

Amicus Curious

Monica Lewinsky case coming to court here

By MOLLY McDONOUGH
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Chicago attorney Edward M. Fox has devised a new strategy to help a client open federal buildings to controversial art exhibits.

He is suing the federal government for \$1. "The only reason I did that was because I want to have a jury decide it," Fox said, adding that his client is "not in it for the money."

The suit stems from satirist John Sefick's latest attempt to exhibit a model depicting a politically charged issue, in this case, the Monica Lewinsky-President Clinton affair.

"Femme Fatale in the 1990s" is the title Sefick gave the nude mannequin, dressed only in a beret and athletic supporters for its knees.

The exhibit is accompanied by a tape, which includes an explanation of the work and statements from the mannequin such as "I need a make-over," "Where's my publicist" and "Billy betrayed me. Billy betrayed me. Billy betrayed me."

Fox asserts that, despite the sexual implications of the athletic supporters, the exhibit is not obscene and that the General Services Administration, which operates all federal buildings and oversees art exhibits in federal buildings, is using "delay tactics" to stall the process until "Femme Fatale" no longer is timely.

Sefick claims he has tried since April 23 to have the model displayed at the Ralph H. Metcalfe Building, 77 W. Jackson Blvd.

The U.S. attorney's office, which represents the GSA in the matter, declined to comment until attorneys there have an opportunity to file an answer. The case is *John Sefick v. U.S., et al.*, No. 98 C 5301.

This is the second time Sefick has engaged the federal courts in litigation here. Sefick, a retired federal probation and parole officer, may be best known for his 1996 attempt to erect an 8-foot-tall sculpture of U.S. District Judge Brian Barnett Duff astride a horse in the lobby of the Dirksen Federal Building. In that case, Sefick sued the GSA after the agency denied him a permit to install the exhibit for a two-week period at the home of the 7th U.S. Circuit Court of Appeals. The Duff exhibit eventually was displayed in the nearby Metcalfe Building.

U.S. District Judge Rudy Lozano of the Northern District of Indiana ruled during a bench trial in February that the GSA had not violated Sefick's rights in denying the Dirksen building permit. In a written opinion, Lozano said the GSA had legitimate security concerns relating to ongoing courthouse construction projects.

Lozano also wrote that it was not unreasonable for the GSA to be concerned that jurors might be negatively influenced by the piece, which Sefick first proposed be accompanied by a videotape depicting Duff complaining about his rulings being overturned.

That case — *John Sefick v. Richard Gardner, et al.*, No. 97 C 1529 — remains pending on appeal.

Fox, of Shefler & Berger Ltd., represented Sefick in the *Duff* litigation as well and said he believes his client will fare better with a jury trial this time around.

Southern Californians already have seen "Femme Fatale" during an exhibit earlier this year that lasted a little more than a week at the U.S. District Courthouse in San Diego.

Sefick said he chose San Diego as his first forum for the exhibit because Lewinsky is a "California girl."

Sefick, in a phone interview last week, said the GSA in California "gave me a little run around" before allowing the exhibit.

"I just pressed them enough and they said OK," Sefick said.

But the GSA in Chicago is not budging.

Sefick claims in his lawsuit that the GSA has denied several applications and ignored a request for a hearing. He goes on to allege the denials are, in part, retaliatory because of the prior litigation.

Fox, reading from a GSA denial letter, said the agency believes the exhibit "might create a hostile work environment" and interfere with and disrupt business.

Fox said the GSA, contrary to protocol with Sefick's previous exhibits, conducted a poll of tenants to find out if there were any objections.

Sefick, who is seeking attorney fees along with \$1 for compensatory damages and \$1 for punitive damages, argues there were no polls in 1992 when he created a sculpture lampooning the Environmental Protection Agency. The sculpture featured a likeness of actor Telly Savalas as the "Toxic Avenger" movie character. "Toxic Avenger" was displayed over the objections of the EPA, Sefick said.

Despite his persistence in getting his work shown, Sefick does not consider himself an artist.

"This is really in the form of satire," he said. "What I do is plaster cartoons."

He does, however, have a broader mission — to let other political satirists know there is lots of display space in federal buildings throughout the country.

All the unused square footage in federal buildings would surely be more than available space in galleries, Sefick estimates.

"These [buildings] are open to the American public," he said. "My thing is to maybe use it in a more creative way."

Talk about a bad trip . . .

Jurors in federal court have awarded \$456,975 to a New Jersey woman who was falsely arrested and jailed after a confrontation with a Continental Airlines employee.

Catherine Chrissafis' troubles began July 4,

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