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Southern District of New York*

FOR IMMEDIATE RELEASE  
JANUARY 15, 2004

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**U.S. SEIZES ARTWORK STOLEN FROM ROME MUSEUM**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, and MARTIN D. FICKE, the Acting Special Agent in Charge, New York, Department of Homeland Security Bureau of Immigration and Customs Enforcement, announced today that the Government has seized a marble portrait of a Roman emperor that was stolen from the Capitoline Museum in Rome in January 1998.

According to a civil forfeiture Complaint filed today in support of the seizure in Manhattan federal court, the artwork, known as a colossal Roman marble portrait of the Emperor Trajan, was consigned by a collector located in Linz, Austria, to Christie's in New York for inclusion in its December 11, 2003, antiquities auction. According to the Complaint, the consignor advised Christie's at the time that the piece came from his personal collection, and that he inherited it from his father who

had acquired it in 1932 in Munich. The sale price was estimated by Christie's to be between \$250,000 and \$350,000.

The Complaint alleges that according to a scholarly volume published in 1926, the marble portrait was recorded in an inventory of the collections of the Capitoline Museum in Rome conducted in 1627. The Complaint states that the marble portrait was probably a modern (i.e, post-ancient) work.

According to the Complaint, the marble portrait was reported stolen from a closed storage area at the Capitoline Museum on January 27, 1998. The police report stated that the thieves removed the marble portrait from a molded base which was left behind.

According to the Complaint, in August 2003, Christie's imported the defendant-in-rem marble portrait from Austria through United States Customs at John F. Kennedy International Airport. The defendant-in-rem marble portrait was then sold at the December 11, 2003, auction, but pursuant to Government request, it has remained at Christie's until the present. The Complaint states that Italian law enforcement authorities have requested the assistance of the United States government in recovering the artwork.

The Complaint seeks the forfeiture of the marble portrait pursuant to the Cultural Property Implementation Act ("CPIA"), a federal law enacted in 1983. The CPIA provides

for the seizure, forfeiture and return of items stolen from a museum of any country which is a member of an international convention prohibiting the trafficking in illicit cultural property. According to the Complaint, Italy became a party to that convention in 1979.

Mr. KELLEY praised the United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement, for its outstanding investigation of this case. Mr. KELLEY also thanked the Italian Carabinieri and Christie's for their cooperation and assistance in this matter.

Assistant United States Attorney EVAN T. BARR is in charge of the case.

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