

Courts of Justice

District Court of Tel Aviv-Jaffa

Application 092180/05

In the presence of: Honourable Judge, Dr. Edna Kaplan Hagler

Date: 27/06/2005

On the case: State of Israel  
Plaintiff

vs.

Martash Investment Holding Ltd.  
Defendant

Attendees: representative of the plaintiff  
attorney, Mrs. Tali Nadjari  
representative of the defendant  
attorney Zion Amir

*(Stamp of District Court of Tel Aviv - I  
hereby CONFIRM that this is a true  
copy and corresponds to the original  
document. Deputy Head Clerk,  
Zachary Akefa)*

\_\_\_\_\_09.12.2012\_\_\_\_\_

### PROTOCOL

Attorney Nadjari:  
Repeats the request.

On the merits of the case, we rely on the concurrent power, including and in accordance with the order on conducting the criminal proceedings (arrest and search) (new version) of 1969, paragraph 32 and 39, and also paragraph 22 of Anti-Capital Laundering Law.

We insist on the fulfilment of the conditions according to the paragraph 22 of the Anti-Capital Laundering Law, as provided in the Application.

Attorney Amir:  
Everything indeed corresponds to what my highly professional colleague stated. On behalf of my principal, I agree with the confiscation of the property according to the Application.

Attorney Nadjari:  
The Annexes and the compromissory agreement are annexed to the Application. We request that the compromissory agreement will become effective by court decision.

Attorney Amir:  
Let it be.



Stamp of District Court of Tel Aviv I hereby CONFIRM that this is a true copy and corresponds to the original document.

09.12.2012)

(Signature)

Date

Stamp of Ruti Dalal, Head Clerk, Criminal Section, District Court of Tel Aviv - Jaffa (1), Tel. 03-6926427)

(Round stamp of District Court of Tel Aviv - Jaffa) 23



Courts of Justice

District Court of Tel Aviv-Jaffa

Application 092180/05

In the presence of: Honourable Judge, Dr. Edna Kaplan Hagler

Date: 27/06/2005

### COURT DECISION

1.

The Compromissory Agreement, annexed to the Application on the confiscation of property under the signature of the district attorney of Tel Aviv on matters of taxes and economy and under the signature of attorney Amir, acting on behalf of the public opinion and on behalf of the claimants to the ownership right, is hereby approved by the court and shall become effective within the Application for civil confiscation, and is annexed as Annex 3 to the Compromissory Agreement.

**Issued today, 20th of Sivan 5765 (27 June 2005) in the presence of the parties.**

*(Signature)*

Dr. Edna Kaplan Hagler  
Judge

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### ORDER

The order for the confiscation of property is hereby issued, as provided in Annex 1 to the Application, according to paragraph 22 of Anti-Capital Laundering Law of 2000. It refers to 35 million Shekels, as mentioned in Annex 1 to the Application.

**Issued today, 20th of Sivan 5765 (27 June 2005) in the presence of the parties.**

*(Signature)*

Dr. Edna Kaplan Hagler  
Judge

*(Round stamp of District Court of Tel Aviv-Jaffa)*

23

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Typist: Raz

*(Stamp of Ruti Dalal, Head Clerk, Criminal Section)*



(Stamp of District Court of Tel Aviv - I hereby CONFIRM that this is a true copy and corresponds to the original document.)

(Stamp of District Court of Tel Aviv - I hereby CONFIRM that this is a true copy and corresponds to the original document. Deputy Head Clerk, Zachary Akefa, 09.12.2012)

Clerk

Date





I, Gai Shany, registrar of the Supreme Court, hereby confirm that the signature on the document and its verso is the signature of Zachary Akefa, Head Clerk of the District Court of Tel Aviv and the stamp is the stamp of the District Court of Tel Aviv.

Date: 10.12.2012

(Stamp of Gai Shany, 10.12.2012, Registrar of the Supreme Court)

(Stamp of Gai Shany, 10.12.2012, Registrar of the Supreme Court)

(Round stamp on the apostille: Ministry of Internal Affairs)

APOSTILLE

(The Hague Convention of 5 October 1961)

1. STATE OF ISRAEL

This public document

2. has been signed by Mr. Gai Shany

3. acting in the capacity of registrar of the Supreme Court

4. bears the seal/stamp of the Supreme Court

CERTIFIED

5. at Ministry of Internal Affairs

6. date.....10.12.2012

7. by Yael Bezik, consular department

8. No. 631954

9. Seal/Stamp Ministry of Internal Affairs

10. Signature, Jerusalem

District Court Tel Aviv - Jaffa  
Application 92180/05

Case of Tel Aviv District Prosecutor's Office, tax department vs. Martash  
Beginning date: 27.06.2005

At the District Court of Tel Aviv

No. of new case 48332-06/2005

Plaintiff: State of Israel  
through the District Prosecutor's Office of Tel Aviv (taxes and economy)  
9 Ahad Haam Street, 65251  
Tel. 03-5112777, Fax 5163093

Vs.

Defendant: Martash Investment Holding Ltd.  
through representative, attorney Zion Amir

(Stamp of District Court of Tel Aviv, Approved, 27.06.2005)  
(Signature)

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**APPLICATION FOR THE CONFISCATION OF PROPERTY DURING CIVIL PROCEEDINGS**

*(according to paragraph 22 of Anti-Capital Laundering Law, year 2000)*

**(based on the agreement of the parties)**

It is hereby issued, under the agreement of the parties, the application in which the honourable judge is requested to issue an order on the confiscation of property, as provided in the Annex 1 to this Application, according to paragraph 22 of Anti-Capital Laundering Law (hereinafter : "Anti-Capital Laundering Law" or "Law").

The details of the Application are below:

1. The defendant is a company, founded abroad and has an account opened with branch 535 of Bank Hapoalim in Israel.
2. On 06.03.2005 the account of the defendant was frozen as indicated in the Annex 1 (hereinafter: Property), based on the order issued by the Peace Court of Petah Tikva within the inquiry conducted by the Israeli Police Department concerning the investigation of serious and international crimes on suspicion of violation of Anti-Capital Laundering Law.

*(Round stamp of District Court of Tel Aviv-Jaffa) 23*

3. The plaintiff cannot submit the bill of indictment in connection with the defendant and/or with whom acts in his interests because of the fact that the person acting in his name and/or in his interests is not in Israel permanently.

4. The property was subject to an operation for the purpose of not submitting the report, according to paragraph 7, or for the purpose of not being held accountable, according to paragraph 9, or because of the fact that the report was incorrect, as mentioned in paragraph 3 (b) of Anti-Capital Laundering Law.

5. The representative of the defendant, who also represents the interests of the claimants to the ownership right, submitted to the plaintiff the statements made by his principal, according to which they do not have any claims to the monetary assets subject to the Application, and that these assets will be subject to liability under the actions filed by third parties, who will claim the ownership right in these assets.

6. As far as the parties are aware, there is no one who has any claims in the property, except for those represented by attorney Amir.

7. In light of the foregoing, whereas the conditions of paragraph 22 of Anti-Capital Laundering Law were fulfilled, the parties reached an agreement, according to which they addressed the honourable court the request to issue a decision concerning the confiscation of 35 000 000 Shekels, as mentioned in Annex 1 to the Application.

8. The honourable court is requested to validate the compromissory agreement, annexed to this Application and which is an integral part thereof.

Dina Radelman  
Senior Officer  
District Prosecutor's Office of Tel Aviv  
(taxes and economy)  
(Signature)

(Signature)

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Ella Rubinek, prosecutor of Tel Aviv District  
on behalf of the state

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Zion Amir, attorney  
on behalf of the Company

6.06.2005



## Compromissory Agreement

between

**Party 1:**  
**State of Israel**  
**(hereinafter: State)**

*(Round stamp of District Court of Tel Aviv-Jaffa) 23*

and

**Party 2:**  
**Martash Investment Holding Ltd.**  
**(hereinafter: Company)**

**concluded and signed in Tel Aviv on 19th of Sivan 5765, 26 June 2005.**

Whereas: On 06.03.2005 the Israeli Police Department for the investigation of serious and international crimes (hereinafter: YAHBAL, hereinafter: Party 1) seized the accounts mentioned in Annex 1 to this Agreement, and froze the assets found in the accounts (hereinafter: Accounts).

And whereas: The accounts were seized within the investigation conducted by YAHBAL in connection with various structures under the suspicion of committing crimes, according to paragraph 3(b) of Anti-Capital Laundering Law of 2000 (hereinafter: Anti-Capital Laundering Law).

And whereas: Attorney Zion Amir represents the Company and all those who are related to the accounts, as mentioned in Annex 1, in all respects, concerning the above-mentioned investigation into the crimes, according to Anti-Capital Laundering Law (hereinafter: claimants to the ownership right).

And whereas: Attorney Amir declares that the Company and the claimants to the ownership right represent the exhaustive list of all those who are related to the assets contained in the accounts, and they are unencumbered by debt, mortgage and/or any interest in them of any other third party, except for the interests of Bank Hapoalim, the characteristics and nature of which, and also amounts are known to the Company.

And whereas: Attorney Amir submitted to the Government declarations in the name of the Company and the claimants to the ownership right, according to which they do not have claims, of any kind and type, related to this agreement, concerning the assets.

And whereas: As far as the parties are aware, there is no other claimant to the property, except for those who were represented by attorney Amir.

And whereas: The Company agrees that the conditions provided in paragraph 22 of Anti-Capital Laundering Law were fulfilled, and for that reason an application for civil confiscation is submitted (as provided in detail in Annex 1 to the Agreement).

and whereas: The Parties are co-interested in reaching, already in this stage, each party according to its own considerations, a compromissory agreement, which establishes the amount subject to the confiscation, according to the above-mentioned Application, which will be submitted to the State.

**The parties agree and establish the following:**

1. The preamble and the annexes to this agreement form its integral part.

2. The State will issue a request for the confiscation (based on the agreement of the parties), according to paragraph 22 of Anti-Capital Laundering Law of 2000, at the district court of Tel Aviv and, by that, it will request the confiscation of the amount of 35 000 000 in favour of *state treasury* (deleted; handwritten note: confiscation fund) from the bank account which is specified in Annex 2 of the Agreement.

3. Upon the issue of the decision of the court and no later than 45 days, the police will cancel the order for the seizure of the assets, and the assets will be transferred to any person as indicated by attorney Amir, provided that these assets will not be subject to seizure by any other third party.

4. The State undertakes not to continue the investigation against the Company and the claimants to the ownership right, and also not to conduct a criminal investigation against them in the future, according to the Anti-Capital Laundering Law, in all respects, in connection with these assets.

5. The States agrees that after the issue of the court decision containing the order for the confiscation of 35 000 000 Shekels, and the transfer of this amount (as provided in Annex 2) to it (State), the following will be achieved:

- a) all proceedings related to the Anti-Capital Laundering Law and concerning these assets, in relation with the Company and the claimants to the ownership right, will be completed in this case.
- b) the orders for the seizure, issued within this case, against the Company and the claimants to the ownership right will be cancelled.
- c) all accounts, as mentioned in Annex 1 to the Agreement, will be released.

11. The Company undertakes to be responsible for all actions against the State, filed by other claimants to the ownership right, if such actions arise and whichever actions will arise, and to reimburse it for all expenses arising in connection with these actions.

12. The Parties agree that this compromissory agreement was issued based on the approval of the court and became effective as a court decision within the Application for civil confiscation, annexed as Annex 3 to the compromissory agreement.

Dina Radelman  
Head Officer of the Prosecutor's Office of Tel Aviv  
(taxes and economy)  
(Signature)

\_\_\_\_\_  
Ella Rubinek, prosecutor of Tel Aviv District  
(taxes and economy)

(Signature)

\_\_\_\_\_  
Zion Amir, attorney  
on behalf of the Company and

on behalf of the state

claimants to the ownership right

*(Round stamp: District Court of Tel Aviv - Jaffa) 23*



**Annex 1 - to the Compromissory Agreement**  
**List of seized accounts**

The accounts listed below were seized in the branch 535 of Bank Hapoalim:

1. Account number **98529**
2. Account number **98510**
3. Account number **98286**
4. Account number **693133**
5. Account number **94051**
6. Account number **682964**
7. Account number **231350**
8. Account number **49897**
9. Account number **690460**
10. Account number **231369**
11. Account number **652291**
12. Account number **96097**
13. Account number **652283**

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**Annex 2 - to the Compromissory Agreement**  
**List of assets subject to the request for confiscation**

Below is specified the account of the Company, from which the District Court requests the confiscation of the amount of 35 000 000 Shekels:

From the account number 98529 opened by "Martash Investment Ltd."

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**Annex 3 - to the Compromissory Agreement**  
**Application for civil confiscation, which is to be submitted to court**

At the District Court of Tel Aviv

Case no. 5  
Application 5

Plaintiff: State of Israel  
through the District Prosecutor's Office of Tel Aviv  
(taxes and economy)  
9 Ahad Haam Street, 65251  
Tel. 03-5112777, fax 5163093

(Round stamp: District Court of Tel Aviv - Jaffa) 23

Vs.

Defendant: Martash Investment Holding Ltd.  
through representative, attorney Zion Amir

**Application for the confiscation of property during civil proceedings**

(according to paragraph 22 of Anti-Capital Laundering Law of 2000)  
(with the agreement of the parties)

It is hereby issued this application, with the agreement of the parties, in which the honourable court is requested to issue an order for the confiscation of property, mentioned in Annex 1 to this application, according to paragraph 22 of Anti-Capital Laundering Law (hereinafter: "Anti-Capital Laundering Law" or "Law").

The details of the Application are below:

1. The defendant is a company, founded abroad, and has an account opened with branch 535 of Bank Hapoalim in Israel.
2. On 06.03.2005 the account of the defendant was frozen, as indicated in the Annex 1 (hereinafter: Property), based on the order given by the Peace Court of Petah Tikva within the inquiry conducted by the Israeli Police Department concerning the investigation of serious and international crimes on suspicion of violation of Anti-Capital Laundering Law.
3. The plaintiff cannot submit the bill of indictment in connection with the defendant and/or with whom acts in his interests because of the fact that the person acting in his name and/or in his interests is not in Israel permanently.
4. The property was subject to an operation for the purpose of not submitting the report, according to paragraph 7, or for the purpose of not being held accountable, according to

paragraph 9, or because of the fact that the report was incorrect, as mentioned in paragraph 3 (b) of Anti-Capital Laundering Law.

5. The representative of the defendant, who also represents the interests of the claimants to the ownership right, submitted to the plaintiff the statements made by his principal, according to which they do not have any claims to the monetary assets subject to the Application, and that the assets will be subject to liability under the actions filed by third parties, who will claim the ownership right in these assets.

6. As far as the parties are aware, there is no one who has any claims in the property, except for those who were represented by attorney Amir.

7. In light of the foregoing, whereas the conditions of paragraph 22 of Anti-Capital Laundering Law were fulfilled, the parties reached an agreement, according to which they addressed the honourable court the request to issue a decision concerning the confiscation of 35 000 000 Shekels, as mentioned in Annex 1 to the Application.

8. The honourable court is requested to validate the compromissory agreement, annexed to this Application and which is an integral part thereof.

*(Round stamp: District Court of Tel Aviv - Jaffa) 23*

\_\_\_\_\_  
Ella Rubinek, prosecutor of Tel Aviv District  
on behalf of the state

\_\_\_\_\_  
Zion Amir, attorney  
on behalf of the Company





## Document - Agreement

Based on my powers, according to paragraph 242 of Law on criminal proceedings (combined version) of 1982, and also with the agreement of the state legal advisor, I hereby grant Mrs Dina Radelman, Senior Officer at the District Prosecutor's Office of Tel Aviv (taxes and economy), the powers of district prosecutor of Tel Aviv (taxes and economy), according to the above-mentioned Law.

I hereby also grant Mrs Dina Radelman all the other powers, which are usually granted to the district prosecutor.

This document-agreement is valid from 5 Sivan 5765 - 11 June 2005 to 23 Sivan 5765 - 30 June 2005.

Today 5 Iyar 5765.  
29 May 2005

Eran Shander  
State Prosecutor

*(Round stamp: District Court of Tel Aviv - Jaffa) 23*

No. 94/9435

Certified at the Ministry of Justice

**City of Moscow.**

**Seventeenth December Two Thousand Twelve.**

This translation from **Hebrew** into **Russian** was done by me, translator Konovalov Serghey Georgyevich.

Signature  
*(Illegible)*

**City of Moscow.**

**Seventeenth December Two Thousand Twelve.**

I, Milevsky Vladislav Gennadievich, notary of the city of Moscow, certify the authenticity of the signature affixed by translator Konovalov Serghey Georgyevich in my presence. His identity is established.

Registered with the register under no. 10K1/60406  
Stamp charged (according to rate) 100 Roubles  
Notary *(Signature)*

*(Round stamp of Notary of City of Moscow, V.G. Milevsky)*



In total **23 (twenty three)** sheets bound together, numbered and sealed.

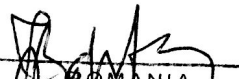
Notary (Signature)

Notary seal)

(Round stamp of Notary of City of Moscow, V.G. Milevsky)



**Bantescu Ioana**, certified translator of Russian and English, with license no. 4639, issued by the Romanian Ministry of Justice, to the best of my knowledge, ability and belief, certify that this is an accurate, complete and true translation of the document in Russian language, a copy of which I have examined.

  
ROMANIA  
MINISTERUL JUSTITIEI  
**BĂNTESCU IOANA**  
traducător autorizat  
rusă - engleză

**ROMANIA  
NOTARY PUBLIC OFFICE**

CIRCUL NOTARILOR PUBLICI ASOCIAȚI  
**BNP VLĂDICA GHEORGHE**  
Str. Jilului nr. 7  
Sector 1, București  
CIF. 30335148

**LEGALIZATION OF TRANSLATOR'S SIGNATURE**

No. 1177 year \_\_\_\_\_ month \_\_\_\_\_ day \_\_\_\_\_

**30 IAN. 2013**

**MUNTEANU  
LAURA-MIRELA  
NOTAR PUBLIC**

Notary Public \_\_\_\_\_ legalizes the above signature of certified translator **Bantescu Ioana**, according to the provisions of art. 8 para. "e" and "j" of Law no. 36/1995, as further amended and supplemented, based on the registered specimen signature, affixed on all 1 counterparts of this translation.

Notary's fee amounting to RON 40,02 receipt no. \_\_\_\_\_

