



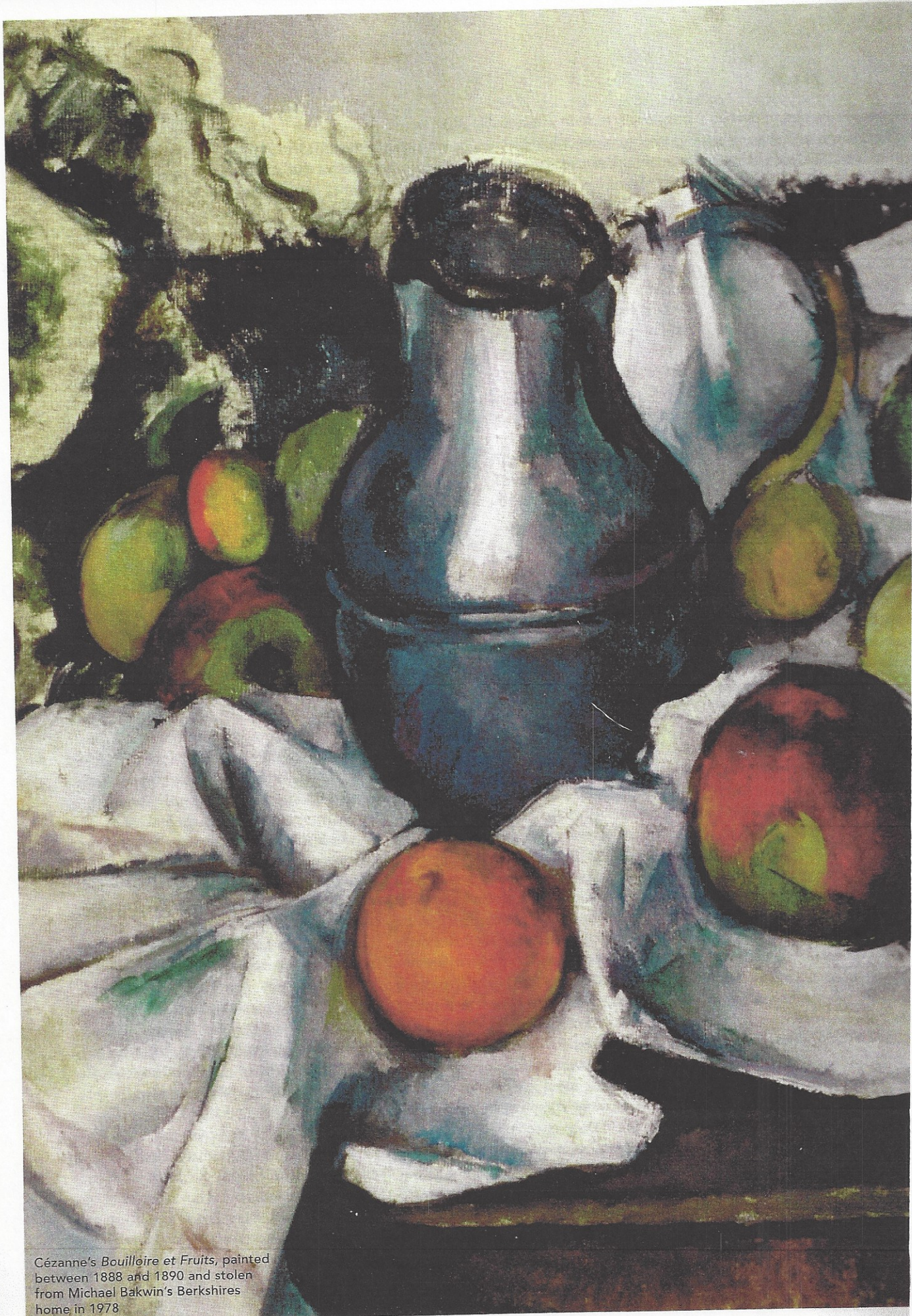
the lost Cézanne

AFTER SEVEN PAINTINGS WERE STOLEN FROM HIM IN 1978, **MICHAEL BAKWIN** THOUGHT HE'D NEVER SEE THEM AGAIN. THIRTY YEARS LATER, THE SAGA OF THE MISSING ART—WITH TWISTS AND TURNS WORTHY OF A JOHN GRISHAM NOVEL—CONTINUES. By Gretchen Voss

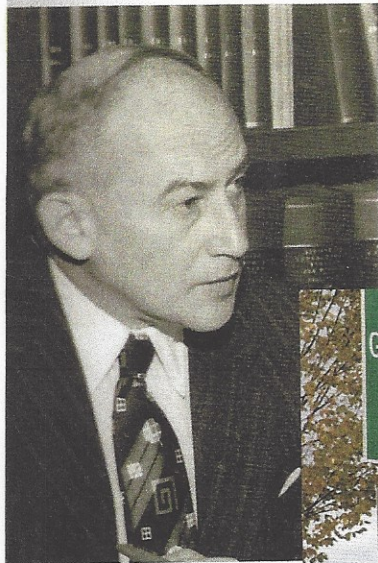
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Two enormous steel security gates block entry to Michael Bakwin's rolling 48-acre estate in Ossining, nestled in New York's Hudson River Valley. His parents built this Tudor-style manse—with 13 bedrooms and gardens so spectacular they're on horticultural society tours—as a summer retreat back in 1932. Bakwin, now 77, lives here mostly in the summer, entertaining his children, grandchildren, and great-grandchildren.

Pressing a strong hand in greeting, he radiates an embracing warmth, which is reflected in the cozy flannel of his moss-colored button-down shirt. "Come," he says, deftly taking my coat. "Let me show you the views." As I try to match his brisk gait through the narrow hallways, he apologizes, telling me that he wishes he could show off his art. But the works he still owns are now locked in a vault. "It makes me nervous even to have them," he says, gesturing to the walls of windows that make up three sides of the great room. "There's no way to secure this place."



Cézanne's *Bouilloire et Fruits*, painted between 1888 and 1890 and stolen from Michael Bakwin's Berkshires home in 1978



From left: Harry Bakwin, 1954; Stockbridge's signs and general store; galleries on the Riviera, where Mardirosian had a home; the stolen Soutine, *Portrait d'un Jeune Homme*

Over a lunch of chicken salad and warm slices of crusty bread, Bakwin proves an engaging raconteur, with a mischievous twinkle in his bright green eyes. Get him chatting about his travels, or the croquet party he throws each summer, and he floats with the lightness of a man born into privilege. It's only when he speaks of "the burglary" that he suddenly wears his age. His eyes, fixed in the distance, visibly darken.

On the weekend before Memorial Day 1978, Bakwin, then 44, left what was at the time his primary residence on remote Hawthorne Road in Stockbridge, Massachusetts, for a brief visit to Ossining. He doesn't recall if he locked the front door before driving down the meandering unpaved driveway with his second wife and two young daughters. Even if he had, it wouldn't have been hard for someone to get in; a front door key was tucked under a stone frog.

Bakwin knows that sounds bizarre—ridiculous, even—considering there was artwork worth millions of dollars, including a much-admired and uninsured Cézanne, displayed throughout the house. But this was the Berkshires, summer playground for the Vanderbilts and counterculture refuge of the intellectual elite. One simply did not feel a sense of menace in the idyllic setting where Norman Rockwell lived and painted so many of his wholesome visions of America, where Edith Wharton wrote *The House of Mirth*. As the owner of Avaloch, a small resort in Lenox, Bakwin was knit tight into the community. "I was very social," he says with

a sly laugh. "That's how I lost my first wife." He owned a bar, a converted barn that seated 2,000, that was located across the street from the Boston Symphony's summer home at Tanglewood, and Bakwin spent many evenings there tipping cups with Leonard Bernstein, Beverly Sills, Norman Mailer, and Arlo Guthrie.

Bakwin was raised in a townhouse on the Upper East Side of Manhattan and educated at Cornell. His parents, both pediatricians, were leading collectors of Impressionist and post-Impressionist art, and they took Bakwin and his three older siblings on trips around the globe; Bakwin can recall shaking hands with Matisse and Picasso. Bakwin's mother Ruth was the granddaughter of two pioneering Chicago meatpackers, one of whom became one of the country's wealthiest men after developing the refrigerated railcar. Ruth married Harry Bakwin in Paris in 1925, while they were both studying medicine, and it was there that they bought their first painting, a Renoir. Acquiring art became a passion, and the young couple soon formed close friendships with the artists, dealers, and curators who then comprised the international modern art scene. By 1970 they had amassed one of the most important collections in America.

In the late 1950s the Bakwins began planning how they would divvy up their 100 paintings and sculptures—which included major works by Picasso, Monet, Rembrandt, Matisse, and van Gogh, a collection that would be valued at around \$1 billion today. When Harry died in 1973, each of his

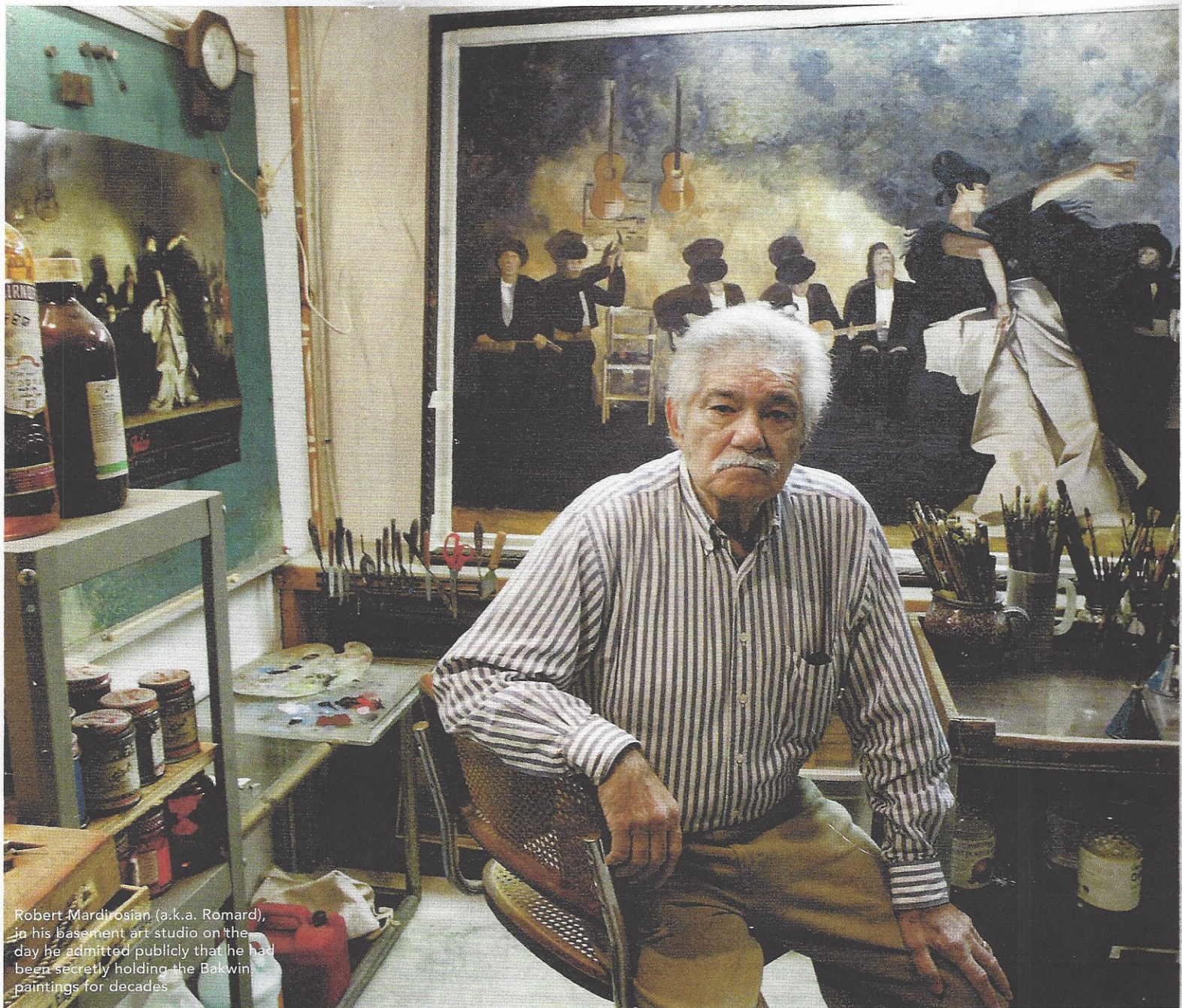
four children was allowed to select a major piece to keep. Michael knew exactly which painting he wanted: *Bouilloire et Fruits (Pitcher and Fruit)*, a still life done by Paul Cézanne in the late 1880s.

Picasso called the work one of the greatest pictures ever painted. Cézanne was at the peak of his career at the time he completed it; "he was engaged with the sophisticated investigations of form and space that are a feature of his mature style," Sotheby's later declared when it auctioned the painting. Little is known about who owned *Bouilloire et Fruits*, which depicts an arrangement of apples, oranges, and a lemon sitting next to a pewter pitcher on a table dressed with a white tablecloth, before its purchase in 1963 by Ruth and Harry Bakwin for \$500,000. But as art scholars began a more aggressive study of Cubism and the development of modern art in the 20th century, *Bouilloire et Fruits* came to be considered a masterpiece.

Bakwin hung the Cézanne in his formal dining room in Stockbridge, alongside works by de Vlaminck, Utrillo, Jean Janssen, and Soutine. He rarely discussed the art decorating his walls with others, but he lived in a small town, and in small towns people talk. He was, by his own estimation, "a big fish in a little pool."

When Bakwin and his family returned from Ossining that Memorial Day in 1978, there were no signs that the biggest robbery of a private residence in the history of Massachusetts had just taken place. It would be two days, in fact, before they realized that the seven

"It was terrible, awful," Bakwin says of



Robert Mardirosian (a.k.a. Romard), in his basement art studio on the day he admitted publicly that he had been secretly holding the Bakwin paintings for decades

paintings in their dining room were missing.

Bakwin immediately called the local police chief, William Obanhein, who was known locally as “Officer Obie” and who had arrested Arlo Guthrie for littering in Stockbridge, inspiring the song (and then the movie) “Alice’s Restaurant.” “I don’t think he gave a damn,” Bakwin says of Obanhein. “He thought, Eh, these are just wealthy people.” Bakwin posted a reward in the local paper and hired his own detective, but nothing came of it.

By mid-July, however, the FBI had identified a 31-year-old man named David Colvin, a well-known

petty criminal who had told an undercover federal agent several days after the theft that he had access to stolen paintings, as a prime suspect in the Bakwin burglary. Even so, the authorities couldn’t unearth enough evidence against him during a grand jury investigation to put him on trial. Seven months later, on February 13, 1979, Colvin was shot and killed in a gambling dispute, and apparently took with him any hope of solving the case. It seemed that Bakwin was destined to be just another casualty of this country’s \$3 billion stolen art market.

“It was terrible, awful. In many ways it changed my life,” he says quietly. “It was like taking away a

child. I just loved the Cézanne so much.” He fell into a depression. He also feared for the safety of his daughters after the local papers ran endless headlines about his collection. So he moved his family out of state, splitting time among Suffolk, Virginia, and Ossining, all the while brooding that he might never see his beloved Cézanne again.

It would turn out that the tale of the lost Cézanne was anything but over. It had many more chapters to go, in a twisting and turning saga of theft, intrigue, deception, and money, all swirling through the rarefied air of the international art world.

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From left: The missing Utrillo; the Sotheby's auction of the Cézanne, 1999; art hunter Julian Radcliffe; Bakwin in 2010 with his last recovered works, by Jean Jansem; Falmouth on Cape Cod, where the case took an unexpected turn



Radcliffe knew it wasn't a foolproof

On January 18, 1999, a phone rang at the London office of the Art Loss Register, the world's largest private international database of lost and stolen art. A Lloyd's of London insurance agent was calling to report that he had received a call from an Englishman named Tony Westbrook inquiring about insuring the shipment of a Cézanne from an Eastern European country to London. Before agreeing to insure it, Lloyd's wanted to check the ALR database to vet the provenance of the painting, to make sure the title was clear.

It wasn't. It was *Bouilloire et Fruits*, which had been missing for 21 years.

The man who answered the phone was the ALR's founder, Julian Radcliffe, who was known as much for his signature glasses, perpetually perched near the tip of his nose, as for his staccato manner of speaking, which can make his sentences feel as if they've been clipped by rusty wire cutters.

Like a bloodhound tracking an irresistible scent, Radcliffe demanded Westbrook's number. That painting, he told Westbrook after he'd gotten him on the line, had been stolen in 1978. "We're interested in talking," Radcliffe recalls telling Westbrook, knowing he had to tread lightly or risk losing the lead. "But I need to speak with the person who is in possession of it." Westbrook said

he was not sure who, exactly, had contacted him to assist in moving the work—from his accent he thought the man was American—but he would try to find out. When he called back, he gave Radcliffe the name of a Swiss lawyer, Bernhard Vischer, who would be taking over the talks.

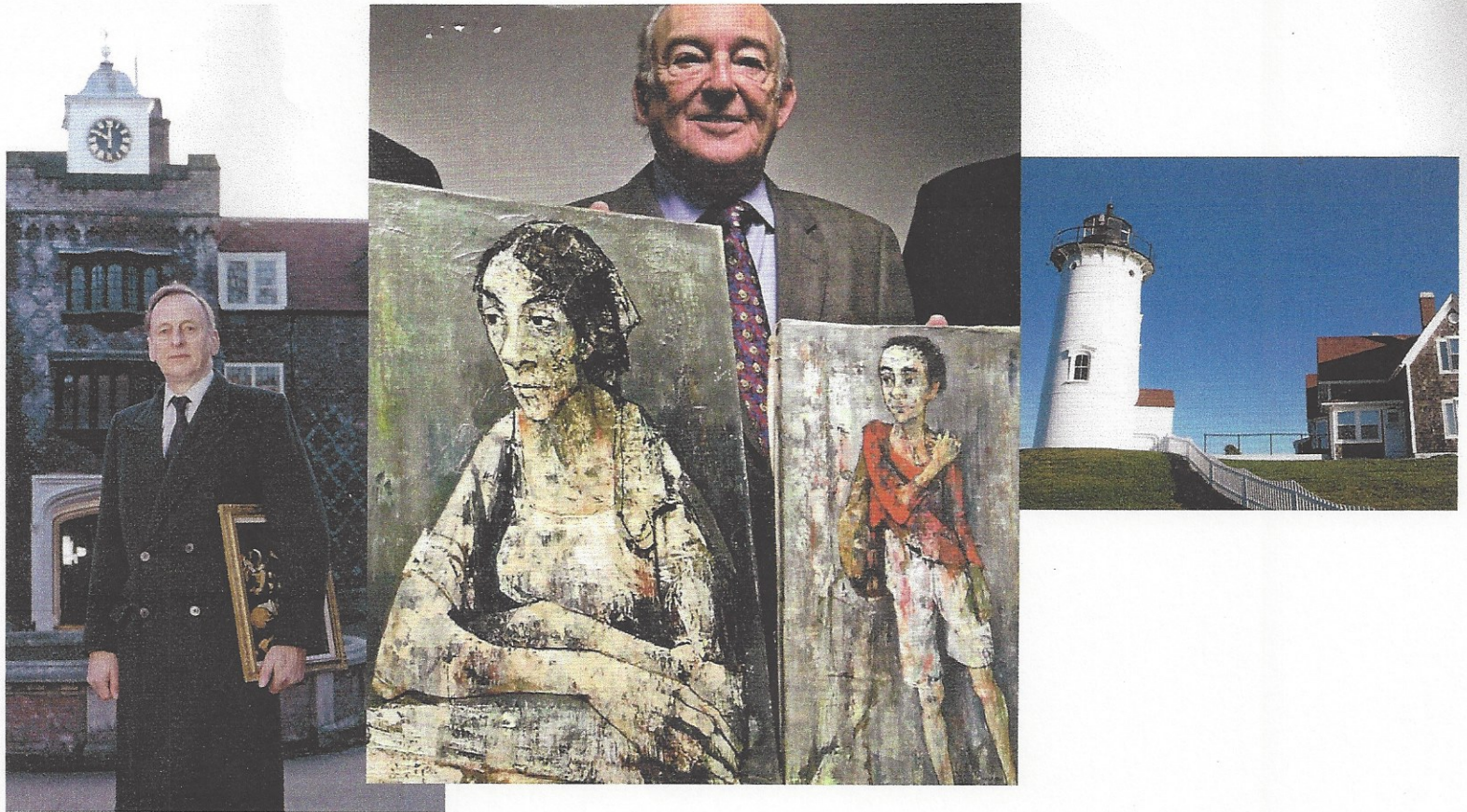
Vischer told Radcliffe that his client was willing to return the Cézanne—for \$15 million. "I made it absolutely clear to him that we would not pay a penny to get this picture back," Radcliffe says. "One of our principles is not to pay ransoms, and I was convinced we were dealing with criminals."

Radcliffe is arguably the world's leading art sleuth. He is also the antithesis of the soft-handed art aficionado. "I founded the leading kidnap negotiation company in the world," he says with matter-of-fact braggadocio, referring to Control Risk. "And I have a strong background in the intelligence world as well." He created the Art Loss Register in 1991 after Sotheby's asked if he might be able to assist in the reclamation of some stolen works. (Radcliffe receives anywhere from 5 to 30 percent of the value of any painting he recovers as a commission.) It was the perfect assignment for a man with a prodigious ego, a hankering for publicity, and a zest for international intrigue. "Julian, he's a character," Bakwin says with a chuckle. "He leaves out details of his life and makes you

think he was in MI5 or something." He is also relentlessly persistent, which serves him well as he jets around the world haggling for the return of poached masterpieces—only 15 percent of which are ever recovered, and often years later.

The Cézanne's chances were now looking good. But as the tedious negotiations between Radcliffe and various lawyers, insurance brokers, police departments, and prosecutors in several different countries stretched on for eight months, Bakwin began to panic. He feared that if some resolution weren't reached soon, his beloved Cézanne—and the six other stolen works, which were also in the possession of Vischer's mystery client—would slip underground for another two decades. With a heavy heart he authorized Radcliffe to broker a deal in which the unknown holder of the paintings—now known simply as Erie International Trading Co., a Panamanian shell company—would return the Cézanne in exchange for the ownership title to the other stolen paintings, which were then worth an estimated \$1 million.

On October 25, 1999, the day the deal was set to be done, Radcliffe had been pacing the floors of a Geneva law firm for hours when the door swept open and Vischer walked in, sweaty, flustered, and toting a briefcase bulging with papers. After a few minutes, Radcliffe and Vischer signed documents



trap. But it was the best he could do.

ceding Bakwin's ownership of the six other works, and Vischer walked out the door.

Radcliffe looked out onto the street below. He watched Vischer put his cell phone to his ear. Seconds later a car pulled up, the back window rolled down, and a cumbersome package was handed to Vischer. The car then sped off.

When Vischer returned to the boardroom he gave the parcel to Sotheby's top expert in Impressionist art, who knelt on the floor and pushed aside a small corner of the layers of wrapping. As soon as the first brushstroke was revealed, everyone could see it was the Cézanne.

Radcliffe and Bakwin knew they should feel relief that the painting had been returned, and in good condition, after more than two decades missing. But both men still felt uneasy. The exchange had only raised more questions. Where had the seven paintings been for the past 21 years? Who was this anonymous party now returning the Cézanne? And what would he do with the six stolen works he now legally held title to?

"I was pretty sure that they would never be able to sell the other paintings," Radcliffe says now, "because I would keep them in the database as stolen and claim that we had entered into this transaction under duress and therefore it wasn't valid." He had also insisted that the clandestine

owner of Erie International sign an affidavit stating that he had not been involved in the original theft; the document would then be sealed and held in escrow by a disinterested attorney in London. Assuming that the owner had signed his real name—no sure thing—this would prove key in exposing his identity if he later tried to sell the works. Radcliffe knew it wasn't a foolproof trap, but it was the best he could do.

While one might conjure the image of dashing playboy Thomas Crown for the role of fine art burglar, the FBI says that art theft is actually just another thuggish street crime. "The same guys fencing stolen art could be dealing drugs or selling guns," says Geoff Kelley, a member of the FBI's Art Crime Team in Boston who worked on the Bakwin case. This might seem to be true of Colvin, the original suspect. But would the description hold for the anonymous American whose signature was being held in escrow?

Radcliffe was working in his office one day in March 2005 when he received a pro forma call from Sotheby's in London. They wanted to include four of the six stolen Bakwin paintings in their June Impressionist auction. "Are the titles in order?" a representative asked.

Radcliffe paused. If he disclosed the truth, the

works might again disappear—possibly forever. Instead, he told Sotheby's that the paintings were clear for auction. The following month, when Sotheby's had them in its possession, Radcliffe and Bakwin sued to enjoin the sale.

Radcliffe's gambit had finally paid off. A judge at the High Court of London agreed that the 1999 deal with Vischer and his mystery client had been made under duress and, in late January 2006, awarded the four paintings to Bakwin. (The other two missing works, by Jean Janssen, remained at large.) The judge also ordered that the envelope locked in escrow for the past six years be opened to reveal the name of the anonymous American.

At the offices of London solicitors Herbert Smith, Radcliffe and his lawyer were presented a large manila envelope. As if handling a Russian nesting doll, Radcliffe unwrapped layer after layer of envelopes, tin foil, post card, sealing wax, and packaging. Finally he reached the two-page declaration. The signature at the bottom read "Robert Mardirosian."

A second-generation Armenian-American, Mardirosian, it turned out, was a criminal lawyer based in his hometown of Watertown, a blue-collar suburb of Boston. In 1978 one of Mardirosian's clients was David Colvin, who was facing a firearms charge and also emerging [continued on page 152]

THE LOST CEZANNE

[continued from page 127] as the prime suspect in the Bakwin case.

Six months after the theft, in November 1978, on the night before his firearms trial was due to commence, Colvin drove from western Massachusetts to meet Mardirosian at his office. Colvin brought seven paintings that he said he had stolen and was planning to fence through drug dealers in Miami. Mardirosian would later claim that he advised Colvin against it and that, after Colvin spent the night in an attic above Mardirosian's office, he simply left the paintings behind. Mardirosian later insisted that he didn't discover them until months after Colvin was murdered in 1979. After determining that he couldn't get a reward for returning them because they hadn't been insured, Mardirosian would eventually tell the authorities that he had simply held on to them, trying to devise a way to finagle a profit. ("We take that version of events with a grain of salt," Jonathan Mitchell, a prosecutor for the case, says wryly.)

In the years that followed, Mardirosian slowly

painter, signing his works "Romard" and splitting his time between the Cape and the South of France. Cézanne, he wrote in his artist's biography, was a major influence. Romard sold hundreds of his colorful, emotion-driven abstract works around the world and even had several exhibitions in the United States. "I learned there is a lot more to life than making money," he told the *Watertown TAB & Press* in January 1999, explaining his passion.

After returning the Cézanne later that same year, Mardirosian began mulling how to sell the six other stolen paintings, which, thanks to the deal his lawyer had struck with Radcliffe, he believed he now legally owned. But he needed to keep his identity hidden, since he knew the ALR was surely still searching for them. In December 2003 he went to the Boston office of Paul Palandjian, the son of his friend Petros, who, along with his older brother, was now running Intercontinental. Knowing the paintings had been stolen but believing Mardirosian to be innocent of the crime, Palandjian agreed to assist in selling them in ex-

hiding out on the Riviera for the next 10 months. Meanwhile, the FBI searched the house he shared in Falmouth with his wife and oldest son. There they found 53 pounds of marijuana and three firearms. By sheer happenstance, it turned out that Mardirosian's son Marc was a major drug dealer on the Cape.

Threatened with extradition, the elder Mardirosian finally agreed to return to the United States. The FBI arrested the silver-haired, mustachioed fugitive—by now in his seventies and showing the early stages of dementia—as he stepped off a plane from Paris at Boston's Logan Airport on February 13, 2007. In August 2008 he was convicted of possession of stolen goods and ordered to serve seven years in prison.

After the Supreme Court refused to hear further appeals from Mardirosian, Bakwin was reunited with his last two paintings, two small works by Jansem that had also been kept by Henri Klein, on November 17, 2010—32 years after they were stolen from his dining room in Stockbridge.

After returning the Cézanne, Mardirosian began mulling how to sell the other six stolen paintings, which he now believed he legally owned.

ascended Boston's social ladder. Through a close friend and fellow Armenian-American named Petros Palandjian, the founder of a multibillion-dollar Boston real estate development company called Intercontinental Real Estate Corporation, Mardirosian was introduced to the Swiss-born CEO of Cambridgeport Bank, Henri Klein, and was later invited to join the bank's board. He also purchased a house on the French Riviera.

At around that time, in 1988, Mardirosian transported the seven stolen Bakwin paintings out of the country. To this day no one knows how. But it is believed the works landed first in Monaco and then were squirreled away in the vault of Discount Bank in Geneva, which was now headed by Mardirosian's friend Klein, who had relocated to Switzerland. Mardirosian kept his identity a secret by communicating through lawyers in Europe and ultimately by incorporating the sham Erie International, which did not name him as owner.

But his reinvention was not yet complete. In 1989, now 55, Mardirosian retired and moved to Falmouth, on Cape Cod, and remade himself as a

change for a commission.

Eventually Sotheby's in London agreed to put four of them—two Soutines, an Utrillo, and a de Vlaminck—up for auction, at an expected total price of nearly a million dollars.

But when Sotheby's called the ALR, the 25-year jig was up. After the envelope was unsealed and Mardirosian's name was revealed as the sole owner of Erie International Trading Corp., the English judge ruled that not only did he have to relinquish the paintings to Bakwin but that he was also responsible for some \$3 million in court, legal, and investigative fees that Bakwin had paid to recover them.

The next morning Mardirosian went on a PR offensive, granting interviews to both the *Boston Globe* and a local public radio program in which he admitted his role in the caper yet claimed he had done nothing nefarious. "If it weren't for me, Bakwin would not have his Cézanne back," he said, clearly annoyed. He hinted that he might sue the ungrateful Bakwin for breach of contract.

Mardirosian then promptly fled the country,

These days Bakwin does not seem to be angry at the man who kept his paintings from him for most of his adult life. "He's my age," he says. "He shouldn't be in jail. I feel awful. An old guy my age in jail? He should have to pay some other way."

Bakwin just wants to be compensated for the expenses he incurred trying to get his paintings back. But a civil trial to do just that has been postponed for months.

Whether it's the strain of recounting his tale or a side effect of the cancer treatments he had on his vocal cords while the trial played out, Bakwin's voice is withering to a rasp. He gestures to a Sotheby's brochure on a coffee table. On the navy blue cover is a photo of his prized Cézanne, which he felt forced to auction a month after he got it back in 1999. "I couldn't secure a painting of that worth," he says. "I don't think people should have things of such value anymore."

After an anonymous bidder paid \$29.3 million for it, Sotheby's let Bakwin visit *Bouilloire et Fruits* alone, one last time. "It was," he says, "like saying goodbye to an old friend, again." •