

1 Tuesday, 10 April 2018  
 2 (10.00 am)  
 3 THE CORONER: Yes.  
 4 MR SKELTON: Sir, today is the resumed hearing into the  
 5 death of Alexander Perepilichnyy. As you will have  
 6 noted my words are being translated into Russian.  
 7 THE CORONER: Yes.  
 8 MR SKELTON: The reason for that is that the first witness  
 9 today is Mr Dmitry Lipkin, a lawyer based in Moscow, who  
 10 you can see is available for us on video-link.  
 11 THE CORONER: Before we go on, you had probably better take  
 12 the interpreter's oath, hadn't you?  
 13 THE INTERPRETER: Yes.  
 14 THE CORONER: Do we have a card? Either an oath or  
 15 an affirmation, whatever you like.  
 16 THE INTERPRETER: I have everything, thank you, sir.  
 17 (The interpreter was sworn)  
 18 THE INTERPRETER: My name is Irina Norton, the language is  
 19 Russian. National register number 12875, sir.  
 20 MR SKELTON: Sir, given that we have a witness on video-link  
 21 from Moscow we thought it expedient to start with his  
 22 evidence and then catch up after the break with where we  
 23 are.  
 24 THE CORONER: Certainly.  
 25 MR SKELTON: I am going to ask Mr Lipkin some questions,

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1 then the interested persons are going to do so and then  
 2 I propose that we take a break.  
 3 THE CORONER: Yes.  
 4 I think first of all Mr Lipkin is himself going to  
 5 make an affirmation; is that right?  
 6 MR SKELTON: He is.  
 7 THE INTERPRETER: I just explained the procedure that we  
 8 will read it in English and then he will repeat it in  
 9 Russian and then I will translate it into Russian and  
 10 then I will repeat it in Russian again.  
 11 THE CORONER: Does he have it written down in front of him?  
 12 THE INTERPRETER: No, he doesn't have it.  
 13 THE CORONER: If you could just say it in Russian first, for  
 14 him to repeat, and then at the end of it we will do the  
 15 translation. Will just get very complicated if we do  
 16 a bit and then translate it, so if you read it out in  
 17 sections that he will be able to remember, he will  
 18 repeat those, you speaking in Russian, you speaking in  
 19 Russian and then at the end of all that you tell us what  
 20 he has said.  
 21 THE INTERPRETER: Okay.  
 22 MR DMITRY LIPKIN (sworn)  
 23 (Evidence delivered through an interpreter)  
 24 THE CORONER: I am terribly sorry, just hold on. I am so  
 25 sorry, and I am not getting irritable but otherwise we

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1 will spend all morning just getting this done. What  
 2 I would like you to do is you have got an oath there  
 3 which will say something like, "I do solemnly, sincerely  
 4 and truly declare and affirm that the evidence I shall  
 5 give shall be the truth, the whole truth and ..."  
 6 That is the bit. What I would like you to do is to  
 7 break that up into sections that he can remember,  
 8 because if you give him the whole thing, he will not  
 9 remember, because he doesn't have it written down there.  
 10 The first bit will be something like, "I do solemnly,  
 11 sincerely and truly ..." You will put that into  
 12 Russian, say it to him, ask him to repeat it. When he  
 13 has done that bit, give him the next bit, you speaking  
 14 only in Russian. He will then repeat the next bit in  
 15 Russian and when he has got to the whole end of it then  
 16 you tell us in English what it is he has said, okay?  
 17 THE INTERPRETER: Okay.  
 18 THE CORONER: Little chunks in Russian, you speaking them  
 19 first, him repeating them, okay.  
 20 THE INTERPRETER: Yes, sir.  
 21 THE CORONER: Thank you.  
 22 (The witness was sworn)  
 23 THE CORONER: Thank you very much. Yes.  
 24  
 25

Page 3

1 Questions from MR SKELTON  
 2 MR SKELTON: Mr Lipkin, first of all thank you for making  
 3 yourself available to this court to give evidence today.  
 4 Just to be clear, I am counsel to the Inquest so  
 5 I assist the coroner in his investigation. After I have  
 6 asked some questions, questions may be asked by other  
 7 legal representatives of parties to this Inquest and the  
 8 coroner himself may also ask some questions.  
 9 If there is anything that you don't understand  
 10 during the course of the questions, then please say.  
 11 **A. Okay.**  
 12 Q. I would like to start if I may with your professional  
 13 background and qualifications. You are a lawyer by  
 14 profession, as I understand it?  
 15 **A. Yes, that is all correct.**  
 16 Q. How long have you practised as a lawyer?  
 17 **A. Since 1999.**  
 18 Q. Do you speak at court hearings, are you an advocate?  
 19 **A. I am not an advocate but I do represent the interests of**  
 20 **my clients in court.**  
 21 Q. What kind of lawyer do you practise?  
 22 **A. Corporate law.**  
 23 Q. Do you act for a variety of individuals and  
 24 organisations outside of the Russian Federation?  
 25 **A. No, just within Russian Federation.**

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<p>1 Q. In your letter to Mr Suter, which you will find in the 2 folder of documents in front of you at page 222 A, do 3 you have that? 4 <b>A. Yes.</b> 5 Q. You say that you work for the Bureau of corporate 6 consultations LLC, a multidisciplinary law firm, and 7 that your firm provides legal services -- 8 <b>A. Yes, that's correct.</b> 9 THE INTERPRETER: Sorry, there is a slight delay. 10 MR SKELTON: Your firm provides legal services to clients in 11 both criminal and civil disputes. 12 <b>A. In order to represent the client in our criminal 13 proceedings, you need to have a status of advocate --</b> 14 Q. Within your firm -- 15 <b>A. I haven't finished.</b> 16 <b>We have a partnership structure and they represent 17 on our behalf our clients in criminal proceedings.</b> 18 Q. Can you give us an idea of how large your firm is, 19 please? 20 <b>A. We have ten lawyers and we have got three advocates.</b> 21 Q. When you spoke earlier of specialising in corporate law, 22 you personally do corporate law and do others do the 23 criminal and the civil law that you were referring to on 24 page 222 A? 25 <b>A. Criminal law, we have got lawyers who specialise in</b></p> <p style="text-align: center;">Page 5</p>	<p>1 THE INTERPRETER: I think the sound has just ... 2 <b>A. It is very difficult for me to answer this question 3 because I don't know the company that actually is -- 4 sorry, is part of the proceedings but the company 5 I worked with is the company that is mentioned here, 6 which is Hermitage Fund.</b> 7 MR SKELTON: Are they still based in Russia, are they still 8 operating there? 9 <b>A. No.</b> 10 Q. Was the Hermitage Foundation connected with 11 Mr Bill Browder, was it an investment fund? 12 <b>A. Yes.</b> 13 Q. Turning to Mr Perepilichnyy, is it correct that you were 14 first instructed by Mr Perepilichnyy in 2010? 15 <b>A. Yes, we met in 2010.</b> 16 Q. Where did you meet? 17 <b>A. At the point when he became -- at the time when he 18 became our client, he had already been abroad, away, 19 outside of Russian Federation.</b> 20 Q. Can -- 21 <b>A. So we started working, using power of attorney first, 22 and then soon after that, or some time after that, we 23 met in London.</b> 24 Q. Were you one of the principal lawyers assigned to act 25 for Mr Perepilichnyy in the various cases we have seen?</p> <p style="text-align: center;">Page 7</p>
<p>1 <b>criminal law.</b> 2 Q. But not the witness himself? 3 <b>A. No, I am not a criminal lawyer.</b> 4 Q. In your letter at paragraph 3 you refer to your firm 5 representing the interests of a group of companies under 6 the management of Hermitage Foundation, is that -- 7 <b>A. Yes, that's correct.</b> 8 Q. Is that a foundation with which you -- whose work you 9 conducted yourself personally? 10 <b>A. Yes.</b> 11 Q. Does it have any connection with Hermitage Capital 12 Management, who are an interested person in this 13 Inquest? 14 THE INTERPRETER: Sorry? 15 MR SKELTON: Does Hermitage Foundation have any connection 16 with Hermitage Capital Management which is involved with 17 this Inquest? 18 <b>A. I did not understand the question.</b> 19 Q. In this Inquest there is an organisation called 20 Hermitage Capital Management, which is headed by 21 Mr Bill Browder, B-R-O-W-D-E-R. 22 THE INTERPRETER: B-R-O-W-D-E-R, Browder. 23 MR SKELTON: Which used to manage a large investment fund in 24 Russia. 25 Is he familiar --</p> <p style="text-align: center;">Page 6</p>	<p>1 <b>A. It doesn't quite work that way with us. We, me and my 2 partner, got in touch with the client for various 3 matters and sometimes represent personal matters of the 4 client.</b> 5 Q. Before we get into the detail of the work that Mr Lipkin 6 did. 7 Could you just say that to him first? 8 I presume that Mr Lipkin is familiar with the 9 concept of legal professional privilege; is that 10 correct? 11 <b>A. Yes, but I am not familiar with your proceedings just 12 how much I can use that.</b> 13 Q. Well, Mr Lipkin may owe a duty to his client, or former 14 client, not to talk about legally confidential 15 information. If that situation arises and he feels 16 unable to give an answer because that answer is 17 confidential or privileged in accordance with his own 18 law, then he must say. 19 <b>A. I understand that.</b> 20 MR MOXON BROWNE: Sir, I am sorry to interrupt Mr Skelton 21 I am just a little bit unhappy about the way the matter 22 has been left with Mr Lipkin. The privilege that once 23 existed was of course the privilege of 24 Mr Perepilichnyy -- 25 THE INTERPRETER: I am really sorry, can you please pause</p> <p style="text-align: center;">Page 8</p>

<p>1 for the interpreter so I can interpret it?</p> <p>2 MR MOXON BROWNE: I do apologise. (Pause)</p> <p>3 The privilege was, of course, that of</p> <p>4 Mr Perepilichnyy, not that of his lawyers. As a matter</p> <p>5 of English law, certainly, that privilege now rests in</p> <p>6 the administrators of Mr Perepilichnyy's estate. That</p> <p>7 may or may not be similarly the situation in Russia,</p> <p>8 I know not.</p> <p>9 Surprisingly we have not heard any evidence in this</p> <p>10 case about whether or not Mr Perepilichnyy's estate is</p> <p>11 in administration and, if so, who the administrators</p> <p>12 are.</p> <p>13 It would be our respectful submission to you that it</p> <p>14 would not be appropriate for Mr Lipkin to take</p> <p>15 a privilege point without identifying to you upon whose</p> <p>16 behalf and upon whose instructions that point is taken.</p> <p>17 MR SKELTON: May I add a point to that. As I had understood</p> <p>18 the witness's answers, he has acted for Mr Perepilichnyy</p> <p>19 personally and in respect of Mr Perepilichnyy's</p> <p>20 corporate interests. Under English law he would have</p> <p>21 owed an obligation to Mr Perepilichnyy, had he been</p> <p>22 alive, personally, or to Mr Perepilichnyy's companies,</p> <p>23 if they are his clients. Some of those clients may</p> <p>24 still exist.</p> <p>25 The key point is that if he feels unable to answer</p> <p style="text-align: center;">Page 9</p>	<p>1 MR SKELTON: Were they all about --</p> <p>2 <b>A. Which is why we had a power of attorney for me and for</b></p> <p>3 <b>my partner, and for some of my lawyers --</b></p> <p>4 Q. Does that mean you could act --</p> <p>5 <b>A. -- and we were taking part in various proceedings as we</b></p> <p>6 <b>could.</b></p> <p>7 Q. Does that mean that they could act with</p> <p>8 Mr Perepilichnyy's authority without taking instructions</p> <p>9 every time?</p> <p>10 <b>A. Yes, you are right, in Russia it is possible. We could</b></p> <p>11 <b>represent the matter on behalf of Mr Perepilichnyy in</b></p> <p>12 <b>various court proceedings without detailed instructions</b></p> <p>13 <b>from him.</b></p> <p>14 Q. Were all --</p> <p>15 <b>A. Which is why it would be very difficult for me to answer</b></p> <p>16 <b>your question, because I was taking part in various and</b></p> <p>17 <b>many proceedings on his behalf.</b></p> <p>18 Q. Were they all to do with money owed by Mr Perepilichnyy</p> <p>19 or money owed to him?</p> <p>20 <b>A. I probably will need to refresh my memory on that but as</b></p> <p>21 <b>far as I remember, as far as I can say, mainly those</b></p> <p>22 <b>when he had a debt to somebody, he had to pay off</b></p> <p>23 <b>somebody.</b></p> <p>24 Q. Just to be clear, this is Mr Perepilichnyy personally,</p> <p>25 not one of his companies. Is that correct?</p> <p style="text-align: center;">Page 11</p>
<p>1 a question because he does not have the correct</p> <p>2 permission from his former client, then he should raise</p> <p>3 that issue.</p> <p>4 Does he understand all of that?</p> <p>5 <b>A. Yes, I understand and I accept it all.</b></p> <p>6 Q. Can I ask Mr Lipkin, please, could you clarify the</p> <p>7 nature of the litigation that you conducted for</p> <p>8 Mr Perepilichnyy personally first.</p> <p>9 THE INTERPRETER: Sorry, there is a bit of distortion from</p> <p>10 the sound, so I just asked him to repeat the word that</p> <p>11 I didn't quite catch.</p> <p>12 He said:</p> <p>13 <b>A. With your permission I would like to answer shortly, in</b></p> <p>14 <b>general -- sorry, in general to your question.</b></p> <p>15 MR SKELTON: Okay, if he can give his answer.</p> <p>16 <b>A. Alexander asked us to deal with a few matters on his</b></p> <p>17 <b>behalf, mostly those matters were concerning his debts.</b></p> <p>18 <b>And he approached us as a physical person privately,</b></p> <p>19 <b>and there were four or five bases to that.</b></p> <p>20 THE INTERPRETER: Sorry, I asked him again to repeat that</p> <p>21 word that I didn't catch.</p> <p>22 <b>A. All these matters had a very complicated destiny, and</b></p> <p>23 <b>when I say "destiny", I mean proceedings destiny, as</b></p> <p>24 <b>court proceedings destiny. So they were very</b></p> <p>25 <b>complicated.</b></p> <p style="text-align: center;">Page 10</p>	<p>1 <b>A. Everything that I received from you as a material to</b></p> <p>2 <b>this hearing and this proceedings, all of these matters</b></p> <p>3 <b>were his personal ones.</b></p> <p>4 Q. When the witness said he was approached by</p> <p>5 Mr Perepilichnyy as a physical person, could you</p> <p>6 describe how that occurred, please?</p> <p>7 <b>A. If I remembered it correctly -- if I remembered it</b></p> <p>8 <b>correctly, we were introduced to Mr Perepilichnyy by</b></p> <p>9 <b>some of our clients, we were contacted by the phone.</b></p> <p>10 <b>And, after that, his relatives visited us in the</b></p> <p>11 <b>office --</b></p> <p>12 THE INTERPRETER: Can I just confirm the surname because it</p> <p>13 will be ...</p> <p>14 <b>A. Rishat Ismagilov, by his relative, whose name is</b></p> <p>15 <b>Rishat Ismagilov.</b></p> <p>16 <b>Would you like me to spell it for you?</b></p> <p>17 MR SKELTON: For the transcribers, yes.</p> <p>18 THE INTERPRETER: It is R-I-C-H-A-T -- I have to say it is</p> <p>19 phonetic spelling so ... and Ismagilov</p> <p>20 I-S-M-A-G-I-L-O-V.</p> <p>21 MR SKELTON: Is that his brother-in-law?</p> <p>22 <b>A. He was the one who gave us the power of attorney.</b></p> <p>23 THE CORONER: I think you were just being asked, was that</p> <p>24 Mr Perepilichnyy's brother-in-law?</p> <p>25 <b>A. As far as I remember, yes, but I am not particularly</b></p> <p style="text-align: center;">Page 12</p>

<p>1 <b>well informed about his personal details.</b></p> <p>2 MR SKELTON: After the initial connection was made, did he</p> <p>3 meet Mr Perepilichnyy personally in London?</p> <p>4 <b>A. Between those two events there had been quite</b></p> <p>5 <b>a considerable time that had gone past.</b></p> <p>6 Q. Could he explain the dates so that we could</p> <p>7 understand -- please will he explain the dates when he</p> <p>8 was --</p> <p>9 THE INTERPRETER: Sorry, do I start with your --</p> <p>10 MR SKELTON: You translate first, please.</p> <p>11 THE INTERPRETER: I didn't quite catch what he said.</p> <p>12 <b>A. I just wanted to finish my thought, I would like to</b></p> <p>13 <b>explain why we met after a certain time.</b></p> <p>14 MR SKELTON: Yes.</p> <p>15 <b>A. The task that we were given needed an urgent response,</b></p> <p>16 <b>so urgent actions, which is why we took all the right</b></p> <p>17 <b>steps, as soon as we had a pause, we flew to London to</b></p> <p>18 <b>meet our client.</b></p> <p>19 Q. Can he tell us anything --</p> <p>20 <b>A. Most of the time -- at the beginning, most of the time,</b></p> <p>21 <b>we contacted our client via Skype and the phone. On top</b></p> <p>22 <b>of that, moreover, the source of information was for us</b></p> <p>23 <b>Rishat Ismagilov.</b></p> <p>24 Q. Can I just pause there, please. When was contact first</p> <p>25 made and instructions given?</p> <p style="text-align: center;">Page 13</p>	<p>1 <b>A. Enough in order to make the correction.</b></p> <p>2 Q. Does he understand what I am saying without you</p> <p>3 translating it?</p> <p>4 <b>A. No, I am listening to the Russian interpretation.</b></p> <p>5 Q. Were any of the cases other than the Dzhirsa LLC case</p> <p>6 involving organisations with any criminal associations?</p> <p>7 <b>A. I didn't understand the question.</b></p> <p>8 Q. Leaving aside the Dzhirsa litigation, which we will come</p> <p>9 back to, were any of the debts that he was acting in</p> <p>10 respect of connected to persons or organisations with</p> <p>11 criminal associations?</p> <p>12 <b>A. I am not aware of that.</b></p> <p>13 Q. He first met Mr Perepilichnyy personally in late 2010;</p> <p>14 is that correct?</p> <p>15 <b>A. Unfortunately I don't remember the date exactly but</b></p> <p>16 <b>I believe it was probably November.</b></p> <p>17 Q. That was in London, where?</p> <p>18 <b>A. We were in the restaurant Gaucho on Regent Street.</b></p> <p>19 Q. Why did you meet in London and not in Russia?</p> <p>20 <b>A. He did not want to fly to Russia.</b></p> <p>21 Q. Why?</p> <p>22 <b>A. We had information which was used in our proceedings</b></p> <p>23 <b>that he did not come to Russia because he was fearful</b></p> <p>24 <b>for his life.</b></p> <p>25 Q. How did he communicate that fear, what did he say?</p> <p style="text-align: center;">Page 15</p>
<p>1 <b>A. It was autumn of 2010.</b></p> <p>2 Q. Can he tell us what the urgent matter was that required</p> <p>3 the instructions to be given?</p> <p>4 <b>A. Because the proceedings that we mention here, we are</b></p> <p>5 <b>discussing here, were about to be scheduled for the</b></p> <p>6 <b>hearings.</b></p> <p>7 Q. This is litigation between Dzhirsa and Mr Perepilichnyy?</p> <p>8 Dzhirsa LLC?</p> <p>9 <b>A. Including that as well.</b></p> <p>10 THE INTERPRETER: "Including" the answer is.</p> <p>11 MR SKELTON: What were the other cases?</p> <p>12 <b>A. I already mentioned that there were several.</b></p> <p>13 Q. Can he give us an indication of what they were?</p> <p>14 <b>A. I have already answered this question as far as</b></p> <p>15 <b>I remember it.</b></p> <p>16 THE INTERPRETER: It is distortion of the sound.</p> <p>17 MR SKELTON: Do you want to ask again, please.</p> <p>18 <b>A. Yes, there were several court proceedings that were</b></p> <p>19 <b>related to the money that he owes. The money that</b></p> <p>20 <b>needed to be recovered from him.</b></p> <p>21 THE INTERPRETER: Dmitry corrected me because my translation</p> <p>22 initially was that he owes somebody money but he wanted</p> <p>23 to say that it is not quite correct, it is the recovery</p> <p>24 of the funds that I should have said.</p> <p>25 MR SKELTON: Does Mr Lipkin speak English?</p> <p style="text-align: center;">Page 14</p>	<p>1 <b>A. Unfortunately it has been a long time and I do not have</b></p> <p>2 <b>that in my memory, so I won't be able to say to you what</b></p> <p>3 <b>exactly had been said and when.</b></p> <p>4 Q. If a client says, "You must visit me in London because</p> <p>5 I can't come to Russia", would you ordinarily question</p> <p>6 that and ask them why?</p> <p>7 <b>A. We did ask -- we did ask this question ourselves and we</b></p> <p>8 <b>asked, you know, we put this question to him but it is</b></p> <p>9 <b>just I can't refer to a particular conversation that we</b></p> <p>10 <b>had regarding this.</b></p> <p>11 Q. Was the threat from a person or an organisation?</p> <p>12 <b>A. I don't have any concrete information about this but</b></p> <p>13 <b>I know one fact, that he did not take any action in this</b></p> <p>14 <b>matter.</b></p> <p>15 Q. What does he mean by that?</p> <p>16 <b>A. As far as I am aware, he did not try to open any</b></p> <p>17 <b>criminal cases, matters, and he did not contact law</b></p> <p>18 <b>enforcement authorities.</b></p> <p>19 Q. How does he know that?</p> <p>20 <b>A. As far as I am aware, as far as I know, because he</b></p> <p>21 <b>didn't do it through us, by us.</b></p> <p>22 Q. Did you give advice that he should make contact with</p> <p>23 such a person?</p> <p>24 <b>A. I don't remember that.</b></p> <p>25 Q. At some points during Mr Lipkin's evidence he has been</p> <p style="text-align: center;">Page 16</p>

1 referring to "we" rather than "me". Who is he referring  
 2 to when he says "we"?

3 **A. Well, mainly I would be dealing with his matters but**  
 4 **sometimes he would deal with my partner, so perhaps that**  
 5 **is why I say "we".**

6 Q. How many people did he have personal contact with during  
 7 this period of time at Mr Lipkin's firm? How many  
 8 lawyers in the firm did Mr Perepilichnyy instruct?

9 **A. Mainly he contacted myself and my partner.**

10 Q. Who?

11 **A. My partner his name ...**

12 THE INTERPRETER: I didn't catch it.

13 **A. Ruchka, Oleg Ruchka. O-L-E-G. R-U-C-H-K-R-A.**

14 MR SKELTON: Did you say K-R-A or just K-A?

15 THE INTERPRETER: R-U-C-H-K-A.

16 MR SKELTON: Thank you.

17 Did you, Mr Lipkin, and Mr Ruchka meet  
 18 Mr Perepilichnyy in London at that restaurant?

19 **A. Yes, as I already mentioned it.**

20 Q. As far as you are aware, did Mr Perepilichnyy ever tell  
 21 Mr Ruchka about the threats to his safety and why he had  
 22 left Russia?

23 THE INTERPRETER: Sorry, Mr Lipkin and Ruchka --

24 MR SKELTON: As far as you were aware, did Mr Perepilichnyy  
 25 discuss with Mr Ruchka the reasons he left Russia?

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1 **A. I believe in the same way as he has discussed it with**  
 2 **me.**

3 Q. Since Mr Perepilichnyy died, has he spoken to Mr Ruchka  
 4 about Mr Perepilichnyy's death?

5 **A. Only in the format that has already been covered in**  
 6 **newspapers.**

7 Q. Does Mr Ruchka, as far as Mr Lipkin is aware, have any  
 8 information that would assist on who may have threatened  
 9 or killed Mr Perepilichnyy?

10 **A. As far as I am aware, no.**

11 Q. Has he had any other clients who have indicated that  
 12 they feel threatened and needed to leave Russia and have  
 13 subsequently died?

14 **A. No.**

15 Q. Was the threat that Mr Perepilichnyy described a threat  
 16 to his personal safety or to his finances?

17 **A. Will you please allow me to answer your question wider?**

18 Q. Yes.

19 **A. As I already mentioned, we were hired by**  
 20 **Mr Perepilichnyy to represent his matters for limited**  
 21 **civil matters, we were not his strategic lawyers. He**  
 22 **did not discuss his business matters with us. Therefore**  
 23 **this story about the threats to his life was only**  
 24 **discussed in the very early stages and we never**  
 25 **discussed it at any later stages.**

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1 Q. Were the threats associated with the litigation in which  
 2 Mr Lipkin was acting?

3 **A. I cannot answer this question, as I don't have any**  
 4 **information regarding this.**

5 Q. To be clear, are you aware of anyone in the Russian  
 6 government who has ever threatened Mr Perepilichnyy?

7 THE INTERPRETER: Sorry, you looked down --

8 MR SKELTON: Are you aware of anyone in the Russian  
 9 government who has ever threatened Mr Perepilichnyy?

10 **A. No.**

11 Q. Are you aware of any organised criminals who may have  
 12 threatened Mr Perepilichnyy?

13 **A. No.**

14 Q. Did Mr Perepilichnyy ever speak of his connection with  
 15 an alleged fraud involving Hermitage Capital Management?

16 **A. I know about this from the open sources and we did not**  
 17 **discuss it with him.**

18 Q. Could he just clarify what he means in terms of when he  
 19 became aware of that allegation and what open sources he  
 20 is referring to?

21 **A. As I already -- as I already mentioned --**

22 THE INTERPRETER: Sorry, I just asked him to pause so that  
 23 I can ...

24 I think there was a slight delay, I think it is  
 25 apparent.

Page 19

1 **A. We dealt with other matters of Hermitage.**  
 2 **We had dealt with the matters of the company**  
 3 **Hermitage prior we met Mr Perepilichnyy.**

4 MR SKELTON: So --

5 **A. Before, which is why we followed all the news and all**  
 6 **the information that was related to this company.**

7 Q. When did he first --

8 **A. And there was a time where it was widely published**  
 9 **everywhere, there was a lot of information on the**  
 10 **internet about it as well.**

11 Q. When did he first become aware of Mr Perepilichnyy's  
 12 alleged connections with that fraud?

13 **A. It is very difficult for me to answer this question and**  
 14 **connect my knowledge when I became aware with the**  
 15 **meeting of Perepilichnyy or at what stage I became**  
 16 **aware. I just know that I know but I can't really**  
 17 **relate it to a specific time in the past when I became**  
 18 **aware.**

19 Q. Can he say whether it was before or after  
 20 Mr Perepilichnyy died?

21 **A. Before, of course.**

22 Q. Before Mr Perepilichnyy died you became aware that he  
 23 had a connection with the Hermitage fraud; is that  
 24 correct?

25 **A. Yes. News about it were on the news before his death.**

Page 20

<p>1 Q. We have seen evidence that Mr Vladen Stepanov spoke to 2 the media prior to Mr Perepilichnyy's death; is that 3 what he is referring to?</p> <p>4 <b>A. Fellow colleagues ... fellow colleagues, well, 5 obviously, because it was connected with our clients we 6 clearly followed the news but it was everywhere at the 7 time.</b></p> <p>8 THE INTERPRETER: I am just going to ask about the last 9 sentence, because that wasn't clear.</p> <p>10 <b>A. Stepanov, it was a name that was mentioned in the 11 proceedings.</b></p> <p>12 MR SKELTON: How did Mr Perepilichnyy's name arise in 13 respect of the fraud, the alleged fraud?</p> <p>14 THE INTERPRETER: I didn't catch that, I will just ask him 15 to repeat it.</p> <p>16 <b>A. I wouldn't like to be in the position mentioning the 17 headings of the newspapers here during these proceedings 18 now.</b></p> <p>19 MR SKELTON: Sorry, could you say that again, please?</p> <p>20 <b>A. I would not want to be in the position mentioning or to 21 mention all the newspapers' headings here during these 22 proceedings.</b></p> <p>23 Q. He is saying that it was public knowledge that 24 Mr Perepilichnyy had allegedly got a connection with the 25 fraud?</p> <p style="text-align: center;">Page 21</p>	<p>1 <b>and our clients were aware of that.</b></p> <p>2 Q. Were you aware that Mr Perepilichnyy had spoken to the 3 Swiss authorities in respect of a money laundering 4 operation to do with the alleged fraud?</p> <p>5 <b>A. We didn't deal with this matter.</b></p> <p>6 Q. Were you aware of it?</p> <p>7 <b>A. It is difficult for me to answer, perhaps he mentioned 8 it sometimes but we didn't deal with it.</b></p> <p>9 Q. Were you aware that he had another lawyer in 10 Switzerland?</p> <p>11 <b>A. We didn't deal with this matter, so I don't know 12 anything about it.</b></p> <p>13 Q. Did Mr Ismagilov, or any other associate of 14 Mr Perepilichnyy, ever mention threats to his life?</p> <p>15 <b>A. It is hard for me to remember. It was mentioned but it 16 is difficult for me to say who by and when.</b></p> <p>17 Q. Can I ask Mr Lipkin to make an effort to try and 18 remember, because it is critical for this Inquest?</p> <p>19 <b>A. I clearly understand that but because obviously 20 I affirmed and solemnly declared, I only say things that 21 I know myself.</b></p> <p>22 <b>I cannot relate a particular conversation. I do not 23 have any notes of the conversations and meetings. 24 I confirm that we did use that information in our court 25 proceedings, but I can't either deny or confirm that</b></p> <p style="text-align: center;">Page 23</p>
<p>1 <b>A. Yes.</b></p> <p>2 Q. Did he ever ask Mr Perepilichnyy about it?</p> <p>3 <b>A. I don't remember but I don't believe so.</b></p> <p>4 Q. Did his partner ever ask Mr Perepilichnyy about it?</p> <p>5 <b>A. As I already mentioned, we communicated on the matters 6 that we were instructed to deal with, and we mainly 7 communicated via phone and Skype.</b></p> <p>8 Q. Having become aware of the connection, did --</p> <p>9 <b>A. Just one second.</b></p> <p>10 THE INTERPRETER: I'm sorry?</p> <p>11 <b>A. That is not what I said, I said he did not talk about it 12 openly.</b></p> <p>13 MR SKELTON: Were you acting for Hermitage in respect of the 14 alleged fraud at this time?</p> <p>15 <b>A. Part of it, yes.</b></p> <p>16 Q. As a result of that, did you not want to know more about 17 what your other client, Mr Perepilichnyy, had done?</p> <p>18 <b>A. We do not discuss matters of our clients with other 19 clients.</b></p> <p>20 Q. But if it was public knowledge that Mr Perepilichnyy was 21 allegedly involved with the fraud, did that not create 22 a conflict between his obligation to Mr Perepilichnyy 23 and his obligation to Hermitage?</p> <p>24 <b>A. In our view, it wasn't. We -- there wasn't. We 25 isolate -- we dealt with the matters which were isolated</b></p> <p style="text-align: center;">Page 22</p>	<p>1 <b>with anything I've got.</b></p> <p>2 Q. After Mr Perepilichnyy died, did Mr Ismagilov or any 3 other associates of Mr Perepilichnyy continue to be your 4 clients?</p> <p>5 <b>A. Yes, for some time after the death of Mr Perepilichnyy 6 we continued working with his relatives who inherited 7 his estate.</b></p> <p>8 Q. Did any of those persons ever express a view on the 9 reasons for Mr Perepilichnyy's death?</p> <p>10 <b>A. No.</b></p> <p>11 Q. So even though there has been speculation in the 12 national media -- certainly in the United Kingdom and 13 elsewhere -- that Mr Perepilichnyy may have been 14 murdered, none of his relatives or associates has ever 15 expressed a view as to whether that is or is not true?</p> <p>16 <b>A. No.</b></p> <p>17 <b>Can I please come back to that -- can I please come 18 back to that thought that I had already expressed a few 19 times. We were not his fundamental strategic, as it was 20 mentioned before, lawyers.</b></p> <p>21 Q. Who were?</p> <p>22 <b>A. We were just dealing with episodes that concerned his 23 debts.</b></p> <p>24 <b>He had a lawyer, his name is Edurd Adzhimyan.</b></p> <p>25 THE INTERPRETER: Can I just confirm?</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 MR SKELTON: Please do.</p> <p>2 THE INTERPRETER: Right, it is E-D-U-R-D, Edurd, and</p> <p>3 Adzhimyan, A-D-Z-H-I-N-Y-A -- sorry M in the middle</p> <p>4 I will repeat. It is A-D-Z-H-I-M-Y-A-N, Adzhimyan.</p> <p>5 MR SKELTON: Was he Mr Perepilichnyy's --</p> <p>6 <b>A. Which is why we never had those conversations with them.</b></p> <p>7 Q. First of all, was that gentleman the principal lawyer of</p> <p>8 Mr Perepilichnyy in Russia?</p> <p>9 <b>A. Alexander introduced him to us as his trusted lawyer, so</b></p> <p>10 <b>he dealt with everything on Mr Perepilichnyy's behalf.</b></p> <p>11 Q. Did he ever indicate the reasons why Mr Perepilichnyy</p> <p>12 had left Russia?</p> <p>13 <b>A. I have already answered this question. I do not have</b></p> <p>14 <b>information that I can give to you.</b></p> <p>15 Q. Can I draw a distinction between information given prior</p> <p>16 to Mr Perepilichnyy's death and information or opinions</p> <p>17 after his death.</p> <p>18 Has anyone expressed an opinion to you or provided</p> <p>19 information to you that may be relevant to</p> <p>20 Mr Perepilichnyy's death since he died?</p> <p>21 <b>A. From who?</b></p> <p>22 Q. Anyone, it was an open question.</p> <p>23 <b>A. As I already mentioned, there were loads of various</b></p> <p>24 <b>suggestions that were mentioned in newspapers.</b></p> <p>25 Q. Well, let's take it in stages. After he died, you must</p> <p style="text-align: center;">Page 25</p>	<p>1 Q. Does he believe it is possible that he was threatened in</p> <p>2 connection with the Hermitage fraud that has been</p> <p>3 alleged?</p> <p>4 <b>A. Well, all of this, this is just allegations. I do not</b></p> <p>5 <b>have any facts.</b></p> <p>6 MR SKELTON: Sir, I wonder if that is a convenient moment?</p> <p>7 THE CORONER: Yes, certainly.</p> <p>8 MR SKELTON: We are going to take a short break for the</p> <p>9 transcribers, for 10 minutes.</p> <p>10 <b>A. Thank you.</b></p> <p>11 <b>(11.23 am)</b></p> <p>12 <b>(A short adjournment)</b></p> <p>13 <b>(11.37 am)</b></p> <p>14 MR SKELTON: Mr Lipkin, two points of housekeeping before we</p> <p>15 restart.</p> <p>16 First of all, I should have clarified at the start,</p> <p>17 is in there anyone in the room with you where you are</p> <p>18 giving evidence?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Who?</p> <p>21 <b>A. One of my lawyers.</b></p> <p>22 Q. Can I ask whether that lawyer has had any communications</p> <p>23 with you during the course of you giving evidence that</p> <p>24 has made any difference to your testimony?</p> <p>25 <b>A. No.</b></p> <p style="text-align: center;">Page 27</p>
<p>1 have had conversations for example with Mr Ruchka about</p> <p>2 why he died, correct?</p> <p>3 <b>A. Yes, of course.</b></p> <p>4 Q. Did Mr Ruchka express an opinion on whether or not</p> <p>5 Mr Perepilichnyy was murdered?</p> <p>6 <b>A. At the beginning everybody was talking that it was</b></p> <p>7 <b>a heart attack.</b></p> <p>8 Q. And afterwards?</p> <p>9 <b>A. And then there were loads of things said and mainly</b></p> <p>10 <b>rumours and gossips.</b></p> <p>11 Q. Has Mr Ruchka expressed a view that he believes</p> <p>12 Mr Perepilichnyy may have been murdered?</p> <p>13 <b>A. I don't know what to answer to this question. I don't</b></p> <p>14 <b>know what to answer to these questions, these are</b></p> <p>15 <b>gossips, I do not have any information.</b></p> <p>16 Q. It is important for this court to distinguish between</p> <p>17 what might be rumour and what might be legitimate</p> <p>18 opinion. Is it Mr Ruchka's opinion that</p> <p>19 Mr Perepilichnyy may have been murdered?</p> <p>20 <b>A. I am not Mr Ruchka. I don't have any opinion as to why</b></p> <p>21 <b>Mr Perepilichnyy was murdered and whether he was</b></p> <p>22 <b>murdered.</b></p> <p>23 Q. Sorry, just to be clear --</p> <p>24 <b>A. He was threatened, he left Russia. But who he was</b></p> <p>25 <b>threatened by, I don't know.</b></p> <p style="text-align: center;">Page 26</p>	<p>1 Q. To be clear, you have not been asked to change or in any</p> <p>2 way alter your answers by the person present in the</p> <p>3 room?</p> <p>4 <b>A. No, no, no, no, he is just writing the stenogram.</b></p> <p>5 THE INTERPRETER: You know, very similar to what these guys</p> <p>6 are doing, he is just typing --</p> <p>7 MR SKELTON: Noting down the evidence.</p> <p>8 THE INTERPRETER: Noting down the evidence.</p> <p>9 MR SKELTON: The second thing I want to mention is that we</p> <p>10 are going to now continue with your evidence for about</p> <p>11 one hour and a quarter and then it will conclude,</p> <p>12 because that is the end of the video-link.</p> <p>13 <b>A. Yes, I understand.</b></p> <p>14 Q. Can I ask you about the judgment that you have provided</p> <p>15 to the coroner, which dates from a hearing dated</p> <p>16 10 March 2011, which you will find in your folder and</p> <p>17 the Russian version I think is under tab 4 at</p> <p>18 page 111 A.</p> <p>19 <b>A. Yes, I have opened that page.</b></p> <p>20 Q. Thank you.</p> <p>21 First of all, can you tell us who Dzhirsa LLC are?</p> <p>22 <b>A. This is the company that recovered the debts from Mr --</b></p> <p>23 <b>from Alexander.</b></p> <p>24 Q. What sort of company is it?</p> <p>25 <b>A. What do you mean? Could you please clarify what you</b></p> <p style="text-align: center;">Page 28</p>

<p>1 mean?</p> <p>2 Q. What is its business?</p> <p>3 <b>A. I don't know, we didn't make that research.</b></p> <p>4 Q. Is it a loan company?</p> <p>5 <b>A. Honestly, I don't know, but there were documents which</b></p> <p>6 <b>confirmed that they owed ...</b></p> <p>7 THE INTERPRETER: Then there was a mute sound, so I need to</p> <p>8 ask again.</p> <p>9 <b>A. They had documents that explained or explained the</b></p> <p>10 <b>questions for Alexander, you know, the appeals to</b></p> <p>11 <b>Alexander and we just -- we didn't really research those</b></p> <p>12 <b>documents.</b></p> <p>13 MR SKELTON: You didn't research them, did you say?</p> <p>14 <b>A. No, that is not what I said. What was important to us,</b></p> <p>15 <b>you know, what we knew, is that this company had a claim</b></p> <p>16 <b>against Alexander but what actually the business of this</b></p> <p>17 <b>company was, we did not study.</b></p> <p>18 Q. Why not? Do you not need to know the background to the</p> <p>19 litigating party in order to understand the claim?</p> <p>20 <b>A. The arbitration process is very formal and this is not</b></p> <p>21 <b>required.</b></p> <p>22 Q. Is this judgment part of an arbitration process or is it</p> <p>23 an actual court judgment by a judge?</p> <p>24 <b>A. No, no, I made an error, it is not arbitration, it is</b></p> <p>25 <b>a general court but it is still the processes are very</b></p> <p style="text-align: center;">Page 29</p>	<p>1 particular matter about whether he signed or did not</p> <p>2 sign the document. And what business the company was</p> <p>3 dealing with was not important in this particular</p> <p>4 proceeding.</p> <p>5 Also, it wasn't the company that he signed the</p> <p>6 document with, it was the company that bought the</p> <p>7 rights. It was the company that bought that debt and</p> <p>8 therefore bought the rights to request for recovery of</p> <p>9 the funds.</p> <p>10 Q. Is Dzhirsa LLC the company that bought the debt or are</p> <p>11 they the company that entered into the loan agreement?</p> <p>12 <b>A. No, if you read the judgment in the first paragraph, it</b></p> <p>13 <b>does say that this is the company that bought the right</b></p> <p>14 <b>to request the recovery of the funds. So the Dzhirsa is</b></p> <p>15 <b>the one, the company which bought the right.</b></p> <p>16 Q. As far as you are aware, is that what Dzhirsa do, they</p> <p>17 buy debt and then enforce it through the courts?</p> <p>18 <b>A. It is possible, but I can't prove anything.</b></p> <p>19 Q. Is he aware of any connection between a gentleman called</p> <p>20 Dmitry Kovtun and Dzhirsa?</p> <p>21 THE INTERPRETER: I just asked the last word because</p> <p>22 I didn't hear it.</p> <p>23 <b>A. I have heard that surname somewhere, but I do not</b></p> <p>24 <b>remember whether there was any connection.</b></p> <p>25 MR SKELTON: Dmitry Kovtun was found by a United Kingdom</p> <p style="text-align: center;">Page 31</p>
<p>1 formal and this information is not required.</p> <p>2 Q. Is your evidence to the court that you do not know</p> <p>3 anything about the business of Dzhirsa LLC?</p> <p>4 <b>A. It is not important from the view of the process which</b></p> <p>5 <b>is why we didn't deal with that.</b></p> <p>6 Q. Were you aware as to whether Mr Perepilichnyy, prior to</p> <p>7 this dispute, had had any dealings with Dzhirsa LLC?</p> <p>8 <b>A. I cannot say anything evidential on that. Anything, you</b></p> <p>9 <b>know -- I can't say anything true about it, I can't give</b></p> <p>10 <b>any true facts about it.</b></p> <p>11 Q. Can you just explain that answer, please. Prior to this</p> <p>12 litigation, had Mr Perepilichnyy had any personal or</p> <p>13 business dealings with Dzhirsa LLC?</p> <p>14 <b>A. I don't remember those details. I don't remember those</b></p> <p>15 <b>details and this court decision. I refreshed my memory</b></p> <p>16 <b>and I read this court decision, this judgment, again and</b></p> <p>17 <b>it wasn't important for the litigation process.</b></p> <p>18 MR MOXON BROWNE: It was or it wasn't?</p> <p>19 THE INTERPRETER: It was not.</p> <p>20 MR MOXON BROWNE: Not important?</p> <p>21 THE INTERPRETER: Was not important. It was not important.</p> <p>22 MR SKELTON: Is it not important when you are litigating</p> <p>23 an action such as this to know what prior dealings your</p> <p>24 own client has had with the other side?</p> <p>25 <b>A. In this particular case, no. The question was in this</b></p> <p style="text-align: center;">Page 30</p>	<p>1 High Court judge to have murdered Alexander Litvinenko.</p> <p>2 Has he heard of that?</p> <p>3 <b>A. Yes. Possible. Possibly.</b></p> <p>4 Q. So you have heard of Dmitry Kovtun?</p> <p>5 <b>A. Litvinenko's case was quite a big one, so yes, I have</b></p> <p>6 <b>heard.</b></p> <p>7 Q. Were you aware of a connection between Mr Kovtun and</p> <p>8 Dzhirsa LLC?</p> <p>9 <b>A. I don't remember such details, it is possible.</b></p> <p>10 Q. Is Dzhirsa the type of company that, if it does not</p> <p>11 succeed in court, may resort to a threat of physical</p> <p>12 violence?</p> <p>13 <b>A. I don't know. I don't know. We won that case.</b></p> <p>14 Q. Yes, I know you won this case, but in other instances</p> <p>15 where Dzhirsa lose, do they resort to physical violence?</p> <p>16 <b>A. I don't know anything about it but this particular case</b></p> <p>17 <b>we won.</b></p> <p>18 Q. Did Mr Perepilichnyy ever mention Mr Kovtun?</p> <p>19 <b>A. I cannot remember that.</b></p> <p>20 Q. So he might have done?</p> <p>21 <b>A. I cannot remember that exactly, so I don't remember.</b></p> <p>22 Q. Can he just briefly explain how the loan agreement came</p> <p>23 about, the alleged loan agreement I should say.</p> <p>24 <b>A. Which loan, the one that the judgment is about?</b></p> <p>25 Q. The one that is the subject of the judgment we are</p> <p style="text-align: center;">Page 32</p>



<p>1 looking at.</p> <p>2 <b>A. It is not -- this.</b></p> <p>3 THE INTERPRETER: This is going to be difficult. He said,</p> <p>4 "It is not a loan it is ..." I don't know, can I just</p> <p>5 check that because I don't know the difference</p> <p>6 between ...</p> <p>7 MR SKELTON: In the translation it is called a "Securities</p> <p>8 purchase and sale agreement".</p> <p>9 THE INTERPRETER: I will just confirm.</p> <p>10 Yes it is called a guarantee or security or a supply</p> <p>11 of security.</p> <p>12 MR SKELTON: A suretyship agreement, do you see that in the</p> <p>13 English version which is on page 105?</p> <p>14 THE INTERPRETER: Yes, suretyship agreement or security.</p> <p>15 MR SKELTON: Who were the parties to that agreement?</p> <p>16 THE INTERPRETER: Sorry.</p> <p>17 MR SKELTON: Who were the parties to that agreement?</p> <p>18 <b>A. I have already answered this question, I reread this</b></p> <p>19 <b>judgment because it has been some time since it was ...</b></p> <p>20 <b>It has been nearly seven years since this judgment.</b></p> <p>21 <b>It says here that the dealing, the agreement was</b></p> <p>22 <b>between Florin --</b></p> <p>23 Q. Alfa-Florin LLC?</p> <p>24 <b>A. Alfa-Florin and Raytec, LLC Raytec.</b></p> <p>25 Q. Who were they?</p> <p style="text-align: center;">Page 33</p>	<p>1 <b>A. I don't remember these details.</b></p> <p>2 THE INTERPRETER: I think he is looking through something.</p> <p>3 <b>A. All I remember is that we eventually won.</b></p> <p>4 MR SKELTON: You eventually won?</p> <p>5 <b>A. Won.</b></p> <p>6 Q. That is the key point.</p> <p>7 <b>A. We managed to prove that it wasn't his signature.</b></p> <p>8 Q. That it was not a properly entered into agreement?</p> <p>9 <b>A. That it wasn't his signature.</b></p> <p>10 Q. Thank you.</p> <p>11 The key point in the judgment is the point where</p> <p>12 Mr Perepilichnyy is discussed and his non-attendance.</p> <p>13 You said earlier that you were not an advocate.</p> <p>14 First of all, were you at this hearing yourself?</p> <p>15 THE INTERPRETER: Pardon?</p> <p>16 MR SKELTON: Did you attend the hearing that we are looking</p> <p>17 at?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Who else attended the hearing and acted for</p> <p>20 Mr Perepilichnyy?</p> <p>21 <b>A. It was rather a long case and there were different</b></p> <p>22 <b>people who took part in these proceedings.</b></p> <p>23 Q. The date is 10 March 2011, it is in front of a federal</p> <p>24 judgment of the Gagarinsky district court in Moscow.</p> <p>25 The judge is EM Chernysh, is that correct?</p> <p style="text-align: center;">Page 35</p>
<p>1 <b>A. And allegedly Alexander, you know, had that security</b></p> <p>2 <b>agreement for this particular deal, he was one of</b></p> <p>3 <b>the ...</b></p> <p>4 Q. Had he done that in his personal capacity?</p> <p>5 <b>A. And the question was then raised whether he signed this</b></p> <p>6 <b>particular deal or he didn't.</b></p> <p>7 Q. Just to be clear, was he acting in a personal capacity</p> <p>8 in respect of this alleged deal or was he acting through</p> <p>9 a corporate entity?</p> <p>10 This is Mr Perepilichnyy, was Mr Perepilichnyy</p> <p>11 acting personally in respect of this alleged agreement</p> <p>12 or was he acting through a corporate entity?</p> <p>13 THE INTERPRETER: Court?</p> <p>14 MR SKELTON: Corporate entity.</p> <p>15 THE INTERPRETER: Corporate entity, sorry.</p> <p>16 <b>A. He signed this particular surety agreement, suretyship</b></p> <p>17 <b>agreement, allegedly he signed it from him personally.</b></p> <p>18 MR SKELTON: Personally.</p> <p>19 <b>A. Personally.</b></p> <p>20 Q. Then the agreement or the benefits of the debt were</p> <p>21 passed on from Alfa-Florin to Dzhirsa?</p> <p>22 <b>A. It seems that way, yes.</b></p> <p>23 Q. Ultimately, as he explained earlier, the case proceeded</p> <p>24 through the higher courts to the Supreme Court, and</p> <p>25 Mr Perepilichnyy won?</p> <p style="text-align: center;">Page 34</p>	<p>1 <b>A. It is a female, yes.</b></p> <p>2 Q. Who spoke at the hearing? Did you speak?</p> <p>3 <b>A. All the court hearing that I personally attended,</b></p> <p>4 <b>I would speak.</b></p> <p>5 Q. So when it mentions --</p> <p>6 <b>A. I also would speak, as well.</b></p> <p>7 Q. Are you the person that told in judge that</p> <p>8 Mr Perepilichnyy was not in Russia because he feared for</p> <p>9 his life?</p> <p>10 <b>A. I also said that.</b></p> <p>11 Q. Was it relevant to the court's decision that</p> <p>12 Mr Perepilichnyy was outside Russia?</p> <p>13 <b>A. It particularly concerned whether we should grant</b></p> <p>14 <b>permission for the expertise, for handwriting expertise.</b></p> <p>15 Q. As a background, there was a requirement for</p> <p>16 a handwriting expert to check the agreement to see if</p> <p>17 Mr Perepilichnyy had signed it? And Mr Perepilichnyy</p> <p>18 was not in the jurisdiction and had not at this stage</p> <p>19 provided a copy of his handwriting; is that correct?</p> <p>20 <b>A. Yes, as far as I remember, as far as I remember, we did</b></p> <p>21 <b>not manage to get the handwriting expertise at this</b></p> <p>22 <b>particular hearing.</b></p> <p>23 Q. Was the judge concerned that Mr Perepilichnyy was not</p> <p>24 present?</p> <p>25 <b>A. She was unable to request this particular expertise,</b></p> <p style="text-align: center;">Page 36</p>

1 **because there is a difference between expertise that we**  
 2 **could do ourselves and the expertise which is requested**  
 3 **by the court.**  
 4 Q. I understand that. But after you had told the judge  
 5 that Mr Perepilichnyy was outside Russia because he  
 6 feared for his life, did she ask any questions about  
 7 that assertion?  
 8 **A. I don't remember these details.**  
 9 Q. Is it a common --  
 10 **A. At the end of the day -- the expertise was not granted,**  
 11 **it was not requested and he did not come back to Russia.**  
 12 Q. Did the judge, for example, say, "Are you telling me  
 13 that this threat is to do with this litigation?"  
 14 **A. It is not a normal practice, where we are, but --**  
 15 THE INTERPRETER: Sorry, I just kept confirming what had  
 16 actually been said.  
 17 **A. It is not a general practice but if it did not make it**  
 18 **into the official judgment, that meant that it didn't**  
 19 **matter in these particular proceedings, or for these**  
 20 **particular proceedings.**  
 21 MR SKELTON: As far as you can recall, the judge expressed  
 22 no interest in the reasons why Mr Perepilichnyy feared  
 23 for his life?  
 24 **A. Yes, that is exactly -- yes, she did not express any**  
 25 **concern as far as I remember.**

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1 Q. Is it common for this kind of occurrence to occur,  
 2 ie a party to litigation to be outside of Russia and to  
 3 explain that they are not prepared to come back into the  
 4 jurisdiction?  
 5 **A. Well, we had those instructions, so that is what we**  
 6 **said.**  
 7 Q. Did you have any evidence to put before the court, in  
 8 other words a statement from Mr Perepilichnyy or other  
 9 form of objective evidence, rather than assertion?  
 10 **A. No.**  
 11 Q. Just returning to the way in which you came by your  
 12 instructions, you explained that you had met  
 13 Mr Perepilichnyy in late 2010, personally in London.  
 14 Did you meet or speak to him subsequently prior to this  
 15 hearing?  
 16 **A. As I already mentioned, we communicated via phone, Skype**  
 17 **and by "we" I mean myself and my partner, and we also**  
 18 **communicated with Rishat.**  
 19 Q. Did Mr Perepilichnyy or Rishat say in writing, by email,  
 20 letter, or any other form of communication, that he was  
 21 in fear for his life?  
 22 **A. No, I have not found such a message or such a letter.**  
 23 Q. So --  
 24 **A. Skype messaging unfortunately, is not -- hasn't been**  
 25 **saved.**

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1 Q. So who told you about --  
 2 **A. And the notes which we keep for a while to record our**  
 3 **communication with the clients now have been destroyed,**  
 4 **due to the time which has passed.**  
 5 Q. When were they destroyed?  
 6 **A. I don't remember. I don't remember, quite a while ago.**  
 7 THE INTERPRETER: The last sentence was:  
 8 **A. We don't keep the archive for very long.**  
 9 MR SKELTON: Were they destroyed before or after you were  
 10 contacted by the coroner's officer in this case?  
 11 **A. Well before that.**  
 12 Q. Who communicated the fact of the threat to you?  
 13 **A. Either Alexander or Rishat but I can't relate to**  
 14 **a specific conversation.**  
 15 Q. Was it by conversation only, and if so was it in person  
 16 or on the telephone?  
 17 **A. Unfortunately, I cannot remember a particular**  
 18 **conversation when I took part, because I don't have any**  
 19 **notes.**  
 20 Q. Is it possible that it is Mr Ismagilov who told you that  
 21 information and subsequently he has indicated that he  
 22 doesn't want to disclose that evidence to this court?  
 23 THE INTERPRETER: Sorry?  
 24 MR SKELTON: Is it possible that it is Mr Ismagilov who gave  
 25 you that information and he has subsequently said that

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1 he does not want that to be disclosed to this court?  
 2 **A. There are two questions.**  
 3 **So the first question, I cannot recall, I can't**  
 4 **relate to a particular conversation and the fact that it**  
 5 **has been quite a long time now and I don't remember and**  
 6 **I do not have any notes to relate or refresh my memory**  
 7 **about that.**  
 8 Q. I appreciate that it is difficult to remember the  
 9 precise details.  
 10 **A. And please interpret my answer to the second question:**  
 11 **I have not seen Ismagilov for quite a while and he has**  
 12 **not instructed me in any way.**  
 13 Q. For the purposes of preparing the court hearing, did you  
 14 need more details of the threat so that if necessary you  
 15 could tell the judge?  
 16 **A. It is not necessary because it did not have any value**  
 17 **for the particular proceeding or proceeding value.**  
 18 Q. Why did he not simply say he lives abroad?  
 19 **A. It did not have -- it did not matter for this particular**  
 20 **proceeding, for the reason that the matter of the**  
 21 **proceeding and the subject of the proceeding was about**  
 22 **the signature rather than his absence from the court**  
 23 **hearing and his absence from Russian Federation.**  
 24 Q. If it didn't matter, why did he not simply say  
 25 "Mr Perepilichnyy lives abroad"?

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<p>1 <b>A. Because that is the instructions we received.</b></p> <p>2 Q. As far as the rest of your dealings with</p> <p>3 Mr Perepilichnyy are concerned, are you aware of any</p> <p>4 threats to Mr Perepilichnyy's life outside of the threat</p> <p>5 which you have discussed in the context of this</p> <p>6 judgment?</p> <p>7 <b>A. Probably not.</b></p> <p>8 Q. What do you mean by "probably"?</p> <p>9 <b>A. Well, because according to what I have discovered from</b></p> <p>10 <b>the newspapers, you know, I can't make --</b></p> <p>11 THE INTERPRETER: Sorry, I didn't hear. Quite frankly I am</p> <p>12 making it up.</p> <p>13 MR SKELTON: Please don't.</p> <p>14 THE INTERPRETER: Yes.</p> <p>15 MR SKELTON: Are you aware of any information, other than</p> <p>16 what you have read in the newspapers, to suggest that</p> <p>17 Mr Perepilichnyy's life was in danger prior to his</p> <p>18 death?</p> <p>19 <b>A. Just in general words, I don't know anything specific.</b></p> <p>20 Q. Sorry, could you explain exactly what you mean by that.</p> <p>21 Is there any general information that you have which</p> <p>22 would assist the court?</p> <p>23 <b>A. Okay, I am answering these questions quite in detail.</b></p> <p>24 <b>So let me just explain my position again.</b></p> <p>25 <b>We received the information from our client which we</b></p> <p style="text-align: center;">Page 41</p>	<p>1 Questions from MR MOXON BROWNE</p> <p>2 MR MOXON BROWNE: Mr Lipkin, I represent the late</p> <p>3 Mr Perepilichnyy's life insurers, Legal &amp; General.</p> <p>4 You have told us that the --</p> <p>5 <b>A. Hello.</b></p> <p>6 Q. You have told us that the Skype messages passing between</p> <p>7 you and your partner, Oleg Ruchka, with Mr Perepilichnyy</p> <p>8 have all been destroyed?</p> <p>9 That is correct?</p> <p>10 <b>A. I can only speak for myself. From time to time I clear</b></p> <p>11 <b>the messages, so I do not have any correspondence with</b></p> <p>12 <b>Alexander.</b></p> <p>13 Q. Were you aware that those Skypes have in fact been</p> <p>14 retrieved from Mr Perepilichnyy's computer from the</p> <p>15 years 2011/2012 showing dozens and dozens of messages</p> <p>16 passing between you and Mr Ruchka and Mr Perepilichnyy,</p> <p>17 did you know that?</p> <p>18 <b>A. We were in communication, I am not denying that, but</b></p> <p>19 <b>I do not have this correspondence.</b></p> <p>20 Q. You were not aware that the coroner and the lawyers</p> <p>21 advising the interested parties in this case have seen</p> <p>22 those Skypes? You didn't know that, is that right?</p> <p>23 <b>A. No, I didn't know.</b></p> <p>24 Q. You acted for Hermitage in something like 40 different</p> <p>25 litigation cases.</p> <p style="text-align: center;">Page 43</p>
<p>1 <b>presented to -- at the court hearing. He did not take</b></p> <p>2 <b>any legal action using our company. In order to give</b></p> <p>3 <b>weight to this information, and I am talking about the</b></p> <p>4 <b>threat, information about the threat.</b></p> <p>5 Q. What I am interested in --</p> <p>6 <b>A. Therefore we don't have any specific, any concrete</b></p> <p>7 <b>information regarding this.</b></p> <p>8 Q. Do you have any non-specific or general information that</p> <p>9 will assist the coroner?</p> <p>10 <b>A. He was not in Russia at the time when we were introduced</b></p> <p>11 <b>to one another and he did not come back to Russia.</b></p> <p>12 Q. Well, the answer really should have a yes or no. It</p> <p>13 should be yes or no.</p> <p>14 <b>A. Could you please repeat the question, please?</b></p> <p>15 Q. Do you have any other information that is relevant to</p> <p>16 Mr Perepilichnyy's death, yes or no?</p> <p>17 <b>A. No. Apart from what I have already said.</b></p> <p>18 Q. Do you have any other information as to who might have</p> <p>19 had a motive to kill Mr Perepilichnyy, yes or no?</p> <p>20 <b>A. I don't know -- or I don't have. I don't have.</b></p> <p>21 Q. Do you know anyone who might have any information to</p> <p>22 that effect, either that he was being threatened or that</p> <p>23 somebody might have wanted to kill him?</p> <p>24 <b>A. No.</b></p> <p>25 MR SKELTON: Thank you.</p> <p style="text-align: center;">Page 42</p>	<p>1 <b>A. Possibly, yes, it was quite a large number.</b></p> <p>2 Q. And that dates from 2008?</p> <p>3 <b>A. Yes, absolutely correct, since 2008.</b></p> <p>4 Q. All those cases, every single one of them, arose out of</p> <p>5 what Hermitage described as the theft of a number of</p> <p>6 their companies and the use of those companies in a VAT</p> <p>7 fraud?</p> <p>8 <b>A. Yes, and those cases too.</b></p> <p>9 Q. What had happened was that, using stolen authorities</p> <p>10 from the company, those companies submitted to judgments</p> <p>11 in court which resulted in losses, which resulted in</p> <p>12 turn --</p> <p>13 THE INTERPRETER: Sorry, sir, would you mind breaking it up</p> <p>14 for me?</p> <p>15 MR MOXON BROWNE: Sorry.</p> <p>16 What happened was that the authority of the stolen</p> <p>17 companies was used to submit to judgments in order to</p> <p>18 create huge financial losses, which in turn justified</p> <p>19 claims for rebates of tax. That's right?</p> <p>20 <b>A. In general, yes, that is the story of the fraud, yes.</b></p> <p>21 Q. In the course of acting for Hermitage, trying to</p> <p>22 retrieve the position, you acquired -- and your partner</p> <p>23 acquired -- very detailed knowledge of the mechanics of</p> <p>24 that fraud?</p> <p>25 <b>A. In those cases that we dealt with, yes.</b></p> <p style="text-align: center;">Page 44</p>

<p>1 Q. You were introduced to Mr Perepilichnyy by Hermitage, 2 weren't you? 3 <b>A. It is possible.</b> 4 Q. And you knew very well exactly what role in this matter 5 Mr Perepilichnyy had played? 6 <b>A. No, that is not correct. I have already answered this</b> 7 <b>question.</b> 8 <b>When we met, we started --</b> 9 THE INTERPRETER: Sorry. Sorry, I just asked Dmitry to 10 pause for me so we don't speak at the same time. 11 <b>A. When I met Mr Perepilichnyy, we dealt with his civil</b> 12 <b>matter.</b> 13 THE INTERPRETER: Sorry, I asked him to repeat. 14 MR MOXON BROWNE: That -- 15 THE INTERPRETER: Sorry, I just confirmed what he said. 16 <b>A. We did not know what sort of connection Mr Perepilichnyy</b> 17 <b>had with Hermitage then.</b> 18 MR MOXON BROWNE: So you were acting for -- 19 <b>A. We found out everything from newspapers.</b> 20 Q. Your evidence is that you acted for Hermitage in 21 a number of cases arising out of the fraud, you were 22 introduced to Mr Perepilichnyy by Hermitage but you 23 didn't understand what the alleged relationship between 24 Mr Perepilichnyy and the fraud was. Is that your 25 evidence?</p> <p style="text-align: center;">Page 45</p>	<p>1 Mr Perepilichnyy where he was being sued in the Russian 2 courts. 3 <b>A. Yes, as I already mentioned, it was a very complicated</b> 4 <b>matter and I used to go to various hearings quite a lot.</b> 5 Q. Yes. 6 You have been able to refresh your memory as to what 7 some of those cases were about by looking at the 8 judgments that you have been given. That is right? 9 <b>A. Yes, I approximately can imagine what we are talking</b> 10 <b>about here.</b> 11 Q. In every single one, the company that was pursuing 12 Mr Perepilichnyy was Dzhirsa? 13 <b>A. No, it is not correct, there were various legal</b> 14 <b>entities.</b> 15 Q. Various legal entities doing what? 16 The judgments that you have been shown -- 17 THE INTERPRETER: Sorry, we are talking at the same time. 18 Sorry, I have interpreted what you said and I have 19 just asked what he was saying. 20 MR MOXON BROWNE: The judgments that you -- 21 THE INTERPRETER: He is asking to open the page 119. 22 MR MOXON BROWNE: Yes. 23 <b>A. You can see that this particular case refers to the</b> 24 <b>Region-collector, Region-collector company.</b> 25 Q. Yes, I am reading from the middle of page 119:</p> <p style="text-align: center;">Page 47</p>
<p>1 THE CORONER: I don't think it was, I am afraid. I think 2 what he said is it was possible he was introduced by 3 Hermitage. 4 I am so sorry to interrupt, but otherwise it just 5 all goes on a false basis. 6 THE INTERPRETER: Sir, do I interpret the question? 7 THE CORONER: Yes, please. 8 Would you put it again with the possible, 9 Mr Moxon Browne, instead of the definite? 10 MR MOXON BROWNE: Yes, sorry. 11 You acted for Hermitage in relation to the frauds, 12 you think it is possible that Hermitage introduced you 13 to Mr Perepilichnyy, but your evidence is that you 14 didn't know what Mr Perepilichnyy's alleged connection 15 with that fraud was? 16 <b>A. I will repeat, for Alexander, we acted specifically in</b> 17 <b>civil matters, trying to recover the funds.</b> 18 Q. There were I think -- 19 <b>A. The cases that we dealt with on behalf of Hermitage were</b> 20 <b>mainly to do with arbitration process.</b> 21 Q. You -- 22 <b>A. Both clients that have just been mentioned knew that we</b> 23 <b>act on behalf of one and the other and they did not</b> 24 <b>believe there was a conflict of interest.</b> 25 Q. You acted in at least ten cases on behalf of</p> <p style="text-align: center;">Page 46</p>	<p>1 "By the decision of the court of 26 October 2010, 2 the plaintiff, Region-collector LLC was replaced by his 3 successor, Dzhirsa ..." 4 <b>A. Yes, I can -- I can see that but the process was started</b> 5 <b>with a different legal entity.</b> 6 Q. Yes, the Region-collector, a debt collector. 7 <b>A. Yes, probably. I don't know.</b> 8 Q. Mr Lipkin, you have explained to us that 9 Mr Perepilichnyy had no direct business dealings with 10 Dzhirsa but Dzhirsa acquired the right to sue him. 11 <b>A. As we can see from the judgment, yes.</b> 12 Q. You knew, didn't you, that they had a reputation in 13 Russia for acquiring money from people who didn't want 14 to pay it? 15 <b>A. I have already answered -- I have already answered your</b> 16 <b>colleague, I have already answered this question when</b> 17 <b>your colleague was asking, was putting the questions to</b> 18 <b>me. For that particular process or litigation process</b> 19 <b>that was not a matter -- it did not matter, sorry. It</b> 20 <b>did not matter.</b> 21 Q. It did not? 22 <b>A. It did not matter. We did not research the business of</b> 23 <b>that company because it didn't matter for the process.</b> 24 Q. It was not necessary for you to do research, Mr Lipkin? 25 THE INTERPRETER: It was or was not?</p> <p style="text-align: center;">Page 48</p>

<p>1 MR MOXON BROWNE: I am putting the question, it was not 2 necessary for you to do research because Mr Kovtun was 3 very well known in Russia in 2011 and 2012. 4 <b>A. We clearly have differences between our processes. We 5 don't need to paw the dirt, because we just need to be 6 factual to the court and stick to the particular 7 proceedings and the facts of those proceedings.</b> 8 Q. You knew -- because it was a matter of notoriety in 9 Russia -- that Mr Kovtun had fallen ill as a result of 10 exposure to polonium and had been given a medal by 11 Mr Putin, you knew that? 12 <b>A. I am not familiar with the case of Litvinenko, but I can 13 say that I do not remember the connection of Kovtun with 14 Dzhirsa company.</b> 15 Q. Thank you. 16 <b>A. I have already answered this question. Although I am 17 aware of the Litvinenko case, but I do not remember of 18 any connection between Kovtun and Dzhirsa. It did not 19 matter in our proceedings.</b> 20 Q. Is it correct, as I see from the judgments and also the 21 Skypes, that one of the cases that Mr Perepilichnyy was 22 being pursued in was a claim for \$3 million on a bank 23 loan? 24 THE INTERPRETER: On a bank what? 25 MR MOXON BROWNE: A bank loan, as opposed to a guarantee of</p> <p style="text-align: center;">Page 49</p>	<p>1 cases and say, "No, that is not my signature", that was 2 a problem? 3 A problem? 4 <b>A. Yes, that is exactly what I said earlier, he left Russia 5 and he did not come back to Russia.</b> 6 Q. His second problem was that he had great difficulty in 7 finding money to meet his creditors, because his main 8 bank accounts had been frozen and he told you that in 9 Skypes. 10 <b>A. I did not understand the question.</b> 11 Q. Mr Perepilichnyy told you that he had difficulty in 12 laying his hands on money because his main accounts were 13 frozen. 14 <b>A. I don't remember, because I do not have this 15 correspondence in front of me. You do have it in front 16 of you. But I don't remember.</b> 17 Q. Yes. I don't want to be unfair to you, Mr Lipkin, 18 I appreciate you don't have the document. I am going to 19 read you from a Skype and just see if it helps you. If 20 it doesn't help you, please say. 21 THE INTERPRETER: Sorry, sir, I am I don't have that in 22 front of me. 23 MR MOXON BROWNE: I am going to read it. 24 THE CORONER: Go slowly, please. 25 MR MOXON BROWNE: I'm in bundle 8/1 on page 94. The date of</p> <p style="text-align: center;">Page 51</p>
<p>1 a bond. 2 <b>A. Yes, there was a case. He did not receive 3 millions 3 but the case of recovery of the funds, yes, I am aware.</b> 4 Q. On 3 million. 5 Can you confirm that the total claimed on alleged 6 guarantees of bond deals was something like 200 million 7 roubles, which very broadly is perhaps about £3 million. 8 3 million sterling, roughly. 9 THE INTERPRETER: The sound disappears. 10 <b>A. The sums were quite large, the particular case we looked 11 into was for about 1 million, but the sums were large.</b> 12 THE INTERPRETER: Can I just ask Dmitry what he said 13 previously, because the sound disappeared? 14 THE CORONER: Yes, do. 15 <b>A. Yes, my colleague asking about the case of 3 million -- 16 the recovery of \$3 million and, yes, such a case did 17 exist. I recall that.</b> 18 MR MOXON BROWNE: Something like \$3 million plus very 19 approximately £3 million sterling, quite a lot. 20 <b>A. Yes, roughly, yes.</b> 21 Q. I'm sorry, I interrupted you. 22 THE INTERPRETER: That is okay, he just said "roughly". 23 MR MOXON BROWNE: Roughly. 24 Mr Perepilichnyy had two big problems. 25 One was he couldn't go to Russia to fight these</p> <p style="text-align: center;">Page 50</p>	<p>1 the Skype is 4 April 2011, so it is the very date of the 2 Chernysh decision that you were looking at earlier. He 3 says to you: 4 "Please take their bank details and find out who can 5 pay for me, since all accounts have been arrested. 6 Thank you." 7 Do you remember that? 8 <b>A. No, I don't remember that but I can --</b> 9 THE INTERPRETER: I am just asking him to repeat. 10 MR MOXON BROWNE: Sorry? 11 <b>A. I of course don't remember this message but I can 12 clarify what he is talking about here.</b> 13 Q. Yes, thank you. 14 <b>A. He is talking about payment of our fees, because he 15 wasn't a very punctual client.</b> 16 Q. What is this about frozen accounts? 17 THE INTERPRETER: I think he is saying -- sorry, the lady 18 speaks Russian and I thought she is a bit closer, maybe 19 she has heard, and she did. 20 If she is saying the accounts were frozen then 21 perhaps they were frozen. 22 MR MOXON BROWNE: Finally I would like you to look in the 23 bundle of documents you have at page 134, which should 24 be a judgment on appeal in a case with the number 25 33-3293. We have an English translation for those who</p> <p style="text-align: center;">Page 52</p>

<p>1 are following at page 130 of this bundle. 2 This seems to be again an allegation that 3 Mr Perepilichnyy had guaranteed a bond deal between 4 Raytec and Alfa-Florin, but this time the bonds in 5 question were not Erkonproduct bonds, which the previous 6 case, Judge Chernysh's case, was concerned with but 7 railway bonds, Vagonmash bonds. 8 Are you satisfied we are both looking at the same 9 judgment, Mr Lipkin? 10 <b>A. Yes, yes, yes. I am looking into this document and it</b> 11 <b>is on page 134.</b> 12 Q. Yes. 13 THE CORONER: That is it. 14 MR MOXON BROWNE: It appears, from my reading of this 15 judgment, that Mr Perepilichnyy defended the claim that 16 he had given the guarantee on the grounds that his 17 signature had been forged. And his position -- 18 THE INTERPRETER: Sorry, I didn't hear what Dmitry said. 19 <b>A. Yes, yes, it is a very similar case to the one that we</b> 20 <b>looked into previously.</b> 21 MR MOXON BROWNE: Exactly. It is a rerun of the other case, 22 but this time the lower court found the signature had 23 indeed been forged? 24 <b>A. Yes, that is correct.</b> 25 Q. And Dzhirsa were reluctant to accept that and they</p> <p style="text-align: center;">Page 53</p>	<p>1 is able to, I understand that we may be about another 25 2 minutes-ish. 3 THE CORONER: Yes. 4 <b>A. Yes, that is fine, we can continue.</b> 5 MR SKELTON: Subject to you, sir, and the stenographer, who 6 seems to be okay. 7 THE CORONER: Good. 8 MR SKELTON: We will carry on. I am grateful. 9 Questions from MS HILL 10 MS HILL: Good morning, I ask questions on behalf of 11 Hermitage Capital Management. I have about five short 12 questions to ask you, if that is all right. 13 First of all, the -- 14 <b>A. Yes, of course.</b> 15 Q. -- judgment that you provided to the coroner, if you 16 look please at the foot of page 228. 17 THE INTERPRETER: I actually don't have that. 18 MS HILL: I think it is at the front of your bundle. 19 THE INTERPRETER: Probably. 20 <b>A. Well, it doesn't matter, Mr Lipkin is looking at this</b> 21 <b>page but I do not have it.</b> 22 MS HILL: I can just ask the question. The date at the foot 23 of page 228 says this: 24 "Motivated decision ... 4 April 2011." 25 THE INTERPRETER: 2011.</p> <p style="text-align: center;">Page 55</p>
<p>1 brought not one but as I read it two appeals in order to 2 challenge the lower court's decision. 3 You will see that at the end of the judgment, 4 I think. 5 Can you confirm that? 6 THE INTERPRETER: I asked to repeat because of the sound 7 again disappeared unfortunately. 8 <b>A. I can see from the Russian version that appeal, the</b> 9 <b>complaint, was not satisfied.</b> 10 MR MOXON BROWNE: So Dzhirsa's appeal failed? 11 <b>A. Yes.</b> 12 Q. That was on 9 October 2012. 13 <b>A. Yes.</b> 14 Q. And within one month, Mr Perepilichnyy was dead. 15 <b>A. And what was the question?</b> 16 Q. Do you agree that within one month of this judgment, 17 that went against Dzhirsa, Mr Perepilichnyy was dead? 18 THE CORONER: I think we know the answer to that, so I don't 19 think whether he agrees or not is going to -- you don't 20 need to trouble him with that. 21 THE INTERPRETER: Okay. 22 MR MOXON BROWNE: I will stop at that point, sir. 23 Thank you Mr Lipkin. 24 MR SKELTON: Sir, we are close to 1.00 but it may be we can 25 keep going if Mr Lipkin is able to and our stenographer</p> <p style="text-align: center;">Page 54</p>	<p>1 MS HILL: 2011. 2 <b>A. Yes, I can see that.</b> 3 Q. Is it fair to assume that this document that you 4 provided is the official record of that judgment? 5 <b>A. You can even observe a stamp on the copy.</b> 6 Q. So that if we have another document with a different 7 date on, this is the better document to go with? 8 <b>A. Can I just say two words about the practice?</b> 9 Q. Well, perhaps -- 10 <b>A. This copy of the material of the case -- and if you look</b> 11 <b>at another page, the reverse page of 228, so on the</b> 12 <b>other side of the page 228, then you will observe, you</b> 13 <b>will see the stamp that actually stamps where the case</b> 14 <b>is sealed or --</b> 15 Q. It is the official or best version that we have? 16 <b>A. Yes. But you can see different dates on the documents</b> 17 <b>but it only related to the fact, when we collected this</b> 18 <b>document.</b> 19 THE INTERPRETER: So he is just explaining the differences 20 in dates. 21 MS HILL: Thank you. 22 My second topic, please, as a corporate lawyer 23 active in Russia, are you familiar, Mr Lipkin, with the 24 concept of "raiderstvo"? 25 THE INTERPRETER: Sorry, what is the name of the company?</p> <p style="text-align: center;">Page 56</p>

<p>1 MS HILL: It is raiderstvo, we have heard some evidence 2 about it. It is spelt R-A-I-D-E-R-S-T-V-O. 3 <b>A. R-A-I-D-E-R-S-T-V-O.</b> 4 Q. I think it may properly be R-E at the beginning. 5 Sir, for your note, this is coming from Mr Gherson's 6 evidence, 23 June, page 133. 7 The question for the witness is: is he familiar with 8 that concept? 9 <b>A. Yes, I am familiar with this concept.</b> 10 Q. We have heard some evidence from another witness who has 11 described it in this way. Can I ask the witness to 12 listen to my description and see if he agrees with it. 13 The other witness, Mr Gherson said this, that he was 14 familiar with this concept, which was described to him 15 as this: 16 "The idea of a criminal group using litigation as 17 a way of intimidating or threatening people." 18 Does he broadly share that understanding that that 19 is what raiderstvo is? 20 <b>A. I have my own view of this particular concept or term, 21 but you can say it that way as well.</b> 22 Q. Thirdly, please, you were asked some questions about the 23 potential, your knowledge of the link between Dzhirsa 24 and Mr Kovtun. We have a document from the press 25 reporting in 2012 that the witness doesn't have, but</p> <p style="text-align: center;">Page 57</p>	<p>1 <b>so it is possible that I have read it at some point as 2 well but in our particular case it didn't matter.</b> 3 Q. I see. 4 <b>A. Because all our cases we have won.</b> 5 THE CORONER: Does it matter if he has read this article or 6 not? 7 Sorry, I am asking, Ms Hill. 8 MS HILL: My question was about whether he was aware of the 9 content of it. That was my question. 10 THE CORONER: Whether he is aware of the content of the 11 Telegraph article? 12 MS HILL: Perhaps the question can be put better in this 13 way: were you aware that that is what Mr Kovtun was 14 reported to have said? 15 <b>A. No, I can't recall it clearly. We did not plan our 16 strategy based on this.</b> 17 Q. Thank you. 18 My fourth short question, if I may, please, is it 19 right that there is in existence a register of companies 20 in Russia that is publicly accessible? 21 <b>A. Yes, it is a base for -- it is a base of legal entities 22 and you can get information from there, from that 23 database.</b> 24 Q. Thank you. My final -- 25 <b>A. You can't get all the information about those entities.</b></p> <p style="text-align: center;">Page 59</p>
<p>1 I would just like to read something to him from it and 2 see if he knows anything about it. 3 Sir, I am reading from bundle 1, page 92. I do have 4 some copies if people would like it. 5 THE CORONER: We had perhaps better have those before you 6 ask the question. 7 MS HILL: Just perhaps to orientate people here, this is the 8 press reporting that referred to the litigation that we 9 have now heard a lot more about. 10 This is a Telegraph article which reports, people in 11 court can look on the second page. The journalist had 12 spoken to Mr Kovtun outside his home. The date of the 13 article is 5 December 2012, and Mr Kovtun had said this 14 to the journalist, he had set up Dzhirsa on behalf of 15 some friends who asked him to be a general director 16 because he enjoys a certain reputation. That is in the 17 document here, on the second page. 18 THE INTERPRETER: Which part of it? Yes, I can see it, yes. 19 He had. 20 MS HILL: He had gone on to say that they were former 21 officers who helped resolve business disputes, people 22 call them "The military men". 23 Did you have any knowledge of what Mr Kovtun had 24 said about this issue? 25 <b>A. Well, you are reading this particular article right now,</b></p> <p style="text-align: center;">Page 58</p>	<p>1 <b>but only basic information you can retrieve.</b> 2 Q. My final question, please, relates to the last of the 3 judgments. Could I ask you, please, to turn to 4 page 138, which should be in your bundle, a judgment 5 dated 4 March 2013. 6 Can the witness then look, please, at the top of 7 page -- in fact let's look firstly at page 138, where 8 what seems to be the case here, if you look in the 9 middle of page 138, is that somebody who is described as 10 F101 is accused of committing a crime. Do you see that 11 in the middle of 138? 12 She was described on page 138 as a member of the 13 Inter-republican bar association in Moscow, registered 14 as a lawyer in Moscow, do you see that? 15 If you go over the page to 139 and look just where 16 the second hole is on the page, you will see that there 17 is reference to the possibility of a bribe being given 18 to a judge of the Moscow region court of arbitration. 19 Over the page on 140, at the top of the page, the 20 person being referred to is quoted in this way, that she 21 explained that she intended to transfer US \$50,000 to 22 a particular judge for making a decision in favour of 23 Dzhirsa LLC. Do you see that? There was reference 24 about six lines down to this, that this was about 25 influence the course and consideration of the</p> <p style="text-align: center;">Page 60</p>

<p>1 arbitration case on the suit of LLC Dzhirsa.</p> <p>2 THE INTERPRETER: Sorry, he just asked what page that was.</p> <p>3 MS HILL: On page 140.</p> <p>4 THE INTERPRETER: I know, I said that to him.</p> <p>5 MS HILL: It is the top of 140.</p> <p>6 THE INTERPRETER: Yes, I am just going to read what you have</p> <p>7 said the last.</p> <p>8 MS HILL: So this judgment seemed to be broadly about</p> <p>9 a lawyer attempting to bribe a judge in order to</p> <p>10 influence some Dzhirsa litigation?</p> <p>11 Are you familiar with that sort of thing happening?</p> <p>12 <b>A. First of all, I would like to say that I have only just</b></p> <p>13 <b>found out about this --</b></p> <p>14 MS HILL: Sorry, just a second.</p> <p>15 THE CORONER: We will have the answer while -- you keep</p> <p>16 going, you keep going.</p> <p>17 MS HILL: Sorry, just --</p> <p>18 THE CORONER: Do you mind if we have the answer and</p> <p>19 Mr Moxon Browne just waits?</p> <p>20 Can we have the answer please?</p> <p>21 <b>A. First of all, I would like to say that I found out about</b></p> <p>22 <b>this matter, about this case, only yesterday or the day</b></p> <p>23 <b>before, when I actually received the material of the</b></p> <p>24 <b>case. And I only have it in English.</b></p> <p>25 MS HILL: All right, my question is perhaps a more</p> <p style="text-align: center;">Page 61</p>	<p>1 <b>A. I am not familiar with the rates of the bribes, but for</b></p> <p>2 <b>the bribe it is quite a large sum.</b></p> <p>3 Q. Bear with me a second.</p> <p>4 <b>A. Dmitry just asked me to correct my translation that it</b></p> <p>5 <b>is not a high sum for the bribe, it is a high sum in</b></p> <p>6 <b>general. Just, you know, a big sum of money.</b></p> <p>7 Q. Thank you.</p> <p>8 Sir, if I could just check one thing, please, and</p> <p>9 then I may be finished.</p> <p>10 MR MOXON BROWNE: Sir, Ms Hill --</p> <p>11 MS HILL: Sir, I have finished my questions. I think there</p> <p>12 is one follow on perhaps from Mr Moxon Browne.</p> <p>13 Further questions from MR MOXON BROWNE</p> <p>14 MR MOXON BROWNE: Would you look, please, at page 139 of the</p> <p>15 bundle, which is the --</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. If you look at the top of that page, you will see that</p> <p>18 the case which gave rise to the allegation of an attempt</p> <p>19 to bribe the judge, the number of it is given, it is</p> <p>20 23600/2012. Do you see that?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Now, please, go back to page 137.</p> <p>23 THE INTERPRETER: 137 or 138?</p> <p>24 MR MOXON BROWNE: 137.</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 63</p>
<p>1 general --</p> <p>2 <b>A. As far as I understand, the matter here is about the</b></p> <p>3 <b>bribe.</b></p> <p>4 MS HILL: Yes. My question was a general one, about whether</p> <p>5 he is familiar with that sort of thing happening,</p> <p>6 lawyers trying to bribe judges?</p> <p>7 <b>A. Yes, it does happen in Russia.</b></p> <p>8 Q. If he was aware of a client being involved in</p> <p>9 a suggestion of paying a bribe of \$1 million, is that</p> <p>10 something that would concern him?</p> <p>11 THE INTERPRETER: His client, sorry? Could you repeat the</p> <p>12 question.</p> <p>13 MS HILL: If in a general sense he was aware of a suggestion</p> <p>14 that one of his clients bribe somebody involved in</p> <p>15 litigation to the tune of around \$1 million, is that</p> <p>16 something that would concern him?</p> <p>17 <b>A. Yes, of course.</b></p> <p>18 Q. Finally, given his knowledge of how these sort of things</p> <p>19 might work, a bribe of around \$1 million is a very</p> <p>20 significant sum, isn't it?</p> <p>21 THE INTERPRETER: Is that US dollars?</p> <p>22 MS HILL: Yes.</p> <p>23 <b>A. Are we talking about this particular case or is it just</b></p> <p>24 <b>a question in general?</b></p> <p>25 Q. In general.</p> <p style="text-align: center;">Page 62</p>	<p>1 Q. That is a record of a series of appeals which started</p> <p>2 out with Mr Alexander Perepilichnyy as a third party and</p> <p>3 then it seems that after his death, his wife took over.</p> <p>4 You acted in that case, didn't you?</p> <p>5 <b>A. Can I just say a couple of words so that you understand</b></p> <p>6 <b>about this?</b></p> <p>7 <b>We managed to win the case of considering the deal</b></p> <p>8 <b>with the loan money illegal.</b></p> <p>9 Q. Yes, thank you. I just wanted to draw your attention --</p> <p>10 <b>A. And that started another illegal situation.</b></p> <p>11 Q. Yes, I just wanted to draw your attention --</p> <p>12 <b>A. Sorry, I just want to clarify something.</b></p> <p>13 THE INTERPRETER: The sound disappears sometimes, I am</p> <p>14 guessing, but I think he wants to clarify something.</p> <p>15 THE CORONER: Let him do that.</p> <p>16 <b>A. The credit was given by Pushkin -- he has just asked me</b></p> <p>17 <b>to pause for him.</b></p> <p>18 MR MOXON BROWNE: By the Pushkin Bank, a loan from the</p> <p>19 Pushkin bank?</p> <p>20 <b>A. Yes, we managed to prove that the deal was not</b></p> <p>21 <b>legitimate, wasn't legal. Was not.</b></p> <p>22 Q. The point I want to draw your attention to --</p> <p>23 THE INTERPRETER: Sorry, I think Dmitry just said something.</p> <p>24 THE CORONER: What did he say?</p> <p>25 MR MOXON BROWNE: I apologise.</p> <p style="text-align: center;">Page 64</p>



<p>1 <b>A. So they had to recover the losses.</b></p> <p>2 Q. Yes.</p> <p>3 <b>A. We did not act in this particular case, didn't take</b></p> <p>4 <b>part.</b></p> <p>5 Q. I have a very short question --</p> <p>6 THE CORONER: I know, Mr Moxon Browne, we all know the point</p> <p>7 I think you are going to make but if you just wait for</p> <p>8 a minute until he is really finished because otherwise</p> <p>9 you are just going to be talking over each other.</p> <p>10 MR MOXON BROWNE: I am sorry, I do apologise.</p> <p>11 THE CORONER: That is all right.</p> <p>12 <b>A. We did not take part in this particular proceeding until</b></p> <p>13 <b>the very late stage when we dealt with the cassation</b></p> <p>14 <b>claim from I think the widow of Perepilichnyy or</b></p> <p>15 <b>relatives of Perepilichnyy.</b></p> <p>16 MR MOXON BROWNE: The cassation appeal?</p> <p>17 <b>A. Deceased, yes, by them.</b></p> <p>18 Q. I just wanted to draw your attention to the fact that</p> <p>19 the case number for that litigation is the self same one</p> <p>20 that gave rise to the allegation of bribery.</p> <p>21 <b>A. Yes, I can see that but have only just found out about</b></p> <p>22 <b>it.</b></p> <p>23 Q. I do understand that.</p> <p>24 So it is not a case really, as Ms Hill was putting</p> <p>25 to you, of Dzhirsa perhaps having a propensity to try to</p> <p style="text-align: center;">Page 65</p>	<p>1 Q. Yes. When you were quoted from the Daily Telegraph of</p> <p>2 5 December 2012, Ms Hill, counsel for Hermitage, didn't</p> <p>3 quote the full paragraph quoting Mr Kovtun, which starts</p> <p>4 by saying this:</p> <p>5 "I heard about ... [Perepilichnyy's] death but</p> <p>6 I didn't know him and I had no idea about these court</p> <p>7 proceedings between him and Dzhirsa."</p> <p>8 From what you know about Dzhirsa or Dzhirsa's</p> <p>9 business model, that wouldn't be surprising, would it?</p> <p>10 <b>A. I have already answered this question previously, we did</b></p> <p>11 <b>not look into the business of Dzhirsa because that was</b></p> <p>12 <b>not a point for our particular case.</b></p> <p>13 Q. Just one final matter on this company, you understood it</p> <p>14 to be a company that bought debt from other companies</p> <p>15 and pursued it in the courts?</p> <p>16 <b>A. Yes, from the documents, that is exactly what it was.</b></p> <p>17 Q. Can you remember who introduced your firm to Hermitage</p> <p>18 in 2008?</p> <p>19 <b>A. I am not sure, I do not remember for sure.</b></p> <p>20 Q. Did you or your partners ever meet with Bill Browder?</p> <p>21 <b>A. Yes, we did.</b></p> <p>22 Q. Was that in 2008 or 2009, around that time?</p> <p>23 <b>A. We started working for this company in 2008.</b></p> <p>24 Q. How many times did you meet with Mr Browder?</p> <p>25 <b>A. I can't remember at this stage, it has been 10 years,</b></p> <p style="text-align: center;">Page 67</p>
<p>1 bribe anyway but specifically in the litigation that</p> <p>2 with Mr Perepilichnyy?</p> <p>3 <b>A. Yes, it is very important fact but I have only just</b></p> <p>4 <b>found out about it.</b></p> <p>5 MR MOXON BROWNE: Sir, I am particularly grateful for that</p> <p>6 indulgence.</p> <p>7 Questions from MR BEGGS</p> <p>8 MR BEGGS: Mr Lipkin, I represent the widow of your former</p> <p>9 client Alexander Perepilichnyy.</p> <p>10 When you were representing Mr Perepilichnyy on the</p> <p>11 various claims brought by Dzhirsa you were concerned</p> <p>12 with whether those claims were valid in contractual</p> <p>13 terms, weren't you?</p> <p>14 <b>A. I am very sorry, but I did not understand the question.</b></p> <p>15 Q. When you were defending Mr Perepilichnyy on the Dzhirsa</p> <p>16 claims, your focus was whether those claims were valid</p> <p>17 in law, whether they had contractual validity?</p> <p>18 <b>A. Yes, yes, that's correct.</b></p> <p>19 Q. You were not much interested in who might own Dzhirsa,</p> <p>20 the plaintiff or the claimant company?</p> <p>21 <b>A. Yes, you are right, that is exactly what I said.</b></p> <p>22 Q. Yes. So the owner or one of the owners of Dzhirsa would</p> <p>23 be of no great concern of yours?</p> <p>24 <b>A. From the proceedings point of view, this was not</b></p> <p>25 <b>important.</b></p> <p style="text-align: center;">Page 66</p>	<p>1 <b>but we met a few times.</b></p> <p>2 Q. Do we understand that you met him outside of Russia?</p> <p>3 <b>A. Yes, of course. In London.</b></p> <p>4 Q. Did you meet with Vladimir Pastukhov?</p> <p>5 <b>A. Yes, I know him.</b></p> <p>6 Q. Did you meet with him?</p> <p>7 <b>A. Yes, of course.</b></p> <p>8 Q. Was this on more than one occasion over that four-year</p> <p>9 period that you acted for Hermitage?</p> <p>10 <b>A. We know each other quite well, yes. We have met a few</b></p> <p>11 <b>times.</b></p> <p>12 Q. When did you last meet with that gentleman?</p> <p>13 THE INTERPRETER: When or where, sorry?</p> <p>14 MR BEGGS: When?</p> <p>15 <b>A. It is very difficult to say for me but it is either in</b></p> <p>16 <b>London or in Italy.</b></p> <p>17 Q. When did you last meet with him or speak with him?</p> <p>18 <b>A. We met -- we saw each other, I believe, last time for</b></p> <p>19 <b>New Year's Eve in Italy.</b></p> <p>20 Q. New Year's Eve of which year?</p> <p>21 <b>A. This year.</b></p> <p>22 THE INTERPRETER: This year, sorry. I think he said it in</p> <p>23 English actually.</p> <p>24 MR BEGGS: 31 December 2017?</p> <p>25 <b>A. Possibly, I don't remember for sure but we met each</b></p> <p style="text-align: center;">Page 68</p>

<p>1 <b>other at New Year's Eve.</b></p> <p>2 Q. Is he a client, a friend or both?</p> <p>3 <b>A. He is senior, much older than me, I respect him as</b></p> <p>4 <b>an excellent lawyer.</b></p> <p>5 Q. Have you met with Vadim Kleiner?</p> <p>6 THE INTERPRETER: Kleiner?</p> <p>7 MR BEGGS: K-L-E-I-N-E-R.</p> <p>8 THE INTERPRETER: Actually, he recognised it, so he said:</p> <p>9 <b>A. Yes, I do know.</b></p> <p>10 MR BEGGS: How long have you known him?</p> <p>11 <b>A. Since 2008.</b></p> <p>12 Q. Have you known him through the Hermitage connection?</p> <p>13 <b>A. Yes, we did not know each other till then.</b></p> <p>14 Q. Have you spoken to him in the last few months?</p> <p>15 <b>A. Yes, I heard him.</b></p> <p>16 Q. Have you met Ivan Cherkasov?</p> <p>17 <b>A. Cherkasov, yes, I know him.</b></p> <p>18 Q. How long have you known him?</p> <p>19 <b>A. These are all the people that we met through the case of</b></p> <p>20 <b>Hermitage, since 2008 I have known him.</b></p> <p>21 Q. Have you kept in contact with Mr Cherkasov as well?</p> <p>22 <b>A. We do communicate time to time.</b></p> <p>23 Q. In your statement of 20 July 2017 you explain that you</p> <p>24 represented Hermitage for the period 2008 to 2012 --</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 69</p>	<p>1 is a mistake because it wasn't "significant", it was</p> <p>2 "insignificant" sum.</p> <p>3 MR BEGGS: I am asking you --</p> <p>4 <b>A. It is just symbolic sum.</b></p> <p>5 Q. When you described as the interpreter "handsome", did</p> <p>6 you get that wrong?</p> <p>7 THE INTERPRETER: No, I got it wrong. Yes, I correct myself</p> <p>8 now as an interpreter. It is a comment from the</p> <p>9 interpreter because I translated as "significant", so</p> <p>10 "handsome", whereas he said "insignificant".</p> <p>11 MR BEGGS: So you are continuing, albeit you say for</p> <p>12 insignificant sums, to monitor matters for Hermitage?</p> <p>13 THE INTERPRETER: I will interpret what I have heard and</p> <p>14 then I will have to ask for confirmation.</p> <p>15 <b>A. For a very insignificant sum we continue -- we sometimes</b></p> <p>16 <b>provide them with a summary of the Russian law and keep</b></p> <p>17 <b>the finger on the pulse.</b></p> <p>18 Q. So Hermitage remains a client of your firm?</p> <p>19 <b>A. You can say it like that.</b></p> <p>20 Q. Did you forget to mention that in your statement to</p> <p>21 Mr Suter last July?</p> <p>22 THE INTERPRETER: 2017 did you say, sir?</p> <p>23 MR BEGGS: Yes.</p> <p>24 <b>A. We did not hide -- we did not deny the fact and didn't</b></p> <p>25 <b>hide the fact that we work with Hermitage but our</b></p> <p style="text-align: center;">Page 71</p>
<p>1 Q. -- but you have maintained contact with</p> <p>2 Messrs Pastukhov, Kleiner and Cherkasov right up until</p> <p>3 today, up until 2018?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Have they discussed this case with you?</p> <p>6 <b>A. No.</b></p> <p>7 Q. When did you last speak with Mr Browder?</p> <p>8 <b>A. I am just thinking how to answer.</b></p> <p>9 <b>If there is something longer than "how do you do",</b></p> <p>10 <b>then a long time.</b></p> <p>11 Q. Why have you retained contact, including meeting in</p> <p>12 Italy, with Kleiner, Cherkasov and Pastukhov well beyond</p> <p>13 the commercial relationship with Hermitage?</p> <p>14 <b>A. In my statement I mentioned that we stopped fighting for</b></p> <p>15 <b>their cases in 2012, but they pay a very handsome sum of</b></p> <p>16 <b>money for us to continue monitoring.</b></p> <p>17 Q. Do you have an ongoing professional relationship with</p> <p>18 Hermitage?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. When you say a handsome amount of money, I am not going</p> <p>21 to ask the sum but is it a significant sum for your</p> <p>22 13-partner firm?</p> <p>23 THE INTERPRETER: 13?</p> <p>24 MR BEGGS: That is how many he described.</p> <p>25 THE INTERPRETER: Sorry, he said -- sorry, the translation</p> <p style="text-align: center;">Page 70</p>	<p>1 <b>cooperation is very insignificant.</b></p> <p>2 <b>We did not hide -- I would like to clarify, we did</b></p> <p>3 <b>not hide the fact that we knew and worked with Hermitage</b></p> <p>4 <b>prior starting working for Perepilichnyy or meeting</b></p> <p>5 <b>Perepilichnyy.</b></p> <p>6 Q. Did you speak to --</p> <p>7 <b>A. We did specify the fact that we were working for</b></p> <p>8 <b>Hermitage and Perepilichnyy prior his death in 2012.</b></p> <p>9 Q. You did?</p> <p>10 <b>A. In 2012 we stopped all the lawsuits for Hermitage --</b></p> <p>11 Q. Did you speak --</p> <p>12 <b>A. -- but the cooperation with Hermitage, we are not</b></p> <p>13 <b>hiding.</b></p> <p>14 Q. Did you speak to a representative of Hermitage between</p> <p>15 receiving Mr Suter's letter on or about 30 June last</p> <p>16 year and your statement of 20 July last year?</p> <p>17 <b>A. No, I did not discuss anything prior my statement.</b></p> <p>18 Q. Why did you mention Hermitage then in your statement?</p> <p>19 <b>A. Because it was logical when I was describing the</b></p> <p>20 <b>situation.</b></p> <p>21 Q. It is a matter of record that the questions you were</p> <p>22 asked by Mr Suter didn't relate to Hermitage.</p> <p>23 <b>A. I disagree with you on this; I was asked a lot of</b></p> <p>24 <b>questions.</b></p> <p>25 Q. Is the reason you mentioned Hermitage because it was</p> <p style="text-align: center;">Page 72</p>

<p>1 that company which put Mr Perepilichnyy in contact with 2 you? 3 <b>A. Yes, it is possible.</b> 4 Q. You say "possible". Earlier in your evidence, if 5 I heard it correctly, you suggested that you first had 6 contact with Mr Perepilichnyy as I heard it in autumn of 7 2010. 8 <b>A. Yes, that is all correct.</b> 9 Q. We have heard evidence from various sources that 10 Mr Perepilichnyy made contact with Hermitage over July 11 and August 2010, I am just telling that you to help you 12 refresh your memory perhaps. 13 You were acting for Hermitage in relation to the 14 \$240 or \$230 million fraud at that time? 15 THE INTERPRETER: 240,000? 16 MR BEGGS: 240 million. 17 THE INTERPRETER: Dollars or sterling? 18 MR BEGGS: The fraud that we have all been talking about. 19 THE INTERPRETER: Which currency, sorry, sir? 20 MR BEGGS: Dollars. 21 That's correct, isn't it? 22 <b>A. Yes, I have already clarified my position on this. We 23 met Alexander with regards to his civil lawsuits, civil 24 proceedings.</b> 25 Q. When you put together your retainer by Hermitage, when</p> <p style="text-align: center;">Page 73</p>	<p>1 MR SKELTON: If we break for 10 minutes. 2 (Pause) 3 Sorry, sir, I think the view is that we may carry on 4 for ten minutes and then we may be done completely. 5 <b>A. Of course.</b> 6 MR BEGGS: Mr Lipkin, you said that all clients are equal. 7 But some clients are more equal than others, aren't 8 they? 9 By that I mean that Hermitage was, in financial 10 terms, a bigger/more important client than 11 Mr Perepilichnyy? In financial terms. 12 <b>A. I believe this is exactly the place or the point when, 13 if I go any further, I will start discussing the matters 14 of my clients which I wouldn't like to discuss.</b> 15 Q. All right, I will move on. 16 Hermitage is a client even to this day 17 in April 2018? 18 <b>A. We were continuing our work with Alexander's -- 19 Alexander's family till 2016. So this is a very strange 20 generalisation, so I would not like to comment on that.</b> 21 Q. In relation to the sentence, or the sub sentence, 22 "Because he fears for his life", that sentence is 23 nowhere contained in any written document that you can 24 point to, is it, other than the judgments? 25 <b>A. Yes, that's correct.</b></p> <p style="text-align: center;">Page 75</p>
<p>1 Mr Perepilichnyy contacted Hermitage and when you first 2 started acting for Mr Perepilichnyy, it is obvious, 3 isn't it, that Hermitage introduced him to you? 4 <b>A. It is possible. I am not going to deny this fact but 5 I can't confirm it either.</b> 6 Q. And Hermitage was a much bigger litigation client for 7 you than Mr Perepilichnyy? 8 <b>A. As I already repeatedly mentioned, the -- we did not see 9 the conflict of interest representing both and neither 10 did our clients.</b> 11 Q. I didn't ask you about the conflict. I asked you to 12 confirm that Hermitage was the bigger client in 13 financial terms. 14 <b>A. I would not like to confirm -- it is not a right 15 approach.</b> 16 Q. It is true though as a matter of fact? 17 <b>A. No, it would not be correct to say that because all the 18 clients are equal.</b> 19 MR SKELTON: Sir, sorry to interrupt. I think the 20 stenographer may now need a break. I know it is 21 a difficult moment: 22 THE CORONER: Let's just see. 23 Mr Beggs, how much longer do you think you have? 24 MR BEGGS: 10 or 15 minutes. 25 <b>A. How much longer approximately will it take?</b></p> <p style="text-align: center;">Page 74</p>	<p>1 Q. Indeed, that sentence was provided, you say, verbally by 2 Mr Perepilichnyy? 3 <b>A. I have already answered this question. We had verbal 4 instructions, either from Alexander or from Rishat.</b> 5 Q. You have not been able to place a date on those verbal 6 instructions, have you? 7 <b>A. No. I don't even remember who exactly gave me that 8 instructions out of two of those gentlemen.</b> 9 Q. You don't remember who gave the instruction, when the 10 instruction was given or indeed to whom the instruction 11 was given? 12 <b>A. I already formulated my position on that. It has been 13 seven years, I don't remember.</b> 14 Q. And -- 15 <b>A. And I do not have any notes.</b> 16 Q. As far as why Mr Perepilichnyy left the Russian 17 Federation, you don't know, do you? 18 <b>A. He did not discuss in details this particular episode.</b> 19 Q. You have been able to provide no evidence of any 20 specific threats to him? 21 <b>A. I don't have any documents, sir, which would prove that, 22 no.</b> 23 Q. In other cases that you acted for Mr Perepilichnyy, you 24 did not seek to explain his absence to the court, you 25 merely asserted it.</p> <p style="text-align: center;">Page 76</p>

<p>1 THE INTERPRETER: Sorry.</p> <p>2 <b>A. From the documents that we look into today, you can't</b></p> <p>3 <b>see that, it doesn't show.</b></p> <p>4 MR BEGGS: Yes, but in one case, you or your advocate</p> <p>5 colleague used the phrase "Because he fears for his</p> <p>6 life", that is why he was not there. Is it</p> <p>7 a coincidence --</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Is it a coincidence that that phrase might be said to</p> <p>10 assist the Hermitage campaign, which finds expression in</p> <p>11 this case as well. Is that a coincidence?</p> <p>12 THE INTERPRETER: Sorry, sir, could you repeat this? Is it</p> <p>13 a coincidence what?</p> <p>14 MR BEGGS: Yes. Is it a coincidence that that phrase might</p> <p>15 be said objectively to favour Hermitage in its campaign</p> <p>16 against Vladimir Putin and others?</p> <p>17 THE INTERPRETER: I think it is a comment made to me because</p> <p>18 he thinks that is not -- what I said to him is not quite</p> <p>19 what you meant.</p> <p>20 MR BEGGS: It is a phrase that he doesn't even know was ever</p> <p>21 spoken by Mr Perepilichnyy.</p> <p>22 <b>A. This is your -- this is your statement, we received the</b></p> <p>23 <b>instructions so we said what we have been instructed to</b></p> <p>24 <b>say.</b></p> <p>25 Q. Were you asked by a servant or agent of Hermitage to say</p> <p style="text-align: center;">Page 77</p>	<p>1 <b>during the hearing, they were his instructions.</b></p> <p>2 THE CORONER: Yes. When you met him --</p> <p>3 <b>A. Unfortunately I do not remember the details of our</b></p> <p>4 <b>conversations because it has been seven years since</b></p> <p>5 <b>then.</b></p> <p>6 THE CORONER: What I am asking you about is something a bit</p> <p>7 different, which is just you meeting him in Regent</p> <p>8 Street, in London rather than in Moscow. You said</p> <p>9 earlier that he did not want to fly to Russia because he</p> <p>10 was fearful of his life. What I want to know is was</p> <p>11 that the explanation you were given for meeting in</p> <p>12 London or wasn't it?</p> <p>13 <b>A. I believe that it is possible that this took place but</b></p> <p>14 <b>I want you to understand that it has been a long time</b></p> <p>15 <b>and I can't remember all the details of the conversation</b></p> <p>16 <b>that took place seven years ago.</b></p> <p>17 THE CORONER: Then, as far as the court case was concerned,</p> <p>18 can you remember who it was who gave the explanation to</p> <p>19 the court as to why Mr Perepilichnyy wasn't there?</p> <p>20 <b>A. Unfortunately not. I can't remember who exactly said</b></p> <p>21 <b>those words.</b></p> <p>22 THE CORONER: Would it either have been you or Mr Ruchka or</p> <p>23 could it have been somebody else?</p> <p>24 THE INTERPRETER: Sorry, I just confirmed what he said.</p> <p>25 <b>A. If I remember everything correctly, at the very first</b></p> <p style="text-align: center;">Page 79</p>
<p>1 that to the court?</p> <p>2 <b>A. No.</b></p> <p>3 MR BEGGS: Thank you.</p> <p>4 MR SKELTON: Sir, unless you have any questions, that</p> <p>5 concludes Mr Lipkin's evidence.</p> <p>6 Questions from THE CORONER</p> <p>7 THE CORONER: Can you just help me with this.</p> <p>8 You said earlier that it was probably</p> <p>9 in November 2010 that you first met Mr Perepilichnyy,</p> <p>10 yes?</p> <p>11 <b>A. Yes, it took place after some time from the point when</b></p> <p>12 <b>we started working for Mr Perepilichnyy.</b></p> <p>13 THE CORONER: That's right. In a restaurant in Regent</p> <p>14 Street, yes?</p> <p>15 <b>A. Yes.</b></p> <p>16 THE CORONER: You said earlier that he, Mr Perepilichnyy,</p> <p>17 did not want to fly to Russia because he was fearful of</p> <p>18 his life? Yes?</p> <p>19 <b>A. Yes, he did not want to fly to Moscow.</b></p> <p>20 THE CORONER: Right.</p> <p>21 But did he tell you that he was fearful for his</p> <p>22 life?</p> <p>23 THE INTERPRETER: I can guess.</p> <p>24 No, better not guess.</p> <p>25 <b>A. The words that we said during the court proceedings,</b></p> <p style="text-align: center;">Page 78</p>	<p>1 <b>hearing we attended together with my partner.</b></p> <p>2 THE CORONER: Had you ever wondered why Mr Perepilichnyy</p> <p>3 wasn't in Russia?</p> <p>4 <b>A. We did not have any conversations unrelated to the</b></p> <p>5 <b>business, we only discussed business, so I don't recall</b></p> <p>6 <b>discussing that with him.</b></p> <p>7 THE CORONER: All right.</p> <p>8 <b>A. That is not the sort of relationship we had.</b></p> <p>9 THE CORONER: Thank you.</p> <p>10 Good, nothing else before we lose the link?</p> <p>11 Thank you very much, that is all.</p> <p>12 <b>A. Thank you very much.</b></p> <p>13 THE CORONER: Good, all right. We can lose the link and we</p> <p>14 will break off till 3.10 I think.</p> <p>15 Madam, thank you very much. I know it is difficult</p> <p>16 to do it over the link but thank you very much indeed.</p> <p>17 THE INTERPRETER: Thank you.</p> <p>18 THE CORONER: All right.</p> <p>19 (2.10 pm)</p> <p>20 (The Luncheon Adjournment)</p> <p>21 (3.15 pm)</p> <p>22 MR SKELTON: Sir, may I recall Professor Simmonds, please.</p> <p>23 PROFESSOR MONIQUE SIMMONDS (sworn)</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 80</p>

<p>1 Questions from MR SKELTON</p> <p>2 MR SKELTON: Professor, since you last gave evidence during</p> <p>3 the hearings you have provided two written documents to</p> <p>4 the court. I hope you have those in front of you. One</p> <p>5 is a report to the solicitor to the Inquest, dated</p> <p>6 19 July, under tab 23 of the supplemental bundle.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Then, overleaf, you have a second report on DNA</p> <p>9 analysis, which is dated 29 August 2017.</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Taking the easier one first, could you explain, please,</p> <p>12 what your laboratory at Kew did to attempt to analyse</p> <p>13 material with a view to DNA testing?</p> <p>14 <b>A. At Kew we have a laboratory at that deals very much with</b></p> <p>15 <b>looking at DNA from plants and because we had very small</b></p> <p>16 <b>amounts of the material, we looked at what may be the</b></p> <p>17 <b>best method to be able to extract the DNA, attempts were</b></p> <p>18 <b>made, there were a few delays because of issues with</b></p> <p>19 <b>equipment, but then we found no DNA in the samples from</b></p> <p>20 <b>the specimens that we investigated.</b></p> <p>21 Q. You explain what the specimens were in paragraph 2 of</p> <p>22 your report.</p> <p>23 <b>A. Yes, so we had the stomach content, which is AWF35, and</b></p> <p>24 <b>we looked at some material that had been removed from</b></p> <p>25 <b>a Dr Branch, and that is AWF34, and AWF33.</b></p> <p style="text-align: center;">Page 81</p>	<p>1 of scopolia. Could you just explain what you found in</p> <p>2 terms of the toxic compounds that are associated with</p> <p>3 deadly nightshade?</p> <p>4 <b>A. So for this particular report, what we did was look in</b></p> <p>5 <b>the literature to see if there was anything else that we</b></p> <p>6 <b>could detect from the analysis that was undertaken by</b></p> <p>7 <b>Geoff Kite in the stomach contents and other contents</b></p> <p>8 <b>that we had looked at and we could find nothing that</b></p> <p>9 <b>would have the same mass spec fragmentation pattern</b></p> <p>10 <b>associated with those compounds.</b></p> <p>11 Q. Can I just take you back to the original report from</p> <p>12 Dr Kite, which I hope you have in front of you, it is</p> <p>13 from expert bundle 1 under tab 42 and it is a report</p> <p>14 dated 28 August 2013.</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Could you just, again, remind us what this report is</p> <p>17 doing in terms of what information is it relaying?</p> <p>18 <b>A. So this is analysis of the stomach contents and the</b></p> <p>19 <b>other samples that were given to us at Kew, with</b></p> <p>20 <b>a specific remit of looking at compounds that could be</b></p> <p>21 <b>associated with Gelsemium. So we did a detailed</b></p> <p>22 <b>analysis but we also provided an overview of the toxic</b></p> <p>23 <b>compounds that were in our database that we used to</b></p> <p>24 <b>compare with the samples. That list is given on</b></p> <p>25 <b>page 239.</b></p> <p style="text-align: center;">Page 83</p>
<p>1 Q. And also some AWF35?</p> <p>2 <b>A. Yes, that's right.</b></p> <p>3 Q. Lastly, you refer to samples removed from evidence bags</p> <p>4 by Dr Devey?</p> <p>5 <b>A. Dion Devey, yes.</b></p> <p>6 Q. Dion Devey on 29 June and 30 June last year as well?</p> <p>7 <b>A. Yes, that's right.</b></p> <p>8 Q. In summary, you attempted to process the material</p> <p>9 removed with a view to undertaking DNA testing but were</p> <p>10 unsuccessful?</p> <p>11 <b>A. Unsuccessful to get any useable DNA out of the material.</b></p> <p>12 Q. So that is the end of that line of inquiry?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. May I ask you to go back to tab 23 to your earlier</p> <p>15 report and reference to scopolia.</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Could you first of all explain what scopolia is and its</p> <p>18 link to deadly nightshade, which is a notorious natural</p> <p>19 poison?</p> <p>20 <b>A. So scopolia is an alkaloid which is found in a narrow</b></p> <p>21 <b>range of plants, it is known by others in literature to</b></p> <p>22 <b>be toxic. It is one of the compounds that is found in</b></p> <p>23 <b>atropa belladonna, associated with toxicity in that</b></p> <p>24 <b>plant.</b></p> <p>25 Q. You have done some sort of further research in respect</p> <p style="text-align: center;">Page 82</p>	<p>1 Q. You undertake the analysis but you are also looking to</p> <p>2 see if you can match it with any known natural toxic</p> <p>3 compound?</p> <p>4 <b>A. Yes, the ones that are in our main database that we</b></p> <p>5 <b>thought were relevant for this case.</b></p> <p>6 Q. Yes, and overleaf on page 239, we can see the beginning</p> <p>7 of the list of those compounds?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Obviously, as one of them there you can see is gelsemic</p> <p>10 acid about two-thirds of the way down, but above that is</p> <p>11 atropa belladonna hyoscamine, if I am pronouncing it</p> <p>12 correctly?</p> <p>13 <b>A. Yes, that's right.</b></p> <p>14 Q. What is that?</p> <p>15 <b>A. That is the same compound, and I am just going to look</b></p> <p>16 <b>at my notes here, that is scopolamine that is one of the</b></p> <p>17 <b>main toxin compounds that can be found. It goes under</b></p> <p>18 <b>different names, it is the same compound.</b></p> <p>19 Q. The same compound?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. It was searched for back at --</p> <p>22 <b>A. It was searched for right in the beginning when we</b></p> <p>23 <b>undertook the first analysis, yes.</b></p> <p>24 Q. And excluded?</p> <p>25 <b>A. Excluded, yes.</b></p> <p style="text-align: center;">Page 84</p>

<p>1 Q. Could you explain, further down there is one called 2 brugmansia suaveolens scopalamine, what is that? 3 <b>A. Sorry I am not with you yet.</b> 4 Q. Further down there is one that starts with brugmansia? 5 <b>A. Yes.</b> 6 Q. Do you see that? 7 <b>A. Yes, that is the same compound.</b> 8 Q. Species suaveolens? 9 <b>A. That is a toxic plant and that again is the same 10 compound, it just has its different name.</b> 11 Q. Right. 12 <b>A. It is the same compound as in the atropa belladonna.</b> 13 Q. I see. 14 That compound which you say in your report is known 15 to -- the name is -- could you explain what 16 scotanamine A is by reference to the things that you 17 have referred to in your original report? That's 18 page 343, about two-thirds of the way down? 19 <b>A. That is the new report?</b> 20 Q. Yes. 21 <b>A. Okay, can I go down and just pick it up?</b> 22 <b>Could you guide me which paragraph that is in?</b> 23 Q. It is the second paragraph under question 1(i)? 24 <b>A. We did not include -- I am having problems myself.</b> 25 Q. Scotanamine?</p> <p style="text-align: center;">Page 85</p>	<p>1 <b>10 kilograms. This is a compound that occurs in very 2 low concentrations in that plant.</b> 3 <b>It could have been in some material but it would 4 have been in very very low concentrations because 5 remember we were looking at smaller amounts of the 6 samples that we had.</b> 7 Q. Yes. 8 <b>A. If it was associated with potential toxicity, that or 9 any of the other compounds, we would have expected it to 10 be a major peak in the analysis that we did.</b> 11 Q. A major peak implying that there is a lot of -- 12 sufficient material to -- 13 <b>A. The size of the peak gives you an indication of the 14 amount present in an extract that we are analysing.</b> 15 Q. Taking it in stages in (ii) you say you are clear that 16 you are not aware of scotanamine A being toxic? 17 <b>A. We have no literature and I am not aware of any other 18 paper that has been published on its toxicity.</b> 19 Q. You are making the further point that you would have 20 expected a higher peak of it if it had reached any level 21 of significance as far as toxicity was concerned? 22 <b>A. If it had been present in the sample we would have 23 expected it to be there in high concentrations, I cannot 24 make any comment about its toxicity.</b> 25 Q. But you do make a point under section 3 about associated</p> <p style="text-align: center;">Page 87</p>
<p>1 <b>A. A. We did not put that compound down in August 2013 --</b> 2 Q. No. 3 <b>A. -- because it was not identified until later on in the 4 paper by Long et al.</b> 5 Q. It doesn't have another name, so it doesn't feature by 6 any name within that list? 7 <b>A. It doesn't because the first recording of it in 8 scientific literature was in the Planta Medica paper 9 published by Long et al in 2014.</b> 10 Q. Could you explain what that paper says in summary and 11 what the significance of it is in terms of toxicity and 12 the like for human beings? 13 <b>A. We don't know anything about the toxicity of that 14 compound, it was found in small amounts. I make 15 reference to that in the report that I provide.</b> 16 Q. Yes. Do you want to explain the significance of the 17 amounts that were found? 18 <b>A. On page 344, in my last full paragraph, Long et al do 19 not publish the mass spectrum of that particular 20 compound so we couldn't use it to just double check 21 whether it was in our data. If you look slightly 22 further up, the paragraph that starts, "If further 23 studies are undertaken on that particular compound", 24 then to be able to get a small amount, which is 25 8.3 milligrams, the authors had had to extract</b></p> <p style="text-align: center;">Page 86</p>	<p>1 compounds. 2 <b>A. Yes.</b> 3 Q. Could you explain what that point is, please? 4 <b>A. That the associated compounds that have a similar type 5 of molecular formula, some of those are associated with 6 toxic compounds.</b> 7 Q. Yes, but you say: 8 "If material from scopolia tangutica had been 9 present in the stomach then other alkaloids such as 10 scopolamine would most likely be present, as they occur 11 in other concentrations in the material. We did look 12 for this compound and it was not present." 13 <b>A. That's right.</b> 14 Q. What does that imply about scotanamine A? 15 <b>A. It implies that it was not there, definitely it confirms 16 it was not there in any high amount. Highly likely it 17 was not there.</b> 18 Q. Sorry? 19 <b>A. It was highly likely it was not there.</b> 20 Q. Which was my final question. The degree of confidence 21 with which you can say it was not there is highly 22 likely? 23 <b>A. Highly likely.</b> 24 Q. To summarise, in the original testing, you didn't find 25 anything to the effect that a scopolamine or related</p> <p style="text-align: center;">Page 88</p>

<p>1 compound by different names was found?</p> <p>2 <b>A. That's right.</b></p> <p>3 Q. Based on that finding and the fact that you didn't find</p> <p>4 a peak indicative of a positive finding of</p> <p>5 scotamine A, you conclude that it is highly likely</p> <p>6 that that compound wasn't present either?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Is there anything else that you can add to the evidence</p> <p>9 I have just asked you to clarify?</p> <p>10 <b>A. No, other than we have done kind of a detailed review of</b></p> <p>11 <b>the literature to indicate if we had missed any major</b></p> <p>12 <b>potential toxic compounds and we cannot find any that</b></p> <p>13 <b>are not included in that list that could be possibly</b></p> <p>14 <b>associated with toxicity.</b></p> <p>15 Q. As it presently stands, and I appreciate Dr Kite will be</p> <p>16 giving evidence on Thursday so he can clarify</p> <p>17 particularly in relation to Gelsemium, but as it stands,</p> <p>18 so far as Kew is concerned, you have not identified any</p> <p>19 plant toxins in the samples that you have tested?</p> <p>20 <b>A. That's right.</b></p> <p>21 MR SKELTON: Thank you.</p> <p>22 Questions from MR MOXON BROWNE</p> <p>23 MR MOXON BROWNE: Good afternoon, Professor Simmonds.</p> <p>24 <b>A. Good afternoon.</b></p> <p>25 Q. I just want to quite quickly see if we can summarise</p> <p style="text-align: center;">Page 89</p>	<p>1 delays in it, we are where we are with the medical</p> <p>2 evidence.</p> <p>3 MR MOXON BROWNE: It is delay that I am not to pursue?</p> <p>4 It is delay that I am not to pursue.</p> <p>5 THE CORONER: Well only -- I just can't remember if you have</p> <p>6 done it all once already, just refer me to where you</p> <p>7 have done it already really, I think that is the point.</p> <p>8 MR MOXON BROWNE: I don't think I have, but if Ms Barton</p> <p>9 thinks I have I am very happy to move on.</p> <p>10 The fact is that you were not given anything until</p> <p>11 11 April 2013, and I think it took a month before you</p> <p>12 carried out the tests, that is to say it wasn't until</p> <p>13 around about 10 May that you actually did anything?</p> <p>14 <b>A. I don't have the -- it was a period of time before we --</b></p> <p>15 Q. Was there any reason for that?</p> <p>16 <b>A. I am going back in time at the moment, I know we had</b></p> <p>17 <b>delay later on.</b></p> <p>18 Q. Yes.</p> <p>19 <b>A. It would have been subject to, you know, other enquiries</b></p> <p>20 <b>and other research being undertaken in the lab.</b></p> <p>21 Q. You were doing other things?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. Yes. You found in the stomach contents, as opposed to</p> <p>24 the parts of the digestive system, an ion with the</p> <p>25 weight 359.1965 which was then and remains unidentified</p> <p style="text-align: center;">Page 91</p>
<p>1 where, after all these years now, we have really reached</p> <p>2 with this investigation.</p> <p>3 You have said that you haven't found any toxic</p> <p>4 substance in any of the samples that you have been asked</p> <p>5 to look at. I think it is also right that you have been</p> <p>6 unable to identify the, what we have called the unknown</p> <p>7 ion in the stomach contents?</p> <p>8 <b>A. The unknown ion, yes.</b></p> <p>9 Q. It is also right that although you have been given some</p> <p>10 fragments of vegetable material from the upper part of</p> <p>11 the digestive system, you have not been able to identify</p> <p>12 those either?</p> <p>13 <b>A. That's right.</b></p> <p>14 Q. If we could just follow it through, you were first sent</p> <p>15 samples of Mr Perepilichnyy's stomach contents, the</p> <p>16 digestive tract and blood but not urine on</p> <p>17 11 April 2013?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. That is about five months after he died. Do you know</p> <p>20 why Surrey Police didn't give you those --</p> <p>21 MS BARTON: Sir, can I interrupt here because we have been</p> <p>22 around this question many times. The whole purpose of</p> <p>23 this additional evidence is to deal with what is</p> <p>24 additional to the last time we were before court.</p> <p>25 I think, as you made fairly clear, the investigation</p> <p style="text-align: center;">Page 90</p>	<p>1 by you?</p> <p>2 <b>A. That's correct, I am aware that Dr Kite has done some</b></p> <p>3 <b>further work.</b></p> <p>4 Q. Yes, certainly.</p> <p>5 What you did however observe, and it was I think no</p> <p>6 more than an observation, was that that is the exact</p> <p>7 atomic weight of Gelsemicine and five isomers of</p> <p>8 Gelsemium products?</p> <p>9 <b>A. That's correct.</b></p> <p>10 Q. What you didn't know at that time, but you do now, is</p> <p>11 that we can add to that list of five one more, which is</p> <p>12 the scotamine A which had not been discovered at that</p> <p>13 point but which now has?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. That is possibly toxic, but nothing to do with</p> <p>16 Gelsemium?</p> <p>17 <b>A. Yes, we have no idea about toxicity.</b></p> <p>18 Q. You don't know whether it is or not, no.</p> <p>19 We have the observation that you have that match but</p> <p>20 you were unable to confirm that the unknown was in fact</p> <p>21 either Gelsemicine or an isomer, because the</p> <p>22 fragmentation pattern did not match anything that you</p> <p>23 could associate with product from a known Gelsemicine</p> <p>24 source?</p> <p>25 <b>A. Yes, so we used the collections at Kew, of verified</b></p> <p style="text-align: center;">Page 92</p>

<p>1 <b>material and nothing matched that verified material.</b></p> <p>2 Q. Yes, so the explanation for that could be a number of</p> <p>3 things, perhaps most obviously that it is nothing to do</p> <p>4 with Gelsemium? I think you are nodding?</p> <p>5 <b>A. It could be, yes.</b></p> <p>6 Q. But it could be that it is by a generic mutation of one</p> <p>7 of the isomers that has not found its way into the</p> <p>8 literature yet?</p> <p>9 <b>A. I think that is very difficult to speculate on that.</b></p> <p>10 Q. It is not in the Dictionary of Natural Products but then</p> <p>11 nor was scotanamine A?</p> <p>12 <b>A. No, that is true.</b></p> <p>13 Q. That is something as to the probability or otherwise of</p> <p>14 that that Dr Kite can help us with further but I don't</p> <p>15 think you can?</p> <p>16 <b>A. That's right, I can't.</b></p> <p>17 Q. If we then approach the problem with the other end and</p> <p>18 leave aside the stomach contents. Incidentally, you</p> <p>19 were not aware were you that the stomach contents had</p> <p>20 essentially been thrown away before a very small amount</p> <p>21 was retrieved and given to you?</p> <p>22 <b>A. That is true.</b></p> <p>23 Q. You did your test without knowing that fact?</p> <p>24 <b>A. Yes, we did, yes.</b></p> <p>25 Q. If we leave that aside and focus on the samples that you</p> <p style="text-align: center;">Page 93</p>	<p>1 THE CORONER: -- but you have heard what is said.</p> <p>2 MR MOXON BROWNE: Yes, I have. I would like to just plough</p> <p>3 on if I may.</p> <p>4 THE CORONER: Not plough on actually, a bit more of the</p> <p>5 rapier than the plough, so, no, not ploughing on I am</p> <p>6 afraid. If you are going to plough on, just get to the</p> <p>7 point but if you can do it briskly then you can do a bit</p> <p>8 of context, but that is the offer.</p> <p>9 MR MOXON BROWNE: I think it is right, Professor Simmonds,</p> <p>10 that back in 2013, you didn't have the bits of vegetable</p> <p>11 material that were given to you later that you attempted</p> <p>12 DNA testing with.</p> <p>13 <b>A. That's right.</b></p> <p>14 Q. What you did have was the matrix from which that</p> <p>15 selection had been made, that is the point I am on.</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. You didn't find anything in any of that material, that</p> <p>18 was consistent with the presence of sorrel?</p> <p>19 <b>A. We did find a compound. I think it was in one of the</b></p> <p>20 <b>earlier reports and I am sorry I didn't totally refresh</b></p> <p>21 <b>myself on this, it is a phenolic compound that was found</b></p> <p>22 <b>in one of the samples that is not a characteristic of</b></p> <p>23 <b>sorrel but it occurs in sorrel.</b></p> <p>24 Q. Yes, and I think we are talking about quercetin?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 95</p>
<p>1 were given, which were taken from the jejunum, the</p> <p>2 duodenum and the ileum, you were given samples all of</p> <p>3 which appeared to contain particles of vegetable</p> <p>4 material?</p> <p>5 <b>A. No, not all of them -- we did not do a physical</b></p> <p>6 <b>examination, we did a chemical analysis.</b></p> <p>7 Q. Sorry, let's take this in stages. I thought you were</p> <p>8 given samples which had come from Reading University?</p> <p>9 <b>A. Sorry, yes, later on we were given some samples.</b></p> <p>10 Q. No, I am still back in 2013.</p> <p>11 <b>A. No, we had no samples from Reading University at that</b></p> <p>12 <b>stage.</b></p> <p>13 MS BARTON: Sir, I hesitate to rise again but this is</p> <p>14 material that was covered when we were last before the</p> <p>15 court in June. I had understood that the purpose of</p> <p>16 bringing witnesses back to court was to deal with the</p> <p>17 additional evidence which they were in a position to</p> <p>18 give in relation to questions that have been asked and</p> <p>19 issues that had arisen since we were last before the</p> <p>20 court. If that is not the case, then four days are</p> <p>21 certainly not going to be enough.</p> <p>22 THE CORONER: That is certainly a point. There is</p> <p>23 an element of probably putting things into context which</p> <p>24 will be helpful --</p> <p>25 MR MOXON BROWNE: I hope so.</p> <p style="text-align: center;">Page 94</p>	<p>1 Q. I think that was right at the bottom of the ileum?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. I think you thought that was probably not very</p> <p>4 significant?</p> <p>5 <b>A. It is not significant because it is not toxic, so ...</b></p> <p>6 Q. I think you told us on the last occasion -- here I am</p> <p>7 just recapping -- that you would have expected if</p> <p>8 someone had eaten something like a third of a kilo of</p> <p>9 sorrel for lunch and then died at about 5.00 that you</p> <p>10 would expect to find some trace of that sorrel in his</p> <p>11 system?</p> <p>12 <b>A. Yes, we would have expected to find something. Sorry,</b></p> <p>13 <b>I don't know the digestive time that it would have taken</b></p> <p>14 <b>for that to go through the digestive system.</b></p> <p>15 Q. If we take -- forgive me, if I am indelicate but if we</p> <p>16 take the example of asparagus, it is a familiar</p> <p>17 experience if you eat a lot of asparagus that it is</p> <p>18 going to reach your urine, it is going to have</p> <p>19 a characteristic smell, within a few hours?</p> <p>20 <b>A. I think that would depend on what you have eaten, what</b></p> <p>21 <b>your size is, et cetera.</b></p> <p>22 Q. If that is right, if that is the common experience of</p> <p>23 people, that would indicate that someone who has eaten</p> <p>24 a lot of asparagus is going to have that in all parts of</p> <p>25 their system, including the urine?</p> <p style="text-align: center;">Page 96</p>



<p>1 <b>A. I -- really that is beyond my expertise.</b></p> <p>2 Q. Is it? Oh.</p> <p>3 How about sorrel? Where would you expect to find</p> <p>4 that? Why are you surprised that it was not found?</p> <p>5 <b>A. If it was lingering within the gut, depending on what</b></p> <p>6 <b>else had been eaten, I would have expected to find some</b></p> <p>7 <b>compounds associated with sorrel in the stomach area.</b></p> <p>8 Q. Yes. Of course it is not the finding of the compounds</p> <p>9 that is significant because of course quercetin and</p> <p>10 quercetin glycosides are common in lots of foodstuffs,</p> <p>11 it is the absence of it. Does that not rule out the</p> <p>12 consumption of sorrel?</p> <p>13 <b>A. No. It would depend on how much was eaten, et cetera.</b></p> <p>14 <b>You could say we were a little bit surprised when we did</b></p> <p>15 <b>the analysis. As you indicated earlier, at that stage</b></p> <p>16 <b>we did not know that the main stomach contents had</b></p> <p>17 <b>been -- that is what we hadn't been given.</b></p> <p>18 Q. No, but I am talking about the blood, the urine and</p> <p>19 the --</p> <p>20 <b>A. I cannot tell you, I don't know enough about the</b></p> <p>21 <b>absorption rates to indicate how long it would take to</b></p> <p>22 <b>get into the blood or into the urine.</b></p> <p>23 Q. No.</p> <p>24 We have been told by Dr Kite that quercetin</p> <p>25 glycoside, which is a particular compound quercetin</p> <p style="text-align: center;">Page 97</p>	<p>1 Q. You subjected that to gas chromatography and MS/MS</p> <p>2 analysis, correct?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Can you just tell me how you do that, do you put the</p> <p>5 leaves in some sort of matrix?</p> <p>6 <b>A. What we do is to grind up the material, or cut it up</b></p> <p>7 <b>into small amounts which of course in this case it was</b></p> <p>8 <b>quite small amounts. Then we would extract it with</b></p> <p>9 <b>a solvent, which I think in this case from memory was</b></p> <p>10 <b>methanol, 80 per cent methanol. Then you take that</b></p> <p>11 <b>liquid and if there is any particular particles in there</b></p> <p>12 <b>you would remove them by a separation technique and then</b></p> <p>13 <b>that liquid is then analysed on the --</b></p> <p>14 Q. Putting it rather in layman's terms, you make a sort of</p> <p>15 soup with methanol?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. You told us on the last occasion that you were minded to</p> <p>18 try DNA identification techniques, which you have told</p> <p>19 us what happened about that but you also said if that is</p> <p>20 not successful, we might revert to the, what I might</p> <p>21 call the tried and tested method of gas chromatography,</p> <p>22 MS/MS. I just wondering why you didn't do that?</p> <p>23 <b>A. Because in this particular case we were asked</b></p> <p>24 <b>specifically to do the DNA of course we are followed by</b></p> <p>25 <b>the instructions about what we were asked to do in this</b></p> <p style="text-align: center;">Page 99</p>
<p>1 compound which I believe is found in a number of</p> <p>2 foodstuffs, metabolises very easily in the acid of the</p> <p>3 stomach and would likely split, decouple in that</p> <p>4 environment. Do you agree with that?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. In which case you would expect to find the quercetin</p> <p>7 without the attached glycoside?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. You are nodding?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Yes, but you didn't?</p> <p>12 <b>A. No, we did not detect that in the stomach, no.</b></p> <p>13 Q. A point that was pursued I think by the coroner,</p> <p>14 particularly on the last occasion, was the possibility</p> <p>15 that quercetin was present but below the limits of the</p> <p>16 equipment you were using. If someone has eaten a third</p> <p>17 of a kilo of sorrel, you are going to find that, aren't</p> <p>18 you?</p> <p>19 <b>A. I am repeating myself. Yes, I would have thought you</b></p> <p>20 <b>would have found a breakdown product in the stomach if</b></p> <p>21 <b>you had eaten that amount of material.</b></p> <p>22 Q. Yes.</p> <p>23 You of course were sent some sorrel, STO4 I think</p> <p>24 the sample was called?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 98</p>	<p>1 <b>particular case.</b></p> <p>2 Q. You were given a jar that had been found apparently lost</p> <p>3 at the back of a fridge in Reading, you were given a jar</p> <p>4 containing bits of vegetation which were invisible to</p> <p>5 the naked eye.</p> <p>6 <b>A. Okay, with the small material which we had, one was on</b></p> <p>7 <b>a stub because it had been looked at for looking for</b></p> <p>8 <b>characteristics under a microscope, which means that it</b></p> <p>9 <b>was either going to be analysed by DNA because it was</b></p> <p>10 <b>such a small amount, or it was going to be analysed by</b></p> <p>11 <b>the chemistry and it was analysed by DNA. There was no</b></p> <p>12 <b>surplus material to do any chemistry on.</b></p> <p>13 Q. You are saying that you used it all up?</p> <p>14 <b>A. The material was used up. The small amount of material</b></p> <p>15 <b>was used up to try and get enough material for DNA, so</b></p> <p>16 <b>it wasn't a matter of doing either or, it was one way.</b></p> <p>17 Q. Yes, I think you envisaged, when you gave evidence last</p> <p>18 time that there might be a possibility of doing both,</p> <p>19 but that turned out not to be possible.</p> <p>20 So everything that was given to you in the jar that</p> <p>21 had been picked out from the other jars and got lost in</p> <p>22 the fridge --</p> <p>23 <b>A. The small little vials that we had, one was a stub and</b></p> <p>24 <b>there was another that had a very small amount of</b></p> <p>25 <b>material on it and that was used for the -- in the vial,</b></p> <p style="text-align: center;">Page 100</p>

<p>1 <b>so it was more the solid material that was used to do</b></p> <p>2 <b>the DNA work with.</b></p> <p>3 Q. There is nothing left that you can now use?</p> <p>4 <b>A. There is some liquid that is left from that particular</b></p> <p>5 <b>small vial. We have not done any further chemistry on</b></p> <p>6 <b>that.</b></p> <p>7 Q. Forgive me, Professor Simmonds, but I have seen</p> <p>8 photographs of these jars and it is like tea leaves,</p> <p>9 I mean there is quite a lot of it.</p> <p>10 <b>A. The material that we have, it is quite a small</b></p> <p>11 <b>container.</b></p> <p>12 Q. Hmm. Anyway it is all gone?</p> <p>13 <b>A. The small little vials that we have used for the DNA,</b></p> <p>14 <b>that is gone.</b></p> <p>15 Q. Yes.</p> <p>16 The net result of this is, and the net result of</p> <p>17 your evidence, that your search via DNA has not proved</p> <p>18 successful, is that six years after Mr Perepilichnyy's</p> <p>19 death, that vegetation that was recovered from his body,</p> <p>20 nobody knows what it is?</p> <p>21 <b>A. We were unable to identify using DNA or from the</b></p> <p>22 <b>chemistry work that we did and I know that from the work</b></p> <p>23 <b>that I presume has been presented by others on the</b></p> <p>24 <b>anatomy, they were unable to identify it. We did look</b></p> <p>25 <b>at some of the pictures of the material and our</b></p> <p style="text-align: center;">Page 101</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. Can you help us with that, does that mean it was</p> <p>3 isolated from the other compounds in the plant?</p> <p>4 <b>A. Yes. So what would normally happen is you get, you</b></p> <p>5 <b>could say the two matrixes you get, and then you can</b></p> <p>6 <b>analyse it in different ways. In this case it would be</b></p> <p>7 <b>I think with chromatography, to get an idea of the type</b></p> <p>8 <b>of chemistry that is in there. That gives you a series</b></p> <p>9 <b>of peaks and then you set up the equipment to be able to</b></p> <p>10 <b>isolate each of those areas associated with that peak,</b></p> <p>11 <b>so you are separating it.</b></p> <p>12 Q. It mentions here the white powder, is the white powder</p> <p>13 the scotamine A isolated from the other material in</p> <p>14 the plant?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Is that general technique of isolating a compound from</p> <p>17 other elements of the plant, is that something just</p> <p>18 newly invented by Long et al or is it a standard</p> <p>19 technique?</p> <p>20 <b>A. No, it is something we do frequently at Kew, yes.</b></p> <p>21 Q. Can you tell us anything about the properties of the</p> <p>22 white powder?</p> <p>23 <b>A. No.</b></p> <p>24 Q. For example its taste?</p> <p>25 <b>A. No. It is not written down. I don't know anything</b></p> <p style="text-align: center;">Page 103</p>
<p>1 <b>anatomists couldn't identify it either.</b></p> <p>2 Q. There seems no doubt that some vegetable material</p> <p>3 formed, if Mrs Perepilichnaya's evidence is right, an</p> <p>4 important part of what we think was his final meal, but</p> <p>5 you don't know what that was?</p> <p>6 <b>A. That's correct, we are not able to identify the material</b></p> <p>7 <b>from his ...</b></p> <p>8 MR MOXON BROWNE: Yes, thank you very much.</p> <p>9 Questions from MR STRAW</p> <p>10 MR STRAW: Professor Simmonds, just to be clear,</p> <p>11 scotamine A had the same formula and mass as the</p> <p>12 unidentified ion in the stomach. Is that correct?</p> <p>13 <b>A. It has the same formula, yes.</b></p> <p>14 Q. You explain in your June 2017 report that it was after</p> <p>15 Long et al announced in 2014 the make up of</p> <p>16 scotamine A that you were able to come to that</p> <p>17 conclusion?</p> <p>18 <b>A. Sorry, that?</b></p> <p>19 Q. That you were able to match the unidentified ion with</p> <p>20 scotamine A. It was only after Long et al in 2014</p> <p>21 produced their report?</p> <p>22 <b>A. That that report was printed in the Planta Medica</b></p> <p>23 <b>journal.</b></p> <p>24 Q. You say in your report, in their paper they explained</p> <p>25 they isolated scotamine A as a white powder?</p> <p style="text-align: center;">Page 102</p>	<p>1 <b>about it other than what is published in that paper, any</b></p> <p>2 <b>other facts I cannot expand on.</b></p> <p>3 Q. You have mentioned earlier that scopolamine so something</p> <p>4 different from scotamine A, something which is</p> <p>5 commonly found in the plant scopolia tangutica,</p> <p>6 scopolamine was tested for and you didn't find it?</p> <p>7 <b>A. That's right.</b></p> <p>8 Q. That is one of the reasons why you come to the</p> <p>9 conclusion that it is highly likely that scotamine A</p> <p>10 wasn't in Mr Perepilichnyy; is that right?</p> <p>11 <b>A. We have no evidence that it was, no.</b></p> <p>12 Q. Because of course if scotamine A had been isolated in</p> <p>13 a white powder and administered to Mr Perepilichnyy,</p> <p>14 then one would not expect to find with it scopolamine?</p> <p>15 <b>A. No, if it had been a pure compound that had been used.</b></p> <p>16 <b>No, you wouldn't.</b></p> <p>17 Q. Also scopolamine, so the one that you did test for and</p> <p>18 it wasn't there, it is possible, isn't it, that the</p> <p>19 level of the substance in his system such as scopolamine</p> <p>20 may have degraded or disappeared during the digestive</p> <p>21 process or in the samples while they were stored between</p> <p>22 the time of the death and the time they were tested?</p> <p>23 <b>A. I don't know enough about the time for the break down of</b></p> <p>24 <b>the compounds, so I can't really give a robust response</b></p> <p>25 <b>to that. Other than the fact that we do know that</b></p> <p style="text-align: center;">Page 104</p>

<p>1 <b>alkaloids can be isolated from plant material that could</b>  2 <b>be, you know, 50 years of age.</b>  3 Q. Would it be fair to say the question of whether  4 scopolamine could have degraded or disappeared and that  5 is why we saw none of it here, is better left for  6 a toxicologist?  7 <b>A. Yes.</b>  8 Q. Just to finalise that then, the absence of scopolamine  9 in Mr Perepilichnyy's system, that doesn't prove he  10 didn't ingest a form of scotamine A?  11 <b>A. Yes, we cannot absolutely prove that, no.</b>  12 MR STRAW: Thank you very much.  13 MR SKELTON: Sir, I think that concludes  14 Professor Simmonds's evidence.  15 THE CORONER: Thank you very much.  16 <b>A. Thank you.</b>  17 MR SKELTON: Sir, we now have some evidence to be read in  18 according to Rule 23, which Mr Wastell will do.  19 MR WASTELL: Sir, when we last convened on 23 June last year  20 you gave rulings in respect of the admission of the  21 evidence of Rishat Ismagilov, Ruslan Gursky and  22 Francois-Roger Micheli.  23 In respect of Francois-Roger Micheli, you ruled that  24 the evidence contained in his letter to the coroner  25 dated 4 July 2016 would be admitted under Rule 23(i)(c)</p> <p style="text-align: center;">Page 105</p>	<p>1 that he felt threatened or did he ever allude to any  2 circumstances which could indicate he was not feeling  3 safe. I may add that had he felt insecure I believe  4 I would have become aware of it, at least if such  5 an impression had any even remote link with my  6 professional activity. More specifically, I have no  7 indication whatsoever that his death could be linked  8 directly or indirectly to the so-called Hermitage  9 Magnitsky affair.  10 "(3) the examining magistrate in charge of  11 implementing the Russian mutual legal assistance  12 requests and who is in parallel conducting his own  13 investigation has been given notice of  14 Alexander Perepilichnyy's death. Had that examining  15 magistrate had any suspicion that  16 Alexander Perepilichnyy's death could have been caused  17 by elements other than natural circumstances, that  18 examining magistrate would certainly have investigated  19 the cause of his death. This was never the case.  20 "(4) I was informed of Alexander Perepilichnyy's  21 death through his kin. This is how I learned that he  22 had collapsed during a footing in the vicinity of his  23 home. Some official documents pertaining to  24 Alexander Perepilichnyy's death on 10 November 2012, if  25 I am not mistaken, have been supplied to me. I have</p> <p style="text-align: center;">Page 107</p>
<p>1 of the Coroner's Inquest Rules 2013, along with his  2 reasons for declining to attend contained in emails  3 dated 9 September 2016 and letters dated 31 March 2017  4 and 7 April 2017 and that you would have the letter  5 dated 4 July read. I will now do that.  6 Evidence of MR FRANCOIS-ROGER MICHELI (read)  7 MR WASTELL: It is for your note, contained in the  8 supplementary hearing bundle behind tab 16, page 329, it  9 is a letter from Mr Micheli on Python &amp; Peter headed  10 paper to the coroner's officer and it says this:  11 "Dear Mr Mansbridge, I refer to your email dated  12 28 June 2016.  13 "(1) I have had a professional activity for  14 Alexander Perepilichnyy up to his death. This activity  15 concerned a Russian penal investigation and a mutual  16 legal assistance request issued to Switzerland in that  17 context, as well as a Swiss penal investigation.  18 Neither of these investigations were directed against  19 Alexander Perepilichnyy. I have had several meetings  20 with Alexander Perepilichnyy in various locations.  21 "(2) our discussions have at times gone  22 significantly beyond what was required by me to fulfil  23 my mandate and they cover the private issues  24 Alexander Perepilichnyy felt like discussing with me or  25 informing me about. At no moment did he ever indicate</p> <p style="text-align: center;">Page 106</p>	<p>1 heard that medical examinations have been made in the UK  2 on the cause of Alexander Perepilichnyy's death but  3 I have never actually seen these reports.  4 I unfortunately do not know more about the circumstances  5 surrounding Alexander Perepilichnyy's death."  6 Evidence of MR RUSLAN GURSKY (read)  7 MR WASTELL: Sir, the second ruling you made was in respect  8 of Mr Perepilichnyy's brother-in-law, Ruslan Gursky and  9 you admitted his letter to Mr Suter dated 1 May 2017 --  10 in fact an email -- along with a letter dated  11 3 September 2016, save for the second and third  12 sentences of paragraph 8 and the last sentence of  13 paragraph 10.  14 In the 3 September 2016 letter, and this is in the  15 hearing bundle, tab 17, page 204, Mr Gursky says this --  16 I should say this is a letter to Seddons Solicitors:  17 "In answer to your questions I am stating the  18 following: I am Ruslan Gursky [it gives his date of  19 birth] I live in Ukraine. For over 18 years I have  20 worked as a doctor in the clinic of surgery of the heart  21 and great vessels in a hospital, I have previously  22 worked as a vascular surgeon and now I am the  23 interventional radiologist. I don't own any businesses.  24 I am Alexander Perepilichnyy's brother-in-law and knew  25 him since 1995. We communicated frequently, one to two</p> <p style="text-align: center;">Page 108</p>

<p>1 times a week on the phone. We saw each other two to                  2 three times a year. I visited him in Moscow and London.                  3 Alexander and his children came to us on yearly summer                  4 visits to spend time with us and Alexander's mother.                  5 "I know that Alexander had businesses in Russia and                  6 Ukraine in the sphere of food production, investments in                  7 commercial real estate and financial transactions in the                  8 securities and other financial instruments markets.                  9 I did not participate in his business, therefore                  10 I cannot give more details. Communication was obviously                  11 at the domestic level. Alexander was latterly very                  12 enthusiastic about finally finding the house that his                  13 wife and children liked in England. I am surprised at                  14 the speculation about alleged threats to Alexander's                  15 life. At no point during our regular communications did                  16 Alex ever express any fear for his life from any                  17 quarter. Had he been the subject of threats or been in                  18 fear, I am sure he would have told me. Also bearing in                  19 mind him being extremely humble and unpolitical, I find                  20 all speculations about him highly dubious.                  21 "I saw Alexander last in July 2012. We discussed                  22 the upcoming purchase of Alexander's new house in                  23 England and the related matter of the difficulty in                  24 acquiring enough life insurance to cover the mortgage                  25 that each bank Alexander approached required. This had</p> <p style="text-align: center;">Page 109</p>	<p>1 Just for the record, in the series of questions                  2 posed by Mr Suter, the only persons mentioned aside from                  3 Mr Perepilichnyy are Hermitage Capital Management                  4 Limited, Sergei Magnitsky and the Klyuev organised crime                  5 gang (KOCG).                  6 Evidence of MR RISHAT ISMAGILOV (read)                  7 MR WASTELL: Sir, the final piece of evidence to read for                  8 this afternoon is the evidence of Mr Rishat Ismagilov,                  9 contained in letters dated 31 August 2016 and                  10 8 May 2017, which you admitted in full so that a proper                  11 assessment of them could be made by you. You intended                  12 to have most of it read out, save for some points he                  13 made about the Inquest process.                  14 Sir, starting with the 31 August 2016 letter written                  15 to the coroner's officer at the coroner's court:                  16 "Dear Mr Mansbridge, the widow of                  17 Alexander Perepilichnyy, my sister, has asked me to                  18 express my view and opinion in relation to the late                  19 Alexander Perepilichnyy, taking into account that I knew                  20 him personally since 1994. I would like it noted that                  21 only yesterday, 30 August, I received an official                  22 request from you.                  23 "Firstly, I would like to point out that it appeared                  24 to be put in such a way as to suggest that Alexander was                  25 actually killed. The line of questions appears to imply</p> <p style="text-align: center;">Page 111</p>
<p>1 been a continued subject of discussion between us for at                  2 least the previous four months. Alexander was                  3 noticeably thinner. He had lost about 20 kilograms                  4 since March and was very proud about it. We spoke last                  5 time on 9 November 2012, discussing final details of my                  6 daughter coming to England for her A levels. He was                  7 very enthusiastic about increasing physical exercise                  8 routine to lose more weight."                  9 Sir, then in the email to Mr Suter, dated                  10 1 May 2017, in response to a series of questions posed                  11 to him, Mr Gursky says this:                  12 "Dear sir, I should be grateful if you would note my                  13 response to your request. My communication to                  14 Mr Marvin Simons, Seddons Solicitors on 3 September 2016                  15 contains a full and exhaustive account of the                  16 information I am able to provide in connection with the                  17 present Inquest. As I have already stated,                  18 A Perepilichnyy and I only ever talked about family and                  19 general matters and we never discussed any business                  20 matters or his business contacts. I have already                  21 answered all such general questions in your list in my                  22 previous letter. I can confirm that I do not know any                  23 of the people referred to in your request and I have                  24 nothing further to add to that which I have previously                  25 written."</p> <p style="text-align: center;">Page 110</p>	<p>1 this only option and you are only looking for details of                  2 motives to back this up. I would like to bring to your                  3 attention that as far as I understand this matter, this                  4 is not the case yet and therefore I would like to                  5 strongly underline that nothing in my feedback below                  6 should be interpreted by anybody as if I a priori agree                  7 with this position by answering questions phrased in                  8 such a way.                  9 "Thus I am stating the following:                  10 "(1) I Rishat Ismagilov [then he gives his date of                  11 birth and residency] confirm that I knew                  12 Alexander Perepilichnyy for many years as a close                  13 relative and as one of the managers in a company under                  14 his control. We met often to discuss both business and                  15 family matters. I assisted him in many aspects as he                  16 did me. I strongly believe that had he been in fear of                  17 his life or under any stress of that kind, it would have                  18 been impossible for him to keep it from me. I have                  19 noted that it has been widely reported that he fled to                  20 London which is completely false. I know for a fact he                  21 started planning on settling in the UK many years ago,                  22 shortly after the birth of his first child. We had many                  23 discussions about this and the related matter of                  24 schooling for his children.                  25 "There were no death threats. He never used</p> <p style="text-align: center;">Page 112</p>

<p>1 a personal bodyguard, a guard for his residence or even                  2 regular guard for his office. I reiterate that had he                  3 felt insecure, I am certain I would have become aware of                  4 it. I have no reason to link his death to the so-called                  5 Hermitage/Magnitsky affair or to the so-called KOCG,                  6 which in my personal opinion is nothing but concoction                  7 to fit a particular agenda, Alexander never met                  8 Mr Browder.                  9 "Concerning the company Dzhirsa, which features in                  10 the Hermitage speculations. It is a debt collection                  11 shell company whose business is focused on buying debts                  12 from banks at a discount and trying to recover the debts                  13 via judicial procedures for a marginal profit. Whilst                  14 it is true the company did pursue Alexander in the way                  15 mentioned above, there was no personal contact between                  16 Mr Klyuev and Alexander or between him and any                  17 intermediaries and that includes their agents in courts.                  18 Dzhirsa finally lost the case and sold the debt back to                  19 the bank. I never heard more about the company or the                  20 people related until it was raised as part of                  21 Hermitage's speculation in the printed media in a way                  22 that completely misrepresented the facts.                  23 "My last meeting with Alexander took place in                  24 Munich, Germany in the last week of September 2012. We                  25 discussed the usual agenda of business matters and</p> <p style="text-align: center;">Page 113</p>	<p>1 very long Inquest. Having in mind that Mr Browder is                  2 a convicted criminal offender in Russia, finally                  3 sentenced to nine years in prison for tax avoiding and                  4 fraud, also found guilty in libel and as a Russian                  5 citizen I raise objection to my personal data being                  6 available for a reputed offender ..."                  7 And he requests redactions, sir.                  8 He concludes that letter:                  9 "I do not know more about the circumstances                  10 surrounding Alexander Perepilichnyy's death and have                  11 nothing else to add."                  12 Sir, then turning to Mr Ismagilov's letter to                  13 Mr Suter dated 8 May 2017, and that is page 171 behind                  14 tab 12 of the new bundle, he says this:                  15 "Dear Mr Tim Suter, I am asking you to bring to the                  16 attention of His Honour Judge Chief Judge                  17 Nicholas Hilliard QC my response to your letter,                  18 including the following commentary on the answers to the                  19 questions namely. I am certainly interested in                  20 establishing the objective circumstances of the death of                  21 Alexander Perepilichnyy."                  22 And he welcomes your efforts in that regard, this                  23 standpoint was confirmed in his previous letter, he                  24 says.                  25 He is surprised at having a second request, as</p> <p style="text-align: center;">Page 115</p>
<p>1 family life. Because it happened a long time ago                  2 I can't remember the details. However I do recall him                  3 being optimistic about weight loss and progressing with                  4 the insurers to meet bank requirements for the mortgage.                  5 He was not specifically focused on the Hermitage case.                  6 Alexander was focused on plans for the immediate future,                  7 as buying the house in Surrey, preparing his son for the                  8 scholarship exams and finding a permanent holiday house                  9 for the family.                  10 "Our last phone contact happened three days before                  11 his death. We talked about his daughter's upcoming                  12 birthday and penciled in some regular business planning                  13 meetings for the following weeks. During the last                  14 meeting and the last phone call we did not discuss his                  15 health in any particular way, although I was aware that                  16 he had recently started jogging much more and dieting,                  17 the combination of which had resulted in substantial                  18 weight loss.                  19 "I was informed of Alexander's death by his wife, my                  20 sister. This is how I learned that he had collapsed                  21 during jogging. I have watched as my sister, my niece                  22 and my nephew's lives have been destroyed. Not only                  23 have they had to deal with the unexpected loss of                  24 a loved one and family provider but also subsequently                  25 additional disruption and invasion of privacy of this</p> <p style="text-align: center;">Page 114</p>	<p>1 follows from his previous testimony he has nothing to                  2 add regarding the facts, reasons and circumstances of                  3 Mr Perepilichnyy's death.                  4 In paragraph 4, he points out that it is your area                  5 of competence to look at the death of Mr Perepilichnyy,                  6 not the facts and circumstances and distinguishes it                  7 from a criminal process, which is the forum for looking                  8 at those issues.                  9 He says in paragraph 5:                  10 "As far as I know, even the fact itself of                  11 a criminal nature of the death of A Perepilichnyy has                  12 not yet been established by your investigation during                  13 the last four years."                  14 He makes comments on the toxicological results,                  15 finding no evidence of poison.                  16 In paragraph 6, in summary he suggests that the                  17 scope of this Inquest goes beyond how Mr Perepilichnyy                  18 died, the direct and immediate cause of death and the                  19 exploration of further issues in this case is a logical                  20 nonsense and legal absurdity.                  21 Moreover he says in paragraph 7:                  22 "Even if in the course of Inquiry you reveal that                  23 there were some threats from one of the former partners                  24 to A Perepilichnyy, this would not help to establish the                  25 physical cause of death. However this and only this is</p> <p style="text-align: center;">Page 116</p>

<p>1 the immediate task of your Inquiry."                  2 He does not think in paragraph 8 that this                  3 deliberately absurd and illogical way of conducting the                  4 Inquiry, going far beyond the question of how, could be                  5 accidental or without reason, because he says it has not                  6 yet been established if Mr Perepilichnyy died from                  7 natural causes or was killed but the damage to his and                  8 his family's reputation was already inflicted                  9 definitively and irrevocably by the accompanying                  10 unproven speculations in the press and by the very fact                  11 of such an unprecedentedly long investigation, and he                  12 refers to the effect upon the widow and the family, the                  13 children as well.                  14 In paragraph 9 he then continues:                  15 "There is however a second reason why I would have                  16 the moral right to refuse to assist you. This is                  17 because of the fact that the person, persons, included                  18 by the coroner in this Inquiry as interested persons,                  19 I mean Hermitage and Mr W Browder personally, are                  20 persons with an utterly compromised reputation and these                  21 very individuals were the initiators of speculation in                  22 the mass media concerning Mr Perepilichnyy's role.                  23 However, the objective fact is that Mr Browder was                  24 recognised by Russian courts as a tax criminal and                  25 a fraudster, evasion of paying tax in excess of</p> <p style="text-align: center;">Page 117</p>	<p>1 Prevezon Holdings Limited, up to 80 per cent of                  2 questions addressed to him by the defendant's lawyer,                  3 Mr Browder responded with a few hours with the words no,                  4 I can't recall, I don't know, I have no idea, I had no                  5 idea, I don't know the details, I don't understand the                  6 question, I didn't check, I don't know the background,                  7 I would assume so, I would imagine so, I am not sure,                  8 I don't know what is in these documents, totally                  9 unaware.                  10 "Ie in essence in this way he completely and clearly                  11 denied under oath his personal statement, thereby                  12 denying the reliability of the very same information                  13 provided by himself earlier. However, these questions                  14 concerned his relationship with S Magnitsky and the                  15 so-called Magnitsky investigation, as well as the                  16 reliability of the information that he, Browder,                  17 provided to the US authorities.                  18 "(Interpretation of Mr Browder's interrogation,                  19 source) ..."                  20 Then he gives a website prevezon.com:                  21 "During the interrogation, inter alia Mr Browder had                  22 to admit explicitly his true motivation, namely that the                  23 Magnitsky case has a political angle for him and even                  24 more, and besides the true mercenary and political                  25 motivation of Mr Browder and Hermitage in the Magnitsky</p> <p style="text-align: center;">Page 119</p>
<p>1 522 billion roubles, has outstanding criminal                  2 convictions and was sentenced to nine years of prison.                  3 These court decisions were never challenged by him,                  4 other than through political gossip, and entered into                  5 legal force. In addition, as is known, he is also under                  6 a criminal investigation for other episodes of crime in                  7 Russia which have not yet been completed by                  8 investigation. So you should understand in my eyes                  9 Mr Browder is a criminal and a proven swindler,                  10 regardless of how the UK judiciary and the coroner, His                  11 Honour Judge Nicholas Hilliard QC, personally refer to                  12 this fact and regardless of his subjective                  13 desire/reluctance to take this into account when                  14 assessing the speculations of Mr Browder in respect of                  15 the deceased.                  16 "Moreover, I am aware, that even in the                  17 United Kingdom, Mr Browder was unable to prove in court                  18 (P Karpov v WF Browder and others) his speculative                  19 accusations against a key figure of the so called by him                  20 Klyuev group, and in Russia on the same charge, he and                  21 others were found guilty of libel by the court and he                  22 did not challenge this verdict either.                  23 "In addition, a publicly known legal fact is that on                  24 interrogation under oath in the United States                  25 in April 2015, in the case United States of America v</p> <p style="text-align: center;">Page 118</p>	<p>1 case as a whole, note this is precisely to what                  2 Hermitage ties the death of Mr A Perepilichnyy, covered                  3 up with false high considerations and an emotional                  4 background was uncovered demonstratively in a detailed,                  5 convincing and consistent manner by a special                  6 independent investigation which was conducted                  7 independently from the Russian Federation and has                  8 already been made public."                  9 He gives the source of that document:                  10 "The facts detailed in this investigation by                  11 an independent, not a Russian resident although                  12 Russian-born journalist, A Nekrasov, believably testify                  13 to the deliberate large-scale international                  14 falsification and speculation in respect of the death of                  15 Magnitsky and its political background as the main                  16 motive for the actions of Mr Browder and Hermitage.                  17 These facts have still not been refuted or explained in                  18 any way by Mr Browder.                  19 "Now, in the current Inquiry into A Perepilichnyy's                  20 case, such a person, who is a legally proven liar,                  21 fraudster and an international tax criminal who under                  22 oath refused to take responsibility for the documents he                  23 signed earlier, and the origin of whose financial                  24 capital in public view is directly connected with the                  25 murder of banker Edmond Jacob Safra, Republic National</p> <p style="text-align: center;">Page 120</p>

<p>1 Bank of New York, in 1999.                  2 "(1) in 1996 E Safra was a cofounder of Hermitage                  3 Capital Management, source the Washington Post,                  4 13 June 2006, and lost nearly \$200 million because of                  5 W Browder's speculations and securities. After Safra's                  6 death, all the assets and clientele of his bank, along                  7 with the Hermitage Capital Fund went to the HSBC bank,                  8 the US Senate Committee on National Security                  9 Investigations established, in a special report of                  10 16 July 2012, that over the years HSBC had carried out                  11 money laundering operations for Mexican drug cartels and                  12 the bank had agreed with all the accusations and paid                  13 the largest fine in history of several billion dollars.                  14 "(2) the money, the IMF stabilisation loan to                  15 Russian government of \$4.8 billion just before the 1998                  16 default was transferred from the Federal Reserve Bank of                  17 New York to an account in Edmond Safra's Republic                  18 National Bank of New York, intended for stabilisation                  19 operations of the Central Bank of the Russian                  20 Federation. The money was, as suspected, immediately                  21 upon receipt through Hermitage transferred to the UK,                  22 a minimum of \$2,115 billion through the NatWest bank, in                  23 the investigation of the IMF loan case was conducted by                  24 the prosecutor general office of the Russian Federation                  25 and a criminal case was initiated [he gives the case</p> <p style="text-align: center;">Page 121</p>	<p>1 financial transactions and seized the investments that                  2 he took with him from Russia'.                  3 "The main source of Browder's fortune is, 'The                  4 corruption money that he uses in the fight against the                  5 Russian Federation under the CIA directive. I have                  6 documented evidence that William Browder is an agent of                  7 the CIA who works under the pseudonym Solomon and was                  8 then handed over to MI6'.                  9 He gives a source which is from www.MK.ru.                  10 "(6) information on the anglophone internet, agent                  11 William F Browder: the smoking gun by Gilbert Doctorow                  12 PhD."                  13 And he gives a source from US foreign policy blogs:                  14 "(7) as is known, the Russian Federation                  15 subsequently requested the UK to provide legal                  16 assistance in respect of the return of the stolen                  17 billions from the IMF fund. The official respond from                  18 Her Majesty's Government was, 'the fulfilment of these                  19 requests may damage the sovereignty, security, public                  20 order or other essential interests of Great Britain'.                  21 "So as you may see, not a single legal objection has                  22 been raised. In the above quotation, all grounds are                  23 purely political, in translation from diplomatic                  24 language to everyday this means no, the stolen money                  25 from Russia will be of use to the United Kingdom itself</p> <p style="text-align: center;">Page 123</p>
<p>1 number] at the request of the IMF PricewaterhouseCoopers                  2 was ordered to investigate the fate of the IMF loan."                  3 He gives a source, which appears to me to be Russian                  4 Wikipedia:                  5 "(3) 18 months later E Safra was killed by his own                  6 security guard, Ted Maher, on instructions from the US                  7 intelligence services according to the security guard's                  8 statement."                  9 He gives a source for the New York Post,                  10 14 January 2000 and web links:                  11 "W Browder remained the sole head, CEO of Hermitage                  12 Capital Management after the death of E Safra.                  13 "(4), Pascal Najadi, a Swiss citizen, the head of                  14 Najadi &amp; Partners, now renamed as AmBank Group with                  15 market capitalisation of \$16 billion, has worked in the                  16 field of direct investment around the world for more                  17 than four decades publicly stated in 2014 as a reliable                  18 fact that Browder is an agent of both the CIA and MI6.                  19 His pseudonym is Solomon."                  20 And he gives a source Dbelyaev.ru:                  21 "This statement was not refuted, as far as I know.                  22 "(5) Captain Paul Beryll head of the largest private                  23 security services 'Epsilon' and 'Secrets' said:                  24 'Browder made his fortune at the expense of Russia                  25 and to the detriment of Russia. He turned around</p> <p style="text-align: center;">Page 122</p>	<p>1 and Mr Browder will receive asylum and protection.                  2 "(13) and now a person with such a background is                  3 recognised by the coroner through Hermitage as                  4 an interested person in this Inquest, and as a proper                  5 witness and his statement accusing A Perepilichnyy of                  6 participating in the 'Klyuev organised crime group' and                  7 'money laundering' have already been taken into                  8 consideration without any legal verification and even                  9 without the potential possibility and prospect of such                  10 verification or reputation. Since the coroner's Inquiry                  11 is not a criminal trial and therefore by definition as                  12 I understand it does not have the instruments of such                  13 verification at its disposal."                  14 He complains that after all that you ask him to help                  15 again:                  16 "(15) and nevertheless I have taken the decision to                  17 answer the questions posed by you. I have no right to                  18 teach you how to conduct a coroner's Inquiry. Also none                  19 of the above should be interpreted as my accusations                  20 against any of the persons in the Inquest mentioned                  21 above or as a defence of any person in this Inquest,                  22 including A Perepilichnyy. This is just a list of                  23 objective public facts available for everyone's                  24 analysis, including yours.                  25 "However I have the right since you have contacted</p> <p style="text-align: center;">Page 124</p>

<p>1 me, to express my bewilderment and rejection of the 2 a priori recognition of persons with such a reputation 3 as proper witnesses for this particular Inquest, taking 4 into account that all the information listed here is 5 freely available to anyone and requires no more 20 to 30 6 minutes to find and 1 more to analyse." 7 He says he is doing this for moral duty to the 8 deceased but also he recognises that the usefulness of 9 his answers for establishing truth is negligible and he 10 says: 11 "I have no illustrations about the real political 12 and also purely self-motivated motivation for 13 Mr Browder's participation in this process, which 14 clearly differs from that stated publicly, which is 15 actually being encouraged by the coroner. It does not 16 matter whether this is being done through force or 17 intention." 18 He has no reason to trust the processes, he says, 19 based on the absurd logic of investigating 20 Mr Perepilichnyy's life before the immediate cause of 21 the death. Such a motivation he says is exceptionally 22 unique to introduce on the bones of the deceased the 23 topic of money laundering into the public domain in the 24 interests of Mr Browder and Hermitage. 25 He then notifies you that he is not going to</p> <p style="text-align: center;">Page 125</p>	<p>1 "Almost daily regarding work issues." 2 How often you spoke on the telephone: 3 "Regularly." 4 How often you communicated by email or other social 5 media, "Regularly". What was usually discussed? He 6 says: 7 "Mainly issues regarding current activities in the 8 area that was in my actual competence before his death, 9 as his personal assistant for organisational and 10 domestic issues, including questions of household and 11 family organisation. For 2.5 years before his death, 12 also issues relating to the management of one of the 13 companies under his direct control." 14 He is asked how close his relationship to 15 Mr Perepilichnyy was? Answer, "Fully trusted". 16 He is asked to state all he knew or knows about 17 Mr Perepilichnyy's work and business interests. He 18 says: 19 "Starting from 2004 to 2010 AP was a business 20 partner of a bank and a fund [which he names]. Together 21 with them, the other shareholders, he managed and 22 controlled production assets in Russia and Ukraine with 23 a turnover of more than \$150 million per year in the 24 sphere of production and sale of dairy products and 25 canned vegetables. In addition, AP was partner of</p> <p style="text-align: center;">Page 127</p>
<p>1 participate in this proceedings, but you can use his 2 testimony at your discretion. He will not participate 3 in an Inquest involving a criminal and a liar and he 4 goes on to ask for restrictions of his details due to 5 the extreme sensitivity of the circumstances outlined 6 here and to the fact that dozens of extremely suspicious 7 deaths have occurred in the immediate vicinity of 8 Mr Browder and in connection with his activities over 9 the past 15 years. 10 Sir, finally he goes on to answer questions posed by 11 Mr Suter. To make sense of this I need to read the 12 question and the answer back to back. 13 He is asked to provide full name and date of birth, 14 Rishat Galiyevich Ismagilov, and he gives his date of 15 birth. 16 His occupation, mechanical engineer from 2009 to 17 present and he is a CEO and head of a private company, 18 which he names. 19 He is asked to provide information about when he 20 first met Mr Perepilichnyy. He says he is acquainted 21 with AP in connection with the marriage of 22 Tatiana Perepilichnaya. 23 He is asked to provide details about his 24 relationship with Mr Perepilichnyy, including (a) how 25 often he met in person:</p> <p style="text-align: center;">Page 126</p>	<p>1 [a named fund]. In particular he was head of the 2 representative office [of that fund] in Moscow. 3 Additionally, AP controlled an LLC company [which he 4 names]. The company owned commercial real estate in 5 Moscow, the estimated value of the assets during that 6 period was equivalent of more than \$10 million 7 I suppose. 8 "Moreover, AP controlled another LLC company with 9 a similar name. The company was engaged in investment 10 activities with a turnover of tens of millions of 11 roubles. Also AP controlled [another LLC company] as 12 a personal investment tool for operations in the stock 13 market and commodity exchanges, via Credit Suisse. 14 "Also AP controlled [another named LLC company] as a 15 personal investment tool for real estate development and 16 forex operations, with a turnover of tens of millions of 17 dollars. 18 "Also, until 2010 AP was one of majority 19 shareholders in a financial company [which he names], 20 currently liquidated [and he gives the licence], from 21 April 2003 from the financial commission for securities 22 and markets for the activities of a financial 23 institution under the law of Russian Federation (MICEX 24 exchange market, RTS Classica, RTS Standard, FORTS 25 Derivatives Market, RTS Board, OTC Market). Turnover:</p> <p style="text-align: center;">Page 128</p>



<p>1 approx 2 billion roubles. Also, some other venture 2 projects from time to time." 3 He is asked please provide any information you have 4 about when and why Mr Perepilichnyy moved to the UK. 5 Answer: 6 "Because of his desire to educate his children in 7 the UK, it was his dream. In 2009 he could already 8 afford it and the children reached an appropriate age 9 and due to the nature of his business activities, he 10 could manage his business from any place, so there was 11 no longer a need for him to be present in the Moscow 12 office every day." 13 He was asked: 14 "During the time you knew him, did Mr Perepilichnyy 15 share any concerns with you about his physical health?" 16 Answer: 17 "He had minor kidney problems as I recall. In 18 general he led a healthy lifestyle." 19 He is asked: 20 "During the time you knew him, did Mr Perepilichnyy 21 share any concerns with you about his financial 22 circumstances?" 23 Answer: 24 "Yes, he did." 25 Question:</p> <p style="text-align: center;">Page 129</p>	<p>1 Answer: 2 "AP had nothing to do with the Magnitsky case in any 3 capacity. If we discussed something, then nothing more 4 than a general conversation based on the material in the 5 press or TV. I don't remember anything specific in 6 connection with the Magnitsky case until the death of AP 7 and this question did not interest me at all." 8 Question: 9 "Did you discuss with Mr Perepilichnyy any contact 10 he had with the Klyuev organised crime gang, KOCG? If 11 so, what information did he provide to you about that?" 12 Answer: 13 "No, we didn't discuss this. I first heard the name 14 Klyuev from the press after the death of AP and I still 15 don't know who is supposed or not supposed to be in this 16 group. The only one who is the initiator and promoter 17 of this term in the information sphere is Mr Browder, as 18 far as I can tell. I don't know about any legally 19 significant documents that would define the members of 20 such a group and recognise its specific criminal nature. 21 However the legal fact known to me is that in the case 22 of P Karpov v WF Browder [he gives the High Court 23 references] in the High Court of Justice 2013, 24 Judge Simon stated that the defendant, Browder, was 25 unable to provide evidence of his public accusations</p> <p style="text-align: center;">Page 131</p>
<p>1 "During the time you knew him, did Mr Perepilichnyy 2 share any concerns with you about his personal safety or 3 threats to his life?" 4 Answer: 5 "He never had any personal security guards or 6 security guards at the office or at home. His children 7 did not have any personal security guards either." 8 Question: 9 "Did you discuss with Mr Perepilichnyy any contact 10 he had with Hermitage Capital Management Limited and, if 11 so, what information did he provide to you about that?" 12 Answer: 13 "He never had any personal or business contacts with 14 Hermitage Capital Limited prior to his move to the UK or 15 rather until information was released from the very 16 company after his death that such a contact took place 17 in London at a time when he was already living there 18 with his family. Except for themselves, no one can 19 confirm this. All that I know about this contact is 20 only what was stated by Hermitage itself, before that, 21 I did not have any clear idea about this company." 22 Question: 23 "Did you discuss with Mr Perepilichnyy any 24 information he had about Sergei Magnitsky and, if so, 25 what information did he provide to you about that?"</p> <p style="text-align: center;">Page 130</p>	<p>1 against the key figure of the so-called Klyuev group. 2 The defendants Browder and Hermitage were directed to 3 the extreme inadequacy of evidence to substantiate the 4 charges that they set out. They did not even approach, 5 according to Judge Simon's statement, the facts that 6 they claimed and the plaintiff, P Karpov, should not 7 insist on the court hearing since he has already 8 achieved the desired goal. Note as such he has achieved 9 recognition of slander against him by Mr Browder. This 10 has been stated in the court's decision. 11 "Also the legal fact is that the libel suit was 12 later transferred by Mr Karpov to the Russian, in 13 accordance with Judge Simon's determination on proper 14 competence, where Mr Browder was later legally 15 recognised as a slanderer in this case in accordance 16 with the established procedure. Namely, 4 June 2015 the 17 Moscow City Court of Appeal decided to recover from the 18 Hermitage Capital Foundation, its founder 19 Mr William Browder and Firestone CEO, 20 Mr Jamison Firestone, 8 million roubles in favour of 21 Mr P Karpov in his lawsuit for the protection of honour 22 and dignity. Thus I know of at least two judicial 23 decisions independent of each other, one which is in the 24 English jurisdiction, and which are essentially the 25 same, namely that Mr Browder is a liar. It is precisely</p> <p style="text-align: center;">Page 132</p>

<p>1 in the case concerning the so-called Klyuev group, about                  2 which I am now asked a question in such a manner, as if                  3 the members of this group and its criminal character                  4 itself have already established legally, and not                  5 politically or in mass media by you or by anyone else                  6 other than Browder himself and this is known to all                  7 publicly including me. No, I don't know that. And what                  8 is known was disproved by courts. Thus, in the manner                  9 this question was put here and now, it is legally null                  10 and void."                  11 Question:                  12 "Did you discuss with Mr Perepilichnyy any contact                  13 he had with the judicial investigation in Switzerland                  14 and if so what information did he provide to you about                  15 that?"                  16 Answer:                  17 "No, we didn't discuss this. He only told me about                  18 losses brought to him by Browder, roughly in the                  19 following terms approximately, 'Idiot Browder, he set me                  20 up. For some reason he told the Swiss prosecutors'                  21 office that my company was allegedly connected with the                  22 money laundering for V Stepanov and the Swiss                  23 prosecutors' office sent a request to Credit Suisse bank                  24 regarding my accounts in connection with the money                  25 laundering case. Of course the bank was frightened and</p> <p style="text-align: center;">Page 133</p>	<p>1 "(c) talk about any other matters that may be                  2 relevant to this Inquest?"                  3 Answer:                  4 "If this is about the issue of the investigation in                  5 Switzerland then I have already given my answer above."                  6 Question:                  7 "Please provide details, as far as you can recall,                  8 about your last telephone call with Mr Perepilichnyy                  9 before he died. During that conversation, did                  10 Mr Perepilichnyy (a) express any concerns about his                  11 health?"                  12 Answer:                  13 "No, he didn't express any concerns.                  14 "(b) express any concerns for his personal safety?"                  15 Answer:                  16 "No, he didn't express any concerns.                  17 "(c) talk about any other matters that may be                  18 relevant to his inquest?"                  19 Answer:                  20 "No, he didn't talk about that.                  21 Question:                  22 "Please provide details about any emails or other                  23 messages that you received from Mr Perepilichnyy                  24 in November 2012. As far as you can recall in those                  25 messages, does Mr Perepilichnyy (a) express any concern</p> <p style="text-align: center;">Page 135</p>
<p>1 forcibly and urgently required to close my open stock                  2 positions ahead of time and consequently I suffered                  3 a huge loss. Perhaps he got the necessary documents                  4 from the bank for a bribe and then he decided to use me                  5 for their public legalisation.'                  6 "That is all I know. I didn't take part in his                  7 stock exchange operations and knew practically nothing                  8 about them. I didn't take part in his financial                  9 transactions at all, as I am inexpert in this. As                  10 I pointed out earlier, AP never had any contacts with                  11 either Browder or Hermitage before moving to London.                  12 Therefore it made no sense for AP to discuss with me the                  13 details and reasons for the interest shown to him by the                  14 Swiss prosecutors' office in connection with A Browder."                  15 Question:                  16 "Please provide details as far as you can recall                  17 about your last meeting in person with Mr Perepilichnyy                  18 in Munich in September 2012. When you met did                  19 Mr Perepilichnyy (a) express any concern about his                  20 health?"                  21 Answer:                  22 "No, he didn't express any concerns.                  23 "(b) express any concerns for his personal safety?"                  24 Answer:                  25 "No, he didn't express any concerns.</p> <p style="text-align: center;">Page 134</p>	<p>1 about his health?"                  2 Answer:                  3 "No, he didn't express any concerns.                  4 "(b) express any concerns for his personal safety?"                  5 Answer:                  6 "No he didn't express any concerns.                  7 "(c) any other matters that may be relevant to his                  8 Inquest?"                  9 Answer:                  10 "No, he didn't talk about that."                  11 Question:                  12 "Please provide any other information you have about                  13 the circumstances surrounding Mr Perepilichnyy's death."                  14 Answer:                  15 "No, I do not have any information other than what                  16 I received from Tatiana Perepilichnaya immediately after                  17 the death of AP and during the funeral. I didn't                  18 witness his death at the time of his death. As you                  19 know, I was not in the UK that day and therefore                  20 I cannot testify on the basis of the words of third                  21 parties or any media."                  22 Question:                  23 "Please explain the impact that Mr Perepilichnyy's                  24 death has had on you and your family?"                  25 Answer:</p> <p style="text-align: center;">Page 136</p>

<p>1 "In all possible senses, spiritual, mental and 2 material there was a negative impact. Including the 3 fact that I now had to provide for his widow and 4 children and also to take on a substantial financial 5 encumbrance in the shape of personal financial 6 guarantees, not to mention essential reputational costs 7 in connection with accusations against AP of money 8 laundering and participating in a Klyuev group or being 9 associated with it. Which were forcibly brought into 10 the public domain by Browder and Hermitage immediately 11 after AP's death but before even one of these 12 accusations could be legally proven in court at a time 13 when AP could either confirm or deny the charges against 14 him." 15 Sir, that concludes the reading of the evidence for 16 today and indeed the evidence for today. 17 THE CORONER: Thank you very much. 18 MR SKELTON: Sir, before we conclude today, Ms Hill would 19 like to address you on behalf of Hermitage. 20 You will have heard of course just now a lot of 21 evidence about Mr Browder and Hermitage through the 22 reading of the statement from the brother-in-law. 23 Ms Hill would like to address you on how that 24 evidence may be given a counter point through the 25 evidence of Mr Browder without necessarily recalling</p> <p style="text-align: center;">Page 137</p>	<p>1 that they are exactly the same as the Russian government 2 have made against him. 3 Where there is something perhaps to address you on 4 specifically now, thirdly, sir, is that because of the 5 chronology, I think, of the evidence, Mr Browder himself 6 did not give that evidence in the witness box. I think 7 that that is because he gave evidence prior to your full 8 ruling on the Mr Ismagilov points. 9 THE CORONER: Yes. 10 MS HILL: Could I simply perhaps leave it this way, sir, 11 that you and perhaps the other interested persons 12 reflect on what would be my application to read in 13 simply paragraphs 35 to 38 of the 2 June statement. 14 I don't believe that that was ever paginated and put 15 into a bundle, so it may be that we have to retrieve 16 that and find a fresh copy for you but it is the 2 June 17 statement. My application would be that paragraphs 35 18 to 38, which essentially say what I put to Mr Pollard -- 19 THE CORONER: Yes. 20 MS HILL: -- are read in for a counter point to what you 21 have just heard. 22 THE CORONER: Shall we let everyone reflect on that? 23 MS HILL: Exactly. 24 THE CORONER: Absolutely quite right to raise everything you 25 have in those circumstances.</p> <p style="text-align: center;">Page 139</p>
<p>1 him. 2 THE CORONER: Yes. 3 Submissions by MS HILL 4 MS HILL: Sir, if I might just address you briefly on three 5 short points. 6 One is could I respectfully remind you of the terms 7 of your ruling of 23 June, which is found at pages 163 8 and onwards of the transcript, where you made very clear 9 that in admitting the evidence you were applying special 10 care to it because of the lack of a good reason for 11 non-attendance and because of the fact that had those 12 three witnesses attended there would have been questions 13 for them. 14 THE CORONER: Absolutely, yes. 15 MS HILL: My reading of your ruling is that in relation to 16 all three of those witnesses you applied a special care 17 test. 18 Secondly, sir, just to remind you for your note, 19 that in Mr Browder's second witness statement, dated 20 2 June, there were three or four, I think it is in fact, 21 paragraphs that responded to Mr Ismagilov's evidence. 22 I put those to Mr Pollard, and the note of that is on 23 13 June, page 108. In particular I put to Mr Pollard 24 that Mr Browder's evidence in his written statement was 25 that the significance of some of those allegations are</p> <p style="text-align: center;">Page 138</p>	<p>1 MS HILL: We will provide a fresh copy if that is needed, 2 sir. 3 THE CORONER: I understand why you have said what you do. 4 MS HILL: Thank you, sir. 5 MR SKELTON: Sir, that concludes today's evidence. 6 Ms Ekaterina Clark-O'Connell has been stood down for 7 today but hopefully we will hear towards the end of the 8 week. 9 THE CORONER: Yes. 10 MR SKELTON: Tomorrow Ms Medynska will be giving evidence by 11 video-link from Paris at 10.00 am. She is the sole 12 witness tomorrow. We may if we get an opportunity read 13 some more evidence, Mr Wastell may well be on his feet 14 again. 15 THE CORONER: Thank you very much. 16 (4.38 pm) 17 (The Inquest adjourned until 10.00 am the following day) 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 140</p>

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