

PHILLIPS



PHOTOGRAPHS

NEW YORK EVENING SALE 1 APRIL 2015







PHILLIPS

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SALE INFORMATION

NEW YORK 1 & 2 APRIL 2015

AUCTION & VIEWING LOCATION

450 Park Avenue New York 10022

AUCTIONS

1 April 6pm (lots 1-27)

2 April 10am (lots 101-204) & 2pm (lots 205-314)

VIEWING

21 March - 1 April

Monday - Saturday 10am - 6pm

Sunday 12pm - 6pm

SALE DESIGNATION

When sending in written bids or making enquiries please refer to this sale as NY040015 or Photographs.

ABSENTEE AND TELEPHONE BIDS

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Front cover John Baldessari, *Green Sunset (with Trouble)*, 1987, lot 13

Image courtesy John Baldessari

Back cover František Drtikol, *Nude*, 1925, lot 9 (detail)

Opposite Diane Arbus, *A widow in her bedroom on 55th St., NYC*, 1962, lot 20

1

LEWIS WICKES HINE 1874-1940

Team Work, Empire State Building, New York City, 1930

Gelatin silver print.

7½ x 7½ in. (19.1 x 18.1 cm)

Titled, dated in pencil and 'Hastings-on-Hudson, New York' credit stamp on the verso; collection label on the reverse of the backing board.

Estimate \$15,000-20,000

PROVENANCE

Private Collection, New York

LITERATURE

Aperture, *America & Lewis Hine*, p. 112

Langer, *Lewis W. Hine*, p. 36

In the 1920s Lewis Hine transitioned from his early photographs documenting child labor conditions into “work portraits,” which depicted the human element of industrialization. In 1931, the builders behind the Empire State Building commissioned Hine to document the construction of the skyscraper that would redefine the New York City skyline and stand as the tallest building in the world for nearly 40 years.

In order to capture the monumentality and dangers of the project, Hine photographed from the perspective of the workers stories above ground level. Placing himself in precarious situations that mimicked workers’ actual risks, Hine captured the men as they hoisted steel beams and cables thousands of feet up in the air, carefully maneuvering the individual pieces that would fit together to form the building’s structure. Constantly engaging in a delicate dance between progress and peril, with little regard for their own safety, these workers defied the odds and constructed a building that remains an incredible feat of human ingenuity and determination. Today, Hine’s breathtaking photographs of the Empire State Building remain some of his most iconic work and stand as a photographic tribute to the fearless men at the center of 20th century modernization.



ACTUAL SIZE

2

TINA MODOTTI 1896-1942

Sugar Cane, 1929

Gelatin silver print.

9¼ x 7 in. (23.5 x 17.8 cm)

Vittorio Vidali's 'Fifth Regiment' stamp and directional notations in pencil on the verso.

Estimate \$70,000-90,000

PROVENANCE

From the artist to Vittorio Vidali

Gifted to a Private Collection, La Jolla

Sotheby's, New York, 6 October 2010, lot 128

While working as a movie actress in Los Angeles, Tina Modotti met Edward Weston and became his model and his lover. In 1923 the two moved to Mexico where under Weston's tutelage (first as his assistant and later as his professional partner) she began to photograph. Alongside her mentor, Modotti's visual vocabulary quickly developed into a modernist aesthetic. But unlike Weston, over time Modotti's formal images became politically charged—as did her life.

Sugar Cane is a rare print created made by Modotti while she lived and worked in Mexico (1923–1930). While her earliest work in Mexico tended towards platinum prints of formally composed close-ups of flowers, still-lives and uninhabited architectural spaces as well as portraits of the artists she associated with; by 1927, the year Modotti joined the Communist Party, her modernist aesthetic had become politically progressive. Around this time she also switched from the rich beauty of platinum prints to the tonal clarity of gelatin silver prints. One could assume that the gelatin silver print of *Sugar Cane* might fall into the earlier period with its tightly cropped and repeated vertical forms of the canes. But this seemingly purely formal image is also a political metaphor.

In her monograph on the artist, Margaret Hooks discusses the image: "Stalks of sugar cane crowd the frame and bleed off the edges of this abstraction. The influence of Weston's formalism and an emphasis on the 'thing itself' are evident in this photograph, but Modotti's use of the tropical sugarcane as her subject imbues the image with the spirit of place that permeates much of her work." Indeed, sugarcane was a major cash crop in Mexico, brought to the region by the Spanish and grown on large colonial haciendas in which the indigenous people (augmented by slaves from Africa) were the main labor source. After the Mexican

LITERATURE

Hooks, *Tina Modotti*, p. 7 there dated 1925

Hooks, *Tina Modotti: Radical Photographer*, p. 127 there dated 1925

Lowe, *Tina Modotti: Photographs*, pl. 27

Agostinis, *Tina Modotti: Gli anni Luminosi*, pl. 108

Inostrannaya Literature #12, 1935, n.p.

Sozialarchivs, *Tina Modotti: Photographien & Dokumente*, p. 37

Revolution (1910–1917) land-holdings were limited in size. But the majority of Mexicans did not profit from this restructuring. In Modotti's clear modernist image we see a seemingly impenetrable wall built from rows upon rows of sugarcane.

The tensions over labor, race, and economic inequality that continued to simmer in Mexico after the Revolution were also depicted in a mural by Diego Rivera (*Sugarcane*, 1931). Rivera was one of the avant-garde artists who both Modotti and Weston associated with in Mexico. With Modotti the association was particularly close. Between 1924 and 1928 she photographed his frescos or wall murals including his *The Organization of the Agrarian Movement*, 1926 and *The Abundant Earth*, 1926 that she reportedly modeled for. But their affectionate relationship broke when Modotti supported Rivera's expulsion from the Communist party.

Soon after Modotti created *Sugar Cane* she was deported from Mexico as a subversive. She eventually made it to Moscow where she worked on the behalf of International Workers' Relief organizations. In 1936 when the Spanish Civil War broke out Modotti traveled with Vittorio Vidali to Spain where she stayed until the collapse of the Republican movement. Eventually Modotti returned to Mexico with Vidali and there she died at the age of 46. As far we know Modotti never took a photograph after leaving Mexico in 1930. She explained her decision by inverting a statement Weston made to her years earlier: "I cannot solve the problem of life by losing myself in the problem of art".

This print is one of three known early prints of *Sugar Cane*, one of which is in the permanent collection of the Instituto Nacional de Bellas Artes/ Museo de Arte Moderno, Mexico City.



ACTUAL SIZE

3

ALFRED STIEGLITZ 1864-1946

The Steerage, 1907

Gelatin silver contact print, flush-mounted, printed circa 1924-1932.

4⅜ x 3⅝ in. (11.1 x 9.2 cm)

Estimate \$180,000-220,000

PROVENANCE

From the artist

Gifted to Dorothy Norman, New York

Sotheby's, New York, 'Photographs from the Collection of Joseph and Laverne Schiezel', 10 October 2005, lot 19

Private Collection, New York

to the present Private Collection

LITERATURE

Camera Work, October 1911, Number 36

Stieglitz, 291, September-October 1915

Bulfinch Press, *Alfred Stieglitz*, pl. 18

Green, *A Critical History of American Photography*, p. 195

Greenough, *Alfred Stieglitz: The Key Set, Volume One*, cat. nos. 310-314

Margolis, *Alfred Stieglitz, Camera Work: A Pictorial Guide*, p. 100

Norman, *Alfred Stieglitz: An American Seer*, pl. XVI

Taschen, *Photo Icons: The Story Behind the Pictures*, Volume 1, p. 135

The Museum of Fine Arts, Boston, *Alfred Stieglitz: Photographer*, pl. 8

Whelan, *Alfred Stieglitz: A Biography, Photography, Georgia O'Keeffe, and the Rise of the Avant-Garde in America*, n.p.

ArtForum, 'On the Invention of Photographic Meaning', January 1975, p. 36

Celebrated as a masterpiece of early modernism, no single image better represents the work of Alfred Stieglitz than *The Steerage*. While Stieglitz embraced the dialogue of light and atmosphere borrowed from late Impressionism, this image exemplifies his transition to a new approach that expressed the changes in urban life brought on by rapid modernization. *The Steerage* not only depicts human migration at a time of technological change, but as an icon of 20th century art it also encapsulates photography's coming-of-age as a fully modern art form.

Stieglitz, himself the son of German-Jewish immigrants who had found success and wealth in America, photographed the scene of a departing ship, and its prominent low-cost or steerage class, while on board for Europe with his wife and child. Edgy and dissatisfied with his upper-level surroundings, he wandered the ship, eventually happening upon this view, which he photographed with his only available negative and a hand-held camera. Marked by the formerly-repudiated lynchpins of photography: clarity, linearity and tonality, *The Steerage* is entirely modernist in its composition. Gone is the central focal point that typified most Pictorialist photographs, replaced with the strong diagonal line which slices through the frame, causing a jarring bifurcation of the scenes unfolding. In a 1942 text titled "How The Steerage Happened," Stieglitz described the

photograph as a move into vanguard abstraction, but also to the heart of his soaring feelings for freedom in art and life itself:

"A round straw hat, the funnel leading out, the stairway leaning right, the white drawbridge with its railings made of circular chains—white suspenders crossing on the back of a man in the steerage below, round shapes of iron machinery, a mast cutting into the sky, making a triangular shape. I stood spellbound for a while, looking and looking. Could I photograph what I felt, looking and looking and still looking? I saw shapes related to each other. I saw a picture of shapes and underlying that the feeling I had about life..."

When Stieglitz made this gelatin silver contact print in New York between 1924 and 1932, he had already experimented with many printings of the image. But while his early photogravures (first published in 1911 in *Camera Work* and later in a larger format as a special insert in 291), had a subtle tonal range, this print is remarkable for its high contrast, further demonstrating Stieglitz's now fully realized transition into Modernism. Though rare in this format, other gelatin silver contact prints are in the collections of the Art Institute of Chicago; and the Metropolitan Museum of Art, New York.



ACTUAL SIZE

4

RICHARD AVEDON 1923–2004

The Family

New York: Rolling Stone, 1976. Sixty-nine gelatin silver prints.

Each approximately 10 x 7 $\frac{7}{8}$ in. (25.4 x 20 cm)

Each print signed in stylus on the recto; each signed, numbered 9/25 in pencil and copyright credit reproduction limitation stamp on the verso. Signed and numbered 9/25 in ink on the cardboard portfolio box. Accompanied by a signed issue of *Rolling Stone* magazine.

Estimate \$200,000–300,000

PROVENANCE

Fraenkel Gallery, San Francisco

EXHIBITED

Richard Avedon: Family Affairs, The Israel Museum, Jerusalem, 25 March – 6 September 2014 then traveled to the National Museum of American Jewish History, Philadelphia, 1 April – 2 August 2015, another example exhibited

LITERATURE

‘The Family,’ *Rolling Stone*, no. 224, October 21, 1976

Adler, Roth and Goodyear, *Richard Avedon: Portraits of Power*, 69, 111–156

Gagosian Gallery, *Avedon: Murals and Portraits*, pp. 172–173

Random House, *Richard Avedon: Evidence 1944–1994*, pp. 159–160

Random House, *Avedon: The Sixties*, pp. 56, 65, 88, 121 and 204 for various prints illustrated

Over the course of a most outstanding career, Richard Avedon successfully and meticulously crafted two bodies of work—fashion and portraiture—each distinctly impressive in its own right, each unequivocally Avedon’s. From the inception of his career, first at *Harper’s Bazaar* and later at *Vogue*, Avedon challenged the norms for editorial photography. His fashion work gained recognition for its seemingly effortless and bursting energy, while his portraits were celebrated for their succinct eloquence. “I am always stimulated by people,” Avedon has said, “almost never by ideas.” Indeed, as seen in his portraits—be it of famed movie stars or everyday people—for Avedon the challenge was conveying the essence of his subjects. The current lot, depicting the greatest power players in American politics during the 1970s, is an embodiment of Avedon’s approach.

The Family was originally commissioned by *Rolling Stone* in 1976 on the occasion of America’s Bicentennial celebration and in advance of the presidential election. Comprised of sixty-nine prints depicting a diverse cross-sectional overview of the American political milieu, *The Family* cleverly hints at the interconnected nature of the seemingly disparate professions represented—from President Gerald Ford to the founder of the United Farm Workers Union, Cesar Chavez. Indeed, it is noteworthy that not all of Avedon’s sitters were publically elected officials. In fact, among the sitters were bankers, media trendsetters, corporate executives, publishers, union leaders, and others, alluding to the confluence of forces that contribute to the shaping of the highest office in America.

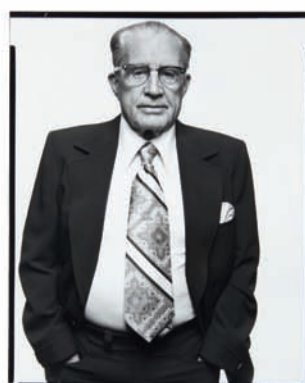
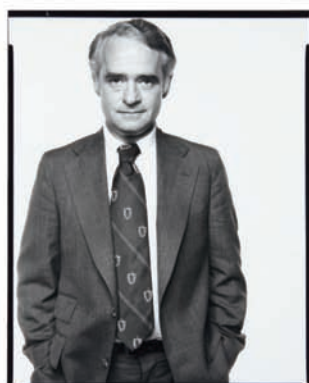
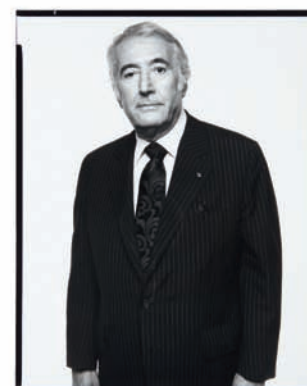
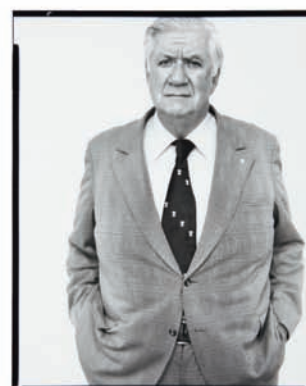
In keeping with his saying that “All photographs are accurate, none of them is the truth,” Avedon was not concerned with capturing the likeness of his sitters. “The moment an emotion or fact is transformed into a photograph it is no longer a fact but an opinion,”

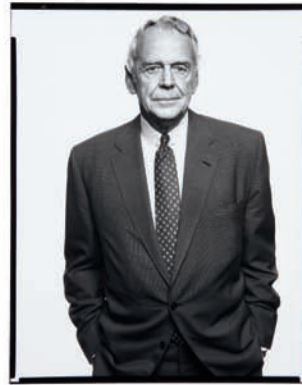
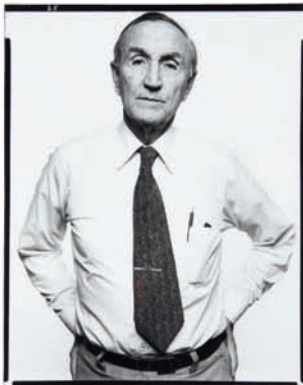
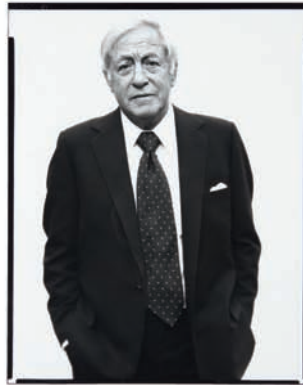
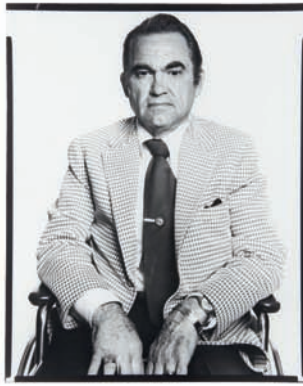
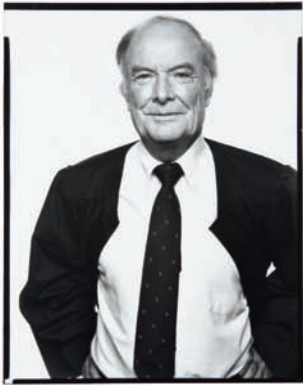
Avedon has stated. All subjects were photographed against a stark, white background that stripped them off their expected context and associated insignia (oak desks, brass name plaques, paintings of past presidents, to name but a few.) “In a way,” Avedon later commented, “these pictures were almost taken by the people in the pictures. I didn’t tell them what to wear. I didn’t tell them how to pose. However they presented themselves, I recorded with very little manipulation.” By doing so, nuances in facial expression, posture and dress prominently rise to viewers’ awareness, gently hinting at the sitters’ underlying personalities and idiosyncrasies. Indeed, across the dozens of portraits, viewers are met with a myriad of expressions, from furrowed looks of consternation to gentle grins and broad smiles; an array of poses that range from stiff and self-contained to fluid and insouciant; and a diverse manner in dress, from jeweled haute couture to a soft-collared farmer’s shirt. The longer viewers spend studying the portraits, the more the sitters’ public personas morph into intimate characters, revealing Avedon’s gift in gradually and cleverly peeling the public façade of his sitters.

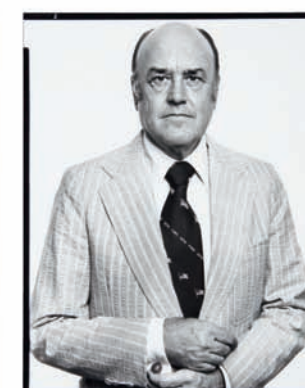
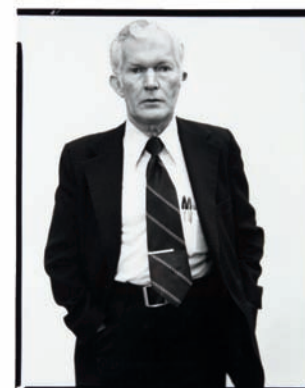
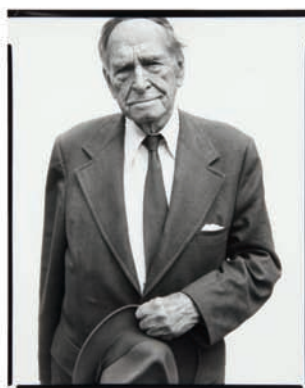
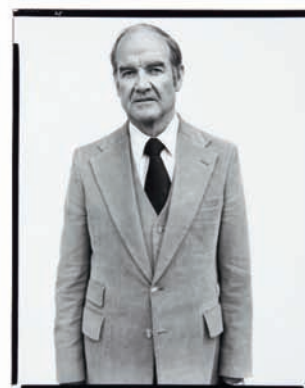
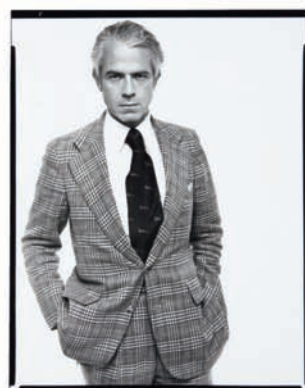
In the nearly four decades that have lapsed since *The Family* was originally created, many of the sitters’ careers would greatly shift. None more so, perhaps, than Ronald Reagan, Jimmy Carter and George Bush, all of whom would go on to be elected into the American presidency. Avedon’s iconic *The Family*, like a personal family album, stands at a meeting point between past and future, astutely recording the moments that had come to define an era, and offering a wise nod at the many more that were to define the ensuing decades in American politics.

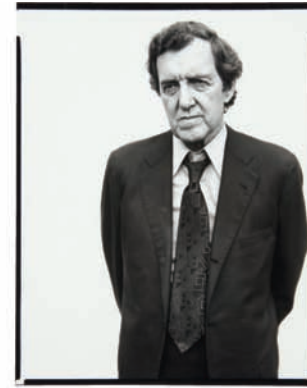
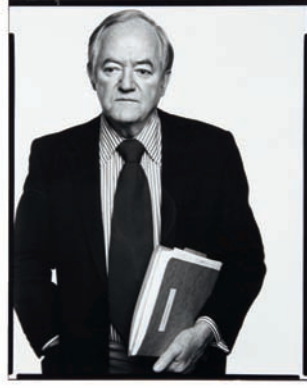
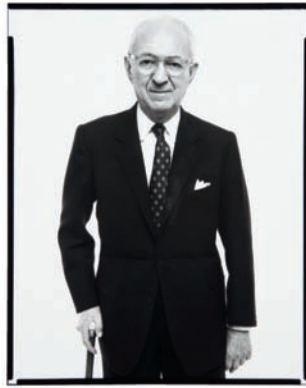
Another complete portfolio is in the permanent collection of the Israel Museum, Jerusalem.











5

RICHARD AVEDON 1923-2004

Robert Frank, photographer, Mabou Mines, Nova Scotia, July 17, 1975

Gelatin silver print.

42¼ x 33¼ in. (107.3 x 84.5 cm)

Signed in pencil, numbered 9/10 in ink, title, date and copyright credit reproduction limitation stamps on the reverse of the linen flush-mount.

Estimate \$30,000-40,000

LITERATURE

Avedon, *An Autobiography*, pl. 33

Avedon, *Portraits*, pl. 55

Random House, *Richard Avedon: Evidence 1944-1994*, pl. 157

“A tension exists in Avedon’s best portraits between a desire to connect with the sitter, to experience a sharp interaction in the process of taking the picture, and a desire to transcend that moment of connection, to express through the portrait something about the sitter’s meaning in his or her historic circumstances.”

JANE LIVINGSTON, *THE ART OF RICHARD AVEDON*

67



6

IRVING PENN 1917-2009

Frozen Foods, New York, 1977

Dye transfer print, printed 1984.

23½ x 18 in. (58.7 x 45.7 cm)

Signed, titled, dated, initialed twice in ink, Condé Nast copyright credit reproduction limitation, credit and edition stamps on the reverse of the mount. One from an edition of 33.

Estimate \$100,000-150,000

PROVENANCE

Pace/MacGill Gallery, New York

Jane Corkin Gallery, Toronto

LITERATURE

Knopf/Callaway, *Irving Penn: Passage, A Work Record*, p. 222

Szarkowski, *Irving Penn*, p. 70

As a budding photographer at *Vogue* under the tutelage of Alexander Liberman in 1943, Irving Penn was tasked with sketching and ultimately staging and photographing the first would-be still life cover for the magazine. The cover, released on October 1943 (i) featured an assortment of ladies' accessories arranged with a Cubist sensibility: the layering of text and objects, the flattening of depth and the conflation of two and three dimensional objects. The cover was successfully received, and Penn subsequently joined the ranks of *Vogue's* most revered photographers.

Throughout his career, Penn would return to the subject of still-life with a variety of objects—from cigarettes to liqueurs, flora, apples, diamonds, bones, and as seen in the current lot, frozen food. The genre presented a set of challenges for Penn, who from his early days chose to challenge aesthetic conventions. Penn's approach, it seems, was to strip the object from its expected surrounding and re-present it in an innovative way, most often against a stark white background. This simplicity allowed Penn to focus on form, line, texture and volume. In the current lot, Penn eschewed traditional depictions of produce—be it on a plate or in a bowl—and arranged blocks of frozen food with a deeply architectural undertone. Each block presents its own texture, color and shape. The seemingly haphazard composition is cohesive and harmonious, transforming an otherwise ordinary subject into a fresh, contemporary and abstract sculptural configuration.



(i) *Vogue*, 1 October 1943



7

IRVING PENN 1917-2009

Black and White Fashion with Handbag (Jean Patchett) (C),
New York, 1950

Gelatin silver print, printed 2003.

15¾ x 15⅞ in. (40 x 38.4 cm)

Signed, titled, dated, initialed twice in ink, copyright credit (courtesy Vogue) reproduction limitation, credit and edition stamps on the reverse of the mount. One from an edition of 17.

Estimate \$50,000-70,000

PROVENANCE

Pace/MacGill Gallery, New York

“A Penn photograph has an immediacy, an impact, and communicates a clear signal of what it is about.”

ALEXANDER LIBERMAN

Irving Penn’s *Black and White Fashion with Handbag (Jean Patchett) (C), New York* was taken in 1950, less than a year after the young American photographer was commissioned by *Vogue* to photograph the Paris *haute couture* collections for the first time. By then, Penn had been with the magazine for eight years, during which he worked under legendary editor Alexander Liberman. Decades later, Liberman would recall Penn’s skillful innovation: “Penn immediately plunged into the vital question of inventing ‘his’ light, a key to a personal statement different from the accepted unreality of the fashion photography of the period: overburdened backgrounds, theatrical lighting.” Editorial images by the leading photographers up until then were largely over-stylized, and heavy-handed in their narratives. Penn’s minimalist counterapproach was, by his own humble admission, ignorance—lacking the art historical *savoir faire* in styling his shoots. Consequently, cumbersome and indulgent sets were replaced by stark, luminous tents. The resulting images, perhaps for their serendipitous nature, were striking in their clarity and simplicity, allowing the readers to closely study and appreciate the couture. For Penn, the clothes were not about telling an underlying story, but about the elegance of line and the grace of silhouette.

As *Vogue*’s leading fashion photographer in the Post-War years, Penn collaborated with some of the most popular models of the period to create his trailblazing work. The current lot depicts Jean Patchett, among Penn’s favored models and a widely acclaimed beauty. *Black and White Fashion with Handbag (Jean Patchett) (C), New York*, is one of only a handful of images from the photoshoot that Penn would later select for printing. The celebrated shoot was remarkable for its sparse, minimalist aesthetic, which allowed Penn to showcase his strength and distinct vision. In the image offered in the current lot, the hat’s concentric circles are echoed by the straps of the handbag, and the model’s pose and head tilt jointly to create a series of intersecting diagonals. The resulting image emphasizes the structured nature of the outfit, the crisp line of the designs, and the undeniable finesse of the garment. As a fashion work it is at its most quintessential—and successful—in its ability to extricate the bare minimum to produce an image of striking elegance and effortless timelessness. Nearly seventy years later, the image appears as fresh and exciting as the day it was first made.

This is the first time this image has been offered at auction.



HELMUT NEWTON 1920-2004

Walking Women, Paris, 1981

Gelatin silver print triptych.

Each image 53½ x 44½ in. (135 x 113 cm)

Each overall 67½ x 58⅞ in. (171.5 x 149.5 cm)

Signed, titled, dated, numbered 3/3 and annotated 'Left panel', 'Centre panel' or 'Right panel', respectively, in ink on the reverse of each flush-mount.

Estimate \$700,000-900,000

PROVENANCE

Acte2 Galerie, Paris

Private Collection, Europe

LITERATURE

Taschen, *Helmut Newton (SUMO)*, n.p. there dated 1980

PHILLIPS



“What I find interesting is working in a society with certain taboos—and fashion photography is about that kind of society. To have taboos, then to get around them—that is interesting.”

HELMUT NEWTON

“I love women, I admire them greatly,” Helmut Newton once confessed. “And when people say ‘you use them like objects of desire,’ [I think to myself,] ‘well, I hope they are objects of desire.’ It would be terrible if they weren’t.” However, for Newton the objectification of his models was not to benefit his own pleasure, but rather, their own. Drawing inspiration from Berlin’s leading zeitgeist publications from the 1920s and 1930s such as *Berliner Illustrierte Zeitung* and others, Newton created a working space for his models that was part decadent and part unorthodox—a safe microcosm in which fantasies became reality. And perhaps most famously of all, Newton engendered an environment in which his female models—all tall, statuesque and curvaceous—claimed the space around them with unapologetic poise and commanding sensuality. Unsurprisingly, as a photographer Newton believed that his job was to “seduce, amuse and entertain.” The work offered in the current lot perfectly embodies Newton’s approach to the profession, presenting a bold vision of beauty, power and sex.

By 1981, the year the current lot was taken, the German-born Newton had established his name as a world renowned photographer, having worked extensively for the Australian, French, German and American *Vogue*, *Playboy* and *Spiegel e Stern*. All publications, in particular those based in Europe, granted Newton the space to experiment with a mode of fashion photography that had been previously unexplored. His models were often paired with mannequins that resembled them in appearance. By blurring the line between object and subject, Newton cleverly subverted the dynamic between the two but without deciding in which direction the subversion tilted. Models became as perfectly sculpted as objects, and objects became as desirous and animated as humans. Newton stated that he was not interested in creating images that pleased his clients, but rather some that provoked and challenged. “If there is one thing I hate,” he said, “it’s good taste. To me it’s a dirty word.”

Newton’s most renowned oeuvre is *Big Nudes*, of which the current triptych is an outstanding example—one that has never come up on the secondary market. The images depict four models in different stages of motion. Some are engaging each other, others look beyond the frame, and one appears to lock eyes with the viewers. There is no apparent staging or direction. “It’s without any artifice,” Newton spoke of his *Big Nudes*. “It’s just a woman standing

there; she wears high heeled shoes, nothing else. It’s almost like a passport photograph, but in the nude.” The women thus exercised unadulterated control over their bodies, their gaze and their pace. While other fashion photographers at the time evolved from a tradition of fashion photography that positioned the model as a vessel for highlighting the clothing, Newton turned the genre on its heels—boldly thrusting his models to the forefront of viewers’ consciousness as empowered, fearless and domineering agents. Their clothing became secondary, if not inconsequential, in Newton’s intent to depict a new contemporary culture that emphasized the power of an emerging independent woman. Shot from a low vantage point, his models appear monumental, larger than life, otherworldly Amazons roaming about their space. “When I start giving instructions, it’s not true anymore,” Newton later explained of his desire to let his models occupy their space without direction.

The images offered in the current lot are variants of *Sie Kommen*, which depicts the four models marching forward. The title of that work, which translates as ‘They Are Coming’, connotes an announcement, an arrival. Yet, what the work declares is not the arrival of the models, but rather the ushering of a new era—women’s sexual freedom. The triptych format in the current lot enhances the idea of a powerful, imminent change. The progression that ensues in the three works infuses them with an immediate rush of movement and energy. The models are that much more palpable and their movement raw, sincere and purposeful. In lieu of a moment frozen in time and a single frame, the triptych brings a sense of continuous cinematic bravado that prompts the viewers to wonder what the next frame would be, where the models were headed, and what advancements lie ahead in the women’s powerful rise. Inspired by the candid vitality of early European street photography, Newton took great pride in creating an image that finds the beauty and strength in the natural and unexpected, especially outside the conventional aesthetic parameters. “I like the idea of trespassing,” he recalled. “It’s quite true that what I am aiming at, even when I take portraits, is to get a scandalous picture. I would love to be a paparazzo.”

Another triptych from this edition of 3 is on permanent loan to the Prussian Cultural Heritage Foundation in Berlin, Germany, courtesy of the Helmut Newton Foundation.







FRANTIŠEK DRTIKOL 1883-1961*Nude*, 1925

Pigment print.

11¾ x 8⅞ in. (28.9 x 22.5 cm)

Signed and dated in pencil on the mount.

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

Howard Greenberg Gallery, New York

LITERATUREDrtikol, *František Drtikol: Pracovní kniha Fotografii*, n.p. for variants

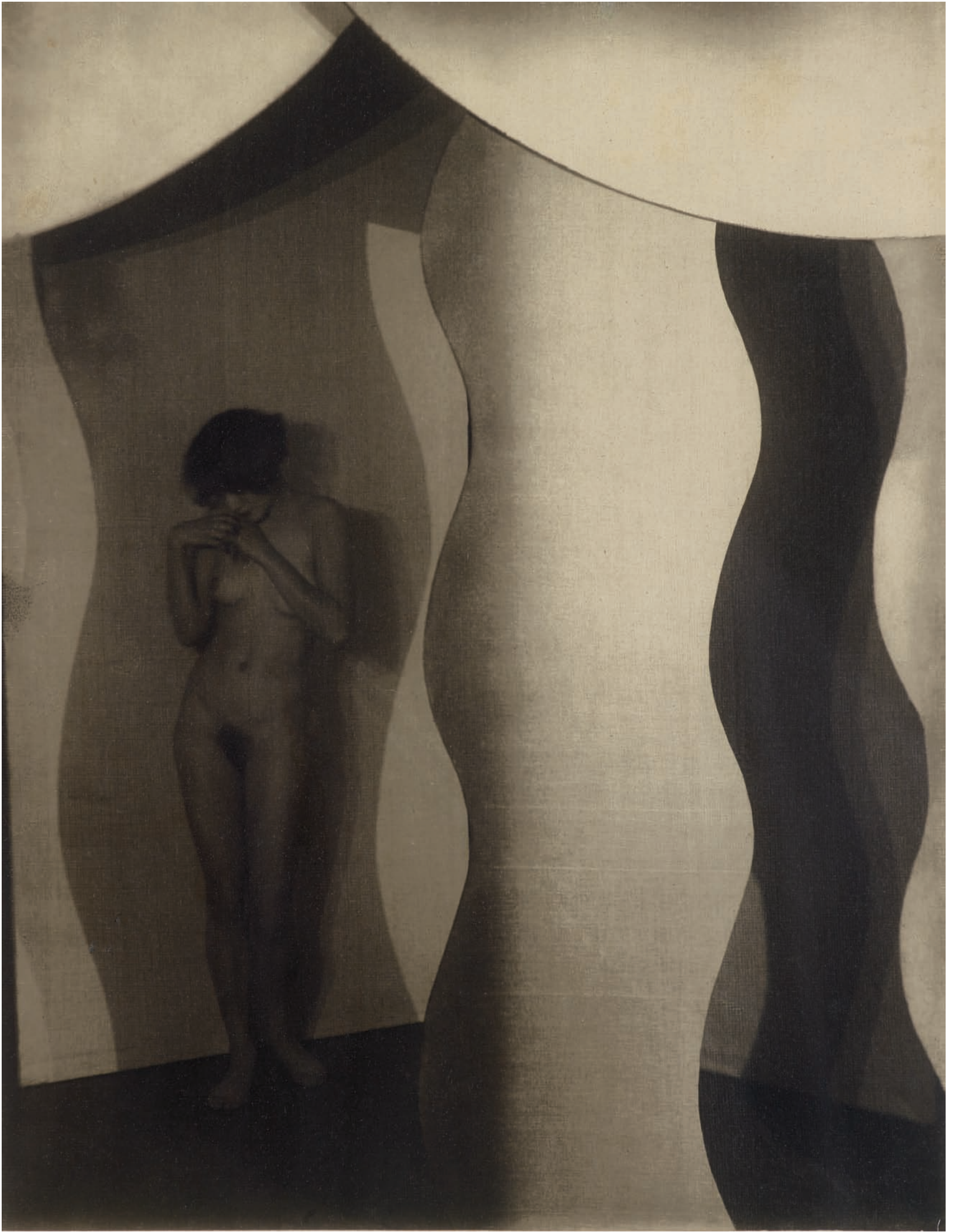
Defying categorization into any of the specific artistic movements of the era, František Drtikol's work stands at the forefront of Czech expressionism in the early-mid 20th century. The rare and beautiful example of a nude study offered in the present lot was made during Drtikol's most important period (1925-1930) when he created a series of highly original compositions using the female nude in contrast to abstract geometric forms, demonstrating his highly personal vision of movement and space.

According to Karl Eric Toepfer, author of *Empire of Ecstasy: Nudity and Movement in German Body Culture, 1910-1935*, Drtikol's obsession with movement and female nudes started in 1912 when he made a series of 12 photographs depicting the dancer Olga Gzovska's *Salame*, a sensual performance which highlighted her body by eliminating the extravagance of excess costume. In 1914 he began photographing Ervina Kupferova, a dancer at the National Theatre and director of a Dalcroze school, whom he married in 1919. But it was not until Kupferova left their marriage to further her dancing career in Russia that Drtikol started to create his famous photographic series of nudes comingled with rhythmic forms. Juxtaposing models with wooden props, Drtikol captured the shadows and planes created by the interplay between them and, as seen in the present lot, highlighted the symmetry of the distinct forms—the nude on the left and the props surrounding, even isolating, her. As Toepfer further notes,

“...the women moved like dancers insofar as their movements projected no functional value, existing entirely to signify an inner condition of freedom and power... Nevertheless, no matter how freely the body seemed to move in the image, it was always remained hemmed in.”

The pigment print, of which the present lot is an example, was a process that Drtikol used throughout his career but almost exclusively during this later period. While he embraced more painterly methods of printing (often combining bromoil, coal, and multi-color pigment in a single print)—as his vision moved away from Pictorialism towards a more modernist approach to photography, he found the pigment print process alone to be the truest way to represent the form in space. Today, Drtikol's pigment prints of nude compositions from 1925-1930 are his most sought after prints on the market.

Beginning in 1930, and perhaps because of the devastating economic crises for the newly formed Czech Republic, Drtikol stopped using models and replaced them with paper cutouts. At this point Drtikol's work became extremely stylized with his paper sculptures of female nudes dancing or moving through what Toepfer aptly describes as “...a much more cosmically nebulous space toward an ecstatic light.” In 1935 Drtikol quit making photographs devoting the rest of his life to teaching theosophical mysticism.



ACTUAL SIZE

10

MAN RAY 1890-1976

Reclining Nude with Satin Sheet, 1935

Gelatin silver print.

5¾ x 14½ in. (14.6 x 37.1 cm)

Initialed in ink, dated in pencil and '8 rue du Val-de-Grace Paris' credit stamp on the verso.

Estimate \$300,000-400,000



ACTUAL SIZE

PROVENANCE

From the artist

Allan Frumkin Gallery/Photographs Inc. (Carol Ehlers), Chicago

Thomas Walther Collection

Howard Greenberg Gallery, New York

Private Collection, Nevada

EXHIBITED

Man Ray: Vintage Photographs, Solarizations and Rayographs, Allan Frumkin Gallery/Photographs Inc., Chicago, 14 December 1976 - 12 January 1977

Man Ray: Vintage Photographs, Solarizations and Rayographs, Kimmel/Cohn Photography Arts, New York, 19 April - 21 May 1977

LITERATURE

Allan Frumkin Gallery/Photographs Inc., *Man Ray: Vintage Photographs, Solarizations and Rayographs*, inside front cover, pl. 59

Kimmel/Cohn, *Man Ray: Vintage Photographs, Solarizations and Rayographs*, back cover, pl. 59

Éditions MANA, *Collection Marcel Natkin: Le Nu En Photographie*, pl. XXIV for a variant

This enchanting vision of the beauty that lies betwixt dream and reality was created by Man Ray in Paris in 1935. In this Surrealist masterpiece, Man Ray—one of the most important and innovative photographers in the history of the medium—lays before us a modernist Sleeping Beauty—an embodiment of the subconscious laid bare.

When Man Ray created this sensational image, the high-jinx of Dada was over, replaced in Paris by the Freudian dream delirium of Surrealism, a movement which sought to push beyond the constraints of rationality and access the possibilities of the subconscious. In his *Le Manifeste du Surréalisme*, the founder of Surrealism, André Breton, states that "...it was only fitting that Freud should appear with his critique on the dream ...I believe in the future resolution of these two states—outwardly so contradictory—which are dream and reality, into a sort of absolute reality, a surreality." Even before Breton had written the first *Surrealist Manifesto* (1924), Man Ray was creating rayographs (1921-1922) that transformed



ordinary objects into poetic images that transcended representation. Recognizing his early and innate kinship to the style and celebrating his ability to commingle realities, Breton declared Man Ray a 'pre-Surrealist'.

The mythical female form in the present lot is horizontally incased in a light-filled netherworld. Her hair is supernaturally aglow as is the negative space that surrounds her shrouded and darkly outlined form. Man Ray fashioned the draped nude into a Surrealist masterpiece through the phenomena of solarization. Solarization, the act of exposing the developing negative or print to light for a brief moment and thus creating a partial (or total) reversal of tones, was accidentally discovered by Man Ray via his then assistant Lee Miller. He used this technique to its fullest potential and images of solarized females are some of his most coveted works of art because of their timeless beauty. As with all great Man Ray's, the reclining female in this photograph goes beyond what we know in conscious reality into the dreamscape of our subconscious.

This rare masterpiece, created during the height of Surrealism, was for over 25 years a key image in The Thomas Walther Collection. Walther purchased it in the late 1970s at the beginning of his famous odyssey into photography becoming one of the premiere collections of photography from between the first and second World Wars. In 2001 The Thomas Walther Collection was sold and partially gifted to the Museum of Modern Art where it is currently on display in *Object: Photo/Modern Photographs/The Thomas Walther Collection 1909-1949*. As noted in the Collection Catalogue, "The Majority but not the entirety of Walther's collection... were chosen to complement those in the Museum collection." Because of MoMA's significant holdings in Man Ray's prints via the earlier addition of the James Thrall Soby Collection (publisher of the 1934 classic *Man Ray Photographs 1920-1934*), the curators at MoMA chose to purchase only one Man Ray from The Thomas Walther Collection, thus allowing this exceptional print to enter private hands.

IRVING PENN 1917-2009*Picasso (B)*, Cannes, 1957

Selenium toned gelatin silver print, printed 1984.

16 x 15½ in. (40.6 x 38.4 cm)

Signed, titled, dated, initialed in ink, Condé Nast copyright credit (courtesy Vogue) reproduction limitation, credit and edition stamps on the reverse of the mount. One from an edition of 21.

Estimate \$60,000-80,000**PROVENANCE**

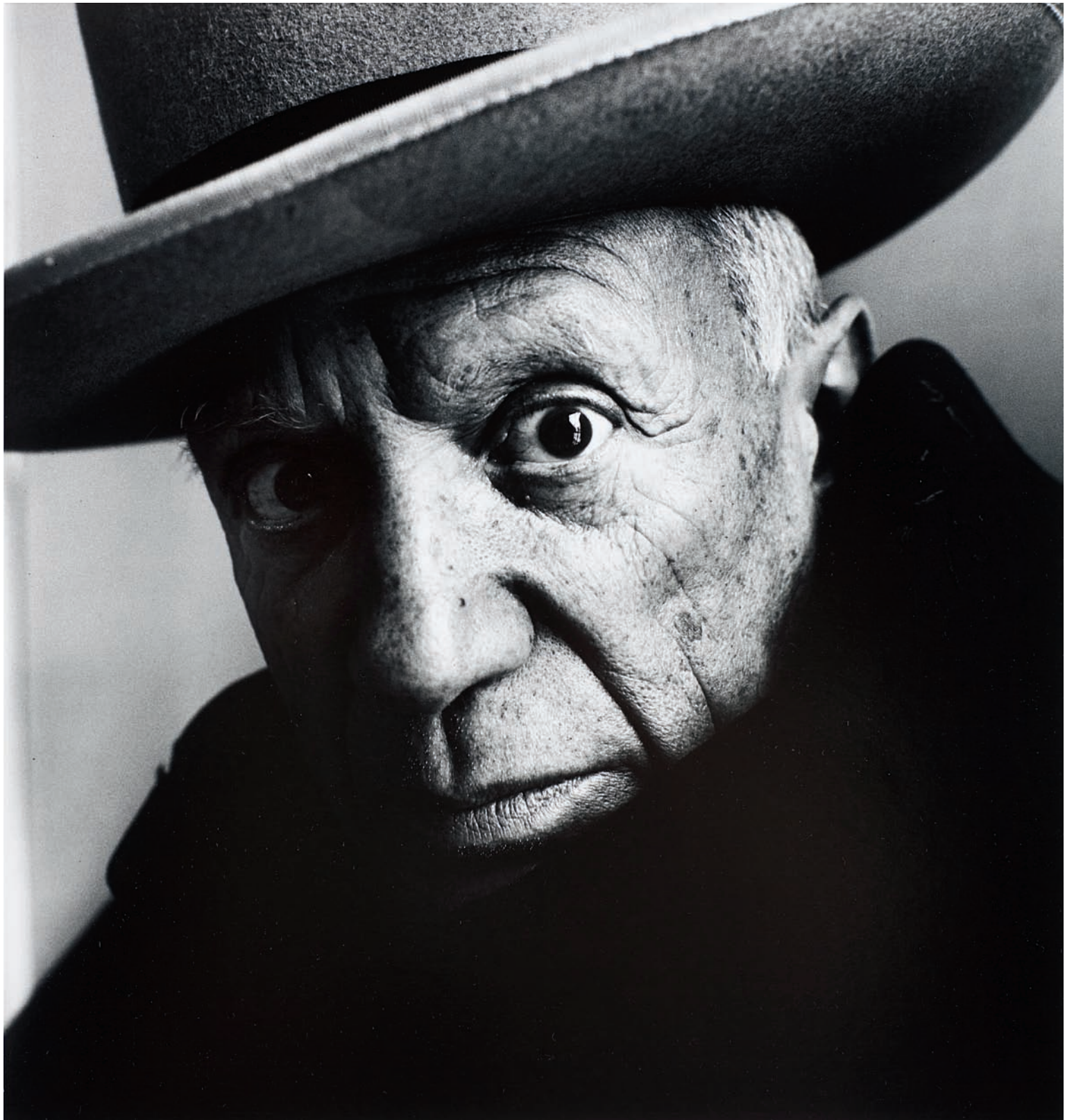
Private Collection, Europe

LITERATUREThe Art Institute of Chicago, *Irving Penn: A Career in Photography*, p. 114Greenough, *Irving Penn: Platinum Prints*, p. 37Penn, *Moments Preserved*, p. 39Taschen, *20th Century Photography*, p. 483

From early on in his career, Irving Penn adhered to the principles underlying the medium of photography, especially with close attention to clarity, illumination, and linearity. As early as 1947, Penn began repudiating the pictorialist-inspired modes in photography—be it fashion or portraiture—by stripping away lavish interiors and contrived narratives. By doing so, Penn enabled the clothes and the sitters to assume the central role of his images. Of this, John Szarkowski had remarked, “[Penn’s photographs] are not stories, but simply pictures.” Penn rejected the notion that portraits ought to be set within a context that readily identified the sitters—writers at their desk; singers by a microphone; thespians on stage; or artists at their studio—and layer by layer, removed the common traps that detracted from the point of focus. In fact, it was Penn’s studio—not a lavish mansion, or a Louis XV boudoir, or a Victorian library—that became the sole space within which sitters were captured under his lens.

From the late 1940s and throughout the 1950s, Penn continuously simplified his portraits, gradually removing the architectural corners

he had been using to photograph such notables as Alfred Hitchcock and Marlene Dietrich. By 1957, the year the present lot, *Picasso (B)*, Cannes, was taken, Penn had removed not only any gratuitous props but also any bodily references or gestures that could have compromised the unique individuality of the famed Spanish artist, by then already one of the art world’s leading figures. The close-up portrait is skillfully and almost perfectly centered by Picasso’s cyclopean eye, paying homage to the Cubist style that he was instrumental in popularizing with Georges Braque. References to the Modernist style, in fact, abound in the photograph: the strong tonal contrasts, the robe framing the jawline, the cropping of the ear, the different lines dissecting the plain. Indeed, the portrait is far more akin to Picasso’s gris-toned *Buste de Femme*, 1956, than any of Penn’s other portraits. In that regard, the image is more likely how Penn imagined Picasso would envision himself. Ultimately, *Picasso (B)*, Cannes, is a carefully nuanced composition commemorating the legacy of not one, but two great masters, each delicately revealing his undeniable skill and style on different sides of the same lens.



12

SHARON CORE b. 1965

Candy Counter 1969, 2004

Chromogenic print.

47½ x 35½ in. (120.7 x 90.2 cm)

Signed, dated and numbered 3/7 in ink on the reverse of the flush-mount.

Estimate \$30,000-50,000

PROVENANCE

Bellwether Gallery, New York

“I’d stand in front of his paintings, and I’d be a child in the 1960’s again.”

SHARON CORE

After seeing the Wayne Thiebaud retrospective at the Whitney Museum of Modern Art in 2001, American artist Sharon Core decided to recreate the artist’s famed paintings of delectable confections. Drawing from Post-War cookbooks like McCall’s, *Book of Cakes and Pies* as well as from her professional background as a food stylist for a number of publications, including *Martha Stewart Living*, Core painstakingly reproduced some of Thiebaud’s most iconic paintings. “Many of the marks on Thiebaud’s food paintings directly mimic the hand of food preparation,” Core commented. “The paint brushstrokes are close to icing or mustard.” After carefully preparing the pastries and candy, Core carefully staged and lit each composition to capture the essence of Thiebaud’s paintings. More so, each image is printed in the exact same size as its canvas counterpart. The end result is a most beautiful—and appetizing—homage to an icon of American Pop imagery.

Another print of this image is in the collection of the Solomon R. Guggenheim Museum, New York.



JOHN BALDESSARI b. 1931*Green Sunset (with Trouble)*, 1987

Two black and white photographs with oil tint, flush-mounted.

48¼ x 48 in. (122.6 x 121.9 cm)

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

Dart Gallery Alternative Space, Chicago

Private Collection, Chicago

EXHIBITED*John Baldessari: Recent Work*, Dart Gallery Alternative Space, Chicago, 8 May - 9 June 1987

“You look at art like a professional gambler looks at a card table, for all the tricks.”

JOHN BALDESSARI

California-native conceptual artist John Baldessari once remarked, “I could never figure out why photography and art had separate histories. So I decided to explore both.” Despite an early delving into painting in the 1960s, Baldessari has explored the space between the two mediums. Furthermore, in keeping with his *modus operandi* to subvert the dichotomous nature between two allegedly disparate entities, since the 1970s Baldessari has also been challenging the veracity of narratives belying imagery. By splicing together images culled from different sources, as seen in the current lot, Baldessari strips each one of an inherent meaning and immediately yields a hybrid narrative that may not have presented itself had each image been presented on its own. Baldessari’s art aims to manipulate the meaning behind seemingly straightforward imagery. In his works, such as *Green Sunset (with Trouble)*, photography is removed from its traditional documentarian and objective history and subsequently adopts the qualities of painting (or art, in the artist’s words), endowed with a liberated subjectivity and multifarious interpretation.

In discussing his approach to his art making, the artist has stated, “You just have to give [the viewer] something to hang on to and they can begin to unravel it themselves. It’s kind of like reading a detective story, you get a clue, you follow that.” By turning viewers into detectives, Baldessari compels his viewers to relinquish the passive processing of imagery in lieu of proactive construction of meaning. His works are accordingly imbued with riddles, puns, cryptic signs and loops in logic. Baldessari’s reappropriation style is in synchrony with that of his peers from the Pictures Generation, namely Cindy Sherman, Richard Prince and Barbara Kruger.

By repossessing (or reenacting) found imagery, notions of authorship and identity are called into question. The one thing viewers could consistently ascertain, their work seems to imply, is the absence of truth.

The artist’s California origin appears to have informed his work, such as *Green Sunset (with Trouble)*, especially in its Hollywood-inspired Hitchcockian essence. The silhouette of a cowboy hovers above a horizon. He is at once a symbol of All-Americanism, the same timeless and ubiquitous emblem of soil-of-the-earth masculinity that has been populating the American cultural subconscious since the early days of cinema. However, his benign heroism appears to be potentially undermined by its juxtaposing against the image below it. A group of individuals look up in consternation. Assumptions about the cowboy’s benevolence are subsequently subverted. Viewers are automatically led to extrapolate a potential dialogue and meaning behind the two corresponding images. Could the trusted American symbol of protection, in fact, be of a villainous nature? Are the people below in danger? Alternately, do they want to harm the cowboy? The coloring of each image in opposite colors highlights the conflicting tension between the two as well as the artificial and constructed nature of the scene. A prolonged studying of the work continues to encourage the viewers to construct an underlying unifying plotline—a likely turn of events and potential twists in narrative that could envelope the characters on hand. And yet, the longer viewers continue their engrossment in this imagined narrative, the more Baldessari appears to remove his presence from the artwork, allowing the viewers to exist in a space that sits between fiction and reality, between art and photography.



CINDY SHERMAN b. 1954*Untitled #103*, 1982

Chromogenic print.

29¾ x 19⅞ in. (75.6 x 50.5 cm)

Signed, dated and numbered 2/10 in ink on the verso.

Estimate \$90,000-120,000**PROVENANCE**

Galerie Chantal Crousel, Paris

Private European Collection

EXHIBITED*L'Autoportrait à l'âge de la photographie. Peintres et photographes en dialogue avec leur propre image*, Musée cantonal des Beaux-Arts, Lausanne and Württembergischer Kunstverein, Stuttgart, January - June 1985**LITERATURE**Billeter, *L'autoportrait à l'Age de la Photographie. Peintres et Photographes en Dialogue avec leur Propre Image*, p. 449 for a variant
Krauss, *Cindy Sherman 1975-1993*, pl. 46Pimentel, *Las Implicaciones de la Imagen*, p. 156Schirmer/Mosel, *Cindy Sherman*, pl. 67Whitney Museum of American Art, *Cindy Sherman*, p. 18

“When I became involved with close-ups I needed more information in the expression. I couldn’t depend on background or atmosphere. I wanted the story to come from the face. Somehow the acting just happened.”

CINDY SHERMAN

Cindy Sherman broke into the collective American conscious in the late 1970s with the *Untitled Film Stills*. As her first mature body of work, the *Film Stills* deftly explored the prepackaged identities available to women in media, advertising and cinema at the time. Drawing inspiration from B-movies, horror flicks and the film noir genre, over the course of three years Sherman produced sixty-nine images of female stereotypes— cliché depictions of readily familiar roles. As one of the few female artists working in photography at the time, Sherman repudiated what she believed to be the patriarchal dominance in the art world—art produced by male artists, sold by male art dealers and collected by male collectors. Therefore, by assuming the role of photographer, producer and director, Sherman assumed three traditionally-male roles in the production and propagation of female types, and reversed the power dynamic. Furthermore, by assuming the role of the protagonist, Sherman was able to repossess control of the manner in which women were depicted. Forty years later, Sherman’s work is still considered a groundbreaking feminist oeuvre of empowerment.

During the first years of the 1980s, Sherman built on her previous exploration of women’s roles in society with multiple bodies of work, from the rear screen projections to the centerfolds and as seen in the current lot, her vertical portraits, which were noted for their close-ups and deeply intimate air. In *Untitled #103*, at first glance Sherman holds her arms over her head in a potentially submissive role. She appears to pull her hair back casually, as if spontaneously posing in the presence of a lover. Her lips are

glossed and lightly parted, her gaze is soft and she is scantily clad, perhaps more so than any other work by Sherman. The dim lighting alludes to an intimate setting, perhaps a bedroom. Indeed, an initial reading of the image would imply that the role that Sherman appears to embody is that of a girlfriend or a seductress.

However, a more prolonged introspection complicates the aforementioned conclusion. The image is marked by a grainy air that implies that viewers are catching a glimpse of Sherman through the prying lens of a telescope. Furthermore, while her lips are glossed she does not wear makeup, and her top, while revealing, does not hug the contours of her body, alluding to a casualness in which the subject had let her guard down. Collectively, these imply that Sherman’s character, in fact, is not in the presence of a lover, but rather spied on. The viewers are consequently turned from pleased participants into active voyeurs as Sherman’s role is intentionally complicated. By doing so, Sherman successfully presents an image that begets questions not only about the narrow selection of easily recognizable personas for women in society but also of the viewers’ role in perpetuating them for their own enjoyment. In an interview with Sherman for the *Journal of Contemporary Art*, Therese Lichtenstein noted, “By self-consciously watching ourselves watching, by catching ourselves in the act, we interrupt the gazes of voyeurism, fetishism, and even narcissism. We are no longer invisible voyeurs but active participants in critical viewing.” Indeed, the genius in Sherman’s work is not merely in what she portrays about her character but what that reveals about the viewers.



15

THOMAS RUFF b. 1958

Sterne 23h 39m/-55°, 1992

Chromogenic print, face-mounted to Plexiglas.

78½ x 52¾ in. (199.4 x 134 cm)

Overall 101¾ x 73½ in. (258.4 x 186.7 cm)

Signed, titled, dated and numbered 2/2 in pencil on the backing board.

Estimate \$80,000-120,000

PROVENANCE

David Zwirner, New York

LITERATURE

Winzen, *Thomas Ruff: 1979 to the Present*, pl. STE 1.28

Thomas Ruff studied photography (1977–1985) at the Düsseldorf Art Academy and was a student of Bernd Becher, who in collaboration with his wife Hilla Becher, had developed a method of conceptual serial photography. During his studies in Düsseldorf, Ruff created his initial series photographing typical German living quarters. This first body of work was in color and printed on standard sized photographic paper, as was his next series of portraits of friends and school acquaintances. Both were built upon the modernist tradition of Neue Sachlichkeit or New Objectivity, conceptualized by being in series and contemporized by color. What elevated Ruff's photography-based vision onto the contemporary art market in the late 1980s was his reprinting of the portraits onto huge rolls of photographic paper then framing them so that they hung comfortably alongside paintings—adding an awe-inspiring presence to his coolly detached or objective images. With Ruff's addition of size—closely followed by his fellow students Thomas Struth and Andreas Gursky—viewers began looking at photographs as they had never looked before.

In the *Sterne* or *Stars* series (1989–1992) Ruff took the objectivity of documentation in photography into a dialogue about reality and art. He had started this conversation with his earlier large and seemingly dispassionate portraits and his cool depictions of Post-War buildings in Germany. But in the *Sterne* series Ruff took it further by employing negatives that he himself did not make. Instead he used high-resolution

(29 x 29 cm) negatives that he had obtained from the archives of the European Southern Observatory—which he cropped to his own artistic desires and had printed in a lab in Düsseldorf to his specifics. Ruff “repositioned” these negatives of the night sky above Chile to create his own art—utilizing them as a tool (such as paint or paper) with which to build a work of art. This transformation from scientific document to art is experienced in *Sterne 23 h 39m/-55°* where a seemingly objective and specific image is experienced as abstracted beauty.

Ruff's *Sterne 23 h 39m/-55°* thrills us with its large-scale vista of a starry night sky. Yet what lingers is not the substance of the subject matter, but rather the beauty of its distance. This demandingly gorgeous picture does not bring us closer to its subject matter but instead face-to-face with the medium's inherent dichotomy: photography's bait-and-switch with reality. What looks to be a very real and familiar subject is in fact a photograph—a work of art. This contrariety of existence in photography—and our tendency to invert what we think we see with what is—is reinforced by subject matter of *Sterne 23 h 39m/-55°*. For when we look at a star in the night sky, we are not seeing the actual star itself—which science tells us no longer exists—but rather we are seeing ancient traces of light traveling across time and space. And that too is what a photograph is: light traces on paper of something that is no longer there.



16

THOMAS STRUTH b. 1954

Paradise 26 (Bougainville), Palpa, Peru, 2003

Chromogenic print, face-mounted to Plexiglas.

80 x 63 in. (203.2 x 160 cm)

Overall 85 x 68¼ in. (215.9 x 173.4 cm)

Signed in pencil, printed title, date and number 6/10 on an artist's label affixed to the reverse of the frame.

Estimate \$100,000-150,000

PROVENANCE

Galerie Max Hetzler, Berlin

LITERATURE

Museo de Arte Lima, *Thomas Struth*, cover

Schirmer/Mosel, *Thomas Struth: Photographs 1978-2010*, p. 111

“I wanted to make photographs in which everything was so complex and detailed that you could look at them forever and never see everything.”

THOMAS STRUTH

Thomas Struth initially studied painting at the Düsseldorf academy under the German artist Gerhard Richter, before turning to photography. Since then, Struth's well-known large-scale cityscapes and museum photographs have made him one of the pre-eminent European art photographers of our time. Struth's knowledge of painting is evident in his mural-scale images, highlighting his mastery of formal composition and color.

During the late 1990s, Struth began to look at landscapes, in particular jungle scenes, traveling to Australia, Japan, Southwest China and Peru. These jungle-scenes are as complex as they are calming. It is fitting that Struth's series is aptly named *Pictures from Paradise*. Struth's work has focused on wild nature, not only his own representations of what can be viewed as paradise, but also questioning its representation within cultures.

Through these lush and steamy images taken at various locations throughout the world, Struth has taken on the role of a world traveler and storyteller. Each image conveying a texture so dense, it hinders the viewer's eye from even entering into the misty and overwhelmingly verdant landscape, no matter how tangible it may seem. This complexity is masterfully conveyed in the featured lot, *Paradise 26 (Bougainville), Palpa, Peru*. The richness of detail, lush crimson and fuchsia shades, evokes sultriness within the composition. Although the subject matter may, at first glance, appear conventional, Struth's keen photographic eye captures an intricacy and density in its “all over” nature that envelops us. Perhaps drawing us in closer to our own stillness and meditations: our own paradise.



17

ADAM FUSS b. 1961

Untitled, 2011

Dye destruction photogram.

87¼ x 46 in. (221.6 x 116.8 cm)

Signed on the verso; signed in blue wax pencil, printed title and date on a gallery label affixed to the reverse of the frame.

Estimate \$40,000-60,000

“One doesn’t have complete control over the individual [photogram] in the way one steps back. The force that makes the picture, the actual construction of the picture is not made by the hand, it is made by the law of nature; the form that nature takes. But one creates the situation that allows [it] to take place... I like the aesthetic of me not being there, of [there] being no helm, of the looking like there is no one there.”

ADAM FUSS

Adam Fuss’s large-scale photographs of water droplets, silhouetted gowns and, as seen in the present lot, animal intestines, are celebrated for his uniquely beautiful and contemporary approach to camera-less photography. Working in the tradition of icons of the medium, most famously including Man Ray and László Moholy-Nagy, Fuss creates unique photograms by placing objects on photo-sensitive paper and then exposing them to light, resulting in images which reveal the spiritual essence of the objects without the details of straight photographic representation. Indeed, as seen in the present lot, through his process Fuss transforms an animal’s entrails, an otherwise unsolicited sight, into a magnificent representation of form and color, breathing new life into his unorthodox and unexpected subject.

Please note that the artist states that this work may be installed vertically or horizontally.



HIROSHI SUGIMOTO b. 1948*Lake Superior, Cascade River*, 1995

Gelatin silver print.

46¾ x 58½ in. (118.7 x 148.6 cm)

Signed in ink, printed title, date and number 2/5 on a gallery label affixed to the reverse of the frame.

Estimate \$350,000-550,000**PROVENANCE**

Private Collection, New York

EXHIBITED

Sugimoto: The Metropolitan Museum of Art, New York, 21 November 1995 - 14 January 1996; Contemporary Arts Museum, Houston, 31 July - 1 September 1996; Hara Museum ARC, Gunma 14 September - 15 December 1996; Akron Art Museum, 4 April - 31 May 1998

Sugimoto: Sala de Exposiciones da Fundação "la Caixa", Madrid, 29 May - 26 July 1998; Centro Cultural de Belém, Lisboa, 16 October 1998 - 24 January 1999

Hiroshi Sugimoto: Mori Art Museum, Tokyo, 17 September 2005 - 9 January 2006; Hirshorn Museum and Sculpture Garden, Washington D.C., 16 February - 14 May 2006

Like sea shells washed ashore, floating unencumbered, a fragment of time drifts toward the depth of my consciousness.

Gazing upon the sea, I feel I may arrive at its origin from that bygone time by retracing that which drifts from beyond.

This saga commenced with the sea and it shall end with the sea. Like the human civilization that flourished amidst the glacial periods.

Will the splendid moon rise above the stark night sea?

—Hiroshi Sugimoto

Throughout a formidable career that has spanned nearly four decades, Japanese photographer Hiroshi Sugimoto has continuously explored the limits of photography, perhaps most notably in rebuking connotations of instantaneity. Over multiple bodies of work—from prehistoric dioramas to

movie theatres, architectural masterpieces, wax figures and as seen in the current lot, seascapes—the artist has elegantly negated the common misconception that a camera's strength lies in its accurate capturing of a given moment. "To me photography works as the fossilization of time," the artist has reflected. "The accumulation of time and history becomes a negative of the image." Awareness of the passing of time, therefore, is integral to the strength of his photographs.



Mark Rothko, *Black, black on wine*, 1968.
© 1998 Kate Rothko Prizel & Christopher Rothko/Artists Rights Society (ARS), New York

LITERATURE

Hatje/Cantz, *Hiroshi Sugimoto*, p. 137

Contemporary Arts Museum, Houston, and Hara Museum of

Contemporary Art, Tokyo, *Sugimoto*, p. 73

Fundación "la Caixa" e Centro Cultural de Belém, *Sugimoto*, p. 173

Sugimoto, *Hiroshi Sugimoto: History of History*, p. 287

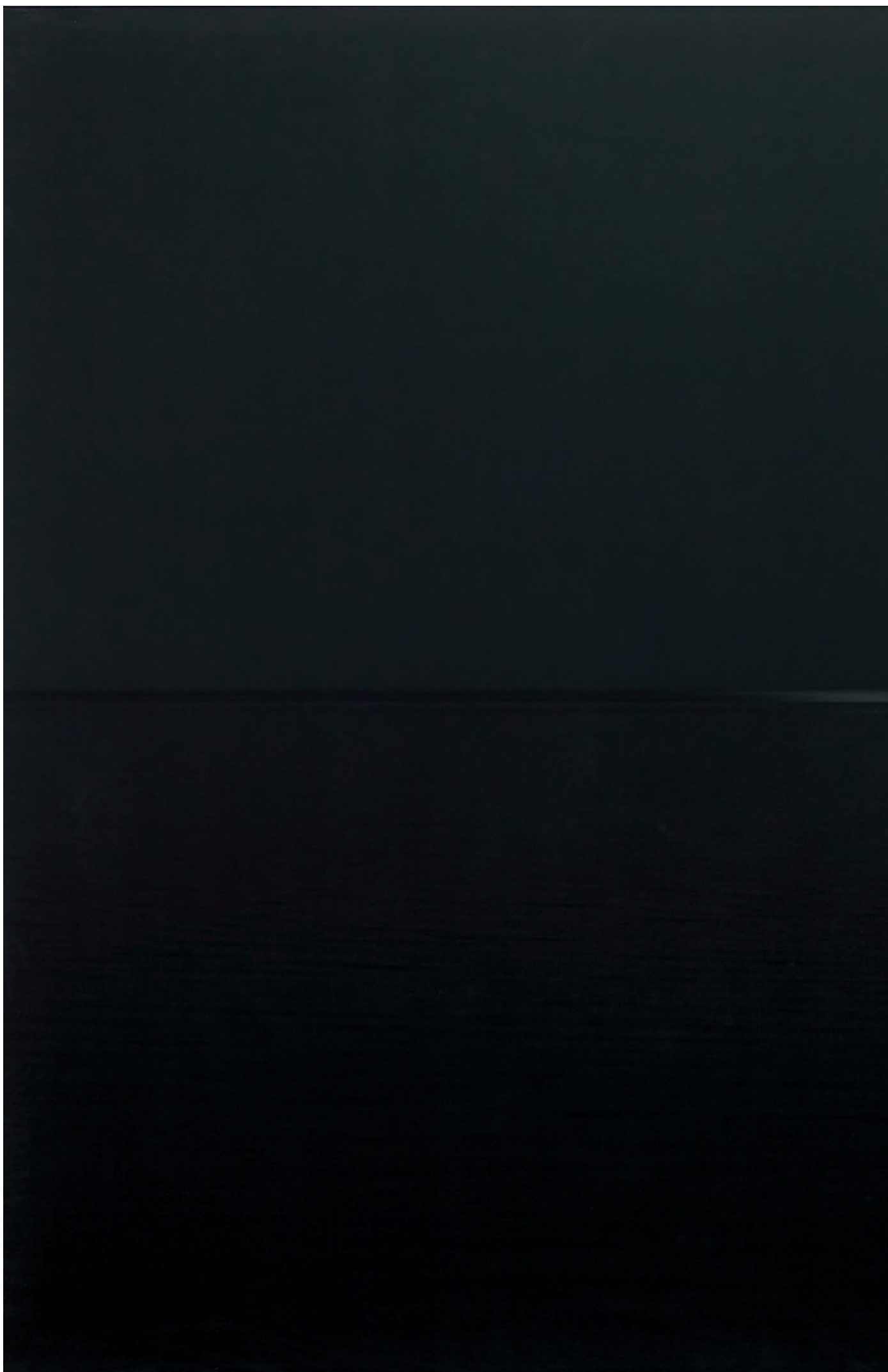
In his *Seascapes* series, of which the current lot is a superb example, Sugimoto focused on life's most rudimentary building blocks, water and air, for their strength as "the most abstract themes." In preparation for each image, the artist spent anywhere between one and three weeks staying at the location, observing the sea, never from a boat, always on the ground. "I feel like I'm part of that nature and landscape," he has explained. "I start feeling 'This is the creation of the universe and I'm witnessing it.'" The reference to creation is noteworthy, as the series is remarkably devoid of any contemporaneous references. Sugimoto's horizons are consistently minimalist, lacking ships, aircrafts, distant lands, birds, clouds, stars or people. They are stripped down to how the sea would have likely existed for millions of years, well before the introduction of any of the aforementioned man-made influences. Their physical presence under Sugimoto's lens is subsequently transformed into a spiritual essence.

In *Lake Superior, Cascade River*, the sea and sky at first glance appear to have merged into a single entity, fully and deeply black. Indeed, they appear as a single primordial block, one in which air and water are indistinguishable. However, a closer look reveals a magnificent sliver of light on the horizon, a reflective hint of the moon's presence. Its subtle appearance is poetic and eloquent, making itself seen only upon closer inspection and deep meditation. Under Sugimoto's lens, Lake Superior is transformed into a Rothko Black-Form painting. Like Rothko's late-in-life paintings, Sugimoto's image gradually and patiently reveals subdued details, confident in its ability to seduce and slowly mesmerize the viewers. As an elegant anchor in the horizon, it asserts its presence as a reward to those who have taken the time to study it and allowed the tranquility of the image to gradually reveal its beauty and strength. "Stillness," Sugimoto has said, "is not something that I am promoting, but most people see it. And it's very quiet, and serene." The gentle unfolding of the nuances embedded within the image indeed leave the viewers feeling calm, centered and appreciative of a most understated sight of timeless beauty.



“Every time I view the sea, I feel a calming sense of security, as if visiting my ancestral home; I embark on a voyage of seeing.”

HIROSHI SUGIMOTO



19

DESIREE DOLRON b. 1963

Xteriors XII, 2001-2006

Chromogenic print, face-mounted to Plexiglas.

68¾ x 48⅞ in. (174.6 x 122.2 cm)

Signed, titled, dated and numbered 6/8 in ink on the reverse of the flush-mount.

Estimate \$60,000-80,000

PROVENANCE

Galerie Gabriel Rolt, Amsterdam

“Every square millimetre of my images is digitally manipulated. Not just the skin tones, but also the facial features themselves. In some cases I combined features from several faces to obtain what I had pictured in my mind’s eye. *Xteriors* being the first project where I became serious about digital manipulation, it took me a good three years to finish all the images.”

DESIREE DOLRON

Dutch photographer Desiree Dolron’s most celebrated series, *Xteriors*, references the lush history of Flemish Golden-Age painting, most notably in the sense of mystery imbued in its portraiture and its reliance on atmospheric lighting. Using contemporary tools of digital technology, Dolron created a body of work that is both reflective of past traditions and innovative in its production. Set in an 18th century mansion in Utrecht, the photographs that comprise *Xteriors* are digital constructions taken from a variety of sources. As seen in the current lot, Dolron’s use of digital manipulation is extensive yet subtle; obvious yet indiscernible. Manipulating faces, details and, most apparently, the dramatic lighting, Dolron uses photography as a means of realizing her otherworldly vision and, in doing so, intertwines the histories of painting and photography to create a striking tableau, defying the boundaries of both mediums.



20

DIANE ARBUS 1923-1971

A widow in her bedroom on 55th St., NYC, 1963

Gelatin silver print.

15½ x 15 in. (39.4 x 38.1 cm)

Signed, titled, dated '1962' [sic] in ink by the artist, stamped 'A Diane Arbus print,' signed, dated by Doon Arbus, Executor, in ink, copyright credit and reproduction limitation stamps on the verso.

Estimate \$200,000-250,000

EXHIBITED

Diane Arbus, The Museum of Modern Art, New York, 7 November 1972 - 21 January 1973

LITERATURE

Aperture, *Diane Arbus*, n.p.

Aperture, *Diane Arbus: Magazine Work*, p. 90

Arbus, Sussman, Phillips, Selkirk and Rosenheim, *Diane Arbus:*

Revelations, p. 44

Fraenkel Gallery and Matthew Marks Gallery, *Open Secrets: Seventy*

Pictures on Paper 1815 to the Present, pl. 48

Sunday Times Magazine, London, "Pauline Peters on People:

Dr Glassbury's Widow", 7 January 1968, pp. 29-30

“I’ve never taken a picture I’ve intended. They’re always better or worse.”

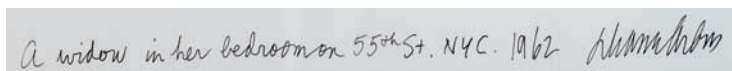
DIANE ARBUS

Diane Arbus famously claimed, “I really believe there are things which nobody would see unless I photographed them.” Her portrait of a New York City widow, taken in 1963, is from an especially fertile period for the famed artist, whose work constitutes one of the most groundbreaking oeuvres of 20th century photography.

In 1967, the image was included in the legendary *New Documents* exhibition at the Museum of Modern Art, curated by John Szarkowski. Five years later, the year after the artist’s death, the print offered here was chosen by Szarkowski for inclusion in MoMA’s definitive 1972 Arbus retrospective. The exhibition drew large crowds and is still considered a landmark in Arbus’s legacy.

A wall text by Szarkowski acknowledged the artist’s courage for exploring subjects that had been previously marginalized. “Arbus did not avert her eyes,” Szarkowski stated. “She stuck with her subjects, exploring their secrets (and thus her own) more and more deeply. She was surely aware of the danger of this path, but she believed that her bravery would be equal to the demands she made of it.” Over forty years later, Arbus’s work continues to inspire accolades for its power to challenge and illuminate.

Other early prints of this image are in the collections of the Museum of Modern Art, New York and the San Francisco Museum of Modern Art.



A widow in her bedroom on 55th St. NYC. 1962 Diane Arbus

Title and signature on verso



KATY GRANNAN b. 1969

Anonymous, Los Angeles, 2008

Archival pigment print.

38½ x 28¾ in. (96.8 x 73.3 cm)

Signed, dated in ink, printed title, date and number 3/6 on a gallery label affixed to the reverse of the backing board.

Estimate \$15,000-25,000

LITERATURE

Fraenkel Gallery, *Katy Grannan: Boulevard*, pl. 21

Out of Focus: Photography, exh. cat., Saatchi Gallery, n.p.

“My photographs are vignettes, but they’re not just about the specific person in the picture—the narrative includes the unseen exchange between artist and subject who are often strangers meeting for the first time, each taking a leap of faith by trusting an unfamiliar person and an unexpected encounter.”

KATY GRANNAN

From Diane Arbus’ portraits of American subcultures to Philip-Lorca diCorcia’s hustlers and Larry Sultan’s adult film stars, Katy Grannan’s work continues a history of documenting the overlooked, marginalized members of society. Following several successful series in which she photographed individuals whom she had found through newspaper advertisements, Grannan moved to California in 2006 and embarked on a long-running series of ‘street portraits.’ Beginning with *Boulevard*, she documented strangers on the streets of San Francisco and Los Angeles, individuals whose appearances defy conventions, thus offering

an alternate view of humanity. All framed against the stark backdrop of white-washed buildings with strong, natural lighting accentuating and exaggerating their imperfections, her subjects are isolated and exposed, revealed in plain sight for all the world to see.

Grannan’s photographs are included in the collections of the Whitney Museum of American Art, New York; the Museum of Modern Art, New York; The Metropolitan Museum of Art, New York; the Guggenheim Museum, New York; the San Francisco Museum of Modern Art, and the Los Angeles County Museum of Art.



NOBUYOSHI ARAKI b. 1940*A/FILM 6 x 7*, 2007

Unique grid of 1,050 6 x 7 cm color film positives mounted to glass within the artist's double-sided frame; visible on each side. Accompanied by a Certificate of Authenticity and an extra set of 1,050 original film positives. Overall 81¾ x 107½ in. (207.6 x 273.1 cm)

Estimate \$120,000-180,000**PROVENANCE**

Taka Ishii Gallery, Tokyo
Yoshii Gallery, New York
Private Collection, New York

“Pictures taken by a digital camera only show the instant moment. A digital camera copies the presence of reality. What you see is what you get. However, there may be something added to the frame during the process of developing or printing when it comes to film. There could be sentimental feelings in those photographs. This kind of ‘mysterious secret’ goes into the process of using a film camera. It is humane, so it is appropriate for photographic expression.”

NOBUYOSHI ARAKI

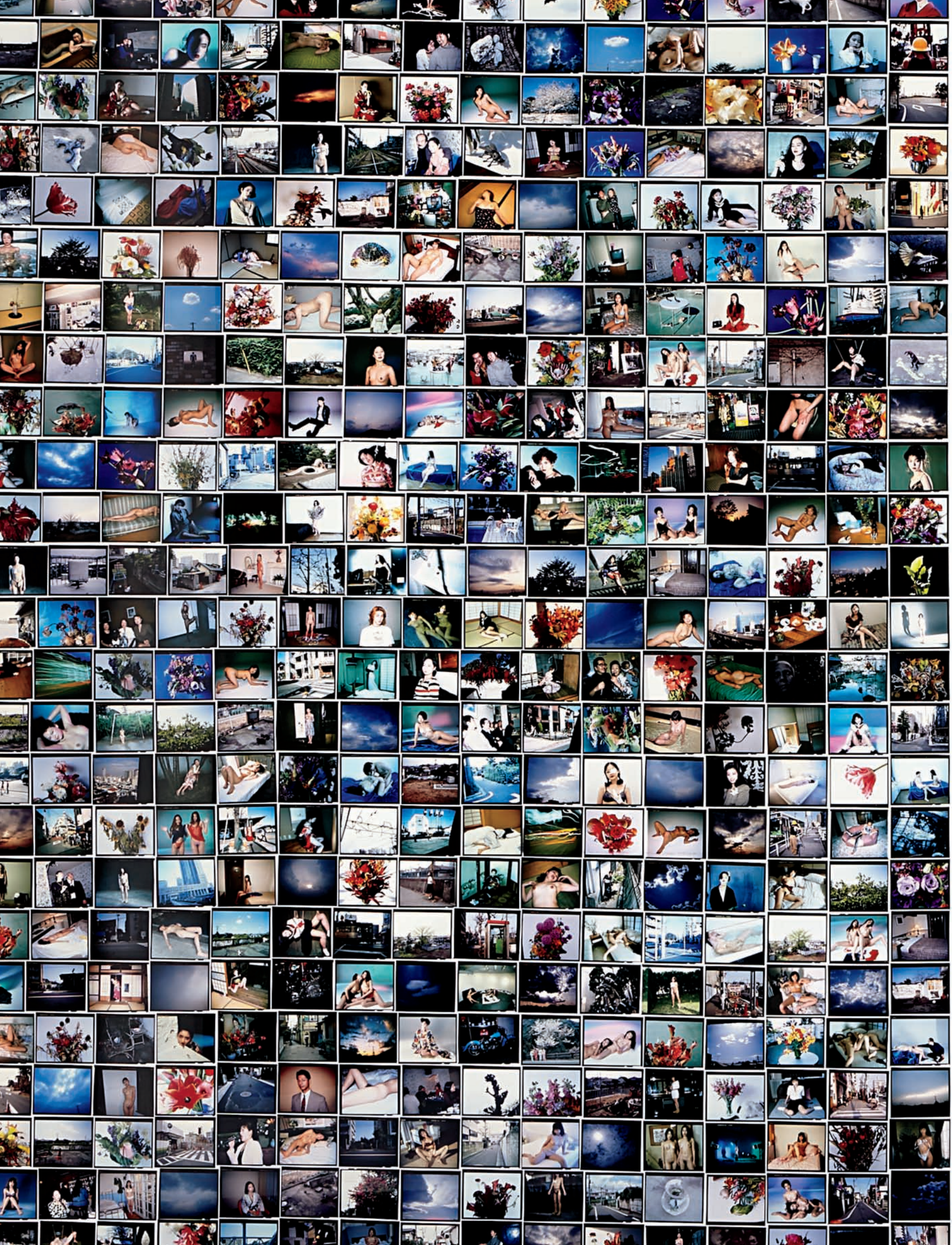
As one of the most prolific Contemporary artists to emerge from Japan, Nobuyoshi Araki has utilized photography as a deeply personal vessel to document the events, people and sights that move him. “My photos are my life,” Araki has stated. “What makes [each photo] special is that it’s a precious moment caught between the past and the future. I sense both of them and want to capture it.” Joking that he was born holding a camera, the artist’s daily documentation of his life dates back to 1971, the year he married his late wife, Yoko. The coinciding of Araki’s marriage and his foray into photography is not incidental for the intimate nature of each dynamic. Recalling his early days as a photographer, Araki stated that at the time being a photographer meant relinquishing one’s selfhood in favor of complete objectivity. For Araki, however, photographing subjective experiences was “where the essential lies and where the dramatic intensity is strongest. Taking pictures is a sentimental thing for me.” Since then the artist has photographed the streets of his beloved Tokyo, the flowers he feels compelled to keep in close proximity, and perhaps most famously, the many beautiful women who have crossed his path.

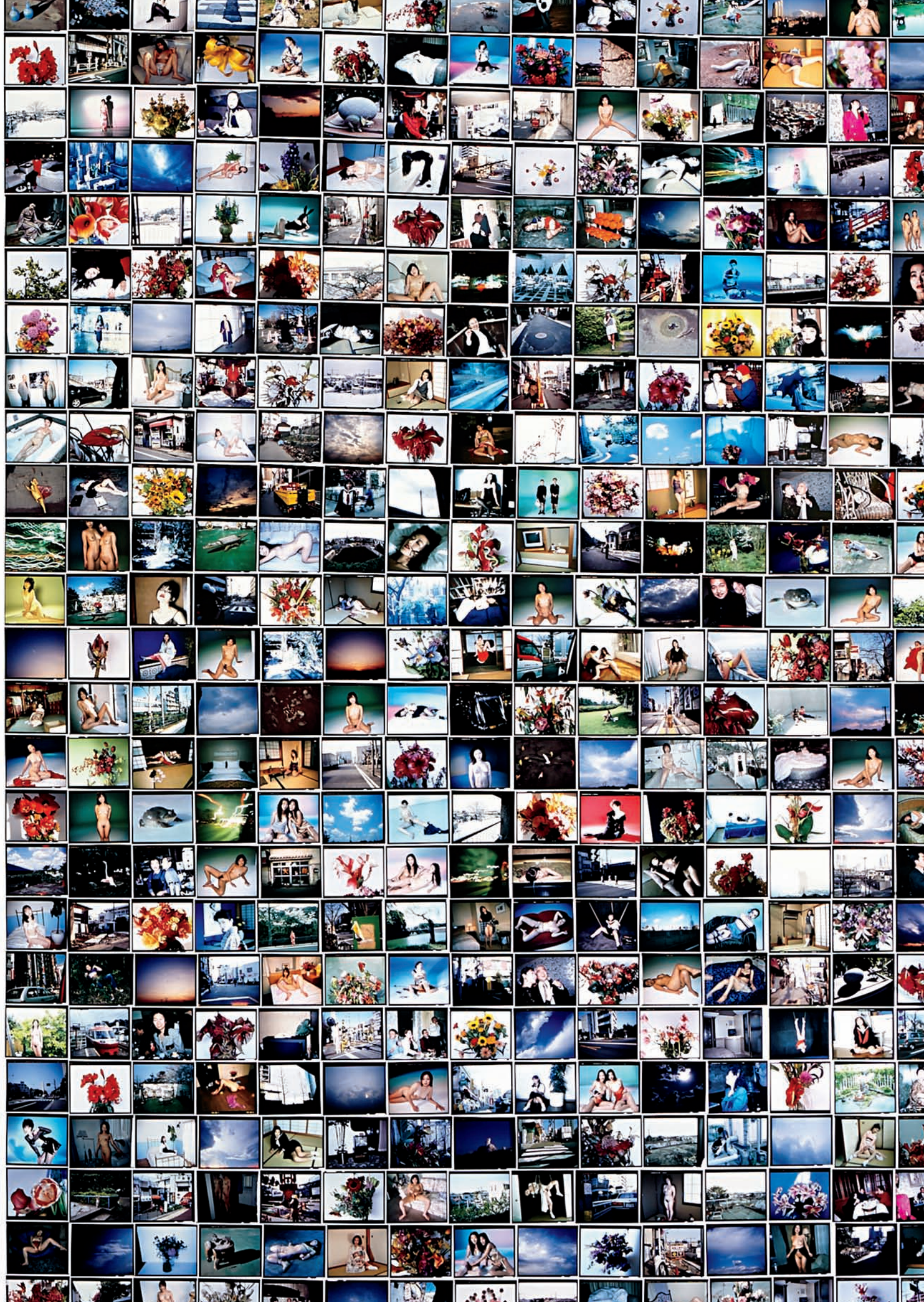
The current lot depicts 1,050 film positives that collectively provide a sweeping overview of the moments that Araki chose to commemorate and eternalize over thirty years. The tight gathering of the positives is effective in encouraging viewers to get close to the work in order to differentiate the

myriad of images set within. Subsequently, each image can be experienced on its own as well as within a larger, historical context. “When I spread out all my work it takes on a cosmic dimension,” Araki has explained, “almost like a Buddhist mandala. That’s how I see it at least. The more photos, the better.” Taken together, a multitude of narratives unfold, all of which provide a rich understanding of the passions, thoughts, experiences and feelings that are specific to Araki. “My own memory wipes out when I take the photo. In a sense, my camera becomes my memory,” Araki has confessed.

The freestanding format of the work imbues it with a monumental strength that lets *A/FILM 6 x 7* act as both photograph and sculpture. The work is tall and commanding, but also inviting and approachable. Moreover, the positives themselves emphasize the artist’s love for the medium, not just the images. For Araki, the act of photography in itself is an extension of the personal and physical experience he shares with his subjects. “[A] kind of ‘mysterious secret’ goes into the process of using a film camera,” Araki has stated. “It is humane, so it is appropriate for photographic expression. I do not feel the body temperature of the subject in digital image. There is no physicality.” Accordingly, *A/FILM 6 x 7* presents a beautifully candid and gorgeous mosaic of moments big and small, staged and discovered, experienced and observed, all unified by the artist’s love for photography and the kaleidoscopic variety of subjects captured for posterity.







23

PIERRE ET GILLES b. 1950/1953

Les amoureux/Johan et Léo, 1998

Unique hand-painted chromogenic print, in the artists' frame.

39 $\frac{3}{8}$ x 31 in. (100 x 78.7 cm)

Signed, titled, dated in ink, printed title and date on a gallery label, all on the reverse of the frame.

Estimate \$40,000-60,000

PROVENANCE

Galerie Jérôme de Noirmont, Paris

Each work by French duo Pierre Commy and Gilles Blanchard is a multi-tiered collaboration in which both artists painstakingly build the set, design the décor and style the subject before Commy photographs and Blanchard paints over the final print. Lastly, both artists work on the hand-painted design of the frame, enhancing the impact of the image. Their style stands at the axis of subculture gay pornography, disco-era flamboyance and the saccharine sweetness of 1980s pop culture kitsch, ultimately mixing high and low with sarcasm and intoxicating beauty. The subjects in their photographs are often modeled after religious icons, mythological creatures and cultural archetypes, further exaggerating the inescapable drama of their works. However, in addition to the visually arresting tableaux and the often-titillating subjects, the artists' works are strongly imbued with relevant social connotations.

In *Les amoureux*, the artists depict a loving gay couple amidst a romantic, leafy setting. The foliage framing the image and the print creates a scene of natural immediacy, as if stumbling unto the couple by accident during an outdoors stroll. In doing so, the artists understate the staging of the photograph, aligning it with the honesty of candid snapshots. As such, the artists seem to hint that the couple's love is not artificial, but a natural occurrence. Moreover, each man appears to be modeled after a quintessential type of French masculinity: one is a sailor, the other an artist. In joining the two prototypes, Pierre and Gilles do not subvert notions of French masculinity as much as enhance them. Manhood, in their world, is not defined in relation to women but by the freedom to love. Similarly, the work is not homoerotic since it does not intend to insinuate affection but rather proudly proclaim the simple wish to openly love. Taken in 1998, the image predates the legalization of gay marriage in France by fifteen years, and continues to echo support for equal rights and universal love.



24

ROBERT MAPPLETHORPE 1946-1989

Flag, 1987

Gelatin silver print.

19 x 23 in. (48.3 x 58.4 cm)

Signed and dated by Michael Ward Stout, Executor, in ink, titled, dated and numbered AP 1/2 in an unidentified hand in ink, copyright credit reproduction limitation and signature stamps on the reverse of the flush-mount. One from an edition of 10 plus 2 artist's proofs.

Estimate \$80,000-120,000

PROVENANCE

James Danziger Gallery, New York

“My whole point is to transcend the subject.
...Go beyond the subject somehow, so that the
composition, the lighting, all around, reaches a
certain point of perfection. That’s what I’m doing.”

ROBERT MAPPLETHORPE

In discussing his childhood in suburban America, Robert Mapplethorpe recalled: “It was a very safe environment and it was a good place to come from in that it was a good place to leave”. It is this very repudiation of the status quo that has led the photographer to push boundaries with his art, producing provocative and often controversial works throughout his impressive career. Mapplethorpe’s photographs run the gamut of excessively explicit, such as the images of New York’s underground S&M scene, to his more reserved portraiture of fellow artists such as Debbie Harry and Patti Smith, as well as his introspective self-portraits and still-life images incorporating classical iconography.

In the current lot, *Flag*, 1987, the artist incorporates all of the aforementioned elements into a single arrangement. Mapplethorpe’s first photograph of the American flag was shot in 1977, showing a torn and tattered flag hanging before the sun. That image, overtly subversive in its countercultural depiction of this cornerstone of American iconography, stands in stark contrast to *Flag*, 1987, in the current lot. Here, Mapplethorpe’s tone has shifted from one of shock, which defined much of his career, to one of quiet self-reflection, perhaps motivated by a solemn awareness of his own imminent mortality. Taken just two years before his death, Mapplethorpe created an image that at first glance appears pleasant and deferent, yet hints at Mapplethorpe’s rebellious nature by showing the flag flying backwards. Three decades later, *Flag* stands tall as a beautiful and honorable memento of a renowned legendary photographer.



WOLFGANG TILLMANS b. 1968*Torino Installation*, 2002

Four chromogenic prints: (i) *Impossible Colour I*, 2001 Unique chromogenic print 20 x 16 in. (50.8 x 40.6 cm) (ii) *Impossible Colour II*, 2001 Unique chromogenic print 20 x 16 in. (50.8 x 40.6 cm) (iii) *Bernhard Wilhelm, looking back*, 2001 Chromogenic print 24 x 20 in. (61 x 50.8 cm) Edition 2/3 + 1 (iv) *Torino*, 2000 Chromogenic print 72 ¾ x 61 ½ in. (184.8 x 156.2 cm) Edition 1/1 + 1.

Overall 72 ¾ x 189 in. (184.8 x 480.1 cm)

One print signed in pencil with printed title, date and number on a label affixed to the reverse of the frame. This installation is unique.

Estimate \$50,000-70,000

PROVENANCE

Andrea Rosen Gallery, New York
Private Collection, Florida

LITERATURE

Hatje Cantz, *Wolfgang Tillmans: Lighter*, p. 362

Phaidon, *Wolfgang Tillmans*, p. 110

Tate, *Wolfgang Tillmans: if one thing matters, everything matters*, pp. 205, 227 and 229 for individual prints from the installation

While initially establishing himself as his generation's documentarian with his intimate portraits of his circle of friends in the London gay community, German-born photographer Wolfgang Tillmans has since moved beyond this basic categorization to become one of the leading contemporary artists of our time. Today, Tillmans is perhaps best known for his large-scale and precise wall installations, which juxtapose works from throughout his career, presented in an array of sizes and styles. These installations demonstrate his immense and diverse body of work including, as seen in *Torino Installation*, studies of color, portraiture and cityscapes. While portraits such as *Bernhard Wihlem, looking back*, included here, are clearly personal records of specific moments in Tillmans' own life, by combining them with the more abstracted studies of color and city views, Tillmans allows them to additionally speak to the viewers in their own personal way. Thus, by showing his work in the new context of these installations, Tillmans is precluding a single interpretation of his photographs, instead allowing the images to transform and evolve over time with each new engagement.







ROBIN RHODE b. 1976*Ballad to Ballet*, 2008

Nine pigment prints.

Each 19½ x 19¾ in. (49.5 x 49.2 cm)

Printed title, date, number 5/6 and sequential number '1-9' on a gallery label affixed to the reverse of each backing board. Accompanied by a Certificate of Authenticity.

Estimate \$40,000-60,000**EXHIBITED**

Dance/Draw, Institute of Contemporary Art, Boston, 7 October 2011 - 16 January 2012

“From an early age I was really taken by drawing. I loved the idea of expressing an idea, expressing a thought through mark making.”

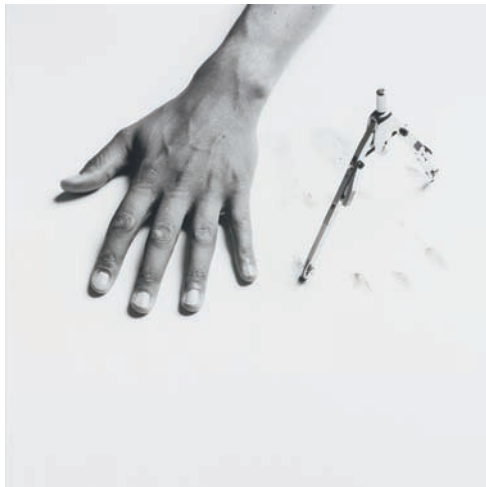
ROBIN RHODE

South-African artist Robin Rhode has deftly created a style that draws inspiration from the early movement studies of Eadweard Muybridge in the 19th century as much as from the graffiti tagging of Keith Haring in the 1980s. His photographs are invariably presented in a grid format that presents a continuous sense of movement and evolution, propelling the viewers to proactively engage with the grid as they connect the succession of motions. The emphasis on movement is a critical factor in Rhode's work. “I was raised in a very gestural society,” he has said. “Society that was very much engaged in the notion of play and playfulness and re-enactment and just pure gesture.”

The current lot, *Ballad to Ballet*, depicts an engaging departure in Rhode's work, which typically depicts a full-scale of the artist (or a stand-in) against a tagged wall. Across the series of nine images, a handprint is stenciled in various positions, as if waving, and a compass is seemingly used to measure and draw. Over the top two rows, the hand appears immobile whereas the compass appears to magically dance around it. Rhode later explained that he had been drawing in his studio with a compass when he discovered that the compass moving around his hand made “a beautiful ballet.” Indeed, *Ballad to Ballet* was made while Rhode was working on a

project for Lincoln Center in collaboration with the renowned pianist Leif Ove Andsnes on a Modest Mussorgsky composition that was meant to incorporate performance, sculpture and photography. The reanimation of the compass creates a whimsical, almost child-like charm to the work. In the bottom row, however, the roles reverse, and the hand appears to be in control of the compass, bending it at the joints and spinning it around. Indeed, the interplay between the two begets associations with performance art, and more specifically, with dance. In some ways, Rhode's *Ballad to Ballet* is also in dialogue with an earlier generation of artists who focused on the hand as the sole protagonist of a performance, from Helena Almeida to Lucas Samaras, Dennis Oppenheim and Bruce Nauman. Like those before him, Rhode relies on the camera to document a performance, successfully articulating action, emotion and energy.

Robin Rhode's work has been exhibited at the 51st Venice Biennale; the Museum of Modern Art, New York; Centre Pompidou, Paris; Solomon R. Guggenheim Museum, New York; Studio Museum, Harlem; Walker Art Center, Minneapolis, among many others. He is the recipient of the 2014 Roy R. Neuberger Exhibition Prize.



ZHANG HUAN b. 1965*Family Tree*, 2000

Nine chromogenic prints.

Each 49½ x 39½ in. (125.7 x 100.3 cm)

Signed in Pinyin, titled in Chinese, numbered 6/8 and dated in ink on the reverse of each flush-mount.

Estimate \$180,000-220,000**PROVENANCE**

Cotthem Gallery, Brussels

Private Collection, Paris

EXHIBITED*Ink Art: Past as Present in Contemporary China*, Metropolitan Museum of Art, New York, 11 December 2013 – 6 April 2014*Looking East, Facing West: The World of Zhang Huan*, Frederik Meijer Gardens & Sculpture Park Grand Rapids, 24 May – 25 August 2013*Rising Dragon: Contemporary Chinese Photography*, San Jose Museum of Art, February – 30 June 2013 then traveled to

Krannert Art Museum, Champaign, 12 October – 30 December 2012;

Katonah Museum of Art, Katonah, 25 March – 2 September 2012

Zhang Huan: Ashman, Padiglione d'Arte Contemporanea, Milan, 7 July – 12 September 2010*Altered States: Art of Zhang Huan*, The Asia Society, New York, 6 September 2007 – 20 January 2008*Made in China: Chinese Art Now! Works from the Estella Collection*, The Israel Museum, Jerusalem, 8 September 2007 – 1 March 2008, then traveled to Louisiana Museum of Modern Art, Denmark, 16 March – 5 August 2007*Between Past and Future: New Photography and Video from China*, Asia Society and the International Centre of Photography, New York 11 June – 5 September 2004, then traveled to Museum of Contemporary Art, Chicago and Smart Museum of Art, University of Chicago, 2 October 2004 – 16 January 2005; Seattle Art Museum, 10 February – 15 May 2005; Haus der Kulturen der Welt, Berlin, March – May 2006; Santa Barbara Museum of Art, 1 July – 17 September 2006
for all, another example exhibited**LITERATURE**The Asia Society, *Zhang Huan: Altered States*, pp. 129-137Changsha, *Chinese Avant-Garde Photography Since 1990*, p. 93Cotthem Gallery, *Zhang Huan - Pilgrimage to Santiago*, p. 85The Israel Museum, *Made in China: Contemporary Chinese Art at the Israel Museum*, n.p.Louisiana Museum of Modern Art, *Made in China: Works from the Estella Collection*, p. 407Phaidon Press, *Zhang Huan*, n.p.Prestel Publishing, *New China, New Art*, p. 111Smart Museum, University of Chicago and International Centre of Photography, *Between Past and Future: New Photography and Video from China*, p. 46

“My face followed the daylight till it slowly darkened.
I cannot tell who I am. My identity has disappeared.”

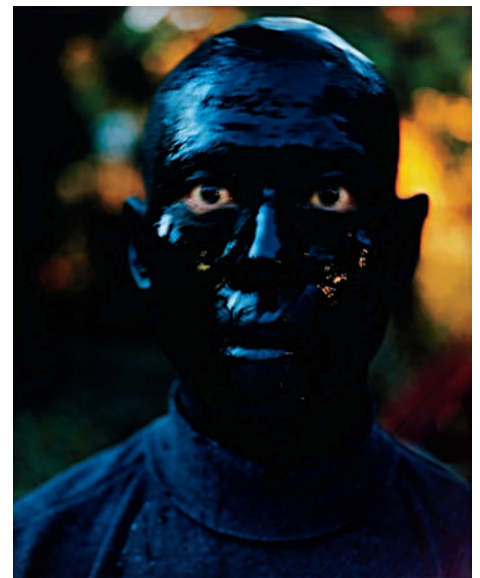
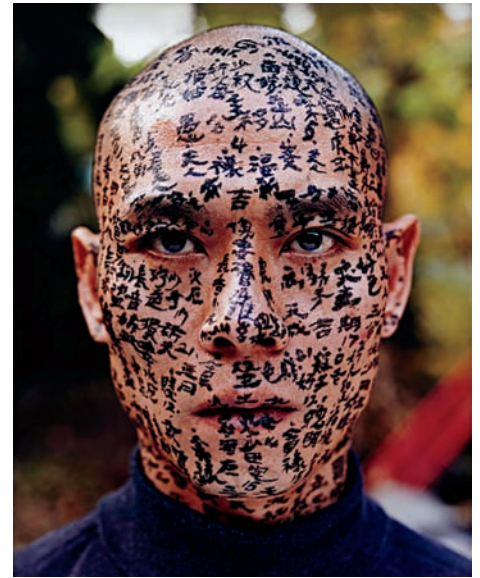
ZHANG HUAN

As one of the most celebrated artists in China, Zhang Huan has been exploring national identity and personal identity throughout his career, perhaps most notably through his performances. “I often find myself in conflict among the environment I live in,” he has stated, “and feel surrounded by an intolerable self-existence. Therefore, when these problems occur within my body, I find that my body is the only direct approach that allows me to feel the world, and also let the world know me.” The ephemeral nature of performance art subsequently lent way to the incorporation of photography into the artist’s work, allowing him to document the varying stages of his performance. Indeed, once the performance ended, the photographs, being the sole remnant of the performance, became surrogates for the performance itself.

In Zhang Huan’s *Family Tree* viewers find a deeply intimate and cultural exploration of heritage and selfhood that is in keeping with the artist’s penchant for performance. The grid documents the progression of three calligraphers whom the artist had invited to write text on his face over

the course of a single day. The sources inscribed on Zhang’s face include popular Chinese folklore, family names and poems. As such, the artist transformed the human face from a marker of individuality to a vessel of collective history. Some of the text on Zhang’s face relates to studies of human physiognomy, whereby individual facial features alluded to personality attributes. Yet, the irony in Zhang’s work is that the layering of informative text on his face subsequently hides it. Taken two years after the artist had left his native China for New York, *Family Tree* is a candid exploration of one’s background and the potential complexities that could follow. To understand one’s unique self, Zhang informs the viewers, is to understand the endless confluence of social and cultural forces that had come to create it.

Other examples of this work can be found in the collections of The Metropolitan Museum of Art, New York; Centre Pompidou, Paris; Yale University, New Haven; Ulrich Museum of Art, Wichita State University





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

O ♦ Guaranteed Property

The seller of lots designated with the symbol O has been guaranteed a minimum price financed solely by Phillips. Where the guarantee is provided by a third party or jointly by us and a third party, the property will be denoted with the symbols O ♦. When a third party has financed all or part of our financial interest in a lot, it assumes all or part of the risk that the lot will not be sold and will be remunerated accordingly. The compensation will be a fixed fee, a percentage of the hammer price or the buyer's premium or some combination of the foregoing. The third party may bid on the guaranteed lot during the auction. If the third party is the successful bidder, the remuneration may be netted against the final purchase price. If the lot is not sold, the third party may incur a loss.

Δ Property in Which Phillips Has an Ownership Interest

Lots with this symbol indicate that Phillips 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 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.

Σ Endangered Species

Lots with this symbol have been identified at the time of cataloguing as containing endangered or other protected species of wildlife which may be subject to restrictions regarding export or import and which may require permits for export as well as import. Please refer to Paragraph 4 of the Guide for Prospective Buyers and Paragraph 11 of the Conditions of Sale.

2 BIDDING IN THE SALE

Bidding at Auction

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

Bidding in Person

To bid in person, you will need to register for and collect a paddle before the auction begins. 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 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 \$1,000. 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.

Online Bidding

If you cannot attend the auction in person, you may bid online on our online live bidding platform available on our website at www.phillips.com (Flash plugin is required). You must pre-register by clicking on 'Buy' in the drop-down menu under the 'Buy and Sell' button on the Home Page, then click on 'pre-register' under 'ONLINE LIVE BIDDING.' You must pre-register at least 24 hours before the start of the auction in order to be approved by our bid department. Please note that corporate firewalls may cause difficulties for online bidders.

Absentee Bids

If you are unable to attend the auction and cannot participate by telephone, Phillips 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 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 will make an announcement in the saleroom that interested parties may bid on the lot.

Consecutive and Responsive Bidding; No Reserve Lots

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. If a lot is offered without reserve, unless there are already competing absentee bids, the auctioneer will generally open the bidding at 50% of the lot’s low pre-sale estimate. In the absence of a bid at that level, the auctioneer will proceed backwards at his or her discretion until a bid is recognized and will then advance the bidding from that amount. Absentee bids on no reserve lots will, in the absence of a higher bid, be executed at approximately 50% of the low pre-sale estimate or at the amount of the bid if it is less than 50% of the low pre-sale estimate. If there is no bid whatsoever on a no reserve lot, the auctioneer may deem such lot unsold.

4 AFTER THE AUCTION

Payment

Buyers are required to pay for purchases immediately following the auction unless other arrangements are agreed with Phillips in writing in advance of the sale. Payment 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 will accept American Express, Visa and Mastercard to pay for invoices of \$100,000 or less. A processing fee will apply.

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 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, New York. 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 Park Avenue, New York, New York for collection within 30 days following the date of the auction. We will levy removal, interest, storage and handling charges on uncollected lots.

Loss or Damage

Buyers are reminded that Phillips accepts liability for loss or damage to lots for a maximum of seven days following the auction.

Transport and Shipping

As a free service for buyers, Phillips 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. 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, Brazilian rosewood, 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. Please note that lots containing potentially regulated plant or animal material are marked as a convenience to our clients, but Phillips does not accept liability for errors or for failing to mark lots containing protected or regulated species.

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 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 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 and the seller contract with the buyer.

2 PHILLIPS AS AGENT

Phillips acts as an agent for the seller, unless otherwise indicated in this catalogue or at the time of auction. On occasion, Phillips may own a lot directly, in which case we will act in a principal capacity as a consignor, or a company affiliated with Phillips may own a lot, in which case we will act as agent for that company, or Phillips or an affiliated company 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 in relation to each lot is partially dependent on information provided to us by the seller, and Phillips 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 is available for inspection by prospective buyers prior to the auction. Phillips 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 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. 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 in our absolute discretion. Neither Phillips 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 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.

(b) As a convenience to bidders who cannot attend the auction in person, Phillips 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. 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. Telephone bidding is available for lots whose low pre-sale estimate is at least \$1,000. Phillips 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) Bidders may participate in an auction by bidding online through Phillips's online live bidding platform available on our website at www.phillips.com. To bid online, bidders must register online at least 24 hours before the start of the auction. Online bidding is subject to approval by Phillips's bid department in our sole discretion. As noted in Paragraph 3 above, Phillips encourages online bidders to inspect prior to the auction any lot(s) on which they may bid, and condition reports are available upon request. Bidding in a live auction can progress quickly. To ensure that online bidders are not placed at a disadvantage when bidding against bidders in the room or on the telephone, the procedure for placing bids through Phillips's online bidding platform is a one-step process. By clicking the bid button on the computer screen, a bidder submits a bid. Online bidders acknowledge and agree that bids so submitted are final and may not under any circumstances be amended or retracted. During a live auction, when bids other than online bids are placed, they will be displayed on the online bidder's computer screen as 'floor,' 'phone' or 'paddle no' bids. 'Floor' bids include bids made by the auctioneer to protect the reserve. In the event that an online bid and a 'floor' or 'phone' bid are identical, the 'floor' or 'phone' bid will take precedence. The next bidding increment is shown for the convenience of online bidders under the bid button. The bidding increment available to online bidders may vary from the next bid actually taken by the auctioneer, as the auctioneer may deviate from Phillips's standard increments at any time at his or her discretion, but an online bidder may only place a bid in a whole bidding increment. Phillips's bidding increments are published in the Guide for Prospective Buyers.

(e) When making a bid, whether in person, by absentee bid, on the telephone or online, 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 before the commencement of the auction that the bidder is acting as agent on behalf of an identified third party acceptable to Phillips and that we will only look to the principal for such payment.

(f) By participating in the auction, whether in person, by absentee bid, on the telephone or online, each prospective buyer represents and warrants that any bids placed by such person, or on such person's behalf, are not the product of any collusive or other anti-competitive agreement and are otherwise consistent with federal and state antitrust law.

(g) Arranging absentee, telephone and online bids is a free service provided by Phillips 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.

(h) Employees of Phillips 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 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. Phillips shall have no liability whatsoever for any such action taken by the auctioneer. If any dispute arises after the sale, our sale record is conclusive. The auctioneer may accept bids made by a company affiliated with Phillips provided that the bidder does not know the reserve placed on the lot.

(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. If a lot is offered without reserve, unless there are already competing absentee bids,

the auctioneer will generally open the bidding at 50% of the lot's low pre-sale estimate. In the absence of a bid at that level, the auctioneer will proceed backwards at his or her discretion until a bid is recognized and will then advance the bidding from that amount. Absentee bids on no reserve lots will, in the absence of a higher bid, be executed at approximately 50% of the low pre-sale estimate or at the amount of the bid if it is less than 50% of the low pre-sale estimate. If there is no bid whatsoever on a no reserve lot, the auctioneer may deem such lot unsold.

(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. If a currency converter is operated during the sale, it is done so as a courtesy to bidders, but Phillips accepts no responsibility for any errors in currency conversion calculation.

(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 \$100,000, 20% of the portion of the hammer price above \$100,000 up to and including \$2,000,000 and 12% of the portion of the hammer price above \$2,000,000. Phillips reserves the right to pay from our compensation an introductory commission to one or more third parties for assisting in the sale of property offered and sold at auction.

(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 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 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 Park Avenue 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." If payment is sent by mail, please send the check or banker's draft to the attention of the Client Accounting Department at 450 Park Avenue, New York, NY 10022 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. 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
Account no.: 58347736

Please reference the relevant sale and lot number.

(d) As a courtesy to clients, Phillips will accept American Express, Visa and Mastercard to pay for invoices of \$100,000 or less. A processing fee will apply.

(e) Title in a purchased lot will not pass until Phillips has received the Purchase Price for that lot in cleared funds. Phillips 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 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 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, 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) The buyer must arrange for collection of a purchased lot within seven days of the date of the auction. 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 will upon request transfer on a bi-weekly basis purchased lots suitable for hand-carry back to our premises at 450 Park Avenue, 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) seven days after the auction. Until risk passes, Phillips 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 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. 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 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, the buyer will incur a late collection fee of \$10 per day for each uncollected lot. Additional charges may apply to oversized lots. We will not release purchased lots to the buyer until all such charges have been paid in full.

(b) If a purchased lot is paid for but not collected within six months of the auction, the buyer authorizes Phillips, upon notice, to arrange a resale of the item by auction or private sale, with estimates and a reserve set at Phillips'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 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 seven days of the auction, Phillips may in our sole discretion exercise one or more of the following remedies: (i) store the lot at Phillips'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 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 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 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; (viii) set off the outstanding amount remaining unpaid by the buyer against any amounts which we or any of our affiliated companies may owe the buyer in any other transactions; (ix) 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 or (x) take such other action as we deem necessary or appropriate.

(b) As security to us for full payment by the buyer of all outstanding amounts due to Phillips and our affiliated companies, Phillips 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 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 will notify the buyer if the buyer's property has been delivered to an affiliated company by way of pledge.

10 RESCISSION BY PHILLIPS

Phillips 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's election to rescind the sale, the buyer will promptly return the lot to Phillips, 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 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 US 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, Brazilian rosewood, 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. As a courtesy to clients, Phillips has marked in the catalogue lots containing potentially regulated plant or animal material, but we do not accept liability for errors or for failing to mark lots containing protected or regulated species.

12 DATA PROTECTION

(a) In connection with the supply of auction and related services, or as required by law, Phillips may ask clients to provide personal data. Phillips may take and retain a copy of government-issued identification such as a passport or driver's license. We will use your personal data (i) to provide auction and related services; (ii) to enforce these Conditions of Sale; (iii) to carry out identity and credit checks; (iv) to implement and improve the management and operations of our business and (v) for other purposes set out in our Privacy Policy published on the Phillips website at www.phillips.com (the 'Privacy Policy') and available on request by emailing dataprotection@phillips.com. By agreeing to these Conditions of Sale, you consent to our use of your personal data, including sensitive personal data, in accordance with the Privacy Policy. The personal data we may collect and process is listed, and sensitive personal data is defined, in our Privacy Policy. Phillips may also, from time to time, send you promotional and marketing materials about us and our services. If you would prefer not to receive such information, please email us at dataprotection@phillips.com. Please also email us at this address to receive information about your personal data or to advise us if the personal data we hold about you is inaccurate or out of date.

(b) In order to provide our services, we may disclose your personal data to third parties, including professional advisors, shippers and credit agencies. We will disclose, share with and transfer your personal data to Phillips's affiliated persons (natural or legal) for administration, sale and auction related purposes. You expressly consent to such transfer of your personal data. We will not sell, rent or otherwise transfer any of your personal data to third parties except as otherwise expressly provided in this Paragraph 12.

(c) Phillips's premises may be subject to video surveillance and recording. Telephone calls (e.g., telephone bidding) may also be recorded. We may process that information in accordance with our Privacy Policy.

13 LIMITATION OF LIABILITY

(a) Subject to subparagraph (e) below, the total liability of Phillips, 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, 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 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 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, our affiliated companies and the seller to the fullest extent permitted by law.

(d) Subject to subparagraph (e) below, none of Phillips, 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.

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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 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.

(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, 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.

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Opposite Index Irving Penn, *Frozen Foods, New York*, 1977, lot 6 (detail)

Opposite Registration Form Thomas Struth, *Paradise 26 (Bougainville), Palpa, Peru*, 2003, lot 16 (detail)

Inside Back Cover Nobuyoshi Araki, *A/FILM 6 x 7*, 2007, lot 22 (detail)

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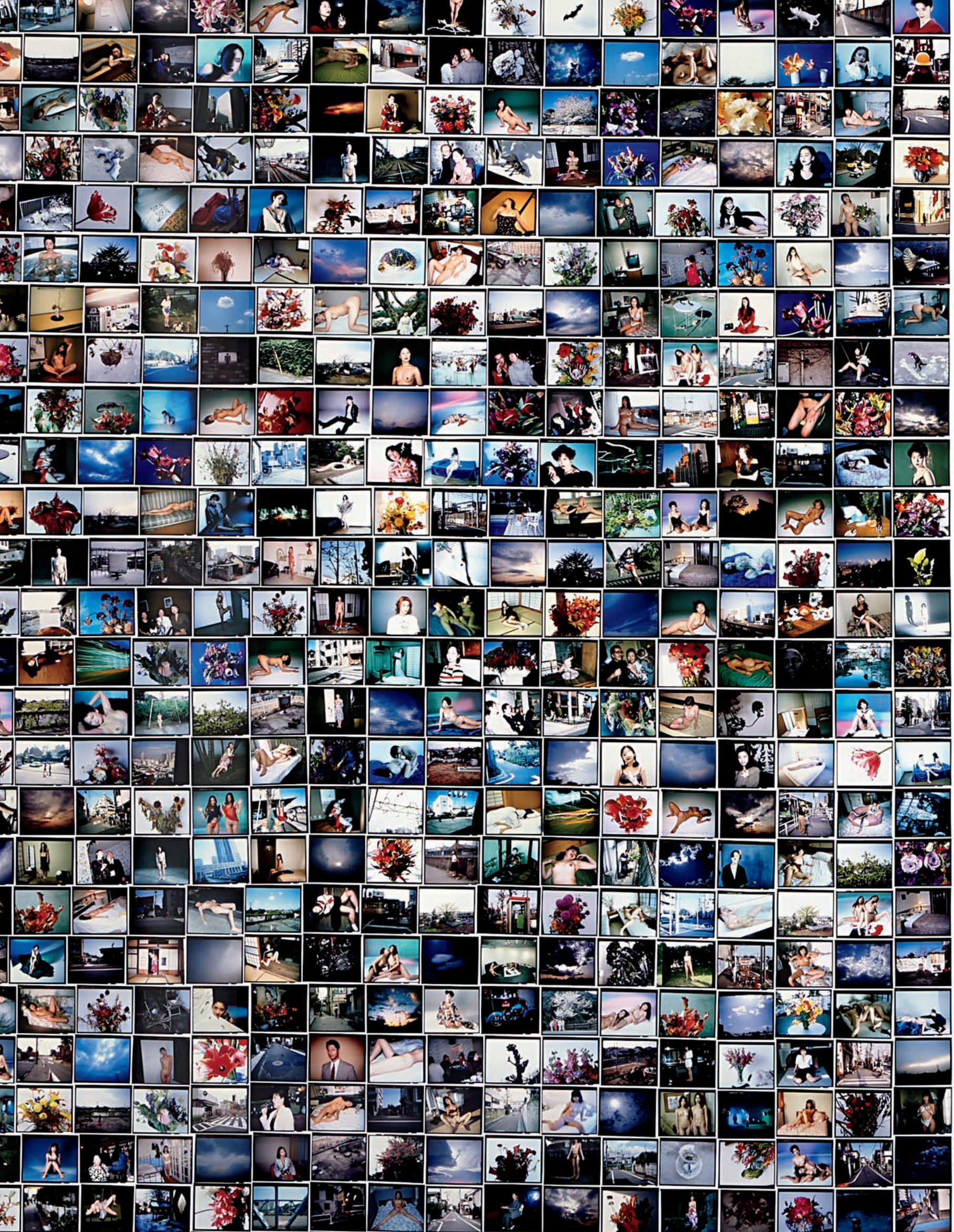
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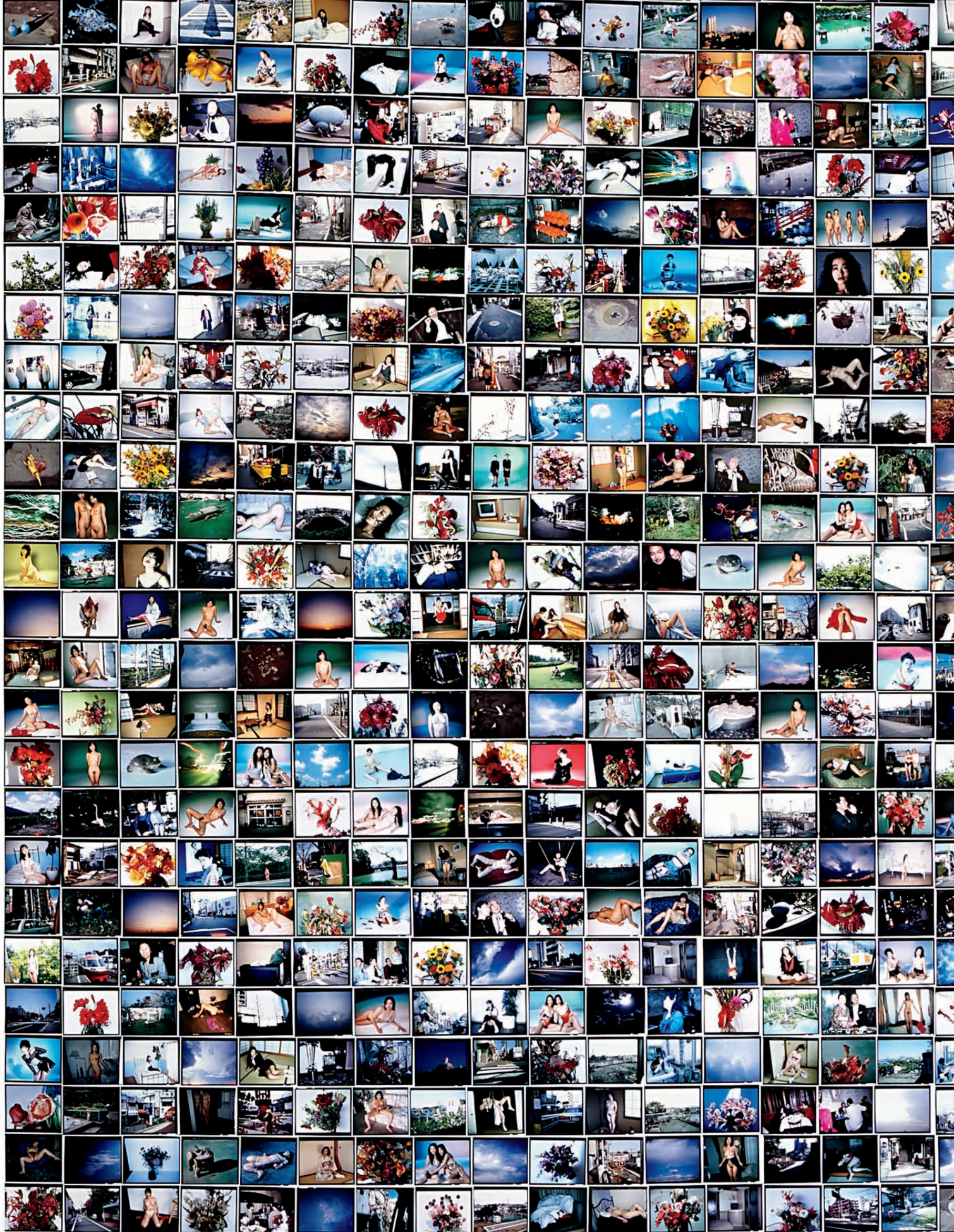
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