



19 Naked Confessions



20 The Other Side of the Island



21 Cheese and Crackers



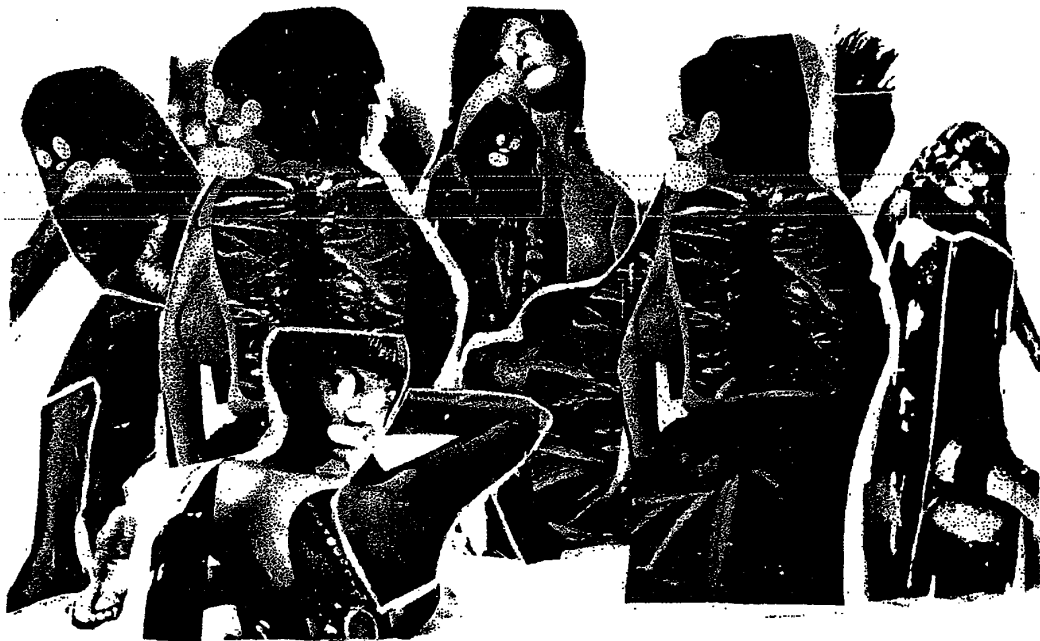
22 Mr. Jones



Richard Prince
MC9 (White Panthers), 2008
Ink jet, acrylic and collage on canvas
98 x 132 inches
248.9 x 335.3 cm
(Inv# RPS590)

EXHIBIT 33
Deponent PRINCE
Date 10/06/09 Rptr. km
WWW.DEPONOR.COM

CONFIDENTIAL - PR00019



Richard Prince

Mina Loy, Janet Flanner, Radclyffe Hall, Una Trowbridge and Oscar Wilde's niece Dolly Wilde, 2008

Ink jet, acrylic and collage on canvas

77 1/2 x 120 1/2 inches

196.9 x 306.1 cm

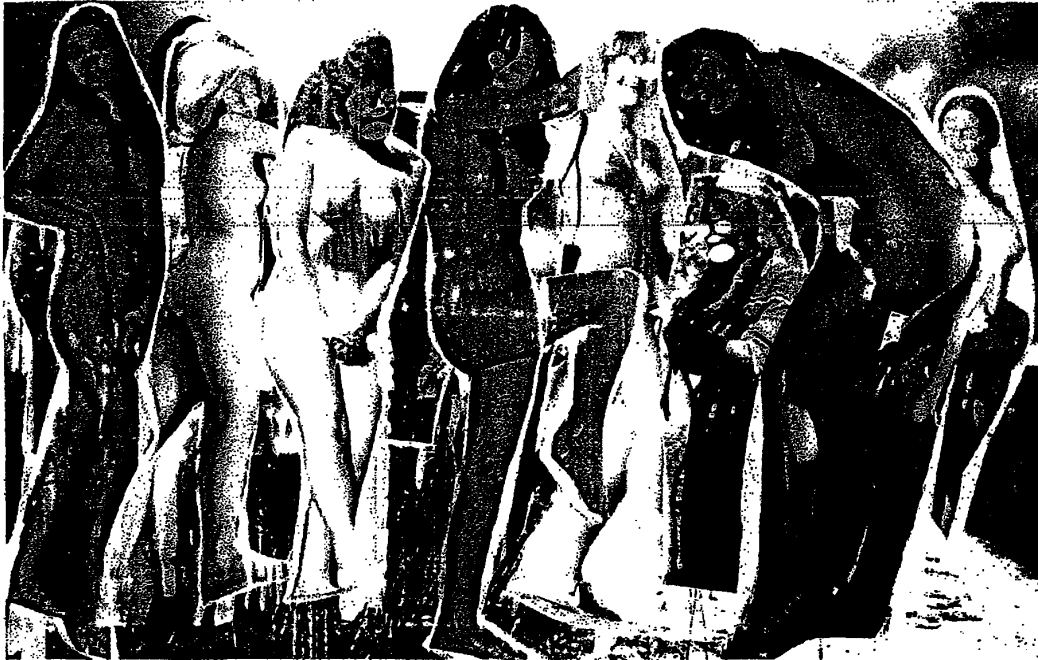
(Inv# RPS606)



Richard Prince
Pumpsie Green, 2008
Ink jet, acrylic and collage on canvas
77 x 100 1/2 inches
195.6 x 255.3 cm
(Inv# RPS587)



Richard Prince
Uncle Tom, Dick and Harry, 2008
Ink jet, acrylic and collage on canvas
81 1/2 x 57 1/2 inches
207 x 146.1 cm
(Inv# RPS589)



Richard Prince
On The Beach, On The Beach, 2008
Ink jet, acrylic and collage on canvas
59 x 90 1/4 inches
149.9 x 229.2 cm
(Inv# RPS591)



Richard Prince
Inquisition, 2008
Ink jet, acrylic and collage on canvas
100 1/2 x 77 inches
255.3 x 195.6 cm
(Inv# RPS592)



Richard Prince
Escape Goat, 2008
Ink jet, acrylic and collage on canvas
92 x 122 inches
233.7 x 309.9 cm
(Inv# RPS607)

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Attorneys for Plaintiff Patrick Cariou

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PATRICK CARIOU,

Plaintiff,

-against-

RICHARD PRINCE, GAGOSIAN GALLERY,
INC., LAWRENCE GAGOSIAN and RIZZOLI
INTERNATIONAL PUBLICATIONS, INC.

Defendants.
-----X

STIPULATION

08 CIV 11327 (DAB)

WHEREAS, plaintiff Patrick Cariou and defendants Gagosian Gallery, Inc. ("Gagosian Gallery") and Lawrence Gagosian (collectively, "Gagosian") desire to efficiently obtain information sought from the deposition, pursuant to Fed. R. Civ. P. 30(b)(6), of Gagosian Gallery, in order to avoid the time and expense of questioning Gagosian Gallery's representatives as to the authenticity of certain documents and as to Gagosian Gallery's summary of the sales of certain Richard Prince paintings,

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties to this action that:

1. The following deposition exhibits, identified herein by exhibit number and Bates stamp, marked for identification by plaintiff during the depositions of Richard Prince, Lawrence

Gagosian and Rizzoli International Publications, Inc., on October 6, 8, and 23, 2009, respectively, are copies of authentic documents created and maintained by Gagosian Gallery in the course of its regularly conducted business activities: Exhibits 14 (GGP003781), 17 (GGP004326), 18 (GGP004307), 19 (GGP004330, GGP004332), 26 (GGP004072/GG010033, GGP004075/GG010036), 29 (GGP001421, GGP000424-GGP000425), 31 (C00008-C00010), 32 (GGP004298-GGP004299), 44 (GGP003239), 45 (GGP001991, GGP002080, GGP002165, GGP002282, GGP002418, GGP003134), 48 (GGP003313, GGP003316, GGP003322, GGP003355, GGP003375, GGP003498), 49 (GGP003205), 50 (GGP003694), 51 (GGP003759), 52 (GGP002283), 53 (GGP004297, GGP003061/GG002763, GGP003062/GG002764, GGP003063/GG002766), 54 (GGP003108), 55 (GGP002332), 56 (GGP003123-GGP003124, GGP003150), 57 (GGP003127-GGP003128, GGP003202), 58 (GGP001397, GGP003092, GGP004102-GGP004104), 59 (GGP004052/GG009915), 61 (but only pages Bates stamped GGP000800, GGP001040 and GGP001332), 64 (GGP000800), 66 (GGP000801), 67 (GGP001040), 68 (GGP001563), 69 (GGP001250), 70 (GGP001610), 71 (GGP001654), 72 (GGP001659), 73 (GGP001668), 74 (GGP001670), 76 (GGP001332), 78 (GGP004033), 79 (GGP001964-GGP001965, GGP001967), 82 (GGP001383) and 84 (GGP001384).

2. Gagosian Gallery represents that it received the total sum of \$10,480,000 in sales of certain Richard Prince paintings, as listed on the summary annexed hereto as Exhibit A (the "Summary"). Gagosian represents that Lawrence Gagosian, in his individual capacity, received none of the proceeds of the sales listed in the Summary. Gagosian Gallery represents that it transmitted to Richard Prince the total sum of \$6,288,000.00 from the sales of paintings listed in the Summary.

3. Gagosian Gallery represents that it exchanged non-monetary consideration (e.g. the exchange of Richard Prince paintings for another art work) as follows:

- a. Gagosian gave Richard Prince "Dying and Dead Veteran" by Larry Rivers in exchange for the four Richard Prince paintings as listed in the Summary.
- b. Gagosian sold three Richard Prince paintings - "Back to the Garden," "Cookie Crumbles," and "Untitled Rasta 2008.0044" - in exchange for a Richard Serra sculpture, entitled "Bellamy."

4. Gagosian Gallery represents that it sold copies of the Canal Zone catalogue, in or about November, 2008 to February, 2009 for total gross revenues of \$6,784.00.

5. Gagosian Gallery and Lawrence Gagosian acknowledge their obligations to supplement and update the information provided in paragraphs 2, 3 and 4 of this Stipulation, as that information changes, up to and including the date of the trial of this action.

6. This Stipulation shall obviate the need for Gagosian to present additional witnesses.

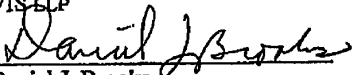
7. This Stipulation is entered into, without prejudice and with full reservation of all rights including the right to assert all objections at trial save for as to authenticity, solely for the purpose of facilitating the exchange of information between the parties to this action without unnecessarily involving the Court in the process.

8. This Stipulation may be executed in multiple counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute one and the same instrument and agreement.

Dated: New York, New York
January 15, 2010

SCHNADER HARRISON SEGAL &
LEWIS LLP

By:


Daniel J. Brooks

Eric A. Boden

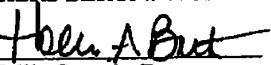
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Attorneys for Plaintiff Patrick Cariou

Dated: New York, New York
January 26, 2010

WITHERS BERGMAN LLP

By:


Hollis Gonerka Bart






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(212) 848-9800

*Attorneys for Defendants Gagostian Gallery, Inc. and
Lawrence Gagostian*

PRINCE CANAL ZONE PAINTINGS 2007-2008 GAGNON/GALLERIE									
PRINC 2007.0033	RPS 375	The Canal Zone	Mixed media on wood	2007	48 x 82 3/4 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0044	RPS 505	United (Rear)	Collage, ink, acrylic and collage on canvas	2008	40 x 30 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0045	RPS 508	United (Rear)	Ink, lac, acrylic and collage on canvas	2008	40 x 30 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0046	RPS 505	United (Rear)	Ink, lac, acrylic and collage on canvas	2008	40 x 30 inches	SOLD	\$ 400,000.00	22-Sep-08	
PRINC 2008.0045	RPS 511	in de France	Ink, lac, acrylic and collage on canvas	2008	77 1/4 x 100 1/2 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0046	RPS 505	United (Rear)	Ink, lac, acrylic and collage on canvas	2008	51 1/2 x 65 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0047	RPS 501	United Confessions	Ink, lac, acrylic and collage on canvas	2008	46 3/16 x 46 inches	SOLD	\$ 450,000.00	12-Nov-08	
PRINC 2008.0048	RPS 503	Back to the Garden	Ink, lac, acrylic and collage on canvas	2008	80 x 120 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	

PRINC 2008.0050	RPS 348	Mr. Jones	Ink jet, acrylic and collage on canvas	2008	78 x 100 1/2 inches	SOLD						
PRINC 2008.0051	RPS 510	Codie Cornbliss	Ink jet, acrylic and collage on canvas	2008	78 x 100 1/2 inches	RETURNED TO PRINCE STUDIO	N/A					
PRINC 2008.0052	RPS 508	Zipporah Jones	Ink jet, acrylic and collage on canvas	2008	78 x 100 1/2 inches	RETURNED TO PRINCE STUDIO	N/A					
PRINC 2008.0053	RPS 509	Chessa & Crechler	Ink jet, acrylic and collage on canvas	2008	91 1/2 x 140 1/4 inches	RETURNED TO PRINCE STUDIO	N/A					
PRINC 2008.0054	RPS 487	Jessie Brown Jessa Brown	Ink jet, acrylic and collage on canvas	2008	100 1/2 x 140 1/2 inches	SOLD - TRADED	TRADED FOR LARRY ROBERTS PAINTING					
PRINC 2008.0055	RPS 504	It's all over	Ink jet, acrylic and collage on canvas	2008	90 x 120 1/4 inches	SOLD - TRADED	TRADED FOR LARRY ROBERTS PAINTING					
PRINC 2008.0056	RPS 834	Goodman	Ink jet, acrylic and collage on canvas	2008	78 x 100 1/2 inches	SOLD - TRADED	TRADED FOR LARRY ROBERTS PAINTING					
PRINC 2008.0057	RPS 835	Djuna Barnes, Natalie Barney, Renee Vivien and Roman Brooks take over the Guahinland	Ink jet, acrylic and collage on canvas	2008	52 1/8 x 80 1/2 inches	SOLD - TRADED	TRADED FOR LARRY ROBERTS PAINTING					
PRINC 2008.0058	RPS 836	Doug Dore, the Witch is Dead	Ink jet, acrylic and collage on canvas	2008	57 1/2 x 84 inches	RETURNED TO PRINCE STUDIO	N/A					

PRINC 2008.0089	RPS 537	The Ocean Club	Ink jet, acrylic and collage on canvas	2008 45 1/2 x 69 3/4 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0090	RPS 538	Play of Drives Lyrics	Ink jet, acrylic and collage on canvas	2008 64 x 132 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0092	RPS 539	Canal Zone	Ink jet, acrylic and collage on canvas	2008 107 x 119 1/2 inches	SCOLD	\$ 1,200,000.00	28-Sep-08	
PRINC 2008.0093	RPS 539	Grand Conduary	Ink jet, collage and acrylic on canvas	2008 131 x 100 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0095	RPS 542	The Other Side of the Island	Ink jet, acrylic, collage, oil crayon, charcoal on canvas	2008 64 x 132 inches	SCOLD	\$ 1,200,000.00	28-Sep-08	
PRINC 2008.0097	RPS 547	Purupak Gatin	Ink jet, acrylic and collage on canvas	2008 77 x 100 1/2 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0088	RPS 688	Quary	Ink jet, acrylic and collage on canvas	2008 57 3/4 x 132 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0094	RPS 549	McCarthy (Painted)	Ink jet, acrylic and collage on canvas	2008 98 x 132 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0070	RPS 581	On the Beach On the Beach	Ink jet, acrylic and collage on canvas	2008 69 x 90 1/4 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	

PRINC 2008.0071	RPS 588	Unda Tom, Dick and Henry	Ink jet, acrylic and collage on canvas	2008	100 1/2 x 77 inches	SOLD	\$ 800,000.00	08-11-08	
PRINC 2008.0072	RPS 588	Unda Tom, Dick and Henry	Ink jet, acrylic and collage on canvas	2008	81 1/2 x 67 1/2 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0090	RPS 588	Unda Tom, Dick and Henry	Ink jet, acrylic and collage on canvas	2008	27 1/2 x 20 1/2 inches	RETURNED TO PRINCE STUDIO	N/A	N/A	
PRINC 2008.0091	RPS 587	Escape Goat	Ink jet, acrylic and collage on canvas	2008	92 x 122 inches	SOLD	\$ 2,000,000.00	5-Nov-08	
PRINC 2008.0098	RPS 588	Escape Goat	Encaustic, inkjet, acrylic and collage on canvas	2008	49 x 28 1/4 inches	RETURNED TO PRINCE STUDIO	SAZOSIAN GALLERY	12-20-08	

TOTAL SALES: \$ 10,490,000.00

richard prince

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- sunsets
- cowboys
- jokes
- entertainers
- spiritual america
- gangs
- girlfriends
- hoods
- nurse paintings
- unfitted (publicities)
- bird talk
- portraits
- interviews



EXHIBIT 3
 Deponent **PRINCE**
 Date **10/06/09** Rptr. **pm**
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richard prince

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1977 - 1979

1980

sunsets

cowboys

1982-84

entertainers

spiritual america

gangs

girlfriends

parties

upstate
photographsuntitled
(publicities)**Practicing Without A License 1977**

Rephotography is a technique for stealing (pirating) already existing images, simulating rather than copying them, "managing" rather than quoting them—re-producing their effect and look as naturally as they had been produced when they first appeared. A resemblance more than a reproduction, a rephotograph is essentially an appropriation of what's already real about an existing image and an attempt to add on or additionalize this reality onto something more real, a virtuoso real—a reality that has the chances of looking real, but a reality that doesn't have any chances of being real.

The technique is a physical activity which locates an individual behind a camera, a place from which the individual can view nothing but the collected image, a place that affords the opportunity to view exactly how the audience will eventually see the image as an object and a location from which it is possible for an individual to identify him or herself as much as an audience as an author.

Appropriation 1978

I think appropriation has to do with the inability of the author/artist to like his or her own work. Especially if the work is all theirs. I think it's a lot more satisfying to appropriate, especially if you are attempting to produce work with a certain believability, an official fiction let's say. If you take someone else's work and call it your own, you don't have to ask an audience "to take my word for it". It's not like it started with you and ended up being guessed at. The effect you want to produce is not that different from what an audience sometimes experiences when viewing a good movie. And what's that?

What Cristian Metz called, "a general lowering of wakefulness".