

Statement of Claim

I contend that Mr. Vadas interfered in the sales process between myself and a third party (Heffel Auction house) which directly lead to a loss of sale (and revenue) on my part. My damages are estimated at the amount I could have reasonably been expected to receive given past sales results (and current projections) made at Heffel with respect to the same artist-Norval Morrisseau.

On Aug 1st, 2006 I entered a consignment agreement with Heffel Auction house in Toronto, Ontario as per Exhibit # 1. The lots are labeled AOL0906-E04085-001 and AOL0906-E04085-002. Heffel took possession of the lots on Aug 1st, 2006 and the lots were to be offered in the upcoming September on line auction which was to start on approx. 4.00pm EST Sept 4, 2006 and was to end approx. on September 30th, 2006. The items were initially posted on the on line auction for approx. for a week before they were taken down all of a sudden on and about September 12th, 2006. My two lots and 4 others were taken off approx. 1 week later right after the email sent by Mr. Vadas to Judy Scolnik at Heffel as per Exhibit # 2 as per lots # 027, 030, 032, 033,034 and 035. (Judy Scolnik was the same person that accepted my consignment.) All of the items from all consignors which Mr Vadas said were fakes were withdrawn and not sold . Enclosed please find Exhibit # 3 which is the auction sale results for the Sept on line auction with corresponding lot numbers. (I submit that it is not a coincidence that Mr. Vadas complained about all the lots and all the lots were removed).

Mr Vadas claimed that my two lots were not authentic. I am suing with respect to lot AOL0906-E04085-002. Enclosed please find a forensic document as per Exhibit # 4 which confirms that Norval did sign the lot in question. Given that the lot in question was painted in 1969 it is only common sense that the signature and painting have shown wear and tear through the years. This report is from an independent forensic expert and I have enclosed his extensive CV. The signatures are not something Mr. Vadas would have seen because it was not shown on the on line auction and he never personally viewed the item because he complained via email from his home province of British Columbia. Moreover, at best Heffel could have only provided Mr. Vadas with a photograph of the signature.

I have enclosed a statement of opinion form a very experience retailer who has sold Norval's work for over forty years and is the recognized expert on Norval Morrisseau-Joe McLeod. I have enclosed his extensive CV as per Exhibit # 5. I have several other art dealers who are willing to give my more opinions if required. I can ^{Judy} ~~only~~ if required provide statements from several art framers who are a very experienced and knowledgeable with respect to Norval's work and the authenticity of this painting. I have also enclosed a statement from one of Norval Morrisseau's son's- David with respect to the authenticity of this painting as per Exhibit # 6.

Also, enclosed please find a copy of a picture of Norval with his son Christian which was taken on Dec 9, 2006 in British Columbia at Norval's nursing home as per Exhibit #7. Christian Morrisseau is willing to testify to the fact that his father is in no condition to give any opinion on anything yet alone anything he painted over 35 years ago. It is also public knowledge that Norval is in the advanced stages of Parkinson's and may suffer from Korsakoff syndrome due to Norval's widely publicized alcohol and drug use of which he has freely admitted to publicly. Thus, I have statements from independent experts, art dealers, ~~framers~~ and members of Norval's family.

Mr Vadas has a pattern of threatening legal harm on anybody who is trying to sell any of Norval's work that was done prior to him meeting Norval on the streets of Vancouver in the late 1980's when they were both homeless. Enclosed please find Exhibit # 8 where Mr. Vadas threatened this auctioneer if he didn't stop selling works of art from Norval Morrisseau. This auctioneer (Randy Potter) ignored Mr. Vadas and Mr. Vadas has done nothing because he knows where the painting came from and he knows they are authentic.

Moreover, it is clear the Mr. Morrisseau has not rendered any opinion on anything nor does he care about his past work. He has made this abundantly clear in many interviews and newspaper articles. I can find articles and can have people attest to the fact that Norval doesn't even care if people are copying his style of painting or even if they are selling fakes. Norval Morrisseau is a true artist in the sense that he painted for himself and does not care about anything other than receiving satisfaction from his painting. It is Mr. Vadas who on his own claims to be speaking on Mr. Morrisseau's behalf but is actually speaking for himself and his own economic interests. The fact is that Norval Morrisseau was an established internationally known and respected artist for 30 years before he met Mr. Vadas on the streets of Vancouver. Indeed, Mr. Vadas has publicly admitted that he didn't even know who Norval was when he met him when they were both homeless.

Thus, I have statements from independent experts, art dealers, an auctioneer and members of Norval's family to verify the authenticity of the lot in question.

To conclude, I believe I have established the authenticity of the lot and question and was denied the opportunity to sell this lot due to the actions of Mr. Vadas. I now turn to my calculation of damages.

Calculation of Damages. (As per Exhibit #9)

Lot # AOL0906-E04085-001 was listed in September on line auction at a low bid of \$5000 to a high bid of \$7000 with a mid point of \$6000.

In the same auction

Lot	Low	High	Mid	Actual sales Price	Sales price/Mid
26	3000	4000	3500	\$11000	3.14
28	2000	3000	2500	2750	1.1
031	1200	1500	1350	4250	3.14
029	3500	4500	4000	5000	1.25
?	4000	5000	4500	19000	4.22 *
Average					2.57

* I have not been able to ascertain the exact figure as Heffel has not allowed me to purchase their on line auction results so I am going on what I remember.

Since the lot in question had a mid point of \$6000 and since actual sales have averaged at least 2 times the mid point of the low-high auction estimate I estimate the potential sale at approx. \$12,000 so I am claiming \$10,000 plus my expenses.