

Malmö, Sweden - November 30, 2022

**Luleå District Court**

Skeppsbrogatan 43

SE-972 31

Lulea

Sweden

## **Application for Private Criminal Prosecution**

In April 2020, an online investment platform called Juicy Fields was launched where people around the world could invest in cannabis plants, and was promised a 66% return on their investment within about 3 months. The main marketing was done through social media where they communicated with possible investors and created groups where they could interact between each other and create a sense of community and also recommend others to come along and make an investment. After only a few years, Juicy Fields had recruited about 125,000 investors when suddenly in mid-July this year, 2022, they shut down the entire platform and investors could no longer log into their accounts and access their money. In total, about 2 billion Euro had disappeared by then.

The signed legal representative represents 789 victims of crime from 56 countries. In this case, the attorney represents 487 victims from 43 countries covering the jurisdiction listed below. On average, all represented victims of crime have lost 32,750 Euro each and 27% of represented victims have lost more than 50,000 Euro. The victim represented by the signed legal representative who has lost the most has lost 322.000 Euro.

**Private criminal prosecution is brought against:**

CEO, Mr. Mark Zuckerberg

META Platform Inc.

Menlo Park, MPK 12

1601 Willow Road

CA94025-1425, USA

**Legal representative**

Lars Olofsson, 571201-4397

Post office 205

SE-214 13 Malmö

Sweden

According to the proxy power of attorney for 487 clients from 43 countries - power of attorney is attached in special folder marked; Client list.

**Motion**

1. Signed counsel motion that the District Court render judgment against the defendant for aiding and abetting aggravated fraud as set forth below in the cause of action.
2. Signed counsel motion that the District Court render judgment against the defendant for failure to report or disclose criminal conduct under the developed action in the cause of action.
3. At a later date, the legal representative may be able to supplement with additional claims of responsibility for money laundering.
4. Signed counsel motion that the District Court render a judgment that the defendant be ordered to pay damages for lost investment as well as mental suffering for having been the victim of fraud, if an amount will be specified at a later date.
5. The signed counsel motion that the District Court give judgment that the registration fee of SEK 2,800 shall be paid by the accused upon conviction.
6. The signed counsel seeks reimbursement of legal costs, in the event of a conviction, which will later be specified according to the bill.

**Applicable jurisdiction**

The defendant is operationally responsible for META Platform Inc., which in turn owns the two business areas/internet platforms Facebook and Instagram. META Platform Inc. owns and operates a so-called data server facility in Luleå municipality (Luleå Data Center) Datavägen 15, SE-977 54 Luleå, Sweden, and it is from there that the victims of crime in this part have been connected to this Data Center and have been communicated to, and been exposed to Juicy Field's marketing and sales efforts, via its Facebook and Instagram account. Against this background and what is also developed below in the cause of action, Luleå District Court is the court in the case.

**The basis for private criminal prosecution**

Victims of this fraud have filed police complaints all over Europe against the underlying company Juicy Grow AG in Germany (the parent company), Juicy Fields BV in the Netherlands and Juicy Fields AG in Switzerland, as well as against a number of people who appeared as representatives of Juicy Fields. In all cases, the police authorities have announced that they either cannot investigate this fraud due to lack of resources or that they cannot investigate so-called Cybercrimes because the jurisdiction is too complicated or that they do not have sufficient legal support for a prosecutor to prosecute fraud of this type. It is also common knowledge that prosecutors do not prosecute this type of crime because they do not have investigative resources or sufficient legal support and practice to rest against. I enclose a number of, out of many more, messages from local law enforcement that it does not intend to take up an investigation.

**Cause of action**

- A. An investment fraud on a massive scale has been committed. In evidence, the fraud will be presented both in its scope, its organization and its implementation. There is little doubt that this has been an investment fraud, and one from the beginning with a clear fraudulent purpose.

- B. An operation of the type Juicy Fields was required by two permits, licenses, from the local authorities in Germany. On the one hand, a license is required to trade cannabis and, on the other hand, a license is required to either give investment advice, or receive money to invest these and provide a return. In both cases, the parent company, or its subsidiaries in the Netherlands and Switzerland, have neither applied for such licenses nor obtained any during the more than two (2) years of operation. It should be added that such licences must be applied for, and obtained, before the companies commence business. When the German authority for financial supervision and permits - BaFin - discovered the business, an investigation was first made that resulted in the company in Germany having violated current rules and on two occasions during April and May this year, 2022, issued fines of first 250,000 € and then 1,000,000 € for violation of the current regulation. This is further proof that the activity was criminal and the evidence includes documentation from the German authority as well as their decisions.
- C. In the case of a listing of all, in the public opinion, "warning signs" that a business has a suspected criminal purpose, the following listing can be made: Cannabis sales, Companies that must have a license and do not have it. The company's bank is in Cyprus, the company's bank is called ISX which was deregistered on the stock exchange in Australia and subsequently in the international banking system blacklisted, The owners of the company are Russians, The owners of the company have no reported background in the cannabis industry, A profiling and marketing that relates to an underground culture but that the customers are conservative pharmaceutical companies, Presented profit and return of 250% annually and risk-free, Cultivation in Columbia in the Medellin district that is widely known as being entirely controlled by drug cartels, Payment in Crypto currency, Presented sales strategy where investors can recruit other investors under them, The investment opportunity is offered to people who do not usually make investments and certainly not at this level, Unclear with ownership structure, Parent and subsidiary where there are ambiguities about ownership and internal roles, CEO with no reported education and experience for this responsibility, Reported turnover as of the end of December of 319,000 Euro but a massive marketing that obviously must have cost at least 1 million Euro
- D. A serious fraud has occurred which meets the requirements of the Swedish Criminal Code 9th Chapter §1 and §3 and 3a. Evidence on this is presented below. Anyone who assists in this crime must meet the requirements of the Swedish Criminal Code 23rd chapter §4 for aiding and abetting and the Swedish Criminal Code 23rd Chapter §6 for failure to report or disclose ongoing crimes. The defendant has both for the crime of aiding and abetting and failure to comply with the requirements of the law and must therefore be sentenced accordingly. It should be added that according to the evidence below, both the basic fraud has lasted for a long time of two (2) years and three (3) months, and that the defendant had through his company and position, with the ultimate responsibility of a CEO for ensuring that the business is not involved in or supports criminal activity, had a business relationship throughout this time, as also attached evidence will show.
- E. Juicy Fields shut down its internet platform in mid-July of this year, 2022. Since then, a large number of articles have been published in newspapers around the world and at

META's two platforms Facebook and Instagram there are a large number of groups of investors who have now gathered to discuss what to do when you have now been deceived. In these groups, there are today tens of thousands of members who write daily posts about both their situation where they have lost a lot of money, and what they can do together to try to get their investment back. At the same time, both Facebook and Instagram still have pages where Juicy Fields itself and a large number of private individuals still promote Juicy Fields and its investment concept. That META with its operative manager does not after several months of major publication that Juicy Fields has been an investment fraud cannot have escaped them, and on their own platforms their customers and users have extensive communication around the fraud and their personal situation – and despite this, it still allows Juicy Fields and individuals to do continued marketing for something that others on the platforms tell us is a fraud. This is also a basis for the motion for the court to rule for failure. Evidence of all accounts on Facebook and Instagram belonging to Juicy Fields as of November 24th of The, 2022, is attached to the notification.

- F. META Platform Inc. has a common Terms of Use for Facebook and Instagram. This condition for the user, both for companies and individuals, explicitly states that no one may publish messages and offers that are part of a fraud. In particular, the Terms of Use state that offering investment advice or taking care of money to invest it and provide returns is not allowed. The reason that META itself in its Terms of Use clearly expresses a prohibition on this type of communication is that this concerns an industry that has extensive regulation with permits and supervision. Against this background, it is particularly important for companies such as META to specify a ban on this type of message when the company is to be prevented from ending up in a situation where criminal marketing can take place. To this must be added that the conditions also state that companies and private individuals may not publish information that is factually incorrect and misleading. The Terms of Use are attached to the evidence, and shall prove that there have been internal anti-fraud rules and an arrangement that would identify them and remove them.
- G. META Platform Inc. is a publicly traded company listed on NASDAQ. According to the regulations that apply to a public company, the stock exchange has developed what is called Corporate Governance with a number of specific rules and policies that a public company must follow in order to enter the stock exchange and remain on the stock exchange. In this regulation, the company's top management must ensure that the company complies with current legislation in the countries in which it operates, and has a regular evaluation of whether it can be involved in criminal activities. Compliance with this is done through the auditing company that the company has an obligation to appoint, which is done at the company's annual general meeting. By allowing a criminal activity to be able to carry out sales and marketing efforts to a large extent and that after it became publicly known that Juicy Fields was a large-scale investment fraud, the company continued to be able to expose itself and a large number of people continued marketing, META and its operative responsible have partly been accomplices to serious fraud and partly failed to report or prevent the crime both during the time Juicy Fields was active

and even after Juicy Fields shut down its internet platform. To this should be added that both Facebook and Instagram allowed individuals to spread disinformation that Juicy Fields was not an investment fraud and most likely it is the individuals behind the scam who continue to deceive and spread incorrect information in order to hide their criminal act. The evidence reports the regulations for Corporate Governance.

- H. Since all Police authorities have refused to open any investigation, and in this way any Prosecutor has not taken on this fraud, by his instruction to the Police authorities, the 47th chapter of the Swedish Code of Criminal Procedure in all its parts has been fulfilled and the notification of private criminal prosecution by the signed legal representative must therefore meet the requirements of the law. Evidence of this is presented below.
- I. There is a general principle of law that all citizens, regardless of their whereabouts, have an obligation not to participate in criminal activity or to report if they can be perceived as such. All companies and their management have a responsibility for the company's operations, partly by designing routines and policies to detect or prevent criminal activity, and partly to ensure that they do not cooperate with or assist in criminal activities. This also applies to a business like META Platform Inc. , which also has internal rules for not allowing various things to be published on their technical platform both in terms of ethical, moral and criminal messages and events. META Platform Inc. also has a section where it reviews facts so as not to participate in the spread of disinformation. All this means that the business and its ultimate manager have routines and a system in place that will ensure that the company lives up to society's requirements both in terms of legislation and general values. The fact that it has then been possible to allow an activity that is clearly a fraud, and does not have applicable licenses and works in an area, cannabis, which is well known for the existence of criminal activity in the "industry" can only be explained by the fact that they have been grossly negligent in their business relationship with Juicy Fields and thus met all the criteria for being considered complicit in serious fraud and failure to report or warn of this criminal activity during the and after its operational activities.
- J. Attached as evidence is a number of newspaper articles that tell of victims of crime who sued companies for facilitating criminal activity. Slowly, there is an international trend towards also directing responsibility towards those who have directly or indirectly made it possible to carry out a criminal activity. This is especially true in the case of crimes committed via the internet where there are a number of difficulties in identifying the perpetrator and also determining where the crime has been committed. In many cases, criminals use social media as their marketplace and if the law enforcement authorities direct responsibility for those who have been accomplices, you will find a strategy similar to that known to police and prosecutors as the Al-Capone strategy - to direct responsibility not directly at the criminal act but the conditions or the result of this act. In this way, the judicial authorities will have a weapon to counteract a very negative development where the public demands action but where there are a number of difficulties in using conventional methods and legislation. The undersigned refers to a number of newspaper articles describing ongoing court cases and how these are handled.

## **Statement of evidence**

The number and individual evidence is numerous and extensive. In total, there are several hundred pieces of evidence extensive; Documents, Videos, Audio Files and Images. In order to organise them all, the following system and verification have been carried out together with what the individual evidence is supposed to prove and its relevance: Folders have been made on data media where the individual folders have been given a name and in each folder the individual evidence data has been collected where each has been given a reference.

The evidence data will be presented below under the main groups as well as the underlying folders where the purpose of the main group and what is to be proven, is described, and then the respective folder and its specific contents are described. In this way, both the court and the defendant should be able to obtain a logical order and be able to orient themselves in the material.

## **Area of evidence; Criminal background**

*Folder -- Videos from Juicy Fields.* This folder contains the videos; Juicy Fields Video 1-8. The videos will show how Juicy Fields and its representatives have presented themselves with various videos and messages.

*Folder – Company Registration.* This folder contains the documents; Business Register 1-3. These documents prove the existence of the company.

*Folder – Investment Prospect.* This folder contains the documents; Investment Information 1-9. These documents are supposed to prove how Juicy Fields has presented itself to investors and the rest of the market.

*Folder – Agreements.* This folder contains the documents; Consulting agreement for Management, Sales agreement with representative No.1, Sales agreement with representative No.2, SDR denies cooperation. These documents are supposed to prove how Juicy Fields developed its cooperation with companies and individuals.

*Folder – Web page.* This folder first contains an image, the JuicyFields Website November 24, 2022, as well as the subfolders Offices and Webpage-photos. All these images are supposed to prove Juicy Field's extent, how it has presented itself both before and after the Internet platform was shut down. The pictures should prove how you communicated and in what way.

*Folder - Doc. From German authorities.* This folder contains the documents; Letters from BaFin 1-3 and Letter from German Bank. These documents are intended to prove, on the one hand, that the German financial authority finally investigated Juicy Fields and found that they had broken the law and that they fined Juicy Fields twice for a total of EUR 1.25 million and letters in which the bank closes a customer's account. The evidence is that German government and banking have concluded that this is an illegal activity and strengthens the claim that Juicy Fields has been a fraud.

*Folder – Letter from the Bank.* This folder contains the documents; Letter from ISX to Juicy Fields 1-2. These documents are supposed to prove that Juicy Fields' accounts have been suspended and that the bank has considered that Juicy Fields has acted unlawfully, and this together is evidence of the company's illegality and fraud.

*Folder – Communication between Juicy Fields and Investors.* This folder contains the documents; Mail from Juicy Fields and Buy orders for Seedlings. The documents should prove what Juicy Fields system looked like with investor account and information in this account. The evidence is that there has been a communication and that it has been reported that the investor has received a remuneration. This evidence is part of the evidence that there was a fraud.

#### **Area of evidence; View of Aiding and abetting**

*Folder -- Other targets against Facilitators.* This folder contains images/documents; Newspaper article 1-5. The pictures/documents must prove that there are now several cases in the world where lawyers argue that those who have been accomplices to a crime have a responsibility and that those who want to cooperate in business have a responsibility to find out who you cooperate and have a business relationship with. It must also be proven that lawyers are arguing in favour of using a new approach to crime where it is difficult to get at the perpetrator - it is possible to demand accountability and future repetition by holding accomplices to account.

*Folder -- Newspaper articles.* This folder contains the documents; Newspaper article on scams 1-8. These documents are intended to prove that there has been a sharp increase in internet-based fraud from Russia around the world, and that this is a development that is of concern to both the public and the authorities. It will prove that there is a situation where measures and an effective strategy are now needed to slow down development and its consequences.

#### **Area of evidence; What's still left of Juicy Fields' marketing on Facebook and Instagram**

*Folder – Facebook November 24, 2022.* This folder contains the images; Facebook After Exit 1-52. These images are supposed to prove that there has been extensive marketing activity on Facebook's platform, and that at the time of writing, four (4) months after the shutdown of Juicy Field's platform, extensive marketing and exposure is still being done of something that at this point should be obvious that it is a fraud. This will prove the nature and extent of the complicity of aggravated fraud and that the defendant has not ensured that there are procedures and arrangements in place to remove marketing that is fraudulent and how negligent the company's top management continues to be.

*Folder – Instagram November 24, 2022.* This folder contains the images; Instagram After Exit 1-26. These images are supposed to prove that there has been extensive marketing activity on Instagram's platform, and that at the time of writing, four (4) months after the shutdown of Juicy Field's platform, extensive marketing and exposure is still being done of something that at this point should be obvious that it is a fraud. This is to prove the nature and extent of the complicity of aggravated fraud and the fact that the defendant has not ensured that there are procedures and arrangements in place to remove marketing that is fraudulent and how negligent the company's top management continues to be.

#### **Other areas of evidence**

*Folder - Terms of Use META.* This folder contains the documents; (84) Facebook, Fraud and Misleading Information in the Transparency Centre, Facebook's Community Standards in the Transparency Centre. These four documents prove that META and its top management have



implemented a series of rules and terms of service for those who somehow use Facebook and Instagram. In these terms and conditions, there are clear prohibitions on posting and using the two platforms for any type of fraud. There are also terms of use that clearly state that factual errors and disinformation may not be posted or used by the platforms to spread misinformation. In the terms of use, META and its top management state that they have a review of the content on the two platforms, and if someone violates the terms of use, you should remove the posted material and also be able to suspend the user. These documents must prove that there are rules of use which explicitly state that it is not permissible to post fraudulent messages and marketing, and that META and its top management have a responsibility to ensure that such fraud is identified and that it is removed upon detection. The documents prove that META and its top management have rules to be complied with and that it has a responsibility to ensure that the platforms are not used for criminal activities.

*Folder – Corporate Governance and Corporate Governance.* In this folder are the following two documents; Corporate Governance – Wikipedia and Corporate Governance – Wikipedia. These two documents prove that META and its senior management are subject to a regulatory framework developed by the NASDAQ stock exchange for public companies registered on this exchange and subject to the regulations of this listing. In these two regulations, there are clear rules that a public company's top management must develop routines and arrangements that ensure that you do not participate in a criminal act, yourself or in any form of cooperation. This also applies that in the event of detection of criminal acts that may be linked to the business, routines and arrangements must be in place that report such criminal act and ensure that it is stopped - exactly as the applicable Swedish legislation states. This proves that META and its top management are not only subject to their own internal rules, but regulations for public companies and national and international law where everyone clearly states that in this case they should have reacted.

*Folder - Police reports and Deportations.* In this folder there are reports and rejections from; Denmark, Holland, England and Germany. There is also a Report sent to the FBI in the United States. These documents are just a few of many similar ones. Not a single police agency, or its underlying prosecutors, has decided to open investigations, let alone prosecutions. The document regarding Report to the FBI also proves that the report has been made, but that nothing has been fixed.

*Folder - Client list.* In this folder there is an EXEL-File with accounting of all Principals who the signed agent represents. Since represented Principals cover 43 countries distributed throughout the world, an electronic arrangement has been developed where the victim receives an email with the terms and conditions produced by the agent and then the victim has sent an acceptance via e-mail and received in return a confirmation of the agreement and the ombudsmanship. The Principal has then filled in a Form on the Internet where the Principal has entered his information and all information is collected in a Client File. Documents are located in the folder that gives an example of what the correspondence has looked like. Through this procedure, the ombudsmanship is accounted for.



### **Completion at a later date**

The signed agent, together with his investigation team, has been working on the investigation for about four (4) months. New facts and evidence are constantly emerging, which is why there is reason to announce right now that, on the one hand, the issue of participation in money laundering may be added as a criminal classification, as there are already several evidentiary information that such has also occurred, and that Juicy Fields has had this as another "business area". Through the use of Facebook and Instagram, it has been possible to carry out this money laundering. In addition, new evidence in the form of witnesses and documentation is regularly added and the undersigned may need to supplement the already presented evidence – which the undersigned at this time fully believes meets the standard of proof and degree of proof required by law.

The evidence that can already be presented will be added shortly is witness information. With regard to witness information, there is in particular one witness where signed counsel needs to specifically attribute to the District Court about the handling of this witness information when the witness is a so-called. Whistleblowers who, from inside the underlying criminal organization, are prepared to give testimony and present documentation. This witness is putting himself in very great danger and therefore special arrangements will need to be made to protect the witness.

Testimony will also be given from victims of this fraud and this is a very difficult personal situation for these victims, and therefore some additional time is needed to prepare these witnesses and what their testimony should cover.

### **Proceedings before the Court of Justice**

This is a case that already has, and probably will, attract interest. As outlined above, it is a case of serious international crime with groupings that are well known for resorting to violence if their activities are either revealed or that any member of the grouping gives witness information.

Among the witnesses listed above in the course of future evidence, there is at least one witness who clearly risks his life if this person is not protected. Together with the District Court, I need to go through the security arrangements that are probably needed and also the witness protection that may be relevant with regard to this or those persons.

The district court has the responsibility to serve the defendant and ensure that he appears for a hearing. As noted above, the undersigned has stated that the defendant appears in person to participate in a cross-examination. It goes without saying that at a cross-examination the defendant has no obligation to make a statement, but it is important that such a refusal is made in person on the spot.

Since a number of witnesses do not speak Swedish, as well as the defendant, it is also important that the District Court ensures that there is an interpretation function available.

### **Payment of application fee**

The signed representative has paid SEK 2,800 to the Swedish Courts Administration, via its internet payment. in application fee according to the Ministry of Justice's Ordinance 1987:452 and fee; Category fee class B.

## Summery

Internet-based fraud has a turnover of several tens of billions of Euro every year, according to coherent international police organizations and institutions. The problem has greatly increased and to a large extent law enforcement authorities both nationally and internationally have not been able to do anything about this negative development.

Juicy Fields was a concept in which there were a large number of reasons and details that for anyone, each in itself, would be a warning signal. Now there was a long list of warning signs that it is completely impossible to avoid if there was an interest in both complying with national and international legislation both regulations for public companies and not least the own developed and carefully presented conditions for Facebook and Instagram's users.

The victims of many investment scams are usually not wealthy people who after the crime have become a little less wealthy - but instead it is not an unsuspecting ordinary citizens who have been affected, and lost so much that it completely destroyed their financial situation.

Something has to be done and for many of these scams, social media has become the weapon, and arrangement, the criminals use. Should any of these advertisements and marketing efforts have been attempted to be published in any newspaper in paper form or online, the publisher, media owner, would very likely have said no, and not allowed the publication and use of their technology after doing a basic due diligence about who they have a business relationship with, and what kind of message and offer is presented. To not make the same demands on a social media platform is to exempt a function in society that has taken a relatively central role.

The legislation in Sweden is very clear when it comes to aiding and abetting crimes. Anyone who, by means of advice and deeds, is helpful to the criminal is doing a criminal offence. Anyone who should understand that a criminal act is taking place has a responsibility in the event of a criminal penalty to either report the crime or prevent its continuation. In all of these described crimes and their elements, METAS's overall operative manager has acted negligently or even grossly negligently by allowing Juicy Fields to defraud about 125,000 people of more than 2 billion Euro – and the act has been so negligent, and the damage done so extensively with severe consequences, that the District Court should not only conclude that a crime has been committed, but also that the penalty will be imprisonment and financial compensation for both lost investment and mental suffering.

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