

## **WE EXPOSE:**

By this document I present a complaint for serious breach of the Club's statutes for the facts and against the people described below.

- *Josep Maria Bartomeu, President of FC Barcelona*
- *Marta Plana and Drópez, secretary of the board of FC Barcelona and member of the Bureau of the censorship vote*
- *Jordi Argemí Puig, FC Barcelona director and member of the Bureau of the censorship vote*

Given that the reported actions could constitute a criminal action classified in article 293 of the Penal Code, or be considered a crime of unfair administration or another type of corporate crime, I attach, as document 1, a copy of said document, with the purpose of this department to initiate the relevant internal investigation in order to clarify the facts.

## **I. COMPETITION**

This complaint is submitted to the secretary of the board of directors, for being the competent body in accordance with the provisions of article 70 of the statutes of FC Barcelona, section c) **Infringements related to the conduct of the association: in the Disciplinary Committee, unless the alleged infringer is a member of this Committee, of the Board of Directors or of any committee that has statutory status, or is the trustee of the member, in which case the exercise of disciplinary actions corresponds to the Board of directors.**

## **II. REPORTED**

The following directors of FC Barcelona will be responsible for the events described:

- Josep Maria Bartomeu i Floreta, president of FC Barcelona
- Marta Plana i Drópe z, secretary of the FC Barcelona board and member of the Bureau of the censorship vote.
- Jordi Argemí Puig, director of FC Barcelona and member of the Bureau of the censorship vote

### **III. CIRCUMSTANCES OF FACTS**

1. On July 29, 2020, Platform @elcorblaugrana publicly announced they would file a motion of censorship against President Josep Maria Bartomeu and his entire board of directors. From that day on, they began to prepare all the necessary infrastructure (website, collection points, volunteers, ...) before making the formal request to the Club, for the motion to start.

<https://www.sport.es/es/noticias/barca/anuncian-voto-censura-contra-directiva-del-barca-8057937>

2. On August 26, FC Barcelona member Jordi Farré presented a letter to the club to formally initiate the process of motion of censorship against President Josep Maria Bartomeu and his entire board of directors. The promoter of the censorship vote was joined by up to seven different Barça platforms and two pre-candidates, which turned the motion into a collective and transversal movement.

[https://cadenaser.com/ser/2020/08/26/deportes/1598435469\\_642235.html](https://cadenaser.com/ser/2020/08/26/deportes/1598435469_642235.html)

3. On September 10, when the promoters of the censorship vote had collected more than 7,500 signatures, FC Barcelona officially announced the elections at the club will be held on March 20 and 21.

<https://www.fcbarcelona.es/es/club/noticias/1820976/las-elecciones-a-la-presidencia-del-fc-barcelona-a-los-dias-20-y-21-de-marzo>

4. On September 19, President Josep Maria Bartomeu declared the following about the figure of 20,687 signatures collected by the motion of censorship: "The board is surprised by the number of signatures. It is a high figure that surprised us and promoters.

[https://twitter.com/victor\\_nahe/status/1307656156467335168?s=20](https://twitter.com/victor_nahe/status/1307656156467335168?s=20)

5. On 20 September, La Vanguardia published "some Barça executives expect about 5,000 signatures to be invalidated. They believe they have been "bought".

<https://www.lavanguardia.com/deportes/fc-barcelona/20200920/483583042430/algunos-directivos-barcelona-sospechan-validez-cinco-mil-firmas.html>

6. On September 29, the Bureau of the censorship vote unanimously agreed on a process to validate signatures. The representative of the Catalan Federation of Table Football and President of the same, Josep Maria Vallbona, later stated that he voted in favor of the validation process once the representatives of the club and promoters of the vote, had agreed on that validation process.

<https://www.fcbarcelona.cat/ca/club/noticies/1859355/finalitza-el-proces-de-validacio-de-les-butlletes-del-vot-de-censura>

7. On September 30, the club sent a letter signed by Óscar Grau to the Catalan Football Federation. The letter presented a complaint, from the Club, about the behavior of the chairman of the board, Josep Maria Vallbona, accusing him of being rude and, at the same time, accusing him of refusing to use ballot validation tools that can guarantee the correctness, legality and authenticity of the signatures to be validated. <https://twitter.com/OnzeTv3/status/1313239617508904960/photo/1>

8. On October 2, the Catalan Football Federation responded to the letter from FC Barcelona, stating it as an unacceptable interference at the polling station of censorship. It also mentions that neither the board of FC Barcelona, nor the Catalan Football Federation have the possibility to decide on validation options, as the Bureau defines these procedures.

<https://twitter.com/OnzeTv3/status/1313239832626425857/photo/1>

9. On October 8, La Vanguardia explained that on Wednesday, October 7, lawyer Eloi Castellarnau presented a letter to the lieutenant general of the Guardia Civil Daniel Baena. The statement written by the Guardia Civil considered the letter as a complaint, in the same way that all experts in criminal law say that “to report is to inform the ‘judicial authority, the Public Prosecutor’s Office, or the State Security Corps is a presumed criminal act’, as Castellarnau did. Within the information published this text can be found, which could come from both the complaint and the statement:

***- “evidence has been detected of a possible perpetration of criminal offenses that, due to their importance, escape the scope of the Bureau. For this reason we informs the Judicial Police Unit for investigation and clarification.***

***- “up to 300 ballots have been submitted, which have questions in their authenticity.... Suggests that there may be other blocks of non-authentic ballots”.***

***- “it cannot be ruled out that the crimes have been perpetrated under the cover of a criminal organization or group.”***

***- “everything would seem to point to a perfectly planned and orchestrated campaign in order to harm this board and its president by illicit means, far from the ways of democratic participation recognized in the statutes.”***

***- “they have detected that many of the ballots reputed to be non-authentic belong to membership cards that had already been used in the investigation carried out by this Judicial Police Group and that was known to the Court of Instruction No. 1 of Barcelona.”***

***- “a series of five ballots is detected which, despite being signed by different partners, have a similar handwriting. In the face of suspicion, the graphological experts agree that ”they do not coincide with the signatures of the documents provided.”***

<https://www.lavanguardia.com/deportes/fc-barcelona/20201008/483936853767/fc-barcelona-guardia-civil-mocion-de-censura-falsificacion-firmas.html>

10. On October 9, La Vanguardia publishes a piece of news in which it is explained, among other things, the following:

***- The Guardia Civil notifies the president of the Bureau of the censorship vote, Josep Maria Vallbona, of the complaint filed by FC Barcelona.***

***- The complaint was forged after in a set of five ballots, were found the signatures appeared to have been made by the same person and a total of 300 more have been filed, which the board questions. Faced with the suspicions, the graphological experts agreed that ”they do not coincide with the signatures of the documents provided.”***

***- Barça’s legal services, in contact with the management, set to work and on Wednesday one of the members of the club called the lieutenant colonel of the Guardia Civil Daniel Baena, -head of the Judicial Police- so that he would heed the complaint that the club was about to hand over to him.***

***- The genesis of the complaint: An employee of the club specifically called Lieutenant Colonel Baena, scourge of the independence process.***

***- For two hours, the club representative explained his suspicions that the promoters of the vote could have committed a crime of forgery of documents, usurpation of identity and even membership in a criminal organization or group. This case would be connected to what Barça once reported in court in the presence of 2,800 membership cards.***

***the - The two representatives of the club at the Bureau, requests to interrupt the validation until it is clarified, whether what the complaint said was true. The request derives in a vote of the table that the representatives of the board lost by 3 to 2.***

<https://www.lavanguardia.com/deportes/20201009/483948102128/la-directiva-denuncia-falsificacion-de-firmas-ante-la-guardia-civil.html>

11. On October 9, criminal lawyer Eloi Castellarnau declares in the program “El Món a Rac1” the following:

***- “A series of 5 consecutive ballots have been found initially that, in addition, confronted by graphologists, consider that they are false. It has also been contrasted, of random contacts by phone with some members that theoretically had signed the ballots, that they had not signed anything, and therefore there is a set of clues that can make us think that there has been some kind of irregularity ”***

***-“ We provide 5 (ballots) that we have found that, in addition graphologically we consider that they can be false... 300 is the global number of ballots we understand can be suspected of being falsified”. Are you making an extrapolation, right? ”Correct.”***

***- “Going to the Guardia Civil... .. is a recommendation of the legal services and we have not had a contrary order.... the president has been informed but it is not his decision ”***

***-” Neither Barça, nor myself, have at any time been asked by the Guardia Civil to prosecute this or to go faster than usual to try to paralyze the vote of censorship”.***

***- If you say you don’t know anything from the Bureau of the vote , what tells you that there are irregularities? ”I have constant communication through legal services.” And how do they see the ballots that the Bureau has in custody? ”These are questions that should be asked directly to those who are responsible. I can’t answer that question”.***

***- “I myself went to the command office of the Guardia Civil. I was not received by Mr. Baena, a member of his unit (talked to me), I saw him in the barracks, he greeted me very kindly and that’s it, he just addressed me to the responsible person”.***

<https://www.rac1.cat/a-la-carta/detail/O18a5a96-3838-4ae2-a6cc-076ad26571a5?program=elmon&section=HOUR>

12. On October 9, the head of the legal services of FC Barcelona, Roman Gómez Ponti makes the following statements in radio shows “Tot Costa” at Catalunya Radio, “La graderia” at Radio Barcelona and “Tu diràs” at RAC 1:

\*Note: we tried to translate the following statements in the most accurate way\*

- *In no case, it will be possible to call (for elections) - that is to say, to call or to hold general assemblies - meaning that, in the case of Barça, (it would be impossible) to call for the members to vote. Because Barça is a special case, it has an intermediate body, which is the member's assembly, with specific attributions. It's a club with over a hundred thousand members, obviously, of course, okay? By no means, - and I repeat what the law says, it promotes, I hope eh, ... it has ... Mr. Figueres, ... I don't know why if it is the secretary of the sport it has not enacted, let's say, no it has driven this legislative motivation, I don't know who it could have been ... I don't know if the department of economy and finance, interior, or ... I don't know, ... or health. ”*

- *“In no case, ... - warns the document issued by la Generalitat - remote general assemblies may be called or held, aimed at amending bylaws, board elections, ... c) approve a vote of censorship”.*

*“The only thing I want to say, the only thing I want to establish, is ... the law says what it says. No matter how much later an administrative body says something different, the law says what it says. It seems very good to me that whoever says: you can vote. Well, perfect... a vote can be held if (laughs)... I will not be the one who prevents the members (group of which I am part) of their right to vote for X things. What I don't quite understand is that (laughs) the general secretary of sport tells us that, he recommends, for example, not to hold a member's assembly to approve the club's financial statement and the club's budget, and instead say that, surprisingly, yes, it is said that 105,000 or 110,000 voting members or 90,000 voting members can vote”*

- *“If there is a law here, enacted by the Generalitat, which says that it is not possible to vote specifically a vote of censorship, what never ceases to amaze me is that the Bureau for the vote of censorship does not even consider this since the first day, and issues a query in Barça's name. I'm not saying that, I'm saying that the general secretary of sport right now, issues a resolution, ... it's not a resolution, ... it's a letter, which says when Barça informs us, we will answer, knowing that this it does not depend on him, but it depends on the*

*Procicat, of Interior, but it is that in addition there is a norm that says what it says, that in addition it has a legal problem, is that ... there are members of the club that may feel discriminated against ... or that their so-called active suffrage right, their right to vote, is violated because they cannot materially access the vote. So, I don't quite understand (laughs), really, (laughs), what is the approach of the general secretary of sport in this sense ”.*

*-” Jordi Costa: Beyond the approach of the general secretary of the sport, what you are saying is that, from the club you understand that members should not be able to vote? Roman Gómez: No. The club does not understand or fail to understand anything, the club wants the rights of members to be exercised legitimately, and democratically, to be exercised.*

*JC: And how do they get prevented by voting?*

*RG: Well there's a law that says you can't.*

*JC: The law which says that an assembly cannot be held, not that it cannot be voted...*

*RG: No, no, no, no, no*

*JC: ... because on February 14 we will vote, and 6 million of people will vote (in Catalunya)...*

*RG: That's what I go for, when it says assembly, in the case of the law of sport of Catalunya... when it comes to general assembly, ... and reference is made, and it's something I would like to explain well...*

*Sonia Gelrà: Yes, but I think you have already explained this to us.*

*RG: Yes, but Sonia, we can't skip this because, eh ... Jordi says no, he's not clear...*

*The issue is to say (...) all members who are part of the FC Barcelona electorate, can be called to vote. The law, right now, says no.*

*SG: But there is an institution, which is the General Secretariat of Sport, that is telling them that they can (vote). If there is another higher law, which said that...*

*RG: What is this?*

*SG: The law you are telling me about...*

*RG: It says no” (that the vote cannot be held).*

*- “But let us be aware that this resolution, this letter, issued by Mr. Gerard Figueres, violates the law published on September 10 in the DOGC. I'm just saying that. ”*

*”JC: Complaint to the Guardia Civil...*

*RG: No complaint.*

*JC: Today La Vanguardia published that.*

*RG: La Vanguardia can say whatever they want*



*SG: It publishes the document and in the document it appears “on occasion for the complaint by Eloi Castellarnau Font ...”*

*RG: This is not a complaint from FC Barcelona*

*SG: It is the complaint of a lawyer that you have hired*

*RG: It is not true. You are not reading Barcelona’s complaint. The situation that the Guardia Civil raises, from the letter presented by FC Barcelona.*

*SG: Okay, the Guardia Civil interpreted that as a complaint*

*RG: Indeed”*

*- With the background we had (fraudulent plot to buy / sell Barça-Real Madrid tickets), it was possible to think that it could be considered that there was a similar plot, so a reinforced validation was requested at the Bureau for the vote of censorship. As the Bureau flatly refused to reinforce, even minimally, these checks, the club made it clear, there were some issues that made us squeak, because obviously the club does not have access to what would be materially in ballots or nothing, and it was revealed to the police force that it had to be, the Guardia Civil ”.*

*- “I want to stop here, because someone this morning, was wondering, with a lot of knowledge (science), eh ... why didn’t the club go to the Mossos d’Esquadra (Catalan Police) instead of the Guardia Civil (Spanish police)? Because the only thing the club does is say, think, eh, the club’s legal services. It may be that a scheme of fraud could be repeated, similar to that we encountered in that Barça-Real Madrid game The problem is that there is an ongoing investigation, in Barcelona court number 1, where the judicial police acting in that case, is the Guardia Civil. ”*

*- ”SG: Why do you see this connection between the fraudulent resale season tickets scheme and now this validation process?*

*RG: I’m not establishing a connection. I’m just saying...*

*SG: You are making a connection from the moment you say ”beware, because this has already happened, now it may be happening again”*

*RG: No, Sonia, if I do it the other way around, we’ll get to the same conclusion. If you take me on the first day of the censorship vote (when the Bureau started the validation process), it is manifested to the Chairman of the Bureau, a man who is especially sensitive to offenses, as you can see in the leaks he will make now, if he has not already leaked the Bureau’s meeting today. I say that because he leaked my letter to him, he has already leaked it, eh.*

*SG: Well, don’t suffer because we’ll ask him*

*RG: I won’t go into a fight with him because I don’t need that”.*

*" It turns out that now the Chairman of the Bureau wants ... I don't really care what he wants ... intends to equate false ballots with defective ballots (signed by members). Why? Because (laughs) he cheats! ... (he makes) intellectual traps, eh, ... understand me (laughs). He can only preach falsehoods on the basis of the defective ones. I tell you, just like the ones that are formally correct, that have a DNI, a signature, and ... maybe some of them, or some of them are false! "*

*- "... because the graphologists informed us, what they say - this is something that is so. He will say no, because he is used to it. He is retired, he says that emm ... he has a lot of experience in fraud, he had to intervene in the Catalan federation, ... I wasn't there, eh ... I don't know what Jordi Roche said, ... whatever. "*

*- "Evidence that there is a manipulation or a conspiracy to falsify, signatures in the face of the motion of censorship. Not true, there is no evidence. It is not true. The club has never said so. Evidence that tickets and season tickets have been fraudulently used to sell Barça - Real Madrid tickets at that time, if there is evidence. (...) There is a possibility that these cards, these fraudulent season tickets (...) to make or vote in favor of the Vote of Censorship, taking into account that one of the groups of those not affected is the one involved in the season ticket investigation".*

[https://play.cadenaser.com/audio/ser\\_cat\\_lagraderia\\_20201009\\_203000\\_210000  
o/?ssm=tw](https://play.cadenaser.com/audio/ser_cat_lagraderia_20201009_203000_210000/?ssm=tw)

13. On October 12, journalist Xavier Campos revealed the following on TV3's Onze program:

- "A senior executive, one of the most important, made a call to the Catalan Football Federation"
- "He told them that they had indications that of the 20,000 signatures, 5,000 were false"
- "Soteras (from the Catalan Football Federation) demanded evidence and there was no second call"

<https://twitter.com/OnzeTv3/status/1315768533314351112? S = 20>

14. On October 14, the newspaper El País published an information with the headline **"Bartomeu dilates the referendum"** which describes the following:

- **The president, Josep Maria Bartomeu, tries to gain time and expand the process** .... one of the decisions was to **order reports to discuss the feasibility** of not holding the assembly -already postponed- and **the vote of censorship**, due to the exceptional situation caused by the covid-19. **They hired external lawyers to make these reports.**

- One of the reports has been prepared by Baker McKenzie law firm. The report, which has 11 pages, is dated **September 22**. El País has had access to it. It states that at the moment, **"it is legally impossible"** to hold the vote of censorship in response to the club's consultation on whether the current regulatory restrictions may make it impossible to vote against Bartomeu.

- In the final point of the document, it is said that an amendment to the Sports Law approved on September 8 by the Generalitat **"excludes, from the general assemblies allowed at this time, those that have for the purpose of approving the vote of censorship"**. However, several pages earlier, when they cite the full article to which he refers, 31 bis, it **is seen that this limitation applies only to those held at a distance (or remote).**

<https://elpais.com/deportes/2020-10-14/bartomeu-dilata-el-referendum.html>

15. On October 25, 2020, the Generalitat de Catalunya informed FC Barcelona that there is no legal or health impediment to organize the vote of censorship on the scheduled dates, November 1st and 2nd.

<https://www.mundodeportivo.com/futbol/fc-barcelona/20201023/484243024949/generalitat-luz-verde-voto-de-censura.html>

16. On October 25, 2020, the president of FC Barcelona sends a letter to the vice-president of the Generalitat Pere Aragonés stating:

**“We understand that this new emergency regulatory framework makes the organization of a referendum even more incompatible”**

**“... I have convened an extraordinary and urgent board of directors tomorrow”**

**”... I see myself in the position to state that we will consider the term indicated by our statutes, for calling the vote and holding the vote, as interrupted.”**

<https://twitter.com/QueThilugues/status/1320686467820244993?s=20>

17. On October 26, 2020, club spokesman Josep Vives, at the press conference held after the board meeting, said:

**“Good afternoon to everyone, we start this press conference, this telematic appearance immediately after the ordinary celebration of the board of directors of FC Barcelona.”**

<https://www.marca.com/futbol/barcelona/2020/10/26/5f9707daca4741c6578b45ca.html>

18. On October 26, 2020, the president of FC Barcelona Josep Maria Bartomeu held a press conference after the ORDINARY meeting of the Board of Directors. Journalist Jordi Costa makes a clear summary of the surreal situation posed by the president, and comments on the following:

**“As the board of directors does not have authorization for the CENTRALIZED vote, because it won’t be given (by the Government, under sanitary considerations, as it became very clear that afternoon by the minister Vergés), it takes 15 days to organize a DECENTRALIZED vote, and so we are, it’s like a kind of fish biting its tail.**

**Do you give me 15 days? -> No -> Well then I have to vote centrally -> No,**

Salut doesn't authorize you to vote centrally -> Well I need 15 days -> And so we can be until Bartomeu's term ends. ”

<https://www.ccma.cat/catradio/alacarta/tot-costa/tot-costa-de-20-a-21-h-26102020/audio/1082619>

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#### IV. CONCLUSIONS

The president of FC Barcelona Josep Maria Bartomeu, with the necessary collaboration of the senior executives of the club (Roman Gómez Ponti, Pere Jansà and Jaume Masferrer) and the directors who formed part of the Bureau for the vote of censorship (Jordi Argemí and Marta Plana) have done everything possible and more, from the first day, to delay and make impossible the holding of the vote of censorship.

As of July 29, when the @elcorblaugrana platform publicly announces their willingness to file for a motion of censorship against the president of FC Barcelona and his entire board of directors, the club has carried out a series of actions with the sole purpose to **delay and boycott the holding of the vote of censorship, a statutory mechanism for members to exercise civically and democratically an internal political right, as fundamental as dismissing, and removing, an incompetent Board of Directors from the club.**

After the first ten days of collecting signatures, where more than 7,500 signatures are obtained, the club publicly announces that the next elections will be held as soon as the statutes allow, on March 20 and 21, 2021. From the club and their related media, the narrative was built as it makes no sense to make a vote of censorship just a few months before the board leaves. These considerations constitute a dirty manipulation of the club's bylaws, as the board ends its term on June 30, 2021, regardless of the day the election is held.

The distraction and demobilization maneuver does not have the expected results from the club, as the promoters of the vote obtained signatures that exceeded the 16,500 required for the vote to move forward. The club's first official reaction is one of surprise in statements made by the president: **"The board is surprised by the number of signatures. It's a high number that surprised us and the promoters"**. After their initial surprise, a gross media campaign of discredit on the signatures obtained began, assuring that more than 5000 signatures were fake. Even the newspaper La Vanguardia echoes these interested leaks by the club and goes as far as to publish the following: **"Some Barça executives and directors expect some 5,000 signatures to be invalidated. They believe they have been "bought."**

The Bureau for the vote of censorship is constituted on the last day allowed by the statutes, when it could have been constituted without problems days before. Both the Chairman of the Bureau, appointed by the Catalan Football Federation and the two promoters of the vote of censorship, had known each other since day one. The only thing needed to form the Bureau was the club appointing its 2 representatives.

Once the Bureau for the vote of censorship was set up, and the protocol for validating the signatures **was approved unanimously on the first day**, the club tried to go beyond the powers they had at the Bureau. They sent an improper letter from a democratic entity, to the Catalan Football Federation, complaining about the behavior of the Chairman of the Bureau, and blaming him for not following a more rigorous protocol for the validation of signatures, although the protocol was voted unanimously by all members of the Bureau, including 2 representatives of the club. This letter is answered with astonishment by the Catalan Football Federation, accusing the club of trying to make an **"unacceptable interference at the Bureau for the vote of censorship"**. The allegations of bad manners of the Chairman of the Bureau, at no time have the support of the club's staff involved in the validation process.

The level of paranoia and despair of the club, that led its officials to use all sorts of tricks to **destroy the popular will, that had been organized to hold a vote of censorship, came with the knowledge and approval of the president.** The presentation to a 'letter' to the Guardia Civil with assumptions, clues and vagueness that try to relate the presence of five dubious signatures, with a procedure of a fraudulent resale of season tickets in a game 2018, was one of their tricks. The intention behind this letter, which is taken as a complaint by the Guardia Civil, is none other than to **judicialize the vote of censorship and to stop it.**

The perverse use of the club's legal services to obtain benefit for their own, as the postponement of the vote of censorship for a possible police intervention, would have meant to remain in office **using a legal reasoning that has perplexed all Barcelonans and experts in criminal law, They all conclude there can be no connection between FIVE allegedly invalid or false signatures with a case of sale and rental of season tickets has been investigated for MORE THAN TWO YEARS in the Court of Instruction 1 of Barcelona.** In short, the club uses a complaint to the Guardia Civil to try to **disguise the reality, with the aim of breaching the club's statutes** regarding the procedure of the vote of censorship. The action of presenting this 'letter' to the Guardia Civil has consequences in the form of an attestation, which basically transforms that 'letter' into an official complaint. It also moves a request to the club, to present a whole series of additional information that the club transfers to the Bureau for the vote of censorship. With this requirement, the club gets the Bureau to consider the possibility of stopping the vote of censorship until the facts are clarified. However, members of the Bureau voted to stop the process, and the Club lost that vote 3 to 2, despite **the insistence of both FC Barcelona executives who are part of the table to stop the procedure.**

The complaint to the Guardia Civil is filed in writing, but with the presence of lawyer Eloi Castellarnau, before Guardia Civil lieutenant colonel Daniel Baena (head of the

reports of the general cause of October 1 with the consequent repression in the form of those sentenced to prison and exiles). This whole operation is a grotesque situation that directly violates the democratic spirit and essence of a club that holds Catalan tradition for over a century. The operation also contradicts all the values for which the club was founded, and is an attack on the waterline of what should be to be the motto of “more than a club”.

After the frustration by the defeat the club suffered, in their aims to stop the vote at the Bureau, the head of the Club’s Legal Services, Román Gómez Ponti did a media tour, being interviewed at Catalunya Radio, Radio Barcelona and RAC 1. Mr. Ponti’s arrogant and defiant attitude in all these interviews, is inappropriate for a club representative. It scratches bad manners and sets off a fan full of suspicions, assumptions, vagueness and reproaches against anyone who does not follow the line plot of the club.

Roman Gómez Ponti, in an exercise of cynicism and moral superiority, attacked the general secretary of sport Gerard Figueras, the president of the Bureau for the censorship vote Josep Maria Vallbona, and the journalist from La Vanguardia Toni Muñoz, among other personalities. The legal representative of the club, in all the interviews he has given, has not provided any evidence of any irregularity. He just talked on and on about assumptions, clues and suspicions.

Román Gomez Ponti, head of the Club’s Legal Services, consciously participates in the confusion, making mere assumptions and conjectures, when he says that **“it is very easy to scan a member card without the member’s consent”**. However, he knows perfectly well that for the signature to be valid, there is no need to scan a member card. The ballot for the vote, which members signed, does not demand to have a copy of the member card. This statement is not a slip, given that Mr. Ponti is one of the speakers of the amendment to the Estatuts approved in 2013, which



regulates the procedure of the vote of no confidence. It is a statement made on purpose, to try, in a clumsy way, to relate alleged forgery of some signatures, with the plot of fraudulent sale of season tickets for the match against Real Madrid in 2018, currently under investigation. His intention with this statement is to cast a shadow of doubt over every signature collected by the promoters of the vote. These maneuvers, more typical of dictatorial hierarchical structures, discredit him as a jurist, and should disqualify him from continuing to be the head of FC Barcelona's legal services.

If all the described actions from the club's officials hadn't been enough, the desperate plot to avoid the vote of censorship reaches its peak, when newspaper El Pais reveals that the club has hired private law firms to generate reports in favour of their cause. They paid out of the club's resources to get favorable legal reports to prevent the vote in the midst of the pandemic. This is an action that escapes the attributes of the board. It could constitute a crime of disloyal administration, based on the use of the club's funds and own resources for a particular purpose of profit of the president, which is to maintain himself in office and prevent the fundamental democratic right of the members, such as the right to vote.

In a last and desperate effort, the president sent a letter to the Generalitat's Vice President. In this letter, the president established himself as judge and part of the situation, with the aim to prevent the vote of censorship to be held. He stated in this document, that **"the new law makes even more impossible the organization of a vote"**. Bartomeu continues putting pressure on the VP, by saying, in the same letter, that he has been forced to **"hold an extraordinary and urgent meeting of the board of directors"**. However, we knew that meeting was neither urgent nor extraordinary. The spokesman of the Board, Josep Vives, specifically said when opening the press conference after the meeting, that ... **"we would like to start this**

press conference, right after the ordinary meeting of FC Barcelona's Board of Directors".

In conclusion, we have a president who, with the collaboration of club's representatives at the Bureau for the vote of censorship, and also other club's executives, have done everything in their power and beyond that, to prevent the vote from happening. More so, the president of the Club had the nerve to lie in the face of the second most important authority in Catalunya.

## **V. QUALIFICATION**

The reported facts constitute, at the very least, a presumed serious infringement of article 74 of the FC Barcelona statutes, section i) **any act aimed at preventing, disturbing, predetermining or altering the normal development of meetings of collegiate bodies of the Club, of the elections, of a vote of censure or of its respective results.**

As referred to above, these facts could also constitute one or more crimes of unfair administration, as well as various corporate crimes, so in addition to presenting this letter to this Secretariat, it will be sent to the Compliance Department, with the intent of it to take knowledge of the reported facts, and carries out the corresponding internal investigation for the appropriate legal purposes.

#### IV. PROCEDURES TO BE CARRIED OUT

I request that the following procedures be carried out:

- 1- Addition to the file of this written complaint, the one made by FC Barcelona to the Civil Guard
- 2- Addition to the file of this written complaint, the certificate by the Guardia Civil
- 3- Addition to the file of this written complaint, the request to FC Barcelona made by the Guardia Civil.
- 4- Addition to the file of this written complaint, the legal reports of Baker McKenzie hired by the club to substantiate that the vote of censure cannot be held in the middle of a pandemic
- 5- Addition to the file of this written complaint, the minutes of every meeting held by the board of directors of FC Barcelona, in the months of July, August, September and October.
- 6- Ask following people to testify as witnesses:
  - **Roman Gómez Ponti**, FC Barcelona senior executive, head of legal services
  - **Pere Jansà**, FC Barcelona senior executive, head of social area
  - **Óscar Grau** , FC Barcelona senior executive, CEO
  - **Josep Maria Vallbona** , Chairman of the Bureau for the vote of censorship
  - **Jordi Farré** , promoter of the vote of censorship
  - **Joan Manel Trayter**, Síndic of the FC Barcelona members
  - **Toni Muñoz**, journalist at La Vanguardia
  - **Xavier Campos**, journalist at the Catalan Corporation
  - **Francesc Garrig**, journalist at the Catalan Corporation, presenter of TV show "Onze"

In your virtue,

TO THE SECRETARY OF THE BOARD I PLEAD: That this complaint is admitted and the Secretary agrees to opening a case against people mentioned in this document, for serious misconduct at infringing FC Barcelona statutes.