do not. 10:29:12

8 Q. Does the United States know any 10:29:13

9 more than that? 10:29:15

10 A. Not that I'm aware of. 10:29:16

11 Q. I'm now asking you to consult 10:29:18

12 and see if you need additional time to 10:29:20

13 answer that question. 10:29:23

14 A. Yes, I'd like to consult. 10:29:24

15 MR. MOSCOW: Okay, we'll put 10:29:30

16 that down, we'll continue in that 10:29:32

17 area. 10:29:34

18 Q. You said that you got this 10:29:35

19 information from William Browder and from 10:29:37

20 Hermitage generally. 10:29:39

21 A. Correct. 10:29:42

22 Q. What investigative steps did you 10:29:42

23 take to verify the accuracy of what you were 10:29:46

24 told? 10:29:53

25 A. We found William Browder to be 10:29:54

1
2 credible and we examined the documents and 10:29:57
3 the documents purport to be official 10:29:59
4 documents. And they bear marks, insignia, 10:30:03
5 templates of something that would appear to 10:30:07
6 be an official documentation. And just upon 10:30:09
7 examining the documents and his testimony, 10:30:14
8 or his statement. 10:30:16
9 Q. Let's step back. 10:30:17
10 From your first investigative 10:30:18
11 step was you found Mr. Browder to be 10:30:20
12 credible? 10:30:22
13 A. Yes. 10:30:22
14 Q. What steps did you take in 10:30:23
15 finding Mr. Browder to be credible? 10:30:25
16 A. Well, we reviewed his 10:30:27
17 documentation, we reviewed some of his 10:30:29
18 statements and verified some of his 10:30:33
19 statements via the internet. Because some 10:30:36
20 of the things he had mentioned were public 10:30:39
21 source documents. 10:30:41
22 Q. Such as what? What -- in the 10:30:42
23 process of evaluating and determining that 10:30:47
24 Browder was credible, what steps did you 10:30:51
25 take? You said you found him to be 10:30:54

1

2 credible, that was your first investigative 10:30:55
3 step. So let's go into the steps that lead 10:30:57
4 to that. 10:31:00

5 A. Okay. We initially interviewed 10:31:00
6 Mr. Browder, and he provided us the 10:31:03
7 documentation and the allegation. And in 10:31:06
8 providing that, he provided -- made certain 10:31:10
9 statements that were then verified. 10:31:13

10 Q. What did he tell you? 10:31:15

11 A. Well, he told us the story of 10:31:17
12 Sergei Magnitsky, which is public record. 10:31:19

13 Q. When you say "public record." 10:31:23

14 A. Meaning -- 10:31:26

15 Q. Okay. He told you a story about 10:31:27
16 Sergei Magnitsky. 10:31:30

17 A. Right. 10:31:31

18 Q. Is it contained in the 10:31:31
19 complaint? 10:31:33

20 A. Yes, it is. 10:31:33

21 Q. Okay. Did he tell you -- 10:31:34
22 withdrawn. 10:31:34

23 What public source documents did 10:31:39
24 he refer you to? 10:31:41

25 A. Well, he referred me to a 10:31:43

1

2 website. He referred me to just making a 10:31:45
3 general internet search via various search 10:31:48
4 engines. He referred me -- on his website, 10:31:51
5 he referred me to a Russian language 10:31:55
6 newspaper, that copies of these articles 10:31:58
7 appear on the website. And he referred me 10:32:02
8 to the passage of our own Sergei Magnitsky 10:32:06
9 Rule of Accountability Law. 10:32:13

10 Q. What else? 10:32:17

11 A. And the documents that he 10:32:19
12 provided. 10:32:22

13 Q. What documents did he provide? 10:32:22

14 A. Copies of the bank records, 10:32:24
15 copies -- 10:32:27

16 Q. Copies of portions of records of 10:32:27
17 certain accounts at certain banks? 10:32:33

18 A. Yes. 10:32:35

19 Q. Did you get in touch with the 10:32:36
20 banks to see if they were accurate? 10:32:40

21 A. No, I did not. They were 10:32:42
22 foreign banks. 10:32:44

23 Q. Yeah? Does your phone go long 10:32:47
24 distance? 10:32:52

25 MR. ADAMS: I think he answered 10:32:53

1

2

the question no.

10:32:54

3

A. No, it does not.

10:32:56

4

Q. Can you get authority to call or

10:32:59

5

write abroad?

10:33:02

6

A. Yes.

10:33:03

7

Q. Did you seek such authority?

10:33:03

8

A. No.

10:33:06

9

Q. Is that true for the entire

10:33:06

10

investigation, that no one sought authority

10:33:12

11

to verify with the Russian banks the

10:33:15

12

accuracy of the portion of the records they

10:33:21

13

had?

10:33:23

14

A. Prior to filing the complaint,

10:33:23

15

no.

10:33:24

16

Q. Did anybody for the United

10:33:24

17

States read -- withdrawn.

10:33:41

18

Which banks? You told us about

10:33:43

19

the Russian banks, you told us about the

10:33:45

20

Moldovan banks that you got records from.

10:33:48

21

A. Correct.

10:33:51

22

Q. Did you get records from any

10:33:51

23

other banks?

10:33:52

24

A. Oh, we've got copies of records

10:33:54

25

that are referenced in the chart. And give

10:33:58

1

me a second, I'll take a look and tell you

10:34:02

3

which other banks that we were provided.

10:34:04

4

We've got copies of records that

10:34:10

5

they've provided to a UBS account in

10:34:13

6

Switzerland.

10:34:17

7

Q. You have --

10:34:18

8

A. Well, he provided copies, as

10:34:19

9

you'll see in Exhibit B, that's the Prevezon

10:34:21

10

account.

10:34:24

11

Q. Did you -- did the United States

10:34:25

12

review the records of the Prevezon 81.60,

10:34:27

13

81.70 and 81.80 accounts at UBS?

10:34:32

14

THE WITNESS: May I have a

10:34:37

15

moment to confer?

10:34:39

16

MR. MOSCOW: Absolutely.

10:34:42

17

THE VIDEOGRAPHER: We are going

10:34:44

18

off the record, the time is 10:34 a.m.

10:34:44

19

(Witness and counsel left the

10:34:55

20

deposition room.)

10:34:57

21

THE VIDEOGRAPHER: We are back

10:54:14

22

on the record, the time is 10:54 a.m.

10:54:28

23

MR. MOSCOW: For the record, a

10:54:33

24

few minutes before we broke, Assistant

10:54:35

25

U.S. Attorney Christine Magdo joined

10:54:39

1

2

us.

10:54:41

3

BY MR. MOSCOW:

10:54:48

4

Q. Ready?

10:54:49

5

A. Yes.

10:54:50

6

Q. If we could, you said that -- we

10:54:50

7

were talking about the investigation, and

10:54:54

8

you said the first thing you did was to?

10:54:56

9

A. To interview -- to receive the

10:55:00

10

allegation, interview Mr. William Browder.

10:55:03

11

Q. And you determined that he was

10:55:05

12

credible?

10:55:06

13

A. Yes.

10:55:07

14

Q. And thereafter you obtained

10:55:07

15

documents which purport to be bank records;

10:55:09

16

is that correct?

10:55:13

17

A. We obtained documents that

10:55:13

18

included what purported to be bank records

10:55:15

19

from Hermitage, yes.

10:55:17

20

Q. And you obtained flow charts; is

10:55:18

21

that correct?

10:55:21

22

A. That's correct.

10:55:21

23

Q. And those were also from

10:55:21

24

Hermitage that you obtained them?

10:55:24

25

A. Correct.

10:55:26

1

2

Q. Did you obtain other documents

10:55:29

3

than bank records and flow charts, and data

10:55:32

4

written for newspapers or the internet?

10:55:38

5

A. Well, we obtained some documents

10:55:40

6

that were derived from the previously

10:55:42

7

mentioned documents, such as spread -- Excel

10:55:45

8

spreadsheets, Word documents, that contained

10:55:49

9

information that was derived from the source

10:55:52

10

documents, copies of the source documents.

10:55:54

11

Q. And the source documents are

10:55:55

12

flow charts, what purport to be bank

10:55:57

13

records, spreadsheets derived from those,

10:56:00

14

and what documents did you obtain from the

10:56:04

15

internet?

10:56:10

16

A. Copies and references to the

10:56:10

17

events surrounding the death of Sergei

10:56:14

18

Magnitsky. Copies and articles related to

10:56:18

19

the passage of pertinent U.S. law. Copies

10:56:21

20

of property reports related to the purchases

10:56:25

21

of Prevezon properties in the United States.

10:56:30

22

Q. What else?

10:56:35

23

A. Just -- copies of websites,

10:56:36

24

articles on the web.

10:56:42

25

Q. What else?

10:56:44

1

2

A. That's pretty much it.

10:56:46

3

Q. Is that it?

10:56:52

4

A. That I'm aware of, yes.

10:56:54

5

Q. Did you seek or obtain official

10:57:01

6

records from Russia?

10:57:04

7

A. Prior to filing the complaint,

10:57:07

8

no.

10:57:09

9

Q. Since the complaint was filed,

10:57:10

10

have you -- has the United States approached

10:57:12

11

the Russians to ask for assistance in the

10:57:16

12

case?

10:57:19

13

A. It's my understanding that

10:57:19

14

approach has not yet been done, but it is in

10:57:21

15

progress.

10:57:24

16

Q. When you say "in progress,"

10:57:26

17

you're speaking for the United States. You

10:57:32

18

mean people working for the United States

10:57:35

19

are working to put together a document that

10:57:37

20

would constitute a request?

10:57:39

21

A. Yes, that would be correct.

10:57:41

22

Q. But no request has been made?

10:57:42

23

A. Not that I'm aware of at this

10:57:43

24

time.

10:57:45

25

Q. Did you interview any witnesses

10:57:45

1

2 other than those from Hermitage?

10:57:54

3

A. No, I did not.

10:57:58

4

Q. Who are the other agents who

10:57:59

5

worked with you?

10:58:02

6

A. Assisting me in the

10:58:03

7

investigation was a Special Agent Sarah

10:58:06

8

Brady, also from the Department of Homeland

10:58:09

9

Security.

10:58:12

10

Q. Right. Anyone else?

10:58:17

11

A. It was just the two of us.

10:58:18

12

Q. When I asked the question did

10:58:21

13

you interview any witnesses other than those

10:58:22

14

from Hermitage, I meant the United States.

10:58:24

15

THE WITNESS: May I have a

10:58:31

16

moment to confer?

10:58:32

17

MR. MOSCOW: Your answer is

10:58:34

18

binding, you better have.

10:58:36

19

THE VIDEOGRAPHER: Going off the

10:58:39

20

record, the time is 10:58 a.m.

10:58:40

21

(Witness and counsel left the

10:58:51

22

deposition room.)

10:58:56

23

THE VIDEOGRAPHER: We are back

11:01:31

24

on the record, the time is 11:01 a.m.

11:01:39

25

THE WITNESS: To continue with

11:01:45

1

2

your --

11:01:46

3

MR. ADAMS: Sorry, one second.

11:01:48

4

To the extent that this question

11:01:49

5

calls for information that's protected

11:01:51

6

by law enforcement privilege, we've

11:01:52

7

asked him not to answer. But he can

11:01:54

8

respond further to your question.

11:01:56

9

THE WITNESS: To the extent of

11:02:00

10

my recollection, as this investigation

11:02:01

11

was conducted some time ago, the

11:02:03

12

people I spoke to were the witnesses,

11:02:04

13

the law enforcement personnel to which

11:02:08

14

I referred to earlier, along with the

11:02:10

15

support staff that helps us assemble

11:02:12

16

documents, make copies and the like.

11:02:14

17

And anyone incidental to the service

11:02:16

18

of the lis pen notices, a doorman in a

11:02:19

19

building or something like that. But

11:02:23

20

the only significant contact would

11:02:25

21

have been with my fellow investigator

11:02:28

22

and the attorneys in the case.

11:02:31

23

BY MR. MOSCOW:

11:02:33

24

Q. When you say the witnesses, you

11:02:33

25

mean the people associated with Hermitage?

11:02:35

1

2

A. Correct.

11:02:37

3

Q. And we're in agreement that they

11:02:37

4

were not eye witnesses to any of the

11:02:43

5

transactions listed in the complaint?

11:02:44

6

A. I'm unaware of what they can

11:02:47

7

testify to or authenticate.

11:02:50

8

Q. Did you ask them?

11:02:52

9

A. I don't think we brought that up

11:02:53

10

in the conversation.

11:02:56

11

Q. Was there anything in what they

11:02:59

12

told you about what they had done that would

11:03:01

13

make you think that they were in fact eye

11:03:03

14

witnesses to any of the transactions listed

11:03:05

15

in the complaint?

11:03:07

16

A. Well, they had personal

11:03:09

17

knowledge and association with Sergei

11:03:10

18

Magnitsky.

11:03:15

19

Q. Excuse me. You say they had

11:03:16

20

personal knowledge, you mean they knew the

11:03:17

21

man?

11:03:19

22

A. Some of the staff members in

11:03:19

23

Hermitage knew Sergei. Or we were told

11:03:21

24

that.

11:03:28

25

Q. They worked with him; correct?

11:03:28

1

2

A. Correct.

11:03:29

3

Q. And they left Russia; correct?

11:03:30

4

A. That's correct.

11:03:32

5

Q. And he did not?

11:03:32

6

A. That's correct.

11:03:34

7

Q. And the complaint deals with

11:03:34

8

what happened after that in substantial

11:03:36

9

part; does it not?

11:03:40

10

A. Yes.

11:03:41

11

Q. So they weren't there?

11:03:41

12

A. Not for that part, no.

11:03:46

13

Q. Okay. What law enforcement

11:03:48

14

agents did you speak with?

11:03:51

15

A. Well, like I mentioned, I spoke

11:03:53

16

with Sarah Brady, and the U.S. Attorneys.

11:03:55

17

We have -- the only other communications

11:04:00

18

would be with my fellow agents, my

11:04:05

19

supervisor.

11:04:07

20

Q. Was that in the nature of

11:04:09

21

reporting on what you had done or in terms

11:04:11

22

of gathering information or something else?

11:04:14

23

A. Reporting on what I had done.

11:04:16

24

Q. Would it be correct that the

11:04:18

25

United States did not have witnesses other

11:04:24

1

2 than those from Hermitage?

11:04:27

3

A. For --

11:04:31

4

MR. ADAMS: Objection.

11:04:33

5

You can answer to the extent

11:04:35

6

that you're not going to reveal a law

11:04:36

7

enforcement privilege.

11:04:38

8

MR. MOSCOW: I'm sorry.

11:04:39

9

Q. Does the United States have any

11:04:44

10

witnesses other than those associated with

11:04:46

11

Hermitage?

11:04:48

12

A. Not to -- not to my

11:04:52

13

recollection. Other than those asserted --

11:04:54

14

other than those covered under the law

11:04:57

15

enforcement assertion.

11:04:59

16

Q. Well, that could be 150 people.

11:05:01

17

MR. MOSCOW: Are you directing

11:05:07

18

the witness not to answer the

11:05:08

19

question? The question is do they

11:05:09

20

have any witnesses, are you saying no,

11:05:11

21

you will not permit him to answer?

11:05:13

22

MR. ADAMS: To the extent he has

11:05:14

23

spoken to witnesses who are protected

11:05:16

24

by law enforcement privilege, I'm

11:05:19

25

instructing him not to answer.

11:05:21

1

2 BY MR. MOSCOW:

11:05:22

3 Q. Are there any such witnesses?

11:05:23

4 MR. ADAMS: You can answer.

11:05:29

5 A. Yes.

11:05:31

6 Q. Do any of them purport to be

11:05:33

7 competent witnesses to the events?

11:05:35

8 MR. ADAMS: Objection.

11:05:40

9 You can answer.

11:05:46

10 A. No.

11:05:47

11 Q. Is the United States relying on

11:05:54

12 information obtained by electronic

11:05:57

13 intercepts?

11:06:01

14 A. Can you clarify that? Like are

11:06:05

15 you talking about bank wires or things like

11:06:08

16 that, or are you talking about electronic

11:06:10

17 wiretaps?

11:06:16

18 Q. By electronic intercepts, I mean

11:06:18

19 interception of the electronic transmission

11:06:22

20 of computer data, interception of

11:06:25

21 conversations, anything covered by Title 3

11:06:29

22 of the Omnibus Crime Control Act, or

11:06:31

23 anything covered by FISA.

11:06:34

24 A. No.

11:06:37

25 Q. There are no, as far as you

11:06:38

1

2 know, this case does not rely in any respect 11:06:40

3 on information obtained by electronic means? 11:06:44

4 A. As far as I know, yes, it does 11:06:47

5 not rely. 11:06:50

6 Q. Your answer now is binding on 11:06:51

7 the government. Is that the answer for the 11:06:52

8 government? 11:06:54

9 A. Yes. 11:06:54

10 Q. Now, if you could just look at 11:06:55

11 Exhibit A to the complaint, which is Exhibit 11:07:13

12 1. 11:07:17

13 A. Okay. Exhibit A. You are 11:07:19

14 referring to the photographs? 11:07:25

15 Q. What is Exhibit A to Exhibit 1? 11:07:28

16 A. Okay. It's a series of 11:07:31

17 photographs of what appear to be dilapidated 11:07:35

18 buildings. 11:07:44

19 Q. Did you take the photographs? 11:07:46

20 A. No, I did not. 11:07:47

21 Q. Did the United States take the 11:07:48

22 photographs? 11:07:50

23 A. Not that I know. 11:07:50

24 Q. Did any agent of the United 11:07:51

25 States visit the locations where the 11:07:53

1

2 photographs were ostensibly taken?

11:07:55

3

A. No, not that I'm aware of.

11:07:57

4

Q. Did anyone from the United

11:07:58

5

States interview any of the people who live

11:08:00

6

or work at those buildings?

11:08:02

7

A. Not that I'm aware of.

11:08:03

8

Q. Did the United States speak with

11:08:05

9

the people who took the pictures?

11:08:13

10

A. Not that I'm aware of.

11:08:15

11

Q. Let's go back to the -- well,

11:08:17

12

let's not. Let's move on.

11:08:36

13

Just a follow-up to that before

11:08:42

14

I move on. Does the United States know who

11:08:44

15

took the photographs?

11:08:49

16

A. Not that I'm aware of. I don't

11:08:49

17

recall.

11:08:58

18

THE WITNESS: Can I have a

11:09:05

19

moment to confer?

11:09:06

20

MR. MOSCOW: We will get back to

11:09:10

21

that. Let's move on.

11:09:11

22

BY MR. MOSCOW:

11:09:17

23

Q. I direct your attention to

11:09:17

24

Exhibit 9.

11:09:19

25

A. 9?

11:09:24

1

2

MR. MOSCOW: I'm sorry, this

11:09:36

3

should be Exhibit 6.

11:09:38

4

(Deposition Exhibit 6 for

11:09:39

5

identification, flow chart.)

11:10:00

6

THE WITNESS: This is a copy of

11:10:00

7

the flow chart that's attached to the

11:10:02

8

complaint.

11:10:05

9

MR. MOSCOW: Bear with me for a

11:10:16

10

moment.

11:10:17

11

THE WITNESS: Sure.

11:10:18

12

BY MR. MOSCOW:

11:11:05

13

Q. Directing your attention to

11:11:05

14

Exhibit B to complaint, which we have

11:11:07

15

separately marked as Exhibit 6.

11:11:11

16

A. Okay.

11:11:14

17

Q. Who prepared the chart?

11:11:19

18

A. This chart was prepared by U.S.

11:11:21

19

Attorney's Office.

11:11:26

20

Q. From what was the chart

11:11:26

21

prepared?

11:11:28

22

A. From examine -- from records or

11:11:31

23

copies of bank records that were provided by

11:11:35

24

Hermitage associates or agents.

11:11:37

25

Q. Was the chart itself provided?

11:11:41

1

2

A. This specific chart was not

11:11:46

3

provided. There were other charts.

11:11:48

4

Q. Were they similar?

11:11:50

5

A. Yes.

11:11:51

6

Q. In what respect did they differ?

11:11:52

7

A. There may have been additional

11:11:55

8

transfers not pertinent to the case that

11:11:57

9

were -- or to other entities, or there may

11:11:59

10

have been supplemental information on it

11:12:03

11

that did not pertain to the case.

11:12:07

12

Q. Did you prepare this chart?

11:12:11

13

A. No, I did not.

11:12:13

14

Q. Did you compare this chart with

11:12:14

15

the records available to you?

11:12:17

16

A. Yes.

11:12:19

17

Q. Do you have the records of the

11:12:20

18

transfers from Bank Krainiy Sever to

11:12:29

19

Elenast?

11:12:33

20

A. I have copies of those records.

11:12:34

21

Q. Do you have records showing the

11:12:36

22

daily balance at the Elenast account at

11:12:40

23

Banca De Economii for the period February 1

11:12:45

24

through February 29, 2008?

11:12:49

25

A. We should have some -- we have

11:12:54

1

2 some of those records. 11:12:55

3 Q. Do you have a complete set of 11:12:56

4 the records of the transfers into the 11:12:58

5 Elenast account at Banca De Economii for the 11:13:02

6 period of February 2008? 11:13:05

7 A. No, I do not. 11:13:07

8 Q. Do you have a record of the 11:13:08

9 transfers out from the Elenast account at 11:13:10

10 Banca De Economii? 11:13:14

11 A. We have some of those records 11:13:16

12 too. 11:13:17

13 Q. Do you have a complete set? 11:13:17

14 A. No, I do not. 11:13:18

15 Q. If the account were to hit zero 11:13:20

16 at some date prior to February 13, 2008, 11:13:28

17 would you be able to determine -- prior to 11:13:39

18 the transfer to Prevezon that's reflected on 11:13:42

19 the chart. 11:13:45

20 A. If you're referring to the 11:13:47

21 lowest intermediary balance question, the -- 11:13:49

22 during the time -- 11:13:57

23 Q. I'm not. 11:13:59

24 A. Okay. What are you referring to 11:14:00

25 then? 11:14:02

1

2

Q. Did the Elenast account at Banca

11:14:02

3

De Economii go -- hit zero or go below zero

11:14:06

4

during the period February 1 to February

11:14:10

5

12th?

11:14:14

6

A. Not to my knowledge. Not on the

11:14:15

7

basis of the records I examined.

11:14:17

8

Q. If it had done so, would that

11:14:19

9

have any implications for the amount of

11:14:23

10

money from Bank Krainiy Sever at the Elenast

11:14:25

11

account available to go to Prevezon?

11:14:31

12

A. Well, I interpret that, your

11:14:32

13

question to refer to the lowest intermediate

11:14:35

14

balance issue. And if the balance hit zero

11:14:37

15

prior to them sending out the funds, then

11:14:40

16

that would have impacted.

11:14:43

17

Q. What would the impact be?

11:14:46

18

A. The impact would have been we

11:14:50

19

would be unable --

11:14:52

20

Q. No, no. What would the impact

11:14:54

21

be? Not what the impact would have been,

11:14:55

22

what would it be?

11:14:58

23

A. Well, assuming that the balance

11:15:00

24

would have hit zero, because this is a

11:15:03

25

hypothetical question, is my understanding,

11:15:06

1

2 then the impact would have been had it hit 11:15:09
3 zero, then we would not have been able to 11:15:13
4 ascertain that the funds flow out of the 11:15:15
5 account would have come from the same funds 11:15:17
6 flow into the account. 11:15:19

7 Q. But you assuredly would; would 11:15:21
8 you not? You would have been able to 11:15:23
9 ascertain that it did not come; isn't that 11:15:24
10 right? 11:15:27

11 A. Right. When I said we wouldn't 11:15:27
12 been able -- not been able to say that it 11:15:30
13 did come, is what I say. 11:15:32

14 Q. But in fact you'd be able to say 11:15:34
15 that as to whatever monies came before it 11:15:35
16 hit zero, that they were not part of the 11:15:38
17 funds available to move on? 11:15:40

18 A. That's correct. 11:15:41

19 Q. Now, what accounting 11:15:42
20 assumptions, if any, were made in drawing up 11:15:46
21 this chart? 11:15:47

22 A. That as each -- each wire went 11:15:49
23 from one account to the other, they 11:15:55
24 contained in part or in whole some of the 11:15:57
25 proceeds from the fraud Russian Treasury 11:16:00

1

scheme, fraud Russian Treasury.

11:16:07

2

3

Q. What is the evidentiary basis

11:16:09

4

for that, if any?

11:16:11

5

A. Well, as we trace the flow of

11:16:12

6

funds from one account to the next account,

11:16:14

7

the flow of funds covers the amount that was

11:16:18

8

covered -- transferred in from the prior

11:16:23

9

account.

11:16:25

10

Q. I'm sorry. Let's start at the

11:16:32

11

top.

11:16:34

12

Do you have records reflecting

11:16:36

13

the transfer from the Russian Treasury to

11:16:37

14

the Intercommerz Bank for the account of

11:16:40

15

Parfenion?

11:16:44

16

A. Yes.

11:16:47

17

Q. How many accounts at the Russian

11:16:47

18

Treasury were involved in making those

11:16:50

19

transfers?

11:16:51

20

A. Just the main Russian Treasury

11:16:52

21

account. I'm not sure what you're asking.

11:16:54

22

Q. Did you verify -- is that the

11:16:57

23

information you received from Browder?

11:17:00

24

A. Yes, this is the information we

11:17:02

25

received from Browder, as drawn up.

11:17:03

1

2

Q. Did you check to see if it was

11:17:05

3

from two accounts or one account?

11:17:07

4

A. From --

11:17:09

5

Q. The transfer from the Russian

11:17:11

6

Treasury.

11:17:14

7

A. May I refresh my memory by

11:17:15

8

referring to the complaint?

11:17:17

9

Okay. If you're referring to

11:17:54

10

the information in paragraph 77 in the

11:17:56

11

complaint, the Russian Treasury made a

11:17:58

12

series of wire transfers into multiple

11:18:02

13

accounts over that time frame. Including

11:18:06

14

Parfenion's account, Rilend's account, and

11:18:14

15

Makhaon's account, which were the

11:18:17

16

fraudulently reregistered companies.

11:18:20

17

Q. Okay. I don't know how many

11:18:22

18

statements you could get into one

11:18:29

19

nonresponsive answer, but that was good.

11:18:31

20

Did the Russian Treasury have

11:18:33

21

one account or more than one account that

11:18:35

22

transferred money to the Parfenion account

11:18:37

23

at Intercommerz Bank?

11:18:40

24

A. I'm unaware. I don't know.

11:18:44

25

Q. You don't know.

11:18:46

1

2

Did the Russian Treasury have

11:18:49

3

one account or more than one account that

11:18:54

4

transferred money out to other companies?

11:18:56

5

A. I don't know.

11:19:03

6

Q. Is it the position of the United

11:19:09

7

States that you will be able to prove

11:19:11

8

transfers to Rilend and Makhaon, the

11:19:12

9

transfers that on this chart are shown as

11:19:19

10

going to USB?

11:19:21

11

THE WITNESS: Can I confer with

11:19:29

12

the attorneys?

11:19:30

13

THE VIDEOGRAPHER: The time is

11:19:33

14

11:19 a.m., we are going off the

11:19:36

15

record.

11:19:38

16

(Witness and counsel left the

11:19:41

17

deposition room.)

11:19:43

18

THE VIDEOGRAPHER: We are back

11:22:22

19

on the record, the time is 11:22 a.m.

11:22:29

20

THE WITNESS: Okay?

11:22:33

21

MR. MOSCOW: Please.

11:22:34

22

THE WITNESS: Before I answer

11:22:35

23

the question, I just want to clarify

11:22:36

24

something about the intermediate

11:22:38

25

balance. I'm aware that under some

11:22:39

1
2 certain circumstances it's -- you can 11:22:42
3 legally trace funds even though an 11:22:45
4 account has been zeroed out in the 11:22:49
5 interim period. That's the first 11:22:50
6 thing I'd like to say. 11:22:53

7 Secondly, as far as proving the 11:22:54
8 case, I'm not an attorney, but it's my 11:22:56
9 assumption that we are going to prove 11:22:59
10 our case at trial. 11:23:00

11 BY MR. MOSCOW: 11:23:04

12 Q. You are not speaking as an 11:23:04
13 investigator, you are not speaking as an 11:23:06
14 attorney, you are speaking as a spokesman 11:23:08
15 for the United States. 11:23:09

16 The question was whether you 11:23:12
17 intend to -- what is the evidence to prove 11:23:14
18 the transfers to USB from the Russian 11:23:19
19 Treasury? 11:23:25

20 A. Well, we have obtained copies of 11:23:25
21 the wire transfers. But we expect to get 11:23:27
22 further -- further evidence through the 11:23:29
23 discovery process, as well as responses from 11:23:34
24 the Russian government. 11:23:36

25 Q. Okay. When you say the 11:23:37

1

2 discovery process, you mean something other 11:23:39
3 than the MLAT, because that's the request to 11:23:43
4 the Russian government? 11:23:46

5 A. Yes. 11:23:48

6 Q. Do you expect that the 11:23:48
7 defendants have any evidence on those 11:23:50
8 transfers? 11:23:52

9 A. I expect the defendants have a 11:23:54
10 lot of evidence. But I can't tell you what 11:23:56
11 they specifically have until we have to go 11:23:59
12 through the process. 11:24:01

13 Q. Please articulate the reasons 11:24:01
14 for asserting that the defendants would have 11:24:03
15 records of the transfer from the Russian 11:24:05
16 Treasury to Rilend or Makhaon? 11:24:07

17 A. There may be evidence that the 11:24:12
18 defendants have. 11:24:14

19 Q. Please explain the reasons, not 11:24:14
20 the possibility, what reasons does the 11:24:16
21 United States have to believe that the 11:24:20
22 defendants would have that? 11:24:22

23 A. Maybe they've maintained them in 11:24:23
24 the course of their business transactions to 11:24:25
25 receive the wires from Banca De Economii. 11:24:28

1

2

Q. Maybe we're speaking cross

11:24:31

3

purposes.

11:24:33

4

A. I'm not certain what you're

11:24:34

5

referring to.

11:24:35

6

Q. I'm referring now to transfers

11:24:36

7

from the Russian Treasury to Rilend.

11:24:38

8

A. Okay.

11:24:45

9

Q. That took place, according to

11:24:45

10

your chart, which is Exhibit B to the

11:24:48

11

complaint, on December 26, 2007.

11:24:51

12

A. Okay. And you want to know?

11:24:56

13

Q. Is it your view that you could

11:25:00

14

get discovery from the defendants in this

11:25:03

15

case that would show those transfers?

11:25:05

16

A. I can't comment on what's in the

11:25:07

17

discovery. But it's possible that those,

11:25:09

18

copies of those records are in there, yes.

11:25:11

19

Q. When you say it's possible, why?

11:25:14

20

Why do you think that it's possible?

11:25:25

21

A. Because there may be something

11:25:27

22

in discovery that may prove that Prevezon

11:25:30

23

had more knowledge of the scheme than we

11:25:35

24

know at this point. And as part of that

11:25:40

25

knowledge of the scheme, maybe copies of

11:25:41

1

2 transactions that led up to the wire 11:25:43

3 transfers. 11:25:45

4 Q. Okay. That's speculation; 11:25:46

5 right? 11:25:48

6 A. Correct. 11:25:48

7 Q. Do you have any facts? 11:25:49

8 A. At this time, no. 11:25:50

9 Q. Do you have any documents -- 11:25:51

10 A. Other than -- 11:25:53

11 Q. -- that would establish the 11:25:55

12 defendants have any access to those records? 11:25:57

13 A. No. 11:25:59

14 Q. Do you have any witnesses? 11:25:59

15 A. Not at this time. 11:26:01

16 Q. Other than speculation, do you 11:26:03

17 have anything at all on that point? 11:26:04

18 A. No. 11:26:05

19 Q. The chart refers to transfers 11:26:06

20 from Parfenion to Intercommerz -- Parfenion 11:26:12

21 at Intercommerz to Fausta at Intercommerz. 11:26:20

22 Do you see that? 11:26:20

23 A. Yes. 11:26:24

24 Q. Do you have the records of those 11:26:24

25 transfers? 11:26:26

1

2

A. We have copies of those records,

11:26:27

3

some of those records.

11:26:30

4

Q. Do you have the opening account

11:26:31

5

statements for the Parfenion account?

11:26:33

6

A. No, we do not.

11:26:36

7

Q. Do you have the BIC records?

11:26:37

8

A. The what records?

11:26:40

9

Q. BIC.

11:26:41

10

A. BIC records? Can you clarify

11:26:43

11

that?

11:26:46

12

Q. Are there any rules involving

11:26:48

13

the transfer of money by wire inside the

11:26:50

14

Russian Federation?

11:26:53

15

A. I don't know what those rules

11:26:54

16

are.

11:26:56

17

Q. Do you know whether records --

11:26:57

18

whether transfers are required to have a

11:27:00

19

stated purpose?

11:27:02

20

A. I don't.

11:27:03

21

Q. Did you obtain the records from

11:27:05

22

Parfenion directing the transfer?

11:27:10

23

A. No, I did not.

11:27:14

24

Q. Did you obtain the opening

11:27:15

25

account records from Fausta?

11:27:18

1

2

A. No, I did not.

11:27:21

3

Q. Did you obtain the complete bank

11:27:22

4

records of Fausta?

11:27:25

5

A. I did not.

11:27:26

6

Q. Did you obtain the complete

11:27:27

7

records of Parfenion?

11:27:29

8

A. No, I did not.

11:27:31

9

Q. Did you obtain the records

11:27:32

10

showing the transfer from Parfenion to ZhK

11:27:33

11

at Sberbank?

11:27:37

12

A. Which one are you referring to?

11:27:40

13

Q. Sberbank, on Exhibit B. There

11:27:42

14

you go. Your finger is on it.

11:27:46

15

A. Sberbank.

11:27:50

16

Only copies of what was provided

11:27:51

17

by Hermitage.

11:27:54

18

Q. What was provided by Hermitage?

11:27:55

19

A. Copies of wire instructions and

11:27:56

20

work product derived from the copy of the

11:27:59

21

bank records that they had.

11:28:01

22

Q. Who gave the instructions?

11:28:02

23

A. I do not know.

11:28:03

24

Q. Are their names listed on the

11:28:06

25

wire instructions?

11:28:08

1

2 A. The names of people specifically 11:28:09

3 directing it? 11:28:12

4 Q. Yes. 11:28:13

5 A. I don't recall. 11:28:13

6 Q. Does Russia have bank secrecy? 11:28:20

7 A. I don't know. 11:28:23

8 Q. It's a matter of law, isn't it? 11:28:32

9 MS. MAGDO: Asked and answered. 11:28:39

10 A. I don't know. 11:28:40

11 Q. Does the United States know 11:28:41

12 whether Russian law keeps secret bank 11:28:42

13 accounts of companies and individuals? 11:28:45

14 A. I would have to confer with my 11:28:47

15 attorneys, or come back to it later to find 11:28:49

16 out for you. I personally am unaware. 11:28:51

17 MR. MOSCOW: We'll put that 11:28:55

18 aside, we'll get back to it. 11:28:56

19 Q. Trace the money from ZhK 11:29:01

20 account, it shows that it received money 11:29:05

21 from Fausta. Does it not? 11:29:07

22 A. Yes, it does. Along with 11:29:08

23 Parfenion. 11:29:12

24 Q. Yes, both. 11:29:13

25 And then it shows that there was 11:29:15

1

2 a transfer from ZhK account to Bank Krainiy 11:29:19

3 Sever. 11:29:24

4 A. Correct. 11:29:24

5 Q. From between February 5 and 11:29:25

6 February 11, 2008. Is that correct? 11:29:29

7 A. That's correct. 11:29:31

8 Q. What is the full amount of that 11:29:31

9 transfer? 11:29:34

10 A. 525 million rubles, from the 11:29:35

11 Sberbank into the Bank Krainiy Alfa Bank 11:29:41

12 account. And then there is an additional -- 11:29:45

13 Q. I'm sorry, I think you misspoke. 11:29:48

14 It's 525 from the ZhK account at Sberbank? 11:29:50

15 A. Correct. 11:29:54

16 Q. All right. 11:29:55

17 And then there is another 11:29:56

18 transfer into Bank Krainiy Sever on this 11:29:57

19 chart from the Univers account at 11:30:00

20 Mosstroieconombank; is that correct? 11:30:04

21 A. Correct. 11:30:06

22 Q. And that's for a total of 290 11:30:07

23 million rubles? 11:30:09

24 A. Correct. From that bank. 11:30:10

25 Q. Do you have -- as to the Univers 11:30:13

1

2 account -- let's go back up. 11:30:18

3 Do you have any records of the 11:30:21

4 Rilend account? 11:30:23

5 A. We have some records that were 11:30:24

6 provided by Hermitage agents, or copies 11:30:26

7 thereof. 11:30:29

8 Q. And how did you authenticate 11:30:29

9 those? 11:30:31

10 A. We have not. 11:30:31

11 Q. The Russian government said that 11:30:32

12 the records of USB were destroyed; did it 11:30:35

13 not? 11:30:38

14 A. Yes. 11:30:38

15 Q. Did that inspire you to check to 11:30:39

16 see how you could verify those records? 11:30:44

17 A. No, it did not. 11:30:47

18 Q. But you decided to accept them 11:30:51

19 as true for the purpose of freezing someone 11:30:53

20 else's property? 11:30:55

21 A. That's correct. 11:30:56

22 Q. On Exhibit B, there is a 11:31:00

23 transfer from Makhaon USB account to Anika 11:31:08

24 account, or ten transfers totalling 266 11:31:15

25 million rubles. 11:31:18

1

2

Do you see that?

11:31:18

3

A. Yes, I do.

11:31:20

4

Q. Do you have the opening account

11:31:21

5

statements for the Makhaon account?

11:31:22

6

A. Do not.

11:31:24

7

Q. Do you have the daily balances

11:31:25

8

for that account?

11:31:27

9

A. No, I do not.

11:31:28

10

Q. Do you have the records of the

11:31:29

11

monies in and out of that account?

11:31:31

12

A. We have some of the records --

11:31:32

13

copies of the records.

11:31:34

14

Q. Who selected those records?

11:31:35

15

A. I don't know who selected the

11:31:38

16

records. But they came from Hermitage

11:31:39

17

agents.

11:31:42

18

Q. So now the Anika account

11:31:50

19

transfers money to the Univers account.

11:31:56

20

Correct?

11:32:00

21

A. I see that, yes, correct.

11:32:00

22

Q. How much money was in the Anika

11:32:02

23

account?

11:32:04

24

A. Can you be a little more

11:32:05

25

specific?

11:32:09

1

2

Q. Sure.

11:32:09

3

On the day that the money was

11:32:10

4

transferred by Anika to Univers, how much

11:32:11

5

money was in the account?

11:32:15

6

A. I don't recall the specific

11:32:16

7

amount, but it was --

11:32:17

8

Q. Do you know?

11:32:19

9

A. I don't recall. It had to have

11:32:21

10

been at least 69.9 million rubles, because

11:32:24

11

that was the amount that came out.

11:32:28

12

Q. Could it have been a billion

11:32:29

13

rubles?

11:32:32

14

A. Could have been.

11:32:32

15

Q. Do you have any -- what is the

11:32:33

16

basis for saying that the 66 million rubles

11:32:36

17

that went from Anika account to the Univers

11:32:38

18

account came from the Russian Treasury?

11:32:41

19

A. Well, we traced the money into

11:32:45

20

that account from the USB Makhaon account,

11:32:49

21

or an amount in excess of that into that

11:32:54

22

account.

11:32:56

23

Q. So you made an assumption, is

11:32:56

24

that what you're saying?

11:32:59

25

A. Which assumption?

11:33:01

1

2

Q. You say -- look. You're telling

11:33:03

3

us that this money went from the Russian

11:33:06

4

Treasury to the Makhaon account.

11:33:08

5

A. Correct.

11:33:10

6

Q. And you're saying that the

11:33:11

7

Russians say that the records don't exist.

11:33:13

8

A. Correct.

11:33:15

9

Q. And based on the documents you

11:33:16

10

have, without knowing the daily balance and

11:33:18

11

without knowing the source, other sources of

11:33:20

12

funds or other disbursements, you traced

11:33:23

13

the -- you traced \$266 million to the Anika

11:33:28

14

account?

11:33:32

15

A. Correct.

11:33:33

16

Q. What is the accounting

11:33:33

17

assumption -- withdrawn.

11:33:35

18

Did you get the wire transfers

11:33:36

19

showing who gave the instructions for the

11:33:38

20

transfer?

11:33:40

21

A. No, we did not.

11:33:41

22

Q. Was the person who gave the

11:33:42

23

instructions for the transfer a member of

11:33:45

24

the organization?

11:33:48

25

A. I don't know.

11:33:48

1

2

Q. Would that be the same answer

11:33:48

3

for each transfer on this chart, that you

11:33:54

4

don't know if the person who gave the

11:33:57

5

instructions was a member of the

11:33:58

6

organization?

11:34:00

7

A. That would be correct.

11:34:00

8

Q. Would it be true that as to each

11:34:01

9

transfer you don't know if it was an

11:34:04

10

associate of the organization?

11:34:06

11

A. That would be correct. Except

11:34:07

12

insofar, I want to qualify that, that the

11:34:11

13

Russian Treasury transfer releases were tax

11:34:14

14

free funds authorized by two members of the

11:34:17

15

organization.

11:34:20

16

Q. I have read the complaint, I

11:34:21

17

want to distinguish in your mind for the

11:34:26

18

purpose of these questions the difference

11:34:28

19

between authorizing and instructing the

11:34:30

20

transfer.

11:34:33

21

A. Okay. So you wish to separate

11:34:34

22

the actual physical wire transfer from the

11:34:35

23

okay to.

11:34:37

24

Q. Who authorized the transfer, and

11:34:38

25

you don't know?

11:34:40

1

2

A. Right, okay.

11:34:42

3

Q. I take the point that you allege

11:34:42

4

that the two members of the organization

11:34:45

5

were working at the Treasury.

11:34:47

6

A. Okay.

11:34:50

7

Q. But as to the other transfers,

11:34:55

8

you have no such knowledge?

11:34:57

9

A. That's correct.

11:34:59

10

Q. As to the Anika account, you do

11:34:59

11

not know who directed the transfer, and you

11:35:06

12

do not have records of that. Is that

11:35:09

13

correct?

11:35:11

14

A. We don't know who directed, but

11:35:11

15

we have copies of wire, some of the

11:35:14

16

copies -- some copies of wire instructions

11:35:16

17

directing the transfer. That's how we would

11:35:20

18

know the amounts.

11:35:22

19

Q. Do those -- okay.

11:35:24

20

Do you have the BIC forms?

11:35:26

21

A. No, I do not.

11:35:28

22

Q. Do you have the identity of the

11:35:29

23

person who gave the instructions?

11:35:31

24

A. No, I do not.

11:35:32

25

Q. Exhibit B reflects deposits into

11:35:33

1

2 the Univers account from Rilend, from Anika, 11:35:46

3 and from Fausta. 11:35:51

4 Do you see that? 11:35:51

5 A. Yes, I do. 11:35:53

6 Q. And it shows transfers in of 11:35:54

7 approximately, what is it, 171.6 million? 11:36:04

8 A. That's an approximate amount. 11:36:09

9 Q. And it shows transfers out from 11:36:11

10 the Univers account of 290 million. Is that 11:36:14

11 correct? 11:36:18

12 A. Correct. 11:36:18

13 Q. Would it be mathematically 11:36:19

14 required that at least 117 million rubles 11:36:25

15 were not from Treasury? 11:36:29

16 A. You mean the difference between 11:36:32

17 what was transferred in and what was 11:36:36

18 transferred out? 11:36:38

19 Q. Yeah. 11:36:38

20 A. Okay. Your question is would it 11:36:39

21 be mathematically possible? 11:36:41

22 Q. No, required, not possible. 11:36:43

23 A. That it would not come from the 11:36:45

24 Treasury? 11:36:47

25 Q. Correct. 11:36:47

1

2

A. I would not -- I wouldn't be

11:36:48

3

able to tell you where the source of the

11:36:50

4

other deposits. But it's certainly possible

11:36:52

5

it didn't come from Treasury, but it could

11:36:54

6

also have come from Treasury. I don't know.

11:36:57

7

Q. You don't allege that it came

11:36:58

8

from the Treasury?

11:37:00

9

A. Right, that's correct.

11:37:00

10

Q. Now, the total going in to Bank

11:37:03

11

Krainiy Sever, you have 290 million rubles,

11:37:09

12

plus 525, reflected on Exhibit B. Is that

11:37:13

13

correct?

11:37:17

14

A. That's correct.

11:37:17

15

Q. Total of that is 815 million.

11:37:18

16

Is that correct?

11:37:21

17

A. That's correct.

11:37:21

18

Q. How much leaves, according to

11:37:22

19

this chart?

11:37:25

20

A. You have 528 million rubles

11:37:26

21

leaving from their account into Bunicon's

11:37:30

22

bank account in the Moldovan bank, and you

11:37:37

23

have an additional 657 million rubles going

11:37:39

24

to Elenast's account at Banca De Economii.

11:37:42

25

For a total, approximately, 1.2 --

11:37:46

1

2

Q. 1.85.

11:37:52

3

A. What?

11:37:56

4

Q. 1,185,000,000?

11:37:57

5

A. Approximately.

11:38:01

6

Q. 370 million rubles more than are

11:38:03

7

purported to have come in from the Treasury?

11:38:05

8

A. Correct.

11:38:08

9

Q. Except that the purported coming

11:38:08

10

in from the Treasury includes 117 million

11:38:11

11

that you can't say came from the Treasury?

11:38:13

12

A. That's correct.

11:38:16

13

Q. So that's about 487 million

11:38:16

14

rubles that came out of Bank Krainiy Sever

11:38:19

15

that are not alleged to be part of the

11:38:22

16

Treasury funds?

11:38:25

17

A. That would be correct.

11:38:26

18

Q. What is the factual basis for

11:38:39

19

the assertion that it was Treasury funds

11:38:41

20

that went to Prevezon from Krainiy Sever?

11:38:44

21

A. Well, some of the flow of

11:38:49

22

Russian Treasury funds worked their way to

11:38:51

23

Bank Krainiy Sever's account. And then some

11:38:55

24

of the funds that were commingled with other

11:38:59

25

funds then leave Bank Krainiy Sever into the

11:39:02

1

2 two Moldovan companies' account. And then 11:39:07

3 from there they go to Prevezon's account. 11:39:12

4 And in every instance of the 11:39:15

5 transfer, the preceding transfer's balance 11:39:17

6 is at least, contains at least the amount -- 11:39:20

7 no, the forwarding transfer contains at 11:39:23

8 least the amount of the preceding amount 11:39:25

9 transfer into the accounts. 11:39:28

10 Finally winding up with 11:39:36

11 Prevezon's, the amount of transfers that 11:39:38

12 went into Prevezon. 11:39:40

13 Q. So you're using an accounting 11:39:41

14 assumption there; is that correct? 11:39:43

15 A. Correct. 11:39:44

16 Q. You have no evidence to tie the 11:39:44

17 payment from Krainiy Sever through Bunicon 11:39:47

18 to Prevezon; is that correct? You have an 11:39:53

19 accounting assumption, because you can show 11:39:58

20 that money went from Krainiy Sever to 11:40:00

21 Bunicon and from Bunicon to Prevezon. 11:40:03

22 A. Right. 11:40:06

23 Q. But you do not have any evidence 11:40:06

24 whatever to show that it was a member of the 11:40:08

25 organization who directed it; is that right? 11:40:10

1

2

A. No, we do not. The only thing

11:40:12

3

that we would have would be statements made

11:40:14

4

by Prevezon's owner, Dennis Katsyv, through

11:40:16

5

a representative that this money was

11:40:22

6

mischaracterized, and that Mr. Katsyv

11:40:28

7

would -- first Mr. Katsyv would be aware of

11:40:31

8

money laundering statutes through his prior

11:40:33

9

interactions with --

11:40:35

10

Q. Excuse me. I'm asking you what

11:40:37

11

evidence you have. We'll get to those other

11:40:38

12

points later.

11:40:40

13

A. Okay.

11:40:41

14

Q. I'm fascinated.

11:40:42

15

But let's start with, you don't

11:40:44

16

have any evidence that the money was

11:40:45

17

transferred by a member of the organization?

11:40:47

18

A. No, we do not.

11:40:49

19

Q. Or an associate of the

11:40:50

20

organization?

11:40:52

21

A. No, we do not.

11:40:52

22

Q. And you have money going from

11:40:53

23

Krainiy Sever to Elenast.

11:40:55

24

A. Correct.

11:40:56

25

Q. And the reason you know that

11:40:57

1

2 that includes Treasury money, to the extent 11:41:00
3 that you know anything, is that it is 11:41:04
4 possible? You have 370 million rubles more 11:41:08
5 going out than is coming in. And we're 11:41:16
6 talking about a transfer to Prevezon of a 11:41:21
7 total of \$857,353.18? 11:41:24

8 A. Correct. 11:41:30

9 Q. So what is the mathematical 11:41:31
10 necessity, if any, for the money from 11:41:35
11 Krainiy Sever being from the Treasury that 11:41:40
12 went into Prevezon? 11:41:42

13 A. The equivalent ruble amount that 11:41:45
14 goes into the Prevezon account would have to 11:41:49
15 be at least the equivalent ruble amount that 11:41:52
16 exited the Krainiy Sever account. 11:41:59

17 Q. That's an assumption. Correct? 11:42:04

18 A. That's an accounting assumption, 11:42:07
19 yes. 11:42:10

20 Q. But it's not that you have 11:42:10
21 someone saying I directed the transfer to go 11:42:11
22 here, and someone else saying I directed it 11:42:13
23 to go there because that was part of the 11:42:16
24 agreement? 11:42:18

25 A. That's correct. 11:42:19

1

2

Q. You have none of that?

11:42:19

3

A. No, we don't have that.

11:42:20

4

Q. So every transfer here is based

11:42:21

5

on copies that are not authenticated, of

11:42:26

6

records that are incomplete, based on an

11:42:32

7

accounting assumption. Is that right?

11:42:35

8

A. That would be correct.

11:42:38

9

Q. I asked you before if the United

11:42:44

10

States is aware whether the account at

11:42:47

11

Elenast went to zero at some time prior to

11:42:49

12

February 13th after February 1st.

11:42:52

13

A. Yes, we talked about that.

11:42:57

14

Q. Is the United States aware of

11:43:00

15

that?

11:43:02

16

A. That it went to zero in between

11:43:03

17

those two time frames, no, we are not.

11:43:05

18

Q. Do you know whether or not money

11:43:08

19

went to Elenast from other accounts than

11:43:16

20

Krainiy Sever?

11:43:19

21

A. I'm unaware of where it came

11:43:21

22

from.

11:43:25

23

Q. Have you seen the records of

11:43:26

24

Elenast at Banca De Economii?

11:43:28

25

A. I've seen some of the records.

11:43:31

1

2 Some of the copies of the records. 11:43:33

3 Q. Do you have the opening account 11:43:35

4 statements? 11:43:39

5 A. No, I do not. 11:43:39

6 Q. Do you have statements showing 11:43:40

7 the daily balances for each date? 11:43:44

8 A. I do not. 11:43:46

9 Q. Okay. Now, let's go from 11:43:46

10 Elenast let's go over to Bunicon. 11:43:53

11 A. Okay. 11:44:01

12 Q. You reflect a transfer of 528 11:44:02

13 million rubles. 11:44:04

14 A. Correct. 11:44:07

15 Q. On February 5th and 6th. 11:44:07

16 A. That's correct. 11:44:09

17 Q. Do the files of the United 11:44:10

18 States have any charts roughly similar to 11:44:12

19 this reflecting a 638 million ruble 11:44:14

20 transfer? 11:44:19

21 A. I don't recall whether the 11:44:25

22 specific number is in any chart. But we 11:44:26

23 have a chart, again, like I mentioned 11:44:28

24 earlier, that looks something similar to 11:44:30

25 this that was provided. 11:44:31

1

2 Q. I'm asking is there a chart for 11:44:32
3 the period February 4 through February 6 11:44:35
4 reflecting 110 million rubles, additional 11:44:38
5 rubles, going from Krainiy Sever to Bunicon? 11:44:41

6 A. I don't recall such a chart. 11:44:48
7 But we may have something like that. 11:44:50

8 Q. That's not an answer. 11:44:55

9 A. The answer would be I don't 11:44:57
10 know. I can't recall at this time. 11:44:59

11 Q. Okay. You will check your files 11:45:01
12 and get back to us on that? 11:45:03

13 A. Absolutely. 11:45:05

14 Q. It's not something you can't 11:45:06
15 know. It either is or is not in the file. 11:45:08

16 A. Correct. 11:45:10

17 Q. Are you aware of a decision to 11:45:16
18 exclude the transfer of 110 million rubles 11:45:18
19 from Krainiy Sever to Bunicon because it 11:45:20
20 came before the rubles came in from ZhK? 11:45:24

21 A. I don't recall that decision to 11:45:33
22 exclude anything. 11:45:35

23 Q. My question is really, why 11:45:35
24 was -- why did the amount go from 638 to 11:45:37
25 528? 11:45:41

1

2

A. Again, I would have to check the

11:45:41

3

government files or the files that I have

11:45:43

4

that even show the 638. I don't recall any

11:45:44

5

reason to exclude or if the chart even

11:45:52

6

reflected that. But I'll check.

11:45:53

7

Q. Now, just for the record, the

11:45:55

8

amount of money involved in the transfer

11:46:00

9

that is not alleged to be Treasury money is

11:46:07

10

approximately \$19.4 million; is that not

11:46:10

11

right?

11:46:15

12

A. Can you?

11:46:15

13

Q. The transfer from Krainiy Sever

11:46:16

14

to Elenast and Bunicon.

11:46:23

15

A. Okay. The 528 million rubles.

11:46:25

16

Q. No. What is the total value of

11:46:32

17

the transfer in dollars, if you know?

11:46:37

18

A. I don't know. I would have to

11:46:39

19

convert the 528. If you'll allow me, I can

11:46:42

20

check the complaint and see if we.

11:46:53

21

Q. Sure.

11:46:56

22

A. I can't -- I don't see the

11:47:52

23

conversion from rubles to dollars. So I

11:47:53

24

wouldn't be able to tell you what the 528

11:47:57

25

million rubles translates to in dollars.

11:47:59

1

2 Q. Okay. Give me a moment. 11:48:02

3 A. Sure. 11:48:05

4 Q. Direct your attention to Exhibit 11:48:35

5 7. 11:48:37

6 (Deposition Exhibit 7 for 11:48:40

7 identification, flow chart.) 11:49:08

8 BY MR. MOSCOW: 11:49:08

9 Q. Please examine Exhibit 7 and 11:49:09
10 compare with Exhibit 6. 11:49:11

11 A. Okay. 11:49:12

12 I see you have the nonU.S. 11:49:35

13 Treasury portion. 11:49:38

14 Okay. Is there anything 11:49:55

15 specific you need me to draw attention to? 11:49:57

16 Q. Well, directing your attention 11:49:59

17 to Exhibit B and to -- I'm sorry, to Exhibit 11:50:00

18 B, which is Exhibit 6, and to Exhibit 7. 11:50:08

19 A. Okay. 11:50:12

20 Q. Is the information on Exhibit B 11:50:12

21 on Exhibit 7? 11:50:16

22 A. Yes. But there is additional 11:50:19

23 information on Exhibit 7. 11:50:21

24 Q. Directing your attention to the 11:50:26

25 information in red. 11:50:31

1

2

A. Okay.

11:50:40

3

Q. First, directing your attention

11:50:41

4

to the information in blue. Is that -- what

11:50:43

5

is that information? First to the Univers

11:50:51

6

account.

11:50:57

7

A. In the Univers account there is

11:50:57

8

a total on top of it in yellow that is

11:50:59

9

driving from the three transfers that went

11:51:03

10

into it.

11:51:07

11

Q. And without quibbling over small

11:51:08

12

amounts, is that approximately correct?

11:51:11

13

A. Approximately correct, yes.

11:51:14

14

Q. Okay.

11:51:15

15

A. And then coming out is the, in

11:51:16

16

blue, is the 290 million rubles. And then a

11:51:18

17

statement of 117.6 million rubles

11:51:30

18

nonTreasury.

11:51:34

19

Q. And that would be the

11:51:35

20

mathematical difference between 290 going

11:51:36

21

out and 172.4 coming in?

11:51:39

22

A. Correct.

11:51:43

23

Q. If you look at Krainiy Sever.

11:51:46

24

A. Um-hum.

11:51:49

25

Q. There is a total of 815 million

11:51:49

1

2

in yellow?

11:51:52

3

A. Correct.

11:51:52

4

Q. And that is in fact the total

11:51:53

5

reflected on Exhibit B to the complaint?

11:51:54

6

A. Correct.

11:51:57

7

Q. And in blue there is a total

11:51:57

8

going out of 1,185,000,000 rubles?

11:52:00

9

A. Correct.

11:52:05

10

Q. Sorry, 1,185,000,000 rubles.

11:52:05

11

A. Right. Okay. And then there is

11:52:11

12

something else in blue.

11:52:13

13

Q. 370 million rubles nonTreasury,

11:52:14

14

and that would be the difference in math

11:52:17

15

between the total in and the total out;

11:52:19

16

correct?

11:52:22

17

A. Okay.

11:52:22

18

Q. Then underneath that in red, it

11:52:30

19

says, 487.6, which is the total of 370 from

11:52:33

20

Bank Krainiy Sever and 117.6 from the

11:52:40

21

Univers account, U.S. 19.5 million

11:52:44

22

nonTreasury.

11:52:49

23

Do you see that?

11:52:49

24

A. Yes, I see that.

11:52:50

25

Q. Leaving aside the possibility

11:52:51

1

2

that the funds you have not identified as

11:52:55

3

coming from the Treasury came from the

11:52:59

4

Treasury.

11:53:00

5

A. Okay.

11:53:01

6

Q. In other words, just from

11:53:01

7

somewhere else.

11:53:05

8

A. That's not --

11:53:05

9

Q. Leaving that aside.

11:53:06

10

A. Okay.

11:53:07

11

Q. Does the designation

11:53:08

12

"nonTreasury" accurately describe what you

11:53:10

13

can claim in the complaint?

11:53:13

14

A. Can you clarify that?

11:53:18

15

Q. Sure.

11:53:20

16

In the complaint you purport to

11:53:20

17

trace money.

11:53:24

18

A. Correct.

11:53:24

19

Q. If the tracing is the universe

11:53:25

20

of what's involved, do you agree that \$19.5

11:53:30

21

million is not alleged to have been from the

11:53:39

22

Treasury?

11:53:41

23

A. That's correct.

11:53:43

24

Q. And that money went to Bunicon

11:53:45

25

and Elenast with other money that is, by

11:53:49

1

2 your claims, alleged to have come from the 11:53:51

3 Treasury? 11:53:54

4 A. Possibly. It's no guarantee 11:53:55

5 that 19.5 was transferred along with the 11:53:57

6 funds that went to them. It could have been 11:54:01

7 that 19.5 could have been transferred who 11:54:03

8 knows where, and then other funds -- the 11:54:06

9 tainted funds could have just been the ones 11:54:08

10 that were transferred. We don't know at 11:54:12

11 this time. 11:54:13

12 Q. Actually you do. Because the 11:54:13

13 money out to Bunicon and Elenast includes 11:54:17

14 everything you say is tainted, plus another 11:54:22

15 \$19.5 million. Isn't that right? 11:54:24

16 A. The money out, yes, it would 11:54:30

17 include that. 11:54:32

18 Q. So that money necessarily was 11:54:33

19 non -- was not the Treasury funds about 11:54:35

20 which you're complaining, and went to 11:54:38

21 Bunicon and Elenast? 11:54:41

22 A. That would be correct. 11:54:43

23 Q. Who directed the transfer from 11:54:50

24 Bunicon to Prevezon? 11:54:53

25 A. From Bunicon and Elenast to 11:54:57

1

2

Prevezon?

11:55:02

3

Q. Who directed the transfer from

11:55:03

4

the Bunicon account to the Prevezon account

11:55:04

5

at UBS?

11:55:07

6

A. We don't know. We don't have a

11:55:10

7

record.

11:55:15

8

Q. Who directed the transfer from

11:55:15

9

Elenast to Prevezon?

11:55:18

10

THE WITNESS: May I confer with

11:55:22

11

the attorneys?

11:55:23

12

Q. Do you not know the answer?

11:55:28

13

A. Well, like I said, before I

11:55:30

14

answer, may I confer with the attorneys?

11:55:32

15

Q. You may.

11:55:35

16

THE VIDEOGRAPHER: Here marks

11:55:38

17

the end of videotape No. 1 in the

11:55:39

18

videotaped deposition of Mr. Todd S.

11:55:42

19

Hyman. We are going off the record,

11:55:44

20

and the time is 11:55 a.m.

11:55:46

21

(Witness and counsel left the

11:55:49

22

deposition room.)

11:55:51

23

THE VIDEOGRAPHER: Here marks

12:03:53

24

the beginning of videotape No. 2 in

12:03:54

25

the videotaped deposition of Mr. Todd

12:03:56

1

2

S. Hyman. We are back on the record,

12:03:58

3

the time is 12:04 p.m.

12:04:00

4

BY MR. MOSCOW:

12:04:06

5

Q. Mr. Hyman, we took a break to

12:04:06

6

consult.

12:04:08

7

A. Yes. While we don't have any

12:04:09

8

bank records or bank opening documents

12:04:11

9

regarding who authorizes the transfer of the

12:04:13

10

Bunicon and Elenast records, what we do have

12:04:18

11

is a statement by a representative,

12:04:21

12

Mr. Katsyv, that a Mr. Petrov, was sending

12:04:23

13

money for him to purchase property in New

12:04:28

14

York, but he was directing Mr. Kim to send

12:04:31

15

the money. And these transfers from Bunicon

12:04:34

16

and Elenast, which were themselves

12:04:40

17

mischaracterized as sanitary supplies, were

12:04:43

18

then sent to Prevezon.

12:04:46

19

MR. MOSCOW: What was the

12:04:53

20

question that was asked when we took a

12:04:54

21

break.

12:04:56

22

(Record read as requested.)

12:05:15

23

BY MR. MOSCOW:

12:05:16

24

Q. The question is who. Do you

12:05:16

25

have an answer?

12:05:18

1

2

A. I would say it would be

12:05:19

3

Mr. Petrov based on the statement that was

12:05:21

4

given by the representatives. Are you

12:05:23

5

talking about the specific bank?

12:05:26

6

Q. The statement that you just gave

12:05:31

7

is that Katsyv said that Petrov said that

12:05:35

8

Kim did something -- owed him money. Right?

12:05:39

9

A. Something to that effect.

12:05:43

10

Q. So if the transfer is coming

12:05:45

11

from Elenast to Prevezon, would it be Kim

12:05:47

12

sending it or Petrov?

12:05:53

13

A. It would be Kim sending it on

12:05:55

14

Petrov's behalf.

12:05:57

15

Q. Leave that aside for the moment.

12:05:58

16

The question is who directed the transfer?

12:06:01

17

A. It would be Kim.

12:06:03

18

Q. Okay. Before we broke, the

12:06:04

19

question was, who directed the transfer.

12:06:19

20

And your answer is that it was -- that you

12:06:22

21

do not know, but that if in fact a statement

12:06:27

22

you attribute to Katsyv about what Petrov

12:06:32

23

said that Kim did is correct, then it would

12:06:35

24

have been Kim?

12:06:39

25

A. That would be correct.

12:06:41

1

2 Q. It's a lot of hypotheticals; 12:06:46

3 isn't it? 12:06:49

4 MR. ADAMS: Objection. 12:06:50

5 A. I -- based on the statements 12:06:51

6 that we have -- 12:06:56

7 Q. Did you check -- the statement 12:07:00

8 from Katsyv, who interviewed him? 12:07:03

9 A. The statements actually came 12:07:05

10 from his representative. 12:07:06

11 Q. Who in the United States 12:07:09

12 interviewed his representative? 12:07:10

13 A. No one that I'm aware of. 12:07:12

14 Q. So the statements actually came 12:07:14

15 from someone else; is that correct? Not 12:07:16

16 from his representative. The statement -- 12:07:20

17 A. Right. 12:07:23

18 Q. -- attributed to his 12:07:24

19 representative came from someone other than 12:07:27

20 his representative. Is that correct? 12:07:29

21 A. That would be correct. They 12:07:30

22 were also posted on the web. 12:07:31

23 Q. Does posting something on the 12:07:34

24 web make it true? 12:07:38

25 A. No. 12:07:39

1

2 Q. Did you verify if it was true? 12:07:40

3 A. No. 12:07:42

4 Q. Did you call the representative? 12:07:42

5 A. No, I did not. 12:07:44

6 Q. Did anyone from the United 12:07:45

7 States call the representative? 12:07:47

8 A. Not that I'm aware of. 12:07:47

9 Q. Who provided you with the 12:07:49

10 statement that purports to be from the 12:07:51

11 representative reflecting what Katsyv said 12:07:53

12 that Petrov said that Kim might have done? 12:07:55

13 A. This would come from the 12:07:57

14 Hermitage agents, as well as the websites 12:08:00

15 maintained by Hermitage. 12:08:02

16 Q. So that all reduce down to 12:08:05

17 people taking direction from Browder? 12:08:07

18 A. Presumably. 12:08:10

19 Q. And you found him credible? 12:08:12

20 A. Yes. 12:08:15

21 Q. Is there any other basis for 12:08:15

22 that case than your finding of him to be 12:08:16

23 credible? 12:08:19

24 A. Well, I mean, some of the 12:08:20

25 statements he gave us are corroborated by 12:08:21

1

2 other documents that he provided. 12:08:24

3 Particularly, for example, the initial 12:08:27

4 Russian wire Treasury -- the transfers, the 12:08:32

5 fact that not only is he alleging that they 12:08:36

6 were inappropriate, but there is actually a 12:08:39

7 copy of a Russian conviction regarding this 12:08:41

8 scheme that shows that these were 12:08:45

9 illegitimate transfers. And other -- 12:08:46

10 Q. No, let's step back. 12:08:55

11 A. Okay. 12:08:57

12 Q. From whom did you obtain the 12:08:57

13 Russian conviction? 12:09:00

14 A. Hermitage agents. 12:09:01

15 Q. How many convictions did they 12:09:09

16 give you? 12:09:10

17 A. There were three people 12:09:11

18 convicted. So I have a copy of at least one 12:09:12

19 court document, or what purports to be a 12:09:15

20 court document. 12:09:18

21 Q. Okay. Who were convicted? 12:09:19

22 A. There were three defendants. 12:09:26

23 And if I can refresh from Exhibit 1, I 12:09:28

24 believe we mention their names. 12:09:30

25 We have a one Mr. Markelov, a 12:10:32

1

2 Mr., I'm probably going to mispronounce 12:10:37
3 this, Khlebnikov, and -- and there is also 12:10:42
4 another individual who is also named but not 12:10:52
5 yet convicted. But there is at least two 12:10:54
6 people given those names. 12:10:57

7 Q. Do you have records of the 12:11:01
8 convictions of Markelov and Khlebnikov? 12:11:03

9 A. I have copies of the convictions 12:11:09
10 that were provided by Hermitage agents. 12:11:11

11 Q. Do you know if they're genuine? 12:11:13

12 A. They appear to be, but I do not 12:11:15
13 know for certain. 12:11:18

14 Q. Do you have a copy of the 12:11:19
15 conviction of Browder? 12:11:20

16 A. I do not. 12:11:22

17 Q. Was he convicted of fraud? 12:11:25

18 A. I'm aware that Browder, along 12:11:36
19 with Sergei Magnitsky, was convicted of some 12:11:38
20 offense in Russia. I don't know 12:11:43
21 specifically what the offense was. 12:11:45

22 Q. Did you read the document -- did 12:11:46
23 you obtain the document, let's start off 12:11:48
24 with that, did you obtain the document? 12:11:50

25 A. No, I did not. His conviction, 12:11:52

1

2 no, I did not. 12:11:54

3 Q. Would a fraud conviction affect 12:11:55

4 your opinion of someone's credibility, yes 12:11:57

5 or no? 12:11:59

6 A. Potentially. 12:11:59

7 Q. Did you read the conviction? 12:12:00

8 A. No, I did not. 12:12:03

9 Q. Did you ever attempt to get in 12:12:04
10 touch with Katsyv? 12:12:12

11 A. No, I did not. 12:12:13

12 Q. Did you ever attempt to get in 12:12:14
13 touch with his lawyer in New York before 12:12:17
14 your serving legal process? 12:12:22

15 A. No, I did not. 12:12:24

16 Q. And you did not attempt to get 12:12:25
17 in touch with Representative One? 12:12:29

18 A. No, I did not. 12:12:34

19 Q. Did you ever attempt to get in 12:12:35
20 touch with Petrov? 12:12:36

21 A. No, I did not. 12:12:37

22 Q. Was Petrov a member of the 12:12:38
23 organization? 12:12:40

24 A. I don't know. 12:12:41

25 Q. Do you have any evidence 12:12:41

1

2 supporting the proposition that he is? 12:12:42

3 A. I don't. 12:12:47

4 Q. Does the United States? 12:12:47

5 A. Not that I'm aware of. 12:12:48

6 Q. And it's not material to this 12:12:51

7 case; is that correct? 12:12:53

8 A. If he's a member of the 12:12:55

9 organization? It would be material, because 12:12:56

10 he's directing wire transfers. 12:12:58

11 Q. Did you -- where do you get 12:13:00

12 that? 12:13:04

13 A. From the statement. 12:13:05

14 Q. What statement? 12:13:06

15 A. That Mr. Katsyv's representative 12:13:07

16 said that Mr. Petrov would be sending money 12:13:10

17 to him from Mr. Kim, from that same 12:13:14

18 statement, the previous statement. 12:13:20

19 Q. If Kim owes Petrov money, who is 12:13:21

20 directing the transfer? 12:13:24

21 A. We said that Kim was directing 12:13:26

22 the transfer on behalf of Mr. Petrov. 12:13:28

23 Q. And if Kim -- if Petrov says to 12:13:31

24 Kim send the money to Prevezon, who's 12:13:34

25 directing the transfer? 12:13:37

1

2

A. If Kim says to Petrov?

12:13:38

3

Q. No, Petrov says to Kim, send the

12:13:41

4

money to Prevezon, who's directing the

12:13:44

5

transfer?

12:13:47

6

A. It would be Petrov.

12:13:47

7

Q. Okay. And that would be, as far

12:13:48

8

as you knew, Kim's money on that

12:13:54

9

hypothetical; correct?

12:13:56

10

A. I don't know. I couldn't tell

12:13:58

11

you where the money came -- it may have been

12:14:01

12

money that he directed to be sent to Mr. Kim

12:14:03

13

for all I know.

12:14:05

14

Q. Okay. You have no evidence on

12:14:06

15

this point?

12:14:09

16

A. Correct.

12:14:10

17

Q. And you haven't sought to

12:14:11

18

interview the witnesses?

12:14:12

19

A. Correct.

12:14:13

20

Q. But you have sought to seize the

12:14:14

21

property?

12:14:16

22

A. Correct.

12:14:16

23

Q. When you say you don't know if

12:14:25

24

Petrov is a member of the organization, you

12:14:27

25

are speaking for the United States, United

12:14:30

1		
2	States does not know that; correct?	12:14:31
3	A. That's correct.	12:14:33
4	Q. Directing your attention to	12:14:40
5	Exhibit 7.	12:14:42
6	A. Okay.	12:14:49
7	Q. The chart with color on it.	12:14:49
8	A. Yes.	12:14:51
9	Q. There are transfers from	12:14:51
10	Prevezon out to the -- from the Prevezon	12:14:57
11	8160 account to Prevezon 8170 account.	12:15:02
12	A. On this chart you have it.	12:15:09
13	Q. Have you seen bank records	12:15:10
14	supporting that?	12:15:12
15	A. Yes.	12:15:13
16	Q. Do you have them?	12:15:15
17	A. I have copies of them.	12:15:16
18	DIR Q. From whom did you obtain them?	12:15:19
19	MR. ADAMS: We're instructing	12:15:20
20	him not to answer that question on the	12:15:22
21	basis of law enforcement privilege.	12:15:23
22	MR. MOSCOW: Okay.	12:15:38
23	BY MR. MOSCOW:	12:15:39
24	DIR Q. Is there something	12:15:40
25	confidential about the bank records?	12:15:41

1

2 A. I would say yes. 12:15:48

3 DIR Q. What? 12:15:50

4 MR. ADAMS: We're instructing 12:15:51

5 him not to answer that on the same 12:15:54

6 basis. 12:15:55

7 BY MR. MOSCOW: 12:16:00

8 DIR Q. Did you obtain the records 12:16:01

9 from the bank? 12:16:02

10 MR. ADAMS: We're instructing 12:16:03

11 him not to answer questions on the 12:16:05

12 source of those bank records, on the 12:16:06

13 basis of law enforcement privilege. 12:16:08

14 BY MR. MOSCOW: 12:16:13

15 Q. Do you possess, regardless of 12:16:14

16 the source, do you possess complete records 12:16:17

17 of the UBS account for Prevezon? 12:16:22

18 A. No. 12:16:27

19 Q. Do you have the opening account 12:16:28

20 statements? 12:16:30

21 A. No. 12:16:30

22 Q. Why not? 12:16:30

23 MR. ADAMS: Objection. 12:16:42

24 A. I have a question concerning the 12:16:56

25 privilege. May I discuss this with the 12:16:59

1

2

attorneys?

12:17:01

3

MR. MOSCOW: Yes. Why don't we

12:17:09

4

take a break at this point for lunch

12:17:10

5

and resume in half an hour.

12:17:12

6

THE VIDEOGRAPHER: The time is

12:17:14

7

12:17 p.m., we are going off the

12:17:16

8

record.

12:17:18

9

(Luncheon recess: 12:17 p.m.)

12:17:21

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

A F T E R N O O N S E S S I O N

12:17:21

3

1:06 p.m.

13:06:18

4

THE VIDEOGRAPHER: We are back

13:06:18

5

on the record, the time is 1:06 p.m.

13:06:26

6

MR. MOSCOW: Could we -- when we

13:06:33

7

broke there was a question pending.

13:06:36

8

You wanted to discuss the answer with

13:06:41

9

counsel.

13:06:43

10

THE WITNESS: Yes.

13:06:44

11

MR. MOSCOW: Are you prepared to

13:06:47

12

answer the question?

13:06:48

13

THE WITNESS: Yes.

13:06:49

14

MR. MOSCOW: Please do.

13:06:50

15

THE WITNESS: Can you repeat the

13:06:51

16

question?

13:06:52

17

MR. MOSCOW: Sure. Can you go

13:06:52

18

back and re-read the previous

13:06:53

19

question.

13:06:54

20

T O D D S. H Y M A N,

13:07:08

21

resumed, having been previously duly

13:07:08

22

sworn, was examined and testified further

13:07:08

23

as follows:

13:07:08

24

25

1		
2	CONTINUED EXAMINATION	13:07:08
3	BY MR. MOSCOW:	13:07:09
4	Q. Do you have the opening account	13:07:09
5	statements?	13:07:11
6	A. No, I do not.	13:07:11
7	Q. The United States do not?	13:07:13
8	A. As far as I know we don't.	13:07:14
9	Q. According to the chart which is	13:07:32
10	Exhibit 7, money came to the Prevezon	13:07:37
11	account at UBS from Bunicon and Elenast. Is	13:07:47
12	that correct?	13:07:54
13	A. Yes, it is.	13:07:54
14	Q. Is that your understanding of	13:07:55
15	what happened, as far as those funds are	13:07:57
16	concerned?	13:07:59
17	A. Yes.	13:07:59
18	Q. And you do not know who caused	13:07:59
19	them to be transferred, other than as you	13:08:01
20	described before?	13:08:04
21	A. What I previously described,	13:08:05
22	yes.	13:08:06
23	Q. Were the funds transferred as	13:08:06
24	dollars from the Bunicon account at Banca De	13:08:13
25	Economii?	13:08:20

1

2 A. I believe they were transferred 13:08:20

3 in rubles. 13:08:22

4 Q. From bank -- 13:08:24

5 A. From Alfa to Banca De Economii 13:08:27

6 or from -- 13:08:29

7 Q. From Bunicon to the UBS account 13:08:30

8 for Prevezon, last -- ending in 81.60, .70 13:08:36

9 or .80. 13:08:46

10 A. Okay. 13:08:48

11 Q. Was the money transferred as 13:08:48

12 rubles? 13:08:50

13 A. No. 13:08:50

14 Q. As euros or as dollars? 13:08:51

15 A. I believe, but I'll have to 13:08:52

16 check, it was transferred as dollars. 13:08:54

17 Hold on. Allow me to refresh 13:09:10

18 from Exhibit 1. 13:09:13

19 Okay. If we take a look at 13:09:31

20 paragraphs 101 and 102 in the complaint -- 13:09:34

21 Q. I'm not asking you to read the 13:09:38

22 complaint. I'm asking you were they 13:09:40

23 transferred as -- 13:09:41

24 A. I believe they were transferred 13:09:42

25 as dollars. 13:09:43

1

2

Q. Is that the answer for the

13:09:44

3

United States?

13:09:46

4

A. Yes.

13:09:46

5

Q. After money was transferred to

13:09:53

6

the account in Zurich for Prevezon -- by the

13:09:55

7

way, is that where the account was located?

13:09:59

8

A. I don't recall.

13:10:02

9

Q. We'll have to come back to that.

13:10:11

10

After the money was transferred

13:10:17

11

to where it was housed, did the account get

13:10:19

12

down to a very small number? Did it get

13:10:26

13

reduced if not to zero, then to a small

13:10:31

14

number, immediately?

13:10:35

15

A. I would have to -- I have to

13:10:36

16

refresh and take a look at our records. But

13:10:38

17

I don't recall offhand the flow of account

13:10:40

18

balances from Prevezon's account.

13:10:44

19

But if you wouldn't mind, I'll

13:10:49

20

refresh by looking at the exhibit.

13:10:51

21

Q. Go ahead.

13:10:54

22

A. I don't recall.

13:11:24

23

Q. Do the records available to the

13:11:29

24

United States reflect whether the balance

13:11:30

25

went to zero or to a small number?

13:11:32

1

2

A. I would have to take a look at

13:11:35

3

the records again.

13:11:36

4

Q. Did money come in from -- in

13:11:44

5

other words, you do not know as you sit here

13:11:48

6

now?

13:11:50

7

A. I don't recall. Yes, I do not

13:11:50

8

know.

13:11:52

9

Q. Will you be able to answer the

13:11:52

10

question after you examine the records?

13:11:54

11

A. If the records will provide

13:11:57

12

enough information, I will be able to answer

13:12:00

13

it.

13:12:02

14

Q. That's always true.

13:12:02

15

I'm asking you, do the records

13:12:04

16

provide enough information to be able to

13:12:10

17

answer the question, the portion of the

13:12:14

18

records that you have?

13:12:15

19

A. I don't know, I would have to

13:12:16

20

take a look at them.

13:12:17

21

Q. Do the records available to the

13:12:18

22

United States, at the time that the

13:12:22

23

complaint was filed, reflect whether the

13:12:23

24

money from Bunicon was transferred out of

13:12:28

25

the 81.60 account to somewhere else?

13:12:31

1

2

A. As I recall, there were some

13:12:36

3

fund transfers in between accounts. 81.60

13:12:42

4

and another Prevezon account. But the

13:12:47

5

specifics, I would have to examine the

13:12:51

6

documents again.

13:12:53

7

Q. Okay. Do you know what a

13:12:54

8

fiduciary account is?

13:13:09

9

A. Yes.

13:13:12

10

Q. Was the money from Bunicon put

13:13:13

11

into a fiduciary account for the benefit of

13:13:17

12

Prevezon?

13:13:19

13

A. I don't -- like I said, until I

13:13:21

14

review the bank records, I don't know what

13:13:24

15

type of account the balance was. I do know

13:13:25

16

there was another Prevezon account.

13:13:30

17

Q. Did the money from Elenast go

13:13:33

18

into the 81.60 account?

13:13:36

19

A. That's correct.

13:13:38

20

Q. And the first one was in the

13:13:38

21

amount of 410,000. Is that correct?

13:13:39

22

A. That was from Bunicon. And

13:13:42

23

Elenast was on the chart and in our exhibit,

13:13:44

24

447,354, approximately.

13:13:47

25

Q. And that was a rounding up from

13:13:51

1

2 353.82; was it not? 13:13:55

3 A. That was rounding up from what? 13:13:59

4 Q. 447,352.82? 13:14:01

5 A. Okay, it's approximately that 13:14:07

6 amount. 13:14:09

7 Q. Do you know? 13:14:09

8 A. Not specifically, no. Let me 13:14:10

9 see if we have that to refresh my memory. 13:14:12

10 Q. You don't know but if it's 13:14:14

11 stated in the complaint you will say yes and 13:14:16

12 if it isn't you will say that you don't 13:14:18

13 know? 13:14:20

14 A. If it's in the complaint, if 13:14:20

15 that's what we put in the complaint, then 13:14:21

16 that was the amount. 13:14:24

17 Q. Is it your statement that 13:14:24

18 whatever is in the complaint is, as far as 13:14:26

19 you know, true? 13:14:28

20 A. Yes. 13:14:29

21 Q. Did you verify what was in -- 13:14:30

22 I'm sorry. 13:14:33

23 Did you confirm, I don't want to 13:14:33

24 use a technical term, but did you confirm 13:14:36

25 the accuracy of the statements in the 13:14:39

1

2 complaint? 13:14:41

3 A. Insofar as the information I 13:14:42

4 had, yes. 13:14:45

5 MR. MOSCOW: Give me a second. 13:14:51

6 Q. What information did you not 13:14:56

7 have that would be necessary to confirm or 13:14:57

8 contradict your information? 13:15:00

9 MR. ADAMS: Objection. 13:15:02

10 A. Are you asking me what 13:15:04

11 information would I have or need to have to 13:15:08

12 contradict what we placed in the complaint, 13:15:11

13 or are you asking -- 13:15:14

14 Q. To confirm or contradict. 13:15:15

15 A. Well, to confirm the information 13:15:18

16 will be some information we expect to 13:15:21

17 receive when discovery is completed. And we 13:15:23

18 will expect to obtain some response from -- 13:15:28

19 Q. I'm sorry, what kinds of 13:15:32

20 information, I'm not talking about what your 13:15:33

21 speculation, dreams or hopes are. 13:15:35

22 A. Oh, authenticating copies of 13:15:37

23 bank records, we expect to get authenticated 13:15:39

24 copies of the relevant information regarding 13:15:42

25 the underlying fraud. And records like 13:15:44

1

2 that. 13:15:49

3 Q. Sure, okay. 13:15:49

4 A. Additionally we would hope to, 13:15:57

5 during -- 13:15:59

6 Q. I'm not asking for your hopes. 13:15:59

7 A. Well, during discovery we would 13:16:01

8 expect to obtain additional evidence when we 13:16:02

9 depose other parties. 13:16:05

10 Q. Who? 13:16:13

11 A. Who would we like to depose? 13:16:17

12 Among others, Mr. Katsyv. I'm sure there 13:16:22

13 will be others as well. 13:16:26

14 Q. Let's go back. 13:16:28

15 Do you know what happened to the 13:16:30

16 money that came into the 81.60 account from 13:16:31

17 Elenast? 13:16:33

18 A. As I recollect, the money that 13:16:35

19 came in was put into the 81.60 and then 13:16:42

20 transferred into 81.70, another account. 13:16:45

21 Q. Were there any intermediate 13:16:49

22 steps? Yes or no. 13:16:52

23 A. Intermediate steps in the 13:16:55

24 transfer? 13:16:57

25 Q. Correct. 13:16:58

1

2

A. I have to refresh my memory on

13:16:59

3

the bank records. Or if you'll allow me,

13:17:00

4

I'll take a look at the --

13:17:03

5

Q. Do you have the bank records

13:17:05

6

with you?

13:17:06

7

A. No, I do not.

13:17:07

8

Q. Okay. So we'll get back to

13:17:08

9

this.

13:17:11

10

Did there come a time, directing

13:17:13

11

your attention to Exhibit 7, does that show

13:17:16

12

that money went from Prevezon 81.60 account

13:17:19

13

to the 81.70 account?

13:17:22

14

A. Yes.

13:17:24

15

Q. Leaving aside any detours or

13:17:24

16

anything else that might have happened, is

13:17:25

17

that consistent with your understanding of

13:17:27

18

what ultimately happened with the \$857,354

13:17:29

19

transferred?

13:17:38

20

A. Yes.

13:17:38

21

Q. And was that money then

13:17:39

22

converted into euros?

13:17:41

23

A. I don't recall. But it looked

13:17:42

24

-- the flow on your chart appears to be

13:17:44

25

consistent with what I remember.

13:17:46

1

2

Q. Did there come a time that stock

13:17:47

3

in AFI Europe was acquired?

13:17:52

4

A. Yes.

13:17:55

5

Q. Did that acquisition implicate

13:17:55

6

the use of money?

13:18:00

7

A. Yes.

13:18:02

8

Q. And was the money -- did that

13:18:03

9

money include the \$857,354 that was

13:18:05

10

transferred in to Prevezon from Bunicon and

13:18:11

11

Elenast?

13:18:14

12

A. Yes.

13:18:15

13

Q. And was the stock acquired in

13:18:15

14

2008?

13:18:17

15

A. I can't confirm the date, but

13:18:18

16

the stock was acquired on the date that was

13:18:20

17

mentioned in AFI Europe's public documents.

13:18:25

18

I have to take a look, hang on.

13:18:30

19

This is the wrong exhibit, I'm

13:19:10

20

sorry.

13:19:12

21

Q. Perhaps paragraph 103, in that

13:19:30

22

area.

13:19:32

23

A. Yes, okay.

13:19:34

24

I believe the question is did

13:19:39

25

the purchase occur in June 2008? Yes,

13:19:40

1

2 that's correct. 13:19:44

3 Q. Okay. And the purchase was of 13:19:44

4 securities; right? Stock in a company. 13:19:47

5 A. Right, ownership interest in a 13:19:49

6 company. 13:19:51

7 Q. And that ownership continued 13:19:52

8 until sometime in 2013 or '14; is that 13:19:55

9 correct? 13:19:59

10 A. Yes, that's correct. 13:19:59

11 Q. And that 857,000 is the money 13:20:01

12 that you trace, supposedly, from the Russian 13:20:09

13 Treasury? 13:20:12

14 A. That's correct. 13:20:13

15 Q. And that was used to purchase 13:20:13

16 stock in Europe? 13:20:16

17 A. That's correct. 13:20:18

18 Q. And it stayed there, did it not, 13:20:18

19 until -- well, even now it's frozen; isn't 13:20:21

20 it? 13:20:26

21 A. Their ownership interests -- 13:20:26

22 Q. I'm sorry. 13:20:28

23 The securities they purchased 13:20:30

24 with the money that you say you traced. 13:20:31

25 A. Correct. 13:20:34

1

2

Q. Were sold or transferred but

13:20:35

3

have not been paid for because of a freezing

13:20:40

4

order. Is that correct?

13:20:43

5

A. That's correct.

13:20:44

6

Q. And that freezing order was

13:20:44

7

obtained by the United States?

13:20:46

8

A. Correct.

13:20:48

9

Q. And do you have -- have you seen

13:20:48

10

the application for the freeze?

13:20:53

11

A. Correct. Yes, I have.

13:20:57

12

Q. Does it say that the 857,000

13:21:00

13

that was transferred was used to buy the

13:21:02

14

stock that is frozen?

13:21:06

15

A. No, I don't believe it does.

13:21:08

16

Let me refresh.

13:21:10

17

Q. I'm talking about the MLAT

13:21:17

18

request to Holland.

13:21:23

19

A. Oh.

13:21:23

20

Q. Have you seen the Mutual Legal

13:21:24

21

Assistance Treaty request to the

13:21:26

22

Netherlands?

13:21:29

23

A. I have not.

13:21:30

24

Q. Are you familiar with its

13:21:31

25

contents?

13:21:33

1

2

A. In general, yes.

13:21:33

3

Q. Do we represent, does the United

13:21:34

4

States represent to the Netherlands that the

13:21:37

5

857,000 that was traced from the Russian

13:21:39

6

Treasury was used to acquire securities in

13:21:43

7

the Netherlands?

13:21:45

8

A. Yes.

13:21:46

9

Q. Still there, that money is still

13:21:46

10

there, isn't it, or the value represented by

13:22:07

11

that money?

13:22:09

12

A. That's correct.

13:22:10

13

Q. Do you have copies of all of the

13:22:22

14

AFI Europe records?

13:22:25

15

A. No, I do not.

13:22:27

16

Q. Okay. Prior to August 1st of

13:22:28

17

2008, how many of the defendants did not

13:22:38

18

exist?

13:22:40

19

A. I have no idea.

13:22:44

20

Q. Did you gather the corporate

13:22:46

21

records for the defendants?

13:22:48

22

A. Some of them.

13:22:49

23

Q. Do you represent the United

13:22:51

24

States?

13:22:53

25

A. Yes.

13:22:53

1

2

Q. Does the United States know when

13:22:53

3

these companies were created?

13:22:55

4

A. Some of them.

13:22:57

5

Q. Were they created from November

13:22:58

6

2009 on?

13:23:01

7

A. If you'll let me --

13:23:03

8

Q. Other than, let me be clear.

13:23:06

9

Other than Prevezon Holdings, Ferencoi and

13:23:08

10

Kolevins, were the other companies created

13:23:11

11

after July 1, 2009?

13:23:13

12

A. I believe that would be correct.

13:23:18

13

As far as I can recall.

13:23:23

14

Q. Were there any transfers to

13:23:45

15

Prevezon from AFI?

13:23:47

16

A. From Prevezon? What do you

13:23:51

17

mean, property? Or bank --

13:23:54

18

Q. Were there any transfers of

13:23:56

19

money from AFI to Prevezon?

13:23:58

20

A. I don't recall without examining

13:24:03

21

the bank statements to see if there were

13:24:08

22

bank flows back from AFI to Prevezon. And

13:24:11

23

we know that the Dutch holdings, that

13:24:15

24

transfer hasn't been done yet.

13:24:16

25

Q. Is it the position of the United

13:24:24

1

2 States that the \$857,000 went to Holland and 13:24:26

3 stayed there? 13:24:29

4 A. It's the position of the United 13:24:31

5 States that 857 went to Holland, yes. 13:24:35

6 Q. Has it left? 13:24:37

7 A. We don't know. 13:24:38

8 Q. Well, you said they bought 13:24:41

9 stock. 13:24:43

10 A. They bought stock. 13:24:43

11 Q. The stock -- the value of the 13:24:44

12 stock has not moved, right? Whatever 13:24:47

13 happened, there is a freeze? 13:24:50

14 A. Correct. But prior to the 13:24:53

15 freeze we have no way of determining at this 13:24:55

16 stage whether AFI made any other transfers 13:24:57

17 prior to that freeze to Prevezon. 13:24:59

18 Q. You have no way of knowing, 13:25:01

19 okay. So what was the purpose of those 13:25:07

20 transfers, you don't know that they exist, 13:25:09

21 but what was the purpose of them? 13:25:13

22 A. What could be the purpose of the 13:25:15

23 transfers? 13:25:16

24 Q. You don't know any purpose; is 13:25:17

25 that right? 13:25:18

1

2

A. Right.

13:25:18

3

Q. So you can't say that money came

13:25:19

4

back; can you?

13:25:26

5

A. I cannot.

13:25:27

6

MR. MOSCOW: Bear with me for a

13:25:45

7

moment.

13:25:50

8

THE WITNESS: Sure.

13:25:50

9

Q. Just to be clear, you can't say

13:25:52

10

that money came back to Prevezon Holdings or

13:25:54

11

to the United States? Either one, you can't

13:25:58

12

say either?

13:26:04

13

A. Is your question can I say did

13:26:05

14

AFI Holdings transfer money back to the

13:26:08

15

United States because of this, the purchase

13:26:11

16

of the sale of the stock?

13:26:13

17

Q. No, that's not what I'm asking.

13:26:15

18

A. I'm not exactly sure what you're

13:26:40

19

asking.

13:26:42

20

Q. Did Prevezon Holdings continue

13:26:42

21

to own the stock that it bought in AFI

13:26:45

22

Europe through 2013?

13:26:49

23

A. Yes.

13:26:51

24

Q. Do you have any evidence as to

13:26:52

25

the purpose of any transfers, if they took,

13:26:57

1

2

place from AFI to Prevezon Holdings?

13:27:00

3

A. No.

13:27:03

4

Q. Now, directing your attention,

13:27:20

5

if I could, to Exhibit 1. Directing your

13:27:23

6

attention to paragraph -- before we get

13:27:48

7

there.

13:27:50

8

What witnesses have you

13:27:50

9

identified who are competent to talk about

13:27:56

10

Dennis Katsyv's state of knowledge?

13:28:01

11

MR. ADAMS: Objection.

13:28:08

12

You can answer.

13:28:10

13

A. His state of knowledge of what?

13:28:11

14

MR. MOSCOW: Withdraw the

13:28:16

15

question.

13:28:17

16

Q. What witnesses have you

13:28:18

17

identified who are competent to testify that

13:28:19

18

Prevezon Holdings knew about the \$230

13:28:23

19

million tax refund fraud?

13:28:30

20

A. None at this point.

13:28:31

21

Q. What witnesses have you

13:28:33

22

identified, if any, who are competent to

13:28:35

23

testify about the intention of Prevezon

13:28:38

24

Holdings to promote the carrying on of

13:28:42

25

specified unlawful activity?

13:28:47

1

2

A. Leaving aside from the fact that

13:28:51

3

a company doesn't have an intention as

13:28:53

4

opposed to its actors. Or its principals.

13:28:56

5

We have no evidence -- we have nothing that

13:29:01

6

would give us any evidence. However,

13:29:04

7

pending the completion of discovery, we hope

13:29:06

8

to find that evidence, some of that

13:29:09

9

evidence.

13:29:11

10

Q. You hope to have Dennis Katsyv

13:29:12

11

come in and say that he intended to launder

13:29:17

12

money and knew that it was part of the

13:29:20

13

fraud. Is that your statement?

13:29:23

14

MR. ADAMS: Objection.

13:29:24

15

A. If he does that, we would be

13:29:26

16

more than happy to take that statement.

13:29:32

17

Q. And if he doesn't?

13:29:35

18

MR. ADAMS: Objection.

13:29:37

19

A. If he doesn't, we will continue

13:29:38

20

going through our evidence and what we

13:29:41

21

obtain from discovery.

13:29:44

22

Q. Did you file a forfeiture action

13:29:45

23

in this case? Did the United States?

13:29:49

24

A. Yes, it did.

13:29:51

25

Q. Are you familiar with Rule G,

13:29:52

1

2 the supplementary rules for admiralty, 13:29:55

3 maritime? 13:29:59

4 A. No. 13:29:59

5 Q. Okay. Is the United States 13:30:00

6 familiar with those rules? 13:30:02

7 A. I presume yes. But again, I'm 13:30:03

8 not an attorney, so I'm not really qualified 13:30:06

9 to speak on that. 13:30:08

10 Q. What is the evidence that eleven 13:30:18

11 defendants accused engaged in financial 13:30:36

12 transactions involving the proceeds of the 13:30:38

13 \$230 million scheme? 13:30:40

14 A. Well, we have the tracing to 13:30:44

15 Prevezon Holdings, and we have Prevezon 13:30:47

16 Holdings forming these entities and then 13:30:52

17 using funds to purchase property. So those 13:30:54

18 would be financial transactions. 13:30:58

19 Q. But the funds that came from 13:30:59

20 Bunicon and Elenast are the funds at issue; 13:31:01

21 are they not? 13:31:04

22 A. Yes. 13:31:05

23 Q. And they were all from Europe; 13:31:05

24 were they not? 13:31:07

25 A. Yes. 13:31:08

1

2

Q. So these other companies were
founded with other money; correct?

13:31:09

13:31:10

4

A. Correct. Well, we have the
statement from Mr. Katsyv's --

13:31:12

13:31:13

6

Q. We will get to the statement.
You've said it now four times, it reflects
your preparation, just as your failure to
comment on the bank records does.

13:31:16

13:31:18

13:31:22

13:31:24

10

MS. MAGDO: Objection.

13:31:26

11

MR. MOSCOW: I apologize. I

13:31:27

12

don't mean to waste your time.

13:31:30

13

Q. Do you have evidence of -- that
the companies intended to promote the
organization?

13:31:32

13:31:34

13:31:40

16

A. I don't believe so.

13:31:43

17

Q. Do you have evidence that the
defendants intended to promote and
perpetuate the organization's acts of fraud,
corruption and money laundering?

13:31:47

13:31:50

13:31:52

13:31:56

21

A. No.

13:31:59

22

Q. Do you have evidence to
establish that the defendants intended to
aid members of the organization in promoting
their unlawful activities?

13:31:59

13:32:02

13:32:05

13:32:07

25

1

2

A. Well, we have evidence that the

13:32:10

3

proceeds at --

13:32:13

4

Q. The answer is yes or no. And if

13:32:15

5

yes, the follow-up question will be what is

13:32:17

6

that evidence.

13:32:20

7

A. Yes.

13:32:22

8

Q. What is that evidence?

13:32:22

9

A. Okay, we have the knowledge that

13:32:23

10

Dennis Katsyv knew about money laundering

13:32:26

11

from his prior involvement in Israel in the

13:32:29

12

2005 case.

13:32:34

13

Q. Sorry, is this a case in which

13:32:35

14

he was not convicted?

13:32:36

15

A. Correct.

13:32:38

16

Q. And would you concede that he

13:32:42

17

also knows that other -- I mean, this was

13:32:44

18

not U.S. law, and he was not in the U.S.,

13:32:47

19

but you say because there was a prosecution

13:32:49

20

of something in Israel he is on notice of

13:32:52

21

the U.S. law. Is that correct?

13:32:56

22

MR. ADAMS: Objection.

13:32:57

23

A. My understanding of the case in

13:32:58

24

Israel was that --

13:33:00

25

Q. I'm not asking that. I'm asking

13:33:02

1

2 about what you mean when you say he was on 13:33:05

3 notice. 13:33:07

4 A. I would say he's on notice of 13:33:09

5 the general techniques or vehicles by which 13:33:11

6 money laundering can be done as a result of 13:33:18

7 his involvement in the case with Israel. 13:33:21

8 Q. Really? 13:33:25

9 You mean involvement, he would 13:33:32

10 know the techniques because he was 13:33:34

11 acquitted? That's your evidence that he 13:33:37

12 would know the techniques? 13:33:38

13 MR. ADAMS: Objection. 13:33:39

14 Objection. 13:33:41

15 Go ahead. 13:33:42

16 A. Again, my understanding of the 13:33:43

17 case in Israel -- 13:33:46

18 Q. I'm not asking that. You said 13:33:47

19 he would know the techniques because of his 13:33:48

20 involvement. 13:33:51

21 A. I'm giving you a specific answer 13:33:51

22 as to why I think he would know. 13:33:53

23 Q. Bearing in mind that he was 13:33:55

24 acquitted, you may have an interesting 13:33:57

25 evidentiary problem here. 13:33:59

1

2

MR. ADAMS: Objection.

13:34:01

3

THE WITNESS: Can I continue?

13:34:04

4

MR. ADAMS: I don't know that

13:34:05

5

that was a question. But objection to

13:34:06

6

the premise.

13:34:08

7

THE WITNESS: May I have a

13:34:09

8

moment to confer with the attorneys?

13:34:10

9

MR. MOSCOW: Not if it is to

13:34:15

10

prepare for answering that question,

13:34:17

11

I'm going to withdraw that question.

13:34:18

12

BY MR. MOSCOW:

13:34:22

13

Q. Do you have evidence that the

13:34:22

14

defendants, not Dennis Katsyv, but the

13:34:24

15

defendants knew that the financial

13:34:27

16

transactions were designed in whole or part

13:34:34

17

to conceal or disguise the nature, location,

13:34:38

18

source, ownership or control of the proceeds

13:34:42

19

of the \$230 million fraud scheme?

13:34:44

20

A. I do not.

13:34:46

21

I would clarify that by just

13:35:06

22

noting that Dennis Katsyv is the principal

13:35:08

23

owner of Prevezon. So if he has knowledge,

13:35:10

24

he's --

13:35:13

25

Q. But you don't have any evidence

13:35:14

1

2

that he does?

13:35:15

3

A. At this point, no. Again, we

13:35:15

4

hope to develop that evidence when discovery

13:35:19

5

is completed.

13:35:22

6

Q. And you represented to the

13:35:23

7

court, did you not, that you had a case?

13:35:24

8

A. Yes, I did.

13:35:26

9

Q. Do you have evidence that the

13:35:29

10

defendants intended to promote the

13:35:39

11

organization's underlying acts of mail

13:35:40

12

fraud, wire fraud, corruption and money

13:35:44

13

laundering?

13:35:46

14

A. Well, we have evidence of the

13:35:46

15

wires, so if there is evidence --

13:35:48

16

Q. I'm asking about the intent.

13:35:50

17

The defendants' intent, not the

13:35:52

18

organization's wire fraud. Do I make myself

13:35:55

19

clear?

13:35:58

20

A. Of his intent to commit?

13:36:00

21

Q. I'm asking about my clients. Do

13:36:02

22

you have any evidence that my clients

13:36:04

23

intended to promote the organization's

13:36:06

24

underlying acts of mail fraud, wire fraud,

13:36:09

25

corruption and money laundering?

13:36:12

1

2

A. Other than the previously

13:36:14

3

discussed conversation with Mr. Petrov and

13:36:15

4

Mr. Kim.

13:36:18

5

Q. And you don't say that either

13:36:19

6

Mr. Petrov or Mr. Kim is part of the

13:36:20

7

organization; is that correct?

13:36:23

8

A. We don't know.

13:36:24

9

Q. And you don't say that the

13:36:25

10

defendants are members of the organization?

13:36:26

11

A. We don't know. But you're

13:36:29

12

correct in saying we don't say that.

13:36:32

13

Q. Do you have any evidence that

13:36:53

14

the defendants acted to conceal -- acted to

13:36:54

15

conceal or disguise the nature, location,

13:36:58

16

source, ownership or control of the proceeds

13:37:01

17

of the \$230 million fraud?

13:37:03

18

A. Well, we have evidence to the

13:37:05

19

mischaracterization of the wires from Mr.

13:37:06

20

Kim, Bunicon and Elenast. Even by his own

13:37:08

21

admission, the agent, Mr. Katsyv's agent

13:37:13

22

admitted that they didn't engage in this

13:37:16

23

business with them. And the --

13:37:18

24

Q. We'll get back to that.

13:37:21

25

A. Okay.

13:37:22

1

2

MR. ADAMS: He's answering your

13:37:23

3

question.

13:37:25

4

MR. MOSCOW: I understand.

13:37:25

5

MR. ADAMS: He gave one piece of

13:37:26

6

evidence, I think he was about to

13:37:27

7

offer some others.

13:37:29

8

MR. MOSCOW: Fine.

13:37:30

9

Q. Please do.

13:37:31

10

A. So we have evidence that he

13:37:32

11

engaged in the con --

13:37:34

12

Q. Who is he?

13:37:36

13

A. Mr. Katsyv. And by Mr. Katsyv,

13:37:38

14

through his entities Prevezon. He has an

13:37:42

15

agent that made a statement that we talked

13:37:44

16

about earlier.

13:37:46

17

Q. No, I'm sorry.

13:37:46

18

You didn't speak to the agent;

13:37:47

19

did you?

13:37:49

20

A. I did not.

13:37:49

21

Q. Did you speak to anyone who

13:37:50

22

spoke to the agent?

13:37:53

23

A. I did not.

13:37:54

24

MS. MAGDO: Were you finished

13:38:00

25

with your answer?

13:38:01

1

2

THE WITNESS: I would like to

13:38:02

3

continue on.

13:38:04

4

Q. Sure.

13:38:04

5

A. The evidence would be that he

13:38:05

6

engaged to conceal because he's aware

13:38:06

7

through his -- at least his representative

13:38:09

8

says he's aware he's going to receive

13:38:12

9

payment that's due to him for investment in

13:38:14

10

New York property from Mr. Petrov by way of

13:38:16

11

Mr. Kim sending him money, two wires. These

13:38:19

12

two wires are then mischaracterized as

13:38:23

13

sanitary equipment. And he receives them,

13:38:26

14

he then does whatever he does with his

13:38:28

15

money, knowing full well that this money is

13:38:31

16

not for its stated purpose. So that would

13:38:33

17

be evidence of concealment.

13:38:36

18

Q. Okay. Now, in that -- you

13:38:37

19

assume that Dennis Katsyv saw the statements

13:38:43

20

from UBS; correct?

13:38:46

21

MR. ADAMS: Objection.

13:38:48

22

A. Yes.

13:38:49

23

Q. Do you have the opening account

13:38:51

24

documents?

13:38:53

25

A. No, we do not.

13:38:54

1

2

Q. Would it alter your opinion of

13:38:55

3

his involvement if it were established that

13:39:02

4

he did not see the opening -- the statements

13:39:04

5

to which you refer?

13:39:07

6

A. It might.

13:39:09

7

Q. Do you know whether Prevezon

13:39:14

8

told UBS the purpose of the transfers?

13:39:21

9

A. No, I do not.

13:39:24

10

Q. Okay. You say that Bunicon and

13:39:25

11

Elenast identified the transfers as --

13:39:30

12

A. Sanitary equipment.

13:39:34

13

Q. Sanitary equipment. Right?

13:39:35

14

A. Right.

13:39:37

15

Q. And that's in paragraph 110 of

13:39:37

16

the complaint. Is that not right?

13:39:39

17

A. Let me check.

13:39:40

18

That's correct, it's in

13:39:54

19

paragraph 110.

13:39:55

20

Q. Could you read that into the

13:39:56

21

record.

13:39:57

22

A. In Exhibit 1, the complaint,

13:39:59

23

paragraph 110. "However, the bank records

13:40:06

24

reflecting the February 2008 transfers

13:40:08

25

describe the transfers from Bunicon and

13:40:13

1

2 Elenast to Prevezon Holdings as prepayment
3 for sanitary equipment."

13:40:16

13:40:18

4

Q. Is that based on bank records
5 that you've seen?

13:40:22

13:40:24

6

A. What, the transfers?

13:40:28

7

Q. That paragraph.

13:40:30

8

A. That's based on copies of wire
9 transfers and copies -- well, that statement
10 as well.

13:40:34

13:40:37

13:40:42

11

Q. Okay. Is it based on an article
12 that appeared on the internet?

13:40:43

13:40:49

13

A. In part.

13:40:52

14

Q. Did you, after you read the
15 article, did you go back and look at the
16 monthly statement for Prevezon to see if the
17 statement was consistent with -- the bank
18 statement for February 2008 was consistent
19 with paragraph 110?

13:40:53

13:40:56

13:41:00

13:41:02

13:41:06

13:41:08

20

A. I don't recall.

13:41:09

21

Q. If you had seen that there was
22 an error, would you have corrected it or
23 repeated it?

13:41:17

13:41:18

13:41:20

24

A. I would correct an error.

13:41:20

25

Q. Did you read the bank statements

13:41:22

1
2 for February 2008 for the Prevezon 81.60 13:41:26
3 account? 13:41:33
4 A. I recall we going through and 13:41:33
5 reading the bank statements for a range of 13:41:38
6 dates, including that. Or copies of the 13:41:41
7 bank statements that we received from 13:41:46
8 Hermitage agents. 13:41:53
9 MR. MOSCOW: Excuse us for a 13:42:17
10 moment. 13:42:18
11 THE VIDEOGRAPHER: The time is 13:42:19
12 1:42 p.m., we are going off the 13:42:21
13 record. 13:42:24
14 (A recess was taken.) 13:42:29
15 THE VIDEOGRAPHER: We are back 13:49:08
16 on the record, the time is 1:49 p.m. 13:49:15
17 THE WITNESS: May I continue? 13:49:20
18 MR. MOSCOW: The previous 13:49:42
19 question, can we get that. 13:49:43
20 (Record read as requested.) 13:49:45
21 THE WITNESS: I think your last 13:49:46
22 question as we left it did I see any 13:49:47
23 description in that account of these 13:49:50
24 wire transfers. 13:49:52
25 MR. MOSCOW: No. 13:49:53

1

2

MR. ADAMS: He just read back

13:49:57

3

the last question.

13:49:59

4

(Record read as requested.)

13:50:16

5

THE WITNESS: Yes, I did.

13:50:17

6

BY MR. MOSCOW:

13:50:18

7

Q. Do they both show the same

13:50:19

8

purpose for the transfers to Prevezon -- I'm

13:50:23

9

sorry, both Elenast and Bunicon?

13:50:27

10

A. I don't recall what they said

13:50:30

11

about those particular wire transfers in

13:50:34

12

terms of purpose.

13:50:36

13

And I'd also like to clarify a

13:50:38

14

general previous statement. When I talked

13:50:41

15

about, you were asking me about evidence.

13:50:42

16

And there is substantial evidence of a lot

13:50:47

17

of this stuff.

13:50:49

18

Q. I'm sorry. I don't think there

13:50:49

19

is a question pending. What question are

13:50:52

20

you referring to that you want to expand on?

13:50:54

21

MR. ADAMS: Leave it alone.

13:51:02

22

A. We'll move along to the next

13:51:05

23

question.

13:51:08

24

Q. Direct your attention to the

13:51:10

25

assertion that the defendants transported

13:51:11

1
2 money to conceal the nature, location, 13:51:21
3 source, ownership or control of the proceeds 13:51:23
4 of the \$230 million fraud, fraud scheme. 13:51:25

5 Does the United States have any 13:51:32
6 evidence that they knew that there was a 13:51:34
7 \$230 million fraud scheme as of June of 13:51:36
8 2008? 13:51:42

9 MR. ADAMS: Objection. You mean 13:51:44
10 do we have the evidence as of 2008? 13:51:47

11 MR. MOSCOW: No. 13:51:51

12 Q. Do you have any knowledge that 13:51:52
13 the defendants knew of that fraud scheme as 13:51:53
14 of June 2008? 13:51:55

15 A. No, we do not. 13:51:57

16 Q. Do you have any evidence -- 13:52:00

17 A. As -- I would say I don't know, 13:52:02
18 because at 2008 nobody -- we weren't 13:52:04
19 investigating this in 2008. 13:52:08

20 Q. It's true that you may not have 13:52:10
21 been investigating in 2008, but an 13:52:14
22 investigation might turn up a witness who 13:52:16
23 said I'm part of the organization and I told 13:52:19
24 Dennis to help us launder the money. 13:52:22

25 Do you have such a witness? 13:52:25

1

2

A. No.

13:52:28

3

Q. Do you have any reason to

13:52:28

4

believe that there is such a witness?

13:52:32

5

A. We have to see what we find on

13:52:35

6

discovery as we go through the documents to

13:52:43

7

see if there is any indication there may be

13:52:49

8

a witness.

13:52:51

9

Q. Who are you going to seek to

13:52:51

10

depose on that point?

13:52:53

11

MS. MAGDO: Objection.

13:52:54

12

A. It's to be determined upon

13:52:55

13

examination of the discovery material.

13:52:56

14

Q. In other words, you don't have

13:53:03

15

anything at all at this point, is that

13:53:06

16

right, but for the statements that you've

13:53:08

17

referred to that are in the complaint?

13:53:10

18

A. We don't have anything at all

13:53:13

19

regarding --

13:53:19

20

Q. The knowledge and intention of

13:53:19

21

the defendants.

13:53:21

22

A. Back in 2008?

13:53:23

23

Q. Or -- yes, start with that.

13:53:26

24

A. Well, the material of the fraud

13:53:30

25

would have been -- is public, you can find

13:53:36

1

2 it in internet, news magazines and such. I 13:53:39
3 would presume that Dennis Katsyv is -- would 13:53:43
4 have found this material as it was very 13:53:46
5 publicized. So he would have known about 13:53:49
6 the fraud. 13:53:51

7 Q. Okay. You assume that Dennis 13:53:52
8 Katsyv would have known about the fraud 13:53:54
9 after it became public? 13:53:56

10 A. Yes. 13:53:59

11 Q. When was it that it became 13:53:59
12 public? 13:54:03

13 A. Well, it's been in the public 13:54:03
14 eye well over a year. I mean. 13:54:05

15 Q. Sure has. 13:54:10

16 A. It's been years. 13:54:11

17 Q. Of course this was more than -- 13:54:12
18 this was six years ago; wasn't it? Five and 13:54:14
19 a half years ago. 13:54:17

20 A. Correct. 13:54:18

21 Q. What is your evidence that at 13:54:18
22 that time Dennis Katsyv knew about it? 13:54:21

23 A. None that I have. 13:54:24

24 Q. And that would be the same 13:54:37
25 answer if it were for Krit or for Litvak or 13:54:39

1

2 for anyone else working with these 13:54:43

3 companies; is that correct, you have no 13:54:45

4 evidence? 13:54:47

5 A. We have evidence that they know 13:54:48

6 or should have known what they were doing 13:54:52

7 now. 13:54:55

8 Q. I'm sorry. 13:54:56

9 A. Clarify the question. 13:54:58

10 Q. I was asking a shorthand 13:55:00

11 question, I have to get back. 13:55:02

12 What -- as to Timofey Krit, 13:55:04

13 Alexander Litvak, do you have any evidence 13:55:11

14 that they were aware that they were dealing 13:55:14

15 with the proceeds of a \$230 million fraud? 13:55:16

16 A. Well, the use of the -- back 13:55:20

17 then, as the wire transfers show, the use of 13:55:25

18 these companies, with no purpose -- 13:55:28

19 Q. Hold on, I'm sorry. 13:55:33

20 The use of which companies? 13:55:34

21 Let's be clear here. 13:55:35

22 A. Okay. When they receive the 13:55:36

23 transactions from Bunicon and Elenast, 13:55:40

24 they're already -- they already have 13:55:45

25 knowledge of some illicit transfer. 13:55:47

1

2

Q. Who?

13:55:50

3

A. Prevezon.

13:55:50

4

Q. I'm sorry. You aren't making

13:55:51

5

sense here to me, I can't follow this.

13:55:54

6

A. Clarify the question so I know

13:55:57

7

exactly what you're saying, asking.

13:56:00

8

Q. What evidence do you have that

13:56:01

9

Dennis Katsyv, Timofey Krit or Alex Litvak

13:56:04

10

knew that there was a \$230 million fraud as

13:56:09

11

of --

13:56:12

12

A. 2008.

13:56:14

13

Q. -- June 2008?

13:56:15

14

A. None.

13:56:19

15

Q. As of June 2008, \$857,354 was

13:56:19

16

transferred from the Prevezon account to

13:56:26

17

euro account to be part of a sum buying

13:56:28

18

securities in Europe. Correct?

13:56:32

19

A. Correct. But it was also, part

13:56:34

20

of that money, as we discussed in this

13:56:38

21

statement, was to be given to Mr. Katsyv and

13:56:42

22

Prevezon Holdings to be purchasing some

13:56:46

23

property in New York.

13:56:48

24

Q. I'm sorry. You have a statement

13:56:50

25

from a PR man; right? Representative One?

13:56:51

1

2

A. Right.

13:56:58

3

Q. And you have bank records?

13:56:58

4

A. Yes.

13:57:00

5

Q. And the bank records show that

13:57:00

6

the money went to Europe?

13:57:02

7

A. Correct.

13:57:03

8

Q. And the bank records show that

13:57:03

9

the money stayed in Europe and the United

13:57:06

10

States has frozen it, frozen the value that

13:57:08

11

it acquired there?

13:57:11

12

A. It has frozen a portion of it.

13:57:12

13

But we don't have any records and we'll see

13:57:14

14

what happens in discovery if any other

13:57:16

15

transfers from AFI Europe prior to our

13:57:18

16

freezing back to Prevezon. Because there

13:57:20

17

may have been the possibility that AFI

13:57:26

18

Europe sent money back to Prevezon prior to

13:57:28

19

the freeze.

13:57:32

20

Q. Would it matter the purpose, for

13:57:36

21

your theory of this case?

13:57:40

22

MR. ADAMS: Objection.

13:57:46

23

A. Well, if they're sending --

13:57:48

24

Q. You say sending money back. I

13:57:51

25

guess my problem is, if you acquire stock

13:57:53

1

2 and you hold on to the stock, nothing is 13:57:56

3 sent back. Right? 13:57:59

4 A. Well, if you acquire stock and 13:58:02

5 the company you acquired it in then remits 13:58:04

6 funds to you without -- but you still hold 13:58:06

7 the stock, they're sending money back to 13:58:09

8 you. 13:58:12

9 Q. No, they're sending money to 13:58:12

10 you. 13:58:14

11 A. Right. 13:58:15

12 Q. For a purpose. 13:58:15

13 Do you know the purpose? 13:58:18

14 A. No. 13:58:20

15 Q. You don't even know if the 13:58:21

16 transfers took place for sure; do you? 13:58:22

17 A. No. 13:58:24

18 Q. Do you have any evidence, other 13:58:24

19 than the fact of the -- you're saying that 13:58:31

20 the people controlling Prevezon knew things 13:58:38

21 about Bunicon and Elenast. Is that right? 13:58:40

22 A. Well, yes, they would have 13:58:44

23 known. 13:58:48

24 Q. Why? 13:58:48

25 A. Because they made that statement 13:58:49

1

2 about them never doing business but yet then 13:58:51

3 they received the transaction -- the 13:58:55

4 mischaracterized wire transfer. 13:58:57

5 Q. Okay. Now, I asked you before, 13:58:59

6 did Prevezon tell UBS the purpose of the 13:59:02

7 transfer? 13:59:06

8 A. No. But -- for which transfer 13:59:07

9 are we talking about? 13:59:13

10 Q. The transfer from Bunicon and 13:59:14

11 the transfer from Elenast. 13:59:16

12 A. Did Prevezon tell UBS? 13:59:18

13 Q. Correct. 13:59:22

14 A. They said it was not for 13:59:22

15 sanitary equipment, it wasn't for the 13:59:24

16 purposes in the wire. 13:59:26

17 Q. What did they say? 13:59:30

18 A. It was for sanitary equipment. 13:59:32

19 Q. What did Prevezon -- not what 13:59:34

20 did Bunicon say, not what did Elenast say, 13:59:37

21 what did Prevezon say? We're talking about 13:59:41

22 the intention of the defendants, not some 13:59:44

23 wire clerk in another country. 13:59:47

24 A. I don't know. 13:59:48

25 Q. By the way -- 13:59:51

1

2

A. I have to refresh my

13:59:53

3

recollection.

13:59:55

4

Q. Let's go on.

13:59:55

5

Did the defendants knowingly

13:59:57

6

engage in monetary transactions involving

14:00:15

7

funds obtained from the \$230 million fraud

14:00:18

8

scheme?

14:00:20

9

A. Well, they involved themselves

14:00:25

10

in transactions that came from illicit --

14:00:28

11

what would be, they should know, would be

14:00:33

12

illicit activities. And that's the wire

14:00:36

13

transfers that we talked about, his prior

14:00:38

14

knowledge based on the Israeli case of some

14:00:41

15

techniques that may have been used, his --

14:00:46

16

the fact that Bunicon, Elenast,

14:00:50

17

mischaracterized the wires. I'm not sure

14:00:53

18

what other knowledge you need.

14:00:57

19

Q. By the way, what is a hold mail

14:00:58

20

account?

14:01:02

21

A. A what?

14:01:02

22

Q. Hold mail account.

14:01:04

23

A. I don't know.

14:01:05

24

Q. Does the United States know?

14:01:12

25

A. I don't know. I would assume

14:01:14

1

2 yes.

14:01:16

3

 Q. If the United States brought

14:01:28

4

this case and did not check to see if -- let

14:01:30

5

me ask a different question.

14:01:37

6

 Did you verify that UBS sent the

14:01:38

7

statements to Prevezon?

14:01:47

8

 A. No, I did not.

14:01:50

9

 Q. Did anyone in the United States

14:01:56

10

verify that UBS sent the statements to

14:01:57

11

Prevezon?

14:02:00

12

 A. Not that I'm aware of.

14:02:01

13

DIR Q. How did you get the UBS

14:02:04

14

records that you have?

14:02:05

15

 MR. ADAMS: Objection; instruct

14:02:07

16

him not to discuss the source of UBS

14:02:09

17

documents.

14:02:12

18

DIR Q. I'm not asking you from whom,

14:02:13

19

I'm saying how.

14:02:15

20

 MR. ADAMS: And same objection.

14:02:16

21

 MR. MOSCOW: That one we'll take

14:02:21

22

up with the court. We are asking how

14:02:23

23

you obtained bank records. I don't

14:02:24

24

see -- I can understand that if there

14:02:26

25

is an informant and you don't want to

14:02:27

1
2 disclose that person's identity, you 14:02:30
3 can say we got them from an informant, 14:02:31
4 okay. But if in fact you have some 14:02:34
5 other mechanism for getting them that 14:02:37
6 is privileged, in view of the absence 14:02:39
7 of electronic intercepts, then the 14:02:43
8 question will take off from there and 14:02:46
9 follow up on that. 14:02:49

10 MR. ADAMS: Certainly. If you 14:02:49
11 want to ask him the mechanism by which 14:02:50
12 he received those documents, I'm fine 14:02:52
13 with that. 14:02:54

14 BY MR. MOSCOW: 14:02:56

15 Q. How did you obtain the UBS 14:02:56
16 documents? I believe that was the question 14:02:57
17 that I asked. 14:03:00

18 A. They were provided to us by a 14:03:01
19 source. 14:03:02

20 DIR Q. Was the source under a legal 14:03:15
21 obligation not to distribute them? 14:03:16

22 MR. ADAMS: Objection. And I'm 14:03:24
23 going to instruct him not to answer. 14:03:26

24 BY MR. MOSCOW: 14:03:37

25 DIR Q. What is the name of the person 14:03:37

1
2 who gave you the documents? 14:03:39

3 MR. ADAMS: Objection. And I'm 14:03:42

4 instructing him not to answer. 14:03:44

5 BY MR. MOSCOW: 14:03:46

6 Q. Are you going to follow his 14:03:47

7 instructions on behalf of the United States? 14:03:48

8 A. Yes. 14:03:50

9 MR. MOSCOW: Thank you, that 14:03:52

10 was -- 14:03:54

11 MR. ADAMS: Understood. 14:03:54

12 Q. I've asked you do you have any 14:04:17

13 witnesses who identified certain things. Do 14:04:18

14 you have any documents that prove the 14:04:20

15 intention of the defendants, other than the 14:04:22

16 bank statements from Bunicon and Elenast 14:04:26

17 that are posted by UBS? 14:04:29

18 A. Well, we would have the photos 14:04:34

19 the shell companies used. 14:04:37

20 Q. Sorry, the photos? 14:04:38

21 A. The exhibits here. The marked 14:04:40

22 Exhibit A, which will show you photocopies 14:04:50

23 of companies used to send money there that 14:04:52

24 appear to be dilapidated buildings. 14:04:55

25 Q. Who took those photos? 14:04:58

1

2

A. They were provided -- they were

14:05:00

3

on the website.

14:05:01

4

Q. I didn't ask that.

14:05:02

5

A. I don't know.

14:05:03

6

THE WITNESS: May I have a

14:05:13

7

moment to confer?

14:05:15

8

MR. ADAMS: There is no question

14:05:16

9

pending.

14:05:17

10

Q. Who are the conspirators in the

14:05:18

11

7th claim?

14:05:21

12

A. I have to take a look.

14:05:24

13

The conspirators would be

14:06:12

14

members of the organization. It would be --

14:06:16

15

I'm looking at page 51, 50 and 51. Correct?

14:06:22

16

Q. Where does the organization

14:06:34

17

appear on that page?

14:06:35

18

A. The defendants would be part of

14:06:41

19

it. And --

14:06:42

20

Q. Where does the organization

14:06:43

21

appear on page 51?

14:06:44

22

A. Paragraph 148.

14:06:51

23

Q. That is the paragraph which

14:06:54

24

says, "it was a part and an object of the

14:06:56

25

conspiracy that the defendants in Personam

14:06:58

1

2 engaged in financial transactions that 14:07:02
3 involved the proceeds of the \$230 million 14:07:03
4 fraud scheme in order to promote to the 14:07:07
5 organization's underlying acts of mail 14:07:09
6 fraud, wire fraud, corruption and money 14:07:12
7 laundering"?. 14:07:14

8 A. Yes. 14:07:14

9 Q. What role does the organization 14:07:15
10 have in agreeing with the defendants, 14:07:16
11 according to that paragraph, if any? 14:07:18

12 A. Well, they conducted the scheme, 14:07:22
13 and we hope to find additional evidence 14:07:25
14 linking the organization to Prevezon's 14:07:27
15 activity upon discovery. 14:07:29

16 Q. In fact, the organization is not 14:07:35
17 listed as a conspirator; is it? The word 14:07:38
18 "organization" is used as a modifier; is it 14:07:41
19 not? 14:07:43

20 A. I'm not an attorney, so I 14:07:44
21 wouldn't -- 14:07:46

22 MR. ADAMS: Objection. It 14:07:47
23 speaks for itself. 14:07:48

24 Q. Other than the defendants, are 14:07:54
25 there any co-conspirators? And if so, where 14:07:59

1

2 are they identified. 14:08:02

3 A. Not at this time. 14:08:03

4 Q. Do you have any evidence that 14:08:10

5 the -- withdrawn, you've already answered 14:08:12

6 that, I believe. 14:08:15

7 You said that you were relying 14:08:24

8 on the convictions of Markelov and 14:08:38

9 Khlebnikov. Or you were aware of the 14:08:43

10 convictions? 14:08:46

11 A. Right. 14:08:46

12 Q. Of Markelov and Khlebnikov. 14:08:46

13 A. That's correct. 14:08:49

14 Q. Have you read those documents? 14:08:49

15 A. I have read translated copies of 14:08:51

16 the documents. 14:08:53

17 Q. Complete? 14:08:53

18 A. What was given to us as part of 14:08:54

19 the documents given from Hermitage agents. 14:08:57

20 Q. Did the United States verify if 14:09:00

21 they were complete and accurate? 14:09:02

22 A. No. 14:09:06

23 Q. Do you know whether the theory 14:09:06

24 spelled out in the complaint is inconsistent 14:09:10

25 with the verdict of the Russian courts? 14:09:12

1

2

A. Yes.

14:09:15

3

Q. And what is your knowledge on

14:09:15

4

that point?

14:09:18

5

A. Well, the Russian court

14:09:19

6

documents, that I read, have the conspiracy

14:09:22

7

being done by other individuals other than

14:09:28

8

those that we believe committed the offense,

14:09:32

9

the Russian tax fraud. In other words,

14:09:34

10

Markelov and, I'll try and pronounce his

14:09:40

11

name, the other defendant in the court

14:09:45

12

document, were not the -- not all of the

14:09:47

13

individuals that actually perpetrated the

14:09:53

14

fraud. As we allege in the complaint.

14:09:55

15

Q. Who are the members of the

14:09:58

16

organization?

14:10:04

17

A. They would include those members

14:10:04

18

that we listed in the complaint. But it's

14:10:06

19

not an all-inclusive list, there may be

14:10:14

20

other members as well.

14:10:16

21

Q. What does it take to be a member

14:10:17

22

of the organization?

14:10:19

23

MR. ADAMS: Objection.

14:10:26

24

A. I guess the organization will

14:10:27

25

have to decide what it takes to be a member

14:10:30

1

2 of the organization. 14:10:32

3 Q. Did the United States -- 14:10:39

4 withdrawn. 14:10:39

5 You have said that the 14:10:46

6 defendants were not members, or you have no 14:10:52

7 evidence that they were members of the 14:10:54

8 organization. Is that correct? 14:10:56

9 A. That's correct. 14:10:57

10 Q. As to the -- 14:11:01

11 A. Other than -- 14:11:07

12 Q. -- identification of the members 14:11:08

13 of the organization, do you have any source 14:11:10

14 other than the Hermitage documents, the 14:11:12

15 Hermitage witnesses and the 14:11:16

16 Hermitage-related websites? 14:11:19

17 A. To identify members of the 14:11:22

18 organization? Is that what the question 14:11:24

19 was? 14:11:26

20 Q. Yes. 14:11:26

21 A. Yes, actually some members of 14:11:27

22 the organization have been placed on our 14:11:28

23 Treasury's website, been blocked, blocked 14:11:32

24 assets. 14:11:39

25 Q. And what is the factual basis 14:11:40

1

2 underlying that? 14:11:42

3 MS. MAGDO: Objection. 14:11:44

4 MR. ADAMS: Objection. 14:11:48

5 Go ahead. 14:11:50

6 THE WITNESS: Answer it? 14:11:51

7 MR. ADAMS: Yeah. 14:11:52

8 A. The basis for those individuals 14:11:53

9 being placed on the list are the 14:11:55

10 requirements of the Sergei Magnitsky Rule of 14:11:59

11 Accountability Act of 2012. 14:12:06

12 Q. You didn't make those 14:12:09

13 determinations? 14:12:11

14 A. No, I did not. 14:12:11

15 Q. And the standard for being on 14:12:12

16 this is credible information. Is that 14:12:14

17 correct? 14:12:16

18 A. I believe so. 14:12:16

19 Q. It's not evidence? 14:12:18

20 A. You would have to contact the -- 14:12:23

21 you have to contact -- 14:12:25

22 Q. The standard does not require 14:12:26

23 evidence; is that correct? 14:12:27

24 A. It must require some evidence of 14:12:28

25 something. I mean, you'd have to -- I can't 14:12:31

1

2 speak knowledgeably about -- 14:12:36

3 Q. You are speaking for the United 14:12:38

4 States about a statute passed by Congress. 14:12:39

5 A. Correct. 14:12:42

6 MR. MOSCOW: Never mind, we'll 14:12:46

7 move on. 14:12:47

8 Q. Do you believe the Russian 14:13:08

9 courts got it right? 14:13:10

10 A. No. 14:13:13

11 Q. Do you believe the Russian 14:13:14

12 courts got it wrong? 14:13:15

13 MS. MAGDO: Can you clarify the 14:13:18

14 question, what you're talking about? 14:13:19

15 MR. MOSCOW: I'm sorry. 14:13:20

16 Q. In convicting Markelov and 14:13:21

17 Khlebnikov, do you believe the verdicts of 14:13:24

18 the Russian courts, in the two cases where 14:13:28

19 there were convictions? 14:13:30

20 A. I do not believe that the 14:13:33

21 Russian government convicted the proper 14:13:35

22 people -- the proper defendants in this 14:13:41

23 case. I believe there were other 14:13:45

24 defendants. We don't -- that they should 14:13:49

25 have convicted. 14:13:50

1

2

Q. Are you accepting as true the

14:13:56

3

Russian verdicts or not?

14:14:01

4

A. No.

14:14:04

5

Q. In what language is the UBS

14:14:08

6

statement written?

14:14:21

7

A. The UBS statements?

14:14:24

8

Q. For Prevezon.

14:14:25

9

A. I don't recall. I have to take

14:14:26

10

a look at the statement.

14:14:28

11

Q. Did you read them?

14:14:32

12

A. I believe some of them may have

14:14:33

13

been in English, some of them may have been

14:14:35

14

in French, I think. But I'm not certain.

14:14:38

15

Q. What languages do you read?

14:14:44

16

A. English.

14:14:46

17

Q. Do you read Russian?

14:14:48

18

A. No, I do not.

14:15:14

19

Q. Does Dennis Katsyv read English?

14:15:15

20

A. I don't know. You have to ask

14:15:18

21

him.

14:15:19

22

Q. Would that be relevant to the

14:15:20

23

question of whether he should be charged

14:15:21

24

with knowledge of what's on an English

14:15:23

25

statement, English language statement?

14:15:25

1

2

A. I would assume he would have a translation, a translation would be provided to him.

14:15:27

14:15:29

14:15:32

4

5

Q. That's an assumption.

14:15:35

6

Would it be relevant if he did not speak English, to his understanding of the contents of an English language bank statement?

14:15:37

14:15:39

7

8

14:15:41

9

14:15:44

10

A. Yes, it would be relevant.

14:15:49

11

Q. Now, you did not speak to

14:15:51

12

Representative One; is that correct?

14:15:54

13

A. That's correct.

14:15:56

14

Q. Who did?

14:15:56

15

A. Can I confer with my attorney?

14:15:57

16

MR. ADAMS: Do you have a

14:16:05

17

question about privilege?

14:16:06

18

THE WITNESS: Yes.

14:16:08

19

MR. ADAMS: Sure.

14:16:10

20

THE VIDEOGRAPHER: Here marks

14:16:12

21

the end of videotape No. 2 in the videotaped deposition of Mr. Todd S. Hyman. We are going off the record, the time is 2:16 p.m.

14:16:12

14:16:15

22

23

14:16:17

24

14:16:19

25

(Witness and counsel left the

14:16:22

1

2

deposition room.)

14:16:24

3

THE VIDEOGRAPHER: This is still

14:22:44

4

tape No. 2, we are back on the record,

14:23:01

5

the time is 2:23 p.m.

14:23:03

6

BY MR. MOSCOW:

14:23:07

7

Q. When we left you needed to

14:23:12

8

consult with counsel.

14:23:13

9

A. Yes. Can you please repeat the

14:23:15

10

question?

14:23:17

11

Q. Who spoke with Representative

14:23:19

12

One?

14:23:22

13

A. This information is posted on a

14:23:22

14

public website, that's where I obtained it

14:23:24

15

from. You can check either, it's on the

14:23:27

16

website maintained by Hermitage or there is

14:23:32

17

another one where it's put on by a reporting

14:23:37

18

organization, the Organized Crime Corruption

14:23:40

19

Reporting Project.

14:23:50

20

Q. In other words -- do you know if

14:23:50

21

they got their information from Browder?

14:23:52

22

A. No, I do not.

14:23:54

23

Q. Do you know if they spoke with

14:23:57

24

Representative One?

14:23:59

25

A. They may have, I don't know. I

14:24:01

1

2 believe they have. 14:24:03

3 Q. What is the basis for your 14:24:05

4 belief? 14:24:07

5 A. That they were -- the article 14:24:07

6 came out and they wanted an opinion or a 14:24:11

7 comment from Mr. Katsyv about the Prevezon's 14:24:15

8 involvement in this. And then as part of 14:24:19

9 that process, that's where Representative 14:24:22

10 One made comments to them about the 14:24:27

11 transaction. So I would infer -- 14:24:28

12 Q. What is your basis for those 14:24:35

13 statements? I'm not challenging them, I'm 14:24:37

14 asking you to articulate the basis. 14:24:39

15 A. They are the information posted 14:24:43

16 on their websites and on the websites 14:24:47

17 maintained by heritage agents. 14:24:49

18 Q. You mean Hermitage, not 14:24:51

19 heritage; right? 14:24:54

20 A. Hermitage, correct. 14:24:54

21 Q. When you refer to heritage, you 14:24:56

22 mean Hermitage; right? 14:24:59

23 A. That's correct. 14:25:00

24 Q. You checked websites maintained 14:25:00

25 by Hermitage and you checked websites by the 14:25:03

1

2

OCCRP?

14:25:06

3

A. Correct.

14:25:07

4

Q. And that is the basis for your

14:25:07

5

assumption?

14:25:10

6

A. That OCC spoke.

14:25:11

7

Q. That someone spoke with Rep One?

14:25:13

8

A. Correct.

14:25:15

9

Q. Did you ever ask Browder or his

14:25:16

10

agents if they had spoken with

14:25:21

11

Representative One?

14:25:23

12

A. I did not.

14:25:24

13

Q. Did the United States?

14:25:25

14

A. I'm unaware.

14:25:26

15

Q. Now, that will not do, we will

14:25:28

16

have to get a yes or a no on that one.

14:25:31

17

A. Okay. I'll have to find out

14:25:34

18

more.

14:25:36

19

Q. Do you maintain investigative

14:25:37

20

files?

14:25:39

21

A. Yes.

14:25:39

22

Q. Do they include, I'm not asking

14:25:39

23

you to produce them, I'm asking do they

14:25:43

24

include the nature of the conversations you

14:25:45

25

have and the sources of information that you

14:25:47

1

2 get?

14:25:50

3

A. Well, they include reports and

14:25:53

4

copies of documents we've obtained. From

14:25:56

5

sources.

14:26:03

6

Q. Do you identify your sources in

14:26:04

7

those -- in your reports?

14:26:08

8

A. Yes.

14:26:10

9

Q. How many people did you promise

14:26:19

10

that you would keep their identities secret?

14:26:21

11

A. I haven't promised anybody.

14:26:25

12

That's beyond the -- as an investigator,

14:26:29

13

that's not what I do.

14:26:34

14

Q. How many people were promised

14:26:35

15

that their identities would be kept secret

14:26:38

16

by the United States, for whom you're

14:26:40

17

speaking?

14:26:42

18

A. I don't know. I'm unaware of

14:26:43

19

the -- how many.

14:26:47

20

Q. Do your notes reflect that that

14:26:53

21

promise was made?

14:26:56

22

A. I would not -- that would not be

14:26:57

23

part of the notes. In other words, I

14:26:59

24

wouldn't --

14:27:03

25

THE WITNESS: Can I consult with

14:27:06

1

2

the attorneys for a question of

14:27:07

3

privilege?

14:27:09

4

Q. What privilege?

14:27:15

5

A. Either law enforcement --

14:27:17

6

MR. ADAMS: At this point I'm

14:27:19

7

not even sure what question is being

14:27:20

8

asked.

14:27:22

9

Q. Do your notes reflect that a

14:27:22

10

promise was made to a witness that his

14:27:24

11

identity would not be disclosed, answer, I

14:27:26

12

don't know, that won't work.

14:27:30

13

A. Right.

14:27:31

14

Q. So do your notes reflect that a

14:27:31

15

promise was made to a witness that his

14:27:35

16

identity or her identity would not be

14:27:36

17

disclosed?

14:27:38

18

A. I have never made that promise,

14:27:39

19

so those notes -- that promise would not be

14:27:41

20

reflected in there.

14:27:43

21

Q. If you were present at a meeting

14:27:45

22

when someone asked that they be accorded

14:27:46

23

that confidence, would that be in your

14:27:50

24

notes?

14:27:52

25

THE WITNESS: We need to -- may

14:27:53

1

2

I break to consult with the attorneys?

14:27:57

3

MR. MOSCOW: I'm sorry, that

14:28:01

4

does strike me as something which you

14:28:02

5

as an investigator should be able to

14:28:04

6

answer without consultation. But you

14:28:06

7

represent the United States, and if

14:28:08

8

you -- if the United States wants to

14:28:10

9

assert a privilege on whether or not

14:28:13

10

it records promises of confidentiality

14:28:14

11

in a case where it's asserting law

14:28:20

12

enforcement privilege as to the

14:28:22

13

identity of witnesses, please step

14:28:23

14

out.

14:28:25

15

THE VIDEOGRAPHER: The time is

14:28:26

16

2:28 p.m., we are going off the

14:28:28

17

record.

14:28:30

18

(Witness and counsel left the

14:28:31

19

deposition room.)

14:28:35

20

THE VIDEOGRAPHER: We are back

14:32:36

21

on the record, the time is 2:32 p.m.

14:32:45

22

MR. MOSCOW: Could you repeat

14:32:50

23

the previous question.

14:32:51

24

(Record read as requested.)

14:33:01

25

THE WITNESS: Yes, that's

14:33:02

1

2

correct.

14:33:03

3

BY MR. MOSCOW:

14:33:04

4

Q. Without identifying whom,

14:33:06

5

obviously, was that promise made in your

14:33:09

6

presence in the course of interviewing any

14:33:11

7

witnesses?

14:33:15

8

A. No, it was not.

14:33:16

9

Q. Was it made in Agent Brady's

14:33:37

10

presence, if you know?

14:33:40

11

A. I don't know. When she was with

14:33:42

12

me together, it was not made in our

14:33:44

13

presence.

14:33:48

14

Q. Was she present for any

14:33:49

15

interviews of witnesses that you were not

14:33:51

16

present for?

14:33:53

17

A. Not that I'm aware of.

14:33:54

18

Q. We were talking before about

14:34:00

19

membership in the organization.

14:34:02

20

A. Yes.

14:34:04

21

Q. And you indicated that the

14:34:04

22

Magnitsky list was one way, and you have

14:34:08

23

sources based on what Mr. Browder said as

14:34:11

24

other ways of identifying members of the

14:34:14

25

organization. What additional ways do you

14:34:16

1

2 have?

14:34:20

3

A. Those were the ways that we

14:34:20

4

used. There were no --

14:34:24

5

Q. And do you know whether or not

14:34:25

6

Browder had any input in the Magnitsky list?

14:34:26

7

A. Any knowledge of that would be

14:34:30

8

speculative. He is an active campaigner in

14:34:33

9

public records.

14:34:40

10

Q. In public records?

14:34:41

11

A. If you go -- or public searches.

14:34:42

12

Searches of public data -- public websites,

14:34:45

13

you will find Mr. Browder very prominently

14:34:50

14

out there campaigning.

14:34:53

15

Q. In other words, he's all over

14:34:56

16

the internet. But does -- let me ask a

14:34:58

17

different question.

14:35:01

18

How did Browder get the records

14:35:02

19

he gave you?

14:35:04

20

A. You have to ask Mr. Browder.

14:35:05

21

Q. Did you ever ask him? Did

14:35:07

22

anyone in your presence ever ask him that

14:35:13

23

question?

14:35:14

24

A. Yes. And in some instances --

14:35:15

25

the question that I overheard was they

14:35:20

1

2

were -- the records were copies of

14:35:23

3

statements or records that he received as

14:35:27

4

the owner of Hermitage. Such as a lawsuit

14:35:29

5

or a judgment or he was contacted, so he

14:35:33

6

received some of these records.

14:35:37

7

Q. How did Browder obtain the bank

14:35:38

8

records that he gave you? I'm sorry, how

14:35:42

9

did Hermitage, including all of the people

14:35:46

10

involved with it, obtain the bank records

14:35:48

11

which they provided?

14:35:50

12

MR. ADAMS: To the extent that

14:35:55

13

you know and it doesn't infringe on

14:35:57

14

law enforcement privilege we've talked

14:35:58

15

about previously, you can reply.

14:36:01

16

A. To the --

14:36:04

17

THE WITNESS: I think it applies

14:36:09

18

to the privilege before.

14:36:10

19

MR. ADAMS: This will be very

14:36:17

20

short.

14:36:19

21

THE VIDEOGRAPHER: Off the

14:36:20

22

record, the time is 2:36 p.m.

14:36:21

23

(Witness and counsel left the

14:36:25

24

deposition room.)

14:36:26

25

THE VIDEOGRAPHER: We are back

14:38:09

1

2

on the record, the time is 2:38 p.m.

14:38:15

3

THE WITNESS: Okay. Can you

14:38:20

4

re-read the question to me?

14:38:21

5

(Record read as requested.)

14:38:37

6

THE WITNESS: You would have to

14:38:39

7

ask Hermitage. Bill Browder never

14:38:40

8

told me where he was getting some of

14:38:43

9

the information.

14:38:45

10

BY MR. MOSCOW:

14:38:47

11

Q. Did anyone from Hermitage tell

14:38:47

12

the United States where they were getting

14:38:49

13

the bank records?

14:38:51

14

A. Not to my knowledge.

14:38:52

15

Q. By this you mean not to the

14:38:55

16

knowledge -- you mean yes or no, it's not

14:38:57

17

the question -- it can't be not to my

14:38:59

18

knowledge because you're speaking for the

14:39:02

19

government.

14:39:03

20

Did anyone, did he tell anyone

14:39:04

21

in the United States how he was obtaining

14:39:06

22

the bank records that he says he had?

14:39:08

23

A. He didn't tell us where he was

14:39:11

24

getting his records. The records, other

14:39:18

25

than what was on the website that he would

14:39:22

1

2 post, that's how we would get them. He 14:39:25
3 didn't say to us. To the best of my 14:39:28
4 knowledge. 14:39:33

5 Q. In the course of your 14:39:36
6 investigation before you froze the property, 14:39:37
7 did you ask about the source and 14:39:44
8 authenticity of the bank records? 14:39:47

9 A. Yes, we did. And Mr. Browder -- 14:39:51
10 to the best of my knowledge, Mr. Browder 14:39:56
11 wouldn't reveal the sources of some of his 14:40:00
12 records. 14:40:03

13 Q. So you know them to be 14:40:16
14 unsourced, having asked where you got them 14:40:18
15 from. Correct? 14:40:20

16 A. Correct. 14:40:22

17 Q. Okay. Now, you said something 14:40:22
18 before which is rattling around, in terms of 14:40:31
19 tracing money. If a balance in an account 14:40:37
20 were to go to zero, you said, or below zero, 14:40:39
21 you could still trace from a deposit that 14:40:42
22 came in before it went to zero and say that 14:40:47
23 money that arrived thereafter was tainted. 14:40:49
24 Please explain. 14:40:55

25 MR. ADAMS: Objection. I think 14:40:56

1

2

you are asking for a legal conclusion.

14:40:57

3

MR. MOSCOW: I'm asking for an

14:40:59

4

accounting conclusion from an agent

14:41:00

5

who either has whatever expertise he

14:41:02

6

has in this sort of thing, it was his

14:41:05

7

remark that I'm trying to pick up on.

14:41:09

8

MR. ADAMS: You can answer.

14:41:13

9

MS. MAGDO: But the objection

14:41:15

10

stands.

14:41:16

11

A. My understanding is that this is

14:41:17

12

a matter of law that allows you to -- money

14:41:22

13

within a year moving in and out of an

14:41:25

14

account could be, I guess, legally traced to

14:41:29

15

it. So the accounting principles I'll use,

14:41:31

16

I'll use as guided by the law. But I'm not

14:41:36

17

an attorney, so I wouldn't be able to tell

14:41:44

18

you.

14:41:45

19

Q. Just, would it be correct that

14:41:50

20

in bringing the accusations that constitute

14:41:53

21

the complaint which is Exhibit 1, the

14:41:57

22

government of the United States was relying

14:42:00

23

on accounting presumptions and the legal

14:42:03

24

treatment to which you just referred?

14:42:06

25

A. That would be correct.

14:42:09

1

2

Q. And is it the -- does that

14:42:11

3

evidence knowledge -- does an accounting

14:42:22

4

presumption evidence knowledge or intent on

14:42:25

5

the part of the recipient of funds?

14:42:27

6

A. I'm not sure I understand your

14:42:31

7

question.

14:42:32

8

Q. We'll leave it alone.

14:42:33

9

Other than receiving your

14:42:40

10

information from Browder, you did not

14:42:42

11

interview competent witnesses, but you did

14:42:45

12

obtain the Russian conviction.

14:42:48

13

A. Through Hermitage's agents.

14:42:53

14

Q. They provided that?

14:42:55

15

A. They provided that too.

14:42:57

16

Q. Did they provide the complete

14:42:58

17

document? I asked that before, I don't

14:43:00

18

recall the answer.

14:43:02

19

MR. ADAMS: You did ask it

14:43:02

20

before, he answered it before.

14:43:04

21

MR. MOSCOW: I'm sorry, I don't

14:43:05

22

recall the answer.

14:43:06

23

MR. ADAMS: So asked and

14:43:09

24

answered. You can re-answer it.

14:43:10

25

A. The copies of -- we only

14:43:12

1

2

received the portion of the copy of the

14:43:14

3

legal document.

14:43:16

4

Q. Did Browder review the complaint

14:43:21

5

before it was filed?

14:43:23

6

A. I don't know.

14:43:26

7

Q. Did anyone from Hermitage review

14:43:27

8

the complaint before it was filed?

14:43:30

9

A. I don't know.

14:43:31

10

Q. Again, you're speaking for the

14:43:31

11

United States. The answer is yes or no.

14:43:33

12

MR. MOSCOW: We are going to

14:43:45

13

have to reassemble at some point

14:43:46

14

because there are a number of

14:43:49

15

questions that you're going to have to

14:43:50

16

refresh your recollection on.

14:43:52

17

I know you want to break early

14:43:52

18

today. I would suggest we break at

14:43:54

19

this point and we will reassemble

14:43:56

20

later.

14:43:59

21

MR. ADAMS: Okay.

14:44:02

22

THE VIDEOGRAPHER: Here marks

14:44:05

23

the end of videotape No. 2, volume 1,

14:44:06

24

in the videotaped deposition of

14:44:10

25

Mr. Todd S. Hyman. We are going off

14:44:13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the record, the time is 2:44 p.m.

14:44:14

(Time noted: 2:44 p.m.)

14:44:18

14:44:18

TODD S. HYMAN

Subscribed and sworn to before me
this ____ day of _____, 2014.

1

2 STATE OF NEW YORK)

ss:

3 COUNTY OF NEW YORK)

4 I wish to make the following changes,
5 for the following reasons:

6 PAGE LINE

7 _____ CHANGE _____
REASON: _____

8 _____ CHANGE _____
REASON: _____

9 _____ CHANGE _____
REASON: _____

10 _____ CHANGE _____
11 REASON: _____

12 _____ CHANGE _____
REASON: _____

13 _____ CHANGE _____
14 REASON: _____

15 _____ CHANGE _____
REASON: _____

16 _____ CHANGE _____
17 REASON: _____

18 _____ CHANGE _____
REASON: _____

19 _____ CHANGE _____
20 REASON: _____

21

22 _____
TODD S. HYMAN
23 Subscribed and sworn to before me
this _____ day of _____, 2014.

24

25 _____

14:44:18

1

2

C E R T I F I C A T E

3

STATE OF NEW YORK)

: ss.

4

COUNTY OF NEW YORK)

5

6

I, ERIC J. FINZ, a Shorthand Reporter
and Notary Public within and for the State
of New York, do hereby certify:

7

8

9

10

11

12

13

That TODD S. HYMAN, the witness whose
deposition is hereinbefore set forth, was
duly sworn by me and that such deposition
is a true record of the testimony given by
the witness.

14

15

16

17

I further certify that I am not related
to any of the parties to this action by
blood or marriage, and that I am in no way
interested in the outcome of this matter.

18

19

20

21

IN WITNESS WHEREOF, I have hereunto set
my hand this ____ day of _____,
2014.

22

23

24

25

ERIC J. FINZ

1		
2	E X H I B I T S (Continued)	
3	DESCRIPTION	PAGE
4	(Deposition Exhibit 1 for	13
5	identification, verified	
6	complaint.)	
7	(Deposition Exhibit 2 for	13
8	identification, amended verified	
9	complaint.)	
10	(Deposition Exhibit 3 for	13
11	identification, ex parte	
12	application for a post-complaint	
13	protective order.)	
14	(Deposition Exhibit 4 for	14
15	identification, post-complaint	
16	protective order.)	
17	(Deposition Exhibit 5 for	14
18	identification, notice of	
19	deposition.)	
20	(Deposition Exhibit 6 for	64
21	identification, flow chart.)	
22	(Deposition Exhibit 7 for	96
23	identification, flow chart.)	
24		
25		

1

2

DIRECTIONS NOT TO ANSWER

3

PAGE

4

DIR

111

5

DIR

111

6

DIR

112

7

DIR

112

8

DIR

155

9

DIR

155

10

DIR

156

11

DIR

156

12

13

14

15

16

17

18

19

20

21

22

23

24

25

A				
able	119:16,18 122:16,20 123:12,13 141:23 144:3,23 150:16,17 154:20,22 177:19 178:14	action	133:2	
66:17 68:3,8,12,12,14 71:7 87:3 95:24 118:9,12,16 172:5 178:17	Accountability	132:22 183:15	admission	
abroad	50:9 163:11	active	139:21	
51:5	accounting	174:8	admitted	
absence	12:22 13:7,11 68:19 83:16 89:13,19 91:18 92:7 178:4,15,23 179:3	activities	139:22	
156:6	accounts	134:25 154:12	affect	
Absolutely	24:24,24 25:13 33:10 33:11 40:21 50:17 52:13 69:17 70:3,13 78:13 89:9 92:19 119:3	activity	108:3	
52:16 94:13	accuracy	131:25 159:15	AFI	
accept	47:23 51:12 120:25	actors	25:18,20,24 124:3,17 127:14 128:15,19,22 129:16 130:14,21 131:2 151:15,17	
80:18	accurate	132:4	agent	
accepting	50:20 160:21	acts	8:8,15 16:8 39:3,4,5 56:7 62:24 139:21,21 140:15,18,22 173:9 178:4	
165:2	accurately	134:19 138:11,24 159:5	agents	
access	99:12	actual	20:8,11 23:24 31:13 38:22 56:4 59:14,18 64:24 80:6 81:17 105:14 106:14 107:10 144:8 160:19 168:17 169:10 179:13	
38:24 75:12	accusations	27:3 45:9 84:22	ago	
accorded	178:20	Adam	57:11 148:18,19	
171:22	accused	5:11 6:4	agree	
account	133:11	Adams	99:20	
2:8,9,12,13,18,19 36:20 37:3,4,6,10,18 38:11 39:7 40:20 41:3,4,5,5 44:18,23 44:23 45:10,25 52:5 52:10 65:22 66:5,9 66:15 67:2,11 68:5,6 68:23 69:6,6,9,14,21 70:3,14,14,15,21,21 70:22 71:3,3 72:4 76:4,5,25 78:20 79:2 79:12,14,19 80:2,4 80:23,24 81:4,5,8,11 81:18,19,23 82:5,17 82:18,20,20,22 83:4 83:14 85:10 86:2,10 87:21,22,24 88:23 89:2,3 91:14,16 92:10 93:3 97:6,7 98:21 101:4,4 111:11 111:11 112:17,19 115:4,11,24 116:7 117:6,7,11,17,18 118:25 119:4,8,11,15	acquire	4:6 7:14,14 9:25 12:3 17:8,10,17 23:10 24:6 30:13 31:16 34:9,25 35:4,21 36:4 37:25 50:25 57:3 60:4,22 61:4,8 104:4 111:19 112:4,10,23 121:9 131:11 132:14 132:18 135:22 136:13 137:2,4 140:2 140:5 141:21 145:2 145:21 146:9 151:22 155:15,20 156:10,22 157:3,11 158:8 159:22 161:23 163:4 163:7 166:16,19 171:6 175:12,19 177:25 178:8 179:19 179:23 180:21	agreeing	159:10
	acquired	Adam	agreement	
	13:11 124:3,13,16 151:11 152:5	5:11 6:4	58:3 91:24	
	acquisition	Adams	ahead	
	124:5	4:6 7:14,14 9:25 12:3 17:8,10,17 23:10 24:6 30:13 31:16 34:9,25 35:4,21 36:4 37:25 50:25 57:3 60:4,22 61:4,8 104:4 111:19 112:4,10,23 121:9 131:11 132:14 132:18 135:22 136:13 137:2,4 140:2 140:5 141:21 145:2 145:21 146:9 151:22 155:15,20 156:10,22 157:3,11 158:8 159:22 161:23 163:4 163:7 166:16,19 171:6 175:12,19 177:25 178:8 179:19 179:23 180:21	agents	117:21 136:15 163:5
	acquitted	actual	aid	
	136:11,24	27:3 45:9 84:22	134:24	
	ACRIS	Adam	al	
	21:10	5:11 6:4	6:15	
	Act	Adams	Alaverdi	
	61:22 163:11	4:6 7:14,14 9:25 12:3 17:8,10,17 23:10 24:6 30:13 31:16 34:9,25 35:4,21 36:4 37:25 50:25 57:3 60:4,22 61:4,8 104:4 111:19 112:4,10,23 121:9 131:11 132:14 132:18 135:22 136:13 137:2,4 140:2 140:5 141:21 145:2 145:21 146:9 151:22 155:15,20 156:10,22 157:3,11 158:8 159:22 161:23 163:4 163:7 166:16,19 171:6 175:12,19 177:25 178:8 179:19 179:23 180:21	4:16 7:8,8	
	acted	additional	Alex	
	139:14,14	23:25 25:22 47:12 65:7 79:12 87:23 94:4 96:22 122:8 159:13 173:25	150:9	
	acting	Additionally	Alexander	
	43:5	122:4	1:8 2:4,6,9,9 15:20,22	
		admiralty		

24:20 149:13 Alfa 28:15 29:2,12 31:21 34:7 35:17 36:9,11 36:17,20,23 37:3,11 37:19 38:12 39:18,20 40:20 44:9,24 79:11 116:5 allegation 49:7 53:10 allege 85:3 87:7 161:14 alleged 88:15 95:9 99:21 100:2 alleging 106:5 allow 95:19 116:17 123:3 allows 178:12 all-inclusive 161:19 alter 142:2 amended 11:13,13,16,19,25 12:12,14 13:23 14:24 15:2 184:8 America 1:5 2:8,11,18 6:13 American 28:20 amount 45:23 67:9 69:7 79:8 82:7,11,21 86:8 89:6 89:8,8,11 91:13,15 94:24 95:8 119:21 120:6,16 amounts 41:15 45:20 85:18 97:12 Andrew 4:6 7:14 9:25 Andrews's	4:5 andrew.adams@us... 4:7 Anika 31:23 80:23 81:18,22 82:4,17 83:13 85:10 86:2 answer 12:4 17:11,18 23:14 23:15,16,18 24:3,7 24:10 30:23 47:13 56:17 57:7 60:5,18 60:21,25 61:4,9 62:6 62:7 70:19 71:22 84:2 94:8,9 101:12 101:14 102:25 103:20 111:20 112:5 112:11 114:8,12 117:2 118:9,12,17 131:12 135:4 136:21 140:25 148:25 156:23 157:4 163:6 171:11 172:6 178:8 179:18,22 180:11 185:2 answered 50:25 78:9 160:5 179:20,24 answering 137:10 140:2 answers 11:5 anybody 51:16 170:11 anyway 34:21 apologize 134:11 appear 48:5 50:7 62:17 107:12 157:24 158:17,21 appeared 143:12 appears	123:24 application 14:2 15:9 126:10 184:12 applies 175:17 apply 15:16 approach 55:14 approached 55:10 approximate 86:8 approximately 6:8 8:13 13:9,19 86:7 87:25 88:5 95:10 97:12,13 119:24 120:5 APPURTENANCES 2:6,15,21 3:3,8,12 area 47:17 124:22 arrived 177:23 article 143:11,15 168:5 articles 50:6 54:18,24 articulate 73:13 168:14 ascertain 23:17 68:4,9 aside 78:18 98:25 99:9 103:15 123:15 132:2 asked 9:11 39:11 56:12 57:7 78:9 92:9 102:20 153:5 156:17 157:12 171:8,22 177:14 179:17,23 asking 18:19 21:4 29:8 35:3,5 35:8 45:7 47:11	69:21 90:10 94:2 116:21,22 118:15 121:10,13 122:6 130:17,19 135:25,25 136:18 138:16,21 145:15 149:10 150:7 155:18,22 168:14 169:22,23 178:2,3 assemble 57:15 assert 172:9 asserted 60:13 asserting 73:14 172:11 assertion 60:15 88:19 145:25 asset 25:18,21,24,25 27:14 assets 2:3,4,10,14,20 3:2,6,7 3:11,15,16 22:2,6,18 22:23 23:3,5 24:19 25:6,15,22,23 27:7,9 27:11 28:2 162:24 assigned 16:9 assistance 55:11 126:21 Assistant 9:24 10:4 29:20 33:21 35:7 52:24 Assisting 56:6 associate 84:10 90:19 associated 57:25 60:10 associates 17:4 20:8 64:24 association 58:17 assume 141:19 148:7 154:25
---	---	--	---

166:2	34:5 121:22	52:21 56:23 63:11,20	54:12 61:15 64:23
assuming	authenticity	71:18 78:15,18 80:2	65:18 67:10 69:14
19:2 67:23	177:8	94:12 102:2 106:10	70:23 77:3,21 78:6
assumption	authority	114:4,18 117:9	78:12 79:2,11,11,18
72:9 82:23,25 83:17	51:4,7,10	122:14 123:8 128:22	79:24 87:10,22,22
89:14,19 91:17,18	authorized	130:4,10,14 139:24	88:14,23,25 98:20
92:7 166:5 169:5	84:14,24	143:15 144:15 145:2	102:8,8 103:5 111:13
assumptions	authorizes	147:22 149:11,16	111:25 112:9,12
68:20	102:9	151:16,18,24 152:3,7	116:4 119:14 121:23
assuredly	authorizing	167:4 172:20 175:25	123:3,5 128:17,21,22
68:7	84:19	Baker	134:9 142:23 143:4
attached	available	1:21 4:10,19 5:3 6:9	143:17,25 144:5,7
64:7	65:15 67:11 68:17	6:22,24 7:3,6,9,12	151:3,5,8 155:23
attempt	117:23 118:21	balance	157:16 166:8 175:7
108:9,12,16,19	Avenue	39:7 65:22 66:21	175:10 176:13,22
attention	2:16,17 4:20	67:14,14,23 71:25	177:8
14:11,22 15:6,11	aware	83:10 89:5 117:24	banks
32:11 34:12 63:23	11:15,18 19:15,19	119:15 177:19	28:14,19,20 29:5 30:3
64:13 96:4,15,16,24	25:17 38:9 47:10	balances	30:5 31:19,24 33:5,6
97:3 111:4 123:11	55:4,23 63:3,7,10,16	38:11,15,19 81:7 93:7	34:8 40:9 41:8 50:17
131:4,6 145:24	71:25 90:7 92:10,14	117:18	50:20,22 51:11,18,19
attorney	94:17 104:13 105:8	Banca	51:20,23 52:3
9:24 52:25 72:8,14	107:18 109:5 141:6,8	31:25 39:24 40:4,16	Baruch
133:8 159:20 166:15	149:14 155:12 160:9	40:20 42:8 44:10,25	12:24
178:17	173:17	65:23 66:5,10 67:2	based
attorneys	a.m.	73:25 87:24 92:24	83:9 92:4,6 103:3
4:4,11 5:3 10:5 29:21	1:17 6:8 30:17,21	115:24 116:5	104:5 143:4,8,11
57:22 59:16 71:12	52:18,22 56:20,24	bank	154:14 173:23
78:15 101:11,14	71:14,19 101:20	2:8,11,17 19:23 20:16	basis
113:2 137:8 171:2	A/K/A	24:23,24 25:13 28:13	45:15 67:7 69:3 82:16
172:2	2:16	28:15,16,16,17,18,20	88:18 105:21 111:21
Attorney's		28:21,22 29:2,3,4,11	112:6,13 162:25
4:3 64:19	B	29:12,14 30:11 31:5	163:8 168:3,12,14
attribute	B	31:7,9,10,14,18,21	169:4
103:22	32:12,14,16,22,25	31:22,22,22,24,25	bear
attributed	34:8 46:20 52:9	32:2,3,5,7 33:6 34:7	28:5 35:23 44:6 48:4
104:18	64:14 74:10 77:13	34:7,13 35:17,18	64:9 130:6
August	80:22 85:25 87:12	36:9,11,17,18,20,23	Bearing
127:16	96:17,18,20 98:5	36:24 37:4,11,18,19	35:18 36:6 136:23
authenticate	184:2	38:11,12 39:16,18,20	beginning
35:20 36:3,7 38:3,7	bachelors	39:24 40:3,14 41:2,2	101:24
58:7 80:8	12:21	41:8,25 43:19,25	behalf
authenticated	back	44:9,16,19,24,25	9:11 11:4,23 12:8 16:4
92:5 121:23	18:20 27:24 28:7,24	45:10 46:13,13 47:5	27:5 44:9,11 103:14
authenticating	30:20 33:3 42:5 48:9	50:14 53:15,18 54:3	109:22 157:7

belief 45:16 168:4	129:8,10 130:21	157:16	Center 13:16	
believe 11:14 26:3,24 27:2 34:11 36:14 45:13 73:21 106:24 116:2 116:15,24 124:24 126:15 128:12 134:16 147:4 156:16 160:6 161:8 163:18 164:8,11,17,20,23 165:12 168:2	boy 32:14 Brady 56:8 59:16 Brady's 173:9 break 102:5,21 113:4 172:2 180:17,18 bring 11:9,12 bringing 178:20 broke 52:24 103:18 114:7 brought 11:17 21:20,24 58:9 155:3 Browder 17:2,4,5,25 20:7 31:12 32:21 38:5 47:19,25 48:11,15,24 49:6 53:10 69:23,25 105:17 107:15,18 167:21 169:9 173:23 174:6,13,18,20 175:7 176:7 177:9,10 179:10 180:4 building 57:19 buildings 62:18 63:6 157:24 Bunicon 42:22 43:5 89:17,21 89:21 93:10 94:5,19 95:14 99:24 100:13 100:21,24,25 101:4 102:10,15 115:11,24 116:7 118:24 119:10 119:22 124:10 133:20 139:20 142:10,25 145:9 149:23 152:21 153:10,20 154:16	business 73:24 139:23 153:2 buy 126:13 buying 150:17	Bunicon's 87:21 business 73:24 139:23 153:2 buy 126:13 buying 150:17	certain 49:8 50:17,17 72:2 74:4 107:13 157:13 165:14 certainly 87:4 156:10 certify 183:8,14 challenging 168:13 CHANGE 182:6,7,9,10,12,13,15 182:16,18,19 changes 182:4 charged 165:23 chart 32:16,17 39:6,10,12 51:25 64:5,7,17,18 64:20,25 65:2,12,14 66:19 68:21 71:9 74:10 75:19 79:19 84:3 87:19 93:22,23 94:2,6 95:5 96:7 111:7,12 115:9 119:23 123:24 184:21,23 charts 20:3,5,16 28:11,12,17 28:25 53:20 54:3,12 65:3 93:18 check 21:18,19,22 70:2 80:15 94:11 95:2,6 95:20 104:7 116:16 142:17 155:4 167:15 checked 43:24 168:24,25 checks 16:23 Christine 4:8 10:6 52:25
belonging 40:21	bring 11:9,12 bringing 178:20	buy 126:13 buying 150:17	Center 13:16	
beneficiary 41:4	broke 52:24 103:18 114:7	buying 150:17	certain 49:8 50:17,17 72:2 74:4 107:13 157:13 165:14	
benefit 42:9 119:11	brought 11:17 21:20,24 58:9 155:3	buying 150:17	certainly 87:4 156:10	
benefits 27:6	Browder 17:2,4,5,25 20:7 31:12 32:21 38:5 47:19,25 48:11,15,24 49:6 53:10 69:23,25 105:17 107:15,18 167:21 169:9 173:23 174:6,13,18,20 175:7 176:7 177:9,10 179:10 180:4	buying 150:17	certify 183:8,14	
best 177:3,10	building 57:19	buying 150:17	CHANGE 182:6,7,9,10,12,13,15 182:16,18,19	
better 56:18	buildings 62:18 63:6 157:24	buying 150:17	challenging 168:13	
beyond 170:12	Bunicon 42:22 43:5 89:17,21 89:21 93:10 94:5,19 95:14 99:24 100:13 100:21,24,25 101:4 102:10,15 115:11,24 116:7 118:24 119:10 119:22 124:10 133:20 139:20 142:10,25 145:9 149:23 152:21 153:10,20 154:16	buying 150:17	CHALLENGING 182:6,7,9,10,12,13,15 182:16,18,19	
BIC 76:7,9,10 85:20	building 57:19	buying 150:17	changes 182:4	
Bill 176:7	buildings 62:18 63:6 157:24	buying 150:17	charged 165:23	
billion 82:12	Bunicon 42:22 43:5 89:17,21 89:21 93:10 94:5,19 95:14 99:24 100:13 100:21,24,25 101:4 102:10,15 115:11,24 116:7 118:24 119:10 119:22 124:10 133:20 139:20 142:10,25 145:9 149:23 152:21 153:10,20 154:16	buying 150:17	chart 32:16,17 39:6,10,12 51:25 64:5,7,17,18 64:20,25 65:2,12,14 66:19 68:21 71:9 74:10 75:19 79:19 84:3 87:19 93:22,23 94:2,6 95:5 96:7 111:7,12 115:9 119:23 123:24 184:21,23	
bind 11:6	building 57:19	buying 150:17	charts 20:3,5,16 28:11,12,17 28:25 53:20 54:3,12 65:3 93:18	
binding 23:16 56:18 62:6	buildings 62:18 63:6 157:24	buying 150:17	check 21:18,19,22 70:2 80:15 94:11 95:2,6 95:20 104:7 116:16 142:17 155:4 167:15	
blocked 162:23,23	Bunicon 42:22 43:5 89:17,21 89:21 93:10 94:5,19 95:14 99:24 100:13 100:21,24,25 101:4 102:10,15 115:11,24 116:7 118:24 119:10 119:22 124:10 133:20 139:20 142:10,25 145:9 149:23 152:21 153:10,20 154:16	buying 150:17	checked 43:24 168:24,25	
blood 183:16	building 57:19	buying 150:17	checks 16:23	
blue 97:4,16 98:7,12	buildings 62:18 63:6 157:24	buying 150:17	Christine 4:8 10:6 52:25	
Botts 1:21 5:3 6:10 7:6	Bunicon 42:22 43:5 89:17,21 89:21 93:10 94:5,19 95:14 99:24 100:13 100:21,24,25 101:4 102:10,15 115:11,24 116:7 118:24 119:10 119:22 124:10 133:20 139:20 142:10,25 145:9 149:23 152:21 153:10,20 154:16	buying 150:17		
bought	building 57:19	buying 150:17		

christine.magdo@u... 4:8	commingled 88:24	147:17 160:24	confirm 120:23,24 121:7,14,15 124:15
circumstances 72:2	commit 138:20	161:14,18 178:21 180:4,8 184:6,9	Congress 164:4
City 6:6,11 12:25	committed 161:8	complete 66:3,13 77:3,6 112:16 160:17,21 179:16	Connecticut 4:20
claim 99:13 158:11	communicate 44:25	completed 25:23 121:17 138:5	connection 16:4,18
claims 100:2	communications 59:17	completion 132:7	consistent 123:17,25 143:17,18
clarify 30:25 43:17 61:14 71:23 76:10 99:14 137:21 145:13 149:9 150:6 164:13	COMM3 2:7,7	comprehensive 39:13	conspiracy 158:25 161:6
clarity 36:21	companies 21:14 24:21 27:10 35:15 39:25 40:4,16 70:16 71:4 78:13 89:2 128:3,10 134:2 134:14 149:3,18,20 157:19,23	computer 61:20	conspirator 159:17
clear 18:22 128:8 130:9 138:19 149:21	company 31:23 125:4,6 132:3 152:5	con 140:11	conspirators 158:10,13
clerk 153:23	compare 65:14 96:10	conceal 137:17 139:14,15 141:6 146:2	constitute 55:20 178:20
client 41:14,17,24 42:2	competent 19:3,6,9,13 61:7 131:9 131:17,22 179:11	concealment 141:17	consult 23:17 24:12 47:11,14 102:6 167:8 170:25 172:2
clients 41:9,11 138:21,22	complaining 100:20	concede 135:16	consultation 172:6
collectively 20:10	complaint 10:18 11:10,13,17,19 11:25 12:6,7,11,12 12:14 13:21,24 14:14 14:25 15:2 17:23 18:15 21:20,23 25:4 26:4 28:23 32:7,12 34:16 36:16 42:14 46:21 49:19 51:14 55:7,9 58:5,15 59:7 62:11 64:8,14 70:8 70:11 74:11 84:16 95:20 98:5 99:13,16 116:20,22 118:23 120:11,14,15,18 121:2,12 142:16,22	concerned 115:16	consummated 26:17
color 111:7		concerning 30:9 112:24	contact 57:20 163:20,21
column 45:22		conclusion 178:2,4	contacted 175:5
come 27:24 33:12 68:5,9,13 78:15 86:23 87:5,6 88:7 100:2 105:13 117:9 118:4 123:10 124:2 132:11		CONDOMINIUM 2:6,22 3:4,9,13	contained 49:18 54:8 68:24
coming 88:9 91:5 97:15,21 99:3 103:10		conducted 16:22 19:21 57:11 159:12	contains 89:6,7
comment 74:16 134:9 168:7		confer 52:15 56:16 63:19 71:11 78:14 101:10 101:14 137:8 158:7 166:15	contents 126:25 166:8
comments 168:10		confidence 171:23	continue 24:14 30:22 47:16 56:25 130:20 132:19 137:3 141:3 144:17
		confidential 111:25	continued 1:16 2:24 115:2 125:7 184:2
		confidentiality 172:10	contradict

121:8,12,14	14:13,24 15:8,13	corrected	48:2,12,15,24 49:2
control	44:21 45:7 64:6	143:22	53:12 105:19,23
61:22 137:18 139:16	77:20 106:7,18	correspondent	163:16
146:3	107:14 180:2	36:23	crediting
controlling	corporate	corroborated	41:3
152:20	127:20	105:25	Crime
conversation	correct	corruption	61:22 167:18
58:10 139:3	20:14 21:16,17 25:9	134:20 138:12,25	criminal
conversations	25:10 27:10,16,17	159:6 167:18	8:21 10:18
61:21 169:24	29:12,19,22,25 33:16	counsel	cross
conversion	34:3 40:17 41:13	6:18 52:19 56:21	74:2
95:23	43:13,14 46:17,24	71:16 101:21 114:9	CUNY
convert	47:21 51:21 53:16,21	166:25 167:8 172:18	12:25
95:19	53:22,25 55:21 58:2	175:23	currency
converted	58:25 59:2,3,4,6,24	Counselor	45:11
123:22	68:18 75:6 79:4,6,7	23:12	currently
convicted	79:15,20,21,24 80:21	country	26:22 27:18,20
106:18,21 107:5,17,19	81:20,21 83:5,8,15	23:25 153:23	customer
135:14 164:21,25	84:7,11 85:9,13	COUNTY	44:10
convicting	86:11,12,25 87:9,13	182:3 183:4	Customs
164:16	87:14,16,17 88:8,12	course	9:6,9
conviction	88:17 89:14,15,18	17:13 18:3 19:21	Cymrot
106:7,13 107:15,25	90:24 91:8,17,25	73:24 148:17 173:6	4:21 7:3,3
108:3,7 179:12	92:8 93:14,16 94:16	177:5	
convictions	97:12,13,22 98:3,6,9	court	D
106:15 107:8,9 160:8	98:16 99:18,23	1:2 6:16 7:17 106:19	D
160:10 164:19	100:22 103:23,25	106:20 138:7 155:22	7:20,20 32:13 114:20
copies	104:15,20,21 109:7	161:5,11	114:20
19:23,24,24 20:2	110:9,16,19,22 111:2	courts	daily
31:10 32:4 33:9	111:3 115:12 119:19	160:25 164:9,12,18	38:15,18 39:7 65:22
35:19,24 36:6,10	119:21 122:25 125:2	covered	81:7 83:10 93:7
37:9,13,14,17 38:16	125:9,10,14,17,25	60:14 61:21,23 69:8	data
40:19 44:12,16 50:6	126:4,5,8,11 127:12	covers	54:3 61:20 174:12
50:14,15,16 51:24	128:12 129:14 134:3	69:7	date
52:4,8 54:10,16,18	134:4 135:15,21	co-conspirators	6:6 26:8 66:16 93:7
54:19,23 57:16 64:23	139:7,12 141:20	159:25	124:15,16
65:20 72:20 74:18,25	142:18 143:24	co-ops	dates
76:2 77:16,19 80:6	148:20 149:3 150:18	25:12	144:6
81:13 85:15,16,16	150:19 151:7 153:13	created	day
92:5 93:2 107:9	158:15 160:13 162:8	128:3,5,10	24:14 82:3 181:10
111:17 121:22,24	162:9 163:17,23	creating	182:23 183:19
127:13 143:8,9 144:6	164:5 166:12,13	39:11	De
160:15 170:4 175:2	168:20,23 169:3,8	credibility	31:25 39:24 40:5,16
179:25	173:2 177:15,16	108:4	40:20 42:8 44:10,25
copy	178:19,25	credible	65:23 66:5,10 67:3

73:25 87:24 92:24 115:24 116:5 deal 38:10 dealing 149:14 deals 59:7 death 54:17 debiting 41:3 debt 26:24 December 74:11 decide 161:25 decided 80:18 decision 94:17,21 deeds 20:22 21:9 defendant 1:14 161:11 defendants 1:20 3:18 4:11 5:3 6:23 7:2,4,7,10,13 73:7,9,14,18,22 74:14 75:12 106:22 127:17,21 133:11 134:18,23 137:14,15 138:10,17 139:10,14 145:25 146:13 147:21 153:22 154:5 157:15 158:18,25 159:10,24 162:6 164:22,24 definitively 41:21 degree 12:21 Deloitte 13:10,13	Dennis 90:4 131:10 132:10 135:10 137:14,22 141:19 146:24 148:3 148:7,22 150:9 165:19 Department 4:3 8:9,17,18,19,24 9:2 56:8 depend 39:9 depose 122:9,11 147:10 deposit 2:8,11,17 177:21 deposited 37:10 deposition 1:19 6:12 9:18 10:10 10:22 11:2 13:20,22 13:25 14:5,8,9 29:17 29:24 47:4 52:20 56:22 64:4 71:17 96:6 101:18,22,25 166:22 167:2 172:19 175:24 180:24 183:10,11 184:4,7,10 184:14,17,19,20,22 deposits 37:8 85:25 87:4 derived 54:6,9,13 77:20 describe 99:12 142:25 described 115:20,21 description 144:23 184:3 designation 99:11 designed 137:16 destroyed 34:18 80:12 details	26:14 determinations 163:13 determine 20:20 66:17 determined 53:11 147:12 determining 48:23 129:15 detours 123:15 develop 138:4 differ 65:6 difference 84:18 86:16 97:20 98:14 different 39:25 155:5 174:17 dilapidated 62:17 157:24 diplomatic 34:22 DIR 111:18,24 112:3,8 155:13,18 156:20,25 185:4,5,6,7,8,9,10,11 direct 14:11,22 15:6,11 19:6 19:8,13 32:11 63:23 96:4 145:24 directed 42:7 85:11,14 89:25 91:21,22 100:23 101:3,8 103:16,19 110:12 directing 34:12 60:17 64:13 76:22 78:3 85:17 96:16,24 97:3 102:14 109:10,20,21,25 110:4 111:4 123:10 131:4,5 direction	105:17 DIRECTIONS 185:2 disbursements 83:12 disclose 156:2 disclosed 42:7 171:11,17 discovery 25:23 33:12 72:23 73:2 74:14,17,22 121:17 122:7 132:7 132:21 138:4 147:6 147:13 151:14 159:15 discuss 112:25 114:8 155:16 discussed 139:3 150:20 disguise 137:17 139:15 display 20:22 distance 50:24 distinguish 84:17 distribute 156:21 District 1:2,3 4:4 6:15,16 document 33:25 55:19 106:19,20 107:22,23,24 161:12 179:17 180:3 documentation 48:6,17 49:7 documents 10:17,24 15:16 16:21 18:6,11,12,17,18 19:20 28:8,10 29:23 32:20 35:9 37:4,6 40:13,18 42:6 45:18 45:19 48:2,3,4,7,21
--	---	---	--

49:23 50:11,13 53:15 53:17 54:2,5,7,8,10 54:10,11,14 57:16 75:9 83:9 102:8 106:2 119:6 124:17 141:24 147:6 155:17 156:12,16 157:2,14 160:14,16,19 161:6 162:14 170:4	early 180:17	else's 80:20	150:17
doing 149:6 153:2	earn 13:2	enforcement 9:6,9 57:6,13 59:13 60:7,15,24 111:21 112:13 171:5 172:12 175:14	Europe 25:19,20 124:3 125:16 127:14 130:22 133:23 150:18 151:6 151:9,15,18
dollars 46:2,19 95:17,23,25 115:24 116:14,16,25	easier 20:9	engage 139:22 154:6	Europe's 124:17
doorman 57:18	EAST 2:6,7	engaged 133:11 140:11 141:6 159:2	euro 116:14 123:22
double-sided 32:15	Economii 31:25 39:24 40:5,16 40:21 42:9 44:10,25 65:23 66:5,10 67:3 73:25 87:24 92:24 115:25 116:5	engines 50:4	evaluating 48:23
downtown 13:16	education 12:19	English 165:13,16,19,24,25 166:7,8	events 17:22 18:17 54:17 61:7
draw 96:15	effect 103:9	entered 47:3	evidence 72:17,22 73:7,10,17 89:16,23 90:11,16 108:25 110:14 122:8 130:24 132:5,6,8,9 132:20 133:10 134:13,17,22 135:2,6 135:8 136:11 137:13 137:25 138:4,9,14,15 138:22 139:13,18 140:6,10 141:5,17 145:15,16 146:6,10 146:16 148:21 149:4 149:5,13 150:8 152:18 159:13 160:4 162:7 163:19,23,24 179:3,4
drawn 69:25	either 94:15 130:11,12 139:5 167:15 171:5 178:5	entire 51:9	evidentiary 69:3 136:25
drawing 68:20	electronic 61:12,16,18,19 62:3 156:7	entities 25:4,8,14 31:7 32:25 65:9 133:16 140:14	ex 14:2 15:8 184:11
drawn 69:25	Elenast 40:15,21 41:25 42:9 43:12 44:11 45:25 65:19,22 66:5,9 67:2 67:10 90:23 92:11,19 92:24 93:10 95:14 99:25 100:13,21,25 101:9 102:10,16 103:11 115:11 119:17,23 122:17 124:11 133:20 139:20 142:11 143:2 145:9 149:23 152:21 153:11,20 154:16 157:16	equipment 141:13 142:12,13 143:3 153:15,18	exactly 31:3 130:18 150:7
dreams 121:21	effect 103:9	equivalent 91:13,15	examination 8:2 45:19 115:2 147:13
driving 97:9	either 94:15 130:11,12 139:5 167:15 171:5 178:5	Eric 1:22 7:18,22 183:6,23	examine 28:9 42:6 45:7 64:22 96:9 118:10 119:5
due 26:20,24 141:9	electronic 61:12,16,18,19 62:3 156:7	error 143:22,24	examined
duly 7:21 114:21 183:11	Elenast 40:15,21 41:25 42:9 43:12 44:11 45:25 65:19,22 66:5,9 67:2 67:10 90:23 92:11,19 92:24 93:10 95:14 99:25 100:13,21,25 101:9 102:10,16 103:11 115:11 119:17,23 122:17 124:11 133:20 139:20 142:11 143:2 145:9 149:23 152:21 153:11,20 154:16 157:16	ESQ 4:6,8,13,14,15,16,21 5:5,7	
Dutch 27:2 128:23	education 12:19	establish 75:11 134:23	
D.C. 4:20	effect 103:9	established 142:3	
<hr/> E <hr/>	either 94:15 130:11,12 139:5 167:15 171:5 178:5	estate 25:12	
E 4:2,2 5:2,2 114:2,2 183:2,2 184:2	electronic 61:12,16,18,19 62:3 156:7	et 6:14	
earlier 57:14 93:24 140:16	Elenast's 87:24	euro	

7:22 32:4,20 36:17 48:2 67:7 114:22	73:9 121:16,18,23 122:8	34:24	156:12
examining	experience	February	finger
48:7 128:20	13:7,11	13:3 65:23,24 66:6,16	77:14
example	expertise	67:4,4 79:5,6 92:12	finished
106:3	178:5	92:12 93:15 94:3,3	140:24
Excel	explain	142:24 143:18 144:2	Finz
54:7	40:23 73:19 177:24	Federation	1:22 7:18,22 183:6,23
excess	explained	17:7 76:14	first
82:21	45:8	fellow	7:21 48:10 49:2 53:8
exclude	extent	57:21 59:18	72:5 90:7 97:3,5
94:18,22 95:5	18:8 57:4,9 60:5,22	felt	119:20
Excuse	91:2 175:12	19:4	FISA
23:11 29:17 58:19	eye	Ferencoi	61:23
90:10 144:9	58:4,13 148:14	1:12 3:15 15:24 21:19	Five
exhibit		22:6,18 128:9	148:18
13:20,22,25 14:5,8,11	F	fiduciary	flow
14:23 15:6,11 18:15	F	119:8,11	20:3,16 28:11,12,16
19:10,14 22:12 31:21	30:15 114:2 183:2	file	28:25 32:17 53:20
32:11,13,16,22,25	fact	94:15 132:22	54:3,12 64:5,7 68:4,6
34:8 36:12,13 46:8	21:4 25:24 34:17 43:8	filed	69:5,7 88:21 96:7
46:20 52:9 62:11,11	58:13 68:14 98:4	10:19 12:8 55:9	117:17 123:24
62:13,15,15 63:24	103:21 106:5 132:2	118:23 180:5,8	184:21,23
64:3,4,14,15 74:10	152:19 154:16 156:4	files	flows
77:13 80:22 85:25	159:16	10:20 93:17 94:11	128:22
87:12 96:4,6,9,10,17	facts	95:3,3 169:20	follow
96:17,18,18,20,21,23	10:14 19:9,13 75:7	filing	150:5 156:9 157:6
98:5 106:23 111:5	factual	26:4 51:14 55:7	following
115:10 116:18	88:18 162:25	filings	1:16 182:4,4
117:20 119:23	failure	20:23	follows
123:11 124:19 131:5	134:8	fills	7:23 114:23
142:22 157:22	fair	41:6	follow-up
178:21 184:4,7,10,14	24:4	Finally	63:13 135:5
184:17,20,22	familiar	89:10	foreign
exhibits	126:24 132:25 133:6	financial	33:10 50:22
157:21	far	13:16 32:25 133:11,18	forfeiture
exist	61:25 62:4 72:7 110:7	137:15 159:2	132:22
34:13 83:7 127:18	115:8,15 120:18	find	form
129:20	128:13	26:13 34:15 78:15	9:21 44:21 47:5
exited	fascinated	132:8 147:5,25	forming
91:16	90:14	159:13 169:17	133:16
expand	Fausta	174:13	forms
145:20	75:21 76:25 77:4	finding	41:7 44:8 46:23 85:20
expect	78:21 86:3	48:15 105:22	forth
25:22 33:9 72:21 73:6	favor	fine	18:14 183:10
		20:12 41:16 140:8	forwarding

89:7 found 25:21 47:25 48:11,25 105:19 148:4 founded 134:3 four 15:15 134:7 fourteen 8:13 frame 70:13 frames 92:17 fraud 68:25 69:2 107:17 108:3 121:25 131:19 132:13 134:19 137:19 138:12,12,18 138:24,24 139:17 146:4,4,7,13 147:24 148:6,8 149:15 150:10 154:7 159:4,6 159:6 161:9,14 fraudulently 70:16 free 84:14 freeze 22:17,23 24:22 26:18 126:10 129:13,15,17 151:19 freezing 22:21 24:22 25:15 80:19 126:3,6 151:16 French 165:14 froze 22:21 23:3 25:5 177:6 frozen 22:3,7 23:7 26:23,25 27:3,19,21 28:3 35:14,15 125:19 126:14 151:10,10,12 full	8:4 79:8 141:15 fund 119:3 funds 2:8,11,17 26:20,22 27:3,3 42:21 44:18 67:15 68:4,5,17 69:6 69:7 72:3 83:12 84:14 88:16,19,22,24 88:25 99:2 100:6,8,9 100:19 115:15,23 133:17,19,20 152:6 154:7 179:5 further 57:8 72:22,22 114:22 183:14 <hr/> G G 132:25 Gabriel 4:15 7:11,11 gather 127:20 gathering 59:22 general 16:20 39:12 50:3 127:2 136:5 145:14 generally 47:20 generically 20:13 genuine 107:11 getting 156:5 176:8,12,24 give 24:3 34:24 51:25 96:2 106:16 121:5 132:6 given 45:17,18 103:4 107:6 150:21 160:18,19 183:12 giving	136:21 go 9:20 28:7 30:15 49:3 50:23 63:11 67:3,3 67:11 73:11 77:14 80:2 89:3 91:21,23 93:9,10 94:24 114:17 117:21 119:17 122:14 136:15 143:15 147:6 154:4 163:5 174:11 177:20 goes 91:14 going 30:17 31:20 32:6 39:18,20,22 40:8 52:17 56:19 60:6 71:10,14 72:9 87:10 87:23 90:22 91:5 94:5 97:20 98:8 101:19 107:2 113:7 132:20 137:11 141:8 144:4,12 147:9 156:23 157:6 166:23 172:16 180:12,15,25 good 6:2 70:19 government 8:12 27:2 35:9 62:7,8 72:24 73:4 80:11 95:3 164:21 176:19 178:22 granted 24:4 guarantee 100:4 guess 151:25 161:24 178:14 guided 178:16 <hr/> H H 7:20 114:20 184:2 half	113:5 148:19 hand 183:19 hang 124:18 happen 41:12 happened 21:4 59:8 115:15 122:15 123:16,18 129:13 happens 151:14 happy 132:16 heard 19:5 held 2:9,12,18 36:18 help 146:24 helped 11:24 helps 57:15 hereinbefore 183:10 hereunto 183:18 heritage 38:22 168:17,19,21 Hermitage 20:10 31:13 45:18,22 47:20 53:19,24 56:2 56:14 57:25 58:23 60:2,11 64:24 77:17 77:18 80:6 81:16 105:14,15 106:14 107:10 144:8 160:19 162:14,15 167:16 168:18,20,22,25 175:4,9 176:7,11 180:7 Hermitage's 179:13
---	---	--	--

Hermitage-related 162:16	idea 127:19	25:7 53:18	84:12 121:3
high 12:20	identification 13:21,23 14:2,6,9 64:5	includes 88:10 91:2 100:13	inspire 80:15
hit 66:15 67:3,14,24 68:2 68:16	96:7 162:12 184:5,8 184:11,15,18,21,23	including 2:5,11,14,20 3:2,7,11 70:13 144:6 175:9	instance 89:4
hold 116:17 149:19 152:2,6 154:19,22	identified 99:2 131:9,17,22 142:11 157:13 160:2	incomplete 92:6	instances 174:24
holdings 1:8 2:3 6:14 15:19 21:15,19,22 24:18 25:2,7,18 128:9,23 130:10,14,20 131:2 131:18,24 133:15,16 143:2 150:22	identify 162:17 170:6	inconsistent 160:24	instruct 155:15 156:23
Holland 126:18 129:2,5	identifying 173:4,24	indicated 173:21	instructing 60:25 84:19 111:19 112:4,10 157:4
Homeland 8:9,9,17,24 9:2,3,7 56:8	identities 170:10,15	indication 147:7	instruction 41:2,9,10 45:3 47:5
hope 122:4 132:7,10 138:4 159:13	identity 85:22 156:2 171:11,16 171:16 172:13	individual 107:4	instructions 42:12,18,20 43:4,5 44:16,17,20 45:5 77:19,22,25 83:19,23 84:5 85:16,23 157:7
hopes 121:21 122:6	illegitimate 106:9	individuals 78:13 161:7,13 163:8	intend 72:17
Hostetler 4:10,19 6:22,25 7:4,9 7:12	illicit 154:10,12	infer 168:11	intended 132:11 134:14,18,23 138:10,23
hour 113:5	immediately 117:14	informant 155:25 156:3	intent 138:16,17,20 179:4
housed 117:11	Immigration 9:6,8	information 47:19 54:9 57:5 59:22 61:12 62:3 65:10 69:23,24 70:10 96:20 96:23,25 97:4,5 118:12,16 121:3,6,8 121:11,15,16,20,24 163:16 167:13,21 168:15 169:25 176:9 179:10	intention 131:23 132:3 147:20 153:22 157:15
Hyman 1:19 6:12 8:6 11:24 101:19 102:2,5 166:23 180:25 181:7 182:22 183:9	impact 67:17,18,20,21 68:2	infringe 175:13	interactions 90:9
hypothetical 31:17 67:25 110:9	impacted 67:16	initial 45:13 106:3	interception 61:19,20
hypotheticals 104:2	implicate 124:5	initially 49:5	intercepts 61:13,18 156:7
I	implications 67:9	input 174:6	Intercommerz 31:22 34:6 69:14 70:23 75:20,21,21
	inappropriate 106:6	inside 17:9,15 76:13	interest 2:5,15,21 3:3,8,12 23:8 125:5
	incidental 57:17	insignia 48:4	interested 183:17
	include 20:25 21:5 28:11 31:13,18,24 36:19 39:14 100:17 124:9 161:17 169:22,24 170:3	insofar	interesting 136:24
	included		

interests 22:8 24:19 125:21	16:17	175:5	knew 58:20,23 110:8 131:18 132:12 135:10 137:15 146:6,13 148:22 150:10 152:20
interim 72:5	investment 141:9	July 128:11	know 2:6 17:11,12 18:24 22:2,20 23:2,6,10,15 24:21 25:15 26:9 28:2 30:3 34:10 38:10,23 41:20 42:11 42:19,23 43:7,10 45:4,8,12,24 46:14 47:6,8 62:2,4,23 63:14 70:17,24,25 71:5 74:12,24 76:15 76:17 77:23 78:7,10 78:11 81:15 82:8 83:25 84:4,9,25 85:11,14,18 87:6 90:25 91:3 92:18 94:10,15 95:17,18 100:10 101:6,12 103:21 107:11,13,20 108:24 110:10,13,23 111:2 115:8,18 118:5 118:8,19 119:7,14,15 120:7,10,13,19 122:15 128:2,23 129:7,20,24 136:10 136:12,19,22 137:4 139:8,11 142:7 146:17 149:5 150:6 152:13,15 153:24 154:11,23,24,25 158:5 160:23 165:20 167:20,23,25 170:18 171:12 173:10,11 174:5 175:13 177:13 180:6,9,17
intermediary 66:21	Investments 1:12 3:15 15:24 21:19	June 26:5 124:25 146:7,14 150:13,15	
intermediate 67:13 71:24 122:21,23	involved 10:5 25:12 35:6 69:18 95:8 99:20 154:9 159:3 175:10	JUSTICE 4:3	
internet 21:2 48:19 50:3 54:4 54:15 143:12 148:2 174:16	involvement 135:11 136:7,9,20 142:3 168:8	<hr/> K <hr/>	
interpret 67:12	involving 34:6 76:12 133:12 154:6	Katsyv 90:4,6,7 102:12 103:7 103:22 104:8 105:11 108:10 122:12 132:10 135:10 137:14,22 140:13,13 141:19 148:3,8,22 150:9,21 165:19 168:7	
interview 16:25 18:13 19:8,12 53:9,10 55:25 56:13 63:5 110:18 179:11	irrelevance 21:6	Katsyv's 109:15 131:10 134:5 139:21	
interviewed 16:20 17:2,3 19:17 49:5 104:8,12	IRS 8:21 13:5,8,12	keep 170:10	
interviewing 173:6	Israel 135:11,20,24 136:7,17	keeps 78:12	
interviews 173:15	Israeli 154:14	kept 170:15	
introduce 6:19	issue 67:14 133:20	Khlebnikov 107:3,8 160:9,12 164:17	
investigated 16:6,11	items 37:9 38:24,25 39:8,8	Kim 102:14 103:8,11,13,17 103:23,24 105:12 109:17,19,21,23,24 110:2,3,12 139:4,6 139:20 141:11	
investigating 16:19 146:19,21	<hr/> J <hr/>	Kim's 110:8	
investigation 8:21 17:14 18:4 19:21 20:19 28:8 31:12 51:10 53:7 56:7 57:10 146:22 177:6	J 1:22 7:22 183:6,23	kind 45:4	
Investigations 8:10 9:4,8	January 17:6,15 37:12,19 38:13	kinds 121:19	
investigative 47:22 48:10 49:2 169:19	Jessie 4:15 7:11	Kleiner 17:3	
investigator 57:21 72:13 170:12 172:5	jgabriel@bakerlaw.... 4:15		
investigators	jmoscow@bakerla... 4:13		
	John 4:13 6:21		
	joined 13:8 52:25		
	judgment		

154:5	25:7	72:3 178:14	long
knowledge	laundry	let's	8:11 50:23
18:5 23:22 35:12,16	132:11 146:24	28:7,24 29:10 30:13	look
58:17,20 67:6 74:23	laundering	42:4 48:9 49:3 63:11	21:7 22:14 36:13 46:4
74:25 85:8 131:10,13	90:8 134:20 135:10	63:12,12,21 69:10	52:2 62:10 83:2
135:9 137:23 146:12	136:6 138:13,25	80:2 90:15 93:9,10	97:23 116:19 117:16
147:20 149:25	159:7	106:10 107:23	118:2,20 123:4
154:14,18 161:3	law	122:14 149:21 154:4	124:18 143:15
165:24 174:7 176:14	50:9 54:19 57:6,13	lied	158:12 165:10
176:16,18 177:4,10	59:13 60:6,14,24	34:23	looked
179:3,4	78:8,12 111:21	Limited	21:8 123:23
knowledgeably	112:13 135:18,21	2:5,11,14,20 3:2,7,11	looking
164:2	171:5 172:11 175:14	6:14 15:19,25 21:23	32:18 46:8 117:20
known	178:12,16	LINE	158:15
2:15,21 3:3,8,12 148:5	lawsuit	182:5	looks
148:8 149:6 152:23	175:4	linking	93:24
knows	lawyer	159:14	lot
100:8 135:17	108:13	lis	73:10 104:2 145:16
Kolevins	lead	57:18	Loura
1:13 3:16 15:25 21:23	49:3	list	4:16 7:8
22:24 23:6 128:10	learn	161:19 163:9 173:22	lowest
Kowalczyk	17:14	174:6	66:21 67:13
5:11 6:4	leases	listed	lunch
Krainiy	25:13	34:8 58:5,14 77:24	113:4
36:18,24 37:3,6,10,11	leave	159:17 161:18	Luncheon
37:18 38:11 39:16	88:25 103:15 145:21	little	113:9
40:3,8,14 41:25 42:8	179:8	31:3 81:24	
42:21 43:4,11 44:10	leaves	Litvak	<hr/> M <hr/>
45:10 65:18 67:10	87:18	148:25 149:13 150:9	M
79:2,11,18 87:11	leaving	live	4:15 7:20 114:20
88:14,20,23,25 89:17	87:21 98:25 99:9	63:5	magazines
89:20 90:23 91:11,16	123:15 132:2	LLC	148:2
92:20 94:5,19 95:13	led	1:8,9,9,10,10,11,11,12	Magdo
97:23 98:20	75:2	2:5,9,11,12,14,19,20	4:8 10:6 47:3 52:25
Krit	left	3:2,6,7,11 15:20	78:9 134:10 140:24
148:25 149:12 150:9	52:19 56:21 59:3	LLCs	147:11 163:3 164:13
	71:16 101:21 129:6	15:22	178:9
<hr/> L <hr/>	144:22 166:25 167:7	LLP	Magnitsky
lalaverdi@bakerla...	172:18 175:23	4:10,19 5:3	49:12,16 50:8 54:18
4:17	legal	located	58:18 107:19 163:10
language	6:4 7:18 33:20 35:7	117:7	173:22 174:6
50:5 165:5,25 166:8	108:14 126:20	location	mail
languages	156:20 178:2,23	137:17 139:15 146:2	138:11,24 154:19,22
165:15	180:3	locations	159:5
large	legally	62:25	main

69:20	matter	93:23 124:17	28:6,25 39:19 44:7
maintain	6:13 78:8 151:20	merely	52:15 56:16 63:19
169:19	178:12 183:17	18:10	64:10 96:2 103:15
maintained	MBA	Merrill	130:7 137:8 144:10
45:11 73:23 105:15	12:22	6:4 7:18	158:7
167:16 168:17,24	mcymrot@bakerla...	million	Monday
Makhaon	4:22	79:10,23 80:25 82:10	6:7
71:8 73:16 80:23 81:5	mean	82:16 83:13 86:7,10	monetary
82:20 83:4	40:23 41:11 44:14,19	86:14 87:11,15,20,23	154:6
Makhaon's	55:18 57:25 58:20	88:6,10,13 91:4	money
70:15	61:18 73:2 86:16	93:13,19 94:4,18	43:4,11 44:22 46:16
making	105:24 128:17	95:10,15,25 97:16,17	67:10 70:22 71:4
50:2 69:18 150:4	134:12 135:17 136:2	97:25 98:13,21 99:21	76:13 78:19,20 81:19
man	136:9 146:9 148:14	100:15 131:19	81:22 82:3,5,19 83:3
58:21 150:25	163:25 168:18,22	133:13 137:19	89:20 90:5,8,16,22
Manhattan	176:15,16	139:17 146:4,7	91:2,10 92:18 95:8,9
13:16	Meaning	149:15 150:10 154:7	99:17,24,25 100:13
March	33:24 49:14	159:3	100:16,18 102:13,15
1:17 6:7 37:12,20	means	millions	103:8 109:16,19,24
38:13	62:3	46:19	110:4,8,11,12 115:10
Margida	meant	mind	116:11 117:5,10
5:7 7:6	56:14	35:18,23 36:6 84:17	118:4,24 119:10,17
maritime	mechanism	117:19 136:23 164:6	122:16,18 123:12,21
133:3	156:5,11	minutes	124:6,8,9 125:11,24
Mark	meeting	30:15 52:24	127:9,11 128:19
4:21 7:3	171:21	mischaracterization	130:3,10,14 132:12
marked	member	139:19	134:3,20 135:10
64:15 157:21	43:6,8 83:23 84:5	mischaracterized	136:6 138:12,25
Markelov	89:24 90:17 108:22	90:6 102:17 141:12	141:11,15,15 146:2
106:25 107:8 160:8,12	109:8 110:24 161:21	153:4 154:17	146:24 150:20 151:6
161:10 164:16	161:25	mispronounce	151:9,18,24 152:7,9
marks	members	32:6 107:2	157:23 159:6 177:19
48:4 101:16,23 166:20	58:22 84:14 85:4	misspoke	177:23 178:12
180:22	134:24 139:10	79:13	monies
marriage	158:14 161:15,17,20	MLAT	68:15 81:11
183:16	162:6,7,12,17,21	73:3 126:17	Monteleoni
material	173:24	modifier	10:6
109:6,9 147:13,24	membership	159:18	monthly
148:4	173:19	Moldova	143:16
math	memory	28:20 31:25 33:15	morning
98:14	70:7 120:9 123:2	39:25 43:25	6:2
mathematical	mention	Moldovan	mortgage
91:9 97:20	106:24	39:24 51:20 87:22	21:9
mathematically	mentioned	89:2	mortgages
86:13,21	48:20 54:7 59:15	moment	20:23

Moscow 4:13 6:21,21 8:3 14:10 23:11 24:11,17 28:5 30:11,14,24 31:15 32:10 35:22 44:6 47:15 52:16,23 53:3 56:17 57:23 60:8,17 61:2 63:20,22 64:2,9 64:12 71:21 72:11 78:17 96:8 102:4,19 102:23 111:22,23 112:7,14 113:3 114:6 114:11,14,17 115:3 121:5 130:6 131:14 134:11 137:9,12 140:4,8 144:9,18,25 145:6 146:11 155:21 156:14,24 157:5,9 164:6,15 167:6 172:3 172:22 173:3 176:10 178:3 179:21 180:12	21:14 24:21 25:8 36:24 107:4 names 25:14 77:24 78:2 106:24 107:6 nature 59:20 137:17 139:15 146:2 169:24 necessarily 100:18 necessary 121:7 necessity 91:10 need 23:17,25 24:6 26:13 29:14 47:12 96:15 121:11 154:18 171:25 needed 167:7 Netherlands 26:23 126:22 127:4,7 never 153:2 164:6 171:18 176:7 New 1:3,21,22,24 2:7,7,16 2:16,22,22 3:4,4,9,9 3:13,13 4:4,5,5,12,12 5:4,4 6:5,6,10,11,16 12:25 13:16 20:21,22 21:9 102:13 108:13 141:10 150:23 182:2 182:3 183:3,4,8	Nick 4:14 6:24 non 100:19 nonresponsive 70:19 nonTreasury 97:18 98:13,22 99:12 nonU.S 96:12 normal 41:12 Notary 1:23 7:21 183:7 noted 181:3 notes 170:20,23 171:9,14,19 171:24 notice 9:18 14:9 29:18 135:20 136:3,4 184:18 notices 57:18 noting 137:22 November 128:5 nrose@bakerlaw.com 4:14 number 2:8,12,18 93:22 117:12,14,25 180:14 N.W 4:20	37:25 60:4 61:8 104:4 112:23 121:9 131:11 132:14,18 134:10 135:22 136:13,14 137:2,5 141:21 146:9 147:11 151:22 155:15,20 156:22 157:3 159:22 161:23 163:3,4 177:25 178:9 obligation 156:21 observe 17:23 observed 18:5,6,10,14 obtain 19:20 34:20 54:2,14 55:5 76:21,24 77:3,6 77:9 106:12 107:23 107:24 111:18 112:8 121:18 122:8 132:21 156:15 175:7,10 179:12 obtained 16:21 19:23,25 20:2,3 25:16 31:6 53:14,17 53:20,24 54:5 61:12 62:3 72:20 126:7 154:7 155:23 167:14 170:4 obtaining 176:21 obviously 173:5 OCC 169:6 occasion 9:18 OCCRP 169:2 occupation 8:7 occur 124:25
Mosstroieconomobank 32:8 79:20 move 63:12,14,21 68:17 145:22 164:7 moved 129:12 moving 178:13 multiple 70:12 Mutual 33:20 35:6 126:20	news 148:2 newspaper 50:6 newspapers 54:4 Nicholas 5:7 7:6 nicholas.margida@... 5:7	noticed 9:18 14:9 29:18 135:20 136:3,4 184:18 notices 57:18 noting 137:22 November 128:5 nrose@bakerlaw.com 4:14 number 2:8,12,18 93:22 117:12,14,25 180:14 N.W 4:20	obtain 19:20 34:20 54:2,14 55:5 76:21,24 77:3,6 77:9 106:12 107:23 107:24 111:18 112:8 121:18 122:8 132:21 156:15 175:7,10 179:12 obtained 16:21 19:23,25 20:2,3 25:16 31:6 53:14,17 53:20,24 54:5 61:12 62:3 72:20 126:7 154:7 155:23 167:14 170:4 obtaining 176:21 obviously 173:5 OCC 169:6 occasion 9:18 OCCRP 169:2 occupation 8:7 occur 124:25
<hr/> N <hr/> N 4:2 5:2 7:20 114:2,2,2 114:20 name 2:9,12,18 8:5,6 14:15 14:17 24:25 25:3 32:6 36:18 156:25 161:11 named	news 148:2 newspaper 50:6 newspapers 54:4 Nicholas 5:7 7:6 nicholas.margida@... 5:7	<hr/> O <hr/> O 7:20 114:2,2,2,20 object 158:24 objection 12:3 17:8,10,17 34:9 34:25 35:4,21 36:4	obtain 19:20 34:20 54:2,14 55:5 76:21,24 77:3,6 77:9 106:12 107:23 107:24 111:18 112:8 121:18 122:8 132:21 156:15 175:7,10 179:12 obtained 16:21 19:23,25 20:2,3 25:16 31:6 53:14,17 53:20,24 54:5 61:12 62:3 72:20 126:7 154:7 155:23 167:14 170:4 obtaining 176:21 obviously 173:5 OCC 169:6 occasion 9:18 OCCRP 169:2 occupation 8:7 occur 124:25

offense 107:20,21 161:8	opening 37:2,4,5 76:4,24 81:4 93:3 102:8 112:19 115:4 141:23 142:4	owed 103:8	parte 14:2 15:8 184:11
offer 140:7	OPERATOR 7:16	owes 109:19	particular 145:11
offhand 117:17	opinion 108:4 142:2 168:6	owned 20:20 21:12 23:6 27:15	Particularly 106:3
office 4:3 13:13 64:19	opportunity 24:12	owner 90:4 137:23 175:4	parties 122:9 183:15
offices 1:20 6:9	opposed 132:4	ownership 125:5,7,21 137:18 139:16 146:3	passage 50:8 54:19
official 48:3,6 55:5	option 23:19	P	passed 164:4
Oh 16:16 21:8 44:16 51:24 121:22 126:19	order 14:4,7 15:10,14 22:3 22:12 24:22 25:5,16 26:18 28:3 126:4,6 159:4 184:13,16	P 4:2,2 5:2,2	Paul 10:6
okay 14:22 19:2,7 20:9 21:3 22:6,16 23:20 24:16 25:5 27:24,25 28:12 28:12 32:15,17,18 33:3 35:17 36:15 47:15 49:5,15,21 59:13 62:13,16 64:16 66:24 70:9,17 71:20 72:25 74:8,12 75:4 84:21,23 85:2,6,19 86:20 90:13 93:9,11 94:11 95:15 96:2,11 96:14,19 97:2,14 98:11,17 99:5,10 103:18 106:11,21 110:7,14 111:6,22 116:10,19 119:7 120:5 122:3 123:8 124:23 125:3 127:16 129:19 133:5 135:9 139:25 141:18 142:10 143:11 148:7 149:22 153:5 156:4 169:17 176:3 177:17 180:21	organization 42:15,18 43:6,9 83:24 84:6,10,15 85:4 89:25 90:17,20 108:23 109:9 110:24 134:15,24 139:7,10 146:23 158:14,16,20 159:9,14,16,18 161:16,22,24 162:2,8 162:13,18,22 167:18 173:19,25	page 1:16 158:15,17,21 182:5 184:3 185:3	paying 26:25
organization's 134:19 138:11,18,23 159:5	Organized 167:18	paid 126:3	payment 89:17 141:9
original 14:13	original 14:13	paper 44:21 45:8	pen 57:18
ostensibly 63:2	outcome 183:17	paragraph 32:9 36:16 46:9 70:10 124:21 131:6 142:15 142:19,23 143:7,19 158:22,23 159:11	pending 26:18 33:20,22 114:7 132:7 145:19 158:9
outside 17:9	overheard 174:25	paragraphs 17:22 116:20	people 55:18 57:12,25 60:16 63:5,9 78:2 105:17 106:17 107:6 152:20 164:22 170:9,14 175:9
		Parfenion 69:15 70:22 75:20,20 76:5,22 77:7,10 78:23	perfectly 24:3
		Parfenion's 70:14	period 17:6 37:12,19 38:12 65:23 66:6 67:4 72:5 94:3
		part 8:19 12:24 20:19 42:18 59:9,12 68:16 68:24 74:24 88:15 91:23 132:12 137:16 139:6 143:13 146:23 150:17,19 158:18,24 160:18 168:8 170:23 179:5	permit 60:21
			perpetrated 161:13
			perpetuate 134:19
			person 12:5 16:10 42:17 43:3 83:22 84:4 85:23 156:25

personal 9:14 23:21 58:16,20	place 26:10,12,17 74:9 131:2 152:16	post 177:2	pretty 55:2
personally 11:21 78:16	placed 121:12 162:22 163:9	posted 104:22 157:17 167:13 168:15	Prevezon 1:8,8,9,9,10,10,11,11 1:12 2:3,4,9,9,10,12 2:13,14,18,19,20 3:2 3:6,7,11 6:14 15:19 15:19,20,20,21,22,23 15:23,24 21:13,14,15 22:9 23:9 24:18,20 24:20 25:2,6,8,14,18 26:20,21,24 27:5,11 27:13,15 33:12 52:9 52:12 54:21 66:18 67:11 74:22 88:20 89:12,18,21 91:6,12 91:14 100:24 101:2,4 101:9 102:18 103:11 109:24 110:4 111:10 111:10,11 112:17 115:10 116:8 117:6 119:4,12,16 123:12 124:10 128:9,15,16 128:19,22 129:17 130:10,20 131:2,18 131:23 133:15,15 137:23 140:14 142:7 143:2,16 144:2 145:8 150:3,16,22 151:16 151:18 152:20 153:6 153:12,19,21 155:7 155:11 165:8
Personam 158:25	Plaintiff 1:6 4:4	posting 104:23	
personnel 41:8 57:13	Plaza 1:21 4:5,11 5:4 6:10	post-complaint 14:3,6 15:9,14 184:12 184:15	
person's 156:2	please 6:18 7:19 11:24 18:22 29:8 34:24 40:23 71:21 73:13,19 96:9 114:14 140:9 167:9 172:13 177:24	Potentially 108:6	
pertain 65:11	plus 87:12 100:14	PR 150:25	
pertinent 54:19 65:8	point 17:19 74:24 75:17 85:3 110:15 113:4 131:20 138:3 147:10 147:15 161:4 171:6 180:13,19	preceding 89:5,8	
Petrov 102:12 103:3,7,12,22 105:12 108:20,22 109:16,19,22,23 110:2,3,6,24 139:3,6 141:10	points 90:12	premise 137:6	
Petrov's 103:14	portion 8:25 51:12 96:13 118:17 151:12 180:2	preparation 10:9,11,21 11:2 23:23 29:24 35:6 134:8	
phone 50:23	portions 50:16	prepare 10:14 11:25 29:15 33:25 39:6,12 65:12 137:10	
photocopies 157:22	position 24:2 30:12 32:19 36:2 36:22 38:2,6 71:6 128:25 129:4	prepared 28:17 46:20,21 64:17 64:18,21 114:11	
photographs 62:14,17,19,22 63:2 63:15	possess 112:15,16	preparing 9:23 11:21 28:23	
photos 157:18,20,25	possession 10:25	prepayment 143:2	
physical 84:22	possibility 73:20 98:25 151:17	presence 173:6,10,13 174:22	Prevezon's 89:3,11 90:4 117:18 159:14 168:7
pick 178:7	possible 74:17,19,20 86:21,22 87:4 91:4	present 5:10 6:18 171:21 173:14,16	previous 109:18 114:18 144:18 145:14 172:23
pictures 63:9	Possibly 100:4	Presumably 34:14 105:18	previously 54:6 114:21 115:21 139:2 175:15
piece 44:21 45:7 140:5		presume 35:7 133:7 148:3	principal 137:22
pieces 29:9		presumption 179:4	principals 132:4
Pine 1:10 2:20,22,22,23 3:4 3:4,5,9,9,10,13,13,14 15:21		presumptions 178:23	

principles 178:15	172:10	106:2 107:10 156:18	74:3 153:16
prior 13:6 51:14 55:7 66:16 66:17 67:15 69:8 90:8 92:11 127:16 129:14,17 135:11 151:15,18 154:13	promote 131:24 134:14,18 138:10,23 159:4	158:2 166:3 175:11 179:14,15	put 47:15 55:19 78:17 119:10 120:15 122:19 167:17
privilege 57:6 60:7,24 111:21 112:13,25 166:17 171:3,4 172:9,12 175:14,18	promoting 134:24	providing 49:8	p.m 102:3 113:7,9 114:3,5 144:12,16 166:24 167:5 172:16,21 175:22 176:2 181:2,3
privileged 30:10,12 156:6	pronounce 161:10	proving 72:7	Q
probably 32:5 107:2	proper 164:21,22	public 1:23 7:22 16:23 19:25 20:3,18,21,24,24 21:5 48:20 49:12,13 49:23 124:17 147:25 148:9,12,13 167:14 174:9,10,11,12,12 183:7	qualified 133:8
problem 24:15 136:25 151:25	properties 21:11 22:9 54:21	publicized 148:5	qualify 84:12
proceeds 27:19,22 68:25 133:12 135:3 137:18 139:16 146:3 149:15 159:3	property 2:6,15,21 3:3,8,12,17 20:20 35:14,15 46:19 54:20 80:20 102:13 110:21 128:17 133:17 141:10 150:23 177:6	publicly 34:23	question 18:21 24:7,10 30:9 35:2 43:17 46:20,25 47:13 51:2 56:12 57:4,8 60:19,19 66:21 67:13,25 71:23 72:16 86:20 94:23 102:20,24 103:16,19 111:20 112:24 114:7 114:12,16,19 118:10 118:17 124:24 130:13 131:15 135:5 137:5,10,11 140:3 144:19,22 145:3,19 145:19,23 149:9,11 150:6 155:5 156:8,16 158:8 162:18 164:14 165:23 166:17 167:10 171:2,7 172:23 174:17,23,25 176:4,17 179:7
process 12:10 33:13 35:14 48:23 72:23 73:2,12 108:14 168:9	proposed 11:13,16,18,25 12:12 12:13 14:25	purchase 102:13 124:25 125:3 125:15 130:15 133:17	questions 84:18 112:11 180:15
produce 169:23	proposition 109:2	purchased 125:23	quibbling 97:11
product 20:4 45:20 77:20	prosecution 135:19	purchases 54:20	R
products 39:13	protected 57:5 60:23	purchasing 22:10 150:22	R 4:2 5:2 114:2 183:2
progress 55:15,16	protective 14:3,7 15:9,14 22:3,11 22:12 25:16 184:13 184:16	purport 32:21 36:8 48:3 53:15 54:12 61:6 99:16	range
Project 167:19	prove 71:7 72:9,17 74:22 157:14	purported 53:18 88:7,9	
prominently 174:13	provide 18:11 50:13 118:11,16 179:16	purports 105:10 106:19	
promise 170:9,21 171:10,15,18 171:19 173:5	provided 18:7,12,17,18 20:4,6 29:6,9,9 31:10,11 44:22 45:21 49:6,8 50:12 52:3,5,8 64:23 64:25 65:3 77:16,18 80:6 93:25 105:9	purpose 36:21 39:10 76:19 80:19 84:18 129:19 129:21,22,24 130:25 141:16 142:8 145:8 145:12 149:18 151:20 152:12,13 153:6	
promised 170:11,14		purposes	
promises			

144:5 rattling 177:18 read 12:13,15 29:23 51:17 84:16 102:22 107:22 108:7 116:21 142:20 143:14,25 144:20 145:2,4 160:14,15 161:6 165:11,15,17 165:19 172:24 176:5 reading 12:10 144:5 Ready 53:4 real 2:5,15,21 3:3,8,12 25:11 really 94:23 133:8 136:8 reason 90:25 95:5 147:3 182:6,8,9,11,12,14 182:15,17,18,20 reasons 73:13,19,20 182:4 reassemble 180:13,19 recall 26:7 29:13 46:3 63:17 78:5 82:6,9 93:21 94:6,10,21 95:4 117:8,17,22 118:7 119:2 123:23 128:13 128:20 143:20 144:4 145:10 165:9 179:18 179:22 receive 9:17 38:4 53:9 73:25 121:17 141:8 149:22 received 27:6 33:7 69:23,25 78:20 144:7 153:3 156:12 175:3,6 180:2 receiver	41:4 receives 141:13 receiving 41:5 179:9 recess 30:19 113:9 144:14 recipient 179:5 recollect 122:18 recollection 30:7 31:20 36:12 46:7 57:10 60:13 154:3 180:16 record 6:19 30:18,21 37:7 49:12,13 52:18,22,23 56:20,24 66:8 71:15 71:19 95:7 101:7,19 102:2,22 113:8 114:5 142:21 144:13,16,20 145:4 166:23 167:4 172:17,21,24 175:22 176:2,5 181:2 183:12 recordance 21:9 recorded 21:8 records 16:23 19:24,25 20:17 20:18,24,25 21:5 28:13,15,16,18,18 29:2,4,11 30:3,5,10 30:11 31:5,10,11,14 31:19,23 32:3,5 33:6 33:19 34:13,17,24 35:17 36:8,17 37:22 43:18,19 46:22 50:14 50:16 51:12,20,22,24 52:4,12 53:15,18 54:3,13 55:6 64:22 64:23 65:15,17,20,21 66:2,4,11 67:7 69:12 73:15 74:18 75:12,24	76:2,3,7,8,10,17,21 76:25 77:4,7,9,21 80:3,5,12,16 81:10 81:12,13,14,16 83:7 85:12 92:6,23,25 93:2 102:8,10 107:7 111:13,25 112:8,12 112:16 117:16,23 118:3,10,11,15,18,21 119:14 121:23,25 123:3,5 127:14,21 134:9 142:23 143:4 151:3,5,8,13 155:14 155:23 172:10 174:9 174:10,18 175:2,3,6 175:8,10 176:13,22 176:24,24 177:8,12 red 96:25 98:18 reduce 105:16 reduced 117:13 refer 20:10 34:16 49:24 67:13 142:5 168:21 reference 32:8 referenced 51:25 references 54:16 referred 49:25 50:2,4,5,7 57:14 147:17 178:24 referring 18:16 20:18 31:4,5 36:15 62:14 66:20,24 70:8,9 74:5,6 77:12 145:20 refers 42:14 75:19 reflect 32:21 93:12 117:24 118:23 170:20 171:9	171:14 reflected 43:20 66:18 87:12 95:6 98:5 171:20 reflecting 69:12 93:19 94:4 105:11 142:24 reflects 85:25 134:7 refresh 30:6 31:20 36:12 46:4 70:7 106:23 116:17 117:16,20 120:9 123:2 126:16 154:2 180:16 refreshing 46:6 refund 131:19 regarding 10:9 35:10 40:14 44:17 102:9 106:7 121:24 147:19 regardless 112:15 related 54:18,20 183:14 release 26:18 released 26:21 releases 84:13 relevant 40:11 121:24 165:22 166:6,10 rely 62:2,5 relying 61:11 160:7 178:22 Rem 3:18 remaining 25:21 remark
---	--	---	---

178:7	76:18 86:14,22	150:25 151:2 152:3	31:6,6,19 32:2 34:8
remember	requirements	152:11,21 160:11	35:8 36:23 50:5
123:25	163:10	164:9 168:19,22	51:11,19 68:25 69:2
remits	reregistered	171:13	69:13,17,20 70:5,11
152:5	70:16	Rilend	70:20 71:2 72:18,24
Rep	respect	71:8 73:16 74:7 80:4	73:4,15 74:7 76:14
169:7	62:2 65:6	86:2	78:12 80:11 82:18
repeat	respecting	Rilend's	83:3 84:13 88:22
114:15 167:9 172:22	17:6	70:14	106:4,7,13 125:12
repeated	respond	Rockefeller	127:5 160:25 161:5,9
143:23	57:8	1:21 4:11 5:4 6:10	164:8,11,18,21 165:3
reply	response	role	165:17 179:12
175:15	121:18	159:9	Russians
reporter	responses	room	34:15,17 55:11 83:7
1:23 7:17 183:6	72:23	30:15 47:4 52:20	
reporting	result	56:22 71:17 101:22	S
59:21,23 167:17,19	136:6	167:2 172:19 175:24	S
reports	resume	Rose	1:19 4:2 5:2 7:20
54:20 170:3,7	113:5	4:14 6:24,24	101:18 102:2 114:2,2
represent	resumed	roughly	114:2,20 166:22
6:20 127:3,4,23 172:7	114:21	93:18	180:25 181:7 182:22
representative	RETAIL	rounding	183:9 184:2
90:5 102:11 104:10,12	2:16,17	119:25 120:3	Saint
104:16,19,20 105:4,7	reveal	ruble	4:5
105:11 108:17	60:6 177:11	91:13,15 93:19	sale
109:15 141:7 150:25	revenue	rubles	25:25 26:3,5,10,16
166:12 167:11,24	39:3	45:14,23,23 46:2,10	27:6,20,22 130:16
168:9 169:11	review	46:12,13,14 47:2	sanitary
representatives	10:17,20,24 52:12	79:10,23 80:25 82:10	102:17 141:13 142:12
103:4	119:14 180:4,7	82:13,16 86:14 87:11	142:13 143:3 153:15
represented	reviewed	87:20,23 88:6,14	153:18
127:10 138:6	9:21 16:21 48:16,17	91:4 93:13 94:4,5,18	Sarah
representing	re-answer	94:20 95:15,23,25	56:7 59:16
6:22,25 7:4,7,10,12	179:24	97:16,17 98:8,10,13	saw
request	re-read	116:3,12	19:3 28:15,16,16 29:2
24:4,5,7 33:18,21	114:18 176:4	Rule	29:4,11 39:22 40:6
34:23 41:14,18,24	right	50:9 132:25 163:10	141:19
55:20,22 73:3 126:18	2:5,15,21 3:3,8,12	rules	saying
126:21	49:17 56:10 68:10,11	76:12,15 133:2,6	30:2 34:23 44:22
requested	75:5 79:16 85:2 87:9	Russia	60:20 82:16,24 83:6
102:22 144:20 145:4	89:22,25 92:7 95:11	17:15,20 33:18,21	91:21,22 139:12
172:24 176:5	98:11 100:15 103:8	34:2 55:6 59:3 78:6	150:7 152:19 155:19
require	104:17 125:4,5	107:20	says
163:22,24	129:12,25 130:2	Russian	98:19 109:23 110:2,3
required	142:13,14,16 147:16	17:7 28:19,19 29:5,14	141:8 158:24 176:22

Sberbank 34:7 77:11,13,15 79:11,14	36:15 37:2,5 44:9,12 92:23,25 111:13 126:9,20 143:5,21	Seven 1:9 2:14,18,19 15:21	sit 19:16 43:25 118:5
scheme 69:2 74:23,25 106:8 133:13 137:19 146:4 146:7,13 154:8 159:4 159:12	seize 110:20	SEVENTH 2:16,17	six 148:18
school 12:20	seized 46:18	Sever 36:18,24 37:3,6,10,11 37:19 38:12 39:16 40:3,8,15 41:25 42:8 42:21 43:5,12 44:10 65:18 67:10 79:3,18 87:11 88:14,20,25 89:17,20 90:23 91:11 91:16 92:20 94:5,19 95:13 97:23 98:20	small 97:11 117:12,13,25
search 50:3,3	selected 81:14,15	Sever's 45:10 88:23	smelled 19:4
searches 20:25 174:11,12	send 34:2 44:22 102:14 109:24 110:3 157:23	share 25:7	SoHo 1:9 2:10,12,13 15:20
second 30:13 52:2 57:3 121:5	sending 67:15 102:12 103:12 103:13 109:16 141:11 151:23,24 152:7,9	shell 157:19	sold 27:15 126:2
Secondly 72:7	sense 150:5	short 175:20	Solutions 6:5 7:18
secrecy 78:6	sent 102:18 110:12 151:18 152:3 155:6,10	shorthand 1:23 149:10 183:6	someone's 108:4
secret 78:12 170:10,15	separate 84:21	show 74:15 89:19,24 95:4 123:11 145:7 149:17 151:5,8 157:22	sorry 11:22 12:18 15:21 23:12 35:22 37:4,8 57:3 60:8 64:2 69:10 79:13 96:17 98:10 120:22 121:19 124:20 125:22 135:13 140:17 145:9 145:18 149:8,19 150:4,24 157:20 164:15 172:3 175:8 179:21
securities 25:12 125:4,23 127:6 150:18	separately 64:15	showing 39:12 65:21 77:10 83:19 93:6	sort 178:6
Security 8:9,10,18,24 9:2,3,7 56:9	Sergei 49:12,16 50:8 54:17 58:17,23 107:19 163:10	shown 32:22,25 71:9	sought 51:10 110:17,20
see 9:18 34:20 36:17 39:15 40:2,13,18 43:15,18,20 47:12 50:20 52:9 70:2 75:22 80:16 81:2,21 86:4 95:20,22 96:12 98:23,24 120:9 128:21 142:4 143:16 144:22 147:5,7 151:13 155:4,24	series 62:16 70:12	shows 78:20,25 86:6,9 106:8	source 48:21 49:23 54:9,10 54:11 83:11 87:3 112:12,16 137:18 139:16 146:3 155:16 156:19,20 162:13 177:7
seek 51:7 55:5 147:9	served 29:18	sign 14:20 15:3	sources 83:11 169:25 170:5,6 173:23 177:11
seeking 33:25	service 57:17	signed 14:15 22:4	SOUTH 4:4
seen 31:8,9 35:18 36:8,10	serving 108:14	similar 65:4 93:18,24	Southern
	set 18:14 19:9,14 66:3,13 183:10,18	simply 10:14	
	Seth 5:5 7:5		
	seth.taube@bakerb... 5:6		

1:3 6:16	29:5 38:18	141:19 142:4 143:25	49:3 122:22,23
speak	spreadsheets	144:5,7 147:16 155:7	Steven
9:22 10:2,7 16:3 59:14	28:17 29:9 45:21 54:8	155:10 157:16 165:7	8:6
63:8 133:9 140:18,21	54:13	168:13 175:3	stock
164:2 166:7,11	Square	States	27:9,14,15,18,19,20
speaking	4:19	1:2,5 4:3 6:13,15 7:15	27:23 124:2,13,16
6:3 11:4 23:13,22	ss	8:12 9:12,24 10:5,21	125:4,16 126:14
41:22 42:24 44:4	182:2 183:3	10:25 11:5,6,9,23	129:9,10,11,12
55:17 72:12,13,14	staff	12:8 15:18 16:4,7,12	130:16,21 151:25
74:2 110:25 164:3	57:15 58:22	16:18 17:14 19:12,17	152:2,4,7
170:17 176:18	stage	19:22 22:20 23:2,6	stop
180:10	129:16	23:13,14,18,23 24:13	21:3 31:15
speaks	standard	26:9,16 27:5 29:11	story
159:23	163:15,22	29:21 32:20 33:5,19	49:11,15
special	stands	33:24 34:5 36:22	Street
8:8,15 16:8 39:4,5	178:10	41:23 42:25 44:5	2:7,7,16,22,22,23 3:4
56:7	start	46:15 47:8 51:17	3:4,5,9,9,10,13,13,14
specific	28:24 29:10 69:10	52:11 54:21 55:10,17	6:5
26:7,14 65:2 81:25	90:15 107:23 147:23	55:18 56:14 59:25	strike
82:6 93:22 96:15	started	60:9 61:11 62:21,25	172:4
103:5 136:21	35:13	63:5,8,14 71:7 72:15	stuff
specifically	starts	73:21 78:11 92:10,14	145:17
29:13 73:11 78:2	36:14	93:18 104:11 105:7	submit
107:21 120:8	state	109:4 110:25 111:2	34:22
specifics	1:24 131:10,13 182:2	115:7 117:3,24	Subscribed
119:5	183:3,7	118:22 126:7 127:4	181:9 182:22
specified	stated	127:24 128:2 129:2,5	subsequent
131:25	76:19 120:11 141:16	130:11,15 132:23	26:4
speculation	statement	133:5 146:5 151:10	subsequently
75:4,16 121:21	48:8 97:17 102:11	154:24 155:3,9 157:7	11:12
speculative	103:3,6,21 104:7,16	160:20 162:3 164:4	substantial
174:8	105:10 109:13,14,18	169:13 170:16 172:7	59:8 145:16
spelled	109:18 120:17	172:8 176:12,21	suggest
160:24	132:13,16 134:5,6	178:22 180:11	180:18
spoke	140:15 143:9,16,17	statute	sum
10:12 29:20 57:12	143:18 145:14	164:4	150:17
59:15 140:22 167:11	150:21,24 152:25	statutes	supervisor
167:23 169:6,7	165:6,10,25,25 166:9	90:8	59:19
spoken	statements	stayed	supplemental
60:23 169:10	20:2 37:3 45:17 48:18	125:18 129:3 151:9	65:10
spokesman	48:19 49:9 70:18	step	supplementary
72:14	76:5 81:5 90:3 93:4	18:20 42:4 48:9,11	133:2
spread	93:6 104:5,9,14	49:3 106:10 172:13	supplies
54:7	105:25 112:20 115:5	steps	102:17
spreadsheet	120:25 128:21	12:9 47:22 48:14,24	support

support 57:15	144:14	7:23 114:22	134:7
supporting 109:2 111:14	takes 161:25	testify 9:11,23 58:7 131:17	Timofey 149:12 150:9
supposedly 125:12	talk 131:9	131:23	Title 2:5,15,21 3:3,8,12
sure 18:2,23 20:12 22:15	talked 92:13 140:15 145:14	testimony 48:7 183:12	61:21
24:11 29:15 30:14	154:13 175:14	Thank 7:16 157:9	today 9:10,23 180:18
46:5 64:11 69:21	talking 19:2 42:2 53:7 61:15	theory 151:21 160:23	Today's 6:6
82:2 95:21 96:3	61:16 91:6 103:5	thereof 80:7	Todd 1:19 6:12 8:6 11:24
99:15 114:17 122:3	121:20 126:17 153:9	thereto 3:17	101:18,25 166:22
122:12 130:8,18	153:21 164:14	thing 53:8 72:6 90:2 178:6	180:25 181:7 182:22
141:4 148:15 152:16	tape 167:4	things 48:20 61:15 152:20	183:9
154:17 166:19 171:7	Taube 5:5 7:5,5	157:13	told 38:7 43:19 47:24
179:6	tax 84:13 131:19 161:9	think 50:25 58:9,13 74:20	49:11,15 51:18,19
surrounding 54:17	technical 120:24	79:13 136:22 140:6	58:12,23 142:8
swear 7:19	techniques 136:5,10,12,19 154:15	144:21 145:18	146:23 176:8
Switzerland 52:6	tell 8:4 11:24 18:4,9 49:10	165:14 175:17	top 69:11 97:8
sworn 7:21 114:22 181:9	49:21 52:2 73:10	177:25	total 79:22 87:10,15,25
182:22 183:11	87:3 95:24 110:10	three 24:23 97:9 106:17,22	91:7 95:16 97:8,25
system 46:12 47:2	153:6,12 176:11,20	tie 89:16	98:4,7,15,15,19
	176:23 178:17	time 6:7 17:20 23:17 24:2,7	totalling 80:24
T	telling 46:15 83:2	24:10 26:13 29:14	touch 33:4,5 50:19 108:10
T 5:5 7:20 114:2,20	templates 48:5	30:16,21 47:12 52:18	108:13,17,20
183:2,2 184:2	ten 80:24	52:22 55:24 56:20,24	Touche 13:10,14
tainted 100:9,14 177:23	tens 46:18	57:11 66:22 70:13	touched 19:5
take 6:11 12:9 22:14 26:12	term 120:24	71:13,19 75:8,15	trace 69:5 72:3 78:19 99:17
30:13,14 46:4 47:23	terms 59:21 145:12 177:18	92:11,17 94:10	125:12 177:21
48:14,25 52:2 62:19	territory 17:7	100:11 101:20 102:3	traceable 3:17
62:21 85:3 113:4	testified	113:6 114:5 118:22	traced 46:16 82:19 83:12,13
116:19 117:16 118:2		123:10 124:2 134:12	125:24 127:5 178:14
118:20 123:4 124:18		144:11,16 148:22	tracing 99:19 133:14 177:19
132:16 155:21 156:8		160:3 166:24 167:5	
158:12 161:21 165:9		172:15,21 175:22	
taken 1:20 30:19 63:2		176:2 181:2,3	
		times	

training 12:17	33:11,17 36:11,19 37:18 40:14,19,22,24	125:13 127:6	67:19
trans 38:17	43:16,20 44:13,15 65:8,18 66:4,9 69:19	Treasury's 162:23	unauthenticated 37:24
transaction 26:17 45:9,14 153:3 168:11	70:12 71:8,9 72:18 72:21 73:8 74:6,15 75:3,19,25 76:18	treatment 178:24	unaware 58:6 70:24 78:16 92:21 169:14 170:18
transactions 18:10,14 19:24 29:7 32:22 33:14 34:6 35:10 38:17 39:14,15 39:17,21 40:3,4,7 58:5,14 73:24 75:2 133:12,18 137:16 149:23 154:6,10 159:2	80:24 81:19 83:18 85:7 86:6,9 89:11 97:9 102:15 106:4,9 109:10 111:9 119:3 128:14,18 129:16,20 129:23 130:25 142:8 142:11,24,25 143:6,9 144:24 145:8,11 149:17 151:15 152:16 154:13	Treaty 33:21 35:7 126:21	uncertain 31:3 45:6
transfer 40:25 41:6,15,18,25 42:8,21 43:4 44:8,17 46:11,23 66:18 69:13 70:5 73:15 76:13,22 77:10 79:2,9,18 80:23 83:20,23 84:3 84:9,13,20,22,24 85:11,17 89:5,7,9 91:6,21 92:4 93:12 93:20 94:18 95:8,13 95:17 100:23 101:3,8 102:9 103:10,16,19 109:20,22,25 110:5 122:24 128:24 130:14 149:25 153:4 153:7,8,10,11	transfer's 89:5	trial 72:10	uncover 25:22
transferred 39:23 69:8 70:22 71:4 82:4 86:17,18 90:17 100:5,7,10 115:19,23 116:2,11,16,23,24 117:5,10 118:24 122:20 123:19 124:10 126:2,13 150:16	translated 160:15	true 32:24 34:19 51:9 80:19 84:8 104:24 105:2 118:14 120:19 146:20 165:2 183:12	underlying 121:25 138:11,24 159:5 163:2
transferring 46:13	translates 95:25	try 161:10	underneath 98:18
transfers	translation 166:3,3	trying 178:7	understand 9:10,16 11:7 18:22 42:25 140:4 155:24 179:6
	transmission 61:19	turn 27:13 146:22	understanding 26:15,19 27:4,8 55:13 67:25 115:14 123:17 135:23 136:16 166:7 178:11
	transmitting 47:2	two 30:14 39:24 40:4 56:11 70:3 84:14 85:4 89:2 92:17 107:5 141:11,12 164:18	Understood 157:11
	transported 145:25	type 119:15	UNIT 2:7,7,16,17,22,23 3:4 3:5,9,10,13,14
	transposed 38:18	types 20:24	United 1:2,5 4:3 6:13,15 7:15 8:12 9:12,24 10:4,21 10:25 11:5,6,9,23 12:8 15:18 16:4,7,11 16:18 17:14 19:12,17 19:22 22:20 23:2,5 23:13,14,18,23 24:13 26:9,16 27:5 29:11 29:21 32:19 33:5,19 33:24 34:5 36:22 41:23 42:25 44:5 46:15 47:8 51:16 52:11 54:21 55:10,17 55:18 56:14 59:25 60:9 61:11 62:21,24
	transposition 38:20	<hr/> U <hr/>	
	Treasury 8:18,20 68:25 69:2,13 69:18,20 70:6,11,20 71:2 72:19 73:16 74:7 82:18 83:4 84:13 85:5 86:15,24 87:5,6,8 88:7,10,11 88:16,19,22 91:2,11 95:9 96:13 99:3,4,22 100:3,19 106:4	UBS 52:5,13 101:5 112:17 115:11 116:7 141:20 142:8 153:6,12 155:6 155:10,13,16 156:15 157:17 165:5,7	
		UCC 20:23	
		ultimately 123:18	
		Um-hum 97:24	
		unable	

63:4,8,14 71:6 72:15 73:21 78:11 92:9,14 93:17 104:11 105:6 109:4 110:25,25 115:7 117:3,24 118:22 126:7 127:3 127:23 128:2,25 129:4 130:11,15 132:23 133:5 146:5 151:9 154:24 155:3,9 157:7 160:20 162:3 164:3 169:13 170:16 172:7,8 176:12,21 178:22 180:11	17:3 value 95:16 127:10 129:11 151:10 Varick 6:5 variety 28:10,19 29:5 various 16:22 20:21,23 25:4 28:19 31:6 50:3 vehicles 136:5 verdict 160:25 verdicts 164:17 165:3 verification 12:9 14:16 15:3 verified 12:5,6,7 13:21,23 14:14,25 15:2,2 48:18 49:9 184:5,8 verify 33:6 43:22 47:23 51:11 69:22 80:16 105:2 120:21 155:6 155:10 160:20 versus 6:14 15:19 VIDEO 7:16 videographer 5:11 6:2,3 30:16,20 52:17,21 56:19,23 71:13,18 101:16,23 113:6 114:4 144:11 144:15 166:20 167:3 172:15,20 175:21,25 180:22 videotape 101:17,24 166:21 180:23 videotaped 1:19 6:11 101:18,25	166:22 180:24 view 74:13 156:6 visit 62:25 volume 180:23 <hr/> W <hr/> W 4:13 6:21 Wait 31:15 want 71:23 74:12 84:12,17 120:23 145:20 155:25 156:11 180:17 wanted 114:8 168:6 wants 172:8 Washington 4:19,20 wasn't 148:18 153:15 waste 134:12 Watch 31:16 way 34:5 41:12 88:22 117:7 129:15,18 141:10 153:25 154:19 173:22 183:16 ways 173:24,25 174:3 web 54:24 104:22,24 website 50:2,4,7 158:3 162:23 167:14,16 176:25 websites 20:3,22 54:23 105:14	162:16 168:16,16,24 168:25 174:12 went 33:11 43:11 68:22 82:17 83:3 88:20 89:12,20 91:12 92:11 92:16,19 97:9 99:24 100:6,20 117:25 123:12 129:2,5 151:6 177:22 weren't 59:11 146:18 WEST 2:16 we'll 20:17 24:14 27:24 28:24 47:15,16 78:17 78:18 90:11 117:9 123:8 139:24 145:22 151:13 155:21 164:6 179:8 we're 19:2 21:4 58:3 74:2 91:5 111:19 112:4,10 153:21 we've 20:2 36:17 51:24 52:4 57:6 170:4 175:14 WHEREOF 183:18 whichever 27:20 William 17:2,4,5 20:7 31:12 32:21 38:5 47:19,25 53:10 winding 89:10 wire 19:24 29:6 36:10,19 38:17 40:19,22,23,25 41:6,15 44:8,12,14 45:2,4,8,9 46:12,23 47:5 68:22 70:12 72:21 75:2 76:13
<hr/> V <hr/> Vadim			

77:19,25 83:18 84:22 85:15,16 106:4 109:10 138:12,18,24 143:8 144:24 145:11 149:17 153:4,16,23 154:12 159:6	157:13 162:15 172:13 173:7,15 179:11	178:13	123:18 124:9 150:15
wires	word	years	#
61:15 73:25 138:15 139:19 141:11,12 154:17	42:4 54:8 159:17	8:13 148:16,18,19	#2
wiretaps	words	yellow	2:16
61:17	33:14 99:6 118:5 147:14 161:9 167:20 170:23 174:15	97:8 98:2	1
wish	work	York	1
84:21 182:4	8:22 9:5 13:14 16:14 20:4 39:12 45:20 63:6 77:20 171:12	1:3,22,22,24 2:7,7,16 2:16,22,22 3:4,4,9,9 3:13,13 4:4,5,5,12,12 5:4,4 6:5,6,10,11,16 12:25 13:17 20:21,22 21:10 102:14 108:13 141:10 150:23 182:2 182:3 183:3,4,8	13:20 14:12 18:15 19:10,14 31:21 37:12 37:19 38:13 46:8 62:12,15 65:23 67:4 101:17 106:23 116:18 128:11 131:5 142:22 178:21 180:23 184:4
withdraw	worked	Z	1st
131:14 137:11	8:11 16:16 56:5 58:25 88:22		92:12 127:16
withdrawals	working	zero	1,185,000,000
37:8	13:4 20:8 55:18,19 85:5 149:2	66:15 67:3,3,14,24 68:3,16 92:11,16 117:13,25 177:20,20 177:22	88:4 98:8,10
withdrawn	works	zeroed	1.2
45:24 49:22 51:17 83:17 160:5 162:4	33:23	72:4	87:25
witness	worth	ZhK	1.85
7:19 17:21 18:9,24 19:6 23:12,24 24:9 24:16 30:8,22,25 31:18 52:14,19 56:15 56:21,25 57:9 60:18 63:18 64:6,11 71:11 71:16,20,22 101:10 101:21 114:10,13,15 130:8 137:3,7 141:2 144:17,21 145:5 146:22,25 147:4,8 158:6 163:6 166:18 166:25 170:25 171:10,15,25 172:18 172:25 175:17,23 176:3,6 183:9,13,18	46:19	77:10 78:19 79:2,14 94:20	88:2
	wouldn't	Zurich	1:06
	68:11 87:2 95:24 117:19 159:21 170:24 177:11 178:17	117:6	114:3,5
	write	\$	1:13-CV-06326-TPG
	51:5		1:7 6:17
	written	\$19.4	1:42
	45:2 54:4 165:6	95:10	144:12
	wrong	\$19.5	1:49
	124:19 164:12	99:20 100:15	144:16
	X	\$230	10:01
	x	131:18 133:13 137:19 139:17 146:4,7 149:15 150:10 154:7 159:3	30:17
	1:4,15 2:2 3:19 184:2	\$266	10:09
	Y	83:13	30:21
	7:20 114:20	\$857,000	10:34
	Yeah	129:2	52:18
	50:23 86:19 163:7	\$857,353.18	10:54
	year	91:7	52:22
	13:10,19 148:14	\$857,354	10:58
			56:20
			10005
			2:22 3:4,9,13
			10007
			4:5
16:21,22,24 18:13 19:9,13,18 55:25 56:13 57:12,24 58:4 58:14 59:25 60:10,20 60:23 61:3,7 75:14 110:18 131:8,16,21			

10014	13	172:21	2:6,7
6:6	66:16 184:4,7,10	2:36	26
10017	13th	175:22	74:11
2:7	92:12	2:38	266
101	14	176:2	80:24
116:20	125:8 184:14,17	2:44	29
10111	148	181:2,3	65:24
4:12	158:22	20	290
10112	150	2:22,22,23 3:4,4,5,9,9	79:22 86:10 87:11
5:4	60:16	3:10,13,13,14	97:16,20
102	1515	2000	<hr/> 3 <hr/>
116:20	2:12	13:3,19	3
103	155	2001	1:17 6:7 13:25 15:7
124:21	185:8,9	8:23 13:19	61:21 184:10
1050	156	20036	30
4:20	185:10,11	4:20	1:21 5:4 6:10 37:12,20
11	166	2005	38:13
79:6	2:16	135:12	353.82
11:01	171.6	2007	120:2
56:24	86:7	17:6,16 74:11	370
11:19	1711	2008	88:6 91:4 98:13,19
71:14	1:10 3:2,5,5 15:23	37:12,12,20,20 38:13	<hr/> 4 <hr/>
11:22	172.4	38:13 65:24 66:6,16	4
71:19	97:21	79:6 124:14,25	14:5 15:12 22:12 94:3
11:55	18TH	127:17 142:24	184:14
101:20	2:16	143:18 144:2 146:8	410,000
110	1810	146:10,14,18,19,21	119:21
94:4,18 142:15,19,23	1:11 3:6 15:23	147:22 150:12,13,15	4174
143:19	1816	2009	2:18
111	3:14,14	1:11 3:7,10,10 8:23	4456
185:4,5	19.5	15:23 128:6,11	2:8
112	98:21 100:5,7	2011	447,352.82
185:6,7	<hr/> 2 <hr/>	1:12 3:11 15:24	120:4
117	2	2012	447,354
86:14 88:10	2:17 13:22 14:23	163:11	119:24
117.6	101:24 166:21 167:4	2013	45
97:17 98:20	180:23 184:7	26:6 125:8 130:22	4:11
12th	2:16	2014	4830
67:5	166:24	1:17 6:7 181:10	2:8,12,18
12:04	2:23	182:23 183:20	487
102:3	167:5	225	88:13
12:17	2:28	6:5	487.6
113:7,9	172:16	2308	98:19
127	2:32	2:23,23	49TH
2:15,16		250	

2:6,7	70:10		
<hr/>	78		
5	36:14		
<hr/>	<hr/>		
5	8		
14:8 79:5 184:17			
5th	80		
93:15	116:9		
50	8084		
158:15	2:12		
51	81.60		
158:15,15,21	52:12 116:8 118:25		
525	119:3,18 122:16,19		
79:10,14 87:12	123:12 144:2		
528	81.70		
87:20 93:12 94:25	52:13 122:20 123:13		
95:15,19,24	81.80		
<hr/>	52:13		
6	815		
6	87:15 97:25		
64:3,4,15 94:3 96:10	8160		
96:18 184:20	111:11		
6th	8170		
93:15	111:11		
6021	8293		
2:18	2:8		
638	857		
93:19 94:24 95:4	129:5		
64	857,000		
184:20	125:11 126:12 127:5		
657	87		
87:23	32:9		
66	<hr/>		
82:16	9		
69.9	9		
82:10	63:24,25		
<hr/>	9:35		
7	1:17 6:8		
7	90		
96:5,6,9,18,21,23	36:16		
111:5 115:10 123:11	91		
184:22	46:9		
7th	96		
158:11	184:22		
70			
116:8			
77			