

# CPM client's lawsuit alleges rare World War II tank in Portola Valley bought for \$2.5 million was never delivered

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Commercial Litigation

A company headed by Microsoft co-founder Paul Allen is suing two foundations and an auction house for allegedly failing to deliver a World War II German Panzer IV Tank purchased for \$2.5 million but still sitting in a Portola Valley facility.

The complaint on behalf of Allen's company, Vulcan Warbirds, Inc., was filed Wednesday in San Mateo County Superior Court by lawyers with the San Francisco firm Cotchett, Pitre & McCarthy, LLP.

Seattle-based Vulcan Warbirds acquires rare military vehicles and planes and leases them to the Flying Heritage Collection, a museum located in Everett, Wash., according to the suit.

In July, Vulcan Warbirds representatives discovered that a rare Panzer IV Tank that had been part of Stanford graduate Jacques Littlefield's collection would be auctioned off at the Military Vehicle Technology Foundation in Portola Valley. The historic artifact was valued at \$2.5 million.

On July 11 and 12, items from the Littlefield collection were auctioned off through Auctions America, but a \$1.5 million bid from Vulcan Warbirds representative Deborah Gunn and a \$1.7 million bid from an unnamed organization were not accepted, according to the suit.

After the auction, Gunn asked a woman helping to conduct the auction, Megan Boyd, whether the Collings Foundation would be willing to sell the Panzer IV tank, according to the suit. The Collings Foundation, which also collects historical artifacts, received the Littlefield collection after Jacques Littlefield died. Boyd works for RM, Inc., which is affiliated with Auctions America.

## CPM CLIENT'S LAWSUIT ALLEGES RARE WORLD WAR II TANK IN PORTOLA VALLEY BOUGHT FOR \$2.5 MILLION WAS NEVER DELIVERED

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On July 18, Boyd, acting on behalf of the Collings Foundation, sent Gunn an email offering the Panzer IV Tank to Vulcan Warbirds for \$2.5 million, according to the suit. On July 25, Vulcan Warbirds wired the money for the tank to the bank account of Auctions America. In August, however, Vulcan Warbirds learned that the tank, which still sits in Portola Valley, would not be released.

In an Aug. 20 email to Auctions America representatives, Gunn stated that Vulcan Warbirds learned from the executive director of the Flying Heritage Collection that Rob Collings, the CEO of the Collings Foundation, claimed the foundation had not meant to sell the Panzer IV Tank and there had been a "misunderstanding."

The suit alleges breach of contract and names the Military Vehicle Technology Foundation, the Collings Foundation, RM Inc., and Auctions America as defendants. It seeks to obtain the Panzer IV Tank, as well as damages and attorneys fees.

In a phone interview Thursday, Rob Collings said any deal made after the auction ended isn't valid.

"We never sold it," Collings said. "It's my understanding that Auctions America tried to return the money. Collings Foundation has not received any of this, not the \$2.5 million. We would not accept it."... (To read the entire article, please click [HERE](#))