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Spielberg Protected by Goffman Cutler in Lawsuit Over Stolen Rockwell



Norman Rockwell, Russian Schoolroom, 1967, Look illustration October 3, 1967.

NEWPORT, RI- On Thursday, April 8, 2010 after three years of litigation concluding in a bench trial, a Nevada Federal Court Judge ruled in favor of Judy Goffman Cutler, owner of the American Illustrators Gallery in New York City and Co-Founder and Museum Director of the National Museum of American Illustration (NMAI) in Newport, RI, granting Ms. Cutler clear title to Norman Rockwell's noted artwork 'Russian Schoolroom', a Look magazine illustration from 1967. Cutler was represented by Gene Brockland, Esq. of Herzog Crebs, a St. Louis law firm.

On June 25, 1973, the Russian Schoolroom, an oil painting then owned by Jack Solomon was stolen from Arts International Gallery in Clayton, Missouri, where Solomon had consigned it for sale. After the 1973 theft, Solomon was paid \$20,000 by his insurer, Chubb. Russian Schoolroom then disappeared for fifteen years. In 1988, the artwork resurfaced in New Orleans at Morton M. Goldberg's Louisiana Purchase Auction. It appeared in advertisements in Antiques and the Arts Weekly as well as other art publications. After doing her due diligence, Cutler purchased the artwork at the Goldberg auction. In September 1989, after exhibiting the artwork publicly and advertising it for sale, Cutler sold the artwork to long-time client, Steven Spielberg. In 2007, upon learning that Steven Spielberg owned the artwork, Solomon filed suit against the FBI and Spielberg, claiming ownership of the artwork. To protect her client, Cutler exchanged a painting of comparable value with Spielberg in order to release him from the lawsuit and take his place. Now, several years later, Cutler has finally been granted well-deserved justice.

The ruling of Chief United States District Judge, Roger L. Hunt, highlighted Cutler's professionalism. The Court stated, "Prior to bidding on Russian Schoolroom, Cutler looked at the provenance provided in the auction house catalog. Cutler's review of the provenance did not raise any red flags. She believed the provenance made sense because it listed Circle Gallery and Danenberg Gallery, both of which had connections to Rockwell's works." The Judge goes on to say, "Cutler's investigation into the provenance of Russian Schoolroom prior to purchasing the painting met the standard of care for art dealers in the industry."

While highlighting Cutler's professionalism, the Court was critical of Solomon for having actually consented to the 1988 auction after being contacted about it in advance by both friends and the FBI. The Court stated, "Solomon knew Goldberg Auction Gallery was selling Russian Schoolroom at auction, and he consented to the sale of the painting." The Court found Solomon's denial of those events "not credible."

Perhaps the most important aspect of this victory for Judy Goffman Cutler is in its significance for art dealers everywhere who perform their own due diligence in researching artworks. This case highlights the essential need for a purchaser to accurately and thoroughly explore an artwork's history instead of relying on third party agencies to do the work for them. It is unfortunate that this case lasted as long as it did for many of the facts were clear from the beginning. Cutler was a good faith purchaser who had done her due diligence of Russian Schoolroom. With Cutler's victory granting her ownership of Russian Schoolroom, she plans to loan the artwork to the National Museum of American Illustration in Newport, RI for its 10th Anniversary celebration this summer. The Cutlers are thrilled to finally be able to showcase this important Norman Rockwell artwork to the public as it was a long battle and a well-deserved triumph.

Judy Goffman Cutler | American Illustrators Gallery | Steven Spielberg | Norman Rockwell |

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