

MOSSACK FONSECA

FACT SHEET

'Our firm, like many firms, provides worldwide registered agent services for our professional clients (e.g., lawyers, banks, and trusts) who are intermediaries. As a registered agent we merely help incorporate companies, and before we agree to work with a client in any way, we conduct a thorough due-diligence process, one that in every case meets and quite often exceeds all relevant local rules, regulations and standards to which we and others are bound."

"However, filing legal paperwork to help incorporate a company is a very different thing from establishing a business link with or directing in any way the companies so formed. We only incorporate companies, which just about everyone acknowledges is important, and something that's critical in ensuring the global economy functions efficiently. In providing those services, we follow both the letter and spirit of the law. Because we do, we have not once in nearly 40 years of operation been charged with criminal wrongdoing. We're proud of the work we do, notwithstanding recent and willful attempts by some to mischaracterize it."

"Finally, it is well established that many countries (e.g. UK, USA) have trust laws that permit a person or enterprise to represent a third party in a fiduciary capacity, which is 100% legal and serves an important purpose in global commerce.

We would now like to provide you with our case by case responses to reports that have surfaced in the media:

Lazaro Baez - ARGENTINA CASE:

We do not know this individual, nor have we had any association with him. According to media reports a person named Lazaro Baez used companies to take funds out of Argentina. Reportedly the investigation began as a consequence of a report issued by a former Argentine prosecutor named Campagnoli.

The initial investigative report led the Argentine authorities to a fund named Helvetic Services Group in Switzerland. This report said that Lazaro Baez used this fund to illegally take Argentine funds abroad. The report also stated that two companies constituted in the State of Nevada, to wit 1) Eyden Group LLC, and 2) Huston Management LLC., both appointed the fund Helvetic Services Group as a member. These companies were constituted through MF Corporate Services Nevada Limited, a registered agent in Nevada. These constitutions were requested by a professional client in Uruguay, who also requested MF Nevada to provide nominee service as a manager, which was the reason why the company Aldyne Ltd., was appointed. Please keep in mind that a manager of a company does not take decisions and they do not manage funds.

In this case the professional client appointed the members (shareholders), to wit, Helvetic services Group, and sold the companies to their clients. Here is where the confusion began.

The authorities and/or journalists in Argentina obtained information from the Public Registry 01 Nevada and wrongly concluded that all companies where Aldyne Ltd. is appointed as manager are involved or related to Lazaro Baez. As we explained before, Aldyne provides the service as nominee manager and it is only used for this purpose. Additionally, Aldyne provides this same service for various other companies that belong to various other unrelated and different clients around the world that have absolutely nothing to do with this situation in Argentina and/or Lazaro Baez. It should be noted that after linking 150 companies to the investigation, where Aldyne was appointed as manager, NML Capital, Ltd. (NML) recently informed the presiding judge that they have discovered that about 90% of them are not related to the case; therefore they have reduced their "fishing expedition" to only 13 companies.

The international smear campaign portrays us as a defendant, when in fact we are only witnesses in the process. It tries to link us with sinister characters, without providing any evidence other than stories from other publications, many of them financed or controlled by political opponents. The legal proceeding is not between NML (a so-called "vulture fund") and Mossack Fonseca; it is between NML and the Republic of Argentina. NML is trying to find funds from the Argentinian state in several parts of the world. MF Corporate Services has been asked to provide information to assist in NML's cause as a witness. None of Mossack Fonseca's companies mentioned in various publications with regard to this matter have been investigated for any crimes related to money laundering or any other unlawful behavior. If you find one case where Mossack Fonseca has been the defendant in a court case with regard to any of the actors or activities described above, please send us that documentation.

MUAMMAR GADDAFI:

Mossack Fonseca has never had any association with Muammar Gaddafi. Some of the media in Panama, controlled by the former government who are political rivals of Mossack Fonseca partner Mr. Ramon Fonseca, have published articles intended to smear Mr. Fonseca by falsely linking him and therefore his firm to former Libyan dictator Muammar Gaddafi. Please be advised that neither the authorities nor the Libyan Assets Committee have contacted or petitioned us to provide information within the context of any investigation involving Mossack Fonseca.

ROBERT MUGABE:

Mossack Fonseca sold a company to a professional client in the United Kingdom who in turn sold that same company to an associate of Robert Mugabe, unbeknownst to us. As soon as we discovered that the company had been resold to an associate of Robert Mugabe we resigned as registered agent.

RAMI MAKHLOUF:

We did not know this individual until his name and association were reported in the media.

While we were the registered agent for a company that, as we later discovered, was resold to him, we did not deal with him directly. Due to the banking secrecy laws in Switzerland we do not have access to information regarding the final beneficiary of the company in question. Our client was a bank in Geneva, Switzerland, which we cannot name due to a strict confidentiality agreement, and it is they who were responsible for dealing with the final beneficiary. Immediately upon learning that he was related to nefarious persons and activities we resigned as registered agent.

FIFA:

Mossack Fonseca has had no involvement whatsoever with any of the parties connected with the FIFA scandal. Our firm was incorrectly named in a number of malicious media reports concerning alleged political and financial wrongdoing regarding FIFA. Mossack Fonseca would like to emphasise that it has no connection or involvement with these matters in any way, other than incorporating a company following a routine request by one of its professional clients. As soon as we learned of the controversy from media reports, we resigned as registered agent.

BRAZIL:

Regarding the current situation in Brazil—where Mossack Fonseca has a franchisee—all parties who were held for questioning have been released. We regret the prosecutor's declarations that resulted from his lack of knowledge regarding the industry, and we are certain that our name will be cleared very soon.

Please understand that Mossack Fonseca Brazil, as a franchisee, represents our brand and sells international companies that our group incorporates through the different licenses that we hold in several jurisdictions. That said, the Brazil franchisee operates with its own administration, resources, and staff that are independent of our group.

Information has been required of our Brazil franchisee as part of an investigation that the public prosecutor is carrying out in certain cases currently being processed in that country. Our Brazil franchisee has expressed through its legal representatives that it is ready and willing to cooperate with all authorities that request information through the pertinent channels.

The request for acquisition of the company in question was received by an independent intermediary professional, who in turn services final clients. At the time the request for said company incorporation was received (2005), the respective due diligence verification was carried out in compliance with the required standards. As a result of such review, no adverse outcomes or any link whatsoever with politically exposed persons were found.

We have not rendered in the past and do not currently render advisory or intermediation services of any kind for the purchase, loan or financing of any real property—nor do we render real property advice in any part of the world, except in regard to real property located within the Republic of Panama. Furthermore, it should be noted that Mossack Fonseca does not own land, buildings, or apartments in the development under investigation.

Mossack Fonseca is working hard in the battle against corruption taking place in Brazil and the rest of the world. Our company maintains due diligence documents and records, and we are always willing to cooperate with authorities who request said documents through proper legal channels.

PANAMA'S NEGOTIATIONS WITH OECD AND FATF

The world is currently moving towards higher levels of corporate transparency and the same is true of our industry. Panama is committed to expanding its international cooperation with regard to fiscal transparency—while at the same time protecting the interests of the nation—as was indicated by the President last year during his address to the United Nations.

Moreover, most jurisdictions are changing their laws to enable greater transparency and cooperation in terms of corporate and financial matters. As an example, in 2015, the Panamanian Legislature passed Law 23 that sets forth a multitude of stiff regulations against money laundering. In January 2016 Panama was audited by the Financial Action Task Force (FATF), and has now been removed from the “gray list”.

Finally, please realize that Mossack Fonseca has never been sued or accused of wrongdoing by any court in the world—we have only responded to requests for information in specific cases.

For your convenience, I have attached several documents, which will provide you with even more details regarding this matter.

Carlos Sousa
Public Relations Director
MOSSACK FONSECA & CO.