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Honorable James I. Cohn  
United States District Judge  
United States Courthouse  
299 East Broward Boulevard, Room 203  
Fort Lauderdale, FL 33301

**Delivered by Post**

29 June 2012

**Related to: Victims of Holocaust Art Theft v The Czech Republic,  
National Gallery in Prague and Museum of Decorative Arts of Prague,  
Civil Action # 12-80420-CIV-Cohn/Seltzer**

Dear Judge Cohn:

It is my understanding that I am permitted to write to you directly.

In our system, it is not appropriate to communicate with the Court in such an informal manner. Therefore, please forgive me if my letter appears to not be in accordance with the Court's expectations for an interested person. However, I am writing because I would like the Court to be aware of certain matters.

I am a humble hard working Czech national, who is retired living on a small pension, who has found himself at the heart of an important struggle for Holocaust victim restitution rights.

For now, I would like to explain a few things that I believe should be important for Your Honor and for the Honorable Barry I. Seltzer, Chief Magistrate Judge, to consider about this case.

If and when it is appropriate or required by the Court, I would be willing to come into Court personally or to communicate with the Court directly. And, if the Court considers it inevitable that I will have get a lawyer for my own interests, or if Mr. Fagan has to get a lawyer for "Victims of Holocaust Art Theft", who can help me as well.

The Court should know that Mr. Fagan and I have been communicating regularly for several months about the claim by Mr. Fagan filed based upon his interest in the collection of my great uncle and aunt Regina and Richard Popper. We also talk and meet about the things that Mr. Fagan and I are working together include efforts to change laws, make more people aware of the difficulties that victims face in making claims in the Czech Republic and the EU and how to overcome those difficulties, efforts to get full access to records related to looted property, efforts to get Jewish, non-Jewish and government organizations to help create and implement claims processes that help with restitution rather than allow the people or institutions who inherited property stolen from holocaust victims to be able to keep it and other things.

As far as this claim is concerned, it is my understanding that Mr. Fagan's rights to recover The Popper Art Collection basically come the rights I had when I sold him a partial interest in The Popper Art Collection. It is also my understanding that eventually there will have to be a way that when Mr. Fagan prevails and The Czech Government, The National Gallery and the Museum of Decorative Arts are ordered to either return The Popper Art Collection or pay restitution for the paintings and collection. And, that my interests will have to be included in that process if there is ever to be actual restitution of the paintings and collection.

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I have demonstrated to Mr. Fagan and I believe it is important the Court to understand (i) how corrupt, discriminatory and unjust the Czech judicial system has been regarding my restitution claims; (ii) that what had been done with my claims in the Czech Republic was an insult to justice and even violated what the Czech Republic promised what would be done during the 2009 Prague Conference and in the Terezin Declaration, (iii) how it was my plight that the US delegates, politicians and representatives brought to the attention of the US Congress in 2009, and (iv) how I was never able to get a hearing on the merits for my restitution claims and that the Czech Courts would not allow me to make other claims.

I expect that the Czech Government, the National Gallery and the Museum of Decorative Arts will try to stall and delay this case as they did from 1945 to 1948 and then in the 1960s and finally from 1992 to 2009. I hope that does not happen.

Let the Court be aware that this claim could not have been filed were it not for the delays caused by the Czech Republic and its predecessors from 1946 to 1999. But for these delays, my relatives and I would have long ago recovered the pieces from The Popper Art Collection that were stolen from Richard & Regina Popper. The stolen artwork, ceramics, antique clocks, rugs, judaica and other valuable items should have been given back during the period from 1945 to 1948. The Czech Republic should have been given back The Popper Art Collection between 1992 to 2009. Unfortunately, they were not. In that time, my family members died off and then in 2000 the Czech Republic passed the law (that Mr. Fagan is challenging in the US and that I am challenging in the EU) that cut off my rights. The Czech Republic passed the law only after knowing they had in their museums stolen pieces from The Popper Art Collection. Restitution should have been awarded to my relatives who long ago made the claims but who have since died waiting for restitution.

I have extensive (and at times very frustrating) experience dealing with Courts related to restitution of property that belonged to Regina and Richard Popper.<sup>1</sup> I have helped pursue claims in Czech Courts, helped do research, helped write Court submissions for the last 20 years.

Using Czech restitution laws, I was finally able to recover the house and some plots of land stretching behind the house that Regina & Richard Popper owned. It seems awkward to me that I was able to recover the house that Richard and Regina Popper owned but by the time I discovered the existence of the artwork (in 2000) the Czech Republic had already passed the discriminatory Holocaust Restitution Act of 2000 that stripped me and many others of rights to recover artwork, even artwork that hung on the walls in houses, buildings and property that we are able to recover.

While I am not a Czech lawyer and I am certainly not familiar with US law in all its complexity, I am able to learn and understand basic court rules, understand court decisions and protect my interests.

I read and approved the complaint before it was filed, i.e. I helped with much of the facts and language of the claims. I have read the Court's 4 June 2012 Order and Mr. Fagan's most recent Motion about who is "*Victims of Holocaust Art Theft*", why the name was chosen and seeking permission to amend the caption. The statements in that Motion that refer to me and to my interests and involvement with "*Victims of Holocaust Art Theft*" are true.

Since Mr. Fagan and I have been working together, we have discovered what I believe is important evidence to support the US claim. That is one of the main reasons I am writing the Court now. I believe that when the Czech Government and the National Gallery realize the evidence that we have discovered, there is real risk that they will (i) start to destroy, sell or get rid of the pieces from

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<sup>1</sup> As examples, from 1946 to 1948, the former Czech Courts wasted 2 years on deciding who was killed first my great uncle or my great aunt. Then, after the "Velvet Revolution" and the change from communism to democracy, it took almost twenty years (from 1992 to 2011) for the present Czech Courts to decide to give back the real estate that was stolen from Richard Popper.

The Popper Art Collection that they have admitted they have and the pieces that they refuse to admit but which we can prove they have or had; (ii) they will destroy evidence, change or move evidence that they have about the pieces from The Popper Art Collection that they have and the ones that they lost, sold or which were destroyed by fire or through improper storage.

I believe that Mr. Fagan will ultimately prevail on the merits of the claims he brought in the United States and I do want to be part of that case. I also believe that whatever can be done should be done immediately to prevent the Czech Republic and the National Gallery from destroying evidence or selling / disposing of pieces from The Popper Art Collection and I will help with that anyway I can.

I want the Court to also know that I am well aware of the fact that Mr. Fagan has been disbarred and for this reason he may not represent me in Court.

However we have closely collaborated with Mr. Fagan on all materials related to the case that has been presented to the Court.

Based on my own experience I highly respect Mr. Fagan's deep knowledge of law, his brilliant orientation in relevant Czech law and related facts as they have come from rather complicated litigation before the Czech Courts.

Furthermore I trust Mr. Fagan's personal qualities, his honesty and integrity.

I confirm that Mr. Fagan and I share similar interests related to The Popper Collection and the claims that are now pending in the US jurisdiction; I believe that Mr. Fagan will provide his best knowledge and effort to succeed in this matter.

For the above mentioned reasons, I do not wish Mr. Fagan to be my legal counsel (which he cannot be). However, I do wish him to advocate for our common interests now being decided in US Court as he is advocating in the Czech Republic and elsewhere in the EU for our common interests and indeed for the interests of all Holocaust victims with claims such as out.

Nevertheless if your ORDER for Victims (meaning Mr. Fagan) to obtain a legal counsel endures I wish to be represented by the same lawyer as Victims (meaning Mr. Fagan).

Thank you for the Court's recognition of the claim and for its willingness to consider the claims that I believe affect Holocaust victims with art claims worldwide, including in Florida.

Michal Klepetář

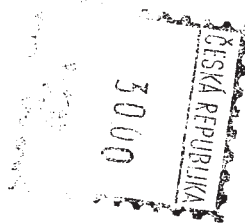


**2 Copies**

Copy # 1 to: Honorable Barry S. Seltzer, Chief United States Magistrate Judge  
United States Magistrate Judge  
United States Courthouse  
299 East Broward Boulevard, Room 109  
Fort Lauderdale, FL 33301

Copy # 2 to: Edward D. Fagan

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HONORABLE BARRY S. SELTZER  
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UNITED STATES COURTHOUSE  
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