SYMPOSIUM
Writing Real Lives: Coming in Close
Termination Primer: How to Recapture Rights to Your Work
Andrew Wylie’s E-Book Odyssey
Scott Turow Takes Office
HISTORY: P. D. James, with more than a dozen bestselling detective novels to her credit, has written a book entitled *Talking About Detective Fiction*. It is a chatty history of the genre in which much of the credit for its popularity goes to Arthur Conan Doyle and Agatha Christie, who continue to be read.

James writes, “What is surprising is not that the detective story has altered but that it has survived, and that what we have seen since the interwar years has been a development, not a rejection, followed by renewal. Crime fiction today is more realistic in its treatment of murder, more aware of scientific advances in the detection of crime, more sensitive of the environment in which it is set, more sexually explicit and closer than it has ever been to mainstream fiction. The difference between the crime novel in all its variety and detective fiction has become increasingly fudged.”

DUPED: Charles Pellegrino, author of *The Last Train from Hiroshima*, told The New York Times, “I’m stunned.” The book, published in January, was called “sober and authoritative” by the Times, and PW gave it a starred review and said it was wise, informed and heart-stopping.

The problem is that part of the book was based on the recollections of Joseph Fuoco, who is described as a last-minute substitute on one of the two observation planes that escorted the Enola Gay. Fuoco, who died in 2008, never flew on the bombing run. Scientists, historians and veterans are denouncing the book and calling Fuoco an imposter.

Pellegrino admitted that he was probably duped and told the Times that he would rewrite sections of the book for paperback and foreign editions. Holt discontinued printing and selling the book.

THE GRAPHIC WAY: Sarah Stewart Taylor, 38, is the author of two mystery novels: *Mansions of the Dead* and *O’Artifal Death*. She lives in Vermont with her husband and two sons.

She was commissioned to write the text for a graphic novel, *Amelia Earhart: This Broad Ocean*. The book is the fourth in a series of biographies for children ages nine to 14, a collaboration with The Center for Cartoon studies in White River Junction, Vt.

Stewart told the Valley News, “It was the first time I’d written a script for a graphic novel. The story focuses on a flight during which Earhart became the first woman to cross the Atlantic in an airplane, a venture that turned her into a celebrity.”

The illustrations were done by cartoonist Ben Towle, who lives in Winston-Salem, N.C. The writer and artist worked together for nine months via e-mail. Taylor said, “It was amazing to see how he was able to transform what was in my head.”


Doubleday will continue to publish Grisham’s adult thrillers.

E-BOOK RIGHTS: The market for e-books is growing faster than any other segment of the book industry, and The New York Times says that “traditional publishers are scrambling to secure their digital futures not only by publishing current titles in e-book form but also by digitizing older titles.”

In one closely watched case, Random House has returned digital rights to the family of William Styron, who died in 2006. A new venture, Open Road Integrated Media, will release e-book versions of Sophie’s Choice, Confessions of Nat Turner, and Styron’s memoir, Darkness Visible. This is seen, the Times said, as “potentially opening the way for other authors to take their e-books away from traditional publishers.”

BOOK MEN: In an article in The Washington Post about presidents who liked books, Tevi Troy wrote that during the health care battle, President Barack Obama told a university audience, “We’ve been talking about health care for nearly a century. I’m reading a biogra-
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Overheard

"By the end of 2012, digital books will be 20 percent to 25 percent of unit sales, and that's on the conservative side. Add in another 25 percent of units sold online, and roughly half of all unit sales will be on the Internet."


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From the President

BY SCOTT TUROW

Upon learning that I've just become president of the Authors Guild, friends and acquaintances have tended to ask two questions more than any other (besides, "What were you thinking?")

#1. Do you own an e-reader and what do you think of the experience of reading that way?

#2. Are e-books and e-readers good or bad for authors?

The first question is a lot easier to answer than the second. I bought a Kindle in August 2009 in preparation for a two-week trip overseas. The sheer convenience of having several guidebooks and half a dozen novels I'd been waiting to read on one lightweight device overwhelmed my doubts. Years earlier, I'd found that reading a newspaper by computer could not compete with holding a broadsheet in my hands, but I have to admit that the Kindle was a pleasant surprise. It bothered me that the Kindle wasn't backlit, meaning no reading in bed without external lights, but I found the several good novels I read overseas quite compelling, even in an electronic format. A number of the guidebooks we'd brought along had text-to-speech enabled, allowing the Kindle to read to us as we drove—although the robotic voice eventually drove my traveling companion batty, leading us to turn it off. This spring I received an iPad as a gift and found it a leap forward as a reading device, with a crisper image and beautifully backlit. I ended up giving my Kindle away.

With all that said, I still prefer the tactile experience of reading a book, and I also miss the physical presence of some of the books I've e-read, so much so that I've bought paper versions of a number of them, so they can take their place beside other favorite books on my shelves.

The question of whether e-books are good or bad for authors is more complex. There are at least two ways that e-books represent a favorable development in my mind. Those who have the cash to invest in one of these devices find that any place with a wireless connection can become a virtual bookstore. While this can't replace the experience of prowling the aisles of a bookstore and seizing hold of a longed-for title that had fallen into your passive memory, or simply paging through a book at leisure to determine if it's as interesting as it looks, e-readers do allow for instant satisfaction of a desire to own a specific book. There is no trip to the store, no waiting for the online retailer to get it to you through the mail, factors that tend to temper the impulse to buy. For these reasons, I suspect that e-readers increase book purchases among those who own the devices. That's obviously encouraging news to authors.

Far more important, e-books and e-readers have the potential to dramatically lower the barriers to getting published, and to allow books that traditional publishers aren't willing to back to compete on a more even footing with books publishers do send forth. On July 13, The Story, which is heard on National Public Radio, carried a piece about Karen McQuestion. Here's how The Story's website summarized that feature:

Last summer, after seven years of writing novels no one was interested in publishing, Karen McQuestion decided to try something new. With no expectations, she uploaded one of her books, a romantic comedy, to Kindle. Six hours later, she had her first sale... for $1.99. Now she's had more than 30,000 downloads, a movie deal and a real live paperback coming out in August.

The paperback, by the way, will be issued by AmazonEncore, Amazon's new publishing division. This Cinderella tale will include a happy ending for everyone if we get Karen to join the Authors Guild!

We probably shouldn't expect a multitude of stories like Karen McQuestion's. Yet e-books will allow a few aspiring authors every year to find an audience without the intervention of traditional publishers, a development that is bound to enrich our literary culture in the long run.

So those are the good sides of e-books for authors. I'll devote my next column to explaining the downsides. But let me give you the Executive Summary now. E-book prices, which started out artificially low because of Amazon's loss-leader policies, may stay low, leading to a decrease in the price of hardcover books. Since authors' royalties are based on that retail price, they will be making less. Second, e-royalties are a fraction of what authors traditionally receive on hardcover books. To the extent that e-books replace hardcover sales, authors take a second hit. This is a problem not so much for best-selling authors, for whom nobody will need to hold a tag day, but for so-called midlist authors, who are already struggling to live as professional writers.

More next time.
As We Go to Press: An Update

Random House and Andrew Wylie came to an agreement over the 13 Random titles that Wylie had included in its list of 20 titles—all written by the agency’s clients—that it planned to issue in e-book form and distribute exclusively through Amazon. Random House will remain the exclusive publisher of the 13 disputed works, in both print and electronic form. The company confirmed that its electronic editions will be available from Barnes&Noble and other e-book retailers as well as Amazon.

Our understanding is that Wylie, as agent and publisher, is taking no more than it would as an agent. That is, Wylie/Odyssey is limiting its total compensation to its rate for commissions. If our understanding is correct, then our concerns about conflicts of interest are considerably eased. Other literary agencies contemplating similar deals should be aware that even non-monetary provisions in e-book distribution contracts could create conflicts of interest. A clause binding the agency to not sign exclusive deals with other e-book distributors for any other books the agency represents, for example, would present a clear conflict of interest. (We have no reason to think Odyssey’s contract with Amazon contains such a clause. From what we know, it appears that Wylie has avoided any conflict of interest.)

3. That the Wylie/Odyssey agreement for the original 20 books is reportedly exclusive, however, raises many questions and concerns. Authors should have access to all responsible vendors of e-books. Moreover, Amazon’s power in the book publishing industry grows daily. Few publishers have the clout to stand up to the online giant, which dominates every significant growth sector of the book industry: e-books, online new books, online used books, downloadable audio, and on-demand books. (That Random House, by far the largest trade book publisher, has retaliated against the powerful Wylie Agency but not against Amazon, which must be equally culpable in Random House’s view, tells you all you need to know about where power truly lies in today’s publishing industry.) Adding to Amazon’s strength may yield short-run benefits, but it’s not in the interests of a healthy, competitive book publishing market.

There must be consideration for Wylie’s grant

Wylie-Amzon: Publishers Have Largely Brought This on Themselves

Adapted from an e-mail alert sent to members July 26, 2010.

The announcement July 22 that the Wylie Agency, through its new publishing arm, Odyssey Editions, has a deal with Amazon to exclusively distribute at least 20 books in electronic form has shaken the industry. The 20 books include many important 20th century American works, including Invisible Man, Lolita, Portnoy’s Complaint, Updike’s Rabbit novels, The Adventures of Augie March, The Stories of John Cheever, Fear and Loathing in Las Vegas, and The Man Who Mistook His Wife for a Hat. These works are all in print and all, apparently, governed by old publishing contracts in which the authors didn’t expressly grant electronic rights to the print publishers.

Random House, which holds the print rights to many of these titles, reacted immediately, disputing that authors retained electronic rights to these books and saying that it would not do business with Wylie for English-language works “until this situation is resolved.”

This is the most important development in electronic publishing since Apple entered the market offering publishers an “agency model” for selling e-books. Several aspects of the Wylie/Amazon/Random House entanglement merit comment:

1. Authors retain e-rights in standard publishing contracts unless they expressly grant those rights to the publisher, as we’ve consistently said and as a federal court held in Random House v. Rosetta Books. It’s fine and proper for these authors and their heirs to exercise those rights, and we applaud the Wylie Agency for finding a way to make it happen.

2. That said, when an agency acts as publisher, serious potential conflicts of interest immediately come to mind. The most obvious of these is the possibility of self-dealing to the detriment of the agency’s client, the author. If, by acting as publisher, the agency receives a higher percentage of the author’s income than it would normally be entitled to, or if it receives other benefits that the author doesn’t share in appropriately, then a conflict seems unavoidable.
of exclusivity to Amazon, of course, and we can only speculate as to what it is. Though we’ll keep our guess to ourselves, we think the consideration wasn’t monetary: we doubt that there was an advance paid for the rights or that Amazon has agreed to pay Odyssey more than 70 percent of the retail price of the e-books, since that might trigger most favored nation provisions in Amazon’s contracts with other publishers.

Regardless of the exclusivity issues, any direct agreement between a literary agency and Amazon is troubling. Amazon has, time and again, wielded its clout in the industry ruthlessly, with little apparent regard for its relationships with authors or publishers or, for that matter, antitrust rules. Any agency working directly with Amazon may find its behavior constrained in unpleasant and unpredictable ways. Agencies should proceed with extreme care.

4. To a large extent, publishers have brought this on themselves. This storm has long been gathering. Literary agencies have refused to sign e-rights

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What’s in It for Authors?

We don’t know the details of the Odyssey-Amazon agreement, but we can make some informed guesses. The agreement is most likely under the agency model, with Amazon paying Odyssey 70% of the retail price of the books. Wylie and Odyssey are together taking a typical agent’s commission as compensation: 10 or 15% of the 70% received from Amazon. In round figures, this means that the author receives 60 to 63% of the retail price of the book. For comparison, a typical contract with a traditional publisher pays e-book royalties of 25% of net proceeds. If the e-book is sold under the agency model, the author’s share is 25% of 70%, or 17.5% of the retail price of the book. After the agent’s commission, the author receives roughly 15 to 16% of the retail price of the book.

For a $9.99 book under the Odyssey-Amazon agreement, the author would receive royalties of $5.94 to $6.29 per book, net of all commissions. For a $9.99 e-book under a typical contract with a traditional publisher sold under the agency model, the author would receive royalties of $1.49 to $1.57, net of all commissions. The difference is about $4.50 per unit, a 300% increase in author income.

Annual Meeting

The Authors Guild held its Annual Meeting on April 27 at the Ethical Culture Society in New York City, electing Scott Turow as its new president and adding two new members to the Council.

President Roy Blount Jr. called the meeting to order and asked for and received approval of the minutes of the 2009 Annual Meeting.

Mr. Blount asked Paul Aiken to give the Executive Director’s Report. His report detailed recent Guild developments and activities:

During the last fiscal year, which closed on September 30, 2009, the Guild gained 779 new members, a 6 percent increase from the previous year. Recruitment has improved in part because of increased publicity and advertising.

We launched a new version of our website service, Sitebuilder. We are currently hosting 2,300 member websites, up 10 percent from last year.

The Authors Registry, the 15-year-old rights payment agency supported by the Guild, has now paid U.S. authors more than $10 million in royalties, largely in photocopy fees collected in the United Kingdom and library lending royalties from The Netherlands.

Mr. Aiken reported on the controversy surrounding Amazon’s Kindle 2, which was released last spring with a built-in text-to-speech function that, as the Guild pointed out, uses authors’ audio rights without permission. Many authors have exclusively licensed those rights to audio publishers. Mr. Blount discussed the issue in a New York Times op-ed piece at the time, after which Amazon altered the device’s operating system to allow publishers to turn off text-to-speech.

The National Federation of the Blind protested the Guild’s position, arguing that it would deprive blind Kindle users of access to books. The Guild countered that access would be possible through existing contract provisions that permit royalty-free versions for the blind and a federal statute that allows for the publication of special, alternative formats for blind readers. While this issue remains unresolved, the Guild, the NFB, and the Association of American Publishers agreed, in a statement issued in March, to work together toward a market-based solution to provide blind and other print-disabled readers with greater access to books. The White House endorsed this joint statement on its blog.

Anita Fore, Director of Legal Services, presented the report on legal developments over the past year. Ms. Fore said that 2009 was the busiest year the legal department has had to date. Legal Services handled
1,313 matters (not including inquiries about the Google settlement), an 18 percent increase from the previous year. The majority involved reviewing, negotiating and drafting contracts.

Ms. Fore presented an update on the freelance electronic database lawsuit. The lawsuit, filed in 2000, concerns the electronic publication of freelance articles without their authors’ permission by Reed Elsevier, Dow Jones and other databases. The parties reached a settlement, valued at up to $18 million, in 2005. After a federal judge approved the settlement, objectors filed an appeal, which eventually worked its way to the U.S. Supreme Court. In March, the Supreme Court ruled that a class-action settlement could resolve (and compensate) claims for infringement of copyright in unregistered works. That issue decided, the settlement is now before the Second Circuit Court of Appeals for approval.

Jan Constantine then gave the General Counsel’s report. She opened by reminding members that the Guild now offers media liability insurance through Pro Axis. Ms. Constantine then discussed our continuing efforts to pass the Artist-Museum Partnership Act, which would allow authors and artists to deduct the market value of their work—rather than simply the cost of materials, as is currently the case—when donating their work to non-profit archives. The bill now has 80 sponsors in the House of Representatives, more than ever before, and Ms. Constantine is guardedly optimistic about its passage in the near future.

Ms. Constantine then reported on the Free Flow of Information Act, which awaits action by the Senate Judiciary Committee. We expect that committee to act this year. We are also working with a coalition of media organizations to push for passage of the act with a broad definition of “journalist.”

Ms. Constantine also noted that in April 2008 the New York State legislature passed the Libel Terrorism Protection Act with the Guild’s support and in response to the plight of author Rachel Ehrenfeld. There is currently movement in Washington, D.C., to pass a federal version of the bill.

Ms. Constantine concluded her report with an update on New York State’s “Dead Celebrities Bill,” which would give celebrities’ heirs a posthumous right of publicity over the unauthorized use in advertising and trade of the “name, portrait, voice, signature or picture of anyone who died after January 1, 1938.” For the past three years, the Guild and other media organizations have successfully campaigned against the bill, arguing that it would make it difficult for historians, biographers, novelists, journalists and dramatists to document the life of deceased persons. The bill continues to be promoted by the Marilyn Monroe estate, among others.

Mr. Aiken provided the Treasurer’s report on behalf of Peter Petre, who was unable to attend the meeting. Although membership dues and web services income are down slightly, the Guild’s overall revenues were up because of improved, though unrealized, returns on our investments. These returns look especially good compared to last year’s losses, which were also unrealized.

Sidney Offit, President of the Authors Guild Foundation, provided a brief report on the Foundation and the upcoming Authors Guild Benefit dinner and its honoree, David Remnick. Mr. Offit expressed gratitude to Mr. Blount for his service to the Authors Guild, and welcomed incoming president Scott Turow. Mr. Offit also remarked on the complexity and diversity of issues that authors face today, underlining the importance of organizations like the Authors Guild and the Authors Guild Foundation.

Rachel Vail, Chair of the Guild’s Children’s Book Group, reported on the committee’s recent activities, including last year’s popular, standing-room-only panel discussion on “Current Trends in Children’s Books.” She announced that the group will host a similar panel this year, as well as a series of author-agent roundtables. Ms. Vail also thanked Mr. Blount, on behalf of the “kid lit community,” for his service as president and welcomed Mr. Turow.

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Guild and John Wiley Exchange Volleys Over Bloomberg Press Contracts

In late April, John Wiley & Sons, which acquired the book division of Bloomberg in March, sent a letter to hundreds of Bloomberg Press authors informing them that “We are pleased to inform you that we will be paying your royalties on the net amount received . . .” and announcing other “differences in the accounting systems of Bloomberg and Wiley.” On June 10, the Guild alerted members to the ramifications of these changes, which would, among other things, replace royalty rates based on retail list price with rates based on net receipts—effectively slicing royalties by up to 50 percent for some book sales—and also empower Wiley to keep an author’s book in print with a print-on-demand royalty of just 5 percent of net receipts. This would grant Wiley a perpetual right in an author’s book for a pittance.

Later that day, Wiley responded by issuing a press release. On June 11, the Guild sent an e-mail to members commenting on Wiley’s response. That e-mail and one sent to members June 16, both edited for space, are reprinted here.

Turow to Wiley: “Knock it off and do the right thing.”

June 11, 2010. Late yesterday afternoon, John Wiley issued a press release disputing some of the assertions in our alert of yesterday morning. In our alert, we called Wiley’s April letter to its Bloomberg Press authors “deceptive” and “misleading” and said that it would “materially and adversely affect the royalty rates of many Bloomberg Press authors.”

We stand by every word of our alert, and we again call on Wiley to start over. No sensible Bloomberg author with a contract providing royalties based on the retail list price of their book would have signed Wiley’s amendment if they were fully aware of its effects. . . . Wiley should send Bloomberg authors a new letter, informing the authors that they are disregarding any previous consents to Wiley’s proposed contract changes and clearly explaining how the new terms they’re suggesting differ from the authors’ existing contracts.

Or, as Scott Turow put it on reviewing the publisher’s response, “Wiley should knock it off and do the right thing.”

In any event, here are our replies to John Wiley’s various assertions:

1. Wiley’s response says that its April letter to Bloomberg authors “explained] the changes in plain English” and invited authors “to discuss these changes or raise questions.” Wiley’s April letter is plain enough, but it avoids any hint that its changes will greatly reduce many Bloomberg authors’ royalties. This is fundamental. Wiley’s a sophisticated publisher, well aware of what it is doing and well aware that most authors aren’t publishing attorneys. It could have spelled out the effects of its proposed contractual changes in equally plain English. If it had done so, then the offer to discuss the changes would have been meaningful.

2. Wiley says that Bloomberg authors’ “response to this new alliance has been positive.” This doesn’t really respond to our assertions, since it says nothing about the actual letter amendment. To the extent this does refer to the letter amendment to the contract, we note that if one sends a misleading letter, one might successfully get positive responses.

3. Wiley says it “believe[s] former Bloomberg authors will be paid higher royalties in most instances.” The calculation is pretty simple, really. For Bloomberg authors that were paid royalty rates on the basis of retail list price, as is the case for every Bloomberg contract we’ve reviewed, the author, for example, might receive royalties of 15 percent of the retail list price on a hardcover priced at $25, or $3.75 per book. If you instead base the royalties on the publisher’s net receipts, and the discount to the retailer is a typical 50 percent off list price, then the author receives 15 percent of $12.50, or $1.88 per book.

So we’re not quite sure where this is coming from, but we note that Wiley doesn’t say that it will be paying higher royalty rates, nor does it say that it will pay higher royalty amounts per book sold. It may be assuming that its marketing will be better than Bloom-
berg’s was, so sales will be higher, and the author will benefit, even with reduced royalties per book. That could be, but increased sales are no reason to reduce the contractually agreed royalty rate.

Or, it could be that most Bloomberg authors were already paid on the basis of net receipts, so the effects of the Wiley amendments might be minor. Perhaps there are many such contracts, and perhaps the effects would then be minor. Beats us: we haven’t seen an example of a net receipts Bloomberg contract yet.

4. Wiley says that “the limited number of contract amendments the AG apparently chose to select are not therefore representative; nor are their ‘calculations’ accurate.” While it’s true we didn’t discuss all of the amendments, things don’t look much better if we expand our review. For example, here’s one of the amendments we didn’t discuss: “For any sales made at a discount of fifty-six percent or more, your royalties will be calculated at 7.5 percent of net receipts and there will be no deductions for manufacturing costs.”

But the Bloomberg Press contracts we’ve seen pay authors more than 7.5 percent of net receipts for those deeply discounted sales. Again, an author who doesn’t happen to be a publishing lawyer might not get that. That there will be no deductions for manufacturing costs sounds like a good thing, but the Bloomberg contracts we’ve seen only deducted those costs for what are essentially remainder sales, books sold at discounts of 75 percent or more. Royalties on remainders have always been trivial.

We stand by our calculations, which were done using real sales figures by an independent royalty auditor. Wiley can’t possibly know if our calculations are inaccurate, since they don’t know which books were in our sample.

5. Wiley says we issued our alert “without speaking with Wiley concerning its specific assertions.” Actually, we raised these specific concerns with Wiley in an e-mail on Friday, May 7: “[T]hese letters strike us as a deceptive way to make substantial, material changes to a book contract. We think any signed letters you received in response should be ripped up and this whole thing redone. When it is redone, we don’t think there’s any good reason to change the royalty structure or the termination rights of the Bloomberg authors.” We then spoke to Wiley. Wiley told us that the net effect of the changes was complicated and that authors would do better overall. We weren’t persuaded, but we hired a royalty auditor to be doubly sure that we were reading the changes correctly.

Our job, in any event, is to play the role of watchdog. While in this instance we raised our issues with Wiley, we don’t believe we’re obligated to speak to a publisher when we see egregious behavior before we alert our members.

Do not sign Wiley’s misleading letter and send it back to them. First consult us or your agent or your attorney. If you have signed the letter, we urge you to contact us immediately.

The Ping-Pong Game Continues

Late in the afternoon on Friday, June 11, Wiley issued a new press release regarding the contractual modifications it is seeking from its Bloomberg Press authors. That release said that in Bloomberg’s existing “list price” agreements, royalty rates were already being lowered when discounts exceeded 50 percent, that the average discount rate for the books was greater than 50 percent, and that therefore “we believe the authors will benefit with the proposed, simplified Wiley terms.” It also dismissed the Guild’s claim that “net receipt royalties” will hurt authors’ income, and again ignored the question of termination rights and their new print-on-demand program, which didn’t exist under Bloomberg.

In a member alert on June 14, the Guild pointed out that Wiley’s statements regarding discounting and royalty rates did not stand up to examination. Royalty reductions kick in at various levels, depending on the contract. Even taking that into account, however, authors do far better under the original Bloomberg contracts than under the Wiley amendment. [Our detailed analysis can be found at www.authorsguild.org.]

Authors Guild Proposes an Audit to Resolve Dispute; Wiley Refuses

Wiley rejected our proposal of an audit to fully explore how the proposed changes would affect author’s contracts and continued to insist that they would improve life for Bloomberg authors. We agreed not to share our proposal with the press without first informing Wiley, who took it upon itself to make part of it public first. On June 16, we sent a member alert explaining the details of our proposal:

- After the conclusion of a standard Wiley royalty period, Wiley would allow an independent royalty auditor to review a reasonable sample of actual Wiley/Bloomberg royalty statements under the Wiley system and prepare a report on how the Wiley amendment affected authors’ royalties.

Continued on page 40
Who Owns Sheet Music?

By Jason Robert Brown

For a couple of years now, my wife Georgia Stitt has been working very hard to raise awareness and spur action on an issue of specific concern to theatrical composers like us: the unauthorized trading of sheet music on the Internet. Of particular concern has been the rise of several websites whose sole purpose is to enable the illegal transfer of these files from user to user, under the questionable loophole that the site itself doesn’t host the actual music, but only facilitates contact between users who wish to trade that music. A few weeks ago, I inadvertently opened another front in the battle when I posted a blog on my own website, www.jasonrobertbrown.com, that describes my interactions with a 15-year-old girl who trades sheet music on one of those sites.

What inspired me to publish my exchanges with Eleanor was the sense that teenagers who used these sites genuinely believed there was nothing wrong with passing the music back and forth without ever legally obtaining any copies. I thought that if I posted my little story, which was intended to be gently humorous rather than polemical, maybe some of those teenagers might reexamine that behavior.

"I write for the theater. It’s not a particularly reliable or consistent way to make a living, but I have found my way to a comfortable middle-class lifestyle by offering my work for sale in ways ancillary to public performances. It no longer makes sense to produce and sell CDs of my work. . . . Now sheet music is equally endangered."

But within hours of posting the blog, I began getting comments characterized by astonishing hostility and hauteur. The writers took grievous offense not only at the specifics of my conversation, but with the very idea that I should challenge Eleanor’s right to take anything she wanted on the Internet. The overwhelming majority of these defiant bootleggers were alerted to my post by the website Slashdot, which takes a particular interest in questions of copyright and intellectual property.

In the Slashdot world, the idea that creators are losing something in the free and unauthorized exchange of their creative capital is somehow controversial. People who like to quote Stewart Brand’s mantra, “Information wants to be free,” insist that the minute I express a creative idea in any fixed form, it becomes the property of the world. The blueprints for your house should be free. Movies should be free. The DSM-IV should be free, regardless of the expense required to create these things. (I don’t think I’m guilty of simplifying their side of the argument; they insist on simplicity.) The preachers of the “new ethics” imply that anything short of a tangible good or service should have a value of precisely zero, for the simple reason that the Internet makes it cheap and easy to disseminate intellectual property, regardless of the laws of copyright or long-standing moral custom.

But following that logic, if it were as simple to reproduce a chicken online as it is to reproduce a copy of my song, everyone could just get free chicken whenever they wanted, provided they had enough ink in their chicken printer. These same people insist that I should be happy to give my music away because it’s free advertising, and that word of mouth will spur more performances of my work. I don’t doubt that if these people could figure out how to get to my performances for free, they would do that too. We can all rationalize stealing in any number of ways, but taking something

Adapted from a Culture at Large column that first appeared in The New York Times online edition July 15, 2010, with the permission of the author. Jason Robert Brown is an award-winning composer and lyricist. He won a Tony for his score for Parade and a Drama Desk award for The Last Five Years. His most recent musical, 13, premiered at the Mark Taper Forum in Los Angeles in 2007 and was followed by a Broadway production in 2008–2009.
that doesn’t belong to you is theft, and I no longer have any patience with those who want to justify (or worse, ennoble) the taking of what is rightfully mine.

Let me be clear: You can perform one of my songs anywhere in the world at any time, and that performance doesn’t cost you anything. You don’t have to buy my sheet music to play my song. If you’ve got a good ear, you can listen to my song a couple of times and then walk over to any available piano and play what you think you heard. But you might want to see the sheet music, because it contains an extraordinary amount of information that will allow you to play that song more accurately. That information comes at a cost. (As you can see on my blog, that cost in this case is about four bucks.)

It seems reasonable to me that if you want that information, I should be able to charge you for it. The fact that you can get that information for free, thanks to some naïve teenager or Crusading Copyright Killer, does not diminish my entitlement (both legal and moral) to be paid for providing it. As Walter Isaacson points out in The Atlantic (July/August 2010), Slashdotters conveniently forget the other half of Stewart Brand’s Whole Earth dichotomy: “Information wants to be expensive, because in an Information Age, nothing is so valuable as the right information at the right time.”

In the firestorm that ensued after I posted “Fighting With Teenagers” (the original post has now been seen over 150,000 times), a lot of legitimate points were raised: Isn’t the extraordinary length of copyright protection prohibitive to the creation of art? What about works that are out of print? What if the published edition doesn’t have the information I need? But on a fundamental point, I am unmoved. I, as the creator, do not believe that a consumer should be able to get something just because he or she wants it.

Far more egregious than the trading of my published material is the trading of my unpublished material—songs from shows that haven’t premiered yet or selections that were cut during the development of a project. It’s very easy for me to make that material available if I wanted people to have it, but it is enormously frustrating to have that control wrested from me by the simple act of someone scanning a copy of sheet music and sending it freely out into the world.

Who are these uploaders? Downloading these files is clearly illegal, but it’s nonetheless easy to see why people do it; I’m more interested in who takes the time and energy (and expense?) to put these things up there in the first place. Why would someone pay for a CD or a book of music and then copy it and give those copies away for free?

I write for the theater. It’s not a particularly reliable or consistent way to make a living, but I have found my way to a comfortable middle-class lifestyle by offering my work for sale in ways ancillary to public performances. It no longer makes sense to produce and sell CDs of my work; the expense of producing those recordings far exceeds the income earned in the current climate. Now sheet music is equally endangered.

It seems legitimate to wonder if there isn’t some way to take back those income streams, if not through

“**In the Slashdot world, the idea that creators are losing something in the free and unauthorized exchange of their creative capital is somehow controversial.”**

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“**The preachers of the ‘new ethics’ imply that anything short of a tangible good or service should have a value of precisely zero, for the simple reason that the Internet makes it cheap and easy to disseminate intellectual property, regardless of the laws of copyright or long-standing moral custom.”**

legal enforcement measures, then at least through changing the terms of the debate from, “Why people should be allowed to steal all the content they want,” to “Why creators are entitled to payment for the work they do.”

I realize I’m late getting to the party, but I’m simply amazed that the question even needs to be asked.
Your Statutory Right to Terminate a Book Contract

Copyright Act Empowers Authors to Recapture Rights, Even for In-Print Books

By Lloyd J. Jassin

The copyright termination time bomb is ticking away. Starting in 2011 the publishing and entertainment industries will be facing the possibility of thousands of negotiations with copyright owners seeking to recapture their rights. Some call it “contract bumping.” This powerful “re-valuation mechanism” found in the Copyright Act allows authors (and their heirs) to terminate contracts 35 years after the contract date. The termination right trumps written agreements—even agreements that state they are effective in perpetuity. Also known as “termination” or “recapture” rights, the deadline for sending termination notices for 1978 grants will begin to expire in 2011.

The impending economic dislocation will manifest itself in the loss of evergreen, or backlist titles, as authors, or their heirs, exercise their right to terminate publishing agreements and recapture their copyrights. But what constitutes a threat to mainstream book publishers presents an opportunity for a cheaper, more flexible kind of book publishing. With the ability to recapture rights, access to indie distributors, and print-on-demand technology, authors (and their heirs) will have to decide how much faith they should place in their existing publisher relationships. My guess is that “life of copyright” grants will soon become the exception, not the rule.

Termination Rights Trump Life of Copyright Contracts

To protect authors of older works from having to live with a bad deal they entered into when they had little negotiating skill or leverage, the Copyright Act allows

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Terminating A Book Contract: A Quick Guide to Your Statutory Rights

This table sets forth the statutory termination periods for book contracts. For works published before 1978, there are two termination periods, the first for contracts on which the termination right has not expired, the second for those on which it has. Important: to terminate a book contract, you must give notice at least two years (but not more than ten years) before the effective date of termination. You also must file the notice with the Copyright Office. There is no termination right for works made for hire.

<table>
<thead>
<tr>
<th>Date of Contract</th>
<th>Termination Period</th>
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<tr>
<td>Contracts signed in or after 1978*</td>
<td>5-year period beginning at either the end of 35 years from the date of publication, or 40 years from the date of the contract, whichever is earlier</td>
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<tr>
<td>Contracts signed before 1978**</td>
<td>5-year period beginning at the end of 56 years from copyright</td>
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<td>First termination period</td>
<td>5-year period beginning at the end of 75 years from copyright</td>
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<td>Second termination period</td>
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*For contracts that don’t include a right of publication, the 5-year termination period begins 35 years after the date of the contract.

**If the work was created, but neither published nor copyrighted before 1978, it is arguably not subject to termination. (See box on p. 14)
authors (and their heirs) to recapture copyrights by sending notices of termination to their publisher partners. This often overlooked, but powerful right, serves as an “insurance policy” for authors who signed away their rights for less than adequate compensation.

Section 203 of the “new” Copyright Act applies to grants of copyrights signed by the author on or after January 1, 1978—not to grants signed by an author’s heirs. As long as the work being terminated is not a “work made for hire,” the right of termination cannot be waived—even if there are contractual provisions to the contrary. In short, copyright law trumps contract law. One of the idiosyncrasies of the termination right is that it does not apply to foreign grants. However, under UK law, heirs can recapture rights 25 years after the death of an author. Known as British Reversionary Rights, these rights are analogous to our recapture and termination rights.

Unlike general interest trade book publishers, technical reference and textbook publishers, who generally commission works on a “work for hire” basis, are largely immune from the effects of Section 203, which apply to contracts signed on or after January 1, 1978. Of special concern to heirs is an unsavory practice known as revoke and re-grant. If you are an heir, be very careful of what you are asked to sign by agents, coauthors, publishers, producers and other copyright licensees and partners. If it is a revoke and re-grant of rights agreement, you may be signing away valuable rights for less than market rate.

This lucrative right of termination does not concern itself with when the work was published or registered; it only concerns itself with when the copyright grant or license was signed by the author. Succinctly stated, “Termination may be exercised at any time during a period of five years beginning at the end of thirty-five years from the date of publication of the work under the grant or at the end of forty years from the date of execution of the grant, whichever is earlier.” [74 FR 12554-01 (2009), from the Federal Rules.]

Countdown to 2013 Copyright Termination
(of 1978 Assignments)

The Copyright Act and the administrative rules that apply to termination and recapture of copyrights are dense and unforgiving. Some might call them hellish. For example, if you serve your Notice of Termination late, it is considered a fatal mistake under the law. Also, the process is not considered complete until the Notice of Termination has been recorded with the Copyright Office, which must be prior to the date of termination. You can serve a Notice of Termination as early as 10 years before the effective date of recapture, or as late as two years before the effective date of recapture. The author (or his heirs) selects the date termination will take effect, and must send a Notice of Termination within the termination window outlined in the Copyright Act.

**Example 1:** If a novel was published in 1978, rights could be recaptured as early as 2013, i.e., 35 years after the date of initial publication. In this instance, the earliest the author (or his heirs) could have served a Notice of Termination would have been 2003, i.e., 10 years before the recapture date.

**Example 2:** If a songwriter agreement was signed in 1978, the Notice of Termination could be served as late as two years before the recapture date. In this instance, 40 years from date of execution would be 2018, which means the notice of termination can be served as late as 2016.

Like the deed to a house, a Notice of Termination filed with the Copyright Act—if not challenged—becomes part of the work’s chain of title. If anyone were to review the Copyright Office’s database, the author or composer’s name would show up in the “notice of termination” document.

**Use It or Lose It**

Calculating the notice and recapture dates is the author or composer’s sole responsibility. The Copyright Office cannot draft Notices of Termination, or calculate the notice and recapture dates for you. Therefore, it is strongly advised that you consult with a knowl-
edgeable copyright attorney (not a trusts & estates attorney or your book or music publisher) if you have questions pertaining to termination or recapture of copyrights. Indeed, book and music publishers hope you never read this article. If you have inherited either a literary work or a catalog of music publishing rights, it is not in your book or music publisher’s best interests for you to know about the recapture of copyrights. The important message is that when a writer dies, the writer’s spouse, children or grandchildren—even parents or siblings—may be entitled to exercise the recapture rights discussed in this article.

Getting Back Rights to Pre-1978 Works

Keep in mind that the Copyright Act also gives families of deceased authors an opportunity to terminate pre-1978 works. For example, when the author of an older work dies during the initial 28-year term of copyright, that author’s heirs have the right to reclaim the renewal copyright, which is a further term of 67 years of copyright protection. This subset of the Copyright Act also provides for termination at any time during the five-year period beginning at the end of 56 and 75 years from the date the copyright was originally secured. These added opportunities to get back ownership of copyrights exist even if the author assigned his or her renewal term (or devised assignment by will) to someone other than his or her family. What is extraordinary about these rights is that copyright law also trumps a writer or composer’s will.

Example 3. Miles Davis, the jazz icon, died in 1991, before the end of the 28th year of copyright of his revolutionary 1970 album Bitches Brew. Because he died before the 28th year of copyright, his renewal term rights in the song Bitches Brew vested automatically in his heirs—cutting off a sister and brother mentioned in his will, and severing his ties to his music publisher. Today, his sons (two of whom were not included in their father’s will) and his daughter jointly control the remaining 67 years of copyright in Bitches Brew and other songs. Here, Section 203 trumped both Miles Davis’s will and his songwriter agreements.

Example 4. Similarly, in 1938 Jerry Siegel and Joe Schuster, two young men from Cleveland, Ohio, signed over all of their rights to the Superman character they created to DC Comics for $130 and vague promises of future work. To address this, and similar economic injustices, Congress gave authors (and their heirs) a...
CONTRACTS Q&A

BY MARK L. LEVINE

Q. My publisher just sent me its new contract for my next book. Among the rights I’m being asked to grant are “derivative rights” in my book. The term is not defined in the contract but my editor tells me that it is defined in the copyright law. Is that okay?

A. Definitions are a crucial part of contracts and can be negotiated like everything else. If “derivative rights” are included in the grant of rights, the term should certainly be defined. Unfortunately, the most accurate and consistent definition I can suggest, and one which is consistent with the copyright law, is “everything under the sun.”

I don’t recommend that any author include “derivative rights”—with or without a proper definition—in the grant of rights section, subsidiary rights section or anywhere else in a contract. It’s as bad as saying you’re granting “all rights” in your work to the publisher. That’s what Murray Burnett and Joan Alison, the authors of the unpublished play Everybody Comes to Rick’s, did in 1942 and, as a result, they were never able to write a sequel or any other work containing the characters that Humphrey Bogart, Ingrid Bergman and Paul Henreid portrayed in Casablanca (as it was retitled). If your publisher wants certain rights (derivative or not), it should specify what each one is, and provide clear definitions. You can then decide which rights to grant and, for those you do, what the appropriate royalties (if the publisher exercises the specified right directly) and subsidiary rights split (if it intends to license them) should be. You can also decide whether you should have any approval rights for the new work and what the appropriate reversion period should be if the publisher doesn’t exercise them within an agreed-upon time.

Movie rights, dramatizations and translations are traditional examples of derivative rights and are even listed as examples in the term’s definition in the copy-right law, viz. “a work based upon one or more pre-existing works, such as a . . . dramatization, fictionalization, motion picture version . . . or any other form in which a work may be recast, transformed, or adapted.” The definition is broad enough to cover interactive video games, mobile phone “apps” and a host of other derivative works, including ones yet to be invented or even thought of. Just as parents shouldn’t send their children to camp without knowing what activities the camp provides, authors should not license their works without knowing what will happen to them when the rights leave their control.

Q. I recently set up a one-person corporation and assigned all my copyrights to it. Can the corporation sign my next publishing contract so I could avoid personal liability in the event of a lawsuit against the publisher involving my new book or a breach of any of the representations in the contract?

A. Doing that will not help if your publisher has even a modicum of business sense or, if lacking that, at least knows enough to consult a lawyer, either professionally or at a cocktail party. Although having a corporation or limited liability company (LLC) can be very helpful in insulating a person from personal liability if all the corporate and LLC formalities are observed, any knowledgeable publisher that permits the corporation or LLC to sign will also require you to personally guarantee all of its obligations under the publishing contract so you won’t be avoiding the problem. Anyone who sues because of something in the book would undoubtedly sue the publisher too, and your guarantee would require you to personally reimburse the publisher if liability were found. In addition, people suing would likely sue both you and your corporation (or LLC) also and, since you wrote the book, it’s unlikely that you would avoid liability if liability exists.

There may be good reasons to establish a one-person corporation or LLC—e.g., income tax, investing for retirement or health care coverage—but you should check with your accountant, financial adviser or a tax lawyer to find out about those.

Q. What is an “earn-out bonus”?

A. An “earn-out bonus” is an additional advance against royalties that is paid only if the total amount of royalties and subsidiary rights income payable to the author equals or exceeds the original advance. It is generally the result of a compromise between publisher and author on the amount of the advance when they are unable to agree with finality on a specific

Mark L. Levine specializes in negotiating contracts for authors without agents and for agented authors when an advance is particularly large or the publisher has developed a new contract and the agent has not had much experience with it. He is the founder of www.BookContracts.com, a publishing law website, and the author of Negotiating a Book Contract: A Guide for Authors, Agents and Lawyers.

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SLAPP-ed Down

Richard Gibson v. Justin Swingle
Court of Appeals for the State of California
Second Appellate Division

California resident Justin Swingle often posted his political and religious views on Craigslist discussion boards. When he was made aware that California attorney Richard Gibson had flagged a number of his posts, which contributed to their ultimate removal by Craigslist, he sought revenge. Gibson, who advertised his services as an attorney on Craigslist, began to notice a slew of derogatory messages attached to his advertisements, including accusations of breaking criminal laws, publishing pornography, and renting property to illegal immigrants. These posts also urged readers not to use Gibson as an attorney, threatened him with physical harm and encouraged readers to send him computer viruses. Swingle also created a blog that further disparaged Gibson. As a result, Gibson went to court and successfully obtained a subpoena that required Craigslist to reveal Swingle’s identity. Thereafter, Gibson brought an action against Swingle for defamation and invasion of privacy in California state court.

In response, Swingle filed a special motion to strike, known as an anti-SLAPP motion (Strategic Lawsuit Against Public Participation), which would have effectively dismissed Gibson’s suit if granted by the court. Essentially, the statute is supposed to protect defendants who choose to exercise their rights to freedom of speech from being tied up in court on meritless claims. While Swingle admitted that he had posted some of the messages, he asserted that he was protected by the First Amendment since the messages were “statements or writings made in a place open to the public or a public forum in connection with an issue of public interest.” The trial court dismissed Swingle’s anti-SLAPP motion as untimely, however, because it had not been filed within 60 days of the service of the original complaint.

On appeal, the Court of Appeals for the State of California Second Appellate Division reversed the trial court and found that the motion was timely. Noting that Gibson had served two amended complaints, the court found that the 60-day period within which the anti-SLAPP motion must be filed had been met, as it was filed within 60 days of the second amended complaint.

Having concluded that the motion was timely, the Court of Appeals next considered whether the anti-SLAPP motion should be approved. The court noted that the anti-SLAPP statute applies where the cause of action against a person arises from any act in furtherance of that person’s right of petition or free speech under the constitutions of either the United States or the State of California in connection with a public issue. If the court had determined that the plaintiff had established a probability that he would prevail on his claims against the defendant, the defendant’s motion would have been granted.

The court then acknowledged that several types of statement can fall under the anti-SLAPP guidelines, including any written or oral statement or writing made in a place open to the public, or in a public forum in connection with an issue of public interest, such as the derogatory Craigslist posts made by Swingle. The court elaborated that the “public interest” is implicated “if the subject of the statement or activity underlying the claim 1) was a person or entity in the public eye; 2) could affect large numbers of people beyond the direct participants, or 3) involved a topic of widespread public interest.” To satisfy the public interest requirement—where the issue is of interest to a limited but

Anti-SLAPP laws are intended to help protect free speech by empowering courts to speedily dismiss certain meritless defamation and similar claims. A court has ruled that while California’s anti-SLAPP statute may apply to a posting on Craigslist message boards, it only does so if such a posting is “in the context of an ongoing controversy, dispute, or discussion such that it . . . embodies the public policy of encouraging participation in matters of public significance.”
definable group of individuals, such as the interest
generated on a Craigslist message board—"the consti-
tutionally protected activity must, at a minimum, oc-
cur in the context of an ongoing controversy, dispute,
or discussion such that it warrants protection by a
statute that embodies the policy of encouraging
participation in matters of public significance." While
the court noted that websites are "public forums" for
purposes of the anti-SLAPP statute, not every website
post or message board post involves a public issue.

In the case at hand, Swingle claimed that Gibson
systematically flagged every political post he made,
and that this was an attempt to silence Swingle's en-
gagement in political speech. Swingle further alleged
that this lawsuit is a further attempt to silence his po-
litical speech. However, the court rejected both of
Swingle’s claims, noting that this suit is not based on
Swingle's political speech or any other speech of pub-
lic interest. Rather, the court found that Gibson’s
claims are based on Swingle’s Internet posts attacking
Gibson’s character and his other alleged illegal/im-
proper acts. Thus, the court concluded that neither
Gibson’s defamation claim nor invasion of privacy
claim involved any of Swingle’s political posts. As
such, the court denied Swingle’s anti-SLAPP motion,
which allowed Gibson’s defamation claim and inva-
sion of privacy claim to proceed.

—Michael Gross
Staff Attorney

Catcher Redux

Salinger v. Colting
U.S. District Court, Southern District Court of
New York

As we reported last year [Summer/Fall 2009], U.S.
District Judge Deborah Batts blocked the U.S.
publication and dissemination of Swedish author
Frederick Colting’s 60 Years Later: Coming Through the
Rye, which J. D. Salinger, prior to his death earlier this
year, alleged was an unauthorized sequel of his semi-
nal work The Catcher in the Rye. In her decision, Judge
Batts focused solely on the probability of Salinger suc-
ceeding on the infringement claim, and stated that
Colting “had taken well more from ‘Catcher’ in both
substance and style, than is necessary for the alleged
transformative purpose of criticizing Salinger and his
attitudes and behavior.” Judge Batts also found the
evidence did not support Colting’s claim that the book
was a critical examination of Holden Caulfield and
Salinger, nor did the evidence reveal that Colting’s
work was a parody of The Catcher in the Rye.

On April 30, however, the U.S. Court of Appeals for
the Second Circuit of New York ordered Judge Batts to
revisit her decision to enjoin publication of Colting’s
work. The appellate court agreed with the district
court’s conclusion that Colting was unlikely to win the
case, noting that the sequel would likely be found
“substantially similar to the original.” Nonetheless,
the appellate court held that the district court should
have used a four-part test laid out by the U.S. Supreme
Court in eBay Inc. v. MercExchange LLC to determine if
a patent or copyright had been violated before an in-
junction could be issued. The appellate court noted
that in addition to the district court’s duty to evaluate
the likelihood of infringement, it must also look at
other factors, including the likelihood of irreparable
harm and whether the public interest would be dis-
served by a permanent injunction. Salinger’s wife and
son have stated they are pleased with the appellate di-
vision’s sentiment that Colting’s work likely infringes
The Catcher in the Rye and plan to continue the fight to
enjoin publication of Colting’s work. We will continue
to monitor this case as it proceeds back to the district
court for further evaluation.

Michael Gross
Staff Attorney

Legal Services Scorecard

From March 13 through July 9, 2010, the Authors
Guild Legal Service Department handled 411 leg-
ial inquiries. Included were:

41 book contract reviews
11 agency contract reviews
22 reversion of rights inquiries
51 inquiries on copyright law, including
infringement, registration, duration and
fair use
11 inquiries regarding securing permissions
and privacy releases
52 electronic rights inquiries
5 First Amendment inquiries
218 other inquiries (including literary estates,
contract disputes, periodical and multi-
media contracts, movie and television
options, Internet piracy, liability insur-
ance, finding an agent, and attorney
referrals)
CENSORSHIP WATCH

Groundhog Bloomsday. Is it wrong to admit that weariness with latter day Joycean controversies involving copyright claims by the famously prickly grandson Stephen Joyce made me almost glad that the latest flap has to do with content and not characters?

It took a 1934 legal decision to overturn a 1921 obscenity ban on U.S. publication of *Ulysses*. Seventy-six years later it took Apple a few days to decide that it probably wasn’t the best PR move to insist that an artist censor panels from *Ulysses* “*Seen,*” a graphic novelization of the classic text, before it could be sold as an iPad download.

The high Apple drama took place over the course of a week in June, and was novelistically wrapped up just in time for Bloomsday, the annual celebration of fictional main character Leopold Bloom’s June 16 ramble through Dublin.

Apple initially insisted that the illustrator of *Ulysses* “*Seen,*” Robert Berry, revise panels that depicted nudity, and flat out rejected the publisher’s compromise offers, which included pixelating artwork that featured a bare-chested goddess and sketching in strategically placed fig leaves. The price to Berry and his publisher of the comic book being included among Apple’s free iPad reads would be high—redrawing the objectionable frames as tight face-shots, and labeling the work NC-17. Censoring a reworking of a book at the center of one of the most famous literary censorship cases in the United States? Of course, the story caught fire on the Internet.

From *The New York Times* to NPR, none of the stories I tuned up on the standoff failed to mention that the original banning of Joyce’s *Ulysses* in 1921. In the Dickensian tradition, Joyce’s opus had been made available to avant-garde readers in serial form for two years courtesy of *The Little Review*, a small journal devoted to modernist and experimental art. When the famously autoerotic “Nausicaä” chapter appeared in 1920, however, the New York Society for the Suppression of Vice blew the whistle. The resulting obscenity prosecution put an end to the serialization and the publishers, Margaret Anderson and Jane Heap, were slapped with a fine of $100.

*The Little Review* soldiered on until 1929. The ban on *Ulysses* lasted longer, lifted only after Random House baited the censors by having a case of French edition copies shipped to New York in 1933 in order to provoke a court case, *United States v. One Book Called Ulysses*. In a widely quoted opinion finding that the book was not obscene, Judge John M. Woolsey said, “[I]n spite of its unusual frankness, I do not detect any-

where the leer of the sensualist. I hold, therefore, that it is not pornographic.” Woolsey characterized the “frankness” of *Ulysses* as evidence of “Joyce’s sincerity and his honest effort to show exactly how the minds of his characters operate. [I]f Joyce did not attempt to be honest in developing the technique which he has adopted in ‘Ulysses,’ the result would be psychologically misleading and thus unfaithful to his chosen technique. Such an attitude would be artistically inexcusable.”

On June 13, Chad Rutkowski, representative of *Ulysses* “*Seen*”’s principal publisher, Throwaway Horse, LLC, was quoted paraphrasing Woolsey—“The way Rob [the illustrator] drew it is important to what’s being expressed there.” By June 15, Apple had backtracked. “We made a mistake,” conceded Apple spokesperson Trudy Muller. According to Rutkowski, Apple “gave [the graphic work] a second look and realized it wasn’t obscene or anything like that.” *Ulysses* “*Seen*” is now available as an iPad app in its original form (as is a graphic novel edition of *The Importance of Being Earnest by Oscar Wilde*, which includes a drawing of men kissing, and was also almost banned).

The least ruffled player in all of this seems to be illustrator Robert Berry. He told *The New York Times* that he felt Apple hadn’t censored him. “It’s their rules. [W]e’re coming to their dinner party at their house.” Berry and the book’s production director, Josh Levitas, had been working on *Ulysses* “*Seen*” for over two years, publishing installments at Ulyssesseen.com in hopes that the book would gain traction as a tool for teaching college students. In an interview with Curt Hopkins of ReadWriteWeb.com, Berry said, “[P]utting it on the iPad, even altering my own artwork to meet their restrictions, is done in service of bringing the novel to a new audience of readers and connecting its many, many fans with a sleeker and easier forum for discussing it.”

High-minded readers might cringe at the implication that a “sleeker and easier forum” for encountering, understanding, discussing *Ulysses* is needed. Assuming it might be that for some, however, the question becomes, is the sacrifice of a few controversial images or a few cartoon panels here an understandable compromise? Or is a willingness to redact one’s art in response to corporate edict a craven and unforgivable impulse even if it serves the purpose of rendering a notoriously opaque book more accessible, comprehensible?

Continued on page 40
SYMPOSIUM

Writing Real Lives: Coming in Close
The J. Anthony Lukas Prize Discussion

The J. Anthony Lukas Prize Project Awards were created in 1998 to honor the late Tony Lukas, a longtime reporter for The New York Times, the award-winning author of Common Ground; Don’t Shoot, We Are Your Children; Nightmare: The Nixon Years and Big Trouble, and president of the Authors Guild 1996–1997. Lukas served as inspiration and mentor to a generation of writers of narrative nonfiction, and the awards that bear his name honor that difficult vocation.

The three Lukas prizes, created by Lukas’s widow, Linda Healey, and sponsored by the family of Mark Lynton, for whom one of the prizes is named, are jointly administered by The Columbia University School of Journalism and the Nieman Foundation for Journalism at Harvard University. The award ceremony is held in New York and Cambridge in alternate years, followed by a panel discussion at which the three winners talk about their work. This year’s ceremony took place in Cambridge, where the J. Anthony Lukas Book Prize was awarded to David Finkel for The Good Soldiers, the Mark Lynton History Prize was given to James Davidson for The Greeks and Greek Love: A Bold New Exploration of the Ancient World, and the J. Anthony Lukas Prize for a Work in Progress was awarded to Jonathan Schuppe for Ghetto Ball: A Coach, His Team, and the Struggle of an American City. The awards were presented by Robert H. Giles, Curator of the Nieman Foundation and the Nieman Fellows, Nicholas Lemann, Dean of the Graduate School of Journalism at Columbia, and Ellen Goodman, longtime Boston Globe and syndicated columnist, 1980 winner of the Pulitzer Prize for distinguished commentary. Following the presentations, Goodman gave a short talk on the importance of nonfiction that honors the complexity of events. She also served as moderator for the evening’s discussion.

Thanks to Linda Healey of the Lukas Prize Project, for permission to run the transcript.

ELLEN GOODMAN: When Linda Healey asked me to moderate the panel she didn’t tell me that she was also drafting me to make a few remarks about nonfiction writing. I guess that now that I have retired from column writing—or as my grandson said, “Grandma I hear you’re tired”—I’m supposed to be a columnist emerita.

I have long been struck by the fact that nonfiction is defined by what it is not: fiction. That’s about the only technical criterion, so I looked up the nonfiction list this week and it runs from Kitty Kelley’s Oprah to Michael Lewis’s The Big Short, from Sarah Silverman’s memoir on bedwetting to David Remnick’s biography of the president, from a book on how to use your brain to lose weight to a book embracing the conspiracy theories of JFK’s assassination and 9/11, to of course the latest book by Dick Morris, which may, of course, be fiction.

But we are gathered here to celebrate the Lukas winners for contributing to what we call “serious nonfiction” in Tony’s fine narrative tradition. And so that’s what arrived at my doorstep, six giant boxes fell with a thud and the thud was in my heart, since at that point, newly retired, it meant that I was putting aside all of the fiction that I had never read and had been looking forward to for a matter of months. But it turned out, not surprisingly, that the best of these books were in fact stories—engaging stories, stories
“My particular... worry is about the growth of what we think of as food-fight journalism.”
—Ellen Goodman

that took surprising twists or just showed something about real life, stories that, most importantly, didn’t choose the polemic over the honest. Stories that didn’t try to fit the facts into a predetermined narrative arc but that were built on the (unintell) of the reporting. And stories that were complex even when complexity is out of fashion and even when complexity led to some very uncomfortable portraits of both warriors and, in one case, a father.

So I was interested when Nick was talking about Tony’s life and what he had said about complexity being what he had learned writing Common Ground, because that’s what I planned to focus on in my few remarks today. I’ve spent my journalistic life mostly as a columnist, telling people what I think for a living, and columns, I suppose, are in many ways also stories, with a beginning, a middle, and an end. Often they are stories of ideas or stories about people and policy, the personal and the political, but since I’ve been asked to contribute my two cents, I want to make a pitch for re-

porting, a pitch to support each other, as we are tonight, in telling complex interesting stories rather than simple and often distorted ones. This is how we have to work against the very strong tide of the times.

My particular postpartum worry is about the growth of what we think of as food-fight journalism. It’s not news to anyone here that we are living in an era of opinion-hurling and we don’t just have red and blue states, we have red and blue media and we have the creation of villains and heroes, slash-and-burn political and social journalism. What’s wrong with food-fight journalism is not just that we support a kind of polarized political climate—everybody talks about that. It’s that everyone is now required to be so certain and simplistic, far more simplistic than the problems that we face. My sense is that Americans have felt ambivalent about many of the issues of the past decade, from abortion to gay marriage to global warming and Iraq, but we rarely hear that ambivalence in the media. What we hear in the panels and roundtables that dot TV are two sides of an issue only when they are separated, untinged by doubt and expressed by people filled with certainty and little respect for the opposition. People are then called upon to duke it out.

I confess that I have myself resisted joining the food-fight opinion shows, but I will tell you just one story, about the one time I was invited onto Bill O’Reilly’s show and for some obscure reason I said yes, and I had just finished writing a column and I was skating ahead of the cracking ice of life going out the door to the Globe, to the car waiting to take me to the show and I walked smack into the glass door of the Globe. This was a door that had been here for the entire thirty years that I had been at the Globe so I figured that was God’s way of telling me never to go on Bill O’Reilly’s show.

Generally however I found a less self-destructive way of avoiding these programs. When the booker, who was often a nice young woman, called up to do the pre-interview, they would invariably ask you, Well what do you think about assisted suicide or the death penalty or Afghanistan and all I had to say was “Well, my feelings about that are kind of complicated,” and you could hear the phone going back on the hook.

I’m not sure why exactly certitude has become the rage, but I’m pretty sure that “rage” is the right word. When I was testing out names for a collection of columns a couple of years ago, a friend of mine joked that to fit with the media tenor of the time, I ought to call it “I’m right, you’re wrong, shut up.”

We picked a far less sell-able title, but I think this is equally true in the blogosphere, which is in many ways polemics on steroids. What I have been most concerned about are the rewards for oversimplifying
and the rewards for yelling, and those rewards have been success.

It takes a good strong ego to start with a book proposal and still follow the story where it leads, even if it isn’t along the outline of that proposal. It takes a good, strong person to start with an idea and find out you’re wrong, but that’s the nature of the beast and the nature of the best work, some of which we celebrate tonight.

Complexity doesn’t mean that you write into a confused muddle. David Finkel’s book is a perfect example—that you can respect the subtlety of issues and still be understood. In fact it seems to me crucial that we avoid the slick and the quick in the way that The Good Soldier did, in favor of the (untell). Several of the books in this contest began life as newspaper pieces; there are stories that can be told in a thousand words, and there are stories that cannot be told in a thousand words. My very simple thought about the best of nonfiction is that writers who do this work, the reporting, the over-reporting, the back stories, the side stories, even when those end up on the cutting room floor, are the best at explaining the world we live in so that we are equipped to deal with real problems.

So I’m reassured, after going through those six extremely large books that arrived on my doorstep. I feel pretty elated, when I read these award winners, and when we gather to applaud works that make our world understandable without distorting reality. And I am reassured that we gather tonight to celebrate all those who do work without throwing any more food across the journalism cafeteria. And with that I welcome you all to the panel.

GOODMAN: I’m going to start by asking all three of you whether the story you finally wrote is the one you set out to tell. And where and when it changed, or may still be changing, and what that meant to you. David, could you start?

DAVID FINKEL: The book I wrote took place in eastern Baghdad, Iraq, from early 2007 to early 2008, the period of the Surge. At that point in the war, many policy books had been done, and more were coming out. There had not been an observed piece of ground level journalism—what soldiers were going through on the ground. Other wars had had that book, but this one hadn’t yet, so I decided to try it. That was the idea, along with what you were saying: not to write a polemic; not to write a first-person book; not to write an agenda-driven book; but simply to do the old deal. You go, you show up, and you wait it out. You have some assumptions that at least get you out of your chair and into a war, or anywhere, and then you stay long enough so what you were thinking in the begin-

ning has nothing to do with what unfolds in front of you.

GOODMAN: Was there anything in that period of time that made a real transition, that changed the character you were focusing on, or the drama?

FINKEL: Sure. I think it’s fair to assume that when you have 800 guys, average age 19, going into a war zone, many of them leaving their country for the first time, they don’t quite know what they’re getting into. At first, they thought they were invincible. Other soldiers, other battalions were getting killed, hurt, because they were making mistakes. This battalion was so well-trained it wasn’t going to happen to them. And then came the first death; then came the second; then came more, and then came the realization that they weren’t invincible after all, it was going to get them too. And it wasn’t so much the first death that changed the story; it was the second. And then it just took off from there.

GOODMAN: I want to come back and ask about the relationship you built with the people you were reporting on, but I would love to ask the same first question of James and Jonathan.

JAMES DAVIDSON: I think in a way I started out with a polemic. What most people had decided about Greek homosexuality—I decided that was wrong.

GOODMAN: Which was?

DAVIDSON: That it was all about active and passive roles, and that it wasn’t really homosexuality so much as kind of penetrators versus penetrated, and they were oblivious to the gender of the person they were

penetrating. That it was all about power. This consensus was forged out of a strange combination of the work of an apparently old-fashioned and highly respected classicist, Kenneth Dover, from Oxford. Then Michel Foucault came along with a bit of extra Gallic flair I guess, and that was very much the consensus. So I was determined to demolish it. I have to say I

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don't know if it was a food fight, maybe it's a different metaphor, but I was determined to demolish it.

GOODMAN: By wrestling?

DAVIDSON: By writing very hard. So then half the people said, okay, so if that's wrong, what's the right answer? You have to do something constructive as well. And I had no idea what the right answer was. I knew what the wrong answer was.

So I just started reading, studying. The metaphor I used was the Gordian knot. Slicing through it, trying to follow all the different threads where they lead, even in completely unanticipated directions. I found myself reading about some Brazilian anthropology, all kinds of things.

GOODMAN: So how did you know when you were done with the research?

DAVIDSON: Publishers.

GOODMAN: Deadlines! The beauty of deadlines.

DAVIDSON: They called me and said, "That's it." You know, "We're going to publish it without your conclusion," and I said, "Oh my god, I better write it." So I didn't—it's absolutely true—I didn't know what the conclusion was until about two months before I handed in the finished manuscript. I really didn't know what I was going to say. I think I got there in the end, it's not a fake conclusion, but I surprised myself, amazed myself at the end. I was like, "Gosh I didn't know that."

GOODMAN: What was it that you didn't know?

DAVIDSON: How weird the Greeks were.

GOODMAN: That would have been a good title.

DAVIDSON: These Greeks are crazy. Very strange.

GOODMAN: Jonathan?

JONATHAN SCHUPPE: My book-to-be started out as a very simple, straight-ahead newspaper story that I wrote for the Newark Star-Ledger, where I used to work. And the simple part of it was I had known this (unintell) Rodney, who was an ex-con, who was in a wheelchair, for a few years from a story I had written earlier about what happens to people when they get shot and they live, and the impact it has on the community. We'd kept in touch and he told me that he was going to be coaching a baseball team. So when I saw this, as you described, "ragtag bunch of kids" playing, who had no idea how to play baseball, and he was the one who was supposed to teach them how to play baseball, from a reporter's standpoint, covering a beat in the city and in this neighborhood, I knew that there was a story there. But it was a fairly straightforward story. I talked to my editor about this, and he said, "You should follow this team, you know, for the two or three months of their inaugural season and just write a story about that."

That's what the story was, initially. And by the time I finished this newspaper article, which was a couple of inside pages long, I knew I had a bigger story here. There was a story of the city of Newark, that a lot of people need to read, I believe, and I also had the story of a man seeking redemption. Those two stories were going to serve as sort of my anchors. The unknowns were the children that I decided to follow, and that kept changing. There were kids I thought in the beginning would be perfect for me to follow intimately and for one reason or another I did not, and other kids who I didn't initially think I was going to click with, but ended up clicking with, and then moving forward after choosing which of these kids to follow. These kids were 12, 13 years old and even in the best of circumstances I don't think you really know what direction a child is going to go in. And these kids are under enormous strain for various reasons, and their lives, from day to day—I feel like I'm following a real life soap opera.

So, I'm still in the process of trying to figure out exactly what these children's stories are, and how it's going to end. I feel much better knowing that it took a while for you two to figure out what the conclusion was and it's not going to be tidy in my case. I know that, because I'm going to finish my reporting when they're say, 14 years old, and that's in many ways just the beginning. So I have a lot of that to still figure out.

GOODMAN: So in a way, you and David were both embedded.

SCHUPPE: In a way. I sometimes use that word, but I'm not living through the bombs.

GOODMAN: No, but you are dealing with real people in an everyday way. They're going to keep changing, and so the question about your relationship with them—which is a question I wanted to ask David before—is how your relationship with them evolves, and how important is that for the telling of the story? In this sense James had an easier time because everybody was dead. And nobody could sue you, whatever you said. But I'm curious in both David's and Jonathan's case, how relationships evolve, and evolved, with those you're writing about.

SCHUPPE: I think that's the most difficult part of what I am going through. You approach something from a newspaper reporter's perspective, that you are distanced from the story and I must try as much as I
can not to affect what’s going on—the very basic things you learn as you’re coming up as a newspaper reporter, and that has totally been turned on its head for me. I’ve become, just by the nature of embedding myself in these families, part of their lives. There have also been a lot of personal things that I’ve needed to negotiate in terms of making sure that I maintain their trust, and that I don’t affect the outcomes of whatever family troubles may be going on. It’s been very complicated.

GOODMAN: Can you give us an example?

SCHUPPE: There are a lot. One that comes to mind is one family, which involves a single mom raising one of the kids I am following intimately, and at one point in the story, the stepfather, who the mom is married to, is in prison. So I started my reporting introducing myself to the mom and the child with the stepfather out of the picture. By the time the stepfather came out of prison, I already had a pretty intimate relationship with these two. And then all of a sudden there was the potentially jealous stepfather coming home, having to deal with issues of reestablishing ties to his wife and his stepson, and his biological son who was also in the household, and wondering, “Who is this? Why are you being so nice to this white guy? I’m your husband now.” I won’t get into all the details of how to deal with that, but I’m learning as I go how to work that out.

GOODMAN: David?

FINDEL: The intent here was not to write a war book. It was to use the war to write a more intimate book about the character of men who are out in a war, and make it feel like any war. What happened when I landed in this war is that I was suddenly among a bunch of soldiers who didn’t trust me at all. Didn’t know much about journalism. Had some notions about what journalism was, and they thought I was there, basically, to write a story about how they were simply a bunch of war criminals and baby killers. So it took some time to gain their trust. I think the way it happened—and it did happen, but it happened slowly—the fact that I stayed, that I didn’t just jump in, stay a week or two, and then leave, pretending I knew everything—I think that helped. The continuing presence.

The other thing that helped is that when bad things happened, and I was in the midst of these bad things, I didn’t become a problem for the soldiers. For instance, a few weeks after I got there I was in a convoy moving along a road. In that part of Baghdad, the weapon of choice was a really gross, horrible type of roadside bomb that involved an explosion and a guy with a trigger in the shadows and a copper disc that, when the guy pushed the trigger, would go forward at such a high velocity it would become semi-molten. It was so hot and moving so fast, it would simply burn through whatever was in front of it. This caused most of the deaths and injuries to this battalion. These things cost like a hundred dollars to make, and they would just burn right through the thickest part of a 400-pound door of the very best Humvee the Army had at that point. And it would go inside and it would just burn through the soldiers inside. These things were everywhere in Baghdad, and the soldiers found a lot of them but they couldn’t find them all, and they went off and off and off, and it’s the odds.

So one day early on I was out in a convoy, and it was a pretty day, and then there was—I don’t know which came first, maybe it was a sound, maybe it was a change in color, from white to brown, the odd, flute-
Battery feeling moving through me. Whatever it was, everything tilted, shifted, and like everybody else I was just in this cloud that finally went away. And everyone realized, “Okay, one of these things went off, and we’re fine. A little dinged up but fine.” The main charge, because the guy screwed up when he hit the trigger, went right in front of my Humvee and right behind the Humvee that was probably ten meters in front of me. So okay. It was quite scary. But I took out my notebook, I took out my recorder, and just started recording and documenting the scene, while the soldiers went about their business, and at some point I think it occurred to them, “Okay, this guy isn’t an ass. He’s not crying, he’s not freaking out. I guess this is what a journalist does.” And I didn’t get in their way.

As the months went on, more bad things happened, and I reacted like a journalist. Trust developed. To the point that, toward the end, the guys had three options. They could go talk to the chaplain, they could go talk to combat stress, which might mean the beginning of a record that would follow them through their career, or they could go talk to the journalist. More began doing that.

But it wasn’t really until the book came out—forgive the long answer—but it wasn’t until the book came out that I think trust was finally certified. Because when the book came out and it began circulating, you know, I’ve gotten just hundreds and hundreds of letters and e-mails from soldiers, readers too, but primarily for this discussion, soldiers. Not just soldiers I was in the battalion with but other battalions. And there’s a common theme, which is: “Mr. Finkel, I read your book, I was there during that period, I came home, everyone wanted to know what was it like. And I couldn’t talk about it, I can’t talk about it, I don’t want to talk about it. But now I can give people your book, say, ‘Read the book, you’ll understand what happened and why I can’t talk about it.’”

I’m not trying to be boastful, I’m just trying to kind of say, basically, out of the finished product, out of the piece of journalism, that’s finally, I think, when trust developed. But it took that long.

GOODMAN: I want to go back and ask you, to what degree it was also because you were: a) an older guy; and b) you didn’t have to be there, taking the risks, which must have had an effect.

FINKEL: Well maybe, but god, you know, imagine you’re a 19-year-old soldier and suddenly there’s a 50-year-old guy in your midst. That’s not a good day. The other problem is, these are infantry guys, these are tough, tough guys. And then suddenly standing among them, not only a 50-year-old guy, but you know, look at me. It’s not like I’m a weight lifter. So there was a lot to overcome.

GOODMAN: James, when you set about doing a historical book, which is very different—you’re the one who is not embedded, except you might have been totally engaged in the literature. But to what degree is the story that you’re telling affected by things that are going on in the world around you? To what degree is it pure history and to what degree are you brought into it by issues that you see every day around you?

DAVIDSON: I think I try not to be influenced by things which are going on, in terms of, I don’t want to write a polemical history or something with, “A Lesson for Our Times.” But inevitably when the world changes or when people’s assumptions change, your own ideas about what’s possible in a different human society change. So in that respect I think experience is a very useful tool.

GOODMAN: I guess what I had in mind was that gay rights and gay marriage is such an ongoing and vital
story of the moment, that I would automatically bring some of that to a study of a notably historical gay world.

DAVIDSON: The story could be that this had been totally ignored until John Boswell came along with his *Marriage of Likeness*, and suggested that even in churches in the Middle Ages, these same-sex marriages had been celebrated. And I reviewed that, and I thought, “This is a very nice book, he’s very well-meaning, but this is still nonsense, it just comes from a kind of…”

And then I changed my mind. That there were indeed same-sex marriages in antiquity was one of the things I discovered, and part of what enabled me to think again was a conversation with Alan Bray, who wrote a book called *The Friend*, which was really examining what you mean by a marriage, what you mean by a wedding—“wedding” from the word “wed,” a pledge. I just had an e-mail exchange with him of maybe three sentences, he sent me an offprint of some article in a really obscure journal which was impossible to get hold of, and that really opened my mind and I thought—I mean the reason he’d written it was obviously because of the politics, and he was very involved with the church, and gay marriage and the church. But he really opened my mind and I had to say, “Well, maybe this is just because it’s a trendy thing,” and other people said, “Well actually, in the 19th century, this German commentator on Thucydides, you know, he used the word “marriage” about this famous gay couple in antiquity.” And then again in, I think it was 1903, 1907, another article by another distinguished German, you know the German philologists of that time are giants, very serious, not really interested in, you know, gay marriage per se in that period. So that was a kind of reassurance. And I thought okay, if they could start talking in those terms back in the beginning of the 20th century or even in the 19th century, maybe it’s not so strange.

In fact, I think what happened is that something had been occluded, and the whole business about gay marriage now has allowed us to see something that we couldn’t see before. But I was very anxious about that. I didn’t want to be just waving a flag just for the sake of it.

GOODMAN: So Jonathan, since you are the person whose work is still a work in progress, do you have a question from the stage you’re in now in your writing, that your two colleagues here might help with? One of them has already told you that he didn’t know the conclusion until he was concluding, or until his editor told him he had to—we’ve all had that deadline moment. And David was talking about the time frame of that.

"I don’t want to write a polemical history or something with, ‘A Lesson for Our Times.’"

—James Davidson

SCHUPPE: Reading David’s book, I tried to figure out how you did all you did, so I had a lot of questions in that regard. But one is I’m curious about the relationship you tried to maintain with the people who became the main sources, and the main characters in your story. How did you prepare them for the reality of seeing their stories in print? Because I know people can understand in some abstract sense that they’re being reported on or written about, and then there is the moment when it hits the page.

FINKEL: I guess a couple weeks before the book came out, I mailed copies to families of the dead soldiers. And I said, “There’s a book coming out, I wrote it, I was with your son’s battalion. Here’s a copy, if you ever want to call me please do. But there’s a book coming out.” There is one line in the book, and it took a long time to decide whether to include it. And the line is, “That’s a toe. He’s dead.” And briefly, the circumstances—it was the best worst day of the entire time.

This day begins with David Petraeus, after he testified in Washington in September 2007. This huge event. Leaving Washington, one of the most famous people in America at that point. Going back to Iraq.
And then a couple of weeks later, showing up at this base I was on to meet these soldiers. And so Petraeus comes in and this is a huge moment for my main character, who’s telling them about this initiative they had done, to put a platoon of soldiers at this gas station, blah blah blah. And Petraeus interrupts him and says, “We know about this, we need to do this throughout Baghdad.” And you could see sunbeams coming off my main character, that the great David Petraeus was saying we know about what you’re doing, and we need to do it all over.

Petraeus leaves, my guy is standing outside, it’s a beautiful day in September. And he’s talking about this—the initiative involved putting a platoon of soldiers at a fuel station—and as he’s talking about it, there’s an explosion, and then there’s a coil of smoke coming up into the sky, and it is from the fuel station. As his platoon was leaving for the day, in came another bomb, into a Humvee, and threw a guy named Joshua Reeves, who that morning—everything was so extreme—that morning he had just found out that his first baby had been born, and he was about to call his wife, and now he was a guy being brought into the aid station just totally shredded, but still alive. Five of us go down to the aid station to watch what happens next. Just this unbelievable scene. He’s stripped, he’s on a litter, he’s surrounded by doctors and nurses trying to keep this guy alive, and every time they compress on his chest, the CPR, they’re just you know (motions forcefully downward with his body) and it’s so hard, it’s so vicious every time they do it, pieces of him are falling to the ground. At one point, a nurse trying to tidy up kicked something on the ground, that goes skidding across the floor. And it rolls up against my boot, and the soldier next to me looks down and says, “That’s a toe.”

So it’s months later and I’m writing that scene, and the question is do I include that? But then I start thinking about Josh Reeves’s family: his wife, his parents. I loved this guy. He’s a great guy. And they didn’t know anything about his death, except that he was dead. And they got this book. And they’re going to flip it open and start reading it, and they are going to come to this scene. And as horrible as everything is, they’re going to get to that line “That’s a toe,” and I thought, “Shit.” You know, I’ve got kids that age, and if I were the parent and I was reading this book, and I came up to that line, what would I do?

Well, I included the line, and the book comes out. Maybe a month later I get the e-mail, and the subject line is, “From the father of Josh Reeves.” It was a great e-mail. It was a beautiful e-mail. And somewhere in it he says, “I want to thank you for writing about my son the way you did. Because of your book, we got to spend the last few hours of his life with him, and our family will be grateful.” So it worked out. But it could have gone the other way. Just as easily. A family could have written an e-mail, “You son of a bitch, how dare you put that line in, how dare you put the details in?” So this is a long way of saying, when you get to that line, you know, the obligation is to the story. Go as far as you can go without crossing the line.

SCHUPPE: You started out your answer by saying you had sent copies of the book. Was it after it had already been published, or when it was about to be published?

FINKEL: It was a week before it came out. And I’ve never done that in my newspaper career. I tell people specifically, “You don’t get to see the story until it comes out. I have no obligation to you, my obligation is to readers, I don’t care a whit about you.” But the book was out, and I just thought in this case it would be indecent not to send it. And so I sent it. Some people got in touch and some didn’t.

GOODMAN: I think this is a perfect example of what the Lukas award is supposed to do, which is to get journalists to talk to each other at various stages and to break down some of our silos and talk with each other and make it all move forward jointly. I want to thank you all very much for your conversation and for being with us. All three of you again—thank you.
Along Publishers Row

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phy of Teddy Roosevelt right now. He was talking about it.”

Troy said, “One of the reasons the country’s intellectual class has taken so gleefully to Obama is precisely that, in addition to writing bestsellers, the man is clearly a dedicated reader.”

Obama follows other presidents who liked to read. John Adams’s library had more than 3,000 volumes. Thomas Jefferson’s huge library became the core of the Library of Congress. He told Adams, “I cannot live without books.”

Teddy Roosevelt read several books a day and wrote more than a dozen.

Harry Truman, who had no college degree, loved history. And Richard Nixon, in a farewell speech to his staff, said, “I am not educated, but I do read books.” He too wrote several.

MORE SPENSER: Robert B. Parker died in January, but his books will keep coming. Parker’s editor at Putnam for 21 years, Christine Pepe, told PW, “We have a new western, Blue-Eyed Devil, coming out in May; a new Spenser, Painted Ladies, in October and a couple of other projects in the works.” She added, “He always delivered early—an editor’s dream in every way.”

Parker’s bestseller in March was Split Image.

FINE ART: Turned up a library book by Evelyn Waugh entitled A Little Order: Selections from His Journalism. Page after page of lively quotes, and here is one:

“Of all the arts, the one to be recommended to the young beginner is literature. Paint is messy; music is noisy, and the applied arts and crafts require a certain amount of skill. But writing is clean, quiet, and can be done anywhere at anytime by anyone. All you need is ink, a piece of paper, a pen and some vague knowledge of spelling. Even the last is not essential if you employ a competent typist.

“All you have to do is write ‘Chapter One’ at the head of your paper and from then onwards for better or worse you are an author.”

REMINDER: Erskine Caldwell, whose novel Tobacco Road stirred controversy in its day, once wrote: “I think you must remember that a writer is a simple-minded person to begin with and go on that basis. He’s not a great mind, he’s not a great thinker, he’s not a great philosopher, he’s a storyteller.”

CONTEST: Broadway diva Patti LuPone wrote an autobiography and initiated a contest on her website, pattilupone.net, for a title. She offered two tickets to her next Broadway show as a prize. “Dolls,” she wrote, “I’ve been busy writing the story of my theatrical life and need your help to find a suitable and fabulous title.”

The New York Times suggested memorable lines from three of her shows: “I’m Ready for My Close-Up” from Sunset Boulevard, “Don’t Cry for Me, Argentina” from Evita, and “Put Your Camera Away” from Gypsy.

NAMING CHARACTERS: Writer’s Digest asked several writers how they selected names for their characters. Jonathan Kellerman said, “There’s really no simple answer. Rarely I engage in a pun—for example, the manic-depressive Richard Moody in my novel Blood Test. But more often names just float into my head. After 32 novels I’ve ‘created’ thousands of characters, so the challenge is not to duplicate.”

Jeffrey Archer said that he watches the credits at the end of films. “Or I might see a surname I like in a newspaper. I keep them all on a list. Then, when the time comes to begin writing, I’ll look back at that list and pick out the ones that best suit the characters.”

FROM DRAWINGS: Catherine Fisher is author of a children’s fiction bestseller, Incarceron. She told PW’s Children’s Bookshelf that she got the idea from artist Piranesi’s work. “His drawings envision imaginary prisons as dark holes with viaducts and dungeons, and the whole idea really interested me,” Fisher said. “I started to speculate: what if a prison was a vast place containing whole landscapes? And then I began to elaborate and thought about making the prison alive and aware of its inmates.”


One method: “Be charming,” she explained in Writer’s Digest. “After a bit of chat, I’ve used this line, which works remarkably well: ‘I advise you to buy this book today because it’s a first edition with a limited print run, and with my autograph it will be worth thousands on eBay some day.’

“If they smile, you’ve probably got them.”

BIG CHANGES: Jennifer Gilmore’s first novel was Golden Country. She wrote it when she was a publicity director at Harcourt, and she felt she knew a lot about the publishing business.

Her second novel is Something Red. She told PW, “It’s actually quite frightening to be an author and know the business side of publishing. I imagine it’s easier to be in Iowa and not know what’s going on with your book. If the industry had stayed the same, I might still feel in
control of the publishing process, but sales reps’ jobs have changed, marketing jobs have changed, publicity jobs have changed.”


He opened with: “The transition within the book publishing industry from physical inventory stored in a warehouse and trucked to retailers to digital files stored in cyberspace and delivered almost anywhere on earth as quickly and cheaply as e-mail is now underway and irreversible. The historic shift will radically transform worldwide book publishing, the culture it affects and on which it depends. Meanwhile, for quite different reasons, the genteel book business that I joined more than a half-century ago is already on edge, suffering from a gambler’s unbreakable addiction to risky, seasonal bestsellers, many of which don’t recoup their costs, and the simultaneous deterioration of backlist, the vital annuity on which book publishers had in better days relied for year-to-year stability through bad times and good.”

IN SUSPENSE: Elizabeth Berg, author of The Last Time I Saw You (her 19th novel), told Writer’s Digest that she never wanted to know ahead what was going to happen in a story. “To me, it would be like doing homework—it would be so boring—if I knew what was going to happen. So, I’m kind of like the reader every day. I go into my study, and I don’t know what’s going to happen. It’s exciting, you know?”

ON KIDS BOOKS: One of the characters in A. S. Byatt’s new novel, The Children’s Book, is a writer of books for children. She says that a story, “especially a mystery story, is all topsy-turvy. It works backwards, like tunnels of mirrors. The end is the cause of the beginning, so to speak. I need my resourceful children to find hidden things, and therefore I need to know who hid them, and where, and why. But really they were hidden in order to be found.”

The italics are the author’s.

Later this character says, “You know, it’s a truism that writers for children must still be children themselves, deep down, must still feel childish feelings, and a child’s surprise at the world.”

CONFERENCE: The 10th National Black Writers’ Conference was held at Medgar Evers College in New York in late March. Toni Morrison was honorary chairwoman.

Many black writers, editors and others in the book world said that such a conference was needed. The New York Times reported: “Black authors are part of the broader society’s struggles with the legacy of discrimination and exclusion, they said, and often need a more strategic approach to getting their work promoted, reviewed and sold.”

James McBride, author of The Color of Water, said it was good for established writers to meet young writers. He said, “James Baldwin and Zora Neale Hurston opened the door for me. If I can help someone, all the better.”

BACKYARD RESEARCH: Jan Brett’s The Easter Egg is a best-selling book for children. The writer/artist lives in Maine. She wrote the text and painted the illustrations. She told PW that she did her research in her backyard.

She said, “I modeled Hoppi [the hero] after the many bunnies that live in our yard. In New England, just after the snow melts, wildflowers emerge. . . . They all seem like treasures when they are discovered. Because spring is my favorite season, I had no wish to end my book, as it made spring last for the year it took me to paint the pictures.”

MARKETING MOVE: When Jodi Picoult’s House Rules hit No. 1 on the hardcover bestseller list, her publisher, Atria, launched an application for the iPhone and iPod Touch that provides access to the author’s website and Twitter feed, changes in her tour schedule and backlist content. The app also allows users to write on a fan wall and take a quiz about her books.

NO TOUR: Because of the volcano in Iceland, thousands of flights from Europe were suspended in the middle of April and Alexander McCall Smith, who lives in Scotland, had to cancel his two-week promotional tour in the U.S. for his No. 1 Ladies’ Detective series. Thanks to technology he did his scheduled radio and print interviews from his study at home with, according to PW, “his cat listening in.”

LITERARY LETTER: On display in the Kennedy Presidential Library and Museum in Boston is a letter that J. D. Salinger wrote to Ernest Hemingway in 1946.

“Dear Poppa,” Salinger begins, and explains that he is in a hospital in Nuremberg, Germany. He says that “the talks I had with you here were the only hopeful minutes of
the whole business." Salinger refers to himself as a jerk, "but the wrong people mustn’t know it." And he warns Hemingway not to option his next book to Hollywood. "As chairman of your many fan clubs, I know I speak for all the members when I say Down with Gary Cooper." The New York Times printed thumbnail portraits of both Salinger and Hemingway.

TRADING ON FAME: After more than a million copies of his Pride & Prejudice and Zombies were sold, Seth Grahame-Smith followed up with another bestseller, Abraham Lincoln: Vampire Hunter. The new book was launched in March at the Abraham Lincoln Presidential Library and Museum in Illinois.

PW says a movie is in the works.

SING LIFE: Jean Kwok's Girl in Translation is a first novel that describes many of the author's own experiences. A PW interviewer asked her if the writing was therapeutic. She said, "I think every act of writing is therapeutic in a way. What I think is wonderful about writing and fiction is that you can take something that was difficult, and writing about it transforms it into something positive. . . ."

"It was important to me to not have this book be a dark book. I think that there are difficult things that Kimberly [the heroine] and her mother experience, but in the end they triumph because they are dignified people with integrity."

OTHER VOICES: Joyce Carol Oates reviewed Jerome Charyn's The Secret Life of Emily Dickinson for The New York Review of Books. (See the following item.)

Oates wrote: "Of literary sleights of hand, none is more exhilarating for the writer, as none is likely to be riskier, than the appropriation of another—classic—writer's voice. In recent years there has emerged a company of remarkably imaginative, sympathetic, and diverse fictional portraits of literary predecessors: Michael Cunningham's The Hours (Virginia Woolf); Colm Toibin's The Master (Henry James); Jay Parini's The Last Station (Tolstoy); Edmund White's Hotel de Dream (Stephen Crane, with appearances by Henry James and Joseph Conrad); Sheila Kohler's Becoming Jane Eyre (Charlotte Bronte, with sisters Emily and Anne). . . .

"As each generation would seem to require new translations of great texts, so new visions of our great predecessors would seem to exert a powerful attraction for fellow/sister writers."

LETTERS: Jerome Charyn was interviewed by the Columbia Magazine about his latest novel, and he was asked why he chose to write about Emily Dickinson.

He said, "She was the first writer I really discovered. I memorized her poems when I was younger. But the novel only became possible a few years ago, after I read her letters. They were startling, and every bit as original and great as her poems."

"There are three in particular, called the 'Master Letters,' in which she addresses a hidden lover in a very poignant way. Scholars don’t know who the master was, or even if these letters were sent. But they’re enormously powerful and heart-breaking. They are her poems novelized; she’s just as extravagant, she wears so many masks. I think they’re among the greatest letters ever written."

COFFEE TALK: Sherrilyn Kenyon and Dianna Love entertain their fans at bookstore signings with anecdotes about writing together. Their Silent Truth is a paperback fiction bestseller. They tell fans that they work with "lots of coffee, e-mails, and verbal sparring as the characters."

Due out in the fall is another in their paranormal thriller series, PW reported.

PRIZE TIME: And the 2009 winner of the Diagram Prize for Oddest Book Title of the Year went to Crocheting Adventures with Hyperbolic Planes by Dr. Aiana Taimina. Philip Stone of The Bookseller magazine, which announced the winners, said the book won because, "very simply, the title is completely bonkers." Second place went to What Kind of Bean Is This Chihuahua? by Tara Jansen-Meyer. Third went to Collectible Spoons of the Third Reich by James A. Yannes.

Special mention went to Afterthoughts of a Worm Hunter by David Crompton and The Changing World of Inflammatory Bowel Disease by Ellen Sheri and Maria Dubinsky.

ANGEL RESEARCH: Danielle Trussoni's Angelology is a bestseller, and her website opens with a grand musical introduction. In an interview, Trussoni said that she did her research on angels at a convent. Her great-aunt is a Franciscan Sister of Perpetual Adoration at the St. Rose Convent in La Crosse, Wis., Trussoni's hometown.

Trussoni told an interviewer, "I spent a lot of time simply following the Sisters through their day." In the convent reading room she found a shelf full of books about angels, and she began reading. "Within hours," she said, "I understood that angels would be at the very center of my book."

Scenes in the book describe Paris, New York, and a cave in Bulgaria. Trussoni and her husband and their two children live in the south of France. Later in the interview, Trussoni said, "Being transported to other places is, for me, the real pleasure in writing fiction."
BLOG BORN: One of the ways to get a book deal these days is to write a blog. Eben Oliver Weiss, an ex-literary agent from Brooklyn has been writing The Bike Snob blog since 2007.

The New York Times said, “The Snob’s lengthy daily posts meander across the cycling spectrum, from bike lane etiquette to the esoterica of bike parts, often pulling from popular culture and never shying from skewering the big names of the sport.” The book version was scheduled for May publication.

ROUNDUP: In a major article on mysteries in PW, Lenny Picker wrote, “Never before have so many historical mysteries been published, by so many gifted writers, and covering such a wide range of times and places.”

The genre may have begun with Agatha Christie’s Death Comes As the End, set in thebes, 2000 B.C.E., and published in 1944. But, nine years earlier, Julius Caesar Murder Case by Wallace Irvin was published. It features “Publius Manlius Scribo, star reporter and sports columnist on the Evening Tiber.”

The article traces the history of the historical mystery up to and including Hilary Mantel’s Wolf Hall, most recent winner of the Booker Prize.

CONFIDENT: Lee Child, a native of England who lives in New York, is the author of more than a dozen Jack Reacher (a hero with “no job, no address, no baggage”) thrillers. Crisp titles include Gone Tomorrow, The Hard Way, One Shot and The Enemy.

In an interview with the Daily Telegram, Child said, “If you set something down with enough confidence you can make it seem true.”

Then he said, “I could easily write a work of literary fiction. It would take me three weeks, sell about 3,000 copies and be at least as good as the competition. But literary authors can’t write thrillers. They try sometimes but they can never do it.”

MISQUOTES: Both Philip Roth and John Grisham were quoted as making anti-Obama remarks in “interviews” in Italian publications. Neither author could remember speaking to the Italian reporter who wrote the articles about them.

Grisham told Judith Thurman of The New Yorker that he had talked to an Italian lawyer and, “I am exploring my possible remedies with plans to file an action.”

Roth said that he had decided not to sue. He said, “It would distract me from my writing, and, worst of all, I would have to obsess about it.”

COVERS COUNT: E-books were again the subject of a New York Times Page 1 article because, unlike printed books, they do not advertise books the way a jacket does. A subway rider saw another woman reading a book with a bright orange background behind a black silhouette of a woman. The title was Little Bee by Chris Cleave. The woman made a note on her iPhone and bought the book later that week.

If you thought art doesn’t matter, Holly Schmidt, president of Ravenous Romance, an e-book publisher, said an anthology of stories about older women and younger men featured a digital cover image of a winsome woman. It barely sold. The publisher put a new cover up online—the bare torsos of three young men—and sales took off. Schmidt said that the new cover “took a book that was pretty much a loser and made it into a pretty strong seller.”

NO CONTEST: Norris Church Mailer, widow of Norman Mailer, is the author of A Ticket to the Circus: A Memoir. She was interviewed for an article in The New York Times Magazine.

Asked about the grandiosity of Norman Mailer’s generation of male writers, Norris said, “They all wanted to be ‘the best writer,’ and I don’t think there is such a thing. Hemingway wanted to be the best, Norman thought he was the best, and it’s not a contest. I used to really get annoyed at that.”

AN EDITOR’S VIEW: Diana Athill’s Stet: An Editor’s Life won the 2009 nonfiction National Book Award. The author is a 92-year-old Londoner who worked for a small publishing house for more than 50 years.

Among the hundreds of books she edited, she admired two particularly because the authors had survived incredibly difficult lives. Athill wrote, “They brought home to me the central reason why books have meant so much to me. It is not because of my pleasure in the art of writing, though that has been very great. It is because they have taken me so far beyond the narrow limits of my own experiences and have so greatly enlarged my sense of the complexity of life; of its consuming darkness, and also—thank God—of the light that continues to struggle through.”

MOVIE MAN: Stephen Daldry has become the director to go to when literary fiction is turned into a movie. He directed film versions of The Hours and The Reader. His next job for the screen will be Jonathan Safran Foer’s Extremely Loud and Incredibly Close.

SOLD: A three-volume copy of Jane Austen’s Emma, signed by the author, sold for almost a half million dollars. It was published in 1816 and was one of a dozen presentation copies that the publisher gave to Austen for her friends and family. This copy was given to Anne Sharp,
a friend who inspired the character of Mrs. Weston in the novel.

TV TELLS: Lisa Lutz, who once worked as a private investigator, lives in San Francisco, and her fourth novel, The Spellmans Strike Again, made the bestseller lists. There are now four novels about a family firm of investigators.

In an interview on her Web page, Lutz explained why she included references to the old Get Smart television series in The Spellman Files, one of the earlier books. She said, "I think television habits tell you a lot about a person. I mean, if you've ever met someone who really hates TV, you already have a pretty clear insight into his/her character. How someone chooses to escape says a lot about that person."

VIA BLOGS: As newspapers continue to cut back on or give up book reviews, is that vacuum going to be filled by blogs?

Dave and Mara Lateiner of Millburn, N.J., with daughters Sami, 9, and Lauryn, 11, have reviewed 27 books online and have attracted almost 600 followers and The New York Times, which featured them in an article.

Mrs. Lateiner, a former preschool teacher, told the Times, "We figured it would motivate the kids to read more. Now the blog has turned into the family's hobby." Dave Lateiner maintains the site and writes most of the reviews, but his wife and daughters also contribute. No books are panned. Mrs. Lateiner said, "I don't want to make it a negative place. We want to share the books we enjoy."

The Lateiner Gang Book Review Spot has had 34,000 visits this year, and publishers send the family advance and review copies. Lateiner, who makes his living as a financial planner, said, "If I could make money doing this, I'd make it my full-time job."

HER SECRET: Muriel Barbury is the author of the best-selling The Elegance of the Hedgehog, which sold more than a million copies in France, where it was first published. Barbury was born in Casablanca and has spent most of her life in France.

She told an interviewer on the Web, "This success has allowed me to realize some of my dreams, to live in Japan and to be able to write full time."

In answer to another question, she said, "I never think of the reader as I write. Writing is an intimate, almost secret activity. I only follow my own sensations and desires. I am very happy to be read, but at the same time, the knowledge that I am being read sometimes even annoys me."

BUSY: In April, financial writer Michael Lewis's The Big Short topped the nonfiction bestseller list, and he was appearing on 60 Minutes and just about every other TV and radio show to promote it.

At the same time, his The Blind Side, was No. 1 on the nonfiction paperback bestseller list and an earlier book, Liar's Poker, was No. 20.

In an interview with Charlie Rose on TV (now viewable on the Web), Lewis said, "Something comes over me when I see a piece of paper."

TREATING BLOCK: In Edmund White's memoir, City Boy, the author writes that the poet John Ashbery told him that he had been to see a psychiatrist about writer's block.

The conversation was described:

"Shrink: So tell me what your daily schedule is.

Ashbery: Well, I wake up and get up and—

Shrink: You do what?

Ashbery: I get up—

Shrink: You must never, never get up. Okay, pee and make a cup of coffee, but then get back in bed if only for half an hour every day and write longhand in a notebook.

Ashbery: Why?

Shrink: That way your inhibitions will still be low and you'll be closer to your dreams. That's the surefire way out of writer's block."

DINOSAURS THRIVE: Has it been more than 50 years since dinosaurs reared their ugly heads in children's books? At least two men continue to thrive by feeding this trend. Both were at this spring's Post Road School Book Fair in White Plains, N.Y.

Bernard Most, a friendly grandfather from Scarsdale, said that he got started when his son wrote in a school paper that he "wanted all the dinosaurs to come back to life." Most, a graduate of Pratt and a graphic artist and writer in advertising, wrote and illustrated his first of many books, If the Dinosaurs Came Back.

Howard Fine is a dentist who practices in White Plains. He says on his website that he began drawing when he was two years old. "I told my mother it was an astronaut floating in space. She still believes it."

Fine's books include Snoring Beauty, Dinosaurs and Dinotrain. For the children at the book fair who had Fine sign books, the illustrator, in a flash of penmanship, added a drawing of a dinosaur.

This year, the Post Road Book Fair had 44 writers and illustrators on hand.

SALES PITCHER: Nina Bourne, 93, died on April 9 in Manhattan. The New York Times's obituary said that she was responsible for the "unfussy advertisements, peppered with understated but punchy copy, [that] helped propel Joseph Heller's Catch-22, Kay Thompson's Eloise books and Robert Caro's The Power Broker to the top of the bestseller lists."

She did fail to get Evelyn Waugh to write a blurb for Catch-22. He wrote to her, "I'm sorry that the book fascinated you so much. It has
many passages quite unsuitable to a lady’s reading.” Wouldn’t a quote like that sell books?

HOW IT BEGAN: Brandon Mull’s Fablehaven is a best-selling book series for children. The author lives in “a happy little valley” with his wife and three children.

In an online interview, he explained how he came to write his series: “I used to live in Connecticut. Trees surrounded my house. Sometimes I would dream about strange creatures in the woods. . . . I asked myself many questions. What kind of creatures would live there? What would keep them from destroying each other? . . . Who would be interesting people to watch over them? Gradually, a storybook took shape. As the idea grew, I made plans for five Fablehaven books.”

WHY PAPER? Verlyn Klinkenborg writes an “Editorial Notebook” on The New York Times editorial page. In an essay entitled “Some Thoughts About E-Reading” he revealed that he reads a lot on his computer. He enjoys e-books on the Kindle because of the immediacy it offers and “the increasing wealth of its resources.” He has found, however, that he now likes old-fashioned books because “They do nothing.”

“A paper book aids my concentration by offering to do nothing else but lie open in front of me, mute until I rest my eyes upon it.” And he concludes: “The question isn’t what will books become in a world of electronic reading. The question is what will become of the readers we’ve been—quiet, thoughtful, patient, abstracted—in a world where interactive can be too tempting to ignore.”

COLLECTOR: Marc Hartzman of New Rochelle, N.Y. writes books that are a collection of items from newspapers, libraries and the Internet. He was featured on the front page of the White Plains Journal Express because he was having a signing of his latest book at the local Barnes & Noble.

The title of his latest explains it all: God Made Me Do It: True Stories of the Worst Advice the Lord Has Ever Given His Followers. Sample: A man in Texas explained that he rammed another driver with his pickup at 100 mph because “she was not driving like a Christian. God said she needed to be taken off the road.”


FANTASY: Patricia Briggs writes novels that are classified as “Urban Fantasies.” The latest is Silver Borne, and it hit No. 1 on the hardcover bestseller list in April. Her heroine in the series is Mercy Thompson, a shapeshifter (is that some kind of ghost?) and auto mechanic (I know what that is) in Washington state.

In a long interview on her website, Briggs said, “I grew up with fairy tales. My mother was the librarian at our elementary school, and I can’t remember not knowing fairy tales. My sister, who is four years older than I am, used to read them to us so we didn’t have to go to sleep at bedtime.

“My mom would say, ‘Your lights!’ and my sister would say, ‘Patty couldn’t sleep so I’m reading her a fairy tale.’

“Well, okay.”

BIG BOOK: Gordon Lish’s latest book is called Collected Fictions, and it is made up of 106 stories that he said are “partly true, partly untrue” and then adds “everything is untrue.” Years ago, when Lish was an editor at Esquire, he was known as “Captain Fiction.” As Raymond Carver’s editor at Knopf, he managed to become highly controversial.

Lish is the author of eight books with titles like Dear Mr. Capote, Peru, Zimzum and Epigraph. To promote the new book, Lish sat for an Internet video in which he talks ramblingly about going to a bullfight in Nogales, Mexico. He says that what is remarkable about this 546-page reprint collection (with some revisions) of four previously published books is that “the sequence seems intended.”

He was transported by what happened at the bullfight, and he said that with a “pencil in my hand and in the middle of a sentence I am transported.”

CRITIC TOO: Nobody ever told Mark Twain not to write in published books, and an assortment from his personal library, now in a small library in Redding, Conn., attracted the attention of The New York Times. “He was less well-known, but no less talented, as a literary critic,” the Times reported. The library has more than 200 books with Twain’s penciled comments.

In the margins of Melville Landon’s Saratoga in 1901, Twain wrote, “The droolings of an idiot.” But not all his reactions were negative. Near a poem about death by William Cullen Bryant, Twain scrawled, “Written at 19!”

THE BUSINESS: Adam Langer’s The Thieves of Manhattan “takes satirical aim at the book publishing industry,” PW said.

Asked in an interview how much of the book was based on his experiences, Langer said, “As a writer, editor, critic, occasional blogger, and even a very occasional uncredited freelance publicist, consultant, and book video producer, I’ve certainly had more than my share of experiences in and around publishing. . . . I’ve been advised by my attorney to say that any resemblance to real persons, living or dead, is purely coincidental.”
But he then added, "Every character in Thieves, every hooligan librarian, every crooked manuscript appraiser, every nefarious editor, every blowhard publisher, every wide-eyed hero and every phony memoirist has a very specific, real-life inspiration."

WINNER: Paul Harding's novel, Tinkers, suffered years of rejections but was eventually published by Bellevue Literary Press and won the Pulitzer Prize for fiction. He is now teaching at the Iowa Writers' Workshop.

Even after it was published, the book was ignored by The New York Times. Independent booksellers who recommended the book to their customers are claiming credit for the book's success.

But Rebecca Pepper Sinkler, a former editor of the Times Book Review was chairman of this year's Pulitzer fiction jury and she had learned about Tinkers at a book-reviewing workshop she had led in Manchester, N.H. last April. Sinkler told the Times, "I think that sentence for sentence, it was the most beautifully written and most gorgeous use of language of any of the books we looked at."

The book was also championed by Marilynne Robinson, a former Pulitzer winner who also teaches at the Iowa Writers' Workshop. She said she tells students that they "can write something that satisfies their definition of good, and they don't have to calculate the Market."

TECHNIQUE: Dave Barry, the humorist, has written more than 30 books and won the Pulitzer Prize. His latest book is I'll Mature When I'm Dead: Dave Barry's Amazing Tales of Adulthood. He's 62 and lives in Miami. In an interview in The New York Times Magazine, he described his writing technique: "Get coffee. Stare at the screen. Write a bunch of things that aren't any good. Then comes that moment when I'll say, 'That's still not any good.'"

Asked about misconceptions about writing, Barry said, "One is that it is easy, and one is that it is hard. People think they could write a book, and if they try, it's usually awful. Writers claim it's agony, but come on! You don't spend that many hours per day doing it."

MIXED: Yann Martel's Life of Pi had 33 million copies printed in the U.S. alone. His new novel, Beatrice and Virgil, got mixed reviews. The New York Times reviewer said it was "perverse." The Boston Globe called it "egregiously ill-conceived." USA Today called it "a masterpiece," and the Los Angeles Times found it "awe-inspiring."

PW's comment: "Go figure."

REVEALED: Steven Saylor's latest book is The Novel of Imperial Rome, due out in September. His historical mystery stories have been published in 21 languages.

He told PW: "All writing is an act of self-exploration. Even a grocery list says something about you; how much more does a novel say? . . . Even the crudest, most derivative novel is an expression of the author's hopes and fears and ideas about good and evil. Even the most commercial writer is, at some level, exploring personal demons."

POP QUIZ: "What did they read? during the first four months of 2010, The New York Times asked. In mystery books, the top five were Shutter Island by Dennis Lehane, Look Again by Lisa Scottoline, Fantasy in Death by J. D. Robb, Caught by Harlan Coben, and Split Image by the late Robert B. Parker."

Most of the top 25 mysteries featured detectives. In April, The Body of Death by Elizabeth George was published. It is the 15th George novel to feature Scotland Yard's Inspector Thomas Lynley.

CRISIS TIME: In a recent "Annals of Communications" column for The New Yorker, Ken Auletta asked, "Can the iPad topple the Kindle, and save the book business?"

In the piece, he sums up what's happening with a quote from a Connecticut bookseller: "Bookselling is an eight-inch pie that keeps getting more forks coming into it. For us, the first fork was the chains. The second fork was people reading less. The third fork was Amazon. Now it's digital downloads."

It's the low price of $9.99 that Amazon charged for e-books that got publishers up in arms. "No matter where consumers buy books," Auletta concluded, "their belief that electronic media should cost less—that something you can't hold simply isn't worth as much money—will exert a powerful force. Asked about publishers' efforts to raise prices, a skeptical literary agent said, 'You can try to put on wings and defy gravity but eventually you will be pulled down.'"

TWO HENRYS: Lisa Grunwald, 50, told The New York Times, "Up until now, the book I've gotten the most attention for is the one I didn't write." Back when everyone was guessing who wrote Primary Colors, the famously anonymous book by Joe Klein, Grunwald was a leading suspect.

Now she has written a novel, The Irresistible Henry House, with a hero who shares a first name with her father, Henry Grunwald, who was managing editor of Time magazine from 1979 to 1987.

Grunwald wrote her 410-page novel by trying to produce five usable pages a day. She said, "Some days, it's torture. But just that business of writing a good sentence—it's authentically joyful."

CORRECTION: Jules Feiffer's new memoir is titled Backing into Forward. He ends one chapter about a
longtime friend who turned out to be a Soviet spy with the comment: “The beauty part of being a writer is that if you get it wrong in life, you can always work it out on paper.”

New York magazine reviewed Feiffer’s memoir by having cartoonist Laurie Sandell draw a two-page comic strip with quotes from the book in balloons.

SOLUTION: Sophie Hannah, author of a crime novel, The Dead Lie Down, is also a poet. She told PW, “In a poem, every word has to be in exactly the right position in relation to every other word, or else it undermines the whole. It’s the same with a crime novel: if you’re going to have a big revelation in chapter 30, you’ve got to lay the groundwork by planting bits of information . . . in order for it to work. I first have to be as mystified as I want my readers to be. So for a while, with each book, I go around with a mystery in my head and no solution.”

IN PROGRESS: Richard Paul Evans, a former ad man, scored big with his self-published The Christmas Box six years ago. A major publisher took it over, and Evans said on a TV interview that it had sold eight million copies.

His new book, The Walk, is a best-seller, and Evans has been promoting it on TV. He said that The Walk is the first of a five-book series. The story begins in Seattle, and the main character is an advertising executive who loses everything. He decides to walk to Key West, Fla. “I have no idea how he gets there,” Evans says. In this first volume, the character gets only as far as Spokane.

Evans said that he and his daughter are driving the route and “I’m making this up as we go along.” He said that when they get to Key West he’ll end the series with a big party.

HIS HISTORY: “I will leave judgments on this matter to history—but I will be one of the historians,” wrote Winston Churchill. That quote was used in an advertisement for a first American edition of the six-volume In War: Resolution. In Defeat: Defiance. In Victory: Magnanimity. In Peace: Good Will. Bauman Rare Books in Manhattan offered the set, with the first volume inscribed by the author, for $16,000.

IMPROVISED: Peter Carey, an Australian who is the author of Jack and Maggs and True History of the Kelly Gang, has a new novel, Parrot and Oliver. That book is an “improvisation” on the history of Alexis de Tocqueville in 1830 when the Frenchman toured the U.S. and wrote a famous book about America.

Carey is the executive director of the graduate writing program at Manhattan’s Hunter College. He told The Writer that writing “is like running a marathon, juggling balls and cracking walnuts and playing fifteen instruments. So I would tell my students to always be aware of the sensual world, the breathing, smelling, illuminated world, and be aware of the forces of weather and light on the characters and the story itself.

“Also, I have noticed that writers are generally not intensely visual people. We tend to look in. We can benefit a great deal by learning to see physical people, to understand that the body is part of dialogue, that body and movement express character.”

A friend of Carey’s told Charles McGrath of The New York Times that he thought living in New York had energized Carey because it was “such a vigorously competitive city. This is his home, no question. We often discussed how to write about America if you don’t come from here. It’s a tricky thing. But certainly it was always an ambition of his to grapple with this country.”

Carey now is working on a novel “about an Englishwoman in London in 2011 and an English gentleman visiting Germany in 1861.”

NOT CHIC LIT: Tucker Max’s I Hope They Serve Beer in Hell is a non-fiction paperback bestseller. The New York Times listing said it was “Life as a self-absorbed, drunken womanizer.” The trailer for the movie, due out in September, is on the Internet.

In an article in The Huffington Post, Max said that what he wrote had been had been called fratire. “Fratire is, at its essence, nothing more than men writing about men in an honest and authentic way. I know that doesn’t seem all that radical, but sadly, in the PC world that we now live in, it very much is.”

Max explains that “fratire as a genre represents the non-mainstream literary reaction to the feminization of masculinity.”

And he concludes that fratire “is a literary genre that unapologetically lets men be men . . . whatever it is that means.”

DECLINE: Hilary Spurling is the author of a new biography, Pearl Buck in China. Buck’s early years were spent as a child of missionaries in China.

Spurling told PW: “The greatest mystery is why she didn’t become a great writer. The Good Earth is wonderful—direct, immediate, and original. When she returned to America, she had a second life as a celebrity, campaigner and public speaker, and her books became trashier—sentimental and self-indulgent. She did not have a primarily literary imagination.”

FEELING: Barbara Cartland was the author of a love-boatload of romance novels. She once said, “We romantic writers are there to make people feel and not think.”

REPLY: The New Yorker published excerpts of several letters that the
late Saul Bellow wrote to other writers. In response to a letter that Bernard Malamud wrote him about his novel The Adventures of Augie March, Bellow replied:

“A novel, like a letter, should be loose, cover much ground, run swiftly, take risk of mortality and decay. I backed away from Flaubert, in the direction of Walter Scott, Balzac and Dickens. Having brought off my effort as well as I could, I must now pay the price. You let the errors come. Let them remain in the book like our sins remaining in our lives. I hope some of them may be remitted. I’ll do what I can; the rest is in God’s hands.”

A WOMAN’S VIEW: Emily Gould, 28, lives in Brooklyn. She is the author of And the Heart Says Whatever, a collection of essays.

In an interview in New York magazine, Gould said: “If a woman writes about herself, she’s a narcissist. If a man does the same, he’s describing the human condition. . . . When women are honest about their experiences, it’s destabilizing. It’s not socially acceptable for us to think our thoughts are interesting or valuable. . . . I do think that people who write honestly about their lives are doing people who won’t or can’t a favor, to put it bluntly.”

FIXED: Mary Higgins Clark and her daughter Carol Higgins Clark both have best-selling novels on the lists. Carol Higgins Clark and her editor were working on the final version of Wrecked when the editor learned that Mary Higgins Clark’s new novel, The Shadow of Your Smile, had a major character named Gannon.

Carol Higgins Clark had a minor character in Wrecked named Gannon. Daughter, PW reported, bowed to mother and got rid of Gannon.

VAMPIRES: Charlaine Harris, who writes novels about waitress Sookie Stackhouse and vampires, told The New York Times Magazine that her 10th bestseller, Dead in the Family, had the word dead in it because “my publisher likes to have ‘dead’ in all the titles.”

Sookie has been visible on an HBO series entitled “True Blood.” And Harris said that her vampires “are more sympathetic than Dracula. He had disgusting personal habits. He had the three wives; he crawled up the sides of buildings; he had sharp teeth and fingernails. Mine are at least trying to look like everyone else, but it’s not working out too well for them.”

There is sex, but it’s confusing. Harris explained, “Most of my vampires have experimented with other sexualities. Eric, Sookie’s lover, was turned into a vampire by a male vampire who had a sexual relationship with him for many years. Pam is bisexual. Lafayette is gay.”

Asked if she had any advice for young mystery or fantasy writers, Harris said, “For any writers at all, read everything you can and then put your butt in the chair and write. That’s all there is to it.”

SOURCE: Daniel Boorstin, historian and Librarian of Congress, wrote: “Books are the main source of our knowledge, our reservoir of faith, memory, wisdom, morality, poetry, philosophy, history and science.”

NONFICTION STORYTELLER: David Maraniss is an associate editor at The Washington Post and author of books about Vince Lombardi, Bill Clinton and others. He is a Pulitzer Prize winner and is working on a multigenerational biography of Barack Obama.

Maraniss’s latest book is Into the Story: A Writer’s Journey through Life, Politics, Sports and Loss. It is a collection of 32 articles he has written for newspapers and magazines.

In his introduction, Maraniss cites his “journalist mantra: Be open to any possibility, remain flexible, look for connections, let the story take you where it will and yet always use detail for a purpose, with a larger design in mind.”

He ends his introduction with: “The world of nonfiction writing is a continual graduate school. But only if you avoid the easier path, the lure of assumption and attitude, and open yourself to what can be an educational and fulfilling lifelong journey.”

MESMERIZED: Anna Quindlen’s new best-selling novel is Every Last One. For an item in The New York Times Book Review, Quindlen was asked about a book she wrote in 1998 entitled How Reading Changed My Life. She admitted that she had had Robertson Davies’s Deptford Trilogy on her shelves but just got around to reading it.

“The truth is,” Quindlen said, “the three novels contained in it are vastly engaging and entertaining, and reflect something I’ve tried to capture in my new novel: that sometimes small acts can snowball and change the lives of many people.” She added that Davies’s trilogy “kept me mesmerized for almost six weeks last summer.”

MOTOR MAN: A book made up of quotes from Ernest Hemingway was compiled by Larry W. Phillips and Mary Welsh Hemingway and published in 1984. The title is Ernest Hemingway on Writing.

In a letter to John Dos Passos, Hemingway wrote: “Remember to get the weather in your god damned book—weather is very important.”

From a letter to Charles Scribner: “Eased off on the book . . . in May because Dr. said I worked too hard in April, and May [is a] fine month to fish and make love to Miss Mary. I have to ease off on making love when writing hard as the two things are run by the same motor.”

From a letter to Arnold Ging-
**CORRECTION**

An item here about the late agent Knox Burger listed among his clients, Kurt Vonnegut, John D. MacDonald and Lawrence Block. Block sent an e-mail to say that while Burger had once served as an editor for Vonnegut and MacDonald in his pre-agent days, he had never been their agent. Block wrote: “I believe he had hopes that Vonnegut might go with him, and may have had hopes for John D. as well, but both stayed with their previous agents.”

**DEATHS**


David E. Apter, 85, died May 4 in North Haven, Conn. The Yale political scientist was the author of more than 20 books. Titles included: *The Gold Coast in Transition* (1955), *The Politics of Modernization* (1965) and *Revolutionary Discourse in Mao’s Republic* (1994).

Arnold Beichman, 96, died February 17 in Pasadena, Calif. The political analyst wrote *Nine Lies About America* (1972) and four other books.

Liz Carpenter, 89, died March 19 in Austin, Texas. She was the author of *Ruffles and Flourishes* (1970), *Getting Better All the Time* (1987) and *Unplanned Parenthood: The Confessions of a Seventy-something Surrogate Mother* (1994).


Miguel Delibes, 89, died March 5 in Valladolid, Spain. He was the author of more than 20 novels and dozens of nonfiction books about travel, fishing and soccer. Titles include *The Heretic*, *The Rats*, *The Wars of Our Ancestors*, *The Stuff of Heroes* and *Five Hours with Mario*.


June Havoc, 97, died March 28 in Stamford, Conn. The actress was the author of a memoir, *More Havoc* (1980).

Georgelle Hirliman, 73, died January 29 in Santa Fe, N.M. She was author of *The Hate Factory* (1982) and *Dear Writer in the Window: The Wit and Wisdom of a Sidewalk Sage* (1992).

Selma G. Hirsh, 92, died February 1 in Stamford, Conn. She was the author of *The Fears Men Live By* (1955) and coauthor (with Frederick Elliott Robin) of *The Pursuit of Equality: A Half Century with the American Jewish Committee* (1957).


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**JOB CHANGES, NEW TITLE**

Tara Parsons, a senior editor at Harlequin, has an expanded role as head of H&N Books and Luna.

Dan Ehrenhaft is director of intellectual property development at HarperCollins Children’s Books. He will develop and commission original projects in traditional print as well as emerging digital formats.

Hachett romance imprint Forever is expanding from 36 titles annually to 48.

Sean McDonald is executive editor and director of paperback publishing at Farrar, Straus and Giroux.

Marissa Walsh is an agent at FinePrint Literary management focusing on children’s picture books, middle grade and YA. She will also acquire pop culture, humor, narrative nonfiction and memoir.

Lorin Stein, an editor at Farrar, Straus and Giroux since 1998, has become editor of *The Paris Review*.

*Compiled from Publishers Weekly*

Muriel Maddox died April 10 in Bel Air, Calif. The film actress (The *Men*, 1950, with Marlon Brando) was also a member of the Guild. She wrote six novels, including *Love and Betrayal* (1997), *Noela & That Man in Rio* (2000) and *Myra’s Daughters* (2001).

James F. Masterson, 84, died April 12 in Greenwich, Conn. His home was in Rye, N.Y. His many books included *The Psychiatric Dilemma of Adolescence* (1967) and *The Search for the Real Self* (1988).


Walter Murphy, 80, died April 20 in Charleston, S.C. He was the author of *Constitutional Democracy: Creating and Maintaining a Just Political Order* (2006). The political scientist also wrote novels, including *The Vicar of Christ* (1979).


Alan Sillitoe, 82, died April 25 in London. He was the “angry” author of more than 50 books of poetry, essays, travel writing, dramas, screenplays and fiction. Titles included *Saturday Night and Sunday Morning* (1958) and *The Loneliness of the Long Distance Runner* (1959).


Richard Stites, 78, died March 7 in Helsinki, where he was doing research. His home was in Washington. He was the author of *The Women’s Liberation Movement in Russia: Feminism, Nihilism and Bolshevism, 1869–1930* (1978), *Russian Popular Culture: Entertainment and Society Since 1900* (1992) and *Serfdom, Society and the Arts in Imperial Russia: The Pleasure and the Power* (2005).


Stuart L. Udall, 90, died March 20 in Santa Fe, N.M. A member of the Kennedy Cabinet and a conservationist, he wrote several books including *The Quiet Crisis* (1963) and *The Myths of August* (1994).

Among the 2010 John Simon Guggenheim Memorial Foundation Fellows are Lorraine Adams, Ethan Canin and Victor LaValle, Fiction; and Tom Bissell, Molly Haskell and Michael Meyer, General Nonfiction. Guggenheim Fellows are appointed on the basis of impressive achievement in the past and exceptional promise for future achievement.

The 2010 Eric Hoffer Awards for short prose and books were announced in May. The winners included Susan Anderson, Cold Case in Ellyson, in the Commercial Fiction category, and Vicky Oliver, 301 Smart Answers to Tough Interview Questions, in the Business category. The finalists included Jean Davies Okimoto, The Love Ceiling, 1st Runner-Up in the General Fiction category, and Susan Van Allen, 100 Places in Italy Every Woman Should Go, an Honorable Mention in the Culture category.

Ms. Oliver’s Bad Bosses, Crazy Coworkers & Other Office Idiots was named a Best Business Careers Book in the 2009 National Best Books Award competition and received the 2010 International Book Award in the Business: Careers category of the 2010 International Book Awards.

The Manual of Detection: A Novel, by Jedediah Berry, received the North American Branch of the International Association of Crime Writers 2009 Hammett Prize for a work of literary excellence in the field of crime writing. The runners-up included The Long Fall, by Walter Mosley. The award was presented on May 29 in Toronto, during the Bloody Words mystery convention.

Columbia University announced the recipient of the 94th annual Pulitzer Prizes in Journalism, Letters, Drama and Music on April 12. The winners included Sheri Fink, in the Investigative Reporting category, for her work with ProPublica, in collaboration with The New York Times Magazine, for a story chronicling the decisions made by one hospital’s doctors when they were cut off by the floodwaters of Hurricane Katrina; and T. J. Stiles, in the Biography category, for The First Tycoon: The Epic Life of Cornelius Vanderbilt. Each winner received $10,000.

The Publishing Triangle, the association of lesbians and gay men in publishing, announced the winners of the 2010 Publishing Triangle Awards at the 22nd annual ceremony on April 29, in New York. The finalists included Eleanor Lerman, finalist for the Ferro-Grumley Awards for LGBT Fiction, for The Blonde on the Train; and Joan Schenkar, a finalist for the Judy Grahn Award for Lesbian Nonfiction for The Talented Miss Highsmith: The Secret Life and Serious Art of Patricia Highsmith.

Ms. Schenkar’s The Talented Miss Highsmith also received the 2010 Lambda Literary Award for Biography, was nominated for an Edgar Allan Poe Award and an Agatha Award, and was chosen as a Publishers Weekly “Pick of the Week.”

Tricia Bauer was awarded the first annual FC2 Catherine Doctorow Innovative Fiction Prize for her manuscript Father Flashes. The book will be published by Fiction Collective 2, an imprint of the University of Alabama Press, and receive a prize of $15,000. The prize aims to publish and promote the work of a mid-career writer of fiction deemed to be too experimental, innovative or challenging for contemporary commercial presses and is open to writers with at least three published books of fiction.

Lucy Jane Bledsoe received the 2009 Sherwood Anderson Prize for Fiction, sponsored by the Sherwood Anderson Foundation, and $15,000 for her short story entries, “Girl with Boat” and “Enough.” “Girl with Boat” also received the 2009 Arts & Letters Journal of Contemporary Culture Prize for Fiction and has been nominated for The Pushcart Prize. “Enough” also received the 2009 International Arts Movement First Prize for Fiction.

The First 60 Seconds, by Dan Burns, was a bronze medal winner in the Career category of the 2010 Axiom Business Book Awards.

Cosmic Calendar: The Big Bang to Your Consciousness, by Dale Carlson, received a Silver Medal in the Juvenile-Teen-YA Non-Fiction category of the Independent Publisher Book Awards.

Margaret Coel received the Frank Waters Award for books that celebrate humanity and mirror the spirit and achievement of Southwestern author Frank Waters, presented by the Friends of the Pikes Peak Library District in Colorado Springs.

Barbara Crossette received the 2010 Shorenstein Prize for Reporting on Asia, honoring an American journalist or author for a distinguished body of work and for the way that work has helped American readers understand the complexities of Asia. The prizes are sponsored by the Joan Shorenstein Center on the Press, Politics and Public Policy at Harvard University and the Walter H. Shorenstein Asia-Pacific Research Center.
at Stanford University Centers, and bestowed annually at a ceremony held in Cambridge one year and at Stanford the next.


Wherever There’s a Fight: How Runaway Slaves, Suffragists, Immigrants, Strikers, and Poets Shaped Civil Liberties in California, by Elaine Elinson and Stan Yogi, was awarded the Gold Medal in the category of Californiana at the 79th California Book Awards in San Francisco in June.

The Alchemy of Air: A Jewish Genius, a Doomed Tycoon, and the Scientific Discovery that Fed the World but Fueled the Rise of Hitler, by Thomas Hagers, was a finalist for the Communication Award presented by the 2009 National Academies of Science, Engineering, and Institute of Medicine.

Grow: A Novel in Verse, by Juanita Havill, received the 2009 Carol D. Reiser Book Award, presented by the Corporate Volunteer Council of Atlanta, and the Santa Monica Public Library 2009 Green Prize for Youth Fiction.

Owney, The Mail-Pouch Pooch, by Mona Kerby, received the 2010 California Young Reader Medal in the Picture Book for Older Readers category, and the 2010 Vermont Red Clover Award. The book was also a 2010–2011 nominee for the state reading lists of Missouri, South Carolina and Tennessee.

That’s Like Me!, by Jill Lauren, received the 2010 Margot Marek award, presented by the New York Branch of the International Dyslexia Association. The award honors the most outstanding book written for children or adults on the subject of dyslexia or related learning disabilities.

Laurie Lawlor was presented with the 2010 Illinois Prairie State Award for Excellence in Children’s Literature by the Illinois Reading Council in Springfield.

Laura Read won the Travel Classics Ireland 2010 Writing Contest, for the best travel story on Ireland, for her story, “Looking for the Heart of Story in Ireland.” The contest was open to attendees of the Travel Classics Ireland conference.

Lois Roma-Deeley received the Samuel T. Coleridge Literary Prize from Benu Press for her book of poetry, High Notes. The award honors works that fulfill Coleridge’s vision of the artist as a “reconciling architect of the imagination.”

Tibetan Tales from the Top of the World, by Naomi C. Rose, received a Silver Award in the Nautilus Book Awards, in the category of Children’s Illustrated, Grades 3–6. The Nautilus Book Awards honor works that promote spiritual growth, conscious living, and positive social change. The book also was a finalist in the International Book Awards, sponsored by JPX Media, in the Children’s Picture Book: Hardcover Fiction category.

Laura Shovan won the first annual Clarinda Harriss Poetry Prize, sponsored by CityLit Project, for her chapbook, Mountain, Log, Salt, and Stone.

Sue William Silverman’s Fearless Confessions: A Writer’s Guide to Memoir was awarded Honorable Mention in ForeWord Review’s Book-of-the-Year Award in the Writing category.

Cameron M. Smith was an Adventure Travel Gold Prize Winner in the Solas House Best Travel Writing contest for his story “Escape from Darien.” He was also the Overall Silver Prize Winner for his story “Ghost on Ice.”

Mary-Ann Tirone Smith was awarded the Diana L. Bennett Fellowship at the Black Mountain Institute at the University of Nevada, Las Vegas, for the 2010–2011 academic year.


The Cave of Storms, Book I of the series Remembrance of Things That Never Happened, by Patricia Weenolsen, was a finalist in the Historical Novel category of Foreword Magazine’s 2009 Best Book of the Year Award. The book also received two 2010 Indie Excellence Finalist Awards, in Literary Fiction and Historical Fiction, and was a finalist in the Historical Fiction category in the 2009 Best Books Awards sponsored by USA Book News.

Judy White received the 2010 Garden Writers Association Media Award for Book Writing, for Bloom-Again Orchids.

A Summer of Silk Moths, by Margaret Willey, received an Honor Award from the Green Earth Book Awards, sponsored by the Newton Maransco Foundation.

The Story Blanket, by Ferida Wolff, received the 2010 Storytelling World Resource Award from Storytelling World Magazine, the Parent’s Choice Silver Award from the Parents’ Choice Foundation, and was named...
one of the Best Children's Books of the Year for 2009 by the Bank Street College of Education in New York.

*Buying Time*, by Pamela Samuels Young, was awarded the 2010 Fiction Award by the Black Caucus of the American Library Association. The award, which carries a $500 prize, recognizes excellence in adult fiction written by African-American authors and was presented at the American Library Association Conference in Washington, D.C. in June.

Censorship Watch

*Continued from page 18*

As someone who didn’t start reading *Ulysses* until my first-year English literature class, someone who didn’t finish reading *Ulysses* until a senior-year seminar in Joyce and Lawrence, and someone who hasn’t revisited the full text in the many years since then, I thought I might make a good “sleek and easy” test case. As of June 21, I couldn’t complete my iTunes download of *Ulysses* “Seen” until I’d read and taken appropriate action on the following message automatically generated by Apple:

“Ulysses ‘Seen’ contains age-restricted material. Click OK to confirm that you are 17 or over. Your content will then begin downloading immediately.”

I am, indeed, over 17 and so I clicked what I had to click, transmitted the appropriate packet of electronic data over the Internet, completed my download of the available installments and, based on past performance, I predict that I’ll have completed my reading and have something to report no later than . . . 2014.

—Anita Fore

Guild and John Wiley Exchange Volleys

*Continued from page 9*

• Wiley would then give its Bloomberg authors the chance to decide whether they wanted their original Bloomberg terms or the amended Wiley terms.

• Wiley would voluntarily agree to industry-standard reversion of rights sales thresholds for its Bloomberg authors.

We regret Wiley didn’t take us up on our offer. In response, we are offering all Bloomberg authors—members and non-members—a free service to provide side-by-side comparisons of their original Bloomberg contracts and Wiley’s proposed amendments. Want to make sure you don’t miss out? Send us an e-mail at staff@authorsguild.org. Subject line: Informed Consent/Informed Rejection.

Termination Deadline for 1978 Grants

*Continued from page 14*

second chance to strike better financial deals. As a result, starting in 1999, using Section 302 of the Copyright Act, Siegel’s heirs recaptured his rights to the Superman character. Fortunately, you don’t have to be related to a man of steel to reclaim copyrights. The heirs of Jack Kirby, Hank Williams, William Saroyan, Truman Capote, Joe Young, Lorenz Hart and many others have availed themselves of these valuable rights.

The clock is ticking. On January 1, 2013, provided timely Termination Notices were sent (and recorded with the Copyright Office) grants made on January 1, 1978 will terminate. As a copyright owner, or copyright owner’s heir, you must be vigilant. Failure to exercise these rights, or exercise them in a timely manner, can be fatal. And, if you delay filing your claim, you can be time-barred by the statute of limitations.
BOOKS BY MEMBERS

David A. Adler: Frederick Douglass: A Noble Life; Julie Andrews and Emma Walton Hamilton: The Very Fairy Princess; Kathi Appelt (and August Hall, illus.): Keeper; Jeannine Atkins: Borrowed Names: Poems About Laura Ingalls Wilder, Madam C.J. Walker, Marie Curie, and Their Daughters; Stevanne Auerbach: The Contest; David Axe (and Matt Bors, illus.): War Is Boring: Bored Stiff. Scared to Death in the World's Worst War Zones;

Anjali Banerjee: Seaglass Summer; Kate Banks (and Boris Kulikov, illus.): The Eraserheads; Sara Harrell Banks: The Everlasting Now; Bob Barner: Bears! Bears! Bears!; Tracy Barrett: The Case That Time Forgot: The Sherlock Files, #3; Frederick Barton: Raving to Sweden: Charlene Ann Baumbich: Divine Appointments; Ann Beattie: Walks with Men; Lauren Belfer: A Fierce Radiance; Sherryl Bellman: America's Great Delis: Recipes and Traditions from Coast to Coast; Kelly Bennett (and Paul Meisel, illus.): Dad and Pop; Kelly Bennett (and David Walker, illus.): Your Daddy Was Just Like You; Christiane Bird: The Sultan's Shadow: One Family's Rule at the Crossroads of East and West; David Black: The Extinction Event; Lucy Jane Bledsoe: The Big Bang Symphony; Francesca Lia Block (and Barbara McClintock, illus.): House of Dolls; Jenna Blum: The Stormchasers; Lisa Bork: For Richer, For Danger: A Broken Votes Mystery; Mary Bowman-Kruhm: The Leakeys: A Biography; Elise Broach (and Richard Egielski, illus.): Gumption!; Christine Brodien-Jones (and Maggie Kneen, illus.): The Owl Keeper; Joseph Bruchac (and Wendie Anderson, illus.): My Father Is Taller than a Tree; Betsy Byars (and Betsy Duffey and Laurie Myers) (and Erik Brooks, illus.): Cat Diaries: Secret Writing of the MEOW Society;

Wayne Caldwell: Requiem by Fire; Julia Cameron: The Creative Life: True Tales of Inspiration: Finding Your True North; A. E. Cannon (and Julie Olson, illus.): The Chihuahua Chase; Rebecca Cantrell: A Night of Long Knives; Paula J. Caplan: War & Therapy; Elisa Carbone: Jump; Michael Carroll: Super Human; Ernessa T. Carter: 32 Candles; Debra Cash: Who Knows One; John Cech (and Bernard Oberdieck, illus.): Pass in Boots; Marcia Chellis: The Girls from Winnemakta; Mary Higgins Clark: The Shadow of Your Smile; Andrew Clements (and Adam Stower, illus.): Benjamin Pratt and the Keepers of the School: We the Children; Andrew Clements (and Raquel Jaramillo, photographer): The Handiest Things in the World; Claire Cook: Seven Year Switch; Elisha Cooper: Beaver Is Lost; Art Corriveau: How I, Nicky Flynn, Finally Get a Life (and a Dog); Stephanie Cowell: Claude & Camille: A Novel of Monet; Shutta Crum (and Lee Wildish, illus.): Thomas and the Dragon Queen; Jeanine Cummings: The Outside Boy;

Spencer Dane: Red Emeralds; Nancy Raines Day: On a Windy Night; Michael de Guzman: Henrietta Horbuckle's Circus of Life; Len d'Eon: The Cavalier; Ivan Doig: Work Song; Eric Jay Dolin: Fur, Fortune, and Empire: The Epic History of the Fur Trade in America; Emil Draisher: Stalin's Romeo Spy; Kathleen Duety (and Sandara Tang, illus.): Silence and Stone: The Fairies' Promise, Book 2; Lois Duncan: Movie for Dogs: Hotel for Dogs, #3; Patrick Durantou: L'Organon; Poems; David M. Eastis: 7: The Magical, Amazing and Popular Number Seven; Chris Eboch: Haunted: The Knight in the Shadows; Jennifer Egan: A Visit From the Goon Squad; Robert Elias: The Empire Strike Out: How Baseball Sold U.S. Foreign Policy & Promoted the American Way Abroad; Suzann Ellingsworth (Contrib.): Delta Blues; Bret Easton Ellis: Imperial Bedrooms; Susan Middleton Elya (and Diana Cain, illus.): A Year Full of Holidays; Susan Middleton Elya (and David Walker, illus.): No More, Por Favor; Ed Emberley: Where's My Sweetie Pie?;

Dixie Fairbanks: Vessels of the Heart; Kate Feiffer (and Diana Goode, illus.): But I Wanted a Baby Brother!; Bruce Feiler: The Council of Dads: My Daughters, My Illness, and the Men Who Could Be Me; Pamela Ellen Ferguson (and Christian Slade, illus.): Sunshine Pickleline; Dan Fesperman: Layover in Dubai; Peggy Moss Fielding (and Jackie King and Charles Sasser): The Foxy Hens Meet a Romantic Adventurer; Stona Fitch: Give + Take; Terry L. Fitzwater: The Holy Triad; Sid Fleischman: Sir Charlie: Chaplin, the Funniest Man in the World; Alan Furst: Spies of the Balkans;

Nuala Galbari: The Woods of Wicomico; Nancy Gardner: The Case of the Vanishing Valuables: #2 in the Candlestone Inn Series; Lindsay Barrett George: Maggie's Ball; Beverly Gherman: Sparky: The Life and Art of Charles Schulz; Peter Gleick: Bottled and Sold: The Story Behind Our Obsession with Bottled Water; Alison Leslie Gold: Lost and Found; Connie Goldsmith: Battling Malaria: On the Front Lines Against a Global Killer; USA Today Health Reports: Diseases and Disorders: Influenza; USA Today Health Reports: Diseases and Disorders: Hepatitis; USA Today Health Reports: Diseases and Disorders: Skin Cancer; Matthew Golub (and Karen Hanke, illus.): Jazz Fly 2: The Jungle Pachanga; Philip Graham: The Moon, Come to Earth: Dispatches from Lisbon; Stephanie Greene: Happy Birthday, Sophie Hartley; Stephanie Greene (and Stephanie Roth Sisson, illus.): Princess Posey and the First Grade Parade; Lynne Griffin: Sea Escape; Tom Grimes: Mentor: A Memoir; Olga Grushin: The Line; Stephanie Gunning (and Kayhan Ghodsi): You Are a Spirit: Nine Steps to Heaven on Earth; Andrew Hacker (and Claudia Drei-fus): Higher Education? How Colleges are Wasting Our Money and Failing Our Kids—and What We Can Do About It; Hilary Thayer Hamann: Anthropology of an American Girl; Lori Handeland: Shakespeare Undead; Steven J. Harper: The Partnership; Libby Hathorn (and Cassandra Allen, illus.): The ABC Book of Australian Poetry: A Treasury of
Poems for Young People; Amy Hatkoff: The Inner World of Farm Animals; Juanita Havill: Jamaica Is Thankful; Just Like a Baby; Stephanie Hemphill: Wicked Girls: A Novel of the Salem Witch Trials; Bruce Henderson: Hero Found: The Greatest POW Escape of the Vietnam War; Laraine Hering: Ghost Swamp Blues; The Writing Warrior: Discovering the Courage to Free Your True Voice; Oscar Hijuelos: Beautiful Maria of My Soul; Valerie Hobbs: The Last Best Days of Summer; Cecelia Holland: Kings of the North; Peter Howe (and Omar Rayyam, illus.): Waggit Forever: Waggit, #3; Susan Hubbard: The Season of Risks; Cheryl Willis Hudson (and Eric Velasquez, illus.): My Friend Maya Loves to Dance; Jeanette Ingold: Paper Daughter; Susan Isaacs: As Husbands Go; Charlotte Isler: John’s Magic Rescue; Paul DuBois Jacobs (and Jennifer Swender) (and Huy Yoon Lee, illus.): Fire Drill; Marthe Jocelyn: Folly; Karen Jones: Death for Beginners: Your No-Nonsense, Money-Saving Guide to Planning for the Inevitable; Traci L. Jones: Finding My Place; G. Brian Karas: The Village Garage; Katy Kelly (and Gillian Johnson, illus.): Melonhead and the Big Stink; Tara Kelly: Harmonic Feedback; Elizabeth Cody Kimmel: The Reinvention of Moxie Roosevelt; Donald Kirk: Korea Betrayed: Kim Dae Jung and Sunshine; Amy Goldman Koss: The Not-So-Great Depression: In Which the Economy Crashes, My Mom Goes Broke, My Sister’s Plans are Ruined, My Dad Grows Vegetables, and I Do Not Get a Hamster; Jeanne Kraus: Wrinkles, Waistlines and Wet Pants; Stephen Krensky (and Kathi Ember, illus.): Mother’s Day Surprise; Stephen Krensky (and Rogé, illus.): Noah’s Bark; Kim Dana Kupperman: I Just Lately Started Buying Wings: Missives from the Other Side of Silence; Thomas Lalicik: Frame-up on the Bowery; Jill Lauren: That’s Like Me!; Loreen Leedy: The Shocking Truth About Energy; Gail Carson Levine (and David Christiana, illus.): Fairies and the Quest for Never Land; Gloria Lintermans: The Secrets to Stepfamily Success: Revolutionary Tools to Create a Blended Family of Support and Respect; Shelia E. Lipse: My Son’s Ex-Wife: The Aftermath; Sophie Littlefield: A Bad Day for Pretty; Sylvia Long: Sylvia Long’s Thumbelina; Lois Lowry and Jules Feiffer, illus.: The Birthday Ball; Mike Lupica: Shoot-Out: Comeback Kids, #5; George Ella Lyon (and Lynne Avril, illus.): The Pirate of Kindergarten; Janet Majerus: Thicker Than Water; Peter Mandel (and Chris Eliopoulos, illus.): Bun, Onion, Burger; Kat Martin: Rule’s Bride; Trish Marx (and Ellen B. Senisi, photographer): Kindergarten Day USA and China/Kindergarten Day China and USA; Trish Marx (and Cindy Kamp, photographer): Sharing Our Homeland: Palestinian and Jewish Children at Summer Peace Camp; Jean Marzollo: Pierre the Penguin; Henry S. Maxfield: The Morland Syndrome; Emily Arnold McCully: Wonder Horse: The True Story of the World’s Smartest Horse; Kate McMullan (and George Booth, illus.): School: Adventures at the Harvey N. 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Nettelhorst: A Year with God; Jerdine Nolen: Christmas in the Time of Billy Lee; Jump at the Sun; Eliza’s Diary: An Underground Railroad Journey; Julie Orringer: The Invisible Bridge; Dennis Palumbo: Mirror Image: Susan Pearson (and Niles Eldredge): Charles Darwin and The Mystery of Mysteries; Laura Pedersen: Buffalo Unbound; Wendy Pfeffer (and Linda Bleck, illus.): The Longest Day: Celebrating the Summer Solstice; Bob Phibbs: The Retail Doctor’s Guide to Growing Your Business; Barbara Pollack: The Wild, Wild East: An American Art Critic’s Adventures in China; Douglas Preston (and Lincoln Child): Fever Dream; Stephen J. Pyne: Voyager: Seeking Newer Worlds in the Third Great Age of Discovery; Robert Quackenbush (and Yan Nascimbene, illus.): First Grade Jitters; Barbara Quick: A Golden Web; Michael Rattee: Falling Off the Bicycle Forever; Theresa Rebeck: Twelve Rooms with a View; Panthea Reid: Tillie Olsen: One Woman, Many Riddles; Don Roff: Zombies: A Record of the Year of Infection; Lois Roma-Deeley: High Notes; Phyllis Root (and Regan Dunnick, illus.): Creak! Said the Bed; Naomi C. Rose: Tibetan Tales from the Top of the World; William Rosen: The Most Powerful Idea in the World: A Story of Steam, Industry, and Invention; Victoria Rowell: Secrets of a Soap Opera Diva; Diana Kwiatkowski Rubin: Renegade; Albert Russo (and Martin Tucker): Boundaries of Exile; Albert Russo: Zulu Zapy Wins the Rainbow Nation; Louis Sachar: The Cardturner; Vanitha Sankaran: Watermark: A Novel of the Middle Ages; Steven Savage (and Peter Bull, illus.): Explorers: Oceans and Seas; John Schwartz: Short: Walking Tall When You’re Not Tall at All; Brenda Seabrooke (and Liz Callen, illus.): Wolf Pie; Laura Vaccaro Seeger: What If?; Janice Shefelman (and Robert Papp, illus.): Anna Maria’s Gift; Bonnie Shimko: The Private Thoughts of Amelia E. Rye; Lorena Siminovich: I Like Fruit: Petit Collage; Cameron M. Smith (and Charles Sullivan): I Falsi Miti dell’Evoluzione; Patrick Smith: Somebody Else’s Century: East and West in a Post-Western World; Eileen Spinelli (and Joanne Lew-Vriethoff, illus.): The Dancing Pancake; Stephanie Spinner (and Daniel Howarth, illus.): Paddywack; Megan Staffel: Lessons in Another Language; Caroline Stevermer: Magic Below Stairs; Brenda Stockdale: You Can Beat the Odds: Surprising Factors Behind Chronic Illness & Cancer: The 6-Week Breakthrough
Program for Optimal Immunity; Sarah Sullivan (and Tricia Tusa, illus.): Once Upon a Baby Brother; Jane Sutton (and Renata Gallio, illus.): Don't Call Me Sidney;


Jane Yolen (and Stéphane Jorisich, illus.): My Father Knows the Names of Things; Jane Yolen (and Heidi E.Y. Stemple) (and Anne-Sophie Lanquetin, illus.): Not All Princesses Dress in Pink; Pamela Samuels Young: Buying Time.

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**BULLETIN BOARD**

Bulletin Board announces upcoming contests and prizes in all genres, in addition to fellowships and residencies. Because of the great number, we provide only basic information here, and recommend readers visit the website of each journal or program to read the detailed entry guidelines. Dates provided are postmark deadlines unless otherwise noted.

**Awards and Fellowships**

The American Antiquarian Society, a national research library and learned society of American history and culture, will award fellowships for historical research to writers in a variety of genres, including historical fiction, poetry, nonfiction and drama. The stipend is $1,350 for fellows residing on campus, rent-free, and $1,850 for fellows residing off campus. At least three fellowships will be awarded for a residence of four weeks at the Society at any time between January 1 and December 31. Deadline: **October 5, 2010.** Visit americanantiquarian.org/artistapply.htm for application guidelines. Contact information: Creative and Performing Artists and Writers Fellowship, American Antiquarian Society, 185 Salisbury Street, Worcester, MA 01609.

The trustees of the Amy Lowell estate administer the annual Amy Lowell Poetry Traveling Scholarship, which awards a stipend of about $50,000 to an American-born poet to spend a year abroad. Deadline (for receipt, not postmark): **October 15, 2010.** Visit amylowell.org for an application form, instructions and requirements. Applications and questions should be directed to F. David Dassori at amylowell@choate .com; for questions phone Pearl Bell, Manager, Trust Administration, (617) 248-4855. Choate, Hall & Stewart, Two International Place, Boston, MA 02110.

Writers’ Conferences & Centers, a division of the Association of Writers and Writing Programs (AWP), holds an annual scholarship competition for emerging writers of fiction and poetry who wish to attend a writers’ conference, center, retreat, festival or residency. Two scholarships of $500 will be awarded. Entry fee: $10. Submission timeline: December 1, 2010—**March 30, 2011.** Visit awpwriter.org/contests/ wccscholarship.htm for detailed guidelines. Contact information: WC&C Scholarship Competition, Association of Writers & Writing Programs, MS1E3, George Mason University, Fairfax, VA 22030.

**Multiple Genres**

The Missouri Review’s 12th annual Jeffrey E. Smith Editors’ Prize awards in fiction, poetry and nonfiction will award $5,000 and publication in the magazine to three winners. Entry fee: $20. Deadline: **October 1, 2010.** For guidelines, to download the entry form or submit online, visit missourireview.com/contest/ editors_prize.php. Contact information: **Missouri Review** Editors’ Prize, 357 McReynolds Hall, University of Missouri, Columbia, MO 65211.

The Briar Cliff Review’s 15th annual Fiction, Poetry and Creative Nonfiction Contest offers $1,000 and publica-

The Malahat Review is accepting entries to its first annual Open Season Awards. Winners in three categories—poetry, short fiction, creative nonfiction—will receive $1,000 and publication in the Spring 2011 issue. Entry fee: $40. Deadline: November 1, 2010. Visit malahatreview.ca/open_season/info.html for more information. Contact information: The Malahat Review, Open Season Awards, University of Victoria, PO Box 1700, STN CSC, Victoria B.C., V8W 2Y2, Canada. malahat@uvic.ca.

Prairie Fire Press, publisher of the Canadian literary magazine Prairie Fire, and McNally Jackson Booksellers sponsor annual writing contests in short fiction, creative nonfiction, and poetry, including the Banff Centre Bliss Carman Poetry Award. Each category carries cash prizes of $1,250, $500 and $250. Entry fee: $32. Deadline: November 30, 2010. Visit prairiefire.ca/contests.html or call (204) 943-9066 for length and format restrictions. Contact information: Prairie Fire Contests, 423-100 Arthur Street, Winnipeg, MB, R3B 1H3, Canada. pfire@mts.net.

Hunger Mountain, the Vermont College Journal of Arts & Letters, offers the Hunger Mountain Creative Nonfiction Prize and the Ruth Stone Poetry Prize. Both award $1,000 and publication to the first place winner, plus $100 prizes to two honorable mentions. Entry fee: $20. Deadlines: September 10, 2010 (Creative Nonfiction) and December 10, 2010 (Ruth Stone Poetry Prize). Guidelines listed at hungermtn.org/hunger-mountain-creative-nonfiction-prize. Contact information: CNF Prize, Hunger Mountain, Vermont College of Fine Arts, 36 College Street, Montpelier, VT 05602. hungermtn@vermontcollege.edu.

Tampa Review is accepting submissions for two prizes. The Danahy Fiction Prize awards $1,000 and publication to the author of a work of short fiction between 500 and 5,000 words. Entry fee: $15. Deadline: November 1, 2010. The Tampa Review Prize for Poetry awards $2,000 and hardback and paperback book publication to a manuscript of poetry between 48 and 100 pages. Entry fee: $25. Deadline: December 31, 2010. Visit tampareview.ut.edu/tr_prize.html for detailed submission guidelines.

Fiction Contests

Open City is holding its seventh annual Roffihe Trophy short story contest, which will award $500, a trophy, and publication in the magazine to an unpublished story of up to 5,000 words. Entry fee: $10. Deadline: October 15, 2010. Full submission guidelines are at opencity.org/rrofihe.html. Contact information: Roffihe, 270 Lafayette Street, Suite 1412, New York, NY 10012.

Yemassee, the literary journal of the University of South Carolina, presents its William Richey Short Story Contest, awarding $1,000 to an author of a work of short fiction of up to 10,000 words. Entry fee: $10. Deadline: November 15, 2010. Guidelines listed at yemasseejournal.org/contest.html. Contact information: Yemassee, English Department, University of South Carolina, Columbia, SC 29201. (803) 777-2085; editor@yemasseejournal.org.

Phoebe, a journal of literature and art, sponsors an annual Winter Fiction Contest, awarding $1,000 and publication in the journal to a short story of up to 7,500 words. Entry fee: $15. Deadline: December 1, 2010. Contact information: Phoebe Winter Fiction Contest, Phoebe MSN 2D6, George Mason University, 4400 University Drive, Fairfax, VA 22030. phoebejournal.com.


Poetry and Drama Contests

Tupelo Press will hold its annual Dorset Prize Competition for a poetry manuscript of 48-88 pages. The winner receives $3,000 and publication, in addition to a book launch and promotion. Entry fee: $25. Deadline: December 31, 2010. Visit tupelopress.org/dorset.php for full submission guidelines and to submit your manuscript online. Contact information: Tupelo Press Dorset Prize, PO Box 1767, North Adams, MA 01247.
Annual Meeting
Continued from page 7

Mr. Aiken then gave an update on the Google settlement, reporting that we were waiting for the judge’s ruling following the fairness hearing held February 18. He explained that much of the opposition to the settlement is due to misconceptions about its terms, such as the common and incorrect notion (most persistently reported in commentary in The New York Review of Books) that in-print books would typically wind up being displayed as a result of the settlement. The Guild has attempted to correct these misconceptions, Mr. Aiken said, with limited success. He also noted that independent analysis found that annual revenues for institutional subscriptions under the settlement could exceed $100 million within three years.

Mr. Aiken then discussed developments in the e-book market regarding pricing of e-books, including both pricing and royalty standards. Mr. Aiken explained that Amazon has been working to dominate the e-book market by selling many e-books at a loss, for $9.99, regardless of the price Amazon paid the publisher. This model has short-term benefits for publishers and authors, but in the long run it threatens serious damage to the industry if a single e-book distributor were to control the market.

In late January, Apple announced that it would soon release a new tablet computer, the iPad, which is capable of displaying e-books. Apple was willing to sell those e-books under an “agency” model, in which Apple sells e-books at the publishers’ recommended prices and takes a commission of 30 percent, leaving 70 percent for publishers and authors. (Amazon has been selling e-books as if they were physical books—buying them at a 50 percent discount from their suggested retail price, then selling them to customers at whatever price it chooses.) Five of the six largest publishers (HarperCollins, Penguin, Simon & Schuster, Grand Central, and Macmillan) signed on with Apple under the agency model. Random House has not yet done so.

Within days of Apple’s announcement, Macmillan informed Amazon that it would begin selling e-books through Amazon either under the new agency model or it would delay the release of many of its e-book editions (similar to the practice of not releasing less expensive trade paperback editions until the hardcover has been on the market for several months). Amazon immediately retaliated by using its clout in the market for physical books, cutting Macmillan and its authors off from Amazon’s customers by removing the “buy buttons” from nearly all Macmillan titles. To bring greater attention to the plight of authors who were affected by Amazon’s punitive move, and to allow authors to keep better track of what Amazon might be doing with their books, the Guild launched a new website, WhoMovedMyBuyButton.com. This web service alerts authors when Amazon removes the buy buttons from their books. Amazon reached an accommodation with Macmillan and restored its buy buttons. [See our “Buy Button” chronology in the Spring issue and online at whomovedmybuybutton.com/aboutus.php.]

Mr. Aiken then said that the Guild believes that e-book royalties are currently low compared to traditional industry practice. Royalty rates have traditionally represented roughly a fifty-fifty split of the net proceeds of the sale of a book. Current e-book royalties are typically just half that amount: 25 percent of the publisher’s proceeds from the sale of the book. Mr. Aiken said he thought that the current royalty rates were transitional and would change as the e-book industry grew and authors and agents started insisting on higher rates. [See Spring 2010 issue, “Random House, HarperCollins Look to Lock In Low E-Book Royalty Rates.”]

Mr. Blount then called for the voting results. Proxy votes had already been recorded by the tellers and inspectors. The proposed slate of officers and directors was elected, with 1,218 votes being cast. Scott Turow was elected President for a two-year term. Mr. Turow is the author of eight bestselling works of fiction, including Presumed Innocent (1987) and its recent sequel, Innocent (2010). Mr. Turow is also a partner in the Chicago office of Sonnenschein Nath & Rosenthal. He served as President of the Authors Guild for nine months in 1997–1998, filling out the term of the late J. Anthony Lukas.

Two new Council members were elected to the board, Meg Cabot and T. J. Stiles. Ms. Cabot is the bestselling author of more than 25 series and books for adults and teens, including the Princess Diaries series. Mr. Stiles is the author of The First Tycoon: The Epic Life of Cornelius Vanderbilt (2009), which received the 2010 Pulitzer Prize for Biography and the 2009 National Book Award for Nonfiction, and Jesse James: Last Rebel of the Civil War (2002).

Mr. Turow thanked those present for electing him, and thanked Mr. Blount for his service to the Guild and to authors generally during a tumultuous time in the book industry. Mr. Blount also thanked those present, saying that it was an honor to be associated with the Guild and its staff.

After asking whether there was any new business and finding that there was none, Mr. Blount adjourned the meeting.
Distinguished Service Award to David Remnick

David Remnick, the editor of *The New Yorker* and a prolific and distinguished author in his spare time, was presented with the Authors Guild Award for Distinguished Service to the Literary Community at the Guild’s 16th Annual Benefit, held May 24 at the Tribeca Rooftop in New York.

Garrison Keillor, the host for the evening, wore a bright red tie and delivered a comi-tragic lament for the publishing industry that Mr. Remnick acknowledged by saying, “Never have I laughed so hard and been so bummed out at the same time.”

Jean Strouse, Guild Council member and Director of the Cullman Center at the New York Public Library, presented the award to Mr. Remnick, citing his precocious apprenticeship as a reporter at *The Washington Post*, his four years as that paper’s Moscow correspondent, and his six years as a staff writer for *The New Yorker*, which culminated in his appointment as editor—an anointing that led Calvin Trillin to observe, “It never occurred to me that anything this sensible would happen.”

In the years since, said Ms. Strouse, Mr. Remnick has provided “an ideal habitat for the endangered species of long-form journalism.” Among the many distinguished books that have grown out of articles published in *The New Yorker* under Remnick’s stewardship are Jane Mayer’s *The Dark Side*, Atul Gawande’s *Better: A Surgeon’s Notes on Performance*, Roger Angell’s memoir *Let Me Finish* and Remnick’s own recent profile of Barack Obama, *The Bridge*.

“Does he write on the plane?” Strouse asked. “Does he ever sleep? Does he simply exhale words?”

In accepting the award, Mr. Remnick acknowledged the limits of an editor’s authority by analogy, observing that “a guild of writers is a like a guild of cats.” He also quoted sportswriter Shirley Povich, a colleague at *The Washington Post*, who warned him that, “An editor is no more than a mouse training to be a rat.” Remnick added that he tried to “keep this in mind every day,” and that his own aspirations ran higher.

The evening’s proceeds benefited the Authors Guild Foundation and the Authors League Fund.

Bargain royalty rates will not last. Low royalties will, as e-book sales become increasingly important, emerge as a dealbreaker for authors with negotiating leverage. Publishers will, inevitably, agree to reasonable royalties rather than lose their bestselling authors to more generous rivals and startups. We suspect publishers are well aware of this and are postponing the unavoidable because it seems to make sense for the moment. We believe this is short-sighted.

A major agency starting a publishing company is weird, no matter how you look at it. This sort of weirdness will only multiply, however, as long as authors don’t share fairly in the rewards of electronic publishing. Publishers seeking to manage this transition well should cut authors in appropriately. The sooner they do so, the better. For everyone.

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**Wylie-Amazon**

*Continued from page 6*

Deals for countless backlist books with traditional publishers, even though they, and their clients, no doubt, see real benefits in having a single publisher handle the print and electronic rights to a book. Knowledgeable authors and agents, however, are well aware that e-book royalty rates of 25 percent of net proceeds are exceedingly low and contrary to the long-standing practice of authors and publishers to split, effectively evenly, the net proceeds of book sales.
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The Authors Guild, the oldest and largest association of published authors in the United States, works to protect and promote the professional interests of its members. The Guild's forerunner, The Authors League of America, was founded in 1912. The Authors League now serves the joint interests of The Authors Guild and The Dramatists Guild.

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**How did you become interested in joining the Guild?** (check one)
- Invitation
- Writing journal
- Referred by
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**What is your primary reason for joining?**
- Support and advocacy efforts
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Writers may qualify on the basis of being book authors or freelance journalists. **Book authors** must have been published by an established American publisher. A writer who has a contract with an established publisher for a work not yet published may join as an associate member. **Freelance journalists** must have published three works, fiction or nonfiction, in a periodical of general circulation within the last eighteen months.

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Please enclose a check for your first year's dues in the amount of $90 payable to “The Authors Guild” or charge your Visa or MasterCard. 

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