

BILAG 2.

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 January 26 2008

Att : Mr. Laurent Seck
Re : Danske Bank S.A. – Criminal Complaint
Case # :
Your reference :
Our reference :
Posting by : Fax and mail
Your fax # : +352 26 20 25 29
Numbers of pages : 3
Attachment :
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
September 29 2008.

Scene of Crime
Danske Bank International S.A., 13, rue Edward Steichen, 2011 Luxembourg.

Perpetrator
a. Anne Kaupang Leighton, Account Manager, Steinsel.

The above named person works at Danske Bank International S.A., 13, rue Edward Steichen, P.O. Box 173, 2011 Luxembourg.

2. CRIMINAL ACTIONS

Law of 5 April 1993 on the financial sector, article 41, "Obligation of professional secrecy" stipulates that:

«All administrators, members of managing and supervisory bodies, directors, employees and other persons in the service of credit institutions, other financial sector professionals, settlement entities, central counterparties, clearing houses and foreign operators of systems authorised in Luxembourg, as referred to in Part

I of this Law, shall be required to keep secret any information confided to them in the context of their professional activities. Disclosure of such information shall be punishable by the penalties laid down in Article 458 of the Penal Code.»

The Penal Code, article 458, punishes violations of secrets entrusted to professionals:

"...all other persons that disclose secrets in their custody by virtue of their status or profession, apart from cases where they are called to testify in a court of law or before a parliamentary commission of investigation or otherwise compelled by law to lift their secrecy obligation, will be subject to imprisonment for eight days to six months and a fine of 20.000 to 200.000 francs.

During a meeting between Mr. Herman J Berge / Ms. Katalin Baranyi (KB) and "Wealth Manager" Mrs. Anne Kaupang Leighton (KL) at the premises of the bank a conversation took place which sounded more or less like this:

KL: - And what about you? I hear that you have children at St. Georges?

KB: - Yea yea, he goes in first grade, now.

KL: - I think you know Margaretha Palmbäck.

KB: - Yes, well, we do not know her, but we have seen her, because her daughter plays tennis with our son.

KL: - Yes, that was what she told me.

How could it be that Ms. Kaupang Leighton has got personal information about our son's whereabouts?

Ms. Kaupang Leighton clarifies this by stating that: "...that was what she (Mrs. Palmbäck) told me."

How could Mrs. Palmbäck know about our connection with Wealth Manager Ms. Kaupang Leighton?

Mrs. Palmbäck would have no reason what so ever to approach Ms. Kaupang Leighton with the information that one little boy with this and this name plays tennis and attends to the same school as her own child, unless she knew something more about us, about our connection with Ms. Kaupang Leighton, and that we have deposited our savings with this Private Banking entity.

This leads us to conclude that Ms. Kaupang Leighton has told a third party – Mrs. Palmbäck – about us, and about our relationship with the bank, and thus she has violated the above mentioned secrecy act.

* * *

We do not know Mrs. Palmbäck and we have never had anything to do with her, besides that Ms. Baranyi has seen her just a few times, mostly in connection with the school. After this meeting on September 29 2008 where we were informed that Ms. Kaupang Leighton and Mrs. Palmbäck were talking about us, we decided to take our son out of this tennis class in an attempt to avoid any contact. It goes without saying that such a sudden change in a child's routines is never easy to deal with, as you have to come up with excuses both to him as well as to his friends and ours.

It is then a fact that Ms. Kaupang Leighton has provided a third party with information – that she was entrusted with – about us and about our relationship with this bank, which in itself is a clear violation of the above mentioned Law of 5 April 1993 on the financial sector, article 41.

Ms. Kaupang Leighton's actions – disclosure of personal information and private facts, as well as intrusion on privacy – constitutes invasion of privacy, as well.

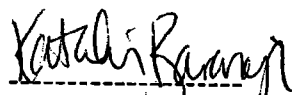
3. IN CLOSING WE PETITION THE PROCUREUR D'ETAT (PUBLIC PROSECUTOR):

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

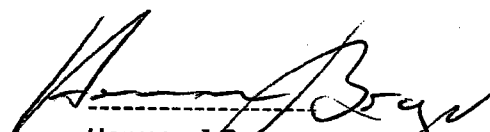
We do reserve the right to claim compensation for any economical loss, as well as non-pecuniary damages, these actions has caused us. In this regard we wish to be informed by the Public Prosecutor whether such a claim can be filed as a part of the criminal case.

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

Sincerely,



Katalin Baranyi



Herman J Berge

DATED in Luxembourg this 26 day of January 2009; delivered by fax and ordinary mail to the attention of Mr. Laurent Seck with the Procureur d'etat.