

**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.)
))

Case No. 1:05-cv-01548-RCL

REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE

(LETTER ROGATORY)

TO THE APPROPRIATE JUDICIAL AUTHORITY OF ISRAEL:

The United States District Court for the District of Columbia presents its compliments to the Appropriate Judicial Authority of Israel, and pursuant to the Hague Convention on Evidence on the Taking of Evidence Abroad in Civil or Commercial Matters, requests international judicial assistance to obtain information to be used in a civil proceeding before this Court in the above-captioned matter. We request that this matter be handled on an expedited basis to the extent feasible under Israeli law and practice.

The assistance requested is that the Appropriate Judicial Authority of the Israel compel the Witness listed below to produce documents and testimony within the categories identified in Exhibit 1. This request for international judicial assistance is being made in the interests of

justice.

**THE WITNESS: TAJ Art Judaica & Public Auction
16 Betzael St.
Jerusalem 94591
Israel**

I. FACTS

This lawsuit was filed by plaintiff Agudas Chasidei Chabad of the United States (“Chabad”) against defendants Russian Federation and several of its agencies identified in the caption to this document (collectively, “Russia”). Chabad seeks the return of (i) a library of Jewish texts that was confiscated by the government of the Soviet Union (the “library”), and (ii) the Chabad organization’s archives, which were confiscated by the Nazis during World War II and re-confiscated by the Soviet Union following the war (the “archive”) (collectively the “Collection”). The library and the archive are currently in the possession, custody, and control of the Russian Federation.

Following proceedings in which Russia actively participated, the United States Court of Appeals for the District of Columbia Circuit ruled that Chabad’s complaint against Russia raised a valid claim over which this Court has jurisdiction. Following further proceedings in which Russia refused to participate, this Court entered judgment in favor of Chabad and against Russia. This Court ordered that Russia return the library and the archive to Chabad. Russia is in contempt of the Court’s judgment and order.

Chabad has brought to this Court’s attention the apparent intention of the Witness, TAJ Art Judaica & Public Auction of Jerusalem, Israel, to auction a manuscript that described by the auction house as having been owned by the Sixth Chabad Rebbe, and further evidence supports the conclusion that the manuscript was part of the Library at the time it was unlawfully confiscated by the Bolshevick government. 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.

Specifically, TAJ Art Judaica & Public Auction identifies this manuscript as Lot 102 in Auction 7, scheduled for February 28, 2023. TAJ Art Judaica & Public Auction's description of the manuscript states that "It was Owned by The Rabbi Rashab and later by The Rabbi Rayatz. With a Special Letter Appended to it. This is an outstanding and unique historic piece, that was passed down through generations of prominent Chabad Admorim, from 1867 through till the 20th Century. . . . This letter details and sheds some light on the efforts expended by The Rashab, Rabbi DovBer Schneerson (The fifth Admor [Rebbe] of the Chabad dynasty) to publish the work 'Meshivat Nefesh, and attests to The Rashab's ownership of the manuscript.'" These points and other information regarding the manuscript may be found at

<https://il.bidspirit.com/ui/lotPage/taj-art/source/catalog/auction/29987/lot/18781/share?lang=en>.

This Court requests that the Appropriate Judicial Authority obtain the information specified in Exhibit 1 attached hereto so as to determine how, by whom, and under what circumstances the manuscript that previously had been part of the Chabad library and in Russia's possession came to be placed for auction in Jerusalem. This Court further requests that the Appropriate Judicial Authority permit Chabad, through its legal representatives, to take the deposition of a representative of TAJ Art Judaica & Public Auction limited to the topics listed in Exhibit 1. This information is material to this Court's resolution of this matter, including the enforcement of this Court's judgment and orders directed to the Russian Federation.

II. RECIPROCITY

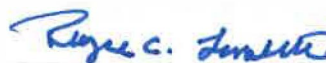
By its signature below, the United States District Court for the District of Columbia hereby indicates its willingness to provide similar assistance to the Judicial Authorities of the Israel, should the need arise.

III. REIMBURSEMENT FOR COSTS

Through its signature below, the United States District Court for the District of Columbia hereby indicates its willingness to reimburse the Judicial Authorities of Israel for any costs incurred in executing this Letter Rogatory. Such costs will be borne by the Plaintiffs through their representatives:

Steven Lieberman, Esq.
Robert Parker, Esq.
Rothwell, Figg, Ernst & Manbeck
901 New York Ave NW Suite 900
Washington, DC 20001

Dated: February 20, 2023



The Honorable Royce C. Lamberth
United States District Court