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# PART I CONTEMPORARY ART

8 NOVEMBER 2010 450 PARK AVENUE NEW YORK





A photograph of a snow-capped mountain peak against a clear blue sky. The mountain's ridges and slopes are covered in white snow, with some dark, rocky outcrops visible. The sky is a solid, vibrant blue. At the bottom of the image, the text "SEX AT NO" is written in a large, white, sans-serif font, partially cut off on the right side.

SEX AT NO





ONTAXES















# PART I

## CONTEMPORARY ART

8   **NOVEMBER**   2010   7pm   450 PARK AVENUE   **NEW YORK**

### **LOTS 101-126**

#### **Viewing**

Saturday 30 October, 10am – 6pm  
Sunday 31 October, 10am – 6pm  
Monday 1 November, 10am – 6pm  
Tuesday 2 November, 10am – 6pm  
Wednesday 3 November, 10am – 6pm  
Thursday 4 November, 10am – 6pm  
Friday 5 November, 10am – 6pm  
Saturday 6 November, 10am – 6pm  
Sunday 7 November, 10am – 6pm  
Monday 8 November, by appointment



101 **GLENN LIGON** b. 1960

*Gold just us #7*, 2008

Acrylic and oilstick on canvas. 32 x 32 in. (81.3 x 81.3 cm). Signed, titled and dated "Glenn Ligon 2008 Gold Just us # 7" on the overlap.

**Estimate \$70,000-90,000**

**PROVENANCE** Regen Projects, Los Angeles

In an interview with *Museo Magazine* Glenn Ligon was asked about the legibility and comprehensive understanding of his works including texts as well as works not including words. Ligon responded: "From the first text paintings, which used quotations from authors like Zora Neale Hurston, Jean Genet, Walt Whitman, or Ralph Ellison, this question of legibility was foregrounded partially because the quotes that I was using in those early paintings always had the word "I" in them, and the titles of the paintings didn't clearly identify them as coming from specific authors or specific essays or novels. So, there was always confusion for the viewer about who that "I" was. Over time, it became known that 'Glenn Ligon makes text paintings using quotes,' but even then, there was still confusion about that: What does it mean to take on another person's words as a way of talking about the self? One of the things I've always been interested in was the connection or collision of identities—that something written by Hurston in the 20s could seem incredibly relevant and autobiographical in some sense, that one could inhabit it, in the way that when you were a kid, you wanted to be a rock star, and everything about that rock star seemed to express who you were. It's the same kind of relationship to those texts for me: The text is something that I wanted to inhabit, and the way I chose to inhabit it was to make paintings that have quotes that create confusion about who's speaking" (D. Drogin, "Glenn Ligon," *Museo Magazine*, Issue 14). In his painting *Gold Just Us #7*, Ligon borrowed a joke from comedian Richard Pryor.



I went to jail for income tax evasion,  
right, you know? I didn't know  
a motherfucking thing 'bout no taxes  
I told the judge, said "Your Honor,  
I forgot," you know? He said,  
"You'll remember next year, nigger."  
They give niggers time like it's  
lunch down there.  
You go looking for justice  
that's what you find: just us.



102 **CHARLES RAY** b. 1953

*Wet Paint*, 2008

Modified gypsum plaster, plastic and fiberglass. 33 x 26 in. (83.8 x 66 cm).

This work is from an edition of three.

**Estimate \$400,000-600,000**

**PROVENANCE** Matthew Marks Gallery, New York

*Charles Ray doesn't really create forms but he isn't an appropriationist either. He manipulates existing forms and figures like altered readymades, or quotes. His practice is a cycle of reprises. And with these borrowed and renewed elements he creates spectacular surprises, sensations through a play of materials, and an unexpected manipulation of weight, size and perception. Ray's art is endlessly witty and his work is at once extremely funny, tragic-comic and beautiful.*

Astrup Fearnley Museum of Modern Art









Roy Lichtenstein, *White brushstroke*, 1965. Photo: © Estate of Roy Lichtenstein

Charles Ray is widely regarded as one of the most significant artists of his generation and has had a unique position within contemporary art over the last 30 years. Rich in art historical references, his works also distinguish themselves through their inimitable originality. Intrigued by the artistic language and practice of Anthony Caro, from the intersection of different elements within a work to a work's relationship with its context, *Wet Paint* exemplifies the way in which Ray has skillfully worked through the legacy of minimalism in pursuit of extra-formalistic potentialities. "Over the years Ray has often spoken of an art that can jerk one's head around—of making objects and creating situations that are not what they appear to be and that force us to re-examine the validity of the truths we garner from perceptual experience. Ray takes the bedrock of reality, whether something as abstract as a cube or as concrete as a human figure, and then twists, tweaks, and jerks it until it tugs at the reality of what one thinks one knows. In so doing, Ray unsettles the viewer's very state of being, for he shows that perception reveals reality to be not immutable but in a constant state of flux" (P. Schimmel, "Beside One's Self," *Charles Ray*, Los Angeles, 1998, p. 60).

Though small, Ray's *oeuvre* is profoundly powerful. As an art student in the 70s, he began experimenting with his own body in a kind of performance sculpture. He continued this practice into the 80s, gradually moving away from performance and parlaying his interest in sculptural properties—scale, gravity, illusion and weight—into meditations on the presence of sculpture itself. Sculpture is not static and idealized for Ray, but a temporal medium. All of his work comes out of what he calls "the wildness of the event." Even when he works with imagery, he is thinking about the relationship between people and things, bodies and objects. Figure and experience are key. Ray has said that for him, "sculpture is a verb." His work has strong affinities with process art—like that of Richard Serra, who in 1967 through 1968 compiled a list of verbs ("to roll, to crease to fold...") that he went on to use as the basis of actual sculpture.

Becoming something of a sculptor's sculptor, Ray's works operate within the space of art in the form of art about art. In fact, space has always been at the center of Charles Ray's art practice; "Not only physical space...but also that which slops and fizzes between what we think we know and what is, and between what we expect and what we get" (T. Morton, "The Shape of Things," *Frieze*, November–December 2007, pp. 120-127). Visitors to the 1993 Whitney Biennial, for instance, were surprised by a large fire truck parked on the street at the entrance of the museum. Though from a distance it looked like the real thing, upon closer inspection the reality shifted: the Firetruck was something else, a child's Tonka toy fire truck scaled-up to life-size. Initially, Ray explains, he "saw the piece trying to do something to the space of the city. The equation was going to go two ways. It was like a toy becoming a real truck, and when you looked at it, a real truck becoming a toy. It wasn't



Charles Ray, *Boy with Frog*, 2008





Charles Ray, *Ink Box*, 1986

like an Oldenburg blow-up because it blew up to its right size rather than to a gigantic size. It was kind of about trying to turn the whole city into a kind of weird toy." (R. Storr, "Anxious Spaces," *Art in America*, November 1998, pp. 101-105). Similarly, with a nod to more classical Greek sculpture, is his eight foot tall sculpture of a boy holding a frog prominently situated outdoors on the very tip of the Punta della Dogana on Venice's Grand Canal. With *Boy with Frog*, Ray seems to be saying, "Modern art is over, so I'm retrieving familiar forms and techniques to make something old new again" (J. Saltz, "Entropy in Venice," *Artnet Magazine*).

Created in 1986, Ray's *Ink Box* can be seen to inform the present piece in terms of its diverse art historical references and artistic self-reflexivity. For this work, Ray created a black box with an open top filled to the brim with two hundred gallons of printer's ink, the color, texture and reflectivity of which exactly corresponded to the sides of its container. What Ray had created here was an illusion of stability and solidity, a work that combined with such simplicity and clarity aspects of the artist's formal training with his interest in both the participatory and the performative. Not unlike his earlier performative sculptures, this work "has a life of its own—a fulfillment of Ray's desire to make a sculpture that did not require his direct participation and that would still "come out of the notion of event." (P. Schimmel, "Beside One's Self," *Charles Ray*, Los Angeles, 1998, p. 80).

Like *Ink Box*, *Wet Paint* reflects Ray's interest in Minimalism, performance and in the relationship of people to things. In *Wet Paint*, Ray has removed the actual danger of the viewer getting paint (ink) on them and replaced it with the psychological threat of wet paint and a hyperawareness of the wall of which the work has become a part. The literal reference to paint on the surface of his painting is both ironic and self-reflexive for the only paint used in this work is white; the forms are described in relief as opposed to the paint itself reminiscent of Rauschenberg's white paintings in which the surface was defined by shadows.

Like Jasper John's *Paint Brushes*, the work calls attention to itself as art through its reference to paint, art about art. As with many of Ray's later works, *Wet Paint* makes use of an image from mass culture and prompts the inevitable associations with Pop Art. "What Pop Art shares with Minimalism,

of course, is an interest in the readymade. Ray extends this tradition: his subject matter is highly inflected like Pop Art, but his presentation is obdurate and standardized in the Minimalist mode." (P. Schimmel, "Beside One's Self," *Charles Ray*, Los Angeles, 1998, p. 101). Here Ray has objectified the artistic gesture in the same way that Lichtenstein solidified the brushstroke in *Brushstroke*, the fundamental element of painting in sculptural form. It is this contradiction between readymade form and personal content that gives his work such great tension and expressive power. *Wet Paint*, above all, "takes conventions, whether they are from art history or the shop window, and uses them to re-present identity and perception as coded assumptions that can be destabilized with disturbing ease by [Ray's] deadpan reconfigurations" (C. Grove, *Grove Art Online*, 2009).



Jasper Johns, *Painted Bronze*, 1960



103 **ROBERT GOBER** b. 1954

*Untitled Candle*, 1991

Wax, string and human hair. 8 1/8 x 4 7/8 x 6 1/2 in. (20.6 x 12.4 x 16.5 cm).

This work is from an edition of six plus two artist's proofs.

**Estimate \$400,000-600,000**

**PROVENANCE** Paula Cooper Gallery, New York; Sale: Phillips de Pury, New York, *Contemporary Art Evening*, May 18, 2000, lot 8; Acquired from the above by the present owner

**EXHIBITED** New York, Paula Cooper Gallery, *Group Exhibition*, September 17 - October 19, 1991 (another example); Paris, Galerie Nationale du Jeu de Paume; Madrid, Museo Nacional Centro de Arte Reina Sofía, *Robert Gober*, October 4, 1991 - March 8, 1992, no. 13 (another example); Milwaukee, Milwaukee Art Museum, *Currents 20/Recent Narrative Sculpture*, March 13 - May 10, 1992, no. 6 (another example); Hamburg, Kunstverein; Lucerne, Kunstmuseum Luzern, *Ethik und Ästhetik im Zeitalter von Aids*, May 15 - November 22, 1992 (another example); Sheboygan, John Michael Kohler Arts Center, *Hair*, December 6, 1992 - February 14, 1993, no. 14 (another example); Cambridge, MIT List Visual Arts Center, *Corporal Politics Louise Bourgeois, Robert Gober, Lilla LoCurto and William Outcault, Annette Messenger, Rona Pondick, Kiki Smith, David Wojnarowicz*, December 12, 1992 - February 14, 1993 (another example); San Francisco, Haines Gallery, *Body Parts*, May 4 - June 12, 1993 (another example); Basel, Museum für Gegenwartskunst, *Zimmer in denen die Zeit nicht zählt: Die Sammlung Udo und Anette Brandhorst*, June 5 - October 19, 1994, no. 88 (another example); Helsinki, Museum of Contemporary Art Kiasma/Finnish National Gallery, *Ars 95 Helsinki*, February 11 - May 28, 1995 (another example); New York, Sean Kelly Gallery, *corpus virtue*, September 11 - October 24, 1998 (another example); New York, Bronwyn Keenan Gallery, *Transfiguration*, November 21 - December 23, 1998 (exhibition copy); Minneapolis, Walker Art Center; Malmö, Rooseum Center for Contemporary Art; Washington, D.C., Hirshhorn Museum and Sculpture Garden; San Francisco, San Francisco Museum of Modern Art, *Robert Gober: Sculpture + Drawing*, February 14, 1999 - September 5, 2000, no. 95 (another example); Munich, Staatsgalerie moderner Kunst im Haus der Kunst, *Food for the Mind: Die Sammlung Udo und Anette Brandhorst*, June 9 - October 8, 2000, no. ABB.S.211 (another example); Mount Kisco, The Foundation To-Life, Inc., Exhibition Space, *Presence*, 2003; Santa Fe, The Fifth International Biennial Exhibition, *SITE Santa Fe, Disparities and Deformations: Our Grotesque*, July 18, 2004 - January 9, 2005 (exhibition copy); Mount Kisco, The Foundation To-Life, Inc., Exhibition Space, *Eccentric Modern*, March - August 2006 (another example); New Canaan, Silvermine Guild Arts Center, *WaxWorks*, September 1 - October 1, 2006 (exhibition copy); Purchase, Neuberger Museum of Art, *Transitional Objects: Contemporary Still Life*, September 17, 2006 - January 21, 2007 (another example); Southampton, The Parrish Art Museum, *All the More Real: Portrayals of Intimacy and Empathy*, August 12 - October 14, 2007 (exhibition copy); Los Angeles, Fowler Museum at UCLA, *Make Art/Stop AIDS*, February 23 - June 15, 2008 (another example); Munich, Museum Brandhorst, *Group exhibition*, May 18, 2009 - Summer 2010 (another example); Copenhagen, Kunstforeningen GL Strand, *WAX—A New Sensualism in Contemporary Sculpture*, January 29 - May 15, 2011 (another example)

**LITERATURE** J. Simon, *Robert Gober: Oeuvres Nouvelles*, Art Press, no. 162, October 1991, p. 42 (illustrated); J. Simon, "Robert Gober et l'Extra Ordinaire/Robert Gober and the Extra Ordinary," *Robert Gober*, Paris, 1991, pp. 23 and 62-63 (illustrated); J. P. Criquei, "Robert Gober: Jeu de Paume," *Artforum*, January 1992, p. 115; D. Sobel, *Recent Narrative Sculpture*, Milwaukee, 1992, no. 6; *Ethik und Ästhetik im Zeitaler von Aids*, Cologne, 1992, p. 21 (illustrated); H. Posner, "Separation Anxiety," *Corporal Politics: Louise Bourgeois, Robert Gober, Lilla LoCurto and William Outcault, Annette Messenger, Rona Pondick, Kiki Smith, David Wojnarowicz*, Cambridge, 1992, pp. 26 and 41 (illustrated); J. Simon and C. David, *Robert Gober*, Barcelona, 1992, p. 72, no. 13 (illustrated); T. Lacquer, "Clio Looks at Corporal Politics," *Corporal Politics: Louise Bourgeois, Robert Gober, Lilla LoCurto and William Outcault, Annette Messenger, Rona Pondick, Kiki Smith, David Wojnarowicz*, Cambridge, 1992, p. 17; A. Ferris, "Hair and Mourning," *Hair*, Sheboygan, 1993, pp. 6 and 31 (illustrated); R. Flood, "Robert Gober: Interview with Richard Flood," *Robert Gober*, London/Liverpool, 1993, p. 13, fig. 6 (illustrated); K. Schmidt and T. Vischer, *Zimmer in denen die Zeit nicht zählt: Die Sammlung Udo und Anette Brandhorst*, Basel, 1994, p. 137, no. 88 M. Petry, "Abstract Eroticism," *Art & Design Profile No. 47*, March/April, 1996, pp. 49 and 63 (illustrated); H. Foster, "The Art of the Missing Part," *Robert Gober*, Los Angeles, 1997, pp. 62-63; R. Gober and R. Flood, "Interview," *Robert Gober: Sculpture + Drawing*, Minneapolis, 1999, pp. 133-134 (illustrated); H. Foster, "An Art of Missing Parts," *October*, No. 92, Cambridge, Spring 2000, pp. 149-150; B. Schwenk, "Robert Gober," *Food for the Mind: Die Sammlung Udo und Anette Brandhorst*, Munich, 2000, p. 211 (illustrated); M. Schneede, *Mit Haut und Haaren. Der Körper in der zeitgenössischen Kunst*, Cologne, 2002, pp. 110-111 (illustrated); A. Braun, *Robert Gober: Werke von 1976 bis heute*, Bonn, 2003, p. 241, no. 102 (illustrated); H. Foster, *Prosthetic Gods*, Cambridge, 2004, p. 322, no. 8.13 (illustrated); R. Storr, *Disparities and Deformations: Our Grotesque: the Fifth International SITE Santa Fe Biennial Exhibition*, New York, 2004, p. 60 (illustrated); M. Falkenberg and E. Fischl, *all the more real*, Southampton, 2007, p. 76 (illustrated); T. Vischer, ed., *Robert Gober Sculptures and Installations 1979-2007*, Basel, 2007, p. 302, no. S 1991.09 (illustrated)









Pieter Claesz, *Still Life with Candlestick*. Photo: Scala / Art Resource, NY

A poignant monument to the AIDS crisis and a metaphor for human loss, Robert Gober's *Untitled Candle* has both religious and sexual connotations. Perhaps no object is as imbued with meaning and symbolism as a candle—a lit candle signifying life, peace or faith while an extinguished or unlit one symbolizes death. Historically symbols of commemoration, the lighting of a candle suggests hope or remembrance. One cannot help but think of the beauty of a candlelight vigil. However, by leaving the wick untouched and interspersing the base of the candle with delicate hairs, Gober is sexualizing and transforming his work into something altogether more profound.

Gober's career was established during the late 1980s and early 1990s at the very height of the AIDS crisis and this is an indelible element in his art. This work completed just around that time is one of his most solitary and profound works, its own memento mori or vanitas painting. With this work Gober is affirming his community in a time of crisis and creating a beautifully emblematic work that carries multiple layers of meaning.

There is an overwhelming feeling of desire throughout Gober's work, one that is always tempered by an undercurrent of loss. The impermanence of a lit candle hints at the fleeting nature of life. However by leaving his candle unlit and the wick untouched, Gober is creating a poignant and permanent memorial.

Both graphic and subtle at the same time, Gober creates very unmonumental monuments out of very ordinary objects, each one laboriously handmade and richly laden with meaning for those who choose to seek it. His work comments on violence, disparity and exclusion. Perhaps best known for his disembodied body parts, sometimes nude, sometimes clothed and often inscribed with musical notes, Gober's art has a profound and unsettling impact on the viewer. His work sheds light in dark corners, opening our eyes to issues within our society that many would sometimes prefer to ignore. Reminiscent of Bruce Nauman's wax faces or arms, these works directly reference amputation, both literally and emotionally. The irrefutable phallic shape of the present work certainly hints at a form of both physical, but more importantly, social castration. He hints at a sense of social exclusion felt by so many, particularly the gay community in the early 1990s and more generally to the prejudice that exists within our society. In some cases this feeling of loss or amputation is more distinct such as with his legs or torsos emerging from walls and in some it is more subtle such as with his *Untitled Candle*.

There is an element of solitude to his works – a severing from the body and by turn from society. Easily one of Gober's best known and most profound works, *Untitled Candle* is a striking votive that offers the poignant memory of loss coupled with the unique hope of remembrance.



Bruce Nauman, *From Hand to Mouth*, 1967. © 2010 Bruce Nauman / Artists Rights Society (ARS), New York



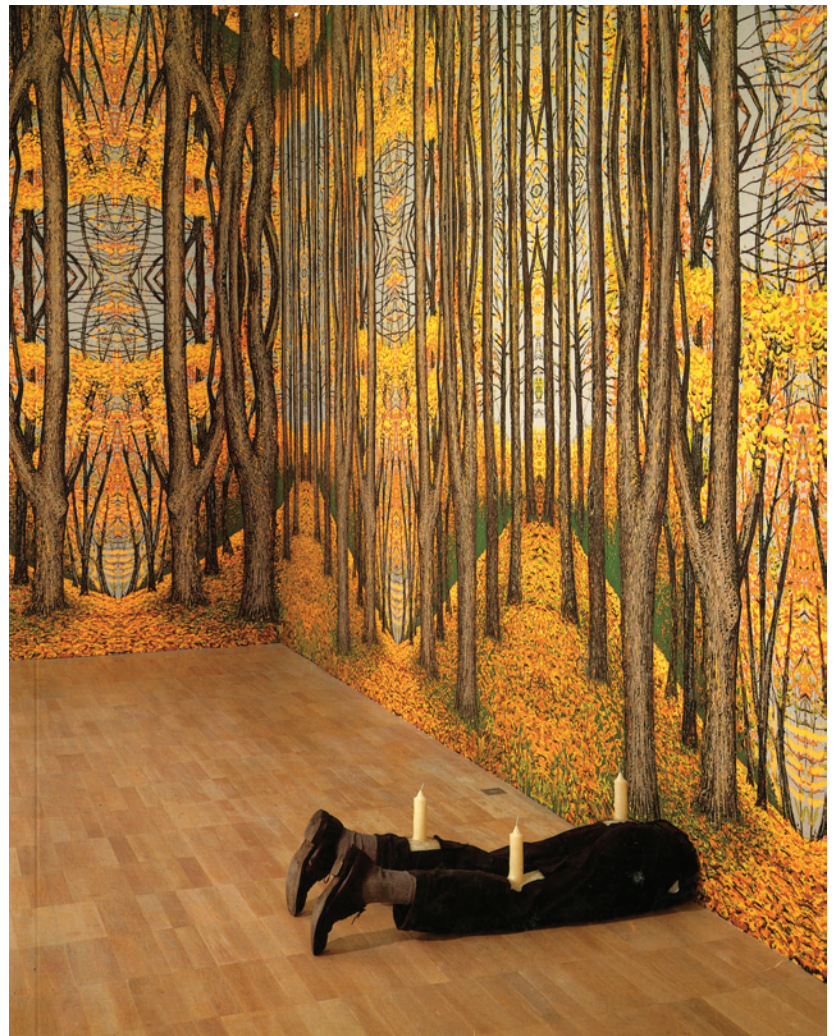
Richard Flood: *What was the candle about?*

Robert Gober: *I think it was a very neat, wrapped-up symbol of mortality and sexuality. Because you've got a candle that is basically the size of a man's erection, kind of the same color. It's clearly a candle, but around its base is hair, which gives you the erection pretty clearly. Yet the tip of it is still unburned, which gives you the possibility of igniting. You have the clichéd metaphor of life as a candle, etc.*

RF: *And the wick is...*

RG: *The wick is actually my venetian blind cord; it was the right scale, so I cut it off and used it.*

R. Gober and R. Flood, "Interview," *Robert Gober: Sculpture + Drawing*, Minneapolis, 1999, pp. 133-134



Installation View, Galerie Nationale Jeu de Paume, Paris, 1991. Photo: K. Ignatiadis, Courtesy of the artist



Gerhard Richter, *Kerze I (Butin 64)*, 1988



104 **DAN COLEN** b. 1979

*Untitled (Vete al diablo)*, 2006

Wood, wire, polyurethane, papier mâché, gesso and oil paint. 72 x 48 in. (182.8 x 121.9 cm) with 12 in. (30.5 cm) tall base.

**Estimate \$150,000-250,000**

**PROVENANCE** Peres Projects, Los Angeles

**EXHIBITED** London, Royal Academy of Arts, *USA TODAY New American Art from The Saatchi Gallery*, October 6 - November 4, 2006; New York, Whitney Museum of American Art, *Whitney Biennial From Day For Night*, 2006; Los Angeles, Peres Projects, *Dan Colen*, April 1 - April 29, 2006

**LITERATURE** M. Dailey and N. Rosenthal, *USA TODAY: New American Art from The Saatchi Gallery*, London, 2006, pp. 94-95 (illustrated); M. Dailey, *Shape of Things to Come: New Sculpture*, 2008, pp. 336-337 (illustrated)

Drawing from mass media, environmental experience and sub-cultural language, Dan Colen's work infuses a sense of magic in the under valued and ordinary. In *Untitled (Vete Al Diablo)*, a graffitied boulder is fictionally transplanted from suburban wasteland. Towering as a henge-like monument, it immediately conjures images of teenage ritual, exuding a reliquary aura as degenerate totem. It is in fact made from papier mâché expertly faux finished to look like the real thing. Colen creates a duplicity in the sculpture's rough hewn appearance, elevating the overlooked and forsaken to a contemplative object of inspiring craftsmanship.







105 **CHRISTOPHER WOOL** b. 1955

*ONE YEAR NO HALLOWEEN (P464)*, 2004

Silkscreen ink on linen. 116 1/8 x 78 in. (295 x 198.1 cm). Signed, titled and dated "ONE YEAR NO HALLOWEEN (P464) WOOL 2004" on the overlap and again on the backing board.

**Estimate** \$400,000-600,000

**PROVENANCE** Luhring Augustine, New York

**EXHIBITED** New York, Luhring Augustine, *Christopher Wool*, November 6 - December 23, 2004, no. 20

**LITERATURE** C. Wool and H. W. Holzwarth, *Christopher Wool*, Germany, 2004, no. 20 (illustrated)

*As the media of written, spoken and visual information all around us are constantly increasing, and advertising is increasingly invasive, the human being has become practically immune to this textual harassment, with the result that the impact of the mass of information that we receive is ultimately not very effective because it is quickly eliminated from the brain. That is what Wool wants to tell us with his reproductions containing erased or semi-erased messages, with striking phrases which are decontextualized and therefore lose their original meaning and initiatory power, acquiring a different, more symbolic, more subjective power. From this artistic gesture we gather that nowadays there are certain deficiencies in information processes which make communication impossible, because the verbal language used in the medias is no longer sufficient to provide a clear understanding of reality.*

F. Camps Ortiz, "Meanings," *Christopher Wool*, Valencia, 2006, p. 196







oo 106 **CY TWOMBLY** b. 1928

*Untitled*, 1964

Ink, graphite and colored pencil on paper. 28 5/8 x 39 3/4 in. (72.7 x 101 cm).

Signed and dated "Cy Twombly Aug 1964" upper right.

**Estimate \$500,000-700,000**

**PROVENANCE** Carole Christensen Fine Art, Sausalito; Sale: Sotheby's, New York, *Contemporary Art Day Auction*, May 15, 2008, lot 161; Acquired from the above by the present owner

*...light and airy as he opened up windows and caught inside and outside  
precisely at these points with perfect transparency.*

H. Bastian, *Cy Twombly: Paintings 1976, Volume 1*, Berlin, 1978, p. 17

Residing in Italy since the late 1950s, Twombly embraces both the ancient and modern worlds. Renowned throughout the globe, in particular for his "Roma" body of work, known for its light and airy pencil strokes and its fragments of paint, Twombly braids together Roman antiquity with a strand of the contemporary moment; two characteristics the city of Rome offers to any artist.

Developing a neo-classical form of painting and drawing, Twombly combined calligraphy and the brushstroke, developing a visual language unique from what his peers were accomplishing back in the United States. The artist's years in Rome capture on paper a raw energy and seamless poetry in a graffiti-like manner with isolating gaps of pencil and ink. The outcome of *Untitled*, 1964 becomes a visual experience emotionally engaging the past of antiquity with a sensation of walking the streets of Rome in 1964.

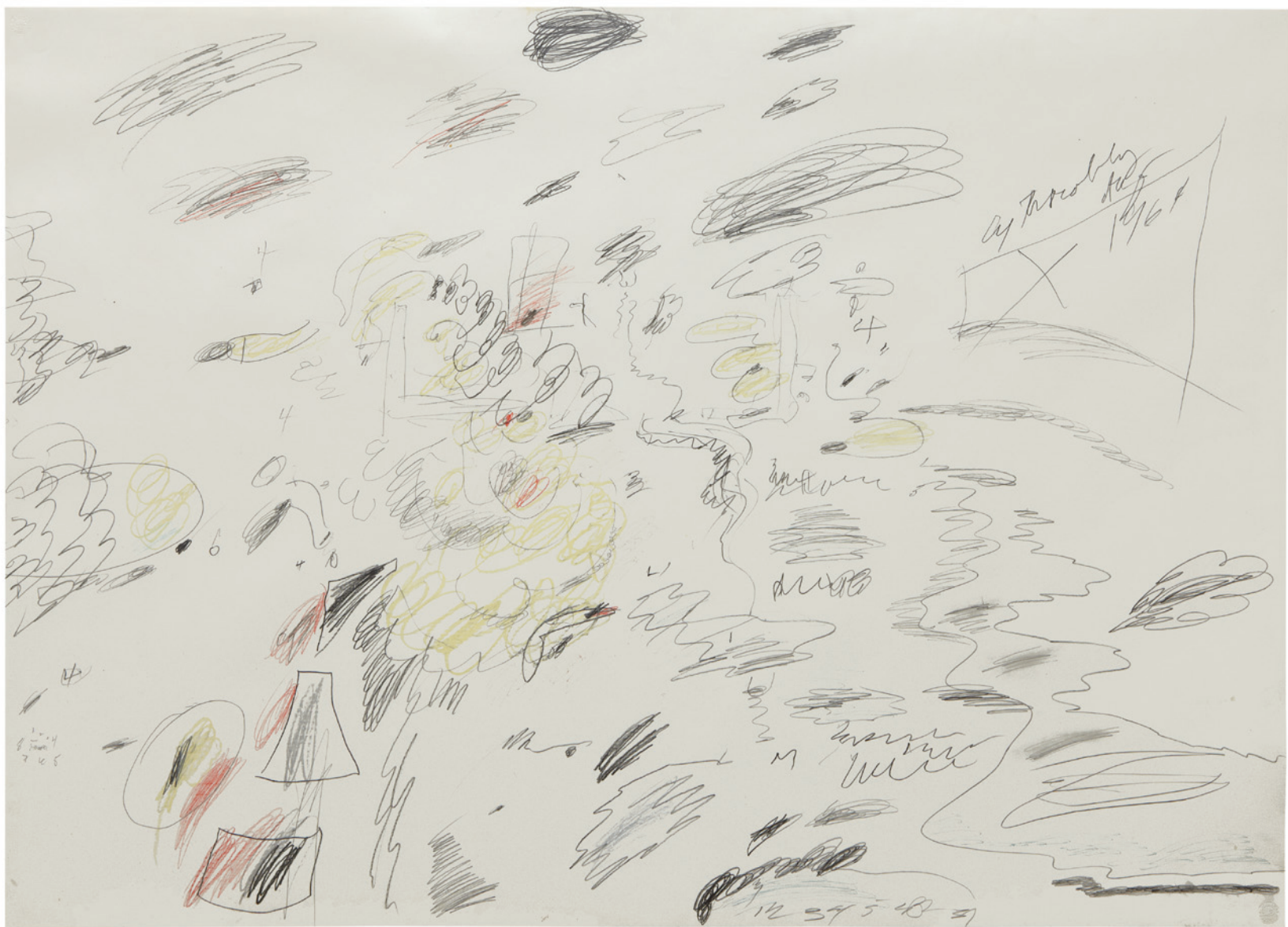
The inconsistent composition in this particular piece is simultaneously raw and elegant, freeing the work and imbuing it with its own language echoing words of tragedies in the ancient past to breaths of new, yet, nostalgic sounds. In the present lot the tradition of painting is challenged and replaced with ink and pencil. Twombly's *Roma* drawings transcend artistic boundaries with the dispersed use of calligraphic instruments on paper allowing for grandeur and simplicity—giving off the mythical message found in the artist's work during this time.

It is this revealing nouveau body of work that would lead the artist to be invited to the 1965 Venice Biennale a year after the present drawing was completed. It is also this body of work that many art historians consider "the most impressive, most emotionally wrought of Twombly's career" (K. Varnedoe, *Cy Twombly: A Retrospective*, New York, 1994, pp.34-35).

*...it floats it drifts between the desires which in subtle fashion, guides the hand,  
and politeness, which is the discreet refusal of any captivating ambition. If we  
wish to locate this ethic, we would have to seek very far, outside painting outside  
the West, outside history, at the very limit of meaning and say, with the Tao to  
King: He produces without appropriating anything, He acts without expecting  
anything, His work accomplished, he does not get attached to it, And since he is  
not attached to it, His work will remain.*

R. Barthes, *Cy Twombly Painting and Drawings 1954-1977*, The Whitney Museum of American Art, p. 22



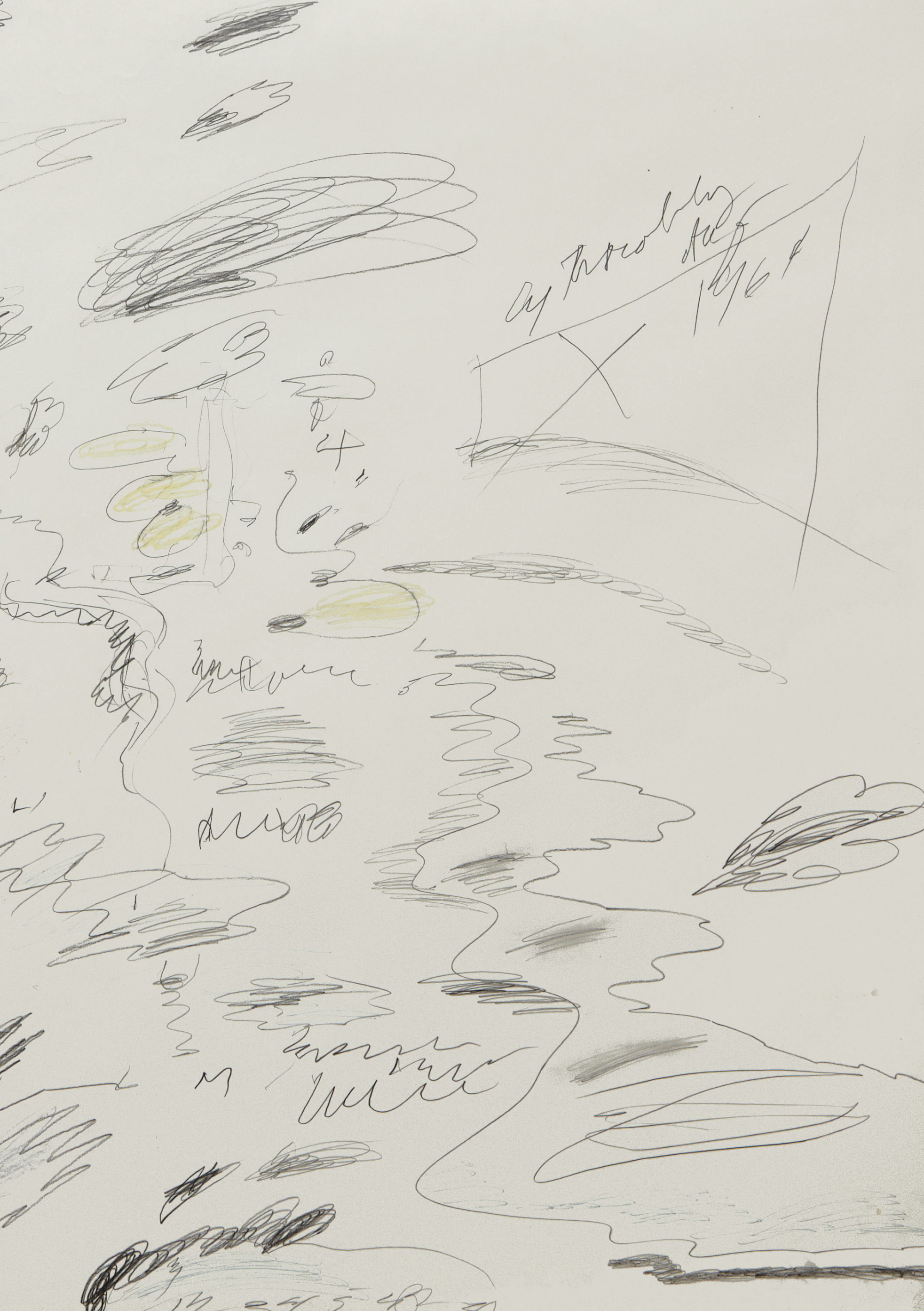








By Howard  
Hag  
1896





oo 107 **ANDY WARHOL** 1928-1987

*Mona Lisa*, 1979

Acrylic and silkscreen ink on canvas. 25 1/8 x 20 1/8 in. (63.8 x 51.1 cm). Signed and dated "Andy Warhol 1979" on the overlap; also stamped with the Andy Warhol Authentication Board Inc. seals and numbered "A109\_011" on the overlap.

**Estimate \$1,500,000-2,500,000**

**PROVENANCE** Acquired directly from the artist; Todd Brasner, New York; Mitchell-Innes & Nash, New York









Andy Warhol, *Thirty Are Better Than One*, 1963. © 2010 The Andy Warhol Foundation for the Visual Arts / Artists Rights Society (ARS), New York

Perhaps no face in the world is as famous as the *Mona Lisa*'s. Leonardo da Vinci could not have anticipated the unprecedented fascination with his enigmatic portrait and surely could not have imagined that some of the most famous artists of the twentieth century would reinvent her legendary visage.

It was fortuitous then that the *Mona Lisa* visited the United States in 1963 and was given all the fame and media attention of a visiting celebrity or state dignitary. She was sent by Charles de Gaulle to the President and his wife, Jackie Kennedy, in the hopes of encouraging friendly relations between the United States and France. The *Mona Lisa* graced both the National Gallery in Washington and the Metropolitan Museum of Art in New York with her presence and received millions of visitors, including a brilliant young artist named Andy Warhol.

It is no surprise that her mysterious smile and worldwide fame would have captured Warhol's attention. Along her five hundred year journey, the *Mona Lisa* has become a celebrity, a mysterious and overexposed icon.

As with Warhol's other women, his infatuation with her was more than just a dalliance—it was a relationship that would last throughout his career.

Fascinated by the aura of celebrity and the certainty of mortality, Andy Warhol explored and incorporated vestiges of both throughout his work. He painted the most famous faces of his time, including Liz Taylor, Marilyn Monroe and Jackie Kennedy but perhaps none were as legendary as the *Mona Lisa*. Undeniably, the most renowned icon of art history, her face has enraptured us for the past five hundred years, attracting a level of attention generally only bestowed upon celebrities. Along with this adulation comes a rampant desire to see what lies beneath the façade, to see what secrets are hidden and perhaps no figure living or dead is as enshrouded in mystery as the *Mona Lisa*. Her face has been reproduced more than any other work of art in the world yet the answer to why she was smiling just so will never be discovered.

Aside from the 1963 visit, the fragility and age of the painting ensure that she does not travel—her image therefore being solely dissipated through reproductions, photographs and replicated images. It is for this very reason that she has become such a commodity, encouraging tourism and consumerism in very much the same way as a famous actress or President's wife. In placing the *Mona Lisa* within the same context, Warhol is both elevating popular culture and equalizing high art. To him they are one and the same, low and high culture being cut from the same fabric.



President Kennedy, Mme Malraux, French Minister of Culture André Malraux, Jackie Kennedy and Vice President Johnson at the unveiling of the *Mona Lisa*, National Gallery of Art, Washington DC, 8 January 1963. Photo: © Robert Knadsen, White House / John Fitzgerald Kennedy Presidential Library, Boston



Warhol's paintings of the 1960s were primarily focused on these icons of popular culture, examining images disseminated through mass media and production. Among these are not only the famous faces but the indelible images of the *Campbell's Soup Can* and the *Brillo Box*. Upon first meeting the *Mona Lisa* in 1963, he became so captivated by her image, mass appeal and aura, that he painted his *Mona Lisa: Thirty are Better than One*. This was the first time he would approach the topic of altering a piece of Art History. It was a topic he would sparingly address during his lifetime but one that led to some of his most famous paintings. After this initial series from the early 1960s he would wait over a decade to revisit this famous icon, painting several different renditions between 1973 and 1979, one of the most stunning being the present work. The second series are lush and rich owing to Warhol's full mastery of the silkscreening technique, a process he had only begun to use in late 1961.

Resplendent in hues of deep black and rich purple (the color of royalty and nobility), *Mona Lisa* becomes a modern day masterpiece, serenely gazing at the viewer, her mystery still intact five hundred years later. By employing both silkscreening and a refined palette of two colors, Warhol has accentuated her most famous features—the mystery in her eyes and the play of her smile, hinting at the same painterly effects of sfumato and chiaroscuro that Da Vinci would have used.



Andy Warhol, *Red Jackie*, 1964. © 2010 The Andy Warhol Foundation for the Visual Arts / Artists Rights Society (ARS), New York



Marcel Duchamp, *L.H.O.O.Q. Mona Lisa*, 1919. Photo: CNAC/MNAM/Dist. Réunion des Musées Nationaux / Art Resource, NY. © 2010 Artists Rights Society (ARS), New York / ADAGP, Paris / Succession Marcel Duchamp

Warhol's rendering is luscious; the layers of paint ranging from sheer to heavily loaded impasto against which the details of her dress and the landscape are rendered with impeccable precision. Warhol was not the first artist to re-imagine the *Mona Lisa*. Already in 1883, *Le rire*, an image of a *Mona Lisa* smoking a pipe, by Sapeck (Eugène Bataille) was shown at the Incoherents show in Paris. However, perhaps aside from Warhol, the most famous recreation was Marcel Duchamp's *L.H.O.O.Q.*, of *Mona Lisa* with both a mustache and beard. Duchamp was attempting to subvert higher culture (and promote Dadaist ideals) by taking an inexpensive readymade (in this case a postcard of the *Mona Lisa*) and altering it with the intention of challenging the preconceived notions of what art is and how it should be approached. Both Duchamp's use of readymade images and his profound effect on how art can and should be interpreted are mirrored by Andy Warhol fifty years later. Warhol defined Pop Art, developing post-modernism through the use of silk-screening and the appropriation of photographs. Always interested in the possibilities offered by the commercial graphic world and mechanical reproduction, copies and duplicates became raw material for Warhol.

By the time Warhol cast his spell on the *Mona Lisa* and vice versa, she was no longer considered purely high art but rather the most famous face in the world, something that was of equal (if not higher) importance to Warhol. He was reacting not only to the painting itself but to the fame and power of her image in a culture saturated with replicas.

Andy Warhol's art is about appropriation and no image has been so thoroughly appropriated as the *Mona Lisa*. Leonardo da Vinci painted her in 1503 and since then she has become the ultimate celebrity of Art History, a brand as famous as a *Campbell's soup can* or a *Brillo box*. A readymade icon, the *Mona Lisa* has defied time, only growing more legendary over the years. Re-imagined by one of the most brilliant artists of the twentieth century, she has become an incomparable work of art that will forever outlast the fleeting nature of celebrity and the limitations of mortality.



108 **JEFF KOONS** b. 1955

*Caterpillar Ladder*, 2003

Polychromed aluminum, aluminum and plastic. 84 x 44 x 76 in. (213.4 x 111.8 x 193 cm).

This work is from an edition of three plus one artist's proof.

**Estimate \$5,500,000-7,500,000**

**PROVENANCE** Sonnabend Gallery, New York

**EXHIBITED** New York, Sonnabend Gallery, *Popeye*, November 8 - December 31, 2003; New York, Lever House Art Collection, *Jeff Koons*, December 24, 2004 - April 30, 2006 (another example exhibited); Bregenz, Kunsthaus Bregenz, *Re-Object: Marcel Duchamp, Damien Hirst, Jeff Koons, Gerhard Merz*, February 18 - May 13, 2007 (another example exhibited); Chicago, Museum of Contemporary Art, *Jeff Koons*, May 31 - September 21, 2008 (another example exhibited); London, Serpentine Gallery, *Jeff Koons Popeye Series*, July 2 - September 13, 2009 (another example exhibited)

**LITERATURE** J. Saltz, "Breathing Lessons," *Artnet Magazine* (originally published in the *Village Voice*), December 16, 2003 (illustrated); U. Grosenick, ed., *ART NOW Vol 2*, Cologne, 2005, p. 239, no. 5 (illustrated); G. Politi, "Jeff Koons: an Interview by the Readers of Flash Art," *Flash Art*, no. 240, January - February 2005, p. 89 (illustrated); A. Lindemann, *Collecting Contemporary*, Cologne, 2006, p. 164; E. Schneider, ed., *Re-Object: Marcel Duchamp, Damien Hirst, Jeff Koons, Gerhard Merz*, Germany, 2007, pp. 6 and 126 (illustrated); F. Bonami, ed., "Popeye," *Jeff Koons*, New Haven, 2008, p. 100 (illustrated); H. W. Holzwarth, ed., *Jeff Koons*, Cologne 2008, pp. 549 and 551 (illustrated); R. Morata, "Jeff Koons: un Artiste Barock," *Point de Vue*, August 28 - September 3, 2008, p. 59 (illustrated); G. Bader, "Jeff Koons: Museum of Contemporary Art, Chicago," *Artforum*, September 2008, pp. 450-451 (illustrated); "Jeff Koons: Mickey-l'Ange Contemporain," *Paris Match*, September 3, 2008, p. 81 (illustrated); J. Jones, "Not just the king of kitsch," *The Guardian*, London, June 30, 2009, p. 5, (illustrated); M. Glover, "King of comic relief," *The Independent*, London, July 1, 2009, p. 14 (illustrated); B. Lewis, "Popeye the Eye-Popper," *Evening Standard*, London, July 2, 2009, p. 34, (illustrated); C. Vogel, "Koons and a Sailor Man in London," *The NewYork Times*, July 2, 2009 (illustrated on website); R. Dorment, "Jeff Koons: Popeye Series at the Serpentine Gallery, review," *The Daily Telegraph*, July 6, 2009 (illustrated on website); C. Maume, "Jeff Koons's Popeye series is fabulously exuberant. Rothko it ain't," *The Independent*, July 14, 2009 (illustrated on website); P. Levy, "The Bearable Lightness of Being Jeff Koons," *The Wall Street Journal*, July 31, 2009 (illustrated on website); H.W. Holzwarth, ed., *Jeff Koons*, Cologne, 2009, pp. 535 and 537 (illustrated)

*I think of the inflatables as anthropomorphic, we are ourselves inflatables, we take a breath, we expand, we contract, our last breath in life, our deflation. By contrast these objects have a permanence to them, they maintain a non-divisible sense of life, of continuity. Maybe it's also almost like learning to swim, that extraordinary experience almost like birthing, the independence of when you can finally swim yourself.*

Jeff Koons quoted in S. Murg, "Jeff Koons: 'We Are Ourselves Inflatables,'" *mediabistro/UnBeige*, August 6, 2009







*The viewer feels their own possibilities and whatever their interests are, they feel more excited to meet their own potential, that's what I hope the viewer experiences.*

Jeff Koons quoted in S. Murg, "Jeff Koons: 'We Are Ourselves Inflatables,'" *mediabistro/UnBeige*, August 6, 2009)

Big, bold, bright and stuck in a ladder? How odd, how charming and how characteristically Koons.

Jeff Koons presents us with as peculiar a paradox as we could imagine, never ceasing to amaze with his larger-than-life style and clever eye. At first glance, we are not precisely sure what to make of *Caterpillar Ladder*—an adorable sculpture that triggers memories of childhood or an oddly jarring contradiction? At second glance, we are still puzzled yet undeniably charmed.

*Caterpillar Ladder* is by far one of the most recognizable pieces from Koons' *Popeye* series. He began this series in 2002 and with it revisits one of his favorite subjects: the inflatable. He first began working with these endearing blow-up toys in the 1970s, crediting an early memory of being given a flotation device to strap to his back as a child saying "it was like a life-saving tank, it gave me a great sense of independence. Pool toys are inflatable, just like people. Inflatables really are metaphors for the continuation of life. Anything that is deflated is a symbol of death" (T. Teeman, "From Popeye to puppies: Jeff Koons explains his love of outrageous art," *The Sunday Times*, June 13, 2009). As the title of the article belies, Koons' art is indeed outrageous—it is oversized, exuberant and hopeful.

Koons first truly captured our attention and inflatable-adoration in 1986 with what is now considered one of his best known blow-ups, *Rabbit*, a shiny aluminum beacon to his distinctive brand of art. He first started buying these inflatable toys while visiting his mother in Florida. Koons says: "That's where I got the lobster and the caterpillars. Then I went online and found the hippopotamus, the turtles and the monkeys" (C. Vogel, "Koons and a Sailor Man in London," *The New York Times*, July 2, 2009).



Jeff Koons, 1986. Photo: Ari Marcopoulos



Jeff Koons, *Rabbit*, 1986

The caterpillar and lobster are the undeniable main characters of the *Popeye* series. *Caterpillar Ladder*, along with the rest of this series, was first exhibited at the Serpentine Gallery in London. The series is comprised of paintings and sculptures of cartoon characters and inflatables, named after the eponymous Popeye whose most famous statement, "I Yam what I Yam" is perhaps perfectly applicable to Koons and his position within the art world.

This series exemplifies to perfection his incredible ability to transform ready-made objects into art. It is exactly this vision that makes Koons such a brilliant artist—he imagines high art from the most implausible sources. He said, "I find that the work for myself is more and more minimal. I've returned to the readymade. I've returned to really enjoying thinking about Duchamp. This whole world seems to have opened itself up again to me, the dialogue of art" (H.W. Holzwarth, ed., *Jeff Koons*, Cologne, 2009, p. 504). A master of appropriation, Koons fully embraces elevating seemingly banal objects to rock star status—although his personal favorite might be anything inflatable—from blown up balloons to blown up children's flotation devices.

The difference between this series and Koons' prior ones is the industrial elements he adds to the installations. These inflatables do not stand statically alone but rather appear to almost be performing circus acts. The monkeys dangle from the ceiling, round flotation devices swing from the ends of a very Dalí-esque mustache, seals squeeze through a stack of chairs, the turtles cling to a chain metal fence, the lobsters precariously balance on overturned trashcans and our caterpillar either hangs from chains or shimmies through a ladder. What feats our pool toys accomplish.









Salvador Dalí, *Lobster Telephone*, 1936. Photo: Tate, London / Art Resource, NY. © 2010 Salvador Dalí, Gala-Salvador Dalí Foundation / Artists Rights Society (ARS), New York

This connection to Dalí is unmistakable. He was one of Koons' early heroes and has endlessly fascinated him. Koons pays homage to him very specifically with both his mustache and lobster pieces. We also see a reference (although perhaps a less obvious one) to the fantastical anthropomorphic characters in *Alice in Wonderland*. The entire novel plays with logic and toys with the imagination—in much the same way as Koons and Dalí. The latter was fascinated by this fantastical story and did a set of drawings to accompany the chapters of the book. In Chapter Five, Alice meets the famous hookah smoking caterpillar who bestows advice on her when she asks him how she can grow larger (which is of course the main premise in Koons' work). Dalí draws his caterpillar in both its three inch height and enlarged into a distinctly Koonsian oversized creature.

This undeniable surrealist nod is present in each work from the *Popeye* series. Surrealism, defined as “the principles, ideals, or practice of producing fantastic or incongruous imagery or effects in art, literature, film, or theater by means of unnatural or irrational juxtapositions and combinations” (Merriam-Webster) epitomizes Koons' theatrics within this series. There is an odd, and startling, juxtaposition between the smiling cheerful faces of the adorable creatures and the objects that ensnare them.

Our merry caterpillar, stuck within the rungs of an industrial ladder, creates a surprising combination that is both sweet, at first glance, and rather morose at second glance. He appears stuck, as if he will never be able to climb out of or to the top of the ladder. Fortunately, he does not appear to be too concerned by this. Koons gives his caterpillar all the bold colors of a butterfly but without its freedom of movement. Generally a representation of growth, development and transformation Koons' caterpillar is frozen and will eternally remain the same bold, happy, colorful caterpillar, forever blown up to distinctly adult proportions in distinctly industrial materials.

“He wants his sculpture—which I think has been wrongly interpreted as cynical—to exist in a virginal, ethereal state of suspended animation, a place where the pure stays pure and the transitory lasts forever. Koons's urge for eternity is echoed in his love of breathing machines (us) and his infatuation with innocence (children). Underneath and within every one of the new 'Popeye' sculptures is an old Koons reincarnated in child's guise. He's turning back the clock in more ways than one. Rather than the hardcore imagery of “Made in Heaven,” he's now interested in the softcore of bikinis and hot pants—sexy things that cover up the things that make seeing sexy. The painted surfaces of the sculpture cover the steel as the steel encases his breath. In this way, Koons is rediscovering the thing that turned explicit in his work in the early 1990s, then sadly disappeared from it in 1995: the mystery” (J. Saltz, “Breathing Lessons,” *Artnet*, December 16, 2003).

Koons' technical skills are incredible and, in many ways, unbelievable. The perfectly painted aluminum and steel surfaces appear afloat despite the heavy materials from which they are made. As with a true inflatable, they seem weightless. They are bright, shiny and smiling, hiding the raw elements that go into their making. Just as inflatables are considered buoyant life-saving devices in their original state, here they are immobilized and rendered obsolete.

However, his works are, without a doubt, optimistic. Though they certainly refer to some of the great masters of the twentieth century, one does not need extensive art historical knowledge to be able to appreciate Koons' work and that is exactly what he intends. Koons believe that one's personal experiences and one's own history is the only thing necessary to appreciate his art. His pieces can be equally appreciated by children and adults alike, the former rejoicing in the sheer exuberance and playfulness and the latter in the unequivocal nostalgia. Koons' works have multiple layers of meaning and are full of possibilities. Giorgio DeChirico once said, “To become truly immortal, a work of art must escape all human limits: logic and common sense will only interfere. But once these barriers are broken, it will enter the realms of childhood visions and dreams.”



Salvador Dalí, *Alice in Wonderland Portfolio: Advice from a Caterpillar*, 1969. © 2010 Salvador Dalí, Gala-Salvador Dalí Foundation / Artists Rights Society (ARS), New York







109 **GEORGE CONDO** b. 1957

*Particle Pick Up*, 1996

Oil on canvas. 78 x 120 in. (198.1 x 304.8 cm). Signed and dated "Condo 96" upper right; also signed and titled "Condo 'Particle Pick up'" on the reverse.

**Estimate \$500,000-700,000**

**PROVENANCE** Pace Wildenstein, New York; Private collection, New York; Maruani & Noirhomme Gallery, Knokke, Belgium; Private collection, Switzerland

**EXHIBITED** Knokke, Belgium, Maruani & Noirhomme Gallery, *The Essence of George Condo: 1983-1996*, December 17, 2005 - February 5, 2006

George Condo came to prominence in the 1980s with his inauguration of the term Abstract Realism, a category that gave the artist's work an energy all its own. Condo's Abstract Realism weaves stylistic and figurative tensions, exploring the psychological complexities of parody and pathos inherent in human nature. The artist's most exquisite paintings convey multiple psychological dimensions, of which this present lot, *Particle Pick Up*, is a seamless example. Condo's portraiture draws figurative influence from the Old Masters, while his style is steered by the modern trends of Cubism, Surrealism and Animation. Set against a bare background, the female figure juxtaposes satire and desolation, a modern expression of sexuality boldly removing itself from the sensual, idealized approach of art historical convention.

As Henry Geldzahler said of the work, "it is through a carnival-like burlesque that Condo continually subverts the terms he is using... the many absurd portraits he paints are masks, behind which he works" (Nicholas Robinson Gallery, 2007).















110 **KEITH HARING** 1958-1990

*Andy Mouse*, August 11, 1985

Acrylic on canvas. 48 1/8 x 48 1/8 in. (122.2 x 122.2 cm). Signed and dated "K. Haring AUG. 11 – 1985" on the overlap.

**Estimate \$600,000-800,000**

**PROVENANCE** Private collection, New York; Doris Ammann, Zurich; Martos Gallery, New York

**EXHIBITED** New York, Kagan Martos Gallery, *Keith Haring*, 2003; New York, Alona Kagan Gallery, *Keith Haring*, August 15 - September 4, 2006; Milan, Fondazione Triennale di Milano, *The Keith Haring Show*, September 27, 2005 - January 29, 2006; Lyon, Musée d'art contemporain de Lyon, *Keith Haring*, February 22 - June 29, 2008; Paris, Galerie Laurent Strouk, *Keith Haring: Painting, Sculpture and Drawing*, March - May, 2008; New York, Tony Shafrazi Gallery, *Keith Haring 20th Anniversary*, February 13 - April 27, 2010

**LITERATURE** G. Mercurio and D. Paparoni, *The Keith Haring Show*, Milan, 2005, p. 242 (illustrated); G. Mercurio, *Keith Haring*, Lyon, 2008 (illustrated); J. Deitch and J. Gruen, *Keith Haring*, New York, 2008, p. 318; J. Gruen, *Keith Haring all-over*, Milan, 2009, p.197 (illustrated)

What do you think was the basis of your friendship with Warhol?  
*Andy always had young people around him at all points of his life. Fresh blood with fresh ideas. It was good for him to be around, and for us it was good because it was giving us this whole seal of approval - the ultimate approval you could get was from Andy. Everyone looked up to him. He was the only figure that represented any real forerunner of the attitude about making art in a more public way and dealing with art as part of the real world. Even when we became friends, I was always still sort of in awe of him.*

Keith Haring in D. Sheff, "Keith Haring, An Intimate Conversation," *Rolling Stone*, August 10, 1989

Keith Haring's series *Andy Mouse* was created in 1985. It is the ultimate fusion of art and commerce. The character Andy Mouse pays homage to Haring's beloved friend, hero and mentor, Andy Warhol. The pair first met each other in 1985, after Haring's second exhibition in New York at the Tony Shafrazi Gallery in 1984. Warhol and Haring were both enthralled and inspired by Walt Disney and the idea that "Art (is) for everybody." The duo became close friends almost immediately; in fact, Haring regularly visited Warhol at The Factory and they would trade works with each other.

Haring regarded Andy Warhol and Walt Disney as his heroes; his playful *Andy Mouse* linked the imagery of these two muses. In an interview published in the *Columbia Art Review* Haring explained that "It's (*Andy Mouse*) treating Warhol like he was part of American culture, like Mickey Mouse was." This large-scale painting is reminiscent of Haring's wall drawings and subway posters. *Andy Mouse* cleverly merges two very different symbols of commerce: Mickey Mouse and Andy Warhol and the result is incomparable.



Andy Warhol & Keith Haring July 1984 at Dinner Party at Limelight. Photo: Patrick McMullan















111 **RICHARD PRINCE** b. 1949

*Crazy Three*, 2004

Acrylic, ink and paper collage on canvas. 35 5/8 x 48 in. (90.5 x 121.9 cm).

Signed, titled and dated "R. Prince 'Crazy Three' 2004" on the reverse.

**Estimate \$250,000-350,000**

**PROVENANCE** Barbara Gladstone Gallery, New York

*But what is it about canceled checks? Gathered together under even a princely eye they still make one flinch, like excavated body pits—pretty business-order maids all in a row. Tattooed skin. They have the same stubborn will to live as do supermarket receipts and photo-booth portraits. Like bodies of lost loved ones in makeshift morgues, you keep looking, at some cellular level thinking you will finally come across a check that is your own. When paired with 8x10s or posters or anything iconographic they're particularly heart wrenching but then again just by themselves, stacked on a wash, or washed up on an abstracted sea of color, they are poignant and unfathomable, out of reach from our best forensic accountants, part of something modern and timeless and very old as well, of books that can never be balanced, our own Alexandrian library of bloggy, economist footprints. Whatever makes us think we could balance the books? From checks we come to checks we will return.*

B. Wagner, "Twilight Zone," *Richard Prince Check Paintings*, New York, 2005, p. 7



YOU KNOW I WAS UP TI  
HERE IN PRISON TALKIN  
NG TO CHARLIE MANSO  
ON AND HE SAYS TO ME  
E, "IS IT HOT IN HERE OF  
R AM I CRAZY?" YOU K



DO YOU KNOW  
WHERE IN PRINCE  
NG TO CHA  
ON AND HE  
E, "IS IT HOT  
RAM I CRA



I WAS UP T  
SON TALKIN  
RRLIE MANS  
SAYS TO ME  
T IN HERE ON  
ZY?" YOU K



112 **MAURIZIO CATTELAN** b. 1960

*Frank and Jamie*, 2002

Wax, clothes and life size figures. *Jamie*: 71 x 24 1/2 x 17 3/4 in. (180.3 x 62.2 x 45.1 cm) and *Frank*: 74 1/2 x 24 3/4 x 20 1/2 in. (189.2 x 62.9 x 52.1 cm). This work is from an edition of three plus one artist's proof.

**Estimate \$1,000,000-1,500,000**

**PROVENANCE** Marian Goodman Gallery, New York

**EXHIBITED** New York, Marian Goodman Gallery, *Maurizio Cattelan*, April - June 2002 (another example exhibited); New York, The FLAG Art Foundation, *Attention to Detail*, January - August 2008 (another example exhibited); Bregenz, Kunsthaus Bregenz, *Maurizio Cattelan*, February 2 - March 24, 2008 (another example exhibited); Scottsdale, Scottsdale Museum of Contemporary Art, *Seriously Funny*, February 14 - May 24, 2009 (another example exhibited)

**LITERATURE** C. Vogel, "Don't Get Angry. He's Kidding. Seriously," *The New York Times*, 13 May 2002, p. E3 (illustrated); K. Levin, "Maurizio Cattelan at Marian Goodman Gallery," *The Village Voice*, June 2000; W. Robinson, "Weekend Update," *Artnet Magazine*, May 8, 2002 (illustrated); F. Bonami, N. Spector, B. Vanderlinden and M. Gioni, *Maurizio Cattelan*, New York, 2003, p. 157 (illustrated); *Monument to Now: The Dakis Joannou Collection*, Athens, 2004, p. 54 (illustrated)









Maurizio Cattelan, *Tourists*, 1997

Maurizio Cattelan is a brilliant prankster.

*Frank and Jamie* are two New York City police officers from the now defunct Housing Authority division.

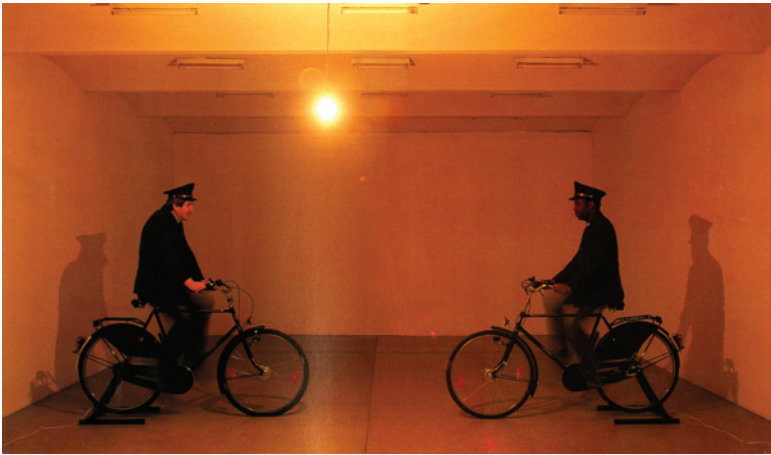
Together, they have turned convention on its head. Literally. Cattelan has rendered these purveyors of authority obsolete and incapable of performing their sworn duty to serve and protect. This mildly subversive element is the main ingredient in his work and is the preeminent reason why he has become such an adored artist. He loves nothing more than to tease his viewers and play (often well-deserved) tricks on the art world—in so doing Cattelan has become Contemporary Art's charmingly brazen court jester.

Our two New York City police officers, *Frank and Jamie*, are dressed in full uniform and are posed upside down along the wall of a gallery. They are completely life-like and Cattelan has spared no details, one even wearing a wedding band. He has rendered their expressions and poses completely unfazed—as if they are standing nonchalantly on a street corner and it is the viewer who is seeing things upside down. However by placing his officers within the context of an exhibition space (and not, say, propped up along the outside wall of a building), Cattelan is aligning them with the role a security guard would have in safeguarding the contents of the room and keeping order. Not only are they completely ineffective in this task but they have actually turned order upside down.

The present work echoes Cattelan's 1997 *Dynamo Secession*, in which two real and live security guards were installed on bicycles linked to dynamos which in turn powered the light for the exhibition space. Cattelan intrinsically linked those guards to the space in much the same way as with *Frank and Jamie*. The guards in *Dynamo Secession* are clearly unable to perform their jobs while pedaling their bicycles. However should they stop pedaling they would be equally incapable of maintaining order as they would have found themselves in the dark.

This is both absurd and brilliantly genius. Cattelan is self-taught and it is this very fact which makes him such a fascinating artist. He is not afraid of addressing serious questions in his art—provoking and challenging contemporary art's value system through the use of humor and irony. He tests our preconceived notions of what art is capable of. Cattelan has said “I'm not trying to overthrow an institution or question a structure of power. I'm neither that ambitious nor that naïve. I'm only trying to find a degree of freedom. After all, the museum is a welcoming place for the kid on the bike. He is protected there; he can have fun and nobody will hurt him. I'm not against order or authority as such; I just think that you can create





Maurizio Cattelan, *Dynamo Secession*, 1997

new margins for freedom in every context" (F. Bonami, N. Spector, B. Vanderlinden and M. Gioni, *Maurizio Cattelan*, New York, 2003, p. 155).

*Frank and Jamie* address the play of power and make a heady statement about the seduction of authority. Cattelan is very careful about his choice of subject matter, always selecting highly charged concepts yet refusing to take a concrete position—he is suggestive without being subversive. In true Cattelan fashion, *Frank and Jamie* is mildly ambiguous, serving as both an homage to the police department but also commenting on the inefficacy of their power.

Indeed the present work is part of what Cattelan once referred to as his trilogy about power. Our NYPD officers *Frank and Jamie* are accompanied in this small grouping by *Him* and *La Nona Ora* (*The Ninth Hour*). The first appears to be a kneeling child but upon closer inspection reveals itself as a miniature version of Hitler on his knees praying for forgiveness. The second work is an equally jarring depiction of the Pope crushed by a meteorite. Both works are quite controversial and were initially received with apprehension in much the same way that *Frank and Jamie* was met with trepidation in the wake of 9/11. In an interview with Carol Vogel at the Marian Goodman Gallery's inauguration of *Frank and Jamie* in 2002, Cattelan said: "We tried to do iconic cops, like in the movies. It's the right moment because it's the wrong moment. I didn't want to make a comment about New York City's police or Sept. 11th or Amadou Diallo,' referring to a West African immigrant who was killed in 1999 by four white police officers in an incident that became synonymous with a confrontational style of policing" (C. Vogel, "Don't Get Angry. He's Kidding. Seriously." *The New York Times*, May 13, 2002).

*Frank and Jamie* point us towards the very essence of Cattelan's work—a constant questioning of authority, be it in the form of law enforcement, gallery owners or art lovers. And he is indeed kidding yet there is truth in all jokes and Cattelan intentionally provokes our reactions, be they positive or negative.

His art is completely transformative, on both a physical and more psychological level. His works disrupt what we consider to be the traditional exhibition space and by so doing begin to question the very idea.

In 1997 he installed taxidermied pigeons in the rafters at the Venice Biennale and titled them *Turisti*, indivisible from the fair's visitors. And indeed we are all tourists when it comes to Cattelan's work—making a tour or visit for pleasure or culture and hoping to emerge from the experience having learned something new. *Frank and Jamie* have taught us that with Maurizio Cattelan, what you see and expect will always be a surprise.





113 **RICHARD PRINCE** b. 1949

*Untitled (Cowboy)*, 1998-1999

Ektacolor photograph. 59 1/2 x 83 1/2 in. (150.8 x 212.1 cm). Signed "Richard Prince" on a label adhered to the reverse. This work is from an edition of two plus one artist's proof.

**Estimate \$1,000,000-1,500,000**

**PROVENANCE** Gagosian Gallery, New York

**EXHIBITED** London, Serpentine Gallery, *Richard Prince: Continuation*, June 26 - September 7, 2008 (another example exhibited)

*The American cowboy of the mind is a romantic, monumental pulp-fiction figure...He is Alexander the Great in chaps and boots. He is colorful, masculine to the point of caricature, a license-plate emblem, a billboard, a restaurant chain, a figure of speech indicating rough fun or brash aggressiveness. Abroad he is the representation of America, so deeply is he embedded in our national character and ethos.*

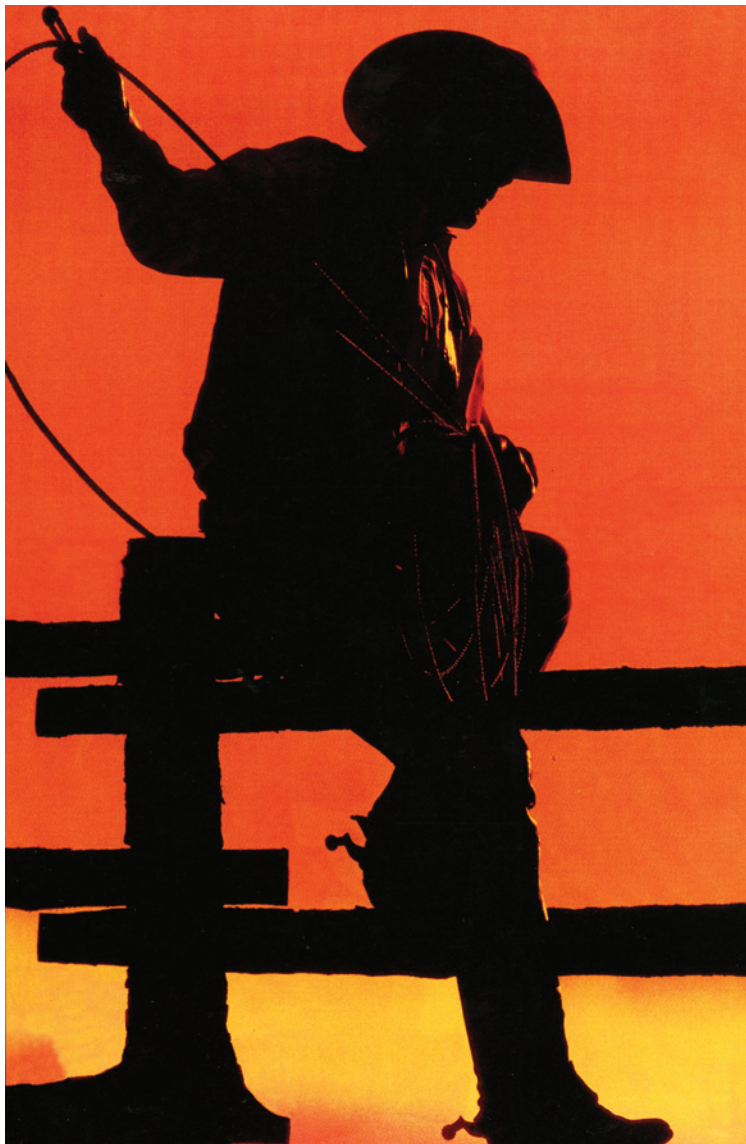
A. Proulx, *Richard Prince: Spiritual America*, New York, 2007, p. 284







*Untitled (Cowboy)* is among Richard Prince's most iconic works as well as one of his most emblematic images. For his *Cowboys* series, specifically, Prince appropriated images directly from Marlboro cigarette advertisements, then re-photographed, cropped and eliminated the text from them. "In so doing, Prince undermined the seeming naturalness and inevitability of the images, revealing them as hallucinatory fictions of society's desires" (Metropolitan Museum of Art). Further intensifying their own artifice, this subtle yet deceptive act of re-photographing advertising images and presenting them as his own initiated a new, critical approach to the production of art. A response to American consumerism and identity, Prince's *Cowboys* question notions of originality, authorship and the privileged status of the unique art object. In fact, "it is now widely accepted that Richard Prince was slightly in advance of several other artists in his use of this radical method of appropriation known as re-photography, and that he played a significant role in the development of a new, oppositional type of photographic practice, critically described as postmodernist. He was part of a generation that ... that used photographic procedures to simultaneously redefine photography and art." (L. Phillips, *Richard Prince*, New York, 1992, p. 28)



Richard Prince, *Untitled (Cowboy)*, 2001

Prince began his artistic career at *Time-Life* magazine, clipping articles of potential interest for the writers. What remained, most would have considered useless scraps, but instead Prince saw ready-made art. The simplicity of his genius lay in taking (or in his own words, stealing) these un-authored images, re-photographing them and calling them art. The comparison to the pioneering Marcel Duchamp is powerful and significant. In the same way that Duchamp challenged the preconceptions of the artistic process and of what could be labeled as art for his generation, so does Prince for ours. Duchamp said of his first readymade, the famous *Bicycle Wheel*, that he "created" it because he enjoyed looking at it. This is a fundamental principle of Prince's art and is evident in all of his work. Richard Prince believes art should make people feel good and so he creates what he likes.

Functioning in the public imagination as a symbol of power, strength and masculinity, the cowboy is an icon of American sovereignty. The Marlboro men exemplify this archetype, amplified by backdrops that draw from the traditions of American landscape painting and the spectacle of Hollywood Westerns. At the same time, "the image of the cowboy is so familiar in American iconology that it has become almost invisible through its normality. And yet the cowboy is also the most sacred and masklike of cultural figures. In both a geographical and cultural sense, a cowboy is an image of endurance itself, a stereotypical symbol of American cinema. He is simultaneously the wanderer and the mythological symbol of social mobility. Even today, the image of the cowboy has not lost its luster" (L. Phillips, *Richard Prince*, New York, 1992, p. 95).

While the *Cowboys* series is the body of work with which Prince is most commonly associated, it is that with the least personal intervention on his part. Other than some minor compositional adjustments, the images are almost perfect reproductions of the original Marlboro advertisements. Indeed, Prince only started re-photographing these advertising images after the marketing company had stopped using the Marlboro Man in their pictures. As the artist himself recalls, 'without him as an identifying factor, it was easier to present these pictures as something other than they were. I think that's the way I felt at the time anyway. Other than I was" (L. Phillips, *Richard Prince*, New York, 1992, p. 95). From this, one might suppose that out of all of Prince's works, the ones from this series are his own self-portrait, his mask. In other words, "as embodiments of untruth, they are the most truthful. Or, as Prince might say, they are the most 'convincing'; picture-perfect dissimulations" (L. Phillips, *Richard Prince*, New York, 1992, p. 95).







114 **TAKASHI MURAKAMI** b. 1963

*Eye Love SUPERFLAT*, 2003

Acrylic on canvas laid down on board. 70 7/8 x 70 7/8 in. (180 x 180 cm). Signed and dated "Takashi 03" on the reverse; also inscribed by the artist's studio and stamped on the reverse.

**Estimate \$600,000-800,000**

**PROVENANCE** Marianne Boesky Gallery, New York

**EXHIBITED** New York, Marianne Boesky Gallery, *Takashi Murakami: Superflat Monogram*, April 11 - May 10, 2003; Los Angeles, The Museum of Contemporary Art at the Geffen Contemporary; Brooklyn, Brooklyn Museum of Art; Frankfurt, Museum für Moderne Kunst; Bilbao, Guggenheim Museum, © *Murakami*, October 29, 2007 - May 31, 2009

**LITERATURE** P. Schimmel, © *Murakami*, New York, 2007, p. 304 (illustrated)  
Image © 2003 Takashi Murakami/Kaikai Kiki Co., Ltd. All Rights Reserved.

In 2003, at the invitation of designer Marc Jacobs, Takashi Murakami shocked the world when he began his entrepreneurial collaboration with Moët Hennessey Louis Vuitton (LVMH). Called the *Eye Love Monogram*, the artist's series of handbags combined his own trademark eyes with Louis Vuitton's signature monogram in ninety-seven different colors, repeated on both black and white backgrounds. While Murakami was already well versed in the commercial distribution and dissemination of his own brand, this particular project granted him the opportunity to produce a high-end luxury product that achieved its level of visibility through advertising. When asked whether or not his partnership with Louis Vuitton influenced his art, the artist explained, "One-hundred percent yes. When I started with them, I totally didn't know. 'What is a Louis Vuitton?' Now I understand: They make large, very expensive bags. This is the same way paintings are very expensive." (A. Peers, "Superflatbush," (interview with Murakami) *New York Magazine*, March 24, 2008). During their collaboration, however, Murakami never lost his identity in the LVMH brand. Rather, he activated a process of cross-breeding through which he was able to infuse the brand with his own signature aesthetic. Produced in 2003 as part of his series of acrylic on canvas paintings that feature the now iconic *Eye Love Monogram*, *Eye Love SUPERFLAT* reflects the way in which Murakami continuously calls into question the boundary between art and commerce.

It comes as no surprise that since his emergence in the 1990s, Murakami has been perceived as a contemporary practitioner of American Pop. Like Warhol, Murakami "appropriated business as an art form and adopted corporate branding strategies...[and] put those strategies in service of the global projection and promotion of exotic metropolitan taste formations" (P. Schimmel, © *Murakami*, New York, 2007, pp. 19-20). Furthermore, Murakami is a leveler; flattening not only the picture plane but also the hierarchies between high and low; between art and commodity and between the art world and fashion. What namely distinguishes Murakami from the Pop master, however, is his preoccupation with indigenous Japanese culture. Fusing these two concerns is the term Superflat, which the artists uses to refer to various flattened forms in Japanese animation, graphic art, pop culture and the shallowness of Japanese consumer culture. As the very title of this work acknowledges, here, as in his other works, Superflat functions as "a tactical domination device operated by its designer as a means for taking over/making over what provincial insiders still insist on calling the "art world" (as if it were a medieval guild) at the moment when that "world" is being redimensionalized and reterritorialized by the uber-IED known as globalization" (P. Schimmel, © *Murakami*, New York, 2007, p. 24).















115 **ED RUSCHA** b. 1937

*Sex at Noon Taxes*, 2002

Acrylic on canvas. 64 x 76 in. (162.6 x 193 cm). Signed and dated "Ed Ruscha 2002" on the reverse.

**Estimate \$3,000,000-4,000,000**

**PROVENANCE** Gagosian Gallery, New York (2002)

**EXHIBITED** New York, Gagosian Gallery, *Ed Ruscha Paintings*, May 10 - June 15, 2002; Aspen, Aspen Art Museum, *Ed Ruscha: Mountain Paintings*, 13 February - 11 April, 2004; Le Havre, Musée Malraux, *Continuum*, June 1 - September 4, 2006

**LITERATURE** R. Smith, "Art Review; A Painter who Reads, A Reader who Paints," *The New York Times*, May 24, 2002; M. Schwendener, "Ed Ruscha—Reviews: New York," *ArtForum*, November, 2002; A. Gopnik, "Bones in the Ice Cream," *Ed Ruscha Paintings*, Toronto, 2002, p. 7 (illustrated)

**Sex at Noon Taxes (After a painting of the same title by Ed Ruscha)**

From the ghost town's  
fencepost, my lariat ropes  
your palindromic peak  
and hauls it to our bedroom,  
where the timbers arch to hold off  
the mountain's hooves – no  
avalanche turns snowfall into  
uncorralled horseshoes.  
The steeds bear us upslope.  
We reach the muddy cleft  
between Maroon Bells  
and Crested Butte, gnawing  
on caribou and warmed  
liver of once noble elk.  
– Sally Van Doren

S. Van Doren, *Sex at Noon Taxes*, Louisiana, 2008, p. 3









Ed Ruscha at the Reina Sofía in Madrid, 2002

*Sex At Noon Taxes* is ultimate Ruscha: a palindrome, a visual pun, a mountainous landscape.

From his earliest pieces on, Ed Ruscha has always been interested in words so it is of no surprise that he would choose to experiment with the ultimate play on words: the palindrome. The palindromes he chooses are suggestive and thought-provoking. Along with *Sex at Noon Taxes* we have *Lion in Oil*, *Solo Gigolos* and *Tulsa Slut*. In referring to this series, Ruscha said: “They’re sort of auto-suggestions, right there, in the paintings. If you look long enough you’ll start seeing Tulsa sluts in there. I’m kind of prudish, in terms of outright sexual imagery – though I think it’s the basis of damn near everything we do” (A. Gopnik, “Bones in the Ice Cream,” *Ed Ruscha Paintings*, Toronto, 2002, p. 7). And indeed there is an unquestionable sexual element to these kaleidoscopic mountains. They are Rorschach blots open to interpretation.

Ruscha has also always been interested in mountain imagery; however, he uses it more as an investigative backdrop for his words rather than a specific geographical reference. Emerging from this concept of landscape painting rather than the accuracy of painting landscapes, his mountains are amalgams of peaks, both real and fake, the world over. According to Ruscha “the mountains emerged from my connection to landscape, and experiencing it, and especially from driving across country. In the western half of the United States mountains just erupt from this flat landscape. They’re based on specific mountains and alterations and photographs, but they’re not really mountains in the sense that a naturalist would paint a picture of a mountain. They’re ideas of mountains, picturing some sort of unobtainable bliss or glory—rock and ways to fall, dangerous and beautiful” (A. Gopnik, “Bones in the Ice Cream,” *Ed Ruscha Paintings*, Toronto, 2002, p. 7)

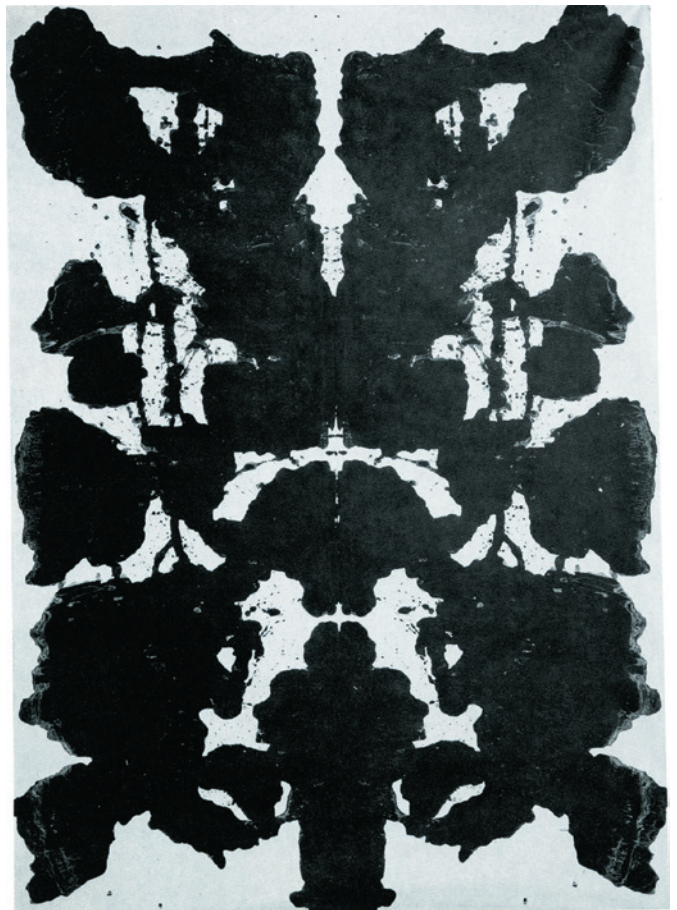
Emerging into a blue lightly clouded sky is a pristine snow-capped mountain peak. Superimposed along the bottom of the work in the same crystal snow white are the words *Sex At Noon Taxes*, meticulously written in neutral Sans Serif. They invade the natural beauty of the landscape, creating an oddly jarring yet infinitely intriguing juxtaposition. His words are beautifully distilled human footprints on the natural world. This overlaid text creates both tension and strength when imposed atop these icy mountain scenes. Ruscha said, “Paintings of words can be clearer to see when there is an anonymous backdrop. I’ve always believed in anonymity as far as a backdrop goes—that’s what I consider the ground or the landscape or whatever it is that’s in a painting. I do have paintings of backgrounds with foregrounds that seem to be the words or the images. That’s why I have this kind of lofty idea of a landscape that’s a background, but I don’t see it. It’s almost not there. It’s just something to put the words on.” (F. Fehlau, “Ed Ruscha,” *Leave any Information at the Signal*, Cambridge, 2004, p. 265)

Should we read or admire these lofty canvases? Ruscha possesses a deadpan sense of humor. The names that march along these mountains are meant to make the paintings “neurotic”—in Ruscha’s own word. These words that float across the surface of his canvas are made even more confusing by the fact that we are unable to grasp any contextual meaning from the background, and this is exactly as Ruscha intended it. “I’m creating some sort of disorder between the different elements. And avoiding the recognizable aspect of living things by painting words. I like the feeling of an enormous pressure in a painting,” Ruscha said. (E. Mahoney, “Top of the Pops,” *The Guardian*, August, 14, 2001)



Andy Warhol, *Paramount*, 1985. © 2010 The Andy Warhol Foundation for the Visual Arts / Artists Rights Society (ARS), New York





Andy Warhol, *Untitled (Rorschach Series)*, 1984. © 2010 The Andy Warhol Foundation for the Visual Arts / Artists Rights Society (ARS), New York

The kaleidoscopic, Rorschach blot is unquestionable and only heightens this feeling. Both the words and mountain are detailed mirror images of each other, creating a painting that becomes a loaded double entendre. The beauty and interpretive possibilities that lie within these images have appealed to an array of artists, including Andy Warhol, in both their abstraction and intellectual elucidation. Ruscha allows our reading of his work to be open for interpretation although the words and image do hint in a certain direction. We can't help but wonder what a psychologist would think of our possible analyses and which emotional and intellectual factors would be revealed. Between the symmetry of the mountains and words, we are presented with multiple possible meanings. The phrase *Sex At Noon Taxes* as a whole is a complete non sequitur which seems to make no sense yet it still manages to insinuate something ever so slightly *film noir-esque*.

Individually each word is laden with meaning and completely contradictory. *SEX* and *TAXES* are from opposite ends of the emotional spectrum, one replete with feelings of pleasure the other with feelings of dread. Ruscha once said "I've never been able to look at my work as though the words I use can be used for anything more than what I've done with them. In other words, I'm not combining words to make word gestures. Each word is an excursion unto itself" (F. Fehlau, "Ed Ruscha," *Leave any Information at the Signal*, Cambridge, 2004, p. 192). And indeed this is perfectly attuned to the present painting where the phrase does not hold much logical meaning yet the individual words are replete with connotations. His art stretches the mind, forcing us to think outside of an already very large box.

One can't help but wonder how Ruscha chooses the words that he paints. Even he cannot give us a completely certain answer: "Sometimes I'm drawn to a specific reference on the radio or in a book," he said, "But sometimes it's almost like they come out of the air to me and painting them seems like a natural thing to do. I've tried looking in dictionaries for inspiration, but it doesn't work so well" (A. Sooke, "Ed Ruscha: Painting's Maverick Man of Letters," *The Telegraph*, February 9, 2008). For Ruscha, words are objects, linguistic ready-mades. He paints them mostly because their graphic appearance appeals to him and he enjoys the puzzles his works create for the viewers. In this way, the roots of his art have hints of Surrealism and nod to René Magritte in particular. Like Magritte his paintings are riddles. They might quicken our curiosity, but they also baffle us by only ever flirting with meaning. As Ruscha once said: "Art has to be something that makes you scratch your head." And indeed *Sex At Noon Taxes* does exactly that.

"Mountain imagery has always served as a visual shorthand for the sublime, from the pantheist canvases of Caspar David Friedrich and the Catskills of the Hudson River School to Ansel Adams's photographs of the Rockies . Mountains, in their everyday untouchability, still seem like residences for the gods. But Ruscha resists knee-jerk spiritualism (and, one might argue, his own often mentioned dormant Catholicism) by emblazoning slogans that render the scenes absurd" (M. Schwendener, "Ed Ruscha—Reviews", *ArtForum*, New York, November, 2002). And these paintings are sincerely sublime: sublimely beautiful, sublimely evocative and sublimely confusing.



René Magritte, *Moments musicaux (Musical Moments)*. Photo: Herscovici / Art Resource, NY. © 2010 C. Herscovici, London / Artists Rights Society (ARS), New York



A photograph of a snow-capped mountain peak under a clear blue sky. The mountain's surface is covered in white snow, with dark, jagged rock formations visible in some areas. The sky is a solid, vibrant blue. Overlaid on the lower portion of the image is the text "SEX AT NO" in large, white, sans-serif capital letters.

SEX AT NO





DON TAXES



116 **ROY LICHTENSTEIN** 1923-1997

*Two figures, Indian*, 1979

Oil and magna on canvas. 70 3/4 x 86 3/4 in. (179.7 x 220.3 cm). Signed and dated "© Roy Lichtenstein '79" on the reverse.

**Estimate \$3,000,000-5,000,000**

**PROVENANCE** Leo Castelli Gallery, New York (LC# 839); Private collection, Texas; Private collection, Los Angeles; Gagosian Gallery, New York; Acquired directly from the above by the present owner (1988)

**EXHIBITED** New York, Leo Castelli Gallery, *Roy Lichtenstein: Recent Paintings*, 1979  
Image © Estate of Roy Lichtenstein

*They're just a mixture of every kind of Indian design from Northwest Indians to Plains Indians to Pueblo. They are no particular tribe of Indians. It's just everything that people vaguely associated with Indians...Anything that I could think of that was 'Indian' got into them.*

Roy Lichtenstein quoted in G. Stavitsky and T. Johnson, *Roy Lichtenstein American Indian Encounters*, Canada, 2006, p. 25















"Then I turned to Indian Surrealism, probably under the influence of Max Ernst who did some Surrealist work that was related to the American West and featured certain Native American themes. I did a series in the 1950s that used Native American designs to make figures. These early paintings were more Expressionist in character. In the later paintings [such as *Indian Composition*, 1979] I used the patterns from Indian blankets or pottery to represent figures of some kind. [...] Of course, there were many tribes and many different kinds of designs of Native Americans who had little contact with one another. These designs and motifs are all piled into one painting because they remind me of the concept of Native American work" (R. Lichtenstein, "A review of my work since 1961: a slide presentation," *Roy Lichtenstein*, Cambridge, 2009).

Perhaps no artist of the twentieth century has employed such a recognizable visual vocabulary as Roy Lichtenstein. His signature palette of bold primary colors—mostly reds, yellows and blues—set against neutral blocks of black, white and gray create a stunningly dynamic canvas from which his Benday dots and bold lines emerge. He is as well known for this very technique as he is for the subjects he paints. His art is based on both the visual culture of mass media and in the annals of art history. This approach to painting is both unique in its style and emblematic of the times in its use of appropriation. Culling inspiration from Surrealism and Native American imagery, *Two Figures, Indian* is a rare piece from Lichtenstein's short American Indian period from 1979 through 1981.



René Magritte, *The Morning Star (L'étoile du matin)*, 1938. Photo: Banque d'Images, ADAGP / Art Resource, NY. © 2010 C. Herscovici, London / Artists Rights Society (ARS), New York



Pablo Picasso, *Woman with a Blue Hat*, Royan, October 3, 1939. Photo: Réunion des Musées Nationaux / Art Resource, NY. © 2010 C. Herscovici, London / Artists Rights Society (ARS), New York

This was not Lichtenstein's first foray into the subject. In the late 1950s he approached the same topic of American Indian symbols and iconography, coining the term Amerindian to refer to his work. His interest in the subject stemmed in part from the sheer visual splendor of Native American imagery as well as from a desire to explore the true roots of American mythology. During the 1940s and 50s many of the European artists who had moved to New York began to explore images of the American West. The rich symbolism and legends of Native American cultural heritage were of undeniable lure and fascination to the Surrealists. Chief among these were René Magritte, Salvador Dalí and Max Ernst.

In this way all of Lichtenstein's works are fundamentally conversations with both art history and popular culture. Strongly influenced by some of the greatest artists of the twentieth century, Lichtenstein both adopted and ran from the effect they had on his art. He once said that he spent his entire career running away from the particular influence of Picasso, yet he also admitted that he was never fully able to escape it.

The present composition brings to mind Picasso's *Woman with a Blue Hat* from 1939 in both its reduction of forms and composition. Indeed, describing the inspiration for his paintings, Lichtenstein once stated, "I think the aesthetic influence on me is probably more Cubism than anything. I think even the cartoons themselves are influenced by Cubism, because the hard-edged character which is brought about by the printing creates a kind of cubist look that perhaps wasn't intended" (A. d'Offay, ed., *Some Kind of Reality*, London, 1997, p. 7).

The connection between Cubism and African imagery is very much the same as the connection that some Surrealists made with Native American imagery.





Roy Lichtenstein, *Girl with Tear I*, 1977. © Estate of Roy Lichtenstein

Lichtenstein said, "Max Ernst had some American Indian images. In the '50s I had done American Indian things that were very similar to these... [They] were cubist variations using Indian subject matter. In a sense, say that Picasso used African things, America made (use of) Indian things. However, I was still so heavily influenced by Picasso and expressionism that it was in spite of rather than because of the Indian subject matter" (G. Stavitsky and T. Johnson, *Roy Lichtenstein American Indian Encounters*, Canada, 2006, p. 24).

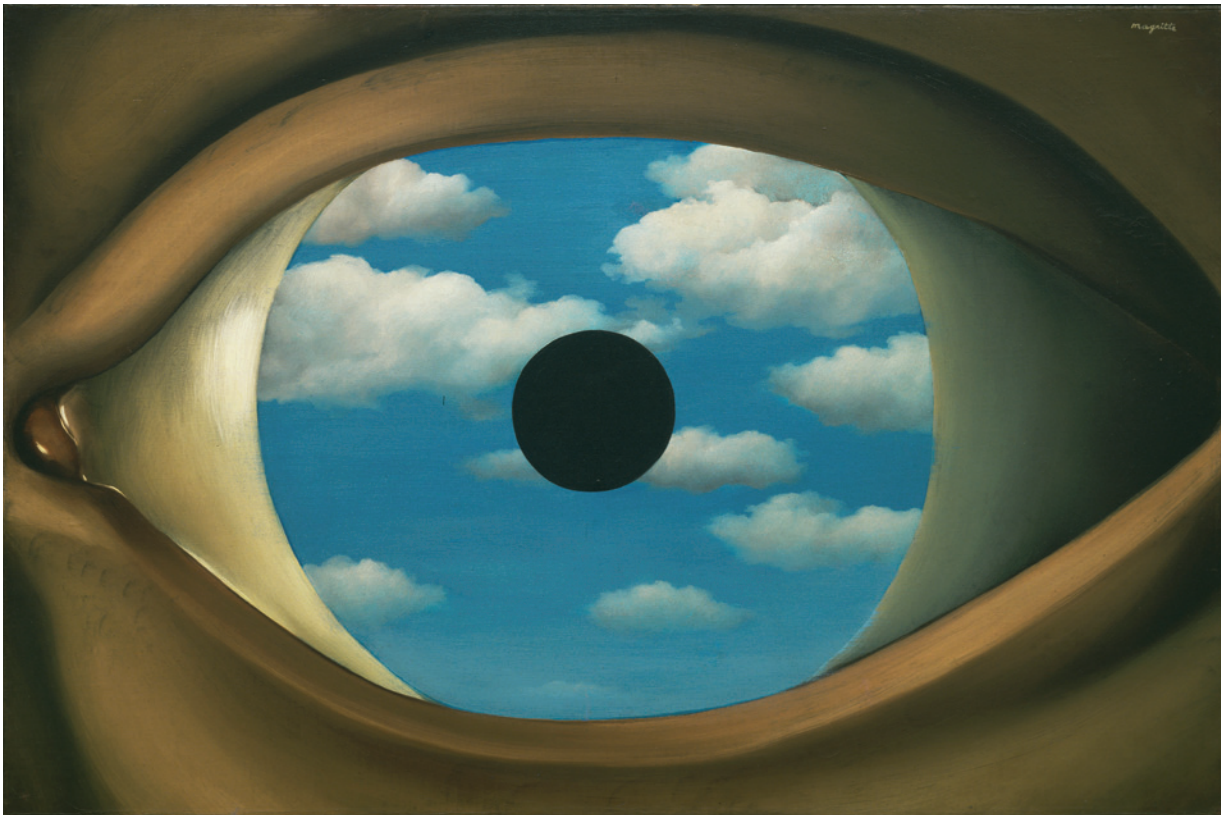
*Two Figures, Indian* is a particularly remarkable piece as it blends together this variety of influences. The Native American imagery is prevalent—an amalgam of different traditions including the Navajos and the Acoma and Zuni Pueblos of New Mexico (world renowned for the bold graphics of their pottery). Lichtenstein was not aiming for historical accuracy but rather hoping to fuse together the images that have come to represent the American West. The deep reds, warm yellows and cool blocks of gray are colors that are both typical of Lichtenstein as well as of Native American imagery. The highly stylized bold parallel lines and zigzag patterns are as much at home on a beautiful piece of pottery as they are on his canvases. The painting is ripe with imagery including an eagle's beak, brightly colored feathers, arrow markings and a bear paw—all traditionally symbolic. He has reduced these forms and figures down to their most geometric elemental components, seeing the beauty and potential of the Native American motifs.

Approaching this painting on the heels of his Surrealist exploration from 1973-1979, the elements are rendered in much the same way as Picasso would distort his women or the Surrealists would alter their forms. The Surrealists sought to expose the unconscious by presenting ordinary objects or people in highly stylized and unlikely contexts, creating works that were both ephemeral and dreamlike. With this in mind, undoubtedly the main focal points of the painting are the two eyes, iconic symbols of Surrealism, considered to be windows into the unconscious. The importance given to the eyes in this painting also pay homage to Lichtenstein's bright eyed heroines from his comic strip paintings or his famous *Girl with Tear* from his Surrealist series. The eyes are highlighted by two eyebrows which are rendered almost as quotations. Lichtenstein once said: "[It's] like a Northwest Coast totem pole eye, except it has...an eyebrow. Mine is definitely a cartoon eyebrow" (G. Stavitsky and T. Johnson, *Roy Lichtenstein American Indian Encounters*, Canada, 2006, p. 28)



Andy Warhol, *The American Indian (Russell Means)*, 1976. © 2010 The Andy Warhol Foundation for the Visual Arts / Artists Rights Society (ARS), New York





René Magritte, *The False Mirror*, 1928. Photo: Digital Image © The Museum of Modern Art/Licensed by SCALA / Art. © 2010 C. Herscovici, London / Artists Rights Society (ARS), New York

To fully understand this series it is also necessary to turn to the political and cultural atmosphere at the time. During the late 1970s there was a renewed interest in Native American art and culture. It was not only highly visible thanks to a variety of exhibitions and publications but also due to significant press, particularly in the *New York Times*, on the American Indian Movement and the Red Power Movement. The leaders of these organizations were demanding changes in reservations policies and the honoring of treaty obligations. Chief among these leaders was Russell Means (an Ogala Sioux who led an uprising at Wounded Knee on the Pine Ridge Reservation of South Dakota during the spring of 1973), who captured the attention of Andy Warhol in his 1976 series, *The American Indian*. Warhol was a good friend of Lichtenstein's and one of these portraits was reproduced on the inside cover of *Art in America* in March 1979, shortly before Lichtenstein began anew his work on the Amerindian paintings.

In the spring of 1979, several of the paintings from the Amerindian series were exhibited at the Leo Castelli Gallery, including the present work. His *Study for Two Figures, Indian*, also from 1979, was featured in *Symbols and Scenes: Art by and About American Indians*, a permanent collection-based show at the Corcoran Gallery of Art in 1980. It was not again until 2005 that this series would be re-examined in an exhibit uniquely devoted to it at the Montclair Art Museum called *Roy Lichtenstein: American Indian Encounters*.

Woven throughout Lichtenstein's work, like a very detailed tapestry is a thread of post-Modern image appropriation. *Two Figures, Indian* is an amalgam of signature Lichtenstein—it is both a portrait and a still life, it draws inspiration from both Surrealism and Cubism; from Native American imagery and from comic books. He references some of the most prolific artists of the twentieth century but none so much as he references himself. Whether intended or subliminal, these visual nods embody Lichtenstein and have made him one of the preeminent masters.



Salvador Dalí, *The Eye*, 1945 © 2010 Salvador Dalí, Gala-Salvador Dalí Foundation / Artists Rights Society (ARS), New York







117 **MARK ROTHKO** 1903-1970

*No. 9*, 1947

Oil on canvas. 17 5/8 x 14 5/8 in. (44.8 x 37.1 cm).

**Estimate \$800,000-1,200,000**

**PROVENANCE** Betty Parsons, New York; Christie's, New York, *Contemporary Art from the Estate of Betty Parsons*, November 9, 1983, lot 328; Private collection, New York; Jan Krugier Gallery, New York; Ameringer & Avaré Fine Art, Inc., New York; Private collection, Switzerland; Gallery Urban, Nagoya-New York-Paris; Sotheby's, New York, *Contemporary Art*, November 17, 1992, lot 29; Acquired from the above by the previous owner; Christie's, New York, *Post-War & Contemporary Art Morning Session*, November 13, 2008, lot 144; Collection of R. Antonio, Manila/New York

**EXHIBITED** New York, The Betty Parsons Gallery, 1949; New York, Katonah Gallery, *Color*, February - March 1970; Tokyo, Seibu Museum of Art, *Three Decades of American Art Selected by the Whitney Museum*, June - July 1976, no. 12 (illustrated)

**LITERATURE** D. Anfam, *Mark Rothko: The Works on Canvas Catalogue Raisonné*, New Haven and London, 1998, p. 283, no. 366 (illustrated)



Mark Rothko at Betty Parsons Gallery, New York, 1950









Mark Rothko, *No. 1 (No. 18, 1948)*, 1948-1949, Collection of the Frances Lehman Loeb Art Center, Vassar College. Photo: © 1998 Kate Rothko Prizel & Christopher Rothko / Artists Rights Society (ARS), New York

Throughout his career Mark Rothko grappled with the timeless issues that have faced humanity-from ecstasy to tragedy. In confronting the full range of human experience, Rothko granted the world a universal visual language of emotion. Evolving out of his explorations of ancient narratives suffused with surrealism, Rothko's work in the later part of the 1940s began to acquire the qualities that would firmly plant him in the pantheon of 20th century art history.

Rothko constructed compositions from earlier in the decade out fine, wispy forms that alluded to his interpretation of classical myths. "I think of my pictures as dramas: the shapes in the pictures are the performers. They have been created from the need for a group of actors who are to move dramatically without embarrassment and execute gestures without shame." By 1947 those techniques gave way to an approach that incorporated broader swaths of color, executed with increasing assertion. As if the delicate forms which represented a type of stage actor for Rothko, began to take on more substantial physical form, morphing from archetypes to characters. Rothko describes the increasing autonomy that the shapes in his work began to acquire in an essay written in 1947.

"On shapes:

They are unique elements in a unique situation.

They are organisms with volition and a passion for self-assertion.

They move with internal freedom, and without need to conform with of to violate what is probable in a familiar world.

They have no direct association with any particular visible experience, but in them one recognizes the principle and passion of organisms."

The extension of free will, a quasi-human characteristic to his forms carried substantial weight for Rothko. With this insight and how he executed it in *No. 9* specifically, we witness the birth of Rothko's mature style, where color takes center stage.

In his second one man exhibition with Betty Parsons held in the spring of 1949, Rothko included *No. 9*. Opening to positive critical response, reviews described the work as producing a "savage, rhetorical impact" and that the paintings did "not imitate anything in the world". Of the eleven works in the show only three have been identified.

*Untitled*, 1947 in the Collection of the Solomon R. Guggenheim Museum and *No.9*, 1948 in the Collection of the National Gallery of Art in Washington. *No. 9*, 1947 is the only work positively identified as having been in the show and also in private hands.

David Anfam, author of the Catalogue Raisonne of the Works on Canvas, identifies the "special importance" of a "promise of things to come" that *No. 9* represents within this seminal body of work. Postulating that Rothko may have considered it a "breakthrough," Anfam singles out the work as "sketching out...innovations that expand into the climactic works of 1949." Among the most striking of these developments, is Rothko's dramatic use of a vibrant orange ground accented with yellow and red. *No. 9* is first use of these colors in combination. Rothko would continue to explore this palette in some his most well known works such as *No.5/ No. 22* in the collection of the Museum of Modern Art.

For Anfam it is not only the color, but the formal advancement of *No. 9* possess the most power. He identifies that the "gaseous" forms coalesce into the "nucleus of the classic design-two or more tiered rectangles with round corners". The "luminous evanescence" of *No. 9* belies its size and expresses an emotional exuberance. The warmth and intrinsic humanity of *No. 9* presage the concerns that Rothko would contend with for the next twenty years.



Mark Rothko, *Untitled (Painting)*, 1953-1954, Collection of the Art Institute of Chicago, Friends of American Art. Photo: © 1998 Kate Rothko Prizel & Christopher Rothko / Artists Rights Society (ARS), New York







118 **ED RUSCHA** b. 1937

*Production*, 1972

Oil on canvas. 20 x 24 in. (50.8 x 61 cm). Signed, titled and dated "1972 Ed Ruscha  
Production" on the stretcher bar.

**Estimate \$600,000-800,000**

**PROVENANCE** Leo Castelli Gallery, New York; Mrs. Herbert Lee, Belmont, Massachusetts;  
Galerie Rolf Ricke, Cologne; Private Collection, Germany; Sale: Sotheby's, London,  
*Contemporary Art (Evening)*, February 6, 2003, lot 1; James Corcoran Gallery, Los Angeles;  
Edward Tyler Nahem Gallery, New York

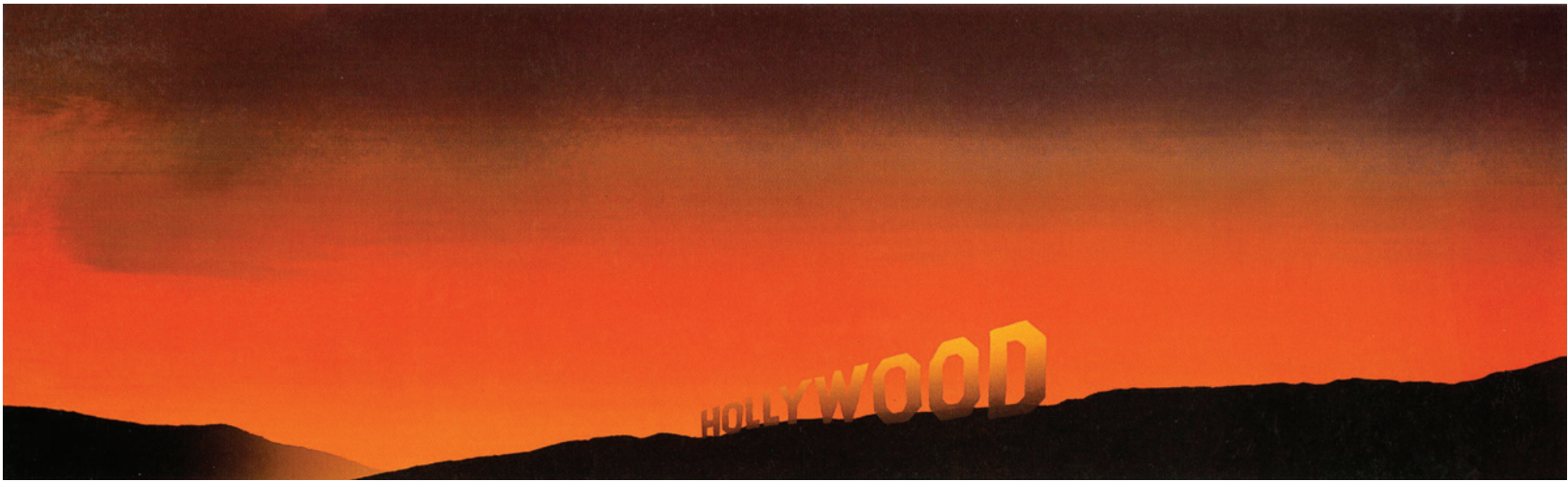
**EXHIBITED** Frankfurt am Main, Frankfurter Kunstverein, *Kunst Nach 45 aus Frankfurter  
Privatbesitz*, October 7 - November 27, 1983; Frankfurt am Main, Portikus, *On Kawara—Wieder  
und Wider—Again and Against*, March 19 - April 26, 1989, no. 7; New York, Edward Tyler  
Nahem Gallery, *Ed Ruscha Selected Works*, May 6 - June 30, 2005

**LITERATURE** *Kunst Nach 45 aus Frankfurter Privatbesitz*, Frankfurt, 1983, p. 316 (illustrated);  
O. Kawara, *On Kawara—Weider und Wider—Again and Against*, Frankfurt, 1989 (illustrated);  
H. Foster, "Ruscha Productions," *Ed Ruscha Selected Works*, New York, 2005, pp. 9 and 22-23  
(illustrated); R. Dean and E. Wright, *Edward Ruscha Catalogue Raisonné of the Paintings Volume  
Two: 1971-1982*, Germany, 2005, p. 40, no. P1972.08 (illustrated)



P R O D U C T I O N





Ed Ruscha, *Hollywood*, 1968

Throughout his five decades of work, Ed Ruscha has developed a sophisticated engagement with the tension between language and image. Deeply influenced by the disruptive actions of Dada and the materiality of Jasper Johns, he has approached words and phrases as an artistic medium that is transformed in his deft hands. Ruscha has treated language as a ready-made, a found object; isolating his carefully selected examples of speech on painted grounds that toy with the notion of perspective and the illusion of the picture plane. He set his subjects apart not only from the verbal context of other words, but often from the world that they refer to. In the process he has incanted spaces in which the viewer can fully engage in the meanings and resonances, forms and sounds that each utterance evokes.

In creating this gap, Ruscha has subjected various words in his paintings to extreme manipulations, from setting *Damage* ablaze to clamping and pinching *Dimple*, *Boss* and *Radio*. These visual techniques created the illusion of the painted word as having physical mass. This trope was further explored in his *Liquid* paintings, which depict words composed of various viscous substances: maple syrup, oil, milk, or water.

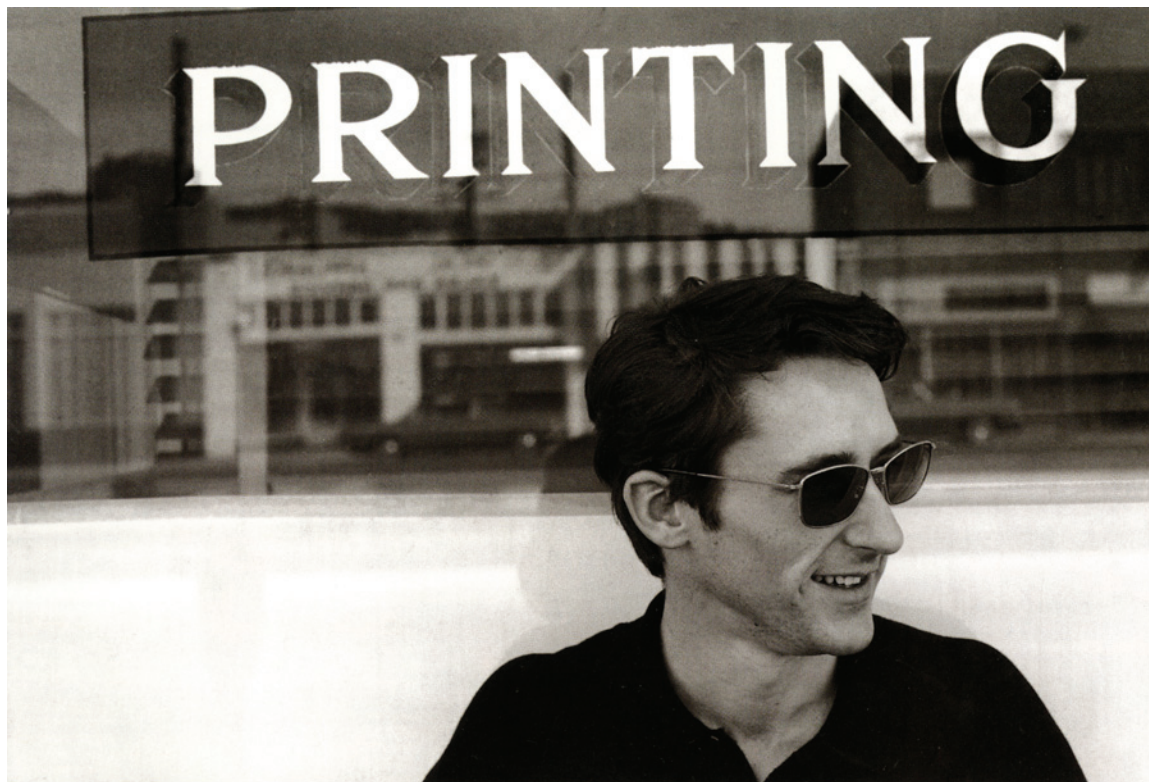
At the same time Ruscha was exploring these trompe l'oeil effects, he began a series of single words painted on grounds of gradated caustic colors. Ruscha depicted each word in the font Stymie Ex Bold. Each individual letter was set further apart than in standard typography which accentuated the illusion of levity. In addition the spacing lent each character an autonomy that prevented the word from formally coalescing in a natural manner. This subtle shift in position is less aggressive than the early deformations of text but the effect is no less jarring.



1	+	1	=	3
2	+	3	=	6
4	+	4	=	5
7	+	3	=	8
5	+	1	=	2
3	+	4	=	9
6	+	2	=	7







Dennis Hopper, *Edward Ruscha*, 1964

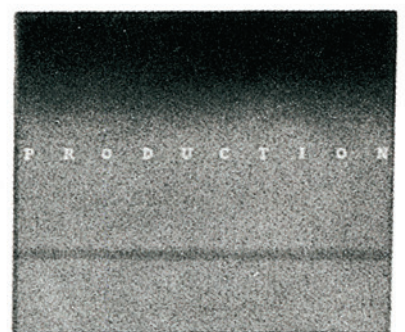
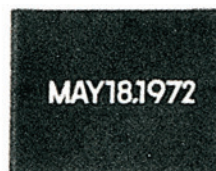
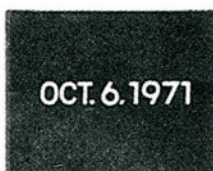
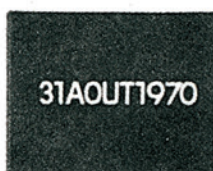
As if forming from the noxious fumes of primeval creation, these word paintings possess no context or visual reference to anchor the word to an earth bound existence. The utterance is suspended in a hazy purgatory, which alludes to but never imposes a landscape. Similar to the exercise of repeating a word until its meaning evaporates into pure sound, Ruscha's slight spatial gestures uncover the vagary of the production of meaning from speech. The formal concerns are but one element to the composition. It is Ruscha's selection of word that elicits the most resonance. It is the supposed temperature of a word that attracts him to them. "Words have temperature to me. When they reach a certain point and become hot words, then they appeal to me."

*Production* is clearly a very hot word. From an early period Ruscha has been drawn to the power of words that evoke the artifice of the film industry. His painting of the 20th Century Fox trademark in 1962 and his 1968 screen print

of the Hollywood sign, used ubiquitous images of movie making to illustrate elements that have remained central to his work. With his choice of the word *Production*, Ruscha has made the link to film explicit, evoking the collective enterprise of making and marketing a movie. Ruscha has referred to himself as a frustrated filmmaker and in the year prior to *Production*, he directed his first film, *Premium*. "With a painting you don't get a running storyline from beginning to end, you are confronted instead by something smack, face-on, something which doesn't move."

*Production* evokes the film studio, the painting studio and the factory floor, but it is to the act of painting that Ruscha returns:

"I find that painting offers more possibilities than movies."





119 **CECILY BROWN** b. 1969

*Eclogue*, 2001

Oil on canvas. 48 1/8 x 60 1/8 in. (122.2 x 152.7 cm). Signed and dated "Cecily Brown 01" on the reverse; signed and dated again "Cecily Brown 2001" on the stretcher bar.

**Estimate \$250,000-350,000**

**PROVENANCE** Gagosian Gallery, New York

**EXHIBITED** New York, Gagosian Gallery, *Cecily Brown*, February 19 - March 16, 2002

**LITERATURE** S. Cotter, "Seeing Double," *Cecily Brown: Paintings*, Oxford, 2005, p. 42, fig. 1 (illustrated); D. Ashton, *Cecily Brown*, New York, 2008, p. 132 (illustrated)

Among her series of landscape paintings, this work marks a significant departure in Cecily Brown's *oeuvre*. In this more intimate, less graphic canvas, one can see a shift in both her formal approach and subject matter. While in the past, her figures materialize within a similarly incorporeal foreground, here her subjects are concealed within a definite depiction of a landscape that simultaneously functions as its own horizon line. The result, as the title *Eclogue* describes, is a pastoral poem, a fleeting dialogue between figure and ground, paint and image, the present and the history of painting. Though the theme of this work is pastoral, it is not idyllic. Rather, this landscape reverberates with the tension created between its form and content; between Brown's bold brush strokes and the figures she has obscured beneath its surface. As the artist herself explains, "I am interested in the unfixed nature of things. I want the work to have a trapped energy so that the paint seems to vibrate in place. I want the viewing of it to approximate the experience of being in the world. That may be why I'm reluctant to assign fixed meaning, and why it seems necessary to keep things always in flux." (D. Ashton, *Cecily Brown*, New York, 2008, pp. 25-26)

Brown's practice is steeped in and inseparable from the history of painting. She draws from the sensuality of the Renaissance masters, the gestural abstraction of Willem de Kooning and the aggressive figural distortion and attack on the senses of Francis Bacon. Yet, her works remain entirely present as she maintains a fearless attitude towards eclecticism. The landscape depicted in this work, therefore, can be understood as that of Brown's *oeuvre* itself: "a world made up of history and painting, the ineffable engine of desire and artistic language itself, converted into a real hedonistic garden where images and brushstrokes meld into each other without respecting any sort of hierarchical criteria." (D. Ashton, *Cecily Brown*, New York, 2008, p. 19)







120 **ERIC FISCHL** b. 1948

*April in the Shower*, 1992

Oil on canvas. 98 1/4 x 74 1/8 in. (249.6 x 188.3 cm). Signed, titled and dated

"Eric Fischl April in the Shower '92" on the reverse.

**Estimate \$300,000-500,000**

**PROVENANCE** Daniel Weinberg Gallery, San Francisco; Acquired from the above by the present owner

After his emergence in the 1980s, Eric Fischl has come to be one of America's most preeminent figurative painters. Fischl's canvases are both engaging and distinctly American, compelling the viewer to partake in a world of middle-class suburban drama and uncertainty. Powerful and frank in their depictions, Fischl's works are wrought with narrative, psychological and sexual tension.

Exemplary of the increasingly personal and contemplative nature of his more mature work, *April in the Shower* is a portrait of the artist's own wife, painter April Gornik. Here, the bathroom functions as a stage on which Fischl experiments with the idea of public versus private. The viewer, therefore, both partakes and observes, at once a participant and a voyeur.

What is central to the present piece, and his other work, Fischl explains, "is the feeling of awkwardness and self-consciousness that one experiences in the face of profound emotional events in one's life. These experiences, such as death, or loss, or sexuality, cannot be supported by a lifestyle that has sought so arduously to deny their meaningfulness, and a culture whose fabric is so worn out that its public rituals and attendant symbols do not make for adequate clothing. One, truly, does not know how to act! Each new event is a crisis, and each crisis is a confrontation that fills us with much the same anxiety we feel when, in a dream, we discover ourselves naked in public.'" (P. Schjeldahl, *Eric Fischl*, New York, 1988, p. 21)







121 **JEAN-MICHEL BASQUIAT** 1960-1988

*MP*, 1984

Acrylic and Xerox collage on canvas. 85 7/8 x 68 in. (218.1 x 172.7 cm). Signed, titled, and dated "'MP' 1984 Basquiat" on the reverse.

**Estimate \$2,000,000-3,000,000**

**PROVENANCE** Mary Boone Gallery, New York; Acquired from the above by the present owner

**LITERATURE** R. D. Marshall and J.L. Prat, *Jean-Michel Basquiat*, Paris, 1996, 2nd ed., vol. II, p. 136, no. 1 (illustrated); R. D. Marshall and J.L. Prat, *Jean-Michel Basquiat*, Paris, 2000, 3rd ed., vol. II, p. 220, no. 1 (illustrated)





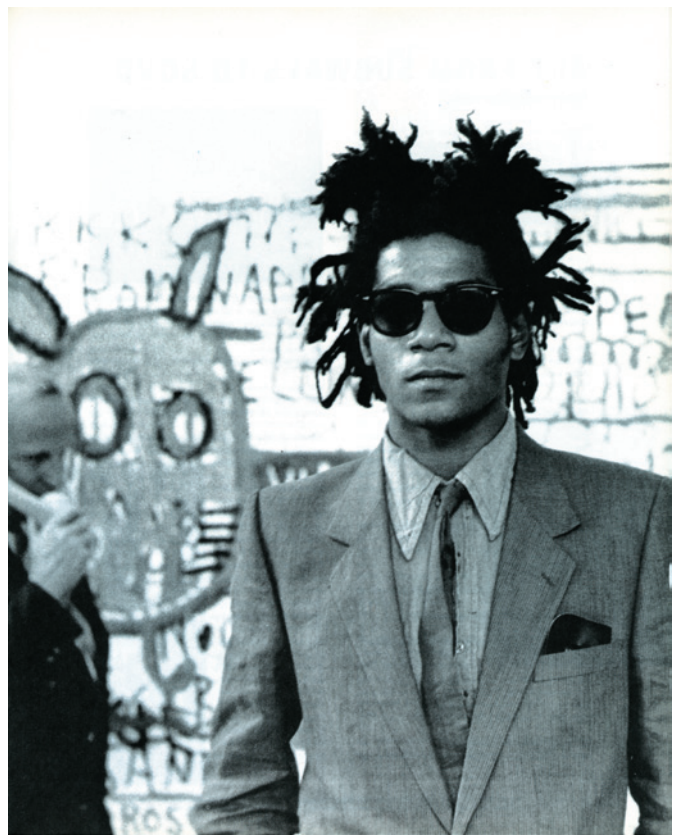


The wild-child of the 1980s, Jean-Michel Basquiat's life was a whirlwind of extremes. Putting paint on canvas for the first time in 1981, by 1983 he was an artist of rock star status. Until his untimely death from a heroin overdose in 1988, Basquiat's output was prolific and his impact profound. It can be said that as both an artist and an individual, Basquiat "captured the downtown pulse of his time, for good and ill, and defined some key cultural crossovers. The son of Haitian and Puerto Rican parents, he embodied the emerging doctrine of multiculturalism and jumbled up various traditions with devil-may-care energy...He did not have much formal training as a painter and did not pretend otherwise, perhaps sensing that without a long apprenticeship, pretenders to the high tradition become derivative artists. Instead, he developed a distinctive, rough style that has the aura of a self-taught, sui generis outsider who lives in the middle of nowhere. Except, of course, that this smart naïf lived in the heart of the New York art world" (M. Stevens, "American Graffiti," *New York Magazine*, May 21, 2005). Painted just four years before his death, *MP* is both emblematic of his style and evocative of the symbolism that so enraptured him.

Basquiat's freshly urban and totally unique brand of intellectualized 'primitivism' was informed by a full spectrum of art historical and cultural sources: Jackson Pollock, graffiti art (both modern and ancient), Pablo Picasso, Jean Dubuffet, the religious and cultural influences of his family background as well as the gritty urban context in which he lived and worked. The present work can be seen as a synthesis of Basquiat's diverse art historical interests and his hyper-awareness of, and emersion in his own environment. The fierceness of this painting, as well as the focus on the isolated figure at odds within its own environment recalls the rude urbanism in Dubuffet's paintings before 1950 and the totemic hieroglyphic figures of Pollock's early paintings. Both artists' raw power and defiance of traditional aesthetic norms appealed to Basquiat. The sheer energy of confrontation evident in the present work also recalls Picasso's fleshy contests between man and woman; self and other; innocence and experience. *MP* demonstrates Basquiat's ability as a self-taught artist who used his vast visual and cultural knowledge to create a fresh and entirely unique iconography. It is a prime example of Basquiat's artistic expression, one "that is aggressive and rapid, yet thoughtful and literate, and which displays an expressive and intuitive control of gesture, color, and composition that is combined with provocative images and relevant subjects that are rich in reference and allusion." (R. D. Marshall, "Foreward and Forward: Jean-Michel Basquiat," *Basquiat*, New York, 1999, p. 24).



Jean-Michel Basquiat, *Self-Portrait*, 1982. © 2010 The Estate of Jean-Michel Basquiat / ADAGP, Paris / Artists Rights Society, New York



Jean-Michel Basquiat with Bruno Bischofberger at the Galerie Bruno Bischofberger, Zurich, 1982. Photo: Beth Phillips

*MP*, like Basquiat's other works, reveals a confluence of his numerous interests and energies, the general categories of which include his own biography, black heroes, cartoons, anatomy, graffiti, signs and symbols as well as money, racism and death. The words, in particular, describe the subjects most important to him. For, "he continually selected and injected into his works words which held charged references and meanings—particularly about his deep-rooted concerns about the creation (and abuse) of power and wealth, and the control and valuation (and exploitation) of natural resources, animals, and produce" (R.D. Marshall, *Jean Michel Basquiat*, Paris, 2000, p. 37). Spanning the right side of this work, next to the image of the black male figure, are Basquiat's signature collaged Xeroxes carefully inscribed with a list of words and scribbled images. Repeated over and over, almost as a mantra, is the word Carbon. Carbon, the non-metallic element of which diamonds are made can be understood as an autobiographical reference to Basquiat—himself having become wealthy and his works valuable. Carbon is also found in graphite, a material used for both drawing and writing, further pointing to Basquiat as both artist and author. This deliberate juxtaposition of these words against the black male figure reveals *MP* as a kind of self-portrait of the artist.

Basquiat further uses the word 'regeneration', the symbol for the Yen currency, drawings of Lucky Strike cigarettes and a houseplant in this painting. With these references "Basquiat is scrutinizing man's seizure and monopolization of the earth's animal and mineral resources, and questioning why and how these resources, that are ideally owned by all the world's inhabitants, have become objects of manipulation, power, and wealth at the expense of the well being of mankind" (Richard D. Marshall in Enrico Navarra et al, *Jean Michel Basquiat*, Paris, 2000, p. 38). Also repeated are images of a sickle—an allusion to ancient African migration, manual labor and the sickle-cell anemia that afflicts contemporary blacks.

If one understands and interprets the figure in *MP* as a self-portrait, and takes into account the allusions to monetary value, exploitation and power, then the title *MP* itself opens up to new meaning. In 1984, the same year this work was made, Mary Boone became Basquiat's New York dealer despite his concerns about doing so. The *MP*, or Market Price, of his work, like the artist himself, becomes in a sense controlled by the gallery and the art world machine.









122 **JENNY HOLZER** b. 1950

*Selections from Erlauf II*, 1995/2001

Dark black Zimbabwe granite. Each bench: 17 3/4 x 78 x 28 in. (45.1 x 198.1 x 71.1 cm). This work is from an edition of two.

**Estimate \$300,000-400,000**

**PROVENANCE** Galerie Philomene Magers, Cologne





YOU CAN BE DYING CLIPS  
THE CHINESE MARKS ON A BROWN LUG  
WASH VISIBLE THROUGH THE TORNED AD  
BETTER, THE BEDEP  
CHANGING WOOD FOR COMFORT

POURER SO HE IS FAST  
DYING FROM KNOWING  
PARENTS OUIET WHEN YOU ARE TAKEN  
WRITING ON WALLS AT NIGHT  
KILLING EFFEMINATE MEN  
THE BOY URINATES IN CLASS  
THE LEGS OF YOUR MOTHER

USING GOD  
EXPEDIENT POLICY  
NO CHANCE TO EFFECT THE ENDING  
STUPID SENTENCES EVERYWHERE  
WHO GAVE MILK

WHO MADE BEDS  
WHO LIVED IN THE WOODS  
WHO RAN TO THE RIVER  
WHO DIED LOOKING  
WHOSE THOUGHTS ARE MISSING



ALWAYS POLITE TO OFFICERS  
SMILING OFTEN TO DISARM  
THE ENERGETICALLY CRUEL  
BLOOD OUTSIDE FOR ANIMALS  
A MEMORY OF DOMINANCE  
THE SOLDIER BITES YOUR STOMACH  
SNEAKING TO WASH  
THE HORSE RUNNING INTO WALLS  
NEW TEETH IN THE BABY'S MOUTH  
THE BABY MOVES TO YOUR OTHER BREAST  
THE FOREARM OF YOUR LOVER  
ADDING WATER TO FOOD  
FULL OF SWALLOWED BLOOD  
SON OF A RAPIST  
I RAISE MY ARMS TO HIM  
THE CHILD WITH A HAND IN HER  
BIRDS EATING THEM  
PROPERTY SEIZED BY THE ZEALOUS  
YOUR MOTHER WITH NO REAL POWER  
THINKING WHILE HELD DOWN  
AGREEING TO STAY STILL  
WAITING TO BE TRANSPORTED

Jenny Holzer's "Erlauf Peace" texts memorialize the lives lost in World War II referring to the site where, on May 8th, 1945, Russian and American soldiers met to declare peace. As part of this series, Holzer created two commemorative installations, the *Erlauf Peace Monument* in Erlauf, Austria, and the *Black Garden*, in Nordhorn, Germany, both of which incorporate the design of landscape with her inscribed benches and stone pathways. As is typical of her work, these benches embrace public space in an effort to be seen and to confront viewers with messages that are often difficult but important to face. The physical weight of these benches reflects the profound weight of their literal message—the same as that of the Erlauf Memorial in Austria—and together with their infinite durability, they stand in memoriam. Holzer's *Selections from Erlauf* make participants out of viewers, inviting those who come across them to rest, absorb and ruminate on their inscriptions: WHO DIED LOOKING, A MEMORY OF DOMINANCE, WHOSE THOUGHTS ARE MISSING, PARENTS QUIET WHEN YOU ARE TAKEN...



This work exemplifies the way in which Holzer is able to give a voice to silent thoughts, often bringing to light concerns of war, death, violence, oppression, sexuality, feminism and power. Throughout her oeuvre she has continued to play with language, tartly turning clichés and sayings in on themselves as she mobilizes them for her own purposes. Indeed, she makes them mobile, often times running them across an LED screen or placing them on a bumper sticker. Seemingly mundane phrases become hauntingly serious when monumentalized in stone or broadcast on billboards or commercials. As the artist herself explains, "I came to language because I wanted to be explicit about things, but didn't want to be a social realist painter. I had been an abstract painter and that was the painting that I loved, and that I could do. It's not that I thought that one was better than the other, but for some reason I couldn't become a figurative painter. I wanted to be explicit about things, and it became clear that the only other way for me to do it was to use language. People can understand when you say or write something." (J. Simon, "Other Voices, Other Forms," *Jenny Holzer*, Germany, 2008, p. 21)

EYE CUT BY FLYING GLASS

THE CHILD WALKS ON A BROKEN LEG

BONE VISIBLE THROUGH THE FOREHEAD

BITING THE HELPER

CHEWING WOOD FOR COMFORT

DOCILE SO HE IS FAST

DYING FROM KNOWING

PARENTS QUIET WHEN YOU ARE TAKEN

WRITING ON WALLS AT NIGHT

KILLING EFFEMINATE MEN

THE BOY URINATES IN CLASS

THE LEGS OF YOUR MOTHER

USING GOD

EXPEDIENT POLICY

NO CHANCE TO EFFECT THE ENDING

STUPID SENTENCES EVERYWHERE

WHO GAVE MILK

WHO MADE BEDS

WHO LIVED IN THE WOODS

WHO RAN TO THE RIVER

WHO DIED LOOKING

WHOSE THOUGHTS ARE MISSING



123 **BILL VIOLA** b. 1951

*Union*, 2000

Color video diptych on two plasma displays mounted vertically, side-by-side on the wall. 40 1/2 x 50 x 7 in. (102.9 x 127 x 17.8 cm) overall. This work is from an edition of five plus one artist's proof. This work is accompanied by a certificate of authenticity signed by the artist.

**Estimate** \$250,000-350,000

PROVENANCE James Cohan Gallery, New York

EXHIBITED New York, James Cohan Gallery, *Bill Viola: New Work*, October 14 - November 26, 2000 (another example); London, The National Gallery, *Bill Viola: The Passions*, October 22, 2003 - January 4, 2004 (another example)

LITERATURE D. Frankel, "Bill Viola at James Cohan Gallery," *ArtForum*, December, 2000; J. Walsh, ed., *Bill Viola The Passions*, Los Angeles, 2003, p. 265 (illustrated); Y. Aznar, "Bill Viola Repertorio de Pasiones/Bill Viola: Repertoire of Passions," *Espacio, Tiempo y Forma, Series VII, Historia del Arte*, t. 17, 2004, p. 361









*Union* is a study in suffering and ecstasy. A woman and a man are seen on two adjacent screens as a wave of emotional intensity comes over them, building in strength to an unbearable level. Their bodies show the strain as they contort and struggle to withstand the mounting pressure. A light above offers a possible way out, and they stretch and strain to reach it, raising their arms high above their heads. Finally, at a moment of peak intensity, they release, and all stress and tension instantly leave their bodies. They slowly lower their arms; eyes open in bewilderment, wonder and exhaustion as they return to their natural state transformed.

The work is a document of the human condition and our longing/striving for completeness and perfection. It is also a visual record of how extreme emotional pressure is physically manifest on the body as it assaults and stresses the psyche. Under these conditions the two, mind and body, become one. This expression of union is common to both spiritual and sexual practice. However, in this work the man and woman appear on two separate screens and do not engage or acknowledge each other in any way. They undergo their experiences in isolation. Their solitary state and the black void that surrounds them emphasize the inner subjective nature of the event and its spiritual ground.

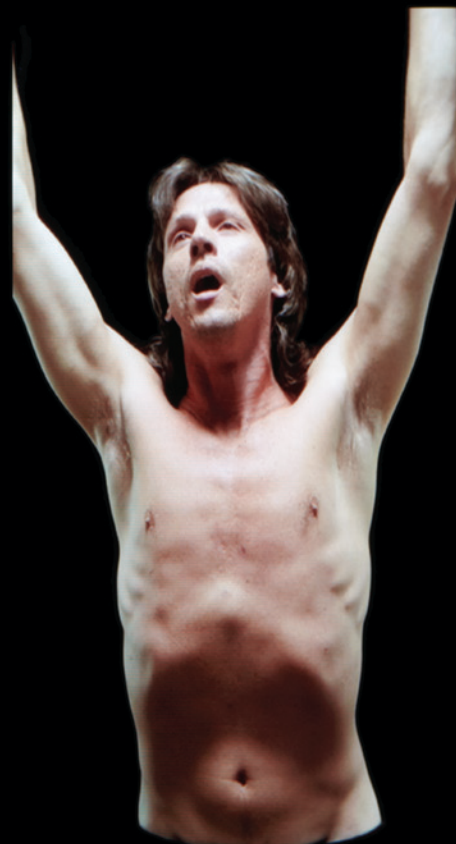






Visually, the images have a sculptural as well as a temporal form. The performers are seen naked from the waist up, recalling classical torso sculpture and the painted images of earlier versions of *The Man of Sorrows* in art history. The couple's actions are seen in extreme slow motion, making visible subtle nuances of gesture and expression. Time becomes suspended for both performers and viewers alike, further lending a subjective quality to the images. The source of the emotional wave overwhelming the two remains unseen and unknown to the outside observer. Explanation and interpretation are free to circulate as a vital part of the viewing experience of this work.

Bill Viola





124 **WADE GUYTON** b. 1962

*Untitled*, 2005

Inkjet on linen. 63 x 35 1/2 in. (160 x 90.2 cm).

**Estimate \$70,000-90,000**

**PROVENANCE** Friedrich Petzel Gallery, New York

*Untitled* by Wade Guyton employs the formal structure and appearance of a traditional painting while invoking the evolution of the modes of production taking place in Contemporary Art. As part of a series of large-scale printer drawings in which the images are derived from the pages of art books, the present work employs Guyton's process of folding the linen before repeatedly feeding it through a large format printer. He would then digitally add graphic elements to these scanned images including the black disks seen here. What results is a tension between his ready-made imagery and subjective interventions. The subsequent smudges and blurs that result (and could be characterized as printer errors) play an important role within the overall composition of the work.

*Untitled* is imbued "with a sense of chance and physical process both at odds and strangely in keeping with Guyton's chosen technologies, which are known as much for their slick reproductive powers as for their inclination toward mechanical mishap." (S. Rothkopf, "The New Black," *Parkett No. 83*, September 2008, pp. 76-77) Without using a drop of paint or making a single brushstroke, Guyton is able to recreate the residues of the spontaneous, immediate, mark. It is in this way that the artist confronts today's specific cultural situation in which any abstract gesture is inclined to recall a pre-existing abstract work.







125 **MARTIN CREED** b. 1968

*Work No. 202: Half the air in a given space*, 1998

Black 12 in. (30.5 cm) qualatex balloons. Dimensions variable: Choose a space. Calculate the volume of the space. Using air, blow up black 30.5 cm balloons until they occupy half the volume of the space. This work is accompanied by a certificate of authenticity and is signed and dated "Martin Creed 1998." in the lower left of the framed certificate.

**Estimate \$80,000-120,000**

**PROVENANCE** Titanik-galleria, Turku, Finland

**EXHIBITED** Turku, Finland, Titanik-galleria, *Proper: Blind Date 1*, 1998

**LITERATURE** L. Buck, "UK artist Q&A Martin Creed," *The Art Newspaper*, No. 86, November 1998; L. G. Mark, "fresh heir," *C: International Contemporary Art*, September - November 1999, p. 10; P. Polit and K. Stout, *Martin Creed the whole world + the work = the whole world*, Warsaw, 2004, p. 39 (illustrated)

Note from the artist: As usual the space should be full of air, but half of it should be inside balloons. Extra balloons may be added over time to maintain the volume of the work, or else the balloons may be left to deflate naturally. This work was first realized at Titanik, Turku, Finland, in October 1998.

*It's important to me to make a big nothing. I suppose that my interest in air is that it's everywhere and you can't see it. We don't have a choice about air—we need it, that's why I like it as a material—it's something I've been trying to use for ages and it was staring me in the face that really the best and simplest way of doing this is just to use balloons. They're commonplace and they're just a way of packaging air...[The colors] are all sort of non-choices again. The first one was white because I couldn't decide on a color—and white is a non-color that allows the people who are in the balloons to be the color. The second one was multicolored because I couldn't decide on a color, and so I had all of them; and when it comes to choosing a color, black is similar to white in that it is not a color—or at least not overtly.*

L. Buck, "UK artist Q&A Martin Creed," *The Art Newspaper*, No. 86, November 1998)

Conceptual artist Martin Creed is best known for his minimalist works made



from everyday household items and hardware supplies. Creed explores the way humans interact with these items in a gallery context, and is inspired by the idea of the intersection between art and life. Additionally, because his pieces are made from ordinary materials that he does not substantially manipulate, Creed imbues his work with a sense of simplicity and humility, and seems to defy the increasing commodification of art.

As expressed in its title, the present lot consists entirely of large balloons containing half the total amount of air in the room they occupy. The work constantly morphs to fit its surroundings, as the size and shape of the group of balloons vary depending on the dimensions of the space. Thus "Half the air in a given space" is perhaps better understood experientially than visually—it never looks quite the same in any two galleries, but the way in which viewers relate to it remains consistent. By enabling viewers to move freely among the swarm of balloons, Creed creates a purely physical, playful environment in which people are invited to consider their relationship to the air in the room and how they navigate through it.







126 **RAYMOND PETTIBON** b. 1957

*No Title (a reaction to) Surfer*, 2001-2002

Acrylic on canvas. 20 1/8 x 15 7/8 in. (51.1 x 40.3 cm). Signed "Raymond Pettibon" on the reverse.

**Estimate \$80,000-120,000**

**PROVENANCE** Private collection, Los Angeles (gift of the artist); Darrow Contemporary, New York

Dennis Cooper: *So, in the case of surfing, it's that you find the motif multiplicitous on a formal level, essentially?*

Raymond Pettibon: *Sometimes it is a visual interest, but it can also be the way something like surfing describes a society, and the people in it. I've done a lot of large drawings and prints of that imagery. It has that epic nature, that sublime nature that almost asks you to reproduce it full sized on the wall. So there are some images where I have reasons like that to do them again and again. But with something like Batman and Superman, for instance, they represent a lot more to me than Operaman, for instance. There's a reason why I'm going to use them a lot. It's what they represent to me.*

D. Cooper, "Interview: Dennis Cooper in conversation with Raymond Pettibon," *Raymond Pettibon*, New York, 2001, p. 25

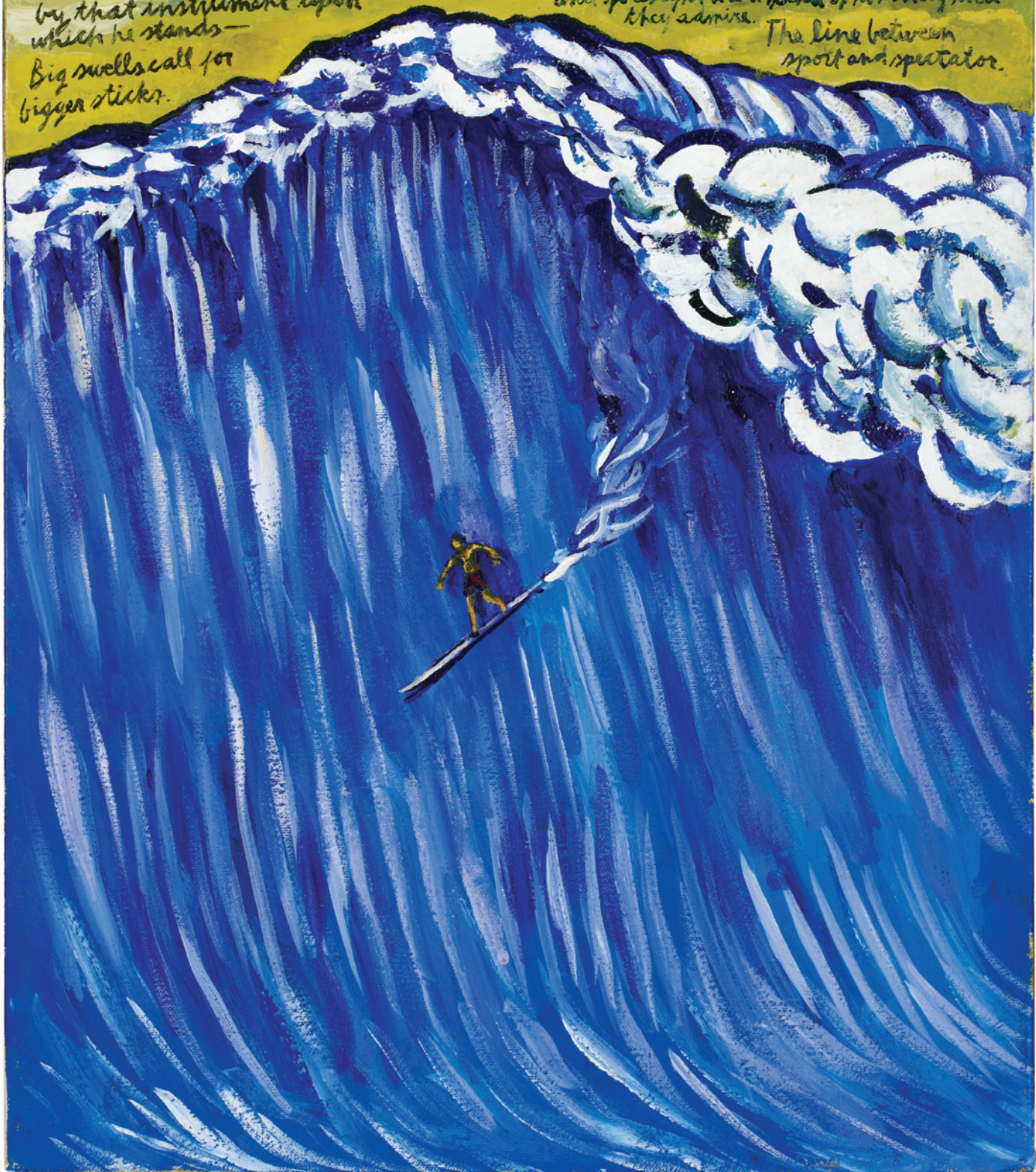


A reaction to force and demand for action; dedication to form.

His duties are measured  
by that instrument upon  
which he stands—  
Big swells call for  
bigger sticks.

Parks his Woody in full view of  
the growing group of onlookers, his varied experience  
and foresight are a kind of honorary title  
they admire.

The line between  
sport and spectator.





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**PHILLIPS**  
de PURY & COMPANY



# CONTEMPORARY ART

**AUCTIONS** FEBRUARY 2011 **LONDON**

**Phillips de Pury & Company** Howick Place London SW1P 1BB  
**Enquiries** +44 20 7318 4063 **Catalogues** + 44 20 7318 4039 / +1 212 940 1240  
**PHILLIPSDEPURY.COM**

**MARC QUINN** *Myth Venus*, 2006 **Estimate** £500,000-700,000



GUIDE FOR PROSPECTIVE BUYERS

BUYING AT AUCTION

The following pages are designed to offer you information on how to buy at auction at Phillips de Pury & Company. Our staff will be happy to assist you.

CONDITIONS OF SALE

The Conditions of Sale and Authorship Warranty which appear later in this catalogue govern the auction. Bidders are strongly encouraged to read them as they outline the legal relationship among Phillips, the seller and the buyer and describe the terms upon which property is bought at auction. Please be advised that Phillips de Pury & Company generally acts as agent for the seller.

BUYER'S PREMIUM

Phillips de Pury & Company charges the successful bidder a commission, or buyer's premium, on the hammer price of each lot sold.The buyer's premium is payable by the buyer as part of the total purchase price at the following rates: 25% of the hammer price up to and including \$50,000, 20% of the portion of the hammer price above \$50,000 up to and including \$1,000,000 and 12% of the portion of the hammer price above \$1,000,000.

1 PRIOR TO AUCTION

Catalogue Subscriptions

If you would like to purchase a catalogue for this auction or any other Phillips de Pury & Company sale, please contact us at +1 212 940 1240 or +44 20 7318 4010.

Pre-Sale Estimates

Pre-Sale estimates are intended as a guide for prospective buyers. Any bid within the high and low estimate range should, in our opinion, offer a chance of success. However, many lots achieve prices below or above the pre-sale estimates. Where "Estimate on Request" appears, please contact the specialist department for further information. It is advisable to contact us closer to the time of the auction as estimates can be subject to revision. Pre-sale estimates do not include the buyer's premium or any applicable taxes.

Pre-Sale Estimates in Pounds Sterling and Euros

Although the sale is conducted in US dollars, the pre-sale estimates in the auction catalogues may also be printed in pounds sterling and/or euros. Since the exchange rate is that at the time of catalogue production and not at the date of auction, you should treat estimates in pounds sterling or euros as a guide only.

Catalogue Entries

Phillips may print in the catalogue entry the history of ownership of a work of art, as well as the exhibition history of the property and references to the work in art publications.While we are careful in the cataloguing process, provenance, exhibition and literature references may not be exhaustive and in some cases we may intentionally refrain from disclosing the identity of previous owners. Please note that all dimensions of the property set forth in the catalogue entry are approximate.

Condition of Lots

Our catalogues include references to condition only in the descriptions of multiple works (e.g., prints). Such references, though, do not amount to a full description of condition.The absence of reference to the condition of a lot in the catalogue entry does not imply that the lot is free from faults or imperfections. Solely as a convenience to clients, Phillips de Pury & Company may provide condition reports. In preparing such reports, our specialists assess the condition in a manner appropriate to the estimated value of the property and the nature of the auction in which it is included.While condition reports are prepared honestly and carefully, our staff are not professional restorers or trained conservators.We therefore encourage all prospective buyers to inspect the property at the pre-sale exhibitions and recommend, particularly in the case of any lot of significant value, that you retain your own restorer or professional advisor to report to you on the property's condition prior to bidding. Any prospective buyer of photographs or prints should always request a condition report because all such property is sold unframed, unless otherwise indicated in the condition report. If a lot is sold framed, Phillips de Pury & Company accepts no liability for the condition of the frame. If we sell any lot unframed, we will be pleased to refer the purchaser to a professional framer.

Pre-Auction Viewing

Pre-auction viewings are open to the public and free of charge. Our specialists are available to give advice and condition reports at viewings or by appointment.

Electrical and Mechanical Lots

All lots with electrical and/or mechanical features are sold on the basis of their decorative value only and should not be assumed to be operative. It is essential that, prior to any intended use, the electrical system is verified and approved by a qualified electrician.

Symbol Key

The following key explains the symbols you may see inside this catalogue.

O Guaranteed Property

The seller of lots with this symbol has been guaranteed a minimum price.The guarantee may be provided by Phillips de Pury & Company, by a third party or jointly by us and a third party. Phillips de Pury & Company and third parties providing or participating in a guarantee may benefit financially if a guaranteed lot is sold successfully and may incur a loss if the sale is not successful. A third party guarantor may also bid for the guaranteed lot and may be allowed to net the financial remuneration received in connection with the guarantee against the final purchase price if such party is the successful bidder.

In this catalogue, if property has O◊ next to the lot number, the guarantee of minimum price has been fully financed by third parties.

Δ Property in Which Phillips de Pury & Company Has an Ownership Interest

Lots with this symbol indicate that Phillips de Pury & Company owns the lot in whole or in part or has an economic interest in the lot equivalent to an ownership interest.

● No Reserve

Unless indicated by a ●, all lots in this catalogue are offered subject to a reserve. A reserve is the confidential value established between Phillips de Pury & Company and the seller and below which a lot may not be sold. The reserve for each lot is generally set at a percentage of the low estimate and will not exceed the low pre-sale estimate.

2 BIDDING IN THE SALE

Bidding at Auction

Bids may be executed during the auction in person by paddle or by telephone or prior to the sale in writing by absentee bid.

Bidding in Person

To bid in person, you will need to register for and collect a paddle before the auction begins. Proof of identity in the form of government issued identification will be required, as will an original signature. We may also require that you furnish us with a bank reference. New clients are encouraged to register at least 48 hours in advance of a sale to allow sufficient time for us to process your information. All lots sold will be invoiced to the name and address to which the paddle has been registered and invoices cannot be transferred to other names and addresses. Please do not misplace your paddle. In the event you lose it, inform a Phillips de Pury & Company staff member immediately. At the end of the auction, please return your paddle to the registration desk.

Bidding by Telephone

If you cannot attend the auction, you may bid live on the telephone with one of our multi-lingual staff members. This service must be arranged at least 24 hours in advance of the sale and is available for lots whose low pre-sale estimate is at least \$1000.Telephone bids may be recorded. By bidding on the telephone, you consent to the recording of your conversation. We suggest that you leave a maximum bid, excluding the buyer's premium

and any applicable taxes, which we can execute on your behalf in the event we are unable to reach you by telephone.

Absentee Bids

If you are unable to attend the auction and cannot participate by telephone, Phillips de Pury & Company will be happy to execute written bids on your behalf. A bidding form can be found at the back of this catalogue. This service is free and confidential. Bids must be placed in the currency of the sale. Our staff will attempt to execute an absentee bid at the lowest possible price taking into account the reserve and other bidders. Always indicate a maximum bid, excluding the buyer's premium and any applicable taxes. Unlimited bids will not be accepted. Any absentee bid must be received at least 24 hours in advance of the sale. In the event of identical bids, the earliest bid received will take precedence.

Employee Bidding

Employees of Phillips de Pury & Company and our affiliated companies, including the auctioneer, may bid at the auction by placing absentee bids so long as they do not know the reserve when submitting their absentee bids and otherwise comply with our employee bidding procedures.

Bidding Increments

Bidding generally opens below the low estimate and advances in increments of up to 10%, subject to the auctioneer's discretion. Absentee bids that do not conform to the increments set below may be lowered to the next bidding increment.

\$50 to \$1,000	by \$50s
\$1,000 to \$2,000	by \$100s
\$2,000 to \$3,000	by \$200s
\$3,000 to \$5,000	by \$200s, 500, 800 (i.e. \$4,200, 4,500, 4,800)
\$5,000 to \$10,000	by \$500s
\$10,000 to \$20,000	by \$1,000s
\$20,000 to \$30,000	by \$2,000s
\$30,000 to \$50,000	by \$2,000s, 5,000, 8,000
\$50,000 to \$100,000	by \$5,000s
\$100,000 to \$200,000	by \$10,000s
above \$200,000	auctioneer's discretion

The auctioneer may vary the increments during the course of the auction at his or her own discretion.

3 THE AUCTION

Conditions of Sale

As noted above, the auction is governed by the Conditions of Sale and Authorship Warranty. All prospective bidders should read them carefully.They may be amended by saleroom addendum or auctioneer's announcement.

Interested Parties Announcement

In situations where a person allowed to bid on a lot has a direct or indirect interest in such lot, such as the beneficiary or executor of an estate selling the lot, a joint owner of the lot or a party providing or participating in a guarantee on the lot, Phillips de Pury & Company will make an announcement in the saleroom that interested parties may bid on the lot.

Consecutive and Responsive Bidding

The auctioneer may open the bidding on any lot by placing a bid on behalf of the seller.The auctioneer may further bid on behalf of the seller up to the amount of the reserve by placing consecutive bids or bids in response to other bidders.

4 AFTER THE AUCTION

Payment

Buyers are required to pay for purchases immediately following the auction unless other arrangements are agreed with Phillips de Pury & Company in writing in advance of the sale. Payments must be made in US dollars either by cash, check drawn on a US bank or wire transfer, as noted in Paragraph 6 of the Conditions of Sale. It is our corporate policy not to make or accept single or multiple payments in cash or cash equivalents in excess of US\$10,000.

Credit Cards

As a courtesy to clients, Phillips de Pury & Company will accept American Express, Visa and Mastercard to pay for invoices of \$10,000 or less.

Collection

It is our policy to request proof of identity on collection of a lot. A lot will be released to the buyer or the buyer's authorized representative when Phillips de Pury & Company has received full and cleared payment and we are not owed any other amount by the buyer. Promptly after the auction, we will transfer all lots to our warehouse located at 29-09 37th Avenue in Long Island City, Queens, NewYork. All purchased lots should be collected at this location during our regular weekday business hours. As a courtesy to clients, we will upon request transfer purchased lots suitable for hand carry back to our premises at 450 West 15th Street, New York, New York for collection within 30 days following the date of the auction. For each purchased lot not collected from us at either our warehouse or our auction galleries by such date, Phillips de Pury & Company will levy a late collection fee of \$50, an additional administrative fee of \$10 per day and insurance charges of 0.1% of the Purchase Price per month on each uncollected lot.

Loss or Damage

Buyers are reminded that Phillips de Pury & Company accepts liability for loss or damage to lots for a maximum of five days following the auction.

Transport and Shipping

As a free service for buyers, Phillips de Pury & Company will wrap purchased lots for hand carry only. We will, at the buyer's expense, either provide packing, handling and shipping services or coordinate with shipping agents instructed by the buyer in order to facilitate such services for property purchased at Phillips de Pury & Company. Please refer to Paragraph 7 of the Conditions of Sale for more information.

Export and Import Licenses

Before bidding for any property, prospective bidders are advised to make independent inquiries as to whether a license is required to export the property from the United States or to import it into another country. It is the buyer's sole responsibility to comply with all import and export laws and to obtain any necessary licenses or permits.The denial of any required license or permit or any delay in obtaining such documentation will not justify the cancellation of the sale or any delay in making full payment for the lot.

Endangered Species

Items made of or incorporating plant or animal material, such as coral, crocodile, ivory, whalebone, rhinoceros horn or tortoiseshell, irrespective of age, percentage or value, may require a license or certificate prior to exportation and additional licenses or certificates upon importation to any foreign country. Please note that the ability to obtain an export license or certificate does not ensure the ability to obtain an import license or certificate in another country, and vice versa. We suggest that prospective bidders check with their own government regarding wildlife import requirements prior to placing a bid. It is the buyer's sole responsibility to obtain any necessary export or import licenses or certificates as well as any other required documentation. The denial of any required license or certificate or any delay in obtaining such documentation will not justify the cancellation of the sale or any delay in making full payment for the lot.





**PHILLIPS**  
de PURY & COMPANY

**PART II**  
**CONTEMPORARY ART**

**AUCTION** 9 NOVEMBER 2010 10am & 2pm **NEW YORK**  
Viewing 30 October – 9 November

**Phillips de Pury & Company** 450 West 15 Street New York 10011  
**Enquiries** +1 212 940 1260 **Catalogues** +1 212 940 1240 / +44 20 7318 4039  
**PHILLIPSDEPURY.COM**

**ANDY WARHOL** *The scream (after Munch)*, 1984 (detail) Estimate \$200,000 - 300,000  
© 2010 The Andy Warhol Foundation for the Visual Arts / Artists Rights Society (ARS), New York



CONDITIONS OF SALE

The Conditions of Sale and Authorship Warranty set forth below govern the relationship between bidders and buyers, on the one hand, and Phillips de Pury & Company and sellers, on the other hand. All prospective buyers should read these Conditions of Sale and Authorship Warranty carefully before bidding.

1 INTRODUCTION

Each lot in this catalogue is offered for sale and sold subject to: (a) the Conditions of Sale and Authorship Warranty; (b) additional notices and terms printed in other places in this catalogue, including the Guide for Prospective Buyers, and (c) supplements to this catalogue or other written material posted by Phillips de Pury & Company in the saleroom, in each case as amended by any addendum or announcement by the auctioneer prior to the auction.

By bidding at the auction, whether in person, through an agent, by written bid, by telephone bid or other means, bidders and buyers agree to be bound by these Conditions of Sale, as so changed or supplemented, and Authorship Warranty.

These Conditions of Sale, as so changed or supplemented, and Authorship Warranty contain all the terms on which Phillips de Pury & Company and the seller contract with the buyer.

2 PHILLIPS de PURY & COMPANY AS AGENT

Phillips de Pury & Company acts as an agent for the seller, unless otherwise indicated in this catalogue or at the time of auction. On occasion, Phillips de Pury & Company may own a lot, in which case we will act in a principal capacity as a consignor, or may have a legal, beneficial or financial interest in a lot as a secured creditor or otherwise.

3 CATALOGUE DESCRIPTIONS AND CONDITION OF PROPERTY

Lots are sold subject to the Authorship Warranty, as described in the catalogue (unless such description is changed or supplemented, as provided in Paragraph 1 above) and in the condition that they are in at the time of the sale on the following basis.

(a) The knowledge of Phillips de Pury & Company in relation to each lot is partially dependent on information provided to us by the seller, and Phillips de Pury & Company is not able to and does not carry out exhaustive due diligence on each lot. Prospective buyers acknowledge this fact and accept responsibility for carrying out inspections and investigations to satisfy themselves as to the lots in which they may be interested. Notwithstanding the foregoing, we shall exercise such reasonable care when making express statements in catalogue descriptions or condition reports as is consistent with our role as auctioneer of lots in this sale and in light of (i) the information provided to us by the seller, (ii) scholarship and technical knowledge and (iii) the generally accepted opinions of relevant experts, in each case at the time any such express statement is made.

(b) Each lot offered for sale at Phillips de Pury & Company is available for inspection by prospective buyers prior to the auction. Phillips de Pury & Company accepts bids on lots on the basis that bidders (and independent experts on their behalf, to the extent appropriate given the nature and value of the lot and the bidder's own expertise) have fully inspected the lot prior to bidding and have satisfied themselves as to both the condition of the lot and the accuracy of its description.

(c) Prospective buyers acknowledge that many lots are of an age and type which means that they are not in perfect condition. As a courtesy to clients, Phillips de Pury & Company may prepare and provide condition reports to assist prospective buyers when they are inspecting lots. Catalogue descriptions and condition reports may make reference to particular imperfections of a lot, but bidders should note that lots may have other faults not expressly referred to in the catalogue or condition report. All dimensions are approximate. Illustrations are for identification purposes only and cannot be used as precise indications of size or to convey full information as to the actual condition of lots.

(d) Information provided to prospective buyers in respect of any lot, including any pre-sale estimate, whether written or oral, and information in any catalogue, condition or other report, commentary or valuation, is not a representation of fact but rather a statement of opinion held by Phillips de Pury & Company. Any pre-sale estimate may not be relied on as a prediction of the selling price or value of the lot and may be revised from time to time by Phillips de Pury & Company in our absolute discretion. Neither Phillips de Pury & Company nor any of our affiliated companies shall be liable for any difference between the pre-sale estimates for any lot and the actual price achieved at auction or upon resale.

4 BIDDING AT AUCTION

(a) Phillips de Pury & Company has absolute discretion to refuse admission to the auction or participation in the sale. All bidders must register for a paddle prior to bidding, supplying such information and references as required by Phillips de Pury & Company.

(b) As a convenience to bidders who cannot attend the auction in person, Phillips de Pury & Company may, if so instructed by the bidder, execute written absentee bids on a bidder's behalf. Absentee bidders are required to submit bids on the "Absentee Bid Form," a copy of which is printed in this catalogue or otherwise available from Phillips de Pury & Company. Bids must be placed in the currency of the sale. The bidder must clearly indicate the maximum amount he or she intends to bid, excluding the buyer's premium and any applicable sales or use taxes. The auctioneer will not accept an instruction to execute an absentee bid which does not indicate such maximum bid. Our staff will attempt to execute an absentee bid at the lowest possible price taking into account the reserve and other bidders. Any absentee bid must be received at least 24 hours in advance of the sale. In the event of identical bids, the earliest bid received will take precedence.

(c) Telephone bidders are required to submit bids on the "Telephone Bid Form," a copy of which is printed in this catalogue or otherwise available from Phillips de Pury & Company. Telephone bidding is available for lots whose low pre-sale estimate is at least \$1,000. Phillips de Pury & Company reserves the right to require written confirmation of a successful bid from a telephone bidder by fax or otherwise immediately after such bid is accepted by the auctioneer. Telephone bids may be recorded and, by bidding on the telephone, a bidder consents to the recording of the conversation.

(d) When making a bid, whether in person, by absentee bid or on the telephone, a bidder accepts personal liability to pay the purchase price, as described more fully in Paragraph 6 (a) below, plus all other applicable charges unless it has been explicitly agreed in writing with Phillips de Pury & Company before the commencement of the auction that the bidder is acting as agent on behalf of an identified third party acceptable to Phillips de Pury & Company and that we will only look to the principal for such payment.

(e) Arranging absentee and telephone bids is a free service provided by Phillips de Pury & Company to prospective buyers. While we undertake to exercise reasonable care in undertaking such activity, we cannot accept liability for failure to execute such bids except where such failure is caused by our willful misconduct.

(f) Employees of Phillips de Pury & Company and our affiliated companies, including the auctioneer, may bid at the auction by placing absentee bids so long as they do not know the reserve when submitting their absentee bids and otherwise comply with our employee bidding procedures.

5 CONDUCT OF THE AUCTION

(a) Unless otherwise indicated by the symbol ● each lot is offered subject to a reserve, which is the confidential minimum selling price agreed by Phillips de Pury & Company with the seller. The reserve will not exceed the low pre-sale estimate at the time of the auction.

(b) The auctioneer has discretion at any time to refuse any bid, withdraw any lot, re-offer a lot for sale (including after the fall of the hammer) if he or she believes there may be error or dispute and take such other action as he or she deems reasonably appropriate.

(c) The auctioneer will commence and advance the bidding at levels and in increments he or she considers appropriate. In order to protect the reserve on any lot, the auctioneer may place one or more bids on behalf of

the seller up to the reserve without indicating he or she is doing so, either by placing consecutive bids or bids in response to other bidders.

(d) The sale will be conducted in US dollars and payment is due in US dollars. For the benefit of international clients, pre-sale estimates in the auction catalogue may be shown in pounds sterling and/or euros and, if so, will reflect approximate exchange rates. Accordingly, estimates in pounds sterling or euros should be treated only as a guide.

(e) Subject to the auctioneer's reasonable discretion, the highest bidder accepted by the auctioneer will be the buyer and the striking of the hammer marks the acceptance of the highest bid and the conclusion of a contract for sale between the seller and the buyer. Risk and responsibility for the lot passes to the buyer as set forth in Paragraph 7 below.

(f) If a lot is not sold, the auctioneer will announce that it has been "passed," "withdrawn," "returned to owner" or "bought-in."

(g) Any post-auction sale of lots offered at auction shall incorporate these Conditions of Sale and Authorship Warranty as if sold in the auction.

6 PURCHASE PRICE AND PAYMENT

(a) The buyer agrees to pay us, in addition to the hammer price of the lot, the buyer's premium and any applicable sales tax (the "Purchase Price"). The buyer's premium is 25% of the hammer price up to and including \$50,000, 20% of the portion of the hammer price above \$50,000 up to and including \$1,000,000 and 12% of the portion of the hammer price above \$1,000,000.

(b) Sales tax, use tax and excise and other taxes are payable in accordance with applicable law. All prices, fees, charges and expenses set out in these Conditions of Sale are quoted exclusive of applicable taxes. Phillips de Pury & Company will only accept valid resale certificates from US dealers as proof of exemption from sales tax. All foreign buyers should contact the Client Accounting Department about tax matters.

(c) Unless otherwise agreed, a buyer is required to pay for a purchased lot immediately following the auction regardless of any intention to obtain an export or import license or other permit for such lot. Payments must be made by the invoiced party in US dollars either by cash, check drawn on a US bank or wire transfer, as follows:

(i) Phillips de Pury & Company will accept payment in cash provided that the total amount paid in cash or cash equivalents does not exceed US\$10,000. Buyers paying in cash should do so in person at our Client Accounting Desk at 450 West 15th Street, Third Floor, during regular weekday business hours.

(ii) Personal checks and banker's drafts are accepted if drawn on a US bank and the buyer provides to us acceptable government issued identification. Checks and banker's drafts should be made payable to "Phillips de Pury & Company LLC." If payment is sent by mail, please send the check or banker's draft to the attention of the Client Accounting Department at 450 West 15th Street, New York, NY 10011 and make sure that the sale and lot number is written on the check. Checks or banker's drafts drawn by third parties will not be accepted.

(iii) Payment by wire transfer may be sent directly to Phillips de Pury & Company. Bank transfer details:

Citibank  
322 West 23rd Street, New York, NY 10011  
SWIFT Code: CITIUS33  
ABA Routing: 021 000 089  
For the account of Phillips de Pury & Company LLC  
Account no.: 58347736

Please reference the relevant sale and lot number.

(d) Title in a purchased lot will not pass until Phillips de Pury & Company has received the Purchase Price for that lot in cleared funds. Phillips de Pury & Company is not obliged to release a lot to the buyer until title in the lot has passed and appropriate identification has been provided, and any earlier release does not affect the passing of title or the buyer's unconditional obligation to pay the Purchase Price.

7 COLLECTION OF PROPERTY

(a) Phillips de Pury & Company will not release a lot to the buyer until we have received payment of its Purchase Price in full in cleared funds, the buyer has paid all outstanding amounts due to Phillips de Pury & Company or any of our affiliated companies, including any charges payable pursuant to Paragraph 8 (a) below, and the buyer has satisfied such other terms as we in our sole discretion shall require, including completing any anti-money laundering or anti-terrorism financing checks. As soon as a buyer has satisfied all of the foregoing conditions, and no later than five days after the conclusion of the auction, he or she should contact our Shipping Department at +1 212 940 1372 or +1 212 940 1373 to arrange for collection of purchased property.

(b) Promptly after the auction, we will transfer all lots to our warehouse located at 29-09 37th Avenue in Long Island City, Queens, New York. All purchased lots should be collected at this location during our regular weekday business hours. As a courtesy to clients, Phillips de Pury & Company will upon request transfer on a bi-weekly basis purchased lots suitable for hand carry back to our premises at 450 West 15th Street, New York, New York for collection within 30 days following the date of the auction. Purchased lots are at the buyer's risk, including the responsibility for insurance, from the earlier to occur of (i) the date of collection or (ii) five days after the auction. Until risk passes, Phillips de Pury & Company will compensate the buyer for any loss or damage to a purchased lot up to a maximum of the Purchase Price paid, subject to our usual exclusions for loss or damage to property.

(c) As a courtesy to clients, Phillips de Pury & Company will, without charge, wrap purchased lots for hand carry only. We will, at the buyer's expense, either provide packing, handling, insurance and shipping services or coordinate with shipping agents instructed by the buyer in order to facilitate such services for property bought at Phillips de Pury & Company. Any such instruction, whether or not made at our recommendation, is entirely at the buyer's risk and responsibility, and we will not be liable for acts or omissions of third party packers or shippers. Third party shippers should contact us by telephone at +1 212 940 1376 or by fax at +1 212 924 6477 at least 24 hours in advance of collection in order to schedule pickup.

(d) Phillips de Pury & Company will require presentation of government issued identification prior to release of a lot to the buyer or the buyer's authorized representative.

8 FAILURE TO COLLECT PURCHASES

(a) If the buyer pays the Purchase Price but fails to collect a purchased lot within 30 days of the auction, each lot will incur a late collection fee of \$50, administrative charges of \$10 per day and insurance charges of .1% of the Purchase Price per month on each uncollected lot.

(b) If a purchased lot is paid for but not collected within six months of the auction, the buyer authorizes Phillips de Pury & Company, upon notice, to arrange a resale of the item by auction or private sale, with estimates and a reserve set at Phillips de Pury & Company's reasonable discretion. The proceeds of such sale will be applied to pay for storage charges and any other outstanding costs and expenses owed by the buyer to Phillips de Pury & Company or our affiliated companies and the remainder will be forfeited unless collected by the buyer within two years of the original auction.

9 REMEDIES FOR NON-PAYMENT

(a) Without prejudice to any rights the seller may have, if the buyer without prior agreement fails to make payment of the Purchase Price for a lot in cleared funds within five days of the auction, Phillips de Pury & Company may in our sole discretion exercise one or more of the following remedies: (i) store the lot at Phillips



**PHILLIPS**  
de PURY & COMPANY

# DESIGN MASTERS

**AUCTION** 15 DECEMBER 2010 **NEW YORK**

**Phillips de Pury & Company** 450 Park Ave New York 10022

**Enquiries** +1 212 940 1268 **Catalogues** +1 212 940 1240

**PHILLIPSDEPURY.COM**

**SHIRO KURAMATA** *Rare "Cabinet de Curiosité", 1989* **Estimate** \$80,000-120,000



de Pury & Company's premises or elsewhere at the buyer's sole risk and expense at the same rates as set forth in Paragraph 8 (a) above; (ii) cancel the sale of the lot, retaining any partial payment of the Purchase Price as liquidated damages; (iii) reject future bids from the buyer or render such bids subject to payment of a deposit; (iv) charge interest at 12% per annum from the date payment became due until the date the Purchase Price is received in cleared funds; (v) subject to notification of the buyer, exercise a lien over any of the buyer's property which is in the possession of Phillips de Pury & Company and instruct our affiliated companies to exercise a lien over any of the buyer's property which is in their possession and, in each case, no earlier than 30 days from the date of such notice, arrange the sale of such property and apply the proceeds to the amount owed to Phillips de Pury & Company or any of our affiliated companies after the deduction from sale proceeds of our standard vendor's commission and all sale-related expenses; (vi) resell the lot by auction or private sale, with estimates and a reserve set at Phillips de Pury & Company's reasonable discretion, it being understood that in the event such resale is for less than the original hammer price and buyer's premium for that lot, the buyer will remain liable for the shortfall together with all costs incurred in such resale; (vii) commence legal proceedings to recover the hammer price and buyer's premium for that lot, together with interest and the costs of such proceedings; or (viii) release the name and address of the buyer to the seller to enable the seller to commence legal proceedings to recover the amounts due and legal costs.

(b) As security to us for full payment by the buyer of all outstanding amounts due to Phillips de Pury & Company and our affiliated companies, Phillips de Pury & Company retains, and the buyer grants to us, a security interest in each lot purchased at auction by the buyer and in any other property or money of the buyer in, or coming into, our possession or the possession of one of our affiliated companies. We may apply such money or deal with such property as the Uniform Commercial Code or other applicable law permits a secured creditor to do. In the event that we exercise a lien over property in our possession because the buyer is in default to one of our affiliated companies, we will so notify the buyer. Our security interest in any individual lot will terminate upon actual delivery of the lot to the buyer or the buyer's agent.

(c) In the event the buyer is in default of payment to any of our affiliated companies, the buyer also irrevocably authorizes Phillips de Pury & Company to pledge the buyer's property in our possession by actual or constructive delivery to our affiliated company as security for the payment of any outstanding amount due. Phillips de Pury & Company will notify the buyer if the buyer's property has been delivered to an affiliated company by way of pledge.

**10 RESCISSION BY PHILLIPS de PURY & COMPANY**

Phillips de Pury & Company shall have the right, but not the obligation, to rescind a sale without notice to the buyer if we reasonably believe that there is a material breach of the seller's representations and warranties or the Authorship Warranty or an adverse claim is made by a third party. Upon notice of Phillips de Pury & Company's election to rescind the sale, the buyer will promptly return the lot to Phillips de Pury & Company, and we will then refund the Purchase Price paid to us. As described more fully in Paragraph 13 below, the refund shall constitute the sole remedy and recourse of the buyer against Phillips de Pury & Company and the seller with respect to such rescinded sale..

**11 EXPORT, IMPORT AND ENDANGERED SPECIES LICENSES AND PERMITS**

Before bidding for any property, prospective buyers are advised to make their own inquiries as to whether a license is required to export a lot from the United States or to import it into another country. Prospective buyers are advised that some countries prohibit the import of property made of or incorporating plant or animal material, such as coral, crocodile, ivory, whalebone, rhinoceros horn or tortoiseshell, irrespective of age, percentage or value. Accordingly, prior to bidding, prospective buyers considering export of purchased lots should familiarize themselves with relevant export and import regulations of the countries concerned. It is solely the buyer's responsibility to comply with these laws and to obtain any necessary export, import and endangered species licenses or permits. Failure to obtain a license or permit or delay in so doing will not justify the cancellation of the sale or any delay in making full payment for the lot.

**12 CLIENT INFORMATION**

In connection with the management and operation of our business and the marketing and supply of auction related services, or as required by law, we may ask clients to provide personal information about themselves or obtain information about clients from third parties (e.g., credit information). If clients provide us with information that is defined by law as "sensitive," they agree that Phillips de Pury & Company and our affiliated companies may use it for the above purposes. Phillips de Pury & Company and our affiliated companies will not use or process sensitive information for any other purpose without the client's express consent. If you would like further information on our policies on personal data or wish to make corrections to your information, please contact us at +1 212 940 1228. If you would prefer not to receive details of future events please call the above number.

**13 LIMITATION OF LIABILITY**

(a) Subject to subparagraph (e) below, the total liability of Phillips de Pury & Company, our affiliated companies and the seller to the buyer in connection with the sale of a lot shall be limited to the Purchase Price actually paid by the buyer for the lot.

(b) Except as otherwise provided in this Paragraph 13, none of Phillips de Pury & Company, any of our affiliated companies or the seller (i) is liable for any errors or omissions, whether orally or in writing, in information provided to prospective buyers by Phillips de Pury & Company or any of our affiliated companies or (ii) accepts responsibility to any bidder in respect of acts or omissions, whether negligent or otherwise, by Phillips de Pury & Company or any of our affiliated companies in connection with the conduct of the auction or for any other matter relating to the sale of any lot.

(c) All warranties other than the Authorship Warranty, express or implied, including any warranty of satisfactory quality and fitness for purpose, are specifically excluded by Phillips de Pury & Company, our affiliated companies and the seller to the fullest extent permitted by law.

(d) Subject to subparagraph (e) below, none of Phillips de Pury & Company, any of our affiliated companies or the seller shall be liable to the buyer for any loss or damage beyond the refund of the Purchase Price referred to in subparagraph (a) above, whether such loss or damage is characterized as direct, indirect, special, incidental or consequential, or for the payment of interest on the Purchase Price to the fullest extent permitted by law.

(e) No provision in these Conditions of Sale shall be deemed to exclude or limit the liability of Phillips de Pury & Company or any of our affiliated companies to the buyer in respect of any fraud or fraudulent misrepresentation made by any of us or in respect of death or personal injury caused by our negligent acts or omissions.

**14 COPYRIGHT**

The copyright in all images, illustrations and written materials produced by or for Phillips de Pury & Company relating to a lot, including the contents of this catalogue, is and shall remain at all times the property of Phillips de Pury & Company and such images and materials may not be used by the buyer or any other party without our prior written consent. Phillips de Pury & Company and the seller make no representations or warranties that the buyer of a lot will acquire any copyright or other reproduction rights in it.

**15 GENERAL**

(a) These Conditions of Sale, as changed or supplemented as provided in Paragraph 1 above, and Authorship Warranty set out the entire agreement between the parties with respect to the transactions contemplated herein and supersede all prior and contemporaneous written, oral or implied understandings, representations and agreements.

(b) Notices to Phillips de Pury & Company shall be in writing and addressed to the department in charge of the sale, quoting the reference number specified at the beginning of the sale catalogue. Notices to clients shall be addressed to the last address notified by them in writing to Phillips de Pury & Company.

(c) These Conditions of Sale are not assignable by any buyer without our prior written consent but are binding on the buyer's successors, assigns and representatives.

(d) Should any provision of these Conditions of Sale be held void, invalid or unenforceable for any reason, the remaining provisions shall remain in full force and effect. No failure by any party to exercise, nor any delay in exercising, any right or remedy under these Conditions of Sale shall act as a waiver or release thereof in whole or in part.

**16 LAW AND JURISDICTION**

(a) The rights and obligations of the parties with respect to these Conditions of Sale and Authorship Warranty, the conduct of the auction and any matters related to any of the foregoing shall be governed by and interpreted in accordance with laws of the State of New York, excluding its conflicts of law rules.

(b) Phillips de Pury & Company, all bidders and all sellers agree to the exclusive jurisdiction of the (i) state courts of the State of New York located in New York City and (ii) the federal courts for the Southern and Eastern Districts of New York to settle all disputes arising in connection with all aspects of all matters or transactions to which these Conditions of Sale and Authorship Warranty relate or apply.

(c) All bidders and sellers irrevocably consent to service of process or any other documents in connection with proceedings in any court by facsimile transmission, personal service, delivery by mail or in any other manner permitted by New York law or the law of the place of service, at the last address of the bidder or seller known to Phillips de Pury & Company.

**AUTHORSHIP WARRANTY**

Phillips de Pury & Company warrants the authorship of property in this auction catalogue for a period of five years from date of sale by Phillips de Pury & Company, subject to the exclusions and limitations set forth below.

(a) Phillips de Pury & Company gives this Authorship Warranty only to the original buyer of record (i.e., the registered successful bidder) of any lot. This Authorship Warranty does not extend to (i) subsequent owners of the property, including purchasers or recipients by way of gift from the original buyer, heirs, successors, beneficiaries and assigns; (ii) property created prior to 1870, unless the property is determined to be counterfeit (defined as a forgery made less than 50 years ago with an intent to deceive) and has a value at the date of the claim under this warranty which is materially less than the Purchase Price paid; (iii) property where the description in the catalogue states that there is a conflict of opinion on the authorship of the property; (iv) property where our attribution of authorship was on the date of sale consistent with the generally accepted opinions of specialists, scholars or other experts; or (v) property whose description or dating is proved inaccurate by means of scientific methods or tests not generally accepted for use at the time of the publication of the catalogue or which were at such time deemed unreasonably expensive or impractical to use.

(b) In any claim for breach of the Authorship Warranty, Phillips de Pury & Company reserves the right, as a condition to rescinding any sale under this warranty, to require the buyer to provide to us at the buyer's expense the written opinions of two recognized experts approved in advance by Phillips de Pury & Company. We shall not be bound by any expert report produced by the buyer and reserve the right to consult our own experts at our expense. If Phillips de Pury & Company agrees to rescind a sale under the Authorship Warranty, we shall refund to the buyer the reasonable costs charged by the experts commissioned by the buyer and approved in advance by us.

(c) Subject to the exclusions set forth in subparagraph (a) above, the buyer may bring a claim for breach of the Authorship Warranty provided that (i) he or she has notified Phillips de Pury & Company in writing within three months of receiving any information which causes the buyer to question the authorship of the lot, specifying the auction in which the property was included, the lot number in the auction catalogue and the reasons why the authorship of the lot is being questioned and (ii) the buyer returns the lot to Phillips de Pury & Company in the same condition as at the time of its auction and is able to transfer good and marketable title in the lot free from any third party claim arising after the date of the auction.

(d) The buyer understands and agrees that the exclusive remedy for any breach of the Authorship Warranty shall be rescission of the sale and refund of the original Purchase Price paid. This remedy shall constitute the sole remedy and recourse of the buyer against Phillips de Pury & Company, any of our affiliated companies and the seller and is in lieu of any other remedy available as a matter of law. This means that none of Phillips de Pury & Company, any of our affiliated companies or the seller shall be liable for loss or damage beyond the remedy expressly provided in this Authorship Warranty, whether such loss or damage is characterized as direct, indirect, special, incidental or consequential, or for the payment of interest on the original Purchase Price.



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Monday 8 November 2010, 7pm  
Admission to this sale is by ticket only.  
Please call +1 212 940 1236

**VIEWING**

Saturday 30 October 2010, 10am – 6pm  
Sunday 31 October, 10am – 6pm  
Monday 1 November, 10am – 6pm  
Tuesday 2 November, 10am – 6pm  
Wednesday 3 November, 10am – 6pm  
Thursday 4 November, 10am – 6pm  
Friday 5 November, 10am – 6pm  
Saturday 6 November, 10am – 6pm  
Sunday 7 November, 10am – 6pm  
Monday 8 November, by appointment

**VIEWING & AUCTION LOCATION**

450 Park Avenue, New York, NY 10022

**SALE DESIGNATION**

In sending in written bids or making enquiries please refer to this sale as NY010510 or Contemporary Art Part I.

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**Front cover** Jeff Koons, *Caterpillar Ladder*, 2003, Lot 108 (detail)  
**Inside front cover** Ed Ruscha, *Sex at Noon Taxes*, 2002, Lot 115 (detail)  
**Second inside detail** Roy Lichtenstein, *Two figures, Indian*, 1979 (detail) © Estate of Roy Lichtenstein  
**Title page** Maurizio Cattelan, *Frank and Jamie*, 2002, Lot 112  
**Last inside details** Robert Gober, *Untitled Candle*, 1991, Lot 103; Charles Ray, *Wet Paint*, 2008, Lot 102  
**Inside back cover** Richard Prince, *Untitled (Cowboy)*, 1998-1999, Lot 113 (detail)  
**Back cover** Andy Warhol, *Mona Lisa*, 1979, Lot 107 (detail) © 2010 The Andy Warhol Foundation for The Visual Arts / Artists Rights Society (ARS), New York









*Dunn-Edwards*  
**PAINTS**

**WET  
PAINT**

This surface painted with THE PAINT THAT PROTECTS.

CSZD E6066













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