

From: "jeffrey E." <jeevacation@gmail.com>
To: Heather Gray <[REDACTED]>
Cc: Melanie Spinella <[REDACTED]>, Brad Wechsler <[REDACTED]>
Subject: Re:
Date: Fri, 30 Oct 2015 13:31:06 +0000

leon needs to be involved i see no art litigator just a contract law person at paul weiss if leon wants to maintain his option. i dont want gagosian to allege we are on notice and did nothing

On Fri, Oct 30, 2015 at 8:40 AM, Heather Gray <[REDACTED]> wrote:

Good morning, Jeffrey,

I'd like to talk to an art litigator (on a confidential, attorney client privileged basis) before we give any formal notice to Larry to make sure we are preserving all of Leon's rights.

If Leon wants his money and to walk away from the work, we undermine our anticipatory repudiation position by saying Leon would take the work if title can be cleared. If Leon wants the work, we may want to take a different approach with Larry and MoMA.

I've looped in Brad. Can we discuss this on a call this morning?

Best,
Heather

Begin forwarded message:

From: "jeffrey E." <jeevacation@gmail.com>
Date: October 30, 2015 at 7:18:41 AM EDT
To: Heather Gray <[REDACTED]>
Cc: Melanie Spinella <[REDACTED]>

please draft a notification to gagosian that we want our money back immediatley IF and when title clears and he still can transfer it . our former contract still applies. I want to protect against him making leon part of the solution or problem. the more he tells leon and asks for advice , help from moma etc.the more he will be able to argue in the future that leon was aware. and try to craft a defense.. I think that we might invokve 6B. altered condition. and the procedure involved. that would mean sending a notice and receigin our money withuin 5 days. . his lament that he sent them the money already makes little sense as there were many conditions under which he was to return our deposits. including leon not making final or a reasonable condition dispute.

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please note

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