

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AGUDAS CHASIDEI CHABAD)
 OF UNITED STATES,)
)
 Plaintiff,)
)
 v.)
)
 RUSSIAN FEDERATION; RUSSIAN)
 MINISTRY OF CULTURE AND MASS)
 COMMUNICATION; RUSSIAN)
 STATE LIBRARY; and RUSSIAN)
 STATE MILITARY ARCHIVE,)
)
 Defendants.)
 _____)

Civil Action No. 1:05-01548 (RCL)

**STIPULATION PROHIBITING ATTACHMENT OF CERTAIN CULTURAL
OBJECTS TEMPORARILY IMPORTED INTO THE UNITED STATES**

WHEREAS plaintiff Agudas Chasidei Chabad of United States (“Chabad”), a New York nonprofit religious corporation, initiated an action on November 9, 2004, in the United States District Court for the Central District of California against the Russian Federation, the Russian Ministry of Culture and Mass Communication, the Russian State Library, and the Russian State Military Archive (collectively, “Russia”) to recover a large collection of Jewish books, manuscripts, and documents, which action was subsequently transferred to this Court, Civil Action No. 1:05-01548 (the “Action”);

WHEREAS Chabad obtained, on July 30, 2010, a default judgment against Russia in the Action ordering Russia to “surrender to the United States Embassy in Moscow or to the duly appointed representatives of Plaintiff Agudas Chasidei Chabad of United States the complete collection of religious books, manuscripts, documents and things that comprise the

‘Library’ and the ‘Archive’ presently being held by the Defendants at the Russian State Library and the Russian State Military Archive”;

WHEREAS Chabad to date has been unable to secure compliance with the default judgment order;

WHEREAS Chabad filed motions on April 4, 2011 in the Action for an order to permit enforcement of the default judgment by attachment and execution pursuant to 28 U.S.C. § 1610(c) and for monetary sanctions;

WHEREAS on May 13, 2011, Chabad filed a Statement in this Action notifying the Court that Chabad “will not seek to enforce this Court’s default judgment by attaching or executing against any art or object of cultural significance which has been loaned by the Russian Federation to American museums and is immune from seizure under 22 U.S.C. § 2459”; that Chabad had assured the United States of this in a letter which “formally commits Chabad and declares its intention in this regard”; and that “Chabad does not seek to disrupt in any manner the non-profit exchange of art and cultural objects between the Russian and American people,” which is “fully protected by the law of the United States.”

WHEREAS Museum Associates d/b/a the Los Angeles County Museum of Art (“LACMA”), a California nonprofit public benefit corporation, and other museums in the United States, including the Museum of Fine Arts in Houston, Texas (collectively, the “Domestic Museums”), are hosting an exhibition of Islamic artistic and cultural objects entitled “Gifts of the Sultan: The Arts of Giving as the Islamic Courts,” to take place at LACMA from on or about June 5, 2011 until on or about September 5, 2011, at the Museum of Fine Arts in Houston from on or about October 23, 2011 until on or about January 15, 2012, and at possible additional exhibitions or venues yet to be determined (the “Exhibition”);

WHEREAS the Exhibition is to include objects temporarily on loan from museums and other institutions around the world, including from three state museums in the Russian Federation;

WHEREAS the Assistant Secretary for Educational and Cultural Affairs of the United States State Department has made certain determinations concerning the Exhibition, including that the objects imported from abroad to be included in the Exhibition are of cultural significance; and that their exhibition or display at LACMA, the Museum of Fine Arts in Houston, and at possible additional venues is in the national interest; and has caused a public notice to that effect to be published in the Federal Register, at 75 Fed. Reg. 82,128 (Dec. 29, 2010) (the Public Notice);

WHEREAS, pursuant to 22 U.S.C. § 2459, the objects covered by the Public Notice, including those from the Russian Federation (the “Covered Russian Objects,” which are listed on Exhibit A attached hereto), are therefore immune from attachment or any other judicial process in any court of the United States or any State that would have the purpose or effect of depriving the Museums (or any carrier transporting the Covered Russian Objects) of custody or control of the Covered Russian Objects while they are in the United States temporarily on loan for the Exhibition;

WHEREAS Chabad and LACMA desire that this immunity be clarified and given binding effect;

NOW THEREFORE it is hereby stipulated that:

1. While they are temporarily in the United States for the Exhibition at LACMA from on or about June 5, 2011 until on or about September 5, 2011, at the Museum of Fine Arts in Houston from on or about October 23, 2011 until on or about January 15, 2012, and at

possible additional exhibitions or venues yet to be determined, the Covered Russian Objects may not be attached in aid of execution of Chabad's judgment in this Action or otherwise subjected to any judicial process in connection with this Action in any court that would have the purpose or effect of depriving any Domestic Museum or carrier of custody or control of the Covered Russian Objects.

2. Chabad agrees that it shall not institute any attachment or execution proceedings with respect to the Covered Russian Objects in any court of the United States, any State, the District of Columbia, or any territory or possession of the United States, or otherwise seeking any judicial process in any such court that would have the purpose or effect of depriving any Domestic Museum or carrier of custody or control of the Covered Russian Objects, while the Covered Russian Objects are temporarily in the United States for the Exhibition at LACMA from on or about June 5, 2011 until on or about September 5, 2011, at the Museum of Fine Arts in Houston from on or about October 23, 2011 until on or about January 15, 2012, and at possible additional exhibitions or venues yet to be determined.

Dated: May 18, 2011

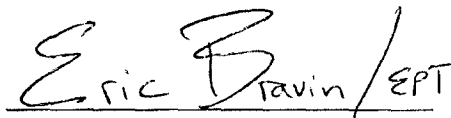
Respectfully Submitted,

BINGHAM MCCUTCHEN, LLP

By: 

Marshall B. Grossman (Pro Hac Vice)
Seth M. Gerber (Pro Hac Vice)
The Water Garden, 1620 26th Street
Fourth Floor, North Tower
Santa Monica, CA 90404
Telephone: (310) 907-1000

LEWIN & LEWIN, LLP
Nathan Lewin (D.C. Bar No. 38299)

By:  Eric Bravin/EPT

Eric O. Bravin (D.C. Bar No. 483190)
4504 MacArthur Blvd.
Suite No. 2
Washington DC 20007
Telephone: (917) 797-5536

Attorneys for Museum Associates dba the Los Angeles County Museum of Art

Alyza D. Lewin (D.C. Bar No. 445506)
1775 Eye Street, NW, Suite 850
Washington, DC 20006
Telephone: (202) 828-1000

*Attorneys for Agudas Chasidei Chabad of
United States*

Exhibit A

**International Lenders for
Gifts of the Sultan: The Arts of Giving at the Islamic Courts**

RUSSIA

134.

Turkey

Scoop, 17th century

Gold, rock crystal, silver, precious stones, pearl (*margaritifera-margaritifera*), silver thread
Length: 23.5 cm, Total Weight: 326.50 g.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow,
Russia

Lender collection number: 1127 oxp MB-38 3B-1354 (1 пр. с др.)

135.

Iran

Ceremonial Mace (Pernat), mid-17th century

Gold, wood, turquoise

Length: 51.7 cm.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow,
Russia

Lender collection number: 5501 oxp Op-187 3B-1195 (1 пр. с др.)

136.

Iran

Ceremonial shield, mid-16th century

Leather mounted in pearl-set gold; gems, turquoise inlay, gold plate with engraved work

Diameter: 55.5 cm

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow,
Russia

Lender collection number: 5314 oxp OP 169 3B-1180

137.

Turkey, Istanbul

Bowl, first third of the 17th century

Gold, nephrite, precious stones

H: 12.2 cm; D: 14.5 cm, Total weight: 958.4 g.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow,
Russia

Lender collection number: 2962 oxp ДК-267 3B-1361 (1 пр. с др.)

138.

Turkey

Helmet "Jericho cap," first third of the 17th century

Damask steel, silver, silk fabric

Diameter: 22 cm

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 4697 oxp OP-163 CB-821 (1 пр. с др.)

139.

Turkey

Writing set, 17th century

Silver, gold, lazurite, precious stones, pearl (*margaritifera-margaritifera*)

Total length: 27 cm (pencil box); total height: 7 cm (inkstand), total weight: 554.2 g.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 3241 oxp MB-41 3B-1368 (1 пр. с др.)

140.

Turkey

Flask, 17th century

Leather (domesticated goat), silver thread, silk, nephrite, silver, rock crystal, precious stones, gold, glasses

27.5 x 21.5 cm; Total weight: 1256.2 g.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 3187 oxp TK-2882 3B-1367 (1 пр. с др.)

141.

Iran and Turkey

Cover, 17th century

Taffeta, damask, velvet

98 x 108 cm

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 10195 oxp TK-2199

142.

Iran

Cover, late 17th century the beginning of 18th century

Satin, fabric, cotton fabric

70 x 24 cm.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 4055 oxp Tk-2222 CB-1868 (1 пр. с др.)

143.

Turkey, Istanbul

Saddle, mid-17th century

Gold, silver, copper, precious stones, pearl (*margaritifera margaritifera*), wood, leather (domestic goat), velvet, braid, gilded thread

Total L: 40 cm; H: (of front arch) 34 cm; H: (of rear arch) 19 cm; L: 40 cm

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 9590 oxp K-231 3B-394 (1 пр. с др.)

144.

Iran

Dagger and sheath, first part 17th century

Gold, rubies, damask steel, wood, glasses, pearl (*margaritifera margaritifera*), turquoise
Common length: 30.8 cm, Length of blade: 16.8 cm, Length of sheath: 18.5 cm, Total weight: (dagger) 171.1 g, (sheath) 88.1 g.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 6518/1-2 oxp Op-208/1-2 3B-1210/1-2 (2 пр. с др.)

145.

Turkey

Pair of stirrups, 17th century

Gold, iron, precious stones, fabric with gilded treads, velvet, leather (domestic goat)

H: 17cm; Total weight: 3447.5 grams

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 9443/1-2 oxp K-216/1-2 3B-429/1-2 (2 пр. с др.)

146.

Turkey

Chest Straps (Paperst), 17th century

Gold, silver, iron, stones, braid, leather (domestic goat)

Width of straps: 6 m; Total weight: 2141.5 g.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 9878 oxp K-225 3B-389 (1 пр. с др.)

147.

Turkey

Bridle (Ogolov), 17th century

Gold, silver, iron, stones, glasses, braid, leather (domestic goat)

Width of straps: 5 cm; Total weight: 2560 g.

Lender: The State Historical-Cultural Museum Preserve, Moscow Kremlin, Moscow, Russia

Lender collection number: 9877 оxp K-420 3B-1773 (1 пр. с др.)

148.

Central Asia

Bronze oil lamp (chiraghdan), c. 1397

Bronze

84.5 cm (33.3 inches)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: SA 15931

149.

Iran

Bottle, end of 11th – beginning 12th centuries

Cast silver, niello

D: 11.5 cm.; H: 20.6 cm.

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: S-504

150.

India

Flask for Rose Water, 17th century

Gold, enamels, precious stones

H: 10.24 in (26 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: VZ 714 a,b

151.

Iran, Tabriz

Commemorative coin of Fath Ali Shah, AH 1242/1826-7

Gold

Diameter: 2 5/8 in. (6.7cm) weight: 229.60g

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ON-V-Az-1943

152.

Iran, Tehran

50 tomans, AH 1210/1796

Gold

Side length: 2 3/4 in. (6.8cm) Weight: 399g

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ON-V-Az-1830

153.

Iran, Tehran

50 tomans, AH 1210/1796

Gold

Side length: 2 5/8 in. (6.7cm) Weight: 402.05g

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ON-V-Az-1831

154.

Iran, Tehran

20 tomans, AH 1210/1796

Gold

Diameter: 1 3/4 in. (4.2cm) Weight: 162.03g

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ON-V-Az-1831

155.

Iran, Tehran

20 tomans, AH 1210/1796

Gold

Diameter: 1 3/4 in. (4.2 cm) Weight: 162 g

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ON-V-Az-1829

156.

Karl Gampeln

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Khusraw Mirza with the four other emissaries, 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The Hermitage Museum, St. Petersburg, Russia

Lender collection number: ERG-767

157.

Ludwig O.

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Khusrau Mirza (profile bust) 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ERG-19105

158.

Karl Gampeln

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Khosrow Mirza (three quarter portrait bust), 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ERG-19106

159.

Karl Gampeln

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Mirza Baba, 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ERG-19509

160.

Karl Gampeln

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Amir Khusraw Muhammad Khan, 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ERG-18653

161.

Karl Gampeln

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Mirza Mas'ud, 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: ERG-18753

162.

Karl Gampeln

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Mirza Salih, 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection Number: ERG-18980

163.

Eduard Hauser

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Khosrow Mirza on a horse with the Peter and Paul Fortress at the background, 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection Number: ERG-1320

164.

Eduard Hauser

Suite of lithographs related to the embassy of Prince Khusrau Mirza, Portrait of Khosrow Mirza on a horse, 1829

Lithography

22.2 x 15.7 in (56.5 x 39.8 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection Number: ZK II-1

165.

China

Fragment of silk damask, end of 13th to beginning of the 14th century

Silk, damask design of dark and light blue colors

20.5 (w) x 15.7 (l) in (52 x 40 cm)

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: LT-449

166.

China, Central Asia or Egypt

Fragment of a robe, end of the 13th to beginning of the 14th century

Silk

W: 49 cm.; L: 29 cm.

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: EG-905

167.

Turkey

Tent, late 18th century

Thin woolen cloth (the inner part of the tent), finished canvas (the outer part), brocade and silk decorations; polychrome silk and metal thread embroidery, braid

1605/2: 465 x 520 cm.; 1605/4: 255 x 1030 cm.; 1605/9: 240 x 122 cm.; 1605/10

Lender: The State Hermitage Museum, St. Petersburg, Russia

Lender collection number: VT-1605/2,4,9,10

168.

Text by Abd al-Rahman Jami

Illustrated Manuscript of the Tuhfat al-ahrar (Gift for the Noble), late 16th century

Ink, colors and gold on paper

30.7 x 19.5 x 2.4 cm

Lender: The National Library of Russia, St. Petersburg, Russia

Lender collection number: Dorn 426

169.

Copied by Sultan Ali Mashhadi

Diwan of Mir 'Ali Shir Nava 'i, 1465

Ink, colors and gold on paper

Folio: 34 x 23.7 x 4.7 cm

Lender: The National Library of Russia, St. Petersburg, Russia

Lender collection number: Dorn 564

170.

Sultan Ali Mashhadi

Treatise on calligraphy, text: c. 1514-1520, decoration and binding: 1560-7

Ink, color and gold on paper

23.6 x 15.5 x 1.2 cm

Lender: The National Library of Russia, St. Petersburg, Russia

Lender collection number: Dorn 454

171.

Iran

Layla and Majnun by Amir-Khusrau Dihlavi, late 15th century

Opaque watercolors on paper

25.1 x 17 x 1.4 cm

Lender: The National Library of Russia, St. Petersburg, Russia

Lender collection number: Dorn 395