September 20, 2021

Dear Sir/Madam,

Morgan Lewis & Bockius, LLP represents former Member of the Bulgarian Parliament, Mr. Delyan Peevski, and companies associated with him, before the US Treasury Department’s Office of Foreign Assets Control (“OFAC”) in his request to have the US sanctions removed. On behalf of Mr. Peevski, the delisting process has been initiated before OFAC and the US State Department which would result in removal of the sanctions under the Global Magnitsky Act imposed on Mr. Peevski and the companies associated with him if granted. The team is managed by the undersigned, Kenneth Nunnenkamp, a partner in “Morgan Lewis” with extensive expertise in representation of clients in international trade and national security matters before US agencies such as the US departments of State, Commerce, Defense, and Treasury.

The OFAC delisting process is set forth in the agency’s regulations and allows the sanctioned party to submit legal and factual bases for removal of the sanctions, to request information from the Department of Treasury or other US Government agencies, and to appeal OFAC decisions on delisting to a US federal court, which can consider whether OFAC has sufficient basis for its actions. OFAC must provide the sanctioned party the reasons for its action, in sufficient detail to justify that the decision was made on the basis of supportable evidence. Otherwise, the US federal courts could reverse OFAC’s decisions, which has happened in prior cases where OFAC could not present such evidence.

It should be noted that allegations by private persons, including lobbyists (as is the case, for example, with the allegations by US lobbyist Marshall Harris, whose comments were published in www.dnevnik.bg on September 9, 2021), that they have access to the evidence supporting OFAC’s decision, would require a US official to break more than one law by providing that information. Disclosing confidential or classified information, such as this evidence, would be a violation of US law, which would subject these officials to severe criminal penalties.

For these reasons, any expression by persons outside the US Government that a sanctioned party is “guilty” or that OFAC had sufficient evidence should not be
considered credible because, as noted above, US law prohibits disclosure of the specific information and the sources upon which the US relied to any private citizen, other than the sanctioned person or entity.

Sincerely,

[Signature]

Kenneth J. Nunnenkamp