

NEWS RELEASES

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Associated Press: Husch Blackwell Wins Case Against U.S. Government; Saint Louis Art Museum Keeps Egyptian Mummy Mask

After years of allegations regarding ownership of an ancient Egyptian mummy mask, Husch Blackwell obtained the dismissal of forfeiture proceedings initiated by the United States government against the artifact, which belongs to the Saint Louis Art Museum. On behalf of the museum, a long-time client of the firm, Husch Blackwell's attorneys successfully challenged the government's allegations that the Mask of Ka-Nefer-Nefer was stolen from Egypt shortly after being excavated in 1952 and was, therefore, rightfully owned by Egypt. The district court agreed with Husch Blackwell lawyers that the government failed to show there was any basis to forfeit the mask.

Despite a thorough investigation of the mask's background before purchasing it in 1998, a former Egyptian Minister of Antiquities has long maintained that the mask was stolen from a storage facility in Cairo and removed from the country, making it the property of Egypt. Despite numerous requests by the museum for evidence to support the allegations, none was ever offered. Following the Justice Department's entry into the matter, the museum's board of commissioners took the initiative and asked a federal court in St. Louis to determine ownership of the mask.

Through its team at Husch Blackwell — St. Louis Partner David Linenbroker, Kansas City Partner Patrick McInerney and Kansas City Associate McClain Bryant — the museum proactively filed a declaratory judgment action to preempt the U.S. government's demands to hand over the mask. The government then filed a forfeiture complaint, along with a restraining order. Following competing motions to dismiss by the museum and the government, the court

ruled that the government failed to allege any factual basis to support a finding that the mask belongs to someone other than the museum.

In his ruling, Judge Henry E. Autrey of the U.S. District Court for the Eastern District of Missouri held that the government's complaint was "completely devoid" of any facts showing that the mask was stolen and then smuggled out of Egypt. The court also acknowledged that the museum undertook a months-long due-diligence investigation of the mask's provenance prior to purchasing it.

As quoted in an Associated Press article by Jim Salter, Linenbroker said, "We're confident we're the rightful owner."

Officially titled "Mummy Mask of the Lady Ka-Nefer-Nefer," the artifact is a 3,200-year-old funerary mask, first discovered in an unfinished Egyptian step pyramid in 1952. Nearly two feet tall, it has been on display at the Saint Louis Art Museum since 1998.