

Dave Perry
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3/10/94

Dear Dave,

What I say in this is to go no farther than Gary. The situation is bad enough and I do not want to complicate it further.

Last September, when Richard Gallen read the rough draft of the first few chapters of my now retitled Case Open, he showed them to Herman Graf. Richard had decided he wanted to publish it and Graf that they should co-publish. Richard said he'd like to edit it. I agreed. I said I would get a professional typist to retype it. Richard said no, they would. I finished the ms. and they had it all by the end of October. Later I made a few additions, ~~and~~ what I did not take time for ~~as~~ ^{perhaps so} I could get the draft done. (What I later asked you and Gary for is what the president of the outfit that distributed for them wanted in the book. Gallen had him phone me.) When I got the first, which turned out to be the only instalment on the retyping it was by someone who had never used a computer before. It was a horror to see and to correct. I did that. When I got no more I phoned and asked for it and wrote for it a number of times. With no response of any kind. ^{FINO. Jan. 1990} ~~in January~~ ^{1/20} of this year I got the rest retyped from Gallen, to correct. I was not told it was the rest. It just turned out to be. All that was wrong in the first set was pretty much reproduced in the supposed final copy. I went to a lot of time and trouble to correct it and I returned it by the end of January. Again, total silence. As we were about to leave this past Friday, 3/4, to do what being snowed and iced in had prevented, without prior notice there were page proofs, with a letter saying they had to be in hand in New York the morning of 3/9, or yesterday. Fortunately I'd spent the weekend on it and had it done. You'll see the mess in time. I hope you do not notice the stylistic disgraces for a book. I also noticed that it just poops out. No conclusions at all. I had lengthy and detailed conclusions. Then on Monday I get a call saying it all had to be in their hands this past Tuesday. I got it there by express mail. But I also wrote that the book was a disgrace, the corrections had to be made, that I'd made them in January anyway, and the book lacked conclusions, which I'd do and send immediately. I sent them Tuesday morning, again express mail. Then yesterday afternoon I get a letter telling me it ~~is~~ ^{is} too late for the conclusions and the pictures and clearly this means also for the corrections. I've written them and sent a strong protest. But I think it will mean nothing. And it turns out that the editing was no editing at all. They just eliminated about 3/4 of the chapters, in toto, and shifted the remaining ones around without adding any continuity.

While the truth is that the book was so powerful that what remains is still a very strong book and case against Posner, to my peers it makes me look bad and it is much less than in even its reduced size it could have been. I think the professional reactions to

what ordinarily cannot be excused in book publishing will be hurtful^{4/} to me and to the book and gives that master in attacking instead of responding, Posner, a convenient point of attack.

As a practical matter there is nothing I can do about it.

If I were not so feeble, so limited, I could have had the full book out by the end of the year. But when I am not permitted to lift more than 15 pounds, obviously I cannot handle a printing.

However, I would still like those pictures, whenever you can find the time.

Lil also is rather limited, this is tax season so she also is busy, I have trouble with filing and retrieving from files and I do the copying when I am not permitted to stand still, so I did not have a duplicate set of what I attached to my letter to Cindy. Her list, by the way has other defects in it for people like me, at least, but I'm not going into that now.

For file or for futuer use I prefer the more costly 8x10. ^{size} She has the identification in the form of xeroxes of what I'd like. If you will please either get them and tell me how much to pay you or get it straighted out with her and let me know and we'll send her a check, then I'll get those pictures and I'll be happy to have them.

I agree that the city should be paid in advance.

I'm sorry to ask you to take this time and I do appreciate the willingness you expressed when you wrote me after seeing Cindy.

What I'd originally titled NOAX, with an appropriate subtitle, was more than 200,000 thoroughly documented words. Dave Wrone, who has a copy of the rough draft and will have a copy of it after it is retyped, said it was the best of all the books. He'd previously said that about the even longer NEVER AGAIN! Which could have been in the stores this past July had there been the interest. It is now scheduled for, when I last heard, for this coming September. All would have been different if the media and reviewers had had that with which to compare Posner.

It makes no sense, I can't figure it out or understand it, and there is not a thing I can do about it.

Many thanks and our best to you all,

Harold