

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

MISDEMEANOR

-against-

Michael Ward (M 74),

Defendant.

Robert Fromkin, Shield # 8614 of the , states as follows:

The defendant is charged with:

PL 115.00(1)

Criminal Facilitation in the Fourth Degree
(defendant # 1 : 1 count)

At the times and places described below in the County and State of New York, the defendant, believing it probable that he was rendering aid to a person who intended to commit a crime, engaged in conduct which provided such person with means and opportunity for the commission thereof and which in fact aided such person to commit a felony;

The factual basis for this charge is as follows:

I have reviewed bank records recovered by German law-enforcement authorities in July 2022 from bank accounts owned by Eugene Alexander. I have also reviewed email correspondence between Eugene Alexander and the defendant from 2013 to the present. From my review of this material, I believe that the defendant believed it was probable that he was rendering aid to Eugene Alexander, who was intending to commit a crime, and that he also engaged in conduct which provided Eugene Alexander with means or opportunity for the commission thereof, and which in fact aided Eugene Alexander to commit a felony, for the following reasons:

I am aware that from 1982 to the present, the defendant has owned and operated a gallery called Ward & Co., which is located at 980 Madison Avenue in the County and State of New York. I am also informed by the aforementioned material that from 1999 through 2022, Eugene Alexander had a money laundering scheme in which he sold looted antiquities to European and American collectors, including Michael Steinhardt, Richard Beale of Roma Numismatics, and Erdal Dere of Fortuna Galleries, among others, using a series of shell corporations and offshore banks for payments. After an investigation by the District Attorney of New York County's Antiquities Trafficking Unit (ATU) and the Department of Homeland Security-Homeland Security Investigations (HSI), Michael Steinhardt executed a Deferred Prosecution Agreement surrendering 180 stolen antiquities valued at almost \$70

3269856

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

Michael Ward (M 74),

Defendant.

MISDEMEANOR

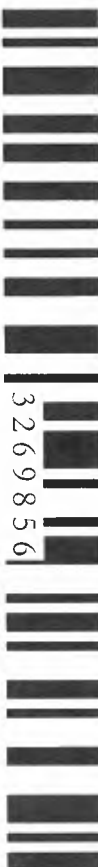
million—many of those antiquities having come from Eugene Alexander and/or Michael Ward, among others. Richard Beale was also recently convicted following an investigation by the ATU and HSI. Additionally, Erdal Dere is currently under indictment by the Southern District of New York.

As part of Eugene Alexander's money-laundering scheme, the defendant received more than one hundred antiquities from Eugene Alexander between 2015 and 2019. At least 80 of those antiquities were looted antiquities that Alexander shipped to the defendant's gallery in the County of State and New York. On September 5, 2023, I recovered more than 35 of those antiquities from the defendant's possession.

I know that these antiquities were looted antiquities for the following reasons:

1) As part of a multi-national investigation by the ATU, HSI, Germany, Italy, and the United Kingdom into Eugene Alexander, Michael Ward, and others, German authorities executed a raid on Eugene Alexander's apartment on February 23, 2022, recovering, among many objects, Alexander's computers. On those computers were photographs that looters had sent to Eugene Alexander of many of these antiquities in which they appear to be freshly looted and prior to being cleaned or restored. It is well-documented that looters and traffickers often take and maintain photographs of an antiquity in its post-looting state to demonstrate the antiquity's authenticity to potential buyers. Eugene Alexander subsequently arranged for the restoration of these looted antiquities, took digital photographs of them once they were cleaned, and sent those photographs to the defendant. There is no direct evidence that the defendant ever saw any of the looting photographs.

2) The defendant subsequently emailed the Art Loss Register ("ALR") the post-cleaning photographs. ALR is a private company that offers individuals an opportunity to report and check the provenance of artworks and antiquities to determine whether they appear in a database of stolen artworks. Obviously, the ALR cannot determine whether an antiquity has been looted; only whether it has or has not been reported stolen from a known and published collection in a museum, gallery, or private residence. Some of the documentation the defendant sent to the ALR was false. For example, on September 28, 2017, I saw that the defendant emailed the ALR from his gallery's email account with a photograph of an antiquity and an invoice containing certain provenance. I know that the invoice was false



CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

Michael Ward (M 74),

Defendant.

MISDEMEANOR

because it stated that the defendant had received the item from a gallery. But the gallery did not even exist in the year that the invoice stated it had been sold to the defendant.

3) Although Eugene Alexander stated that the antiquities originated from Turkey, Italy, or Greece, they all lacked provenance documentation showing that they left their respective country of origin legally. The provenance that Eugene Alexander did provide was always vague. For example, for dozens of the antiquities, the provenance stated that the pieces originated from “ex Geneva private collection, acquired in the early 1990s.” On occasion, the provenance would change to “ex Geneva private collection, acquired in the early 1980s.”

Based on my review of the afore-mentioned material—as well as on my review of the results of a search warrant the ATU and HSI executed on Eugene Alexander’s email account—I am also aware that the defendant signed false documents to further Eugene Alexander’s money-laundering scheme. On July 30, 2017, for example, the defendant signed a document with Eugene Alexander, indicating that the defendant accepted on consignment from Eugene Alexander 89 antiquities valued at over \$20 million. Then, on October 30, 2018, the defendant signed a document with Eugene Alexander, indicating that the defendant accepted on consignment from Eugene Alexander 82 antiquities valued at over \$27 million. On January 10, 2019, the defendant signed a blank form that Eugene Alexander provided, and on April 1, 2019, Alexander used that form to prepare and sign a document indicating that he had consigned or sold the defendant 63 antiquities valued at over \$29 million. Additionally, there is a document dated January 25, 2019, that is on Ward & Company letterhead with the defendant’s signature that indicates that the defendant owed Alexander more than \$4 million. I am aware that these documents contain transactions for looted antiquities. I also know that these documents contain overlapping antiquities, indicating to me that Eugene Alexander is making it appear as if he has shipped the same antiquity more than once to the defendant. I am aware that a person operating a money-laundering scheme typically creates false financial documents to explain a seemingly legal source of money as a way to open up future bank accounts, conceal the true illegal origin of the income, and to evade the detection of law enforcement.

Thus, based on my review of all this material, including communication between the defendant and Eugene Alexander; the volume of documented transactions involving looting antiquities between the defendant and Eugene Alexander, as well as the depiction of

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

MISDEMEANOR

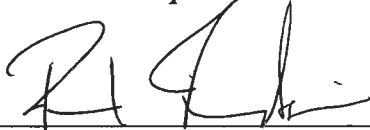
-against-

Michael Ward (M 74),

Defendant.

transactions that never actually occurred between the defendant and Eugene Alexander or that repeated themselves in several documents; I believe the defendant, believing it probable that he was rendering aid to a person who intended to commit a crime, engaged in conduct which provided such person with means and opportunity for the commission thereof and which in fact aided such person to commit a felony.

False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.



Robert Fromkin

9/6/23

Date

0955

Time

3269856