

AUTHENTICATION IN ART

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‘Red flags were flying’ around Knoedler fakes, experts testify

Seven of 11 specialists named by the gallery say they never authenticated work that turned out to be a forgery

by [LAURA GILBERT](#) | 4 February 2016



The Long Island dealer Glafira Rosales brought some 40 paintings to Knoedler below market price, including a work purportedly by Rothko that turned out to be a fake.
PHOTO: ELIZABETH WILLIAMS

Dealers “run like hell” when someone offers them an unknown stash of works below market price, said Martha Parrish, a dealer in Palm Beach and New York who helped draft the ADAA code of ethics, during her

testimony in the Knoedler fakes trial on Wednesday.

The Long Island dealer Glafira Rosales brought some 40 paintings to Knoedler below market price, their provenance was unknown, they were undocumented, and they had never been seen before. Given those circumstances, Parrish said, “a reputable and responsible dealer would run like hell because there are too many red flags flying for anyone to take the risk”.

In the lawsuit, the collectors Domenico and Eleanore De Sole say that Knoedler obtained works that turned out to be forgeries at prices far below what they would have commanded if they were authentic. For example, Knoedler paid the Long Island dealer Glafira Rosales, who brought the cache of fakes to the gallery, \$950,000 for a work purportedly by Mark Rothko and then sold it to the De Soles for \$8.4m, a markup of 773%. Parrish said a dealer would expect to make a profit of 20% to 30%.

Knoedler hired the former National Gallery of Art curator E.A. Carmean to research the provenance of the works brought by Rosales. When Nathan Holcomb, the lawyer for Knoedler’s former director Ann Freedman, asked Parrish whether a dealer would be entitled to a higher markup when extra research was performed, she seemed flabbergasted: “No. Absolutely not. No. It’s a work of art that’s worth ‘X’. It’s not worth more because you’ve done more work.”

Jack Flam, the head of the Dedalus Foundation, which maintains the Robert Motherwell catalogue raisonné, also testified on Wednesday that he told Freedman repeatedly that four works she handled that were supposedly by the artist were fake.

Despite increasing evidence the works were counterfeit, including a forensic report Knoedler commissioned, Freedman pushed back, saying the provenance was “impeccable”, Flam testified. The collection’s backstory later proved to be a fabrication. “There were lots of moving parts to this story,” he added.

According to Flam, Freedman said the works were part a collection acquired for someone in Mexico with the help of the art dealer David Herbert. At one point she told him Herbert and the collector were lovers, at another time acquaintances. She said Motherwell had taken a trip to Mexico as the collector’s guest, but Flam testified that the artist never travelled to the country during that time.

After studying images of the Motherwells in December 2007, Flam said he became suspicious. In December 2007, he told Freedman the signatures had an “exaggerated consistency”, and Motherwell had never titled a painting “Spanish Elegy”, yet that was inscribed on the back of one work.

In early 2008, Flam testified, after examining two works (one of them

bought from Rosales by Freedman and her husband for \$15,000) at the conservator Dana Cranmer's studio, he told Freedman he was "even more convinced" they were not authentic: the support was warped but the paint film was pristine; the whites, which were supposed to be 50 years old, hadn't yellowed. Freedman responded by reiterating the Herbert story, he said.

Knoedler agreed to submit the two paintings to Orion Analytical for forensic testing. The company's report indicated the works contained paint not available until well after the works' supposed creation and that the surface had been sanded down with an electric sander, which Motherwell didn't use. Freedman did not budge, Flam said.

Flam was one of 11 experts that Knoedler said had "viewed" the painting, according to court documents. Flam said he not only did not recall seeing the painting, but he did not have "special expertise" in Rothko's work. "If someone's going to list you as an expert they should ask if you are one", especially if they are "implying you've authenticated a work of art", he said. So far, seven of the 11 people listed have testified that they did not authenticate the work sold to the De Soles.