



O lado oculto da banca

The dark side of the board

The sixth largest private group within the Brazilian finance industry is under investigation for suspicious association with private detective activities.

Jeferson Fiuza claimed he was doing odd jobs for the bank when he was arrested and found with ammunitions and weapons after stalking one of the employees of the company who pressed charges against the bank.

Eduardo Militão

Ammunition, handcuffs, a 9.8-inch knife, a 23.6-inch iron bar, people stalked and threatened, and even a "sexual role play fantasy." What do these things have to do with a judicial dispute involving the bank owned by one of the richest men in Brazil and former bank clients who are legally questioning the amount of debt owed to the bank? It is the latest chapter of a dispute involving Banco Safra, owned by Joseph Safra, and merchants of the Gobbo family, owners of Boot Co. (footwear and accessory products) in Campinas (SP). Years ago, when merchants contracted loans backed by credit card sales, the bank would use blank agreements previously signed by clients. The bank admitted this practice to the Brazilian Fed after two national deputies intervened in the case. The Gobbo family claims that the bank took advantage of the fact that the family signed blank forms by forcing exorbitant rates, far beyond agreed-upon amounts. Legal actions, an affidavit from the bank's former manager stating that other clients had signed blank contracts as well, and Boot Co. contracts were all found to be fraudulent. A court expert testified favorably on the merchant's behalf, but was opposed by another expert hired by the bankers. The dispute had been conducted in a civilized manner until the end of 2012, when officers of the city department of law enforcement arrested Jefferson Fiuza de Moraes. In November, Fiuza and Cassiano Ferreira dos Santos, both residents of the city of São Paulo, pursued Aírton de Campos—a warehouse worker and employee of the Gobbo family—by car. De Campos called the police, who arrived at the scene and found another car parked alongside the Safra branch building in Campinas. Inside the vehicle, they found a set of sharp-edge weapons and a firearm.

According to the first information report of the investigation #289/2012, weapons included a .38 caliber pistol with 172 bullets, more than 500 caps, a 9.8-inch knife, a pair of handcuffs, and a 25-inch iron bar. The owner of this arsenal was Fiuza, who was then arrested for the second time in less than six months. In June, he had been charged with the murder of two buglers in São Paulo. He claimed to be acting in self-defense. When questioned by the police officer, Fiuza claimed to be doing odd jobs for Banco Safra, but he changed his statement during police interrogation. Later on, the bank confirmed they had hired a private investigation company in Campinas, and that Fiuza was working on this investigation. Fiuza's attempt to deny his involvement with the bank may have given the police officers a good laugh: He claimed the 9.8-inch knife was to peel oranges and the iron bar to be used as a wrench in case of a flat tire. What about the handcuffs? According to Fiuza's police statement, "the handcuffs were intended for use in sexual role play." As he presented the weapon registration number, he was released after payment of R\$ 1,400 in bail. Public prosecutors asked for proof that Fiuza was authorized to carry both the pistol and the ammunition, but so far he has not presented any. Contradictory leaflets On December 10th, Banco Safra brought a criminal action against Carlos Augusto Gobbo, who's taking legal action against the bank. In it, the bank claims that leaflets with content against them were thrown from the inside of a car into the streets, specifically in the vicinity of the Avenida Paulista branch, and also in the cities of Campinas, Ribeirão Preto, Barueri, and Piracicaba.

The content was said to include the status of legal actions and to introduce readers to the *Safradeblo*g (safrade.blogspot.com), created by Guto a month earlier, in July. This blog is a compilation of reports and documents related to the dispute involving Banco Safra and Boot Co. on different levels, including Civil Courts, the police department, the Brazilian Fed, and even the House of Representatives (two national deputies). "The bank has been the target of a campaign to discredit its work," states the criminal action carried out by the bank. "This anonymous campaign is causing damage and embarrassment to the company's name," claims Banco Safra through the document now held by Carlos Alvarenga, the 13th Precinct Commissioner, who is aware of the dispute. "Unable to find out who was responsible for distributing the leaflets on public streets, the bank undertook a private investigation, hiring a company called Unit Consult," admits Safra. According to bankers, on November 19, Fiuza was in Campinas to investigate, when he saw defamatory leaflets being thrown away from the inside of a white Fiat Fiorino in the vicinity of the Cambui branch. He and the driver, Cassiano Ferreira, then followed the white car until its driver, warehouse worker Aírton de Campos, parked in front of Boot Co. and handed a bag of leaflets out to a woman. Shortly thereafter, de Campos called the police, fearing he was being followed. Fiuza was arrested a couple of hours after that. The bank holds Guto, Cristina Gobbo, and Aírton de Campos accountable for the criminal action of defaming the bank's good name. This criminal action, however, does not mention any weapons or ammunitions found with the man allegedly running a "private investigation" for Safra.



Guto told CongressoemFoco Magazine that he considers such an episode a threat to his family as a response to the battle in court they started with the bank. "An investigation based on iron bars and ammunitions doesn't sound right. There are a number of law firms that do serious work," says the merchant. He denies having prepared leaflets with references to his own blog. He says that after the blog was released, family members were surprised when they received emails with images of leaflets with content against the bank in front of the Av Paulista branch, which in their point of view was an "act of courage." However, they don't know the name of this brave person, as, according to Guto, he/she "won't reply our emails."

Gobbo vs Banco Safra
The BootCo. story began 70 years ago when they entered the market. In 2003, Boot Co. became one of Safra's clients, after receiving an interesting "Smoke Credit" offer, which was basically an advancement of receivables on credit card sales. This operation would allow the Gobbo family to receive beforehand the amount corresponding to the installment to be paid by the consumer to the acquirer, as the bank would anticipate the payment by charging a monthly interest rate that would go from 2 to 2.5%. For each group of sales, blank agreements were signed in good faith. On the top of each agreement, the manager would take note (in pencil) of the amount anticipated and the interest rate. Papers would then return filled out. After that, all transparency was gone. And debts only increased. With a bad credit record, the Gobbo family made a decision to franchise their business and plead a debt review in a court of law.



Despite the fact that Safra admitted in Court and to the Brazilian Fed that they took advantage of blank agreements with the Gobbo family, a former manager of the bank, Denise Artem, stated that the same procedure was used with other clients of the bank. According to her statement, made in February 2008, in the middle of a judicial dispute between the bank and Boot Co., agreements were forged by employees of the Campinas branch. They even used specific pencils to do the forgeries. Ates charged by the bank were as "twice as high" as those agreed upon beforehand with the Gobbo family. Safra lawyers told the Justice system that Denise is an open "enemy" of the bank. The Brazilian Fed considered the claim regarding fraudulent blank agreements valid, but did not impose any punishments on Safra, as it believed that to be an "isolated event". Marlene Braz, expert of the 3rd Civil Court of Campinas, said that the Gobbo family owes nothing to the bank and may even be entitled to get some money back. An expert hired by the bank provided a different opinion on the case, stating that the interest rates applied were consistent with the financial market rates. The court will deliberate on the case, which already includes 16 separate legal actions. One of them, being tried in the 3rd civil court, has over 3,500 pages.



Front view of the store where Gobbo investigators allegedly ask an employee of Boot Co. delivering a bag of "defamatory leaflets".

No comments
All attempts to obtain a statement from a BancoSafra representative failed, as did attempts for statements from UnitConsultand Cassiano Ferreira. Fiuza could also not be reached at the telephone numbers he, himself, provided. In June 2012, Fiuza was arrested after murdering two burglars—one was 25 years old and the other was teenager (17 years old), who allegedly held him hostage in his own computer shop. The commissioner of the 98th Precinct of São Paulo determined it was unlikely that he acted in self-defense, as the so-called investigator for Banco Safra shot one of them three times, and the other five times, despite being fired upon only once. "Only the elder of the two burglars carried a gun, and that gun only had a single piece of ammunition. The teenager was not armed, but was nevertheless shot in the back," reported Galdino to CongressoemFoco.

SECRETARIA DE ESTADO DA SEGURANÇA PÚBLICA
POLÍCIA CIVIL DO ESTADO DE SÃO PAULO

Dependência: 91ª D.P. CAMPINAS
Boletim No. 1 14576/2012
2ª Via

DATA: 19/11/2012 19:48h e EXTINÇÃO: 19/11/2012 22:07h
/SLP/PC/2012/7...

nos procedimentos. Com relação às denúncias, ele disse que possui arma registrada no endereço e pertence a um clube de tiro. A, disse, possui permissão para possuir arma em casa, por ser um cidadão de bem. Disse que o indiciado em questão de crime-lua de minúcia a não é. Disse ainda o que estaria fazendo na cidade de Campinas, viz. Banco Safra. Paulo, o mesmo alegou que trabalha informalmente para o Banco Safra para uma cidade de Campinas e fim de encontrar um agente pessoa que estaria distribuindo panfletos difamatórios contra o referido Banco e então pararam a Aktion, pois estava fazendo uma "investigação" para o Banco Safra. Resposta o policial que o testemunha Aktion no momento algum foi abordado pelo indiciado. Por isso também não chegou a ser ameaçado pelo mesmo. Foi apenas perseguido.

When questioned by the police as to the purpose of his visit

Banco Safra holds more than R\$ 100 billion.

According to Bloomberg's list of the world's strongest banks, Joseph Safra comes in 3rd in Brazil, and is the 87th wealthiest person in the world. Its net worth is estimated at R\$ 24 billion, backed both in time and space. The main shareholder of Banco Safra is a traditional Jewish banking family of Aleppo, Syria, from where the patriarch, Jacob Safra, expanded business to the Middle East, Europe, the United States, Latin America, and Brazil. There's even a Safra subsidiary in the tax-exempt destination of the Cayman Islands, in the

in Brazil, the group holds more than R\$ 100 billion from third parties, according to the bank's latest balance sheet. The bank proudly states that they operate in 16 different currencies. Money exchange was always taken seriously at the Aleppo family business, which today supports rebel forces that oppose the Bashar al-Assad government in Syria.

Currently, Safra is the eighth largest bank in the country and the sixth largest private banking institution, according to the last report released by the Brazilian Fed. Total assets amount to R\$ 66 billion. But the bank's latest balance showed an increase of nearly 30% in assets last year, reaching R\$ 111 billion. According to the Brazilian Fed list the top three banks are: Banco do Brasil (with R\$ 837 billion), Itaú (R\$ 802 billion), and



BancoSafra's main shareholder and one of the richest men in the country, Joseph has a net worth of US\$12 billion, as estimated by Bloomberg



Mortgage and spying

René quit his job after questioning high interest rates imposed by the bank on mortgage loans.

The Gobbo family is not the only party to press charges against Safra for spying and applying exorbitant interest rates. A former employee of the bank affirms that in the '70s the practice was to charge ten times more interest on mortgage loans. A common rate, for example, might be 1%, but the bank would charge 10%. At that time, very few people noticed, assures René Roldan, who was former head of the Administrative Department of Safra Real State Credit Union. He took his concerns regarding such illegal activity to his superior, who told him, "We will use the money of those who don't complain to pay those who do." According to René, the corporate department activities were performed under full awareness of the bank's owner, Joseph Safra.

After that, René was transferred to a different department of the bank. The 65-year-old activist in the Catholic Church during a time of repression remembers the day he resigned the position at the bank, where he had worked for two decades.

He also claimed to be a victim of stalking at that time, much like the Gobbo family currently claims to be in Campinas. The year was 1986. The Human Resources Manager read from a report all of René's private activities, such as his involvement with the Catholic Church and social movements, his volunteering in slum areas, and even his identification with liberation theology. "He was talking to me as if he knew me really well. Of all the bank employees, he had detailed information on me," says René. BancoSafra did not comment on René Roldan's testimony.

Documents mentioned are available at: congressoemfoco.uol.com.br/revista