

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

ARMENIAN LIBRARY AND MUSEUM OF
AMERICA, INC.,

Plaintiff,

Case No.: 11-cv-11862

v

Hon. Mark L. Wolf

MAYER MORGANROTH,

Defendant.

Harold W. Potter, Jr.
Attorney for Plaintiff
HOLLAND & KNIGHT
10 St. James Avenue
Boston, MA 02116
617-523-2700

Mayer Morganroth
In Pro Per
344 North Old Woodward Avenue, Suite 200
Birmingham, MI 48009
248-864-4000

**NOTICE OF FILING ATTESTED COPIES OF ALL RECORDS FROM THE
SUPERIOR COURT OF THE COMMONWEALTH OF MASSACHUSETTS
PURSUANT TO LOCAL RULE 81.1(a)**

Defendant, Mayer Morganroth, *in pro per*, hereby gives notice pursuant to Local Rule 81.1 that he has filed copies of all records of the Superior Court of the Commonwealth of Massachusetts which were filed in this action prior to removal of this matter to this Court as follows:

- Summons, Civil Cover Sheet and Complaint (attached hereto as Exhibit 1)

Respectfully submitted,

/s/ Mayer Morganroth

Mayer Morganroth

In Pro Per

344 North Old Woodward Avenue, Suite 200

Birmingham, MI 48009

248-864-4000

mmorganroth@morganrothlaw.com

Dated: October 31, 2011

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: —
TORT — MOTOR VEHICLE TORT — CONTRACT —
EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION

MIDDLESEX, ss



Armenian Library and
Museum of America, Inc., Plaintiff(s)

No.

11-3635

v.

Mayer Morganroth, Defendant(s)

SUMMONS

To the above-named Defendant: Mayer Morganroth

You are hereby summoned and required to serve upon Harold W. Potter
Holland & Knight LLP plaintiff's attorney, whose address is 10 St. James Avenue
Boston, MA 02116, an answer to the complaint which is herewith
served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you
fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also
required to file your answer to the complaint in the office of the Clerk of this court at Middlesex Superior
Court, 200 Trade Center, Woburn, MA 01801 either before service upon plaintiff's attorney or within a
reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may
have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's
claim or you will thereafter be barred from making such claim in any other action.

Witness, Barbara J. Rouse Esquire, at Boston
the 13th day of October
in the year of our Lord 2011

[Signature]
Clerk

NOTES.

- 1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
- 2. When more than one defendant is involved, the names of all such defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

NOTICE TO DEFENDANT — You need not appear personally in court to answer the complaint, but if you claim to have a defense, either you or your attorney must serve a copy of your written answer within 20 days as specified herein and also file the original in the Clerk's Office

MIDDLESEX ss.
SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION
No.

....., Plff.

v.

....., Deft.

SUMMONS
(Mass. R. Civ. P. 4)

PROOF OF SERVICE OF PROCESS

I hereby certify and return that on
20....., I served a copy of the within summons, together with a copy of the complaint in this action,
upon the within-named defendant, in the following manner (See Mass. R. Civ. P. 4 (d) (1-5)):

.....
.....
.....

Dated:, 20.....

**N.B. TO PROCESS SERVER:
PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN THIS BOX
ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.**

(.....)
(..... , 20.....)
(.....)

PLAINTIFF(S) **Armenian Library and Museum of America, Inc.** **DEFENDANT(S)** **Mayer Morganroth**

Plaintiff Atty Harold W. Potter, Holland & Knight LLP Type Defendant's Attorney Name
 Address 10 St. James Ave. Defendant Atty _____
 City Boston State MA Zip Code 02116 City _____ State _____ Zip Code _____
 Tel. +1 (617) 523-2700 BBO# 404,240

TYPE OF ACTION AND TRACK DESIGNATION (See reverse side)
 CODE NO. TYPE OF ACTION (specify) TRACK IS THIS A JURY CASE?
D13 Declaratory Judgment G L C 231A - Average Track Yes No

The following is a full, itemized and detailed statement of the facts on which plaintiff relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.

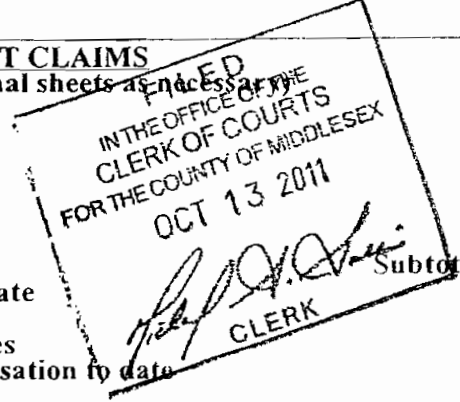
TORT CLAIMS
 (Attach additional sheets as necessary)

A. Documented medical expenses to date:
 1. Total hospital expenses \$ _____
 2. Total doctor expenses \$ _____
 3. Total chiropractic expenses \$ _____
 4. Total physical therapy expenses \$ _____
 5. Total other expenses (describe) \$ _____

B. Documented lost wages and compensation to date \$ _____
 C. Documented property damages to date \$ _____
 D. Reasonably anticipated future medical expenses \$ _____
 E. Reasonably anticipated lost wages and compensation to date \$ _____
 F. Other documented items of damages (describe) \$ _____

G. Brief description of plaintiff's injury, including nature and extent of injury (describe) \$ _____

Subtotal \$ _____
 Total \$ _____



CONTRACT CLAIMS
 (Attach additional sheets as necessary)
 Provide a detailed description of claim(s):
Declaratory judgment G.L.C. 231A. Amount in controversy in excess of \$50,000.
 TOTAL \$.....

PLEASE IDENTIFY, BY CASE NUMBER, NAME AND COUNTY, ANY RELATED ACTION PENDING IN THE SUPERIOR COURT DEPARTMENT

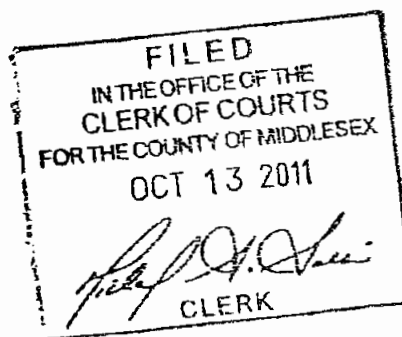
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT
DEPARTMENT OF THE
TRIAL COURT
CIVIL ACTION NO.

11-3635

ARMENIAN LIBRARY AND MUSEUM OF)
AMERICA, INC.,)
)
Plaintiff,)
)
v.)
)
MAYER MORGANROTH,)
)
Defendant.)



COMPLAINT

The Armenian Library and Museum of America, Inc., as its Complaint for Declaratory Relief against Mayer Morganroth, states as follows:

PARTIES

1. Plaintiff Armenian Library and Museum of America, Inc. ("ALMA") is a duly organized and existing Chapter 180 corporation and is qualified as tax-exempt under the Internal Revenue code. Plaintiff has a principal place of business in Watertown, Middlesex County, Massachusetts.

2. Defendant Mayer Morganroth, an attorney, is the Personal Representative of the will of the late Jack Kevorkian of Royal Oak, County of Oakland, State of Michigan, who died on June 3, 2011.¹

FACTS AND ALLEGATIONS

3. Plaintiff ALMA is a nationally known ethnic Armenian museum with an extensive collection of paintings and artifacts and a substantial library of books and other publications.

¹ The original named Personal Representative, Flora Holzheimer, Dr. Kevorkian's sister, declined to serve and authorized Dr. Kevorkian's niece, Ava Janus, to act in Ms. Holzheimer's place. Ms. Janus apparently is not, however, the Personal Representative.

4. Dr. Kevorkian is the creator of seventeen paintings that are the subject of this action (collectively “the Art Work,” which expression also includes writings, some musical compositions, a sweater, and a hat).

5. In 1999, a representative of the Ariana Gallery in Royal Oak, Michigan and Gary Lind-Sinianian, who was and still is Plaintiff’s curator, discussed the mounting of an exhibit of the Art Work at Plaintiff’s main gallery. As a result of that discussion, Mr. Lind-Sinianian drove to Michigan to receive the Art Work.

6. In Michigan, a representative of the Ariana Gallery unexpectedly presented Mr. Lind-Sinianian with a document dated July 26, 1999 that outlined certain terms of the proposed exhibition of the Art Work at ALMA. Mr. Lind-Sinianian had no authority to sign such a document without consulting his superiors. He did sign it and a copy is attached hereto as Exhibit A

7. Thereafter, beginning in September 1999 and following for about two months, Plaintiff exhibited the Art Work (“First Exhibit”) in its main gallery. Because of Dr. Kevorkian’s notoriety for advocating assisted suicide, the First Exhibit received considerable attention.

8. Upon information and belief, at the time of the First Exhibit, Dr. Kevorkian was in prison in Michigan.² At Dr. Kevorkian’s request, his sister, Flora Holzheimer, a resident of Germany, attended the opening of the First Exhibit.

9. At the reception for the opening of that Exhibit, Ms. Holzheimer announced that Dr. Kevorkian had instructed her to inform Plaintiff that the Art Work was a gift to Plaintiff from Dr. Kevorkian. She announced the gift of the Art Work to a substantial audience at the opening reception.

² Dr. Kevorkian served time in prison from 1999 to 2007.

10. On September 23, 1999, a local newspaper published an article, attached hereto as Exhibit B, about the First Exhibit entitled “Kevorkian donates his artwork to ALMA.” The article quotes Ms. Holzheimer as saying, “[Dr. Kevorkian’s] paintings shall become the permanent possession of this museum.” Ex. B.

11. In reliance upon this gift, Plaintiff maintained and continued to maintain the Art Work as part of its permanent collection during the twelve years that have since elapsed. Plaintiff expended considerable time, effort, and expense to preserve and maintain the Art Work in a climate-controlled vault.

12. Plaintiff has a policy never to retain paintings or collections unless they have been donated outright to Plaintiff. This policy has existed for at least thirty years.

13. During the twelve years since Plaintiff’s acquisition of the Art Work, the paintings have remained part of the permanent collection of ALMA.

14. In October 2008, Plaintiff again exhibited all of the Art Work in its main gallery (“Second Exhibit”).

15. Dr. Kevorkian attended the opening of the Second Exhibit and, before a large audience, with microphone in hand, explained the meaning of each painting. During the intermission, Dr. Kevorkian stated that he was very pleased that he had donated his entire collection to Plaintiff. A newspaper article, attached as Exhibit C, explained that “[Dr. Kevorkian] donated all of them to the museum, and its Executive Director Mariam Stepanyan decided to show them [all] for the second time in the museum’s history.”

16. Dr. Kevorkian’s will was purportedly executed on May 16, 2011, about seventeen days before his death on June 3, 2011. Plaintiff has no knowledge of whether the will was validly executed without undue duress or influence nor whether Dr. Kevorkian was legally

competent. Nevertheless, the Michigan court allowed the will, of which Plaintiff had no advance knowledge.

17. Defendant sent Plaintiff a letter dated September 23, 2011. In the letter, Defendant stated, "All of Dr. Kevorkian's assets and estate, including the paintings on display and exhibition at your museum, were left to his niece, Ava Janus."

18. Also in the letter, Defendant stated that the Art Work was scheduled for a public auction at the New York Institute of Technology on or about October 27, 2011. Concurrently, Plaintiff's staff was surprised to see email reports that the Art Work was scheduled for auction in New York in October 2011. Upon information and belief, Defendant had attended the opening of the First Exhibit and was aware that the Art Work was a gift to Plaintiff.

19. Defendant apparently arranged for an auction of Plaintiff's Art Work to occur in New York City in October 2011 without any prior communication to Plaintiff.

20. By email, Plaintiff's Acting Director, Berj Chekijian, requested that Defendant, the Personal Representative of the estate, provide Plaintiff with a copy of Dr. Kevorkian's will.

21. In response, Defendant immediately telephoned Mr. Chekijian and demanded that all of the Art Work be sent to New York. Defendant threatened during the telephone call to instruct the police to remove the Art Work if Plaintiff did not send it. Thereafter, in an October 4, 2011 email to Mr. Chekijian, attached hereto as Exhibit D, Defendant accused Plaintiff of "theft of the estate's property."

COUNT I
(Declaratory Judgment)

22. ALMA realleges and incorporates by reference its allegations in paragraphs 1 through 21 above.

23. An actual controversy exists between Plaintiff and Defendant as to their respective rights concerning the Art Work.

24. Resolution of this dispute by the entry of judgment declaring the rights of the parties is necessary and appropriate under the existing facts and circumstances.

25. Judgment will serve a useful purpose in clarifying and settling the parties' legal rights in the Art Work and will terminate the controversy giving rise to this action.

PRAYERS FOR RELIEF

26. WHEREFORE, Plaintiff ALMA prays that this Court grant the following relief:

- a) Enter a final judgment declaring that:
 - i. Defendant has no legal right to the Art Work, and
 - ii. Plaintiff is the sole owner of the Art Work;
- b) Award Plaintiff all costs, including attorneys fees, that it has incurred in this matter;
- c) Award Plaintiff such other relief as the Court may deem just and proper.

Respectfully submitted,

ARMENIAN LIBRARY AND MUSEUM OF
AMERICA, INC.

By its attorneys,



Harold W. Potter (BBO No. 404240)
harold.potter@hkllaw.com
Zsaleh E. Harivandi (BBO No. 678891)
zsaleh.harivandi@hkllaw.com
HOLLAND & KNIGHT LLP
10 St. James Avenue, 15th Floor
Boston, MA 02116
(617) 523-270 0

Dated: October 13, 2011
Boston, Massachusetts

EXHIBIT A

Ariana Gallery
119 South Main
Royal Oak
Michigan 48067
Tel: (248) 546-8810
Fax: (248) 546-6194

July 26, 1999

Gary Lind-Sinanian, Curator
Armenian Library and Museum of America, Inc.
65 Main Street
Watertown, MA 02172

Re: Dr. Jack Kevorkian Exhibition

Dear Gary:

- 1) The opening of the show is scheduled for Saturday, September 18, 1999 and the show will run through the end of October. I will arrive in Boston on Friday, the 17th of September.
- 2) We anticipate that the paintings will be picked up by you or a member of your staff and driven directly to your gallery/museum in Watertown. ALMA will be responsible for the cost of transportation of the artworks as required to and from Royal Oak, Michigan and Watertown, Massachusetts.
- 3) From the time that a representative of the Armenian Library and Museum of America Inc. (which shall be referred to as ALMA for the remainder of this contract) assumes possession of the paintings to their return to us, the paintings must be covered by ALMA's insurance.
- 4) Dr. Jack Kevorkian hereby warrants that he created and possesses the unencumbered title to any works of art inventoried in ALMA's possession. The Kevorkian artworks are entrusted to ALMA but shall remain the exclusive property of Dr. Kevorkian.
- 5) ALMA has the right to copy, photograph or reproduce any of Dr. Kevorkian's artworks in its possession for the purpose of appearance in a catalogue or advertisement.
- 6) We understand that publicity will be arranged as outlined in your letter
- 7) ALMA will be entitled to a 20% sales commission on all sales of Dr. Kevorkian's signed and numbered posters and giclée prints during the term of this agreement.

- 8) Security is a prime concern surrounding Dr. Kevorkian's artwork. A professional security guard must be present for the entire duration of the show with perhaps additional security for the show opening.
- 9) This agreement constitutes the entire understanding between Dr. Kevorkian and ALMA. Its terms cannot be modified except in writing that is signed by all parties - ALMA, Dr. Kevorkian and/or his attorney Mayer Morganroth.
- 10) The paintings will be returned upon the request of Dr. Kevorkian at the close of the exhibition at the end of October, or at such further extended date that would be agreeable between the parties, with reasonable time for them to be packaged and prepared for transportation.
- 11) If any part of this agreement is held to be illegal, void or unenforceable for any reason, such holding shall not affect the validity and enforceability of any other part.

Please contact me to confirm the proposals listed above.

Received from:

Delivered to:

Armenian Gallery
Armenian Gallery
Anne Keuffler

Yeghishaih Lianian
Armenian Library &
Museum of America, Inc.

27 July 99

Date

Date

EXHIBIT B

Kevorkian donates his artwork to ALMA

Supporters praise his work during exhibit's opening

By Nancy Kalajian
TAB & PRESS CORRESPONDENT

Loud applause heralded the surprise Saturday night announcement by Flora Holtzheimer that her older brother, Dr. Jack Kevorkian, wishes to keep his artwork in Watertown at the Armenian Library and Museum of America where it is currently on special exhibit.

"His paintings shall become the permanent possession of this museum," said Holtzheimer, who flew from her home in Germany to attend the opening reception for the museum's new exhibit, "Through a Glass Darkly: the Art of Dr. Jack Kevorkian." During the evening's program, she also acknowledged the

"magnificent job" of ALMA's staff and volunteers in running the museum and putting this unique exhibit together. The exhibit will run through Oct. 24.

Though Kevorkian is now serving a prison sentence in Michigan for the assisted suicide of Thomas Youk, his wife, Melody Youk, attended the art opening. Youk, who choked up at times during her brief remarks to the invited guests, said she had a strong impression of ALMA's collections and resources, and reiterated her unwavering support of Dr. Kevorkian.

"We need tolerance to live in our world and that includes the final moments. I admire him greatly. He put himself in harm's way," said Youk.

Other guests who flew in from Michigan included Ruth Hodges, Kevorkian's personal assistant, and Ann Kuffler of Ariana Gallery in Royal Oaks, who had twice exhibited Kevorkian's artwork in Michigan. Hodges reported that Kevorkian has been moved from a maximum- to a medium-security facility, and can now go to the prison library where he was able to conduct research and select appropriate art-related

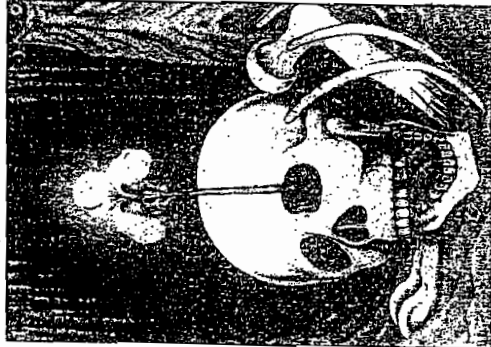
quotes that accompany the exhibit. According to Hodges, Michigan attorney Mike Morgenroth will represent Kevorkian in an appeal for a new trial.

Sarah Holmes, Hodge's daughter, was also in attendance and explained how she had an opportunity to play flute duets with the Kevorkian prior to his sentencing.

"Dr. Kevorkian is so multi-faceted. Dr. Death — it's such a negative connotation — is such a small part of who he is. His paintings reveal the compassion, the integrity and truth his character represents. No one knew he's a poet, musician, linguist and artist," said Hodges, who has become adept at handwriting analysis.

"His writing has rhythm, speed, originality, creativity, harmony and symmetry ... he's highly intelligent," she added.

In fact, many of those who know Kevorkian best describe him as a kind, warm, humorous, sensitive man, even a genius. The first East Coast showing of Kevorkian's art at ALMA gives viewers the experience to see the sides of him that many people have never had the chance, or perhaps even the desire, to explore. One cabinet display exhibits 14 cherished, mostly black and white photographs full of family memories that Kevorkian lovingly preserved for decades.



COURTESY PHOTO
"Very Still Life" is one of the paintings Kevorkian is donating to ALMA.

"He's not interested in getting rich. No one but a hero would do what he's doing. Reality is what drives him. He depicts reality as opposed to wishful thinking," said Holtzheimer. "It's very upsetting. He's my sibling ... he would do what anyone would do to help someone with unbearable suffering."

Along with each of the 15 oil paintings on display are Kevorkian's own explanations to the art. He recreated from memory many of the paintings on display 35 years after he first painted the same images that were later stolen from a storage facility. In some cases, recently discovered photographs of the original paintings are displayed next to the recreations of amazing to viewers because of their remarkable similarities.

Esther Agabian, a Watertown artist, said Kevorkian met a difficult challenge after the theft.

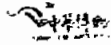
"He had to express himself a second time on the same subject matter," she said.

In "1915 Genocide 1945," a work framed with barbed wire and smudges of Kevorkian's own blood, shows the head of a sorrowful woman wearing a different earring on each ear, one represents the Armenian flag, and the other the Star of David. When Melody Youk asked Kevorkian about this work, she said he told her, it's a bonding with my people."

Richard Humber, Wang Center Trustee, describes it as "a companion of death by race. The exhibit makes you think. You have to look at each painting more than once to see and feel the real impact."



PHOTO BY NANCY KALAJIAN
Melody Youk, widow of Thomas Youk, stands with Kevorkian's painting "1915 Genocide 1945" which commemorates both the Armenian genocide and Nazi Holocaust.



Dr. Jack Kevorkian to show paintings at Watertown museum

Oct 03, 2008 By Steve Bagley

Think about Dr. Jack Kevorkian for a moment.

Now get that image out of your head.

An exhibition of Kevorkian's paintings, "The Doctor Is Out," going up this weekend at the Armenian Library and Museum of America on Main Street, is about the other side of Kevorkian's life: his work as an artist.

Kevorkian, son of two immigrant survivors of the Armenian Genocide, turned to painting as a hobby, and produced 16 canvases over time. He donated all of them to the museum, and Executive Director Mariam Stepanyan decided to show them for the second time in the museum's history.



By courtesy of Armenian Museum and Library of America

The last time the museum displayed Kevorkian's work, nine years ago, it was during his trial. Now, though, there's no such controversy hanging over the artist. Stepanyan said her reasons for hanging the paintings again are simple. "He's a contemporary artist, he's an Armenian-American, and we own the art. We have the right to display it whenever we want."

Stepanyan said she and the museum are not taking a stance on Kevorkian's conviction for second-degree murder, for which he served prison time from 1999 to 2007.

Kevorkian's art is very provocative and blunt. It is not for the squeamish.

A painting, "Paralysis," illustrates a man slowly turning into stone, a worried, pained expression on his face as he examines his gray left

hand, clutching it in his still-flesh right. A painting called "1915 Genocide 1945" equates the Armenian Genocide with the Holocaust by featuring a Nazi and an Ottoman arm both holding a decapitated head with one Star of David earring and one earring featuring the Armenian flag's design.

Kevorkian's explanation of "1915 Genocide 1945" is as blunt as the images themselves, as he explains the need to commemorate the two slaughters: "To fail to take but token interest in the whole ugly affair, to avoid making it almost hereditary memory, would be abdicating decent human responsibility and thereby assuring recurrence - as is happening at this very moment."

The ALMA exhibition is divided into three categories, Stepanyan said, dealing with three themes: medical themes, like "Paralysis;" political themes, like "Genocide;" and musical themes.

"Kevorkian is very inspired by Bach," Stepanyan said

The blunt, forthright nature of Kevorkian's art is in keeping with his personality, Stepanyan said. "If you were to kind of soften the edges of what he was saying, it would be a lot more palatable," she said. "But he's not that kind of person."

The challenging nature of Kevorkian's art is one Stepanyan wholeheartedly supports. "Art is not just landscapes. It's examining the layers of the human soul."

Kevorkian's work will be on display starting Oct. 5. Kevorkian will be at the museum from 3-5 p.m. Sunday to commemorate the exhibition's opening.

[From wickedlocal.com]

Previous World-Class Museum Announces Opening Date

Next Sculptor Marc Quinn immortalises Kate Moss in gold at British Museum

(Press Key <- -> to turn page)

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EXHIBIT D

Berj Chekijian

From: Mayer Morganroth [MMorganroth@morganrothlaw.com]
Sent: Tuesday, October 04, 2011 1:23 PM
To: Berj Chekijian
Subject: RE: Kevorkian Paintings
Attachments: Last Will and Disclaimer (00033500).PDF

This is not a "request", it is a demand for the return of personal property.

As stated in my letter dated September 23, 2011, I am the personal representative and executor of the estate of Dr. Jack Kevorkian. I was also his attorney for over 17 years.

I am attaching to this email a copy of Dr. Kevorkian's Last Will and Testament, along with a disclaimer signed by his Sister, Flora Holzheimer (which are confidential). Included in my September 23 letter was a copy of the July 26, 1999 Agreement ("Agreement"). You have nothing else in your possession executed by Dr. Kevorkian nor myself changing this Agreement and I expect you to fully comply with same or you will be converting and committing theft of the estate's property.

I will be informing you of the arrangements made for pick up and directions to be followed regarding same.

From: Berj Chekijian [<mailto:BERJC@almainc.org>]
Sent: Tuesday, October 04, 2011 12:46 PM
To: Mayer Morganroth
Cc: haig.manuelian@hklaw.com; Gary Lind-Sinanian
Subject: Kevorkian Paintings

Dear Mr. Morganroth,

My name is Berj Chekijian and I am the acting Executive Director of the Armenian Library & Museum of America Inc. in Watertown, Massachusetts.

The Curator of the Museum, Gary Lind-Sinanian, delivered to me a letter from your office dated September 23, 2011 regarding Late Dr. Kevorkian paintings.

Please send me by email, if possible, the entire **Will** as signed, as soon as possible so that I can give it to the appropriate officers of the Executive Board of the Armenian Library and Museum of America
So that they can address your request stated in your letter.

Thanks
Best regards

Berj Chekijian

617 926-2562 ext. 7

Berj Chekijian

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Cc: haig.manuelian@hklaw.com; Gary Lind-Sinanian
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Thanks
Best regards

Berj Chekijian

617 926-2562 ext. 7

Ariana Gallery
119 South Main
Royal Oak
Michigan 48067
Tel: (248) 546-8810
Fax: (248) 546-6194

July 26, 1999

Gary Lind-Sinanian, Curator
Armenian Library and Museum of America, Inc.
65 Main Street
Watertown, MA 02172

Re: Dr. Jack Kevorkian Exhibition

Dear Gary:

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Please contact me to confirm the proposals listed above.

Received from:

Delivered to:

Ariana Gallery
Ariana Gallery
Armine Keuffler

Hayk Dilanian
Armenian Library &
Museum of America, Inc.

27 July 99

Date

Date

ARIANA Gallery Posters

- 42 ~~#50~~ Nearer My God to Thee
- 49 Away Still Life
- 30 Fever
- 30 Brotherhood
- 45 Gourmet
- 30 Tu Me Is Raised

MIDDLESEX SUPERIOR
COURT

COMMONWEALTH OF MASSACHUSETTS

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X, SS.

**SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO: 11-3635**

1 #ITEMS

**AN LIBRARY AND
OF AMERICA, INC.,**

CLERK A 3374
#01 #0000 11:37

Plaintiff,

v.

MAYER MORGANROTH

Defendant,,

REMOVAL TO U. S. DISTRICT COURT

2

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

ARMENIAN LIBRARY AND MUSEUM OF
AMERICA, INC.,

Plaintiff,

Case No.: 11-

v

Hon.

MAYER MORGANROTH,

Defendant.

Harold W. Potter, Jr.
Attorney for Plaintiff
HOLLAND & KNIGHT
10 St. James Avenue
Boston, MA 02116
617-523-2700

Mayer Morganroth
In Pro Per
344 North Old Woodward Avenue, Suite 200
Birmingham, MI 48009
248-864-4000

retain
 electronic docket in the captioned case
 electronically filed original filed on _____
 original filed in my office on 10/21/11
Sarah A. Thornton
Clerk, U.S. District Court
District of Massachusetts
[Signature]

FILED
IN THE OFFICE OF THE
CLERK OF COURTS
FOR THE COUNTY OF ESSEX
OCT 27 2011
[Signature]
CLERK

**DEFENDANT'S NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF MASSACHUSETTS**

NOW COMES Defendant, Mayer Morganroth (“Morganroth”), *in pro per*, and for his Notice of Removal to the United States District Court for the District of Massachusetts states as follows:

1. On October 13, 2011, Plaintiff, Armenian Library and Museum of America, Inc. (“ALMA”), commenced this action by filing a complaint in the Superior Court of the Commonwealth of Massachusetts, Case No. 11-3635 (the “Complaint”) (attached hereto as Exh. A).

2. Morganroth was served with the Complaint on October 17, 2011.

3. The Complaint sets forth a single claim for a declaratory judgment that ALMA is the owner of certain works of art (including, without limitation, seventeen paintings, writings, musical compositions and some personal effects) created by the late Dr. Jack Kevorkian (the “Kevorkian Art Work”).

4. The value of the Kevorkian Art Work is in excess of \$75,000 thus meeting the jurisdictional requirement of 28 U.S.C. § 1332(a).

5. The instant action also involves a controversy between citizens of different states, to wit,

- a. Plaintiff, ALMA, is incorporated in the Commonwealth of Massachusetts and has its principal place of business in the Commonwealth of Massachusetts; and
- b. Defendant, Morganroth, is a resident of the State of Michigan.

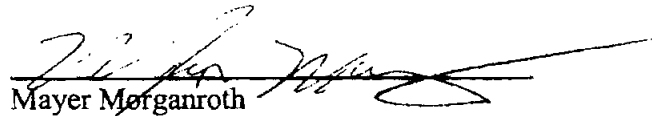
6. This Notice of Removal has been filed with this Court within 30 days after Defendant was served with the Complaint in compliance with 28 U.S.C. § 1446(b).

7. The instant Notice of Removal has been served upon all parties and a copy of this Notice of Removal has been filed with the Superior Court of the Commonwealth of

Massachusetts in accord with 28 U.S.C. § 1446(d).

WHEREFORE, for all the foregoing reasons, Defendant respectfully requests that this Honorable Court enter an order removing this case from the Superior Court of the Commonwealth of Massachusetts to this Court.

Respectfully submitted,



Mayer Morganroth

In Pro Per

344 North Old Woodward Avenue, Suite 200

Birmingham, MI 48009

248-864-4000

mmorganroth@morganrothlaw.com

Dated: October 19, 2011

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

ARMENIAN LIBRARY AND MUSEUM OF
AMERICA, INC.,

Plaintiff,

Case No.: 11-

v

Hon.

MAYER MORGANROTH,

11 CA 11862

Defendant.

Harold W. Potter, Jr.
Attorney for Plaintiff
HOLLAND & KNIGHT
10 St. James Avenue
Boston, MA 02116
617-523-2700

Mayer Morganroth
In Pro Per
344 North Old Woodward Avenue, Suite 200
Birmingham, MI 48009
248-864-4000

**DEFENDANT'S NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF MASSACHUSETTS**

(1)

Mayer Morganroth
344 North Old Woodward Avenue, Suite 200
Birmingham, Michigan 48009

October 19, 2011

VIA FEDERAL EXPRESS

Michael A. Sullivan, Clerk of the Court
Middlesex Superior Court
200 TradeCenter
Woburn, MA 01801

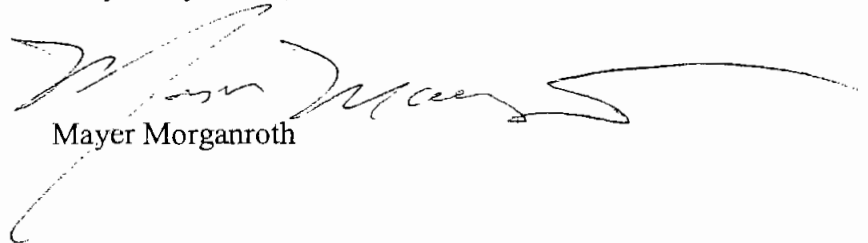
Re: *Armenian Library and Museum of Am v. Morganroth, Case No. 11-3635*

Dear Mr. Sullivan:

Enclosed please find an original and one copy Notice of Filing of Defendant's Notice of Removal to the United States District Court for the District of Massachusetts and Proof of Service in connection with the above-referenced matter.

Kindly process and file in your usual manner and return one time-stamped copy of same me in the enclosed self-addressed stamped envelope. Thank you.

Very Truly Yours,

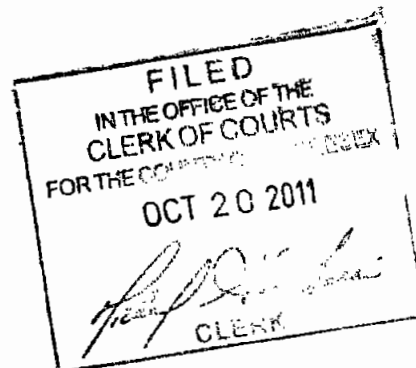


Mayer Morganroth

Encls.

cc: Harold W. Potter, Jr., Esq. (via U.S. mail)

MM/jrh



UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

ARMENIAN LIBRARY AND MUSEUM OF
AMERICA, INC.,

Plaintiff,

Case No.: 11-cv11862

v

Hon. Mark L. Wolf

MAYER MORGANROTH,

Defendant.

Harold W. Potter, Jr.
Attorney for Plaintiff
HOLLAND & KNIGHT
10 St. James Avenue
Boston, MA 02116
617-523-2700

Mayer Morganroth
In Pro Per
344 North Old Woodward Avenue, Suite 200
Birmingham, MI 48009
248-864-4000

PROOF OF SERVICE

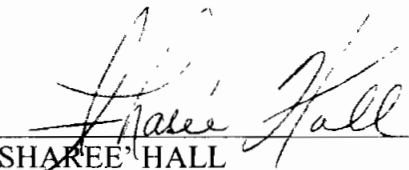
STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

SHAREE' HALL, being first duly sworn, deposes and states that on the 4th day of
November, 2011, she served a copy of the following:

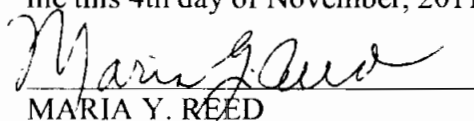
1. Notice of Filing Attested Copies of All Records From the Superior Court of the Commonwealth of Massachusetts Pursuant to Local Rule 81.1(a);
2. Mayer Morganroth's Ex Parte Motion for Leave to Use the Electronic Filing System of This Court; and
3. Proof of Service upon:

Harold W. Potter, Jr.
HOLLAND & KNIGHT
10 St. James Avenue
Boston, MA 02116

by placing same in an envelope addressed to his respective address with sufficient first-class postage affixed thereto and depositing said envelope in the United States mail at Birmingham, Michigan.


SHAREE HALL

Subscribed and sworn to before
me this 4th day of November, 2011


MARIA Y. REED

Notary Public-Wayne County, MI
Acting in Oakland County, MI
My Commission Expires: 12/8/13