

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re Request from the Italian Republic
Pursuant to the Treaty Between the
United States of America and the
Italian Republic on Mutual Assistance
in Criminal Matters

No. 8:12-MJ-1185TGW

**MOTION TO RETURN COMMISSION
AND UNSEAL THE ASSOCIATED PLEADINGS**

The Commissioner seeks to return the Commission granted to him by the Court and to unseal the pleadings related to the case. The government has successfully recovered a stolen illuminated manuscript, identified as page 212 from the Missal of Ludovico da Romagnano, known as the "San Lorenzo." See Attachment A. It will be officially repatriated to the government of Italy on January 27, 2014.

I. Background

On an unknown date prior to October 3, 1990, historical and valuable books, maps, parts of books, and items that can be considered art were stolen from the Capitular Archive of the Archdiocese of Turin, Italy. On August 1, 1990, a detailed inventory of the collection had been completed but, on October 3, 1990, the Vicar General of the Turin Archdiocese reported to the Monviso Police Station of Turin, Italy, that the Archdiocese had discovered that items that were documented in the inventory were now missing from their archives. Over time, the list of stolen items grew to include:

1. a Bible of Antonio da Ramagnano;

2. a Manual of the Turin Cathedral;
3. an Antiphonary of Giovanni Da Desio;
4. an Antiphonary Turin, 1520;
5. George De la Hele: Octo Masses;
6. Tommaso L. Da Vittoria, Officium;
7. F. De Monte, Primo Libro delle Messe;
8. F. Rogier. G. De Ghensem, Sei Messe;
9. Theatrum Sabaudiae;
10. A Roman Antiphonary, De tempore et Sanctis.
11. Missa de Sancta Maria; a Vesper Antiphonary;
12. Topographic maps and ancient cadastres, including approximately thirty-three maps taken from these items;
13. Cibrario, Hautecombe Abbey;
14. Midana, Il Duomo di Torino; and
15. A volume containing a design for a new cathedral of Turin made by an architect at the end of the 19th century.

It was also eventually discovered that thefts included pages sliced or cut out of items in their collection, including:

1. 74 pages, cut from the Breviary of Ludovico da Ramagnano;
2. 71 pages, cut from the Missal of Ludovico da Ramagnano; and
3. 118 pages, cut from the Antiphonary of Giovanni Da Desio.

In 1996, the Italian Nucleo dei Carabinieri Tutela Patrimonio Culturale, a specialized police unit investigating cases involving cultural property, recovered

seventeen illuminated manuscripts, which were alleged to have been stolen in 1990 from the Capitular Archive in Turin, Italy. This recovery was a result of a criminal investigation in Italy (criminal proceedings no. 730/97 R.G.) that extended into the United Kingdom and resulted in the arrest of two individuals, Pier Luigi Cimma and Franca Gatto, for the thefts and for dealing in the stolen property.

The Italian investigation has continued. Relevant to this Commission, on April 29, 2011, the Monza Nucleo dei Carabinieri Tutela Patrimonio Culturale in Italy discovered a newspaper article on-line that had been printed in the *St. Petersburg Times* on January 29, 2006. The article provided information on an upcoming exhibition at the Florida International Museum called "Ink and Blood" that was supposed to document the development of the Bible. The article featured a depiction of an illuminated manuscript and stated "[t]his illuminated manuscript is a promised gift to the special collections department of the University of South Florida library, 4202 E. Fowler Avenue, Tampa." The newspaper article stated that the manuscript was from a 15th Century Italian Missal. The article further stated that the manuscript was not just a religious document but also a common art form in the Middle Ages, that is, an illuminated manuscript (sometimes called a leaf or lief).

On June 16, 2011, Costanza Montel Segre appeared at the Nucleo dei Carabinieri Tutela Patrimonio Culturale as an expert witness. Segre is a Professor of History at the University of Turin as well as an academic scholar of the manuscripts and printed works of the Capitular Archive of Turin. Professor Segre examined a photograph of the manuscript that was depicted in the newspaper article printed in the *St. Petersburg Times* on January 29, 2006. After examining the photograph (and

after other investigation), Professor Segre identified the manuscript as the San Lorenzo, page 212 from the Missal of Ludovico da Romagnano. She identified it, in part, because “the immediately preceding sheet bears the mark of a flowering marginal vignette on sheet 212 and in its second column presents a red-colored legend worded ‘In vigilia sancti Laurentii.’ In the second column of sheet 212, there is an indication ‘In festo sancti Laurentii’ witnessing a continuum between these two sheets, which is accompanied by the initial letter along with the figure of the saint, whilst sheet 211 shows a vertical inscription at the bottom of the right border worded ‘et interces,’ recalling the words ‘et intercession beati Laurentii’ which sheet 212 begins with.” Professor Segre opined that “there is no doubt that the sheet at issue is one of those stolen from the medieval codex.” In addition, the Archive Registrar and canon-in-charge of the ancient collection of the Turin Curia confirmed that the manuscript appearing in the United States, on the University of South Florida website, was stolen from the missal in question (Ludovico da Ramagnano).

On March 2, 2012, the Republic of Italy, through the Public Prosecutor’s Office attached to the Court of Turin, made a request for assistance pursuant to the Treaty Between the United States of America and the Italian Republic on Mutual Assistance in Criminal Matters (the Treaty) to the Department of Justice, specifically, the U.S. Attorney for the Middle District of Florida.¹ The request was communicated to the

¹ U.S.-Italy, Nov 9, 1982, S. Treaty Doc. 98-25 (1984), as supplemented by the Instrument as contemplated by Article 3(2) of the Agreement on Mutual Legal Assistance Between the United States of America and the European Union signed 25 June 2003, as to the application of the Treaty Between the United States of America and the Italian Republic on Mutual Assistance in Criminal Matters, signed 9 November 1982, U.S.-Italy, May 3, 2006, S. Treaty Doc. No. 109-13 (2006).

United States through the Department of Justice's attaché in Rome. In order to effect the request, it was also shared with the U.S. Department of Homeland Security's (DHS) attaché for Homeland Security Investigations (HSI) in Rome.

The United States Attorney assigned an Assistant United States Attorney, and the Special Agent in Charge of HSI's Tampa Office assigned two agents to handle the request.

II. Execution of the Commission

On April 2, 2012, the government moved for the appointment of a Commissioner to execute the request.

On April 9, 2012, the Court issued an Order appointing the undersigned Assistant United States Attorney as a Commissioner to execute a request from the Italian Republic pursuant to the Treaty. At that time and at the request of the United States, the Court sealed the associated pleadings in order to protect the integrity of the investigation.

With the assistance of the University of South Florida, agents were able to determine that the San Lorenzo leaf was part of a death bequest that was to be given to the University and, from what they learned, the agents were able to locate the owner of the leaf.

The agents then contacted the owner. The owner had become interested in this type of art at a young age and was very knowledgeable about these types of medieval manuscripts. The owner had purchased the manuscript in 1997 from Graton and Graton, a company in Islamorada, Florida, that sold art. The owner produced a receipt for the manuscript that contained the following handwritten

description of the manuscript, "Manuscript on Vellum-Historiated Initial, St. Lawrence-Italy, early 15th Century, Heavy gold leaf, Floral Borders." The receipt was dated March 17, 1997. The owner had been advised by the sellers that they had purchased the manuscript as part of a lot from Sotheby's (an auction house). The owner had no knowledge at the time of the purchase that the leaf had been stolen.

Although the company that sold the leaf to the owner is no longer in business, agents were able to track down its proprietors. The proprietors indicated that they would have attended the June auction at Sotheby's and also the South Kensington Christie's Auction. They believed it was unlikely that they purchased the leaf at one of those auctions. Instead, they believed that they had probably purchased the illuminated manuscript from one of the many book auctions held in London. The agents were able to corroborate 1996 flight records of the proprietors' trips to the United Kingdom. The connection to the United Kingdom fits with the 1996 Italian criminal investigation.

On June 13, 2012, a Commissioner's proceeding was held at the U.S. Attorney's Office for the Middle District of Florida (Tampa). The owner had retained the services of an attorney, who was present and participated in the proceeding. Counsel brought with him the leaf. At the proceeding, the Commissioner took testimony from the Italian expert, Professor Segre, who was able, at the proceeding, to actually examine the leaf to make the final determination that it was, in fact, part of the items that had been stolen from the collection of the Capitular Archive of the Archdiocese of Turin. See Attachment B. At the conclusion of the proceeding, the owner, a lover of this type of art, entered into an agreement with the United States to

abandon his interest in the leaf to facilitate its return to Italy. See Attachment C. The leaf was immediately turned over to the custody of the United States for repatriation to Italy.

III. Resolution

On January 24, 2014, the repatriation will become official when the approximately 700 year-old San Lorenzo leaf is formally returned to the Italian Consul General. As such, the Commission has been successfully executed and the Commission may be returned.

Dated: 1-10-14

Respectfully submitted,

A. LEE BENTLEY
Acting United States Attorney



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Attachment A

et intercessioe beati Laurentii
 mis tui. speraam nob in
 misericordiam benignus ipe
 te. **P.** *Ep̄la* Confitebor tibi

Dne rex. **R.** *Requie in coi. Vigi-
 niis.* **G.** **D.** *Ip̄s* dedit

pauperibz iustia et manet i se-
 culum s̄c̄i. Potens in terra
 et sancti eius generatio ius-
 torz benedicat. **Euāgeliz.**

Si quis uult uenire post
 me. **R.** *Requie in coi. unū mis*

offi. **O.** *Ratio mea* m̄lta
 est. et uero uero ut dicitur locus
 uoc̄ mee in celo. q̄ ibi est ui-
 uer meus. et consors meus
 in caelis ascendet ad deū
 deſertio mea. **Sec̄ta.**

Hostias quas tibi do-
 mine offerimus. ip̄s
 respice. et m̄cedente b̄to
 Laurentio m̄re tuo. uincla
 peccor̄ m̄oz absolue. **P.**

Cō. Qui uult uenire post me
 abneget semetip̄m et tollat
 crucem suā et sequat̄ me. **P̄.**

Omn̄e deus **com.**
 ni. ut sicut de beati
 Laurentii mis tui come-
 moratione temporalia gra-

tiulamur offitio. ita ipe
 tuo letem aspectu. **P.** *In
 festo s̄c̄i Laurentii. Intri.*



Diffessio
 et pulen-
 tior i cō-
 spectu ei
 sc̄itas et
 magnificē-
 tia isanc

anatione eius. **ps.** Canta-
 te d̄no canticū nouū. c̄itate
 d̄no om̄is terra. **Y.** **Gla. pa. or.**

Domiator n̄oz flamas
 extingue. qui b̄to Lauren-
 tio tribuisti tormentorū
 suor̄ m̄cedia supare. **P.**

Hes. Qui **ad corinthios**
 parte seminat. parce
 et metet. Et qui seminat
 in benedictōnibz. de bene-
 dictōnibz et metet. Unusq̄
 que ei prout destinauit i
 corde suo nō ex tristia aut
 ex necessitate. plarem enī
 audientem diligit et potes
 est aut deus om̄es gr̄am
 habitant fac̄ in uobis
 ut in omnibz semp̄ eem

Attachment B

Stone

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In Re: Request from the Italian Republic
Pursuant to the Treaty Between the
United States of America and the
Italian Republic on Mutual Assistance
In Criminal Matters

SWORN STATEMENT OF: COSTANZA SEGRE MONTEL

TAKEN: Pursuant to Notice by
Assistant United States
Attorney Thomas N. Palermo

DATE: June 13, 2012

TIME: 3:30 p.m. - 5:54 p.m.

PLACE: U.S. Attorney's Office
400 North Tampa Street
Tampa, Florida 33602

REPORTED BY: Ekaterina L. Trofimov, RPR
Notary Public, State of Florida

EKATERINA L. TROFIMOV, RPR
Tampa, Florida
(813) 933-9603

ORIGINAL

1 APPEARANCES:

2 THOMAS N. PALERMO, ESQUIRE
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4 400 North Tampa Street
5 Tampa, Florida 33602
6 Attended for the United States

7 FRANK W. GODDARD, ESQUIRE
8 2959 First Avenue North
9 St. Petersburg, Florida 33713
10 Attended for the Present Owner

11 ALSO PRESENT:

12 MS. KIM ELLIS
13 MS. KRISTY ANDERSON
14 MR. FRED BUTLER
15 MR. GUILLERMO "WILLIE" CANCIO
16 Special Agents
17 Homeland Security Investigations

18 MR. STEFANO TRAVIGLIA
19 Italian Ministry of the Interior
20 Department of Public Security
21 Miami, Florida

22 ITALIAN-ENGLISH INTERPRETER:

23 DONALD P. FARQUHARSON
24 (941) 916-3408

25 I N D E X

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1 (Interpreter sworn)

2 COSTANZA SEGRE MONTEL,

3 a witness, having been duly sworn to tell the truth, the
4 whole truth, and nothing but the truth, was examined and
5 testified as follows:

6 EXAMINATION

7 BY MR. PALERMO:

8 Q Professor Segre --

9 A Yes.

10 Q -- my name is Thomas Palermo, and I'm the
11 commissioner responsible for executing a Mutual Legal
12 Assistance Treaty request by the Republic of Italy to the
13 United States. And in this particular matter, we've asked
14 the Italian government to send you to us for the purpose of
15 making an examination of an object in this room, which for
16 the purpose of this conversation, I will refer to as the
17 leaf.

18 THE INTERPRETER: Excuse me?

19 MR. PALERMO: The leaf, l-e-a-f.

20 BY MR. PALERMO:

21 Q Professor Segre, what do you do for a living?

22 A I was a professor of University. I teach history
23 of medieval art at the University of Turin and in the
24 University of Vercelli.

25 Q For this particular interview, if you will, we

1 have with us the aid of an Italian translator. And your
2 responses have so far been in English, correct?

3 A Yes.

4 Q And that's okay, but if at any point you are not
5 sure, please feel free to use his services.

6 A Yes.

7 Q Now, you said you were a professor at two
8 universities?

9 A Yes.

10 Q Can you describe your training and experience
11 related to your examination of the leaf; that is, your
12 background and training, your academic and professional
13 experience, that would make you able to determine what this
14 is?

15 A I am sure that this leaf is one leaf stolen from
16 the missal of Ludovico da Romagnano, the manuscript which
17 is in the Archivio Escovilla of Turin where many books and
18 manuscripts were stolen in 1990. This manuscripts was not
19 stolen but has many leafs picked up and stolen also.

20 I recognize this leaf when I saw it on Internet,
21 as I told you before. I'm absolutely sure that this is one
22 leaf of this manuscript. And I can also say that this is
23 the leaf 212 of the manuscript as the text of written.
24 This leaf is immediately sequenced the text of the leaf 211
25 verso.

1 Q When you say "verso," what does that mean?

2 A In the manuscript, the pages are not numbered in
3 every side but once. So the front side is named one or two
4 or three, like so, and the opposite is one or two verso.
5 The number is the same but the reverse would be the
6 opposite.

7 Q So in a modern book, the pages would be Page 1,
8 and then Page 2 would be the reverse. But in the 15th
9 century manuscript, Page 1 and the next page is not -- the
10 reverse is not Page 2 but is, instead, Page 1 verso?

11 A Yes.

12 Q Now, going back, can you tell me a little bit
13 about you and your experience that has helped you know what
14 this is?

15 A As I told you before, I studied many years ago
16 the manuscripts of the archive, and I have published the
17 catalog. So I know very well these manuscripts. And our
18 university made some photos of the manuscripts, and in many
19 cases we have the photo of the stolen leafs. Not in this
20 case, but we have many -- we didn't have a photograph but
21 we did have ample proof that the page, the sheet, is the
22 leaf 212.

23 Q In the 1960s, you worked where?

24 A I was in Turin, and I finished university, and I
25 work in the university. Afterwards, in the sequent years,

1 I began to teach and I made research.

2 Q What were you teaching?

3 A History of the illumination and history of
4 medieval art.

5 Q When you say the illumination, what do you mean?

6 A Illumination, the decoration of the manuscripts.

7 Q And when you talk about ancient manuscripts, does
8 that include things like the leaf in the room?

9 A Yes.

10 Q And did you have an occasion to work for the
11 Archdiocese of Turin?

12 A I studied in the archive as I published two
13 catalogs, the catalog of manuscripts and the catalog of
14 extant book.

15 Q What decade was it that you published these two
16 catalogs?

17 A In the list of my publication, you have the
18 titles of this catalog. The title is -- (Italian spoken),
19 1964 and 1966.

20 Q And so in 1964, you created a catalog of these
21 missals?

22 A Yes.

23 Q And the missals we're talking about -- did the
24 leaf come from one of the missals that you created a
25 catalog for?

1 MR. TRAVIGLIA: May I speak?

2 MR. PALERMO: Please. Just for the record, would
3 you just say who you are?

4 MR. TRAVIGLIA: My name is Stefano Traviglia.
5 I'm a counselor agent from the Italian Consulate
6 General in Miami.

7 A Yes, the leaf in question is a leaf of one of the
8 manuscripts that I catalogued.

9 BY MR. PALERMO:

10 Q And as part of your profession, your work, did
11 you have occasion to study those manuscripts?

12 A Yes. And when I studied the manuscripts, they
13 were completely in good condition, not -- now the missal in
14 question has the binding open. And as I show to you, a lot
15 of leafs are stolen and picked up.

16 Q So when you were examining it, it was in its
17 original condition. And as you examined it today, you
18 examined it after it's been excised or removed; is that
19 what you're saying?

20 A Yes.

21 Q And what subjects were you teaching at the
22 universities?

23 A Many subjects. Every year a different subject.
24 For instance, one year I teach the history of illumination
25 in France. Another time, history of English illumination.

1 And another time, history of illumination in Piedmont or in
2 Italy.

3 Q Is illumination, the way you're using it, a
4 description of the way these manuscripts were created? Or
5 what does it mean to you?

6 A For illumination, we mean a decoration in a
7 manuscript. Sometimes we have a whole page with a
8 decoration, a history. Another time, in this leaf, is big
9 letter with some decoration or the portrait of a saint in
10 the letter, and many borders with flowers in the margins.

11 Q So when you taught the history of illumination,
12 did it also include teaching the history of illumination
13 related to this particular leaf?

14 A No. I studied manuscripts for my interest and
15 for the archive. The manuscripts are 12th, 13th, 14th, and
16 15th century.

17 Q And continuing forward from the sixties, tell me
18 more about what we would call here in the U.S. your
19 training and your experience, your background.

20 THE INTERPRETER: Could you repeat the question,
21 please?

22 MR. TRAVIGLIA: (Repeated the question in
23 Italian.)

24 A As I told you, I teach history of illumination
25 and history of medieval art, and I have many students which

1 made the studies and dissertations on manuscripts. For
2 instance, I had a student, a girl, that studied the Bible
3 of the 12th century of the archive, and she made a good
4 dissertation, important for the new things she tried.

5 I had many students, and I made dissertation on
6 manuscripts of national library of Turin and of Royal
7 Library of Turin, libraries which has important
8 manuscripts. And so I studied with my students.

9 Q In the 1990s, something happened that's related
10 to why you're here today. Do you know what happened?

11 A In 1990, in July, I think, they found that many
12 things were stolen from the archive. And I come to the
13 archive and I help the archivist. So you see that in the
14 documents you have, I give the photos made by university to
15 help to find, if possible, the stolen leafs or manuscripts.

16 Q So are you suggesting in the 1990s, something was
17 stolen, or documents or objects were stolen from the
18 archive, and you were contacted by Italian law enforcement
19 to help find or figure out what was stolen?

20 A And also -- the Carabinieri -- when they found
21 some folios, some leafs, they come to me to recognize the
22 folios, the leafs. So I helped them to recognize the
23 stolen leafs.

24 Q Were you contacted by the Carabinieri before
25 leafs were recovered or were you contacted after Italian

1 law enforcement recovered some of the leafs?

2 A After. When they found some leafs, they come to
3 me, and I examine the leafs.

4 Q And what was the purpose of your examination?

5 A I was sure that they were the stolen leafs.

6 Q So was the purpose of your examination --

7 THE INTERPRETER: Excuse me. If I may interject,
8 I think we're meaning to ascertain what had happened.

9 MR. PALERMO: So if you just translate my
10 question to her, which is what was the purpose --

11 THE INTERPRETER: I did.

12 A They want to be sure that the leafs were the
13 leafs stolen at Turin.

14 BY MR. PALERMO:

15 Q So was the purpose of your examination to make
16 the determination for the Italian authorities that these
17 were, in fact, the stolen leafs?

18 A Yes. And I made a relation to the Carabinieri
19 and you. I think you have seen in the documents you have.

20 Q And so after you made the determination or in the
21 process of making the determination, did you help to
22 determine what else had been stolen?

23 A Yes, because in the first time in 1990, we were
24 sure that some manuscripts -- I think three manuscripts and
25 ten or eleven, I don't remember -- in the old book were

1 stolen. There was my catalogs, and these manuscripts and
2 books were missing.

3 Afterwards, in 1996, I tried to examine all the
4 other manuscripts of the archive, and I found that the
5 manuscript was extant, but many leafs were stolen, cut out.
6 The missal lose 76 leafs. The Variati lose 75 leafs. One
7 volume of a big Antifonati lose like 100 of leaf.

8 Q And when you say "lose," do you mean that from
9 within the book, the missal or the book, that pages were
10 cut out of them?

11 A Yes, cut with a blade.

12 Q So you made a reference a minute ago to your
13 catalog. How did your catalog fit in to understanding what
14 was stolen?

15 A My catalog was not a catalog very accurate or
16 precise. I described the manuscript, but I don't sign all
17 the illumination. I don't sign the illumination at leafs
18 1, 3, 5, and so on. And this was difficult.

19 The only way to recognize leafs was to compare
20 with the photo of the university, if there was, and to
21 recognize stylistically. In my computer, if I seen a photo
22 of the Variati, which is very similar to the decoration of
23 the missal, for -- in my catalog, this consideration were
24 present as -- there was a full description of the whole
25 decoration, but not the precise indication of the number of

1 foils with decoration.

2 So I tell you this, to recognize now the place of
3 one stolen leaf is not so easy.

4 Q Are the leafs unique? That is, is each page
5 different?

6 A Yes.

7 Q And unlike the printed press, are each of the
8 leafs handwritten and therefore unique to the missal that
9 it came from?

10 A Yes, but we can control the text of the missal
11 which has characteristic order of the Mass and of the feast
12 of the saints. So it is important to compare the text
13 written in the leaf and the text of the missal of this
14 particular period.

15 Q So tell me about the leaf that's here in the
16 room. Tell me about this particular leaf, and based on
17 your research, what you're able to determine about it.

18 A This leaf has a letter, a decorated letter, with
19 the portrait of Saint Lawrence. And it is the letter of
20 the text which is used for the feast of Saint Lawrence.

21 In the manuscript we have a leaf 2011 verso which
22 has in the second column of text a phrase, a sentence
23 written in red, which is (Italian spoken), which signifies
24 the day before the feast of Saint Lawrence. And there is a
25 prayer to use in this the day before.

1 And the leaf in question, which I identified as a
2 leaf 212, continues this text for the day before the feast
3 of the saint and begins in the second column the special
4 text for the feast of Saint Lawrence.

5 So it is evident that the two leafs are sequent.
6 And the reason that is an important sign, the leaf 211
7 verso has in the margin of the page two words written,
8 which is the first of two words of the leaf 212. This is a
9 custom of the copyist of the 15th century, which in the
10 last page of every quire, wrote the first words of the
11 sequent quire in order to bind correctly the manuscript.

12 Q Let me pause for a moment. When you talk about
13 the manuscripts and how they're put together, if I
14 understand what you're saying correctly -- let me know if I
15 do -- the copyist would take the paper and put it together,
16 folding pages together to make what would look like a small
17 book --

18 A Yes.

19 Q -- and you're calling that a quire?

20 A Yes, is the correct name of the --

21 Q And put the quires together to bind it together
22 to make the completed manuscript?

23 A Yes.

24 Q At the conclusion of the pages in an individual
25 quire, the word -- and I need your help on it, but there

1 was a word written on the bottom right-hand side of the
2 Page 211, the reverse page, the verso page, of Page 211,
3 that appears on the top left-hand side of the Page 212?

4 A Yes.

5 Q So what you're saying is that the words that
6 appear on the interior or the bottom right hand of Page
7 211, those two words, appear on the top of what you're
8 identifying as Page 212 of the manuscript?

9 A Yes. Correct.

10 Q And those words -- what were the words again?
11 Can you spell them for us?

12 A Et intercessioni in the leaf 211 verso, and in
13 this leaf the first words are et intercessioni. They don't
14 write the entire line of text, but sometimes only a word
15 or, in this case, intercessioni was a long word so they
16 wrote half -- half word. But it was the way to avoid
17 errors. And every quire of the missal has this words.

18 Q When you say avoid error, are you saying avoid
19 error when they were binding the missal together --

20 A Yes.

21 Q -- so that they knew which quire went where?

22 A Yes.

23 Q And the letters -- is it e-t, space,
24 i-n-t-e-r-c-e-s-s-i-o-n?

25 A Yes.

1 Q The Latin for "and." Intercession?

2 A "Intercessioni" would be intercession.

3 Q On the reverse Page 211 there is a shortened form
4 of intercession appearing on that page. It's e-t, space,
5 i-n-t-e-r-c -- I think. I don't have it in front of me,
6 but --

7 A Yes.

8 Q Okay. And so from --

9 A And this is important that the text continuing
10 from the Page 211 verso and this page, but these words
11 written are important evidence.

12 Q And do you have in Italy Page 211?

13 A Yes.

14 Q And were you able to examine Page 211 before
15 coming here today?

16 A Yes.

17 Q And did you also bring with you -- I'm sorry. I
18 didn't mean to interrupt you. Please.

19 A Yes, I studied. This last month I went in the
20 archive to study to be sure I made a lot of photos of the
21 page to be sure of the construction of the quires of the
22 manuscript.

23 Q Did you bring with you a picture of Page 211?

24 A Yes.

25 Q And did that aid you today, help you today, when

1 you looked at the leaf?

2 A Yes.

3 Q And did Page 211 verso, the reverse page, have in
4 it the words that you found on the leaf that's sitting in
5 this room?

6 A Yes.

7 Q And what else is helping you -- besides the fact
8 that the words appear on the back of Page 211, going to
9 212, you also said that the words -- if I understood you to
10 say that the words fit together; that is, that the reverse
11 of Page 211, if you read it, fits together with the reverse
12 or the front of Page 212. Is that an accurate
13 understanding of what you were saying?

14 A In the Page 211 verso begins the text which the
15 bishop say during the liturgy in the day before the feast
16 of Saint Lawrence. And this text continue in the first
17 column of this leaf. In the second column begins the text
18 for the feast of Saint Lawrence. So there is a continuity
19 from the two leafs.

20 Q And what else about looking at the leaf helps you
21 to determine that it is, in fact, the leaf that was stolen
22 from Italy?

23 A Because it is impossible to have such a
24 coincidence, coinciding or agreeing. The page of the
25 missal is the page in question have two columns, have 30

1 lines. The size of the part written is identical in the
2 leafs of the missal. In these leafs the size of this leaf
3 is a little smaller of the leafs of the missal. But the
4 leaf is stolen, is cut, and so is a little smaller.

5 Q When you look at the physical leaf, could you see
6 where it had been cut?

7 A Yes, as we opened the frame, and we saw that the
8 margin or the borders were not linear. It is evidence the
9 shape of shear is not so right.

10 Q Did you have occasion before today to examine
11 other leafs from the same missal that had been recovered by
12 the police?

13 A Yes. I saw many leafs of this missal, and I was
14 able to determine the point of the missal where they were.

15 Q And do the other leafs that you examined bear the
16 same evidence of being cut?

17 A Yes, many of them. Some of these leafs were
18 stolen and stretched. Some others were cut with a blade.
19 So not every is --

20 MR. TRAVIGLIA: Not each stolen leaf has been
21 stolen in the same way. Some has been cut. Some has
22 been cut with blades, some with scissors. In other
23 cases they just cut away a leaf.

24 BY MR. PALERMO:

25 Q Okay. So in other words, did any of the leafs

1 that you examined bear the same feature as this one, that
2 is, were any of them cut as this one was?

3 A Yes, I think. Yes. Normally the stolen leafs
4 are smaller in size. And if you compare the stolen leafs
5 with pages of the missal, they -- you can see that.

6 Q And when these leafs were written --

7 A Another important sign is that on the leaf 211
8 verso, in external margins of the page, we have a marker
9 with flowers of this leaf.

10 Q In other words, are you saying that the floral
11 pattern around, the effects on the leaf, is the same as the
12 floral pattern on Page 211 verso?

13 A Yes. It is not the same --

14 MR. TRAVIGLIA: Ah, okay. When the book is
15 closed, part of -- is like has been stamped on --

16 A And you see in this in the white margins, in the
17 white border of the page, and not in the page written, in
18 the part written.

19 BY MR. PALERMO:

20 Q Let me pause for a moment, see if I understand
21 what you're saying. Just tell me if I understand it
22 correctly.

23 When you look at Page 212, that is, the leaf
24 that's in the room, around the border of the words is a
25 floral pattern that was drawn in color --

1 A Yes.

2 Q -- by the monks who copied it?

3 A Yes.

4 Q And on Page 211 verso, it's a white border on the
5 outside --

6 A Yes.

7 Q -- that when the missal was closed, it appears
8 that the border on Page 212 --

9 A Not the border.

10 MR. TRAVIGLIA: Like a little print.

11 BY MR. PALERMO:

12 Q But the print that's on Page 212 --

13 A Yes, a little print.

14 THE INTERPRETER: It doesn't appear that clearly.

15 BY MR. PALERMO:

16 Q But in other words, it's rubbed into Page 211
17 verso. Is that accurate?

18 A Yes.

19 Q So if you look at Page 211 verso, there's the
20 light imprint --

21 A Yes.

22 Q -- of the decoration on Page 212?

23 A Yes.

24 Q Okay. And have you examined and seen that border
25 imprint on Page 211 verso?

1 A Yes.

2 Q And, in fact, do you have a photograph of it
3 before you?

4 A Yes, one, two, three.

5 Q In a moment, I may ask you for a copy to attach
6 as an exhibit to this transcript.

7 A Yes, but if you want, I can give you.

8 Q Oh, okay. Perfect. Thank you.

9 We'll make that --

10 A And this is the word that repeats.

11 Q And do you have a picture of Page 212 as well?

12 A Yes, I can give to you.

13 Q Okay. What I'd like to do is, I'm going to take
14 Page 212, and I'm going to mark on it Exhibit A. So I'm
15 going to write on here -- better, I'll use a sticker. It
16 says Exhibit A. And then I'll you use a sticker for
17 Page 211 verso, and we'll mark it Exhibit B.

18 So that way, when someone looks at the
19 transcript, they can see the pages you're talking about.

20 A Yes. And if you --

21 Q Match up Exhibit A -- what you're doing is
22 putting Exhibit B and Exhibit A in your hands and putting
23 them together, right? So that when you put them together,
24 you're saying the imprint on Exhibit B matches --

25 A Yes.

1 Q -- the -- on Exhibit A?

2 A This photo is not probably in the same precise
3 size as I print it from Internet.

4 Q Okay. We'll get that in one moment, but --

5 A But I can, if the photo is good, send you a photo
6 made today.

7 Q That's okay. Let's pause for one second. So
8 Exhibit B --

9 A Yes.

10 Q -- this is a photograph, correct?

11 A Yes.

12 Q Who took this picture?

13 A I.

14 Q So you took a picture in Italy --

15 A Yes.

16 Q -- of Page 211 verso, the back page of 211. And
17 that photograph is what we've marked as Exhibit B. Do you
18 see the mark here?

19 A Uh-huh. (Indicates affirmatively.)

20 Q Okay. And then Page 212, the front page of 212,
21 that is, the leaf, we're calling that Exhibit A.

22 A Yes.

23 Q In this picture of Exhibit A, where did it come
24 from?

25 A I think -- I'm sure that this page comes from the

1 missal, and it is --

2 Q Where did the picture come from, not the page,
3 but the picture?

4 A Oh, okay. The picture comes from the photo of
5 the collection of digital pages of University of South
6 Florida.

7 Q And did you print the photograph that the
8 University of South Florida put on the Internet, and is
9 this the printout?

10 A Yes.

11 Q And looking at Exhibit A, the printout --

12 A I wrote a mail to the university, and they told
13 me that this leaf was existed in 2006. They had only the
14 digital photo and not the physical leaf.

15 Q Now, looking at Exhibit A for a moment, is
16 Exhibit A a picture of the leaf?

17 A Yes.

18 Q And when I say "the leaf," that is, the leaf
19 that's sitting in this room that you've examined prior to
20 the start of our interview?

21 A Yes.

22 Q And so is Exhibit A a good picture of the leaf
23 that we've been talking about?

24 A Yes, I think.

25 Q Well, when you say "I think," does it look to you

1 to be a good picture of the leaf?

2 A A good quality picture, a good quality
3 photograph.

4 Q And, now, there are some handwritten marks on the
5 bottom of both Exhibit A and Exhibit B. At the bottom of
6 Exhibit B there's a handwriting of what looks like f,
7 period, 211 v; is that right?

8 A Yes. f is the folio. In Latin is the name of
9 the missal. And v is verso, the reverse of the leafs of
10 the manuscripts.

11 Q And who wrote that on there?

12 A Who wrote?

13 Q Who wrote f. 211 v?

14 A I.

15 Q And when you wrote it, were you signifying that
16 this is Page 211 verso of the missal?

17 A It is the last page of the quire. And as every
18 quire in this manuscript has this words written.

19 Q What I'm really saying is, did you write this on
20 here so that you would know what page this was from the
21 book?

22 A Because the book has numbers. Is modern numbers.

23 Q Does or does not have modern numbers?

24 A This photo is the photo of this leaf.

25 Q And so did you write this here so that you would

1 know what page it was a photo of?

2 A Yes.

3 Q Okay. And did you write on the bottom of
4 Exhibit A --

5 A Yes, because this is the page I suppose was in
6 the -- I suppose in the first time, and now I am absolutely
7 sure this is the number of the page, the position of the
8 page in the missal. I made also a photograph of the quires
9 of the missal, and I designed with a continuous line the
10 extant missal, and little point the stolen leaf. So as you
11 can see, many --

12 Q May I have a copy of this?

13 A Yes, I can give you.

14 Q Okay. May I have it, please?

15 A I can send you.

16 Q May I take it and make a quick copy of it?

17 A Yes.

18 Q The reason why I need a copy is because the court
19 reporter is taking down the words you're saying, and you're
20 referring to an object, the picture that you've drawn. But
21 what I need to do is to get a copy of it and mark it with
22 an exhibit tag so that when we come back to look at what
23 you've said, we can look at the words that have been typed
24 up and put it next to the exhibit and see what you're
25 talking about. So if you don't mind, let's just pause for

1 one second.

2 A Can I send you -- I want to be absolutely sure to
3 not have errors.

4 Q Well, this is the one you're referring to when
5 you're talking to us, and this is the one that we should
6 mark.

7 MR. PALERMO: So let's take a quick break. So
8 we're going to go off -- before you say anything else,
9 let's take a quick break so we can make a copy.

10 And then if anyone needs to use a restroom, now
11 is a good time.

12 (Recess taken from 4:40 p.m. to 4:48 p.m.)

13 MR. PALERMO: We're going to go back on the
14 record, which means the court reporter will continue
15 to type down what we say. We took a break to make a
16 copy of a diagram which we've marked as Exhibit C.
17 And I want you to explain the diagram for a moment.
18 But I just want to remind you that you're still under
19 oath, that is, you're still supposed to tell the truth
20 to the best of your ability.

21 BY MR. PALERMO:

22 Q Okay. Now, take a look at what's marked
23 Exhibit C. Do you see it?

24 A I have to explain that I have written in
25 different way the words of the last page of every quire as

1 some were written in vertical, like this, and some other in
2 horizontal.

3 Q What you were just holding up was what's marked
4 as Exhibit B, Page 211 verso. And now what you're holding
5 up in your hand is marked as Exhibit C. That is the
6 diagram showing the pages of the quires in the missal. And
7 what you've done is drawn a straight line for the pages
8 that are still in the quire, and a dotted line for the
9 pages that are missing. And you've made a little green
10 circle at the top of pages that have been recovered.

11 A Yes.

12 Q Is that correct?

13 A Yes.

14 Q And at the bottom of each one of the column of
15 what looks like the letter V for the quires, you've written
16 in the bottom right corner of the quire the word that
17 appears at the end of it, correct?

18 A Yes.

19 Q And so you actually have underneath the point of
20 the V as it's facing down for each of the quires, the page
21 numbers that would be a part of the quire; that is, Page 1
22 through some number at the bottom of each quire so that you
23 know the number of pages in the quire, correct?

24 You have at the bottom of the V, the bottom of
25 the point, you've written numbers like 1 through 10?

1 A Yes. The first one has the number --

2 Q Roman numerals?

3 A The Roman numerals -- this is the calendar of the
4 missal. And these are the pages. I write in brackets the
5 page which are missing. And I sign in green the pages that
6 have been recovered. And I write like this, the few words
7 in the final quire that were written in horizontal. And I
8 sign like this the ones written in vertical.

9 Q So what you have in Exhibit C on the third column
10 down, on the third item from the right, is a quire that has
11 the numbers beneath it of 202 to 211?

12 A Yes.

13 Q And beneath the line representing the last page
14 of the quire --

15 A Yes.

16 Q -- you've written e-t, space, i-n-t-e-r-c-e-s,
17 which is the same as --

18 A Yes, but I -- interces, yes.

19 Q Which is the same as the word written at the
20 bottom of Page 211 --

21 A Yes.

22 Q When you look at the bottom of Page 211, when I
23 say the "bottom," there are words written that if you take
24 the book and turn it to the right, you can see written in
25 the margin at the bottom "interces" --

1 A Yes.

2 Q -- "et interces." And on the bottom of your
3 column it says "et interces"?

4 And in the 15th century the way the letter S was
5 written, it looks almost like an F without the line.

6 A Yes. And the Page 221 --

7 Q Okay.

8 A -- is missing, but 222 is --

9 Q Present.

10 A -- is present. And begins with "nobis,"
11 probably, the --

12 Q 221?

13 A Yes, it was "nobis." And I signed like this.

14 Q And so from this, you've actually marked Page 212
15 as recovered?

16 A Yes.

17 Q And are you marking it as recovered because you
18 have now found it?

19 A I have -- recognize. I don't know when and if
20 the page come to Italy, but for me is page twenty --

21 Q In other words, based upon all of your training
22 and experience, all of your background, and of the physical
23 evidence from Page 211 verso and from your examination of
24 Page 212, that is the portion related to Saint Lawrence, is
25 this leaf, the one in the room, that's pictured in Exhibit

1 A, the leaf stolen out of the missal in Italy?

2 A Yes.

3 MR. PALERMO: Now, there are some other folks who
4 would like to ask some additional questions. The
5 first is Special Agent Kimberly Ellis. And Special
6 Agent Ellis works for the Department of Homeland
7 Security, and she's a federal law enforcement officer.
8 Special Agent Ellis.

9 EXAMINATION

10 BY MS. ELLIS:

11 Q Okay. I wanted to talk about the examination of
12 the leaf when we took it out of the frame.

13 A More slowly, please.

14 Q Slower? Okay. When we took the leaf out of the
15 frame and you examined the leaf, did it appear to be made
16 of the same material as the other leafs --

17 A Yes.

18 Q -- from the same missal?

19 A Yes.

20 Q And did you observe a little mark in pencil on
21 the bottom of that leaf?

22 A Yes.

23 Q And was that there at the time that it was stolen
24 or was it added there later?

25 A It was added after the stolen.

1 Q Did you observe on there a little portion at the
2 top that looked like it had some restoration done?

3 A It is an old restoration in the missal. In many
4 pages we have reinforcement. Sometimes made in paper and
5 not in vellum. I don't know if it is vellum or --

6 Q Well, what I wanted to know was, do you know
7 whether or not that repair was made before that item was
8 stolen or after?

9 A No, before.

10 Q And how do you know that?

11 A Because also in the other leafs, in many other
12 leafs of the manuscripts of the missal, there are similar
13 older restoration.

14 Q But is there some record of these repairs that is
15 kept at the church?

16 A I don't know.

17 Q But how do you know that --

18 A The missal was exposed in a big exposition in
19 1898, and probably they made a new -- in the 19th century,
20 they made a new binding and probably they made a little
21 restoration.

22 Q But you don't remember that restoration or you
23 don't recognize that from before? Do you have any way of
24 knowing?

25 A I know that the book now is open, and you can see

1 the internal. And I found last week that -- I made
2 photographs, and when they prepared the binding of the
3 manuscript, they use an old newspaper, and it was an
4 English newspaper and had the date of June 1885.

5 Probably in the 19th century they made a new
6 binding and probably also some little restoration. And we
7 have many pages with little signs like that.

8 Q Okay. Well, when we were talking about this
9 earlier, you said you could recognize that the restoration
10 was done prior to the theft, and --

11 MR. TRAVIGLIA: Maybe there is a little
12 misunderstanding.

13 MS. ELLIS: Okay.

14 MR. TRAVIGLIA: The restoration has been made in
15 the 19th century, so of course they have been done
16 before --

17 MS. ELLIS: But I'm talking about this particular
18 restoration.

19 MR. TRAVIGLIA: Older restoration has been made
20 in the 19th century.

21 MS. ELLIS: All of them?

22 THE WITNESS: The manuscript has no restoration
23 after.

24 MR. PALERMO: Special Agent Ellis, do you have
25 any additional questions?

1 MS. ELLIS: I don't think so.

2 MR. PALERMO: Special Agent Kristy? Do you have
3 any questions you want to ask?

4 MS. ANDERSON: No, I don't think so.

5 MR. PALERMO: Mr. Goddard? I should just note,
6 Frank Goddard is a lawyer here in the United States.
7 He's not affiliated with the federal government, but
8 instead, this particular piece, the investigation has
9 determined, was purchased by an individual here in the
10 United States, and that individual has a lawyer,
11 Mr. Goddard, who represents the owner of the leaf, the
12 person who bought it legitimately.

13 And Mr. Goddard, on behalf of the owner, wants to
14 ask a couple questions as well. And so we want to
15 give him an opportunity just as everyone else.

16 So Mr. Goddard, please.

17 EXAMINATION

18 BY MR. GODDARD:

19 Q Professor, who now has possession of this missal
20 book from which the leaf in this room was taken?

21 MR. TRAVIGLIA: The archbishop of Turin.

22 BY MR. GODDARD:

23 Q The archbishop --

24 A Yes.

25 Q -- of the Diocese?

1 MR. PALERMO: Even though Stefano said it, just
2 to be clear, is it your knowledge that the Archdiocese
3 currently possesses the missal?

4 THE WITNESS: Yes. The missal is property of the
5 archive of the archbishop of Turin.

6 BY MR. GODDARD:

7 Q Professor, when you said you catalog books, what
8 do you mean by catalog? What does that involve?

9 A A catalog was a description of the manuscript and
10 of the books of the archive. It was the archive of the --
11 it was the chapter archive of the cathedral of Turin. And
12 when I made the catalog, the manuscripts and the books were
13 preserved in the cathedral. After a few years, they
14 were -- it was put in the archive of the archbishop.

15 Q Now, is it a page-by-page description or is it a
16 general description?

17 A It is a general description of the manuscript,
18 the decorating, but it has not the indication of the pages
19 which has decoration.

20 Q Do you describe the decorations or you just said
21 on Page 17 there's a picture?

22 A Yes. But afterward I studied, and I saw again
23 the manuscript. So I know them very well.

24 Q Now, before the theft, did you study the actual
25 book from which this leaf was removed?

1 A Yes.

2 Q And did you make any particular notations as to
3 this specific leaf?

4 A I have not specific notation of this leaf but I
5 had a larger description of the manuscripts.

6 Q From your own descriptions, from your own
7 references?

8 A Yes.

9 Q Now, were you able to recognize the leaf in this
10 room as belonging in that particular book without doing any
11 research? Can you visually look at it and say: I know
12 what book that came from?

13 A Yes. I was sure -- yes, I can do it. I can say
14 this.

15 Q Now, was there a photo of this specific leaf
16 existing at the university or at the Archdiocese prior to
17 the theft?

18 A We had many photos, but not the photo of this
19 specific leaf, but many similar photos.

20 Q And how do you reconstruct a book when you are
21 lacking photographic evidence? Is it simply the words that
22 trail from one page to another and the general time frames?
23 Is that how you go about doing it?

24 A I examined the text of the missal, and as I told
25 you before, I saw that the text of the two pages is -- I

1 have been able to determine that the text absolutely
2 corresponds or follows the one on the previous sheet.

3 Q Professor --

4 THE INTERPRETER: Let me go over it again.

5 A The standards of the decorations of them, is one
6 page corresponds to the ones on the following page.

7 BY MR. GODDARD:

8 Q Now, was this leaf a part of the quire, and there
9 are several quires making up the entire book?

10 A Yes.

11 Q Did this quire in which this leaf was situated
12 have a specific title or name?

13 A No, because they have no name.

14 Q I'm doing my best to understand. I'm not an
15 expert in this subject, so bear with me as best you can.

16 Was this leaf the first or last page of a quire
17 or situated in the middle?

18 A It's from the first page of a quire.

19 Q Now, the preceding page, Page 211 --

20 A Yes.

21 Q -- that was not stolen from the book, and it has
22 at all times remained within that book; is that correct?

23 A Yes.

24 Q Do you recognize the leaf in this room as an
25 original work of art?

1 A Yes.

2 Q You're certain that it's not a reproduction?

3 A Yes.

4 Q You're able to validate --

5 A Yes.

6 Q How are you able to do that?

7 A I am able.

8 Q Can you elaborate just a little?

9 A Yes. But it is difficult to make a copy of. And
10 it is quite impossible to have so many coincidences.

11 MR. TRAVIGLIA: Matches.

12 MR. PALERMO: Can you translate, please?

13 THE INTERPRETER: Yes. In other words, she's
14 saying that -- and please correct me if I'm wrong.
15 That it's odd that having all these data here, that
16 they should not correspond.

17 MR. PALERMO: Let me pause for a second. What
18 Mr. Goddard is really asking you, in the United
19 States, what we have -- what we treat you as is
20 something called an expert witness.

21 THE WITNESS: Thank you.

22 MR. PALERMO: In order to be an expert, you have
23 to know something about a subject. So when I was
24 asking you before about your background and
25 experience --

1 MR. TRAVIGLIA: If I may say, please, just a
2 word. You assume that she is an expert because she
3 has been nominated by the Italian court, advise to the
4 court for that.

5 MR. PALERMO: Yes.

6 MR. TRAVIGLIA: So you have to assume, starting
7 from that. So there is guaranty from the Italian
8 government that she is an advise to the Italian court.

9 MR. PALERMO: Let's be clear. The Italian court
10 has considered you an expert on these missals?

11 A Yes, but I teach in university. I made a lot of
12 publication on manuscript, on illumination, on
13 reconstruction at libraries. So I present my curriculum
14 especially indicating the publication relative to
15 manuscripts, to research on libraries, to reconstruction of
16 manuscripts.

17 So I think it is the things important for this
18 work today. I work also on medieval painting, but it
19 doesn't interest the question.

20 I was consulate of Carabinieri. They come to me
21 to pray me to examine the -- recover the leaf in my work at
22 the university. The last years of my work I was president
23 of --

24 MR. TRAVIGLIA: She was the director of the
25 specific course of the university on the preservation

1 of cultural goods in Italy. And before, she has been
2 nominated advise to the judicial authority. She has a
3 long experience of advise to the law enforcement
4 specialized agency, the Carabinieri, that made the
5 investigation on cultural goods.

6 MR. PALERMO: And is what he's saying, what you
7 mean to say?

8 THE WITNESS: Yes.

9 MR. PALERMO: In other words, are you adopting
10 his explanation?

11 THE WITNESS: Yes.

12 MR. PALERMO: And the reason why I interceded for
13 a moment was because what Mr. Goddard is asking you
14 really is, how are you able to know what this is.
15 He's asking, without a photograph, how do you know?
16 He wants you to give him a little bit more -- and
17 Mr. Goddard, please correct me if I'm wrong.

18 Is that what you were really driving at?

19 MR. GODDARD: Absolutely.

20 MR. PALERMO: Just sort of a more -- a more
21 thorough understanding of your knowledge so that when
22 you look at this and say this is Italy's, how do you
23 know? That's what he's really driving at.

24 MR. GODDARD: Can you please help me.

25 MR. PALERMO: That's it. So you can say based on

1 your training and experience, and having reviewed the
2 document in the past, and looked at this missal in the
3 past, and looked at the evidence -- you just need to
4 explain to Mr. Goddard --

5 MR. GODDARD: I would just like her to be able to
6 say that.

7 THE INTERPRETER: Excuse me. I just kind of
8 summarized. I said what the gentleman wants to know
9 is, why do you know it.

10 MR. PALERMO: Yes. And if she can just -- is it
11 based on those things, your training, your experience,
12 your previous review, a review of the physical
13 evidence --

14 THE WITNESS: Yes.

15 MR. PALERMO: A review of the missal in Turin,
16 Italy, that's still there? Your earlier review in the
17 1960s of the missal itself when it was still intact?

18 THE WITNESS: Yes.

19 MR. PALERMO: The years of teaching about these
20 missals, and your work with the Archdiocese and the
21 police. Is that how you know?

22 THE WITNESS: Yes.

23 BY MR. GODDARD:

24 Q So, Professor, how would you detect a good
25 forgery? What would you be looking for so that you know

1 this is not a forged artwork?

2 A As it is in vellum. The quality of color and the
3 quality of the part in gold. And the same characteristic
4 of the decoration of the missal. In the missal, every page
5 are varied, not -- also these borders are not -- the two
6 pages, closed -- this page --

7 MR. TRAVIGLIA: The print of the previous pages.

8 THE INTERPRETER: And the bleed.

9 A And you have the imprint, that's what you're
10 talking about, on the page, on the side of the page.

11 BY MR. GODDARD:

12 Q Professor, are you able to recognize the artist
13 which may have created this leaf?

14 A No. I only can say that it was a number of
15 artist of the middle of the 15th century.

16 Q On some leafs there are recognizable artists
17 where people come to be known for creating those works; is
18 that correct?

19 A This is not a known illuminator. We don't know
20 his name. We have no documents in the archive. We don't
21 know when precisely the missal was commissioned.

22 Q Do you know where it might have been commissioned
23 or created?

24 A Probably in Lombardy.

25 MR. GODDARD: Probably where?

1 MR. TRAVIGLIA: Lombardy. Is the region in
2 Milan.

3 A Northern Italy.

4 BY MR. GODDARD:

5 Q Did you view the book from which this leaf was
6 removed after the theft took place?

7 A Yes, I saw.

8 Q What is left of that Page 212 in the book?

9 A It was missing, the whole quire. And two other
10 leafs of the quire were recovered. And this one -- and a
11 whole quire was stolen from the missal. And now two leafs
12 returned, were recovered, and this one it is recognized.

13 Q Can you see the actual cut page in the book, is
14 really what I'm asking? You can see what's left? Can you
15 see the cut line where this page was removed?

16 A In the missal --

17 Q Yes, ma'am.

18 A No, it is -- they stretch the whole quire.

19 MR. TRAVIGLIA: All the quire. And this was the
20 first page of the quire. It's not cut.

21 BY MR. GODDARD:

22 Q It was just completely removed and taken?

23 A It is not cut, but probably to send was cut
24 after.

25 Q So this leaf here has now been cut? This isn't

1 the dimensions that it had within the book; is that
2 correct?

3 A No, they are a little smaller.

4 Q It is smaller?

5 A (Indicates affirmatively.)

6 Q Can you tell how much it has been pared down or
7 cut?

8 A Yes. I have the dimension. Not so much. They
9 cut a part of the margins of the white borders.

10 Q What was the original size of this leaf?

11 MR. TRAVIGLIA: In inches or could we say in
12 millimeter?

13 MR. PALERMO: Millimeter is fine.

14 MR. TRAVIGLIA: 13 and 58 inch per 10 and 82.

15 BY MR. GODDARD:

16 Q Professor, I haven't studied your chart, but has
17 Page 213 been recovered as yet?

18 A Yes.

19 Q Is there a flow from Page 212 to Page 213 that
20 you can describe so that you know that they go together in
21 the same book?

22 A Yes.

23 Q Could you describe that for me?

24 A From leaf 211 verso and this leaf, the text is
25 sequent. In the missal, in folio 211 begins the text for

1 the day before the feast of Saint Lawrence, and this text
2 continued on your leaf and immediately after begins the
3 text for the feast of Saint Lawrence with a big letter,
4 with a portrait of Saint Lawrence inside.

5 Q And are there any key words that are kind of
6 abbreviated from page to page or is it just the flow of the
7 text that connects 212 and 213?

8 THE INTERPRETER: She says there is no 213.

9 MR. PALERMO: What Mr. Goddard had asked before
10 was at Page 213. So no, 213 has not been cut?

11 MR. TRAVIGLIA: 213, it's not.

12 MR. PALERMO: So when Mr. Goddard was before
13 asking you if there was a connection between Page 212
14 and 213, you don't have 213?

15 THE WITNESS: There is not 213.

16 MR. TRAVIGLIA: It exists. It's been stolen.
17 She intended the connection between 211 and 212.

18 THE WITNESS: Yes, but it is a connection easy to
19 see the page, the folio 211 verso is the last page of
20 a quire.

21 MR. PALERMO: So to be clear, Mr. Goddard was
22 asking you if you were to examine Page 212 -- am I
23 getting that right?

24 MR. GODDARD: I asked her if Page 213 had been
25 recovered, and she indicated yes, it had. So I was

1 inquiring --

2 MR. PALERMO: I think she got lost.

3 MR. GODDARD: Yes.

4 BY MR. GODDARD:

5 Q That's okay. What do you have with respect to
6 Page 213 so that you know the contents of that page?

7 A I must compare the text on there, on another
8 manuscript missal of the 14th century.

9 MR. PALERMO: Do you have a picture of Page 213?

10 THE WITNESS: No, we have not.

11 MR. PALERMO: So you don't have 213 and you don't
12 have anything related to it. You have Page 211, and
13 you believe this is 212 --

14 THE WITNESS: Yes.

15 MR. PALERMO: -- but you don't have 213? Okay.

16 BY MR. GODDARD:

17 Q And do you know what text is set forth on Page
18 213?

19 A Probably yes, because I take a missal of the
20 middle of the 15th century. I can say which text is a
21 sequent. I'm not so sure if it's on Page 213 or there, so
22 that --

23 Q So I think you're indicating you could estimate
24 what should be on Page 213 but you don't have a specific
25 photo or document reflecting that?

1 A No, I have no photo. I know also that it is
2 stolen.

3 Q Did you say this book from which this leaf was
4 taken was rebound in 1890? Does that sound right? Can
5 you --

6 A Yes.

7 Q -- describe the cover and binding of this book?

8 A This missal has a binding in -- marble. Not
9 vellum.

10 Q Do you know what became of the original binder?

11 A No.

12 Q Now, let me ask you something about 2006. I
13 believe you indicated that there was some indication made
14 in 2006 that this leaf had surfaced and it had been
15 reported to the Italian authorities around that time frame;
16 is that correct?

17 THE WITNESS: Can you repeat, please?

18 BY MR. GODDARD:

19 Q Did any facts surrounding this leaf surface
20 around the year 2006? Was there any knowledge about this
21 leaf as far back as 2006 that might exist that might be
22 here? What do you know about that?

23 A I know that only this year when I went to the
24 Carabinieri office and Capitano Barbieri told me that there
25 was a denunciation from a professor of a university of

1 California who had seen the leafs exposed. And he thought
2 that the leafs was -- was a leaf of the bibliari Ludovico
3 da Romagnano, which is another manuscript of the same time
4 and of the same illuminator, very similar in the decoration
5 to this one, to the missal, but smaller in size. And his
6 denunciation has no effect. But I know from the
7 Carabinieri these things. Last year I found on the
8 Internet the photo of this leaf at the University of Tampa.
9 And there was also an article of a newspaper of Tampa which
10 presented the photo.

11 Q Okay. So in 2006, a complaint surfaced that
12 there were similar-type manuscripts but no specific
13 connection or reference to the leaf in this room was made
14 at that time; is that correct? And as far as you know, the
15 first awareness the Italian authorities had as to this leaf
16 was late 2011; is that correct?

17 MR. TRAVIGLIA: Probably yes. Those were her
18 words. Do you understand the question?

19 Can we take a step back, just to clarify? This
20 professor from the California university in 2006 -- he
21 told to the Carabinieri that he saw here in Tampa a
22 copy -- a leaf of the breviario. But the professor
23 here -- she's stating that he was wrong in the sense
24 that he told about the leafs of breviario, but in
25 reality it was this leaf, that is, leaf of missali.

1 MR. PALERMO: So in other words, are you saying
2 he misidentified where it came from, but had correctly
3 identified --

4 MR. TRAVIGLIA: Right. He identified that it was
5 the same writer, but the leafs belong to a different
6 book.

7 MR. PALERMO: Not the breviario but instead the
8 missal? So he got it wrong, the breviario. In fact,
9 it was the missal.

10 MR. TRAVIGLIA: The match was that he saw it in
11 Tampa.

12 THE WITNESS: He saw in Tampa.

13 MR. TRAVIGLIA: The officer of the Carabinieri
14 that received the notice from the professor.

15 So Battaglia was the professor, and Barbieri was
16 the officer from Carabinieri.

17 MR. PALERMO: Professor Battaglia, from the
18 University of California --

19 THE WITNESS: Saw the leaf in Tampa in the Leslie
20 Stone Special Collection Department Tampa library of
21 the University of South Florida.

22 MR. PALERMO: What Mr. Goddard is really asking
23 is did the Italian law enforcement receive any kind of
24 notice that this leaf was stolen and here in Florida.

25 THE WITNESS: He saw but this page was similar to

1 other pages recovered and exposed in London and
2 recorded by Carabinieri.

3 BY MR. GODDARD:

4 Q Professor, have you learned that in 2006 Italian
5 authorities learned of a potentially stolen leaf in around
6 Tampa or the University of South Florida?

7 A Yes. This information of the denunciation of
8 Professor Battaglia I know only this year. My denunciation
9 of the leaf in question I made last year in a way
10 independent.

11 THE INTERPRETER: She presented it independently.

12 BY MR. GODDARD:

13 Q Okay. How did you learn of the 2006 complaint?

14 A I know it this year speaking with Carabinieri and
15 speaking of this leaf.

16 MR. TRAVIGLIA: The Carabinieri was the law
17 enforcement authority in charge for the investigation
18 that the professor has advised. So that's why they
19 talk about those kind of things. When he reported to
20 them that this year she found it. And so the
21 Carabinieri say in 2006 we received this report from
22 the professor of the California university.

23 BY MR. GODDARD:

24 Q And did he indicate why pursuit was delayed on
25 that 2006 report?

1 A I don't know.

2 MR. GODDARD: I don't have any other questions.

3 MR. PALERMO: Anything else you think you can
4 add?

5 MR. TRAVIGLIA: Well, I don't know the previous
6 history of this investigation, so I don't know
7 exactly. What I can just add is if you need a
8 clarification on the Italian structure or how the
9 investigation could be conducted.

10 MR. PALERMO: No, I just didn't know if you could
11 think of anything else we should ask the professor
12 while she's here.

13 MR. TRAVIGLIA: No, I think that could be enough.

14 MR. PALERMO: Thank you.

15 Professor Segre, the leaf, as we've referred to
16 it which appears in the photograph in Exhibit A, was
17 this leaf stolen from the Italian republic?

18 THE WITNESS: I think so. I'm sure.

19 MR. PALERMO: And that's based on your training
20 and experience, your examination of it, your review of
21 all the evidence in your lifetime of work in this
22 field, correct?

23 THE WITNESS: Yes.

24 MR. PALERMO: Thank you. I appreciate your time.

25 At this point we'll just go off the record now.

1 So thank you.

2 - - - - -

3 (At 5:54 p.m., no further questions were
4 propounded to this witness.)

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CERTIFICATE OF OATH

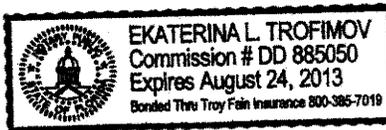
STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, the undersigned authority, certify that
COSTANZA SEGRE MONTEL personally appeared before me and was
duly sworn.

WITNESS my hand and official seal this 30th day
of July 2012.

Ekaterina L. Trofimov

Ekaterina L. Trofimov
Notary Public, State of Florida



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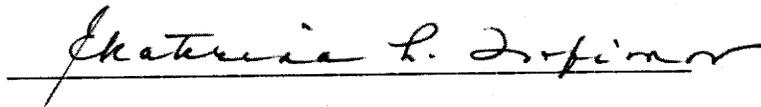
CERTIFICATE

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, Ekaterina L. Trofimov, Registered Professional Reporter, certify that I was authorized to and did stenographically report the sworn statement of COSTANZA SEGRE MONTEL; a review of the transcript was not requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 30th day of July 2012.



Ekaterina L. Trofimov, R.P.R.

EXHIBIT
B Montel
6.13.12 eet

Oratio. Langi. 7 smaragdi.

Metere dominum **Indus.**
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amantib; ei. diuites egnerunt
et claudunt iniquentes. iute
dnm no deficiat omni bono

Benedicam dnim in omi
que semp laus eius iore no bla

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cor. mmm tuoz. oryaci
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ut quoz natalitia colim
virtutem quoq; passionis
imitemur. p. 62.

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Scotta.

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manu. in totis a uob; nunt; gl.

Adesto domine **Oro.**
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Attachment C

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF FLORIDA

In re Request from the Italian Republic
Pursuant to the Treaty Between the
United States of America and the
Italian Republic on Mutual Assistance
in Criminal Matters

No. 8:12-MJ-1185TGW-001

AGREEMENT REGARDING ABANDONMENT OF INTEREST IN PROPERTY

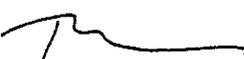
The United States of America and [REDACTED] by and through his counsel,
Frank W. Goddard, Esq., hereby agree that:

the previously identified illuminated leaf from the 15th century Italian
missal containing a richly decorated initial capital letter "C" in the top
right quadrant of the leaf and the image of San Lorenzo, that is, Saint
Lawrence, from the "Missal of Ludovico da Romagnano" (herein after
"the leaf"),

may be seized by the government pursuant to the request from the Italian Republic pursuant to
the Treaty between the United States of America and the Italian Republic on Mutual Legal
Assistance in Criminal Matters. As such, [REDACTED] hereby delivers the leaf to the United
States of America and relinquishes all claim, title and interest [REDACTED] has in the leaf to the
United States of America with the understanding and his consent that the leaf will be returned to
the Italian government, including potentially through the person of Dott.ss Montel Segre,
forthwith and without further obligation or duty whatsoever owing to [REDACTED] or any other
person. As part of this agreement in this case, [REDACTED] hereby states that, to the best of his
knowledge, he is the sole and rightful owner of the property, and that [REDACTED] hereby
voluntarily abandons all right and claim to the leaf.

Dated: 6-13-12


[REDACTED]
by and through his attorney
FRANK W. GODDARD, ESQ.
Goddard Law Firm, P.A.
2959 First Avenue North
Saint Petersburg, FL 33713
(727) 327-3935



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