

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

Luxembourg December 10 2009

Att : Mr. Laurent Seck
Re : Danske Bank S.A. – Criminal Complaint XIII
Case # :
Your reference :
Our reference :
Posting by : Fax and mail
Your fax # : +352 26 20 25 29
Numbers of pages : 8
Attachment : 3 (5 p)
Copy : CSSF

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

1. FORMAL INFORMATION

Date of Crime : January 1 2009 – December 9 2009.

Scene of Crime : CSSF, 110, route d'Arlon, L-2991 Luxembourg

Perpetrators : Managing Director; Klaus Mønsted Pedersen (Luxembourg)
Legal Adviser; Ole Stenersen (Luxembourg)
Wealth Manager; Anne Kaupang Leighton (Steinsel)
Danièle Berna-Ost (CSSF)
Jean-Nicolas Schaus (CSSF)

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

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

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

We do oppose to the notion that we are part of a legitimate MLA agreement, in this regard please see the criminal complaint I of December 22 2008. For the sake of the argument, let us nevertheless presume that this MLA is valid.

2. THE OFFENCE

On March 12 2009 CSSF stated that the:

"...disputed investments originate from your initiative and were carried out at your express order." The letter is attached here as **Appendix I**.

Firstly we would like to repeat our reaction on the CSSF's investigative methods:

"In this regard it is close to unbelievable observing how openly the CSSF have positioned itself as the Bank's protector. Rather than acting as the objective independent controlling body one would expect, CSSF has: arranged secret meetings with the bank; kept the meetings concealed from our knowledge and thus deprived us from our rights to contradict the bank's argument prior to conclusion; concluded solely on the bank's allegations and accordingly to the bank's requests; concluded without confronting us with the banks allegations, etc." See our letter to CSSF of March 17 2009, attached to this document as **Appendix II**.

As far as we can recall none of the investments in question (e.g. the secret illegal FX-trade mentioned in our Criminal Complaint IV of February 2 2009) originate from *our* initiative, as the bank and CSSF nevertheless allege. On the contrary it is the bank that has contacted us suggesting all kinds of investments, manipulating us to jump onto their suggestions (e.g. the criminal Madoff-scheme which the bank was involved in but never mentioned to us). To prove this we invite the public prosecutor to listen to all the voice recordings and read the bank's letter to Mr. Berge of August 20 2003, attached to this document as **Appendix III**. As the public prosecutor will have to agree on, it is the bank who has initiated our "investments", not us. Less than six months after the bank had invested our money in 2003, the bank starts to sell these – what we thought was long term and safe investments. We see now that this was part of their "*Skimming-Scheme*"; manipulating a client to buy and sell as often as possible – thus increasing their bonus and profit – without getting caught, a criminal offence we will revert to in a subsequent criminal complaint.

When Danske Bank International's representatives made their statement to the Luxembourg control body (CSSF) in a secret meeting in March? 2009, they were aware that this statement – which is contrary to the facts – could be used in a court of law, as CSSF was when its representatives authored their letter to us of March 12 2009. Consequently Danske Bank International's representatives committed perjury when making their statement to CSSF.

By examining the case-documents, voice recordings and other means of relevant proof, which CSSF has carried out, CSSF knew that the bank and their representatives were lying on this subject, this to protect own interests and to conceal criminal actions. Nevertheless CSSF authored the letter in question and by this action its representatives committed perjury.

We incite the Public Prosecutor to seize all voice recordings of conversations between us and the bank, this in order to clarify the allegation that the investments in question have been initiated by us.

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

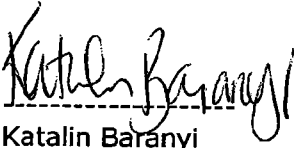
- to investigate the above mentioned actions and prosecute the offenders.

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

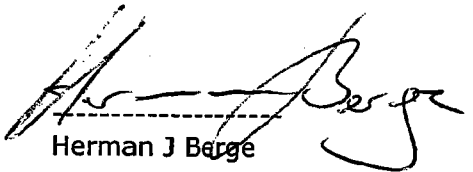
We do reserve the right to claim compensation for any economic loss, as well as non-pecuniary damages, these actions have caused us. In this regard we wish to be notified by the Public Prosecutor whether such claims can be filed as part of the criminal case.

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

Sincerely,



Katalin Baranyi



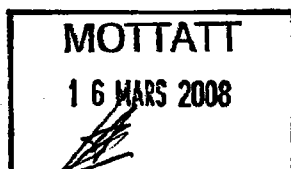
Herman J Berge

DATED in Luxembourg this 10th day of December 2009; delivered by fax and mail to the attention of Mr. Laurent Seck with the Procureur d'état.

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COMMISSION de SURVEILLANCE
du SECTEUR FINANCIER

Luxembourg, 12 March 2009



Ms Katalin Baranyi
Mr Herman J. Berge
665, rue de Neudorf
L-2220 Luxembourg

Our/Reference : SG.09/829-NDE/MR/ LTG 1090
Your/Reference :
Dispatch: mail

Contact person : Natasha Deloge
Direct dialing : (+352) 26 251 - 1

Re: Your complaints against Danske Bank International SA

Dear Madam, dear Sir,

We are writing regarding the above mentioned matter. We have been informed by the substitute of the Public Prosecutor that none of your complaints could be qualified as a criminal offence and they can therefore not be prosecuted.

Considering that you are nevertheless maintaining your complaints against Danske Bank to our Commission, we reopened our file. At the occasion of a meeting with the bank we asked the bank to take up a position as regards your allegations.

It appears from the bank's position that you never signed a discretionary management agreement and that the disputed investments originate from your initiative and were carried out at your express order. The bank has documented all the investments and the withdrawals that you performed on your account which is, contrary to your allegations, not a savings account. The statements of account since the opening of the account were sent to you by the bank on 14 January 2009, together with a detailed response to all of your letters and summarise all the performed transactions.

We consider it rather implausible that you are not aware of the different contracts between you and the bank, notably the Multipurpose Line Agreement including Mortgage of 16 October 2006.

The bank further shows that the refusal to execute a transfer and the blocking of your Mastercards, as laid out in its telefax of 19 December 2008, are due to an insufficient amount of cover on your account and not to the closing of the account.

COMMISSION de SURVEILLANCE
du SECTEUR FINANCIER

On the basis of these explanations and after a further review of your file, we see no reasons justifying any further intervention by the CSSF on basis of article to article 58 of the Law of 5 April 1993 on the financial sector as amended and we hereby close our file.

Yours sincerely

COMMISSION de SURVEILLANCE du SECTEUR FINANCIER



Danièle BERNA-OST
Secrétaire général



Jean-Nicolas SCHAUS
Directeur général

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Ms. Katalin Baranyi and Mr. Herman J Berge
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Commission de Surveillance du
Secteur Financier Luxembourg
110, route d'Arlon
L-2991 Luxembourg

Luxembourg March 17 2009

Att : Ms. Natasha Deloge
Re : Deposits in Danske Bank International S.A., Luxembourg
Case # :
Your reference : SG.09/247-NDE/MR/LTG 1090
Our reference : 653147
Posting by : Registered mail and fax
Your fax # : 26 25 1 601
Numbers of pages : 1
Attachment :
Copy :

Referring to your letter of March 12 2009 we are astonished by the lack of responsibility the CSSF demonstrates in its administration of this matter.

In this regard it is close to unbelievable observing how openly the CSSF have positioned itself as the Bank's protector. Rather than acting as the objective independent controlling body one would expect, CSSF has: arranged secret meetings with the bank; kept the meetings concealed from our knowledge and thus deprived us from our rights to contradict the bank's argument prior to conclusion; concluded solely on the bank's allegations and accordingly to the bank's requests; concluded without confronting us with the banks allegations, etc.

As a consequence the CSSF has disqualified itself from further administration of this matter.

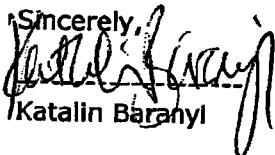
Having said this we petition the CSSF to without further delay forward the case file as well as our previous petitions of 290109 (I and II), 130209, 200209 and 230209 to competent authority (Substitute Authority) for further investigation.

On behalf of the Danske Bank International S.A. the CSSF has brought a new term into the matter, a so called "discretionary management agreement", in which they have based their conclusion on. In this regard we petition the Substitute Authority to clarify what this is as we have never heard of such a term/clause before, neither have such a term/clause been presented to us.

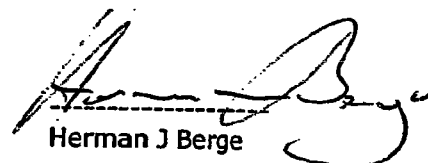
In the letter of March 12 2009, CSSF seems to have settled down with the understanding that a lack of a signed "discretionary management agreement" automatically dissolves the Law of 5 April 1993 on the financial sector, article 41, "Obligation of professional secrecy" and thus The Penal Code, article 458. Is this the opinion of the Substitute Authority as well? If yes: What are the legal grounds for such a legal opinion?

As there has been secret/concealed contact and correspondence between the bank and CSSF, we petition the Substitute Authority to grant us access to the complete file in question.

We look forward to your prompt reply.

Sincerely,

Katalin Baranyi

Luxembourg March 17 2009


Herman J Berge

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Herman Berge
Doktor Holmsvei 17D
N-0787 Oslo

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L-2011 Luxembourg
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Telefax +352 47 30 78
S.W.I.F.T. DABA LU LL
www.danskebank.com/lu

20. august 2003

Investeringsforslag

Det glæder mig at sende dig forslag til investering af totalt NOK 4.800.000.

I mit forslag er jeg gået ud fra en investering baseret på en investeringsperiode på over 5 år samt et ønsket om lav risiko. I forslaget har jeg taget højde for, at du ønsker at købe ejendom i Frankrig og dermed får brug for EUR i løbet af de næste 5 år.

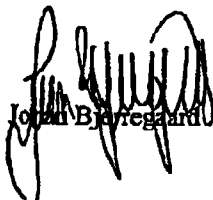
Forslag:	NOK 1.400.000	6.75% Norway 2007	eff.rt.	3.9%
	NOK 1.400.000	5.5% Norway 2009	eff.rt.	4.45%
	DKK 900.000	4,00% RD 2007	eff.rt.	3.9%
	EUR 120.000	4,00% RD 2009	eff.rt.	3.25%

I forslaget er ca.58% fastholdt i norske kroner og 42% fordelt på Euro og danske kroner.

Obligationerne er alle stående lån, dvs. rentetilskrivning én gang om året, og det nominelle beløb bliver udbetalt ved udløb.

Jeg irødeser dine kommentarer.

Med venlig hilsen
Danske Bank International



Johan Bjørregård