



**General Prosecutor's Office
of Russian Federation**

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31.10.2012 № 7/3-2491-02
RE: № 120815-A01 of 15.08.2012

To the President of YACONTO LLC
Yakunin S.P.

ul. Borisa Galushkina, 8/18, 61
Moscow, PO Box 50, 129301

The General Prosecutor's Office of Russian Federation has reviewed your appeal regarding the bankruptcy and forced liquidation of Atom mash OJSC and other matters, which we received from the Presidential Executive Office of Russian Federation.

The information set forth in the statement has been previously inspected by the General Prosecutors office of Russian Federation and law enforcement agencies several times, and in particular, under the criminal procedure legislation. The inspection materials testify that as of 01.10.1995 Atom mash OJSC had a significant debt – 27.3 Billion rubles to budgets of all levels and 844.4 Thousand rubles to extrabudgetary funds.

That gave grounds for the Territorial agency of the Federal service for insolvency cases and financial rehabilitation in Rostov region (hereinafter – Territorial agency) to appeal to an arbitration court with a suit to recognize Atom mash OJSC insolvent (bankrupt). Attempts to restore the solvency of the company and pay up its debt during the period of external management failed. Under those circumstances, the Arbitration court of Rostov region declared Atom mash OJSC insolvent (bankrupt) on 30.09.1997, bankruptcy proceedings were instituted on 11.11.1997 by the decision of the court and concluded on 25.10.1999. Atom mash OJSC has been removed from the federal register of legal entities on 25.11.1999 due to liquidation without transfer of rights and obligations to others via succession.

Arguments about the premeditated bankruptcy of Atom mash OJSC have been reviewed by the law enforcement agencies under the norms of criminal procedure legislation. The resolutions on refusal to institute criminal proceedings have been cancelled by the supervising prosecutors.

АН № 227282

Генеральная прокуратура Российской
Федерации
№Отв-73/1-68474-12/18409

As per the information from the Prosecutor's office of Rostov region, a decision not to institute criminal proceedings was made by an investigative body (DAEC MOI of Volgodonsk city) for absence of crime against the former director of Atommash OJSC Sergey Chesskiy, former head of Territorial agency Tatyana Gramotenko and former chief of the EMK-Atommash JSC Alexander Stepanov under articles 146 (infringement of copyright and related rights), 158 (theft), 160 (misappropriation and embezzlement), 195 (misconduct in bankruptcy), 196 (premeditated bankruptcy) and other articles of the Criminal Code of RF. This decision has been cancelled by the Prosecutor's office of Volgodonsk city on 14.10.2012.

Procedural inspection has not been conducted in reasonable time due to impossibility to obtain several documents on the financial and economical activity of Atommash OJSC, and to interview several persons, since the events took place a long time ago, which does not allow conducting a documental research in order to determine the amount of damage dealt to the joint-stock company, state or other parties concerned.

Although the period of criminal prosecution for premeditated bankruptcy (art. 196 of CC RF) and fraudulent actions committed during the implementation of external management of Atommash OJSC (p. 4 of art. 159 of CC RF) has expired, it is necessary to carry out the said inspections, so that a legal, justified decision can be made.

In order to eliminate violations of the criminal procedure legislation committed during the procedural inspection, the Prosecutor's office of Rostov region has repeatedly submitted admonitions to the Head of the regional headquarters of MOI of Russia (latest one on 10.09.2012). As of today, these admonitions have been considered and satisfied; guilty officers have been brought to disciplinary responsibility.

The inspection process and its results are being controlled.

Head of the Department
for supervision over the enforcement
of legislation in economy



A.S. Letunovskiy

(Original document is in Russian.)