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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Case No.: 11 CIV 1679 (DLC)

SAFFLANE HOLDINGS LTD., and
ROBERT WYLDE,

Plaintiffs,

-against-

GAGOSIAN GALLERY, INC.

Defendant.

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**INITIAL DISCLOSURES
PURSUANT TO
FED. R. CIV. P. 26(a)(1) OF
DEFENDANTS GAGOSIAN
GALLERY, INC.**

Defendant, Gagosian Gallery, Inc. (“Gagosian Gallery”), by and through its attorneys, Withers Bergman LLP, provides the following initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, on the basis of the information available to it at the time these disclosures are made, without prejudice to its right to supplement or otherwise amend these disclosures pursuant to Fed. R. Civ. P. 26(e), and without prejudice to its right to use or rely on additional information revealed in the course of discovery.

I. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i):

Based on the information currently available to Gagosian Gallery, the following individuals are likely to have discoverable information, unless solely for impeachment, which Gagosian Gallery may use to support its claims or defenses:

Names and Addresses	Topics of Information
<p>John Good Gagosian Gallery, Inc. 980 Madison Avenue New York, NY 10021</p>	<p>Information about negotiations with plaintiff Robert Wylde in purchasing Mark Tansey's, <i>Innocent Eye Test</i> (the "Tansey Painting"); discussions with Charles Cowles, the seller of the Tansey Painting, relating to the provenance and ownership of the Tansey Painting; details about the visit to the Charles Cowles Gallery with plaintiff Robert Wylde to view the Tansey Painting; information about the negotiations over the sale, and the sale, of Richard Prince's, <i>Millionaire Nurse</i> (the "Prince Painting"); Robert Wylde's practices with respect to purchases of art generally; allegations in the First Amended Complaint; defenses asserted.</p>
<p>Robert Wylde c/o Aaron Richard Golub, Esq. Attorney for Plaintiffs Aaron Richard Golub, Esq., PC 34 East 67th Street -3rd Floor New York, New York 10065 Telephone: 212-838-4811 Fax: 212-838-4869</p>	<p>Information about plaintiff Robert Wylde's understanding of the provenance of the Tansey Painting, and his conversations with John Good and Charles Cowles about the Tansey Painting; information about the negotiations over the purchase of and the alleged attempt to purchase the Prince Painting; Robert Wylde's practices with respect to purchases of art generally; allegations in the First Amended Complaint; defenses asserted.</p>
<p>Charles Cowles 537 West 24th Street, New York, NY 10011-1104</p>	<p>Information about the provenance and ownership of the Tansey Painting; information about discussions with plaintiff Robert Wylde and John Good about the Tansey Painting; allegations in the First Amended Complaint; defenses asserted.</p>
<p>Jan Cowles c/o David P. Baum, Esq. Attorney for Jan Cowles SNR DENTON LLP 1221 Avenue of the Americas New York, NY 10020 (212) 768-6700</p>	<p>Information about the provenance and ownership of the Tansey Painting; allegations in the First Amended Complaint; defenses asserted.</p>
<p>Gary Turtterow, the former curator of The Metropolitan Museum of Art</p>	<p>Information about the discussions with Charles Cowles and Jan Cowles about the</p>

c/o John D. Winter, Esq. Attorney for The Metropolitan Museum of Art Patterson Belknap Web & Tyler, LLC 1133 Avenue of Americas New York, NY 10036-6710	ownership interest in and their right to display and sell the Tansey Painting; defenses asserted.
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Gagosian Gallery also reserves the right to call the plaintiffs, and any person listed in any parties' initial disclosures, on any issue relating to any allegation in the First Amended Complaint or relevant to Gagosian Gallery's claims, defenses, or counterclaims.

If additional information is obtained after the date of these disclosures, Gagosian Gallery will supplement these disclosures in accordance with Fed. R. Civ. P. 26(e).

II. Disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii)

Gagosian Gallery identifies the following categories of documents in its personal custody or control as potentially relevant to support its claims or defenses:

- (1) documents and communications between Gagosian Gallery and Robert Wylde and/or Safflane Holding Ltd. regarding the sale of the Tansey Painting;
- (2) documents and communications between Gagosian Gallery and Charles Cowles relating to the business relationship between them, commencing in 2010 and thereafter;
- (3) documents and communications between Gagosian Gallery and Charles Cowles regarding the sale of the Tansey Painting;
- (4) documents and communications relating to the purchase and sale of the Tansey Painting;

- (5) documents and communications relating to the sale of the Prince Painting to a third-party purchaser, including agreements, sale invoices, bills; shipping documents and documents relating to the payment for the Prince Painting;
- (6) documents and communications between Gagosian Gallery and Robert Wylde and/or Safflane Holding Ltd. regarding the sale of the Prince Painting; and
- (7) documents relating to Robert Wylde's habits as a serious collector of fine art.

Relevant, non-privileged documents and items will be produced in response to Plaintiffs' First Set of Document Requests.

III. Disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii)

Because Gagosian Gallery has, to date, asserted no counterclaims, disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii) are not currently applicable. However, Gagosian Gallery's time to assert counterclaims without leave of Court has not yet expired. Upon the assertion of any counterclaims in this action, Gagosian Gallery will supplement its disclosures within 10 business days of such assertion.

IV. Disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iv)

Gagosian Gallery does not have an insurance policy that would satisfy all or part of a judgment that may be entered against Gagosian Gallery in this action, or indemnify or reimburse Gagosian Gallery for any payments made to satisfy the judgment.

Dated: New York, New York
June 24, 2011

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CERTIFICATE OF SERVICE

The Undersigned hereby certifies that a copy of the foregoing was served upon the following via PDF and regular mail on this 24 day of June, 2011:

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