



**Berkeley
Art, Finance,
and Law
Symposium
2023**

JUNE 8, 2023 | SFMOMA

Berkeley
Law

Center for Law
and Business



Agenda

12:00- 1:00 PM

Registration

1:00 - 1:10 PM

Welcome Remarks

Delia Violante, Associate Director, University of California, Berkeley

1:10 - 1:40 PM

The Entanglement: How Art and Philosophy Make Us What We Are

Alva Noë, Professor of Philosophy, University of California, Berkeley

1:45 - 2:30 PM

War of the Worlds: Human Creativity vs. Machine

Session on authorship and AI-generated art

Che Chang, Deputy General Counsel, OpenAI

Heather Whitney, Attorney, Morrison Foerster

Adam Sterling, Berkeley Law Assistant Dean, University of California, Berkeley

2:35 - 2:50 PM

Drawing Lines: An Artist's Perspective

Session on one artist's creative process

MGP Andersen, Visual Artist

2:55 - 3:40 PM

Case Study: Andy Warhol Foundation v. Goldsmith

Session on how the case will affect artists

Peter Menell, Professor of Law, University of California, Berkeley

Pamela Samuelson, Professor of Law, University of California, Berkeley

Samantha Cox-Parra, JD '23, Berkeley Law



Agenda

3:40 - 4:00 PM

Break

4:00 - 4:30 PM

Legal Developments Related to Provenance and Due Diligence

Session on the importance of establishing provenance

Emily Beeny, Curator, Fine Arts Museums of San Francisco

Robert Mintz, Deputy Director, Asian Art Museum of San Francisco

Carla Shapreau, Senior Fellow, Curator, and Lecturer, University of California, Berkeley

4:35 - 5:20 PM

International Fraud and Money Laundering in the Art World

Session on the use of art in fraud and money laundering

Jessica Feinstein, Co-Chief, Money Laundering,

U.S. Attorney's Office, SDNY

Sharon Cohen Levin, Partner, Sullivan & Cromwell

Frank Partnoy, Professor of Law, University of California, Berkeley

5:20 - 7:00 PM

Closing Remarks and Cocktail Reception



Speakers



MGP Andersen

Visual Artist

MGP Andersen is an oil painter based in San Francisco. She has been juried into numerous shows, and has received many awards for her work. A former Adjunct Professor of Art at Ohlone College in Fremont, she now paints full time at her studio in Dogpatch.



Emily Beeny

Curator, Fine Arts Museums of San Francisco

Emily A. Beeny is Curator in Charge of European Paintings at the Fine Arts Museums of San Francisco. A specialist in French paintings and drawings of the 17th-19th century, she received her PhD from Columbia University with a dissertation on Nicolas Poussin. Before coming to San Francisco, she served as Associate Curator of Drawings at the J. Paul Getty Museum in Los Angeles, where she organized the exhibitions *Manet and Modern Beauty* (2019) and *Poussin and the Dance* (2022) in partnership with the Art Institute of Chicago and the National Gallery, London. She has also held curatorial appointments at the Museum of Fine Arts, Boston, and the Norton Simon Museum, and she serves on the vetting committee for TEFAF Maastricht. In 2021, she was awarded the *Prix du rayonnement de la langue et de la littérature françaises* by the Académie française.



Che Chang

Deputy General Counsel, OpenAI

Che is the Deputy General Counsel at OpenAI, where he oversees legal issues related to AI technology development and release. Previously, Che led the AI legal team at Amazon Web Services, and before that he worked at Silicon Valley law firms and startups.



Speakers



Sharon Cohen Levin

Partner, Sullivan & Cromwell LLP

Sharon Cohen Levin is a partner in Sullivan & Cromwell's Litigation Group. She is a leading expert on anti-money laundering, sanctions and asset forfeiture. She represents a diverse group of clients in connection with criminal, regulatory and civil actions. Sharon also represents art market participants on matters related to ownership, theft and fraud as well as in criminal investigations and forfeiture proceedings.

Sharon is a former federal prosecutor who led the Money Laundering and Asset Forfeiture Unit in the U.S. Attorney's Office, SDNY for two decades. Her track record of success inspired Forbes to call her "The Babe Ruth of Forfeiture." Sharon was the lead prosecutor responsible for securing a settlement in the watershed "Portrait of Wally" forfeiture case, which centered on an Egon Schiele painting stolen by Nazis from a Jewish woman in 1938.



Samantha Cox-Parra

JD '23, Berkeley Law

Samantha Cox-Parra graduated from Berkeley Law where she earned the Berkeley Center for Law and Technology's J.D. IP & Technology Law Certificate. During her time at Berkeley Law, Samantha served as the Co-Chair for La Alianza (Law Students of Latin American Descent), the Social Media Editor for the Berkeley Journal of Entertainment and Sports Law (BJESL), a Submissions Team Member for the Berkeley Technology Law Journal (BTLJ), and a Clinical Student for the Samuelson Law and Technology Clinic. Samantha also served as a Judicial Extern for the Honorable Judge Yvonne Gonzalez Rogers at the U.S. District Court for the Northern District of California and worked as a Summer Associate at Fenwick & West. Samantha will be joining Fenwick & West's incoming class of associates as part of the San Francisco office's IP Litigation team.



Speakers



Jessica Feinstein

Co-Chief, Money Laundering, U.S. Attorney's Office, SDNY

Jessica Feinstein is the Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit at the United States Attorney's Office for the Southern District of New York, where she supervises a team of prosecutors responsible for investigating international money laundering, Bank Secrecy Act, bank fraud, sanctions violations, asset forfeiture, and art-related crime, including fraud, forgeries, and cultural patrimony cases. From 2019 until 2022 she was an Assistant United States Attorney in the same unit, where she prosecuted art dealer Inigo Philbrick and antiquities-trafficker Douglas Latchford, among others. She has worked as a federal prosecutor at SDNY since 2014. She graduated from Stanford Law School in 2010, and received an M.St. in the History of Art from the University of Oxford in 2007.



Peter Menell

Professor of Law, University of California, Berkeley

Peter S. Menell is the Koret Professor of Law at UC Berkeley School of Law, co-founder and Director of the Berkeley Center for Law & Technology, co-founder of BCLT's Life Sciences Project, and co-founder and Faculty Director of the Berkeley Judicial Institute. He earned his S.B. at MIT, Ph.D. at Stanford University, and J.D. from Harvard Law School before clerking for the U.S. Court of Appeals for the Second Circuit. He joined the Berkeley Law faculty in 1990. Professor Menell's research and teaching span intellectual property across the technology and entertainment fields, as well as environmental law and policy, property law, law and economics, and judiciary reform.

Speakers



Robert Mintz

Deputy Director, Asian Art Museum of San Francisco

Dr. Robert Mintz is the Deputy Director at the Asian Art Museum of San Francisco. He occupies a leadership position responsible for managing the curatorial, education, and museum services departments. He provides strategic direction for exhibitions, education, interpretation, and public programs, and oversees the growth and preservation of the museum's art collections. In this role, he is the receives all claims related to ownership, provenance, and potential repatriation.

Born and raised in Midland, Michigan, Rob began studying the arts of Japan in the 1980s. He received a B.A. from the University of Michigan and M.A. and Ph.D. from the University of Washington specializing in the study of 18th century Japanese painting. Prior to coming to the Bay Area, he served as Chief Curator and Curator for Asian Art at the Walters Art Museum in Baltimore, and taught on the faculties of Seattle University, the Johns Hopkins University, and Towson University.



Alva Noë

Professor of Philosophy, University of California, Berkeley

Alva Noë is a writer and philosopher living in Berkeley and New York. He is the author of *Action in Perception* (MIT 2004), *Out of Our Heads: Why You Are Not Your Brain and Other Lessons from the Biology of Consciousness* (FSG 2009), *Varieties of Presence* (Harvard 2012), *Strange Tools: Art and Human Nature* (FSG, 2015), *Infinite Baseball: Notes from a Philosopher at the Ballpark* (OUP 2019) and *Learning To Look: Dispatches from the Art World* (Oxford 2022). His newest book *The Entanglement: How Art and Philosophy Make Us What We Are* (Princeton) has just been released. He is a Professor of Philosophy, and Chair, at the University of California, Berkeley, where he is also a member of the Center for New Media and the Institute for Cognitive and Brain Sciences. Noë is a 2012 recipient of a Guggenheim Fellowship and a 2018 recipient of the Judd Hume Prize in Advanced Visual Studies. He is currently an Einstein Visiting Fellow at the Free University in Berlin.



Speakers



Frank Partnoy

Professor of Law, University of California, Berkeley

Frank Partnoy is the Adrian A. Kragen Professor Law at the UC Berkeley School of Law and Affiliated Faculty at the Berkeley Haas School of Business and the Simons Institute for the Theory of Computing. He has written several books, dozens of scholarly articles, and more than fifty opinion pieces in *The New York Times* and the *Financial Times*. Partnoy has appeared on *60 Minutes* and *The Daily Show with Jon Stewart*, and has testified before both houses of Congress. He has been an international research fellow at Oxford since 2010, and is a graduate of Yale Law School.



Pamela Samuelson

Professor of Law, University of California, Berkeley

Pamela Samuelson is the Richard M. Sherman '74 Distinguished Professor of Law at the University of California at Berkeley and a Co-Director of the Berkeley Center for Law & Technology. She has written and spoken extensively about the challenges that new information technologies pose for traditional legal regimes, especially for intellectual property law. She is co-founder and president of Authors Alliance. She is a member of the American Academy of Arts & Sciences, a Fellow of the Association for Computing Machinery (ACM), a Contributing Editor of *Communications of the ACM*, a past Fellow of the John D. & Catherine T. MacArthur Foundation, and an Honorary Professor of the University of Amsterdam. She is also Chair of the Board of Directors of the Electronic Frontier Foundation. She joined the Berkeley faculty in 1996 after serving as a professor at the University of Pittsburgh Law School. She has also visited at Columbia, Cornell, Fordham, Harvard, and NYU Law Schools.



Speakers



Carla Shapreau

Senior Fellow, Curator, and Lecturer, University of California, Berkeley

Carla Shapreau is an intellectual property, art, and cultural property law attorney and a Lecturer at the University of California, Berkeley, School of Law, where she teaches a course on art and cultural property law. She is also a Senior Fellow in the Institute of European Studies, where she conducts cultural property research and leads the Lost Music Project, which seeks to reconstruct the history of Nazi-era musical material cultural losses and the aftermath. In addition, Shapreau is the Curator of the Ansley K. Salz Collection of Stringed Instruments, Department of Music, drawing on her background as a violin maker and conservator.



Adam Sterling

Assistant Dean, University of California, Berkeley

Adam Sterling is the Assistant Dean for Executive Education and Revenue Generation at Berkeley Law. In addition to his administrative duties, Adam teaches courses and oversees research on topics including venture finance, corporate governance, and ESG. Previously he was a startup and venture capital attorney at Gunderson Dettmer and the co-founder and director of the Sudan Divestment Task Force and Conflict Risk Network. Adam's writings and work have appeared extensively in the press; including contributions to *The Wall Street Journal*, *The Financial Times*, and *The New York Times*. He has appeared on a number of broadcast news programs, including CNN's *Situation Room* and CNBC's *Street Signs*. Adam holds a JD from Berkeley Law and an MBA from Haas Business School.

Speakers



Delia Violante

Associate Director, University of California, Berkeley

Delia Violante is the Associate Director at the Berkeley Center for Law and Business at Berkeley Law. Before joining the University of California at Berkeley, she covered positions in public relations and communications at Barclays Global Investors (then Blackrock), and Novartis. Previously she was with The Boston Consulting Group in Milan (Italy), Chicago, and San Francisco. She holds a BA in History from Università degli Studi di Milano and is currently pursuing an MA in Art History.



Heather Whitney

Attorney, Morrison Foerster

Heather Whitney is an attorney at Morrison Foerster and member of the firm's AI Steering Committee. She advises clients across industries, with particular focus on AI, copyright law, the First Amendment, and intermediary liability (sometimes all at the same time). Prior to joining Morrison Foerster, Heather was in academia. After clerking for Judge Diane P. Wood of the U.S. Court of Appeals for the Seventh Circuit, Heather was a Bigelow Fellow and Lecturer in Law at the University of Chicago Law School and Faculty Affiliate at the Berkman Klein Center for Internet & Society (where she was previously a Fellow). For several years, she was also an instructor for Harvard Law School's CopyrightX course. Prior to law school, she worked on Google's Global Ethics and Compliance team. Heather's work has been published in numerous books, law reviews, and news publications. She has also been an expert commentator in a variety of news outlets, including The Guardian, Vanity Fair, and Vox.

Heather earned her J.D. magna cum laude from Harvard Law School and her B.A. in philosophy summa cum laude from UCLA. Prior to joining Morrison Foerster, she was a doctoral candidate in philosophy at New York University, where she focused on the regulation of technology companies and the First Amendment, antidiscrimination law theory, and aesthetics.



**Berkeley Art Finance and Law
Symposium Website**

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