

Privileged and confidential

Parket van de Procureur-Generaal
De Edelgrootachtbare heer mr. T.H.W. Stein
Sint Maarten

referentie
CS/cs 1615381

betreft
Corallo/Italië

datum
Den Haag, 22 juni 2012

Den Haag
dr. J.M. Sjöcrona
M. van Strien
E.Z. Perez
M.J.N. Vermeij*
C.W. Noorduyt
C.L.A. de Sitter
Th.J. Kelder
R.E. van Zijl
I. Felix
L.E.G. van der Hut

Rotterdam
A.J.N. van Stigt
B.C.W. van Eijck
H.W.A.A. de Jong
A.J.M. de Swart
V.A.M.G. van de Bilt
K. Versteeg
F.B.W. Groendijk
E. Benhaim
S.C.J. Knoester*
S. Pijl

**levens fiscalist*

officemanager
O.W.F. van der Velden
om@svsadvocates.com

Dear mr. Stein,

Following the discussion you had with attorney Jeroen Veen of Lexwell attorneys on Sint Maarten on Tuesday 19 June, I bring the following to your attention.

I am counsel to Francesco Corallo. My client understands from articles that have appeared in the Italian press that he is wanted by the Italian authorities for alleged criminal offenses. His Italian attorneys summarize the allegations as *conspiring with a banker (Ponzellini) and his advisor (Cannilare) to bribe them both in return of which the bank has provided a loan to Corallo's business in derogation of common credit regulations, all of which has caused damages to the bank*".

These allegations are brought against my client by the Italian Public Prosecutor in Milan primarily based on the Italian civil code article 2635, which states:

*Infidelity following the bestowal or promise of benefits
The directors, general managers, auditors, liquidators and those responsible for the review, which, following the bestowal or promise of benefit, commit or omit acts in violation of the obligations inherent to their*

Den Haag
Postbus 85770, 2508 CL Den Haag
't Hoenstraat 5, Den Haag
Telefoon +31(0)70 346 74 72, Fax +31(0)70 392 43 78
E-mail denhaag@svsadvocates.com

Rotterdam
Postbus 4325, 3006 AH Rotterdam
Oostmaaslaan 71, Rotterdam
Telefoon +31(0)10 436 43 11, Fax +31(0)10 436 67 00
E-mail rotterdam@svsadvocates.com

K.v.K nummer
Haaglanden 27330622

referentie
CS/es 1615381

datum
Den Haag, 22 juni 2012

office, causing financial harm to the company, are punishable with imprisonment up to three years.

The same penalty applies to those who give promises to give the benefit.

This can only proceed through a complaint filed by the offended.

Inquiries were made in Italy but it has not (yet) been confirmed that an arrest warrant was indeed issued. Mr. Corallo is currently not in Italy. Mr. Corallo is a Dutch citizen. He is currently not in St. Maarten.

Mr. Corallo is willing to travel to St. Maarten. The Italian authorities can then file a request for his extradition if they have reasons to do so. Currently they can not file a request for extradition because the whereabouts of Mr. Corallo is unknown to them.

The premise must be that there is no danger of flight. Client hopes to remain free in order to properly prepare for his trial –if any- and for that reason he will legally oppose an extradition request. He will however at all times be available for the Justice authorities.

For the event that his extradition will actually be requested from the Sint Maarten authorities, my client would like to come to an understanding now about certain conditions which will give you certainty that client will not evade the extradition (procedure) while his detention could be avoided.

Mr. Corallo suggests the following. In the event that his extradition is requested in a formally correct manner, Mr. Corallo will, at first request of the prosecutor, voluntarily come to the office of the prosecutor so that the official documents can be issued to him. If he is not on St. Maarten he will travel to St. Maarten within 48 hours, insofar that is actually possible, and report himself immediately.

He is willing to surrender his passport and undergo a reporting requirement or to post (yet to be agreed upon) bail or a combination of both. He will voluntarily appear at his extradition hearing in the Court of Justice.

referentie
CS/es 1615381

datum
Den Haag, 22 juni 2012

He reserves the right to oppose his extradition and file all defenses against such request within the framework of the law and extradition conventions. If the Governor ultimately decides to extradite him, he will - after such decision has become irrevocable- report himself on first request to undergo his extradition. Client shall bear his own travel expenses.

Conversely, client must have a guarantee that he will not be detained during the extradition proceedings and that no restrictions are imposed upon him other than the prohibition to leave St. Maarten and a reporting requirement – if any-.

If you are willing to accept these conditions, my client will travel to St. Maarten and inform you accordingly when he has arrived.

This arrangement will remain in force until the extradition has been completed. Any bail provided by Mr. Corallo will then be returned upon first request. This arrangement will end if the extradition is refused, in which case both the possible bail as his passport will be returned to him immediately. Any other restrictions (reporting and a travel ban) will then be lifted.

Yours sincerely,


A.J.N. van Stigt


C.L.A. de Sitter