



DELL PUBLISHING CO., INC. 750 THIRD AVENUE, NEW YORK, N.Y. 10017 YUKON 6-6300

April 23, 1969

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

Dear Mr. Weisberg:

Thank you for your letter of April 21.

I would like to direct my attention first to the distribution of your edition of WHITEWASH. The check that we have sent you is in full payment of all sums due you on this distribution. Out of net receipts we have simply deducted our distribution fee. I do not understand your interpretation of the accounting as being for a joint venture. No further sums are due you on this account.

As far as legal fees are concerned, I suggest you reread Paragraph 5 of our contract dated October 7, 1966. I believe this Paragraph makes clear the fact that you indemnify and hold Dell harmless from all loss, including legal fees, arising from the alleged breach which was the subject of Dr. Bringuier's law suit. I agree that the claim was frivolous. Notwithstanding its frivolity, legal fees were incurred in its defense. I understand from John Friedman that he will be contacting Saga magazine in an effort to secure some contribution from them. If he is able to do so, Dell will pay over to you the amount of such contribution.

At no time did I imply to you that Dell would bear the legal expenses occasioned by Bringuier's claim. I did

Mr. Harold Weisberg

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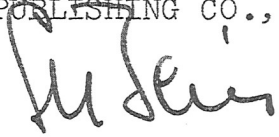
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state to you that Dell would take charge of the defense and would direct the course of the litigation. You agreed to this plan of action and the fact is that Bringuier's suit was disposed of handily.

Cordially,

DELL PUBLISHING CO., INC.

BY:



Stephen L. Bair

SLB:cg

DELL

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