

**DISTRICT ATTORNEY  
COUNTY OF NEW YORK  
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**CYRUS R. VANCE, JR.**  
DISTRICT ATTORNEY

October 10, 2017

The Honorable Daniel P. FitzGerald  
Supreme Court of New York County  
Part 65  
111 Centre Street  
New York, NY 10013

Re: Archaic Marble Head of a Bull Stolen from the  
Lebanese Republic (“Bull’s Head”)

Dear Judge Fitzgerald,

I write to notify the Court that the Beierwaltes have withdrawn their opposition to the repatriation of the subject Bull’s Head to the Lebanese Republic. Toward that end, both the Beierwaltes and I, on behalf of this Office, have signed the attached Stipulation consenting to this Court’s release of the Bull’s Head to the Lebanese Republic pursuant to N.Y. Penal Law §450.10 and N.Y. Criminal Procedure Law §690.55.

The Beierwaltes will also be moving to dismiss with prejudice the matter of Lynda and William Beierwaltes v Directorate General of Antiquities of the Lebanese Republic and the District Attorney of New York County, Amended Complaint for Declaratory Judgment, 17-CV-4755 (KPF) (SDNY) (July 11, 2017). I have notified representatives of the Lebanese Republic of this outcome and, pending this Court’s signing of the attached Order, will immediately schedule the repatriation ceremony.

Finally, although the Bull’s Head shall be released without the Beierwaltes or any other individuals being the subject of criminal charges, the investigation continues. Most recently, it was determined that one of the objects in the Beierwaltes Collection, an archaic marble torso of a calf bearer (“Calf Bearer”) that was depicted on page 134 of the June 1998 *House & Garden* special issue, was excavated by Maurice Dunand at Eshmun and stolen from the Lebanese Republic. It was sold in 1996 by Robin Symes to the Beierwaltes for \$4.5 million, and in 2015, it was sold to Michael Steinhardt. The People, having received a warrant from this Court to seize the Calf Bearer from Mr. Steinhardt, will be seeking its release to the Lebanese Republic after the appropriate 15-day notice period. Based on the current evidence, it does not appear that this will involve the Beierwaltes.

Respectfully,

A handwritten signature in black ink, appearing to read 'M. Bogdanos', written over the typed name and title.

Matthew Bogdanos  
Assistant District Attorney  
212 335-9323

CC Georges Lederman, Esq.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK, PART 82

-----X  
IN THE MATTER OF ITEMS SEIZED FROM :  
PREMISES LOCATED AT THE METROPOLITAN :  
MUSEUM OF ART, 1000 5th AVENUE, NEW YORK, :  
NEW YORK 10028 ("THE TARGET PREMISES") :  
-----X

WHEREAS, a criminal investigation conducted by the District Attorney of the County of New York ("DANY") has determined the following:

1. That on July 8, 1967, a state-sponsored excavation led by Maurice Dunand discovered an archaic marble Head of a Bull from the Temple of Eshmun in Sidon, Lebanon, dated to approximately 360 B.C., and approximately 13 inches in height ("the Bull's Head");

2. That the Bull's Head was safely stored until on or about July 29 to August 1, 1981, when it was removed from an underground storage facility in the Citadel in Byblos by armed members of *al-Katā'ib* (the Phalangist Party) during the Lebanese Civil War;

3. That the Bull's Head was thereafter illegally exported from the Lebanese Republic at an unknown date in violation of Lebanese Antiquities Law No. 166 LR dated November 7, 1933;

4. That there is no record of the Bull's Head's location or movement from its theft in 1981 until it appeared in the possession of Robin Symes in a New York storage facility on January 26, 1996;

5. That on November 27, 1996, William and Lynda Beierwaltes (the "Beierwaltes") purchased the Bull's Head from Robin Symes;

6. That on August 10, 2010, the Beierwaltes sold the Bull's Head to Michael Steinhardt, who then loaned it to the Metropolitan Museum of Art ("The Met") for display, and

7. That on April 16, 2015, the Beierwaltes then reacquired the Bull's Head from Mr. Steinhardt;

WHEREAS, pursuant to a search warrant issued by the Honorable Daniel P. Fitzgerald on July 6, 2017, The Met delivered the Bull's Head to the custody of DANY; and

WHEREAS, the Bull's Head constitutes stolen property under New York law and is, therefore, subject to release by DANY pursuant to N.Y. Penal Law §450.10 and N.Y. Criminal Procedure Law §690.55,

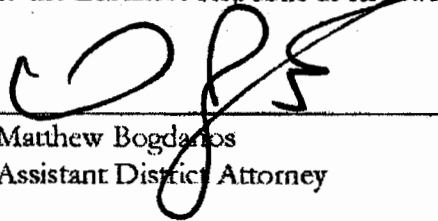
**IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:**

a. The Beierwaltes represent that they are authorized to enter into this agreement, and have read and fully understand the terms of this agreement and are agreeing to the terms freely, knowingly, and voluntarily;


b. The Beierwaltes, having been presented with incontrovertible evidence, and to prevent further delay in returning the Bull's Head to the rightful owner, concede and agree that the Bull's Head constitutes stolen property owned by the Lebanese Republic, and do hereby waive and relinquish all right, title, claims to, and interest, if any, they may have under federal law, New York state law, or any other state's law in the Bull's Head;

c. The Beierwaltes affirm that neither they, nor their successors, assigns, or agents will make any claims under federal law, New York state law, or any other state's law to the Bull's Head or object to its further disposition by the New York State Supreme Court and/or DANY; and waive any right to make any claim against DANY, the U.S. Department of Homeland Security, or any of their employees or agents, arising out of the seizure, retention, and disposition of the Bull's Head; and

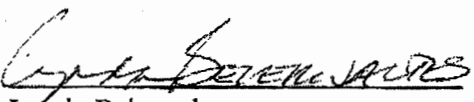
d. DANY represents that, based on the current evidence, DANY will not prosecute the Beierwaltes for any crimes, to the extent any may exist, arising out of their possession of the Bull's Head, and that the Bull's Head shall be disposed of by DANY in accordance with N.Y. Penal Law §450.10 and N.Y. Criminal Procedure Law §690.55 by repatriating the Bull's Head to the Lebanese Republic as its lawful owner.

  
Matthew Bogdanos  
Assistant District Attorney

Dated: 6 Oct 2017

  
William Beierwaltes

Dated: 10-6-17

  
Lynda Beierwaltes

Dated: 10-6-17

SC10 30196

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK, PART 65

IN THE MATTER OF AN APPLICATION FOR A  
WARRANT TO SEARCH THE PREMISES LOCATED AT  
THE METROPOLITAN MUSEUM OF ART, 1000 5TH  
AVENUE, NEW YORK, NEW YORK 10028 ("THE TARGET  
PREMISES")

TURNOVER ORDER

Upon the Application of Assistant District Attorney Matthew Bogdanos dated September 22, 2017,

WHEREAS the New York County District Attorney has proven the following statue to have been stolen; to wit, an item described as an archaic marble Head of a Bull from the Temple of Eshmun ("Bull's Head" (C-17)), dated to approximately 360 B.C.

WHEREAS the New York County District Attorney has shown the proper notice to have been given pursuant to Penal Law 450.10 of the intention to release stolen property, and

WHEREAS all parties having been given an opportunity to be heard, and

WHEREAS all parties have stipulated that the subject Bull's Head (C-17) was stolen from, and should be returned to, the Government of the Lebanese Republic, it is hereby

ORDERED, in accordance with CPL 690.55, that the New York County District Attorney be authorized to transfer custody to designated representatives of the Government of the Lebanese Republic.

Dated: 10/10/17

  
Hon. Daniel P. Fitzgerald

J.S.C. PT. 65 OCT 10 2017