

Warsaw, 3 April 2019

Regional Prosecutor's Office in Warsaw

ul. Chocimska 28
00-791 Warsaw, Poland

Injured Parties/Notifying Parties:

1. Fundacja Otwarty Dialog

[Open Dialogue Foundation]

with its registered seat in Warsaw

Registration No. KRS 0000353754

Al. Szucha 11A/21, 00-580 Warsaw

represented by:

Bartosz Kramek – Proxy

2. Silk Road Biuro Analiz i Informacji Sp. z o.o.

with its registered seat in Warsaw

Registration No. KRS 0000416937

Al. Szucha 11A/21, 00-580 Warsaw

represented by:

Bartosz Kramek – President of Management Board

**NOTIFICATION OF SUSPICION OF A CRIME
TOGETHER WITH A MOTION FOR PROSECUTION**

Acting on behalf of the Injured Parties, the Open Dialogue Foundation with its registered seat in Warsaw, and Silk Road Biuro Analiz i Informacji Sp. z o.o. with its registered seat in Warsaw, pursuant to the procedure provided for in Article 304 § 1 of the Act of 6 June 1997 – Code of Penal Procedure [hereinafter referred to as “the CPP”], **I hereby submit this notification of a justified suspicion of a crime committed by one or more unknown perpetrators at an indefinite time, at the latest by the end of August 2078 in Warsaw, such crime consisting in the following:**

- I. **Disclosure of data covered by fiscal secrecy, contained in the tax audit files of the Open Dialogue Foundation with its registered seat in Warsaw and Silk Road Biuro Analiz i Informacji Sp. z o.o. with its registered seat in Warsaw, against to the provisions of the aforementioned Act, and against the obligation assumed by an undetermined public official, who became acquainted with the data in connection with his/her official function, i.e. the deed referred to in Article 306 of the Act of 29 August 1997 – Tax Ordinance [hereinafter: “Tax Ordinance”], and also in Article 278 of the Act of 16 November 2016 on National Fiscal Administration [hereinafter referred to as “the NFA Act”], and Article 266 § 1 of the Act of 6 June 1997 – The Penal Code [hereinafter referred to as “the Penal Code”].**

- II. **Actions to the detriment of the Open Dialogue Foundation with its registered seat in Warsaw and Silk Road Biuro Analiz i Informacji Sp. z o.o. with its registered seat in Warsaw, taken by an undetermined public officer by exceeding his/her powers or by failing to fulfil his/her obligations consisting in the disclosure of fiscal secrecy, which, in consequence, led to actions detrimental to private interest, i.e. a deed under Article 231 § 1 of the Penal Code.**

Considering the foregoing:

- I. **I hereby request that** the perpetrator or perpetrators of the acts covered by this notification **be identified and prosecuted**;

- II. I hereby request that proceedings in the matter are initiated and conducted – pursuant to Article 305 § 1 of the CPP;

- III. I hereby request to be notified of the scheduled timing and place of the procedural activities to be conducted where the participation of the injured party is either required or provided for by the law – pursuant to Article 316 § 1 of the CPP;

- IV. I request to be admitted to participation in the procedural activities within the proceedings – pursuant to Article 317 § 1 of the CPP;

- V. I request that I be served with judgments, orders, notices, and copies delivered to the Parties – **to the address of the Injured Party mentioned in item 2 above.**

