

"ALL SALES ARE FINAL – THANK YOU
AND HAVE A GOOD DAY!"
– PARK WEST GALLERY



This was Park West Gallery's response to a request for refund of over \$100,000 spent by Michael and Maria Vallillo of Parsippany, NJ, on art bought from Park West Gallery on Royal Caribbean cruises, which they later found to be fraudulently misrepresented, heavily overpriced and in some cases inauthentic.

(Another in a series of many case studies of reported fraudulent misrepresentation and deceptive trade practices at art auctions conducted at sea on cruise ships, and Park West's refusal to stand behind the art it sells.)

Passengers

Michael and Maria Vallillo of Parsippany, New Jersey.

Cruise line and ship and details of the cruise

"We have four boys, aged 17-18-21-22, and we have been taking yearly cruises since 2003. This year, my three older boys took their girlfriends. We went on a Princess cruise instead of Royal Caribbean, with whom we had been traveling since 2003 – because Royal Caribbean chose to take the position that they cannot do anything to help us with

regard to Park West and the art we bought from them on board Royal Caribbean ships, I have taken the position that I will not travel with them, which is their loss. This year with my family alone we



were eleven people and with friends, we were over thirty.”

Park West Auctioneers

Auctioneer Jon Foegen aboard the Royal Caribbean Navigator of the Seas in April 2003.

Art Director Eddie McLean aboard the Royal Caribbean Nordic Empress in August 2004.

Art Director Robert Ferguson aboard the Royal Caribbean Freedom.

Art Director Stoney Goldstein aboard the Royal Caribbean Freedom in July 2006.

What was bought?

Between 2003 and 2006, the Vallillos bought numerous pieces of art, mostly prints, from Park West Gallery aboard a number of Royal Caribbean vessels, totaling over \$100,000.00. The pieces they were sold included a number of Salvador Dalí prints, some reportedly hand-signed by the artist, along with graphic works by Francisco Goya, Albrecht Dürer, Rembrandt (including some of the modern restrikes of Rembrandt etchings known as the “Millennium Series”).

Details of the Purchase

“Most of the sales were at the onboard auctions, with the exception of 7/22/06, if I remember correctly, this was prearranged prices before the auction on the two Dalís and the Goya.

“I took the auctioneers’ word for everything. As far as I was concerned, I was traveling with a reputable cruise line (Royal Caribbean Cruises, Ltd.) and I thought at the time Park West Gallery was a reputable art gallery who represented themselves as the world’s largest.

“I was told that the purchases were at least 20-25% cheaper on board than I would find at any gallery on land, plus I was also saving the sales tax. It was suggested, by the auctioneer, that I collect the whole “Millennium Edition” of Rembrandt etchings (which I did over a period of time) because, in addition to the 20% each etching would increase per year individually, it would be worth that much more as a collection. I was also told that St. George and the

Dragon, by Dalí would increase at least 25% per year, due to the fact that there are so few in existence. I was told that all the pieces I bought were good investment pieces, with a minimum of a 20% increase per year. I used my two youngest children’s college funds to purchase these pieces.

“On the 2006 cruise, they offered us a Park West Galleries credit card with a \$40-50,000 line of credit, with no interest if it was paid by a certain date.

“During every auction you were fed one drink after another while they continued to assure you that you are making a good, sound investment and try to push additional pieces of art work on you. This past year they offered us an all-expenses-paid weekend in NYC, limo to pick us up, stay at a hotel, and dinner with Peter Max, in addition to a paid-in-full cruise for my wife and me, to the Caribbean. We turned it down, because of the problems we were having with Park West Gallery.

“Looking back, I would consider their sales practice as high pressure and deceptive.”

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

This past year I contacted Park West Gallery with the intention of selling some of the art to pay for my sons’ college. They put me in touch with Caroline Ashleigh Associates (auctionyourart.com). Park West Gallery said that they refer all of their clients who want to resell their art work to this group and I should have no problem selling through her organization. What they didn’t tell me is that I would get a fraction of what I paid for it. After speaking to an employee of Caroline’s, I was informed that they only take your art on consignment, it goes to auction on their web site, they take their commission, and they cannot guarantee what it will bring.

They did tell me not to expect anywhere near what it is appraised for or even what I paid for it. They explained to me the difference between fair market value and replacement value, fair market value being the real market value (nothing), replacement value being the overpriced appraisal that PWG supplies you with.

From that point I started checking with local galleries. They weren’t interested in the art at any price and most of them were familiar with the situation Park West has created in the art world with overpriced and

fake works of art. I started checking out the internet, on the advice of some of the gallery owners. This is when I noticed all of the articles about Park West Galleries, from the New York Times to Inside Edition to the countless blogs and class action lawsuits.

What I don't understand is how and why they pick and choose who they refund their money to – it's all the same pieces of fakes and overpricing, and so why is it that they will pay some and not all?

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

"I have researched extensively on the internet, spoken to numerous art gallery owners and employees, read through The Official Catalog of the Graphic Works of Salvador Dalí by Albert Field. My conclusion is that I have been ROYALLY screwed. At the least, all of the art has been grossly overpriced, by a minimum of tenfold; in addition, all of the Dalís, if real, have forged signatures. As of now, I have lost all of my two youngest sons' college funds."

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?

"I have been speaking with Laura Maki from PWG, she is polite but to the point, I have asked for a refund on numerous occasions and received the same response every time, 'ALL SALES ARE FINAL.'"

The following e-mail from Mike Vallillo to Laura Maki, Park West customer services gives a summary of his findings about his purchases from Park West.

From: MIKE VALLILLO

Sent: Monday, October 20, 2008 2:09 PM

To: 'LMaki@parkwestgallery.com'

Subject:

Hi Laura,

Thank you. I received the updated

appraisals we spoke about. I am still missing three of them: 1) Dali – St. George and the Dragon, Ref# 109984.0024; 2) Rembrandt – Christ and the Woman of Samaria, Ref# 131337.0350; 3) Rembrandt – Raising of Lazarus, Lg. plate Reg#131348.0870.

Also, I am still waiting on the provenance that you promised me, it's been over two months, I don't understand what the hold-up is, and you should have this in your files from when you purchased these items.

Since we last spoke, I have done extensive research on the internet and have asked Fine Art Registry® for their help. After reviewing articles from the New York Times, Inside Edition's and the Orlando Local 6 program and other inquiries that I have made about the prints that you have sold me, I have strong evidence that some of them are fakes and that all of them are worth far less than I am being told by your auctioneers and your appraisals.

To start with, the Rembrandt prints are grossly overpriced. The following is just an example of what I have recently come up with:

131337 Rembrandt Christ and the Woman of Samaria
PW appraisal \$4650
PW Retail \$3110
Cost to PW \$350-610

131339 Rembrandt The Artist Mother w/hand on chest
PW appraisal \$3900
PW Retail \$1940
Cost to PW \$210-365

131336 Rembrandt Bust of Man wearing a High Cap
PW appraisal \$4100
PW Retail \$2110
Cost to PW \$240-415



131346 Rembrandt The Card Player
PW appraisal \$3900
PW Retail \$1900
Cost to PW \$210-265

131347 Rembrandt Landscape w/Cow drinking water
PW appraisal \$4150
PW Retail \$2590
Cost to PW \$270-240

131349 Rembrandt Self Portrait drawing at a window
PW appraisal \$6200
PW Retail \$3705
Cost to PW \$405-710

131338 Rembrandt The Golf Player
PW appraisal \$4100
PW Retail \$2010
Cost to PW \$225-390

These are the ones I have specific records for. As you can see, a pretty clear pattern of extensive mark-up for these items. The appraisals you sent me are even higher. I have seen a number of independent appraisals, none of which put them over a few hundred dollars each.

As for the Dalís, we are not only talking overpricing, but also fakes. After researching The Official Catalog of the Graphic Works of Salvador Dalí by Albert Field, who founded the Dali Archives, and speaking to a number of Dalí collectors and art galleries, we all come to the same conclusion: the ones that you have sold me from the French Edition by Estrade/Les Heures Claires publishing house are only worth about \$150-200 per print for a genuine one. But these are listed in Mr. Field's book as having forged

signatures and as "unacceptable prints". "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." If you look at what you sold me, you will see that they fit the description exactly.

If you examine the so-called "certificate of authenticity" written by either Albert Scaglione or Morris Shapiro (who not only have no authority to sign any certificate of authenticity for a Dalí print, they are also the SELLERS of the piece and have a vested interest in it, same goes for his appraisal) you will note a total absence of provenance for these pieces which are purportedly signed by Dalí, but this is a forged signature. The certificate itself only says "signed in pencil" – it does not say who by. You are selling what may or may not be an original print (worth a couple of hundred bucks if it's a genuine) with a FORGED Dali signature on it.

St. George and the Dragon is from an original in the Albaretto collection and most likely a fake. I am in the process of checking this out with Frank Hunter of the Salvador Dali Archives Ltd. in NYC, but I already know that this is not in the Albert Field catalog and therefore unless you have real provenance to show me, I will consider this a fake from an original which itself is a fake. This image was made known by the Albaretto to Albert Field and Frank Hunter at the Dali Archives and it has not been included in the catalog. I would need to see authentication of the original and a contract by Dali to Les Heures Claires to publish it, I have not been shown any of this.

At this point, I am now sure that I am a victim of fraudulent misrepresentation and deceptive trade practices and demand an immediate refund. To date I have purchased seventeen (17) worthless prints from you for a total of \$100,325. this is your last chance to put this right very quickly or you will leave me no alternative to take all measures needed to see that I get my monies back, from reporting you to the cruise line management, Federal and State agencies as well as the press, on the Fine Art Registry website and on TV. I am also considering contacting the various class action suits that are currently in place with a view on joining them (I think they would love to have a participant who has

been had for over \$100,000.)

I hope to hear from you ASAP, as would like to close this chapter of my life by the end of the month.

Respectfully,

Michael VALLILLO

The following was the reply from Laura Maki.

From: Laura Maki [mailto:LMaki@parkwestgallery.com]

Sent: Tuesday, October 21, 2008 1:25 PM

To: MIKE VALLILLO

Subject: RE:

Dear Mr. Vallillo,

Per your request, here is a recap of our conversation. I advised that Park West's position has not changed and that per your signed invoices, "All sales are final." In regards to the Dali provenance, this will be sent to you shortly. I apologize for any inconvenience that this may cause.

Thank you and have a good day!

Kind regards,

Laura Maki

Park West Gallery

Client Services Supervisor

Phone # 1-877-440-0630 Ext. 1248

E-mail: LMaki@parkwestgallery.com

To which Mike Vallillo responded:

From: MIKE VALLILLO [mailto:MIKEV@JMPRIMEAUTOBODY.COM]

Sent: Wednesday, October 29, 2008 11:05 AM

To: Laura Maki

Subject: RE:

Dear Laura,

As I stated in my last correspondence to you, I am not going away without a fight, your company has ripped me off for over \$100,000, and I am letting everyone I know about it. To date I have contacted RCI, The Crown & Anchor Society, both of which

I have placed formal complaints with. The Fine Art Registry is willing to publish my story on their web site; I have placed a formal complaint with the Federal Trade Commission (3084-0047). This is just the beginning, by the end of the week if you do not agree to refund my money, I will file complaints with The New Jersey Attorney Generals Office as well as Michigan's AG office. I have also begun to accumulate the names and numbers of local and national media groups that will be interested in this story.

Respectfully,

Michael Vallillo

And Park West customer services' reply was:

From: Laura Maki [mailto:LMaki@parkwestgallery.com]

Sent: Wednesday, October 29, 2008 3:19 PM

To: MIKE VALLILLO

Subject: FW:

Dear Mr. Vallillo,

I apologize but Park West's position has not changed. Per your signed invoices, "All sales are final."

Thank you and have a good day!

Kind regards,

Laura Maki

Park West Gallery

Client Services Supervisor

Phone # 1-877-440-0630 Ext. 1248

E-mail: LMaki@parkwestgallery.com

Park West's gallery director, Morris Shapiro, also sent the Vallillos a large package of documents, ostensibly intended to establish provenance for the pieces sold to the Vallillos, particularly the Salvador Dalí prints. As usual, the package of documents provided by Park West contained many irrelevant documents,

many that had nothing to do with the prints owned by the Vallillos, twists and perversions of the intent of letters received by Park West, loud proclamations regarding the enormous authority of their hired appraiser, Bernard Ewell, as a "leading world expert" in all matters related to Salvador Dalí (which he certainly is not), and a number of other irrelevant but confusing and, by their sheer volume, overwhelming documents.

The documents did nothing to prove the genuineness of the prints referred to, and Mike Vallillo was not impressed. The Vallillos realized they were not going to get any "customer satisfaction" from Park West.

They turned to Royal Caribbean for help.

From: "MIKE VALLILLO"
Date: October 27, 2008 8:20:44 AM PDT
To: <crownandanchor@rccl.com>
Cc: <LMaki@parkwestgallery.com>
Subject: PARK WEST VICTIM

Dear Sir/Madam,

I would like to speak to anyone that can help me resolve a matter of fraudulent misrepresentation and deceptive trade practices by one of your vendor partners on board your cruise lines, PARK WEST GALLERIES. I have been traveling your various cruise lines with my family since 2003, as a yearly family and friends get-together, with the exception of this year, because of my situation with PWG. Over the years of traveling with your organization, we have purchased over seventeen pieces of art, for a total of \$100,300, only to realize that at the least, it is only worth a fraction of what we paid for it, and in some cases it is also fake. I have tried numerous times to resolve this situation with PWG, and their response is only to say that "all sales are final". I think this is totally outrageous that they are allowed to continue to misrepresent your valued customers this way, and your company RCI, allow them to continue these practices on board your cruise lines. I would imagine that you are aware of these situations, and I am under the impression that you have interceded for others in the past, I am asking for your assistance, at this time with my situation. I am sending you an attachment that I've sent to Laura Maki from PWG, which did no good. As I stated in my letter to PWG, I am willing to take all measures needed to see that I get my monies back, including reporting this to Federal and State

agencies as well as the press, Fine Art Registry, TV, travel websites, and joining class action suits, that are currently in place. I hope that we can avoid all of this with your cooperation and help. As I stated before, I am a regular customer, along with tons of friends, that otherwise enjoyed your cruises and hope to do so in the future. Unfortunately this year we went on a Princess cruise, and honestly, my family and friends did not enjoy it as much as RCI. I hope we can put this terrible mishap behind us, so my family and friends can continue to enjoy our yearly get together with your organization in the future.

Thank you,

Michael VALLILLO
Crown & Anchor member #306209038
Maria VALLILLO member #306209025

However, the response was not what they had hoped for.

From: web_cruise_comments@rccl.com [mailto:web_cruise_comments@rccl.com]

Sent: Tuesday, November 11, 2008 6:57 PM

To: Mike Vallillo

Subject: Freedom of the Seas / 07-16-2006 / BK# 8951441 / SR# 1-424104910

Dear Mr. Vallillo:

Thank you for your writing to the office of Royal Caribbean regarding your current claim with Park West. We welcome this opportunity to address your concerns.

As Park West is an independent contractor, all decisions regarding their artwork are at their discretion. Royal Caribbean does not make decisions on behalf of Park West; however, we believe Park West to be a reputable company. Further, we empathize with your concerns pertaining to Park West.

We have forwarded your inquiry to the appropriate management for our records. Regrettably, we have not determined any action in response to this investigation detailed within your letter.

Mr. Vallillo, thank you for bringing your concerns to our attention. We hope to have the opportunity of

welcoming you back onboard one of our ships in the near future.

Sincerely,

Corey Richburg

Corporate Guest Relations

And Mike Vallillo's response:

From: "MIKE VALLILLO"

Date: November 13, 2008 11:12:12 AM PST

To: <web_cruise_comments@rccl.com>

Subject: RE: Freedom of the Seas / 07-16-2006 / BK# 8951441 / SR# 1-424104910

Dear Corey,

Thank you for your quick response regarding my claim with PWG and RCCL. I understand what you are saying, that PWG is an independent contractor, however it is my understanding that RCCL gets a cut of at least 30% of every sale and they back up the PWG activities on board and the majority of people trust the cruise lines and don't expect to be ripped off by the vendors allowed to do business on board by the cruise lines. Given the cruise lines have a huge financial stake in this, and have been included in several of the class action suits against PWG, they know exactly what is going on and what PWG is all about. I run a business in the state of New Jersey, licensed by the State. If I were aware of one of my vendors involved in such gross misrepresentation and unethical business practices, I would immediately remove myself from doing business with them.

I have been informed by Fine Art Registry that RCCL in the UK was helpful in intervening in the case of an English couple who bought \$50,000 worth of junk from PWG. PWG is going to refund all of it except for the buyer's premium and shipping and RCCL is picking up the difference. RCCL is also dealing with another recent sale of \$450,000 worth of fake Dali prints sold to a couple of lawyers in London (this is being handled through the Miami office, I believe with Chuck Baker - Manager of Customer Service). At what point does RCCL decide to intercede on my behalf. As a loyal cruise customer, I've always believed that the cruise line would only do business

with a company at the same level of integrity as themselves, and not allow one of their vendor partners to take advantage of their loyal customers. Bear in mind that you stand to lose an enormous amount of business as a cruise line if you choose to sit back and let this practice continue, and not do something about it – it is going to grow and eat away at your company like cancer, and eventually sink you like the Titanic. As I stated in my complaint, I have lost \$100,300.00 on worthless paper. My position is I want a full refund in exchange for their so-called art work that they insist is real. If in fact it is real, they should have no problem taking it back, being that they recently sent me updated appraisals stating that my collection is now worth \$188,325, that's a profit for them of \$88,000. What a great deal. Maybe you might be interested in investing. Let me know – I will give you a great price "TODAY ONLY \$100,300 HURRY IT WON'T LAST."

Sincerely

Michael Vallillo

He received a response:

From: web_cruise_comments@rccl.com [mailto:web_cruise_comments@rccl.com]

Sent: Friday, November 21, 2008 12:27 PM

To: Mike Vallillo

Subject: Freedom of the Seas / 07-16-2006 / BK# 8951441 / SR# 1-444398036

Dear Mr. Vallillo:

Thank you for contacting the offices of Celebrity Cruises regarding your sailing onboard the Freedom of the Seas. We appreciate this

opportunity to respond to you.

We are currently researching your request. Please allow a minimum of 4 business days for us to contact you again regarding your e-mail.

Mr. Vallillo, thank you for bringing this to our attention. We hope to have the pleasure of welcoming you back onboard one of our ships again in the near future.

Sincerely,

Corey Richburg
Corporate Guest Relations

To which he answered:

On Dec 2, 2008, at 4:43 PM, MIKE VALLILLO wrote:

DEAR COREY,

MY ATTORNEY IS PUSHING ME TO FILE A COMPLAINT WITH THE ATTORNEY GENERAL'S OFFICE IN FLORIDA, MICHIGAN AND NEW JERSEY. HE BELIEVES BECAUSE OF THE LARGE DOLLAR AMOUNT AND THE CIRCUMSTANCE SURROUNDING PWG AND RCCL, I WILL HAVE A STRONG CASE AND A GOOD CHANCE TO COLLECT TRIP-DAMAGES; HE IS WILLING TO TAKE THIS ON A CONTINGENCY BASIS. I WOULD PREFER NOT TO GO THIS ROUTE, AND WOULD LIKE TO PUT THIS SITUATION BEHIND US BY YEAR'S END. PLEASE GET BACK TO ME ASAP; I BELIEVE I HAVE WAITED LONG ENOUGH.

THANK YOU,

MICHAEL VALLILLO

But his appeal was unavailing:

From: cfeedcci@celebritycruises.com
[<mailto:cfeedcci@celebritycruises.com>]
Sent: Monday, December 08, 2008 7:18 PM
To: Mike Vallillo
Subject: Freedom of the Seas / 07-16-2006 / BK# 8951441 / SR# 1-424104910

Dear Mr. Vallillo:

Thank you for contacting the office of Royal Caribbean regarding your current claim with Park West. We welcome this opportunity to address your concerns.

Mr. Vallillo, we have researched your inquiry, and regret to inform you that we are not taking any action in response to the information you have provided to us regarding Park West. Thank you for bringing your concerns to our attention. We hope to have the opportunity of welcoming you back onboard one of our ships in the near future.

Sincerely,

Corey Richburg
Corporate Guest Relations

And after a further request to have his case reviewed, he received the following:

From: web_cruise_comments@rccl.com [mailto:web_cruise_comments@rccl.com]

Sent: Tuesday, December 16, 2008 9:59 AM

To: Mike Vallillo

Subject: FR / 07-16-2006 / BK# 8951441 / Vallillo--SR 1-483116675

Dear Mr. Vallillo:

Thank you for contacting our offices regarding the above referenced sailing. We welcome this opportunity to further review and address your concerns and apologize for the delay in our response.

While reviewing your correspondence, we became very concerned about the events that have transpired thus far regarding the artwork purchased from Parkwest Gallery. Naturally, we are disappointed that an amicable resolution has not been provided to you at this juncture. We also recognize that aside from the inconveniences you have endured, your overall perception of the cruise line has been affected as well. While we appreciate your concern in that respect, we want to assure you that our main objective is to provide the best cruise vacation experience in every aspect, and our guests are our number one priority.

Moreover, it is our expectation that our guests receive the same level of quality and service from our onboard partners as they do onboard our ships. It is our understanding that you have already contacted Parkwest Gallery, and we regret that the solution provided has not been satisfactory. While we genuinely sympathize with your grievance, please understand that we cannot uphold the policies of independent service vendors on their behalf.

Further, from a legal perspective, the cruise booking, and transportation of guests and baggage on our ships, is governed by the terms and conditions of the Cruise Ticket Contract included as part of the cruise documentation. In the event of any legal conflict between any oral or written representation of any company representative and the Cruise Ticket Contract, the terms of the Cruise Ticket Contract shall govern. If you would like to review the terms and conditions of the Cruise Ticket Contract, a copy of the Cruise Ticket Contract can be found on our website, www.royalcaribbean.com. Should you choose to initiate litigation, please serve our Registered Agent.

Mr. Vallillo, thank you, again, for contacting Royal Caribbean International.

Sincerely,

Tricia Brereton
Corporate Guest Relations

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

"I read the article on line from the New York Times, I have no complaints with your group, – you have been very helpful in educating me as to what is going on, and I wish I had known about you before my purchases."

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

"I spoke to various art galleries in New York and New Jersey. Their

basic response was that I had been ripped off and they were all aware of what is going on with PWG. They wouldn't even entertain looking at my art, let alone purchasing it from me."

What are your plans with regard to this situation?

"I would like to join in on one of the class action lawsuits pending. I will keep on doing whatever I have to until I receive my money back."

Since that time, the Vallillos have sued Park West in Michigan. The details of the case can be found on the Fine Art Registry website and in press releases issued and its progress will be reported.

Mike and Marina Vallillo are not the only ones to sue Park West, Albert Scaglione, Morris Shapiro and Royal Caribbean on allegations of fraud, violation of Michigan's warranty in fine arts statute, violation of the Michigan Consumer Protection Act, breach of contract, violation of the Michigan art multiple sales act, negligent misrepresentation, conspiracy and unjust enrichment. The Plaintiffs combined paid hundreds of thousands of dollars for art which was later found by experts to either be fake or have forged signatures, or to be heavily overpriced and misrepresented as bargains and investments by the Park West auctioneers and sales people responsible for the sales.

Royal Caribbean Cruises Ltd. are also defendants in the same case.

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

"My advice to other people in my situation is to join together and stop these abuses as quickly as possible. If we all boycott RCCI, maybe they will get

the message. As for those who haven't yet been burned, stay away from PWG. All of the travel agents should be notified of what is going on, and they should let their clients know to stay away. They should put out a bulletin similar to those the State Department distributes when they want citizens to know which countries to stay away from."

Fine Art Registry will follow the Vallillos' progress in their attempt to right the rip-off by Park West auctioneers and the subsequent refusal on the part of Park West and Caribbean Cruises Ltd., to take effective action regarding the reported fraudulent misrepresentations. Their story will also be made known to local and national media who are investigating Park West and their sales and customer service practices. 📌

Read other cases studies of Park West
Cruise Auction fraud [here](#).