

2017 PLANNED GIVING DAY CONFERENCE

Session IV – *Tales from the Trenches Experiences and Lessons Learned*
Charles Sterne III, Curtis Institute of Music

A Challenging Situation for a Charitable Gift Planner
Saga of the Missing Violin (as of October 6, 2017)

In June 2017, we received the following message:

Dear Curtis Institute of Music Planned Giving,

Our firm is now the acting Power of Attorney for Rick Deckard of Seattle, Washington. We are working to verify his charitable giving for the past 3 years for his tax records as well as document any planned giving pledges he may have made. You recently sent him a thumb drive as a “Founder’s Society Member” which is the impetus for my inquiry.

Any information you can provide us on his history of giving is appreciated, please feel free to contact me with any questions.

Best regard,

BACKGROUND

Dr. Rick Deckard (not his real name), now 79 years of age, is a retired physician who studied at Princeton and Columbia. He was also a talented violinist. In the 1970s, he purchased several fine violins and bows from William Moennig & Son, a world-class violin shop in Philadelphia which (sadly) closed its doors in 2010.

In 2013, when he was 75 years old, Dr. Deckard confirmed to us that a recently signed will bequeathed two violins to Curtis for the use of its violin students. Together, his Stradavarius violin, and his Gasparo Bertolotti 'da Salò violin were then worth about \$3 million. We kept good notes from our phone conversation with Dr. Decker, and followed up with a call to the former Moennig employee familiar with the two violins and their owner.

We mailed Dr. Decker an acknowledgement letter expressing our gratitude and welcomed him to Curtis’s legacy society, the Founder’s Society. As a member of our Founder’s Society, he received occasional correspondence, our semi-annual magazine, *Overtones*, a card each year on his birthday, and in April 2017, a small “thumb drive” mailed to all Founder’s Society members.

OUR RESPONSE

In response to June 2017 message from the attorney-in-fact, I provided a summary of my 2013 telephone conversation with Dr. Decker and proposed that the violins and bows be gifted to Curtis during his lifetime. The substance of my request was as follows:

With all due respect, I suggest that if, in fact, Dr. Deckard's testamentary documents bequeath the violins and bows to Curtis, and if your power of attorney empowers you to do so, you may want to consider having them appraised again, and transferring ownership to Curtis during Dr. Deckard's lifetime. It would be extremely beneficial for the violins to be played (keeping them in a closet, or a vault, un-played, is not good for them), it would relieve Dr. Deckard from insuring them, it would reduce eventual estate administration expenses considerably, and there would be a charitable income tax deduction available that might reduce Dr. Deckard's taxes. Thank you for giving this your careful consideration. I look forward to hearing from you.

We did not hear back from the attorney-in-fact for several months. Then, in September, I received a disturbing message:

Dear Chuck,

In follow up to our correspondence about Dr. Deckard's violins, we wanted to update you on his Gasparo de Salo. Soon after coming on board as Dr. Deckard's Attorney-in-Fact, we worked to marshal and secure his assets including the two violins he was known to possess. After an exhaustive search we are unable to locate the Gasparo de Salo which is, in part, why we originally reached out to you. We were hopeful that, perhaps, Dr. Deckard had completed a gift to you of the violin. He is unable to recall any information on its location.

We have been in touch with a musician that often borrowed the instrument but she last used it in 2015 and stated that Dr. Deckard retrieved the instrument at that time. We have no reason not to believe her, and there is no record of its location since that time. We have been in touch with all known associates and friends, and have alerted a number of local violin shops, but no one claims to have seen the violin in the last few years. We filed a police report and have been working with Dr. Deckard's insurance company, but with so little to go on, the insurance company is treating the violin as simply "missing" at this point. We are very hopeful that Dr. Deckard loaned it out and that person may not realize we are looking for the violin.

We would welcome any assistance you can give us in our search for the violin. If you have any insights or contacts that may help us with the retrieval of this valuable asset, please let me know.

We have placed the Stradivarius violin in a local, secure storage facility that specializes in securing artwork and other objects of high value, so that is effectively secured.

How would you turn this challenging situation into a successful result?