

Attorneys**Partner**

- Jamie M. Brickell

Associate

- Nia J.C. Castelly

Pryor Cashman Clients Reach Settlement In Legal Fight Over Marilyn Monroe's Last Nude Photos

As widely reported in the media, the legal fight over several nude and seminude photographs taken during Marilyn Monroe's famous "Last Sitting" was settled amicably in January 2009.

The photographs were among some 2,500 shots photographer Bert Stern took of movie star Monroe for *Vogue* magazine in 1962 in Los Angeles at the Bel Air Hotel, just before her death from a drug overdose that year.

The photographs show Monroe in various gently erotic poses behind a piece of transparent, white gauzy fabric. Stern sued three photographers for \$1.7 million last year after they told him they had found seven film transparencies of the shoot. Stern claimed that the film had been stolen after he loaned it to *Eros* magazine in the summer of 1962.

Photographers (and Pryor Cashman clients) Donald Penny and Michael Weiss said colleague Robert Bryan had found the film in curbside garbage in midtown Manhattan in the 1970s and kept it in a shoe box as memorabilia for the last 35 years.

Pryor Cashman partner Jamie Brickell said that Stern acknowledges in the settlement that his clients did nothing wrong and that Penny, Weiss and Bryan never asked Stern for any money. Brickell noted that his clients said that they only discussed returning the transparencies in exchange for a set of prints that they could keep.

Brickell and Stern's lawyer, Stephen Weingrad, said Stern, Penny and Weiss will develop nine sets of photos from the transparencies and sell them, although the issue of how the proceeds are to be distributed is confidential.

Weiss and Penny, speaking through Brickell, stated that "since only nine sets of seven prints each will be produced, we are very excited. These are great shots of Marilyn Monroe. With the original film and the digital tools we now have at hand, we will be able to create wonderful, unique one-of-a-kind prints."

Litigation associate Nia Castelly assisted Brickell in the representation of Weiss, Penny and Bryan.

To read the Gannett Media account of the settlement, please [click here](#). To read the AP story, please [click here](#). To learn how Brickell became involved with the Monroe photographs in the first place, please [click here](#).