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International Crimes  
Investigative Committee

**Press report**  
**20th day of proceedings on 19 July 2024 in the matter of Dr Reiner  
Füllmich before the Göttingen Regional Court**

Report not exhaustive.

The trial was scheduled to begin at 9.15 am. Katja Wörmer and Tobias Pohl were present from the defence. The defence lawyers were initially given a quarter of an hour to discuss the case. For this reason, the trial started about half an hour later.

After the hearing began, the first thing that was noted was the completion of the self-reading procedure for the documents that Ms Wörmer had submitted with her motions for evidence in the previous week. She immediately objected to this on the grounds that her colleague Dr Christof Miseré had not been present last week due to illness and would be on holiday this week. He had therefore not been able to take note of the documents submitted. The chamber then withdrew for a quarter of an hour to deliberate. The decision was then announced that the self-reading procedure would nevertheless be deemed to have been carried out with regard to these documents, as Dr Christof Miseré had received the documents in the meantime via the "special electronic lawyers' mailbox" (beA) when he was not yet on holiday, so that he could have taken note of them.

The presiding judge then read out the ruling rejecting the motions for evidence submitted last week, on 10 and 12 July 2024. Some of these had been submitted in writing by the defence and Dr Reiner Füllmich and dictated into the minutes.

All motions for evidence were again rejected, with the exception of the documents mentioned above, which were introduced into the proceedings on the day of the trial in a self-reading procedure. These were Annex 3 to the criminal complaint, an email from Dr Reiner Füllmich dated 26 August 2022, the defendant's curriculum vitae and an affidavit by Dr Reiner Füllmich in which he again confirmed that he had secured the loan amounts in his property in Göttingen as a store of value from the outset and that the loans had never been a liquidity reserve.

The court's decision to reject the evidence comprised a total of 27 pages. The reading of the same by the chairman took a correspondingly long time. Following this, the chairman explained that the chamber would consider only admitting motions to submit evidence in writing in future and no longer as oral readings and minutes in the main hearing.

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The parties to the trial were able to comment on this. The defence, in this case Katja Wörmer, representing the defendant and the other defence lawyers, stated that this would be diametrically opposed to the principle of publicity in criminal proceedings, as they would no longer be aware of the content of the motions for evidence if they were no longer made orally, read out and recorded. This circumstance would blatantly violate the principle of publicity in criminal proceedings. In addition, this procedure would once again prove that the chamber was not prepared to clarify the facts further by taking evidence, but instead wanted to end the proceedings as quickly as possible for irrelevant reasons. In this respect, the defendant's right to be heard would be inadmissibly curtailed.

The chamber retired to deliberate. This meant another quarter-hour break in the proceedings. The defendant was allowed to stay with his defence lawyers during all breaks in the courtroom today and was not shackled and taken to the cell rooms below the court building, which was a considerable relief for him. This also gave him the opportunity to consult in detail with both defence lawyers again in the meantime.

After the break, the decision was announced and also submitted in writing that future motions for evidence by the defence and the defendant should be submitted in writing. This would serve to speed up the proceedings. The chamber's evidence programme had been completed since 3 May 2024. No further evidence would be deemed necessary *ex officio*. A subsequent deadline set for the defence and the accused to submit motions for evidence had also already expired. Despite this, the chamber had, according to its own statements, been kind enough to decide in detail on all motions for evidence submitted outside the deadline. For reasons of time and in order to speed up the proceedings, written applications for evidence would therefore be ordered in future. In terms of content, this is similar to the self-reading procedure. Alternatively, the presiding judge would read out the motions for evidence submitted in writing himself during the main hearing.

After the order to take evidence had been read out, Ms Wörmer then filed a motion, which had already been announced and could not be postponed, to recuse all the judges of the 5th Commercial Criminal Chamber on the grounds of apprehension of bias. The members of the chamber were listed by name. The presiding judge Schindler, judge at the regional court Wedekamp, judge at the regional court Hook and both lay assessors Horn and Voß were rejected by the defendant Dr Reiner Füllmich.

The motion was not substantiated today. The Chairman has set a deadline of 22 July 2024 for the written justification of the motion to recuse.

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Defence counsel Pohl then pointed out that he would be on holiday for the next two weeks and that his holiday, which had been communicated before the appointment, had not been taken into account. His colleague Dr Christof Miseré had also informed the chamber of his absence today between the days of the hearing and pointed out in good time that he would be absent next week due to holiday and on 31 July 2024 from noon due to a collision date.

The Chamber did not take into account the scheduling of the other two defence lawyers despite the information provided.

Attorney Frank Großenbach has filed an application for an adhesion judgement on behalf of Viviane Fischer, which has yet to be decided.

The chairman interrupted the main hearing at around 12:00 noon. The continuation date is 25/07/2024 at 9:15 a.m.

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