

Approved: _____
SARAH Y. LAI
Assistant United States Attorney

Before: HONORABLE GABRIEL W. GORENSTEIN
United States Magistrate Judge
Southern District of New York

- - - - -x
: **SEALED COMPLAINT**
UNITED STATES OF AMERICA :
:
-v.- : Violation of
: 18 U.S.C. §§ 2315,
EDWARD GEORGE JOHNSON, : 1343 & 2
a/k/a "Dutch," :
: COUNTY OF OFFENSE:
Defendant. : NEW YORK
:
- - - - -x

SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMES McANDREW, being duly sworn, deposes and says that he is a Senior Special Agent of the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), and charges as follows:

COUNT ONE

1. From in or about September 2002 through in or about April 18, 2003, in the Southern District of New York and elsewhere, EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, unlawfully, willfully, and knowingly did receive, possess, conceal, store, barter, sell, and dispose of goods, wares, merchandise, and money, of the value of \$5,000 and more, which crossed a State and United States boundary after being stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken, to wit, JOHNSON caused approximately ten pieces of stolen Egyptian antiquities to be sold to art galleries and collectors in Manhattan.

(Title 18, United States Code, Sections 2315 and 2.)

COUNT TWO

2. From in or about September 2002 through on or about February 17, 2005, in the Southern District of New York and elsewhere, EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, unlawfully, willfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire communication in interstate commerce, writings, signs, signals, pictures and sounds for the purposes of executing such scheme and artifice, to wit, JOHNSON engaged in a scheme to sell stolen Egyptian antiquities by falsely representing, among other things, the provenance of those antiquities, and, in furtherance of that scheme, caused an art dealer in Texas to send an email to an auction house in New York, New York, on or about February 17, 2005.

(Title 18, United States Code, Sections 1343 and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

3. I am a Senior Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), and I have personally participated in the investigation of this matter. This affidavit is based upon my conversations with other law-enforcement agents and witnesses and my review of various documents. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, conversations and statements of others are related herein, they are related in substance and in part, except where otherwise indicated.

4. Based on my communications with the Ministry of Culture of the Arab Republic of Egypt, I am aware that on or about September 29, 2002, approximately 370 pre-dynastic artifacts, dating to 3000 B.C. or earlier, were stolen from the Ma'adi Museum (the "Ma'adi Antiquities") near Cairo, Egypt. The Ma'adi Antiquities were excavated from an archeological site in Egypt in or about the 1920s to 1930s.

5. Based on my review of United States Army records, I learned that EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, is currently an active duty Chief Warrant Officer and has held that title since in or about 2000. His duties include

piloting and commanding attack and scout helicopters. From in or about February 2002 through in or about October 2002, JOHNSON was deployed to Cairo, Egypt.

6. I have spoken with an art dealer (the "Art Dealer") currently located in Washington, D.C. and learned that on or about January 3, 2003, EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, contacted the Art Dealer and offered to sell him/her a group of Egyptian artifacts. At that time, the Art Dealer was based in Texas. JOHNSON told the Art Dealer, in substance, that he identified him/her from an Internet search and saw that his/her website offered for sale items similar to his artifacts. I have reviewed an email from JOHNSON to the Art Dealer discussing the provenance of those artifacts.¹ In the email, JOHNSON represented that he inherited those artifacts from his father, who in turn inherited the artifacts from his father, who acquired the artifacts while working for a mineral company in Egypt in or about the 1930s or 1940s. However, JOHNSON stated that he had no documentation to establish the provenance of those artifacts.

7. I have also learned from the Art Dealer that he/she initially agreed to purchase the artifacts discussed in paragraph 6 above from EDWARD GEORGE JOHNSON, a/k/a "Dutch," for approximately \$15,000. Subsequently, the Art Dealer purchased from JOHNSON two more lots of artifacts which allegedly had the same provenance for approximately \$6,200. In total, the Art Dealer purchased approximately ninety artifacts (the "Collection") from JOHNSON.

8. I have reviewed copies of the following checks drawn on the Art Dealer's business account and made payable to "E. Johnson":

- a. Check number 1038, dated March 24, 2003, in the amount of \$9,000;
- b. Check number 1039, dated March 24, 2003, in the amount of \$5,000;
- c. Check number 1230, dated April 4, 2003, in the amount of \$5,000; and

¹ "Provenance" refers to the source or origin of an object and its history of subsequent ownership. The quality of an object's provenance is important to determining its monetary value.

d. Check number 1240, dated April 18, 2003, in the amount of \$1,200.

9. Each of the checks described above was endorsed by "Edward Johnson." The endorsements on check numbers 1038 and 1039 (described in paragraphs 8(a) and (b)) also included the North Carolina driver's license number for "Edward Johnson." A comparison of the photograph of "Edward Johnson" on file with the North Carolina Division of Motor Vehicles and a photograph of EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, that JOHNSON had given to the Art Dealer, show that they are the same person.

10. I have reviewed an email, dated February 17, 2005, that the Art Dealer, while in Texas, sent to Christie's, a gallery in Manhattan, in connection with the Art Dealer's efforts to market the Collection. In that email, the Art Dealer included an earlier email, dated February 10, 2003, that he/she had received from EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, describing the provenance of the Collection. The Art Dealer ultimately consigned pieces of the Collection to galleries and/or collectors in Manhattan, London, Zurich, and Montreal, among other places. In particular, approximately ten of the pieces were sold to three galleries/collectors in Manhattan, New York.

11. Another ICE agent and I have recovered approximately eighty pieces of the Collection and provided photographs of all but two of those pieces to two independent experts. Those experts have each confirmed that a majority of the recovered pieces are from the lot of Ma'adi Antiquities stolen from the Ma'adi Museum in September 2002. (Copies of photographs of some of the stolen pieces are attached hereto as Exhibit A.) Therefore, contrary to the representations of EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, the Collection could not have been in the Johnson family since the 1930s.

12. I have also reviewed emails that the Art Dealer and EDWARD GEORGE JOHNSON, a/k/a "Dutch," the defendant, exchanged during their course of dealings with respect to the Collection. The Art Dealer's emails identified him/her as an associate of Sothebys.com. Sotheby's is a well-known gallery in Manhattan, New York. I have also learned from a Sotheby's representative that the Sothebys.com website and auction sales through the website were managed in Manhattan, New York, at all times relevant to this complaint.

WHEREFORE, deponent prays that a warrant be issued for the arrest of EDWARD GEORGE JOHNSON, a/k/a "Dutch," the

defendant, and that he be arrested and imprisoned, or bailed, as the case may be.

James McAndrew
Senior Special Agent
Department of Homeland Security

Sworn to before me this
_____ day of January 2008

UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK