

# the Markets

PORTIC JUSTICE! NOTHING FOR NOTHING!

Tattling on The National Tattler



One of WD's thickest files of complaints from freelancers is on the **National Tattler**, a Chicago-based tabloid that recently underwent the agonies of change in ownership. The **Tattler** file is stuffed with letters from bewildered writers who received prompt payment on acceptance from the weekly until late 1974, when they ran into a labyrinthine maze of unreturned phone calls, unanswered letters, and assurances that checks would be forthcoming just any day now.

"I have a huge file of stories I wrote (for the **Tattler**) and proofs of checks I received, very prompt payment, and then the bottom fell out," says John Culea of KGTV news in San Diego. He is attempting to collect \$275 for three stories written in October and November 1974, two of them accepted by **Tattler** staff editor John Moulder; the third, which he said was sent to **Tattler** at Moulder's suggestion, was "not returned, so I presume it had been used."

Culea says he has written several letters and made over a half-dozen phone calls, collect and person-to-person, to **Tattler**—with unsatisfactory results. He says he did receive, on June 27, a \$50 check dated March 12—but as for the rest of the money, "I'll probably write it off my taxes as a bad debt."

#### Still Waiting

Nancy Michel of Dothan, Alabama was paid within one to three months of submission for three previous pieces, but is now attempting to collect \$100 for two photos and a caption accepted by John Moulder

in late 1974. She says that on February 27, 1975, Karen Davenport told her the check "should come any day now."

"I kind of counted on the money," says Michel, the mother of small children. "When they say, we'll take it and pay so much, even if it doesn't come for three months, you already have the money spent . . . But then you're working on other pieces, and it doesn't hurt so much. You always have high hopes for what you're working on."

She notes that the **Tattler** was "a good market for those little oddball pieces that didn't fit anywhere else." If finally paid, would she still write for them? "If there's a guarantee that they won't do this sort of thing again."

After a couple of letters and several unreturned phone calls to Tom Ayres of the **Tattler**, Robert Bahr received a March 1975 note from Karen Davenport saying, "You should be receiving payment for article mentioned within the next (2) weeks." Bahr, who says he had sent a piece entitled "Expert Tells Why So Many Babies Die!" to Ayres in November 1974, says he is still waiting.

A former senior editor of **Prevention**, Bahr wistfully speculates that writers should have a "national network" of lawyers, with annual retainers, to deal with delinquent payments. "The trouble is, writers don't have the unity."

The Allentown, Pennsylvania writer says the freelancer "is as much of a professional as lawyers or doctors"; unfortunately,

"there are thousands of writers who come in and fill the gap if a professional doesn't get paid and refuses to write any more . . . I think some of these fly-by-night publications sort of depend on that."

Dick Davies of Hokah, Minnesota says he was depending on payment—\$100, he hoped—for an article on enzymes which allegedly retarded age. He says it was published in December by the **Tattler**.

"At that time it was semicritical to get paid when I did the work," recalls Davies, who was then freelancing fulltime. (He is now a public relations consultant.)

#### Black Fridays

"We were touch-and-go on the house. Our monthly payments were \$144, which wasn't bad, but we were behind about five months. Every penny I made went into these pay-up bills. Naturally, this \$100 left a pretty big gap . . . We've since made some adjustments, but nonetheless, it's still a sore point."

On January 17, 1975, Bill Sloan, former managing editor of the **Tattler**, wrote Davies, "you will be paid"—once auditors, lawyers, bankers and such cleared out of the tabloid's offices. He implored Davies to be patient "just a little while longer."

Now, Davies is more fatalistic than patient. "At the time, a year ago, I think I called it freelance rape," he says. "I was a bit distressed . . . In retrospect, I think I'd treat it as a good lesson learned. Whatever naïveté I had, I think, was pretty well polished off."

Evidently the Tattler's zigzag course was of as much concern to staffers as to freelancers. One source told WD that Tattler stopped paying editorial bills in late 1974 including debts to freelancers—without notifying articles editors. When, at the end of the year, it became evident to the editorial staff that freelancers were not being paid, the staff shut down all but a minimal number of freelance purchases, producing much of the tabloid in the house.

A former Tattler writer adds that after articles editors realized freelancers were not being paid, they "got very uptight because they had to deal with these people. In fact, they even began to refuse to answer some of the phone calls."

"One by one, most of us with any respectability or self-respect, finally just gave up and got out of there," says a former articles editor. He remembers the "uncertainty, the insecurity, the broken promises."

With over a dozen years in newspapers, "I've built up somewhat of a reputation," says the former editor. "And I put my personal reputation on the line when I said things to other journalists around the country (that is, promised payment) that weren't so."

He adds, "You can't call these people, rip-off clips from newspapers, hustle pictures, even though you're just carrying out your boss's instructions. It gets to the point where you can't keep doing that. You can't live with yourself."

A former writer recalls "Black Fridays" at the Tattler, when employees were called in 15 minutes before quitting time and fired "four or five at a whack."

Says a former editor, "On Friday afternoon, employees would work all week long, knowing that chances were that some of them were going to be fired at 5:30 or quarter to six. And sure enough, it happened. Damndest thing you ever saw."

#### Of Mice and Rabbits

Black Fridays were followed by assurances from superiors on "how wonderful things would be," according to a former writer. He recalls John Steinbeck's *Of Mice and Men*, in which George, a drifting ranch hand, repeatedly tells his dimwitted partner Lennie about When Things Get Better—when the two will have a little house of their own, with rabbits for Lennie. The word among employees in the Tattler office was that, whenever superiors desired a word with them, they would "tell them about the rabbits."

Back at the ranch, the Tattler was undoubtedly in financial hot water in the waning days of its old owners, Joe, Frank and Robert Sorrentino. Drew Herbert, who brought the troubled tabloid under new management in March 1975 when he acquired controlling interest in its holding company, says the old owners had been facing bankruptcy. But Herbert says that's past history now.

"When we bought all the company, we acquired a corpse," says Herbert, "and the corpse is very much alive."

Herbert says the Tattler has increased 300,000 in circulation for the second and third quarters of 1975, to top one million

(but other sources say it's considerably lower than that). He attributes much of that increase to "our increase in pages, changing our format of graphics . . . and going to a four-color process."

He also cites a "new editorial slant—trying to get ourselves out of the Dark Ages of when the tabloids were commonly referred to as the breeders of yellow journalism. So I would say we are on our way."

To one former editor, the climb out of the tabloids' gaudy past was necessary. "Our survival and prosperity depends on getting in and staying in the supermarket checkout counters," he wrote in November 1974. "Tabs have been chased from the supermarkets in past years because of the old 'blood and guts' formats. Thus, a complete turnaround in content. The Enquirer is the perfect example—now pretty milquetoast from cover to cover. We try for as much zip as possible in Tattler but have to be constantly aware that a single story could influence a decision to cancel us out of a chain of markets."

Which is not to say the Tattler is about to zip through all debts incurred by prior management. Herbert, who is chief executive officer of Suburban Publishers Press Inc. (the holding company for the Tattler and

its sister companies), says "flatly and legally, the management is not responsible for any indebtedness or liability of past management."

#### Writers Needed

But he encourages freelancers owed money to write him directly at 2711 N. Pulaski Road, Chicago 60639—"maybe there are extenuating circumstances in specific situations which would not be painted with the same broad brush of generality."

Would promise of payment be "extenuating circumstances"? "It would depend upon who promised it."

What about John Moulder? "That would be one I would treat very negatively." Why? Herbert is evasive. "You have a situation where an individual is no longer with the company, and there are obviously reasons why he is no longer with the company." He says Moulder and the Tattler parted ways from "a mutual agreement."

Moulder denies that it was a mutual parting, saying he was in fact offered a raise to stay. "Herbert's mad at me because he thinks I abandoned him and left a sinking ship. Which I'm quite sure that's just about what I did." (Continued on page 35)

## Meanwhile at The Tattler: "Dirty Tricks and Terror"

It began, innocently enough, with an article on alleged links between Richard Nixon and the assassination of John F. Kennedy.

\* Pennsylvania freelancer J. David Truby received a tip from a former CIA man on Trowbridge Ford, a political scientist at College of the Holy Cross in Massachusetts who was investigating alleged links between Nixon and the JFK murder. Truby says he submitted a query to Cliff Linedecker of the National Tattler on April 11, 1974, writing him: "This one has potential of being the biggest story I've worked on in 11 years of journalism. . . . Trowbridge Ford gave me the story because a mutual friend told him I was an honest journalist with more guts than brains. I spoke with the professor and I examined his documentation and his correspondence with Doar. It's all there."

Truby says he was then turned over to John Moulder, a former special projects Tattler editor who, according to one source, spent 2 of his 2½ years at the Tattler working almost fulltime on the JFK story. Truby says he sent Moulder a five-page draft. Moulder asked him for additional documentation, saying his superiors wanted more proof before taking on the President of the United States. Truby says he then sent ten to 15 pages of documentation to Tattler, including an unverified FBI memo obtained from a Justice Department source linking Jack Ruby — under his supposed alias Jack Rubenstein — in 1947 to then-Congress-

man Richard Nixon. Moulder was "very excited" about the memo, says Truby. "I'm sure of that." Truby says he also sent a lengthier, ten-page draft of his story to Ford, went over corrections with him by phone (Ford says he did not, however, OK the manuscript), then sent it on to Moulder, a journalist he respected.

Several weeks later, Truby received a cryptic telegram from Ford threatening suit if the story were printed, according to Truby.

Truby says he then called Ford. "I was really shook," he recalls. "We had had such a good relationship. Well, he was rather terse and hung up on me."

#### Echo Chamber

Truby says he phoned Moulder, then wrote him on June 21, "OK, agreed . . . let's call it quits on the JFK/Nixon article. The suit is the final straw, I guess." When Truby heard no more about the matter, "I just assumed it was deep-sixed."

That is, until the summer of 1975, when Truby says he picked up a copy of the June 1 Tattler and espied a page-three story on Trowbridge Ford with some mighty familiar material under the unfamiliar byline of Tom Lutz, Tattler editor.

Truby says he called Lutz that day — not to ascertain whether any of his material had been used, but to be sure he would not be the goat of Ford's threatened suit. He says Lutz promised him

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a letter clearing him of liability (Truby says he never got the letter; Lutz says he does not remember promising it) and told him Tattler had cleared the information in the story with Ford (which Lutz affirmed). Only later did Truby become sore over the treatment of his original story; 95 per cent of the published version, he claims, duplicated his original material.

Some of the quotes attributed to Trowbridge Ford in the published story have an eerie similarity to those in the long draft Truby says he provided Moulder:

**Truby's draft:** "Jaworski said he was interested in Oswald getting a fair trial, but I feel he was interested only in infiltrating the defense to see if Oswald had spilled his role in the plan, telling for whom and why he was being a patsy."

**Tattler:** "Jaworski said he was interested only in infiltrating the defense to see if Oswald was getting a fair trial, but I feel he was interested only in infiltrating the defense to see if Oswald had spilled his role in the plan, telling for whom and why he was being a patsy," Ford said."

**Truby's draft:** "If Nixon, Ford, Connally or the others would care to sue me for what I've said, I'd be more than happy to explore our arguments in court."

**Tattler:** "... If Nixon or any of the others would care to sue me for what I've said, I'd be more than happy to explore our arguments in court."

#### Agents and Ages

Some of the narrative passages were also striking.

**Truby's draft:** "These conspirators began as Special Group 5412/2, working within the White House in the late 1950s to coordinate the actions of the CIA and the Defense Intelligence Agency. Operating invisibly under the protection of the National Security Council, they plotted attempted assassinations of Fidel Castro, plus outlined the Bay of Pigs invasion. The 'Action Officer,' which is CIA jargon for Chairman, of the Group was Richard Nixon, who personally took credit for approving covert training of Cubans for 'dirty tricks and terror' at the Bay of Pigs, according to a May 1973 story in the *Washington Post*.

"Others on this Nixon team included Alexander Haig, E. Howard Hunt, and CIA contract employees Frank Sturgis and Bernard Parker. ..."

**Tattler:** "Ford theorizes that Kennedy's death could have resulted from actions taken by so-called Special Group 5412/2, a group working within the White House in the late 1950s to coordinate actions of the CIA and the Defense Intelligence Agency.

"Operating invisibly under the protection of the National Security Council, the group plotted attempted assassinations of Fidel Castro and outlined what became known as the Bay of Pigs invasion."

"Nixon, then vice president, was 'action officer' for Special Group 5412/2, which is CIA jargon for chairman. Others who were on that Nixon team included Alexander Haig, who ultimately became Nixon's last chief of staff, E. Howard Hunt and CIA contract employees Frank Sturgis and Bernard Barker."

The story also quotes the text of the FBI memo Truby provided Tattler (he has also provided WD with a copy).

(Moulder says he quoted from the FBI memo for a previous Tattler story, so the passage for the June 1 story may have come from that. He says he obtained permission to quote from Truby for the earlier story; Truby says he does not remember giving it, but may have.)

Interestingly, although the published story appeared about a year after Truby says he submitted his drafts to Moulder, all describe Ford as a 44-year-old professor who had investigated the case for seven years. In fact, Ford was 45 when the story appeared. "That'll show you how dated it was," Ford says.

On August 4, 1975, Truby wrote Drew Herbert, chief executive officer of Suburban Publishers Press Inc., the Tattler's holding company, a registered letter: "I have instructed my attorney to examine the possible violation of law regarding conspiracy and piracy (regarding the JFK story). However, for the present I am content to bill you for the market value of that story to me at the time it was under consideration."

Truby says he billed Herbert for \$2,500, including:

- \$1,200 for the JFK story. Truby says he remained noncommittal when discussing payment with Moulder in the range of \$750 to \$1,200.

- \$550 for expenses on the JFK story. Truby says he invested 40 to 50 hours on the piece.

- \$275 for three other stories for Tattler. Truby says Moulder promised him \$425 for the stories, to which the writer tacked \$25 for trouble in collecting payment. He accepted a June 25, 1975 check from Tattler (Publishers' Promotion Agency, Inc.) for \$175 as partial payment only.

- And \$475 for lawyer's fees and trouble in collecting. He says he received no reply.

Drew Herbert says he did not see the letter, apparently because he was on vacation that month on Malibu. He said he knew nothing of the JFK story incident, and asked to see the documents involved — "I am very sensitive to plagiarism."

#### Toeing the Byline

Tom Lutz says he believes John Moulder had written the story, and that his own name might have appeared on it as a house byline. Was the material for the story taken from Truby's drafts? Lutz says he has no recollection of that, but "what we published was cleared by Ford."

John Moulder, who left the Tattler in July 1975, says he is "positive" Lutz wrote the June 1 story — "I saw him write it." He says he assumed Lutz wrote the story from the massive material Ford had provided the Tattler after he talked to Moulder in about July 1974.

Moulder says he returned Truby's material for the story after publisher Robert Sorrentino rejected the story for both the Tattler and the Insider, and Truby withdrew it. Truby says he never received the materials.

#### Ford Has Another Idea

Ford confirms that the published version was a "mixture" of Truby and Tattler. He says Truby originally "came up with something that was so distorted and I thought it was intended to discredit me, and I threatened to sue him (in about June 1974) if he published it as he had written it."

Some distortions in the original manuscript, according to Ford, included:

- That Ford had presented his information to the House Committee on the Judiciary. Ford says he had not.

- That conspirators began plotting against JFK before his election. Ford says he believes Nixon and Co. did not begin plotting before late 1962.

- That Ford supported Nixon in 1968. Ford contends he only said he was "somewhat sympathetic to Nixon's campaign."

In about July 1974, Ford says he called Moulder and went through the manuscript, "item by item and told him what really bothered me about it. And he said that was all very interesting, and then, as I say, for another year I didn't hear anything more from him," until the published story.

Despite Lutz's claim, Ford says he never approved changes in the manuscript for publication — and Moulder did not tell him it would be published in any form. Moulder says he had not believed the ms would be printed.

Why didn't Ford sue after its publication? "By that time I believed that it might have been a calculated risk on their part that they hoped I would really go after them, and I'm not upset about certain things being wrong provided that some airing is given to the idea that Nixon, Connally, Hunt and Helm and McCone and a few other guys organized a conspiracy to kill a President of the United States. If I were to sue in that situation, I think I would be hurting the idea at very marginal benefit to my actual idea. And that's why I didn't do it."

When WD talked to Truby, he said he had friends scouring Chicago for an attorney who would help him sue for "damages, conspiracy and every blasted thing that I can get. ..."

"I don't want to do it," he adds. "I really don't. ... I've got better things to mess around with than that. But I will do it. I'm kind of a bulldog when I get mad."

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Herbert also says that upon an audit, "we found there was some degree of collusion with inside people as to do with outside arrangements, where stories might have been charged to past management where stories maybe never ran, and then they were resold to other publications." He says legal action has been taken, but declines to name those implicated, or to be more specific about the charges, without the advice of his attorney; he also declines to say whether the audit covered the Tattler company alone, or several companies held by Suburban. His lawyer, David Chaimovitz, also declines comment.

Herbert does note that he would look with "a favorable light" upon those debts to freelancers involving "a continuing association with present management." For instance, if Tattler editor Tom Lutz had promised payment, and the freelancer could prove that in writing, "I would be more than inclined to back him up on that."

A freelancer promised payment by a staffer since kaput from the company, though, could have "less chance" of collecting.

Although Herbert holds that present management has no responsibility for debts incurred before March, "I also want to say that that is not a fait-accompli. We do not want to turn our backs on any individual or group, for one reason . . . we need writers and sources." If Suburban feels a freelancer's claim is justified, "we just might pay it. This is by no means a commitment. But we just might pay it."

Continues Herbert: "Each and every one who will address his letter to me will get a reply. And I will also say that if his claim is not satisfied, I will give him direction of where to go for satisfaction."

But speaking personally, Herbert doubts "very much whether they would ever be able to collect from past management." Those stockholders are, "shall we say, retired, or inactive in the business."

But as for present management, "anything that we do agree to, or anything that is submitted and we do accept, you can have my personal guarantee that they will receive prompt payment." He confirms that Tattler now pays on publication.

#### Checklist for Checks

How can you ensure that your checks for stories come within your lifetime? You can't. But you can take three steps to hurry them along:

- Get a *written* commitment for a *specific* amount of pay. Dick Davies recalls that he never did get down to figures with the Tattler for his story. "I took it for granted that I would perform a task that they asked for and they would pay me automatically," he says. "I would be a lot more careful about the preliminary arrangements in the future."

- Keep careful records. You can't collect debts on vague memories of telephone calls. Keep track of the dates of submission, acceptance and publication of each story; take notes on phoned-in editorial acceptances and promises of payment, and *insist* that commitments by phone be put in writing. If the editor is reluctant to do so, put it in writing yourself and send a copy to him.

File copies of all letters to and from editors.

- When a magazine refuses to pay, contact the markets editor of *Writer's Digest*. Provide dates and copies of editorial correspondence.

When Dick Davies was a fulltime freelancer at a regional conference, "people were amazed. I was a singular animal. Writers would come up to me and say, 'Hey, you're that guy I heard was trying to make it by himself.'"

You can make making it a lot easier by adopting a businesslike stance to what, at best, is a precarious profession—and by warning other writers from unsound markets, via WD.

#### WATCH THIS SPACE FOR DETAILS IN THE MAKING

Robert Sorrentino, a past owner of the *National Tattler*, said at presstime that the tabloid's present management is responsible for its past liabilities, despite claims to the contrary by Drew Herbert, owner of the Tattler's holding company, Suburban publishers Press, Inc.

Sorrentino's attorney, David Krupp, confirms his statement, saying that assets and liabilities — including those to freelancers — stayed with the company, despite the change of ownership.

Sorrentino also denies Herbert's contention that the Tattler was going bankrupt before Suburban purchased the stock in early 1975.

Sorrentino concedes the Tattler "had some financial problems," but says the magazine was sold because of a "family disagreement about the way it should be run." His father, Joe, and his brother, Frank, were also Tattler owners.

Sorrentino says he doubts that Tattler editorial bills ceased to be paid in late 1974, despite claims by several other sources. The only difference was that "we were buying less material and making fewer assignments . . . but we were becoming more selective."

Sorrentino is now consultant to *Modern People*.

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At *Writer's Digest*, the new editor is seeking supplies aplenty. "I need cover stories," says John Brady. "They should be fulsome, informative pieces with *solid reportorial underpinning*. The difficulty here is often one of style: such pieces should be lively, fun to read—yet highly informative and pertinent to a reader who wants to apply outside ideas to her/his own writing world. 'Poetry in America,' by Richard Kostelanetz (December WD), and 'Writing for Social Change,' by Ron Gross (this issue), are steps in that direction.

"I also need articles on a variety of specialized topics we plan to hit in the months ahead—writing for the local media, trade and business writing, advertising, ghostwriting, self-publishing, religious writing, fiction, cookbooks, plant books, photojournalism, to name a few.

"In these secondary features, I look for a writer who has some expertise, something helpful to offer our readers; but who is not confined to the first-person singular at the

expense of outside information. 'How I Sold My Story to *Playboy*' would not be as appealing as 'How to Hit the Men's Magazines' is likely to be, for instance.

"And I'm a markets junkie," confesses Brady. "I like stuff that *bristles* with market possibilities for others: new markets, old ones undergoing changes, fresh ideas that can produce sales. Always open."

Brady also wants articles on writing *techniques*—"how to write a lead, how to handle transitions, how to capture anecdotes. In short, *how to write*." Such articles should be rich in examples, preferably from published work that the writer has sold.

"We are temporarily a little overbought in Q&A interviews," says Brady, "and I am in the slightly embarrassing position of having to edit some of the interviews I did for the magazine myself as a freelancer before coming on staff. But that market should be more open in six months or so. We are interested, too, in profiles of writers—big or small—who have something to say to our readers. For this feature, candid pictures are a must."

For the new up-front section called *The Writing Life*, department editor Leon Taylor would like to see original short pieces of interest to writers, preferably the result of leg work, not library research.

Cartoons are needed, too, on the agonies and ecstasies of writing. "No general-interest cartoons, please, unless there is a writing connection, albeit remote."

Payment for articles is 3¢ to 5¢ a word; "more for outstanding pieces." Lead articles are usually 2,500-3,000 words; middle-of-the-book pieces, 1,500-2,000 words. Interviews often run longer than 3,000 words, but Brady prefers to see the whole transcript and to "trim the fat" from there. Brady also prefers queries to finished pieces—and include your phone number with address. He likes to work with writers by phone.

Photos should be submitted first as contact sheets. Once an editorial commitment has been made, WD pays \$2 per enlargement from the contact sheet, and \$7.50 per published photo. B&W only. Cartoon rate is now \$25. *Writing Life* items bring from \$2 to \$10. *Writer's Digest*, 9933 Alliance Road, Cincinnati, Ohio 45242.

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If you're devoted to erotic movies — R- and X-rated — and if shockers grab you, then *Adam Film World* just might be your forte. Located at 8060 Melrose Ave., Los Angeles 90046, it's read by young and middle-aged men interested in movies. Editor Edward S. Sullivan buys about three freelance scripts for each bimonthly issue, although mostly from local writers with studio connections. Reviews and previews, pictorial layouts, related articles, interviews with actors, actresses, directors, etc. All copy is slanted for fans of X- and R-rated movies, and can be critical of specific pictures, but not of the genre at large. Send a brief capsule suggestion for unique, authentic articles on erotic films, based on factual research, interviews, contacts. "Our main emphasis is on pictorial layouts rather than text — layouts of stills from erotic pictures. We go very strong in the erotic direction, but no hard-core stills. Don't send us any phony (fictional) interviews with a porno star or fantasy sugges-