

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

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THE DAUGHTERS OF MARY MOTHER OF OUR
SAVIOR AND ST. JOSEPH'S CHAPEL, INC,

Plaintiffs,

Index No.: 6777/2008

-against-

AFFIDAVIT

MARK LASALLE, Individually and d/b/a MARK
LASALLE FINE ART and MARK R. ZAPLIN,

Defendants.
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Paul Dumont being duly sworn deposes and says under the penalties of perjury:

1. I reside at 392 Hollow Road, Staatsburg, County of Dutchess, State of New York.
2. I am a professional art dealer and have known Mark R. Zaplin and Mark LaSalle for many years. My relationship with both has been professional and social.
3. In August of 2004 I was contacted by Mark LaSalle in reference to a painting entitled *Notre Dame Ange*, by William Adolphe Bougureau. He advised me that he had been approached by the Sisters of St. Joseph Chapel Inc., to give them an appraisal for the above mentioned Bougureau painting. The painting was in need of restoration, but in the condition he first saw it he gave them an appraisal of \$150,000.00 although he told me that at that time a true pre-restoration appraisal would be between \$700,000.00 and \$800,000.00. Mr. LaSalle told me that he advised the Sisters to have the painting restored.

4. In October of 2004 and several times thereafter I accompanied Mr. LaSalle on trips he made to view the progress of the restoration. In December of 2005 or January of 2006, when the restoration was almost completed he valued the painting in a finished condition at well over one million dollars, an appraisal in which I concurred. Mr. LaSalle said we could “screw” the Sisters and make a handsome profit by giving the Sisters a low appraisal value of between \$350,000 and \$450,000 and presenting a buyer who would pay the amount of our deliberate and intentionally inaccurate appraisal. My part was to produce a “money man” who would act as a “straw” buyer. The plan was to then immediately flip the painting for a huge profit. The main portion of the profit being split between LaSalle and the “money man.” I contacted Mark R. Zaplin and advised him of the painting and the plan. Mr. Zaplin agreed to supply the money for the purchase and act as the “straw” buyer.

5. The Sisters were originally told by LaSalle that he had located a buyer for the restored painting offering \$350,000.00. When the Sisters delayed in giving an answer, LaSalle, Zaplin and myself agreed, so as not to lose the sale, that we should send them a check for \$450,000.00. LaSalle had already confided in me that representatives from Sotheby’s had valued the painting at between \$1,500,000.00 and \$1,800,000.00. The transaction was consummated with Zaplin acting as the buyer for \$450,000.00. Almost immediately the painting was resold for over two million dollars.

6. The undersigned, Zaplin and LaSalle, at the time of the transaction, were all well aware that the true value of the painting was several multiples of the \$450,000.00 received by the

Sisters. We were also well aware of the truth of LaSalle boast that the Sisters trusted him completely to act on their behalf and would not question the deliberately and knowingly false appraisals he had given them. Said appraisals being substantially contrary to the evaluation of LaSalle, myself and that of Sotheby's.

DATED: New York, New York
December 22, 2008

Paul Dumont

Sworn to before me this

_____ day of _____, 2008

Notary Public