

Judge: Photographer has claim to Monroe pictures

Joe Jasgur, 88, who now lives in an east Orange County nursing home, wins a legal victory.

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An 88-year-old photographer who shot one-of-a-kind photos of Marilyn Monroe in 1946, before she became a star, won a major legal victory Tuesday at U.S. bankruptcy court in Orlando.

A judge ruled that Joe Jasgur still owns the most famous of those photos, or at least a half-interest in them.

During a three-day trial in the fall, bankruptcy Judge Karen Jennemann heard four people or companies claim that they were the rightful owners of the photos.

They are shots Jasgur took of Monroe, then known as Norma Jean Dougherty, when she was trying to break into modeling. She had come to his studio in Hollywood wanting publicity stills but didn't have any money.

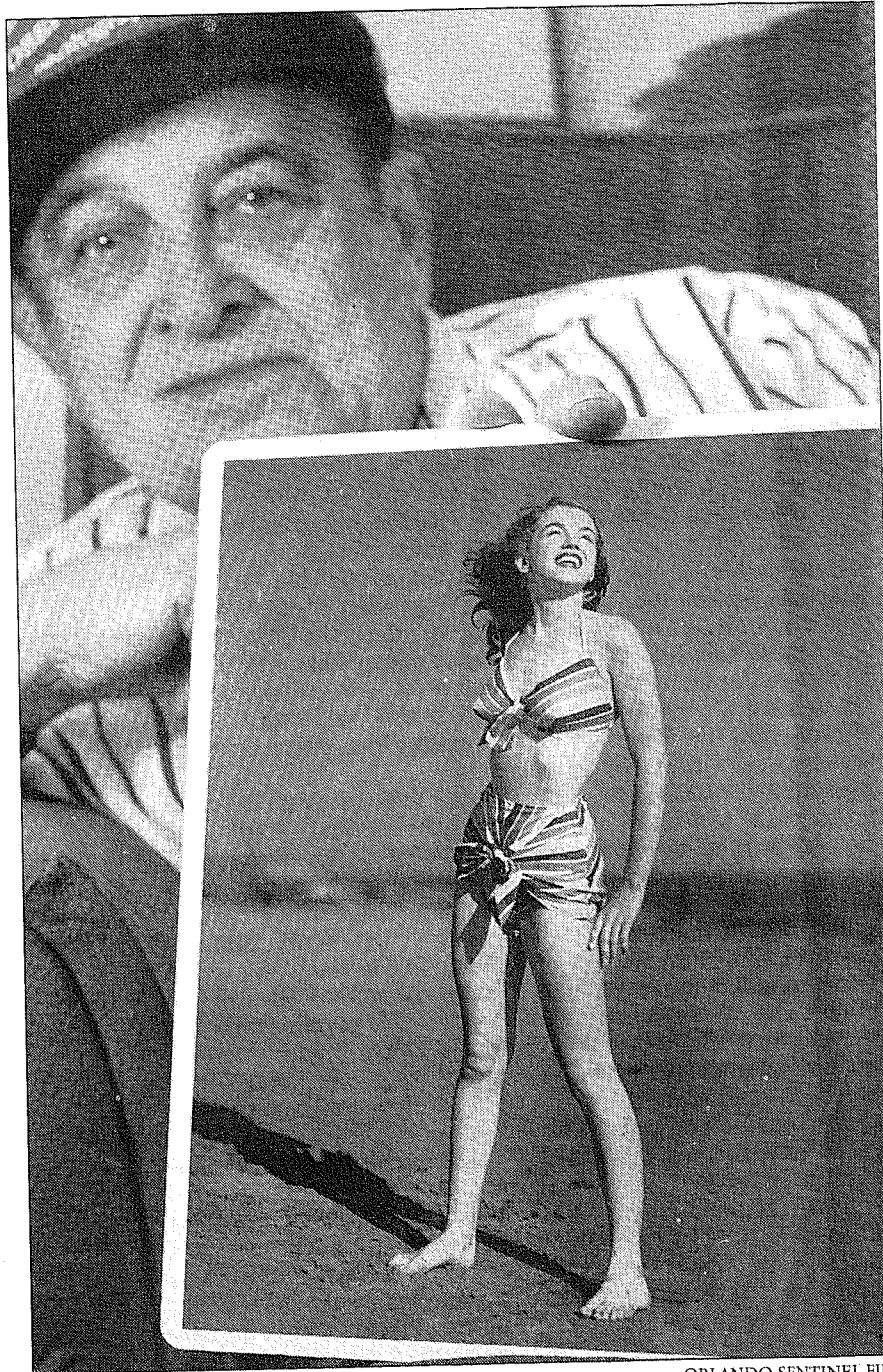
The photos show Monroe, then a 19-year-old brunette, posing in the alley behind Jasgur's studio, in the Hollywood Hills and, most famously, on Zuma Beach. In two of the beach shots, Monroe appears to have a sixth toe on her left foot.

On Tuesday, the judge rejected the ownership claim of two of the competing groups — Orlando businessman Dartlin Africh, who paid \$200,000 and provided \$700,000 in debt relief in 2003 for the photos; and a bankruptcy trustee who claimed the photos should be sold to pay the debts of a defunct drywall company, Seminole Walls & Ceilings Corp.

The judge ruled that a contract Jasgur signed in 2000 with an executive of the drywall company was a marketing deal, not a sale, meaning that when the drywall executive sold the photos three years later to Africh, that deal was invalid.

Jasgur either still owns the photos outright or shares them with a California businessman, Paul Philipson, with whom he signed a series of agreements in the 1980s, the judge ruled.

Sorting out who owns what might require another trial.



ORLANDO SENTINEL FILE

In 1995, Joe Jasgur shows a photo he took of Marilyn Monroe on Zuma Beach in 1946. A judge has ruled that Jasgur, who lives in east Orange, owns the photos.

Jasgur now lives in an east Orange County nursing home. He is indigent, and a different judge ruled two years ago that Jasgur is no longer mentally competent to manage his own affairs.

Jasgur's attorney, Richard Lee Barrett, on Tuesday said: "We are ex-

tremely happy for Joe. Hopefully, this will allow us to provide for the rest of his life."

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