#### FEDERAL BUREAU OF INVESTIGATION FOI/PA DELETED PAGE INFORMATION SHEET FOI/PA# 1218760-0 Total Deleted Page(s) = 11Page 16 ~ Duplicate; Page 19 ~ Duplicate; Page 91 ~ Referral/Consult; Page 92 ~ Referral/Consult; Page 93 ~ Referral/Consult; Page 211 ~ Duplicate; Page 213 ~ Duplicate; Page 219 ~ Referral/Direct; Page 220 ~ Referral/Direct; Page 221 ~ Referral/Direct; Page 222 ~ Referral/Direct;

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### U.S. Department of Justice



Federal Bureau of Investigation



In Reply, Please Refer to

File No. NY 196A-1774

Bu 196B-2848

December 2, 1983

TO THE COUNTY ON COUNTY PRO

MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE;

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MARC RICH & CO.;

MARC RICH & CO. INTERNATIONAL, LTD.;
ALSO KNOWN AS

"CLARENDON A.G."

Case Agent: Supervisor:

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#### I. Background:

Marc Rich and Pincus Green are United States citizens who, in 1974, formed Marc Rich & Co. A.G. ("A.G."). AG is a Swiss corporation which engages in the worldwide business of trading commodities, including crude oil. AG trades an annual volume of \$10 billion, 60% of which represents oil trades. AG has a wholly-owned subsidiary, Marc Rich & Co. International A.G. which has a branch office in the United States named Marc Rich & Co. International ("International"). Until the summer of 1983, Marc Rich and Pincus Green ran the oil trading activities of A.G. and International from International's Offices in New York.

From approximately September, 1980 through at least June, 1981, Marc Rich and Pincus Green surreptitiously moved at least \$100 million out of the U.S. from International to A.G. Most of this money constituted illegal proceeds from domestic crude oil transactions wherein Marc Rich and Pincus Green defrauded their customers by unlawfully overcharging them for domestic crude oil.

Marc Rich and Pincus Green devised an elaborate scheme to cover up their fraud wherein they used two third party U.S.

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b6 b7С companies; West Texas Marketing Corp (WTMC) and Listo Petroleum (LISTO), to conduct their business and ostensibly to collect the illicit profits and overcharges on their books. Marc Rich and Pincus Green would then remove these illegal profits from the books of WTMC and LISTO by creating sham transactions where WTMC and LISTO would purportedly buy foreign crude oil from AG and then resell it simultaneously for a \$3.00 per barrell loss to a Panamian subsidiary of A.G.\* The sole purpose of these deals was to launder the illegal money from the books of WTMC and LISTO offshore to A.G.

Marc Rich and Pincus Green violated various Federal energy law regulations which controlled the prices at which crude oil could be sold in the U.S. and restricted their average mark-up or profits to 20¢ per barrel as well as evaded over \$48 million in U.S. taxes on the hidden income. \*\* In addition to the U.S. Government that was defrauded of substantial tax revenues and the proper administration of its energy and tax laws, victims of this scheme were the customers Marc Rich and Pincus Green, who were overcharged and the American Public which ended up paying higher gas and oil prices.

On September 19, 1983, the Grand Jury for the Southern District of New York concurred in the finding of a 51-count indictment. The indictment charges captioned with conspiring to and conducting their commodities business through a pattern of racketeering involving the schemes to defraud their customers, the DOE and IRS. Each defendant is charged with various mail and wire fraud violations regarding these fraud schemes as well as tax evasion. Additionally, Marc Rich and Pincus Green are charged with illegal trades with Iran during the hostage crises amounting to over \$200 million.

<sup>\*</sup> These transactions were made to look legitimate by using invoices which set forth real tankers and bills of lading dates. In almost every case, A.G.'s records reveal that the oil on these tankers was already sold by A.G. to third parties in presumably legitimate deals at the time these share transactions were done.

<sup>\*\*</sup> It also appears that Marc Rich and Pincus Green were evading Swiss taxes by arbitrarily moving hundreds of millions of A.G.'s profits to Liquin Resources, a Panamanian subsidiary of A.G.

The evidence in this case is overwhelming and includes testimony from employees and former employees of Marc Rich and Pincus Green as well as from various third party companies.



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In late August, 1980, Marc Rich and Pincus Green conceived the afore-described scheme. Marc Rich Interna tional and WTMC did business. Rich proposed that International's profit from domestic crude Oll deals in a "pot" on WTMC's books and thereafter send the money from the "pot" to A.G. through a series of fictitious foreign crude oil deals. The money in the "pot" was generated in deals where International would sell price controlled barrels to WTMC in return for equal numbers of uncontrolled barrels at large discounts which could then be sold for huge profits. Rather than invoice International at the agreed upon discounted price, Rich and Green had WTMC invoice them at the higher world market price so as to make it appear that International had paid the higher price for the oil. However, WTMC agreed to keep the difference between the discounts and high price in the "pot" for Rich and Green. The oil was then sold for the high price to various customers. The DOE and the customers were unaware of the overcharges because of the false invoices which covered up the fact that International had actually paid less for the oil and was therefore making illegal profits in excess of its 20¢ per barrel limitations. Under the law, Rich and Green were required to report all overcharges to the DOE in monthly reports called ERA - 69's and to refund the overcharges to their customers. Rich & Green filed false ERA - 69's for the months September, 1980 - January, 1981 which fraudulently hid their profits being held in the LISTO and WTMC "pots" and failed to disclose their illegal overcharges which totalled at least \$100 million; accordingly, these overcharges were not repaid to the defrauded customers.

#### II. Continuing Investigation:

The grand jury of the SDNY is continuing hearing evidence in regard to the following:

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IV. REQUEST OF THE BUREAU:  The Bureau is requested to approve and support the being set forth by New York to bring about the In this regard, coordination is needed between NY FRI. FRIHO SDNY DOI DOS, Legats in Europe  It is imperative this be smoothly and confidentially handled	b7I b7E
V. AUSA OPINION:  United States Attorney, SDNY and staff have been provided an initial overview of  They strongly concur with the pursuit of and will commit their full resources to assist the NYO of the FBI to insure optimum benefit of  It is the position of the SDNY that	<b>Ъ7</b> E
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#### UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION **IDENTIFICATION DIVISION** WASHINGTON, D.C. 20537

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## United States District Court

SOUTHERN DISTRICT OF NEW YORK
TO Esq. b6 b7C b3 GREETING:
GARLIING:
WE COMMAND YOU that all and singular business and excuses being laid aside, you and each of you appear and attend before the GRAND INQUEST of the body of the people of the United States of America for the Southern District of New York, at a District Court, to be held at Room 1401 in the United States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, in and for the said Southern District of New York, on the o'clock in the noon, to testify and give evidence in regard to an alleged violation of Section  Title 26, United States Code, Section 7201 Title 18, United States Code, Section 371
on the part of the United States, and not to depart the Court without leave thereof, or of the United States Attorney.  And for failure to attend you will be deemed guilty of contempt of Court and liable to penalties of the law.  DATED: New York, N. Y. January 9, 1984.
RUDOLPH W. GIULIANI United States Attorney for the Southern District of New York
Note: Report at Room 256. In order to secure your witness fees and mileage, it is necessary that you retain this Subpoena and present the same at the United States Attorney's Office, Room 256, upon each day on which you attend Court as a witness.  Room 56  B6  b7C  U. S. ATTORNEY'S OFFICE SOUTHERN DISTRICT OF NEW YORK ONE ST. ANDREW'S PLAZA

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# United States District Court

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United States Attorney.  And for failure to attend you will be deemed of the law.	depart the Court without leave thereof, or of the d guilty of contempt of Court and liable to penalties
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RUDOLPH W. GIULIANI United States Attorney for the Southern District of New York	Raymond F. Burghard Joseph.
Note: Report at Room 456. In order to se that you retain this Subpoena and present the 450, upon each day on which you attend Court	ecure your witness fees and mileage, it is necessary a same at the United States Attorney's Office, Room as a witness.
767 Assistant	Room b6 b7C
FPI MI5-1	9.72-60M-7701  U. S. ATTORNEY'S OFFICE SOUTHERN DISTRICT OF NEW YORK

U. S. ATTORNEY'S OFFICE SOUTHERN DISTRICT OF NEW YORK ONE ST. ANDREW'S PLAZA NEW YORK, NEW YORK 10007 FD-36 (Rev. 5-22-78)

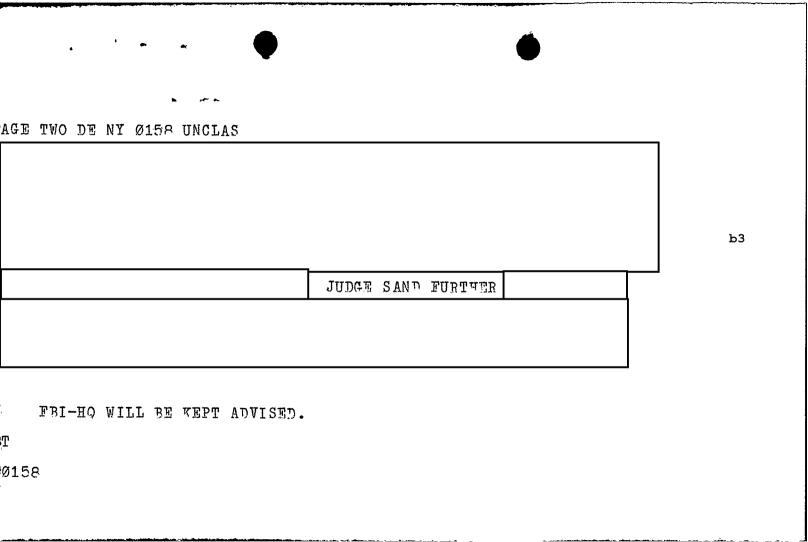
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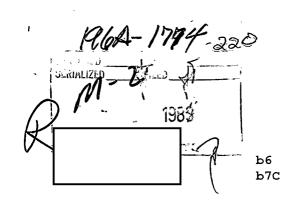
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### INFORMATION REGARDING DUCES TROUK SUBPORALS

The documents requested in the attached Duces Terms subposed are to be delivered to the Grand Jury; and, if it would be of greater convenience to you, in lies of personal delivery to the Grand Jury, the documents may be mailed to:

Foreperson of the Grand Jury	
c/o	b6 b7C
Assistant Chited States Actorney 3600 Seafirst Fifth Avenue Flaza	2.0
800 Fifth avenue Seattle, Bashington 98104	

Should you elect to mail the documents, said mailing should be accomplished in a timely fashion to insure that the documents can be provided to the Grand Jury on the prescribed date.

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DBA MARC RICH AND COMPANY, A.F.; RICO; FRU; MF; TAX EVASIOV;

OO: NEW YORK

RENY FD-515 TO THE DIRECTOR, DATED 13/31/83.

IN THE ABOVE REFERENCED FD-515, NEW YORK CLAIMED A RECOVERY OF \$22 MILLION. ANY RECOVERY IN EXCESS OF \$1 MILLION REQUIRES AN EXPLANATORY LHM SHOWING HOW ACTIONS OF THE FBI LEAD TO THE RECOVERY. NEW YORK IS REQUESTED TO FURNISH FBIHQ AN.

EXPLANATORY LHM.

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Jail 1994

TO:

SAC, SEATTLE (29A-2948) (P)

FROM:

ADIC, NEW YORK (196A-1774) (P) (M-1)

SUBJECT:

b6

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SEATTLE, WASHINGTON

BF&E (OO: SE)

ET AL

Re Seattle subpoena transmitted by facsimile to New York on 1/10/84.

Enclosed for Seattle is the original facsimile subpoena for return of service.

_	On 1/12/83, above referenced subpoena was served	<b>b</b> 6
on		b70
	Telephone Number	b3

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2-Seattle (29A-2948) (Encl. 1) 1-New York (196A-1774)

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in the Other Federal Agency(les) in the Remarks Section.

		Code	1
350	Description	No	Description
;	Cash (U.S. and foreign currency)	21	Blank Negotiable Instruments or Tickets
٥ ر	Stock, Bonds or Negotiable Instruments (checks, travelers checks,	22	Counterfeit Stocks, Bonds, Currency or Negotiable Instruments
	money orders, certificates of deposit, etc)	23	Counterfeit or Pirated Sound Recordings or Motion Pictures
3	General Retail Merchandise (clothing, food, liquor, cigarettes, TVs, etc.)	24	Bank Theft Scheme Aborted
•	Vehicles (autos, trucks, tractors, trailers, campers, motorcycles, etc)	25	Ransom, Extortion or Bribe Demand Aborted
5	Heavy Machinery & Equipment (heavy equipment, computers, etc)	26	Theft From, or Fraud Against, Government Scheme Aborted
6	Bulk Materials (grain, fuel, raw materials, metals, wire, etc)	27	Commercial or Industrial Theft Scheme Aborted
7	Jewelry (including unset precious and semiprecious stones)	·	
8	Precious Metals (gold, silver, silverware, platinum, etc)		•
9	Art, Antiques or Rare Collections		
10	Dangerous Drugs		p-Material S
11	Weapons or Explosives		
12	Businesses or Assets Forfeited	30	All Other Potential Economic Loss Prevented (not falling in any
20	All Other Recoveries (not falling in any category above)		category above)
•	The case file must contain an explanation of the computation of the recov	ery value	or loss prevented. An explanation airtel must accompany this

\*The case file must contain an explanation of the computation of the recovery value or loss prevented. An explanation airtel must accompany this report if the recovery is \$1 million or more, or if the PELP is \$5 million or more.

#### Subject Description Codes \*

#### - Enter Description Code Only When Reporting a Conviction -

•	Organized	Crime	Subjects:
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- 1A Boss, Underboss or Consigliere
- 1B Capodecina or Soldier
- 1C Possible LCN Member or Associate
- 1D OC Subject Other Than LCN

#### Known Criminals (Other Than OC Members):

- 2A Top Ten or I.O. Fugitive
- 2B Top Thief
- 2C Top Con Man

#### Foreign Nationals:

- 3A Legal Alien
- 3B. Illegal Alien
- 3C Foreign Official Without Diplomatic Immunity
- 3D U.N. Employee Without Diplomatic Immunity
- 3E Foreign Students
- 3F All Others

#### Torrorists:

- 4A Known Member of a Terrorist Organization
- 4B Possible Terrorist Member or Sympathizer

#### Union Members:

- 5A International or National Officer
- 5B Local Officer
- 5C Union Employee

#### Government Official Or Employees:

- 6A Federal Elected Official
- 6B Federal Nonelected Executive Level
- 6C Federal All Other
- 6D State Elected Official
- 6E State Nonelected Executive Level
- 6F State All Other
- 6G Local Elected Official
- 6H Local Nonelected Executive Level
- 6J Local All Other

#### Bank Officers Or Employees:

- 7A Bank Officer
- 7B Bank Employee

#### All Others:

8A All Other Subjects (not fitting above categories)

\*If a subject can be classified in more than one of the categories, select the most appropriate in the circumstance.

#### Instructions

#### Subject Priorities for FBI Arrest or Locates:

- A Subject wanted for crimes of violence (i.e. murder, manslaughter, forcible rape, robbery and aggravated assault) or convicted of such crimes in the past five years.
- B Subjects wanted for crimes involving the loss or destruction of property valued in excess of \$25,000 or convicted of such crimes in the past five years.
- C All others

#### Claiming Convictions Other Than Federal:

It is permissible to claim a local (state, county or local) conviction if the FBI's investigation significantly contributed to the successful local prosecution. A succinct narrative setting forth the basis for claiming a local conviction must accompany this report. When claiming a conviction other than Federal, enter the word "LOCAL" in the "Conviction-Section" block, disregard the number of conviction counts, but enter the sentence in the appropriate blocks. Enter "LF" in the "In-Jail" block for all life sentences and "CP" for all capital punishment sentences.

#### Reporting Convictions:

Convictions should not be reported until the sentence has been issued. There are two exceptions to this rule. The conviction information can be submitted by itself if:

- 1. Ine subject becomes a fugitive after conviction but prior to sentencing.
- The subject dies after conviction but prior to sentencing.

An explanation is required in the Remarks section for either of the above exceptions.

#### Rule 20 Situations:

The field office that obtained the process (normally the office of origin) is the office that should claim the conviction, not the office where the subject enters the plea in cases involving Rule 20 of the Federal Rules of Criminal Procedures.

#### Investigative Assistance or Techniques (IA/Ts) Used:

- -Since more than one IA/T could have contributed to the accomplishment, each IA/T must be rated.
- -The IA/T used must be rated each time an accomplishment is claimed. (For example if informant information was the basis for a complaint, an arrest, a recovery and a conviction and if separate FD-515s are submitted for each of the aforementioned accomplishments, the "Informant Information" block must be rated on each FD-515 even if it was the same information that contributed to all the accomplishments.)

- COVER OF FORTUNE 1/23/84/ EDITION

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DEALS OF THE YEAR

MICROSOFT'S DRIVE TO DOMINATE SOFTWARE

WHERE MGM, THE NCAA, AND JERRY FALWELL

FIGHT FOR CASH

# FORTUNE

## TROUBLE/SHAWN TULLY AND FORD S. WORTHY

# SECRETS OF MARC RICH

Marc Rich threw a bash late last year to celebrate the opening of a new restaurant his company built across an alley from its blue-glass headquarters in Zug, the foggy Swiss town where Rich lives beyond the reach of a U.S. warrant for his arrest. Local politicians were among the guests who spooned oxtail soup and tapped their feet to tunes by an all-female steel band. To his Swiss friends, who see Rich as more folk hero than fugitive,

Rich expressed high hopes that his legal troubles would soon end, and that Marc Rich & Co. AG would endure in Zug as a model of corporate citizenship.

IS ELAN INTACT, Rich seems firmly in command in Zug. Across the Atlantic, he's charged in one of the biggest tax fraud cases in American history. The notoriety is bitter indeed for the nimble entrepreneur who-while remaining a mystery man outside the secretive fraternity of traders-in less than a decade built a huge commodities trading empire that challenged his archrival and alma mater. Philipp Brothers. Rich and his partner, Pincus "Pinky" Green, along with their privately held Swiss parent company and a former subsidiary that operated in the U.S., have been indicted for violating now-defunct controls on oil prices to create \$105 million in income, then shipping the profits offshore to escape paying \$48 million in U.S. taxes. Rich and Green, both 49, also face charges of trading with the enemy for buying oil from Iran during the hostage crisis of 1980. After more than a year of legal wrangling that spawned scores of headlines, and fumbling attempts to foil the courts worthy of the Keystone Kops, the trial is set for March. The two companies—and an oil trader named Clyde Meltzer who worked for Rich and was also indicted-will face a Manhattan jury. But Rich and Green can't be tried unless they show up, a remote possibility. And a U.S. treaty with Switzerland will make it tough to extradite them.

Legal woes have taken a heavy toll on the business. Last summer the subsidiary operating in the U.S. changed its name, from Marc Rich International to Clarendon, and its ownership, to exclude Rich and Green. But business evaporated anyway, and now the U.S. branch of Clarendon is all but extinct. In Zug, Marc Rich AG still does a brisk business in aluminum and other metals, but the company has closed up shop in gold, sugar, grain, and some other commodities. Oil trading, Rich's specialty, is in a rut. Traders at major oil companies must carefully check all Rich deals with their lawyers, a restriction that has chilled business. A few of Rich's traders based in Europe have quit, and others are talking about leaving. Sighs one of the departed: "This company has gone through hell."

The torture includes fines of \$50,000 a day, dutifully delivered by messenger to a federal courthouse in twice-weekly installments, a ritual due to continue until the company complies with a subpoena for documents, or the court deigns to lift the fines. Marc Rich AG can probably afford to pay for a while. According to Swiss tax records obtained by FORTUNE, the company had a net worth of more than \$200 million in 1981.

Reliable accounts of Rich's rapid rise and fall have been as elusive as the man himself. Rich made the only known public utterances of his 31-year career on a Swiss radio broadcast last September. Asked if he had good "contact" with the Swiss, he replied in smooth German: "Not yet. Most people who



Rarely photographed, Murc Rich (left) and his

RESEARCH ASSOCIATE Louis S. Richman





partner, Pinky Green, are fugitives, but they're not completely out of sight. This picture was taken in November in Zug, Switzerland, where they now live.

want to have contact with me are reporters or photographers." Practically all of them failed. Yet FORTUNE has uncovered new information that illuminates Rich's remarkable career. His success owes much to an especially close relationship with William Ariano, formerly a top oil trader with Los Angelesbased Atlantic Richfield and now Arco's vice president of crude trade relations. Besides purchasing Nigerian crude from Marc Rich at huge premiums during the oil shortage of 1979 and 1980, Arco—unwittingly, according to one of its lawyers-allegedly fed oil into a Texas "daisy chain" that further enriched Rich's trading company. And as a second Rich daisy chain turned out profits alleged by the government to be illegal, Arthur Andersen & Co. was the accountant for a key player in the chain, West Texas Marketing Corp. of Abilene, Texas. An answer to a routine question federal prosecutors asked principals of West Texas Marketing in 1981 may well have triggered the government's investigation of Rich.

ORN IN BELGIUM in 1934, Marc was an only child who fled the Nazis with his European Jewish parents and eventually settled with his family in Mount Vernon, a comfortable suburb of New York City. Marc's father. David Rich, had banking interests in Bolivia and was in the burlap-bag business. Marc graduated from Rhodes School in Manhattan, an expensive if not demanding private school. No great shakes in the classroom, he enrolled at New York University but never graduated.

With the help of a Philipp Brothers trader who had done business with Rich's father, Marc got a job in the mailroom at the firm's headquarters in New York when he was 18. Over the next 21 years at Philipp Brothers, Rich proved a superb student of the business he would later pursue on his own: purchasing commodities from producers such as mining companies and governments, then delivering cargoes to manufacturers and other customers scattered around the globe. Philipp Brothers became Phibro in 1981, and the next year, following its purchase of the securities firm of Salomon Brothers, was renamed Phibro-Salomon. But when Rich went there in the early 1950s, the firm was a tightly knit group of German Jewish immigrants who, like Rich, were short on diplomas and long on the work ethic.

Rich quickly rose from the mailroom to the telex-driven world of the traffic department, and finally to a desk outside the office of a senior trader who made the young comer his assistant. Rich helped trade tin and manganese, and carved out a niche of his own by specializing in mercury, a little-tradIn 1973, when Philipp Brothers managers gathered to be photographed for the annual report, Rich and Green were conspicuously absent.

ed commodity used to make explosives and in thermometers. In trading, timing is often more crucial than pricing, and Rich's timing was quicksilver. In the early 1950s, mercury prices sailed upward.

Rich embarked around 1960 on a series of foreign assignments. After stints in Bolivia and Holland, in the mid-1960s he landed the post of office manager in Madrid. The Spanish economy was buoyant, and the nation's refiners hungry for oil. But the oil-trading industry, as it has since evolved, did not exist. Producing countries sold virtually their entire supply to major oil companies, which in turn traded mostly among themselves. In the late 1960s, however, producing nations began marketing oil to independent traders, and Marc Rich was a pioneer in the new business. He and Pinky Green, who operated from Zug, bought oil in the Middle East and sold it to Spain and other Mediterranean countries. Their dealings quickly established Philipp Brothers as a powerhouse in oil.

Their independent way of operating, however, led to disagreements with top management that set the stage for a dramatic break with Philipp Brothers. On their own authority, Rich and Green made a deal in 1973 to purchase large quantities of Iranian oil. According to one former Philipp Brothers official, the price was a near-record \$5 a barrel, well over the spot price at the time. The deal terrified the top brass in New York, especially since Rich and Green hadn't lined up a buyer. Yet the market was on an upswing, and the two traders were betting that spot prices would keep rising. In a series of tense conference calls, Philipp Brothers executives urged Rich and Green to sell out of the contract in a hurry. Reluctantly the two traders found a buyer at a small profit. But they were angry, and with good reason. By year-end, in the wake of the October Arab oil embargo, spot prices had gushed to \$13 a barrel.

A similar tiff occurred a few months later when Rich and Green verbally agreed to buy an oil tanker. Again, top management intervened, forcing the traders to welsh on the deal. Nevertheless, Rich and Green had plenty to be pleased about. In 1973 their feverish oil trading made huge profits. Rich was considered a crown prince, a likely successor to the aging European manager and eventually

to the firm's head, a dynamo named Ludwig Jesselson.

As a reward for their fabulous year, Rich and Green expected-and planned to fight for-fabulous bonuses. Philipp Brothers bonuses weren't based on a formula, but were arrived at by negotiations between a trader and his boss. The tightfisted Jesselson had the final say. As one veteran of sessions with him recalls, "He could rip you apart."

On a trip to Zug in November 1973 Jesselson closeted himself in heated negotiations with Rich and Green. The two traders demanded a whopping figure. A former Philipp Brothers executive believes they wanted \$500,000 apiece, a sum that would have been unprecedented; most senior traders were making about \$100,000 a year, including bonus. The top managers in Europe learned the outcome when they gathered to be photographed for the annual report. Rich and Green were conspicuously absent. A\_stonyfaced Jesselson announced: "Before the rumors start, I want to say that Rich and Green asked for bonuses so high they would break our rules and traditions. They have separated. It's time to close ranks."

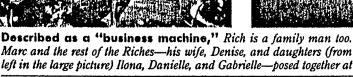
ICH AND GREEN left immediately and within days' persuaded three other Philipp Brothers traders to kjoin them: The five founders set up shop in a cramped converted apartment in Zug. The early trades were carefully hedged, not that there was much choice. Initial capital was only \$350,000, a nest egg that one bad deal could crack. Three founders—Rich, Green, and Alexander Hackel, a German citizen who lives in Zug-are still the major shareholders of Marc Rich AG.

Marc Rich AG ransacked its alma mater to hire new traders, telex operators, and secretaries. In Zug the Philipp Brothers office was infected with what one of its former managers characterizes as "Richophobia." Many of the fears were justified, as Rich quickly became a formidable competitor with a worldwide network of offices. In many cities, traders recruited from Philipp Brothers or another competitor simply moved down the street to open a one-man office for Marc Rich AG. Business fell into two categories, metals and crude oil. In the mid-1970s Rich snatched copper business previously controlled by Philipp Brothers in the Philippines. Destined to become the biggest aluminum trader in the world, Rich started buying and selling bauxite. And traders for Marc Rich AG courted the oil-producing countries, particularly African and South American nations.

Rich and Green kept changing their home base in the mid-1970s as they set up the company's three main offices in Zug, London, and









a gathering not long ago. After a fancy meal (lower left), Marc is affectionately cheeky. The picture (upper left) with Danielle was probably snapped near his Long Island, New York, beach house.

New York. In 1975 they spent six months in London, then moved on to New York, where a single trader had been working out of a spare office provided by Rich's father. Though headquarters stayed in Zug, Rich and Green moved to New York with their families and ran the business from offices on Park Avenue.

They were an unlikely twosome, Marc Rich, the smooth cosmopolite, and Pinky Green, the homespun Brooklynite. Fluent in French, German, Spanish, and English, Rich likes to live and dress well. In New York he and his wife, Denise, whom he married in

1966, lived in a vast, expensively furnished Park Avenue apartment. Perched in bed there, Rich could press a gold button to make a television rise, sesame-like, from a marble box. An excellent skier, he religiously takes to the slopes in St. Moritz for two weeks in December. Graced with a lighthearted sense of humor as a young man, Rich grew more dour as he grew older. And his pace of work grew even more relentless. "He was a business machine," says one of his former traders. Rich's business day started no later than 7 A.M. and often stretched well into the evening. He demanded crisp answers from traders and could snap sarcastically to end a windy discourse.

Like Rich, Pinky Green had spent much of his career abroad. The globe-trotting, however, had little effect. While Rich resided on Park Ayenue, Green, who is deeply religious, chose to live in his childhood neighborhood in Brooklyn near synagogues and kosher stores. He prefers to fly coach-standby if possible. "Why pay more?" he shrugs. "It's the same plane.'

Rich and Green also had contrasting business talents. Rich supervised oil trading, hiring, and negotiation of salaries and bonuses.

He paid well: by the late 1970s top traders made about \$500,000 a year, and some got stock as well. (Around 100 employees own Marc Rich AG shares, which must be cashed in upon leaving the company.) Green, nicknamed "the Admiral" by some friends, handled finance and shipping. Virtually a walking data base of freight rates, he could make money by simply swapping identical cargoes on the high seas to capitalize on differences in charter prices.

ROFITS WERE DAZZLING. In 1979 and 1980, according to Swiss tax records, Marc Rich AG made a total of \$367 million pretax. The money flowed into big investments. In 1981 a holding company 50% owned by Rich and his colleagues purchased Twentieth Century-Fox Film, whose board members now include former President Gerald Ford and former Secretary of State Henry Kissinger. Rich's partner in the holding company was Marvin Davis, the Denver oil man, and for many months after it bought the film company Rich's involvement in the movies remained secret. He has never joined the Fox board, and Kissinger told FORTUNE that he has met Rich only once, at a movie première.

The bonanza of 1979 and 1980 was a reward for the company's brashness in wooing producers. In the mid- and late-1970s Marc Rich AG secured long-term contracts for huge quantities of oil that would skyrocket in value during the oil shock of 1979. One big source was Nigeria. Another was Angola. After the Portuguese colonists had withdrawn from Angola in late 1975, major oil companies were loath to deal with the new Marxist government. Undaunted, Rich made a deal to market the government's oil.

Already flush with oil, Rich and Green got their hands on even more because of the Iranian revolution—the same event that was choking off supplies for almost everybody else. In 1980 the U.S. barred American companies from virtually all trade with the Khomeini government, which had itself banished U.S. and European companies as oil-trading partners. As a consequence, Iran was badly in need of new buyers. Marc Rich AG kept its office in Tehran, manned by a Frenchman who had to dodge bullets. In 1980, during the hostage crisis, the daring paid off with a big oil contract. But the U.S. government claims that the U.S. office of Marc Rich International broke the law in its trading with the Khomeini regime.

The turmoil in Iran gave monumental headaches to Atlantic Richfield, the seventhlargest U.S. oil company. By early 1979 the Iranian government had cut off oil to Arco. leaving the company short 200,000 barrels a





Former officers of West Texas Marketing Corp., David Ratliff (top) and John Troland were key players in a "daisy chain" that allegedly created vast profits for Rich's companies.

day-almost a fourth of what it needed to refine at full capacity. Arco trader Bill Ariano tried to strike a deal with Nigeria to make up the shortfall. When he had no luck, he turned to his buddy Marc Rich. After Rich left Philipp Brothers in 1973, Ariano quickly became his largest customer and a good friend. At one point Ariano's telexes to Rich were signed "Crude Bill" rather than the customary "Crude Arco." Ariano's son Michael worked for Rich a few years ago. And Rich once invited Ariano and his wife, Jeanne, to Japan for the christening of a 42,000-ton tanker that would soon join the Marc Rich fleet. Its name: Billy Jeanne A.

Arco prized Rich as a supplier, and put up with inconveniences inflicted by some of his decrepit tankers, One, the Mediterranean Sea, once sailed into Arco's Philadelphia terminal in such dreadful shape that the company's inspectors, calling it a fire hazard, made it leave the dock. Rich got away with this, and with erratic deliveries, says a former Arco employee, because of one overriding virtue: "If Rich said he had oil, he had oil."

But he never said it came cheap. For his precious Nigerian supply, Rich charged Arco staggering premiums. In 1979 he negotiated two contracts with Ariano to supply a total of 40,000 barrels a day. For more than a third of those barrels, Rich exacted an \$8-a-barrel premium over Nigeria's official pricearound \$24 at the time. For the rest he charged a \$5 markup. A second set of contracts signed a year later fetched premiums and commissions of \$3 and \$2.50. Over a 21month period-which a former Rich trader calls "the halcyon days"-Rich sold Arco 27 million barrels of Nigerian oil and collected almost \$120 million in commissions and premiums. Though some of that may have gone to Nigerian suppliers, who reportedly were sticking surcharges on top of the official price, it's probable that by 1981 Rich's company had earned close to \$100 million. Arco nonetheless believes it got a good deal; the company notes that spot prices for oil like Nigeria's were higher than Rich's price during most of the period.

As profits flowed into Zug from Nigeria, Angola, and Iran, Rich began to eye oil pumped in the U.S. The domestic oil patch was caught in a bewildering thicket of government price controls. Introduced in 1973, the regulations multiplied into a system designed to hold down the price of oil discovered before prices shot up, and to make sure that refiners of all sizes had roughly the same access to that low-cost oil, commonly known as "old oil." Producers could charge more for "new oil," but still far less than its true market value. Finally, "stripper oil"squeezed from wells producing fewer than ten barrels a day-escaped control altogether, and was accordingly the most expensive.

For many refiners, having the right mix of oil-old, new, stripper, and foreign-became an important, and entirely legitimate, consideration. Consequently, the number of oil trades increased exponentially. By the end of 1977 a whole sub-industry of resellers was flourishing in the business of trading these artificial tiers of oil.

Not all the trades were legitimate. As a former Department of Energy lawyer puts it: "The stupid price regulations invited abuse from anyone with a telephone." To abuse the rules profitably, a crooked reseller merely had to relabel his controlled oil as stripper oil. Government auditors found it almost impossible to catch the label switchers because by the time their suspicions were aroused the oil had already moved through a maddeningly intricate series of transactions among dozens of resellers.

In 1978 West Texas Marketing Corp. was formed and joined the sub-industry of resellers. Near the end of the year WTM landed its first big deal: a contract with Marc Rich International in New York, won through an old business tie between a trader in that office and WTM's gung-ho chairman, John Troland. Marc Rich International helped the young company grab other business by introducing Troland and his partner, David Ratliff, to Cie Financière de Paris et des Pays-Bas, a big European bank that had long financed some of Rich's business. Within two years WTM was churning over \$2 billion of oil trades a year on an average daily volume of over 300,000 barrels. Rich represented perhaps 10% of the business.

THAT DID RICH GET out of this? The government claims that he sold controlled oil to WTM, then repurchased it as stripper oil-but well below the market price for stripper-after it had been spun around a chain of resellers. Each reseller, beginning with WTM, tacked on a markup of 25 cents to 50 cents a barrel, then sold it to someone else in the chain. Along the way one of the brokers relabeled the oil and took a much bigger markup than the others for doing so. But the big profits were reserved for Rich's company. Once stripper oil was in its hands, it could be sold for whatever the market would bear. In 1980, when some controlled oil went for about \$7 a barrel, Rich could have made more than \$25 a barrel.

Through mid-1980 Marc Rich International bought and supplied the oil that was allegedly funneled into and out of illegal daisy chains. But later in the year, sources close to the transactions believe, Rich or someone at his company asked Arco to sell controlled oil to WTM: Arco and WTM had been trading with each other since 1979. But oil purchased under the new arrangement was deemed-by Rich and WTM, at least-to be special. According to the same sources, it was handled just like the oil Rich had earlier furnished himself: it emerged from the daisy chain as stripper oil and was resold to Marc Rich International. An attorney for Arco-to whom FORTUNE was referred when the company's chairman, Robert O.

There is no evidence that Arthur Andersen & Co. saw anything fishy about West Texas Marketing's sale of stripper oil to Rich at prices far below market.

Anderson, declined an interview-confirms that Arco did business with WTM from 1979 to 1982, but says he doesn't think Rich arranged any of that business. He adds: "I further believe that our people didn't understand that there was any relationship between Rich and West Texas Marketing until the indictment."

Oil sold by Arco to WTM may well have made up the bulk of the oil WTM allegedly dumped into daisy chains on behalf of Marc Rich International. Moreover, the indictment says Rich and Pinky Green arranged for Arco to sell 18 million barrels of controlled Alaskan crude to a second daisy-chaining reseller, Houston-based Listo Petroleum. According to the government, the Alaskan oil accounted for most of the daisy chain profits that Listo earned for Rich. (Clyde Meltzer, the trader indicted with Rich and Green, worked for Listo before he joined Rich.)

The Arco lawyer emphatically denies that the company was "daisy-chaining with Rich, or anyone else." He also says Arco had no knowledge of what was happening to any controlled oil it sold, and that the huge sale to Listo was made to get rid of excess inventory after demand unexpectedly softened in 1980. But a former Arco employee says that in the fall of 1979 an Arco pipeline employee suggested that Arco oil was being spun around illegal daisy chains. The source says he sent his boss a memo, based on information from the pipeline employee, asserting that oil in an Arco pipeline had been bought and sold by as many as 16 companies during the same month, only to be repurchased in some instances by Arco. The Arco lawyer says he knows of no such memo, and maintains that it would have been impossible for a pipeline employee to determine whether the trades were illegal or not.

At approximately the same time WTM was apparently using Arco oil as a substitute for Rich's supply, Marc Rich International was allegedly putting in place a second scheme that would become the basis of the government's tax fraud case against Rich and Green. The new deals, according to the indictment, had two distinct parts. As before, WTM would sell controlled oil into a daisy chain and take it out as uncontrolled stripper

oil. But rather than sell Marc Rich International the transformed oil at below-market prices, WTM would take the big markup and sell it at full value. WTM didn't keep the profits, however. Instead, it put them in a "pot" belonging-though there was no written agreement-to Marc Rich International.

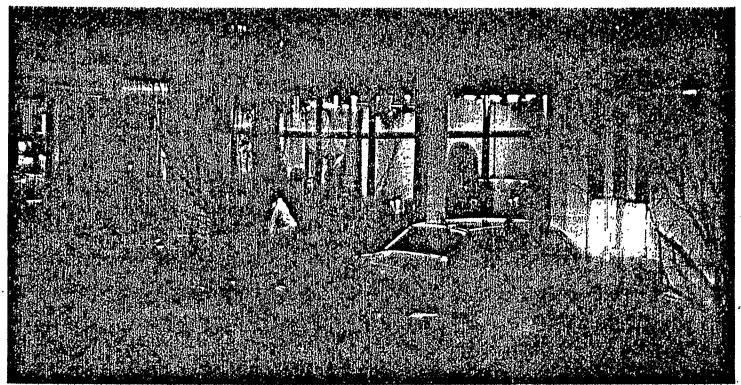
As profits accumulated in the pot, a second set of transactions was used to drain them away, and to shunt them outside the domain of the Internal Revenue Service. This involved setting up what looked like moneylosing deals for West Texas Marketing. Typically they went like this: Marc Rich AG. over in Zug would sell oil to WTM at the market price; then WTM would sell the same cargo to another company-a Panamanian subsidiary of Marc Rich AG named Rescorfor below-market rates. The loss generated by this odd maneuver was charged to Rich's pot-no problem for him because Rescor could sell the cheap oil at the market price for a profit approximating the pot's loss. The Feds say these were sham transactions designed to defraud the IRS by siphoning the profits out of the U.S.

One might conjecture that so many inexplicable transactions would give WTM's auditors nightmares. But Arthur Andersen & Co., the Big Eight firm that was WTM's accountant from 1978 until early 1981, doesn't seem to have found the experience particularly memorable. Arthur Andersen audited WTM's financial statements every quarter from 1978 through the first quarter of 1980. The government contends that Rich was engaged in illegal daisy-chaining with WTM in that 1980 quarter, yet there is no evidence Arthur Andersen saw anything fishy about WTM's sale of stripper oil to Marc Rich International at prices far below market.

> FTER THE FIRST QUARTER of 1980, WTM's outside lawyers decided that WTM's books for earlier periods should be gone over again,

taking into account new interpretations of Energy Department rules. That appears to have slowed up work on auditing later quarters, and an Arthur Andersen spokesman says the two partners on the account, whom he won't identify, can't recall how much work was done on the books for the last quarter of 1980, when WTM was allegedly taking those losses on the Rescor business to drain the pot. Neither partner, says the Arthur Andersen spokesman, "remembers any detailed discussions about Rescor," and in any case, the spokesman says, the firm never certified the accounts for periods in which there were Rescor transactions.

WTM ended 1980, its last good year, with a bang. To celebrate their good fortune, Tro-



Marc Rich AG employees, or anybody else, can duck into this restaurant the company built across the alley from its headquarters in Zug. Named the Glashof (glass house), it offers an eclectic menu of kosher

and vegetarian dishes, as well as Swiss specialties. At its opening last November, guests sipped champagne and dined on fish from a nearby lake, while an artist recorded her impressions of the festivities.

land and Ratliff paid themselves more than \$750,000 apiece and showered their employees with money. At year-end the two threw a Christmas bash at the Abilene Country Club for all 100 employees. The company's two Learjets were sent to fly in out-of-town traders and their families for the party, Gifts were passed around to all the employees' kids, and to Troland and Ratliff. Troland got an ostrich-leather jacket and matching cowhoy boots; Ratliff got a dune buggy.

A month or so later the company began to unrayel. About a week after he took office, President Reagan did away with price controls on domestic crude. Many oil resellers collapsed immediately. WTM quickly began to wind down deals that had been pegged strictly to the price tiers. In March, Justice Department lawyers charged that Troland and Ratliff had been involved in a 1979 scheme-separate from their dealings with Rich-to recertify controlled oil. By mid-April, after they had pleaded guilty and were sentenced to 14 months in prison, all that remained of WTM's association with Marc Rich was the matter of how much money was left in the secret profit pot.

In January the two firms had begun trying to piece together the answer to that question. The records were hopelessly muddled. Some crucial details didn't seem to be there at all. On April 30, just a few days before he and Ratliff were due to begin serving their sentences, Troland and an associate flew to New York to settle up. They allegedly haggled with Rich over how much was left in the pot, then split the difference.

MONTH LATER Troland and Ratliff were flown to Washington to be questioned by the same government lawyers who had successfully prosecuted them. Several weeks later they took another free trip out of jail, this time to Houston for more of the same routine questioning on the oil-reselling industry. Toward the end of the second day, in a suite at a Houston hotel, one of the government lawyers asked if WTM had ever held money for another company, a common practice in schemes to evade taxes. The two Abilene oilmen wondered aloud whether the Rescor deals they had done with Rich qualified. The next day they were back at a federal prison camp in Big Spring, Texas, unaware that they had probably triggered one of the biggest tax fraud cases ever.

In October 1982 word leaked out about a grand jury investigation into Rich's business. The probe led to subpoenas for thousands of documents. Marc Rich AG flatly refused to comply, arguing first that as a Swiss company, it was beyond the authority of a U.S. subpoena. After the U.S. courts threw out that argument last May, the company cited a second reason for hanging on to the documents: Swiss secrecy laws; banned it from handing them over.

Convinced that Marc Rich AG was determined to thwart the subpoena, the U.S. goyernment began turning the screws last summer. The courts first slapped on fines of \$50,000 per business day that have so far cost over \$8 million. Marc Rich AG fought back with surprisingly inept maneuvers. In July, Rich and Green, apparently trying to shake the sanctions, secretly sold Marc Rich International to their Zug partner Alexander Hackel, who renamed it Clarendon. After that, the court froze Clarendon's bank accounts in the U.S. Marc Rich AG finally agreed to hand over the records in August. But the calm was soon shattered when customs agents seized Swiss-bound steamer trunks full of company documents from a runway at Kennedy Airport.

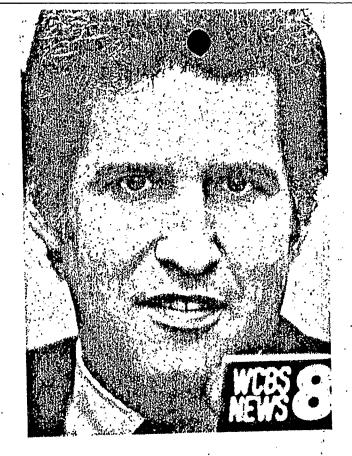
The incidents raised furors on both sides of the Atlantic, for different reasons. Many Swiss depend for their livelihood on the business generated by Swiss secrecy laws. The Swiss government warned that Marc Rich AG would violate those laws if it turned over the documents, and it denounced U.S. authorities for strong-arming the company to do so. The surrealistic crescendo came just a week after the trunk caper. Swiss authorities descended on Marc Rich AG's Zug headquarters and carted away documents ostensibly wanted by the U.S. grand jury, .

The wrath of the U.S. courts was rivaled by that of the banks-major players in the destruction of Marc Rich International in the U.S. All trading companies need large amounts of short-term credit, and Rich's was no exception. In 1982 the U.S. operations had approximately \$1 billion in bank credit lines. The lenders became skittish shortly after word of the investigation began circulating in late 1982. Chemical Bank struck the first blow in January 1983, when it crossed Marc Rich International off its list of customers. By spring Manufacturers Hanover had followed suit, and Chase Manhattan demanded a substantial reduction in its loans. The remaining creditors were in for some summer shocks. They learned that their borrower had new owners and a new name more than a week after the sale. In September, Clarendon had the gall to ask lenders to convert their lines of credit to a revolving \$250million credit, an arrangement that would be more secure for the company. When the bankers demanded extra guarantees, Clarendon abandoned the idea. Business shrank along with borrowings, which plummeted between January and October from \$1 billion to \$130 million. The knockout punch landed in September, when the IRS froze \$90 million of the company's U.S. assets, including the stake in Twentieth Century-Fox.

ICH AND GREEN watched most of the horror show from Zug, where they had moved with their families by July. They face the challenge of preventing a U.S.-style stampede by their European banks and holding onto demoralized traders.

Then there is the question of their own future, hinging on whether they will stand trial. At the moment, chances for extradition appear slim. Neither tax evasion nor dealing with the enemy is an extraditable offense in Switzerland, though the third charge, tax fraud, can be. As a second line of defense, Rich and Green have claimed citizenship in other countries, from which their extradition might be even more difficult. Rich is a Spaniard, and FORTUNE has learned that Brooklyn-bred Pinky Green is now a Bolivian. Their empire may be far smaller than it was a year ago, but to nobody's surprise, they're still trading.

If two people ever had what it takes to succeed without breaking the law, they were Marc Rich and Pinky Green. Their troubles appear to stem less from greed than from a reckless insistence on playing by their own rules and treating those of others, such as the U.S. government, as if they were just another commodity to be negotiated.



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# Marc Rich's Fine Continued

By The Associated Press

A Federal judge ruled yesterday that Marc Rich & Company of Switzerland must continue to pay a \$50,000 daily fine that has already cost the Swiss commodities trader \$10 million.

Peter L. Zimroth, an attorney for Marc Rich, said the decision would be appealed.

The fine was imposed last June 29 because the company failed to release financial papers subpoenaed by a Federal grand jury. The company was indicted for a scheme to evade \$48 million in taxes on illicit oil-trading profits. Prosecutors say the investigation is continuing.

Federal District Judge Leonard B. Sand rejected the company's argument that it is unable to release the documents without breaking Swiss Government orders. Switzerland seized some Marc Rich papers last year to investigate whether disclosure would violate secrecy laws.

Lawrence B. Pedowitz, Assistant

United States Attorney, said that the United States and Switzerland were still negotiating access to the papers, but that there had been no progress. The judge suggested that the United States take "a positive step" by asking for the papers under an international treaty, as the Swiss have required.

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DIRECTOR (196B-2848)
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MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE; MARC RICH AND COMPANY; MARK RICH AND COMPANY INTERNATIONAL LIMITED, AKA "CLARENDON A.G."; RICO; FBW; MF; TAX EVASION; TRADING WITH THE ENEMY; OFFICE OF ORIGIN: NEW YORK.

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THE FOLLOWING IS CLASSIFIED "SEXET" IT ITS ENTIRETY.

REBUCONFERENCE REGARDING CAPTIONED MATTER, DATED DECEMBER 5, 1983, AND NUMEROUS TELCALS BETWEEN BUREAU AND NEW YORK, DATED DECEMBER 6, 1983 - JANUARY 27, 1984, AND NYTEL TO BUREAU, DATED JANUARY 6, 1984.



E. S. Kury

FOR INFORMATION OF LEGATS BERN, BONN, LONDON, PARIS AND ROME, THE PURPOSE OF THIS TELETYPE IS TO PROVIDE EACH LISTED LEGAT WITH BACKGROUND DATA REGARDING CAPTIONED MATTER AS WELL AS INFORMATION REGARDING	
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ON SEPTEMBER 19, 1983, THE GRAND JURY FOR THE SOUTHERN DISTRICT OF NEW YORK CONCURRED IN THE FINDING OF A 51-COUNT INDICTMENT. THE INDICTMENT CHARGES CAPTIONED WITH CONSPIRING TO AND CONDUCTING THEIR COMMODITIES BUSINESS THROUGH A PATTERN OF RACKETEERING INVOLVING THE SCHEMES TO DEFRAUD THEIR CUSTOMERS, THE DOE AND IRS. EACH DEFENDANT

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IS CHARGED WITH VARIOUS MAIL AND WIRE FRAUD VIOLATIONS REGARDING THESE FRAUD SCHEMES AS WELL AS TAX EVASION. ADDITIONALLY, MARC RICH AND PINCUS GREEN ARE CHARGED WITH ILLEGAL TRADES WITH IRAN DURING THE HOSTAGE CRISES AMOUNTING TO OVER \$200 MILLION.

THE FOLLOWING INFORMATION WAS PROVIDED BY A SOURCE WHO	
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MARC RICH IS DESCRIBED AS FOLLOWS: DATE OF BIRTH DECEMBER 18, 1934; PLACE OF BIRTH ANTWERP, BELGIUM; HEIGHT FIVE FEET TEN INCHES; HAIR BLACK; EYES BROWN; CITIZENSHIP - UNITED STATES - SPAIN - BOLIVIA.	]
PINCUS GREEN IS DESCRIBED AS FOLLOWS: DATE OF BIRTH  PLACE OF BIRTH  NEW YORK; HEIGHT FIVE FEET TEN  INCHES; HAIR BROWN; EYES GREEN; CITIZENSHIP - USA	b6 b7C



PHOTOGRAPHS OF RICH AND GREEN AND FINGERPRINTS OF GREEN WILL BE SENT UNDER SEPARATE COVER.

BUREAU IS REQUESTED TO DISSEMINATE ABOVE TO LEGATS: BERN, BONN, LONDON, PARIS, AND ROME.

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6) LEGATS ARE REQUESTED TO SUTEL RESPONSE TO BOTH FBIHQ AND NEW YORK BY FEBRUARY 7, 1983. AS THIS RESPONSE IS NECESSARY BEFORE

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TO DIRECTOR THE (196B-2848) PRIORITY

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#### UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

AIRTEL

DATE: FEB 0 8 1984

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TO

: DIRECTOR, FBI (196A-2848)

(ATTN. <del>ECONOMIC</del> CRIMES UNIT, DIVISION 6)

PINANCIAL

FROM

: ADIC, NEW YORK (196A-1774) (P) (M-1)

SUBJECT. MARC RICH - FUGITIVE;

PINCUS GREEN - FUGITIVE;

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ET AL;

RICO FBW.

MF,

TAX EVASION

TRADING WITH THE ENEMY

(OO NY)

ReNYtel to Director, 2/3/84.

Enclosed for the Bureau is one envelope containing five envelopes each containing two photographs of MARC RICH on the cover of Fortune Magazine, two photographs of MARC RICH and PINCUS GREEN on page 45 of Fortune Magazine and two photographs of the Armed Forces Fingerprint Record of PINCUS GREEN.

#### REQUEST OF THE BUREAU

The Bureau is requested to disseminate contents of each envelope to the following Legats: Bern, Bonn, London, Paris and Rome.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2-21-01

b6 b7C

Bureau New York

FEB 1 3 1984

TO:

DIRECTOR, FBI (196-2848)

FROM:

ADIC, NEW YORK (196A-1774) (P) (M-1)

SUDJECT:

MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE;

b6 b7C

MARC RICH & CO. A.G.;

MARC RICH & CO. INTERNATIONAL, LTD.; aka

"Clarendon A.G.";

RICO;

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PLL INFORMATION CONTAINED MEREIN IS UNCLAUSIFIED DATE 2-21-01 BY

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ReButeletype to New York, 1/16/84; MY FD-515 to the Director, 10/31/33; and MY teletype to Director, 10/20/33.

In the above referenced FD-515, New York claimed a recovery of \$22,000,000.00. The following will explain how actions of the Federal Bureau of Investigation (FBI) lead to the recovery.

On 9/30/83, Assistant United States Attorney (AUSA) - Southern District of New York (SDNY) advised that the Internal Revenue Service (IRS) declared a jeopardy assessment on Marc Rich & Co. International, Ltd., also known as (aka) "Clarendon A. G., in the amount of \$90,000,000.00. This represents back taxes, penalties, and interest. As of 10/19/83, the IRS collected \$22,000,000.00, and to date have collected in excess of \$97,000,000.00.

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- Bureau 1) - New York

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If it is eventually found "Clarendon" does not owe additional taxes, or a third party (a bank) has perfected a security interest in the money collected, the government would be required to return the money to its rightful owner.

The IRS can declare jeopardy assessments when it believes ultimate collection of a tax levy might become doubtful. In this case, jeopardy assessment was declared because of a pattern of evasiveness and concern "Clarendon" might become insolvent.

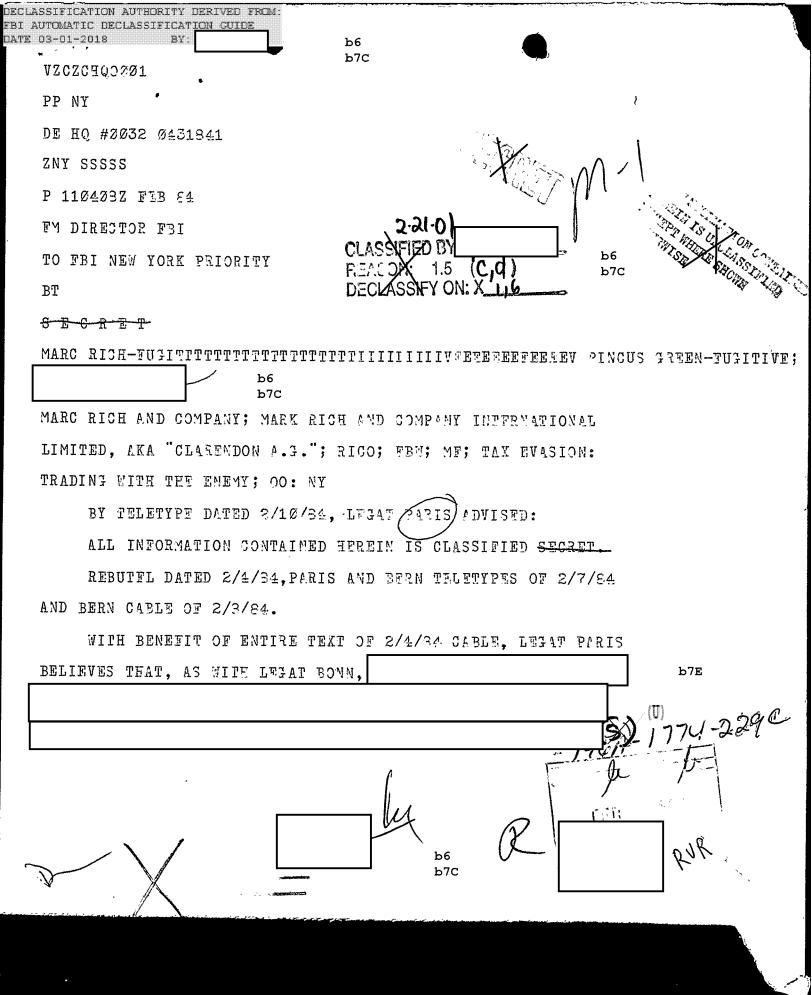
The collection of \$22,000,000.00 by the IRS arose out of a 51-count RICO indictment filed on 9/19/83, to which the FBI contributed substantially. The FBI investigation disclosed a scheme to defraud wherein a myraid of wire transfers were utilized by captioned to transfer offshore illegally generated oil profits on which United States taxes were not paid.

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RICH AND COMPANY; MARK RICE AND COMPANY INTERNATIONAL LIMITED, AKA
"CLARENDON A.G."; RICO; FBW; MF; TAX TYASION; TRADING WITH THE
ENEMY. OO: NEW YORK.
REBUCAB FEBRUARY 4, 1984.
BY BERN ADVISED BY TELETYPE DATED 2/7/94 AS FOLLOWS:
ENTIRE COMMUNICATION CLASSIFIED "SPORTI"."
FOR THE INFORMATION OF THE BUREAU AND NEW YORK, IT IS THE
ASSESSMENT OF LEGAT BERN THAT IT TAHT OF LEGAT BERN THAT IT WOULD BE
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HOWEVER, DEFERENCE ON THE ABOVE IS BEING LUFT TO LUGAR BERN.

PAGE FOUR DE HC 3032 S E C R E P

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DE HQ #3332	
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P Ø8Ø121Z FEB 84	
FM DIRECTOR FBI	
TO FBI NEW YORK PRIORITY	
BT	
SECRET	
MARC RICH-FUGITIVE; PINCUS GREEN-FUGITIVE; MARC AND COMPANY: MARK RICH AND COMPANY INTERNATIONAL LIMITED, AKA "CLARENDON A.G."; RICO; FBW; MF; TAX EVASION; TRADING WITH THE	S RICH 66 67C
ENEMY. OO:NY.	
BY TELETYPE DATED FEBRUARY 7, 1984 LEGAT PARIS ADVISED:  RE BUREAU TEL FEBRUARY 4, 1984; AND BERTEL FEBRUARY 6, 1994  ALL INFORMATION CONTAINED HERFIN IS CLASSIFIED "SECRET."  LEGAT, PARIS, IN RECEIPT OF PART TWO ONLY OF RE BUREAU TEL  AND WITH THE CAVEAT THAT NOT ALL THE FACTS ARE KNOWN HERE IN TE	L
CASE, NEW YORK SHOULD NOTE THAT IT WOULD APPEAR	<u> </u>
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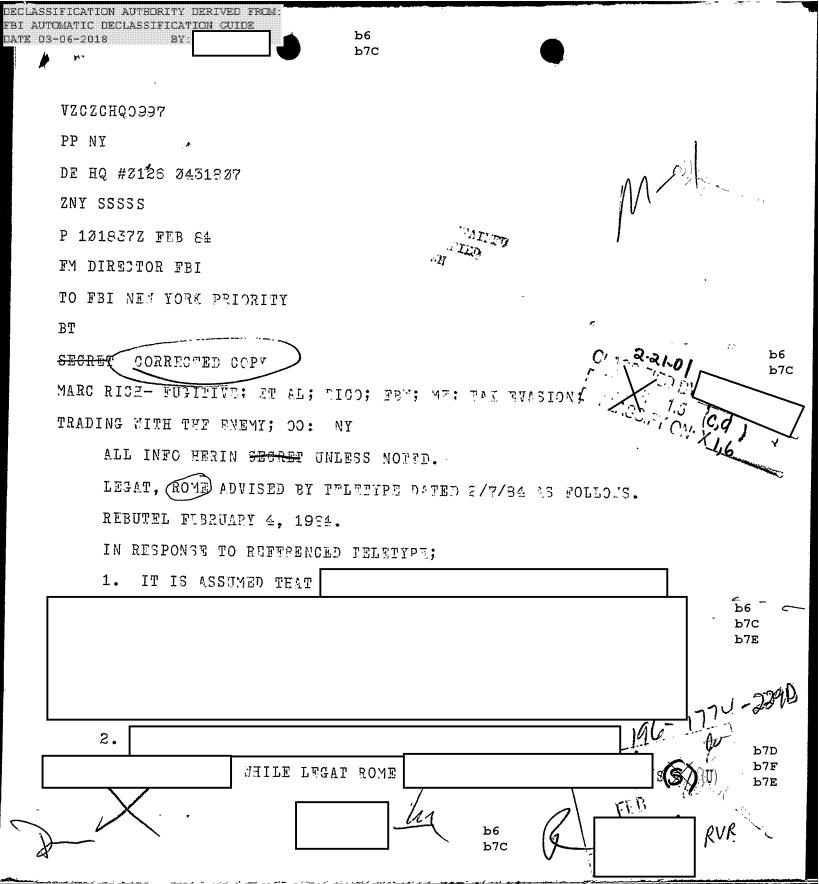
b7E

LEGAT, PARIS, WILL SUBMIT ADDITIONAL COMMENTS ON RECEIPT OF COMPLETE CABLE.

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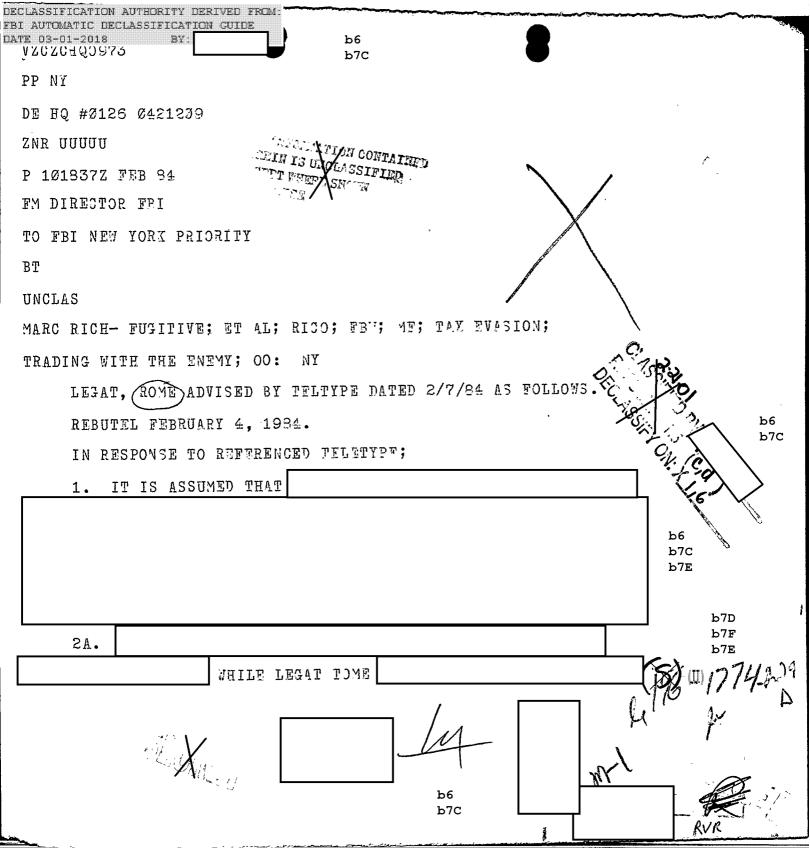
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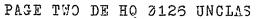
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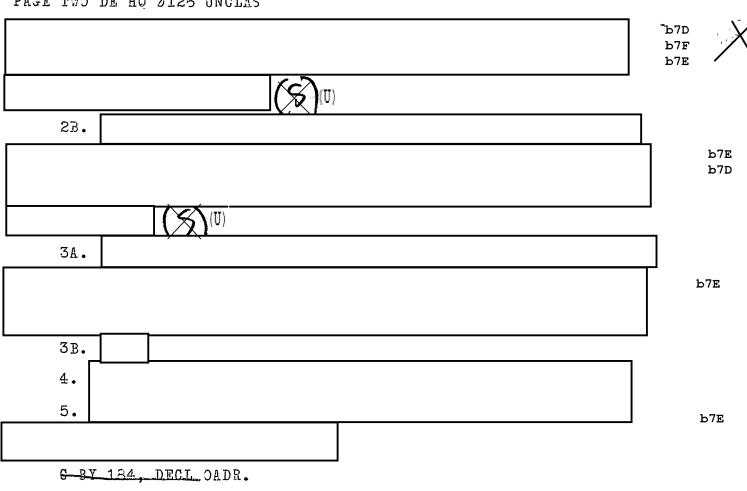
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On January 4, 1984, provided the following information to Special Agents (SAS) and	b6 b7C b7D b7F
Source advised that	ь6 b7С
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ADMINISTRATIVE

THE ABOVE MENTIONED INFORMATION IS EXTREMELY SENSATIVE AND SINGULAR IN NATURE, ANY DISCLOSURE WOULD ENDANGER SOURCE'S LIFE.

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### Memorandum



To: ADIC, NEW YORK 196 A-1774(P) Date 2/15/84
From: SA  ALL INFURWATION CONTAINED b6 b7c
Subject: MARC RICH ET AL DATE 2-21-OLBY
RICO: FBW: MP: TAX EVASION: TRADING WITH THE ENEMY
00: NY
on 2/14/84, SA's and
met with assistant United States attorneys',
captioned matter.
SA'S  provided cletails of the broken to clate. Ausa's  stated that as soon as
AUSA advised that the status of 66 the case is preparation for trial. He will 670
contact SA mittle near future for assistance.
AUSA arreid that b6
will be filed in the feature by
No request has been made for
191-A-1774-231

	PIC DECLASSIE -2018	ITY DERIVED FROM: ICATION GUIDE BY: Rev. 5 22-78)	ъ6 ъ7С				
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	AND COMP CLARENDO	H-FUGITIVE; PIN ANY A.G; MARC N N A.G.; RICO; N YORK	RICH AND CO	MPANY INT	ERNATIONAL,	MARC RIC LIMITED, AKA ITH THE ENEMY	b7C
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	l New 1 - Supe: RVR:gmh0	rvisor M-l			2-21-01 C1 2-21-01 Fr. 1/30/FY	5 ( C,q) 5N: X1,6	<b>ь</b> 6 <b>ь</b> 7С
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THE PURPOSE OF THIS COMMUNICATION IS TO UPDATE RECEIVING OFFICES OF LATEST DEVELOPMENTS IN NEW YORK'S		b7E
		b7D
A SOURCE PROVIDED THE FOLLOWING INFORMATION ON FEBRUARY 21, 1984:	b7D b7F	-
SOURCE	<u></u>	
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NEW YORK CASE AGENT IS SPECIAL AGENT SOURCE IS SPECIAL AGENT	b7C 3CE b7D b7F
INFORMATION FROM IS OF HIGHLY SINGULAR NATURE AND DISCLOSURE WOULD REVEAL SOURCES IDENTITY.  SOURCE IS A HIGHLY PLACED INFORMANT, CRITICAL  WHOSE IDENTITY, IF REVEALED, WILL POSITIVELY LEA PHYSICAL DANGER TO SOURCE AND HIS FAMILY.	b7D
PHYSICAL DANGER TO SOURCE AND HIS FAMILY.  CAUTION  THEREFORE THEY SHOULD BE CONSIDERED ARIED A  EXTREMLY DANGEROUS.	ND b7E

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DECLASSIFICATION AUTHORITY DERIVED FROM: FBI AUTOMATIC DECLASSIFICATION GUIDE	
DATE 03-01-2018 BY: b6 b7C	
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PP HQ	
DE NY #0142 0542329	
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R 232122Z FEB 84	
FM FBI NEW YORK (196A-1774) (P) (M-1)	
TO DIRECTOR FBI (196-2848) PRIORITY	LIN IS UNCLASSIFIED
ATTN: FINANCIAL CRIM	E UNIT
ATTN: FUGITIVE UNIT	b6 b7С
PT	
UNCIAS SECTION 1 OF 2	
MARC RICH-FUGITIVE; PINCUS GREEN-FUGITIVE AND COMPANY A.G; MARC RICH AND COMPANY I CLARENDON A.G.; RICO; FRW; MF; TAX EVASIOO: NEW YORK	NTERNATIONAL LIMITED AGE
THIS COMMUNICATION IS CLASSIFIED "SE	CRET IN ITS ENTIREIT.
RENYTEL TO BUREAU, DATED FEBRUARY 3, 1984, AND LEGAT, BONN AND LEGAT, BERN TEL	1984 AND FEBRUARY 7, - ETYPES TO BUREAU, DATED
CLASSIFY ON: X	1947-1774-23) FEB 24 1514  FEB 24 1514  FEB 24 1514  FEB 24 1514



PAGE TWO DE NY Ø142 UNCLAS SECTION 1 CF 2 FEBRUARY 8, 1984.

THE PURPOSE OF THIS COMMUNICATION IS TO UPDATE RECEIVING		
OFFICES OF LATEST DEVELOPMENTS IN NEW YCRK'S		b7E
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A SOURCE PROVIDED THE FOLLOWING INFORMATION ON	b7D	
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TO DIRECTOR FBI (195-2848) PRIORITY	
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UNCIAS SECTION 2 OF 2	
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REQUEST OF THE PUREAU	
1.	67D 67F 17D
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PAGE TWO DE NY Ø143 UNCIAS SECTION 2 OF 2	_
	b7D b7F b7E
2. DISSEMINATE CONTENTS OF TELETYPE TO LEGATS, BERN AND BONN.	_
3. PROVIDE THE AFFAIRS WITH	b7E
LEGAT, BERN.	ь7 <b>Е</b> ь7D





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PAGE THREE DE NY 0143 UNCLAS SECTION 2 CF 2

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ADMINISTRATIVE	
NEW YORK CASE AGENT IS SPECIAL AGENT	SOURCE b7c
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INFORMATION FROM IS OF HIGHLY SINGULAR NATURE	<b>(U)</b>
AND DISCLOSURE WOULD REVEAL SOURCES IDENTITY.	b7D
SOURCE IS A HIGHLY PLACED INFORMANT, CRITICAL	b7F
WHCSE IDENTITY, -IF REVEALED, WILL POSITIVELY	LEAD TO
PHYSICAL DANGER TO SOURCE AND HIS FAMILY.	
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THEREFORE THEY SHOULD BE CONSIDERED ARME	CD AND
EXTREMLY DANGEROUS.	



PAGE FOUR DE NY Ø143 UNCLAS SECTION 2 CF 2

#Ø143

 $\mathtt{BT}$ 

S. William ...

## Memorandum



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To SAC TE (196A-1774)	D.	Date 2/8/84	
From : SA	, ь6 ь7с	, <b>,</b> ,	*
Subject: MARC Rich-Fug, Tive			<b>t</b>
Due To writer's resign	TAXION, IX	s Recomme	ended
That This matter be re	Assigned	<b>,</b>	
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P. Assign

2/24/84

TO:

DIRECTOR, FBI (196B-2848) (P)

(ATTN: FINANCIAL CRIMES UNIT) b6 b7C

FROM:

ADIC, NEW YORK (196A-1774) (P) (M-1)

SUBJECT:

MARC RICH - FUGITIVE;

PINCUS GREEN - FUGITIVE;

b6

b7C

MARC RICH AND COMPANY A. G.,

MARC RICH AND COMPANY INTERNATIONAL LTD., aka

Clarendon A. G.:

RICO: FBW; IIF;

TAX EVASION;

TRADING WITH THE ENEMY

(00: NY)

ReNYteletype to Director, dated 2/3/84.

Enclosed for the Bureau is one package containing five envelopes which contain:

Copy of indictment on 9/19/83, by SDNY, of subjects.

a Highligh

14 - Bureau (Encls. 1)

1 - New York

RVR:tll (16)

1 - Supv. M-1

b6 b7C

NY 196A-1774

2. Copy of LHM explaining case suitable for dissemination by Legats to local law enforcement.

## Request of the Bureau

Disseminate envelopes to Legats Bern, Bonn, London, Paris, and Rome.

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MARC RICH, ET AL; RICO	; Fow; ar;	TAN EVASIO	ING IMAL	, 1 Na	
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		THAT	A	WAS THE	<b>k</b>
CASE AGENT FOR OVER A YEAR	AS CUMPARE	J TU DA			k
NEW YORK DIVISION, THE PRE	SENT CASE A	GENT FUR F	Uth Wee	Ko,	
TT IS REQUESTED THAT SURLA	* *		ρA		

SAC'S NEW YORK AND NEW HAVEN CONCUR IN THIS CHANGE.

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2-21-01 BY

SA

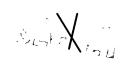
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	TO FBI NEW YORK DE LASCIFY ON: X L.6	
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	S H C R P T	
	MARC RICH - FURITIVE: PINCUS GREEN - FURITIVE;	<b>b</b> 6
l	MARC RICH AND COMPANY, MARK RICH AND COMPANY INTERNATIONAL	ъ7C
ı	LIMITED, AKA "CLARENDON A.G."; RICO; FBY; MF; TAX EVASION;	
	TRADING WITH THE ENEMY; (OC: NY).	
	BY TELETYPE DATED 2/3/84 LEGAT BOWN ADVISED:	
	REBUCAB FEBRUARY 4, 1924, RELAYING NYTEL FEBRUARY 3, 1984.	
	THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS THEFTY.	
	REBUCAB NOT RECEIVED AT BONN UNTIL CLOSF OF BUSINESS	
	FEBRUARY 7, 1984, MAKING RESPONSE ON SAME DAY IMPOSSIBLE.	
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	196-17 196-17	14-236 W
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NY 196A-1774

The following investigation was conducted on February 16, 1984, by Special Agent (SA)  records obtained in the investigation were reviewed by SA and SA  MARC RICH.	b6 b7С b7Е
Regarding the testified before the Grand Jury	b6 b7C b3
	b7E
No other was found.	2,2

LL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2-21-01 BY

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SEARCHED INDEXED SERIALIZED FILED AND FILED AN

## UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

New York, New York

February 24,1984 /LL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2-21-01 BY

Mark Rich - Fugitive; Pincus Green - Fugitive;

**b6** b7C

Marc Rich and Company, A.G.; Mark Rich and Company International, Ltd., aka Clarendon A.G.: Racketeer Influenced and Corrupt Organization: Income Tax Evasion; Mail Fraud: Wire Fraud; Trading with the enemy;

On September 19, 1983, a Federal Grand Jury in New York, New York, returned a 51 count indictment against Marc Rich, Pincus Green, Clyde Meltzer, Marc Rich and Company A.G. (AG) and Marc Rich and Company International, Ltd., also known as (aka) Clarendon Ltd. (International.), for violating the Racketeer Influence and Corrupt Organization statue (RICO). The pattern of racketeering included oil trading with Iran during the hostage crisis, evasion of part of International's 1980 and 1981 Federal Income Tax liability and use of interstate wire facilities and the United States Mail Service to defraud the Internal Revenue Service, the Department of Energy and the Office of Foreign Assets Control of the Department of the Treasury.

Marc Rich and Pincus Green are United States citizens who in 1974 formed Marc Rich and Company A.G. AG is a Swiss corporation which engages in the world wide business of trading commodities including crude oil. AG trades an annual volume of ten billion dollars, sixty percent of which represents oil trades. AG has a wholly-owned subsidiary, Marc Rich and Company International which has a branch office in the United States named Marc Rich and Company International. Until the Summer of 1983 Marc Rich and Pincus Green ran the oil trading activities of A.G. and International from International's office in New, York City, New York. Z INDEZED,

- Bureau This document contains neither recommendations nor FFB 24 1254 New York conclusions of the FBI. It is the property of the FBI 9661848 and is loaned to your agency; it and its contents are

not to be distributed outside your agency.

Mark Rich - Fugitive; Et Al:

The subjects are charged with concealing in excess of one hundred million dollars in taxable income from crude oil deals of International by diverting the income through sham transactions to AG a foreign corporation which does not file United States income tax returns. As a result of this concealment the defendants are charged with deliberately understating International's taxable income in excess of 48 million dollars. The investigation is being continued by the Internal Revenue Service (IRS) with a possibility of a superseding indictment raising these figures from 100 million to 200 million and 48 million to 100 million.

The subjects are also charged with purchasing approximately 6,250,000.00 barrels of crude and fuel oil from the National Iranian Oil Company, an entity of the Government of Iran. The oil purchases which exceeded \$200,000,000.00 were all made after the November 4, 1979, seizure of the American Embassy in Teheran and after it had been declared illegal for American citizens to trade with Iran. Marc Rich and Pincus Green were American citizens at the time. In these deals United States banks were unwitting used by the subjects to transfer over 200 million United States dollars out of the United States to the National Iranian Oil Company to pay for the crude oil purchased by AG. At the time there were tight restrictions against the transfer of any funds to Iran by American citizens or United States banks.

The specifics of the charges are that International purchased barrels of oil of which the retail price was controlled by the Department of Energy. These barrels were of oil produced in the U.S. International then resold these barrels of oil to numerous oil resellers. During this resale process the oil barrels were certified as being oil produced in foreign countries and thus not subject to any resale price control by the Department of Energy. International then repurchased the same oil from these resellers and was able to sell the oil at a much higher price then previously allowed. International reaped huge illegal profits from the scheme.

Mark Rich - Fugitive; Et Al;

Eventually the subjects recognized that having International earn the huge illegal profits by selling the falsely certified uncontrolled barrels, meant that International would pay a large amount of Federal income tax on the illegal profits. The subjects devised a scheme whereby third party oil resellers such as Clyde Meltzer of Listo Pertroleum in Houston, Texas, and West Texas Marketing in Abilene, Texas, would ostensibely sell the falsely certified uncontrolled barrels to International at the high market price. In fact it was secretly agreed that the huge profits created by the difference between the control price and the high market price actually belonged to International and would be recorded on the books of Listo and West Texas Marketing where they were referred to as profit pots. The subjects then set up sham oil transactions in which Listo Pertroleum and West Texas Marketing would lose predetermined amounts of money to AG and its foreign subsidiaries, thereby moving International's illegal profits off shore to foreign corporations including AG that paid no Federal income tax. addition, as part of the scheme the subjects arranged more than \$33,000,000.00 in fraudulent deductions for the defendant International by fabricating transactions and creating false invoices between AG and International obstensibly relating to offshore oil deals between AG and Charter Oil Company, Bahamas, and between International and Rescor, an offshore company.

Marc Rich age 49, formerly of Manhattan, New York, and Long Beach, New York, and Pincus Green age 49, formerly of Brooklyn, New York, have apparently fled the U.S. and are presently residing in Zug, Switzerland. Clyde Meltzer age 38 is presently a resident of New York. Information has been received that Marc Rich has sought to renounce his American citizenship in favor of Spanish citizenship.

Trial is set for March, 1984, at this point.

Mark Rich - Fugitive; Et Al;

The follo	wing is a summary of charges:	Maximum
Defendant	Counts and Violation	penalties per count
Marc Rich	1, Racketeering Conspiracy	20 years and \$25,000.00 fine and RICO ; forfeitures
	2, Racketeering	20 years and \$25,000.00 fine and RICO forfeitures
	3 and 4, Tax evasion	5 years and \$10,000.00 fine
	5 to 43, Mail and wire fraud	5 years and \$1,000.00 fine
•	44 to 51, Trading with enemy	10 years and \$50,000.00 fine
Pincus Green	l, Racketeering Conspiracy	20 years and \$25,000.00 fine and RICO forfeitures
	2, Racketeering	20 years and \$25,000.00 fine and RICO forfeitures
•	3 and 4, Tax evasion	5 years and \$10,000.00 fine
	5 to 43, Mail and wire fraud	5 years and \$1,000.00 fine
	44 to 51, Trading with enemy	10 years and \$50,000.00 fine

Mark Rich - Fugitive; Et Al;

Et Al;	•	
Clyde Meltzer	l, Racketeering Conspiracy	20 years and \$25,000.00 fine and RICO forfeitures
	2, Racketeering	20 years and \$25,000.00 fine and RICO forfeitures
•	3 and 4, Tax evasion	5 years and \$10,000.00 fine
	11 to 28, mail and wire fraud	10 years and \$50,000.00 fine
Marc Rich and Company AG	1, Racketeering Conspiracy	\$25,000.00 fine and RICO forfeitures
	2, Racketeering	\$25,000.00 fine and RICO forfeitures
	5 through 43, mail and wire fraud	\$1,000.00 fine
Marc Rich and Company		
	1, Racketeering Conspiracy	\$25,000.00 fine and RICO forfeitures
	2, Racketeering	\$25,000.00 fine and RICO forfeitures
	3 and 4, Tax evasion	\$10,000.00 fine
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## New York, New York

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MARC RICH - FUGITIVE PINCUS GREEN - FUGITIVE

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MARC RICH AND COMPANY A.G. MARC RICH AND COMPANY INTERNATIONAL LTD. also known as CLARENDON A.G. RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS FRAUD BY WIRE MAIL FRAUD TAX EVASION TRADING WITH THE ENEMY

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Captioned investigation was initiated by the Federal Bureau of Investigation (FBI) during July 1981.

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This document contains neither recommendations nor conclusionsof the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.

Marc Rich

This information was provided by the FBI to the United States Attorney's Office, Southern District of New York and a joint investigation was commenced in the fall of 1981 by the FBI, the Internal Revenue Service and the United States Customs Service.

During the course of the investigation, a Grand
Jury subpoena was served at
, by the FBI agents.
The subpoena called for
subpoena and
Subsequently, on August 5, 1983,
Judge Leonard Sand, U.S. District Court for the Southern
District of New York,
As of this date, the

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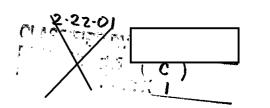
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TO DIRECTOR FBI (196-2848) PRIORITY

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MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE; ETAL; RICO; FBW; MF; TAX EVASION; TRADING WITH THE ENEMY; OO: NEW YORK.

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## Anited States District Court

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WE COMMAND YOU that all and singular business and excuses being laid aside, you and each of you appear and attend before the GRAND INQUEST of the body of the people of the United States of America for the Southern District of New York, at a District Court, to be held at Room 1401 in the United States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, in and for the said Southern District of New York, on the day of the said Southern District of New York of the said Southern District of New York of the said Southern District of New York of the Southern District of New York of the said Southern District of New York of the Southern District of New

Title 26, United States Code, Section 7201 Title 18, United States Gode, Section 371

on the part of the United States, and not to depart the Court without leave thereof, or of the United States Attorney.

And for failure to attend you will be deemed guilty of contempt of Court and liable to penalties of the law.

DATED: New York, N. Y. January 9, 1984,

RUDOLPH W. GIULIANI
United States Attorney for the
Southern District of New York

Raymond T. Citer hands

Note: Report at Room III. In order to secure your witness fees and mileage, it is necessary that you retain this Subpoens and present the same at the United States Attorney's Office, Room 120, upon each day on which you attend Court as a witness.

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Title 26, United States Code, Section 7201 Title 18, United States Code, Section 371

on the part of the United States, and not to depart the Court without leave thereof, or of the United States Attorney.

And for failure to attend you will be deemed guilty of contempt of Court and liable to penalties of the law.

DATED: New York, N. Y. January 9, 1984

RUDOLPH W. GIULIANI
United States Attorney for the
Southern District of New York

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Jury Subpoenas which were facsimilied to Houston for service.

Subpoenas service for each was accepted on 1/13/84, by

Certification of service appears on reverse side of each subpoena.

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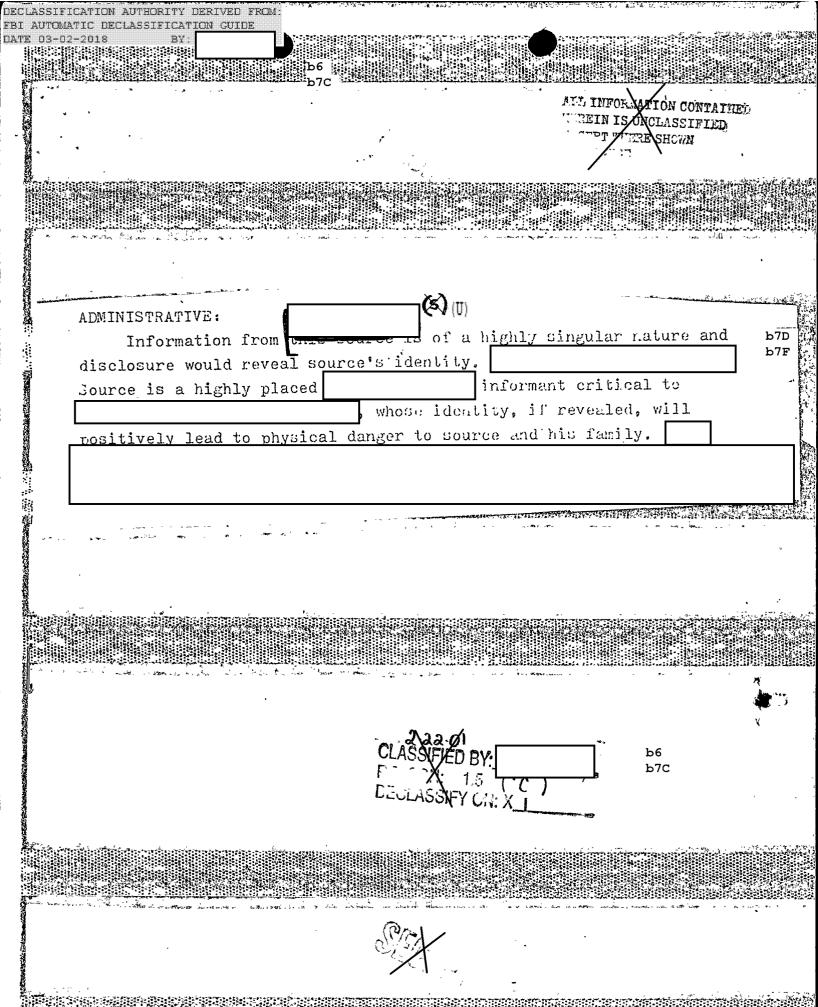
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AIRMAIL TO P. O. BOX 1065. CH 3005 BTRN. SMITZEPLAND.

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# Marc Rich Loses on Data Plea

#### By ARNOLD H. LUBASCH

A Federal judge rejected a defense request yesterday for an extensive order to restrict information about the tax-evasion case involving commodity trading by the Marc Rich companies.

At a hearing in Federal District Court in Manhattan, defense lawyers sought an unusually broad order to prevent the Government from disclosing information about the case. The request was rejected by Judge Shirley Wohl Kram, who will conduct the criminal trial, which is scheduled to begin in a few weeks.

to begin in a few weeks.

Judge Kram, describing the defense's proposed order as "overly broad" and unnecessary, declared that existing court rules were sufficient to protect the rights of the defendants.

John J. Tigue Jr., a lawyer for the main Rich company, accused Federal prosecutors of making prejudicial statements. He argued that the judge should impose a court order restraining public comments by the prosecutors and all Government agencies.

Rudolph W. Giuliani, the United States Attorney in Manhattan, told the judge that Mr. Rich and his principal partner were unhappy about publicity concerning the charges against them, but "that's scarcely a reason to trample on First Amendment rights."

Mr. Giuliani stressed that it was the actions of the defendants that had generated publicity in the case. He noted that Mr. Rich and his partner became "international fugitives," that their company paid \$11 million in fines for disobeying court orders to turn over documents and that efforts were made to ship "a steamer trunk filled with documents under subpoena" to Switzerland.

The case, which includes charges that Mr. Rich and his associates concealed more than \$100 million in taxable income on crude-oil deals, has been described by prosecutors as "the largest tax-evasion scheme ever prosecuted."

Mr. Rich and his principal partner, Pincus Green, are defendants in the case, but they remain fugitives in Switzerland. The defendants in the trial include an associate, Clyde Meltzer, as well as two key companies — Marc Rich & Company A. G., the Swiss trading concern, and a New York trading arm called Clarendon Ltd.

The Government's opposition to the move was supported by lawyers for several news organizations, including Michael B. Mukasey, a lawyer for Dow Jones, who argued at the hearing and submitted a letter that was joined in by The New York Times.

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# Arco Fires`3 Aides Who Were Involved In Crude Oil Trade

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By SCOT J. PALTROW
Staff Reporter of THE WALL STREET JOURNAL

LOS ANGELES—Three top executives in Atlantic Richfield Co.'s crude oil trading department were fired last week and the company's vice president of crude trade relations is retiring.

The company refused to comment on the reason for the changes.

The indictment against the Rich concern and principals of the company cites Arco as a party, albeit unwitting, in schemes to evade U.S. tax payments and defraud the U.S. Energy Department by circumventing crude price control regulations. The indictment doesn't allege any wrongdoing on the part of Arco.

An Arco official confirmed that oil traders Frank Smith, Joe Wortman and Russell Osborne were dismissed last week and that William Ariano, the crude trade relations vice president, is retiring. The source said Mr. Ariano is retiring "at the normal time." An Arco spokesman refused to give Mr. Ariano's age.

An Arco in-house attorney, John Rathje, refused to comment on whether the changes in the oil trading department were related to the continuing federal investigation in New York of Marc Rich & Co., a commodities trading concern. Last fall, Marc Rich & Co., Mr. Rich and several other companies he was affiliated with were named in a 51-count federal indictment that includes charges of violating crude oil price controls. A trial in the case currently is scheduled to begin on May 15.

A recent Fortune magazine article said that Mr. Ariano had a close professional relationship with Mr. Rich. The article said that Mr. Ariano and others in Arco's trading department purchased crude oil for Arco from Marc Rich & Co. in the late 1970s, often at high premiums.

Mr. Ariano and the three traders led the company's crude oil trading department, according to sources. "They were the trading department," said an oil trader for another company, who asked not to be identified.

None of the four could be reached for comment yesterday. However, the AP/Dow Jones Economic Wire quoted Mr. Ariano as saying that his retirement didn't have anything to do with the Marc Rich affair.

An assistant U.S. attorney in New York refused to say whether any of the four Arco employees had been interviewed by federal investigators or would be called to testify during the Marc Rich trial.

Mr. Rathje said Arco wouldn't have any comment on the staff changes because "it's the policy of the company not to comment on its employees."

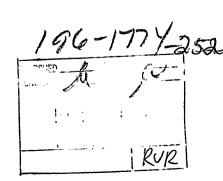
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	CLARENDON A.G.; RICC; FBW; MF; TAX EVASION; TRADING WITH THE ENEMY;
	OO: NEW YORK.
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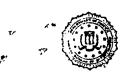
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## United States District Court

SOUTHERN DISTRICT OF NEW YORK

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GREETING:	
WE COMMAND YOU that all and singular business and excuses being laid aside, you and each of you appear and attend before the Judge of the District Court of the United States for the Southern District of New York, at a District Court to be held in Courtroom No. 1401, in the United States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, in and for the said Southern District of New York, on the day of at o'clock in the noon, to testify and give evidence in a certain cause now pending in said Court and then and there to be tried between the United States of America, Plaintiff, and	ь6 ь7С
Defendant, on the part of the United States, and not to depart the Court without leave thereof, or of the United States Attorney.  And for failure to attend you will be deemed guilty of contempt of Court and liable to penalties of the law.	
DATED: New York, N.YMarch_26,1984	
RUDOLPH W. GIULIANI United States Attorney for the Southern District of New York.	Lf.
NOTE: Report at Room 767. In order to secure your witness fees and mileage, it is necessary that you retain this Subpoena and present the same at the United States Attorney's Office, Room 767, upon each day on which you attend Court as a witness.	
Assistant Room b6 b7C	

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### U.S. Departrant of Justice

### Federal Bureau of Investigation

#### New York, New York

In Reply, Please Refer to File No.

MAP 5 - 1984

MARC RICH - FUGITIVE PINCUS GREEN - FUGITIVE

b6 b7С

MARC RICH AND COMPANY A.G.

MARC RICH AND COMPANY INTERNATIONAL LTD.

also known as CLARENDON A.G.

RACKETEER INFLUENCED AND CORRUPT

**ORGANIZATIONS** 

FRAUD BY WIRE

MAIL FRAUD

TAX EVASION

TRADING WITH THE ENEMY

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Captioned investigation was initiated by the	
Federal Bureau of Investigation (FBI) during July 1981.	
provided information to the FBI that	
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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.

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196A-1774-256

b6 b7C TO: DIRECTOR, FBI (196-2848) (ATTN: FINANCIAL CRIMES UNITY)

PROM: ADIC, NEW YORK (196A-1774) (M-1) (P)

SUBJECT: MARC RICH - FUGITIVE,

ET AL; RICO; FBW; IIF;

TAK EVASION;

TRADING WITH THE ENEMY;

(00: NY)

Retel from Director to New York, dated 1/16/84, and e airtel from New York to Director, dated 3/5/84.

Enclosed for the Bureau are the original and one copy of an FD-515, concerning captioned case and an LHM dated 3/5/84.

Justification for this accomplishment was contained in an LHM enclosed in the 3/5/84 airtel, and dated 3/5/84.

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TO NEW YORK, MARCH 27, 1984.	
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NO FURTHER INVESTIGATION BEING CONDUCTED	
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8 THE WALL STREET JOURNAL, Thursday, March 29, 1984

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PP Smedley, that Osgood project has to be finished next month. 9

PP Smedley, we can't be a second late on that Osgood project. 99

66 Not a second 9.9 Mr. Bigwig.

of Smedley, if that Osgood project isn't done, heads will roll! 99

66 No problem H.B., it's ready, thanks to Harvard Project Manager. 99

humph...
ready!!!...
Smedley, my
boy, would
you like to
join me at the
club for golf?

FF Harry, old man, I'd love to. 99

196A-1774-260

# Law-Firm Advice May Have Aided Fraud, Court Rules

By a WALL STREET JOURNAL Staff Reporter NEW YORK—The prominent Manhattan law firm of Proskauer, Rose, Goetz & Mendelsohn may have rendered legal advice "in furtherance of a continuing or future crime or fraud" when it counseled Marc Rich & Co. AG concerning certain transactions; the Second Circuit Court of Appeals ruled yesterday.

As a result, the three-judge panel said Rich, a commodities trading firm, couldn't invoke the attorney-client privilege to prevent government prosecutors from gaining access to certain documents currently in the possession of Proskauer Rose.

Most of the documents relate to advice Proskauer Rose lawyers rendered in connection with Rich's sale of its U.S. subsidiary, Marc Rich International, to several of the subsidiary's top officers in the summer of 1983. The company was reconstituted as Clarendon Ltd. The government has alleged that the sale was fraudulent.

The presiding judge in the case, Leonard Sand, has said the sale had "all the appearances of being a ploy" to put Marc Rich's assets out of reach of the U.S. As reported, the government has charged Marc Rich AG and two of its officers, Marc Rich and Pincus Green, with concealing more than \$100 million in taxable income from oil trading during 1980 and 1981.

ing during 1980 and 1981.

The appeals court didn't determine whether Proskauer Rose lawyers actually knew whether their advice would be used in connection with a fraud, saying it was enough that "there is sufficient basis for inferring that the advice sought from Proskauer in connection with the proposed sale of Marc Rich International was sought in connection with a fraud."

Yesterday, Morton Maneker, the partner at Proskauer Rose who has been in charge of the Rich matter, said the court's opinion was based on "the limited information available to it at this stage of the case," and that the firm hadn't yet had a chance to tell its side of the story. "When all the facts are out," he said, "there will be no finding of a fraudulent conveyance" with respect to the sale of Marc Rich International.

Proskauer doesn't any longer represent. Rich in the litigation. The company's current lawyers, Kostelanetz & Ritholz, wouldn't comment on the decision and wouldn't say whether the company planned an appeal.

Enstar Director Sues
To Halt Postponement
Of Annual Meeting



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Other pluses and beverages, your room absol Radisson Plus C rates on weeken Secon

### FEDERAL BUREAU OF INVESTIGATION

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resides at contacted him during the fall of 1983 and	
wanted to purchase which are	] <sub>b6</sub>
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chy and the later met him in Tennessee,	,
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man	
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talked for twenty minutes and caused a charge of \$8.79 on Account	
Number   bill dated gave no reason for	n.
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I Kentucky, was leased!	
for the purpose of handling mail and inquiries that might have	b6 b70
been directed to LEGAL SERVICES OF BALLARD COUNTY, KENTUCKY. That group was established to deal with negotiations between the public	270
as represented by LEGAL SERVICES and the JACKSON PORCHASE ROLL	
THOMPTO COMPANY of Poduciah Kentucky I lexplained units was	
the voice of the residents who felt they had lost control of the system. The Board of Directors of RURAL ELECTRIC COMPANY (REC)	
that caused the public's complaints. That caused the	
establishment of "We The People" to negotiate with REC.	
"We The People",  Kentucky. The LEGAL SERVICES	
"We The People". was uncertain how anyone obtained the  Of LEGAL SERVICES, but he advised it wouldn't	:
have been too difficult to obtain. In attempting to elect responsive	re
land legal services	
name could have become known to numerous members of the community.	
He recalled last seeing	
on a week day in 1983, and	b6
mentioned going to California. advised are not	ь7 <del></del>
3/21/84 b6 Kentucky Louisville	
Investigation on	
SA LLOYD W. ARMS, JR. / hac 3/27/84	
byDate dictated	

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NY 1944-1774-262

call to

b6 b7C ⋅ Page Continuation of interview of raised in California and was probably lying to him. **b6** described as a white male, American, age b7C hair dark height five feet weight estimated at about 140 pounds. ten inches and [ Complexion was pale, no facial hair and no distinguishing features. Casual dress and neat in his appearance, was well spoken. H<u>e drove</u> a American made automobile, possibly a b6 knew recalled that it was strange how much b7C about his background although didn't then and doesn't now know of any associates or acquaintances of His demeanor did of a Tennessee or Kentucky residence. not remind is described as white American, male, date of birth Kentucky, residence with the telephone number b6 b7C Kentucky, Social Security Account Kentucky Driver's License Number United education years military service honorable discharge, formerly a States Marine Corps Number and presently employed at Kentucky, no has brown hair, noted arrests, height five feet ten ten inches, eyes brown, weight 180 pounds, He denied knowledge of anyone in New York nor any MARC RICH knowledge of MARC RICH, PINCUS GREEN, b6 AND COMPANY, MARC RICH AND COMPANY INTERNATIONAL LIMITED and b7C CLARENDON A.G. He denied making the October 20, 1983 telephone

#### FEDERAL BUREAU OF INVESTIGATION

He said he worked all over the country and could meet with the said he worked all over the country and could meet with the said he worked all over the country and could meet with the said he worked all over the country and could meet with the said he worked all over the country and couldn't decide what he really did want. He appeared to be a con man.	L INI-UI	RIVAL	MIAIN					
Kentucky.    Contacted him during the fall of 1983 and wanted to purchase   which are   said he was stationed in   Tennessee, and   Tennessee, and   He said he worked all over the country and could meet with   He later met him in   Tennessee, in November of 1983. He didn't appear interested in the purchase and couldn't decide what he really did want. He appeared to be a con man.    recalled   did use his residence telephone   Kentucky. He located the bill noting he knows of no one in New York City and determined on October 20, 1983,   placed a call to telephone   talked for twenty minutes and caused a charge of \$8.79 on Account   Number   bill dated   gave no reason for using   telephone and   heard nothing of the conversation. He denied knowing recistrant of   kentucky, was leased   explained that   Kentucky, was leased   for the purpose of handling mail and inquiries that might have been directed to LEGAL SERVICES of BALLARD COUNTY, KENTUCKY. That group was established to deal with negotiations between the public as represented by LEGAL SERVICES and the JACKSON PURCHASE RURAL ELECTRIC COMPANY of Paducah, Kentucky.   explained this was the voice of the residents who felt they had lost control of the system. The Board of Directors of RURAL ELECTRIC COMPANY (REC) was unresponsive to the public's complaints. That caused the establishment of "We The People"   was uncertain how anyone obtained the   was uncertain how anyone obtained the   was uncertain how anyone obtained the   have been too difficult to obtain. In attempting to elect responsive board members to REC, the   and LEGAL SERVICES   and LEGAL SERVICES   name could have become known to numerous members of the community.	TE 2:	33-01 BA 2 000 \\221	<u> (161)                                      </u>	_		Date of transcriptio	4/2/84	_
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NY 196A-1774-

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WHOSE IDENTITY, IF REVEALED, WILL POSITIVELY LEAD TO PHYSICAL DANGER TO BOTH SOURCE AND FAMILY.

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TO DIRECTOR FBI PRIORITY

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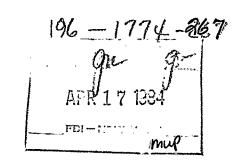
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MARC RICH-FUGITIVE; PINCUS GREEN-FUGITIVE; ET AL; RICO; MF; FBW; TRADING WITH THE ENEMY; TAX EVASION; OO: NY.

REBUTELT TO NEW YORK, DATED MARCH 15, 1984.

ON MARCH 28, 1984, A COPY OF THE AMENDED INDICTMENT OF SUBJECTS WAS SENT VIA MAIL TO LEGAT, BERN, AT THE UNITED STATES EMBASSY PERN, SWITZERLAND.

REQUEST OF THE BUREAU



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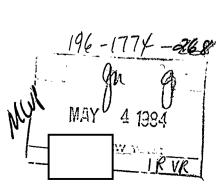
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**ADMINISTRATIVE** 

INFORMATION FROM THIS SOURCE IS OF A HIGHLY SINGULAR IN
NATURE AND DISCLOSURE WOULD REVEAL SOURCE'S IDENTITY.

SOURCE IS A HIGHLY PLACED INFORMANT CRITICAL
WHOSE IDENTITY, IF
REVEALED, WILL POSITIVELY LEAD TO PHYSICAL DANGER TO SOURCE AND

REVEALED, WILL POSITIVELY LEAD TO PHYSICAL DANGER TO SOURCE AND FAMILY.

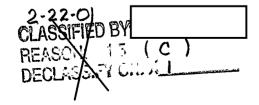
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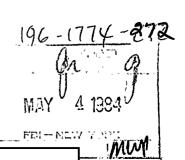
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On March 13, 1984, provided the following (SA)	b6 b7C b7D b7F
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	NY 196A-1774	
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	Source advised he learned the following information from b70 b71	
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		b7F
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	(U) b7F	
		b6 b7C b7D
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:	<b>(♥)</b> (U)	b7D b7F
<b>.</b>	Administrative	
Š	Information from this source is of a highly singular nature and disclosure would reveal source's identity. Source	
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X.M.

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NY 196A-1774

Source is a highly placed informant critical to investigations, whose identity, if revealed, will possibly lead to physical danger to source and his family.

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b7F b7E

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	b71 b71
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WMM:jb	b6
On March 19, 1984, provided the following (S) (U) information to Special Agent (SA)	b7C b7D b7F
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	b7D b7F
Source advised	
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to	Source is a	highly placed info	rmant critical	b7F b7E
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Attach additional forms if reporting final judicial process on more than three subjects. $1968-17$	174 – 28
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See codes on reverse side. Subject description codes in Section F are required only whether porting acconviction.	1 -1
	p   ميري
Identify the other Federal Agency(ies) in the Remarks Section.  V YORK	FBI/

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#### **Property Type Codes\***

#### Code Description No Cash (U.S. and foreign currency) Stock, Bonds or Negotiable Instruments (checks, travelers checks, 2 money orders, certificates of deposit, etc) Vehicles (autos, trucks, tractors, trailers, campers, motorcycles, etc) Heavy Machinery & Equipment (heavy equipment, computers, etc) 5

- General Retail Merchandise (clothing, food, liquor, cigarettes, TVs, etc)

- Bulk Materials (grain, fuel, raw materials, metals, wire, etc) 6
- Jewelry (including unset precious and semiprecious stones)
- Precious Metals (gold, silver, silverware, platinum, etc) 8
- Art, Antiques or Rare Collections 9
- Dangerous Drugs
- Weapons or Explosives
- Businesses or Assets Forfeited
- · All Other Recoveries (not falling in any category above) 20

# Potential Economic Loss Prevented (PELP) Type Codes \*

## Code

#### Description No

- Blank Negotiable Instruments or Tickets 21
- Counterfeit Stocks, Bonds, Currency or Negotiable Instruments 22
- Counterfeit or Pirated Sound Recordings or Motion Pictures 23
- Bank Theft Scheme Aborted 24
- 25 Ransom, Extortion of Bribe Demand Aborted
- 26 Theft From, or Fraud Against, Government Scheme Aborted
- Commercial or Industrial Theft Scheme Aborted 27
- All Other Potential Economic Loss Prevented (not falling in any category above)

# Subject Description Codes \*

#### - Enter Description Code Only When Reporting a Conviction -

#### **Organized Crime Subjects:**

- 1A Boss, Underboss or Consigliere
- 1B Capodecina or Soldier
- 1C Possible LCN Member or Associate
- 1D OC Subject Other Than LCN

### Known Criminals (Other Than OC Members):

- 2A Top Ten or I.O. Fugitive
- 2B Top Thief
- 2C Top Con Man

#### Foreign Nationals:

- 3A Legal Alien
- 3B Illegal Alien
- 3C Foreign Official Without Diplomatic Immunity
- 3D U.N. Employee Without Diplomatic Immunity
- 3E Foreign Students
- 3F All Others

#### **Terrorists:**

- 4A Known Member of a Terrorist Organization
- 4B Possible Terrorist Member or Sympathizer

#### Union Members:

- 5A International or National Officer
- 5B Local Officer
- 5C Union Employee

# **Government Official Or Employees:**

- 6A Federal Elected Official
- 6B Federal Nonelected Executive Level
- 6C Federal All Other
- 6D State Elected Official
- 6E State Nonelected Executive Level
- 6F State All Other
- 6G Local Elected Official
- 6H Local Nonelected Executive Level
- 6J Local All Other

#### Bank Officers Or Employees:

- 7A Bank Officer
- 7B Bank Employee

#### All Others:

8A All Other Subjects (not fitting above categories)

# Instructions

# Subject Priorities for FBI Arrest or Locates:

- A Subject wanted for crimes of violence (i.e. murder, manslaughter, forcible rape, robbery and aggravated assault) or convicted of such crimes in
- B Subjects wanted for crimes involving the loss or destruction of property valued in excess of \$25,000 or convicted of such crimes in the past five years.
- C All others

### Claiming Convictions Other Than Federal:

It is permissible to claim a local (state, county or local) conviction if the FBI's investigation significantly contributed to the successful local prosecution. A succinct narrative setting forth the basis for claiming a local conviction must accompany this report. When claiming a conviction other than Federal, enter the word "LOCAL" in the "Conviction-Section" block, disregard the number of conviction counts, but enter the sentence in the appropriate blocks. Enter "LF" in the "In-Jail" block for all life sentences and "CP" for all capital punishment sentences.

#### **Reporting Convictions:**

Convictions should not be reported until the sentence has been issued. There are two exceptions to this rule. The conviction information can be submitted by itself if:

- The subject becomes a fugitive after conviction but prior to sentencing.
- The subject dies after conviction but prior to sentencing.

An explanation is required in the Remarks section for either of the above exceptions.

# Rule 20 Situations:

The field office that obtained the process (normally the office of origin) is the office that should claim the conviction, not the office where the subject enters the plea in cases involving Rule 20 of the Federal Rules of Criminal Procedures.

# Investigative Assistance or Techniques (IA/Ts) Used:

-Since more than one IA/T could have contributed to the accomplishment, each IA/T must be rated.

-The IA/T used must be rated each time an accomplishment is claimed. (For example - if informant information was the basis for a complaint, an arrest, a recovery and a conviction and if separate FD-515s are submitted for each of the aforementioned accomplishments, the "Informant Information" block must be rated on each FD-515 even if it was the same information that contributed to all the accomplishments.)



<sup>\*</sup>The case file must contain an explanation of the computation of the recovery value or loss prevented. An explanation airtel must accompany this report if the recovery is \$1 million or more, or if the PELP is \$5 million or more.

<sup>\*</sup>If a subject can be classified in more than one of the categories, select the most appropriate in the circumstance.

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	FBI		10.43	
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MARC RICH - FUGITI	IVE; PINCUS GREEN - FU		RICO; FBW; MP;	
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NOTE: AFTER APPRO PROCESSING SUPER	VAL, PLEASE ROUTE THI VISOR, NOT TO THE TEL	S DOCUMENT BAC ETYPE ROOM.	E WORD !	
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ON MAY 7, 1984, A	SOURCE ADVISED THAT	
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	(n)	20,1

REQUEST OF THE BUREAU	b7D b7F
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SPECIAL AGENT NEW YORK DIVISION, AND SPECIAL AGENT NEW HAVEN DIVISION.	] b6
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MAY 1 5 1984

TO

: DIRECTOR, FBI (196B-2848)

(ATTN: CRIMINAL INVESTIGATIVE DIVISION, FINANCIAL

CRIMES UNIT;

b6 b7C

FROM

: ADIC, NEW YORK (196A-1774) (P) (M-1)

SUBJECT: MARC RICH - FUGITIVE;

PINCUS GREEN - FUGITIVE;

ET AL; RICO; FBW; MF;

TAX EVASION;

FRADING . WITH THE ENEMY

(OO:NY)

ReButel to New York, dated 1/16/84, and NYairtels to Bureau, dated 3/5/84, and 3/29/84.

Enclosed for the Bureau are the original and one copy of an FD-515 concerning captioned case, and one copy of an lhm, dated 3/5/84. Justification for this accomplishment was contained in the lhm, dated 3/5/84.

ALL INFORMATION CONTAINED
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To :	ADIC, NEW YORK (196A-1774)	Date 5/18/84
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# THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY.

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ATTN: SA	
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MARC RICH-FUGITIVE; PINCUS GREEN-FUGITIVE; ET AL; RICO; FFW; HE;	TAX
EVASION; TRACING WITH THE ENEMY, OO: NY.	
RENYTELS TO BUREAU, DATED MAY 8, 1984, AND MAY 18, 1974, AN	D
NEW YORK SUPV. TEICALS TO BIHS SUPV. MAY 22, 1984,	MAY b6
23, 1984, AND MAY 24, 1984.	2.3
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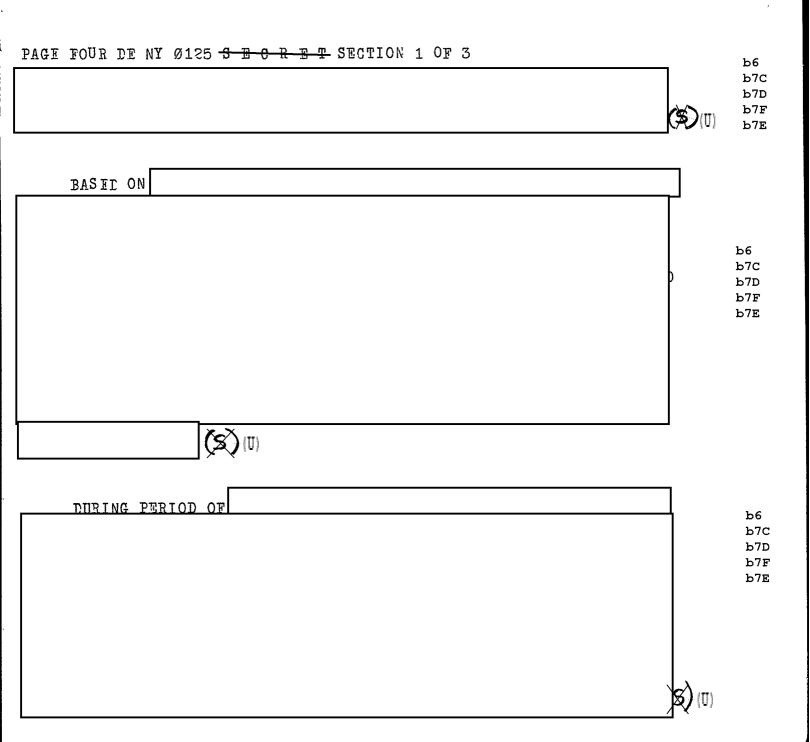
THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY.

THE PURPOSE OF THIS COMMUNICATION IS TO PROVIDE BUREAU AND	
RECEIVING OFFICES WITH A SUMMARY OF DEVELOPMENTS IN CAPTIONED	
MATTER. IN ADDITION, AUTHORITY IS BEING REQUESTED FOR ADDITIONAL	
NECESSARY NEW YORK (NY) SPECIAL AGENT (SA)	
AND NEW HAVEN SA	b6 b7C
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LEGAT, BONN, WAS TELEPHONICALLY PROVIDED WITH THIS INFORMATION ON MAY 23, 1984.

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## UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

AIRTEL DATE: MAY 2 5 1984	
TO : SAC, HOUSTON (196B-881)	
FROM : ADIC, NEW YORK (196A-1774) (P) (M-1)	
SUBJECT: MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE; ET AL RICO; MF; FBW - TAX EVASION; TRADING WITH THE ENEMY (OO: NY)	
ReHOairtel to NY, dated 10/21/81.	
Enclosed are five original and five copies of trial subpoenas.	
Trial of subjects is scheduled for in the Southern District of New York. AUSA SDNY, requested trial subpoenas to be served on:	
1.) 2.) 3.) 4.) 5.)	
AUDAI WILL LIEVEL TO HOUSTON IN THE NEAT THTHY AND	o6 o7C
AUSA requested the above subpoenas to be served as expeditiously as possible since these individuals may be uncooperative.	
2 - Houston (Encls. 10) ① - New York	
- RVR: btm btm (4)  10   S   1994  25 1994  2-23-013V  b6  b7c	•

NY 196A-1774

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HOUSTON

TEXAS. Serve the five enclosed trial b6 b7c

RR NY  DE HO #0001 1590327  ZNY SSSSS  R 070015Z JUN 34  FM DIRECTOR FBI  TO FBI NEW YORK ROUTINE  BT  6 E C R E T  MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE; b6 b7c  MARC RICH AND COMPANY; MARK RICH AND COMPANY INTERNATIONAL  LIMITED, AKA "CLARENDON A.G."; RICO; FBW; MP; TAY EVASION:  TRADING WITH THE FNEMY; OO: NY  BY TELETYPE DATED 6/6/84 LEGAT PARTS ADVISED:  THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS  ENTIRETY.  REPARTIL OF 2/10/24.  NFW YORK IS REQUESTED TO ADVISE OF ANY APDITIONAL  INVESTIGATION FOR PARIS.  O DI G-3 DECLIOADR.  ET		
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DE HO #0001 1590327  ZNY SSSSS  R 070015Z JUN 34  FM DIRECTOR FBI  TO FBI NEW YORK ROUTINE  BT  SECRET  MARC RICH - FUGITIVE; PINCUS GRPEN - FUGITIVE;  MARC RICH AND COMPANY; MARK RICH AND COMPANY INTERNATIONAL.  LIMITED, AKA "CLARENDON A.G."; RICO; FBW; MP; TAY EVASIO":  TRADING WITH THE FNEMY; OO: NY  BY TELETYPE DATED 6/6/84 LEGAT PARTS ADVISED:  THIS COMMUNICATION IS CLASSIFIED "SECRED" IN ITS  ENTITEETY.  REPARTEL OF 2/10/64.  NFW YORK IS REQUESTED TO ADVISE OF ANY APDITIONAL  INVESTIGATION FOR PARIS.  O BY 6-3 DECLEDADR.  ET  #0001	VZCZCHQ0976	
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## · Memorandum



TO : ADIC, NEW YORK		Date 6/	18/84	
From : SA (M	1-1)	ь6 ь7С		
Subject: MARC RICH - FUG.				
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TO DIRECTOR FBI PRIORITY

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FBI NEW HAVEN PRIORITY

ATTN: SPECIAL AGENT

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SECTION 1 OF 2

MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE; ET AL; RICO; FBW; MF; TAX EVASION; TRADING WITH THE ENEMY; CO: NEW YORK

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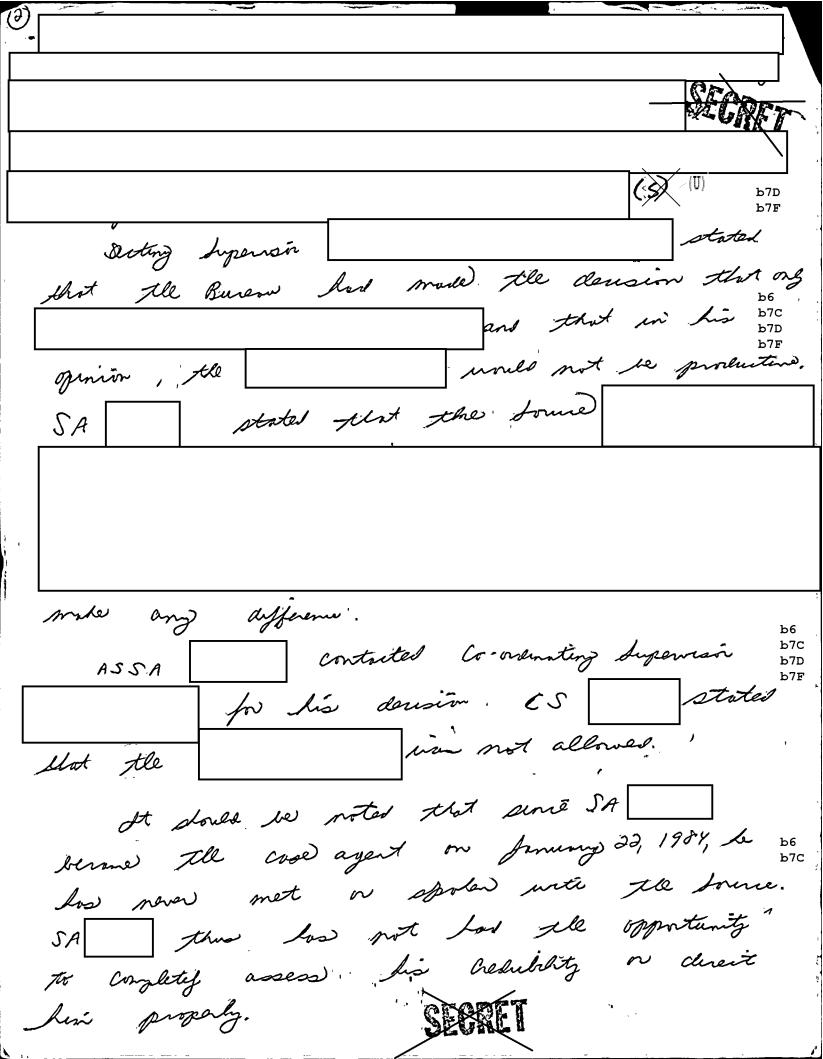
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OFFICE OF ORIGIN: NEW YORK.
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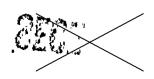
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## Fining of Marc Rich Upheld

A Federal appeals court yesterday upheld a ruling that required the Marc Rich commodities concern in 'Switzerland to pay \$50,000 a day in fines for refusing to turn over records in a Government tax-fraud investigation.

Since the fines were imposed by District Judge Leonard B. Sand on Sept. 9, 1983, the Swiss-based parent, Marc Rich & Company A.G., has turned over \$17.56 million to the United States Government.

In August 1983, the Swiss Government, citing its laws on corporate disclosure, seized documents belonging to Rich, saying it wanted to determine whether the company had violated secrecy laws in agreeing to surrender many of its records to a Federal grand jury. The panel was investigating charges that the company evaded United States income taxes on at last \$20 million in profits.

The three-judge appeals panel

noted that, in June 1983, the company moved to vacate Judge Sand's contempt judgment on the ground that Swiss court orders prohibited compliance with the subpoena. The court said Rich was barred from relying on Swiss law or orders of the Swiss Government as an excuse for its noncompliance with the subpoena, because the company's lawyers said earlier that it would not rely on Swiss law to avoid turning over the documents.

Despite its order, the court nonetheless returned this aspect of the case — the noncompliance with the subpoena and the fines — to Judge Sand for a future evidentiary hearing.

#### Closed End Bond Funds

TUESDAY, JUNE 12, 1984

Unaudited net asset values of closed-and investment bond fund shares, recorded by the companies as of Friday. Also shown is the closing listed market price or a dealer in-beater asked the companies of the compa

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NEWYORK TIMES
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MARC RICH AND COMPANY A.G.; MARC RICH AND COMPANY LIMITED; aka CLARENDON; RICO; FBW; MF; TAX EVASION; TRADING WITH THE ENEMY; OFFICE OF ORIGIN: NEW YORK.  RE: 12/5/83 CONFERENCE AT FBIHQ, 12/2/83 LHM PAGE FIVE (5), 6/18/84 TELCALS FROM ACTING SUPERVISOR  TO AND 6/19/84 TELCALS FROM ACTING SUPERVISOR  TO LEGAT.  OX 100 AND 6/18/84  (SOURCE) ADVISED SA  D6  D7  D7  D8  D6  D7  D7  D8  D6  D7  D7  D7  D8  D8  D8  D8  D8  D8  D8	ATTENTION FINANCIAL CRIMES UNIT  BT  UNCLAS  MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE;  MARC RICH AND COMPANY A.G.; MARC RICH AND COMPANY LIMITED; aka  CLARENDON; RICO; FBW; MF; TAX EVASION; TRADING WITH THE ENEMY;  OFFICE OF ORIGIN: NEW YORK.  RE: 12/5/83 CONFERENCE AT FBIHQ, 12/2/83 LHM PAGE FIVE (5),  6/18/84 TELCALS FROM ACTING SUPERVISOR  TO AND 6/19/84 TELCALS FROM ACTING SUPERVISOR  TO AND 6/19/84 TELCALS FROM ACTING SUPERVISOR  AT 9:30-AM.  D+9:20-AM.  (SOURCE) ADVISED SA	TRANSMIT VIA:  TRANSMIT VIA:  Teletype  Facsimile	FBI  b6 PRECEDENCE: CLASSIFICATION: b7c Immediate	7
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# Rich to Sell

## Fox Stake To Davis

Continued From First Business Page

Mr. Rich's Fox interest. But the Government blocked those plans last fall following a five-month period in which Rich interests liquidated about \$750 million in assets in the United States. That was before the remaining assets were frozen.

Charged in September

Mr. Rich and a partner, Pircus Green, were charged in September in what prosecutors said was the biggest case of Federal tax evasion in United States history, amounting to \$43 million. They were also charged with racketeering and with illegally trading with Iran during the hostage crisis of 1979 and 1980.

Federal prosecutors charged that Mr. Rich and Mr. Green had sought to delay the Federal grand jury's investigation of their activities. The two fled to Switzerland, where they remain fugitives.

A trial of the criminal charges against Mr. Rich, Mr. Green and Clyde Meltzer, an associate, is scheduled to begin next Monday in the Southern District.

S.E.C. Filing

The Fox filing with the S.E.C. last week said that the purchase by Mr. Davis "is expected" to be completed this month, if Fox gets the approval of the Government, various courts and banks.

Fox reported the tentative agreement between Mr. Davis and Mr. Rich because regulated corporations are required to disclose significant changes of ownership.

changes of ownersmp.

The filing said that Mr. Davis, acting on his own, as a trustee for his children's trust and for the Davis Oil Company, had agreed to purchase all non-voting stock held by Richco Hc'dings in TCF Holdings, the company Mr. Davis and Mr. Rich created to acquire Fox.

Although privately owned, Fox issues quarterly earnings reports because some of its debt remains prolicly traded. In the three months ended Feb. 25, Fox reported income continuing operations of \$11.3 million, down 76.3 percent from the \$47.7 million reported a year \$27.1 million, from \$301.3 million, from \$301.3 million, from \$301.3 million.

# Rich to Sell Fox Stake To Davis

#### By THOMAS C. HAYES

Special to The New York Times

LOS ANGELES, June 19 — Marvin Davis, the Denver oil entrepreneur, has reached an agreement to buy the 50 percent stake of the 20th Century-Fox Film Corporation owned by Marc Rich, the fugitive commodity trader. Mr. Davis currently holds the other 50 percent.

Terms were not disclosed by Fox, which was a public company until 1981, when Mr. Davis and Mr. Rich bought it for \$722 million.

Fox confirmed the existence of the agreement today, saying it had reported it to the Securities and Exchange Commission last week.

The sale would have to be approved by Federal prosecutors, who last fall froze the assets remaining in this country of Mr. Rich's global trading network, which at one time was valued as high as \$10 billion. It was unclear whether the Government was involved in the negotiations between Mr. Davis and Mr. Rich, who is in Switzerland.

Martin Auerbach, an Assistant United States Attorney in the Southern District of New York, declined to comment today on the Government's position. The Federal action freezing the Rich assets was brought in the Southern District.

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nd asIt was also unclear whether the Government would obtain control of the cash from the sale of the Fox interest held by Mr. Rich.

Since last September, Marc Rich & Company A.G., the Swiss-based parent of the trading network, has been fined at the rate of \$50,000 a day. The fines were imposed on the company for withholding records from a Federal grand jury.

Mr. Davis tried once before to buy

Continued on Page D17

(Indicate page, name of newspaper, city and state.)

\_NEW YORK TIMES

N.Y, N.Y.

Date: Edition:

6/20/84

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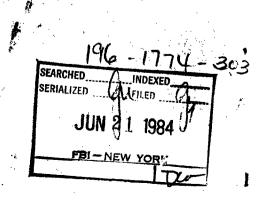
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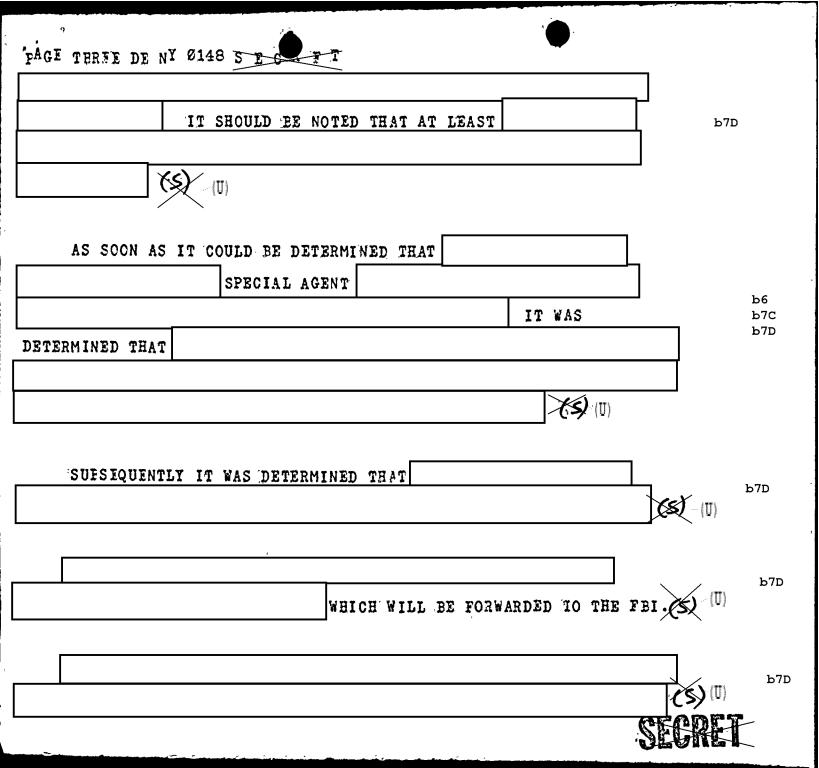
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SUBSEQUENTLY IT WAS DETERMINED THAT	<b>b7</b> □
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WHICH WILL BE FORWARDED TO THE FB. TO SHE	<b>S</b> ) b7E
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IN CONCLUSION, THE BASIS FOR THIS	67D 67F



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REQUEST OF THE BUREAU				
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VZCZCNY0266	FBI AUTOMATIC DECLASSIFICATION GUIDE DATE 03-01-2017 BY:
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DE NY #0148 1742420	
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R 222300Z JUN 84	
FM FBI NEW YORK (196A-1774) (P) (M-1)	
TO DIRECTOR FBI (196B-2848) PRIORITY	
ATTN: FINANCIAL CRIMES T	JNIT b7C
BT	
SECRET	
MARC RICH-FUGITIVE, PINCUS GREEN-FUGITIVE, TWE; TAX EVASION, OO: NY.	ET AL, RICO; FEW; MF;
RENTTEL TO BUREAU, DATED JUNE 19, 1984	CLASSIFIED BY  CLASSIFIED BY  REASON: 1.5 (S.4)  DECLASSIFY ON: X' 1, 6
THIS COMMUNICATION IS CLASSIFIED "SECT ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCLPT WHERE SHOWN OTHERWISE	ET" IN ITS ENTIRETY. 196 - 1774 - 304
ON	SPECIAL AGENT 66 b7c b7D

### PAGE TWO DE NY 0148 SEGRET NEW YORK DIVISION, b6 b7C b7D SPECIAL AGENT b6 b7C b7D SPECIAL AGENT **(5)** (1) b7D BECAUSE OF THE b6 b7C b7D



PAGE FOUR DE NY 0148 S E CE T

IN CONCLUSION, THE BASIS FOR THIS	
SOURCE	THIS INFORMATION PROVED TO
BE ACCURATE AND DCCUMENTED SOURCES	

REQUEST OF THE BUREAU

DISSEMINATE TO LEGAT, OTTAWA.

**ADMINISTRATIVE** 

SOURCE IS PROTECT IDENTITY,

AND DISCLOSURE OF INFORMATION WOULD IDENTIFY SOURCE AND

PLACE SOURCE AND FAMILY IN PHYSICAL DANGER.

C By G-3; DEGY: OADR.

BT

SECRET

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#0148

#### FEDERAL BUREAU OF INVESTIGATION

<u>1</u>	,	Date of transcription 6/15/84	
Agent dated	and	York (NY), was advised of the identity of the contacting book served a Southern District of New York trial subpoena, e-5, 1984, regarding trial on	_

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIF
DATE 2-21-01 BY

Interviewed on 6	5/11/84 at New	York, New York	File # NY 196A-1774-305
By SA	ap	ъ6 ъ7С	Date Dictated 6/12/84
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### FEDERAL BUREAU OF INVESTIGATION

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<u>*</u>			07.13/ 04	
<u>.1</u>			Date of transcription 6/15/84	•

NY 196-1774 GMP:mmm

On the period of 1/11-17/84 provided the following information to Special Agent	ŀ	b6 b7C b7D
Source introduced		b6 b70 b71
Source and advised they would contact writer at a future date in regard to	b6 b7C b7D	ь/1

b6 b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIF DATE 2-21-01 BY

SEARCHEO .....

NY 196A-1774 GMP:mmm

22.50

During the month March, 1984 during various telephonic contacts provided the following information to Special Agent	ь6 ь7с ь7р
Source advised that	ь6 ь70
	b7D

b6 b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFTED BY

196-1774-308

NY 196-1774 GMP:mmm

On the days of March 23 - 24, 1984 provided the following information to Special Agent	b6 b7C b7D
Source advised that the	
	b6
	<b>b</b> 7C
	b7D

b6 b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2-21-01 BY

SEARCHED. SERVLUZED QUALITY NY 196A-1774 GMP:mmm

During the month of April, 1984 during various contacts provided the following information to Special Agent	b6 b7С b7D
Source advised that through	b6 b70 b70
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFTED
DATE REPLOTE BY

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JUL B 1984

FBI = NEW YOR

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\*\* Identify the other Federal Agency(ies) in the Remarks Section,

Submit within 3		om date of acco	mplishment)											Date		· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·
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JUL 2:0 1984;

TO:

DIRECTOR, FBI (196B-2848)

(ATTN: FINANCIAL CRIMES UNIT

b6 b7C

FROM:

ADIC, NEW YORK (196A-1774) (P) (M-1)

SUBJECT:

MARC RICH - FUGITIVE

PINCUS GREEN - FUGITIVE

ET AL

RICO; FBW; MF; TAX EVASION;

TRADING WITH THE ENEMY

00:NY

ReButel to NY, 1/16/84 and NYairtel to Bu, 3/5/84, 3/29/84, and 5/15/84.

Enclosed for the Bureau are the original and one copy of an FD-515 concerning captioned case and one copy of an LHM dated 3/5/84. Justification of this accomplishment was contained in the LHM dated 3/5/84.

2-Bureau (encls. 3) New York

RVR: jjc

1961 - 1774 312 STRILLIO - 1123 - 1231

b6

b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIF
DATE 2-21-01 BY

JUL 2 9 1984 .

DRECTOR, FBI    1968-2848	(Submit within 3	30 days 1	from date of acco	omplishment)	·								Date	•		<u>.                                    </u>		-
FROM: SACK ADIC, NEW YORK 196A-1774  BURGET FIG. 19 FOR TYPE FROM 196A-1774  FROM: SACK ADIC, NEW YORK 196A-1774  MARC RICH - FUGITIVE FROM SACK TRAINERS  PINCUS GREEN - FUGITIVE FROM FROM SACK TRAINERS  PINCUS GREEN - FUGITIVE FROM SACK TRAI	TO:	DIRE	CTOR, FBI				196B-2	848	-se sadag	a	<del></del>	Investige	Evo Assi	tance or T	Techniqu	es Used		
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#### Federal Bureau of Investigation 26 Federal Plaza New York, New York 10278

In Reply, Please Refer to File No.	July 17, 1984	
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The New York Division of the to extend its	e Federal Bureau of Investigation wishes	ь6 ь7с ь7D
T have been informed that		<b>b</b> 7D
Please feel free to contact future and I look forward to the Investigation.	this office for any assistance in the	<b>b</b> 7D
-	Very truly yours, LFU/MUf-3	
	IEE F. IASTER Assistant Director in Charge	

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIF DATE 2-2-01 BY JUL 25 1984

FBI-NEW YORK

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DECLAS	SIFICATION AUTHORITY DERIVED	FROM -		`	
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e.F	PRIORITÝ				
	NEW YORK (196A-1774 PRIORITY DIRECTOR-FBI ()	1) (P) (M-1)	2.3343	<b>3</b>	
	ATTN: SUPV.	FCU, D	23342		ь6
	ATTN: SPECIAL BT SECRET	AGENT	2305	2	b7C
	"MARC RICH-FUGITIVE TAX EVASION; TRADIN	E, PINCUS GREEN-FUG NG WITH THE ENEMY,	ITIVE; ET AL; FBV OO: NEW YORK.	; MF; RICO;	
	THIS COMMUNICA	ATION IS CLASSIFIED	"SECRET" HI TIS	ENTIRETY.	
	RENYTELCAL TO THE PERIOD OF JUNE	FBIHQ, LEGAT, BONN 8, 1984, THROUGH J	AND NEW HAVEN DI ULY 26, 1984; ANI	VISION DURING NYTEL TO	
HEREINH	RMATION CONTAINED S-UNCLASSIEED EXCEPT S-HOWN ON HERWISE.	964-1774-316		1	
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	WMM1:gmh063V1 (2)	W YC- K	12/ 170		
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	Approved: LFU De	b7C	<u>. 137  [80</u> ,	er	,
	NOTE: AFTER APPROV	VAL, PLEASE ROUTE TO	HIS DOCUMENT BACK	TO THE WORD	
	WP Initials: RM	CLASSIFIED BY!  REASON: 15 (C.4)  DECLASSIFY ON: X.1,	SEC	RI	

### SECRET

FBIHQ, DATED JUNE 11, 1984, AND JUNE 22, 1984.

FOR INFORMATION OF THE BURE SOURCE WHO IS	EAU AND RECEIVING OFFICES. A b
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SOURCE PROVIDING ABOVE	E INFORMATION IS
FOR INFORMATION OF REC	CEIVING OFFICES, SOURCE
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NEW YORK RECENTLY DEVELOPED ADDITIONAL INFORMATION REGARDING THIS INFORMATION COMES FROM A HIGHLY SENSITIVE AND RELIABLE SOURCE. THIS SOURCE	, be
TA MIGNOL SENSITIVE AND REBIABLE SOURCE. THIS SOURCE	p.
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BUREAU AND RECEIVING OFFICES WILL BE KEPT APPRISED OF DEVELOPMENTS BE TELEPHONE AND TELETYPE.

REQUEST OF THE BUREAU .





BUREAU IS REQUESTED TO DISSEMINATE CONTENTS OF THIS TELETYPE TO LEGAT, BONN FOR INFORMATION.

C By G-3; DECD: OADR.



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R 312057Z JUL 84

FM FBI NEW YORK (196A-1774) (P) (M-1)

TO DIRECTOR FBI PRIORITY

ATTN: SUPY.

FCU. DIVISION SIX

**b6** b7C

FBI NEW HAVEN PRIORITY

ATTN: SPECIAL AGENT

BT

CAR T T ECTION 1 OF

"MARC RIC -FUGITIVE. PINCUS GREEN-FUGITIVE; ET AL; FBW; MF; RICO; TAX EVASION; TRADING WITH THE ENEMY. OO: NEW YORK.

THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETI-

RENYTELCAL TO FBIHQ. -LEGAT. -BONN AND NEW HAVEN DIVISION DURING THE PERIOD OF JUNE 8. 1984. THROUGH JULY 26, 1984; AND NYTEL TO

196-1774-316

PAGE TWO DE NY Ø136 S E G R E T SECTION 1 OF 2 FBIFQ, PATED JUNE 11, 1984, AND JUNE 22, 1984.

RELIABLE	SOURCE, WHO IS		
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FOR	INFORMATION OF RECEIVING OFFICES. SOURCE
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IN REGARD TO IT IS NOTED IS	THE SUBJECT OF
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BASED ON ABOVE INFORMATION,

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BUREAU AND RECEIVING OFFICES WILL BE KEPT APPRISED OF DEVELOPMENTS BY TELEPHONE AND TELETYPE.

REQUEST OF THE BUREAU

BUREAU IS REQUESTED TO DISSEMINATE CONTENTS OF THIS TELETYPE TO



PAGE THREE DE NY 0137 S E CR E T SECTION 2 OF 2 LEGAT, BONN FOR INFORMATION.

C By G-3; DEGL: OADR.

BT

#0137



#### UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

AI	RT	EL
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1

TO : ADIC, NEW YORK (196A-1774) (P) (M-1)	
FROM: SAC, HOUSTON (1968-881) (RUC) (#4)	
SUBJECT: MARK RICH - FUGITIVE; PINCUS GREEN - FUGITIVE; ET AL; RICO; MAIL FRAUD; FRAUD BY WIRE - TAX EVASION; TRADING WITH THE ENEMY (OO:NY)	
ReNYairtel to HO, dated 5/25/84.	
Enclosed for NY are three trial subpoenas which were served and executed in Texas, along with two additional subpoenas being returned unexecuted.	<b>b</b> 6
For information of NY, trial subpoenas directed to  were served during the week of 6/18/84, at Texas. Per 6/20/84, telephone conversation between SA and AUSA  SDNY, trial subpoenas directed to  were not served.	. Ъ7С
This represents the conclusion of all requested investigation at and this matter is being RUC'd.	ь6 ь7С
	317

2)-New York (Encl. 6) 1-Houston

(3)

ALL INFORMATION CONTAINED
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DATE 2-2)-61 BY

SEARCHED INDEXED AVERTILED AND 14 1984

With Solpoeness

# United States District Court southern district of New York

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TO			=	b6	
				<b>b</b> 7C	GREETING:
					GREETING
each of Souther United for the a	you appear and n District of N States Courthor said Southern I o'conding in said C	l attend before the Juew York, at a Distriction of New York. lock in the	idge of the Dist Court to be I the Borough o on the noon, to test	strict Court of the meld in Courtroom I f Manhattan, City day of the court and give evider	g laid aside, you and United States for the No. 318, in the of New York, in and nce in a certain cause ed States of America,
THER Defenda	EAFTER UNT		THE COURT	•.	ACH DAY vithout leave thereof,
	d for failure to the law.	attend you will be de	eemed guilty o	f contempt of Cou	rt and liable to pen-
(DA)	TED: New York	, N.Y. May 16,	1984	en e	\ '
			Rays	mond F.C	Berghard
RUDO United	LPH W. GIU States Attorney Southern Dist	LIANI for the rict of New York.		î	
that you	ı retain this Su		the same at th	e United States At	leage, it is necessary torney's Office, Room
	istant   Lephone: [	FF5*100	Room b6	'ALL YEI INFORI HEREIN IS UNC	

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#### SOUTHERN DISTRICT OF NEW YORK

TO	ь6 ь7с
	GREETING:
each of Souther United for the a now per	E COMMAND YOU that all and singular business and excuses being laid aside, you and you appear and attend before the Judge of the District Court of the United States for the in District of New York, at a District Court to be held in Courtroom No. 318, in the States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, in and said Southern District of New York, on the day of o'clock in the noon, to testify and give evidence in a certain cause anding in said Court and then and there to be tried between the United States of America, f, and MARC RICH et al.
THER Defenda	SONAL APPEARANCE REQUIRED ON JUNE 25, 1984 AND EACH DAY REAFTER UNTIL RELEASED BY THE COURT. ant, on the part of the United States, and not to depart the Court without leave thereof, be United States Attorney.
	d for failure to attend you will be deemed guilty of contempt of Court and liable to pen-
, Da	TED: New York, N.Y. May 16, 1984
i	Raymond F. Burghardt
	States Attorney for the Southern District of New York.
that you	TE: Report at Room 767. In order to secure your witness fees and mileage, it is necessary a retain this Subpoena and present the same at the United States Attorney's Office, Room on each day on which you attend Court as a witness.
	Room  elephone:    ALL FIN INFORMATION CONTAINED   HEREIN IS UNCL. CONTAINED

SOUTHERN DISTRICT OF NEW YORK

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	GREETING:
WE COMMAND YOU that all and singular business and excuses being each of you appear and attend before the Judge of the District Court of the Southern District of New York, at a District Court to be held in Court of the United States Courthouse, Foley Square, in the Borough of Manhattan, City for the said Southern District of New York, on the day of a c'clock in the noon, to testify and give evide now pending in said Court and then and there to be tried between the Unit Plaintiff, and MARC RICH et al.	United States for the No. 318, in the of New York, in and
PERSONAL APPEARANCE REQUIRED ON JUNE 25, 1984 AND INTHEREAFTER UNTIL RELEASED BY THE COURT.  Defendant, on the part of the United States, and not to depart the Court of the United States Attorney.	
And for failure to attend you will be deemed guilty of contempt of Coualties of the law.	ert and liable to pen-
DATED: New York, N.Y. May 16, 1984	
Raymond F. O.	Benghardt
RUDOLPH W. GIULIANI United States Attorney for the Southern District of New York.	,
Note: Report at Room 767. In order to secure your witness fees and mithat you retain this Subpoena and present the same at the United States At 767, upon each day on which you attend Court as a witness.	leage, it is necessary torney's Office, Room
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SOUTHERN DISTRICT OF NEW YORK

TO				b6 b7С			
						GREETING	ŧ
Southe United for the a now pe	rn District States Co said South	AND YOU that all ar and attend before of New York, at a curthouse, Foley Squarrhouse, and then IARC RICH et a	District Court (are, in the Boro v York, on the noon, and there to ke	to be held i	Court of the Unin Courtroom No. nhattan, City of day of	ted States for the 318, in the New York in and	
Defend	ant, on the	PPEARANCE REQUENTIL RELEASE part of the United States Attorney	D BY THE C	OURT.			
An		re to attend you wi	ll be deemed gu	ilty of con	tempt of Court a	ind liable to pen-	
DA	TED: New	York, N.YMay_			F. Burg		
United R Non that you	States Atto Southern TE: Report I retain thi	GIULIANI rney for the District of New Yo at Room 767. In or s Subpoena and pr y on which you att	rk. der to secure yo	our witness at the Unit	food and miles		٧.
	istant 1ephone	:	R-4-26-76	oom_	ъ6 ъ7С		
			د د افغندا موده میا	**	ALL PEI INFO HEREIN IS UN DATE 2-21-0		qav 

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	SOUTHERN DISTRICT OF NEW	YORK
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		GREETING
each of Souther United for the amount of the south of the	TE COMMAND YOU that all and singular business and f you appear and attend before the Judge of the District ern District of New York, at a District Court to be held in States Courthouse, Foley Square, in the Borough of Managard Southern District of New York, on the o'clock in the noon, to testify a ending in said Court and then and there to be tried between the said MARC RICH et al.	Court of the United States for the Courtroom No. 318, in the chattan, City of New York in and day of, and give evidence in a certain cause
THE! Defen	SONAL APPEARANCE REQUIRED ON JUNE 25, 1 REAFTER UNTIL RELEASED BY THE COURT. dant, on the part of the United States, and not to depart the United States Attorney.	
	nd for failure to attend you will be deemed guilty of con of the law.	tempt of Court and liable to pen-
Ď	ATED: New York, N.Y. May 16, 1984	
N that y 767, u	Southern District of New York.  OTE: Report at Room 767. In order to secure your witnessou retain this Subpoena and present the same at the Unipon each day on which you attend Court as a witness.	
	ssistant Room elephone:  b6 b7c	ALL FRI DIFORMATION CONTAINED HEREIN IS UNCLAS DATE 2-21-011Y

SOUTHERN DISTRICT OF NEW	Y YURK
TO	ь6 ь7С GREETING:
WE COMMAND YOU that all and singular business and each of you appear and attend before the Judge of the District Southern District of New York, at a District Court to be held United States Courthouse, Foley Square, in the Borough of Ma for the said Southern District of New York, on the a o'clock in the noon, to testify a now pending in said Court and then and there to be tried bety Plaintiff, and MARC RICH et al.	t Court of the United States for the in Courtroom No. 318, in the anhattan, City of New York in and day of, and give evidence in a certain cause
PERSONAL APPEARANCE REQUIRED ON JUNE 25, THEREAFTER UNTIL RELEASED BY THE COURT.  Defendant, on the part of the United States, and not to depa	
or of the United States Attorney.	
And for failure to attend you will be deemed guilty of co- alties of the law.	ntempt of Court and liable to pen-
DATED: New York, N.Y. May 16, 1984	·•• <u>·</u>
Rayma	and T. Burghardt
RUDOLPH W. GIULIANI United States Attorney for the Southern District of New York.	,
Note: Report at Room 767. In order to secure your witner that you retain this Subpoena and present the same at the Un 767, upon each day on which you attend Court as a witness.	
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-01-2017 BY: Memorandum	b6 b7C	
To : SAC	(II) b7	
From : SA	M-1) b6 b7C	
Subject :	(U) b7D b7F	
On	the writer met with	captioned source
TOSANTO	e was advised the FBI	would
1900 (Miles	C. Was, advised, the risi	would
Source agr	eed	
(S) (U)		
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D-196A-1774	b7D b7 <b>F</b>	
	b7F	
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## SECRET

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	<b>b</b> 6
NYO and discussed the matter with NY personnel including	b7C
ASAC	b7D
and requested the writer contact FBIHQ for final approval	b7F
Pursuant to ASAC instructions.  the writer contacted FBIHO supervisor  Financial Crimes Unit. Supervisor was advised of the source stated he would need approval from Unit Chief before source Subsequently. Supervisor advised that Unit Chief was "not supportive" source	b6 b7C b7D b7F
h > (U)	
Supervisor was advised that the individual responsible for the	
writer. This was based on pressure from	b6
both the NYO and FBIHO	b70
At was pointed out that source	b70
did not initially	b7E
agreed	272
to do so. It was also pointed out that FBIHQ had previously approved and provided to NY	

## SECRET

b7D b7F	
	b7D b7F
	b7E
In regard to the unsuccessful it was noted on the	
and SA	b6 b7C b7D b7F b7E
In regard to the SA	
	b6 b7 b7 b7
Based on this information and information from captioned source that	<b>b</b> 7:
(name unknown). FBIHO officials decided to allow SA NY's recommendation was to allow	

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	(U) (S)	b7D
/ <del></del>		b7F

FBIHO would only approve SA Therefore,	
, and the second	<b>b</b> 6
	b7C
Supervisor was	b7D
advised that source could not	b7F
the FBI.	b7E
Based on FBIHQ's decision not to	
the writer recontacted source and advised	b7D
source to	b7F
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The above is furnished for the record.

DECLASSIFICATION AUT FBI AUTOMATIC DECLASS DATE 03-01-2017	HORITY DERIVED FROM: SIFICATION GUIDE BY:	ь6 ь7С		10.81
FD-36	(Rev. 5-22-78)	FBI		
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PRIORI <del>DIRECT</del> A' NEW HA'	RK (196A-1774) (P TY O <del>R FBI</del> /90/2 TTN: SUPERVISOR	.) (M-1) FCU	ь6 ъ7С	
MARC RI ANCOME	ICH - FUGITIVE; P TAX EVASION; TRA	INCUS GREEN - FU DING WITH THE EN	GITIVE; ET AL ENY; OO: NEW	; FBW; MF; RICO; YORK
r) Rì	HE FOLLOWING IS C ENYTEL, DATED JUL 1, 1984.			
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	FOR INPORMATION OF DISPAN LEGATE POINT AND MOST PROPERTY.
5	FOR INFORMATION OF BUREAU, LEGAT, BONN, AND NEW HAVEN A SENSITIVE AND RELIABLE SOURCE HAS CONTINUED TO
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L	<b>(\$)</b> (U)
_	ON JULY 31. 1984. SOURCE ADVISED
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SOURCE LEARNED THAT	b6
	<b>(\$)</b>
SOURCE STATES	b7I
SOURCE WILL FURNIS	SH THIS INFORMATION TO THE FBI AS
SOON AS POSSIBLE. (5)	
ADMINISTRATIVE:	\ /
	b7 (Ū) b7
SOURCE PROVIDING THE ABOVE	
IDENTITY MUST BE PROTECTED AS SO	URCE WILL BE IN PHYSICAL DANGER IF
HIS IDENTITY IS DIVULGED.	
	EMINATE CONTENTS OF THIS TELETYPE TO
LEGAT, BONN. LEGAT, BONN SHOULD	
DISCUSSIONS WITH SOURCE	

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WILL MAKE EVERY EFFORT TO INSURE THE FRI HAS A

C AND E BY G-3: DEGL: DADR.

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IM FBI NEW YORK (1964-1774) (P) (M-1)

TO DIRECTOR FBI PRIORITY

SUPERVISOR ATTN:

FCU.

FBI NEW HAVEN PRIORITY

b6 b7C

ATTN:

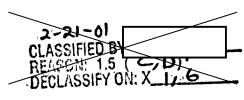
BT

SECRET

MARC RICH - FUGITIVE; PINCUS GREEN - FUGITIVE; ET AL; FOW; MF; RICO; INCOME TAX EVASION; TRADING WITH THE ENEMY; OO: NOW YORK

THE FOLLOWING IS CLASSIFIED "SECRET" IN

RENYTEL, DATED JULY 31, 1984, AND NYTELCAL TO DEGAT, BOWN, ON JULY 31, 1984.



PAGE TWO DE NY 0119 S E C R T T

FOR INFORMATION OF BUREAU	. IEGAT, BONN, AND NEW	HAVEN, A
SENSITIVE AND RELIABLE	SCURCE HAS CONTINUED	TO
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ON JULY 31, 1984, SOURCE	ADVISED	
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b6 b7C b7D b7F



PAGE THREE DE NY Ø119 S E C T T	b6 b7C
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SOURCE LEARNED THAT	ь6 ь7С ь7D ь7F
SOURCE STATES  SOURCE WILL FURNISH THIS INFORMATION TO THE PRI AS  SOON AS POSSIBLE. (U)	b6 b7C b7D b7F
ADMINISTRATIVE:	
SOURCE PROVIDING THE ABOVE INFORMATION IS  IDENTITY MUST BE PROTECTED AS SOURCE WILL BE IN PHYSICAL DANGER IF HIS IDENTITY IS DIVULGED.	b7D b7 <b>F</b>
BUREAU IS REQUESTED TO DISSEMINATE CONTENTS OF THIS TELETYPE TO LEGAT, BONN. LEGAT, BONN SHOULD BE ADVISED THAT BASED ON LENGTHY DISCUSSIONS WITH SOURCE,	b6 b7C
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PAGE FOUR DE NY 0119 S E CRET

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WILL MAKE EVERY FFFORT TO INSURE THE FBI HAS A

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Routine	PRIORITY	ı	
	NEW YORK (105A-1774) PRICELTY	() (M-1) <b>5</b> 2	
	ATTN: SUPV.	FCU	
	ATTN:		ь6 ь7С
	SECRET		
	MARC RICH-FUGITIVE MAIL FRAUD; RICO; INCONEW YORK	VE; PINCUS GREEN-FUC DME TAX INVASION; TE	STIVE; ET AL; FRAUD BY WIRE; RADING WITH THE ENEMY; GO:
	THIS COMMUNICATION	ON IS CLASSIFIED "SE	CRET" IN ITS ENTIRETY.
	RENYTELS TO DIREC	CTOR, DATED JULY 31,	1984 AND AUGUST 21, 1984;
HEREIN I	PRMATION CONTAINS IS UNCEASSIFIED EXCL.27 SHOWN OTHERWISE.		•
	1 - New York 1 - Supervisor M-1 WMM:djg080V1 (2)	CLASSIFIED BY: REASON: 15 (C.A.) DECLASSIFY ON: X 1,6	196-1774 - 320
	Approved: LFU/MUA3	Transmitted	35 MW Par D 1 1001
	NOTE: AFTER APPROVAL, PROCESSING SUPERVISO	PLEASE ROUTE THIS	DOCUMENT SACK TO THE WORD
	WP Initials	SECRET	b6 b7c



	NYTELCAL TO NEW HAVEN SA SEPTEMBER 7, 1934 AND NYTELCAL TO LEGAT, BONN, SEPTEMBER 10, 1984.	b6 b7С
b6 b7C b7D b7F b3	FOR INFORMATION OF BÜREAÜ. LEGAT BONN AND NEW HAVEN. A SENSITIVE AND RELIABLE SOURCE HAS	
b7E		
b6 b7C b7D b7F	REFERENCED NEW YORK TELETYPE, DATED AUGUST 21. 1984 NOTED P FOR AND SOURCE TO THIS TELETYPE ALSO NOTED	LANS (U)
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SOURCE ADVISED THAT	ь Т
<b>(□)</b>	
SOURCE PROVIDING THE ABOVE INFORMATION IS SOURCES IDENTITY MUST BE PROTECTED AS SOURCE WILL BE IN PHYSICAL DANGER IF HIS IDENTITY IS DIVULGED.	
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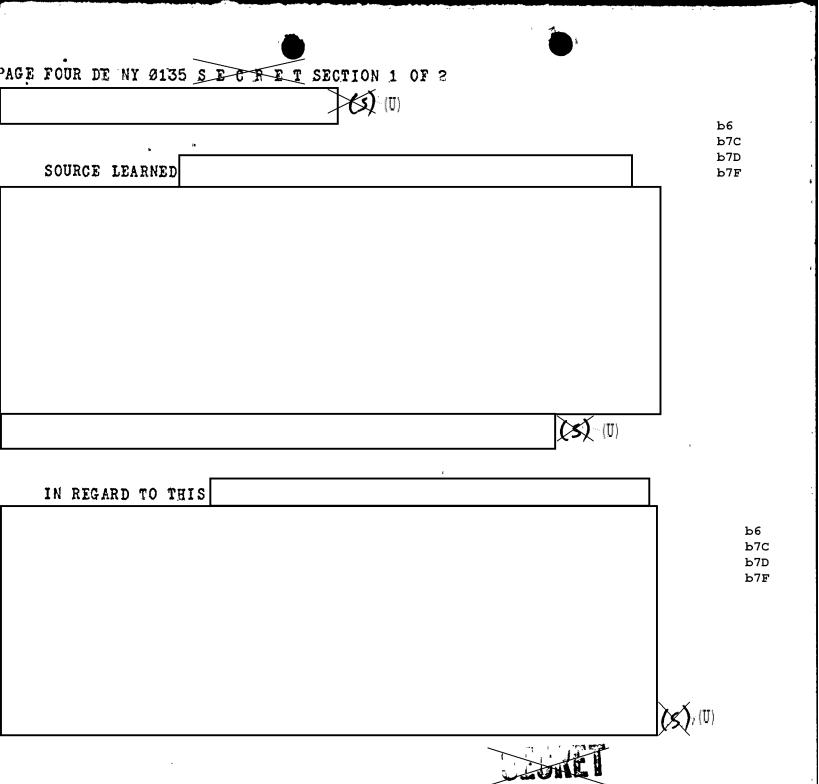


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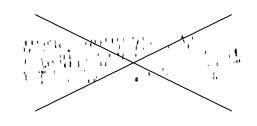
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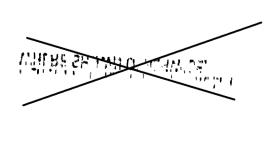
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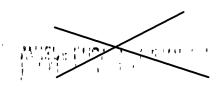
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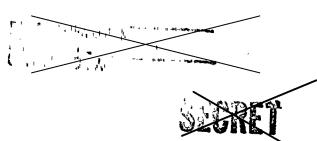
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## Marc Rich and Firm's Other Top Officer Won't Be Extradited to U.S., Swiss Say

By DAN BAUM

Staff Reporter of THE WALL STREET JOURNAL

NEW YORK-The Swiss government refused a U.S. request that it extradite Marc Rich and Pincus Green, the two principal officers of Marc Rich & Co. AG, the giant oil and commodity trading concern.

The refusal may open the way to a settlement between the company and the U.S.

government; sources said.

The Switzerland-based company, its two principal officers and another U.S. oil trader were indicted last fail on charges of evading at less \$48 million in taxes on illegal oil trading profits. The trial, scheduled to begin, here yesterday, was postponed recently until Dec. 3 at the request of both the U.S. government and the defense.

Neither Marc Rich & Co. nor the U.S. attorney's office here would comment yes-

terday on the question of a settlement. But sources in and out of the government said such talks have been taking place.

Though Swiss government officials said they haven't been party to any settlement talks, it is believed that any settlement was contingent upon the Swiss refusextradite 4 ing to Messrs. Rich and

Green.

One possible settlement plan, sources said, would allow Marc Rich & Co.'s U.S. operations, which have been closed by a court order, to reopen. In return, the company would plead guilty to the charges and pay a large cash settlement. But Messrs. Rich and Green, sources said, wanted assurances they wouldn't be extradited.

It isn't known whether any other conditions might be involved in reaching a settlement. Any settlement apparently wouldn't affect the charges against Messrs. Rich and Green, who presumably would remain fugitives from justice.



Marc Rich

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The extradition refusal is the latest development in a tense relationship between the U.S. and Swiss governments over the Marc Rich & Co. case. The U.S. wants Marc

Co. documents the Swiss government ng, and the Swiss have been unwill rive them up.

about settlement talks. In an interview in July, Rudolph Giuliani. the U.S. attorney in New York handling the case, wouldn't rule out a settlement of the

quickly now," said one source when asked

"I think you'll see things moving rather

charges against the corpany. However, he also said he wouldn't support any settlement with Messrs. Rich and Green that didn't leave them open to serving substantial prison terms.

In Bern, a spokesman for the Swiss Federal Department of Justice and Police said his government rejected the extradition request because "all the points in the request are only violations of either currency, economic or fiscal measures, and they aren't extraditable under the U.S.-Swiss treaty of

The treaty, which covers only such crimes as murder, arson, forgery and destruction of railroad property, doesn't di-reatly cover any of the charges against the two men. The charges include mail and wire fraud and racketeering.

In its request, the U.S. had compared the fraud and racketeering charges to forgery,

Mr. Giuliani said yesterday, "Although we are disappointed with the result, we appreciate the expeditious handling of our request" by the Swiss government. He said he doesn't believe there is any other "established procedure" for getting the two men

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FD-515 (Rev. 9-24-82) **ACCOMPLISHMENT REPORT** 9/30/84 (Submit within 30 days from date of accomplishment) Investigative Assistance or Techniques Used TO: DIRECTOR, FBI 196B-2848 Were any of the investigative assistance or techniques listed below used in connection with accomplishmen Bureay/File Number eing claimed? 🔯 No 🔲 Yes - If Yes, rate each used as follows: 1 = Used, but did not help ADIC, NEW YORK 196A-1774 FROM: 2 = Helped, but only minimally 6. Show Money Rating 3 = Helped, substantially SUBJECT: Field Office File Number MARC RICH-Fugitive 4 = Absolutely essential Usage Rating 11, Lab Div Surveil Rating 6. ELSUR . 1. Accta Tech PINCUS GREEN-Fugitive Field Support Sod Asst M-1et al 8. SWAT Teem 12. Pen 2. Aircraft 7. Hypnosis Squad or RA Number Registers Action Assistance Assistance RICO:FBW:MF:TE:TWE 3. Photographic 9. Telephone Toll 8. Ident Div Computer CO:NY X If a joint FBI/DEA (or other Federal Agency \*\*) b6 Coverage Records Assistance Assistance ALL INFORMATION CONTAINED b7C operation, Consensus 9. Informant Polygraph 20. Undercover Assistance Monitorina Information Operation X if case involves corruption of a public official (Federal, State or HEREIN IS UNCLASSIFIE Search Warrants Visual Invest ELSUR . O. Lab Div DATE 2-2/-01 BY FISC Executed Analysis (MA) Exame D. Recoveries, Restitutions, Court Ordered Forfeitures or Potential Economic Loss Prevented (PELP) Complaints Informations Indictments Preliminary Judicial Process (Number of subjects) Property or Potential Economic ELP Type Arrests, Locates, Summonses Subject Priority (See Reverse) **Loss Prevented** Court Ordered Forfeitures Code \* Recoveries Restitutions & Subpoenss (No. of subjects) 8 Ĉ FBI Arrests -FBI Locates . **b**3 \$ 2 Number of Subjects of FBI Arrests Who Physically Resisted ... Number of Subjects of FBI Arrests Who Were Armed Criminal Summons Subpoenas Served \_ E. CIVII Matters C. Release of Hostages: (Number of Hostages Released) Government Defendant Government Plaintiff Amount of Suit Hostages Held By Terrorists \_\_\_\_\_\_ All Other Hostage Situations \_ Settlement or Award **Enter AFA Payment Here** (Use two letter state abbreviations per U.S. Post Office Guide. For Example • The Northern District of Texas as ND TX; The F. Final Judicial Process: State District District of Maine as ME in the state field only ) Subject 1 - Name Subject's Description Code \* -In-Jall Term Suspended Probation Felony Pretrial - Convictions -Section Mos Mos Yrs. Mos Fine Diversion Enter conviction and Misde Dismisse sentence data in space at Acquittal right. If more than four sections are involved, limit to Plea the four most relevant, lent 🖺 Subject 2 - Name Subject's Description Code \* = In-Jall Term Probation Conviction Suspended Pretrial Felony Fine Counts Yrs Mos Yrs Yrs - Convictions -Title Section Diversion Enter conviction and Misde Diamiese sentence data in space at meano Acquitta right. If more than four Plea sections are involved, limit the four most relevant. Triel Subject's Description Code " = Subject 3 - Name Conviction In-Jall Term Suspended Probation Felony Pretrial Title Counts Yrs Mos Yns Mos Yrs Mos Fine » Convictions Section Diversion Misde-Enter conviction and Dismissa sentence data in space at Acquittal right. If more than four Plea sections are involved, limit to the four most relevant ☐ Triel H6: Attach additional forms if reporting final judicial process on more than three subjects Pursuant to August 5,1983 Remarks. b3 \*Case involves a joint inv estigation between FBI, IRS, and U.S. Customs. FEI - NEW YORK

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## OUTLINE OF GUILTY PLEAS AND DISPOSITION

UNITED STATES OF AMERICA V. MARC RICH & CO. A.G., MARC RICH & CO. INTERNATIONAL, LTD. AND CLYDE MELTZER

MARC RICH & CO. A.G. ("AG") and MARC RICH & CO. INTERNATIONAL, LTD., which now calls itself Clarendon, Ltd., ("INTERNATIONAL") today pleaded guilty in Manhattan Federal Court to 38 felony counts and 40 felony counts, respectively, in connection with the largest income tax evasion prosecution ever brought by the United States. As part of the pleas, these defendants paid to the United States \$150,000,000. Additionally, AG waived any and all claims for the refund of the \$21,006,000 in criminal contempt fines thus far paid by AG for its failure to turn over subpoenaed documents from its Swiss office as ordered by the Court. Moreover, INTERNATIONAL has waived and will not be entitled to obtain any U.S. tax benefits that may otherwise have been available for that part of the \$150,000,000 normally allocatable to interest and other deductible expenses. The value of those tax benefits can be estimated in the tens of millions of dollars, thereby providing to the United States in connection with today's pleas, an overall amount approximating \$200,000,000.

The pleas were taken today before the Honorable

Shirley Wohl Kram, United States District Judge, Southern 196-1774-329

District of New York.

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In announcing today's pleas, Rudolph W. Giuliani, United States Attorney for the Southern District of New York, explained that the pleas and payment by AG and INTERNATIONAL in no way satisfied any of the criminal charges pending against Marc Rich and Pincus Green personally or exonerated them from civil liabilities. Rich and Green remain fugitives subject to prosecution on sixty-five felony counts brought under indictments filed against them in September 1983 and March 1984. CLYDE MELTZER, another defendant indicted along with Rich and Green and presently a crude oil trader for INTERNATIONAL, pleaded guilty today, however, and will be sentenced by the Court at a later date.

AG and INTERNATIONAL each pled guilty to 38 felony counts in a Criminal Information charging them with making false statements to the government as part of a scheme to evade taxes on approximately \$100 million of income earned in 1980 and 1981 and to evade Department of Energy regulations which limited profits on the resale of crude oil during the energy crisis. In addition, INTERNATIONAL pleaded guilty to two counts of evading in excess of \$48,000,000 in Federal income taxes in 1980 and 1981.

"These pleas and payment fully satisfy the government's interest in successfully prosecuting these corporations," Mr. Giuliani said. "This payment represents the largest amount of money ever recovered by the United States in a criminal tax evasion case," Mr. Giuliani continued, "and all this without

affecting the government's options to proceed against Marc Rich and Pincus Green if and when they are extradicted or otherwise returned to the United States."

Morris Weinberg, Jr. and Martin Auerbach, the
Assistant United States Attorneys prosecuting the case, noted
that the guilty pleas and payment by the corporations are the
result of an investigation that began in the Fall of 1981. That
investigation, conducted by the United States Attorney's Office,
the Internal Revenue Service and the Federal Bureau of
Investigation, with the assistance of the United States Customs
Service, revealed as noted in the Information that the defendant
corporations and their co-schemers Marc Rich, Pincus Green,
Clyde Meltzer and others had concealed in excess of \$100 million
in taxable income from 1980 and 1981 domestic crude oil transactions of INTERNATIONAL — in large part earned illegally in
violation of federal energy laws — by diverting INTERNATIONAL's
income off its books offshore to AG and its subsidiaries through
sham transactions.

The purpose of these sham transactions and the schemes that are described in the Criminal Information to which AG and INTERNATIONAL pled guilty was to evade various Department of Energy ("DOE") regulations which limited the amount of the profit INTERNATIONAL was allowed to make selling crude oil and then to evade U.S. taxes on that illegal profit.

The profits INTERNATIONAL failed to properly report to DOE were generated primarily by the purchase of domestic crude

oil from two cooperating companies, West Texas Marketing ("WTM") and Listo Petroleum ("Listo"), that prepared false invoices.

These false invoices made it appear that INTERNATIONAL was buying from the companies at high prices when in fact INTERNATIONAL had an agreement to pay them a much lower price. The profits these companies held for INTERNATIONAL in a concealed fashion were referred to as the WTM "pot" and the Listo "pot". By having false invoices created and by failing to disclose these hidden profits on monthly DOE reporting forms, INTERNATIONAL concealed the fact that it was making far more money than was permitted by DOE regulations.

The millions of dollars of illegal income that were not disclosed to DOE were also hidden from the IRS.

United States to AG in Switzerland through a series of sham transactions between WTM and Listo on the one hand and AG and two of its wholly-owned Panamanian subsidiaries, Rescor and Highams on the other hand. These sham transactions made it appear that Listo and/or WTM had lost money to AG or its subsidiaries, Rescor and Highams, by buying and selling foreign crude oil. False invoices were prepared to conceal the fact that these transactions were not real deals and were nothing more than a way to move INTERNATIONAL's U.S. profits out of the Listo and WTM "pots".

As a separate part of the scheme to evade taxes, the corporations and their co-schemers also arranged more than \$31 million in fraudulent deductions for defendant INTERNATIONAL by creating false invoices between AG and INTERNATIONAL, ostensibly relating to offshore oil deals between AG and Charter Crude Oil Company's Bahamian subsidiary and between INTERNATIONAL and Rescor.

The criminal indictment was quickly followed by the September 30, 1983 IRS jeopardy assessment for \$90 million against INTERNATIONAL to collect its back taxes, penalties and interest from the scheme. INTERNATIONAL's challenge to the IRS action was rejected after a hearing in Manhattan federal court in which a financial officer of INTERNATIONAL testified. Judge Richard Owen found that the IRS jeopardy assessment was "unquestionably reasonable" and that the amount assessed was appropriate under the circumstances. The IRS's levies on INTERNATIONAL'S assets and bank accounts, however, prompted a consortium of United States and European banks to which INTERNATIONAL owed over \$130 million to sue the United States in a battle over INTERNATIONAL's assets. IRS's jeopardy assessment was satisfied by the corporate payment made today. AG and INTERNATIONAL also paid more than \$130 million to their bank creditors, thereby ending the litigation brought by the banks.

In connection with the defendants' guilty pleas, the United States Government also joined with AG in moving to vacate AG's civil contempt conviction which had resulted from AG's attempts to frustrate the progress of the grand jury investigation. Beginning in June 1982, AG waged an unsuccessful two-year battle to resist turning over its Swiss records subpoenaed by the grand jury. AG began by moving to quash the grand jury subpoena, but Judge Leonard B. Sand rejected AG's claims and held it in contempt. The Court of Appeals rejected AG's appeal from that decision, and the Supreme Court refused in June 1983 to consider the case. After the Supreme Court's ruling, Judge Sand ordered AG to produce its records or begin paying \$50,000 per day in contempt fines. AG refused to turn over the records, and also refused to pay the fines. Shortly thereafter, the Government learned that AG had attempted to secretly sell INTERNATIONAL -- its wholly-owned subsidiary and most substantial asset in the United States -- in an apparent effort to remove assets available to pay the fines. In response, the Government obtained numerous court-ordered restraints on and in connection with AG. On August 5, 1983, AG agreed to produce the Swiss documents and pay the accumulated fines.

Just four days later, however, an alert Customs agent seized two large steamer trunks loaded on an airplane that was about to depart for Switzerland. The trunks were filled with documents of INTERNATIONAL that had also been subpoened by the federal grand jury. In subsequent court proceedings, INTERNATIONAL was ordered to produce all subpoened documents previously removed from this country to Switzerland as well as all other subpoened documents. In all, over one million documents were ultimately produced by INTERNATIONAL and over one-quarter of a million documents by AG. On August 12, 1983, however, the Swiss Government made the first of three seizures to prevent various AG documents from leaving Switzerland. While paying the contempt fines of \$50,000 per day, AG continued its resistance to the investigation, challenging the contempt order through five more unsuccessful motions and four more unsuccessful appeals to the Court of Appeals. In total, AG paid \$21,006,000 in contempt fines over a span of 15 months -- the largest contempt fine in U.S. history.

Although today's proceedings ends the contempt citation, as well as AG's obligation to produce certain documents pursuant to grand jury subpoena, the United States' request of the Swiss government for those same documents through a Swiss statute is still pending. As part of its plea agreement, AG may not interfere with the U.S. request.

INTERNATIONAL, and AG, which were sentenced today by Judge Shirley Kram, faced a maximum possible fine of \$10,000 on each of the 38 false statement counts to which each defendant pled guilty, for a total fine of \$380,000 apiece. INTERNATIONAL

also faced a maximum fine of \$10,000 on each of the two income tax evasion counts to which it pled guilty as well as the costs of prosecution.

CLYDE MELTZER, 38, a crude oil trader at INTERNATIONAL, also pled guilty today to aiding and assisting Marc Rich, Pincus Green, INTERNATIONAL and AG in preparing false and fraudulent invoices which concealed millions of dollars of INTERNATIONAL's taxable income from the Internal Revenue Service. The invoices, which were prepared by MELTZER while he was vice-president in charge of crude oil trading for Listo Petroleum, Houston, Texas, made it appear that INTERNATIONAL had purchased crude oil from Listo at high market prices when, in fact, INTERNATIONAL and Listo had agreed that the actual price was much lower and that Listo would hold the difference on its books for INTERNATIONAL. These concealed profits were later moved to foreign bank accounts of AG and a subsidiary through sham transactions. To accomplish this, MELTZER caused false documents to be prepared which made it appear that Listo had "lost" to AG supposed crude oil sales amounts equivalent to the concealed profits belonging to INTERNATIONAL. MELTZER, at the time of sentencing, could be sentenced to 3 years imprisonment, \$5000 in fines and the costs of prosecution.

Mr. Giuliani praised the extensive efforts of the Internal Revenue Service and the Federal Bureau of Investigation in the lengthy investigation. He also thanked the United States

Customs Service and the Department of Energy for their assistance.

Mr. Giuliani noted that the Marc Rich case had been a true team effort on the part of numerous Assistant United States Attorneys in his office, who had devoted substantial amounts of their time in connection with both the criminal and civil aspects of the case. In addition to Messrs. Weinberg and Auerbach, Mr. Giuliani singled out for praise Executive Assistant United States Attorney Jane W. Parver, who has supervised the case, Lawrence B. Pedowitz, former Chief of the Criminal Division, Howard Wilson, Chief of the Civil Division, the current Chief of the Criminal Division, Bart Schwartz, Assistant United States Attorneys Carolyn Simpson and Peter Salerno, former Assistant United States Attorney Richard Simpson, and Gerald Lynch, former Chief Appellate Attorney. Mr. Giuliani also thanked the attorneys in the Office of International Affairs in the Criminal Division and those in the Tax Division of the Department of Justice for their assistance throughout the investigation and expressed his appreciation to Carol Dinkins, Deputy Attorney General, for her aid in coordinating the overall disposition of this case.

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