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# CONTEMPORARY ART

13 & 14 OCTOBER 2010 LONDON













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**EVENING SALE**  
**CONTEMPORARY ART**

**13    OCTOBER    2010    7PM    LONDON**

**LOTS 1–56**

**Viewing**

Saturday 9 October, 10am–6pm

Sunday 10 October, 12pm–6pm

Monday 11–Wednesday 13 October, 10am–6pm

**Front cover** David Hockney, *Autumn Pool (Paper Pool 29)*, 1978, Lot 13, detail

**Inside front cover** Sterling Ruby, *SP58*, 2008, Lot 9, detail

**Left frontispiece** Martin Kippenberger, *Einsam? (Lonesome?)*, 1983, Lot 31, detail

**Right frontispiece** Ed Ruscha, *Bee?*, 1999, Lot 15, detail

**Title page** George Condo, *The Irish Barber*, 2008, Lot 16, detail

*IMPORTANT NOTICE: We wish to draw your attention to recent changes to our conditions of sale. Please see the Buyers Guide in the back of this catalogue for full details*



1 **WADE GUYTON** b. 1972

*Untitled*, 2006

Epson UltraChrome inkjet on linen. 91.4 × 76.2 cm (36 × 30 in). Signed and dated 'Wade Guyton 2006' on the reverse.

**Estimate** £25,000–35,000 \$38,500–53,900 €30,000–41,800 ₺

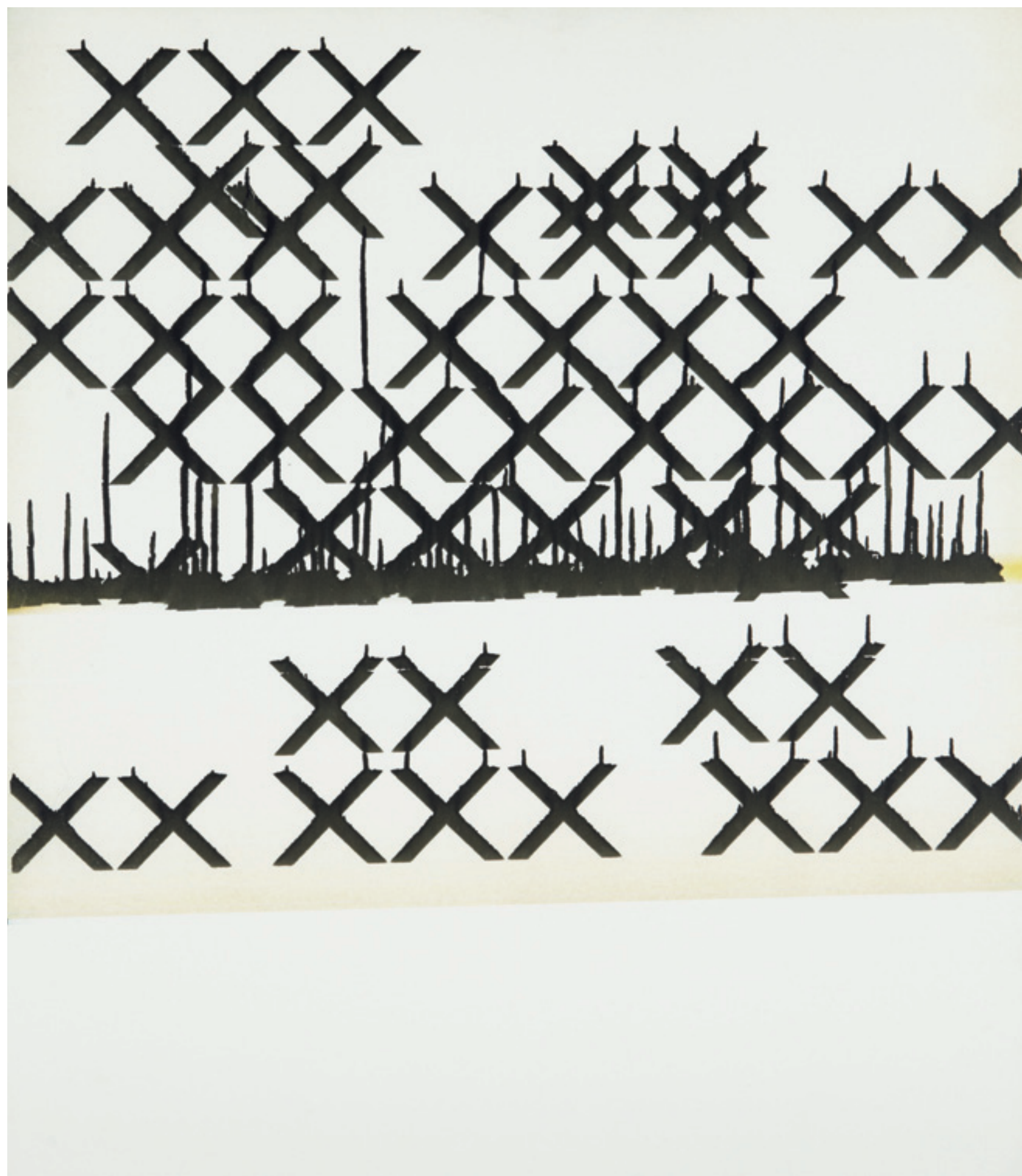
**PROVENANCE** Acquired directly from the artist

The Epson 9600 UltraChrome Inkjet Printer – a 44"-wide format professional printer which is used to produce exceptionally high-quality photographs and graphic images suitable for commercial sale – is the singular tool that American artist Wade Guyton uses to generate his abstract paintings. Guyton is fully aware of the limitations of his artistic language but exploits them as products of mechanical reproduction, playing on the fact that “abstraction always already exists in and as reproduction”. His paintings question modernist shibboleths of originality and authorship whilst paradoxically developing a wholly individual lexicon within the contemporary art scene.

This lexicon is based, in Guyton's paintings, upon a simple vocabulary of shapes and letters formatted in Microsoft Word. Art historian Johanna Burton has described his vocabulary as “too easily generalized to be attributed to any singular context and, because of this, are not naturally of any context at all” (J. Burton, ‘Such Uneventful Events: The Work of Wade Guyton’, in *Formalism. Modern Art, today*, exh. cat., Kunstverein in Hamburg, 2004, p.59). This lack of definition in his marks and their openness to interpretation relates directly to the inevitable randomness of his technique. The artist acknowledges that the marks, blurs and smudges caused by dragging, when the linen canvas is folded and repeatedly fed or forced through the printer, are not only fundamental to the overall composition of the work but also reveal the process of the painting's formation.

“Guyton's *X* paintings assert themselves in a visual environment of mass-produced, instantaneously diffused imagery. But as Guyton acknowledges, the difficulty lies not so much in 'saying there's no such thing as an original image, but knowing full well that it's not a very original thing to say'.”  
(The artist, quoted in S. Rothkopf, 'Modern Pictures', in *Wade Guyton: Color, Power & Style*, Cologne, 2007, p. 74).







2 **KELLEY WALKER** b. 1969

*Untitled*, 2007

Four-colour process silkscreen on canvas. 71.1 × 147.3 cm (28 × 58 in).

**Estimate** £60,000–80,000 \$92,400–123,000 €71,700–95,600

**PROVENANCE** Me.di.um Gallery, St Barts

**EXHIBITED** St Barts, Me.di.um Gallery, *Kelley Walker*, 5 January–2 February 2007

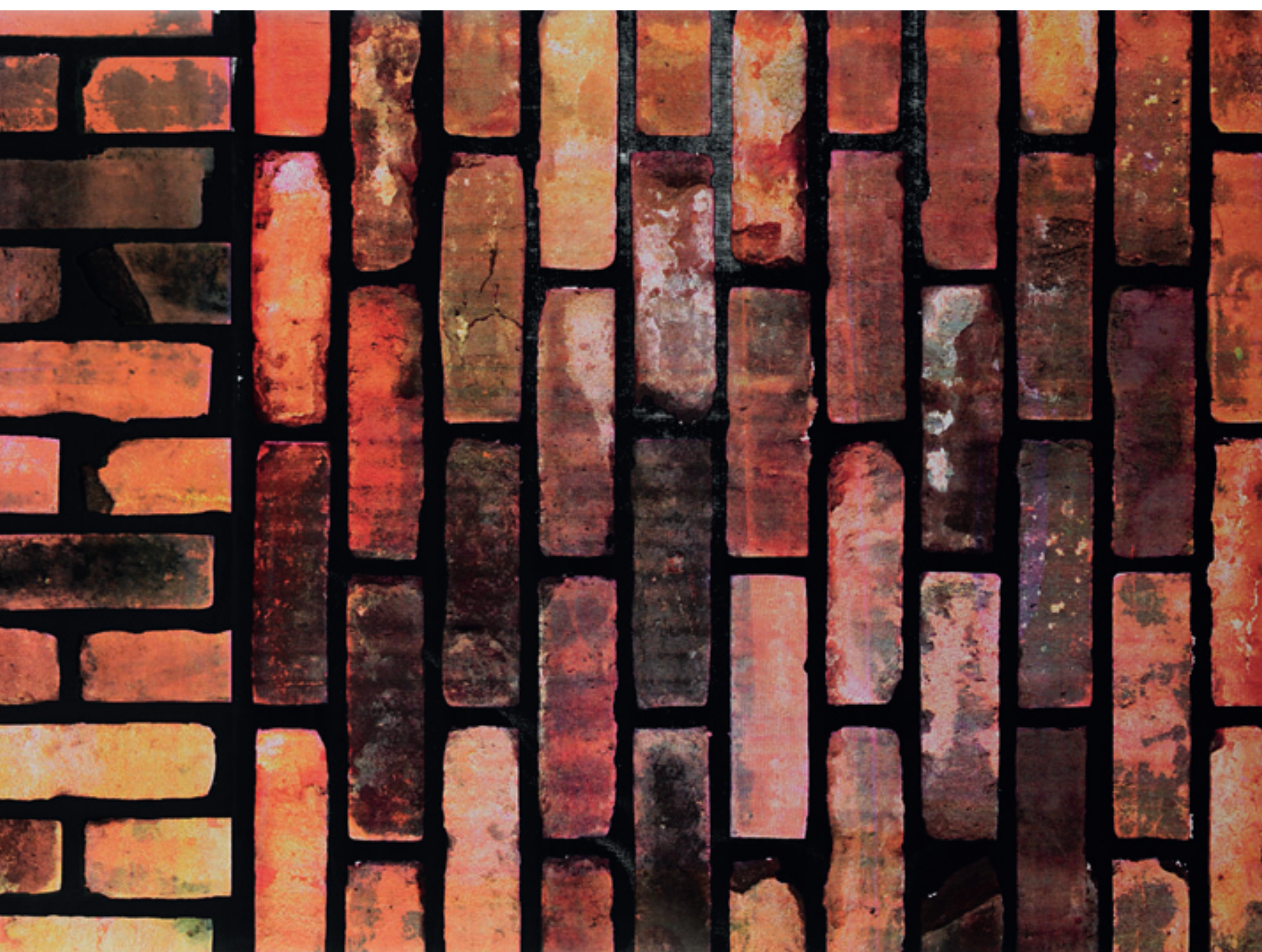
Kelley Walker grew up in the southern United States and has said that the isolation of his childhood there compelled him to explore other, more accessible realities. As a young artist, he was initially attracted to the work of Jasper Johns, but he soon fell under the spell of Warhol's advertising images and the power they could achieve through their appropriation of everyday imagery.

In a logical extension to these interests, Walker's own prints manipulate found and often iconic images, altering them with splotches and scrawls, or with materials such as toothpaste and chocolate. Together, such gestures and treatments shift or enhance the symbolic meaning behind the image, and it is a characteristic of his work as a whole that layers of meaning shift and evolve as imagery from the news media, and the worlds of advertising and art, pass into new and altering contexts.

This untitled lot duplicates and rotates a highly naturalistic image of brickwork tinted with unnatural hues. It comments on the theme of branding through the replication of 'brickwork' that the artist uses time and time again in his work. There is a paradox inherent in such a treatment of an image like this, as it is both degraded and enhanced: "The distance introduced by Walker's 'empty' gesture serves to bring the scene of the image closer – if only by making more acute, even chilling, our awareness of what specificity, detail, and identification is potentially lost in the image's circulation and eventual aestheticization" (T. Griffin, 'Please Recycle: Tim Griffin on the Art of Kelley Walker', in *Artforum*, April 2005). The original, banal meaning of the brickwork is lost through, or transformed by the sharp focus and magnification the image receives, so gaining a new significance by virtue of its newly found artistic context.









3 **AARON YOUNG** b. 1972

*Greeting Card 10a, 2007*

Stained plywood, acrylic and burnt rubber in ten parts. Overall: 487 × 609 cm (191 7/8 × 239 7/8 in). Signed and dated 'Aaron Young 2007' on the reverse of a panel.

**Estimate** £80,000–120,000 \$123,000–185,000 €95,600–143,000 †

**PROVENANCE** Art Production Fund, New York

**EXHIBITED** New York, Art Production Fund, *Aaron Young, Live Performance*, 2007; London, Saatchi Gallery, *New Painting and Sculpture*, 29 May 2009–17 January 2010

**LITERATURE** *Abstract America: New Painting and Sculpture*, exh. cat., Saatchi Gallery, London, 2008, pp. 340–43 (illustrated)











Aaron Young performance at New York Armory, 2007, at which the present lot was made.

High-octane action painting is one way to describe the artwork of Aaron Young. Young's paintings are a mixture of performance art, abstract expressionism and controlled chance. In his 2007 work, *Greeting Card 10a*, Young first created a large multi-coloured platform which was then covered with a black topcoat. This 'stage' was then installed in the New York Armory building and the live painting performance began. A group of motorcyclists were asked to burnout, skid, spin and drive across the panels. With each aggressive manoeuvre the black top coat was stripped away and the colours below exposed.

Using motorbikes as part of the 'painting' process in this way, Young introduces conditions of chance within an otherwise controlled environment. It is a process that also revisits concepts explored by artists such as Jackson Pollock and Franz Kline. Young, however, has taken their ideas further by both incorporating a performance element and introducing technologies new to the creative environment. Young is one of a group of artists using contemporary technology to explore 20th-century art movements – like Anselm Reyle's exploration of Minimalism (lot 18) using foil – Young's approach to Abstract Expressionism and performance art examines the very nature of painting.







4 **MARK GROTJAHN** b. 1968

*Untitled (Black Butterfly Dioxide Purple MPG 05)*, 2005

Oil on linen. 147 × 122 cm (57 7/8 × 48 in). Initialled and dated 'MPG 05' lower centre.

**Estimate** £250,000–350,000    \$385,000–540,000    €300,000–418,000    †

**PROVENANCE** White Cube, London; Private Collection

**EXHIBITED** London, Stephen Friedman Gallery, *Mark Grotjahn*, 7 June–16 July 2005;  
*USA Today*: London, Royal Academy of Arts, 6 October–4 November 2006; St. Petersburg,  
The State Hermitage Museum, 24 October 2007–13 January 2008; London, Saatchi Gallery,  
*Abstract America: New Painting & Sculpture*, 29 May 2009–17 January 2010

**LITERATURE** *USA Today*, exh. cat., Royal Academy of Arts, London, 2006, p. 161  
(illustrated); *Abstract America: New Painting & Sculpture*, exh. cat., Saatchi Gallery, 2008,  
p. 62 (illustrated)

"Grotjahn is not an artist obsessed with positing a wholly unprecedented 'concept' of art, but rather is concerned with teasing nuanced experience out of existing concepts or constructs according to the opportunities presented by a specific, well-calculated conceit. Nor is he really preoccupied with Ezra Pound's mandate to 'make it new'; rather he wants to make it vivid, and applies all of his impressive skill to doing just that... After all, Winters, Marden, and many of the artists with whom Grotjahn may be favourably compared are contemporary Mannerists – that is, painters who have elaborated on tropes and formats previously found in painting and developed distinctive ways of working that mine the unexploited potential of the modernist mother lode."

(Robert Storr, 'LA Push-Pull/Po-Mo-Stop-Go', in *Mark Grotjahn*, exh. cat., Gagosian Gallery, London, 2009, p. 6)







Δ 5 CHRISTOPHER WOOL b. 1955

*Untitled (P489)*, 2005

Silkscreen ink on linen. 264.2 × 198.1 cm (104 × 78 in). Signed, titled and dated 'Wool (P489) 2005' on the reverse and on the overlap.

**Estimate** £150,000–200,000 \$230,000–308,000 €179,000–239,000 ₺

**PROVENANCE** Galleria Gio Marconi, Milan

Rather than simply existing as a representational or conceptual piece, or as mere symbols on canvas, *Untitled (P489)* represents a highly systematic, intellectual challenge that lies at the core of Christopher Wool's artistic thinking and practice. His paintings are just as much about the process as they are about the finished work. Within *Untitled (P489)* lies a tension between creation and destruction in the building of a careful composition only for it to be wiped away. Layers of black and white tone are built up, with one style of brush stroke or spray gesture wiping out the last, the whole only to be silkscreened over once more and the process repeated. The deception of this process comes in the final appearance of the super-flat quality of his finished work: "Because Wool only makes a couple of passes at a painting, his surfaces are silky, only slightly raised, and never laboured" (Jerry Saltz, 'Hard Attack', *The Village Voice*, 8–14 December 2004, p. 78). The outcome, while seemingly a random amalgamation of line and tone quality, is in fact a highly methodical abstraction.







6 **KARA WALKER** b. 1969

*Me Jane*, 1999

Crayon, ink and tempera on paper. 165.1 × 182.9 cm (65 × 72 in).

**Estimate** £80,000–120,000    \$123,000–185,000    €95,600–143,000    ¥

**PROVENANCE** Brent Sikkema Gallery, New York

Few artists working today have managed to capture themes of race, gender, sexuality and violence as provocatively as Kara Walker. Best known for her tableaux of cut-out silhouettes, Walker's art is a compelling exploration of the legacy of slavery and antebellum folklore of the American South. Walker's visual vocabulary borrows from black memorabilia, Civil War etchings, historical novels, cinema, cartoons, newspaper clippings and Harlequin Romances. The cast of characters are shown with exaggerated, almost caricatured physiognomy, parodying the ramifications of slavery and racism. Walker's characters inhabit a topsy-turvy world of mischief and violence, and of sexual stigmatization and exclusion – a world that is suspended between past and present. By blending literary genre and fictional narrative, Walker presents the viewer with a whimsical yet haunting portrayal of depravity and exploitation.







7 **MAURIZIO CATTELAN** b. 1960

*Una Domenica a Rivara (A Sunday in Rivara)*, 1992

Knotted sheets, wooden coat hanger. Dimensions variable.

**Estimate** £400,000–600,000 \$615,000–925,000 €478,000–717,000 

**PROVENANCE** Galleria Massimo de Carlao, Milan

**EXHIBITED** Castello di Rivara, Centro d'arte contemporanea, *Maurizio Cattelan, Una Domenica a Rivara*, 1992

**LITERATURE** F. Bonami, N. Spector, B. Vanderlinden and M. Gioni, *Maurizio Cattelan*, New York and London, 2003, p. 98 (illustrated)





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The present lot exhibited at Castello di Rivara, 1992

Maurizio Cattelan has been making darkly comic work that has provoked and challenged the nature of the contemporary art world since the late 1980s. A knowing and sophisticated artist, Cattelan has continuously appropriated images and ideas from his everyday life to create a cast of often explicitly self-referential characters and personas who inhabit an absurd world suspended between reality and fiction. Cattelan's flamboyant potpourri of satirical figures – policemen flipped upside down, stuffed animals hanging from the ceiling, a swami who buried himself in sand for hours at a time – serve to simulate and subvert the rules of culture and society in a continuous game of *détournement*, acts of insubordination and symbolical theft. The idea of robbery has always been at the core of Cattelan's oeuvre with his installations, sculptures and performances nearly always depicting a form of theft in which he is the primary culprit, the main perpetrator of the crime.

As an early work from 1992, the present lot, *Una Domenica a Rivara* (*A Sunday in Rivara*), is one of his first and most striking statements of his role as an outlaw who challenges the perceived sanctity of art in our society. Created originally for an exhibition at Turin's Castello di Rivara, the physical work itself may simply consist of a number of knotted bed-sheets dangling from the venue's top-floor window like a prop from a movie prison break, yet its conceptual and paradoxical implications are deeply layered in meaning. *Una Domenica a Rivara* presents Cattelan as an escapist, a Houdini figure emancipating himself from the art world and its governing institutions – ironically the exact same art world and governing institutions which have established and legitimized the conceptual nature of his work. At once refusing institutional authority while simultaneously embracing it, the present lot perfectly and poignantly encapsulates the inherent *Catch-22* nature found throughout all of Cattelan's work.

With the dangling knotted sheets as evidence, the formerly incarcerated artist has fled his duty to engage with the art world and create a work of art for the exhibition, leaving behind only a satirical trace of himself as the artwork. Like Marcel Duchamp, the original art world prankster, Cattelan has abandoned the traditional production of art altogether and created a work of art which highlights the absurdity of creating a work of art, parodies the veneration and esteem with which art is held in such high cultural institutions.









Maurizio Cattelan, *Untitled*, 2001

Within his long and acclaimed oeuvre, the early *Una Domenica a Rivara* can be seen as an antecedent to two other major existentialist works in which Cattelan deals with his place in the history of art by creating works to be exhibited in major institutional spaces loaded with art historical references. In 1997, at the Consortium in Dijon, Cattelan dug a coffin-shaped hole in the floor of the museum's main gallery to acknowledge his own frailty in the face of having to mount a museum show. Tinged with a certain self-mocking cynicism, this act of defeat and mourning was repeated for his memorable 2001 installation at the Museum Boijmans Van Beuningen in Holland in which Cattelan dug a tunnel hacked into the floor of a gallery presenting a collection of 17th-century Dutch masters. Peeking its head above the cavity, a waxwork Cattelan proxy takes a last, lingering look at art he couldn't hope to compete with before escaping.

These three masterpieces, with *Una Domenica a Rivara* as the earliest and most poignant example, powerfully express the innermost fear which inhabits every artist. The fear of not being able to create, of staring at a blank canvas, of not belonging, of being forgotten. The fear of not living up to a glorious past and the hopes and aspirations of a pressurized present. However, as with most of his works, Cattelan has the last laugh when he actually writes himself into the history books.



Maurizio Cattelan, *Untitled*, 1997







Δ 8 **ANDY WARHOL** 1928–1987

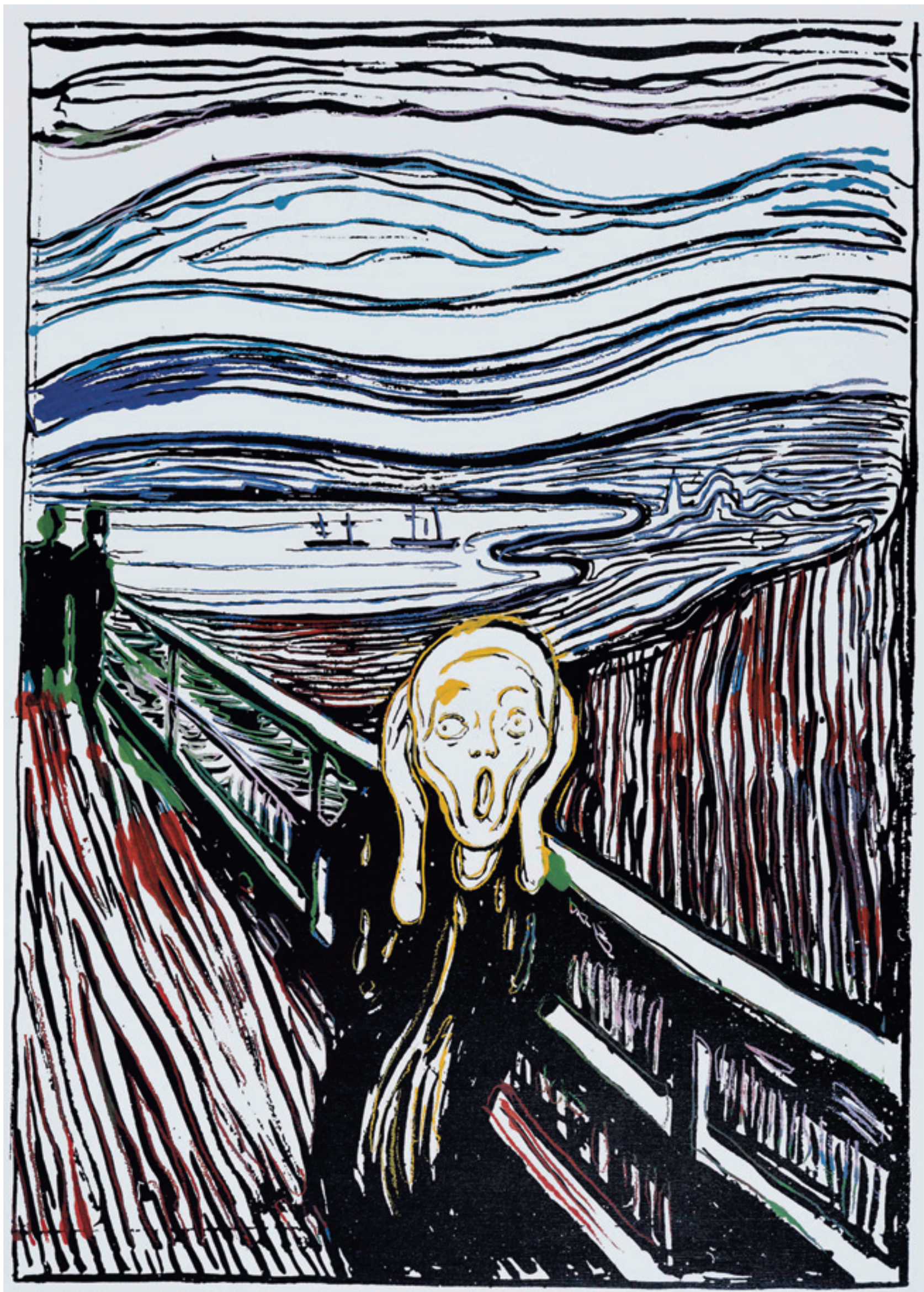
*The Scream (After Edvard Munch)*, 1984

Synthetic polymer paint and silkscreen on canvas. 132 × 96.5 cm (52 × 38 in). Signed and dated 'Andy Warhol 84', with the Andy Warhol Art Authentication Board Stamp and numbered 'A120.0610' on the overlap.

**Estimate** £500,000–700,000 \$770,000–1,080,000 €597,000–836,000

**PROVENANCE** Acquired directly from the artist; Private Collection, New York









Clockwise from top left: Edvard Munch, *The Scream*, 1895; Andy Warhol, *Self-Portrait*, 1986; Francis Bacon, *Study after Velázquez's Portrait of Pope Innocent X*, 1953; opposite: detail of the present lot

“Andy Warhol, the most important chronicler of the second half of the twentieth century, symbolizes in his work all the seeds of alienation that appeared in that century of fragmentation. The bright flash of beauty as a tragic moment; the recognition of a reality that can be abstracted to particular, virtual reality – these were experiences that Warhol also shared, as an artist who more than anyone before him took the idea of the work and the work itself and plunged them into confusingly circling reality, because he saw his own time in the images of reproduced objectivity. In his works the explicit communicates with the implicit, even if the artist himself was only dealing with the visible and referred his viewers to others for individuality. Warhol transposed the ritual of the painting process into his own time and doubtless the history of the term as well. He did not give up the ritual, but turned the process into the ritual: his pictorial world, derived from other media, itself becomes the medium.”

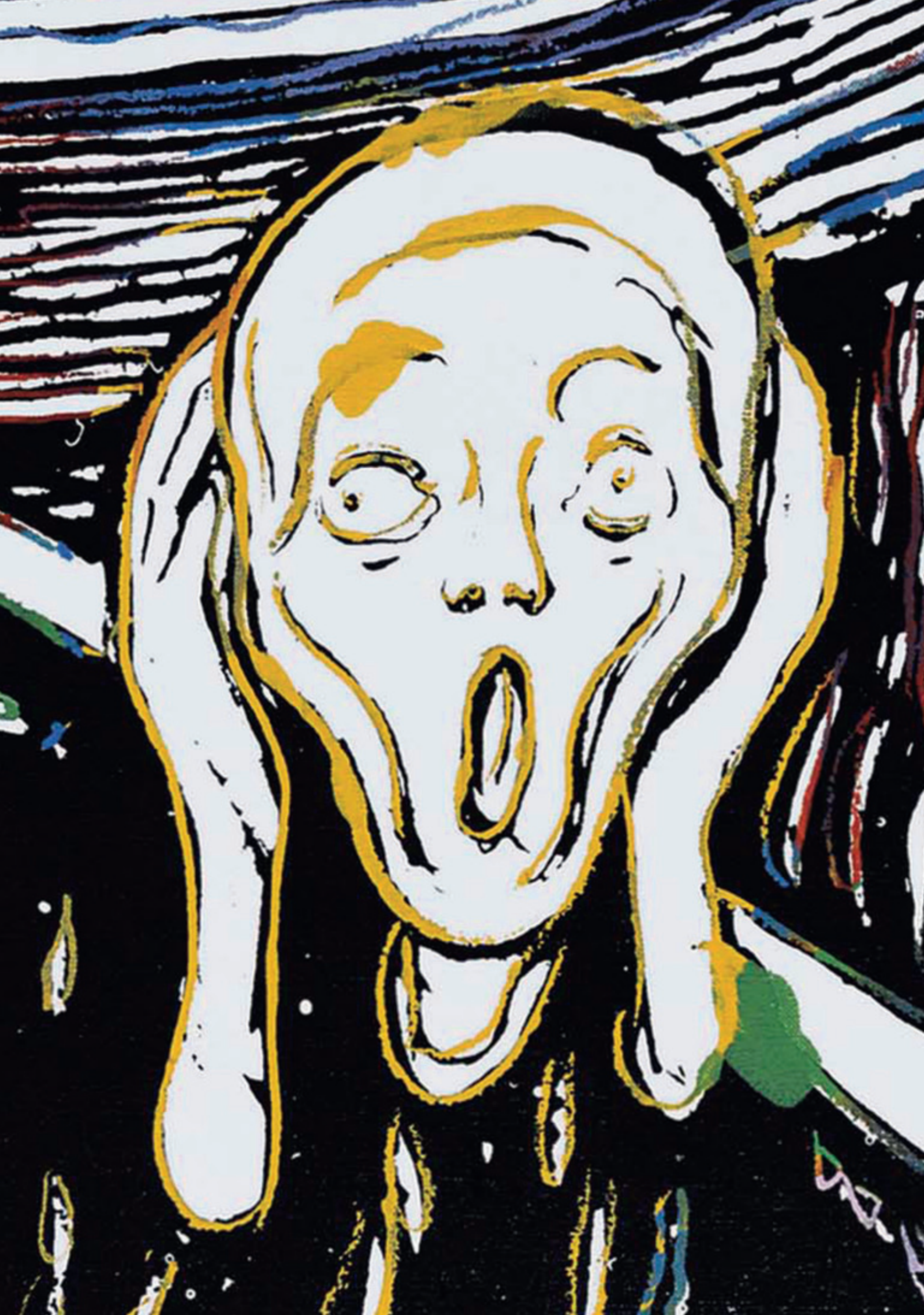
(Heiner Bastian, ‘Rituals of Unfulfillable Individuality – The Whereabouts of Emotions’, in H. Bastien, ed., *Warhol*, Tate Publishing, London, 2001, p. 36)

The art of appropriation was central to Andy Warhol’s work throughout his prolific career. As with all things ‘Warholian’, the idea of appropriation comes with its twists and turns. In the 1970s, Warhol first created silkscreens of the *Mona Lisa* and in the mid-1980s went on to adopt *The Last Supper*, both works becoming emblems of Warhol’s reflection on art history. Just as he had turned Marilyn Monroe, Jackie Kennedy and Liz Taylor into products of the Warhol factory, so he took the stars of the art world and made them into his own creations. By reinterpreting *The Scream* by Edvard Munch, Warhol underlined the iconic status of the work and showed how it can also be a mass-produced consumer product. As such, Munch’s image becomes part of the Warholian machine.

Munch experimented with various versions of *The Scream* in paints and prints when he first created a lithograph of the work in 1895. Similarly, Warhol produced several different versions of *The Scream*, with only five works on canvas. With its ghostly presence and minimal colour, the present lot is almost sterile in appearance. The feelings of alienation and inner turmoil in Munch’s original work are juxtaposed against Warhol’s factory aesthetic. As if all colour had been stripped from the painting, Warhol manages to exude the initial message of the painting:

“I was walking along a path with two friends – the sun was setting – suddenly the sky turned blood red – I paused, feeling exhausted, and leaned on the fence – there was blood and tongues of fire above the blue-black fjord and the city – my friends walked on, and I stood there trembling with anxiety – and I sensed an infinite scream passing through nature.” (Edvard Munch, from his diary, in I. Muller-Westermann, *Munch by Himself*, Royal Academy of Arts, London, 2005, n.p.)







9 **STERLING RUBY** b. 1972

*SP58*, 2008

Acrylic and spray paint on canvas. 317.5 × 469.9 cm (125 × 185 in). Initialled, titled and dated 'SR.08 SP58' on the reverse.

**Estimate** £150,000–250,000 \$230,000–385,000 €179,000–300,000 †

**PROVENANCE** Sprüth Magers, London

**EXHIBITED** London, Saatchi Gallery, *Abstract America: New Painting and Sculpture*, 29 May 2009–17 January 2010

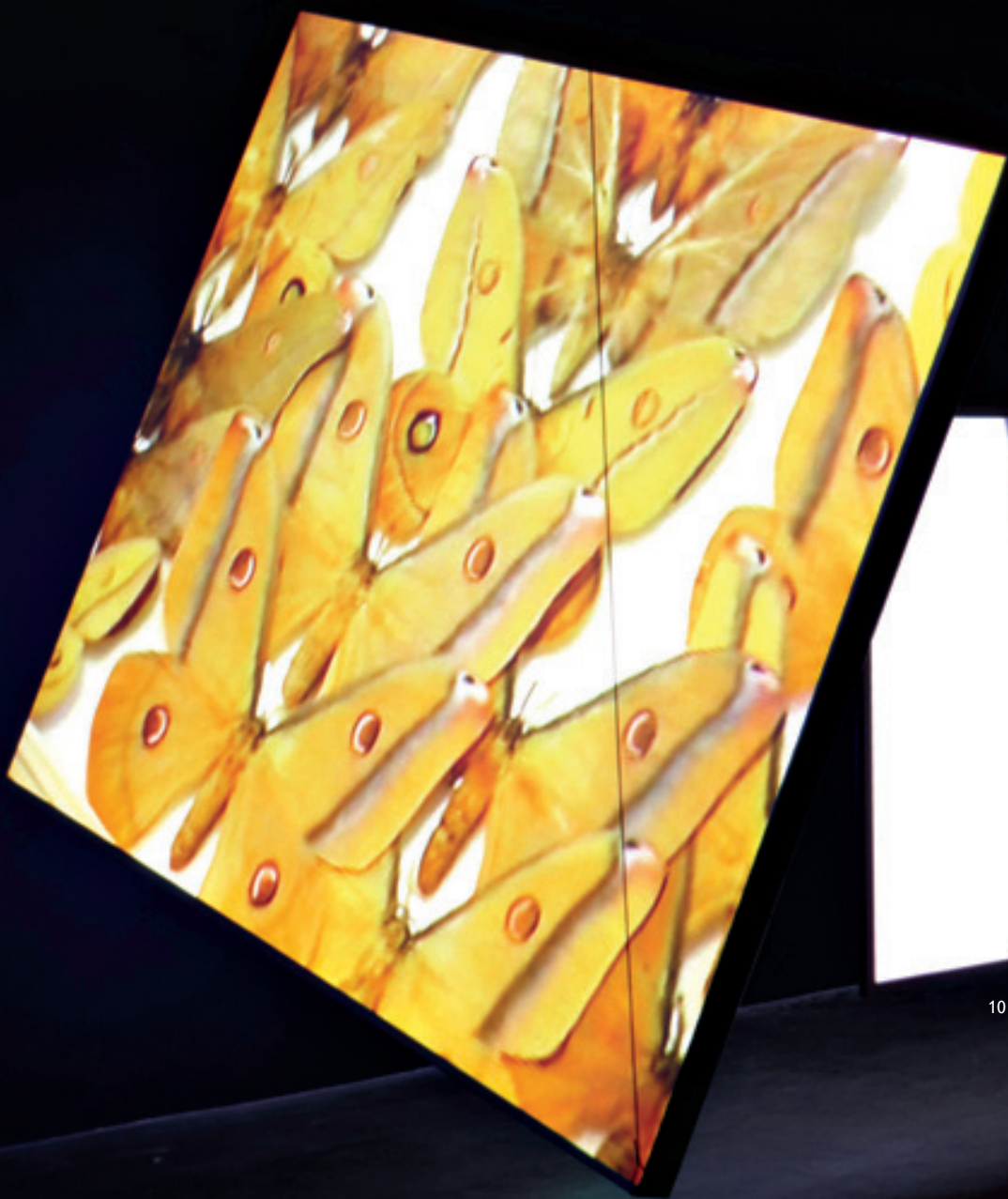
Working across a variety of disciplines, the highly prolific Sterling Ruby creates striking works which invoke the Modernist and Minimalist movements yet keep their form and materiality utterly unique and contemporary. Ruby's performance and ritualistic practice pays homage to his biggest influences, fellow Los Angeles artists Mike Kelley and Paul McCarthy. Like their work, Ruby's is extremely visceral with his large-scale spray-painted canvases of which *SP58* is the most monumental to appear at auction. It is breathtakingly lurid and bright, with sharply-defined splatters of acrylic paint over blurred, neon topographical maps. The highly developed and worked abstract fields are reminiscent of graffiti-filled urban murals in which the perception of space is contorted, thus highlighting the flatness of the picture plane.











10 **KUTLUG ATAMAN** b. 1961

*Stefan's Room*, 2004

Five-screen video installation. Dimensions variable. Duration approximately 45 mins. This work is from an edition of 5.

**Estimate** £40,000–60,000 \$61,600–92,400 €47,800–71,700 ♣ Ω

**PROVENANCE** Rhona Hoffman Gallery, Chicago

**EXHIBITED** New York, Lehmann Maupin Gallery, *Kutlug Ataman, Stefan's Room*, 2004 (another example exhibited); Chicago, Rhona Hoffman Gallery, *Kutlug Ataman, Stefan's Room*, 2005 (another example exhibited); Sydney, Museum of Contemporary Art, *Kutlug Ataman*, 22 June–4 September 2005 (another example exhibited)

**LITERATURE** *Kutlug Ataman*, exh. cat., Museum of Contemporary Art, Sydney, 2005, front and back covers, p. 54 (illustrated)





In the present installation, composed of five large screens, Ataman uses his favourite medium of video. The five screens arranged in a somewhat chaotic circle surround the viewer and echo the flight or dance of butterflies and moths which are the subjects of the films projected onto the screens. The installation is completed by the narrative of Stefan Naumann who explains in lengthy detail his passion or rather lifetime obsession with tropical moths; from his first encounter with the insects as a child, to how he bred them, and finally to how he killed them to store them in display cabinets in his tiny Berlin flat.

The installation forms a dynamic and colourful structure suggesting Stefan's psyche and transformation. Ataman sees the playful and eerie installation as a metaphor for the complexity of Stefan's obsession. The viewer becomes confined within the broken and tilted installation, as if walking into a man's head and thoughts. Ultimately, Ataman illustrates the imprisonment of obsession by creating a sense of claustrophobia.

As is often the case with Ataman, his art is about people and their stories and more importantly their words. "Ataman is an artist whose

medium is people lives, that for him and for us, take form in the words they produce" writes B. Horrigan ('Kuba, Sil', in *Kuba, Kutlug Ataman*, exh. cat., Artangel, London, 2005). People are the heroes of his videos and films, which more often than not, deal with the life of marginalized subjects, and include an array of colourful and poignant characters. Ataman usually lets his subjects talk uninterrupted in front of the camera in a documentary type style, blurring the boundaries between life and reality.

"I am really after every individual's reality of who they actually are... I more or less do 'bad interviews' on purpose. I don't do good journalism, because good journalism is trying to get people to say what you want... my work is only talking heads. I never understood why this was a bad thing, because to me talking heads are so essential. People are telling you exactly who they are. What else are you after?"

(The artist, in conversation with Aimee Chang, in *Imagine us together: Kutlug Ataman's Southern Californian Paradise*, exh. cat., Orange County Museum of Art, Newport Beach, 2007, p. 17)



11 **MARK BRADFORD** b. 1961

*Am I Losing you....*, 2002

Mixed media on canvas. 152.4 × 213.4 cm (60 × 84 in).

**Estimate** £150,000–250,000    \$230,000–385,000    €179,000–300,000    ₣

**PROVENANCE** Finesilver Gallery, San Antonio









Top left: Ed Ruscha, *Burning Gas Station*, 1966; bottom left: Jasper Johns, *Map*, 1961; right: Clyfford Still, *No. 2*, 1950; opposite: detail of present lot

Taking his cue from French post-war *décollage* artists, such as Jacques de la Villegle and Raymond Hains, and the Italian Mimmo Rotella, Mark Bradford creates stunning, large-scale tableaux of contemporary life around him. Based in south-eastern Los Angeles, Bradford, a former hair stylist, works directly with his immediate environment, combining materials and imagery found on the streets and in hair salons. His layered compositions incorporate elements of graffiti, fly-posters, billboards and hair studio permanent-wave endpapers to create abstracted fields evocative of inner-city experience.

Mark Bradford's majestic, mural-like abstractions unite high art and popular culture as unorthodox landscapes of unequivocal beauty. Using paper to replicate the effect of paint, Bradford's working method involves soaking, bleaching, tearing and sanding the paper. Emphasising the physicality of the creative process and acknowledging the inherent qualities of the found materials, Bradford scratches through the overlapping and accumulated design layers to reveal strata of colours and embedded images. The resulting palimpsest-like surface has connotations of both Abstract Expressionism and street art, so recontextualising the sublime traditions of high art with an explosively contemporary urban flair. There also is an undeniable debt to the raw aesthetic of the superimposed and appropriated everyday American imagery of Robert Rauschenberg and Jasper Johns, artists who bridged the gap between Abstract Expressionism with Pop Art.

Like his predecessors, Bradford's highly textured surfaces sprawl like simmering microcosms of activity, as paint, foil, hair dye and recycled signage pile up, evoking the cacophony of urban life. He uses gesture and

mark-making to encapsulate the dissonance and excitement of a metropolitan landscape, map or industrial terrain. Bradford's underlying formal, grid-like patterns, which reflect the raw urban landscape of south Los Angeles, are an evolution of the geometric formalism of Mondrian and Albers .

Engaging with cultural identity through allegory is a recurrent theme running through Bradford's work. Using words and images associated with gender, ethnicity and class, Bradford questions mainstream cultural definition and perception. As the art historian Steven Nelson noted, "Bradford's myriad practices – in their promiscuity, in their exultation of the fragment, in their obstinate refusal to provide comforting or easy answers to the concerns he addresses – create allegories that are at once formal, political, personal and psychological. His psycho-geographies and interventions insist upon the infinitely mutable qualities of urban space. The issues at stake – class, ethnicity, race, economic participation – are not quantifiable, not concrete, and not givens. Instead they are overlays, points-of-view, tools that weave in and out of one another in ways unexpected and contingent. In that sense, Bradford's indecipherability and his promiscuity with respect to form and content become allegory's breeding ground. At the end of the day, this breeding ground leaves us questioning more than we did at the beginning. It also ignites our desire, making us want still more" (Steven Nelson, 'Mark Bradford's Allegorical Impulse', in *Mark Bradford*, exh. cat., Sikkema, Jenkins & Co., New York, 2006, n.p.).







PROPERTY FROM THE KIT FINANCE COLLECTION

12

**ANTHONY GORMLEY** b. 1950

*Sublimate XVI*, 2008

Bright mild-welded steel blocks. 194 × 47 × 28 cm (76 3/8 × 18 1/2 × 11 in).

Estimate

£200,000–300,000

\$308,000–462,000

€239,000–358,000

▲ ±

PROVENANCE

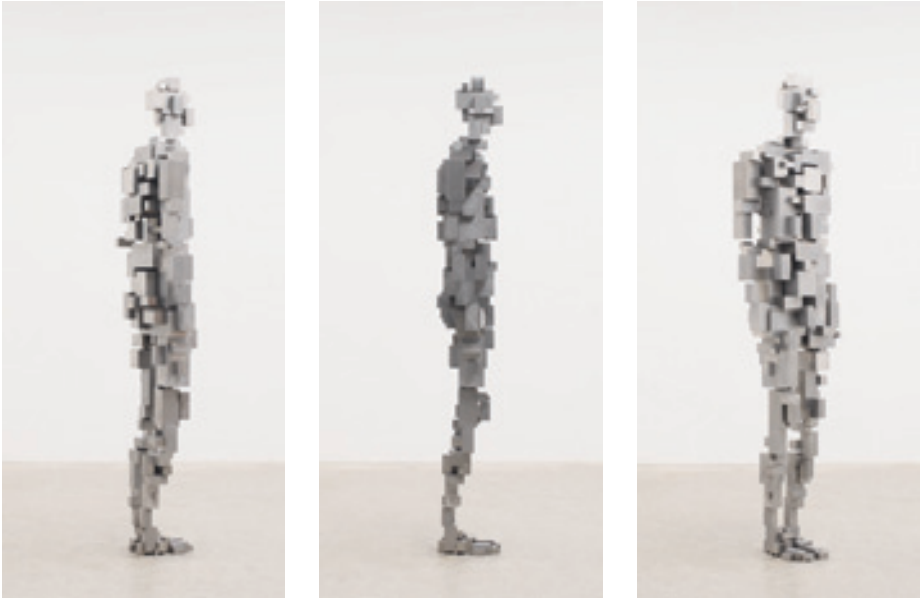
White Cube, London

"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."

(The artist, in Michael Mack, ed., *Antony Gormley*, Göttingen, 2007, p.9)

Throughout his artistic career, Antony Gormley has used his own physical form to explore the idea of the human body as a site of experience. Through this seemingly personal investigation, he tackles universal experience, encouraging those who see his work in both private and public spaces to examine their own place as a human being in the world. His sculpture is influenced by the ideas of the French philosopher Maurice Merleau-Ponty who developed a new understanding of bodily perception and space. This specific lot, *Sublimate XVI*, is one of many sculptures in a series of *Block Works* that divide the body into a sequence of steel blocks, so creating a dynamic between space and mass. In this series, Gormley deconstructs the human form to their essential blocks before reconstructing it in an architectonic manner. *Sublimate XVI* does not require the viewer to merely gaze and admire the relationships between the angles of the block work, but forces them to recompose the shape in their mind. The viewer is obliged to engage in their own spatial perception and explore a deeper relation between themselves and the world around them.

"The sculptures depend on there being a tension between the clarity of the steel blocks and a sense of exposure at the edge of the work, light and space seem to eat away at the embodied core." (The artist, in Richard Noble, *Antony Gormley*, Germany, 2007, p.447)



Alternative views







◦ 13 **DAVID HOCKNEY** b. 1937  
*Autumn Pool (Paper Pool 29)*, 1978  
Coloured and pressed paper pulp in six parts. Overall: 182.9 × 215.9 cm (72 × 85 1/2 in).  
Initialed and dated 'DH 78' lower right.

**Estimate** £700,000–1,000,000    \$1,080,000–1,540,000    €836,000–1,200,000    ♣ ‡

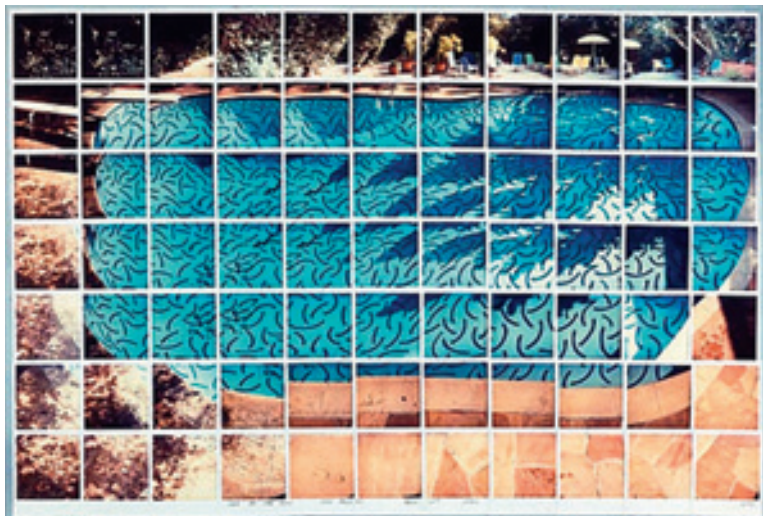
**PROVENANCE** LA Louver, Los Angeles

**LITERATURE** N. Stangos, ed., *David Hockney: Paper Pools*, London, 1980, p.99 (illustrated);  
K. E. Tyler, *Tyler Graphics: Catalogue Raisonné, 1974–1985*, Minneapolis, 1987, p. 391 (illustrated)









Above: David Hockney, *Sun on the Pool*, 1982; above right: David Hockney, *A Bigger Splash*, 1967; opposite: Ed Ruscha, *Nine Swimming Pools*, 1968, detail

In 1978, David Hockney was travelling from London to Los Angeles, his second home, when he paid a visit to his friend, the lithographer Ken Tyler, in Bedford Village, New York. Having lost his driving licence, Hockney extended what was originally a brief stop-over to a longer stay during which he collaborated with Tyler on what would become one of his most celebrated bodies of work, the *Paper Pool* series. As Hockney waited for his replacement licence to arrive, Tyler showed him some works made with paper pulp using a revolutionary printing technique which produced brilliant and dazzling colour. Hockney was so intrigued that he spent the next several months creating 29 works based on the motif of Tyler's swimming pool of which *Autumn Pool*, the present lot, is an outstanding example.

The swimming pool is without doubt the most recognisable motif in David Hockney's oeuvre. Since the mid-1960s, Hockney has painted, drawn, photographed and printed the image of the swimming pool. Emerging out of the greyness of the post-war years, Hockney's depictions of Californian swimming pools and their association with a glamorous and exotic life of sun, wealth and leisure, ushered in a period of renewed optimism, youthfulness and colour in Britain. The Tate Gallery's *A Bigger Splash*, arguably Hockney's most famous painting, is an early work depicting a diver's splash in a swimming pool in the garden of a modernist house under a typical warm, sunny, cloudless Southern California day. The culmination of a series of three paintings based on the same motif, *A Bigger Splash* sees Hockney engage with the age-old problem of how to create an illusion of light, space and volume. Using flat blocks of highly saturated colours, Hockney defined with unprecedented vitality and innovation a classic yet modern landscape. *Autumn Pool*, executed 12 years later in an entirely different, radical medium, is a continuation and evolution of the themes and compositional devices Hockney first examined in *A Bigger Splash*. While the swimming pool and diving board remain, the house recedes into the background, leaving the focus of the image on the illusion of light, space and volume by the opposition of line and colour and of surface and perspectival depth.

*Autumn Pool* is a tightly framed pictorial composition across six sheets of paper, with a composite, tessellated image of a pool and its diving board. The picture's balanced layout is dominated by the strong vertical and horizontal lines of the jutting diving board and the edges on the pool. Accentuated by the protruding white board, the composition's one-point perspective effortlessly draws the viewer's eye across the brilliant, jewel-like tones of the pool's water which reflects and refracts the luminous light drenching the outdoor scene. While the bold lines define a perspective, Hockney's lack of formal tonal recession reinforces the abstract flatness of the picture plane. Simple and daring in its formal design, *Autumn Pool* is filled with a tension between the figuration of the composite image and the abstraction of each individual sheet.

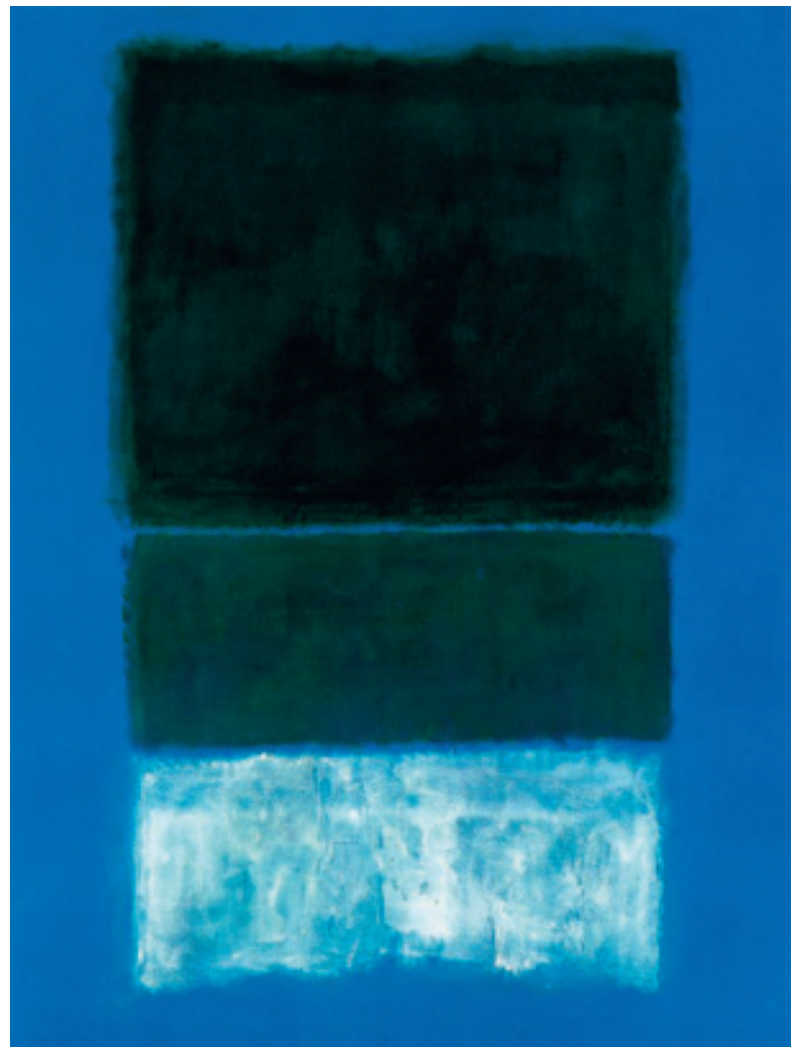






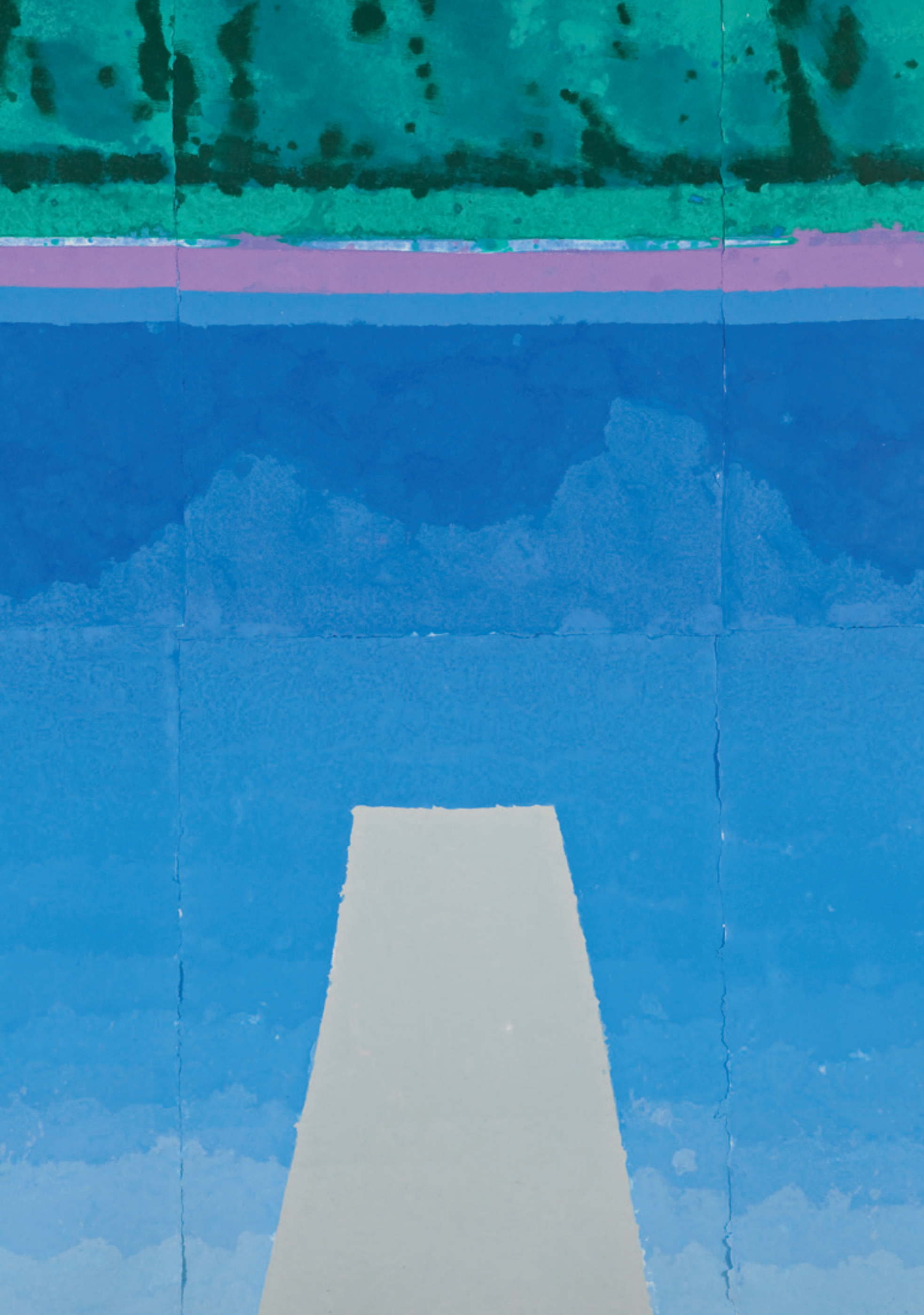
This mode of representation has been an ongoing concern in Hockney's work, especially in Polaroid photographic pieces in which the image is made up of a mosaic of accumulated detailed images. Another major formal influence are the Japanese woodblock prints, *Thirty-six Views of Mount Fuji* by Hokusai, with their sense of compressed space and emphasis on diagonal perspective – a visual and compositional effect clearly seen in *Autumn Pool*.

Ever since his move to Los Angeles in 1964, Hockney has been interested in the ways in which water can be represented. The technique used to create *Paper Pools*, was developed with Hockney by Ken Tyler, a renowned printmaker who also worked with Jasper Johns and Robert Rauschenberg. The method involved mixing water with coloured paper pulp before the combination is sandwiched between felts in a hydraulic process. So concerned was Hockney with emphasizing the inherent wetness of water that he used over a thousand gallons of water to create the series. Paper pulp allowed Hockney to produce a unique, one-of-a-kind image in which rich, intense colour is not applied to the surface but is part of the actual fabric of the paper itself. The resulting colour has a brilliance similar to Yves Klein's International Klein Blue. With its extraordinary brightness, Hockney was able to define space and composition in terms of mass of colour instead of line, an artistic exploration reminiscent of the work of Henri Matisse and his paper cut-outs. Although as a whole more representational in form and subject matter, the individual abstracted fields of intense, bleeding colour in *Autumn Pool* produce in the viewer the same powerful emotional experience as a Mark Rothko painting.



Left: Utagawa Hiroshige, *The Sugatami Bridge*, from *100 Famous Views of Edo*, c. 1856;  
top: Mark Rothko, *White and Green in Blue*, 1957; Henri Matisse,  
*The Snail*, 1953







14 **BARRY FLANAGAN** 1941–2009

*Hare on Pyramid*, 1988

Bronze with black patina. 204.5 × 189.2 × 45.7 cm (80 1/2 × 74 1/2 × 18 in). Stamped with the artist's monogram and numbered of 7 on the base. This work is from an edition of 7.

**Estimate** £250,000–350,000    \$385,000–540,000    €300,000–418,000

**PROVENANCE** Waddington Galleries Ltd., London; Private Collection

**LITERATURE** London, Waddington Galleries Ltd., *Barry Flanagan*, May–June 1990, no. 11, p.25 (illustrated)









Alberto Giacometti, *The Cat*, 1951

Since its first public appearance at the Venice Biennale in 1982, the hare has become a signature motif in Barry Flanagan's oeuvre. Flanagan's hares are often engaged in human activities such as boxing, performing acrobatics or playing musical instruments. By incorporating human attributes into his animal world, the result is at once rich and expressive. The current lot, *Hare on Pyramid*, presents a single hare dramatically leaping on the top of a high pyramidal base. In material and production method, the work follows the trajectory of classical sculptural practice – the formal qualities of the bronze, the grandiose scale and meticulous draughtsmanship as well as the volumetric sensibility, are powerfully displayed in this work. Nonetheless, filled with a sense of energy, the elasticity of its limbs captured in a leap gives the hare an almost cartoonish character. *Hare on Pyramid* is a sculpture bursting with life; and through its dynamic portrayal of movement, the element of playfulness is immediately felt.

"The great bronze hares which Barry Flanagan has been producing since the 1980s are one of the most personal and recognisable artistic endeavours of the second half of this century. Spectacular in size, biting irony and bold, as well as terribly individualistic, they are totally unlike what we normally see in museums and galleries around the world."  
(E. Juncosa, in *Barry Flanagan*, exh. cat., Waddington Galleries, London, 1994, n.p.)









15 **ED RUSCHA** b. 1937

*Bee?*, 1999

Acrylic and oil on shaped canvas. 187.6 × 147.3 cm, 73 7/8 × 58 in. Signed 'Ed Ruscha' on the reverse.

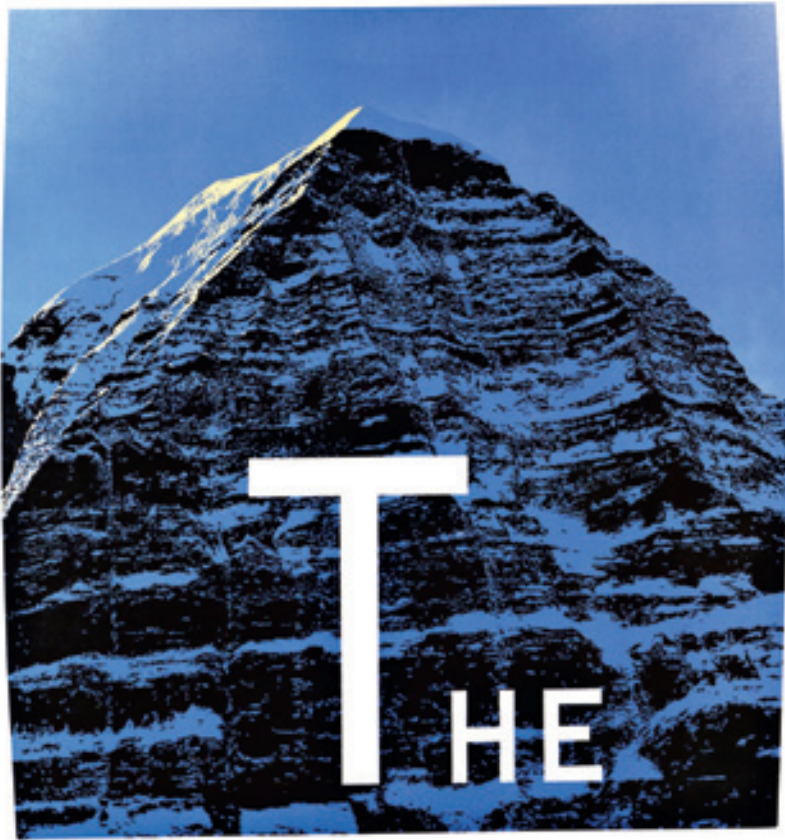
**Estimate** £400,000–600,000 \$615,000–925,000 €478,000–717,000

**PROVENANCE** Anthony d'Offay, London; Sprüth Magers Lee, London;  
Private Collection, London



BEER





Left: Ed Ruscha, *The mountain*, 1998; above René Magritte, *The Treachery of Images*, 1928–29; below: Andy Warhol, *Small Torn Campbell's Soup Can (Pepper Pot)*, 1962; opposite: detail of the present lot

"Sometimes I don't care about the definition of the word, sometimes you can study a word, like the word 'the', and looking at that word long enough, it just begins to lose its meaning."

(Ed Ruscha, in Karlstrom, 'Interview with Edward Ruscha', p. 192)

While some of the giants of 20th-century art like, Pablo Picasso and John Baldessari, have occasionally incorporated text in their work, Ed Ruscha has devoted the near entirety of his oeuvre to language. Dating back to the early 1960s, isolated words against a variety of backgrounds have been a hallmark of the conceptual artist's sensibility. *Bee?*, a monumental, shaped canvas which, as its title suggests, depicts an incomplete, ambiguous word running off the edge of the canvas – its last letter only partially revealed – is one of Ruscha's most astute and adroit paintings. The intended clever word play, reminiscent of the work of Marcel Duchamp (famous for his puns and intellectual mind games), hints at several possible meanings. Given the letterform used, the fourth letter of the word could either be an R, an F or a P, spelling BEER, BEEF or BEEP.

Ruscha's synthesis of text and background imagery would suggest that the intended word is BEER. This interpretation is enhanced when the barrel-shaped canvas is taken into account as well as the two horizontal and parallel thickly painted silver bands which faithfully mimic the metal hoops that bind a beer barrel's wooden staves. *Bee?*'s playfully reductive technique, in which the juxtaposition of text and imagery wittily plays off each other, is consistent with some of his most iconic paintings. A year earlier, in 1998, Ruscha painted *The mountain*, a similarly sized barrel-shaped canvas depicting the pronoun THE against the sublime landscape of Mount Everest. Both *The mountain* and *Bee?* are works in which Ruscha is at the height of his surrealist powers, happily playing with the paradoxes between text and image by questioning their reliance on one another.

René Magritte's famous painting of a pipe, *The Treachery of Images*, must have been in the back of Ruscha's mind when he executed the present lot. Both works present a banal image executed in a *trompe l'oeil* illusionistic technique and with descriptive language commonly associated with the image in an attempt to subvert and undermine the preconditioned perceptions of the image and its description. But whereas Magritte literally wrote out 'this is not a pipe' to imply that his painting was not a pipe but rather an image of a pipe, Ruscha leaves the R in BEER unfinished and unclear so that the viewer questions whether it is really the word BEER that he is reading and really an image of a barrel that he is seeing. This phenomenological disparity between object and language runs throughout the core of Ruscha's oeuvre and informs his most successful works of which *Bee?* is a remarkable example.





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PROPERTY FROM THE KIT FINANCE COLLECTION

16 **GEORGE CONDO** b. 1957

*The Irish Barber*, 2008

Oil on canvas in the artist's frame. 132.1 × 116.8 cm (52 × 46 in). Signed, titled and dated 'Condo The Irish Barber 08' on the reverse.

**Estimate** £150,000–200,000    \$230,000–308,000    €179,000–239,000    ₣

**PROVENANCE** Simon Lee Gallery, London

"I believe that when I paint I become a conduit or medium for antipodal beings, between myself and the visions that exist inside of me. Beyond the conscious awareness of each of us there are thousands of these creatures who exist within the factory of our minds. That's why, when I paint, I never limit myself to a preconceived notion of the final picture. I let my paintings emerge naturally and so keep myself open to anything that comes my way." (The artist in 'George Condo, The Condo Effect', *Another Magazine*, Autumn/Winter 2004, p. 420)

On first impression, George Condo's imaginary portraits critique art historical conventions of the genre. A further look show his paintings engaging in an exploration of sexuality, violence, comedy and tragedy to reveal the psyche of his subjects. However, Condo's characters are derived from the illusory world of memory, and in doing so manifest the style coined by the artist as Artificial Realism. This naturalistic representation of the artificial, implied in the above quote, recalls the manifestos of Dadaism and Surrealism while appropriating the analytical techniques of Cubism in the deconstruction of reality and the artificial construction of another reality. Somewhere between the grotesque and the comic, Condo's portraits embody an absurd humour. *The Irish Barber* laughs directly at the viewer in a tone similar to that of Duchamp – his bared teeth and wild expression, in fact, almost defies the onlooker's gaze. It is this dynamic relationship between Condo's portraits and their audience that makes them so beguiling and that has brought the artist such high acclaim.







## BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION OF CONTEMPORARY GERMAN ART

### LOTS 17–29

From Pop Art to contemporary design via wristwatches and African and Oceanic artefacts, Adam Lindemann has constantly reinvented himself as a passionate collector far ahead of his time. Mimicking his all-conquering entrepreneurial spirit, Lindemann's voracious collecting appetite has led him to the four corners of the globe from where he has amassed iconic art treasures of our time.

The following thirteen lots are a testament to Lindemann's unique eye for a young generation of German artists who have followed in the footsteps of the towering figures of post-war German art. Succeeding Anselm Kiefer, Sigmar Polke and Joseph Beuys as the artistic giants of Germany, the likes of Jonathan Meese, André Butzer and Thomas Zipp have re-invigorated the Berlin art world with their brash, testosterone-driven paintings, sculptures, installations and performances. One generation removed from the associations of World War II, the Berlin Group have been able to draw from and comment on the past with much more freedom and fervour than their predecessors. The quality, depth and breadth of Adam Lindemann's tightly curated selection for sale illustrates Berlin's zeitgeist, the most innovative and thought provoking art produced today.

Born into an affluent New York collecting family, Lindemann grew up surrounded by 1980s art world superstars like Andy Warhol and Julian Schnabel. However, after successfully setting up several broadcasting businesses, Lindemann decided to collect the most cutting-edge art of his time. In 2001, while in Berlin to see Heiner Bastian's major Warhol retrospective, Lindemann was struck by the raw and intense energy of the German capital's burgeoning artistic scene in the Mitte district. Lindemann immediately gravitated towards a group of young rebel artists represented by Berlin's luminary dealers Max Hetzler, Guido Baudach, Giti Nourbakhsh and the inimitable Contemporary Fine Arts duo Bruno Brunnet and Nicole Hackert. Under their guidance, Lindemann acquired, and continues to acquire, with an unquenchable enthusiasm the most exciting works from their ground-breaking exhibitions in the world's new epicentre for contemporary art.

After the War, Communist East Berlin was a satellite of the Soviet Union while the free West Berlin served as an enclave for conscientious objectors, dropouts, anarchists and other wild birds. The highly flammable combination provided fervent source material for provocative artists like Georg Baselitz and Martin Kippenberger to wreak havoc. In the decades after the fall of the Wall and reunification, a new generation of *enfant terribles* led by Meese, Butzer and Zipp have continued and enhanced the avant-garde artistic tradition forged by their predecessors. Truly encapsulating the best of German art today and with masterpieces from each of the six artists represented, Adam Lindemann's collection provides a unique glimpse into the extraordinary artistic talent of a young generation defined by Berlin's spirit of freedom.







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART



Anselm Kiefer, *Untitled*, c. 1969

17 **THOMAS ZIPP** b. 1966

*Fahnenträgerin*, 2003  
Oil on canvas, wood, fabric. Overall: 139.7 × 60.3 cm (55 × 23 3/4 in). Signed and dated 'Thomas Zipp 2003' on the reverse of the painting.

**Estimate** £15,000–20,000    \$23,100–30,800    €18,000–23,900    ♣ ‡

**PROVENANCE** Marc Jancou Contemporary, New York

Influenced by Futurism, Cubism, Surrealism and early abstract art, Thomas Zipp is one of the most important German artists of our time. Although working across a wide range of media, Zipp is primarily a painter with a wan aesthetic that calls to mind the dour imaginings of Luc Tuymans. Despite being embedded with references to the avant-garde of the early 20th century, Zipp's paintings tint the world with a bleak palette of dark tones. Mainly choosing from a spectrum of grey scales, the German artist expresses his very particular view of human culture. With a god-like authority, Zipp juxtaposes various systems of thought through which humanity has attempted to understand the world. Uncovering hidden connections between religion, history, science and politics, Zipp calls conventional readings into question whilst retaining a playful sense of humour.







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION OF CONTEMPORARY GERMAN ART

18   **ANSELM REYLE**   b. 1970

*Untitled*, 2006

Acrylic and silver PVC foil on canvas in Plexiglas. 234 × 198.8 × 24.8 cm (92 1/8 × 78 1/4 × 9 3/4 in).

**Estimate**   **£80,000–120,000**   **\$123,000–185,000**   **€95,600–143,000**   **♣ ‡**

**PROVENANCE**   Galerie Giti Nourbakhsh, Berlin

Sampling ideas from Modernism and Abstract Expressionism, Anselm Reyle injects new life into these styles. In his foil paintings, Reyle achieves this by reactivating concepts of abstraction and the ready-made with a shiny new material; and in so doing, he revitalises the notion of chance during the acts of both creation and viewing. Each peak, bend and valley of his synthetic foil substrate creates a new surface upon which light can refract and forms reflect; there is a constant fluctuation of light and tone, creating a work which remains new no matter how many times it is viewed.

"I found this cheap foil at a studio of a friend. I was very fascinated by this material. The quality – that it was so glossy. I've always liked the fact that you have to do very little to make it look good. In this case, you really have a lot of interesting effects created by almost nothing. All the colours reflect and also it has a very psychedelic effect when you look at it from a close distance. A bit like on an acid trip. The fact that this cheap store foil work is such a big contrast to the expensive acrylic box around it, is another aspect. Without this box, it would have been more trashy, cheap and even more fragile. But when it's inside it gets more serious leaving no doubt that it's a real piece of art."

(The artist, in an interview with Alexander Tovborg, during the exhibition, *Anselm Reyle: Valley of the Snake Ladies*, Andersen's Contemporary, Copenhagen, 27 May–24 June 2006)







**BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART**

**19 THOMAS HELBIG** b. 1967

*Untitled*, 2007

Mixed media. 163.8 × 41.9 × 45.1 cm (64 1/2 × 16 1/2 × 17 3/4 in).

**Estimate** £10,000–15,000 \$15,400–23,100 €12,000–18,000 ♣ ₹

**PROVENANCE** Galerie Guido W. Baudach, Berlin

Thomas Helbig, when referring to his work, talks about it occupying a parallel universe. As the would-be narrator of a dark and dreamy fairy tale, he understands his paintings as windows into a mythological world and his sculptures as its inhabitants. Catalysed by chance, the Berlin-based artist works with old materials such as decoration figures, wood and construction foam found at random in places such as flea markets, forests or bins. In a process of deconstruction and reassembly, Helbig then transforms the existing objects into disturbing shapes that resemble uncanny bodies and creatures.



Alternative view







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART



20 **ANDREAS HOFER** b. 1963

*Death World*, 2006

Oil on woven tapestry. 85.1 × 185.42 cm (33 1/2 × 73 in). Inscribed with the artist's pseudonym 'by Andy Hope 1930' lower right.

**Estimate** £20,000–30,000 \$30,800–46,200 €23,900–35,900 ♣‡

**PROVENANCE** Galerie Guido W. Baudach, Berlin

"What we like about Andreas Hofer's art is the way it offers up looking-glass-like possibilities (sometimes disturbing) for us to nip off into other worlds, via art history or more general cultural references, without the use of hallucinogens. We are promised a tableau that mixes the real with the fantastical and a portal to a place in its own dimension. In these hard times were up for any excuse to indulge in a bit of fantasy, so this should be right up our street."

('Andreas Hofer', *Art Review*, April 2009, issue 31, p. 28)







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART

21 JONATHAN MEESE b.1970

*Stalinietzsche de Large, im achten Ozean*, 2006

Bronze with green and white patina on stone base. 66.7 × 45.7 × 85.7 cm (26 1/4 × 18 × 33 3/4 in). Incised with initials, title, date 'JM 06 STALINIETSCHE' and numbered of 3 on the reverse. This work is from an edition of 3.

**Estimate** £40,000–60,000 \$61,600–92,400 €47,800–71,700 ♣‡

**PROVENANCE** Contemporary Fine Arts, Berlin

In his search for the Arch-State of Atlantis, Jonathan Meese seeks to live out his utopian reflections and reconstructions of German history and mythology. While working with a wide range of different mediums, Meese utilises a constant theme of symbols that allude to characters in literature, cinematography, history and pop culture. Amongst others, Meese's artistic realm is inhabited by personalities such as Scarlett Johansson, Richard Wagner, Balthus and Zardoz, whose historical contexts are manipulated by consistent interweaving and superimposition. Following this line of thought, Meese creates the work *Stalinietzsche de Large, im achten Ozean* in order to leave its spectators puzzled by the interlinking of Stalin, Nietzsche and the Iron Cross. As a master of provocation, Meese intentionally violates all conventions and rules in order to create a free space for thought, a field of artistic experimentation.



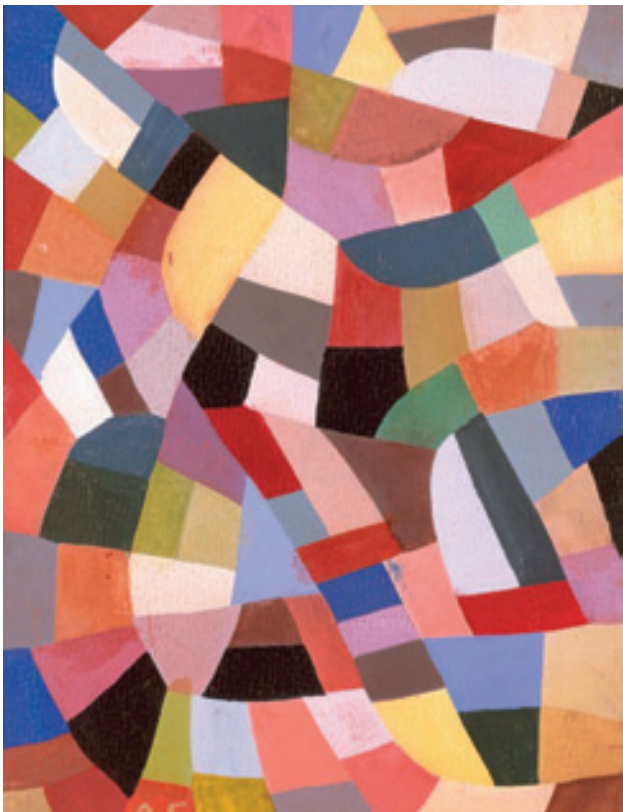
Reverse view







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART



Otto Freundlich, *Komposition*, 1938

22 **ANSELM REYLE** b. 1970

*Untitled (Otto Freundlich mystic jogging)*, 2006  
Oil, acrylic, PVC foil, glass and mirror collage on canvas. 298.4 × 139.7 cm  
(117 1/2 × 55 in). Signed and dated 'Anselm Reyle 2006' on the overlap.

**Estimate** £50,000–70,000 \$77,000–108,000 €59,800–83,600 ♣ ‡

**PROVENANCE** Galerie Giti Nourbakhsh, Berlin

In *Untitled (Otto Freundlich mystic jogging)*, Anselm Reyle pays tribute to one of Abstraction's unsung heroes. Reworking the fractured aesthetic of Freundlich's paintings, Reyle's mixed media on canvas convey a kaleidoscope effect, with different patches of colours symbolizing different emotions, from happiness to sadness, elation to mourning. The medley of bright hues, in various hard-edged, straight-lined geometric shapes and forms, composed in a collage technique, encapsulates a strong sense of celebration and optimism. Reyle is one of few German contemporary painters to examine the lessons of abstraction, as he constantly seeks to explore the notion of German culture and identity, by re-working and re-evaluating the primary surface of a painting that has become the predominant artistic style throughout his body of work.

"I liked Otto Freundlich's paintings already when I was a child. I think in his time his colourful abstract paintings were quite unusual. I work with the principal of his composition. So it's a homage to him."  
(The artist, in an interview with Alexander Tovborg, during the exhibition, *Anselm Reyle: Valley of the Snake Ladies*, Andersen's Contemporary, Copenhagen, 27 May–24 June 2006)







**BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART**

**23   LOTHAR HEMPEL**   b. 1966

*Casanova*, 2007

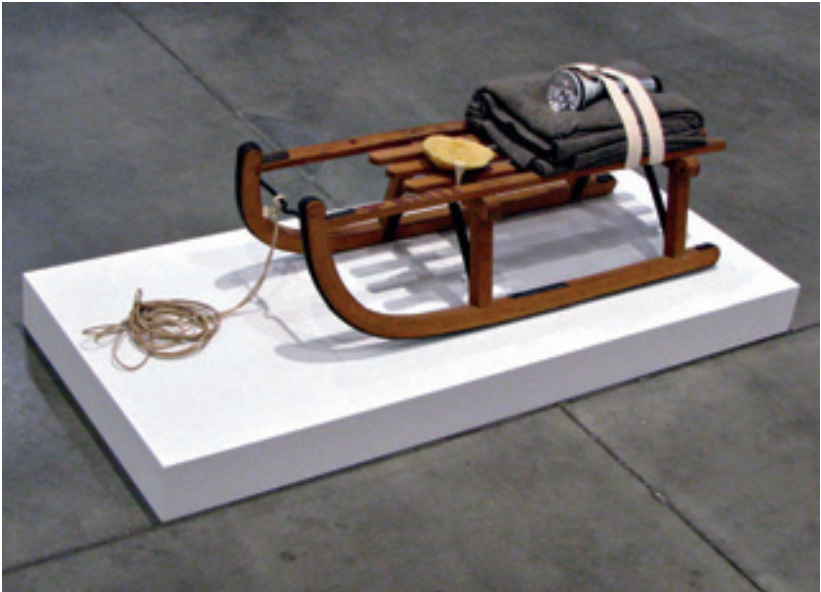
Mixed-media installation. Installation dimensions variable. This work is accompanied by a certificate of authenticity.

**Estimate**   £15,000–20,000   \$23,100–30,800   €18,000–23,900   ♠ Ω

**PROVENANCE**   Atle Gerhardsen, Berlin

"Walking into a Lothar Hempel exhibition can feel a bit like stumbling on to a stage during the interval."  
(Skye Sherwin, 'Artist of the week 90: Lothar Hempel', *Guardian*, 3 June 2010)

Inspired by Fellini's film classic *Casanova*, Lothar Hempel wants to take us into a realm of dreamlike theatricality. Transforming found and collected images into three-dimensional figures, the Berlin-based artist works where collage, sculpture and installation come together. Hempel's artworks make many references – to theatre, dance, art history and politics – while their dramatic orchestration provides the structure that holds them together.



Joseph Beuys, *Sled*, 1969







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART

24 **ANDRÉ BUTZER** b. 1973

*Untitled*, 2006  
Oil on canvas. 241.3 × 191.1 cm (95 × 75 1/4 in). Signed 'A. Butzer' lower right.

**Estimate** £20,000–30,000 \$30,800–46,200 €23,900–35,900 ♣ ±

**PROVENANCE** Galerie Guido W. Baudach, Berlin

André Butzer is interested in the subjective emotions of the human psyche over and above the objective representation of reality, in the same manner as the early 20th-century German Expressionists. However, he fast forwards and adjusts Expressionism to the present age of mass consumption, globalisation and pop culture. Whereas the art of Ernst Kirchner, Emil Nolde and Max Pechstein was concerned with a return to nature and purity, Butzer discloses his inner life as affected by seriality, post-industrialism and mankind's artificiality. In the present painting, Butzer confronts the viewer with a monochrome grey surface with a heavily processed texture. Wild strokes and violent scratches depict a multitude of smiley faces and SS skulls, playfully alluding to pop culture and Germany's dark history. Another theme, also inherent to Expressionism and referred to in this painting, is Butzer's balancing act between figuration and abstraction. Despite creating his artworks in an Abstract Expressionist manner, Butzer counteracts the supposed spontaneity of the act of painting. The concepts of originality and authenticity are called into question when the deliberate application of seriality becomes the underlying force of Butzer's art.



Gerhard Richter, *Un-Painting (Gray)*, 1972







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART

25 JONATHAN MEESE b. 1970

*Fräulein Einhorn*, 2006

Ceramic in 2 parts. 85.1 × 24.8 × 33 cm (33 1/2 × 9 3/4 × 13 in). Signed and dated 'Meese 2006' on the reverse of the head.

Estimate £25,000–35,000 \$38,500–53,900 €30,000–41,800  ♣  ‡

PROVENANCE Contemporary Fine Arts, Berlin

"Meese, the latter-day saint, we are invited to think, might actually be on a par with Saint-Just, Robespierre, Richard Wagner, Nietzsche, Rimbaud, Hitler, H. P. Lovecraft, and perhaps even Satan himself. This, though, would be to say nothing of Beuys, Klaus Kinsky, Christopher Lee, Sam Raimi, Che Guevara, Steve McQueen and Claudia Schiffer – all of whose names feature copiously in a succession of (quite possibly appropriately) hubristic streams of hyperbole."  
(Luke Heighton, book review of Jonathan Meese's *Mama Johnny*, *Art Review*, June 2007, p. 158)







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION OF CONTEMPORARY GERMAN ART

26 ANDREAS HOFER b. 1963

4419 (AH/IM 3), 2007

Acrylic lacquer on canvas. 200 × 149.9 cm (78 3/4 × 59 in). Inscribed with the artist's pseudonym 'by Andy Hope 1930' lower right.

Estimate £20,000–30,000 \$30,800–46,200 €23,900–35,900 ♣ ₣

PROVENANCE Galerie Guido W. Baudach, Berlin

Incorporating a variety of media, including painting, drawing, collage, spatial installation, sculpture and video, Andreas Hofer creates densely complex artistic environments that offer a glimpse of a long-forgotten period, an unknown era or an as yet unlivd future. Defying easy categorization, his thematic and formal references range from Christian, Satanist, astrological or mythological symbolism to recollections from art history indiscernibly juxtaposed with images from Hollywood, pop culture, comic strip, science-fiction films, and other elements from western mass media. Since 1996 when he was studying at the Chelsea College of Art and Design in London, Hofer has been signing his work with the alias 'Andy Hope 1930'. Hofer's alter ego resides in a pivotal year when historical events came together and pointed to different possibilities, optimism before the carnage of the Second World War, but also the end of the Russian Suprematist Revolution. In the present lot, a young boy looks up in admiration at a colossal figure of a propaganda-like superhero. Ever ambiguous, Hofer signals alternative readings of history while suggesting that nothing is fixed.



Martin Kippenberger, *Self Portrait*, 1988







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART

27   **ANSELM REYLE**   b. 1970

*Untitled*, 2006

Bronze, chrome enamel varnish and veneered makassa wood plinth. Overall: 165.1 × 52.1 × 50.2 cm (65 × 20 1/2 × 19 3/4 in).

**Estimate**   £100,000–150,000   \$154,000–230,000   €120,000–179,000   

**PROVENANCE**   Galerie Giti Nourbakhsh, Berlin







# BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION OF CONTEMPORARY GERMAN ART



Anselm Reyle's artistic output encompasses many different media, including ready-made and original cast sculptures, colourful neon light installations and glossy mixed-media paintings. A common theme running through his work is commodification and, just as the modernists of the early and mid-20th century addressed this subject in relation to contemporary society, Reyle does likewise in his own time. Conveyed through bright, garish and shiny surfaces, his artwork fully embraces formalism and abstraction, recycling such a dialogue through a new pictorial language.

Reyle's studio factory employs 25 staff that produce up to 150 works a year. Such a high volume of paintings immediately commodifies the artwork but his meticulously high quality standards are an answer to the art industry's demand for high-end art such as Reyle's. His re-contextualisation of the techniques of abstraction (dripping, pouring and staining, for example) developed during the 1950s and 1960s has liberated 'abstract' art, setting up a new exchange of formal dialogue between cranked-up colours and distorted reflections. Opposing contemporary 'good' taste, Reyle's work has often been criticized for being excessively decorative, but this is something that he has exploited in further response to the idiom of abstraction.

Referencing the Africanism of Brancusi yet dramatically more fetishized in a bright purple and reflective chrome finish, this sculpture adopts a well-known motif that has become something of a modernist art cliché and reworks it with new meaning and context. This is kitsch at its most intense, re-addressing modernism from a more exotic and extravagant perspective. The glossy chrome finish and gestural shape of this sculpture contextualises the art historical values of Pop Art and Primitivism within the language of contemporary visual culture.

"I like the idea of clichés. To me it means that people found common sense in a certain matter. So I see it as an inspiration, and not negative."  
(The artist, in an interview with Alexander Tovborg, during the exhibition, *Anselm Reyle: Valley of the Snake Ladies*, Andersen's Contemporary, Copenhagen, 27 May–24 June 2006)

"Surface and colours refer to things we relate to. I like the idea that kids as well as people who have nothing to do with art can also find their own access to my work. It's as simple as standing and waiting to cross the road, when a truck drives by and you're fascinated by the appearance of the hood. It's easy."  
(The artist, interview as above)



Top left: Jean Arp; top right: Constantin Brancusi;  
above: Constantin Brancusi, *Madame L.R. (Portrait de Mme L.R.)*,  
c. 1914–17; opposite: detail of the present lot







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION OF CONTEMPORARY GERMAN ART

28 **ANDRÉ BUTZER** b. 1973

*N-Fleisch*, 2005  
Oil on canvas. 250.19 × 200 cm (98 1/2 × 78 3/4 in). Signed 'A. Butzer' lower right; signed, titled, inscribed and dated 'N-Fleisch Arthur Seyß A. Butzer 05' on the reverse.

**Estimate** £20,000–30,000 \$30,800–46,200 €23,900–35,900 ♣ ‡

**PROVENANCE** Galerie Max Hetzler, Berlin

Executed on a monumental scale, André Butzer's paintings depict a colourful, imaginary world inhabited by a disquieting cast of grotesque cartoon characters. Influenced by his upbringing in 1980s West Germany in which American troops were stationed, Butzer's canvases serve as a witty satire of the American Dream. His signature figures with their maniacal smiles, hollowed-out death-mask eyes and puffy Mickey Mouse hands allude to a dark, twisted side of Disneyland. Butzer's protagonists have a similar psychological heaviness as well as a physical likeness to the lone, depressed figure in Edward Munch's *Scream*. Stylistically, Butzer's approach is to fill the canvas to the edge with a dizzying array of coded imagery executed in a child-like manner. The gestural application of paint straight from the tube and the raw, primitive rendering of organic forms are reminiscent of the meandering line of Joan Miró and of Jean Dubuffet's Art Brut. An undeniable force possesses Butzer's paintings, a powerful expression of the Romantic ideal of the artist, of truth, of beauty and ugliness.



Jörg Immendorf, *Café de Flore*, 1991







BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION  
OF CONTEMPORARY GERMAN ART



29 **JONATHAN MEESE** b.1970  
*Kampf dem Spiel (letzte Runde)*, 2005  
Mixed media on canvas in three parts. 210.2 × 421 × 6.35 cm (82 3/4 × 165 3/4 × 2 1/2 in). Signed, titled and dated 'JMeese Kampf dem Spiel (letzte Runde) 2005' on the reverse of the middle panel.

**Estimate** £50,000–70,000 \$77,000–108,000 €59,800–83,600 ♣ ‡

**PROVENANCE** Contemporary Fine Arts, Berlin







## BERLIN ZEITGEIST! A SELECTION FROM THE ADAM LINDEMANN COLLECTION OF CONTEMPORARY GERMAN ART



"The dictatorship in art is the only possible anti-nostalgic world view for the future. Art is not religion, but every religion is art. The usurpation of power by 'that thing called art' is the only solution. Sorry."

(Jonathan Meese, quoted in H. W. Holzwarth, ed., *Art Now, Vol. 3*, Cologne, 2008, p. 314)

Berlin has attracted increased attention as a mecca for young artists and a site of significant artistic production, and Jonathan Meese has emerged as that scene's reigning bad boy. Far from playing the role of the self-indulgent *enfant terrible*, however, Meese's reputation stems from his status as a self-proclaimed cultural exorcist, an artist-prophet with little choice but to allow his energy and vision to be a vessel for an artistic force greater than himself. Since attending the Hochschule für bildende Künste in Hamburg, Meese has exploded into public consciousness with a flurry of paintings, sculptures, installations and performances, producing terrifying visions of the future with the help of his voracious appetite for cultural iconography and a viscerally primitive style reminiscent of De Kooning and Jean-Michel Basquiat.

Following in the footsteps of the great German post-war artists, Jonathan Meese aims to shake the bourgeoisie to its foundations. As the collector Harald Falckenberg puts it, Meese "dared to attack scientific theory and political correctness without bothering about morale and ethics, whilst flipping the bird to the art world's leading figures" (H. Falckenberg, *Aus dem Maschinenraum der Kunst. Aufzeichnungen eines Sammlers*, Philo Fine Arts, Hamburg, 2007). In his famous *Nazi Selbstbildnisse* series, Anselm Kiefer shocked the German establishment by confronting society with Germany's national socialist past, while Martin Kippenberger followed the same line of thought when opening the Petrol Station Martin Bormann in the popular post-war Nazi hideaway of Brazil.



Top left: Sigmar Polke, *Giornico (Wir Kleinbürger)*, 1976; top right: Georg Baselitz, *The Big Night Down the Drain*, 1963; above: Hieronymus Bosch, *The Garden of Earthly Delights*, 1503–04

Similarly, Meese also stands in the tradition of Georg Baselitz, whose self-portrait *The Big Night Down the Drain* was famously confiscated by German police officers in 1963. Baselitz's early painting depicted a gnome-like figure masturbating while surrounded by an aura of sadness.

However, Meese even goes further than his predecessors. In addition to integrating sexually and politically charged motifs and symbols into his paintings, he shocks with the form of presentation. Wildly mixing, layering and intertwining a multitude of different antagonising themes – using rough hues of paint, photographs, and flea market collectibles – Meese creates his very own genre. In the fashion of a maverick, he rejects associating with any group of artists or art historical movement. As Isabelle Graw points out: "The presented knowledge neither makes sense, nor does it supply any findings... There are many references, but no underlying objectives – typical in the art critical of institutions – can be found" (I. Graw, 'Jonathan Meese', *Spex*, issue 4, 1999). What Meese really wants is to disconnect his art from art historical theory via the active devaluation of the 'meaningful'. Chaotically deconstructing sets of values and categorised knowledge, Meese fights to secure himself a kingdom of anarchic, artistic freedom.







30 **TAL R** b. 1967

*Cusines*, 2003

Oil and paper collage on canvas. 200 × 200 cm (78 7/8 × 78 7/8 in). Signed, titled and dated 'Tal R Cusines 2003' on the reverse.

**Estimate** £40,000–60,000    \$61,600–92,400    €47,800–71,700    ♣ †

**PROVENANCE** Victoria Miro Gallery, London

**EXHIBITED** London, Victoria Miro Gallery, *Lords of Kolbojnik*, May–June 2003; *The Triumph of Painting*: London, Saatchi Gallery, 26 January–3 July 2005; Leeds City Art Gallery, 25 January–12 March 2006

**LITERATURE** *The Triumph of Painting*, exh. cat., Saatchi Gallery, London, 2005, pp. 172–73

Tal R belongs to a group of internationally acclaimed artists who graduated from the Royal Danish Academy of Fine Arts in the 1990s. Common amongst this group of painters is a focus on expressive and painterly qualities which combine with personal and sometimes banal subject matter. His imaginary scenes suggest awkward and puerile narratives of the suburban fairy tale.

"Tal R is has been described as a 'painter's painter' due to the ease and exuberance of his approach to the medium. In his work the artist establishes vivid, expressive settings within a pictorial framework composed of three zones: a heading used as a palette, a central area in which colour becomes form, and a lower foundation. With these new works, he is characteristically vigorous and painterly, but he introduces fabric, paper and canvas collage in an active attempt to resist a single signature style. Some works then assume, as he puts it with typical irony, a new 'unhygienic minimalism' or 'wild minimalism without puritanism'."

(Press release for exhibition *Tal R: The Lords of Kolbojnik*, at Victoria Miro, London, 17 May–14 June 2003)







31 **MARTIN KIPPENBERGER** 1953–1997

*Einsam? (Lonesome?)*, 1983

Oil and spray paint on canvas. 119.9 × 100.3 cm (47 1/5 × 39 1/2 in). Signed, titled and dated 'Martin Kippenberger Einsam? 1983' on the reverse.

**Estimate** £150,000–200,000 \$230,000–308,000 €179,000–239,000 †

**PROVENANCE** Acquired directly from the artist

**EXHIBITED** *The Triumph of Painting*: London, Saatchi Gallery, 26 January–3 July 2005; Leeds City Art Gallery, 25 January–12 March 2006

**LITERATURE** *The Triumph of Painting*, exh. cat., Saatchi Gallery, London, 2005, pp. 24–25

"If Robert Rauschenberg was the American Picasso – constantly innovating and working, and also prone to churning out crud – Kippenberger is the German Rauschenberg."  
Jerry Saltz, 'The Artist Who Did Everything', *Artforum*, February 2009)

Constantly asking uncomfortable questions about what it means to be German, and what it means to be an artist, Martin Kippenberger became one of the most influential artists of the post-war era. Propelled by a witty mix of humour and critique, his work includes the opening of a petrol station named after a Nazi war criminal in Brazil, the transformation of a Gerhard Richter monochrome into a coffee table, and the construction of fake subway stations around the world. Always ready to confront the limits of taste and behaviour, the German master of provocation heavily influenced subsequent generations of artists.







32 **GEORGE CONDO** b. 1957

*Smiling Girl with Blue Eye Shadow*, 2008

Oil on canvas. 101.6 × 91.4 cm (40 × 36 in). Signed and dated 'Condo 08' upper left.

**Estimate** £80,000–120,000   \$123,000–185,000   €95,600–143,000   ¥

**PROVENANCE** Acquired directly from the artist

It was in the 1980s that George Condo came to prominence with his style of Artificial Realism, a term the artist himself coined, placing his work in a category of its own. Over the years, Condo has introduced his audience to a diverse cast of characters, all with their own multitude of personalities. For their inspiration the artist does not discern between memory, life, truth or fiction. His most successful paintings expose a powerful psychological intensity, of which this present lot, *The Girl with Blue Eye Shadow*, is an excellent example. It embodies an almost perfect tension between mockery, pity, satire and pastiche. Executed as part of his *Existential Portraits* series, *The Girl with Blue Eye Shadow* is from of an extensive cast of individuals created around the figure of Jean Louis. These characters include his relatives and staff members, such as his wife, girlfriend, chauffeur and maid. Set against an isolated background, *The Girl with Blue Eye Shadow* questions her existence – an existence lived beyond the periphery of consciousness. Staring right back at the viewer, her confrontational gaze draws us in to her world of despair and loneliness. Like an anatomical orgy, her coagulated facial features of displaced body parts are at once frightening and appealing, inviting the viewer to enter her space yet at the same time pushing him away.

“Condo's portraits ultimately return our attention to the varied responses that they trigger in us. They confront us with the curious fact that we can feel pity and ridicule for something at the same time, or sympathy and revulsion. In the end, these imaginary portraits lead us to wonder at the schizoid and contradictory character of our own natures. And they leave us to revel in what Soberg memorably termed ‘the irresolvable clownishness of being.’”

(Ralph Rugoff, *The Imaginary Portraits of George Condo*, New York, 2002, p.14).







33 **DANA SCHUTZ** b. 1976

*Frank in the Desert*, 2002

Oil on canvas. 149 × 137 cm (58 3/4 × 54 in). Signed and dated 'Dana Schutz 2002' on the reverse.

**Estimate** £150,000–250,000 \$230,000–385,000 €179,000–300,000 †

**PROVENANCE** Ethan Cohen Fine Arts, New York

**LITERATURE** *The Triumph of Painting*, exh. cat., Saatchi Gallery, London, 2005, p. 203 (illustrated)

Catapulted to the forefront of the contemporary art scene through seven solo shows in New York, Boston, Paris and Berlin, Dana Schutz belies a confidence beyond her years. Rooted in mythology, her work explores the boundary between form and formlessness, the animate and inanimate. Her paintings depict a fictional world, loosely based on meta-narratives encompassing wit and fantasy. Frank is her protagonist, the last man on earth, whom Schutz depicts through an almost anthropological perspective – lounging in the nude, gazing at the stars or, as in *Frank in the Desert*, held hostage on a fictional island of the artist's imagining. Schutz focuses on the dialogue between herself as the artist and her work. She is the creator, the inventor, and architect of her own pictorial landscapes:

"Although the paintings themselves are not specifically narrative, I often invent imaginative systems and situations to generate information. These situations usually delineate a site where making is a necessity, audiences potentially don't exist, objects transcend their function, and reality is malleable."  
(Dana Schutz, 2004)

Frank becomes the means for Schutz to explore the power relationships between artist, subject and viewer. She embarrasses him in sexually aroused situations or, in this example, makes him the victim of bad sunburn. With a symbolist tendency derived from Gauguin and an instinctive Matisse-like palette, Schutz's paintings are brilliant in their instinctual fabrication, earning her the description in *Artforum* as "our finest contemporary symbolist".







34 **BARNABY FURNAS** b. 1973

*Untitled (Effigy I)*, 2006

Urethane, spirits on burnt calf skin vellum. 71.1 × 45.7 cm (28 × 18 in). Signed, titled and dated 'BARNABY FURNAS EFFIGY #1 6/9/6' on the overlap.

**Estimate** £20,000–30,000    \$30,800–46,200    €23,900–35,900    †

**PROVENANCE** Marianne Boesky Gallery, New York

**EXHIBITED** New York, Marianne Boesky Gallery, *Barnaby Furnas*, 16 September–21 October 2006; London, The Royal Academy of Arts, *USA Today*, October–November 2006; London, Stuart Shave Modern Art, *Barnaby Furnas, Effigies*, September–October 2007

**LITERATURE** *USA Today*, exh. cat., The Royal Academy, London, 2006, pp. 141; *Abstract America: New Painting and Sculpture*, exh. cat., Saatchi Gallery, London, 2008, p. 379

“With the skin my thinking is that rather than having to render skin why not use flesh itself to depict flesh. Plus skin is the substance that separates air from blood, the goal is to find a sort of material realism rather than a painted one.”  
(Barnaby Furnas, in an interview with Adam Mendelsohn, October 2006, heyokamagazine.com)

Barnaby Furnas's *Untitled (Effigy I)* is executed on calf-skin vellum. The burning and puncturing in areas across the surface insinuates a foreboding mysticism that is given greater accent by the linear script interweaving across the background. This spirituality is paralleled in the transparent haze of urethane that Furnas mixes with pigment himself rendering ethereal skin tones. The figure becomes rather disturbing; deviating from his normally bold and vibrant palette to imbue a sense of imminence. Charred and pierced she sits emotively locked with the viewer, encouraging corporeal engagement between the two.







35 **GRAYSON PERRY** b. 1960

*Two Children Born on the Same Day*, 1996

Glazed earthenware. 43 × 36 × 36 cm (17 × 14 1/5 × 14 1/5 in).

**Estimate** £20,000–30,000    \$30,800–46,200    €23,900–35,900    ♣ †

**PROVENANCE** Laurent Delaye Gallery, London

**EXHIBITED** London, Saatchi Gallery, *New Labour*, 2001

**LITERATURE** *New Labour*: exh. cat., Saatchi Gallery, London, 2001 (illustrated)

"Pottery is seen by the art world as some sort of precious next-door neighbour, rather than as something in which you can produce expressive art. If you call your pot art you're being pretentious. If you call your shark art you're being bold and philosophical. A lot of my work has always had a guerilla tactic, a stealth tactic. I want to make something that lives with the eye as a beautiful piece of art, but on closer inspection a polemic or an ideology will come out of it. I have used imagery that some people find disturbing. I use such materials not to deliberately shock but because sex, war and gender are subjects that are part of me and fascinate me, and I feel I have something to say about them. Awkwardness is one of my key words. My work is criticised for being hamfisted or pernickety or cobbled together, but for me those are the only ways of expressing what I want. I've got a complete horror of minimalism or of art that is not emotionally open."

(The artist, in S. Jeffries, 'Top of the Pots', *Guardian*, 21 November 2003)



Reverse view







36 **YAN PEI-MING** b. 1960

*Mao*, 2001

Oil on canvas. 73 × 100 cm (28 3/4 × 39 1/2 in). Signed, titled and dated 'Yan Pei-Ming Mao 2001' on the reverse. This work is accompanied by a certificate of authenticity.

**Estimate** £100,000–150,000 \$154,000–230,000 €120,000–179,000 

**PROVENANCE** Galleria Massimo de Carlo, Milan

Born in Shanghai in 1960, Yan grew up during the Cultural Revolution during which the striking posters of Mao Zedong and other political leaders made a deep impression on the young artist. Yan moved to France around 1980 to pursue a career as an artist. His work took on a Western influence to become an assimilation of the style of Chinese propaganda and the reductive methods of the Abstract Expressionists. The marriage of these influences is to be seen in the simplified monochrome palette together with minimal but bold brushstrokes. Yan's own unique methodology is both gestural and descriptive, something directly inherited from Pollock and De Kooning yet strikingly personal in its quasi-realism. The result of this is a balance struck between the 'real' and the transcendent, in which a near photographic quality is signified through audaciously large brushstrokes. It is this two-fold technique that both brings together the metaphysical and the everyday and also visually declares their juxtaposition.

Throughout Yan's work, immediately recognizable figures such as Chairman Mao, Pope John Paul II and Bruce Lee, appear again and again in an attempt to diminish their stature to something more intimate. There is an overarching trajectory through his work that addresses themes of identity and mortality and which goes some way towards explaining his obsession with portraiture. The recurring subject of Mao in this context suggests an attempt to humanise the Great Leader and to deconstruct the propagandist iconography that was so celebrated by Warhol in his Mao portraits.







37 **ANDY WARHOL** 1928–1987

*Mao*, 1978

The complete set of 10 screen prints in colours, on Becket High White paper.  
Each: 91.4 × 91.4 cm (36 × 36 in). Each signed in ball-point pen and stamp-numbered on the reverse, from the edition of 250, the colours bright and fresh, all in very good condition, unframed.

**Estimate** £250,000–350,000    \$385,000–540,000    €300,000–418,000    ₣

**PROVENANCE** Castelli Graphics and Multiples, Inc., New York  
**LITERATURE** F. Feldman and J. Schellmann, eds., *Andy Warhol Prints: a Ca ogue Raisonné*, New York, 1985, pp. 54–55, II. 90–99 (illustrated); F. Feldman and J. Schellmann, eds., *Andy Warhol Prints: a Catalogue Raisonné*, New York, 2003, pp. 82–83, II. 90–99 (illustrated); S. Bluttal & D. Hickey, eds., *Andy Warhol “GIANT” Size*, London, 2006, p. 507 (illustrated)

“Every time I go out and someone is being elected President or Mayor or something, they stick their images all over the world, and I always think I do those. I always think it’s my work. Isn’t life a series of images that change as they repeat themselves?”  
(The artist in *Cast a Cold Eye: The Late Works of Andy Warhol*, exh. cat., Gagosian Gallery, New York, 25 October–22 December 2006, p. 144)

“Aside from society portraits, the portraits could often pack a political punch. Such as the case with *Vote McGovern* (1972), which was a contribution to the presidential campaign of George McGovern. Instead of a portrait of McGovern, Warhol silk-screened a ghastly green image of President Richard Nixon, the incumbent, with the words “Vote McGovern” scrawled below. Warhol also painted several portraits of China’s Mao Tse-tung, as well creating an edition of wallpaper featuring the communist leader’s face, on which he hung other paintings. Warhol often stated that his goal was to obtain the patronage of the dictator, who would then mandate that Warhol’s portrait be place in every governmental office , school, and so on , ensuring the artist unlimited financial opportunities.”  
(K. Goldsmith, ‘Polaroids and Pictures’, in *Andy Warhol: “Giant Size”*, London, 2006, p. 450)

Although the Communist leader did not conduct business with the American artist, whose interest in commercialism bordered on the obsessive, the *Mao* series came to be a pivotal moment in his career. This lot, comprising ten prints, is a astonishing example of Warhol’s mastery over icons and ability to turn any image into an icon of his obsession with fame.















38 **SHI XINNING** b. 1969

*Royal Coach*, 2006

Oil on canvas. 210 × 317 cm (82 5/8 × 124 3/4 in). Signed, titled, inscribed and dated 'Royal coach Shi Xinning 2006 Beijing' on the reverse.

**Estimate** £50,000–70,000 \$77,000–108,000 €53,800–83,600 †

**PROVENANCE** Wedel Fine Art, London

**EXHIBITED** London, Saatchi Gallery, *The Revolution Continues: New Art from China*, 8 October 2008–18 January 2009

**LITERATURE** *The Revolution Continues: New Art from China*: exh. cat., Saatchi Gallery, London, 2008, pp. 58–60 (illustrated)

Painted as if enlarged from historical and political mass-media photography, Shi Xinning's *Royal Coach* is seemingly a documentation of the curious moment of exchange between Mao Zedong and the Queen Mother. What becomes apparent upon closer inspection is that the painting portrays an imaginary event. By humorously pairing Mao and the Queen Mother together on the royal coach, the scene unfolds as part documentation, part fantasy. As in other works in his oeuvre – many of which depict Mao in unlikely situations with icons of the West – Shi revels in humour and irony. The manipulated image in *Royal Coach* not only questions the truth of the photographic image often taken for granted, it also serves as a witty commentary on the ubiquity of Mao's image in modern China. By infusing the totems and taboos of Social Realist art into his work, Shi's art is ultimately a satirical parody of China's political past and legacy.







39 **TERENCE KOH** b. 1977

*These Decades that We Never Sleep, Black Light*, 2004

Mixed-media installation comprising a crystal chandelier, paint, lollipops, vegetable matter, human and horse hair, mineral oil, rope , glass shards, stones and artist's organic material. 190 × 72 × 72 cm (74 7/8 × 28 3/8 × 28 3/8 in).

**Estimate** £40,000–60,000 \$61,600–92,400 €47,800–71,700 †

**PROVENANCE** Maureen Paley Gallery, London

**EXHIBITED** London, Maureen Paley Gallery, *The Black Album*, November 2004 –January 2005; London, Royal Academy of Arts, *USA Today*, 6 October–4 November 2006; St Petersburg, Russia, The State Hermitage Museum, *USA Today*, 24 October 2007–13 January 2008; Museo de Arte Contemporáneo de Castilla y León, *Terence Koh: Love for Eternity*, September 2008–January 2009

**LITERATURE** *USA Today*, exh. cat., The Royal Academy, London, 2006, p. 205 (illustrated); *The Shape of Things to Come*, Saatchi Gallery, London, 2008, pp. 546–47 (illustrated)

Spanning across photography, sculpture, painting, and performance, Terence Koh's body of work thus far exudes a dark romanticism entwined with notions of birth and death. Koh first gained notoriety for his website Asianpunkboy, which he described as being “filled with an infusion of gentle surfaces, dissident eruptions, haikus, mapped pictures, dirty illustrations, moist cum, decadent artificial words, love and all manner of faggy filth”. Koh says that he couldn't live without his website as it is the most direct and free tool of a visual artist enabling him to share ideas with thousands of people at the click of a mouse. The labyrinthine layout of the site, where links to images or illustrations constantly reconfigure themselves so that the user becomes lost, reflects his artistic concerns with age and racial identities. Likewise, his artistic output mirrors his temperament, giving us an insight into his personal mythology.

*These Decades that We Never Sleep, Black Light* takes the form of a chandelier bulging with sexual innuendo. Underneath the dripping crystals and bijoux is a concoction of human and horse hair, glass shards and the artist's own blood and faeces. The work's focus is close psychological ties between lust and death. The unceremonious flirtation between pleasure and pain is dangerous but simultaneously irresistible and is consequently what makes the work so beautiful. This duality is catalysed by the consuming darkness, which transforms the array of found and sourced objects into one mass, and exemplifies Koh's perverse approach to artistic production. As a highly fetishistic work that insinuates itself into the viewer's subconscious, *These Decades* instils feelings of temptation and danger at the same time as loss is mirrored by physical desire.







40 **RICHARD PHILLIPS** b. 1962

*Chastity*, 2007  
Oil on linen. 304.8 × 230.2 cm (119 3/5 × 90 1/2 in).

**Estimate** £150,000–200,000    \$230,000–308,000    €179,000–239,000    ₺

**PROVENANCE** Galerie Max Hetzler, Berlin  
**EXHIBITED** Düsseldorf, Museum Kunst Palast, *Diana + Actaeon, Der verbotene Blick auf die Nacktheit*, 25 October 2008–15 February 2009  
**LITERATURE** *Diana + Actaeon, Der verbotene Blick auf die Nacktheit*, exh. cat., Düsseldorf, 2008, p.224 (illustrated)

Richard Phillips creates hyperrealist glossy paintings that contest the validity and sanctity of images as conveyors of meaning. They incorporate material from a range of cultural sources including pornography, advertising and fashion, with the iconography of Mel Ramos, Alex Katz and Andy Warhol. Often cropping the figure, he re-situates his subjects against a bold neutral ground. Deprived of any clues to a setting and by removing any defining naturalistic details, his figures become inaccessible ciphers of contemporary power. His objective is to obfuscate reality, distorting truth by placing his subjects in the distended space of the canvas. *Chastity* tantalizes the viewer, portraying an open legged female figure erotically charged by the presence of a highly fetishized belt locked with two padlocks. The unidentified protagonist flauntingly exercises her control over the viewer submerged underneath a personal commentary on the broader social context of contemporary power relations.

“Unbelievably, there is a possibility of an art that, after the nineties, will not preach or illustrate, that will be literally destructive of the coherence and order that define the levelled-out stasis of modern, socially relativistic culture. The hope is to set up favourable conditions in relationship to these topics, whereby patterns of thought may be ignited through individual, direct, sensual experience of the living and the beauty in painting as Art.”  
(The artist, in Yilmaz Dziewior, ed., *Richard Phillips*, Hamburg, 2002)









41 **BANKS VIOLETTE** b. 1973

*SunnO))) – (Repeater) Decay/Coma, 2006*

Steel, hardware, plywood, paint, fibreglass, tinted epoxy, salt, resin. Dimensions variable. This work is accompanied by a certificate of authenticity.

**Estimate** £200,000–300,000 \$308,000–462,000 €239,000–358,000 †

**PROVENANCE** Maureen Paley Gallery, London

**EXHIBITED** London, Maureen Paley Gallery, *Banks Violette*, 2 June–23 July 2006; London, Royal Academy of Arts, *USA Today*, 6 October–4 November 2006

**LITERATURE** *USA Today*, exh. cat., The Royal Academy, London, 2006, pp. 372–73; *Shape of Things to Come*, Saatchi Gallery, London, 2008, pp. 568–69 (illustrated)









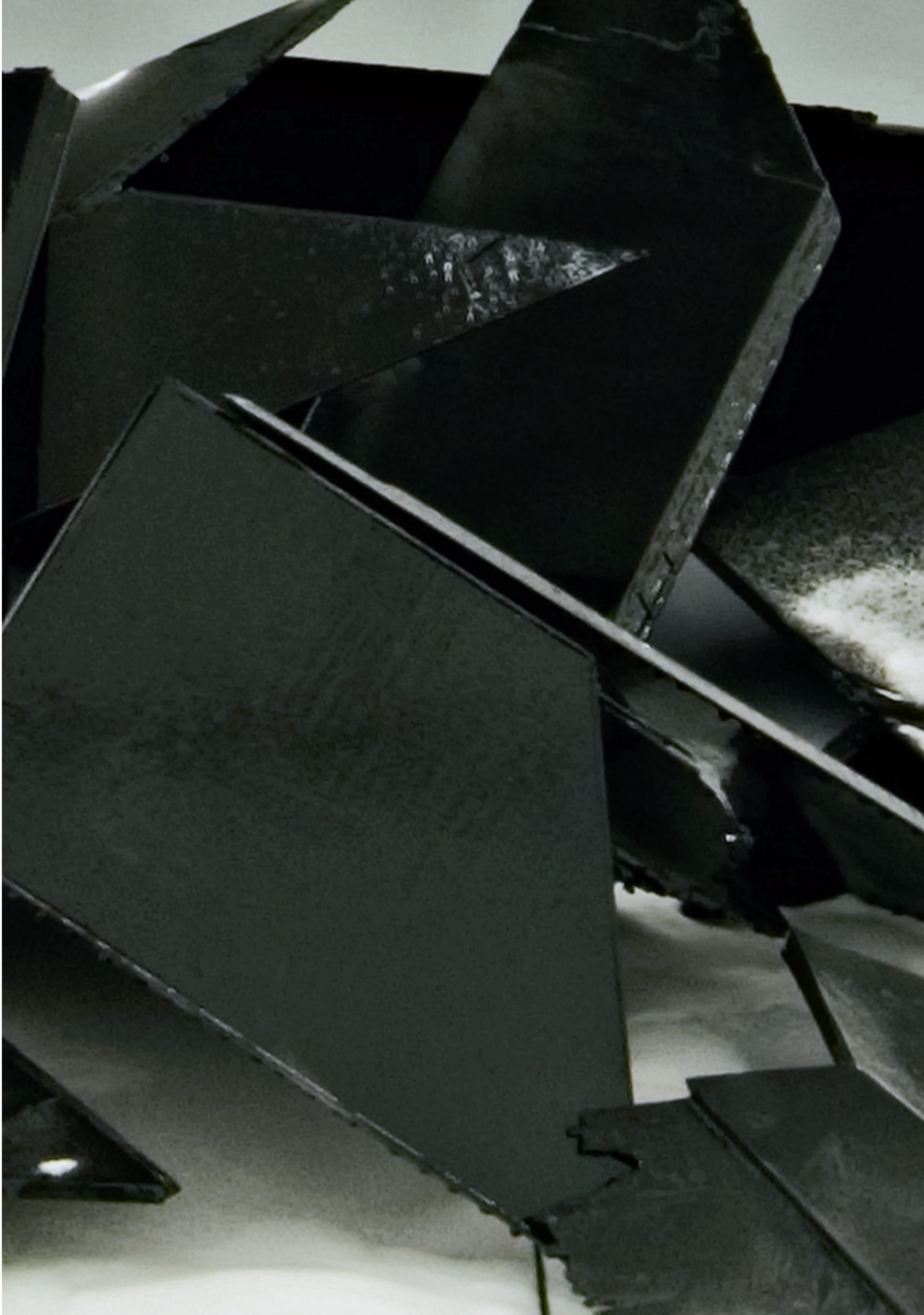
Above left: Felix Gonzales-Torres, *Untitled*, 1994, detail;  
 above right: photograph by Pennie Smith of The Clash taken  
 at the New York Palladium, 21 September 1979; below: Steven  
 Parrino, *The Self-Mutilation Bootleg 2 (The Open Grave)*,  
 1988–2003; opposite: detail of the present lot

Exploring the dark beauty of America's subcultures, *SunnO))))/ (Repeater) Decay/Coma* takes as its origin a performance by the cult drone rock band SunnO))). In the performance, the band allowed the audience to hear but not to see. Violette's installation provides the visual documentation of the event. The band's equipment is cast in salt, as if encased by a bitter, salt-infused wind, creating an apocalyptic moment frozen in time. The crystalline stillness is conjured up by the instruments as they lay unused on plinths, intruded upon by ebony shards piled in the centre of the semicircular ensemble. This is representative of the band's performance, in which the lead singer was encased in a black coffin – now destroyed, it signifies an ominous aftermath with ghostly conviction.

To launch the show of this work at Maureen Paley, Violette took the band's teasing performance one step further by not admitting the audience into the gallery at all. Instead they were left to queue round the block only able to hear a shuddering drone from within the gallery building. Violette claimed that if he had let the audience see the performance without understanding them, the concept would have become completely fetishized; instead people just had this experience separated from the identifier. Once inside, viewers were left to contemplate the aftermath, where the cold surfaces taunted their failure to witness the show, and so being truly relegated to the status of outsider. But of course this was always Violette's intention – to create a melancholy sense of transience between the realms of life and death.









42 **CADY NOLAND** b. 1956

*Untitled*, 1989

Screenprint on aluminium panel. 183 × 122 cm (72 × 48 in). This work is accompanied by a certificate of authenticity.

**Estimate** £100,000–150,000    \$154,000–230,000    €120,000–179,000

**PROVENANCE** Galleria Massimo de Carlo, Milan

Unlike her late father, Kenneth Noland, who worked exclusively as an abstract painter, Cady Noland's figurative work is executed across a range of different media. Highly conceptual in nature, Noland's appropriation-based political work deals with the failed promise of the American Dream and other similar sociological and ideological ideas found in contemporary society. Currently in self-imposed exile, having rarely exhibited or been seen in the last ten years, Noland invented a new artistic vocabulary in the 1980s and 90s with her raw, visceral, brutally honest depictions of the darkest corners of American life, an underbelly replete with celebrity, violence, and psychopathological behaviour. In the present lot, Noland has silkscreened in jigsaw arrangement three appropriated press clippings including the famed image of the abducted and brainwashed heiress Patty Hearst in her urban guerilla drab and wielding an assault rifle after she decided to join her Symbionese Liberation Army captors. With such imagery, Noland delves into the disturbed American psyche to focus on how the media transforms criminals into celebrities.





10) NEW YORK, May 20-NOW A SUSPECT-The FBI charged Patricia Hearst with violation of the federal firearms law Sunday in Los Angeles. THE charge was that Miss Hearst sprayed bullets at a sporting goods store in Los Angeles after a clerk attempted to stop William and Emily Harris, suspected Symbionese Liberation Army members, from shoplifting a pair of shoes. This photo is a copy of one received in April in San Francisco by radio station KSAW and purports to show Miss Hearst in front of a Symbionese Liberation Army insignia. (AP Wirephoto) (See AP A-1 Wire story) 20115#1a11974

APK 2/14



43 **AARON YOUNG** b. 1972

*The Young and the Driftless (and details)*, 2007  
Rubber on safety glass. 213.4 × 152.4 cm (84 × 60 in).

**Estimate** £20,000–30,000   \$30,800–46,200   €23,900–35,900   †

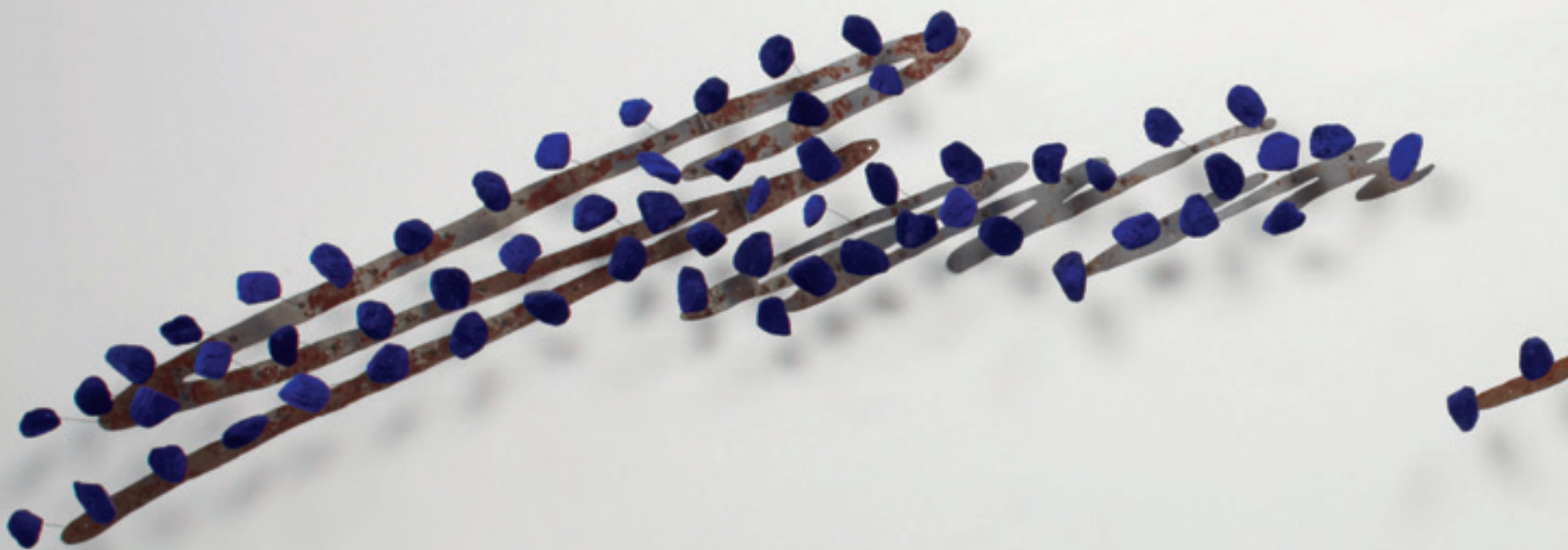
**PROVENANCE** Acquired directly from the artist.  
**EXHIBITED** London, Saatchi Gallery, *Abstract America: New Painting and Sculpture*,  
29 May 2009–17 January 2010  
**LITERATURE** *Abstract America: New Painting and Sculpture*, exh. cat., Saatchi Gallery,  
London, 2008, pp. 344–45 (illustrated)

Aaron Young’s artwork is based on the consequences of energetic and occasionally dangerous performances. Focusing on the creative process of an artistic action, his work becomes a documenting product of performances, as was the case with *Arc Light* for the exhibition *for what you are about to receive* (at the Gagosian Gallery in Moscow, 18 September–25 October 2008). His 'action' paintings follow a path established by the Abstract Expressionists, but where those painters documented their existential struggle that had grown out of Expressionism, Young employs the help of subcultural figures such as bikers, skateboarders and tattoo artists, to play key roles in making his truly collaborative works. This lot, *The Young and the Driftless*, records the spun-up rubber shavings from the tyre of a motorbike on a sheet of safety glass used during a previous performance. The artist stood against the glass which had been sprayed with glue to capture the shavings and record the silhouetted self-portrait.









44 **GAVIN TURK** b. 1967

*Unoriginal Signature*, 1996

Steel, natural sponges and pigment paint. 180 × 950 cm (70 7/8 × 374 in).

**Estimate** £50,000–70,000 \$77,000–108,000 €59,800–83,600 ♣ †

**PROVENANCE** White Cube, London

**EXHIBITED** London, Saatchi Gallery, *Young British Artists*, 1996; Den Haag, GEM Museum of Contemporary Art, *The Negotiation of Purpose*, February–May 2006; The New Art Gallery Walsall, *Gavin Turk on Gavin Turk*, June–September 2002

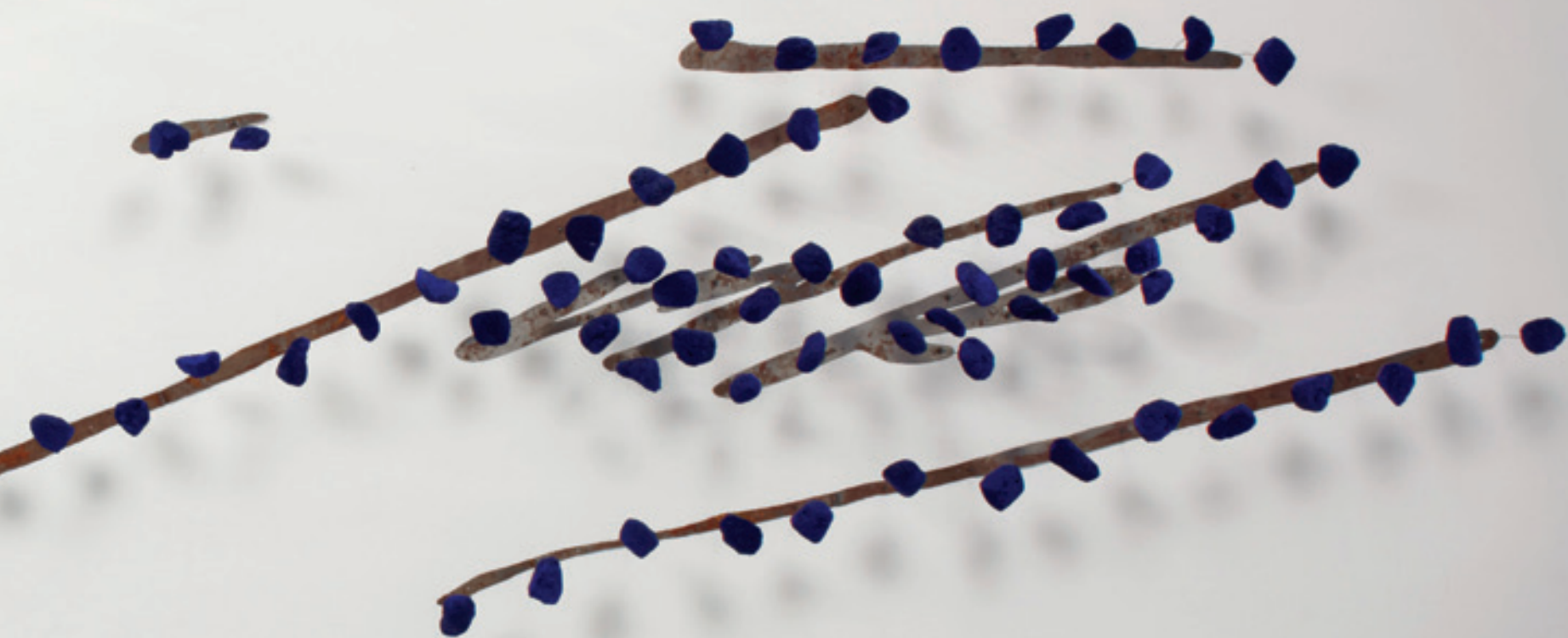
**LITERATURE** R. Timms, *The Saatchi Decade: Young British Art*, London, 1999, pp.428–29 (illustrated)

In 1917, Marcel Duchamp submitted to the International Exposition in Paris a urinal purporting to be a fountain, signing it with one of his many aliases, R. Mutt. The work was refused but later exhibited elsewhere and thus ensued a century of artistic inquiry into authorship and identity. Gavin Turk began his career in similar disarray, being denied his MA from the Royal College of Art for exhibiting in an otherwise empty white studio an English Heritage blue plaque bearing his name with posthumous dates.

Deeply woven into Turk's oeuvre is an investigation into issues of authorship, authenticity and originality, which he explores from an appropriation-based conceptual angle. Using his signature, due to its value as the most common sign of identification, as a starting point, Turk has exhibited an array of objects including an egg and a brick embellished with his name, so commenting on the value that this confers on a work of art. These metaphoric transformations also reference our time's most prolific statesmen of authorial omnipotence, Piero Manzoni, in whose footprints Turk treads in the exploration of the transformation between object and art, signifier and signified.

This monumental nine-metre enlargement of his signature is executed using International Klein Blue, Yves Klein's signature colour. In appropriating colour and sponge into his signature, Turk again questions the notion of originality and the idea of the authenticity of an artist's signature.







45 **DAMIEN HIRST** b. 1965

*Second series biopsy: M122/105*, 2008

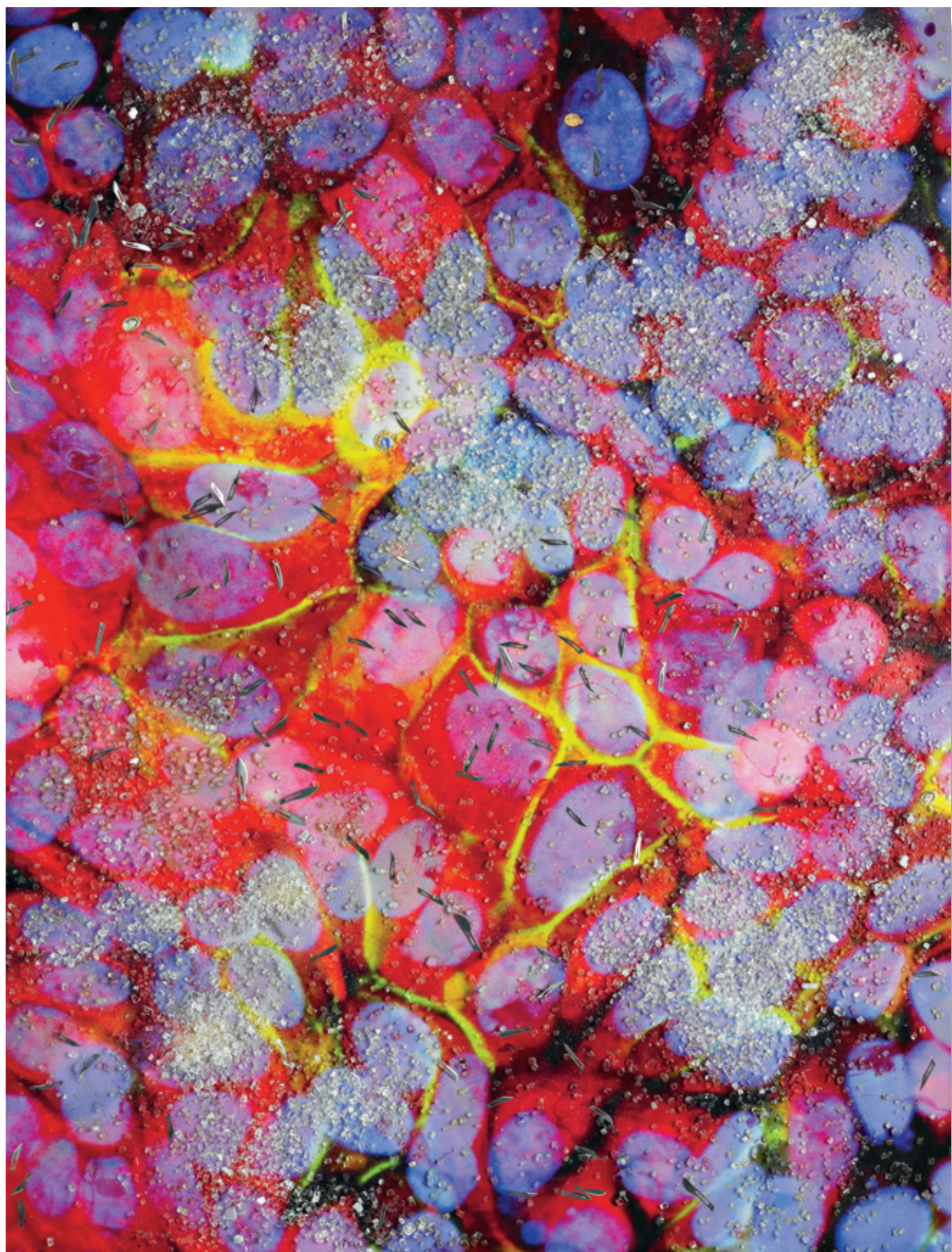
UV inks and household gloss on canvas with glass, scalpel blades, flocking and religious medals. 160 × 121.9 cm (63 × 48 in). Signed, titled and dated 'Damien Hirst Second series biopsy: M122/105 2008' on the reverse; signed 'Damien Hirst' on the stretcher.

**Estimate** £150,000–200,000 \$230,000–308,000 €179,000–239,000 ♣ †

**PROVENANCE** Acquired directly from the artist

Damien Hirst has become the best-known artist of his generation, and much of his work for which he is now famed dwells on the theme of mortality. Consistent with this, his *Biopsy Paintings* series envision the microstructures of various forms of cancer and other diseases. Upon seeing these paintings, the spectator is at first impressed by the beauty of the abstraction, but are soon struck by the shocking content when viewing the works more closely. Contrasting aesthetics with underlying truth, the *Biopsy Paintings* spark a discourse about the discrepancy between appearance and reality. Following the tradition of Northern European still-life artists, Hirst uses broken glass, a scalpel and razor blades, hair, and blood-like pools of paint to create modern-day *vanitas* paintings.







46 **YAYOI KUSAMA** b. 1929

*Infinity Nets*, 2005

Acrylic on canvas. 162.5 × 162.5 (64 × 64 in). Signed, titled and dated 'Yayoi Kusama 2005 Infinity-Nets' on the reverse.

**Estimate** £250,000–350,000 \$385,000–540,000 €300,000–418,000

**PROVENANCE** Arndt & Partner, Berlin

Central to Yayoi Kusama’s work since the late 1950s has been a proliferating circular motif – either a polka dot or, conversely, the negative space seen when a looped mark is applied to a surface – which the artist first envisioned during childhood hallucinations and which have obsessed her ever since. The rhythmic undulations of painted loops in the present lot lend the work an ‘all-over’ optical field. The viewer is confronted by a dizzying and hypnotic illusion of indeterminate space. The composition is seemingly without beginning, middle or end – signalling the artist’s obsession with repetition as an expression of desire and self-annihilation. Hers is an art of absolute singularity.

“With the great efforts, and by trading on the endless wilderness that leads to creation, I want to fight my battles to the end with all my might. For this, I can’t afford to waste even a moment. Looking back and realizing that I have spent years of hardships, I am now more determined than ever to struggle even more strenuously with the questions of what is a human being, and what is ‘love’, ‘life’ and ‘death’.”

(The artist, in *The Present Time of Eternity*, exh. cat., Tokyo Modern Art Museum, 26 October–19 December 2004)









This work is sold to benefit Turner Contemporary Art Trust which is raising money to support the building of Turner Contemporary, a new world-class art gallery in Margate, Kent.

THIS LOT IS SOLD WITH NO RESERVE

47 **TRACEY EMIN**  
*I Never Stopped Loving You*, 2010  
Pink neon. 23 × 179 cm (9 × 70.5 in). This work is from an edition of three plus two artist's proofs. This work is accompanied by a certificate of authenticity.

**Estimate** £20,000–30,000    \$30,800–46,200    €23,900–35,900    ▲ ●

PROVENANCE    Donated by the artist

Perhaps best known for her provocative autobiographical installations *My Bed* and *Everybody I Have Ever Slept With*, Emin's neon works revoke the confrontational tone of the aforementioned works in favour of more heartfelt symbolic meaning. She has used neon consistently throughout her career, taking full advantage of its commercial connotations as shop signs with eye grabbing potential. This sub-genre of her work is a direct precedent of Bruce Nauman's neon signs however, where his are mostly confined to a capital format, Emin's are always written in her own handwriting denoting them as her most confessional and powerful works. Typically dealing with subjects of love and sex, occasionally graphically such as in *Is Legal Sex Anal?* or romantically as is the case with *I Never Stopped Loving You*, these texts convey her distinctively honest tone with personal fervour.

This lot is an edition of the commissioned work completed by Emin for her hometown of Margate that expresses a personal attachment to the declining seaside resort: "It's a declaration of love for Margate from me, but also what I want in the summer – why go to Brighton for a dirty weekend – come to Margate. I want people to come off the train, I want them to walk along the seafront, I want them to hold hands and to have a snog and say 'I never stopped loving you'."





**TURNER CONTEMPORARY, MARGATE**

The new Turner Contemporary gallery, designed by David Chipperfield, is being built at the northern point of Margate bay, Kent. When it opens in spring 2011, it will be the largest art gallery in the south-east of England outside London and will serve as a catalyst for the regeneration of this historic sea-side town and the local area.

Turner Contemporary takes inspiration from JMW Turner, who spent much time in Margate. A vibrant and ambitious exhibitions programme will feature work by major historic artists alongside contemporary art that is as innovative and daring now as Turner’s own work was in the 19th century. There will always be work by Turner on display in the gallery, whether large scale exhibitions or significant individual pieces of his work.

A commitment to learning and the enjoyment of art lies at the heart of Turner Contemporary. Working to engage a diverse range of people, the Learning Programme will create opportunities for those in their early years through to older people, in both formal and informal education. It will also continue to create projects that enable people from across generations to interact, contributing to a sense of community cohesion.

“Turner Contemporary promises to become an exciting new voice in Margate and the country’s broader cultural landscape. Its programme will appeal to diverse audiences and will explore relationships between the art of the past and that of today.”

Sir Nicholas Serota, Director, Tate

“The brilliant thing about Turner Contemporary is that it has given people hope that things are going to change here and also put Margate back on the map.”

Tracey Emin, artist

Turner Contemporary Art Trust and Phillips de Pury would like to thank Tracey Emin for so generously donating this artwork for auction.

Turner Contemporary Art Trust is a registered charity, number 1122665.



48 **RAYMOND PETTIBON** b. 1957

*Untitled (Going with the flow)*, 2000

Ink, acrylic, and watercolour on paper. 59.7 × 45.7 cm (23 1/4 × 18 in). Signed and dated 'Raymond Pettibon '00' on the reverse.

**Estimate** £40,000–60,000 \$61,600–92,400 €47,800–71,700

**PROVENANCE** Private Collection, Europe

Raymond Pettibon's work pulls its subject matter from the post-American Dream subcultures of punk music and surfing of his home in Los Angeles. Pettibon melds these cultures of rebellion and self-expression together with classic Americana imagery and text from many sources, from periodicals to Proust. In doing so, Pettibon's art creates a narrative of an educated culture and its attempt to be seen and heard by non-conformist means. The outcome is a raw vision American middle-class identity.

In his depiction of surfing and the epic wave, Pettibon creates a passing heroic moment. The surfer is, for as long as the ride lasts, the centre of the universe and the focus of the observers on the shore. This moment in the spotlight is transitory and is replaced by whoever catches the next magnificent wave. The triumph is fleeting, of course, and will soon be replaced by a yearning for another victory.



GOING WITH THE FLOW,

CRUSOE SAW BUT ONE MARVEL IN ALL THE FERTILE  
CREATION THAT SURROUNDED HIM, A NAKED FOOTPRINT  
IN THE VIRGIN SAND...

AND WHO KNOWS IF THE LATTER  
DOES NOT MATTER MORE THAN THE  
FORMER?

THE WAVE  
OF THE DAY—  
WAS THE WAVE OF  
A LIFETIME.

THERE THEY ARE, MY FAITH-  
FUL ONLOOKERS HAVE FORMED  
A CROWD;

THERE ON THE  
PAVEMENT THEY SEEM  
TO COME NEARER TO MY  
HUMBLE LEVEL, AND VIRTUALLY  
AT LEAST, TO HAVE WAIVED  
THEIR HIGH PRIVILEGE.

I WAS ALWAYS READY,  
TO THE  
HEIGHT OF MY  
MEANS.

STANDING UPON MY DELIVERANCE.



49 **FLORIAN MAIER-AICHEN** b. 1973

*Untitled*, 2007

C-print. 183 × 234 cm (72 1/2 × 92 1/4 in). Signed, dated 'Florian Maier Aichen 2007' and numbered of 6 on the reverse. This work is from an edition of 6.

**Estimate** £30,000–40,000 \$46,200–61,600 €35,900–47,800 🏠

**PROVENANCE** Blum & Poe, Los Angeles

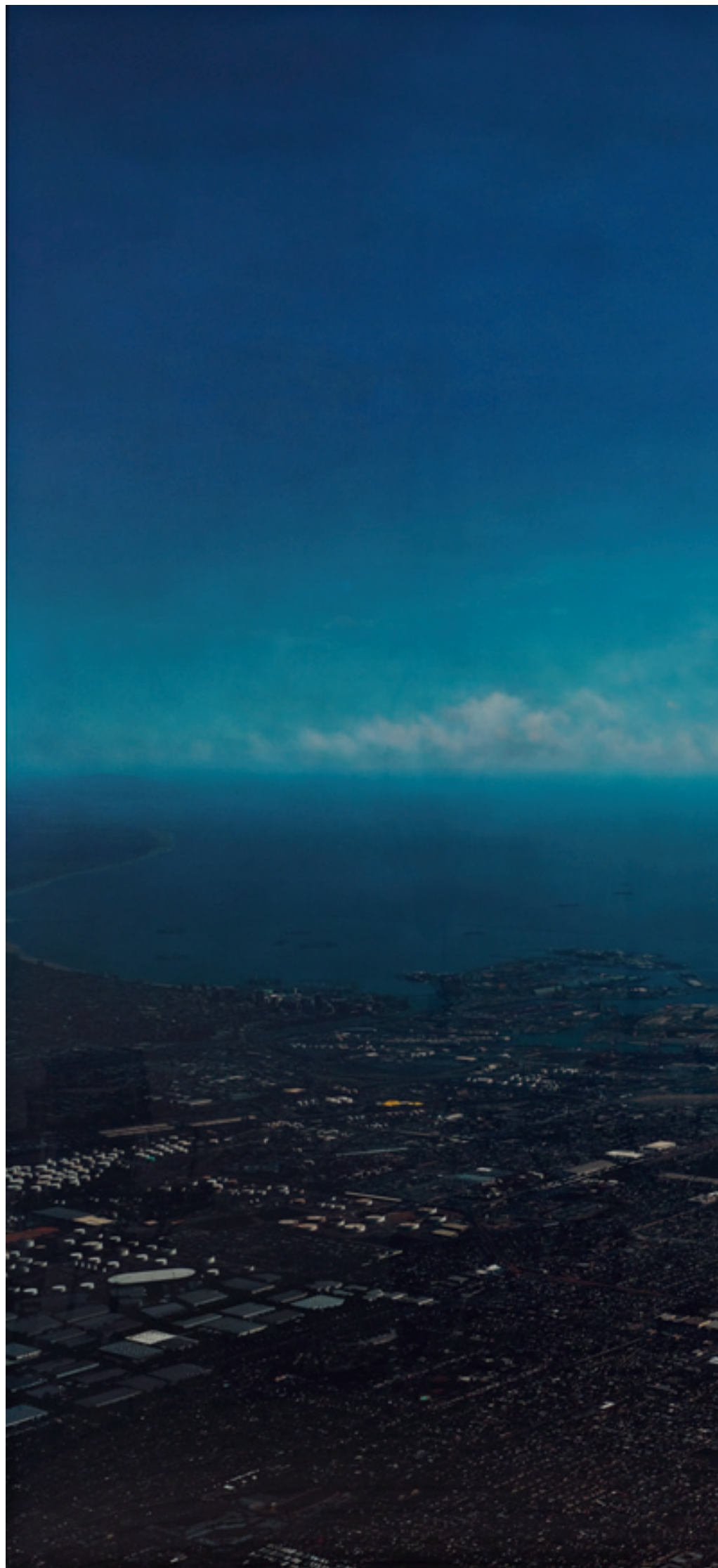
**EXHIBITED** Los Angeles, MOCA Focus, Florida, *Maier-Aichen*, 28 June–30 September 2007

**LITERATURE** *Maier-Aichen*, exh. cat., Los Angeles, MOCA Focus, 2007, no. 8, n.p. (illustrated)

Florian Maier-Aichen is not simply a photographer – he is an alchemist who combines the skills of a painter, sculptor and performer. Encompassing a diverse range of technical approaches, his finished works are the result of an involved process which demonstrates that the art of photography is much more than just pressing a button. Nothing is what it seems in his evocative, unpopulated, large-scale images. Home-made cameras, set design, digital mastery, and over exposure are but a few of the staple techniques in Maier-Aichen's working method. Bringing a painter's and draughtsman's eye to the practice of photography, Maier-Aichen builds upon and questions the long tradition of the landscape as an artistic genre.

"Florian Maier-Aichen's photographic work portrays natural, industrial, and cultural landscapes with stylized eccentricity. By employing the tropes of documentary photography in unconventional ways, Maier-Aichen creates sublime images rich with reference and allusion. His photographs of the California coast, the Alps, and other locales are openly beautiful and seductive in their saturated hues and expansive views. However, these and other works depicting melting cathedrals, failed industry and tragic ghost ships are also nuanced with subtle disquiet and criticality."

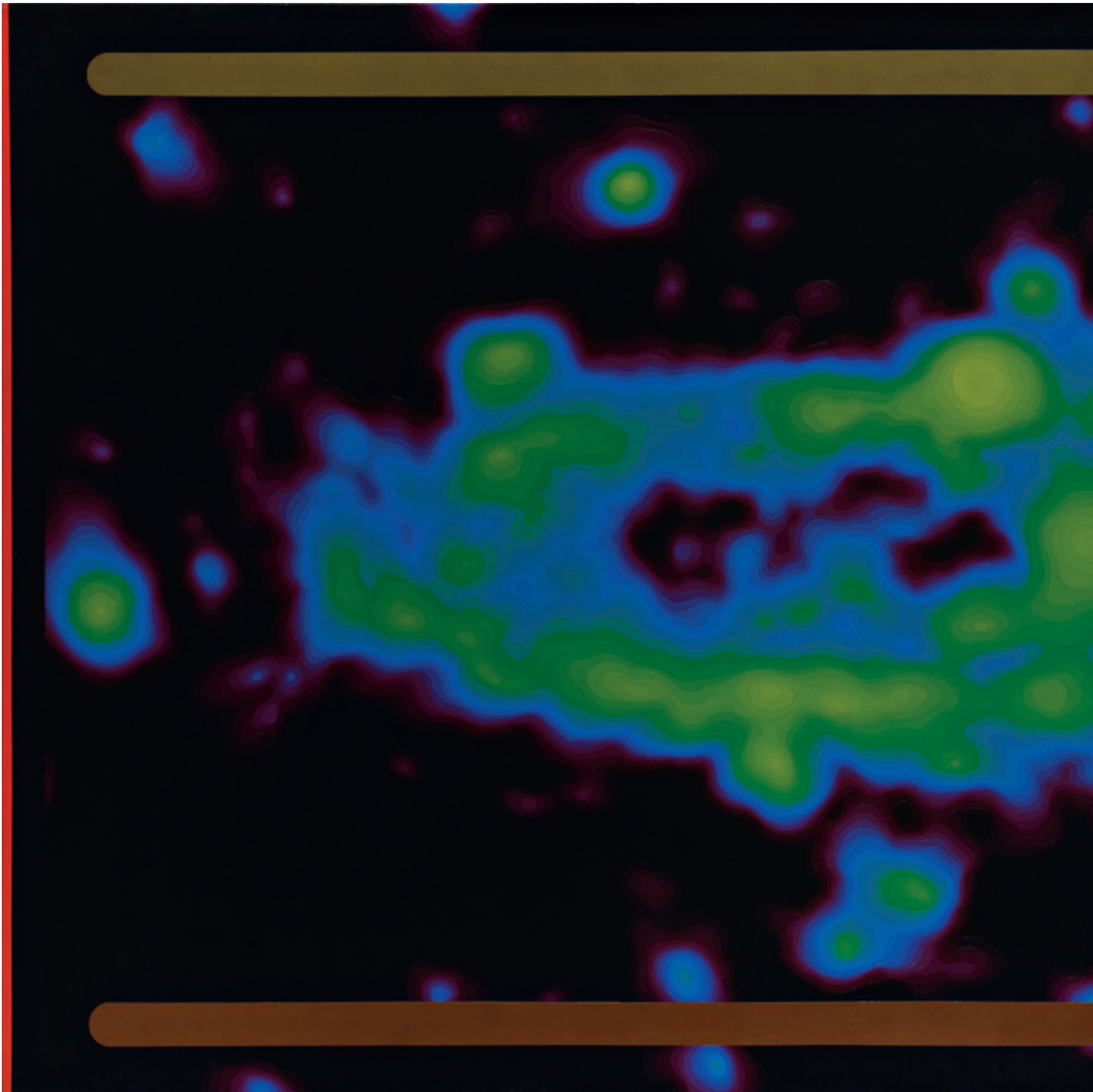
(R. Morse, 'Ecstatic Truth: The Photography of Florian Maier-Aichen', in *Focus: Florian Maier-Aichen*, exh. cat., Los Angeles Museum of Contemporary Art (MOCA), Los Angeles, 28 June–30 September 2007, p. 13)











Δ 50 **JACK GOLDSTEIN** 1945–2003

*Untitled, 1988*

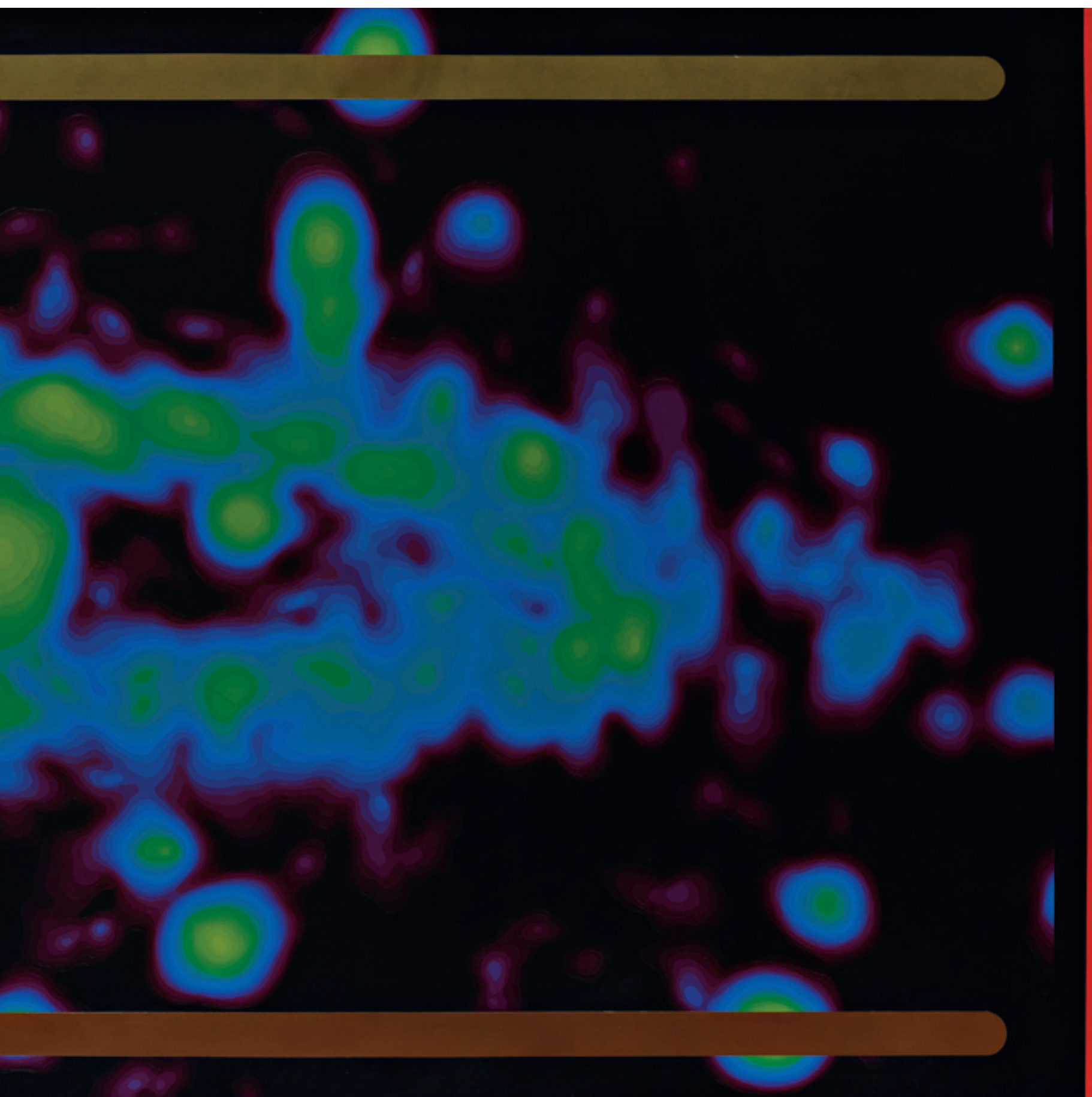
Acrylic on canvas. 48 × 96 in. (122 × 244 cm).

**Estimate** £20,000–30,000 \$30,800–46,200 €23,900–35,900

**PROVENANCE** John Weber Gallery, New York

After studying under John Baldessari at CalArts in the 1970s, Jack Goldstein left Los Angeles and arrived on the New York art scene as a radical new force. His body of work at the time consisted of experimental works in a wide variety of new media, mainly film. After involving himself in movements such as Neo-Pop and Neo-Geo, in the late 1980s Goldstein turned his attention to painting. This new body of paintings comprised abstract images of natural phenomenon, science and technology. Like his mentors, Goldstein's paintings are intentionally abstract in form and open to interpretation by the viewer. His specific focus on technology and seismic activity blurs the subject matter he is capturing. Is the painting simply a picture of a naturally occurring event, or is there a metaphysical layer to it? These are the questions Goldstein's abstractions present us with. With its thermographic tones and hues, *Untitled* (1988) captures the essence of his focus on science as an attempt to comprehend the world around us.







51 **LAURA OWENS** b. 1970

*Untitled*, 1998

Mixed media on canvas in two parts. Each: 289.6 × 127 cm (114 × 50 in). Signed, titled and dated 'L Owens 1998 Untitled' on the reverse.

**Estimate** £50,000–70,000    \$77,000–108,000    €59,800–83,600    ₺

**PROVENANCE** ACME, Los Angeles

**EXHIBITED** Greenboro, North Carolina, Weatherspoon Art Museum, *Hot Spots*, April–October 1999; Los Angeles, Blum & Poe, *Think Blue*, 16 July–20 August, 2005; *Laura Owens*: Kunsthalle Zurich, 12 June–13 August 2006; London, Camden Arts Centre, 29 September–26 November 2006; Münster, Ausstellungshalle zeitgenössische Kunst, 2007; Maastricht, Bonnefantenmuseum, 29 May–19 August 2007

**LITERATURE** B. Ruf, ed., *Laura Owens*, Zurich, pp. 67, 183 and 206 no.74 (illustrated on each page)

Laura Owens' idiosyncratic approach to image-making resists conventional classification. Owens' canvases are often large in scale, sparse in composition and light in palette – a playful fusion of abstract and representational elements. As seen in the current lot, the huge expanse of empty space is part of Owens' distinctive visual vocabulary that recalls traditional Chinese landscapes, graphic visuals taken from popular culture, and the expansive scale of Abstract Expressionist paintings. The diptych reveals the artist's search for a reconciliation between the serious and the humorous, the sublime and the trivial, as well as the high aspiration of painting and its lowly influences.

“Clichés abound in Laura's paintings; allusion to the traditions and archetypes of Modernist abstraction, landscape, figuration, assemblage, the romantic, the maritime, and the postmodern, all figure in. The work seems to want to see how deeply the tropes of painting, and of looking at paintings, have been culturally absorbed; how well travelled the path is from original to standard to generic. Laura's work stirs the idea of art that perches like a gargoyle in the collective unconscious.”  
(Mungo Thomson, 'From My Junkyard to Yours', *Parkett* 65, 2002, p.83)








PROPERTY FROM THE KIT FINANCE COLLECTION

52 **SARAH MORRIS** b. 1967

*Swan (Origami)*, 2007

Gloss household paint on canvas. 289 × 289 cm (113 3/4 × 113 3/4 in). Signed, titled and dated 'S Morris Swan (Origami) 2007' on the overlap.

**Estimate** £40,000–60,000 \$61,600–92,400 €47,800–71,700 

**PROVENANCE** White Cube, London

**EXHIBITED** London, White Cube, *Sarah Morris: Lesser Panda*, 18 July–6 September 2008

Sarah Morris makes complex, physical paintings that use rigorous overall grids and lurid colours, executed in brilliant household gloss paint on square-format canvases. Having studied semantics, the artist is informed by an interest in signs and the de-coding of the built environment. Therefore, while her approach may resonate with the strategies of rationalist modernism, running from Piet Mondrian to Peter Halley, Morris's formal reductionism is in fact the product of a semiotically distilled reference to the urban world.

The present lot comes from her highly acclaimed *Origami* series in which she explores the grid forms which result from the creasing and folding various materials. Recalling Frank Stella, the concentric squares and mitred mazes generate a complex and dynamic spatiality out of unremitting flatness. Zones of intensity and openness, of compression and release, lay-out instructions that map an outcome whose shape is not obvious at first glance.

"The (*Origami*) series is based on found origami diagrams. Contemporary applications of origami range from the continuation of ancient traditions, such as folding 1000 paper cranes to realize a wish, to more scientific uses such as mathematical and engineering solutions for the development of a 'soft' surgical technique in heart valve transplants. It is a simple process which gives rise to complex forms. The paintings depict an unfolded pattern of creases. Combining mathematical calculations and geometrical operations, a single canvas turns into a highly complex spatial sculpture and back into a plain diagram. Morris is primarily interested in how origami in popular culture, particularly film, is often used to signify an impending event." (Press release for exhibition, *Sarah Morris: Lesser Panda* at White Cube, London, 18 July–6 September 2008)







53 **CHEN ZHEN** 1955–2000

*Un village sans frontières*, 2000

Wood chair and wax candles. 80 × 38 × 30 cm (32 × 14 × 12 1/2 in).

**Estimate** £50,000–70,000 \$77,000–108,000 €59,800–83,600

**PROVENANCE** Galleria Continua, San Gimignano

Chen Zhen was an artist who thrived on contradictions and notions of duality. By incorporating everyday objects such as chairs, tables and candles in his installations, such daily objects assumed a new identity and materiality removed from their original functions. Through his work, Chen questioned the intricate relationship between the material and the spiritual, as well as the tensions between human beings, nature and objects.

The present lot is part of Chen Zhen's project *Un Village Sans Frontières* (*A Village Without Borders*, 2000), in which the artist worked with street children in Brazil to create an imaginary city of candle houses. The work directly addresses Chen's lifelong concern with 'transexperience', a term he coined to describe his own experience as a Chinese immigrant in the West. Chen's notion of transexperience suggests that we live in a world whose borders are constantly shifting through the globalisation of economies, religions, politics and cultures.













"I mean, it's totally subjective, I'm not saying that the world is in these things that I'm making, but it's the world as I encounter it. My use of these materials is my attempt to come to a better understanding of the world that I live in. When you take these things that are bits and pieces and scraps, and glue them back together again, and totally dismember them from where I found them, that's when the ideas start to come in. The scraps develop into formal structures in a way that has become almost automatic, and those forms begin to communicate ideas."

Matthew Day Jackson

The work of Matthew Day Jackson draws on such a wide spectrum of material, ranging across the disciplines of history, art, science, philosophy, sports, music, technology and popular culture, the result is a truly heterogeneous oeuvre. Central to the premise of Jackson's work is the dialectic between a belief that technology is crucial to man's advancement whilst simultaneously being responsible for its demise. He consistently explores problematic areas of history, in particular the genocide of Native Americans, the Civil War and World War II, focusing on the inextricability of personal and political happenings. The notion that universal ideas from history and art history can be fused together

with personal concerns is something that appeals greatly to him. Rather than simplifying these links, Jackson celebrates their multifaceted nature and enjoys the ensuing confusion. A large majority of the materials Jackson uses are often laboriously hand-carved, incorporating various techniques such as needlepoint and tooling leather into his work, thus directly engaging with the history of American craftsmanship. From the standpoint that most of history resides in mythology, Jackson endeavours to prove how history is mythology. Through the marriage of craft-based techniques that signal a certain degree of authenticity with historical material, he insinuates how viewing history through a subjective filter only makes truth less accessible.

*Dance of Destruction* is a conglomeration of prints, photographs and posters haphazardly stuck to the gallery wall that Jackson has re-contextualized into a satirically personal history of America. George Washington's face appears superimposed on the head of a sphinx, a portrait of Ronald Reagan is drawn from the artist's conflicting words and a representation of a mushroom cloud over Nagasaki is delineated by bright geometric patterns made with needlepoint. The montage is simultaneously humorous and acerbic, belying an irony that undermines the notion of Great America.



PROPERTY FROM THE KIT FINANCE COLLECTION

55

**YINKA SHONIBARE**

b. 1962

Two works: *19th Century Kid (Benjamin Disraeli)* and *19th Century Kid (William Gladstone)*, 2000

Two sculptures comprising wood, fabric collage, amethyst, metal chain and metal supports. Each: 167.6 × 71.7 × 73 cm (66 × 28 1/4 × 28 3/8 in).

Estimate

£40,000–60,000

\$61,600–92,400

€47,800–71,700

♣ ₣

PROVENANCE

Stephen Friedman Gallery, London

“What I want to suggest is that there is no such thing as a natural signifier, that the signifier is always constructed in other words, that what you represent things with is a form of mythology.”  
Yinka Shonibare

Nourished by ambiguity, Yinka Shonibare turns his artworks into the protagonists of his very own fairy-tale utopia. At first sight, the Turner Prize nominee's art appears cheerful, decorative, rich in colour and easy to enjoy. On further examination, however, this initial impression develops into a more profound and darker understanding. Wittily playing with metaphors, Shonibare's art engages in concepts such as identity, authenticity, and transformation whilst always including an autobiographical link. Born in London, raised in Nigeria and later to return to London, Shonibare uses his art to broach central issues of his personal history, such as cultural hybridisation and post-colonialism. The series *19th Century Kid* depicts child-sized, headless mannequins which are dressed in costumes deliberately reminiscent of 19th-century Britain. Strikingly, the colourful fabric used in the imitation Victorian clothing is generally associated with African dress. However, Shonibare sets us on the wrong track. Labelled as African, the fabric actually originates from Indonesia, introduced to the African continent by British manufacturers via Dutch colonisers. Apart from synthesising multiple readings of this kind, Shonibare's aim is to construct a fiction which conveys the underlying truth of contemporary society.







56 **KEHINDE WILEY** b. 1977

*Learn from Comrade Wang Guofu!*, 2007

Oil and enamel on canvas in the artist's frame. 256.5 × 228.6 cm (101 × 90 in).  
Signed and dated 'Kehinde Wiley 07' on the reverse.

**Estimate** £45,000–55,000 \$69,300–84,700 €53,800–65,700 ¥

**PROVENANCE** Roberts & Tilton, Los Angeles

**EXHIBITED** Hollandale, Wisconsin, Kohler Foundation, *Kehinde Wiley World Stage: China*, 2007

**LITERATURE** *Kehinde Wiley World Stage: China*, exh. cat., Kohler Foundation, New York, 2007 (illustrated)

The heroic portraits of contemporary African-American men by New York artist Kehinde Wiley are modern interpretations of classic poses from the annals of art history. Culled from a wide range of sources, including the cupola-shaped frescoes of Giotto, the ornamental rococo portraits of Fragonard and the opulent canvases of 18th-century British painters Thomas Gainsborough and Joshua Reynolds, Wiley's imagery addresses the image and status of the young men he depicts in a photo-realistic style. The present lot, the monumental *Learn from Comrade Wang Guofu!*, comes from a series of portraits in which Wiley appropriates the iconography of Chairman Mao's Cultural Revolution. Having established a studio in Beijing in 2006, Wiley had his subjects model in poses from 1950s and 1960s Maoist propaganda, while his employees and trained students from the Central Academy of Fine Arts executed his designs. The works in the series bear titles lifted from Cultural Revolution mantras.

"The resulting paintings create an incongruous tension between context and content; revolutions happen the same way, pulling a society apart and putting it back together again. The Chinese emulated the role posters played in the Russian Revolution by remixing them for the Cultural Revolution. Wiley's paintings are

in turn tools for unpacking the clichés that constitute reality, reminding us that propaganda sends mixed messages to the public. Whether the revolution took place in Russia or China or in the early Dada posters of Zurich and Berlin, the same process occurs: the utilization of public space for tactical reasons. Wiley's cycle of appropriation – of taking and “repurposing” the elements of style – challenges historical paradigms on another level. The remix is global and Wiley's re-purposing of communist China prompts reflection on culture's collision with ideology and commerce. The paintings provide a sense of history's place in the PRC's current post-socialist consumer economy. The last century's traumatic ideological struggles have exhausted all desire to derive meaningful lessons from the past—both in America, where history is a scarce resource, and in China, where history was torn apart by the radical events of the Cultural Revolution, awaiting reconstruction from scratch. Whether it appears now in theme parks, period tele-dramas or urban renewal, China's recent history has been transformed into a mode of leisure edu-tainment in which questions of authenticity and accuracy give way to an aestheticized postmodern pastiche of signs and commodification." (Paul D. Miller, 'New World Portraiture', *Art Asia Pacific: Contemporary Visual Culture*, 2009)







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GUIDE FOR PROSPECTIVE BUYERS

BUYING AT AUCTION

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

CONDITIONS OF SALE

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

BUYER'S PREMIUM

Phillips de Pury & Company charges the successful bidder a commission, or buyer's premium, on the hammer price of each lot sold. The buyer's premium is payable by the buyer as part of the total purchase price at the following rates: 25% of the hammer price up to and including £25,000, 20% of the portion of the hammer price above £25,000 up to and including £500,000, and 12% of the portion of the hammer price above £500,000.

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

Condition of Lots

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

Pre-Auction Viewing

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

Electrical and Mechanical Lots

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

Symbol Key

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

O Guaranteed Property

The seller of lots with this symbol has been guaranteed a minimum price. The guarantee may be provided by Phillips de Pury & Company, by a third party or jointly by us and a third party. Phillips de Pury & Company and third parties providing or participating in a guarantee may benefit financially if a guaranteed lot is sold successfully and may incur a loss if the sale is not successful.

Δ Property in which Phillips de Pury & Company has an Ownership Interest

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

● No Reserve

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

♣ 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.

†, §, ‡, 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.

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 European Union *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 see the 'VAT and Other Tax Information for Buyers' section below.

Identification of business or trade buyers

As of January 2010 in the UK, Her Majesty's Revenue & Customs have 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, we require 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, we require 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.

**Going forward, if these requirements are not met, we will be unable to cancel/refund any applicable VAT.**

We apologise for any inconvenience that this may cause and thank you for your co-operation.



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 de Pury & Company staff member immediately. At the end of the auction, please return your paddle to the registration desk.

Bidding by Telephone

If you cannot attend the auction, you may bid live on the telephone with one of our 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 de Pury & Company will be happy to execute written bids on your behalf. A bidding form can be found at the back of this catalogue. This service is free and confidential. Bids must be placed in the currency of the sale. Our staff will attempt to execute an absentee bid at the lowest possible price taking into account the reserve and other bidders. Always indicate a maximum bid, excluding the buyer's premium and 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 de Pury & Company and our affiliated companies, including the auctioneer, may bid at the auction by placing absentee bids so long as they do not know the reserve when submitting their absentee bids and otherwise comply with our employee bidding procedures.

Bidding Increments

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

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 (i.e., 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 de Pury & Company will make an announcement in the saleroom that interested parties may bid on the lot.

Consecutive and Responsive Bidding

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

4 AFTER THE AUCTION

Payment

Buyers are required to pay for purchases immediately following the auction unless other arrangements have been agreed with Phillips de Pury & Company in writing in advance of the sale. Payments 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 de Pury & Company will accept 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 de Pury & Company 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 de Pury & Company accepts liability for loss or damage to lots for a maximum of five days following the auction.

Transport and Shipping

As a free service for buyers, Phillips de Pury & Company will wrap purchased lots for hand carry only. We 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 de Pury & Company. 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.





**PHILLIPS**  
de PURY & COMPANY

**CARTE BLANCHE**  
**PHILIPPE SEGALOT**

**AUCTION 8 NOVEMBER 2010 450 PARK AVE NEW YORK**  
**Viewing 1 – 8 November**

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**PHILLIPSDEPURY.COM**

**URS FISCHER** *The Heart of the Ocean, May Yohe & Putnam Strong, Zero Year Curse, Tavernier Blue, Hope Diamond, 2006 (detail)*



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 de Pury & Company. 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 de Pury & Company is not usually treated as agent and most property is sold as if it is the property of Phillips de Pury & Company. 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 de Pury & Company is able to use the Auctioneer's Margin Scheme, and VAT will not normally be charged on the hammer price.

Phillips de Pury & Company must bear VAT on the buyer's premium. Therefore, we will charge an amount in lieu of VAT at 17.5% 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 17.5% 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company 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 17.5%, marked by ‡ and Ω respectively, on the hammer price and an amount in lieu of VAT at 17.5% 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company is provided with a copy of the correct paperwork duly completed and stamped by HM Revenue & Customs 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. HM Revenue & Customs insist that the correct customs procedures are followed and Phillips de Pury & Company 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 de Pury & Company. Phillips de Pury & Company 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 de Pury & Company 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 de Pury & Company, it may be possible to seek repayment from HM Revenue & Customs ('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 the EU have not changed). Claim forms are only available from the HMRC website. Go to <http://www.hmrc.gov.uk/index.htm>, and follow Quick Links, then Find a Form. The relevant form is VAT65A. Completed forms should be returned to: HM Revenue & Customs, VAT Overseas Repayment Directive, Foyle House, Dunceggan Road, Londonderry, Northern Ireland, BT48 7AE, (tel) +44 2871 305100 (fax) +44 2871 305101.

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 2009 to 30 June 2010 should be made no later than 31 December 2010).

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.



**PHILLIPS**  
de PURY & COMPANY



# MUSIC

CONTEMPORARY ART PHOTOGRAPHS DESIGN EDITIONS MEMORABILIA

**AUCTION 11 DECEMBER 2010 LONDON**

Viewing 7-11 December

**Phillips de Pury & Company** Howick Place London SW1P 1BB

**Enquiries** +44 20 7318 4054 | [themes@phillipsdeputy.com](mailto:themes@phillipsdeputy.com) **Catalogues** +44 207 318 4039/ + 1 212 940 1240

**PHILLIPSDEPURY.COM**

**Jenny Holzer** *Untitled (The artist formerly known as Prince)*, 1997, detail



CONDITIONS OF SALE

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

1 INTRODUCTION

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

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

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

2 PHILLIPS de PURY & COMPANY AS AGENT

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

3 CATALOGUE DESCRIPTIONS AND CONDITION OF PROPERTY

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

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

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

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

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

4 BIDDING AT AUCTION

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

(b) As a convenience to bidders who cannot attend the auction in person, Phillips de Pury & Company may, if so instructed by the bidder, execute written absentee bids on a bidder's behalf. Absentee bidders are required to submit bids on the 'Absentee Bid Form', a copy of which is printed in this catalogue or otherwise available from Phillips de Pury & Company. Bids must be placed in the currency of the sale. The bidder must clearly indicate the maximum amount he or she intends to bid, excluding the buyer's premium and 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 de Pury & Company. Telephone bidding is available for lots whose low pre-sale estimate is at least £500. Phillips de Pury & Company reserves the right to require written confirmation of a successful bid from a telephone bidder by fax or otherwise immediately after such bid is accepted by the auctioneer. Telephone bids may be recorded and, by bidding on the telephone, a bidder consents to the recording of the conversation.

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

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

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

5 CONDUCT OF THE AUCTION

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

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

(c) The auctioneer will commence and advance the bidding at levels and in increments he or she considers appropriate. In order to protect the reserve on any lot, the auctioneer may place one or more bids on behalf of the seller up to the reserve without indicating he or she is doing so, either by placing consecutive bids or bids in response to other bidders.

(d) The sale will be conducted in 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 £25,000, 20% of the portion of the hammer price above £25,000 up to and including £500,000 and 12% of the portion of the hammer price above £500,000.

(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 ♠ 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 licence 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 de Pury & Company 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 "PDEPL LTD". 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 de Pury & Company. Bank transfer details will be provided on the Invoice for purchased lots.

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

**7 COLLECTION OF PROPERTY**

(a) Phillips de Pury & Company will not release a lot to the buyer until we have received payment of its Purchase Price in full in cleared funds, the buyer has paid all outstanding amounts due to Phillips de Pury & Company or any of our affiliated companies, including any charges payable pursuant to Paragraph 8 (a) below, and the buyer has satisfied such other terms as we in our sole discretion shall require, including completing any anti-money laundering or anti-terrorism financing checks. As soon as a buyer has satisfied all of the foregoing conditions, 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 five 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) five days after the auction, whichever is the earlier. Until risk passes, Phillips de Pury & Company will compensate the buyer for any loss or damage to a purchased lot up to a maximum of the Purchase Price paid, subject to our usual exclusions for loss or damage to property.

(c) As a courtesy to clients, Phillips de Pury & Company will, without charge, wrap purchased lots for hand carry only. We 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 de Pury & Company, in order to facilitate the packing, handling, insurance and shipping of property bought at Phillips de Pury & Company. 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 de Pury & Company will require presentation of government-issued identification prior to release of a lot to the buyer or the buyer's authorized representative.

**8 FAILURE TO COLLECT PURCHASES**

(a) If the buyer pays the Purchase Price but fails to collect a purchased lot within 30 days of the auction, the buyer will incur a late collection fee of £50, storage charges of £10 per day and pro rated insurance charges of 0.1% of the Purchase Price per month on each uncollected lot. Additional charges may apply to oversized lots.

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

**9 REMEDIES FOR NON-PAYMENT**

(a) Without prejudice to any rights the seller may have, if the buyer without prior agreement fails to make payment of the Purchase Price for a lot in cleared funds within five days of the auction, Phillips de Pury & Company may in our sole discretion exercise one or more of the following remedies: (i) store the lot at Phillips de Pury & Company'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 de Pury & Company and instruct our affiliated companies to exercise a lien over any of the buyer's property which is in their possession and, in each case, no earlier than 30 days from the date of such notice arrange the sale of such property and apply the proceeds to the amount owed to Phillips de Pury & Company or any of our affiliated companies after the deduction from sale proceeds of our standard vendor's commission, 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 de Pury & Company's reasonable discretion, it being understood that in the event such resale is for less than the original hammer price and buyer's

premium for that lot, the buyer will remain liable for the shortfall together with all costs incurred in such resale; (vii) commence legal proceedings to recover the hammer price and buyer's premium for that lot, together with interest and the costs of such proceedings; or (viii) release the name and address of the buyer to the seller to enable the seller to commence legal proceedings to recover the amounts due and legal costs.

(b) The buyer irrevocably authorizes Phillips de Pury & Company 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 de Pury & Company will notify the buyer of any such lien. The buyer also irrevocably authorizes Phillips de Pury & Company, 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company 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 de Pury & Company 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 de PURY & COMPANY**

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

**11 EXPORT, IMPORT AND ENDANGERED SPECIES 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.

**12 DATA PROTECTION**

(a) In connection with the management and operation of our business and the marketing and supply of auction related services, or as required by law, we may ask clients to provide personal information about themselves or obtain information about clients from third parties (e.g., credit information). If clients provide us with information that is defined by law as 'sensitive', they agree that Phillips de Pury & Company and our affiliated companies may use it for the above purposes. Phillips de Pury & Company and our affiliated companies will not use or process sensitive information for any other purpose without the client's express consent. If you would like further information on our policies on personal data or wish to make corrections to your information, please contact us at +44 20 7318 4010. If you would prefer not to receive details of future events please call the above number.

(b) In order to fulfil the services clients have requested, Phillips de Pury & Company may disclose information to third parties such as shippers. Some countries do not offer equivalent legal protection of personal information to that offered within the European Union (EU). It is Phillips de Pury & Company's policy to require that any such third parties respect the privacy and confidentiality of our clients' information and provide the same level of protection for client information as provided within the EU, whether or not they are located in a country that offers equivalent legal protection of personal information. By agreeing to these Conditions of Sale, clients agree to such disclosure.

**13 LIMITATION OF LIABILITY**

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

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



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

(d) Subject to sub-paragraph (e) below, none of Phillips de Pury & Company, any of our affiliated companies or the seller shall be liable to the buyer for any loss or damage beyond the refund of the Purchase Price referred to in 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 de Pury & Company or any of our affiliated companies to the buyer in respect of any fraud or fraudulent misrepresentation made by any of us or in respect of death or personal injury caused by our negligent acts or omissions.

**14 COPYRIGHT**

The copyright in all images, illustrations and written materials produced by or for Phillips de Pury & Company relating to a lot, including the contents of this catalogue, is and shall remain at all times the property of Phillips de Pury & Company and, 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 de Pury & Company and the seller make no representations or warranties that the buyer of a lot will acquire any copyright or other reproduction rights in it.

**15 GENERAL**

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

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

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

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

(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 de Pury & Company, 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 de Pury & Company 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 de Pury & Company.

**AUTHORSHIP WARRANTY**

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

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

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

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

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



**PHILLIPS**  
de PURY & COMPANY



# EDITIONS

INCLUDING PROPERTY OF DREIER LLC

**AUCTION 21 NOVEMBER 2010 NEW YORK**

**Viewing 13 – 21 November**

**Phillips de Pury & Company** 450 West 15 Street New York 10011

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**PHILLIPSDEPURY.COM**

**HENRI MATISSE** *Grand Masque (D. 800)*, 1948, aquatint ESTIMATE \$20,000-30,000 (detail)



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Chief Executive Officer

Bernd Runge

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Kelly Sohngen, Graphic Designer  
Orlann Capazorio, US Production Manager

MARKETING

NEW YORK

Trish Walsh, Marketing Manager



SALE INFORMATION

AUCTION

Evening Sale, Wednesday 13 October 2010, 7pm  
Day Sale, Thursday 14 October 2010, 2pm

VIEWING

Saturday 9 October, 10am–6pm  
Sunday 10 October, 12pm–6pm  
Monday 11–Wednesday 13 October, 10am–6pm  
Thursday 14 October, 10am–12pm

VIEWING & AUCTION LOCATION

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 UK010510- or Contemporary Art Evening Sale, and UK010610 or Contemporary Art Day Sale

SALE ADMINISTRATORS

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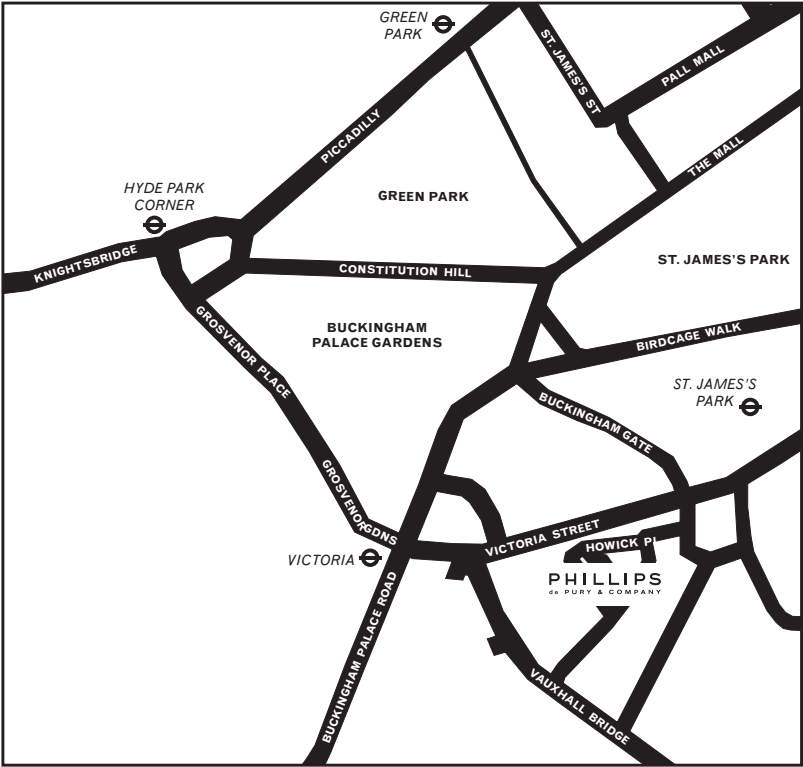
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PHOTOGRAPHY

Hayley Giles  
Peter Hepplewhite  
Ivan Ingletto  
Byron Slater



**Opposite** Kara Walker, *Me Jane*, 1999, Lot 6, detail  
**Back cover** Mark Grotjahn, *Untitled (Black Butterfly Dioxide Purple MPG 05)*, 2005, Lot 4, detail  
**Inside back cover** Aaron Young, *Greeting Card 10a*, 2007, Lot 3, detail















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