



**ПРОКУРАТУРА
РОССИЙСКОЙ ФЕДЕРАЦИИ**

**Прокуратура
Ростовской области**

**Прокуратура
г. Волгодонска**

пр. Строителей, 3, г. Волгодонск,
Ростовская область, 347371

Президенту ООО «Яконто»
Якунину С.П.

Москва, а/я 50 129301

10 11.2016 № 447ж/2007

В прокуратуру города из прокуратуры г.Москвы поступило Ваше обращение, выполненное на английском языке.

В связи с тем, что в соответствии со статьей 3 Федерального закона № 53-ФЗ от 01.06.2005 года «О государственном языке Российской Федерации» делопроизводство в органах федеральных органах государственной власти и иных государственных органах ведется на русском языке, в соответствии с п. 2.8 Инструкции о порядке рассмотрения обращений и приема граждан в органах прокуратуры Российской Федерации, утвержденной приказом Генерального прокурора РФ № 45 от 30.01.2013 года возвращаю Вам обращение для устранения указанных нарушений.

Приложение заявление на 4-х листах.

Заместитель прокурора города
старший советник юстиции

О.В.Лесная

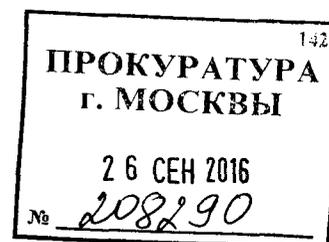
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Прокуратура г. Москвы

От: "YACONTO" <yaconto@mail.ru>
Кому: "Прокуратура МОСКВЫ (Интернет-Приемная)" <smi2@mosproc.ru>
Отправлено: 24 сентября 2016 г. 12:19
Присоединить: 000000 - 21.08.92 Decree of RF Government №1542-р (privatization of PA ATOMMASH).pdf; 000002 - 25.03.94 Decree of Prime Minister of RF Chernomyrdin VS No.378-r.pdf; 000003 - 08.09.94 Decree of Prime Minister of RF Chernomyrdin VS No.1437-r.pdf; 000008 - 22.07.95 Reconciliation Statement of accounts payable by ATOMMASH OJSC to VB KB DONINVEST.pdf; 000009 - 31.07.95 VB KB DONINVEST to the Board of Directors of ATOMMASH OJSC (on accounts payable).pdf; 000012 - 21.05.96 Minister of Atomic Energy of RF Mikhailov VN to Russian State Duma Gusev VK.pdf; 000027 - 19.09.96 Governor of Rostov Region Chub VF to FUDN of RF Mostovoy PP (on ATOMMASH OJSC).pdf; 010328 - 28.03.01 Security Council of Russia Fradkov ME to Russian Government Khristenko VB.pdf; 020222 - 22.02.02 Report of the Audit Chamber of RF №6(289) on bankruptcy of ATOMMASH OJSC.pdf; 100224 - 24.02.10 SD RF Lisitsyn AI to Audit Chamber of RF Stepashin SV (on bankruptcy of ATOMMASH OJSC).pdf; 120614 - 14.06.12 Statement of YACONTO LLC to ROSIMUSCHESTVO (Project-A on ATOMMASH OJSC).pdf; 120702 - 02.07.12 Statement of YACONTO LLC to ROSIMUSCHESTVO (Project-A on ATOMMASH OJSC).pdf
Тема: YACONTO (Взаимосвязанные документы (А) о деятельности и умышленном банкротстве АОТ АТОММАШ)

С уважением,
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STATE DUMA
FEDERAL ASSEMBLY OF RUSSIAN FEDERATION
FIFTH CONVOCATION

**DEPUTY
OF THE STATE DUMA**
(2008-2011)

24 February 2010

№ LIS-832/GD

**To the Chairman
of the Audit Chamber
of Russian Federation**

S.V. STEPASHIN

Dear Sergey Vadimovich!

Successful development of Russia's economy depends primarily on the availability of energy capacity, partially lost by the country for different reasons. This prompts us to undertake actions to build capacity through intensive development of nuclear engineering businesses. For this we need to solve the problem of restoring the country's industrial potential so that industrial companies can quickly start producing modern high-tech equipment for nuclear power development. According to the plan, more than 30 nuclear power blocks should come to operation on Russia by 2020, not including NPPs abroad.

Atomash OJSC, the flagship of national nuclear engineering, was designed to produce 8 sets of VVER-1000 reactor equipment per year. Construction of Atomash began in 1975, and already in 1981 it started producing equipment of its core profile. By the end of 1989 Atomash reached a level of production of 4 sets per year. Its production premises occupied 6 square kilometers and were equipped with unique modern equipment, the majority of which was purchased from the world's leading manufacturers, including western companies: Italmianti, ESAB, Varian, Mannesmann AG.

After voucher auctions, 30% stake and one "golden share" of Atomash OJSC remained in State property. Cessation of nuclear energy development in Russia made Atomash initiate production of other goods. That required a loan, which the company was forced to take at 216% interest per annum. The accounts payable under this loan, being just a tiny fraction of the net book value of assets of Atomash OJSC, served as a pretext for the Territorial Agency of the Federal Office for Insolvency (Bankruptcy) Proceedings for Rostov region to initiate bankruptcy proceedings against the nuclear industry giant. At the same time, real market value of Atomash OJSC was much higher than its net book value.

Bankruptcy of Atomash OJSC was carried out for the benefit of "EMK-Atomash" JSC which was created on the premises of the former. It illegally "inherited" the core production facilities and all liquid assets of Atomash OJSC, after which Atomash OJSC was forcibly liquidated on 25.11.1999.

On the basis of the instruction of the Committee on Industry, Construction, Transport and High Technology of the State Duma of Russian Federation (ref. №3.11-21/1312

from 21.10.2000) the Audit Chamber of RF has inspected the facts of the bankruptcy of Atommas OJSC. Having concluded the audit, the College of the Audit Chamber of the Russia issued a Decree of 22.02.2002, №6 (289). The audit testifies that, with the complicity of officials, the State and Atommas suffered material damage. In particular, the State has been deprived of a 30% stake in Atommas OJSC.

Loans in the amount of over 30 billion rubles received by “Energomash” – allegedly, for the development of production – have not been used as intended, and therefore did not bring any economic effect. The majority of earmarked loans have been issued by the Sberbank of Russia. Organizers of the bankruptcy of Atommas OJSC decided to bankrupt “EMK-Atommas” JSC itself this time, together with “Energomash-Atommas” LLC established in 2003 and other industrial companies in Barnaul, Chekhov, Belgorod, Engels, Yekaterinburg. All these companies belong to the British company Energomash UK Ltd with a registered capital of 158 thousand U.S. dollars – the owner the Energomash group in Russia.

I have sent a letter to Prime Minister of RF V.V. Putin (out. №LIS-767/GD of 25.12.2009) with a message about the situation around the former Atommas OJSC. My appeal has been dispatched to different agencies. The reply from the Ministry of Economic Development of Russia (out. №1824-AP/D06 of 11.02.2010) says, in particular, that the bankruptcy can be reconsidered on newly discovered circumstances under articles 52 and 311 of APC RF. In its letter to Mineconom of Russia (out. №08-228 of 20.01.2010), the State Corporation “Rosatom” expresses concern about the future fate of the former Atommas OJSC, which now belongs to Energomash group. At the same time, SC Rosatom claims that it does not have the authority to influence the fate of Atommas. In the reply from the General Prosecutor’s Office of Russia (out. №16/2-4315-07 of 01.02.2010) it is said that the materials of the Audit Chamber of RF were not taken into account during the verification of the premeditated bankruptcy of Atommas OJSC by the investigative department of Volgodonsk city MOI dept.

Period of limitations for grave crimes against the state (15 years) has not yet expired. Moreover, in fact, the period of limitations has not even started yet for the bankruptcy case of Atommas OJSC, a strategic company, since all attempts to institute criminal proceedings have been unlawfully suppressed. This is why it is crucial that the Investigative Committee under the prosecutor’s office of Russia conducts an independent investigation of the bankruptcy of Atommas OJSC, the grounds for which can be set by the audit materials of the Audit Chamber of RF from conducted at the request of the State Duma of RF dated 21.10.2000. As a result of the investigation and confirmation of the facts of deliberate bankruptcy of Atommas OJSC an Order (a Protest) can be issued and submitted to the Supreme Arbitration Court of Russia in order to cancel the Definition of the Arbitration Court of the Rostov region on the recognition of Atommas OJSC bankrupt. Thus the State will be able to return its 30% share in Atommas OJSC and sue “Energomashcorporation” JSC and the Energomash Group to return the property complex to Atommas and compensate for the damage caused.

After the restoration of status quo, re-equipment and return of skilled workers and professionals, Atommas OJSC will be able to restart its production in public interest.

Please review the appeal on the merits and act accordingly.

Attachment: 23 documents on 48 pages.

Respectfully yours,

Deputy of SD FA RF

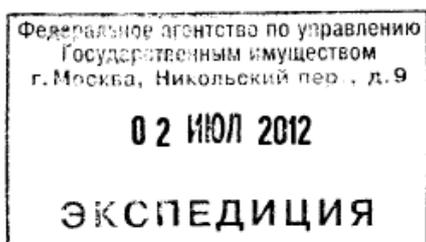


A.I. LISITSYN

(Original of this text is in Russian.)

02.07.2012 № 120702-A01

On restoration of the status quo of Atom-mash OJSC (Volgodonsk, Rostov region) through the implementation of Project-A



**To the Head
of the Federal Agency
for state property management
(Rosimuschestvo)**

O.K. DERGUNOVA

personally

STATEMENT

YACONTO LLC (Russia, Moscow) has submitted to the Federal agency for state property management (Rosimuschestvo) a **Statement (out. №120614-A01 of 14.06.2012 inc. №84209 of 14.06.2012) with documents on 320 pages enclosed thereto**, which was redirected to the Department for infrastructural sectors and defense industry organizations.

The aforesaid Statement speaks of an intentional bankruptcy of Russia's nuclear engineering flagship Atommash OJSC (Volgodonsk, Rostov region) which was carried out in 1995 – 1999, as a result of which the State lost 30% share of the industrial giant.

Concern YACONTO JSC (Russia, Moscow) was the proprietor of a 28.5% share in Atommash OJSC, therefore, as a result of the premeditated bankruptcy of this unique enterprise, both the State and Concern YACONTO JSC were illegally deprived of their property.

Being the founder and proprietor of YACONTO LLC (RF, Moscow), which is the full and sole legal successor of Firm YACONTO SE (LLP), Trade House YACONTO SE and Concern YACONTO JSC, I knew perfectly well what was really going on in Atommash OJSC.

Having been the Chairman of the Board of Atommash OJSC from 07.04.1995 to 06.09.1995, I managed to obtain information concealed from the shareholders, which witnessed that the industrial giant was being led towards bankruptcy through the undermining of its industrial, financial and economic activities. In order to facilitate the bankruptcy of the company, members of an Organized group of interested officials and an Organized crime group applied the scheme of a “loan stranglehold” and withdrawal of all profitable contracts.

This led to a sharp rise in the debt of Atom mash OJSC to creditors, and as a result the company was liquidated on 25.11.1999.

Under strong push and lobbying from Tatiana Gramotenko, the Head of the Territorial Agency for insolvency (bankruptcy) proceedings in Rostov region, the Arbitration court of Rostov region appointed Alexander Stepanov the external manager (bankruptcy referee) of Atom mash OJSC. At the time, Stepanov was First Vice President (and, since 1996, CEO) of Energomashcorporatsiya (EMK) JSC (OJSC). Several Founders of EMK OJSC were direct competitors of Atom mash OJSC, hence, his appointment was a violation of the Russian antitrust law. The audit conducted by the Audit Chamber of Russian Federation showed that in a matter of one year EMK managed to buy 10.8% share in Atom mash OJSC and more than 40% of its debt, which, according to the international norms, clearly poses a conflict of interest.

The “Plan of external management and financial recovery on Atom mash OJSC for the period from 29.11.1995 to 29.05.1997” implemented by the decision of the Arbitration Court of Rostov region did not lead to stabilization. Jobs were cut dramatically, wages were not paid, social tensions were spreading across the entire Volgodonsk city. While the assets of Atom mash were written off and their value was discounted, accounts payable, which were growing exponentially, started looking significant in comparison. As a result of the obviously inefficient external management on Atom mash OJSC, the Arbitration Court of Rostov region made a decision to recognize the company bankrupt. Formally, Atom mash OJSC was forcibly liquidated as a legal entity on 25.11.1999.

Hence, the bankruptcy of Atom mash OJSC was, in practice, carried out in the interests of EMK-Atom mash JSC which inherited all liquid assets and production facilities of Atom mash OJSC. After the forced liquidation of Atom mash OJSC, its unique industrial complex was controlled by several affiliates of EMK-Atom mash JSC, including Energomash-Atom mash LLC and, finally, Energomash-Atom mash JSC of the Energomash group.

During the bankruptcy of Atom mash OJSC, officials who were supposed to serve the interests of the State, did not control the State property which was illegally repetitively depreciated, alienated and sold for extremely low prices. This is why Rosimuschestvo should take active part in restoration of the status quo of Atom mash OJSC in the interests of the State, society and business. YACONTO LLC developed the Project-A which allows restoring the rights of the owners of Atom mash OJSC, the main shareholders of which were the State and YACONTO LLC (legal successor of Concern YACONTO JSC).

Implementation of Project-A will restore the status quo of Atom mash OJSC and bring back 30% of its shares to the State; the guilty party will compensate for the damage dealt; the State will accumulate the controlling stake in Atom mash OJSC through exchanging the 28.5% share owned by YACONTO LLC for property agreed with the investors and partners; all payables to third parties will be

paid; the State accumulated interest in Atommash OJSC and other assets obtained as compensation for the colossal damage dealt to Atommash may be transferred to entities authorized by the state to carry out the development of nuclear engineering and socio-economical development in Russia and abroad.

At the present time, Presnensky District Court of Moscow is reviewing a criminal case №1-149/2012 (ch. 30 p.3, ch.159 p.4 CC RF) against Alexander Stepanov, the proprietor of the Energomash Group, for large-scale fraud with loans. For an identical fraud with a loan issued by the BTA Bank (Kazakhstan) for an amount of 365 million U.S. dollars the High Court of England and Wales has sentenced Stepanov – in absentia – for two years of imprisonment, payment of 486 million U.S. dollars and elimination of the offshore company Energomash UK Limited he had created.

Rosimushchestvo is responsible for protection of legitimate interests of Russian Federation when it comes to state property management. Responsibilities of Rosimushchestvo and authority necessary for the implementation of Project-A in the interests of the State are specified, in particular, in sections 1 and 2 of the Decree of the Russian Government №432 of 05.06.2008, as well as in the following paragraphs of the Clause, instituted by this Decree: section 5, paragraphs 3, 4, 7, 8, 10, 11, 15.2, 15.5, 15.6, 15.7, 28, 29, 34, 37; section 6, paragraphs 1, 2, 3, 4, 5, 10; section 8, first and second paragraphs.

On the basis of the above, I kindly ask you to escalate the matter to the Ministry of Economic Development of Russia, suggesting that they support the implementation of the Project-A for the restoration of the status quo of Atommash OJSC in the interests of the State, and to ask the Supreme leadership of Russia to instruct the Investigative Committee of RF, jointly with the General Prosecutor's Office of RF, to conduct a thorough investigation of the Atommash OJSC premeditated bankruptcy Case in the interests of its shareholders, of which the biggest was the State itself.

(More information can be found at WWW.YACONTO.COM)

Respectfully yours,

President of YACONTO LLC



S.P. YAKUNIN

Р Е Е С Т Р № 120702-А01

**на местную корреспонденцию, направляемую через
Государственную фельдъегерскую службу Российской Федерации**

02 июля 2012 года

Отправитель:

**ООО «ЯКОНТО» (РФ, г. Москва)
Тел.: 8 (495) 686-9046**

№.№ п/п	Кому адресован пакет	Номер и дата письма, указанные на пакете	Важность	Примечание
1.	Руководителю РОСИМУЩЕСТВА ДЕРГУНОВОЙ О.К. (лично) Россия, 109012, г. Москва, Никольский переулок, дом 9	№ 120702-А01 от 02.07.2012 г.	Сл.	
				
				

Всего пакетов ОДИН Сдал: Якунин С.П.

(количество прописью)

Всего пакетов ОДИН Принял (а): 

(количество прописью)

Оформленная расписка на ОДИН пакет

(количество прописью)

02 июля 2012 года 11 час. 30 мин.

Подпись



Фельдъегерская служба по управлению
Государственной корреспонденцией
г. Москва, Никольский пер., д. 9
02 ИЮЛЯ 2012
ЭКСПЕДИЦИЯ