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PREET BHARARA
United States Attorney for the
Southern District of New York
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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.

:
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;

- (c) In or about May 1980, following a performance by Totenberg in Cambridge, Massachusetts, 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, Thanh Tran presented the Ames Stradivarius to an individual for the purpose of appraising the value of the Ames Stradivarius.
- (e) Subsequently, and also on or about June 26, 2015, Tran voluntarily relinquished the Ames Stradivarius to the custody of the FBI;

WHEREAS, Tran represents that she received the Ames Stradivarius from her former spouse prior to his death, and that she did not have knowledge, at the time of her receipt of the Ames Stradivarius or at any other time prior to being contacted by the FBI, that the Ames Stradivarius was stolen;

WHEREAS, Tran wishes to have the Ames Stradivarius returned to the rightful owner(s) and 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);

WHEREAS, the USAO, the FBI, and Tran have determined that the Ames Stradivarius should be returned to the rightful owner(s); and

WHEREAS, Tran voluntarily tenders the Ames Stradivarius to the FBI, so that the Ames Stradivarius may be returned to the rightful owner(s);

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

1. Tran voluntarily relinquishes all of her right, title and interest in the Ames Stradivarius.

2. Tran represents that, to her knowledge, no other individual holds an interest in the Ames Stradivarius that her former spouse left in the possession of Tran, and that she agrees 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 in connection with or arising out of the United States' transfer of the Ames Stradivarius to the rightful owner.

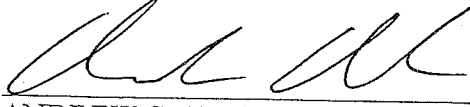
3. This Stipulation and Order shall in no way be deemed an admission of culpability, liability, or guilt on behalf of Tran or any of her agents, officers or employees, past and present.

4. 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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6. 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

8/3/2015
Date

Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
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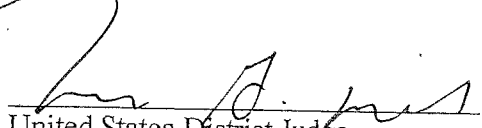
Thanh Tran



By: 
THANH TRAN

7-20-2015
Date

So Ordered:


United States District Judge
Southern District of New York
Part I

Aug 5, 2015
Date