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## THE ART NEWSPAPER

### Knoedler fakes case will go to trial, judge orders

The gallery's former director Ann Freedman will "tell her story", her lawyer says

by LAURA GILBERT | 1 October 2015



Ann Freedman. Photo: Fred R. Conrad/The New York Times/Redux/eyevine

In a forgery scandal that shook the art world, the now-shuttered Knoedler Gallery and its former director Ann Freedman will have to go to trial in two cases involving the sale of fake Abstract Expressionist paintings, Manhattan's federal court ruled on Wednesday, 30 September.

In his three-page order, Judge Gardephe denied the gallery's and Freedman's motions for summary judgment in the lawsuits brought by the New York collector John Howard and Sotheby's chairman Domenico De Sole and his wife, Eleanore. The judge said that his reasons for denying the motions "will be set forth in a forthcoming Memorandum Opinion and Order" but did not specify when.

The order also dismissed Knoedler's owner Michael Hammer and the former gallery employee Michael Andrade from both cases. Hammer's holding company 8-31 remains in the cases, although the judge dismissed certain claims against it.

Freedman, Knoedler, and Hammer have consistently denied they knowingly sold fakes. Freedman's lawyer Luke Nikas says: "This case is about integrity, and as much as we may respectfully disagree with the decision, it has an important silver lining: Ann Freedman will now have the full opportunity to tell her story and prove her good faith." Knoedler and Hammer's lawyer had not responded to requests for comment by the time of publication.

"The ruling recognises that the De Soles have mounted compelling evidence that they were defrauded. It shows the art world that this is a massive fraud that took place for over a decade," says their attorney Gregory Clarick.

Around \$60m worth of fake Abstract Expressionist paintings passed through Knoedler gallery, according to the Manhattan US Attorney's Office. All the fakes were brought to Knoedler by the Long Island art dealer Glafira Rosales, who pleaded guilty to money laundering and federal tax evasion, and is now awaiting sentencing.

The scandal broke in late 2011, when the London hedge funder Pierre Lagrange filed a lawsuit charging that Knoedler sold him a work supposedly by Jackson Pollock that turned out to be a fake. The forgery ring ensnared Christie's auction house, other art dealers such as Richard Feigen and Manny Silverman, who served as intermediaries in some sales, and noted collectors such as Jack Levy.

In all, ten lawsuits were brought against Knoedler and Freedman, [four of which have been settled](#). The judge issued a separate opinion covering three of the other cases, dismissing certain claims and upholding others, but it has not been decided if these will go to trial.