



U.S. Department of Justice

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Southern District of New York*

*Criminal Division
Fraud Section*

The Silvio J. Mollo Building
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Washington, DC 20005

March 3, 2022

BY EMAIL

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: **United States v. Mobile Telesystems PJSC**
19 Cr. 167 (JPO)

Dear Judge Oetken:

The Government and defendant Mobile Telesystems PJSC ("MTS") jointly and respectfully submit this letter to advise the Court that the parties have agreed to voluntarily extend the term ("Term") of the Deferred Prosecution Agreement ("Agreement") in the above-referenced matter, including all obligations contained therein. Attached is a letter dated March [1], 2022 (the "Extension Letter"), which memorializes the parties' agreement. Accordingly, for the reasons discussed below, the parties respectfully request that the Court extend the exclusion of time under the Speedy Trial Act for an additional two years, through March 18, 2024.

As the Court is aware, on February 22, 2019, the parties entered into the Agreement. The Term is currently scheduled to expire on September 18, 2022. Under the Agreement, MTS agreed to, among other things, implement and maintain a compliance and ethics program and to retain an independent compliance monitor. Pursuant to the Agreement, MTS retained an independent compliance monitor on September 18, 2019. Paragraph 3 of the Agreement provides that, if the Government, in its sole discretion, determines that the defendant has failed to completely perform or fulfill each of its obligations under the Agreement, an extension may be imposed by the Government for up to a total additional time period of one year, without prejudice to the Government's right to pursue other remedies under the Agreement, including breach and prosecution.

In the Extension letter, attached hereto, the Government informed the defendant that it had determined an extension was warranted. The Government made this determination upon consideration of several factors, including the fact that, while the Company has made significant improvements to its compliance program, certain critical components of MTS's anti-corruption compliance and ethics program are in the early stages of development, are not yet effective, and

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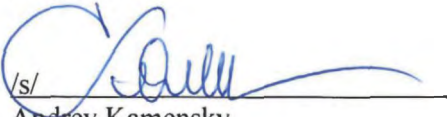
will not be implemented and tested prior to the end of the term. The parties agree that extending the Term at this time is in the interest of all parties, as it will (1) provide MTS with adequate time to implement necessary enhancements and (2) permit the Monitor to focus resources on testing the various components of MTS's compliance program when they are ready to be tested.

On March 7, 2019, the Court granted the Government's motion for exclusion of time under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(2) and (h)(7)(A) and the defendant's waiver of its speedy trial rights in the DPA, from March 7, 2019 through March 6, 2022. In order to extend the Term of the Agreement, the Government respectfully requests, with the consent of the defendant, that the Court extend the time period for exclusion through March 18, 2024, which will be six months after expiration of the Agreement, consistent with Paragraph 14 of the Agreement. A proposed order excluding time pursuant to the Speedy Trial Act is enclosed for the Court's consideration.

Mobile Telesystems PJSC
Defendant

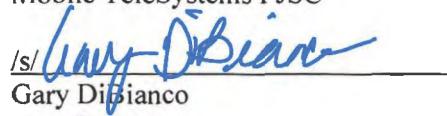
By:

/s/


Andrey Kamensky
Chief Financial Officer
Mobile TeleSystems PJSC

By:

/s/


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Kara Roseen
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Respectfully submitted,


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Enclosure

cc: counsel of record (via email)



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March 1, 2022

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Re: *United States v. Mobile TeleSystems PJSC*

Dear Counsel:

On February 22, 2019, Mobile TeleSystems PJSC (“MTS” or the “Company”) entered into a deferred prosecution agreement (the “Agreement”) with the United States Department of Justice, Criminal Division, Fraud Section and the Office of the United States Attorney for the Southern District of New York (the “Department”). Pursuant to the Agreement, MTS retained an independent compliance monitor (“Monitor”) on September 18, 2019. The Agreement and all of its terms, including with regard to the Monitor, are set to expire on September 18, 2022.

Paragraph 3 of the Agreement provides that if the Government, in its sole discretion, determines that the defendant has failed to completely perform or fulfill its obligations under the Agreement, it may impose an extension for up to a total additional time period of one year without prejudice to the Government’s right to pursue other remedies under the Agreement, including breach and prosecution.

The Department hereby provides notice to the Company that it has determined a one-year extension of the Agreement, including the monitorship, is warranted. The Government made this determination upon consideration of several factors, including the fact that, while the Company

has made significant improvements to its compliance program, certain critical components of MTS's anti-corruption compliance and ethics program are in the early stages of development, are not yet effective, and will not be implemented and tested prior to the end of the term. Extending the term of the Agreement at this time is in the interest of all parties, as it will (1) provide MTS with adequate time to implement necessary enhancements and (2) permit the Monitor to focus resources on testing the various components of MTS's compliance program when they are ready to be tested.

The Department and the Company have agreed to the extension of the Agreement for an additional year, until September 18, 2023, in order to provide the Company with additional time to fulfill its obligations under the Agreement without prejudice to any other remedy the Department may pursue, including breach and prosecution.

Sincerely,

/s/Nicola J. Mrazek

Nicola J. Mrazek

Senior Litigation Counsel, FCPA Unit
Criminal Division, Fraud Section

/s/Lauren B. Kootman

Lauren B. Kootman

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