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5 Attorneys for Plaintiffs
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**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA**

7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DISTRICT**

11
12 **ANDRES CAMPUSANO, SANDRA
CAMACHO CAMPUSANO and ELIAS
13 ROCHA**

14 Plaintiffs,

15 vs.

16 **ROBERT J. CORT, an individual, THE
ROBERT J. CORT TRUST, an unknown
17 entity, and DOES 1 through 10, inclusive,**

18 Defendants.

Case No.: C-98-3001-MJJ

**SUPPLEMENTAL
DECLARATION OF NATHAN
ZAKHEIM IN SUPPORT OF
PRELIMINARY INJUNCTION**

Hearing Judge: Martin J. Jenkins
Department: Courtroom 11, 19th Floor
Time: 9:30 P.M.
Hearing Date: September 3, 1998
Date action filed: July 31, 1998
Trial date: to be determined

19
20 I, Nathan Zakheim, declare as follows:

21 1. I am the principal of Nathan Zakheim Associates, Fine Arts Conservation and
22 Consultation, P.O. Box 11929, Marina Del Rey, CA 90295. (EXHIBIT A).

23 2. I am an conservator by profession, having spent almost 30 years in the field, and
24 serving as an expert consultant on innumerable art restoration and conservation efforts,
25 (EXHIBIT B) as well as an expert witness in various litigation matters involving fine art,
26 including murals.

27 3. I was Project Conservator for the House of Hospitality historic reconstruction project in
28 Balboa Park, in San Diego, California, in 1995. I was involved in the conservation efforts on

1 San Francisco's murals located in Coit Tower in the 1970's. I have seen photographs and I am
2 familiar with the Lilli Ann mural ("Lilli Ann") of San Francisco.

3 4. In respect to mural removal and redisplay, I am a leading practitioner having
4 participated in the removal and preservation of numerous oil based murals which were painted
5 directly on walls. Depending on the white-wash paint used to cover the Lilli Ann mural, various
6 techniques may be used to remove the covering white paint ("white-wash"). As an example, the
7 white-wash may be reformed and dissolved using solvents if it is a latex-based acrylic paint, or if
8 a white-wash compound called "sign-painter block out" was used, it may be removed by direct
9 and concentrated application of heat.

10 5. I have restored close to 100 murals. I created the system for removing murals, and have
11 directed the removal and preservation of some 20 plus acrylic murals which were painted directly
12 on walls. I used the "Strappo" method to remove such murals as a thin paint film (later applied
13 to a new support), including the Peake-Warshaw murals now on display at the Santa Barbara
14 City Library (EXHIBIT C); the Millard Sheets mural which was removed from the walls of
15 Bullocks in Los Angeles, and is now on display at the Los Angeles Natural History Museum; and
16 14 murals which were removed from the walls of the cafeteria of Laguna Beach High School,
17 which are now on display in the school auditorium (EXHIBIT D), and four murals removed from
18 Greenpeace headquarters in the Beverly Connection.

19 6. I am prepared to testify that the utilizing the techniques developed by us and others over
20 the last 25 years, it is quite possible to remove any oil-based mural, like the Lilli Ann, from the
21 building surface upon which it was originally painted. (EXHIBIT D and EXHIBIT E ¶¶ 11-13)
22 I have removed church ornamentation painted on walls with oil-based paints. (EXHIBIT F).

23 7. It is my professional opinion that most murals can be safely removed and redisplayed,
24 including acrylics, frescos, those painted with oil-based paints, and murals painted with a variety
25 of other materials. However with regards to the Lilli Ann, more study must be undertaken
26 regarding the oil-based paints used in its creation and the white-wash used to cover the work to
27 determine exactly which material is best suited to remove the Lilli Ann mural from the wall.
28

1 Removal of the white-wash will allow both access to the original paint and restoration of the
2 mural.

3 8. I am prepared to testify that the utilizing the techniques developed by us and others over
4 the last 25 years, it is quite possible to conserve the Lilli Ann mural for redisplay on a new
5 support.

6 9. I am prepared to testify that the application of additional paints and other materials may
7 permanently damage and possibly destroy this original work of art.
8

9 I declare under penalty of perjury under the laws of the United States of American and
10 the State of California that the foregoing is true and correct. Executed in San Francisco,
11 California.
12

13 DATED: August 19, 1998

signed

Nathan Zakheim