

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
By: ANDREW C. ADAMS  
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New York, New York 10007  
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COPY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: THE VIOLIN KNOWN AND DESCRIBED AS  
THE "AMES STRADIVARIUS," CONSTRUCTED IN  
OR ABOUT 1734 BY ANTONIO STRADIVARI,

: STIPULATION AND ORDER

: 15 Misc.

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Defendant-in-Rem.

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WHEREAS, the Federal Bureau of Investigations (the "FBI") and the United States  
Attorney's Office ("USAO") have determined the following facts:

(a) The violin that forms the subject of this Stipulation and Order is alleged to be the  
"Ames Stradivarius," a violin created in or about 1734 by luthier Antonio Stradivari of Cremona  
(hereinafter referred to as the "Ames Stradivarius");

(b) In or about May 1980, the Ames Stradivarius was the property of Roman  
Totenberg, a renowned violinist who was, at that time, the Director of the Longy School of  
Music in Cambridge, Massachusetts;

(c) In or about May 1980, following a performance by Totenberg at the Longy School, the Ames Stradivarius was taken without Totenberg's permission or knowledge and was at no point thereafter returned to Totenberg;

(d) On or about June 26, 2015, at a hotel located in Manhattan, New York (the "Hotel"), an individual ("Individual-1") presented the Ames Stradivarius to an appraiser (the "Appraiser") for the purpose of appraising the value of the Ames Stradivarius;

(e) Subsequently, and also on or about June 26, 2015, while still at the Hotel, the Appraiser alerted the FBI that he believed that the violin presented for appraisal by Individual-1 was, in fact, the Ames Stradivarius;

(f) Thereafter, and also on or about June 26, 2015, Individual-1 voluntarily relinquished the Ames Stradivarius to the custody of the FBI;

(g) Individual-1 has agreed to voluntarily relinquish all right, title, and interest she may have in the Ames Stradivarius and take such steps as are necessary for the FBI to return the Ames Stradivarius to its rightful owner(s);

(h) Totenberg passed away in or about May 2012, survived by his heirs, Nina Totenberg, Jill Totenberg and Amy Totenberg (the "Totenberg Heirs" or "Heirs"); and

WHEREAS, the USAO, the FBI, and the Totenberg Heirs have agreed that the Ames Stradivarius should be returned to the Heirs,

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties, as follows:

1. The United States shall transfer the Ames Stradivarius to the Totenberg Heirs.
2. The Totenberg Heirs represent that, to their knowledge, no other entity or

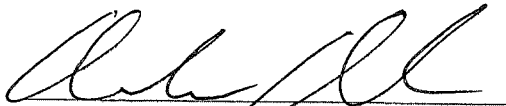
individual holds an interest in the Ames Stradivarius that was the property of Totenberg until its theft in or about May 1980, and that they agree to hold harmless the United States and any and all of its agents, contractors, and employees (including, without limitation, the FBI and the USAO) from any and all claims, including any claims by third-parties, in connection with or arising out of the United States' transfer of the Ames Stradivarius to the Totenberg Heirs.

3. The signature page of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. Fax, scanned and emailed copies shall be treated as originals.

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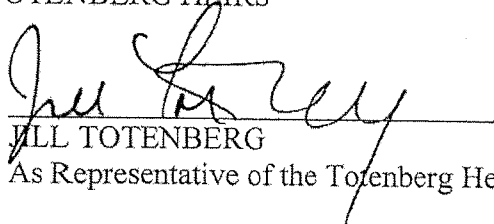
4. This Stipulation and Order represents the complete agreement of the parties and cannot be amended without written consent of all the parties to this Stipulation and Order.

Agreed and consented to:  
PREET BHARARA  
United States Attorney for the  
Southern District of New York

By:   
ANDREW C. ADAMS  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
Tel. (212) 637-2340

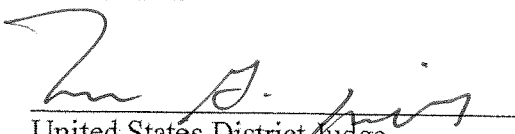
8/3/2015  
Date

THE TOTENBERG HEIRS

By:   
JILL TOTENBERG  
As Representative of the Totenberg Heirs

7/29/2015  
Date

So Ordered:

  
United States District Judge  
Southern District of New York  
Part I

Aug 5, 2015  
Date