**UNITED STATES DISTRICT COURT**
**FOR THE SOUTHERN DISTRICT OF NEW YORK**

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| THE HENRI STERN WATCH AGENCY, INC.,<br><br>Plaintiff,<br><br>v.<br><br>ENRICO BARTOLOTTI and STUART LEITCH,<br><br>Defendants. | Civil Action<br><br>Case No.: 1:26-cv-7044<br><br>**COMPLAINT FOR INTERPLEADER** |

Plaintiff, The Henri Stern Watch Agency, Inc. ("Plaintiff"), by and through its undersigned counsel, alleges as follows:

## NATURE OF THE ACTION

1. This is an interpleader action brought pursuant to 28 U.S.C. § 1335 and Rule 22 of the Federal Rules of Civil Procedure.

2. Plaintiff is in possession of property valued at greater than $500 to which two Defendants claim the right of possession and ownership. More specifically, the property is a Patek Philippe Aquanaut Reference 5065/1A watch, with Movement Number 3249550 and Case Number 4139498 (the "Timepiece").

3. Plaintiff seeks an Order permitting it to retain the Timepiece in its secure New York City vault pending resolution of ownership by the Court and discharging Plaintiff from liability.

## JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1335, because two adverse claimants of diverse citizenship claim entitlement to possession of property valued at more than $500.

5. Venue is proper in the Southern District of New York pursuant to 28 U.S.C. § 1397 because Plaintiff is located within this district and the Timepiece is currently located within this district.

## PARTIES

6. Plaintiff, The Henri Stern Watch Agency, Inc., is a corporation organized under the laws of New York with a principal place of business located at 45 Rockefeller Plaza, Suite 401, New York, New York 10111.

7. Upon information and belief, Defendant Enrico Bartolotti ("Bartolotti") is a citizen of Switzerland and resides at Chemin de la Florence 10, 10208 Geneva, Switzerland.

8. Upon information and belief, Defendant Stuart Leitch ("Leitch") is a resident of New York, with an address at 92 Horatio St, Apt 4G, New York, New York 10014.

## STATEMENT OF FACTS

9. Upon information and belief, several years ago, Bartolotti received the Timepiece from his parents.

10. On November 21, 2025, Bartolotti reported to the Paris, France Police Department that the Timepiece had been stolen from him.

11. Soon thereafter, Bartolotti notified Patek Philippe SA Geneve ("Patek Philippe") that the Timepiece had been stolen.

12. Upon information and belief, in or around March 20, 2026, Leitch purchased the Timepiece in good faith from a watch dealer in New York City.

13. Subsequently, Leitch, via Wempe Jewelers, sent the Timepiece to Plaintiff in New York for service and repair.

14. Henri Stern is the only authorized service provider of Patek Philippe watches in the United States.

15. Following receipt of the Timepiece, Henri Stern performed a search of Patek Philippe's stolen property records and learned that the Timepiece had been reported stolen by Bartolotti in 2025.

16. Henri Stern has a policy not to perform repair services on any Patek Philippe timepiece reported as having been stolen.

17. On or about July 8, 2026, Plaintiff, via its counsel, advised both Bartolotti and Leitch of the competing ownership claims.

18. Plaintiff requested both parties to confirm that they each maintained the right to ownership and possession of the Timepiece and to provide evidence or documentation supporting their respective claims of ownership.

19. In response, Defendant Bartolotti reiterated his position that he was entitled to possession of the Timepiece.

20. Similarly, Defendant Leitch asserted a claim to ownership and possession of the Timepiece, asserting that he purchased the watch in good faith from a watch dealer in New York.

21. Bartolotti and Leitch each have asserted claims to ownership and possession of the Timepiece.

22. Plaintiff has no ownership interest in the Timepiece and holds it solely as a neutral stakeholder.

23. Plaintiff faces the risk of multiple or inconsistent liability if it surrenders the Timepiece to one claimant, as the other claimant may assert claims against Plaintiff for wrongful conversion.

24. Plaintiff currently holds, and is willing to retain, the Timepiece in a secure location in New York City pending this Court's resolution of the competing ownership claims.

**COUNT I**
**Interpleader Pursuant to 28 U.S.C. § 1335 and Fed. R. Civ. P. Rule 22**
**(against all Defendants)**

25. Plaintiff repeats and realleges the allegations set forth in the previous paragraphs as if fully set forth herein.

26. Plaintiff is in possession of the Timepiece, having been sent the Timepiece by Defendant Leitch to perform repairs. The Timepiece is currently held by Plaintiff in its secure

vault in New York City.

27. Defendants have each represented and claimed to be entitled to possession of the Timepiece and have requested Henri Stern to turnover the Timepiece to that Defendant.

28. The claims of Bartolotti and Leitch are adverse to each other, as each asserts exclusive ownership and right to possession of the Timepiece.

29. Plaintiff has no ownership claim to the Timepiece and seeks only for the Court to determine the rightful owner so that it may discharge its obligations as bailee.

30. Plaintiff has no financial interest in the outcome of the ownership dispute between the claimants.

31. Plaintiff is willing to retain the Timepiece in its secure facility located in New York City pending the Court's determination of ownership.

32. Plaintiff seeks to be discharged from all liability regarding the Timepiece upon delivery of the Timepiece to the rightful owner as determined by the Court.

## PRAYER FOR RELIEF

**WHEREFORE**, Plaintiff respectfully requests that this Court:

A. Issue an order pursuant to 28 U.S.C. § 1335 and Fed. R. Civ. P. Rule 22 permitting Plaintiff to retain the Patek Philippe Aquanaut Reference 5065/1A watch, with Movement Number 3249550 and Case Number 4139498 in Plaintiff's secure vault pending determination of ownership by the Court;

B. Issue an order pursuant to 28 U.S.C. § 2361 restraining Defendants Enrico Bartolotti and Stuart Leitch from instituting or prosecuting any proceeding in any state or federal court affecting the disputed Timepiece until this Court determines ownership;

C. Enter a declaratory judgment pursuant to 28 U.S.C. § 2201 determining which Defendant is the rightful owner of the Timepiece and entitled to possession;

D. Order that the Defendant determined by the Court to be the rightful owner be allowed to take possession of the Timepiece from Plaintiff at its New York offices;

E. Discharge Plaintiff from all liability regarding the Timepiece upon delivery of the Timepiece to the rightful owner as determined by this Court;

F. Award Plaintiff its reasonable costs and attorneys' fees incurred in bringing this interpleader action; and

G. Grant such other and further relief as the Court deems just and proper pursuant to 28 U.S.C. § 2202.

Respectfully submitted,

**GENOVA BURNS, LLP**

By: *s/Michael H. Freeman*

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Dated: August 18, 2026

**CERTIFICATION**

Pursuant to Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

Dated: August 18, 2026

**GENOVA BURNS LLP**

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