

Exhibit 1

STOLEN FERRARI

*Ferrari 250 GT, Cabriolet, Silver Colored, Pinin Farina,
Series 1, 1957/58, Chassis N° 0799 GT*

Please be informed that the above mentioned Ferrari oldtimer car, with Chassis N° 0799 GT has been stolen on July 7, 1993 in Marbella, Spain from a Swiss citizen. Please also take notice that this Ferrari car is on the active list of the police and further legal action will follow. Investigations by Interpol are involved. This Ferrari car has last reported to be in the custody of a Ferrari collector on the east coast of the USA.

For further informations please contact:

Oliver Weber, Attorney-at-Law

P. O. Box 811

CH-2501 Biel

Switzerland

Phone: +41 77 423 03 20

Fax: + 41 32 323 65 80

Email: stolenferrari@gmail.com

Exhibit 2

250 GT BOANO and 250 GT ELLENA COUPE

250 GT ELLENA COUPE, S/N 0857 GT (1958). Burgundy with tan interior. Unusually nice older restoration with a very straight body, excellent older paint, superb and supple tan Connolly leather seats and leather-bound brown Wilton carpets. Very smooth and strong all-numbers-matching 128C single-distributor inside-plug engine. Priced right at \$449,000. 8/07

Michael Sheehan's Ferraris Online, sales@ferraris-online.com, www.ferraris-online.com, 949-646-6086, fax 949-646-6978 (CA)

250 GT PININFARINA COUPE

250 GT PF COUPE, S/N 1637 GT (1960). Silver with red leather. Well-cared-for low-mileage example that has been sympathetically restored by a knowledgeable owner to retain its honest, original feel and detailing. Performance to match with responsive outside-plug engine, crisp overdrive gearbox, taut chassis and effective disc brakes. Matching numbers and belly pan. \$275,000. 2/08

Fantasy Junction, www.fantasyjunction.com, 510-653-7555, fax 510-653-9754 (CA)

250 GT PF COUPE, S/N 1987 GT (1960). Rosso rubino paint on excellent body with tan leather and medium brown carpets. Well documented with a detailed ownership chain through its life in the U.S. Excellent original chrome and rubber. Late model with the outside plug engine, (# 1535) and disc brakes. Original Marchal headlights, all original lenses and everything works: the overdrive, the turn signals, the backup light, everything! Runs and drives very well. Excellent synchros, excellent original suspension and no smoke! Perfect for the Colorado Grand and other touring events. Priced right at \$179,950. 12/07

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250 GT SHORT WHEELBASE BERLINETTA

250 GT SWB BERLINETTA, S/N 4037 GT (1963). Red with black interior. Fourth to last completed. Steel body. All original and matching numbers. Known history, no excuses. \$3,500,000. 2/08

Symbolic Motor Car Company, 858-454-1800, classics@symbolicmotors.com, www.symbolicmotors.com (CA)

250 GTE 2+2

250 GTE 2+2, S/N 2575 GT (1961). Blue with saddle leather. Restored and very presentable. A nice Series 1 matching numbers driver. \$159,000. 2/08

Symbolic Motor Car Company, 858-454-1800, classics@symbolicmotors.com, www.symbolicmotors.com (CA)

250 GTE 2+2, S/N 3165 GT (1962). Black with original (and beautiful) dark red leather and dark red carpets. Originally owned by Mario Agusta of the MV Agusta family. Last owner 29 years. Absolutely gorgeous. GBP £127,500. 1/08

Mark Shannon, fazzaz@markshannon.net, www.markshannon.net, +44 (0) 1483 300882, mobile +44 (0) 7785 937756. (UK)

250 GT/L BERLINETTA LUSSO

250 GT/L, S/N 5691 GT (1964). Red with tan leather. Very left alone old lady with very nice original interior, nice paint with some lacquer checking. Drives great. Nice wires. First time for sale. 47,000 miles. \$750,000. 3/08

Dan Mershon, 937-605-1505, dan.mershon@donet.com (OH)

330 GT 2+2

330 GT 2+2 SERIES I, S/N 5263 GT (1964). Red with black leather. First production car of 623 built. Unrestored. Good runner. 116,000 km. \$57,500. 3/08

Motorcar Gallery, www.motorcargallery.com, 954-522-9900 (FL)

330 GT 2+2 SERIES I, S/N 5935 GT (1964). Red with dark gray leather. \$14,000 in recent suspension, steering, brake and radiator work by P. Ottis. Solid driver. \$75,000. 11/07

Fantasy Junction, www.fantasyjunction.com, 510-653-7555, fax 510-653-9754 (CA)

330 GT 2+2 SERIES II, S/N 7815 GT (1966). Red with new tan interior. Five-speed, p/w and radio. Previous owner stated engine rebuilt at 57K miles with new pistons, rings, s.s. valves, water pump, etc., clutch and radiator reconditioned and new mufflers. Five Borraris, XWXs, owner's manual and parts book. No tools or jack. Presentable paint, beautiful interior, good chrome, solid body and frame. A nice example of Ferrari's most elegant 2+2. Comes with an Ohio title in purchaser's name. 59,000 miles (95,000 km). \$129,000. 2/08

Bill Victor, 513-319-0884, carconsult@hotmail.com (OH)

330 GT 2+2 SERIES II, S/N 8881 GT (1966). Light metallic blue with tan leather. Strong car with rebuilt engine and excellent paint. Borraris, books, tools and extras. \$125,000. 11/07

Fantasy Junction, www.fantasyjunction.com, 510-653-7555, fax 510-653-9754 (CA)

*330 GT 2+2 SERIES II, S/N 9379 GT (1966). Silver with red leather and wire wheels. Just 60,000 km. Good condition, complete with an interesting history. The current (only the second registered) owner has had the car for 15 years. Regular Concorso Italiano participant. \$118,000. 3/08

Charles or Brooke Betz, 714-633-6817 or 949-285-2899, crbetz@aol.com or 250brooke@cox.net (CA)

DEADLINE FOR ADS FOR NEXT ISSUE IS 27 MARCH 2008

STOLEN FERRARI

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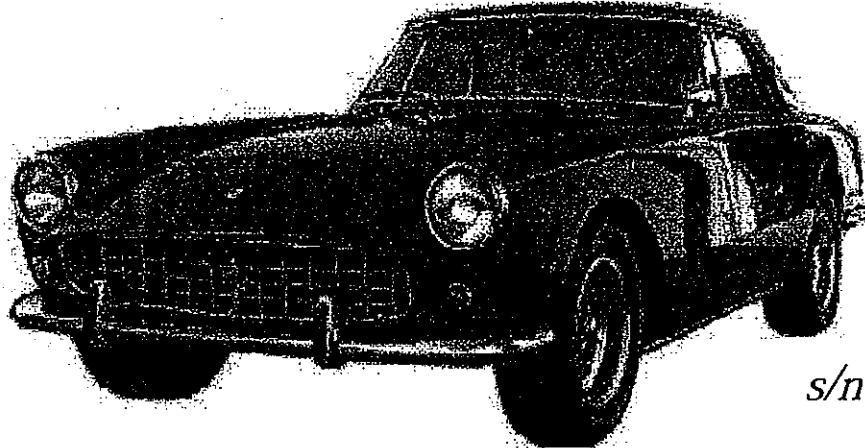
Switzerland

Phone: + 41 77 423 03 20 Fax: + 41 32 323 65 80

Email: stolenferrari@gmail.com

DEADLINE FOR ADS FOR NEXT ISSUE IS 10 APRIL 2008

1960 Ferrari 250 GT PF Coupe



s/n 1987 GT

We are pleased to offer 1960 Ferrari 250 GT Pinin Farina Coupe s/n 1987 GT. This is a well documented 250 PF Coupe with a detailed ownership chain through its life in the US. Finished in a very nice Russo Rubino paint on an excellent body with tan leather and medium brown carpets. Excellent original chrome and rubber. 1987 GT is a late model 250 GT Pinin Farina Coupe with the outside plug engine, (# 1535) and disc brakes. S/n 1987 GT still has the original Marchal headlights, all original lenses and everything works: the overdrive, the turn signals, the backup light, everything! Runs and drives very well. Excellent synchros, excellent original suspension and no smoke! Perfect for the Colorado Grand and other touring events. Priced right at \$179,950.

Michael Sheehan's ferraris-online.com

Phone 949-646-6086 • Fax 949-646-6978 • e-mail sales@ferraris-online.com • www.ferraris-online.com

250 GT BOANO and 250 GT ELLENA COUPE

*250 GT BOANO COUPE, S/N 0641 GT (1957). Black and bronze with tan leather. Superb low-roof model restored by Perfect Reflections with mechanical work by Patrick Ottis. Multiple awards including Best of Show and Peoples' Choice, scored Platinum at 2004 Cavallino Classic. Tool roll, original books and brochure. \$795,000. 4/08

Fantasy Junction, www.fantasyjunction.com, 510-653-7555, fax 510-653-9754 (CA)

250 GT ELLENA COUPE, S/N 0857 GT (1958). Burgundy with tan interior. Unusually nice older restoration with a very straight body, excellent older paint, superb and supple tan Connolly leather seats and leather-bound brown Wilton carpets. Very smooth and strong all-numbers-matching 128C single-distributor inside-plug engine. Priced right at \$449,000. 8/07

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Pinin Farina, Series 1, 1957/58,*

Chassis No 0799 GT

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DEADLINE FOR ADS FOR NEXT ISSUE IS 24 APRIL 2008

Ferrari LWB Spyder California Chassis 0937 GT



We are proud to offer this incredible 1958 250 GT Long Wheelbase Spyder California, chassis and engine 0937 GT. This fabulous steel-bodied car, the seventh of only 50

LWB Spyder Californias built, has original covered headlights and the extremely rare factory hardtop. Famed

actress Brigitte Bardot has long been reported as the second owner;

this beautiful open Ferrari would have been the perfect car for her San Tropez home. The car was restored in 2005 by a well known Ferrari restoration shop, and is finished in a gorgeous burgundy with a supple tan leather interior and correct hardtop. The car has been shown at Pebble Beach and at Cavallino Classic in Palm Beach. An application has been made for a Certificate of Authenticity from Ferrari. This Spyder California is simply stunning in every aspect.

Todd Morici

Morici Motor Sports, LLC

300 Colfax Avenue

Clifton, NJ 07013

office 973-249-1600

cell 973-650-6550

Exhibit 3

RE: AW: Stolen 0799
From: cavallino magazine (cavallinomagazine@hotmail.com)
Sent: Tue 3/04/08 3:35 PM
To: Marcel Massini (marcel@massini.cc)

Marcel hello,
Many thanks. I am in the office now for only a few minutes and will call you tomorrow. We will do nothing until I talk with you.
Regards, John

From: marcel@massini.cc
To: cavallinomagazine@hotmail.com
Subject: AW: Stolen 0799
Date: Tue, 4 Mar 2008 19:42:33 +0100

PLEASE CALL ME TODAY ON 011 41 43 399 59 06

I AM DEEPLY INVOLVED IN THIS CASE

yes it is stolen!

Marcel Massini

MASSINI AG
In der Hoeh 12
CH-8604 Volketswil (ZH)
Switzerland

Phone +41 43 399 59 06
Fax +41 43 399 59 07
Mobile +41 79 356 22 92
E-Mail marcel@massini.cc

=====
This message and any attachment are strictly confidential. If you are not the intended recipient, please telephone or email the sender and delete the message and any attachment from your system. You must not copy this message or attachment or disclose the contents to any other person. =====

Von: cavallino magazine [mailto:cavallinomagazine@hotmail.com]
Gesendet: Dienstag, 4. März 2008 18:03
An: massini, marcel
Betreff:

Marcel hello,
What's up with 0799? We have a lawyer who wants to place an ad to find it. Says it was stolen.
Thanks, John

Exhibit 4

Ferrari 250 GT Cabriolet S1 Pinin Farina 1957, Chassis# 0799 GT

The 16th of a total of 40 (36) units built

Original exterior color: Nero MM 11911 (black)

Original interior color: Naturale Connolly 3218

Pinin Farina Job #19463

Chassis type 508 C

Engine type 128 C, internal #140 C

Gearbox type 508 C, internal #45 C

Differential type 508 C, internal #70 GTC

Covered headlights

No fender vents

| | |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 31, 1957 | Chassis frame sent to Carrozzeria Pininfarina |
| November 5, 1957 | Pininfarina entry date |
| February 1, 1958 | Gearbox assembly completed by mechanic Antonio Bellentani, supervised by foreman Amos Franchini |
| February 4, 1958 | Engine assembly completed by mechanics Guerzoni and Baschieri, supervised by foreman Amos Franchini |
| February 10, 1958 | Certificate of origin issued |
| May 21, 1958 | Registered on Italian license plates of Milan "MI 385686" |
| May 8, 1958 | Sold new by Enzo Ferrari to first owner Dino Fabbri, a publisher and long-time Ferrari client born in Milan 2 November 1922, resident at Via Locatelli 5 in Milan, Italy |
| May 20, 1958 | Sold by Fabbri to second owner Guido Monzino, born in Milan 2 March 1928, resident at Via Borgonovo 18 in Milan, Italy, price paid was Italian Lire 4'000'000 |
| February 13, 1959 | Sold by Monzino to third owner Valentino Blancardi, born in Bordighera on 6th April 1930, resident at Villa Martito in Bordighera, Italy |
| February 18, 1959 | Re-registered on Italian license plates of Imperia "IM 20538" |
| January 25, 1961 | Sold by Blancardi to fourth owner Italo Musico, born in Galatina on the 1st January 1928, resident at Via Argellati 38 in Milan, Italy, price paid was Italian Lire 1'800'000 |
| February 7, 1961 | Re-registered on Italian license plates of Milan "MI 529841" |
| March 1962 | Converted to disc brakes at the factory in Maranello |
| June 15, 1962 | Sold by Musico to fifth owner Antonio Antorina, born in Forlì on the 19th April 1922, resident at Via Ganaceto 115 in Modena, Italy, price paid was Italian Lire 3'000'000 |
| July 6, 1962 | Re-registered on Italian license plates of Modena "MO 78548" |
| January 28, 1963 | Serviced and maintained by Ferrari's Assistenza Clienti at Viale Trento Trieste in Modena, factory order #18, factory delivery note #1156, odometer showing 25'984 kms, using Italian license plates of Modena "MO 78548" |
| March 28, 1963 | Serviced and maintained by Ferrari's Assistenza Clienti at Viale Trento Trieste in Modena, factory order #79, factory delivery note #2060, using Italian license plates of Modena "MO 78548" |

June 14, 1963 Serviced and maintained by Ferrari's Assistenza Clienti at Viale Trento Trieste in Modena, factory order #208, factory delivery note #1873, odometer showing 31'120 kms, using Italian license plates of Modena "MO 78548"

July 9, 1963 Serviced and maintained by Ferrari's Assistenza Clienti at Viale Trento Trieste in Modena, factory order #264, factory delivery note #1069, odometer showing 31'730 kms, using Italian license plates of Modena "MO 78548"

October 3, 1964 Sold by Antorina through Martino Severi to sixth owner Maria Antonietta Lodi, born 20th December 1926 in Castelfranco, Italy, resident at Via Risorgimento 35 in Reggio Emilia, Italy, price paid was Italian Lire 1'200'000

November 26, 1964 Re-registered on Italian license plates of Reggio Emilia "RE 87161" Imported to the USA

1968 Repainted metallic gray with red interior Sold by Tom Meade to Lawrence Kitt Tucker, resident in Jacksonville/FL/USA, mileage now 52'000 kms

September 11, 1970 Sold by Tucker to Peter A. Bowers, resident at 3100 Richmond Avenue, Suite 305, Houston, TX 77098, USA

1970 Registered on Texas license plates "NTF 852", later on Texas license plates "365 VQV"

March 3, 1989 Sold by Bowers for US\$ 680'000 to Michael W. Sheehan's European Auto Sales, Inc., Costa Mesa/CA/USA

April 3, 1989 Down payment of US\$ 50'000 paid by European Auto Sales to Bowers

April 17, 1989 Finder's fee of US\$ 10'000 paid by European Auto Sales to Lawrence Diaz

April 21, 1989 Sold by Sheehan through broker Giorgio Schön in Milan, Italy, to Swiss car dealer Andreas Zenari, Elite Diffusion, resident in Fräschels, Switzerland, price paid was US\$ 780'000

May 15, 1989 European Auto Sales paid a commission of US\$ 35'560 to Werner Schoch Porsche Sales in CA/USA

May 1989 Sold by Zenari to Dr. Andreas Gerber, resident at Bassbeltweg 26 in Pieterlen, Switzerland, who co-owned it with his partner named Bernhard Friedli-Mühlener, resident at Frutigenstrasse 16 in Thun, Switzerland (Friedli died later)

Used on Swiss dealer license plates "BE 1144-U", later on it was registered on Swiss license plates "BE 79395"

1992 Car transported from Switzerland to Marbella, Spain, stored in a warehouse where it was **STOLEN** (when still owned by Gerber & Friedli), together with a Ferrari 250 GT Cabriolet Series II Chassis #1893 GT, a Ferrari 250 GTE 2+2 Chassis #2925 GT, and a 365 GT 2+2 Chassis #13811

Dr. Andreas Gerber then apparently filed a stolen car report with the Swiss police and with Interpol, IP #216543

1992/1993 0799 GT was apparently sold to Motor Auto Marbella, Mr. Kevin John Fisher, a dealer in Marbella, Spain

Summer 1993 Cars apparently brought from Marbella, Spain, to Lisbon, Portugal, a man named Pedro Manuel Polares-Serra from Portugal, born 16th April 1961, was also involved

April 1994 For sale in Italy by a Corrado Mennino, resident in Bologna/Italy

September 1994 According to broker Michael Sheehan Ferrari chassis #0799 GT was sold by Frank Triarsi of Classic Coach Ltd. in NJ/USA to Dr. Scott Rosen, resident in Bedford/NY/USA, who is said to have paid US\$ 300'000

1995 Car now has Series II taillights placed horizontally at the top of the rear fenders

1996 Sold to Jeffrey Schwartz, resident in Fort Lee/NJ/USA

2000 Gerber still tries to recover his stolen car, his Swiss lawyer has established a contact with a specialised New York attorney

May 2000 Schwartz agreed to sell the car to Symbolic Motor Car Co., La Jolla/CA/USA, but Symbolic backed out of the deal when they found out about possible legal problems. Symbolic never owned the car.

2000 Schwartz sold the car back to Scott Rosen

October 2000 Still owned by Rosen

January 19-20, 2001 Observed during the Cavallino Classic X Concours at Moroso Raceway and Palm Beach/FL/USA, entered by Paul L. "Barney" Hallingby, resident in Sharon/CT, USA

Registered on Connecticut dealer license plates "34234"

June 20, 2004 Shown by Paul Hallingby during the 4th Annual Concours d'Elégance at Hartford/CT

December 2007 Color featured in "Forza" magazine, issue #82, described as being owned by Paul Hallingby

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Exhibit 5

From: Oliver Weber
To: groush@ferrariarketletter.com
Cc: 'Marcel Massini'
Sent: Monday, March 09, 2009 1:21 PM
Subject: Hallingby case / Ferrari 0799GT

Dear Mr. Roush,

I am representing the interests of Dr. Andreas Gerber, the owner of Ferrari VIN 0799GT. I am also responsible for the ads which were published in your magazine.

I was informed by Mr. Marcel Massini about the letter and claims of Mr. Hallingby's lawyer regarding my ad. I am very sorry for the inconvenience which you experience due to my ad.

I am sending you this email to assure you my full support regarding your defence and to avoid the asked retraction. A retraction would send to wrong signals in the Ferrari community.

Please find attached the translation of the criminal complaints of my client (from the year 1995 and 2008) as well as the search warrant of the Connecticut State Police. Ferrari 0799GT was searched internationally by Interpol until 2003 and during 2008, which can be proven (also see paragraph 6 of the search warrant). If you wish I can provide you the original criminal complaints in German. The content of my ad is 100% correct. Mr. Hallingby's allegations are ridiculous and without any basis. Of course I can provide more evidence if you wish.

In case you have questions please feel free to contact me. The investigating Police Officer Richard Van Tine of Connecticut State Police may also be a helpful source of information in this respect. His contact information is:

Detective Richard Van Tine
Connecticut State Police
Troop G
149 Prospect Street
Bridgeport, CT 06604
Tel # 203-696-2584

Please let me know if you wish a phone conversation with me in order to discuss this case.

On behalf of my client I kindly ask you not to publish any retraction. Thank you very much.

With kind regards

Oliver Weber
Attorney-at-Law

Oliver Weber, Attorney-at-Law
Advokaturbüro Jeanguenin & Weber
Murtenstrasse 7
Postfach 811
CH - 2501 Biel/Bienne
Switzerland

Tel: +41 32 322 68 13

Exhibit 6

From: weberlaw@gmx.ch
To: cavallinomagazine@hotmail.com
CC: marcel@massini.cc
Subject: Hallingby case / Ferrari 0799GT
Date: Mon, 9 Mar 2009 18:29:34 +0100

Dear Mr. Barnes,

I am representing the interests of Dr. Andreas Gerber, the owner of Ferrari VIN 0799GT. I am also responsible for the ad which was published in your magazine.

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With kind regards

Oliver Weber
Attorney-at-Law

3/26/2009

Oliver Weber, Attorney-at-Law
Advokaturbüro Jeanguenin & Weber
Murtenstrasse 7
Postfach 811
CH - 2501 Biel/Bienne
Switzerland

Tel: +41 32 322 68 13
Fax: + 41 32 322 68 04
Email: weberlaw@gmx.ch

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Exhibit 7

Kantonspolizei

Anzeige - Fahrzeug

Polizei- und Militärdirektion
des Kantons Bern

Dienststelle Stationierte Polizei 2502 Biel Datum 16.03.1995 160
Richteramt Untersuchungsrichteramt 2502 BIEL
Angeschuldigter UNBEKANNT

Geschädigter Dr. Gerber Andreas, 28.2.47, von Heimiswil BE, Dr. med.,
Arzt, wft. 2542 Pieterlen, Bassbeltweg 26
Tatort Spanien, Marbella
Tatzeit Im Sommer 1993

Delikt

Gesetzesbestimmungen

Diebstahl/StGB Art. 139

Fahrzeugart

Personenwagen

Fabrikmarke/Typ

Ferrari 250 GT Spid

Kontrollschild/Kennzeichen

ohne

Fahrgestellnummer

VIN 0799 ✓

Farbe

grau metallisiert

l. Inverkehrsetzung

1967

Kilometer-Stand

?

Stamm-Nummer

?

Typenschein-Nr.

?

Zustand

gut erhalten

Verkehrswert

Fr. 800'000.-

Versicherungsgesellschaft/Agentur

keine

War es gesichert - wie ?

Zündschl. und Türen

Besonderheiten

Serie I, Interieur Leder rot



Aufgenommen durch

Kp] Herzig

Abgelesen und bestätigt

Cantonal Police
Head Office of Police and Military affairs
of Canton of Berne

Criminal complaint - Vehicles

Received on 03.20.1995

Record No. 4117

International

Police Unit

stationary Police, 2502 Biel

Date 03.16.1995 1605

Judicial Office

Office of investigating justice 2502 Biel

Accused Person

unknown

Plaintiff / Damaged Person

Dr. Andreas Gerber, 02.28.47, from Heimiswil, Canton of Berne, Medical Doctor, resident in 2542 Pieterlen, Bassbeltweg 26
Telephone 032/87 28 38 (business) 032/87 26 01 (private)

Site of crime

Spain, Marbella

Date of crime

Summer 1993

Type of crime /
Legal provisions

Art. 139 Criminal Code / Theft

Type of vehicle

passenger car

Brand / Type

Ferrari 250 GT Spid.

License plate / signs

none

Chassis number

VIN 0799

Color

gray, metallized

First matriculation

1957

mileage

?

serial number

?

Type number

?

Condition

well preserved

Value

CHF 800,000.00

Insurance Company/Agency

none

Was it secured - how?

with ignition key and door

Particularities

Series 1, red leather interior

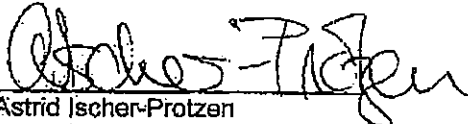
Documented by

read and confirmed

Commander Herzig

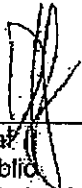


I, Astrid Ischer-Protzen, born on April 8, 1954, with place of origin in Grossaffoltern / Switzerland, domiciled at Hinterdorf 6 in CH-2565 Jens, Switzerland, translator and English teacher for adults, certified by the University of Cambridge Local Examinations Syndicate / International Examinations, England, state and confirm that this English translation of the original German document, dated March 16, 1995, has been correctly and authentically translated from German into English.



Astrid Ischer-Protzen
Translator / English teacher RSA-CTEFLA, University of Cambridge
Biel, Switzerland, July 3, 2008

I, Daniel Graf, Notary Public in the canton of Berne, Switzerland, hereby officially notarize and legalize the signature of Mrs. Astrid Ischer-Protzen according to Swiss law and the Den Hague Convention dated 10.05.1961.



Daniel Graf
Notary Public
Biel, Switzerland, July 3, 2008

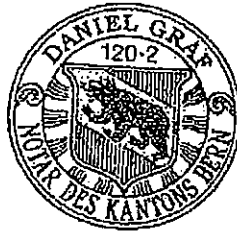


Exhibit 8

Kantonspolizei
Regionalpolizei
Seeland - Berner Jura


Polizei- und Militärdirektion
des Kantons Bern

Anzeige

Solothurnstrasse 11
2543 Lengnau
Telefon 032 346 86 81
Telefax 032 346 86 84

Untersuchungsrichteramt I
Berner Jura - Seeland
Amtshaus, Spitalstrasse 14
2501 Biel

Lengnau, 19. März 2008



EL Fall Franz Leuenberger, Stationierte Polizei

Eingang der Meldung Mittwoch, 19. März 2008, 14:00 Uhr, durch den Kläger in Begleitung seines Anwaltes persönlich im Büro der Kapo Lengnau.

Betrifft Hehlerei
Hehlerei
StGB Art. 160

Ort 2542 Pieterlen/BE, CH, Bassbeltweg 26
bezw. USA, New York, New Jersey und Connecticut

Zeit Montag, 01.01.2001 bis Donnerstag, 28.02.2002
bezw. anfangs 2001 - anfangs 2002

Geschädigt Gerber Andreas
Geburtsdatum 28.02.1947 **Geschlecht** m
Heimort, Staat Heimiswil BE, Schweiz
Beruf Arzt
Privatadresse 2542 Pieterlen/BE CH, Bassbeltweg 26
Muttersprache Deutsch **Verhandlungssprache** Deutsch
Privatklägerschaft Ja **Strafantrag** Ja

Gesetzlich vertreten durch Weber Oliver
Geburtsdatum 17.07.1976 **Geschlecht** m
Heimort, Staat Zug ZG, Schweiz
Beruf Fürsprecher
Geschäftsadresse 2500 Biel/Bienne/BE CH, Murtenstrasse 7
Muttersprache Deutsch **Verhandlungssprache** Deutsch
Zusatz Postfach 811

Tatvorgehen In Marbella.E, aus Garage Motor Auto Marbella, am 07.07.1993 gestohlener Ferrari 250 GT Spider, VIN 0799, grau, damaliger Verkehrswert 800'000.-, in den USA als Hehlerware übernommen.

Deliktsgut

Position 1 Fahrzeug, DK 91

Anzeige

Marke Ferrari, Typ 250 GT Serie 1, Material Stahl/Eisen, Farbe grau,
VIN 0799, 1. Inverkehrsetzung 1957, Aktueller Verkehrswert ca. Fr.
3'800'000.-

Total 1 x 3'800'000.00 Wert. ca. CHF 3'800'000.00

Gesamtbetrag ca. CHF 3'800'000.00

Durch Bekannte in der Ferrari- Sammler und Händler-Szene sowie auf Grund einer Internetrecherche gelangte dem Anwalt des Geschädigten zur Kenntnis, dass sich das gesuchte Fahrzeug in den USA befindet und offenbar den unrechtmässigen Besitzer gewechselt hat. Weitere Abklärungen werden derzeit in den USA vorgenommen.

Aus den erwähnten Gründen und Erkenntnissen sehe ich mich gezwungen, gegen den oder die unbekannt Person(en) Strafanzeige zu erstatten.

Der Anzeiger konstituiert sich sowohl im Straf- als auch im Zivilpunkt als Privatkläger


Gerber Andreas


Franz Leuenberger
Wachtchef-Stv.

Beilagen

-Strafantrag/Privatklage

Info:NE:

Strafantrag - Privatklage

Betrifft Heherei
Ort USA, New York, New Jersey und Connecticut
Zeit Jan 2001 - bis anfangs 2002
Tatverdächtig Unbekannt

Geschädigt Dr. Andreas Gerber
vertreten durch Fürsprecher Oliver Weber,
Musterstr. 7, Postfach 811, 2501 Biel



I. Strafantrag Ich stelle gegen oben erwähnte Person Strafantrag Ja Nein

II. Privatklage Ich stelle mich gegen oben erwähnte Person als Privatkläger/in und will im Verfahren meine Parteirechte ausüben (Beweisantrags-, Akteneinsichts- und Rekursrecht etc.)

1. Privatkläger/in im Strafpunkt Ich verlange die Bestrafung des/der Angeeschuldigten Ja Nein

und / oder

2. Privatkläger/in im Zivilpunkt: Ich mache Zivilansprüche geltend Ja Nein

nämlich

- a) eine Schadenssumme von CHF 3'200'000.-
- b) eine Genugtuungssumme von CHF unbestimmt

Belege
(Begründung der Zivilklage)

3. Nur beantworten, wenn bei Frage 1 oder 2 „Ja“ eingesetzt wurde.
- a) Verlangen Sie, vom Untersuchungsrichter vorgeladen oder befragt zu werden? Ja Nein
 - b) Verlangen Sie Fristansetzung zur Akteneinsicht und Stellung von Beweisanträgen vor Abschluss der Voruntersuchung? Ja Nein

Sie können darauf verzichten, ohne dass Ihre Rechte im Hauptverfahren vor dem urteilenden Gericht deswegen beeinträchtigt werden.

Ort, Datum Langnau, 19.3.2008

Der/Die Unterzeichnete bestätigt, von den Erläuterungen auf der nachfolgenden Seite Kenntnis genommen zu haben.

Unterschrift [Signature]

Diese Erklärung ist zurückzusenden an das Untersuchungsrichteramt

bis

Falls diese Erklärung nicht innerhalb der Frist zurückgeschickt wird, wird angenommen, es werde auf einen Strafantrag und die Konstituierung als Privatkläger/in verzichtet.

Cantonal Police

Criminal complaint.

Regional Police
of District Seeland – Bernese Jura

Sblothurnstrasse 11
2543 Lengnau
Telephone 032 346 86 81
Telefax 032 346 86 84

Office of Investigating Justice I
District of Bernese Jura-Seeland
Amtshaus, Spitalstrasse 14
2501 Biel

Lengnau, March 19, 2008

Case officer Franz Leuenberger, Stationary Police

Entry of complaint in the office of the Cantonal Police in Lengnau on Wednesday, March 19, 2008, 02:00 PM, personally by the plaintiff, who was accompanied by his lawyer.

Type of crime receiving of stolen goods
receiving of stolen goods
Art. 160 of Criminal Code

Site of crime Bassbeltweg 25, 2542 Pieterlen, Canton of Berne, Switzerland and USA, States of New York, New Jersey and Connecticut respectively.

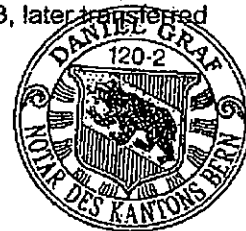
Date in the period between Monday, 01.01.2001 and Thursday 02.28.2002 and in the period between the beginning of 2001 and the beginning of 2002 respectively

Plaintiff / damaged person Gerber Andreas
Date of birth 02.28.1947 Sex: male
Place of origin Heimiswil, Canton of Berne, Switzerland
Profession Medical Doctor
Native language German procedural language: German
Constitution as plaintiff Yes file a criminal complaint: Yes

Legally represented by Weber Oliver
Date of birth 07.17.1976 Sex: male
Place of origin Zug, Canton of Zug, Switzerland
Profession Attorney-at-Law
Office address 2500 Biel/Bienne / Canton of Berne, Switzerland, Mürtenstrasse 7
Native language German procedural language: German
Address appendix Post Office Box 811

Statement of facts Ferrari 250 GT Spider, VIN 0799, gray, former value CHF 800,000.00, was stolen in the city of Marbella, Spain, from the garage "Motorauto Marbella" on 07.07.1993, later transferred to the USA as stolen goods.

Crime object
Position 1 car, Code DK 91



Cantonal Police

Criminal Complaint – Private Plaintiff Form

Crime Unit

Head Office of Police and Military affairs
of Canton of Berne

Type of crime receiving of stolen goods
Site of crime USA, States of New York, New Jersey and Connecticut
Date from January 2001 until beginning of 2002
Alleged criminal unknown
Plaintiff / damaged person Dr. Andreas Gerber
represented by Oliver Weber, Attorney-at-Law
Murtenstrasse 7, Post Office Box 811, CH-2501 Biel

I. Request for punishment I hereby request to punish above mentioned person () Yes () No

Concerning:

II. Private complaint/claim I am hereby constituted as private plaintiff against above mentioned person and want to execute my plaintiff's rights in the procedure (right to offer evidence, right to consult the records, right to appeal, etc.)

1. Private plaintiff in the criminal procedure I request the punishment of the accused person (X) Yes () No

and / or

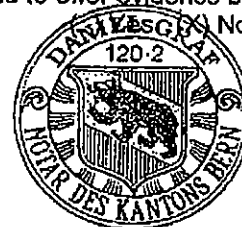
2. Private plaintiff in the civil procedure I hereby claim the following civil rights (X) Yes () No
namely a) Compensation for damages of CHF 3,800,000.00
b) Compensation for immaterial damage indefinite

Supporting documents
(Explanatory statements)

3. Only answer, if question 1 and 2 have been answered with "Yes".

a) Do you request to be summoned and consulted by the investigating judge? () Yes (X) No

b) Do you request the fixation of a deadline for consulting the records and to offer evidence before the closure of the preliminary inquiry? (X) Yes () No



These rights can be abandoned without affecting your rights in the main procedure in the judging court.

Place, date Lengnau, 03.19.2008

The signatory confirms having read the explanations on the following page.

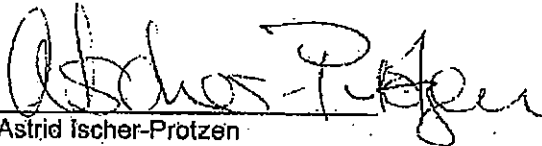
Signature signature of Dr. Andreas Gerber / signature of Atty. Oliver Weber
.....

This declaration
must be returned
to the Investigating
Judge
.....

by
.....

Should this declaration not be returned within the period prescribed it will be assumed that the plaintiff abstains from his request for punishment and from his rights as a private plaintiff.

I, Astrid Ischer-Protzen, born on April 8, 1954, with place of origin in Grossaffoltern / Switzerland, domiciled at Hinterdorf 6 in CH-2565 Jens, Switzerland, translator and English teacher for adults, certified by the University of Cambridge Local Examinations Syndicate / International Examinations, England, state and confirm that this English translation of the original German document, dated March 19, 2008, has been correctly and authentically translated from German into English.



Astrid Ischer-Protzen
Translator / English teacher RSA-CTEFLA, University of Cambridge
Biel, Switzerland, July 3, 2008

I, Daniel Graf, Notary Public in the canton of Berne, Switzerland, hereby officially notarize and legalize the signature of Mrs. Astrid Ischer-Protzen according to Swiss law and the Den Hague Convention dated 10.05.1961.


Daniel Graf
Notary Public
Biel, Switzerland, July 3, 2008

Exhibit 9

**AFFIDAVIT AND APPLICATION
SEARCH AND SEIZURE WARRANT**
(C.G.S. §§ 54-90a, 54-95c, 54-93)

**STATE OF CONNECTICUT
SUPERIOR COURT**

PAGE 1 OF 6
Connecticut State Police

Form JD-CR-52 (trial 3) sp. to be completed.

INSTRUCTIONS TO THE APPLICANT

File the application for the warrant and all affidavits upon which the warrant is based with the clerk of the court for the geographical area within which any person who may be arrested in connection with or subsequent to the execution of the search warrant would be presented, together with the return of the warrant.

INSTRUCTIONS TO G.A. CLERK

Upon execution and return of the warrant, affidavits which are the subject of an order disposing with the requirement of giving a copy to the owner, occupant or person within forty-eight hours shall remain in the custody of the clerk's office in a secure location apart from the remainder of the court file.

TO: A Judge of the Superior Court or a Judge Trial Referee

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause to believe that certain property, to wit:

One 1958 Ferrari 250FF two door convertible, silver in color with a red interior and a black cloth top, bearing Vehicle Identification Number 0799GT.

is possessed, controlled, designed or intended for use or which is or has been or may be used as the means of committing the criminal offense of:

Larceny I (Connecticut General Statute §53a-122)

was stolen or embezzled from:

constitutes evidence of the following offense or that a particular person participated in the commission of the offense of: Larceny I (Connecticut General Statute §53a-122)

is in the possession, custody or control of a journalist or news organization, to wit:

and such person or organization has committed or is committing the following offense which is related to such property:

and such property constitutes contraband or an instrumentality of the criminal offense of:

And is within or upon a certain person, place, or thing, to wit:

The detached garage at the residence of Paul Hallingby, [redacted] located at [redacted] in the Town of [redacted]. The garage is a large, single floor structure, red in color. There are two garage bay doors in the front. The target vehicle can be viewed parked inside the garage from a window. It is on a lift. There are approximately eight other vehicles in the same garage.

And that the facts and establishing the grounds for issuing a Search and Seizure Warrant are the following:

1. The Affiants, Detective Richard Van Tine II #732 and Detective Peter Pinelli #468, are sworn members of the Connecticut State Police and have been so employed for the past thirteen and ten years, respectively. The Affiants have participated in numerous investigations resulting in the issuance of Search and Seizure Warrants and Arrest Warrants for crimes violating Connecticut General Statutes. The Affiants have attended various schools and training seminars related to criminal investigation. At all times mentioned herein, the Affiants were acting in their official capacities as sworn members of the aforementioned agency. The following facts and circumstances are related from the personal knowledge, investigation, and observation of the Affiants and include information related to the Affiants by fellow officers and persons with knowledge of the facts and/or circumstances contained herein.
2. On May 29th, 2008, Affiant Van Tine was contacted by Inspector Zak of the State's Attorney's Office in Bridgeport regarding a report of a stolen vehicle. Inspector Zak provided Affiant Van Tine with the phone number of a person who had information on a stolen vehicle that might be located in Connecticut. This person wishes to remain anonymous. He/She will be referred to herein as the "Confidential Source."
3. The Confidential Source in this investigation is a retired Detective Sergeant from a municipality with a regularly organized Police Department within the State of New York. The Confidential Source has over twenty years of investigative experience. The information that he/she provided in this investigation has been corroborated and proven to be true, accurate, and reliable.
4. In conversations with the Confidential Source, he/she stated to Affiant Van Tine that he/she was aware of a 1958 Ferrari 250RF with Vehicle Identification Number 07990F that was stolen in Spain in the early 1990's that he/she believes is now being stored in Connecticut. The Confidential Source stated that the vehicle is very rare and worth several million dollars. The Confidential Source stated that a Paul "Banney" Hallingby of [redacted] is currently holding the vehicle. The Confidential Source provided Affiant Van Tine with a history of the vehicle that he/she obtained from the Internet. The history shows that the vehicle was reported as "disappeared, stolen" prior to 1993 and, after having changed hands several times, is currently owned by Paul Hallingby, CT, US." The Confidential Source showed Affiant Van Tine an advertisement in "Cavallino," a magazine that caters to high-end vehicle collectors, stating that the 1958 Ferrari 250RF, with Vehicle Identification Number 07990F, is stolen. The advertisement

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person, or to enter into or upon said place or thing, search the same, and take into custody all such property.

| STATE OF CONNECTICUT | | SIGNATURE AND TITLE OF AFFIANT | |
|----------------------|----------|--------------------------------|---------------------------------------------------|
| CITY/TOWN | DATE | | |
| Bitchfield | 09/09/08 | | Detective Conn. State Police |
| Bitchfield | 09/09/08 | | Detective Conn. State Police |
| | 09/14/08 | | Judge of the Superior Court for the Trial Referee |

states that the vehicle is listed in the Interpol system as stolen. The Confidential Source also provided Affiant Van Tine with a "Guide to all Ferraris" that shows their value. The 1958 Ferrari 250BE, with Vehicle Identification Number 0799GT, is worth between 3 million and 4.5 million dollars.

5. Affiant Van Tine then performed a check of DMV Records and found that the 1958 Ferrari 250BE, with Vehicle Identification Number 0799GT, is in fact registered to Paul Hallingby [redacted] as of August 4th, 2008. The registration will expire on March 31st, 2009. A DMV check of Mr. Hallingby's license revealed an address of [redacted] in [redacted]. A check of all vehicles currently registered or registered in the past to Mr. Hallingby shows that all but one were registered to either [redacted] or to [redacted], both in [redacted]. One vehicle, with the registration having expired in 1995, was registered to him at [redacted] in [redacted]. One vehicle in particular, however, is currently registered to him at [redacted] in [redacted]. Mr. Hallingby owns twenty-two vehicles, eighteen of which are collector vehicles. Of those, five are Ferrari's. He has owned two other Ferrari's in the past.

6. Affiant Van Tine confirmed through Interpol that the 1958 Ferrari 250BE, with Vehicle Identification Number 0799GT was stolen in Marbella, Spain between the dates of May 1st, 1993 and September 30th, 1993 and was reported as such to Interpol by the Swiss Police. It remains listed in Interpol as "stolen."

7. Affiant Van Tine spoke with Inspector Gilroy of the Connecticut DMV regarding any title information on the 1958 Ferrari 250BE, with Vehicle Identification Number 0799GT. According to Inspector Gilroy, there is no title for a vehicle of that age.

8. Affiant Van Tine then visited several Ferrari related Internet websites. One was the "Greenwich Concours d'Elegance" website. The "Greenwich Concours d'Elegance" is a car show where collector vehicles are shown and judged. During the 2005 "Greenwich Concours d'Elegance," Hallingby showed the 1958 Ferrari 250BE, with Vehicle Identification Number 0799GT. It is listed on the website for that year. Affiant Van Tine could locate no listing of vehicles shown in more recent "Greenwich Concours d'Elegance" shows. Affiant Van Tine also visited several websites where those people who are knowledgeable about Ferraris can correspond. According to postings on those websites, it is common knowledge in the "Ferrari World" that the 1958 Ferrari

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person or to enter into or upon said place or thing, search the same, and take into custody all such property.

STATE OF CONNECTICUT

| CITY/TOWN | DATE | SIGNATURE AND TITLE OF AFFIANT |
|------------|----------|-------------------------------------------------------------|
| Litchfield | 07/09/08 | [Signature] Detective, Conn. State Police |
| Litchfield | 08/04/08 | [Signature] Detective, Conn. State Police |
| Litchfield | 9/4/08 | [Signature] Judge of the Superior Court or Judicial Referee |

250PF, with Vehicle Identification Number 0799GT, has a questionable background though not all postings indicate that Ferrari aficionados believe it was stolen. It is also known that Mr. Hallingby is in possession of that vehicle.

9. Affiant Van Tine then contacted Oliver Weber, the Swiss attorney who represents Dr. Andreas Gerber, the owner of the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT when it was stolen. Mr. Weber agreed to provide Affiant Van Tine with all documentation he has on the vehicle.

10. Affiant Van Tine then received from Inspector Gilroy of the DMV, copies of the Connecticut registration certificate and Vehicle Identification Number Verification Certificate regarding the vehicle. These documents show that the vehicle is registered to Paul Hallingby DOB: [REDACTED]. Mr. Hallingby listed his Mailing Address as [REDACTED] in [REDACTED] but listed his Residence Address as [REDACTED] in [REDACTED]. A DMV Inspector confirmed the known VIN of "0799GT". The documents also show that Hallingby purchased the vehicle for \$550,000.00 on November 29th, 2000 from Scott Rosen of 111 Hempstead Turnpike in West Hempstead, NY. It should be noted that the registration certificate shows that the VIN of the vehicle was first printed as "PFR079958." This was then crossed out and the number "0799" was written beside it. The VIN Verification Certificate shows the correct VIN of 0799GT.

11. Affiant Van Tine also received from Inspector Gilroy of the DMV, copies of a New Jersey title listing the owner of the vehicle as Jeffrey Schwartz of [REDACTED] in [REDACTED] an "Odometer Disclosure and Statement of Seller" listing the "buyer" as Scott Rosen and the "seller" as Jeffrey Schwartz, and a "Certification of Sale or Transfer for 1972 or Older Vehicles or any other Non-Title Vehicles" listing the "seller" as Scott Rosen and the "purchaser" as Paul Hallingby.

12. On July 21st, 2008, Affiant Van Tine received numerous documents from Oliver Weber, the Swiss attorney who represents the victim in this case. The documents highlight the investigation conducted by him on behalf of his client. There are three "Requests for Seizure and Recovery." Each has an original signature of Mr. Weber. These "Requests" provide a detailed summary of the events surrounding the theft of the vehicle, the actions of individuals who have possessed the vehicle since its theft, and information on the current possessor.

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person or to enter into or upon said place or thing, search the same, and take into custody all such property.

STATE OF CONNECTICUT

| CITY/TOWN | DATE | SIGNATURE AND TITLE OF AFFIANT |
|------------|----------|----------------------------------------------------------|
| Litchfield | 09/04/08 | [Signature] Detective Conn. State Police |
| Litchfield | 09/10/08 | [Signature] Detective Conn. State Police |
| Litchfield | 9/14/08 | [Signature] Judge of the Superior Court, Judge Thea R... |

who is believed to be Paul "Barney" Hallingby DOB: [REDACTED] of [REDACTED] in [REDACTED]. Mr. Weber also provided three "Directories of Evidence Documents," two of which have attachments. The primary "Directory" has original notarized statements and signatures and the other having attachments contains copies of those notarized statements and signatures. The attachments are various articles, statements, and other documents that support the accusations made in the aforementioned "Requests for Seizure and Recovery."

13. A check of the Tax Assessor's website for [REDACTED] was performed by Detective Verno, also of the State Police Motor Vehicle Fraud Task Force. He found that the address of [REDACTED] in [REDACTED] is associated with Mr. Hallingby, though he is not listed as the taxpayer of the property. He then performed an Internet search of Paul "Barney" Hallingby and located two telephone numbers for Mr. Hallingby that return to [REDACTED] in [REDACTED]. Also obtained from the Tax Assessor's website are the "footprints" of the two garages at [REDACTED] in [REDACTED]. The first, a garage attached to the residence, measures approximately 25 feet wide by 26 feet long. The second, a detached garage, measures approximately 41 feet wide by 44 feet long and is two floors tall.

14. According to the "Condon & Skelly" Insurance Company, the company that insures the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT, Mr. Hallingby failed to notify them of the location where the Ferrari is stored when he obtained the policy. "Condon & Skelly" contacted Mr. Hallingby and requested that information. On August 19th, 2008, Mr. Hallingby responded via e-mail and stated that all of his collector vehicles are "kept in purpose built garages in [REDACTED] where we have a home." He further stated that "we have a caretaker that visits all the facilities daily." Mr. Hallingby also inquired as to why "Condon & Skelly" was specifically asking about the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT.

15. On September 4th, 2008, a Warrant was issued by the Superior Court of Litchfield to search two garages on the Hallingby property located at [REDACTED] in [REDACTED] and seize the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT. Upon arrival, a third detached garage was observed. This garage is not visible from the street and is not listed at the Tax Assessor's Office as being part of the Hallingby Property. There are windows on this garage and one can view the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT.

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person, or to enter into or upon said place or thing, search the same, and take into custody all such property.
STATE OF CONNECTICUT

| CITY/TOWN | DATE | SIGNATURE AND TITLE OF AFFIANT |
|------------|----------|----------------------------------------------------|
| Litchfield | 09/09/08 | Detective Conn. State Police |
| Litchfield | 09/09/08 | Detective Conn. State Police |
| Litchfield | 9/9/08 | Judge of the Superior Court or Judge Trial Referee |

identified from photographs previously obtained in this investigation, & parked inside on a lift with approximately eight other collector cars.

16. The Affiants know through training and experience that individuals who possess high priced collector vehicles will store those vehicles in secure garages hidden from public view but convenient for their own access. Hallingby currently owns twenty-two vehicles, eighteen of which are collector vehicles. Of those, five are Ferrari's. He has owned two other Ferrari's in the past. A Ferrari collector such as Hallingby would know to take reasonable steps to confirm the legitimacy of his purchase of the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT. Further, a Ferrari collector such as Hallingby would know about the questionable background of the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT. Lastly, a Ferrari collector such as Hallingby, who has retained possession of the 1958 Ferrari 250PF with Vehicle Identification Number 0799GT as demonstrated by it's current registration, maintains close control of it because he knows it's value.

17. Based upon the aforementioned facts and circumstances, the Affiants have probable cause to believe and do believe, that evidence of the crime of Larceny I [§53a-122] will be found in the detached garage at the residence of Paul Hallingby [REDACTED] located at [REDACTED] in the Town of [REDACTED]. The garage is a large, single floor structure, red in color. There are two garage bay doors in the front. The target vehicle can be viewed parked inside the garage from a window. It is on a lift. There are approximately eight other vehicles in the same garage.

18. The Affiants respectfully request the authority to search the aforementioned garages.

The undersigned (X one) has not presented this application in any other court or to any other judge or judge trial referee.
 has presented this application in another court or to any other judge or judge trial referee. (Specify):

This application consists of this form plus 4 pages attached thereto and made a part hereof.

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person, or to enter into or upon said place of thing; search the same, and take into custody all such property.

| CITY/TOWN | DATE | SIGNATURE AND TITLE OF AFFIANT |
|------------|----------|----------------------------------------------------------------|
| Litchfield | 09/04/08 | [Signature] Detective Conn. State Police |
| Litchfield | 09/04/08 | [Signature] Detective Conn. State Police |
| Litchfield | 9/18/08 | [Signature] Judge of the Superior Court or Judge Trial Referee |

**AFFIDAVIT REQUESTING DISPENSATION WITH
REQUIREMENT OF DELIVERY**
pursuant to § 54-33c, Connecticut General Statutes.

TO: A Judge of the Superior Court or a Judge Trial Referee

For the reasons set forth below, the undersigned, being duly sworn, requests that the judge / judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the application for the warrant and a copy of any affidavit(s) in support of the warrant be given to the owner, occupant or person named therein with forty-eight hours of the search:

- The personal safety of a confidential informant would be jeopardized by the giving of a copy of the affidavits at such time;
- The search is part of a continuing investigation which would be adversely affected by the giving of a copy of the affidavits at such time;
- The giving of such affidavits at such time would require disclosure of information or material prohibited from being disclosed by chapter 969a of the general statutes;

and the specific details with regard to such reasons are as follows:

The undersigned further requests that this affidavit also be included in such non-delivery.

| STATE OF CONNECTICUT | | SIGNATURE AND TITLE OF AFFIANT |
|----------------------|------|----------------------------------------------------|
| CITY/TOWN | DATE | |
| Mitchfield | | Detective Conn. State Police |
| Mitchfield | | Detective Conn. State Police |
| | | Judge of the Superior Court or Judge Trial Referee |

SEARCH AND SEIZURE WARRANT

STATE OF CONNECTICUT
SUPERIOR COURT

PAGE 5 OF 6

The foregoing Affidavit and Application for Search and Seizure Warrant having been presented to and been considered by the undersigned, a Judge of the Superior Court or a Judge Trial Referee, and the foregoing Affidavit having been subscribed and sworn to by affiant(s) before me at the time it was presented, the undersigned (a) is satisfied therefrom that grounds exist for said application, and (b) finds that said affidavit establishes grounds and probable cause for the undersigned to issue this Search and Seizure Warrant, such probable cause being the following: From said affidavit, the undersigned finds that there is probable cause for the undersigned to believe that the property described in the foregoing affidavit and application is within or upon the person, if any, named or described in the foregoing affidavit and application, or the place or thing, if any, described in the foregoing affidavit and application, under the conditions and circumstances set forth in the foregoing affidavit and application, and that, therefore, a Search and Seizure Warrant should issue for said property.

NOW THEREFORE, by Authority of the State of Connecticut, I hereby command any Police Officer of a regularly organized police department, any State Police Officer, or any conservation officer, special conservation officer or patrol officer acting pursuant to C.G.S. § 26-6 to whom these presents shall come within ten days after the date of this warrant to:

enter into or upon and search the place or thing described in the foregoing affidavit and application, to wit: The detached garage at the residence of Paul Hallingby [redacted] located at [redacted] in the Town of [redacted]. The garage is a large, single floor structure, red in color. There are two garage bay doors in the front. The target vehicle can be viewed parked inside the garage from a window. It is on a lift. There are approximately eight other vehicles in the same garage.

search the person described in the foregoing affidavit and application, to wit:

for the property described in the foregoing affidavit and application, to wit:

One 1958 Ferrari 250RF two door convertible, silver in color with a red interior and a black cloth top, bearing Vehicle Identification Number 0799GT.

submit the property described in the foregoing affidavit and application to laboratory analysis and examination, to wit:

and upon finding said property to seize the same, take and keep it in custody until the further order of the court, and with reasonable promptness make due return of this warrant accompanied by a written inventory of all property seized.

The foregoing request that the judge or judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the warrant application and affidavit(s) in support of the warrant be given to the owner, occupant or person named therein and that the affidavit in support of such request also be included in such non-delivery is hereby:

NOT TO EXCEED 2 WEEKS BEYOND DATE WARRANT IS EXECUTED.

GRANTED for a period of:

This order, or any extension thereof, dispensing with said requirement shall not limit disclosure of such application and affidavits to the attorney for a person arrested in connection with or subsequent to the execution of the search warrant unless, upon motion of the prosecuting authority within two weeks of such arraignment the court finds that the state's interest in continuing non-disclosure substantially outweighs the defendant's right to disclosure.

DENIED.

(NOTE: AFFIANT'S OATH MUST BE TAKEN PRIOR TO JUDGE/JUDGE TRIAL REFEREE SIGNING BELOW)

| | | | |
|-------------------------------------------------------------|---------------------------------------------------------|----------------------|------------------------|
| Signed at: <i>Meriden</i> | Connecticut on: _____ | DATE: <i>9/14/08</i> | AT (TIME): <i>3:30</i> |
| SIGNED (Judge/Judge Trial Referee): <i>James P. Suracek</i> | PRINT NAME OF JUDICIAL OFFICER: <i>James P. Suracek</i> | | |

RETURN FOR AND INVENTORY
PROPERTY SEIZED ON SEARCH AND SEIZURE WARRANT

| | | | |
|------------------------------------|--------------------|----------------------------------------|-----------------------------|
| JUDICIAL DISTRICT OF Litchfield | C.A. 38 | AT (Address of Court) 80 Doyle Road | INVENTORY CONTROL NO. |
| DOCKET NO. CR- | UNIFORM ARREST NO. | POLICE CASE NO. 0800265932 | DATE OF SEIZURE 09/04/08 |
| | | | COMPANION CASE NO. |

then and there by virtue of and pursuant to the authority of the foregoing warrant, I searched the person, place, or thing named therein, to-wit:

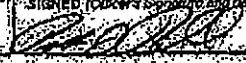
The detached garage at the residence of Paul Hallingby DOB: [REDACTED] located at [REDACTED] in the town of [REDACTED]. The garage is a large, single floor structure, red in color. There are two garage bay doors in the front. The target vehicle can be viewed parked inside the garage from a window. It is on a lift. There are approximately eight other vehicles in the same garage.

and found thereon or therein, seized and now hold in custody, the following property:

Total Cash Seized consisting of:

Item#1 one 1988 Ferrari 250PR two door convertible, silver in color with a red interior and a black cloth top, bearing Vehicle Identification Number 0799GT.

and I gave a copy of such warrant to Mrs. Hallingby the owner or occupant of the dwelling, structure, motor vehicle or place designated therein, or to the person named therein, on (Date): 09/04/08

| | |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DATE OF THIS RETURN 09/08/08 | SIGNED (copy to be returned to Department)  468 Detective, Connecticut State Police |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

NOTE: Form JD-CR-67, pages 1-5 must be supplemented by Form JD-CR-52.