



901 New York Avenue, N.W.  
Suite 900 East  
Washington, DC 20001

Telephone (202) 783-6040  
Facsimile (202) 783-6031  
www.rothwellfigg.com  
info@rothwellfigg.com

Offices in Washington, D.C. | New York | Boston

February 23, 2023

***Via Hand Delivery and Email***

Aron Orzel  
Tomer Rosenfeld  
TAJ Art Judaica & Public Auction  
16 Betzalel St.  
Jerusalem 94591  
Israel  
[tajart.ltd@gmail.com](mailto:tajart.ltd@gmail.com)

E. Anthony Figg  
George R. Repper  
Steven Lieberman  
Joseph A. Hynds  
Martin M. Zoltick  
R. Danny Huntington  
Joo Mee Kim  
Brian S. Rosenbloom  
Robert P. Parker  
Richard Wydeven  
Sharon L. Davis  
Sharon E. Crane, Ph.D.  
Jenny L. Colgate  
Leo M. Loughlin  
Michael V. Battaglia  
Jennifer P. Nock  
Michael H. Jones  
Rachel M. Echols  
Daniel L. Shores  
Brett A. Postal  
Aydin H. Harston, Ph.D.  
Jennifer B. Maisel

\*Not a member of the D.C.  
Bar. Practice limited to patent,  
trademark and copyright matters  
and cases in federal courts.

G. Franklin Rothwell  
(1928-2011)

Jess M. Collen  
Jeffrey A. Lindenbaum\*  
Monica Chin Kitts  
Mark T. Rawls  
Nicole M. DeAbrantes  
Davide F. Schiavetti  
D. Lawson Allen  
Anjali Jenna Teigen  
Richard E. Waterman, Jr.  
Patrick Moon  
Vivian Y. Tian  
Xiaoban Xin, Ph.D.  
Kristen J. Logan  
Malissa S. Magiera  
Sheena X. Wang  
Gary J. Prato\*  
C. Mathis Brazeal  
Paul S. Macri  
An Nguyen  
James T. Pawlowski

Of Counsel  
Harry F. Manbeck, Jr.  
Jane F. Collen  
James R. Hastings\*  
Mitchell E. Radin\*

Dear Mr. Orzel and Mr. Rosenfeld,

This law firm represents Agudas Chasidei Chabad of United States (“Chabad”).

Yesterday, Chabad filed in the United States District Court for the District of Columbia an emergency motion for issuance of a letter of request for international judicial assistance. That same day, the Honorable Royce C. Lamberth, United States District Court Judge, issued an order to launch on an expedited basis an investigation through the Israeli judicial authorities of TAJ Art’s proposed auction on February 28, 2023 of Lot 102 in Auction 7. *See* 2023 Order. In that ruling (a copy of which is attached) the Court ruled that:

Based on information presented to this Court and found to be credible, an inquiry is appropriate as to whether the manuscript is subject to this Court’s previous judgment and order.

*Id.* at 2-3. I have also attached with this letter a copy of the Court’s prior judgment and order establishing Chabad’s ownership of the Library to which we believe the manuscript-at-issue belongs. *See* 2010 Order.

In its 2023 Order the Court has requested the Israeli judicial authorities to launch an immediate investigation, including requiring TAJ Art to produce the following documents:

1. All Documents constituting, concerning or relating to the manuscript described as “‘Meshivat Nefesh’ authored by Great Sage and Kabbalist, Rabbi Yaakov

Mr. Orzel and Mr. Rosenfeld

February 23, 2023

Page 2

Tzemach [and] Owned by The Rabbi Rashab and later by The Rabbi Rayatz. With a Special Letter Appended to it,” which is Lot No. 102 in Auction No. 7, and is publicized at the following URL: <https://il.bidspirit.com/ui/lotPage/tajart/source/catalog/auction/29987/lot/18781/share?lang=en> (hereafter referred to as “Lot 102”), including, but not limited to, the original of that manuscript.

2. All Documents concerning or relating to the Person or Persons who made Lot 102 available to TAJ Art for auction.

3. All Documents concerning or relating to TAJ Art’s understanding of the provenance of Lot 102.

4. All Documents concerning, relating to, or incorporating one or more Communications between TAJ Art and the Person or Persons who made Lot 102 available for auction.

5. Insofar as Lot 102 is no longer in TAJ Art’s possession, custody, or control, all Documents relating to the disposition of Lot 102, including but not limited to documents sufficient to Identify the purchaser of Lot 102.

6. All Documents concerning, relating to, or reflecting TAJ Art’s activities, including Communications, involving Judaica currently in the possession of Russia, including particularly, but not limited to, any such Judaica associated with Chabad.

*See* 2023 Order at 1; Exhibit 1 at 10-11 (attached).

In addition, the Court has ordered that deposition testimony from one or more representatives of TAJ Art on these subjects. *See* Exhibit 1 at 11.

I suggest that TAJ Art, in addition to advising the consignor, will want to make copies of this Order available to any prospective purchasers of this manuscript so that they understand the existence and nature of Chabad’s claim of ownership to the manuscript. Indeed, in our view, it is necessary for TAJ Art to post a copy of, and a link to, this Order on its website so that anyone viewing Lot No. 102 will understand the challenges to the provenance of that item.

**Note particularly that request number 1 (page 10) asks for all documents concerning or relating to the manuscript, “including, but not limited to, the original of that manuscript”. TAJ Art therefore, has an obligation to preserve (that is, not to sell or otherwise dispose of or transfer), the original of that manuscript so that it may be produced in the Israeli judicial proceedings and examined by Chabad (and its experts).**

Please understand that Chabad’s only interests are to obtain the return of this manuscript to Chabad, and information (more particularly defined in the Order) regarding how and from whom this manuscript came into the possession of your consignor so that Chabad may attempt to

Mr. Orzel and Mr. Rosenfeld  
February 23, 2023  
Page 3

locate other books that have been stolen by the Russian Federation but that are not currently being held by the Russian Federation.

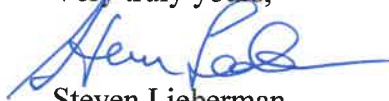
If you or your consignor have a resolution that you wish to propose to Chabad that accomplishes these objectives, Chabad will consider it. But as a predicate to any further discussions on this subject, TAJ Art must agree to remove Lot No. 102 from the upcoming auction.

I also enclose a letter from Rabbi Yehuda Krinsky, dated 16 Kislev 5778, regarding materials from the Schneerson Collection.

Please advise me in writing by 6:00 p.m. (Israel time) today (February 23 2023) whether TAJ Art is willing to make this commitment to remove Lot No. 102 from the upcoming auction and whether TAJ Art and/or its consignor would like to make a proposal to Chabad regarding resolution of this matter.

I look forward to hearing from you.

Very truly yours,



Steven Lieberman

Counsel to Agudas Chasidei Chabad of United States

cc: Robert Parker, Esq.  
Anjali J. Teigen, Esq.  
Ori Keidar, Esq.

Enclosures: 2023 Order - Signed Request for International Judicial Assistance - Letter Rogatory  
Exhibit 1 to Request for International Judicial Assistance - Letter Rogatory  
2010 Order - Granting Motion for Entry of Default Against All Defendants  
Letter from Rabbi Yehuda Krinsky