

LAND CURACAO



Ministerie van Justitie

April 25, 2012

The Honorable Eric H. Holder, Jr.
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

The Honorable Hillary Rodham Clinton
Secretary of State
United States Department of State
2201 C Street NW
Washington, DC 20520

Dear Attorney General Holder and Secretary Clinton:

I understand that on April 9, 2012, the United States Department of Justice filed a motion in the United States District Court for the District of Columbia to amend an August 23, 2011 restraining order against Ponsford Overseas Ltd. and Tula Finance Ltd in Miscellaneous Action No. 11-452 (CKK).¹ The Department of Justice represented to the Court that it was moving "[p]ursuant to a third mutual legal assistance request from Curaçao." *Id.* at 3. I understand that the request, and previous requests, came from the Public Prosecutor in Curaçao.

The competent authority in Curaçao to issue a mutual legal assistance request from Curaçao under the Treaty Between the United States of America and the Kingdom of the Netherlands on Mutual Assistance in Criminal Matters, or under the separate Agreement Between the Government of the Kingdom of the Netherlands and the Government of the United States of America Regarding Mutual Cooperation in the Tracing, Freezing, Seizure and Forfeiture of Proceeds and Instrumentalities of Crime and the Sharing of Forfeiture Assets is the Minister of Justice of Curaçao or his designee.

The position of the Ministry of Justice of Curaçao is that the April 4, 2012 ruling by the Court of First Instance of Curaçao, ordering that the seizure of those assets be lifted, is followed.

By this letter, I am formally requesting that the Department of Justice withdraw its motion to amend the restraining order against Ponsford Overseas Ltd. and Tula Finance Ltd. I further request that the Department of Justice instruct the District Court that it is the position of the Curaçao government that the April 4, 2012 order of the Court of First Instance of Curaçao be honored and that the seizure be lifted. Furthermore, no further seizure may be put in place concerning these companies' assets in the United States without prior written authorization of the Minister of Justice.

Sincerely,

Elmer Wilsoe
The Minister of Justice

¹ United States' Second Motion to Amend the Restraining Order Pursuant to 28 U.S.C. § 2467(d)(3) and 18 U.S.C. § 983(j)(1)(A), *In Re Restraint of All Assets Contained or Formerly Contained in Investment Accounts Numbers R2 67045 37, R2 66631, and R2 67187 37 at UBS Financial Services, Inc. Held in the Names of Ponsford Overseas Limited, Caribbean Investment Group Ltd., and Tula Finance, Ltd. for the Benefit of Robertico Alejandro Diaz*