

RA 4-1

In the Center-Lod District Court

OS.18549-10-19

In front of Hon. Judge Jacob Spasser

The Petitioner:

**The State of Israel**

By attorneys from the Central District Attorney's Office -  
Civil and Criminal  
154 Menachem Begin Rd (Kardan House), Tel Aviv 6492107,  
P.O.B. 3260

Vs.

The Respondent:

**Darren Bobroff, Australian Passport N8610398**

By attorneys Eitan Finkelstein and others  
154 Menachem Begin Rd, Tel Aviv

The Formal Respondent:

**HaMizrahi Bank**

Branch 423, in 96 Ahuza Street, Ra'anana

Judgement 28/02/2021 16 Adar 5781  
Motion 23 in Case 18549-10-19

Judge Jacob Spasser

The validity of a judgement is given to  
the parties' agreements.

\*\*\*Digitally Signed\*\*\*

Agreed Request for a Judgement

The Honorable Court is hereby requested to give effect of a judgment to the agreements of the parties, as follows:

1. Of the total funds seized in the respondent's bank account at Mizrahi Bank, account number 135877 at the Raanana branch (hereinafter: **"the Bank Account"**), seized in accordance with the decision of the Honorable Court dated 20.11.2019, a total of NIS 15,466,751 will be seized immediately (hereinafter: **"the Confiscated Funds"**). The Confiscated Funds will be transferred by the bank to the Forfeiture Fund.
2. **After and subject to the actual transfer of the Confiscated Funds to the Forfeiture Fund**, the balance of the funds in the Bank Account in section 1 will be released from seizure and transferred to the respondent's account in Australia and/or to a trust account opened by Adv. Eitan Finkelstein for the respondent in Israel, all in accordance with details that Adv Finkelstein will provide the Bank in writing, after the validity of a court decision is given for the agreements between the parties.
3. **At the end of the transfer of the funds to the parties, as stated above**, the petitioner will withdraw the legal assistance request for the seizure of the respondent's assets in Australia, and the criminal case Pele 7394/2017 the subject of this proceeding will be closed on the grounds of all circumstances not justifying prosecution, including all proceedings thereof.

4. The respondent hereby declares that he is not aware of any creditors or claimers of the rights in the funds whose forfeiture is requested in the framework of this application, beyond the allegations raised by the South African authorities in relation to these funds.
5. Insofar as the funds are not transferred to the parties as stated in sections 1-2 of this application, because a foreclosure or legal impediment has been imposed to do so, until 10.3.21, the parties agree that this agreement is revoked in all its clauses and each party undertakes to return the funds received to the Bank Account in section 1, in such a way that the respondent will return all the funds he received and after their full repayment, the applicant will return its share of the funds to the Bank Account, as stated in section 1 above.

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Elad Asraf, Adv., Amit Levin, Adv.  
Yael Bitton, Adv.  
Petitioner's Attorneys

(-) (-) (-)  
Dr. Eitan Finkelstein, Adv., Liya Felus, Adv.,  
Shay Markus, Adv.  
Respondent's Attorneys





Dr. Eitan Finkelstein    ד"ר איתן פינקלשטיין  
LAW OFFICE            משרד עורכי דין

March 5, 2021

Adv. Amit Levin, Central District Attorney's Office (Criminal)

Adv. Yael Bitton, International Department of the State Attorney's Office

Adv. Elad Asraf, Central District Attorney's Office (Civil)

Greetings,

**Subject: Bobruff case - a request to transfer some of the forfeiture money  
transferred to South Africa in favor of the "pardon fee" for the past expenditure of funds  
from South Africa to Israel**

On behalf of our clients, Ronald and Darren Bobroff, we are honored to contact you with the following:

1. We refer to you further to the agreements between the parties, which were given the force of a judgment on 28.2.2021 (H.P. 18549-10-19 in the Central-Lod District Court), in the framework of which it was agreed that more than 4.5 million US dollars will be forfeited.
2. Since we understand that a significant portion of this amount will be transferred to South Africa as part of the cooperation between Israel and South Africa in this case, our clients ask that a total of US \$ 634,918 of the agreed-upon funds be transferred to South Africa for the benefit of the South African Reserve Bank as part of the Special Voluntary Disclosure Program to cover the levy required by the Reserve Bank from our clients due to the former withdrawal of funds from South Africa to Israel.

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Dr. Eitan Finkelstein      ד"ר איתן פינקלשטיין  
LAW OFFICE                      משרד עורכי דין

3. It should be noted that on 18.12.2018 it was determined that our clients must pay the said amount (out of which a total of 277,131.28 US dollars was imposed on Ronald and a total of 357,786.72 US dollars was imposed on Darren) within 3 months, when an extension could only be given with the existence of circumstances justifying it.
4. Our clients approached you at that time, through their previous attorneys, and asked to pay the levies from their money that was transferred to Israel in the past, and for which the levies were determined as "amnesty", but at that time our clients' funds were seized and Israel was not willing to transfer part from these funds to South Africa, when it is clear that the freezing of funds by Israel constitutes a justified reason for the delay.
5. Now, we have come to understandings that mean a much higher total forfeiture of over US \$ 4.5 million, when in any case a significant portion of that amount is going to South Africa.
6. The reason why the funds were eventually forfeited is the problem of withdrawing the funds from South Africa, which led to the alleged inaccurate statement in the letter from independent cpa Fischer, for which more than 6 times the amount that for South Africa was enough levies to clear the funds, was actually forfeited.
7. In light of the above, we would ask you to refer less than one-sixth of the forfeited funds to the payment of the levies, in order to bring this affair to an

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**Dr. Eitan Finkelstein** **ד"ר איתן פינקלשטיין**  
**LAW OFFICE** **משרד עורכי דין**

end, in all respects, since it cannot be disputed that our clients paid a very high price for withdrawing money from South Africa, without a permit, and that price is satisfactory and there is no place to add to it.

8. In light of the aforesaid, we ask you to ensure that the following amounts are transferred to the accounts listed below:

For Ronald Bobroff

USD 277,131.28

Reference BobroffSVD0029147

Account 95271198

Branch 900145

South African Reserve Bank

Special Voluntary Disclosure Program

For Darren Bobroff

USD 357,786.72

Reference BobroffSVD0029272

Account 95271198

Branch 900145

South African Reserve Bank

Special Voluntary Disclosure Program

Sincerely,

Dr. Eitan Finkelstein, Adv.

Liya Felus, Adv.

Shay Markus, Adv.