

J. Thompson's responses to C. Büchel, which appear in color in the original email, are underlined herein.

From: Joe Thompson · REDACTED
Sent: Tuesday, February 6, 2007 3:25 PM
To: christoph büchel · REDACTED
Cc: Marc Payot · Michele Maccarone · REDACTED
Subject: [SPAM] You asked that I respond point by point...

Christoph -

I believe have responded directly to the essence of your main points in previous correspondence.

In general, I think that "point by point" responses and rejoinders are intensely counter-productive. It becomes a futile act of finger pointing. It keeps us looking backwards, instead of just figuring out how to finish the project.

However, you seem to want a catalogue of specific responses. I really don't like doing it, but understanding that I can respond without necessarily agreeing to your requests (or even, agreeing with your factual assessments), I attach here your letter, with brief responses by me for the purpose of providing the itemized clarity you seek.

If you're planning on being in London much longer, why don't I come see you so we can talk in person? Despite all this email traffic, I think the issues are really simple and solvable...but I fear we won't get there by harping on our respective list of complaints against one another. It's a matter of trust, funding, and a realistic plan - and while we may have reasons to worry about a deficit in one or more of those areas, you and I have to get beyond that, and we can, I know.

Joe

January 16th, 2007

Joe

Your institution proved repeatedly not to be capable - neither logistically, schedule- nor budget-wise - to manage my project, nor did you understand what my work is about and how it has to be treated. The fact that our galleries are filled with some 150 tons of objects, both found and constructed, some of terrific complexity, would argue to the contrary. The framework we've completed for the project speaks for itself. Our track record speaks for itself. The fact that the show was delayed was caused by many circumstances, some of which are discussed more fully below.

I will return to accomplish the remaining 60% of my show under the following conditions: Depends how you measure it. By total person hours, it's probably closer to 85% complete. By weight, closer to 97% complete. By artist hours, I'll accept your 40% assessment. By emotional toll, let's hope to hell it's 99% complete.

- I would have to hire another crew (besides my crew), which replaces partially yours and that takes over the project in order to resume it. Agreed, per my 22 Jan 07 letter.

- You have to organize the money needed and raise sufficient funds, before any one of us returns. This is done, with MASS MoCA having raised an additional \$100K, and your gallery having agreed to provide up to \$100K, and Michelle having agreed to cover the Round 1 assistants.



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- A projected budget for the second round will be sent, if we get an updated to do list with very detailed photographs of the installation and the updated list of items that you organized. We have sent you good photographs of all elements that have changed since Dec 17, together with a detailed punch list, and the working object spreadsheet. We'll update you again early next week.
- The raised money has to cover the costs for ALL elements and ALL structural elements to be finished and to be done and bought, which are clearly defined and which were talked about, as well the salaries, flights, per diem and housing for the 1st and 2nd round for my assistants and the replacement crew and equipment to be hired. Michelle provided a preliminary completion budget estimate of some \$200K, which included the aircraft fuselage, the assistant costs, and our internal costs. I'm sure that's an adequate budget, and it could well be high, depending on how you control costs going forward. I know you feel you can manage the project more efficiently than MASS MoCA, so perhaps you'll do better on cost control, and it can be done for \$160K all in. You've still got a lot of control over that.
- Excluded is any additional money from my galleries (since also I would indeed have to pay half of the money, even if you don't believe it. I already own my galleries a lot of money and have also private debts with them.) I told Nato repeatedly and wrote him several months before the instalment that there are NO funds available from Hauser and Wirth. As early as December 2005, your galleries indicated they would support the exhibition, including helping to find or provide funding. This was obviously a vital factor in our decision to go forward with the show. Michelle agreed to provide support for your Round 1 assistants, and H&W has agreed to provide up to \$100K in direct support – let's not hamstring the efforts and goodwill of the people and institutions who are trying our best to support you and your work. I have offered several ideas for how to make the finances more appealing, including crediting any subsidy we get from the gallery towards future cost reimbursements for works fabricated at MASS MoCA, and subsequently sold by your galleries. That's a constructive idea I hope you'll explore and discuss with your galleries.
- I got involved in reading the "confidential" budget because Iwan wanted to check back with me on that and I am extremely upset about the figures and the mismanagement and miscommunication going with it. As a consequence I want to have full control the project and the future budget. The money for the second round should be put in a special bank account in my name specific to this project. We'll find a way to give you the fiscal control you need. I don't know exactly the mechanics for that...if you galleries are comfortable simply writing you a blank check, that might work, or we could devise a simple requisition system in which you are the sole authorizing authority for expenditure, and we would simply write the checks at your request... that's a detail we can work out. We cannot agree to giving you spending authority that could result in liabilities for the museum in excess of completion funds in hand, but short of that, we'll find a way to make it work to your satisfaction.
- My crew will have access to the workshop, tools and machines and other necessary facilities in order to work anytime with my own crew and especially hired people (24 hours access weekends included). OK, we can do that, per my letter of 22 Jan. Since we'll be doing work on other shows in parallel, we'll have to share tools from time to time, but that can work.
- We will work independently on the project with Dante as a technical mediator between your institution and my crew. OK, per my letter of 22 Jan.
- There is NO negotiation about the scope of the project. So long as the show has the approximately the same configuration and content as we've discussed and planned to date that shouldn't be a problem: the budget, physical attributes of the space (volume, floor loading, building code and utility requirements, etc) will of course play a role. But I trust you know and understand our parameters. I won't screw around with your art, but you in turn have to respect the parameters that we've already agreed to.
- There are no elements to be eliminated as you propose and I don't accept any orders and any more pressure or compromises how things have to be done, neither from you or your crew. I am also not telling you, how you have to run your museum simply because I don't have the experience regarding this, so please don't tell me all the time how I have to do my project regarding its scope and it's methods that needs to be applied. OK, except insofar as your work would create a public or worker safety hazard or other issue that is of direct legal, financial or operational consequence to the museum. But you are free as to methods and modes of production.

- I will not give you any permission to show an unfinished project nor will I show nor let you show any work in progress, as you proposed already earlier. You already agreed to the Feb 10 Berkshire Conference, but if, for example, that were to interfere or disrupt your work we would of course work with you to avoid that. Showing works in progress is something we always do at MASS MoCA – it's part of our institutional identity... but we will work with you during your residency here so that we will not impinge on your activities in any way, including keeping public (and press) out completely during your working residency if, in the end, that's what you wish.

- I will not accept without consequences any additional sabotage acts, as done to artworks of mine and as well done to the installation in progress. There have been no "acts of sabotage". That's just a bit over the top, Christoph. Yes, there were some minor production mistakes, some of our making and some of your making or your crew. I recall a big blow up over the electrical conduit on the Saddam house... which was not sabotage, as you first felt, but an act to correct an illegal and dangerous bit of wiring. I wish the electrical contractor had explained what he was going to do before he did it, and I apologized on his behalf for that (and he too, expressed apologies, when he realized your crew thought he was attacking your art, when in fact he fixing an installation that was not acceptable, and for which he would have been accountable as a licensed electrician). When Richard installed the stairs in a way you disliked, we fixed them. When you didn't like the sloped roof in the projection booth exit stairway, we fixed it. When the acoustic tiles were accidentally installed in the wrong direction, we fixed them. When you didn't like the way the door frames were screwed into the walls, we fixed it. These are not purposeful acts of sabotage, but small screw ups by our respective crews which got mitigated.

- There is no transport street through the exhibition since it has and will increase tremendously the amount of time and money invested in making mobile structures and affects the reinstalling of already built structures and situations. We have discussed this at length elsewhere. The handicapped accessibility and clear paths for egress and utility are required – and your plan already incorporates them, with the exception of your last proposal for the bar, which will need some design tweaks to meet code.

- The opening date will be defined by the date when we return, i.e. by the massive delay you caused. You can find delays caused by us, but believe me, I can identify at least an equal number caused by you. But why spend time looking backwards. Why not just admit that this is a vast and complex installation, some of which is still changing, and we're all working diligently to make it happen. You yourself have argued that there is 6 weeks more work even starting now, with the massive amount of work completed. Which makes me wonder how you ever thought you were going to complete the show in the 7 weeks we originally budgeted and discussed with you and your galleries, and having arrived in North Adams in late October, after we pleaded with you to arrive in late September or early October? So let's just get on with it, and finish, and we'll do our best to help get it done, and well.

- The opening date will be not be earlier than 2 months after we arrive. Your gallery reps and assistants have mentioned to me that they believe the work could be completed in 3 or perhaps 4 weeks... but since you will control the final scope and work method, that's for you to decide, not us.

- We will not be on standby waiting for you until you raised the necessary money, and be available immediately, meanwhile we will work on other projects and according to these and above-mentioned conditions we will schedule our return. I hope you will come as early as possible... we must have the show complete in March for many reasons, financial, logistical and programmatic.

As you remember we sat together in your conference room when I said that I see, that your museum is not ready for such an installation, you answered that you have done far more difficult installations like a complicated Rauschenberg show etc. this showed me clearly how you underestimated this project logistically and with regard to its schedule. To remind you of another few of many incidents: your curator didn't organize difficult elements, (besides he didn't organize any money as it turns out), until I came in November: house, bunker, airplane section, statue. The statue and airplane are still missing. Well, we had good faith candidates for all those but you rejected them: there is quite a difference in that distinction. As for the statue, you told us more than once you intended to do a "missing statue", and we were prepared to build a plinth/base once you settle on dimensions and placement. The aircraft has been in the show, and then out of the show a half dozen times as you have developed the concept.

Objects (better trash) has been collected from which I cannot use more than 10%, the cinema hasn't been dismantled. We had to wait weeks before the gallery was empty. You and the head technician were on holidays, it was a big fight until we got another mobile home that actually fit into the building, already chosen cars from the scrap yard had been crushed because we couldn't buy it etc.

I had to go to strike with my crew to alert and convince you that the show will never be finished on time because you and Nato never believed me. You will recall that we both agreed that the show likely wouldn't open, but we said we would push forward to keep a sense of urgency. You then decided we should announce sooner rather than later. The reason I delayed the announcement was a disagreement with the wording you wanted, which we finally worked out. The strike was unnecessary.

The postponement of the show from the original scheduled date of December 16th caused not only a ruined installing period but a ruined installation itself and a bad base to continue to work. Then let's move on, on a new and more positive base. I'm not naïve. It won't be easy, but it's possible: our staff is eager to see the show through completion.

Additionally due to the inability of your institution I lost a lot of my nerves, got sick and I have being constantly for seven weeks being put in position of being a bitch controller and a foreman on a construction site instead of doing my main job as an artist. Finally two days before I left you gave me a full time project manager, after 7 weeks of asking... The budget you presented to Iwan shows wrong numbers as well as it is incomplets (, because it already beforehand eliminates different elements that are part of the show). For example: the opening/overhead door (45'000\$) was definitely agreed upon NOT to be in my budget, since it is part of the infrastructure of the museum and you will need it anyway for future purposes and other shows in building 5. To pick some random other numbers: the housing, my travel and per diem, salaries: Michele will not pay in the very end the salary of my crew for the first round as you assume etc. As I wrote in my previous email, even artificially excluding these real expenses from the show, and making liberal deductions for materials and work you feel were redundant, the show is still over the budgets I had presented to your galleries in February 2006, and again to you in the summer of 2006, and again in written form on September 15, 2006 (in which correspondence I also suggested you cut 15% from the show because of what I predicted would be time constraints on you). Our budget summary is accurate. More importantly, we have a workable, viable plan for finishing: let's go forward.

Many elements of the show are excluded, (please consult the list and plan). That was based on a discussion with Michelle who thought the airplane might be precluded by budget and space limitations. As noted, you had eliminated the statue, at least in many discussions with me and our staff. The bar area still needs some design work for egress reasons. Believe me, I'm absolutely not trying to design your work, but was just basing a budget based on some known constraints and some assumptions. If I got some assumptions wrong based on evolving ideas, then I apologize for being presumptuous... but you'll be able to control that during the finishing phase.

The house turns out to be 98'200 \$ when finished without the installations inside (and without approx 12'000 \$ for sprinklers for the house.) how can you not communicate this clearly before? (By the way is the lot you bought included in the price where the house was standing?) Did you really think we could obtain a house, cut it up, crane it across town, rig it into the building, and rebuild it for less? Even a vague familiarity with construction costs today would make \$100,000 for a two story 1,400 SF cape cod style house, built at a normal site, in a normal way, seem like a minor miracle... much less cutting one apart, and dragging it across town, and threading it through a 12 x 24' door before reassembling it. Nato told you many times that using a two-story house would put major, disruptive, pressure on the budget, at least once in my presence, so that couldn't have been news to you.

I remind you that we could have had a house for free even with all the stuff inside. I proposed to dismantle it with my crew but you, as you and your crew did always, relied just on your experts, and never the artist. That house was structurally unsound, dangerous, and would have required, among other things, building a new roadway to remove from it's low position on the embankment, if indeed it could have been moved at all, which we determined, after inspection, that it could not. A licensed contractor inspected it, and judged it would not survive the move - the building was 70% dry rotted. The things in it you loved would have been reduced to dust after a three mile journey down rough roads. So we just disagree on that.

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We more than once proved, that your crews expertise's in dismantling things were wrong (cinema, big platform ladder etc.) It also would have been possible to organize other houses as I told Nato several times. There are tons of empty houses around in the neighborhood of North Adams. I don't discount the truly exceptional skills of your team (and they are indeed terrific), but I do doubt that a house could be moved into the gallery for what you claim would be essential no cost. Nearly every one of the houses you identified had ownership problems: perhaps it's different in Switzerland, but in the US you can't simply take a house because it appears to be unoccupied. It takes municipalities years to claim old houses for non-payment of taxes.

I don't need to be told if an airplane fuselage section fits in the show or not. I don't negotiate constantly my art with you or Nato (like the whole story with the mobile home or cinema for example) nor do I make any compromises anymore due when I see how irresponsibly the money was spent for the show. We feel that any objector observer will look at the materials and construction involved, and be astounded that so much work could be achieved for the budget. Of course there was some redundant work, but relatively little actually for a design-build project of this complexity. As for the airplane, Michelle and I were simply looking at what remained to be done, looking at a realistic budget, and making some best guesses as to what might be eliminated. Again, I didn't mean to be presumptuous, but I do feel the need to bring a measure of reality to the discussion. But since you will have control of the remaining available budget, those will obviously be your decisions to make, and I didn't intend to intrude on your artistic territory.

You know exactly, I told you, that I can't use 90% of the stuff in the back, that was collected and "organized", but you mention this pile of trash towards my gallery, as it would be a gold mine! There are many useful objects: more than once you went out and collected new objects which were already on hand in the storage bin, in identical or nearly identical form. I can document that. Volumetrically, perhaps 25% of the materials we collected are computer parts, a "mountain" of parts which you specifically requested, and which we gathered at your specific request. The fact that you changed your mind and have decided not to use that 25% of the objects doesn't mean we found "trash". That said, of course we recognize you have a list of specialized objects that remain to be found, and Michelle has provided much incredibly useful help in that regard.

To sum up, if you are honest your institution showed to be simply incapable to manage such a production, as I told you and Nato in several meetings. In order to resolve this situation, which prevents all of us to resume the show, I would need full control over the project and funding in order to finish it. See comments above.

In general I have to say, that I have the feeling that in your position as a director of a museum, you have a very strange way to turn things around that are clearly discussed. That part of the job description...kidding of course.

You also seem to show little respect towards my plans and my schedule and schedule of my crew: that you had to let me cancel a solo show in one of the most important venues in Paris as well my inaugural show for Michele's new gallery in NYC, well knowing that there aren't enough funds around to continue the project in time. We laid out both a budget and a timeline: \$180,000 and 7 weeks. If anything, I plead guilty of wanting to support your vision as it developed to the greatest extent possible, and even a little beyond— we pride ourselves on that — but in the end there are such things as real budgets, human resource limitations, and deadlines, and I felt it my responsibility to bring those to you and your galleries' attention to focus attention on completing the show. I know there is a way to finish the show, and well, for resources we've identified: I've seen what you've done with far less, and have total faith.

As it turns out now I could have done the show in Paris with my crew, they could have earned money there and I would have another show completed.

On top of that you expect that my crew and me be on standby waiting until we can continue at Mass Moca, you knew before they left Mass Moca that you can't pay them neither for the first nor for the second round but didn't tell them. Michelle took responsibility for making the first round arrangements with your crew, as she will tell you. I applied no pressure whatsoever regarding Paris, but did agree to help you manage the way you informed Paris. In retrospect, scheduling London, North Adams, Paris, and New York in one six month span was probably optimistic.

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You top it by threatening implicitly that my reputation will be in danger when my gallery doesn't pay and that you need to "eliminate" parts of the project if you don't get enough money from the gallery. Christoph, I made no threats. I do have a deeply felt concern that the show be opened to the public, in a manner that is as strong as possible: that is certainly in your interest, your gallery's' interest, and the museums.

The canceling of a major show at Palais de Tokyo in Paris and consequently also my inaugural show with Maccarone inc, besides a lot of troubles, not only stresses my relationship with the curator and staff in Paris, my own crew and my gallery, it also produces a big financial loss because we could have sold some works in the gallery and at the armory show. Money that could have been used to pay back some production costs of saleable pieces of the show at Mass Moca. There are still many potentially fine works of art, which with a few weeks work will be of immense interest to the world, and perhaps to collectors... but we need to finish them.

Please let me know when you organized the money and I will look how it will fit in our schedule to return, if your part to fundraise the money is completely done. I have notified you to that effect previously.

Christoph

PS: please address your answer to my galleries

Joseph Thompson
Director | MASS MoCA

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