

7th Annual Conference!

August 11-12, 2005
Eldorado Hotel
Santa Fe

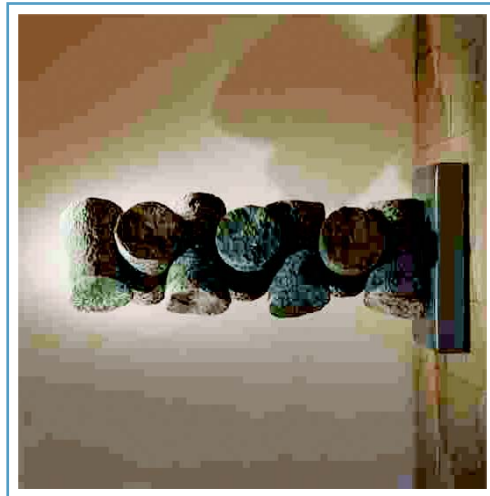
VISUAL ARTS & THE LAW

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Stacked Column, 2004, Basalt, 75x24x24 inches
©Richard Deutsch
Courtesy of the Gerald Peters Gallery®
Santa Fe, New Mexico

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I cannot attend. Please send me:

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Earn up to 14 Hours MCLE Credit
Including One Hour of Ethics

7th Annual Conference!

VISUAL ARTS & THE LAW

August 11-12, 2005 • Eldorado Hotel • Santa Fe



Subhankar Banerjee, *Unnamed Lake*, 2002, Ultrachrome Print, 30 x 40 inches
©Subhankar Banerjee, Courtesy of the Gerald Peters Gallery®, Santa Fe, New Mexico

Special Features and Networking Opportunities—

Meet Renowned Artists Richard Deutsch and Subhankar Banerjee

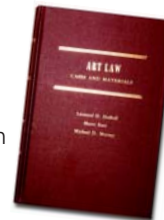
Join Mr. Deutsch and Mr. Banerjee, members of the faculty and fellow attendees at Thursday's lunch.

Reception at the Gerald Peters Gallery®

Meet and mingle with Conference attendees, faculty members and artists Richard Deutsch and Subhankar Banerjee at a private wine and beer reception at the famous Gerald Peters Gallery® following Thursday's session.

Special Book Signing

Included in your tuition, you will receive a copy of *Art Law: Cases and Materials* by Leonard DuBoff, Sherri Burr and Michael Murray. Ms. Burr and Mr. Murray will be available to sign your free copy during the lunch break on Friday.



Private Tour of the Museum of Fine Arts

Please join us for a private tour of the museum and the special exhibition *Bronze: Degas and New Mexico Sculptors*, featuring the 19th Century French sculptor's bronze dancers, women and horses.

Conference information

Continuing Education Credit

MCLE: This course has been approved for a maximum of 14 hours of credit, including one hour of ethics, in New Mexico. This course meets the requirements for up to 12 hours of credit, including one hour of ethics, in California and New York.

For accreditation in other jurisdictions or disciplines, please contact Brian Fineberg at (800) 873-7130 or brian@cle.com. **CLE INTERNATIONAL** is an approved sponsor in all jurisdictions having MCLE requirements.

Registration

Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or home study order to (800) 873-7130, fax the registration/order form to (303) 321-6320, register online at www.cle.com, or e-mail your registration to registrar@cle.com. Full payment is due at the time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

Tuition

The tuition fee of \$795 per person includes attendance at all sessions, course materials, continental breakfasts, coffee breaks, lunch on Thursday, wine and beer reception at the Gerald Peters Gallery®, a copy of *Art Law: Cases and Materials* and the private tour of the Museum of Fine Arts. **CLE INTERNATIONAL** offers special rates for 501(c)(3) organizations, full-time judges and law students.

Save When Two Or More Register

Save \$200 or more with our multiple registrant discount! Tuition is only \$695 per person for two or more from the same firm.

Conference Location and Accommodations



The Conference will be held at the historic Eldorado Hotel, 309 W. San Francisco Street, Santa Fe, New Mexico 87501.

Santa Fe's first four-star, four-diamond hotel, the Spanish words *el dorado* literally mean "the golden one." Located just off the historic Plaza, the Eldorado eloquently captures the beauty, heritage and spirit of Santa Fe.

Make your hotel reservation early to ensure the best rate and selection. For room reservations and special rates, please call Community World Travel at (888) 724-0500 or visit www.communityworldtravel.com.

Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Neenan, Marketing Coordinator, at (800) 873-7130 or sarah@cle.com.

Course Materials

Each registrant will receive a set of materials prepared by the speakers especially for this Conference, which will be a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.

Home Study Package

If you cannot attend, **CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$795 plus \$10 shipping and handling. This course may qualify for self-study credit.

Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday preceding the Conference. Substitutions may be made at any time.

About CLE INTERNATIONAL

CLE INTERNATIONAL, a leading provider of continuing professional education, has been presenting high-quality programs nationwide since 1983. **CLE INTERNATIONAL** is an approved sponsor by the New Mexico State Bar.

- 8:00 Registration and Continental Breakfast
- 8:30 **Introduction and Welcome**
George F. Bingham, Esq., Program Co-Chair
The Peters Corporation, Santa Fe, NM
- 8:45 **Current Legal Developments and Decisions in Art and Antiques for 2004/2005**
Review of State and Federal Decisions
Robert A. Horn, Esq.
New York, NY
- 9:30 **Copyright Basics**
What Every Visual Artist and Art Lawyer Should Know
Michael D. Murray, Esq.
University of Illinois College of Law, Champaign, IL
- 10:15 Morning Break
- 10:30 **Digital Issues**
The Effect of Technology on the Visual Arts
Heather M. Utter, Esq.
Steiner Norris, Seattle, WA
- 11:15 **Visual Artists Rights Act ("VARA")**
The Artist's Perspective on New Media Works
Brooke Oliver, Esq., Program Co-Chair
Brooke Oliver Law Group, San Francisco, CA
- 12:00 Lunch (Included) with Featured Artists Richard Deutsch and Subhankar Banerjee
- 1:15 **Primary Art Market & Museums**
Issues Faced by Public and Private Collectors
Gilbert S. Edelson, Esq.
*Katten Muchin Zavis Rosenman and Administrative Vice President and Counsel
Art Dealers Association of America, New York, NY*
Stephen W. Clark, Esq., Deputy General Counsel
The Museum of Modern Art (MoMA), New York, NY
- 2:15 **Appraisal and Valuation Issues**
Legal Problems and Issues Relating to Authentication, Attribution and Provenance
William G. Pearlstein, Esq.
Golenbock Eiseman Assor Bell & Peskoe, New York, NY
Valuation of Personal Property: Finding Comparables
Susan Tarman, ISA, Owner
Tarman Galleries, Santa Fe, NM
- 3:15 Afternoon Break
- 3:30 **The Auction Process**
An Inside Look
Laura King Pfaff, Chairman
Bonhams & Butterfields, San Francisco, CA
- 4:15 **Licensing Art**
The Big Bang: How Media Companies Are Colluding with Artists to Produce a Most Spectacular Result
David Green, Director of Business Development, Rights Services
Corbis Corporation, Seattle, WA
- 5:00 Adjourn



Sponsored By: GERALD PETERS GALLERY®

- 9:00 **Overview**
Review of Day One and Overview of Day Two
Brooke Oliver, Esq., Program Co-Chair
- 9:15 **Native American Issues: A Panel Presentation**
Internal and External Conflicts
David R. Yepa, Esq.
Roth, Van Amberg, Rogers, Ortiz & Yepa, Santa Fe, NM
Peter M. Pino, Administrator/Treasurer
Pueblo of Zia, Zia Pueblo, NM
Cheryl D. Fairbanks, Esq.
Cuddy, Kennedy, Albetta & Ives, Santa Fe, NM
- 10:30 Morning Break
- 10:45 **Fine Art Loss Control and Claims Handling**
A Proactive Versus Reactive Approach
Robert E. O'Connell, III, President
O'Connell International Arts, Chicago, IL
- 11:30 **Selling Art Internationally**
What Artists and Dealers Should Know
Sherri L. Burr, Esq., Dickason Professor of Law
University of New Mexico School of Law, Albuquerque, NM
- 12:15 Lunch Break (On Your Own) and Special Signing of *Art Law* by Sherri L. Burr, Esq. and Michael D. Murray, Esq.
- 1:30 **Estate Planning**
Planning and Administering the Estates of Artists and Collectors: 2005 Update
Peter E. Lippett, Esq.
Law Offices of Peter E. Lippett, San Francisco, CA
Copyright Issues for Fiduciaries
Ann M. Garfinkle, Esq.
Whiteford, Taylor & Preston, Washington, DC
- 2:45 **Ethics**
Considerations for Art Practitioners and Professionals
Jeffrey E. Jones, Esq.
Miller Stratvert, Santa Fe, NM
- 3:45 Q&A Panel
Members of the Faculty
- 4:00 Evaluations and Adjourn
- 5:00 **Tour of the Museum of Fine Arts**



Photo courtesy of the Museum of Fine Arts.

Please join us for a private tour of the Museum of Fine Arts at 5:00 p.m. A knowledgeable guide will show you through the museum and the special exhibition *Bronze: Degas and New Mexico Sculptors*.

CLE INTERNATIONAL Program Attorney: Laura Terlisner Mehew, laura@cle.com.

Program Co-Chairs

George F. Bingham is General Counsel to The Peters Corporation, which includes the Gerald Peters Gallery®. He is active in all phases of art transactions, including consignments from artists and estates, purchase and sale, copyright and licensing. He served for 10 years on the New Mexico Bar Advisory Opinions Committee advising other lawyers on ethical issues.

Brooke Oliver is the founder and Senior Counsel at Brooke Oliver Law Group, an art, intellectual property and entertainment law firm. She represents artists, activists and entrepreneurs, including the Jerry Garcia Estate LLC, the Dolores Huerta Foundation, Corbis, Princess Cruises, Sony Entertainment, Eyvind Earle, Michael Parkes, Ester Hernandez, Judith Baca, and Juana Alicia.

Featured Artists

Subhankar Banerjee became an overnight sensation in contemporary photography and environmental circles during his highly visible and controversial Smithsonian Institution exhibition in the spring of 2003. The exhibit featured stunning large-scale photographs of Banerjee's 4,000-mile journey through the Arctic National Wildlife Refuge.

Richard Deutsch, a California-based sculptor, is the recipient of numerous awards, including a Visiting Artist's fellowship in the American Academy in Rome, the Orchid Award from the American Institute of Architects and Landscape Architects, and a Visual Artist's grant from the National Endowment for the Arts.

Sherri L. Burr is the Dickason Professor of Law at the University of New Mexico School of Law, where she has taught since 1988. She is the author of *Entertainment Law in a Nutshell* (ThomsonWest 2004).

Stephen W. Clark worked in various capacities at MoMA from 1982 to 1986, and served as Assistant Director of the American Craft Museum in 1986-1987. After receiving his law degree, he was an associate at the New York law firm of Brown & Wood before returning to MoMA in 1994.

Gilbert S. Edelson concentrates his practice in the representation of clients in the visual arts. He is Vice President and Counsel of the Art Dealers Association of America. He is a former chairman of the Committee on Art Law of the NYC Bar Association.

Cheryl D. Fairbanks practices in the areas of State-Tribal Relations, Indian Law, Indian Gaming Law, Tribal Courts, Mediation, Family Law, School, and Education. She was instrumental in the passage of the New Mexico Indian Arts and Crafts Act.

Ann M. Garfinkle represents visual artists, writers and the estates of artists and collectors, including the estate of Morris Louis. She is a member of the DC Estate Planning Council and on the executive committee of the DC chapter of the ArtTable.

David Green leads business development initiatives for Corbis Corporation, the world's leading visual solutions provider. Formerly Senior Counsel, he now heads Corbis' representation of top artists, iconic celebrities, characters, and major Hollywood studios.

Robert A. Horn has over 30 years of experience practicing art law and entertainment law. He is also a collector of Late 19th Century/Early 20th Century American Art and American Prints. He recently curated and organized a traveling exhibition, "Martha Simkins Rediscovered."

Jeffrey E. Jones focuses on insurance defense litigation in automobile cases, premises liability, and construction defects litigation.

Peter E. Lippett has been practicing estate planning and trust law for 42 years. He represents several artists and artists' estates. He has lectured extensively, has authored two books on estate planning, and is a member of the San Francisco Estate Planning Council.

Michael D. Murray teaches Art Law, Civil Procedure, First Amendment and Censorship, Introduction to Advocacy, and Legal Research and Writing at the University of Illinois College of Law.

Robert E. O'Connell, III, has over 20 years of loss adjusting and loss control experience. He is an internationally recognized fine art expert within the insurance industry, and has a Masters Degree in Art History.

William G. Pearlstein specializes in transactions and disputes involving fine art and cultural objects, including the international transfer of cultural property, generally representing auction houses, collectors and dealers.

Laura King Pfaff joined Butterfields in June of 2001 as Chairman. Previously, she was a Senior Vice President, Regional Director of Christie's Fine Art Auctioneers based in San Francisco. She was responsible for business development throughout the Pacific Northwest for six years.

Peter M. Pino administers all tribal, state and federal projects and programs for the Pueblo of Zia. He has a lifetime appointment as Keeper of Tribal Songs.

Susan Tarman is Owner and President of her gallery, which specializes in buying and selling antiques, including furniture, silver, porcelains, glass, metal items, pottery, folk art, some jewelry and textiles, paintings, prints and sculpture.

Heather M. Utter practices intellectual property and represents institutional clients, as well as individual artists. Previously, she worked at the Museum of Contemporary Art in Chicago.

David R. Yepa is a tribal member of the Pueblo of Jemez. He is a member of the ABA, New Mexico Trial Lawyers Association and the Indian Law Section of the New Mexico Bar.