

## Presentation

In Brazil there are approximately 6.3 million businesses. From the grand total, 99% are micro and/or small companies. These small businesses account for over two-thirds of the private sector's job creation, have no more than 10 employees, and are usually administered by family members themselves.

According to data from SEBRAE-SP, most of these companies are leveraged by debt capital, thus using a large amount of funding from public and private banks. The initiative to develop a handbook directed to the intricacies of Banks was motivated by a personal reason.

On one side, a family company, formed by merchants in the footwear business with almost 8 decades of experience. On the other end, Bank Safra, the ninth largest bank in assets in Brazil, a defendant in more than 11 lawsuits regarding nearly 5 years of financial losses suffered by the family business, targets of a coup orchestrated from a credit method known and used by the majority of micro entrepreneurs: "Operation Smoke".

If the plot alone is alarming, the behind the scenes will expose the criminal case against the Safras, evidenced by the ways that made this operation a financial compensation.

The methods used against the family businessmen for intimidation purposes are undergoing judicial petitions to withdrawal the internet website "safraude.com.br" (denied by Google), and a criminal investigation triggered by a strike from "thugs" proven to be hired by the Safras, and caught with a variety of weapons such as batons, ammunition, a knife and handcuffs as they followed one of the members of the family during workday.

This handbook addresses the dramatic experience lived by a family of small business owners, and warns to the catalytic mechanisms of that type of stroke, as the omission of the Central Bank and the corporatism that dominates the midst. Surely, this type of scam has made and continues to make victims.

### CENTRAL BANK: FRAUD AS A BYPRODUCT OF OMISSION

The Central Bank has the function of managing the economic policy, exercise the oversight of financial institutions, and regulate the market's operating rules.

Instead, it adopts an omissive and corporatist stance from its main function, which is to punish and supervise the sector. Given this scenario, the small entrepreneur, struggling with all the difficulties in the management of his business, is sometimes required to make what the institution does not. Act to protect and balance the financial sector. Another demonstration of the misfortunes of the Central Bank is through "Executives' Ciranda", where positions are occupied by strategic placement, governed by the halter about the protégé's performance

In this move, the division between "Public x Private" gets confusing because the necessary exemption to the investigation of the irregularities allegations becomes compromised. This relationship hurts the ethical principle and threatens the equilibrium of the economic system of the country.

Executives' Ciranda: The camaraderie hampers economic system

You see: This conflict of interests is not as easy as it seems. This is not an ordinary business activity, composed by the acquisition of tangible. It's the oxygen of the country, the capital needed to boost a nation. The banks are what the entrepreneurs turn to when they need some financial



support. In general, this audience consists of family business owners, since, for obvious reasons, exposed to the vulnerability of this relationship, before the economic power of the banks.

When this deal is not regulated nor supervised as it should, the situation is leveled to the same of a loan shark, which as you know, walk on the edge of the law. Despite being of great value to the growing demands of the population claims, organs and PROCON (Consumers Protection), among others, are under legal bindings

when it comes to supervising financial institutions. A supplementary law called "Bank Secrecy" prevents access to documents substantiating the complaints. It remains to PROCON the alternative to exercise its power only for mundane matters, like queue service, or the lack of preferred seating. This finding supports the conclusion that the departments for consumer protection represent an inefficient option and are not punitive to banks, which make use of the credit traps to deceive and injure customers.

This situation so damaging to the population remains strong, even under the steady increased cases of complaints involving customers and banks, about the excessive charging of interest.

The near absence of news about the progress and outcome of these cases, commonly censored by the mainstream media contributes to the perpetuation of this scenario.

Below are some rare examples of publications on the subject. They are passages that prove the many things exposed here:

- 1- **Bradesco Bank** Court orders bank to pay interest doubled to client. (......) Cases like Márcia's, when the bank owes the customer have led nearly 200 thousand people to PROCONS across the country last year. Of the 582.326 consumers who registered complaints against the financial system, 60.56% indicated problems with billing; complaints of improper operations are one-third. The National Bureau of Consumer Protection, the Ministry of Justice, (....). Feature of 06/04/13, published by the website UOL, the Folha de São Paulo group
- 2- The Central Bank does not supervise well: (...) its what one reads in the newspapers occasionally. This is due to the lack of people with legal expertise, and practical technique for the perfect exercise of supervising (...) Everyone knows that the CB has always been run by bankers, by people trusted by these (...) Source: www.cosif.com.br
- 3- BANKERS GIVE LECTURE TO STOCK JUDGES ON ACTIONS AGAINST THE BANKS:



Representatives
from Brazil's
major banks
lecture 55
judges from São
Paulo. Source:
www.viomundo.
com.br 25/02/2014

For details of the publications visit: safraude.com

### CAMPINAS, JUNE 2002 THE PLOT:

- -"Do you have a financial manager"?
- -"We do not, we are a family-owned company"

The dialogue caught between me and the executive at Safra Bank, during her visit to the family office, owners of a footwear and accessory industry, would become, years later, enticed, before the coup that began drawing on our business.

Equipped with financial statements about the movements of the company with sales in credit card, the executive at Bank Safra proposed a partnership for a very common operation, but we hadn't used it yet: the anticipation of the whole sales figures on split credit card purchases known in the market as "Operation Smoke" under a tax of 1.9% per month.

The events that followed the acceptance of the partnership legitimize the cause of this handbook, which also addresses the undeniable weakness of the retail entrepreneurs, facing a corporativist financial system, disguised as an ethical partner, but ruled by greed and the search for power at any cost.

It is not new that banks are based on the volume of sales from products and services to compose the awards and remuneration to its directors, officers and employees in general. Nothing unusual or illegal in this practice, from the commercial point of view, if not for the following questions that shed light as to the voracity of these institutions::

As to how they equate the constant increase of modalities to be traded, compared to the slice of customers that does not grow in the same proportion?

How they force the departure of so many options from "Honored Capitalizations, Consortium, Bills of Exchange, Medical/Dental/Car Insurance, Residential Applications / Savings"? The obvious answer in the use of bundling, which denotes (another), a trivial illegality.

When the manager determines the release of a loan or any type of transaction on the purchase of products, they are incurring in an illegal act, but it's difficult to be identified.

The fact that the Central Bank does not rely on presential supervision, and the PROCON as well as other organs from Consumer Protection are under the protection from the Bank Secrecy Act, externalizing the damage potential of Banks.

Back to the main point of this handbook: The "fraudulent" nature of financial transactions orchestrated by the Bank Safra against family businesses can be verified through official and public documents, including a confession of a former manager "notarized" (4th Notary Campinas-SP, Book 687, page: 176 and 177), responsible for the operations.

However, more than a critical alert, the behind the scenes from this episode exposes the vulnerability of the population that uses the banking system and calls into question the credibility factor, ones explored in the images projected by the banks..

The slogans "Secular Tradition Security", typi

cal from the advertising industry, passing off their real meanings.

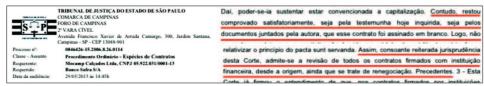
This is not a simplistic observation, or motivated by the heat of the moment, it is the result of over a decade of investment in lawyers, in the midst of a routine comings and goings to Police Stations, Institutions for Consumer



Protection, Public Ministry, Press and request to deputies.

But before we start exposing the details of this scam, as well as other schemes, it is appropriate to present the main chapters of this family's saga, which started from a criminal plot, designed by the company of the richest banker in the country.

## 1- ELEVEN JUDICIAL ACTIONS PROPOSED BY US AGAINST BANK SAFRA, WITH 3 SENTENCES FORCING THEM TO RETURN IN DOUBLE WHAT WAS CHARGED.



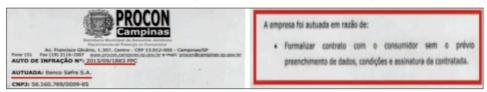
2-Goons caught by the police, armed with handcuffs, a shipment of bullets, 500 rounds .380, a 25cm knife, a 60 cm iron bar and proven to have been contracted by Bank Safra. Out on bail.



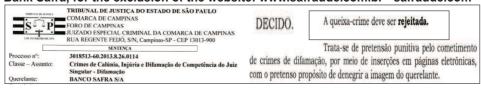
3- Complaint to the Central Bank, heeded as "Derived Complaint".



4- Also condemned by PROCON, for faulty contracts.



5- A Judicial negative for the criminal complaint of slander and libel, proposed by Bank Safra, for the exclusion of the website: www.safraude.com.br - safraude.com



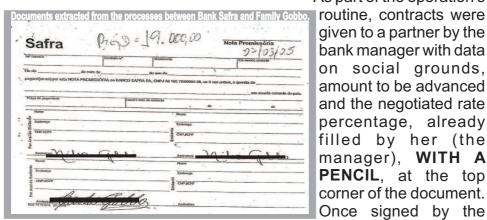
6 Ex-Manager, Statement published in a registry describing the entire fraud.



### THE COUP

The practice of financial anticipation was not used by our business. With nearly seven decades of retail trade in the city, the 8 family shops indicative of a small business, but still operating on family's management and a strong financial health.

The proposal from the executive at Safra Bank was interesting for both parties: Anticipating the values of sales made with credit cards at a cost of 1.9% per month, a transaction known in the market as "Operation Smoke". With this feature, we could afford to buy from our suppliers at a discount 5 - 6% p.m. Because they were companies from the same family, but distinct, the anticipation forms were individual.



As part of the operation's given to a partner by the bank manager with data on social grounds, amount to be advanced and the negotiated rate percentage, already filled by her (the manager), WITH A PENCIL, at the top corner of the document. Once signed by the owners of the stores,

these contracts were returned to the bank manager, who released the credit.

As part of the transaction, these contracts then were sent to a specific sector of the bank, which would complete the filling according to the notes taken by the manager (with a pencil). (as pictured above)

It was from this moment that the coup took place, when contracts were formalized by the bank's internal staff, for higher rates in relation to the agreed ones by the stores and the manager.

It's relevant to add that this strategy from Bank Safra was given

intermittently, such as to the changes of contracts and not sending them back to the store owners for a proper revision (as it should occur).

This maneuver, which was due to the confidence and good relationship we had with the account manager, assured longevity to the coup.

The severity of the case also lies in the size of the amount of business likely injured by the same criminal act.

This possibility is evidenced by excerpts from the manager's testimony in question to MM Judge, and transcribed below:

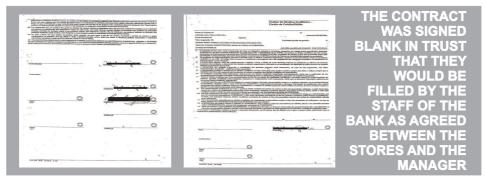
#### Case file from the 2nd Civil Court, n. 0046426-15.2206.8.26.0114:

**1 minute 51 seconds - states:** ... the contracts were signed blank prior to the operations being performed (SIC); for all accounts in the group.

**10 minutes and 46/2 - states:** ... that at the time she worked at Bank Safra, between 2000 to 2008 they did not have a process to completing contracts at the agency, they were all blank, not only this client's but other ones as well;(SIC)

**12 minutes and 14 seconds - declares:** .... there were no systems at the time to run this type of contracts in the agency (SIC)

**16 minutes and 30 seconds - declares:** .... several boxes that came from São Paulo, with several bordereaux, several clients and the employee was assigned to sever all contracts from group.



For details of the publications visit: safraude.com

### THE DISCOVERY / THE CRAFTINESS

The partnership with Bank Safra came four years ago and despite the progressive increase in sales, the bills were presenting themselves hard to account for.

To understand the causes, we have contracted the services of an auditing firm. After six months of work by calculating the extracts, the final report pointed to the following diagnosis: the contractual amounts were changed unilaterally by Safra. As was proved, over three thousand contracts had their percentage changed, from the agreed rate of 1.9%, up to 5.2%.

The criminal manipulation of this partnership was also shown by another fact ascertained: Occasionally, we received proposals of interest from other banks, to take over our financial transactions. To make the change, the contract with the Safra stipulated the return of all advances already made, and the discharge of ongoing loans.

For the new bank to take our account they would have to pay up our sums so that they may take control over the accounts.

During this period, with at least two banks, the negotiations for a change were moving forward.

However, on both occasions, the initial interest from the bank agents vanished without explanation. The cause, we would come to know later had a relationship with another biased conduct by the Safra Bank: upon learning of the competing interest, Safra would use a feature known as "POC" that, among other possibilities, allows the manager to interfere with any of the bank's customers.

In this case, the means used was to not allow the offset of some checks during this period of market survey. We would only be advised that our records were on the list of defaulters on SERASA weeks later.

The drawback was then stated along with apologies, by the bank staff. I confirmed later, the veracity of this maneuver, when questioning one of the managers who had previously proposed the purchase of our operation.

In this truthful episode, the discovery of fake facts and the severity of their conduct does not end the story, but it is the fuse that exposes inequality governing the sector of the highest importance for a country.

Also lists the cop contour brought by the case, with the severe episode of the thug held with various types of weapons, when in pursuit of an associate of the family shops, at a time when the investigations were in progress with Bank Safra.



Emphasize also that the difficulties encountered as the search for access to supporting documents deserves a separate chapter, are so exemplary that express the disparity of power between the general public and the banks.

Proving the whole matter, we feel coerced and persecuted for wanting to show facts orchestrated here with proof from the documents which are in their entirety on the websites, www.safraude.com.br and www.safraude.com (in English).

Again, using their influence and conspiracies, Safra was unsuccessful before the multinational virtual communication sector. In an attempt to remove sites from the air, the giant Google didn't even bother listening to Safra. With this negative response, and feeling uncomfortable with the truth stamped on the websites, they resorted to criminal justice, proposing action by "Crime Complaint" of libel against the family. In sentencing, the criminal judge "REJECTED" the criminal complaint. The MP still under investigation prepares to denounce against Safra on the crime of "Duress to the course of the process."

### THE IMMIGRANTS / THE SAFRAS

Brazil is considered a country of immigrants. Only at this point, the biography of the forerunners of Bank Safra did not differ from that of other foreigners who came here in search of opportunities.

The word immigrant surely leads us to a colleague or even ancestors who built some sort of heritage and legacy in this country, with much sweat, dignity and honesty.

Joseph Safra, who landed in Brazil in 1962, is part of a family of Jews halabim formed by bankers, in business since the nineteenth century.

The families of the victims from the "Safra Coup" are the third generation of Italians who arrived here, around 1912, in search of better conditions of life and labor.

From a small shoe shop aimed to perform repairs, was born

in 1929 the store, dedicated to selling shoes to the population of Campinas-SP. Since then, the past 80 years have served to consolidate the stores, and also the image of the family to their customers, entrepreneurs and society in general.

This brief story is emblematic to so many other cases of success and entrepreneurship in the country, which boasts numerous ethical examples, represented by the legacy of immigrants from different parts of the world such as Portugal, Lebanon, Switzerland, Italy, Germany, Japan, among others.



The paradox traced here is relevant, in my view, because publicly Safra would cultivate an image of sophistication and discretion. Averse to interviews, little is known about how they act and how they conduct their business.

These factors make it even more picturesque the backstage in this case. With nearly 80 years of history and commercial life in Campinas, it is not allowed to the family of the victim the ingenuity of belittling power and intimidation that the money from

Safra imposes on the press, the Central Bank and society in general.

However, this handbook, which also will come in the form of an E-book, will help to perpetuate the underlying contrast between the mythical figure of Safra and their businesses, and the reality.

Even though this initiative sounds like a speck compared to an ocean, it is legitimized by the courage and the true story of a crime recognized by the Central Bank, and Bank Safra itself, acknowledges that the fills were made after the signatures.

The fact also contextualizes the failures of the country's banking system, a dangerous scenario, where justice is (even) slower in countering the account, which always falls short for the least favored part of the situation.

Although the immediate and necessary changes will not come right away, let this be an alert to all small business owners. Rest assured that the facts presented here contradict the legacy that this bank tries to impose on us, and it will be gradually reframed by each reader from this handbook.

The mottos should also take new paths "Secular Tradition Security", as propagated by the powerful, discreet and "sophisticated" Safra.

# MINISTER CONFIRMS THE JUDGMENT, VICTORY IN THE SUPREME COURT

- 1- Recalculate to the lowest interest agreed in all contracts.
- 2- Denied charging compound interest.
- 3- Confirmed contracts "signed blank."



# FROM THE BILLIONAIRE TO THE HENCHMAN the paths to coerce the merchant family



## FAMÍLIA SAFRA

SAFRA's FAMILY FORTUNE estimated at R\$35.98 billion Safra Group's President.



BANK SAFRA
agencies in Brazil and in the USA.



J.SAFRA SARASIN agencies throughout Europe sixth largest bank in Swiss.





SEBASTIÃO JESUS GAROZZO Bank Safra staff that hired the security company, indicted.



JEFERSON FIUZA henchman caught in-the-act, indicted.



Group Gobbo's commerce: harassment and intimidation.



15

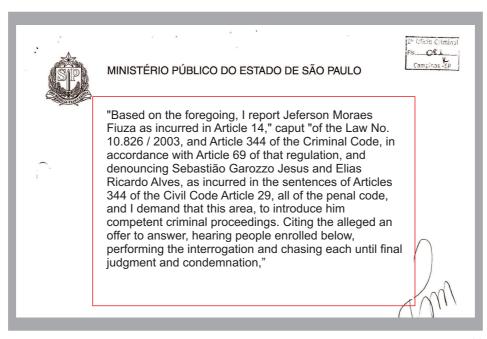
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## OFFICIAL BANK SAFRA STAFF AND TWO OTHER PEOPLE ARE INDICTED BY PROSECUTORS IN THE CRIMES OF:

- Possession of Illegal firearms, Law 10.826 / 2003
- Duress in Process Course, Art 344 CP.

At first tried to charge us as swindlers and bad payers, negating our companies and the name of our family, we then proved with a sentence confirmed by the Supreme Court that the Safra had indeed robbed us.

The second part in the Safra Bank strategy was to morally disqualify its former manager (our current-account manager), trying to put all the blame of chiseling on her. And as a final strategy, hiring thugs to coerce and intimidate us. Only this attempt ended indicating the Safra Bank through its employee Sebastian Jesus Gorozzo.



## "IN ORDER TO INTEREST HIMSELF PLEASING HIS SUPERIORS AND HIS EMPLOYER BANK SAFRA"



#### MINISTÉRIO PÚBLICO DO ESTADO DE SÃO PAULO

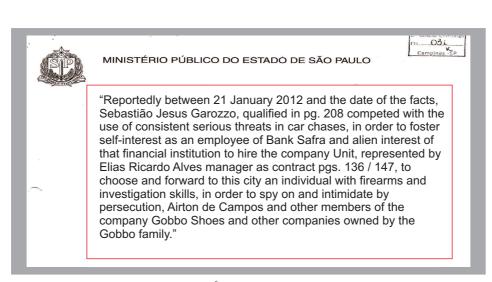


"Sebastião Jesus Garozzo, security superintendent of that financial institution in order to force future agreements with the members of Gobbo companies in civil actions pending before the justice, seeking self-interest to please his superiors and his employer Safra, hired the company Unit Security Consulting and Advisory LTDA., represented by Elias Ricardo Alves manager as signed in pg. 147 of the contract "security consulting and advisory", tried to get negative information pursuing their legal representatives, including Airton de Campos."

No dia 19 de novembro de 2012, policiais militares realizavam patrulhamento de rotina pelo bairro Nova Campinas, quando, por volta das 11h00, foram solicitados pela vítima Airton de Campos, a qual informou estar sendo perseguida por um indivíduo do sexo masculino, que conduzia um veículo automotor, marca Honda Civic, cor verde. Diligências foram empreendidas no sentido de localizar o condutor do veículo apontado, resultando inócuas as tentativas.

No mesmo dia, por volta das 16h30min, novamente Airton de Campos acionou a polícia militar e noticiou que se encontrava em seu escritório, situado na Rua Dr. Hermes Braga, nº 96, bairro Nova Campinas, quando percebeu que a mesma pessoa que o perseguiu pela

## SEBASTIÃO JESUS GAROZZO, SERIOUS THREAT, CAR CHASE, SKILLED WITH WEAPONS, FRIGHTENING, ALL TO FAVOR BANK SAFRA'S INTERESTS.



## JUDGE RECEIVES THE COMPLAINT

