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ORSZÁGOS FORDÍTÓ ÉS FORDÍTÁSHITELESÍTŐ IRODA



Agence Nationale de Traduction et de Législation, Société Anonyme
Закрытое акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.



Translation from Hungarian

Heves Megyei Főügyészség (the Office of the Chief
Prosecutor of Heves County), Eger -----
Number B.2167/2009/13. -----

To the Attorney General and Minister of Justice ---
Room 5111 -----
United States Department of Justice -----
950 Pennsylvania Avenue, NW -----
Washington, DC 20530 -----

Dear Ladies and Gentlemen, -----

I hereby request that, by virtue of Points a) and
b) Paragraph (2) of Article 1 of the treaty signed
between the Governments of the Republic of Hungary
and the United States of America, on mutual criminal
assistance, in Budapest, on 1 December 1994,
you provide legal assistance in the criminal case
underway at Heves Megyei Rendőr-főkapitányság
Bűnügyi Igazgatóság Gazdaságvédelmi Osztálya (the
Department for the Protection of the Economy of
the Criminal Directorate of the Chief Police De-
partment of Heves County) under number
86/2010.bű., launched for the crime of embezzle-
ment committed to an especially large value and
other criminal acts. -----

There is a criminal procedure underway in the case

SZNY531008640412

for, among others, the facts of the case below:--
From the year 2002, Szalók Holding Korlátolt Fe-
lelősségű Társaság (seat: Egerszalók, Forrás u. 4.
szám), then its legal successor, Szalók Holding
Zártkörű Részvénytársaság (hereinafter uniformly:
Szalók Holding) was executing spa and related ho-
tel investment in the settlement of Egerszalók.
During the course of this, in the years 2004 and
2005, the business corporation made payments for
business events that actually did not take place.
Based on the data at disposal, there is well-
founded suspicion that it was CSÓKE László [REDACTED]

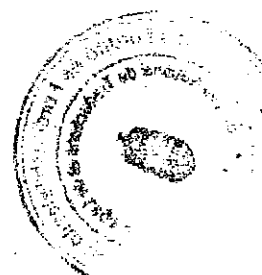
[REDACTED] resident of [REDACTED]

[REDACTED] and HARGITAI György [REDACTED]

[REDACTED] mother's maiden name: [REDACTED]

[REDACTED] bet; residents of [REDACTED]

[REDACTED] szám), Hungarian citizens, who stood behind the
Egerszalók spa and hotel investment, as private
individuals. The above-named individuals did not
have a more significant own source for the invest-
ment, thus, from the state support granted in the
meanwhile (HUF 800,000,000) and the bank sources
(altogether HUF 15,000,000,000), with reference to
difference economic events not containing genuine





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Закрытое акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

3

performance, they paid out particular amounts to themselves, through various off-shore companies. It was from these amounts that they were able to secure own sources during the bank investments - thus the increase of equity capital. -----

During the course of the investigation so far, the investigative authorities were able to uncover the following in connection with the acts serving as the basis of the request for judicial assistance. -

I) -----

At the end of 2004, Szalók Holding paid out a success fee of HUF 60,000,000 to Metrix Invest & Trade LLC, seated in Washington D.C. 20005 1023 15th Street N.W., Suite 401, with which business corporation it concluded a contract on 5 July 2004. According to the contract, if the agent, Metrix Invest & Trade LLC gives help in the sale of the 49% business share of Szalók Holding, of the nominal value of HUF 1,500,000,000, it will be entitled to 4% of the net invested amount as success fee. -----

On 30 November 2004, Magyar Fejlesztési Bank concluded an investment contract with Szalók Holding, on the basis of which Szalók Holding purchased the 49% business share of Szalók Holding for HUF

4

1,500,000,000, in the form of capital increase. ---
 Metrix Invest & Trade LLC did not cooperate in
 this legal transaction in any manner, as Dr. Vas
 György and Hargitai György conducted the talks
 with Magyar Fejlesztési Bank, but Szalók Holding
 still paid out the success fee to Metrix Invest &
 Trade LLC. We do not have any information in what
 manner the payment of the success fee took place,
 whether by bank transfer or in cash. -----

II) -----

a) In the months of April-June 2005, from the Hun-
 garian bank account of Szalók Holding, managed by
 CIB Bank Zrt. under number [REDACTED]

Csóke László transferred over HUF 33,500,000
 (twice USD 85,000) to the bank account of the off-
 shore company Atlantis Spá Inc., seated in 2711
 Centerville Road Suite 400 City of Wilmington,
 Delaware, USA, managed by financial institution
 Meind Bank, Vienna (Bauernmarkt 2, A-1010 Vienna)
 under number [REDACTED] in two instalments. -----

b) On 13 December 2005, also from the Hungarian
 bank account of Szalók Holding, managed by CIB
 Bank Zrt. under number [REDACTED] Csóke
 László transferred USD 10,000 to the bank account
 of the off-shore company NYC Telco Services Inc.,



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Закрывое акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

5

seated in 32 West 37th Street Suite 3, New York 10018, managed by the financial institution HSBC Bank USA NA (452 5th Ave., New York, NY 10018) under number [REDACTED]

The contracts, invoices, performance certificates related to the above transfers cannot be found among the bookkeeping materials of Szalók Holding.

The owners of Szalók Holding, among others, are: --

- HH Global Capital Partners Inc., 2711 Centerville Road Suite 400 City of Wilmington, Delaware, USA; -----

- Grubby Investment Limited, US-20036 Washington DC; K. Street N.W. No. 600.1717; and -----

- FCI Hungary Kft. (Eger, Vályi u. 13. szám), in which FCI Consulting Inc., US-1313 North Market Street, Wilmington, Delaware 19801-1151, is an owner. -----

According to the evidence at disposal, HH Global Partners Inc. belongs to the circle of interest of Hargitai György, GRUBBY Investment Limited to that of Dr. Vas György, while FCI Hungary Kft. and FCI CONSULTING Inc. to that of Csóke László. There is substantial reason to assume that the organisation of these companies was decided by the above-indicated private individuals, and they have ex-

6

cuted the actual management since the foundation of the companies.-----

The ownership structure of Szalók Holding from the year 2002:-----

2002 - Plaza 213 Kft., HHGCPI, FCI Hungary Kft.---

2003-2004 - HHGCPI, FCI Hungary Kft.-----

2005-2006 - HHGCPI, FCI Hungary Kft.; Magyar Fejlesztési Bank Rt.-----

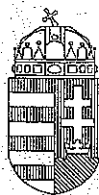
2007-2008 - HHGCPI, FCI Hungary Kft.; Magyar Fejlesztési Bank Invest Rt.; Grubby Investment Ltd. --

In the procedure of the investigative authority of the National Tax and Customs Office, underway parallel with the present procedure, Csőke László, as an accused, presented in connection with the contractual relationship between FCI Hungary Kft. and Atlantis Spa Inc. that he used the consultancy services of Atlantis Spa Inc. upon the advice of William Armstrong -- the 50% owner of FCI Hungary Kft., the owner of FCI Consulting Inc. He signed the contract by receiving the contract in the mail, which he then signed and mailed back to America.-----

However, based on the reply received in response to the Austrian request for legal assistance, the minutes of the extraordinary board of directors



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Agence Nationale de Traduction et de Législation, Société Anonyme
Закрывое акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

7

meeting of Atlantis Spa Inc., prepared on 15 July 2004, were attached by Meind Bank, according to which Daniel Oshatz, the director of the company, commissioned Csöke László, Hungarian citizen to be the primary representative of the European Operations of Atlantis Spa Inc. Furthermore, it was established that the bank account of Atlantis Spa Inc. managed by Meind Bank, Vienna, was opened by Csöke László, and Csöke László and Hargitai György have procuration rights over the bank account. --- With view to the foregoing data, it is to be investigated whether there was real performance behind the amounts paid out to Atlantis Spa Inc., NYC Telco Services Inc. and Metrix Invest & Trade LLC. -----

The acts introduced above are suitable for the establishment of one count of the crime of fraudulent breach of trust committed cumulatively, causing especially great pecuniary loss, in violation of Paragraph (1) of Section 319 of Act IV of the year 1978, the Criminal Code of the Republic of Hungary (hereinafter: the Hungarian Criminal Code), to be classified according to Point c) of Paragraph (3). -----

By virtue of Paragraph (1) of Section 319 of the

Hungarian Criminal Code, the person who has been entrusted with the administration of alien property, and causes pecuniary disadvantage by breaching his obligation resulting therefrom, commits fraudulent breach of trust. According to the law, the punishment shall be imprisonment of up to eight years.-----

Therefore, based on the data obtained during the course of the investigation, there is well-founded suspicion that Hargitai György and Csőke László performed payments in the name of Szalók Holding, in the above-detailed manner, behind which there was no actual business event. They themselves obtained the amounts of money withdrawn unlawfully from the business corporation by making these amounts payable to off-shore companies under their influence. With their conduct, they violated their obligations emerging from the management of the assets of the business corporation, and caused especially large pecuniary loss -- exceeding HUF 50,000,000 -- to the company.-----

With view to the fact that there are no invoices or contracts serving as the basis of the transfers, or documents certifying performance at Szalók Holding, and the employees of Szalók Hold-



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Agence Nationale de Traduction et de Législation, Société Anonyme

Закрывающее акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

9

ing heard so far do not know about the work performed by Atlantis Spa Inc., NYC Telco Services Inc. and Metrix Invest & Trade LLC either, the aim of our request for legal assistance is to clarify what relationship the founders and senior officers of these business corporations were in with Csőke László and Hargitai György, and whether these companies performed actual business activity for Szalók Holding. -----

Within the framework of the legal assistance, we request that you acquire the following information and execute the following procedural acts: -----

I. -----

1) Who founded the following business corporations, when, where and with what value business shares; and who were their owners: -----

- HH Global Capital Partners Inc.; 2711 Centerville Road Suite 400 City of Wilmington, Delaware, USA; -----

- Grubby Investment Limited; US-20036 Washington DC, K. Street N.W. No. 600-1717; -----

- FCI Consulting Inc.; US-1313 North Market Street, Wilmington, Delaware 19801-1151; -----

- ATLANTIS Spa Inc.; 2711 Centerville Road Suite 400 City of Wilmington, Delaware USA; registration

10

number 3827969; -----
- NYC Telco Services Inc., 32 West 37th Street
Suite 3, New York 10018; -----
- METRIX Invest & Trade LLC, Washington, D.C.,
20005-1023 15th Street N.W. Suite 401. -----

2) How much asset did these business corporations have at the time of organisation, and what was its composition (liquid assets, tangible assets)? In what manner was the existence of the assets at the time of organisation certified? -----

3) At which financial institutions and what bank accounts did the above-listed companies have in the United States? Is it necessary to report the foreign bank accounts of the companies registered there to the American companies registration? If yes, what foreign bank accounts did the above-listed companies report? -----

4) Among the bank accounts of the above-listed companies - if foreign bank account numbers are registered, then in the case of those as well - what bank account turnover did they execute with each other, when and of what amount? -----

5) Did, according to the laws in effect, the above-listed companies have to file tax returns in the United States of America? If yes, are the data



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Ungarisches Nationalbüro für Übersetzungen und Beglaubigungen AG



ORSZÁGOS FORDÍTÓ ÉS FORDÍTÁSHITELESÍTŐ IRODA



Agence Nationale de Traduction et de Législation, Société Anonyme
Закрывое акционерное общество Венгерское Бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

11

providing foundation for the following financial transactions listed in the companies' tax returns?

- income of the equivalent of HUF 60,000,000 of Metric Invest & Trade LLC in the year 2004 or 2005; -----

- into the bank account of Atlantis Spa Inc. managed by Meinh Bank, Vienna (Bauermarkt 2, A-1010 Vienna), under number [REDACTED] -----

- income of USD 65,000 through Hungarian transfer on 11 January 2005; -----

- of USD 85,000 through transfer on 22 April 2005; and -----

- also of USD 85,000 through transfer on 22 June 2005; -----

- from the bank account of Atlantis Spa Inc. managed by Meinh Bank, Vienna (Bauermarkt 2, A-1010 Vienna), under number [REDACTED] -----

- outgoing of USD 60,000 through transfer on 11 January 2005; -----

- of USD 80,000 through transfer on 13 May 2005; --

- of USD 65,000 through transfer on 29 June 2005; and -----

- of USD 23,000 through transfer on 30 August 2005; -----

- income of the amount of USD 10,000 into the bank

account of NYC Telco Services Inc. managed by the financial institution HSBC Bank USA NA (452 5th Ave., New York, NY 10018) under number [REDACTED] through Hungarian transfer on 1 December 2005? ---

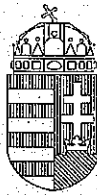
6. Is it mentioned in the books or records of any of the above-mentioned companies why HH Global Capital Partners Inc. raised basic capital in Szalók Holding as of 2 May 2004 by HUF 882 million? -----

II. -----
Witness hearings -----

I hereby request that you carry out the witness hearing of the following individuals. I request that, at the beginning of the hearings, you communicate to the witness that, based on Paragraph (1) of Section 79 of the Criminal Procedures Law of the Republic of Hungary, he is being heard as a witness in a criminal case underway for the crime of fraudulent breach of trust and other criminal acts, committed in the territory of Hungary. Following this, after the recording of the witnesses' personal particulars (name, place and date of birth, mother's maiden name, number of personal identification document, occupation, place of residence) in the minutes, please communicate the



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Agence Nationale de Traduction et de Législation, Société Anonyme
Закрывтое акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

13

warnings listed on the attached, English-language form to the witnesses, then the witness is to record his answers given to those, with his own handwriting, in the minutes. I request that, when the statement is made, get the witness to sign every page of the minutes. -----

A) The hearing of Daniel OSHATZ, witness - as the founder Atlantis Spa Inc., seated in 2711 Centerville Road Suite 400 City of Wilmington, Delaware USA, and director of the company (other particulars are not known) - in connection with the company Atlantis Spa Inc., Csöke László and Hargitai György: -----

Questions: -----

1. Where do you know Csöke László and Hargitai György from? What relationship are you in with them at present? -----

2. When and upon whose request did you organise the company Atlantis Spa Inc.? What documents had to be submitted upon the organisation of the company, and who paid the expenses related to organisation? -----

3. Based on the data of company registration, who is the senior officer of Atlantis Spa Inc., who is entitled to procure the company? -----

4. Where did Atlantis Spa Inc. open its bank accounts? Who opened the bank accounts and who has procuration rights over them?-----

5. Did you sign consultancy commissions with Szalók Holding Kft. or Szalók Holding Zrt. in the name of Atlantis Spa Inc.? If yes, upon whose request and in what form did you do that?-----

6. Did Atlantis Spa Inc. design or supply sauna world to the Egerszalók spa complex? If yes, who executed these tasks?-----

7. Did Atlantis Spa Inc. have registered employees? Did these employees execute business activities in connection with the Egerszalók spa investment?-----

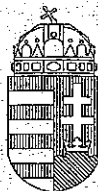
8. What business activity did Atlantis Spa Inc. execute, what revenues did it have in the years 2003 through 2005, and from what?-----

9. Did you sign contracts in the name of Atlantis Spa Inc.? Do you remember the contents of these? When did you sign these? (Are the copies of the contracts, copies sent in e-mail at disposal with the witness? If yes, please attach those to the minutes!)-----

10. What happened to the amounts of 2 x USD 85,000 transferred on 22 April and 22 June 2005 from the



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Agence Nationale de Traduction et de Législation, Société Anonyme
Закрывое акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

15

bank account of Szalók Holding to the bank account of Atlantis Spa Inc. managed by Meinl Bank AG (Bauernmarkt 2, A-1010 Vienna), under number

[REDACTED]? Who disposed over those later? -----

11. Other remarks of the witness. -----

B) We request that you hear the person who, based on the data of the companies register, was the company manager of NYC Telco Services with procuration right on 1 December 2005, with respect to the following questions: -----

1. What connection, contractual relationship did NYC Telco Services Inc. have with Szalók Holding Kft. or Zrt.? -----

2. What business activities did NYC Telco Services Inc. perform for Szalók Szolding, in what form did that appear? -----

3. If NYC Telco Services Inc. had business connections with Szalók Holding, who acted in the name of Szalók Holding and in what manner? -----

4. For what activity did Szalók Holding transfer the valuable consideration of USD 10,000 on 1 December 2005 to the bank account of NYC Telco Services Inc. managed by HSBC Bank USA, NA (452 5th Ave., New York, NY 10018) under number [REDACTED] -----

5. Do you know Csókei László or Hargitai György -----

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Hungarian citizens? If yes, what connection are you in with them?-----

6. Was NYC Telco Services Inc. in business connection with HH GLOBAL CAPITAL PARTNERS Inc. or GRUBBY Investment Limited or FCI CONSULTING Inc.? Was there any movement of money in connection with these companies on behalf of NYC Telco Services Inc.?-----

7. Other remarks of the witness -----

C) We request that you hear the person who, based on the data of the companies register, was the company manager of Metrix Invest & Trade LLC with procuration right on 5 July 2004, with respect to the following questions:-----

Questions:-----

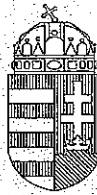
1. What connection, contractual relationship did Metrix Invest & Trade LLC have with Szalók Holding Kft. or Zrt.? Who acted in the name of Szalók Holding and in what manner?-----

2. What business activities did Metrix Invest & Trade LLC perform for Szalók Szolding, in what form did that appear?-----

3. Based on the contract signed on 5 July 2004, did Szalók Holding ever transfer, or pay out money to Metrix Invest & Trade LLC in any other manner?



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Agence Nationale de Traduction et de Législation, Société Anonyme
Закрывое акционерное общество Венгерское бюро переводов и заверений

H-1062 BUDAPEST, BAJZA U. 52.

17

If yes, when did the payment take place and in what form? -----

4. Do you know Csóke László or Hargitai György Hungarian citizens? If yes, what connection are you in with them? -----

5. Was Metrix Invest & Trade LLC in business connection with HH GLOBAL CAPITAL PARTNERS Inc. or GRUBBY Investment Limited or FCI CONSULTING Inc.? Was there any movement of money in connection with these companies on behalf of Metrix Invest & Trade LLC? -----

6. Other remarks of the witness. -----

We hereby request that, if possible, you attach the copies of deeds and documents in connection with the legal transactions in question. -----

I hereby inform you that we will use the evidence and information provided by you exclusively for the purposes of criminal prosecution, only during the course of the criminal procedure. I hereby request that you send the documents emerging during the legal assistance to my authority, with reference to the above number (Heves Megyei Főügyészség, 3300 Eger, Barkóczy út 1.). -----

Let me thank you for your kind cooperation in advance, and use this occasion to express my highest esteem towards you and your authority. -----

18

Dated in Eger, 12 August 2011-----

Sincerely:-----

Illegible signature-----

Dr. Kalmár Gyula, Deputy Chief Prosecutor-----

Legal stamp-----

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The Hungarian Office for Translation and Attestation Ltd.
certifies that this is a true and correct translation of the
document attached hereto or of the parts marked therein.
Budapest,

16. 09. 2011


for the Director General