

## BLOUIN ARTINFO

# Knoedler Pleads Ignorance, Accuses Collectors of “Arrogance” in Rothko Forgery Suit

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Attorneys for former Knoedler gallery owner Michael Hammer and director Ann Freedman have moved to dismiss the \$25 million lawsuit brought by Tom Ford chairman Domenico De Sole and his wife, Eleanore. The couple accused the gallery earlier this year of selling them a fake Mark Rothko painting for \$8.3 million in 2004. It is part of a trove of works Knoedler sourced from Long Island dealer Glafira Rosales, who is currently under FBI investigation for trafficking forged paintings.

In court papers recently made public, Knoedler lawyers argue that the De Soles have only been able to drum up a list of “red flags” concerning the Rothko’s murky provenance — of which the gallery might have taken better note, but don’t on their own add up to the calculated misrepresentations or lies that would constitute fraud.

Besides, the De Soles are “sophisticated art collectors” who should have done their own research, says the motion. “What they refuse to concede is that all of the material and relevant information regarding this painting was put before them and they did nothing to assess it. They simply wanted to own a Rothko.” They are not victims of fraud, then, only their own “carelessness and arrogance.”

Freedman hopes to show that, even if the Rosales paintings are deemed fakes, she didn’t know they were when she sold them. Owner Michael Hammer is pleading further ignorance, claiming that the De Soles can’t prove he “even had heard of Ms. Rosales.”

Indeed, Hammer’s attorneys write that the De Soles’ lawsuit paints “little more than a portrait of a busy executive involved on a daily basis in a multitude of businesses and charitable works who trusted the operations of a gallery located a continent away to an experienced team.”

Both parties now await the judge’s decision on whether to allow Knoedler to dismiss the lawsuit.

— Rachel Corbett

