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**The New York Times**

## ***Indictment Details How to Forge a Masterpiece***

By WILLIAM K. RASHBAUM APRIL 21, 2014

Photo



One of the Seagram murals by Mark Rothko. Federal prosecutors say Pei-Shen Qian copied him. Credit Andrew Testa for The New York Times

The painting caught Pei-Shen Qian's eye, but it was the price that affected him deeply.

Mr. Qian, browsing in a booth at a Manhattan art show a decade ago, had stumbled across his own work: a forgery of a modern masterpiece that he had recently completed. He had sold it for just a few hundred dollars, to a man prosecutors now say was Mr. Qian's co-conspirator in a long-running, \$33 million art swindle, whose success stemmed in large measure from Mr. Qian's skill.

The painter's surprise encounter with his own handiwork, offered for sale at a price "far in excess" of what he had earned, prompted Mr. Qian to raise the price he charged for his forgeries, from several hundred to several thousand dollars, according to a federal fraud and money laundering indictment unsealed on Monday. But Mr. Qian, who produced the counterfeit masterworks in the garage of his home in Woodhaven, Queens, still received only a tiny fraction of the money his three co-conspirators netted in the scheme.

The case, which first came to light last year, upended the art world, where many dealers, collectors and experts were duped by Mr. Qian's deft forgeries of Abstract Expressionist masters — painters like Mark Rothko, Jackson Pollock and Robert Motherwell — and by the actions of two largely unknown art dealers. One of the dealers, Glafira Rosales, pleaded guilty to fraud, money laundering, tax charges and other crimes last year and has been cooperating with the Federal Bureau of Investigation and federal prosecutors in Manhattan.

The other dealer, Ms. Rosales' former boyfriend, Jose Carlos Bergantiños Diaz, 58, [was arrested on Friday](#), in Spain, where his brother Jesus Angel Bergantiños Diaz, 65, had been taken into custody several days earlier. Both brothers are charged in an 11-count indictment, along with Mr. Qian, 75, who remains at large and is believed to be in China.

Preet Bharara, the United States attorney for the Southern District of New York, said the charges "paint a picture of perpetual lies and greed."

The indictment reads in places like a forger's manual, laying out the materials needed to forge masterpieces and how to create a fraudulent history of a painting's creation, ownership, custody and location, known as its provenance.

Jose Carlos Bergantiños Diaz bought inexpensive paintings at [art auctions](#) and flea markets so Mr. Qian could use the old canvases,

and provided him with paint from the eras in which the originals were created, according to the indictment. He also bought old furniture made with Masonite, sheets of which had been used instead of canvas by some of the Abstract Expressionists Mr. Qian copied.

Mr. Bergantiños “also stained newer canvases with tea bags,” the indictment says, “to give them the false appearance of being older than they actually were.”

He also subjected many fake works to various processes, such as heating them, cooling them, and exposing them to the elements outdoors, in an attempt to make the fake works seem older than they actually were. For example, the indictment says, in the presence of his brother and Ms. Rosales, he subjected some “to heat by propping a blow-dryer over one of the fake works to heat it.”

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Mr. Qian’s home in Queens, which was searched by the F.B.I., yielded an intriguing collection of materials, the indictment says, including “books on Abstract Expressionist artists and their techniques; auction catalogs containing works by famous American Abstract Expressionist artists; paints, brushes, canvases and other materials, including an envelope of old nails marked ‘Mark Rothko.’ ”

The indictment said that the Bergantiños brothers and Ms. Rosales created false provenances for two works of art by researching the lives of deceased international art market figures — like collectors and brokers — “to craft a plausible, but entirely false, chain of ownership for each of the works.” This undertaking included interviewing a Spanish collector, a personal friend of one of the brothers, about his life.

Efforts to reach Mr. Qian and the brothers, who were released on bail in Spain, were unsuccessful on Monday. Mr. Qian, in an interview with Bloomberg Businessweek in December, said he had no idea his work was being sold as the real thing, calling the case “a very big misunderstanding.” He said he had been told his paintings were being sold to art lovers who could not afford works by the masters.

In addition to wire fraud and money laundering, Jose Carlos Bergantiños Diaz was charged with conspiring to defraud the Internal Revenue Service and other crimes. Mr. Qian was charged with lying to F.B.I. agents during an interview last June, when he said he did not recognize Ms. Rosales’s name, had never painted in the style of Jackson Pollock or Barnett Newman, and did not

recognize the names Richard Diebenkorn, Mark Rothko or Sam Francis.

When he was arrested in Spain, the authorities said, Jose Carlos Bergantiños Diaz was so anxious he had to be hospitalized.

It was a quality that he had shown before, albeit in a far less extreme fashion: As an art buyer, he was so wary of fakes that a friend once saw him sniff a canvas, and asked him why.

He was checking for the smell of tea, he told his friend, because it was often used to make canvas appear older than it really was.