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Copies were delivered to all defendants by e-mail, as recorded in the e-mail credentials recorded when this document was delivered as an attachment.

### **Request For Cross-Examination and Disclosure of Critical Document**

Regarding claim number **B40BM021**:

Dear Sir,

There has been a critical development in the case which is addressed in the third notice to admit facts that was directed to the first defendant, Anshu Jain, a few days ago.

I will need to cross-examine Anshu Jain, the first defendant, to argue the case that he has no corporate veil protection. I may also want to cross-examine any individual that presents a witness statement to the court. I request that such cross-examination is carried out in isolation from the other defendants, so that they cannot collude during the hearing to respond in a false but consistent way.

I will also need to cross-examine Daniel Chumbley of HSBC to argue that he and his bank are guilty of multiple counts of perjury.

Emma Slatter is now representing two clients with conflicting interests, Deutsche Bank AG and Anshu Jain. Since Anshu Jain is a witness of his own conduct, and a defendant, he needs to validate Emma Slatters testimony orally. Emma Slatter is no substitute for Anshu Jain for cross-examination.

The defendants have failed to provide material evidence in their defence, and so I will need to cross-examine the witnesses to extract pleadings that expose them to legal liability.

**The court will also need the confidential BaFin report specified below.**

I understand that this is all short notice, but in a case of such significance, finding against the banks

and possibly the regulators themselves for precious metal price manipulation, the issue of establishing truth is more important than the issue of efficient proceedings. The public needs to know what has been going on.

The material that causes me to make such requests is covered below.

Consider these news sources, including the Financial Times and Reuters:

(<http://in.reuters.com/article/2015/06/27/deutschebank-bafin-ceo-idINKBN0P703420150627>)

The same article can be found by Googling *financial times anshu jain bundesbank*

BaFin, the German regulator, in a confidential report, accused Anshu Jain of misleading the Bundesbank regarding Libor rate fixing.

The leak of the report from the Financial Times has triggered Frankfurt Prosecutors to take action:

<http://www.ft.com/cms/s/0/62b41810-1e52-11e5-ab0f-6bb9974f25d0.html#axzz3eowNZAUV>

Demand for disclosure of the report to assist me to show that Anshu Jain cannot hide behind the corporate veil is given for these reasons:

- i) Libor manipulation is logically equivalent to solvency misrepresentation, as interbank lending rates were higher than were officially published. As a form of solvency misrepresentation, one would expect the directors of the company to be involved, and so one would naturally conclude Juergen Fitschen and Anshu Jain to have orchestrated the manipulation, since their bank was found guilty of Libor rigging cartel fraud. The same goes for all the key board members of all the corporate defendants.
- ii) Since Libor manipulation is a transnational fraud, it was detrimental to the UK markets, so exposes all cartel members to UK competition laws. EU competition laws, also makes all transgressors liable for UK competition law.
- iii) The BaFin report was confidential, yet its confidentiality was against the public interest, as its leak shows, which is driving a prosecution. BaFin by not commenting on the leak, and not making public what should have been made public, appear duplicitous and compromised.
- iv) Systemic solvency misrepresentation is clearly the motivation for precious metal price manipulation as spelled out in the sections for motivation in the particulars of claim, which were not denied by the defendants, thus implicitly admitted by application of the CPR. *Bullion as a means to protect oneself from systemic insolvency*, is admitted by RBS as recorded in the particulars of claim.
- v) Thus the accusations I made against Anshu Jain, that he orchestrated the fake internal gold trading audit, is consistent with BaFin's allegations of him being an orchestrator of Libor misreporting.
- vi) No pleading was made by Anshu Jain denying or admitting the internal audit was genuine, and the reason he supplied a bare denial should be obvious – he was under a legal investigation for the matters at the time, and he did not want to expose himself to perjury.
- vii) That all defendants rely on Emma Slatter's witnessed bare denial is what one would expect of the lending rate rigging cartel when the masterminds want to avoid material pleading.

I think we need to see the confidential report ASAP so we can assess to what degree Anshu Jain is guilty, but also, to what degree BaFin may have had helping Deutsche Bank, by compromising its own function as a regulator. I will petition the Financial Times and BaFin to disclose the report to the court. If Deutsche Bank have access to the confidential report, they should be forced to disclose it for our consideration.

Yours Sincerely,  
Mark Anthony Taylor.