

## ART LAW DAY @ NYU SCHEDULE

**Tuesday, November 15, 2011, 8:30am–6:00pm**

Co-produced by New York University/School of Continuing and Professional Studies  
and the Appraisers Association of America

*Sponsored by ARIS and Heritage Auction Galleries*

**8:30–9:00am: Check-in and Coffee**

NYU Kimmel Center, Rosenthal Pavillion, 60 Washington Square South, New York, NY

**9:00–9:40am Keynote Address**

**“Expert Opinions & Liabilities”** A presentation on some of the potential legal liabilities that can be incurred by artist foundations and their authentication boards in their rendering of opinions of authenticity of the artist’s work, including whether there is a duty to render such an opinion, and touching on potential liabilities as illustrated by recent cases, including *Simon-Whelan v. The Andy Warhol Foundation for the Visual Arts* and *Killala Fine Art, Ltd. v. the Dedalus Foundation, et al.* *Speaker: Judith Bresler, Withers Bergman LLP*

**9:40am–11:00am Panel Discussion**

**“Duty of Care”** Using case studies and real-life examples, presenters will examine professional and fiduciary liabilities for art market advisors, appraisers and attorneys who manage their clients’ art collections. Panelists will discuss how buyers and sellers of art are demanding greater due diligence in transactions, valuations and appraisals and art market risks such as title risks that are often outside of advisors’ control, as well as offer practical solutions to these challenges facing art market professionals. *Moderator: Sherri North Cohen, ARIS Title Insurance Corporation; Panelists: John R. Cahill, Lynn & Cahill LLP; Karl Geercken, Alston + Bird; Jane C.H. Jacob, AAA, Jacob Fine Art; Dean R. Nicyper, Esq., Flemming Zulack Williamson Zauderer LLP.*

**11:00–11:10am Coffee Break** *Sponsored by Flemming Zulack Williamson Zauderer LLP*

**11:10am–12:30pm Panel Discussion**

**“Tax Planning in a Changing Environment”** A diverse group of experts will review all the latest issues on taxes on art ownership and transfer, including sales and exchanges by collectors, federal capital gains tax, state income tax, installment sales, and like-kind exchanges; estate, gift, and GST tax rate and unified credit amount, marital deduction, estate liquidity issues, family limited partnerships, and basis issues; charitable gifts including contribution base as AGI, related use restriction, and partial gifts; private foundations including donating collections, trusts and corporations, operating and non-operating foundations, and proposed legislation to limit itemized deductions. *Moderator: Paul M. Roy, Withers Bergman LLP; Panelists: Moira L. Crabtree, The Law Office of Moira L. Crabtree; Judith L. Pearson, ARIS Title Art Insurance Corporation; Renée Vara, Vara Fine Arts, LLC.*

**12:30–1:30 Lunch** *(on your own, list of cafes and restaurants provided)*

**1:30pm–3:00pm Panel Discussion**

**“Fine Art Shipping Disputes”** A wide-ranging discussion of major issues of importance to those in the business of shipping fine art, including conservation and condition reports and appraisals, contracts and bills of lading, crating and packing, import and export duties and restrictions, insurance, limitations of liability, damages, insurance claims, loss adjustment and subrogation. The panel will also address recent legal decisions of significance in the area of fine art shipping. *Moderator: Jonathan S. Chernow, White, Fleischer & Fino, LLP; Panelists: Jonathan Schwartz, Atelier 4; Nicole Sheley, NS International, LLC; Greg Smith, Berkeley Asset Protection; Sylvia Leonard Wolf, AAA, Sylvia Leonard Wolf, Inc.; Yuri Yanchyshyn, Period Furniture Conservation, LLC.*

**3:00pm–4:20pm Panel Discussion**

**“Beyond Valuation: A Practical Discussion of Stolen Art Issues and The Legal and Ethical Questions Faced by the Collector and Appraiser”** Experts in the field will discuss many of the key questions that arise when stolen or looted art surfaces in the marketplace or in the course of offering appraisal services. A brief presentation by the London based Art Loss Register will be followed by practical discussions involving the role of the Appraiser and the procedures to follow when faced with stolen art issues. The lawyers on the panel will offer a primer on the laws pertaining to these issues and will present a few case studies involving stolen and looted artwork. Expect a lively discussion on the legal and ethical questions confronting collectors and appraisers alike. *Moderator: Christopher A. Marinello, The Art Loss Register; Panelists: Raymond J. Dowd, Dunnington, Bartholow & Miller LLP; James E. McAndrew, Grunfeld, Desiderio, Lebowitz, Silverman & Klestadt LLP; Howard N. Spiegler, Herrick, Feinstein LLP; Deborah G. Spanierman, AAA, DGS Fine Arts Consultants.*

**4:20pm–4:30pm Coffee Break** *Sponsored by Lynn & Cahill LLP*

**4:30pm–5:50pm Panel Discussion**

**“Valuation Inside and Outside of the Appraisal World”** An important dialogue with all of the “key players” regarding the issues that are raised between lenders and museums, including the ways in which an insurance policy can be modified to accept flexible valuations; the valuation process for museum loans from private individuals and other institutions, the Indemnity Program and the panel that reviews the valuations for the Program, and the various facets of art insurance which must be considered. *Moderator: John R. Cahill, Lynn & Cahill LLP; Panelists: Steven Pincus, DeWitt Stern Group; Suzanne Quigley, Art & Artifact Services; Dorit Straus, Chubb Group of Insurance Companies; Alice Whelihan, National Endowment for the Arts; Jane C.H. Jacob, AAA, Jacob Fine Art.*

**6:00pm–8:00pm Art Law Day Reception, Rosenthal Pavillion** *Sponsored by Withers Bergman LLP*