

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Case No. 11-2012

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ANCIENT COIN COLLECTORS GUILD,	:
Plaintiffs,	:
	: MOTION BY
v.	: PROFESSIONAL
	: NUMISMATISTS GUILD, INC.
UNITED STATES CUSTOMS AND	: FOR LEAVE TO FILE
BORDER PROTECTION, et al.,	: AMICUS CURIAE BRIEF
	:
Defendants.	:
-----X	

The Professional Numismatists Guild ("PNG") respectfully moves that it be permitted to file an *amicus curiae* brief in this case.

GROUND FOR MOTION

PNG is the leading association of rare coin dealers and auction houses in the United States, and was incorporated in 1955 as a non-profit organization under section 501(c)(6) of the Internal Revenue Code. PNG's headquarters is in Temecula, California. PNG's 300+ members include nearly all major U.S. rare coin dealers and auction houses, and several non-U.S. dealers who do business with U.S. customers.

An *amicus curiae* brief is desirable to insure that the issues in this case are fully developed. Neither the Plaintiffs, who represent the interests of individual coin collectors, nor the U.S. Government, exactly represents the interests of numismatic dealers and auction houses, at least not in the same manner as does PNG. PNG has greater familiarity with the effect upon the numismatic marketplace of the Court's ruling on the pending appeal, as well as the commercial realities underlying Congress' enactment of the Convention on Cultural Property Implementation Act (CPIA).

The District Court's ruling misapplies the applicable law such that dealers acquiring older coins fitting a foreign country's definition of "cultural property" now fear loss of their property at the U.S. border because of the possibility that the Government would treat a failure to establish an original "find site" as tantamount to an admission that the items were looted and, therefore, subject to seizure under the CPIA. This fear, in turn, impacts the ability and willingness of U.S. dealers to acquire such coins either outside the U.S. or from non-U.S. sources. The relevant arguments are presented in the attached Brief.

Therefore, PNG's ability to present its point of view on these issues is essential to preserving its ability to effectively represent the interests of professional numismatists affected by a decision in this case.

CONCLUSION

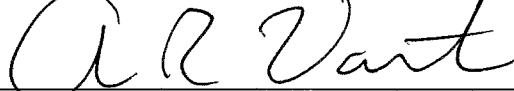
For the foregoing reasons, PNG respectfully requests that its motion for leave to file an *amicus curiae* brief be granted.

CONSENTS

Appellant ACCG has consented to this filing, but the Appellees have refused to consent.

Dated: November 3, 2011

LAW OFFICES OF ARMEN R. VARTIAN

By:  _____

Armen R. Vartian
Attorney for amicus curiae Professional
Numismatists Guild, Inc.
1601 N. Sepulveda Blvd. #581
Manhattan Beach, CA 90266
(310) 372-1355