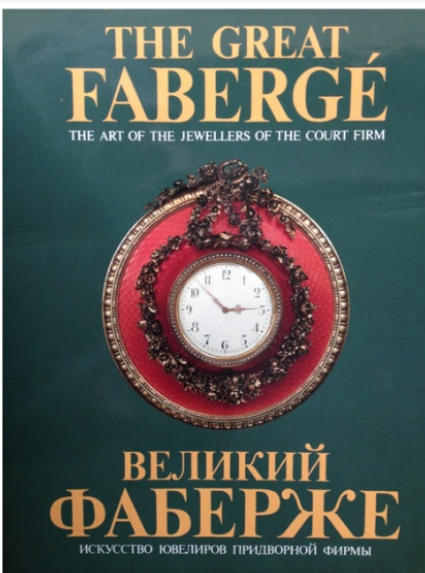


Russian Art in Danger: International Plot against the Heritage of the Great Fabergé!

By Michel Kamidian

The insurance scandal involving the Fabergé *Bouquet of Yellow Lilies Clock Egg*, which led to the 2008 public trial of Kamidian V Holt on behalf of certain underwriters at Lloyd's at the Royal Courts of Justice in London, provides a unique window into the suspicious atmosphere reigning around Fabergé art works and Russian art in general. The 2008 trial, among other controversial cases described, produced clear evidence of the links between leading auction houses, experts and major insurance companies that allow these stakeholders to control and manipulate the Russian art market in Europe and the US. This article depicts the story of the Fabergé Imperial *Bouquet of Yellow Lilies Clock Egg* and other important Fabergé works, over a period of auction sales and exhibitions in Europe (Switzerland, France, Russia, and England) and the US spanning roughly 40 years. It reveals how decades of dubious affairs have created a sphere of negative prejudices around Russian art. Prejudices that have damaged and endangered Russia's cultural heritage, and caused a lack of confidence among buyers. Unfortunately, the field of Fabergé art is just the top of the iceberg.

A Unique Database of Fabergé Artworks



(1) Catalogue Cover of the 1998 Great Fabergé – The Art of Jewellers of the Court Firm exhibition

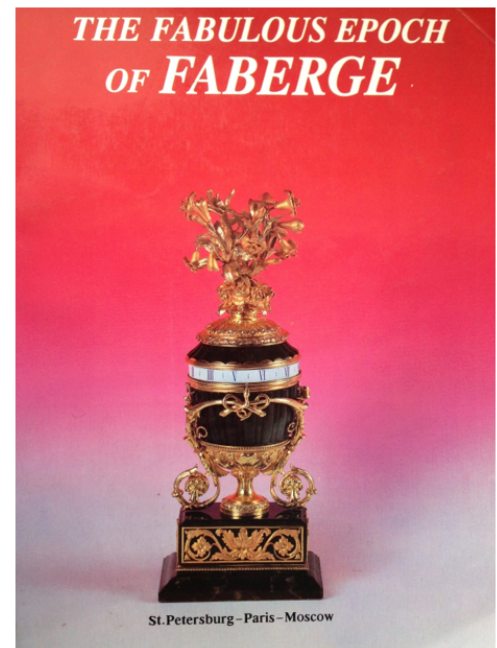
The decorative and applied art produced by the court jewellers of Imperial Russia was largely invisible and generally ignored during the stagnating USSR years. The situation denied Russian art experts and museum custodians the chance to develop their knowledge of the works of Carl Fabergé and other Russian firms that had supplied the Imperial Court. Meanwhile, western art experts took the lead and published books and articles on the life and works of Carl Fabergé, often based on incorrect information.

Two exhibitions at the end of the 20th century led to important changes in the world of Fabergé studies: the 1989 *Great Fabergé – The Art of Jewellers of the Court Firm* exhibition (the first exhibition on Fabergé in the USSR after the revolution) hosted in the Elagin Palace in Leningrad (see illustration 1); and the 1992 *Fabulous Epoch of Fabergé* exhibition which was organised at the Catherine Palace in Tsarskoye Selo; the summer residence of the Imperial Tsarskoye Selo; the

summer residence of the Imperial family (see illustration 2). The latter was dedicated to the 150th anniversary of the Fabergé House.¹

The Russian scholar Valentin V. Skurlov was involved in preparing both fascinating exhibitions. Inspired by the fabulous Fabergé artworks, Skurlov met Tatiana Fabergé at the 1992 exhibition in Saint Petersburg.² Skurlov already had access to secret Soviet archives and with the help of Tatiana Fabergé he could now also explore the Fabergé family archives, which made Skurlov the first researcher to have access to both the archives. This provided Skurlov and Tatiana Fabergé with all the documents they needed to create a unique database of Fabergé artworks based on their inventory numbers, archive documents, invoices and other documents of proof.³ Skurlov discovered the logic behind the algorithms contained in the inventory numbers given to Fabergé works, which meant that he was able to list the exact year and location of production for items which, until then, had been unknown. For example, inventory number 46822 given to the *Bouquet of Yellow Lilies Clock Egg* showed that it was dated 1893 instead of 1892. Their research led to the publication of more than a hundred articles and a series of twelve books, including the ground-breaking *The Fabergé Imperial Easter Eggs* (published by Christie's, giving, for the first time, the catalogue raisonné of Fabergé's Imperial Easter Eggs based on archive material) and their recently published magnum opus *Faberge a Comprehensive Reference Book* (2012) presenting their past 15 years of research.⁴ However, new discoveries and attributions in the world of Fabergé art still generate great interest, and sensation among collectors and art lovers, causing other 'experts' to continue to publish information allegedly confirming or rejecting the authenticity of certain artworks sold privately or through auction houses.

To obtain a deeper understanding of the auction world in the field of Fabergé art, and of the 2008 court case mentioned in the introduction, it is important to start by looking at some of the cases involving Fabergé's most exquisite objects; the flower studies and the Imperial Easter Eggs. These works have always occupied a special place in the range of Fabergé art owing to their incredible design and great artistic value. The *Bouquet of Yellow Lilies Clock Egg* (1893) and the *Basket of Wild Flowers Egg* (1901) are examples of Fabergé artwork in which both specialties come together; Imperial Easter Eggs decorated with floral compositions.



(2) Catalogue Cover of the 1992 Fabulous Epoch of Fabergé exhibition

¹ At the 1989 *Great Fabergé – The Art of Jewellers of the Court Firm* exhibition, I was one of the few western collectors whose items were displayed. I was co-organizer and curator of the 1992 *Fabulous Epoch of Fabergé* exhibition.

² Tatiana Fabergé (1930) is the great-granddaughter of Carl Fabergé, author and a Fabergé scholar.

³ T. Fabergé, E. Kohler, V. Skurlov (2012), *Fabergé a Comprehensive Reference Book*, page 613.

⁴ The *Bouquet of Yellow Lilies Clock Egg* is featured on the cover of the special edition of the book.

Auction Houses, Experts and Fabergé Flower Studies

Although Fabergé flower studies were first exhibited at the 1900 *Exposition Universelle* in Paris, the firm began to make floral compositions well before. Artworks such as the afore-mentioned *Imperial Bouquet of Yellow Lilies Clock Egg* (1893) and the *Imperial Basket of Lilies-of-the-Valley* (1896) are harbingers of the floral studies that became world famous during the *Exposition Universelle*. Ever since they first appeared, the floral studies have been in great demand despite their high price which could sometimes reach more than several thousand roubles. Because of their fragility, only a small number have survived the passage of time. However, up until now, “Fabergé” flowers appear regularly (and in striking abundance) at specialised auction houses and renowned shops; leaving it to experts to decide which ones are genuine and which ones are fakes.



(3) Lot 58 Vase of Wild Strawberries

In 1976, the Christie's auction house in London put a set of Fabergé artworks from the famous Robert Strauss collection on sale. The collection, which had been built up over many years, consisted of artworks bought at specialised shops and auctions devoted to Fabergé art. Nine flower studies were given a special place at the auction sale. The flowers were numbered as Lots 50 to 58. Lots 52 and 58 were both flowers in rock crystal vases, framed with enamelled rims of interlacing white and red strips. Lot 52, *a vase filled with enamelled anemones*, was evaluated at £10,000 - £15,000. Lot 58, *a vase of wild strawberries*, was evaluated at £10,000 - £20,000 (see illustration 3). The latter was printed on the catalogue's first page, thus highlighting the object's importance.

The vase with anemones was sold for £19,000, and the strawberries were sold for £36,000, plus a 10% commission fee.⁵ Mr Geza von Habsburg was the auction expert for the sale. In his catalogue description of the lots he referred to the 1953 publication *The Art of Fabergé*, written by his mentor Mr Kenneth Snowman (1919 - 2002) owner of the Wartski antique shop in London, who was also the Fabergé supplier to the British Royal Family.⁶ Several months later, in 1977, Mr Habsburg suddenly started to consider floral compositions similar to lots 52 and 58 as fake, or, in his own words, ‘in the style of Fabergé’.⁷ Later on it became clear why; he claimed that ‘*real Fabergé flower objects had only one stem a piece.*’⁸

⁵ In 1976, £40,000 was enough to buy a London apartment.

⁶ Habsburg refers to Mr. Kenneth Snowman as his mentor in his 1994 article ‘Fauxbergé’ published in *Art & Auction*, Vol.16, pages: 76-79.

⁷ Christie's Auction Catalogue *Highly Important Russian Works of Art*, Geneva, April 27, 1977.

⁸ G. von Habsburg (1986) *Fabergé*, page 345.

Unfortunately, Habsburg did not mention what led him to this questionable insight. In one of his more recent articles, Habsburg described (among other things) the *Vase of wild strawberries* as a clear example of forgery.⁹ He suggested new explanations for such floral compositions, but he forgot to mention himself as the author of various books and auction catalogues in which he admires the elegance of these artworks and presents them as examples of true quality and authenticity. It will become clear that unfortunately this was not the last of Habsburg's shady contributions.

Another remarkable event was the topical 1993 Sotheby's auction *Fabergé and Russian Art, Objects of Vertu and Paperweights* in New York. Again, many flower studies were put on sale (see illustration 4). Several flowers were described in the auction catalogue as 'possibly Fabergé', 'probably Fabergé', or just 'Fabergé'. The flowers that were labelled "possibly" or "probably Fabergé" were all sold for much more than their estimated value:

Lot 605, *Spray of Holly Branch*, estimated at \$8,000 - \$12,000, sold for \$16,000;

Lot 606, *Forget-Me-Nots Bouquet*, estimated at \$8,000 - \$12,000, sold for \$22,000;

Lot 632, *Group of Cornflowers*, estimated at \$3,000 - \$4,000, sold for \$16,000;

Lot 633, *Group of Apple blossoms*, estimated at \$3,000 - \$5,000, sold for \$16,000.



(4) Lots 604 - 610

The first two lots had no references to renowned authors in their descriptions. That is probably why they were described as 'probably Fabergé'. However, the place and date (Saint Petersburg, around 1900) were given for all the flowers in this catalogue section. In around 1900, the Fabergé firm was the only one in Saint Petersburg producing these kinds of flower compositions; no other firm was making such items.

So what is the difference between 'probably', 'possibly' and 'Fabergé', bearing in mind that all the flowers were made in Saint Petersburg around 1900? I wish I could tell you. An even more important question is why Sotheby's experts could not tell the difference between genuine and fake Fabergé. Incorrect and confusing postulates by the auction "experts" fuel the on-going Fabergé fake psychosis which is clearly beneficial to the lucky few who know or control the Fabergé art market. As mentioned earlier, genuine Fabergé flower studies are very rare and so high

⁹ G. von Habsburg (1994) 'Fauxbergé' published in *Art & Auction*, Vol.16, pages: 76-79.

in demand that nowadays they are sold at renowned specialist shops for prices from approximately \$500.000 to \$1 million and over.

The same 1993 Sotheby's auction demonstrated how "experts" can also "help" the other way round. The first section of the auction catalogue portrayed the *objects of vertu*, objects in the style



(5) Lot 136, *A Gold and Hardstone Group of Wildflowers*
(on the floor, far right,)

of Fabergé. The flower study under Lot 136, simply described as *A Gold and Hardstone Group of Wildflowers* (no mention of Fabergé), was estimated at \$1,200 – \$1,800 and sold for \$3,200 (see illustration 5). Strangely enough, a few years later, in 1996, the same flower appeared as a genuine Fabergé artwork now named *Wild Flowers in Rock Crystal Pot* in Mr Geza von Habsburg's exhibition *Fabergé in America*. By exhibiting the item and publishing it in the official exhibition book, Habsburg presented the *Wild Flowers in Rock Crystal Pot* as one of the few real Fabergé flowers, lent courtesy of the antique shop *A La Vieille Russie*, New York. Even stranger (and more complicated), in the 2011 publication about his new exhibition *Fabergé Revealed*, Habsburg described flowers similar in technical execution to the *Wild flowers in Rock Crystal Pot* as clear examples of fakes

that are made in the 1940s¹⁰, by which Habsburg gave the *Wild Flowers in Rock Crystal Pot* back its original 1993 Sotheby's title, just *A Gold and Hardstone Group of Wildflowers*.

In the same 2011 publication, discussing genuine Fabergé flowers, Habsburg writes:

[quote] 'Genuine Fabergé cut flowers are always depicted naturalistically (...) never standing upright and never with stems floating halfway in the simulated water. (...) The Royal Collection, with its twenty-five flowers, is by far the largest extant group of its kind and should be used as a benchmark by which to judge other flowers.'

However, if you would open one of the catalogues about the benchmark Royal flower collection of Queen Elizabeth, you will find at least a dozen flowers standing upright, not touching the rim of their rock crystal vase. Following Habsburg's bogus theory, almost half the Queen's flowers are evident forgeries!

¹⁰ G. von Habsburg (2011) *Faberge Revealed*: At the Virginia Museum of Fine Arts.

When rare authentic flower compositions by Fabergé do appear at international auctions, they are often lost in an ocean of fakes. This has already generated fear and a lack of confidence among buyers, who do not want to have any issues with the authenticity of the flower.¹¹

Imagine the situation when items are given vague labels such as ‘possibly’ and ‘probably’ Fabergé or when “experts” such as Habsburg constantly “change their minds” and spread false statements about the authenticity of Fabergé artworks. This leads us to a simple, yet important question: what exactly is the role of these “experts”? Cases such as this one, and the Christie’s sale mentioned earlier, do not only contribute to the already vague atmosphere of mistrust and misunderstanding around Fabergé flowers, but also the famous Imperial Easter Eggs.

The Basket of Wildflowers Egg

As a part of the *Fabergé Revealed* exhibition, Mr Habsburg gave a lecture on *Carl Fabergé and the Russian Imperial Family* at the Virginia Museum of Fine Arts on the 14th of July 2011.¹² When discussing the famous 1901 Imperial Easter Egg *Basket of Wildflowers*, he said:

[Quote] ‘It belongs to the Queen of England; nobody knew who it was by. She thought, or was told, it was by Boucheron. I had it in my Munich exhibition and I took it apart and made sure that it was not by Boucheron. And then, soon after, it was discovered to have been (...) in the only exhibition which Fabergé held in Russia in 1902 (...), so we were able to confirm that it was by Fabergé.’

What Habsburg did not mention was that the Imperial *Basket of Wild Flower* (see illustration 6) was described as Fabergé by Mr Bainbridge in his 1949 work on Fabergé, but that Habsburg’s mentor Mr Kenneth Snowman, stated without any explanation that it was by the French jeweller Boucheron in his 1953 publication *The Art of Carl Fabergé*. Habsburg himself also credits the *Basket of Wild Flowers Egg* to Boucheron, and in his 1979 publication¹³ he refers to it as an interesting



(6) *The Basket of Wild Flowers Egg (1901)*

¹¹ When one buys an artwork which is cast into doubt in the narrow Fabergé art market, it takes a lot of effort and funds to return it to the auction house. It is often necessary to involve legal institutions and trials may last for a long time resulting in costly legal fees.

¹² http://www.youtube.com/watch?v=NYEQWB17_S0

¹³ G. von Habsburg (1979) *Fabergé Joaillier a la Cour de Russie*,

example of the influence of Fabergé's Easter Eggs on other jewellers.

Only much later, in 1986, did he describe the *Basket of Wild Flowers* as an 'exquisite object' which 'must today be attributed to Fabergé'.¹⁴ In that same book, he declared that 'the technical perfection of his (Fabergé's) work is immediately apparent'.

It does make you wonder why it took him and other consulting "experts" so long to recognise the apparent authenticity of this fabulous Imperial Easter Egg. The real proof that the *Basket of Wild Flowers Egg* was indeed a Fabergé Imperial Easter Egg was provided by Valentin Skurlov when, in 1993, he found the original invoice and the photo from the 1902 Fabergé exhibition which Habsburg mentioned in his lecture, in the Russian Historical State Archives. It seems that what Habsburg's *Fabergé Revealed* exhibition really revealed was the incompetence of established "experts" and the suspicious atmosphere reigning around Fabergé artworks.



(7) "The Night Egg / Twilight Egg"

From Night Egg to Twilight Egg

Another suspicious Fabergé auction in which the same "experts" played a controversial role is the case of a lapis-lazuli Egg dating from 1917 (see illustration 7). The Egg was first sold as the "*Fabergé Imperial Night Egg*" at a Christie's auction in Geneva on 10 November 1976. Mr Habsburg was the auction expert once again. The catalogue description of the Egg stated that it was a very important artwork by Carl Fabergé's firm and credited Henrik Wigström (HW) as the master of the artwork. The names of Mr Bainbridge (Fabergé associate in London) and Eugène Fabergé (eldest son of Carl Fabergé) were mentioned in the description, making the lot appear credible to potential buyers. In the catalogue description Habsburg also mentions that:

[Quote] 'Mr Kenneth Snowman of Wartski's, London has expressed the wish that this last Imperial Easter Egg of Fabergé's be lent for the Fabergé Exhibition taking place in the Victoria and Albert Museum from June 23th to September 25th, 1977 as counterpart for the first Egg made for Aleksander III made in 1884.'

Owing to its connection to the monumental 1977 Fabergé Exhibition at the Victoria and Albert Museum, the Egg's description attracted buyers and, at the same time, suggested the authenticity of the artwork. The lot was sold to a Zurich dealer who bought it for 100,000 Swiss Francs.

¹⁴ G. von Habsburg (1986) *Fabergé*, page 300.

Several months later, the Egg did indeed appear at the first international exhibition of Fabergé artworks at the Victoria and Albert Museum in London commemorating the Silver Jubilee of Her Majesty Queen Elizabeth II. Mr Kenneth Snowman was involved in organising and curating the exhibition. For reasons unknown, the name of the *Night Egg* was changed to the *Twilight Egg* in the exhibition catalogue written by Snowman. In his description of the Egg, Snowman stated that the quality of the selected gems, their setting, and the engraving of the lazurite panels on the Egg did not conform to the quality of Fabergé master craftsmen. He furthermore stated that:

[Quote] 'There is no evidence that the 1917 Eggs were ever completed, and the uncharacteristic jewels in their heavy claw settings, the engraved panel and the marks may well have been later additions to the original lapis lazuli body with its stars and date. Moonstones, normally cut en cabochon, with their special significance in this particular context, may well have been in Fabergé's mind, but they would then, one may assume, have been set flush with the body of the Egg as was the custom of the house.'

Snowman's description also refers to Bainbridge's book based on interviews with Eugène Fabergé. He claimed to remember that one of the two finished Imperial Easter Eggs, dating from 1917 was made of Karelian birch. Snowman used this quote to suggest that the other 1917 Egg 'might' be the *Twilight Egg*. At the end of the Egg's description, Snowman argues that:

[Quote] 'Despite the initials HW stamped on this Egg it seems far more likely that it is, in fact, the product of Hölmstrom's jewellery workshop, as is certainly the case with Fabergé's other more lavish Mosaic Egg of 1916 which, curiously enough, also bears an unconvincing signature.'

It seems that Snowman tried to enhance the Egg's authenticity by crediting it to the Fabergé master craftsman Holmström (who indeed made the exquisite Imperial *Mosaic Egg*, dating from 1914 and not 1916 as Snowman stated) instead of Henrik Wigström (HW). After the death of Mikhail Perkhin (*the* Fabergé work master) in 1903, most Easter Eggs were produced in the workshop of his pupil Henrik Wigström, thus one can only guess at what made Snowman think that the *Twilight Egg* was stamped with the wrong initials.

Thus, although the authenticity of the *Twilight Egg* was hinted at by Snowman's quote in the Christie's auction catalogue, his detailed description in the exhibition catalogue shows that the Egg was highly suspicious. Despite the obvious contradictions concerning the *Twilight Egg*, the exhibition dedicated to the Queen's Jubilee was a great success. Nowadays, thanks to Valentin Skurlov's database, all the Imperial Easter Eggs dating from 1917 are now known and perfectly documented. The *Twilight Egg* is not on the list of Fabergé Imperial Eggs. Once described by Snowman as "Fabergé's last Imperial Easter Egg", the 1917 *Twilight Egg* never appeared or was ever mentioned again after that momentous exhibition.

Controversial events such as the one described above are kept in the dark in order to avoid greater scandals. Auction houses are afraid because the artworks involved belong to wealthy owners whose reputation is at stake, and who trust the auctioneers. If such events were to be unmasked, it could lead to numerous lawsuits against auction houses. However, when situations like these do occur, and losses have to be paid, it is not the auction houses or the experts who are liable, because they are obligated to be insured against “professional mistakes” like these. This is just what happened in the case of Eskander Aryeh, collector of Fabergé artworks.

The Fake Nicholas II Equestrian Egg

In November 1977, at the *Highly Important Russian Works of Art* Christie’s auction in Geneva, another Egg was put on sale. Auction expert Mr Habsburg described the Egg as the Imperial Easter Egg *Nicholas II Equestrian Egg*, a present from Alexandra Feodorovna to the Tsar Nicholas II in Easter 1913 in commemoration of the 300th anniversary of the House of Romanov, by the work master Victor Aarne of the Carl Fabergé firm (see illustration 8 and 9). Habsburg was not the only expert who was convinced of the Egg’s authenticity; Snowman described the Egg in his 1953 book *The Art of Carl Fabergé*:



(8) “Nicholas II Equestrian Egg” (open)



(9) “Nicholas II Equestrian Egg” (closed)

[Quote] ‘This egg is unique not only because it was presented by Tsarina to her spouse, but due to the fact that it was produced in Victor Aarne’s workshop.’

However, it is known that Victor Aarne moved to Finland in 1904, nine years before the *Nicholas II Equestrian Egg* was made. The auction catalogue did not mention the estimated price. Often the prices of very expensive artworks are only given on request. This allows the auction house to define its sales policy in accordance with the interest shown. The appearance of a rare Fabergé Easter Egg at an auction always generates great interest among collectors, museum custodians, and art lovers. Long before the auction, Christie’s advertised the sale of the Egg through an extensive promotional campaign.

The *Nicholas II Equestrian Egg* was sold for 550,000 Swiss Francs (\$250,000) to Eskander Aryeh, whose Fabergé collection lacked an Imperial Easter Egg. After arriving in Geneva to collect his long-awaited purchase (his sister, who lived in Switzerland, represented Mr Aryeh at the auction), and seeing the item with his own eyes for the very first time, Mr Aryeh refused to pay for his purchase claiming that the artwork did not conform to the quality of Fabergé's firm and, in his opinion, was a fake. Aryeh stated:

[Quote] 'Faberge made very few Imperial eggs, and they are all masterpieces. The one I opened in Switzerland was junk.'

Christie's sales expert Mr Habsburg, and the other experts assisting him, tried to convince Mr Aryeh that the Egg was genuine.¹⁵ At first, Mr Aryeh refused to pay for his purchase, but after months of haggling Christie's sued him demanding payment. He complied by paying the \$250,000, plus \$200,000 for lawyer's fees after the auction house produced a letter of authentication from the "expert", Mr Kenneth Snowman. Mr Snowman stated in a letter dated 15 December 1977:

*[Quote] 'I confirm, without hesitation, that this is undoubtedly an authentic work by Faberge.'*¹⁶

Interestingly enough, in around 1977, the media tycoon Malcolm Forbes, a collector of Imperial Easter Eggs, showed absolutely no interest in the Egg, although he was trying to beat the Armoury Museum in the Kremlin by making his collection the largest in the world. In June 1985, Mr Aryeh decided to put the Egg up for sale at Christie's in New York. Two weeks before the auction, Christie's President, Christopher Burge, told Aryeh that the house would not sell his egg. Christie's explained that *two* experts, Mr Kenneth Snowman (!) and Peter Schaffer (owner of antique shop *A la Vieille Russie*, New York) disputed the Egg's description as Fabergé and claimed that it was a fake. Snowman had changed his mind and no longer confirmed the Egg's authenticity.

Mr Aryeh then demanded a refund of his original \$250,000. When Christie's refused, he sued the auction house demanding \$10 million for damages to his professional reputation, \$20 million in punitive damages and \$7 million which he said he would have earned if the artwork had been authentic.¹⁷ Unfortunately, Mr Aryeh did not live to receive the settlement for moral damage and a ruined professional reputation; it has been received by his family. Christie's and Aryeh's heirs have signed a non-disclosure agreement regarding the settlement. Christie's officials claimed that the auction house had been the victim of an error of judgment by an independent expert:

¹⁵The Sydney Morning Herald, *The case of the rotten egg*, 28 January 1986

¹⁶ The New York Times, Owner of 'Faberge' Egg Is Suing Christie's, 16 January 1986

¹⁷ The New York Times, Owner of 'Faberge' Egg Is Suing Christie's, January 16 1986

[Quote] *'We are merely on the receiving end of these opinions. Kenneth Snowman is the leading authority on Fabergé.'*

Snowman shrugged and responded: *'Everybody can change their minds, I suppose.'*¹⁸

So far, the cases described have demonstrated that the auction houses are not so much the “victims” but that they are closely involved with a small group of “experts” that “change their minds” much more often than Snowman suggests.

After it became public that there had been a gross error in an expert’s study, and that the Egg was indeed a forgery, the cooperation between Christie’s and Mr Habsburg came to an end. Habsburg later mentioned the case in his 1994 article on Fabergé fakes:

[Quote] *'When offered again at auction in New York in 1985, the “Nicholas II Equestrian” egg caused a minor uproar and had to be withdrawn from the sale amidst conflicting opinions and some deft backpedalling by experts'* Habsburg “forgot” to mention that the ‘minor uproar’ resulted in a \$37 million lawsuit and that the ‘backpedalling experts’ involved were himself, his mentor Kenneth Snowman and Peter Schaffer, owner of antique shop *A la Vieille Russie*, New York.

‘Discovery’ of the Empire Egg

These same names appeared in yet another dubious Fabergé case which started in early 2000 after rumours were spread about the long-lost Fabergé Imperial *Empire Egg* of nephrite (1902) which had, allegedly, been found (see illustration 10). One of the people who had ‘found’ the Egg, the antique dealer and exhibition curator, Alexander von Solodkoff, compiled a book devoted to the its discovery.¹⁹ Solodkoff had published several other books on Fabergé, many of them with Mr Habsburg. In the book’s (badly written) introduction, Solodkoff stated:

[Quote] *'Already in September 2000 I had the opportunity to get a closer view of the 1902 Nephrite Empire egg in New York. Together with Dr Geza von Habsburg. Paul Schaffer*



(10) *The alleged Empire Egg*

¹⁸ The Sydney Morning Herald, *The case of the rotten egg*, January 28 1986

¹⁹ A. von Solodkoff (2004) *The 1902 Empire Nephrite Easter Egg by Fabergé*, London Ermitage Ltd.

(A la Vieille Russie) we spent nearly two hours examining, opening and dismantling it. In fact, a long discussion followed and later I also received the opinion of other Fabergé specialists, including that of Alexis de Tiesenhausen (Christie's), who apparently was one of the first to have looked into the imperial provenance of the piece.

Opinions were less divided as to its high artistic quality, superb craftsmanship and the genuineness of the marks and signature. Too many Fabergé items of dubious quality or provenance are being offered on the art market today and all specialists often hesitate to give a strict answer. But the positive view on the quality of the egg prevailed here. The hesitation in judging this item revolved mainly around the fact of having to consider an Imperial egg which was thought to have been untraceable for such a long time. (...)

This book is the result of on-going research and will surely provoke further discussion and studies in the Russian archives. Many a specialist is convinced that with continuing research a more detailed record or even original photographs of the egg in situ will be found.

The studies for this book have been made possible with published conferences, helpful advice and expert opinions of many Fabergé scholars.'

To make the discovery even more credible, Solodkoff mentioned Valentin Skurlov as the co-author of the book, although Skurlov was not involved in the discovery and only provided some archival information about the Egg on Solodkoff request. In 2000 Skurlov was already contacted about the Egg by Paul Schaffer who had set the price of the Egg at \$250,000. In comparison, the Fabergé *Rothschild Egg* (which is not imperial) was sold in 2007 for £9 million (\$18M). Prices for the extremely rare genuine Fabergé Eggs, and especially imperial Eggs, have skyrocketed over the years; museums, dealers and collectors are impatiently waiting for the possibility to replenish their collections with such a unique masterpiece. Ironically, the *Empire Egg* was never presented to the public and new rumours referred to dubious elements concerning both the Egg's provenance and stylistic/artistic appearance. The 'experts' inability to recognise a genuine Imperial Easter Egg may explain why the Egg was never put on auction (even though Alexis de Tiesenhausen of Christie's concluded that it was Imperial), or why it was not displayed at the *Fabergé: Imperial craftsman and His World* exhibition (from September 2000 to February 2001) that was curated by Solodkoff and Habsburg.²⁰

One of the Imperial Easter Eggs that was shown at that *Fabergé: Imperial Craftsman and His World* exhibition in Wilmington (USA) was the *Bouquet of Yellow Lilies Clock Egg* (1893) which, back then, was part of my collection. It was one of many Fabergé artworks which the curators Solodkoff and Habsburg had borrowed from me for their exhibition.

²⁰ Several insiders claim that the Egg has been sold early 2013, but so far nothing has been confirmed.

The Bouquet of Yellow Lilies Clock Egg



(11) *The Fabergé Bouquet of Yellow Lilies Clock Egg (1893)*

I had bought the Imperial *Bouquet of Yellow Lilies Clock Egg* (see illustration 11) at the Sotheby's Geneva auction in November 1991. Dr Mezger's heirs, a young Dutch couple, invited an expert from Christie's to study the Doctor's assets, which consisted mainly of books. They also showed him the *Bouquet of Yellow Lilies Clock Egg*, which they thought was just an artistic clock. The Christie's expert did not take it as he was not a specialist in Russian art. The couple contacted Sotheby's, who, in turn, were happy to put it on sale in Geneva where all the important Fabergé art was auctioned. It was described in the auction catalogue under Lot 394, in the section *Fabergé* as:

A Timepiece retailed by Fabergé, unmarked, probably St. Petersburg, the movement signed: "Hy. Moser & Co.," St. Petersburg", late 19th century. height 29 cm.

In original fitted wooden case, the silk interior stamped with the Imperial warrant and inscribed: "K. Fabergé, St. Petersburg, Moscow" The paper lining in the wood case underneath the later frame with blind stamp: "K. Fabergé, St. Petersburg, Moscow", below the Imperial warrant.²¹

Provenance: Presented by the Dowager Empress Maria Feodorovna to Dr Johann Georg Metzger.

Dr Metzger (1838-1909), a Dutch doctor specializing in therapeutic gymnastics and famed for his use of massage treatment, was summoned by Emperor Alexander III to St. Petersburg and arrived there on April 2nd, 1886 to treat the Imperial Consort. On 26th May of the same year Dr Metzger was awarded the Order of St. Stanislas for his services. Early in 1892 he was again called to St. Petersburg to treat the back injury of Grand Duchess Olga Alexandrovna who had been injured in the "Borki railway disaster". On 29 October 1888 the Imperial train had been traveling to Kharkov in the Caucasus when two explosions severely damaged the carriages. Emperor Alexander III escaped first from the crushed dining car and held up the heavy iron roof which had collapsed to release the children and the Empress. During his second visit Dr Metzger was presented with this clock and he later received the Order of St. Stanislas First Class with diamonds, in addition to an honorarium of 1400 marks.

Dr. Metzger's other patients included the Empress of Austria, Empress Eugénie of France, the Duke of Nassau and the Duchess of Saxe-Coburg-Gotha.

²¹ The wooden case was stamped in Russian, namely: К. Фаберже (C. Fabergé)

For a detailed description of his life and work, see Exhibition Catalogue, Dr Johann Georg Metzger 1838-1909 en Zijn Tijd, Leiden 1978, and Grote Winkler Prins Encyclopedie, Amsterdam, 1971, deel 13.

Photocopies of documents relevant to Dr Metzger are available with this lot.

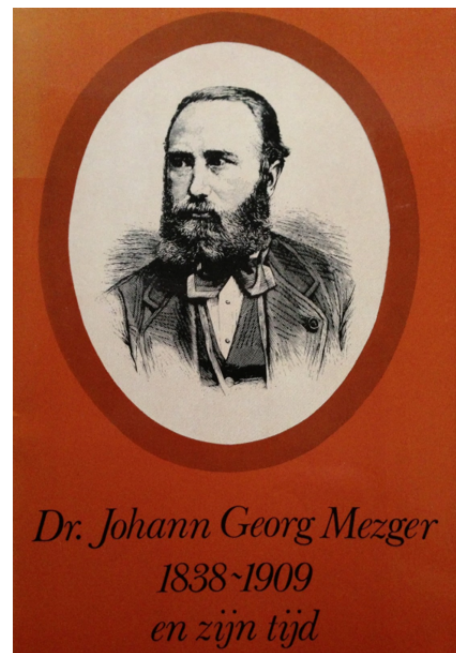
This clock is close in design and size to the Imperial Egg presented to the Empress Alexandra Feodorovna in 1899, and called the "Madonna Lily Egg" Made by the Fabergé work master M. Perchin it is now at the Armoury Museum of the Kremlin in Moscow. See G. Hill, Fabergé and the Russian Master Goldsmiths, New York, 1989, plate 33.

Sf 25.000-35.000 (\$20.000-30.000).

Unfortunately, the description was not very accurate. The term “retailed” used by Sotheby’s is incorrect. Fabergé did not retail items, but distributed orders among the workshops selected by the firm based on technical criteria. Carl Fabergé’s firm, the supplier of His Majesty’s Court for nine years, received the order from Alexander III to make the Imperial *Bouquet of Yellow Lilies Clock Egg*. Also, even though the description refers to the book *Dr Johann Georg Mezger 1838-1909 en Zijn Tijd*, the experts’ research was sloppy. They misspelled the book’s title and the doctor’s name throughout the description; it should be Mezger and not Metzger (see illustration 12). Furthermore, the mentioned city of Kharkov is nowhere near the Caucasus.

Most importantly, the Sotheby’s experts stated incorrectly that the Egg Clock was given to Doctor Mezger during his second visit to Saint Petersburg in 1892. Page 89 of the book, *Dr Johann Georg Mezger (1838-1909) en zijn Tijd*, indicates the exact and correct date: 23 December 1893. The Egg Clock was given to him along with the highest Russian Order, the ‘Order of Saint Stanislas, First Class with Diamonds’. The invoice found by Valentin Skurlov in Tsar Alexander III’s personal files, indicates the date of purchase from Carl Fabergé: 22 December 1893, the day before the *Bouquet of Yellow Lilies Clock Egg* and the Order were given to the Doctor.

Inherited artworks often find themselves in the hands of auction experts. In our case, Doctor Mezger’s heirs placed their trust in Sotheby’s expert, who valued the artwork wrongly. Have in mind that the auction took place just a few years after the \$37 million lawsuit in the Aryeh case concerning the *Nicholas II Equestrian Egg* (1913). Auction houses and experts were careful when describing unknown artworks as “Imperial” or even “Fabergé”, and in some cases, they were being



(12) The cover of *Dr Johann Georg Mezger 1838-1909 en Zijn Tijd*

deliberately confusing, as we have saw earlier in the case of Sotheby's labelling items 'possibly' and 'probably Fabergé'.

'Fauxbergé'

In the spring of 1999, I received a call from Solodkoff on behalf of the *Fabergé: Imperial Craftsman and His World* exhibition in Wilmington (USA). He informed me about the event; the biggest exhibition devoted to the creative activities of Carl Fabergé. Solodkoff and his fellow curator Habsburg wanted me to take part in it. They were especially interested in the Imperial *Bouquet of Yellow Lilies Clock Egg*. Although I seriously doubted Habsburg's capabilities as Fabergé expert, I reckoned it was a good opportunity for me, bearing in mind that the Clock Egg would receive much attention as a 'newly discovered Imperial Clock Egg'. In order to discuss the matter, Solodkoff visited me several times to select items from my collection. During his last visit he was accompanied by Mr Habsburg. Habsburg had briefly mentioned the Clock Egg in his 1994 article "Fauxbergé"²² (a pun meaning false Fabergé) in which he stated:

[Quote] 'A similar case of slipshod scholarship is that of an egg-shaped timepiece that was featured in a 1992 exhibition at the Catherine Palace in Tsarskoye Selo, outside St. Petersburg. It was illustrated on the cover of the show's catalogue and was hailed as "Imperial" by the French co-curator, who said it was "by Mikhail Perkhin" and had been "ignored" by Western experts. In point of fact, this timepiece, when it was sold at auction in 1991, was correctly described as "retailed by Fabergé, unmarked, probably St. Petersburg and as having been given by Dowager Empress Maria Feodorovna o Doctor George Mezger in 1892'

The paragraph was written by Habsburg in response to an article that I had co-authored titled *Square Easter Eggs* which was published in the catalogue of the 1992 exhibition *The Fabulous Epoch or Fabergé* in Tsarskoe Selo, Russia. The exhibition was devoted to the 150th anniversary of the Fabergé House with the *Bouquet of Yellow Lilies Clock Egg* as the highlight of the show. In the article I questioned how leading experts could have missed or ignored the Clock Egg at the prestigious 1991 Sotheby's Russian art auction in Geneva. About the Clock Egg I wrote:

[Quote] There is no need to analyse the extraordinary skill involved in the nephrite carving or silver gilt casting and engraving to conclude that the item is an outstanding piece of art produced by Fabergé's firm. (...) The timepiece could beautifully illustrate a statement often found in publications on Fabergé's work, namely, that the great master's piece need no mark on them, they always exclaim: "I'm a Fabergé!"

It appears that Habsburg, who himself said that 'the technical perfection of Fabergé's work is immediately obvious', exposes himself as a slipshod scholar with his reply in his article "Fauxbergé". He confirmed the Sotheby's description that the Clock Egg was a gift from Empress

²² Fauxbergé' published in *Art & Auction*, Vol.16, pages: 76-79.

Maria Feodorovna to Doctor Mezger, but for some reason he could not understand how a gift from the wife of Tsar Alexander III could be considered Imperial. A gift from an Empress is *de facto* Imperial. Nor could Habsburg understand, and this is important to keep in mind, how the Clock Egg could be attributed to the outstanding Fabergé work master, Mikhail Perkhin.

This episode, and the numerous controversial cases mentioned before, should make it clear that Habsburg is either trying to manipulate the Fabergé art market for his own benefits by putting out false information, or that he really doesn't know the difference between Fabergé and 'Fauxbergé.

Fabergé; Imperial Craftsman and His World Exhibition

That Habsburg's opinion regarding the *Bouquet of Yellow Lilies Clock Egg* had changed by 1999 was related to the original invoice for which Valentin Skurlov found in 1998 in the Russian State Archives, in the section 'Expensive Gifts from Tsar Alexander III'. After Solodkoff and Habsburg visited me in Paris, they travelled to Saint Petersburg to meet Mr Skurlov. There they confirmed that the *Bouquet of Yellow Lilies Clock Egg* was a gift from Tsar Alexander III and that the Clock Egg's inventory number corresponded with the 1893 invoice he had found. Besides my own items, they also asked me to write two articles for the exhibition catalogue: one discussing 20th century Russian enamels, and another one dedicated to Boris Frödman-Cluzel, an outstanding sculptor from the Fabergé firm.²³ They thanked me for my contributions and told me that my Imperial Clock Egg would be the hit of the exhibition.

When I arrived in London to hand over my items to Solodkoff, I asked him for the loan agreement. Solodkoff claimed that he had not had time to prepare and that he would provide the documents at a later date. He promised that he would call me as soon as he had time, and that, for now, the items would be safely stored in the vault where we were meeting. He never did call me, nor did he reply to any of my phone calls. The only thing I received from him was a written declaration stating that all of my items had been insured by Lloyd's on my behalf and that all premiums had been paid.

The exhibition's official opening gala took place on 7 September 2000. A large video screen had been set up next to the entrance and showed close-ups of the Bouquet of Yellow Lilies Clock Egg taken from different angles. The Clock Egg itself was exhibited right in the middle of the main hall in the section Mikhail Perkhin & Fabergé's most Glorious Creations. Normally, during the opening night, the exhibition catalogue is presented officially to the curators, authors and people who have lent objects. Oddly, there were no catalogues distributed that night. Yet, the next morning when I found the catalogues in the exhibition library, I understood why. I learned that the 'hit' of the exhibition, my Imperial Clock Egg, had been given the disparaging title of "Mantel Clock". In addition to the main catalogue, two other exhibition booklets were published. One of

²³ The latter was not published because the works of Boris Fredman-Cluzel were not exhibited.

them was dedicated to the twenty most outstanding exhibits. The *Bouquet of Yellow Lilies Clock Egg* was portrayed in both booklets. In one of them, its picture even occupied a full page. It was described as a “mantel clock” in all three publications, despite the fact that it has nothing to do with a mantel clock and the description in those same catalogue and booklets stated:

[Quote] ‘By Fabergé, inv no. 46822, the movement signed by Hy. Moser & Co. St. Petersburg, height 11 in. (28cm). Original wooden fitted case stamped with the Imperial Warrant, Karl Fabergé, Saint Petersburg, Moscow. Provenance: Presented to Dr Johann Georg Metzger by Tsar Alexander III in December 1893.’

Furthermore, a co-author was added to my article on 20th century Russian enamels although the article had been written solely by me. It also lacked a copyright logo with which all of the other articles were protected. Neither the exhibition organisers nor the curators, Solodkoff and Habsburg, were available to explain what was going on. Suddenly, they were nowhere to be found and I had to return to France. Two weeks later I received a letter from the exhibition organisers telling me that, unfortunately, one of the *Bouquet of Yellow Lilies Clock Egg*’s flower buds had been broken.

The Clock Egg had been insured by the exhibition organisers for \$2.5 million. The insurance broker assessed the damage at 10% of the insured amount. I was offered \$250,000 under the condition that the restoration would be started in the United States. As a result of the catalogue incident and the fact that the organisers, curators, and insurance agents had concealed the damage during the exhibition’s opening, I demanded that no repair work should be carried out before the exhibit’s return to London. At first, they threatened me with losing my entitlement to compensation for damages. Since I insisted on sending it back, they told me that they would separate the Clock Egg from its original box in order to ship it in a special box designed to prevent any further damage.



(13) One of the broken branches

They claimed that the flower bud had broken off during shipping from Europe to America, because the Clock Egg had not been secured inside the original box. When it arrived in London, Mr Ian Fairley, the insurance agent representing Lloyd’s, showed it to me. I was shocked to see that the original wooden box had been used instead of a special box as suggested by the exhibition organisers. When Mr Fairley opened the box, two broken branches fell out (see illustration 13). Therefore, the total damage inflicted on the Clock Egg was one broken flower bud and

two broken branches! Also, the Egg itself was wrapped in some sort of toilet paper. The employees of the shipping company commented that the way the Clock Egg was prepared was far from professional. Needless to say, I refused to accept it. Mr Fairley suggested sending it to the metal department of the Plowden & Smith restoration workshop. He told me that he would get back to me about the refund of the damage. On behalf of Lloyd's, Solodkoff came to see me in Paris to discuss how the damage would be handled. He told me that the total damage amounted to 15-20% of the insured amount and suggested to agree with that valuation. I told him that I would consider his offer, but I warned him that it seemed illogical to me, considering that the insurance agent in the US had already valued the damage of the broken bud alone at 10%. After I said this, Solodkoff told me that I would have a big problem.

The following week I received a letter from Mr Fairley. He wrote that all previous damage refund proposals had been cancelled as a result of new circumstances. A specialist from the Plowden & Smith restoration workshop had found traces of tin on the broken branches. Therefore, it concluded that it had been broken before and that the *Bouquet of Yellow Lilies Clock Egg* was not made by Fabergé. Stunned by this news, I visited the Plowden & Smith workshop. Several minutes into our conversation, the specialist who had signed the initial report confessed that it did not conform to reality. He changed it and signed the report which now gave the real reason for the damage: a major shock. After I informed Mr Fairley about my visit and the new report, he panicked and told me I had no right to visit the workshop. As a result, Lloyd's did not want to pursue their cooperation with Plowden & Smith.

In order to speed up the payment of compensation (or so he told me), Mr Fairley proposed a new analysis by Mr Gilmores, the Head of the Metal Studies Laboratory at Oxford University. Mr Fairley and Mr Gilmore had been working together for many years. After a long delay, Gilmore finally wrote his first conclusion: he confirmed that the traces of lead found on the Clock Egg were caused by restoration. Mr Fairley now argued that it had been broken and restored even before I gave it to Solodkoff in London; this instead of admitting the obvious: there had been a last minute restoration in the United States without my consent in order to conceal the two broken branches. The experts from the renowned French-German Alliance Science Art Laboratoire de Recherche Appliquée (ASA) also examined the Egg and the broken pieces. They completely disagreed and rejected Mr Gilmore's conclusions. The traces of lead found on the branches could not support the branches, thus ruling out a restoration prior to the shipping of the Egg. Mr Gilmore made a further attempt to present dubious proof to support the insurance company and I realised that matters could not be settled in an amicable manner; Lloyd's was simply not willing to pay. Once I started preparing for a trial in London, I soon found out how difficult it is for an individual to sue Lloyds. Lloyds is not an insurance company but a corporate body that consists of multiple financial backers, called underwriters, transacting business worth billions of pounds each year. In compromising cases, such as mine, Lloyds uses its pyramid structure to dodge responsibility and

thereby leaving the other party clueless about who exactly it is up against. The case was named *Kamidian V Holt on behalf of certain underwriters at Lloyd's & others*, David against Goliath.

Oddly enough, after the exhibition in Wilmington ended in February 2001, I received a letter from the exhibition organisers in which they congratulated me with my participation and invited me to participate again in a new show held in Las Vegas!

An Early Encounter with Lloyd's

Later in 2001, I decided to sell several Fabergé artworks from my collection through auction house Tajan in order to generate the funds needed for the upcoming case against Lloyd's. The floral composition *Hawthorn Branch* and several other items were supposed to be sold at the auction during a 2002 Red Cross charity ball in Monte Carlo. The auction house experts evaluated *Hawthorn Branch* at \$250,000. Through a friend who attended the auction I learned that the *Hawthorn Branch* flower was not featured in the auction. I immediately contacted the auction expert, Ms. Chantal de Beauvois, who told me I had nothing to worry about and she asked me to meet her at the Tajan office in Paris. There I found out why the flower was held back from the auction; it had been damaged by an employee who had carelessly dropped the box holding the flower. As a result, a nephrite leaf was broken, and the box had lost a lock hinge. Tajan tried to assure me that Lloyd's (!) had agreed to refund the damage. Needless to say, I was anything but comfortable with the idea of another case involving Lloyd's while preparing for the trial in London. The worst-case scenario unfolded when several months later I was told that some experts doubted the authenticity of the artwork, and on top of that Tajan suspected concealed restoration in the past. They also told me Lloyd's had nothing to do with that case but that the piece was insured through insurance company Generali. I received a letter stating that upon request of auction house Tajan, the owner of antique shop in Paris (which had nothing to do with Fabergé) claimed that she was unable to guarantee the authenticity of the *Hawthorn Branch*. Tajan tried to spin the reason for not putting up the flower for sale based on a post factum 'expert' study that was carried out 3 months later. The situation left me no choice but to sue again, this time in Paris.

The case went to trial in 2004 and it turned out that Lloyd's was in fact liable for the damage. It appeared that they only realized the link between this case and the upcoming trial in London *after* they agreed with Tajan to pay for the damage. Ms. Chantal de Beauvois, the Tajan expert who had personally received and evaluated the *Hawthorn Branch* flower, suddenly declared in court that she had never seen me before; that the acceptance statement had been written by her assistance who bore no responsibility; and that the evaluation was purely an approximate. Besides de Beauvois's statements, Lloyd's presented the following arguments:

- the wooden box in Fabergé style with the logos of the firm A La Vieille Russie New York that contained the flower did not match its size,
- the nephrite leaf had already been restored in the past, which caused the breakage,

- and that the *Hawthorn Branch* flower was simply not a work by the Fabergé Firm.

Later during the trial Lloyd's had to accept that it was indeed an artwork by Fabergé, but they tried to spin the situation once more by claiming that:

- the artwork does not conform to the Fabergé standards for unique masterpieces and might be classified as an item of mass production,
- and that the flower is only worth a small part of the requested amount (10% of \$250,000).

Lloyd's furthermore tried to argue that '*Lloyd's*' does not exist, but that its underwriters had accepted the insurance for the item, so that they had to be sued. The French judge did not buy the 'underwriters' argument and ordered Lloyd's to pay for the damage adding up to €30,000.

I was relieved to win the trial because auction houses and their insurance companies are represented by powerful law firms and they boast to never lose in court. It is known that Lloyd's had to settle and reimburse damages in some similar cases, but it was always preconditioned with confidentiality and nondisclosure agreements.

I wrongly assumed however that my win against Lloyd's in Paris would help me to win the trial in London. Later it would become clear that the strategy applied by Lloyd's, systematically used to fend off insurance claims, would work in London when we fought over the *Bouquet of Yellow Lilies Clock Egg*.

London Plot against Fabergé

In the years leading up to the trial, the insurance company claimed that I had signed the loan agreement in London with Solodkoff in 2000. I had asked for a copy of this agreement many times, but my requests were refused time and time again. When my lawyers asked Solodkoff in writing whether he himself had signed the loan agreement, he replied that the question was grammatically incorrect. Just before the start of the trial, I received the disclosure documents concerning my case and one of the documents was a copy of the loan agreement. Considering that I had never seen or signed the agreement, I ordered a graphology analysis of the document. Later, in court, Solodkoff was forced to confess that it was indeed he who had signed the document. His defence concluded that he had done so on request by me. The signature resembled a series of unreadable wavy scrawls which Solodkoff explained was one of his 'Arabic' signatures.

The disclosure documents also revealed that, in 2001, Solodkoff had evaluated the damage at 30% - 50%. The insurance agent, Ian Fairley, had initially contacted Lloyd's with a request to draw a cheque worth \$1,250,000 to cover the damage. But more interestingly, one of the documents dating from before shipping to New York stated that 'the loss was discovered before shipping.' These documents revealed the insurance company's true intentions. The *Bouquet of Yellow Lilies Clock*

Egg was damaged in London even before it was sent to the United States using false documents signed by Solodkoff. Their initial plan was to offer me \$250,000 for the damage of one broken flower bud combined with restoration in the US, which would give them the opportunity to restore the entire bouquet, including the two broken branches.

When an expensive item is shipped, it is standard practice that the item is photographed before and after shipping. These photographs are given to at least three of the parties involved: the client (in our case the exhibition organisers), the shipper and the insurance company (Lloyd's). However, when my lawyer's asked for these photographs, arguing that that would clarify the issues regarding the damage, they were told by Lloyd's that the entire file including all the photographs of both the shipping from and back to the UK had disappeared, and that none of the other parties held any copies...

To further back up their version of the story, Lloyd's had hired the antique dealer, Steven Dale (who was unknown as a Fabergé expert) to examine the damaged Clock Egg. In his first study in 2004, Mr Dale had missed and, thus, failed to report the engraved inventory number and "Saint Petersburg" as the manufacturing site, although these features had been described in the catalogue for the exhibition curated by Solodkoff and Habsburg in 2000. The fact that Dale had failed to 'notice' these crucial engravings in 2004 led the insurance company to doubt their initial existence. In the first minutes of the cross-examination by the barrister, Ms Alison Padfield, it was shown that all the information listed in Dale's references was imaginary. He was not an expert in Fabergé hallmarks, nor had he published academic articles or participated in conferences. Dale exposed himself when he stated that the jeweller August Holming was head of the Fabergé enamel workshop. This is complete nonsense; Holming was a well-known jeweller, not an enamel master. Entangled in his own testimonies, Dale showed the full extent of his incompetence by describing the Fabergé hallmarks, shown to him on close-up photos (30x20 cm), as 'occasional dents'. After that Dale was asked to answer several very suggestive questions posed by Judge Tomlinson. Regarding the Clock Egg's original fitted wooden box, described by Sotheby's and by Solodkoff and Habsburg as '*original fitted wooden case, the silk interior stamped with the Imperial warrant and inscribed: C. Fabergé, St. Petersburg, Moscow*', Judge Tomlinson asked him:

[Quote] 'any way, you would read that as being in an original fitted wood case, as opposed to in the original fitted wood case?'

This dubious question enabled Lloyd's lawyers to cast doubt on a solid argument designed to prove the authenticity of the Clock Egg: the fact that it came with its original wooden case inscribed by Carl Fabergé. When discussing the provenance of the Clock Egg, Mr Dale qualified it as "dodgy".



(14) Gilded silver and nephrite candlestick by Fabergé (1900)

In my response, the witnesses Tatiana Fabergé and Valentin Skurlov presented proof of the *Bouquet of Yellow Lilies Clock Egg*'s authenticity. During the trial, they testified that the Clock Egg was by Fabergé and showed the original photo of the gilded silver candlestick (1900), also by Fabergé, which is decorated with an identical yellow lily bouquet (see illustration 14 and 15). However, for some reason, Judge Tomlinson preferred the arguments presented by Ms Ann Bennett, a Belgian "expert" who admitted from the very start of the process that she was actually a specialist in archaeological metal. She also confessed that the information on her website, stating that she was a forensic expert, was incorrect. Ms Bennett doubted the genuine character of the engraved Fabergé hallmark. Earlier in the trial, Ms Bennett

had claimed that it was "strange" that the inventory number had been written after gilding.

The metal specialist I had hired, Mr Philip Boyce, indicated in his report that the inventory number was engraved after gilding and that its presence on the Clock Egg was authentic. Mr Boyce is a leading expert in Tool Marks. He has examined countless items and provided thousands of expert statements for both the prosecution and the defence, and has given expert witness accounts at many courts, both in the UK and overseas, including: Juvenile, Magistrates, Crown Courts, High Courts, Courts of Appeal and Military Court Martials.



(15) The Yellow Lily Bouquet of the Clock Egg

Besides his research on the inventory number, he also took new colour photos of the Fabergé hallmarks and compared them with other Fabergé hallmarks of the same period. His conclusion: the hallmarks, when superimposed on one another, were all completely compatible. When the colour photos of the hallmarks, denounced as "dents" by Mr Dale, were presented to Judge Tomlinson as decisive proof, he refused to include them in the case...

In order to call Mr Habsburg to court, my lawyer asked him a few questions and requested that he send him his professional references. He provided a letter listing all his regalia and merits. He concluded the letter by stating:

[Quote] “My personal opinion of the piece is that it is not by Fabergé and, therefore, that it is worth a fraction of its insurance value. (...) I believe that, originally, Michel Kamidian was offered a 15% depreciation. He should have taken it.”

Habsburg initially refused to participate in the London trial. Hiding behind his American citizenship, Habsburg did not file the necessary documents and ignored the deadline stipulated by law. However, just a week before the trial, the insurance company asked the judge to allow Habsburg and Mr Ruzhnikov (a dealer in Russian art) as witnesses. The judge declared that, due to the utmost importance of the case and the large amounts of money involved, they would be allowed to participate.

This decision clearly indicates the controversial nature of the trial; on the one hand, the Judge allowed Mr Habsburg and Mr Ruzhnikov, as last-minute witnesses due to “the utmost importance of the case”, but, on the other hand, he refused to allow hard evidence such as the colour photos without providing any explanation.

Habsburg’s participation as the chief curator of the exhibition during the trial was, indeed, very important, but he produced one contradicting statement after another, just like he did throughout his career as self-proclaimed Fabergé expert. He argued that he had personally received the *Bouquet of Yellow Lilies Clock Egg* on its arrival from England and found that it had only one broken flower bud. This turned out to be untrue because it was revealed that one flower bud and two branches had been broken before its departure to the US. In terms of the Clock Egg itself, he said that he could not understand how the name of the famous clockwork master Moser, who left Russia in the 1840’s, could be associated with the inscription of his name on the clock mechanism dating from 1893. If Habsburg had opened one of his own books, he would have read that the Moser firm provided clock mechanisms for Carl Fabergé’s firm up until 1917 and was active in Russia up until 1918. In his 2000 publication *Fabergé Imperial Craftsman and his World*, Habsburg even confirmed the provenance, the original invoice, the clock movement by the Moser firm, and the original fitted wooden box of the *Bouquet of Yellow Lilies Clock Egg*!²⁴

Despite the above, Habsburg casted doubt on the original invoice found by Valentin Skurlov in the Russian State Historical Archives, even though he and Solodkoff had visited Skurlov in Saint Petersburg to confirm the authenticity of the invoice and the inventory number. Habsburg questioned Skurlov’s good reputation as a scholar expert in the history and tradition of Fabergé hardstone carving art in Russia, and as consultant for Christie’s Russian Department since 1996 and for the Russian Ministry of Culture since 2002.

²⁴ G. von Habsburg (2000), *Fabergé Imperial Craftsman and his World*, p.189.

When asked why they wanted the *Bouquet of Yellow Lilies Clock Egg* to star at their 2000 exhibition, Habsburg came up with a far-fetched story about how he actually wanted another sculpture from my collection, the *Parrot*. Even though the *Parrot* never appeared in any exhibition, and knowing that Habsburg and Solodkoff had only seen it on photograph, the *Parrot* was featured in their 2000 exhibition catalogue as lot number 898, and in one of Habsburg's more recent publications.²⁵ In the latter Habsburgs dedicates a column to the *Parrot*, in which he explicitly refers to the original invoice and to Mr. Skurlov, who found the invoice in the same archives as the original invoice of the *Bouquet of Yellow Lilies Clock Egg* (see illustration 16). When the



(16) Original invoice to Tsar Alexander III found by Valentin Skurlov

barrister asked Habsburg why the *Bouquet of Yellow Lilies Clock Egg* was exhibited at the centre of the exhibition hall in the section *Mikhail Perkhin & Fabergé's most Glorious Creations*, he shrugged and replied that there had been no other suitable space for it. Most interesting of all, at the start of Habsburg's cross-examination he declared that when he borrowed the Clock Egg for the exhibition, he thought that it was by Fabergé, but after a break in the proceedings, when Mrs Tatiana Fabergé had left the courtroom, he suddenly declared that he actually did not think it was Fabergé. It was at this point that Habsburg spoke of his gut-feeling theory. He revealed his secret and told the Judge that, for over 35 years, he had been making his expert studies based on gut-feeling. Strange as it may seem, the royal Judge Tomlinson appeared to enjoy that revelation. Habsburg's guts are very expensive. They have had an effect on the well-being

and fate of many people. Maybe it is this unique ability that gives him an advantage over his Russian colleagues.

The other witness that could testify at the last-minute was Andrei Ruzhnikov. Ruzhnikov claimed that, when he first saw the Clock Egg in 1999, it was clear to him that it was a fake. He declared that he was ready to bet his last cent that the Egg did not belong to the Fabergé firm and had absolutely nothing to do with it. He completely 'forgot' that, earlier in 1999, he had visited me in Paris on behalf of a major client who was interested in buying the Clock Egg. During our discussion, we agreed on the price of \$3 million. Ruzhnikov asked for a few days to allow his client to consider the purchase and he returned to the US. Meanwhile I was called by Solodkoff with the offer of participation in the Wilmington exhibition for which organizers wished to borrow the Fabergé Bouquet of Yellow Lilies egg-clock. When confronted with this story, Ruzhnikov

²⁵ G. von Habsburg (2000), *Fabergé Imperial Craftsman and his World*, p.335 & G. von Habsburg (2011) *Fabergé Revealed*, p. 50.

denied it. However, our encounter was mentioned by Ruzhnikov in his own written statement! When the barrister showed Ruzhnikov his own confusing testimonies which completely contradicted his written statements made two weeks before, he seemed astonished and responded 'really, did I say that?' The insurance company's lawyer had to help him to give a vague and unclear statement which somehow still completely satisfied the judge. In sum, Lloyd's applied the exact same strategy that they used during the 2004 trial against me in Paris. They came up with contradicting testimonies from shady experts and presented controversial evidence to prove that the artwork was not by Fabergé. The only difference was that this time the Judge bought it all.

All the witnesses mentioned were heard for a few hours or less, whereas I was cross-examined for three full days in a row, as if I were guilty. It seems to me that the only "error" I committed was to lend the jewel of my collection, the Imperial *Bouquet of Yellow Lilies Clock Egg*, free of charge on request by the organisers and curators of the 2000 *Fabergé: Imperial craftsman and His World* exhibition.

In short, I provided the following evidence to prove the authenticity of the Imperial *Bouquet of Yellow Lilies Clock Egg*:

- Provenance: Gift of Alexander III,
- Inventory number 46822 which matches the invoice
- Original invoice from Fabergé was paid on 22 December 1893 (the day before the Egg was given to Doctor Mezger)
- Engraved "Saint Pétersbourg" (in French as was common at that time),
- Indication of the place of manufacturing engraved on the Clock's steel mechanism: "St Pétersbourg
- The original oak wooden box with the firm's logos and gold embossed stamps of the Imperial Court's Supplier,
- Fabergé and Saint Petersburg assay hallmarks on one of the decorative grids.

Based on contradicting testimonies by 'experts' such as Habsburg, Solodkoff, Ruzhnikov, Dale and Bennett, Judge Tomlinson handed down his verdict. Despite all of the above facts, he came to the conclusion that the artwork was made by some anonymous Austrian masters, and not by the Fabergé firm. The analysis of this scandalous trial leads us to believe that the Royal Court judge Tomlinson has decided in favour of the national brand Lloyd's, despite of the presence of indisputable material and historical evidence that backed the story of the claimant. It appears that the judge has applied a "double standard" when it came to admitting evidence such as the color photos taking by Mr. Boyce and used the "balance of probabilities" when interpreting the facts that were laid down in front of him, to make such an inadequate decision in favor of the insurance company. The decision took the judge 4,5 months, 147 paragraphs and 145 pages, in which he vindicated those who under oath had sworn to tell the truth, but who had produced false testimonies and evidence. Judge Tomlinson, as the observer of the justice, appeared to have permitted the scale of justice to be tipped by the many lies that outweighed the truth. He

stated that there was "compelling" evidence that the egg was not the work of the great Fabergé, and he furthermore ruled that the original wooden box had nothing to do with the Bouquet of Yellow Lilies Clock Egg (see illustration 17). He suggested that it had been found elsewhere and that it was just used by the Doctor Mezger's heirs for transport, and valued the Clock Egg at £100,000.

It seems that the aim of this trial connected to Fabergé, was not only to protect the insurance giant Lloyd's, but also to show, approve and strengthen the position of London as the main player in the international scene of art auctions by letting it determine the authenticity of important works of the Russian art.

So far I have shown that there was indeed "compelling" evidence: evidence confirming the authenticity of the Clock Egg that was neglected or not allowed by Judge Tomlinson. He said to make his decision on the balance of probability, but it seems he leaned towards Lloyds and its underwriters from the very beginning of the trial. He even added that "Mr Kamidian's own subjective belief" about the egg's provenance was simply 'irrelevant' to the issue of whether it was really a genuine Fabergé", and that it was "very unlikely that Mr Kamidian can really have thought in 1991 that he knew better than the experts at Sotheby's, or indeed better than every other dealer who attended the auction in Geneva." My 'own subjective belief' was supported by hard evidence, and all the cases I have described before make it far from unlikely to believe that the 1991 Sotheby's auction experts, who could not even compile an adequate auction description, were in way over their heads.

Thus, as punishment for my "crime" a Fabergé masterpiece was disparaged and attributed to an anonymous Austrian jeweller. Many pages in Russian history were falsified. I had lost what appears to have been a demonstrative and punitive trial, and I was ordered to pay all the legal fees representing about £2.5 million. When summing up, Judge Tomlinson stated: 'Even if I am wrong, I believe that there is no prospect for an appeal to this verdict.'

Many journalists were present during the 3-week trial but none of them ever asked me for an interview or for comments from my side. The next day, leading British newspapers, such as The



(17) Bouquet of Yellow Lilies Clock Egg in original box

Guardian and The Independent, reported that “the Fabergé Egg, worth £10M or \$20M, turned out to be fake.” The Russian and French press were astonished by the irrational verdict.²⁶

Ten days before the final verdict, my safe box in which the *Bouquet of Yellow Lilies Clock Egg* and other Fabergé artworks were stored was taken and opened without my knowledge by order of judge Tomlinson. Mr Dale was appointed as the appraiser of my items. According to him, the origin of all the artworks in my safe box was not Russian; they were just “in Fabergé style” or “with hallmarks in Fabergé style.” In December 2011, all the confiscated artworks were put on sale at a minor auction in London. Again, I was not informed. Even though the Imperial *Bouquet of Yellow Lilies Clock Egg* was valued at £100,000 by Judge Tomlinson, the estimated price at the auction was £2,500-£3,000!

The Rothschild Egg

One of the arguments used by Lloyd’s underwriters and their ‘experts’ was that the Fabergé firm would not allow the use of similar designs for different Eggs. The *Bouquet of Yellow Lilies Clock Egg* (1893) shows similarities to the Imperial *Bouquet of Lilies Egg* (1899), a gift to Empress Alexandra Feodorovna. According to this bogus theory, the 1899 *Bouquet of Lilies Egg* was suspicious owing to its later manufacturing date, and, because it belonged to the collection of the famous Moscow Kremlin Armoury Chamber Museum, the ‘experts’ believed that it was the 1893 *Bouquet of Yellow Lilies Clock Egg* that was probably the fake one. Judge Tomlinson followed their reasoning.

On 28 November 2007, around the same time as my trial (and very nearby), the Fabergé *Rothschild Egg* (1902) was sold at a special Christie’s auction in London. This Fabergé Clock Egg, also made by the workmaster Mikhail Perkhin, was a gift to Germaine de Rothschild (1884 – 1975). The *Rothschild Egg* is practically identical to the Fabergé *Chanticleer Egg* (1904) and similar in design to the Imperial *Cockerel Egg* (1900). In fact, all these Eggs were inspired by the famous ormolu automaton Peacock Egg (1788) made by James Cox.

However, no experts ever doubted the authenticity of the *Rothschild Egg*; indeed, it was sold that day for £9 million. Ironically, the family who sold the *Rothschild Egg* never suspected that they were the owners of a Fabergé Easter Egg and always thought that they had inherited an artistic clock, just like Doctor Mezger's heirs: the young couple who had trusted Sotheby’s experts in 1991. Because of expert’s incompetence, the Imperial *Bouquet of Yellow Lilies Clock Egg* was valued at 25,000 - 30,000 Swiss Francs instead of \$3 million.

A Falsification of History

²⁶ See article by Vincent Noce in *Liberation* of 06-08-2008: <http://mobile.liberation.fr/culture/010186662-l-affaire-de-la-pendule>

The duty of experts and curators is to take care of, and to cherish the cultural heritage and artworks entrusted to them. The role of experts in Russian art is to glorify the Russian cultural heritage, not to discredit it or to falsify its history. I have tried to demonstrate that, when curators and experts such as Mr Habsburg change their opinions and postulations so often, they deceive both themselves and others, causing great moral and financial damage. Counterfeits have been presented as masterpieces and masterpieces as forgeries. Still, having described all the cases related to the alleged discoveries of Imperial Fabergé Eggs, we see a curious constant without exception; the ‘experts’ who established themselves as the authority on Fabergé all agreed that that “the technical perfection Fabergé’s work is immediately apparent” and that it “speaks for itself: we are Fabergé”, but every time they were sure to generate sensation with the ‘discovery’ and sale of a new Imperial Easter Eggs, like the *Empire Egg*, it turned out to be fake! At the same time when they were confronted with a genuine Fabergé artwork, like the *Bouquet of Yellow Lilies Clock Egg* and the *Basket of Wild Flowers Egg*, they confirmed their incompetence by attributing it to an anonymous artist and country.

To err is human, but when gross mistakes are made systematically over many decades, it does not only show the lack of competence of these experts, but it also makes it hard not to think of them as professional charlatans. It is painful to see that after many years of wrongdoing based on his gut-feeling, Mr Habsburg still dares to use his inappropriate and disrespectful term “Fauxbergé” and still doesn’t seem to be able to tell the difference between Fauxbergé and Fabergé. Furthermore, Mr Habsburg recently (2011) published a new book in which he suddenly decided to address Carl (C.) Fabergé, as Karl (K.) Fabergé, even though Fabergé’s name has always been written as C. Fabergé, even on his own business card (see illustration 18) and on his grave in Cannes! Such an attitude towards the Master jeweller, the Great Fabergé, is more than odious!



(18) *Carl Fabergé’s business card*

The problem is that these ‘experts’ are recognised by the leading auction houses. They are curators of international exhibitions; experts for major insurance companies; owners of antique shops; and the authors of publications devoted to Carl Fabergé. Their internal policy regarding information control, solidarity, and organisational skills has protected them for decades. Problems related to the incompetence of specialists are even more noticeable in

the sphere of visual arts. Masterpieces by glorious Russian artists of the 18th – 20th century are often attributed to anonymous West European painters.

Just like in the world of Fabergé, one may buy rare artworks worth millions for only a fraction of their value through the leading auction houses represented worldwide. In such cases the owners, and often heirs, of the artworks, who trusted the experts from renowned action houses, are left deceived. They collect the proceeds (minus commission fee), but in fact are the victims of the

auction houses. The latter are protected by insurance companies and law firms who are reluctant to pay for a loss of income due to wrong expert studies.

To avoid compromising situations, an army of lawyers will find hundreds of arguments, will spin the situation, and will deliberately stall and complicate the process and thus creating financial difficulties for the ones suing. Such an odious environment inflicts serious damage to the Russia's historical heritage. 30 years of experience monitoring and studying the artworks of Carl Fabergé, have led me to agree with what Tatiana Fabergé has labelled the 'Syndrome of Peter Carl Fabergé'. Several consulting experts and many of those who are engaged with Fabergé, in one way or another, are behaving absolutely indecently and inadequately, and, in doing so, are discrediting the cultural heritage of Russia. Those who refer to the works of the Master in such a manner should not forget that the spirit of Carl Gustavovitch Fabergé is still alive and that one should always expect surprises from him.



Tatiana Fabergé & Michel Kamidian and at the presentation of 'Fabergé a Comprehensive Reference Book' in Geneva.

About the Author

Collector Michel Kamidian was born in 1955 in Armenia. In 1972 he moved to France, the country of his father, where he still lives now. Over the last 30 years he became a scholar in the field of Russian art and Carl Fabergé's artistic activities. In 1989 he participated in the first ever exhibition dedicated to Carl Fabergé in the USSR, the "Great Fabergé – The Art of Jewellers of the Court Firm" exhibition held in the Yelaginsky Palace in former Leningrad. In

1992, he was one of the organizers of the international exhibition "Fabulous Epoch of Fabergé" held in Tsarskoye Selo dedicated to the 150th anniversary of the firm. In 2000, he participated in the *Fabergé and His World* exhibition; the world's biggest exhibition dedicated to the works of the Fabergé firm held in Wilmington, Delaware, US. He is also the author of numerous articles on the works of Carl Fabergé and Russian art. Currently Mr. Kamidian is preparing a monograph on Boris Frödman-Cluzel (Saint Petersburg 1878 – Cairo 1959), the outstanding Russian sculptor who received worldwide recognition during his career.