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## Ono, Assistant Settle

**Yoko reaches agreement over photographs, documents**



Settled

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Yoko Ono and Frederic Seaman, a former personal assistant to John Lennon, privately reached agreement early today in a U.S. District Court in Manhattan, foregoing closing arguments and jury deliberation after four days at trial.

The lawsuit, filed by Ono over three years ago, charged Seaman -- who worked with the Lennon family between 1979 and 1982 -- with failing to return several documents and hundreds of photos after he was found guilty of grand larceny in 1982. Seaman had stolen and subsequently returned Lennon's personal diaries as well as letters, drawings, contracts, demo tapes, and stereo equipment.

However, Ono's recent action pointed to approximately \$75,000 that Seaman earned from sale on the "memorabilia market" of eleven items including a six-page personal letter from John Lennon to Paul and Linda McCartney, an erotic drawing by Lennon, and drafts of lyrics to "Rock and Roll People" and "Cold Turkey." The suit also claimed that the defendant's book, *The Last Days of John Lennon* -- as well as his numerous published articles and television appearances discussing his time with the Lennons -- were in breach of a confidentiality agreement between the two parties.

Among several points of the settlement: Seaman consented to discontinue dissemination of information about the family including future reprints of his book and to return his collection of 374 photos, forfeiting any claim to their copyrights. He further issued a public apology to Ono.

"I did wrong by you and indeed am guilty of violating your trust," read Ono's attorney Paul LiCalsi. "After more than twenty years, it is time for me to ask your forgiveness for my actions . . . It is impossible to undo what has taken place. But it stops here and now . . . I offer no excuse for my conduct and only ask that you can find it in your heart to forgive me so I can move on with my life."

According to Ono, the photos in question were works-for-hire as Seaman's job-related responsibilities included taking pictures for the family's private collection. "It just became a norm for him to take photos for us," Ono testified on the second day of the trial. "We instructed him to do that." Seaman argued that not all of the pictures taken by him were under orders, that he had taken some with his own camera on his own time. He further refuted a previous statement he made to an assistant district attorney in the 1982 case, arguing that he didn't mean "that each and every photo was taken at John's request," but rather with his "consent."

While both sides sought sole ownership of all 374 pictures, the heart of the case essentially came down to one in particular -- an image referred to as "John and Sean at the Beach" that depicted John Lennon and son Sean (then four years old) in Bermuda with their backs to the camera looking out over the ocean. Seaman published the shot in *Last Days* and Ono utilized the image as the cover of an album included in the John Lennon Anthology.

Seaman's lawyer, Glenn Wolther, pushed the artistic merits of "John and Sean at the Beach" during yesterday's testimony. Ono rather referred to the photo as "precious," suggesting that including it in relation to a marketed item was simply an opportunity for the world to see John Lennon "not just as an artist" but "as a family man and a dad."

While Seaman has relinquished ownership of the image, he has triumphed in establishing future credit for having taken the picture. Previously the image was identified as originating from the "Lennon Photo Archive." The U.K. distribution of press materials for the *John Lennon Anthology* offered shared copyright and attribution to the family's previous personal assistant, Fumiya "Nishi" Saimaru, who published the *John Lennon Family Album* in 1982 (it was reprinted in 1990).

Questioned by Wolther about the discrepancy in policy between Saimaru, who received authorization to publish his book, and Seaman, who was twice blocked from publication and never received consent, Ono curtly pointed out that Saimaru "hadn't . . . stolen my things. He wasn't wearing my husband's clothes immediately when he died, flaunting it in front of me."

Ono has agreed to return the original copies of Seaman's diaries, which were delivered to her by an anonymous source twenty years ago and to give him "a single four by six color print copy of each of the 374 photographs, each of which shall bear an imprint stating '(c) Yoko Ono Lennon. No rights of reproduction without written permission.'"

"Let me assure you, you have not wasted your time," Judge Leonard B. Sand told the eight-person jury this morning, explaining that the matter had been settled. "Hopefully this is the end of a bitter chapter in their lives."

**ROBIN A. ROTHMAN**  
(September 27, 2002)

### YOUR TURN

The latest posts from the [Yoko Ono message board](#)

chrisbryantolson writes:

It is sad to me that so many people dismiss Yoko's brilliant and original works. To each his own, yes. But I will always be grateful to this woman for opening my mind and heart to what music and art COULD be...and not just what I was TOLD was beauti...

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