

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

TIMOTHY REIF and DAVID FRAENKEL,
as Co-Executors of the
ESTATE OF LEON FISCHER,
and MILOS VAVRA

Plaintiffs,

- against -

RICHARD NAGY, RICHARD NAGY LTD.,
Artworks by the Artist Egon Schiele known as
WOMAN IN A BLACK PINAFORE, and *WOMAN
HIDING HER FACE*,

Defendants.

Index No.: 161799/2015

NOTICE OF ENTRY

Motion Sequence #008

(Hon. Charles E. Ramos)

PLEASE TAKE NOTICE that the attached is a true and correct copy of an Order entered
and filed in the office of the Clerk of the Court on June 11, 2018.

Dated: New York, New York
June 11, 2018

Respectfully submitted,

**DUNNINGTON BARTHOLOW & MILLER
LLP**
Attorneys for Plaintiffs

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

TIMOTHY REIF and DAVID FRAENKEL,
as Co-Executors of the
ESTATE OF LEON FISCHER,
and MILOS VAVRA

Index No.: 161799/2015

Plaintiffs,

~~(PROPOSED)~~ ORDER

- against -

Motion Sequence #008

Motion Sequence #009

RICHARD NAGY, RICHARD NAGY LTD.,
Artworks by the Artist Egon Schiele known as
WOMAN IN A BLACK PINAFORE, and *WOMAN
HIDING HER FACE*,

Defendants.

It is hereby ORDERED and DECREED that Plaintiffs' Motion for Summary Judgment on claims for replevin and conversion is granted pursuant to CPLR § 3212.

Pursuant to this Court's April 4, 2018 Memorandum (NYSCEF 288), setting forth the findings of fact and conclusions of law, title in two Egon Schiele artworks known as *Woman Hiding Her Face (1912)* and *Woman in a Black Pinafore (1911)* ("the Artworks") is hereby vested in Plaintiffs Timothy Reif and David Fraenkel, as Co-Executors of the Estate of Leon Fischer and Milos Vavra.

With respect to replevin, on November 30, 2015, this Court ordered that the Artworks remain in the custody of Fritz Dietl of Dietl International located at 158 West 27th Street, 7th Floor, New York, New York 10001 pursuant to a Stipulation of Custody pending further order of this Court (NYSCEF 48). Accordingly, Defendants Richard Nagy and Richard Nagy Ltd. are directed to cause Fritz Dietl of Dietl International to deliver the Artworks to Plaintiffs care of

Monica Dugot of Christie's Auction House 20 Rockefeller Plaza New York NY 10020 within ten (10) days of the entry of this order.

With respect to conversion, this Court concluded that Richard Nagy and Richard Nagy Ltd., a commercial art dealer and art expert, knowingly and in bad faith interfered with Plaintiffs' property rights by refusing to return the Artworks. Accordingly, Plaintiffs are entitled to damages, costs and reasonable attorneys' fees together with pre-judgment interest running from November 13, 2015, the date of conversion, in an amount to be determined at inquest.

Plaintiffs are directed to move for an inquest within sixty (60) days of entry of this order.

Defendants' Cross-Motion for Summary Judgment is hereby denied and their affirmative defenses and counterclaims dismissed for the reasons set forth on the record on April 4, 2018.

6/5/18 

HON. CHARLES E RAMOS