

PHILLIPS



CONTEMPORARY ART

LONDON EVENING SALE 27 JUNE 2013



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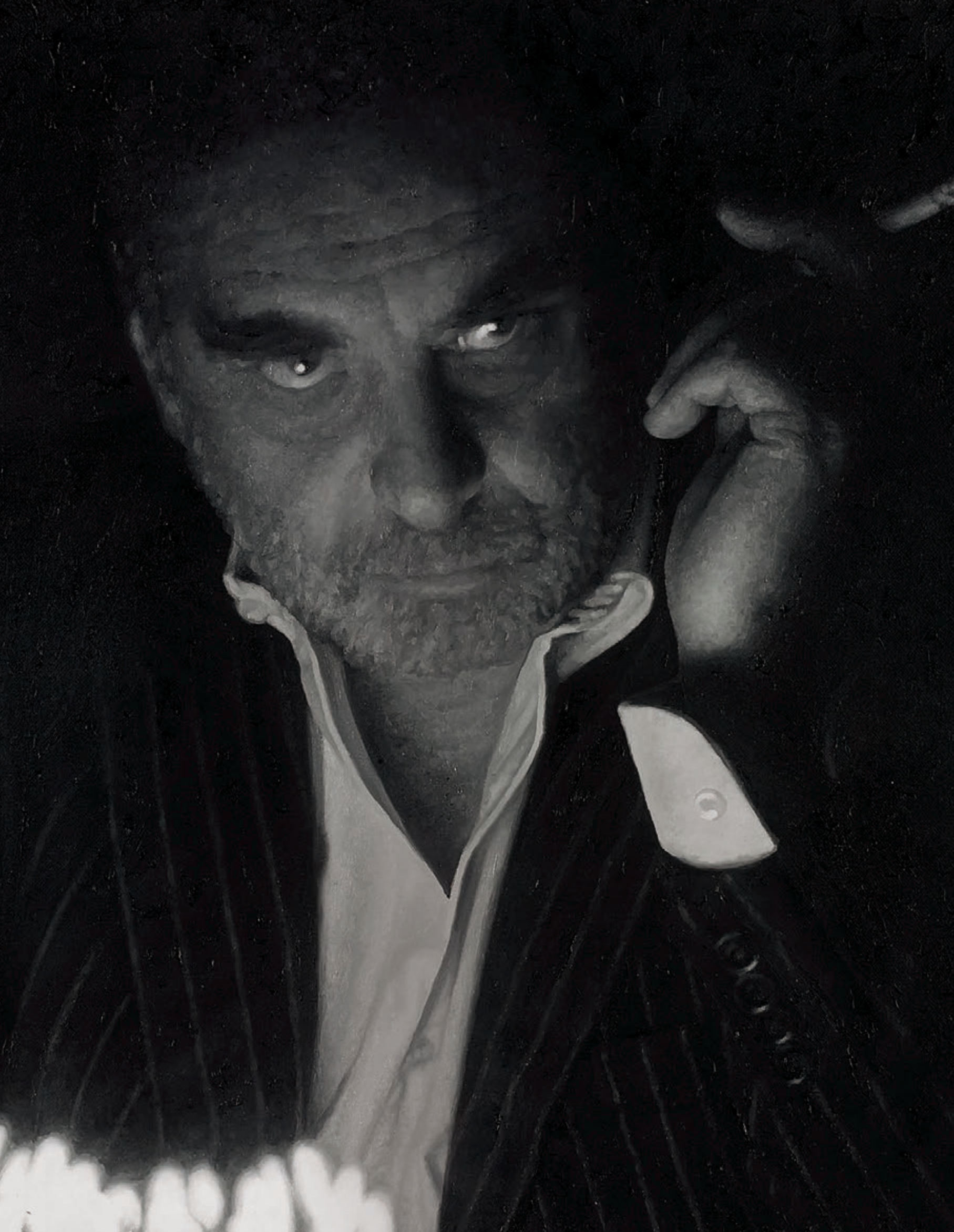
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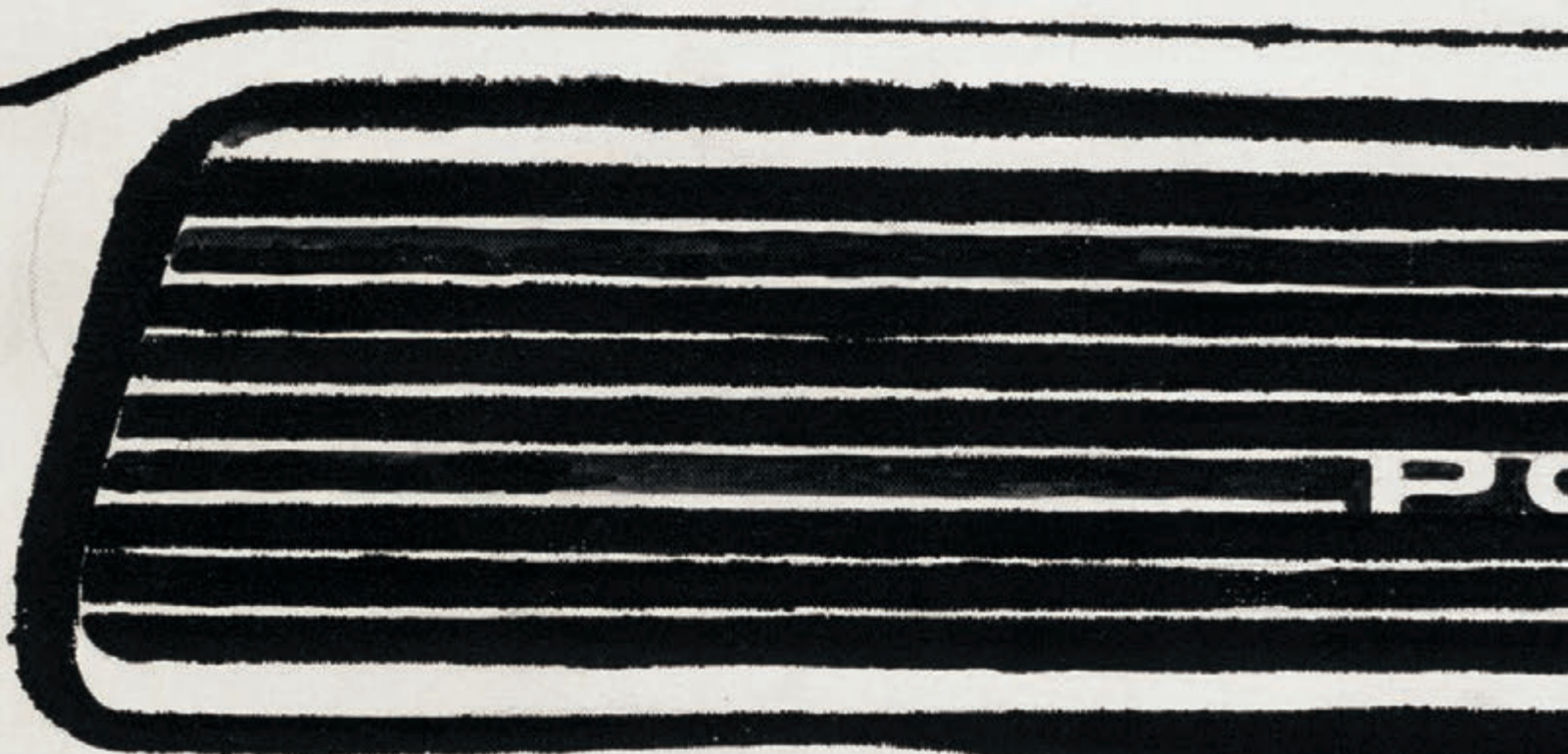












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PHILLIPS

CONTEMPORARY ART

SALE INFORMATION

LONDON EVENING SALE 27 JUNE 2013 at 7PM

AUCTION & VIEWING LOCATION

7 Howick Place, London SW1P 1BB

AUCTION

27 June 2013 at 7pm

VIEWING

20-27 June

Monday – Saturday 10am – 6pm

Sunday 12pm – 6pm

SALE DESIGNATION

In sending in written bids or making enquiries
please refer to this sale as UK010413 or
Contemporary Art Evening Sale.

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1

ROB PRUITT b. 1964

Untitled, 2011

glitter and enamel on canvas

121.9 x 121.9 cm. (48 x 48 in.)

Signed and dated 'Rob Pruitt '11' on the overlap.

Estimate £30,000-50,000 \$46,000-76,600 €35,200-58,600 ±

PROVENANCE

Acquired directly from the artist

Dallas Contemporary, Dallas

Untitled is testament to Rob Pruitt's enduring interest in pandas, one which has been expanded and developed considerably throughout the artist's career. Executed in 2011, the panda bears in this composition stand as an iconoclastic symbol in Pruitt's oeuvre, epitomising his desire to blend a Pop sensibility with a witty critique of art world structures.

The present lot illustrates Pruitt's long-standing challenge of established preconceptions of what an artwork should constitute, one which is manifested here by his transplantation of the familiar visual trope of the panda – from mass culture – to the contemporary avant-garde. Certainly, by placing the pandas against a glittering background with no apparent content, the artist creates abstract identities which reflect his exploration of American Pop culture. It demonstrates the artist's steady blur of high-class and lowbrow, and further exemplifies the ease with which a work of art can be created using everyday material. Indeed, the glitter finish reflects the classic Pop sensibility for which the artist is known, portraying the universal image of the panda in a manner that draws the viewer in, possessing what the artist refers to as "that same

magnetism [...] that birds and bees experience towards flowers." (Rob Pruitt, in an interview with *Net-a-Porter*, October 2012). Reminiscent of Andy Warhol's artistic practice in his *Diamond Dust* paintings, *Untitled* is a physical confirmation of Pruitt's appropriation and adaption of the practice applied in Pop art, in a way which is characterised by an incisive humour and visual flair.

The image of the pandas, depicted in this piece as docile creatures contentedly chewing on bamboo, is one that Pruitt himself identifies as an "international symbol that reminds us both to tread lightly and to appreciate the adorable." (ibid.). Equal parts black and white, they represent, as the artist continues, "the harmony between yin and yang" (ibid.). Pruitt's empathy lies in highlighting "the adorable" through painting and formal design; however, unlike his earlier glitter-encrusted Evian boxes, the artist creates a clichéd image of beauty that simultaneously centres on the endangered status of the panda bear: a quintessential example of the creativity and intimacy which embodies Pruitt's art.

‘I had a mission to get people to like me again.
Primarily, I was thinking that everyone loves pandas,
so if I align myself with them, everyone will love me.’

ROB PRUITT



2

KELLEY WALKER b. 1969

Untitled, 2007

four colour process silkscreen on canvas with *Al Akhbar*, 29 May 2007

151 x 117 cm. (59³/₈ x 46 in.)

Estimate £100,000-150,000 \$153,000-230,000 €117,000-176,000 †

PROVENANCE

Paula Cooper Gallery, New York

Private Collection, London

‘In my works, I don’t escape the effects of branding but think of the processes associated with appropriation as a way of dealing with branding as a social space.’

KELLEY WALKER



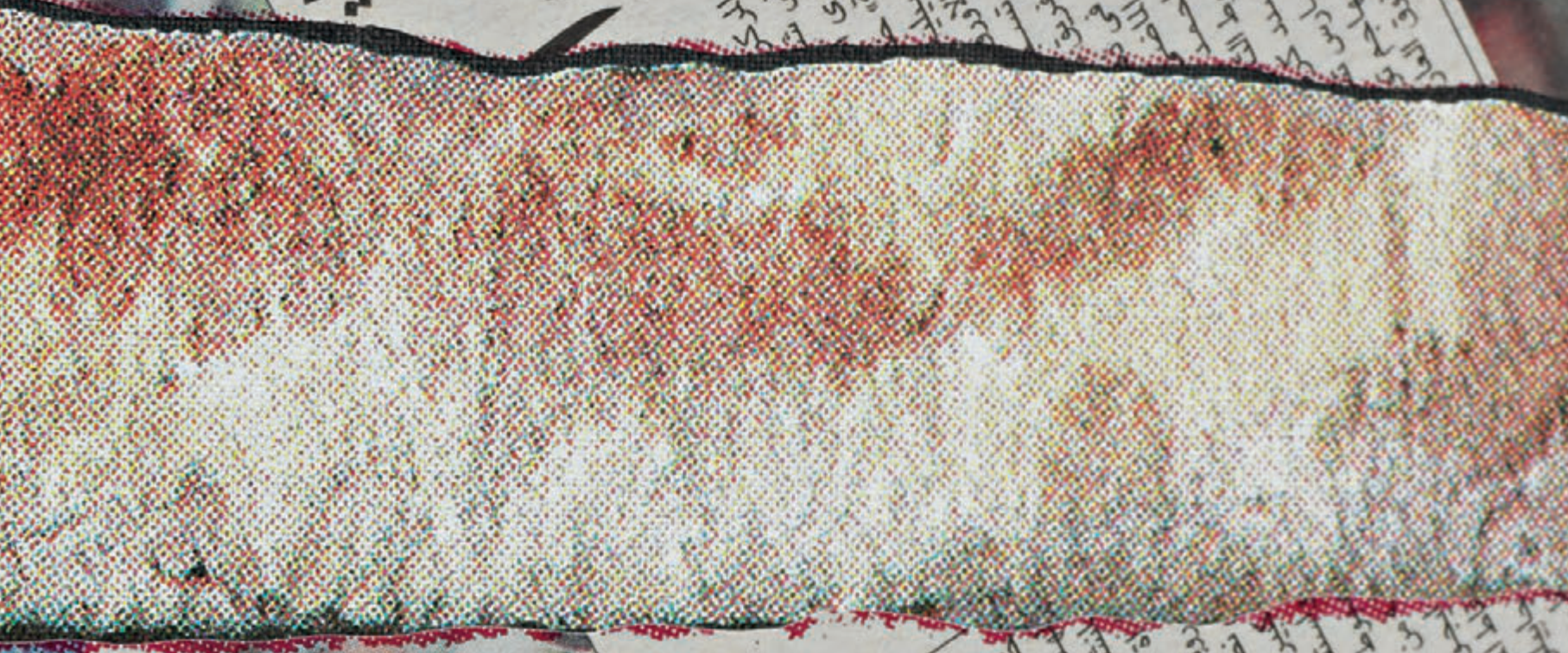
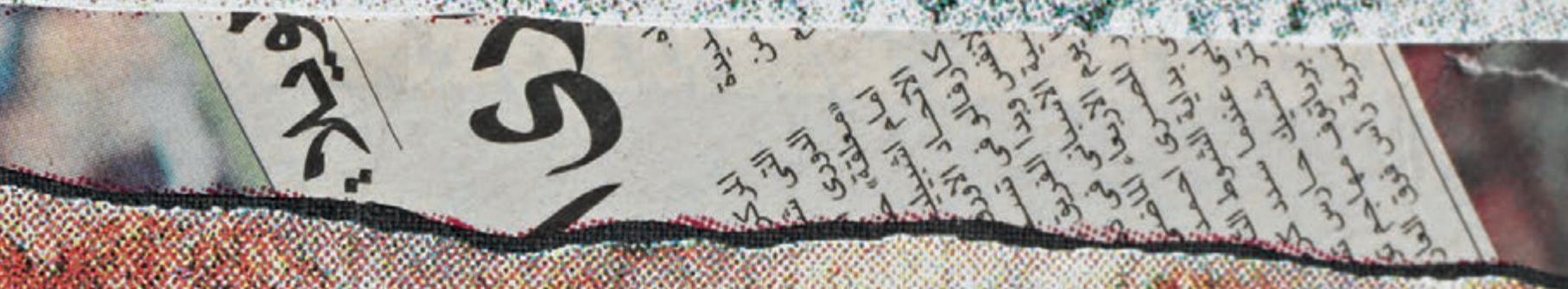
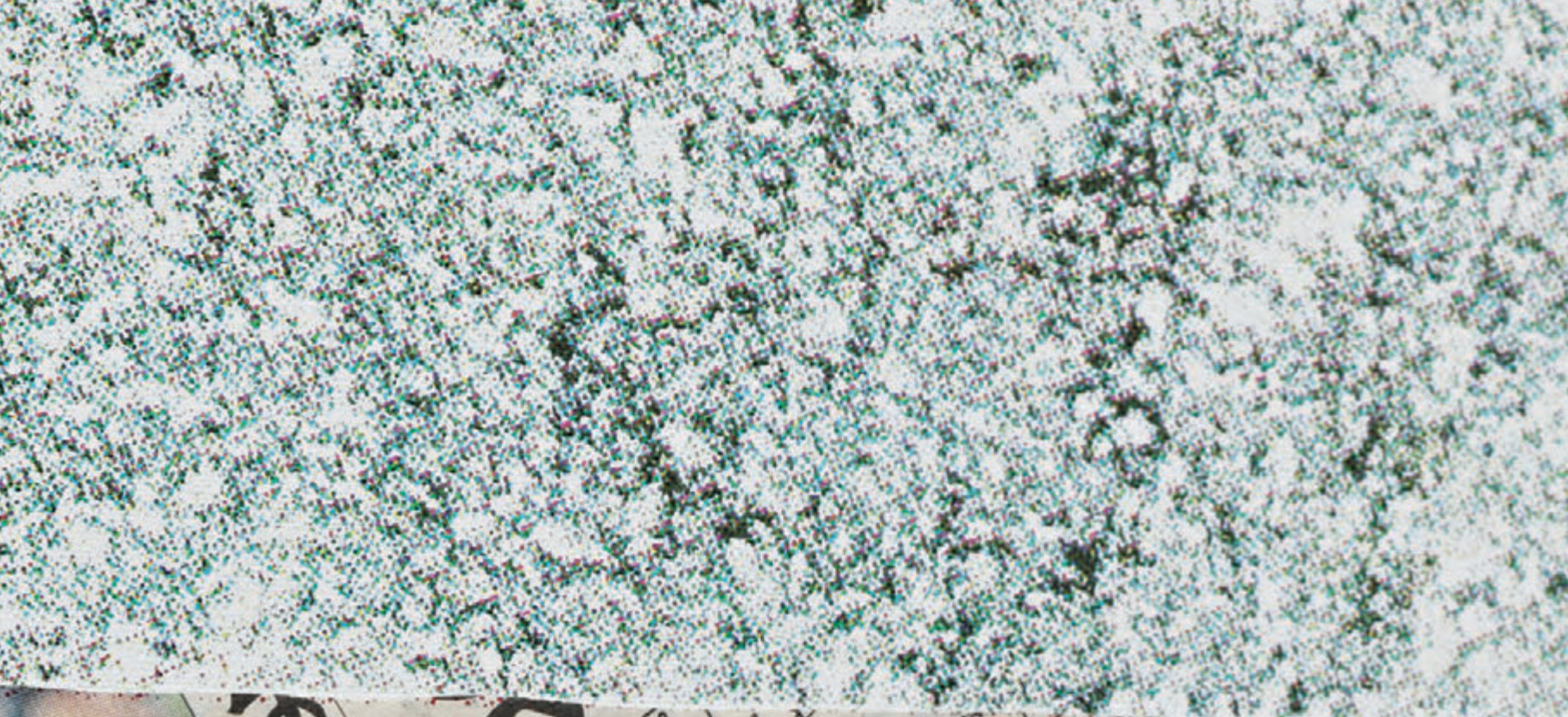
Appropriating and subverting familiar images and ideas drawn from pop culture, Kelley Walker's series of *Untitled* brick paintings illustrate the artist's desire to challenge the viewer's preconceptions surrounding the distribution of information, both in mass media and the art world. Commenting on the transitory nature of popular culture, they urge the viewer to enter into a metaphysical discourse between history, painting and space.

'I am thinking of printed matter as a raw material with traces of history.'

KELLEY WALKER

Untitled (2007) is exemplary of this manipulation of found – and often iconic – images, as he alters their original state in order to shift and enhance their inherently symbolic meaning. Here, Walker duplicates and rotates a highly naturalistic image of brickwork, tinted with unnatural hues; upon closer examination, however, the viewer realises that between each purple or red-hued brick laid down in silkscreen ink are pages from the Beirut newspaper *Al Akhbar*, with many of its words and images still intact. Inspired by the methodology of earlier Pop artists – specifically Andy Warhol's own appropriation of newsprint and its imagery – it is testament to Walker's experimentation with the concept of mixed media as a mode of cultural exchange. Indeed, this is emphasised by the concealment of certain words and pictures, one which perhaps hints at the artist's resistance to allow culture, to be accessible in a broad sense, by at times presenting a highly biased opinion on specific topics. Other images though are not so concealed: a headline proclaiming, "Finally there is a solution for the farmer's problems", can be readily distinguished, and acting as a mock prophetic treatment, alludes to the unresolved war still rampant throughout the Middle East.





3

TAUBA AUERBACH b. 1981

Untitled (Fold) XV, 2010

acrylic on canvas

152.4 x 121.9 cm. (60 x 48 in.)

Signed, titled and dated 'UNTITLED (FOLD) XV TAUBA AUERBACH 2010'
on the overlap.

Estimate £200,000-300,000 \$308,000-462,000 €235,000-353,000 ±

PROVENANCE

Sutton Lane, Paris

Private Collection, Paris

Campoli Presti, Paris

EXHIBITED

Paris, Sutton Lane, *What Where: Tauba Auerbach, Alex Hubbard, Nathan
Hylden & Zak Prekop*, 6 February - 3 March 2010

‘For the last two years I have tried to conjure four-dimensional space. The Fold paintings are my effort to construct a portal through which to summon – or at least imagine – this inaccessible hyper-spatial territory.’

TAUBA AUERBACH





Rudolf Stingel, *Untitled*, 1993, Oil and enamel on canvas. © Rudolf Stingel.

In Tauba Auerbach's work, the artist interweaves binary oppositions typically viewed as incompatible – such as permeability and solidity, order and disorder – into unified surfaces. The series of *Fold* paintings demonstrate the artist's attempt to challenge the conventional ways visual and perceptual information is portrayed. Elegant and methodical in its rendering, *Untitled (Fold) XV*, 2010, breaks down traditional distinctions between image, dimensionality and content, forcing the viewer to confront the limitations between two supposedly discrete states: flatness and three-dimensionality.

A modern day 'trompe l'oeil', the present lot leads the viewer to believe they are observing a three dimensional relief, as opposed to a two dimensional work. By firstly manipulating the large piece of blank canvas into various configurations through rolling and folding, Auerbach was able to produce the optical illusion by laying the canvas out flat, and then painting its surface with an industrial spray gun aimed at three different angles. The resultant pleats then span horizontally, vertically and diagonally across the canvas, fold and unfold, gather and flatten, crease and straighten with captivating rhythm. The canvas itself seems to pull together, as if releasing itself altogether from its supporting wooden frame. Looking at the work from a distance, our tactile sense is stimulated, as we expect the surface of creased paper. Upon approach however, the viewer realises that the canvas is actually taut: rigidly tightened over the stretcher.

Infusing an object which is seemingly flat with volume and motion is where the ingenuity behind Auerbach's practice lies. Occupying an impossible space between the second and third dimension, the work

'At the root of my interest is the question of what consciousness is: what it's made of and what its limitations might be.'

TAUBA AUERBACH

is in a state which the artist herself defines as the 2.5th dimension. Certainly, *Untitled (Fold) XV*, raises crucial questions about the nature of depicting a three-dimensional reality on a two-dimensional surface, and in particular, the relationship between abstraction and representation. It is exemplary of the artist's innovative interconnection of a constructive approach and fundamental themes relating to the history of art, which enable the artists to present the viewer with an alternation between flatness and dimension, treating the canvas as though it were a topographical study on the surface of the canvas.

The illusory nature of the painting is reminiscent of a similar effect achieved in Rupert Stingel's *Untitled*, 1993, an artist who, in much the same way as Auerbach, questions the conventions of art and innovates his viewers' experience of it, whether it be on vertical, horizontal or abstract planes. Indeed, oscillating between a flat surface and a three dimensional object, Auerbach's composition is an exquisite and invigorating response to her continuing fascination with an attempt to fuse contrary states of order and chaos into a cohesive whole.

4

UGO RONDINONE b. 1964

N° 209 DREISSIGSTERJUNIZWEITAUSENDUNDNULL, 2000

gloss acrylic on polyester resin

150 x 400 cm. (59 x 157½ in.)

This work is accompanied by a certificate of authenticity signed by the artist.

Estimate £70,000-90,000 \$107,000-138,000 €82,000-105,000 ₣

PROVENANCE

Galerie Hauser & Wirth & Presenhuber, Zurich

Galerie Almine Rech, Paris

EXHIBITED

Avignon, Collection Lambert, *Coollustre*, 24 May - 28 September 2003
(catalogue)

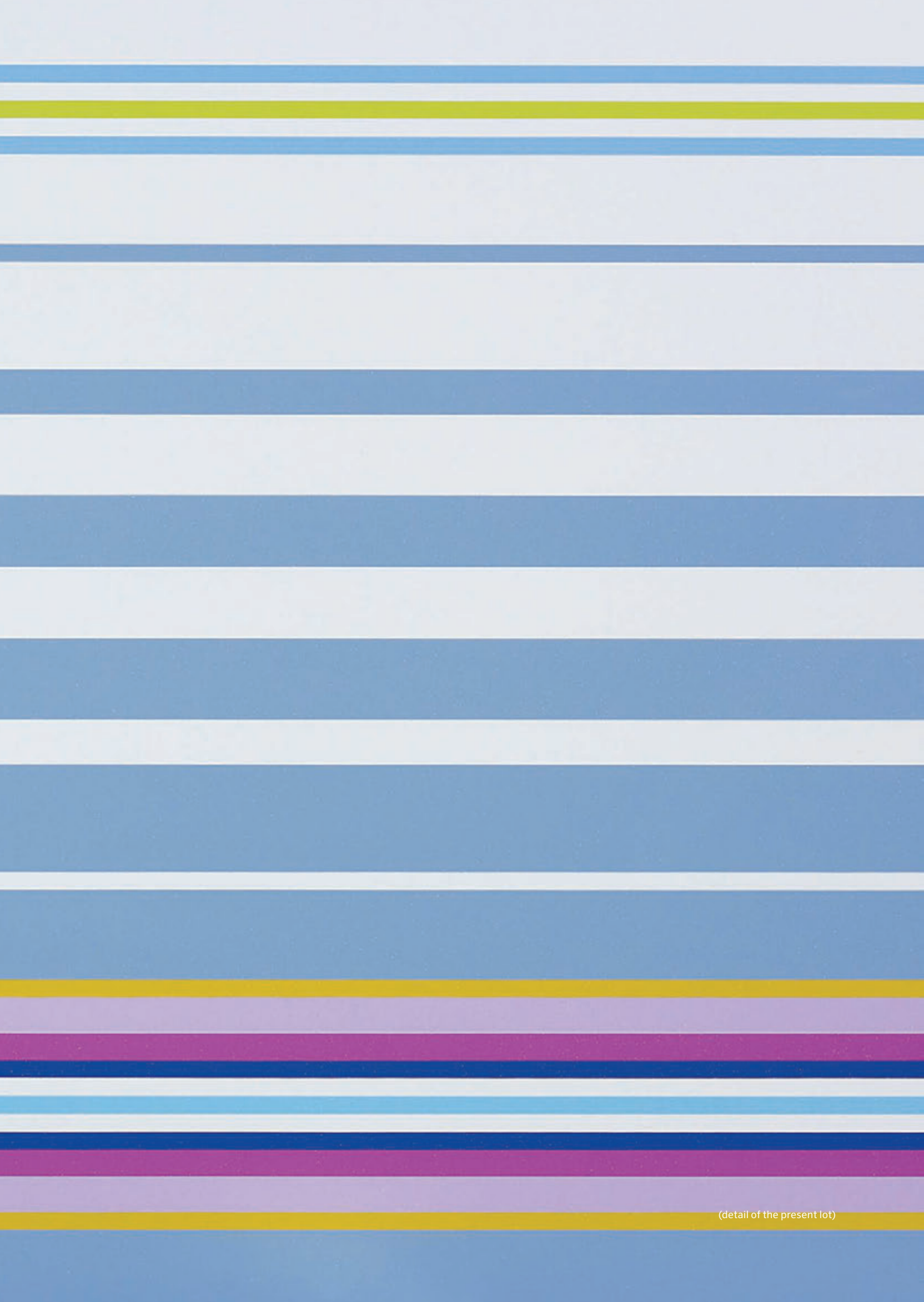
Over the course of his career, Ugo Rodinone has developed an extensive and diverse body of work ranging in medium and scale, including more intimate drawings, paintings, photographs, video and site specific installations, as well as large-scale public sculptures and neon signs. His vast oeuvre is interwoven by an ongoing exploration of the emotional and spiritual power of the human condition. A meditation in existentialism, the artist uses the conventions of landscape as an avenue to express his separateness from the external world. The use of the horizon or landscape as an allegory has held a longstanding presence in art history, extending into modern and contemporary practices from Mark Rothko to Andreas Gursky. The continuum of this tradition is exemplified in Ugo Rondinone's *#209 DREISSIGSTERJUNIZWEITAUSENDUNDNULL, 2000*, underscoring "the relationship between the modern artist and the landscape as a site for melancholy reflection." (D.Thorp, *Ugo Rondinone-Zero built a nest in my navel*, London: Whitechapel Gallery, 2006, p.275)

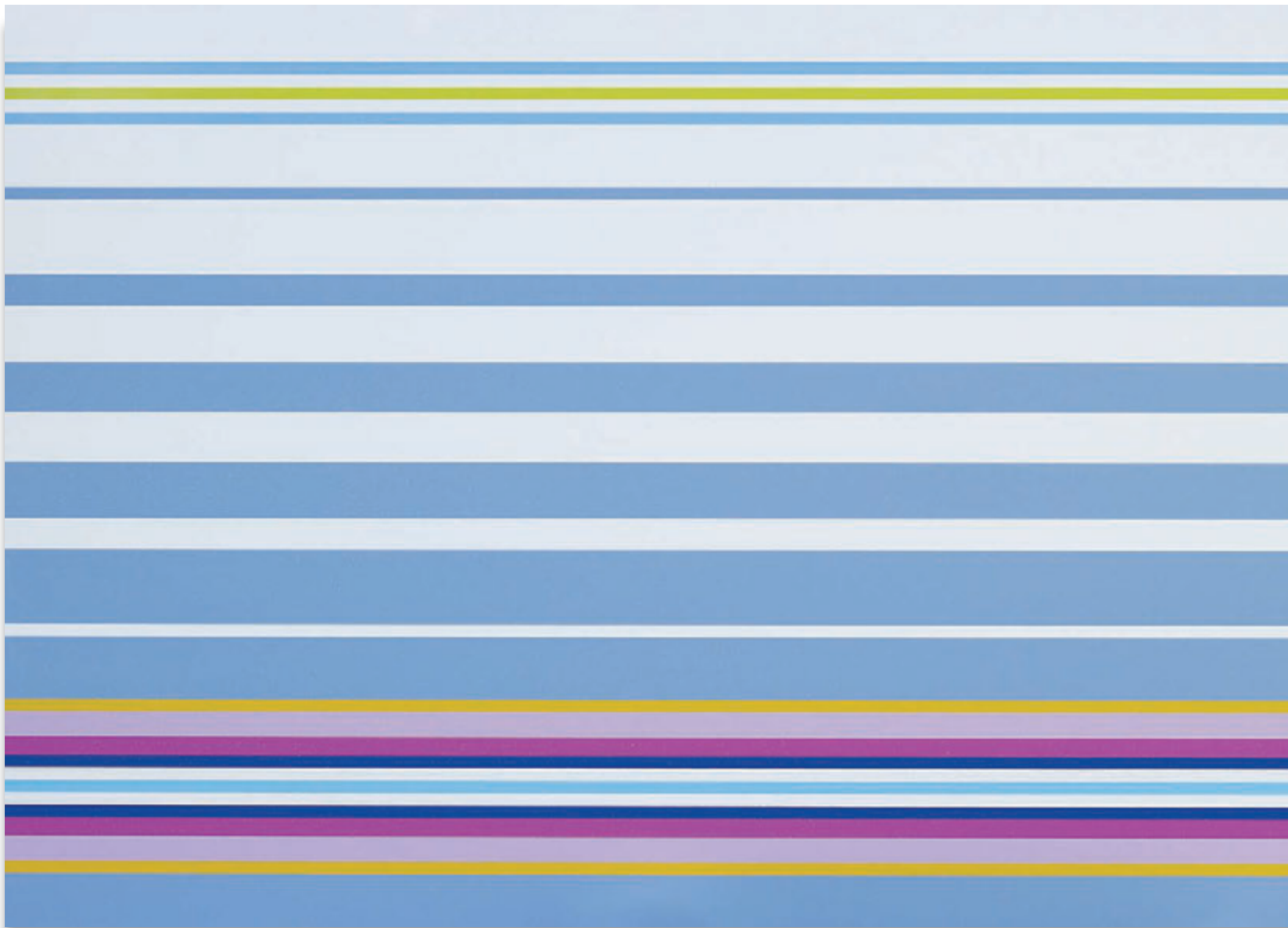
Within the confined walls of an exhibition space, Rodinone's energetic installations introduce the viewers to new environments, altering their experience in sites that essentially become artificial, yet

intimate, landscapes. His celebrated rainbow neon signs comprised of short text phrases such as *Hell, Yes!*, 2001 and *Where Do We Go From Here?*, 1999, are mounted on or situated above buildings and effectively define and assert the respective landscapes that they inhabit. Delicately balancing the literal and abstract definition of space, the artist's ongoing series of mandala- or target- paintings and his landscapes- or horizons- are represented in the preset lot, *#209 DREISSIGSTERJUNIZWEITAUSENDUNDNULL, 2000*, which, proposes a dazzling landscape of colored registers referencing post-painterly abstraction, the aesthetic of Op Art and Color Field painting. Rondinone's mesmerizing strata of vivid magenta and black beam against soft tones of lavender, white and slate blue all of which subtly perform before our gaze. The artist's feelings of alienation and disconnect are present in the title's translation, June 13th 2000, which references the date of its production and the simultaneous undermining of "any promise of spiritual fulfillment [which] is undercut by the banality of a daily act, transformed into a testament of presence and of ritualistic activity." (A. Tarsia., *Ugo Rondinone-Zero built a nest in my navel*, London: Whitechapel Gallery, 2006, p.273)

‘I don’t have to understand an artwork through linguistic conventions.
I have only to feel it.’

UGO RONDINONE







5

UGO RONDINONE b. 1964

If There were Anywhere but Desert. Friday, 2002

fiberglass, paint, clothing, glitter

40 x 170 x 45 cm. (15¾ x 66⅞ x 17¾ in.)

This work is unique and is accompanied by a certificate of authenticity signed by the artist.

Estimate £350,000-500,000 \$536,000-766,000 €411,000-586,000 ₪

PROVENANCE

Matthew Marks Gallery, New York

EXHIBITED

New York, Matthew Marks Gallery, *A Horse with No Name*, 22 February – 18 April 2002

New York, Cheim & Read Gallery, *I am The Walrus*, 10 June - 31 July 2004

Athens, Onassis Cultural Centre, *Faces*, 3 April - 1 July 2012

LITERATURE

U. Rondinone, Kunsthalle Wien, G. Matt, ed., *UGO RONDINONE – NO HOW ON*, Cologne: König, 2002, np. (illustrated)

U. Rondinone, I. Blazwick, A. Gingeras, et al., *Ugo Rondinone - Zero built a nest in my navel*, London: Whitechapel Gallery, 2006, pp. 157-160 (illustrated)

‘The clown is an invention of high nobility to push away boredom and melancholy out of the court.’

UGO RONDINONE



(detail of the present lot)





“I’m drawn to the German Romantics. The German Romantic movement was the first to blur the line between reality and illusion. In this sense I’m very attached to the idea of art and art making as an environment that is itself outside of time and inaccessible to a linear logic. In general I like art that is capable of organizing a space of perpetual and indefinite accumulation of time and language and image in an immobile place. There is no true identity, history, or meaning, but only that which I construct for myself.” Ugo Rondinone

If There were Anywhere but Desert. Friday by Ugo Rondinone best exemplifies the artist’s attempt to allude to themes of isolation and disenchantment, whilst simultaneously marking his continuing distinction in the international art scene. As with his earlier works, noted for their diversity of forms, Rondinone’s representation of clowns unites a consistent ambiguity with intense psychology, which at once unsettles and intrigues the viewer.

The present lot, executed by Rondinone in 2002, is an extract from the larger, seven-part series by the Swiss-born artist in which he represents the days of the week with unique, motionless figures. It epitomises Rondinone’s fervent desire to translate, through vibrant and bold imagery – in the form of a clown – conflicted psychological states into environments that provoke corresponding moods in the viewer. The clown has here been divested of its power as an entertainer, and is instead confined to lie on the floor as a flabby, mute and quasi-static figure. Wholly passive, he is presented as perpetually cut loose from the laughter he was once able to provoke, and has thus been denied his virtuosity in reaching the viewer through jest. This act of reducing the clown to a seemingly lifeless state enables Rondinone to emphasise the clown’s seclusion, rejection, and persisting passivity: characteristics which, in imparting an overwhelming sense of alienation to the viewer, leave us feeling disconnected from our usual terms of reference – our usual selves.

‘I believe in the spiritual and magical power of an artwork.’

UGO RONDINONE



Bruce Nauman, *Clown Torture*, 1987, Four channel video, sound (two projections, four monitors). 60 min. loop © 2013 Bruce Nauman / Artists Rights Society (ARS), New York and DACS, London.



Installation View, *A horse with no name*, Matthew Marks Gallery, New York, 2002
Courtesy Matthew Marks Gallery, New York

An arguable effigy of the artist as a public entertainer, the clown figure is further used by Rondinone as a way to articulate a melancholy sense of loss. Portrayed as lethargic and worn-out, the clown is rendered in such a way as to suggest that he is altogether stripped of the freedom and ability to fulfil his role of the trickster or fool – an archetype identified by psychiatrist Carl Jung, whose sole function is to serve the audience’s need for distraction. This immobilisation of the clown creature, and disclosure as a figure in a state of near-inertia, is significant in communicating a loss of creative melancholia, for as Rondinone himself explains: “The clown is an invention of high nobility to push away boredom and melancholy out of the court. At the same time it functions as a substitute: it has freedom of speech his masters don’t have. On the other hand my clowns do not move. They only sit or lie down, do not laugh, do not say either good day or good night. By its absence of demonstration and its disinterest in the outside world, the character of the clown is possibly a self-portrait. He leads to a melancholy empty of meaning, which perpetuates itself in the vacuity of a world without irony” (The artist quoted in C. Ross, *The aesthetics of disengagement: contemporary art and depression*, Minneapolis, 2006, p.45). Indeed, the melancholic clown, as the modern alter ego of the artist, takes its tragic fate from the very fact of not being seen.

The clown is a recurrent figure in Rondinone’s oeuvre and has, since 1992, made ceaseless appearances in his performances, installations, video-tapes, Polaroid photographs, and sculptures. Certainly, Rondinone can be placed amongst other twentieth-century artists such as Mauricio Cattelan, Roni Horn and Cindy Sherman, whose works of art similarly demonstrate an interest in the figure of the clown, and its metaphorical potential regarding representation and self-representation. In particular, Bruce Nauman’s *Clown Torture* of 1987, a work which Rondinone quoted in his previous installation *Where do we go from here?*, also refers to a communicational break between clown and viewer. Nauman’s clowns, however, are animated, and presented as still possessing their role of an entertainer whose main function is to make its audience laugh – an aspect which is in stark contrast to those by Rondinone, who in having lost all facility to amuse, render the viewer’s presence as somewhat obsolete and unnecessary.





‘By its absence of demonstration and its disinterest in the outside world, the character of the clown is possibly a self-portrait. He leads to a melancholy empty of meaning, which perpetuates itself in the vacuity of a world without irony.’

UGO RONDINONE



Installation View, *A horse with no name*, Matthew Marks Gallery, New York, 2002
Courtesy Matthew Marks Gallery, New York

◦ 6

CINDY SHERMAN b. 1954

Untitled #426, 2004

colour photograph

79½ x 54¾ in. (201.9 x 139.1 cm)

Signed, numbered and dated “Cindy Sherman, 2004, 4/6” on a label affixed to the reverse of the backing board. This work is number 4 from an edition of 6.

Estimate £200,000-300,000 \$308,000-462,000 €235,000-353,000

PROVENANCE

Metro Pictures, New York

EXHIBITED

London, Simon Lee Gallery, *Cindy Sherman: Clowns*, 26 November, 2004 – 15 January, 2005 (another example exhibited)

New York, Metro Pictures, *Cindy Sherman*, 8 May – 26 June, 2005 (another example exhibited)

LITERATURE

M. Schlüter, *Cindy Sherman: Clowns*, Munich, 2004, p. 38 (illustrated)

R. Durand, *Cindy Sherman*, Paris, Jeu de Paume, 2006, p. 224 (illustrated)

This series of Clowns marks an incredible culmination of the masquerading that has defined Sherman’s work throughout her career. The make-believe she first explored in her *Untitled Film Stills* of the 1970s and 1980s is rediscovered and heightened by the increased emphasis on the mask and the make-up of the clown character. Here we see a reflection on the artist’s own artistic process, exposing both the humor and the horror of charade and fantasy. Whatever her character, from a naïve 1970s movie star, to a tragic figure of entertainment, Sherman continues exploring the boundaries between photography, portraiture, and identity. Both clown and artist are figures whose actions and expressions are always subject to scrutiny, and perceived beneath a layer of mysticism that removes them from reality. More so than any other series, her exploration of this historical entertainer provides an intriguing parallel to the role of the artist, especially one whose career is ultimately defined by disguise.

‘I feel I’m anonymous in my work. When I look at the pictures, I never see myself; they aren’t self-portraits. Sometimes I disappear.’

CINDY SHERMAN



◦ 7

RUDOLF STINGEL b. 1956

Untitled (Bolego), 2007

oil on canvas

38.1 x 52.1 cm. (15 x 20½ in.)

Signed and dated 'Stingel 2007' on the reverse.

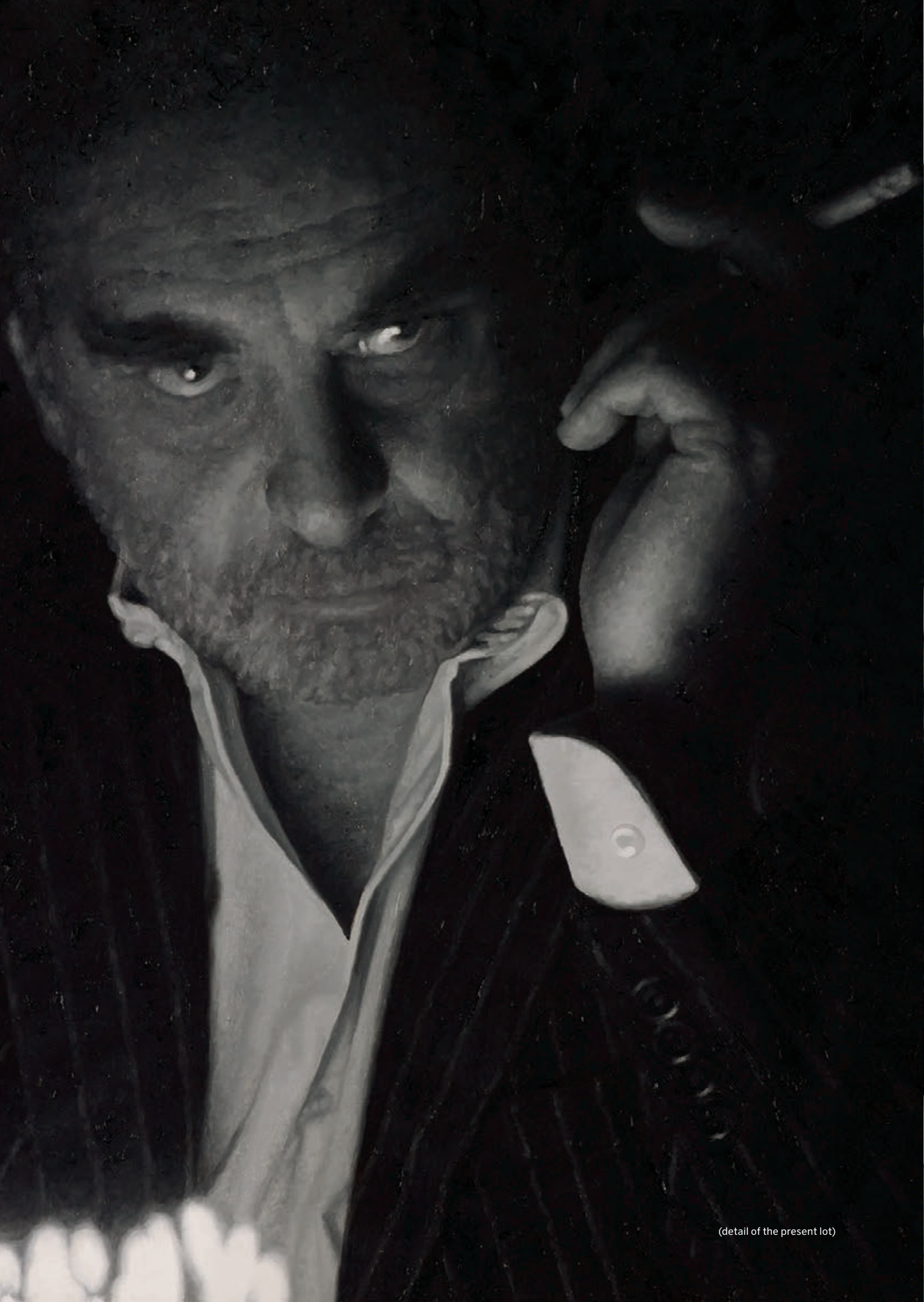
Estimate £600,000-800,000 \$919,000-1,230,000 €703,000-938,000 ± ♣

PROVENANCE

Paula Cooper Gallery, New York

‘All work is autobiographical, so, that’s why I decided to just paint myself, instead of trying to come up with all kinds of wonderful ways to show myself.’

RUDOLF STINGEL



(detail of the present lot)









Installation view, *Rudolf Stingel*, Museum of Contemporary Art, Chicago, 2007.
© Rudolf Stingel.



Gerhard Richter, *Two Candles*, 1982, 124 cm x 99 cm, oil on canvas, CR: 498-2
© Gerhard Richter, 2013

Consistently pushing the boundaries of painting, Rudolf Stingel is one of the most provocative and innovative living artists today. His work seamlessly weaves traditional means of painting with the bravura of Modernism and the critical investigation of artistic production. Examining these art-historical underpinnings, Stingel's celebrated practice is paradoxically devoid of nostalgia while it oscillates between abstraction and figuration. Recognized for his highly conceptual yet formal-looking monochromatic works, the artist has managed to expand the relationship of painting and architecture, engaging the once mutually exclusive parameters of walls and floors with his carpet pieces, wallpaper paintings and Styrofoam panels penetrated with foot prints. Indeed, Stingel's work has often meditated on the indexical notion of trace, memory and representational experimentation, exemplified in the present lot, *Untitled (Bolego)*, 2007.

Stemming from his series of photorealist self-portraits, *Untitled (Bolego)*, 2007, is an autobiographical work in so far as it references the self-portrait genre while examining the role of the artist and the romantic notion of aura. In the tradition of masters such as Gerhard Richter and Andy Warhol, Stingel engages in self-portraiture, painting and mechanical reproduction. This intimately scaled work depicts Stingel as a brooding and worldly gentleman, perpetuated by his rugged features, suit and lit cigar, his gaze is fixed on a subject outside of the picture plane, just outside of the viewer's reach. His emotional presence subtly absorbs the viewer, the pensive and pointed expression on Stingel's face, evidenced by the crease in his forehead and piercing gaze, belies his worldliness. As with any self-portrait, he, the artist, is the subject of the painting, yet Stingel also makes himself the object of this painting. While Stingel's attention might be held elsewhere, his physical presence is undeniable, consuming the majority of the picture plane. He is the center of attention, emphasized by the warm glow of candles

‘I wanted to be against a certain way of painting. Artists have always been accused of being decorative. I just went to the extreme.’

RUDOLF STINGEL

along the lower right of the canvas, their symbolic presence connoting the celebration of the artist, a milestone, a cause for reflection. The artist is illuminated and enlivened by the candles, the single source of light, each flame reaching upwards in sublime exaltation.

Stingel's self-portraits are based on photographs taken by Sam Samore, his first series of self-portraits produced in 2005-2006 were attributed to Samore in their titles. As in *Untitled (After Sam)*, 2005, Stingel is depicted alone in the composition, clad in the same suit, however, reclined in bed, his glassy eyes fixed towards the heavens, his hair somewhat disheveled. Each work in this series suggests narrative and interior dialogue, the entire structure playing before us like a silent film, flickering in black and white. There are no false pretenses in his large-scale work, in which the artist acknowledges both the photograph upon which these paintings are based and the photographer. Stingel remade the black-and-white projection of the photograph into a mirror-imaged painting swathed in grey scale reminiscent of black and white photography— the vehicle of memory par excellence. Certainly, the careful gesture of each work is not lost on the viewer, in fact, Stingel staged each scene for Samore and then meticulously recreated it on canvas with the help of his assistants, creating a giant grid and painstakingly recreating each fraction of the photographic composition. In doing so, Stingel questions both the authenticity of the painting and his role in creating it. Stingel's attempt to demystify the art object undermines the romantic trope of the artist and instead draws our attention back to the means of representation.

In this way, *Untitled (Bolego)*, 2007 becomes part of a “fictional documentary” (to borrow Francesco Bonami's term), suggesting the inhabiting of space between the real mundane and self-reflective and the fictional. In the present lot, as in his other self-portraits within this

series, “Stingel has internalized the challenge photography initially proposed to painting when the technology became widely available in the 19th century. This challenge was a strong impetus in the development of the Modernist painting, one that Stingel addresses in much of his work. Stingel moves beyond photography by adding a temporal element. It’s not privileging the historic moment, not dealing with photography in the same way that an artist like Gerhard Richter does. In using a series of photographic moment in a single space Stingel problematizes the relationship with photography as the viewer starts to connect those images into a single stream.” (G. Carrion-Murayari, “Untitled,” *Rudolf Stingel: At the Museum of Contemporary Art, Chicago, and the Whitney Museum of American Art*, New York, Ostfildern: Hatje Cantz, 2008, p. 112)

Describing Stingel’s 2007 installation at the Whitney and the inclusion of the artist’s photo-realist works Gary Carrion-Murayari noted that while Stingel’s renowned wallpaper paintings added “to the dramatic impact and dark mood [...] they also hover between the expressive and automated tendencies also characteristic of the self portraits Stingel executed in the past two years. Self-representation and emotional expression are some of the most historically familiar goals of painting, a quality that allows viewers to connect artists from Vincent Van Gogh to Albrecht Dürer to Willem de Kooning. The element of painting that Stingel keeps most estranged from the viewer is the presence and the value of the artist as a unique individual. While the silver rooms and the large silver canvases rely upon a mechanized approach to artistic labor, Stingel only allows his own into the work in an indexical manner, first in the footprint paintings and most recently in the series of self-portraits based on photographs of the artist. However, Stingel’s use of photography as the basis for these works removes the possibility of insight into the artist’s psyche. The moody photographs taken by Sam Samore [...] all capture the image of Stingel’s body alone. The application of paint onto the canvas is accomplished once again in a depersonalized, inexpressive manner with the artist’s assistants [...] transferring each tiny square.” (G. Carrion-Murayari, “Untitled,” *Rudolf Stingel: At the Museum of Contemporary Art, Chicago, and the Whitney Museum of American Art*, New York, Ostfildern: Hatje Cantz, 2008, p. 112)

The connection here between expressive and automated gestures certainly qualifies Stingel’s practice of conflating photographic and painterly representation, using mechanical means and photographic language as a reference. This balance between the formal and conceptual is also the hallmark of Gerhard Richter, whose exquisite still lifes are in fact self-portraits once removed. Richter’s subjects are indexical of the artist’s direct environment and become projections or substitutes for the artist. Richter’s *Two Candles*, 1982, exemplifies his inherent projection onto the symbolic image. Evoking the tradition of Dutch still life and memento mori, Richter began his candle series after his fiftieth birthday, a milestone for the preeminent artist. Certainly the motif of the burning flame and melting candle carries varying connotations on a central theme, while they certainly have the capacity to evoke celebratory memories, they also evoke the vigil and remembrance, underlining the fleeting and delicate nature of life. As Richter explained: “I was fascinated by these motifs [...] and that [fascination] is also nicely distanced. I felt protected because the motifs are so art-historically charged, and I no longer need to say that I painted them for myself. The motifs were covered by this styled composition, out-of-focus quality, and perfection. So beautifully painted, they take away the fear” (G. Richter, quoted in D. Elger, *Gerhard Richter: A Life in Painting*, Chicago, 2009, p. 262).



Andy Warhol, *Self-Portrait*, 1986. Collection of The Andy Warhol Museum, Pittsburgh. © 2013 The Andy Warhol Foundation for the Visual Arts, Inc. / Artists Rights Society (ARS), New York.

‘It’s not just a classic self-portrait, with a neutral background, it’s a pose; it’s taken out of my life.’

RUDOLF STINGEL

Like Richter’s *Two Candles*, 1982, Stingel’s *Untitled (Bolego)*, 2007, presents the viewer with meditative subject matter that delves further into autobiography than any other work by the artist. This rhetoric of warding-off fear or distancing oneself from the subject, particularly when considering the memento mori in the context of photorealism and abstraction, is especially poignant. Roland Barthes theorized that the photographic act could be interpreted as a gesture of embalment, suspending the subject for eternity. Certainly, within the act of self-portraiture or self-referential painting is the same gesture of embalment- of halting time. When repetitively turning the camera towards oneself, as Andy Warhol so often did during his career, a series of self-portraits can be interpreted as self-preservation. Here, the subject becomes object much in the same way that Stingel becomes an object and further so in the transference of his objecthood onto the canvas. For Stingel, a true painting is not simply the result of moving a brush over a piece of canvas, however meticulous, but the result of careful observation. *Untitled (Bolego)* hovers between the real and abstraction, the mundane and the profound, the portrait of a prolific and celebrated contemporary artist basking in the warm glow of his forbearers while ever gazing ahead.

8

CINDY SHERMAN b. 1954

Untitled Film Still #36, 1979

gelatin silver print

25.4 x 20.3 cm. (10 x 8 in.)

Signed, titled, numbered and dated 'Cindy Sherman 36 1979 5/10' on the reverse.

This work is number 5 from an edition of 10.

Estimate £60,000-80,000 \$91,900-123,000 €70,300-93,800 ±

PROVENANCE

Metro Pictures, New York

LITERATURE

R. Krauss, *Cindy Sherman 1975-1993*, New York: Rizzoli, 1993, p. 56, 61, 225 (illustrated)

A. Cruz, A. Jones, E. A. T. Smith, ed., *Cindy Sherman: Retrospective*, Los Angeles Museum of Contemporary Art, 1997, p. 77 and 197, no. 38 (illustrated)

C. Sherman, D. Frankel, ed., *Cindy Sherman: The Complete Untitled Film Stills*, New York: The Museum of Modern Art, 2003, p. 90-91, 159 (illustrated)

J. Rouard, ed., *Cindy Sherman*, Paris : Jeu de Paume & Flammarion, 2006, p. 54, 243, 316 (illustrated)

E. Respini, *Cindy Sherman*, New York: The Museum of Modern Art, 2012, p. 99 (illustrated)

Cindy Sherman's illustrious *Film Stills* series (1977-80) was produced over thirty 35 years ago and yet they persist in captivating and inciting intrigue. Arresting in nature, the *Film Stills* represent Sherman's first exploration of cinematic language— a foray into black and white photography that would grant her artworld recognition and a cult-like following to this day. Employing a format most commonly recognized in publicity film stills, Sherman's series subverts the conventional expectations associated with this collectible format while confronting a larger history of objectification in cultural production.

The present lot, *Untitled Film Still #36*, 1979, investigates codes of representation and the construction of archetypes as perpetuated by the film industry. As with the rest of the series, the present lot finds Sherman in an ambiguous setting. Is this the photograph of Sherman as actress changing on set or are we peering further into the rabbit hole, into a movie still featuring Sherman's actress in character? Either way, Sherman sets a voyeuristic stage reminiscent of Hitchcock's cinematic masterpiece *Rear Window*, in which the viewer's participation is implicit— our gaze is active. The back-lit curtain that seemingly grants Sherman's character some privacy also frames her silhouette, the curtain renders anonymity while simultaneously functioning as a screen upon which the viewer projects their own constructed narrative.

‘There are so many levels of artifice. I liked that whole jumble of ambiguity.’

CINDY SHERMAN

In this way, Sherman concurrently veils and exposes the myth of the photograph as evidence or as an “index” of the real, underscoring the resonance of the constructed image as an extension of performance. To this we can add that *Untitled Film Still #36*, while not strictly a documentary endeavor, is in fact evidence of Sherman's performance as a *type* of character. The narrative constructed by the artist is staged; however, the resulting photograph captures the moment of narrative cohesion—expressing a mood that ultimately delves into an aspect of psychological space. What we witness in the photograph is the event of Sherman conflating fictional and real events: “I know I was not consciously aware of this thing the “male gaze.” It was the way I was shooting, the mimicry of the style of black and white grade-Z motion pictures that produced the self-consciousness of these characters, not my knowledge of feminist theory. I suppose unconsciously, or semiconsciously at best, I was wrestling with some sort of turmoil of my own about understanding women. The characters weren't dummies [...] they were struggling with something but I didn't know what.” (Cindy Sherman quoted in “Cindy Sherman: The Making of Untitled,” *Cindy Sherman: The Complete Untitled Film Stills*, New York: The Museum of Modern Art, 2003, p. 9).



9

GLENN BROWN b. 1966

Oscillate Wildly (after 'Autumnal Cannibalism' 1936

by Salvador Dalí), 1999

By kind permission of the Gala-Salvador Dalí Foundation, Spain
oil on linen

175.5 x 391.9 cm (69½ x 154¼ in)

Signed, titled and dated 'Glenn Brown 1998-9 'Oscillate Wildly''
on the reverse.

Estimate £2,500,000-3,500,000 \$3,830,000-5,360,000

€2,930,000-4,100,000 ₣ ♠

PROVENANCE

Patrick Painter Gallery, Los Angeles

EXHIBITED

London, Tate Britain, *Turner Prize 2000*, 25 October 2000 – 14 January 2001

London, Serpentine Gallery, *Glenn Brown*, 24 September – 7 November 2004

Tate Liverpool, *Glenn Brown: Living Vicariously*, 20 February – 10 May 2009;

then travelled to Turin, Fondazione Sandretto Re Rebaudengo, (28 May – 4
October 2009), Budapest, Ludwig Múzeum (6 February – 11 April 2010)

LITERATURE

Glenn Brown, Exh. Cat., Tate Liverpool, 2009, pp. 62-65 (illustrated)

‘To make something up from scratch is nonsensical. Images are a language. It’s impossible to make a painting that is not borrowed — even the images in your dreams refer to reality.’

GLENN BROWN



(detail of the present lot)







Pablo Picasso, *Guernica*, 1937, Oil on canvas, 349 x 776 cm, Museo Reina Sofia, Madrid, purchased 1975, Tate Modern, London.
© Succession Picasso/DACS, London 2013.

‘If a painting can’t be as interesting as good pop music then it should give up... I am interested in the poetry of those few words, which have to work independently of the song.’

GLENN BROWN

Stemming out of the Young British Artists of the early nineties, Turner Prize nominated Glenn Brown is recognized as one of the foremost painters of his generation. Like many of his contemporaries, Chris Ofili and Peter Doig, Brown negotiates the reception, transmission and oversaturation of imagery in the contemporary landscape; through his paintings, Brown creates a dialogue between historical methodologies and contemporary concerns. Simultaneously appropriating and paying homage to artworks by canonical figures such as Delacroix, Rembrandt, Fragonard, Salvador Dali and Frank Auerbach, among others, Brown is perhaps best known for his appropriation of iconic works of art as well as his exploration of sub-genres (or “marginal art”) such as early science-fiction landscapes, which, in Brown’s hands evoke the cosmic sublime found in paintings by John Martin and J.M.W. Turner.

Recreating familiar subject matter, the artist employs a haunting and masterful dexterity, often depicting the familiar in what appears to be impressionist swirls of impasto yet retaining a strikingly smooth and deliberately flat surface. In this way, Brown’s practice successfully contradicts its references through this effective manipulation, modifying and exaggerating the scale and color palette of his paintings to create a distinctive disparity between original and simulacra. Brown will often source his appropriated material from reproductions found in exhibition catalogues or online, scanning the image, manipulating color and distorting form with a computer program until the source image reflects

the desired qualities. Glenn Brown will then manipulate the image to take on characteristics of a yet another artwork by a different artist, citing his secondary source in the size or color palette of his final painting. Of course, using reproduced images of artworks implies that the artist’s sources are already found in a mediated state: “I pick images that have something missing [...] There’s a purposeful impoverishment in living via secondhand information in a world of videos, computers, films.” (Glenn Brown in S. Kent, *Putrid Beauty*, BlouinArtinfo, May 14, 2009)

Underscoring the artist’s complex oeuvre, Glenn Brown’s practice can be described as painterly abstraction within the tradition of appropriation, surrealism and photorealism, magnificently exemplified in the present lot, *Oscillate Wildly* (after ‘*Autumnal Cannibalism*’ 1936 by Salvador Dali), 1999. This particular painting, exhibited at the Tate Liverpool during Glenn Brown’s eponymous retrospective in 2009, was installed in the same room as his transcendent science-fiction landscape *Jesus, The Living Dead* (after Adolf Schaller), 1997-98, as well as his other towering Dali-inspired painting, *Dali-Christ* (after *Soft Construction with Boiled Beans: Premonition of Civil War* 1936 by Salvador Dali), 1992. These two genres represent the artist’s earlier desire to communicate directly with the source material, allowing for organic variants from the original sources depending on the quality of his source material and the manner in which he filtered it. Here, Brown’s painting is indexical to the original, however, abstracted in its own way. In the present lot we find a triumphant homage to Salvador Dali’s *Autumnal Cannibalism*,

1936, a surrealist landscape depicting two interconnected figures in the foreground. The amorphous pair appears enraptured as they scoop, slice and devour each other with disquieting tenderness and civility.

Growing out of the seemingly deserted plane, the two elegantly elongated figures are locked in an all-consuming embrace, poised upon a chest of drawers surrounded by fragments of decomposing flesh and peeled fruit. Dali's version is constructed by warm and cool tones; burnt umber, burnt sienna and vermillion are balanced with greyish tones of cobalt blue and amber. The background depicts Empordà, the region of Catalonia where Dali was born, which was divided into two districts during the Spanish Civil War; the artist emphasizes this division in his squared composition. One half of the scenic space is devoted to a landscape with mountain range, punctuated by a red soil, a white edifice and small village nestled at the foot a large dark mountain with looming cloud overhead; the other half of the composition is comprised of a barren dessert and a large mountainous mass. In this way, the figures emerging from the duality of this landscape reference the complicity of destruction in warfare as much as they suggest voracious consumption.

In Brown's interpretation, the elegance and seductive quality of the subject matter is amplified and elongated, clearly belying the artist's technical sophistication is a process that revitalizes the conventions of even the most masterful of the avant-garde. Brown effectively suggests

a similar kind of anthropophagy to that found in *Autumnal Cannibalism*; in a romantic gesture he refers to the consumption of images, art history, style and technique. Indeed, Brown's oeuvre is distinguished by the consumption and "resurrection not only of genres, artists and images but also of outmoded techniques and modes of representation. He establishes a complex system of references around surface and flatness, touch and gesture, superficiality and profundity." (C. Grunenberg, "Capability Brown: Spectacles of Hyperrealism, the *Panorama and Abject Horror in the Paining of Glenn Brown*," *Glenn Brown*, Tate Publishing, 2009, p.16). Practicing within the lineage of Photorealism, what Brown culls from this genre as well as the genre's Surrealist forbearers is the desire to manifest reality through the mediated image, staging the detailed hyper-real (or surreal) against the two-dimensional plane. However, Brown veers away from traditional Photorealist subject matter. Here, the referent to the hyper-real is in fact the referent to the original source- the artwork as object as opposed to the original subject matter of the artwork. In this way, the artist utilizes the language of photographic representation to manifest Dali's subject matter.

In *Oscillate Wildly* (after *Autumnal Cannibalism* 1936 by Salvador Dalí), 1999, Brown subdues the composition through the use of grey-scale, mirrors the image and doubles the painting in size only to stretch the horizontal plane to a monumental 12 feet, revealing a panoramic vista, or rather, a cinematic spectacle. Compressing and stretching out the

‘Dalí’s paintings are terrible, tacky, vulgar, gruesome, full of adolescent self-loathing. That’s why I like them.’

GLENN BROWN



Salvador Dalí, *The persistence of memory*, 1931, oil on canvas, 24 x 33 cm, Museum of Modern Art, New York. © Salvador Dalí, Fundació Gala-Salvador Dalí, DACS, 2013.



Salvador Dalí, *Autumn Cannibalism*, 1936, oil on canvas, 65.1 x 65.1 cm, purchased 1975, Tate Modern, London.
© Salvador Dalí, Fundació Gala-Salvador Dalí, DACS, 2013.

elements found in Dalí's painting, Brown also takes his own liberties, allowing the apple at the centre of the composition to hover ever so slightly above the figure's head, elaborating upon the landscape with its white edifice and rolling mountains, creating graceful curling lines in the outstretching cloud. Indeed, *Oscillate Wildly* succeeds in suspending Dalí's dream-like environment while creating a landscape that invites the viewer's projections. It is within this manipulation that Brown permits the rediscovery of Dalí's original, in all its haunting abject glory, all the while quoting a secondary source—found in the cinematic scope of Picasso's epic painting, *Guernica*, 1937. Perhaps the most interesting aspect of Brown's employment of this secondary source is that it uses abstraction to reference the violence and chaos of the physical world, referring to the horrific bombing of the Basque country village of Guernica during the Spanish civil war, while Dalí's *Autumnal Cannibalism* employs a realistic style to depict a fragmented and fractured psychological space. Picasso's *Guernica* and Dalí's *Autumnal Cannibalism* both rely on allegory and certainly both refer to the ravages of war, however, Dalí is clearly involved with an intimate and malleable narrative space, evoking the endless interior landscape of sub-consciousness. Picasso, however, has chosen specific forms, symbols and narrative rhythm in a structured space to underscore a defining moment.

Glenn Brown fuses the fragmentation visible in both Dalí and Picasso's works, not necessarily creating a whole but creating an uncanny panoramic view of excess, simultaneously reflecting abject and extravagant worlds in flux. In this way, the title of Brown's piece is quite apt, *Oscillate Wildly* (after *Autumnal Cannibalism* 1936 by Salvador Dalí), 1999, supports the vacillation between the "real" and the mediated, the original and simulacra. To oscillate between the digital image, printed image and painted image means to engage with mechanical reproduction and effectively destabilize the notion of aura associated with original works of art. All of these negotiations seem to compel the Glenn Brown, noting that "[n]othing has yet come about that can compare with [painting] as a translation of that human desire to make marks, to make two-dimensional images of things or two-dimensional surfaces with color and shape. I love computer technology; I love Photoshop and all of the possibilities of manipulation that it gives you to play with. But the final product from the computer is always very lackluster. Not that I would ever do without it. [...] I have a kind of healthy cynicism about what it is to look at the world, to be in a modern world surrounded by images." (L. Macritchie, "Interview: Glenn Brown," *Art in America*, April 2009).



(detail of the present lot)

10

ANDY WARHOL 1928-1987

Pontiac, 1962

acrylic and pencil on canvas

63.2 x 76.2 cm. (24 7/8 x 30 in.)

Estimate £1,500,000 – 2,500,000 \$2,300,000-3,830,000

€1,760,000-2,930,000 ₺

PROVENANCE

Fredrick W. Hughes, New York

Private Collection, New York

Stellan Holm Gallery, New York

Phillips de Pury & Company London, *Contemporary Art Evening*,

28 February 2008, lot 142

Acquired from the above sale by the present owner

EXHIBITED

Zurich, Galerie Bruno Bischofberger, 1992

Berlin, Hamburger Bahnhof, Museum für Gegenwart, 1996

Los Angeles, The Museum of Contemporary Art, *Andy Warhol*

Retrospective, 25 May – 18 August 2002

Miami, Miami Art Museum, *Miami Currents: Linking Collection and*

Community, 30 October 2002 – 2 March 2003

LITERATURE

Anon., 'Deus Ex Machina', *Harper's Bazaar*, vol. 96, no. 3012 (November 1962), pp. 156 – 159 (negative version illustrated)

Andy Warhol, exh.cat., Galerie Bruno Bischofberger, Zurich, 1992, no. 2 (illustrated)

H. Bastian, *Sammlung Marx – Volume II*, Munich, 1996, no. 3 (illustrated);

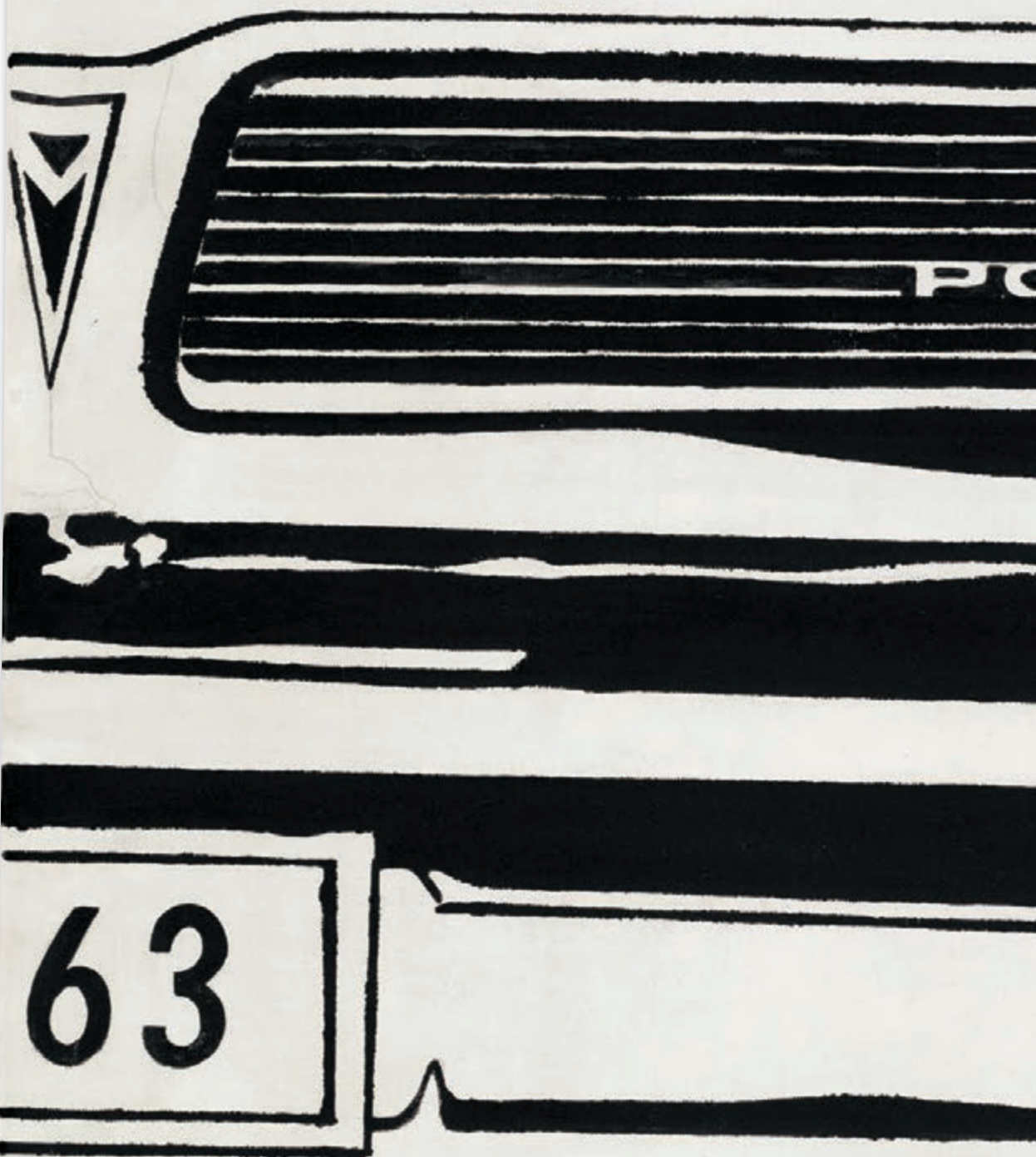
G. Frei and N. Printz, eds., *The Andy Warhol Catalogue Raisonné of Paintings and Sculpture 1961-1963 vol. 1*, London:

Phaidon, 2002, cat no. 217, p. 194 (illustrated)

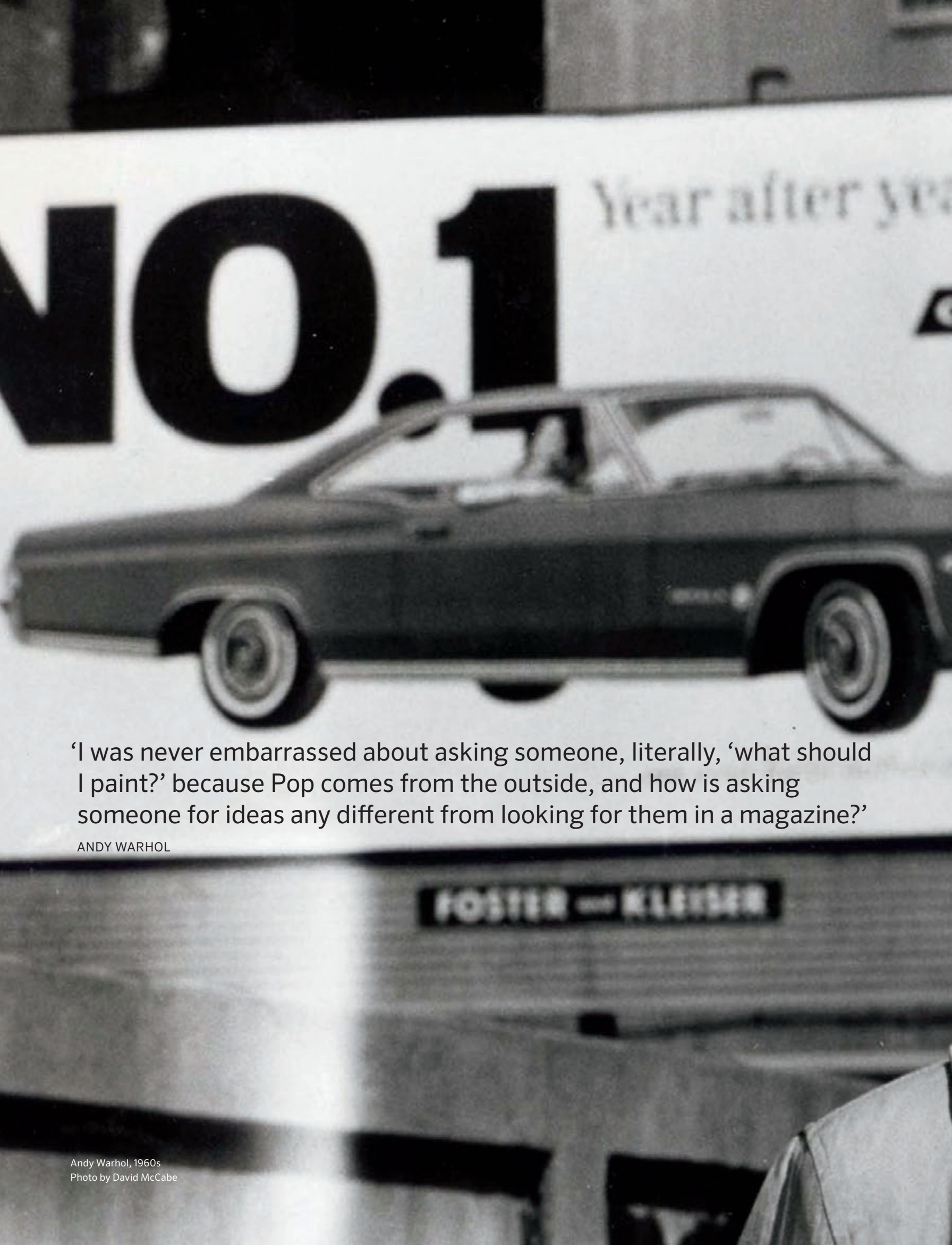
Andy Warhol: Giant Size, London: Phaidon, 2009, p. 119 (illustrated)

- **Jordan Crandall:** If you had a car, what kind would you have?
- **Andy Warhol:** One with good breaks.









‘I was never embarrassed about asking someone, literally, ‘what should I paint?’ because Pop comes from the outside, and how is asking someone for ideas any different from looking for them in a magazine?’

ANDY WARHOL

ar after year

CHEVROLET

GRAMS

G





Andy Warhol in his studio. © 2013 The Andy Warhol Foundation for the Visual Arts Inc. / Artist Rights Society (ARS), New York.

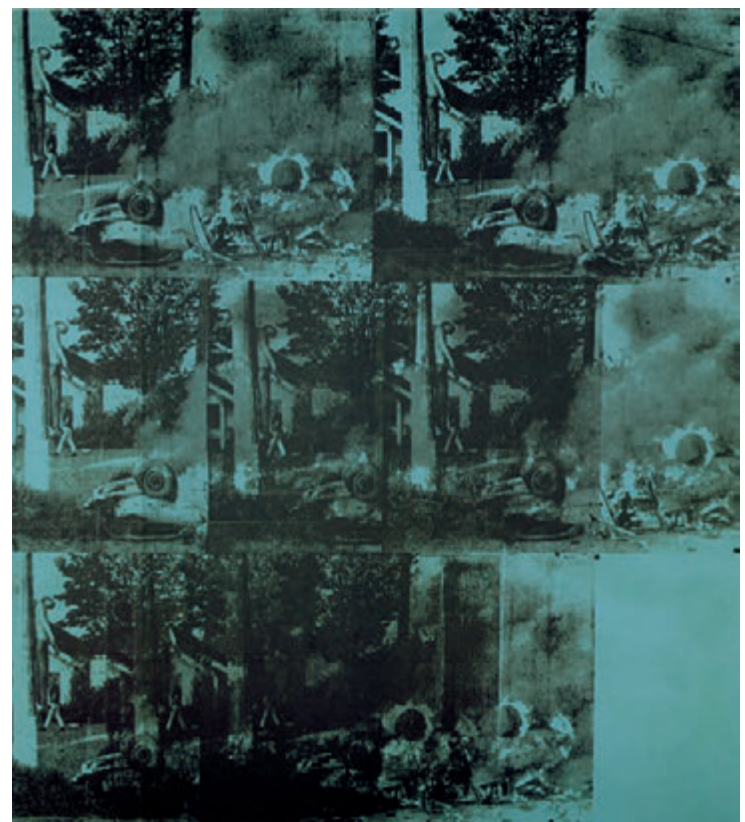
'I think of myself as an American artist; I like it here, I think it's so great. It's fantastic. I'd like to work in Europe but I wouldn't do the same things. I'd do different things. I feel I represent the U.S. in my art but I'm not a social critic: I just paint those objects in my paintings because those are the things I know best.' (A. Warhol in K. Goldsmith, ed., *I'll Be Your Mirror: The Selected Andy Warhol Interviews: 1962-1987*, p.88.)

America as a theme, underlines the vast majority of Andy Warhol's oeuvre. From Warhol's iconic depictions of celebrities such as Marilyn Monroe, products like Coca-Cola and common symbols like the one dollar bill, Warhol radiated American-ness throughout his practice. Having moved into his townhouse studio at 1342 Lexington Avenue in September 1960, Warhol had officially parted with the commercial work that defined the previous decade. In a moment of irony, *Pontiac* was in fact one of several works commissioned by Warhol's former client, *Harper's Bazaar* for an article titled, 'Deus Ex Machina' for their November 1962 issue.

The spread was photographed by Eric Pollitzer in Warhol's studio and arranged the shot in the classic studio approach: lining up the works in a casual, pastiche arrangement. Covering a four-page spread complete with captions and a passage from *Be Not Afraid* by Emmanuel Mounier, the magazine had commissioned Warhol, 'to make a visual comment on the phenomenon of the American motorcar.' (G. Frei and N. Printz, eds., *The Andy Warhol Catalogue Raisonné: Painting and Sculpture 1961-1963*, London: Phaidon, p. 193.) Even more, the caption continues as Warhol, in this early stage of his career, was 'continuing his experimentation in 'commonism,' or the art of giving the familiar a supra-familiarity.' (Ibid, 193).

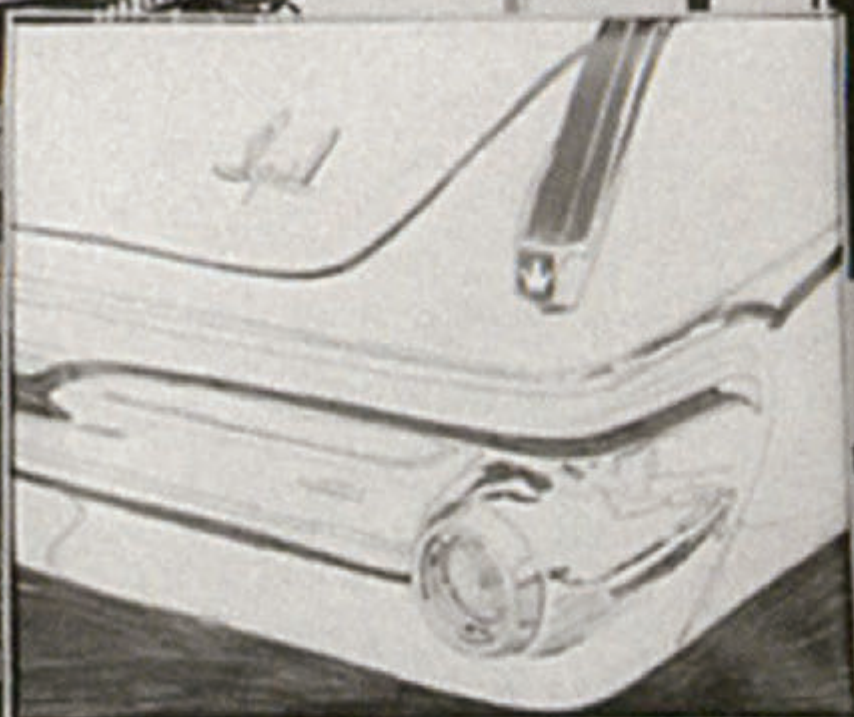
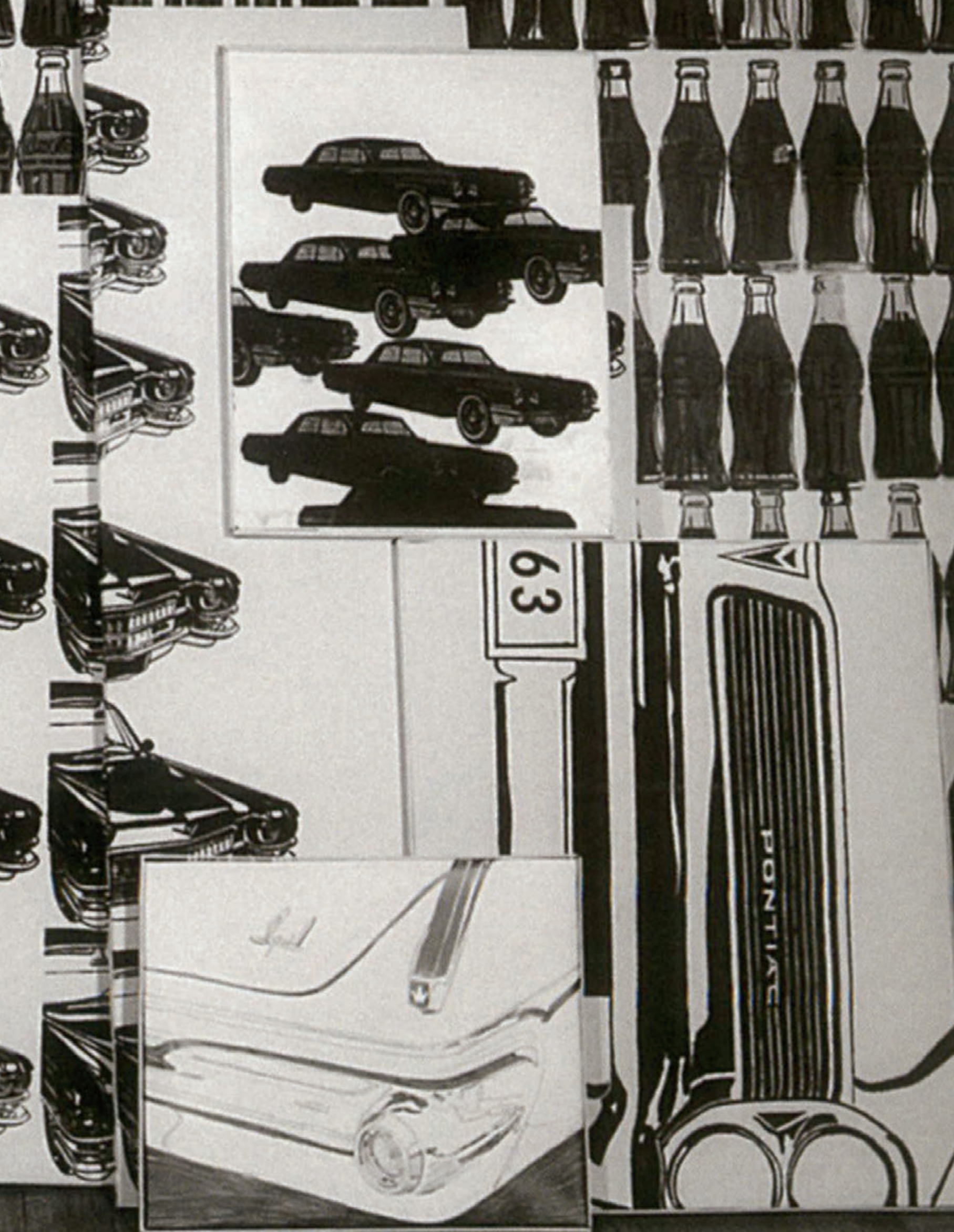
This 'commonism' clearly predates what is soon to become distinctly 'Pop'. Warhol's earliest canvases are dated to 1961 and yet display an almost immediate penchant toward commercial imagery sourced from newspapers and advertisements, which would become the basis of his work. *Pontiac* of 1962 is certainly no exception. Of the works completed for *Harper's Bazaar*, only two (the present lot and *Lincoln Continental*) were painted entirely by hand. Using an opaque projector, Warhol traced the desired parts of the image onto the canvas. With a keen sense of scale, the image is strikingly frontal, painted right through to the edges of the canvas, reciprocating the 1963 model Pontiac's graphic exterior lines. While remnants of pencil tracings can be found on the headlights and the bumper, Warhol has purposefully honed in on the most distinctive part of the Pontiac: its predominant and commanding grille.

Particularly in the 1960s, iconic cars were being produced by American companies such as Ford, Chevrolet, Pontiac, and Dodge, propagating the link between the great automobile and American culture. In the 1960s, cars became a ubiquitous form of transport, evolving from an object of luxury, afforded only to the elite. By the 1960s, the American automobile was not only a pragmatic vehicle but a symbol of freedom and the attainment of the American Dream. Warhol's America, was based upon the idea that, 'everybody has their own America and then they have the pieces of a fantasy America that they think is out there but they can't see.' (Ibid, p.11) In the years to follow, Warhol returned to the symbolism of the automobile with his *Death and Disaster* series. The images for these silkscreens were derived from newspaper stories depicting horrific crashes and burning cars. Within this new series, begun only a few years after *Pontiac*, Warhol returned to the motif of the car, this time evoking a memento mori, the potential for destruction and demise belying the gloss and glamour of the American dream.



Andy Warhol, *Green Car crash (Green Burning Car I)*, 1963, Synthetic polymer, silkscreen ink and acrylic on linen. 90 x 80 in. (228.6 x 203.2 cm). © 2013 The Andy Warhol Foundation for the Visual Arts, Inc. / Artists Rights Society (ARS), New York

Opposite: Andy Warhol, *Studio with Pontiac in view*, Photo source from the Andy Warhol Foundation. © 2013 The Andy Warhol Foundation for the Visual Arts, Inc. / Artists Rights Society (ARS), New York. ©Eric Pollitzer



◦ 11

ANISH KAPOOR 1954

Untitled, 1996

midnight blue pigment on aluminium

200.7 x 200.7 x 25.4 cm. (79 x 79 x 10 in.)

Estimate £1,000,000-1,500,000 \$1,540,000-2,310,000 €1,180,000-1,770,000 ₣

PROVENANCE

Lisson Gallery, London

Private Collection, France

Private Collection, Switzerland

‘The void is not silent. I have always thought of it more and more as a transitional space, an in between space. It’s very much to do with time. It’s a space of becoming something that dwells in the presence of the work that allows it, or forces it, not to be what it states in the first instance.’

ANISH KAPOOR



‘I’ve always believed that in the end sculpture is a heroic art.
I don’t think Michelangelo was wrong about that.’

ANISH KAPOOR

Anish Kapoor’s sculptural output of the past three decades has become contemporary art’s defining mode of bridging the gap between physical and psychological space. Exemplified through his impeccably finished sculptures Kapoor has succeeded in giving emptiness the same philosophical and aesthetic weight as that which is tangible. His enormous public installations have breathed new life into familiar cityscapes, transforming the viewer’s perceptions of their spatial environments, creating surfaces that reorient the observer to their position, consequently deconstructing spatial ontology. Burrowing into reflective surfaces, Kapoor has manipulated the notion of the physical expanse to exhilarating and wildly unfamiliar ends. As he subtracts structure in his sculpture, Kapoor adds into his work infinitely more—a site in which to explore and imagine. As in the present lot, *Untitled*, 1996, Kapoor explores the reflections of our surroundings as much as he allows us to profoundly explore mediations of internal and external depth.



IKB 191, 1962
© ADAGP, Paris and DACS, London 2012.

With its immaculate and sumptuous midnight pigment, Kapoor’s large moon-like sculpture evokes the precipice of a great abyss, a gateway to a calm immersive void. The work invites the viewer with its great rim reaching out from the wall; it beckons our engagement, inviting us to meditate upon the mystery and beauty of its opaque facade. Kapoor’s desire to go beyond the object is emphasized here in a seemingly limitless plane. In fact, this work proposes a liminal space, physically affirming its presence yet channeling beyond its immediate surroundings into the unknown. Focusing on the subject of the void, toying with the powerful tension between positive and negative space, Kapoor produced sculptures and sculptural space that seem to recede into the distance, distort the surrounding space or disappear all together. The present lot, *Untitled*, 1996, is defined as much by its negative space as by the palpable material which composes it, the hallowed surface imbues an almost primordial religious significance into an otherwise mundane object. In carving space with an elegant surface, Kapoor succeeds in producing a space in which the projected meaning onto the material is gloriously and ceremoniously embraced. While not strictly believing in being expressive, the artist believes that it is his role is meant to *bring to* expression, “to define means that allow phenomenological and other perceptions which one might use, one might work with, and then move towards a poetic existence.” (Anish Kapoor, from “Conversations between Anish Kapoor and Homi K. Bhabha,” in, H. K. Bhabha, *Anish Kapoor*, Berkeley: University of California Press, Hayward Gallery, 1998, p.11)

Indeed, the perspectival distance between subject and object, or the mimetic balance between the viewer’s gaze and projected desires, are “replaced by a movement of erasure and inversion—‘reverse, affirm, negate.’ It is as if the possibility of pictoriality or image-making, associated with visual pleasure, has been unsettled to reveal emptiness, darkness, blankness. However the purpose of Kapoor’s work is not to represent the mediation of light and darkness, or negative and positive space, in a dialectical relationship in which emptiness will travel through the darkening mirror to assume the plenitude of presence. Kapoor stays with the state of transitionality, allowing it the time and space to develop its own affects —anxiety, unease, restlessness—so that viewing becomes part of the process of making the work itself. The spectator’s relation to the object involves a process of questioning the underlying conditions through which the work becomes a visual experience in the first place.” (H. Bhabha, “Anish Kapoor: Making Emptiness,” *Anish Kapoor*, London, 1998, p. 11)

‘Artists don’t make objects.
Artists make mythologies.’

ANISH KAPOOR



Anish Kapoor, *Sky Mirror, Red*, 2007, Installation view, Kensington Gardens, London, 28 September 2010-13 March 2011
© Anish Kapoor. All Rights Reserved, DACS 2013.

Kapoor's fascination with monochrome surfaces- and most certainly the repetitive employment of blue throughout his oeuvre- is evocative of the early work of Yves Klein and his seminal notion of pure color: International Klein Blue (IKB). Summoning the sacred hue of lapis lazuli Klein would introduce the public to "pure ideas" through the mediated surface of his monochromatic proposition, blue painted canvases installed on poles slightly extended from the walls, negotiating with preconceptions of art and the artistic experience. Klein was also fascinated by the notion of the void, electing to exhibit the notion of emptiness in his show titled: *La spécialisation de la sensibilité à l'état matière première en sensibilité picturale stabilisée, Le Vide* (*The Specialization of Sensibility in the Raw Material State into Stabilized Pictorial Sensibility, The Void*), 1958. Klein essentially staged a happening in the gallery based on the premise of nothingness, leaving the sparse gallery with nothing but a blue curtain in its entrance and empty display case. In a similar way, the formal and theoretical qualities of Kapoor's work intersect with Klein's, however, through his sparse and codified language, Kapoor seeks to understand and communicate ideas on the human condition.

As simply as it appears, *Untitled*, 1996, is a black hole; a gravitational engine, relentlessly pulling its viewers into its infinite space. Kapoor successfully draws attention to our own humanity by creating works which play with the viewer's sense of perception, time and other physical realities. "Personally," the artist states, "I have always been drawn to a notion of fear, towards a sensation of vertigo, of falling, of being pulled inwards. This is a notion of the sublime which reverses the picture of union with light. This is an inversion, a sort of turning inside-out. This is a vision of darkness." (Anish Kapoor quoted in Germano Celant, *Anish Kapoor*, Milan 1998.



Donald Judd, *Untitled*, 1980. steel, aluminium, Perspex. 229 x 1016 x 787 mm.
© Donald Judd Foundation/VAGA, New York and DACS, London 2002



◦ 12

ANDY WARHOL 1928-1987

Diamond Dust Shoes, 1980-1981

synthetic polymer paint, silkscreen ink and diamond dust on canvas

228.6 x 177.8 cm. (90 x 70 in.)

Stamped by the Andy Warhol Foundation on the reverse.

Estimate £900,000-1,200,000 \$1,380,000-1,840,000 €1,050,000-1,410,000 ±

PROVENANCE

Gagosian Gallery, New York

Private Collection, New York

Alan Koppel Gallery, Chicago

Private Collection, Chicago

EXHIBITED

New York, Gagosian Gallery, *Andy Warhol: Diamond Dust Shoes*,

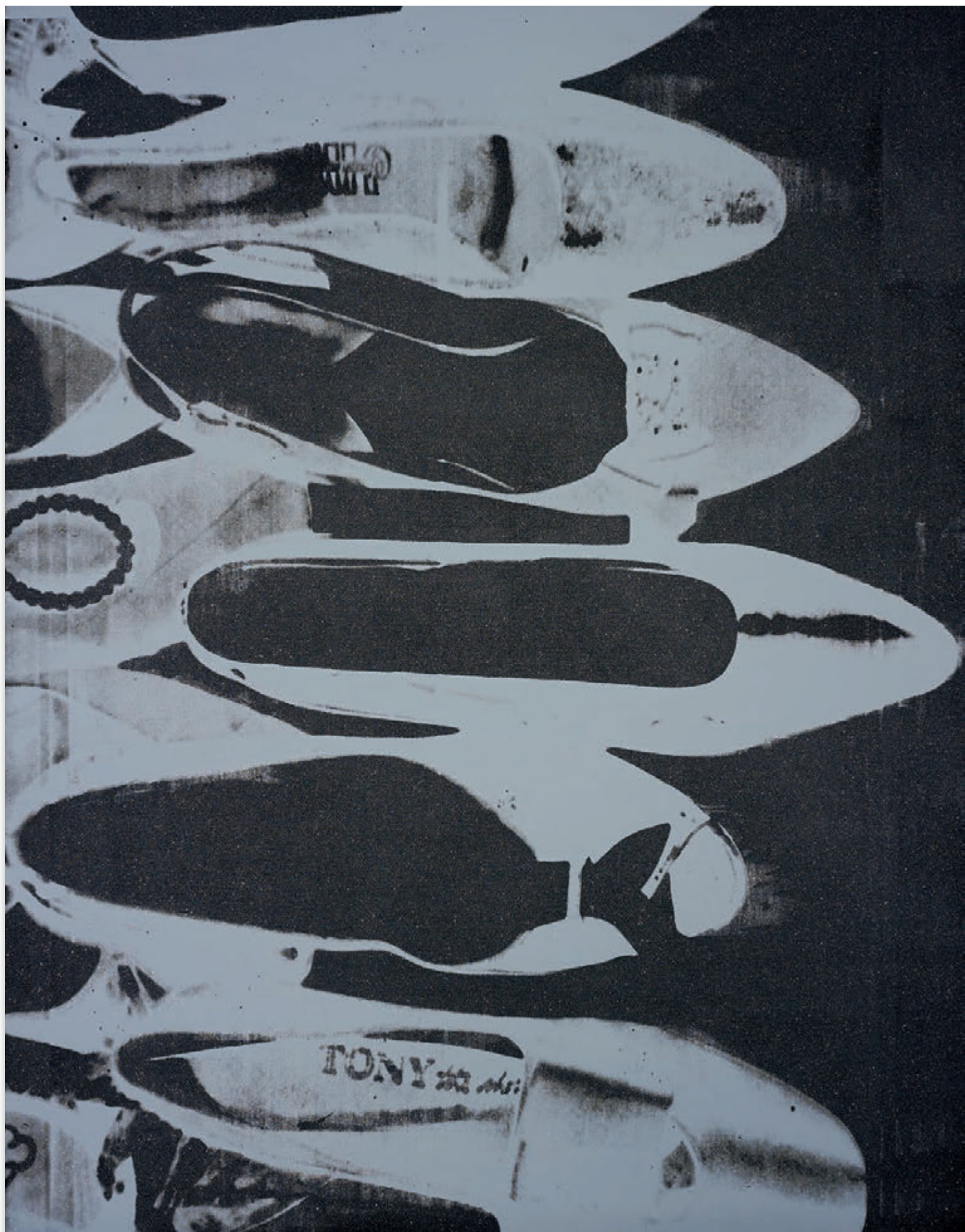
23 September – 30 October 1999

LITERATURE

Andy Warhol: Diamond Dust Shoes, Exh. Cat., Gagosian Gallery, New York, 1999, plate 34

‘I was working on shoes and I got \$13 a shoe; so I had to think in terms of \$13 for every shoe. If they gave me 20 shoes to do for an ad, it was 20 times \$13.’

ANDY WARHOL



The dynamism of Andy Warhol is astutely apparent with the series *Diamond Dust Shoes* through its cyclical return to the artist's earliest motif. From the commercial work of the 1950s, Warhol, almost a quarter of a century later, had achieved the fame and notoriety he sought. Merging art and business, iconography and consumerism, good art and good business were part in parcel for Warhol. Iconic and imbued with classic and personal Warholian traits, *Diamond Dust* is a prime example of Warhol's Pop brilliance.

Predating the soup cans, flowers and Jackie O's, the subject of shoes were Warhol's first foray into commercial art in 1955. Working on Madison Avenue, Warhol was lauded in the advertising world with awards and worked under an enviable list of clients including *Glamour*, *Vogue*, *Harper's Bazaar* and *The New Yorker*. Standing out as the triumph of this era in Warhol's oeuvre are the whimsical watercolour and ink illustrations of shoes for shoemaker, I. Miller. Moreover, Andy's shoes rendered in gold-leaf, such as *Jean Vaughan (Golden Shoe)*, from the same period, reflect an early fascination with the metallic surface, which is highly resolved in the present lot.

‘When you think about it, department stores are kind of like museums.’

ANDY WARHOL

As such, coming full circle in the final decade of his life, Warhol, returns to the subject of the shoe in 1980 with the *Diamond Dust Shoes* series. The origins of *Diamond Dust Shoes* emerged as Halston sent a box of shoes to be photographed for an advertisement campaign. The story, recalled by *Vanity Fair* editor Bob Colacello, is of Warhol's assistant Ronnie Cutrone emptying the box sent by Halston by turning it upside down, shoes cascading out onto the floor at random. Warhol, inspired by the haphazard layering of individual shoes, took several Polaroid's, from which silkscreen for *Diamond Dust Shoes* was derived.

Though originally inspired by chance, the final arrangement of shoes was in fact carefully laid, as the preparatory Polaroids show slight variances in the composition for this particular work. Lined up are ladies shoes of various designs with the black background pronouncing the pointed or rounded toes of each unique shoe. With the fetishization of fashion combined with inherent glamour, *Diamond Dust Shoes* are at once a reminder of Warhol's early beginnings and represent a new venture with serigraphy.

The use of “diamond dust” was taken from Rupert Smith in 1979, where Warhol first used the material within his silkscreen process resulting in the *Shadows* series of the same year. First experimenting with real diamond dust, it proved to have a disappointingly chalky appearance on the silkscreened canvas, forcing Warhol to experiment with pulverized



Andy Warhol, *(Stamped) Shoes*, 1950s © 2013 The Andy Warhol Foundation for the Visual Arts, Inc. / Artists Rights Society (ARS), New York

glass instead. This proved to be the most effective method to mimic how one imagines something as luxurious as “diamond dust” to be. Thus, the iridescence achieved adds a textural dimension to the surface of the work. Warhol, obsessive in his nature, explained his fascination: “I see everything that way, the surface of things, a kind of mental Braille, I just pass my hands over the surface of things.” (*Ibid*, p.457) While the sense of touch was significant for artistic creation for Warhol, the visual effect of the shimmering plane glamorizes commodity while remaining true to his favorite themes of celebrity, fame and money.

The present lot is a refreshingly monochrome rendering, thereby heightening the sense of light and dark while maintaining the prismatic shimmer of the “diamond dust”. When posed the question, “What’s your favorite colour?” by Glenn O’Brien for *Interview* magazine in 1977, Warhol simply replied, “Black.” (G. O’Brien, A. Warhol *Interview*, June 1977. Online) Thus, the motif of shoes combined with its monochrome rendering and the use of a new iridescent material, *Diamond Dust Shoes* epitomizes Warhol's obsessive nature within theme, motif and ideology. Imbued with sparkling dust, the present lot is further manifested in the glitz and excess of 1980s Manhattan that Warhol was deeply intertwined with. Not one for subtlety, Warhol concedes, “I don’t think less is more. More is better.” (*Andy Warhol: Giant Size*, Phaidon, London, 2009, p. 364).



Andy Warhol, Shoes, 1980. Unique Polaroid. © 2013
The Andy Warhol Foundation for the Visual Arts,
Inc. / Artists Rights Society (ARS), New York

◦ 13

ANDY WARHOL 1928-1987

Skull, 1976

acrylic and silkscreen ink on canvas

15 x 19 in. (38.1 x 48.3 cm)

Estimate £600,000-800,000 \$919,000-1,230,000 €703,000-938,000 ₺

PROVENANCE

Galerie Daniel Templon, Paris

Private Collection, New York

Private Collection, London

Private Collection, Europe

EXHIBITED

Taipei Fine Arts Museum, *Andy Warhol 1928-1987*, 8 October - 20 November 1994

Lausanne, Fondation de l'Hermitage, *Andy Warhol: the José Mugrabi Collection*, 25

May - 1 October 1995; then travelled to Milan, Fondazione Antonio Mazzotta (22

October 1995 - 11 February 1996), Ludwigshafen am Rhein, Wilhelm-Hack Museum (15

September 1996 - 12 January 1997), Kunsthalle Helsinki (23 August - 16 November 1997),

Warsaw, The National Museum (6 March - 3 May 1998), Kraków, The National Museum

(19 May - 12 July 1998), Rio de Janeiro, Centro Cultural Banco do Brasil (12 October - 12

December 1999), Kochi, The Museum of Art (6 February - 26 March 2000), Umeda,

Daimaru Museum (24 May - 11 June 2000), Hiroshima City Museum of Contemporary

Art (17 June - 30 July 2000), Kawamura Memorial Museum of Art (5 August - 1 October


2000), Nagoya City Art Museum (7 October - 17 December 2000), Niigata City Art

Museum (4 January - 12 February 2001)

Zurich, Galerie Andrea Caratsch, *Andy Warhol Skulls*, 7 June - 7 July 2006





An abstract painting by Andy Warhol. The composition is divided into several distinct color fields. A large, textured orange field occupies the upper left and center. To its right is a bright yellow field. Below the orange field is a large, textured black field. At the bottom left, there is a pink field. A large, textured cyan field occupies the lower right and bottom center. The boundaries between these colors are irregular and textured, suggesting a process of layering or dripping paint. The overall effect is a vibrant, multi-colored abstract composition.

‘I’m not afraid to die;
I just don’t want to be there when it happens.’

ANDY WARHOL

‘Death means a lot of money, honey. Death can really make you look like a star’

ANDY WARHOL

Andy Warhol was shot and critically injured on the 3rd of June 1968 by Valerie Solanas, a marginal figure in the factory scene and author of separatist feminist manifestos. After this terrifying incident, Andy Warhol became even more obsessed with the subject of death than in his previous work. A ten year period lapsed before the artist returned to self-portraiture, yet when he did, it was clear that his past experience had left a profound effect on the psychological subject of his oeuvre. A significant motif in the artist's later compositions, the representation of the skull in *Self-Portrait with Skull*, 1978, recalls Warhol's earlier series of paintings of *Skulls* executed in the seventies – a time in which the resurgence of skull imagery accompanied a growing anxiety over the spread of aids, as well as the escalating threats of nuclear war and ecological disasters. Death is particularly paradigmatic of Warhol's work: it is a theme which he drew upon frequently in his final years, and one which he chose to channel through the image of a skull. In this particular self portrait, the skull's inclusion acts as a direct allusion to the *memento mori* tradition that pervades ancient literature, its ominous and foreboding presence patently reminding its observer of the transience of life, and the certainty of death. Indeed, just as Warhol was confronted with own existence as he stared into the face of his assailant, the viewer too is forced to enter a period of self-reflection, as we contemplate our inevitable fate. Based on one of several striking photographs taken by the artist in the same decade, in which he poses with a skull on his shoulder or head, there is the implication of death as imminent. Both Warhol and the skull appear more spectral in the silk screen painting: the artist's face seems to disintegrate before the viewer's eyes, his features slowly morphing into that which, in time, will come to resemble the vacant stare of the dead.



Paul Cézanne, *Pyramid of Skulls*, c. 1901, oil on canvas, Private Collection



Barthel Bruyn de oude (1493 - 1555), Dutch, *Vanitas*, 1524, tempera on panel, The Kröller-Müller Museum, Otterlo, Netherlands

‘People need to be made more aware of the need to work at learning how to live because life is so quick and sometimes it goes away too quickly.’

ANDY WARHOL

Self-portrait with Skull is a work of powerful and tragic utterance. Replacing Warhol's sixties paintings of Marylins and Campbell soup cans, it evokes a sense of tragedy which is deeply commanding. Warhol once wrote that “During the 60's, I think people forgot what emotions were supposed to be. And I don't think they've ever remembered. I think that once you see emotions from a certain angle you can never think of them as real again. That's what more or less has happened to me.” (A. Warhol, *The Philosophy of Andy Warhol* (From A to B and Back Again), New York, 1975, p. 27) However, Warhol's insecurity after facing death is extremely palpable in this painting, refuting the artist's earlier statement, and presenting a darker, more vulnerable dimension to his work.



Andy Warhol in his "Factory" at Union Square, 1981, New York City
Image: Thomas Hoepker/Magnum PhotosInc. / Artists Rights Society (ARS), New York
© 2013 The Andy Warhol Foundation for the Visual Arts, Inc. / Artists Rights Society (ARS), New York

‘I never understood why when you died, you didn’t just vanish, and everything could just keep going the way it was only you just wouldn’t be there. I always thought I’d like my own tombstone to be blank. No epitaph and no name. Well, actually, I’d like it to say ‘figment’

ANDY WARHOL

14

JEAN-MICHEL BASQUIAT 1960-1988

Three Pontificators, 1984

acrylic and oilstick on canvas

152.5 x 152.5 cm. (60 x 60 in.)

Estimate £2,500,000-4,500,000 \$3,830,000-6,900,000

€2,930,000-5,270,000 ₺

PROVENANCE

Mary Boone Michael Werner Gallery, New York

EXHIBITED

New York, Mary Boone Michael Werner Gallery, *Jean-Michel Basquiat*, 2 - 23 March 1984

LITERATURE

Richard Marshall, *Jean-Michel Basquiat*, Whitney Museum of American Art, New York, 1992-1993, ill. p. 244


Richard D. Marshall, Jean-Louis Prat, *Jean-Michel Basquiat*, Galerie Enrico Navarra, Paris, 1996, Vol II, p. 116, No 8

Tony Shafrazi, Jeffery Deitch, Richard D. Marshall, *Jean-Michel Basquiat*, Tony Shafrazi Gallery, New York, 1999, p. 24

‘The more I paint, the more I like everything.’

JEAN-MICHEL BASQUIAT



An abstract painting by Jean-Michel Basquiat on a yellow background. It features a large red triangle with white brushstrokes at the top left, a thick green diagonal line, and two stylized faces. The face on the left is red with large white eyes and a mouth of black and white vertical stripes. The face on the right is partially visible, with green and white elements and the letters 'EY' in white. A thick blue vertical line runs down the left edge.

'If I'm away from painting
for a week, I get bored.'

JEAN-MICHEL BASQUIAT



(detail of the present lot)



Pablo Picasso, *Seated woman with yellow and green hat*, 1962 © Succession Picasso/DACS, London 2013.

“I like the ones where I don’t paint as much as others, where it’s just a direct idea.” (J.M. Basquiat as interviewed by H. Geldzahler, *Interview Magazine*, January 1983, Online) 1984 marks a pinnacle in the enigmatic oeuvre of Jean-Michel Basquiat. Life and art were necessarily intertwined for Basquiat, whose ascent to fame was defined by both his personality and canvases. Forever immortalized the child genius of the art market in the 1980s with his untimely death at age twenty-seven, Basquiat, now more than ever, is imbedded in the upper echelons within the canon of art history.

Leading up to 1984, Basquiat had solo exhibitions in New York and Tokyo; was included in the Whitney Biennial and began collaborating with Francesco Clemente and Andy Warhol. These leading life events, coupled with the independence of renting his own studio space from Andy at 57 Great Jones Street in the summer of 1983, translated to rich artistic output, career validation and international recognition.

1984 marked a change in New York galleries from Annina Nosei to Mary Boone. It marked Basquiat’s first museum solo-exhibition at the Fruitmarket gallery in Edinburgh which travelled to London and Rotterdam. It marked his participation in MoMA’s exhibition, *An International Survey of Recent Painting and Sculpture*. Most of all, it marked a highly articulate, comprehensive and significant era of Basquiat’s work. All of these factors in 1984, culminated to the now infamous *New York Times Magazine* cover story, “New Art, New Money” the following year.

Three Pontificators is a quintessential work, revealing a thematically rich use of symbolism, motifs and colour. Text as a signifying motif of the artist began before the canvases and the gallery walls. Basquiat’s



Installation view of the current lot, Mary Boone Gallery, New York, 1984. Photograph Zindman/Freemont, Courtesy Mary Boone Gallery, New York

early artistic endeavors began as a teenage graffiti artist working under the pseudonym SAMO© alongside Al Diaz. Covering the exterior walls of SoHo and East Village buildings with wit, poeticism and an air of mystery, SAMO© became recognized and notorious in its own right. Like all of Basquiat’s signature motifs, text as an emblematic tool continued through to his last canvases. Extending the theme of isolation and the self, the visual symbols are further characteristic features of Basquiat’s oeuvre, working symbiotically alongside text-based motifs. Dominating the left half of the canvas are symbols derived from *The Symbol Sourcebook* by Henry Dreyfuss, which was yet another rich resource for much of Basquiat’s iconography. As an example, the stark white square



Francis Bacon, *Study after Velázquez's Portrait of Pope Innocent X*, 1953 © The Estate of Francis Bacon. All rights reserved. DACS 2013.



Jean-Michel Basquiat in front of Mary Boone Michael Werner Gallery, New York © The Estate of Jean-Michel Basquiat / ADAGP, Paris and DACS, London 2013.

– the international symbol for a closed enclosure – is painted over a rich ultramarine blue, formally balancing the more figurative right side of the canvas, ideologically reminiscent of Piet Mondrian’s neoplasticism, finding balance and cohesion within a composition in a square canvas. The formal characteristics of the canvas itself and the motifs inside are therefore, self-reflexive notions of space. Recalling Francis Bacon’s *Study after Velázquez’s Portrait of Pope Innocent X* of 1953, *Three Pontificators* displays similar themes of isolation and anxiety, as well as evoking the religious subject matter of the former.

In the present lot, Basquiat has achieved his desired economical use of text, opting for highly syntactic use of polysemy. The sole text in the work is the word “EYE”, written in white oilstick within an almond shape in the space that displaces where figurative eyes should be. While the literal translation is evident, the singularity of the word, rather than the plural reveals the polysemic symbolism of “I”. Basquiat’s continual fixation with isolating parts of the human body is derived from the medical textbook *Gray’s Anatomy*, which became a crucial and consistent visual sourcebook throughout Basquiat’s career. This specific “EYE” motif is, for the most part, unique to 1984, as Basquiat used it repeatedly and almost to obsession within this year. In other work, the same symbol is often isolated and non-descript; however, in *Three Pontificators*, the motif in its singularity and placement, readily translates into the Biblical idiom: “An Eye for an Eye”.

The title and figures of the present lot further testify to religious paradigms, specifically alluding to a dispute in 1378 that resulted in there eventually being three men who all claimed to be pope. The papal

‘I don’t think about art when I’m working. I try to think about life.’

JEAN-MICHEL BASQUIAT

conflict was not resolved until 1417. Until then, all three popes claimed to be the only legitimate leaders of the Catholic Church with their followers. This event seems to have visually been translated into *Three Pontificators*, where the central pope in a long white gown is flanked by two skulls in ruby red and hunter green. The bogus popes are topped with stylized triangles, representing bishop’s miters. With their faces flawed and morbidly demonized as well as a gestural X crossing out the two triangles, it can be assumed that these two figures represent the bogus pontiffs; the rightful individual however is attributed with the divine symbol of the “EYE”.

Though Basquiat is likened to artists such as Franz Kline, Willem de Kooning, Picasso, Robert Rauschenberg, Jean Dubuffet and Cy Twombly as influences, he concedes that, “I like kids’ work more than work by real artists any day” (J.M. Basquiat as quoted in C. McGuigan, “New Art, New Money” *New York Times*, 10 February 1985, Online). It is this organic freedom, unsuppressed creativity and irrefutable genius that make Basquiat continually revered.

15

MARK GROTJAHN b. 1968

Untitled (Three-Tiered Perspective), 1997

coloured pencil on paper

61 x 48.3 cm (24 x 19 in)

Signed and dated 'Mark Grotjahn 1997' on the reverse.

Estimate £140,000-180,000 \$215,000-276,000 €164,000-211,000 ±

PROVENANCE

Acquired directly from the artist

Phillips de Pury & Company, New York, *Under the Influence*, 21 March 2008, Lot 17

Acquired from the above sale by the present owner

EXHIBITED

New York, The Drawing Center, *Selections Winter 1998. Ingrid Calame, Miriam*

Dym, Mark Grotjahn, Gerhard Mayer, and Stephanie Syjuco, 9 January -

14 February 1998

LITERATURE

M. Grotjahn, *Mark Grotjahn: Drawings*, Ostfildern, 2006 p. 60 (illustrated)

‘I wanted to come up with some certain abstraction,
like a certain graphic form that I could stick with and
see how far within that system I could go.’

MARK GROTJAHN





Mark Rothko, *No.10*, 1950, Oil on canvas, 229.6 x 145.1 cm, Museum of Modern Art, The Collection New York. © 1998 Kate Rothko Prizel & Christopher Rothko ARS, NY and DACS, London.

“I was always interested in line and color. I wanted to find a motif that I could experiment with for awhile. I did a group of drawings over a period of six to twelve months. The drawing that I chose was one that resembled the three tier perspective, and that is what I went with.” (Mark Grotjahn as quoted in A. Douglass, “Interview with Mark Grotjahn,” *Portland Art*, 6 October 2010, Online.)

Driven from both modernist abstraction and pop culture, Mark Grotjahn's works are personal allurements, between the naturally hard-edged representation of geometric abstraction and emotive communication. In his *Three-Tiered Perspective* series, Grotjahn uses various vanishing points to create an optical effect, portraying a three dimensional space on a two dimensional surface. As a forerunner to his renowned *Butterfly* paintings, this series is a vibrant exploration of multiple perspectives and a creation of deep space and movement. Having begun working with coloured pencils to develop perspective drawings, he soon established a distinction in his field of work; an intense exploration of a more conventional drawing being the collusion of abstract criteria and random collection, characteristic of the oeuvre *Untitled (Three-Tiered Perspective)*, 1997.

Creating such compositions of three different horizontal landscapes,

Mark Grotjahn focuses on the eye as an instrument, ‘the eye is always searching for an implicit point of stability that cannot be found’ (Aspen Art Museum, *Mark Grotjahn*, Aspen Art Press, 2012, pg 62). Whilst his *Butterfly* series focuses the eye on a single view point, the use of various vanishing points on one single work draw the viewer inward creating an illusion of deep space and motion on a flat surface. Playing with the rigors of perception, he is in effect producing a hallucinatory vision. With the inspiration of a more traditional technique from the Renaissance era but with modern day creativity, Grotjahn manipulates the use of linear perspective with bold tonal modulations of colour to create a vibrant sense of depth, giving existence to both form and colour and allowing them to exist individually. This technique, for Grotjahn, creates the structure of the work and essentially becomes the principal of the subject. The shifted placements of the points break the compositional balance. The final product is a simple arrangement of coloured forms which results in a composition of movement, proportion, colour and focus.

While there is an almost classical lucidity to Grotjahn's established organization of dividing the composition into three separate rectangular rows of converging polychromatic stripes all of which are separated by horizontal bands, his use of colour is to a certain extent completely random. The random arrangement of the colours comes from the result of him giving up his choice of colours and picking them blindly, ‘It's as if the body of colour matters more than the identity of particular colours’ (Aspen Art Museum, *Mark Grotjahn*, Aspen Art Press, 2012, p. 60). In each row the stripes of colour become thinner and thinner as they culminate towards their own climax. The result for *Untitled (Three-Tiered Perspective)* is the optical illusion of three-dimensional landscape receding towards a horizon through a variety of colour, space and direction.



Frank Stella, *Abra Variation I*, 1969, Fluorescent Alkylid, 304.8 x 304.5 cm. © ARS, NY and DACS, London 2013.



(detail of the present lot)

16

JEAN-MICHEL BASQUIAT 1960-1988

Untitled, 1982

oilstick on paper

25.4 x 20.7 cm. (10 x 8 1/8 in.)

Signed and dated 'Jean-Michel '82' on the reverse. This work is accompanied by a certificate of authenticity.

Estimate £250,000-350,000 \$383,000-536,000 €293,000-410,000

PROVENANCE

Annina Nosei Gallery, New York

Collection Robert Combas, Paris

‘Believe it or not, I can actually draw.’

JEAN-MICHEL BASQUIAT

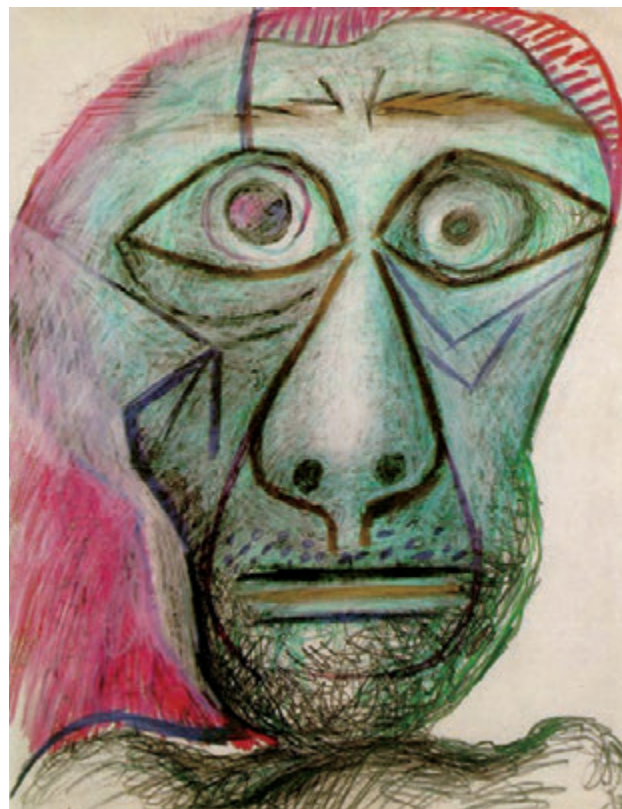
Untitled, executed in 1982, succinctly captivates the exuberance and vivacity of Jean-Michel Basquiat’s artistic expression during a pinnacle stage of his career. Starting in 1982, the artist began to separate himself from the streetscapes that encapsulated his early paintings and initiated his unique archetype of the human figure. While works on paper allude to supplementary works to the opus of the artist in an art historical context, it can be argued that Basquiat compositions on paper match the visceral, energetic essence of his canvas works: “Drawing was an essential element in the art of Jean-Michel Basquiat. The artist made no hierarchical distinction between drawing and painting, and in fact, his paintings and drawings are often indistinguishable, and only differ in their paper or canvas support”, (Richard D. Marshall as quoted in Enrico Navarra, ed., *Jean-Michel Basquiat: Oeuvres sur Papier*, Paris, 1999, p.30). The frenzied gestures that have come to epitomize Basquiat’s iconic painterly aesthetic are best seen in his early drawings with the flat and smooth surface of the paper welcoming his spontaneous and expressionistic style.



A smaller display of the artist's oeuvre, the present lot depicts one of his more elaborately detailed human heads. The study of the human figure is fundamental to the early drawings Basquiat created between 1981 and 1982 while working in the basement of Annina Nosei's gallery on Prince Street in New York. Coarsely worked in primary colours, outlined in blue, and set against a starkly white background, the present lot discerns a restrained aesthetic execution, illustrating the influence of anatomical studies. The effortless motion of Basquiat's hand distinguishes facial characteristics, defining the contours of the chin, teeth, cheeks, ears, nose, and eyes in oilstick. Bathed in sombre hues of blue, the symphony of colour within the head continues with the disclosure of a layer of blood red pigment where the nose is and brown tint on the teeth and forehead. The duplicitous smile completely dominates the composition, reminiscent of a smirk seen in *Untitled (One Eyed Man or Xerox Face)*, also by Basquiat in 1982. It is in *Untitled (One Eyed Man or Xerox Face)* that Basquiat begins to expand his pictorial vocabulary by photocopying drawings, like the present lot, directly onto the canvas by layering separate planes of illusionistic space to create a cohesive masterpiece.

‘Drawing was a constant activity for the artist, and during his relatively short career he produced probably a few thousand works on paper’

R. MARSHALL



Pablo Picasso, *Self Portrait*, 1972, wax crayon on paper, 25 7/8 x 20 in. (65.7 x 50.5 cm). Zervos XXXIII, 435. Courtesy Fuji Television Gallery, Tokyo. © Succession Picasso/DACS, London 2013.



Jean Dubuffet, *Self Portrait*, 1966, Marker Pen on Paper, 26 x 17.5 cm, Jean Francois Jaeger, Paris. © ADAGP, Paris and DACS, London 2013.

Basquiat was known to attentively reference his predecessors – his drawings and paintings link him into an entire tradition within Western art, ranging from Henri Matisse through Willem de Kooning, Robert Rauschenberg and Cy Twombly. Using colours to define the structure and contours of his drawings with stark contrasts between tones of primary colours, this work distinctly recalls the innovation of Jean Dubuffet who coined the term art brut (‘raw art’) in his strive to create art free of intellectual tradition. Inspired by Pablo Picasso’s unique idiom of illustrative representation in his cubist and figural depictions, Basquiat created his own hermeneutical device that loaned itself spectacularly to the mythmaking of his genius: “He papers over all other voices but his own, hallucinating total control of his proprietary information as if he were the author of all he transcribed, every diagram, every formula, every cartoon character – even affixing the copyright symbol to countless artefacts of nature and civilization to stress the point – without making any allowance for the real-life look of the world outside his authorized universe”, (Mark Meyer, “Basquiat in History”, *Basquiat*, exh. cat., Brooklyn Museum of Art, 2005, p.46). Jean-Michel Basquiat was a lucid and prolific spokesman for his time and his pictorial language embodying the youthful vernacular of his generation is exceptionally apparent in the present lot. “His work is likely to remain for a long time as the modern picture of what it looks like to be brilliant, driven, and young” (Ibid., p.46).

Opposite Page: Jean-Michel Basquiat, *Untitled (One Eyed man or Xerox face)*, 1982, Acrylic, spray paint, oilstick and Xerox collage on wood, 72 x 48 in (183 x 122 cm), Private collection. © The Estate of Jean-Michel Basquiat / ADAGP, Paris and DACS, London 2013.



17

ANISH KAPOOR b. 1954

Turning the World Upside Down II, 1995

stainless steel

39.8 x 50 x 50 cm. (15⁵/₈ x 19⁵/₈ x 19⁵/₈ in.)

This work is unique.

Estimate £120,000-180,000 \$184,000-276,000 €141,000-211,000 ♠

PROVENANCE


Lisson Gallery, London

‘There’s a metaphysical quality to it, which is what I’m after.’

ANISH KAPOOR







‘Mirrored space also has no end. It is what
Dan Graham refers to as ‘the modern sublime.’

ANISH KAPOOR

(detail of the present lot)

The present lot by Anish Kapoor is part of a series of works entitled *Turning the World Upside Down* executed in 1995. It marks the artist's first experiments with the visual effects of surface where the structures themselves do not possess colour, but instead reflect environment in which they are situated. The series of works *Turning the World Upside Down* stand in contrast to Kapoor's earlier work which had explored themes of the void, emptiness and the abyss. Instead, these works engage the viewer directly, literally inverting our view of the world as we see it.

Turning the World Upside Down II stands as a physical paradigm of Kapoor's continual interest in the meaning of composition itself. Kapoor explains the significant distinction in his mirrored work saying: 'I wanted to see if it was possible to make a space full of mirror – not a mirrored object, but a space full of mirror.' (A. Kapoor, in an interview with J. Peyton-Jones and H.U. Obrist, *Turning the World Upside Down in Kensington Gardens*. Koenig Books, 2011, p.57.) This idea is central to Kapoor's creative process and an aspect which is emphasised by his continued exploration of the concept of surface reflection beyond stainless-steel, to include bronze, stone and other materials. This investigation of surface recalls the work of Constantin Brancusi, who obsessively varied the same motif in polished bronze, in white, black, yellow or blue marble – all in the name of an evolutionary search for pure form, in an attempt to convey a sense of gravity by reducing his work to a few basic elements.

As with all the reflective pieces produced by Kapoor in the 1990s, the present lot seeks to produce images that change with variations in their setting so that the viewer is not simply observing a mirrored object, but rather, pursuing the structure's ability to reflect a differing perspective of our perceived reality, in both literal and metaphorical terms. At first glance, the illustrated work appears to simply reflect the natural state of the surrounding elements; however, upon closer observation, its agency as a site of visual transformation emerges, as viewers are invited to consider their relationship to Kapoor's work, as well as their own place within the surrounding environment. As Kapoor explains: 'I'm after that sort of metaphysical looking – looking not at the object, but throughout it, beyond it.' (Ibid, p.59.)

'Art is good at intimacy: it can say, 'Come here, be part of this', beckoning. It's a tool of intimacy.'

ANISH KAPOOR



Constantin Brancusi, *The First Cry*, 1912, bronze, Private Collection, Photo © ADAGP, Paris and DACS, London 2013

The concave mirror draws the viewer in, leaving us no choice but to be included in its reflection. Indeed, like Jeff Koons' *Rabbit* of 1986, whose stainless steel surface also functions as mirror of sorts, it reflects everything that is exhibited around it, and changes as its environment does. Kapoor's sculpture is not, however, simply an inert or still object; like a vortex, it has a real pull, confronting the viewer with an infinite space that inverts its surroundings, so that we too become active participants in the creation of the piece.

It does not just reflect the world, but explores the symbolic nature of reality by engaging us in an image that contains distortion. It typifies the artist's exploration with what he sees as metaphysical polarities, such as that between the material and immaterial, in order to engage the viewer in an experience akin to that evoked by the sublime. Kapoor's installation pulsates with an active dynamism that infuses physical and psychological space, possessing a substance which reminds the viewer that it is not just there for our image to be absorbed into: it is a physical object that protrudes, forcing us to contemplate the complexities of human perception.



Jeff Koons, *Rabbit*, 1986, Stainless Steel, 41" x 19" x 12". Copyright Jeff Koons

‘I’m thinking about the mythical wonders of the world, the Hanging Gardens of Babylon and the Tower of Babel. It’s as if the collective will come up with something that has resonance on an individual level and so becomes mythic. I can claim to take that as a model for a way of thinking. Art can do it, and I’m going to have a damn good go. I want to occupy the territory, but the territory is an idea and a way of thinking as much as a context that generates objects.’

ANISH KAPOOR

18

ANTONY GORMLEY b. 1950

SICK, 1987 - 1989

lead, fibreglass, plaster, air

192 x 51 x 77 cm. (75 $\frac{5}{8}$ x 20 $\frac{1}{8}$ x 30 $\frac{3}{8}$ in.)

Estimate £150,000-200,000 \$230,000-306,000 €176,000-234,000 ♠

PROVENANCE

Salvatore Ala Gallery, New York

EXHIBITED

New York, Salvatore Ala Gallery, *Antony Gormley*, 15 April - 31 May 1989

Dublin, Irish Museum of Modern Art, *The Weltkunst Collection*, 18 May - 5 October 1995

Dublin, Irish Museum of Modern Art, *Figuration*, 1996

Dublin, Irish Museum of Modern Art, *Self as Selves*, 17 June - 16 November 2008

LITERATURE

Antony Gormley, ed. Michael Mack, Steidl/mack, Gottingen, 2007, p. 509

Breaking the Mould: British Art of the 1980's and 1990's, Exh. Cat., The Weltkunst Collection, Irish Museum of Modern Art, London, 1997, p. 44

Fergus Byrne, Christina Kennedy, Fiona Hallinan and Caoimhin O Raghallaigh, *Self as Selves*, Irish Museum of Modern Art, 2008

‘My work is to make bodies into vessels that both contain and occupy space. Space exists outside the door and inside my head. My work is to make a human space in space.’

ANTONY GORMLEY





Antony Gormley
 ANGEL OF THE NORTH [GATESHEAD], 1998
 Steel, 22 x 54 x 2.20 m
 Permanent installation, Gateshead, England
 Commissioned by the Gateshead Metropolitan Borough Council, Gateshead, UK
 Photograph by Colin Cuthbert, Newcastle
 © Antony Gormley
 Courtesy White Cube

Executed in 1989, *SICK* is a paradigmatic example of Antony Gormley's lead sculptures created in the 1980's that anticipated his subsequent materializations of the human form that would be cast in iron. The present lot is a prime example of Gormley's attempt to ponder the role of the human within the universe, freezing a specific moment in time within lead, fibreglass, and plaster. Moulded from the artist's own body, the sculpture is able to connect with the spectator on a personal level, displayed on a scale of which the viewer immediately identifies with. The form of the human body acts as a catalyst for contemplation, addressing the universal question of existentialism: "I want to confront existence...The optical and the conceptual have dominated in the art of the twentieth century and I turn to the body in an attempt to find a language that will transcend the limitations of race, creed and language, but which will be about the rootedness of identity", (A. Gormley, quoted in *Antony Gormley*, Exh. Cat., Tate Liverpool, 1993, p. .49).

Part of a series of suspended and gravity works, the present lot reflects Gormley's interest in using his art as a lever to destabilize the viewer's notions of his or her position in space: "the whole idea is about disorientation, to make you feel less certain about the narrative that has brought you to the place where you confront the work...the way it is fixed on the wall is very important in that the head is where the head would be were it standing, but it doesn't stand...it stands on the wall as it were", (A. Gormley, quoted in *Breaking the Mould: British Art of the 1980's and 1990's*, exh. cat., The Weltkunst Collection, Irish Museum of Modern Art, p. 44).

The sculpture hovers about a foot off of the floor, resembling a figure in the middle of prayer, with its arms to the sides and kneeling legs connected to the wall by its feet. Despite the religious connotations of the work, the concrete rigidity and sombre positioning of the head suggest queasiness, with a disorientation emerging from the figures inconceivable resistance to natural laws of gravity as it surveys over the vacant space: "The work has an effect on your feeling about the stability of the room. The position of the figure is one of pleading or supplication, associated with the Christian tradition that has framed Western societal development...Like a lot of the works from around that period that stand on the wall, it inserted itself into the architecture on its own terms" (ibid., p. 44).

According to Gormley, there is a direct correlation between *SICK* and *SEEDS*, which were both executed and displayed simultaneously at the Salvatore Ala Gallery in New York. In *SICK*, Gormley refers to a state of being that he finds prevalent in contemporary society, which coexists with the violence implied with his other work, *SEEDS*. The spiritual nature behind Gormley's work is hypnotizing, bringing the spectator into a state of reflection and meditation with an intrinsic anthropomorphic urgency. "Making sculpture stems from a need to leave a trace of existence, but there is an even greater need to challenge existence itself with mute objects that look back at us and question our materiality with their own" (A. Gormley, quoted in *Antony Gormley*, Steidl/mack, Gottingen, 2007, p. 9).



(detail of the present lot)

19

ANTONY GORMLEY b. 1950

SEEDS, 1986

lead

each unit 3 x 1 x 1 cm. (1⅛ x ¾ x ¾ in.); installation dimensions approximately 14 x 40 x 40 cm. (5½ x 15¾ x 15¾ in.)

Estimate £60,000-80,000 \$91,900-123,000 €70,300-93,800 ♠

PROVENANCE

Salvatore Ala Gallery, New York

EXHIBITED

New York, Salvatore Ala Gallery, *Antony Gormley*, 15 April - 31 May 1989

Dublin, Irish Museum of Modern Art, *The Weltkunst Collection*, 18 May - 5 October 1995

LITERATURE

Breaking the mould: British art of the 1980s and 1990s: the Weltkunst Collection, Exh. Cat., Irish Museum of Modern Art, London, 1997, p. 43

Michael Mack, ed., *Antony Gormley*, Steidlmack, Gottingen, 2007, p. 507

‘I want to start where language ends.’

ANTONY GORMLEY



SEEDS, executed in 1986, consists of a pile of lead bullets cast from an American-made 38-calibre bullet mould. The present lot is part of an earlier series of object works created by Gormley in the 1980's, where small objects would be encased in lead; however, with *SEEDS*, Gormley used solid lead objects instead of encasing the objects: "What interested me was the idea that the bullets were made to penetrate the skin, yet were made from the material I'd been using to re-make the skin of the body. I think it's important that they are at rest...which is the way that gravity allows things to have a kind of structure which reinforces their inertia or their benign state. This is in distinction to how they would be, were they fired from a gun" (A. Gormley, quoted in *Breaking the Mould: British Art of the 1980's and 1990's*, exh. cat., The Weltkunst Collection, Irish Museum of Modern Art, London, 1997, p. 43).

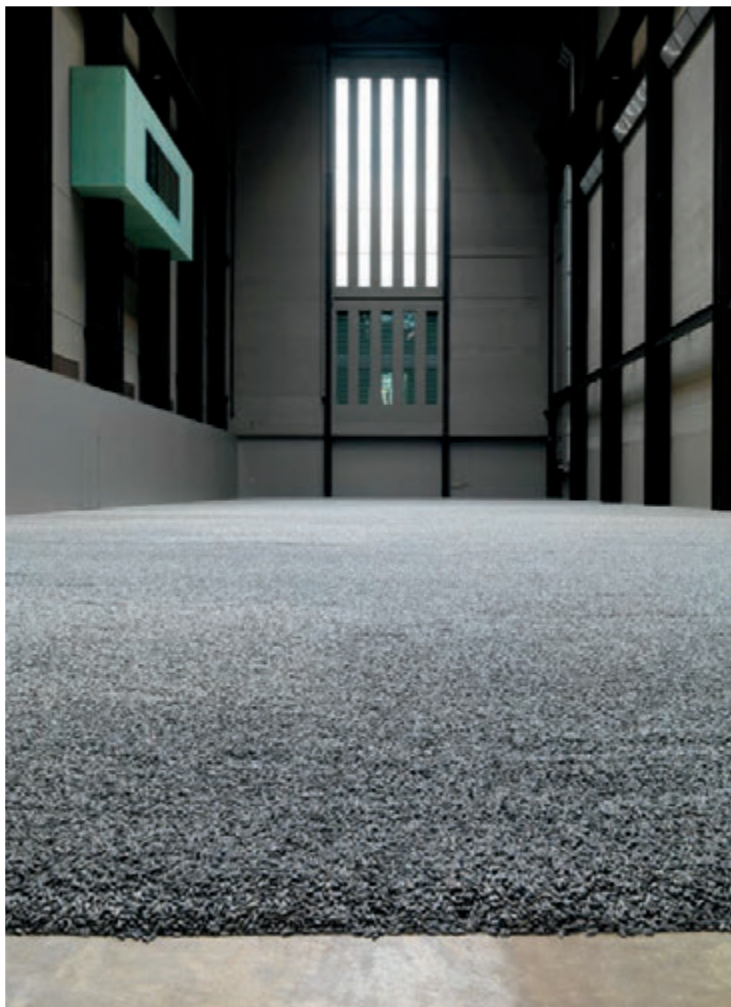


Felix Gonzalez-Torres
 "Untitled" (Portrait of Marcel Brient), 1992
 Candies individually wrapped in light blue cellophane, endless supply
 Overall dimensions vary with installation
 Ideal weight: 90 kg (198.5 lbs)
 © The Felix Gonzalez-Torres Foundation
 Courtesy of Andrea Rosen Gallery, New York

The presence of these "recently fired" bullets suggests the sickening potential of human nature, as well as a lethal implication through its subject and material. Gormley names this compilation of lead bullets *Seeds* to make an ironic statement: "human beings can not only work to feed themselves but also work to kill each other" (ibid. p. 42). Displayed simultaneously at the Salvatore Ala Gallery, the unsettling essence of *SICK* could be manifested by the morose action for which the bullets were used.

‘Like a seed, between death and the new life there is a point of stasis and silence, a time for reflection. Sculpture can use that time.’

ANTONY GORMLEY



Ai Weiwei, *Sunflower Seeds*, 2010, 100 million sunflower seeds porcelain, paint, Photo credit: Tate Photography © Ai Weiwei / Tate Photography



(detail of the present lot)

ANDY WARHOL 1928-1987*Electric Chairs*, 1971

The complete set of ten screenprints, in colours, on wove paper.

Each sheet 90 x 121.4 cm. (35 ¾ x 47 ¾ in.)

Signed and dated 'Andy Warhol '71' in black ballpoint pen and stamp numbered '064/250' on the reverse (there were also 50 artist's proofs in Roman numerals), published by Bruno Bischofberger, Zurich (with their copyright stamp on the reverse).

Estimate £60,000-80,000 \$91,900-123,000 €70,300-93,800

PROVENANCE

Private Collection, Switzerland

EXHIBITED

Hamburg, Deichtorhallen, *Andy Warhol - Retrospektive*, 1 July 1993 - 19 September 1993 (another example exhibited)

Sion, Musée Cantonal des Beaux-arts, *La force de la répétition*, 29 June 2001 - 17 September 2001 (another example exhibited)

Ingelheim, Boehringer Ingelheim, Rathaus der Stadt Ingelheim, *Andy Warhol. Me, Myself and I*, 1 May 2006 - 9 July 2006 (another example exhibited)

Amsterdam, Stedelijk Museum, *Andy Warhol. Other Voices, Other Rooms*, 12 October 2007 - 13 January 2008, then travelled to Stockholm, Moderna Museet (9 February 2008 - 4 May 2008), then travelled to London, The Hayward Gallery (8 October 2008 - 18 January 2009) (another example exhibited)

Florence, Galleria dell'Accademia, *Mapplethorpe. Perfection in Form*, 25 May 2009 - 27 September 2009 (another example exhibited)

LITERATURE

S. Feeser, *Die Rhein-Pfalz*, 6. June 2006, Rheinpfalz Verlag, Ludwigshafen, (illustrated in colour)

F. Feldman, J. Schellmann, Claudia Defendi, *Andy Warhol Prints - A Catalogue Raisonné* 1962-1987 (Fourth Edition, revised and expanded), Milan, 2003, P. 78/79, No II.74-83, (illustrated in colour)

D. Hickey et al., *Andy Warhol 'Giant' Size*, New York, 2006, p. 229, (illustrated in colour)

P. Rochard, *Andy Warhol. Me, Myself and I*, Ingelheim a.R., 2006, p. 146-151, No 72, (illustrated in colour)

E. Meyer-Hermann, *Andy Warhol. A Guide to 706 Items in 2 Hours 56 Minutes. Other Voices, Other Rooms*, Stedelijk Museum, Rotterdam, 2007, P. 44-45, (illustrated in colour)

R. Marrone, Bruno Bischofberger, *Andy Warhol. Big Retrospective Painting*, Zurich, 2009, P. 108, (illustrated in colour)

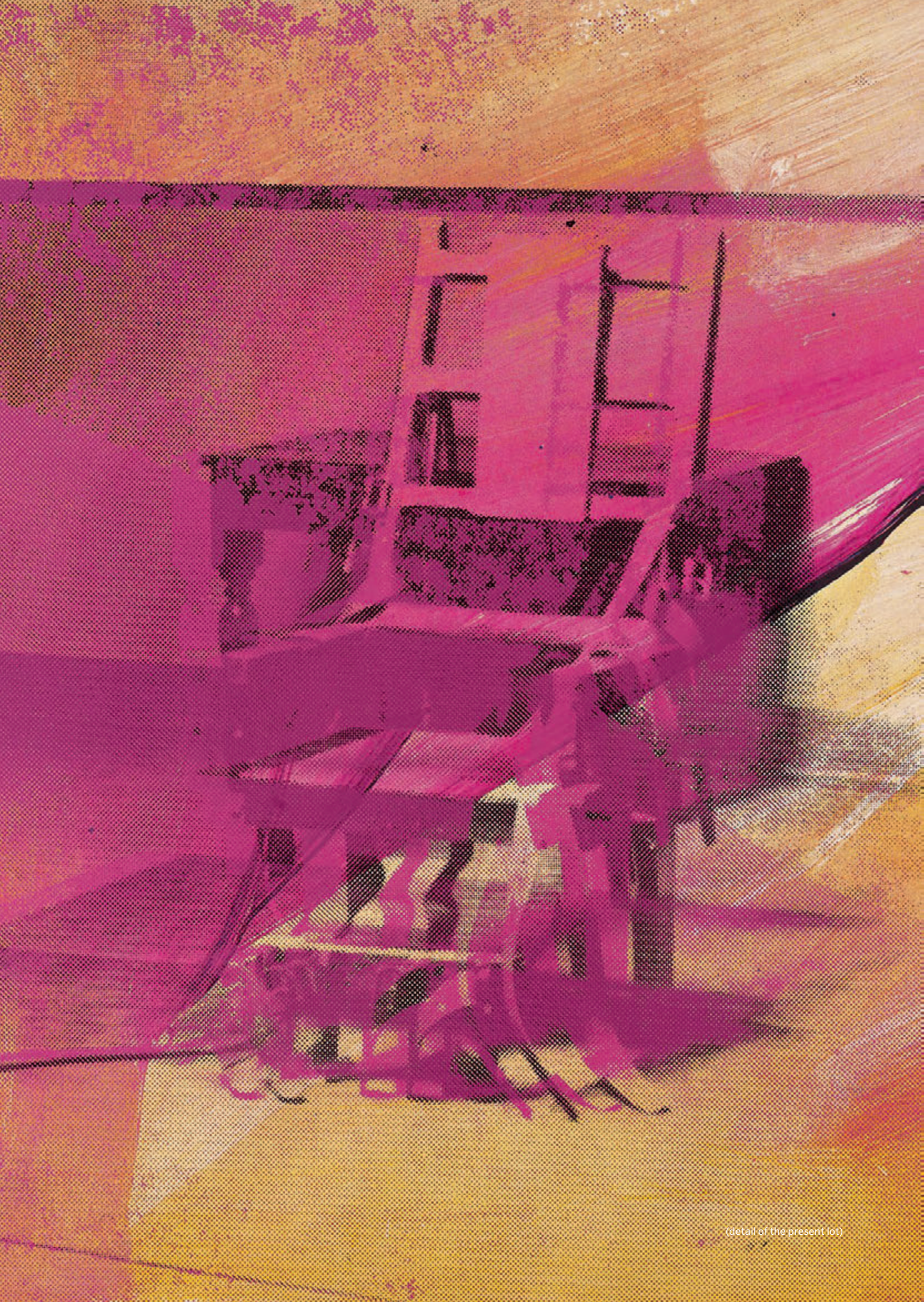
J. Nelson, Franca Falletti et al., *Mapplethorpe. Perfection in Form / La perfezione nella forma*, Kempen, 2009, P. 193 (6 of 10 sheets), No 88, (illustrated in colour)

‘The more you look at the same exact thing, the more the meaning goes away, and the better and emptier you feel’

ANDY WARHOL

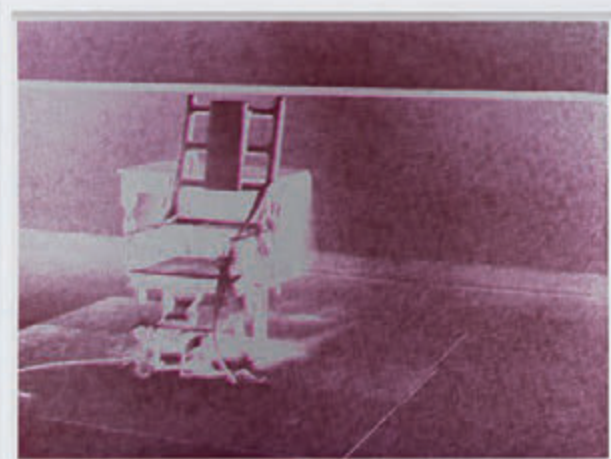
The present lot is a complete portfolio comprised of ten prints of the *Electric Chair*, each depicting the same image, while variations in color, exposure, and painterly gestures give a unique feature to each print. The picture used is derived from the *Electric Chair* paintings made by Warhol in the 1960's, now cropped to present the chair alone in the foreground.

Warhol's disturbing images of a solitary mechanism standing in an estranged concrete space is thought to be the electric chair from Sing Sing Penitentiary in Ossining, New York. Made infamous by the executions of the Rosenbergs, the electric chair was a topical subject in New York during this period, generating much public debate. Fundamentally a murder-machine fabricated by the same industrial system of mass production that produced Campbell soup cans and Coke bottles, the electric chair discerns pictorial truths of the death industry in America and the dark side of consumer capitalist culture.



(detail of the present lot)





21

GEORGE CONDO b. 1957

Smiling Smoker, 2006

oil on canvas

97 x 76.5 cm. (38¼ x 30⅞ in.)

Signed and dated 'Condo 06' on the reverse.

Estimate £100,000-150,000 \$153,000-230,000 €117,000-176,000

PROVENANCE

Private Collection, Switzerland

LITERATURE

George Condo, Exh. Cat., Simon Lee Gallery, London, 2007, p. 22
(illustrated)

‘I see them as fractions of humanity battling extinction.’

GEORGE CONDO





Edward Hopper, 1882-1967, *A woman in the Sun*, 1961, Oil on linen, Overall: 40 1/8 x 60 3/16 in. (101.9 x 152.9 cm). Whitney Museum of American Art, New York; 50th Anniversary Gift of Mr and Mrs Albert Hackett in honor of Edith and Lloyd Goodrich 84.31. © Heirs of Josephine N. Hopper, licensed by the Whitney Museum of American Art. Photograph by Sheldon C. Collins, courtesy of the Whitney Museum of American Art, New York.

"You're seduced by the willing eye and then stared at by the aggressive one. As you move into the portrait there is something paranoiac about each part." – George Condo (*Existential Portraits: Sculpture, Drawings, Paintings 2005/2006*, Holzwarth Publications, 2006, p.10)

There is more that meets the fervent eye of George Condo's *Smiling Smoker*. A quintessential work from Condo's seminal series, *Mental States*, the present lot is a prime reading of Condo's own artistic manifesto in its representation of the precariousness of human existence. Condo, humoured in his portraits, reveals the simple psychosis of everyday life. Playing upon exaggerated emotion, Condo's imagined sitters "are questioning their existence. Faced with despair, they decide to live way out there beyond the periphery of consciousness." (G. Condo, *Existential Portraits: Sculpture, Drawings, Paintings 2005/2006*, Holzwarth Publications, 2006, p.7)

Working entirely from memory without the aid of photographic source material, Condo's portraits are entirely autonomous snapshots of a moment captured within chaos. By breaking down one reality to construct another – more manic – version, Condo himself describes his process as transcribing a mental phenomenon (*Ibid*, p. 11). Condo's exaggerated and frenzied characters reflect the varying roles that each person plays in their daily lives, ultimately posing the question: Can anyone ever really be themselves? Set against a nondescript black background, Condo's half-nude woman is turned away yet catches the gaze of the viewer in an isolated moment, smoke trailing from her cigarette. Recalling Edward Hopper's pictures of the detached and melancholic views of American life, Condo, rendering his own unique composition and gaze, turns his canvases into a mirror for the spectators themselves. This study of the facades of human existence within contemporary society underpins Condo's Artificial Realism – a term coined by the artist in the eighties to describe "the realistic representation of that which is artificial." (*Ibid*, p.8)



Pablo Picasso, *Young Woman Holding a Cigarette* (*Jeune femme tenant une cigarette*), 1901 Oil on canvas, 29 x 20 1/8 inches (73.7 x 51.1 cm) The Barnes Foundation, BF318 Image. © 2013 The Barnes Foundation. © Succession Picasso / DACS, London 2013

Thus, beneath Condo's humorous and exuberant execution is the underlying idea of "the self" and how human existence seeks to escape it. As Condo describes, "[the portraits] are able to reflect the emotional range of a human being. They can embody the despair, the heartache, the love and the happiness of any of us. They're capable of all those things." (*Ibid*, p. 13)



(detail of the present lot)

22

MARCEL BROODTHAERS 1924-1976

Abbildung, 1973

typographic impressions on canvas (in 9 parts)

each framed (i) 78.7 x 100.5 cm. (30 $\frac{7}{8}$ x 39 $\frac{5}{8}$ in.), (ii)-(ix) 80.9 x 101.3 cm.
(31 $\frac{1}{8}$ x 39 $\frac{7}{8}$ in.)

Estimate £200,000-300,000 \$308,000-462,000 €235,000-353,000 ♠

PROVENANCE

Hirschl & Adler Modern, New York

LITERATURE

F. de Vree, *Marcel Broodthaers, oeuvres 1963-1975, Brussels*, 1990, pp. 188-189

D. Zwirner, *Marcel Broodthaers, Die Bilder die Worte die Dinge*, Cologne, 1997, p.146

‘The subject is denied by its use as the operational means for the conquest of space.’

MARCEL BROODTHAERS

“My aim is to change the signs for the reading of a poem...to show the extent to which the word is carried by the form.” (M. Broodthaers, *Actualité d'un bilan (News of a Balance Sheet)*, Paris, 1972). *Abbildung* consists of nine canvases that Marcel Broodthaers painted in 1973 to question the relationship between art and the reality it portrays. Stemming from a lasting impression with the work of Belgian Surrealist René Magritte, Broodthaers' work was specifically influenced by works where Magritte introduced text to contradict a visual image, consequently making several paintings and prints based on this idea. In fact, it was Magritte who had given Broodthaers a copy of *Mallarmé's Un Coup de Dés* which became a crucial source of inspiration for the artist.

The present lot defines not only its medium, but also its subject matter. The composition, while denying traditional artistic conventions, can be directly read which functions as the structural analysis of the painting. This results in the viewer being left to discover for themselves an association between the elements of the composition – one that is inherently subject to infinite change. Acting on the balance between illusion and the reality of artistic representation, *Abbildung* puts into question the suppositions of pictorial meaning.

Broodthaers exploration in the ways in which the viewer relates with an artwork and with the notions of art itself, reveal the significant influence of Magritte's principles on his work. What inspired Broodthaers in particular was the way in which Magritte used words to undermine the assumptions associated with images. Broodthaers stated, ‘Magritte denies the aesthetic nature of painting...he continues to elaborate a poetic language aimed at undermining that upon which we depend’. (M. Broodthaers, ‘Gare au Defi! Pop Art, Jim Dine, and the Influence of René Magritte’, trans. by Paul Schmidt, *October*, no.42, Fall 1987, p.34.)

The correlation between words and images is the foundation for Broodthaers *Abbildung*, a work in which images are removed entirely and the formal components of the composition are reduced to text, which highlight the degree of artifice involved in any form of artistic representation. Here the influence of Mallarmé reveals itself, as the French poet's work consisted of unconventionally arranged words on a page. Thus, *Abbildung* recalls Mallarmé's relationship between illusion and representation, his experimental layout and his exploration of the poetry of empty space. It challenges the beliefs that the meaning and feeling attached to a word is in part determined by its visual presentation on a page or any kind of surface. For Broodthaers, art was not about negotiating space but material forms and the framework within which they exist.

La bouteille

fig. 2

fig.

fig. 12

fig. 12

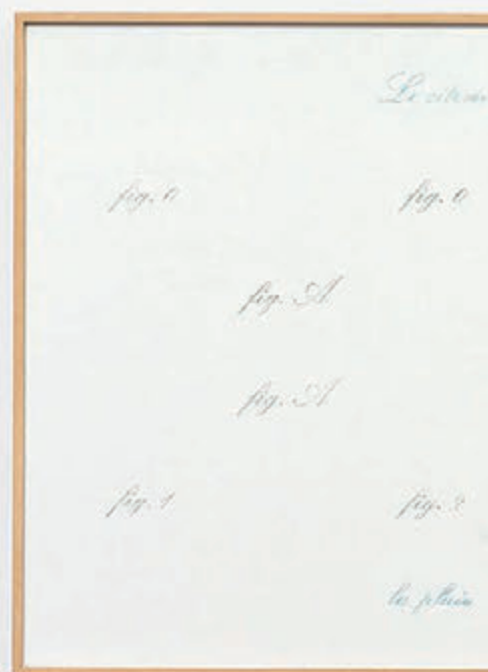
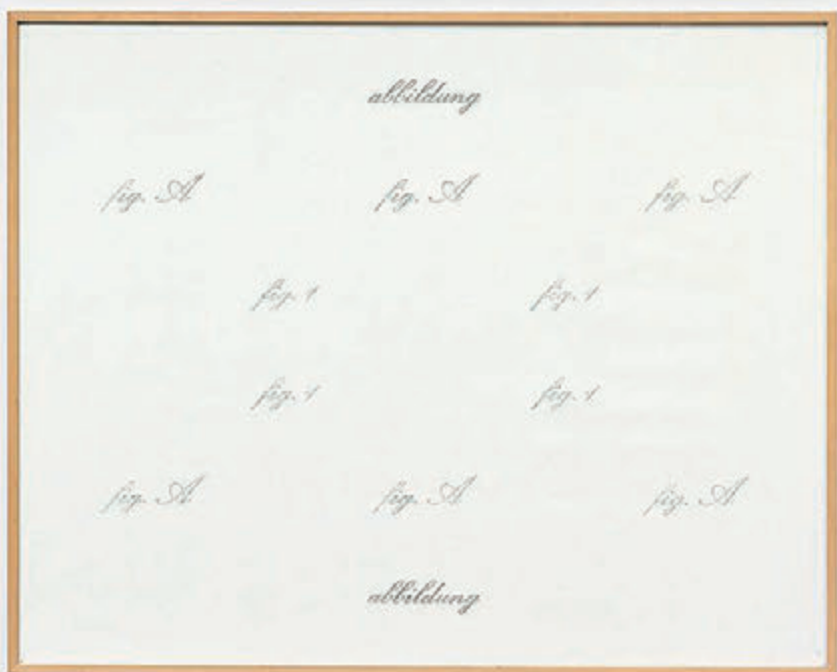
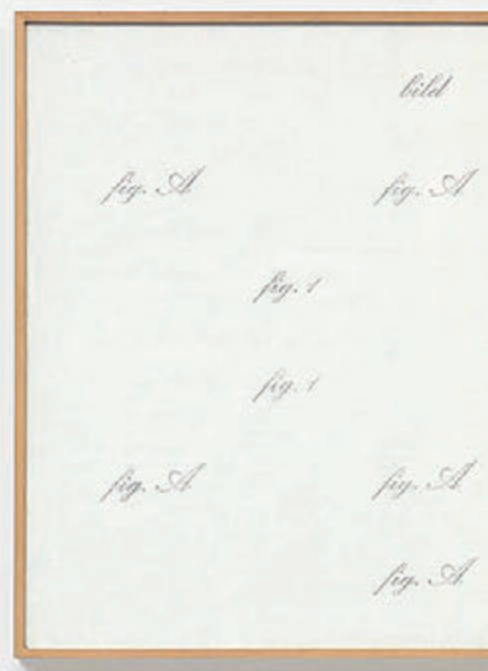
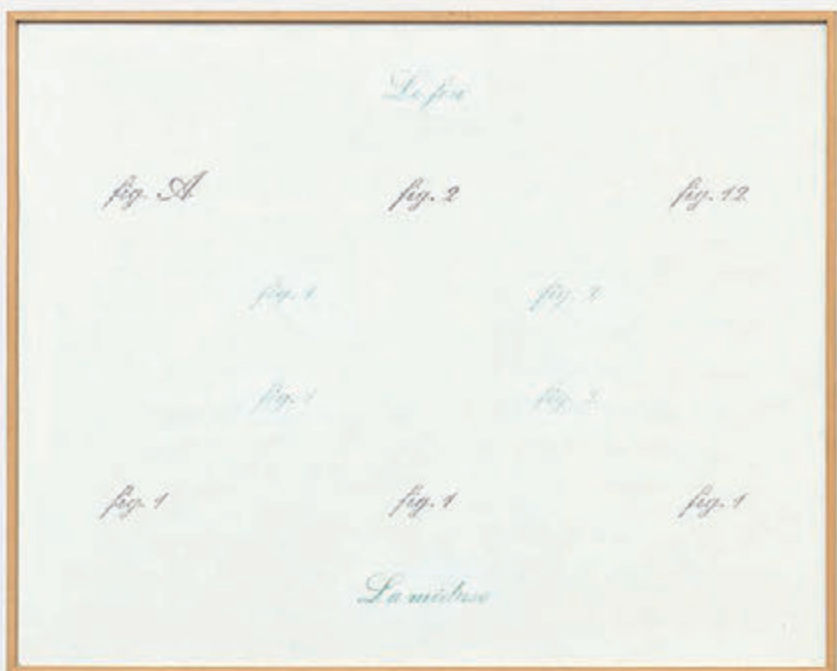
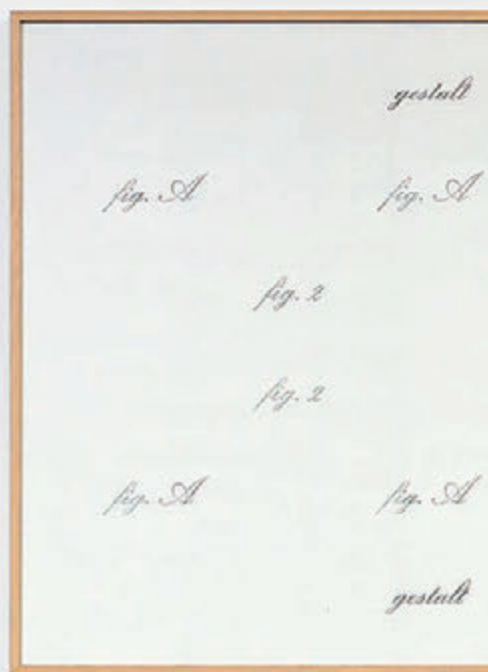
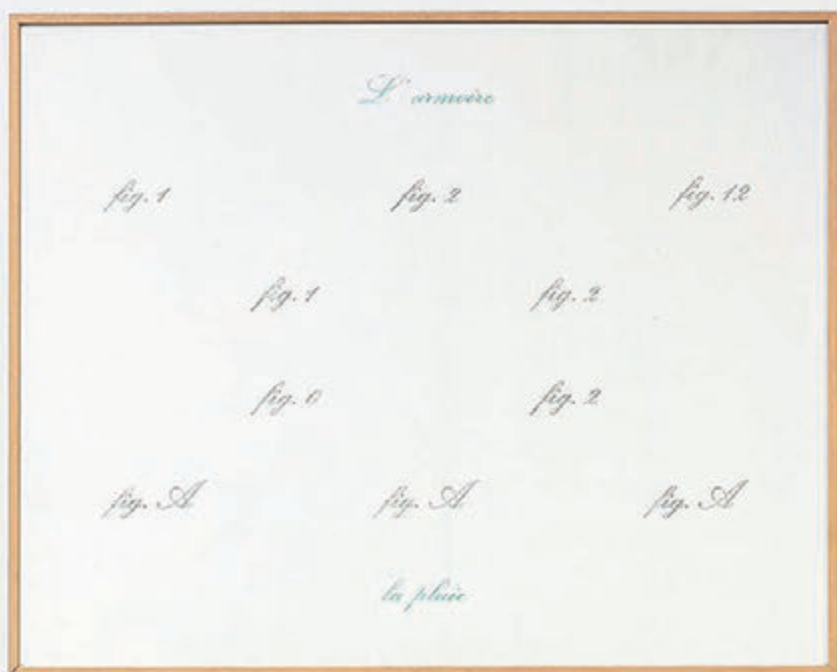
fig. 12

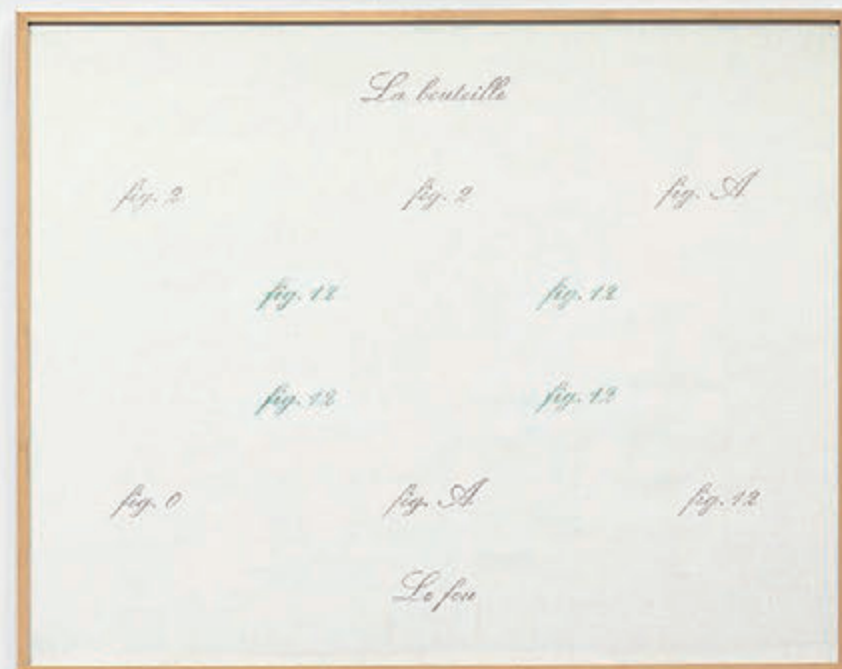
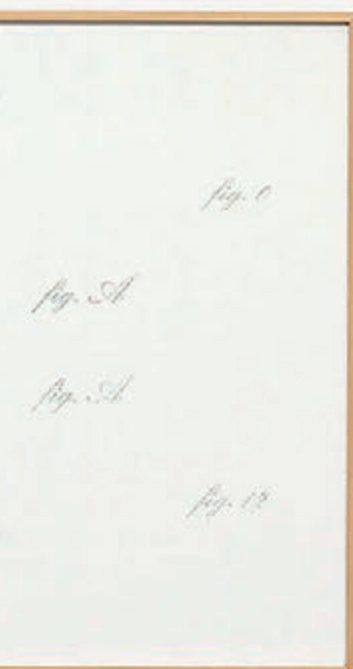
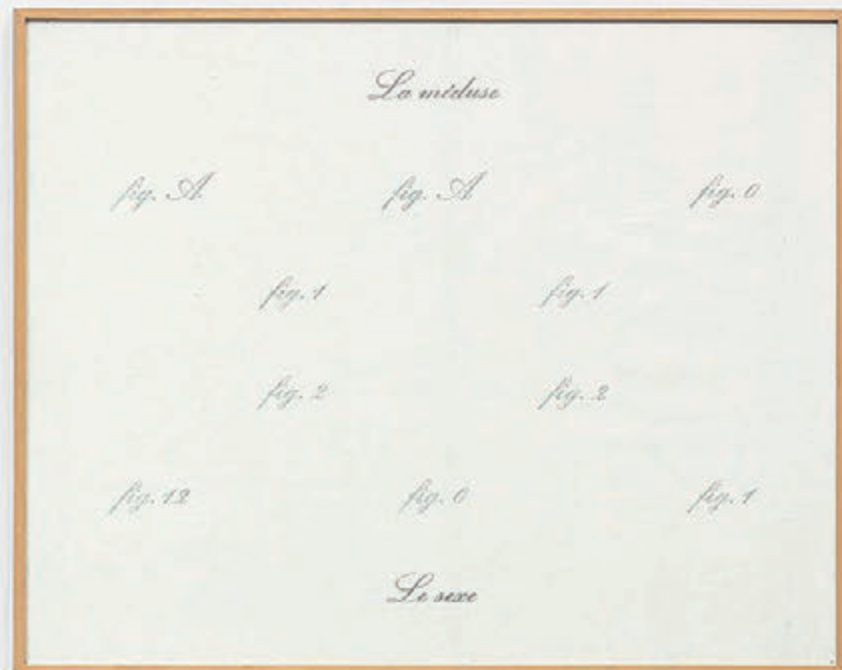
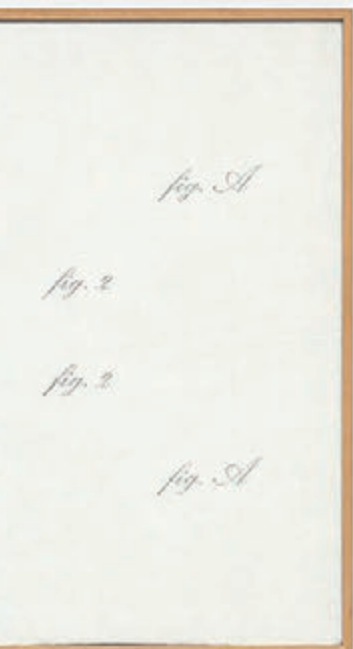
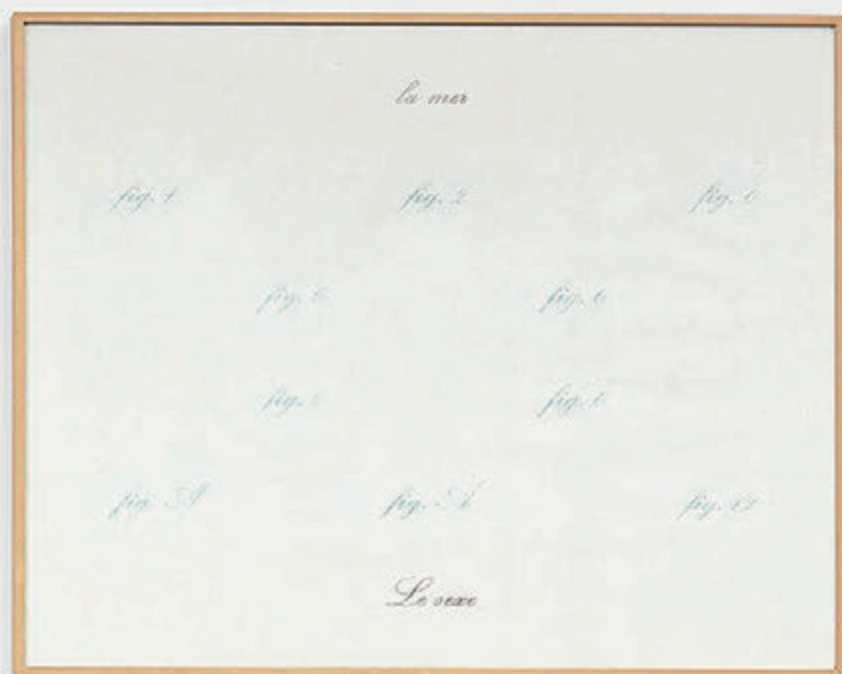
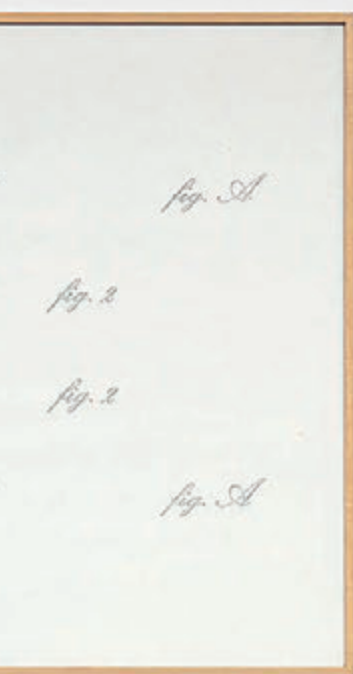
fig. 12

fig. A

fig.

Le fou





23

OSCAR MURILLO b. 1986

Untitled, 2011

oil, paper and debris on canvas

188.5 x 175 cm. (74¼ x 68⅞ in.)

This work is accompanied by a certificate of authenticity signed by the artist.

Estimate £20,000-30,000 \$30,600-46,000 €23,400-35,200 ♠ †

PROVENANCE

Carlos/Ishikawa, London

Private Collection, Belgium

Within a multifarious practice merging performance and painting, Colombian born, London raised artist Oscar Murillo hones in on the democratisation of art, thematically linking the two methods of approach. With reference to his own experience of two very different environments, Murillo continually explores divergent cultures, their cross fertilisation and notions of personal identity within them. These two facets of Murillo's work are articulated through performance such as *The Cleaners' Late Summer Party with COMME des GARÇONS* held at the Serpentine in 2012. Taking these events a step further, Murillo's paintings stand as a performance recorded, hence they can be read as an articulate translation of Murillo's artistic motives. The canvases themselves are deconstructed, folded, reassembled and are therefore, continually in progress, with Murillo citing Swiss artist Dieter Roth's process as inspiration for his own highly organic working method.

Performance and paintings are inextricably linked for Murillo, as "the individual canvases are very much the DNA; they record that movement, the process of making." (Interview, O. Murillo and L. Russell in *Bomb*, Issue 122, 2013, Online). In *Untitled*, Murillo's mark making is implemented through traditional artist's materials such as graphite

and oil, however, the performative nature of his practice accounts for the folds, the seams and the dirt. The latter, subtly references Murillo's overarching themes of democratic art and personal identity within a globalised world: "dirt [is] everywhere – New York, London, New Delhi... that's kind of democratic. At least for me." (Ibid.)

Murillo's work is fundamentally entrusted to his studio – whether it is his primary East London space or taking over one of the galleries in the Rubell Family Collection for one summer in Miami – Murillo is tied to his working environment. The final outcome of works such as *Untitled*, are indicative of the freedom of his practice, combining a sense of resourcefulness and overarching fluidity. Working on his studio floor, Murillo describes it as "a cradle of dust and dirt, of pollution. I don't tidy up at the end of each production process. It's all very much on purpose; it's continuous process, a machine of which I'm the catalyst. Things get moved around, I step on them, and they get contaminated. It's not about leaving traces, it's about letting things mature on their own—like aging cheese or letting a stew cook, they get more flavourful. That's kind of how these paintings are made." (Ibid.)

‘It’s not about leaving traces, it’s about letting things mature on their own.’

OSCAR MURILLO



24

STERLING RUBY b. 1972

Alabaster SR10-9, 2010

acrylic in artist's frame

174.6 x 175.3 cm. (68¾ x 69 in.)

Estimate £60,000-80,000 \$91,900-123,000 €70,300-93,800

PROVENANCE


Pace Gallery, New York

Sterling Ruby's interdisciplinary works are visually charged indicators and allegories for the burdens that afflict contemporary existence, serving as a visual expression of his interest in psychology, industry, urban culture, and American society. The artist's oeuvre channels the conflicts prevalent throughout contemporary society, engaging in irrationality and dysfunctional psychology, but more specifically focusing on the gap between the individual impulse and restrictions that abound due to mechanisms of social control. His multifaceted practice exploits limitations of form, scale and materials: a process which allows for this manipulation of abject or marginalised subject matter.

Alabaster SR10-9 perfectly communicates the artist's concern with such dichotomies: a patent rejection of the rigidity of minimal art, it is a quintessential example of Ruby's attempt to breach the confines of societal structure. His critique of Minimalism and its repressive and rigid lines is evident in the present lot, where his commonly used 'dripping effect' of acrylic paint acts as a strain disparately drenching the blank canvas – one which arguably reflects the strain that plague many in a society where repression, conformity and aggression are the norm. Applied with expressionistic fervour, the piece visually articulates Sterling Ruby's struggle with the minimalist aim to represent objects with no personification, and simultaneously reveal a tension between decoration and defacement: as the artist himself states, "Everything I do holds a kind of gesture in it. For me, it's this kind of dramatic gesture. A truncated gesture. It's like an expression that was as one point very fervent and then it just gets kind of stopped." (Sterling Ruby, in an interview with Hans-Maarten in *Utopia Parkway*, 10 December 2009.)





The background of the entire image is a classic marbled paper pattern. It features intricate, swirling, and veined designs in shades of light beige, cream, and off-white, set against a darker, muted taupe or brownish-gold background. The pattern is dense and organic, resembling the natural flow of ink or stone.

‘I like to think about art as being similar to poetry: it can’t be proven. It just exists and there’s an aura about it that people get or don’t get.’

STERLING RUBY

25

JACOB KASSAY b. 1984

Untitled, 2008

acrylic and silver deposit on canvas

122 x 91.5 cm. (48 x 36 in.)

Signed and dated 'Kassay 08' on the reverse.

Estimate £70,000-90,000 \$107,000-138,000 €82,000-105,000 ₣

PROVENANCE

Eleven Rivington, New York

‘The whole point is that the thing is being absolutely transformed, also that I was somehow removed in this process, all I had to do was develop a support for the catalyst and then it was then out of my hands.’

JACOB KASSAY

Created in 2008, *Untitled* is a quintessential example of Jacob Kassay's technique: electro-plated silver over a base of acrylic on canvas. After priming the canvas with wide brushstrokes of an acrylic base the painting is then electroplated in silver. Beyond the artist's control, the surface experiences an intricate chemical metamorphosis, crystallizing inadvertent components of the canvas and creating eccentricities throughout. Dark and smoky edges appear on the metallic surface, a product of exposed areas of canvas that were burned in the plating process. Kassay's mode of production, also a derivative of archaic 19th century photographic techniques, transcends traditional aesthetic categories. Through his inventive style, Kassay creates luxurious paintings that appear to be gracefully beaten.

In the present lot, there is an inherent performative aspect that is generated by both the interaction of colour, light, and movement and a juxtaposition of opaque and reflective qualities. Expecting to see a reflection in the looking glass, the viewer is instead confronted with an ethereal apparition. This playfulness encourages bystanders to ponder notions of perception as they stare into Kassay's fictitious mirror. The soft and polished surface of the painting is susceptible to constant change by the wandering spectator; a shift of light is capable of modifying the original and appearance of the painting. This sensitivity is meticulously crafted, carefully constructed to negate a single homogeneous image.



26

RASHID JOHNSON b. 1977

Cosmic Slop, 2008

black soap, microcrystalline wax on board

213.4 x 213.4 cm (84 x 84 in)

This work is accompanied by a certificate of authenticity signed by the artist.

Estimate £60,000-80,000 \$91,900-123,000 €70,300-93,800 ±

PROVENANCE

Richard Gray Gallery, Chicago

Stemming out of Rashid Johnson's on-going eponymous *Cosmic Slop* series, the present lot exemplifies the complexity of the artist's gaze and association. Comprised of liquefied black soap and melted microcrystalline black wax layered on board, Johnson creates a uniquely lavish and tactile surface of undulating composition contained within the parameters of geometrical form. The effect is a work that appears at once malleable and concrete; a smooth opaque abyss-like plane giving way to topographical forms, traces of small incisions and dents picked-up by reflections light. Indeed, *Cosmic Slop*, 2008, "resemble[s] the endless, star-pricked dark of the night sky" (*Rashid Johnson: Shelter*, Exh. cat., South London Gallery, 2012, p.13), a meditation on the irreducible concept of self-location.

Johnson's *Cosmic Slop* paintings, which borrow their titles from a song by psychedelic soul band Parliament-Funkadelic, are explorations into the history of non-objective monochrome painting as much as they engage with everyday materials that hold a personal relationship to Afrocentrism. Engaging with the art historical lineage of *Black Paintings* by artists such as Clifford Still, Frank Stella and Robert

‘For me the undefined, in-between space is where it gets interesting.’

RASHID JOHNSON

Rauschenberg as well as the domestic objects and music that informed aspects of Johnson's identity, *Cosmic Slop* is an amalgamation of intersecting histories and interpretations; a sort of black mirror, where clarity and reflection are disrupted altogether. Staring at the composition of black soap and wax, "[t]he world of the looking glass is clouded over, or sealed off, and we're left to contemplate Johnson's tangled glyphs, and find in them some reflection of our own tangled hearts and minds." (*Rashid Johnson: Shelter*, Exh. cat., South London Gallery, 2012, p.14)

Commonly linked to the Post-Black art movement or Post-Black-gaze, a genre that investigates race while problematizing a singular notion of black experience, Rashid Johnson's work delves into issues of personal and cultural identity. The artist produces distinctive amalgams of historical and material references that are grounded in African-American culture and art history while expanding into the vast qualities of mysticism and cosmology. *Cosmic Slop*, 2008, elegantly communicates the power of the gaze, presenting the viewer with a contemplative space within an abstract field.



27

MARC QUINN b. 1964

Separation of Body and Soul (Ultramarine), 2011

oil on canvas

169 x 273.5 cm. (66½ x 107⅞ in.)

Signed and dated 'Marc Quinn 2011' on the reverse.

Estimate £80,000-120,000 \$123,000-184,000 €93,800-141,000 ₣ ♣

PROVENANCE

Private Collection, Europe

‘Orchids are like perfectly evolved little sculptures in themselves,
they’re full of colour, interesting shapes and beauty.’

MARC QUINN







GUIDE FOR PROSPECTIVE BUYERS

BUYING AT AUCTION

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

CONDITIONS OF SALE

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

BUYER’S PREMIUM

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

VAT

Value added tax (VAT) may be payable on the hammer price and/or the buyer’s premium. The buyer’s premium may attract a charge in lieu of VAT. Please read carefully the VAT AND OTHER TAX INFORMATION FOR BUYERS section in this catalogue.

1 PRIOR TO AUCTION
Catalogue Subscriptions

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

Pre-Sale Estimates

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

Pre-Sale Estimates in US Dollars and Euros

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

Catalogue Entries

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

Condition of Lots

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

Pre-Auction Viewing

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

Electrical and Mechanical Lots

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

Symbol Key

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

○ **Guaranteed Property**

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

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.

♠ **Property Subject to the Artist’s Resale Right**

Lots marked with ♠ are subject to the Artist’s Resale Right calculated as a percentage of the hammer price and payable as part of the purchase price as follows:

Portion of the Hammer Price (in EUR)	Royalty Rate
From 0 to 50,000	4%
From 50,000.01 to 200,000	3%
From 200,000.01 to 350,000	1%
From 350,000.01 to 500,000	0.5%
Exceeding 500,000	0.25%

The Artist’s Resale Right applies where the hammer price is EUR 1,000 or more, subject to a maximum royalty per lot of EUR 12,500. Calculation of the Artist’s Resale Right will be based on the pounds sterling/euro reference exchange rate quoted on the date of the sale by the European Central Bank.

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.

†, §, ‡, or Ω **Property Subject to VAT**

Please refer to the section entitled ‘VAT AND OTHER TAX INFORMATION FOR BUYERS’ in this catalogue for additional information.

2 BIDDING IN THE SALE

Bidding at Auction

Bids may be executed during the auction in person by paddle or by telephone or prior to the sale in writing by absentee bid. **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 multilingual 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 £500. 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 VAT, which we can execute on your behalf in the event we are unable to reach you by telephone.

Absentee Bids

If you are unable to attend the auction and cannot participate by telephone, Phillips 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 VAT. 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.

UK£50 to UK£1,000	by UK£50s
UK£1,000 to UK£2,000	by UK£100s
UK£2,000 to UK£3,000	by UK£200s
UK£3,000 to UK£5,000	by UK£200s, 500, 800 (e.g. UK£4,200, 4,500, 4,800)
UK£5,000 to UK£10,000	by UK£500s
UK£10,000 to UK£20,000	by UK£1,000s
UK£20,000 to UK£30,000	by UK£2,000s
UK£30,000 to UK£50,000	by UK£2,000s, 5,000, 8,000
UK£50,000 to UK£100,000	by UK£5,000s
UK£100,000 to UK£200,000	by UK£10,000s
above UK£200,000	at the 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 have been agreed with Phillips in writing in advance of the sale. Payment must be made in pounds sterling either by cash, cheque drawn on a UK 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 the local currency equivalent of US\$10,000.

Credit Cards

As a courtesy to clients, Phillips will accept American Express, Visa, MasterCard and UK-issued debit cards to pay for invoices of £50,000 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. After the auction, we will transfer all lots to our fine art storage facility located near Wimbledon and will so advise all buyers. If you are in doubt about the location of your purchase, please contact the Shipping Department prior to arranging collection. 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 do not provide packing, handling or shipping services directly. However, we will coordinate with shipping agents instructed by you in order to facilitate the packing, handling and shipping of property purchased at Phillips. Please refer to Paragraph 7 of the Conditions of Sale for more information.

Export and Import Licences

Before bidding for any property, prospective bidders are advised to make independent enquiries as to whether a licence is required to export the property from the United Kingdom 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 licences or permits. The denial of any required licence or permit or any delay in obtaining such documentation will not justify the cancellation of the sale or any delay in making full payment for the lot.

Endangered Species

Items made of or incorporating plant or animal material, such as coral, crocodile, ivory, whalebone, rhinoceros horn or tortoiseshell, irrespective of age, percentage or value, may require a licence or certificate prior to exportation and additional licences or certificates upon importation to any country outside the European Union (EU). Please note that the ability to obtain an export licence or certificate does not ensure the ability to obtain an import licence 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 licences or certificates as well as any other required documentation. The denial of any required licence or certificate or any delay in obtaining such documentation will not justify the cancellation of the sale or any delay in making full payment for the lot. 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.

IMPORTANT NOTICES

Items Sold under Temporary Admission

We wish to draw your attention to changes recently made to items sold under temporary admission (originally called temporary importation). The cancelling or refunding of applicable VAT is now subject to items being exported from the EU within 30 days of payment, rather than 90 days from the date of sale as previously required. For up-to-date information on this matter, please refer to the section entitled **VAT and Other Tax Information for Buyers** below.

Identification of Business or Trade Buyers

As of January 2010, Her Majesty’s Revenue & Customs (“HMRC”) has made it an official requirement for auction houses to hold evidence of a buyer’s business status, due to the revised VAT rules regarding buyer’s premium for lots with symbols for businesses outside the UK.

- Where the buyer is a non-EU business, Phillips requires evidence of the business status by means of the company identification, Certificate of Incorporation, Articles of Association or government-issued documents showing that the company exists.
- Where the buyer is an EU VAT registered business, Phillips requires the above as well as the business’s VAT registration number in the form of a government-issued document or paperwork from the local EU tax/VAT office showing the VAT number.

These details can be scanned and emailed to us, or alternatively they can be faxed or mailed. **If these requirements are not met, we will be unable to cancel/refund any applicable VAT.**

VAT AND OTHER TAX INFORMATION FOR BUYERS

The following paragraphs provide general information to buyers on the VAT and certain other potential tax implications of purchasing property at Phillips. This information is not intended to be complete. In all cases, the relevant tax legislation takes precedence, and the VAT rates in effect on the day of the auction will be the rates charged. It should be noted that, for VAT purposes only, Phillips is not usually treated as agent and most property is sold as if it is the property of Phillips. In the following paragraphs, reference to VAT symbols shall mean those symbols located beside the lot number or the pre-sale estimates in the catalogue (or amending saleroom addendum).

1 PROPERTY WITH NO VAT SYMBOL

Where there is no VAT symbol, Phillips is able to use the Auctioneer's Margin Scheme, and VAT will not normally be charged on the hammer price. Phillips must bear VAT on the buyer's premium. Therefore, we will charge an amount in lieu of VAT at 20% on the buyer's premium. This amount will form part of the buyer's premium on our invoice and will not be separately identified.

2 PROPERTY WITH A † SYMBOL

These lots will be sold under the normal UK VAT rules, and VAT will be charged at 20% on both the hammer price and buyer's premium. Where the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country then no VAT will be charged on the buyer's premium. This is subject to Phillips being provided with evidence of the buyer's VAT registration number in the relevant Member State (non-UK) or the buyer's business status in a non-EU country such as the buyer's Tax Registration Certificate. Should this evidence not be provided then VAT will be charged on the buyer's premium.

3 PROPERTY WITH A \$ SYMBOL

Lots sold to buyers whose registered address is in the EU will be assumed to be remaining in the EU. The property will be invoiced as if it had no VAT symbol. However, if an EU buyer advises us that the property is to be exported from the EU, Phillips will re-invoice the property under the normal VAT rules. Lots sold to buyers whose address is outside the EU will be assumed to be exported from the EU. The property will be invoiced under the normal VAT rules. Although the hammer price will be subject to VAT, the VAT will be cancelled or refunded upon export. The buyer's premium will always bear VAT unless the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country, subject to Phillips receiving evidence of the buyer's VAT registration number in the relevant Member State (non-UK) or the buyer's business status in a non-EU country such as the buyer's Tax Registration Certificate. Should this evidence not be provided VAT will be charged on the buyer's premium.

4 PROPERTY SOLD WITH A ‡ OR Ω SYMBOL

These lots have been imported from outside the EU to be sold at auction under temporary admission. Property subject to temporary admission will be offered under the Auctioneer's Margin Scheme and will be subject to import VAT of either 5% or 20%, marked by ‡ and Ω respectively, on the hammer price and an amount in lieu of VAT at 20% on the buyer's premium. Anyone who wishes to buy outside the Auctioneer's Margin Scheme should notify the Client Accounting Department before the sale.

Where lots are sold outside the Auctioneer's Margin Scheme and the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country then no VAT will be charged on the buyer's premium. This is subject to Phillips receiving evidence of the buyer's VAT registration number in the relevant Member State (non-UK) or the buyer's business status in a non-EU country such as the buyer's Tax Registration Certificate. Should this evidence not be provided VAT will be charged on the buyer's premium.

5 EXPORTS FROM THE EUROPEAN UNION

The following types of VAT may be cancelled or refunded by Phillips on exports made within three months of the sale date if strict conditions are met:

- The amount in lieu of VAT charged on the buyer's premium for property sold under the Auctioneer's Margin Scheme (i.e., without a VAT symbol).
- The VAT on the hammer price for property sold under the normal VAT rules (i.e., with a † or a \$ symbol).

The following type of VAT may be cancelled or refunded by Phillips on exports made within 30 days of payment date if strict conditions are met:

- The import VAT charged on the hammer price and an amount in lieu of VAT on the buyer's premium for property sold under temporary admission (i.e., with a ‡ or a Ω symbol) under the Auctioneer's Margin Scheme.

In each of the above examples, where the appropriate conditions are satisfied, no VAT will be charged if, at or before the time of invoicing, the buyer instructs Phillips to export the property from the EU. If such instruction is received after payment, a refund of the VAT amount will be made.

Where the buyer carries purchases from the EU personally or uses the services of a third party, Phillips will charge the VAT amount due as a deposit and refund it **if the lot has been exported within the timelines specified below** and either of the following conditions are met:

- For lots sold under the Auctioneer's Margin Scheme or the normal VAT rules, Phillips is provided with appropriate documentary proof of export from the EU within three months of the date of sale. Buyers carrying their own property should obtain hand-carry papers from the Shipping Department to facilitate this process.
- For lots sold under temporary admission, Phillips is provided with a copy of the correct paperwork duly completed and stamped by HMRC which shows the property has been exported from the EU via the UK within 30 days of payment date. It is essential for shippers acting on behalf of buyers to collect copies of original import papers from our Shipping Department. HMRC insist that the correct customs procedures are followed and Phillips will not be able to issue any refunds where the export documents do not exactly comply with governmental regulations. Property subject to temporary admission must be transferred to another customs procedure immediately if any restoration or repair work is to be carried out.

Buyers carrying their own property must obtain hand-carry papers from the Shipping Department, for which a charge of £20 will be made. The VAT refund will be processed once the appropriate paperwork has been returned to Phillips. Phillips is not able to cancel or refund any VAT charged on sales made to UK or EU private residents unless the lot is subject to temporary admission and the property is exported from the EU **within 30 days of payment date**. Any refund of VAT is subject to a minimum of £50 per shipment and a processing charge of £20.

Buyers intending to export, repair, restore or alter lots under temporary admission should notify the Shipping Department before collection. Failure to do so may result in the import VAT becoming payable immediately and Phillips being unable to refund the VAT charged on deposit.

6 VAT REFUNDS FROM HM REVENUE & CUSTOMS

Where VAT charged cannot be cancelled or refunded by Phillips, it may be possible to seek repayment from HMRC. Repayments in this manner are limited to businesses located outside the UK and may be considered for example for Import VAT charged on the hammer price for lots sold under temporary admission.

All claims made by customers located in another member state to the UK will need to be made under a new mechanism from 1 January 2010. The process prior to 1 January 2010 is no longer in operation.

If you are located in an EU member state other than the UK you will now need to apply for a refund of UK VAT directly to your local tax authority. This is done via submission of an electronically based claim form which should be accessed through the website of your local tax authority. As a result, your form may include VAT incurred in a number of member states. Furthermore, from 1 January 2010 you should only submit one form per year, rather than submitting forms throughout the year.

Please note that the time limits by which you must make a claim have been extended. When making a claim for VAT incurred in another EU member state any claim will still be made on a **calendar year basis** but must now be made no later than **30 September** following that calendar year. This effectively extends the time by which claims should be made by three months (e.g., for VAT incurred in the year 1 January to 31 December 2010 you should make a claim to your local tax authority no later than 30 September 2011). Once you have submitted the electronic form to your local tax authority it is their responsibility to ensure that payment is obtained from the relevant member states. This should be completed within four months. If this time limit is not adhered to you may receive interest on the unpaid amounts.

If you are located outside the EU you should apply for a refund of UK VAT directly to HMRC (the rules for those located outside of the EU have not changed). Claim forms are only available from the HMRC website. Go to hmrc.gov.uk, select Forms under Quick Links and then Find a Form. The relevant form is VAT65A. Completed forms should be returned to: HM Revenue & Customs, VAT Overseas Repayments, 8th/13th Directive, PO Box 34, Foyle House, Duncreggan Road, Londonderry BT48 7AE, Northern Ireland, (tel) +44 (0)2871 305100 (fax) +44 (0)2871 305101, [email enq.oru.ni@hmrc.gsi.gov.uk](mailto:enq.oru.ni@hmrc.gsi.gov.uk).

You should submit claims for VAT to HMRC no later than **six months** from the end of the 12 month period ending **30 June** (e.g., claims for the period 1 July 2011 to 30 June 2012 should be made no later than 31 December 2012).

Please note that refunds of VAT will only be made where VAT has been incurred for a business purpose. Any VAT incurred on articles bought for personal use will not be refunded.

7 SALES AND USE TAXES

Buyers from outside the UK should note that local sales taxes or use taxes may become payable upon import of lots following purchase. Buyers should consult their own tax advisors.

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 at 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 value added tax (VAT). 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 £500. 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) When making a bid, whether in person, by absentee bid or on the telephone, a bidder accepts personal liability to pay the purchase price, as described more fully in Paragraph 6 (a) below, plus all other applicable charges unless it has been explicitly agreed in writing with Phillips 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.

(e) By participating in the auction, whether in person, by absentee bid or on the telephone, 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.

(f) Arranging absentee and telephone 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.

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

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

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

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

6 PURCHASE PRICE AND PAYMENT

(a) The buyer agrees to pay us, in addition to the hammer price of the lot, the buyer's premium, plus any applicable value added tax (VAT) and any applicable resale royalty (the 'Purchase Price'). The buyer's premium is 25% of the hammer price up to and including £50,000, 20% of the portion of the hammer price above £50,000 up to and including £1,000,000 and 12% of the portion of the hammer price above £1,000,000. 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) VAT is payable in accordance with applicable law. All prices, fees, charges and expenses set out in these Conditions of Sale are quoted exclusive of VAT.

(c) If the Artist's Resale Right Regulations 2006 apply to the lot, the buyer agrees to pay to us an amount equal to the resale royalty provided for in those regulations and we undertake to the buyer to pay such amount to the artist's collection agent. In circumstances where (i) we are on notice that the resale royalty is payable or (ii) we have not been able to ascertain the nationality of the artist, we will identify the lot with the symbol next to the lot number and will invoice the resale royalty to the buyer. If we subsequently determine that the nationality of the artist does not entitle him/her to the resale royalty on the lot, we will arrange a refund to the buyer of the amount of the royalty paid to us. If, after a sale in which we did not collect the resale royalty on a particular lot, we become aware that information provided to us prior to the auction concerning an artist's nationality was incorrect and the artist is entitled to the resale royalty on the lot, the buyer shall pay the resale royalty to us upon receipt of an invoice.

(d) 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 pounds sterling either by cash, cheque drawn on a UK 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 the local currency equivalent of US\$10,000.

(ii) Personal cheques and banker's drafts are accepted if drawn on a UK bank and the buyer provides to us acceptable government-issued identification. Cheques and banker's drafts should be made payable to "Phillips". If payment is sent by post, please send the cheque or banker's draft to the attention of the Client Accounting Department at Howick Place, London SW1P 1BB and ensure that the sale number is written on the cheque. Cheques 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 will be provided on the Invoice for purchased lots.

(e) As a courtesy to clients, Phillips will accept American Express, Visa, MasterCard and UK-issued debit cards to pay for invoices of £50,000 or less. A processing fee will apply.

(f) 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 us at +44 (0) 207 318 4081 or +44 (0) 207 318 4082 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. After the auction, we will transfer all lots to our fine art storage facility located near Wimbledon and will so advise all buyers. Purchased lots are at the buyer's risk, including the responsibility for insurance, from (i) the date of collection or (ii) seven days after the auction, whichever is the earlier. 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 do not provide packing, handling, insurance or shipping services. We will coordinate with shipping agents instructed by the buyer, whether or not recommended by Phillips, in order to facilitate the packing, handling, insurance and shipping of property bought at Phillips. Any such instruction 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.

(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 charges for each uncollected lot of £10 per day for storage, administrative expenses and liability for loss or damage. 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; (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, all sale-related expenses and any applicable taxes thereon; (vi) resell the lot by auction or private sale, with estimates and a reserve set at Phillips's reasonable discretion, it being understood that in the event such resale is for less than the original hammer price and buyer's premium for that lot, the buyer will remain liable for the shortfall together with all costs incurred in such resale; (vii) commence legal proceedings to recover the hammer price and buyer's premium for that lot, together with interest and the costs of such proceedings; (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) The buyer irrevocably authorizes Phillips to exercise a lien over the buyer's property which is in our possession upon notification by any of our affiliated companies that the buyer is in default of payment. Phillips will notify the buyer of any such lien. The buyer also irrevocably authorizes Phillips, upon notification by any of our affiliated companies that the buyer is in default of payment, 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.

(c) If the buyer is in default of payment, the buyer irrevocably authorizes Phillips to instruct any of our affiliated companies in possession of the buyer's property to deliver the property by way of pledge as the buyer's agent to a third party instructed by Phillips to hold the property on our behalf as security for the payment of the Purchase Price and any other amount due and, no earlier than 30 days from the date of written notice to the buyer, to sell the property in such manner and for such consideration as can reasonably be obtained on a forced sale basis and to apply the proceeds to any amount owed to Phillips or any of our affiliated companies after the deduction from sale proceeds of our standard vendor's commission, all sale-related expenses and any applicable taxes thereon.

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 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 LICENCES AND PERMITS

Before bidding for any property, prospective buyers are advised to make their own enquiries as to whether a licence is required to export a lot from the United Kingdom or to import it into another country. Prospective buyers are advised that some countries prohibit the import of property made of or incorporating plant or animal material, such as coral, crocodile, ivory, whalebone, rhinoceros horn or tortoiseshell, irrespective of age, percentage or value. Accordingly, prior to bidding, prospective buyers considering export of purchased lots should familiarize themselves with relevant export and import regulations of the countries concerned. It is solely the buyer's responsibility to comply with these laws and to obtain any necessary export, import and endangered species licences or permits. Failure to obtain a licence 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 related services and other products and services, or as required by law, Phillips may ask clients to provide personal information about themselves or in certain other cases (such as to conduct credit checks, verify

identity or prevent fraud) obtain information about clients from third parties. Phillips may also occasionally use personal details provided by clients to send them marketing communications about our products, services or events. By agreeing to these Conditions of Sale and providing Phillips with personal details, clients agree that Phillips and our affiliated companies may use those details for the above purposes. If clients would like further information about our privacy policy or how to correct their data or opt-out from receiving further marketing communications, please contact us at +44 20 7318 4010.

(b) In order to fulfill the services clients have requested, Phillips may disclose clients' personal information to third parties such as transport providers. Such third parties may not be located within the European Economic Area (EEA). By agreeing to these Conditions of Sale, clients agree to such disclosure outside the EEA. Some of these countries may not offer legal protection of personal information equivalent to that offered within the EEA. It is Phillips's policy to require that any such third parties respect the privacy and confidentiality of our clients' information and adequately safeguard client information to standards that are comparable to the EEA. However, Phillips cannot guarantee that these third parties will do so.

13 LIMITATION OF LIABILITY

(a) Subject to sub-paragraph (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 sub-paragraph (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 sub-paragraph (a) above, whether such loss or damage is characterised as direct, indirect, special, incidental or consequential, or for the payment of interest on the Purchase Price to the fullest extent permitted by law.

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

14 COPYRIGHT

The copyright in all images, illustrations and written materials produced by or for Phillips relating to a lot, including the contents of this catalogue, is and shall remain at all times the property of Phillips and, subject to the provisions of the Copyright, Designs and Patents Act 1988, such images and materials may not be used by the buyer or any other party without our prior written consent. Phillips and the seller make no representations or warranties that the buyer of a lot will acquire any copyright or other reproduction rights in it.

15 GENERAL

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

(b) Notices to Phillips 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.

(e) No term of these Conditions of Sale shall be enforceable under the Contracts (Rights of Third Parties) Act 1999 by anyone other than the buyer.

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 English law.

(b) For the benefit of Phillips, all bidders and sellers agree that the Courts of England are to have exclusive jurisdiction 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. All parties agree that Phillips shall retain the right to bring proceedings in any court other than the Courts of England.

(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 English law, the law of the place of service or the law of the jurisdiction where proceedings are instituted at the last address of the bidder or seller known to Phillips.

AUTHORSHIP WARRANTY

Phillips warrants the authorship of property in this auction catalogue described in headings in **BOLD** or **CAPITALIZED** type for a period of five years from date of sale by Phillips, subject to the exclusions and limitations set forth below.

(a) Phillips gives this Authorship Warranty only to the original buyer of record (i.e., the registered successful bidder) of any lot. This Authorship Warranty does not extend to (i) subsequent owners of the property, including purchasers or recipients by way of gift from the original buyer, heirs, successors, beneficiaries and assigns; (ii) property where the description in the catalogue states that there is a conflict of opinion on the authorship of the property; (iii) property where our attribution of authorship was on the date of sale consistent with the generally accepted opinions of specialists, scholars or other experts; (iv) property whose description or dating is proved inaccurate by means of scientific methods or tests not generally accepted for use at the time of the publication of the catalogue or which were at such time deemed unreasonably expensive or impractical to use or likely in our reasonable opinion to have caused damage or loss in value to the lot; or (v) there has been no material loss in value of the lot from its value had it been as described in the heading of the catalogue entry.

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

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

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

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Alex Godwin-Brown,
Communications and Marketing Manager

NEW YORK

Trish Walsh, Marketing Manager
Tiana Webb-Evans, Director of Communications

SALE INFORMATION

AUCTION

Thursday 27 June 2013, 7pm

VIEWING

20 – 27 June

Monday – Saturday, 10am – 6pm

Sunday 12pm – 6pm

VIEWING & AUCTION LOCATION

7 Howick Place, London SW1P 1BB

WAREHOUSE & COLLECTION LOCATION

110–112 Morden Road, Mitcham, Surrey CR4 4XB

SALE DESIGNATION

When sending in written bids or making enquiries, please refer to this sale as UK010413 or Contemporary Art Evening Sale

HEAD OF SALE

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ADMINISTRATOR

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CATALOGUES

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Catalogues \$35/€25/£22 at the Gallery

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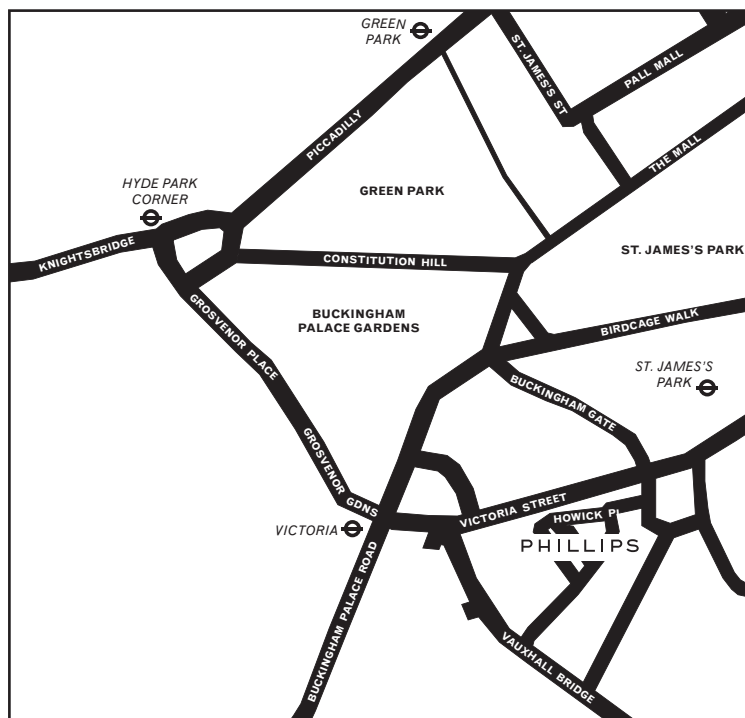
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PHOTOGRAPHY

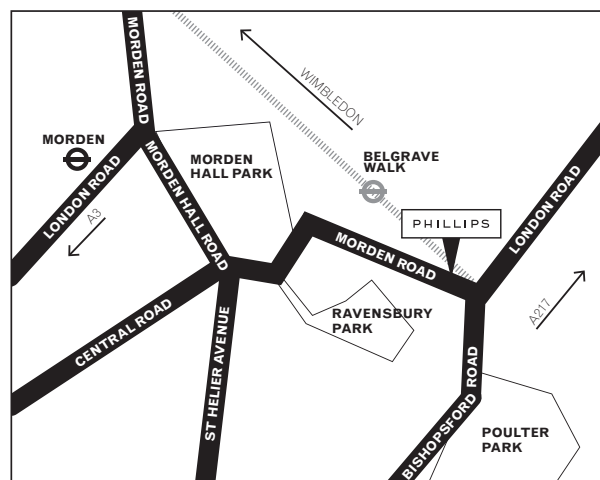
Hayley Giles

Peter Heppelwhite

Catherine Losing



Viewing and Auction location



Warehouse and collection location

Inside front cover Ugo Rondinone, *If There were Anywhere but Desert*. Friday, 2002, lot 5

Page 2–3 Cindy Sherman, *Untitled Film Still #36*, 1979, lot 8 (detail)

Rudolf Stingel, *Untitled (Bolego)*, 2007, lot 7 (detail)

Page 4–5 Andy Warhol, *Diamond Dust Shoes*, 1980–1981, lot 12 (detail)

Page 6–7 Andy Warhol, *Untitled (Pontiac)*, 1962, lot 10 (detail)

Page 8 Anish Kapoor, *Untitled*, 1996, lot 11 (detail)

Following page Cindy Sherman, *Untitled #426*, 2004, lot 6 (detail)

Inside back cover Jean-Michel Basquiat, *Three Pontificators*, 1984, lot 14

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Please select the type of bid you wish to make with this form, and for which sale:

☐ **ABSENTEE BID** ☐ **TELEPHONE BID** (Please select one)

Sale Title	Sale number	Sale date
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Are you applying as an individual ☐ or on behalf of a company ☐? (Please select one)

Client number (if known)

Title	First name	Surname
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Company name (complete this only if you are bidding on behalf of a company)

VAT number (if applicable)

Address

City	State / County
------	----------------

Postcode / zip code	Country
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Phone	Mobile	Fax
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Email

Phone (for phone bidding only)

Lot number In numerical order	Brief description	Maximum pound sterling price* Absentee bids only

* Excluding Buyer's Premium and VAT

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Signature

Date

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Sale Title	Sale number	Sale date
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Please indicate in what capacity you will be bidding (please select one):

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☐ **ON BEHALF OF A COMPANY**

Client number (if known)

Title	First name	Surname
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Company name (complete this only if you are bidding on behalf of a company)

VAT number (if applicable)

Address

City	State / County
------	----------------

Postcode / zip code	Country
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Phone	Mobile	Fax
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Email

Phone (for phone bidding only)

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