

What Happened to \$1.8 Billion in Rubies?

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HOUSTON (CN) - A Seattle businessman claims a Thai abbot entrusted him with five rubies worth \$1.8 billion "that are part of the historical property of the Buddhist people in Thailand," as collateral for loans, and an international crime ring stole the gems with help from Fed Ex and Wells Fargo Bank.

Lawrence Lester and his Decagon Co. sued Wells Fargo Bank, the Gemological Institute of America, Federal Express Custom Critical Division, Eric Jergensen and others in Harris County Court.

"The Thai Artifacts collection consists of five large mine-cut ruby stones that are part of the historical property of the Buddhist people in Thailand," according to the complaint. "The Artifacts were entrusted to Lawrence J. Lester ... in 2001 by Abbott Phra Sirichaisophon, Chief Abbott of Wat Chaiyapruksamala, Rajvoraviharn, located in Bangkok, Thailand.

"The intent of the transfer was to allow the Artifacts to be used to develop and secure funds for project developments in Thailand and the United States.

"The original transfer of the collection was accomplished by a Power of Administration.

"After several years of effort, Lester found that he could not work out any kind of collateral or credit transaction unless formal title to the Thai Artifacts was given to Decagon Company Limited (the company to in which Lester is an executive officer.)

"Therefore, in 2009 the Abbott of the Buddhist group issued a transfer of title to Decagon Company Limited (Decagon) so that ownership would comply with banking policies requiring ownership as a condition to legally encumbering such asset." (Parentheses in original.)

The complaint does not explain Lester's relationship, if any, to the Thai Buddhists.

Lester claims that "between 2001 and 2010, Decagon, at its expense, protected the collection and maintained it either in a bank security vault under lawyer safekeeping or, beginning in 2008, under vault-certified safekeeping within the Sarasota Vault Depository in Florida."

Lester adds: "In September 2010, Decagon was approached by a company known as [defendant] Verdant Technology Solutions LLC, headed by [defendants] Eric Jergensen and Barbara Guibord and others, who represented to Lester and Decagon that they had an existing and proven relationship with a financially qualified lender who could provide Decagon with a loan against the Thai Artifacts.

"This loan was to be accomplished by the lender promptly upon completion of a GIA analysis of the collection with subsequent valuation by the Lender's gemstone expert."

Lester says the parties executed a deal to begin the funding process on Oct. 14, 2010. He says that "to protect Decagon's interests" the deal included an amendment that "made it clear that the title to the Thai Artifacts would, at all times, remain in Decagon and would in no way be compromised."

Verdant Technologies then arranged for Lester to travel from Seattle to Sarasota, Fla., so he could get the rubies out of the vault and prepare them for transport to the Gemological Institute of America in New York for appraisal, according to the complaint.

"The movement was processed by the Custom Critical Division of Federal Express. The Federal Express driver met Lester at the Sarasota Vault facility on 29 November 2010 and transported the collection from there to the GIA Laboratory in New York City with delivery on 30 November 2010.

"As required by the GIA's common practice and policy, Decagon was instructed to file a client agreement with GIA and to include with the agreement the documents that accompanied the shipment from Sarasota," the complaint states.

"The agreement did not nominate or list any persons or entity, other than Decagon, as agent or owner of the Thai Artifacts. Nor did Decagon or Lester give any third party authority to do anything with the Thai Artifacts other than what Decagon expressly permitted."

Lester says the Gemological Institute analyzed the rubies and prepared reports for each, which "were apparently delivered to Verdant" on Dec. 13, 2010.

"Sometime between 13 to 18 December 2010, Jergensen or his team was able to wrongly convince GIA to release the Thai Artifacts to them and to defendant Fed Ex and had the stones moved from GIA in New York to Wells Fargo Bank in Rosenberg, Texas," the complaint states.

"Plaintiffs were advised on or about 18 December 2010 that this had occurred. Plaintiffs demanded information regarding the bank location and custodial data but this information has never been provided to plaintiffs.

"Plaintiffs demanded return of their property (the Thai Artifacts) and were met with the excuse that the 'expert' of Verdant would be arriving in Houston and the process of funding the loan was well underway. All this has turned out to be false.

"Since the delivery of the Thai Artifacts to the Wells Fargo Bank in Rosenberg, plaintiffs have requested the return of their property and information allowing them to contact with the custodial bank but those efforts have produced no results. Plaintiffs have been given excuses and delays, yet the Thai Artifacts remain in an unknown location and plaintiffs have been denied information and access by Jergensen, the alleged lender, and all the other defendants.

"Plaintiffs now have reason to believe that the 'lender' is a recognized group that deals with international criminal activity that has reportedly converted the property of others and is well known to the international authorities. Plaintiffs have also been told that this criminal undertaking has falsely advised certain banking officials that it is the legal owner of the Thai Artifacts, that Decagon is no longer involved as owner and that Decagon has been compensated for the alleged sale, all which is false.

"Decagon categorically denies any sale or intent to sell the Thai Artifacts, Decagon also denies that the absolute title to the Artifacts has in any way been impugned. Decagon would never knowingly place these Artifacts in harm's way. As a matter of policy, the Thai Artifacts are absolutely not for sale, at any price."

Lester says he has been working with GIA in New York to figure out how the rubies were moved from its facilities, and who authorized it.

"GIA has provided a copy of a waybill from Federal Express Custom Critical showing the Artifacts were shipped from the GIA on 17 December 2010 and were delivered to a Wells Fargo Bank in Rosenberg, Texas, consigned to the attention of Aracely Seanz. However, the waybill shows delivery was in violation of the express terms of the waybill, made to a Dr. Meguid who, plaintiffs believe, is the director of Selippos Technical Limited, the firm that purported to be financially qualified to make a loan to Decagon.

"Plaintiffs do not know if Dr. Meguid is an officer of Wells Fargo Bank, so plaintiffs hope that Wells Fargo still has the Thai Artifacts in safekeeping at the bank. However, it is possible that Wells Fargo Bank improperly allowed release of plaintiffs' property to a person outside the bank, clearly in violation of plaintiffs' rights as owners of the Thai Artifacts and in conflict with the waybill instructions. Thus, it appears that Fed Ex's employees wrongfully delivered the Thai Artifacts to a 'Dr. Meguid' instead of to the bank officer, Aracely Seanz."

Lester says he is working with GIA officials to get an official affidavit "confirming that, according to their records, the collection was removed from their facility without the knowledge or consent of Decagon or Mr. Lester, and all activities related to the account were apparently wrongfully directed by Mr. Eric Jergensen."

Lester says he "contacted Federal Express Custom Critical and spoke with Joenne in the A/R department regarding the move from New York to Texas. She confirmed that the order for the move was made by Mr. Eric Jergensen and the billing for the service was paid by his company which is known as Contour Composites, located in Woods Cross, Utah."

Lester seeks a temporary restraining order "ordering any person or entity who has possession of any or more of the Thai Artifacts ... not to move or dispose of such Artifacts in any way but to preserve and retain them until the Court can make arrangements for their safekeeping pursuant to further orders from the Court."

He also seeks \$500 million in punitive damages, and a determination that Decagon owns the rubies.

Also named as defendants are, Aracely Saenz, Dr. Meguid, Jergensen's company Contour Composites, Selippos Technical Limited, Dr. Debashis ("Deba") Ghosh and Joseph Homsy.

Lester is represented by Benton Musslewhite.