

Dear Mrs Gomes,

we received your Email dated May, 2.

I am the competent prosecutor for Mutual Legal Assistance at the Public Prosecutor's Office Munich I, and by order of Chief Prosecutor Mr. Nötzel, head of the Public Prosecutor's Office Munich I, I would like to answer your questions as far as my authority is concerned:

We are very concerned about the complaints you reported, as we are aware of the fact that the investigations in both our countries are of extraordinary importance and reach nationwide media interest.

I have checked the facts with my colleagues in charge of the relevant investigations.

First I have to point out that we have no information about the state of play regarding the Mutual Legal Assistance (MLA) requests sent by Portuguese prosecutors to other German authorities, especially to the Public Prosecutor's Office in Essen. We do not have or take any influence regarding Portuguese requests to the colleagues at Essen.

Regarding the requests from and to my authority, the Public Prosecutor's Office Munich I, the contacts between Munich and Portuguese prosecutors were started via telephone by my colleague Dr. Heintzeler (nee Klunker) on 9 February 2010.

At that occasion, we were told that the Portuguese colleagues had already sent a request to Essen before, and that they were waiting for results.

We suggested a coordination meeting, which was finally held on Portuguese initiative at EUROJUST, Den Haag, on 12 May 2010. A Portuguese request to Munich was stipulated, and this first request to my authority we received on 13 August 2010, i.e. 9 months ago.

The request was handed over to our police forces in order to prepare the requested documents. At that time the national investigations in that case reached a climax, and a maximum of urgent steps had to be taken. Nevertheless, in a first answer dated 22 December 2010 we sent a number of documents to Portugal. Additional documents had been prepared at that time, but we had to ask the Portuguese colleagues for specific additional declarations. The Portuguese colleagues confirmed the receipt of the documents and sent the declarations needed in January 2011. The documents were completed, and my authority posted the final documents on 25 March 2011. Additionally, in April 2011, on request of the portugese European Judicial Network (EJN) - contact point, we immediately sent relevant parts of the indictment from our proceeding in Munich via email.

We have no information from our Portuguese colleagues, that the information and documents provides by us would not be satisfying.

The Portuguese MLA request to my authority was completed, within 8 months.

Please feel free to get in contact with our Portuguese colleagues in order to countercheck these informations.

We would highly appreciate it if our Portuguese colleagues contact us immediately, if there is any further assistance needed from my authority. I may especially name the very close and fast constant exchange of information via Eurojust and between the portugese EJN-contact point, Mrs. Joana Ferreira, and the german EJN- contact point, Mr. Ettenhofer, who is senior prosecutor at the General Prosecutor's Office in Munich.

I want to assure you, that the Portuguese prosecutors and the prosecutors of my authority share the very same commitment to prosecute the crimes, and that we will always try to accelerate the execution of MLA requests.

Best regards,

Florian Schlosser

Florian Schlosser

Staatsanwalt als Gruppenleiter/
Rechtshilfe in Strafsachen

public prosecutor / head of a unit
Mutual Legal Assistance in Criminal Matters