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THE BOARD OF TRUSTEES OF THE
7 LELAND STANFORD JUNIOR UNIVERSITY

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11
12 **FILED** **CV 13-04383 HRL**
THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
13 UNIVERSITY,

14 Plaintiff,

15 vs.

16 Chiang Fang Chi-yi, an Individual; Chiang
Yo-mei, an Individual; Chiang Hsiao-chang,
17 an Individual; Chiang Tsai Hui-mei, an
Individual; Chiang Yu-sung, an Individual;
18 Chiang Yo-lan, an Individual; Chiang Yo-bo
an Individual; Chiang Yo-chang, an
19 Individual; Chiang Yo-ching, an Individual;
and Chungyan Chan, an Individual,

20 Defendants.
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**THE BOARD OF TRUSTEES OF
THE LELAND STANFORD JUNIOR
UNIVERSITY'S COMPLAINT IN
INTERPLEADER**

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23 Plaintiff The Board of Trustees of the Leland Stanford Junior University

24 ("Stanford" or "Plaintiff") respectfully alleges that a dispute has developed between and
25 amongst the various Defendants Chiang Fang Chi-yi, Chiang Yo-mei, Chiang Hsiao-chang,
26 Chiang Tsai Hui-mei, Chiang Yu-sung, Chiang Yo-lan, Chiang Yo-bo, Chiang Yo-chang,
27 Chiang Yo-ching and Chungyan Chan. Despite Stanford's significant efforts to find a
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1 resolution to the future treatment of the diaries and papers of Chiang Kai-shek and Chiang
2 Ching-kuo, it has been unable to find a solution acceptable to all claimants and thus files
3 this action and alleges as follows:

4 **INTRODUCTION**

- 5 1. Stanford is recognized as one of the world's leading research and teaching
6 institutions.
- 7 2. Stanford was founded to promote the public welfare by exercising an influence
8 on behalf of humanity and civilization.
- 9 3. Founded in 1891, over a century later, Stanford remains dedicated to finding
10 solutions to the great challenges of the day and to preparing its students for
11 leadership in today's complex world.
- 12 4. The Hoover Institution ("Hoover") is part of Stanford.
- 13 5. Hoover is a public policy research center devoted to advanced study of politics,
14 economics, and political economy—both domestic and foreign—as well as
15 international affairs. With its world-renowned group of scholars and ongoing
16 programs of policy-oriented research, Hoover puts its accumulated knowledge to
17 work as a prominent contributor to the world marketplace of ideas defining a
18 free society.
- 19 6. Consistent with this, the mission statement of Hoover states in part "The overall
20 mission of this Institution is, from its records, to recall the voice of experience
21 against the making of war, and by the study of these records and their
22 publication, to recall man's endeavors to make and preserve peace."
- 23 7. The Hoover Institution Library and Archives, with their vast original
24 documentation on modern history, are a core component of Hoover.
- 25 8. Part of the Hoover Institution Archives is the East Asia Collection, which
26 includes private papers donated or deposited by former national leaders, public
27 servants, military personnel, and others from Japan, China, Taiwan, Hong Kong,
28 Korea, and other parts of East Asia.

- 1 9. Part of the East Asia Collection is the China Collection. Hoover holds one of
2 the world's largest collections relating to the Chinese Nationalist Party (KMT)
3 and its leaders outside Taiwan, and one of the world's largest collections
4 relating to the Chinese Communist Party political movement outside China. It is
5 home to hundreds of rare pre-1949 Chinese publications that barely exist in
6 present-day China; and the personal papers of numerous crucial modern Chinese
7 leaders such as T. V. Soong, H. H. Kung, Kia-ngau Chang, W. W. Yen, and
8 Victor Hoo. It is also home to numerous personal papers of U.S. military and
9 political leaders deeply involved in modern China, such as Joseph Stilwell,
10 Albert Wedemeyer, Lauchlin Currie, and Claire Chennault.
- 11 10. Given the China Collection's variety, its complementarities (having both
12 Kuomintang and Chinese Communist records), and its significance (holding the
13 papers of the great families in modern China), the Hoover Archives has become
14 one of the world's most influential hubs for modern and contemporary Chinese
15 studies.

16 THE CHIANG DEPOSIT

- 17 11. Chiang Kai-shek was a 20th Century Chinese political and military leader. He
18 ruled mainland China for 22 years, and Taiwan for an additional 26 years.
- 19 12. Chiang Ching-kuo was a Chinese politician and leader, and was the son of
20 President Chiang Kai-shek. He succeeded his father to serve as Premier of the
21 Republic of China between 1972 and 1978, and was the President of the
22 Republic of China from 1978 until his death in 1988.
- 23 13. On information and belief, Chiang Kai-shek created personal diaries from at
24 least 1917 to 1972.
- 25 14. On information and belief, Chiang Ching-kuo created personal diaries from
26 1937 to 1979.
- 27 15. On information and belief, after Chiang Kai-shek's death on April 5, 1975, his
28 personal diaries and other papers were given directly to his son, Chiang Ching-

1 kuo. After Chiang Ching-kuo's death these papers, along with his own diaries
2 and papers (hereinafter collectively "the Deposit"), ended up in the possession
3 of Chiang Ching-kuo's youngest son, Eddie Chiang Hsiao-yung, the late
4 husband of Defendant Chiang Fang Chi-yi.

5 16. On information and belief, upon the death of Eddie Chiang Hsiao-yung the
6 Deposit was given to Defendant Chiang Fang Chi-yi.

7 17. On information and belief, due to Hoover's reputation, as described in part
8 above, the Deposit was loaned to Hoover in or about December 2004 by
9 Defendant Chiang Fang Chi-yi. The Deposit includes approximately 51 boxes
10 of materials with hundreds of thousands of pages of materials in it.

11 18. Throughout the entire period that the Deposit has been at Hoover, Hoover has
12 respected the value of the Deposit and complied with all instructions received
13 from Defendant Chiang Fang Chi-yi regarding making available for scholarly
14 study and review the various materials in the Deposit; and in accord with
15 standard archival practice, has maintained the Deposit in a room under
16 temperature and humidity controls.

17 19. Consistent with the agreement between Hoover and Ms. Chiang, Hoover has
18 facilitated the scholarly study from redacted copies of the diaries of Chiang Kai-
19 shek to hundreds of persons. During any given month scores of persons come to
20 Hoover for the specific purpose of studying these diaries. Hoover has been very
21 proud, and humbled, in its role of disseminating this knowledge to the world.

22 THE PARTIES

23 20. Stanford's principal place of business is Stanford, California.

24 21. On information and belief, Defendant Chiang Fang Chi-yi (also known as
25 "Elizabeth Chiang") is a resident of Taiwan, has a home in Contra Costa
26 County, California, and is the daughter-in-law of Chiang Ching-kuo.

1 22. On information and belief, Defendant Chiang Yo-mei (also known as “Yo-Mei
2 Chiang”) is a resident of the United Kingdom and the granddaughter of Chiang
3 Ching-kuo.

4 23. On information and belief, Defendant Chiang Hsiao-chang (also known as
5 “Amy Chiang”) is a resident of Alameda County, California, and the daughter of
6 Chiang Ching-kuo.

7 24. On information and belief, Defendant Chiang Tsai Hui-mei (also known as
8 “Michelle Chiang”) is a resident of Taiwan and the daughter-in-law of Chiang
9 Ching-kuo.

10 25. On information and belief, Defendant Chiang Yu-sung (also known as
11 “Jonathan Chiang”) is a resident of Taiwan and the grandson of Chiang Ching-
12 kuo.

13 26. On information and belief, Defendant Chiang Yo-lan is a resident of Taiwan
14 (presently living in Hong Kong) and the granddaughter of Chiang Ching-kuo.

15 27. On information and belief, Defendant Chiang Yo-bo (also known as “Demos
16 Chiang”) is a resident of Taiwan and the grandson of Chiang Ching-kuo.

17 28. On information and belief, Defendant Chiang Yo-chang (also known as
18 “Edward Chiang”) is a resident of Taiwan and the grandson of Chiang Ching-
19 kuo.

20 29. On information and belief, Defendant Chiang Yo-ching (also known as
21 “Andrew Chiang”) is a resident of Taiwan and the grandson of Chiang Ching-
22 kuo.

23 30. On information and belief, Defendant Chungyan Chan (also known as “James
24 Chan”) is a resident of Shanghai, the People’s Republic of China, and claims to
25 be the grandson of Chiang Kai-shek.

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JURISDICTION AND VENUE

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2 31. This Court has subject matter jurisdiction over this action based on 28 U.S.C.
3 §1335. Stanford has physical custody of the Deposit, which is property valued
4 at over \$500, and two or more adverse claimants, of diverse citizenship, are
5 claiming or may claim to be entitled to such property.
6 32. Upon information and belief, the claimants are residents of California, Taiwan,
7 the United Kingdom and the People's Republic of China.
8 33. Venue is proper in this district as the property in question is located at Stanford
9 University in Stanford, California, which is located in this District.
10 34. Venue is proper in this district pursuant to 28 U.S.C. §1397 as Defendant
11 Chiang Hsiao-chang is a resident of this District.

FIRST CLAIM FOR RELIEF

(Interpleader)

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14 35. Plaintiff repeats the allegations in paragraphs 1 through 34 and incorporates
15 them by reference as if fully set forth herein.
16 36. On or about December 2004, Plaintiff came into physical custody of the
17 Deposit.
18 37. Since receiving the Deposit, at different times Plaintiff has received claims of
19 ownership to the Deposit, or parts of it, from each of the Defendants.
20 38. Although Plaintiff has not directly received any claims of ownership of any part
21 of the Deposit from any other person or entity other than those listed as a
22 Defendant herein, Plaintiff is aware that other persons or entities may claim an
23 ownership interest in the Deposit or parts thereof.
24 39. Plaintiff has been unable to substantiate the validity of each of these claims and
25 as such, Plaintiff is unable to determine whether any particular Defendant or any
26 other person or entity has any colorable claim of ownership to the different
27 materials in the Deposit.
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40. Though Plaintiff has literally spent hundreds of hours attempting to resolve the dispute amongst the Defendants, presently Plaintiff has been given differing instructions regarding the handling of the Deposit from the various Defendants.

41. Plaintiff is ready, willing, and able to return the Deposit, or parts of it, to the person(s) or entity(ies) legally entitled to it or parts of it, but under the circumstances, Plaintiff does not know and cannot determine to whom the Deposit should be delivered.

42. Consistent with 28 U.S.C. §1335 (a)(2) Plaintiff is also willing to deliver the Deposit to the Clerk of this Court, or to otherwise deliver the Deposit upon further order of this Court.

43. Plaintiff has no adequate remedy at law.

WHEREFORE, Plaintiff prays for judgment as follows:

1. Pursuant to 28 U.S.C. §2361 and this Court's equitable powers an Order that each Defendant be restrained from instituting any action against Plaintiff for recovery of the Deposit;
2. Pursuant to 28 U.S.C. §2361 and this Court's equitable powers an Order that each Defendant be required to interplead and litigate amongst themselves his or her rights and claims to the Deposit, or parts thereof, at issue and that Plaintiff be released and discharged from any and all liability on account of the claims each Defendant may have in the Deposit, or parts thereof; and
3. For any and all such other and further relief as the Court may deem just and proper.

Dated: September 20, 2013.

PILLSBURY WINTHROP SHAW PITTMAN LLP
MARK D. LITVACK
JAMES CHANG

By: _____



MARK D. LITVACK
Attorneys for Plaintiff
THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR UNIVERSITY