



July 15, 2010

Hon. Dmitry Medvedev
President of the Russian Federation
Kremlin
No. 23 Llinka St.
103132
Moscow, Russia

Re: Sergei Magnitsky

Dear President Medvedev,

TAGLaw is a global alliance of 147 law firms in more than 80 countries with almost 7,700 lawyers. We are one of the largest networks of law firms in the world and our member firms are carefully selected on the basis of quality and integrity. Our member firm of longstanding in Moscow is Firestone Duncan. A well respected partner in that firm died in pretrial detention on November 16, 2009, tragically and unnecessarily. On behalf of our worldwide organization, and with the unanimous support of our international Advisory Board, we write to express our shock and outrage at the role of Russian officials in the death of Sergei Magnitsky and the abject lack of adequate investigation into and imposition of sanctions against those responsible for Sergei's death.

There is strong evidence that Mr. Magnitsky may have been detained and killed for performing his professional duties while defending a client and reporting a crime. Despite overwhelming evidence of this, the government is not investigating whether Mr. Magnitsky's detention was legally justified and whether Mr. Magnitsky was murdered through the intentional creation of intolerable conditions and the intentional denial of medical care. In fact it has rejected every complaint asking it to do so.
evidence of this, the government is not investigating whether Mr. Magnitsky's detention was legally justified and whether Mr. Magnitsky was murdered through the intentional creation of intolerable conditions and the intentional denial of medical care. In fact it has rejected every complaint asking it to do so.

You have expressed a desire to expand business relations among business communities around the world. In light of current circumstances regarding Mr. Magnitsky, we have to believe that the almost total lack of legal protection and the absence of effective restraints on government officials, who are free to act to the detriment of investors and their Russian investments, will be taken note of by all who consider or are being advised about inward investment in Russia.



It is a threat to the rule of law and to the ability of lawyers to protect their clients and their client's interests and a threat to the ability of citizens to protect themselves when the Russian State appears to be unwilling to investigate the serious and apparently well grounded claims that have been brought against Ministry of Interior Officers. Decisive measures have to be taken in order to remove these threats in Russia so that it is safe for professionals and for businesses.

TAGLaw is deeply concerned that the Russian State not only allowed this to occur, but that it is not investigating whether Mr. Magnitsky was falsely detained and intentionally tortured to death to prevent him from testifying against Ministry of Interior Officers.

Our member firms have reported to us that, according to the public record:

Mr. Magnitsky gave witness testimony against a group of Ministry of Interior Officers and alleged that they participated in a theft of 5.4 billion rubles from the Russian government.

One month after having testified against the officers, the same officers brought a criminal case against Mr. Magnitsky and used that case as a basis to detain him for almost a year.

Mr. Magnitsky gave testimony while in prison that he had been asked by investigators numerous times to withdraw his testimony against the Ministry of Interior Officers and was promised his freedom if he did so.

Mr. Magnitsky gave testimony while in prison that each time he refused such requests his conditions were made harsher and harsher.

The conditions of Magnitsky's detention were cruel and degrading and did not comply with Russia's own standards or those of its treaty obligations.

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Mr. Magnitsky died because the system failed to provide medical care.

The Russian government has in fact recognized the theft that Mr. Magnitsky reported (Case 152979) but it apparently never investigated Mr. Magnitsky's allegations that the officers who arrested him participated in this theft.



The *Report of the Public Oversight Commission for Human Rights Observance in Moscow Detention Centers* concluded that:

“Magnitsky had been experiencing both psychological and physical pressure in prison, and the conditions in some of the wards of Butyrka can be justifiably called torturous. The people responsible for this must be punished.

...the actions of medical staff at detention center was not just negligence, it was not just ‘non-provision of medical care.’ These actions raise the question of the violation of his right to life that it is necessary to find out the role of the investigators in creating conditions and subjecting Magnitsky to them in detention, and the degree of their responsibility.”

On March 25th, 2010 Ludmila Alekseyeva, Chairwoman of the Moscow Helsinki Group, filed a formal complaint with the Investigatory Committee of the General Prosecutor’s Office stating that Mr. Magnitsky:

“was detained in prison as a hostage for nearly twelve months under pretext of committing a tax crime. The accusation against him was brought by the same officers of the Ministry of Internal Affairs against whom Mr. Sergei Magnitsky gave witness testimonies accusing these officers in committing the fraud against the Russian State.”

and that Mr. Magnitsky’s

“...death, however, was not accidental, it did not occur through oversight or negligence of particular prison officials. Mr. Sergey Magnitsky died from regular torture that was intentionally applied by the officers of the Interior Ministry:

“...death, however, was not accidental, it did not occur through oversight or negligence of particular prison officials. Mr. Sergey Magnitsky died from regular torture that was intentionally applied by the officers of the Interior Ministry: Silchenko O.F. and Kuznetsov A.K., and also by subordinates of Kuznetsov A.K.: Krechetov, Tolchinsky, Droганov and other “unidentified persons”.

Articles 16(a) and (c), of the UN Basic Principles on the Role of Lawyers (1990) state:

16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or prosecution of administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

TAGLaw®

150 Second Avenue North, Suite 710
St. Petersburg, FL 33701
Phone: +1 727.895.3720 • Fax: +1 727.895.3722
www.TAGLaw.com



We call on you to investigate the allegations against the officers made by Mr. Magnitsky and by Mrs. Alekseyeva and, should they be found to be true, to prosecute to the fullest extent of the law the officers involved in the false arrest and systematic torture of Mr. Magnitsky. We view this matter to be of sufficient gravity as a matter of law and human rights and of sufficient concern to the world community to warrant our sending copies of the letter to representatives of the International Bar Association, the United Nations, and the executive and legislative arms of the United States government.

We await your response in this matter, by word and deed. In the interim, we remain vigilant in our monitoring of the safety of Jamison Firestone and the staff of Firestone Duncan.

On behalf of TAGLaw, LLC., its Advisory Board and its members.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Peter Appleton Jones", written over a light blue rectangular background.

Peter Appleton Jones
Chairman and Founder

A handwritten signature in blue ink, appearing to read "Robert U. Sattin", written over a light blue rectangular background.

Robert U. Sattin
President

Please see attached list of those copied with this letter.