

RUSSELL & VOLKENING, Inc.

Literary Agents

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DIARMUID RUSSELL
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Dear Mr. Porter:

At any rate we are getting matters defined to some extent and let's try and get them more so.

(1) As regards posters and that free year I didn't know if this was something you had talked over and granted--if not then I will have to ask why the year free. This is probably a minor matter.

(2) The billing--I think I should state my view on this and say this seems the right way of doing things

(3) If in Clause 27 you should put in a figure for limiting royalties to a certain amount each year there is no legal way of lessening the amount to be paid--but one can enlarge it by drawing up a contract for a new book in which it states as a consequence of the author being willing to sign this new contract the publisher agrees he will pay X dollars a year more on the older contract. The government doesn't really mind an author getting more money since it means more taxes--but, as I warned, while this is a safe clause with large publishers one has to keep in mind that Sierra may not be as strong financially as one might like.

(4) I got a copy of a letter to you from Ken Brower who seems to indicate that what they wish to do is not as extreme as D. Brower told me--he did mention 17,000 words. At any rate quite obviously you have to see and approve cutting.

(5) I still think, for the sake of getting these two contracts fixed up that you should let Sierra have that 2%. First of all from their point of view they have a case, secondly since this has been standard with all their Ballantine reprints with all authors they would be in a very difficult position with other authors. Thirdly the cash loss to you is not large. What you have, if you got your way, would be 70% of a 5% royalty. If you give in what you have is 70% of a 4% royalty. The difference is 2.765 cents a copy--or \$276.50 per 10,000 copies. Not to be sniffed at but still not a large sum. But note that if we can get 8% on the first 10,000 as against 6% your gain here is \$3150--this based on their selling 10,000 copies pre-publication at a \$22.50 price.

Coming into the matter at this stage the most important thing is to try to find some reasonable agreement--otherwise it would have to go to law and I don't think anyone would gain from this

yours sincerely

Diarmuid Russell