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FEDERAL BUREAU OF INVESTIGATION  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

FILED

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
PHILIP RIGHTER,  
Defendant.

CR NO. **200CR00131** - PSG

I N F O R M A T I O N

[18 U.S.C. § 1343: Wire Fraud; 18 U.S.C. § 1028A(a)(1): Aggravated Identity Theft; 26 U.S.C. § 7206(1): Subscribing to a False Tax Return]

The United States Attorney charges:

COUNT ONE

[18 U.S.C. § 1343]

A. THE SCHEME TO DEFRAUD

1. Beginning before 2016 and continuing until at least June 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendant PHILIP RIGHTER, knowingly and with the intent to defraud, devised, participated in, executed, and attempted to execute a scheme to defraud as to material matters, and to obtain money and property by means of material false and fraudulent pretenses, representations, promises, and the concealment of material facts.

1 B. THE MANNER AND MEANS OF THE SCHEME TO DEFRAUD

2 2. The scheme to defraud operated, in substance, in the  
3 following manner:

4 a. Defendant RIGHTER sold, or attempted to sell,  
5 fraudulent art, or used fraudulent art as collateral to obtain, or  
6 attempt to obtain, loans on which he then defaulted. Defendant  
7 RIGHTER's scheme involved artwork that he claimed and represented  
8 were genuine pieces created by Jean-Michel Basquiat, Keith Haring,  
9 Roy Lichtenstein, Kurt Schwitters, Andy Warhol, and others when, in  
10 fact, the artwork was not created by these artists and instead was  
11 fraudulent and had little or no value.

12 b. Before August 15, 2016, defendant RIGHTER generally  
13 conducted these fraudulent transactions in his own name. On that  
14 date, however, an agent from the Federal Bureau of Investigation and  
15 a detective from the Los Angeles Police Department interviewed  
16 defendant RIGHTER about fraudulent Keith Haring art that he had  
17 attempted to sell to a Miami gallery and warned defendant RIGHTER  
18 about selling fraudulent art. After that interview, defendant  
19 RIGHTER continued to engage in the same type of fraudulent  
20 transactions, but generally in the names of other people.

21 c. Shortly before that interview, in July 2016, defendant  
22 RIGHTER had ordered stamps which appeared as if they were authentic  
23 stamps of "The Authentication Committee of the Estate of Jean-Michel  
24 Basquiat" and "The Estate of Keith Haring, Seal of Authenticity."

25 d. To make his fake artwork appear authentic, defendant  
26 RIGHTER used these stamps on provenance documents that he created.  
27 As to the fake Basquiat artwork, defendant RIGHTER also created  
28 fraudulent gallery labels falsely identifying pieces as having been

1 purchased from the Annina Nosei Gallery (a legitimate gallery for  
2 Basquiat art).

3 e. Through these fraudulent provenance documents that  
4 defendant RIGHTER created and knew were fraudulent, defendant RIGHTER  
5 caused victims to believe that the artwork was legitimate in order to  
6 (1) sell the fake artwork to victims; and (2) use the artwork as  
7 collateral to obtain loans that defendant RIGHTER would not pay back.

8 f. In total, defendant RIGHTER's fraudulent scheme caused  
9 an actual loss of at least \$758,265, and had an intended loss of at  
10 least \$5,656,500.

11 C. USE OF THE WIRES

12 3. On or about August 2, 2017, defendant RIGHTER, in the name  
13 of K.B., within the Central District of California, and elsewhere,  
14 for the purpose of executing the above-described scheme to defraud,  
15 caused the transmission by means of wire communication in interstate  
16 and foreign commerce of a payment for approximately \$37,970 from the  
17 art sale website, A.B., when defendant RIGHTER sold what he claimed  
18 was a 1983 piece of art by Basquiat with the word "Samo" on the  
19 artwork, when, in fact, defendant RIGHTER knew the piece was fake,  
20 had not been created by Basquiat, and had little or no value.

COUNT TWO

[18 U.S.C. § 1028A(a)(1)]

On or about August 2, 2017, in Los Angeles County, within the Central District of California, and elsewhere, defendant PHILIP RIGHTER knowingly possessed and used, without lawful authority, means of identification that defendant RIGHTER knew belonged to another person, namely, the name and signature of Gerard Basquiat, the previous Administrator of the Estate of Jean-Michel Basquiat, on fraudulent provenance documents for artwork purportedly created by Jean-Michel Basquiat, during and in relation to the offense of Wire Fraud, a felony violation of Title 18, United States Code, Section 1343, as charged in Count One of this Information.

COUNT THREE

[26 U.S.C. § 7206(1)]


On or about February 26, 2016, in Los Angeles County, within the Central District of California, and elsewhere, defendant PHILIP RIGHTER willfully made and subscribed to a materially false Amended United States Income Tax Return, Form 1040X, for the tax year 2015, which was verified by written declaration that it was made under the penalty of perjury, which was filed with the Internal Revenue Service, and which defendant RIGHTER did not believe to be true and correct as to every material matter; specifically, on such Form 1040X, defendant RIGHTER claimed a false casualty and theft loss of

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1 \$2,575,000 related to artwork that he claimed had been stolen, when  
2 in fact, as defendant RIGHTER then knew, the artwork was fraudulent  
3 and had little or no value, and he was not entitled to claim that  
4 loss.

5  
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8   
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