



UNITED STATES ATTORNEY'S OFFICE
Southern District of New York

U.S. ATTORNEY PREET BHARARA

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CONTACT: U.S. ATTORNEY'S OFFICE
Ellen Davis, Jerika Richardson,
Jennifer Queliz
(212) 637-2600

ICE HSI
Lou Martinez
(646) 313-2716

**MANHATTAN U.S. ATTORNEY ANNOUNCES ACTION SEEKING
FORFEITURE OF TYRANNOSAURUS BATAAR DINOSAUR SKELETON
LOOTED FROM THE GOBI DESERT IN MONGOLIA**

Preet Bharara, United States Attorney for the Southern District of New York, and James T. Hayes, Jr., the Special Agent-in-Charge of the New York Field Office of the U.S. Immigration and Customs Enforcement's ("ICE") Homeland Security Investigations ("HSI"), announced today the filing of a civil complaint seeking forfeiture of a nearly complete Tyrannosaurus bataar dinosaur skeleton looted from the Gobi Desert in Mongolia (the "Tyrannosaurus Bataar Skeleton") so that it can be returned to Mongolia.

Manhattan U.S. Attorney Preet Bharara stated: "The skeletal remains of this dinosaur are of tremendous cultural and historic significance to the people of Mongolia, and provide a connection to the country's prehistoric past. When the skeleton was allegedly looted, a piece of the country's natural history was stolen with it, and we look forward to returning it to its rightful place."

ICE HSI Special Agent-in-Charge James T. Hayes said: "As alleged, criminal smugglers misrepresented this fossil to customs officials when they illegally imported it into the United States. HSI works diligently to counteract loopholes smuggling organizations use to attempt to facilitate the entry of stolen and looted items into the United States illicitly."

The following allegations are based on the complaint filed today in Manhattan federal court:

The Tyrannosaurus bataar, a native of what is now Mongolia, was a dinosaur from the late Cretaceous period, approximately 70 million years ago. It was first discovered in 1946 during a joint Soviet-Mongolian expedition to the Gobi Desert in the Mongolian Ömnögovi Province. Since 1924, Mongolia has enacted laws declaring dinosaur fossils to be the property of the Government of Mongolia, and criminalizing their export from the country.

On March 27, 2010, the Tyrannosaurus Bataar Skeleton was imported into the United States from Great Britain. The customs importation documents contained several misstatements. First, the country of origin of the Tyrannosaurus Bataar Skeleton was erroneously listed as Great Britain but, according to several paleontologists, Tyrannosaurus bataars have only been recovered in Mongolia. In addition, the Tyrannosaurus Bataar Skeleton was substantially undervalued on the importation documents. The customs importation forms listed its value as \$15,000, in contrast to the \$950,000 - \$1,500,000 price listed in a 2012 auction catalog, and the actual auction sale price of \$1,052,500. Finally, the Tyrannosaurus Bataar Skeleton was incorrectly described on the customs importation documents as two large rough fossil reptile heads, six boxes of broken fossil bones, three rough fossil reptiles, one fossil lizard, three rough fossil reptiles, and one fossil reptile skull.

Texas-based Heritage Auctions, Inc., offered for sale the Tyrannosaurus Bataar Skeleton at an auction conducted in New York City. Prior to the sale, the Government of Mongolia sought, and was granted, by a Texas State Civil District Judge, a Temporary Restraining Order prohibiting the auctioning, sale, release or transfer of the Tyrannosaurus Bataar Skeleton. Notwithstanding the state court order, Heritage Auctions completed the auction and the Tyrannosaurus Bataar Skeleton sold for over \$1 million. The sale, however, is contingent upon the outcome of any court proceedings instituted on behalf of the Mongolian Government.

On June 5, 2012, at the request of the President of Mongolia, several paleontologists specializing in Tyrannosaurus bataars examined the Tyrannosaurus Bataar Skeleton and concluded it is a Tyrannosaurus bataar skeleton that was unearthed from the western Gobi Desert in Mongolia between 1995 and 2005.

The President of Mongolia, Tsakhia Elbegdorj, stated: "I thank and applaud the United States Attorney's Office in this action to recover the Tyrannosaurus bataar, an important piece of the cultural heritage of the Mongolian people. Cultural looting and profiteering cannot be tolerated anywhere and this cooperation between our governments is a large step forward to stopping it."

Mr. Bharara praised the investigative work of ICE HSI in this matter, and its ongoing efforts to find and repatriate stolen property.

Assistant United States Attorney Sharon Cohen Levin is in charge of the case.