

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

ASTON BARRETT

and

Index No.

Plaintiffs,

Plaintiff designates New York
County as the place of trial 08116227

-against-

Angus
WILLIAM REID and CHRISTIE'S INC.

The basis of the venue is:
The location of subject property
pursuant to CPLR § 508

Defendants.

SUMMONS

To the above named Defendants

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: December 4, 2008
New York, New York

Law Office of Ivan A. Saperstein P.C.

Ivan Saperstein
Ivan A. Saperstein, Esq.
Attorneys for Plaintiff
9 East 40th Street
11th Floor

New York, New York 10016
(212) 321-7081

Defendants' Address:



FILED
DEC 04 2008
NEW YORK
COUNTY CLERK'S OFFICE

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

X

ASTON BARRETT

Index No. _____

Plaintiff,

VERIFIED COMPLAINT

- against -

Angus
WILLIAM REID and CHRISTIE'S INC.

Defendants.

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08116227

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Plaintiff, Aston Barrett, by the undersigned attorneys, complains herein against Angus William Reid and Christie's Inc. alleges as follows:

1. Plaintiff, Aston Barrett ("Barrett") resides at [REDACTED] and is a musical performer who has worked and plans on continuing to work as such in the State of New York and other places.
2. Defendant, Angus William Reid ("Reid") on information and belief resides at [REDACTED] and has conducted business in the State of New York including contracting with auction house Christie's Inc. for sale of a Yamaha SG-1000 guitar in brown sunburst finish with original strap and carrying case (the "Guitar") owned by Plaintiff Aston Barrett.
3. Defendant, Christie's Inc. ("Christie's") on information and belief is a company with offices at 20 Rockefeller Plaza, New York, NY 10020 that, among other things, is in the auction business.
4. Upon information and belief, Defendant Reid delivered the aforementioned Guitar for auction to Christie's which is located within the City, County and State of New York on or about August 26, 2008.
5. Barrett is a professional bass guitar player who has, and continues, to tour the world as a founding member of the Bob Marley & the Wailers band.

6. Barrett and The Wailers performed as the band for the legendary reggae musical performer Bob Marley & The Wailers from 1969 until Bob Marley's death in 1981.
7. During the period of their professional association, Robert Nesta Marley ("Bob Marley") gave the Guitar, which Bob Marley had used on his final worldwide tour in 1979, to Barrett as a gift.
8. Upon information and belief the value of the Guitar is in excess of \$50,000.00.
9. At all times mentioned, Barrett has been and still is the owner of the Guitar entitled to immediate possession same.
10. On or about September 1999, Barrett entered into certain business dealings with Defendant Reid, including Defendant Reid acting as promoter of The Wailers band for performances at a venue in Norfolk Virginia known as The NorVa which is owned or controlled by Defendant Reid.
11. Upon information and belief, on or about the year 2000, Barrett permitted the Defendant Reid to temporarily hold and display the Guitar along with other music memorabilia at The NorVa.
12. On or about January 5, 2007 and February 2008 Barrett traveled to The NorVa in Norfolk Virginia to perform and at that time he requested that Defendant Reid return the Guitar to him.
13. Defendant Reid refused Barrett's request for return of the Guitar and detained same.
14. On or about Saturday, August 23, 2008, Defendant wrongfully took the guitar from Barrett and, without Barrett's knowledge or consent, put it up for auction at the New York offices of Christie's.
15. On or about October 27, 2008, Barrett discovered that Defendant Christie's had scheduled Guitar to be auctioned on November 24, 2008.
16. On or about November 11th and 12th, 2008, prior counsel to Barrett spoke to and wrote to Mr. Hartley B. Waltman, Associate Counsel for Christie's and informed him that the Guitar was a priceless memoir of Mr. Barrett's years of friendship with Bob Marley and that the Guitar belonged to Mr. Barrett.
17. Counsel for Barrett has requested return of the Guitar from Christie's and same has been refused.

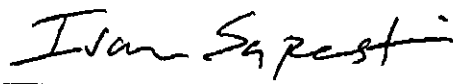
18. Upon information and belief Christie's has postponed the auction of the Guitar and the Guitar remains at Christie's in the City, County and State of New York.
19. Christie's Inc. is named in the within action as a consequence of being a stakeholder of the Guitar which is the subject of this action.
20. As a direct and proximate result of Defendant's wrongful taking and detention of the Guitar, Barrett has suffered damages in the amount of no less than \$50,000.00.
21. The Guitar is a unique item and not replaceable by money. Absent the Guitar's return Aston Barrett will be irreparably damaged.

WHEREFORE Plaintiff respectfully prays for the following relief:

1. Judgment against the Defendants adjudging that Barrett is the owner and entitled to the immediate possession of the Guitar;
2. Swift and timely delivery of the Guitar to Barrett, as same is or in the event possession of the Guitar cannot be given to Barrett, judgment against the Defendant in an amount to be proven at trial but not less than \$50,000.00 with interest from February 29, 2008;
3. Damages in an amount not presently known but estimated to be in excess of \$50,000.00;
4. Such other and further relief as the court may deem proper; and
5. All costs, disbursements and attorney's fees associated with this action.

Respectfully submitted,

Law Office of Ivan A. Saperstein P.C.



Attorneys for Plaintiff
Ivan A. Saperstein, Esq.
9 East 40th Street, 11th Floor
New York, NY 10016
Tel. 212-321-7081
Fax. 212-321-7082