



Manipulation of interest rates hurt NM businesses, not for profits

SANTA FE – Attorney General Hector Balderas announced \$1,362,709 million settlement with Deutsche Bank for fraudulent conduct involving the manipulation of LIBOR Oct. 25.

This is a benchmark interest rate that affects financial instruments worth trillions of dollars and has a widespread impact on global markets and consumers. The vast majority of the settlement will go to the New Mexico Finance Authority and the Office of the Attorney General's expert's opinion is that this will fully compensate NMFA and other entities in New Mexico for their losses.

"We have recovered over a million dollars for the critical work the New Mexico Finance Authority does helping our local communities improve public safety, public education, quality of life and access to clean water," Balderas said. "I will continue to hold the most powerful companies in the world accountable when they seek to harm New Mexico children, families and business, but also when they stand in the way of our state's progress improving the lives of all New Mexicans."

The investigation, conducted by a working group of 43 state attorneys general, revealed that Deutsche Bank manipulated LIBOR in a number of ways. Deutsche Bank employees improperly (a) made internal requests for LIBOR submissions to benefit Deutsche Bank's trading positions; (b) attempted to influence other banks' LIBOR submissions in a manner intended to benefit Deutsche Bank's trading positions; and (c) received communications from inter-dealer brokers and external traders attempting to influence Deutsche Bank's LIBOR submissions. At times, Deutsche Bank LIBOR submitters and supervisors expressly acknowledged and indicated they would work to implement the requests they received.

AG Balderas recovers over \$1.3 Million from Deutsche Bank

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Given this conduct, Deutsche Bank LIBOR submitters and management had strong reason to believe that Deutsche Bank's and other banks' LIBOR submissions did not reflect their true borrowing rates (as they were supposed to do pursuant to published guidelines) and that the LIBOR rates submitted by the banks did not reflect the actual borrowing costs of Deutsche Bank and other panel banks.

Deutsche Bank employees did not disclose these facts to the governmental and not-for profit counterparties with whom Deutsche Bank executed LIBOR-referenced transactions even though these rates were material terms of the transactions.

Government entities and not-for-profit organizations in New Mexico and throughout the U.S., among others, were defrauded of millions of dollars when they entered into swaps and other investment instruments with Deutsche Bank without knowing that Deutsche Bank and other banks on the U.S. Dollar (USD)-LIBOR-setting panel were manipulating LIBOR.

Governmental and not-for-profit entities with LIBOR-linked swaps and other investment contracts with Deutsche Bank will be notified if they are eligible to receive a distribution from a settlement fund of \$213.35 million. The balance of the settlement fund will be used to pay costs and expenses of the investigation and for other uses consistent with state laws.

Deutsche Bank is the second of several USD-LIBOR-setting panel banks under investigation by the state attorneys general to resolve the claims against it, and has cooperated with the investigation.

The New Mexico Office of the Attorney General benefits from the information and evidence provided by corporations that cooperate in a timely fashion with the Attorney General's investigations. Such cooperation can facilitate civil enforcement efforts, including the distributions of funds for victims of the offense.

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