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## 03.03.2011 № 110303-A01

About an independent investigation of the bankruptcy of Atommash OJSC, a large-scale crime in Russia

To the Orders of the President of Russia from 29.06.2010 № Pr-1883 and from 21.08.2010 № Pr-2448.

To the General Prosecutor of Russian Federation Y.Y. CHAIKA

Russia, 125993, Moscow, GSP-3, B. Dmitrovka street, 15a

## ADDENDUM № 1 to the COMPLAINT of YACONTO LLC (out. № 110201-A01 from 01.02.2011)

on the Resolution of Volgodonsk Internal Affairs, Rostov region from 13.12.2010 "not to institute criminal proceedings" by the Statement of YACONTO LLC to MIA of Russia (out. № 100726-1 from 26.07.2010) about a bankruptcy fraud of Atommash OJSC, Russia's nuclear engineering flagship

I received a reply (out. № 216/2-R.11 from 28.01.2011) on the letterhead of the Investigative Committee of the Prosecutor's Office of Russia<sup>1</sup> signed by Senior Inspector of the second zonal department of procedural control over investigative authorities S.V. Mashokha. It is not clear from the interim response, who exactly the recipient is - a natural or a legal person, as "YACONTO LLC" was hand-written, and the position of the recipient was not specified. Over many years I have received numerous replies and careless responses, absurd in content and design, based on distorted and falsified data and fake documents. Because of that, high-quality execution of documents, even short and intermediate announcements, it is important to me. The "reply" mentioned above provides a reason to believe that the name "YACONTO LLC" itself has never been processed by the "central computer" of the Investigative Committee of Russia. Besides, it's not clear which of my "appeals" (outgoing number and date) is being referred to in the reply, as the information regarding verifications and investigations of the most serious crimes at the federal level contained in my appeals is not by any means of an ordinary kind to the government.

If we suppose, in theory, that the brief response of the Investigative Committee of the Russia (out. № 216/2-R.11 from 28.01.2011) refers to the Complaint of YACONTO LLC (on 35 pages), directed personally to the Head of the Investigative Committee of Russia A.I. Bastrykin (out. № 110124-A01 from 24.01.2011),

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<sup>&</sup>lt;sup>1</sup>As of 15.01.2011 - Investigative Committee of Russia, the main federal investigating authority reporting directly to President.

then it is not clear from the response whether **the documents on 290 pages attached to the Complaint** have also been submitted to the General Prosecutor's Office of Russia.

On "numberless" page 4 of the Resolution of Volgodonsk Internal Affairs from 13.12.2010, which is a judicially casuistic and absurd document, DAEC operative, Lieutenant S.S. Chub, Acting inquirer of Internal Affairs (police department) for Volgodonsk, indicated that by a request from Volgodonsk IA there came a response from the DAEC of Moscow IA South-West, (ref. № 6836 from 28.11.2003) together with some Attachment (ref. № 724 from 26.02.2004) containing my "clarification". From this "clarification", writes S.S. Chub, it follows that my arguments about the deliberate bankruptcy of Atommash OJSC "are tentative" and my statements "contain only a personal opinion and conclusions for which no objective evidence could be found during the inquiries". But it is not clear to me which exactly "clarification" is in question. It is therefore necessary to conduct an independent authenticity check of all documents and signatures in order to prevent fraud and forgery as described in the complaint of YACONTO LLC to the General Prosecutor of Russia (out. № 110201-A01 from 01.02.2011) on pages 4 and 5.

On the same "numberless" page 4 of the Resolution of Volgodonsk IA from 13.12.2010 the positions / job titles of a number of persons are wrong. I quote: "In pursuance of instructions of the Prosecutor's Office of Rostov region, on the terms of the inspection, the following people have been interviewed: the former head of Rostov regional Federal Office for Insolvency (Bankruptcy) Proceedings Gramotenko T.A.; the former head of Atommash OJSC Golovin A.I., the former head of Atommash OJSC Egorov V.A., the former head (bankruptcy trustee) of Atommash OJSC Chesskiy S.V., the former Chief Accountant of Atommash OJSC Buriak L.V. Further, the acting investigator for the Volgodonsk police department (IA), DAEC Lieutenant S.S. Chub says: "From the explanations provided by the persons mentioned above it follows that all statements made by S.P. Yakunin contain only his personal conclusions and opinions. At the same time these individuals did not confirm the arguments of the statements of S.P. Yakunin, the President of YACONTO LLC". Such a conclusion by S.S. Chub is intentionally distorted from the point of sense and false from the content perspective.

The name of the Head of Administration of Rostov region V.F. Chub, however, is never brought up among the "persons mentioned above", while V.F. Chub's role in the deliberate bankruptcy, markdowns and write-offs of the unique industrial complex and sale of those assets for a pittance is far from negligible. And the "fruitful" activities of the "Rostov celestial" were masked by allegedly the interests of the State, region and the people. V.F. Chub ignored the appeals of Firm YACONTO LLP (out. № 19-9-PYA from 19.09.1995 and out. № 29-9-PYA from 29.09.1995), which informed about the individuals responsible for a drastic deterioration of the overall situation on Atommash OJSC. This speaks for Chub's

complicity in the intended bankruptcy of the nuclear engineering giant in the interest of certain "stakeholders". V.F. Chub covered the anti-state activities of T.A. Gramotenko and A.I. Golovin very actively, so A.Y. Stepanov has been attracted by them in order to carry out bankruptcy, multiple markdowns, sale of a unique industrial complex Atommash OJSC for a pittance and, eventually, its elimination which caused huge damage to the economy of Russia.

In 1990s, industrial and defense enterprises of Rostov region, including the city of Volgodonsk, choked with prohibitive tariffs on electricity sold "not without the involvement of" the Governor of Rostov region, V.F. Chub. The completion of the Rostov nuclear power plant (NPP) was not in his interests, although its readiness was at 97 %. Positions of the "Rostov celestial" have been shared by his collaborator and companion - the Mayor of Volgodonsk V.F. Khizhnyakov. After his retirement, I initiated a meeting with representative of the Ministry of Atomic Energy of Russia (Minatom) G.S. Koryakov with the new Mayor of Volgodonsk S.V. Gorbunov and the Deputy of the Legislative Assembly of Rostov region V.V. Miroshnikov on reestablishment and completion of the construction of Rostov nuclear power plant. At the meeting, I proposed to the representative of Minatom of Russia to take into account socio-economic interests of the city of Volgodonsk and its inhabitants, as without their approval and support the launch issue of the Rostov NPP could not be resolved either by provincial or by federal authorities. As a result of the meeting S.V. Gorbunov and V.V. Miroshnikov met with the leadership of Minatom of Russia and, upon reaching full understanding in dealing with problems important for the economy of Russia and of the Rostov region, the sides took an active part in decision making (by regional authorities) on re-activation of Rostov NPP, completion of its construction and commissioning. However, the "laurel wreath" went not to them, but to the "Rostov celestial" who had been successfully collapsing highly developed industry, agriculture and science of the Rostov Region since 1991. In addition, the "celestial's" ally V.F. Khizhnyakov had acquired the position of the Plenipotentiary Representative of President of Russia in the Federation Council.

During the period of V.F. Chub's ruling as the "prince of Rostov province" as opposed to other regions of Russia, the region received enviable major funding for the so-called "support and development". Much of that money, through various combinations, has been kicked back to the "federal elite" which initially allocated the funds. There were also "mutual concessions" in the interests of the "stakeholders". Another part of the funds has been "appropriated" by the "regional elite", and the remains, finally, have been distributed as "alms for the poor" to the enterprises controlled by the "regional elite" and dependent on it.

Then how the enormous budget funds and transfers designed to support and develop industry, agriculture and science in the Rostov region, repairing and building roads, schools, hospitals, public housing residents, prevention and repair of treatment facilities, utilities and much more, were used and where did they go?

Special products of electronic warfare and electronic intelligence for surface ships and submarines of the Russian Navy made 98 % of the total production volume of Salut JSC; however, the enterprise lost state contracts as a result of economy "reforms" of the 1990s, so the mass production of civilian goods was the only opportunity for survival and preserving the defense specialty.

Salut JSC, being independent of Governor Chub and his "entourage" has never received any assistance or funds to support the development and economic conversion of production from the Administration of Rostov region.

Even the preparation for mass production of a promising civilian product which was in very high demand on consumer market - electronic fridge control unit (rus. EBUH) - was not supported by the Administration of Rostov region. Salut JSC never received any funding which was prescribed by Law. Governor V.F. Chub's "team" with the participation of T.A. Gramotenko used those funds "at their sole discretion". And that's despite the fact that the production of EBUH fridge control units in 1998 was included in the "Federal Targeted Program of socio-economic development of the Rostov region to year 2001" (page 74, Annex 2, paragraph 32), approved by the Regulation of the Government of Russia No 21 from 08.01.1998.

EBUH has been designed to reduce energy consumption of household refrigerators and freezers by 15 - 20 %, to improve reliability, extend the life of compressors, etc. The volume of production of EBUH for Russian and foreign manufacturers of refrigerators and freezers could amount to tens of millions of units a year. All industrial enterprises of the planet producing household refrigerators and freezers were potential customers of EBUH.

The Complaint of YACONTO LLC (out. № 110201-A01 from 01.02.2011), in order to check the activities of "certain officials", reports about S.V Chesskiy, who combined roles of the bankruptcy trustee of Atommash OJSC and the receiver (and, consequently, the bankruptcy trustee) of Salut JSC, which was a gross violation of the law. All of his illegal activities were carried out, coordinated and completely covered by the head of Rostov regional Federal Office for Insolvency (Bankruptcy) Proceedings T.A. Gramotenko with the support of officials from the Arbitration Court of the Rostov region and law enforcement agencies.

Pages 6 - 9 of the above Complaint contain only a few of the facts supporting the causes of S.V. Chesskiy's active attempts to prevent Firm YACONTO LLP from entering the legitimate rights of the owner after the acquisition of 40 % of the shares of VZRTA OJSC (successor of the state-owned enterprise SOE VZRTA) on a voucher auction. As deputy director for economics of the SOE and its successor VZRTA OJSC, S.V. Chessky hindered the provision of documents on economic activity of VZRTA requested by the Firm YACONTO LLP. As it turned out later, Chesskiy had many personal reasons for that.

In particular, under the Contract (out. № 5/93 from 10.12.1992) the state defense enterprise "Volgodonsk plant of radio-electronic equipment" shipped to

"Khabarovsk Shipbuilding Plant named after the 60th anniversary of the USSR" a special item of electronic warfare (passive protection) MP-405 ship-borne electronic situation presenting and jamming system (reflecting missile attacks of the enemy) to complete the construction of a Russian Navy ship. The special item has not been paid for, so after long and difficult negotiations, the indebted company has agreed to transfer on settlements with the Salut JSC (renamed from VZRTA OJSC) an incomplete MP-407 electronic suppressor unit, from the warehouse of a military unit № 10619. Barter form of calculations was the only way to protect oneself against hyperinflation, which has been rapidly devaluating the Russian ruble. In addition, the special item MP-407 had potential buyers. In particular, Shipbuilding plant "Severnaya verf" JSC (St. Petersburg) had signed export contracts for the construction of warships with MP-407 units installed.

The real market value of MP-407 electronic suppressor systems was several millions of U.S. dollars, which fully covered all payables of Salute JSC to creditors, even including debts on illegal loan agreements before "Volgodonsk Gorkombank" described in the Complaint of YACONTO LLC (out. № 110201-A01 from 01.02.2011) on page 6. Only the Concern YACONTO JSC, having been interested in the development of Salute JSC, demanded the repayment of the debt before YACONTO itself (92 % of the total debt) only after the successful implementation of the Comprehensive Program for Economic Development of Salut JSC for 1998 - 2000.

By my direct instruction, the management of Salut JSC was categorically prohibited to markdown and sell parts and assemblies for special items stockpiled by the company. In addition, the actual market value of them those items was incomparably higher than the balance sheet value specified in rubles. Therefore it is necessary to uncover the cause of the write-offs and sale of those products by S.V. Chesskiy at outrageously low prices, as well as find out the customers. Also, one should compare it to the cost of similar units and details being installed on Shipbuilding plant "Severnaya verf" JSC.

S.V. Chesskiy, illegally appointed by the Arbitrary Court of Rostov region a receiver, and then the bankruptcy trustee of Salut JSC, did not acknowledge a heavy debt of Salut JSC to Concern YACONTO JSC. This, together with the seizure of the industrial complex owned by Concern YACONTO JSC under the blunt pretext that it simply doesn't exist on the territories of Salut JSC, illegal manipulation with special MP-407 units under debt settlements with "Khabarovsk Shipbuilding Plant named after the 60th anniversary of the USSR" and other unlawful acts provide grounds for speaking about anti-state activities of the OGIO and OCG participants, for who S.V. Chessky continues to be the direct executor.

OGIO and OCG participants at regional and federal level know that S.V. Chessky is a carrier of dangerous information about their illegal activities. They do everything to prevent his arrest and investigation of criminal activities of their accomplice.

After learning what an unseemly activity the leaders of "Sberbank of Russia" and the State Corporation "Rosatom" play behind the scenes in the investigation of the deliberate bankruptcy of Atommash OJSC and restoration of the Law, on 14.09.2009 YACONTO LLC published posted the article entitled "Opel and Atommash - brothers in misfortune" online on WWW.YACONTO.RU. The article was very seriously analyzed abroad, followed by reactions and consequences. Materials and documents on this website are closely monitored in the leading continental countries of the planet and on the "island states", where those who coordinated, promoted and participated in the bankruptcy, liquidation and looting of the Atommash OJSC, have settled.

The "hunting" for A.Y. Stepanov's property suggests that the "redistribution" of assets in Russia is not yet complete. Commercial loans issued to A.Y. Stepanov against assets belonging to his companies for implementation of "some projects and programs" are a prelude to a yet another redistribution of colossal assets, the leftovers of what Russia inherited from the industrial might of the Soviet Union. Therefore, the arrest of A.Y. Stepanov is primarily beneficial for those very persons who intend to seize his property. It is no accident that leaders of "Sberbank of Russia" and the State Corporation "Rosatom" were to play important roles in this affair - attracted by the "powerful customers" of the seizure of liquid production capacities formally belonging to A.Y. Stepanov. To achieve their goals they involved law enforcement and judicial authorities, which are supposed to "push" A.Y. Stepanov very effectively. But decisions on commercial loans from banks should be made by arbitration courts - without criminal trial abuses, especially when it comes to different methods of influencing the arrested person, whose assets are being rigorously hunted for by certain "stakeholders".

It's no accident that A.Y. Stepanov's arrest was associated not with the deliberate bankruptcy and liquidation of Atommash OJSC, but instead with some creditor skirmishes between the people who cannot divide property consisting of liquid enterprises that play an important role in the development of Russian power engineering industry.

Realizing the importance of the unique production facilities previously owned by Atommash OJSC, the OGIO and OCG members are doing everything to prevent leakage of information about its future owners, who have been hunting for the enterprise for a long time now, and information about the who in fact is the customer and the organizer of A.Y. Stepanov's arrest, to the mass-media. But no matter how hard the "stakeholders" have been trying, they did not succeed. The development of nuclear energy in Russia is impossible without engaging the capacities of Atommash. The State, therefore, needs to restore the legitimacy through the investigation of the bankruptcy of Atommash OJSC and solve the problem of the illegally lost 30 % stake in the company. It is interesting to observe that the development of nuclear energy and nuclear power plant construction attract much more interest abroad than in Russia itself.

I was very insistent on scrutinizing the negative activities of A.I. Golovin, the General Director of Atommash OJSC. There's nothing surprising in the fact that he managed to create large "accounts payable" in such a short period of time, thus robbing not only the ordinary shareholders, but also the State itself which owned 30 % stake in the Russian nuclear industry giant. Golovin received help from corrupt officials on regional and federal level. That is why the participation of A.Y. Stepanov, the head of Energomashcorporation OJSC, was so critical to carry out the deliberate bankruptcy of Atommash OJSC. His work (as well as S.V. Chesskiy's) has been fully coordinated and directed by the head of Rostov regional Federal Office for Insolvency (Bankruptcy) Proceedings Gramotenko T.A. and covered by the Governor of the Rostov region V.F. Chub and other high-ranking "concerned" officials at the federal level.

No accident that barter operations on settlements with Atommash OJSC haven't yet been investigated by law enforcement agencies, although this topic has repeatedly been raised since the mid-90s of last century. For example: **How and for what "actual" price**, not the price fixed in the contract, approximately 20 thousand tons of metal, obtained by barter in exchange for the production of equipment for "Cherepovets Metallurgical Plant" (now Severstal JSC), were sold, and **who** was the metal sold to? **Why** was all the barter metal sold through the Baltic states? Why more than four thousand "Tavria" cars, obtained by barter for the manufacture and supply of special equipment for nuclear power plants in Ukraine, were sold below their actual market wholesale price? **Where** did the means and margin from the sale of cars go? **And there are many more questions.** 

Independent investigation of the premeditated bankruptcy of Atommash OJSC would be strictly against the interests of a number of senior officials from the ruling elite of the Russian government, who therefore strongly oppose the scrutiny. The main reason is the continued "carving up" of liquid assets, which were previously state-owned (public) property, which has been only "temporarily" partially transferred to the citizens of Russia in the first phase of privatization, and then, through criminal acts, fraud, manipulation, criminal schemes and scam was seized by the "persons" who were assigned the role of "legitimate owners". After that, the next round of redistribution of property started, where liquid assets are being moved from one allegedly "bona fide" purchaser to another in the interests of certain "influential groups and clans" in Russia and abroad.

Those officials, their advisers, assistants and consultants who, under cover of statute of limitations, actively oppose the investigation of deliberate bankruptcy of Atommash OJSC by giving orders and instructions to block the inquiries of anti-state activities of OGIO and OCG participants conducted during the so-called "reforms" of 1990s, are criminals themselves, and therefore, subject to severe punishment.

The main blow to Atommash OJSC was dealt by the party least expected

to do so. The leadership of the Russian Government itself, not without personal benefit, encouraged the purchase of equipment for oil and gas industry overseas. Instead of preventing the undermining of economic security of the state and offering production contracts to Atommash OJSC, leaders of the Russian Government made it look like they have no idea what's going on. And that's while Atommash OJSC, which had more than 80 % of manufacturing equipment imported by USSR from abroad, was able to produce a range of complex technical products in a short time, with high quality and 30 - 40 % cheaper than what was acquired in the West. And all this took place when Atommash OJSC had to halt the production of equipment for nuclear power plants - its specialty - which happened partially due to lobbying across the border. Senior officials of the Government of Russian Federation launched the mechanism of deliberate bankruptcy of Atommash OJSC in favor of certain "stakeholders".

In the 1990s in Russia there was a widespread practice of selling equipment that has actually been produced by Russian industry through front companies located overseas. In this case, the bulk of the profits went to foreign companies, while the domestic enterprises only received minimal means barely enough to cover production costs and meager wages of workers, not even speaking about the means for development and re-equipment of the enterprises.

There is one particular thing in common between the investigation of bank-ruptcy of Atommash OJSC and the implementation of the nongovernmental investment YACONTO Integrated Program described in the Complaint of YACONTO LLC (out. № 110201-A01 from 01.02.2011) on pages 21 - 23 and 30, which unifies the meaning and content of the two different topics - their legal co-owner YACONTO LLC. That's why corrupt officials actively discourage both the investigation of bankruptcy and the implementation of the program, as both will draw attention to the key problems of the country and anti-state activities of the officials who used to and apparently continue to cause problems. Even today they continue to surround the President of Russia D.A. Medvedev and the Prime Minister of Russia V.V. Putin.

Minister of Transport of Russia I.E. Levitin is one of such characters. The negative activity of this "functionary" is described, in particular, on WWW.YACONTO.RU in the "YACONTO Integrated Program" folder, as well as in the following articles: "Leaking or extraction?" (from 05.07.2010) and "The roads of passion and heat" (from 06.09.2010). For the sake of their "benefactors", I.E. Levitin and his team members are doing everything to prevent the implementation of the YACONTO Integrated Program which is fully funded by potential foreign investors in the amount of \$60 Bln (sixty billion U.S. dollars) for the benefit of the strategic partners of Russia itself.

For decades, the government assured not only the residents of the city of Tuapse, but also citizens of the entire Russia, that there are no oil fields in Tuapse. The oil slicks on the earth surface and oil lenses on the sea in Tuapse have

been attributed to an oil spill from a pipe. At the same time nobody advertised the fact that deep well pumps on the territory of a tank farm in Tuapse have been working around the clock. What exactly was pumped - the leaking oil from the pipeline or the crude oil from wells beyond governmental control for the "development" of shadow economy? Or perhaps both?

Russian Transport Minister I.E. Levitin is actively pursuing the interests of the enterprises of Tuapse which are involved in transport, storage and refining of oil. If we look at that from the standpoint of the state, Levitin looks like a "patriot of the fatherland". But this is not the case. Through his actions he has been covering something that the community was not supposed to know. I.E. Levitin could not have possibly been unaware of the presence of oil deposits in the area of Tuapse. The misinformation and stultification of Russian citizens "uninitiated in the subject" is purposeful. And other media, both controlled and not, knowing what kind of role they are supposed to play, write about anything but the oil field near Tuapse. But it is the implementation of the YACONTO Integrated Program that would have led to the investigation of large-scale public offense. This is clearly against the interests of the "state elite" and their "partners in the monopoly business". Therefore the functionaries are doing everything to prevent the implementation of this highly promising Program.

Prior to his appointment the Minister of Transport of Russia, I.E. Levitin was the Deputy General Director of Severstaltrans CJSC, which was a shareholder in a number of enterprises, including the owner of 69.4 % shares of Tuapse Commercial Seaport (TMTP). In "Severstaltrans" Levitin oversaw transport engineering, rail and sea ports work since 1996. A few months after I.E. Levitin's "initiation" to the Russian government, "Severstaltrans" sold its stake in TMTP to "Novolipetsk Steel" (NLMK). Now, is it possible to believe that Levitin, being a shareholder of a number of enterprises, didn't know about the presence of an oil lens in the waters of TMTP and its illegal gathering by "commercial structures" at the expense of the state?

Page 26 of the Letter from YACONTO LLC to the President of Russia (out. № 80116-1 from 16.01.2008) contains information that the materials of the "offsite session" of the Commission for National Maritime Policy of the Federation Council of 21.03.2007 confirm the presence of an oil lens in the TMTP waters, with as much as 1.5 million tons of oil collected from it. A number of valid questions - where is the oil coming from, who appropriates it, where does he sell it to and at what price - are being hushed up. Oil which was being "collected" from the lens for more than 30 years and "pumped" by 16 pumps on the territory of "RN-Tuapsenefteprodukt" LLC, is state property and subject to control - but has never been accounted.

Torrential rain of 08.02.2011 on the federal highway M27 (Dzhubga - Tuapse - Sochi) near the city of Tuapse caused a strong landslide that damaged a section of road, disrupting the connection between the coastal towns and cities of the

Krasnodar Territory. If not for the disruption of the YACONTO Integrated Program, the construction and commissioning of a modern multi-lane highway from the Goryachy Klyuch town through Tuapse district and the city of Sochi to the border with Georgia would have prevented the catastrophic situation and its consequences. So I believe that the actions of certain officials of Russian Ministry of Transport are clearly anti-state and subject to scrutiny for undermining the economic security and national defense.

If the those who robbed Russian people "to the skin" are not prosecuted and severely punished, in the near future we will witness events that neither the police nor the special services, nor the army will be able to stop. And we should not test the patience of the Russian people. It is the only nation left in the world that is still able to withstand this humiliation, hardship and horrible experiments on them. And if the "impotent government" is not able to deal with the criminals, soon there comes a day when common folk deals with them themselves - in a way that other "exemplars" would forever dismiss the idea to loot and destroy Russia. And in the era of scientific and technology progress, no one can escape the punishment.

The proceedings of the bankruptcy of Russia's nuclear engineering flagship Atommash OJSC should be handed over to a Moscow court on special orders. This is crucial for restoring the legitimate rights and interests of the State, deprived of property as a result of criminal anti-state activities of corrupt officials both at regional and federal levels.

I ask you to attach Addendum № 1 to the Complaint of YACONTO LLC (out. № 110201-A01 from 01.02.2011) and conduct a thorough, independent investigation of the bankruptcy of Atommash OJSC, defending the legitimate interests of the state and its shareholders. I also ask you to report the progress and the outcome of the investigation of the bankruptcy of Atommash OJSC to the President of Russia D.A. Medvedev and inform Prime Minister V.V. Putin, so that a unprecedented political decision on restoring the status quo of Atommash OJSC can be made.

(All the documents mentioned above can be found on WWW.YACONTO.RU)

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(The Russian text of this letter is an original.)

Attachment: documents on 106 pages.

Respectfully yours,

**President of YACONTO LLC** 

Sergei P. Yakunin

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