



State of Israel
Ministry of Justice
Office of the State Attorney
Jerusalem

To: The Competent Authorities of the People's Republic of China

REQUEST FOR LEGAL ASSISTANCE IN A CRIMINAL MATTER

1. In accordance with the the United Nations Convention against Transnational Organized Crime, the State of Israel hereby requests that the competent authorities of the People's Republic of China grant legal assistance and execute Letters Rogatory in the manner provided for by the laws of the People's Republic of China (hereinafter: "**China**"). This assistance is required in order to procure evidence relating to offenses under Sections of Israel's Penal Law 5737-1977 (hereinafter: "**the Penal Law**") and Sections of Israel's Prohibition on Money Laundering Law, 5760-2000.
2. This Request is signed and submitted by the Director of the Department of International Affairs in the Ministry of Justice of the State of Israel, who is authorized to submit requests for legal assistance on behalf of Israel.

Factual Background

3. An Israeli citizen named **Nir Rubin** (hereinafter: "**Rubin**") complained to the Israel Police that he was defrauded of a sum total of about \$600,000 by means of the fraud perpetrated on the Internet, described hereinafter.
4. In May of 2015, he was contacted on the Internet by someone purporting to represent a pharmaceutical company named "**Accorda**", which develops new medications to treat Parkinson's disease. In response, he provided on the Internet, his contact details including phone number, email address and residential address. He did not receive a response from "Accorda" but within a

few weeks was contacted by telephone by a person who claimed to be a representative of "**Paramount Trade Company**" (hereinafter: "**Paramount**"), which the representative said was based in Tokyo and specialized in securities trading for clients. Said person sent him applications forms and information about Paramount and suggested that he acquire stock in Accorda and the drug company "Pfeizer". A private account purportedly was established from Rubin on Paramount's website, and access to this account on the Internet supposedly enabled him to keep track of his investments with Paramount. He was told by Paramount representatives that the money he sent them from his invalid mother's bank account in Israel was used to purchase in his name shares in "Accorda", "Pfeizer" and "Google Alphabet".

5. The persons who contact Rubin in the name of Paramount were the following: James Scott (email address: j.scott@paramounttrade.co); Adam Short (email address: a.short@paramounttrade.co); Charles Levein (email address: c.levain@paramounttrade.co); and Elizabeth Green (email address: e.green@paramounttrade.co). They provided the following phone numbers: 813-45106100; 813-45106108; and 816-45604065 and Fax number 813-67341945.
6. He was told by said Paramount representative to send his money to the following company in China, in order to fund his investments, through Paramount:

Arkwright Group Ltd
1st Floor, Huaneng Unite Mansion,
958 Lujiazuihuan Rd.
Shenzhen, China

7. Rubin, according to the instructions he received from the Paramount representative, sent his funds to the following bank account:

Account name: **Arkwright Group Ltd**
Account number: **70000196641**
Bank name: **Shinhan Bank (China) Ltd.**
Bank address: **1st floor, Huaneng Unite Mansion, 958 Lujiazui Ring Road New Area Shanghai, Shanghai, China**
Bank's Swift Code: **SHBKCNBJSHA**

8. Rubin made his transfers from his mother's account at the **Union Bank of Israel**, Tel-Aviv, Israel. His mother's name is **Meira Rubin** and her account number was **15701050736**.

9. Attached hereto in **Appendix A** are copies of the following SWIFT transfers and the transfer instructions Rubin had received from the Paramount representative prior to the transfers:

- Transfer in the amount of 77,250 U.S. dollars on February 22, 2017;
- Transfer in the amount of 150,000 U.S. dollars on February 2, 2017;
- Transfer in the amount of 11,018.75 U.S. dollars on January 12, 2017;
- Transfer in the amount of 175,250 U.S. dollars on September 16, 2016;
- Transfer in the amount of 146,869.15 U.S. dollars on August 16, 2016;

10. Rubin communicated with the perpetrators of this crime by means of his email address: rubinr1@gmail.com. His last correspondence with the perpetrators was on March 15, 2017 at which time he received as email from the following email address: j.scott@paramounttrade.co. This email is attached hereto as **Appendix B**.

11. In the above email, the sender identified himself as follows:

James Scott, Account Service Director
Paramount Trade
Tennozu Yukatsu Building
Floor 12, 2-3 Higashi Gotanda
Shinagawa-ku, Tokyo, Japan
Phone: +81-3-4510-6100
Fax: + 81-3-6734-1945

12. Despite Rubin's repeated demands for the return of said funds, no money whatsoever has been returned to him.

Purpose of the Request

13. The purpose of this Request is to investigate the serious criminal offenses outlined herein and to request that the freezing of the accounts of the perpetrators and the return of the Rubin's and Rubin's mother's misappropriated funds.

Details of the Request

14. The Chinese authorities are requested to provide the Israeli authorities with the following:
 - All documents involving the movement of the above referenced funds;
 - The documents opening the afore-referenced bank account;
 - The identity of the owners, beneficiaries, persons holding power of attorney, persons controlling and/or persons with signatory rights regarding the afore-referenced bank account;
 - Documents involving transfers and deposits into the afore-referenced bank account and transfers and withdrawals out of the account;
 - The identity of anyone who performed an action regarding the afore-referenced account or who benefited from funds of the account and all relevant documents.
15. The Chinese authorities are requested to freeze the afore-said account and any other account into which funds were transferred from the afore-referenced account.
16. The Chinese authorities are requested to return to the victim his stolen funds.

Additional Information

17. The Chinese authorities are requested to provide the Israeli authorities with copies of all documents or evidence obtained, statements taken or reports prepared in connection with the execution of this Request.
18. The Chinese authorities are kindly requested to provide any further assistance that may be required in this matter, in accordance with the developments in the investigation in this matter.

Time Constraints

19. The Chinese authorities are requested to deal with this Request urgently.
20. This request is deemed urgent due to the fact that delay might prevent the discovery of the perpetrators of the crimes and prevent the tracing of the stolen assets. The authorities of China therefore are kindly requested to consider this request on an urgent basis.

Confidentiality

21. In consonance with the need for confidentiality during these stages of the investigation, the State of Israel kindly requests that this Request, and the activities undertaken pursuant to the Request, be kept confidential to the fullest extent possible under Chinese law. If confidentiality cannot be maintained regarding any part of this Request, please immediately inform the Israeli authorities before revealing any information related to the Request and its execution.

The Relevant Provisions of Israeli Law

22. The Penal Law of 1977:

Obtaining a thing by deceit (fraud): Section 415:

"A person who obtains a thing by deceit is liable to imprisonment for three years; if the offence is committed under aggravating circumstances, he is liable to imprisonment for five years".

Conspiracy: Section 499(a)(1):

"(a) If a person conspires with another to commit a felony or misdemeanor, or to commit an act in a place outside Israel which – if committed in Israel – would be a felony or misdemeanor and which is an offense under the Laws of that place, then he is liable – (1) if the offense is a felony, to seven years imprisonment or to the punishment prescribed for that offense, whichever is the lighter punishment...".

Forgery: Section 418:

"If a person forges a document, he is liable to one year imprisonment; if a person forges a document with intent to obtain anything by means thereof, he is liable to three years imprisonment; if the offence is committed under aggravating circumstances, he is liable to five years imprisonment."

Use of a Forged Document: Section 420:

"If a person submits or utters or otherwise uses a forged document, knowing it to be forged, he shall be treated as if he had forged it."

23.23. The Prohibition on Money Laundering Law of 5760-2000:

Sections 3 and 4 of the Prohibition on Money Laundering Law 5760-2000, which provide as follows:

"3. (a) A person performing a property transaction involving property described in paragraphs (1) to (4), (in this Law referred to as "prohibited property"), with the object of concealing or disguising its source, the identity of the owners of the rights, the location, movement or disposition with respect to such property, shall be liable to ten years imprisonment or a fine twenty times greater than the fine specified in section 61(a)(4) of the Penal Law -

- (1) property originating directly or indirectly in an offense;
- (2) property used to commit an offense;
- (3) property enabling the commission of an offense;
- (4) property regarding which an offense was committed.

(b)(1) A person performing a property transaction or transmitting false information with the object of preventing any reporting under sections 7 or 8(a) or in order not to report under section 9, or to cause incorrect reporting under the aforesaid sections, shall be liable to five years imprisonment or a fine eight times greater than the fine in section 61(a)(4) of the Penal Law; for the purposes of this section, "transmitting false information" shall include failure to deliver updated information about any item required to be reported.

(2) A person transmitting false information, as stated in paragraph (1), regarding prohibited property, shall be liable to the punishment established in subsection (a).

4. A person performing any property transaction, knowing that it is prohibited property, and that such property falls within one of the categories of property specified in the Second Schedule, and at the value determined therein, shall be liable to seven years imprisonment or a fine ten times the fine stated in section 61(a)(4) of the Penal Law; for the purposes of this section, "knowing" does not include disregarding, within the meaning specified in section 20(c)(1) of the Penal Law.";

Supplementary Information

24. The State of Israel will submit any additional information, which the Chinese authorities may require in order to enable them to accede to this Request.
25. The Department of International Affairs of the Office of the State Attorney in the Ministry of Justice may be contacted with respect to any issues or questions regarding this Request. Nina Mansur is handling this matter and can be reached by email at Ninah@justice.gov.il or fax at 972-2-541-9644.
26. The State of Israel takes this opportunity to express its appreciation to the Chinese authorities for their co-operation and assistance in this case and offers its assurance of reciprocal assistance.

Jerusalem, ____ day of [MONTH], [YEAR]

____ day of [MONTH], [YEAR]

Yuval Kaplinsky
Director
Department of International Affairs
Office of the State Attorney
Ministry of Justice
State of Israel