Michele Harewood

From: Claire Gill <[redacted]@carter-ruck.com>
Sent: 12 April 2017 17:54
To: 'Terence Fane-Saunders'; 'irina@onelife.eu'
Cc: 'Frank Schneider'; [redacted] Pierre Arens
Subject: RE: blфrn blercke. [CR-PCR1.FID113720]
Attachments: ONECOIN_ Letter to Crytocoinnews.com 7.3.17.DOCX; v.2 ONE LIFE L to COLP DRAFT 6.1.17.DOCX

Dear Terence

Further to our call a moment ago, and further to my call with Frank, I agree it seems we need to take action against Mr Bjerke, or another suitable target to send a clear message which can be used for PR purposes.

We did start to prepare a complaint to the site publishing his original claims (see working draft letter that was circulated internally but not sent). The focus at that time was on his claims attacking the blockchain, which he repeats in his YouTube video apparently uploaded on 7 April. The complaint stalled as we did not have information from the IT team about the blockchain and I gather we cannot expect to get more information at this point, pending the report that I understand Pitt has commissioned. I agree with you that we should therefore now focus on his claims about suspected criminal operations. However, the underlying allegation is that OneCoin is suspected to be a criminal fraud; it may be impossible therefore to avoid getting into technical areas about the blockchain if we issue and pursue proceedings.

If you all agree, I will instruct Counsel here to advise on merits and also liaise with the Norwegian lawyer to see if it may be more straightforward to bring a claim in Norway. We will also see if we can get the video taken down via YouTube's take down procedures.

https://www.youtube.com/watch?v=6DZsxavDpks

In general, as you know, I am loathe to recommend legal action unless we have a decent prospect of success, particularly whilst the police investigation is ongoing and we would not want to put into the public domain through court proceedings any information that the police may try and use against the company or Ruja. However, I do see the force in the argument that the company has to take a stand, and show itself ready to fight. This consideration has to be weighed against the risks.

As to the police, the attached draft letter was set up just after Christmas, before we found out that the letter to the Dutch website may be a fake. Provided Colin Nott confirms that there is no downside, I would recommend we either send this or something along these lines (as adapted to reflect developments since then) to the police, alternatively to the Professional Standards Directorate. Please note that I did not finish revising this version at the time and have not gone back to this draft so it needs work.

I suggest we speak again after your meeting in Luxembourg tomorrow.

Kind regards

Claire Gill
Partner, Carter-Ruck
[redacted]

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From: Terence Fane-Saunders [mailto:t[redacted]@chelgate.com]
Sent: 12 April 2017 15:03
To: Claire Gill; 'irina@onelife.eu'
Cc: 'Frank Schneider'; Persephone Bridgman Baker; Pierre Arens
Subject: ЫфгП Ыегске.

Seems to me, Claire, that we really have to find ways to take immediate, direct legal action against this man ЬІфгП ЬІегске
He is making the most extreme allegations against One Coin and One Life. He claims that it is not a ponzi, not a pyramid, but a criminal network, with people "above Ruja" who are part of a major criminal network, and that the organisation's funds are being used to fund that criminal activity. He even boasts that, despite threats of legal sanctions, no action has been taken against him.
He is now creating a double challenge. First, there is the issue of what he says. But second, the fact that we are doing nothing about it. People seeing this will think that we aren't because we can't. That the allegations must be true. And of course, there has to be shared liability for the woman providing a platform for him on her video. I really think we have no choice. We have to be seen to be taking strong legal action right now, even if, eventually, in the long term, we decide to drop it. It's less about whether we are likely to win, as the impression it creates when we show that we really will take strong legal action.

As you know, we have several platforms in place from which we can promote both good and bad messages. But they are suffering from lack of raw material . Legal action of this kind is something we can work with in PR terms.

All best
Terence

From: Claire Gill [mailto[redacted]@carter-ruck.com]
Sent: 12 April 2017 14:31
To: Terence Fane-Saunders <tfanesaunders@chelgate.com>; 'irina@onelife.eu' <irina@onelife.eu>
Cc: 'Frank Schneider' <frank@sandstone.lu>; [redacted]
Subject: RE: {950796}: URGENT LEGAL DEPARTMENT!!!!!!! [CR-PCR1.FID113720]

Statements made, whether by investigators or informants in the context of a police investigation are protected by absolute privilege, giving the makers of the statements immunity from a defamation suit. However, the privilege does not preclude the possibility of there being other claims (eg for malicious prosecution). The statements have to be made in the context of a process of investigation with a view to prosecution; ie in necessary pursuance of the administration of justice:

This is the way it was put in a leading case (about an investigation by the serious fraud office):

It is necessary for the administration of justice that investigators should be able to exchange information, theories and hypotheses among themselves and to put them to other persons assisting with the inquiry without fear of being sued [if such statements are disclosed in the course of the proceedings].

However, it has also been said that for the protection to apply, the statements must not be irrelevant or gratuitous.

I would want to consider it further, but provided it was not thought that a complaint may provoke the police into adverse action, I wonder if, whilst we do not threaten or take action we should still put the police on notice of the fact that we know this is happening. We would question whether it is necessary properly for the conduct of the investigation in circumstances where no evidence has ever having been put to our clients and that it is extremely damaging (we could give the examples). It would all be about finding the right tone. The "put up or shut up" approach has obvious risks, as they may escalate the investigation.

The criminal team would have to be consulted before we sent anything it seems to me.

Kind regards

Claire Gill
Partner, Carter-Ruck
[redacted]

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From: Terence Fane-Saunders [mailto:t[redacted]@chelgate.com]
Sent: 12 April 2017 13:24
To: Claire Gill; 'irina@onelife.eu'
Cc: 'Frank Schneider'; [redacted]; Pierre Arens
Subject: RE: {950796}: URGENT LEGAL DEPARTMENT!!!!!!! [CR-PCR1.FID113720]

Hi Claire,
Could you clarify something for me, from a legal perspective? We now have at least two tapes where someone from the City of London Police has been making what are essentially defamatory comments to a member of the public concerning an organisation which has neither been charged nor convicted of any offence. Do police enjoy immunity in terms of Defamation law if they say these things within the context of an investigation? If not, then perhaps we could initiate an action? Essentially, it would be saying "Put up, or shut up". I think it would also cause great discomfort within the CoLP hierarchy.

I was discussing the situation this morning with my colleague Robert Pontin, who used to be the top Reputation Management person at New Scotland Yard. I was talking about the fact that communications from two lawyers concerning the letter to the Dutch publication have gone unanswered, and also that Brett Lovegrove has found that his close friend who heads Commercial Crime there, and had promised to get back to him, is suddenly unreachable. Robert commented that if there were an internal corruption investigation under way, that's exactly what would happen – a complete lock-down . Not saying that's the case, but an interesting thought.

Anyway, Robert is going to come back with some thoughts about other points of leverage in terms of the CoLP. Maybe we should be in contact with the City of London Corporation, to whom they report.
All best
Terence

From: Claire Gill [mailto:[redacted]@carter-ruck.com]
Sent: 12 April 2017 09:58
To: 'irina@onelife.eu' <irina@onelife.eu>
Cc: 'Frank Schneider' <frank@sandstone.lu>; [redacted]

ruck.com>; Terence Fane-Saunders <tfanesaunders@chelgate.com>
Subject: RE: {950796}: URGENT LEGAL DEPARTMENT!!!!!!! [CR-PCR1.FID113720]

Dear Irina

Can you arrange for the communications with compliance and these individuals to be sent to me and also details about the refund policy and procedure, including any templates?

Now copying Terence on this chain as I omitted before.

Kind regards

Claire Gill
Partner, Carter-Ruck
[redacted]

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From: irina@onelife.eu [mailto:irina@onelife.eu]
Sent: 12 April 2017 09:42
To: Claire Gill
Cc: 'Frank Schneider'[redacted]
Subject: RE: {950796}: URGENT LEGAL DEPARTMENT!!!!!!! [CR-PCR1.FID113720]

Hi Claire and all, in relation to the below:

Agree with you in general. Please discuss with Frank urgently and contact criminal lawyers and if ok then the police. Also please suggest announcement to be done by the company and maybe a warning that unethical practices are ongoing, so they know. He claims compensation because compliance was not answering properly - this I have explained to him and checked personally is not true - he is simply trying to get money out of us - here we have practice and can force him to sign a document he has no claims against if we do full refund without payments of coins and bonuses etc. - please consider this as I can provide other templates - thus he will shut up

Regards
Irina

На 2017-04-12 16:32, Claire Gill написа:
>
Dear Irina
>

> It seems to me that we ought to consider contacting the police as this
> demonstrates the damage to the business that is being caused not just
> by the fact of the on-going investigation but by statements apparently
> being made by Kieron Vaughan. However, this step should not be taken
> without consultation with the criminal lawyers, as the police have a
> wide remit of investigatory powers. We still have not had an answer
> from the CoLP following the complaint about the letter published on
> the Dutch website, so we could consider a follow up and refer to this
> at the same time.
>
> Frank- can we discuss this in the first instance and then with Colin
> Nott if necessary?
>
> As to contacting the individuals concerned, there is obviously a high
> risk that sending a legal letter will provoke them into further
> action, as opposed to stopping them; they seem to relish the idea of a
> fight. I would also be concerned that a letter would be spun as an
> attempt to prevent them speaking to the police about their concerns.
> However, we do have to send the message that the company has nothing
> to hide.
>
> Before making a recommendation about action against the individuals,
> can you ask compliance to send me all the communications they have had
> with them, and explain what the company's policy is in relation to
> refunds? Have they asked for monies in their accounts to be refunded,
> and if so, what is the response?
>
> As it appears that these two are now working with the other
> "conspirators", we should also consider if non-legal actions may
> also be appropriate; for example in the way of a public statement
> tackling the underlying allegations.
>
> I am copying to Terence as he has been working with Frank on actions
> to tackle "Tim Tayshun" and it would be good also to have his view
> on what may be done on the PR front.
>
> Kind regards
>
> CLAIRE GILL
> PARTNER, CARTER-RUCK
> [redacted]
>
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> FROM: irina@onelife.eu [mailto:irina@onelife.eu]
> SENT: 12 April 2017 07:23
> TO: 'Frank Schneider'; Claire Gill
> SUBJECT: Fwd: {950796}: URGENT LEGAL DEPARTMENT!!!!!!!
>
> Dear Claire and Frank, this is a member that is for some reason
> determined to damage us and obviously keeps chatting with our police
> friend. Current status of her account frozen (temporary measure for 14
>
> days). Yesterday I have sent to you another email related to her
> again.
>
> We need to undertake actions, please advise what we could do.
>
> Thank you
> Regards
> Irina
>
> -------- Оригинално писмо --------
> Заглавие: Fwd: {950796}: URGENT LEGAL DEPARTMENT!!!!!!!
> Дата: 2017-04-12 13:48
> От: "Head of Compliance" <compliance@onelife.eu>
> Получател: irina@onelife.eu
> Отговор до: support@onelife.eu
>
> --reply above this line--
> Тази продължава да ни плюе и поддържа
> контакти с Лондонската полиция. За
> сега
> ще стои за 14 дни фризната. С
> предупреждение е ако продължи, че ще
> има по- сериозни санкции. Виж дали
> можем
> да направим нещо.
> Поздрави,
> Веселина
> ---------- Forwarded message ----------
> FROM: nikki@lineukinternet.net
> DATE: 4/12/2017 2:14:22 AM
> SUBJECT: URGENT LEGAL DEPARTMENT!!!!!!!
>
> Dear Compliance,
>
> It seems that the threat of freezing Jennifer McAdam's account has
> added
> more fuel to her wanting to get One Life shut down. Please can someone
> contact the police officer leading the investigation to have the
> matter
> dealt with officially.

>
> Kieran Vaughan
> Tel: 0044 (0) 207601 6821
> Email: kieron.vaughan@city-of-london.
> pnn.police.uk
>
> Do we have an official statement about the investigation that can be
> released to help people gain belief and trust in the company again?
>
> I've attached yet more posts she has put up. Please check my account
> and
> you will see that there has been no cross recruiting of any of her
> team
> as she is suggesting. 99% of her team don't want to know her as she
> has
> a narcissistic personality and have come to me for support but I have
> not moved them anywhere.
>
> Kind Regards,
>
> Nicola [redacted]
> Username: worldvision
>
> On Mon, Apr 10, 2017 at 10:16 AM, Head of Compliance
> <compliance@onelife.eu> wrote:
>
> --------
> FROM: nikki@[redacted].net
> DATE: 4/10/2017 12:23:57 PM
> SUBJECT: URGENT LEGAL DEPARTMENT!!!!!!!
>
> Thank you. What is your internal sanction policy?
>
> Kind Regards,
>
> Nicola
>
> Sent from my iPhone
>
> On 10 Apr 2017, at 10:16, Head of Compliance <compliance@onelife.eu>
> wrote:
>
> --------
> FROM: veselina.valkova@onecoin.eu
> DATE: 4/10/2017 12:16:38 PM
> SUBJECT: URGENT LEGAL DEPARTMENT!!!!!!!
>
> Dear Sir/Madame,
>
> Thank you for the information. We will apply our internal Sanction
> policy.
>
> Best Regards,
>

> Compliance Team
>
> --------
> FROM: nikki@[redacted]
> DATE: 4/8/2017 11:38:51 PM
> SUBJECT: URGENT LEGAL DEPARTMENT!!!!!!!
>
> Dear Compliance Team,
>
> We have a situation with One Life members, Jennifer McAdam and Eileen
> Middleton that are telling everybody here in the UK that One Life is a
> scam and under investigation by London City Police.
>
> They are telling everyone to contact the police fraud squad and are
> using social media, whatsapp and webinars to post the name and contact
> details of the police officer investigating urging people to call.
>
> It is URGENT that the legal department contact the police officer to
> please put an end to her destroying One Life here in the UK. The
> contact
> details for the police officer investigating are as follows:
>
> Kieran Vaughan
> Tel: 0044 (0) 207601 6821
> Email: [redacted]@city-of-london.pnn.police.uk
>
> Please can you freeze the accounts of Jennifer McAdam and Eileen
> Middleton as they are damaging the business of so many people here in
> the UK including my own and my teams yet she is still able to earn
> commission!
>
> Can you also have the following YouTube channel removed?: Crypto
> Xpose:
>
> London police believes OneCoin is a scam. International investigation
> in
> progress.
> https://www.youtube.com/watch?v=6DZsxavDpks
>
> Voice recording saying there's a current police investigation and
> accusing uplines of cross recruiting when no such thing has gone on
> within her structure:
> https://www.youtube.com/watch?v=4RlNjBaQuSY
>
> https://www.facebook.com/OneCoinOneLifeFacts/?hc_ref=SEARCH&fref=nf
>
> https://onecoinonelifefacts.blogspot.co.uk/
>
> They are working alongside Tim Tayshun and Ыфгп Ыегске
> (LinkedIN is bbjercke). Wes Garner and Martin Glover were also
> involved
> at the start.
>
> These are the accounts to freeze that they own that I know about

> although I'm sure they have more:
>
> Jennifer McAdam Usernames:
> [redacted] - Pro Trader Account
> [redacted] - Tycoon Account
>
> Eileen [redacted] Usernames:
> [redacted] - Trader Account
> [redacted] - Trader Account
> [redacted] - Trader Account
>
> Please take urgent action with this to stop them from damaging
> thereputation of One Life here in the UK.
>
> Kind Regards,
>
> Nicola [redacted]
>
> Username: worldvision
> [redacted]
>
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