

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

Leda ed il Cigno (Leda and the
Swan), an oil on copper painting by
Lelio having an approximate size of
16.9 by 11.8 inches (43 x 30 cm),
listed as Lot No. 36 in Sotheby's
New York "Important Old Master
Paintings Including European Works
of Art," January 24, 2008,

Defendant-in-rem. :

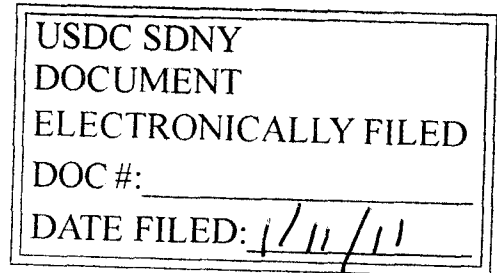
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TAGGIA CV - CONSULTADORIA E
PARTICIPACOES LDA, CLAIMANT :

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ORDER DISMISSING CLAIM
AND FINAL ORDER OF
FORFEITURE

08 Civ. 11275 (WHP)



WHEREAS, on December 29, 2008, the United States commenced a civil forfeiture action against *Leda ed il Cigno* (Leda and the Swan), an oil on copper painting by Lelio having an approximate size of 16.9 by 11.8 inches (43 x 30 cm), listed as Lot No. 36 in Sotheby's New York "Important Old Master Paintings Including European Works of Art," January 24, 2008 (the "Defendant-in rem") by the filing of a verified complaint (the "Complaint");

WHEREAS, on February 9, 2009, Vittorio Pignatti, on behalf of Taggia CV - Consultadoria e Participacoes LDA

("Taggia") (the "Claimant") filed a claim in this action asserting an interest in the Defendant-*in-rem*;

WHEREAS, on March 23, 2009, Claimant, by its attorneys, Withers Bergman LLP, filed an Answer to the Complaint;

WHEREAS, in or about May, 2009, Claimant communicated through its counsel to counsel for the United States that Claimant wished to withdraw its Claim and Answer to the Complaint with prejudice;

WHEREAS, the United States provided Claimant with a proposed stipulation in which the parties agreed that Claimant's Claim and Answer to the Complaint would be withdrawn with prejudice;

WHEREAS, Claimant failed to execute the proposed stipulation;

WHEREAS, by Order dated November 19, 2010, this Court stated that it would dismiss Claimant's Claim for failure to prosecute unless Claimant communicated through counsel its intention to proceed with its Claim by December 17, 2010;

WHEREAS, on December 20, 2010, counsel for the United States communicated with Claimant's counsel and confirmed that counsel for Claimant communicated the Court's November 19, 2010 Order to Claimant and that as of December 20, 2010, Claimant had not contacted its counsel to proceed with its Claim;

WHEREAS, no other claims have been filed in this action and the time to file a claim has expired;

IT IS HEREBY ORDERED that:

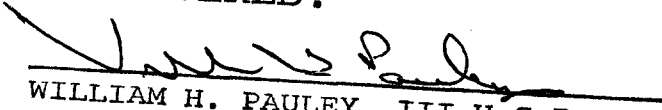
1. Claimant's Claim is hereby dismissed with prejudice.
2. The Defendant-*in-rem* is forfeited to the United States.
3. Immigration and Customs Enforcement or any designated federal law enforcement officer shall dispose of the Defendant-*in-rem* according to law.

Dated: New York, New York
January 11, 2011

SO ORDERED:

HONORABLE WILLIAM H. PAULEY III
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

SO ORDERED:


WILLIAM H. PAULEY III U.S.D.J.