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SEVEN DEFENDANTS INDICTED FOR ALLEGED ROLES IN \$5 MILLION INTERNATIONAL FRAUD SCHEMES SELLING COUNTERFEIT FINE ART PRINTS

CHICAGO – An international investigation of the production and sale of counterfeit limited edition fine art prints of renowned artists, has resulted in federal criminal charges against seven defendants, including three Europeans and residents of Florida, New York and Illinois, U.S. and Spanish law enforcement officials announced today. Two separate indictments allege that the defendants sold thousands of counterfeit prints – at prices well in excess of their value – to victims in the United States, Canada, Australia, Europe and Japan. The indictments allege that the defendants together reaped more than \$5 million in illegal proceeds from the separate, but overlapping fraud schemes. In both cases, investigators tracked the distribution of bogus works, purportedly by such artists as Pablo Picasso, Marc Chagall, Roy Lichtenstein, Joan Miro, Andy Warhol and others, from counterfeit distributors to an art dealer in north suburban Northbrook, who allegedly sold the inauthentic prints to victims, primarily through eBay, an internet auction web site.

The Northbrook dealer, **Michael Zabrin**, principal in Fineartmasters and Zfineartmasters, was charged in one indictment, together with the three European alleged counterfeit artwork distributors and a Florida art dealer. A second Northbrook man, **James Kennedy**, principal in KFA of Illinois, Inc., was charged in the second indictment together with an alleged distributor of counterfeit artwork based in New York.

“Con artists should not be confused with master artists,” said Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois. “Buyers of limited edition fine art prints, like all other buyers, are entitled to get what they pay for. These indictments are significant because they extend across international borders from one end of the supply chain to the other. While we urge customers to exercise caution and skepticism of deals that appear too good to be true, we are determined to preserve the integrity of an open market.”

Mr. Fitzgerald announced the charges together with Thomas P. Brady, Inspector-in-Charge of the U.S. Postal Inspection Service in Chicago, and Robert D. Grant, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation. They were joined by Commissari Antoni Permanyer, the investigation commander-in-chief of Mossos d’Esquadra (the Catalan police), headquartered in Barcelona, Spain. The U.S. Immigration and Customs Enforcement (ICE) agents and the Northbrook Police Department also assisted in the investigation, which is continuing.

The officials announced that anyone who suspects that they might be a victim of fraudulent art sales may submit information to law enforcement authorities via a form posted on the U.S. Attorney’s web site at www.usdoj.gov/usao/iln . Persons without internet access may call a toll-free number – (866) 364-2621 – and leave a message with the spelling of their name and an address, and a form will be mailed to them.

Charged in a 10-count indictment (the “European indictment”) were: **Oswaldo Aulestia-Bach**, 62, of Barcelona, Spain; **Elio Bonfiglioli**, 53, of Monsummano, Italy; **Patrizia Soliani**, 56, of Milan, Italy, and Miami Beach, Fla., all three of whom allegedly distributed counterfeit artwork; **Jerome Bengis**, 61, of Coral Springs, Fla., principal in Bengis Fine Art gallery; and **Michael Zabrin**, 55, of Northbrook. Aulestia-Bach and Bonfiglioli were each charged with 10 counts of fraud and the United States intends to seek their extradition. Soliani, who was released on bond after she was arrested and charged in a criminal complaint last summer, was charged with four

counts of fraud, while Bengis was charged with two counts of fraud and Zabrin is facing six fraud counts. Soliani, Bengis and Zabrin will be arraigned at a later date in U.S. District Court in Chicago.

The indictment also seeks forfeiture of \$4 million in addition to more than \$125,000 that was seized from bank accounts in San Francisco belonging to Aulestia-Bach and Bonfiglioli.

The second nine-count indictment charged **James Kennedy**, 55, of Northbrook, with five counts of fraud and one count of obstruction of justice for allegedly threatening injury on January 8, 2008, to an individual who was communicating information to a law enforcement officer in connection with this investigation. Kennedy was arrested on that charge on January 31, 2008, in Jacksonville, Fla., and is being held without bond in federal custody in Chicago. He has a detention hearing scheduled for March 24. Charged with Kennedy was **Leon Amiel, Jr.**, also known as “Leon Glass,” 36, of New York City, principal in Glass Inter Corp., who was charged with six counts of fraud. He will be arraigned at a later date in Federal Court in Chicago. The Kennedy-Amiel indictment seeks forfeiture of \$1 million.

The European indictment alleges that the five defendants and others participated in a fraud scheme between July 1999 and October 2007 in which Aulestia-Bach and Bonfiglioli caused counterfeit prints of works by such artists as Miro, Warhol, Chagall, Picasso and others to be manufactured in Spain and Italy. The two men allegedly acquired what they knew were counterfeit prints bearing forged signatures of renowned artists to distribute them as limited edition works, and they knew that many of the prints bore false numerical or other markings making them appear as if they had been part of a limited edition or were prepared for the artist’s own use. Aulestia-Bach at times allegedly forged the signatures of certain artists, including Chagall, Lichtenstein, Miro and Picasso.

According to the indictment, Aulestia-Bach and Bonfiglioli distributed counterfeit artwork to various dealers, including Soliani, Bengis and Zabrin, who, knowing it was counterfeit, resold the

prints to wholesale and retail customers at prices substantially in excess of the market value for inauthentic artwork. It adds that the two European distributors allegedly cautioned Soliani to limit the amount of counterfeit art in the market at one time.

The indictment details specific transactions involving the sale of allegedly counterfeit limited edition art prints, including undercover purchases by law enforcement agents. In one instance alleged in the indictment, Zabrin offered two etchings for sale on eBay, falsely representing that they were 1968 Picasso etchings from the 347 Series, signed by the artist in pencil, and that they were numbered from an edition limited to 50 prints.

Zabrin was also named as co-schemer in the Kennedy-Amiel indictment, which alleges a fraud scheme between 2000 and January 2008 in which the defendants and others acquired counterfeit prints of various artists, including Alexander Calder and Salvador Dali, which they knew bore forged signatures and/or false numbering. Kennedy allegedly forged the signatures of certain artists, including Calder, Chagall, Miro and Picasso.

In one instance, according to the indictment, Amiel distributed to one dealer 2,500 counterfeit Calder prints and 600 counterfeit Chagall “Exodus” prints. Kennedy allegedly traveled to art shows throughout the country where he sold counterfeit artwork of prominent artists as genuine limited edition prints. Between 2005 and 2007, Kennedy received nearly \$1.3 million from the sale of art, including 61 successful auctions of counterfeit art on eBay, from which he fraudulently obtained more than \$39,000, the indictment alleges.

The government is being represented by Assistant U.S. Attorneys Nancy Miller, Joseph Ferguson and Stephen Heinze.

If convicted, each count of mail and wire fraud in both indictments carries a maximum penalty of 20 years in prison and a \$250,000 fine. The obstruction of justice count against Kennedy carries a maximum penalty of 10 years in prison and a \$250,000. Restitution is mandatory and the

Court would determine the appropriate sentence to be imposed under the advisory United States Sentencing Guidelines.

The public is reminded that an indictment contains only charges and is not evidence of guilt. The defendants are presumed innocent and are entitled to a fair trial at which the United States has the burden of proving guilt beyond a reasonable doubt.

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