

PARK WEST GALLERY/PARK WEST AT SEA CRUISE SHIP ART AUCTION RIP-OFF AND CUSTOMER SERVICES NIGHTMARE

Richard and Tracey English (above, aboard the *Miracle*)

(This is another in the series of case studies of reported fraudulent misrepresentation and deceptive trade practices at art auctions conducted at sea on cruise ships and the refusal to provide customer services support for their customers.)

Passengers

Richard and Tracey English of Forest Hill, Maryland.

Cruise line and ship and details of the cruise

Carnival ship *Miracle* in July 2006, on a cruise with family from New York, Maryland and New Mexico for a small family reunion. (See also the recent case study involving Richard's brother, Robert, on the same ship at the same time [Another Report of Park West Gallery Park West at Sea Cruise Ship Art Auction Rip-off](#)).

Park West Auctioneer

Maverick Commins was Park West's art director on the cruise.

What was bought?

Salvador Dali *Paradise 11*, hand signed by artist (according to the Park West certificate of authenticity, but contrary to the Official Catalog of Dali's graphic works). PW appraisal \$13,500.

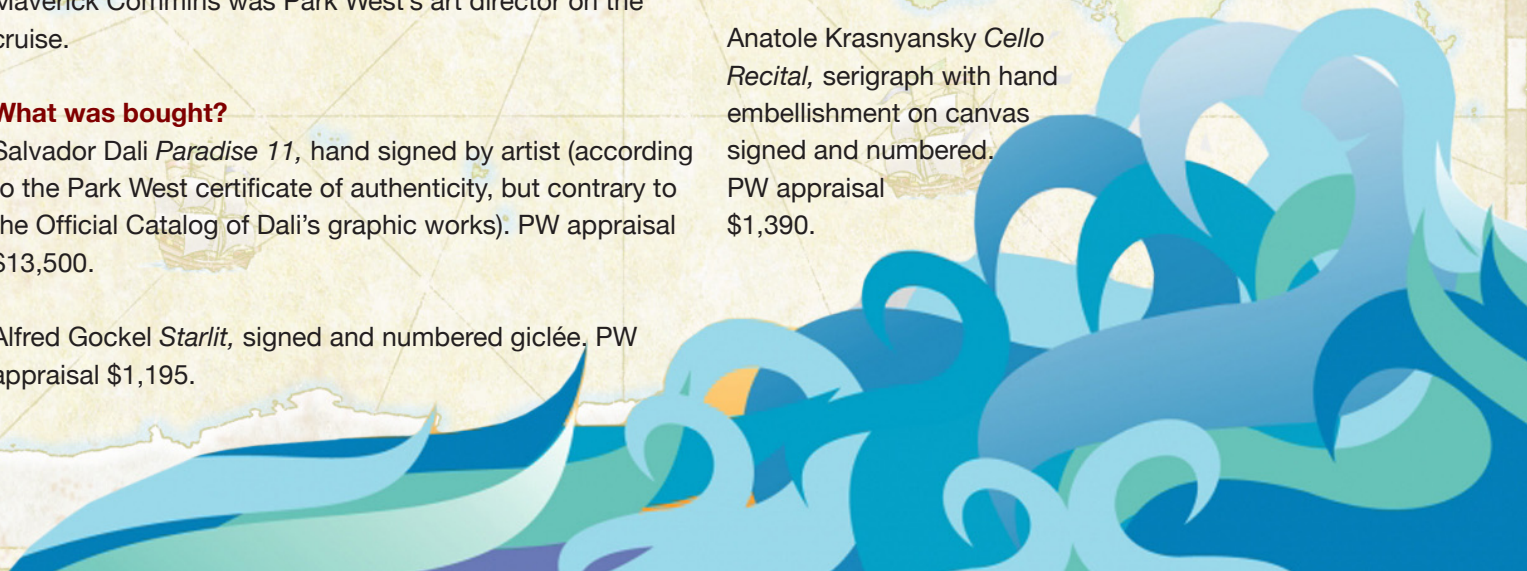
Alfred Gockel *Starlit*, signed and numbered giclée. PW appraisal \$1,195.

Anatole Krasnyanski *Gdansk Poland Near Harbor*, serigraph signed and numbered. PW appraisal \$495.

Anatole Krasnyanski *Musical Sphere*, seriolithograph* signed in the plate. PW appraisal \$650.

[*Definition of "seriolithograph" from the art-newsletter website: "*Seriolithograph is a term that park west made up. It is basically a lithograph or offset lithograph with a couple of colors of silkscreens. They way they do it is very cheap to produce.*"]

Anatole Krasnyanski *Cello Recital*, serigraph with hand embellishment on canvas signed and numbered. PW appraisal \$1,390.



Anatole Krasnyansky *Crowd*, serigraph on canvas with hand embellishment signed and numbered. PW appraisal \$3,700.

Anatole Krasnyanski *Gdansk Old Street*, serigraph signed. PW appraisal \$495.

Gary Benfield *Springtime IV*, seriolithograph on canvas with hand embellishment, signed and numbered. Park West appraisal \$3,100.

Marko Mavrovich *Midnight*, hand-embellished giclée, signed. PW appraisal \$1,950.

Marko Mavrovich *Dreams of You*, hand-embellished giclée, signed. PW appraisal \$1,950.

Alexander Chen *New York Gateway-Winter* seriolithograph hand-embellished on canvas, signed and numbered. PW appraisal \$930.

We spent a large amount of money on various overpriced, and now also forged art, with worthless appraisals.

Details of the Purchase

Our Dali was purchased at a meeting following the auction. All the other pieces were purchased at auction. We did not feel comfortable with the auctioneer. High pressure. If you didn't bid on a piece you had shown "interest" in prior to the auction, you were singled out during the auction, asked if there was a problem, and prodded to bid.

The auctioneer sold the art as both a bargain and an investment. When he showed us the appraisal at a higher amount than we purchased the art for, the auctioneer commented about the bargain price and how the art already made us some money.

Were you able to do due diligence on board before buying? Did you try? Was there any problem with that?

No time for due diligence. We assumed the cruise line would only promote reputable opportunities to passengers. Similar to land excursions promoted on board, we assumed the vendors were reputable.

How did you pay for the art? Have you paid off the credit cards?

The art was purchased with the Park West Collector's credit card. We have not completely paid off the credit lines. We were encouraged to use PW credit for the "no payments or interest for 1 year." They were also "kind" enough to set up his and hers accounts for us.

What led you to suspect that there might be something wrong?

We never hung one of the pieces we purchased and it was collecting dust in the closet. We looked over our collection and decided to sell the Dali. We called the Dali Gallery in CA. After describing the piece and the signature to the director he informed us the signature was not authentic according to the Albert Field catalogue. He also told us about a recent article published in the NY Times. We were then referred to Fine Art Registry who provided us with information which showed that the piece was not worth a fraction of the price we paid. After discovering the Dali may not be authentic and that it was overpriced, we started checking on the other pieces we purchased. Piece after piece we discovered was highly overpriced. All of our appraisals (for which we paid an additional fee, to add insult to injury) were even more exaggerated.

What research have you done in the pieces you bought? What did you find?

We have only researched our art on the World Wide Web. We are also in possession of a Benfield (Springtime IV) that is supposedly hand-embellished, but after some research, we discovered the artist was not doing hand embellishment at the time that this piece was created.

What dealings have you had with Park West customer services or executives since then? Have you asked for a refund? Have you asked for documentation of the provenance (history of origin and ownership) of your pieces? If you have dealt with Park West customer services or others, how were you treated? How did they handle your complaint?

We contacted Park West by phone followed by several emails demanding a refund. They offered to send us provenance for the Dali, (which we were told years ago by the auctioneer we would receive with the piece). Mary at Park West proceeded to tell us about litigation they are in with FAR and the Dali Gallery. Park West told us we were not given accurate information; they told us the Albert Field catalogue was not complete.

The value of our piece has gone down due to all the negative and inaccurate information on the internet. They also told us the appraisals were for insurance purposes only. If our art was completely destroyed by fire we could present the appraisals to our insurance company as proof of value (that sounds like insurance fraud to us).

Following is some of the email correspondence between the Englishes and Park West Customer Services.

From: Richard and Tracey English
Sent: Wednesday, August 06, 2008 9:41 AM
To: Mary Courson
Subject: Re: Park West on YouTube

Thank you for your follow up phone call. Here is my position on some of the works purchased and appraised by PW:

I'm going to give you some numbers from a reliable source and I have good reason to believe they are accurate.

	PW App	Retail	Cost to PW
157510 Krasnyansky, Anatole Gdansk Poland Near Harbor	\$495	\$270	\$30 - 55
153093 Krasnyansky, Anatole Musical Sphere	\$650	\$75	\$0
157390 Krasnyansky, Anatole Gdansk Old Street	\$495	\$270	\$32 - 56
161718 Mavrovich, Marko Midnight	\$1950	\$1050	\$105 - 185
156297 Chen, Alexander New York Gateway-Winter	\$930	\$450	\$48 - 85
155875 Mavrovich, Marko Dreams of You	\$1950	\$1050	\$105 - 183

As for the Dali:

The official, authorized catalog of Dali's prints is called *The Official Catalog of the Graphic Works of Salvador Dali* by Albert Field who founded the Dali Archives. Mr. Field goes into great detail about the Divine Comedy prints. The one you sold us is from the French Edition by Estrade/ Les Heures Claires publishing house. A total of 5346 of each of the 100 prints exist. There are so many of these in existence that their value is probably about \$150-200 per print for a genuine one.

This is what Mr. Field's book says about this, under the heading "**Unacceptable Prints**":
"2. A print without a printed signature **within the image** is from the book editions. Since Dali did not sign any of these prints in **black pencil**, a pencil signature on one **must be a forgery.**"

Ours fits this description exactly. We have a pencil signature bottom right but no signature "In the block."

I do not agree with your explanation regarding the Appraisals. They are not independent, or impartial if provided by PW.

I believe an inaccurate appraisal submitted to an insurance company in the case of a loss would be considered fraudulent.

As you can see I have performed more research since our phone conversation including getting in touch with FAR and we are totally convinced that we have been victims of fraudulent misrepresentation and deceptive trade practices on the part of Park West auctioneers. We are now certain the Dali is a fake and believe we have been severely price-gouged on the Dali and all other pieces bought on the Carnival *Miracle*. The pieces are absolutely not a bargain or an investment as claimed by the auctioneers.

We would like to give you a chance to put this right very quickly or we will take all measures needed to see that we do get our money back on **all** pieces and appraisals purchased from PW on PW Credit including all interest .
Thank you for your prompt attention.
Richard & Tracey English

From: Mary Courson
To: Richard and Tracey English
Sent: Wed, 6 Aug 2008 9:45 am
Subject: RE: Park West on YouTube

That information came from Fine Art Registry, they are not a reliable source.



From: Mary Courson
To: Richard and Tracey English
Sent: Wed, 6 Aug 2008 9:30 am
Subject: the satan website attacking our CEO

Park West is in litigation with Fine Art Registry and members working with them. In their vicious attacks against Park West they promote this site.

www.weworshipsatan.com

From: Richard and Tracey English
To: Mary Courson
Sent: Wed, 6 Aug 2008 10:17 am
Subject: Re: Park West on YouTube

No Mary,
That information came from the Internet, you have access to the same information I have. There is no room for discussion here. We are totally convinced that we have been victims of fraudulent misrepresentation and deceptive trade practices on the part of Park West auctioneers. We are now certain the Dali is a fake and believe we have been severely price-gouged on the Dali and all other pieces bought on the Carnival *Miracle*. The pieces are absolutely not a bargain or an investment as claimed by the auctioneers.

Again, we expect an immediate and full refund (no restocking fee, shipping to be handled by you) or we will proceed to give FAR permission to publish the full story, will contact a TV station interested in the investigation, will contact our State Attorney General, the FTC and other interested authorities.

We are prepared to take all measures needed to see that we get our money back including filing a complaint with Federal and State agencies as well as in the press, on the Fine Art Registry website and on TV.
Thank you for your time
Tracey English

At this juncture the Englishes were sent by email a letter and a number of attached documents from Morris Shapiro, gallery director at Park West. This was the typical letter Shapiro sends out along with voluminous documents purporting to prove the provenance of the art. The package contained a mass of irrelevant and confusing

documents, not a single one of which pertained directly to the art that the Englishes had been sold. It also contained documents from the Albaretts which had been proven by German forensic labs to be forgeries and were known to be such – hardly proof of authenticity. Much was included to attempt to inspire confidence in the opinions of an art appraiser, Bernard Ewell, used by Park West to testify to the authenticity of the Dali prints they sell. Bernard Ewell is not in any way an accepted expert on the work of Salvador Dali – not in the art industry in any case. One can only assume that the purpose behind the letter and documents was to confuse the uninformed and cloud the issue of the provenance of the art.

[The letter and documents sent by Shapiro can be downloaded from html page]

The Englishes responded:

Mary,

I am not sure if you believe I am the same fool that purchased this bogus art while aboard a cruise ship.

The garbage which took three weeks for Morris to get to you to send me is probably worth more than the "ART" I foolishly wasted my money on. I have researched Bernie Ewell and have found a number of his court cases in which he was totally discredited and his opinion was completely rejected by the courts. So as far as Bernie goes his word really means little, as the courts have stated he is full of it. Now for this drivel you have sent me, it is pointless as it does not prove anything about the print I purchased, it is as general as I was expecting it to be and could be used for my print or any number of other valueless prints that may have been sold. I do not need you to cut and paste Bernie's web site as I have seen it and it does nothing to change my opinion, nor the opinion of the Dali Art Gallery that the print has a **FORGED signature**.

There are also several other issues which seem to be overlooked with the other ridiculously over appraised and seemingly worthless art we purchased. The Benfield would be a great example as he did not embellish prints when this was done. I could go on and on but I don't have the energy to continue this. I will ask again for a refund for the value of my art or will be forced to refer this to my Attorney for him to follow up . I expect some resolution in a more timely manner than the FED-EXed PROVENANCE we

never received (your response only took three weeks for an e-mail).

Tracey English

From: Tracey English
To: Mary Courson
Sent: Mon, 25 Aug 2008 9:38 am
Subject: Refund

Mary,
I understand you were away from the office for personal reasons. I would really appreciate your prompt attention regarding our case. We have been more than patient and accommodating.

Regarding the paperwork you sent:
There *are* Dali pencil signed versions of the print, What is fake is the pencil signed prints which are *not also signed in the block*/ That's what the catalog states. That's what we have. The letters obviously refer to ones that were signed in the block and *also* signed in pencil. So my response to Morry is that he is either very stupid and can't read (which I don't believe) or he is trying to manipulate the facts and lead us further astray after we have already been led astray. The remaining documents you sent do not prove anything. I can find just as much information invalidating credentials.

We are prepared to have our story published this weekend unless substantial progress is made arranging for our refund. Granted we will be thrusting ourselves into the light of stupidity for being so foolish, paying absurd prices, not doing proper research, etc. I believe the light to be much more damaging for Park West; tarnishing the reputation of the Art industry, passing forged and/or fake pieces, price gouging and taking advantage of artists and novice art collectors.

I expect a response from Park West by the close of business August 26th.

The Englishes have received no satisfactory answer. They have given Fine Art Registry permission to publish their story and send it to the media.

What led you to contact Fine Art Registry®? How do you feel you have been treated by Fine Art Registry?

Dali Gallery led us to FAR. FAR has been extremely helpful and informative.

A Great Big Thank You to FAR for all of your insight and professionalism.

Who else have you contacted about your purchases? What did they tell you?

We considered an alternate source for authenticity. It is very difficult to spend more money to find out the art is nothing more than a poster. We did contact local news and received interest from two. One wants us to provide an independent appraisal before they will proceed. The other wants to speak with us.

We also contacted our insurance company to see if we could be covered by anything under our homeowner's policy.

What are your plans with regard to this situation?

Our plan is to be reimbursed for our art.

Any advice you have to other people in your situation? To would-be buyers of art at on-board art auctions?

Our advice to on board art purchasers, DON'T spend a lot of money, don't believe it is an investment. If you like it for what it is, no future expectations, go for it.

Fine Art Registry will follow Richard and Tracey English's progress in their attempt to right the rip-off by Park West auctioneer Maverick Commins and the subsequent refusal on the part of Park West to right the reported fraudulent misrepresentation on the part of their salesperson. Their story will also be made known to local and national media who are investigating Park West and their sales and customer service practices. ✍️