

Certified translation from Polish

*Oblong stamp:*  
District Public Prosecutor's Office  
ul. Przyrzecze 2-4  
85-102 Bydgoszcz

Bydgoszcz, November 21<sup>st</sup>, 2008

File no.: I Oz 201/08

**REQUEST  
for legal assistance in a criminal case**

District Public Prosecutor's Office in Bydgoszcz, 6<sup>th</sup> Department for Organized Crime supervises investigation in case number VI Ds. 49/06 conducted by the Bydgoszcz Board of the Central Investigation Bureau of the Chief Police Headquarters regarding causing unfavorable administration of significant funds to the detriment of Perfecta Spółka z ograniczoną odpowiedzialnością based in Bydgoszcz and Crulex Spółka z ograniczoną odpowiedzialnością based in Bydgoszcz, i.e. crimes under article 286 paragraph 1 of the Criminal Code in relation to article 294 paragraph 1 of the Criminal Code and posing punishable threats on December 14<sup>th</sup>, 2004 against Grzegorz Galiński i.e. crime under article 190 paragraph 1 of the Criminal Code.

Based on the materials gathered in the proceedings, the following facts have been established. At the end of 2002 in Warsaw, Grzegorz Galiński – president of Perfecta dealing with trade in liquid gas met Robert Biały – managing business in liquid fuel trade, i.e. "Biały Import & Export Ltd." based in Delsjöгатen 16, 21761 Malmö. Robert Biały was to act as an agent in deliveries of gas from Russia for Perfecta, and he made his position in this business credible by presenting the invoice of sale of USD 5 million worth oil to Petrochemia Płock. In the Russian Federation and in Latvia Robert Biały was represented by a Latvian citizen – Victor Trachums. In execution of the aforementioned undertaking, i.e. supplies of fuel from the Eastern border, chiefly propane-butane gas, Perfecta, represented by Grzegorz Galiński, was interested in purchase of containers for transport of the aforementioned product. Therefore, it concluded several agreements with Robert Biały in 2003, including the following, regarding deliveries of the containers and gas:

- 1) Agreement number 20-555/LPG dated August 30<sup>th</sup>, 2003 regarding supply of gas and its mixtures to Perfecta from Russia, during the period between September 2003 and December 2004 in quantities and for prices agreed by the parties. The gas was to be supplied in cisterns, leased by Perfecta from EKSIF, on rail or road platforms, to the border crossing in Siemianówka, Brześć, or Małoszewicze, and other places as agreed by the parties. The parties agreed that the date of the border crossing, as confirmed by the seal placed by the Polish customs authorities on the bill of lading will be deemed to the date of delivery. Perfecta agreed to pay for the lease of the cisterns from the profit gained according to the 50% - 50% pattern, and to deliver the cisterns to the place of loading. Perfecta paid PLN 20,000 in cash on September 17<sup>th</sup>, 2003, to the hands of R. Biały as advance payment toward the future deliveries, and Crulex (granted a loan to Perfecta) – PLN 180,000 on September 16<sup>th</sup>, 2003. Robert Biały failed to execute this agreement, too.



Irrespective of the fact that the company represented by Robert Biały received significant funds from Perfecta, the aforementioned agreements was not executed. Interrogated as a witness, Robert Biały pointed out he made numerous obligations in execution of the aforementioned agreements concluded with Perfecta, e.g. on November 21<sup>st</sup>, 2003, he concluded agreement number 15/20-23/LPG with the American company **DORIAN INVESTMENTS LTD. in the USA, 15 East North Str. Dover, De 19901**, which agreed to supply propane-butane and its mixtures to the aforementioned, between November 2003 and January 2005.

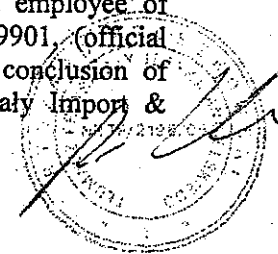
Pursuant to the agreement, **DORIAN INVESTMENTS LTD.** was represented by its Director A. Sazanov (alternative spelling of his name: Alex Sazanoff, is present in other documents signed by the company). Having concluded the agreement, Robert Biały provided his business partner with the aforementioned amount of PLN 101,181.15, obtained as advance payment for the supply of gas from Perfecta, transferring on November 26<sup>th</sup>, 2003 the equivalent of the aforementioned amount, i.e. EUR 21,500 from the banking account of Robert Biały to the account of **DORIAN INVESTMENTS LTD. in the USA, 15 East North Str. Dover, De 19901**. According to Robert Biały, he transferred the aforementioned amount to execute agreement number 20-555/LPG dated August 30<sup>th</sup>, 2003 for supply of gas and its mixtures to Perfecta, from Russia. However, no gas deliveries were made for Perfecta – according to Robert Biały because of the Board of Directors of Perfecta.

According to the materials gathered in the case, on November 26<sup>th</sup>, 2003 the amount of EUR 1,500 (PLN 101,181.15) was actually transferred from the account of Robert Biały to the account of **DORIAN INVESTMENTS LTD., 15 East North Str. Dover, De 19901**, as "Payment for goods". And according to the information received from the American Department of Justice Criminal Division Office of International Affairs in its letter dated February 20<sup>th</sup>, 2008 (PERFECTA LLC 182-26116-PL) at the address 15 East North Str. Dover, De 19901, Kent, USA, during the period between January 8<sup>th</sup>, 2002 and March 23<sup>rd</sup>, 2004, the **INCORPORATING SERVICES LTD.** – the official representative of **DORIAN INVESTMENTS LTD.** was located.

For the purpose of verification of the evidence gathered in the case, including the witness testimony and materials collected, it is necessary to interrogate as a witness the Mr. A. Sazanov (Alex Sazanoff) or any other employee of **INCORPORATING SERVICES LTD. 15 East North Str. Dover, De 19901, Kent, USA**, the official representative of **DORIAN INVESTMENTS LTD. C.I. SECRETARIES SIA 54 BRIVIBAS STREET Latvia**, about his business with "Biały Import & Export" Ltd. based in Delsjöгатen 16 Malmö, Sweden, and other individuals and companies referred to in the case, and establishing, in consideration of the possibility of using data of the company by another business, whether there was **DORIAN INVESTMENTS LTD.** ever registered in the US.

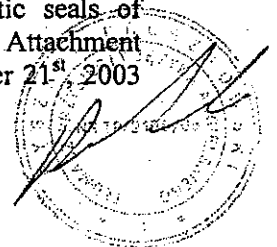
Therefore, we hereby respectfully apply for the following assistance:

- I/ interrogation as a witness of A. Sazanov (Alex Sazanoff) – after relevant instructions, referred to hereinafter have been provided to him – we do not know his address, we know he was employed by **DORIAN INVESTMENTS LTD. based in the USA, 15 East North Str. Dover, De 19901 USA**, if he still works for the aforementioned company; if A. Sazanov is no more the employee of **DORIAN INVESTMENTS LTD.** please interrogate another employee, duly authorized by the company, or in case that the contact information of **DORIAN INVESTMENTS LTD.** (or of the authorized employee) are impossible to establish, we hereby respectfully apply for interrogation the authorized employee of **INCORPORATING SERVICES LTD. 15 East North Str. Dover, De 19901**, (official representative of **DORIAN INVESTMENTS LTD. in the USA**) about conclusion of agreement number 15/20-23/LPG dated November 21<sup>st</sup>, 2003 with "Biały Import &



Export" Ltd. and amount of EUR 21,500 transferred in favor of the said business. Please also show the documents enclose hereto as Attachments No. 3, 4, 5, and ask him/her the following questions:

1. Does the witness know "Biały Import & Export" Ltd. based in Delsjögaten 16 Malmö, Sweden?
2. When and in what circumstances did he/she made contacts with the said business?
3. Who represented the company or acted on its behalf?
4. What kind of cooperation did his/her company commence with that business or with its representatives (precise object of cooperation)?
5. What agreements have been concluded, was the agreement 15/20-23/LPG dated November 21<sup>st</sup>, 2003 among them, if so, who really represented his/her company and "Biały Import & Export" Ltd., when did the negotiations commence, has the agreement been executed, if so, did his/her company receive the advance payment and did they request such advance payment under the aforementioned agreement, and if the agreement has not been executed – what were the reasons (please show the witness the Attachment No. 3 – Xerox copies of agreement 15/20-23/LPG dated November 21<sup>st</sup>, 2003 concluded by and between "Biały Import & Export" Ltd. and DORIAN INVESTMENTS LTD.)?
6. Have the signatures under the aforementioned agreement been placed by the representative of the company, is the seal on the document the official seal of the company (please show the witness the Attachment No. 3 – Xerox copies of agreement 15/20-23/LPG dated November 21<sup>st</sup>, 2003 concluded by and between "Biały Import & Export" Ltd. and DORIAN INVESTMENTS LTD.)?
7. Due to what reason and upon whose initiative was Ryazan the place of the first delivery of goods pursuant to point 2.3 of the aforementioned agreement, what refinery in Ryazan was to supply the goods (full name) and what was the place of delivery of the following supplies, who established this issue (please show the witness the Attachment No. 3 – Xerox copies of agreement 15/20-23/LPG dated November 21<sup>st</sup>, 2003 concluded by and between "Biały Import & Export" Ltd. and DORIAN INVESTMENTS LTD.)?
8. Was Pawel Wasilevskis the employee of the company in 2003-2004, if so, what was his scope of duties, the place of work?
9. Did he participate in the conclusion of agreement number 15/20-23/LPG with "Biały Import & Export" Ltd., what was his contribution, did he have authorizations of the company to act in business with the said company, what authorizations (please show the witness the Attachment No. 3 – Xerox copies of agreement 15/20-23/LPG dated November 21<sup>st</sup>, 2003 concluded by and between "Biały Import & Export" Ltd. and DORIAN INVESTMENTS LTD.)?
10. Do you know the present place of residence, or work, or stay of Pawel Wasilevskis, if so, please provide the relevant information.
11. Did the company issue invoice number 2003/9 for the amount of EUR 21,500 in relation to the aforementioned agreement, if so, has the invoice been paid and when, are the seals placed on the document the authentic seals of DORIAN INVESTMENTS LTD. (please show the witness the Attachment No. 4 – Xerox copy of the invoice number 2003/9 dated November 21<sup>st</sup>, 2003

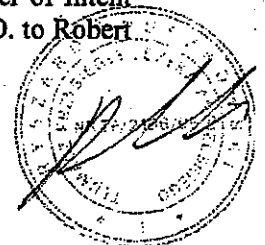


issued by DORIAN INVESTMENTS LTD. to "Biały Import & Export" Ltd. for the amount of EUR 21,500)?

12. Did you receive the amount of EUR 21,500 from "Biały Import & Export" Ltd.?
13. Does the company have account number [REDACTED] with ISC Rietumu Banka, [REDACTED] Intermediary Bank: UBS AG Zurych, Switzerland, [REDACTED]?
14. Has the company incurred damage – if so, in what amount, in respect of the agreements with "Biały Import & Export" Ltd., was the damage claimed to be repaired by "Biały Import & Export" Ltd. or its representatives?
15. Please give your opinion about the documents presented, i.e. attachments 3, 4, 5, are they compliant with the documents in your possession, please provide us with Xerox copies of the documents regarding cooperation with "Biały Import & Export" Ltd.

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16. Do you know Victor Trachmus – if so, in what circumstances and when did you meet him, was there any cooperation commenced, what kind of cooperation, what was the course of the cooperation, when did it expire, did the aforementioned person represent any company, if so, please provide full details of the said business?
17. Do you know Władysław Turbanow, if so, when and in what circumstances did you meet him, did he represent any business, if so, what?
18. Do you know a Polish company Perfecta Spółka z ograniczoną odpowiedzialnością based in Bydgoszcz, ul. Fabryczna 11, if so, please inform us when and in what circumstances did you make contact with the said business, who represented it?
19. Did you wish to purchase Perfecta Spółka z ograniczoną odpowiedzialnością, why – in reference to the "Letter of Intent" dated December 17<sup>th</sup>, 2004 (please show the witness the Attachment No. 5 - Letter of Intent dated December 17<sup>th</sup>, 2004 sent by DORIAN INVESTMENTS LTD. to Robert Biały)?
20. Did you take any measures to purchase the aforementioned business, what measures, why was the transaction not executed (please show the witness the Attachment No. 5 - Letter of Intent dated December 17<sup>th</sup>, 2004 sent by DORIAN INVESTMENTS LTD. to Robert Biały)?
21. What was the role of Robert Biały, representing "Biały Import & Export" Ltd., in the process of the Perfecta Spółka z ograniczoną odpowiedzialnością acquisition (please show the witness the Attachment No. 5 - Letter of Intent dated December 17<sup>th</sup>, 2004 sent by DORIAN INVESTMENTS LTD. to Robert Biały)?
22. Are the signature of Alex Sazanoff and the seal of the DORIAN INVESTMENTS LTD. placed in the "Letter of Intent" genuine (please show the witness the Attachment No. 5 - Letter of Intent dated December 17<sup>th</sup>, 2004 sent by DORIAN INVESTMENTS LTD. to Robert Biały)?
23. Do you have a copy of the aforementioned document, if so, please enclose its Xerox copy (please show the witness the Attachment No. 5 - Letter of Intent dated December 17<sup>th</sup>, 2004 sent by DORIAN INVESTMENTS LTD. to Robert Biały)?



24. Does the witness have any comments or objections to the questions asked or documents presented, if so, what?

25. Would the witness wish to supplement any of the issues referred to in the questions asked?

In case of interrogation of the authorized employee of INCORPORATING SERVICES LTD. 15 East North Str. Dover, De 19901, the official representative of DORIAN INVESTMENTS LTD. in the USA, please additionally ask the following questions:

1. Did the company represented by the witness become the representative of DORIAN INVESTMENTS LTD. C.I. SECRETARIES SIA 54 BRIVIBAS STREET Latvia, in what circumstances, due to whose initiative?
2. Due to what reasons on March 23<sup>rd</sup>, 2004 the company resigned of representation of DORIAN INVESTMENTS LTD.?
3. Was Alex Sazanov (Alex Sazanoff) employed by the witness's company during the term of representation, if so, at what position?
4. Was Pawel Wasilevskis employed by the witness's company during the term of representation, if so, at what position?
5. Does the witness have any comments or objections to the questions asked or documents presented, including the information about his/her company (address, phone number, e-mail), if so, what?

II/ Establishing whether the company DORIAN INVESTMENTS LTD. based at 15 East North Str. Dover, De 19901 USA (Attachments No. 3, 4, and 5) has ever been registered in your country, has it ever used the phone and fax numbers specified in the document enclosed hereto as Attachment No. 5, i.e. 00371 6088729, 00371 905458. If the numbers were not used by DORIAN INVESTMENTS LTD., please establish who used the said numbers – what individual or business, please provide the detailed information: address and phone number – between 2002 and 2005.

III/ Provision of any and all documents obtained from the witness during the proceedings.

Prior to the interrogation, please advise the witness about criminal liability for false testimony and concealment of truth pursuant to article 233 of the Polish Criminal Code and make a record of the interrogation, provided that your applicable law does not provide otherwise.

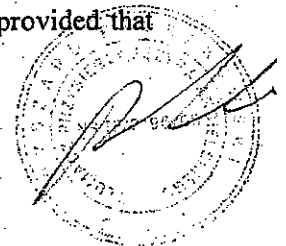
The record should contain full information about the witness (full name, date and place of birth, parents' names, residential address, and correspondence address).

Please also enter a note about the fact that the witness has been duly advised about article 233 paragraph 1 of the Polish Criminal Code.

The witness should confirm his/her testimony by his/her own signature on each page, under the text.

In case of the originals and not Xerox copies of the documents secured, please make a separate report, provided that your applicable law does not provide otherwise. Each page of the report should be signed by the person providing the originals, below the text.

In case of identified forgery of the witness signatures or company seals on the documents, please ask the witness to provide the samples of his/her signature and the authentic seals, and please make a relevant record of the proceedings, provided that your applicable law does not provide otherwise.



We will be very grateful for your assistance in this case. At the same time we would like to tell you that the materials and documents obtained under the legal assistance proceedings will not be used for any other purpose.

In case of any doubts and questions, please do not hesitate to contact us under the phone or fax number +48 52 34 77 574.

Thank you for your cooperation, and we ensure you that we are willing to assist you in cases that you ever request assistance

Yours sincerely,

*Oblong stamp:*

Deputy District Public Prosecutor

in Bydgoszcz

Piotr Grzegorek

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Attachments:

- 1/ Attachment No. 1 – excerpt from the Polish Criminal Code dated June 6<sup>th</sup>, 1997.
- 2/ Attachment No. 2 – excerpt from the Code of Criminal Procedure dated June 6<sup>th</sup>, 1997.
- 3/ Attachment No. 3 – Xerox copy of agreement number 15/20-23/LPG dated November 21<sup>st</sup>, 2003 concluded between “Biały Import & Export” Ltd. and DORIAN INVESTMENTS LTD.
- 4/ Attachment No. 4 – Xerox copy of the invoice number 2003/9 dated November 21<sup>st</sup>, 2003 issued by DORIAN INVESTMENTS LTD. to “Biały Import & Export” Ltd., for the amount of EUR 21,500.
- 5/ Attachment No. 5 – Letter of Intent dated December 17<sup>th</sup>, 2004 addressed by DORIAN INVESTMENTS LTD. to Robert Biały.

