

SHER TREMONTE LLP
**OFFICE OF
GENERAL COUNSEL**

2019 MAR -9 PM 12:49

March 7, 2019

BY FEDEX AND EMAIL

Jeff S. Jordan
 Federal Election Commission
 Office of Complaints Examination
 and Legal Administration
 Attn: Christal Dennis, Paralegal
 1050 First Street, NW
 Washington, DC 20463

Re: MUR 7561

Dear Mr. Jordan:

As set forth in the enclosed Designation of Counsel, we represent Rinat Akhmetshin in connection with the above-referenced Matter Under Review. We write in response to your letter dated February 27, 2019, which encloses a baseless Amended Complaint against our client.

In brief, the allegations of the Amended Complaint fail to demonstrate with any specificity the scurrilous charge that Mr. Akhmetshin “facilitated [Russian Intelligence Services] election support for the Florida GOP.” (See Am. Compl. at 1.) No such evidence exists, and the Amended Complaint’s rank speculation to the contrary does not warrant further investigation by this Commission.

Indeed, each and every allegation concerning Mr. Akhmetshin is false and misleading. We briefly consider these meritless allegations below.

Allegation: “Also, on July 15, 2017, ‘Tallahassee 32301’@Florida_32301 mentions RINAT AKHMETSHIN in a cut off sentence with a link to Facebook.” (Am. Compl. ¶ 2.)

Response: Mere mention of Mr. Akhmetshin’s name on Facebook does not support the serious charge against our client. Mr. Akhmetshin cannot control what others write about him on social media. Moreover, we note that the date of the alleged Facebook post is July 15, 2017 – one day after the media first reported Mr. Akhmetshin’s presence at a meeting at Trump Tower in June 2016. Many news articles were written about Mr. Akhmetshin on July 14,

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2017. Thus, it should come as no surprise that Mr. Akhmetshin's name appeared on social media the next day.

Allegation: "The Republican Party of Florida *potentially* paid \$500,000 to RINAT AKHMETSHIN and RIS representatives through an apparent Russian shell company in Wyoming." (Am. Compl. ¶ 8 (emphasis added).)

Response: The Amended Complaint expressly concedes the speculative nature of this allegation. This claim is patently false, and the Amended Complaint alleges no facts that would suggest otherwise.

Allegation: "RINAT AKHMETSHIN is a former Russian military officer who worked in counterintelligence." (Am. Compl. ¶ 11.)

Response: Mr. Akhmetshin has consistently explained that he served in the Soviet army in the late 1980's, but that he did not serve in a counterintelligence capacity. We respectfully refer the Commission to pages 19 through 21 of Mr. Akhmetshin's testimony before the U.S. Senate Committee on the Judiciary on November 14, 2017, enclosed as **Exhibit A**. Indeed, we note that Mr. Akhmetshin is currently suing William Browder for defamation because Mr. Browder falsely called Mr. Akhmetshin, among other things, a "former Soviet spy."

Allegation: "AKHMETSHIN currently works in Washington, DC as a lobbyist against the Magnitsky Act." (Am. Compl. ¶ 11.)

Response: Mr. Akhmetshin lives and works in Washington, DC. In 2016, he worked as a lobbying for the Human Rights Accountability Global Initiative ("HRAGI"), whose stated goal was an independent review of the Magnitsky Act's factual findings and the removal of Sergei Magnitsky's name from the law. Mr. Akhmetshin never opposed the substance of the Magnitsky Act, *i.e.*, the imposition of sanctions upon individuals who violate human rights, and never sought repeal of the act. During the course of his lobbying work, Mr. Akhmetshin generated and circulated only two documents for distribution to, among others, certain members of Congress: (1) a "Request for Investigation," and (2) "Talking Points on Magnitsky Act." We enclose both documents as **Exhibits B** and **C**, respectively.

Allegation: "He was alleged to have been involved in the hacking of a Russian company, IMR, in a 2015 lawsuit." (Am. Compl. ¶ 11.)

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Response: These allegations concerning Mr. Akhmetshin, in addition to being completely false, were never proven. The Amended Complaint fails to mention that this case was dismissed with prejudice shortly after it was filed. The Stipulation of Discontinuance With Prejudice is enclosed as **Exhibit D.**

Allegation: “AKHMETSHIN has received payments from Wiles Consulting LLC, principal Lanny Wiles, husband of SUSAN WILES. Wiles paid AKHMETSHIN through a company called ‘Human Rights Accountability Global Initiative’. As reported by *BuzzFeed News*, AKHMETSHIN was paid \$72,500 from January 2016 to April 2017.” (Am. Compl. ¶ 11.)

Response: This claim is also false and misleading. *First*, Mr. Akhmetshin did not receive any payments from Lanny Wiles through HRAGI. The Amended Complaint’s assertion to the contrary rests solely upon *BuzzFeed*’s inaccurate and unsubstantiated reporting about Mr. Akhmetshin’s finances. To be clear, Mr. Akhmetshin did receive a payment from Lanny Wiles around this time, but the payment was compensation for an entirely unrelated energy project in Central Asia. *Second*, there is no link, and the Amended Complaint identifies none, between Mr. Akhmetshin’s work with Lanny Wiles, on the one hand, and Susan Wiles’s work for the Florida GOP, on the other. In fact, Lanny Wiles and Susan Wiles had divorced approximately nine months before Susan Wiles began working for Governor DeSantis’s election campaign.

In sum, the Amended Complaint does not warrant further investigation by this Commission. Should you have any additional questions, please do not hesitate to contact us. We can be reached at (212) 202-2600 or mtremonte@shertremonte.com.

Respectfully submitted,



Michael Tremonte
 Michael W. Gibaldi

Enclosures



FEDERAL ELECTION COMMISSION
1050 First Street, NE
Washington, DC 20463

OFFICE OF
GENERAL COUNSEL

2019 MAR -8 PM 12: 50

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

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FAX 202-219-3923

AR/MUR/RR/P-MUR# MUR 7561

Name of Counsel: Michael Tremonte and Michael W. Gibaldi

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New York, NY 10004

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E-mail: mtremonte@shertremonte.com; mgibaldi@shertremonte.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

March 06 2019

Date


(Signature - Respondent/Agent/Treasurer)

Title

Rinat Akhmetshin

(Name - Please Print)

RESPONDENT: Rinat Akhmetshin

(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 1500 K Street NW
(Please Print)

Washington, DC 20005

Home#: _____

Mobile#: _____

Office#: _____

Fax#: _____

E-mail: _____

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(2)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

OFFICE OF
GENERAL COUNSEL

2019 MAR -3 PM 12: 50

Exhibit A

1 SENATE JUDICIARY COMMITTEE

2 U.S. SENATE

3 WASHINGTON, D.C.

4

5

6

7 INTERVIEW OF: RINAT AKHMETSHIN

8

9

10

11 TUESDAY, NOVEMBER 14, 2017

12 WASHINGTON, D.C.

13

14

15

16

17 The interview in this matter was held at the

18 U.S. Capitol Building, [REDACTED], commencing at

19 9:42 a.m.

20

21

22

23

24

25

1 number?"

2 "Answer: 1 - - 12129."

3 If you'll turn to pages 144 and 145,

4 there's another passage I'd like you to review

5 before I ask a few questions.

6 In this exchange, the questioner

7 references a book by Steve LeVine titled "The Oil

8 and the Glory." That book mentions you. The

9 deposition has this exchange:

10 "Do you recall that it also refers to you as
11 a former Soviet Army counterintelligence officer?"

12 "Answer: It does."

13 Then on line 20 of that page, "Is the

14 statement that you are former Soviet Army

15 counterintelligence officer a correct statement?"

16 "Answer: It's not, uh, exactly correct
17 statement."

18 "Question: Do you know what the term
19 'Osobist' means?"

20 "Answer: Osobist, Osoby Otdel, Osobist?

21 Yes, it's called 'Special Service.'"

22 "Question: And is -- is that -- were you an
23 Osobist in the Soviet Army?"

24 "Answer: Our service had -- was -- has been
25 loosely associated with these services."

1 "Question: Can you describe for us what you
2 understand the term 'Osobist' to mean?"

3 "Answer: It's called the special
4 department. Osoby Otdel, Special Department."

5 "Question: And it -- does it -- it have --
6 play a role in counterintelligence?"

7 "Answer: Some parts of it does -- do, yes."

8 "Question: Okay. Is the characterization
9 of you as a counterintelligence officer accurate?"

10 "Answer: It's not accurate."

11 "Question: Did you tell him you were a
12 counterintelligence officer?"

13 "Answer: I told him I was a commandant,
14 this person."

15 Mr. Akhmetshin, you said in this
16 deposition that the statement that you are a
17 former Soviet Army counterintelligence officer is
18 not "exactly correct." Is it partially correct?

19 A. It's not correct at all.

20 Q. Okay. What was incorrect about it?

21 A. I was never a -- I was served -- I
22 served-- let me use my words carefully here. I
23 served in a unit as a Soviet soldier of the -- as
24 an army -- enlisted army officer, sergeant at that
25 time. I served in a unit which provided support

1 for Osoby, for counterintelligence unit.

2 Q. Have you ever served in an intelligence
3 or counterintelligence capacity for the Soviet
4 Union or the Russian Federation?

5 A. I have not.

6 Q. Have you ever worked with the GRU?

7 A. I have never worked with GRU.

8 MR. FOSTER: What was your answer to the
9 last question? I never worked with?

10 MR. AKHMETSHIN: I never served with GRU.

11 BY MR. DAVIS:

12 Q. Did you ever work with them informally?

13 A. I never worked with them informally.

14 Q. Have you ever worked with Osoby Otdel?

15 A. I served in a unit which provided support
16 for Osoby Otdel. Army unit.

17 Q. Mr. Akhmetshin, have any of your family
18 members worked for Russian intelligence?

19 A. They have not.

20 Q. Have any of your family members worked
21 for U.S. intelligence, including the FBI?

22 A. No, sir.

23 Q. Moving on, regardless of where they are
24 registered, which Russian companies and Russian-
25 owned companies have you worked for?

Exhibit B



**HUMAN RIGHTS ACCOUNTABILITY GLOBAL INITIATIVE FOUNDATION
1050 Connecticut Ave NW # 500, Washington, DC 20036, USA**

The Human Rights Accountability Global Initiative Foundation (HRAGIF) is dedicated to promotion of human rights accountability around the world and repairing US-Russia bilateral relations.

One critical point of disagreement between the Russian Federation and the United States involves two interlinked legislations in each country: the Magnitsky Act and the Dima Yakovlev law. Three years ago, the fate of about 250 children was thrown into uncertainty after Russia passed a law prohibiting Americans from adopting children in Russia. The children would have added to the impressive number of more than 60,000 Russian children adopted by American families following the collapse of Communism. Some of the blocked adoptions were taken up by Russian families, while other children were adopted overseas. But some of the potential adoptees got sick and others reportedly died.

Officially, the Russian law was passed following outrage over the 2008 death of Chase Harrison (Dima Yakovlev was his original Russian name), a toddler adopted by a Virginia family left to die in a car on a sweltering summer day. Unofficially, Russia passed the law in retaliation for the Magnitsky Act, passed and signed into law in 2012, which imposed sanctions on individuals blamed for the death of Sergei Magnitsky in a Moscow prison in 2009. At the time the Act was passed, it was believed that Magnitsky had been arrested for exposing a \$230 million fraud ("Russian Treasury Fraud") involving Russian police and tax officials and that he was killed to cover up the crime. New evidence has emerged that Magnitsky, for whom the law was named, was not a whistleblower.

One particular falsehood, which is the crux of the Magnitsky Act, is that Magnitsky was a lawyer investigating the massive Russian Treasury Fraud for Hermitage Fund, first alerted the police to the fraud and accused Russian police officers Pavel Karpov and Artem Kuznetsov of participating in the fraud. He supposed was arrested and killed in prison when he refused to recant his story. But Magnitsky was not a lawyer; he was not investigating the Russian Treasury Fraud; he did not report the

fraud to the police; and he never accused Karpov and Kuznetsov of participating in the fraud.

The Magnitsky story has never really been examined in the United States. Instead, the extensive lobbying efforts of the original proponents of this legislation, led by former American businessman Bill Browder, misled Congress into believing "facts" that, on further analysis, were misleading (some intentionally so) and, in some instances, demonstrably false. Browder has undertaken an intensive media and lobbying campaign to evade his own responsibility for income tax fraud.

Browder ran the Hermitage Fund, a \$4 to \$5 billion hedge fund that was the largest foreign investor in Russia from the late 1990s until 2005. Born in the United States, Browder surrendered his American citizenship in 1998 after his Russian-based fund began reaping large gains, allowing him to avoid paying US taxes on worldwide income. He was convicted in Russia of tax fraud, which he claims was politically motivated, but arises from his evasion of a \$19 million civil tax judgment for an Hermitage portfolio company called Dalnaya Steppe. Browder's purpose in concocting Magnitsky's purported role in investigating the Russian Treasury Fraud was to undermine the credibility of the police whose investigation led to his conviction.

* * *

Browder's story runs as follows. When Browder was barred from entering Russia in November 2005, he liquidated the Hermitage Fund in early 2006 and Hermitage Fund paid income taxes in the ruble equivalent of \$230 million. In June 2007, his offices and those of his lawyers were raided by Russian investigators led by Pavel Karpov and Artem Kuznetsov, who stole original corporate documents that they supposedly used to steal three Hermitage portfolio companies – Rilend, Mahkaon and Parfenion. The three Hermitage Companies were then re-registered, false contracts were created, fraudulent lawsuits were filed, and the judgments were used to create false liabilities that were reported in fraudulent tax refund claims in December 2007. These claims netted approximately \$230 million in tax payments made the prior year for Rilend, Mahkaon, and Parfenion. Browder supposedly found and hired a brilliant young lawyer, Sergei Magnitsky, who uncovered the fraud. When Magnitsky accused Karpov and Kuznetsov of participating in the Treasury Fraud, they arrested him, tortured him to withdraw his accusation, and eventually killed him.

Almost every element of this story is untrue. The omissions, inconsistencies, contradictions, and outright falsehoods in William Browder's current story can be demonstrated from his own website, his innumerable newspaper and TV interviews, his book, Red Notice, and publicly documents produced by the Justice Department in a New York civil case – many of which the Government got from Browder. In addition, a recent independent documentary film presents a much clearer picture of the campaign behind the Magnitsky Act.

1. *Magnitsky Was Not A Lawyer.* Browder claims that when he hired Magnitsky after his offices were "raided" in June 2007; he supposedly went out and found the "best young lawyer in Moscow" to defend Hermitage. However, Magnitsky

was never a lawyer. Magnitsky referred to himself as an accountant in a 2006 police interrogation. Browder has admitted that Magnitsky did not have a law degree and did not attend law school. Browder's own version of Magnitsky's role changed between Browder's first and second appearance before Congressional committees. Magnitsky is originally called a "legal and accounting advisor" but becomes a lawyer in Browder's second testimony.¹

2. *Magnitsky Was Not Retained In 2007 to Defend Hermitage.* Browder's claim that Magnitsky was first hired in 2007 after a police raid on his offices in order to investigate the theft of the Hermitage Companies. However, Magnitsky worked for the Hermitage Fund since the early 2000s, as evidenced by Magnitsky's own interrogation by the police in 2006,² and the civil tax judgments entered against Hermitage shell companies, Dalnaya Steppe and Saturn, which include Magnitsky's name dated 2004.

3. *Magnitsky Was Not A Whistleblower.* The most disturbing charge is Browder's claim that Magnitsky was the first to "blow the whistle" in October 2008 on two allegedly corrupt police officers – Pavel Karpov and Artem Kuznetsov – for allegedly committing the Treasury Fraud. Magnitsky's purported accusations led the police to arrest, torture, and kill Magnitsky in prison as retaliation. However, Magnitsky never made any complaint against officers Karpov and Kuznetsov. They thus had no reason to arrest him for the accusation and torture him to withdraw it.

To support his depiction of Magnitsky as a whistleblower, Browder posted on his website an October 2008 document that is described in English as Magnitsky's complaint against two police officials – Karpov and Kuznetsov. But the original Russian document contains nothing of the sort. It is actually a report of Magnitsky's interrogation and never once accuses Karpov and Kuznetsov of wrongdoing. See <http://russian-untouchables.com/docs/D65.pdf> (an English translation is attached). Browder's blatantly false summary is available at <http://russian-untouchables.com/eng/testimonies/>.

During another interrogation in June 2008, Magnitsky explained that certain Russian officials were involved in the search of Hermitage offices, but he never accused them of involvement with a company theft. <http://russian-untouchables.com/docs/D64.pdf>.

Browder's story about who first reported the Russian Treasury Fraud has also changed. In an early version of the Hermitage Fund website (since changed) identified Rimma Starova, a nominee director of the Hermitage companies after they were

¹ http://webcache.googleusercontent.com/search?q=cache:QAX0-u7vi38J:www.csce.gov/index.cfm%3FFuseaction%3DFiles.Download%26FileStore_id%3D1283+&cd=3&hl=en&ct=clnk&gl=us and
http://webcache.googleusercontent.com/search?q=cache:4SsRG_hQq_cJ:lhrc.house.gov/docs/transcripts/2010_05_06_Russia/05_06_2010_Human_Rights_in_Russia_An_Overview.pdf+&cd=1&hl=en&ct=clnk&gl=us

² pg. 595, Magnitsky October 18, 2006 Testimony, English Translation & Original Russian Document (see portfolio).

supposedly stolen, as first complaining to police about the re-registration of the companies in April 2008.³ Therefore, Magnitsky did not "blow the whistle."

4. Browder Committed Tax Fraud with Magnitsky's Assistance. Browder claims his conviction for tax fraud was politically motivated; but his conviction was based up civil tax judgments that he evaded paying. Browder was general director of Hermitage companies called Dalnaya Steppe and Saturn Investments, shell companies established in a remote province of Russia called Kalmykia. In order to get a 30% tax reduction on major Hermitage investments funneled through Dalnaya Steppe, Browder falsely represented in tax returns that Dalnaya Steppe employed a majority of handicapped persons and the company was investing in the Kalmykia region. In fact, the company did not employ a majority of handicapped workers and was never invested in the Kalmykia economy.

The Dalnaya Steppe tax scheme was devised by Browder's law firm that employed Magnitsky as a tax adviser and Magnitsky appears on court records as the Dalnaya Steppe representative. After years of civil tax lawsuits and an appeal, all occurring when Browder was one of Vladimir Putin's strongest public supporters, Dalnaya Steppe in 2004 was ordered in a civil lawsuit to pay nearly \$19 million. But rather than pay the civil judgment, Browder liquidated the company's assets and spirited the proceeds out of Russia. He sold the asset-less, empty shell company to his own security contractor, who promptly declared it bankrupt – leaving the Russian tax service high and dry as its sole creditor. The Dalnaya Steppe fraud undermines Browder's entire self-depiction as the victim of a lawless state and creates contradictions in other elements of his story.

5. Magnitsky Was In Prison Because Browder Evaded Taxes. After Browder liquidated the Hermitage Fund's investments in Russia in early 2007, almost all of the Hermitage employees and lawyers left Russia. Magnitsky remained to respond to the criminal investigation that came out of Browder's evasion of the Dalnaya Steppe civil tax judgment. Magnitsky would not have been arrested if Browder had paid the \$19 million civil tax judgment that he has never claimed (and could not claim) was politically motivated.

6. Browder Does Not Recall Whether He Sold Out Magnitsky. Browder claims that he supported Magnitsky while in pretrial detention in 2008-09. But when asked whether he had asked Magnitsky to take responsibility for the Dalnaya Steppe tax returns, Browder did not deny it but testified he did not recall.

7. Browder Story Is Designed To Undermine the Credibility of his Criminal Conviction. The purpose of Browder's story – that his offices were raided by police to steal corporate documents – is to undermine the credibility of his conviction for tax fraud by tying the police who investigated Dalnaya Steppe with the Russian Tax Fraud. Browder is the subject of a longstanding Interpol "Red Notice" seeking his extradition to Russia for tax fraud that has never been enforced due to Browder's claims of political

³ pg. 594, Hermitage Fund Press Release September 16, 2008 (see portfolio).

persecution. In fact, the charges against Browder have nothing to do with the \$230 million Treasury Fraud.

8. *The Police Raid Was To Steal Corporate Documents.* The Russian police did not search the Hermitage offices in June 2007 to steal documents to be used in the Russian Treasury Fraud; they were executing a legitimate search warrant pursuant to a criminal tax fraud investigation. This is proven by a copy of the return of the search warrant that was translated and made available by Browder on his own website, at <http://russian-untouchables.com/rus/docs/D476.pdf>.

Although Browder repeatedly has claimed that Russian law mandates the use of original corporate seals and other records to transfer ownership of a company, this is simply not true. The Russian law on corporate documents allows the transfer of ownership with notarized company documents but does not specify that they must be originals. The transfer of the Hermitage Companies was possible with notarized copies.

In any event, the corporate records seized from Browder's office in the June 2007 search were never used by Karpov and Kuznetsov in the Treasury Fraud. Evidence introduced in US court shows that one of Browder's top aides had warned him that forensic examinations showed the corporate certificates used to re-register the companies were not those taken from Hermitage's offices. Browder also testified that Pavel Karpov offered to return the original corporate documents, but Browder's colleagues told him to keep them until the investigation was closed.

9. *Hermitage's Criminal Complaints Are Suspicious.* Browder claims that his companies were the ones who first alerted Russian authorities of the theft of the Hermitage Companies in December 2007 via criminal complaints (which are available on Hermitage's website at <http://russian-untouchables.com/docs/D51.pdf>) that identified members of the Organization responsible for the fraud. But these letters appear to be part of a cover up. The English text – on the Browder website – does not identify what was stolen, stating without description that "[a]ssets of these companies were stolen through a series of fraud, occurring in the period between July and September 2007 . . ." And these letters do not identify who were supposedly responsible. <http://russian-untouchables.com/docs/D51.pdf> Moreover, the original Russian text is different from the English translation on the website, complaining about "actions aiming at theft" but it never states that the theft of the Hermitage companies indeed occurred. Hermitage's December 10, 2007 criminal complaint actually ***predates*** the Treasury Fraud (the fraudulent tax returns were paid December 26, 2007).

In fact, Browder has testified that he liquidated the Hermitage Fund's assets in Russia in early 2006 and thus, the three Hermitage Companies had no assets in them to steal; they were worthless shells left behind when Browder cleared out of Russia.

10. *Hermitage Companies Re-registrations Did Not Occur As Browder Says.* Another discrepancy in Browder's story concerns the way the Hermitage companies were re-registered in 2007 using powers of attorney executed by two Cypriot corporate secretaries who worked for Hermitage. Browder says these powers of attorney were

faked, and in court has produced affidavits from his Cypriot secretaries saying their signatures were forged.

But when the secretaries were questioned under oath in the US court case, they testified far differently, saying that the signatures on the powers of attorney appeared to be their own. Both explained that the affidavits they signed for Browder were presented to them by their boss in Cyprus and signed on his order. The affidavits were written in English, but their native language is Greek.⁴ This episode also raises questions about whether Browder submitted false affidavits to a U.S. court.⁵

11. Hermitage Got Timely Notice of the Fraudulent Lawsuits. After the re-registrations, the corrupt police allegedly launched sham lawsuits in mid-2007 that led to judgments against the Hermitage companies totaling \$973 million. Browder has long claimed he and his associates were unaware of the filing of these lawsuits and that "it was not until mid-October 2007 that a call from a bailiff in a St. Petersburg court led [HCML] and its lawyers to discover that [HCML] was a victim of the fraud."

But Browder has told two different stories about the discovery of these lawsuits. In his 2009 Congressional testimony, Browder told Congress: "Neither [HCML] nor HSBC were notified of these claims since the registered addresses for the companies had been fraudulently changed . . ."⁶ A year later, Browder testified to Congress that HCML "went to the registered address of our companies [in October 2007 after the supposed bailiff call] and discovered that the Hermitage Fund's companies had indeed been sued . . ."⁷

Both of these versions are contradicted by documents produced by the Justice Department in court showing that Hermitage received timely notification of the lawsuits through the Russian registered mail system. In 2014, the Justice Department turned over documents from a Russian criminal court file showing that the notices of the sham lawsuits were delivered to the Hermitage Companies in July 2007 – when the lawsuits were first filed. The existence of these notices was also acknowledged by Hermitage's own lawyer in a deposition. The notices went to the legal address of the companies, which is also where their bank account statements are mailed.

12. Magnitsky Was Not Convicted Posthumously. Although Browder has repeatedly declared that the Russian authorities subjected Magnitsky to the first

⁴ pg. 490, Argyridou Deposition and pg. 503, Alexandrou Deposition (see portfolio).

⁵ pg. 516, May 13, 2015 Letter to Judge Griesa (see portfolio) and <http://www.wsj.com/articles/hedge-fund-managers-credibility-questioned-in-russian-laundering-case-1431557601>

⁶ http://webcache.googleusercontent.com/search?q=cache:QAX0-u7vi38J:www.csce.gov/index.cfm%3FFuseaction%3DFiles.Download%26FileStore_id%3D1283+&cd=3&hl=en&ct=clnk&gl=us

posthumous conviction in Russian history in 2013, the charges against Magnitsky were actually dismissed.

* * *

Moscow's reaction to the Magnitsky Act was to bar adoption of Russian children by thousands of American families, creating unneeded hardships for both the would-be parents and the orphans in need of homes. There is time to correct the flaw in this well-meaning legislation and give Congress and Obama administration, in its final year, an opportunity to repair unnecessary damage to U.S.-Russia relations.

Exhibit C



Talking Points for Global Magnitsky Bill

- This is to be a *global* law and its name should reflect that. It should be called the Global Human Rights Accountability Act." Removing that single word, Magnitsky, would not only affirm its global application but would be a major step toward repairing a major strain in US-Russian relations.
- Changing the name of this well-meaning law will *not change* its substance or intended purpose, namely holding Russian officials responsible for human rights violations. And in fact it will expand the scope and understanding of its coverage.
- This minor change can produce a tangible and valuable immediate benefit of lifting restrictions on American families seeking to adopt Russian orphans.
- Magnitsky was not a whistle blower. He was an accountant – not a lawyer -- working for American-born British businessman Bill Browder, who was convicted by a Russian court for tax evasion.
- When this law was passed in 2012, was believed at the time that Sergei Magnitsky had been arrested for exposing a fraud involving Russian police and tax officials, and that he was killed to cover up the crime. New evidence, however, suggests he was not the whistleblower.

Exhibit D

FILED: NEW YORK COUNTY CLERK 01/19/2016 04:32 PM

NYSCEF DOC. NO. 2

INDEX NO. 161682/2015

RECEIVED NYSCEF: 01/19/2016

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

INTERNATIONAL MINERAL RESOURCES B.V.,: x
 Index No. 161682/2015
 :
 Plaintiff,
 :
v. :
 STIPULATION OF
 DISCONTINUANCE
 :
RINAT AKHMETSHIN, PATRICK P. :
SALISBURY, SALISBURY & RYAN LLP, :
EUROCHEM VOLGA-KALIY LLC, :
 :
 Defendants. x

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that (i) International Mineral Resources B.V. (“IMR”) withdraws all allegations made by it against Defendants in the Complaint filed with this Court on November 12, 2015, including allegations therein that Defendants, or any of them, have engaged in any unlawful or improper acts against IMR, including but not limited to hacking any information from IMR’s computer systems, disseminating any information as part of a smear campaign against IMR, trespass to chattel or conspiracy; and (ii) this action and all claims therein shall be voluntarily discontinued with prejudice pursuant to CPLR 3217(a)(2), with each party to bear its own costs and fees. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: 1/15/16
New York, New York

FOR PLAINTIFF INTERNATIONAL
MINERAL RESOURCES B.V.

[Handwritten signature]
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AKHMETSHIN

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