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Expert opines that  
paintings in art fraud case  
are forgeries



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An expert witness in the case against a New Hampshire mother-son duo accused of selling almost \$700,000 in counterfeit painting to a well-known art collector has opined that each work is a forgery.

Last fall, John Bird – an emeritus professor of art and critical theory at Middlesex University in London – analyzed 23 paintings purchased by Andrew Hall from Loretann and Nikolas Gascard to determine if they had been painted by Leon Golub.

Hall filed a lawsuit against the Gascards through the U.S. District Court, New Hampshire in September of 2016. Hall first determined that the paintings – purchased from the Gascards between 2009 and 2011 – could be counterfeit after preparing for an art exhibit in November 2014. A trial is currently scheduled for July 24.

Bird was called as an expert witness as he has been studying Golub's works for over three decades, and has written books and curated exhibits about Golub and his works. Bird, in his 37-page report, said he made repeated visits to Golub's New York City studio from the 1980s to Golub's death in 2004.

"Upon initially viewing the first group of paintings displayed I was immediately struck by the clumsiness of the figuration, not Golub's deliberate 'awkwardness,' but a crudeness in the depiction of the figure and lack of understanding of basic anatomical principles," said Bird, his report.

Bird found none of Golub's signature qualities and characteristics in the twenty three works he examined.

"They lacked skill in representing their subjects, did not reveal the working procedures of Golub and showed little variety or understanding of expression or posture," said Bird. "There is little evidence of scraping back, rather the surface effect is achieved by a build-up of layers and pigment."

Bird added that the paintings claiming to be from Golub's early period are not created by using lacquer, a technique that gave his early work their "particular, ruined surface," and that many of the works resemble a detail or section from a known work of Golub's.

Furthermore, Bird said he had never heard mention of the Gascards during his "close friendship" with Golub and his wife, Nancy Spero.

The Gascards have said in previous court documents that some of the paintings had been acquired by Golub directly, as Loretann was a friend of his. Loretann

is a former a former art history professor and art gallery director at Franklin Pierce University.

“To my knowledge, I was the only person other than direct family and very close friends, to whom they ever gifted works,” said Bird. “In addition, Golub always sold works through whichever gallery was representing him and, as mentioned in my report, he never retained work that did not meet his exact standards of successful realization.”

The Gascards have requested a summary judgment hearing, arguing they are entitled to judgment without a trial, as Hall’s claims are barred by the statute of limitations. Hall has since refuted the Gascard’s points, but no ruling has been made by a judge at this time.

Hall has advanced six claims against the Gascards in his lawsuit: fraud, conspiracy to defraud, breach of common law and statutory warranties, breach of contract, unjust enrichment, and unfair and deceptive trade practices in violation of New Hampshire’s Consumer Protection Act.

Previously, the Gascards asked the court to dismiss all six claims, but a federal judge only dismissed Hall’s common law breach of warranty claim.

