

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

Luxembourg August 17 2011

Att : The Director General of Public Prosecution / Attorney General
Re : Danske Bank S.A. – Criminal Complaints I to XXIX
Case # :
Your reference :
Our reference :
Posting by : Mail and fax
Your fax # : +352 47 05 50
Numbers of pages : 4
Attachment : 1 (1 p)
Copy : Eurojust (Att: Carlos Zeyen) ; OLAF; Ombudsman; Grand Duke;
Commissioner Viviane Reding

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

X X X

1. FORMAL INFORMATION

Date of Crime : August 12 2011

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

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

In regards to the facts in this matter, we refer to previous criminal complaints of 221208, 260109, 280109, 020209, 030209, 050209, 100209, 110209, 091209 (IX, X, XI and XII), 101209, 141209, 150110 (XV and XVI), 190110, 200110, 270110, 240310, 080910 160211, 020311 (XXIII, XXIV and XXV), 210311, 290311 (XXVI and XXVIII) and 250511 which we advise the prosecutor to read and assess thoroughly.

2. THE OFFENCE

On August 17 2011 the bank by criminal intent transferred some € 4.157 from our account to *Bonn Schmitt Steichen avocado*. Please find enclosed the bank's letter of August 12 2011 as **Appendix I** to this criminal complaint, proving the criminal act.

In the letter the bank states that it has transferred the said amount: "*...in accordance with your instructions...*"

Bonn Schmitt etc. is allegedly the bank's legal representative and it goes without saying that we have not instructed the bank to transfer any amount whatsoever to this criminal organization. Such document, or other proof of authorisation for this transfer, does not exist. The bank is thus deliberately lying in this letter to make it look like the bank was authorised to act as they did, which is obviously a criminal offence along with the unauthorized withdrawal from our account (embezzlement).

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

In the light of 29 criminal complaints submitted by us (five of them directly involving violations on the bank secrecy), and how CSSF, the Public Prosecutor and the judiciary have responded to these complaints, there are no reasons to **conclude** otherwise than that the state of Luxembourg does not provide any bank secrecy. Secondly, that the clients of the banks located in Luxembourg are in fact not protected by any law, and finally that the Government of Luxembourg is accepting (*en masse*) criminal activity within the financial industry as well as its violations of the MIFID provisions and other relevant EU regulations and directives. Instead of protecting us it has become clear that both the public prosecutor as well as CSSF are protecting and concealing criminal activities of which the banks are involved in, *instead of* investigating and prosecuting such activities. In the light of a statement in a report from FIN-USE of April 2009,¹ it seems safe to conclude that the following statement is a realistic description of the situation in regards to the protection of investors in Luxembourg:

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

As a consequence of obvious malfunctional administrative bodies (CSSF, the public prosecutor, notaries/bailiffs and the judiciary at large), consistently and vigorously protecting the banks' interests regardless of its legality (see previous criminal complaints), the State itself is liable to any loss incurred by this malfunction.

3. IN CLOSING WE PETITION THE PROCUREUR GÉNÉRAL D'ETAT:

- to investigate the above mentioned actions and prosecute the offender/-s.
- to order the ARREST of Managing Director Klaus Mønsted Pedersen on suspicion of conspiring to commit a crime, and to immediately see to it that his banking license is revoked.

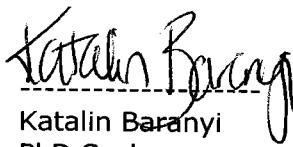
¹ FIN-USE response to Call for Evidence on Directive 1997/9/EC on Investor-Compensation Schemes

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

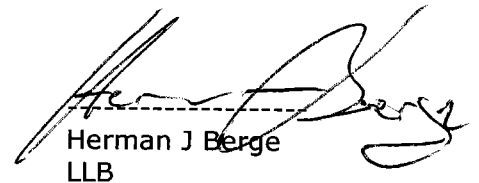
We do reserve the right to claim compensation for any economic loss, as well as non-pecuniary damages, the above mentioned criminals – and their actions – have caused us. In this regard we wish to be notified by the Director General of Public Prosecution whether such claims can be filed as part of the criminal case.

This Criminal Complaint is submitted to the Procureur Général d'Etat (the public prosecutor) in English in accordance with the ECHR and the EU Charter of Fundamental Rights.

Should the prosecutor render the abovementioned actions as lawful in Luxembourg, we then petition the public prosecutor to – without further due – **refer** this petition for investigation of gross financial cross-border² crimes, to Eurojust, as a request for assistance.



Katalin Baranyi
PhD Scholar



Herman J Berge
LLB

DATED in Luxembourg this 17th day of August 2011; delivered by fax and mail to the attention of the Procureur Général d'Etat.

² We remind the public prosecutor that all (but one) agreements between the bank and us have been entered into while we lived in Norway.

App. # 1.

Danske Bank

International Private Banking

4446 12A04000037

HERMAN BERGE & KATALIN BARANYI
665, RUE DE NEUDORF
L-2220 LUXEMBOURG

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13, rue Edward Steichen
P.O. Box 173
L-2011 Luxembourg
Telephone +352 46 12 751
Telefax +352 47 30 78
www.danskebank.lu

MOTSATT
17 AUG. 2011
[Signature]

12 August 2011

Ref. 4446-12244584208

In accordance with your instructions we have made the following transfer

Remitter

HERMAN BERGE & KATALIN BARANYI
665, RUE DE NEUDORF
L-2220 LUXEMBOURG
E

Beneficiary

BONN SCHMITT STEICHEN

Account No.

LU840141832512000000

In cover of

LEGAL FEES / COLLECTION

Through

ING LUXEMBOURG SA
ROUTE D-ESCH 52
L-2965 LUXEMBOURG

Type

Standard transfer

Available:

On 17 August 2011 to our correspondent bank.

Fees:

The remitter pays the sending bank fees

Amount transferred: EUR 4,117.45

Settlement: Amount ordered
Our fee

EUR 4,117.45
EUR 40,00

Amount debited to account 6531475501 value 12 August 2011

EUR 4.157,45

Yours faithfully,
Danske Bank

Our General Terms and Conditions apply to this statement. In case of discrepancies, please contact the Bank's Legal & Compliance Department. It is the responsibility of the Account Holder to comply with any reporting regulations, unless otherwise regulated.