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7 8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE	
9	UNITED STATES OF AMERICA, )	CASE NO. M 7 10 - 209
10	Plaintiff, )	
11	v. )	COMPLAINT for VIOLATION of Title 18, United States Code,
12	JERRY H. CHRISTY  a/k/a Nick Natti,  CEORGIA CHRYGTY	Section 371
13 14	GEORGIA CHRIŚTY ) a/k/a Monica Natti and, ) KURT LIDTKE	
15	Defendants.	
16		
17	BEFORE Mary Alice Theiler, United States Magistrate Judge, United States Courthouse, 700 Stewart Street, Seattle, Washington	
18		
19	COUNT ONE (Conspiracy to Transport Stolen Property in Interstate Commerce)	
20	Beginning in or about December 2007, and continuing until on or about May 9,	
21	2010 at Granite Falls and elsewhere, within the Western District of Washington, JERRY	
22	H. CHRISTY, GEORGIA CHRISTY, and KURT LIDTKE did willfully and knowingly	
<ul><li>23</li><li>24</li></ul>	combine, conspire, and agree to commit an offense against the United States, that is:	
25	interstate transportation of stolen property, in violation of Title 18, United States Code,	
26	Section 2314.	
27	The Purpose of the Conspiracy	
28	The purpose of the conspiracy was to steal valuable artwork by committing	
20	residential burglaries and to sell the stolen equipment to a purchaser outside the State of	

Washington. The stolen equipment was then transported, transmitted, and transferred to the purchaser, either in person or through the use of private commercial carriers, such as Federal Express Corporation.

## Overt Acts

In furtherance of the conspiracy, and to accomplish the object of conspiracy, the defendants committed or caused to be committed one or more of the following overt acts:

- 1. On or about January 3, 2008, GEORGIA CHRISTY transported a stolen Rembrandt etching titled "The Return of the Prodigal Son" from the State of Washington to Janzten Beach, Oregon.
- 2. Sometime between January 2010 and March 2010, KURT LIDTKE caused a stolen bronze sculpture by Jean Arp to be transported from the State of Washington to Bozeman, Montana.
- 3. On or about April 30, 2010, JERRY CHRISTY conducted surveillance of a residence in Seattle, Washington, that he intended to burgle and from which he intended to steal valuable artwork.

All in violation of Title 18, United States Code, Section 371.

The undersigned complainant, being duly sworn, states:

- 1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and currently am assigned to the Wenatchee, Washington, Resident Agency of the FBI. I have been assigned to the Wenatchee office of the FBI for over 8 years, and have been employed with the FBI for over 22 years. I currently am conducting an investigation of Jerry H. (Hugh) Christy, a/k/a Nick Natti, Georgia Christy, a/k/a Monica Natti, and Kurt Lidtke for interstate transportation of stolen goods in violation of 18 U.S.C. § 2314 and conspiracy in violation of 18 U.S.C. § 371. The information contained in this affidavit is based upon my investigation, and upon information provided to me, and my review of reports prepared, by others.
- 2. During January 2004, a burglary occurred at a residence in Spokane, Washington. Among the items taken during the burglary was a painting by J.G. Brown

titled "A Boy and His Dog." In either October or November of 2005, a man who said his name was Hugh Carter contacted the owner of an art gallery in Omak, Washington. Carter met with the gallery owner and discussed the J.G. Brown painting. In December 2005, following further discussions and negotiations, the gallery owner purchased the painting from Carter for \$7,000.

- 3. In 2007, a New York Field Office Special Agent assigned to the FBI Art Crime Team, recovered the J.G. Brown painting and identified it as stolen. FBI Special Agents subsequently traced the painting back to the gallery owner and interviewed him/her. On September 11, 2007, law enforcement agents showed the gallery owner photographs of Hugh Christy. The gallery owner identified Hugh Christy as being the man whom he/she knew as Hugh Carter. Hugh Christy's criminal history includes 10 felony convictions, four of which are for possession of stolen property, residential burglary, attempted residential burglary, and trafficking in stolen property.
- 4. On November 24, 2007, a burglary occurred at a residence in Sammamish, Washington. Among the items taken was an etching by Rembrandt titled "The Return of the Prodigal Son." The etching's owner subsequently was paid \$20,000 by his/her insurance company to cover his/her loss.
- 5. During December 2007, through the use of a confidential source, Hugh Christy was given contact information for an FBI Undercover Employee (the UCE) in Oregon. Hugh Christy subsequently telephoned the UCE. The UCE and Hugh Christy had a number of telephone calls during which they negotiated the sale by Hugh Christy of the Rembrandt etching. Hugh Christy arranged for Georgia Christy to deliver the painting to the UCE in Oregon on January 3, 2008.
- 6. On January 3, 2008, Georgia Christy in fact delivered the Rembrandt etching to the UCE in Portland, Oregon. The UCE made out a receipt for \$5,000 to Georgia Christy at an address that she provided, namely, P.O. Box 853, Granite Falls, Washington. Georgia Christy was driving a white Nissan Maxima, with Washington State license 494 VST. Washington State licensing records indicated that Georgia Christy was the owner of that vehicle, with a Soap Lake, Washington, address. The UCE

subsequently caused \$5,000 to be deposited into a Washington Mutual Bank account provided by Georgia Christy to pay for the painting.

- 7. The Rembrandt etching purchased by the UCE has been shown to the person whose residence was burgled on November 24, 2007. That person identified the frame as being the frame from his/her etching. That person believed that the lines of the etching purchased by the UCE were lighter than the lines of his/her etching, and, as a result, suggested that the etching shown to him/her may have been a copy, rather than the original etching stolen from him/her.
- 8. On January 27, 2009, Georgia Christy met with the UCE in Portland, Oregon. During the meeting, Christy provided the UCE with a Greek bust. The UCE gave Georgia Christy a \$1,000 money order to pay for the bust. To date, investigators have not been able to determine whether this bust is stolen artwork. Christy was driving a gray Nissan Xterra, with Washington license plate number 029 ZNR. Washington State vehicle registration records indicate that that vehicle is registered to Georgia Christy at 20722 133<sup>rd</sup> Street, #B, Granite Falls, Washington.
- 9. During the course of her dealings with the UCE, Georgia Christy told the UCE that Hugh Christy was traveling out of state. In fact, at the time that Georgia Christy said this, Hugh Christy was serving a prison sentence in the Washington Department of Corrections for a conviction for theft in the second degree.
- 10. On November 5, 2009, a burglary occurred at a residence in Seattle, Washington. Thirteen paintings and a sculpture were reported stolen during the burglary. Among the paintings stolen were a Morris Graves painting titled "Minnow," a Morris Graves painting titled "Winter Flower," and a Mark Tobey painting titled "New York IV." Art experts have valued the two Morris Grave paintings and the Mark Tobey painting collectively at approximately \$190,000. Other works of art stolen during this burglary include two paintings by Kenneth Callahan, three paintings by Guy Anderson, and a sculpture by Jean Arp.
- 11. During January 2010, the UCE had a number of telephone conversations with Georgia Christy. During these conversations, the UCE either telephoned Georgia

Christy at, or received telephone calls from Georgia Christy that originated from, two telephone numbers: (360) 691-9857, a landline, and (360) 348-2287, a cellular telephone number. According to Accurint, a public records database, both telephone numbers are subscribed to by Georgia Christy.

- 12. On January 15, 2010, the UCE told Georgia Christy that he/she had learned that the Rembrandt etching might have been stolen, and asked for guidance in handling the matter. Georgia Christy responded that neither she nor Hugh Christy knew it was stolen. Georgia Christy also stated that Hugh Christy had traded a 1932 Chevrolet for the painting. On January 20, 2010, the UCE told Georgia Christy that the etching had definitely been stolen and that the collector to whom the UCE supposedly had sold the etching was returning it to the UCE. The UCE asked Georgia Christy what he/she should do with the etching. Georgia Christy stated that "[m]orally it should go back," but ultimately instructed the UCE to resell the etching. Georgia Christy also stated "we never had this conversation."
- 13. On February 17 and 18, 2010, a telephone number used by the UCE only for undercover work, and which the UCE had used in dealing with the Christys, received eight telephone calls, all of which went to voice mail, from an individual who identified himself as Victor. Victor stated that he was aware that the UCE dealt in art work, and that Victor had works by Mark Tobey and Morris Graves available. Victor indicated that his involvement needed to be kept a secret, that he needed to be paid in cash, and that he wanted the paintings to disappear.
- 14. On February 17, 2010, an individual identifying himself as Martin also left the UCE a message. Martin stated that he was Victor's driver and that the opportunity presented by Victor was a good opportunity, one that he described as "a pot of gold." Based on caller identification on the UCE's phone, the calls from Victor and Martin all originated from telephone number (360) 722-1840.
- 15. On February 18, 2010, the UCE was contacted by Kurt Lidtke. Lidtke left a message stating that he had some paintings for sale. Based on caller identification, the call from Lidtke originated from telephone number from (206) 498-6874. Lidtke stated,

however, that he could be reached at (206) 498-6101. Lidtke formerly operated an art gallery in Seattle, Washington by the name of Kurt Lidtke Galleries. In 2007, Lidtke was convicted of nine counts of theft in the first degree relating to the theft of art. Lidtke also was sued successfully by owners of art consigned to him that he had sold without forwarding the proceeds of the sale to the owner. Lidtke was sentenced to 36 months in prison, and served his term in the Washington Department of Corrections. According to the Washington Department of Corrections, Lidtke and Christy were cellmates at the Washington State Prison at Monroe, Washington.

- 16. On February 21, 2010, the UCE telephoned Victor at (360) 722-1840. Victor told the UCE that he had two paintings by Morris Graves and one painting by Mark Tobey available for immediate sale, and that he could obtain other paintings upon request. Victor stated that he was in Bellevue, Washington, and offered to deliver the paintings to the UCE in Portland, Oregon. The UCE and Victor ultimately agreed that Victor would send photographs of the paintings instead.
- 17. On February 24, 2010, the UCE telephoned Lidtke at (206) 498-6874. Lidtke stated that he had had someone send the pictures of the two Morris Graves paintings and the Mark Tobey painting. The UCE responded that he was confused that he was talking about the paintings on the phone associated with Lidtke rather than that associated with Victor. Lidtke responded jokingly "Kurt who?" and told the UCE that the other phone no longer worked. Since February 24, 2010, the UCE has not had any further contact with "Victor" or "Martin." Based on the content of the conversations, and on Victor's and Lidtke's voices, the UCE believes that Victor and Lidtke are the same person. Since February 24, 2010, the UCE has had large numbers of conversations, and exchanged large numbers of text messages, with Lidtke, all at (206) 498-6874.
- 18. On March 4, 2010, the UCE received a telephone call from Lidtke. Lidtke told the UCE that he would be in Portland the following week and would be available to drop off the Morris Graves and Mark Tobey paintings. On March 9, 2010, Lidtke in fact delivered two paintings by Morris Graves and one by Mark Tobey to a mail-receiving location in Portland, Oregon. Lidtke was observed by surveillance making the delivery.

Lidtke arrived at the mail-receiving location driving a burgundy Ford F150 pick up with a canopy, bearing Oregon license plate ZCD 168. Oregon State licensing records list the registered owner of this vehicle as Donald Earl Lidtke, at an address in Salem, Oregon. Lidtke was observed retrieving a package from the bed area of the pick up and carrying it into the mail-receiving location.

- 19. On March 10, 2010, the UCE retrieved the paintings from the mail-delivery location. The paintings were Morris Graves' "Minnow," Morris Graves' "Winter Flower," and Mark Tobey's "New York IV." The three paintings have since been authenticated and have been identified as three of the paintings stolen during the November 5, 2009, burglary. That same day, Lidtke sent the UCE a text message that stated "the sooner I have \$ the sooner i can have more art in the pipeline . . . I am not working alone."
- 20. On March 15, 2010, the UCE had a series of telephone conversations with Lidtke. During these calls, Lidtke stated that he had access to "everything" because of people he had met while incarcerated. Lidtke also stated "it's also the Department of Corrections sort of mistake. They locked me up with a bunch of criminals. And, and, I can say hay go get that painting for me, you know, and they do. Crazy, it's crazy." Lidtke also stated that Hugh Christy had been his cellmate in prison for two years. Lidtke stated that Hugh Christy did not have anything else, but that Lidtke was "steering him in the direction we need to go."
- 21. When the UCE asked during those conversations what other paintings might be available, Lidtke suggested Daphnis and Chloe prints by Marc Chagall. Lidtke responded to the UCE's inquiry about a particular painting by stating "It's not for sale. I mean I'm going to have to go get it . . . if you know what I mean." Lidtke also ultimately stated that the person from whom he had gotten the paintings he had delivered to the UCE was a burglar, and that the paintings came from the burglary of a residence. Lidtke stated that he was going to Bozeman, Montana, to do farrier work, and that he could find the UCE a lot of stolen art work if the UCE wanted it.

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- 22. On March 16, 2010, the UCE sent Lidtke a text message asking if \$30,000 -35,000 was an acceptable price for the Tobey painting, and Lidtke responded "that would work." On March 18, 2010, Lidtke sent the UCE a text message asking if the UCE "could you use a renior [sic] print entitled the pinning of the hat\$." The UCE declined the offer.
- 23. On March 21, 2010, Lidtke sent the UCE a text message stating that "the next tobeys in the pipeline are white tablet and blossoming." In a follow-up text message, Lidtke indicated that these paintings were owned by S.P. and M.P., and that he thought S.P. would soon pass away. The UCE sent Lidtke a text message informing Lidtke that S.P. died in 2006. Lidtke responded in another text message "even better." The UCE understood from this exchange that Lidtke intended to steal these paintings, rather than buy them from M.P.
- 24. Also on March 21, 2010, Lidtke sent the UCE a text message stating that he had "a bunch of callahans andersons and an arp sculpture in the pipeline." This list of art matches art stolen during the November 5, 2009, burglary. Lidtke also sent the UCE a text message indicating that the UCE "can have once I receive." The UCE understood that this meant that Lidtke would deliver these works to the UCE, in Oregon, for possible purchase by the UCE, following the UCE's payment to Lidtke for the Mark Tobey painting.
- On March 24, 2010, law enforcement agents obtained an order for a pen register and a trap-and-trace device from this Court for telephone numbers (206) 498-6874 and (360) 722-1840, the two numbers used by Lidtke in his contacts with the UCE. Pen register activity on telephone number (206) 498-6874, indicates 23 telephone calls to telephone number (360) 691-9857 and three calls to telephone number (360) 348-2287, between March 25, 2010 and April 28, 2010. These are the two telephone numbers at which the UCE contacted Georgia Christy during January 2010. In many cases, these calls took place on the same day as calls between the UCE and Lidtke. The pen register shows minimal, if any, activity for phone number (360) 722-1840.

- 26. On March 25, 2010, Lidtke and the UCE met in Lake Oswego, Oregon. Lidtke showed up at the meeting driving the burgundy Ford F150 pick up with a canopy, bearing Oregon license plate ZCD 168. During the meeting, the UCE paid Lidtke \$35,000 in cash, using pre-recorded \$100 bills, for the Mark Tobey painting.
- 27. On March 28, 2010, during communications with the UCE, Lidtke stated that "his guy" had a Renoir print and that "his guy" was "also working on chagall daphne and chloe prints among others," and gave the UCE a one-month time frame that they would be obtained. On March 29, 2010, Lidtke sent a text message to the UCE regarding the UCE's payment for the two Morris Graves paintings. That text message stated "mr. x phoned looking for a timeline on the graves \$." Later that day, Lidtke sent another text message from the same number that stated "it goes from me to him . . . is the \$ available for the Graves."
- 28. On March 30, 2010, Lidtke sent the UCE a bronze Jean Arp bronze sculpture by Federal Express. This sculpture appears to be the Jean Arp sculpture that was taken in the residential burglary on November 5, 2009. Lidtke sent the sculpture to the UCE at an address in Portland, Oregon. Lidtke suggested in communications with the UCE that the sculpture was being mailed from Bozeman, Montana, to the UCE in Portland, Oregon, and Federal Express records for the package's tracking number confirm that the package was shipped from Bozeman, Montana (although the return address listed on the shipping label, in Seattle, Washington, belongs to Lidtke's sister).
- 29. On March 31, 2010, Lidtke sent a text message to the UCE that stated "friend getting antsy please overnight some \$ when available" and provided an address in Montana to which to send money. The address Lidtke provided to the UCE was an address at a hotel in Bozeman, Montana. Since that date, the UCE has made eight payments, each comprising \$5,000 in pre-recorded \$100 bills, to Lidtke to purchase the two Morris Graves paintings for a total of \$40,000. The UCE sent these payments to Lidtke at the address Lidtke provided. Investigation by FBI Special Agents in Bozeman, Montana since March 31, 2010 has confirmed that Lidtke has enrolled in school in Montana. In addition, Special Agents have observed the burgundy Ford F150 pick up

with a canopy, bearing Oregon license plate ZCD 168, parked in the hotel parking lot as recently as May 4, 2010. In addition, Special Agents made a pretext telephone call to the hotel, asked for Kurt Lidtke, and were connected to a room.

- 30. On April 3, 2010, during a telephone conversation with the UCE, Lidtke stated that his associate was working on three different situations, which could result in art work by Pierre-Auguste Renoir, Mark Tobey, Morris Graves, Deborah Butterfield, Pablo Picasso, Jasper Johns, Henel Frankenthaler, and others. Lidtke stated that his associate worked alone, loads up his car in the garage, and drives away.
- 31. On April 12, 2010, the UCE sent Lidtke a text message asking "was the arp damaged with the minnow. If so im going to put them in two different collections." The UCE understood from his prior communications with Lidtke that the two men use the term "damaged" to mean "stolen." Thus, the UCE understood that his text message was asking whether the Jean Arp sculpture had been stolen at the same time as Morris Graves' painting titled "Minnow." Lidtke's text message responding to the UCE stated simply "si."
- 32. On April 13, 2010, Lidtke sent two text messages to the UCE. Those text messages stated "i am doing everything i can 2 encourage my friend to work . . . if u had a buyer lined up 4 the big blossoming that would help . . . . u would have 2 use your wizards skill 2 make it disappear."
- 33. On April 14, 2010, Lidtke exchanged a series of text messages with the UCE. One of Lidtke's messages instructed the UCE to "keep the [money] coming as fast as possible . . . the guy with the art is a pot smoker (i am not) so i am doing what i can to motivate him." Lidtke also responded to a message from the UCE expressing concern about fake Marc Chagall prints by sending another stating "i can guarentee [sic] these . . they r in a collection surrounded by graves tobeys jacob lawrence in a mansion on lake washington . . . guarentee." Lidtke stated in a subsequent text message that his guy was "watching several [mansions]."
- 34. On April 27, 2010, Lidtke exchanged a series of text messages with the UCE. In one of his messages, Lidtke advised the UCE that "these pics r insured and have

- 2 b buried. In a subsequent message, the UCE asked Lidtke "[a]ny updates on your end?" Lidtke responded "this weekend is d day." The UCE understood that Hugh Christy intended to commit an art burglary on the weekend of May 1, 2010, perhaps at the residence of M.P.
- 35. On April 29, 2010, Lidtke exchanged a series of text messages with the UCE. In one message, Lidtke advised the UCE that "the big t is illus. in your book…burst of spring." The UCE understood that Lidtke was referencing a Mark Tobey painting that was illustrated in a book in the possession of the UCE, a painting Lidtke previously had referred to as "blossoming" and suggested belonged to M.P.
- 36. On April 30, 2010, I traveled to M.P.'s residence to prepare countermeasures to document, deter, and defeat any attempt by Christy to burglarize the residence. I observed a small white pick up with a lone male occupant parked approximately 30 40 yards from the residence on a hill overlooking the residence. I asked Seattle Police Department Officers Mike Washington and Laurie Aagard to make contact with the individual. The officers identified the individual as Nick Natti, of Granite Falls, Washington. The vehicle was identified as a white Ford Ranger pick-up, with a temporary license plate and VIN# 1FTYR10U22PA112711. In the bed of the pickup, Officer Aagard observed a number of large flat cardboard boxes of sizes that could be used to transport pictures. Natti provided the officers an excuse to justify his presence and was allowed to depart the area.
- 37. After Natti left the neighborhood, M.P. allowed me to observe some of her artwork, which included Mark Tobey's "Burst of Spring," Mark Tobey's "White Tablet," a Mark Chagall lithograph from the Daphnis & Chloe series, and a Renoir lithograph titled "Pinning of the Hat." Each of these four paintings was referenced specifically by Lidtke in previous telephone conversations or text-messaging conversations with the UCE.
- 38. I have examined a photograph of Nick Natti obtained from the Department of Licensing, as well as photographs of Hugh Christy. Based upon the obvious similarities of the photographs, as well as other information I have obtained during the

course of my investigation, I believe that Nick Natti and Hugh Christy are one and the same person. Thus, I believe that Hugh Christy was in M.P.'s neighborhood on April 30, 2010, performing surveillance in preparation for a contemplated burglary of M.P.'s residence.

- 39. On May 1, 2010, the UCE received a telephone call from Lidtke. Lidtke stated "I talked to my friend this morning. I mean I shouldn't laugh because it's totally fucked up. He went over to his rendevous spot, sat there for a couple of minutes in his vehicle and the next thing he knew he was surrounded by police." Lidtke further stated "they must have seen his car there before or something. I don't know exactly what happened. It scared the shit out of him. . . . [S]o the situation is not happening and I'm pointing him in another direction . . . . Fortunately he hadn't done anything so they can't do anything but it still shakes you up a little bit. . . . So anyway, that's a total disappointment but there's definitely so much stuff out there. Tonight he's going out tonight and look at some other stuff."
- 40. On May 4, 2010, the UCE and Lidtke exchanged a series of text messages. Lidtke stated in his text messages that he was sending the UCE a total of 8 or 9 paintings, including "kc and ga," "tobey," and "another anderson." I believe many of these paintings will prove to be paintings stolen during the November 5, 2009 burglary. Lidtke also stated "i think this has been a good lesson for him ie don't camp out so long...it should also speed things up," "plse send some asap . . . hes sweating me because of the screw up last weekend . . . will size up the graves bird this weekend." I believe the last phrase partially identifies a Morris Graves painting that Lidtke and Hugh Christy are targeting for theft. Thus, I believe that, although Lidtke and Hugh Christy were deterred from committing a burglary at M.P.'s residence, they have not been deterred from continuing to seek additional residences for future burglaries.