

11-1197-CV

United States Court of Appeals
for the
Second Circuit

PATRICK CARIOU,

Plaintiff-Appellee,

– v. –

RICHARD PRINCE,

Defendant-Appellant,

GAGOSIAN GALLERY, INC., LAWRENCE GAGOSIAN,

Defendants-Appellants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOINT APPENDIX
Volume 8 of 9 (Pages A-1842 to A-2066)

HOLLIS ANNE GONERKA BART
CHAYA WEINBERG-BRODT
DARA G. HAMMERMAN
AZMINA N. JASANI
WITHERS BERGMAN LLP
*Attorneys for Defendants-Appellants Gagosian
Gallery, Inc. and Lawrence Gagosian*
430 Park Avenue, 10th Floor
New York, New York 10022
(212) 848-9800

JONATHAN D. SCHILLER
GEORGE F. CARPINELLO
JOSHUA I. SCHILLER
BOIES, SCHILLER & FLEXNER LLP
*Attorneys for Defendant-Appellant
Richard Prince*
575 Lexington Avenue, 7th Floor
New York, New York 10022
(212) 446-2300

DANIEL J. BROOKS
ERIC A. BODEN
SCHNADER HARRISON SEGAL & LEWIS LLP
Attorneys for Plaintiff-Appellee
140 Broadway, Suite 3100
New York, New York 10005
(212) 973-8000

TABLE OF CONTENTS

	Page
Docket Entries.....	A-1
Amended Complaint, dated January 14, 2009	A-16
Answer to Amended Complaint of Defendant Richard Prince, dated March 3, 2009	A-32
Answer to Amended Complaint of Defendants Gagosian Gallery, Inc. and Lawrence Gagosian, dated March 3, 2009	A-41
Plaintiff’s Initial Disclosure, dated April 30, 2009	A-53
Scheduling Order, dated June 19, 2009	A-58
Memo Endorsed Letter, dated January 27, 2010	A-60
Order of the Honorable Deborah A. Batts, dated March 19, 2010.....	A-61
Memo Endorsed Letter, dated April 21, 2010.....	A-62
Memo Endorsed Letter, dated May 3, 2010	A-63
Notice of Motion by Plaintiff for Summary Judgment, dated May 14, 2010.....	A-64
Plaintiff’s Statement Pursuant to Local Rule 56.1, dated May 14, 2010	A-66
Declaration of Daniel J. Brooks, for Plaintiff, in Support of Motion for Summary Judgment, dated May 7, 2010	A-75
Exhibit A to Brooks Declaration - Amended Complaint, dated January 14, 2009 (Reproduced herein at pp. A-16-A-31)	

	Page
Exhibit B to Brooks Declaration - Answer to Amended Complaint of Defendant Richard Prince, dated March 3, 2009 (Reproduced herein at pp. A-32-A-40)	
Exhibit C to Brooks Declaration - Answer to Amended Complaint of Defendants Gagosian Gallery, Inc. and Lawrence Gagosian, dated March 3, 2009 (Reproduced herein at pp. A-41-A-52)	
Exhibit D to Brooks Declaration - Excerpts from Deposition Transcript of Patrick Cariou, dated January 12, 2010	A-84
Exhibit E to Brooks Declaration - Excerpts from Videotaped Deposition Transcript of Richard Prince, dated October 6, 2009.....	A-117
Exhibit F to Brooks Declaration - Excerpts from Videotaped Deposition Transcript of Lawrence Gagosian, dated October 8, 2009.....	A-167
Exhibit G to Brooks Declaration - Excerpts from Deposition Transcript of Gagosian Gallery, Inc. by Louise Neri, dated December 17, 2009	A-185
Exhibit H to Brooks Declaration - Excerpts from Deposition Transcript of Gagosian Gallery, Inc. by Alison McDonald, dated December 17, 2009	A-189
Exhibit I to Brooks Declaration - Excerpts from Deposition Transcript of John Olson, dated November 16, 2009	A-198

	Page
Exhibit J to Brooks Declaration - Excerpts from Deposition Transcript of Christiane Celle, dated January 26, 2009	A-203
Exhibit K to Brooks Declaration - Certificate of Copyright Registration for Book entitled <i>Yes Rasta</i>	A-227
Exhibit L to Brooks Declaration - Cover of <i>Yes Rasta</i>	A-229
Exhibit L-1 to Brooks Declaration - Cover of <i>Yes Rasta</i>	A-230
Exhibit L-2 to Brooks Declaration - Colophon Page of <i>Yes Rasta</i>	A-231
Exhibit M to Brooks Declaration - Cover of the Catalogue published by Gagosian Gallery	A-232
Exhibit M-1 to Brooks Declaration - Front, Back and Spine of the <i>Canal Zone</i> Catalogue	A-233
Exhibit M-2 to Brooks Declaration - Title Page of the <i>Canal Zone</i> Catalogue	A-236
Exhibit M-3 to Brooks Declaration - List of Works depicted in the <i>Canal Zone</i> Catalogue	A-237
Exhibit M-4 to Brooks Declaration - Colophon Page of <i>Canal Zone</i> Catalogue	A-240
Exhibit N to Brooks Declaration - 22 Paintings depicted in the <i>Canal Zone</i> Catalogue	A-241

	Page
Exhibit O to Brooks Declaration - Seven additional Prince Paintings depicted in <i>Canal Zone</i> Catalogue	A-263
Exhibit P to Brooks Declaration - Stipulation between Plaintiff and Gagosian Defendants, dated January 26, 2010	A-270
Exhibit Q to Brooks Declaration - Pages from Prince’s Website, including Comments entitled “Practicing Without A License”	A-279
Exhibit R to Brooks Declaration - Interview of Prince in <i>Artforum</i> , March 2003	A-281
Exhibit S to Brooks Declaration - June 3, 2008 E-mail	A-284
Exhibit T to Brooks Declaration - Interview of Prince in <i>Interview Magazine</i>	A-285
Exhibit U to Brooks Declaration - Comparison Document	A-298
Exhibit V to Brooks Declaration - Prince Painting entitled “ <i>Canal Zone 2007</i> ”	A-325
Exhibit V-1 to Brooks Declaration - <i>Canal Zone 2007</i>	A-326
Exhibit W to Brooks Declaration - <i>The Art Newspaper</i>	A-327
Exhibit X to Brooks Declaration - Exhibit 32 to Prince Deposition.....	A-329
Exhibit Y to Brooks Declaration - Printout from Gagosian Gallery Website.....	A-331

	Page
Exhibit Z to Brooks Declaration - Inserts to <i>Canal Zone</i> Catalogue.....	A-349
Exhibit AA to Brooks Declaration - Blown-up Details from Prince Paintings	A-352
Exhibit BB to Brooks Declaration - Landscape	A-354
Exhibit CC to Brooks Declaration - Photographs	A-355
Exhibit DD to Brooks Declaration - “Pitch” from Movie written by Prince.....	A-357
Exhibit EE to Brooks Declaration - E-mail from Louise Neri to Betsy Biscone, dated October 7, 2008	A-359
Exhibit FF to Brooks Declaration - Printout from Gagosian Gallery Website.....	A-361
Exhibit GG to Brooks Declaration - Newspaper Advertisements	A-364
Exhibit HH to Brooks Declaration - E-mails from Alison McDonald to Darlina Goldak, dated October 2, 2008	A-369
Exhibit II to Brooks Declaration - E-mail from Darlina Goldak to Nicole Heck, dated September 25, 2008.....	A-370
Exhibit JJ to Brooks Declaration - Announcement Card	A-371
Exhibit KK to Brooks Declaration - E-mails from Andie Trainer to Jessica Arisohn, dated December 5, 2008	A-373

	Page
Exhibit LL to Brooks Declaration - Invitation to opening Dinner for the <i>Canal Zone</i> Exhibition	A-377
Exhibit MM to Brooks Declaration - E-mails from Tom Duncan to Anita Foden, dated September 6, 2008	A-378
Exhibit NN to Brooks Declaration - E-mails from Karen Ho to Vanessa Riding and Rysia Murphy, dated October 28, 2008	A-380
Exhibit OO to Brooks Declaration - E-mail from Meredith Dunn to Sam Orlofsky and Others at the Gagosian Gallery, dated October 23, 2008	A-386
Exhibit PP to Brooks Declaration - E-mail from Vanessa Riding to Barbara Wilhelm Dwek, dated October 23, 2008	A-387
Exhibit QQ to Brooks Declaration - Invitation List	A-388
Exhibit RR to Brooks Declaration - Cariou's Cease and Desist Letter, dated December 11, 2008	A-395
Exhibit SS to Brooks Declaration - E-mails from Patrick Cariou to Christiane Celle, dated August 28, 2008, with Certified Translation	A-397
Declaration of Eric Doeringer, for Plaintiff, in Support of Motion for Summary Judgment, dated May 6, 2010	A-400
Exhibit A to Doeringer Declaration - Letter from Peter J. Toren to Eric Doeringer, dated November 10, 2005	A-403

	Page
Exhibit B to Doeringer Declaration - Letter from Eric Doeringer to Peter J. Toren, undated.....	A-405
Exhibit C to Doeringer Declaration - Letter from Peter J. Toren to Eric Doeringer, dated November 28, 2005	A-406
Memorandum of Law in Support of Plaintiff’s Motion for Summary Judgment, dated May 14, 2010	A-408
Notice of Motion by Defendants for Summary Judgment, dated May 14, 2010.....	A-438
Affidavit of Hollis Gonerka Bart, for Defendants Gagosian Gallery, Inc. and Lawrence Gagosian, in Support of Motion for Summary Judgment, sworn to May 14, 2010	A-440
Exhibit A to Bart Affidavit - The Tate Collection’s Glossary defining the Term Appropriation Art.....	A-446
Exhibit B to Bart Affidavit - The Tate Collection’s Glossary defining the Term Collage	A-447
Exhibit C to Bart Affidavit - The Tate Collection’s Glossary Information on Marcel Duchamp’s <i>Fountain</i>	A-448
Exhibit D to Bart Affidavit - MOMA, Collection’s Information on Andy Warhol’s <i>Gold Marilyn Monroe</i>	A-449
Exhibit E to Bart Affidavit - Amended Complaint, dated January 14, 2009 (Reproduced herein at pp. A-16-A31)	

	Page
Exhibit F to Bart Affidavit - Guggenheim Press Release entitled “Richard Prince: Spiritual America Opens at the Guggenheim Museum September 28”	A-453
Exhibit G to Bart Affidavit - Excerpts from Deposition Transcript of Richard Prince, dated October 6, 2009.....	A-460
Exhibit H to Bart Affidavit - Artnet’s listing for Richard Prince Work available for sale	A-502
Exhibit I to Bart Affidavit - Article from artcritical.com entitled “Eighteen Experts Talk with Brian Appel on the \$1,248,000 Richard Prince Photograph that Has Set a New World Auction Record for Photography”	A-507
Exhibit J to Bart Affidavit - Article from ArtDaily entitled “Sotheby’s July 2008 Contemporary Art Evening Sale Triumphs”.	A-514
Exhibit K to Bart Affidavit - Excerpt from Trust & Estates, August 2008 Table of Contents.....	A-519
Exhibit L to Bart Affidavit - Excerpts from Deposition Transcript of Lawrence Gagosian, dated October 8, 2009.....	A-520
Exhibit M to Bart Affidavit - Richard Prince Book <i>Canal Zone</i> also referred to as “The Catalogue” [See Exhibit 1 to the Joint Appendix – Hard Copy of <i>Canal Zone</i> Book].....	A-528

	Page
Exhibit N to Bart Affidavit - Stipulation between Plaintiff and Gagosian Defendants, dated January 26, 2010 (Reproduced herein at pp. A-270-A-278)	
Exhibit O to Bart Affidavit - The Gagosian Gallery General Ledger for the Period from October 1, 2008 to June 30, 2009	A-529
Exhibit P to Bart Affidavit - Advertisements for the <i>Canal Zone</i> Exhibition	A-530
Exhibit Q to Bart Affidavit - Guest List for the November 8, 2008 Dinner held at the Gramercy Park Hotel for Richard Prince.....	A-539
Exhibit R to Bart Affidavit - Excerpts from Deposition Transcript of Anthony Petrillose, dated October 23, 2009	A-547
Exhibit S to Bart Affidavit - Stipulation and Order of Dismissal between Plaintiff and Rizzoli International Publications, Inc., entered February 5, 2010	A-549
Exhibit T to Bart Affidavit - Stipulation between Gagosian and powerHouse Cultural Entertainment, Inc., dated February 1, 2010	A-551
Exhibit U to Bart Affidavit - Excerpts from Deposition Transcript of Patrick Cariou, dated January 12, 2010	A-555
Exhibit V to Bart Affidavit - Plaintiff's Answers and Objections to Defendants Gagosian Gallery, Inc. and Lawrence Gagosian's Interrogatories, dated October 5, 2009	A-606

	Page
Exhibit W to Bart Affidavit - powerHouse’s Press Release announcing the publication <i>Yes Rasta</i> , and categorizing the Book as “ <i>Photography/Reggae Culture</i> ”	A-621
Exhibit X to Bart Affidavit - Printout of Plaintiff’s Website	A-622
Exhibit Y to Bart Affidavit - Excerpts from Deposition Transcript of Christiane Celle, dated January 26, 2010	A-715
Exhibit Z to Bart Affidavit - Letter from Daniel Brooks to the Honorable Deborah A. Batts, dated February 8, 2010.....	A-735
Exhibit AA to Bart Affidavit - Inside Jacket Cover of <i>Yes Rasta</i>	A-738
Exhibit BB to Bart Affidavit - Definition of Appropriation Art from ArtLex	A-740
Exhibit CC to Bart Affidavit - Composite Exhibit containing Copies of Images of Rastafarians	A-742
Exhibit DD to Bart Affidavit - Certificate of Copyright Registration for Book entitled <i>Yes Rasta</i> (Reproduced herein at pp. A-227-A-228)	
Exhibit EE to Bart Affidavit - Photocopy of Patrick Carious’ Book entitled <i>Yes Rasta</i> [See Exhibit 2 to the Joint Appendix – Hard Copy of <i>Yes Rasta</i> Book]	A-743
Affidavit of Richard Prince, Defendant, in Support of Motion for Summary Judgment, sworn to May 13, 2010	A-744

	Page
Exhibit A to Prince Affidavit - Composite Exhibit	A-772
Memorandum of Law in Support of Defendants’ Joint Motion for Summary Judgment, dated May 14, 2010	A-812
Rule 56.1 Statement of Uncontested Material Facts in Support of Defendants’ Joint Motion for Summary Judgment, dated May 14, 2010	A-842
Declaration of Daniel J. Brooks, for Plaintiff, in Opposition to Defendants’ Motion for Summary Judgment, dated June 11, 2010	A-886
Exhibit A to Brooks Declaration - Excerpts from Deposition Transcript of Richard Prince, dated October 6, 2009.....	A-888
Exhibit B to Brooks Declaration - Excerpts from Deposition Transcript of Lawrence Gagosian, dated October 8, 2009.....	A-893
Exhibit C to Brooks Declaration - Excerpts from Deposition Transcript of Christiane Celle, dated January 26, 2010	A-896
Exhibit D to Brooks Declaration - Photograph entitled <i>V-J Day in Time Square</i>	A-901
Memorandum of Law in Opposition to Defendants’ Motion for Summary Judgment, dated June 14, 2010	A-902
Supplemental Affidavit of Richard Prince, Defendant, in Further Support of Defendants’ Motion for Summary Judgment and in Opposition to Plaintiff’s Motion for Summary Judgment, sworn to June 11, 2010.....	A-933

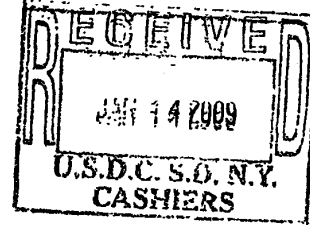
	Page
Exhibit A to Prince Supplemental Affidavit - Composite Exhibit	A-936
Counter-Statement Pursuant to Local Civil Rule 56.1 of Undisputed Material Facts in Opposition to Defendants’ Motion for Summary Judgment, dated June 14, 2010	A-937
Defendants Rule 56.1 State of Uncontested Material Fact in Response to Plaintiff’s Statement Pursuant to Local Rule 56.1, filed June 14, 2010..	A-970
Memorandum of Law in Opposition to Plaintiff’s Motion for Summary Judgment, dated June 14, 2010	A-984
Affidavit of Hollis Gonerka Bart, for Defendants Gagosian Gallery, Inc. and Lawrence Gagosian, in Opposition to Plaintiff’s Motion for Summary Judgment, sworn to June 14, 2010.....	A-1014
Exhibit A to Bart Affidavit - Pages from Website of “Ganja Fields and Marijuana Tours” and “Negril Ganja Tour”	A-1017
Exhibit B to Bart Affidavit - Web Pages detailing the Amount of Time Cy Twombly and Pablo Picasso dedicated to various Works of Art.....	A-1030
Exhibit C to Bart Affidavit - Complaint, dated December 30, 2008	A-1034
Exhibit D to Bart Affidavit - Excerpts from Deposition Transcript of Richard Prince, dated October 6, 2010.....	A-1049

	Page
Exhibit E to Bart Affidavit - Excerpts from Deposition Transcript of Lawrence Gagosian	A-1059
Exhibit F to Bart Affidavit - Excerpts from Deposition Transcript of Christiane Celle, dated January 26, 2010	A-1075
Exhibit G to Bart Affidavit - Excerpts from Deposition Transcript of Patrick Cariou, dated January 12, 2010	A-1082
Exhibit H to Bart Affidavit - Excerpts from Deposition Transcript of Louise Neri, dated December 17, 2009	A-1085
Exhibit I to Bart Affidavit - Excerpts from Deposition Transcript of Allison McDonald, dated December 17, 2009	A-1091
Response to Defendants' Counter-Statement of Uncontested Material Facts Pursuant to Local Rule 56.1, dated June 24, 2010.....	A-1102
Reply Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment, dated June 24, 2010	A-1107
Reply Declaration of Daniel J. Brooks, for Plaintiff, in Further Support of Motion for Summary Judgment, dated June 24, 2010.....	A-1121
Exhibit A to Brooks Reply Declaration - Excerpts from Deposition Transcript of Richard Prince, dated October 6, 2009.....	A-1123
Exhibit B to Brooks Reply Declaration - Excerpts from Deposition Transcript of Lawrence Gagosian, dated October 8, 2009.....	A-1129

	Page
Exhibit C to Brooks Reply Declaration - <i>New York Times</i> Article entitled “If the Copy Is an ArtWork, Then What’s the Original?”	A-1131
Exhibit D to Brooks Reply Declaration - Interview of Richard Prince by Brian Appel	A-1133
Defendants’ Joint Memorandum of Law in Reply to Plaintiff’s Opposition to Defendants’ Joint Motion for Summary Judgment, dated June 24, 2010	A-1139
Reply Affidavit of Hollis Gonerka Bart, for Defendants Gagosian Gallery, Inc. and Lawrence Gagosian, in Further Support of Defendants’ Motion for Summary Judgment, sworn to June 24, 2010	A-1154
Exhibit A to Bart Reply Affidavit - Excerpts from Deposition Transcript of John Olson, dated November 16, 2009	A-1156
Exhibit B to Bart Reply Affidavit - Chart	A-1171
Exhibit C to Bart Reply Affidavit - Deposition Transcript of Richard Prince, dated October 6, 2009	A-1173
Letter from Steven M. Hayes to the Honorable Deborah A. Batts, dated June 24, 2010 with Amendment to Defendants’ Rule 56.1 Statement of Uncontested Material Facts in Response to Plaintiff’s Statement Pursuant to Local Rule 56.1.	A-1271
Memo Endorsed Letter, dated July 1, 2010	A-1273
Deposition Transcript of Lawrence Gagosian, dated October 8, 2009	A-1274

	Page
Deposition Transcript of Anthony Petrillose, dated October 23, 2009	A-1319
Deposition Transcript of Nancyscans Corp. by John Olson, dated November 16, 2009	A-1350
Deposition Transcript of Alison McDonald, dated December 17, 2009	A-1461
Deposition Transcript of Louise Neri, dated December 17, 2009	A-1486
Deposition Transcript of Patrick Cariou, dated January 12, 2010	A-1503
Deposition Transcript of Christiane Celle, dated January 26, 2010	A-1578
Prince Deposition Exhibits 1-43	A-1620
Cariou Deposition Exhibits 1-18	A-1842
Neri Deposition Exhibits 106-109	A-1988
Gagosian Deposition Exhibits 44-62	A-1995
Olson Deposition Exhibits 92-102	A-2067
Celle Deposition Exhibits 1-3	A-2136
Petrillose Deposition Exhibits 63-91	A-2145
McDonald Deposition Exhibits 103-105	A-2235
Notice of Joint Appeal, dated March 25, 2011	A-2260
Stipulation of Counsel, dated April 11, 2011	A-2262

Daniel J. Brooks (DB-3136)
dbrooks@schnader.com
Eric A. Boden (EB-7669)
eboden@schnader.com
SCHNADER HARRISON SEGAL & LEWIS LLP
140 Broadway, Suite 3100
New York, New York 10005-1101
Telephone: (212) 973-8000
Facsimile: (212) 972-8798



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

Case No. 08 CIV 11327 (DAB)

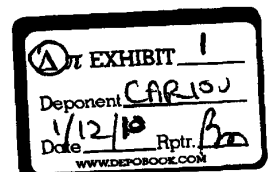
AMENDED COMPLAINT

DEMAND FOR JURY TRIAL

Plaintiff Patrick Cariou, by his attorneys, Schnader Harrison Segal & Lewis LLP, for his
Complaint against defendants Richard Prince, Gagosian Gallery, Inc. ("Gagosian Gallery"),
Lawrence Gagosian, and Rizzoli International Publications, Inc. ("Rizzoli") (collectively
"Defendants"), alleges as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over the subject matter of this action pursuant to
28 U.S.C. §§ 1331 and 1338(a), because this action arises under the Copyright Act of 1976, as



amended, 17 U.S.C. §§ 101, *et seq.* The copyrighted works at issue are registered with the U.S. Copyright Office.

2. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b) and (c), and 28 U.S.C. § 1400(a) because defendants Gagosian Gallery, Gagosian and Rizzoli either reside or conduct business and may be found in this district and defendant Richard Prince resides in the State in which this district is located, and because a substantial part of the events giving rise to the claim occurred, and a substantial part of the property that is subject of the action is situated, in this district.

PARTIES

3. Plaintiff Patrick Cariou ("Plaintiff"), a French citizen and resident of Paris, France, is a photographer who has published a number of books of photography, including a book of photographs entitled *Yes Rasta*, published in 2000 by Powerhouse Books, Inc. Plaintiff's work has also appeared in numerous international magazines.

4. Defendant Richard Prince, a citizen of the State of New York, is a contemporary artist who resides in Rensselaerville, New York.

5. Defendant Gagosian Gallery is a corporation organized and existing under the laws of the State of New York and having its principal place of business in the County and City of New York. Gagosian Gallery owns and operates a number of art galleries in New York City and various other cities, including one located at 555 West 24th Street, New York, New York (the "Chelsea Gallery"). Gagosian Gallery is Prince's exclusive representative and agent.

6. Defendant Lawrence Gagosian is the controlling shareholder of Gagosian Gallery and makes its operating decisions, including those involving the Chelsea Gallery.

7. Defendant Rizzoli is a corporation organized and existing under the laws of the State of New York and having its principal place of business in the County and City of New York. Rizzoli is the exclusive distributor of a book entitled *Canal Zone*, published by Gagosian Gallery in 2008, and containing photographs of various paintings by Prince which were on display at the Chelsea Gallery from November 8, 2008 through December 20, 2008 in an exhibition entitled *Canal Zone* (the "Canal Zone Exhibition").

NATURE OF THE ACTION

8. Defendants have infringed Plaintiff's exclusive rights under Section 106 of the Copyright Act of 1976, as amended, by, without authorization, reproducing, adapting, distributing and displaying copyrighted photographic works (the "Photographs") which Plaintiff owns and published in the book entitled *Yes Rasta*. Plaintiff seeks damages and other remedies under the Copyright Act.

9. Plaintiff is the sole copyright owner and author of the Photographs, which are published as part of the photography book *Yes Rasta* and copyrighted under Copyright Registration No. VA0001301506, issued on November 5, 2001. A copyright notice is displayed on Plaintiff's published book, *Yes Rasta*, in accordance with Section 401 of the Copyright Act.

10. Long following the issuance of the above Copyright Registration, Defendant Prince appropriated the Photographs without authorization from Plaintiff and created a series of

paintings (the "Paintings") incorporating copies of the Photographs, thereby infringing Plaintiff's exclusive rights in the Photographs under the Copyright Act.

11. Defendants Gagosian Gallery and Gagosian displayed the Paintings during the Canal Zone Exhibition and sold some or all of the Paintings, thereby infringing and contributing to Prince's infringement of Plaintiff's exclusive rights in the Photographs under the Copyright Act. Gagosian Gallery and Gagosian also infringed Plaintiff's rights under the Copyright Act by displaying images of certain of the Paintings, containing the Photographs, on Gagosian Gallery's website and by publishing the book entitled *Canal Zone*, which contains photographs of the Paintings and the Photographs included within the Paintings.

12. By distributing the book entitled *Canal Zone*, which contains copies of the Photographs, Rizzoli has infringed and contributed to Prince's infringement of Plaintiff's exclusive rights under the Copyright Act.

13. None of the Defendants was ever authorized by Plaintiff to appropriate the Photographs, or to reproduce, distribute or display the Photographs, or to adapt the Photographs in order to create the Paintings or any other derivative work based on the Photographs. Defendants' conduct was and continues to be in willful disregard of Plaintiff's rights under the Copyright Act.

14. Defendants' conduct has damaged Plaintiff's ability to sell additional copies of *Yes Rasta* or to earn revenues from derivative works based on the Photographs which Plaintiff could have licensed to others, while at the same time enabling Defendants to profit from their unauthorized reproduction, adaptation, distribution and display of the Photographs.

FACTUAL BACKGROUND

15. Plaintiff is an accomplished photographic artist whose published works include the book entitled *Yes Rasta*.
16. Plaintiff spent parts of six years in the secluded mountains of Jamaica, gaining access to, living and working with, and earning the trust of the Rastafarians who are the subjects of *Yes Rasta*. The Rastafarians are a spiritual society living simply, independently, and in harmony with nature, apart from the industrialized world of environmental pollution and materialism which they reject and refer to as "Babylon." Naturally, the Rastafarians do not easily trust outsiders, such as Plaintiff, and it was only after living with them for years that Plaintiff was finally permitted to photograph them. The result was the Photographs in *Yes Rasta*, approximately 100 strikingly original black-and-white photographs, mostly close-up portraits of stern, mystical-looking men within a distinctive tropical landscape. *Yes Rasta* also contains an essay by Perry Henzell, who was the producer and director of the noted Jamaican film, *The Harder They Come*.
17. The Photographs, registered with the United States Copyright Office on November 5, 2001 under Registration No. VA0001301506, are highly original, for few, if any, artists have been afforded the unfettered opportunity to photograph the Rastafari people in such breadth and detail. *Yes Rasta* was published in 2000 with a copyright notice as prescribed under Section 401 of the Copyright Act.
18. Prince is well known as an "appropriation artist," due to his penchant for appropriating and using as his own images created by others without attribution or permission. As Prince once said of his own work in an interview, he is "practicing without a license." Prince has publicly admitted appropriating photographs created by others and publishing them as his own

work. Although he primarily has been known for copying anonymous commercial imagery, such as advertisements, in the Paintings contained in his Canal Zone Exhibition, Prince has appropriated Plaintiff's copyrighted art work. As stated in Gagosian Gallery's website – which, by displaying images of certain of the Paintings, containing the Photographs, itself infringes Plaintiff's exclusive rights under the Copyright Act – Prince copied the Photographs in various ways, including by scanning them and printing them directly onto the base canvas of the Paintings. In a recent interview with *Interview Magazine*, Prince described his work in the Canal Zone Exhibition as having been taken from “a book” that he “picked up” about Rastas, who represented a culture “that I didn't really know much about. But I loved the book, and I loved the dreads, so I just started fooling around with this book . . .” According to Prince, “[t]he pictures are very quickly done – they're not really thought about . . .” Prince added: “The Rastas came really fast. And they're going to be over really fast, too.” In addition to copying Plaintiff's images of Rastafarians, Prince also copied the landscapes depicted in the Photographs.

19. Not only did Prince appropriate the images in the Photographs and incorporate them into the Paintings without Plaintiff's permission and despite the prominent copyright notice contained in *Yes Rasta*, but, in the infringing book published by Gagosian Gallery and distributed by Rizzoli entitled *Canal Zone*, Prince actually purports to be the copyright owner of all “artworks” and “insert images,” presumably including the Paintings (which contain Plaintiff's Photographs). Furthermore, Gagosian Gallery claims to be the copyright owner of the *Canal Zone* “publication.”

20. The Canal Zone Exhibition contained at least twenty-two Paintings, at least twenty of which reproduce and are derived from the Photographs, incorporating unauthorized uses

of Plaintiff's registered copyrighted work. Among the infringing Paintings which were displayed in the Chelsea Gallery from November 8, 2008 through December 20, 2008 were two untitled works, as well as works entitled: *Graduation*, *Back to the Garden*, *Charlie Company*, *Meditation*, *Canal Zone*, *The Ocean Club*, *Cookie Crumbles*, *Ile de France*, *Ding Dong the Witch Is Dead*, *Djuna Barnes, etc.*, *Zippering the System*, *Tales of Brave Ulysses*, *It's All Over*, *Specially Round Midnight*, *Naked Confessions*, *The Other Side of the Island*, *Cheese and Crackers*, and *Mr. Jones*. Plaintiff's copyrighted work is contained in each of these Paintings and has been wrongfully copied and appropriated by Prince and displayed and distributed by the other Defendants. All of the Paintings were created by Prince, displayed by Gagosian Gallery and Gagosian, and distributed by Rizzoli years after Plaintiff registered his copyright covering the Photographs.

21. Some, if not all, of the Paintings were sold by Prince or Gagosian Gallery before, during or after the Canal Zone Exhibition, and Gagosian Gallery, Gagosian and Prince all benefitted from the sales.

22. In an effort to promote the Canal Zone Exhibition, Gagosian Gallery caused to be printed in newspaper and magazine advertisements copies of the Paintings, containing infringing reproductions of images from the Photographs, including advertisements in *The Art Newspaper* and *Art Forum Magazine*. Gagosian Gallery's invitation to the opening of the Canal Zone Exhibition depicted an image of *Graduation*, the Prince Painting found on the first page of the *Canal Zone* exhibition book, which itself contains an infringing reproduction of images from the Photographs. This use of one of Plaintiff's Photographs in the invitation demonstrates the centrality of the Photographs appropriated by Prince to the essence of the Canal Zone Exhibition. Despite the centrality of the Photographs to the Canal Zone Exhibition, at no time in their press

releases, interviews or other public statements did Prince, Gagosian Gallery or Gagosian ever mention Plaintiff's name or comment on the fact that the Paintings were taken directly from Plaintiff's copyrighted work.

23. Neither Prince, nor Gagosian Gallery, nor Gagosian, nor Rizzoli ever asked for or received permission to use the Photographs.

24. After the Canal Zone Exhibition opened, Plaintiff discovered that the Defendants had infringed his rights under the Copyright Act. Through his counsel, on December 11, 2008, Plaintiff served Defendants with a cease and desist demand, outlining the relevant facts set forth in this Complaint and requiring Defendants to:

- i. Cease and desist from continuing to exhibit or distribute Prince's artwork containing unauthorized reproductions of Plaintiff's copyrighted work;
- ii. Remove all unauthorized reproductions of Plaintiff's copyrighted work from Prince's artwork;
- iii. Deliver or destroy all remaining copies of the *Canal Zone* exhibition book containing Prince's artwork that is being distributed by Rizzoli; and
- iv. Identify all of Prince's artwork containing unauthorized reproductions of Plaintiff's copyrighted work and the current location of each of such work.

25. Defendants did not comply with Plaintiff's cease and desist demand and the Canal Zone Exhibition ran through its scheduled completion date of December 20, 2008 without any corrective action being taken.

FIRST CLAIM FOR RELIEF

**(COPYRIGHT INFRINGEMENT AGAINST RICHARD PRINCE)
(17 U.S.C. §§ 106, 501)**

26. Plaintiff hereby incorporates paragraphs 1 through 25 of this Complaint as if fully set forth herein.

27. Defendant Prince, with full knowledge of the copyright protection of the Photographs, without authorization, and despite receiving a cease and desist demand, infringed Plaintiff's exclusive rights as the copyright owner of the Photographs by reproducing, displaying, and causing the Photographs to be distributed and by adapting the Photographs into unauthorized derivative works. All of the infringing conduct occurred in the State of New York.

28. Defendant Prince's infringement was willful because, as an accomplished, educated and informed artist, Prince had knowledge that his conduct constituted infringement or, at least, recklessly disregarded the possibility. Prince's willful infringement is also manifested by his disregard of the copyright notice on the copy of *Yes Rasta* that he admitted perusing and copying from. Finally, Prince's receipt of and non-compliance with Plaintiff's cease and desist demand also establishes the willful nature of his infringing conduct.

29. Prince's acts have damaged and are continuing to damage Plaintiff in an amount and to an extent as yet unknown.

SECOND CLAIM FOR RELIEF**(COPYRIGHT INFRINGEMENT AGAINST GAGOSIAN GALLERY)
(17 U.S.C. §§ 106, 501)**

30. Plaintiff hereby incorporates paragraphs 1 through 29 of this Complaint as if fully set forth herein.

31. Defendant Gagosian Gallery, without authorization, infringed Plaintiff's exclusive rights as the copyright owner of the Photographs by publicly displaying, offering for sale, and selling the Paintings; by advertising the Canal Zone Exhibition with infringing depictions of the Paintings, containing images of the Photographs, on its website and in newspaper and magazine advertisements as well as in the invitation to the opening of the Canal Zone Exhibition; and by publishing and causing to be distributed the Canal Zone Exhibition book, *Canal Zone*, which contains photographs of the Paintings, and the Photographs included within the Paintings. All of this infringing conduct occurred in the County and State of New York. With those same acts, Gagosian Gallery also contributorily and vicariously infringed Plaintiff's exclusive rights as the copyright owner of the Photographs.

32. Defendant Gagosian Gallery's infringement was willful because, as a prominent and sophisticated art gallery which exclusively represented Prince and knew of his background as an "appropriation artist" who openly boasted about copying works created by others, it knew or should have known that its conduct constituted copyright infringement or, at least, recklessly disregarded the possibility. Defendant Gagosian Gallery's willful infringement is also manifested by its disregard of the copyright notice on the copy of *Yes Rasta* that Defendant Prince admitted perusing and copying from, and by its disregard of Plaintiff's cease and desist demand.

33. Defendant Gagosian Gallery's acts have damaged and are continuing to damage Plaintiff in an amount and to an extent as yet unknown.

THIRD CLAIM FOR RELIEF

**(COPYRIGHT INFRINGEMENT AGAINST GAGOSIAN)
(17 U.S.C. §§ 106, 501)**

34. Plaintiff hereby incorporates paragraphs 1 through 33 of this Complaint as if fully set forth herein.

35. Defendant Gagosian, without authorization, infringed Plaintiff's exclusive rights as the copyright owner of the Photographs by publicly displaying, offering for sale, and selling the Paintings; by advertising the Canal Zone Exhibition with infringing depictions of the Paintings, containing images of the Photographs, on the Gagosian Gallery website and in newspaper and magazine advertisements as well as in the invitation to the opening of the Canal Zone Exhibition; and by publishing and causing to be distributed the Canal Zone Exhibition book, *Canal Zone*, which contains photographs of the Paintings, and the Photographs included within the Paintings. All of this infringing conduct occurred in the County and State of New York. With those same acts, Gagosian also contributorily and vicariously infringed Plaintiff's exclusive rights as the copyright owner of the Photographs.

36. Defendant Gagosian's infringement was willful because, as a prominent and sophisticated proprietor of numerous art galleries, including the Chelsea Gallery, who exclusively represented Prince and knew of his background as an "appropriation artist" who openly boasted about copying works created by others, he knew or should have known that his conduct constituted copyright infringement or, at least, recklessly disregarded the possibility. Defendant Gagosian's

willful infringement is also manifested by his disregard of the copyright notice on the copy of *Yes Rasta* that Defendant Prince admitted perusing and copying from, and by his disregard of Plaintiff's cease and desist demand.

37. Defendant Gagosian's acts have damaged and are continuing to damage Plaintiff in an amount and to an extent as yet unknown.

FOURTH CLAIM FOR RELIEF

**(COPYRIGHT INFRINGEMENT AGAINST RIZZOLI)
(17 U.S.C. §§ 106, 501)**

38. Plaintiff hereby incorporates paragraphs 1 through 37 of this Complaint as if fully set forth herein.

39. Defendant Rizzoli, without authorization, infringed Plaintiff's exclusive rights as the copyright owner of the Photographs by distributing the Canal Zone Exhibition book, *Canal Zone*, which contains photographs of the Paintings, and the Photographs included within the Paintings. All or most of this infringing conduct occurred in the County and State of New York. With those same acts, Rizzoli also contributorily and vicariously infringed Plaintiff's exclusive rights as copyright owner of the Photographs.

40. Defendant Rizzoli's infringement was willful because, as an experienced book publisher and distributor, it knew or should have known that its conduct constituted copyright infringement or, at least, recklessly disregarded the possibility. Defendant Rizzoli's willful infringement is also manifested by its disregard of the copyright notice on the copy of *Yes Rasta* that Defendant Prince admitted perusing and copying from, and by its disregard of Plaintiff's cease and desist demand.

41. Defendant Rizzoli's acts have damaged and are continuing to damage Plaintiff in an amount and to an extent as yet unknown.

FIFTH CLAIM FOR RELIEF

(CONSPIRACY BY PRINCE, GAGOSIAN GALLERY, GAGOSIAN, AND RIZZOLI TO VIOLATE PLAINTIFF'S RIGHTS UNDER THE COPYRIGHT ACT)

42. Plaintiff hereby incorporates paragraphs 1 through 41 of this Complaint as if fully set forth herein.

43. Defendants agreed to reproduce, adapt, display, publish, advertise, promote, sell, offer for sale, market, distribute or otherwise dispose of the Photographs and the Paintings derived from the Photographs without Plaintiff's authorization and contrary to his cease and desist demand. Defendants' willful infringement is manifested by their agreement to disregard the copyright notice on the copy of *Yes Rasta* that Defendant Prince admitted perusing and copying from.

44. Defendants' conspiracy was intended to and did deprive Plaintiff of his exclusive rights as the copyright owner of the Photographs.

45. Defendants' acts have damaged and are continuing to damage Plaintiff in an amount and to an extent as yet unknown.

WHEREFORE, Plaintiff Patrick Cariou requests judgment in his favor and against Defendants as follows:

A. That, pursuant to 17 U.S.C. § 502, Defendants, their directors, officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with

them, be enjoined and restrained permanently from infringing the copyright in the Photographs, or any other of Plaintiff's works, in any manner, and from reproducing, adapting, displaying, publishing, advertising, promoting, selling, offering for sale, marketing, distributing or otherwise disposing of the Photographs or any copies of the Photographs, or any other of Plaintiff's works, and from participating or assisting in or authorizing such conduct in any way.

B. That Defendants be required to pay Plaintiff such damages as Plaintiff has sustained in consequence of Defendants' infringements of the copyrights in the Photographs and to account for and pay Plaintiff all of the Defendants' profits attributable to such infringements or, alternatively, as Plaintiff may elect, that Plaintiff be awarded such statutory damages as the Court may find just because of Defendants' willful acts of infringement.

C. That Defendants be required to deliver up on oath for impounding, destruction, or other disposition, as Plaintiff determines, all infringing copies of the Photographs, including the Paintings and unsold copies of the *Canal Zone* Exhibition book, in their possession, custody, or control and all transparencies, plates, masters, tapes, film negatives, discs, and other articles for making such infringing copies.

D. That Defendants be required to notify in writing any current or future owners of the Paintings of whom they are or become aware that the Paintings infringe the copyright in the Photographs, that the Paintings were not lawfully made under the Copyright Act of 1976, and that the Paintings cannot lawfully be displayed under 17 U.S.C. § 109(c).

E. That Defendants pay to Plaintiff the full costs of this action, including reasonable attorney's fees under 17 U.S.C. § 505.

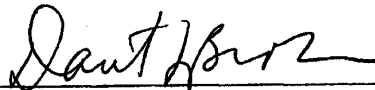
F. That Plaintiff have such other relief as is just and proper.

DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury in this action.

Dated: New York, New York
January 14, 2009

SCHNADER HARRISON SEGAL & LEWIS LLP

By: 

Daniel J. Brooks (DB-3136)

dbrooks@schnader.com

Eric A. Boden (EB-7669)

eboden@schnader.com

140 Broadway, Suite 3100

New York, New York 10005-1101

Telephone: (212) 973-8000

Facsimile: (212) 972-8798

Attorneys for Plaintiff Patrick Cariou

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

TIMOTHY CLANCY, being duly sworn, deposes and says that he is not a party to this action, is over the age of 18 years and resides in Monmouth County, New Jersey. That on the 14th day of January 2009, he served the within AMENDED COMPLAINT upon:

Richard Prince
151 Righter Road
Rensselaerville, NY 12147

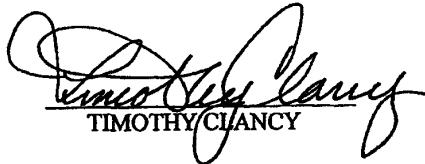
Gagosian Gallery, Inc.
980 Madison Avenue
New York, NY 10021

Lawrence Gagosian
c/o Gagosian Gallery, Inc.
980 Madison Avenue
New York, NY 10021

Lawrence Gagosian
"Toad Hall"
Further Lane
East Hampton, NY 11937

Rizzoli International Publications, Inc.
300 Park Avenue South
New York, NY 10010

by depositing a true copy of same securely enclosed in a post-paid wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.


TIMOTHY CLANCY

Sworn to before me this
14th day of January 2009


Notary Public

PATRICIA J. KEHLENBECK
Notary Public, State of New York
No. 01KE6037739
Qualified in Nassau County
Commission Expires February 28, 20 10

Certificate of Registration Additional Certificate (17 U.S.C. 706)



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

FORM VA For a Work of the Visual Arts UNITED STATES COPYRIGHT OFFICE

VA 1-301-506



EFFECTIVE DATE OF REGISTRATION

11 05 01 Month Day Year

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1 TITLE OF THIS WORK Yes Rasta Photographs by Patrick Carnou NATURE OF THIS WORK photography PREVIOUS OR ALTERNATIVE TITLES Publication as a Contribution

2 a NAME OF AUTHOR Patrick Carnou DATES OF BIRTH AND DEATH Was the contribution to the work a 'work made for hire?' Author's Nationality or Domicile Was This Author's Contribution to the Work Anonymous? Pseudonymous? NATURE OF AUTHORSHIP

2 b NAME OF AUTHOR DATES OF BIRTH AND DEATH Was the contribution to the work a 'work made for hire?' Author's Nationality or Domicile Was This Author's Contribution to the Work Anonymous? Pseudonymous? NATURE OF AUTHORSHIP

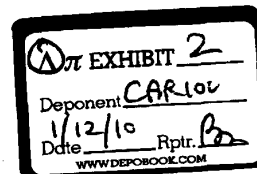
3 a Year in Which Creation of This Work Was Completed 2000 b Date and Nation of First Publication of This Particular Work Month: October Day: 15 Year: 2000 United States

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2 Patrick Carnou 78 Fifth Ave., 6th fl New York, NY 10001

APPLICATION RECEIVED NOV 05 2001 MAR 20 2002 ONE DEPOSIT RECEIVED TWO DEPOSITS RECEIVED NOV 05 2001 FUNDS RECEIVED

MORE ON BACK - Complete all applicable spaces (numbers 5-8) on the reverse side of this page. - See detailed instructions. - Sign the form at line 8

DO NOT WRITE HERE Page 1 of 2 pages



EXAMINED BY WLB FORM VA
CHECKED BY _____
CORRESPONDENCE Yes
FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION has expired for this work, or for an other version of this work, thereby bars sale in the Copyright Office?

Yes *b* If your answer is "Yes," why is another registration being sought? (Check appropriate box.) *5*

This is the first published edition of a work previously registered in unpublished form

This is the first application submitted by job author or copyright claimant

This is a changed version of the work, as shown by space 6 on this application. Year of registration: *2001*

REGULATIVE WORK OR CERTIFICATION (Complete both parts Aa and Bb for a complete recording material. Identify any protecting work or works that the work is based on or incorporates.) *b*

Essay by Perry Herzell *6*

Material added to This Work. Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. *b*
photographs

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. Account Number: *7*

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Kenneth Maxwell/CopyCenter *b*

Cara Maxima, powerHouse Cultural Entertainment, Inc
180 Varick St. Suite 1302
New York, NY 10014

Area code and telephone number: (212) 694-9074 Fax number: (212) 366-5247

E-mail: carw@powerhousebooks.com

CERTIFICATION: I, the undersigned, hereby certify that I am the author
creator of the work, owner of copyright claimant
creator of the work or copyright claimant or owner of another copy. *8*

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Signed at personal name and date: *Carla Maxima* Date: *January 12, 2001*

Handwritten signature: *Carla Maxima*

Handwritten signature: *Carla Maxima*
Name: *Carla Maxima*, powerHouse Books
Residence: *180 Varick St., Suite 1302*
City: *New York, NY 10014*
Copyright Office, January 9, 2001
9

NOTICE: If you are a foreign national, you must file this application with the Copyright Office in person or by mail. If you are a U.S. citizen, you may file this application with the Copyright Office by mail. For more information, see the Copyright Office website at www.copyright.gov. *419*

Out of respect for the privacy of the Rastas in YES RASTA, captions of names and places have been excluded

EXHIBIT 3
Deponent CARLOU
Date 1/2/10 Rptr. [Signature]
WWW.DEPOSITCOOL.COM

Daniel J. Brooks
Eric A. Boden
SCHNADER HARRISON SEGAL & LEWIS LLP
140 Broadway, Suite 3100
New York, New York 10005-1101
Telephone: (212) 973-8000
Facsimile: (212) 972-8798

Attorneys for Plaintiff Patrick Cariou

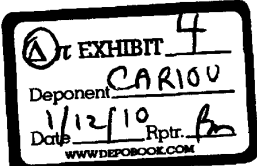
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PATRICK CARIOU, :
 :
 Plaintiff, :
 :
 -against- :
 :
 RICHARD PRINCE, GAGOSIAN :
 GALLERY, INC., LAWRENCE GAGOSIAN, :
 and RIZZOLI INTERNATIONAL :
 PUBLICATIONS, INC. :
 :
 Defendants. :
-----X

Case No.: 08 CIV 11327 (DAB)

PLAINTIFF PATRICK CARIOU'S
ANSWERS AND OBJECTIONS TO
DEFENDANTS GAGOSIAN GALLERY,
INC'S AND LAWRENCE GAGOSIAN'S
INTERROGATORIES

Plaintiff Patrick Cariou by his attorneys, SCHNADER HARRISON SEGAL & LEWIS LLP, hereby responds to defendants GAGOSIAN GALLERY, INC.'s and LAWRENCE GAGOSIAN's, (collectively "GAGOSIAN DEFENDANTS"), Interrogatories pursuant to Federal Rules of Civil Procedure 26 and 33 and Local Civil Rule 33.3. Plaintiff reserves his right to supplement his Answers and Objections to Gagosian Defendants' Interrogatories if he learns that in some material respect the response given was incomplete or incorrect. Plaintiff responds to the Interrogatories as follows:



Interrogatory No. 1

To the extent not reflected in any document produced by You in response to the Document Requests, provide the name and last known address and telephone number of each person or entity:

- a. with whom You have entered into an agreement to license any right in any of the Photographs, and for each such agreement, state the total amount of cash or in kind consideration You have received in connection with such license;
- b. with whom You have entered into an agreement to publish, distribute, market, offer for sale, or otherwise exploit, *Yes Rasta* or any of the Photographs, and for each agreement, state the total amount of cash or in kind consideration You have received in connection with such agreements;
- c. who has purchased an original or copy, in any format, of any of the Photographs, and for each such person, state the amount of cash paid or in kind consideration paid given for each such Photograph;
- d. who has knowledge or information of any aspect of the creation, publication, distribution or exploitation of the Photographs or *Yes Rasta*, and for each such person or entity state the subjects of that information;
- e. other than Your attorney with whom You have discussed the creation, exploitation and publication of the Photographs or *Yes Rasta*;
- f. assisted You or contributed to the creation of the Photographs;
- g. with whom you have discussed any allegation in the Amended Complaint;

- h. each person or entity who has asserted a claim against You that by photographing the subjects in any of the Photographs or publishing *Yes Rasta*, you have infringed or violated any right of any such person or entity.

Response No. 1(a)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that he has not entered into any agreements with any individuals or entities to license any right in any of the Photographs.

Response No. 1(b)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that he entered into an agreement with PowerHouse Books, a division of PowerHouse Cultural Entertainment, Inc., to, *inter alia*, publish, copyright and sell *Yes Rasta*. A copy of this Agreement previously was produced as a matter of initial disclosure.

Response No. 1(c)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that individuals paid for original photographs taken by Plaintiff which eventually were published in *Yes Rasta* as follows: Caroline de Maigret paid \$1,500.00 Euros per photograph for two original photographs; Nicolas Laurent Olivier Girard paid \$1,500.00 Euros per photograph for three original photographs; and Salina Hori paid \$2,000 Euros for one original photograph.

Response to No. 1(d)

Plaintiff Patrick Cariou objects to this Interrogatory on the grounds that the phrase “any aspect of the creation, publication, distribution or exploitation” is undefined, rendering the Interrogatory vague and ambiguous. Plaintiff further objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3. Without waiving the foregoing objections, Plaintiff states that Richard Foulster, proprietor of a photographic development company located in New York City, The Small Dark Room, and Paul Ritter, art director of *Yes Rasta*, assisted him in developing and compiling the photographs eventually published in *Yes Rasta*.

Response to No. 1(e)

Plaintiff Patrick Cariou objects to this Interrogatory on the grounds that the phrase “the creation, exploitation and publication” is undefined, rendering the Interrogatory vague and ambiguous, and that the Interrogatory is overly broad. Plaintiff further objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3, and is cumulative and duplicative of Interrogatory No. 1(d). Without waiving the foregoing objections, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

Response to No. 1(f)

Plaintiff Patrick Cariou objects to this Interrogatory on the grounds that the phrase “assisted You or contributed to the creation” is undefined, rendering the Interrogatory vague and ambiguous. Plaintiff further objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3. Without waiving the

foregoing objections, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

Response to No. 1(g)

Plaintiff Patrick Cariou objects to this Interrogatory on the grounds that the phrase “any allegation in the Amended Complaint” is overly broad. Plaintiff further objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3. Without waiving the foregoing objections, Plaintiff states that he discussed certain aspects of the facts underlying some of the allegations levied in the Amended Complaint with Michael Elkin, an attorney practicing in New York City, and Thierry Daher, an acquaintance residing in New York City.

Response to No. 1(h)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that no individuals or entities have asserted a claim against him in any manner related to the Photographs or *Yes Rasta*.

Interrogatory No. 2

Provide the name and last known business address and telephone number for each person or entity with whom you have been employed, or have provided photographic or other services as a contractor, consultant or otherwise during the period January 1, 2000 through the present, and for the purpose of computing categories of alleged damages, for each such person or entity state:

- a. the position held or nature of the services provided;

- b. the period in which You were employed by, or provided services to each such person or entity;
- c. whether such employment, consulting, contracting or other arrangement was on a full-time basis and if not, the number of hours worked each week; and
- d. the total amount of remuneration or in kind consideration you received from each employer or in connection with each such consulting, contractor, or other engagement.

Response No. 2(a)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that he worked with an agent operating out of New York City, Jean Gabriel Kauss, from 2003 through 2008. Mr. Kauss was responsible, in part, for obtaining employment for Plaintiff from various periodical and other business outlets during this period, including without limitation, *EADS*, *Vogue* and *The New York Times Magazine*.

Response No. 2(b)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that his professional relationship with Mr. Kauss lasted from 2003 until 2008.

Response No. 2(c)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3.

Plaintiff further objects to this Request on the grounds that it is vague, ambiguous and overly broad. Without waiving the foregoing objection, Plaintiff states that from 2003 through 2008 he worked with an agent operating out of New York City, Jean Gabriel Kauss, for variable hours each week.

Response No. 2(d)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3.

Without waiving the foregoing objection, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

Interrogatory No. 3

To the extent not reflected in any document produced by you in response to the Document Requests, provide:

- a. the date on which, and the means by which, You first became aware of the Artwork and the Canal Zone exhibition;
- b. the total amount of cash or other consideration You have received in connection with any of the Photographs and *Yes Rasta*;
- c. the date on which you first launched the website www.patrickcariou.com and the number of times the website is accessed each year;

- d. the total number of copies of *Yes Rasta* and the number of Photographs You have sold or given away each year since 2000 as a professional courtesy or marketing effort and for each copy, state the amount of cash or other consideration You received;
- e. the total amount of cash or in kind consideration you received from the sale, license or other exploitation of other Photographic work;
- f. the date and location of each exhibition of any of the Photographs and for every such exhibition state the total amount of cash or other consideration You received in connection with [sic] such exhibit;
- g. the total amount [sic] remuneration or other consideration You have received in connection with other Photographic Work;
- h. the dates on which any other Photographic Work was published, exhibited, or displayed and the location of each such exhibit or display.

Response No. 3(a)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3.

Without waiving the foregoing objection, Plaintiff states that he first became aware of the unauthorized use of his copyrighted photographs by Richard Prince in the Canal Zone Exhibition on or around November 15, 2008, when he was informed of the Canal Zone Exhibition by his friend, Francesco Solari.

Response No. 3(b)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Plaintiff also objects to this Interrogatory on the grounds that the phrase "in connection with any of the Photographs and *Yes Rasta*" is undefined, rendering the Interrogatory vague and ambiguous. Without waiving the foregoing objections, Plaintiff states that documents reflecting the information sought by this Interrogatory were produced to all Defendants on October 2, 2009.

Response No. 3(c)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

Response No. 3(d)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

Response No. 3(e)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3.

Without waiving the foregoing objection, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

Response No. 3(f)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that photographs taken by him of Rastafarians, some, if not all, of which were published in *Yes Rasta*, were displayed at the Patrick Cariou Exhibition in Galerie 213 in Paris, France from September through October of 2000.

Response No. 3(g)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

Response No. 3(h)

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Plaintiff further objects to this Interrogatory on the grounds that the phrase "any other Photographic Work was published, exhibited, or displayed" is overly broad. Without waiving the foregoing objections, Plaintiff states that he does not have information or belief sufficient to answer this Interrogatory.

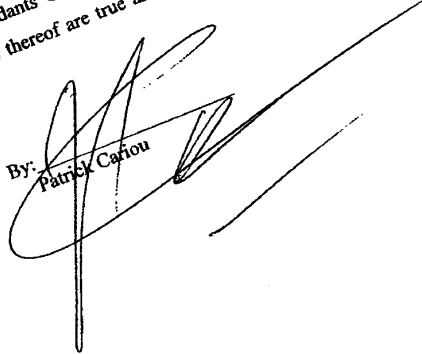
Interrogatory No. 4

Identify each person other than counsel who assisted with the preparation of, or contributed content for, Your responses to these Interrogatories.

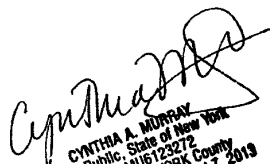
Response to No. 4

Plaintiff Patrick Cariou objects to this Interrogatory as it calls for information beyond the permissible scope of discovery as delineated by F.R.C.P. 26(b) and Local Civil Rule 33.3. Without waiving the foregoing objection, Plaintiff states that no individuals assisted Plaintiff with the preparation of, or contributed content for, his responses to these Interrogatories other than his legal representatives or those individuals or entities otherwise listed in the abovementioned responses.

I, Patrick Cariou, the Plaintiff in the within action, hereby swear or affirm that I have read the foregoing Answers and Objections to Defendants Gagosian Gallery, Inc's and Lawrence Gagosian's Interrogatories and that the contents thereof are true and correct to the best of my knowledge, information and belief.

By: 
Patrick Cariou

Dated: October 5, 2009


CYNTHIA A. MURRAY
Notary Public, State of New York
No. 021005123272
Qualified in NEW YORK County
Commission Expires MARCH 7, 2013

Dated: New York, New York
October 5, 2009

AS TO OBJECTIONS:

Respectfully submitted,

SCHNADER HARRISON SEGAL & LEWIS LLP



Daniel J. Brooks
Eric A. Boden
140 Broadway, Suite 3100
New York, New York 10005
(212) 973-8000

Attorneys for Plaintiff Patrick Cariou

TO:

Hollis Gonerka Bart, Esq.
Dara G. Hammerman, Esq.
WITHERS BERGMAN LLP
430 Park Avenue, 10th Floor
New York, NY 10022-3505

Steven M. Hayes, Esq.
HANLY CONROY BIERSTEIN
SHERIDAN FISHER & HAYES LLP
112 Madison Avenue
New York, NY 10016-7416

John B. Sherman, Esq.
WEISMAN CELLER SPETT &
MODLIN P.C.
445 Park Avenue, No. 1500
New York, NY 10022

Daniel J. Brooks
Eric A. Boden
SCHNADER HARRISON SEGAL & LEWIS LLP
140 Broadway, Suite 3100
New York, New York 10005-1101
Telephone: (212) 973-8000
Facsimile: (212) 972-8798
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

**AFFIDAVIT OF SERVICE
08 CIV 11327 (DAB)**

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Claudia P. Manchola, being duly sworn, deposes and says:

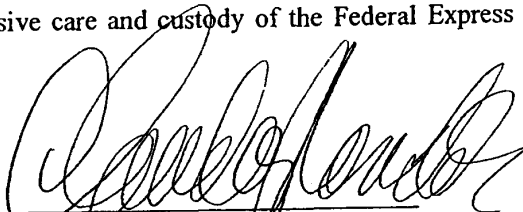
That she is not a party to this action, is over eighteen (18) years of age, resides in Queens County, Elmhurst, New York and that on the fifth (5th) day of October, 2009, she served the within **PLAINTIFF PATRICK CARIOU'S ANSWERS AND OBJECTIONS TO DEFENDANTS GAGOSIAN GALLERY, INC'S AND LAWRENCE GAGOSIAN'S INTERROGATORIES** upon:

Hollis Gonerka Bart, Esq.
Dara G. Hammerman, Esq.
WITHERS BERGMAN LLP
430 Park Avenue, 10th Floor
New York, NY 10022-3505

Steven M. Hayes, Esq.
HANLY CONROY BIERSTEIN
SHERIDAN FISHER & HAYES LLP
112 Madison Avenue
New York, NY 10016-7416

John B. Sherman, Esq.
WEISMAN CELLER SPETT &
MODLIN P.C.
445 Park Avenue, No. 1500
New York, NY 10022

by depositing a true copy of same securely enclosed in a federal express package for overnight delivery in an official depository under the exclusive care and custody of the Federal Express Service Department within the State of New York.



CLAUDIA P. MANCHOLA

Sworn to before me this
5th day of October, 2009.



Notary Public

CYNTHIA A. MURRAY
Notary Public, State of New York
No. 02MU6123272
Qualified in NEW YORK County
Commission Expires MARCH 7, 2013



RICHARD PRINCE *The Canal Zone*, 2007 Mixed media on homosote, 48 x 82 3/4 inches, (121.9 x 210.2cm) PRINC 2007.0033

GAGOSIAN GALLERY

EXHIBIT 5
Deponent CARLOU
Date 1/12/10 Rptr. B
WWW.DEPONOR.COM

A-1876

GG0083

CONFIDENTIAL



RICHARD PRINCE *The Canal Zone*, 2007 Mixed media on homosote, 48 x 82 3/4 inches, (121.9 x 210.2cm) PRINC 2007.0033

GAGOSIAN GALLERY

GG0083

CONFIDENTIAL

EXHIBIT 5
Deponent CARLOU
Date 1/12/10 Rptr. b2
WWW.DEPOBOOK.COM

A-1877

Hammerman, Dara

From: Gosheff, Laura
Sent: Friday, August 14, 2009 10:57 PM
To: 'DBrooks@Schnader.com'
Cc: 'EBoden@Schnader.com'; 'shayes@hanlyconroy.com'; 'jsherman@wscsm445.com'; Hammerman, Dara; Bart, Hollis
Subject: Gagosian Production
Attachments: Ltr to Brooks re production.PDF

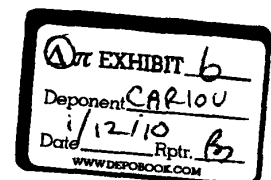
Dear Mr. Brooks,

At the request of Dara Hammerman, attached please find our letter and copies of a portion of the production we are sending you via Fedex for Monday delivery (GG0083-0114). Included in the Fedex are color copies of the attached, and additional documents (GGP000001-001265) on a USB flash stick.

Please notify us immediately if you have any problems opening the documents.

Sincerely,

Laura Gosheff | Practice Coordinator
Assistant to Hollis Gonerka Bart, Brian Dunefsky,
and Alyssa Koerner
Withers Bergman LLP | U.S. Litigation and Employment
430 Park Avenue, New York, NY 10022
T+1 212.848.9822 | F +1 212.824.4222
www.withersworldwide.com



withers Bergman ^{LLP}

430 Park Avenue, 10th Floor, New York, New York 10022-3505
Telephone: +1 212 848 9800 Fax: +1 212 848 9888

August 14, 2009

Via PDF and Federal Express

Daniel J. Brooks, Esq.
Schnader Harrison Segal & Lewis LLP
140 Broadway, Suite 3100
New York, New York 10005-1101

Re: **Cariou v. Prince, et al.; Case No. 08 CIV 11327 (DAB)**

Dear Mr. Brooks:

As discussed, please find enclosed our first supplemental production of documents bearing Bates numbers GG0083 – GG00114 and GGP000001 – GGP001265, which are being produced subject to the Protective Order entered into by the parties on July 7, 2009. Please note that we are continuing to locate and review files for responsive documents. As such, we will further supplement our production on a rolling basis.

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Dara G. Hammerman

DGH/cl

Encls.

cc: Eric Boden, Esq.
Steven M. Hayes, Esq.
John Sherman, Esq.
(Via Electronic Mail)

direct: +1 212 848 9802
e-mail: dara.hammerman@withers.us.com
admitted in New York

document number: NY23802/0005-US-792884/1
792884.1.

Withers Bergman LLP
Greenwich: +1 203 302 4100
New Haven: +1 203 789 1320

Withers LLP
London: +44 (0)20 7597 8000
Geneva: +41 (0)22 593 7777
Milan: +39 02 2906601

Withers ■■■■
Hong Kong: +852 3711 1600
www.withersworldwide.com

AGREEMENT

made this June 9, 2000
between

Patrick Carlou

(hereinafter called the Proprietor), of the one part, and

powerHouse Cultural Entertainment, Inc.
180 Varick Street, Suite 1302
New York, NY 10014

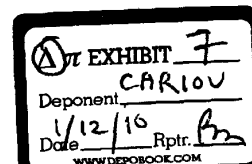
(hereinafter called the Publisher) of the other part.

*pd \$2000 #2031 6/9/00
+ pc
Tracktown print master
\$3000 #2326 12/6/00*

WHEREBY IT IS MUTUALLY AGREED AS FOLLOWS:

- 1) The Proprietor hereby grants to the Publisher the exclusive license to publish and sell in volume form, in all languages and in all territories in the world with no limited print run (world rights), the Work tentatively entitled: **Yes Rasta**, a photography book designed by Paul Ritter, in collaboration with the Proprietor and the Publisher, approximate number of pages 160, approximate number of images 107, format to be determined, (hereinafter called the said Work), subject to the terms and conditions set forth hereunder. The Proprietor warrants and represents to the Publisher that it is fully entitled to dispose of the rights licensed to the Publisher under the terms of this Agreement.
- 2) The Proprietor agrees to deliver one complete set of original artwork (pristine condition) and one working copy containing any and all captions, author texts, and necessary supplemental information in the English language, in form and substance satisfactory to the Publisher, together with any and all permissions required pursuant to Paragraph 1, and all photographs, illustrations drawings, charts, indexes, and any other materials suitable for reproduction, and all releases in form and substance acceptable to the Publisher, necessary for the completion of the Work no later than **May 30, 2000** (for mechanical preparation no later than June 30). If the Proprietor fails to do so the Publisher shall have the right to supply them and charge the cost against any sums accruing the Proprietor.
- 3) If the Proprietor fails to deliver the artwork and materials within thirty (30) days of the above date, or if any artwork or materials that are delivered is not, in the Publisher's sole discretion, satisfactory, the Publisher may terminate this Agreement giving written notice, whereupon the Proprietor agrees to repay forthwith all amounts which may have been advanced hereunder.
- 4) Within thirty days from delivery of the art work and materials the Publisher shall inform the Proprietor that the Work has been accepted or request revisions to be made within a then-to-be-agreed upon period of time. The Publisher will notify the Proprietor within thirty days from receipt of the revised art work and materials whether or not they have been accepted.
- 5) The Publisher agrees to publish, after receiving the art work and materials in conformity with Paragraphs 1, 2, 3, and 4 the said Work within eighteen (18) months of the date of this Agreement, ~~in such style and manner~~, under such imprint, and at such price as it deems suitable. The Publisher shall not be responsible for delays caused by any circumstances beyond its control. No changes in the art work or materials or the draft title shall be made without the Proprietor's consent; inadvertent alterations such as typographical errors shall not be considered breaches. However, in no event shall the Publisher be obligated to publish a Work which in its opinion violates the common law or statutory copyright or the right of privacy of any person or contains libelous or obscene matter.
- 6) Should the Publisher fail to publish the Work it accepts from the Proprietor in accordance with and in adherence to the above, within the time frame specified above, this Agreement shall terminate automatically and all rights licensed hereunder shall at once revert to the Proprietor without prejudice to any monies already paid or then due to the Proprietor under the terms of this Agreement and/or as damages.
- 7) The Publisher shall pay to the Proprietor the non-returnable sum of \$6,000 (six thousand U.S. dollars), one-third payable upon signature of this Agreement, and two-thirds upon publication to **Hervé Morel**. Such sums are to be in advance and on account of the following royalties payable from the full retail or subscription price less sales tax, VAT, Mehrwertsteuer, TVA, IVA of each and every copy of the said Work sold by the Publisher:

(18)



6% up to and including 5,000 copies;
 7.5% on 5,001 through 10,000 copies;
 10% thereafter

for the first and subsequent editions to an account to be named by the Proprietor.

8) Special sales royalties:

- a) The royalty for copies sold directly to consumers through mail order shall be 5% of the amount received;
- b) The royalty for copies sold to special sales outlets, defined as sales conducted at a 55% discount or higher, shall be 5% of the amount received.

9) No royalty shall be paid on copies sold below or at cost including expenses incurred or furnished gratis to the Proprietor, or for review, advertising, sample or like purposes.

10) The Publisher shall have the right on behalf of the Proprietor, in consultation with him but without its consent, to dispose of and execute the following subsidiary rights in the said Work in the territories mentioned in Paragraph 1, and the gross proceeds from the disposal of such rights shall be shared between the Proprietor and the Publisher as follows:

- | | | |
|---|--------------------|-------------------|
| a) First and pre-publication serial rights: | the Proprietor 50% | the Publisher 50% |
| b) Second and subsequent serial rights: | the Proprietor 50% | the Publisher 50% |
| c) Book club rights: | the Proprietor 50% | the Publisher 50% |
| d) Anthology: | the Proprietor 50% | the Publisher 50% |
| e) Paperback rights if sold to a third publisher: | the Proprietor 50% | the Publisher 50% |
| f) Paperback royalties if sold under the Publisher's own imprint: 7% for all editions, 5% for copies sold directly to consumers through mail order. | | |

11) All licenses for reprint of the Work in complete form entered into by the Publisher shall expressly prohibit the licensees from making any alterations in the text of the Work, unless such alteration is consented to by the Proprietor in writing. Inadvertent alterations such as typographical errors shall not be considered breaches.

12) The Publisher shall supply the Proprietor with a copy of all subsidiary rights agreements and licensees' royalty statements, as and when received, if so requested. Any amount in excess of \$2,000 due by the Publisher to the Proprietor under the terms of Paragraph 10 shall be paid out by the Publisher to the Proprietor within ninety (90) days of receipt.

13) The Proprietor may, upon written request, examine the books of accounts of the Publisher insofar as they relate to the Work. Such examination shall be at the Proprietor's expense unless errors of accounting amounting to twenty percent (20%) or more of the total sums accrued to the Proprietor shall be found to the Proprietor's disadvantage, in which case the reasonable cost of the examination shall be borne by the Publisher and payment of the amount due shall be made within ninety (90) days thereafter.

14) The Publisher shall furnish to the Proprietor at his request dates of first and subsequent printings; total number of copies shipped as of the end of the reporting period; the number of copies sold with details as to type of sale, including the number of foreign sales, royalty rates and discount; the number of copies returned and the number of copies or amount of royalties held in reserve against returns. Publisher further agrees to require the same information from reprint publishers, book clubs or other licensees of subsidiary rights in the Work. Publisher also agrees to supply the Proprietor with a final statement of accounting incorporating information required in this provision, upon termination of this Agreement.

15) It is further agreed to by the Proprietor that the Work will be utilized as the exclusive catalogue of exhibitions planned in said territories for a period of four (4) years following first publication of said Work, and that it will take no steps and enter into no agreement which will impair the provisions of this Paragraph.

16) The Proprietor represents and warrants to the Publisher that:

- a) the Proprietor is the sole author of the said Work and the sole owner of all rights granted herein to the Publisher, and that it has not previously assigned, pledged or otherwise encumbered the same, and that it has full power to

convey such rights and enter into this Agreement;

- b) the said Work is original, has not been previously published and is not in the public domain;
- c) the said Work does not violate any right of privacy, is not libelous, obscene, or contain other unlawful matter;
- d) the said Work does not infringe upon any statutory or common law copyright or violate any other rights of any person; and
- e) all releases necessary to permit publication of the Work have been obtained and are in full force and effect.

17) In the event of any claim, action, or proceeding against the Publisher based upon an alleged violation of any of the foregoing representations and warranties, the Publisher shall have the right to defend such claim, action or proceeding through counsel of its own choice and to make the Proprietor a party, in which no settlement shall be effected without the prior written consent of the Proprietor, which consent shall not unreasonably be withheld, and that:

- a) the Publisher shall notify the Proprietor promptly of any such claim, action or proceeding, and the Proprietor shall cooperate fully with the Publisher in defense thereof. The Publisher may withhold reasonable amounts due the Proprietor under this or any other Agreement between the parties for the cost of defense or amounts paid in settlement;
- b) the Proprietor shall hold harmless the Publisher, any seller of the Work, and any licensee of a subsidiary right in the Work, against any damages finally sustained. If such claim, action or proceeding is successfully defended or settled, the Proprietor's indemnity hereunder shall constitute one hundred percent (100%) of the expense, including reasonable counsel fees and disbursements, attributable to such defense or settlement, including claims, actions or proceeding based on copyright infringement;
- c) these warranties and indemnities shall survive the termination of this Agreement, and
- d) any alteration to the limitation of the full indemnity contained herein shall be contingent upon successful solicitation of insurance coverage for the Publisher's activities, and shall be the subject of a separate side Agreement. In addition, should the Publisher fail to solicit an adequate amount of insurance coverage, the Publisher shall have the option of being released from this Agreement and from any obligation to publish the Work without prejudice to previously executed warranties or those remaining. Should this occur, the Publisher shall be entitled to all funds advanced in Paragraph 7.

18) The Publisher shall render a detailed account of all sales of the said Work twice a year, to the 31st day of December and the 30th of June in each year, and it shall deliver said statement together with any amounts due within ninety (90) days thereafter.

19) Any translation of the said Work, if done by the Publisher, shall be executed to the best of the Publisher's ability. Any significant editorial deviations by the Publisher from the English language edition made for design reasons shall be made only with the written consent of the Proprietor.

20) Seventy (70) free copies of the first edition shall be provided on publication to the Proprietor. The Proprietor shall have the right to buy additional copies for its own use at a discount of 50% (fifty percent) from the retail price.

21) The name of the Proprietor shall appear in its customary form in due prominence on the title page, cover and binding of every copy produced and all advertisements of the said Work.

22) The Publisher shall be the exclusive producer of this Work. The sales of the said Work to other exclusive territorial publishers are subject to separate Agreements. In all territorial publications the Publisher may be credited as desired.

23) All rights not specifically licensed under the terms of this Agreement or not in existence at the time of this signature of this Agreement are reserved by the Proprietor.

24) The Proprietor hereby grants the Publisher first option for the Initial Term of this Agreement, as in Paragraph 26 and regardless of earlier termination on part of the author, on all future licenses and rights to publish, package, or distribute said Work or any future book project in any extant form, and in any form not yet invented, including, but not limited to, audio books on magnetic tape or on compact disc; electronic publishing forms, comprising, but not limited to digitized text, video, images or stills, and audio in the form of a CD-ROM or similar type of product; and any and all methods of electronic or digital storage and transmission, other than as specified herein.

25) Should the Publisher pass on first option, and should the Proprietor receive a bona fide third party offer, the Proprietor shall give the Publisher fifteen (15) days with which to match said offer and reach a separate Agreement.



26) This Agreement shall be valid for an initial period of ten (10) years after the date of first publication of the said Work in the first language, constituting the Initial Term. It shall remain in force thereafter, indefinitely. Subsequent Term, as long as the Publisher shall annually sell and account for two hundred (200) copies of the said Work in its trade edition.

27) Should the Publisher fail to sell the number of copies of the said Work specified above after the Initial Term, then this Agreement shall be deemed cancelled and all rights conveyed herein shall at once revert to the Proprietor.

28) If at any time during the Initial Term specified above the said Work shall go out of print with the Publisher, (to the extent of it selling fewer than two hundred (200) copies of its trade edition, in or off the market, then and in such event the rights granted to the Publisher herein shall be deemed terminated, and the Proprietor shall be at liberty to dispose of such rights at his full discretion, unless the Publisher, upon being served with six weeks advance notice, confirms its intention in writing to reprint the said Work within six (6) months of such notice. The Publisher shall reserve the right to continue sales of existing inventory after the expiration of the Initial Term and any Subsequent Term or after the rights have reverted to the Proprietor, until such supply is exhausted.

29) However, if the Publisher's own trade edition is out of print at the end of the periods as defined above, this Agreement shall remain valid for such additional periods but no longer as have that date been granted by the Publisher to book clubs or mass market paperback firms for the sale of their licensed editions of the said Work. Such periods are not to exceed five (5) years from the date of the Publisher's Agreement for such licensed edition. After such licenses have expired, all rights will revert automatically to the Proprietor.

30) In the event of the sale of copies as a remainder, the royalty to be paid to the Proprietor shall be ten percent (10%) of the net sum actually received by the Publisher, on the condition, however, that the Proprietor receive prior written notice and the sale is not effected below cost, but the Publisher shall not remainder any copies of said Work before two years after its first publication of said Work. The Proprietor shall have the right to buy copies of the said Work in English at the Publisher's remainder price.

31) The Proprietor agrees that during the term of this Agreement it will not without written permission of the Publisher publish or permit to be published any material, in book or pamphlet form, based on material in the Work. The Publisher reserves the right to require title credit from the Work on all such publications.

32) For publicity purposes the Publisher shall have the right to publish or permit to be published or to be broadcast by television or by radio, or through on-line services, without charge or royalty, such selections from the Work as in the opinion of the Publisher may benefit its sale. The Proprietor and the Publisher will agree on ten (10) photographs from the Work for publicity. Said photographs shall require the Proprietor's permission to be so disseminated.

33) The Publisher reserves the right to include selections of its publishing programme as advertising in the Work, and to authorize appropriate advertisements in third party Works, subject to Proprietor's approval, including names and logos of potential sponsors.

34) In the event of the Publisher becoming insolvent or being declared bankrupt or made subject to similar measures or violating any clause of this Agreement, except clauses five (5) and twenty-six (26) through twenty-nine (29) inclusive, which provide for the automatic termination of this Agreement in case of violation, and failing to rectify such violation within one month of having received written notice from the Proprietor and/or from their agent to do so, this Agreement shall automatically become of no further force or effect, and the license granted to the Publisher herein shall at once revert to the Proprietor without prejudice to the Proprietor's rights of recovery of any sums due them under the terms of this Agreement and/or damages.

35) The Publisher shall copyright the text and the individual photographs in the name of the Proprietor in the United States of America and shall have the option of doing so everywhere else in the world, in compliance with the Universal Copyright Convention, and shall apply for all renewals of such copyright. The Publisher may at its option copyright the Work in its publication compilation. The Proprietor agrees to cooperate with the Publisher and sign such documents as may be required to obtain full copyright benefits, including by way of example, renewal rights or a short form document of transfer for recording in the Copyright Office.

36) No party hereto shall have the right to assign any role of its rights hereunder without the prior written consent of all parties involved, except the Publisher shall have the right to assign its rights to royalties or any other income right without


consent to any party of its choosing.

37) The contents of this Agreement shall be ruled, governed and interpreted according to the laws of New York state, without regard to its principles or conflict of laws.

AS WITNESS BY BOTH PARTIES:

For the Proprietor

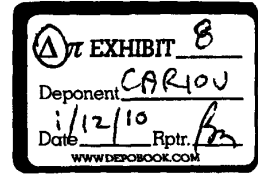
For the Publisher


Patrick Carou
SSN: **REDACTED**


Daniel Power
powerHouse Cultural Entertainment, Inc.

Riders:

A) The Publisher may at its option work with the Proprietor to produce a Limited or Deluxe Edition of the said Work, the proceeds of which will be used by the Publisher to offset certain expenses incurred with trade edition, such as high quality separations, deluxe binding materials, special paper, large or unique format, and the like. Such sales will be exempt from royalties. The Proprietor will be entitled to a portion of this Limited or Deluxe Edition gratis, as comprised of Artists' Proofs (used to identify copies of the edition not for sale, for use by the artist or artisans involved in the Edition).



HIGH UP in the mountains and the forests resides the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there, in Babylon

The Babylon system, in which NOTHING is free.

In the 1940s, in the hills just north of Spanish Town in St Catherine, Jamaica, a man named Leonard Howell ran a community called Pinnacle, where he founded the Rastafarian movement

On the one hand Howell was a travelled man of the world, a business man with an office in Kingston; on the other hand he provided a place where Rastas could live and work in peace

In those days no Rasta could board a bus or enter a shop. Most people reacted to the presence of a Rasta in their midst with the apprehension they might feel towards a ragged beggar. Or worse, a ragged beggar who was also a lunatic.

A Rasta friend once described his astonishment at meeting a post-Marley locksman and realizing for the first time that locks could be a style, one that didn't invite rejection. The old man found this so hard to believe because he had experienced nothing but scorn from everyone but another Rasta his whole life.

For the most part Rastas from Pinnacle didn't wander far from home in those days, but those who did felt like John the Baptist in Galilee: so wild looking were they, covered in dust from the unpaved roads, that children would run from the sight of them. They projected the humility of the social outcast but bore the high stride of a visionary on the move, till they got back to the refuge that Leonard Howell had created at Pinnacle, where there was water for washing, natural food to eat, herb to smoke, and meditation to share.

The prime effect of ganga is to loosen the conditioning of the mind, and as the citizens of Pinnacle sat and reasoned together, they turned the many doctrines of the day upside down, ideas accepted as gospel. Far from accepting white supremacy in the days of the British Empire, the Rastas not only refused to acknowledge the English king, they identified an African king whom they began to

worship, and whom they predicted would halt the advance of Europe into Africa, a prophecy which came true. Ras Tafari Makonnen, crowned Emperor Haile Selassie I, was revered as the Conquering Lion of the Tribe of Judah, King of Kings, and could claim direct descent from David and Solomon, Kings of the chosen people.

But while the Rasta might be able to quote chapter and verse to justify his beliefs, any young British civil servant, had they served in India, would have confirmed that the Rastafarians in Jamaica in the late forties and throughout the fifties were treated much more like untouchables than like Hindus. Pinnacle was raided and destroyed, Howell was sent to the lunatic asylum, and the scattered Rasta brethren went to live in a slum called Dungle along the waterfront on the outskirts of Kingston. Here too they were bulldozed out of their shacks to become "wolves in sheep's clothing" or "rent-a-dreads" at sunsplash concerts on the beach at Negril. But many became skilled craftsmen, artists, singers, and musicians. Some became businessmen, and some preachers, even religious fanatics. But these are not the Rasta that Patrick Cariou sought out with his camera. He searched for and found the brethren who left Pinnacle and headed for the hills.

In the mountains of Jamaica their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion, where almost everything is free, the air is pure, the earth is rich, rainfall is abundant, and where one can build a bamboo home big enough to house the largest family. Here is where they can grow the best food and ganja in the world, and meditate in the way good herb often brings, thinking about what it's like living in Babylon, where nothing is free or unpolluted.

As a Rasta farmer says, "When you consider that when God give you a seed it will produce a thousand more seeds if you care for it, but when Babylon sell you a seed you still need chemicals to grow it—drug addiction! And now they bring seed that give you back no seed at all! Not even one much less a thousand!"

One of the several conceptions that Rasta established decades ago, before it became widespread, was the idea of *ital* living as living the natural life. Rastafarians knew instinctively that pesticides were poison, that fertilizer inducing false growth was unnatural, and that to place oneself

at the mercy of synthetics without control of the source of supply was dangerous. They also knew that herbs and medicines extracted from roots and plants could cure more than the body: they could sustain a physical and spiritual strength unknown to those addicted to mass-produced food. Long before the ecological movement and the "Greens" took up the cry, Rasta was preaching the *ital* way of life as an article of faith, and invented a vocabulary to express it.

Opposed to the *ital* way of living and the concept of Zion is Rasta's concept of Babylon.

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon was where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that mankind began to drift away from dependence on God to a dependence on the material items that Babylon had to offer.

Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world, more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand, swelling Babylon, making it more desperate and greedier than ever.

Nuclear threat, industrial pollution. .it's obvious to Rasta the highest authority is guilty of the greatest crime, that for the most part rulers are a criminal class, and—needless to say—the ruling class regard those with a meditating mind as due for some serious discipline.

Babylon is not just a word to Rasta.

Babylon is not merely an idea, an abstraction for Rasta.

For Rasta, Babylon is a brutal reality.

caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many others have to live all their lives.

Most of those heads bowed in captivity are not bowed in shame, but in thought

Tens of thousands and hundreds of thousands and millions all over the world, their bodies in chains, their heads bent in captivity for having the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling them they must give over their freedom to fulfill some ridiculous fantasy of maniacal devising

The function of Babylon comes from the conditioning of minds crippled with dogma. The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists.

For Rasta, the keeping alive of *ganga* in the world, known to them as herb, is a holy mission. What else has helped as much as the spirit of herb to bring together people all over the world, united in an experience and state of mind which encourages mankind to see and name and confront evil? What else has enabled countless millions to float over the divisions that divide mankind, leaving behind the prejudice that has kept them penned up in their own little corners? What else has urged so many to think and act in the spirit of one consciousness?

We have one world trade and one world communication systems, but what we really need is one world justice system, it can be either a simple design worthy of universal respect or a monster of debate and petty legalism. *De minimus non curat lex*.

If you can be put in jail for *ganga* anywhere in the world, why not two hundred lashes for adultery, or ten years in the penitentiary for meditation? If one world justice system strengthens petty law instead of

universal freedom, the next century will be a long descent back into an electronic dark age, like the history we've just emerged from, when rulers ruled through their minions and everybody else was a slave to their whim and fancy, held in the grip of one dogma or another for as long as anybody can remember

World justice must not crush the innocent, and in places like Jamaica today there is a vast threat to illiterate intelligence. It was understood for thousands of years that intelligence gained firsthand from experience was at least as valuable as knowledge learned secondhand from books. When one considers that much of the progress of mankind over the ages was made by people who couldn't read and write, it is outrageous that dozens of petty bureaucracies would cause a man or a woman to lose their livelihood from the inability to fill out a form. Not all the Rastas are illiterate, by any means, but it is not disputed by many that illiterate intelligence is the most profound, as it is learned from organic experience.

There has been no growth in the economy of Jamaica for the past 25 years. The effect has been one of increasing desperation, violence, and division for the ambitious. The result has been that the assumptions of the middle class have been shattered while the strengths of the simple Rastafarian life have become more evident with each passing year.

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica stand tall and preach repentance to the self-righteous.

I remember as a child of eight riding my horse to a building site where Rastas from Pinnacle were working to build a house, and meeting with maybe 20 of the two hundred or so Rastas in the world. They made sandals out of old tires, and they looked as though they were straight out of the Old Testament. They talked to me about the bible because in those days I loved bible stories, and the Rastas knew their stories forwards and backwards. They looked ferocious, but in fact were very friendly to the little white boy on a horse.

I have lived to see Rasta spread around the globe. Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, colors, and concerts. Rasta satellite broadcasts. Rasta as a worldwide movement. I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa, Brazil. Rasta is now all over the whole world

The amazing thing is how fast it happened, how easily it happened How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology.

Bob Marley held a concert outside of Paris—one of the most ancient capitals of one of the world's strongest religions—and he pulled more people together to hear him sing his "Songs of Redemption" than assembled for the Pope on any day.

Why did it happen?

Because Rasta doesn't represent just Rasta; Rasta is a banner for a spirit worldwide.

The spirit of freedom, the spirit of pride, whether you're rich or poor.

The spirit of relaxation.

The spirit of speculation.

The belief of unification.

The spiritual home for this is still rooted in the mountains of Jamaica in these strong simple people.

Yes Rasta

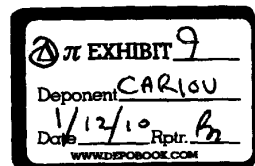
One Love

PERRY HENZELL

First of all, thanks to the Rastas in this book for allowing me into their lives and showing me what rightfulness and strength is all about.

Thanks to:

Siobhan Zutumer for sharing her love of Jamaica;
Lisa Schnepf for showing me the way;
Daniel Power and Craig Cohen for their commitment to beautiful photography books;
Hervé Morel for his unconditional support,
Marie Gerard and Lisa Scheubel from Adidas, France;
Francesco Solarì for his perspective on the art world;
Manon de Beaupré for her belief,
Richard Foulster and Jessica Palazzo for their persistence and beautiful prints;
Laurent Le Moing and David Hazan;
Tom Palmer for being part of the project;
and of course to my friends for putting up with me



YES RASTA

In the mountains of Jamaica, their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free, the air is pure, the earth is rich, the rainfall is abundant, and miners can even build a brick house home big enough to house the biggest family. Here is where they can grow the best food and herbs in the world, and meditate in the way good herb often brings, talking about what it's like living in Babylon, where nothing is free or once used.

Babylon is not just a word to Rasta.

Babylon is not merely an idea for Rasta.

For Rasta, Babylon is a brute reality.

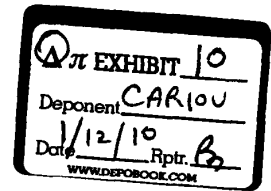
Most people cover and hide under the assault of the Babylonian forces of the world, but the Rastas in Jamaica stand tall and preach resistance to the so-frightful.

PERRY HENZELL

Not placid with the events, a true wonder photographer Patrick Carrou—whose first book, *Spirits, Gods, and Magic Plants*, is due in Jamaica in search of Truth, he found it in the mountains of the mountains Rastafarians, a culture, though highly mythologized, close to our doors. Carrou she worked, slept, and took herb with the Rastafarians and their families, and began to know them and their incredibly pure way of life, the system of knowledge.

The Rastafarian, for whom Babylon is diametrically opposed to the rest of life, found a kindred spirit in Patrick. These Rastas, who have never been accurately depicted, allowed Carrou to photograph them.

In *Yes Rasta*—the picture book by Carrou and Patrick Carrou—classical photography reveals a strong, simple, and honest style and art that is as distinctive as the Rastafarians themselves. Those who have left the modern world of Babylon behind, seeking their own independence, their own truth, their own peace, the Rastafarians. Mediterranean people whose lives are intertwined with the tropic landscape, and ancient rituals, symbols, religion, philosophy, metaphysics, agriculture, family structure, and remarkable strength make the definitive statement of self, culture, and spirituality.



YES RASTA

Patrick Carrou is a photography and film photographer whose first book, *SURFERS* (with House Books, 1993) was described by *Vanity Fair* as "astonishingly beautiful." Carrou, for Carrou, was "exuding beauty and pure madness." Carrou lives and works in New York.

Perry Henzell is best known as the producer of the classic cult film *The Harder They Come*. Born in Jamaica of West Indians going back several generations, Henzell began his career working for the BBC. He established the TGA studio in Kingston, the first film studio in Jamaica, and made over 200 commercials in the 60s. He is also the author of the novel *Positive Gains* and the soon-to-be-published historical novel *Guns*. Henzell is currently casting *The Harder They Come II*, and lives in Kingston and Treasure Beach, St. Elizabeth.

Paul Ritter is a former art director of *Colors* and creative director of *Life* and of *Virgin Records* in Paris. He recently founded his own independent magazine and art project *Whatever*. Ritter currently spends most of his time directing music videos, recording music, and working on a screenplay at home in New York.

A-1894

**YES
RASTA**

GGP0043127

A-1895



GGP0043128

A-1896



GGP 0043129

A-1897



GGP 0043130

A-1898



GGP 0043131

A-1899



GGP0043132

A-1900



GGP 0043133

A-1901



GGP0043134

A-1902



GGP 0043135

A-1903



G6P 0043136

A-1904



GGP 0043137

A-1905



GGP0043138

A-1906



GGP 0043139

A-1907

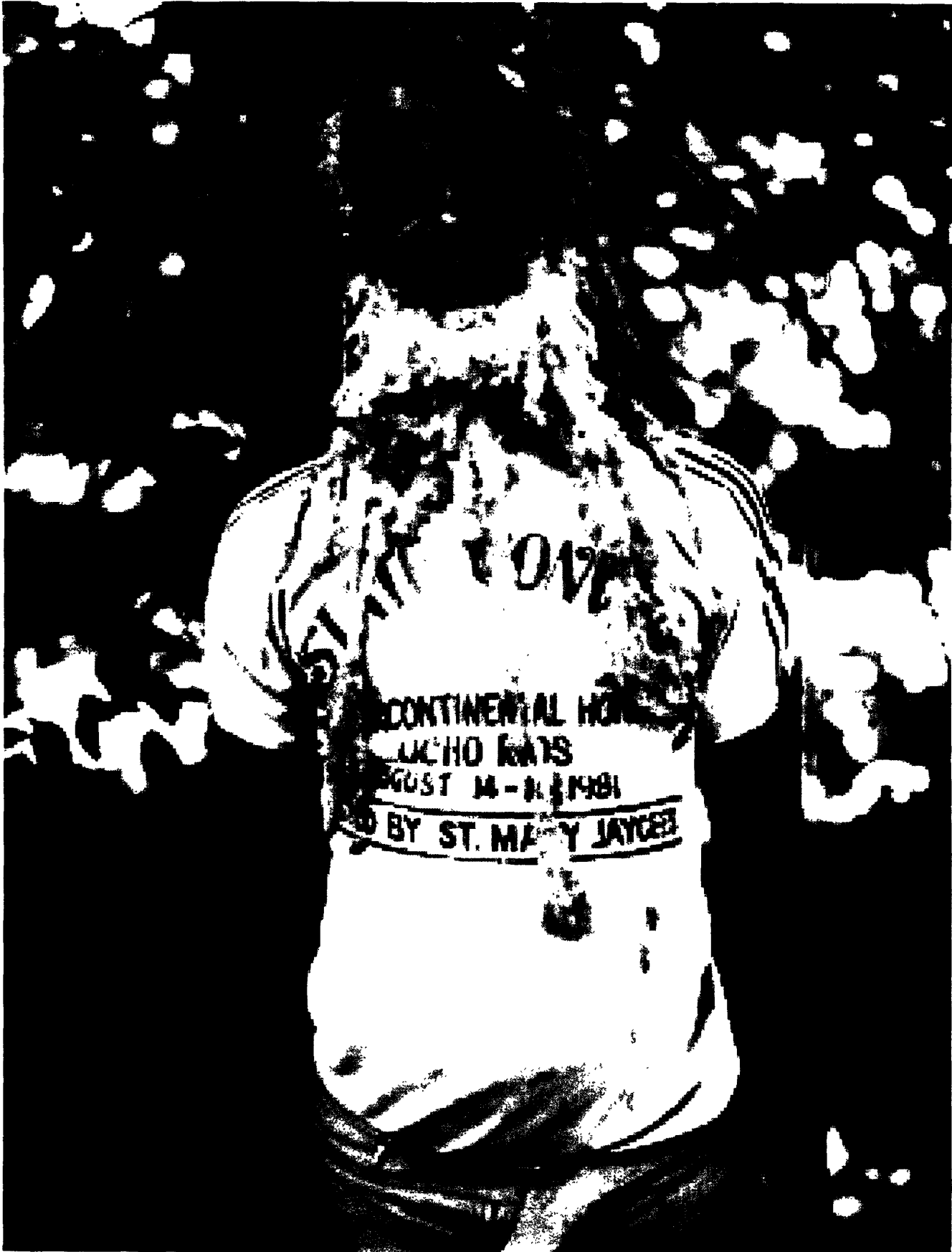


GGP 0043140

A-1908



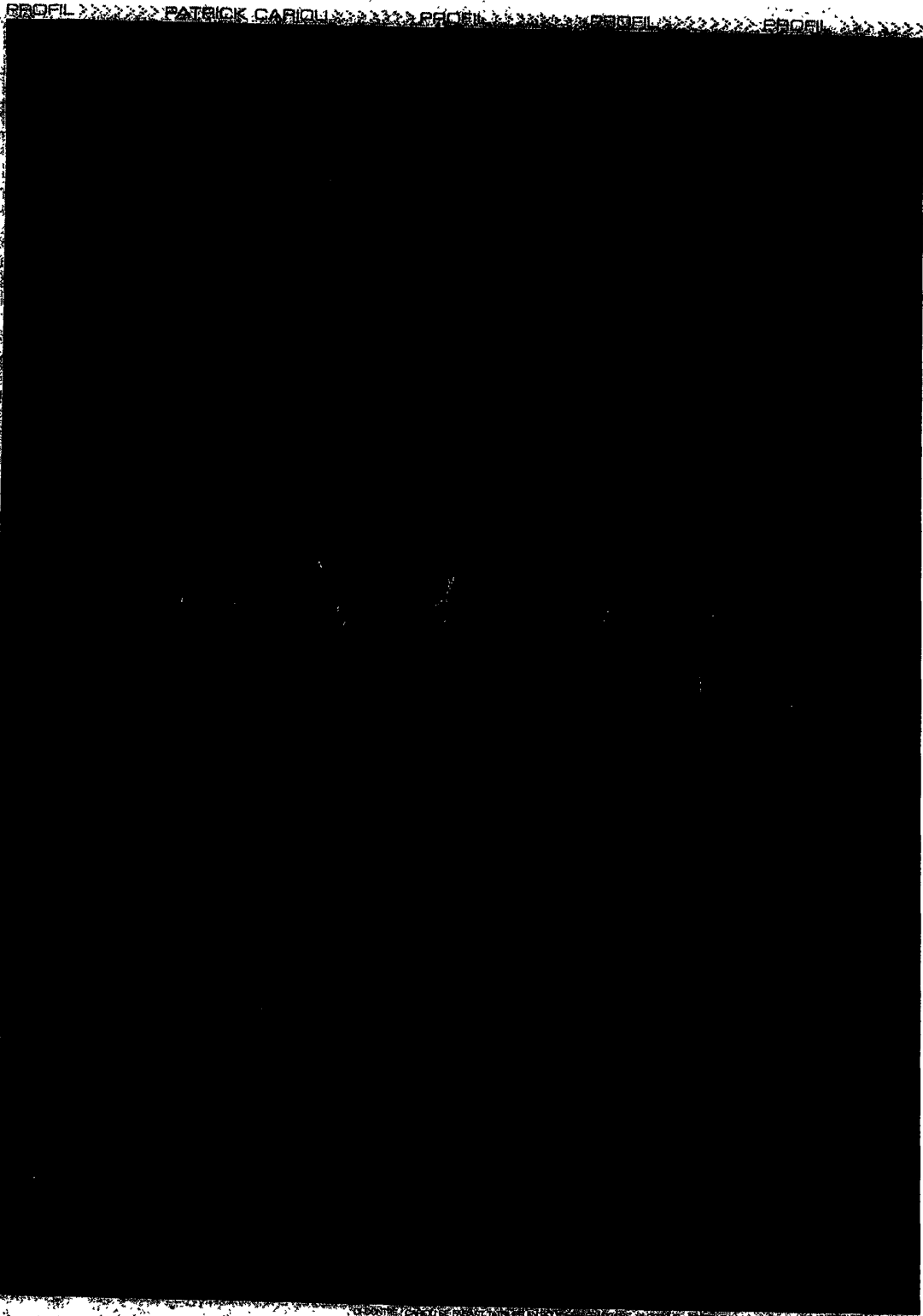
GGP 0043141



A-1910

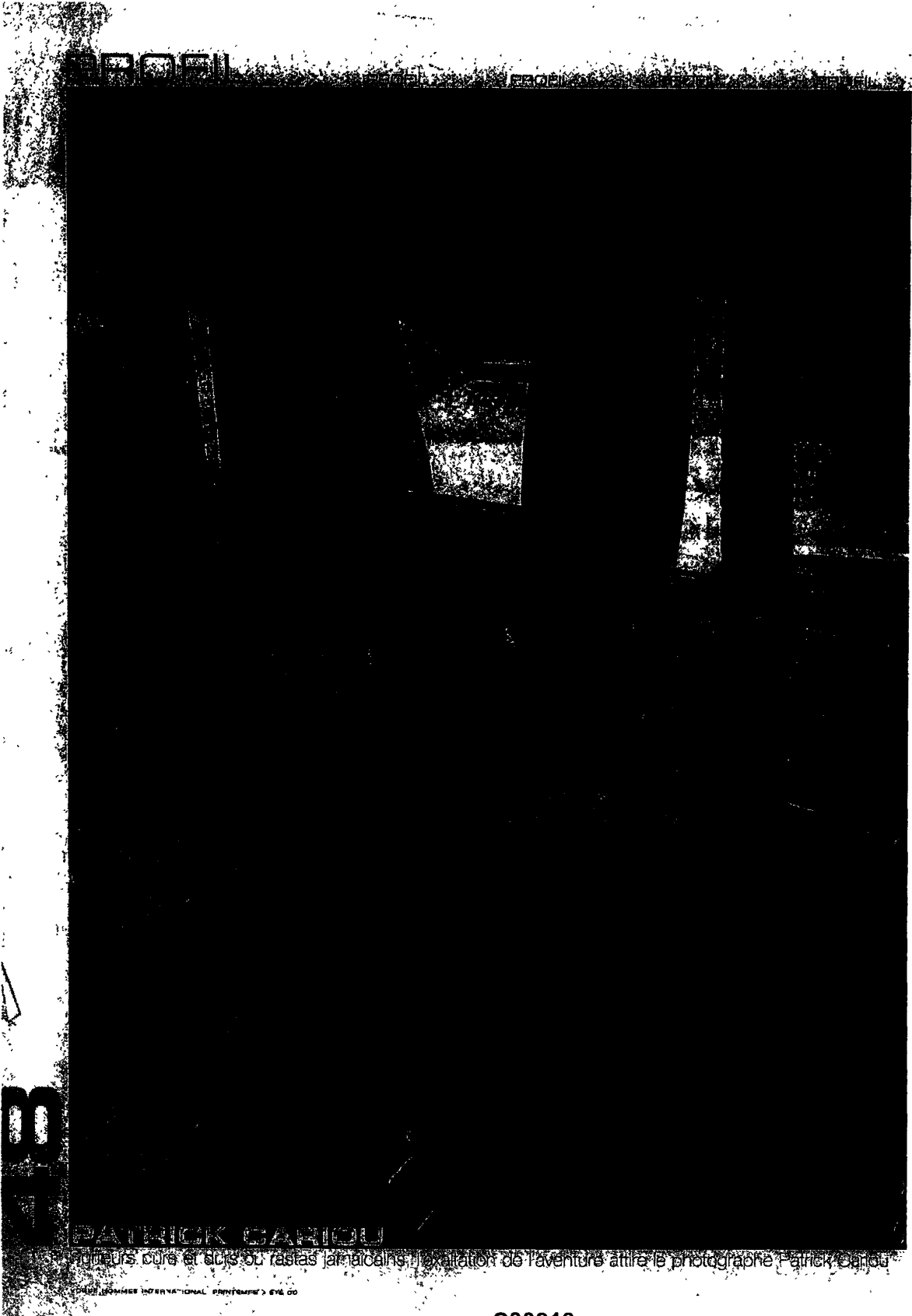


GGR 0043143



Ⓛ EXHIBIT 12
 Deponent CARIOU
 Date 1/12/10 Rptr. BM
 WWW.DEPOBOOK.COM

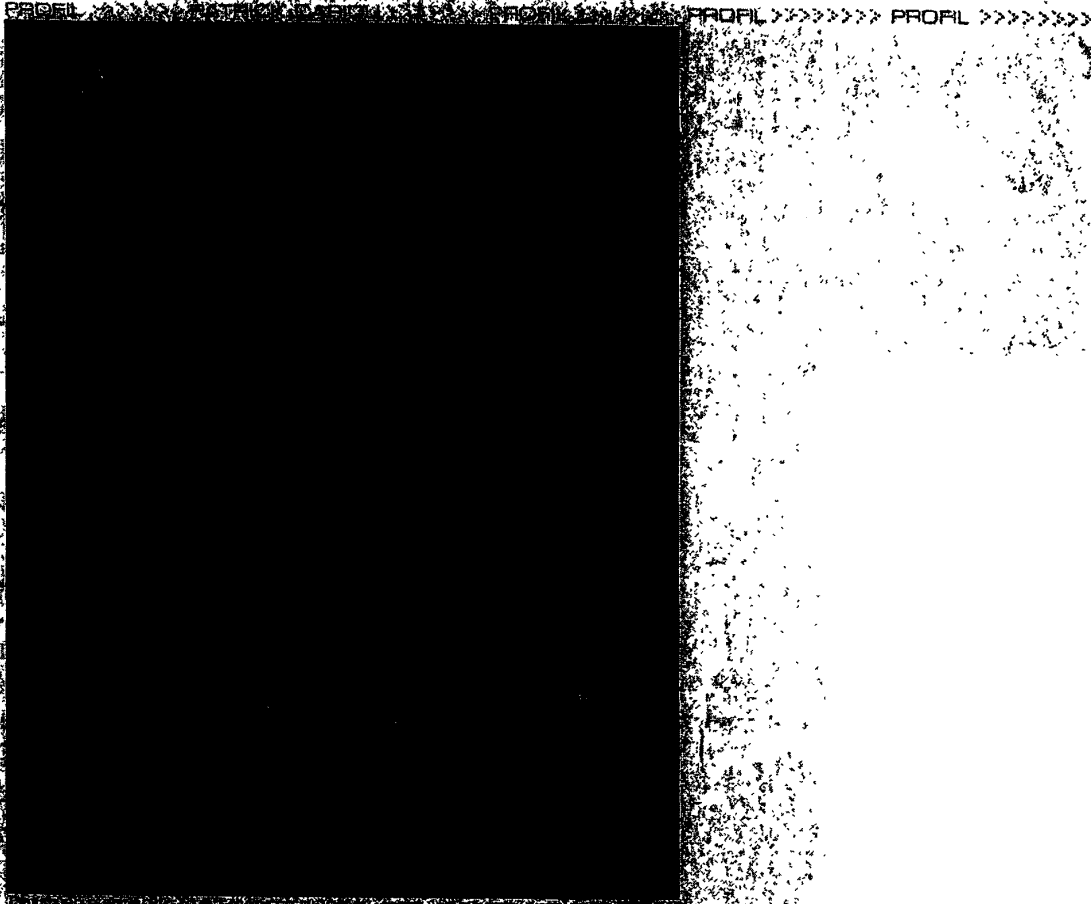
C00218



PATRICK CARIQU

hommes purs et sûrs ou rastas jamaïcains, l'excitation de l'aventure attire le photographe Patrick Cariou

LES HOMMES INTERNATIONAL PRINTemps 2000



Dans le chaos ou même
 les endroits les plus éloignés de
 la planète, se jouaient des éva-
 lions palpitantes de vies, la photo-
 graphie Patrick Carou pouvait
 saisir les pensées démodées sans
 sa voir les choses en l'éven-
 ture, la quête de l'inconnu de
 l'expédition. Yves Bastia, son nou-
 veau livre de portraits, est né de
 son amour du regard et de son
 attachement à la vie de ses
 modèles, mais il a entraîné
 Carou, trente-sept ans, dans un
 monde qui aurait pu être au li-
 cence, la vie. Pour photographier
 les habitants, il s'est mis à l'école
 de la langue, il a appris à se
 déplacer dans les lieux les plus
 reculés, et il a dû attendre
 une chose qu'il devait se prouver

à lui-même. « Un de mes amis
 dit que ma "névrose artistique"
 est motivée par l'envie ou les
 sentiments, une poussée d'adrénaline.
 La dernière, c'est de la pure
 folie, même sans être en quête,
 c'est l'un des endroits les plus
 dangereux de la planète. »
 Si Carou présente son premier
 livre, *Sortes*, comme un « essai
 ethnologique », Yves Bastia offre
 une évocation visuelle forte
 de la réalité sociale, politique et de
 la lutte existentielle. Ces livres
 au mouvement sont, finalement,
 Carou, qui ne se contente
 pas de faire un portrait, mais
 nous fait entrer dans le monde
 des photographes clandestins,
 comme Edward S. Curtis et Paci-



ml, 43.22.82 23

daily arrivals stores get newsletter radio info

login account wishlist

TURNTABLE

Homebase Equipment MP3 Vinyl/CD/DVD Clothing Books&Design Blog

all sections SEARCH

view cart checkout

books photography books // Patrick Cariou Yes Rasta Book

item detail page go back



scroll right for more views

Patrick Cariou Yes Rasta Book

lab price \$35.00 \$69.99 list price \$85 item #

add to cart

wishlist share

email a friend

the lab review

Hands down the best photography I've seen of Jamaica's rasta community. These photographs concentrate on the bobo dread villages in the hills, where rasta communities live more or less self-sufficient life styles. There's so many places this project could go wrong, but Patrick Cariou is one of those rare photographers who's mastered the tight rope walk of pop appeal and documentation. He comes from a fashion background, so his pictures are naturally striking and often beautiful, but it's the way that he treats his subjects that really makes the difference. Even with the most outrageous portraits (here that usually translates to huge spliffs, men in the hills with impossible nests of dreadlocks, etc), you never get the feeling that he's pointing fingers, patronizing or in any way intruding on these people. Beautiful photography any way you scrutinize it, and an essential tribute to rasta culture for those interested. 12" x 10", 176 pages

reviewed by the mgmnt 09/13/2006

filed under

photography books

view category

photography books // Patrick Cariou Yes Rasta Book

go back view cart checkout

your email JOIN LIST view sample



- about the lab money studies records contact us gift certificates lab twitter lab facebook twelve for monday wednesday newsletter friday clothing report advertise on the lab digital faq submissions

MOST POPULAR LAB SEARCHES

- equipment technics turntables rane serato rane mixers shure cartridges dj headphones wesc headphones digital djing m-audio

- music money studies mad decent + diplo fool's gold + a-trak stones throw truth & soul dfa rong the rub + ayres + t&a

- clothing enjoi 10 deep burton laptop bags in4matron mishka lrg clothing analog

- books & design knik graphic design books art books music + culture books shepard farey lomo cameras kozndan skate

My Associates Store

Product Details

**Yes Rasta**

By Patrick Cariou

Price:

This item is not available for purchase from this store.
Click here to go to Amazon to see other purchasing options.

35 new or used available from \$6.70

Average customer review: ★★★★★

Product Description

With a penchant for adventure, is it no wonder photographer Patrick Cariou—whose first book, *Surfers*, drew tidal waves of praise—journeyed to Jamaica, a land that he calls “pure madness, and one of the most dangerous places on earth that is not at war.” There he entered the secluded world of the Rastafarians, a world, culture, and religion closed to outsiders. Cariou slowly gained their trust, and they began to let him take their picture. With bold black-and-white portraits and landscapes, Cariou indelibly captured the strict, separatist, jungle-dwelling, fruit-of-the-land lifestyle—popularized by reggae legends Bob Marley, Peter Tosh, and Burning Spear—in never-before-seen images, until now. In *Yes Rasta*—the phrase spoken by true Rastafari when greeting each other—Cariou’s direct, classical photographs reveal men whose style and attitude are as distinctive as their dreadlocks. Men who have left the modern world of Babylon in pursuit of their own independence. Men whose lives are intertwined with the tropical landscape, and whose rituals, symbols, philosophies, religion, medicine, agriculture, family structure, and remarkable strength make the definitive statement of self-reliance.

Product Details

- Amazon Sales Rank: #869413 in Books
- Published on: 2000-08-31
- Original language: English
- Number of items: 1
- Binding: Hardcover
- 176 pages

Editorial Reviews**Browse by Category**POWERED BY
amazon.comHome Page
DVDs**Listmania!**

All About Jamaica

Similar ItemsMy Life and
Ethiopia's
Progress
by Haile I. Sellassie

\$13.45

Countryman
\$13.49The Reggae
Scrapbook
by Roger Steffens
\$32.85

From Library Journal

The title here refers to a personal greeting used by Rastafarians who inhabit isolated areas of the mountains of Jamaica. Photographer Cariou (Surfers) was able to gain access to these communities, share their daily living, earn their trust, and photograph them. In his brief introduction, Henzell, a Jamaican-born filmmaker and author, depicts the Rastafarian culture as a spiritual society living simply, independently, and in harmony with the natural environment. While they contemplate their good life, Rastafarians reject "Babylon," a name they use for the industrialized world of environmental pollution and materialism. The book includes more than 100 black-and-white pictures, mostly close-up portraits of stern, mystical-looking, at times noble men within a tropical landscape. There is only an occasional glimpse of women and children, and out of respect for the subjects' privacy, captions have been omitted. This initial investigation of a people apart is recommended for large institutions and wherever there is an interest in Caribbean culture. Joan Levin, MLS, Chicago

Copyright 2001 Reed Business Information, Inc.

Customer Reviews**Dreadlocks, Cultural Roots, And The Healing Of The Nations ★★★★★**

I visited Jamaica many times in the fifteen years following my first Negril holiday in 1977. I was in search of Rastafarianism and reggae music. Of the natural mystic blowing through the air.

My first morning in Negril I left my tourist hotel for a walk along the beach toward town. After a while of walking on the white sand and enjoying the glorious sunrise, I noticed two dread-locked men standing off to the side smoking a spliff and gazing out to sea. They were more like an apparition than flesh and blood but then they saw me staring. Smiles of incredible radiance slowly spread out upon their faces as they turned toward me and they nodded graciously. I felt their blessing like a wave of force across the beach. They had such tremendous presence, those two men. Such an aura of power.

Patrick Cariou's homage to Rastafarianism takes this mesmeric presence of the Rastaman as the focus for his deeply moving, sensationally well-executed portfolio of black and white photographs of Jamaica and of its Rasta Nation. The portraits of these men of all ages are among the best I have ever seen. Partly this results from the great technical skill Cariou brings to his work. But clearly the strength of this collection is in the way the subjects felt about their photographer. The way in which they responded to his lens emotionally.

There is one photograph of an elderly Rasta with matted locks down to the ground that is so remarkable. He stands for his portrait with his pancake-flattened dreadlock over one shoulder extending right to his feet in a sumptuous arc. His arms are extended at his sides and his stance suggests submission to fate, his attitude such a natural state of grace. But what makes this image so unforgettable is the communication you can feel between this man and his photographer. His willingness to open himself emotionally for his portrait. The unconditionality of his pose.

Aside from portraits of individuals, there are also numerous photographs of adult men with their children in this gorgeous collection. Of men working in their ganja fields, preparing it for their meals, smoking the bounty of the marijuana harvest.

And there are photographs of Jamaica itself that capture just amazingly the dramatic mood of the mountains and of the thick, jungle-like vegetation that there abounds. And of the dwellings in which these people live and worship.

In the few inspired pages of text at the beginning of this book Perry Henzell captures the paradox of the Rasta people when he says that "they projected the humility of the social outcast but bore the high stride of a visionary on the move..." Yes Rasta understands this essential paradox well and visually transmits a view of life informed by it with tremendous sensitivity and respect. I could not imagine a better result.

yes rasta ★★★★★

this book is a long awaited contribution to the knowledge base of Rastafarian culture. This

book is a work of art, compassion and livly. In recent times there has been academic writings of the world of rastafari. This knowledge helps to expand our ways of knowing and provides us with a history of a people that is often lost in other worldviews. The pictures that Patrick captures gives us a visual of strength and dignity of his subjects in their own settings. He and his co-author give praises to the struggle for equal rights and justice and honors the plight of those who have been oppressed. Patrick is very skillful with the lens of the camera and provides us with the powerful images of the faces of Rastafarians in the hills, the beach and on the road. A beautiful tabletop book to pass along to friends for the upcoming holidays.

I give thanks everytime for a remarkable book.

great ★★★★★

Yes Rasta is the best photography book on Rasta, an extraordinary photo documentary on people never seen before

My Associates Store | Shopping Cart

Check out the Latest Media Coverage of powerHouse Books !!

Updated: September, 2002

YES RASTA Photographs by Patrick Cariou, Essay by Perry Henzell BACK TO "IN THE PRESS"

"Yes Rasta presents an unblinking visual exploration into the sociopolitical reality of the lives and poverty of the people associated with the Jamaican Rasta movement.... Cariou's portraits...not only capture the pride and strength of his subjects but they say more about male elegance and style than most than contemporary fashion photographs." —*Vogue Hommes International*

"...a gorgeous art book that's also a sensitive study of a much-maligned people. The text will fill in the gaps between Bob Marley and hemp in your knowledge; the photos will stun you with the beauty of their locations and the poise and tranquility of their subjects." —*Newsday*

"...includes more than 100 black-and-white pictures, mostly close-up portraits of stern, mystical-looking, at times noble men within a tropical landscape." —*Library Journal*

"...a wonderful collection of photos from the Rastafarians' private world." —*Pans Photo*

"These black-and-white photos of Rastafan are stark; the poverty shown here is close to terrifying; the countryside is portrayed as lush and beautiful." —*Black Issues Book Review*

"Although it is rare that such a private people would allow themselves to be photographed so thoroughly, a book this captivating and interesting makes us glad they did." —*Strength*

"Cariou. 'Jamaicans in general hate having their pictures taken. So, to me, they blessed me. They gave me their confidence. It wasn't easy. Every time it was a battle, every second of my time spent in Jamaica was a battle.' —*The Fader* (4 page excerpt)

"...Cariou relocated to Jamaica's tropical mountainside where devout, back-to-nature Rastafarians can avoid the poisonous toxins of industrialized living, freely build bamboo house big enough to hold any family, and, well, smoke as much freakin' weed as they damn well please." —*CMJ New Music Monthly*

"'Ganja is very important to Rasta life, but it's only one part.' [Cariou] says. 'I was most impressed with the organic lifestyle and the strength of the people.'" —*High Times*

"... makes a fine coffee table accessory for both the wannabe Rasta and the curious cultural anthropologist." —*Urb*

"This book is a 'must have' for anyone with an interest in photography, Rasta art and Jamaican culture." —*The Jamaica Gleaner*

Bonus Broadcast Appearances !!

"The Source All Access TV" – News Brief (November 25, 2000)

Sleazeration—Excerpt of Perry Henzell's text (August 2002)

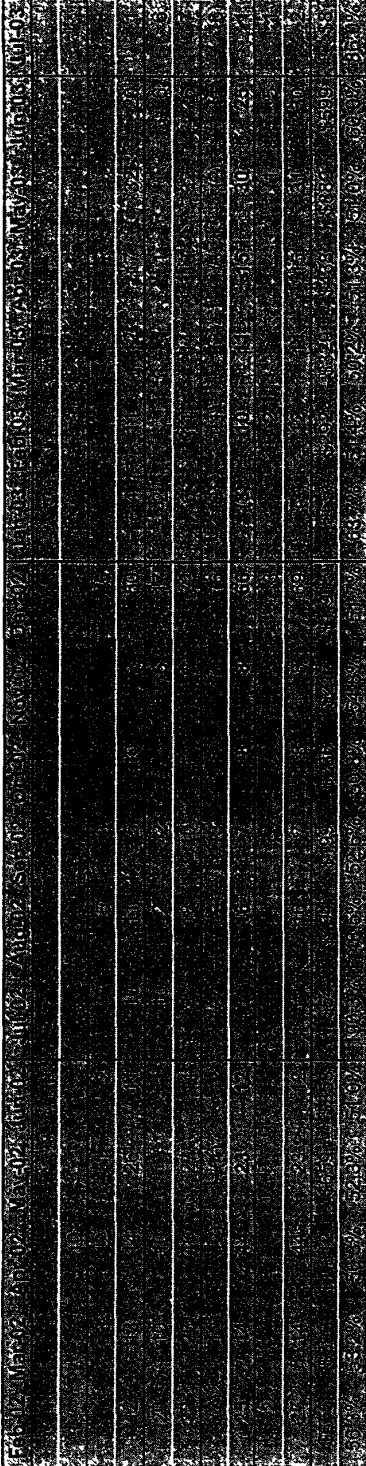
WBAI – Interview (October 2000)

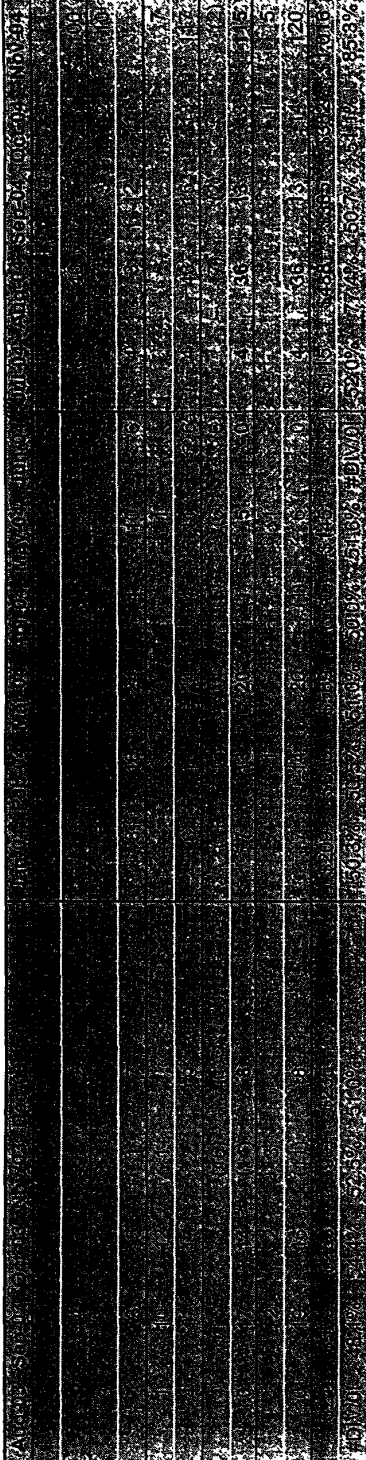
home / limited editions / available books / forthcoming books / e-mail us

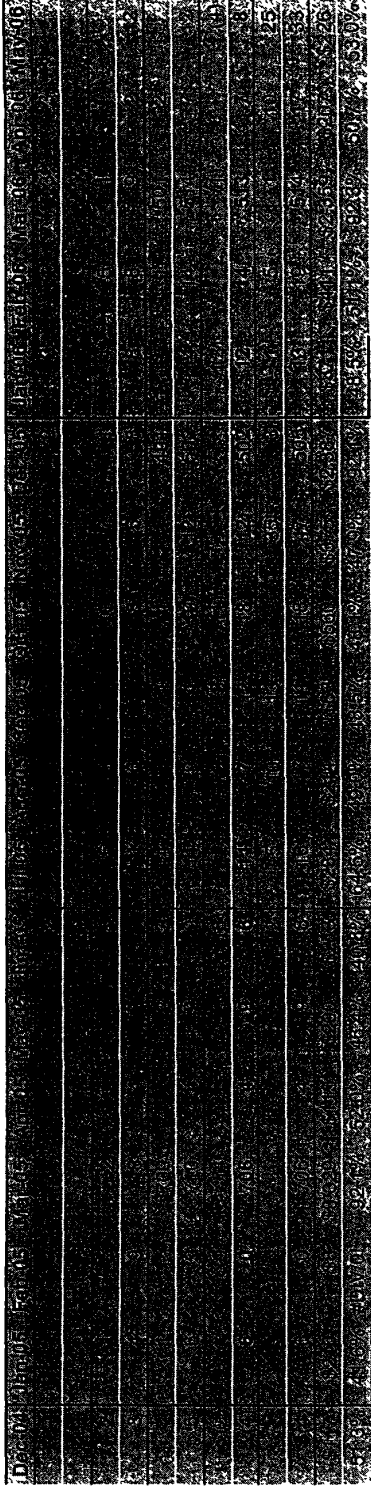
A-1919

EXHIBIT 13
Deponent CARLOW
Date 1/12/10 Rptr. [Signature]
WWW.DEPOBOOK.COM

C00245







C00249

		last time	MDC 2007	2007	2008	Jun-09
			0	72	0	0
		271	\$ -	\$ 206.40	\$ -	\$ -
			0	1	0	0
			\$ -	\$ 24.00	\$ -	\$ -
		2,145	#DIV/0!	94.7%	#DIV/0!	#DIV/0!
	6,898		-	2	-	-
	(1,165)		(10)	(5)	(2)	0
		1,637	(10)	(3)	(2)	-
			\$ (302.40)	\$ (91.20)	\$ (62.40)	\$ -
			49.6%	49.3%	48.0%	#DIV/0!
	\$77,839.92		(10)	70	(2)	-
			\$ (302.40)	\$ 139.20	\$ (62.40)	\$ -

A-1923

total		<u>new GRAND</u>	last time
72			
\$ 206.40	ttl direct	271	271
1			
\$ 24.00			
94.7%	ttl specialty	<u>3,844</u>	3,844
2		1,000	
(17)		(1,182)	
(15)	ttl trade	<u>1,676</u>	1,678
\$ (456.00)			
49.3%	life units	5,791	
58	life \$\$	\$77,614.32	
\$ (225.60)			

C00250

A-1924

Actual Sales
sales to date

Actual Sales Report: 2. Publisher sequenced 2. title, Sun Mar 04 2001 1 4:22:26 Page 1
 Publisher Code: POWE, Se ason: , Ac count Set: General Trade

Title	Total	Barnes Super	Barnes Mall	Barnes DC	Walden	Borders	Ingram	Baker & Taylor	AMS	Other
YES RASTA (ci)		500					300	500	300	1050
		2650								
POWERHOUSE 1-57687-073-1	\$60.00	1500 MAY200						*JUN150		
		1491	0	0	157	0	106	504	158	0 566
	F00	1555	0	0	157	0	106	504	158	0 630
BN-no more										

C00251

A-1925

%	Ship Date	Net	pH needs	Amazon	American Book	Music-land	Tower	Koen	Bookazine	Book-people	Canada/Pegasus	Intl
	6/1/2000											
	9/21/2000	45900	2630									
99%	Dec-00	45624	\$80,154	69	0	0	15	30	123	0	23	0
103%	Shipped	47583		69	0	0	15	30	123	0	23	0

C00252

A-1926

Royalty Report Dec-07

<u>type of sale</u>	<u>Yes Rasta</u>	<u>total</u>
royalty	6%	
list price	\$60	
royalty	1%	
list price	\$60	
royalty	1%	
list price	\$60	
total books sold	2,338	3,453
total royalty due		\$ 6,530.10
total subrights due:		\$ 1,538.93
subtotal payments and deductions:		\$ (8,087.75)
total due		\$ (18.72)
reserve (0%).		\$ -
total due this period:		\$ (18.72)

Artist: **Patrick Cariou**
 Address: **Patrick Cariou**
 229 Cumberland Street
 Brooklyn, NY 11205
 tel: 917-804-2672
 fax:
 SSN:
 email: pat@patnckcariou.com
 royalty: 6.0% 1-5,000 copies
 7.5% 5,001-10,000 copies
 10% thereafter
 5% direct consumer
 5% net specialty
 7% paperback
 50% first serials
 50% subsequent



Bookstore | Portfolio Review | pH S10 Catalog | Calendar | Submissions | Mailing List | Hospitality | Press | Exhibitions | Jobs | About | Contact

Forthcoming | Browse Titles | Browse Authors | Browse Categories | Browse Covers | Limited Editions | View Cart | Search



Yes Rasta

Photographs by Patrick Cariou
Introduction by Perry Henzell

LIMITED AVAILABILITY - PLEASE INQUIRE, 1-866-99-ARENA

With a penchant for adventure, it is no wonder photographer Patrick Cariou—whose first book, *Surfers*, drew tidal waves of praise—journeyed to Jamaica, a land that he calls "pure madness, and one of the most dangerous places on earth that is not at war." There he entered the secluded world of the Rastafanans, a world, culture, and religion closed to outsiders. Cariou slowly gained their trust, and they began to let him take their picture.

With bold black-and-white portraits and landscapes, Cariou indelibly captured the strict, separatist, jungle-dwelling, fruit-of-the-land lifestyle—popularized by reggae legends Bob Marley, Peter Tosh, and Burning Spear—in never-before-seen images, until now. In *Yes Rasta*—the phrase spoken by true Rastafan when greeting each other—Cariou's direct, classical photographs reveal men whose style and attitude are as distinctive as their dreadlocks. Men who have left the modern world of Babylon in pursuit of their own independence. Men whose lives are intertwined with the tropical landscape, and whose rituals, symbols, philosophies, religion, medicine, agriculture, family structure, and remarkable strength make the definitive statement of self-reliance.

Artist's Book / Portraiture / Monograph
Hardcover, 12.7 x 10.1 x 1 inches,
176 pages, 2.5 pounds
ISBN 978-1-57687-073-0

\$100.00

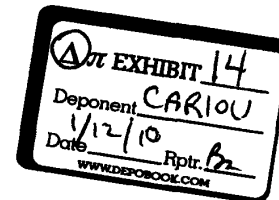
Buy Now

ADD THIS

Other Books By Patrick Cariou

<http://www.powerhousebooks.com/book/341>

A-1928



1/11/2010

GGP0043114

Incoming Message

from Perry Henzell

Page 1 of 10

Subject: from Perry Henzell
 Sent: 12/11/99 6:23 PM
 Received: 12/16/99 9:49 AM
 From: Justine Henzell, oz@daffodil.infochan.com
 To: jgcs@users.globix.net
 Enclosure: YES RASTA.doc

Dec 15, 1999

Hi Patrick

These are first draft unedited notes for discussion. Please email me your comments.

Best regards.

Perry

"YES RASTA"

High up in the mountains and the forests of the world lives the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there living in Babylon.

Babylon System. in which NOTHING is free.

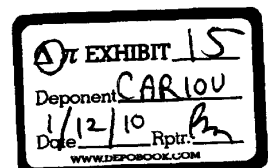
Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon is where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that all the essentials for Babylon today coalesced right then and there; everything necessary for the drift away from dependence on God to a dependence on what Babylon has to offer.

"When you consider that when God gives you a seed it will produce a thousand more seeds if you care it, but when Babylon sell you a seed you still need chemicals to grow it" "Drug addiction" "And now they are bringing out seeds that give you back no seed at all ! Not even one much less a thousand !"

The wise men in the mountains want none of it They never have. And the Rastafarians in the mountains of Jamaica are no different

Babylon is not just a word to a Rasta. Babylon is not merely and idea, an abstraction.

C00355



Incoming Message

from Perry Henzel.

Page 2 of 10

for Rasta.

For Rasta Babylon is a brutal reality.

When Patrick got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor that was caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door, one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many have to fear for all their lives.

And it's getting worse.

"Don't forget Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand, swelling Babylon, making it more desperate and greedier than ever"

But in the mountains of Jamaica everything is still free if you go high enough.

Water. Food. Herb. Love.

Patrick went high enough to make contact with that world and he brought back a record of what he found, true to that Rasta reality worthy of maximum respect, the dearest Rasta brethren.

They look as strong as any rebels in the world, as spiritual as the fighting Taliban, but with this crucial difference. Rasta doesn't try to force religion on anybody because this level of Rasta consciousness knows that feeling for good has to come from the heart, that it cannot be forced on people. That conduct is a matter of personal deliverance.

You see, Rasta smoke herb, and you can't separate the life from the meditation herb gives.

The first thing that happens when somebody gets high for the first time is to laugh. You know what that laughter means? It means relaxation has set in. It means stuff that you previously took seriously you now see as a joke. It means you've started thinking for yourself. It means that you'll question all kinds of stuff that was drilled into you when you were a kid, when you didn't know what to believe. Is it any wonder that Babylon hates herb more than heroin? That it fears the sounds of that laughter like poison?

Incoming Message

from: Perry Henzell

Page 3 of 10

They know it means that the conditioning on your mind, put there by Babylon, is being loosened, and who knows ? maybe cast off altogether ! What kind of conditioning ? The conditioning of fanatics. The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, or in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists . Monopoly Capitalism won both times, and now the only competition for big business is small business. and that's a new kind of doctrine sweeping the globe

Nuclear threat, industrial pollution . it's obvious to Rasta that the highest authority is guilty of the greatest crime, that for the most part rulers are a criminal class, and needless to say the ruling class regard those with a meditating mind as due for some serious discipline from above.

Thousands and tens of thousands and hundreds of thousands and millions all over the world their bodies in chains their heads bent in captivity for having that revelation, the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling you that you must give over your freedom to fulfill some ridiculous fantasy of their own devising.

When does a tyrant know we are ready for this ? When is an entire people judged fit to pick for the tyrant's table ? When everybody can be made to stand up and swear to a lie, when a govt man make people declare that they hate what they love, when that obvious falsehood is accepted as gospel by all and sundry, when rulers can make people say they hate what they really love and act accordingly, that what they've found to be good is evil, then the fanatic knows the time is at hand for turning fanaticism into power, compulsion, oppression, brutality, and revolution.

Throughout it all these dread and their families expect to live as they always did, God willing. But it was easier in the old days before helicopters, before "zero tolerance", before the USA/ DEA/ FBI/ NSA/ DOD/ FDA/ NIS/ UN/ WHO/ EU etc all decided that ganga was the currency of the devil.

In the 1940s in the hills just north of Spanish Town in St Catherine Jamaica a man named Leonard Howell ran a community called Pinnacle where he grew ganga. He also founded the Rastafarian religion. For the most part Rastas from Pinnacle didn't wander far from home, but those that did felt like John the Baptist in Galilee. Heavily locksed, covered in dust if they were on the move, because the roads weren't paved and they had no access to water for washing except in the yard of another rastafarian, where he would also find food that he could eat and herb that he could smoke. Meditation that he could share.

The Rastas turned so many ideas over in their heads, ideas that were accepted as social gospel in those times, that the rest of society regarded them as lunatics, and although they were quoting from the bible any young British civil servant who had served in India would note that rastafarians in Jamaica were treated very much more like untouchables than like Sahdus in Indian.

In those days no rastafarian could board a bus, or enter a shop, most people would react to the presence of a rastafarian in their midst with the apprehension they'd feel towards a beggar, although the rasta never begged them for anything the apprehension was worse because this beggar was also a lunatic

Incoming Message

from Perry Henzell

Page 4 of 10

Yet I remember, as a child of 8 or 9 riding my horse to a building site where Rastas from Pinnacle were working to build a house, and meeting with maybe twenty of the maybe two hundred rastas in the world.

They made sandals out of old tyres, they looked like they were straight out of the Old Testament, and they talked with me about the bible because in those days I was a bible freak and they knew their bible stories backwards as well. They looked ferocious but in fact they were very friendly to the little white boy on the horse.

Since then I have lived to see Rasta spread around the globe. Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, Rasta colours, Rasta concerts, Rasta satellite broadcasts, Rasta as a worldwide movement. I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa,

Brasil, and now the whole world.

The amazing thing is how fast it happened. How easily it happened. How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology.

Why ? How ?

I think the main reason why Rasta as a world movement has spread so fast is that it represents the spirit induced by smoking ganja. In a very tense world ganja induces relaxation. When you relax you see things from a different point of view. New ideas challenge old ideas, ideas so old they've turned into gospel. Assumptions of race, of tribe, of religion, of all the things that support priests and politicians and all who have a vested interest in apartness because it is only in their small arena that they loom large, there and in their seats at the UN.

When these people see that ganja invariably causes the particular gospel they preach to lose it's hitherto

Unquestioned acceptance they will make any agreement, sign any concord, accept and money they can from eager donors, and swear to stamp it out like original sin

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica and the other wise men in the mountains of the world stand tall, and preach repentance to the self-righteous. How can the fanatics be against a plant ? Put there in nature for a biblical purpose ! Put on earth, according to the bible to "heal the nations". A natural thing in creation, a gift from God. For a man to look at such a plant and say that it is "wicked" is an act of wickedness in itself !

For the wise men the keeping alive of ganja in the world, known to them as herb, is a holy mission. What else has helped as much as herb to bring people together all over the world, united in an experience and state of mind that encourages mankind to see and name and confront evil ? What else has enabled countless millions in every corner of the globe to think and act in the spirit of one consciousness. This is not Muslim coming together with Muslim or Jew coming together with Jew, or Black coming together with Black or White coming together with White, This is about everybody coming together as they are, without strife, united by a spirit higher than division because when you get high enough you float right over the divisions that divide mankind, leaving behind the prejudice that

from Perry Henzell

Page 5 of 10

Incoming Message

has kept you penned up in you own little corner .

Can you imagine how those who seek to divide and continue to rule hate that ?

Isn't it obvious that such people would regard "getting high" as a heinous crime against society ?

What's the crime ? When someone gets high on ganga what crime has been committed ? For years bureaucrats and politicians in Babylon have tried to prove that ganga was harmful. They have always failed.

A Babylonian bureaucrat who speaks of the experience of smoking herb is like a priest who talks knowing of carnal passion - he doesn't know what he's talking about. He's so estranged from the spirit of the act that he wants to kill it. Kill the impulse to meditate ? Kill carnal passion ? It would kill the race !

Still, for thousands of years they persist in that blatant nonsense, and in most of the world the start of the next thousand years is no signal for stopping now..to be continued

Incoming Message

from Perry Heitzell

Page 1 of 10

Subject: from Perry Heitzell
Sent: 12/11/99 6:23 PM
Received: 12/16/99 9:49 AM
From: Justine Heitzell, oz@datfodil.infochan.com
To: jgs@users.globix.net
Enclosure: YES RASTA.doc

missy: Jamaica Rastafy - family does not exist

Dec 15, 1999

Hi Patrick

*2/7/00
- send him with list (cc him)*

- add Jamaican contemporary reality: violence, rude boys, poverty, lawlessness,

These are first draft unedited notes for discussion. Please email me your comments.

to political standpoint of Rastafarian or self-sufficient

Best regards,

Perry

*2/7/00
interviewer at cafe to interview Patrick + bring home out*

"YES RASTA"

*- add diet of Rastafarian -
non-materialist
Yes et al in*

High up in the mountains and the forests of the world lives the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there living in Babylon.

Babylon System, in which NOTHING is free.

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon is where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that all the essentials for Babylon today coalesced right then and there; everything necessary for the drift away from dependence on God to a dependence on what Babylon has to offer.

"When you consider that when God gives you a seed it will produce a thousand more seeds if you care it, but when Babylon sell you a seed you still need chemicals to grow it" "Drug addiction" "And now they are bringing out seeds that give you back no seed at all. Not even one much less a thousand!"

The wise men in the mountains want none of it. They never have. And the Rastafarians in the mountains of Jamaica are no different

Babylon is not just a word to a Rasta. Babylon is not merely an idea, an abstraction.

Incoming Message

from: Perry Henzel.

Page 2 of 10

for Rasta.

For Rasta Babylon is a brutal reality.

When Patrick got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor that was caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door, one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many have to fear for all their lives.

And it's getting worse.

"Don't forget Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand, swelling Babylon, making it more desperate and greedier than ever"

But in the mountains of Jamaica everything is still free if you go high enough.
Water. Food. Herb. Love.

Patrick went high enough to make contact with that world and he brought back a record of what he found. true to that Rasta reality worthy of maximum respect, the dreadest Rasta brethren.

They look as strong as any rebels in the world, a spiritual as the fighting Taliban, but with this crucial difference. Rasta doesn't try to force religion on anybody because this level of Rasta consciousness knows that feeling for good has to come from the heart, that it cannot be forced on people. That conduct is a matter of personal deliverance.

You see, Rasta smoke herb, and you can't separate the life from the meditation herb gives.

The first thing that happens when somebody gets high for the first time is to laugh. You know what that laughter means? It means relaxation has set in. It means stuff that you previously took seriously you now see as a joke. It means you've started thinking for yourself. It means that you'll question all kinds of stuff that was drilled into you when you were a kid, when you didn't know what to believe. Is it any wonder that Babylon hates herb more than heroin? That it fears the sounds of that laughter like poison?

Incoming Message

from Perry Henzell

Page 3 of 10

They know it means that the conditioning on your mind, put there by Babylon is being loosened, and who knows ? maybe cast off altogether ! What kind of conditioning ? The conditioning of fanatics. The ones who will lock you up for a beer in Tehran. And put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, or in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists . Monopoly Capitalism won both times. and now the only competition for big business is small business, and that's a new kind of doctrine sweeping the globe

Nuclear threat, industrial pollution . it's obvious to Rasta that the highest authority is guilty of the greatest crime, that for the most part rulers are a criminal class, and needless to say the ruling class regard those with a meditating mind as due for some serious discipline from above.

Thousands and tens of thousands and hundreds of thousands and millions all over the world their bodies in chains their heads bent in captivity for having that revelation, the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling you that you must give over your freedom to fulfill some ridiculous fantasy of their own, devising.

When does a tyrant know we are ready for this ? When is an entire people judged fit to pick for the tyrant's table ? When everybody can be made to stand up and swear to a lie, when a govt man make people declare that they hate what they love, when that obvious falsehood is accepted as gospel by all and sundry, when rulers can make people say they hate what they really love and act accordingly, that what they've found to be good is evil, then the fanatic knows the time is at hand for turning fanaticism into power, compulsion, oppression, brutality, and revolution.

Throughout it all these dread and their families expect to live as they always did, God willing. But it was easier in the old days before helicopters, before 'zero tolerance', before the USA/ DEA/ FBI/ NSA/ DOD/ FDA/ NIS/ UN/ WHO/ EU etc all decided that gangs was the currency of the devil.

In the 1940s in the hills just north of Spanish Town in St Catherine Jamaica a man named Leonard Howell ran a community called Pinnacle where he grew gangs. He also founded the Rastafarian religion. For the most part Rastas from Pinnacle didn't wander far from home, but those that did felt like John the Baptist in Galilee. Heavily locked, covered in dust if they were on the move, because the roads weren't paved and they had no access to water for washing except in the yard of another rastafarian, where he would also find food that he could eat and herb that he could smoke. Meditation that he could share.

The Rastas turned so many ideas over in their heads, ideas that were accepted as social gospel. In those times, that the rest of society regarded them as lunatics, and although they were quoting from the bible any young British civil servant who had served in India would note that rastafarians in Jamaica were treated very much more like untouchables than like shudras in India.

In those days no rastafarian could board a bus, or enter a shop, most people would react to the presence of a rastafarian in their midst with the apprehension they'd feel towards a beggar, although the rasta never begged them for anything the apprehension was worse because this beggar was also a lunatic

Incoming Message

from Perry Henzell

Page 4 of 10

Yet I remember, as a child of 8 or 9 riding my horse to a building site where Rastas from Pinnacles were working to build a house, and meeting with maybe twenty of the maybe two hundred rastas in the world.

They made sandals out of old tyres. They looked like they were straight out of the Old Testament, and they talked with me about the bible because in those days I was a bible freak and they knew their bible stories backwards as well. They looked ferocious but in fact they were very friendly to the little white boy on the horse.

Since then I have lived to see Rasta spread around the globe. Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, Rasta colours. Rasta concerts, Rasta satellite broadcasts, Rasta as a worldwide movement. I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to France, Germany, Italy, West Africa, Southern Africa,

Brazil, and now the whole world.

The amazing thing is how fast it happened. How easily it happened. How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology.

Why? How?

I think the main reason why Rasta as a world movement has spread so fast is that it represents the spirit induced by smoking ganja. In a very tense world ganja induces relaxation. When you relax you see things from a different point of view. New ideas challenge old ideas, ideas so old they've turned into gospel. Assumptions of race, of tribe, of religion, of all the things that support priests and politicians and all who have a vested interest in apartness because it is only in their small arena that they loom large, there and in their seats at the UN.

When these people see that ganja invariably causes the particular gospel they preach to lose it's hitherto

unquestioned acceptance they will make any agreement, sign any concord, accept and money they can from eager donors, and swear to stamp it out like original sin

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica and the other wise men in the mountains of the world stand tall, and preach repentance to the self-righteous. How can the fanatics be against a plant? Put there in nature for a biblical purpose! Put on earth, according to the bible to "heal the nations". A natural thing in creation, a gift from God. For a man to look at such a plant and say that it is "wicked" is an act of wickedness in itself.

For the wise men the keeping alive of ganja in the world, known to them as herb, is a holy mission. What else has helped as much as herb to bring people together all over the world, united in an experience and state of mind that encourages mankind to see and name and confront evil? What else has enabled countless millions in every corner of the globe to think and act in the spirit of one consciousness. This is not Muslim coming together with Muslim or Jew coming together with Jew, or Black coming together with Black or White coming together with White. This is about everybody coming together as they are, without strife, united by a spirit higher than division because when you get high enough you float right over the divisions that divide mankind, leaving behind the prejudice that

Incoming Message

from Perry Hanzell

has kept you penned up in your own little corner.

Can you imagine how those who seek to divide and continue to rule hate that?

Isn't it obvious that such people would regard "getting high" as a heinous crime against society?

What's the crime? When someone gets high on ganja what crime has been committed? For years bureaucrats and politicians in Babylon have tried to prove that ganja was harmful. They have always failed.

A Babylonian bureaucrat who speaks of the experience of smoking herb is like a priest who talks knowing of carnal passion - he doesn't know what he's talking about. He's so estranged from the spirit of the act that he wants to kill it. Kill the impulse to meditate? Kill carnal passion? It would kill the race!

Still, for thousands of years they persist in that blatant nonsense, and in most of the world the start of the next thousand years is no signal for stopping now. to be continued

7/15

⊕
page 6

100% K



HIGH UP in the mountains and the forests resides the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there, in Babylon

The Babylon system, in which NOTHING is free

In the 1940s, in the hills just north of Spanish Town in St. Catherine, Jamaica, a man named Leonard Howell ran a community called Pinnacle, where he founded the Rastafarian movement

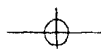
On the one hand Howell was a travelled man of the world, a business man with an office in Kingston, on the other hand he provided a place where Rastas could live and work in peace

In those days no Rasta could board a bus or enter a shop. Most people reacted to the presence of a Rasta in their midst with the apprehension they might feel towards a ragged beggar. Or worse, a ragged beggar who was also a lunatic.

A Rasta friend once described his astonishment at meeting a post-Marley locksman and realizing for the first time that locks could be a style, one that didn't invite rejection. The old man found this so hard to believe because he had experienced nothing but scorn from everyone but another Rasta his whole life.

For the most part Rastas from Pinnacle didn't wander far from home in those days, but those who did felt like John the Baptist in Galilee: so wild looking were they, covered in dust from the unpaved roads, that children would run from the sight of them. They projected the humility of the social outcast but bore the high stride of a visionary on the move, till they got back to the refuge that Leonard Howell had created at Pinnacle, where there was water for washing, natural food to eat, herb to smoke, and meditation to share.

The prime effect of ganja is to loosen the conditioning of the mind, and as the citizens of Pinnacle sat and reasoned together, they turned the many doctrines of the day upside down, ideas accepted as gospel. Far from accepting white supremacy in the days of the British Empire, the Rastas not only refused to acknowledge the English king, they identified an African king whom they began to





8/15

page 7

100%K



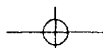
worship, and whom they predicted would halt the advance of Europe into Africa, a prophecy which came true Ras Tafari Makonnen, crowned Emperor Haile Selassie I, was revered as the Conquering Lion of the Tribe of Judah, King of Kings, and could claim direct descent from David and Solomon, Kings of the chosen people

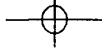
But while the Rasta might be able to quote chapter and verse to justify his beliefs, any young British civil servant, had they served in India, would have confirmed that the Rastafarians in Jamaica in the late forties and throughout the fifties were treated much more like untouchables than like Sardu. Pinnacle was raided and destroyed, Howell was sent to the lunatic asylum, and the scattered Rasta brethren went to live in a slum called Dungle along the waterfront on the outskirts of Kingston. Here too they were bulldozed out of their shacks to become "wolves in sheep's clothing" or "rent-a-dreads" at sunsplash concerts on the beach at Negril. But many became skilled craftsmen, artists, singers, and musicians. Some became businessmen, and some preachers, even religious fanatics. But these are not the Rasta that Patrick Cariou sought out with his camera. He searched for and found the brethren who left Pinnacle and headed for the hills.

In the mountains of Jamaica their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion, where almost everything is free, the air is pure, the earth is rich, rainfall is abundant, and where one can build a bamboo home big enough to house the largest family. Here is where they can grow the best food and ganja in the world, and meditate in the way good herb often brings, thinking about what it's like living in Babylon, where nothing is free or unpolluted.

As a Rasta farmer says, "When you consider that when God give you a seed it will produce a thousand more seeds if you care for it, but when Babylon sell you a seed you still need chemicals to grow it—drug addiction! And now they bring seed that give you back no seed at all! Not even one much less a thousand!"

One of the several conceptions that Rasta established decades ago, before it became widespread, was the idea of ita living as living the natural life. Rastafarians knew instinctively that pesticides were poison, that fertilizer inducing false growth was unnatural, and that to place oneself





a/15

page 8

100% K



at the mercy of synthetics without control of the source of supply was dangerous. They also knew that herbs and medicines extracted from roots and plants could cure more than the body they could sustain a physical and spiritual strength unknown to those addicted to mass-produced food. Long before the ecological movement and the "Greens" took up the cry, Rasta was preaching the *ital* way of life as an article of faith, and invented a vocabulary to express it.

Opposed to the *ital* way of living and the concept of Zion is Rasta's concept of Babylon.

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon was where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that mankind began to drift away from dependence on God to a dependence on the material items that Babylon had to offer.

Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world, more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand, swelling Babylon, making it more desperate and greedier than ever.

Nuclear threat, industrial pollution—it's obvious to Rasta the highest authority is guilty of the greatest crime, that for the most part rulers are a criminal class, and—needless to say—the ruling class regard those with a meditating mind as due for some serious discipline.

Babylon is not just a word to Rasta.

Babylon is not merely an idea, an abstraction for Rasta.

For Rasta, Babylon is a brutal reality.

When Patrick Cariou got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor.





10/15

page 9

100% K

caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many others have to live all their lives

Most of those heads bowed in captivity are not bowed in shame, but in thought

Tens of thousands and hundreds of thousands and millions all over the world, their bodies in chains, their heads bent in captivity for having the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling them they must give over their freedom to fulfill some ridiculous fantasy of maniacal devising

The function of Babylon comes from the conditioning of minds crippled with dogma The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff The ones who'll arrest you in China for thinking your own thoughts, in Cuba for expressing them Communists, Fascists, Monopoly Capitalists

For Rasta, the keeping alive of ganja in the world, known to them as herb, is a holy mission. What else has helped as much as the spirit of herb to bring together people all over the world, united in an experience and state of mind which encourages mankind to see and name and confront evil? What else has enabled countless millions to float over the divisions that divide mankind, leaving behind the prejudice that has kept them penned up in their own little corners? What else has urged so many to think and act in the spirit of one consciousness?

We have one world trade and one world communication systems, but what we really need is one world justice system, it can be either a simple design worthy of universal respect or a monster of debate and petty legalism *De minimus non curat lex*

If you can be put in jail for ganja anywhere in the world, why not two hundred lashes for adultery, or ten years in the penitentiary for meditation? If one world justice system strengthens petty law instead of





11/15

page 10

100% K



universal freedom, the next century will be a long descent back into an electronic dark age, like the history we've just emerged from, when rulers ruled through their minions and everybody else was a slave to their whim and fancy, held in the grip of one dogma or another for as long as anybody can remember

World justice must not crush the innocent, and in places like Jamaica today there is a vast threat to illiterate intelligence. It was understood for thousands of years that intelligence gained firsthand from experience was at least as valuable as knowledge learned secondhand from books. When one considers that much of the progress of mankind over the ages was made by people who couldn't read and write, it is outrageous that dozens of petty bureaucracies would cause a man or a woman to lose their livelihood from the inability to fill out a form. Not all the Rastas are illiterate, by any means, but it is not disputed by many that illiterate intelligence is the most profound, as it is learned from organic experience.

There has been no growth in the economy of Jamaica for the past 25 years. The effect has been one of increasing desperation, violence, and division for the ambitious. The result has been that the assumptions of the middle class have been shattered while the strengths of the simple Rastafarian life have become more evident with each passing year.

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica stand tall and preach repentance to the self-righteous.

I remember as a child of eight riding my horse to a building site where Rastas from Pinnacle were working to build a house, and meeting with maybe 20 of the two hundred or so Rastas in the world. They made sandals out of old tires, and they looked as though they were straight out of the Old Testament. They talked to me about the bible because in those days I loved bible stories, and the Rastas knew their stories forwards and backwards. They looked ferocious, but in fact were very friendly to the little white boy on a horse.





12/15

page 11

100% K
↓

I have lived to see Rasta spread around the globe Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, colors, and concerts Rasta satellite broadcasts Rasta as a worldwide movement I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa, Brazil Rasta is now all over the whole world

The amazing thing is how fast it happened, how easily it happened How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology

Bob Marley held a concert outside of Paris—one of the most ancient capitals of one of the world's strongest religions—and he pulled more people together to hear him sing his "Songs of Redemption" than assembled for the Pope two days later

Why did it happen?

Because Rasta doesn't represent just Rasta, Rasta is a banner for a spirit worldwide

- The spirit of freedom, the spirit of pride, whether you're rich or poor
- The spirit of relaxation
- The spirit of speculation
- The belief of unification

The spiritual home for this is still rooted in the mountains of Jamaica in these strong simple people

Yes Rasta
One Love

PERRY HENZELL



13/15

page 174

100% K



Out of respect for the privacy of the Rastres in YES RASTA, captions of names and places have been excluded





14/15

page 175

100% ✕



First of all, thanks to the Rastas in this book for allowing me into their lives and showing me what rightfulness and strength is all about

Thanks to

Siobhan Zutumer for sharing her love of Jamaica,
Lisa Schnepf for showing me the way,
Daniel Power and Craig Cohen for their commitment to beautiful photography books,
Hervé Morel for his unconditional support,
Marie Gerard and Lisa Scheubel from Adidas, France,
Francesco Solari for his perspective on the art world,
Manon de Beaupre for her belief,
Richard Foulster and Jessica Palazzo for their persistence and beautiful prints,
Laurent Le Moing and David Hazan,
Tom Palmer for being part of the project,
and of course to my friends for putting up with me





15/15

100%



page 176

YES RASTA

© 2000 powerHouse Cultural Entertainment, Inc
Photographs © 2000 Patrick Cariou
Essay © 2000 Perry Henzell

All rights reserved. No part of this book may be reproduced in any manner or transmitted by any means whatsoever, electronic or mechanical (including photocopying, recording, and internet posting, display or retrieval) without the prior written permission of the publisher

Published in the United States by powerHouse Books,
a division of powerHouse Cultural Entertainment, Inc
180 Varick Street, Suite 1302, New York, NY 10014-4606
telephone 212 604 9074, fax 212 366 5247
e-mail info@powerHouseBooks.com
website http://www.powerHouseBooks.com

First edition, 2000

Library of Congress Cataloging-in-Publication Data

Cariou, Patrick, 1963-
Yes Rasta / photographs by Patrick Cariou, essay by Perry Henzell
p. cm
ISBN 1-57687-073-1
1 Rastafan movement--Jamaica 2 Rastafari movement--Jamaica--Pictorial works I
Henzell, Perry II Title

BL2532 R37 C357 2000
299' 676'097292--dc21

00-55785

Hardcover ISBN 1-57687-073-1
Limited Edition ISBN 1-57687-074-X

Gelatin-silver prints by The Small Darkroom, New York
Tritone separations by Thomas Palmer, Newport
Printed and bound by Sfera, Milan

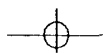
A complete catalog of powerHouse Books and Limited Editions is available upon request,
please call, write, or get it on our web site

10 9 8 7 6 5 4 3 2 1

A slipcased, limited edition of this book with a signed and numbered artwork by the artist is available upon inquiry,
please contact the publisher

Printed and bound in Italy

Art direction by Paul Ritter



front flap

"In the mountains of Jamaica their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free, the air is pure, the earth is rich, the rainfall is abundant, and where one can build a bamboo home big enough to house the largest family. Here is where they can grow the best food and ganja in the world, and meditate in the way good herb often brings, thinking about what it's like living in Babylon, where nothing is free or unpolluted .

Babylon is not just a word to Rasta

Babylon is not merely an idea for Rasta

For Rasta, Babylon is a brutal reality

Most people cower and wilt under the assault of the Babylonian forces of the world, but the Rastas in Jamaica stand tall and preach repentance to the self-righteous "

PERRY HENZELL

Not placable with the evident, is it no wonder photographer Patrick Cariou—whose first book *SURFERS* drew immense praise—journeyed to Jamaica in search of Truth. He found it in the secluded world of the mountain Rastafarians, a culture, though highly mythologized, closed to outsiders. Cariou ate, worked, slept, and took herb with the locksmen and their families, and began to know them and their incredibly pure way of life, their system of knowledge.

The Rastas, for whom Babylon is diametrically opposed to the *ital* way of life, found a kindred spirit in Patrick. These Rastas, who have never been accurately depicted, allowed Patrick to photograph them.

In YES RASTA—the phrase spoken by Jamaicans to true Rastafarians in greeting one another—Cariou's direct, classical photographs reveal a strong, simple people whose style and attitude are as distinctive as their dreadlocks. Men who have left the modern world of Babylon in pursuit of their own independence, their own truth, their own groove—their own *irie*. Meditative people whose lives are intertwined with the tropical landscape, and whose rituals, symbols, religion, philosophies, medicine, agriculture, family structure, and remarkable strength make the definitive statement of self-reliance and righteousness.

back flap

Patrick Cariou is a deeply committed photographer whose first book, *SURFERS* (powerhouse Books, 1998) was described by *Vanity Fair* as "awesomely beautiful." Jamaica, for Cariou, was "exquisite beauty and pure madness." Cariou lives and works in New York.

Perry Henzell is best known as the producer of the classic cult film *The Harder They Come*. Born in Jamaica of West Indians going back several generations, Henzell began his career working for the BBC. He established the 10A studio in Kingston, the first film studio in Jamaica, and made over 200 commercials in the 60s. He is also the author of the novel *POWER GAME* and the soon-to-be-published historical novel *CANE*. Henzell is currently casting *The Harder They Come II*, and lives in Kingston and Treasure Beach, St. Elizabeth.

Paul Ritter is a former art director of *Colors* and creative director of *Life* and of Virgin Records in Paris. He recently founded his own independent magazine and art project *Whatever*. Ritter currently spends most of his time directing music videos, recording music, and working on a screenplay at home in New York.

7/12

Perry -

Can you
check over
quickly?

Thanks

Jamil



deRitter

- Treasure Beach, St. Elizabeth, Jamaica

7/12/00

HIGH UP in the mountains and the forests resides the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there, in Babylon

The Babylon system, in which NOTHING is free

In the 1940s, in the hills just north of Spanish Town in St. Catherine, Jamaica, a man named Leonard Howell ran a community called Pinnacle where he founded the Rastafarian movement

On the one hand Howell was a travelled man of the world, a business man with an office in Kingston, on the other hand he provided a place where Rastas could live and work in peace

In those days no Rasta could board a bus or enter a shop. Most people reacted to the presence of a Rasta in their midst with the apprehension they might feel towards a ragged beggar. Or worse a ragged beggar who was also a lunatic.

A Rasta friend once described his astonishment at meeting a post-Marley locksman and realizing for the first time that locks could be a style, one that didn't invite rejection. The old man found this so hard to believe because he had experienced nothing but scorn from everyone but another Rasta his whole life.

For the most part Rastas from Pinnacle didn't wander far from home in those days, but those who did felt like John the Baptist in Galilee so wild looking were they, covered in dust from the unpaved roads, that children would run from the sight of them. They projected the humility of the social outcast but bore the high stride of a visionary on the move, till they got back to the refuge that Leonard Howell had created at Pinnacle, where there was water for washing, natural food to eat, herb to smoke, and meditation to share.

The prime effect of ganja is to loosen the conditioning of the mind, and as the citizens of Pinnacle sat and reasoned together, they turned the many doctrines of the day upside down, ideas accepted as gospel. Far from accepting white supremacy in the days of the British Empire, the Rastas not only refused to acknowledge the English king, they identified an African king whom they began to

J. M. deRitter





[Handwritten signature]

~~worship, and who they predicted would halt the advance of Europe into Africa, a prophecy which came true Ras Tafari Makonnen, crowned Emperor Haile Selassie I, was revered as the Conquering Lion of the Tribe of Judah, King of Kings, and could claim direct decent from David and Solomon, Kings of the chosen people~~

But while the Rasta might be able to quote chapter and verse to justify his beliefs, any young British civil servant, had they served in India, would have confirmed that the Rastafarians in Jamaica in the late forties and throughout the fifties were treated much more like untouchables than like Sardu Pinnacle was raided and destroyed, Howell was sent to the lunatic asylum, and the scattered Rasta brethren went to live in a slum called Dungle along the waterfront on the outskirts of Kingston. Here too they were bulldozed out of their shacks to become "wolves in sheep's clothing" or "rent-a-dreads" at sunsplash concerts on the beach at Negril. But many became skilled craftsmen, artists, singers, and musicians. Some became businessmen, and some preachers, even religious fanatics. But these are not the Rasta that Patrick Carrou sought out with his camera. He searched for and found the brethren who left Pinnacle and headed for the hills.

In the mountains of Jamaica their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free, the air is pure, the earth is rich, rainfall is abundant, and where one can build a bamboo home big enough to house the largest family. Here is where they can grow the best food and ganga in the world, and meditate in the way good herb often brings, thinking about what it's like living in Babylon, where nothing is free or unpolluted.

As a Rasta farmer says, "When you consider that when God give you a seed it will produce a thousand more seeds if you care for it, but when Babylon sell you a seed you still need chemicals to grow it—drug addiction! And now they bring seed that give you back no seed at all! Not even one much less a thousand!"

One of the several conceptions that Rasta established decades ago, before it became widespread, was the idea of ita! living as living the natural life. Rastafarians knew instinctively that pesticides were poison, that fertilizer inducing false growth was unnatural, and that to place oneself





at the mercy of synthetics without control of the source of supply was dangerous. They also knew that herbs and medicines extracted from roots and plants could cure more than the body they could sustain a physical and spiritual strength unknown to those addicted to mass-produced food. Long before the ecological movement and the "Greens" took up the cry, Rasta was preaching the *ital* way of life as an article of faith, and invented a vocabulary to express it.

Opposed to the *ital* way of living and the concept of Zion is Rasta's concept of Babylon.

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon was where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that mankind began to drift away from dependence on God to a dependence on the material items that Babylon had to offer.

Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world, more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand—swelling Babylon, making it more desperate and greedier than ever.

Nuclear threat, industrial pollution—it's obvious to Rasta the highest authority is guilty of the greatest crime: that for the most part rulers are a criminal class, and—needless to say—the ruling class regard those with a meditating mind as due for some serious discipline.

Babylon is not just a word to Rasta.

Babylon is not merely an idea, an abstraction for Rasta.

For Rasta, Babylon is a brutal reality.

When Patrick Cariou got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor.





caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many others have to live all their lives

Most of those heads bowed in captivity are not bowed in shame, but in thought

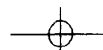
Tens of thousands and hundreds of thousands and millions all over the world, their bodies in chains, their heads bent in captivity for having the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling them they must give over their freedom to fulfill some ridiculous fantasy of maniacal devising

The function of Babylon comes from the conditioning of minds crippled with dogma. The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists

For Rasta, the keeping alive of ganja in the world, known to them as herb, is a holy mission. What else has helped as much as the spirit of herb to bring together people all over the world, united in an experience and state of mind which encourages mankind to see and name and confront evil? What else has enabled countless millions to float over the divisions that divide mankind, leaving behind the prejudice that has kept them penned up in their own little corners? What else has urged so many to think and act in the spirit of one consciousness?

We have one world trade and one world communication systems, but what we really need is one world justice system, it can be either a simple design worthy of universal respect or a monster of debate and petty legalism. *De minimus non curat lex*

If you can be put in jail for ganja anywhere in the world, why not two hundred lashes for adultery, or ten years in the penitentiary for meditation? If one world justice system strengthens petty law instead of





universal freedom, the next century will be a long descent back into an electronic dark age, like the history we've just emerged from, when rulers ruled through their minions and everybody else was a slave to their whim and fancy, held in the grip of one dogma or another for as long as anybody can remember

World justice must not crush the innocent, and in places like Jamaica today there is a vast threat to illiterate intelligence. It was understood for thousands of years that intelligence gained firsthand from experience was at least as valuable as knowledge learned secondhand from books. When one considers that much of the progress of mankind over the ages was made by people who couldn't read and write, it is outrageous that dozens of petty bureaucracies would cause a man or a woman to lose their livelihood from the inability to fill out a form. Not all the Rastas are illiterate, by any means, but it is not disputed by many that illiterate intelligence is the most profound, as it is learned from organic experience.

There has been no growth in the economy of Jamaica for the past 25 years. The effect has been one of increasing desperation, violence, and division for the ambitious. The result has been that the assumptions of the middle class have been shattered while the strengths of the simple Rastafanan life have become more evident with each passing year.

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica stand tall and preach repentance to the self-righteous.

I remember as a child of eight riding my horse to a building site where Rastas from Pinnacle were working to build a house and meeting with maybe 20 of the two hundred or so Rastas in the world. They made sandals out of old tires, and they looked as though they were straight out of the Old Testament. They talked to me about the bible because in those days I loved bible stories, and the Rastas knew their stories forwards and backwards. They looked ferocious, but in fact were very friendly to the little white boy on a horse.





I have lived to see Rasta spread around the globe Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, colors, and concerts Rasta satellite broadcasts Rasta as a worldwide movement I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa, Brazil Rasta is now all over the whole world

The amazing thing is how fast it happened, how easily it happened How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology

Bob Marley held a concert outside of Paris—one of the most ancient capitals of one of the world's strongest religions—and he pulled more people together to hear him sing his "Songs of Redemption" than assembled for the Pope two days later

Why did it happen?

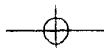
Because Rasta doesn't represent just Rasta, Rasta is a banner for a spirit worldwide

- The spirit of freedom, the spirit of pride, whether you're rich or poor
- The spirit of relaxation
- The spirit of speculation
- The belief of unification

The spiritual home for this is still rooted in the mountains of Jamaica in these strong simple people

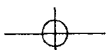
Yes Rasta
One Love

PERRY HENZELL





Out of respect for the privacy of the Rastas in YES RASTA, captions of names and places have been excluded

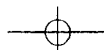




First of all, thanks to the Rastas in this book for allowing me into their lives and showing me what rightfulness and strength is all about

Thanks to

Siobhan Zutumer for sharing her love of Jamaica,
Lisa Schnepf for showing me the way,
Daniel Power and Craig Cohen for their commitment to beautiful photography books,
Hervé Morel for his unconditional support,
Marie Gerard and Lisa Scheubel from Adidas, France,
Francesco Solari for his perspective on the art world,
Marron de Beaupre for her belief,
Richard Foulister and Jessica Palazzo for their persistence and beautiful prints,
Laurent Le Moing and David Hazan,
Tom Palmer for being part of the project,
and of course to my friends for putting up with me



A-1957

*YES RASTA FINAL TEXTS 7/11/00 8 18 PM Page 15



YES RASTA

© 2000 powerHouse Cultural Entertainment, Inc
Photographs © 2000 Patrick Carou
Essay © 2000 Perry Henzell

All rights reserved. No part of this book may be reproduced in any manner or transmitted by any means whatsoever, electronic or mechanical (including photocopying, recording, and internet posting, display or retrieval) without the prior written permission of the publisher.

Published in the United States by powerHouse Books,
a division of powerHouse Cultural Entertainment, Inc
180 Varick Street, Suite 1302, New York, NY 10014-4606
telephone 212 604 9074, fax 212 366 5247
e-mail info@powerHouseBooks.com
website <http://www.powerHouseBooks.com>

First edition, 2000

Library of Congress Cataloging-in-Publication Data

Carrou, Patrick, 1963-
Yes Rasta / photographs by Patrick Carrou , essay by Perry Henzell
p cm
ISBN 1-57687-073-1
1 Rastafari movement--Jamaica 2 Rastafari movement--Jamaica--Pictorial works I
Henzell, Perry II Title.

BL2532 R37 C357 2000
299' 676'097292--dc21

00-55785

Hardcover ISBN 1-57687-073-1

Gelatin-silver prints by The Small Darkroom, New York
Tritone separations by Thomas Palmer, Newport
Printed and bound by Sfera, Milan

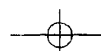
A complete catalog of powerHouse Books and Limited Editions is available upon request,
please call, write, or get in on our web site

10 9 8 7 6 5 4 3 2 1

A slipcased, limited edition of this book with a signed and numbered artwork by the artist is available upon inquiry,
please contact the publisher

Printed and bound in Italy

Art direction by Paul Ritter



C00323

Page 1 2:50

Handwritten scribbles and date 6/23/00

Handwritten date 7/17/00

YES RASTA

High up in the mountains and the forests of the ^{resides} ~~mountains~~ lives the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there, ~~living~~ ^{made} in Babylon.

Babylon System, in which NOTHING is free.

In the ^{1940s} ~~nineteen forties~~, in the hills just north of Spanish Town in St. Catherine Jamaica, a man named Leonard Howell ran a community called Pinnacle where he founded the Rastafarian movement.

On the one hand Howell was a traveled man of the world and a business man with an office in Kingston, and on the other hand he provided a place where Rastas could live and work in peace.

In those days no Rasta could board a bus or enter a shop. Most people would react to the presence of a Rasta in their midst with the apprehension they might feel towards a ragged beggar. Worse. A ragged beggar who was ^{also} ~~deemed~~ to be a lunatic.

A Rasta friend once described his astonishment at meeting a post-Marley locksman and realizing for the first time that locks could be a style that didn't invite rejection. ^{quite the contrary in fact} ~~far from~~ it. The old man found it so hard to believe because he had experienced nothing but scorn from anyone but another Rasta ^{in his life} ~~in his life~~.

For the ^{most} ~~most part~~ Rastas from Pinnacle didn't wander far from home in those days, but those who did felt like John the Baptist in Galilee, so wild looking that children would run from the sight of them, ^{covered in dust because the roads weren't paved} ~~covered in dust because the roads weren't paved~~. They projected the humility of the social outcast with the high stride of a visionary on the move, ^{and they} ~~and they~~ ^{travelling Rastas} ~~travelling Rastas~~ ^{way returned to} ~~they made it back to the refuge that Leonard Howell had created at Pinnacle, where there was water for washing and natural food to eat, herb to smoke and meditation to share.~~

The prime effect of Ganga is to loosen the conditioning of the mind, and as the citizens of Pinnacle sat and reasoned together they turned many doctrines upside down, ideas ^{had been} ~~that~~ were accepted as gospel. Far from accepting white supremacy in the days of the British Empire the Rastas not only refused to acknowledge the English king, they identified an African emperor who they worshipped, and who they predicted would halt the advance of Europe into Africa, a prophecy which came true. Haile Selassie, who was revered as the Lion of Judah, King of Kings, could claim direct descent from David and Solomon, the Kings of the chosen people.

But while the Rasta might be able to quote chapter and verse to justify their beliefs, any young British civil servant who had served in India would have confirmed that the

Handwritten note: began to

Rastafarians in Jamaica in the late ^{40s} forties and throughout the ^{50s} fifties were treated much more like untouchables than like Sahdus. Pinnacle was raided and destroyed, Howell was sent to the lunatic asylum and the scattered Rasta brethren went to live in a slum called Dungle along the waterfront on the outskirts of Kingston. Here too they were bulldozed out of their shacks to become "wolves in sheep's clothing" or "redheads" at sunsplashed concerts on the beach at Negril; but many became skilled craftsman, artists, singers and musicians. Some became professionals and business men, some preachers and even religious fanatics. But these are not the Rasta that Patrick Carriou sought out with his camera. He searched for and found the brethren who left Pinnacle and headed for the hills.

In the mountains of Jamaica their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free, the air is pure, the earth is rich, rainfall is abundant, a home can be made of bamboo big enough to house the largest family, where they can grow the best food and ganga in the world meditating in the way that good herb often brings, often thinking about what it's like living in Babylon where nothing is free or unpolluted.

reflecting

one can build a bamboo home

As a Rasta farmer says, "When you consider that when God give you a seed it will produce a thousand more seeds if you care for it, but when Babylon sell you a seed you still need chemicals to grow it, "Drug addiction." "And now they are bringing seed that give you back no seed at all! Not even one much less a thousand!"

as you can only do w/ good herb

One of the several conceptions that Rasta established decades ago, before it became widespread, was the idea of ita living as living the natural life. Rastafarians knew instinctively that pesticides were poison, that fertilizer inducing false growth was unnatural and that to place oneself at the mercy of synthetics without control of the source of supply was dangerous. They knew that herbs and medicines extracted from roots and plants could cure more than the body, they could sustain a physical and spiritual strength unknown to those addicted to mass produced food. Long before the ecological movement and the Greens took up the cry, Rasta was preaching the ita way of life as an article of faith and had invented a vocabulary to express it.

??

??

Opposed to the ita way of living and the concept of Zion is Rasta's use of the idea of Babylon.

concept

??

the necessary

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon is where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that all the essentials for Babylon today coalesced right then and there, everything necessary for the drift away from dependence on God to a dependence on what Babylon had to offer.

the material items

had

Page 3

Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand; swelling Babylon, making it more desperate and greedier than ever.

counted on and

then addition of the Babylon further, even more

Nuclear threat, industrial pollution, it's obvious to Rasta that the highest authority is that guilty of the greatest crime, that for the most part rulers are a criminal class, and need less to say the ruling class regard those with a meditating mind as due for some serious discipline.

Babylon is not just a word to a Rasta. Babylon is not merely an idea, an abstraction, for Rasta. For Rasta, Babylon is a brutal reality.

He was

When Patrick Carriou got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor that was caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door, one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many have to face for all their lives.

have to face
other
line

Most of those bowed heads in captivity are not bowed in shame, they are bowed in thought.

but

Tens of thousands and hundreds of thousands and millions all over the world, their bodies in chains, their heads bent in captivity for having the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling them that they must give over their freedom to fulfill some ridiculous fantasy of maniacal devising.

The function of Babylon is the conditioning of minds crippled with dogma. The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, or in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists

comes from

If we have one world trade and one world communications, we really need a one world justice system; and it can either be a simple design of simplicity worthy of universal respect, or it can become a monster of debate and petty legalism. De minimus non curat lex.

system but what we really need is

For Rasta, the keeping alive of ganga in the world, known to them as herb, is a holy mission. What else has helped as much as the spirit of herb to bring people together all over the world, united in an experience and state of mind that encourages mankind to see and name and confront evil? What else has enabled countless millions to float over the divisions that divide mankind, leaving behind the prejudice that has kept them penned up in their own little corner, to think and act in the spirit of one consciousness?

which
→ 5 tet
(don't cut)

What else has urged so many

page 4

If you can be put in jail for ganga anywhere in the world, why not two hundred lashes for adultery or ten years in jail for meditation. If a one world justice system strengthens petty law instead of universal freedom, the next century will be a long descent back into an electronic dark age, like the history we've just emerged from, when rulers ruled from their minions, and everybody else was a slave to their whim and fancy, held in the grip of one dogma or another for as long as anybody can remember.

sp. 5/24
Hand
10/2/74

World justice must not crush the innocent and in places like Jamaica today there is a vast threat to illiterate intelligence. For thousands of years it was understood that intelligence gained from experience was at least as valuable as knowledge learned second hand from books. When one considers that the progress of mankind was largely advanced by people who knew what they were doing but who couldn't necessarily read and write, it is outrageous that the very livelihood and ability of simple people to do business should be threatened by dozens of little petty bureaucracies and compliance that would cause a man or a woman to lose their living for their inability to fill out a form. Not all the Rastas are illiterate by any means but there is an argument that illiterate intelligence is the most profound as it is learned from organic experience.

like the illiterate intelligence in places like Jamaica who are facing a great threat today

For the past twenty five years there has been no growth in the form of economy in Jamaica. The effect has been one of increasing desperation, violence and division for the ambitious. The result has been that the assumptions of the middle class have been shattered while the strengths of the simple Rastafarian life has become more evident in each passing year.

economic
have

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica and the other wise men in the mountains of the world stand tall, and preach repentance to the self-righteous.

I remember as a child of 8 riding my horse to a building site where Rastas from Pinnacle were working to build a house, and meeting with maybe twenty of the maybe two hundred Rastas in the world. They made sandals out of old tires, they looked as though they were straight out of the Old Testament and they talked to me about the Bible because in those days I loved Bible stories and they knew their stories backwards as well. They looked ferocious but in fact were very friendly to the little white boy on the horse.

ok

at
CPS
and forwards

I have lived to see Rasta spread around the globe. Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, colors and concerts, Rasta satellite broadcasts, Rasta as a worldwide movement. I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa, Brazil, and now the whole world.

over

The amazing thing is how fast it happened. How easily it happened. How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology.

(5)

page 5

right outside of Paris

Bob Marley held a concert at Orly ⁽¹⁾ in one of the most ancient capitals of one of the worlds ⁽²⁾ strongest religions and he pulled more people to hear him sing his ⁽³⁾ Songs of Redemption than assembled for the Pope two days later.

Why did it happen?

Because Rasta just doesn't represent Rasta, Rasta is a banner for a spirit worldwide.

The spirit of freedom, the spirit of pride, whether you're rich or poor.

The spirit of relaxation.

The spirit of speculation.

The belief of unification.

The spiritual home for this is still rooted in the mountains of Jamaica in these strong simple people.

Yes Rasta

One Love

—Perry Henzell

Wed, Jul 12, 2000 12:55 PM

From: CheRitter@aol.com
To: <Phcultent@aol.com>, <craig@powerhousebooks.com>
Date: Wednesday, July 12, 2000 12:26 PM
Subject: text and cover

hi craig, hi dan
text pages looked fine and very clean, kudos to your copy editor. i just
flushed right patrick's sentence to the margin as it was slightly off,
otherwise no changes made.
the cover looks ok, i expected more copy but such is life. however the
changes on my bio are incorrect. i left virgin two years ago, and i spend
most of my working time now doing videos and commercials. so what about this:

Paul Ritter was formerly art director of Colors, creative director of Life
and of Virgin Records in Paris. He recently founded his own independent
magazine and art project Whatever. Currently he spends most of his time
directing music videos, recording music and working on a film screenplay at
home in New York.

UNEDITED DRAFT!!!!!!

EMMA's
edited text

High up in the mountains and the forests resides the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, and often thinking about what it's like down there, in Babylon Babylon System, in which NOTHING is free.

In the 1940s, in the hills just north of Spanish Town in St. Catherine Jamaica a man named Leonard Howell ran a community called Pinnacle where he founded the Rastafarian movement.

On the one hand Howell was a traveled man of the world and a business man with an office in Kingston, and on the other hand he provided a place where Rastas could live and work in peace.

In those days no Rasta could board a bus or enter a shop. Most people reacted to the presence of a Rasta in their midst with the apprehension they might feel towards a ragged beggar. Worse, a ragged beggar who was also a lunatic.

A Rasta friend once described his astonishment at meeting a post-Marley locksman and realizing for the first time that locks didn't have to invite rejection, quite the contrary in fact. The old man found this so hard to believe because he had experienced nothing but scorn from anyone but another Rasta in all his life.

Most Rastas from Pinnacle didn't wander far from home in those days, but the ones who did felt like John the Baptist in Galilee: so wild-looking, covered in dust from the unpaved roads, that children would run from the sight of them. Traveling Rastas projected the humility of the social outcast but had the high stride of a visionary on the move; they always returned to the refuge that Leonard Howell had created at Pinnacle, where there was water for washing and natural food to eat, herb to smoke, and meditation to share.

The prime effect of Ganga is to loosen the conditioning of the mind and as the citizens of Pinnacle sat, smoked, and reasoned together they turned many doctrines upside down, ideas that had been accepted as gospel. Far from accepting white supremacy in the days of the British Empire, the Rastas not only refused to acknowledge the English King, they identified an African emperor whom they worshipped, and who they predicted would halt the advance of Europe into Africa, a prophecy which came true. Haile Selassie, who was revered as the Lion of Judah, King of Kings, could claim direct descent from David and Solomon, the Kings of the chosen people.

But while the Rasta might be able to quote chapters and verse to justify their beliefs, any young British civil servant who had served in India would have confirmed that the Rastafarians in Jamaica in the late 40s and throughout the 50s were treated much more like untouchables than like Sandus. Pinnacle was raided and

UNEDITED DRAFT!!!!!!

[by whom?]

destroyed, Howell was sent to the lunatic asylum and the scattered Rasta brethren went to live in a slum called Dungle along the waterfront on the outskirts of Kingston. Here too they were bulldozed out of their shacks to become "wolves in sheep's clothing" or "rent-a-dreads" at sunsplashed concerts on the beach at Negril. Some became skilled craftsman, artists, singers, and musicians. Others became professionals and business men, or preachers and even religious fanatics. But these are not the Rastas that Patrick ^{the}Carroll sought out with his camera. He searched for and found the brethren who left Pinnacle and headed for the hills.

In the mountains of Jamaica their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free, the air is pure, the earth is rich, rainfall is abundant, and one can build a bamboo home big enough to house the biggest family. It's a place ^{where} they can grow the best food and ^{where}Ganga in the world, and meditate as only good herb allows, often thinking about what it would be like to live in Babylon where nothing is free or unpolluted.

As a Rasta farmer says, "When you consider that when God give you a seed it will produce a thousand more seeds if you care for it, but when Babylon sell you a seed you still need chemicals to grow it. ^{drug} addiction! And now they are bringing seed that give you back no seed at all! Not even one much less a thousand!"

ital

One of the several conceptions that Rasta established decades ago, before it became widespread, was the idea of ^{the}living as living the natural life. Rastafarians knew instinctively that pesticides were poison, that fertilizer inducing false growth was unnatural, and that to place oneself at the mercy of synthetics without any control of the source of supply was dangerous. They knew that herbs and medicines extracted from roots and plants could cure more than the body, they could sustain a physical and spiritual strength unknown to those addicted to mass-produced food. Long before the ecological movement and the "Greens" took up the cry, Rasta was preaching the ^{the}ital way of life as an article of faith and had invented a vocabulary to express it.

Opposed to the ^{the}ital way of living and the concept of Zion is Rasta's concept of what they call Babylon.

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon is where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and the force needed to protect it, that mankind began to drift away from dependence on God to a dependence on the

UNEDITED DRAFT!!!!!!

material items that Babylon had to offer.

Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world, more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never counted on and don't understand. Their addition swells Babylon, making it more desperate and greedier than ever.

planned for, to a life they don't understand, Swelling, Babylon

Nuclear threat, industrial pollution. It's obvious to Rasta that the highest authority is guilty of the greatest crime, that for the most part rulers are a criminal class, and that the ruling class regards those with a meditating mind as due for some serious discipline.

Babylon is not just a word to a Rasta.

Babylon is not merely an idea, an abstraction, for Rasta. For Rasta, Babylon is a brutal reality.

When Patrick Carrion got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor that was caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door: one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many others fear for all their lives.

PC in Jail = Think of Babylon

Most of those heads bowed in captivity are not bowed in shame, but in thought. Tens of thousands and hundreds of thousands and millions all over the world, their bodies in chains, their heads bent in captivity for realizing that the religious fanatics, the political fanatics, the class fanatics, and the color fanatics are telling them to give over their freedom to fulfill some ridiculous fantasy of maniacal devising.

The function of Babylon is the conditioning of minds crippled with dogma. The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, or in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists.

THD

We have one world trade system and one world communication system, but what we really need is one world justice system. The danger is that it can be either a simple design worthy of universal respect or a monster of debate and petty legalism. De minimus non curat lex.

in the world known to them as

skel?

For Rasta, the keeping alive of Ganga, their term for herb, is a holy mission. What

UNEDITED DRAFT!!!!!!

else has helped as much as the spirit of herb to bring people together all over the world, united in an experience and state of mind that encourages mankind to see and name and confront evil? What else has enabled countless millions to float over the divisions that divide mankind, abandoning the prejudice that has kept them penned up in their own little corner? What else has urged so many to think and act in the spirit of their consciousness?

5
A

If you can be put in jail for Ganga anywhere in the world, why not two hundred lashes for adultery or ten years in jail for meditation? If a world justice system strengthens petty law instead of universal freedom, the next century will be a long descent back into an electronic dark age, like the era we've just emerged from when rulers oppressed their minions and everybody was a slave to their whim and fancy, held in the grip of one dogma or another for as long as anybody can remember.

a time

World justice must not crush the innocent, such as the "illiterate intelligence" in places like Jamaica, who are facing a great threat today. For thousands of years it was understood that intelligence gained firsthand from experience was at least as valuable as knowledge learned secondhand from books. Consider that much of the progress of mankind was made by people who couldn't read or write, and it seems outrageous that dozens of little petty bureaucracies could cause a man or woman to lose their living for their inability to fill out a form. Not all Rastas, by any means, are illiterate, but many are, and there is an argument that illiterate intelligence is the most profound because it is learned from organic experience.

A good place for Jamaica today
Africa west
Threat to
illiterate
intelligence

See
circled

For the past 25 years there has been no economic growth in Jamaica. The effect has been one of increasing desperation, violence, and division for the ambitious. The result has been that the assumptions of the middle class have been shattered while the strengths of the simple Rastafarian life has become more evident with each passing year.

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica and the other wise men in the mountains of the world stand tall, and preach repentance to the self-righteous.

marks

I remember as a child of eight, riding my horse to a building site where Rastas from Pinnacle were working to build a house, and meeting with about 20 of the two hundred or so Rastas in the world. They made sandals out of old tires, they looked as though they were straight out of the Old Testament, and they talked to me about the Bible, because in those days I loved Bible stories and the Rastas knew their stories forwards and backwards. They looked ferocious, but in fact were very friendly to the little white boy on the horse.

F.H.

UNEDITED DRAFT!!!!!!

I have lived to see Rasta spread around the globe. Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, colors, and concerts, Rasta satellite broadcasts, Rasta as a worldwide movement. I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa, Brazil, and now the whole world. The amazing thing is how fast it happened, how easily it happened. How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology.

Bob Marley held a concert at Orly, right outside of Paris, one of the most ancient capitals of one of the world's strongest religions. He attracted more people to hear him sing his "Songs of Redemption" than assembled for the Pope two days later. Why did it happen? Because Rasta doesn't represent just Rasta, Rasta is a banner for a worldwide spirit.

and
and pulled more people together to

The spirit of freedom, the spirit of pride, whether you're rich or poor. The spirit of relaxation. The spirit of speculation. The belief of unification.

The spiritual home for this is still rooted in the mountains of Jamaica in these strong simple people.

Yes Rasta

One Love

Perry Henzell

May, 2000

Henzell
Jensen

6/26/01

High up in the mountains and the forests of the world lives the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there, living in Babylon.

Babylon System, in which NOTHING is free.

In the nineteen forties, in the hills just north of Spanish Town in St. Catherine Jamaica, a man named Leonard Howell ran a community called Pinnacle where he founded the Rastafarian movement.

On the one hand Howell was a traveled man of the world and a business man with an office in Kingston, and on the other hand he provided a place where Rastas could live and work in peace.

In those days no Rasta could board a bus or enter a shop. Most people would react to the presence of a Rasta in their midst with the apprehension they might feel towards a ragged beggar. Worse. A ragged beggar who was deemed to be a lunatic.

A Rasta friend once described his astonishment at meeting a post-Marley locksman and realizing for the first time that locks could be a style that didn't invite rejection, far from it. The old man found it so hard to believe because he had experienced nothing but scorn from anybody but another Rasta all his life.

For the most part Rastas from Pinnacle didn't wander far from home in those days, but those who did felt like John the Baptist in Galilee; so wild looking that children would run from the sight of them, covered in dust because the roads weren't paved. They projected the humility of the social outcast with the high stride of a visionary on the move till they made it back to the refuge that Leonard Howell had created at Pinnacle where there was water for washing and natural food to eat, herb to smoke and meditation to share.

The prime effect of Ganga is to loosen the conditioning of the mind, and as the citizens of Pinnacle sat and reasoned together they turned many doctrines upside down, ideas that were accepted as gospel. Far from accepting white supremacy in the days of the British empire the Rastas not only refused to acknowledge the English king, they identified an African emperor who they worshipped, and who they predicted would halt the advance of Europe into Africa, a prophecy which came true. Haile Selassie, who was revered as the Lion of Judah, King of Kings, could claim direct decent from David and Solomen, the Kings of the chosen people.

But while the Rasta might be able to quote chapter and verse to justify their beliefs, any young British civil servant who had served in India would have confirmed that the Rastafarians in Jamaica in the late forties and throughout the fifties were treat-

* some formatting is screwed up.

ed much more like untouchables than like Saldus. Pinnacle was raided and destroyed, Howell was sent to the lunatic asylum and the scattered Rasta brethren went to live in a slum called Dungle along the waterfront on the outskirts of Kingston. Here too they were bulldozed out of their shacks to become "wolves in sheep's clothing" or "rent a dreads" at sunsplash concerts on the beach at Negril; but many became skilled craftsman, artists, singers and musicians. Some became professionals and business men; some preachers and even religious fanatics. But these are not the Rasta's that Patrick Carriou sought out with his camera. He searched for and found the brethren who left Pinnacle and headed for the hills.

In the mountains of Jamaica their descendants still live, close to nature and what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free, the air is pure, the earth is rich, rainfall is abundant, a home can be made of bamboo big enough to house the largest family, where they can grow the best food and *ganga* in the world meditating in the way that good herb often brings, often thinking about what it's like living in Babylon where nothing is free or unpolluted.

As a Rasta farmer says, "When you consider that when God give you a seed it will produce a thousand more seeds if you care for it, but when Babylon sell you a seed you still need chemicals to grow it" "Drug addiction" "And now they are bringing seed that give you back no seed at all! Not even one much less a thousand!"

One of the several conceptions that Rasta established decades ago, before it became widespread, was the idea of *ital* living as living the natural life. Rastafarians knew instinctively that pesticides were poison, that fertilizer inducing false growth was unnatural and that to place oneself at the mercy of synthetics without any control of the source of supply was dangerous. They knew that herbs and medicines extracted from roots and plants could cure more than the body, they could sustain a physical and spiritual strength unknown to those addicted to mass produced food. Long before the ecological movement and the 'Greens' took up the cry, Rasta was preaching the *ital* way of life as an article of faith and had invented a vocabulary to express it.

Opposed to the *ital* way of living and the concept of Zion is Rasta's use of the idea of Babylon.

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon is where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that all the

essentials for Babylon today coalesced right then and there; everything necessary for the drift away from dependence on God to a dependence on what Babylon has to offer.

Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world more and more of those who used to live in Zion start to starve. So where do they go ? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand, swelling Babylon, making it more desperate and greedier than ever.

Nuclear threat, industrial pollution . It's obvious to Rasta that the highest authority is guilty of the greatest crime, that for the most part rulers are a criminal class, and needless to say the ruling class regard those with a meditating mind as due for some serious discipline.

*Babylon is not just a word to a Rasta.
Babylon is not merely an idea, an abstraction, for Rasta.
For Rasta, Babylon is a brutal reality.*

When Patrick Carriou got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor that was caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door, one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many have to fear for all their lives.

Most of those bowed heads in captivity are not bowed in shame, they are bowed in thought.

Tens of thousands and hundreds of thousands and millions all over the world, their bodies in chains their heads bent in captivity for having the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling them that they must give over their freedom to fulfill some ridiculous fantasy of maniacal devising.

The function of Babylon is the conditioning of minds crippled with dogma. The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, or in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists .

If we have one world trade and one world communications, we really need a one

world justice system; and it can either be a design of simplicity worthy of universal respect, or it can become a monster of debate and petty legalism. *De minimus non curat lex.*

For Rasta, the keeping alive of ganga in the world, known to them as herb, is a holy mission. What else has helped as much as the spirit of herb to bring people together all over the world, united in an experience and state of mind that encourages mankind to see and name and confront evil? What else has enabled countless of millions to float over the divisions that divide mankind leaving behind the prejudice that has kept them penned up in their own little corner; to think and act in the spirit of one consciousness.

If you can be put in jail for ganga anywhere in the world, why not two hundred lashes for adultery or ten years in jail for meditation. If a one world justice system strengthens petty law instead of universal freedom, the next century will be a long descent back into an electronic dark age, like the history we've just emerged from, when rulers ruled from their minions, and everybody else was a slave to their whim and fancy, held in the grip of one dogma or another for as long as anybody can remember.

World justice must not crush the innocent and in places like Jamaica today there is a vast threat to illiterate intelligence. For thousands of years it was understood that intelligence gained from experience was at least as valuable as knowledge learned second hand from books. When one considers that the progress of mankind was largely advanced by people who knew what they were doing but who couldn't necessarily read and write, it is outrageous. That the very livelihood and ability of simple people to do business should be threatened by dozens of little petty bureaucracies and compliance's that would cause a man or a woman to lose their living for their inability to fill out a form. Not all the Rastas are illiterate by any means but there is an argument that illiterate intelligence is the most profound as it is learned from organic experience.

For the past twenty five years there has been no growth in the form of economy in Jamaica. The effect has been one of increasing desperation, violence and division for the ambitious. The result has been that the assumptions of the middle class have been shattered while the strengths of the simple Rastafarian life has become more evident in each passing year.

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica and the other wise men in the mountains of the world stand tall, and preach repentance to the selfrighteous.

I remember as a child of 8 riding my horse to a building site where Rastas from Pinnacle were working to build a house , and meeting with maybe twenty of the maybe two hundred Rastas in the world. They made sandals out of old tires, they looked as though they were straight out of the old testament and they talked to me about the bible because in those days I loved bible stories and they knew their stories backwards as well. They looked ferocious but in fact were very friendly to the little white boy on the horse.

I have lived to see Rasta spread around the globe. Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, colors and concerts, Rasta satellite broadcasts, Rasta as a worldwide movement. I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa, Brazil, and now the whole world.

The amazing thing is how fast it happened. How easily it happened. How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology.

Bob Marley held a concert at Orly in one of the most ancient capitals of one of the worlds strongest religions and he pulled more people to hear him sing his 'Songs of Redemption' than assembled for the Pope two days later.

Why did it happen?

Because Rasta just doesn't represent Rasta, Rasta is a banner for a spirit world-wide.

The spirit of freedom, the spirit of pride, whether you're rich or poor.

The spirit of relaxation.

The spirit of speculation.

The belief of unification.

The spiritual home for this is still rooted in the mountains of Jamaica in these strong simple people.

Yes Rasta

One Love

—Perry Henzell

pg. 170

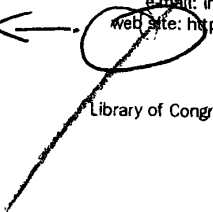
YES RASTA

© 2000 powerHouse Cultural Entertainment, Inc.
Photographs and text © 2000 Patrick Carrou
Essay © 2000 Perry Henzell

All rights reserved. No part of this book may be reproduced in any manner or transmitted by any means whatsoever, electronic or mechanical (including photocopying, recording, and internet posting, display or retrieval) without the prior written permission of the publisher.

Published in the United States by powerHouse Books,
a division of powerHouse Cultural Entertainment, Inc.
180 Varick Street, Suite 1302, New York, NY 10014-4606
telephone 212 604 9074, fax 212 366 5247
e-mail: info@powerHouseBooks.com
web site: http://www.powerHouseBooks.com

Website is one word. At McCall's we also capitalize it, but that's a style choice



First edition, 2000

Library of Congress Cataloging-in-Publication Data.

TK
TK
TK
TK
TK
TK
TK
TK

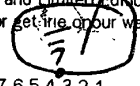


Hardcover ISBN 1-57687-073-1

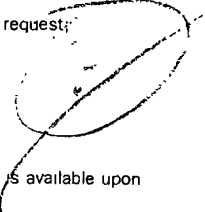
Tritone separations by Thomas Palmer, Newport, RI
Printed and bound by SFERA, Milan

Handwritten scribbles

A complete catalog of powerHouse Books and Limited Editions is available upon request; please call, write, or get info on our web site



10 9 8 7 6 5 4 3 2 1



A slipcased, limited edition of this book with a signed and numbered artwork by the artist is available upon inquiry; please contact the publisher

Printed and bound in Italy

s/h/c

Howell

dead it

#2

"YES RASTA"

High up in the mountains and the forests of the world lives the conscience of the world, bearded men close to God, living off what God provides, praying, meditating, often thinking about what it's like down there, living in Babylon

Babylon System, in which NOTHING is free.

In the nineteen forties, in the hills just north of Spanish Town in St. Catherine Jamaica, a man named Leonard Howell ran a community called Pinnacle where he founded the Rastafarian movement

On the one hand Howell was a traveled man of the world and a business man with an office in Kingston, and on the other hand he provided a place where Rastas could live and work in peace.

In those days no Rasta could board a bus or enter a shop. Most people would react to the presence of a Rasta in their midst with the apprehension they might feel towards a ragged beggar. Worse A ragged beggar who was deemed to be a lunatic.

A Rasta friend once described his astonishment at meeting a post-Marley locksman and realizing for the first time that locks could be a style that didn't invite scorn far from it. The old man found it so hard to believe because he had experienced nothing but scorn from anybody but another Rasta all his life.

For the most part Rastas from Pinnacle didn't wander far from home in those days, but those who did felt like John the Baptist in Galilee; so wild looking that children would run from the sight of them, covered in dust because the roads weren't paved. They projected the humility of the social outcast with the high stride of a visionary on the move till they made it back to the refuge that Leonard Howell had created at Pinnacle where there was water for washing and real food to eat, herb to smoke and meditation to share.

The prime effect of Gaingia is to loosen the conditioning of the mind, and as the citizens of Pinnacle sat and reasoned together they turned many doctrines upside down, ideas that were accepted as gospel. Far from accepting white supremacy in the days of the British empire the Rastas not only refused to acknowledge the English king, they identified an African emperor who they worshipped, and who they predicted would halt the advance of Europe into Africa, a prophecy which came true, besides, Haile Selassie could claim heir to the crown of David the King of the chosen people.

But while the Rasta might be able to quote chapter and verse to justify their beliefs, any young British civil servant who had served in India would have confirmed that the Rastafarians in Jamaica in the late forties and throughout the fifties were treated much more like untouchables than like Sahdus. Pinnacle was raided and destroyed, Howell was sent to the lunatic asylum and the scattered Rasta brethren either went to live in a slum called Dungle along the waterfront on the outskirts of Kingston, or they headed for the hills.

In the mountains of Jamaica live their descendants, bearded men living close to nature living on what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free, the air is pure, the earth is rich, rainfall is abundant, a house can be made of bamboo big enough to house the largest family, where they can grow the best food and ganga in the world mediating in the way that good herb often brings, often thinking about what it's like living in Babylon where nothing is pure.

"When you consider that when God give you a seed it will produce a thousand more seeds if you care for it, but when Babylon sell you a seed you still need chemicals to grow it: "Drug addiction" "And now they are bringing seed that give you back no seed at all ! Not even one much less a thousand !"

One of the many concepts that Rasta established decades ago was the idea of ital living as living the natural life. Rastafarians knew instinctively that pesticides were poison, that fertilizer including false growth was unnatural and that to place oneself at the mercy of synthetics without any control of the source of supply was dangerous. Long before the ecological movement and the Greens' took up the cry, Rasta was preaching the ital way of life as an article of faith and had invented the word to express it.

Rastas look as strong as any rebels in the world, spiritual as the fighting Taliban, but with this crucial difference. Rasta doesn't try to force religion on anybody because the level of Rasta consciousness knows that feeling good has to come from the heart, that it cannot be forced on people. That conduct is a matter of personal deliverance

Babylon was where mankind first stopped roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon is where owning more than you could move led to such a piling up of treasures for the rich, such a display of wealth and force to protect it, that all the essentials for Babylon today coalesced right then and there; everything necessary for the drift away from dependence on God to a dependence on what Babylon has to offer.

The wise men in the mountains want none of it. They never have. And the Rastafarians in the mountains of Jamaica are no different

Don't forget Babylon doesn't produce anything natural, it only uses up what's there, and as it reaches further and further into the natural world more and more of those who used to live in Zion start to starve. So where do they go? They go into Babylon as refugees, to a life they never planned for, to a life they don't understand, swelling Babylon, making it more desperate and greedier than ever.

Nuclear threat, industrial pollution. It's obvious to Rasta that the highest authority is guilty of the greatest crime, that for the most part rulers are a criminal class, and needless to say the ruling class regard those with a meditating mind as due for some serious discipline from above

Babylon is not just a word to a Rasta.
 Babylon is not merely an idea, an abstraction, for Rasta
 For Rasta Babylon is a brutal reality

When Patrick Carriou got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor that was caked with the accumulated filth of many years, with nowhere to relieve himself except in an open communal can, with only very little revolting food to sustain him, pushed through a small slit in an otherwise solid iron door, one of countless millions around the world held for doing nothing at all to cause harm, living for a few days what many have to fear for all their lives.

Most of those bowed heads in captivity are not bowed in shame they are bowed in thought

Thousands and tens of thousands and hundreds of thousands and millions all over the world, their bodies in chains their heads bent in captivity for having the revelation that the religious fanatics and the political fanatics and the class fanatics and the color fanatics are telling them that they must give over their freedom to fulfill some ridiculous fantasy of their own devising

The conditioning on your mind, put there by Babylon. What kind of conditioning? The conditioning of fanatics. The ones who will lock you up for a beer in Tehran, and put you in a chain gang in Alabama for smoking a spliff. The ones who'll arrest you in China for thinking your own thoughts, or in Cuba for expressing them. Communists, Fascists, Monopoly Capitalists. Monopoly Capitalism won both times, and now the only competition for big business is small business, and that's a new kind of doctrine sweeping the globe

When is an entire people judged fit to pick for the tyrant's table? When everybody can be made to stand up and swear to a lie, when a government can make people declare that they hate what they love, when that obvious falsehood is accepted as gospel by all and sundry, that what they've found to be good is evil, then the fanatic knows the time is at hand for turning fanaticism into power, compulsion, oppression, brutality, and revolution

A-1979

FROM : JILL GLOVER CREATIVE SERVICES FAX NO. : 2129651056

Apr. 18 2000 10:20AM P7

Yet there are things that won't wait. If we have one world trade and one world communications, we really need a one world justice system; and it can either be a design of simplicity worthy of universal respect, or it can become a monster of debate and petty legalism. De minimis non curat lex.

If so called world justice is oppressive, the next century will be a long descent back into an electronic dark age, like the history we've just emerged from, when rulers ruled from their minions, and everybody else was a slave to their whim and fancy, held in the grip of one dogma or another for as long as anybody can remember.

In places like Jamaica today there is a vast threat to illiterate intelligence. For thousands of years it was understood that intelligence and illiteracy could easily go together. When one considers that the entire progress of mankind has been advanced by people who knew what they were doing but who couldn't necessarily read and write, it is outrageous. That the very livelihood and ability of simple people to do business should be threatened by dozens of little petty bureaucracies and compliance's that would cause a man or a woman to lose their living for their inability to fill out a form. Not all the Rastas are illiterate by any means but there is an argument that illiterate intelligence is the most profound as it is learned from organic experience and not second hand from a book.

For the past twenty five years there has been no growth in the form of economy in Jamaica. The effect has been one of increasing desperation, violence and division for the ambitious. The result has been that the assumptions of the middle class have been shattered while the simple Rastafarian life has become more evident in each passing year.

C00348

A-1980

FROM : JILL GLOVER CREATIVE SERVICES FAX NO. : 2129651056

Apr. 19 2000 10:20AM PB

Most people cower and wilt under the assault of the Babylonian forces of the whole world, but the Rastas in Jamaica and the other wise men in the mountains of the world stand tall, and preach repentance to the self-righteous. How can the fanatics be against nature, a seed and a plant? Put there in nature for a biblical purpose! Put on earth, according to the bible to "heal the nations". A natural thing in creation, a gift from God. For a man to look at such a plant and say that it is "wicked" is an act of wickedness in itself!

For the wise men the keeping alive of ganja in the world, known to them as herb, is a holy mission. What else has helped as much as the spirit of herb to bring people together all over the world, united in an experience and state of mind that encourages mankind to see and name and confront evil? What else has enabled countless millions in every corner of the globe to think and act in the spirit of one consciousness. This is not Muslim coming together with Muslim or Jew coming together with Jew, or Black coming together with Black or White coming together with White. This is about everybody coming together as they are, without strife, united by a spirit higher than division because when you flout over the divisions that divide mankind, you are leaving behind the prejudice that has kept you penned up in your own little corner.

In a very tense world the spirit of ganja induces relaxation. When you relax you see things from a different point of view. New ideas challenge old ideas, ideas so old they've turned into gospel. Assumptions of race, of tribe, of religion, of political propaganda, of all the things that support priests and politicians and all who have a vested interest in apartness because it is only in their small arena that they loom large, there and in their seats at the UN.

I have lived to see Rasta spread around the globe. Rasta music, Rasta hairstyle, Rasta food, Rasta religion, Rasta flags, Rasta colors, Rasta concerts, Rasta satellite broadcasts, Rasta as a worldwide movement. I've seen all of the above spread from Jamaica to the other islands of the West Indies, to England, to North America, to Japan, to France, Germany, Italy, West Africa, Southern Africa, Brazil, and now the whole world.

C00349

A-1981

FROM : JILL GLOVER CREATIVE SERVICES FAX NO. : 2129651056

Apr. 18 2020 10:21AM P9

The amazing thing is how fast it happened. How easily it happened. How it has caused a revolution in the popular consciousness without shedding a drop of blood for ideology

Bob Marley held a concert at Orly in one of the most ancient capitals of one of the world's strongest religions and he pulled more people to hear him sing his 'songs of redemption' than assembled for the Pope two days later.

Why did it happen?

Because Rasta just doesn't represent Rasta. Rasta is a banner for a spirit worldwide

The spirit of freedom the spirit of pride, whether you're rich or poor.

The spirit of relaxation.

The spirit of speculation.

The belief of unification.

Yes Rasta

One Love

C00350

from
to Perry
pH

powerHouse Books

180 Varick Street, Suite 1302 New York, NY 10014-4606
tel 212 604 9074, fax 212 366 5247, e mail info@powerHouseBooks.com

November 10, 1999

**Patrick, first draft of your letter to Perry.
What do you think? — Craig**

Dear Perry,

Thanks very much for sending the sample text along. It was a good idea to forward it so quickly, and I've given a lot of thought to it and have some ideas about the direction I hope you'll take in the book.

First and foremost, the vision of the book is to keep the texts and photos separate; it's essential to read the book in two parts. Your text shouldn't be a reflection on the photos, but instead this is your chance to express what you want about Rasta culture and Jamaican reality. As we discussed, you have a lot of flexibility regarding the length of your text.

As your text will be separated from the photos it will carry more weight as its own distinct voice and I think we can gain the most from your experience should you contribute a serious essay dealing directly with some of the issues we discussed when we last met.

As a specialist in Jamaican reality and Rasta culture you offer the best insight into the subtleties of the Jamaican universe for both those who know the culture as well as those who are entirely ignorant of it. We should not forget to address both of these potential readers by broaching the key topics with head on and with full force.

I've always admired your no-holds-barred and vocal criticism of the political corruption, police brutality, and civilian violence plaguing Jamaican reality, as well as your understanding of Rasta culture from within Jamaica's political and class system. I believe you can also shed light on the apparent breakdown of the Jamaican family (a cause of Jamaica's woes or the effect?). Being able to discuss issues like these openly is very important to me and I would never have approached you had I not been thoroughly convinced that you had it in you to do so.

It is also very important to give an historical overview of the Rasta movement examining its roots, evolution, rituals, symbols, philosophies, and religion. With an overview of the history, I think readers of YES RASTA will then gain more from an in depth look at the contemporary Ital way of life: organic living, farming, camouflage, medicinal uses of herbs, food culture, self reliance, family structure, non violent philosophy vs. violent history and education, use of marijuana, and their remarkable physical strength. (It's the Ital's who moved me the most while I did this project).

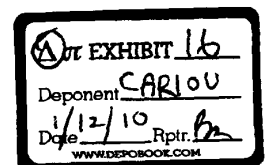
Needless to say, readers of YES RASTA will also be anxious to know your views, aside from the more journalistic or academic approach to all of the above issues which really call for more objectivity. I look forward to reading about your personal, subjective, and emotive perspective on the Rasta movement and Jamaican culture as a powerful close to your piece.

Sorry to throw so much at you at once, but the publishers are eager to move forward after their successful trip to the Frankfurt Book Fair where they were met with a lot of good feedback for the project. Let me know if you have any questions or if any of my ideas were less than clear. I'm excited about the next step and look forward to your response.

END

powerHouse Books is a division of powerHouse Cultural Entertainment, Inc.

C00351



Cohen & Malus		39 Plaza Street, #1C Brooklyn, NY 11217
Mary Ellen Mark		134 Spring Street, #502 New York, NY 10012
Matthew Marks	Matthew Marks Gallery	523 West 24th Street New York, NY 10011-1104 (Business)
Danielle McConnell	Artforum	350 Seventh Avenue New York, NY 10001 (Business)
Craig McDean		149 Wooster Street, 8th Floor Buzzer 18 New York, NY 10012
Jay McInemey		50 East 77th Street New York, NY 10021
Eile McPhearson	Stuart Cameron (manager)	414 E 52nd Penthouse B New York, NY 10022
Taylor Meade		163 Ludlow St. New York, NY 10002
Charles Meiers	Universe Publications	300 Park Avenue South, 3rd Floor New York, NY 10010
Charles Melcher	Melcher Media	131 Varick Street New York, NY 10013 (Work)
Duane Michaels		109 East 19th Street New York, NY 10003 (Home)
Hervé Morel	ADM	349 Broadway, 3rd Floor New York, NY 10013
Jill Morely		381 East 10th Street New York, NY 10009 (Home)
Tony Morgan	Step Graphics	315 West 39th Street, Suite 1002 New York, NY 10018 (Work)
Tatum O'Neal		300 Central Park West, 16 G New York, NY 10024
Prince & Princess Of Greece		51 MacDougal St., #45 New York, NY 10012
Klaus Ottmann		174 West 76th Street New York, NY 10023 (Work)
Tiffany Peay	Irving Penn Studio	137 Rivington Apt. 12A New York, NY 10002 (Home)
Irving Penn		89 5th Avenue, 11th Floor New York, NY 10003
Gilles Peress		141 West 24th Street New York, NY 10011
Fanny Perreire	Paper Magazine	952 5th Ave #8A New York, NY 10021
Sharon Phair		365 Broadway New York, NY 10013
Jack Pierson		10 Downing Street New York, NY 10014 (Home)
Lynda & Richard Pizer		100 Rugby Road Brooklyn, NY 11226
Daniel Power		635 East Ninth Street #11 New York, NY 10009-4703 (Work)
Terry Richardson		212 Bowery, Apt. 1 New York, NY 10012
Francesca Richer		55 West End Avenue, #2H New York, NY 10023 (Home)
Paul Ritter		270 West 17th Street, 4L New York, NY 10011
Alexis Rockman		85 Franklin Street New York, NY 10013
Joseph Rodriguez		392 Third Street Brooklyn, NY 11215 (Home)
Ippolita Rostagno		17 South Portland Avenue Brooklyn, NY 11217
David Sebbah		444 Broome Street, 5E New York, NY 10013
Neil Selkirk		515 West 19th Street New York, NY 10011 (Work)
Cindy Sherman	Art Department	84 Mercer Street 5th Fl. New York, NY 10012 (Home)
Jordan Shipenber		48 Greene Street, 4th Floor New York, NY 10013
Ione Skye		454 West 20th St. Apt #2 New York, NY 10011
Dora Somosi		333 East 30th Street, #4J New York, NY 10016
Mario Sorrenti		149 Church Street, #25 New York, NY 10013
Julia Stiles		34 Greene St. #4 New York, NY 10013
Maurice Tannenbaum		138 Montrose Ave Unit #41 Bryn Mawr, PA 19010
Stephen Tashjian	te Neues Publishing Co.	619 East 5th Street, #21 New York, NY 10009 (Work)
Hendrik te Neues		16 West 22nd Street New York, NY 10010
Lynn Tillman		277 East 10th Street New York, NY 10009
Frederique Van Der Wal	Irving Penn Studio	580 Broadway # 901 New York, NY 10012
Dee Vitale		89 Fifth Avenue 11th Floor New York, NY 10003 (Work)
Neville Wakefield		85 Walker Street New York, NY 10012 (Home)
Dorothea Walliser	Assouline	601 West 26th Street 18th Floor New York, NY 10001 USA
Deborah Walters	Saks 5th Avenue	12 East 49 Street, 8th Floor New York, NY
Vera Wang	Vera Wang	45 E 30th St 8th Fl. New York, NY 10016
Jenna Ward		322 E 94 St #2W New York, NY 10128
John Waters		10 West Highfield Road Baltimore, MD 21218
Veronica Webb		20 East 68th Street, #8A New York, NY 10021
Bruce Weber		135 Watts Street New York, NY 10013
William Wegman		431 East 6th Street New York, NY 10009 (Home)
Thea Westreich	Art Advisory Services, Inc.	114 Greene Street New York, NY 10012 (Work)
Hype Williams	Big Dog Films	180 Varick Street New York, NY 10014
Robert Wilson & Byrd Hoffman		131 Varick St., Rm. 908 New York, NY 10013
Natalie	Q Model Management	180 Varick Street, 13th Floor New York, NY 10014 (Work)
Iman	Iman Cosmetics	135 E 55th St 5th Fl. New York, NY 10022

227 3174

YES RASTA

In the nineteen forties, in the hills north of Spanish Town in St Catherine Jamaica, a man named Leonard Howell ran a community, called Pinnacle, where he founded the Rastafarian religion.

On the one hand Howell was a travelled man of the world and businessman with an office in Kingston, and on the other hand he provided a place where Rastas could live and work in peace.

In those days no Rastafarian could board a bus, or enter a shop. Most people would react to the presence of a rasta in their midst with the apprehension they might feel towards a very ragged beggar. Worse. A ragged beggar who was deemed to be a lunatic.

A rasta friend of mine once described his astonishment at meeting a post-Marley locksman and realizing, for the first time, that locks could be a style that didn't invite scorn, far from it. The old man found it so hard to believe because he had experienced nothing but scorn from anybody but another rasta all his life.

For the most part rastas from Pinnacle didn't wander far from home in those days, but those who did must have felt like John the Baptist in Galilee. So wild looking that children would run from the sight of them, covered in dust if they were on the move because the roads weren't paved, projecting the humility of the social outcast with the high stride of a visionary on the move till he made it back to the refuge that Leonard Howell had created at Pinnacle, where there was water for washing and ital food to eat, and herb to smoke, and meditation to share.

The prime effect of ganga is to loosen conditioning of the mind, and as the citizens of Pinnacle sat and reasoned together they turned many indoctrinations upside down, ideas that were accepted as gospel.

Far from accepting white supremacy in the days of the British Empire the rastas not only refused to acknowledge the English king, they identified an African emperor who they worshipped, and who, they predicted, would halt the advance of Europe into Africa, a prophecy which came true.

Besides all that Haile Selassie could claim, with biblical authority, that he was a direct descendant of Solomon and Sheba, heir to the crown of David the king of the chosen people.

But while the rastas might be able to quote chapter and verse to justify their beliefs, any young British civil servant who had served in India would have confirmed that Rastafarians in Jamaica in the late forties and throughout the fifties were treated very much more like untouchables than like sahdu. Pinnacle was raided and destroyed, Howell was sent to the lunatic asylum, and the scattered rasta brethren either went to live in a slum called iDunglei along the waterfront on the outskirts of Kingston, or they headed for the hills.

High up in the mountains of Jamaica live their descendants, bearded men, close to nature, living on what nature provides, reflecting on how happy they are to be living a life in Zion where almost everything is free. The air is pure, the earth is rich, rainfall is abundant, a house can be made of bamboo big enough to house the largest family. Where they grow the best ganga in the world, meditating in the way that good herb brings, often thinking about what it's like living down there in Babylon where nothing is free.

*

Babylon is where mankind first stop roving and built a city. Babylon, between the two rivers on the plain, was where man first accumulated more than he could carry. Babylon is where owning more than you could move lead to such a piling up of treasures for the rich, and such a display of force to protect it, that all the essentials for Babylon today coalesced then and there.

Babylon is not just a word to rasta.
Babylon is not merely an idea, an abstraction. for rasta.
For rasta, Babylon is a brutal reality.

When Patrick Carriou got a taste of it he was flung into a tiny cell packed with humanity but with no windows, with nothing to sit on or lie on except a floor caked with the accumulated filth of many years, with nowhere to relieve himself except into an open communal can, with only a very little, revolting, food to sustain him, pushed through a slit in an otherwise solid iron door, one of countless millions around the world held in captivity for doing nothing at all to cause harm. living for a few days what many have to fear for all their lives.

Many of those bowed heads in captivity are not bowed in shame, they are bowed in thought.

pH powerHouse Books
180 Varick Street, Suite 1302 New York, NY 10014-4606
tel 212 604 9074, fax 212 366 5247, e mail info@powerHouseBooks.com

11/09/99

We're looking for a specialist's view of Jamaican reality and Rasta culture.

looking for a text w/2 parts. More journalistic, staccato, less poetic/musical. Less buzz words, must explain everything assuming that people are not familiar with the culture. Not anecdotal. No relation between text and images. Text is a bridge to understand photos.

part 1

Jamaican reality

what is it to be a poor Jamaican

political corruption

police brutality

violence

struggle

context of Rasta culture from within Jamaican political/class system

breakdown of the family

part 2

Historical overview of Rasta movement

Main part

Rasta movement NOW and the ITAL (orthodox) way of life

Farmers growing their own food, organic living,

knowledge of medicinal herbs

non-Materialistic

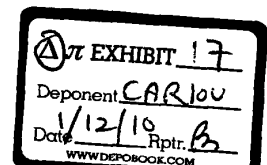
Ital food culture

family structure

social structure/solitary living

farming techniques — (camouflage)

non-violence philosophy vs. violent history and education



Yes Rasta

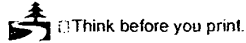
The Dreads in this book have every reason to fear discovery. The world is so desperately in need of moral strength that they could be swamped in no time by hippies searching for the Holy Grail, but there's no need for the spread of these images to be destructive, not if the people who love the photographs are inspired to set their minds free from Babylonian control in their own country. In many places Babylon is just a force like any other in society; dangerous if triumphant and out of control, useful for disciplining the demented, but where central authority is itself demented in it's addiction to violence and brutal oppression, ah, that is a different matter. The people in this book have asked us to tell you don't try to find them, leave them alone. If you want to commune with them follow their example in your own corner. The world can only be better for it.

C00361

EXHIBIT 18
Deponent CARLOU
Date 1/12/10 Rptr. [Signature]
WWW.DEPOBOOK.COM

direct: + 1 646 421 2079

□



□

□

From: betsy biscone [mailto:bbiscone@prince-studio.com]
Sent: Tuesday, October 07, 2008 4:29 PM
To: Betsy Biscone; Louise Neri
Cc: Melissa Lazarov
Subject: Re: "The Pitch"

□

Dear Louise,
I hope this finds you well. □ Per Richard's request, please find attached *The Pitch*, which was displayed on the wall at the Eden Rock Hotel in Saint Barth for last December 2007, *Eden Rock Show*. □ Also, you'll find below additional writing Richard did this past Spring □08.

I understand you would like to talk with him at some point. □ Tell me know what you are thinking so I can schedule something in.
Do let me know if there is any question or if I can be of further assistance.
All best,

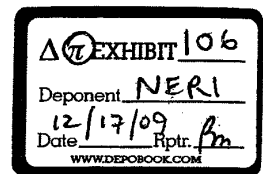
Betsy Biscone
--
Prince Studio Manager
R□ville, NY 12147
T: 518.797.5279
F: 518.797.9875

-- □ Additional Eden Rock/Pitch Material written MARCH 2008 --

More on Eden Rock

1. Rastas and Reggae... they escape from one of the Cruise ships, (they were the band □ aboard the ship) three days after the bombs went off. They go to the Hotel Manapany. Six band members, two roadies and a manager.

2. The Backpackers... these are college kids, use to spring breaks, know nothing of



CONFIDENTIAL

responsibility or the real world. They gather first in bars then take over a small hotel just above Shell Beach. They keep partying, drinking, smoking... they are the first to "go native"... the first to smear "war paint" on their bodies... they're also the first to get wiped out....

3. The Amazons... Four Lesbians who escape a second Cruise ship, who bring along part of the crew and take over the Guanahani Hotel. These are large well built women along the lines of Shena Queen of the Jungle, Wonder Woman, Cat Woman, think Raquel Welch meets Linda Hamilton in the Terminator. Their outfits, hair and make-up remind us of Road Warriors....

4. The Ultimate Ones... this tribe is made up of rich, affluent, masters of the universe... these are guys who own the huge private boats parked in Gustavia... they have the loyalty of their crews, they have their own weapons and in the beginning access to food and water. They quickly make deals with the local St. Bart police force. They stay on their boats at first but then take over the Ill de France hotel... these guys are use to privilege and shaping the future... they don't take "no" for an answer... they believe they "own" the island and everyone is their subject... several come to be assassinated, held hostage, and hanged upside-down... in an opening scene one of them is pictured buried up to his head in the sand at Saline Beach with the tide coming in...

These are the four main tribes along with Charlie Company...

Charlie Company represents "family"
Rastas and Reggae represents "the disenfranchised"
Backpackers represent "alternative"
Amazons represent "sex"
Ultimate Ones represent "power"

Richard Prince

----- End of Forwarded Message

 **CONFIDENTIAL**

The Pitch

Charles Company, his wife, son and daughter arrive at the St. Barts airport, late afternoon two days before Xmas, he's meeting up with his brother and sister-in-law... staying on the island for a couple of weeks...vacation...

As he's landing, he sees out the window a lot of people running around...general commotion.

As the plane taxis up to the gate he asks the pilot what's going on...

As the Company family disembarks the plane, there's more pandemonium...

People grabbing, shouting, some hysterical...it's a tiny airport, but there's an overload of people waiting to get thru customs and many people literally "crying"...they're "crying" because there are no planes going out...no planes returning to St. Martins...returning to Miami...returning to NYC...returning to London...returning anywhere...

There are no returning flights because these cities and many other major "areas" in the continental U.S. and Western and Eastern Europe have just been obliterated by nuclear attack.

Charles Company and his family are informed of this fact and seemed to melt into the tarmac under 88 degree temps...holding their bags, their backpacks...what will come to be as all their worldly possessions.

They hook up with Charles's brother, who will fill them in with a bit more detail of the events "round" the world. "What are we suppose to do?" is Charles's wife's first question...

"There's nowhere to go", is the first answer.

A good part of the world, "most" of the world, has been nuked and they are here on a tiny French island in the middle of nowhere...which in a year's time will become part *On the Beach*, part *Lord of the Flies*.

Background: Charles is 55, has no military background, is pretty much out of shape...makes his living as an architect.

To make this pitch even shorter I'm going to cut to a year later...

People on the island have broken up into "tribes"...most of the houses have been ransacked and all of the hotels occupied.

Charles Company is now Charlie Company. He has been exercising. Hes also learned to load a weapon, field dress a wound, cook without a fire. His daughter is the #1 scavenger...

He, his wife, son and daughter, brother and sister-in-law, (along with several followers) have taken over the Eden Rock Hotel. It's headquarters.

! CONFIDENTIAL

Stockpiled. A Mini-Mart. As best a fortress as can be under the circumstances. Everything is rationed, everything is "used"...

Next:

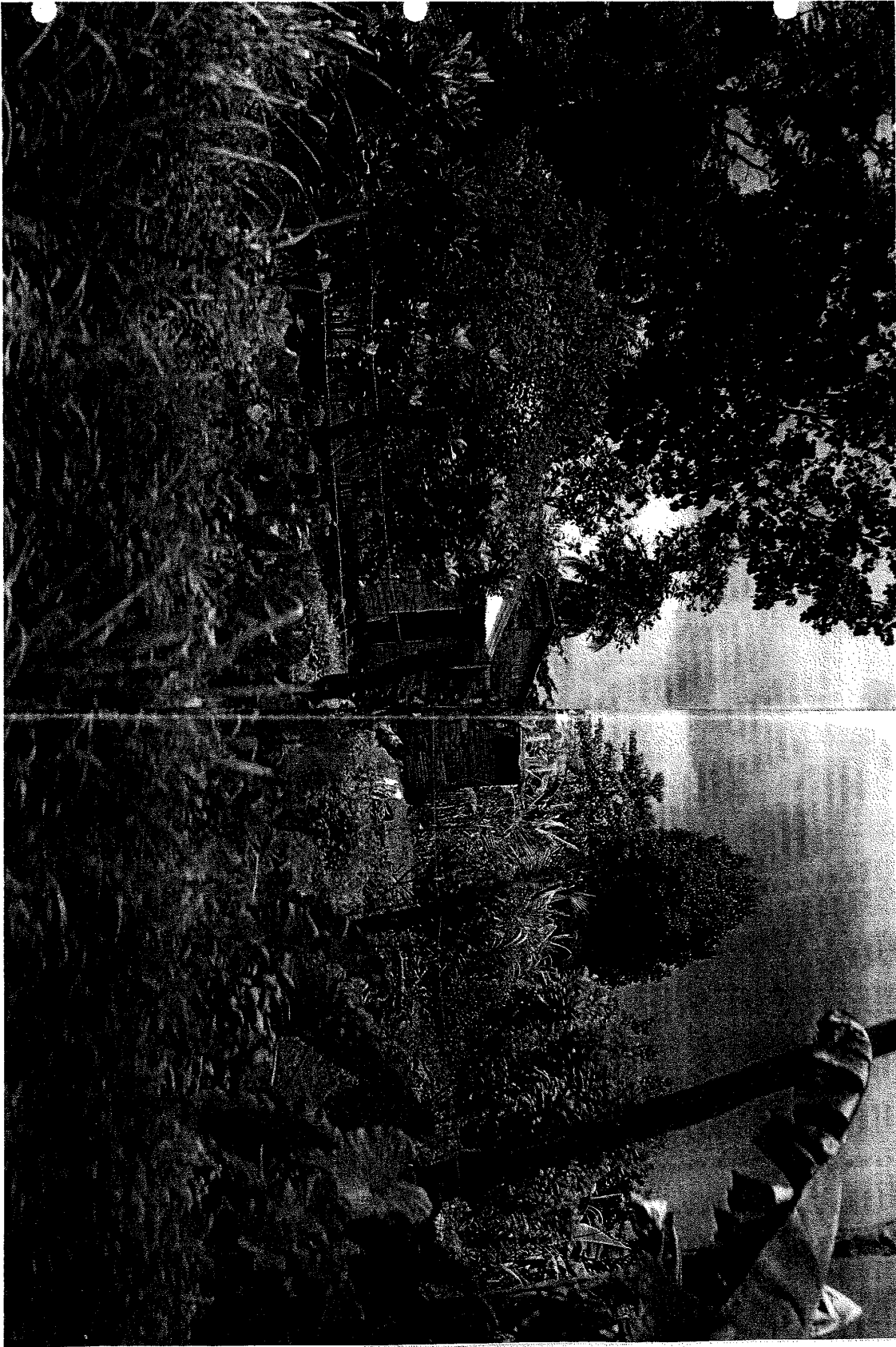
Charles's son is standing lookout. Thru his telescope out in the ocean he sees what appears to be a periscope...he sounds the alarm...

The movie is called Eden Rock...

 **CONFIDENTIAL**

A-1992

A-1993



A-1994

PEX109

7/1, E641

From: James McKee <jmckee@gagosian.com>
Sent: Saturday, October 25, 2008 10:13 AM
To: Rysia Murphy <rysia@gagosian.com>; Vanessa Riding <vriding@gagosian.com>
Subject: FW: Prince

Hi Rys, Vanessa,

I'm not sure who to ask, but which Prince images should be used for press purposes (for the upcoming show)? Should I ask the Prince studio?

Thank you,

James

Ms. James McKee
Gagosian Gallery
555 West 24th Street
New York, NY 10011
Tel: (212) 741-1111
Fax: (212) 741-9332
jmckee@gagosian.com

-----Original Message-----

From: Louise Neri
Sent: Friday, October 24, 2008 6:17 PM
To: James McKee
subject: RE: Prince

Larry

-----Original Message-----

From: James McKee
Sent: Fri 10/24/2008 4:07 PM
To: Louise Neri
Subject: Prince

Hi Louise,

Do we know who is in charge of curating the Prince show here?

Thank you,

No Ex 48

From: Nicole Heck
Sent: Wednesday, October 1, 2008 11:31 AM
To: Melissa Lazarov <mlaz@gagosian.com>
Subject: FW: Richard Prince - Announcement Card and Adverts
Attach: Prince Annoucnment card Sept 29_Page_4.jpg;Prince Annoucnment card Sept 29_Page_1.jpg;AF_Prince_PLACEHOLDER.jpg

Melissa,

Larry reviewed the options and wants to run the attached ad (AF PRINCE PLACEHOLDER) in Art Forum (will also run in Art in America, and Art and Auction) and the attached card

(page 1 is front and page 4 is the back). They are jpegs so do not appear very sharp, but you will be able to view on your blackberry.

Unless you object, these will be put into production today.

Thank you,
Nicole

Nicole Heck
Gagosian Gallery
980 Madison Avenue
New York, NY 10075
t: 212.744.2313
212.879.7895
e: Nheck@gagosian.com

From: Rysia Murphy
Sent: Saturday, October 18, 2008 11:04 AM
To: Nicole Heck <nheck@gagosian.com>
Subject: RE: NY Times

Redacted

Redacted but LG wants to make sure the ad is large and very clear because it has two shows on it

Yes to **Redacted** Prince but same as above

He also wants to see the ads to approve

Let me know if you have any questions!

From: Nicole Heck
Sent: Friday, October 17, 2008 2:25 PM
To: Vanessa Riding; Rysia Murphy
Subject: NY Times

Brown closes next Saturday. Run the attached again in NYT on Friday, October 24?

Redacted

Prince and Sugimoto both open the weekend after that. Does he want to run one ad announcing both on Friday, November 7?

*Nicole Heck
Gagosian Gallery
980 Madison Avenue
New York, NY 10075
t: 212.744.2313
f: 212.879.7895
e: Nheck@gagosian.com*



Think before you print.

Hj Ivor,

arry wants to go even bigger, as we have just been offered placement next to the arts feature columnist.

The final size is 7.65"W x 10.5" tall. I hope this does not distort the format too much...

Do you think we can see another ad in the morning? I have to submit art by noon our time. Please confirm that you received this.

My best,
Nicole

-----Original Message-----

From: Ivor Williams [<mailto:ivor@graphictoughtfacility.com>]

Sent: Tuesday, November 11, 2008 2:35 PM

To: Nicole Heck

Cc: Paul Neale

Subject: NYT Ad - 3.75 x 10"

Dear Nicole

Please find attached the new NYT Ad for November. The 3.75 x 10" suited the format best, allowing us some more space at the top and allowing us to bring the overall type size up, where the 5.7 x 7 would not.

Best

Ivor

From: Alison McDonald
Sent: Wednesday, September 10, 2008 4:45 PM
To: Melissa Lazarov <mlaz@gagosian.com>
Cc: Nicole Heck <nheck@gagosian.com>
Subject: Richard Prince □ W advert options
Attach: W Prince exhibition Ad PN.pdf

Melissa,

The designers weren't 100% happy with these, but we don't have any time on the W ads, so please let me know which we should show Larry and Richard for an approval. Otherwise we should recommend the November list or an alternative exhibition.

Alison

A-2000

From: Meredith Dunn <mdunn@gagosian.com>
Sent: Wednesday, October 1, 2008 11:34 AM
To: Nicole Heck <nheck@gagosian.com>
Cc: Vanessa Riding <vriding@gagosian.com>; Rysia Murphy
<rysia@gagosian.com>
Subject: Prince

I told nicole larry likes the prince ad with JUST the rasta man (not the one in the studio).
For the announcement he likes the rasta man poster on TWO paint cans, with NO books in the picture

If you speak with him later reconfirm he knows that the ad will be in art in auction, art in america and art forum. Thanks

Sent via BlackBerry by AT&T

From: Vanessa Riding
Sent: Monday, September 29, 2008 12:22 PM
To: Meredith Dunn <mdunn@gagosian.com>
Cc: Nicole Heck <nheck@gagosian.com>; Rysia Murphy <rysia@gagosian.com>
Subject: FW: Richard Prince ▯ Announcement Card and Adverts
Attach: AF_Prince_PLACEHOLDER.pdf;GG PRINCE (Art Forum) Sept 29.pdf;Prince Announcement card Sept 29.pdf

Meredith,

Please print and show to LG. Once he decides please let us all know.

Thanks,
V

-----Original Message-----

From: Nicole Heck
Sent: Monday, September 29, 2008 12:19 PM
To: Vanessa Riding; Rysia Murphy
Subject: Richard Prince - Announcement Card and Adverts

Dear Vanessa and Rysia,

Please find attached:

2 options for Art Forum based on Richard's feedback (will also run in Art in America, and Art and Auction)
3 options for the front of the announcement card (same back)

Please let me know which Larry prefers for both the ads and the announcement as soon as possible.













Thank you,
Nicole

Nicole Heck
Gagosian Gallery
980 Madison Avenue
New York, NY 10075
t: 212.744.2313
f: 212.879.7895
e: Nheck@gagosian.com

RICHARD PRINCE, 555 W. 24TH STREET
 UPDATED 10/15/2008

Catalog #	RPS #	Title	Medium:	Year	Dim:	Location:	Status	Image
-----------	-------	-------	---------	------	------	-----------	--------	-------

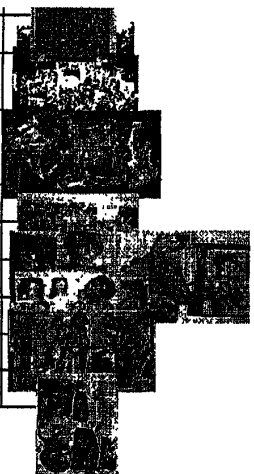
Redacted

PRINC 2008.0042	RPS 498	<i>Specially Round Midnight</i>	Collage, inkjet and acrylic on canvas	2008	100 1/2 x 154 inches	555 WEST 24TH	SOLD	
PRINC 2008.0043	RPS 508	<i>Untitled (Rasta)</i>	Ink jet, acrylic and collage on canvas	2008	40 x 30 inches	555 WEST 24TH	AVAILABLE	
PRINC 2008.0044	RPS 509	<i>Untitled (Rasta)</i>	Ink jet, acrylic and collage on canvas	2008	40 x 30 inches	555 WEST 24TH	SOLD	
PRINC 2008.0045	RPS 511	<i>Untitled (Rasta)</i>	Ink jet, acrylic and collage on canvas	2008	77 1/4 x 100 1/2 inches	555 WEST 24TH	HOLD LG	
PRINC 2008.0046	RPS 505	<i>Meditation</i>	Ink jet, acrylic and collage on canvas	2008	58 x 48 inches	555 WEST 24TH	AVAILABLE	
PRINC 2008.0047	RPS 501	<i>Naked Confessions</i>	Ink Jet, acrylic and collage on canvas	2008	45 3/16 x 46 inches	555 WEST 24TH	AVAILABLE	
PRINC 2008.0048	RPS 503	<i>Color Me Mine</i>	Ink jet, acrylic and collage on canvas	2008	69 1/4 x 80 1/2 inches	555 WEST 24TH	AVAILABLE	
PRINC 2008.0049	RPS 502	<i>Back to the Garden</i>	Ink Jet, acrylic and collage on canvas	2008	80 x 120 inches	555 WEST 24TH	SOLD	
PRINC 2008.0050	RPS 498	<i>Mr. Jones</i>	Ink jet, acrylic and collage on canvas	2008	91 1/2 x 128 inches	555 WEST 24TH	SOLD	
PRINC 2008.0051	RPS 510	<i>Cooke Crumbles</i>	Ink jet, acrylic and collage on canvas	2008	76 x 100 1/2 inches	555 WEST 24TH	SOLD	
PRINC 2008.0052	RPS 499	<i>Ziping the System</i>	Ink jet, acrylic and collage on canvas	2008	71 1/2 x 110 1/2 inches	555 WEST 24TH	SOLD	
PRINC 2008.0053	RPS 500	<i>Cheese & Crackers</i>	Ink jet, acrylic and collage on canvas	2008	91 1/2 x 140 1/4 inches	555 WEST 24TH	AVAILABLE	
PRINC 2008.0054	RPS 497	<i>James Brown Disco Ball</i>	Ink jet, acrylic and collage on canvas	2008	100 1/2 x 154 1/2 inches overall	555 WEST 24TH	SOLD	
PRINC 2008.0055	RPS 504	<i>It's all over</i>	Ink Jet, acrylic and collage on canvas	2008	80 x 120 1/4 inches	555 WEST 24TH	SOLD	
PRINC 2008.0056	RPS 534	<i>Graduation</i>	Ink Jet, acrylic and collage on canvas	2008	72 3/4 x 52 3/8 inches	555 WEST 24TH	SOLD	
PRINC 2008.0057	RPS 535	<i>Djuna Barnes, Natelle Barney, Renee Vivian and Roman Brooks take over the Gushnahan!</i>	Ink Jet, acrylic and collage on canvas	2008	52 1/8 x 90 1/2 inches	555 WEST 24TH	HOLD LG	
PRINC 2008.0058	RPS 536	<i>Ding Dong the Witch is Dead</i>	Ink Jet, acrylic and collage on canvas	2008	57 1/2 x 84 inches	555 WEST 24TH	SOLD	
PRINC 2008.0059	RPS 537	<i>The Ocean Club</i>	Ink Jet, acrylic and collage on canvas	2008	45 1/2 x 59 3/4 inches	555 WEST 24TH	HOLD CC	
PRINC 2008.0060	RPS 540	<i>Untitled</i>	Ink Jet, acrylic and collage on canvas	2008	84 x 132 inches	555 WEST 24TH	HOLD CC	

A-2002

Redacted

PRINC	RPS	Title	Medium	Year	Dimensions	Location	Status
PRINC 2008.0062	RPS 558	Canal Zone	Ink jet, acrylic and collage on canvas	2008	107 x 118 1/2 inches	555 WEST 24TH	AVAILABLE
PRINC 2008.0063	RPS 559	Charlie Company	Ink jet, collage and acrylic on canvas	2008	131 x 100 inches	555 WEST 24TH	AVAILABLE
PRINC 2008.0065	RPS 562	The Other Side of the Island	Ink jet, acrylic, collage, oil crayon, charcoal on canvas	2008	84 x 132 inches	555 WEST 24TH	HOLD LG
PRINC 2008.0067	RPS567	Pumpkin Green	Ink jet, acrylic and collage on canvas	2008	77 x 100 1/2 inches	PRINCE STUDIO	AVAILABLE
PRINC 2008.0068	RPS568	Quarry	Ink jet, acrylic and collage on canvas	2008	57 3/4 x 132 inches	PRINCE STUDIO	SOLD
PRINC 2008.0069	RPS569	MCS (White Panthers)	Ink jet, acrylic and collage on canvas	2008	98 x 132 inches	PRINCE STUDIO	AVAILABLE
PRINC 2008.0070	RPS591	On the Beach, On the Beach	Ink jet, acrylic and collage on canvas	2008	59 x 90 1/4 inches	PRINCE STUDIO	AVAILABLE
PRINC 2008.0071	RPS592	Inquisition	Ink jet, acrylic and collage on canvas	2008	100 1/2 x 77 inches	PRINCE STUDIO	AVAILABLE
PRINC 2008.0072	RPS589	Uncle Tom, Dick and Harry	Ink jet, acrylic and collage on canvas	2008	81 1/2 x 57 1/2 inches	PRINCE STUDIO	AVAILABLE



A-2003

COPY OF COMPLAINT

TEX 47

JAMES B. COMEY
United States Attorney for the
Southern District of New York
By: NICOLE GUERON (NG-7682)
Assistant United States Attorney
33 Whitehall Street, 8th Floor
New York, New York 10004
Telephone: (212) 637-2699
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

UNITED STATES OF AMERICA,

Plaintiff,

-v-

LAWRENCE GAGOSIAN, GAGOSIAN
GALLERY, INC., CONTEMPORARY ART
HOLDING CORPORATION, GEOFFREY J.W.
KENT, GJK INCORPORATED, PETER M.
BRANT, and JAY I. GORDON,

Defendants.

-----x

The United States of America, by its attorney, James B. Comey, United States Attorney for the Southern District of New York, alleges upon information and belief as follows:

NATURE OF THE ACTION

I. This is a civil action brought by plaintiff, the United States of America, on behalf of its agency the Internal Revenue Service (the "United States" or the "Government") to recover millions of dollars of taxes owed by a corporation that has admitted its multi-million dollar tax liability and yet has never paid a cent of it to the IRS.

II. Over the course of a few weeks in 1990, Contemporary Art Holding Corporation ("CAHC") was created, bought 62 works of art, sold 58 of the works of art, and earned approximately \$17,000,000 in taxable capital gains. Thereafter, CAHC transferred its sole remaining assets - 4 multi-million dollar paintings - to its current and former shareholders, purportedly leaving it without any assets to pay its

taxes. In its tax returns, CAHC admitted that it owes the IRS millions of dollars in taxes due to this transaction, but CAHC never paid any of this money to the IRS.

III. CAHC's creators, Lawrence Gagosian, Peter M. Brant and Jay I. Gordon, structured the transaction described above with Geoffrey J.W. Kent and GJK Incorporated, Kent's wholly-owned corporation and CAHC's subsequent sole shareholder, with full understanding of the tax consequences for CAHC. The defendants conceived and structured the transaction to transfer valuable art work into their hands, while purportedly leaving CAHC without assets to pay its millions of dollars of tax liability.

IV. In this suit, the Government seeks, inter alia, (1) to collect upon a judgment against CAHC issued by the United States District Court for the Northern District of Illinois, in the amount of \$9,921,227.83, plus penalties and interest, entered in the matter captioned United States of America v. Contemporary Art Holding Corporation, 98 Civ. 6058 (N.D. Ill.), which was entered as a judgment in the Southern District of New York on October 28, 2002, under Docket Number M 18-302, Judgment Number 02,2308; (2) to foreclose on and enforce the IRS's federal tax liens under 26 U.S.C. § 7403, by setting aside and declaring fraudulent, null and void as against the United States the purported conveyances of certain paintings and encumbrances on paintings from CAHC to Lawrence Gagosian, Gagosian Gallery, Geoffrey Kent, GJK, Incorporated and Peter Brant, and declaring those transfers to be subject to the Government's liens; (3) to obtain a judgment against Gagosian for failure to honor an IRS tax levy served upon him; and (4) to pierce the corporate veil of CAHC and hold Gagosian, Brant and GJK liable as the alter-egos of CAHC.

V. This action has been authorized and requested by a delegate of the Secretary of the Treasury, and is brought at the direction of the Attorney General of the United States pursuant to the provisions of 26 U.S.C. §§ 7401, 7402 and 7403, as amended.

JURISDICTION AND VENUE

I. The Court has jurisdiction over this claim pursuant to 28 U.S.C. §§ 1340 and 1345, and 26 U.S.C. §§ 7402 and 7403.

II. Venue is proper pursuant to 28 U.S.C. §§ 1391(b), 1391(d), and 1396, because Gagosian and Gordon reside and/or work within the Southern District of New York; because Kent is an alien; because all of the defendants do business within the Southern District of New York; because at least one of the paintings subject to the IRS liens is within the Southern District of New York; and because the February 15, 1990 transaction detailed below, involving all the defendants, took place within the Southern District of New York and is governed

by New York law.

THE PARTIES

I. Plaintiff United States of America is a sovereign and body politic that acts through various agencies, including the Department of Treasury - Internal Revenue Service (the "IRS").

II. Lawrence Gagosian ("Gagosian") resides at [New York address].

III. Gagosian Gallery is a business located at 980 Madison Avenue, New York, New York 10021 and at 555 West 24th Street, New York, New York, 10011.

IV. Contemporary Art Holding Corporation ("CAHC") is a Texas corporation whose principal place of business was located within the Southern District of New York during the relevant time period.

V. GJK Incorporated ("GJK") is a Florida corporation owned wholly by Geoffrey J.W. Kent, is the 100 percent shareholder of CAHC, and conducts business within the Southern District of New York.

VI. Geoffrey J.W. Kent ("Kent") is a British citizen, a resident of Kenya, and conducts business within the Southern District of New York. In 1990, he resided at United Nations Plaza, Apartment 35b, New York, New York.

VII. Peter M. Brant ("Brant") resides at [New York address] and conducts business within the Southern District of New York.

VIII. Jay I. Gordon ("Gordon") conducts business at 200 Park Ave., New York, New York, 10166.

PENDING LAWSUIT AGAINST KENT

I. On August 26, 2002, the United States filed a complaint against Kent in the Northern District of Illinois, entitled United States of America v. Geoffrey J.W. Kent, 02 C 6064 (N.D. Ill.). The suit seeks an order declaring that Kent is the alter ego of CAHC and is personally liable for the taxes owed by CAHC. The United States will move shortly to transfer that suit to the Southern District of New York, pursuant to 28 U.S.C. § 1404, to be consolidated with this suit.

FACTUAL BACKGROUND

I. On January 28, 1988, GJK was incorporated in Florida. Kent is the sole shareholder of GJK, and was during the relevant time period described herein.

II. In 1988, GJK's officers and board members were Kent, Jorie Butler Kent (Geoffrey Kent's former wife), David M. Weber and Brant.

III. Brant and Kent have been involved in other business transactions together, in addition to CAHC and GJK, including real estate transactions in Connecticut.

IV. On January 18, 1990, CAHC was incorporated in Texas.

V. On January 18, 1990, Gagosian purchased 51,000 shares of CAHC's common stock for \$510. Initially, Gagosian was the president, director and 51 percent shareholder of CAHC.

VI. Also on January 18, 1990, Brant purchased 49,000 shares of CAHC's common stock for \$490. Initially Brant was the vice-president, treasurer, assistant secretary, director and 49 percent shareholder of CAHC.

VII. Gagosian and Brant appointed Gordon as the corporate secretary of CAHC on January 18, 1990. Gordon served as the secretary of CAHC from its inception through the February 15, 1990 transaction, and was reappointed by Kent after Kent took control of CAHC.

VIII. By resolution dated January 18, 1990, Gagosian and Brant authorized Gordon to sign promissory notes and bills of sale on behalf of CAHC. Gordon was the sole signatory of CAHC's by-laws, adopted on January 18, 1990.

IX. From January 18, 1990 through February 15, 1990, CAHC conducted no significant business other than what is described herein. CAHC did not operate as an independent corporation; it did not have corporate offices or employees; it used Gordon's law offices as its formal address; it was merely the instrument of Gagosian, Brant and Gordon, who controlled it completely.

X. On January 23, 1990, Brant and Gagosian each contributed \$500,000 to the capital of CAHC.

XI. Also on January 23, 1990, CAHC entered into a Stock Purchase Agreement with Richard L. Weisman, the 100 percent shareholder of Lerand Inc., a California corporation ("Lerand"), to purchase all the outstanding shares of Lerand for \$32,000,000 (the "January 23, 1990 Stock Purchase Agreement"). CAHC made a down payment of \$1,000,000. The January 23, 1990 Stock Purchase Agreement provided that it would be "governed by and construed in accordance with the laws of the State of New York."

XII. Lerand's sole assets consisted of 62 pieces of contemporary artwork.

XIII. The January 23, 1990 Stock Purchase Agreement and accompanying documents included a "Schedule of Values of Art Work" of Lerand's 62 paintings, and a letter signed by Gagosian, Brant and Weisman confirming that Schedule. The Schedule of Values of Art Work listed, inter alia, the following values: (a) Roy Lichtenstein, "Blonde Waiting, 1964": \$3,868,100.19; (b) Clyfford Still, "Untitled R#2, 1947": \$2,707,670.13; (c) Mark Rothko, "Green & Blue, 1957": \$2,862,394.14; and (d) Barnett Newman, "Onement #6, 1953": \$2,320,860.11.

XIV. The next day, January 24, 1990, Gagosian, Brant and Weisman signed a letter agreement amending the stated value of the Rothko to \$2,688,547.98 due to some damage to the painting. A "Change Notice" was later executed concerning the value of the Newman painting, as it too had suffered damage.

The February 15, 1990 Transaction

I. The Defendants structured and conceived of the February 15, 1990 transaction described below to transfer valuable art work and assets into the hands of CAHC's shareholders while stripping CAHC of its assets before millions of dollars of tax liabilities could be collected.

II. The following events, described in paragraphs 33 through 56, all occurred on February 15, 1990, in one multi-part transaction.

III. The transaction took place at Gordon's law office, at Dreyer and Traub, 101 Park Avenue, New York, New York 10178. Gordon structured the February 15, 1990 transaction, drafted many of the documents effecting that transaction, and earned tens of thousands of dollars in attorneys fees on the transaction.

IV. Gagosian contributed \$5,638,076.92 to CAHC, Brant contributed \$5,388,076.92 to CAHC, and Thomas Ammann Fine Art A.G. ("Ammann"), the purchaser of 58 of the art work pieces initially held by Lerand, contributed \$800,000 to CAHC.

V. Brant borrowed \$4,830,000 from GJK to purchase his shares of CAHC.

VI. In a tax-free merger, Lerand sold 100 percent of its stock to CAHC for \$32,000,000, consisting of the earlier \$1,000,000 down payment, \$11,826,153.84 in cash, a promissory note for \$18,200,000, and a second promissory note for \$1,000,000. The promissory notes were signed by Gordon, and secured by lines of credit and personal guarantees from Brant and Gagosian. The various merger documents, notes and guarantees were signed by Weisman, Gordon, Gagosian and Brant.

VII. After the merger, CAHC owned Lerand's 62 pieces of contemporary artwork with a carryover cost basis of \$3,005,766.26.

VIII. Brant sold his 49 percent interest in CAHC to GJK in exchange for a cancellation of Brant's \$4,830,000 debt to GJK and a cash payment from GJK to Brant of \$1,058,076.92. In addition, in a guaranty to Brant, Kent assumed Brant's and CAHC's obligations to Weisman, including Brant's personal guarantee of the notes to Weisman. Kent's guaranty states that it is governed by the laws of the State of New York.

IX. Brant obtained from CAHC, for no additional consideration, an option to purchase a Barnett Newman painting entitled "Onement #6" for \$2,441,923.08, exercisable no later than February 15, 1995. The option agreement states that it is governed by the laws of the State of New York. Brant took possession of the Newman painting and moved it to his home.

X. Brant and Kent also signed an indemnity agreement which stated that Brant "will indemnify [Kent] and Contemporary Art Holding Corp. for any United States income tax incurred in the event that the painting by Barnett Newman entitled 'Onement #6' shall be determined to have a value in excess of \$3,500,000, but only to the extent of the tax incurred by reason of such increased value" (the "Brant Indemnity Agreement").

XI. For the period of February 15, 1990 through February 15, 1991, Kent contracted with Lloyds of London to insure the Newman painting for \$4 million.

XII. Gagosian sold his 51 percent interest in CAHC to GJK for \$6,138,076.92 and GJK issued a promissory note in that amount, plus 8.1 percent interest per year, to Gagosian. Under the note, GJK was to pay Gagosian interest of \$41,425 per month and the principal amount of \$6,138,076.92 in 1995. The promissory note was signed by Kent in New York, and states that it is governed by the laws of the State of New York. In addition, in a guaranty to Gagosian, Kent assumed Gagosian's and CAHC's obligations to Weisman, including Gagosian's personal guarantee of the notes to Weisman. Kent's guaranty states that it is governed by the laws of the State of New York.

XIII. Brant and Gagosian resigned as officers and directors of CAHC and endorsed their CAHC stock to GJK, which became the sole shareholder of CAHC, with Kent as the sole director of CAHC. Kent named himself the president and director of CAHC; he named Gordon a vice-president and secretary, and Weber a vice-president and treasurer.

XIV. In a one-page lease agreement entitled "Use of Art Work", CAHC agreed to lease to Gagosian two paintings, Roy Lichtenstein's "Blonde Waiting, 1964" and Clyfford Still's "Untitled R#2, 1947," for a period of five years in exchange for rental payments of \$41,425.00 per month. The lease document, addressed to Gagosian and signed by Gagosian and by Kent on behalf of CAHC, states:

The purpose of this letter is to confirm our understanding and agreement that we will lease to you (1) a painting by Roy Lichtenstein entitled "Blonde Waiting, 1964" and a painting by Clyfford Still entitled "Untitled R#2, 1947" for a period of five (5) years from the date hereof. In exchange for the lease, you will pay to us \$41,425.00 per month.

I. Gagosian's purported monthly lease payments of \$41,425.00 to CAHC exactly equaled the amount of monthly interest payments that GJK, CAHC's sole shareholder, owed Gagosian in connection with Gagosian's sale of his interest in CAHC to GJK. The result was that no money changed hands under the purported stock sale and art lease transactions among GJK, CAHC, and Gagosian.

II. For consideration of \$1.00, CAHC also granted Gagosian an option to purchase the Lichtenstein and Still paintings for \$6,138,076.92, exercisable no later than February 15, 1995. The option price was the same amount of money that GJK paid for Gagosian's share of CAHC. The option could be exercised only by serving notice upon CAHC, and the option, if unexercised, automatically expired on February 15, 1995. The option agreement states that it is governed by the laws of the State of New York.

III. GJK and Gagosian agreed separately that Gagosian would not exercise his purchase option unless Kent had informed him in writing that CAHC would be liquidated in the same year that Gagosian exercised the option.

IV. GJK, CAHC and Gagosian entered into an indemnity agreement, under which Gagosian agreed to indemnify CAHC and GJK for one-half of the United States taxes owed on the sale of CAHC's paintings, less the amount of certain tax benefits available to GJK (the "Gagosian Indemnity Agreement"). The Gagosian Indemnity Agreement states that it "shall be governed and construed in accordance with the laws of State of New York without regard to the conflicts of laws principles thereof." The Gagosian Indemnity Agreement was signed by Kent and Gagosian.

V. GJK, CAHC and Gagosian also agreed that GJK could not transfer any of CAHC's stock without Gagosian's consent, that CAHC could not

engage in any material transaction without Gagosian's consent, that GJK would cause CAHC to be completely liquidated no later than five years from 1990, and that Gagosian would exercise his option to purchase only in the year that CAHC was completely liquidated.

VI. No contemporaneous document identifies any aspect of the February 15, 1990 transaction as creating a security interest for any party, and in no document did Gagosian or Brant claim to be taking a security interest in connection with the transaction.

VII. Also on February 15, 1990, CAHC entered into an agreement with Ammann to sell 58 of the 62 pieces of art initially owned by Lerand for \$20,000,000. The CAHC-Ammann sale agreement described CAHC as "a Texas corporation, controlled by GJK, Incorporated." The agreement also stated that it would be "governed by and construed in accordance with the laws of the State of New York." The Ammann Sale Agreement was signed by Gordon and Doris Ammann. Gordon also signed all bills of sale for the art works. Although they purportedly no longer owned CAHC, Gagosian and Brant personally agreed to indemnify Ammann "for any United States income tax attributable to and imposed upon the sale of the artwork from Contemporary Art Holding Corp. to Thomas Ammann Fine Art A.G."

VIII. Ammann's purchase price was payable in three parts: \$800,000 cash, as described in paragraph 34; a promissory note in the amount of \$18,200,000; and a promissory note in the amount of \$1,000,000. Both promissory notes were secured by lines of credit.

IX: At the close of business on February 15, 1990, GJK owned 100 percent of CAHC, Kent was the President of CAHC and Gordon was the Vice President and Secretary of CAHC. After February 15, 1990, CAHC did not operate as an independent corporation; it was controlled by Kent and GJK, with assistance from Gordon.

X. At the close of business on February 15, 1990, CAHC owned four paintings, Lichtenstein's "Blonde Waiting, 1964," Still's "Untitled R#2, 1947," Newman's "Onement #6, 1953," and Rothko's "Green-Blue, 1957." The Lichtenstein and Still paintings were leased to Gagosian, who also had an option to buy them; the Newman was subject to Brant's purchase option.

XI. CAHC also held notes receivable of \$18,200,000 and \$1,000,000 from Ammann, and owed Weisman \$19,200,000 (on two notes payable of \$18,200,000 and \$1,000,000 each).

XII. Since the cost basis of the 58 paintings sold to Ammann was \$2,015,515.47, CAHC has earned capital gains of \$17,984,484.53. CAHC arranged to have the sales treated as installment sales, so taxes on these capital gains were to be paid over the following three years.

CAHC's Tax Liabilities

I. On its Form 1120 tax return for Fiscal Year 1990, ending November 30, 1990, filed in August, 1991, CAHC reported that it owed \$679,356 in taxes, but did not pay any of its admitted tax liability to the IRS.

II. On September 30, 1991, the IRS made an assessment against CAHC of \$679,356 for Fiscal Year 1990.

III. On its Form 1120 tax return for Fiscal Year 1991, ending November 30, 1991, filed in August, 1993, CAHC reported that it owed \$4,234,372 in taxes. The 1991 liability was attributable to the installment sale treatment of the 1990 transaction, as well as the purported sale of the Newman and Rothko paintings from CAHC to GJK. CAHC did not pay any of its admitted tax liability to the IRS.

IV. On September 20, 1993, the IRS made an assessment against CAHC of \$4,234,372 of tax, plus penalties in excess of \$1,600,000, for Fiscal Year 1991.

V. On its Form 1120 tax return for Fiscal Year 1992, ending November 30, 1992, filed in August, 1993, CAHC reported that it owed \$1,825,745 in taxes. The 1992 liability was attributable to the installment sale treatment of the 1990 transaction. CAHC did not pay any of its admitted tax liability to the IRS.

VI. On October 4, 1993, the IRS made an assessment against CAHC of \$1,825,745, plus penalties in excess of \$500,000, for Fiscal Year 1992.

VII. Notices and demands for payment were sent to the taxpayer on or about the dates of assessment set forth in paragraphs 58, 60 and 62.

Notices of Federal Tax Liens

The Internal Revenue Service filed Notices of Federal Tax Lien against CAHC in the states of New York, Illinois and California as follows:

FISCAL YEAR FILED AMOUNT**Registrar, New York County, New York 10007**

11/30/90 08/31/93 \$761,837.50

11/30/91 12/09/93 \$6,459,048.67

Secretary of State, Albany, New York 12225

11/30/90 12/10/93 \$761,837.50

11/30/91 12/10/93 \$6,459,048.67

Recorder of Deeds, DuPage County, Illinois 60187

11/30/90 06/09/92 \$761,837.50
 11/30/91 10/03/94 \$6,627,323.86
 11/30/92 10/03/94 \$2,532,066.47

Secretary of State, Springfield, Illinois 62756

11/30/90 06/12/92 \$761,837.50
 11/30/91 10/27/94 \$6,627,323.86
 11/30/92 10/27/94 \$2,532,066.47

County Recorder, Los Angeles County, California 90250

11/30/90 03/01/94 \$761,837.50
 11/30/91 03/01/94 \$6,627,323.86
 11/30/92 03/01/94 \$2,532,066.47

Secretary of State, Sacramento, California 95808

11/30/90 02/04/94 \$761,895.50
 11/30/91 02/04/94 \$6,627,323.86
 11/30/92 02/04/94 \$2,532,066.47

I. The Fiscal Year 1991 liens filed in Illinois were revoked and new liens were filed on or about March 13, 2003.

The Defendants Failed to Pay the Taxes Owed to the IRS

I. CAHC never paid the IRS the approximately \$6.7 million in tax monies that it admittedly owed on the February 15, 1990 transaction. With subsequently accrued interest and penalties, CAHC's tax liability has grown to approximately \$26.5 million as of January 31, 2003.

II. The defendants know of the tax liabilities created by the February 15, 1990 transaction, and knew before the transaction took place that tax liabilities of approximately \$6.7 million would arise as a result of the transaction. Nonetheless, the defendants contrived to divert CAHC's assets to themselves and other entities owned by them, rather than directing CAHC to pay its tax liabilities.

III. From 1991 through 1998, the IRS sent numerous Requests for Payment and Reminders of Overdue Taxes to CAHC.

IV. On January 18, 1991, David Weber wrote on behalf of CAHC to Gagosian, stating "As you might recall, per the Indemnification Agreement of February 15, 1990 between yourself, CAHC and GJK Incorporated, there will be due from you one half of the U.S. income tax imposed upon CAHC on the sale of assets to Thomas Ammann Fine Art A.G."

Purported Transfers of the Newman and Rothko Paintings Away from CAHC

I. In or about December, 1990, Citibank loaned CAHC \$5,000,000, purportedly secured by the Rothko and Newman paintings. Citibank also loaned Kent money for his personal use; this loan was also purportedly secured by the Rothko and Newman paintings owned by CAHC. Upon information and belief, CAHC did not, in fact, receive this \$5,000,000.

II. CAHC's accounting records for 1991 and 1992 show that CAHC was intermingling funds between CAHC, GJK and Kent. The CAHC ledgers show purported loans from CAHC to GJK and Kent, but do not state whether the purported loans were ever repaid to CAHC. Memoranda between Kent and Weber of CAHC also reveal that Kent and Brant were in contact about releasing the Newman as collateral for the Citibank loan, and replacing it with real estate controlled by Brant.

III. On April 7, 1992, after CAHC had filed its first tax return and after the IRS had made its first assessment for Fiscal Year 1990 and demanded payment, Kent instructed CAHC to transfer the Newman and Rothko paintings to GJK for consideration of \$10.00, as a "dividend in kind". This transfer was executed through an Assignment and Assumption Agreement between CAHC and GJK. In that agreement, CAHC listed as its address: "c/o Dreyer and Traub, 101 Park Avenue, New York, New York, 10178," which was Gordon's business address. Upon information and belief, Gordon drafted the Assignment and Assumption Agreement.

IV. In June of 1993, GJK purportedly sold the Rothko to a third party, C&M Arts, an art dealer in New York. The purchase price for the Rothko was \$1,600,000, the entire amount of which was distributed to Citibank.

V. On July 15, 1994, after the IRS had filed its notices of liens and begun investigating CAHC, GJK purportedly sold the Newman (allegedly subject to Brant's option to purchase) to the Machalite Foundation of Liechtenstein, for \$2,250,000. In so doing, Kent and GJK intentionally transferred an asset overseas to avoid seizure by the IRS. Upon information and belief, Brant never took any action to enforce his option rights.

VI. As purported consideration for the sale, the Machalite Foundation agreed that the purported sale price of \$2,250,000 would be applied against the principal balance of a note dated February 21, 1989 from GJK to Machalite.

VII. Upon information and belief, Kent later regained control of the Newman painting, and transferred it to Brant. Brant then sold the Newman painting.

VIII. CAHC was insolvent at the time of the purported transfers of

the Newman and the Rothko to GJK, or became insolvent as a result of the purported transfers.

Judgment Against CAHC

I. On September 28, 1998, the United States filed a suit entitled United States of America v. Contemporary Art Holding Corporation, 98 Civ. 6058 (N.D. Ill), United States District Court for the Northern District of Illinois.

II. On January 4, 2000, final judgment was entered in the United States District Court for the Northern District of Illinois against CAHC in the amount of \$9,921,227.83, plus penalties and interest running from the dates of the 1991 and 1993 tax assessments. This judgment is now worth approximately \$26.5 million.

III. CAHC has never paid any of this judgment.

IV. On October 28, 2002 the United States entered the default judgment against CAHC in the Southern District of New York, under Docket Number M 18-302, Judgment Number 02,2308.

Efforts to Collect Taxes or CAHC Property From Gagosian

I. On September 14, 1993, the IRS served a Notice of Levy, form 668-A, on Gagosian. The Notice of Levy identified CAHC as the taxpayer at issue, stated the total amount due to be \$7,562,884.00, and stated on its face, in hand writing: "Paintings: 'Untitled Number Two, 1947' by Clyfford Still, 'Blonde Waiting, 1964' by Roy Lichtenstein."

II. Gagosian never filed a wrongful levy action in opposition to this Notice of Levy.

III. On August 25, 1993, only a few weeks before the IRS served Gagosian with the Notice of Levy, Gagosian's accountant, Neil H. Millman, wrote to the IRS concerning the Lichtenstein and Still Paintings. Millman wrote: "Both of the above mentioned works of art are subject to a lease arrangement to Mr. Gagosian which commenced on February 15, 1990 and continues until February 15, 1995. There is also an option to acquire both works of art at the termination of the lease."

IV. By letter dated March 10, 1994, counsel for CAHC also informed the IRS that two of the paintings owned by CAHC, "the Lichtenstein and the Still - were leased to Mr. Gagosian."

V. In a letter to the IRS dated May 2, 1994, Gagosian stated that "Blonde Waiting" was "owned by CAHC."

VI. By letter dated May 17, 1994, counsel for CAHC made a settlement proposal to the IRS. In that offer, CAHC stated that the Lichtenstein and Still paintings "constitute the sole remaining assets" of CAHC. CAHC also stated, "When considering the effect of the Offer in Compromise, you should be aware that legal title to the Still and Lichtenstein will be transferred to Gagosian Galleries upon payment in full of the settlement amount to the Service. This arrangement will generate an additional tax liability to the taxpayer [CAHC] in the fiscal year in which such transfer takes place." Gagosian and his counsel reviewed this settlement proposal before it was sent to the IRS and were fully aware of its contents, including the statement that CAHC owned the Lichtenstein and the Still.

VII. Gagosian never exercised his option to purchase the Lichtenstein and Still paintings. CAHC has never reported tax liability from a sale of the Still and the Lichtenstein, and, upon information and belief, Gagosian never paid sales tax on a purchase of the Still and the Lichtenstein. Yet as of 1990, Gagosian Gallery listed among its inventory the Lichtenstein and the Still. In more recent correspondence with the United States, Gagosian has claimed ownership of the Lichtenstein, and claims that this ownership predates the IRS's lien on the painting.

VIII. CAHC was insolvent at the time of CAHC's purported transfer of the Lichtenstein and Still to Gagosian, or became insolvent as a result of the purported transfers described herein.

IX. On or about September 30, 1996, Gagosian sold the Still painting for \$2,250,000 and used the proceeds to acquire two paintings: Frank Stella's "Fugita" and Eric Fischl's "Far Rockaway" (together, the "Replacement Paintings").

FIRST CLAIM - FORECLOSURE UPON TAX LIENS (26 U.S.C. § 7403)

I. The Government repeats and realleges paragraphs 1 through 90 of the complaint as if fully set forth herein.

II. The IRS made assessments against CAHC for deficiencies in the payment of its federal income taxes.

III. Pursuant to 26 U.S.C. §§ 6321 and 6322, CAHC's tax liabilities continue until the amount assessed is satisfied.

IV. The IRS made demands for payment of those taxes from CAHC, and filed Federal Tax Liens against CAHC.

V. When the notices of IRS liens were filed, CAHC owned four paintings: the Lichtenstein, the Still, the Rothko and the Newman.

VI. Despite the notices of assessment and demands for payment described above, CAHC failed to pay the assessed sums and remains liable to the United States for unpaid federal income taxes for the fiscal years 1990, 1991 and 1992.

VII. The federal tax liens arising in favor of the United States attached to all property or rights to property that CAHC owned as of the date the liens arose or the property was thereafter acquired.

VIII. By this action the United States seeks to enforce and foreclose its tax liens for fiscal years 1990, 1991 and 1992, against property owned by CAHC as of the dates those liens were filed, specifically the Lichtenstein, Still, Rothko and Newman paintings.

SECOND CLAIM - FAILURE TO HONOR LEVY (26 U.S.C. § 6332

I. The Government repeats and realleges paragraphs 1 through 98 of the complaint as if fully set forth herein.

II. On September 14, 1993 and thereafter, Gagosian and/or Gagosian Gallery was in possession of the Lichtenstein and the Still, which were property of CAHC and subject to the levy that the Government served on Gagosian.

III. Despite the Government's demand, Gagosian and/or Gagosian Gallery failed or refused to surrender the Lichtenstein and/or the Still to the Government. Gagosian did not challenge the levy, assert that the paintings were not in his possession, or claim that he owned the Lichtenstein and the Still.

IV. Gagosian and/or Gagosian Gallery did not have reasonable cause for failing or refusing to surrender to the Government the CAHC property that he possessed at the time the Government served its levy on him.

V. Gagosian's and Gagosian Gallery's failure to honor the IRS levy violated 26 U.S.C. § 6332(d)(1).

THIRD CLAIM - FRAUDULENT CONVEYANCE (NYS Debtor & Creditor Law § 273

I. The Government repeats and realleges paragraphs 1 through 103 of the complaint as if fully set forth herein.

II. At the time of the purported conveyances of the Lichtenstein, Still, Rothko and Newman paintings, or rights in those paintings, away from CAHC described above, defendants CAHC, Kent, GJK, Gagosian, Gagosian Gallery, Brant and Gordon knew that CAHC owed millions of dollars in taxes to the IRS and that CAHC had not paid those taxes to the IRS.

III. These purported conveyances were made when CAHC was insolvent, or rendered CAHC insolvent.

IV. These purported conveyances were not made in good faith and were not made for fair consideration.

V. These purported conveyances violated New York State Debtor and Creditor Law Section 273.

FOURTH CLAIM - FRAUDULENT CONVEYANCE (NYS Debtor & Creditor Law § 274

I. The Government repeats and realleges paragraphs 1 through 108 of the complaint as if fully set forth herein.

II. At the time of the purported conveyances of the Lichtenstein, Still, Rothko and Newman paintings, or rights in those paintings, away from CAHC described above, CAHC was a corporation engaged in a business or transaction.

III. At the time of the purported conveyances of the Lichtenstein, Still, Rothko and Newman paintings, or rights in those paintings, away from CAHC described above, defendants CAHC, Kent, GJK, Gagosian, Gagosian Gallery, Brant and Gordon knew that CAHC owed millions of dollars in taxes to the IRS and that CAHC had not paid those taxes to the IRS.

IV. These purported conveyances were made when CAHC was insolvent, or rendered CAHC insolvent, and left CAHC with an unreasonably small amount of capital.

V. These purported conveyances were not made in good faith and were not made for fair consideration.

VI. These purported conveyances violated New York State Debtor and Creditor Law Section 274.

FIFTH CLAIM - FRAUDULENT CONVEYANCE (NYS Debtor & Creditor Law § 275

I. The Government repeats and realleges paragraphs 1 through 114 of the complaint as if fully set forth herein.

II. At the time of the purported conveyances of the Lichtenstein, Still, Rothko and Newman paintings, or rights in those paintings, away from CAHC described above, defendants CAHC, Kent, GJK, Gagosian, Gagosian Gallery, Brant and Gordon intended and believed that CAHC would incur and owe millions of dollars in tax liabilities to the IRS, that CAHC had no assets to pay those taxes to the IRS other than the paintings, and that CAHC would be unable to pay those taxes.

III. These purported conveyances were not made in good faith and were not made for fair consideration.

IV. These purported conveyances violated New York State Debtor and Creditor Law Section 275.

SIXTH CLAIM - FRAUDULENT CONVEYANCE (NYS Debtor & Creditor Law § 276

I. The Government repeats and realleges paragraphs 1 through 118 of the complaint as if fully set forth herein.

II. At the time of the purported conveyances of the Lichtenstein, Still, Rothko and Newman paintings, or rights in those paintings, away from CAHC described above, defendants CAHC, Kent, GJK, Gagosian, Gagosian Gallery, Brant and Gordon intended to hinder, delay or defraud the IRS from recovering taxes CAHC owed or would owe to the IRS.

III. These purported conveyances violated New York State Debtor and Creditor Law Section 276.

SEVENTH CLAIM - FRAUDULENT CONVEYANCE (NYS Debtor & Creditor Law § 278

I. The Government repeats and realleges paragraphs 1 through 121 of the complaint as if fully set forth herein.

II. Any purported transfer of the Lichtenstein, Still, Rothko and Newman paintings, or rights in those paintings, away from CAHC was fraudulent and without fair consideration, and should be annulled, voided, disregarded and set aside pursuant to New York State Debtor and Creditor Law Section 278.

EIGHTH CLAIM - PIERCING THE CORPORATE VEIL/ALTER EGO THEORY

I. The Government repeats and realleges paragraphs 1 through 123 of the complaint as if fully set forth herein.

II. CAHC had no separate existence or corporate purpose other than to permit Kent, GJK, Gagosian, Gagosian Gallery and Brant to acquire the Lichtenstein, Rothko, Still and Newman paintings, or rights in those paintings, for their personal benefit.

III. CAHC had no independent corporate office or employees. Kent, Brant and Gagosian did not run CAHC as an independent, profitable corporation. CAHC exercised no independent business discretion and engaged in no business other than the February 15, 1990 transaction and the subsequent sales of paintings acquired in that transaction.

IV. Gagosian and Brant controlled and ran CAHC before February 15, 1990. They used that control to structure the February 15, 1990 transaction in order to enrich themselves and purportedly to leave CAHC with no assets with which to pay its tax liabilities. They purportedly sold, transferred or encumbered three of CAHC's only remaining assets - the Lichtenstein, Still and Newman paintings - for consideration that was not fair, despite the fact that CAHC owed millions of dollars in tax liabilities to the IRS.

V. Kent and GJK controlled and ran CAHC after the February 15, 1990 transaction. They used that control to enrich themselves and purportedly to leave CAHC with no assets with which to pay its tax liabilities. Under Kent's and GJK's control, CAHC commingled its funds with monies belonging to Kent and/or GJK and purportedly sold, transferred or encumbered CAHC's only remaining assets - the Lichtenstein, Still, Rothko, and Newman paintings - for consideration that was not fair, despite the fact that CAHC owed millions of dollars in tax liabilities to the IRS.

VI. Gagosian, Brant and GJK should be held to be alter-egos liable for CAHC's tax liabilities, and this Court should pierce CAHC's corporate veil to reach Gagosian, Brant and GJK. Should the lawsuit entitled United States of America v. Geoffrey J.W. Kent, 02 C 6064 (N.D. Ill.) be transferred to this Court, relief should be granted against Kent on this claim as well.

NINTH CLAIM - TORTIOUS CONVERSION

I. The Government repeats and realleges paragraphs 1 through 129 of the complaint as if fully set forth herein.

II. Kent, GJK and Gordon controlled and ran CAHC after the February 15, 1990 transaction. They purportedly sold or transferred the assets of CAHC - the Lichtenstein, Still, Rothko and Newman paintings - away from CAHC and thus beyond the reach of the IRS. To the extent that these purported transfers were to bona fide purchasers, they constituted tortious conversions of the IRS's interests, through its tax liens, in the Lichtenstein, the Still, the Rothko, and/or the Newman paintings, or any cash proceeds derived from their purported sales to the extent that that cash was dissipated.

III. Gagosian and Gagosian Gallery had possession of the Lichtenstein and the Still after the February 15, 1990 transaction. They sold the Still, purportedly placing it beyond the reach of the IRS. To the extent that the Still was sold to a bona fide purchaser and the proceeds were dissipated, this purported sale constituted a tortious conversion of the IRS's tax lien on the Still or any cash proceeds derived from its sale.

IV. Upon information and belief, Kent gave Brant the Newman painting on some date after GJK sold it to the Machalite Foundation, and Brant sold the Newman painting, purportedly placing it beyond the reach of the IRS. To the extent that the Newman painting was sold to a bona fide purchaser and the proceeds were dissipated, this purported sale constituted a tortious conversion of the IRS's tax lien on the Newman painting or any cash proceeds derived from its sale.

TENTH CLAIM - UNJUST ENRICHMENT

I. The Government repeats and realleges paragraphs 1 through 133 of the complaint as if fully set forth herein.

II. Through the conduct alleged herein, CAHC, Gagosian, Gagosian Gallery, Kent, GJK, Gordon and Brant were on notice of the IRS's valid tax claims against CAHC, failed to pay the IRS the monies owed to the IRS, and unjustly enriched themselves at the expense of the IRS.

ELEVENTH CLAIM - BREACH OF CONTRACT (THIRD PARTY BENEFICIARY)

I. The Government repeats and realleges paragraphs 1 through 135 of the complaint as if fully set forth herein.

II. Under the Gagosian Indemnity Agreement, Gagosian agreed to indemnify CAHC and GJK for one-half of the United States taxes owed on the sale of CAHC's paintings, less certain tax benefits accruing to other parties, if any.

III. Under the Brant Indemnity Agreement, Brant agreed to indemnify Contemporary Art Holding Corp. for any United States income tax incurred in the event that the painting by Barnett Newman entitled 'Onement #6' shall be determined to have a value in excess of \$3,500,000.

IV. The United States is the intended third party beneficiary of both of these Indemnity Agreements, in which Gagosian and Brant made binding contractual promises to pay United States taxes on the CAHC sales described above.

V. Gagosian breached the Gagosian Indemnity Agreement when he failed to pay to CAHC, GJK or the United States his portion of the taxes owed by CAHC to the United States.

VI. The United States is entitled to damages on the Gagosian Indemnity Agreement from Gagosian in the amount of one-half of the United States taxes owed on the sale of CAHC's paintings, plus interest and penalties on those taxes, less any relevant tax benefits as contemplated by the Indemnity Agreement.

VII. Brant breached the Brant Indemnity Agreement when he failed to pay CAHC any portion of the taxes on the Newman painting, although it was repeatedly valued at more than \$3.5 million.

VIII. The United States is entitled to damages on the Brant Indemnity Agreement from Brant in the amount of the United States taxes owed on the sale of the Newman painting, to the extent it was valued at, and should have been sold at, more than \$3.5 million.

TWELFTH CLAIM - ENFORCING JUDGMENT

I. The Government repeats and realleges paragraphs 1 through 142 of the complaint as if fully set forth herein.

II. By this action the United States also seeks to enforce the judgment issued by the United States District Court for the Northern District of Illinois, in the amount of \$9,921,227.83, plus penalties and interest running from the dates of assessment in 1991 and 1993, entered in the matter captioned United States of America v. Contemporary Art Holding Corporation, 98 Civ. 6058 (N.D. Ill.), which was entered as a judgment in the Southern District of New York on October 28, 2002, under Docket Number M 18-302, Judgment Number 02,2308. The total amount owed on these tax liabilities is approximately \$26.5 million as of January 31, 2002.

WHEREFORE, the United States of America demands judgment:

- a. Declaring that the federal tax liens that arose against all property and rights to property of CAHC as a result of the assessments are valid;
- b. Declaring that the IRS's liens have priority over the interests of all defendants, and all purported purchasers, in the Lichtenstein, Still, Rothko and Newman paintings;
- c. Declaring that Gagosian's interest in the Lichtenstein and Still paintings - or the Replacement Paintings - is subordinate and inferior to valid and subsisting federal tax liens;
- d. Declaring that the defendants and all other persons whose interests in the Rothko, Lichtenstein, Newman or Still paintings (or the Replacement Paintings) are subordinate to or were recorded after the attachment of the Government's liens, be forever barred and foreclosed from all right, title, claim, lien or other interest in the paintings;
- e. Enforcing the Judgment entered by the Northern District of Illinois against CAHC and any assets, either of CAHC or subject to liens against CAHC, located in the Southern District of New York;

- f. Setting aside and/or declaring fraudulent, null and void as against the United States any purported transfer or sale of the Lichtenstein, the Still, the Rothko and/or the Newman paintings, or any rights in those paintings, from CAHC to Gagosian, Gagosian Gallery, Kent, GJK, Brant or any other person or entity, pursuant to federal law and New York State Debtor and Creditor Law §§ 270-281;
- g. Declaring that to the extent that any CAHC property has been disposed of to bona fide purchasers, the Court will enter judgment for the United States against the defendants due to tortious conversion, in an amount to be determined at trial;
- h. Ordering that the federal tax liens on "Blonde Waiting, 1964" be foreclosed and that "Blonde Waiting, 1964" be surrendered to the Government; and ordering that the federal tax liens on "Untitled R#2, 1947" be foreclosed and that "Untitled R#2, 1947," or the Replacement paintings, be surrendered to the Government; and/or ordering Gagosian to pay the Government \$7,562,884.00 plus costs and interest since 1993, pursuant to 26 U.S.C. § 6332(d)(1);
- i. Enforcing the Indemnity Agreements against Gagosian and Brant, in an amount to be determined at trial;
- j. Ordering the defendants to pay restitution to the Government to remedy their unjust enrichment at the expense of the Government, in an amount to be determined at trial;
- k. Declaring that Gagosian and Brant were formerly the alter-egos of CAHC, and that GJK is currently the alter-ego of CAHC, and that all are personally liable for CAHC's tax liabilities;
- l. Enjoining Gagosian from removing "Blonde Waiting" or the Replacement Paintings from the Southern District of New York pending resolution of this case;
- m. Ordering the defendants to pay the Government's attorney's fees pursuant to New York State Debtor and Creditor Law § 276-a; and
- n. Granting such further relief as the Court may deem just.

Dated: New York, New York
March 19, 2003

Respectfully submitted,

JAMES B. COMEY
United States Attorney for the
Southern District of New York
Attorney for the United States of America By:

NICOLE GUERON (NG-7682)
Assistant United States Attorney
33 Whitehall Street, 8th Floor
New York, New York 10004
Telephone: (212) 637-2699

[home](#)

T.J. EX 48

From: Karen Ho <karen@gagosian.com>
Sent: Tuesday, October 28, 2008 12:51 PM
To: Vanessa Riding <vriding@gagosian.com>; Rysia Murphy <rysia@gagosian.com>
Subject: FW:

One more for Victoria's list.

-----Original Message-----

From: Victoria Gelfand
Sent: Tuesday, October 28, 2008 12:50 PM
To: Karen Ho
Subject: Re:

I need to add **Redacted** to list

----- Original Message -----

From: Karen Ho
To: Victoria Gelfand
Sent: Tue Oct 28 16:45:03 2008
Subject: RE:

Hi Victoria,

As per LG, he needs to approve everyone we are inviting to the Prince dinner. I have sent it on to Vanessa and Rysia and they will let us know as soon as he gives the okay.

Sorry for the delay. I will email you as soon as I know.

-----Original Message-----

From: Victoria Gelfand
Sent: Tuesday, October 28, 2008 12:40 PM
To: Karen Ho
Subject:

Dear Karen

Pls email me prince dinner invite. Have you invited all the people val sent you from my side?

How are we doing with numbers? Could I add a couple more? Will it be separate tables?

Thanks

From: Karen Ho <karen@gagosian.com>
Sent: Tuesday, October 28, 2008 2:24 PM
To: Vanessa Riding <vriding@gagosian.com>; Rysia Murphy
<rysia@gagosian.com>
Subject: Prince invites

Candy would like to invite Redacted and Redacted Both are LA-based so she thinks it is unlikely that they will come. Please have LG approve.

From: Vanessa Riding
Sent: Thursday, October 30, 2008 10:19 AM
To: Rysia Murphy <rysia@gagosian.com>; Karen Ho <karen@gagosian.com>
Subject: RE: VG Richard Prince invitees

-----Original Message-----

From: Rysia Murphy
Sent: Tuesday, October 28, 2008 10:51 AM
To: Vanessa Riding
Subject: FW: VG Richard Prince invitees

-----Original Message-----

From: Rysia Murphy
Sent: Tuesday, October 28, 2008 10:50 AM
To: Vanessa Riding
Subject: VG Richard Prince invitees

This list is fine. I took off the names that LG said no to.

Redacted

From: Karen Ho <karen@gagosian.com>
Sent: Tuesday, November 4, 2008 3:50 PM
To: Rysia Murphy <rysia@gagosian.com>; Vanessa Riding <vriding@gagosian.com>
Subject: FW: For LG to check for Prince opening and dinner

These people were on the Redacted committee for Prince. I have deleted names of people we have already invited. Please ask LG if he would like any of these people invited.

From: Louise Neri
Sent: Tuesday, November 04, 2008 3:46 PM
To: Karen Ho
Subject: For LG to check for Prince opening and dinner

Hi Karen—

Obviously many of these people are already on our invitation list. I have deleted Redact and Redact from the Guggenheim's original list.

Richard Prince: Redacted

Redacted

From: Rysia Murphy
Sent: Wednesday, November 5, 2008 10:22 AM
To: Olivia Byron <olivia@gagosian.com>
Subject: Prince Dinner Invite
Attach: RP.pdf

<<...>> Olivia,

Attached is the invite. Please just make sure it is not sent to anyone that has not been approved by LG as he his being very strict about this dinner.

Let me know if you need anything else!

Rysia

From: Rysia Murphy
Sent: Saturday, November 8, 2008 12:25 PM
To: Victoria Gelfand <victoria@gagosian.com>
Subject: FW: Prince dinner list
Attach: Prince dinner.doc

Victoria,

Attached is the most up to date dinner list. As you know LG has been super intense about whose invited etc. so please don't show the list to anyone etc. And of course, if you have any additions they have to be cleared by LG. Let Karen or me know if you have any questions!

Also, there are some new changes that haven't been added to the attached list but it's pretty close to correct.

Thanks,

Rysia

48x49

From: Meredith Dunn <mdunn@gagosian.com>
Sent: Thursday, October 23, 2008 10:29 AM
To: Sam Orlofsky <sam@gagosian.com>; Rebecca Sternthal <rebecca@gagosian.com>; Stefan Ratibor <sratibor@gagosian.com>; Valentina Castellani <vcastellani@gagosian.com>; Victoria Gelfand <victoria@gagosian.com>; John Richardson <jrichardson@gagosian.com>; Deborah McLeod <dmcleod@gagosian.com>; Candy Coleman <candy@gagosian.com>; Lauren McCaffrey <lauren@gagosian.com>; Domenica Stagno <domenica@gagosian.com>; Andrea Crane <andrea@gagosian.com>; Karen Ho <karen@gagosian.com>; Melissa Lazarov <mlaz@gagosian.com>; Ealan Wingate <ewingate@gagosian.com>
Cc: Vanessa Riding <vriding@gagosian.com>; Rysia Murphy <rysia@gagosian.com>
Subject: Prince in Chelsea

Larry would like the opening and dinner to be "kick ass" so please invite celebrities/moma/gugg/whitney curators and other clients who will BUY his work. However, do not invite someone unless you confirm this with Vanessa, Ryscha, or Karen.

Vanessa has the list of people from Larry so far so feel free to touch base with her.

Many thanks,
Meredith

DETAILS-

Opening is on Saturday November 8th at 24th St.

Dinner to follow at

Gramercy Park Hotel

Sent via BlackBerry by AT&T

1.0 3/50

From: Vanessa Riding
Sent: Thursday, October 23, 2008 2:29 PM
To: Barbara Wilhelm Dwek <barbara@gagosian.com>
Cc: Karen Ho <karen@gagosian.com>
Subject: RE: prince dinner

Before Larry approves this list he would like to know if you have sold any art to these people. If so, he would like to see proof.

From: Melissa Lazarov
Sent: Thursday, October 23, 2008 1:53 PM
To: Karen Ho
Cc: Vanessa Riding; Rysia Murphy
Subject: RE: prince dinner

will you run these names by lg for approval

From: Karen Ho
Sent: Thursday, October 23, 2008 1:51 PM
To: Melissa Lazarov
Subject: FW: prince dinner

These are the people Barbara wants to invite to the dinner after receiving LG's email. Yes or no?

From: Barbara Wilhelm Dwek
Sent: Thursday, October 23, 2008 1:50 PM
To: Karen Ho
Subject: prince dinner

Redacted

BARBARA WILHELM DWEK

Gagosian Gallery
555 West 24 Street
New York, New York, 10011

tel +1 212 741 1111
fax +1 212 741 9616
cell +1 917 257 9133

T. E. S.

From: Vanessa Riding
Sent: Friday, October 31, 2008 11:30 AM
To: Karen Ho <karen@gagosian.com>
Subject: RE: Prince dinner

ok

From: Karen Ho
Sent: Friday, October 31, 2008 11:30 AM
To: Vanessa Riding
Subject: RE: Prince dinner

I spoke to Andrea Crane, and the other invites are collectors, and their parents are the wealthiest people in Holland worth 5 billion.

From: Vanessa Riding
Sent: Friday, October 31, 2008 10:29 AM
To: Karen Ho
Subject: RE: Prince dinner

Redacted are fine. Who are the other people?

From: Karen Ho
Sent: Friday, October 31, 2008 10:28 AM
To: Rysia Murphy; Vanessa Riding
Subject: FW: Prince dinner

Can you get these approved?

From: Andrea Crane
Sent: Friday, October 31, 2008 10:23 AM
To: Karen Ho
Subject: Prince dinner

Here are my dinner invites--

Redacted

No Ex 52

RICHARD PRINCE



GAGOSIAN

November 8 - December 20, 2008 555 West 24th Street, New York 10011 T. 212.741.1111 www.gagosian.com

From: Andie Trainer <atrain@gagosian.com>
Sent: Friday, December 5, 2008 2:16 PM
To: Jessica Arisohn <jarisohn@gagosian.com>
Subject: Ryan from Rare Posters

10 EX 53

Hi Jessy,

Ryan from Rare Posters came by today and picked up two boxes, or 100, Richard Prince invites. You can now deduct the \$100 from his account.

Best,

Andie

Andie Trainer
Gagosian Gallery
555 W. 24th Street
New York, NY 10011
212.741.1111
atrain@gagosian.com

From: Jessica Arisohn
Sent: Wednesday, November 19, 2008 3:00 PM
To: Alison McDonald <amcdonald@gagosian.com>; Nicole Heck <nheck@gagosian.com>;
Darlina Goldak <dgoldak@gagosian.com>
Subject: FW: Ryan from Rare Posters

Ryan Dowler wants Prince Canal Zone – Andie says we have three extra boxes left. Don't know if we should give it to him though as he has acted a bit shady in the past but otherwise they will be tossed. What do you think?

From: Andie Trainer
Sent: Wednesday, November 19, 2008 10:16 AM
To: Jessica Arisohn
Subject: Ryan from Rare Posters

Hi Jessy,

Ryan from Rare Posters emailed me expressing interest in scooping up any extra Prince invites we might have. We did get quite a few (we started with seven boxes, three remain)... but somehow it doesn't seem right for him to be **SELLING** our invitations. Thought I'd run it by you for a second opinion before I got back to him. Let me know your thoughts.

Thanks,

Andie

Andie Trainer
Gagosian Gallery
555 W. 24th Street
New York, NY 10011
12.741.1111
atrainier@gagosian.com

From: Nicole Heck
Sent: Wednesday, November 19, 2008 3:08 PM
To: Alison McDonald <amcdonald@gagosian.com>
Cc: Jessica Arisohn <jarisohn@gagosian.com>; Darlina Goldak <dgoldak@gagosian.com>
Subject: RE: Ryan from Rare Posters

Shouldn't we get a percentage of the sale if he is selling something we paid to produce?

From: Jessica Arisohn
Sent: Wednesday, November 19, 2008 3:00 PM
To: Alison McDonald; Nicole Heck; Darlina Goldak
Subject: FW: Ryan from Rare Posters

Ryan Dowler wants Prince Canal Zone – Andie says we have three extra boxes left. Don't know if we should give it to him though as he has acted a bit shady in the past but otherwise they will be tossed. What do you think?

From: Andie Trainer
Sent: Wednesday, November 19, 2008 10:16 AM
To: Jessica Arisohn
Subject: Ryan from Rare Posters

Hi Jessy,

Ryan from Rare Posters emailed me expressing interest in scooping up any extra Prince invites we might have. We did get quite a few (we started with seven boxes, three remain)... but somehow it doesn't seem right for him to be **SELLING** our invitations. Thought I'd run it by you for a second opinion before I got back to him. Let me know your thoughts.

Thanks,

Andie

Andie Trainer
Gagosian Gallery
555 W. 24th Street
New York, NY 10011
212.741.1111
atrainner@gagosian.com

From: Alison McDonald
Sent: Wednesday, November 19, 2008 3:16 PM
To: Nicole Heck <nheck@gagosian.com>
Cc: Jessica Arisohn <jarisohn@gagosian.com>; Darlina Goldak <dgoldak@gagosian.com>
Subject: RE: Ryan from Rare Posters

We should sell them to him.

From: Nicole Heck
Sent: Wednesday, November 19, 2008 3:08 PM
To: Alison McDonald
Cc: Jessica Arisohn; Darlina Goldak
Subject: RE: Ryan from Rare Posters

Shouldn't we get a percentage of the sale if he is selling something we paid to produce?

From: Jessica Arisohn
Sent: Wednesday, November 19, 2008 3:00 PM
To: Alison McDonald; Nicole Heck; Darlina Goldak
Subject: FW: Ryan from Rare Posters

Ryan Dowler wants Prince Canal Zone – Andie says we have three extra boxes left. Don't know if we should give it to him though as he has acted a bit shady in the past but otherwise they will be tossed. What do you think?

From: Andie Trainer
Sent: Wednesday, November 19, 2008 10:16 AM
To: Jessica Arisohn
Subject: Ryan from Rare Posters

Hi Jessy,

Ryan from Rare Posters emailed me expressing interest in scooping up any extra Prince invites we might have. We did get quite a few (we started with seven boxes, three remain)... but somehow it doesn't seem right for him to be SELLING our invitations. Thought I'd run it by you for a second opinion before I got back to him. Let me know your thoughts.

Thanks,

Andie

Andie Trainer
Gagosian Gallery
555 W. 24th Street
New York, NY 10011
212.741.1111
atrainee@gagosian.com

EX539

AllPosters.com The World's Largest Poster & Print Store

Your Favorites Track Order Help **CART** 0 items

SEARCH > [Fine Art](#) > [Photography](#) > [Vintage](#) > [Travel](#) > [Animals](#) > [Movies](#) > [Music](#) > [Best Sellers](#)

Get 15% Off! >

- Art**
- Artists
 - Decorative Art
 - Fine Art
 - Vintage Art
 - Photography

- Subjects**
- Animals
 - Architecture
 - Education
 - Floral & Botanical
 - Food & Beverage
 - Humor
 - Landscapes
 - Motivational
 - Performing Arts
 - Religion & Spirituality
 - Transportation
 - Travel
 - World Cultures

- Entertainment**
- College
 - Comics
 - Movies
 - Music
 - People
 - Sports
 - Television

- Specialty Products**
- Apparel
 - Canvas Art
 - Framed Art
 - Frames
 - Gift Prints
 - Limited Editions
 - Magnets
 - Outdoor Art
 - Specialty Prints
 - Standups
 - Wall Decals
 - Wall Murals
 - Wall Signs
 - Wall Tapestries

- Featured Categories**
- Best Sellers
 - What's New
 - Clearance Sale
 - Decorating Styles
 - Exclusive Products
 - Gift Certificates

- This item is in the following categories:**
- Richard Prince
 - Figurative (Fine Art)
 - 20th Century Art
 - American Art
 - Contemporary Photography
 - Contemporary Artists
 - Fine Art
 - Fine Art by Nationality
 - Fine Art by Era
 - Fine Art by Artist
 - Fine Art by Movement



zoom view in room

NEW! VIEW THIS IMAGE IN A ROOM

CUSTOM FRAMING

Use our interactive Frame Studio to design your own frame.

- Choose from hundreds of frames and mat combinations.
- Preview artwork on your own wall color
- Expert craftsmanship



CUSTOM FRAME IT

OTHER ITEMS YOU MIGHT LIKE RELATED CATEGORIES



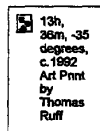
Cowboy details



Substratum 2 I, c.2002 details



Paradise IX details



13h, 36m, -35 degrees, c.1992 details

A-2040

Canal Zone Invitation, 2008 Prints by Richard Prince at AllPosters.com

Page 2 of 2

[About Us](#) | [Terms Of Use](#) | [Privacy Policy](#) | [Help](#) | [Business Sales](#) | [Affiliates Program](#)

Email Address:



100% SATISFACTION GUARANTEED!

Order Toll Free: 1-888-654-0143 Monday - Saturday, 9am - 10pm ET



[English \(UK\)](#) [Français](#) [Deutsch](#) [Español](#) [Italiano](#) [日本語](#) [Nederlands](#)

© 1998-2009 AllPosters.com. All rights reserved.

From: Alison McDonald <amcdonald@gagosian.com>
Sent: Monday, September 15, 2008 7:27 PM
To: Vanessa Riding <vriding@gagosian.com>
Cc: Rysia Murphy <ryszarda@gagosian.com>; Melissa Lazarov <mlaz@gagosian.com>
Subject: Richard Prince text
Attach: Ding Dong the Witch is Dead.doc

Melissa asked me to send this text onto Larry to read. It's attached, but not final.

Best,
Alison

Sent from my BlackBerry wireless handheld.

From: "Melissa Lazarov" <mlaz@gagosian.com>
Date: Wed, 10 Sep 2008 12:37:38 -0400
To: Alison McDonald <amcdonald@gagosian.com>
Subject: FW: <no subject>

he is still tinkering with it so dont typeset yet - there is one typo on the last page there is an "e" left off of "the" in the last sentence. do not have it edited. Melissa - keep the breaks and stars as is.

T. Heck 5/1

From: Darlina Goldak
Sent: Thursday, September 25, 2008 11:46 AM
To: Nicole Heck <nheck@gagosian.com>
Subject: Richard Prince painting layouts - notes from mlaz

Mlaz/LG notes on Prince:

-They would like the blue Rasta man (image attached) on the cover. They like the textured, burlap surface that is on the back of the dummies. Please try the blue Rasta man on this surface for the cover. She seemed indifferent about if the textured surface is also on the back when I asked.

-They would like the book larger, both horizontally and vertically. If the book needs to be more vertical because the blue Rasta image is vertical, that is fine. I asked her if she had a book in mind to compare for size, but she could not come up with an example.

-They like the binding with the spine sandwiched by the front and back cover.

-Please include "Essay" or "Text by James Frey" in the title page. They want the book to come up if you Google James Frey.

-Please include source material in the book. They want you to "get into his head" and see how he got to where he is and see where he is going. (I'm looking into this)

-They want a more interesting, non-traditional way to present the text in the book. Alison explained this to Ivor yesterday.

Note, Richard Prince will be sending us more studio photos soon.

TI Ex 56

From: Candy Coleman <candy@gagosian.com>
Sent: Thursday, September 25, 2008 1:48 PM
To: Larry Gagosian <larry@gagosian.com>
Subject:

What is the price of the 2 Prince paintings?
Sent from my Verizon Wireless BlackBerry

From: Candy Coleman <candy@gagosian.com>
Sent: Thursday, September 25, 2008 3:29 PM
To: Larry Gagosian <larry@gagosian.com>
Subject: Re: Prince

Great thanks, **Redacted**

-----Original Message-----

From: Larry Gagosian
To: Candy Coleman
Reply To: Larry Gagosian
Sent: Sep 25, 2008 2:38 PM
Subject: Prince

3 million. And. 1.5
Sent via BlackBerry by AT&T

Sent from my Verizon Wireless BlackBerry

From: John Good
Sent: Saturday, October 4, 2008 5:56 PM
To: Larry Gagosian <lgagosian@gagosian.com>
Subject: RE: Redacted and Prince

Sam gave me prices of 1.5 for the larger, and 1 for the other, but just want to confirm with you.

From: Larry Gagosian
Sent: Sat 10/4/2008 5:45 PM
To: John Good
Subject: Re: Hymowitz and Prince

Ok. Prices?

-----Original Message-----

From: John Good
To: Larry Gagosian
Sent: Oct 4, 2008 4:52 PM
Subject: Hymowitz and Prince

Gregg liked the following paintings by Richard Prince:

MEDITATION
58 x 46

COLOR ME MINE
80 x 59

Can I offer them?

John

Sent via BlackBerry by AT&T

EX 57

From: Candy Coleman <candy@gagosian.com>
Sent: Thursday, September 25, 2008 9:29 PM
To: Larry Gagosian <larry@gagosian.com>
Subject: Re:

Sorry?

-----Original Message-----

From: Larry Gagosian
To: Candy Coleman
ReplyTo: Larry Gagosian
Sent: Sep 25, 2008 9:25 PM
Subject: Re:

If Reda : buys

-----Original Message-----

From: Candy Coleman
To: Larry Gagosian
ReplyTo: Candy Coleman
Sent: Sep 25, 2008 9:12 PM
Subject:

May I offer the smaller Prince painting to **Redacted** with the restriction that it is on hold until tomorrow for another client?

Sent from my Verizon Wireless BlackBerry

Sent via BlackBerry by AT&T

Sent from my Verizon Wireless BlackBerry

From: Candy Coleman <candy@gagosian.com>
Sent: Friday, September 26, 2008 2:18 PM
To: Larry Gagosian <larry@gagosian.com>
Subject: Re:

Still in meetings

Sent from my Verizon Wireless BlackBerry

From: larry@gagosian.com
Date: Fri, 26 Sep 2008 18:00:50 +0000
To: Candy Coleman <candy@gagosian.com>
Subject: Re:

Still in meeting? Or on plane?

Sent via BlackBerry by AT&T

From: candy@gagosian.com
Date: Fri, 26 Sep 2008 16:51:26 +0000
To: Larry Gagosian <larry@gagosian.com>
Subject: Re:

o, he has been in meetings since 7am, he will call me

Sent from my Verizon Wireless BlackBerry

From: "Larry Gagosian" <larry@gagosian.com>
Date: Fri, 26 Sep 2008 09:40:59 -0700
To: Candy Coleman <candy@gagosian.com>
Subject:

I take it by your silence that Reda is not interested in the Prince paintings; is that correct?

Vanessa Riding
Assistant to Larry Gagosian
Gagosian Gallery
980 Madison Avenue
New York, NY 10075
p. 212.744.2313
f. 212.772.7962
vriding@gagosian.com

From: Nick Simunovic <nick@gagosian.com>
Sent: Thursday, October 23, 2008 9:37 AM
To: Larry Gagosian <larry@gagosian.com>
Subject: Re: Prince

She said everything else was sold.

Just checking with you in case some good stuff was still available but not openly circulating.

I will work with the pictures I was sent.

-----Original Message-----

From: Larry Gagosian
To: Nick Simunovic
ReplyTo: Larry Gagosian
Sent: Oct 23, 2008 7:44 PM
Subject: Re: Prince

Ask her

-----Original Message-----

From: Nick Simunovic
To: Larry Gagosian
Sent: Oct 23, 2008 7:34 AM
Subject: RE: Prince

re there any other available works from the new show besides what Anita sent out yesterday?

-----Original Message-----

From: Larry Gagosian
Sent: Thursday, October 23, 2008 7:17 PM
To: Nick Simunovic
Subject: Re: Prince

Ornly if he buys another painting

-----Original Message-----

From: Nick Simunovic
To: Larry Gagosian
Sent: Oct 23, 2008 7:00 AM
Subject: Prince

On Monday, I'm meeting the guy who bought **Redac** and the **Redacte** paintings. I am trying to sell him more Prince.

I will give him a preview of the upcoming show, which he'll see in person when we come to New York on November 10

Is there any way to visit Richard's studio in Rensselaerville the week of November 10? Studio visits are a major seduction for this guy.

Sent via BlackBerry by AT&T

nt via BlackBerry by AT&T

A-2049

110 EX58

Sent: Wednesday, October 01, 2008 2:56 PM
To: Allison Smith; Justin Adian
Subject:

WORK #	ALT #	TITLE	ARTIST	YEAR	MEDIUM	CLASS	DIMENSIONS	DIM-METRIC	LOCATION	PRICE	LAST SOLD TO
PRINC 2008.0054	RPS 497	James Brown Disco Ball	PRINCE, RICHARD	2008	Ink jet, acrylic and collage on canvas	Painting	100 1/2 x 154 1/2 inches overall	255.3 x 392.4cm	CFA 21	\$0 (09/04/08)	Unknown, no sale data
PRINC 2008.0050	RPS 498	Mr. Jones	PRINCE, RICHARD	2008	Ink jet, acrylic and collage on canvas	Painting	91 1/2 x 128 inches	232.4 x 325.1cm	555 W 24th Street	\$0 (09/11/08)	Evans, Michael and Lisa
PRINC 2008.0042	RPS 496	Specialty Round Midnight	PRINCE, RICHARD	2008	Ink jet, acrylic and collage on canvas	Painting	100 1/2 x 154 inches	255.3 x 391.2cm	CFA21	\$0 (08/20/08)	Cohen, Steven

I still need to shoot these. Can I do them on Friday at crozier?

Rob

<PRINC 2008.0054.jpg><PRINC 2008.0050.jpg><PRINC 2008.0042.jpg>

From: betsy biscone <biscone@prince-studio.com>
Sent: Thursday, September 11, 2008 3:10 PM
To: Melissa Lazarov <mlaz@gagosian.com>
Cc: Larry Gagosian <larry@gagosian.com>
Subject: Evans RP Purchase
Attach: Mr. Jones, 2008.pdf

Dear Larry & Melissa,

I hope this finds you both well. As you are well aware, *Mr. Jones, 2008* has sold to Redacted for \$2,000,000.00;
See attached fact sheet.

Richard Prince
Mr. Jones, 2008
Ink jet, acrylic and collage on canvas
128 x 92 inches (325.1 x 233.7 cm)
Inv# RPS498

Per his request, if you would be so kind as to send an invoice to the following address:

Redacted

Please also have a copy of the invoice faxed to him at the following fax number:

Redacted

When you are ready to arrange shipment after the November show, the work should be sent to the above mentioned address in DE, contact: Redacted at Tel #: Redacted

Do let me know if I can be of further assistance.

Best wishes for Moscow!

Betsy Biscone
—
Prince Studio Manager
R'ville, NY 12147
T: 518.797.5279
F: 518.797.9875

From: Melissa Lazarov
Sent: Friday, September 12, 2008 3:37 PM
To: Anita Foden <anita@gagosian.com>
Subject: invoice info

Dear Rupert: Larry just met with **Redact** ; and he is buying:

Richard Prince
Back to the Garden 2008 - 2.2

Cookie crumble - 2

rasta collage 2008.0044 - \$500,000

and a **Redacted** - include one of the photos and I'll explain it just as an example **Redac**

From: Melissa Lazarov
Sent: Friday, September 12, 2008 5:16 PM
To: Rupertburgess@intl-art.com
Cc: Anita Foden <anita@gagosian.com>
Subject: FW: Prince purchase
Attach: Redacted : invoice.doc;PRINCE 2008.0049.jpg;PRINCE 2008.0051.jpg;PRINCE 2008.0044.jpg;Redacted

I made a mistake on the prices - in your favor - please see revised amounts below. Melissa

From: Melissa Lazarov
Sent: Friday, September 12, 2008 4:37 PM
To: 'Rupert Burgess'; Rupertburgess@intl-art.com
Subject: Prince purchase

Dear Rupert - Larry met with the Redacted and they are purchasing the attached. please advise how you want me to invoice. Melissa

RICHARD PRINCE
Back to the Garden, 2008
 Ink jet, acrylic and collage on canvas
 80 x 120 inches
 203.2 x 304.8cm
 (PRINC 2008.0049)

\$ 1,800,000.00

RICHARD PRINCE
Cookie Crumbles, 2008
 Ink jet, acrylic and collage on canvas
 76 x 100 1/2 inches
 193 x 255.3cm
 (PRINC 2008.0051)

\$ 1,800,000.00

RICHARD PRINCE
Untitled (Rasta), 2008
 Ink jet, acrylic and collage on canvas
 40 x 30 inches
 101.6 x 76.2cm
 (PRINC 2008.0044)

\$500,000.00

Redacted

TOTAL AMOUNT DUE:

Redacted
=====

Anita Foden
 Gagosian Gallery
 980 Madison Avenue
 New York, NY 10021
 Tel 212 744 2313
 Fax 212 772 8696
 anita@gagosian.com

September 12, 2008

Invoice

INVOICE

RICHARD PRINCE

Back to the Garden, 2008

Ink jet, acrylic and collage on canvas

80 x 120 inches

203.2 x 304.8cm

(PRINC 2008.0049)

\$2,200,000.00

RICHARD PRINCE

Cookie Crumbles, 2008

Ink jet, acrylic and collage on canvas

76 x 100 1/2 inches

193 x 255.3cm

(PRINC 2008.0051)

\$2,000,000.00

RICHARD PRINCE

Untitled (Rasta), 2008

Ink jet, acrylic and collage on canvas

40 x 30 inches

101.6 x 76.2cm

(PRINC 2008.0044)

\$500,000.00

Redacted

TOTAL AMOUNT DUE:

Redacted

No New York sales tax due, out of state sale.

Crating, shipping, and insurance charges are the responsibility of the purchaser and are not included in the sale price.

Wire Instructions:

Capital One N.A.

991 Third Avenue

New York, NY 10065

From: betsy biscone <bbiscone@prince-studio.com>
Sent: Thursday, September 11, 2008 3:10 PM
To: Melissa Lazarov <mlaz@gagosian.com>
Cc: Larry Gagosian <larry@gagosian.com>
Subject: Evans RP Purchase
Attach: Mr. Jones, 2008.pdf

Dear Larry & Melissa,
I hope this finds you both well. As you are well aware, *Mr. Jones, 2008* has sold to Redacted for \$2,000,000.00;
See attached fact sheet.

Richard Prince
Mr. Jones, 2008
Ink jet, acrylic and collage on canvas
128 x 92 inches (325.1 x 233.7 cm)
Inv# RPS498

Per his request, if you would be so kind as to send an invoice to the following address:

Redacted

Please also have a copy of the invoice faxed to him at the following fax number:
Redacted

When you are ready to arrange shipment after the November show, the work should be sent to the above mentioned address in DE, contact: Chris Parisi at Tel #: 302 547 0027.

Do let me know if I can be of further assistance.

Best wishes for Moscow!

Betsy Biscone
—
Prince Studio Manager
R'ville, NY 12147
T: 518.797.5279
F: 518.797.9875

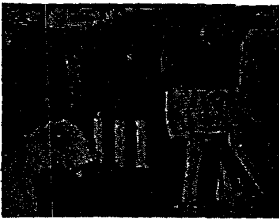
TT Ex 60

February 10, 2009
09028

Invoice

Richard Prince
REDACTED
Rensselaerville, NY 12147

INVOICE



LARRY RIVERS
Dying and Dead Veteran, 1961
Oil on canvas
70 x 94 inches
177.8 x 238.8cm
(RIVER 1961.0001)

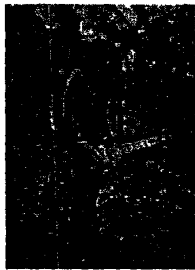
In exchange for:



RICHARD PRINCE
Djuna Barnes, Natalie Barney, Renee Vivian and Roman Brooks take over the Guahnahani, 2008
Ink jet, acrylic and collage on canvas
52 1/8 x 90 1/2 inches
132.4 x 229.9cm
(PRINC 2008.0057/ RPS 535)



RICHARD PRINCE
James Brown Disco Ball, 2008
Ink jet, acrylic and collage on canvas
100 1/2 x 154 1/2 inches overall 2 panels
255.3 x 392.4cm,
(PRINC 2008.0054 / RPS 497)



RICHARD PRINCE
Graduation, 2008
Ink Jet, acrylic and collage on canvas
72 3/4 x 52 3/8 inches
184.8 x 133cm
(PRINC 2008.0056 / RPS 534)



RICHARD PRINCE
It's all over, 2008
Ink jet, acrylic and collage on canvas
80 x 120 1/4 inches
203.2 x 305.4cm
(PRINC 2008.0055 / RPS 504)

No New York sales tax due, even exchange.

THS EK 61

Ivor Williams
Graphic Thought Facility
23-24 Easton Street
London WC1X 0DS
Tel +44(0)20 7837 2525
Fax +44(0)20 7837 9090

On 9 Oct 2008, at 19:27, Alison McDonald wrote:

> Great. Everything looks good to send Transcontinental. Can I have
> the
> spine to show Rizzoli?

>
> —Original Message—

> From: Ivor Williams [mailto:ivor@graphicthoughtfacility.com]
> Sent: Thursday, October 09, 2008 2:16 PM
> To: Alison McDonald
> Cc: Paul; Nicole Heck; Darlina Goldak
> Subject: Richard Prince - Insert 01 - Essay - Amends

>
> Dear Alison

>
> While checking the essay, we found one mistake that we would like to
> clear with you. The 2nd spread, 4th line from bottom - it was "evens"
> and we have corrected it to "even".

>
> We have also gone through the document and corrected line endings.

> Regards

>
> Ivor

>
>
>

From: Alison McDonald
Sent: Friday, October 10, 2008 2:47 PM
To: Melissa Lazarov <mlaz@gagosian.com>
Subject: Prince quantity

Rizzoli will commit to 1000 copies on Prince at \$80-\$85 sales price, they think optimistically they could sell more like 1500, but they don't want to consign that many and fall short (they prefer not to disappoint us). I think we should order 2000 for the gallery and then if they need the extra 500 we should have them available.

3000 total = \$115,000 (\$38 per book)

It's expensive because we are using the best stock, heaviest weight, UV printing, etc, also the large size needs to be hand-bound and obviously that's labor intensive and time consuming. We should be able to make about \$30,000-\$40,000 back from the Rizzoli copies that sell, in addition to any gallery sales of the books.

Can I confirm 3000 copies today?

Thanks,
Alison

From: Darlina Goldak
Sent: Monday, December 1, 2008 6:13 PM
To: 'Hotte, Christian' <Christian.Hotte@transcontinental.ca>
Cc: 'Hunter, Denis' <Denis.Hunter@transcontinental.ca>; Alison McDonald <amcdonald@gagosian.com>
Subject: Richard Prince - Canal Zone - shipping
Attach: WMBindersKitSummaryRev12.pdf;WMBindersKitRev_Jan2008.pdf

Hi Christian,

As you know, 1000 copies of the Richard Prince books are for Rizzoli, Inc. These 1000 copies have the sticker barcodes on them.

Attached is Rizzoli's one page summary for pallet requirements and carton markings that must be followed in order for Rizzoli to accept these copies into their warehouse. Please do not include the On Sale date as part of the carton markings.

Please use PO number 2706940 for this shipment on the bill of lading, pallet tag and packing list. The barcode type is EAN and the version code is R. The batch should be written out as 8000/9600R.

These 1000 copies should be shipped ground to:

Complete Mailing Services
Attn: Shirley Cordes
140 58th Street
Suite 6D
Brooklyn, NY 11220
(718) 238-2919, x239

Please let me know when you expect these copies to arrive and if you plan on sending any non-barcode copies for Gagosian along with. I need to make sure these 1000 copies stay separate from the other copies for Gagosian.

Please let me know if you have any questions.

Thank you,
Darlina

Darlina Goldak
Gagosian
980 Madison Ave
4th Floor
NY, NY 10075
T. 212.744.2313
F. 212.472.1219
dgoldak@gagosian.com

Canal Zone Richard Prince

Gagosian

R

Ivor Williams
Graphic Thought Facility
23-24 Easton Street
London WC1X 0DS
Tel +44(0)20 7837 2525
Fax +44(0)20 7837 9090

On 9 Oct 2008, at 19:27, Alison McDonald wrote:

> Great. Everything looks good to send Transcontinental. Can I have
> the
> spine to show Rizzoli?
>
> -----Original Message-----
> From: Ivor Williams [mailto:ivor@graphicthoughtfacility.com]
> Sent: Thursday, October 09, 2008 2:16 PM
> To: Alison McDonald
> Cc: Paul; Nicole Heck; Darlina Goldak
> Subject: Richard Prince - Insert 01 - Essay - Amends
>
> Dear Alison
>
> While checking the essay, we found one mistake that we would like to
> clear with you. The 2nd spread, 4th line from bottom - it was "evens"
> and we have corrected it to "even".
>
> We have also gone through the document and corrected line endings.
>
> Regards
>
> Ivor
>
>
>

No Ex 6L

SIDLEY AUSTIN BROWN & WOOD LLP

BEIJING
BRUSSELS
CHICAGO
DALLAS
GENEVA
HONG KONG
LONDON

787 SEVENTH AVENUE
NEW YORK, NEW YORK 10019
TELEPHONE 212 839 5300
FACSIMILE 212 839 5599
www.sidley.com
FOUNDED 1866

LOS ANGELES
NEW YORK
SAN FRANCISCO
SHANGHAI
SINGAPORE
TOKYO
WASHINGTON, D.C.

WRITER'S DIRECT NUMBER
(212) 839-7357

WRITER'S E-MAIL ADDRESS
ptoren@sidley.com

November 10, 2005

By Registered Mail, Return Receipt Requested

Eric Doeringer
521 Dean St., #6
Brooklyn, NY 11217-2134

Re: John Currin

Dear Mr. Doeringer:

We represent Gagosian Gallery which in turn represents the painter John Currin. It has come to the attention of Gagosian Gallery and Mr. Currin that you are reproducing and selling unauthorized copies of Mr. Currin's paintings including "Pelletiere" and "The Moved Over Lady."

The reproduction and sale of copies of Mr. Currin's paintings constitutes a willful violation of the Copyright Act, 17 U.S.C. §§ 101 *et seq.* You should be aware that in such cases the Act provides that the Copyright owner may be entitled to an award of statutory damages of up to \$150,000.

We hereby demand that you immediately cease and desist from reproducing and selling unauthorized copies of the works of John Currin. In connection thereto we ask that you sign and return a copy of this letter by November 21, 2005, to warrant that you have, and will not at any time in the future, distribute, prepare derivative works or reproduce copies of Mr. Currin's works.

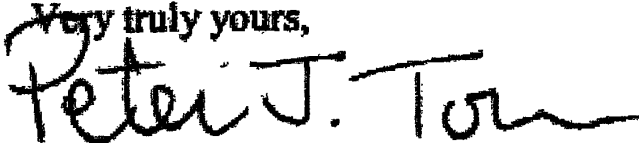
Gagosian Gallery and Mr. Currin take violations of their rights very seriously and they intend to fully enforce their rights if you fail to comply with our demands.

SIDLEY AUSTIN BROWN & WOOD LLP

NEW YORK

Eric Doeringer
November 10, 2005
Page 2

Nothing in this letter should be construed as a waiver of any rights or remedies available to Gagosian Gallery and Mr. Currin and they hereby expressly reserve their rights to pursue any rights or remedies available to them under the law.

Very truly yours,


Peter J. Toren

~~Kara Vander Weg~~

Agreed to: _____

A-2063

Eric Doeringer
521 Dean Street #6
Brooklyn, NY 11217
(718) 398-1981

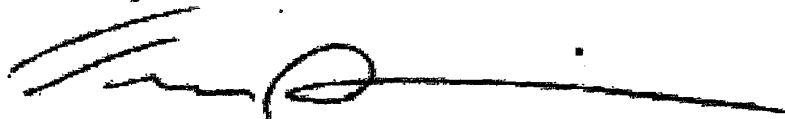
Peter J Toren
Sidley Austin Brown & Wood
787 Seventh Avenue
New York, NY 10019

Dear Mr. Toren,

Although I believe I am within my rights to create artworks incorporating imagery derived from the paintings of John Currin, I have the utmost respect for Mr. Currin. My paintings are a tribute to his stature in the art world. If he wished that I stop selling these paintings, I will comply. I have contacted all galleries currently holding these works and requested that they withdraw the paintings from sale.

I would like to ask Mr. Currin's permission to reproduce images of my paintings based upon his work in the documentation of my "Bootleg" project and to exhibit existing paintings in non-commercial settings.

Yours truly,



Eric Doeringer

A-2064

SIDLEY AUSTIN BROWN & WOOD LLP

BEIJING
BRUSSELS
CHICAGO
DALLAS
GENEVA
HONG KONG
LONDON

787 SEVENTH AVENUE
NEW YORK, NEW YORK 10019
TELEPHONE 212 839 5300
FACSIMILE 212 839 5599
www.sidley.com
FOUNDED 1866

LOS ANGELES
NEW YORK
SAN FRANCISCO
SHANGHAI
SINGAPORE
TOKYO
WASHINGTON, D.C.

WRITER'S DIRECT NUMBER
(212) 839-7357

WRITER'S E-MAIL ADDRESS
ptoren@sidley.com

November 28, 2005

Registered Mail, Return Receipt Requested

Eric Doeringer
521 Dean St., #6
Brooklyn, NY 11217-2134

Re: John Currin

Dear Mr. Doeringer:

I write in response to your letter in which you agreed that you would immediately cease and desist from reproducing and selling unauthorized copies of the works of John Currin and from distributing derivative copies of Mr. Currin's works. In return for this, Gagosian Galleries agrees not to bring a copyright infringement action against you for the reproduction and sale of such unauthorized works for as long as you do not violate the terms of this agreement. To the extent that you violate the terms of this agreement by reproducing and selling copies of the works of John Currin and/or distributing derivative copies of such works, Gagosian Galleries shall have the right to terminate this agreement and may bring an action for copyright infringement seeking damages for all past infringements.

After due consideration our client has reject your request that you be permitted to continue to reproduce images "of the works previously executed for the non-commercial purposes of documenting my 'bootleg' painting project . . ."

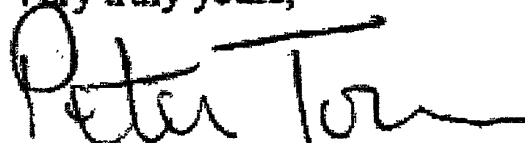
SIDLEY AUSTIN BROWN & WOOD LLP

NEW YORK

Eric Doeringer
November 28, 2005
Page 2

Please sign and return a copy of this letter to me by **December 5, 2005**, to warrant that you have agreed to the terms set forth herein and that you have, and will not at any time in the future, distribute, prepare derivative works or reproduce copies of Mr. Currin's works.

Very truly yours,



Peter J. Toren

cc: Kara Vander Veg

Agreed to: _____
Eric Doeringer

A-2066