

Ryan O'Neal can keep Farrah Fawcett portrait, jury says

By Ann O'Neill, CNN

updated 11:17 AM EST, Fri December 20, 2013

CNN.com

Los Angeles (CNN) -- Actor Ryan O'Neal can keep an Andy Warhol portrait of his longtime love, "Charlie's Angels" star Farrah Fawcett, a jury has found.

O'Neal underwent minor surgery to remove a skin cancer lesion and was not in court when the Los Angeles jury returned the verdict at 3:25 p.m. PT on Thursday.

But his lawyer, Marty Singer, said the actor was elated he did not have to hand the portrait over to the University of Texas. The university had claimed Fawcett left the portrait in her will.

The verdict was reached shortly after O'Neal's testimony was read to the jury again. He testified Warhol gave him one portrait and Fawcett another in 1980. The verdict indicated that nearly all of the jurors found his testimony credible.

The decision was not unanimous. But O'Neal needed to convince just nine of the 12 jurors to prevail.

The jury of six men and six women began their deliberations on Monday afternoon. Most of them are too young to remember O'Neal's 1970 tearjerker movie "Love Story," Fawcett's 1976 television hit series "Charlie's Angels" or the era when they reigned at the top of Hollywood's A list. Back then, People magazine was on the rise, and nobody had heard of reality shows, TMZ or Twitter.



Battle over Warhol painting of Fawcett

Does Warhol of Fawcett belong to O'Neal or school?

O'Neal's sons, Patrick and Redmond, slapped each other on the back and embraced after the verdict was read. "Farrah is a true angel," Patrick said outside the courthouse.

"I know she had something to do with this up there," added Redmond, Fawcett's son with O'Neal. "It's a great Christmas gift, man, you know? What great timing. We didn't want to go

into the holidays with them taking it."

University lawyer David Beck said officials would review the case before deciding whether to appeal. He said the university had no choice but to pursue the case once officials learned a second Warhol portrait of Fawcett existed.

"Ryan O'Neal wasn't going to voluntarily give the portrait up," he said, "so we had to try the case."

The jury also found that Fawcett and O'Neal owned a tablecloth painted with hearts, addressed to both of them and signed by Warhol. A hearing was set in January to determine what to do with the keepsake, which is in the university's hands.

Singer said he hoped the parties could agree to auction the tablecloth and donate the proceeds to the

Farrah Fawcett Foundation, which raises money for cancer research.

The "It Girl" and the pop artist

Superior Court Judge William A. MacLaughlin instructed the jurors to focus on a simple question: Did Fawcett own the Warhol portrait when she died of cancer at age 62 on June 25, 2009?

Warhol painted the two portraits of Fawcett after she sat for him in September 1980, according to testimony. Witnesses for the university testified she said both portraits were hers. But O'Neal told jurors "the painting is mine," and his lawyers called half a dozen witnesses who backed him up.

The portrait is worth anywhere from \$1 million to \$12 million, depending on whose appraiser is talking. Warhol, who died in 1987, is second only to Pablo Picasso as a top-selling artist. His paintings, which fetch an average of \$7.8 million apiece, have brought in a total of \$1.7 billion. With a "b."

The central question the jurors faced was what happened when Fawcett agreed to pose for Warhol. The session was taped by the television news magazine "20/20."

A producer for the show testified that it was her idea for Fawcett to pose, and that O'Neal was nowhere to be seen. But O'Neal said he introduced Warhol, who was a friend of his, to Fawcett, who was his new girlfriend at the time.

She was the "It Girl" of the moment; her show was a smash hit, and a poster she posed for was well on its way to selling 12 million copies. Warhol, who coined the notion that everyone can expect "15 minutes of fame," was on his first book tour.

O'Neal testified he arranged for Fawcett to pose for Warhol if each of them could receive a portrait. "He said she could keep the portrait he would paint of her and I could keep mine," he said.

O'Neal added that he and his daughter, Tatum, then 16, attended the session at Warhol's New York studio, called The Factory. Tatum O'Neal did not testify. But Ryan O'Neal described the 90-minute session in detail: "There was no easel, no paint. There was just this strange dentist's Polaroid camera. He just snapped her at different turns, maybe 25 shots. It took longer to do her hair."

A couple of weeks later, they returned to pick up the portraits. Warhol handed one to him and the other to Fawcett, he said. It was a story the couple repeated many times over the years at dinner parties with friends. Fawcett never disputed his version of the story; instead, she always chimed in as he told it, said one close friend, Alana Stewart.

Ownership of the portrait mattered because Fawcett left "all" her artwork to the University of Texas, where she studied art before her rise to stardom. The university, in the middle of a major fund-raising campaign, raised a record \$475 million in 2013.

If Fawcett owned the portrait, it would join its twin at the university's Blanton Museum of Art. If O'Neal owned the portrait, it would stay at his Malibu beach house, where it hangs over his bed.

[O'Neal: Warhol portrait of Fawcett 'is mine'](#)

But ownership is all but impossible to document because the portrait is a gift from the artist and has never changed hands. There were no receipts, no gift tags, no thank-you notes to guide the jury. Jurors were left with testimony from a colorful cast of Hollywood characters that included some of the past century's brightest stars -- and the people in their orbit.

O'Neal, whose leading-man good looks propelled him to fame in the 1960s TV prime time soap "Peyton Place," can be alternately charming and prickly. Since Fawcett's death, some members of her inner circle have become O'Neal's closest friends. "We are like family," Stewart testified. But others in the outer rings of the circle became O'Neal's fierce enemies, and they assisted in the university's case against him.

Actress as an '8x10 glossy'

As the battling groups faced off in court, the testimony was at times comical as each side worked to discredit the other's witnesses. Jurors heard about a hairdresser who hid Warhols under Fawcett's bed, and a personal assistant who dropped bananas on the floor and crushed them with his feet as he baked her favorite treats.

Jurors also viewed clips from reality shows, prompting one witness to deliver this Earth-shattering nugget: "Reality shows aren't real."

Even the judge, while appearing to be amused, observed that the testimony at times had little bearing on who owned the Warhol portrait.

O'Neal provided the trial's most dramatic moment, testifying that he talks to the 40-by-40-inch portrait, a silkscreen on canvas that shows Fawcett in three-quarter profile with flowing hair, blue-green eyes and shiny red lips.

"I talk to it. I talk to her," he said, his voice quaking with emotion. "It's her presence in my life and her son's life. We lost her. It would seem a crime to lose it."

His words so moved his lawyer, Marty Singer, that the notoriously gruff celebrity advocate reddened and nearly broke into tears as he repeated them during his closing argument.

[O'Neal: I talk to Farrah's portrait](#)

The couple's 28-year-old son, Redmond O'Neal, also testified, but he was not permitted to tell jurors what the portrait of his mother meant to him. So, he "testified" to a bank of journalists on the sidewalk outside the courthouse:

"This portrait is a family heirloom. It has no money value to me. It's sentimental. It's to stay in the family. It's a beautiful remembrance of my mom, and it belongs where it is."

Family friend and actress Jaclyn Smith starred at the next sidewalk testimonial, saying Fawcett was the love of O'Neal's life and she would want the portrait to stay with him.

"It's her soul, it's her eyes, it's her hair, it's everything she is. I always described Farrah as this 8x10 glossy -- you know, the combination of this beautiful girl and the girl next door. And that portrait captures that," said Smith, Fawcett's co-star on "Charlie's Angels."

The university didn't know it was going to receive Fawcett's art until after her death, and it was unaware there was a second Warhol portrait until it began receiving e-mail tips a few months later. Fawcett's college boyfriend, former star quarterback Greg Lott, had played football in college with the president of the university's board of regents, and alerted him during fall 2009 that there were two Warhol portraits of Fawcett, not just the one the university had received.

Confrontation goes on YouTube

Lott intensely disliked O'Neal and accused him of keeping him away from Fawcett. In a confrontation he taped and posted on YouTube, he shouted that Fawcett called O'Neal that "fat f*** from the beach" behind his back.

A reality show producer who is involved in a bitter legal feud with O'Neal, and Fawcett's fired personal assistant -- who has more than 3,000 "Charlie's Angels" collectibles and runs a fan website -- supplied the university's investigators with photos, video clips and inside information, according to testimony.

By 2010, the university was in touch with the producer, Craig Nevius, and looking at clips from his show, "Chasing Farrah." Nevius also led them to the former personal assistant, Mike Pingel.

Nevius exchanged more than 100 e-mails with the university's sleuths and alleged that O'Neal "stole" the portrait from the wall outside Fawcett's bedroom. Pingel testified that Fawcett always referred to the portraits as "my Warhols."

Lott, Nevius and Pingel were barred from Fawcett's funeral and did not see her during her last days. O'Neal's lawyer, Singer, referred to them disdainfully as "the troika."

[A portrait of the final days of Farrah Fawcett](#)

In 2011, university officials got the confirmation they needed that a second Warhol existed when an investigator saw an episode of the reality show "Ryan and Tatum: The O'Neals" on Oprah Winfrey's OWN network. There it was, hanging in the bedroom of O'Neal's beach house.

Beck, the Texas attorney representing the university, urged jurors to consider Fawcett's final wishes. He said O'Neal helped himself to the portrait after he learned she'd left him nothing. "Please, please speak for Farrah because she cannot speak for herself," he said in his closing argument.

O'Neal's defense dismissed the university's lawsuit as an act of greed.

"During Farrah's lifetime, she told her closest friends and she told the people who work for her a very simple fact: Ryan owned one portrait and Farrah owned another," Singer maintained.

The testimony played out to a nearly empty courtroom, but on the final day, O'Neal's side was packed with supporters. They included the actor's sons as well as "Angels" co-star Smith. Even O'Neal's veterinarian came out in a show of support.

The trial may have been about who owned a Warhol, but much of the testimony focused on the passionate and volatile relationship between Fawcett and O'Neal. Nevius told the jury the actors were not a couple at the end of Fawcett's life, that the portrait was hers and that she did not want O'Neal to have it.

"I don't believe he was the closest person to her," Nevius said, describing the actors' bond as "a volatile co-parent relationship." He said Fawcett told him Warhol gave her both portraits, telling her, "One is for keeping and one is for selling."

O'Neal's friends testified that he cared for Fawcett as she was dying, staying with her "24-7," in the words of one. "He stuck to her like glue."

The defense challenged the motives of the university's three main witnesses, often leading their testimony into comical areas that included allegations that Nevius hid Fawcett's iconic red bathing suit in her storage locker, Pingel sweated into her food as he prepared it and Lott stalked Fawcett and her friends, demanding to see her.

At one point, according to the manager of the high-rise condominium building where Fawcett lived, Lott appeared every other day for a week, demanding to see her. On the last day, he brought another man he identified as his lawyer and private investigator. The manager asked to see a business card. It gave the man's profession as chiropractor.

A rocky relationship

O'Neal and Fawcett never married, but their on-again, off-again affair spanned three decades. They broke up for several years after she walked in on him in bed with another, much younger, woman a few days after Valentines Day in 1997. They reunited in 2001 after O'Neal was diagnosed with leukemia. O'Neal said that no matter where it was -- his beach house, her house or in storage -- the portrait was his through thick and thin.

That the portrait hung at O'Neal's beach house between 1980 and 1997 was undisputed. But Beck, the university's lawyer, characterized it this way: "Ms. Fawcett allowed it to be displayed at the beach house."

The parties disagreed on the circumstances of the portrait's departure from the beach house. The university said Fawcett, heartbroken over O'Neal's infidelity, took it back. But O'Neal testified that he asked her to keep it for him.

"About a year after the incident, I asked her to keep the portrait with her, store it for me, because my young friend was uncomfortable with Farrah staring at her," he told the jury. Fawcett's response, he said: "I'd like you to leave it there because I want to make her uncomfortable."

The case was just the first round in what could be a protracted estate battle in probate court.

Fawcett left \$4.5 million to her son, \$500,000 to her father (who is now deceased), \$100,000 to college boyfriend Lott and her personal belongings to a nephew in Texas, who has begun to auction them off.

Among the issues for the probate court to decide is whether Fawcett intended to leave only her original artwork to the University of Texas and whether her acquired art should be considered personal property.

One of O'Neal's lawyers, Todd S. Eagan, said the case never should have been filed and questioned whether the university looked into the background of their three key witnesses.

"They are not interested in helping Farrah. They're interested in fulfilling their grudge against Ryan," Eagan said.

"This portrait means the world to Ryan, it really does. And he will fight and fight and fight, no matter how big the University of Texas is. He's not going to back down. I think you'll see at the end of the day that all the witnesses that have testified with any credibility have said the same thing: One was made for Ryan and one was made for Farrah. That's the story."

© 2013 Cable News Network. Turner Broadcasting System, Inc. All Rights Reserved.