

## NATIONAL POST

### Barenaked Ladies' keyboardist Kevin Hearn sues Toronto gallery for Morrisseau forgery

Jacque Miller, Postmedia News | Nov 5, 2012

Kevin Hearn, the keyboardist for the Barenaked Ladies, is suing a fine-art gallery in Toronto for selling him a Norval Morrisseau painting he believes was a “fake or forgery,” according to documents filed in a Toronto court. Hearn, who is also an artist and collector, bought the colourful painting entitled Spirit Energy of Mother Earth in 2005 from the Maslak McLeod Gallery.

In a statement of claim, he describes himself as a “novice collector” who believed assurances from gallery operator Joseph Bertram McLeod that the painting was by the well-known aboriginal artist.

None of the allegations in the statement of claim has been proven in court.

The lawyer representing McLeod, Brian Shiller, said Spirit Energy of Mother Earth is a genuine Morrisseau, and his client intends to file a detailed defence. “Mr. McLeod is not in the business of selling fake works of art and has never done so,” Shiller said in a statement. Mr. McLeod would “welcome the opportunity to meet with Mr. Hearn and discuss this unfortunate situation with him and has no desire to engage in litigation,” it continues.

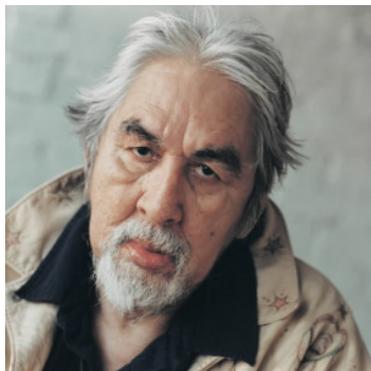


Kevin Hearn of the Barenaked Ladies.

Hearn said he began to question the provenance of his painting in 2010, when he was a “celebrity guest curator” of a show at the Art Gallery of Ontario that included Spirit Energy of Mother Earth and other pieces from his private collection. According to the statement of claim, about a week after the show opened, the gallery removed Spirit Energy from the exhibit after the AGO’s head curator and “numerous individuals” “suggested that the painting was most likely a fake.”

Two other paintings allegedly by Norval Morrisseau provided by the Maslak McLeod Gallery were also removed from the exhibition, the court documents say.

A representative of the AGO said the two paintings were removed as a “precaution” when “questions were raised” about their authenticity.



McLeod, through his lawyer, said the AGO did not tell him the two paintings were fakes. The incident was humiliating and embarrassing for Hearn, the lawsuit says. He is seeking punitive damages of \$50,000 as well as the \$20,000 purchase price of the painting and \$25,000 to cover his investment return on the painting. If the painting was a genuine Morrisseau, it would be worth about \$45,000 today, the documents said.

Morrisseau, born in Northern Ontario, is best known for his vibrantly coloured paintings depicting aboriginal legends and spirits. He produced an estimated 10,000 paintings before his death in 2007. Brilliant and charismatic but erratic, Morrisseau struggled with alcohol and drug addiction. He sold paintings in tony Toronto galleries, and traded them for alcohol when he lived on the streets of Vancouver. As the value of his paintings has risen over the years, so have the controversies. There is disagreement on everything from the prevalence of fake Morrisseaus to whether the man known as the Picasso of the North was always mentally competent to make declarations about the authenticity of his own paintings.