

Attorneys**Partner**

• Robert W. Ray

Partner Robert Ray Quoted by Washington Post and L.A. Times in Article About UBS Disclosure of Secret Account Holders

Pryor Cashman Litigation Partner Robert Ray was quoted by both *The Washington Post* and *The Los Angeles Times* in recent articles about the announcement by UBS that is going to divulge the names of 4,450 secret account holders.

U.S. officials said on August 19, 2009 that the Swiss government will turn over names of suspected U.S. tax dodgers who have held 4,450 secret accounts at banking giant UBS – accounts that at one point together contained as much as \$18 billion. Furthermore, the Swiss government promised to assist Washington in similar investigations at other Swiss banks.

The articles note that some UBS customers have taken advantage of a leniency program that allows them to come forward to the IRS in exchange for reduced penalties. That program, which began in March, expires September 23, 2009. When asked about the leniency program, Ray said: "You really have to think about whether you want to stick your head out and do this, or make the calculated judgment that your name is not going to be disclosed." He said some of his clients had taken advantage of the leniency program, but others were waiting on the sidelines to see what they should do.

Ray said that one complicating factor is that it is not clear how the names are being chosen. "I think there might be some clients who would have otherwise taken comfort in the fact that 'Well, my account is, relatively speaking, small. So if we're talking about a select number of names being turned over by the Swiss government, I don't really have anything to worry about.' But if this, for example, is a random sampling . . . would you want to take that risk? I think it's a complicated question. I think this was carefully constructed that way to put people precisely in that situation – really run in fear. Because it's likely to lead more people than are actually capture-able to come forward and do what they should do."

To read the August 20, 2009 article in *The Los Angeles Times* entitled "Swiss bank UBS to divulge names of 4,450 secret account holders," please [click here](#).

To read the August 20, 2009 article in *The Washington Post* entitled "Deal Marks End Of An Era For Swiss Banking," please [click here](#).