EVENING SALE

CONTEMPORARY ART

12 **OCTOBER** 2011 **LONDON**

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EVENING SALE

CONTEMPORARY ART

12 **OCTOBER** 2011 7PM **LONDON**

LOTS 1–36

Viewing
Thursday 6 October, 10am – 6pm
Friday 7 October, 10am – 6pm
Saturday 8 October, 10am – 6pm
Sunday 9 October, 12pm – 6pm
Monday 10 October, 10am – 6pm
Tuesday 11 October, 10am – 6pm
Wednesday 12 October, 10am – 7pm

Front cover Jeff Koons, *Seal Walrus Trashcans*, 2003–09, Lot 10 (detail)
Inside front cover Damien Hirst, *Observation – The Crown of Justice*, 2006, Lot 9 (detail)
Previous pages Damien Hirst, *5-Aminouracil*, 2007, Lot 12;
Andy Warhol and Jean-Michel Basquiat, *Thin Lips*, 1984–85, Lot 29
Opposite Anselm Kiefer, *Die Argonauten*, 2008, Lot 17 (detail)

1 **WALEAD BESHTY** b. 1976

20-inch Copper(FedEx® Large Kraft Box© 2005 FEDEX 330508) International Priority, Los Angeles–London trk#8685 8772 8040, date October 2–6, 2009. International Priority London–New York trk#863822956489, date November 18–20, 2009, International Priority New York–London trk#7952 0098 1790, date September 19–21, 2011, 2011
Copper with accrued shipping and tracking labels. 50.8 × 50.8 × 50.8 cm (20 × 20 × 20 in).

Estimate **£20,000–30,000 $31,700–47,500 €23,300–35,000** ♠ ‡

PROVENANCE Thomas Dane Gallery, London, from whom acquired by the present owner
EXHIBITED London, Thomas Dane Gallery, *Walead Beshty: Production Stills*, 13 October–14 November 2009

Walead Beshty's conceptual practice consistently explores the nature of the production and consumption of contemporary art pushing the boundaries between politics, aesthetics and critique. Beshty was born in London but now lives and works in Los Angeles, and over the past decade he has created a striking multi-disciplinary body of work richly layered in meaning. The range of his works include monumentally scaled photograms made using X-ray machines, sculptures whose creation is left to chance, and images of a desolate suburban American landscape. The work here, a soiled copper cube with accumulated FedEx shipping labels, belongs to a series of related works in which Beshty explores "in-between time: the strange non-spaces that populate the hyper-connected world that we inhabit" (N. Bourriaud, S. Hudson and B. Nickas, *Walead Beshty: Natural Histories*, Zurich: JPR|Ringier, 2011). More specifically, the FedEx series deals with the transit and shipment of art as a metaphor for the accrual of meaning and value through space and the passage of time.

Alternative view

Beshty began this series in 2005 and initially used shatterproof glass cubes sized to fit FedEx shipping boxes, a shape, form and volume trademarked by the FedEx company. These were shipped from his studio to the intended exhibition spaces. When installed for display, the cardboard FedEx boxes become the pedestals on which to display the cracked glass cubes whose shattered patterns document and materialize the journey of the sculptural object. More recently, however, Beshty has forgone the FedEx cardboard boxes and shipped copper cubes unpackaged with the FedEx labels affixed directly to their surface. Because of the relatively soft texture of copper and its oxidizing properties, its surface is easily dented, scratched and tarnished, and readily accumulates fingerprints and other marks. This random process creates a beautifully patinated sculpture which serves as "an analogy for the transformation of the object based on the accumulation of symbolic value" (the artist in conversation with Mikkel Carl, 2010). Created partly by chance, like Marcel Duchamp's *The Large Glass* (1915–23) which shattered during transport in 1923 and continues to evolve as it ages, Beshty's cubes accrue shipping labels, fissures and markings and therefore accrue further meaning every time they are shipped to and from a gallery, museum or collector.

Beshty's work maintains links with Minimalism. While the earlier FedEx boxes were reminiscent of the minimalist American sculptor Larry Bell, the copper boxes recall Donald Judd's copper stacks. Both Judd and Beshty may be classified as 'hands-off' artists, but whereas Judd instructed metal factories to fabricate his works perfectly to his exact specifications, Beshty simply establishes a set of conditions for his works to be created by the uncontrollable elements of outside participants – namely, the FedEx Corporation and its international transit handlers. In stepping back from the artwork in this way, Beshty "pulls back the curtain to reveal how his art is made, installed, sold, processed, and shipped; rendering the prestige of the final art object obsolete" (Caryn Coleman, review of *Walead Beshty: Production Stills* at Thomas Dane Gallery, London, in *Goldsmiths Curatorial Critique* online blog, 2009).

2 **JACOB KASSAY** b. 1984

Untitled, 2010

Acrylic, silver deposit and string on canvas. 122 × 91.5 cm (48 × 36 in). Signed and dated 'Kassay 10' on the reverse.

Estimate £50,000–70,000 $79,200–111,000 €58,300–81,600

PROVENANCE Private Collection, Europe

Executed in 2010, this painting is a characteristic example of Jacob Kassay's unique technique. Once the canvas has been primed and painted with broad brushstrokes of acrylic paint, the surface is subjected to an elaborate chemical process which results in a shiny silver surface. At the same time, during the process, any exposed raw canvas is burnt, turning it into a dark smoky tint and making each unique piece half-opaque and half-reflective.

The mirror-like monochrome surface reflects its surroundings including the viewer without whom the piece – in a Duchampian way – would never be complete. Light, colour and movement are the main elements comprising a surface not capable of an accurate reflection but of exposing the suggestive qualities of abstraction and image. It is with irony that such a technique, redolent of the pre-digital era of photography, draws us that much closer toward abstraction.

"The way that these thin silver surfaces delicately capture the traces of whatever stands before them evokes photography, with its light-sensitive emulsions of metal salts. But film photography as a technology has now been surpassed by digital – just as photography itself once usurped the province of painting – making Kassay's metal coatings feel like bronzed baby shoes, elegies to an unrecoverable past. Simultaneously paintings made into memorials, sculptures that refer to photography, and abstractions that speak of the changing regimes of representation, Kassay's works, while beautiful, are also melancholic, philosophical objects" (Joseph R. Wolin, *Time Out New York*, 19 March 2009).

3 **MAURIZIO CATTELAN** b. 1960

Tié, 1995

Ceramic and metal. 3 × 1.5 × 1.5 cm (1 1/8 × 5/8 × 5/8 in). This work is from an edition of 3 and is accompanied by a certificate of authenticity signed by the artist.

Estimate £50,000–70,000 $79,200–111,000 €58,300–81,600 ♠

PROVENANCE Massimo De Carlo, Milan

EXHIBITED Gwangju, 1st Gwangju Biennale, *Beyond the Borders*, 20 September–20 November 1995

LITERATURE *Beyond the Borders*, exh. cat., Gwangju Biennale, 1995; F. Bonami, *Maurizio Cattelan, Autobiografia non autorizzata*, Milan: Mondadori, 2011, pp. 83–84

"I am not really sure satire is the key to my work. Comedians manipulate and make fun of reality, whereas I actually think that reality is more provocative than my art. You should walk on the street and see real beggars not my fake ones. You should witness a real skinhead rally. I just take it; I'm always borrowing pieces – crumbs really – of everyday reality. If you think my work is very provocative, it means that reality is extremely provocative, and we just don't react to it. Maybe we no longer pay attention to the way we live in the world. We are increasingly … how do you say, 'don't feel any pain'… we are anaesthetized."

(The artist, in conversation with Nancy Spector, in F. Bonami, N. Spector and B. Vanderlinden, eds., *Maurizio Cattelan*, London: Phaidon, 2003, p. 17)

Actual size

4 **TAUBA AUERBACH** b. 1981

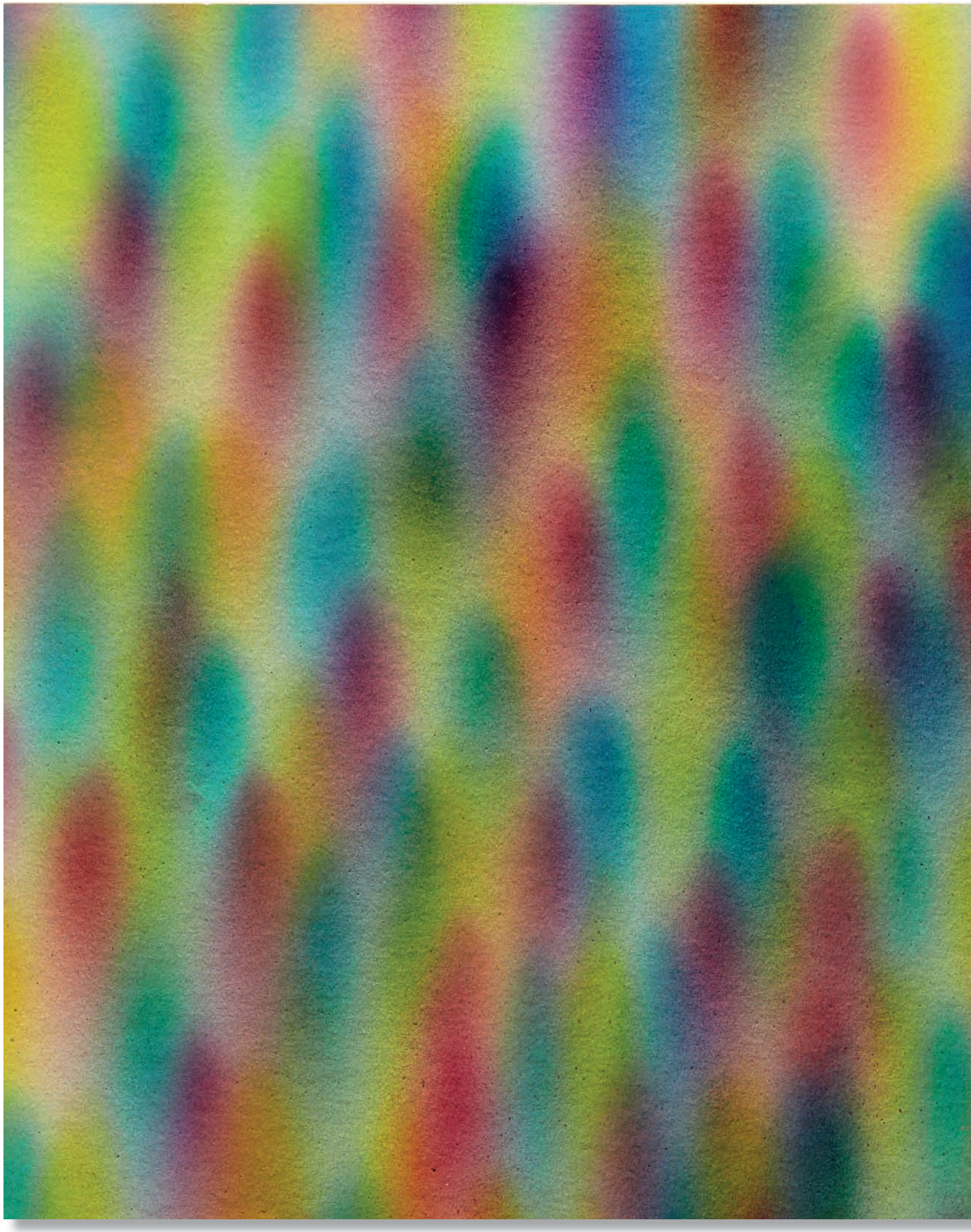
CMY 5, 2008

Acrylic on paper on wood panel. 50.8 × 35.6 cm (20 × 14 in). Signed, titled and dated 'CMY5, 2008, Tauba Auerbach' on the reverse. This work is accompanied by a certificate of authenticity.

Estimate **£15,000–20,000 $23,700–31,700 €17,500–23,300** ‡

PROVENANCE New Image Art, West Hollywood, California; Private Collection, New York

"Looking for randomness is almost like rebelling against yourself – I think humans have an ordering, pattern-finding tendency. So it's counter-intuitive as an object of desire, and it's also remarkably difficult to find."
(the artist)



5 **AARON YOUNG** b. 1972
Untitled, 2007
Burnt rubber and acrylic on aluminium in four parts. Overall: 244 × 488 cm (96 × 192 in); each: 244 × 122 cm (96 × 48 in).

Estimate **£60,000–80,000 $95,000–127,000 €69,900–93,200**

PROVENANCE Private Collection, Europe

"…In Young's works, seediness is built into the canvas, where materials used include wine and glass. His works are also the aftermath of brutal happenings, which involve motorcycle gangs running screaming tyres over the aluminium-backed canvases. Strips of exposed metal glint through layers of dark paint, while serpentine forms, created by the tyres, writhe in the murk. Young's approach to the canvas is almost territorial; his pieces call to mind areas of the city staked out in skid marks and broken glass…"
(Laura Allsop, 'Substraction', *ArtReview*, June 2008)

6 **STEVEN PARRINO** 1958–2005
Creeping Eye, 1993
Lacquer on canvas in 4 parts. Each: 180 × 120 × 25 cm (70 7/8 × 47 1/4 × 9 7/8 in).

Estimate £300,000–500,000 $475,000–792,000 €350,000–583,000

PROVENANCE Galerie Rolf Ricke, Düsseldorf
EXHIBITION Esslingen, Villa Merkel, *Arbeiten mit der Sammlung Rolf Ricke*, 17 August–5 October 2008
LITERATURE A. Baur, *Arbeiten mit der Sammlung Rolf Ricke*, exh. cat., Esslingen am Neckar: Galerien der Stadt Esslingen am Neckar, 2008 (illustrated)

"By unstretching the canvas, I could pull and contort the material and reattach it to the stretcher, in effect misstretching the paintings, altering the state of the painting. The painting was, in a sense, deformed. This mutant form of deformalized painting gave me a chance to speak about reality through abstract painting, to speak about life."

"My paintings are not formalist, nor narrative. My paintings are realist and connected to real life, the social field, in brief: action... All my work deals with disrupting the status quo."

(The artist speaking in 1994 and 1995, quoted in A. Avini and B. Thurman, *Steven Parrino*, exh. cat., Gagosian Gallery, 2007, pp. 5 and 7)

7 **UGO RONDINONE** b. 1964

Everything Gets Lighter Everyone is Light, 2004

Semi-transparent cast resin. 294 × 223 × 248 cm (115 3/4 × 87 3/4 × 97 5/8 in). This work is from an edition of 3 plus 1 artist's proof.

Estimate **£120,000–180,000 $190,000–285,000 €140,000–210,000**

PROVENANCE Galerie Eva Presenhuber, Zurich; Galleria Raucci/Santamaria, Naples; Almine Rech Gallery, Paris

EXHIBITED New York, Matthew Marks Gallery, *Ugo Rondinone: Long Gone Sole*, 18 September–30 October 2004 (another example exhibited); London, Whitechapel Gallery, *Ugo Rondinone – zero built a nest in my navel*, 24 January–26 March 2006 (another example exhibited); Modena, Galleria Civica di Modena, Palazzo Santa Margherita, *Giorni felici*, 15 September 2006–7 January 2007

LITERATURE A. Tarsia, *Ugo Rondinone – zero built a nest in my navel*, exh. cat., Whitechapel Gallery, London, 2005, pp. 4–5, 245, 254 (another example illustrated); Ugo Rondinone, *Giorni felici*, exh. cat., Galeria Civica di Modena, 2006 (illustrated)

Ugo Rondinone, who first came to international attention in the early 1990s, is best-known for his installation works that combine various media and styles. With both humour and melancholy, he explores a mood of longing in the series of cast trees to which the present work belongs. *Everything gets lighter everyone is light*, executed in 2004, represents a 2,000-year-old olive tree, reminiscent of the trees found in the countryside outside Naples, the hometown of Rondinone's parents. In this work, by 'freezing' the tree, the symbol of life, in resin, the artist is able to capture the memories and experiences of the two millennia and halt the passage of time. In the artist's own words, the trees "become a memoriam of condensed time".

Rondinone explores the theme of displacement by placing the 'frozen' trees in the man-made urban environment. This only strengthens the contemplative and melancholic quality of the work, which is both theatrical and poetic in its suggestiveness. The artist is known for his literary vision, and here the title of his work is taken from the transcendent last lines of the poem 'Everyone Gets Lighter' (2002) by the poet and performer John Giorno:

Everyone
gets
lighter
everyone
gets lighter
everyone gets
lighter
everyone gets lighter
everyone is light.

"Time can be experienced as a lived abstraction, where the shape is formed by this accumulation of time and wind force. If my work in general has a nonlinear approach to the world, then the system and concept of time, which has occupied my work since the beginning, gives me a certain sense of grounding."
(Ugo Rondinone, from a press release for Creative Time's project, *Art on the Plaza: air gets into everything even nothing & get up girl a sun is running the world*, New York, 2007)

Installation view of the exhibition *Giorni felici* at Galeria Civica di Modena, 2006, including *Everything Gets Lighter Everyone is Light*

"To me, a painting is successful when you can look at it for several hours and it continues to reveal itself – it sets off a domino effect of association and allusions to things that prompt memory, similar to being alone daydreaming."

CECILY BROWN

O◊ 8 **CECILY BROWN** b. 1969
The Torment of St. Anthony, 2010
Oil on linen. 104.1 × 114.3 cm (40 7/8 × 45 in)

Estimate £250,000–350,000 $396,000–554,000 €291,000–408,000 ♠ ‡

PROVENANCE Private Collection, New York

© Kimbell Art Museum, Fort Worth, Texas

Michelangelo Buonarroti, *The Torment of St Anthony*, c. 1487–88, Kimbell Art Museum, Fort Worth, Texas

Although Cecily Brown was born in London and graduated from the Slade Art School in 1993, she has since moved to New York where she has rapidly received critical acclaim through two sell-out shows at Deitch Projects in 1997 and 1998. She has now established herself as one of today's leading figures of the new wave of young painters.

The present lot, *The Torment of St. Anthony*, 2010, is from Brown's series of smaller scale works inspired by Michelangelo's earliest attributed painting also titled *The Torment of St. Anthony* (c. 1487–88). Like many of her recent works, this painting shows the increasingly abstract nature of her painting. Those familiar with her earlier, more figurative works, in which the fusion of abstraction with the figuration can render the often sexual imagery visually uncertain, may well be searching for the ghosts of similar imagery in the flesh-toned impasto juxtaposed against the dark greens and browns in this more abstract work. This is something the artist herself has recognised in her audience: "I sometimes wonder, looking back on the paintings with lots of sexual content, whether I was setting things up so that later I could be less explicit...People familiar with the more graphic work will bring that content to the more ambiguous paintings" (the artist in conversation with Lari Pittman, in *Cecily Brown*, exh. cat., Gagosian Gallery, New York, 2008).

O◊ 9 **DAMIEN HIRST** b. 1965

Observation – The Crown of Justice, 2006

Butterflies and household gloss on canvas. 280.3 × 183 cm (110 1/3 × 72 1/8 in) arch.

Signed, titled and dated 'Damien Hirst "Crown of Justice" 2006' on the reverse.

Estimate £700,000–1,000,000 $1,110,000–1,580,000 €816,000–1,170,000 ♠ ‡

PROVENANCE Gagosian Gallery, Beverly Hills

EXHIBITED Beverly Hills, Gagosian Gallery, *Damien Hirst: Superstition*, 22 February–5 April 2007

LITERATURE *Damien Hirst: Superstition*, exh. cat., Los Angeles, Gagosian Gallery, 2007, pp. 40–41 (illustrated), p. 158 (illustrated)

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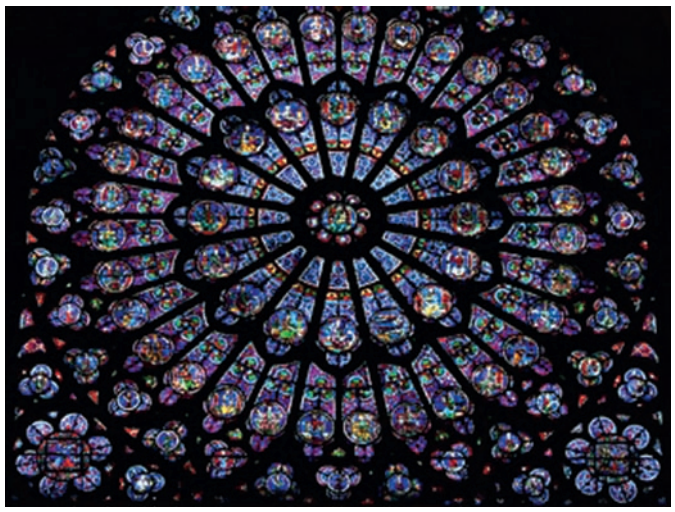
Installation view of 'Superstition' at Gagosian Gallery, Beverly Hills, 2007

The work of Damien Hirst is known for its exploration of the territories of religion, science and death, and nowhere are these themes more clearly expressed than in the artist's butterfly paintings, of which *Observation – The Crown of Justice* from 2006, is a superb example. The work featured in the critically acclaimed 'Superstition' exhibition at Gagosian Gallery in Beverly Hills in 2007. The exhibition was a spectacular display of Hirst's butterfly paintings, and marked an extension of the artist's so-called Kaleidoscope series begun in 2003. Drawing upon the shape, colour and design of stained glass windows of the great medieval cathedrals, these works exhibit a meticulously imposed patterning and symmetry that suggest the properties of fractal geometry. In doing so, Hirst confidently invites comparison between his work and the painstaking craftsmanship used to create stained glass windows.

The contrast made between the physical nature of the work, in the sheer quantity of species of butterflies used and the geometrical patterning, and the religious connotations, is echoed in the two-part title of *Observation – The Crown of Justice*. As with all works in 'Superstition', the first part is taken from the title of a poem by Philip Larkin (mostly from his 1974 collection *High Windows*), a poet known for his at times bleak outlook on the human condition but also a quasi-religious transcendence, and the second drawing upon biblical and Christian evangelical phrases.



Rose window in Notre Dame cathedral, Paris

The butterfly has become a central motif of Hirst's paintings on canvas from the start of his career in the early 1990s to the present day. During the early centuries of the Christian church, the butterfly symbolised the resurrection and life after death. Artistic depictions of butterflies have been used in cultures across the globe; in some, butterflies symbolise rebirth, and others see the butterfly as a sign of good luck or even love. *Observation – The Crown of Justice* strikes the viewer with a glorious burst and variety of colours, ranging from marine blues to pale yellows to reds and browns. The multifaceted composition is meticulously created solely out of butterfly wings. The rich variety of colours, shapes and sizes can be ascribed to the vast range of butterfly species used by Hirst's studio to produce this astonishing work.

Hirst's first butterfly painting was exhibited at the Woodstock Street Gallery in London in 1991. The exhibition, 'In & Out of Love', was on two levels: "In one, at street level, live butterflies work their way out of pupae hanging from monochrome white canvases; they feed on flowers in the vases below and from bowls of sugar-water placed on a table in the middle of the room. They mate, lay their eggs, and then die. On the floor below, as if in a subsequent temporal passage, some dead butterflies are stuck and amalgamated with the shiny varnish of large monochrome canvases. Instead of dishes holding nutrients, the table holds ashtrays filled with cigarette butts" (*Damien Hirst, The Agony and the Ecstasy: Selected Works from 1989–2004*, exh. cat., Museo Archeologico Nazionale, Naples, 2004).

"My work is a support system for people to feel good about themselves and to have confidence in themselves – to enjoy life, to have their life be as enriching as possible, to make them feel secure – a confidence in their own past history, so that they can move on to achieve whatever they want" **JEFF KOONS**

PROPERTY FROM A PRESTIGIOUS EUROPEAN COLLECTION

10 **JEFF KOONS** b. 1955

Seal Walrus Trashcans, 2003–09

Polychromed aluminium and galvanized steel. 170.2 × 76.2 × 91.4 cm (67 × 30 × 36 in). This work is from an edition of 3 plus 1 artist's proof.

Estimate £2,000,000–3,000,000 $3,160,000–4,740,000 €2,300,000–3,450,000 ‡

PROVENANCE Sonnabend Gallery, New York; L&M Arts, New York; Private Collection, Europe

EXHIBITED London, Serpentine Gallery, *Jeff Koons: Popeye Series*, 2 July–13 September 2009 (another example exhibited); Paris, Galerie Jerome de Noirmont, *Jeff Koons: Popeye Sculpture*, 16 September–20 November 2010 (another example exhibited)

LITERATURE J. Jones, 'Not just the king of kitsch', *Guardian*, London, 30 June 2009, p. 9, (illustrated); B. Lewis, 'Popeye the Eye-Popper', *Evening Standard*, London, 2 July 2009, p. 34, (illustrated); J. Welham, 'Playing with Popeye – and his inflatable friends', *West End Extra*, 3 July 2009 (illustrated); *Jeff Koons: Popeye Series*, exh. cat., London, Serpentine Gallery, 2 July–13 September, 2009, p. 60 (illustrated); A. Bartl, 'Geniale Spätzünder', *German Elle*, April 2010, p. 136 (illustrated); *Jeff Koons: Popeye Sculpture*, exh. cat., Paris, Galerie Jerome de Noirmont, 16 September–20 November 2010, p. 23 (illustrated); Pierre-Evariste Douaire, 'Koons est Gonflé', *Clark Magazine* #45, November–December 2010 (illustrated with artist); A. Shaw, 'Jeff Koons: The Pain of Inflation', *The Art Newspaper*, 16 June 2011; 'Jeff Koons: Desire of Love', *Korea Joongang*, August 2011, p. 337 (illustrated)

"I find that the work for myself is more and more minimal. I've returned to the readymade. I've returned to really enjoying thinking about Duchamp. This whole world seems to have opened itself up again to me, the dialogue of art"

JEFF KOONS

The present lot exhibited in *Jeff Koons: Popeye Sculpture*, at the Galerie Jérôme de Noirmont, Paris, 2010

The present work exhibited in *Jeff Koons: Popeye Series*, at the Serpentine Gallery, London, 2009

Jeff Koons has an unrivalled ability to both visually amaze his audience while also combining humour with the philosophical. This has come to characterise his acclaimed multi-disciplinary and richly layered body of work over the past three decades. *Seal Walrus Trashcans*, from his series *Popeye* begun in 2002, is full of not only art historical references but also cultural subversions and commentaries. *Popeye* features both paintings in which images from Koons's own photos, sensual imagery and magazines are remixed into a playful composition, and sculptures in which inflatable pool toys are juxtaposed with found metal objects. As an integral part of the *Popeye* series, *Seal Walrus Trashcans* encapsulates Koons' major themes such as the interplay between childhood innocence and adult sexuality, the bridging of low and high art, the representation of kitsch within the avant-garde and, most significantly, the fragility and ephemeral nature of life.

A hyperreal surrealist masterpiece, *Seal Walrus Trashcans* depicts two brightly coloured inflatable sea animals wedged into trashcans. Deceiving the eye and brain, the seal and walrus are each a facsimile of an inflatable plastic swimming pool toy that Koons has cast in aluminium and then meticulously painted to reproduce both the colours and texture of the original down to every ripple and soft crease around each seam. Then, in an innovative and technically masterful twist never seen before in his work, Koons has entwined, as if entrapped, each of the assisted readymade toys into a true ready-made, an unaltered trashcan of the kind seen on New York City sidewalks. A first reading of this absurd montage would suggest that the inflatable swimming equipment references and celebrates the banal, everyday consumption of the American middle class with its cheap plastic squeezable toys that populate every communal swimming pool during the carefree summers of America's suburban heartland. Yet this seemingly happy, cookie cutter society is only superficially so, their smiles like those of the seal and walrus are only painted on. Entrapped by metallic mesh which physically pierces their bodies, the trashcans suggest a physical and physiological violence, a sinister and cynical sense of exclusion and defence, the darker, sombre side of Wisteria Lane.

As Koons himself admits, the referential glut owes much to the legacy of Marcel Duchamp and the Surrealist movement. Of the *Popeye* series the artist has said: "I find that the work for myself is more and more minimal. I've returned to the readymade. I've returned to really enjoying thinking about Duchamp. This whole world seems to have opened itself up again to me, the dialogue of art" (the artist, in H.W. Holzwarth, ed., *Jeff Koons*, Cologne, 2009, p. 504). Marcel Duchamp's iconic *Bicycle Wheel*, an assisted ready-made like *Seal Walrus Trashcans*, most immediately comes to mind as a point of reference. The flamboyant Salvador Dalí and his preoccupation and fascination with sex, lust and desire and the psychological emanations of ordinary objects are also suggested here by the phallic seal and walrus which each emerge from a pit like trashcan. The contrast between the softness of actual pool inflatables and the hardness of the aluminium in which Koons has rendered his *trompe l'œil*, this dichotomy between femininity and masculinity, are opposing and contrasting sexually driven forces constantly at play in Koons' sculptures.

© Jeff Koons

Rabbit, 1986

"A real pool toy will deflate quickly; it will maybe last a couple weeks, but eventually it's going to start to get softer and will deflate and lose its form. It isn't going to be able to survive. It has more to do with preserving it than the weight of it. There's a certain sense of weight with it, going back to Rabbit or other pieces, but it's not something that I've been so focused on. I think it's more about building it to survive."

JEFF KOONS

Looking at more recent art history, Andy Warhol and Pop art are a clear and inescapable influence on Koons who is often referred to as a 'neo-Warhol' for the way he iconizes popular culture. But while Warhol's subject matter was pop celebrity, Koons deals with suburban banality. And just as Warhol paid tribute to the genius of the industrial designers responsible for the original Brillo boxes and Campbell's soup cans by turning them into works of art which are indistinguishable from the real thing, so Koons chooses to reproduce cheap pool toys in hard metal because he finds distilled in them all the freedom, fantasy and unselfconscious joy of childhood.

As a testament to the complexity and depth of each of his major sculptures, the resulting unexpected juxtaposition conjures up an orgy of meanings drawn from Surrealism's tenets. The children's inflatable toy which normally signifies buoyancy is rendered useless by the material in which it is executed and by its entrapped nature. Yet, despite their trapped state, the bright and cheerful sea creatures grin broadly with their big soft eyes suggesting a child like optimism and happiness, the same innocent, unbridled joy seen in Koons' earlier *Celebration* series. Koons himself has always described these inflatables in a positive light lauding their life saving capability. However, like the warning against the lure of social mobility found in *Equilibrium*, the *Popeye* sculptures carry a hidden message. Ultimately, you can go through things in life without trauma. You can go through difficulties but still maintain your course, maintain an optimism.

© Succession Marcel Duchamp/ADAGP, Paris and DACS, London 2011

Marcel Duchamp, *Bicycle Wheel*, 1913

"A butterfly in space excites my imagination: having freed myself from rhetoric, I lose myself in time and begin my holes"

LUCIO FONTANA

11 **LUCIO FONTANA** 1899–1968

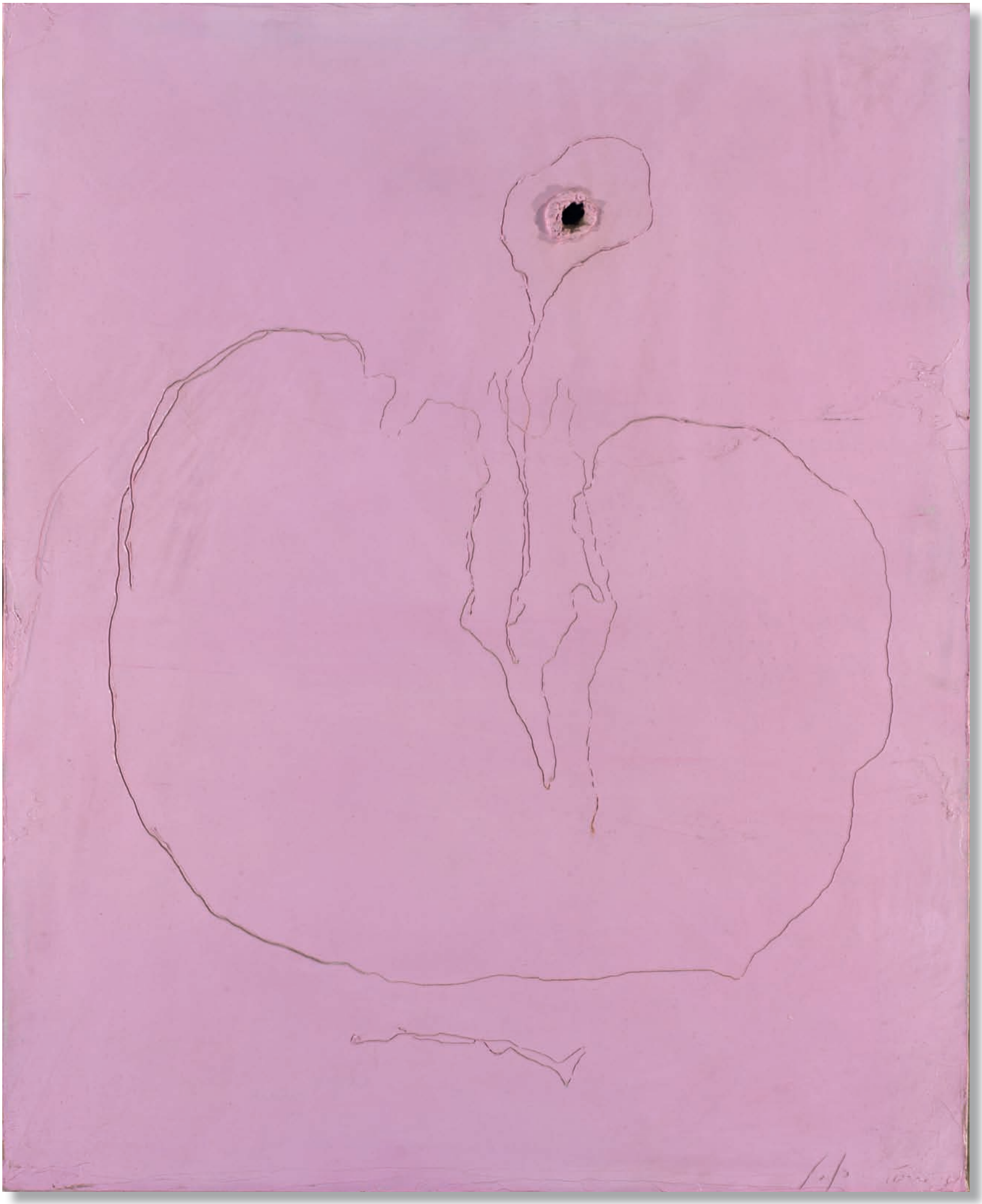
Concetto spaziale, 1962

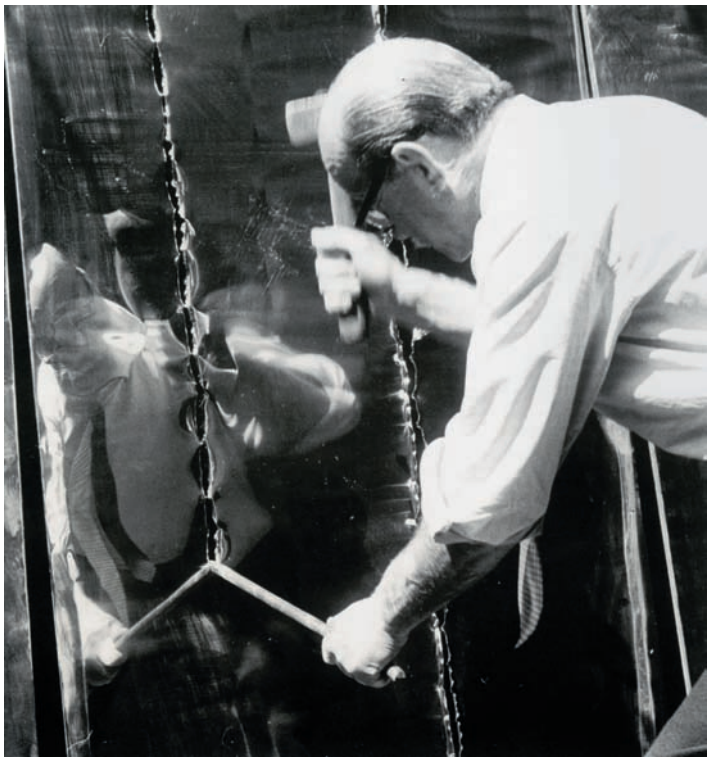
Oil on canvas. 60 × 50 cm (23 5/8 × 19 5/8 in). Signed 'l. fontana' lower right; further signed and titled 'l. fontana / Concetto spaziale' on the reverse.

Estimate £250,000–350,000 $396,000–554,000 €291,000–408,000 ‡

PROVENANCE Galerie Serge De Bloe, Brussels, from whom acquired by previous owner

LITERATURE E. Crispolti, *Lucio Fontana: catalogue raisonné, vol. II*, Brussels, 1974, no. 62 O 38, p. 118–19 (illustrated); E. Crispolti, *Lucio Fontana catalogo generale, vol. I*, Milan, 1986, no. 62 O 38, p. 398 (illustrated); E. Crispolti, *Lucio Fontana catalogo ragionato di sculture, dipinti, ambientazioni, vol. II*, Milan, 2006, no. 62 O 38, p. 583 (illustrated)





Fontana Lucio Lucio Fontana in his studio in Milan, 1962 © Lucio Fontana/SIAE/DACS, London 2011.

Lucio Fontana at work in 1962

Lucio Fontana created an entirely new pictorial language, and in doing so, placed himself at the forefront of the post-war European avant-garde movement. Having already contributed to several manifestos between 1947 and 1952, Fontana was the founder of Spazialismo, or Spatialism, which explored the concept of space and its representation without recourse to the traditional means of perspective and illusion. In Fontana's work, this theory culminated in his renowned body of works known as *Concetti spaziali*, to which this work belongs. These works, which Fontana began in 1948, mark and embody the extent to which Fontana was able to transcend the boundaries that define sculptures and paintings in his search for his new pictorial language. This search, conducted in the post-war years, has often been linked to Fontana's declaration that painting after Nagasaki and Hiroshima was not possible anymore, echoing Theodor Adorno's declaration that it was barbaric to write a poem after Auschwitz. Although Fontana was politically aware and certainly influenced by the world around him, such as the aftermath of the Second World War or the voyage of man into space, his work is not specifically about politics. Rather, while his work can be seen as a form of social, visual and historical revolution, it was, above all, a rebellion against a dominating artistic tradition and heritage in the struggle for a new understanding of space. This went beyond a simple synthesis of sculpture and painting – Fontana freed himself completely from the limitations of two-dimensional space and broke into a new dimension.

At the core of the Spatialist movement's investigation of a new space lies in the grasp of infinity. This exploration of the space 'behind' the surface was very much a contemporary concern in the 1960s, especially since Yuri Gagarin's space flight, an event which made people re-evaluate their understanding of the world and its place in the universe, and shift their focus towards time, matter and space. It made a great impression upon Fontana too. The exploration of space, however, was not just a scientific advancement for Fontana – he also saw it in more mythical terms. He believed that knowledge of the vastness of the cosmos would make human beings more aware of their insignificance, through which man would be able to become like God, completely stripped of their materialistic dependency. This emancipation and spiritual awakening would ultimately lead to the end of the world. This Spatialist concept went further and prophesied a redefinition of religion by the advance of science.

In his important series of *Concetto spaziale*, called *La Fine di Dio*, Fontana uses the egg shape, which has long been the symbol of birth, life, death and resurrection but also of unity and harmony, as well as an emblem for the exploration and consolidation of the cosmos.

This concept of space and freedom from materiality is key to Fontana's oeuvre. "The discovery of the Cosmos is a new dimension, it is the Infinite: so I make a hole in the canvas, which is the basis for all previous art, to search for an infinite dimension, an X which for me is the basis of all Contemporary Art" (the artist in an interview with Carla Lonzi in Carla Lonzi, *Autoritratto*, Bari, 1969, p. 169). In his investigation of this new space, and driven by an inexhaustible curiosity, Fontana, while not abandoning painting or sculpture completely, breaks through the artwork's surface by cutting, slashing, perforating and penetrating it. He thereby replaces the illusion of spatial depth on the canvas plane with real space and dispenses with the restricting historical view of paintings, both symbolically and materially. The traditional artwork's surface was stripped of its meaning and infused with a sense of time through immortalizing his actions by the holes and slashes.

In this example of the *Concetto spaziale*, Fontana's vision is transformed into a beautifully worked surface, with delicate colouring and a subtle tactility and materiality. Fontana perforates his surface with the back of a brush or a pen. This is not meant to be seen as a destructive process but rather a controlled act of creation, one that witnesses the momentary. Fontana transcends the formal qualities of painting and enters into the realm of the immaterial. The surface and the void become components of this pictorial language as well as the oils which are themselves being transformed into a sculptural substance.

Luci Fontana, *Concetto spaziale*, *Le fine di Dio*, 1963

Fontana Lucio Concetto Spaziale La Fine di dio, 1963© Lucio Fontana/SIAE/DACS, London 2011.

“I did the spot paintings to solve formal problems with colour”

DAMIEN HIRST

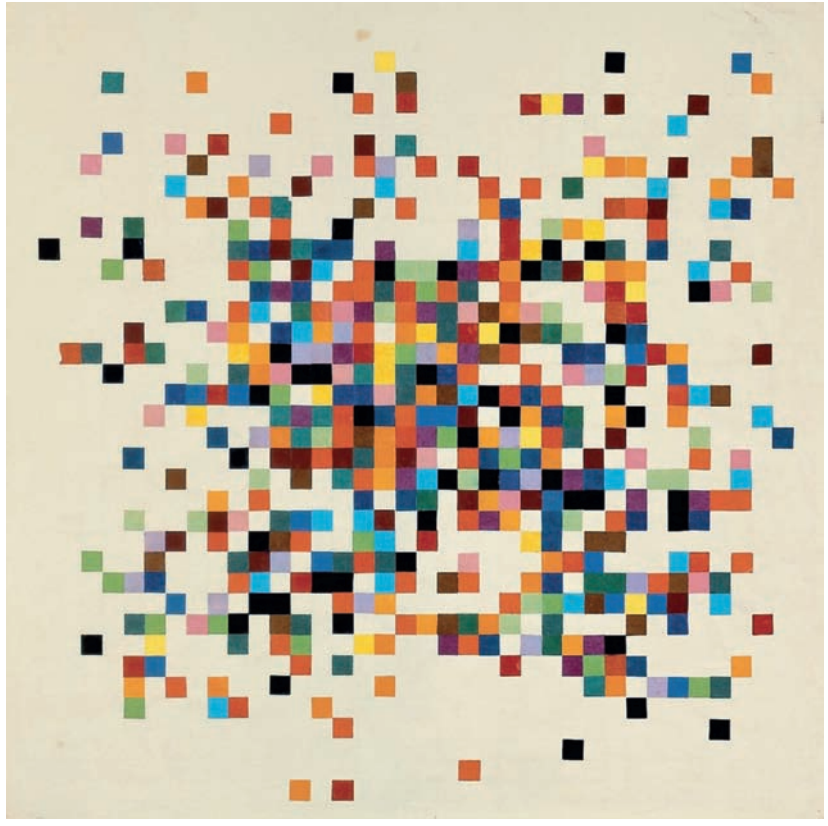
12 **DAMIEN HIRST** b. 1965

5-Aminouracil, 2007

Household gloss on canvas. Each spot: 10.2 cm (4 in) diameter; overall: 213.4 cm (84 in) diameter. Signed, titled and dated ‘“5-Aminouracil” 2007 Damien Hirst’ on the reverse; further signed ‘D. Hirst’ on the stretcher.

Estimate **£600,000–800,000 $950,000–1,270,000 €699,000–934,000** ♠ ‡

PROVENANCE White Cube, London; Private Collection, Korea



© 2011 Ellsworth Kelly

Ellsworth Kelly, *Spectrum Colors Arranged by Chance III*, 1951

5-Aminouracil belongs to Damien Hirst's spot painting series, a series he intended to continue throughout his career. His spot paintings have received vast commercial and critical success since their conception in the late 1980s. The production of spot paintings has diminished little, and arguably will reach their climax with the Gagosian Gallery show, *Damien Hirst: The Complete Spot Paintings 1986–2011*, planned to take place in all eleven worldwide Gagosian Gallery spaces in early 2012. Each location will house individual exhibitions, exclusively made up of spot paintings. Never before will an artist, let alone a specific series, have received such international attention as with this forthcoming show. Hirst's ability to push the boundaries, not only in his artwork, but as a marketing magnet is unparalleled.

5-Aminouracil, executed in 2007, with its spherical canvas, large broadly spaced dots and mechanical precision has all the subtle characteristics of a recent spot painting. Hirst created his first versions of the spot paintings directly onto the walls of the warehouse in his breakthrough exhibition, 'Freeze', in 1988. His hand-painted works on canvas soon followed in the early 1990s. Similar aesthetics and ideologies are applied to *5-Aminouracil* as with his early spot paintings. Hirst's spot paintings and pill cabinets are a modern day hybrid of the abstract expressionism of the 1950s and the minimalism of the early 1960s. The formal, systematic, colour building block arrangement of the present lot is reminiscent of an early Ellsworth Kelly colour chart or a Carl Andre grid-format sculpture.

"In the spot paintings the grid-like structure creates the beginning of a system. On each painting no two colours are the same. This ends the system; it's a simple system. No matter how I feel as an artist or a painter, the paintings end up looking happy. I can still make all the emotional decisions about colour that I need to as an artist, but in the end they are lost."
(the artist, quoted in Damien Hirst, *I want to spend the rest of my life everywhere, with everyone, one to one, always, forever, now*, London, 1997, p. 246)

Hirst's spot paintings make the association between religion and science, two perpetual themes throughout his work, increasingly apparent by referencing medication in their titles. *5-Aminouracil* takes its title from a chemical compound found in prescription medication, as is the case with all paintings from this series. It exemplifies a fundamental shift in modern society, from religious faith to an almost vulnerable faith in science and medicine. Hirst has produced a series that apotheosizes medication, an image of worship for the present day cult of science. His iconic Spot paintings, of which *5-Aminouracil* is a flawless archetype on a rare circular canvas, have come to denote not only the conception of the Young British Artists but a renaissance in contemporary art.

© Damien Hirst. Photo: Edward Woodman

Installation view of the exhibition *Freeze*, held at Surrey Docks in London Docklands, 1988

13 **MAURIZIO CATTELAN** b. 1960
Turisti, 1997
Ten taxidermied pigeons. Lifesize, dimensions vary with installation. This work is accompanied by a certificate of authenticity signed by the artist.

Estimate **£250,000–350,000 $396,000–554,000 €291,000–408,000** ♠

PROVENANCE Massimo De Carlo, Milan
EXHIBITED Venice, The Italian Pavilion, XLVII Biennale Internazionale dell'Arte di Venezia, 15 June – 9 November 1997 (another version exhibited)
LITERATURE XLVII Biennale Internazionale dell'Arte di Venezia, exh. cat, Venice, 1997; G. Verzotti, *Maurizio Cattelan*, Milan: Castello di Rivoli, Museo d'arte Contemporanea, 1997, pp. 18–19 (another version illustrated); F. Bonami, N. Spector and B. Vanderlinden, eds., *Maurizio Cattelan*, London: Phaidon, 2000, pp. 19–21 (another version illustrated)

"Maurizio Cattelan is best known for his satirical and conversational sculptures suspended between reality and fiction, the characters and personas which inhabit [his] world are ghostly appearances in a personal theatre of the absurd."
(www.opus-art.com)

"Rather than a narrative there is often a philosophical subtext which acts as a compositional structure. I painted a number of paintings representing the carrot. It's a metaphor of false hope, the carrot is dangling in front of you, like the dagger in Hamlet"

GEORGE CONDO

14 **GEORGE CONDO** b. 1957

Cave Painting, 2008

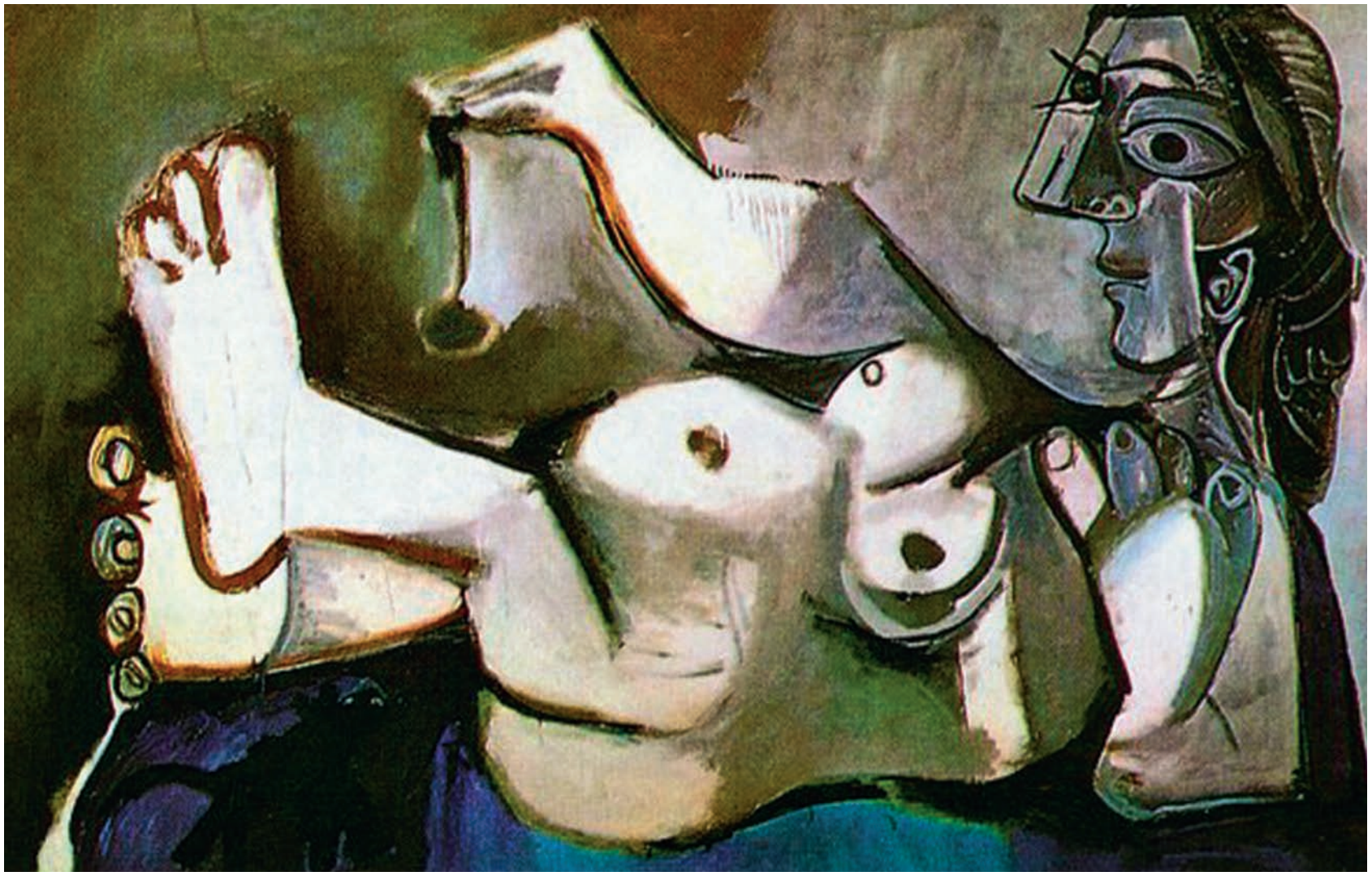
Oil on canvas. 191 × 216.5 cm (75 1/4 × 85 1/4 in). Signed and dated 'Condo 08' on the reverse.

Estimate £300,000–500,000 $475,000–792,000 €350,000–583,000 ‡

PROVENANCE Luhring Augustine, New York; Gary Tatintsian Gallery Inc., Moscow; Private Collection, Moscow

EXHIBITED Moscow, Gary Tatintsian Gallery Inc., *George Condo: Artificial Realism*, 15 May–14 July 2008

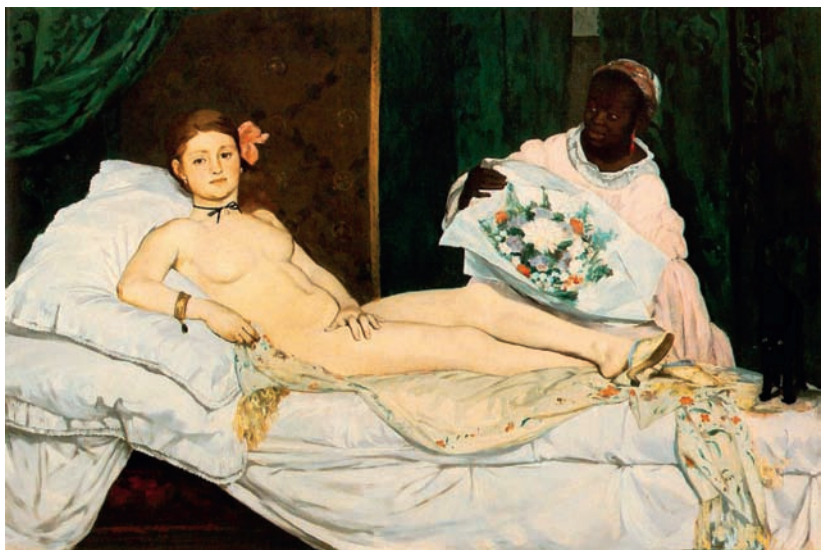
LITERATURE *George Condo: Artificial Realism,* exh. cat., Moscow, Gary Tatintsian Gallery Inc., 2008



© Succession Picasso/DACS, London 2011

Pablo Picasso, *Lying female nude playing with cat*, 1964

Grotesque and yet comical and executed with Old Masterly finesse, *Cave Painting* epitomises the work of George Condo. The work evokes the artist's own description of his style, which "goes between a scream and a smile". It is that alluring quality, amalgamated with his use of art historical and sociological contexts, which conjures his enigmatic characters and rich narratives, and which he leaves the viewer to work out: "Some have a theatrical quality that can be comedic or scary. You have the power as a viewer to expose any one of these characters at any moment, which creates a vulnerable atmosphere to painting".



Musée d'Orsay, Paris, France ©Photo Musée d'Orsay / RMN

Edouard Manet, *Olympia*, 1863

The iconic reclining nude, her gaze confronting the spectator, is a homage to both Titian's *Venus of Urbino* and Manet's *Olympia*. Condo's *Cave Painting* carries the hallmarks of both of these precursors: the sexualised, unrelenting stare of Olympia, and celebration of the eroticism and fertility associated with Titian's Venus. Yet, there is a menacing, primitive undercurrent to *Cave Painting* which expresses a lustful animalistic desire. Reinforced by the phallic suggestion made from the branch and rock, the dangling carrot, as Condo suggests, symbolises the inevitable; the degenerated hope and vulnerability of his muse. There is a great sense that Condo is actually depicting despair, lurking amongst an inviting luscious countryside. It is this brutal honesty, akin to the influential work of Francis Bacon, which is at the core of Condo's appeal. The artist's ability to compartmentalise unremitting emotional realism, while keeping fluidity and beauty, transcends *Cave Painting* from a humble reclining nude into the realms of psychological cubism which characterise Condo's paintings.

O◊ 15 **CECILY BROWN** b. 1969

Park, 2004

Diptych: oil on linen. Overall: 195.6 × 279.4 cm (77 × 110 in). Each signed and dated 'Cecily Brown 2004' on the reverse.

Estimate £400,000–600,000 $633,000–950,000 €466,000–699,000 ♠ ‡

PROVENANCE Gagosian Gallery, New York

EXHIBITED New York, Gagosian Gallery, *Cecily Brown*, 22 January–26 February 2005

Joan Mitchell, *Untitled*, 1961

© The Lucian Freud Archive

Lucian Freud, *Ib and her husband*, 1992

Cecily Brown is now one of the most critically acclaimed of the young artists who revived interest in painting at the end of the 1990s. The current lot, entitled *Park* from 2004, is a particularly strong example of her highly characteristic style that uses loaded vigorous brush strokes, wide-ranging colours, smooth transitions and dense layers of paints. Brown's inspiration comes from various influences and periods ranging from European Old Master figure painting to Abstract Expressionism, to Lucian Freud and Francis Bacon, whose aggressive study of the human form and blatant distortions made a particular strong impression on her. For Brown, it is impossible, and would make it irrelevant, to put her work in a vacuum and discuss it independent from the history of painting. "I think that painting is a kind of alchemy…the paint is transformed into image, and hopefully paint and image transform themselves into a third and new thing….I want to catch something in the act of becoming something else" (in *Cecily Brown*, New York: Gagosian Gallery and Rizzoli, 2008, p. 16).

In the early 90s, Brown's work was mainly figurative and overtly sexual but turned to fully abstract all-over compositions by the end of the decade. She began a series of abstract landscapes, of which the present lot is one, with vague horizons, hints of blue sky and subtle green and earthy tones. Nevertheless, the overarching thematic core which informs her work is 'the sexual'.

Brown's work is driven by bodies, intertwined figures, flesh, lust and emotions, always trying to tempt some sort of tension, contradiction and intensity - be it through colours, forms or the blatant portrayal of a sexual image which is subtly disguised in abstraction. This delicate play of the vague form and explicit content avoids the predictable in her work, turning it into a complex experience of sensations leading to further associations and allusions which forms an integral part of her work. Brown wants to make the viewer stop, look and discover and keep them in until one's mind and senses are entirely encompassed and get lost in colour and form. Of this, she says "…I want viewers to look for a long time, it isn't in order to find something… when I discovered that people were treating the more fragmented work as a kind of game of peekaboo – that they were actually looking for these titillating bits – that surprised me. There had been overt sexual imagery then there was less of it, but it wasn't my intention to conceal it. When the imagery became less clear, it wasn't that I was painting it and then concealing it with abstract marks". She further says "I don't mind the looking at paintings as a game – it should be pleasurable, even a hedonistic experience – but I don't want the viewer to become frustrated if the parts don't add up neatly. They add up to a painting, not to an image" (*Cecily Brown*, 2008 p. 27).

"I have never thought of making anything new. I make it again. I am very much against trying to make anything new in a modernist approach. I think you can do only something for yourself"

RICHARD PRINCE

O◊ 16 **RICHARD PRINCE** b. 1949

My Life as a Weapon, 2007

Acrylic and collage on canvas. 203.2 × 303.5 cm (80 × 119 1/2 in). Signed and dated 'R Prince 2007' on the reverse.

Estimate £500,000–700,000 $792,000–1,110,000 €583,000–816,000 ‡

PROVENANCE Gladstone Gallery, New York; Private Collection

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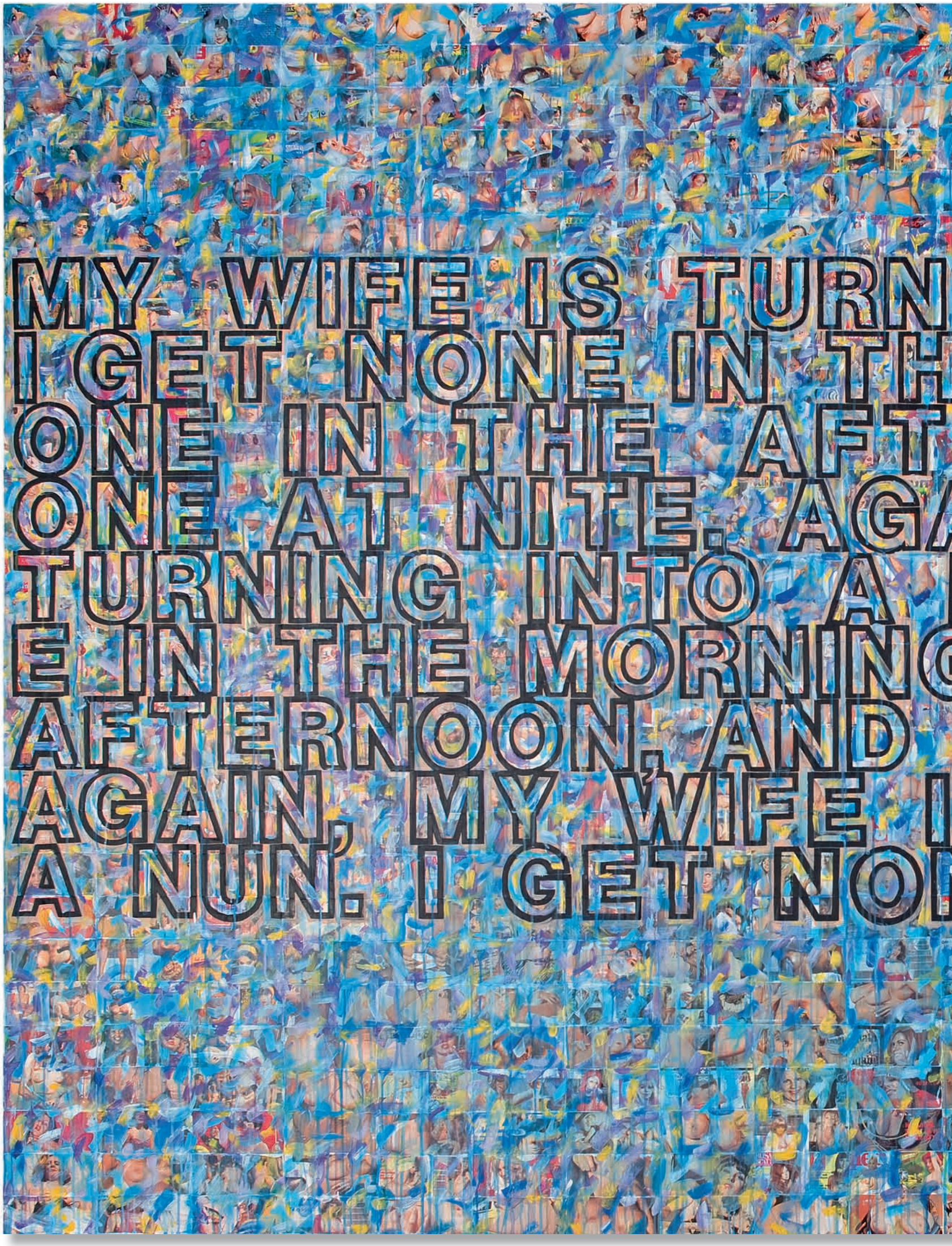
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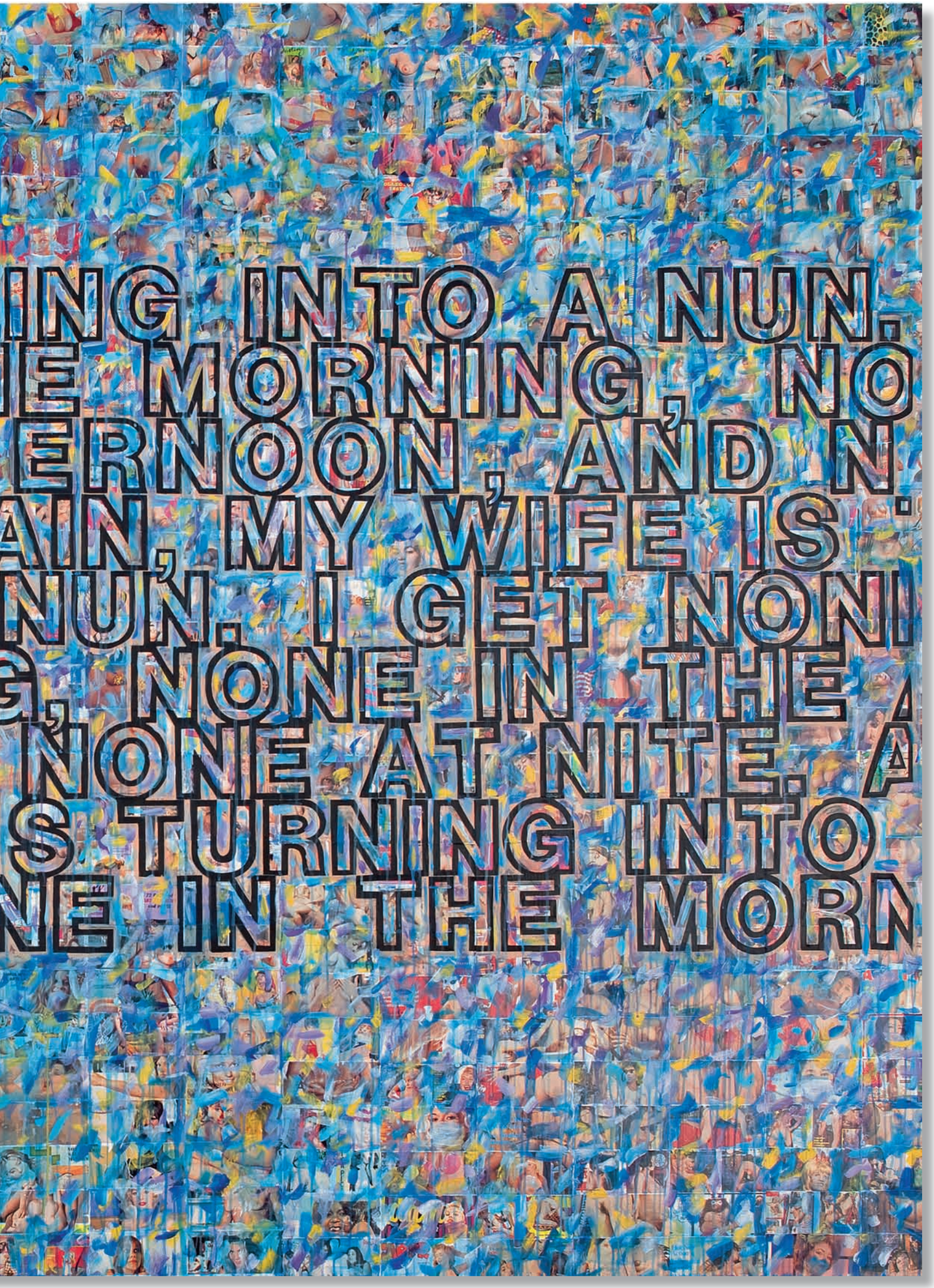
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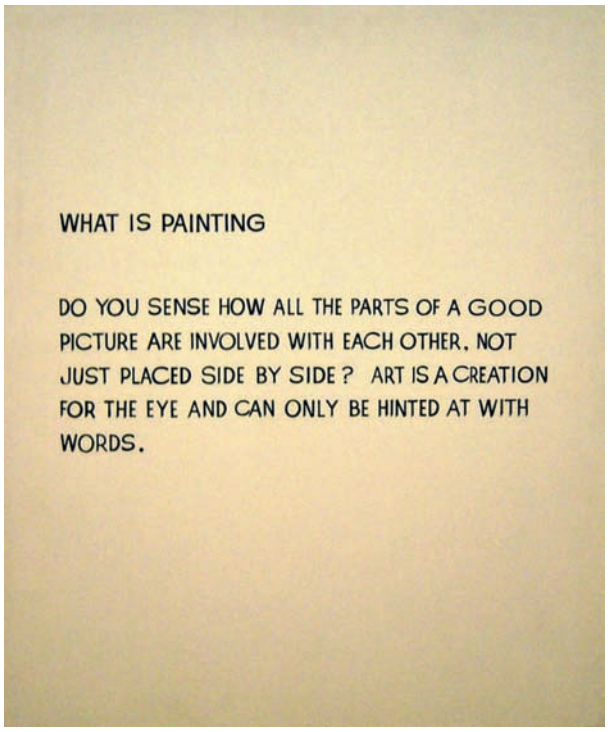
© ARS, NY and DACS, London 2011

Bruce Nauman, *Run from Fear, Fun from Rear*, 1972

Richard Prince has explored, examined and experimented with the world of appropriation through the various channels of photography, painting, sculpture, writing and graphic design. He is among the most highly regarded and influential artists working today who has paved the way for artists such as Jeff Koons, Sherrie Levine and Barbara Kruger. Prince started his career working for TIME/LIFE in the late 1970s, and it is his exposure to mass media, advertising and entertainment images that led to his first artworks, in 1977. For example, he re-photographed pictures of living rooms that appeared in the *New York Times* magazine: "Instead of tearing them out of the magazine and collaging them onto another surface it occurred to me if I took my camera and 'shot' them, sent off the chrome to a commercial lab and blew the negative up to make a real photograph, that it would change the way they originally came out" (the artist in an interview with Hans Ulrich Obrist and Julia Peyton-Jones in K. Rattee, et al., eds., *Richard Prince: America Goes To War ... Swimming In The Afternoon...*, London: Serpentine Gallery, 2008).



John Baldessari, *What Is Painting*, 1966–68

Barbara Kruger, *Untitled (I shop therefore I am)*, 1987

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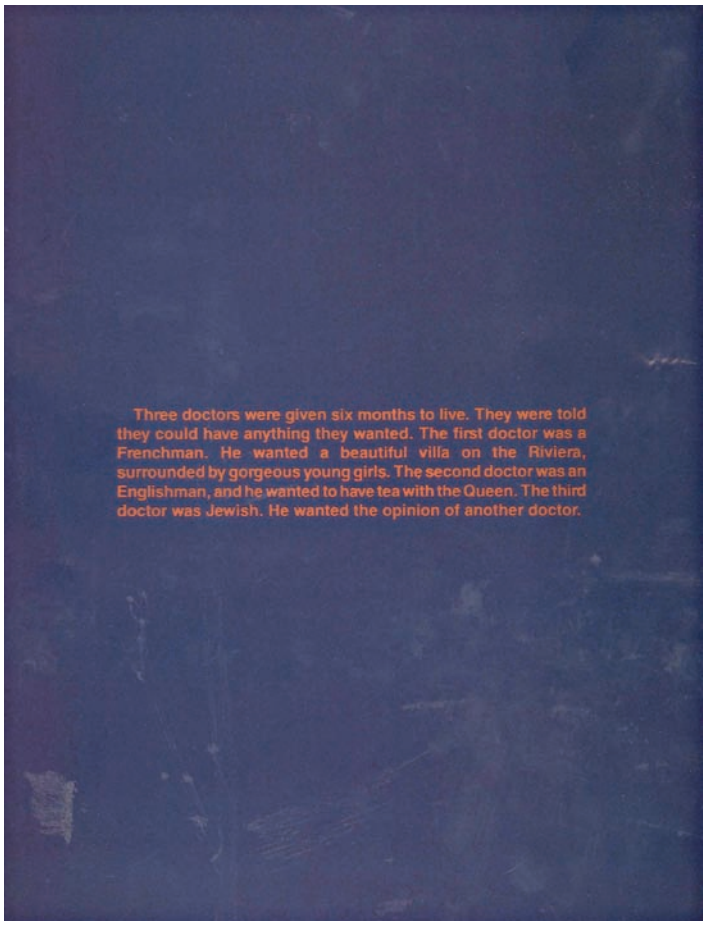
Prince began making his *Joke Paintings* in 1985. The earliest examples were solely text-based works on paper; later, he silk-screened the text onto monochrome canvases, such as in *Another Opinion*, 1989. The jokes themselves are banal, well-worn bad jokes abstracted from their original context, such as cartoons. The irony and humour have all but disappeared in the process of presenting them in the new context of painterly and conceptual art:

"Some jokes are hand-written, others are silk-screened; the letters follow each other on a straight line or on a wavy line, are centered or placed at the bottom of the image, like captions, repeated, superimposed…Sometimes, the jokes are looped, as though they were told one after the other, as in stand-up comedy, and linked to one another with a simple 'one more', 'another one' or 'okay'. At other times, a malfunction sees to occur, like a broken record, and the same joke is repeated twice on the same painting. In general, the same jokes are repeated from new series to the next on all possible supports." (V. Pécoil, *Richard Prince: Canaries in the Coal Mine*, Oslo: Astrup Fearnley Museum of Modern Art, 2007, p. 128).

The present work, *My Life as a Weapon* (2007) consists of a collage of soft-porn photographs depicting women in seductive poses and various states of undress. The initial crudeness is obscured by flecks and blocks of blue, pink and yellow acrylic paint. The text is laid boldly on top of this chaotic blanket of colour and imagery; the large utilitarian lettering brings a rather Spartan calm to the composition. The presentation of the text, in block capitals and repeated three times, removes any semblance of the spontaneity of the joke. Like most of Prince's joke paintings, the text in *My Life as a Weapon* draws on the traditional joke subjects such as family, lovers and spouses.

Until the early 20th century, painting had predominately been concerned with creating forms and figures. Then, Duchamp and, later on, Warhol, brought into being the concept of the ready-made and appropriation. Prince's work occupies both realms, recontextualising or manipulating the ready-made into more complex narrative structures, resulting in his rich and highly celebrated body of work.

"The painted, as against the photographic, world of Richard Prince is neither preconceived nor harmonious, linear, stable or continuous. Instead, it is a place of discrepancy and displacement, of contradictions and misunderstandings (much like reality in general). We could even speak of the absurdity of these works, the zone where irreconcilable elements on the pictorial surface initiate the signification. Herein, the spectator is confronted by a confusing and enigmatic frame of reference. Indeed, Princes figurative paintings are about reconstructing reality, or fabricating parallel realities." (Introduction to the exhibition *Richard Prince: Canaries in the Coal Mine* at the Astrup Fearnley Museum of Modern Art, Oslo, 20 January–29 April 2007)



Richard Prince, *Another Opinion*, 1989

O◊ 17 **ANSELM KIEFER** b. 1945

Die Argonauten, 2008

Oil, emulsion, acrylic, shellac, branches, lead, gold paint, charcoal, fabric, ashes, sand, metal, ceramic, ceramic teeth and plaster on canvas under glass and in steel frame. 282 × 192 × 35 cm (111 × 75 5/8 × 13 3/4 in). Titled 'Die Argonauten' upper left.

Estimate £500,000–700,000 $792,000–1,110,000 €583,000–816,000 ♠

PROVENANCE Private Collection, Europe

Die Argonauten

Caspar David Friedrich, *Abtei im Eichwald*, 1810

Anselm Kiefer was born into a country overshadowed by guilt and underscored by suppressed memory. It was also a nation that had lost its identity and entire artistic and cultural heritage. The artistic world of post-Nazi Germany imposed upon itself the 'unspoken law' of having to break with the old, pre-war traditions as well as censorship of all iconography and imagery relating to the Third Reich. This had a catastrophic effect upon the arts and "plunged Federal Germany into a veritable crisis of representation" (A. Lauterwein, *Anselm Kiefer | Paul Celan – Myth, Mourning and Memory*, London: Thames & Hudson, 2007, p. 24). It was in this environment and while under the influence of Joseph Beuys, that Kiefer began to question his own artistic heritage by focusing on the iconographic, symbolic and mythological elements of German culture which had been poisoned by Nazi propaganda, then silenced and buried in the nation's collective unconscious.

This search for identity as expressed by a personal and national heritage is the driving force behind Kiefer's work. He was drawn to German myths, literature, and music as well as to philosophy and alchemy. Romanticism and its landscape painters, such as Caspar David Friedrich, were also part of Kiefer's inheritance. Friedrich and other artists of his era regarded nature as a mirror of the human soul and as an agent with which to depict and express human emotions. Over time, Kiefer expanded his quest for identity beyond Germany and began to draw upon the Old Testament and the myths of ancient Greece and Egypt.

Such a dialogue with history and mythology transforms Kiefer's works into an infinite web of meaning, symbols and imagery. The results are monumental, heavily textured paintings layered with materials such as sand, ash, lead, branches and water which blur the distinction between painting and sculpture. These 'constructions' have often been left outside to weather them and make them appear as if remnants of a different time in the past.

The current lot, entitled *Die Argonauten* [The Argonauts] from 2008, draws on the ancient Greek legend of sailors led by Jason who set out on their ship the Argo to regain the Fleece of the Golden Ram from Colchis in order to reclaim the throne from King Pelias. Once in Colchis, King Aietes agrees to return the fleece upon completion of several tasks. Amongst others Jason has to tame fire-breathing bulls, plough and sow a field with dragons' teeth, and overcome the warriors that are born from these teeth.

Die Argonauten is an ambitious three-dimensional work made with a characteristic combination of unlikely materials, such as branches, lead, gold paint fabric, ashes, sand, ceramic teeth, and plaster. Although the dress, the gold and teeth, together with the handwritten title, explicitly refer to the Greek myth, these symbols are also inevitably associated with the Holocaust. Such multilayering of meaning is typical of Kiefer's work – his transformational use of natural and man-made material emphasizes his Romantic responsiveness to nature but at the same time evokes a sense of tragedy and disillusionment and, ultimately, the catastrophe of 20th-century Germany history.

The decay and destruction of the material is hereby key, as for Kiefer every beginning necessarily emerges from ruins. Transformation brings us back to nature and nature allows us to go back to our origins, to reflect and ultimately to regain hope. The underlying layers evoked by a symbol, a material or a name, is what Kiefer keeps on looking for. "History is for Kiefer also a particular kind of feeling, an emotion or sensibility that implicates us in the world – and that is precisely why the name of the myth and the poetic fragment is such an essential recurring factor, because only the naming, often written directly on the surface of the picture, provides the key to the continuation" (P. E. Tøjner, M. Holm and A. Kold, eds., *Anselm Kiefer*, Humlebæk: Louisiana Museum of Modern Art, 2010).

Beuys Joseph Felt Suit, 1970 © DACS 2011

Joseph Beuys, *Felt Suit*, 1970

Argonauten

O◊ 18 **ANSELM KIEFER** b. 1945

Sternenfall, 2007

Gouache and glass on collaged photograph. 118.1 × 96.5 cm (46 1/2 × 37 7/8 in).
Titled 'Sternenfall' in the centre.

Estimate £90,000–120,000 $143,000–190,000 €105,000–140,000 ♠ ‡

PROVENANCE Private Collection, New York

"An inordinate measure of inhumanity, then: tragic chaos, the dark night of History, the monster of Leviathan. What can counter the inevitability of disasters that humanity has proven it cannot escape? For a long time, nothing in Kiefer's work pointed to any way out of this curse… Then it became more and more apparent that the artist could only escape the memory and lamentation of human history by favouring, instead, the contemplation and celebration of Nature – rocks, plants, and heavenly bodies. It may in fact be Kiefer's move to Barjac, to a magnificent, almost pristine landscape of oak forests that was partly responsible for the emergence of this new inspiration. Which, to put it simply, in a phrase, is: the wretchedness of human history can only be escaped, briefly, thanks to the beauties and enigmas of natural history. The contradiction between these two positions is so complete that it might seem surprising an artist could go from one to the other, from one extreme to another…"
(P. Assouline and P. Ardenne, eds., *Anselm Kiefer Sternenfall Chute d'étoiles*, Paris: Editions du Regard, 2007, p. 1)

While stars are symbolic of bringing order and light into the darkness of chaos, cosmologies help to explain the origin and evolution of the universe. Kiefer says that science doesn't lead us to any key to the world; the more we discover, the more we realise we do not know – only mythology and cosmology can try to achieve a coherent view. It is also crucial to understand that there is no one history for Kiefer, therefore time is an irrelevant concept in the quest for identity. Instead each human being makes up his own history and tries to put himself into a bigger context. Kiefer has said in an interview that "according to the Sefer Hechaloth, the book preceding the Kabbalah, there is no high and low, no east and west, no within and without, forward and backward, because in the cosmos everything is in motion. Also the present, past and future have the same orientation. Only symbols guide us in all the directions" (G. Gori and G. Serafini, eds., *Anselm Kiefer: Cette obscure clarité qui tombe des étoiles*, Gli Ori, 2009, p. 27). The idea that the earth and sky are inextricably linked and everything depends and influences each other is of great importance to the artist.

However, his later work can be read in more than one way. In *Sternenfall*, for example, the writing Sternenfall (translated as 'falling of the stars') evokes Kiefer's discourse with the micro- and macrocosms of the earth and the sky. On the other hand, however, stars and symbols such as the broken glass, the stone vault and numbers, can also allude to the horrors of the Nazi past – star-charts echo concentration camps, the digits the identification numbers of the imprisoned during the Holocaust, broken glass destruction and the stone vault imprisonment. In Kiefer's work, symbols point to further symbols and images reveal other images, transforming his paintings into complex constructions.

"With pastel you don't have the brush between you and the surface. Your hand is making the picture. It's almost like being a sculptor. You are actually making the person"

PAULA REGO

19 **PAULA REGO** b. 1935

The Servant, 1993–94

Pastel and acrylic on canvas. 155 × 122 cm (59 7/8 × 48 in).

Estimate £500,000–700,000 $792,000–1,110,000 €583,000–816,000 ♠

PROVENANCE Marlborough Fine Art, London; Private Collection

© Estate of Walter R. Sickert. All rights reserved, DACS 2011

Walter Richard Sickert, *Camden Town Murder*, c. 1908-09

"With pastel you don't have the brush between you and the surface. Your hand is making the picture. It's almost like being a sculptor. You are actually making the person. It's very tactile. And lovely because it's very difficult, learning what colours to use together to make shadows and so on; and there's a lot of physical strength involved because it's overworked, masses and masses of layers change all the time. It takes a lot of strength. But it's wonderful to do, to rub your hand over. It's so nice to use grey. You get these wonderful warm greys with pastel."
(The artist, quoted in John McEwen, *Paula Rego*, London, 1997, p. 215)

Recognized as one of the leading figurative painters of her generation, the British-based, Portuguese-born Paula Rego has dedicated her artistic career spanning over a half century to the representation of the human predicament. At once subversive and liberating, Rego's haunting paintings tell complex stories revealed through a richly layered visual narrative. Domination, oppression and violence, mainly involving female protagonists, are themes which permeate her work. Well-versed in the history of art and drawing upon a glut of visual and thematic references ranging from the Renaissance to her contemporaries from the London School via the French Modern Masters, Rego weaves together her experiences, memories and fantasies.

The Servant was executed between 1993 and 1994 and is Paula Rego's first large-scale pastel on canvas. It precedes and anticipates her most famous series, *Dog Women* of 1994–95, also created in pastel. *The Servant* is a pivotal work that ushered in Rego's mature style – it was a ground-breaking painting combining her previous psychologically charged imagery with a physical painting style that pastel, on such a large scale, demands.

© ADAGP, Paris and DACS, London 2011

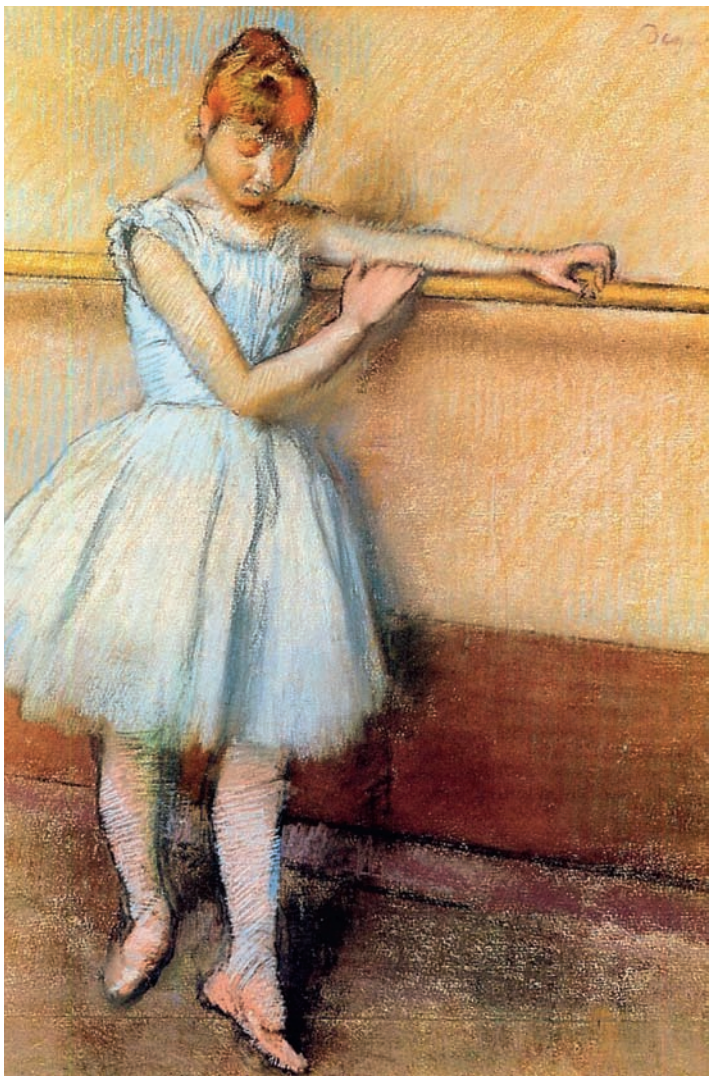
Dorothea Tanning, *Eine Kleine Nachtmusik (A little night music)*, 1943

Set at night in a dark room with light from a hallway peering through the slightly ajar door, *The Servant* is a costume drama depicting a butler engaging with a vomiting maid. Filled with ambiguity and unease, the butler's intentions are debatable: is he helping the maid by giving her the Heimlich manoeuvre or is he taking advantage of her? Two elements in the background of the painting would suggest a sinister reading of the scene: the children's rocking pony and the proud stag reflected in the mirror. Metaphorically, the rocking pony is a feminine reference of childhood innocence whereas the stag, positioned above/on top of the pony represents the virile male dominating his female counterpart. With her face in visible distress and arms opened

in agony, the maid's compromised position is enhanced by the butler's tight grip on her abdomen as he forcefully pulls her in toward his midriff. What looks like a turned-over empty glass and a wooden beam in the foreground, can only lead the viewer to speculate further as to what is happening in this harrowing scene.

Offering more questions than answers, Paula Rego's voyeuristic, dramatic narrative brings to mind several sources from the history of art. Thematically and visually, *The Servant* is similar to Jean-Honore Fragonard's 1778 masterpiece entitled *The Bolt*. Like *The Servant*, *The Bolt* is a deeply ambivalent image of a woman in a man's clutches: a violent struggle or an embrace? In both paintings, the protagonists are set to the right hand side of the composition, near a bedroom door under spotlighting and with a background to the left-hand side filled with suggestive metaphors. Compositionally, Fragonard and Rego both employ sharp diagonals and strong verticals to bring together the different elements of their respective pivotal moments. Unlike the classical Fragonard however, Rego uses a modern painterly device to create spatial ambiguity and further the visual and metaphorical sense of claustrophobia and unease within her narrative. Like in a Cézanne still life or with the ambiguous mirror in Edouard Manet's iconic *Bar aux Folies Bergères*, Rego's depiction of space is problematic: the position of the door and the white wall in relation to each other with the hallway lighting can not be realistically reconciled. Furthermore, with her right shoulder seemingly disjointed like a Degas dancer, the contortion of the maid's right arm is anatomically inaccurate.

Degas, famed for his sexually charged depictions of young dancers, is in fact an artist with whom Paula Rego engages primarily through their common use of pastel to represent the human form. As her first large-scale painting executed in the medium, *The Servant* displays a physicality unseen in her prior work. Executed over several months and vigorously worked with her fingers, the figures retain a sculptural quality. The art historian John McEwen describes the intensity of her working method: "at the end of the day's work she looked like a coalminer, teeth and eyes the only visible features in her black face smudged by hours of pensive fingering. This delight in matter, of getting back to finger painting, also had a childlike freedom as her happy and mischievous smile would indicate" (John McEwen, *Paula Rego*, London, 1997, p. 215).



© Shelburne Museum, Shelburne, Vermont

Edgar Degas, *Dancer at the Barre*, c. 1880, Shelburne Museum (Vermont, USA)

As a long time resident of Camden in London, Paula Rego would have been very much aware of the Camden Town Group painter Walter Sickert. His well-known painting entitled *The Camden Town Murder*, an unsettling depiction of a man with head bowed sitting at the bedside of a naked woman who appears to be dead, shares with Rego's *The Servant* a disturbing sense of voyeurism. The American painter Dorothea Tanning's surrealist inspired compositions referencing childhood fantasies and nightmares are another inspiration to Rego. In the collection at Tate Britain in London, Tanning's 1943 masterpiece, *A little night music*, represents two life-size dolls standing in a long corridor with doors slightly ajar and oversized sunflower at the top of a staircase. The power of these works, like *The Servant*, lies in their uncertain narratives which unfailingly draw in the viewer with contradictory clues and details in our attempt to decipher these enigmatic works.

(C) RMN / Stéphane Maréchalle

Jean-Honoré Fragonard, *The Bolt (Le Verrou)*, c. 1777, Musée du Louvre, Paris

(i) *The Departure*

20 **GEORGE CONDO** b. 1957

Two works: (i) *The Departure*, 2004; (ii) *The Arrival*, 2004
Oil on canvas. Each: 90 × 90 cm (35 3/8 × 35 3/8 in). (i) Signed, titled and dated 'Departure Condo 04' on the reverse; (ii) signed and titled 'Condo The Arrival' on the reverse.

Estimate £300,000–400,000 $475,000–633,000 €350,000–466,000 ‡

PROVENANCE Stellan Holm Gallery, New York, Private Collection, New York

(ii) *The Arrival*

René Magritte, *The Son of the Man*, 1964

George Condo began his career in New York as a painter in the early 1980s. His preferred genre has always been portraiture, but ones which, at first glance, evaluate art historical conventions. Closer inspection shows the artist's paintings engaging in an exploration of comedy, tragedy, violence and sexuality to reveal the consciousness of the subjects. These subjects and characters, however, are derived from the fictional world of Condo's imagination and have resulted in Artificial Realism, a style coined by the artist to describe his work.

Condo's portraits are invented, so-called 'Pod people' who appear like part-nightmare, part-cartoon hallucinatory figures. Coming from the *Religious Paintings* series of 2004, *The Departure* and *The Arrival* feature a priest appearing and disappearing through the clouds. Is the hanging carrot a Sword of Damacles or a dangling reward? Power is a double-edged sword: it is both irresistible and dangerous. The figure's grotesque features, mid-way between a smile and a sneer, add to the tension and ambiguity. Metaphors slide with sarcasm and irony.

Like most of Condo's works, *The Departure* and *The Arrival* traverse the spectrum of art history, from the traditional gestural oil paint of the clouds to the focal figure, its face contorted and abstracted. Working in New York at the same time as Warhol and Basquiat, Condo was at first influenced by Pop art and the East Village subculture, but a significant period in Paris and Europe uncovered a wealth of inspiration from Old Master paintings through to Cubism. Throughout his works, painterly historical portraits are injected and subverted with a pseudo-cubist twist of the absurd, observing the artist's

feeling that "painting needs to transform in order for it to become interesting for each and every generation… more in terms of being liberated by history. Liberated by what has come before." Replete with references from Bosch to Bacon, Velásquez to Picasso, Magritte to De Kooning, Condo is a painter's painter, with a twist.

"I was looking at the contemporary art scene and wondering what I could do to make a statement in a world where painting was relatively extinct. I wondered if you can take the rationality of Minimalism and Conceptualism and put it into what I like to do, which is simply paint. Inspired by Duchamp, I thought it would be interesting to create a kind of simulated found object, something that looked like a fake masterpiece – maybe one day it would become real."

© Succession Picasso/DACS, London 2011

Pablo Picasso, *Man with a Lollipop*, 1963

Diego Velásquez, *Portrait of a Man*, c. 1649

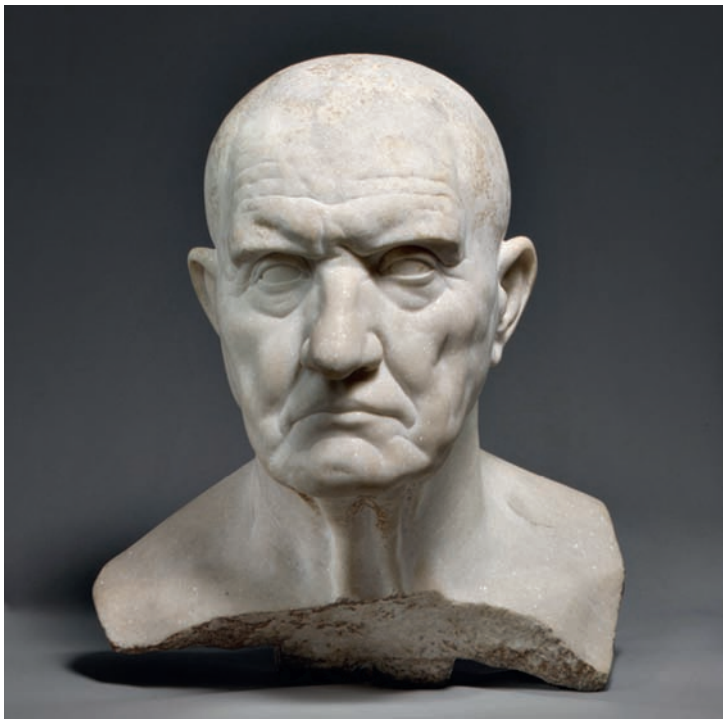
“I did not find them cruel, I just found them funny”
THOMAS SCHÜTTE

21 **THOMAS SCHÜTTE** b. 1954
United Enemy, 1995
Fimo, fabric, wood, glass and PVC. 189.5 × 25 × 25 cm (74 1/2 × 9 3/4 × 9 3/4 in).
Signed and dated ‘Th. Schütte 1995’ on the base.

Estimate £300,000–500,000 $475,000–792,000 €350,000–583,000 ♠

PROVENANCE Tucci Russo, Turin
EXHIBITED Turin, Tucci Rosso, *Thomas Schütte*, 1995

Full view



Portrait bust of a man, 1st century BC, Republican Roman, marble, Metropolitan Museum of Art, New York

Photo © The National Gallery, London

Quinten Massys, *An Old Woman ('The Ugly Duchess')*, c. 1513, National Gallery London

The *United Enemies* series was partly influenced by the time Schütte spent in Rome in 1992. The figures themselves can hardly be said to be classical in form but the expressions are no doubt a by-product of Schütte's daily exposure to the busts and figures that fill the streets and line the walls of galleries and museums. It is interesting to note too that, at that time, Italy's political system was under investigation by the *Mani pulite* or Clean Hands, which exposed the far-reaching corruption that was rife throughout the country's ruling elite. While *United Enemy* is not a caricature of an individual politician, it perhaps signifies a wider revulsion at the defrauding of the public and the wholesale corruption that enabled it.

The human figure has long been a central and recurring theme in Thomas Schütte's work. Although known for his sculpture in particular, Schütte's widely diverse practice ranges from drawing to photography to large-scale outdoor works. His eclectic approach allows him to continuously apply fresh perspectives to his work. Schütte's career thus far has been widely celebrated, with a three-part series of exhibitions at the Dia Art Foundation, New York, 1998–2000, his Golden Lion award for best artist at the Venice Biennale in 2005, and his commission for the Fourth Plinth in Trafalgar Square, London in 2007.

United Enemy (1995) is from the series *United Enemie*s, made between 1993 and 1997. This series comprises over 30 works with figures made out of Fimo modelling clay and 'dressed' in various fabrics and displayed under glass domes. Mostly, the works in this series consist of a pair of figures bound together; there are also a small number of three-figure works and, like the present work, a few single figures. These doll-like grotesques, or puppets as the artist refers to them, extend a long tradition of picturing the grotesque – from medieval gargoyles to the Northern Renaissance painter Quinten Massys, through to the nineteenth century and Daumier's caricatures of the *Célèbrités du Juste Milieu*, to today with the work of Schütte and Jake & Dinos Chapman. Yet on closer inspection of *United Enemy*, the rounded cheeks, button nose and worn face suggest the comical features of an elderly character, one that could almost be described as kindly. "I did not find them cruel, I just found them funny" Schütte states.

©RMN (Musée d'Orsay) / Hervé Lewandowski

Honoré Daumier, *André-Marie-Jean-Jacques Dupin*, 1832, Musée d'Orsay, Paris

O◊ 22 **ANDREAS GURSKY** b. 1955

Copan, 2002

Colour coupler print, face-mounted to Plexiglas in artist's frame. 206 × 262 cm (81 1/8 × 103 1/8 in). Signed 'Andreas Gursky' on a label affixed to the reverse. This work is from an edition of 6.

Estimate £180,000–250,000 $285,000–396,000 €210,000–291,000 ♠ ‡

PROVENANCE Matthew Marks Gallery, New York; Private Collection

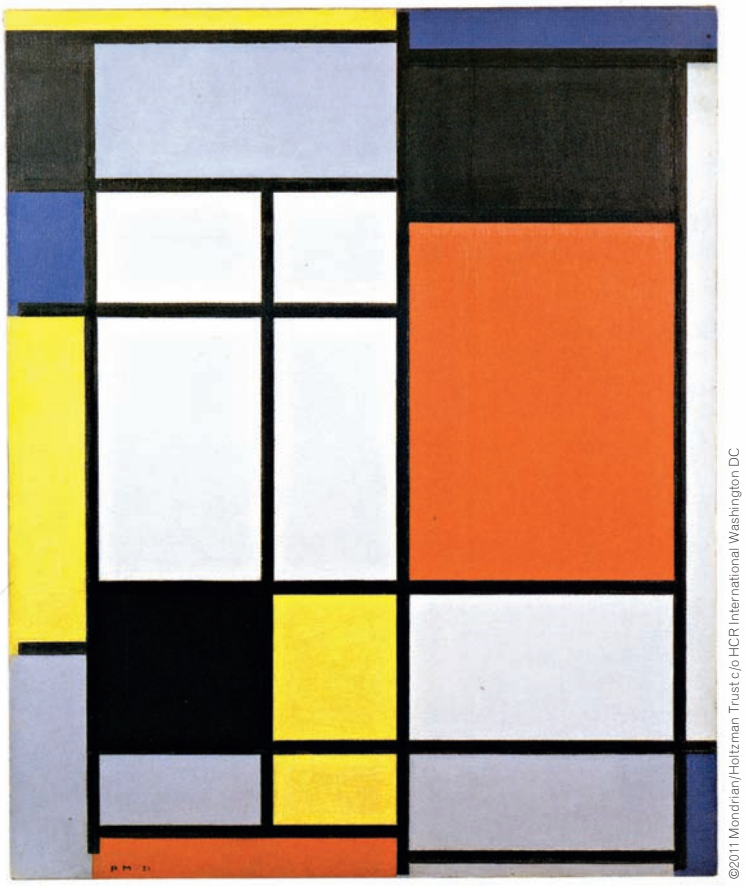
EXHIBITED Munich, Haus der Kunst, *Andreas Gursky*, 17 February – 13 May 2007 (another from the edition exhibited); London, Tate Modern, *Global Cities*, 20 June – 27 August 2007 (another from the edition exhibited); Basel, Kunstmuseum, *Andreas Gursky*, 20 October 2007 – 24 February 2008 (another from the edition exhibited); Krefeld, Kunstmuseen, *Andreas Gursky, Werke, Works, 80–08*, 12 October 2008 – 25 January 2009 (another from the edition exhibited)

LITERATURE *Andreas Gursky*, exh. cat., Munich, Haus der Kunst, 2007, p. 99 (another from the edition illustrated); *Global Cities*, exh. cat., London, Tate Modern, 2007; *Andreas Gursky*, exh. cat., Basel, Kunstmuseum, 20 October 2007 – 24 February 2008, pp. 106–07 (another from the edition illustrated); *Andreas Gursky, Werke, Works, 80–08*, exh. cat., Krefeld, Kunstmuseen, 2008, p. 199 (another from the edition illustrated)

© Gerhard Richter 2011

Gerhard Richter, *253 Farben*, 1974

Andreas Gursky studied under the photographers Bernd and Hilla Becher at the Kunstakademie Düsseldorf in the early 1980s. Since then, he has become the most prominent figure of the highly influential Düsseldorf School of Photography, which is now widely regarded as one of the most significant photography movements of the second half of the last century. Gursky's works are known for their large scale, compositional boldness and rich, vibrant colours, and nowhere is this more apparent then in the present work, *Copan*, executed in 2002.



©2011 Mondrian/Holtzman Trust c/o HCR International Washington DC

Piet Mondrian, *Composition with Yellow, Blue, Black, Red and Gray*, 1921

The Rietveld Schröder House, Utrecht, designed by the architect Gerrit Thomas Rietveld, and built in 1924. Rietveld's designs belong to the De Stijl movement, alongside the work of Mondrian and J.J.P. Oud, and reflect the movement's fondness for primary colours and geometric patterns.

Le Corbusier, Unité d'Habitation, 1947–52, Marseilles, France

Le Corbusier Marseille: Unite d Habitation 1945 © FLC/ ADAGP, Paris and DACS, London 2011

Like many of his best-known works, Gursky's *Copan* engulfs the viewer in a scale that translates some of the vastness of the subjects, in this case the Edifício Copan in São Paulo. This building was designed by Oscar Niemeyer and completed in 1966, and it remains one of the largest buildings in Brazil. Gursky skilfully captures the scale and the sweeping curves that have come to define the architect's career: "What attracts me is the free and sensual curve – the curve that I find in the mountains of my country, in the sinuous course of its rivers, in the body of the beloved woman", as Niemeyer himself has stated.

In Gursky's *Copan*, the composition incorporates various façades. The viewer's line of sight is interrupted when the curvature of the building forces one section out of view and another in. The sharp vertical forms of the white spiral stair and lift well abruptly split and help define the composition, contrasting an intensely colourful grid-like centre section (reminiscent of a Mondrian abstract) with the restrained and monochrome horizontal lines of the *brises soleils*. It is a very carefully constructed composition, as with all Gursky's images, to the extent that in *Copan*, he has utilized methods of manipulating the various elements: "I have consciously made use of the possibilities offered by electronic picture processing, so as to emphasize formal elements that will enhance the picture or, for example, to apply a picture concept that in real terms of perspective would be impossible to realize' (the artist, quoted by Lynne Cooke, in 'Andreas Gursky: Visionary (Per)Versions', in Marie Luise Syring, ed., *Andreas Gursky: Photographs from 1984 to the Present*, exh. cat., Munich, 1998, p. 14).

Gursky has long used his photographs' subject matter to create a dialogue with painting. Through his digital manipulations of photographs and his ability to represent the modern world on such a grand scale, Gursky refutes the old argument that photography is inherently inferior to painting. The red, blue and yellow flecks of the polychrome centre section add lively, almost painterly colour and are reminiscent of the German painter Gerhard Richter's *Colour Chart* paintings in their formal application. It is this approach to colour in Gursky's photographs, together with his compositional style, that lift his work out of the topographical tradition and place it alongside the leading European artists working today.

23 **HIROSHI SUGIMOTO** b. 1948

Ligurian Sea, Frumura, 1993

Gelatin silver print in artist's frame. Image: 119.4 × 149.2 cm (47 × 58 3/4 in); overall: 152.5 × 182.2 cm (60 × 71 3/4 in). Signed 'H Sugimoto' on a label affixed to the reverse. This work is from an edition of 5.

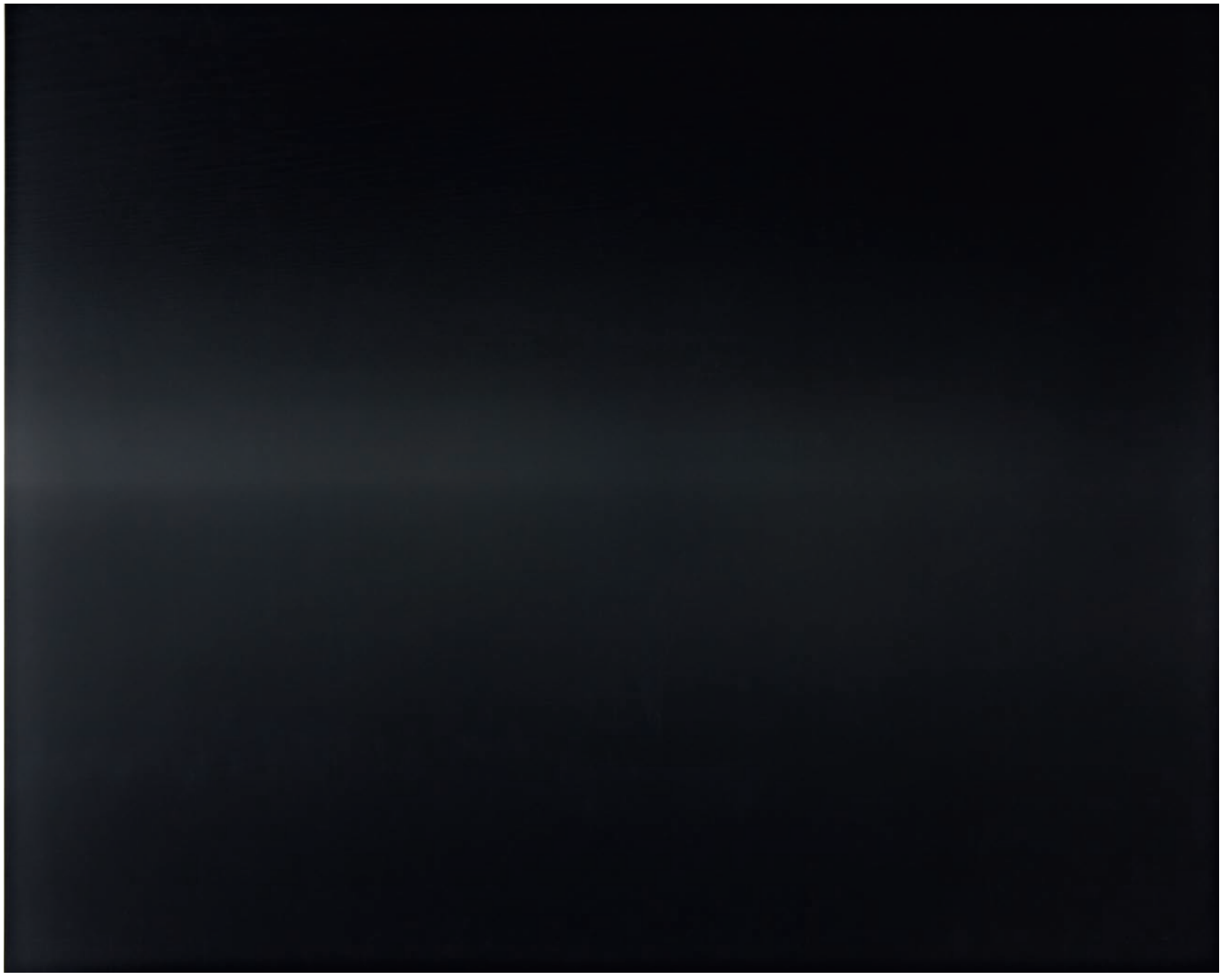
Estimate £200,000–300,000 $317,000–475,000 €233,000–350,000 ‡

PROVENANCE Sonnabend Gallery, New York

"Naming things has something to do with human awareness, with the separation of the entire world from you. So with the Seascapes, I was thinking about the most ancient of human impressions. The time when man first named the world around him…Mystery of mysteries, water and air are right there before us in the sea. Every time I view the sea, I feel a calming sense of security, as if visiting my ancestral home; I embark on a voyage of seeing."
Hiroshi Sugimoto

Ligurian Sea, Frumura is from 1993 and is part of Hiroshi Sugimoto's renowned *Seascapes* series. Since the 1980s, Sugimoto produces intriguing photographs of day and night seascapes which deal with the subjects of nature and time but they are also an expression of Sugimoto's unique craftsmanship of producing the most refined photographs and of bringing the silver-printing process to perfection. The results are seascapes from all over the world in a seemingly indefinite range of greys, blacks and whites. The sea lies in front of the viewer in its entire vastness and deepness, with only the line of the horizon visible, powerfully imposing the feeling that one is face to face with some transcendental/supernatural power.

This series is very much influenced by the idea of photography as a means of capturing a moment in time and preserving it for eternity. Sugimoto goes further by suggesting that seascapes also allow the viewer to travel back in time which ultimately leads to the divine aspect of the beginning, when there was only water and air. As much as his works are about photography, time and their relationship, this series, however, is also about the pure celebration of nature.



24 **ED RUSCHA** b. 1937

Judy, 1992

Acrylic on canvas. 66 × 72.6 cm (25 7/8 × 28 5/8 in). Signed and dated 'Ed Ruscha 1992' on the reverse.

Estimate £180,000–220,000 $285,000–348,000 €210,000–256,000 ‡

PROVENANCE Private Collection, USA

Ruscha was born in Omaha, Nebraska in 1937 and in 1956 at the age of nineteen, he moved to Los Angeles where he still lives and works today. Inspired by the contemporary landscape which surrounds him, Ruscha's work is emblematic of the rural, commercial and urban everyday scenes of west-coast America. Painted in a flat, dead-pan manner, his paintings often mimic the style of billboard advertisements allowing them to be instantly familiar but at the same time give a sense of detachment.They seem to refer to what American art and cultural critic Dave Hickey has called the "discontinuous connectedness of contemporary culture".

"My imagery can come from almost anywhere in America, it's American. The pictorial goings-on in my work are almost always from American sources, and American in subject matter, American in feeling."
(The artist, in an interview with Paul Karlstrom, in Ed Ruscha, *Leave Any Information at the Signal: Writings, Interviews, Bits, Pages*, ed. Alexandra Schwartz, Cambridge, MA: MIT Press, 2004, p. 150)

Fascinated by the visual impact of signs, from the mid-sixties, Ruscha had developed his own preoccupation with the use of word play set within an image. This exploration of the English language, using words as visual objects has remained a prominent feature throughout his long career. Punchy words, names or striking phrases are typically suspended within flat, banal painted backgrounds. In a similar manner to New York based artists Joseph Kosuth (b. 1945) and Lawrence Weiner (b. 1942) who were also involved in the production of text-based works, collectively they are considered to be pioneering figures behind the establishment of Conceptual art. Through their use of text they examine the symbolic function of language and challenge traditional notions of art as a physical object and call into question the essence of what constitutes art as art. Ruscha, however, perhaps has a stronger association with Pop art in the words' associations with contemporary commercial and visual culture.

"I'm not as much interested in words as I am in the evocative power of them, rather than their poetic power."
(The artist, in an interview with Paul Karlstrom, in E. Ruscha, *Leave Any Information at the Signal: Writings, Interviews, Bits, Pages*, ed. Alexandra Schwartz, Cambridge, MA: MIT Press, 2004, p. 221).

"Ruscha's ingenious approach involved incorporating different types of crossed signals in his paintings. Chief among these was his use of language as a subject for pictures – an idea that made perfect sense in a culture where, increasingly, the preeminence of language as a means of communication was being challenged by the ubiquitous circulation of images. By displacing word onto canvas and removing it from a specific syntactical context, Ruscha endowed it with a status, setting up an uncanny equivalence between what it looked like and what it signified as language."
(Ralph Rugoff, 'Heavenly Noises' in *Ed Ruscha: 50 Years of Painting*, London: Hayward Gallery Publishing, 2009, p. 16)

With meaning detached from the words, the paintings evoke a strong sense of ambiguity. This sense of ambiguity is further heightened by the remaining abstract components of the composition. A ghostly airbrushed female figure stands with her hands placed on her hips and haunts the background of the painting. Is this meant to be Judy? (Ruscha developed a series of paintings in the 1980s referred to as 'the silhouette paintings' which incorporated the airbrushed silhouette into his work). Weeds occupy the foreground – remnants from a desolate rural American landscape backdrop, perhaps referring to an old Western film. Appearing as a scene from the night a dark blue haze permeates around the luminous silhouette set against a black background. The text, the figure and the vegetation although gently overlapping one another remain isolated and detached – this purposeful disjointedness creates a sense of unease. Combined with the nocturnal feel, the work exudes an apocalyptic mood carrying a quiet melancholic undertone.

2009

25 **CINDY SHERMAN** b. 1954

Untitled #122, 1983

Colour coupler print. 89.5 × 54.3 cm (35 1/4 × 21 3/8 in). Signed, dated and numbered of 18 on the reverse. This work is an artist's proof from an edition of 18 plus 4 artist's proofs.

Estimate **£150,000–200,000 $238,000–317,000 €175,000–233,000**

PROVENANCE Skarstedt Gallery, New York

LITERATURE *Interview Magazine*, 1983; P. Schjeldahl and I. M. Danoff, *Cindy Sherman*, New York: Pantheon Books, 1984; R. Krauss, *Cindy Sherman 1975–1993*, New York: Rizzoli, 1993, p. 114; Z. Felix and M. Schwander, eds., *Cindy Sherman: Photographic Work 1975–1995*, Munich: Schirmer Art Books, 1995, pl. 53; A. Cruz and E. A. T. Smith, *Cindy Sherman Retrospective*, London: Thames and Hudson, 2007, pl. 90

"In *Fashion* (1983–84), as with *Centerfolds*, Cindy Sherman revisits a classic genre (full-page or double-page fashion photographs in magazines), and gives it a new twist. She also succeeds in hijacking the basic purpose of fashion itself, namely beautification and the incitement to dream (perhaps these notions were increasingly passé in the fashion world, too: this period coincided with the rise of the 'trash tendency). Sherman uses her own phantasmagoric wardrobe as a source of props, and systematically debases the item she has chosen. The items of clothing are always clearly presented, but they are worn by grotesque, caricature figures. As her notebooks of the period confirm, Sherman is seeking to express her loathing of the fashion industry and the clothes it produces: the outfits are too rigidly categorized, too 'perfect to be of any use to the artist, or to enter into her imaginary world. In a brilliant reversal of her usual strategy, Sherman-faced with the difficulty of appropriating the garments themselves-uses the clothes 'as they stand' and transforms the figures that are supposed to show them off."

(*Cindy Sherman*, exh. cat., Paris, Jeu de Paume, 2006, p. 253)

26 **SOL LEWITT** 1928–2007
5 Cubes Half-Off, 1971
Painted wood. 20.4 × 29.2 × 94 cm (8 × 11 1/2 × 37 in). Signed and dated 'S. Lewitt 1971' on the reverse. This work is accompanied by a certificate of authenticity signed by the artist.

Estimate £120,000–180,000 $190,000–285,000 €140,000–210,000

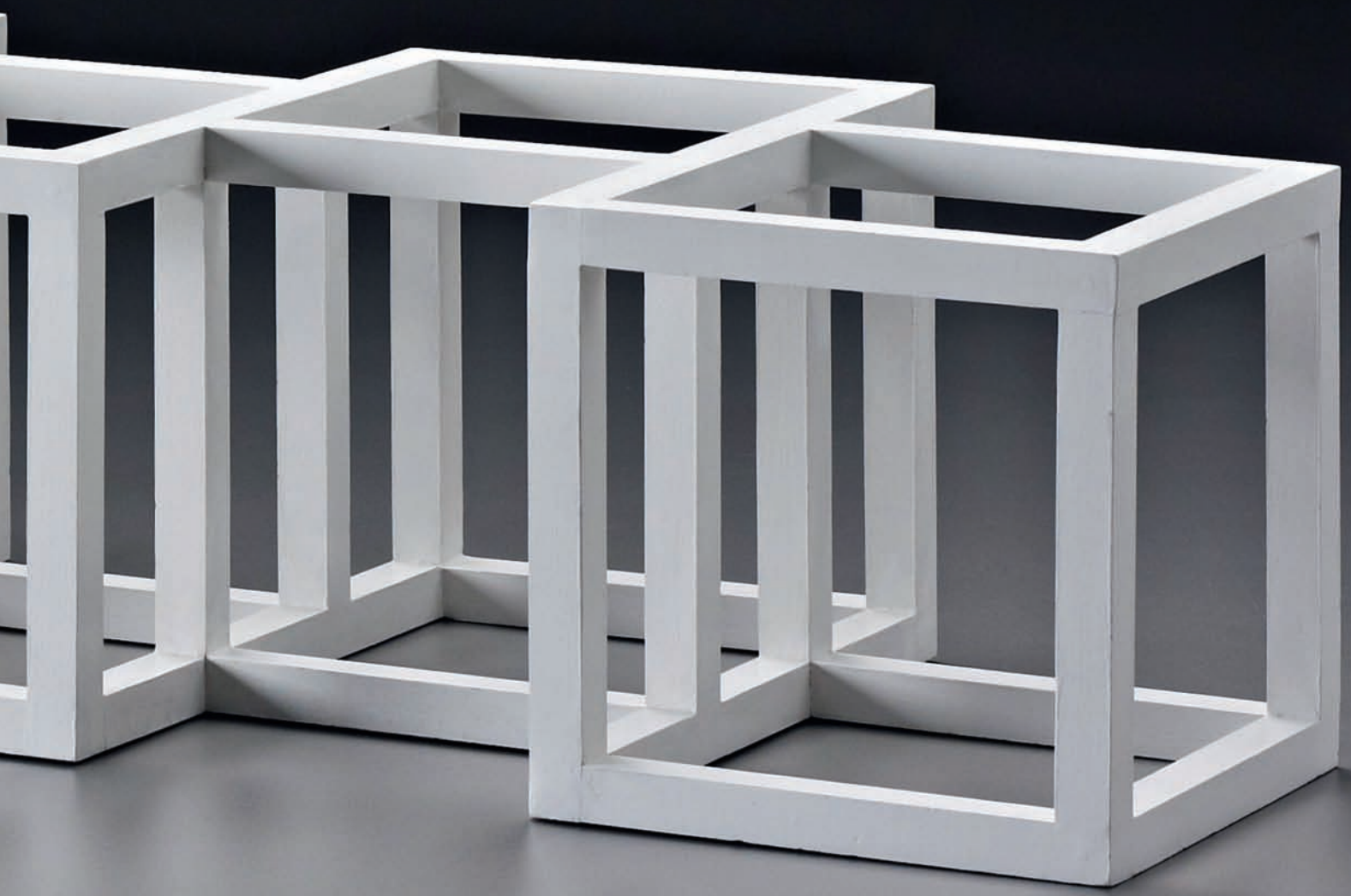
PROVENANCE Private Collection

Executed in 1971, *5 Cubes Half-Off* comprises five cubic forms, symmetrically arranged into a larger structure through repetition of the basic unit and resulting in the creation of a space within a space. Here, the basic unit, the cube, is, as the artist has said, "deliberately uninteresting".

LeWitt, the pioneer and one of the most prominent figures of Minimalist and Conceptualist art, made his first modular cube structure in 1965 for which he since become known. These works epitomise the simplicity of form that the artist was trying to achieve, giving greater importance to the ideas and concepts informing the work than the actual object itself: "what the work of art looks like isn't too important. It has to look like something if it has physical form. No matter what form it may finally have it must begin with an idea. It is the process of conception and realization with which the artist is concerned" (Sol LeWitt, 'Paragraphs on Conceptual Art', *Artforum*, vol. 5, no. 10, 1967, pp. 79–83).

This work belongs to the series of the 'half-off' sculptures, which also includes works with two half-off cubes and three half-off cubes, where the cubes are not aligned into a straight line, but are set against half of one's side creating a zig-zag line. The artist always uses the same ratio of the width of the bars to the space they describe set at 1:8.5. The strict geometry is somehow softened by the shadows that are cast by the bars of the cubes. With the use of flat paint, the artist achieves the industrial quality of the piece and emphasises its skeletal nature.

An art critic Rosalind Krauss describes LeWitt's practice as "a world without a centre, a world of substitutions and transpositions nowhere legitimated by the revelations of a transcendental subject. This is the strength of his work, its seriousness, and its claim to modernity" (Rosalind Krauss, 'LeWitt in Progress', 1977 quoted in D. Batchelor, *Minimalism*, London, p. 70).



27 **RICHARD SERRA** b. 1939

Tracks #2, 2007

Paintstick on handmade paper. 106.7 × 106.7 cm (42 × 42 in).

Estimate £100,000–150,000 $158,000–238,000 €117,000–175,000 ‡

PROVENANCE Private Collection, New York

Richard Serra is one of the most significant and important artists of the post-Abstract Expressionist period, famous for his large-scale sculptural works of sheet metal. While Serra is most widely known for his sculpture, drawing has always been an integral part of his life and of his artistic career. While linked to his sculptural work, his drawings form a distinct body of work. He regards drawing as a daily practice, a way of contemplating form and movement and articulating space, and as a way of staying in touch with the communication of the world. Serra has described the drawing process: "I have dealt with hand-eye coordination all my life – it's another kind of language for me. To see is to think and drawing is another way of thinking" (the artist on his drawing retrospective at the Metropolitan Museum of Art, in an interview with Charlie Rose, 21 April 2011).

Drawing for Serra is fundamental to how all artists think and understand the world surrounding them. And the most interesting artists in Serra's mind draw by inventing their own tools and processes, instead of just using what has been around and used before. Serra began drawing in his childhood and has since used traditional drawing media such as ink, charcoal and crayons. In the mid-1970s, he turned to using single black paintsticks made out of pigment, wax and oil. When he realized the time and labour intensiveness of using single paintsticks for large canvases, he started melting down individual sticks and combining them into large 'paintstick bricks' which allowed him to apply the medium with both hands and actively engage with the picture plane. He often also presses melted paintstick through a screen of wire mesh, which leaves the paper covered with a surface of thick pigment. In this way he not only created new visual forms and textures but more importantly he invented a whole new process. As an exponent of Process art, Serra's practice is to allow the actual method of making remain visible, to escape anecdotal references to the world and for the drawings to be of interest in and of themselves.

Serra is particularly interested in exploring the relationship between the art work and its environment, but also in the physical and visual relationship between the art work and its viewer. The concept of space is an important expression of these relationships, described in terms of gravity, weight, texture and movement.

In this exploration of space, Serra does not consider black to be a colour but rather a material that holds weight and therefore acts in response to gravity. Black paintstick has been his favoured medium in which to explore these qualities by creating thick textured layers of pigment. The current lot is a beautiful example of his powerful and engaging drawings which Serra brought to a new level through his own medium and process.

28 **ROBERT MOTHERWELL** 1915–1991

Frontier No. 12, 1958

Oil on primed board. 38.1 × 45.7 cm (15 × 18 in). Signed, titled and dated 'FRONTIER, No. 12 Robert Motherwell 1958' on the reverse.

Estimate £150,000–200,000 $238,000–317,000 €175,000–233,000 ‡

PROVENANCE Sidney Janis Gallery, New York; Private Collection; Locks Gallery, Philadelphia; Private Collection

EXHIBITED New York, Sidney Janis Gallery, *Robert Motherwell*, 9 March–4 April 1959; Baltimore, The Baltimore Museum of Art, *Robert Motherwell: Meanings of Abstraction*, 21 May–30 July 2006

LITERATURE *Robert Motherwell: Paintings and Collages*, New York: Dedalus Foundation (*catalogue raisonné* in preparation)

Motherwell was part of the first wave of Abstract Expressionists, including Mark Rothko, Jackson Pollock and Barnett Newman whose work emerged after the Second World War throughout the 1940s. Clement Greenberg, in his championing of the work of the Abstract Expressionists, described how "content is to be dissolved so completely into form that the work of art or literature cannot be reduced in whole or in part to anything not itself" ('Avant-Garde and Kitsch', 1939). This radical approach, inspired by the practice of the European avant-garde, was in reaction to the social realist art which at the time dominated America's art scene.

In 1948 Motherwell began a series of paintings which would come to define nearly twenty years of his career. The series comprised over one hundred paintings known as the *Elegies to the Spanish Republic* (1948–1967). *Frontier No. 12* was painted in 1958 in the middle of this long period. The paintings were visual representations of Motherwell's lamentation of the atrocities which took place during the Spanish Civil War (1936–39). For Motherwell, the Spanish Civil War raised moral issues in the sense "that the world could, after all, regress", and in 1948 he completed a small drawing accompanied by a poem written by Harold Rosenberg. It was this work that triggered the start of his painting series which formed Motherwell's personal expression of deep sympathy towards the suffering that took place throughout the brutal war. As seen in *Frontier No. 12*, his use of black paint on a white canvas is symbolic of his practice, and of this body of work in particular. The stark contrast between the black paint against the white canvas becomes a visual metaphor of he starkness between life and death. *Frontier No. 12* is a powerful abstract commemoration to the human suffering induced by war. Motherwell's legacy remains amongst the work of the Abstract Expressionists who "sought to invent art that would reassert the highest ideals of humankind, create a new beginning and prove human beings capable of greatness and beauty" (Art Gallery of Ontario curatorial statement, quoted by Lee Parsons, 'Robert Motherwell and the Abstract Expressionists', World Socialist Web Site, August 2011).

"Motherwell's allusion to human mortality through a non-referential visual language demonstrates his admiration for French Symbolism, an appreciation he shared with his fellow Abstract Expressionist painters. Motherwell was particularly inspired by the Symbolist poet Stéphane Mallarmé's belief that a poem should not represent some specific entity, idea, or event, but rather the emotive effect that it produces."
(Nancy Spector on Robert Motherwell, Guggenheim Collection Online)

29 **ANDY WARHOL** 1928–1987
and JEAN-MICHEL BASQUIAT 1960–1988
Thin Lips, 1984–85
Synthetic polymer paint and oil stick on canvas. 195.6 × 157.5 cm (77 × 62 in). Stamped with The Estate of Andy Warhol stamp and the stamp of The Andy Warhol Foundation for the Visual Arts on the overlap (PA99.048).

Estimate £700,000–1,000,000 $1,110,000–1,580,000 €816,000–1,170,000 ‡

PROVENANCE The Estate of Andy Warhol, New York; The Andy Warhol Foundation for the Visual Arts, New York
EXHIBITED Beverly Hills, Gagosian Gallery, *Andy Warhol & Jean-Michael Basquiat: Collaboration Paintings*, 2002

OUTLAYS
$695.3
REVENUES
$650.3
DEFICIT
$450
THIN
LIPS

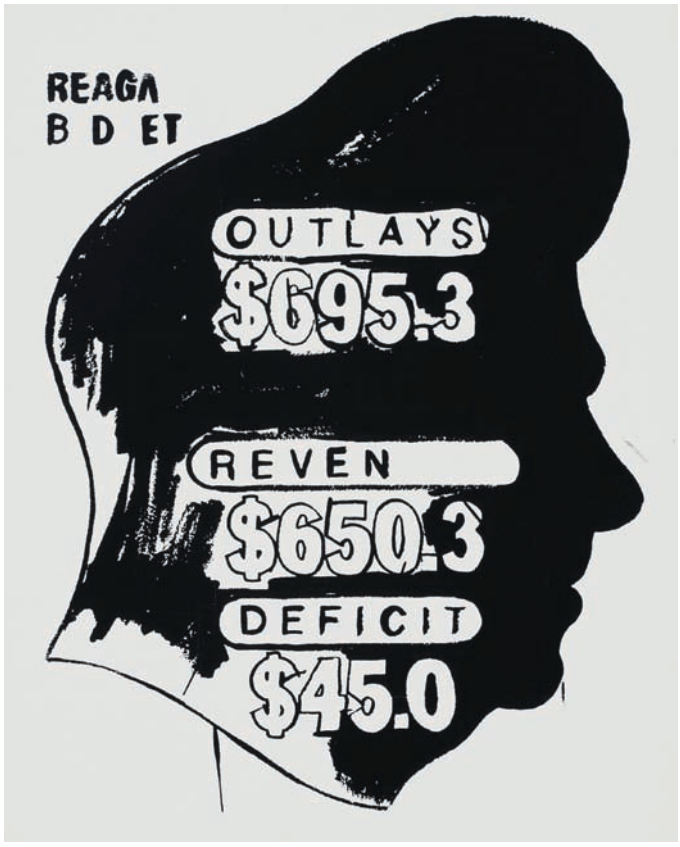
© The Estate of Jean-Michel Basquiat / ADAGP, Paris and DACS, London, 2011

Jean-Michel Basquiat, *Dos Cabezas*, 1982

No artistic collaboration of the post-war era has been as dynamic and telling as that between Jean-Michel Basquiat and Andy Warhol. With each artist at different stages in their respective careers, their association turned out to be not only mutually beneficial but also resulted in a stunning body of work which is only now gaining the curatorial and commercial attention it deserves. Their unique artistic styles – Basquiat was an expressionist painter, and Warhol a Pop chronicler of the everyday and the celebrity image – and their contrasting backgrounds – Basquiat was a disadvantaged African American who had grown up on the streets while Warhol was an established and wealthy artist who associated with the rich and famous – might have been thought to be diametrically opposed. Yet they matched each other perfectly in their respective needs to further their careers in the 1980s. Given their individual commercial success and critical acclaim today, the collaboration was certainly a fruitful one.

After the critical highs of his 60s Pop art revolution and the financial success of his 70s Factory portraits, Warhol was at an artistic low by the 1980s. Having repeated the same working method many times, his then most recent series, devoted to knives, revolvers and dollar bills, was deemed banal and jaded. Warhol, always highly conscious of his image, knew that he needed a boost to his career and although he initially resisted a direct artistic association with Basquiat, he would eventually be won over by the young man's infectious energy and his credibility within the art world. Together, over a two year period, they would go on to create a significant collaborative series which in

Ronald Reagan, c. 1967–71



© The Andy Warhol Foundation for the Visual Arts / Artists Rights Society (ARS), New York / DACS, London 2011

Andy Warhol, *Reagan Budget*, 1985–86

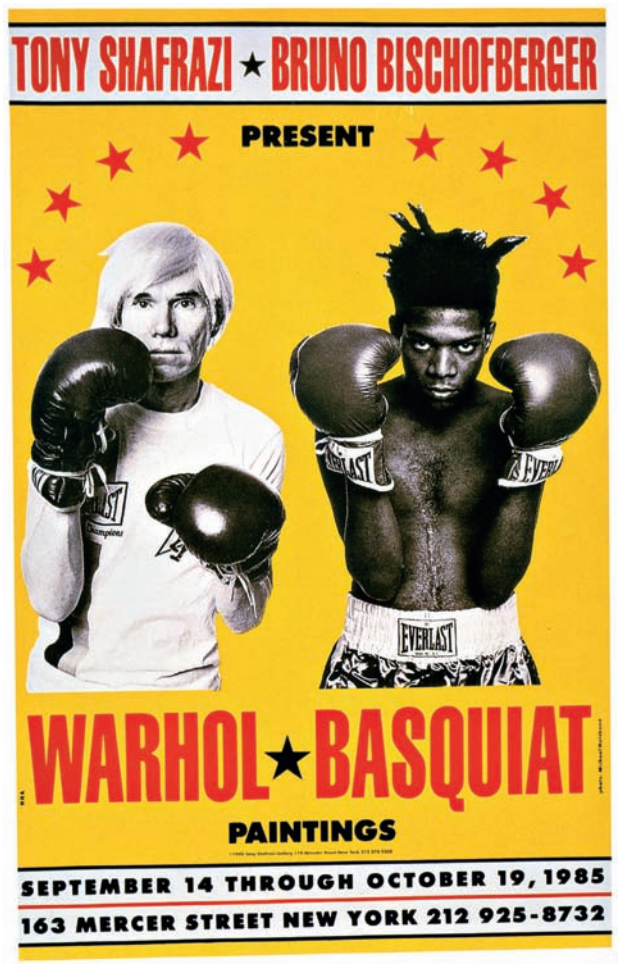
turn would give Warhol the impetus to create his own, now iconic, late self-portraits before his death in 1987.

Basquiat, like Warhol, had a somewhat unhealthy obsession with his own image. He had a complex and powerful need to be accepted as a black artist in the white art world, so he greatly benefited socially from his association with Warhol, with whom he was able to reach the upper echelons of society previously barred to him. Like many relationships combining two congenial but emotionally laden artists, Warhol and Basquiat's collaboration ended tumultuously in 1985 after a show with the New York dealer Tony Shafrazi. However, Basquiat was greatly affected by Warhol's death, and he died the following year, succumbing to his dependency on drugs.

Although they had known each other from afar and each had already painted a portrait of the other – Basquiat's 1982 iconic *Dos Cabezas* and Warhol's urination painting of a wildly dreadlocked Jean-Michel, it was their common dealer, the Swiss Bruno Bischofberger, who instigated their artistic relationship. Bischofberger had previously enjoyed success teaming his other artists in pairs with the likes of Walter Dahn and Georg Dokupil, and Enzo Cucchi and Sandro Chia. This time Bischofberger wanted to create a threesome and having enrolled Basquiat and Warhol, they decided on the Italian Francesco Clemente as their third member. The trio would go on to create fifteen collaborative paintings with each artist working independently from the others and in their own distinctive styles – Basquiat's scribbles, Clemente's soulful figures, and Warhol's silkscreen technique.

Although the reception of these initial three-way collaborations was lukewarm, Basquiat and Warhol, sensing further mutual benefits, continued to collaborate as a duo. Exerting great influence on his much older and more experienced fellow artist, Basquiat managed to convince Warhol to return to hand painting, a technique Warhol had abandoned over twenty years prior at the point when he began to silkscreen representations of Dollar bills onto canvas. This new beginning provided Warhol with a new lease of life and, combined with Basquiat's improvisational approach to painting, created an explosive body work which testifies to the artistic powers of the darlings of the 1980s New York art world. Executing the collaborations, a powerful example of which is the present lot, Warhol would paint first allowing Basquiat to layer over his work. In *Thin Lips*, Warhol painted on a mustard yellow background a haunting facial profile outline, complete with exaggerated bouffant hair, of the then American president Ronald Reagan. He then superimposed a commercial, stamp-like block of stencilled letters and numbers which reads "Outlays 695.3/Revenues 650.3/Deficit 45.0", a subtractive mathematical equation referencing 'Reaganomics', President Reagan's deficit reduction policy of the time. Basquiat's subsequent contribution may be minimal but it is telling – his trademark capital lettering text to spell out 'THIN LIPS' next to Reagan's mouth and highlighting in bright oil stick the haunting eyes of the President's mask like face.

Together, Basquiat and Warhol's diverging artistic techniques and motifs in *Thin Lips* synthesize into a brilliant visual and thematic dialogue. Executed on a large scale, *Thin Lips* combines Warhol's slick and stylized imagery with Basquiat's poetic graffiti style. Thematically, the work's cautionary message is as relevant today in our current economic climate as it was in 1985. Warhol, although attracted to Reagan's movie-star past and good looks, was actually a progressive Democrat, criticizes the Republican President's political and economic recovery policy of tax reduction for the rich which would lead by the end of his mandate to a staggering tripling of the national debt. Basquiat's subversive labelling of Reagan as THIN LIPS, referencing the popular notion of a person who is untruthful and makes false promises, is accentuated by the ghost-like eye he has drawn on the former President's shadowy face. Our current world leaders have been warned!



Warhol–Basquiat. Paintings, 1985. Poster for 'Collaborations Exhibition' at Tony Shafrazi Gallery, New York

30 **GILBERT & GEORGE** b. 1943/b. 1942

Heart, 2004

Colour coupler prints in artists' metal frames in 9 parts. Overall: 190 × 226.5 cm (74 3/4 × 89 1/8 in).

Estimate £100,000–150,000 $158,000–238,000 €117,000–175,000 ♠‡

PROVENANCE Bernier/Eliades, Athens

EXHIBITED London, Tate Modern, *Gilbert & George: Major Exhibition*, 15 February–17 May 2007

Simultaneously a haunting self-portrait, a loud proclamation, a mocking billboard, Gilbert & George's *Heart* encompasses many of the British/Italian duo's recurrent themes. Since the beginning of their partnership while still students at Central Saint Martins College of Art and Design in London in the 1960s, the two artists have lived and worked together in their home in East London, presenting art that pokes fun at insular British society while highlighting the deeper social issues of our time.

The pair broke the mould with *The Singing Sculpture* in 1969, in which the artists, in gold face-paint and tweed suits, danced and sang 'Underneath the Arches' for as long as eight hours a day. Believing in 'art for all', Gilbert & George were pioneers in the break from minimalism and conceptual art that took root in Britain's art schools in the 1970s. Their acclaimed work has since been featured in the International Venice Biennale, the Turner Prize and was the subject of a major retrospective at Tate Modern in 2007.

Heart is one of the multi-panelled works in their 2004 series *Thirteen Hooligan Pictures*. Of this series, Gilbert & George have said: "The group relates to something that doesn't function properly, a shattered human being who misbehaves… There's something incomplete, unbalanced about the way we depict ourselves here" (from Tate exhibition guide). It reflects the duo's tongue-in-cheek take on British politics and Government scare mongering. Presented in their trademark large grid format, the pair recoil in mock fear while a dark shadow looms behind them. Under the cover of moonlight near a London mosque, Gilbert & George are struck by a heart-stopping encounter, mouthing a terrifying scream. Created in the wake of 9/11 and in the midst of the war on terror, the series plays on our insecurities and social taboos. But the overriding sense of irony in their camp poses reminds us that the joke is on us – the world is not half as bad as we are led to believe.

LONDO
MOSQ
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OSQUE
20
04
HEART
Gilbert and George
A HOOLIGAN PICTURE

31 **JOHANNES KAHRS** b. 1965

Eifer-Sucht (Jealousy), 1995

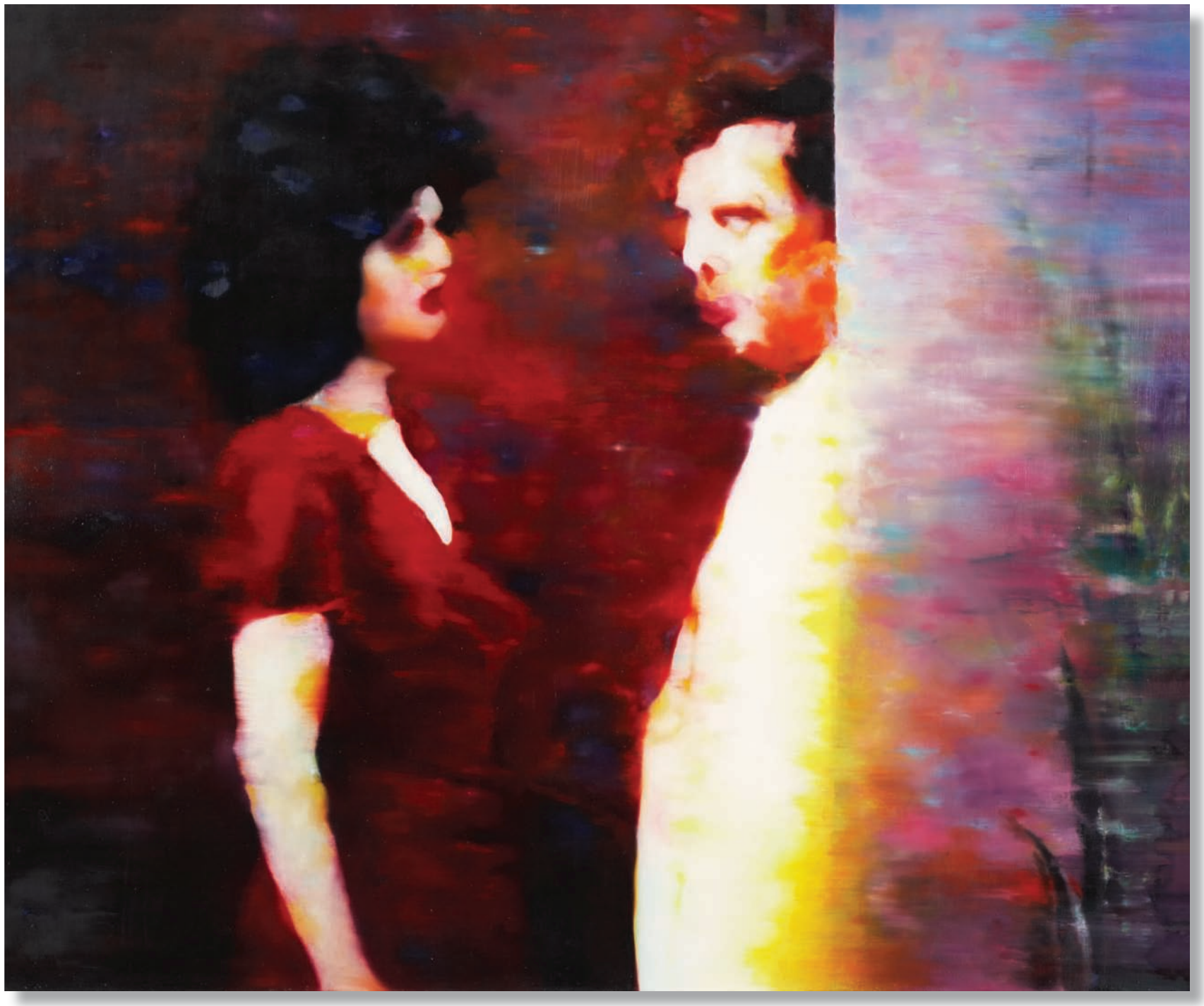
Oil on canvas in artist's metal and glass frame. 144.8 × 175.3 cm (57 × 69 in). Signed, titled and dated 'J. Kahrs "Eifer-Sucht" 1995' on the reverse.

Estimate £120,000–180,000 $190,000–285,000 €140,000–210,000 ♠‡

PROVENANCE Galerie Franck + Schulte, Berlin; Private Collection, Germany

"Kahrs is fascinated by cinema. But what make his artistic ego tick are the switches and the breaks: the arrest of time in a still, and the sudden turn into something different than before … He acts as a mediator establishing a dialogue between the media-reality and the old masters of chiaroscuro. A man reads a newspaper in a hotel lobby, another one sits at an office desk and reads block notes, or a girl's profile is lighted by a lamp. The age old academic subject for artists (figure in space) is not re-newed in terms of an extravagant perception or technique, but in terms of the subtle ambivalence between newspaper pictures and old master paintings … You feel their presence. Looking at them, there is always a white spot, something open you are drawn to and that structures the relation of the pictures in the space."

(Peter Herbstreuth, 'Johannes Kahrs, Frank + Schulte', *Flash Art*, vol. XXXI, no. 200, May–June 1998, pp. 103–04)



32 **BARNABY FURNAS** b. 1973

Flood (Red Sea), 2006

Acrylic and urethane on linen. 330.2 × 762 cm (130 × 300 in).

Estimate £150,000–250,000 $238,000–396,000 €175,000–291,000 †

PROVENANCE Marianne Boesky Gallery, New York

LITERATURE *USA Today: New American Art from The Saatchi Gallery*, exh. cat., London, Royal Academy of Arts, 2006, pp. 138–39 (illustrated); *Abstract America: New Painting*, exh. cat., London: Jonathan Cape, 2008, pp. 384–85 (illustrated)

Installation view of Barnaby Furnas, *Red Sea (Closing)* (2009), at MCA Denver, 25 September 2009–10 January 2010

For Adam J. Lerner, the Director of the Museum of Contemporary Art Denver, what is striking about Barnaby Furnas, the American artist who showed his work there last year, was “the degree to which he didn’t seem to want to affect anything at all”. Furnas’s technique would seem to bear this out. He pours, drips, throws and slathers cans of vibrantly coloured paint on to the surface of a sloping canvas to create monumental images of flood-like washes of vivid colour. He then uses large brooms to sweep the pigment down and over the canvas which is sprayed with water to enhance the flow and spread. “One of the things I do well is to let things be what they want to be”, says Furnas. Spontaneity, chance and experimentation with the physical properties of the pigment are essential to his large-scale works as well as his direct physical interaction with the picture plane. “The paint was making the painting and not the artist. It’s like it’s really happening“ he has said.

Flood (Red Sea), 2006, is dominated by the colour red, which ranges from intense and vibrant hues at the top to darker, more sombre reds and black at the bottom. The background of the light blue sky shines through subtly while seemingly being swallowed up by the flood of redness, with all the attendant associations of blood and emotions such as passion or rage. Such a painterly practice associates Furnas not only with the European tradition of history paintings and Romanticism but also with the Action Painting and Abstract Expressionism of the post-war era in the United States. A significant precursor for Furnas is the Abstract Expressionist Barnett Newman, famous for his ‘zip paintings’ in which a thin vertical band of colour divides an otherwise empty field of colour. For Newman, art was a spiritual and sublime act and the zip became the symbol of its materialisation. We can also find a faint zip-like vertical rupture in the landscapes of Barnaby Furnas’s works. According to Nora Burnett Abrams, curator of the Furnas show at Denver, however, Furnas’s work is concerned with another form of the sublime:

“Furnas seems to aspire to the sublime of a very different type than the Romantic representation of it or Newman’s instantiation of it. Instead, Furnas’s sublime asserts itself in that tension between what we see on the surface and what we know lies behind it. It is that tension between the sense of calm and the destructive force of the flood, a tension between history and the present, between the Red Sea of the Bible and the harrowing ordeal of New Orleans in 2005, between tranquillity and the deluge of paint that sees to destroy it.” (N. B. Abrams and A. J. Lerner, *Barnaby Furnas: Floods*, exh. cat., Denver: Sprint Press , Museum of Contemporary Art Denver, 2010 p. 29)

The scale and indeterminate depth of this picture surface draw the viewer in who then becomes a part of the experience, and for Furnas, this exchange is fundamental to the relationship between viewer and painting. While the viewer is drawn to contemplation of notions of past and present, beginning and end, form and abstraction, in a similar way in which a painting by Mark Rothko might be contemplated, the experience of a Furnas painting is something more palpable: “If earlier treatments dealt with the description of or a personal confrontation with the sublime, Furnas’s work instead renders the sublime as an experience – but one that is accessible to all viewers … to facilitate an encounter between viewer and object and to make that confrontation as direct and visceral as possible” (Abrams and Lerner, *Barnaby Furnas: Floods*, 2010, p. 30–31).

33 **MARC QUINN** b. 1964

Red Lantern Cove, 2010

Oil on canvas. 168.5 × 271 cm (66 3/8 × 106 3/4 in). Signed, titled and dated 'Red Lantern Cove Marc Quinn 2010' on the reverse.

Estimate **£85,000–120,000** **$135,000–190,000** **€99,100–140,000** ♠ ‡

PROVENANCE Acquired directly from the artist

Executed by using airbrushed oil paints on a huge canvas, *Red Lantern Cove* (2010) is a celebration of colour, life, sensuality and beauty. The image creates an exotic dream-like world which is both hyperreal and unnatural. By virtue of the scale and low point of view, the viewer becomes immersed in this strange world which, while drawing upon the genres of still life and landscape, renders the flowers and plant forms wholly artificial – such plants of course would never appear in the same groups and context in nature.

In his flower paintings, Quinn exposes the transience of life freezing a moment in time. The inevitable decay of youth, beauty and life. But he also examines the relationship between nature and culture and how they interact and influence each other. It is about human evolution led by human desire, about what happens when human beings manipulate the objects surrounding them but at the same time it is also about the miracle and celebration of life.

"I remember visiting a flower market one day and noticing how all these flowers that shouldn't be available at the same time could be purchased so easily in one place because they are flown in from halfway around the world. It perfectly illustrates how human desire constantly reshapes nature's limitations. The fact that these flowers are always available to us is artificial and unnatural."
(Marc Quinn)

O◊ 34 **TOM FRIEDMAN** b. 1965

Untitled (T.V. Sprinkles), 2006

Construction paper, foam board, wood, tin, LCD monitor and computer software with sound. 100 × 67 × 53 cm (39 3/8 × 26 3/8 × 20 7/8 in). Signed, titled and dated 'Tom Friedman, Untitled, 2006' on the artist's Styrofoam box. This work is from an edition of 2.

Estimate £60,000–80,000 $95,000–127,000 €69,900–93,200 Ω

PROVENANCE Gagosian Gallery, New York; Private Collection

"Central to Friedman's artistic mission is the transformation of the form and function of everyday materials… The role of colour in Friedman's work is especially intriguing, if only because he demonstrates a strong predilection for bright hues and, whenever possible, a kaleidoscopic assortment of colours. This does not seem intended to merely amuse the eye but rather to assign an indexical dimension to colour, with the maximum number of colours referring to the greatest possible variety of experiences and objects in the world."

(Dan Cameron, online introduction to the exhibition *Tom Friedman* at The New Museum, New York, 2001)

35 **NICOLAS POL** b. 1977

Specialist of Peace, 2009

Oil and mixed media on canvas 186.1 × 237.5 cm (73 1/4 × 93 1/2 in). Signed, titled and dated 'Specialist of Peace, N.A. POL, 2009' on the reverse.

Estimate £30,000–50,000 $47,500–79,200 €35,000–58,300 ♠ ‡

PROVENANCE Feedback Ltd, New York

"Pol's work consists of raw, engaging pieces that incorporate layered paint, stencils, text and silk-screening that draw from and concurrently comment on predominant themes in pop culture and advertising. The viewer is immediately engrossed by Pol's use of brilliant primary colors that seem to have been boldly applied to the canvas. Despite the frenetic nature of the pieces, the earthy, graffiti-like quality of the work speaks to a universal mythology that is accessible to all."

(E. Barker, 'Nicolas Pol's "Sick Atavus of the New Blood"', in *Whitewall*, 9 May 2011)

O◊ 36 **TIM NOBLE & SUE WEBSTER** b. 1966/1967
Toxic Schizophrenia, 1997
516 coloured UFO reflector caps, lamps and fixtures, 6 mm Foamex, vinyl, aerosol and electronic sequencer. 260 × 200 × 7 cm (102 3/8 × 78 3/4 × 2 3/4 in). This work is from an edition of 3.

Estimate £180,000–250,000 $285,000–396,000 €210,000–291,000 ♠ Ω

PROVENANCE Modern Art, Inc., London; Gagosian Gallery, New York; Private Collection
EXHIBITED London, 20 Rivington Street, *Home Chance*, 1997 (another example exhibited); London, Chisenhale Gallery; Exeter, Spacex Gallery, *The New Barbarians: Tim Noble and Sue Webster*, February–May 1999
LITERATURE R. Timms, *Young British Art: The Saatchi Decade*, London, 1999, p. 497 (another example illustrated); N. Rosenthal, *Apocalypse: Beauty and Horror in Contemporary Art*, London, 2000, p. 168 (another example illustrated); *T. Noble & S. Webster, Wasted Youth*, New York, 2006, pp. 19–22 (another example illustrated)

The work of British artistic couple Tim Noble and Sue Webster speaks the languages of trash, glamour and kitsch. Celebrating youth culture and the legacy of Pop art, over the past two decades the artists have created a witty and ironic body of work filled with imagery culled from banal everyday life. Noble and Webster's animated electric signs are perhaps their most recognized and widely acclaimed works. Illuminated with hundreds of light bulbs shimmering and flashing in resplendent glory, these sculptures pay homage to the decadence and vulgarity of Las Vegas. Noble and Webster became part of the post-YBA scene in the late 1990s and helped define the cultural scene that came to be known as Cool Britannia – closely associated with the then newly elected New Labour government led by Tony Blair – with the rise of Oasis, Blur and the Brit Pop music genre, and with Charles Saatchi's landmark 'Sensation' show at London's Royal Academy.

The present lot, *Toxic Schizophrenia*, executed in 1997, is certainly one of the artists' most significant, striking and powerful early electronic signs. It was one of just three exhibited at their ground-breaking solo exhibition held in their studio and home in Hoxton's Rivington Street in London. Monumental and bright, at once repellent and alluring, Toxic Schizophrenia represents a classic tattoo design of a dagger struck through a pulsating, bleeding heart – a stock image of adolescent trash romance. The title of the work refers the 1965 book, *The Kandy-Kolored Tangerine-Flake Streamline Baby* by the American novelist Tom Wolfe, who, like the punk provocateurs Noble and Webster, straddles high and low culture in his essays about America's subcultures and underbellies. Another source of inspiration are the famously garish illuminations at the British seaside resort of Blackpool. The heart and dagger motif associated with tattoo art, also echoes the Christian symbol of the Sacred Heart. Much like Jeff Koons's *Sacred Heart* (1994–2007), in which an instance of Christian Catholic iconography becomes a giant, shiny and gift-wrapped consumer item, so Noble and Webster's Sacred Heart becomes an entertaining spectacle at a funfair or at a holiday resort. Both works are highly seductive sculptures which at once celebrate and subvert our everyday visual culture and the transcendent nature of fine art.

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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.

○ **Guaranteed Property**

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

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

∆ **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%

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, HMRC 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.

If these requirements are not met, we will be unable to cancel or refund any applicable VAT.

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.

Σ Endangered Species
This property may require an export, import or endangered species license or permit. Please refer to Paragraph 4 of the Guide for Prospective Buyers and Paragraph 11 of the Conditions of Sale.

❖ Gemstones Originating in Burma (Myanmar)
Jadeite and rubies of Burmese origin and articles of jewellery less than 100 years old containing such gemstones may not be imported into the United States or the United Kingdom. Lots marked with ❖ contain rubies or jadeite of Burmese or unknown origin that may be subject to these restrictions. Buyers wishing to import rubies or jadeite into the United States or the United Kingdom must obtain certification of non-Burmese origin from a gemmological laboratory. There may be costs and delays associated with this process.

With respect to items containing any other types of gemstones originating in Burma (eg. sapphires), such items may be imported into the United States or the United Kingdom provided that the gemstones were mounted or incorporated into articles of jewellery outside of Burma as long as the setting is not of a temporary nature. Loose gemstones of any type originating in Burma may not be imported into the United States or the United Kingdom.

The purchaser's inability to import any item into the United States or the United Kingdom or any other country as a result of these or other restrictions shall not justify cancellation or rescission of the sale or any delay in payment. Please check with the specialist department if you are uncertain as to whether a lot is subject to these import restrictions, or any other restrictions on importation or exportation.

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 (eg. 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. **Payment must be made by the invoiced party only.**

Credit Cards
As a courtesy to clients, Phillips de Pury & Company will accept Visa, MasterCard, American Express 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 premises at Howick Place, London SW1P 1BB, 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.

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 20% on the buyer's premium. This amount will form part of the buyer's premium on our invoice and will not be separately identified.

2 PROPERTY WITH A † SYMBOL

These lots will be sold under the normal UK VAT rules, and VAT will be charged at 20% on both the hammer price and buyer's premium.

Where the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country then no VAT will be charged on the buyer's premium. This is subject to Phillips 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 20%, marked by ‡ and Ω respectively, on the hammer price and an amount in lieu of VAT at 20% on the buyer's premium. Anyone who wishes to buy outside the Auctioneer's Margin Scheme should notify the Client Accounting Department before the sale.

Where lots are sold outside the Auctioneer's Margin Scheme and the buyer is a relevant business person in the EU (non-UK) or is a relevant business person in a non-EU country then no VAT will be charged on the buyer's premium. This is subject to Phillips 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 of 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
Duncreggan 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.

2011 GUGGENHEIM INTERNATIONAL GALA

CONTEMPORARY ART BENEFIT AUCTION

FOR THE SOLOMON R. GUGGENHEIM FOUNDATION

AUCTION 7 NOVEMBER 2011 6PM 450 PARK AVENUE

Viewing 29 October – 6 November

Phillips de Pury & Company 450 Park Avenue New York 10022
Enquiries +1 212 940 1260 **Catalogues** +1 212 940 1240
PHILLIPSDEPURY.COM

GEORGE CONDO *The Butler,* 2011 (detail)

GUGGENHEIM

PHILLIPS
de PURY & COMPANY

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.

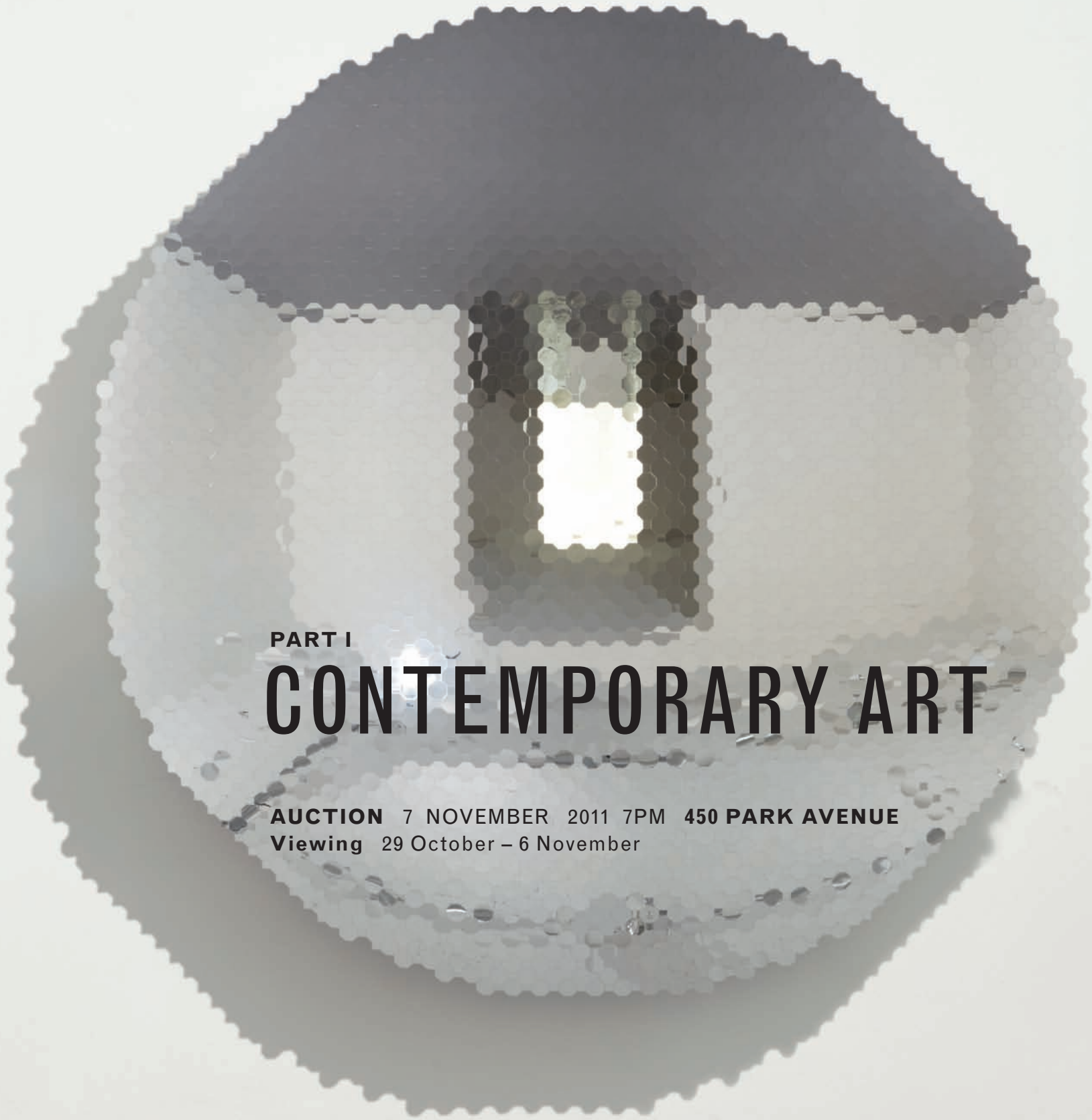
(f) If a lot is not sold, the auctioneer will announce that it has been 'passed', 'withdrawn', 'returned to owner' or 'bought-in'.

(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. Phillips de Pury & Company reserves the right to pay from our compensation an introductory commission to one or more third parties for assisting in the sale of property offered and sold at auction.

PHILLIPS
de PURY & COMPANY



PART I

CONTEMPORARY ART

AUCTION 7 NOVEMBER 2011 7PM **450 PARK AVENUE**
Viewing 29 October – 6 November

Phillips de Pury & Company 450 Park Avenue New York 10022
Enquiries +1 212 940 1260 **Catalogues** +1 212 940 1240
PHILLIPSDEPURY.COM

ANISH KAPOOR *Untitled Hex Mirror,* 2008 **Estimate** $800,000 – 1,200,000

(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 ♠ next to the lot number and will invoice the resale royalty to the buyer. If we subsequently determine that the nationality of the artist does not entitle him/her to the resale royalty on the lot, we will arrange a refund to the buyer of the amount of the royalty paid to us. If, after a sale in which we did not collect the resale royalty on a particular lot, we become aware that information provided to us prior to the auction concerning an artist's nationality was incorrect and the artist is entitled to the resale royalty on the lot, the buyer shall pay the resale royalty to us upon receipt of an invoice.

(d) Unless otherwise agreed, a buyer is required to pay for a purchased lot immediately following the auction regardless of any intention to obtain an export or import 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 "Phillips de Pury & Company Limited". 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, American Express 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.

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SALE INFORMATION

AUCTION
Wednesday 12 October 2011, 7pm

VIEWING
Thursday 6 October, 10am – 6pm
Friday 7 October, 10am – 6pm
Saturday 8 October, 10am – 6pm
Sunday 9 October, 12pm – 6pm
Monday 10 October, 10am – 6pm
Tuesday 11 October, 10am – 6pm
Wednesday 12 October, 10am – 7pm

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 UK010611 or Contemporary Art Evening Sale

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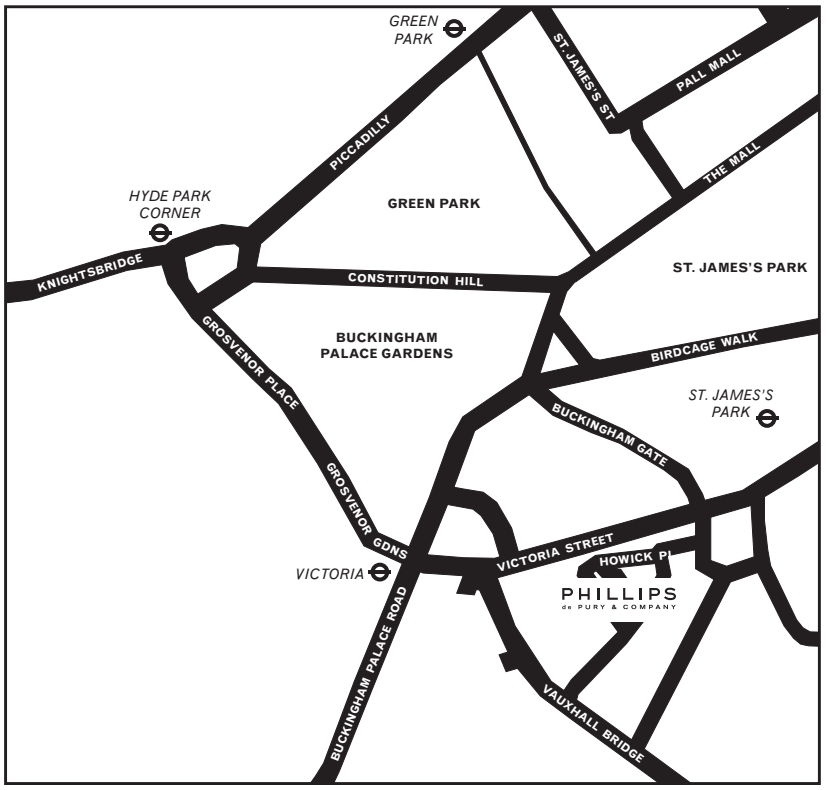
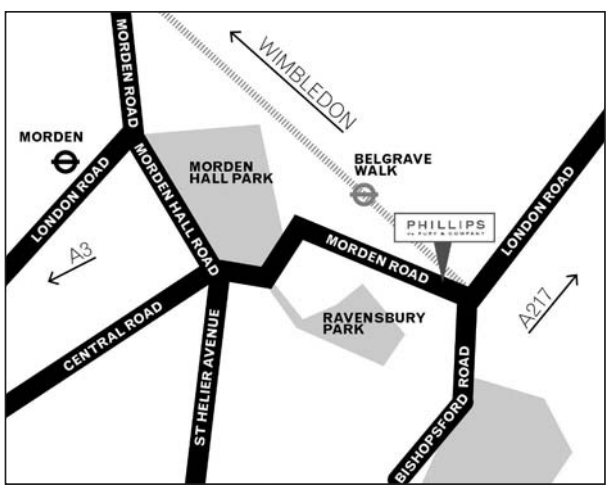


Viewing and Auction location



Warehouse and collection location

Back cover Richard Prince, *My Life as a Weapon*, 2007, Lot 16 (detail)
Inside back cover Cecily Brown, *Park*, 2004, Lot 15 (detail)

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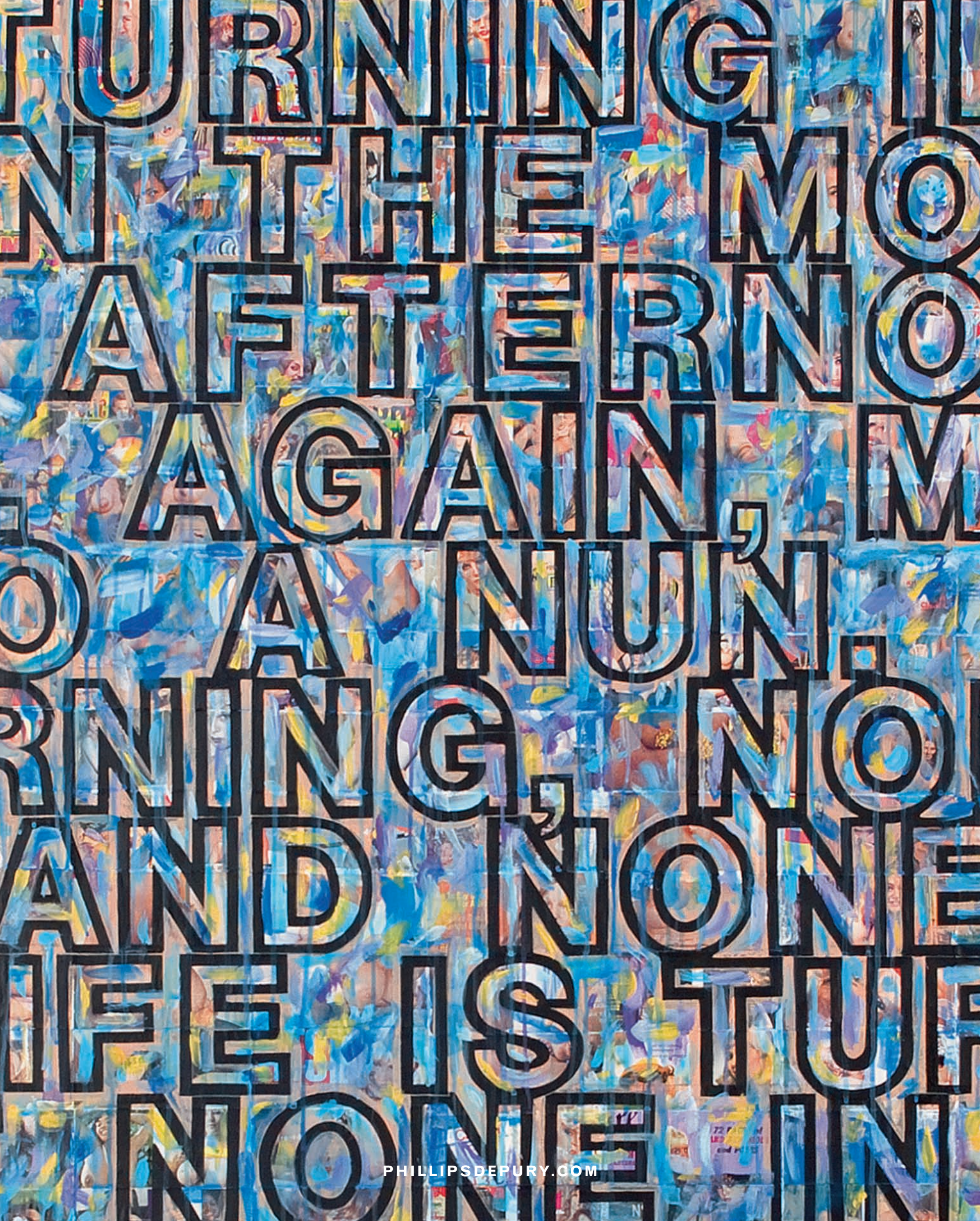
DIANE ARBUS *Child with a toy hand grenade in Central Park, N.Y.C.*, 1962
Estimate £60,000 – 80,000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