

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

FILED

UNITED STATES OF AMERICA

2015 MAY 20 P 12: 09

Crim No. 15- 76(RNC)

- v. -

US DISTRICT COURT
HARTFORD CT

VIOLATION:

UBS AG,

18 U.S.C. §§ 1343 & 2

Defendant.

x

INFORMATION

The United States Department of Justice, Criminal Division, Fraud Section,
charges that:

COUNT ONE
(Wire Fraud)
18 U.S.C. §§ 1343 & 2

Between approximately 2001 and in or about 2010, in the District of Connecticut and elsewhere, the defendant, UBS AG, unlawfully, willfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, which violation affected a financial institution, to wit: the defendant, UBS AG, devised and engaged in a scheme to defraud counterparties to interest rate derivatives transactions by secretly manipulating benchmark interest rates to which the profitability of those transactions was tied, and in furtherance of that scheme, on or about June 29, 2009, the defendant, UBS AG, transmitted or caused the transmission of electronic communications in interstate and foreign

commerce, specifically: (1) an electronic chat between a senior derivatives trader employed by a subsidiary of the defendant, UBS AG (“Trader-1”), and a London-based interdealer derivatives broker (“Broker-1”), in which Trader-1 requested assistance from the broker in requesting that other banks sitting on the London Interbank Offered Rate (“LIBOR”) Yen panel submit an increased Yen LIBOR rate favorable to Trader-1’s trading positions; (2) a telephone call placed by Broker-1 at Trader-1’s request to a Yen LIBOR submitter at another Yen panel bank, in which Broker-1 requested that the submitter increase the panel bank’s Yen LIBOR submission that day; (3) an electronic chat between Trader-1 and a junior derivatives trader employed by the defendant, UBS AG, who also served as a Yen LIBOR submitter for the defendant (“UBS Submitter”), in which Trader-1 requested that the UBS Submitter increase UBS AG’s Yen LIBOR submission to a rate favorable to Trader-1’s trading positions; (4) a subsequent Yen LIBOR submission from the defendant, UBS AG, to Thomson Reuters reflecting an accommodation of Trader-1’s request to the UBS Submitter; and (5) a subsequent publication of a Yen LIBOR rate – through international and interstate wires, at least one of which passed through, among other locations and facilities, servers located in Stamford, Connecticut.

In violation of Title 18, United States Code, Sections 1343 and 2.



ANDREW WEISSMANN
Chief, Fraud Section
Criminal Division
United States Department of Justice