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## Sotheby's wins case involving questionable Caravaggio

**A court finds the auction house was not negligent in its assessment of a work Denis Mahon later identified as by the artist's hand**

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*Card Sharps* is on a long-term loan to the Museum of the Order of St John in Clerkenwell, London

Sotheby's has won a case over a work it attributed to a "follower" of Caravaggio that sold at auction in London to the late collector and scholar Denis Mahon in 2006, for a hammer price of £42,000. Mahon subsequently identified the painting as a work "by the hand of Caravaggio" and obtained an export licence for it that gave an estimated selling price of £10m, according to a claim filed at London's High Court of Justice in early 2013.

The claimant was Lancelot William Thwaytes, who had consigned the work to auction in 2006 and was seeking unspecified damages, interest and costs relating to the price difference between the £42,000 the painting sold for in 2006 and "what its true open market value was in 2006", had it been attributed to Caravaggio. The filing claimed that Sotheby's did not undertake the necessary research and analysis prior to the work's sale.

On 16 January, London's High Court ruled that the auction house was "not negligent in their assessment of the painting" and that "they were entitled to rely on the connoisseurship and expertise of their specialists in the Old Masters department in assessing the quality of the painting".

Sotheby's has released a statement saying it is "delighted that today's ruling dismisses all claims brought against the company and confirms that Sotheby's expertise is of the highest standards".

Thwaytes's lawyers at Boodle Hatfield released a statement saying he "is extremely disappointed with the decision delivered this morning and maintains that Sotheby's failed to spot the painting's potential". The legal team added that they "have concerns regarding the approach taken by the Judge in relation to the duties of Sotheby's to their consignors, not least in view of the upcoming auction of an early Caravaggio by Christie's at the end of January". Thwaytes is in the process of considering an appeal.

The work is on a long-term loan to the Museum of the Order of St John in Clerkenwell, London, where it is currently hanging.