

## OPEN LETTER

To:

John Baldessari, Kris Kuramitsu, Weston Naef, Cathy Opie, Ann Philbin, Paul Schimmel;  
and the Deans or Chairs of:

Art Center College of Design, California Institute of the Arts, Claremont Graduate University, Otis  
College of Art and Design, University of California in Irvine, University of California in Riverside,  
University of California in Los Angeles, and the University of Southern California

January 29, 2008

**Re:** LA25

Dear Colleagues,

In the summer of 2006, the law firm of Skadden, Arps, Slate, Meagher & Flom LLP (“Skadden Arps”) announced a three-year program, *LA25*, intended to aid twenty-five artists from a select group of Southern California art schools and university art departments. I write to you in order to bring to your attention the fact that Skadden Arps is also the law firm that counseled and represented the Massachusetts Museum of Contemporary Art (“Mass MoCA”), *pro bono*, in Mass MoCA’s recent lawsuit against artist Christoph Büchel. As you may know, Mass MoCA sued Mr. Büchel in order to obtain a court ruling allowing them to distort and exhibit Mr. Büchel’s artwork without his consent.

I find it very ironic and deeply unsettling that Skadden Arps has initiated this program and collection using the existing professional and highly-respected institutions in the Los Angeles art community, all the while counseling and representing an institution that not only disseminated false and negative press about an artist, but also strategically initiated a lawsuit which claimed that either Mr. Büchel’s project was not art, or alternatively that the Museum was the co-author of Mr. Büchel’s unfinished art work.

The lawyers of Skadden Arps were so aggressive and manipulative in their tactics against Mr. Büchel that they are now responsible, along with Mass MoCA, in establishing an unprecedented decision which made it legal for a museum to exhibit an unfinished and unauthorized installation by an artist against her or his consent. The negative historical consequences of this matter remain to be seen, but ostensibly the impact of this aggressive and manipulative maneuver by an art institution and its representative is frightening.

I write to urge you to not participate in putting together a collection for a corporation who has challenged the authority and authenticity of a fine contemporary artist, and simultaneously diminished legal protections for the very same visual artists we all help produce, educate, nourish and support.

Yours truly,

Michele Maccarone  
Maccarone Gallery  
New York City