

INDICTMENT

IN THE CROWN COURT AT SOUTHWARK

THE QUEEN -v- ALEX HOPE AND RAJ VON BADLO

ALEX HOPE and RAJ VON BADLO are charged as follows:

Count 1

STATEMENT OF OFFENCE

Fraud, contrary to section 1 of the Fraud Act 2006.

PARTICULARS OF OFFENCE

Alex Hope, between the 1st day of March 2011 and the 4th day of April 2012, dishonestly and intending thereby to make a gain for himself, or with intent to cause loss to another, or to expose another to a risk of loss, made representations to investors and prospective investors in a collective investment scheme which were and which he knew were or might be untrue or misleading, namely:

- (1) That he was a talented and/or successful trader;
- (2) That he was operating a genuine/bona fide currency trading scheme in which investors' funds would be and/or were invested;
- (3) That he would be and/or was holding and trading funds placed with him by investors, in the interests of and/or for the benefit of those investors;
- (4) That investors' funds would be and/or were being traded profitably; and
- (5) That investors' funds would be protected because they would be backed by large balances on his accounts.

in breach of section 2 of the Fraud Act 2006.

Count 2

STATEMENT OF OFFENCE

Carrying on or purporting to carry on a regulated activity in the United Kingdom without authorisation or exemption contrary to sections 19 and 23(1) of the Financial Services and Markets Act 2000.

PARTICULARS OF OFFENCE

Alex Hope, between the 1st day of March 2011 and the 4th day of April 2012, being neither an authorised person nor an exempt person, carried on a regulated activity in the United Kingdom, namely by establishing or operating a collective investment scheme or purporting so to do.

Count 3

STATEMENT OF OFFENCE

Making a statement, promise or forecast, knowing it to be misleading, false or deceptive in a material particular, contrary to section 397(1)(a) and (2) of the Financial Services and Markets Act 2000.

PARTICULARS OF OFFENCE

Raj Von Badlo, between the 1st day of August 2011 and the 4th day of April 2012, made statements, knowing them to be misleading, false or deceptive in a material particular, for the purpose of inducing or being reckless as to whether they may induce another person to enter into a relevant agreement, or to refrain from exercising any rights conferred by a relevant investment, namely a collective investment scheme, the particulars of the said statements being:

- (1) That he had conducted due diligence on Alex Hope and his trading scheme;
- (2) That he had access to Alex Hope's bank and/or trading accounts; and
- (3) That he was monitoring Alex Hope's activities on behalf of investors.

Count 4

STATEMENT OF OFFENCE

Recklessly making a statement, promise or forecast which is misleading, false or deceptive in a material particular contrary to section 397(1)(c) and (2) of the Financial Services and Markets Act 2000.

PARTICULARS OF OFFENCE

Raj Von Badlo, between the 1st day of August 2011 and the 4th day of April 2012, recklessly made statements, promises or forecasts which were misleading, false or deceptive in a material particular, for the purpose of inducing or being reckless as to whether they may induce another person to enter into a relevant agreement, or to refrain from exercising any rights conferred by a relevant investment namely a collective investment scheme, the particulars of the said statements, promises or forecasts being:

- (1) That investors' funds would be and / or were invested in a genuine / bona fide currency trading scheme for the benefit of the investors;
- (2) That investors' funds would be and / or were being traded profitably; and
- (3) That he was monitoring Alex Hope's activities on behalf of investors;

Count 5

STATEMENT OF OFFENCE

Communicating an invitation or inducement to engage in investment activity without authorisation or approval by an authorised person contrary to sections 21 and 25 of the Financial Services and Markets Act 2000.

PARTICULARS OF OFFENCE

Raj Von Badlo, between the 1st day of August 2011 and the 4th day of April 2012, communicated an invitation or inducement to engage in investment activity, namely a collective investment scheme, in circumstances in which he was not an authorised person and the content of the communications had not been approved by an authorised person.

Count 6

STATEMENT OF OFFENCE

Transferring criminal property contrary to section 327(1)(d) of the Proceeds of Crime Act 2002.

PARTICULARS OF OFFENCE

Raj Von Badlo between the 12th day of April 2012 and the 30th day of June 2012, transferred criminal property, namely funds amounting to £95,000, which he knew or suspected to be a person's benefit from criminal conduct and which was or represented (in whole or in part and whether directly or indirectly) such a benefit.