



**A. G. FRANGOS & CO LLC**  
**ADVOCATES LEGAL CONSULTANTS**

**To**  
**C.P. COLLECTION D' ART LTD**  
140 Arch. Makarios III Avenue,  
Raptopoulos Buliding,  
3<sup>rd</sup> floor, off. 301, 3021,  
Limassol, Cyprus

**WITHOUT PREJUDICE**

**7 November 2016**

Dear Sirs,

**Subject: Court Decision dated 03/11/2016 regarding the Criminal case no. 8690/2015 between 1. C.P. Collection D' Art Ltd 2. Pavel Romanenko v. 1. Catherine Louise Barzyk 2. Dionisios Papaioannou 3. Collection D' Art Tapestry CDA Ltd 4. Loizos Nicolaou at District Court of Limassol.**

In reference to the abovementioned subject, with the present letter I would like to clarify the legal ground of the Decision that has been issued by the District Court of Limassol on the 3<sup>rd</sup> of November 2016, in the framework of the abovementioned Criminal case.

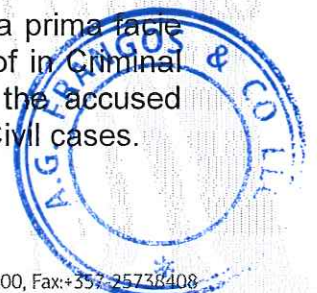
All the above mentioned Accused have been faced among others, the below charges under the Articles 298, 300, 371 of the Cap. 154:

- 1) Obtaining money by false pretences or false representation
- 2) Obtaining money by Fraud or cheating
- 3) Conspiracy for obtaining money by false pretences or false representation
- 4) Conspiracy for committing Fraud
- 5) Fraud and Conspiracy

Following the completion of the trial for the abovementioned Criminal offences after the witnesses have been testified at the Court, a multipage decision has been issued by the Judge who has mentioned the following:

There is a necessity to separate the Criminal offence from a Civil offence.

The testimony that was given by the witnesses fails to indicate a prima facie case against the accused because of the strict standard of proof in Criminal cases. In Criminal cases the Judge must be persuaded that the accused committed the offences beyond reasonable doubt in contrary to Civil cases.





A. G. FRANGOS & CO LLC  
ADVOCATES LEGAL CONSULTANTS

For the present Criminal case, the fraudulent activities were well organised and therefore the accused have been found innocent in committing Criminal offences, but how they may stand as Civil offences?

As per Judge's decision he stated that:

*«The prosecutors may present a case that might satisfy the criteria of a Civil case of any financial loss suffered from the way that the accused managed the prosecutor company C.P. Collection D' Art Ltd, however thought it is not what the Criminal Court require in order to find the accused guilty for committing Criminal offences based on Article 298, 300 and 371 of Cap. 154».*

At this stage I would like to mention that our Civil Case under no. 1383/2015, is still pending at the District Court of Limassol demanding special and general damages against them.

According to the evidence that we have in our possession, and taking into account that the criteria for the Civil case is the balance of probabilities, we have a strong case against them at the Civil Court.

Kind Regards,

Signed: .....  
Andreas Frangos  
Managing Director for and on behalf of  
A.G. FRANGOS & CO LLC