

Context Books Correspondence

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- Ted to Beau #72 — 8-21-99 — Missing
- Ted to Beau #73 — No date — Missing
- Ted to Beau #74 — 8-27-99 — Missing
- Ted to Beau #75 — 8-30-99 — Missing
- Beau to Ted — 8-31-99
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- Ted to Beau #77 — No date — Missing

- Ted to Beau #78 — 9-4-99 — Missing
- Ted to Beau #79 — 9-7-99 — Missing
- Ted to Beau #80 — 9-10-99 — Missing
- Ted to Beau #81 — 9-13-99 — Missing
- Ted to Beau #82 — 9-14-99
- Beau to Ted — 9-14-99
- Beau to Ted — 9-15-99
- Beau to Ted — 9-16-99
- Ted to Beau #83 — 9-18-99
- Beau to Ted — 9-19-99
- Ted to Beau #84 — 9-21-99
- Beau to Ted — 9-24-99
- Ted to Beau #85 — 9-27-99
- Ted to Beau #86 — 9-28-99
- Beau to Ted — 9-28-99
- Beau to Ted — 9-30-99
- Miller to Ted — 10-1-99
- Beau to Ted — 10-2-99
- Ted to Beau #87 — 10-3-99
- Beau to Ted — 10-3-99
- Miller to Beau — 10-4-99
- Beau to Ted — 10-4-99
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- Beau to Ted — 10-6-99
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- Beau to Ted — 10-26-99
- Ted to Beau #92 — 10-27-99
- Miller to Ted — 10-29-99
- Dubner to Ted — 10-29-99
- Beau to Ted — 10-29-99
- Miller to Ted — 11-1-99
- Beau to Ted — 11-1-99
- Ted to Beau #93 — 11-3-99
- Beau to Ted — 11-03-99
- Beau to Ted — 11-3-99
- Ted to Miler — 11-5-99
- Miller to Ted — 11-18-99
- Ted to Miler — 12-26-99

- Miller to Ted — 1-5-00
- Miller to Ted — 1-17-00
- Beau to Ted — 6-20-00
- Beau to Ted — 3-28-05
- Beau to Ted — Unknown Date
- Beau to Ted — Unknown Date
- Beau to Ted — Unknown Date
- Miller to Beau — 8-2-1999
- Unknown Date
- Unknown Date
- Unknown Date

In Table Form

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Beau to Ted #3	9-4-98	
Ted to Beau #2	9-15-98	
Ted to Beau #3	9-15-98	X
Ted to Beau #4	9-17-98	X
Beau to Ted #4	9-21-98	
Beau to Ted #5	9-24-98	
Ted to Beau #5	9-27-98	
Beau to Ted #6	10-2-98	
Ted to Beau #6	10-9-98	
Beau to Ted #8	10-14-98	
Beau to Ted #9	10-20-98	
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Ted to Beau #10	11-1-98	
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Ted to Beau #15	11-19-98	
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Beau to Ted #19	11-23-98	
Ted to Beau #16	11-29-98	
Beau to Ted #20	11-30-98	
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Ted to Beau #20	12-5-98	
Beau to Ted #21	12-5-98	
Ted to Beau #21	12-7-98	
Beau to Ted #22	12-7-98	
Ted to Beau #22	12-9-98	
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1. Beau to Ted #1 — 6-24-98

Dear Theodore Kaczinsky:

I am writing to you about your book, which I heard was rejecting by Simon and Schuster. In a press release today, editor Bob Bender asked, “Do you think the world wants Theodore Kaczinsky’s point of view on Theodore Kaczinsky?” Now, I do not know if that is indeed the topic of your book, but my answer to Bender’s query is simple. Yes.

My company publishes fiction in translation and art books. It specializes in something deemed not so important to the population in general. Be that as it may, I do it because I am interested in creating artifacts—something that will act as a cultural marker for generations to come. Your story is one of the more important ones to come down the pike this century. I want to hear it. Let me know if you are interested in corresponding about this matter.

Yours sincerely,
Beau Friedlander

2. Beau to Ted #2 — 8-17-98

Dear Mr Kaczinsky:

I am enclosing a letter I sent to you in June, because I wonder if you received it. If you are still looking for a publisher, I would be interested in discussing things with you.

Yours sincerely,

Beau Friedlander

You can call me toll free

At 888 240 6082.

3. Ted to Beau #1 — 8-27-98

Dear Mr. Friedlander:

I apologize for having taken so long to answer your letter, but I have been swamped with important correspondence, as well as with other chores.

My book is titled “Truth versus Lies,” and it deals mainly with the lies that my mother and especially my brother have been telling about me through the media [crossed out: ‘and with their motives for telling these lies’]. In order to show why my brother and mother have been lying about me, I examine my family relationships in [crossed out: ‘considerable’] depth.

On the positive side, the book contains material [crossed out: ‘that on the’] of considerable human interest. I demonstrate that my brother’s case is one that surely would have fascinated Freud, Jung, and Adler.

On the negative side (negative from your point of view) is the fact that the book includes a massive quantity of footnotes, extensive documentation, and argumentative sections that some readers may prefer to skip.

You will probably want me to cut the book down to two thirds or one half its length in order to improve its readability and salability. I will refuse to do this because the documentation and the footnotes are necessary in order to prove that I am telling the truth and that my brother and mother are lying. Without the documentation it would be only a question of my word against theirs. I will consider cutting down the amount of documentation only if it proves absolutely impossible to find a publisher who will issue the book in approximately its present form.

You may want to take into consideration that the Unabom case is sure to attract continued attention because the public has thus far seen only the tip of the iceberg. There is a vast amount of dirty laundry to be aired, and most of it is not mine. If I don’t write further books about the case, then other people will. In fact, I know of two such books that are already in progress. I mean serious books, unlike the truth that has appeared here to fore.

If you’d like to see a copy of the manuscript, let me know, and I should be able to get one to you within the next few weeks.

I think I ought to inform you that I’m in contact with other publishers, directly or through an intermediary.

Sincerely yours,
Ted Kaczynski

4. Beau to Ted #3 — 9-4-98

Dear Dr. Kaczynski,

I was very pleased to receive your letter today and was both interested and surprised to read the brief synopsis of *Truth and Lies*.

These reactions auger well for a wider reception. I think your exegesis of family life can only be of significant interest. Most people doubtlessly expect an elaboration on the manifesto published by the *Times* and *Post* or an apologetic treatment of the campaign and its rationale. But I assume these are things you either touch on in the book, or have decided not to discuss. I trust your judgment on that score.

As for publishing the book “as is”, that was something I took to be a given. Whether or not the book sells, it should be published *m toto*. Frankly, I do not care if I make money on this book, although I think it would do well. Perhaps it’s the patina of my graduate work in literature — I still believe in making a contribution to society. You have made history. We have reached a point in history — Marcuse would say lamentably — where the truth of events that have transpired can be told without censorship. It is my job to disprove Marcuse and get people to read what you have written.

Please keep me informed as to the progress of your negotiations at other presses. I can tell you this, and will put the language in a contract: If I publish the book it will *not* go out of print.

I look forward to seeing your manuscript.

Yours truly,
Beau Friedlander.

5. Ted to Beau #2 — 9-15-98

I am sending you a copy of the manuscript of my book, Truth versus Lies, on the following understanding:

1. The content of the manuscript is to be kept confidential unless we both agree that the book is to be published by you.
2. One of my lawyers, J. Tony Serra, is seeking a publisher for the book, and I am not informed of the current status of his efforts. Hence, if you decide after reviewing the manuscript that you want to publish the book, you may not be able to do so, since Mr. Serra by that time may already have reached an agreement with some other publisher.
3. If you publish the book, you are to make no changes in it without my explicit, written permission.

For information about the status of negotiations with other publishers, or about legal complications that may be involved in publishing the book, contact

J. Tony Serra,
Serra, Lichter, Daar, Bustamante, Michael,
and Wilson

Pier 5 North
The Embarcadero
San Francisco CA 94111
Phone 415-936-5591

Mr. Friedlander, I very much appreciate your interest in the book, and I look forward to hearing your opinion of it.

Sincerely yours,
Theodore J. Kaczynski

P.S> I am sending you the manuscript in two separate parcels: a cardboard box that contains all of the book except Appendices 6 through 11, and an envelope that contains Appendices 6 through 11 plus an errata sheet.

TJK

6. Beau to Ted #4 — 9-21-98

Dear Dr. Kaczynski,

Thank you very much for your most recent letter. I understand that you and your intermediary, Mr. Serra, have been in contact with [CENSORED]. I have left a message with Serra just to touch base. I must confess that I hope very much that things will not work out there, as I am wedded to the idea of publishing your book, and any other books you might produce in the future.

I have been struck by the keen sensibility underlying the information you have related to me regarding both the manuscript and its status, and look forward to more of the same. I would like you to feel at ease regarding your requests. Maintaining confidentiality is very much in my interest. Publishing the manuscript in its entirety has never been an issue with me (which I say at the risk of sounding reckless, since I have yet to see it).

Having said this, I am looking forward to the day of its arrival. I hope this note finds you well.

Yours truly,
Beau Friedlander.

7. Beau to Ted #5 — 9-24-98

Dear Dr. Kaczynski:

Please forgive this hand-written note, but I am writing to you in [illegible]. I received your manuscript today (minus the appendices). Although I have only read your chapters, I wanted you to know that my impression is very favorable.

Regardless your fears about the books readability, they are unsubstantiated. I find it very interesting. I will write a detailed letter to you presently.

Yours,

Beau Friedlander.

P.S: I called Serra (who was at a trial) and left a message informing him that I think the book is good and that we need to talk in the near future.

8. Ted to Beau #5 — 9-27-98

Beau Fiedlander
Context Books
368 Broadway, Suite 314
New York NY 10013

Dear Mr. Friedlander:

Thanks for your letter of September 21. You should by this time have received the box and the envelope that contain my manuscript. If you haven't please let me know.

I've exchanged a couple of brief letters with Al Regnery, but have not sent him my manuscript. At the moment it seems to me that I would rather have my book published by you than by Regnery, since I think Regnery's interest is strictly financial. I'm not aware of any contact between Regnery and Tony Serra.

However, I've just had a letter from Serra in which he tells me he has submitted the manuscript to one publisher (whome he does not name) and is awaiting word. Even if this other publisher does want the book, I think the chances are very good that I'll give it to you, since you've expressed an interest in other books that I may produce, and I do expect to do some further writing.

Please pardon me for writing in pencil. I was given a defective ballpoint on my last commissary order, and it's almost out of ink, so I have to conserve what little ink I have left.

Best regards,
Ted Kaczynski

P.S. A further note on the copyright problem: Another reason why we (my lawyer and I) felt that there would be no difficulty about copyright was that "fair use" would be based on the whole collection of letters rather than on each letter separately. thus, even if I used an entire letter, if that letter were only a small part of the whole collection of my brother's letters to me, I would not be infringing copyright by quoting it in full. This, at least, is how one of my lawyers (Gary Sowards) reasoned. A lawsuit for copyright infringement would have to be based on financial loss suffered by the holder of a copyright. It's not likely that my brother could publish one or two of his letters for profit. Thus it's the whole collection, and not the individual letter, that has to be considered in assessing "fair use."

But my strongest point on the copyright issue is still the fact that I'm publishing the letters to defend my reputation.

-TK

P.P.S. I've noticed another typographical error in the manuscript. Page 491, last line: there should be a comma after the word "planting."

-TK

9. Beau to Ted #6 — 10-2-98

Dear Dr. Kaczynski,

Thank you for your letter of September 27. Having read your book, I believe it might be more to your liking were I to address you as Ted. As I recall, you were irritated with your mother for addressing mail to you with your title (and thereby drawing attention to it) in Montana. Please let me know if it is appropriate for us to address each other by our given names in your next letter.

Your book is even more fascinating than I imagined. I feel qualified to state that your readers will be struck by your gifts as a writer, which is interesting given much of the material in chapters 8–15. I want you to know that I would publish this book regardless of your status in the media industry. As you wrote to me in the first letter, *Truth versus Lies* does contain much that is of considerable human interest. I have read the book with great interest. I know others will.

I am tempted to go through the book with you point by point, but I suppose it might be tedious. There were very few instances where I felt that you were testing my patience as a reader. To the contrary, I finished the book wanting more. There are some instances where I think sentences could use some tightening. But in keeping with your wishes, I will not request that this occur. On the other hand, I could line edit the text (as an exercise in futility) so you could better understand the instances of syntax and the like that I would change if given the go-ahead.

I cannot stop thinking about your autobiographies. You should probably produce one, or at least a memoir. You have a real gift as a writer. I can “hear” your voice loud and clear. I am very much looking forward to what the future brings. I eagerly await your decision (since first things must be first) regarding a publisher for *Truth versus Lies*.

My best,

Beau Friedlander.

P.S. Please let me know if I am allowed to send you things, and, if so, feel free to make requests.

10. Ted to Beau #6 — 10-9-98

Dear Mr. Friedlander:

I write in answer to your letter of October 2.

I've received no further word from Tony Serra about the other publisher to whom he submitted my manuscript, so at present you're the only candidate. Since I'm anxious to get the book into print as soon as possible I would be willing to let you go ahead with it, but I understand it's customary for a publisher to offer an author a contract specifying the terms of publication, and of course I'd have to see the contract before making a binding commitment.

My principal concern is that the contract should prescribe that no changes will be made in the book without my permission. Also, in your letter of September 4 you offered to guarantee that the book will not go out of print, and I find that provision attractive. I'd also like to have an estimate of how long it will take you to get the book published.

Financial arrangements are a matter of indifference to me, since I wouldn't be allowed to receive any of the profits anyway. But there are legal technicalities that will have to be worked out. I can't sell you the book, because in the eyes of the Bureau of Prisons that would constitute "conducting of business," which is prohibited by inmates. I think I can give you the book, but my alleged victims will probably have a claim on the proceeds. I'm told that all this can be worked out, but a lawyer will be needed for the purpose. If you have a lawyer whom you customarily consult about matters related to publication, you can refer to him; but if your lawyer is not experienced in dealing with publication by federal prisoners, you might suggest that he contact my erstwhile attorney Judy Clarke. Her husband is a civil attorney who has experience with prisoner's rights issues, and he would probably be willing to give some advice, gratis, about how to make the arrangements. But I would prefer not to let Judy Clarke or her husband actually assume responsibility for the arrangements, because I want to free myself from dependence on my former defense team.

*

You asked about editing the book for syntax and the like. I have just three concerns about editing. First, I don't want any significant documentation or argumentation to be deleted; making a solid, well-documented case for the truth of my version of events over that of my brother and mother has to take priority over readability. Second, I don't want changes made in the text that would alter the meaning. Third, I wouldn't

want so many changes made that the writing would no longer be my own. (When I was a graduate student I published a paper in the Michigan Math Journal that was so heavily edited that it was virtually rewritten for me. The editor, George Piranian, was a much better mathematical writer than I was, and his version of the paper was certainly better-written than mine had been. But, though I didn't make an issue of it, I was rather irritated that someone else's writing was published under my name.)

Apart from these three points there is just one other problem, namely, time. I would want to examine all your editorial changes carefully to make sure that they didn't alter the meaning in ways that I found unacceptable. That would take time, and time is what I haven't got. At present I'm working with a lawyer in the hope of reopening my case, and we're struggling to meet a legal deadline. If I do succeed in reopening my case I'll probably be swamped with case-related work, and, of course, the legal stuff has to take priority over everything else, because it can't be put off.

So I suggest the following. If you like, select one chapter of my book for editing. Don't afflict me with any changes that are of marginal significance; make only those changes that you really feel are important. Then I'll review your changes and see if they're acceptable to me. If we can work it all out with little expenditure of time on my part, then you can go ahead and line-edit the rest of the book. But if working through the syntactical changes is going to cost me much time then I'd rather just go ahead and publish the book as is — though I know well that it could be improved.

*

I did not find it very easy to decipher your handwritten letter of September 24, but I *think* you wrote that you had received my manuscript “minus the appendices.” I assume you meant Appendice: 6 through 11, since Appendices 1 through 5 were with the main body of the manuscript. Please let me know whether you have by now received Appendices 6 through 11.

*

In response to the last paragraph of your October 2 letter — I do hope to produce an autobiography eventually, and probably at least one other book.

With many thanks for your interest in my work,
Ted Kaczynski.

P.S. I keep forgetting to mention that my manuscript is available on a disk, and I can have a copy of the disk sent to you at your request.

– TK

P.P.S. I also forgot to mention that while Tony Serra will probably be willing to help with legal arrangements for publication, he's so busy that there may be substantial delays in any services he provides. That's why I suggested consulting Judy Clarke's husband instead of Serra. But there's no reason why you can't deal with Serra. If it turns out that he's too tardy in providing services we can seek legal help elsewhere.

– TK

P.P.P.S. *Another* thing I keep forgetting to tell you — I can probably get some previously unpublished family photographs that you can put in the book. Also, on January 19, 1997, the Sacramento Bee published two photographs of my brother that you might want to use since they are referred to in the book (Chapter XV, Note 41). These two photos of course are not my property, and you'd have to negotiate with the Sacramento Bee for the right to use them.

– TK

11. Beau to Ted #8 — 10-14-98

Dear Dr. Kaczynski,

I am writing to find out if you received my letter dated October 2. I am enclosing a copy in the event that it was lost in the mail.

My best,

Beau Friedlander.

12. Beau to Ted #9 — 10-20-98

Dear Dr. Kaczynski,

Thank you for your letter of October 9. I am very pleased that you have provisionally decided to let me publish *Truth versus Lies*. Per your request, I will immediately arrange to have a contract created that will cause your requests regarding the integrity of the book as you have delineated them to become a legally binding agreement. I hope to send a first draft of the contract no later than October 26.

I thank you for suggesting Judy Clarke and her husband, but given what you say in your letter think that it is advisable to go elsewhere for the required legal help. I have secured the service of a lawyer who has worked on books by federal prisoners in the past. He is excellently qualified to oversee the legal aspects associated with the project.

Truth versus Lies will be published quickly. We first need to work out the contract and the legal issues to which your book give rise. Assuming the legal issues are not of a thwarting nature and there is nothing to which you object in the contract, *Truth versus Lies* will be published within 2–2 1/2 months, perhaps sooner. The disk will speed things up considerably. Publication could be further accelerated if we began production in anticipation of a signed agreement. I would need you to write a “good faith” letter stating your intent to sign a mutually acceptable contract between you and Context Books.

I have read the media report (September 17, *Sacramento Bee*) on the claims certain alleged victims may or may not have to your name and to profits accrued from books published by or about you. Frankly, money is not my primary concern here. I assume (and please correct me if it is not the case) that the alleged victims will claim all proceeds in the form of change are indeed tedious, since my queries often concern questions of word order and the like. I too have written texts that were “hijacked” by bad and/or intrusive line-editing, and I can understand your reluctance when faced with the prospect again. A sample of the proposed line-editing will follow this letter next week. I will more than understand if you decide not to go ahead with the line-editing of the book.

Your third postscript reminds me of the question that I keep forgetting to ask (i.e., would you like the book to include photographs or any other kind of illustration?). I would very much like to run photographs in your book, so let me know what to expect. These photographs and/or illustrations can either be included in the form of 16-page inserts, or they can be incorporated into the body of the text. The latter will allow you

to place visual information in proximity to the text it illustrates. Let me know which method is more to your liking.

I have in the strictest confidentiality approached a colleague to discuss the design of your book. Paul Davis is a legendary graphic design artist, and has designed outstanding book covers and book interiors for over twenty-five years. He is perhaps most famous for his iconographic depiction of Ernesto Che Guevara. Davis is very interested in being your designer for this project. I would like to know if this is something that would be of interest, or if the political connotations associated with this designer make him undesirable.

You have successfully deciphered my handwritten note (for which I apologize). I did mean Appendices 6–11, and I have received them. Thank you.

Finally, I would like you to know that all of your writings published by Context Books will be kept in print, and I am looking forward to the future books you mention in your letter. I understand from the warden's office that I am not allowed to send anything to you other than money, which you can use to purchase items from the commissary. Please make requests that would allow for a gift of money in a non-business transaction if you are in need of it.

My best,

13. Beau to Ted #10 — 10-21-98

Dear Dr. Kaczynski,

This follows my letter of October 20. I have not been able to stop thinking about the “potential” legal problems associated with your book. This has served to steel my resolve to successfully publish and distribute *Truth versus Lies*.

As I mentioned, I will meet with my lawyer later today to discuss possible copyright issues. As for libel and defamation claims, these are very difficult for plaintiffs to win, and I will be skeptical if I am told that there is any real problem with your book on those grounds.

My lawyer has sent me the following regarding the claims any alleged victims may make to profits that would normally accrue to the author. I am passing the information on to you in the very unlikely instance that you are not already familiar with the legislature:

“NEWS MEDIA UPDATE 9/3/96

“CALIFORNIA The state Attorney General filed suit in late August against Richard Allen Davis, who was convicted and sentenced to death for the killing of 12-year-old Polly Kaas, after hearing reports that Davis had sold his story rights to the television show “Hard Copy”.

“Attorney General Dan Lundgren filed the complaint in Superior Court in Sacramento under a state statute mandating that profits earned by a convicted felon be held in trust for the crime victim’s family. “Hard Copy” has said that neither Davis nor his family were (sic) compensated for the interview.

14. Ted to Beau #7 — 10-21-98

...

15. Beau to Ted #11 — 10-22-98

Dear Dr. Kaczynski,

I spent the majority of the day with my lawyer, and I have good news. We went over all of the points that he felt could present stumbling blocks and found that they were mirages. Many thanks to your keen argumentation and legal finesse, I will be sending out the first draft of your contract on Monday the 26th.

The one remaining point is the question of copyright infringement. As I wrote to you earlier, your brother could succeed in getting an injunction to make both the distribution and sale of the book impossible. My lawyer is currently trying to figure out a way around the applicable copyright laws, but I should tell you that *he* wants to ask your brother for the rights.

I will not allow anything to happen to the contents of *Truth versus Lies* without your express consent. My role here is as war publisher. I believe your book to be of great historical value. It will be published and promoted in a manner that is commensurate to the dignity and exacting principles that caused it to exist in the first place.

My best,
Ted Kaczynski

16. Ted to Beau #8 — 10-26-98

Dear Beau,

As you can see, I'm following your suggestion that we move to a first-name basis. In answer to your letters of October 20 and 21, I have several comments to make concerning the legal issues.

First, as to copyright infringement: Way back in the early months of 1997, when I was just beginning to write *Truth versus Lies*, I discussed with my defense attorneys the possible copyright problems involved in quoting from my brother's letters in the book...

... As part of my plea agreement with the government, I gave up the right to profit from *any* writings, regardless of whether they discuss alleged crimes. Also, some of my alleged victims filed civil suits against me, and these suits have been settled, leaving me with a debt of so-and-so many millions of dollars: to my alleged victims. I do not have with me a copy of the plea agreement or of the civil settlements. This is where I really think it would be to your lawyer's advantage to get in touch with Judy Clarke and her husband, Speedy Rice. Speedy Rice settled the civil suits for me. Jusy and Speedy will be able to give your lawyers the information that he needs about the plea agreement and the civil suits. They may also be able to direct him to the copyright statute that I discussed above.

... As you possibly know, I have an equal aversion to the left and to the right. (And, for that matter, to the middle-of-the-road.) But I'm certainly not going to turn down a man's services as a designer just because I don't like his political opinions...

17. Beau to Ted #12 — 10-26-98

Dear Dr. Kaczynski,

It is with great satisfaction and anticipation that I enclose the contract for *Truth versus Lies*. You will note that the Delivery of Satisfactory Copy section (pg. 2) has been fulfilled and this letter is notice to you as Author that your responsibilities regarding the text of the publication have been fulfilled. I give good lead time for the procurement of photographs and illustrations (January 31, 1999), but I do hope to get the book out about a month in advance of that date

I hope your concerns regarding textual integrity are acceptably laid to rest in the Reserved Rights section on page eight. The Non-discontinuance of Publication section on page seven makes my offer regarding permanent availability binding.

The sticking point I foresee is copyright infringement in general (you will find language that is meant to ward off the danger of thwarting motions caused by copyright litigation), and copyrights from your family in particular. My lawyer will begin the legal read-through after we have both signed an agreement that is mutually acceptable. We should be able to work out any problems after signing through the use of riders, etc. But I leave that to your discretion, and can only assure you that my intentions are good (i.e., I consider my job to be the satisfaction of your requirements and to publish a book that sets the record straight). If the contract is not acceptable, I look forward to your comments so that we can make it right

I spoke to Mike Mello today, and he will be sending me a copy of his manuscript. Thank you for sending him my way. I hope this letter finds you well.

My best,

Beau Friedlander

[signed]

From Beau Friedlander

RE: Contract

Please do not date the agreement at the top of page one, since this will not be the date upon which I sign. It is customary for the Author to sign first.

Please sign both copies (one is for your records) where indicated on page eight, and return them to me for countersigning.

One point not discussed in my letter is the “conducting a business” issue. The problem is circumvented sufficiently with the language found in the Advance section on page four and the manner in which my lawyer has discussed royalties, escrow, re. the alleged victims, etc.

In the event that you strike a word from the agreement, please initial at the margin where such amendments have occurred to indicate that you have made the change and agree to it. Striking passages, or even words, may cause my lawyer to produce another draft of the contract. I leave the option open to you in the event that there is something that can be easily amended and does not alter the intent and purpose of the agreement

[Contract]

Context Books, a division of Simulacrum Lie, d/b/a Context Media
AGREEMENT made this day of , 1998 between Context Books of 368 Broadway,
Suite 314, New York, New York 10013 (referred to as the Publisher), and
THEODORE JOHN KACZYNSKI

Whose address is:

04475-046

P.O. Box 8500

Florence, CO 81226-8500

Who is a citizen of the United States of America and resident of Florence, CO
(referred to as the Author and designated by the masculine singular pronoun)

Whereas the parties wish respectively to publish and have a work published (referred
to as the work) of non-fiction provisionally titled

TRUTH VERSUS LIES

NOW, THEREFORE, they mutually agree as follows:

Grants of rights

1. The Author grants to the Publisher during the term of copyright, including
renewals and extensions thereof:

a. Exclusive right in any and all editions and languages throughout the world to:

i. (1) Print, publish, distribute and sell the work in book form (hardcover and pa-
perback) and (2) publish and distribute the work (in complete, condensed or abridgod
version by any means of distribution or transmission, whether now or hereafter devel-
oped, intended to make the text of, and any illustrations or photographs contained in,
the work available in visual form for reading (including, but not limited to, electronic
or machine readable media, or on-line electronic or satellite-based data transmission)
(referred to as Electronic Books);

ii. License Publication of the work (in complete, condensed or abridgod version by
book clubs or paperback versions by other publishers;

iii. License publication of a reprint edition of the work by another publisher with the
consent of the Author, which consent shall not unreasonably be withheld or delayed;

iv. License publication of the work (in complete, condensed or abridged versions)
or selections from the work in anthologies and other publications, in mail-order and

schoolbook editions, as premiums and other special editions and through microfilm, microfiche and, with the Author's consent, which consent shall not be reasonably withheld or delayed, photocopying or other forms of copying or distribution or transmission of Electronic Books.

v. License periodical publication including magazines, newspapers and digests prior to book publication;

vi. License periodical publication after book publication;

vii. Adapt and license, subject to the approval of the Author, adaptation of the work for filmstrips (with or without sound), **printed cartoon versions** and sound recordings; (S/-? /ny **UJ O Ide, Obrt**

viii. License, without charge, transcription or publication of the work in Braille or in other forms, for the physically handicapped;

ix. For publicity purposes, publish or permit others to publish or broadcast (but not dramatize) by radio, television, without charge, such selections from the work as in the opinion of the Publisher may benefit its sale.

x. To prepare, reproduce, publish and sell, to distribute, transmit, download or otherwise transfer copies of, and to license the foregoing rights in electronic versions of the work (referred to as Electronic Versions). As used herein, Electronic Versions shall mean versions that include the text of the work and any illustrations contained in the work (in complete, **Jeondcnflcd ui abridged** version/ and in compilation) for performance and display (I) in any manner intended to make such Electronic Versions of the work available in visual form for reading (whether sequentially or non-sequentially, and together with images, if any) and (ii) by any electronic means, method, device, process, or medium (referred to as Electronic device or Medium). For the purposes of this subparagraph, Electronic Device or Medium shall include, but not be limited to, electronic, magnetic, digital, optical and laser-based information storage and retrieval systems, floppy diskette-based software, CD-ROM, interactive software and compact discs, optical disks, ROM Card, silicon chip, on-line electronic or satellite-based data transmission and other such systems, and any other device or medium for electronic reproduction, publication, distribution or transmission, whether now or hereafter known or developed. •

f

b. Exclusive right to license in the English language throughout the British Commonwealth (including Canada), the Republic of South Africa, and the Irish Republic, the rights granted in subdivision a. above.

c. Exclusive right to license and/or publish in all foreign languages and all countries, the rights granted in subdivision a. above.

d. Exclusive right to use or license others to use the name and likeness of the Author subject to Author's approval, the work and the title of the work, in whole or in part, or any adaptation thereof in connection with the advertising and promotion of the work.

i

e. Audio Recordings of Work: Exclusive right by itself to prepare or cause to be prepared, to publish, to license, and distribute throughout the world sound recordings of reading of the work with one or more readers. The recordings may be abridged, or abridged versions of connecting narrative passages read by a separate narrator may be included with the author's approval which may not be

9 unreasonably withheld, **notwithstanding the Author's approval of editing-arrangements, the Publisher**— < Publisher reserves the right to edit the approved narrative scripts solely in order to satisfy recording time restraints. The Publisher shall have the right to prepare or cause to be prepared multiple reproductions by any method known or hereafter developed including, but not limited to, phonograph records, audio cassettes and compact discs (referred to as Phonorecords) of the master recordings of the scripts to be sold at such prices and charges and in such a style and manner as the Publisher deems suitable.

f. Exclusive right to adapt (but not dramatize), produce and distribute the work on videocassettes (referred to as Videocassettes).

Delivery of Satisfactory Copy

2. The Author agrees to deliver one Complete original manuscript of the work in the English language of approximately (300,000) words in length, satisfactory to the Publisher, together with any permission required pursuant Paragraph 3, and all photographs, illustrations, drawings, charts, maps, and indexes suitable for reproduction and necessary for completion of the manuscript no later than January 31, 1999. If he fails to do so the Publisher has the right to supply them and, at the option of the Publisher, either bill the cost to the Author or charge against any sums accruing to the Author. *The complete work*

a. If the Author fails to deliver a complete manuscript within ninety (90) days after the above date, the Publisher may terminate this agreement by giving written notice. If this agreement is terminated because the Author failed to deliver the manuscript within the time provided above, the Author shall not thereafter submit any partial or complete manuscript or proposal for the work or for a substantially similar work to any other publisher before offering such manuscript to the Publisher upon the same terms that are contained in this agreement.

b. If the Author delivers the complete manuscript within ninety (90) days after the above date and the manuscript is not, in the Publisher's judgment, satisfactory, the Publisher may terminate this agreement by giving written notice.

c. If in the opinion of the Publisher's legal counsel the work will unduly subject the Publisher to risk of claim or contains unlawful material, then either (I) the Author, at the Publisher's request, will make changes and revisions in the work satisfactory to the Publisher's legal counsel - **shall permit die** ¹

9. The Publisher shall have the right to make such changes and revisions or (ii) the Author may terminate this agreement by written notice. Nothing herein and no changes or revision

made hereunder shall be deemed to alter or affect the warranties and indemnities contained in Paragraph 4 below.

Permission for Copyrighted Materials

3 If the Author incorporates in the work any copyrighted material, he shall procure such rights, written permission to reprint it.

Author's Warranties, Representations, Covenants, Agreements and Indemnities

4 .a. The Author warrants, represents, covenants and agrees that he is the sole author of the work; that he is 10 the sole owner of the copyright and all the rights granted to the Publisher; that he has not previously assigned, pledged or otherwise encumbered the same; that he has full power to enter into the agreement and to grant the rights herein granted; that the work will be the Author's next book (whether under the Author's name or under a pseudonym or in collaboration with any other author); that the Author shall not, prior to delivery of the complete and satisfactory manuscript of the work, write or contract with any other publisher to write any other work for publication in book form without the written permission of the Publisher; that, except for the material obtained pursuant to Paragraph 3, the work is original, has not been published before; that it does not violate any right of privacy or publicity; that it is not libelous or obscene; that it does not infringe upon any statutory or commonlaw copyright or trademark or violate any contract of the Author, express or implied, or discloses any information given to the Author in confidence or on the understanding that it would not be disclosed or published; that this agreement to publish the work or the publication of the work will not subject the Publisher to liability; that if the work is a work of non-fiction, all statements in the work asserted as facts are either true or are based upon reasonable research for accuracy, provided the foregoing shall not alter or affect the validity of any other warranties, representations, covenants and agreements herein contained; and that any recipe, formula or instruction contained in the work is not injurious to the user.

X. In the event of any claim, action or proceeding based on an alleged violation of any of these warranties, / representations, covenants and agreements (i) the Publisher shall have the right to defend the same

/ through counsel of its own choosing, and (ii) the Author shall indemnify the Publisher harmless, any seller of / the work, and any licensee or subsidiary right in the work, against any resulting loss, cost and expense / (including reasonable counsel's fees). To the extent that such a claim or proceeding is successfully defended or settled, the Author's indemnity hereunder shall be limited to fifty (50%) of such loss, cost

and expense attributable to such defense or settlement. ' \

1. If any such claim, action or proceeding is instituted, the Publisher shall promptly notify the Author, who shall fully cooperate in the defense thereof and the Publisher may withhold payments of any amounts due him under this or any other agreement between the parties.

n d. These warranties, representations, covenants, agreements and indemnities shall survive the termination of I 'T this agreement.'

Conflicting Publication

5. The Author agrees that during the term of this agreement he will not, without the written permission of the Publisher, publish **any material**, in book, pamphlet or other printed versions or in microfiche, Electronic Books or Versions, filmstrip, Phonorecords or Videocassettes, based on material in the work which, in the Publisher's judgment, is likely to compete with its sale.

Timing, Style and Price of Publication

6. If the Publisher fails to publish the work within twelve (12) months after the signing date of this agreement (unless such failure is due to circumstances beyond the Publisher's control) and the Author has delivered the manuscript in conformity with Paragraph 2 above, the Author may thereafter serve a written demand upon the Publisher to publish the work. If the Publisher fails to publish the work within six (6) months after the receipt of such demand, then the Author may terminate this agreement by giving written notice, whereupon all rights granted under this agreement shall revert to the Author and neither the Author nor the Publisher will have any further obligations or liabilities to the other under this agreement. Publication of the work shall be at the Publisher's own expense, in such style and manner, under such imprint and at such price as it deems suitable. No changes in the manuscript shall be made without the consent of the Author. The title of the work shall not be changed. A subtitle may be chosen subject to the mutual agreement of the Author and the Publisher. Author's consent will not be unreasonably withheld or delayed. The Publisher shall consult the Author regarding the design of the jacket of the Publisher's hardcover edition of the work.

Proofreading and Author's Corrections

7. The Author agrees to read, revise, correct and return promptly all proofs of the work and to pay in cash or, at the option of the Publisher, to have charged against him, the cost alterations, in type, in film or in plates, required by the Author, other than those due to printer's errors, in excess of ten percent (10%) of the cost of setting type.

Copyright

8. The Publisher shall publish the work in compliance with the copyright laws of the United States of America. The Publisher is authorized to register the work with the United States Copyright Office in the

name of the Author and to register as well the transfer of the exclusive license herein.

Advance Payments

9. The Publisher shall pay to the Author: No advance.

Royalty Payments

10. The Publisher shall pay to the Author, subject to Paragraph 10 v. below, a royalty on the invoice price of every copy of the work sold by the Publisher, less actual returns and a reasonable reserve for returns (except as set forth below):

a. Seven and one-half percent (7-1/2%) up to and including 10,000 copies; and ten percent (10%) in excess of 10,000 copies.

Where the discount in the United States is fifty percent (50%) or more from the invoice price, the rate provided in this subdivision a, shall be reduced by one-half the difference between forty-six (46%) and the discount granted. In no event, however, shall such royalty be less than one-half of the rate provided herein. If after one year following publication of the work by the Publisher the semi-annual sales aggregate fewer than 750 copies, the royalty shall be two-thirds (2/3) of the rate provided in this subdivision a. if such are sold from a second or subsequent printing of less than 2,000 copies. Copies of the work covered by any other subdivision of this Paragraph shall not be included in any computations under this subdivision.

Mail Order Sales

b. Five percent (5%) of the amount received for copies sold directly to the consumer by the Publisher or its affiliates through the medium of mail-order or coupon advertising, or radio or television advertising.

Premiums

c. Five percent (5%) of the amount received for copies sold by the Publisher for use as premiums.

College Sales

d. Ten percent (10%) of the retail price for hardcover copies and five percent (5%) for paperback copies sold with a lower retail price as college textbooks.

Trade Paperback Editions

e. Seven and one-half percent (7 1/2%) of the retail price for any trade paperback edition published by the Publisher or any affiliate of the Publisher. If after one year following the publication of any such edition, the semi-annual sales of such edition aggregate fewer than 750 copies, the royalty shall be two-thirds (2/3) of the rate provided in this subdivision e. if such copies are sold from a second or subsequent printing of less than 2,000 copies. Seven and one-half percent (7 1/2%) of amounts received by Publisher for licensing of paperback rights to the work.

Canadian Sales

g. Two-thirds (2/3) of the applicable prevailing royalty rate specified in Paragraph 10 based on U.S. invoice price or retail price (whichever is applicable) for every copy of an edition of the work published by the Publisher or any domestic affiliate of the Publisher and sold by the Publisher or any such affiliate in Canada.

Other Export Sales

h. Ten percent (10%) of the amount received for the original edition and five percent (5%) of the amount received for any lower-priced edition for copies sold for export outside the United States of America, its territories and possessions and Canada.

Special Sales

i For copies sold outside normal wholesale and retail book trade channels, ten percent (10%) of the amount received for the original edition and five percent (5%) of the amount received for any lower- priced edition for copies sold at a discount between fifty

percent (50%) and sixty percent (60%) from the invoice price or retail price (whichever is applicable) and five percent (5%) of the amount received for copies sold at a discount of sixty percent (60%) or more from the invoice price or retail price (whichever is applicable).

No Royalty Copies

j. No royalty shall be paid on copies sold to any party (including, in the case of “remainders,” affiliates of the Publisher) below or at cost including expenses incurred, or furnished gratis to the Author, or for review, advertising, sample or like purposes.

Receipts From Other Rights

k. Twenty-Five percent (25%) of the amount received from the disposition of licenses granted pursuant to Paragraph 1. subdivision a., ii, iii, iv, v, vi, vii and x, except that with respect to an Electronic Versions of the work, the Author’s share of income shall be ten percent (10%) of amounts received by the Publisher.

First Serial

l. Fifty percent (50%) of the amount received from the disposition of licenses in the United States and Canada granted pursuant to Paragraph 1, subdivision a., v.

British

m. Fifty percent (50%) of the amount received from the disposition of licenses granted pursuant to Paragraph 1, subdivision b.

Translation

n. Fifty percent (50%) of the amount received for the disposition of licenses granted pursuant to Paragraph I, subdivision c.

Commercial

o. Fifty percent (50%) of the amount received from the disposition of licenses granted pursuant to Paragraph 1, subdivision d.

Audio

p. Ten percent (10%) of the Publisher’s net proceeds from the sale of Phonorecords and Audio-cassettes.. “Net Proceeds” shall mean actual cash received by the Publisher, less returns and a reasonable reserve for return , taxes, and shipping and handling charges which are separately stated.

q. Ten percent (10%) of the net proceeds for Phonorecords sold directly to the consumer through the medium of mail-order or coupon advertising, or radio or television advertising or as premiums.

r. Five percent (5%) of the net proceed for Phonorecords sold for export.

s. Ten percent (10%) of the amount received for the disposition of any licenses of rights in the Phonorecords to book clubs, in mail-order, and throughout the British Commonwealth, the Irish Republic, and the Republic of South Africa, and all foreign languages and all countries.

Large Print Editions

t. Ten percent (10%) of the invoice price from the sale of large print hardcover editions of the work and five percent (5%) of the retail price from the sale of large print paperback editions of the work.

Electronic Books and Electronic Versions

u. Five percent (5%) of the amount received from any Electronic Books or Electronic Versions of the work sold by the Publisher. Notwithstanding the foregoing, where the Electronic Book or Version is sold as part of a product that combines literary works by more than one author (a "Combined Product"), Publisher shall pay Author a pro-rata share of the royalty provided for in this paragraph, based upon such factors as the number of individual titles contained in such Combined Product on which Publisher is obligated to pay royalties to copyright holders (where an equivalent amount of material is taken from such individual titles), or the percentage of the Combined Product's total content that is comprised of material from the Electronic Book or Version of the work.

v. All monies due to the Author will be held in an escrow account by the Publisher. Such monies will be applied first as security for the Publisher against any claims or potential claims under Paragraph 4 of this agreement and for all costs and expenses including reasonable attorney fees incurred by the Publisher in connection with the management and handling of the escrow account and in responding to any claims under Paragraph 4 and/or Paragraph 10.v.-w.; and then all remaining sums will be distributed to any alleged victims of Author as Publisher in its sole discretion and good faith identifies and will be apportioned amongst them in a manner that the Publisher in its sole discretion determines to be equitable. Publisher's distribution to alleged victims is subject to the judgment creditors and secured parties, if any, that have legal priority to such proceeds due to Author under this agreement.

w. Publisher is hereby granted a lien on all funds held in the escrow account described above as security against any and all claims that might be made against Publisher as a result of this agreement or its publishing the work or as described in Paragraph 4 of this agreement or any costs, expenses and fees referred to in Paragraph 10.v. above. Publisher may maintain the escrow and not release funds until Publisher in its sole discretion determines that it is secure of any exposure to such claims. Author will sign all documents necessary to memorialize and effect said lien in favor of the Publisher.

Performance Rights

x.. The Author appoints the Publisher as his exclusive agent to dispose of the performance rights including dramatic, musical, radio, television, motion picture and allied rights, subject to the Author's consent, and the Publisher shall receive a commission of thirty-three and one-third (33 1/3%) of the amount received. In the event of the disposition of performance rights, the Publisher shall grant to the purchaser the privilege to publish excerpts and summaries of the work in the aggregate not to exceed 7,500 words, for advertising, publicizing and promoting such rights, provided, however, that such grant shall require the purchaser to take all steps which may be necessary to protect the copyright of the work.

Rights Retained By The Author

y.. The Author agrees to notify the Publisher promptly of the disposition of any right which the Author has retained for himself.

Reports and Payments

z.. Commencing after publication, the Publisher shall render semi-annual statements of account to the first day of April, and shall mail such statements during the July following and payments will be made into the escrow account pursuant to paragraph 10 v. above at such times. The Author's share of the amounts received from the disposition of licenses granted under this agreement shall be computed after the deduction of any foreign taxes withheld and any of the Publisher's agent's commissions, if any (Author represents and warrants that he has no agent). annual accounting periods, either the total

amount of the Author's earnings under this agreement in such period or the total amount due to the Author under this agreement is less than Five Hundred Dollars (\$500), the Publisher may defer rendering of account and payment until such time as the sum of Five Hundred Dollars (\$500) or more shall be earned or become due to the Author under this agreement. Should the Author receive an overpayment of royalty arising from copies reported sold but subsequently returned, the Publisher may deduct said overpayment from any further sums due the Author under this **JRR-ftny other** agreement between the parties. Upon his written request, the Author may at Author's expense examine or cause to be examined (not more frequently than once a year) through certified public accountants the books of the Publisher in so far as they relate to the sale or licensing of the work.

Option for Next Work

The Author (including each Author individually) agree to submit to the Publisher his next book-length work before submitting the same to any other publisher. The Publisher shall be entitled to a period of six weeks after the submission of the completed manuscript, which period shall not commence to run prior to 60 days after acceptance by the Publisher of the manuscript of the work covered by this agreement, within which the Publisher shall notify the Author of its decision. If within that time the Publisher shall notify the Author of its desire to publish the manuscript, it shall thereupon negotiate with him with respect to the terms of such publication. If within thirty days (30) the parties are unable in good faith to arrive at a mutually satisfactory agreement for such publication, one Author shall be free to submit his manuscript elsewhere provided, however, that he shall not enter into a contract for the publication of such manuscript with any other publisher upon terms less favorable than those offered by the Publisher. Notwithstanding the foregoing, the Publisher shall nevertheless have the right to acquire such rights in the next work by agreeing, within fourteen days (14) after receipt of written notification from the Author, to match all of the terms of the best bona fide offer that the Author receives from another publisher that the Author is willing to accept. The Publisher's option hereunder shall also apply to the next book-length manuscript by each party to this agreement included in the term "Author", whether such manuscript is written alone or together with another co-author.

Copies to Author

15. On publication the Publisher shall give twenty (20) free copies to the Author, who may purchase further copies for personal use at a discount of fifty percent (50%) from the invoice price.

Non-discontinuance of Publication

16. Publisher agrees to keep the work in print, either in hardcover or paperback, as long as Publisher remains in business and as long as it is functioning as a Publisher. The work will be deemed to be “in print” as long as a) the work is listed in Publisher’s current catalog and b) the Publisher is ready and able to respond to orders for the work on twenty (20) business days notice of an order, exception being made for reasonable delays and circumstances beyond Publisher’s control.

Author ‘s Property

17. Except for loss or damage due to its own negligence, the Publisher shall not be responsible for the loss or damage to any property of the Author.

Return of Manuscript

18. Upon request by the Author, the Publisher, after publication of the work will return the original manuscripts and proofs in their “as is” condition.

Suits for Infringement of Copyright

19. If the copyright of the work is infringed, and if the parties proceed jointly, the expenses and recoveries, if any, shall be shared equally, and if they do not proceed jointly, either party shall have the right to prosecute such action, and such party shall bear the expenses thereof, and any recoveries shall belong to such party; and if such party shall not hold the record of title of the copyright, the other party hereby consents that the action be brought in his or its name.

Bankruptcy and Liquidation

20. If (a) a petition of bankruptcy is filed by the Publisher, or (b) a petition of bankruptcy is filed against the Publisher and such petition is finally sustained, or (c) a petition for arrangement is filed by the Publisher or a petition for reorganization is filed by or against the Publisher, and an order is entered directing the liquidation of the Publisher as in bankruptcy, or (d) the Publisher makes an assignment for the benefit of creditors, or (e) the Publisher liquidates its business for any reason whatever, the Author may terminate this agreement by written notice and thereupon all rights granted by him hereunder shall revert to him subject to the applicable federal and state insolvency laws. Upon such termination, the “Author, at hi’s pinion may purchase the plates or film as provided in Paragraph 16 and the remaining copies at one-half of the manufacturing cost, exclusive of overhead. If he fails to exercise such option within sixty (60) days after the happening of any one of the events above referred to, the Trustee, Receiver, or Assignee may destroy the plates and film and sell the copies remaining on hand, subject to

the royalty provisions of Paragraph 10.

Law Applicable

21. This agreement shall be deemed to have been executed and wholly performed within the State of New York and its provisions shall in all respects be interpreted

according to, and the rights and liabilities of the parties hereto shall in all respects be governed by, by the laws of the State of New York applicable to agreements entirely made and performed therein. Any action or proceeding regarding this agreement or the work shall be brought solely in the New York courts (state and federal) in New York County. Process in any action or proceeding may be served upon by the Author by personal delivery or by certified mail, return receipt requested, and such service shall be deemed to be personal service within the State of New York and the parties hereby submit to the jurisdiction of the courts of the State of New York with respect to all matters arising out of or related to this agreement.

Appointment of Publisher

22. The Author hereby appoints the Publisher as his attorney-in-fact in his name and in his stead to execute all documents for recording in the Copyright Office evidencing transfer of ownership in the exclusive rights granted to the Publisher hereunder.

Assignment

23. This agreement shall be binding upon the heirs, executors, administrators and assigns of the Author, and upon the successors and assigns of the Publisher. Author may not assign this agreement without the approval of the Publisher.

Invoice Price

24. The term "invoice price" as used in Paragraph 10 and 15 means the price shown on the Publisher's invoices to its wholesaler and retailer customers from which the Publisher's wholesale and retailer discounts are calculated.

Reserved Rights

25. All rights not expressly granted to the Publisher pursuant to this agreement are reserved to the Author, provided that the Author will neither exercise nor authorize others to exploit any of such reserved rights in a manner that will impair the value of any of the rights granted to the Publisher under this agreement.

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26. No changes will be made to the manuscript without the Author's approval including copyediting changes such as spelling, grammar etc. The Publisher will not be obligated to publish the work if in the opinion of its counsel, such publication would subject it to potential liability or litigation.

27. In the event of Author's inability to communicate with Publisher for any reason, including without limitation Author's death, Publisher's obligations under this Agreement to obtain Author's approval or to consult with Author will be suspended. But no changes to the text or any future editions will be made by Publisher in the event of Author's death.

Complete Agreement and Modification

28. This agreement constitutes the complete understanding of the parties. No modification or waiver of any provision shall be valid unless in writing and signed by both parties.

IN WITNESS THEREOF the parties have duly executed this agreement the day and year first above written.

CONTEXT BOOKS

In the presence of By: _____

The Publisher

In the presence of _____

The Author

SS# _____

18. Beau to Ted #13 — 10-26-98

Dear Dr. Kaczynski,

I am sending you this note to inform you that I have sent the contract today in a separate envelope. I look forward to your next correspondence and to moving onward.

My best,

[signed: Beau Friedlander.]

19. Beau to Ted #14 — 10-27-98

Dear Dr. Kaczynski,

This is an update to yesterday's letter, which has become necessary since a follow-up call made by Professor Mello.

He has informed me that there may be sections in his book manuscript that will not meet with your approval. I am giving you full veto powers over the book in question. I have received the manuscript by overnight courier and will read it over the weekend. Let me know what your reaction is (he will be sending you a copy).

Mello's motivations are complicated. He seems to be interested largely in the legal issues raised by your trial, but also mentioned that someone close to him had died as the result of injuries received from a mail bomb. I am not sure that he fully appreciates the historical enormity that belongs to the publication of *Truth versus Lies*. Having said this, Professor Mello is doubtless a positive, if somewhat accidental, party to the project. My only fear is that he turns out to be a loose cannon.

Mello also asked me what I knew about the dispensation of funds accrued to the author from book sales. This will take some time to unravel, and is the reason for the provision in the agreement regarding the escrow account for all royalties due the author. I cannot say whether you would have access to funds for legal expenses. I suggested to Mello that he establish a legal fund in your behalf.

On another note entirely, I have just read an article (*San Francisco Chronicle*, Jan. 30, 1998) about the writing you did in Sacramento, which the press speculated to be a second manifesto. The very wrongheaded Kristan Lawson (his surname peaks volumes) who is the editor of Jolly Roger Press (no comment, the emblem is fitting) said, "If [the second manifesto] was good stuff, hell yes, I'd print it. It would sell like crazy." Lawson published *Industrial Society and its Future*

20. Ted to Beau #9 — 10-27-98

Dear Beau,

I've just received your letter of October 22. Needless to say, I'm very glad that you and your lawyer have decided that there are no problems with my manuscript as far as libel is concerned.

With regard to copyright infringement, I think it would be a bad idea to ask my brother for the rights, as he will probably do everything he can to obstruct publication of the book, if he knows I'm the author of it. Please do *not* contact my brother without my permission. I think you and your lawyer should do everything you can to track down that provision in the statute that I mentioned earlier — that one can publish letters, regardless of copyright, in order to defend one's reputation. Consult *Nimmer on Copyright*. Meanwhile, I am writing to my own lawyers to see if they can give me a reference to the point in the statute-books ...

21. Beau to Ted #15 — 10-29-98

Dear Ted,

Thank you for your letter of October 21. I thought you might be interested to know that it was not postmarked until the 26th, whatever that indicates.

While looking over some of my letters, I noticed that I contradict my letter of October 20 in a letter written the following day. I apologize and offer you the following explanation: My lawyer was very cautionary when I brought up the book. He saw law suits everywhere, and I left the meeting in a somewhat guarded mood. I wanted to be clear with you. But I erred to say that plaintiffs could easily get an injunction over accusations of libel and defamation.

Indeed, copyright is the only easy way for a plaintiff to get an injunction. I do think I put the libel issue to rest in my letter of the 21st, but I wanted to let you know that I was aware of the mistake. I apologize for any worries that the comment may have caused you. I will include a stamped envelope with all of my future correspondence. I hope this note finds you well.

My best,

22. Ted to Beau #10 — 11-1-98 — 1st Updates

Dear Beau,

I've received the draft contract that you sent me and have read it with care ...

Here are some changes that I think you'll agree it would be desirable to make in the manuscript.

I. Throughout the manuscript I have used the initials K.M. to designate a Harvard suitemate of mine named _____. It was my policy to use the full names of persons who talked to the media about me. _____ did talk to the media about me, but I didn't find this out until I was nearly finished with the manuscript, and I did not take the trouble to replace the initials K.M with the full name _____. You may want to make this change now.

II. The following should be added to Note 33 of Chapter XII:

I've asked my erstwhile lawyers, Quin Denvir and Judy Clarke, whether they agree with Investigator #'s opinion of my honesty, and they have answered that they do agree with it. (Ch) Letter from Quin Denvir and Judy Clarke to me, September 1, 1998.

Also please add to the Notes on Documents, p.452, the following entry:

Ch. Letter from Quin Denvir and Judy Clarke to Ted Kaczynski, September 1, 1998.

III. Here's a little problem that I don't know what to do about. It preys on my mind, so I'll state the case to you and see what you think.

I've been corresponding with a certain person who wants to keep his correspondence with me confidential and does not want me to quote any information that he gives me. I've therefore asked him not to give me *any* information related to *Truth versus Lies*, because by doing so he might put me in a difficult position: He might tell me something that would require me, for the sake of truthfulness, to change something in the book; but since I can't quote this man, I would not be able to cite any source for the new information, hence I might leave my readers skeptical about its truth.

In fact, this has already happened to some degree with a bit of information that this man gave me before I asked him not to give me any more information. In a letter of August 14 he told me something that tends to increase my skepticism about the reliability of (Qb) Written Investigator Reports (see Appendix 10 of *Truth versus Lies*). If you will promise me strict confidentiality, I'll be willing to quote to you the relevant passage from this man's letter.

I believe this man to be quite truthful, but his statement is somewhat indefinite and I have no practical means of checking it. The question, therefore, is whether I should stick the following onto the end of Appendix 10:

Added November 1, 1998. In a letter dated August 14, 1998, I received information that possibly may tend to cast some doubt on the reliability of (Qb) Written Investigator Reports. The writer of the letter does not want to be named or quoted. The reader understandably will be skeptical about unspecified information from an unnamed source, but I felt that in fairness to everyone concerned I ought to mention that there does exist this further (rather indefinite) reason to question the accuracy of (Qb) Written Investigator Reports.

Shall I add this note? What do you think?

*

I've written to my attorneys asking them what photographs they have that might be useful for the book. Meanwhile, I'm enclosing four photos that were sent to me by Michael Ulveman, a Danish journalist who visited my place in Montana some months ago. I assume that his permission would be needed for use of these photos. His address is ...

I've written a number on the back of each photo. Photo #1 is some petty vandalism that the FBI committed on one of my trees. Photo #2 is my (now untended) lower garden-patch. Photo #3 is a choke-cherry shrub that I planted. Without my care, it does not seem to be thriving. Photo #4 is another view of my land. On the left is my upper garden-patch. The chain-link fence was put there by the FBI. The people in the photos are _____ and _____ (son of _____), both neighbours of mine at Lincoln, Montana. I imagine their permission too would be needed for use of photos #2 and #3.

If you don't want to use these photos, please return them to me. If you do want to use them, please return them to me when you're finished with them. Thanks,

Best regards,
Ted Kaczynski

23. Ted to Beau #11 — 11-3-98

Dear Beau,

Just today I received your letter of October 27. I've also received a copy of Michael Mello's manuscript. I haven't yet begun to read it seriously, but I've glanced through it a little, and it does contain things that I don't like or agree with — as Mello had warned me would be the case.

It's extremely generous of you to offer me full veto powers over Mello's book, but I don't feel it's my place to tell Mello what he can or cannot publish. Even if I find some of his opinions offensive, he has a right to express them publicly ...

*

The writing I was doing in Sacramento was *Truth versus Lies*. You're right — _____ is an ass... I don't think you have to worry about copyright problems if you want to publish a new edition of the Unabomber's Manifesto, or Industrial Society and its Future (whichever you want to call it). It's pretty clearly in the public domain. My lawyers and I of course received from the FBI all the relevant documents in connection with the trial, and I have before me as I write a copy of the covering letter that the Unabomber sent to the New York Times with the Manifesto, and it makes quite clear that the Unabomber wanted the Manifesto to be in the public domain beginning not more than one year after its first publication. Moreover, the document has been treated as public property by various publishers. Besides the Washington Post and Jolly Roger Press, the Manifesto was published as an appendix to the books *Mad Genius* and *Unabomber*, and possibly others as well. I know for certain that French, Spanish, Dutch, and Turkish translations have been published, and I've received reports of Italian, German, and Japanese translations and a second French translation. So I don't think you need worry that anyone will sue you for copyright infringement if you publish your own edition.

The one way I can help you with this is by providing you with an accurate copy of the Unabomber's original manuscript. My lawyers and I studied the Manifesto in preparation for the trial and we discussed that in several places the Washington Post's typographers omitted parts of sentences of the original text. Since the other published versions were based directly or indirectly on that of the Washington Post, they perpetuated the Post's errors; and they added a few of their own.

At your request, I can send you a photocopy (provided to me and my lawyers by the FBI) of the original manuscript of the Manifesto that was received by the New York Times. Please let [scan cuts off]

Earlier today I dispatched to you my comments on the proposed book contract. I'm still waiting to hear from my lawyers about the copyright problem.

Best regards,
Ted Kaczynski

24. Beau to Ted #16 — 11-4-98

Dear Ted,

Thank you for your note of October 26. I do prefer the use of our given names, as we have by V now developed an agreeable rapport of a certain duration and involvement.

I thank you for all of the information regarding copyright issues. I am going to forward it to my X. lawyer along with the information he will need to contact Judy Clarke and'. I under

stand the libel issue to be a moot one for the same reasons you outlined.

Also: thank you for your advice regarding your brother, which I will heed. I will not contact him. If my lawyer still feels this to be necessary, I will not allow it to happen without having him first state his reasons for such a course of action in writing for your rejection or approval.

You should know that Michael Mello has told me about the 2255, and has also sent me a copy of 4 the October 27 draft. I have told no one, and also realize that I may be out of my depth here (and perhaps out of bounds), but I would like briefly to report my reaction.

The tone is such that it suggests an intention to persuade by affect as well as content. I think this is a double-edged sword. As a public document, a certain amount of sympathy might not be a l bad thing. As a legal document, it seems to me that a hostile audience should be expected, and the tone should adhere somewhat to the language one normally associates with protocol. Mello told me that I am mistaken on this score, but later agreed with some of the particulars I cited.

. The following gives some examples of those particulars. I cringed at the casual tone adopted in ' the Table of Contents: "Sowing the Wind", "All Hell Breaks Loose", "Enter Dr. Johnson" all

seem to be inappropriately light in tone, if not glib. In addition, there are several instances of grammatical misfires that need to be addressed. I have a difficult time understanding how you could submit this document, as it now stands, *pro se*, since it has none of the accuracy of language and no-nonsense argumentation that are the hallmarks of your writing style.

Some other examples taken from page 2: "How Theodore Kaczynski was (Mis)Represented By His Lawyers." First of all, "by his" should not be upper-case. Second, it seems trite, and grossly inappropriate, to "play" with language by adding the parenthetical prefix. It will be clear to readers that the 2255 was compiled to redress the manner in which you were misrepresented. Another example can be

found a few lines down where it is stated that your ability to conduct research and factual investigation “have (sic) been hampered severely.” Such language is used for the sympathetic affect it will foster in your readers. Your readers need to be won over by argument, not an emotional appeal. Thus, it would be better to say “is of course impaired,” since understatement is the more effective rhetorical trope when faced with a hostile audience, which you should anticipate.

The last sentence of this paragraph provides a final example: “But only a lawyer can really do it right.” The tone is far too conversational. I would strike this sentence completely. I say this for two reasons. I have already given one. The other is that it makes sense to me that you should submit the 2255 *pro se*. It is after all how you wanted to proceed during your trial according to public reports. In addition, filing a successful 2255 would demonstrate your ability to represent yourself and thereby cast further doubt on Burrell’s decision to deny your request.

Finally it seems to me, since this *is* a public document, that the long footnotes in the beginning could be bumped up to the main body of the text. Non-expert readers have a tendency to skip footnotes, and there is much of value to the motion in those footnotes.

The 2255 gives rise to another consideration. It seems to me that we should determine when *Truth versus Lies* should be published (i.e., before, at the same time, or after the motion is filed. This is of course a strategical decision that will have bearing on both the outcome of the motion and the sales of the book. I am not familiar enough with such motions to know what scenario would be most beneficial to the success of the motion. Please let me know what your thoughts are on this issue.

Thank you for getting back to me about . It should suffice to say that he is a prototypical leftist. I was aware of your stance vis-A-vis political groups of any stripe, which is why I mentioned his political position. I do not have a problem with a note in the forward that expresses gratitude while holding the notion of any further affiliation at arm’s length.

My best,

25. Ted to Beau #12 — 11-9-98

Dear Beau,

Because your lawyer may find them useful I am enclosing a copy of each of the consent judgements that settled the two civil suits against me.

... As part of my criminal sentence I am obliged to turn over any profits from books, etc., as “restitution”. For information about this, you or your lawyer can contact Judy Clarke.

Best regards,
Ted Kaczynski

26. Beau to Ted #17 — 11-13-98

Dear Ted,

Thank you for your letter of November 3, which arrived today. Your comments on Michael Mello's book, and your relationship to him, were helpful.

Mike (that's how he announces himself on the phone) is, as you say, completely honest. I enjoyed talking to him the five times that I have had occasion to do so. The "loose cannon" comment (I also told him that I thought this, since it was my only apprehension regarding his involvement with you) was initiated by what I feared might be the "psychology" of that involvement.

When he first contacted me, five sentences had not left his lips before he mentioned the mail bomb that killed his mentor. The affect was that I reacted to everything he said, and especially everything he asked me, with caution. Here was my reason: His experience with a mail bomb caused me to suspect his motives for contacting you. Since you are familiar with the text of *Industrial Society and its Future*, I will say that I suspected him of the masochistic tendencies and unconscious agenda associated with leftists. I then thought, if this was the case, he might be dangerous to you, since he would not be working for your benefit — to the contrary, he would be exorcising, come-what-may, his own personal demons. I now believe that he is genuinely aligned with you and your needs and my trust has become implicit. I also like him on a personal level.

I would be mistaken to assume what your reactions were vis-a-vis Mello's book, which we have provisionally re-titled *The United States of America vs Theodore J. Kaczynski: Ethics, Power, and the Invention of the Unabomber*. Mike told me that you objected to the John Brown parallel, and I understand your objection on that score. I think he uses it as a hitching post of sorts for his discussion. I do think the book is a positive contribution, and marks the first in what I believe will be a flood of literature on the subject. As such, I am very interested in acquiring his book, and he has agreed. So, I must thank you for your generosity of spirit in turn.

I think the simultaneous publication of *Truth versus Lies*, Mello's book, and *Industrial Society and its Future* would make a powerful statement. I am currently looking into what would be required to make that happen. I would of course need your approval before any final decision was made regarding the manner in which these books are to be released. A further note, Mello told me about Alston Chase's book, and I am curious to know more about it.

As for *Industrial Society and its Future*, I would of course like to have the authorized version, although I understand that this is impossible since no name (i.e., author) can

be attached to the text. Your generosity regarding the texts in your possession is met with gratitude. I would feel privileged to use the most accurate version of the text and perhaps run the covering letter to the *Times* as an appendix. So, I will take advantage of your kind offer and I look very much forward to receiving the documents in question.

There is something else I have been meaning to bring up with you. As you know by now, I have dedicated myself to engendering a more accurate, historical understanding of the Unabomber. This understanding would need to go beyond the bombings (they were so many flares sent up in society's dark night) to the rationale, specifically in connection with the publication of *Industrial Society and its Future* (which a large audience could only "find" with the guidance provided by those flares). Were there not the issue of self-interest, I would write an essay about the invention of the Unabomber. My belief is at odds with popular perception: He tips heavy on the scales of history as a thinker. For lack of a better term, he is an anarchist. I say this with the assumption that you will understand anarchism to signify the intellectual, practical mode of existing in society commonly associated with the term and not the loose manner in which it is used to signify a vague state of lawlessness. It would be laughable to pigeon-hole the Unabomber as an anarchist only, as his writings are also philosophical in their discussion of the practical issues that affect individuals living in contemporary society. I would like someone to write an essay that addresses the mistaken public understanding of the Unabomber. The question then is this: Who should write it? I think it should appear in *The New Yorker* or *Vanity Fair*, since these magazines have large circulation and an "intellectual" audience. Perhaps Bill Finegan could write it. I would like to know whether or not you think this idea to be wise and/or of interest.

I received a memorandum dated November 4, the day after you signed your last letter, from the prison authorities. It informed me that prison regulations forbid, among other things, the enclosure of stamped envelopes for your use. Please let me know if you would like an unstamped envelope enclosed with future correspondence, as this is not against prison regulations.

Quin Denvir sent the electronic files of *Truth versus Lies*, and I have received them. Thank you. I hope to receive your comments on the contract on Monday. I suppose they were held up for inspection before getting sent to me. As ever, I hope this note finds you well.

My best,

27. Ted to Beau #13 — 11-13-98

Dear Beau,

I write in answer to your letter of November 4...

Our big problem now is the copyright issue ...

Now here's what I suggest we do:

First we get one or more good copyright lawyers to review the book and tell us what parts cannot safely be printed without permission of the copyright holders.

Second, we get permission from the owners of copyrighted material *other than* that produced by my brother and mother. We delay as long as may be practicable before approaching my brother and mother, because when my brother finds out about what is going to be published he may cause problems — for example, he may go to the media and try to discredit the book in advance.

Third, when the time is ripe, we approach my mother and ask permission to publish the extracts from her letters. I think we will have a good chance of getting her permission *if we approach her in the right way and without my brother's knowledge*. I think we will have a very much better chance of getting her permission if you approach her rather than I. But, since everything will depend on approaching her in the right way, you should get some advice from me, before you approach her, about her psychology and about how to deal with her.

Fourth, after we've dealt with my mother, we approach my brother for his permission with regard to those materials that we can't safely publish without his permission. He probably will not give his permission, but we should ask him for it anyway, because then we can state in the book that such-and-such materials have been summarized or paraphrased because my brother has denied permission for their publication. This will help show readers that my brother has something to hide.

By the way, I don't think we would have to worry very much about a suit for copyright infringement brought by my brother. Our main problem would be that he might try to get an injunction to prevent the book from being distributed in the first place. I don't think he will be interested in monetary compensation or in retaliation for copyright infringement; his main concern will be to avoid being discredited, hence he will want to impede publication of the book rather than retaliate after it's been published.

*

I've been so busy with important correspondence that I haven't even begun to read Mello's book, but I've read the Foreword to it that Gary Greenberg has written, and

I think it's excellent. Greenberg does a splendid job of exposing the ideological basis of the shrins' diagnoses of me. For the sake of the Foreword alone I hope Mello's book will be published. Mello has at least one hot prospect other than Context, though, and I don't know which publisher he will choose in the end.

I hope you'll pardon the messiness of this letter. It's a first draft, and I just don't have time to to rewrite it.

Best regards,
[scan cuts off]

28. Ted to Beau #15 — 11-19-98

PERSONAL to Mr. Freidlander. to be read by him only.

Dear Beau,

Thanks for your letter of November 13. Let me say first the easy things I have to say to you and save the difficult part for the last.

First of all, Michael Mello did not initiate the contacts between him and me; I did.

I know nothing about Alston Chase's book, so I can't tell you anything about it. But recently two of my correspondents have sent me information about Chase that forces me to doubt his honesty...

... Mello relied heavily on media reports for personal information about me. I repeatedly pointed out to him that media reports were riddled with errors and I cited specific examples... Yet Mello's addiction to media sources seems to be incurable.

29. Beau to Ted #18 — 11-23-98

Dear Ted,

Thank you for your letter of November 13, which arrived today. Since I did not receive your comments on the contract (November 1) until Friday, I will respond to both letters below.

I understand your hesitance when faced with the contract I sent to you. It is standard procedure for the author to show contracts to legal counsel before signing, as there may be language that you will not agree to after the legalese has been parsed down to the bottom line. I can only tell you that I have endeavored to anticipate such instances, and, with that in mind, was careful to eliminate as many instances of language you would find unacceptable from the agreement. The hope was that we would be able to cross out the remaining sticking points (as I am flexible in your case) so that a signed agreement could be generated. *I* will address individual points in the last paragraphs of this letter.

Your query regarding income tax is, I think, satisfactorily addressed in 9 and 10 v. of the contract. Those clauses create a binding agreement from which you cannot directly profit. All proceeds due to the author will be placed in an escrow account. The only way in which you could be exposed to the IRS would be if Context Books were to make funds from this account payable to you. I will address these paragraphs further in the responses to your comments on the contract.

Thank you very much for the changes you alerted me to. I will incorporate these into the appropriate sections of *Truth versus Lies*. Thank you also for pointing out the typo. I also noticed a typo on the first page, second paragraph of Chapter I: “extravert” should be “extrovert.”

I do not know for sure what to say about the unverifiable information you mentioned. I can only imagine that undocumented evidence is not welcome according to your mode of argumentation. I of course do not know who you are talking about, but I find this informer to be somewhat irritating, so I can well understand why you have asked him to keep all future intelligence regarding your trial to himself. Without knowing what the information is, I can only say the obvious. It should be used if it further demonstrates the manner in which you were misrepresented and did not receive a fair trial.

**368 Broadway, Suite 314 New York, New York 10013 Phone 212.233.4880
Fax 212.364.1810 imail: 5imnyc4interoort.net**

However, you say his information is indefinite, which I take to mean that the truth of what he has said is questionable, or that what he claims about (Qb) Investigator Reports is vague. Is it possible that this person is inventing things to curry favor with

you? In my experience, indefinite situations are merely half-understood, or poorly understood situations, or lies. Here is what I would do: Add the note you dated November 1 along with a *paraphrasis* or direct quotation of the relevant passage from his correspondence to you. If you cannot do this (i.e., paraphrase), then I would not say anything. Also: Your note sounds as tentative as this situation. I would write: "... may tend to cast doubt..." instead of "... possibly may tend to cast some doubt..." since it either does or it doesn't, and the former sounds more authoritative. I do understand that what you wrote was a first draft, as you said at the end of your letter.

Thank you very much for the photographs. I will of course send them back to you when a decision had been made as to which images to use, and when the chosen images have been reproduced for inclusion in *Truth versus Lies* respectively. I was particularly drawn to the photographed example of petty vandalism on the birch tree, which is, as they say, worth a thousand words. I also liked the picture of your choke cherry bush, which taught me something I had not known about winning the battle against marauding herbivores and/or clumsy visitors. Any other photographs you would like to have in your book should be forwarded to me. I would very much like to see the picture of Baldy Mountain that you mentioned.

I was glad to find that some of my comments on the §2255 motion were met with some approbation from you. You can be sure of my secrecy regarding the motion, although you should know that it is an open topic of discussion between Gary Greenberg, Mike Mello, and me. I have discussed it with no one else. As for my comment on the heading "(Mis)representation", my opinion is based on a rather strong dislike of French-inspired semioticians, who would be wont to use such typographical indications of opinion rather than just stating the problem outright. Misrepresent is a word. Having said this, the motion is about the poor representation with which you were forced to contend and the vagaries of the Federal legal system. I therefore prefer a factual account of that situation, (i.e., the wrongheaded maimer in which you were represented). To write "The Representation" can only be about how you were misrepresented, but it sounds more neutral, and you do not want to the judge to go on the defense. It is a small point that obviously lies outside of my field of knowledge, and which may be written out by your new lawyers (information from Mike Mello and Gary Greenberg). I do agree that it needs radical rewriting. The footnote question is not something I will pretend to be qualified to address.

My suggestion that you file the motion *pro se*, was perhaps over-enthusiastic, and unwise. It is an option if the occasion should present itself, since you would probably do it very well. I trust the occasion will not arise.

The timing of the book will be decided in part by your lawyers. If they want to file before the book comes out, I am fine with that. I can think of publishing arguments for either scenario, and I am not worried about the sales impact of lay-down (pub. date) and filing the motion. As soon as you know when the probable date of filing will be, I trust you to let me know so that I can make the proper arrangements. Also: I am

pretty sure that I can get first serial in a major magazine, which may be a good way to announce the book, since it will get a lot of publicity that way.

As for our copyright issue, I hope I can set your mind at ease. It does not look like it will be a major issue. Soward is not hugely knowledgeable about copyright law, and his remarks on this matter are flawed. The argument stating that the letters must be viewed as a collection in order to be considered “of value” is shaky, and will not be interpreted necessarily in our favor were someone to file suit. Copyright law most certainly does allow the use of personal letters to defend one’s reputation. The only thing at issue is relevance. You are only allowed to use sections that are of direct relevance to your argument. My lawyer’s name is David Korzenik. He is a professor of copyright law at Cordoza School of Law. He was legal counsel for *Spy Magazine*, which frequently got away with instances of copyright infringement that many thought were impossible and which without doubt did represent copyright infringement. Korzenik is very good, and is considered “top notch” in his field.

At this point, I think we are okay as far as copyright goes, and there is nothing in *Truth versus Lies* that would leave it open to a law suit (i.e., there is nothing that might require a change that would in any manner compromise your style of argumentation or the argument’s force of suasion). I say this because, if Korzenik does find sections of cited material that are not clearly relevant to the argument, the worst that will happen is that he will ask you to paraphrase, or omit points of possible contention.

It sounds like Soward did not have the power of his conviction when faced with the task of approaching your brother for rights. He should have been contacted when the time was favorable to a positive response. But it is not certain that his permission will be needed, since you are allowed to use his letters as they pertain to the defense of your reputation. You did, after all, write, “the purpose of publishing the material is to prove that my brother has lied about me and to show his motives.” Eiseman’s information about “expression” is not entirely correct. Fair use law, as you know, is vague. We must be sure to tip the scales of “justice” on the safe side, so that any judgment on copyright infringement would be in favor of the defendant. But I think we are in the clear. A legal read will be officially done (i.e., on the clock) after the contract is signed, but I suspect that Korzenik has already done it.

Regarding your mother and brother, I will do just as you say regarding contact with them. I think it may be wise to let your brother know, further down the line, that a book is being published. I can couch this information in non-alarmist terms. I hope the suggestion does not irritate you (as I have said I make no moves without your go-ahead). But since there is the chance that proceeds from *Truth versus Lies* will accrue to the victims, it seems possible that he will agree to grant all rights. He announced today that he will sell the rights to a book and film to help raise money, although it is not clear if this money is intended to defray his own legal expenses, those of the victims, or to pay wrongful death claims against you. I have attached the news release. I will do everything in my power to eclipse the sales of any such book were it ever realized, of that you can rest assured.

[Contract discussion]

What follows are point by point responses to your comments on the contract for *Truth versus Lies*:

1. “I consider myself a resident of Montana” — We will be able to amend this, unless the federal prison system considers you to be a resident of Florence, CO. Can you check?

2. “Section 1 a.i. would seem to give publisher the right to publish immediately condensed or abridged versions” — That is not my understanding. To make it clear, I suggest we strike “whether now or” where it occurs, and then add “after the complete and original version has been available to the public for one year;” after “(referred to as Electronic Books)”.

3. “... readers who have already seen the ‘digest’ form may not read the complete version...” — It would be madness for me to publish the book in serial form. This is a provision that is standard in agreements, since it allows for the option to publish a work serially in extraordinary circumstances. I will not do this. Change as follows: “License portions of the work for periodical publication (first serial) prior to book publication.” The next clause would read: “License portions of the work for periodical publication (second serial) after book publication.”

4. Filmstrips: It is understood that this sort of licensing would not occur before publication unless we were talking about very short passages (a matter of sentences) for promotional purposes. You may add the following to the end of this clause: “after book publication, except short excerpts for the purpose of promoting the sales of the work.”

5. Electronic versions: These will not compete with the book version, since they are still only in prototype form (i.e., electronic pocket reading devices). This is a clause that pertains to the book after its publication. To be sure, we might add: “after the complete and original version has been available to the public for one year;” but the electronic rights are a forward-looking clause that point toward as of yet unrealized advances in the aforementioned technology.

6. Use of Image — Yes, only in connection to the promotion of *Truth versus Lies*.

7. Audio books: These do not compete with printed books either. It is not even clear that the people who buy books on tape are literate, and it *is* clear that the demography is distinct from the book-buying segment of the population. I suggest we leave this as is, since it could potentially expand your audience. The chances of publishing an audio book within 6 months are small. So, I would be willing to add “after six months of book publication” at the conclusion of the first sentence of i.e. ending with the word “readers.” This would, however, prove to be disadvantageous were your book to sell quickly, since publicity and word-of-mouth would make audio “readers” want to acquire it. We would, in this instance, miss out on the opportunity to expand your audience.

8. Typographical error noted.

9. As I hope that I argued cogently in the above, copyright is not going to be a problem. I think we work well together in the instances where a legal edit is indicated. I hope at this point you have the impression that I am 100% on your side to create the best possible book that is in keeping with authorial intent. In addition, it is my impression (and hope) that we will not need to make many (if any) changes. I will acquire permission where that is required, since it is far easier for me to do, and you have more important things to pursue.

10. “Obviously I can’t represent that I am the sole owner of the copyright” — Yes, you can. You are the author of the book and have not given anyone else the right to publish it. The rights belong to you. When the time comes, I will file the copyright for you, as is standard procedure in publishing. It is a courtesy the publisher is expected to extend to the author, and is much easier for the publisher to do, since it is done frequently. Your possession of the copyright does not mean that money generated by sales will accrue to you. The escrow account will be established and then all parties with a legitimate claim to those funds, including you and your lawyers, will have to duke it out. A court will have to tell me to whom and for how much before I sign any check drawn on that escrow account.

11. Misprint noted.

12. It is the standard language to say, “the Author shall hold the Publisher harmless.” As far as I know, it means that I can defend myself if sued by anyone and that you will not hinder my doing so, or direct the manner in which a defense is mounted.

13. Commas will be inserted.

14. “The term “unreasonably” is so vague that it is not clear to me what, if any, protection this gives me against changes in the manuscript” — This is the standard term, and it is vague in favor of the publisher. It is better than no adverb at all, but there could be some common ground here yet to be reached. This clause refers only to the subtitle. I have not thought of one (not for lack of trying). If you think that a subtitle is unnecessary, then strike from “A subtitle” to “delayed.”

15. See No. 9.

16. “As far as payments to alleged victims” — The escrow account will probably sit collecting interest for quite some time, since there will probably be many conflicting claims on the money which will have to be sorted out by a judge.

17. “During” has been inserted as indicated. Thank you.

18. Option for next work — I understand your reservations regarding giving me first option on your next book-length work. I would like to assure you that this is a common clause and it is not entirely binding. It figures by way of an industry-wide courtesy. You will notice that this paragraph states that: “If after thirty days the parties are unable in good faith to arrive at a mutually satisfactory agreement for such publication, the Author shall be free to submit his manuscript elsewhere, provided, however, that he shall not enter into a contract for the publication of such manuscript with any other publisher upon terms less favorable...” I realize that in your case, “terms less favorable” will be a moot point, and that, if you decided to go with another

publisher, your decision would be based on our relationship *per se*. I cannot guarantee that we will continue to get along, but neither can I perceive a reason why we should not continue to do so. I will leave it up to you to decide. I would prefer to have the option, but strike it if you will.

19. This clause does address the objection you raised in connection to paragraph 6. That paragraph, you will recall, only makes comment on the subtitle. The text is addressed by paragraph 26, and will not be changed without your express consent, as indicated there.

If the above responses to your comments on the agreement were acceptable, the expedient thing to do (after your lawyers get back to you) would be to make a copy of the contract We can use it to finalize the agreement If you referenced your copy with the same numbers added to mine, you would have to make another copy to preserve the original for your records, then use correction liquid to erase the reference numbers on that copy, and make two clean, unmarked copies for signing. I can also generate new fair copies if you find it preferable. I make this suggestion with respect to time. As you probably know, the only marks on the contracts should be where you have struck text or added text, and in such instances you will need to initial each place where alterations to the contract have occurred to indicate that you approve of them. If we are shooting for a January lay-down, time will be of the essence.

I was glad to hear that you approved of Gary Greenberg's introduction to Michael Mello's book. I think it is the best thing to have been written to date. He says much that has been bothering me about the public understanding of your situation, as well as the common understanding of the Unabomber. He has set the baU in motion for a much-needed revision of that understanding of your situation, and how the Unabomber figures in world history, which is quite a contribution to posterity. I have spoken to him on the phone, and now there are two excellent people to whom you have introduced me. I must express my gratitude. It is generous of you to have introduced us to each other. You will be happy to hear that Mike has agreed to let Context Books publish his book. I am curious to know what you thought of the title change.

As ever, I hope this note finds you well, and that your work is progressing to your satisfaction.

My best,

30. Beau to Ted #19 — 11-23-98

Dear Ted,

I wanted to alert you to something that has been on my mind. It regards possible public reception of Chapter VII of *Truth versus Lies*, and your account of the Tarmichael affair. These sections might not be in keeping with your objectives. *Truth versus Lies* has been wisely written in a rationalist manner. It has also been written with an insistence on the truth, even when the truth does not portray the author in the best possible light. In the main, I am certain that this will prove to be the right gambit for you to play. But I think you might consider the following.

The passages about your mother's care packages and the mailbox are perhaps too angry, and may serve to give the impression that you were unreasonable. The rationale is in place, and valid. She willfully ignored your requests. But you will have to get in and get out faster, and pull a few punches if you want to avert the possibility of the reader turning on you. People will not react well to an attack on your mother, as most people hold that relationship sacred and therefore will take those passages as a personal affront. It is important to demonstrate in more neutral terms just how impossibly irritating your mother was. Everyone can sympathize with that. No namecalling is indicated, or if it is indicated in the interest of full disclosure, an apology is in order — not to your mother necessarily (although it would be rhetorically correct), but for having subjected the reader to that sort of dialogue. You might consider paring down the exchange of letters. An apparent restraint will make you appear nobler in the end, all things considered.

I feel similarly about your account of the Tarmichael affair. I would try to give a less detailed account and provide a more detailed description of the situation vis-a-vis your relationship with your brother who fired you. Did you want to get fired? That is my impression. If that is the case, I would state it in bold and place the minutiae of your frustrating encounter with Tarmichael in relief. It is important, but not as important as the fact that you were fired by your own brother, which foreshadows his final betrayal.

These are not requests for changes, but simply comments. I hope this note finds you well, and I look forward to hearing your response to the above.

My best,

**368 Broadway, Suite 314 New York, New York 10013 Phone 212.233.4880
Fax 212.964.1810 Email: simnyc@interport.net**

31. Ted to Beau #16 — 11-29-98

Dear Beau,

Please do not give Gary Greenberg *any* information about me, my case, or the publication of my book. I haven't met Greenberg face to face, but Michael Mello has, and, among other things, he says that Greenberg would "like to write full time, and I think he sees this as an opportunity to establish a name for himself." ...

[Contract discussion]

Here are my responses to the numbered items that you discuss on pp.4-6 of your letter of November 23.

1. I considered myself to be a resident of Montana in connection with a will I had made...

32. Beau to Ted #20 — 11-30-98

Dear Ted,

Thank you for your letter of November 19, which arrived today. And thank you very much for the confidentiality notice that you wrote on the envelope. I opened the letter, which, by the way, is the case with all of your correspondence. As I live alone, you need not worry about me talking in my sleep. My assistant has proven very trustworthy with the meager information to which he has been privy.

I was glad to get the information on Alston Chase. You should know that I had already heard about his position from Mello and Greenberg. You should also know that I have asked them not to give me any information that I may not have received directly from you. Alston Chase is not an example of something I would prefer them to keep to themselves.

I have asked them not to tell me about the motion process. I requested this discretion because I felt uncomfortable when both of them told me about the lawyers with whom you have been corresponding. Like radio waves, information garnered at one remove usually suffers transmission loss. I am not a fan of the “pass it on” game. It happens too often that a message such as “It might happen” becomes “It happened last week.” My impression thus far has been that you carefully consider a situation, and make sure you know what it is, before making a report of fact. So, I have asked them not to tell me things about the 2255 because a.) I do not need to know the details other than the proposed filing date and your counsel’s opinion regarding timing of publication; and b.) it puts me in the position of possessing knowledge that may not mirror reality; so that c.) I have to wonder until you give me the lay of the land. I would prefer to hear things from you directly. I am interested in the progress of the 2255, and hope that you will keep me abreast in a general way regarding its progress.

I met with Gary Greenberg this weekend in Brattleboro, Vermont I very much enjoyed meeting him and believe that he is very capable. In addition, I enjoyed the impression that he understood the situation that I am in as an independent publisher. He expressed interest in what I am trying to achieve, generally speaking, vis-a-vis the six books with which I am launching, and the revision of history’s interpretation of the Unabomber in particular. I will endeavor to help him to the best of my ability with his search for an agent, and with the development of his work as a free-thinking writer.

Thank you for your note regarding envelopes. I would like to send a money order to you via Mello. Here is why I prefer this circuitous route: I want it to be clear that I am sending funds to you as an individual and not as an officer of Context Media. It may be unwise for me to send the funds to you directly, and I do not know the

full ramifications of doing so with regard to our relationship as writer and publisher respectively, ergo Mello as intermediary. Having said this, my motivation is the fact that money will allow you to purchase postage, stationary, and various personal items from the commissary. Please let me know if this is agreeable to you and, if possible, find out if my doing so will in any way open me up to legal problems down the line. I will send funds when I receive word from you that this is something you would willingly accept from me on a personal basis, and that there are no legal problems associated with my doing so.

I read your caveat regarding Mello's lack of exactitude with a mixture of calm attention and exasperation. I am willing to go through the work with a fine-toothed comb. It may be that I will have to have my assistant spearhead the fact-checking tasks required, since they are very timeconsuming. I have the utmost faith in his ability to ferret out the sort of minutia that will be present (such as misquotations of text) as well as the more egregious instances of sloppy documentation. This will not be done immediately. He does not yet know about Mello's book. I do not want to tell him just now, since it will doubtlessly pique his curiosity regarding other things. Also: I will have to let him read your manuscript, which is locked in my files. When the time comes, and with your permission, I will set him to work.

I will also work on Mello's book to make sure that everything is accurate. I have a good memory for details, especially when the details are originally encountered in text form. For instance, I was aware of the trombone instance you cited. I have still to line edit the book. The above instance and its like are the kind of thing that is caught during line editing. My impression of Mello is that he is a compulsive writer, which means to say that when he gets going he just keeps on going until he finishes whatever it is he set out to do. Gary tells me that Mello wrote the book in six weeks. This would account for the inaccuracies. It may be that there is an initial burst of energy, but when finished he does not go back to make the adjustments necessary to the completion of the work. It is a situation that can be redressed. Thank you very much for alerting me to it.

I will begin line editing his book this week. You can be sure that I will relate nothing to him, nor anyone else, regarding your comments. He either will hear the issues from you directly, or he will make the necessary changes per my instructions to him as editor. In my experience, if you make clear the full scope of the task at hand before setting to work, there are few objections down the line no matter how tedious that work may be. I believe Mello will be cooperative.

I hope this note finds you well.

My best,

[signed: Beau.]

Attached letter

Privileged & Confidential
By Fax and Hand Delivery

Mr. Ned Zeman

Vanity Fair Magazine

Advance Magazine Publishers, Inc.

350 Madison Avenue, 4th Fl.

New York, New York 10017

Re: Context Books/Confidentiality Agreement

Dear Ned:

I am sending you this confidentiality agreement on behalf of Beau Friedlander and Context Books. Graydon suggested that Beau communicate directly with you on this matter.

Context Books has acquired the rights to publish a Book by Author "X" — whose name we do *not*, at this point, want in any manner to reveal publicly. In view of the interest that Graydon has expressed in the Book, we would like to give *Vanity Fair* an opportunity to read a significant portion of the now complete Manuscript so that you and Graydon can decide whether VF will want to publish an excerpt.

So that you can evaluate the Book and so that we can, at the same time, maintain the secrecy and confidentiality of the author's identity and the nature of the Book which Context intends to publish, we ask that you agree to the following terms of confidentiality:

1. You and VF will make no copies of the Manuscript. If any additional copies are needed, then we will provide them to you.

2. You and VF will not show the Manuscript to anyone outside of VF; Nor will you show it to any person who has not also signed this letter agreement.

Mr. Ned Zeman

Page -2-

3. You and VF agree not to disclose a) the identity of the Author of the Manuscript; b) the content, nature or substance of the Manuscript; or c) the Manuscript or any part of it to anyone other than those authorized persons within VF who sign this letter agreement.

4. Only three persons within VF will be authorized to have access to the Manuscript (Graydon Carter, Ned Zeman and one other person, if necessary) plus VF counsel. If additional persons are required to have access to the Manuscript or to know about the Author, then you will obtain our written consent before disclosing anything about this matter to them.

5. Our submission of the Manuscript does not constitute permission to VF to print any portion of it. Such permission can be granted only upon the signing of an agreement between Context and VF which describes the terms for such a license. Unless such an agreement or license is entered into between VF and Context Books, VF will not

print any portion of the Manuscript or even any factual description of its contents (unless such factual description is derived entirely independently of the the copies of the Manuscript which we have provided you).

6. The Manuscript will be stored in a secure and locked file while it is in your possession. If VF should decide that it has no interest in publishing any portion of the Manuscript, or at any time upon the request of Context Books, you and VF will promptly return to Context Books all copies of the Manscript in your or VF^r's control or possession.

7. At no time, without Context Book's prior approval, will you or VF disclose to anyone the existence of the Manuscript, its contents, or the identity of its Author. If we do enter into a license agreement for VF to print a portion of the Manuscript, an agreement will provide a time for such public disclosure.

8. The parties agree and understand that the disclosure to third parties of the Manuscript, its content, the identity of its author or the fact and timing of its planned publication would cause irreparable harm to Context Books.

Once Beau has a copy of this letter signed by you, he will promptly arrange to have one copy of selected portions of the Manuscript delivered to you personally. When Graydon and the third authorized reader sign copies of this letter agreement, please send the signed copies to me or Beau Friedlander by mail. You can send your signed agreement to Beau by fax to 964-1810. If you need to speak with Beau, he can be reached at 233-4880.

Mr. Ned Zeman
rage — 3—

I assume that you will confer with Jerry Birenz, Esq. about this letter. Please have him give me a call should he have any questions. Please also feel free to call me if I can assist in moving things along. Thanks very much.

Best.

Very truly yours,
David S. Korzenik, Esq.
Agreed and Approved:
Vanity Fair Magazine
Advance Magazine Publishers, Inc.
By:Date:
Graydon Carter, Editor

_____ Date: _____
Ned Zeman

cc: Beau Friedlander Context Books Jerry Birenz, Esq.

33. Ted to Beau #17 — 11-30-98 — 3rd suggested updates

... As for my treatment in *Truth versus Lies* of my mother's packages and of the Tarmichael affair, if *Truth versus Lies* were a public — relations effort, your criticisms would be fully justified... I was well aware that parts of them would arouse a negative reaction in many readers.

... If you think I have *not* made it sufficiently clear, then you can rewrite the latter part of the first paragraph on p.209 as follows:

“But my resentment was founded not only on the unwanted packages but on the whole history of my relations with my parents...”

34. Ted to Beau #18 — 11-30-98

...

35. Ted to Beau #19 — 12-4-98

...

36. Beau to Ted #21 — 12-5-98

Dear Ted,

Thank you for your letters of November 29 and 30 respectively, which arrived today.

I am very concerned about the safe and secure passage of correspondence between you and me. Several times now, I have received letters from you that appeared to have been molested en route. I was quite sure that someone had attempted to open these letters passively by treating them roughly. It would not surprise me if this were the case, as you are a public figure and many would be curious to see a letter written by you. If it were permitted by the prison officials, I would prefer that you refrain from including your name as part of the return address in future correspondence, since your inmate number should suffice. I cannot tell you whether or not it is appropriate to file another complaint with the ADX post office. I can tell you that *something* is going on *somewhere* down the line, and this is why I have requested the omission of your name on the envelopes of all future correspondence.

I am now suspicious about the whereabouts of a rather lengthy letter I sent to you November 23. I am enclosing it with this letter. You will find many of the issues brought up in your most recent correspondence addressed therein, as well as all of my responses to your comments on the contract.

Thank you for alerting me to the Greenberg problem. I must apologize to you for not telling you my suspicions regarding Gary from the get-go. I too was aware of Greenberg's ambitious, scoopseeking mentality when I first talked to him on the phone. He was indeed aggressive. I also got the impression that he was not as careful as he should be regarding the confidentiality that needs to be observed in connection with both your book and the 2255. At the time, I alerted him to what I saw as a lack of confidentiality, he listened, and I left well enough alone. This was a mistake.

I was thinking in somewhat Machiavellian terms. My feeling was, and continues to be, that Greenberg can be very useful to the revision of the historical understanding of the "Upabomber" and the very important historical position he occupies. I felt that it would not be difficult to keep him on a short tether. But Greenberg neither sees the "A to Z" of the situation from the publisher's vantage nor from the legal one. I believe this is due to inexperience, and not because of any willful wrongdoing in the interest of self-advancement. Greenberg is not particularly "smooth" or "fast," but Mello knows that I agree with him regarding Greenberg's "hunger," which explains the pushiness that has gotten him in trouble. Why can't people just proceed intelligently? Where I come from, Greenberg's behavior would be redressed by "tearing him a new asshole." I say this (and I hope you will forgive my coarse language) because Greenberg is not the enemy. He

needs to be taught a lesson before continuing any conversation with him. Apparently, he needs to learn the hard way that there is a reason for confidentiality and his ambitions are nothing in the face of any breach of that confidentiality. He is essentially filled with the best of intentions, although his honesty is still to be determined.

Greenberg called me today. I told him that I would not discuss any further details regarding any of the books that I am publishing. He perforce understood my position. Having said this, I have never reported anything to him from our correspondence. The same goes for Mello. The disclosures regarding correspondence from you came from Mello and Greenberg respectively. I asked them to stop telling me things, as you will recall, when I felt that they were giving me information that might not be accurate prior to my hearing anything from you. I am careful about what I divulge, and to whom. I still think Greenberg may have a contribution to make, and I have asked him to send me a copy of the letter he sends in response to yours of November 28. I did this because, as I told him, there is no other way for me to determine whether or not he is being truthful. If he is not being truthful, I have no desire to continue with him at all. I am pretty sure that he will try to point a finger at Mello. This is an absurdity as we both know what sort of man Mike is. However, I would be willing to consider the possibility that Mello, who is not detail-oriented, may have misreported certain things. This would have to be proven beyond a shadow of doubt.

Mello and I discussed this situation after conversations with Greenberg today, and we both agree it is extremely problematic given the amount of information he possesses (i.e., the 2255, *Truth versus Lies*, and *The United States of America Vs Theodore John Kaczynski*, not to mention all of your correspondence). I am concerned that alienation may at this point prove more dangerous than keeping him (at arm's length) in the fold. You should know that I have read the relevant sections of this letter to Mello over the phone. (I read nothing about your comments on his manuscript. He did ask if you had said anything when he told me of your corrections. I told him that you had not, but that I would let you know that I was aware of the matter).

Regarding Mello's book, I am concerned that it might be taking your attention away from more pressing matters. I am perfectly capable of checking the citations you are currently referencing, were I to possess the material in question. The repetitions of which you speak are of course things that will be addressed during the line-editing phase. Mello told me that you wrote to him about "errors that need to be amended." I did not tell him that you had already alerted me to the matter. Instead, I have asked him to add the changes that you alert him to after I return the first edited manuscript, and to mark where any such changes have occurred. Regarding the errors that cannot be corrected because of the legal implications, these will have to wait until they can be changed even if it holds up publication of the book.

Thank you very much for getting back to me about my comments on Chapters VII and X. I hope you will not be too disappointed with me, but it was in fact Greenberg who talked me into writing to you about those changes. He was persuasive. It was however my idea to leave the text as is and insert an apology. I do apologize for not

alerting you to the fact that Greenberg brought up those passages as “psychologically troublesome.”* I feel duped, since I understood from the very beginning that you were inclusive for the sake of full disclosure, come what may, and now you may not think that this is the case. Please accept my apology. The apology that you have written is very good. I would also include the following paragraph from your letter, since it will give the reader a better picture of the context in which the interchange took place. The paragraph to which I refer is as follows:

For whatever it’s worth, I recall that in [during] one of my [the] meetings with members of my defense team in the line-up room at the Sacramento County Jail, I mentioned an incident in my mid-twenties in [during] which my mother drove me to such a pitch of irritation that I called her a bitch. One of the investigators at the meeting remarked, “If that’s the first time you ever called your mother a bitch, I’d say you were doing pretty well.”

Would this constitute an acceptable addition to accompany the paragraph that precedes it?

As I mentioned earlier in this letter, I am very concerned about the whereabouts of my letter regarding the contract and your comments thereto. You will see that I have little fear of the copyright issue any longer, in light of the information David Korzenik has given me on that topic. I am also a little concerned that you have not shown the contract to legal counsel for review. This is of course necessary, and I assumed said review would be well underway by now. Please let me know when the process is initiated. I do apologize for the petulant tone, but time is of the essence.

The preparation of your manuscript has begun. This is not something that generally occurs prior to the signing of a mutually acceptable contract, but I feel confident that we will sign soon. This feeling that we will soon sign, coupled with the fact that our correspondence has been somewhat hobbled by the prison officials, made it seem like the appropriate thing to do. As this is the case, I would like to receive all of the photographs you would like to be included. Please let me know what I can do to procure pictures by proxy. I will be meeting with Mikael Ulveman tomorrow to discuss the use of his photographs.

You will see from the copies of a confidentiality agreement and cover letter that I have begun the process of placing first serial of *Truth versus Lies*. I deemed this necessary since magazines need between five and seven months lead-time to publish a first serial, which brings us close to May at this point. As I mentioned in earlier correspondence, it is very important that any excerpt of *Truth versus Lies* (in the form of first serial) appear in a reputable magazine. I have decided that

Vanity Fair is the appropriate place, since it has the largest circulation of the mainstream “intellectual” magazines. The process began with careful investigation of their probable reaction, then the confidentiality agreement was generated, then, on Friday December 4, the selected, censored (see enclosed letter) excerpts were delivered in person by me. I will call them on Monday to receive their acceptance or rejection of the excerpt.

Some notes on the confidentiality agreement: 1.) Korzenik has perpetrated misspellings here and there, for which he has received reprimand. 2.) Paragraph 4: the third person is S.I. Newhouse, or an agent designated by Newhouse, who is the owner of Advance Magazine Publishers. This is protocol in any agreement with this company. 3.) Paragraph 5: The terms of publication to be drawn up if they choose to run an excerpt will include no editing, no factual report about the contents or publication of the book without permission. 4.) Paragraph 7: Speaks to the release of information and the timing of publication, both of which will be decided by us.

Finally, I read Mr. Price's letter with great satisfaction. I agree with him (except with regard to my physical particulars) thoroughly, and especially second his sentiment when it comes to what he has to say about the possibility of a death penalty. I admire you as an eminently important historical figure, and I regard you as someone whom I would be honored to call a friend.

As ever, I hope this note finds you well.

My best,

P.S. I have also enclosed a copy of a story idea, or "pitch," that Gary sent to me December 3. I think the story would be a good contribution. I am partly responsible for its genesis, since I told Gary what I have already mentioned to you regarding the need for an essay that begins the process of public understanding of *Industrial Society and Its Future* and its author. During this conversation, he told me of his intention to seek publication in *The New York Times Magazine*. He then described a "memoir" of a trip to visit you in Florence, Colorado, "a town of prisons." I called Gary immediately after I received the proposal to tell him that it was not appropriate to do anything with it before you had the chance to see it. I wanted him to get your permission. If you were satisfied I then was willing to provide him with the necessary confidentiality instruments so that he could begin a discussion with the editor, Adam Moss. If you compare this proposal to my letter to *Vanity Fair*, you will see how his inexperience becomes a problem. When discussing something as sensitive as the topic brought up therein, one must be over-scrupulous in the way they word the thing, so that a betrayal is impossible because there has been no exchange of useable information. The point is to avoid particulars (names, places, and dates especially). I was ready to get this thing in shape for Gary. I will of course beg off the task until further notice. I told Gary that I was going to send this to you in the interest of full disclosure. He says that I am the only one to have seen it thus far.

CONFIDENTIAL: TO BE READ BY N. ZEMAN & G. CARTER ONLY

December 4, 1998

Ned Zeman

Vanity Fair

350 Madison Avenue

Fourth Floor

New York, NY 10017

Dear Ned:

As promised, I am enclosing two excerpts from ^{^T^}, the book we discussed, which Context will publish Spring 1999 as a lead title.

There is a very concrete rationale behind the writing of this book, which will in time become newsworthy. In the main, the first serial seems to be very well-placed in VF.

I have supplied the first four chapters of the manuscript as well as Chapters V-VI. The latter is perhaps to be preferred since it discusses the author's time at Harvard, and offers many anecdotes that are of great interest both by dint of nostalgia and for the manner in which the author uses these anecdotes to refute inaccuracies reported by the press during his trial.

The first chapters are provided to give you a sense of the author's intent. The book is wholly concerned with redressing the myths and untruths that were generated by his defense team, who worked closely with the author's family, to portray the author as a schizophrenic so that a mental defect case could be pursued (and a death penalty averted). The public defenders are famous opponents of capital punishment. The representation of the author as a madman was created with an eye on the penalty phase of his trial, since a guilty verdict was presumably inevitable.

The author offers anecdotes and facts that illustrate the manner in which his life story has been warped or invented. The crimes are in no way discussed, nor the motivations, nor the philosophy that informed them. This is a book about the author's history, which is told in an effort to demonstrate the wildly inaccurate manner in which his story was reported. He demonstrates the motivation for the maligning of character put forth by acquaintances and family (the predisposition for lies among family members is handled deftly) to account for the (often sordid) betrayal suffered at the hands of his family, attorneys, and acquaintances during his trial. Nothing in the book is claimed without extensive documentation, which, for the most part, adds a further layer of chiaroscuro to the author's portrait.

Names and places have been obscured to avoid the eventuality of publishable excerpts finding their way to the press. In the event that VF requests first serial on the basis of this material, or based on material supplied subsequent to this submission, a complete fair copy will be provided to VF of the excerpt to be used as first serial. As a reminder, I should mention that any copy made of the enclosed material will be considered a breach of the confidentiality agreement (paragraph 1) and that this copy, along with the cover letter, is to be kept in a secure place.

In the event that you are interested in pursuing this further, I would like to offer the services of a writer who has recently completed a foreword to another Spring 1999 title, which focuses in particular on the trial. He would write an excellent thumbnail of the book to accompany the excerpt.

I look very much forward to hearing from you.

My best,

Beau Friedlander

FAX COVER SHEET

Thursday, December 03, 1998 10:13:02

To: BEAU FRIEDLANDER At: CONTEXT MEDIA

Fax#: 101081112129641810

Fax: 2 pages and a cover page.

Note:

BEAU — HERE'S AN IDEA FOR A PITCH. WHADDYA THINK?

Not With a Bang: The Return of the Unabomber

When Theodore Kaczynski's January 1997 trial ended before it began, many observers thought that the impossible had been achieved. A case that threatened to become the next installment in a miniseries that had begun with OJ Simpson's trial, and which had added to its cast a powerfully intelligent and uncooperative defendant, came to an orderly and quiet close. All sides could claim victory. The Court had retained its dignity. The defense had saved Kaczynski's life. The victims and the prosecution could claim that the man who had sought solitude and wilderness would spend the rest of his life in a cage under constant surveillance and never fashion another bomb. "Closure," that curious goal of our national dramas, had been achieved. The system worked, and quickly: America could move on.

But the last word of the sentencing hearing in May may not be the last word spoken in court about the Unabomber. Although Kaczynski pleaded guilty unconditionally, he is going to try to reopen his case. In early spring, he intends to file a motion to modify or vacate his guilty plea and sentence. As part of this proceeding, he will ask that the judge in the case - U.S. District Court Judge Garland Burrell — be removed from the case and that he be appointed new attorneys.

According to some legal experts, Kaczynski stands a good chance of succeeding. Theoretically, he could be freed from prison and granted a new trial. The more likely result is a new sentencing trial, at which Kaczynski may well be sentenced to death, an outcome that he says he wants.

These possibilities arise because, according to Kaczynski and his legal experts, his guilty plea was coerced. Deceived and strong-armed by his attorneys and betrayed by his investigators and psychiatric experts, Kaczynski was presented with a Hobson's choice: a trial at which his attorneys would argue that he was mentally ill or a plea agreement purchased with his silence and yielding a life in captivity. Since his diagnosis as a paranoid schizophrenic was, in his view, based on lies and rendered by a mental health industry of which he had long been deeply critical, Kaczynski chose the latter course as the less unjust. But, as his motion to re-open the trial indicates, he is not content to let the matter rest. Indeed, the fight that may result in his death is also, as he sees it, a fight for his life.

Two battles will be waged in the courtroom, each raising a thorny question. The first is a Constitutional one: does the sixth amendment's guarantee of representation mean that a lawyer can impose a defense on a client against the client's will? The

second is ?. psychiatric and philosophical one: what is the relationship of dissent to insanity, of protest to pathology? Kaczynski has an obvious stake in both. He wants a defense based on the issues raised by his alleged crimes, and he wants to reclaim his public image from a popular culture that once embraced him as an outlaw folk hero, then turned him into a staple of late-night talk show monologues.

These are the opening paragraphs of a 7000-word article I propose to write for publication around the time Kaczynski goes to court in late April or early May. The article will be an exploration of these two questions. In it, I will show how Kaczynski's image was constructed in such a way as to make the disposition of his case inevitable, and argue that this outcome represents a serious stifling of important dissent. I will trace the Unabomber's trajectory from my serious anarchist to madman bomber, and describe

the cultural imperatives that direct this course. Without defending his actions, I will place Kaczynski in a tradition of radical individualist protest that appears to be crazy not because of any inherent pathology but because psychiatry is an artifact of that which he protests. And I will show that what is disturbing about the Unabomber is not that he is crazy but that he is, in many respects, rational. As *Time* put it, "There is a little of the Unabomber in all of us"; the recognition that something is badly amiss in our immersion in technology is widespread if not universal, as is a sense of powerlessness to remedy the resulting unease. Kaczynski's diagnosis, his being effectively silenced by mental health experts, can be read as this culture's characteristic response to a messenger bearing bad news we already know. w/

My sources for this article will include Kaczynski himself, whom I will be interviewing in January (the first interview he has granted), his newly assembled legal team (whom I will accompany on my visit to Kaczynski), a law professor and his students who assisted Kaczynski in the early stages of his appeal and other people involved with Kaczynski. In addition, I will use the extensive written record, including my long and intense correspondence with Kaczynski, the psychiatric reports, and court transcripts. And I will endeavor to interview the lawyers, investigators and mental health experts who played a role in the trial, to give them a chance to tell their side of the story.

I am a psychologist by profession, and have written many times on the subject of the relationship between psychiatry and culture. I contributed a foreword to Theodore John Kaczynski Vs. The Shrinks" to Michael Mello's forthcoming book, *Theodore John Kaczynski Vs. The United States of America* (Context Media). In it, I argue that Kaczynski's psychiatric evaluations offer a political, rather than a medical, diagnosis and have the effect of silencing a savage critic of technological society. This concern will also frame the proposed article. I will explore the ironic possibility that Kaczynski may yet have the last word.

37. Ted to Beau #20 — 12-5-98

38. Beau to Ted #22 — 12-7-98

Dear Ted,

This follows on my letter of December 5. I have been quite perturbed by this problem with Greenberg. As if Saturday was not enough, I found myself talking to Mello last night (who wants nothing further to do with Greenberg) about the two letters of apology, which Greenberg sent to us by facsimile.

In my last letter I wrote, "Greenberg [does not see] the "A to Z" of the situation... I believe this is due to inexperience, and not because of any willful wrongdoing in the interest of selfadvancement. Greenberg is not particularly "smooth" or "fast," but Mello knows that I agree with him regarding Greenberg's "hunger." And later, I wrote that, "his honesty is still to be determined." This has now been determined: Greenberg lied, at the very best by omission, in his last two letters to you.

I called him, somewhat nonplussed, to point out the inconsistency between oral reports of fact made to me and the letters. The crux of the matter is that Greenberg did have an agent at International Creative Management, or at least that was my understanding. Some days after the meeting, Greenberg received a call informing him that ICM would not be representing him as a writer. There was a conflict of interest between Greenberg and William Finnegan, who is also represented by ICM. Also: Greenberg failed to mention a "pitch" he sent to Lewis Lapham at *Harpers Magazine* dated August 18, which I pointed out to him last night.

As I told Greenberg, it is difficult to understand why he lied about this small point. Perhaps there is a less-than-malicious reason for it, such as vanity, but there is no way to sort the wheat from the chaff. I requested that he get back to you himself about this matter. An additional piece of information, which I am sure you will already have from the source, is that, as of last night, Mello was against using Greenberg's foreword. I have not decided what I think yet, but it will play no role in the matter if Mello decides not to use it.

I hope that this unnecessary string of events will soon be downwind, and that you are well.

My best,
[signed]

39. Ted to Beau #21 — 12-7-98

...

40. Ted to Beau #22 — 12-9-98

...

41. Beau to Ted #23 — 12-11-98

Dear Ted,

I am writing to you on the day after certain developments that I think auger well for the project I have come to think of as the historical revision of public reception of both you, your mistrial, and *Industrial Society and Its Future*.

To give you the context, I received a call from Greenberg (the last I have received this week thankfully) on Monday, December 7. He called to tell me that *60 minutes* had heard something about a Kaczynski book. I assumed this meant that Greenberg had blurted something out about

your book to his brother, who works there. I was two clicks south of inflicting chromosomal damage to Gary's person. However, I reigned myself in and asked him to find out which book was being discussed.

I received a call maybe ten minutes later informing me that it was indeed Michael's book. This in no way alleviated my feeling of distrust with regard to Gary. He could not tell me how they had gotten wind of the book, and I was still furious at him for the missive-flurry he initiated over the weekend. As I think you know from Michael, there was a brief mention by a lawyer named Grcnya published in *The Washington Lawyer*. This is where *60 Minutes* had discovered Michael's book. Later in the day, Michael received a phone call from Vicki Gordon, who is the Executive Story Editor at the *60 Minutes*. They spoke for quite some time, according to both Michael and Vicki (with whom I have now met), and they both had positive reports of that conversation.

On Tuesday morning, Vicki Gordon called me. She asked me a lot of questions about my relationship to you, Michael, and my interest in the subject matter. As these questions were of a general nature, I answered them in a general manner. I left my correspondence to you an unreported fact, and made it sound like I had ferreted out Mello's book on my own. I told her that I had had some correspondence with you in connection with Michael's book.

She then startled me by asking about your 2255 motion. She did not call it a 2255, but it was clear she had some information that I thought was secret. She said that your family was aware of the intent to appeal the plea, and she went so far as to specify that you would file the motion in January or May. She would not tell me where she had gotten this information.

I told her that I was not aware of any motion. I told her this was not my understanding, and that I only knew that there were some issues, raised by Mello's book, that call into serious question certain aspects of your case. The conversation then turned

to Mello's book, and she asked if I would meet her for lunch. We had lunch yesterday, December 10.

Previous to meeting with her, I had spent a lot of time considering just what I would and would not tell her. Michael's opinion was that she could be trusted. I wanted to think so, but had not yet formed an opinion. I was intent on determining if she was genuinely interested to know the truth about you and your trial. We discussed many things regarding the trial, all of which being topics discussed in *The United States of America v. Theodore John Kaczynski*. She made it clear, after two hours, that she was going to do a segment on Michael's book. This would be done in connection with the trial, but she wanted more information. She said the story would take some time to put together, since Michael's book would only be a starting point for the larger story, which was, in her mind, the motion to appeal your guilty plea on the grounds that it was coerced.

During lunch she told me that Mello's manuscript had already arrived. Since Michael had asked me to give her the manuscript, I was suspicious. She had already invited me to take a look at the office. So, with the suspicion that Gary was somehow involved, I decided that I would accept her offer of a tour so that I could better determine the source of the manuscript she had received. A side thought was that the manuscript in question belonged to Alston Chase. If that were the case I would have obtained a copy from her. You should know that I intend to obtain a copy as soon as it is finished (since I know someone at Viking who can secret one away), but it is not due in until March. I want to know exactly what Chase has written, since I understand some of it is wrong-headed.

Since the restaurant she took me to was nearby the *60 Minutes* office, we walked. During our walk she asked about the fate of your book, since she had seen the Bender quote when I did earlier in the year. I had told her earlier that your book would not be published by anyone, that there were legal technicalities associated with the motion to appeal. In other words, I gave her misinformation to throw her off the track. But she was truly interested. This was clear to me. So, I told her that I had the chance to read your manuscript, and that it was an extraordinary book. But I reiterated the fact that due to unavoidable circumstances, it would not be published. This is when I decided to tell her: We had arrived at the CBS building. It happened that we were alone in the elevator. I pretended to scan the elevator, which she noted, and said, "This thing isn't bugged." She asked me and said, "I don't think so," I then said, "I will be publishing Ted's book."

The elevator doors opened onto the *60 Minutes* office. She had already asked if I would like to meet Mike Wallace, who would be her first choice were a show to be done about the trial. I had declined, since I was very tired and we had more to discuss. But as I said this, Wallace barreled out (to the extent that an 80-year-old can barrel) from around a corner. I sped up my pace, pretending not to notice him so that she was left behind me to exchange greetings and then catch up with me. It seemed to me that he was lying in wait. She then walked me around the office. We passed by Wallace's office.

He was sitting at his desk and made another attempt to greet us, me in particular that time, but I nodded pleasantly and continued down the hallway since I was firm in my resolve to determine what was what with Gordon.

She is very serious about getting your side of the story out to the American people. She told me that 30 million people watch the program. What followed was rather satisfying. I became emotional more than once while explaining why your story was of historical importance, and that my sense of the situation was that history, quite simply, had been whitewashed. I informed her of my belief that your family situation, understood correctly, rebuffs much of what has been said about you, which amounts to character assassination. She was moved. She offered to dedicate an entire, sixty-minute program to your plight. One section would begin with Mello's side of the story from a legal point of view, the next would presumably discuss the 2255, and then she suggested an interview with you, of any duration (my guess is about one-half hour, but I am sure it could be shorter or longer). She offered you the opportunity to give a blow-by-blow rebuttal of the lies your family told about you when Wallace interviewed them. She offered, in short, to accommodate you completely. You would be able to dictate who was interviewed, I believe. I also believe that you would be able to influence the general gist of the questions asked by Wallace, or another reporter if you find that more appealing.

I told her that you would enter into an interview with your own game plan, and that you were not to be foiled, but aided, in your efforts to communicate your message to the audience. I trust her when she says that you will be thusly aided. She is a good woman, and very smart.

A few points: At one point in the conversation I looked through the window and noticed the railroad tracks that follow the Hudson River north toward Albany, and Ulster County, where I would much rather live. I said, "Those tracks go up to Ulster County. It'd be great to live up there. But I can't do it yet." She said, "Why not?" My response was that my press made it necessary for me to be in New York, and that my meeting with her was an instance of that necessity. She then said something that I understood to be disingenuous: "Sometimes it really gets to me, all of this. I would really like to live out in nature."

She could tell by my reaction that she had said something "wrong." I paused and said, "Up to this point, I have enjoyed talking to you, but now it seems you are paying lip-service to me." She became visibly perturbed with me and gave my cars a throbbing. It turns out that she is a professional with two children she never sees, and she feels this estrangement from her children and husband slingingly. She told me that she resented my incredulous attitude, and that there were many people who felt the same way, although they work within the establishment.

I then asked her if she in any way subscribed to the views put forth in *Industrial Society and Its Future*, She obviously did, although she did not demonstrate a particularly impressive knowledge of the text. We then spent a considerable amount of time discussing that text, and she seemed edified.! then reminded her that any program

with which you cooperated would have to begin with certain presuppositions. The main premise, somewhat tautologically, would be that you would establish the main premise. T then said that it should be made clear during the program that *Industrial Society* marks the beginning of a conversation that will make the world a habitable place in the future. That this book and the events surrounding it will begin the process of change that can only conclude with a people who are not enslaved by the cage of coerced “responsibility” that is engendered by propagandistic notions of good citizenry. *Industrial Society and Its Future* will help society understand how it can reverse the destruction that it has visited upon itself. I believe she is line with these intentions. If you were ever to grant an interview, I cannot think of another place where it would have more impact. I would not be surprised if you had an audience of 50 million people. This is how things change.

Vicki Gordon was appalled to learn that she had been a party to the lies your family told the press. One thing that bothered her in particular, oddly to my mind, was the fact that your mother never read *Scientific American* to you. I mentioned no more than three particulars from your book. They were the aforementioned item, the fact that your brother “sold out” (citing his former opinions vis-a-vis Sirhan Sirhan, Hinckley, and the Challenger explosion), and that you never played trombone late at night when you were a student at Harvard

You should know that Quin Denvir and Judy Clarke received a letter when *60 Minutes* was preparing the show that featured your family, and you were offered the chance to respond. Gordon also told me that she wrote a letter, but that you probably construed it as “too businesslike.” This fetter was sent in May.

I believe Gordon will do everything within her ken to create a powerful stoty that will indeed change the public perception. No one from your family will come anywhere near it. You are the professor here, and absolutely no one is going to tell you how to conduct class. You have a chance to teach people something that is very much for their own good, something that is not fatalistically destructive to their personal freedom. You will have the chance to show people who you are, and they will be as pleased to make your acquaintance as T continue to be.

As for the contract, I am beginning to feel uncomfortable, since time marches on regardless of our will. There are many things that need to be done between now and the time your book is published. Your first serial, as you know, is one of those things, and this cannot be done without a contract in hand. I have not heard from you about *Vanity Fair*, but I should tell you that as of yesterday I might consider pursuing *Time*. There is nothing that says we have to give anything to VF. My reason for choosing them is that it is counter-intuitive. People have seen you portrayed as a “mad bomber³⁹ in the big weeklies. You would be on the cover of any large weekly that ran your excerpt, but some monstrosity of representation could be used there. VF will do nothing of the sort, but you would probably not be on the cover. I would like very much to hear what your preferences are regarding this subject.

Back to the contract, I am willing to accept a no-edit clause that includes the copyright problems. If I get sued, so be it. I trust that any evidence of text that could cause an injunction will be met with the appropriate seriousness, and that we will be able to effect the necessary changes effected only by your direction in an ex-contract manner. I am now, I believe, a complete proselyte to the project that is your public rehabilitation and legal empowerment, although I am doubtless a tyro in your eyes. I hope this is your impression. Please let's get this settled. You should know that I will not send Bonnie a copy of your manuscript until you tell me to, since I have no way of knowing who's who at this point. Witness Tony Serra, whose actions leave me feeling flummoxed and baffled.

I took forward to your responses to all of this.

Michael has kindly offered to send this for the sake of time (ergo the facsimile transmission). So, I must end now, since he has a certain dropoff time. If it is missed, he then has to drive over to New Hampshire to send his package by express mail, and I believe there is some snow falling up there.

I hope this note finds you well, and you are satisfied with the above developments.

My best,

42. Ted to Beau #23 — 12-14-98

...

43. Beau to Ted #24 — 12-14-98

Dear Ted,

Thank you for your letter of December 4, which arrived on Friday. I apologize for the delay in getting back to you, but there has been more work than usual as of late.

I enjoyed the lesson on Latin prefixes, and I blushed for my mistake. Extravert will stand. Thank you also for pointing out my error regarding the quaking aspen. I look forward to getting more pictures when they come in from Sacramento. I liked the picture of Old Baldy, but there is not enough color contrast to reproduce it in an insert (which is I why it is enclosed). I do want to run a picture of Old Baldy, so I will contact , explain the contrast issue completely, and

see what she comes up with. Thank you for the letter of reference, which I will send to her. The directions to your property were excellent, and unless I am mistaken, I found the gulch in question without a hitch! Per your request, I will return all of the photos when I have made selections. I am returning some now (enclosed), since Ulveman has given me duplicates.

Michael Ulveman (I spelled it incorrectly the last time) has taken pictures of other structures on your property. One appears to be a root cellar. The other structure is comprised of a rectangular roof on four poles that measure eight to ten inches in diameter and two longer poles that run length-wise at gentle angles presumably for stability. There is also a picture of a metal folding chair with three “gutters” stamped into the chair back for ornament. It is rusty and appears to have been blue or green. The right hinge is broken. There is a white enamel pot with black handles next to this chair. Ulveman has also included a photograph of a red bicycle frame (another metal part leans against the frame). Two tires hang over the tail fork. The frame is in good condition. I would like to know if any of these pictures have been sent to you. If they have, let me know more about the depicted items, and whether or not you think any of them should be included in *Truth versus Lies*.

Ulveman is eager to write about you, although not quite as eager as Gary. He came up from Washington, D.C. to meet with me last Sunday. I deflected his attempts at gleaning information from me. While doing this I was able to glean the fact that he is an upstanding individual. This does not mean to say that he is trustworthy (I cannot say one way or the other). But he might be able to do a story that would be difficult for an American journalist simply by dint of the fact the he is not American. Ulveman is a seasoned journalist, and he should be treated with caution, since it is his job to sell people down the river.

I suggested he explore two stories, but gave him nothing concrete (although, as it turned out, the appeal was leaked in a matter of days). My goal was to give him “harmless” but interesting stories. The first would focus on Burrell. Echoing Mello’s book, I averred that Burrell mismanaged your trial and did not proceed according to the letter of the law, and that there might be an interesting story somewhere in there. The second story was worthy of a Pulitzer Prize, since it had to do with the FBI’s conduct at the time of your arrest. I told him simply to look for wrongdoing that might be waiting to be discovered. I did not give him the impression that I *knew* about any particular example of wrongdoing, but rather that it seemed an obvious story if he had the time to look for leads. He might be able to dig up something that could come in handy when you go back to trial. I also think you might consider corresponding with him. You would be safe doing an interview with him should you ever feel that it would be beneficial to your situation.

I was glad to tell you about Korzenik, who has been my legal counsel from day one. You asked about his change of heart. It was based on his better grasp of the contents of *Truth versus Lies*, and was not informed by any revelation in the field of copyright law. I told Mello that he should have consulted me before bringing in a lawyer to consult on something that is entirely my responsibility as publisher. Goodenough’s field of knowledge lies in entertainment law. This is a rather large field, so I asked Mike about Goodenough’s specific experience in the realm of publishing and copyright, and he could not tell me anything in particular about his expertise. There is some wiggle room in the claim that this professor is “one of the best” in the field of copyright law. Korzenik has practiced law in the field of publishing for twenty years. He is a highly regarded professor of copyright, libel and defamation at Cordoza. I do not know who qualifies as being one of the best. But Korzenik is a name one hears in New York publishing circles. In addition to his legal expertise, he is a very good person.

Korzenik now knows that I have waived the copyright issue because of the difficulties to which the copyright problem has given rise, and the associated delays to the execution of the contract. He does not agree. My insurance company will not cover the book without a clause that allows for necessary legal edits, which includes copyright. I apologize for behaving in such a hasty manner, but the delay in executing the contract makes it impossible to proceed, which I must do. I have no other excuse, and I am disappointed by my behavior. I had thought that you and I would be able to solve any *serious* problems, problems that might incur a lawsuit or injunction, between us ex-contract. If I were wrong, then I would have to handle the lawsuits. Unfortunately, Korzenik informs me that I will not be able to defend myself from lawsuits without insurance, since any damages awarded would put me out of business. As I have said before, Korzenik does not foresee any big problems regarding legal liability in your book. A further assurance, I hope, is that I have demonstrated the consistent intent to maintain the integrity of *Truth versus Lies*.

As for Goodenough’s letter, which you have cited, the language is unclear and I understand neither the context nor the logic therein. I will let you know when Korzenik

gets back to me about it. Again, I apologize for my rashness, and I hope that we can find acceptable terms.

Vicki Gordon gave me a videocassette with a news report on your brother's bid for a tax exemption for the reward money he received for telling the FBI that you were the Unabomber. I did get the impression that his only interest is winning "approval for himself." I will rely completely on you for advice regarding the manner in which he is to be handled. He would be foolish not to permit the publication of his letters. This is why: He will look very petty, and suspicious, if he does not. If he wants approval, then he must appear to be on the up-and-up.

A week has past since I received the copy of your letter to Greenberg, and I am still not sure what I think. I agree that his impatience is similar to a man waiting to use a toilet (which caused me to laugh aloud). My main concern has been his lack of confidentiality. When the *60 Minutes* people called, I was sure Gary was responsible. His brother is an investigative reporter there. I carefully poked around when I met with Vicki to determine if this was the case. At one point, I said, "I think I know who told you about the motion to appeal." She told me her sources were confidential, but I think she was worried that I did know. The next day, she called to say that she had figured out "who I must be thinking about." She then told me that she had not gotten any information from Gary or his brother. As for how she guessed correctly, she claimed to know that Gary was writing about you. I think her reaction leaves the matter open for interpretation. On a similar note, it appears that Serra made the announcement of your motion to appeal this Friday, but I am still waiting to hear if that's true (and, if so, why).

I called Bonnie on Friday evening as soon as I received your letter informing me that he was your lawyer. I had been waiting for word from you. I was very impressed by him. He possesses a measured and friendly demeanor, and he seems to be highly intelligent. We discussed many things. The main points were timing of publication (no decision yet), the contents of *Truth versus Lies* and the impact it will have on the motion to appeal (I am sending him a copy tomorrow), and *60 Minutes*. Vicki Gordon called me on Friday at 8.30 in the morning to tell me about the *USA Today* story. I had not yet read the papers. She then called Mello and Bonnie. Bonnie seems to think that she is a good person to have involved and that her intentions are good. But he did not have very much to tell her since he is still trying to develop an understanding of the situation. He advised me to give no information out about the motion, which has already been my practice. The topic of an interview with Mike Wallace was broached. Bonnie saw no reason why you should not do it, provided sufficient preparations had been made so that nothing counter to your legal goals would be included in that interview. He also said that he had not decided what to do about Gary in January.

Which brings us back to the question of second-hand information, and the confusion to which it has given rise. It may be that Gary is a man who desperately needs to stand in front of the urinal commonly referred to as the media. I do not doubt it. But it may also be that he is sufficiently toilet trained, and no accidents will occur. This is

Bonnie's opinion. I am starting to subscribe to this point of view myself, but I do not have enough to go on and he has given reason to wonder. I can think of higher crimes and misdemeanors than a tyro author's petulance. He is certainly champing at the bit. But he has a lot to offer. There needs to be more protocol in the arena of information exchange. If I speak to Gary, I will not inform him of the most recent developments, nor will I discuss the subjects you have specified.

Thank you very much for asking whether or not I would be interested in seeing manuscripts from the two writers you mention. I would be interested. I do have room for at least one more title next year.

Regarding my status as an independent publisher you write: "If you would care to tell me anything that would enlighten me, I'd be pleased to hear it."

My first and only job for a corporate publishing house was at Alfred A. Knopf. I worked as a translator at the same time, and I often clocked ninety hours a week. While I was at Knopf, I worked with such authors as Edward Said, Joan Didion, as well as other authors of less renown. Knopf is one of the most distinguished publishers in this country, and I learned a lot there.

The rigid chain of command at Knopf, however, eventually became untenable, and I resigned from my post at Knopf in 1995. I left on good terms, and they knew that I was leaving to start my own venture. As a matter of fact, many of my associates are from Knopf, including the Director of Production, who advises me on a wide range of business issues as well as book production. I decided to start a packaging company for the publishing industry, with the hope that I could develop it into an independent publishing house. The past three years have constituted a formative process that has culminated in a strong publishing venture.

Book packaging is a service, of sorts. I ask publishers if I can create books for them, which they buy outright and publish themselves. It is the A to Z of publishing a book, without the overhead (which is covered by the client). I learned about book packaging at Knopf. Among my responsibilities there were three illustrated book series, you will probably be familiar with one of them, which was the *National Audobon Society Field Guides*. The other two series were, respectively, *Knopf Travel Guides* and a lifestyle series titled *Chic Simple*. The first work I did as a packager was an educational wildlife series for kids and a cookbook series. I contracted these jobs with International Masters Publishers (IMP), where I had been a freelancer for two years. I made adaptations of these works, from Swedish and German respectively, to English for the American market.

This created a good cash flow, and soon IMP gave me more work. I employed five people full-time within three months of starting the company, and was contracted by Knopf, Crown, and the IMP. Six months later I was asked to launch another wildlife program. This was to be in Chinese. I found the people to work on the project (I do not speak Chinese, although I can read some), and began production. I still package things for Crown and IMP, as a matter of fact I have just started working on a new project titled *Monsters*, which is an educational series about "frightening" creatures

from the natural world. The budgets for these projects are often quite large. Context now has more than enough capital to launch six books next year, which has been my goal all along.

What follows is a list of the books that will be published in 1999. You already know about two of the books. I would also like to re-issue the Unabomber's Manifesto (and I am reserving a slot for that eventuality).

The others are less political, but nonetheless important. I am publishing a book of writings by the French poet, painter, physicist Malcolm de Chazal. The "de" stands for wealthy, but his wealth, while surrogate-producing, was not only monetary. The book in question was written during the thirties and forties and is titled *Sens-Plastique*. Andr  Breton said of Chazal, "We have heard nothing so powerful since LautrSamont." The latter, also known as Isadore Ducasse, was a poet who wrote during the 1870s and died young. He was contemporary with Arthur Rimbaud, and is known for his anarchical prose poem titled *Les Chants du Maldoror*.

The fifth may be *The Complete Works of Bruno Schulz*, a Polish novelist, or his novel titled *Street of Crocodiles*. Andrei Platonov, a Russian killed by Stalin early on, is the other candidate for the fifth slot. I would like to publish his novel *Petersburg*, which was written in the twenties and distributed to thousands of readers via *samizdat*, or mimeograph, but did not get published in book form until the late eighties. It is a very good satire, somewhere between Joyce and Aldous Huxley in tone. Replace Huxley with Mikael Bulgakov (*Heart of a Dog, Master and Margerita*) or Jaroslav Hasek (*Good Soldier Schweik*) if you are familiar with these works. As it happens, I am looking for someone to do a new translation of *Heart of a Dog* for 2000, which is an antiBolshevik satire about a mad scientist who replaces a wino's pituitary gland with the gonads of a dog. This man becomes a dog in every respect but form; a communist dog, as it were. And he is the perfect citizen except for one small item of pathology: He must kill every cat he sees. But this is not a problem. He is given a post: City Cat Catcher. The sixth book is an open slot. I will not know anything further until the manuscript hits my desk.

Thank you for your note regarding money. I hope that you will let me know if you would like me to send funds, or anything else, in the future.

My assistant's name is Travis Taylor. I believe that you will find him to be an efficient and careful person.

As for Chris Waits, I am sure that it must be Houghton Mifflin. Do not be surprised at this press for publishing garbage. My only connections at HM are via acquaintances who would be curious to know how I found out about the book, etc. I will hopefully obtain a copy of the galley soon through alternative routes. If I am successful, I will send it to you. Please find the enclosed news clip from the *New York Post*.

As always, I hope this note finds you well. I will be working during the holidays, so there should not be any disruption in correspondence on this end.

My best,

P.S. I have cross-referenced the list of letters you have sent, and all of them have arrived safely (although, as noted, sometimes in a molested state). Here is a list of letters I have sent to you:

12.11	12.07	12.05	11.30	11.23
11.23	11.13	11.04	10.29	10.27
10.26	10.26	10.22	10.21	10.20
10.14	10.02	09.24	09.21	09.04
08.17	07.24	06.24		

44. Beau to Ted #25 — 12-18-98

Context

Media

December 18, 1998

Theodore J. Kaczynski 04475-046

P O. Box 8500

Florence, CO 81226-8500

Dear Ted,

Thank you for your letter of December 9, which arrived today.

I had a good conversation with Bonnie today after you talked to him. And as a result, I now understand your current situation better. Bonnie has informed me what I began to suspect even before your letter arrived, that the publication of *Truth versus Lies* is not your first priority. It may be that Bonnie will suggest publication of the book *after* the motion has been filed. For all I know, he may suggest not publishing it at all. So, I am prepared to wait until the situation is more fully understood, and I apologize for not coming to this understanding earlier. I was acting under the impression that you wanted the book to come out rather soon. I based this assumption on your October 9 letter where you wrote: "I'm anxious to get the book into print as soon as possible."

Again, I have a better grasp of the situation and will act accordingly by taking no further action until you and Bonnie determine that I should. The contract can be dealt with at your convenience. I am not sure that I should be the one to provide you with unbiased legal counsel. Perhaps Goodenough will be kind enough to look over the agreement, or if that is not acceptable to you, Bonnie may know someone—although I agree that he should not be overtaxed (but neither should you!) Mello has a conflict of interest, and will probably beg off, but he is honest and would do a good job.

Also: Bonnie asked me to call Rick Sallinger, which I did. As you probably know, this man has a copy of Waits' book. I found him to be an unpleasant person who wants something and who will stop at nothing to get it. He was very cagey. I was forced to tell him that I was publishing Michael's book, and I also told him that I have corresponded with you, but I told him nothing else. Here is the most important thing that Sallinger said (which was 100% pure b.s.): "The world should hear from Ted, and I want to be the one to bring him to them. I have no opinion about him or his crime. I am a reporter." His small-time correspondent from the Denver affiliate station of CBS wants to hit the big time, and he will hold the manuscript out like a carrot to "lead" you to a dubious tale. I have alerted Bonnie to this state of affairs.

I am sorry to hear that you are so swamped, and I imagine it is very trying for you to keep up with it all. I have spoken to Greenberg. I have not shared any information with him, but I have been cordial, which is not difficult since he w intelligent and interesting. I don't know whether his errors go much beyond vanity and petulance, but those in themselves might be bad elements to have around you right now. I hope you find an acceptable resolution. He told me that he has been writing about you despite the current "situation" (but did not specify anything), which may or may be reason to worry.

As for the damaged letters, I do still have the envelopes, but I can only guess with which letters **they correspond**) **They were postmarked: 10/26 (rumped in machine, color trace as if dragged across something); 11/15* (rumped in machine/color trace as if dragged across something); 11/16* (small tear at top of manila envelope);! 1/24* (marked "Personal to be opened only by Mr. Friedlander"] (2 in. slit along right, short side; rumped); 12/02* (rumped in machine/blue/brown color trace as if dragged across something); 12/03 (rumped in machine); 12/illegible* (color trace as if dragged across something; zip code smeared (w/ saliva?)).** Some of the damage was more pronounced, some minimal. An asterisk indicates more pronounced damage.

I will send you money when you request it, so feel free to do so. I have already written to let you know that al! of your letters, thus far, have arrived safely with the above exceptions. Some of the above may be dismissed as negligible, but I think otherwise.

Thank you for telling me about the situation vis-d-vis your review of Mello's book. As for **phutoginpha**, **I do think running photos in *Truth versus Lies* is a matter that might benefit by** further discussion I have been of the opinion that photographs will make the subject matter more vivid, and make it easier for people to visualize the players, and perhaps identity with you. Perhaps that will not be the response I will consider whether or not we should include photography, and will defer to your opinion on the matter if you feel strongly against doing so.

I hope this note finds you well. Season's greetings, and all the best for the coming year.

My best,
cc: Michael Mello

45. Ted to Beau #24 — 12-20-98

...

46. Beau to Ted #26 — 12-21-98

Dear Ted,

Thank you for your letter of December 14, which arrived today.

I hope that Bonnie has reported the conversation we had about *60 Minutes* last week. My impression is that he may not have, since he is busy with the motion, so I will. After meeting a second time with Vicki Gordon to discuss the possibility of doing a segment about Mello's book and the issues surrounding it, I came to the conclusion that there was nothing more to discuss with her (since she wants information that I cannot supply). I told Bonnie that I thought it best to wait this out for a month or so, to see what everybody (you, Bonnie, Mello, me) thought about the possibility of doing something with that program.

I realized, a few days too late, that you might feel this to be an unwelcome barrage, which is evidenced by the fact that you ended your letter by telling me that you are angry. I can only say that I saw it coming, and I have asked Mello to "back off" and give the topic a rest for a while, which he then agreed was the best thing to do. I have told Vicki Gordon that there is nothing to discuss until sometime around the end of January, which is pretty much what you suggested in the letter I received today.

I guessed that you might say something along the lines of what you wrote in paragraph 3. When I met with *60 Minutes*, I said it was conceivable that you might agree to an interview if you had complete power to review and approve the contents of any segment they aired containing interviews with you. When I asked if they would be willing to give you that power, Gordon said that it was unlikely. I then asked if they would agree to a "script", in which they formulated three questions (that were provided to you and Bonnie beforehand), this was met with a less adamant sort of doubt. I then suggested that we take a hiatus and discuss the matter at a later date.

I hope you understand that, as far as I know (having seen nothing of your correspondence regarding Michael's book), that the manuscript Mello sent down was edited according to your requests. I can neither affirm nor deny the reality of this, since I do not know when the correspondence took place. Having said this, *60 Minutes*, has more integrity than any corps of reporters (or what that's worth) and I do not think they will pass on any information that is contained in Mello's book. As a matter of fact, they can be sued for doing it, so I think it is rather unlikely. What is more, they do want to work with you, so it would not be in their interest to screw you (yet). That last parenthetical remark is why I asked for a hiatus.

As for your request that certain material be removed from Mello's book subject to Bonnie's review, I can only point out the injustice of that request. Mello has already

demonstrated that he is willing to make changes and effect deletions to citations per your requests So, I have a hard time understanding the preventative measure that you have effected. Consider, for a moment, Mello's support for you and the care that he has taken to ensure that your motion is successful, The request is also problematic because, in January, it will be too late to reincorporate anything I need to get review galleys out to the booksellers and pre-publication critics. I cannot imagine Bonnie's review would require much more than a week or so, for which I can wait As I was proofreading this letter, Mello faxed a copy of his letter to you. There is a little wiggle room around the deadline I have set for him.

I will not request a copy of Alston Chase's manuscript from Viking. My offer was made in an effort to be helpful to you, as was my investigation of the Waits book. I have informed no one of your correspondence with Alston Chase. I cannot imagine a situation that would warrant it.

As you know from my last letters, I am no longer in a rush to publish your book. I had thought this was something you desired, and was doing everything to make that happen. Please understand that it takes longer than two or three months to publish a book properly, and that printing a book is not the same thing as publishing it. Many things need to be coordinated: designers, printers, printed reviews in publications such as *Library Journal* and *Publisher's Weekly* (two industry magazines used by booksellers). A book *can* be published in as little as a month and a half (a week if you have the resources of Time Life). But this is costly (anywhere between 100 and 1000% more, depending on publicity needs) and it should not be necessary. I am awaiting further news regarding the book from you and Bonnie As I said, there is no rush.

I asked Bonnie if he would have time to look over the contract, and he begged off. It may be that he knows a firm that can look at it for you *pro bono*. I do know that he found a firm to consider the Waits question on that basis.

Thank you for getting back to me regarding the serialization question. The profits you mention are minimal, and help to defray some of the costs of production. The practice of licensing a first serial is standard. It is how readers come to know about a book ("publish" — "to make known") I do not pretend to understand your apparent indifference to sales, since the more readers you garner, the more people will come to understand that you have been grossly misrepresented. This may lead them to a further revelation as to the historical ramifications of *Truth versus Lies*, and the larger picture of the issues surrounding your trial, the public understanding of the Unabomber, *et at.*

My best,

47. Ted to Beau #25 — 12-23-98

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48. Ted to Beau #26 — 12-27-98

...

49. Ted to Beau #27 — 12-28-98

...

50. Beau to Ted #27 — 12-29-98

Dear Ted,

Thank you for your letter of December 20, which arrived yesterday.

I was glad to receive your comments on the contract. As I hope Bonnie has already informed you, I agree with everything put forth, and have already altered the agreement per your approvals and adjustments. As for the new questions, I accept all of the conditions and requests put forth in A-E.

Question A: I do not foresee a problem with the deletion of the competing publication clause, since I do not think it is fair to hold you back were you to further elaborate the arguments made in *Truth versus Lies*. I do hope that you would consult with me regarding anything else you might like to publish. That is all I can do given the deletion of paragraph 14. I think you are 100% a man of your word, and I understand why these issues require the cautious approach.

I will send you a letter stating that all of your obligations regarding the delivery of the complete and satisfactory manuscript have been met in *all* respects per Question B. We can discuss the use of photographs in an ex contract manner. If we *do* choose to run photos I think they should be limited to the following: the various people involved during your non-trial; your family; your mailbox/road leading to your property; Eliot House; the factory. In other words, the photography should illustrate the text. I will assume complete responsibility for acquiring anything we decide to run.

As for acquiring copyright permission, I will be responsible for contacting all of the appropriate parties and securing permission from them. The one exception is your brother and mother, and I will cross that bridge only when I know what lies on the other side (which I cannot do without your advice and guidance). I hope that the copyright laws about letters and the defense of one's reputation will make this unnecessary. We shall see soon enough. I will find out where Korzenik is on the legal read-through when he returns.

As for Question F, I am not familiar with the particular instrument that is specified by the NWU.

I will ask Korzenik about it when he returns on the fourth. Lacking any knowledge of Security Interests, I can only say that I am willing to consider it, I would be glad to provide you with language that makes the Work revert to you in the event of bankruptcy, which (touch wood) is unlikely given the financial standing of Context. (Bonnie has sent an email regarding this point following his conversation with you, but I will still investigate.

I asked Bonnie to inform you that Michael and I have categorically rejected Greenberg's foreword. I have related no information to him since the embargo was effected, and that will continue to be my practice.

Mike also informed me that you have given him permission to use your letters in *The United States of America v. Theodore John Kaczynski*. Per your request, Mike has excised all of your ' letters from his manuscript. He felt that these cuts made his book more credible in general, and that they would further create a sense of the author's apparent objectivity in particular. I tend to < agree with him. During that process, there were a few exceptions that seemed unfortunate losses.

They were as follows: letter detailing your move from Berkeley to Montana (p.26); detailing eskend^ Jarf 3^fp^94j) motivation and mode of suicide attempt (p. 107); explanation of guilty ple^(p.T70jxhe§epages correspond to the most recent manuscript and may not be the same as the dfaffMike sent to you. I will be sending you a copy of the copyedited version when v Travis has finished entering the changes. Please let me know if the inclusion of the above is acceptable to you. I await your final changes.

Finally, a young man called today requesting a catalogue of forthcoming books. He did not give his name or the company he worked for when Travis asked. Travis put the call through to me, since he knows that we have not publicly announced the launching of Context Books, which will not happen until February or March. Only people in the industry know so far, and *nobody* knows anything about the titles. I was suspicious, and asked him how he had heard about us. He put me on hold, and when he returned, instead of answering my question, reiterated his request for information about the Spring list. I asked him again. He put me on hold again. He then said he was calling for Joel Sucher, and that he worked for Pacific Street Films. I told him that if Mr. Sucher had any specific questions, he should call me. I recalled that Fischler worked there. I know of only one film they have done: "Anarchism in America." I suspect they were poking around for information. Have you told Fischler anything? Mike called him a few weeks back, but he cannot remember whether he told them that I was publishing his book, but he did not mention *Truth versus Lies*. I will not discuss *anything* with him or anyone else from his operation until I hear from you. Mike told me that Fischler is interested in making a film about you.

I was glad to finally talk to you on Christmas Eve. I wish you the best for 1999, and hope that this letter finds you well.

My best,

P.S. I have sent the correspondence and contract down to Bonnie via overnight courier.

51. Beau to Ted #28 — 12-30-98

Dear Dr. Kaczynski:

This letter has been written to inform you that the conditions set forth in paragraph 2 of the drafted contract for *Truth versus Lies*, which address the delivery of a complete and satisfactory manuscript, have been met in full.

Any items listed in paragraph 2 that have not been supplied to the Publisher as of the above date, December 30, 1998, will in no way affect the above notice, and may not be interpreted as a less than satisfactory fulfillment of the terms set forth there.

My best,

Beau Friedlander Publisher

52. Beau to Ted #29 — 12-31-98

Dear Ted,

I am enclosing a copy of Chris Waits' book. I managed to get it through the circuitous route of Ulveman, who was glad to be of assistance. I also enclose a sealed letter from Ulveman.

I can only imagine that this book will infuriate you, but that is admittedly because *I* would be infuriated.

On the Internet, specifically the Amazon site, I found a notice that warned of a four to six-week wait, "if available at all." I think it might be best to leave this matter unacknowledged until we can figure out how many people are actually reading it. If you attack Waits, his book *will* sell, which it may not do otherwise.

With that said, I will await your instructions and help you to the best of my ability no matter how you choose to proceed.

My best,

NOTE ON MAIL:

The envelope copied on the reverse side of the sheet of paper came unsealed. The seal had never been moistened to enclose the materials transmitted therein.

The marks on the envelopes that I have mentioned were perhaps the result of some faulty machinery, but I have never seen such damage on correspondence from other parties. I believe that these envelopes were molested, perhaps with the aid of a machine that was being used inappropriately. ^A

What is more, the machine question does not in any way address the damage I noted on the envelope marked confidential: it had a two-inch slit cut in the side.

53. Ted to Beau #28 — 1-1-99

54. Ted to Beau #29 — 1-6-99

55. Beau to Ted #30 — 1-8-99

Dear Ted,

I'm enclosing the contracts with the corrections per our correspondence. Since I assume that there will be much to discuss once Bonnie returns from Colorado, I will refrain from writing much here, save for a few points.

Photographs: I would like to include them in your book, and I will make sure that all of the pictures are procured, meet with your approval, etc. As I wrote in the December 30 letter, of your responsibility vis-a-vis the delivery of a complete and satisfactory manuscript has been fulfilled,

Mello: As for the (most) recent decision to omit your letters, *et al*; I can only say that there has been enough back and forth regarding his manuscript. I hope this is the end of the matter. It no longer signifies what I think about the decision. I can think of a rationale to proceed as Mike has (such as the journalistic ethos, which demands that both sides have the chance to tell their story), and I can think of reasons to keep the citations. I asked Michael if he was certain this time around. He assured me there would be no more reversals.

I thank you for the mechanical corrections, and very much appreciate the time and effort that they demanded of you. Hopefully you will now have the breathing room to train your attention on the many important matters that are to come.

I hope this letter finds you well.

My best,

AGREEMENT made this day of , 1998 between Context Books of 368 Broadway, Suite 314, New York, New York 10013 (referred to as the Publisher), and
THEODORE JOHN KACZYNSKI

Whose address is:

04475-046

P.O. Box 8500

Florence, CO 81226-8500

t Who is a citizen of the United States of America and resident of Florence, CO (referred to as the

Author and designated by the masculine singular pronoun)

Whereas the parties wish respectively to publish and have a work published (referred to as the work) of non-fiction provisionally titled

TRUTH VERSUS LIES

NOW, THEREFORE, they mutually agree as follows:

Grants of rights

1. The Author grants to the Publisher during the term of copyright, including renewals and extensions thereof:

a. Exclusive right in any and all editions and languages throughout the world to:

i. (1) Print, publish, distribute and sell the work in book form (hardcover and paperback) and (2) publish and distribute the work (in complete, condensed or abridged versions) by any means of distribution or transmission, whether now or hereafter developed, intended to make the text of, and any illustrations or photographs contained in, the work available in visual form for reading (including, but not limited to, electronic or machine readable media, or on-line electronic or satellite-based data transmission) (referred to as Electronic Books);

ii. License Publication of the work (in complete, condensed or abridged versions) by book clubs or paperback versions by other publishers;

iii. License publication of a reprint edition of the work by another publisher with the consent of the Author, which consent shall not unreasonably be withheld or delayed;

iv. License publication of the work (in complete, condensed or abridged versions) or selections from the work in anthologies and other publications, in mail-order and schoolbook editions, as premiums and other special editions and through microfilm, microfiche and, with the Author's consent, which consent shall not be reasonably withheld or delayed, photocopying or other forms of copying or distribution or transmission of Electronic Books.

v. License periodical publication including magazines, newspapers and digests prior to book publication;

vi. License periodical publication after book publication;

vii. Adapt and license, subject to the approval of the Author, adaptation of the work for filmstrips (with or without sound), printed cartoon versions and sound recordings;

viii. License, without charge, transcription or publication of the work in Braille or in other forms, for the physically handicapped;

ix. For publicity purposes, publish or permit others to publish or broadcast (but not dramatize) by radio, television, without charge, such selections from the work as in the opinion of the Publisher may benefit its sale.

x. To prepare, reproduce, publish and sell, to distribute, transmit, download or otherwise transfer copies of, and to license the foregoing rights in electronic versions of the work (referred to as Electronic Versions). As used herein, Electronic Versions shall mean versions that include the text of the work and

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any illustrations contained in the work (in complete, condensed or abridged versions, and in compilation) for performance and display (I) in any manner intended to make such Electronic Versions of the work available in visual form for reading (whether sequentially or non-sequentially, and together with images, if any) and (ii) by any electronic means, method, device, process, or medium (referred to as Electronic device or Medium). For the purposes of this subparagraph, Electronic Device or Medium shall

include, but not be limited to, electronic, magnetic, digital, optical and laser-based information storage and retrieval systems, floppy diskette-based software, CD-ROM, interactive software and compact discs, optical disks, ROM Card, silicon chip, on-line electronic or satellite-based data transmission and other such systems, and any other device or medium for electronic reproduction, publication, distribution or transmission, whether now or hereafter known or developed.

b. Exclusive right to license in the English language throughout the British Commonwealth (including Canada), the Republic of South Africa, and the Irish Republic, the rights granted in subdivision a. above.

c. Exclusive right to license and/or publish in all foreign languages and all countries, the rights granted in subdivision a. above.

d. Exclusive right to use or license others to use the name and likeness of the Author subject to Author's approval, the work and the title of the work, in whole or in part, or any adaptation thereof in connection with the advertising and promotion of the work.

e. Audio Recordings of Work: Exclusive right by itself to prepare or cause to be prepared, to publish, to license, and distribute throughout the world sound recordings of readings of the work with one or more readers. The recordings may be in complete, condensed, or abridged versions. Connecting narrative passages read by a separate narrator may be included with the author's approval which may not be unreasonably withheld. Notwithstanding the Author's approval of connecting narrative scripts, the Publisher reserves the right to edit the approved narrative scripts solely in order to satisfy recording time restraints. The Publisher shall have the right to prepare or cause to be prepared multiple reproductions by any method known or hereafter developed including, but not limited to, phonograph records, audio cassettes and compact discs (referred to as Phonorecords) of the master recordings of the scripts to be sold at such prices and charges and in such a style and manner as the Publisher deems suitable.

f. Exclusive right to adapt (but not dramatize), produce and distribute the work on videocassettes (referred to as Videocassettes).

Delivery of Satisfactory Copy

2. The Author agrees to deliver one complete original manuscript of the work in the English language of approximately (300,000) words in length, satisfactory to the Publisher, together with any permission required pursuant Paragraph 3, and all photographs illustrations, drawings, charts, maps, and indexes suitable for reproduction and necessary to the completion of the manuscript no later than January 31, 1999. If he fails to do so the Publisher has the right to supply them and, at the option of the Publisher, either bill the cost to the Author or charge it against any sums accruing to the Author. The complete manuscript will contain the following items:

a. If the Author fails to deliver a complete manuscript within ninety (90) days after the above date, the Publisher may terminate this agreement by giving written notice. If this agreement is terminated because the Author failed to deliver the manuscript within the time provided above, the Author shall not thereafter submit any partial or complete manuscript or proposal for the work or for a substantially similar work to

any other publisher before offering such manuscript to the Publisher upon the same terms that are contained in this agreement.

b. If the Author delivers the complete manuscript within ninety (90) days after the above date and the manuscript is not, in the Publisher's judgment, satisfactory, the Publisher may terminate this agreement by giving written notice.

c. If in the opinion of the Publisher's legal counsel the work will unduly subject the Publisher to risk of claim or contains unlawful material, then either (I) the Author, at the Publisher's request, will make changes and revisions in the work satisfactory to the Publisher's legal counsel or shall permit the Publisher to make such changes and revisions or (ii) the Author may terminate this agreement by written notice. Nothing herein and no changes or revision made hereunder shall be deemed to alter or affect the warranties and indemnities contained in Paragraph 4 below.

Permission for Copyrighted Materials

3. If the Author incorporates in the work any copyrighted material, he shall procure such rights, written permission to reprint it.

Author's Warranties, Representations, Covenants, Agreements and Indemnities

4. a. The Author warrants, represents, covenants and agrees that he is the sole author of the work; that he is the sole owner of the copyright and all the rights granted to the Publisher; that he has not previously assigned, pledged or otherwise encumbered the same; that he has full power to enter into the agreement and to grant the rights herein granted; that the work will be the Author's next book (whether under the Author's name or under a pseudonym or in collaboration with any other author); that the Author shall not, prior to delivery of the complete and satisfactory manuscript of the work, write or contract with any other publisher to write any other work for publication in book form without the written permission of the Publisher; that, except for the material obtained pursuant to Paragraph 3, the work is original, has not been published before; that it does not violate any right of privacy or publicity; that it is not libelous or obscene; that it does not infringe upon any statutory or common law copyright or trademark or violate any contract of the Author, express or implied, or discloses any information given to the Author in confidence or on the understanding that it would not be disclosed or published; that this agreement to publish the work or the publication of the work will not subject the Publisher to liability; that if the work is a work of non-fiction, all statements in the work asserted as facts are either true or are based upon reasonable research for accuracy, provided the foregoing shall not alter or affect the validity of any other warranties, representations, covenants and agreements herein contained; and that any recipe, formula or instruction contained in the work is not injurious to the user.

b. In the event of any claim, action or proceeding based on an alleged violation of any of these warranties, representations, covenants and agreements (i) the Publisher shall have the right to defend the same through counsel of its own choosing, and (ii) the Author shall hold the Publisher harmless, any seller of the work, and any licensee of a subsidiary right in the work, against any resulting loss, cost and expense (including

reasonable counsel fees). To the extent that such a claim, action or proceeding is successfully defended or settled, the Author's indemnity hereunder shall be limited to fifty (50%) of such loss, cost and expense attributable to such defense or settlement.

c. If any such claim, action or proceeding is instituted, the Publisher shall promptly notify the Author, who shall fully cooperate in the defense thereof and the Publisher may withhold payments of any amounts due him under this or any other agreement between the parties.

d. These warranties representations, covenants, agreements and indemnities shall survive the termination of this agreement.

Conflicting Publication

5. The Author agrees that during the term of this agreement he will not, without the written permission of the Publisher, publish or permit to be published any material, in book, pamphlet or other printed versions or in microfiche, Electronic Books or Versions, filmstrip, Phonorecords or Videocassettes, based on material in the work which, in the Publisher's judgment, is likely to compete with its sale.

Timing, Style and Price of Publication

6. If the Publisher fails to publish the work within twelve (12) months after the signing date of this agreement (unless such failure is due to circumstances beyond the Publisher's control) and the Author has delivered the manuscript in conformity with Paragraph 2 above, the Author may thereafter serve a written demand upon the Publisher to publish the work. If the Publisher fails to publish the work within six (6) months after the receipt of such demand, then the Author may terminate this agreement by giving written notice, whereupon all rights granted under this agreement shall revert to the Author and neither the Author nor the Publisher will have any further obligations or liabilities to the other under this agreement. Publication of the work shall be at the Publisher's own expense, in such style and manner, under such imprint and at such price as it deems suitable. No changes in the manuscript shall be made without the consent of the Author. The title of the work shall not be changed. A subtitle may be chosen subject to the mutual agreement of the Author and the Publisher. Author's consent will not be unreasonably withheld or delayed. The Publisher shall consult the Author regarding the design of the jacket of the Publisher's hardcover edition of the work.

Proofreading and Author's Corrections

7. The Author agrees to read, revise, correct and return promptly all proofs of the work and to pay in cash or, at the option of the Publisher, to have charged against him, the cost alterations, in type, in film or in plates, required by the Author, other than those due to printer's errors, in excess of ten percent (10%) of the cost of setting type.

Copyright

8. The Publisher shall publish the work in compliance with the copyright Laws of the United States of America. The Publisher is authorized to register the work with

the United States Copyright Office in the name of the Author and to register as well the transfer of the exclusive license herein.

Advance Payments

9. The Publisher shall pay to the Author: No advance.

Royalty Payments

10. The Publisher shall pay to the Author, subject to Paragraph 10 v. below, a royalty on the invoice price of every copy of the work sold by the Publisher, less actual returns and a reasonable reserve for returns (except as set forth below):

a. Seven and one-half percent (7-1/2%) up to and including 10,000 copies; and ten percent (10%) in excess of 10,000 copies.

Where the discount in the United States is fifty percent (50%) or more from the invoice price, the rate provided in this subdivision a, shall be reduced by one-half the difference between forty-six (46%) and the discount granted. In no event, however, shall such royalty be less than one-half of the rate provided herein. If after one year following publication of the work by the Publisher the semi-annual sales aggregate fewer than 750 copies, the royalty shall be two-thirds (2/3) of the rate provided in this subdivision a. if such are sold from a second or subsequent printing of less than 2,000 copies. Copies of the work covered by any other subdivision of this Paragraph shall not be included in any computations under > this subdivision.

Mail Order Sales

b. Five percent (5%) of the amount received for copies sold directly to the consumer by the Publisher or its affiliates through the medium of mail-order or coupon advertising, or radio or television advertising.

Premiums

c. Five percent (5%) of the amount received for copies sold by the Publisher for use as premiums.

College Sales

d. Ten percent (10%) of the retail price for hardcover copies and five percent (5%) for paperback copies sold with a lower retail price as college textbooks.

Trade Paperback, Editions

e. Seven and one-half percent (7 1/2%) of the retail price for any trade paperback edition published by the Publisher or any affiliate of the Publisher. If after one year following the publication of any such edition, the semi-annual sales of such edition aggregate fewer than 750 copies, the royalty shall be two-thirds (2/3) of the rate provided in this subdivision e. if such copies are sold from a second or subsequent printing of less than 2,000 copies. Seven and one-half percent (7 1/2%) of amounts received by Publisher for licensing of paperback rights to the work.

Canadian Sales

g. Two-thirds (2/3) of the applicable prevailing royalty rate specified in Paragraph 10 based on U.S. invoice price or retail price (whichever is applicable) for every copy of an edition of the work published by the Publisher or any domestic affiliate of the Publisher and sold by the Publisher or any such affiliate in Canada.

Other Export Sales

h. Ten percent (10%) of the amount received for the original edition and five percent (5%) of the amount received for any lower-priced edition for copies sold for export outside the United States of America, its territories and possessions and Canada.

Special Sales

i. For copies sold outside normal wholesale and retail book trade channels, ten percent (10%) of the amount received for the original edition and five percent (5%) of the amount received for any lower- priced edition for copies sold at a discount between fifty percent (50%) and sixty percent (60%) from the invoice price or retail price (whichever is applicable) and five percent (5%) of the amount received for copies sold at a discount of sixty percent (60%) or more from the invoice price or retail price (whichever is applicable).

No Royalty Copies

j. No royalty shall be paid on copies sold to any party (including, in the case of “remainders,” affiliates of the Publisher) below or at cost including expenses incurred, or furnished gratis to the Author, or for review, advertising, sample or like purposes.

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Receipts From Other Rights

k. Twenty-Five percent (25%) of the amount received from the disposition of licenses granted pursuant to Paragraph 1. subdivision a., ii, iii, iv, v, vi, vii and x, except that with respect to an Electronic Versions of the work, the Author’s share of income shall be ten percent (10%) of amounts received by the Publisher.

First Serial

l. Fifty percent (50%) of the amount received from the disposition of licenses in the United States and Canada granted pursuant to Paragraph 1, subdivision a., v.

British

m. Fifty percent (50%) of the amount received from the disposition of licenses granted pursuant to Paragraph 1, subdivision b.

Translation

n. Fifty percent (50%) of the amount received for the disposition of licenses granted pursuant to Paragraph 1, subdivision c.

Commercial

o. Fifty percent (50%) of the amount received from the disposition of licenses granted pursuant to Paragraph 1, subdivision d.

Audio

p. Ten percent (10%) of the Publisher’s net proceeds from the sale of Phonorecords and Audio-cassettes.. “Net Proceeds” shall mean actual cash received by the Publisher, less returns and a reasonable reserve for return , taxes, and shipping and handling charges which are separately stated.

q. Ten percent (10%) of the net proceeds for Phonorecords sold directly to the consumer through the medium of mail-order or coupon advertising, or radio or television advertising or as premiums.

r. Five percent (5%) of the net proceed for Phonorecords sold for export.

s. Ten percent (10%) of the amount received for the disposition of any licenses of rights in the Phonorecords to book clubs, in mail-order, and throughout the British Commonwealth, the Irish Republic, and the Republic of South Africa, and all foreign languages and all countries.

Large Print Editions

t. Ten percent (10%) of the invoice price from the sale of large print hardcover editions of the work and five percent (5%) of the retail price from the sale of large print paperback editions of the work.

Electronic Books and Electronic Versions

u. Five percent (5%) of the amount received from any Electronic Books or Electronic Versions of the work sold by the Publisher. Notwithstanding the foregoing, where the Electronic Book or Version is sold as part of a product that combines literary works by more than one author (a "Combined Product"), Publisher shall pay Author a pro-rata share of the royalty provided for in this paragraph, based upon such factors as the number of individual titles contained in such Combined Product on which Publisher is obligated to pay royalties to copyright holders (where an equivalent amount of material is taken from such individual titles), or the percentage of the Combined Product's total content that is comprised of material from the Electronic Book or Version of the work.

v. All monies due to the Author will be held in an escrow account by the Publisher. Such monies will be applied first as security for the Publisher against any claims or potential claims under Paragraph 4 of this agreement and for all costs and expenses including reasonable attorney fees incurred by the Publisher in connection with the management and handling of the escrow account and in responding to any claims under Paragraph 4 and/or Paragraph 10.v.-w.; and then all remaining sums will be distributed ¹ to any alleged victims of Author as Publisher in its sole discretion and good faith identifies and will be

apportioned amongst them in a manner that the Publisher in its sole discretion determines to be equitable. Publisher's distribution to alleged victims is subject to the judgment creditors and secured parties, if any, that have legal priority to such proceeds due to Author under this agreement.

w. Publisher is hereby granted a lien on all funds held in the escrow account described above as security against any and all claims that might be made against Publisher as a result of this agreement or its publishing the work or as described in Paragraph 4 of this agreement or any costs, expenses and fees referred to in Paragraph 10.v. above. Publisher may maintain the escrow and not release funds until Publisher in its sole discretion determines that it is secure of any exposure to such claims. Author will sign all documents necessary to memorialize and effect said lien in favor of the Publisher.

Performance Rights

11. The Author appoints the Publisher as his exclusive agent to dispose of the performance rights including dramatic, musical, radio, television, motion picture and

allied rights, subject to the Author's consent, and the Publisher shall receive a commission of thirty-three and one-third (33 1/3%) of the amount received. In the event of the disposition of performance rights, the Publisher shall grant to the purchaser the privilege to publish excerpts and summaries of the work in the aggregate not to exceed 7,500 words, for advertising, publicizing and promoting such rights, provided, however, that such grant shall require the purchaser to take all steps which may be necessary to protect the copyright of the work.

Rights Retained By The Author

12. The Author agrees to notify the Publisher promptly of the disposition of any right which the Author has retained for himself.

Reports and Payments

13. Commencing after publication, the Publisher shall render semi-annual statements of account to the first day of April, and shall mail such statements during the July following and payments will be made into the escrow account pursuant to paragraph 10 v. above at such times. The Author's share of the amounts received from the disposition of licenses granted under this agreement shall be computed after the deduction of any foreign taxes withheld and any of the Publisher's agent's commissions, if any (Author "7 represents and warrants that he has no agent). If any such annual accounting periods, either the total

amount of the Author's earnings under this agreement in such period or the total amount due to the Author under this agreement is less than Five Hundred Dollars (\$500), the Publisher may defer rendering of account and payment until such time as the sum of Five Hundred Dollars (\$500) or more shall be earned or become due to the Author under this agreement. Should the Author receive an overpayment of royalty arising from copies reported sold but subsequently returned, the Publisher may deduct said overpayment from any further sums due the Author under this or any other agreement between the parties. Upon his written request, the Author may at Author's expense examine or cause to be examined (not more frequently than once a year) through certified public accountants the books of the Publisher in so far as they relate to the sale or licensing of the work.

Option for Next Work

o The Author (including each Author individually) agree to submit to the Publisher his next book-length

work before submitting the same to any other publisher. The Publisher shall be entitled to a period of six weeks after the submission of the completed manuscript, which period shall not commence to run prior to 60 days after acceptance by the Publisher of the manuscript of the work covered by this agreement, within which to notify the Author of its decision. If within that time the Publisher shall notify the Author of its desire to publish the manuscript, it shall thereupon negotiate with him with respect to the terms of such publication. If within thirty days (30) the parties are unable in good faith to arrive at a mutually satisfactory agreement for such publication, the Author shall be free to submit his manuscript elsewhere, provided, however, that he shall not

enter into a contract for the publication of such manuscript with any other publisher upon terms less favorable than those offered by the Publisher. Notwithstanding the foregoing, the Publisher shall nevertheless have the right to acquire such rights in the next work by agreeing, within fourteen days (14) after receipt of written notification from the Author, to match all of the material terms of the best bona fide offer that the Author receives from another publisher that the Author is willing to accept. The Publisher's option hereunder shall also apply to the next book-length manuscript by each party to this agreement included in the term "Author", whether such manuscript is written alone or together with another co-author.

Copies to Author

15. On publication the Publisher shall give twenty (20) free copies to the Author, who may purchase further copies for personal use at a discount of fifty percent (50%) from the invoice price.

Non-discontinuance of Publication

16. Publisher agrees to keep the work in print, either in hardcover or paperback, as long as Publisher remains in business and as long as it is functioning as a Publisher. The work will be deemed to be "in print"-as long as a) the work is listed in Publisher's current catalog and b) the Publisher is ready and able to respond to orders for the work on twenty (20) business days notice of an order, exception being made for reasonable delays and circumstances beyond Publisher's control.

Author's Property

17. Except for loss or damage due to its own negligence, the Publisher shall not be responsible for the loss or damage to any property of the Author.

Return of Manuscript

18. Upon request by the Author, the Publisher, after publication of the work will return the original manuscripts and proofs in their "as is" condition.

Suits for Infringement of Copyright

19. If the copyright of the work is infringed, and if the parties proceed jointly, the expenses and recoveries, if any, shall be shared equally, and if they do not proceed jointly, either party shall have the right to prosecute such action, and such party shall bear the expenses thereof, and any recoveries shall belong to such party; and if such party shall not hold the record of title of the copyright, the other party hereby consents that the action be brought in his or its name.

Bankruptcy and Liquidation

20. If (a) a petition of bankruptcy is filed by the Publisher, or (b) a petition of bankruptcy is filed against the Publisher and such petition is finally sustained, or (c) a petition for arrangement is filed by the Publisher or a petition for reorganization is filed by or against the Publisher, and an order is entered directing the liquidation of the Publisher as in bankruptcy, or (d) the Publisher makes an assignment for the benefit of creditors, or (e) the Publisher liquidates its business for any reason whatever, the Author may terminate this agreement by written notice and thereupon all rights granted by him hereunder shall revert to him subject to the applicable federal and state

insolvency laws. Upon such termination, the Author, at his opinion, may purchase the plates or film as provided in Paragraph 16 and the remaining copies at one-half of the manufacturing cost, exclusive of overhead. If he fails to exercise such option within sixty (60) days after the happening of any one of the events above referred to, the Trustee, Receiver, or Assignee may destroy the plates and film and sell the copies remaining on hand, subject to the royalty provisions of Paragraph 10.

Law Applicable

21. This agreement shall be deemed to have been executed and wholly performed within the State of New York and its provisions shall in all respects be interpreted according to, and the rights and liabilities of the parties hereto shall in all respects be governed by, by the laws of the State of New York applicable to agreements entirely made and performed therein. Any action or proceeding regarding this agreement or the work shall be brought solely in the New York courts (state and federal) in New York County. Process in any action or proceeding may be served upon by the Author by personal delivery or by certified mail, return receipt requested, and such service shall be deemed to be personal service within the State of New York and the parties hereby submit to the jurisdiction of the courts of the State of New York with respect to all matters arising out of or related to this agreement.

Appointment of Publisher

22. The Author hereby appoints the Publisher as his attorney-in-fact in his name and in his stead to execute all documents for recording in the Copyright Office evidencing transfer of ownership in the exclusive rights granted to the Publisher hereunder.

Assignment

23. This agreement shall be binding upon the heirs, executors, administrators and assigns of the Author, and upon the successors and assigns of the Publisher. Author may not assign this agreement without the approval of the Publisher.

Invoice Price

24. The term "invoice price" as used in Paragraph 10 and 15 means the price shown on the Publisher's invoices to its wholesaler and retailer customers from which the Publisher's wholesale and retailer discounts are calculated.

Reserved Rights

25. All rights not expressly granted to the Publisher pursuant to this agreement are reserved to the Author, provided that the Author will neither exercise nor authorize others to exploit any of such reserved rights in a manner that will impair the value of any of the rights granted to the Publisher under this agreement.

j 26. No changes will be made to the manuscript without the Author's approval including copyediting changes

such as spelling, grammar etc. The Publisher will not be obligated to publish the work if in the opinion of its counsel, such publication would subject it to potential liability or litigation.

27. In the event of Author's inability to communicate with Publisher for any reason, including without limitation Author's death, Publisher's obligations under this Agree-

ment to obtain Author's approval or to consult with Author will be suspended. But no changes to the text or any future editions will be made by Publisher in the event of Author's death.

Complete Agreement and Modification

28. This agreement constitutes the complete understanding of the parties. No modification or waiver of any provision shall be valid unless in writing and signed by both parties.

IN WITNESS THEREOF the parties have duly executed this agreement the day and year first above written.

CONTEXT BOOKS

In the presence of By:

The Publisher

In the presence of :

The Author

SS# _____

56. Ted to Beau #30 — 1-10-99

57. Beau to Ted #31 — 1-11-99

Dear Ted,

Thank you for your letters of January 1 and 6, which arrived today. I too have fallen behind in our correspondence due to the post-holiday workload.

Much that is discussed in your letter of December 23 is now dated, since it involves the contract, which I have sent to you. As for Ulveman's pictures, we might use the breeze-way/curing-place, but my impression is that this may also be used to good advantage in your Autobiography. I would like to focus on pictures that illustrate the text in a direct manner. I have listed the sort of images I am after, and will do my best to acquire them (Dec. 29, P. 1, If 4).

I have already commented on the damage to envelopes in which you have sent letters to me in a previous letter. The Mello issue, which is discussed in the above and your letter of December 27, is now moot, for better or worse. As for your letter of the 28th, I do hope that Bonnie gave you a copy of the email notice I sent to you via him regarding the deadline for Mello's book (end of paragraph 2, p. 2). A publisher's deadlines are strict in two senses: real and practical. I do of course have a real deadline. But experience has taught me that it is best not to share this with the author. This is the reason for the practical deadline, which means that the author will cease to send in corrections. Unfortunately, many authors change their books *ad nauseam*, or at least that is the editor's experience. So, the 7th was a practical deadline. I would like to reiterate that I was disturbed to find out how much trouble this was giving you, and called Bonnie with a message when the above letters arrived. I hope you will accept my sincere apology.

Now for your letters of January 1 and 6. You have nothing to apologize for regarding the salutation you tossed my way during our conversation on Christmas Eve. I paused because I was not sure whether wishing you a Merry Christmas was appropriate, since the likelihood of your doing so in your present digs seemed small. I did work through the holidays, but only because my life has been usurped by things that must be dealt with in that particular space, where I have access to telephones, facsimile, Internet, copy machines, and the like. But I was raised Episcopalian, and before my parents died (my mother in 1986 and my stepfather in 1992 respectively) I celebrated with the rest of them, although I did skip the holiday for ideological/personal reasons on occasion (once for a pagan winter-solstice shindig). In the main, I enjoy Christmas. People behave with more kindness and consideration. I described our conversation to a very close friend as the best Christmas present I received this year. So, there is no need to apologize. In addition, my biological father is indeed Jewish. So, you were

halfcorrect to suspect that you'd made a cultural faux pas, but that sort of thing concerns me not at all.

I had noticed the irritable tone in your most recent letters. I know that you are under considerable pressure, and I did not take it overly amiss. I thank you for the apology.

On a similar note, my apology for listening to Gary was necessary. I wanted you to know what had prompted me vis-a-vis the requested edits of the "mail" issue with your mother and the Tarmichael affair. I agree that your apology to the reader would benefit from the deletion you have suggested. I will strike: "it's no harsher than... in any case." As for the paragraph that I wanted you to add, it is an amusing anecdote, which made me laugh in a knowing way. It makes the reader feel as though s/he is an insider, and will therefore engender sympathy. I know you are not necessarily concerned with engendering sympathy. I only suggest it for the rhetorical affect it exercises on this section. We can relegate it to a footnote, or you can delete it. Please do not include it if my argument is not sufficiently compelling. By doing me a favor, you would be disfavoring yourself.

I think Ulveman would be fine for English-language publications. An editor will put things right. As for Gary, I know your position.

P.3,12:1 am looking forward to seeing Derrick Jensen's manuscript, and any other writers you respect. Of course, I will only be *looking* at the work, and can guarantee nothing more than a cordial response to any queries I receive.

P. 4, K 2: Alston Chase has not been anywhere on my daily horizon, and if he contacts me for some reason, I will be kindly careful. I treat all inquiries in this manner, except when I feel that someone is behaving in an underhanded manner (Pacific Street Films), which I generally deal with by applying a balm, as it were, of stinging nettles. People do seem to feed you a lot of cock and bull in the service of their personal agenda. It can give rise to bad information when, for example, you ask correspondents to check up on each other. Not everyone is a stone wall to strangers, and behavior can usually be interpreted opportunistically by an informant who thinks a particular answer is sought. The situation is not dissimilar to the notion of media planting, as it is discussed in *Truth versus Lies*. People often respond in the manner they think will be most pleasing or readily accepted. So, if you say, "I suspect Chase is a liar," the chances are good that your informant will find reason to substantiate the remark. Similarly, if you preface an inquiry with: "I have not found the slightest reason to doubt Mr. Friedlander's honesty," it is likely that the investigator will come to the same conclusion. The psychologically complex bias of the interpreter is more readily understood to be the vehicle of both truth and lies. The "truth" of motivation in the subject is always understandable through the aegis of an old-fashioned apology

(i.e., explanation) that may or may not be acceptable to the offended party. Truth must be predicated by intent, which is infinitely easier to finger. I do understand that your current situation necessitates this course of action. And I apologize for rambling at such length.

Bonnie has helped me to better understand your goals regarding the publication of *Truth versus Lies*. You will be happy to hear that he reported your position with such accuracy that there was little in pages four and five that was new to me. The above paragraph comes in handy right now, because I would like to stress to you that profit is not my *sine qua non* for publishing your book. There will be profit if I do my job correctly, which will be put to good use in the realization of my goals as a publisher. But the “truth” regarding the *60 Minutes* interview also has much to do with my belief that Americans, and the world, will cease to view the Unabomber (whom they presume to be you) as the “sick” person portrayed by the media. (Bonnie has informed me of your position regarding *60 Minutes*, which I bear in mind always.) To continue, I do not pretend that you will be accepted with the credulity granted to the dubious Mr. Ralph Nader. You will be perceived as an immoral ideologue. Not a bad outcome considering the warped view the public now holds dearly as the “truth.” People will indeed be forced to listen to you. In the process, they will discover a rational, likeable person, which will create strongly contrasting relief against the current backdrop so deftly patched together in the prosecution’s Sentencing Memorandum, and the media: the canted portrait of a murderous schizophrenic with an axe to grind. The audience will have to recognize *both* the “good” parts and the “bad.”

This would be in everybody’s interest, although admittedly not necessarily in your *own* best interest. But you can help change things. There are proselytes out there. They are not exclusively radicals, disenchanting leftists, right-wingers etc. The people of the world are on the verge of being in radical danger of annihilation at their own hands. They know this in a trance-like way. I am not trying to suggest that a televised interview would initiate a mass movement. But it might be an important catalyst for change. You would need to adjust your perception of the ideal audience for your book, and the goals associated with the publications you generate in the future, which thus far has been unattractive, if not anathema, to you.

I had a drink with Peter Silantyev last night, a counselor at the Embassy of the Russian Federation, and former bureau chief of *Novosti*, the state information agency. We ostensibly met to discuss some of the Soviet-era and post-Perestroika books that I would like to publish. When I told him about Mike’s book, his eyes lit up. “The Unabomber,” he said, “is a very great man.” He then went on to qualify his pronouncement by disapproving of the murders. I asked him how terribly different these murders were from those committed by the likes of Mao, Stalin, Pinochet, Mobuto. This of course started a very involved discussion regarding large and small political movements (he brought up Bader-Meinhof). We both agreed that there are differences between the acts of the above heads of state and those of the Unabomber. My question had been rhetorical. But his position shifted somewhat, which was the intended outcome.

All this argumentation is perhaps to no end, The above paragraphs were written because I believe that public discourse is a powerful tool (of course a publisher *would* think that). I am sticking to the schedule regarding *60 Minutes*, and will not contact them until the end of the month. I do not think they will do a segment on Michael’s

book without an accompanying interview with you. The program is personality-driven. I am not certain that they are even interested in Mike, or his argument about the trial. They are interested in his book as it relates to you. That is why they want to interview you. Bonnie was supposed to suggest that you agree to answer three or four pre-scripted questions, which you would address during a videotaped session with Mike Wallace. When I asked him your response to the above suggestion, he told me that there had not been enough time to discuss everything. This format would give you ample opportunity to determine whether or not they are going to portray you in a positive light. I believe that Bonnie agrees with me. If you felt comfortable afterwards, you could then consider a looser question and answer format. I have had no indication from the people at *60 Minutes* that they would agree to the above format. I did query them, but received flim-flam for what was understood to be idle conjecture on my part. I do not blame them. My query fell within the realm of idle conjecture, since I had already told them that you would not give them an interview. I was fishing without a hook.

Which brings us, *sans segue* (French and Italian), to language in a more or less general way. A Pakistani friend has waxed about Urdu as the most poetic language. I know a few people from the PPK part of Turkey (they are of course Kurdish). Turkish must be a terrific language, with its mish-mash of influences that have collided since time immemorial in the cultural riptide that is today's Istanbul. You may have heard of Martin Buber's book titled: *Ich und Du*. That is the extent of my Turkish: *Ben* and *Sen* (or maybe it's the other way around...). I guess Ramzi Yousef speaks Farsi. I am only truly fluent in Swedish. I lived there with ^girlfriend over a period of three years. I have what can only be called *limited* proficiency in several other languages. To be more specific, I can decipher Icelandic*, Norwegian*, Danish, German*, Dutch, and French*, mostly with the aid of a dictionary. My French is terrible, much of it fallen into disrepair. My German and Norwegian are *in media res* to becoming fluent. But both are somewhat rusty for lack of practice. The asterisks indicate languages I have professionally translated into English. I studied French in high school, and German in college, and picked up the rest, like so many burrs during a walk through autumnal leas, without formal training. So, I regret to inform you that I am not much of an expert. Whatever linguistic aptitude I may have comes by way of music: I began playing classical guitar as a six-year-old, and continue to ply at the art. As for your professed difficulty speaking Spanish, put your musical talents to work, think of the words as sonic units, sentences as so many melodies. Mockingbirds with different cords would make the best polyglots!

Regarding your envy, I'd give anything to have the capacity for abstraction and exactitude exhibited by both your latter-day writings, and your earlier years as a mathematician.

P. 7, 2:1 look very much forward to seeing the manuscript of the manifesto that was received by the *New York Times*. As for the letters, if they merit publication, I will gladly consider them. I imagine that you have received some fairly interesting

correspondence regarding *Industrial Society and Its Future*. I would most like to see a foreword written by you, but I have the impression (from you) that this is a request that will not/cannot be accommodated. I am open to suggestions. And the idea of a printed symposium *is* an interesting proposal.

P. 7, 1[4:1 was somewhat excited to have you on the telephone, and therefore neglected to say that I had received a copy of the first batch of comments on the contract. As you will see in connection with the revised contract, and the enclosed list of letters received, I have received all communications regarding the contract. Indeed, there is only one question mark regarding received correspondence, which I have indicated. There is only a very slight chance that I have misplaced this letter, since I am very careful and keep all material associated with you in a locked file. I am willing to consider the eventuality that I am to blame, but I would be surprised.

P. 9, H 3: As I said earlier, public opinion does matter. Any lies about you should be quashed. It matters in the larger world of media and public opinion, since both of these entities are required to effect a change in modern society. Whether we mutually understand that a changed *society* would be desirable, is another matter entirely. What I would like to see vis-et-vis the revision of the public understanding of the Unabomber can be likened to the proper functioning of an organism. Synergy is necessary. Nothing is superfluous. It may be that Chris Waits is only the appendix of the organism, but if that is the case it looks about to rupture, spewing toxins everywhere. Thus, my opinion is that this book should be left to die a natural death — and hopefully it will not prove toxic. The national press will pick up anything you write for a Montana paper. If you want to write a rebuttal, I should be able to make the necessary arrangements. Regarding the *Missoulian* article, my opinion is the same. But I will help if you decide to write something.

Greenberg and Mike have mentioned William Booth. I know nothing about him, but will see what I can dig up. National *news-oriented* magazines will be able to cover the 2255 on very short notice, so both newspapers and news magazines will be the order of the day. Your friend might have some trouble getting articles published in the national papers. If you trust her implicitly, and give her quotes to which no one else has access, she may stand a chance. The only danger is that an editor could make considerable changes if it was not up to par with the house style. She might not like that very much, and it wouldn't serve your purposes. Doing an interview with her might not be a bad idea, since the question and answer format is relatively easy to master. I could help edit it.

P. 11, PPS: None of the certified envelopes have been damaged, although two have arrived *unsealed*. (Large manila: Z 438 937 225; regular env. #29: Z 403 256 236.)

Jan. 6, 1999 letter; P. 1, U 2:1 look forward to seeing anything you write in the future, and will help you in any way that I can with articles you would like to publish. You have only to decide how you would like to proceed. I am not worried about competing material, *per se*, but I would appreciate the opportunity to review articles that are

forthcoming so that I know what to expect from people who might call me asking about them.

I have a grave understanding of the autonomy issue to which your current situation gives rise. I have no interest in encroaching on your autonomy, or what is left of it, and that's all there is to it. Perhaps this is why our relations have thus far been so mutually agreeable and beneficent. We have maintained our individual integrity while working in concert on this project. I hope this continues to be the case, and that an atmosphere of uncompelled cooperation, collaboration and tolerance prevail.

I have not changed the status of my non-communication with your family members. It has occurred to me that they may have useful pictures, perhaps even of your property in Florence Gulch. You let me know when, or if, the time comes to make inquiries.

Although I have never met him, I suspect that Regnery is a scoundrel, and I have wondered from time to time why you contacted him. Was it on the basis of Graysmith's book?

All best wishes until the next letter.

58. Ted to Beau #31 — 1-14-99

Dear Beau,

Regarding Alston Chase – see the enclosed copy of a letter that I’ve sent him. If Chase asks you for permission to quote from my book in his book, you’re at liberty to give him that permission if you like. I take no position as to whether he should be given such permission or not. Any negotiation on that subject is between you and him, and anything that you two decide will be alright with me.

*

Regarding Wait’s book – Two different people have told me that Waits has made a certain claim that is a whopping lie and should be easy to disprove. Just have to get solid confirmation that he did make this claim, and then someone has to challenge him or produce the evidence he claims to have. If he produces the evidence he claims to have. If he doesn’t produce it, the fact will expose him to great suspicion, and if he does produce it, it should be easy to prove he’s a liar.

The only trouble is that for somewhat arcane legal reasons, it might be risky for me to discuss this evidence myself at present but I *think* a lawyer could deal with this matter for me without exposing me to risk. However, since I have more-or-less fired Bonnie and since he had told me he was too busy to give much time to my case anyway, the only lawyers I have now who might handle this matter for me are Quin Denvir and Judy Clarke. I’m asking them to deal with it, but they too are busy and I don’t know how much time they’ll be able to spend on it.

However that may be, I’ve worked through the first 46 pages of Waits’s book, making notes on the majority of the false statements as I go, and, luck for me, it appears that Waits is a clumsy liar. Anyone who might make a thorough study of the documents in my case should find Waits’s account implausible. Unfortunately, for legal reasons, this is not the time to make the documents public. ...

Also, – and I think you will agree with this – I think it’s unnecessary to publish a rebuttal in any periodical of national circulation unless Waits’s book gets national attention. However, I do think I have to publish a rebuttal that will reach the same audience that Waits’s book will reach. I could accomplish this by sending a letter to the editor of the Missoulian (there’s the Western Montana market). Waits’s book will also be read nationwide by people who take a special interest in my case, such as the Internet groupies and certain kinds of anarchists. I should be able to reach this market by publishing something in a small, radical periodical such as the Earth First! Journal, or Green Anarchist.

But there's another market that will be exposed to Waits's book. Rick Sallinger has visited Lincoln and has interviewed Waits and my neighbors [TEXT REDACTED], [TEXT REDACTED], and the [TEXT REDACTED]. He is probably going to do a TV news piece on the Waits book. But in his letter to me, of Jan. 7, Sallinger expressed great scepticism about Waits's claims.

Now I know that you found Sallinger an unpleasant person when you talked to him, and you found he was motivated by self-interest. Of course, in my opinion the only safe assumption is that *any* media person is motivated by self-interest. But I think Sallinger's self-interest. But I think Sallinger's self-interest can prove useful to us. ...

59. Beau to Ted #32 — 1-22-99

Context

Media

To:

Quin Denvir, Esq.

Faxed

1/22/1999

From: Beau Friedlander, Publisher

Date: 1/22/1999

Pgs:

3 including cover

Dear Mr. Denvir:

I am attaching two pages of the letter that I mentioned. In the interest of caution, I am only sending the first and seventh pages. I want to stress that Ted has given me no particular reason to be careful with the Office of the Federal Defender, however, by the same token, he has given me reason to be careful in general. I have redacted the bottom of the first page for the above reason.

I will leave it to your discretion as to whether it is better to wait for a direct request from Ted. My guess is that it might be wise, and I only called back with the date of the attached letter in the hope that it might correspond to a letter you received around the same time.

What ever the timing happens to be, you will need my address, which is as follows:

Context Media 368 Broadway Suite 314

New York, NY 10013

I can be reached at: 212-233-4880.

I would like to thank you for your time.

cc: T.J.K.

Yours sincerely,

Beau Friedlander

cc: T.J.K.

Ted:

I Just wanted you to see this. The arrow above the redacted section of your Jan. 1 letter corresponds to a redacted note, which remarked: "cannot be read after facsimile transmission." I hope this note finds you well.

Yours,
Beau.

P.S. I've heard that Bennie is back on board.

60. Beau to Ted #33 — 1-25-99

Dear Ted,

Thanks for your most recent note (addendum to MM Letter, Jan. 10, 1999) and the copy of your January 16 letter to Rick Sallinger.

I do not doubt that what I am about to say will be nothing new to you. It is my opinion that Sallinger should be handled with caution. He is sly like the fox of Aesop lore, which means to say that his wiles are not perfect, but they *are* “fool proof,” and he will not hesitate to use trickery and deceit to get the story (whatever that happens to be). Of course, by now my comments will be moot. I imagine the story has been aired. Sallinger called me a couple of days ago. Still sketchy, he asked who was representing you on the appeal. I claimed to know nothing about your legal plans. I then tried to direct his attention to Mello’s discussion of the case. He has not, to date, called Mello.

Some of your advice to Sallinger, vis-a-vis Waits and the FBI, is similar to the sort of directions I gave Michael Ulveman. He came to visit this past weekend. Ulveman is yet another reporter, and all of the caveats apply, but I think he would not hesitate to tell the truth. He is interested in the FBI’s procedures, the 4th Amendment issues, and the possibility that the government’s actions were generally out of whack. I hope you will correspond with him. I hope he is as good as he seems to be, and I suppose caution is required on all fronts. Also: he plans to visit Montana later this year.

Derrick Jensen has been in touch. I remember thinking it when I read *Truth versus Lies* (but of course felt shy about commenting so early on in our correspondence); I thought it again when you sent Mello to me (still too shy). But now I say it: You would make a top-notch acquiring editor. I very much enjoyed the five chapters he sent my way, and I asked him for the rest. I see what you mean about his radical side, but really, there is not much there to raise a brow. I think the book is a very poignant reminder that there is more to life than what most people find

¹ another thing he could care less about. acceptable and “real.” And there are many other aspects of human experience to which they have become insensate. I hope the rest of his book lives up to the promise of the proposal.

I received the copy of *Industrial Society and Its Future*. The FBI made a bad copy, or Denvir did, and there is much that is illegible. I could supply you with a list of pages that are too dark to read. The FBI has no interest in providing a good copy. But if we are to follow through with this project, a good copy will be necessary. Denvir did not send a copy of the covering letter you had mentioned.

I look forward to your next letter. All best wishes until then.

Yrs,

P.S. As of this date, neither the contract nor any comments you may have made thereto have arrived. I assume there may be Bonnie-related delay. By my calculations, it should have arrived no earlier than today, so there's no need for alarm if you have sent it off.

encl: sample from ISIF – NYT copy from FBI.

- **Some of the source letters are missing beyond this point –**

101. Ted to Beau #33 — 1-21-99

Dear Beau,

I received the two copies of the contract just yesterday. The contract looks fine to me, so I've signed it (both copies) and am returning it to you in this envelope. Bonnie wanted me to wait until the contract had been reviewed by Kenyon and Kenyon, but I want to move ahead with this, so what the heck. If Kenyon and Kenyon thinks something should be changed, I don't doubt that we can work it out. The only changes I've made have been corrections of two misprints, on pages 2 and 9 respectively.

I received a phone call yesterday from Professor Bonnie. He told me that he had just received my letter in which I told him I was offering Mr. Buffrey the position lead counsel, and he informed me that he hadn't meant what he said when he told me I might end up having to file my 2255 motion pro se. (He did not, however, explain why he said it if he didn't mean it.) He gave me absolute assurance that I would not have to file the motion pro se. He also said he had talked with Mr. Buffrey and explained to him what had happened and told him there might possibly be a role for him (Buffrey) to play later on. He said that Buffrey was "happy with that," whatever that means.

This incident leaves me feeling very uneasy.

Today I telephoned Buffrey's office. He wasn't in, but I left a message for him to the effect that I would like to communicate with him directly on this subject and hear his side of the story. (I told him I had not explicitly reinstated Bonnie as my legal representative, so that he (Buffrey) could communicate with me directly rather than through Bonnie.) There are obvious reasons why it's to my advantage to be represented by Bonnie (his expertise, his contacts), but I don't want to be put in the position of going back on my word and withdrawing an offer when there's no fault on the part of the person to whom I made it.

Oh, well, at least this incident has the advantage that it gave me an excuse to say that I was going to go ahead with publication of the book without waiting for Bonnie's approval. Bonnie told me on the phone that he still wants to review the book, but that he will meet any deadlines that you may set. So you can just go ahead with publication of Truth vs Lies.

*

Thanks for your note about the damaged letters. The fact that you received an unsealed envelope is the fault of the mailroom staff here. I have to hand over all mail unsealed (except letters to attorneys) so that it can be read before being given to

the Post Office. The envelopes are supposed to be sealed for me – but correctional institutions are not noted for efficiency.

*

Thanks for the copy of Chris Waits's book. Please thank Michael Ulurman for me and give him my regards. Also, you might ask him if he would be interested in helping to investigate Waits's veracity. There are certain claims that Waits makes that should be checked out, and I can point some of these out to Ulveman. Waits is a clumsy hoaxer, but he is also a rather colorful one, and Ulverman possibly could produce an entertaining article on the subject.

Please keep me posted on any information you get from lawyers about possible legal action that could be taken against Waits or his publishers.

Meanwhile, my plan, at least tentatively, is this:

I've gone through Waits's book, making notes and I've identified a number of points at which Waits is vulnerable, i.e., at which it can be shown that he is lying. In some cases the lies can be exposed only with the help of documents that the lawyers tell me I should not yet make public; but in other cases such documents are not required. There are other points at which Waits is possibly or probably lying, but this cannot be shown without information that can be obtained only through investigation.

So I expect to write to the Helena Independent Record and Montana Magazine (the publishers), and tell them they've been had. I will offer them a few points in proof that Waits is a liar, then I will invite them to investigate Waits and his book to determine whether the latter is a hoax. I will offer them my full cooperation in this investigation. I will point out that if they investigate Waits and conclude he's a liar, it will be embarrassing to them to admit publicly that they were taken by a hoaxer; but if they decline this opportunity to investigate Waits, then, whenever the book is exposed as a hoax (as it certainly will be eventually), they will suffer not only embarrassment but serious damage to their reputation for journalistic integrity. (I don't know whether they have a reputation for journalistic integrity, but they probably like to imagine that they do.)

At the same time I will write to the Missoulian, cite a few points that demonstrate Waits's dishonesty, and offer to cooperate with them in any investigation of Waits's claims. I'm also offering similar cooperation to Rick Sallinger.

IF the Missoulian declines to investigate Waits, I will write a letter-to-the-editor, or, better, a brief article, which I will try to get⁽¹⁾ published in the Missoulian and other Montana papers, in which I will exhibit a few of the most solid pieces of evidence that Waits is a liar.

⁽¹⁾ I appreciated your addition about bathing, since I am a little water-averse. William Wordsworth, and the rest of his nineteenth-century contemporaries, never bathed during the winter months. They believed that essential oils were washed away, which made it easier for the ague to enter the bodies

What do you think about this? Any suggestions? I'd also like to suggest collaboration in the investigation of Waits by Rick Sallinger, the Missoulian, and (if he's interested) Ulveman. What do you think?

Once I get an article written, you can help me (if you like) by trying to place it for me in some Montana newspapers. You can do this more easily than I can, because I am hampered by slow communications. Also, of course, you know the publishing business and I don't. By the way, the book apparently *is* being made available in Western Montana, since a couple of my correspondents at Lincoln speak of people who have purchased copies, and apparently the [TEXT UNINTELLIGBLE] are being sold at the Town and Country store in Lincoln. So, I definitely should make some answer in the Montana newspapers, if I can't get the newspapers themselves to investigate Waits.

I'll invite you again soon on this subject.

By the way, if you have any info about the Waits affair (or any other info) that you think should be communicated to me promptly, you may be able to get it to me via Michael Mello, since he can make legal phone calls to me. (Bonnie would be too busy.)

Best regards,
Ted

102. Ted to Beau #34 — 1-29-99

Dear Beau,

To answer your letter of January 11:

p.1, §3. Bonnie did send me the copy of the email notice. No need to apologize.

p.2, §3. Good – do strike "it's no harsher than [TEXT UNINTELLIGBLE] in any case.' As for the paragraph you wanted me to add, I think it's good to use it, but only as a footnote, not in the main text.

p.2, §5. Yes, I and Jensen both understand that you will only look at any manuscripts he may send you, and that there is no guarantee that you will accept anything. I don't know whether I *do* respect Jensen as a writer. The only thing of his that I've seen is *Listening to the Land*; this seems to me to be very well written, but from an ideological point of view I dislike the greater part of it. Jensen is very emotional, hence, in my opinion, not good at rational analysis. But, for that very reason, his fiction (of which I have seen nothing) may be much better than his nonfiction. He says he's planning a novel to be called "Flashpoint." From the little he's told me about it, it sounds as if it may be something like a radicaled version of Edward Abbey's "Monkeywrench Gang." I don't know whether it will be any good, but anyway I look forward to seeing it.

p.3, §2, 3. I've been thinking about these matters, and I'll be ready to reconsider my stand about *60 Minutes* if I find good reason to do so. If and when I get my thouts on this subject sufficiently clarified, I'll write you something about it. Meanwhile, I'll be glad to hear any ideas you may have about how I might use *60 Minutes* to achieve suitable goals without prostituting myself to image-making techniques and all that sort of garbage. ...

p.5, §2. Concerning the "missing" letter, item #20 on the list I sent you: The letter dated December 5 was the note that I sent you to send to [TEXT REDACTED]. Through carelessness, I listed it as a separate item, though it was sent in the same envelope as item #19.

(By the way, did you contact [TEXT REDACTED] about photos? If so, how did she respond?) ...

I think you can get in touch with my family members soon – but only after I've given you some pointers on how to deal with them psychologically. I'll have to save that for another letter. ...

103. Beau to Ted — 2-1-99

Context

Media

To: Mike Mello

From:	Beau Friedlander
Date:	February 1, 1999

copy for TJK

Ted: I couldn't find my copy w/ notes, so here's a print-out. (hurried)

— There is a long round, pole that protrudes from what I believe to be the back of the cabin (the same end as the stove pipe). It is at an angle of approximately 45 degrees and extends perhaps 5–7 feet from the foundation piles. It does not appear to be connected to the cabin.

Waits's allegation about a waste pipe that ran from the cabin to the garden is doubtless false *based on this photograph*. But editors may run this photograph with any rebuttal of the fact on order to ridicule the rebuttal.

There is the chance that the editors of the Independent and Montana Magazine will use Ted's letter re. the hoax for publicity. I

Sallinger should be handled with kid gloves. He has only his own interest in mind. Any instruction regarding sites that would cast doubt on Waits's story should be given to more trustworthy sources, such as Ulveman, Jensen, et al. Let Sallinger begin the discussion. Let someone else elaborate. Let someone else elaborate on that. Waits book will get more exposure because of this. It would not get exposure were there to be no discussion. This is something to bear in mind always.

Anything written for the Montana audience will be picked up by the national press — guaranteed.

Mike, you have information to which I have not been audience. This should also be related. I think there may be things that will strike Ted as relevant, which you may not (remember the aluminum pipe/pole example by virtue of the fact that you read Ws book from the point of view of a lawyer and author.

I think the conversation should be contained to these issues. 60 MINUTES is an entirely different matter. Even if he brings it up, I'd stay with the Waits issue because there is an urgent need to make sure Ted gets what he wants accomplished w/o getting burned en route.

104. Ted to Beau #35- 2-5-99

... I think you once offered to get me any books or the like that I might want. Well, I'd like to have a Gutenberg Bible. I *have* a regular bible, you understand; what I want is a Gutenberg Bible. However, just in case your local bookstore doesn't happen to have any Gutenberg Bibles in stock at the moment, here's something you can do for me as an alternative: If Benvenuto Cellini's autobiography is readily available (in English), you might pick up a copy of it and send it to Lydia Eccles, I [TEXT REDACTED] 02112. I suppose you know who Lydia Eccles is ... given her interest in art, she ought to find the autobiography interesting. Not that you have to be interested in art to find Cellini's autobiography interesting. ...

I quoted part of the material about Chris Waits on pp. 18-19 of *Truth versus Lies*. She was confused by the sentence,

"Except for my brother and my mother, the one informant who I definitely know to be consciously lying is Chris Waits ..."

... So I'd like to change this sentence to read as follows:

"Apart from my brother and my mother, the only informant whom I definitely know to be consciously lying is Chris Waits of Lincoln, Montana." ...

105. Beau to Ted — 2-5-99

Dear Ted,

Thanks for your letter of January 21. I have enclosed a counter-signed copy of the contract for your records. Rest assured that any concerns you wish to address should not pose a problem since we can address them in the form of a rider to the contract. As for timing, now that Bonnie is back on board (?), I will of course defer to whatever concerns you may have with regard to the 2255.

As far as the Waits-product (bad pun on waste product), I was glad to be of some service to you. I too noticed some of the inconsistencies you mention, (e.g., the enclosed talking points I prepared for Mello's call to you,— per Bonnie's wise decree vis-a-vis the potential "muddying of the representational waters" (Mello's phrase) he will not be using them). The only additional information I have regarding this Waits business comes by way of Ulveman, who got it from Mary Spurlin. Apparently, Waits told the FBI that he didn't know you when they asked the *first* time around. Also: get in touch with Mello. He has spoken to Waits, but has not related to me the substance of his conversation.

I saw an iota of your 14-page letter to the Montana papers. Not good. I suggested that you resist that particular temptation, since it seemed fairly likely that the publisher would turn it around to up sales on the book. That's just what happened. I hope that you might consider letting me help you with these interactions with the press. I do know how to keep them on a short leash. I am not saying that I can control how they spin the story. But I'd like to think I can affect that spin.

P. 5, Tf 2 (re. suggestions): Sallinger should not get the story. Jensen and Ulveman could do a great job; and I can say for certain that Ulveman is convinced that Waits is a liar. To put it in perspective, you'd be better off letting 60 Minutes do an expose without *any* control over the treatment.

Here's my take on Waits:. (He really doesn't even warrant the space I've granted between colon and full-stop, although he does belong *in* a colon.) To be serious, I know the type. He's a pathological liar; reminds me of my step-sister. I trust my intuition on this score. Here's my question: If you two were such bosom buddies, what's with the dedication? It seems hardly likely to me that you could stand talking to someone who raped the woods for a living. Here's another problem: The interaction between him and you, *even as he reports it*, could *only* be described as a nodding acquaintance, and that includes the car rides which you have denied, with the exception mentioned in your letter. I would like to know the truth regarding the cabin (did he build it, where did he find the bit of veneer with your handwriting on it? is it your handwriting? what

about the other stuff?). The winter photo versus the spring photo proves that Waits made some “improvements”, the latter has plywood covering the roof.

It is not clear to me whether copies or people are being sold at Town and Country. I assume it’s a little of both. I understand why you want to redress the matter. I just wonder if the time is right. I have written an email letter to Bonnie regarding the discussion with 60 Minutes (enclosed). I can only imagine that you would rather talk about something else, but this will take little time. Doing something with them will take a lot of time. They seem to be very willing to work out an acceptable situation. That’s it. I imagine this would have to wait until after you have filed the petition. Bonnie thinks it wouldn’t be practical until autumn. (There’s more, but it’s covered in my letter to Bonnie.)

I think a program on public television should be done eventually. Has this been discussed at all with Fischler? I would be more than interested to help him out in any way you like. I bet he’d do a fair and balanced piece. He made a film on Emma Goldman, I know that much. Not much more. But I liked his tone in the letter you sent to me. He’s probably okay. Protecting his own interest perhaps, but okay: The Oxford Concise says that okay is “probably” derived from *orl/oll korrekt*, form of “all correct.” I’ve heard mention that its origin is African (not “ebonic”) and that it came over with the slaves, who after all had to say okay quite a bit. I guess that came to mind with regard to this media stuff. While looking for the article about your letter in the Missoulia archive, I found an article in which Judy Clarke supposedly said that if you talk to the media, “they will steal your soul.” I know what she means. To say “okay” to the media is to put yourself in a subordinate position, and more often than not it is to place yourself in thrall to propaganda. One is put to work, transformed into an element of *status quo* technique.

But I think you might be able to choose the terms to a fair degree — because these folks are like employers. The sort of thralldom or slavery I am limning here is synonymous with the phenomena of the workaday world. The more qualified you are, the better working conditions, salary, etc. You are very “qualified;” the media *want* to hear your side. You can determine the manner in which they will do so because you determine whether or not you will do the thing they desire. Okay, I am tired.

I wanted to thank you for the comments and corrections to Mello’s manuscript. I think you will be pleased with the final copy. As it turns out, I went after a lot of the same things.

I hope that you are well.

Yours,

Subject: Re: 60 Min.

Date: Fri, 05 Feb 1999 13:58:28 -0500

From: Context Media <simnyc@interpointnet>

To: Richard Bonnie <rbonnie@lawl.law.virginia.edu>

As far as I'm concerned, Ted has given a nearly definitive "no" to the >60 Minutes idea. Do you have any different info from him?

In a Dec 14 letter, Ted wrote: "(60 Minutes] would have to agree in writing, with all the nectary legal formalities, that their program on my case would be reviewed before being broadcast, by me and Professor Bonnie, and if the program actually broadcast differed in the slightest detail from what had been approved by me and Professor Bonnie, then CBS would be bound to pay some colossal financial indemnity — say a billion dollars — or anyway enough to guarantee that they would not even consider breaking the agreement..."

On December 20 he wrote: "I've softened on the 60 Minutes issue. Bonnie has asked me to at least consider giving them an interview, so I'm willing to consider it."

This is when we decided to give the matter a rest, and I asked Mello to cease and desist. After your meeting with Ted, I asked if you had proposed a three-question limit to Ted, so we could see what sort of thing 60 Minutes had in mind. You had not asked, so I wrote to him on the 11th to ask. Since then there has been nothing but talk of Waits. Ted has not responded to the query. You will recall that I did say we would resume talks with 60 Minutes after the 1 month hiatus, which ended at the first of this month. Vicki called me on the 31st to set up a meeting.

I think I understand Ted's worries well, and I have a good idea of what would need to happen for him to agree. I have told Gordon that you would want complete control. She is willing to try and come up with a » proposal. So far, she has suggested the following: 60M will provide(®) you and Ted with a COMPLETE transcript of all tape shot during the interview. You would then edit it. They would then indicate what sort of visuals they will use along with other interviews. They would be willing to limit the neonle interviewed to a list provided by Ted. If he wanted Mello. _ _ his /etc they would acconjgaate him, (i.e., provided the people he has indicated are willing to comply). I do not think we have discussed much of anything yet, and Ted is one who likes to know all the facts before making a decision. I imagine that Waits has so thoroughly occupied Ted's non-2255 time, that he has not earnestly considered the matter. And it would be much better

for him to talk nationally than with Sallinger, who also wants an interview (Ted has either been leading him on by suggesting this is possible (probably the case) or he is seriously considering it). My impression is that 60 Minutes is willing to do an honest story, Vicki was pretty worked up when I questioned her about it (i.e.,worked up with' righteous indignation when I suggested that they might turn the tables > against Ted). At this point, I am not terribly willing to enter this

labyrinth, I simply want to make sure the conversation has been inclusive and intelligent. If Ted has made a decision, I will close the matter. He has already begged off p/r, and feels it is better to rel t***.***

with his adherents, which I respect. I feel differently about the matter, from intellectual, ideological AND financial points of view. But thus far we have neglected the conversations necessary to drawing an informed

I will send a copy of this email to Ted, but you may want to discuss this matter with him directly, since there is a three week lag period when I correspond with him...

I'll be in the office until 6.30, hope to talk to you soon and also that this note finds you well!

Beau

106. Ted to Beau #36 — 2-8-99

Dear Beau,

Here is a copy of the Associated Press report that I referred to in my last letter to you, #35.

Best regards,
Ted

107. Beau to Ted — 2-10-99

Dear Ted,

Thank you for your letter of January 29, which arrived on Monday the 7th.

I would like to thank you again for your help with Mello's manuscript. I do still apologize for the inconvenience it caused. I thought you might like to know the Attila reference has been changed to the Star Chamber.

(p. 1, H 3) I will change the text as indicated. I am glad you have decided to use the remaining text in a footnote, and hope that my argument has not compromised the integrity of your book. On the same score, a long time ago I suggested some edits to *Truth versus Lies*. You mentioned a certain Professor Piranian, by way of explaining your reluctance to submit the manuscript to a line-edit. You specifically noted that tedious changes should be avoided. I then dropped the matter, since a line edit is 90% tedium. If you think that you will have time to go over editorial changes, I will submit them to you. I am mostly concerned with the rare instances of awkward construction, but, like I said before, I am not going to push the matter. I have already mentioned the two parts of the book I might edit considerably (the correspondence with your mother & the Tarmichael affair) and you have indicated that this conflicted with the interest of full disclosure. So, the changes I am after would be tedious, but I think they would add to the book, since eloquence is associated with credibility. Let me know if you are interested; the delay would be negligible provided there was time in your camp to do the review.

(p. 1, U 4, and P³S) I have for the most part found Jensen's book to be interesting, and I am considering it for publication by Context Books. He is a good writer. I think you are right to say that Jensen has an artist's sensibility. He has integrity, although it shows signs of emotional contrariness based on personal trauma. Integrity is perhaps not the best word. Jensen's strength is definitely not as a rationalist; his value lies elsewhere.

But I suspect that Jensen's contrariness may find too much of its genesis in childhood traumas and not hard-won principle. An example would be his understanding of Gilgamesh's rise to power. He seems to think that Gilgamesh wanted to rape the woods for lumber more than he wanted to use that wood to establish the city over which he reigned supreme. He goes on from this rather poor illustration, to posit a theory that human civilization is one long history of man's unconscious desire to specifically deforest the planet (which to me reeks of an *idée fixe*) since deforestation is clearly a by-product of the desire for power. There is no argument to accompany or bolster the statement, only canted selections from the annals of time. Having said this, I do think

Jensen's argument is important: As a child, Jensen's father abused him under the personal (and sadistic) banner of paternal law, order, and progress (Jensen's progress towards manhood). Nature is dominated and abused under society's unconscious (or ideologically driven) banner of law, order, and progress. This domination causes individuals to lose touch with their own nature (or individuality) as well as the natural world, which is thought to be a necessary condition for the proper functioning of our self-destructive society. Although I find the general premise holds up, I take issue with the solipsistic manner in which he sometimes unfolds the polemic.

Arthur Rimbaud once wrote that a poet must nurture himself like a man cultivating warts on his face (I'm not sure if I have remembered it verbatim). It is a strong image of individual development in direct opposition to societal pressures to conform. I cite Rimbaud to contrast the notion of petty contrariness, highlighting the importance of individuality for its own sake (*i.e.*, not defined in opposition to anything or anyone else). I like people of whom it is said, "When they made that character, they broke the mold." Jensen is essentially that sort of character. He has what I would loosely refer to as a "good heart," which is synonymous with a certain freedom from the dehumanizing aspects societal indoctrination (courage, for example, finds its root in *couer*). He thinks his own thoughts, or at least endeavors to do so as far as that is possible while obeying the rules he must follow as a "member" of a sect. (I am no different, although I'd be hard put to tell you exactly what my "sect" might be.) In other words, Jensen may not be supersaturated with the mores of the status quo, but his identification with a codified system of belief (*z.e.*, environmental activism) as defined in contradiction to another system (*i.e.*, the status quo) necessarily compromises his individuality. At this point, Jensen figures as an example of a larger issue, and I have no interest in a critique of him as an individual. I've enjoyed my interaction with him thus far.

I try to avoid labels, even (or especially) when chosen by the person to whom they are attached. I believe Jensen refers to himself as an environmentalist and an activist. The latter would of course be a statement of fact if he has taken action in aid of a cause, which I believe he has. The former seems reductive, since Jensen is doubtless many other things—*e.g.*, a human being, which is not reductive, the implication being that human beings are psychologically and intellectually complex creatures.

All this has been written towards a response to your query regarding my stance vis-a-vis the desirability of a changed society, (p. 4, 5) It is interesting that we have recently corresponded about language. Labels are problematic, because they rarely describe the signified object with much exactitude. Perhaps math offers solid, non-ideological proofs (I am out of my depth... but I remember thinking mathematical deduction was pretty random in its presuppositions)—in any case, language is undeniably a rather difficult vehicle for exact expression. The same word in a different context can drastically change our understanding of reality.

When I was a child, my grandfather once said: "Did you know that a factory," pointing at the wire mill, "is also called a plant?" I thought that was pretty interesting as a ten-year-old. I was mystified by this information (society is generally and permanently

mystified by the manner in which language modifies the reception of fact). How curious that something so paradigmatically unnatural can have the same name as something that is so very much part of nature! My grandfather's illustration about the uses of language (and it was an intentional illustration) stayed with me. As a teenager growing up during the Reagan trickle-down/Bush read-my-lips era, I became more adept at reading between the lines. I'd like to think that I recognize the wiggle of ideology. But to understand it, and convey that understanding is to grab hold of a vapor trail on the open highway. And yet one can take a picture of that vapor trail, as it were, and so *something* can be brought back from the limen of the conscious and the unconscious factors that initiate the complex "apparatus" of human will.

I would very much like to see the day when society has been rescued from itself. I am very pessimistic with regard to the prospects of this happening. And I am implicit in the problem, surely. I resist labels, this is also true. And so? So, I am not an anarchist, although a friend has called me an "anarc/ws-capitalist." I am political, but I do not affiliate myself with any particular party. I would were there a Common Sense party (although not if it was some bastardized Dewey-like program). I try to observe behavior in context to better understand the societal forces that are being exerted on that behavior. Reading between the lines, keeping score—but on the sidelines. I do not rightly know what my label would be (left myself wide open there), and perhaps that is why I added that proviso about our respective stances with regard to the desirability of a changed society. Also, I do not have a clear picture of what you would do were you to find yourself, reins in hand, with the opportunity to effect a change that might save society from self-destruction. You will be perhaps better equipped to analyze the ideological headwaters of my opinion, but I do believe that societal change is a gradual process, and I doubt that it can be achieved any faster by violent means. In fact I doubt that it can be achieved at all. But I hope, and I try to give all possible solutions serious consideration.

Derrick asked me what my position was with respect to the environment, activism, *et al.* This was my response: "My politics revolve around the belief that society is a juggernaut speeding out of control. I want to publish books that will effect a change in both society and myself. I have never called myself an environmentalist, and eschew all labels, but environmentalism [sic; what I meant was the compromised state of the environment] is one of the many ills I wish to address through the aegis of publishing. I believe literature is a very important element in the process. Humble, terrifying, ugly, beautiful truth is my goal. I would like to write an "essay" about our society composed of the books I publish.

(p. 2; U 7) I wish I could play guitar for you, too. I do not play any Vivaldi. The only Vivaldi for guitar (that I have heard) is an arrangement by John Williams for "The Four Seasons." I never learned it since I was pretty sure (understatement) that I wouldn't have the chance to play with a full orchestra, and the guitar part sounds silly all by itself. I do play Bach (although not as well as I used to), and I very much enjoy Fernando Sor (1789–1836). Sor's etudes are very simple, and in that simplicity they

are perfect. When you called on Christmas Eve, there was some classical music on the radio. I hoped, at the time, that you could hear it. Could you? I know little about your life in prison. But I imagine a tape player was not part of the (plea) bargain. Maybe you can arrange to call (with advance notice) and I can have music of your choice turned all the way up... Suppose that might qualify as a wasted phone call, considering the limitations applied thereto.

(p. 3,12) I have the same problem with German and Swedish, (and it gets even worse with Norwegian, Danish, Dutch). I can read a newspaper in the latter languages with varying degrees of effort. But even Swedish and German sometimes give me a hard time when it comes to understanding the spoken language. I cannot understand Swabian or Bavarian. It sounds to me like duck quack-and-gibber. There are some charming dialects in the south of Sweden (Skinska and Sm&lsndska), which have been influenced by visiting Germans and Danes. I understand it for the most part; but when they get going, it's "grab your hat and hold on for dear life" (i.e., I have to pay close attention and comprehend 60% of what's being said). Practice, practice, and geographic placement are the only cure for what ails us.

(p. 3, K 3) I am interested in the letters you have received about *Industrial Society and Its Future*. I will contact Quin Denvir and show him the specific page of your most recent letter that discusses the correspondence. If you have not already informed him of the project, he will need this before sending anything to me. A visit to the University of Michigan will take some doing, given the demands on my time at present. I wonder if it would be possible to request that materials be sent to me here in New York. Let me know if this will be possible, (re. p. 3, 4) The secret is safe with me. I apologize for that stupidity with regard to a foreword to *Industrial Society and Its Future*. Your commentary would be of great interest to me. Again, I would most like to publish the manifesto under its proper title and a by-line for the author. I know this is problematic at best. (Please comment, through Bonnie if necessary.)

(p. 3, K 6; p. 4, K 2) I did receive the letter to ' , as you have noted. But I have yet to

contact her. I met with Paul Davis yesterday to discuss the jacket design for your book and he was struck by the FBI-inscribed quaking aspen, but he thought it would look more interesting if the photograph were taken from a slightly different perspective. I plan to send your letter to and ask her whether she might have the time to take some photographs in Florence

Gulch. Davis also wanted some shots of the enclosure where your cabin used to stand. I'm looking forward to contacting since Michael Ulveman told me she was very nice

to him during his visit and subsequent phone calls.

(p. 4, ^14) I received your latest letter in an unsealed envelope upon which someone had written "CLOSED—2/6/99." Unfathomable.

(p. 4,16-7; p. 5, H 1-2) Waits's cronies, if they are anything tike Bobby Didriksen, speak for themselves by virtue of their corpulence alone. When I read *The Mtssoulian*

article, I was astonished by Waits's cynical supposition that he was more credible than you were simply because he is not in jail. It underscored what I believe to be the truth about Waits: He and his pals are common hucksters. News about Waits's book has not yet gained national attention. I am waiting, but feel as each day goes by that it might not happen after all. I liked your letter to the Independent *et al.* I sent word through Bonnie that *The Missoulian*, *The Helena Independent*^ and *Montana Magazine* are all owned by the same company. This would explain the unfair treatment your letter received in these publications.

I really like the pidgin you cited. Disfella Waits, nem tell bad disfella Ted... Wish I had more to go on, since I enjoy imitating the stuff. Amos Tutuola, a Nigerian writer, provides some great pidgin in *The Palm Wine Drinkard and My Life in the Bush of Ghosts*. Chinua Achebe, and I believe Wole Soyinka, have claimed that the book (acks authenticity, but I may be remembering the dispute inaccurately. It may be that they accused him of cribbing folk tales. I can have a paperback sent to you if you like. Also, thanks for the anecdote.

(Post Scripts) I have received items #28 through 33. I have checked for stories by Sallinger and nothing has been aired about you yet. As for Mello's book, you most certainly can assume that there's no more to do (thank you so much for your help), the book is going to be produced in galley form in a couple of weeks. I'm just now combing through it one final time for typos and the like.

I hope this letter finds you well.

Yours.

encl: 2 NYTimes articles (different versions), National Law Journal article

108. Ted to Beau #37 — 2-14-99

... At 4:30 PM on February 11, Timothy McVeigh, who has the cell two doors down the hall from mine, called out to me that there was going to be something about me on Channel 6. I don't watch TV for entertainment, but I'm willing to turn the damn thing on if there's a practical need for it. So I turned on Channel 6 ... and it showed ... the first part of a ... series ... about Waits's book. This introductory segment seemed neutral about the validity of Wait's claims, mentioning my denial but expressing no opinion about who was telling the truth... It's curious that I've had no letters from Sallinger for some time.

109. Ted to Beau #38 — 2-16-99

... A correspondent of mine at Lincoln has measured the distance along Stemple Pass Road from my turnoff to Waits's place and has found it to be 2.85 miles. So much for Waits's claim that his place is "nearly across the road" from mine.

The same correspondent has confirmed by means of a Forest Service map that what Waits owns of McClellan Gulch is only a narrow strip, about 1/8 mile wide, along the creek — hence only a small fraction of the land in the McClellan drainage. So much for Waits's claim that he "owns the whole gulch and everything in it" and that I needed his permission to go there.

In handling this Wait's business for me, you'll find the following people helpful: Quin Denvir and Judy Clarke, of course, and also

Michael Donahge

and

Betsy Anderson

Federal Defenders of Montana

P.O. Box 250

Helena MT 5924-0250

Phone

Keep _____ name confidential. I don't think she wants it advertised.

It's no doubt ungrateful for me to say it, since without his help I never would have found Bonnie, but by this time I'm fully convinced that Mello is an ass. I just got a letter from him in which he says that Waits may have been mistaken or inaccurate on some minor points, but that doesn't mean ...

110. Beau to Ted — 2-16-99

Dear Ted,

Thank you for your letter of February 5, which arrived today. I noticed the discrepancy between the dates you mentioned, and figured it was an oversight. Also, the Sallinger saga is now over. I'm enclosing an article that ran today in the *New York Post*, which was buried on the third to last page. I doubt many people laid eyes on it. Vicki Gordon of *60 Minutes* alerted me to it. I asked her if she thought the story would go national. She did not. She has offered to acquire a transcript of the four-part series, and I will forward it to you as soon as it gets here.

I have sent your requests and suggestions to Michael Ulveman (see enclosed copy). Regarding blind luck, so be it. I think you have received my comments on his manuscript by now. I have not had time to read any more since writing that letter to you. We shall see. I'm still thinking about how I might best respond to aspects of his argument that do not hold up well under scrutiny such as his understanding of Gilgamesh's will to power.

I think the copy of ISIF will counterbalance the rough spots in the copy Denvir sent, thank you very much and I will return them as soon as transcription is complete. I await the missing pages from Denvir's office. The letters you enclosed are of great value to my own perception of the crimes placed in context with the publication of the manifesto. The letter to the *Times* is a very eloquent (and considered) treatment of a revolutionary's moral responsibilities to society, and also of the anger that informs acts performed in aid of a revolutionary cause (mirrored by the anger and violence pandemic to contemporary America). Both letters should be published in full.

I told Mike the CNN thing wouldn't float. I should add that he gets excited for all the right reasons. He truly wants to see the petition to vacate your guilty plea succeed.

I am enclosing the press that came out when your book was announced. I want you to know that I am very niggardly with the information I possess about you and your appeal. I say this because I was unhappy with the timing of the announcement. A tacky "scoop" journalist got wind of the book (I still don't know how she did) and I had no choice but to give her the basic information, for fear that she would otherwise write something dreadful. It worked, and her piece was almost an exact copy of the press release I sent to you. I then immediately sent the press release to the Associated Press and Reuters, so that it would look like the "scooper" got the story off of the news wires. I am satisfied with the press treatment, for the most part. There was of course inaccuracy, but nothing negative. I am particularly happy with the *Washington Post* article by David Streitfeld, who is a respected book columnist.

You will be amused perhaps by a jousting match I had with a live radio journalist who called from Bogata, Colombia. He asked if you were a “communisto,” but the interpreter did not translate it, so I asked “Excuse me, but did he say communist?” The reporter cut the interpreter off, “Si.” “No.” “Que?” It was wonderfully monosyllabic. I then said “No, Kaczynski is definitely not a communist.” The reporter wasn’t satisfied, and asked if I was a communist. “No.” Long pause, and the interview continued with similarly stupid questions. I did not get the name of the show, so a transcript is unlikely. Immediately after that call, some guy named Billy Hays called from a Dallas radio show and said, “Now–Mr–Friedlander,” as if each word (especially my name) was a cherry pit, “why would you want to publish this guy’s book?” I rephrased the question for him, i.e., to how the conversation began, and then briefly recounted our initial correspondence. He was no longer hostile by the end of the interview. I will send a copy of the transcript when it arrives. Reporters are a frightening lot, similar to rabid animals. Not much in the way of consideration or cogitation in their midst.

In 1992,¹ I taught English for a Frei Universiteit summer program in the former DDR. I had the opportunity to visit the August Herzog Bibliothek in Wolfenbittel. They apparently have a Gutenberg Bible. Didn’t get to see it, alas. After a bit of wrangling, I am able to report that one of the twelve, extant Gutenberg Bibles (vellum) will follow this letter under separate cover not at all. Any reason why you require a copy of the book that marks the birth of the Behemoth of modern print media? I will send a Penguin Classics edition of Cellini’s autobiography to LE as soon as possible. I will also try to accommodate your other two requests in the next few days.

I hope this note finds you well.

Yours,

Subject: waits

Date: Tue, 16 Feb 1999 15:40:05 -0500

From: Context Media <simnyc@interport.net>

To: Ulveman@aol.com

Dear Michael:

Ted has written to me re. reporting on Waits. He thanks you for your interest and wants you to know that he does intend to help you with an investigation. But he is very overloaded w/ correspondence. He suggested that you send him “a few questions that can be answered briefly” and he will try to answer them. In the meantime, he suggests that you get a copy of the defense’s Motion to Suppress Evidence, the prosecution’s brief in opposition to that motion, and the defense’s reply to the prosecution’s brief. These are public documents and can be obtained from the court. You might also try contacting TK’s, former defense attorney as part of your reporting. Here’s his info: Quin Denvir, (916) 498–5700. Do not be surprised if he is standoffish with you. He’s not a big fan of journalists.

I hope this note finds you well.

Beau.

Ulveman@aol.com wrote:

*Hi Beau — no fax, yet. My fax-number is 202-337-3277
Michael*

taxes an Kinds

Subject: it takes all kinds

Date: Fri, 12 Feb 1999 14:38:10-0500 «_ _ _ _ _

From: Rrchar dBonnie<r b p n n i e ^ a g ^ d m *

Beau: I have referred all media inquiries to our communications office here at the law school. Denise Forster is the point person. In the message below, she has described a call we got from someone called Servando up your way. I decided to refer it to you for your amusement. RJB

Return-path: <dforster@law5.law.Virginia.edu>

X-Sender: dforster@law5.law.virginia.edu

Date: Fri, 12 Feb 1999 14:28:13 -0500

To: rbonnieSlaw.law.Virginia.edu

From: Denise Forster <dforster@law5.law.Virginia.edu>

*Subject: it takes all kinds **appo. ro nt- l_u***

Servando said he knew TK before it all started — as TK was “trying out his >bombs” in NY’s Central Park.

He’s available to talk to you or anyone. He’s not told any media or >writers about this — he said.

Feel free to leave a message on his machine. 212 866 1544 >

Denise M. Forster >

UVa Law School Foundation Communications

voice: 804.924.4678 email: denisef@virginia.edu

Richard J. Bonnie

University of Virginia Law School 580 Massie Rd.

Charlottesville, VA 22903-1789

Phone (804)924-3209

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111. Beau to Ted — 2-17-99

Context

Media

February 17, 1999

Letters Editor

The New York Observer 54 East 64th Street New York, NY 10021

To the Editor

It was with great relief that I read Nick Paumgarten's piece on the forthcoming publication of Theodore Kaczynski's *Truth Versus Lies* in the February 22 issue of the *Observer*. Although the tendency to vilify the book has been minimal among journalists, the possibility hangs there like a Damocles sword.

One point of clarification: Kaczynski's book is not a memoir. It shares some of the characteristics of that genre, but, to be fair, it is really a sort of taking-to-task: Kaczynski retells his life story only because it was so inaccurately rendered by the media during the year and a half leading up to his non-trial. Kaczynski specifically contends that he is not insane. It's worth noting that the court-appointed psychiatrist (who was hired to diagnose some form of insanity) only came up with a *provisional* diagnosis of borderline paranoid schizophrenia. The rest is spin history, which is the subject of Kaczynski's book.

Also: the comparison to Barney Rosset was inaccurate, since the discussion was about historically comparable books that widen our horizons vis-a-vis the manner in which society in general and publishers in particular censor difficult or socially "unacceptable" material.

Finally, any particular reason why you ran the "Schizophrenia Article" on the same page?

Beau Friedlander Context Books New York 212-233-4880

112. Ted to Beau #39 — 2-18-99

...

113. Beau to Ted — 2-23-99

Dear Ted.

Thank you for your letters of February 14 and 16, which arrived earlier this week. I am writing this letter in haste, so I hope you will forgive me if it does not hang together

It has been an interesting week. I was just talking to Eileen Lundberg. We had a very nice conversation, even though she did threaten to slap me across the face Yes, quite. We were swapping impressions and thoughts that we've had about you. She said that many jokes were sent to you during your time in Sacramento, and that she and her husband had their work cut out for them collecting new ones. I then told her a joke I heard recently: Three men are captured by a primitive group of people. The leader of the group approaches the captured trio and says, "I have some good news, and I have some bad news The good news is that we are building a ritual canoe. The bad news is that we need your skins to finish it." He then informs the doomed men that they may choose the way in which they are put to death. The first man asks for poison. It is provided, and he dies. The second man thinks for a moment and says, "I think I would like to shoot myself in head." A gun is procured for him. and he dies. The third man requests a fork This causes the leader to raise a brow, but he shrugs and a fork is given to the man. He immediately proceeds to stab himself all over until he is slick with blood. "What are you doing?" the leader gasps With a fixed stare, the man replies, "Fuck your canoe!" It was the curse that caused the threat of corporal punishment I think it is an interesting joke.

I enjoyed talking with Eileen (I hope the spelling is correct). She is very protective. She called me, to check me out, after a conversation I had with . They ironically accept Waits's epithet "The Bleeding Hearts Club." It was truly a joy to speak with I Eileen. (I

did not mention . , since you had asked me to keep her name confidential.) The crux

of the conversation was an article I suggested they write about you I thought of it because they have such wonderful impressions of you, and they would like the world to see the opposite side of the coin. I said that I would like that to happen, and suggested they write something, which I would then put together for publication (hopefully in a national publication so that they could also make some money) Eileen said that she would send anything they wrote to you, Which Will help cut down on inaccuracies. These people love you, despite everything They are realistic. They like your ideas. I was very pleased. I think a national TV program should do *their* story. It would be good

to have someone other than Mello talk about you in more personal terms (something I hav'e yet to do).

I have asked your friends in Lincoln to help find a non-Lee paper We shall sec. I have your letter on hand when the time conies.

One of Bonnie's assistants will track down the ABA article you requested. Mello told me that he couldn't find it. I would like to tell you something about Mello, but request that you do not use it in any correspondence with anyone. You are already aware of it. Mello is something of a media addict. I think it is harmless. I-Ic is what you say he is (Feb. 16; p. 2, 4). He has told me that he caught Waits in 4 lie, but he wouldn't specify any further. I think I may have prevailed upon him to cease with the promotion for the time being, and specifically to avoid saying things that tend to suggest a connection to you as a legal adviser. It is not fair to Bonnie. On a similar note, there was a rumor in the press that two lawyers from Serra's office were working for you, but I put that one to bed. People say the damnedest things

I just received a call from She was rather upset by some information related to her by Michael Ulveman. Michael's wife, who is a Danish reporter, talked to Sallinger last night. She got the impression that he had pretty good instructions to the secret cabin. But there is two feet of snow on the ground and not even the superhuman Waits will be able to get to it just now Ulveman is willing to beat him to it. I really detest Waits.

I have participated in a "Unabomber" discussion group on the Internet. I am enclosing the results. I have tried to be as accurate as possible, but I have caught a few errors, e.g.; IQ tests and Waits citations. Anyway, I thought you might be interested. I and friends are

thinking about joining the group. I have decided to stop posting messages there, since the participants are not interested in a constructive conversation.

More later.

Yours,

PS I think it might be worthwhile to consider using your own handwriting as an element for the cover of your book (Paul Davis's suggestion) Many people have displayed admiration of the fact that this book was not written on a computer. If you like the idea, please write the title and "by-line" on a sheet of ruled paper. And please let me know if the author name should be given as Ted or Theodore John.

114. Beau to Ted — 3-3-99

Context

Media

March 3, 1999

Theodore J. Kaczynski 04475-046 P.O. Box 8500

Florence, CO 81226-8500

Dear Ted,

It has been a pretty exhausting couple of weeks. But I am generally happy with the tenor of media reactions to your book. I am enclosing four articles.

The Glaberson piece is as good as one might hope, but he did not include some important things I said to him when he interviewed me. Also: I withdrew a retort to Bisceglie's remark about schizophrenia. I had commented that the remark was expected, and represented the kind of circular logic employed by the press and your family throughout the year and a half preceding your non-trial. I then withdrew the comment. I think it is wise for the moment to wait and see how people react to this initial report. I spoke to Bonnie about showing the manuscript to Glaberson and we both agreed that his report would be useful to determine what kind of reaction to expect. Many news agencies called to request copies of the manuscript, but I have told them that no copies will be made public until late April since the book is not coming out until June. It is better to control the media a little by giving them as little to go on as possible, but enough so that they do not lose interest. Please also find the only public statement I have seen from your family. It is from the *New York Post* and it ran *instead* of a piece about your book.

I spoke to another reporter from the Times last week. His name is Jim Brooke. I had heard that someone was working on the Waits story. He called me, beginning the conversation by informing me that I was one of ten people who had read the book. I was not sure if he was trying to catch me off guard by putting me at ease, so I kept quiet and let him ask questions. He was very interested in the 14-page letter to the *Helena Independent* (they hadn't given him the last page of the letter, so I did). I asked if he had investigated the lies, and he told me they were of little interest to him. Again, I kept still and let him unfold the story: Kaczynski was monkeywrenching long before it became known as a tactic of environmental activism. It seems he is writing a story that describes you as a monkey-wrenching pioneer. I then asked him what he thought about the allegations of the secret cabin. He was not interested and said, "I've built plenty of cabins in the woods, so what?" I am eagerly awaiting the story to come out, and shall send it to you when it does. But there is more about Waits.

I have received the declaration of Scharlette Holdman. Since there was a discrepancy between the names, I called her in Helena and asked if there was a Hoffman in addition to Holdman. There was not. (I am guessing that Holdman is Investigator 2 referred to in Appendix 10. If so, her declaration may hold less water, since you cast doubt on her reliability.) offered some information that will be very useful. He said that he had been the one to notice Waits hanging around the area where you were incarcerated. He asked a guard what Waits was doing there, and the guard answered that Waits was there to visit you. ~ says that he then asked you about Waits and you answered: "I don't know him." I think that will prove useful, and I plan to call him today to see if he will write a letter to me recounting what he said over the phone. I cannot remember if it was Eileen Lundberg or ' who told me that they had

recently talked to (it may also have been _ / At any rate, ' i apparently wants to write a book about the investigation. He has a very low opinion of Waits.

This brings me to another point. I spoke to Quin Denvir this morning. We had a pleasant conversation. After discussing various points about Waits, I told him about the conversation with . He suggested that write the letter about his encounter with Waits. He then suggested something that I have already suggested to Ulveman: that the most interesting investigation to be done will prove to be one that inquires into the FBI's role vis-a-vis Waits's acquisition of your journals. Denvir thinks it may be possible to get the journals out of Waits's hands.

I think it would be most effective to gather as much evidence as possible, and use it against Waits if he starts to get attention. An organized ambush will destroy his reputation in one fell swoop, while a slow trickle of contention may only serve to feed the fire of his sordid imagination and exacerbate the proliferation of lies. I think the letter Quin Denvir wrote to you, along with any other declarations you may have, will suffice. I am still trying to get in touch with the photographer (j who took the shots of your cabin.

By the way, I looked at the writing on the veneer that Waits attributes to you. Two things occur to me: Why would you write down insect-repelling instructions on your wall? Why does the handwriting look like yours only a very little bit? My guess is that Waits tried to imitate your handwriting, as you say in your last letter. I base this supposition on a comparison to the many samples of your handwriting that I have here in the office. I do think that we should get everything ready for Waits's surprise party before anything else gets sent to the media. It may be that his book will disappear before too long, which is another thing to bear in mind.

I hope this note finds you well.

Yours,

115. Ted to Beau #41 — 3-10-99

...

116. Beau to Ted — 3-12-99

MEMORANDUM

To:	Ted Kaczynski/Richard Bonnie
From:	Beau Friedlander
Re:	60 Minutes interview/conditions
Date:	March 12,1999

With the 1-month hiatus passed (long ago) I have finally met with Vicki Gordon and Bob Anderson to discuss the details with regard to an interview.

As we already know, they are very eager to do a story. A few of the more trivial points first:

- All airfare would be paid by CBS, which would include any necessary preparatory meetings between TJK & RJB, or to meet with RJB, EBF, etc.
- They are willing to do one or two segments (i.e., fourteen to twenty-eight minutes).

I think the program might need to be three segments, but that would depend on how we react to the less trivial matters that have been connected to any future interview. Gordon and Anderson have agreed to the following:

1. TJK sets the agenda for the segments) *see item 4*.
2. The segment(s) produced by 60 Minutes will consist of interviews with TJK and RJB *only*. 60 Minutes will consider interviewing a short list of other people deemed relevant by TJK as they have bearing on *item 1*.
3. RJB will be able to effect necessary legal edits. This will be a binding agreement, and the language will cite “necessary legal editing.” 60 Minutes would prefer that RJB interrupt the interview when necessary. After explaining the problem with this method, they agreed that it would be necessary for RJB to see transcripts of all interviews conducted given the complexity of the legal issues that are at stake in the petition to vacate the guilty plea.

4.

TJK and RJB will be able to delineate the “areas” or topics to be discussed (i.e., activism, the non-trial, the appeal, *Truth versus Lies*, family relations). This was explained as follows: TJK will “lead” the interview. 60 Minutes is interested in the topics

TJK wishes to discuss, so in this sense TJK has some control over the tenor of the interview.

Note: Mike Wallace will conduct the interview. Various media people have told me that he no longer conducts “ambush” interviews. He *seemed* genuinely interested during my brief encounter with him. The above concessions are not negligible. Worst case scenario: an interesting game of chess. The interview will only take two hours and they are willing to wait until Autumn, or they can proceed at your earliest convenience.

During the process of establishing the above outline, Vicki Gordon and Bob Anderson were pleasant and demonstrated a serious attitude when confronted with my concern that 60 Minutes might not produce a fair and balanced treatment in the proposed segments). I believe that they are honest-** at caw be e Ve d .

They have been forthright about the parameters of their reporting standards. I had tried to get a commitment to the following:

“TJK provides a list of people to be interviewed. 60 Minutes will create a binding agreement and will interview only those people listed, but not necessarily all of them.”

They could not agree to this because it went against the CBS News Standards, which seems to be a tome worthy of Kafka’s bookworm bureaucrats in *The Castle*. At any rate, Anderson offered that although 60 Minutes could not allow outside parties to determine their editorial practices, we should bear in mind that they *are* willing to stick with those people who are deemed relevant by TJK *see item 2*. The “sticking point” was my use of the word “only.” I did not find anything suspect with regard to Anderson’s objection, both Gordon and Anderson seemed genuinely interested in faithfully portraying TJK while staying within the bounds of the procedures demanded by their news standards.

In full consideration of the items in the above outline, I believe this is a favorable environment for TJK, and that he will not suffer any “transmission loss” due to intrusive editorial interference or ideological censorship/cnarakter distortion.

f Gin an acoap taita

[Context Books, 03:14 PM 3/18/199, Ted’s Last Letter]

Return-path: <simnyc@interport.net>

Date: Thu, 18 Mar 1999 15:14:41 -0500

From: Context Books <simnyc@interport.net>

To: Richard. Bonnie <rbonnie@lawl.law,Virginia.edu>

Subject: Ted’s Last Letter

Dear Richard,

I hope things are progressing. Just a quick message for Ted when you next talk to him or correspond: the deadline for the publication of Truth Versus Lies is not set in stone. Nothing will be printed until he is thoroughly satisfied with the state of the manuscript, and if it takes additional time, so be it.

As for the 60 Minutes proposal, sounds like it’s going to have to wait until after May 4...

I hope you are well. Beau

Printed for Richard Bonnie
rnonnie@iawl.law.virginia.edu

117. Beau to Ted — 3-20-99

Context

Media

March 20, 1999

Theodore J. Kaczynski

04475-046

P.O Box 8500

Florence, CO 81226-8500

Dear Ted,

Thank you for your letter of March 10, which arrived yesterday. I have been wondering about the progress of the petition to vacate your guilty plea. I hope that it has been proceeding to your satisfaction. I have not spoken to Bonnie for a couple of weeks, and assume that you are working around the clock.

There is no need to worry about the publication date of *Truth versus Lies*. The rashness of the release to William Glaberson was in fact a tactical decision. I wanted to know well in advance of publication what the status quo response to your book was going to be. I spoke to Bonnie before releasing the book manuscript to him exclusively, because I wanted to know if my reasoning seemed sound to him, and it did. The June publication date—as I told Glaberson, Bonnie, and the AP—is not set in stone. It actually makes more business-sense to publish the book during the colder months. So, if the legal amendments to the manuscript end up taking some back-and-forth, there is time. I have only been interested in getting the thing out per your wishes. *Truth versus Lies* will not come out until you are satisfied with the state in which it is to be distributed. I am guessing that you will not have time to go over the legal queries before May 4, which means that (unless the queries are not time-consuming) the June publication date is not realistic.

David Korzcnik has enlisted his partner, Jeffrey Miller, to help with the legal read-through. They have not found too many serious red flags. I have found both Korzcnik and Miller to be somewhat too risk-averse, but they are now at least “broken to saddle” after the Mello read-through. I fought to maintain the language, even when they thought it was risky. Miller gave me an instance of something he had flagged in your book, to which I objected. You describe Master Murphy as being “prissy.” Miller thought this might cause Murphy to litigate on the grounds that you had defamed him as a homosexual without documentary support of the fact that he was indeed a homosexual. He suggested that you substitute the word with “fastidious.” I countered by arguing that such a change was indicative of the self-censoring *ethos* common to

the culture elite I added (hat your description is legally an opinion He concurred and we went on to the next nit-obsessed item, which I can no longer remember. (Actually I can, but it was likewise tedious.)

I have read the relevant portions of your March 10 letter to Miller regarding the proposed visit to your mother, he offered that such a visit might not be necessary. Upon interrogation, he told me that there were not too many instances of citations that would be construable as copyright infringement, although some of the letters from your brother, and his stories, may require abridgement to make them quality as fair use. Miller stressed that such edits would in no way compromise the tenor or comprehensiveness of the arguments.

Reluming to the proposed visit to your mother, Miller strongly advised against it, since the press will get wind of it and turn me into a mustachio-iwirling villain, and the puppet of your desire. I think he is probably right, and I assume that Bisceglie would not hesitate to go public with such an event. It was al this juncture that I had a revelation of sorts. Your brother went public with a lot of your private writing and letters to him It was a flagrant violation of your privacy, but more importantly, it represents actionable copyright violation. The statute of limitations for copyright violations is three years. We can still serve him with papers. The rationale is simple, we announce that we intend to sue him for 5 million dollars. His lawyer will look into the matter and see that you have a legitimate claim. They will want to settle. I assume (hat your brother will want to use letters that he has received from you in the projected book announced last year. Well, he will have no chance unless he gives you permission to reprint *all* of the material associated with him in *Truth versus Lies*. Your brother will probably want to make a deal that allows him to use your copyrighted material. This may be a necessary concession. In return for this concession he and your mother will have to watve all rights to take action against you on any grounds with regard to *Truth versus Lies*, and any other book you write in the future. Miller and Korzenik are exploring this matter, and will get back to me soon.

The rest of the legal changes that they want to make are less momentous. They are uncomfortable with your system of abbreviation, since it docs not sufficiently protect the people signified from detection. I suggested changing the abbreviation*: at random. They agreed to this, except in instances where a specific occurrence is mentioned (e.g., mischievous children in your neighborhood, the lab incident, etc) These events may need to be further disguised. There is also a problem with saying that your sources are unreliable after making an allegation. You either have to omit the proviso, or the allegation, in its entirety when this occurs.

Miller warned against alleging that reporters lied about you intentionally, it appar-ently docs not matter if they did, since they will sue for libel (knowing that they are going to lose) in order to go through discovery which will of course give them lots of news stories based on material they could not otherwise access. There are only a few such instances in the book. They cannot be disguised and the word "lie" (which indi-cates malicious intent) would have to be replaced with something unactionable. Also¹

there is no point in saying that peripheral characters were liars, since it is courting disaster. Having said this, I could not think of any instances where you do so, but Miller said they existed. He mentioned Waits as one such instance, and I informed him that

Waits is not peripheral. It may be that I can clear those instances up before the actual queries are sent to you, which will make things easier for you.

Miller pointed out a few instances where you report rumors (such as the incarceration of a childhood acquaintance) which need to be verified, disguised or omitted. I was told that "went to jail" could be changed to "came to no good" and there would be no problem. Also: dead people cannot sue, so please indicate whether anyone who is discussed in *Truth versus Ties* has died.

Finally, we need to verify (through due diligence) exactly who spoke publicly and who didn't. In addition, we *must* read the following: Dr. Meister's deposition, the investigator reports, a portion of the letters from your mother and brother. I will try to get these documents from Quin Denvir, or at least inquire as to their whereabouts. The complete list of queries will be finished soon, and I will of course send them to you when they are ready.

March 20.

I am now back in the office (it is Saturday) I rode my bicycle to work over the Williamsburg Bridge. The sun was shining and there was only the slightest nip in the air that mattered little since I was moving at a good clip. (I have a Czech one-speed (back-pedal brakes) that used to be red (gold-red after brushing the rust off). It is called a "Rapido") Before coming to the office, I met with Lydia Eccles. She is an interesting woman, who doubtless understands your values very well. She claims to suffer from psychiatric problems, although there were none in evidence. I told her that she perhaps was suffering from feelings of isolation because it is difficult to find people who understand society's inner-machinations, and still more difficult to find such people who are rational. Spoke of Ellul and Marcuse's essay "Repressive Tolerance," in a more or less meandering way, drawing some parallels to IS IF.

Lydia has recently written to the INS to request "alien" status. I tried to help her with a strategy that would force the INS to answer her query. Can a citizen of the U.S. cease to be a citizen without becoming a citizen of another country? Background: Every country of the world claims a certain proprietorship over those born within their territory, which "entitles" the citizen to conditions of wage slavery, *et al.* What if you do not want to be a citizen of *any* country? She is willing to continue paying taxes, etc, for this change of status. I think it would make an interesting book topic if she chose to expand on the reactions of the INS and other agencies to create a rational illustration of human bondage. (I ran the idea past a few friends after meeting Lydia, and all but one said that they would apply for alien status were it available.) In short, I enjoyed talking to her. I wish she were a little more comfortable in her own skin...

By now you should know (although I suppose you may not), that I have had several conversations with <Vc have become friends over the telephone, and I think she

will call me with questions regarding the Waits maneuvers

Here are the latest developments: Waits claims to have seen both the mss of *Truth versus Lies* and Scharlette Holdman's declaration. I do not know how he could have seen either, and think that he is lying. He claims that a reporter read parts of the declaration to him over the telephone. I have sent the declaration to Mello and no one else. Have you sent it to anyone? As for the mss of your book, I think he must be lying. He apparently said (on local TV) that it was "full of lies." It seems this man is digging his own grave, and he has become like a pebble stuck in my shoe (Ac., I have ceased to feel it, but know it is still there). On the positive side, Betsy Anderson will be making a formal complaint to the 777, which they will be forced to print. It will challenge Waits's veracity with regard to the sections in which she is mentioned. Michael Donahoe has told me over the phone that you never put CW on the visitor list, and did not know who he was when he came to see you. I asked him to write a letter to me in which the matter was discussed (he did not), but Anderson told me that a telephone conversation was sufficient, and reporters could call and verify my story. So, that's good.

I didn't mind the piece by Jim Brooke too much. Although it was canted, there was a general harmlessness to it — and it does start from the thesis that you were a pioneer in the monkey-wrenching school of activism. It is unfortunate that Waits's book was mentioned, but I have been following sales on the Internet, and there has not been any change, up or down. (I cannot give you a number here, since the site I have been visiting gives a number rank.) As for your general treatment by the media, I contend that you have received slightly less canted treatment. *USA Today* ran a story titled: "Kaczynski Calls Brother Judas." It is the first time they did not write "Unabomber." This will be a slow process, but things *are* getting better. It is unusual to get the *NYTimes* to print a story like the one Glaberson wrote. It discusses radicalism, and although it tends to make you sound unreasonable, many radicals would recognize such a story as a coup.

Regarding my message about your letter to the *Mtssouhun*, I said that you could include the *Mtssendian* letter in *Truth versus Lies* if you found it desirable. I also suggested that we post the letter on the Internet at your discretion. I would not go ahead with something like that without first having been told to do so by you directly or via Bonnie. Also I have nailed down a list of contractual concessions from *60 Minutes*, which I sent to Bonnie, and we can deal with that after the May 4 deadline.

I hope this note finds you well. I miss your more discursive letters, and wish you swift and excellent progress for the coming months.

Yours,

118. Ted to Beau #42 — 3-20-99

...

119. Beau to Ted — 3-31-99

Dear Ted,

I received letters 42–44 today. As there is much to respond to, I shall get right to it.

(p. 1, ¶ 1) The reference to “Mello’s call” took place some time ago, when you had suggested that Mello act as a transmitter of information with regard to Waits. Mello has not told me what the lie was either. I believe he no longer speaks to Waits. Before I forget, I have seen Sallinger’s story now (on video). At one point, there is a close-up of a photocopied page from your journal. An FBI Laboratory stamp is clearly visible.

(¶ 2–3; p. 8, ¶ 13) I would be interested in talking to Fishier about the possibility of a documentary. I still think it is a good idea. Bear in mind that he is most likely very interested in conducting the first interview with you. Documentary filmmakers are indeed members of the media in general, no matter if they are less ideologically conformist and morally polluted. This should *not* be taken out of context. Fischler and Sucher are no doubt earnest in their desire to portray your story as honestly as possible. But they may also be earnest about making sure they can get a large number of viewers by boasting that they have the first interview with Ted Kaczynski. That should be self-evident. Also: Mello tells me that Fischler opined that the *60 Minutes* appearance might be a good thing when they spoke late last year (I do not recall exactly when conversation occurred).

I should add that my opinion is not terribly canted by the fact that Sucher’s assistant behaved in an under-handed manner when “checking me out,” but there may be a tinge of that in my response. It is also true that an interview on *60 Minutes* would increase sales. Public opinion would certainly change were you to have a bestseller (roughly 100,000 copies sold in six months). I have wrested a good deal of control from *60 Minutes*, all of which enforceable by a binding agreement. Bonnie is currently firming up the language. I’m enclosing a copy for your perusal, but think it best that this waits until after the appeal is filed. Finally, your comments on Gordon are fair: *ergo* the binding agreement.

(¶ 4) Line-edit samples enclosed.

(¶ 5) I am going to be publishing Jensen’s book *A Language Older than Words* in Summer/Fall 2000. The book does need some work, and he has been very willing to work with me on it. I am most concerned with instances in the mss where he allows his emotions to get the better of the intellect. I told him this once, but found that the manner in which I put it to him was unsuccessful, since it placed him on the defensive. We have since arrived at a rapport that will facilitate the work ahead, and I

am optimistic. He has much of value, and can accept constructive, empowering critique. There is work ahead, but I admire both Derrick and his book, so it is almost like not working at all.

(p.2, ¶ 2) I would be wrong-headed to contend with your argument regarding the practical implementation of changed values, and would add that I know it happens this way more often than not. I thought you gave the illustration under the aegis of Jensen, and the paragraph that you are commenting on here, somewhat short shrift. I have an aversion to violence whether it be the sprawling “Idiodyssey” currently under way in Kosovo or violence of a more particular gestalt. Having said that (and I do not mean to trivialize here), I also have an aversion to shaving, although I generally perform the operation once or twice a week.⁽²⁾ That was of course vague and figurative, so it is better to say that at this point I am neither a radical activist nor a revolutionary, unless my particular brand of publishing can be considered a form of activism. I do sympathize with particular radicals and revolutionaries to varying degrees. What I admire is the active defense of strong (*i.e.* to my way of thinking correct) principles and those who defend and/or try to implement them, and I strive for this in my chosen occupation as a publisher.

(¶ 3) I am not *certain* that there are no other works for the guitar other than the transcription by John Williams that I have already mentioned to you. His music would be very well suited to the guitar. I don’t suppose the prison would let me visit, much less allow me to bring a guitar. It would be great to play for you, and I would try my best to brush off the rust before doing so.

(¶ 4) The letter to which I was referring was indeed dated January 29. It was in a large envelope marked # 34. There was the addition of unfamiliar handwriting that indicated that the envelope had/been sealed. I take it there is a suspected perpetrator here, who is perhaps a scatterbrain...

(¶ 5; p.3 ¶ 1) Vain as it is, that caricature does not really look all that much like me, and I felt what I assume many Jews did when confronted with Nazi propaganda. I’ll send you a snapshot if ever you think that worth doing. As for pumping iron, therein lies a tale. After graduating from Bennington College during the year before Oxford, I worked as a stone mason in Amsterdam. I swung a fifteen-pound mallet eight hours a day and moved large pieces of church around. It put some muscle on my hitherto stringy frame. Nowadays, I bike to work on nice days and go to the gym sometimes to lift weights. I like to stay fit and somewhat strong. One never knows what the contingencies of life will bring. Smoking of course negates my goals to some extent.

(¶ 2) I wish you would let me use that comment made by the prison shrink, but I will never do it without your *permission* {*but it is very tempting!*}. I apologize for not putting it more strongly in the letter. But it is not that I succinnbedpen-rhell

⁽²⁾ I appreciated your addition about bathing, since I am a little water-averse. William Wordsworth, and the rest of his nineteenth-century contemporaries, never bathed during the winter months. They believed that essential oils were washed away, which made it easier for the ague to enter the bodies

to the authority of a court document, rather than claiming what I thought myself. Having said this, I also know that had I made an unsubstantiated remark it would have been ridiculed by the media, and the whole point is to get the media to put a less negative spin on you and your book. I am in the practice of relating to people my experience of you from our correspondence, which I describe as matter-of-fact, pleasant, and sometimes very witty. (¶ 3) I agree with what you have to say here with regard to defense teams, *et al*, or more accurately, it is also my opinion.

(¶ 5; p. 4, ¶ 1–3) I regret having used the word “fuck” when relating the joke to Eileen. She did however forgive me, at least when she was talking to me. She has also called me again to find out why I had said that Jim Brooke’s story did not bother me entirely, which I have already explained to you. Eileen and I had a perfectly respectable conversation, although I am not sure she understood my point of view entirely. I assume your lack of comment means that my joke — fell flat. I want you to know that when I realized my mistake with Eileen, I apologized profusely. She is more capable of abstraction than I am and I have discussed all of them, and she seems to feel the same way I do. I also think that they may be loose cannons (to revisit a term) since they are reacting to Waits in an entirely emotional, “small-town West” manner. Joy is very sharp, and will make the perfect plenipotentiary. The stories by the Lundbergs, will be carefully edited. I hope something worthwhile comes in.

(¶ 4) I put the onus of checking citations on Mello, and assume he did so both in general and particularly before he lost the ABA article. I am going to look into the matter tomorrow.

(¶ 6–7) I prefer Ted Kaczynski. It is the manner in which people with whom I have discussed your work most often refer to you. I do not think it is too informal for your book or anything else you pen, but then I have a dislike for things that are overly formal. It seems we are deferring to each other here, so if you would like to use Theodore J. Kaczynski, please tell me and it is as good as done. Thank you for the samples. By the way, Paul Davis is out. He lied to me about his rates. He asked for \$5000 after offering to design your book for free. I have not spoken to him since. Your jacket will be designed by Susan Carroll or Chip Kidd. They both work at Knopf.

(p. 5, ¶ 3; p. 9, ¶ 2) I would think a Spanish translation might be a very welcome element in the proposed book project. If you have a particular translator in mind, let me know. I know several. It should be translated again. I would like to have letters if they are (a) extremely intelligent or — (b) mediocre-to-competent (but appreciative) by noted scholars who may raise a few brows among the establishment. I also want you to write commentary on various points that have either been misunderstood or criticized in a manner that might beg an intelligent response.

I also think that an essay on the signification of the term technology might be useful. In the Greek, *tekhnologia* signifies a systematic treatment. In this sense, the text of the manifesto would work against itself (much like your joke about Goodenough suing you for copyright infringement and then defending you *pro bono*). But the term also signifies applied science, which is how it figures in the text. Unless I am mistaken, *tekhne* means

simply art, or artifice. So, technology is essentially the use of art or artifice to achieve a (productive or destructive) goal. A lever is an example of technology as I understand it. The advent of the lever was not intrinsically dangerous to individual freedom, but it can be understood as a rung in the scaffold surrounding the tower of Babel that is modern technology. As the manifesto says: "The 'Bad' Parts Of Technology Cannot Be Separated From The 'Good' Parts." I would like to see someone spell this out more specifically for readers. I imagine the piece would discuss technology and civilization, Jacques Ellul's ideas with regard to this, etc.

The main elements of interest are your commentary, the letters to *The New York Times* and *Scientific American* and various correspondence that is distinguished and will foster a better understanding of the material. It might also be interesting to include antagonistic letters and then have you (or someone else) respond.

(p. 5, ¶ 4; p. 6, ¶ 1) I regret to say that I am unable to frank this particular correspondence with a New Guinea one-cent stamp, since Bonnie will be delivering it by hand. I do have some nice rooster one-cent stamps, and will try to remember to affix one to the next letter! I look forward to seeing Lydia's drawing.

(¶ 2) Context Media comprises one-half of my business. It is a separate service-oriented division that creates foreign language editions of educational material (on wildlife, cooking, gardening) for other publishing houses. It is a source of revenue for Context Books, which is the other half of the company referred to as Simulacrum, which does nothing but house the above two entities (see first line of your contract).

(¶ 3- end of letter) Reading your comments about the media, I am reminded of the lapsed-Marxist Herbert Marcuse. As a teenager, I admired his work on repressive tolerance. Repressive tolerance signifies the phenomenon of neutered threat in modern society. By neutered threat (my expressionistic term) I mean to say that society in general, and the media in particular, tolerates certain ideas not because they are acceptable, but because, if no one "flinches," society will most likely survive the threat, much like a game of ideological chicken, or parents who ignore their willful child. You might liken society's reaction to dangerous ideological elements to the hiker who is faced by a protective mother bear with her cubs. If he doesn't panic, and assiduously avoids the mama bear's charge, she may simmer down (although she may also tear him limb from limb). Of course radicals never lose interest in their values and beliefs, but with the passage of time people do cease to feel threatened by those ideas, and the radicals who espouse them. An example can be found in the Black Panther devolution into urban hip, rap music, etc that turned racial hatred and separatism into a multimillion-dollar industry. That is a very thin Marcusean nutshell.

What is interesting with regard to your situation is that Marcuse proved to be dead wrong. Apparently your ideas are too distressing for most people. I have had friends lash out at me because of my association with you. Literary agents shun me for the most part. They have a strong negative reaction. It should be said that no one has escaped from a serious discussion about this without an altered opinion and a more balanced understanding. I have also noticed subtle shifts, as I mentioned in my last

letter, with regard to the manner in which stories about you are rendered. Whether you agree or not, I still insist for example that you received decent treatment at the hands of Brooke. Sure, he left very important information out, but consider how much worse it could have been. Also, you have no idea what he handed in. It could have been edited into its final, biased form. Editors are often the real culprits of distortion and inaccuracy.

Consider also that *USA Today* ran a story about you that did not contain the word Unabomber in the title. Although it may not be readily apparent, this is one of the reasons why I would like to use “Ted” instead of “Theodore.” By calling you the Unabomber, the media portray a dehumanized, characterless person who is evil because he murdered people for reasons that they may not understand entirely. By giving you a name that is not terribly uncommon, and soon a story to go along with it, you become more human. By calling you a radical environmentalist, and an activist, you become more fathomable. It is easy to hate an abstraction. It is hard not to countenance an individual, no matter what you may think of him. My job is to create a *publicly* “humanized” version of you, one that has been entered into the annals of time *by the media* as well as historians equipped with all of the information to do their jobs correctly. It might be put this way: everyone knows who the Unabomber is, but very few know who Ted Kaczynski is.

Journalists are no doubt self-censoring. They are the conduit-pipe for the dominant paradigms that inform a society’s ideological mores. It is no different anywhere in the world. Politics, democracy, freedom have no bearing on the subtle maneuvers that characterize the (often unconscious, Althusser called it false-conscious) machinations of contemporary media. I agree that it gains its strength from organic integrity, much like the phragmytis (sp?) weed. It is no coincidence that most journalists come from Ivy-League schools. They are the guards at the gates of civilization. That much is clear. They have been well trained. They have passed muster with those who have put them in the position to “report” the world we live in, and they are dense when it comes to realizing it all. But to understand this, to see what particular form of false consciousness happens to be dictating their reactions, is to be able to get them to shift a little. I have never gotten a good story from a newspaper without having an involved argument with the reporter on the job. If you could write a book about this, and get into the vapor trail of ideology at work as only a rationalist could do (successfully), I would publish it in a heartbeat.

The newspaper article with comments by Linda Patrik was published by *The New York Post* on February 23. I will enter this where you have indicated on the addition.

I will write a query to Green Anarchist in London. Thank you for the address. Be well.

Suggested edits by Context Books

INTRODUCTION

A FRIEND says there are a lot of people who mistake their imagination for their memory.

Daily Oklahoman

I am very different from the kind of person that the media have portrayed with the help of my brother and my mother. The purpose of this book is to show that I am not as I have been described in the media, to exhibit the truth about my relationship with my family, and to explain why my brother and my mother have lied about me.

In fairness I should acknowledge that my brother and mother probably are not fully conscious of many of their own lies, since they both are adept at talking themselves into believing what they want to believe. Yet at least some of their lies must be conscious, as we shall see later.

I consider it demeaning to expose one's private life to public view. But the media have already taken away my privacy, and there is no way I can refute the falsehoods that have been propagated about me except by discussing publicly some of the most intimate aspects of my own life and that of my family.

Ever since my early teens, my immediate family has been a millstone around my neck. I've often wondered how I had the bad luck to be born into such a nest of fools. My relations with them have been to me a constant source of irritation and disgust — and sometimes of very serious pain. For some forty years my brother and mother leaned heavily on me for the satisfaction of certain needs of theirs; they were psychological leeches. They loved me because they needed it but at the same time they hated me because I didn't give them the psychological sustenance they were looking for; and they must have sensed my contempt for them. Thus their feelings toward me were, and remain, strongly conflicting. In my brother's case the conflict is extreme.

I certainly can't claim that my own role in the life of my family has been a noble *raison-d'être*

one. I had good justification for resenting my parents, but instead of making a clean break with them in early adulthood, as I should have done, I maintained relations with them: sometimes I was kind to them, sometimes I used them, sometimes I squabbled with them

over relatively minor matters, sometimes I hurt their feelings intentionally. "Both

Am occasionally wrote them emotional letters expressing my bitterness over the way they

had treated me and the way they had exploited my talents to satisfy their own needs.

With my brother too I should have broken off early in life. The relationship wasn't good for either of us, but it was much worse for my brother than it was for me. This is a complicated matter that I will deal with at length further on.

This book is carefully documented. It has to be because otherwise the reader would not know whether to believe my account or that of my brother and mother. Due to the continual need to quote documents and argue facts, the writing is dry and perhaps pedantic. All the same, I think the book will attract many readers because of the intrinsic human interest of its content.

The amount of material about me that has appeared in the media is enormous, and I have not read or seen more than a small fraction of it. Apart from some straightforward reports of legal maneuvers or courtroom proceedings, most of what I have seen is loaded with errors and distortions, some of them trivial, some of them very serious indeed. Due to limitations on my own time, energy and resources, the documents I've studied in preparing this book include from the media only a few items; principally the articles on my case that appeared in *Newsweek*, *Time*, *U.S. News and World Report*, *People* on April 15th and 22, books that appeared within a few weeks after my arrest, *Mad Genius* and *Unabomber*, the articles based on interviews with my brother and mother that appeared in the *New York Times*, May 26, 1996, in the *Washington Post*, June 16, 1996, in the *Sacramento Bee*, January 19, 1997; and my mother's and brother's appearance on *60 Minutes*, September 15, 1996. The latter cover all of the public statements about me made by my brother and my mother that I have seen up to the present date, March 6, 1998. (Added April 1, 1998: I've recently been reminded of some other remarks by my brother, brief notes that have appeared in various newspapers, but I don't think they contained anything that I need to address in this book.)

Apart from the published sources, I cite a large number of unpublished documents. It will of course be necessary at some point to make these documents accessible for examination so that it can be verified that I have cited them accurately. But I don't expect to do this immediately on publication of this book. For one thing, some of the documents are still legally sensitive, and for another, I don't want journalists rummaging through my papers to get material for sensational articles. The documents probably will be housed in the Labadie Collection of the University of Michigan Library, and arrangements will be made so that some responsible and unbiased party can examine them and verify that I have cited them correctly and have not unfairly taken any passage out of context. Eventually some of the documents may be published. In any case, I will make every effort to see that the accuracy of my citations can be independently verified at the earliest possible time.

I also make use in this book of a few reports received orally from investigators who worked for my defense team. The investigators do not want their names revealed because the resulting publicity about them might interfere with their work as investigators. But I expect to make arrangements so that the investigators can be consulted discreetly and confirm the oral information that they gave me. (But see below for my remarks on the reliability of this information.) In this book I refer to the investigators as Investigator #1, Investigator #2, etc.

Similar remarks apply to the psychologist whom I call Dr. K.

Needless to say, I am not able to provide documentary evidence to refute all of the false statements that have been made about me, or even all of those that have been made by my brother and my mother. But I am able to demonstrate that *tak** informants have been lying or mistaken in enough cases to show that statements like *Qanonot A* about me are so unreliable that they should¹ not be given any credence unless they are corroborated by documents written at or near the time to which they refer.

In many cases I cite documents written by myself — principally my journals, some autobiographical notes, and letters sent to my family. All of these were written at a time (prior to my arrest) when I had no motive to lie about the points that are now at issue. They were either seized by the FBI when they searched my cabin, or were in the custody of other persons at the time of my arrest. Since my arrest I have not had physical possession of any of these documents, but have worked from Xerox copies. Thus there can be no question of my having fabricated any of this material for the purposes of this book. Exception: notes that I took on information given to me orally by the investigators and by Dr. K. were of course written after my arrest and while I was preparing this book. Moreover, some of these documents, especially my 1979 autobiography, contain highly embarrassing admissions that show that I was striving to be as honest as possible. Some of the documents were written almost immediately after the events that they record, others, while not) contemporary with the events, were written many years ago when my memory of the events was fresh, and hence they presumably provide more reliable evidence than someone else's recollections taken down within the last year or two.

In many cases I make use of sources of information that I know to be unreliable, *J*-*Fa* *Vf* *I* *h* *A*.

such as media reports. The rationale for doing this is that if the reader has conceived a certain impression of me from unreliable sources, and if I can show by quoting those same sources that the impression is not to be trusted, then I will at any rate have demonstrated that the sources are unreliable and hence that the reader has no reason to believe them. As for statements of my brother and my mother that were quoted in the *New York Times*, the *Washington Post*, and the *Sacramento Bee*, my mother and brother presumably saw the articles based on their interviews, and, as far as I know, they never wrote letters to the newspapers in question correcting any errors, so they have to be considered responsible for their statements as quoted in the articles.

In all cases when I have felt that a source was more or less unreliable, I have warned the reader of that fact in the Notes on Documents.

Quite apart from the unreliability of the media, I was appalled to learn how few people provided trustworthy information. A psychologist (Dr. *K*) repeatedly interviewed my brother, my mother, and me. She gave me orally some items of information obtained from my brother, mother, and aunt, and I wrote these down at the time. But when I asked her to confirm some items of this information several months later, in

three cases out of a total of nine she either said she couldn't remember any such information and couldn't find it in her notes, or she reworded the information in such a way as to change its meaning significantly. % Other shrinks misquoted me or gave

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-^" seriously incorrect information in their reports. The investigators who worked for my er 7^ " So.. 3

, defense team were much more reliable than the shrinks, but they too gave me orally a iVC-©,

few items of information that they later had to correct, not because they had learned w<jtvcA .* something new from further investigation but because they had reported to me

carelessly in the first place. For this reason I have tried to rely as little as possible on

information received orally. Wherever I have used such information the reader is made aware of it either in the text or in a footnote f^nd he or she is advised to receive such

information with caution. I have cited oral information from Dr. K. or the investigators in only a few cases. It is possible that Dr. K. or the investigators may decline to confirm some of this information if they are asked. Yet I was careful in recording the information and I am certain that I have accurately reported what I was told.

What really horrified me, though, was the nonsense reported to the media or to the investigators by people who'knew me years or decades ago. The investigators have given me written reports of interviews conducted with approximately 150 people.

Some of the information obtained in these interviews dealt with matters of which I have

no knowledge, hence I am unable to give an opinion of its accuracy. Taking into consideration only matters of which I have knowledge and speaking in rough terms, I

can say that something like 14% of the informants gave reports the accuracy of which I was unable to judge; 6% gave reports about whose accuracy I was doubtful; 6% gave

reports that were inaccurate in detail but provided an overall picture of me that was not

far from the truth; 36% gave reports that were fairly accurate; 38% gave reports that

were seriously inaccurate; and, of these last, eleven persons gave reports that were so

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Tar offjthat they*were mere flights of fancy. More than that: of the reports that were

fairly accurate, 72% were brief (one and a half pages or less); while fewer than one in

four of the seriously inaccurate reports were brief. So it seems that people who spoke carefully and responsibly usually didn't have much information to give, while most of those who had (or thought they had) a good deal of information didn't know what they

were talking about. (I was told that under normal circumstances the investigators would have interviewed the subjects over and over in order to separate the wheat from the chaff, but for some *reason* this was not done in my case.)

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To judge from what I have seen of them, statements about me made to journalists by people who knew *me* as quoted in the media, were even more inaccurate than what was reported to my investigators.

In some cases I have documentary evidence that shows that reports about me are false, but in the great majority of cases I am relying on memory for the information that disproves the reports. Why do I assume, when my recollections disagree with someone else's, that mine are usually right?

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First In many cases I can be confident that I am right simply because I am in a better position to know about the matter in question than are the persons whose

memories disagree with mine. For instance, if someone says that I used to wear a plaid sport-jacket four decades ago, I can safely assume that he has me mixed up with someone else, because I have owned very few sport-jackets in my life and I know that I have never had a plaid one.

Second: I have good evidence of the accuracy of my long-term memory. -

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(A) Investigators working for my defense team who researched my past told me repeatedly that my long-term memory was remarkably sharp and accurate. — This does not mean that I *never* made mistakes of memory, but that I did so seldom. (See — *Appendix 11?*)

(B) In preparing this book I've studied hundreds of old family *letters* that my mother had saved, going all the way back to 1956 and I've found hardly anything to surprise to the extent that the matters covered in the letters overlapped with areas

of which I have memories, my memories were confirmed with only minor discrepancies.

(C) During the 1990s, for reasons that I need not take the trouble to explain
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here, I obtained from Harvard a transcript of my record. Before looking at it, as a check

on my memory, I wrote down on a sheet of paper the number-designations of the

courses I took (*e.g.*, “Math 1a”) and the grades I got in them. The FBI found this sheet . of paper in my cabin and I have a copy of it. Here is how it compares with the official transcript ^JCo of my record:

General isducation AHF (which everyone referred to as “Gen Ed A”), Humanities 5, and Social Sciences 7 were courses lasting two semesters; all other courses were of

one semester.		<i>le Luc40</i>		
<i>Official Transcript</i>		<i>4teatd</i>		<i>My Memory Cknew 4 friz 7©</i>
General Education AHF (mid-year grade)		B-	Gen Ed A mid-year grade not remembered	
German R		A	German R	A
Mathematics 1a		A	Math 1a	A
Humanities 5 (mid-year)		C	Hum 5	C
Social Sciences 7 (mid-year)	C	Soc Sci 7	c	
General Education AHF		C	Gen Ed A	C+
Physics 12a		A	Physics 12a	A
Mathematics 1b		A	Math 1b	A“
Humanities 5		C+	Hum 5	C+
Social sciences 7		B-	Soc Sci 7	B-
Anthropology 1a		B+	Anthro 1a	B+
German Da		B	Germ Da	B
Mathematics 20a		A	Math 20a	A
Physics 12c		C	Phys. 12c	C-
Anthropology 10		B+	Anthro 10	B+
Astronomy 2		B+	Astron 2	B
Mathematics 20b		B	Math 20b	B
Mathematics 101		C	Math 101	C+
History 109a		B-	History	B-
Mathematics 105a		A-	Math 105a	A-
Mathematics 106a		A	Math 106a	A
Philosophy 140		A 195	Phil 140	A
History 109b		C-	History	C-
Mathematics 105b		C+	Math 105b	C+
Mathematics 106b		A-	Math 106b	A-
Philosophy 141		Phil 141	Phil 141	

As far as I can recall, I never saw a transcript of my Harvard grades from the time I left Harvard in 1962 until I wrote them down from memory in the early 1990's.

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(D) In the other surviving documents I have found reasonably good agreement of a p with my memories. When I have encountered a discrepancy between my memories and someone else's memories as reported in the media or to my investigators, and when some document was available that resolved the discrepancy, the discrepancy has always been resolved in my favor, with very few exceptions. & (However, I can think of two cases — one trivial, one significant — in which my memory has disagreed with someone else's and I am sure that the other person is right because the matter is one about which she could hardly be mistaken. Also, when I recall things that I have read years previously in books and magazines, it is not uncommon for my memory of what I have read to be distorted; occasionally it is seriously wrong. — On the other hand, my memory of things I have written or read in personal letters or heard in conversation seems to be pretty reliable, so far as surviving documents have made it possible to judged

Third: zfiere is abundant evidence of the gross unreliability >of'the memories of me that have been reported to my investigators or have appeared in the media. In reference to the information given to the investigators, Investigator #2, who is very experienced, writes:

entaft v "Lay witness reports of Ted's behavior and functioning are extremely suspect de? 5

given the high profile nature of his case. Many of their anecdotes and conclusions are most likely the result of planted memories and suggestions they've read, seen, or heard from others." &

There are three ways by which I have been able to establish that many reports are wrong. They may contradict information about which I am in a position to know so well that there is hardly any chance that my own memory could be mistaken; they may contradict convincing documentary evidence; or the accounts of two different people may contradict one another, so that at least one of them must be wrong.

Throughout this book the reader will find examples of reports that are proved wrong. But it will be useful to give some examples here in the Introduction also, because, among other things, they will illustrate some of the ways in which false memories or false reports arise.

Some of the sources of falsehood or distortion can be identified with reasonable confidence: (a) Media planting. The informant "remembers" something Because it has been suggested to him by the media, (b) Mistaken Identity. The informant has me mixed up with someone else, (c) Remembering later years. The informant remembers the later years of his association with me, largely forgets the earlier ones, and attributes to the earlier years the same traits, relationships, or circumstances that existed in the later years, (d) Stereotyping. The informant sees that I have some of the traits of a given group, so he identifies me with that group and assumes that I have all of the traits

that are characteristic of it. (e) Lying. It is difficult to say how many of the falsehoods told about me are conscious lies. At least some of the things that my brother and my mother have said are conscious lies and not honest errors, and I can identify one other individual who definitely has been lying about me. But otherwise my guess is that conscious lying *by informants* has not played an important role; it is a matter, instead, of human fallibility and irrationality. On the other hand, some conscious lies by journalists can be clearly identified, and there is enough evidence of unscrupulousness and irresponsibility in the media to make it plausible that journalists may often lie when they think they won't get caught.

Apart from the factors we've just listed there are four others that may have helped to produce false reports in my case, but their existence is more-or-less speculative and cannot be definitely proved. These are: (f) Projection. People who themselves have mental or psychological problems are prone to see others as having such problems, (g) Personal resentment or jealousy. This factor is clearly present in the case of my brother and mother. In other individuals its presence may be suspected, but this is speculative. (h) Mass hysteria, herd instinct. Under certain conditions, when an individual or a class of individuals within a society is pointed out as evil or worthy of being cast out, an atmosphere develops in which other members of the society draw together defensively, gang up on the rejected person(s), and take satisfaction in reviling him or them. It becomes something like a fad. (i) Sadistic impulses are involved. Some such factor seems to be operating in my case, but it is difficult to prove this objectively. (I) Greed. Several people who once knew me have

appeared on television in connection with my case, and (I assume that they have been & paid for it. Obviously, those who told the most bizarre or exaggerated stories about me

would be most in demand by talk shows and therefore would make the most money, of course

When interviewed later by my investigators, they would give them the same story that they gave on television so as not to have to admit to themselves or others that they had allowed their memories to be warped by greed.

Now some examples:

(a) *Media planting*. There are very many instances in which I am reasonably sure that this has occurred, but often I can't prove it definitely. For example, Leroy

Weinberg, a neighbor of ours when I was a teenager, told investigators that when he

said "hello" to me I always failed to respond. I know that this is false, because my mother had *well trained* to be polite to adults, and that included answering all greetings from them. & It seems fairly obvious that Weinberg attributes this and other

strange behavior to me because his memory of me has been warped by exposure to

the medi^but how can I be certain?*(jgonceivably)*he might remember some instance in

which I failed to respond to a greeting of his because I simply didn't hear it.

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However, there are some cases in which it does seem virtually certain that media planting has been at work.

Dr. L.Hz., a dentist who practices part of the time in Lincoln, Montana, told my investigators: 'Ted must not have had much money because his mother usually paid his dental bills.' —' My mother had provided me with a large sum of money from which I paid my dental bills among other things, but she never paid any of my dental bills directly. I deposited her money in a bank and paid Dr. L.Hz. either in cash or with checks on my own account. There is no way that Dr. L.Hz. could have known that the money came ultimately from my mother, because I was embarrassed about the fact I received money from her, and I was careful to conceal it from everyone. Certainly I would never have told Dr. L.Hz. about it. It is clear, therefore, that Dr. L.Hz. must have learned from the media after my arrest that I had been receiving money from my mother, and this information altered his memory of his own dealings with me.

Dr. L.Hz. also told my investigators: "Ted was an extremely quiet person, so quiet that Ted appeared odd. Ted was a kooky man/ ... Ted did not talk much."¹⁵ Media planting was probably involved here, too, as Dr. L.Hz.'s account is contradicted by that of his own dental assistant, R.Cb. According to my investigators, R.Cb. "described Ted as, 'a sweet, nice, pleasant guyT\ .. She said that Ted was 'friendly' and she would chat with him when he came into the office. She does not remember what they talked about." Dr. L.Hz. was present at most of my conversations with R.Cb. and he participated in them.

Another clear example of media planting is provided by Dale Eickelman, whom I knew in junior high and high school. Eickelman, now a professor at Dartmouth College, told my investigators that "Teddie did not have other friends [than Dale Eickelman] during the time that Dale knew Teddie from 5th grade until Teddie's sophomore year [of college]." In Chapter III of this book (pp. 79, 87, 88) I mention eight people (other than Dale Eickelman), of approximately my own age or up to two years older, with whom I was friends during some part (or in one case almost all) of the period between fifth grade and the time I left high school. & These were good friends whom I genuinely liked, not just casual acquaintances or people (like Russell Mosny) with whom I spent time only because we were thrown together as outcasts.

Professor Eickelman is a highly intelligent man. He must realize that his house was a least a mile and a half from mine, and that after fifth grade we were never in any of the same classes at school. So how can he imagine that he knows whether I had any friends other than himself? The only evidence he cited was that when he visited my house which was not very often no other friends were present. But it was equally true that when I visited Eickelman's house he never had any other friends there. Would this justify me in concluding that his only friend was myself?

Professor Eickelman's belief that he was my only friend clearly has no rational basis. Only one plausible explanation for this belief presents itself, it was suggested to him by the media portrayal of me as abnormally asocial. It is true that I was unsuccessful socially in junior high and high school. Thus the media did not create Professor Eickelman's belief from nothing, but caused him to exaggerate grossly the accurate perception that I was less social than the average kid.

(b) *Mistaken identity.* In Chapter VI the reader will find several examples of mistaken identity: cases in which it can be clearly shown that an informant has made a false statement about me because he has confused me with someone else. We give another example here.

G.Wi. owns a cabin not far from mine, TfitSgfi I haven't seen him for several years. According to investigators who interviewed him, "[G.Wi.] thinks that Ted was always looking over his shoulder. Sometime during the 1970's, Ted talked to [G.Wi.] about the KGB. Ted told [G.Wi.] he had a place he could hide in up [sic] Old Baldy where no one would ever find him."

G.Wi. has me mixed up with Al Pinkston, a gentleman whom! he and I met up in the Dalton Mountain or Sauerkraut Creek area about late December of 1974. Pinkston (now deceased) was an obvious paranoiac who believed that the Lincoln area was infested with KGB agents. He told me he was hiding out up on the mountain because "theyYe gunnin' for *my* ass." I related the story of this encounter three months later in my journal®and in a letter to my parents.

I never told G.Wi. or anyone else that I had a hiding place.

In this and in some other cases of mistaken identity, it is likely that media influence was at work. G.Wi. probably confused me with Al Pinkston because the media had portrayed me as crazy, like Pinkston.

memory

(c) *Remembering later years.* In greater or lesser degree this phenomenon seems to affect a number of the reports made to my investigators by people who have known me. In some cases it is clear-cut. For example, Russell Mosny reported that he and I met through our membership in the high school band, — but actually I knew him from the time I entered seventh grade.

In some cases it is difficult to disentangle the effect of "remembering later years" from that of "media planting." Thus L.D., the daughter of one of my father's best

friends, told investigators: "Ted Jr. was a very shy and quiet boy. He was introverted and only involved himself in things he could do alone." Here and throughout her interview, L.D. exaggerates my shyness and introversion to the point of caricature.

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Most likely this⁵ is the result of media planting Yet "remembering later years" would

al so seem to be involved too, since L.D. appears to have forgotten completely the earlier years when I was not particularly shy or introverted and we were lively playmates. I wrote the following in 1979:

“I might have been about 9 years old when the following incident occurred. My family was visiting the *DO V* family. The D ? ‘s had a little girl named *L V* , about my own age. At that time she was very pretty. I was horsing around with her, and by and by I got to tickling her. I put my arms around her from behind and tickled her under the ribs. I tickled and tickled, and she squirmed and laughed. I pressed my body up against hers, and experienced a very pleasant, warm, affectionate sensation, distinctly sexual. Unfortunately, my mother caught on to the fact that our play was beginning to take on a sexual character. She got embarrassed and told me to stop tickling *lV* . *L V* said, ‘No, don’t make him stop! I *like* it!’ but, alas, my mother insisted, and I had to quit.”³²⁷

The most important case of “remembering later years” involves my father’s close friend Ralph Meister. On February 2,1997 Dr. Meister signed for my investigators a declaration in which he outlined what he knew about me and my family life. The declaration is mostly accurate except in one respect. Dr. Meister represents my mother and me as showing certain traits through the entire period of my childhood and adolescence, whereas in reality those traits were not shown until I was approaching adolescence. Thus, he writes: ‘Wanda put pressure on Teddy John to be an intellectual giant almost from the day he was bom.’²¹⁷ Actually I never felt I was under much pressure to achieve until at least the age of eleven. Dr. Meister also implies that I had difficulties with social adjustment from early childhood, whereas in reality those difficulties did not begin until much later. All this will be shown in Chapters I through V of this book.

(d) *Stereotyping*: The most clear-cut example of this is that some people remember me as having used a pocket protector in high school. ²²⁷ I have never used a pocket protector in my life. But because I was identified with the “Briefcase Boys” (academically-oriented students) and because some of these did wear pocket protectors, people remember me as having worn one too.

(e) *Lying*: Except for my brother and my mother, the one informant whom I definitely know to be consciously lying is Chris Waits of Lincoln, Montana. Waits has been pretending that he knew me well. — He used to say hello to me when he passed me on the road in his truck, and I would return his greeting. I don’t remember ever accepting a ride from him, but it’s conceivable that I may have done so on one or two occasions, not more. Apart from that I had no association or contact with him.

One wonders what Waits’s motive might be. Perhaps he is one of those pathetic individuals who feel like failures in life and try to compensate by seeking notoriety through tall tales that they tell about some news event that has come close to them. I recall that back in the 1950 s there was a derelict in Chicago named Benny Bedwell who “confessed” to a highly publicized murder just in order to make himself famous.

(f) *Projection*. It does appear to be true that persons who themselves have mental or psychological problems are prone to see others as having such problems, but it is difficult to say definitely that this factor has operated in my case, since the people who portrayed me as strange, abnormal, or mentally ill may have done so under the influence of “media planting” or some other factor. But it is a fact that many of the

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people who portrayed me in this way had ‘serious problems of their own. For the case of Joel Schwartz see Chapter XII and Appendix 6. Many other examples can be found in the investigators’ reports of the interviews that they conducted. ^w Here I will only

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discuss some of my suitemates from Eliot N-43 at Harvard who gave false information about me.

W.Pr., Pat McIntosh, John Masters, and K.M. formed a close-knit clique within the suite. To all outward appearances they were thoroughly well-adjusted. They wore neatly-kept suits and ties, their rooms were always tidy, they observed all of the expected social amenities, their attitudes, opinions, speech, and behavior were so conventional that I found them completely uninteresting. Yet three of the four gave my investigators a glimpse of their psychological problems.

Pat McIntosh, according to the investigators’ report, did a great deal of whining throughout his interview about how hard it was to survive academically and psychologically at Harvard. For example: “[Pat] found life at Harvard to be extremely difficult... Patrick [had] his own adolescent insecurities ...^w Patrick was too

insecure and wrapped up in his own problems ... & The faculty or administration at Harvard was ... unconcerned with students’ emotional and psychological problems. Patrick did not know any students who actually sought and received emotional help... At times, Patrick wanted help surviving himself, but he had no idea where to go. John Finley, the house master... didn’t want to recognize the serious difficulties that many of the students were having.”

McIntosh evidently assumes that I was having problems similar to his own: “One day during Patrick’s second year at Harvard ... he saw a student being taken out on a stretcher. The student had slit his wrists after receiving a C on an exam ... Patrick ... thought of Ted and worried that maybe Ted might end up like this kid.”^w

John Masters told the investigators that he “was two years old when the United States dropped the atomic bomb on Nagasaki and Hiroshima. After the bombing, he used to dream about the atomic bomb; these dreams sparked John’s fantasies of becoming a nuclear physicist but after he barely earned a C in his freshman physics class at Harvard, he decided that he was not cut out for a career in the hard sciences. TT. During John’s first semester of his sophomore year at Harvard, his family began to fall apart. He became very depressed for several months and started receiving therapy at the student health services”.

When John Masters first moved into Eliot N-43 he mentioned having been in “the hospital.” I asked him what he had been in the hospital for, and he answered, “just nervousness.” Like McIntosh, Masters makes false statements about me and exaggerates my solitariness. According to the investigators’ report of his interview,

“House Master Finley... did not intervene on John’s behalf when John needed counseling. The same was probably true for Ted. Ted’s solitary nature was not enough to

draw Master Finley's attention because diversity or unusual behavior was accepted at Harvard. John believes that today Ted's solitary behavior would warrant some type of intervention; at the time, his behavior did not even raise an eyebrow. & ... John's solitary lifestyle meant that he did not make more than five friends while at Harvard."

W.Pr. "was shy and socially backward when he went to Harvard and feared that he would never fully come out of his shell... He had a strong desire to lead a normal life. [W.Pr.] was an astronomy major. He originally intended to pursue astronomy on the graduate level but his fears drove him away from that goal. He saw that many of the astronomy graduate students at Harvard were not well-adjusted and he felt he would move further away from a normal life if he pursued astrophysics.

"At the end of [W.Pr.'s] junior year, he dropped out of Harvard. He was confused as a college student and this confusion led him to drop out of school. [W.Pr.] went to the Harvard health services for counseling before dropping out of Harvard. He thought the counseling was helpful... he returned to Harvard a year or two later. [W.Pr.] did not last long at Harvard and soon dropped out again."

W.Pr. too made false statements about me and exaggerated my solitariness. "[W.Pr.] and the others at N-43 were too young to realize how serious Ted's isolation was for him ..." &

Thus McIntosh, Masters, and W.Pr. appear to have seen me as having problems or needs that were, in part, similar to their own. In reality I was psychologically self-

reliant and felt neither insecure, nor depressed, nor did I feel in need of help, nor did I find it hard to face the academic challenges of Harvard. Nor did I feel troubled by loneliness. I did suffer from acute sexual starvation: I was in daily contact with smart, physically attractive Radcliffe women and I didn't know how to make advances to them. I did feel very frustrated at a few mathematics teachers whose lectures I considered to be ill-prepared. Apart from that there was just one other thing about which I felt seriously unhappy: It was a kind of nagging malaise the nature of which I never fully understood until I broke free of it once and for all in 1966. But that is a story that will be told elsewhere than in this book.

(g) *Personal resentment or jealousy*. Only in the case of my brother and mother can resentment or jealousy be clearly identified as a factor influencing reports given to investigators. However, this factor may be suspected in some other cases. Ellen A. (see Chapter VI) once told me that "everyone" was jealous of me, presumably referring to the people whom we both knew, including G.Da. and Russell Mosny, both of whom seemed to become cool toward me at about the time I moved a year ahead of them in school. In G.Da.'s opinion, "Academically and intellectually, Ted was head and shoulders above the rest of the students at Evergreen Park High. His exceptional intelligence set him apart, even from a group of bright young men like the Briefcase Boys." & "The Briefcase Boys" was a clique that included, among others, G.Da., Russell Mosny, and Roger Podewell. According to Podewell, "It wasn't just Ted's shyness that set him apart from the Briefcase Boys. He was more intelligent than the others, a fact that made Roger a little jealous ..." & G.Da. and Mosny both went to the University

of Illinois and flunked out. Roger Podewell went to Yale and got a C average his first year. (How he did after that I don't know.) I did not fail to josh Podewell and Mosny about their academic performance, but they didn't seem to find it amusing.

G.Da., Podewell, and Mosny (especially the last) gave my investigators unflattering and inaccurate accounts of me that exaggerated my social isolation. Is this due only to media planting or are dislike, resentment, or jealousy also involved? My guess is that no such factor is involved in Podewell's case but that it is involved in Mosny's. With G.Da. it could be either way.

"Patrick [McIntosh] was jealous of Ted's prowess in mathematics ...^{n3ai} Did this influence McIntosh's highly inaccurate and unflattering portrayal of me? There is no proof that it did. But it's a fact that a sense of inferiority can be one of the most powerful impulses to resentment. Especially when the person who appears to be more able is lacking in tact, as I'm afraid has sometimes been the case with me.

(h) *Mass hysteria, Herd instinct*; This is a very vaguely-defined factor that has probably been at work in my case, but it is impossible to separate from media planting or illustrate with specific examples.

(I) *Greed*. I have no way of proving that people who told stories about me on television allowed themselves to alter their recollections in such a way as to make them more profitable financially. But it is worth noting that two of the people who appeared most on talk shows — Russell Mosny and Pat McIntosh — gave my investigators accounts of me that were among the most exaggerated and inaccurate.

Let us conclude with a few more examples that show the inaccuracy of the reports made to investigators by people who have known me.

My brother used to hold literary "coiloquia," as he called them. He and a few friends would all read some piece of literature that one of them had selected, then they would get together and discuss it. The participants varied, but the most usual ones were my brother, my parents, Dale Es., and K.H. and Jeanne En. & I attended one and only one of these coiloquia. This was shortly after I arrived at my parents' home in Lombard, Illinois in 1978, ^{^F?} *the investigators*) Dale Es. described my behavior at this colloquium as follows:

"On the first occasion Dale met Ted, Wanda and Ted Sr. [my father], Dave and he were discussing Plato, in connection with something they had read in their book club. Ted came out of his room and said there was no reason to read any early Greek philosophers like Plato because they had all been proven wrong. That was all Ted said before returning to his room or leaving the house... [Ted] never made eye contact, but just looked off blindly while he spoke." —'

Here is how Jeanne En. described my behavior at the same colloquium:

"[Jeanne met Ted] one night when she and K.H. were back at the Kaczynskis' house for another colloquy [sic]. When he was introduced to her, Ted made a disparaging comment about her and about women in general. She was completely shocked, but the nature of Ted's comment made her feel that there was no point in trying to get to know Ted. Later, when the group began the colloquy Ted participated at first,

but Jeanne recalls that he soon disagreed with something in the discussion. He then became nervous and fidgety and kept getting up, walking out and coming back to the conversation.”

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The reader will observe that the two accounts are inconsistent with one another. At least one of them must be false.

As a matter of fact, both are false. I remember the colloquium quite clearly. The participants were Dale Es., K.H. and Jeanne En., my parents, my brother, and myself. I also can state exactly where each of us was sitting! can describe in a general way the demeanor of each, and I can even recall some of the details of the conversation. The subject of the colloquium was a dialogue of Plato that discussed happiness and love;

Plato's conclusion was that true happiness lay in the love of wisdom.

I was present in the living room when the others entered. I did not make a disparaging comment about Jeanne personally. I did not make a disparaging comment about women in general when I was introduced to Jeanne but it is conceivable that at some later point I may have made a comment about woman that might have been felt

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as disparaging by a woman who was excessively sensitive about her gender. However, it's more likely that Jeanne is remembering a half-humorous comment about women

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that I made in a letter to her husband, K.H., during the early or mid-1980 (Added July

20, 1998: Since Wilting me foregoing, I've obtained copies of some of my letters to K.H.

tn., including the letter mentioned here. This undated letter refers jokingly to "Woman, the vessel of evil."

I did not say that the early Greek philosophers had "been proven wrong." I did say that their methods of reasoning were naive by modern standards, hence they were worth reading today only for esthetic reasons or because of their historical interest, not as a source of rational understanding.

I did not become "nervous" or "fidgety", and I did not leave the room at any time **-for rnefC**

until all of the guests had left. I did repeatedly get up to take pieces of snack food/ from _A_.

a bowl that was on a table five or six feet from where I was sitting. It is probably some garbled memory of this that leads Jeanne to say that I kept getting up and walking out.

Dale Es.'s statement that I "never made eye contact" with him is literally true, but it was he, not I, who avoided eye contact. I looked at Dale Es.'s face a number of times during the evening, but he never looked back at me. I'm more than willing to put the matter to a test. I invite Mr. Es. to come and visit me in the presence of witnesses. Let the witnesses judge which of us has difficulty maintaining eye contact with the other.

Besides his evasion of eye contact, Dale Es. seemed unable to deal with any challenge to his opinions. Twice during the evening I made so bold as to disagree with him. In each case, instead of answering my argument, he just shut his mouth, elevated a. uiorl his nose/and looked away without saying anything.

K.H. En. didn't give the investigators any account of my behavior at the colloquium, or at least none is mentioned in the report that I have. He did have much n **off Jr** u>a£

else to say about me, however, and it is mostly fantasy. Unfortunately, no documents are available that confirm or refute his statements except in one case. According to the investigators' report of their interview with K.H. and Jeanner-^

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»————— “[K.H.] and Jeanne compared Ted to Jeanne's brother Dan who was severely mentally ill and killed himself in 1984. In fact, Dave [Kaczynski] also knew Dan and saw a clear parallel between Dan and Ted. Dan had extremely rigid opinions and was often intolerant and impatient of divergent views... Dave, in fact, found Dan and Ted so similar that when Dan finally killed himself in 1984, he began to worry that Ted might do the same.”⁵³⁷

But here is what my brother wrote to me in 1984, shortly after Dan's suicide:

I've been feeling kind of depressed the last couple of weeks since learning that Jeanne's brother Dan committed suicide. As he lived with [K.H.] and Jeanne, and didn't have a regular job, I spent quite a bit of time with him during my two visits in Rockport. We... often talked about philosophy...

“[I]t was hard getting through to Dan. On the other hand, he seemed to have a message he was trying to get across, and which he didn't feel that I, [K.H.], or anyone had yet appreciated adequately. So he must have felt a similar frustration with *us*, in answer to which, according to [K.H.J, he seemed to be withdrawing from everyone more and more during the last couple of years. [K.H.] seemed to think that Dan's suicide was a 'rational act' — i.e. that it was a consequence of his ideas. The arresting thing for would-be intellectuals, such as [K.H.] and me, assuming this were true, is the facility and resolution with which Dan's 'idea' translated itself into an act. [K.H.]... is even worse than me, living a beourgeois [sic] life-style in almost all respects except his reading.

“... When I spoke to [K.H.] on the phone, he still sounded unusually distraught. If Dan had intended at all to make a permanent, life-long impression on [K.H.] — to break through the barrier of mere philosophizing at last — then I think he might have succeeded. The rest of the family prefers — I suppose for obvious reasons — to interpret Dan's later years and his suicide as symptoms of a mental disease...

[Dan's death] reminded me of the sometimes dismal gulfs which isolate human beings from one another. It reminded me just a tad of myself, having ideas and affections, but often feeling at a loss for the proper means to share them. More acutely, I felt somewhat guilty, as if I were being called to account for my unresponsiveness to similar claims made on me by others.”

In his interview K.H. goes on and on about my supposed “intolerance” of other people’s ideas (making, at the same time, many false statements about my behavior).⁵³

As a matter of fact, I never had more than a very little philosophical or intellectual discussion with K.H., but (though I was not knowingly tactless; that little *(apparentl*^was enough to show him that I did not respect him or his ideas, which presumably is why he thought I was “intolerant.” If the reader were to make K.H.’s acquaintance and *bceowe*.

familiarize himself with his ideas, he would be able to make his own judgment as to whether my lack of respect for them was due to intolerance or to the quality of the **ideas**.

K.H. used to read children’s comic books and claimed that he found philosophical messages in them. & I once asked him whether he believed the messages were put there intentionally or whether he created them himself out of the comic-book material. He answered that he preferred not to discuss the question at that time.

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Among many other inaccuracies that appear in Professor Peter Duren’s interview with the investigators, there is the following:

‘The last time that Professor Duren ever saw Ted was at the annual meeting of the American Math Society in San Francisco in 1968. Ted did not give a talk which was strange since professionally it was the right thing to do. Professor Duren saw Ted standing near the escalator. He went over to talk to Ted, and they had a very stiff, very brief conversation. The conversation consisted of Professor Duren asking questions that Ted did not feel like answering. Ted did not seem comfortable or happy.’ (R)

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This may be a case of mistaken identity or it may be just fantasy. I was not a member of the American Mathematical Society in 1968 and I have never in my life attended any kind of mathematical meeting outside of a university where I was a student or faculty member. I just wasn’t that interested in mathematics. I suppose the names of participants in American Mathematical Society meetings are recorded, and if that is so, then it may be possible to get documentary proof that I was not at the 1968 meeting but at present I am not able to provide such proof.

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A few persdris reported that in high school I was once stuffed in a locker by some “tough” kids and left there. If this had ever happened, it wouldn’t be the kind of thing I would be likely to forget. Nor would I conceal it; I/eported otherjhumiliating incidents in my 1979 autobiography, so why conceal this one? I’d guess that a combination of media planting and mistaken identity are involved here. Ray Janz, who told the story in the media, probably had me mixed up with someone else^ Others,^2” who knew

that *some* student had been stuffed in a locker/heard Janz's story through the media and subsequently "remembered" that I was the victim.

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In reference to my brother's years at Evergreen Park High School, Dale Es. (who was one of Dave's teachers there) told the investigators:

"Physically,... Dave was much smaller than his classmates. He was also socially awkward. Dave was shy and quiet and tended to keep to himself. Dale never saw Dave hanging out with friends... [Socially and physically, he was behind [his classmates]... Dave seemed socially and physically awkward."

Referring to the early 1970's, Dale Es. said:

"Dave was still socially awkward and inept... [W]hen Dale and Dave went for walks in the Morton Arboretum, Dave made Dale walk ahead of him so that Dave did not have to speak to any people they passed. He told Dale he did not want to have to say hello to people."⁵²⁷

Lois Skillen, guidance counselor at the school, described my brother during his high school years as follows:

"David was outgoing, friendly and sociable... David had friends and played sports... David was outgoing and happy... David ... sat down in the living room with all the women and immediately started to chat with them. David was laughing and having a good time. He was sweet, friendly and social." (R)

The admirable consistency between Dale Es.'s description of my brother and Miss Skillen's should help the reader to estimate the value of these reports.

Much of the information that Skillen gave my investigators is inaccurate, but on this particular point she is right and Dale Es. is wrong. My brother is occasionally a little shy, and he wasn't socially polished, but he never had any trouble making friends. In high school, if anything, he was more outgoing than he was later. I don't have Dave's medical records, but they would probably show that he was at least average height for his age. Anyone who thinks Dave is physically awkward will soon change his mind if he plays tennis or ping-pong with him. The Morton Arboretum incident may well have occurred, since my brother occasionally behaves a little oddly. But it does not fairly represent his usual social behavior.

It is interesting that there seems to be little relation between the intelligence of an informant and the accuracy of the reports that he gives about decades-old events.

We've seen that an adequate university professor like Dr. Duren and an outstanding one like Dr. Eickelmarv^ were among those who gave grossly inaccurate accounts of my early years^ Yet some people of modest intellectual attainments hav^ given accounts

that are fairly accurate. I suppose it's a matter of character. Some people refrain from speaking when they aren't sure, whereas others find it difficult to control *f.l.u.A r-eCart* ●+» 'fantaSu .

their fantasies.

I've shown that several factors have operated in producing false reports about me, but I have little doubt that media planting is the most important one. The fact that so many peoples Memories of me have been warped as badly as they have been shows the awesome power of propaganda.

Scientific American recently published an interesting article on memory-

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planting.⁵³⁷ The phenomenon is not hypothetical its existence has been proved.

This book deals only with the way I have been misrepresented by my family and by the media. 'But the FBI, the prosecutors, and the shrinks have misrepresented me but just as badly, and I expect to take them on in some later writing.

120. Beau to Ted — 4-1-99

Miller and Korzenik, llp
438 Madison Avenue Newark. N.Y. 10022
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PRIVILEGED and CONFIDENTIAL

April 1, 1999

BY FAX: 212-964-1610

Beau Friedlander Context Media 2GS Broadway Suite 314 x
New York, New York 10013

Re; *TRUTH VERSUS LIBS*

Dear Beau:

As your request, I am writing to outline my preliminary thoughts on Ted Kaczynski's draft manuscript. *Truth Versus Lies* As we discussed, I will be keeping my comments fairly general, although this letter is written in the context of an attorney-client relationship, and under the attorney's work product doctrine, the letter may nevertheless lose its privilege due either to judicial error, or otherwise. It is also my concern that a detailed discussion of potential legal issues can be manipulated by those who might wish to manufacture a claim. After all, a central theme of Ted Kaczynski's manuscript is precisely the vulnerability of our words and acts to distortion, innocent or otherwise, by third parties.

That said, the two principle rubrics under which my comments will fall are these: (a) Potential Claims For Copyright Infringement, and (b) Potential Claims For Defamation.

(a, Copyright Issues

Ted Kaczynski quotes extensively from third party sources, principally from letters written by Wanda Kaczynski and David Kaczynski; although other third party materials are also used. These others include the story by Horacio Quiroga, which, in Ted Kaczynski's translation, is used in its entirety; as well

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Beau Friedlander

April 1, 1999

is; investigative reports and quotations from statements made to the press.

In order to use these materials, the use must be either expressly permitted, or it must be such that a judge would deem "fair use" under the copyright statute.

Express permission to reprint the Quiroga story must be footnoted, and should not present any practical difficulty, if investigators reports were prepared, ultimately, for

Ted Kaczynski, and it would be strange if they could not be used by him in this manner. The quotations from the news reports also present no problem that requires an analysis here.

If the Wanda and David writings are used with discretion, the fair use exception should be available. In that case, permission would not have to be obtained. (Nevertheless, I have some thoughts on how we might try to obtain permission, which will set forth after a discussion of the fair use issue.)

Whether or not a judge will deem a non-permitted use of another's writings to be "fair use" is ultimately somewhat unpredictable. While a number of factors must be considered under the "fair use" provisions of the copyright law, there are no clear lines or rules. All will depend on the judge's application of the prescribed factors to the unique circumstances of the matter before him.

Next significantly, the purpose of the quotation must be "transformative" and also as limited as is reasonably possible. A use is "transformative" if secondary use serves a purpose different from, the purpose of the original material. This "transformative" may be achieved, for example, when the quotation is used to prove a point about the author of the material quoted or to criticize the quoted writing itself. Even with a "transformative" use, however, the quoted portion of the underlying material must be as sparing as possible, only so much being used as is reasonably required to make the critical or key point.

In *Truth Versus Lies*, the use of the materials written by Wanda and David is fundamentally "transformative"¹, but how sparing Ted Kaczynski has been, in his quotation is not always possible for me to know. Each letter or other document quoted would constitute a separate "work," and Ted Kaczynski must tell us how much of that specific letter or other writing he is actually excerpting. From a strictly legal standpoint, obviously, the less quoted, the better.

UI/X [REDACTED]

VIDEGSD and CONFIDENTIAL Beau Friedlander

April 11, 1993

1993

In parsing down the quoted materials, which I suspect will be required in many cases, it would be helpful, in the editing process, to key each quotation — least implicitly — to some of the key arguments of the book. These would be, in this context, probably one of the following:

- Wanda and David, in speaking to the public, made certain statements regarding Ted Kaczynski's upbringing, family relations and mental health, which representations Ted Kaczynski carefully contends were unfair or were unfactual, and Wanda and David's own writings are frequently the vehicle for Ted Kaczynski's arguments;

- David, in particular, made public his own motivations in accusing his brother of being the unabomber, which representations were, it is contended, either false or inaccurate; and that David's writings show that his attitude towards his brother was, at best, ambivalent and thus different from what he wished the public to believe;

— The writings are marshalled to show that David had a deep-seated resentment against Ted arising out of (i) Ted's sometimes insensitive treatment of David, and (ii) David's — conscious or not — sense of his own more modest abilities and attainments, —

— David and Wanda made public statements regarding their motives in painting a picture of Ted as legally insane, which picture was belied by facts set forth in their own writings, which writings also cast doubt on the professed motives of Wanda and David for promoting the idea of Ted's "insanity."

In doing a "fair use" analysis of the various quoted

materials of David and Wanda, it might well be considered, in each case, what is the purpose of the quotation, and has only a small portion of the underlying "work" been used which is reasonably necessary to prove the given point. It should also be asked, as a separate matter, what percentage of the total "work" is represented by the quoted material.

Naturally, all of the above would be academic if you were able to obtain permissions from Wanda and David. Possibly, this may be attainable, particularly if, as seems likely, David is contemplating a book of his own. If the copyright in David's letters belongs to David, so the copyright in Ted's letters belongs to Ted. It also means that David may already have violated Ted's copyright through the publication of Ted's letters without Ted's permission. Some of these violations may still be actionable, a fact of which David and Wanda may be reminded.

Reciprocal permissions may be attractive to David and Wanda, also, because (a) the publication of Ted's book will generate money for the unabomber's victims and their families, and David could be involved in the distribution of those monies, and (b) if David is contemplating a book, he will undoubtedly wish to draw liberally from his brother's letters, much as he has done before.

A careful — but fundamentally above-board — approach, I think, should be tried.

(b) Defamation Issues

The universe of possible defamation plaintiffs may be subdivided into the following classes:

1. persons who have written for publication concerning Ted Kaczynski;
2. Wanda and David;
3. Other persons who spoke to the media concerning Ted Kaczynski;
4. Persons who spoke about Ted Kaczynski to investigators; and
5. Persons who made no statements concerning Ted Kaczynski.

Members of the press and those persons who speak publicly about Ted Kaczynski would be, very likely, limited purpose public figures and assertions of fact can be made which will not be actionable unless such statements can be proved to be false and all the First Amendment press protections are answered.

Persons falling in classes 4 and 5 will have an easier time making a claim, but in some cases they do not have to be identified at all in the manuscript.

Ted Kaczynski, in fact, recognizes this distinction where he states that he "usually"¹¹ (page ii) omits the full name of persons who did not speak to the media. I think,

however, that we ought to know where the exceptions have been made. We should also know whether the abbreviations used correspond to the names of the persons. Also, where a person is believed to have spoken to the media concerning Ted Kaczynski, we *should know who the person said and where he said it*, because there will be much greater leeway allowed for statements which constitute a fair comment.

believe that there may be many places where

Midinitials, currently indicated by initials, can with easy adjustments, be rendered unidentifiable without diminishing the force of the point that Ted Kaczynski is making in chat context. An example would be at the bottom of page 156.

Another thing, generally, to be on the look out for are

many instances where Ted Kaczynski himself expresses doubt as to the accuracy of his own statements or as to the reliability of the underlying sources. The accuracy of the quotations from other sources might be subject to some form of verification.

We must also consider that the manuscript, referring as

it does to a rich trove of non-public materials, presents a strong temptation to opportunistic litigation undertaken for the legal purpose of gaining access to those materials through the discovery process.

When the time comes, you and I will go over the

manuscript in exquisite detail. A letter of this sort is not the time to do so, as I know you understand.

I look forward to working with you further on this very interesting book.

121. Beau to Ted — 4-7-99

Context

Media

April 7, 1999

Theodore J. Kaczynski 04475-046

P O. Box 8500

Florence, CO 81226-8500

Dear Ted,

I have received your letter of March 27. First, I must say that I am hoping that Bonnie had his reasons for deciding against the 2255 at such a compromising time. There is an embargo on information here, so I can't say anything for certain, and it is best that I do not get too involved with this (.vet' *email letter to RJH*). My role as your publisher is in itself a large responsibility.

I don't want to see you get hurt (which is also Bonnie's position, /.<?., he apparently thinks that the motion would backfire). From what I have been able to discover, Bonnie believes that he has made the right decision. I asked him pointedly if his change of heart had anything to do with his recent visit with Denvir and Clarke. This annoyed him. I am not sure if the annoyance was due to the implication that he had been hoodwinked, that I was saying something that lacked decorum, or that I was quite simply out of my depth (the last two are undoubtedly true). Again, I am your publisher, but I am also your friend. There is little I can do, but I am concerned.

(Item *tt45*, p. 1,1-6) I have not developed a new position with regard to potential defamation suits brought against you or Context Books They are indeed hard to win, and I doubt that there are any real problems on this front. My lawyers have to clear the title with my insurer, and that is why they are being persnickety The solutions you have given in this most recent letter seem right to me, and I have forwarded them to Miller and Korzemk. I hope that they are at least in some cases unneeded Miller understands that I am very serious with regard to the integrity of your book, and he is being paid to realize the goals that you have delegated for me to achieve It is not my impression that there *are* serious libel problems. I will now answer your comments and queries on an item by item basis as far as I am able without Miller's reaction, which should be in by Thursday

(p.2, H 3) I was perhaps unclear in my penultimate letter Murphy can indeed be described as "prissy," since said description is the result of your personal opinion I had mentioned that Miller tends to be risk-averse, This is an example of that tendency.

But he is no longer insisting on this particular amendment, or any other changes of a similar stripe.

(end of p. 2, U 4 — p. 4, U 1) I am not entirely opposed to visiting your mother or your brother. I think it is problematic *ad absurdum* to visit unannounced. I said this in a previous letter, and my reasoning remains the same: Patrik and Bisceglie would not hesitate to go to the press and turn it against me, and they might go so far as to sue me on some obscure point (when they might not have otherwise). If you were agreeable to the idea of an *announced* visit with all three, and you trusted my ability to get to the truth of the matter, I would be willing to go up and try. I think they might be curious to meet me, and would perhaps try to “indoctrinate” me with their ideas about you. It could make for an interesting and informative encounter. I feel up to the task as I have outlined it, and do not believe that they are so talented at hiding the truth that T would not be able to detect it here and there during a conversation.

We are still investigating the possibility of suing your brother for copyright infringement and invasion of privacy. I should hear back from Miller about the libel issue soon (*re.*, suing your brother) and will pass on the verdict when T do.

Glaberson’s article about *TvL* did a few things that I wanted it to do: it established a tone for the reception of your book. That tone was acceptable, but not ideal or accurate. It also prompted a response from your family. This was one of my main objectives. Both the lawyer and LP made statements. Both of them claimed you were mentally ill. My logic: if they *publicly* claim you are mentally ill, then it should not matter to them what you say about them. This is the problem we have been fighting against all along with regard to your family and in the larger context of your values and ideas. I believe they are thinking of using your book to their advantage (*f./e.*, *your* book will be publicity for D’s book). What they may not realize is that you have a committed publisher. There will be no revisiting anything they may publish, for instance in your autobiography. Regardless, this is why I think it may be worth simply requesting permission. I can be diplomatic, and I believe there is a chance for success.

I also think, gimmick or no, that D will want to appear noble and dignified and thus will agree to leave your book alone *because* of the escrow account. Of course the escrow account is a legal necessity for existing claims resulting from wrongful death decisions. But he need not know that, and I doubt he does. Again, my guess is that he will not take action. Linda Patrik’s interview in the *New York Post* demonstrates the approach they will no doubt take: They will say you are mentally ill and that nothing you say in the book is to be trusted. If this is indeed their strategy, then they will not take action. But guesswork won’t work here. We need to create a semblance of predictability on the negative side with regard to lawsuits.

Summation: It is my assumption that D will want to use *correspondence* that he has received from you in his projected book. Thus I suggest that we find out whether or not this is the case. We stand a good chance making a trade of rights if it is. Then we have recourse to your other idea: We can offer him copies of his letters to you in exchange for the rights to his correspondence. I only wonder if he is sufficiently materialistic to

make what to me seems a bad trade. Questions: Won't he have access to his letters when he buys a copy of your book? How can he prove copyright infringement without copies of the letters? How can fair-use be

determined without knowing the length of those letters? I suppose he can gain his letters through discovery. I just called Miller (this letter must go out at 4 and it is 20 to) and he thinks they would be able to get their hands on Ds letters through discovery. He also indicated that acquiring permission should be possible, but he did not elaborate. He does not say things that he can't back up. Between fair-use and whatever strategy we settle on to acquire permission (or circumvent the necessity) I am sure there will be no impasses.

Your concerns regarding unreliability are all going to be satisfied and the language you provided is per usual an excellent solution I hope it will not be necessary I followed your argument (the *reductio ad absurdum*) and agree with you completely. Again, no impasse here, and I hope that the language you have provided will not be necessary after Miller and I meet again.

The discovery issue with regard to reporters is another story. The language you have provided may be necessary, since whomever among the reporters indicated will be able to access much more than the few documents indicated by you — they could claim that evidence supporting their claims about you might exist elsewhere in your correspondence, journals, etc. It is best to be careful with journalists. Therefore, the language you have supplied may be necessary. Miller did not tell me what his solution on this point would be. To “knowingly make a false statement” is the same thing as lying. So, that will not do the trick.

I agree with you entirely about the changing of facts to disguise events. Your objections and explanations are completely valid. I've had that changing abbreviations, if necessary, should,

suffice. When I spoke to Miller just now he said that your suggestions were good and that he could “work with them.” Again, he knows that I am serious about the direction that he should proceed in a “hands off” manner.

The list you have provided is outstanding, and I stand in awe of your powers of recollection, You can quote me. Simply amazing.

I have *no* intention of showing the manuscript of *Truth versus Lies* to anyone until the day it is published, so you can be sure that your family will not have access (p.8, T1 4) Eccles: I have a hard time understanding disorders such as the bi-polar one you mention. I do not doubt that they exist. But I often think it is a question of sensibility: some people, to their detriment, simply have too much.

(515) I haven't spoken to Joy for about a week, I owe her a call. She is a person of considerable intelligence and heart. I like her very much.

(If 6) Thank you for telling me about the Holdman declaration with regard to Waits. It's infuriating to think that someone betrayed your confidence, but I suppose it is possible. I hope that he's full of hot air and has not seen the manuscript.

Bonnie just called to say that he had talked to Denvir and Clarke, and he reported that you sounded upbeat in your conversation with them (I have this third-hand). He offered to send this correspondence with his mail to you. I am glad to hear that you are working toward a solution of the problem, and hope very much that this is the case

I am thinking about you often, and wish for the best.

Subject: reflections

Date: Tue, 06 Apr 1999 14:21:15 -0400

From: Context Books <beau@conlaxtbooks.com>

To: Richard Bonnie <rbonnie@lawl.law.Virginia.edu>

Richard:

Thank you for your letter. I can imagine the distress that the current situation must be causing you, and apologize for the manner in which I may have compounded it during our telephone conversation. I am now of the impression that the decisions with regard to filing the motion occupy a gray area that lies far beyond my own powers of interpretation, since it seems that there are considerations to which either I have not been privy or do not have the technical experience to understand. I also understand the barriers of confidentiality. Thus I am not equipped to make an informed judgment here, and I am now also of the opinion that it is not my place to do so.

The inference I made regarding D + C was wholly my invention. Michael has been very politic about this matter. It is my understanding that he too believes Ted should abandon the motion. I do not know what he will do with regard to Ted's current plan to file pro se, since he has not told me. I have asked to be informed as far as that is necessary to the proper execution of my responsibility as his publisher, but again that I feel like I am out of my depth.

The problems here are not unworthy of insomniac lucubration. I slept this weekend not at all. I understand that this could be very difficult for you. I imagine Ted hasn't slept much either.

Be well.

Beau

122. Beau to Ted — 4-27-99

Dear Ted,

The following is the result of the legal read-through with Jeffrey Miller. You will also find a draft of the letter that my lawyers have advised me to send to your brother with regard to our plan to publish letters by him and your mother.

The first thing that Miller would like to know is exactly what the following people told the media. I do not think that it is necessary for you to tell him anything, since I am perfectly capable of doing the research and giving him the appropriate articles. The list is as follows: Dale Eickelman, Patrick McIntosh, Joel Schwartz, John Masters, Russell Mosny, Chris Waits, Professor Saari, Ellen Tarmichael, and Linda Patrik. As I said, this will not pose a very timeconsuming task for me. I provide the list in the event that there is something in particular that you would like me to show to Miller in connection with the legal read. He has also asked me to request from you all of the relevant investigator reports so he can check them against the manuscript.

It will be most expedient to go page to page and list the changes that Miller has indicated for legal clearance. A number preceding the letter “t” indicates line numbers from the top, and the reverse holds true for the letter “b”. All changes indicated will be added to the mss here, of course, but I need to know that you approve before anything is done.

P. 6,6-5b: “and he or she... information with caution.” should be deleted. He does not want you to indicate doubt with regard to your repetition of information that comes from an unreliable source. The act of repeating the information is libelous. The fact that you have doubt can be interpreted in the courts as irresponsibility, and is actionable if someone claims that you have libeled them through such an act of “irresponsibility.”

P. 7 10-5b: Miller asked me the general question that he thinks any litigious person would ask: Are the investigators’ reports reliable or not? Since you rely rather heavily on them at times, he advocates the omission of the following (7-5b): “(I was told... was not done in my case.)” For instance, there is a very important piece of information supplied by Sharlette Holdman (or Investigator # 2) with regard to David’s psychological dependence on LP (p.392 3-14t).

P. 12 8t: “conscious lies” > “serious errors”

10t: “journalists may often” > “journalists may possibly”

P. 13 3t: “assume that they may have been” > “know of at least one person who was” NB: It is only necessary to have someone who can vouch for information. Eileen Lundberg told me that she and her husband, had been paid to appear on a television

program called “Extra.” 5t: “therefore would make the most money” > “therefore might make the most...” 8t: the addition of “perhaps” before “allowed their memories...”

P. 16:1 have been asked to verify death, or the probability of him saying that the KGB were gunning for his ass. I will ask _ is she knows, although given the amount of time she has spent in Lincoln it might make more sense to ask the Lundbergs. Let me know what you think on this score.

P. 19: Miller wants to verify that Benny Bedwell is dead. Since he was famous during the fifties, and derelict, it seems likely. I will see what I can come up with.

P. 22–23, Ib/lr: Re. G.Da. and Mosny. Miller needs an academic transcript to prove that they flunked out of the University of Illinois. He would also clear the following substitution: “and flunked out” > “and their academic careers were less than stellar.”

P. 23 5b: Miller would like this paragraph to begin with the following clause: “Although I know of at least one case of a person receiving payment for an interview,”

P. 31 6b: “whereas others find it difficult” > “whereas others would seem to find it...”

P. 56, last paragraph: Miller would like to use the language provided by you re the reporters accuracy and lying. It is courting disaster to use the phrase “obviously intentional” the same goes for the last note (#33) on

P. 59: *see above*.

P. 64 6b: “As my playmates grew older they began ... ” > “As my playmates grew older some began ...”

P. 78 7-9t: “my mother told me she’d heard” > omit “she’d heard”; “B.O. had gotten into trouble with the police” > “B.O. had some trouble with the police.”; omit the rest of the sentence (Z.e., “but, in view of... whether this is true.” Again, Miller is reacting to the effect of the doubt factor on the outcome of any possible litigation.

P. 156 4b: “One kid, G.” > omit “G.”

2b: omit “Co.” lb: omit “R.W.”

P. 174 6b: It will be necessary to say what the grotesque account was that Saari reported.

P. 176 10’5b: We will need to verify that McIntosh never received his Ph.D. and that he got a C in advanced calculus.

P. 192 nt 8 line: This is one of the investigator reports that Miller wants to see.

P. 235 6t: “nothing he wrote was ever published” > He published one story, (*seep. 387 4b*)

P. 241 third paragraph: replace “Neither Dale... in these passages.” with “Based on my own experience and observation, these accounts by Dale Es.’s and K.H. En.’s present a substantially accurate general picture of my brother’s housekeeping habits.”

P. 251 7t: Miller wants to replace ’ with “Ms. X” throughout.

P. 254 3b: Miller needs to have some indication that K.H.En. was an “admitted thief.” Did he admit that he was a thief to the police or court? Miller needs some corroboration before clearing the statement of potential libel problems, (*see next item*)

P. 272 note 42: If Miller can see this letter to your parents it may serve as the needed “indication” that Miller has requested in connection with the above item.

P.282 5t: “and even a sadistic streak” > “and maybe even a sadistic streak”

P. 286 5t: “She was a sexual sadist.” > “She was, in my opinion, a sexual sadist.”

P. 292 1-3t: “Sexual peculiarities are commonplace...hurting me” > “Sexual peculiarities are of course commonplace. I am not at all sure if she knew how much she was hurting me with what I took to be her sexual peculiarities...”

P. 318 1 lb: Again, we need to confirm that is dead.

P 329–330 1 b-11: We need to confirm that your cousin was diagnosed with schizophrenia or delete her name (unless she is no longer alive).

P. 366 5t: “apart from the two > “apart from md Ms. X”

P. 368 paragraph 3: The allegations here could be changed to make them less actionable. I am pretty sure that I have convinced Miller that between note 24 on page 392 and that fact that Linda Patrik is undoubtedly a public figure, none of what you say here is actionable. Having said that, to save time, I will provide you with his changes in the event that he won't clear the text as it stands: 8b: “she had no interest” > “she didn't seem to have any interest”; “but she liked to use” > “but seemed to like using”

P. 377 4b: is mentioned again. Must verify diagnosis or change to “[our cousin's]”.

P. 400 1-5t: Miller wants to know what the specific context in which David's remarks about morality were written.

P. 426 1-5t 1stH: Please supply the language you created for this situation with regard to lying and litigious reporters.

P. 471 10–1 lb: Omit “Burns's information is highly unreliable, so the reader need not take his assessment of Murphy very seriously However” For the same reasons regarding your expression of doubt and the manner in which your doubt might invite inquiry into possible law suits.

P.526 10t: “I haven't seen it, but I'm told it's even” > “I never read it's probably even worse”

P. 528 4b: Omit [TEXT REDACTED] and” (It's [TEXT REDACTED]) Initial cap: “The authors...”

P. 529 lb: “R.M.R. is just flat-out lying.” > “went/goes beyond customary distortion” or “went/goes overboard”.

And that is all Miller flagged for potential clearance problems.

[TEXT REDACTED] just called as I was typing the above paragraph. She has asked me to type in the following: “Are you going to tell him what a love I am?” She adds, since I was about to mention her to you, Le was speculatively correct in her last letter on the heading of the electromagnetic spectrum. And that is all I am willing to input here as amanuensis, I just told that she needs to write a letter to you now. She claims to be “on strike” -1 doubt it. (She just told me to add that she is not on strike.) Stop.

I am leaving for Los Angeles tomorrow at 5 and have a meeting with an interesting avant-garde filmmaker Slava Tsukerman (Russian jew) who is very interested in corresponding with you about the possibility of collaborating with you on a film. He's pretty well-known for a film entitled “Liquid Sky.” Another well-known filmmaker, Jim

Jarmusch, is also interested. I have told them that the chances are small and that you would have to have control of the manner in which the film unfolded. I advocate that you take this position to avoid any unwelcome distortion. Any film-related projects you accept should include a contractual agreement that allows you to “okay” the important elements. I’m checking out Tsukerman tonight. I know that he is not a member of the media trust, but not much more. Also: I like him.

As for the letter to your brother, if he wants to meet with me I will try to ask the questions you gave me earlier. We may be able to get a few things done at the same time (i.e., permissions and useful information about the alleged “shutdowns”). I apologize for the roughness of this letter, but I am horribly pressed for time. I look forward to your next letter and hope that you are well.

Beau Friedlander

Publisher

DateTK

David Kaczynski

1266 Keyes Avenue Schenectady, NY 12309-5728

Dear David Kaczynski,

I am sure you are now aware of my plan to publish a book written by your brother Ted. As you are probably also aware, all of the revenue from the book that would ordinarily accrue to the author will be going instead into an escrow account that will be held for the Unabomber’s victims or their survivors.

I am writing to you at this particular juncture for several reasons. Given your close involvement with the victims of the Unabom crimes, I am wondering whether you would be willing to give me some guidance on distributing any contents of the escrow account among the victims and their families.

I am also interested in being of some assistance in the exchange of permissions with regard to publication of Ted’s letters by you, and the publication of letters from you and your mother by Ted. This could include the resolution of any questions associated with your publication of Ted’s correspondence to you and your mother up to this point, and clear the use of them in your own future writings. I could also arrange to get copies of your letters to Ted, in the event that you no longer have copies, since he has preserved them.

An exchange of permissions would be my recommendation. The only alternative would be to meticulously tailor Ted’s use of family letters to meet the legal fair use standard, but I think that everyone will gain in the end by an exchange of permissions.

I look forward to talking to you at your earliest convenience. If you would like to meet, I would be able to come up to Schenectady to discuss the matter further. I can be reached at: 212-571-4866, or by email at: *beau@contextbooks.com*.

Yours sincerely,
Beau Friedlander

123. Beau to Ted — 5-12-99

Dear Ted,

You were quite right in your supposition that “Ship of Fools” would deliver both delight and edification. I laughed aloud on nearly every page! Please write more of these. If I have to reimburse you for the cost of copies, postage (you still have not taken me up on the offer) I most certainly will. I thought your parable was brilliant, and I would like to publish a book of such shorts. It could be called “Parables”. But I am sure you would come up with something much better.

I called up one of the editors at OFF! (Maybe but I am not sure since he mumbled and I didn’t want to draw attention to his annunciation/my hearing problem). (I do not have a hearing problem.) I asked if he would allow me to post “Ship of Fools” on my web site before he published it in August. He had no problem with that. They print 3000 copies, so I offered to help them print another 1000 copies. Will you allow me to post the story? It would make me very happy. Copyright would still belong to you, which would be writ bold on the posting and we would scan the originals, so there is zero margin for error.

(Apr. 25, p. 1,4): The prison may yet accede to a visit, but the guitar will not be part of any deal. This is what I am hoping, and the premise from which I begin to reach the opinion that we may meet: Now that Bonnie is no longer your attorney, you would have no representation were you to grant an interview to *60 Minutes*. I am still operating under the assumption we would do so only with a binding agreement (yr letter of March 23/my letter of March 12). I have apprised the people at CBS about Bonnie’s actions and your response, especially with regard to the fact that I might be the best person to be present at an interview for the purpose of auditing any errant tendencies on their part. I may be present as a journalist, since I am also a sometime journalist, and this is one category of visitation allowed by the prison. *60 Minutes* will have to secure permission and it is not certain they will succeed in bringing me to the interview. I do think it would be advisable to have me there. I hope that Buttrey (sp?) and/or Mello can finesse the legal vetting of the transcripts.

As I have said to you before, I think this interview will help further your efforts to set the record straight. In addition, I would consider it a favor if you would agree to an interview. There seems to be an embargo of sorts with regard to your appeal and the content of Mello’s book among the media, and the program we have discussed would help boost sales, thereby making it possible for me to undertake further titles of importance in the future. This interview would be done in one go, and they are interested in doing it during the months of June or July. If you agree to it, please send

me notice in a separate letter so that they can make arrangements with the prison authorities. A final consideration: The interview will complement any reviews of your book since it will reach a larger audience, which would help counteract any grumbling that may bubble out of critical cranks.

(p. 1,15) I am enclosing a picture that ran in *Wired Magazine* of all places. The comment about ebooks was taken out of context, but I do think print-on-demand would cut down on the wasteful tendency of the publishing industry. If your eyesight is good it should be readable. I am sending an identification photo in case you find the printed snapshot too small. Lydia is a really good drafter. Is the “Beau Friedlander as Perseus” the only sketch she produced of me?

(p. 2, 2): It was clear the first time you told me not to say anything about the shrink. I will never make disclosures that you have made to me privately and I consider all of our correspondence private.

(p. 3, K 2): Ted Kaczynski it is!

3): Spanish translation by Ted Kaczynski! I guess I will leave out the exclamation point. I am glad to hear that you will be getting back your copy of the dictionary. I wonder about Denvir and Clarke, but I know that you are attached to them and they seem to be kind. I suppose the book thing was a simple mistake. And I obviously have been harboring the above feeling for a while. I apologize and would stress that I am merely expressing my opinion about them, which is based on execrable intuition and scanty information. Back to the translation, I know several native Spanish speakers/writers who would be able to make sure everything was okay.

f[4 & p. 4, 2): Scratch the letter idea. I will ask Lydia about the preface by I think I will follow your advice about critical response to the Manifesto, and contact John. I spoke to him once on the telephone (for about an hour). I think he would be the best person to contact, and he would enjoy the project.

(p. 3, 3 — p. 5, H 1): I understand what the author of the Manifesto meant by technology. I was wondering about the second edition of it, which could possibly be authorized, and thus presumably made more involved given the fact that it will no longer be in a newspaper. The narrative of technology in general terms, followed by the specification of the particular kind of technology to which the author refers, can only serve to open the text up to more readers, and make it more edifying.

(p. 5,13): I am glad that you told me the whole story. This confirms my suspicion that at least Judy Clarke had something to do with Bonnie’s conclusions regarding the mental illness tack. I got this impression from Bonnie when he was defending his decision about representing you, and as you will recall he was quite defensive when I suggested that history had repeated itself. I wonder if the author of this particular scene with Bonnie also penned the scenario that unfolded into the final gambit of your pre-trial proceedings. The whole thing smells like a scrubbed and perfumed Schweik: z.e., bad. I am becoming allergic to the total lack of forthright behavior among your various lawyers. I do not think anything is as it seems right now, and I am feeling paranoid. Perhaps Quin and Judy did nothing wrong...

(p. 6 U 4 — p. 5): I am perfectly willing to question your family members separately. The problem I foresee is that my visit will be announced. They will know who I am. Therefore, I will be treated with suspicion from the get-go. This would probably mean that your brother and sister-in-law would not leave me alone with your mother. If this is the case, I will not do well to ask any questions about the alleged shutdowns without spoiling the fishing for someone else. I think I might be able to get them to contradict each other in real time if I met with all of them at the same time. But I would have to have a tape recorder with me, as would anyone else, to prove the statements were made. Otherwise it would be one party's word against the other. I am not sure if they could nail someone for taping the conversation, and if anyone interviews them, it would be wise to find out first. At any rate, I do believe that I might succeed in obtaining the results described toward thread of paragraph 2 of page 5.

(H 3): Since my visit will be announced, she will have ample opportunity to confer with your brother. I would think that the lynching pin would be getting your brother to grant rights. Question: Is he capable of swaying your mother's opinion or does it go the other way around — or does Linda have them all under her spell? '

(p. 8, K1-3): I apologize for assuming anything about your family. I still think it is worth offering the use of the letters, and regardless of his plans for this book (or the ghostwriter's plans) he still needs to obtain rights for the things that he has already made public. On the subject of appearing noble, it is no coincidence that he was campaigning for that guy who was just executed in Sacramento, California. It was clever of him to canvass on behalf of a guy who turned in his "schizophrenic" brother, almost as good as donating some of the reward money to a fund that is associated with schizophrenia. He or his lawyer is adept at reinforcing public opinion through modeling behavior, acts, etc. The lawyer Bisceglie told the Times that your book would be further evidence of mental illness. I am guessing that telegraphs their game plan. Nothing you say can discredit your brother in his eyes because he can just say that you are not credible. They will gloss over the letters and paint them in the rosier colors possible and Dave will be forgiven his youthful straying. I think anything else will make people say "He doth protest too much" which would be a bad move. Next paragraph: discoveiy. Yes, it seems likely.

I have passed the legal matters on to Jeff. I need to get everything together very soon so that we can get the book finished according to schedule. I will be sending only those edits you indicated. In response to your comments on the line-edit, I do have some points I would like to bring up, apologetically, because you are right and I have erred on the side of stylistic meddling. However, "perhaps they sense my contempt" changes the meaning by degree and tends toward the public reception you said you were interested in, (it expresses a collected form of accusation). "They must have" implies a speculative mood that is stronger than "perhaps." A line-edit is wholly concerned with questions of style and you had, I thought, expressed interest in making the book more attractive to a larger audience. I apologize once again, for I fear that I misunderstood what you were requesting. In my defense, no more than a handful is often synonymous with "no

more than five.” Having thought about it, the constraints of time have led me to believe that there should not be any stylistic edits here. I am a fan of your writing. Now I shall cease apologizing for fear that it will elicit a joke (but I am sorry).

Your letter of April 30. Please let me know what books you would like to read, and I will send a defrocked copy to you.

I noticed something interesting last night. It sometimes happens after a long stretch of no soap touching my head (three weeks in this case) that my hair follicles become sensitive. (You may wonder how the press and public react to the fact that it takes me well over a year to get through a bottle of shampoo: I have the dry hair of a Jew and so no one can see that it is dirty.) Anyway, my hair “hurt” and I decided to wash it. Wrong move. The shampoo actually stung. I made two applications and gave up. Interesting too that the scent that usually wafts from my noggin was undiminished. I guess it permeated my scalp. Bathing and culture: in addition to the French, I think also of the Greeks and Italians. You no doubt remember my anecdote about Wordsworth and early 19th-century England.

Ulveman just left for Alaska. It was my impression that he had received your terms and would be agreeing to them: (Ulveman > me) “Just wrote TK that I accept his conditions about directing me to his shack. Acc. to Denvir the whole shack discussion is a “big red herring”, but I find it interesting anyway. I am on my way to Alaska for a month or so and would hate to miss the debate about the book.” I assume he is talking about Mello’s book.

More later. If you have written anything along the lines of “Ship of Fools”, please send it on to me for my further “enjoyment and edification.”

THE CLOISTER

Its walls were callused, a palimpsest of mortar and stone and brick buzzing with erasure and the white noise of several regimes.

I padded down the walkway through cold, myrrh-tinged air past the tomb caps, straight chairs, a slasher-film Christ caught in the seam between the vaulting and milk cows, the faded outer wall that whispered to no one, “Eternal Friendship with the Soviets.”

The ten-pfennig candle, a Hapsburg pinky, consumed itself inch-wise.

The flame sat down and bulbed white. History caught with its pants down.

June 1991: The cloister in Jerichow is the largest Romanesque cathedral in Germany. Located in the former DDR, it served the dual purpose of a Roman Catholic church and local dairy for over fifty years

124. Ted to Beau #49 — 5-13-99

...

125. Beau to Ted — 5-14-99

Dear Ted,

A quick note.

I just spoke to Quin Denvir, and I feel uncertain of the suggestion I made about him and Judy. I am not sure that it is fair to say that QD is not forthright. To the contrary, he was very forthright about not wanting you to get the death penalty. He was deaf to *your* thoughts on this subject. But

I did get the impression that he possesses admiration for you. I suppose it differs in kind from the things that I admire, but he is fond of you and highly esteems some of the same things that I find so very valuable with regard to you. (I was worried that I had overstepped my bounds, and apologize if I did.)

I called him because he had sent me the number for contact her? Quin couldn't tell me.

Why do you want me to

Until later.

P' / ...t, W W ^4 we will be meeting next weekend.

'Ate© : I Laue aw ear Iul < of- vuu S'IZ letter. cO

126. Beau to Ted — 5-21-99

Dear Ted,

I have not heard from you for a while, and wondered if perhaps one of your letters did not reach me. The last letter I received from you was item # 48. I want to get an idea of what we should expect from your brother and mother as soon as possible, and have been waiting for you to approve or amend the draft letter regarding permissions.

I received a call from your aunt, ' . We spoke at length. The gist of the conversation was that your cousin does not suffer from paranoid schizophrenia. She also \ stated that your mother tends to exaggerate, and that your aunt assumed exaggeration was responsible for the report of illness during the pre-trial proceedings. She read a few excerpts from documents written by psychiatric professionals that specified post trauma disorder due to head injury and the after-effects of the car accident that occurred during her 26th or 27th year. The document specifically rules out the use of psychotropic medicine, and opines that she suffers from depression — not psychosis. I have asked her to send you the relevant material. It sounded like she might be delayed because of health problems, minor for the most part, but many and varied. I believe that she would allow you to mention the fact that ' . is not schizophrenic,

which is yet another illustration of the sort of distortions that need to be combated. If she does not get back to you soon, I could get the necessary confirmation of the above to allow you to use it in *Truth versus Lies*.

I spoke at some length with rst night. She asked my opinion about the best course of action against Waits, who is currently featured in a local television news series about the Unabomber. After many possibilities, I remembered a control technique described by a bartender in the neighborhood: The favored form of persuasion among Mafiosi is gasoline and a match. Here's how it works: First, the thug pours gasoline on the person he is trying to communicate something to, and then he lights a match informing that person that he earnestly desires a change in behavior. A more effective (and legal) variation on the theme would be to communicate to Waits that evidence has been compiled that proves him to be a liar (the Gallagher gasoline), and then request that he cease and desist in exchange for non-release of said evidence (the libel suit match). is thinking about it. I do not think a lawsuit is in order. It will only draw more attention to Waits's book and generate sales where there would be none. (The book is not available in New York City, for example.)

Another interesting conversation that you should know about was had with Steve Fischler. I enjoyed our conversation, during which I asked him directly why he was advising against an interview on *60 Minutes* when he knows nothing about the nature

of the conversations that have transpired (politely and in a non-adversarial fashion). I then told him about the state of negotiations and the written agreement. He said that it was a good thing if you could get it in writing. As you know, we will be getting it in writing. Also: his main objection to a televised interview with you was that he would have a harder time selling his documentary for a big price at a large venue. I told him that I thought the two projects were so different as to be mutually exclusive. We decided to meet to discuss things further (I will be meeting with him soon). I also told him that it is very important for him to do a serious film about you. If we consider the two media at issue here there is no mutual exclusivity. A documentary is for intelligent viewers and a relatively niche-oriented audience, a serious news program is for a general audience. The latter includes the former, but not vice versa.

Regarding the jacket for your book, I would like to use a page of your own handwriting used as background over which the title and author appear. It could either be a page from the appeal, or a page of actual manuscript from *Truth versus Lies*. If you have manuscript of the latter, I think I would prefer that, but the former might also work since it would resonate with the goals of the endeavor. We are currently working with a page from the appeal.

I look forward to your next letter and hope that this letter finds you well.

Yours,
Beau
P.S...

127. Beau to Ted — 5-24-99

Dear Ted,

I received your letter of May 13. Thank you. I hope that you have finished the motion that Mello suggested and that you are satisfied with the work.

I am very much hoping that you can get back to me about permissions soon. I must get in touch with them¹ to ascertain whether you can get permission in the very near future. I think it would be a good idea to arrange for all of the letters you have quoted to be sent to Miller. He will need them if permission cannot be secured, and we will have precious little time to get the letters, fair use them, and run everything by you in time for our publication date.

Books will be finished by the end of August. This means that we need everything to be settled by — the first week of June, which is about when you will be responding to this letter (hopefully). We will be under an extreme amount of pressure to finish everything in time if your family does not permit use of the material. But we will be able to come close to the scheduled printing date. (This is the busiest time of year and we will be at least a month late if we miss the appointment with our printer.)

A baked avocado seems like food for pink elephants, not anti-technology activists. I suggest you plant the seed. I also suggest you ask the authorities why they are baking alligator pears.

Yours,
Beau

128. Beau to Ted — 6-1-99

Dear Ted,

You'd think there would be a law against baking avocados, and that's not to mention the dubious act of passing them off as piping hot baked potatoes.

I received both letters 50 and 51 today. Thank you. Jeff Miller will be getting back to me about the legal edits soon. In the meantime, I have sent the letter regarding permissions to your brother.

Today was eventful. After one failed attempt, I met with Joe Sucher and Steve Fischler. We had a very serious discussion about the media, and the pandemic dementia among the media vis-a-vis a first exclusive interview. As you know, Sucher and Fischler feel that they will need an exclusive interview in order to sell their documentary in an "as is" form. They will be able to leverage in radical views that various venues might edit out because of this exclusivity. Both of them claim to know Bob Anderson (Vicki Gordon's boss) of Sixty Minutes. They persuasively argued that—no matter what you had in writing—the editors of that program might still portray you as a discreditable person. Sucher, in particular, said something that cut me to the quick: It would be a gamble at best. This statement affected me strongly. I am unwilling to be responsible — for such a risk and so think it may be best for you to go with Fischler and Sucher exclusively. They have their interests, too, but I think you will be able to make a decision based on the above and your previous experiences with people in the media (which would include Steve, Joe, and myself even though we are all independents).

In their favor is the fact that they are anarchists, regardless of their approach which admittedly differs from your own. They are also straight shooters. I think the odds would be good for creating a successful documentary with them. They had a good suggestion with regard to my hope that we could get you on a program like 60M in a manner that both promoted public awareness of your book and redressed the media distortions that have been perpetrated against you thus far. They suggested taping footage for a news program when they shoot their _____

documentary. You could then answer questions that the public may have in a manner that could not be used against you. I think this is a very good solution.

As for programs like 60M and Larry King Live, it is a risk. This is something that you must already know. I have allowed myself to believe in the power of a written agreement at a high premium (i.e., an intact picture of reality) and I am glad that I met with Sucher and Fischler. I am no longer advocating that you do this at my request. I am more interested in providing all of the available information so that you can make the right decision. I apologize, find some relief that I — arrived at this

position before it proved possibly detrimental to you, and trust you to make the right choice.

Greta van Susterin might be a different story, since she understands the legal issues you are currently working on and thinks the 2255 stands a chance with the Ninth Circuit. I have come to this opinion based on information related to me by Mello

I hope that you are doing well on the next episode in this appeal! I'm enclosing an article on Mello's book by an old friend of mine, which will be published later today. A very happy belated birthday!

129. Ted to Beau #54 — 6-10-99

...

130. Beau to Ted — 6-16-99

Dear Ted,

I received letter #52 on the fourth. I apologize for the delay in getting back to you. First I will give you my “book report” on “Ship of Fools” from a jerry-rigged historical perspective.

There was a book written by the same name (I never was interested enough to finish it) by Katherine Anne Porter. It enjoyed great popularity during the fifties and was a book of the month selection, among other things. More interesting, Sebastian Brant wrote the original allegory “Narrenschiff” in 1494. It is a long didactic poem in which Brant satirizes the follies and vices of the time. It has been compared to Goethe’s *Werther* with regard to its popularity and folk status. In Brant’s tale, all the fools are loaded in a ship bound for Narragonia, the land of fools. There are many descriptions that digress from the main plot based on the dull bulbs on the boat. The resulting lack of unity enables the poet to discuss all kinds of social, political, and religious conditions. Not only follies in the usual sense of the word are satirized, but also crimes and vices, which are conceived of as follies in accordance with the medieval way of thinking. Hence among the fools appear such people as usurers, gamblers, and adulterers. A chapter is devoted to each kind of folly and there are one hundred and twelve chapters in which one hundred and ten kinds of fools pass muster. As a work of art the poem does not rank high, though its tone is serious and earnest, especially where the poet pleads for his ideals, as in the chapter entitled “Von abgang des glouben” (on the decline of faith). In this poem, knowledge of self is praised as the height of wisdom. I thank you for the permission to post the stoy.

/ So much for that. Please find the check enclosed for the expenses you have had. I’m glad you’ve I finally taken me up on the offer, and books await at your request.

I understand your stance with regard to 60 Minutes. I am hesitant to do an interview myself, but will seriously consider it. It places me in a strange position, since I am also your publisher. In the simplest of terms, it would be unorthodox. But I like that aspect, and if you are still interested I will set up an appointment to interview you as soon as I receive word from you that I should do so. It seems to me that you may feel obliged in some way, and you are not. If you want to work exclusively with , Fischler and EF!, you will find that I am supportive and will back you up on the choice if the media asks me about it. If you also want to work with me, I will be

pleased because I can be assured of the “transmission.” I will not have to worry whether or not someone has gone amok, since I will be able to keep close tabs on myself, etc. In the event that I come out there for an interview, would you like me

to conduct it for print or with a media group to be taped on video? If I did a print interview, it would be placed in a mainstream publication.

I would like to mention that I have spoken to on at least two separate occasions. Her stance regarding you has changed very much between my first conversation with her and the most recent one when she told me about the interview.¹ In March, she was standoffish about any association with you. This month she was supportive. I like her. Having said this, she has either been somewhat reserved with me (she did once say pejoratively that I am a liberal), or she is not intellectually advanced. I suspect an admixture of the two, since she holds degrees beyond the baccalaureate. My opinion with regard to her intellectual accomplishment is also based on gossip, passed on to me by Jensen, that you hold her in high esteem (Derrick is of course upset that he will not be interviewing you). I feel the very fact of this gossip suggests that I am not entirely wrong, but understand that the presence of gossip often suggests an emotional characteristic that has no bearing on one's intellectual capabilities.

p. 5,12) While on the topic, I was disturbed by the accusations, reported to you, that I have an aggressive and abrasive manner. At times, there is a certain amount of stress associated with my position as your publisher. I regret having created the impression you reported, and will try to make amends if possible by avoiding such behavior in the future, since I don't like it much either. I apologize for putting you in the position of mediator.

Back to the interview with , when the media get wind of the interview they could lump together both you and EF1. Having said that, EF! will not be tempted to demonize you, which is attractive, and co-optation by such a group would not be entirely contrary to the fulfillment of your goals. I cannot say for sure what the effect will be, but I think it may be just the thing and I do not underestimate your understanding of the media and their uses. I also feel that Pacific Street will provide a reasonably risk-free situation. All engagements with people with the ability to distribute information is risky, since one must rely on their ability to do so and their willingness to do so honestly without special interest that would be damaging to you.

p. 2, U 2) I am somewhat familiar with Sheldon's somatotyping, which makes me naturally aggressive. For years I tried to convince myself that I was an ectomorph, but alas it is not so.

p. 3, H 2) I was glad to hear that you did not find my opinion entirely off-base with regard to the Manifesto.

p. 3, H 4 — p. 4,11) My lawyers want me to hold off on a visit to your mother until your family responds to the letter requesting permission. Thank you for your advice, which I will follow when the opportunity presents itself.

p. 4, 2) I understand the situation with David and Linda. I spoke with your *i* and she

¹ The interview set for June 24 should be kept secret. If Chris Waits hears about it, he will use it to his advantage, since he has a theory about his birthday (same date) and events in your life.

corroborated. She was careful, but once she got going, there was much information that supports your thesis about your family. She could be helpful at a later junction. She did tell me that there was no way she would allow that information about to be published. She went so far as to say that she likes me, but would not hesitate to sue me. The same goes for David, if he has or were to make a published comment that suggested suffered from schizophrenia, she would sue him. I hope that you will agree to excise the information about' , since it poses the above

problem, your aunt is quite steadfast in her resolve, and the resulting lawsuit would hamper distribution of your book.

I understand your instructions with regard to interviewing your family and reiterate what I have already said in the above.

p. 7, 3) I have also been in contact with Der Spiegel. They are interested in writing an article on your book. Do not work with Hossli under any circumstances. He is a muckraker. If DS wants to write something about *Truth versus Lies*, they are free to do so. I have given a copy of the mss to Rolf Rietzler (the book review editor) under cover of a strict confidentiality agreement. It applies to him and the magazine. But Hossli cannot be trusted. I heard that he made suggestive remarks to^r about your relationships with women. It does not bode well, and I doubt he will write anything worth reading. This is not the European journalist for you. I know a woman in Germany who is seriously interested in you (she also studies anthropology). She is an award-winning journalist. Let me know if I should contact her. She writes for both DS and Stem and she is worth contacting should you want to explore the matter further.

I have asked Korzenik about a copyright lawyer, and he has not come up with anyone willing to do it *pro bono*. I have a call in to Bonnie regarding Kenyon and Kenyon. But I have no answer yet and I was waiting to respond to your query when I had a definite report, which I do not have.

We are almost finished with the legal read-through. There are some points we have not gone through, but it seems Miller is accepting your edits. There is one major problem. Maryland law states that it is illegal to make public disclosures of facts that represent groundless invasion of privacy. It is a bad law, since there have been precedents that severely limit what is known as the "cat's out of the bag" clause. Verbal disclosures do not count as an invasion of this zone, only publication. We are currently trying to find out from Quin whether Investigator Report # 122 (reproduced in Appendix 6) is still under seal. If it is not public, we will not be able to print it. Schwartz's comments to the press will be considered harmless by a judge. They will then most likely determine that the publication of the facts regarding his family are an invasion of privacy and distribution of your book will be halted. Of course this will only happen if JS sues, which is a possibility too high to risk. If your aunt is willing to sue, why not your brother's best friend? We have not determined the status of the report yet. In addition, if we assign a number to JS, he is still identifiable in the quote from *Mad Genius*. We might be able to scratch that citation and heavily redact identifiable

facts from the report, but this seems unlikely because the report is so specific (i.e., Bum-ice, the hammer beating, suicide, etc).

This is the most serious thing that has come up. I was able to verify that Edward “Benny” Bedwell was arrested for the murder of the Grimes sisters. But it is not clear that he confessed to the crimes for fame. He was coerced into playing the patsy and later tried to recant. Having said this, I am willing to look for articles that suggest Bedwell admitted to the crimes for fame, since the story I found cited controversy and competing views with regard to his guilt and admission. I think there is enough to go on in terms of the statement made on p.19. He is now 62, if he is still alive, and was last known to reside in Florida. But no one has been able to locate him or any relatives of the Grimes family for some time now.

I just this moment got off the phone with e did not strike me to be entirely reliable, but he was not falling over himself to give me information. Also: he had nothing good to say about Waits, and even joked that I might give Waits a call when he could not supply me with the information I had asked him about.

Here’s what he said: Furnished you with a chainsaw and cut wood with you on weekends sometime during the 70s. That you once knocked on his door after losing a load of wood that you were hauling with a pickup truck. He did not remember anyone by the name of . I

tried to refresh his memory by asking about someone who spent time around Lincoln and might have mentioned the KGB. He then said that you once were on Baldy together and that you pointed up the mountain and claimed to have a hideout where the KGB would never find you. I asked him if he was sure, and he responded that he was. He then said that you were not too dirty during the seventies, and that Chris Waits was wrong about that. I then asked him whether or not he could think of who this guy might be, and he said that there was a person who

owned land around Helena who owned a cabin somewhere. He added that this person was somewhat peculiar and that he might be He apparently remembers what he told the

investigators, since he went so far as to say that the conversation on Baldy occurred “somewhere around 1974.” Obviously, he was unable to tell me if AP was still alive. I also called one

in Florence, MT and she did not know of a relative by that name. She was young (I could hear a baby in the background) and did say that AP might be a second cousin. Miller wants you to drop the proper name and use “a gentleman” as it already occurs in the text.

We are waiting for the letters from your family quoted in the mss and the investigator reports (which we need to check for accuracy). The letters may become necessary if we need to tailor the material for fair use. But Miller thinks that he can do it without the material since copyright will have much to do with use of necessary information to refute damage to your reputation. I think there may be a chance to get this thing

done in time for our press date, if you will trust me that the changes have been entered accurately. They will be.

Miller wants me to write a preface that makes comment on my opinion of your honesty and accuracy. It would be written with Appendix 10, where you mention that the investigator reports may not be as accurate as something produced by hard science. He wants me to spell out for readers that this does not mean you doubt the accuracy of the reports (and that hard science is very, very exact), that they were conducted for a specific purpose (i.e., to bolster the argument of mental defect), and that you are the most honest person I have ever encountered (seconded by Scharlette Holdman, who said you are “constitutionally incapable of lying.”). Would this be acceptable to you? I would be very brief. Miller and Korzenik insist that it is important to be as clear as possible with readers.

If at all possible, please respond to the material here post-haste. Another will follow soon with a final wrap up. Perhaps tomorrow.

I look forward to corresponding with you after the appeal is less time-consuming and *Truth versus Lies* is at the printers.

131. Beau to Ted — 6-17-99

Dear Ted,

This letter follows the letter I sent out yesterday, and I have been very anxious these past twelve hours to get this off to you, since there is a new take from Miller vis-a-vis your ind

your brother's verbal communications to you about her mental status.

Since it is perfectly clear that the information about is central to your thesis, and it also clear that your aunt is against the publication of this fact and has evidence that it is not true. In addition, your aunt is not willing to allow information that sets the record straight to be published. Her feeling is that it would upset greatly if she were to know that your brother thought she was schizophrenic, end of story.

David Miller and I discussed the matter yesterday and have come to the following conclusion. Nora must be rendered unidentifiable. Instead of using her name when she is introduced to the text, you could use the phrase, "a blood relation, who will be designated 1. The genderless symbol with the numeral one will be used thereafter, and any facts that might identify her will be removed via redaction to make it clear we had to make the change for legal reasons.

The question about public disclosures of private fact with regard to is another matter. I am hoping to find out from Denvir that Investigator Report # 122 is not under court seal and has been made public. If this is the case, the cat is out of the bag and we are not obligated to excise the passages about f the documents about' have not been made public,

we have two choices. The first is that we would go through and redact anything that might identify The report would have to be heavily redacted. Second, we could excise

everything about ☒ alleged mental problems. Again, the reason for this is the public disclosure of private fact laws, which apply here and in the instance of s alleged illness. In

instances where is mentioned and there has been no public disclosure of private fact, he will be indicated by name, since he is quoted in *Mad Genius*.

In the handwritten section of Appendix 10 (A10-6) Miller would like to replace "lying to clients and deceiving them" to "manipulating clients." He is also quite serious about excising the information supplied by and the possible molestation os his daughter. The

reasoning is twofold: casting stronger aspersions on the accuracy of Holdman's work (when you rely on it in some important instances) represents a green light for anyone who might want to litigate since it suggests that you doubt what you are publishing.

Second, by telling your readers about Holdman's allegation, you are making public disclosure of private fact. _ is in cahoots with Waits. All doors should be firmly closed to him, since he will no doubt be looking for trouble.

Miller pointed out that a follow up change was necessary for consistency: p. 290, 2) Miller would like this paragraph to run as follows: "Also notice that mailed to face up to what I thought was the real source of the problem — that she may have had a streak of sexual sadism."

Miller would also like to add "in her family that were" to the following, which is to be found on p. 445,3-2b: "But I have no doubt that the alcoholism and abuse in her family that were portrayed by this autobiography were quite real."

And that is all. I am waiting to find out about Inv. Rep. #122. I will be in touch when I know what the situation is with 1..In the meantime, Miller has assured me that this is the balance of the legal red-through, which means that we will be moving ahead to press with your permission and permission from your family. I enclose a copy of a letter from your mother which I received yesterday on the way to the post office with the letter I sent out to you.

132. Beau to Ted — 6-18-99

Dear Ted,

I'm enclosing a letter from Jeff Miller to Quin Denvir along with the response from the Office of the Public Defender. Since the quality of the facsimile is poor, I have typed them below:

Dear Mr. Miller:

This is in response to your letter dated June 16, 1999. As to your request to see FBI reports of interviews with various persons, we are unable to provide you access to those reports. The reports were provided to us as formal discovery... We do not feel that we can unilaterally release them to other parties. If you would like access to those reports, I suggest that you contact the attorneys for the government... some reports... would be available in the court file.

As to your request to see investigator reports and a declaration, those matters are attorney work product. We do not feel at liberty to provide them.

Miller had requested the following, which I am told you can do as Denvir's client:

- a. Investigator Report #77)
- b. " #79
- c. " #87 ?
- d. "#122 C
- e. S. Holdman interview w/ Linda Patrik (Qc)
- f. all letters to TJK from Wanda K. and David K.

Also, can you let me know if the documents used by TJK in writing his book and listed in pp. 443–464 of the manuscript, of which I believe you have a copy, are still segregated and so more easily accessible.

If at all possible, I would like to know if you could get copies of the letters to us as soon as possible. The reports listed in the above are simply to check for accuracy, which I feel confident enough about. The letters may be necessary for fair use. We still stand a chance of hitting our deadline with composure.

I hope this note finds you as well as circumstances allow.

PRIVILEGED and CONFIDENTIAL

June 17, 1993

BY FAX: §16-49J-5U.fi.

Quin Denvir, Esq.

Office of the Federal Defender 801 K Street

1.0th Floor

Sacramento, CA 95814

Re: -*Theodore J., Kaczynski*

Dear Mr. Denvir:

In connection with my fax of yesterday, I ought to have been more specific about the documents which, we need in the first instance. They would be:

a. investigator Report #77

b. Investigator Report #79

c. Investigator Report #87 ; ;

d. Investigator Report #122 ,, j ;

e. S. Holdman Interview w/ Linda Patrik (TJK's Item "Qc"); f. All Letters to TJK from Kanda X. and David K.

Also, can you let me know if the documents used by TJK in writing his book and listed in pp. 443 — 464 of the manuscript, or which I believe you have a copy, are still segregated and so more easily accessible?

Finally, can you tell me which documents are under seal?

I appreciate your assistance.

Cordially,

Jeffrey Craig Miller

Context Books

OFFICE OF THE FEDERAL DEFENDER EASTERN DISTRICT OF CALIFORNIA
801 K STREET, 10th FLOOR Sacramento, California 95814 (56149S-5/CO
FBI(9H)49-5710

June 16, 1999

Jeffrey Craig Miller
A Korzenik LLP 426 Madison Avenue New York, NY 10022

Re: Theodore T Kaczynski

Dear Mr. Miller:

This is in response to your letter dated June 16, 1999. As to your request: to see FBI reports of interviews with various persons, we are unable to provide you access to those reports. The reports were provided to us as formal discovery in Mr. Kaczynski's case, for use only in that case. We do not feel that we can unilaterally **release** them to other parties. If you would like access to those reports, I suggest that you contact the attorneys for the government, either Robert Cleary in the New Jersey U. S. Attorney's office or Steven Lapham in the Sacramento U. S. Attorneys office. Also, some reports were used as exhibits in connection with Mr. Kaesynski's motion to suppress evidence and would be available in the court file.

As to your request to see investigator reports and a declaration, those matters are attorney work product. We do not feel at liberty to provide you access to them.

Very truly yours.

Quin Denvir

Subject: New York Press

Date: Wed, 23 Jun 1999 13:19:52 EDT

From: [TEXT OBSCURED] aol.com

To: beau@contextbooks.com

Dear Beau Friedlander

Thanks again for meeting up with me last night.

As promised I send you a couple of brief notes regarding the New York press article. Please excuse my use of the English language.

Best, [TEXT OBSCURED]

My number: 212.619.23.95

As an overall impression, the story undermines some fundamental journalistic rules. It is confusingly written, it doesn't build an argument. It switches from one point to another without explaining things. As an editor, I had to send the article back and have it re-written. It leaves the reader pretty confused. It doesn't properly build a case. Just from a craftsman point of view, the article is not a masterpiece.

The entry in the story is set up in a way that you don't even have to read it in order to understand what the premise of it should be: Before you reach the first sentence the subject (is it Mello's book or is it Ted Kaczynski, it's never really clear) is already crushed. Of course, the caricature is disgraceful. I don't even want to go into details. With one simple swipe (the cartoon) it is wiping out Ted Kaczynski's credibility. The image uses every already known stereotype and it basically fulfills every expectation that has been built up regarding Kaczynski over the years. So, people who flip through this paper (and I understand people are flipping through this paper) are getting the impression: funny cartoon about a nut person. They don't even read it.

The by-line is more subtle, though never the less pretty much to the same point. The line "Unabomber's Pen Pal» is very disrespectful to Mello because it implies that the writer of the book can not be taken serious, neither can the intellectual relationship between Mello and Kaczynski. They are just a "pen pal».

The writer of the article soon goes for the most obvious cheesy points. Strausbaugh "can't help feeling" that the relationship between Kaczynski and Mello has aspects of "traditional jail house romances". This of course is a stereotype without any important information. It is only used in order to discredit Kaczynski and Mello. It is also used in order to discredit the book. By writing about "death row girlfriends" the writer supposedly has met, he puts himself in the center of the attention and he avoids talking about issues. Instead he goes for the soap opera. By doing this, he is discrediting Mello's observation about Kaczynski intelligence. And, just as a technical detail, he does it

in a very non logical way. He puts love interest and intelligence in the same line of arguments. But in fact, this doesn't make sense at all.

The entire beginning is a well planned set up to discredit the book. This of course is a smart technique. Because most people only read the beginning anyway. The only go on if it is written in gripping way. I found it also a little disappointing that Strausbaugh is not able to really make a profound statement about Mello's book. I don't know whether he likes it or hates it.

A couple of other observations:

Basically, the entire article does not mention once what some of the fundamental aspects of Kaczynskis ideas are. The story is repeating most things that already has been written without an attempt to go any further. He for example never mentions the fact that the manifesto was printed by the «Washington Post» and what sort of implication this had.

In his book, Mello addresses the death penalty (which I found a fascinating subject). The article swipes over it.

Strausbaugh makes a lot assumptions, which are hypothetical (e.g. "the FBI would still be looking for him had his own brother not turned him in".) who knows. This, and a couple of other sentences are based on points with other don't matter or are not of any interest.

Strausbaugh quotes Mello "There is something very comforting in the notion that the Unabomber is a 'mad bomber,' If he is crazy then we don't need to pay attention to his ideas or". By using this quote, why isn't he asking what those ideas are? That's a follow up question every journalist has to ask or at least has to address. Aren't the ideas behind the man in the cell of more interest now since we have read quite a bit about the "mad bomber"?

Strausbaugh (or the editor) is using bold letters for describing the "suicide scene". By doing this he is highlighting what this article is basically all about it: being able to print the cartoon. Of course, he lets Mello explain what the suicide attempt was about. But everything is done in a very loud, sensational way.

Strausbaugh asks the questions: "What ultimately does Kaczynski want out of this?"

He let's Mello answer: "What Ted wants is invalidation of the guilty plea, and a trial. And what he wants out of that, if he can't be acquitted, which he won't be, is the death sentence." This of course is a very important point, not the death sentence, but the trial. Unfortunately the article never mentions what a trial would be really mean. What questions about Kaczynski could be risen? That it might start a much broader discussion about the issues Kaczynski is rising. That it might be a reason for not having a trial so no one can talk about them. What are those issues? The story does not talk about them. This is disappointing. It also does not talk about the moral and legal questions that are involved by denying a trial. All the article is using are catchwords. It does not rise questions regarding the judicial process. It does not really talk about the right somebody has to defend himself, a question that has been risen in other cases before. Of course, the writer keeps the role of the press out during the

trial, even though Mello talks about it. The same goes with psychological testing and the way, courts — or the media — is walking right over the points a radical brings into discussion. Last but not least, it is hard to understand in this article what the John Brown case has to do with Kaczynski.

Mello write it was never his idea to psychoanalyse Kaczynski. Strausbaugh is not talking about this. Though it is sometimes equally important what why people leave out.

The end of it is, again, very confusing. He talks about “Truth versus Lies”, then, all of a sudden he jumps, right back to Mello. Strausbaugh makes very unclear parallels between the two books.

It is also not clear who’s saying the last two long quotes starting: “The thesis is...” and “The picture of him...” Is it Friedlander or is it Mello?

To sort of sum it up: The article is pretty loud. It brings some of Mello’s point across (that Kaczynski’s defense lawyers denied their client his day in court). But in general it is repeating many things we’ve already read or heard. It never goes deep, it never touches issues that are really off. It doesn’t really debate the legal system. It does not really bring Mello’s reason across why he has written the book, what he wanted to accomplish with it, his ambivalence about the subject matter. And it doesn’t tell me in a argumentative way whether I should read this book or not. Therefore the article can’t really be taken seriously.

Subject: Re: New York Press

Date: Wed, 23 Jun 1999 14:35:26 -0400

From: Beau Friedlander <beau@contextbooks.com>

To: 1

It just occurred to me that you could clean up the usage in your critique of the NYPress story and send it to them as a letter to the editor... Would you consider it?

.ol.com wrote:

In a message dated 23.6.1999 >writes:

“Do you mind if I send this >

Beau, no I don’t mind if you

14:09:58 Uhr, beau@contextbooks.com

to Ted?»

send it to Ted. Best,

Beau Friedlander

Context Books

368 Broadway, Suite 314

New York, NY 10013

<http://www.contextbooks.com>

6/23/99 3:08 PM

133. Beau to Ted — 6-24-99

Dear Ted,

I received your letters of June 10, 11 and 14 two days ago, and all at the same time.

I understand what you want to accomplish with the information about and hope that you will agree to the manner in which Miller would like her to be identified (i.e., disguised). As you will recall, he would like her to be designated as “a blood relation” and further designated by a gender-less symbol. Our letters have crossed with regard to this, so I will wait until I get your response to my last input on the subject.

p. 2,513) Thank you for the information about the handwritten manuscript. I decided that a page of the handwritten portion of Appendix 10 would work, and I have shown it to Miller to make sure there is nothing legally sensitive in it.

Please let me know if you would like me to get a copy of the SpanishEnglish Dictionary to ‘ you. I understand that I must first remove the hardcover, or find the paperback edition.

With regard to the legal issues associated with the publication of *Truth versus Lies*, I am aware of the delay that will most likely occur. Having said that, I would like to wait before announcing the delay. There is no reason to announce it to anyone in the media. If they ask me why the book has been delayed I will tell them that your legal situation necessitated the delay. Also: I do not want to announce until I have some idea how long the delay will be. Since there are not that many issues outstanding, I feel we may not have to make any announcement because the delay will not be worth noting. The printing press has been notified and is willing to slip the book into production on short notice. As for the legal difficulties associated with seeing certain documents, we may have to assume that the delay will be four years. That is generally how long the US Attorney office sits on requests made via the Freedom of Information Act. In this case, I am willing to assume that the information you provide is accurate based on my own check with regard to fact and specifically with regard to your character, which does not allow for error or dishonesty. I feel that the evidence of your accuracy and honesty will suffice for legal clearance of many of the questions that can only be answered by documents that form a part of Denver’s attorney work product.

Re. Fischler and Sucher You are welcome to any information I can get for you. I didn’t do very much. I just listened to what they had to say and reported it accurately. Here’s something else I heard: Greta van Susterin is a Scientologist. I would love to publish a book that destroyed Scientology, and I generally try to avoid anyone who tells me that they belong to that cult. I don’t know if her “religion” necessarily makes her an idiot incapable of a worthwhile interview with you. But I imagine that this

might be the case. This is of course my opinion, and not in anyway to be considered anything else. As for Michael Mello: I am not in a position to enter into that discussion right now, but I assure you that what you have written on pages 3 and 4 of your letter has not fallen on deaf ears.¹ Also: Shay Totten is a liberal, but he is also a radical environmentalist associated with Earth Firsters in Vermont. I have known him since I was a teenager. He confirmed that Mello said, “psyched,” but I would point out that I have heard Shay use that word too.

p. 5, U 4) I imagine that would indeed be the case. What I meant was belated wishes of a happy birthday.

p. 6, | PS) As I told you in an earlier letter, Bonnie denied any such deliberate persuasion when I , asked him.

Letter of June 11. I cannot describe the belly laugh this letter produced. I wish you would say this directly to Getman (and I will post it if you like). jailed me just as I had finished the first page and she can report that I was still in the throws of laughter when I got on the phone. Had you only known the even deeper level to which one can follow this thing: My birthday is April 11, 1969. April = 4 or 2^3 . $11 = 1+1=2$, and the entire outcome is $4+1+1+1+9+6+9$, which is equal to 31, $3+1=4$, which is of course 2^2 . Fantastically clever. In addition, my two closest friends were bom on the $11^{\text{th}} \wedge 22^{\text{nd}}$ of October. The first comes out to 8, or 2^2 squared again, and the second is equal to, as you’ve already deduced, 22!, yet another 2^2 . Need I point out that the beast that represents my sign has *two* horns? I wonder what Getman would think were he to know that I once dated a girl who was bom on April 20 who had two arms, breasts, feet, etc? It is all rather extraordinary’ (and evil).

p.7, | 2-3) I will look for the article as soon as you can get the fragment to me. I know Jim Brooke slightly, and might simply call him, but I will not do so if you do not want me to. I will add the changes that you have indicated to the manuscript of *Truth versus Lies*.

I met with He is a smart Swiss ectomorph who does not write for Der Spiegel (I confronted him with my research on him) but rather for the leading Zurich paper. He had wanted to submit a proposal to DS, and I don’t think he was trying to mislead anyone. As a matter of fact, I am not so sure that I can rightly tell who is honest with regard to the shipful of people who would like to meet you. I do not mean to say that I have any difficulty recognizing motivation when it is there to be witnessed (and it usually is), but I have not been favorably impressed by the so-called radicals who want to work with you anymore than the establishment types. It seems everyone has a program. I am still hoping to find someone capable of reporting solid facts in a neutral manner — that would be a *coup*. The reason makes sense is obvious. Earth First! is not going to do anything untoward. But it still seems like a crapshoot with

¹ I will also add that I have had terrible gas as of late, and I am currently trying to discover its cause. It has now reached the point at which I am sometimes shocked awake. Any thoughts? (I have not been eating baked avocados.)

regard to the media. I am enclosing a disgusting piece that ran in a New York weekly. I have told Mello to put a lid on the disclosures about *Truth versus Lies*; I am not in a position to comment on anything else.

Since this trash had come out on the evening I met with I suggested he write an analysis of it, which would probably (to my way of thinking) expose the dominant ideological theme that possesses him. He did it the very next day. You will see by the correspondence I have enclosed that he was hesitant (read unwilling) to send it in as a Letter to the Editor.

Be well.

P.S. writes general interest articles about American culture and conducts interviews w/ celebrities. It is not entirely clear to me that he wants to move on to a more serious kind of journalism, but it is possible.

134. Beau to Ted — 6-25-99

Subject: Re: Documentray project

Date: Fri, 25 Jun 1999 14:00:46 -0400 **T** ^c **-Hu**« o

From: Beau Friedlander <beau@contextbooks.com>

To: Steven Fischier <steve@pacificstreetfilms.com>, J

-4cty i{ru. _L MKLfitve. <L \$r

No news, if you are wondering whether Ted got back to me about your loxl. documentary. I think he is pretty busy. Hasn't been in touch with Mello a either, and seems to be taking care of legal matters by himself now. O (jtcu-T , Hope all is well with you. Let me know how the project is progressing.

Beau

Steven Fischier wrote:

Beau: Just e-mailing to say hello and see if there is any "news" regarding the project we met about. I have received some info from Michael and have been in touch with him. I'm in the office today, >then out-of-town til Tuesday.

Hope all's well.

Steve Fischier

Pacific Street Films

Beau Friedlander

Context Books

368 Broadway, Suite 314

New York, NY 10013

<http://www.contextbooks.com>

135. Beau to Ted — 7-8-99

Dear Ted,

Thank you for your last letter (Item #60). I have been enjoying the rebuttals of Getman's theory. I have not posted them. Wish I could.

I am writing this letter in haste. Please treat the following as confidential, and more specifically between you and me.

(p. 1, K 1): "_____ did 80% of the talking." I have also experienced this with her, with the addition that she was somewhat presumptuous. I believe this is evidence of a narcissistic orientation. _____ has now ruffled the feathers of three people with whom you correspond: Derrick Jensen, _____, and me. I can only vouch for myself when I say that my reaction was not emotional.

In the same paragraph you write: "she's as honest and straightforward as can be, and I have no hesitation in trusting her judgment." I do not doubt that she is honest, since I have found no reason to think otherwise. I do not think she is straightforward. _____ tells me that _____ called her on more than one occasion for advice about the interview. She specifically wanted to know what questions she should ask. She promised to call _____ after the second interview with you and failed to do so. Apparently _____ no longer needed _____ advice. To further advance my impression of her character _____ informed me that she is attractive. Her behavior is not unlike that of an attractive woman, insomuch as her behavior suggests a certain proprietorship vis-a-vis you and a general will to be in control of surroundings, which would include anyone who happens to be there. This causes misgivings for me, since I fear she would also like to control my relationship with you.

I was surprised by her most recent phone call. She asked me for money so that she could take a flight from her parents home in the midwest to New York. She is travelling to Amsterdam and London as I suspect you know. I was taken aback by the request because I do not know her very well. She had called previously only to ask my advice on certain points in connection with the interview and adopted a somewhat superior tone during those conversations. I said that I could help, since I like to help out when I can (I sending \$150 of the \$300 she needs). I then asked if she could bring me a copy of the tapes of your interview since I would veiy much like to hear your voice and have thus far only had brief conversation with you. She agreed. She then called _____ to say that she did not want to give me the tapes because she did not want me to hear them. Why didn't she call me? As you know, I am not one to beat around the bush. _____ beats around the bush. Please tell her not to do so with me, because I like her but this sort of behavior is very irritating?

_____ has given rise to a long discussion with about her motivations. This would not have occurred had her behavior been straightforward. Jealousy might be a factor with . since she is extremely fond of you. This is not the case with me, although I also consider myself your friend. I am worried that she is devious. _____ described herself to _____ as an altruist. I do not doubt that this is the case. She has insulted me twice now with the epithet “leftist.” I will have nothing more to do with her if this continues. Self-proclaimed altruism is a common leftist phenomenon and I don’t much care for the contradiction implicit in the above — nor do I have time to ponder it. As it is, I have offered her the use of a sofa and some money. I do not go back on offers. I just hope that she does not try to be the center of attention that is so commonly the goal among pretty women. I am hoping also that you will be able to demonstrate that I am mistaken about her. I think she needs to be more straightforward. As for her judgment, I think you can guess my opinion. She is very good in parts. I actually like her. But the above is threatening to outweigh these sentiments.

I am enclosing the response from your mother and brother and my response to them. I am guessing that David is trying to hide his thoughts about _____, who is still his best friend. This is why I have suggested that he offer permission with the ability to remove such things. The _____ material as you know has already raised some cautionary flags with Miller and Korzenik. I have postponed publication of *Truth versus Lies*.

I am also enclosing an essay that recently ran in a new magazine called *Joe*, which is published by the coffee house chain Starbucks.

I apologize for my abrupt tone in advance, and look forward to you comments.

Yours, Beau.

P.S. _____, has had a chance to hear the portions of this letter that concerns _____.

David to Beau

David Kaczynski
Wanda Kaczynski
133 Saratoga Road
Building T, Apartment 11
Scotia, New York 12302

June 28, 1999

Beau Friedlander
Publisher
Context Books
368 Broadway
Suite 314
New York, New York 10013

Dear Mr. Friedlander,

We are responding to your letter of June 10, 1999, in which you offered to arrange reciprocal permissions so that Ted could publish our letters and we could publish his. We have no interest in publishing Ted's letters. To the best of our knowledge and belief, the right to publish our letters to Ted belongs exclusively to us. We expressly forbid you to publish any of our letters, whether in whole or in part.

You also asked for guidance in distributing funds from an escrow account among the victims and their families. Unfortunately, we may be unable to help you since all information given to the **Unabom Survivors' Fund** was solicited with a promise that the information would be held in strict confidence. Although the fund is able to receive donations, disbursements may be made to some applicants who are not victims of the Unabomber because of IRS requirements affecting charitable funds. Probably your best bet would be to contact Federal Prosecutor Robert Cleary and/or the US Probation Department for guidance in distributing contents of the escrow account.

We would like to suggest, however, that you consider donating some of your own profits from Ted's book to the **Unabom Survivors' Fund**. It would be a meaningful gesture from our point of view. For more information about the fund, please contact Maureen Yee of the Community Foundation for the Capital Region at (518) 446-9638.

Sincerely,

David R. Kaczynski
Wanda T. Kaczynski

Theresa to Beau

Subject: Coming to visit

Date: Sat, 3 Jul 1999 14:12:53 -0700

From: Earth First! Journal <earthfirst@igc.org>

To: beau@contextbooks.com

Dear Beau,

Hope this email message finds you well...

I am writing to follow-up on our telephone conversation of 7/29 when I mentioned that I intend to come to NYC the first week of August to catch a flight to Wales on August 4th. I think it would be really nice if we could get together while I am there and I appreciate your generous offer of hospitality and assistance with the airfare. I found

out today that the most reasonable fare was \$297 from US Air. I would just need a place to stay for the night of the 3rd, since my plane leaves on the 4th. Any \$ you could send towards paying for the flight would be a great help. It would be best if you could send a check to me here, c/o the EF! Journal (address in the email tag below). I feel a little uncomfortable asking you for this, but *I think it would be good for all of us, TK, you and I*, if we were able to touch base right now and tHe only way yo facilitate that is asking you for help.

Please let me know if this sounds ok. I will actually be out of town for the next few days while I am transcribing the interview. I am hoping to get it submitted to the Journal for publication in the next issue. We'll talk more when I get there...

TK

Earth First! Journal, POB 1415, Eugene, OR 97440-1415 USA (541) 344-8004, fax 344-7688 — <http://www.enviroweb.org/ef>

Subscriptions are \$25/year(USA), \$35 1st class (US, Canada, Mexico), \$35 Surface Mail International, \$45 Air Mail International

An international EF! web address is: <http://www.k2net.co.uk/ef>

“May your trails be crooked, winding, lonesome, dangerous, leading to the most amazing view.” — Edward Abbey

136. Beau to Ted — 7-12-99

Dear Ted,

Further to my last letter of July 8, I have talked with _____. This most recent conversation has caused me to rethink my position somewhat, since my biggest complaint (that she adopted a superior tone) was not in evidence. I have reported relevant information from the below (but not its entirety) to ., which put her in a better mood. I found myself in a good mood when I got off the phone, and must say that she was very charming, nice, and it was a pleasure to talk with her.

_____ clarified the tapes-issue. You will recall _____ report that there was information that TK did not want me to hear. It turns out that she also told me this, and asked what she should do. I told her that the Feds could subpoena anything any time they like, so if there were anything she would not want to give *them* she should destroy it. I then suggested that she edit out portions that she wanted to omit while preserving the majority. She then said there was a lot of her “yacking,” which I already knew from your account.

In reference to your letter about an interview with Iyad Ishmael, she said that you were “so cute” and then read a portion in which you had written that she was “a number one” and “great” I thought this lacked discretion on her part, which will be a recurring theme with her. She found the suggestion that she interview Ishmael amusing. Her actual word choice was “hysterical,” by which she meant to signify amusement and not the ^-centuiy disorder. Some other quotes from our conversations as taken in note form: “The Feds must be doubled over laughing.” (I suppose she may have been trying to deflect any suspicions had there been a Fed listening in via wire-tap.) “My picture will end up being a pin-up with a pen in my mouth.” (This was in reference to interview requests by other inmates.) “I’ll have a collection of letters from the world’s greatest terrorists.” (I was struck by the manner in which she positioned herself within the construction. I do not doubt that she espouses radical views, at all, nor do I imply it.)

There was only one major point where I thought she definitely needed to be more careful. She told me about a portion of the interview during which you discussed pieing actions. She then told me that you had said something along the lines that those pies may someday be guns.

Immediately, she told me about the apple-mulberry pies you baked while living in Illinois. And then...that the most recent pieing had been *reportedly* perpetrated by one Agent Apple-

Mulberry. The progression is a little worrisome since it could be construed that you had something to do with the pie incident. I know as a matter of fact from that you did *not* have anything to do with it. But Jid tell people about the apple-mulberry pies at the

rendezvous. She thought it was great that such a report had surfaced. I do not, since it could be construed in less joyous terms by the authorities. agrees with me.

More potential inaccuracy, Zerzan has apparently told her (and others) that your papers are going to be kept at the University of Michigan. I told her that this was not settled and she should not tell people about it. People certainly talk a lot! Perhaps I was wrong to tell her that she shouldn't discuss your archive's final home, but my will to confidentiality is very strong.

During my conversation with her, asked if I would look over her article and provide editorial suggestions. I did 4\$ and enclose a copy of the email correspondence. She also wanted help dealing with the media. We will discuss this when she visits New York.

So, I no longer feel personal misgivings about ' She has a positive character that, while it may have "young" tendencies (e.g.: gossip), is both intelligent and cheerful. I am not sure that her judgment is oriented to all possible situations. But she was very charming when I spoke to her, there were no more presumptuous remarks, and I felt comfortable.

We are currently getting page-proofs for you to work the final legal edits into. I think this will speed things up. You can interleaf changes with the proofs, and seeing everything on a page may also effect the way you read it (the all-powerful printed word at work) and aid you in the work.

I spent a good portion of the weekend working in our garden. (There is a rather large yard behind the convent where I live now). Now? Yes, I recently moved in with a woman, her name is

\Ve have known each other for 6 months, and have now developed a romantic attachment. She occupied the building with some friends about nine years ago. It had stood empty for years. Through some seldom-used laws, they were able to take it over (homesteading) from the city and turn it into a legally-occupied, comfortable place.

About four years ago they successfully applied for state money to fix the structure, which was named a historical site around the same time. A contractor was hired to do some restoration as part of the deal. The work included landscaping during which they removed a parking lot and replaced it with a garden. O those idiot landscapers! The landscape contractor was given free license to do as he pleased back there because no one resident there at the time (including had the foresight to take control and give the project direction. He did an okay, if uninspired, job. But I call him an idiot because of one particular wrong move. He decided to make a border of cobblestones around all of the planting areas. Not so bad, but he set them in a trough of cement that measures one foot deep by a foot and a half wide. Using a steel wrecking bar, I had to work all of this crap out of the ground hunk by heavy hunk. It didn't take very long (about three

hours) but my back is very sore today from the effort. (I am in good shape, but this required some neglected combinations of muscle contractions to which I was unused.)

A woman named has taken control of the garden plan, and she is doing a terrific job. We are building a hill with a rill that leads to a reflection pool that empties into another rill that leads in turn to another pool. It will be very beautiful. (She wanted me to pull up the cobblestone to give the garden a less municipal appearance and we needed the fill.) Part of the garden is dedicated to vegetables. When I lived in Sweden, we grew potatoes.. is from Poland (the

convent is in a Polish/Italian/Dominican neighborhood). You'd think she would grow potatoes. I have yet to prevail with her on this score. At present we have cucumbers, tomatoes, various greens and legumes. The soil was so toxic that they had to bring in soil from upstate. It is hard recreating nature in the city, and it is kind of sad (i.e.: pathetic).

Reading your responses to' , was great, thanks. I have a similar "belief system" when it

comes to fishing. I thank them for letting me catch them and assure the lake that they will be eaten. On more serious points I believe we are also very often on the same page.

I would like to interview you I talked to about the possibility of accompanying her on the next interview. I am not sure that I can. But if you still want me to interview you, let me know and I will make the necessary arrangements.

I hope this note finds you well.

137. Beau to Ted — 7-16-99

Dear Ted,

This letter is in further reference to my letters about _

I just got off the phone with her and I am now thoroughly convinced that she is 100% okay. I still think there may be some judgment issues with regard to the pie story I told you and with regard to her discretion in a more general sense, but I particularly like her more and more with each conversation. She is a genuinely nice person, an honest person, and a smart one to boot!

She called to tell me that she spoke with Derrick about the possibility of a future meeting between him and you. She is very conscientious, since she had no cause to get in touch with Derrick other than to further the cause of getting accurate information about you out to as many people as possible. I now begin to understand that she can play a very positive role in the project I have all along envisioned: setting the record straight about Ted Kaczynski for all posterity.

I may have been an overzealous/protective ombudsman by sending you a copy of the interview. I feel that it is part of my job to give you all possible information and that is why I sent it to you (i.e. ^j it let you see what was in the works and, at the same time, gave you the chance to review my involvement, etc.). Let me know iff should continue to send all possible information.

Theresa just told me that she has withdrawn the interview in order to compile all of the interview material (including the two scheduled presently). Sounds good to me, but I feel that she may be embarrassed about the material that I forwarded on to you, since she does not know that I sent you a copy. (She may know, because I told her about the Hossli correspondence and at that time told her that I send you everything.) For my part, I didn't realize that she might withdraw the interview, and assumed it would run in the July 20 issue. I also thought that you might be able to better organize the interview (since she has not done very many interviews) for the second meeting were you to have some idea of her project. She is certainly going to have a lot of material. Normally, an interview (whether for print or audio/visual media) takes about an hour — two at the most.

Derrick has offered to help her organize the huge amount of material. For what it is worth, I thought she portrayed you in a very strong light, although I would have preferred a more indepth discussion of specific issues if you felt comfortable, discussion (in the third person) of the Unabomber manifesto, actions, trial, et al. I know that this may not be possible.

On to the work that I have before me. I am making all of the changes to the page proofs of *Truth versus Lies* personally. They will be finished by Monday. We still do not have clear indication of the remaining work to do with regard to sections that need rewriting. Miller has talked to Denvir about the segregated material. Denvir said that he would call for confirmation from you (even though we referred him to the March letter (#132) that you specified. He said that he needed you to tell him unequivocally to release the documents to Miller. Miller will not show the material to me, nor do I personally need to see it. He has researched the matter and knows that he does not need to be your lawyer to review the material, and that such representation would represent a conflict of interest.

Denvir said that he had written to you about the matter and has not heard back from you. I hope that he will not create a further delay after he receives the unequivocal request from you, and frankly have difficulty understanding/mistrust his will to delay.

I have not received a response to my second letter to your brother and mother. Bisceglie is out of town. I think they are waiting to hear from him. Miller called Bisceglie's office earlier this week to let him know that I had written a letter that suggested they would be better off granting permission. I have had an annoying week. I can tell you that there may be a little Linda P. in Mello's wife. She has made plans for travel to interviews needlessly difficult and expensive. But it's better not to dwell on it, I suppose.

I hope this note finds you well.

P.S: I have been a little slow on the up-take about the Spanish-English dictionary (Item #54). If you want me to send you a defrocked copy, let me know the edition and it is as good as done.

Smart Bomber

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SINCE I DO NOT consider myself among the "greens, luddites and technophobes." John Strausbaugh would have me believe that I am unique in my finding the Unabomber's manifesto not to be "the ramblings of a madman" ("Publishing;" 6/23).

Think back. Many people were surprised by the intelligence, rather than by the insanity, displayed by the then-anonymous murderer/author of the manifesto. The media have proven themselves to be cowardly and counterprogressive by labeling Kaczynski as simply a madman. As Michael Mello asserts, "There Is something comforting in the notion that the Unabomber is a 'mad bomber'¹... If he is crazy, then we don't need to pay attention to his ideas." An Ideologue/murderer is indeed something most people would find far more terrifying than a mad bomber—and as such, Kaczynski should be compared to Baader- Meinhof, the Symbionese Liberation Army and, to stretch the point, Mao. Pinochet, Castro, et al.

Perhaps the most disturbing thing about the article was Mike Gorman's illustration of a crazed, exposed Kaczynski awkwardly dangling in a position that only a moron or a lunatic would deem possibly lethal. *NYP* has followed the well-trodden path of others who have dismissed Kaczynski as an insane nincompoop. The result: *NYP* cannot address issues and ideas that may possibly have some significance for the times in which we live. If the point of the illustration was to be outrageous, It would have been far more provocative and profound to portray Kaczynski as sane, thereby focusing on the absurdity of a society that willfully conflates radical activism with madness.

MELISSA BREYER, Brooklyn

138. Beau to Ted — 7-17-99

Please forgive this handwritten note ...

139. Beau to Ted — 7-19-99

Dear Ted,

Thank you for your letter with the enclosed NOTE ON THE QUESTION OF MILLER'S etc. I cannot imagine a better author to be in this bind with, and I wouldn't be surprised if you were the one to come up with the best solutions. I understand the difference between your question and the information I provided with regard to the possibility of representation of counsel from Miller and Korzenik.

On a related topic, I have a question regarding David that you may not be able to answer, but I think it is worth asking. In Chapter XV of *Truth versus Lies*, you provide proof that DK once held values that differ greatly from the ones he espoused after your arrest. To that end, and with the assumption that many readers are sloppy, I would like to suggest that you expand the first paragraph. I imagine this can be done by adding a clause (e.g., which prove that he was (not)...) or something that alerts the reader that they should pay close attention to this important information. Unfortunately this material, in the absence of permission, will have to be paraphrased.

Your mention of [TEXT REDACTED] on page 399 struck a chord. I had never given much thought to one of Getman's theories until I came upon it. Getman suggested that David knew of "the Unabomber" long before turning you in as the only suspect. I took notes on this theory at the time (I destroyed the originals, except for one note that I downloaded from the Internet at home).⁽³⁾

The main point was that a friend of David had penned a (still unpublished) novel with a hero who was an anti-technology primitivist. The author: [TEXT REDACTED] TECHNOPHOBIA was the title of La Follette's novel. It was later shortened to PHOBIA, and found its inspiration "from David" while the two were on a camping trip in 1985. The book is about a Berkeley graduate who spent his days talking to an AI machine named LINDA. The "hero" works for a company named Westech, which was supposed to be "a metaphor for progress." The hero has disturbing dreams of violent murders and goes to a psychiatrist. The book ends with the "disheveled, bearded" hero waking up in a cell, groggy, and confused. That's all he wrote about it, but I had the impression that Getman had actually seen a copy (how else would he achieve this level of detail?) [TEXT REDACTED] was and still is David's friend [TEXT REDACTED].

I know a guy named Steven Dubner who is writing an article about David and Linda P. provisionally entitled "The Price of Morality," which is critical of the couple and particularly of Linda. He described them to me as "angry Buddhists" and rightly

⁽³⁾ See also: back of page two. I haven't been in touch w/ G. since March or April.

hypothesizes that David went from your shadow to Linda's and that he has no backbone but much resentment. I have not told him about this, but think he would be the right person to interview [TEXT REDACTED] about his book manuscript. I located [TEXT REDACTED] in Texas, but did not call, since I wanted to run it by you first.

As for the delay in telling you the above, I thought Getman was full of gut snot. But the name struck a bell, and now I realize that you may find something of importance in the above information. My guess is that the book may be based in part on you, but it could just as well be about David. If this is the case, it further proves your point that David was a shiftless radical and that he acted out of resentment, not apprehensions of violent radicalism. Getman's own theory is baseless, but he unwittingly may have provided some good information. Let me know what to do, if anything, about this matter.

I hope this letter finds you well. I am looking forward to Miller's return so that we can have the conference you have suggested.

Yours,
Beau

140. Beau to Ted — 7-21-99

News Brief

Al Pinkston of KGB-fearing fame is DEAD!!!

Yours,

Beau

141. Beau to Ted — 7-23-99

Dear Ted,

Thank you for your letter of July 16 (#64) which arrived today. I am concerned about much contained in this letter.

I have taken some notes while reading the correspondence that you forwarded to me. I think it is best to simply cite them here to spare you the tome I would otherwise be forced to compose. I will first respond to the letters that caused me to react immediately, and then proceed to comment on your letter. I will say here that I must try to maintain a neutral stance since Mello's work is published by Context Books. This has not been easy to do in all instances. The below should be considered confidential (which would not include any attorney-client privilege you may still have). Should you need to make public any of the information, I am open to suggestions of a politic use to be decided by us beforehand.

MM>TJK; 8.5.98: The tone of this letter is unbelievable. I am glad that you sent it. Fact is sometimes much stranger than fiction. I found it childish.

MM>TJK; 9.17.98: MM's claim that he is not in need of money troubles me somewhat because it does not tally with information that he has related to me. It is my impression that he is very much interested in money. He has not given me an inch with regard to things financial. There are facts in support of the above stated impression.

MM>TJK; 11.3,98:1 never said that I "really wanted" to see the draft 2255. I think he offered to send it down and I passively accepted the offer. *Note bene:* I did not open the envelope for three days after its arrival. This would suggest the degree of impetuosity in my alleged request. I should add that I did want to see the draft. As you will recall, I commented on it at the time.

MM>TJK; 11.24.98: There was some degree of bonding with Greenberg, but I was always suspicious and specifically wondered whether Greenberg was a loose cannon in a letter to you.

Mello was carefully solicitous about the order of publication with regard to your book and his respectively. He was relieved when I told him that his book would come out a month and a half before his.

MM>TJK; 5.10.99:1 held the redacted page of this letter between my fingers as one might a pair of soiled underwear. I imagine that Mello argues that 60 Minutes was inferior to van Susterin, who is a Scientologist⁽⁴⁾. Mello was wholly interested in

⁽⁴⁾ Scientologists are laughable. I believe it is possible to find someone's character despicable on the basis of this affiliation alone.

promoting his book. Van Susterin would not run Mello alone. In other words, she was using Mello to get an interview with you. Mello is not a widely known figure, which means to say that there are other people the press would go to first for expert commentary, and before he got involved with you he had little occasion to be in touch with media at such a high level. He had been on major news television (national) once before.

The hearing problem to which he gave wind stems from an occasion when Mello came to NYC for an interview with A&E. Mello missed a flight, and then he failed to find the driver I had sent to bring him to the hotel. There was no problem with his trip as we had planned it. The ticket agency sent Mello the wrong ticket, but this was cleared up before he flew. His wife was angry when I adopted a clipped tone with her on the phone — I was trying to locate her husband at the time and she was keeping me from it! As for other instances of my lack of attention, alt other occasions have been associated with conversation either with ' his wife, or conversations instigated by her. These conversations had to do with complicated publishing matters. They did not know what they were talking about, and I listened with half an ear. Our distribution is far — reaching (e.g., Mello's book is available from three wholesalers and can be found in major bookstores in all fifty states as well as Canada).

The real basis for this comment: Mello was *very* angry with me about a chance he “missed” involving a short human interest piece on him that People Magazine wanted to do after the Boston Globe ran the piece subtitled “VT Law Professor Overcomes Hate.” I asked the editor to wait until his book came out and they lost interest — end of story. Mello very much wanted to be in this high-profile magazine. This was the only thing Mello mentioned in support of the accusation (leveled at me when he came down for the interview) that I did not listen to him.

Aldag: I hired [TEXT REDACTED] to work on Mello's book, and suggested that he might work on yours if he did well. He has done well, and I will hire him for your book. I called [TEXT REDACTED] on the allegations here and he denied them (z.e., he said that no questions were ever drafted for MM to forward). Please let me know if this is not true. I remember [TEXT REDACTED] suggesting a Q and A at the time, and I told him to wait.

While it is on my mind, Scharlette Holdman said that Mello was a washed-up attorney who has taken refuge in academia. It is not my impression that Vermont Law School is among the country's best institutions. She thought Mello seemed a mercenary. I did not ask her to clarify, but this comment was made in connection with the possibility that a retrial would re-expose you to the death penalty.

You have shown great restraint in the responses to Mello. I am aghast at this bizarre turn of events. Mello does not know that you have sent me copies of any of his correspondence, and I do not plan on telling him. Why bother?

(p. 1, ¶1b-p.2, ¶1): I think your position is correct and you are free of any obligation you may have felt compunction about at an earlier junction.

I think is okay, and while I appreciate your preferences with regard to financial matters, I was not terribly put out by the request. Like I said, I like to help people out when I can. I suppose it must seem strange. You are not the only one to raise an objection. Both ^T, and were mystified by my decision. I am going to give the matter further thought, since you are generally right about this sort of thing. Thank you for the comment.

(p. 3, ¶2): I am very aware of the big-brother issues that plague David. It is on this level that I feel your book is more important than you suggest in your notes to Mello's letters. It is important because it sheds light on dynamics that are not unique to you and your brother. I think *Truth versus Lies* will be of great interest to many on the basis of this observation. I wrote the second letter in deference to the possibility that he might listen to reason. I am currently collecting instructions for your upcoming work as a paraphrast, and literature on "fair use," which I will send to you with the page proofs.

(p. 3, ¶1b): You don't need to tell anything about the bush she may or may not have been beating. I wrote that in a moment of irritation, and now feel, once again, that I can take care of myself. If you would like to discuss the money issue, you are free to do so.

(p. 4, ¶2): A thousand apologies! I see your point immediately and understand the damage I may be responsible for. I was wrong, speaking out of place, and it will not happen again. I am sorry. I am glad that you approved of my advice vis-4-vis shutting up *et al.* Thank you for clearing up the pie matter, I figured you would be completely on the safe side with regard to such things. Again, I understand where I erred and it will not happen again.

(p. 5, ¶1b): The convent was erected in the 1890s and abandoned in the 1970s. and her friends applied to the city to open up the place for low-income housing, and they prevailed. This was over ten years ago. About three years ago, the government decided that the building was a historical site, and they provided over a 700 thousand dollars for renovations. We live there for a fraction of normal city rates, and it is permanent. I have no interest in eating our neighbor I have heard that violets are edible, and will try one next chance I get (we have no violets in the garden). We just harvested sage, mint, lettuce, and kale. I like kale and had some but wonder whether the environs of Brooklyn might tend to make our produce toxic. Any thoughts? I assume it is somewhat toxic, and therefore eat it only occasionally. I don't suppose the produce that we get in New York is any less so... Does poverty weed produce an edible tuber, or is it just greens? I have little knowledge of edible vegetation identification. I think knows a little about it — her uncle is a subsistence fanner in New Mexico.

I want to interview for mainstream media. I am not sure whether it should be paper or electronic, even suggested that I might be able to take part in the 60 Minutes interview with Wallace were you to be interested in pursuing that as your televised appearance. My questions would in large part depend on the areas you felt comfortable discussing. It might be more illuminating to tell you my goal, which is to give readers

or viewers a comprehensive sense of who you are and what you stand for. I would like to ask about the Unabomber campaign. I would like to ask about the rationale implicit in those bombings vis-[^]-vis the eventual publication of the manifesto in the *Washington Post*. I would like to discuss the role of morality in a revolutionary act. I would also like to discuss your relationship with your family, including David's former radical stance and his relationship to you and your mother's tendency to take narcissistic satisfaction in your accomplishments. In addition to these areas, I would like to touch upon your time in prison to give people an idea of the conditions in which you are kept. I am sure these areas will give rise to all the material I would need to create an interview for mainstream media.

Strangely enough Derrick just called and I read the foregoing paragraph. Derrick liked what I have here, and added that his first question would be: "So, what's wrong with industrial civilization?" Derrick said that he wouldn't "talk family" unless you wanted to. He may well be the person to do this, since he would also be shooting for the mainstream audience I mention. I can recommend him, and what is more, of all the characters we know mutually, he is the most consistent and there is little chance that he would do anything untoward or errant or irritating (unless you find his brand of emotionalism (wd?) irritating).

Keep me posted with regard to the appeal and Mello. I am not going to let him know about the information with which you have provided me. I have told to avoid Mello in a non-specific way and Derrick, who was going to interview Mello as a favor to me (his offer), has been informed only that an interview with Mello would compromise his values and beliefs. He asked no further questions and pointed out that I said the same thing two months ago when the topic first came up.

I guess that's it. Until later, I am

Yours,

Beau

142. Beau to Ted — 9-15-99

Dear Ted,

This is the letter that I agreed to send you when we had our conference call on September 7.

This confirms that Context's attorney, Jeffrey Miller, gave his legal opinion that your release to us of the four documents in question (Investigator Reports Nos. 77 [TEXT REDACTED], 79 [TEXT REDACTED], and 122 [TEXT REDACTED], and the [TEXT REDACTED] declaration) would not result in the wholesale waiver of privilege with respect to the other currently privileged documents. I agree, for Context Books, to provide legal defense for you in the event we should be sued for defamation or libel as a result of the publication of *Truth versus Lies*, with you, naturally, doing what you could, in good faith in support of our legal position. Also, if and when the legal proceedings intended to win you a new trial and possible release have been finally concluded one way or another, you will authorize the release of such other documents as might be useful in framing a legal defense to any claim actually asserted resulting from the publication of *Truth versus Lies*.

I am,

Yours sincerely,
Beau Friedlander

143. Beau to Ted — 8-2-99

Dear Ted,

Thank you for your most recent letter (Item # 66), which arrived today. Since [TEXT REDACTED] just arrived, and it is impossibly busy here today, and I have to read a 300-page book in the next 6 hours (for a meeting tomorrow), I will be brief.

I was interested to see your letter to Derrick. I do not think he is a leftist, and I do not think anyone would dare “lump” you with any of the leftist he has interviewed. His emotionalism may tend to suggest a mode of thought and a system of values and beliefs that are consistent with the Unabomber model of leftist psychology. I cannot think of anyone else who would be able to get your words into print untouched by nervous leftist sentiment. He has to interview a certain kind of person on occasion since it is his bread and butter, and there are not many people out there who publicly espouse the values and beliefs that you do.

I am glad to hear that my ill-advised advice [TEXT REDACTED] to was not acted upon before getting your consent and that the tapes are still intact. Again, my apologies.

(p. 1, ¶3): Interesting. I like the cartoons by Booth. Curious about those subscriptions. I have not ordered that publication on your behalf.

Dubner called today. He has interviewed [TEXT REDACTED]. He found out that the artificial intelligence machine was called Laura. He felt there was not enough coincidence between the narrative and your own particular story, but that did reinforce the idea that David once held radical views. Dubner said that this was ancillary to his argument, but it would receive fair treatment as it applies to his thesis about the triangulation between you, David and Linda Patrik.

I have enclosed a request for an interview from Dubner. I am sending it on the off-chance that you are not opening all of your mail as it arrives. I would be interested in coming along, and could be present to help keep the interview focussed. As you have rightly pointed out, I cannot provide a legal counsel to you with regard to what you say and what you do not say. But if you like I can be there, and chime in, when I feel that he is intruding into private or irrelevant areas. It would also provide me with the chance to conduct a Q and A with you, which would make it easier for me to deal with the media when your book comes out. Instead of doing “publisher interviews,” I can give them the Q and A. If need be, I can read from it for radio interviews.

Your letter to van Susterin was clear enough and I would be curious to know her response. 60 Minutes is still interested in interviewing you. I have told them that they would need to prepare questions before hand. They asked if an informal meeting with

them might be arranged. They agree to my presence at the meeting and will fly me out. This could be arranged to occur during the Dubner visit. I would suggest having these meetings over a two-day period toward the end of August or early September. A meeting at this time might also help move things along with regard to the publication of *Truth versus Lies* since they will only need a fraction of the 6 hours allowed.

Here are the dates you requested with a few thrown in for good measure: 4/3, George Herbert; 4/5, Algernon Charles Swinburne; 4/15, Leonardo da Vinci and Henry James; 4/17, Henry Vaughan. Now, are you pulling my leg?

I will tell my PKK friend to write to you and pass along your area of interest with regard to the media portrayal of Ocalan, his politics, etc. Let's see if he does. Thank you for the suggestion. He was reticent when I asked him about Ocalan last time I spoke to him.

The expansion I would suggest would be quite simple. Readers are sometimes lazy, and need to have important text brought to their attention. Short of underlining important passages, it may be well-advised to write exactly what you are getting at, and at times, in a painfully obvious manner. The passage I was referring to in my July 19 letter occurs at the beginning of Chapter XV: "Let's look at some of my brother's attitudes over the years." I suggested that you add a clause that might begin like this: "which prove that he was (not)..." The point is simple, tell the reader what the citations (soon to be summaries and paraphrases) signify. They signify, or better, illustrate the radical stance he abandoned later in life, to my way of reading.

Regarding the Reagan quote, I think such quotes are very important and, while it is risky, I would advocate retaining it and other citations like it. Miller understands my position and thinks it is probably an acceptable risk. He would not commit to anything beyond this probability. I am enclosing, finally, Jeff Miller's instructions with regard to the copyright issue and the work ahead. I am also sending a list of all letters from your brother and your mother that are quoted. They still have not figured out what they want to do with regard to the review of Denvir's work product. I will push for resolution of that by week's end. Lawyers can be slow in my experience of them.

I like your suggestion with regard to the preface to paraphases, except I think it may become redundant given the amount of material you will be paraphrasing or summarizing. It will accomplish your goal with regard to further emphasizing their stance vis-a-vis you and it helps prove your thesis.

With regard to Mello quotes, I will forward what I find. Transcripts are hard to come by, but I will see what is available and send them on. I am not funding any more interviews, so I am not sure there will be much, which should be good news.

I have found out from a Muslim friend of mine that Muhammad Assad has done the best English translation of the Koran. There is only one store in New York that sells it, and I have not had time yet to purchase a copy. This week! I will do it this week.

Nothing on . The German woman to whom I referred in an earlier letter is

I am also enclosing a letter from chat documents her excellent research. I will keep better notes per your suggestion, and will document my conversation with your aunt later this week.

I hope this note finds you well.

144. Beau to Ted — 8-4-99

Dear Ted,

[TEXT REDACTED] is leaving today... and she have hit it off. I like her, and she thinks I'm smart — but I wouldn't say that we hit it off. I'm too damned serious/disciplined/paranoid/controlling (I don't know which is most descriptive) about everything, and she takes things much lighter while not detracting from the import they deserve. I admire that quality. a more sympathetic listener than I am too — so they would be naturally more geared toward a happy liaison. I can say that was wonderful to get to know.

[TEXT REDACTED] just left the office. She said that she felt the and I were part of her affinity group. I'm not familiar with the terminology, but the sentiment is mutual if I understand what she was saying.

It has been very busy here as of late. I have page proofs ready for your inspection (to make sure that all of the changes you requested have been inserted). I want to read through all of your letters to make sure all changes have been made before sending it out to you. This should be accomplished soon.

145. Beau to Ted — 8-7-99

Dear Ted,

Thank you for your letter with the correction on the telephone conversation with Mello. He called a few days ago to tell me that you had sent a letter to the Dean of Vermont Law School. He tried to make light of it, and I think he was also trying to find out if I had received a similar package. I left him unrelieved in what must be a source of anxiety for him. Life is much easier when one conducts his or her affairs with integrity, and an understanding of basic decency. I suppose some people never learn this very simple lesson. I recently revisited your letter to me of November 19, 1999. You pegged Mello there with regard to his conflicting feelings about you, his addiction to inaccurate media sources (which morphed into an addiction to media appearances!), and his chronic sloppiness.

I had a long conversation with the Talk Magazine editor who is working on the article entitled “The Price of Morality.” Here’s what I learned: The article will portray you as a person guided by his own strict moral principles. It will make clear that you developed your own code of values and beliefs, and that they form a cogent system. It will then show how David once subscribed to a similar moral position. Dubner had a momentary lapse of journalistic integrity and told me one quote from Linda Patrik that will be in the article: “I think I should have gotten more credit from the media for Ted’s capture.” (Although I know we should wait to see what he actually writes, this seems like a triumph and I feel like doing a touchdown polka!)

Dubner’s focus is on the relationship between you and your brother and how morality played a role in decisions you each made. It seems to me that the writer will be handling the subject of morality in an abstract manner. He plans to expose David’s earlier radicalism and his journey toward an establishment mind set. I expect Dubner to approach the work in an intellectual manner and that he will produce a thoughtful treatment of his subject matter. Finally, the editor told me that David has been recalcitrant during the interviews with Dubner, and Dubner is looking forward to talking to you. This might suggest that were you to be open and forthcoming with him, he would rely on your information.

I have now had the chance to hear parts of your interview with [CENSORED]. Unfortunately, much of the material is very difficult to hear without a sophisticated hi-fi system because the microphone was not situated correctly, which produced a lot of background noise and echo. There is, however, a section that is clear. Let me tell you that I had a very emotional response to it. Contrary to the evaluation of your skills as an extemporaneous speaker, we all found you to possess a lively, compelling voice. It

was a pleasure to hear you talk. I should explain that response had much to do with the fact that she feels close to you, since I often talk about you. She has heard many of the trials and tribulations that have occurred during our correspondence. I too had a strong response, particularly when you were talking about your estrangement from nature. I am looking forward to our meeting.

This all goes toward supporting my feeling that you would be an excellent interview subject. Now, I need to tell you what else I found out from this editor. Apparently, the Editor-in-Chief is serious about being the first one to tell the story of your brother's motivations and the roles played by his relationships with you and Linda Patrik. She may kill the story if someone reports about the chronically bad dynamics between you and your family before she does. They know that 60 Minutes is also interested in an interview. I spoke to Gordon about this, and she has agreed to run the story whenever it is in your best interest. I trust her, pretty much, but think there's an easy way to accommodate the demands of both Talk Magazine and 60 Minutes with little ado. Talk wants to break the story about your brother's wishy-washy morals. Fine. Their story will come out on the newsstands October 7. This is of course most likely before your book will be ready. This is a shame, since the article will create a larger group of readers willing to hear your rebuttal (and buy the book). Once we get the final paraphrase and summary from you the book will take about four weeks to get into stores. See below for what remains to be done.

The editor also told me that they would like to run an excerpt of *Truth versus Lies*. My opinion with regard to the kind of article they would like to run is largely based on the chapter they want: Chapter XV. Of course, this is the chapter that has a lot of letters. I told her that the letters will have to be paraphrased. She still wants it. As publisher, I have decided that the Reagan reference stands as is (i.e., must be cited verbatim). Further, Korzenik thinks that such brief, relevant quotes are definitely acceptable (which should help you make decisions about the manner in which you paraphrase the copyrighted material). If there is any real problem here, it is my risk, and it is a necessary one. With Chapter XV placed before the article in the magazine, the public will be able to decide for themselves whether your brother's motivations were questionable.

Since this article represents a turning of the tide with regard to press coverage, it should, in my opinion, be accommodated. I'd recommend that you give Dubner an interview (and I will drop everything to be there!). I'd also recommend that if you are interested in 60 Minutes as the venue for a televised interview, that it takes place after the article is published, since the Editor-in-Chief is very impetuous and may kill the story if they are not first. The solution would be to hold off on telling your story to the media until the article comes out, which would include 60 Minutes and any other media agency (this is really important, and I think also worth doing). Since we know what Talk is going to run, it seems ludicrous to botch a supportive piece of journalism by

I agree that it would be risky to trust them beyond the lukewarm “pretty much” which is synonymous with “not entirely.” But there is more to tell on that score.

allowing something to occur that might be less than advantageous to your interests. My opinion about the article is that it will be important: I think Dubner is on a par with

I told that they would have to play second fiddle to Talk Magazine in the event you were willing to accommodate their request, and she made a very interesting suggestion worth mentioning. She wants to redress the error of reading your letters to David and Wanda aloud on the program by reading *David's* letters to you aloud on the program. This would mean that the information that we have to paraphrase for copyright reasons *will* come out whole and unedited. She said that CBS would be willing to absorb the lawsuit if David decided to sue. This is all new to me, so I may be missing something to which you will object. But right now it all seems very advantageous to the achievement of your immediate goals with regard to family matters and the media portrayal of you.

A word about timing: I spoke to Mike Wallace's producer on Friday (it is now Saturday). He was accommodating to the demands of timing as I now see things unfolding. I learned one important thing: they would prefer a week to edit your interview, but they can do it in three days. This has put me in mind of strategy. Were you to agree to an interview, I would like to find out when they **so Ue A u (e** would like to schedule it. We then put off the interview until the week of the **interview**. For instance, they come out to tape the interview on Oct 5–6 and air the interview on October 10. It leaves them precious little time for funny business were they to have that in mind and therefore lessens the potential risks of doing an interview with them. Having said this, 60 Minutes wants the most explosive news story possible. The most explosive news story would indeed be that David Kaczynski, who has gone on from turning his brother into the FBI to becoming a media celebrity, is actually a wishy-washy sell-out radical who turned in his brother for highly ambiguous reasons. With all of the above in mind, I hope you will agree to meet with the 60 Minutes people for an off-the-record meeting. I am personally excited to be coming out at last for a visit, which would be at least two days as it stands.

Miller has accepted “Solution A” with regard to . (Dubner interviewed [TEXT REDACTED] and will comment on the meaning of David's opinions regarding schizophrenia. He was fascinated by the information from your book on that score.) There are no more libel or defamation issues. The only thing that remains is the letters and quotes that you will be paraphrasing. I have spoken to Korzenik about the privilege issue and your defense workproduct. He told me that we “probably” have already cleared most of the legal issues by other means. I do not know if this is the case and will find out when Miller comes in on Monday (it is 7 pm, Friday). Perhaps this actually is the case, since I have held corroborating interviews with your r (at some length), Scharlette Holdman,^T _ , Quin Denvir.

, Eileen .undberg, ‘ r Steven Dubner

(his interviewing of ? . etc.), and I suppose others that are not coming to mind just now but are in my notes. He did tell me that privileged material would be useless to me were someone to file suit. By definition, I cannot use privileged information in my defense. It would be *helpful* if you could make a provision for me per Korzenik's suggestion: Would it be possible to make the privileged work-product available to me after it no longer has bearing on your case (i.e., after all legal avenues have been exhausted or successfully implemented)? This would be helpful were someone to file suit against us. Apparently such a provision would allow us to delay a trial on any actions until the privilege was waived in my favor so that it can be used as supporting evidence. Please let me know if this would be possible.

With regard to the drawing of your dorm room in Eliot House, I would like to use your original drawing. Let me know if you would prefer a professional rendition.

My mother may be sending you a photograph of me. She took one of me at my desk. I was wearing pink wool hat replete with a pom-pom. I do not apologize! Here's the story: I loved a girl named when I was a freshman in college and she gave it to me under the strict order that I never lose it.' is still an acquaintance (she's a librarian in Vermont) and I still have the hat. I wear it every Wednesday, sometimes for just a moment and sometimes all day (but mostly only Wednesdays, although I *am* wearing it now). I confess that it may be deemed a peculiarity. Alas. But I take pride in the fact that I have thus far successfully followed her instructions. Wearing it regularly is a way to make sure that I do not lose it.

Just talked to She is doing just fine, and says "Hello!" One thing that still occupies her time, however, is her communications with Theresa. I had put some of this down to female competition. But I think it may go somewhat beyond that. I have suggested to that she relate what she told me in a detailed manner to you, since it does not all tally with the manner in which I would report information received from First, you know that I like who also likes her, told me the following: " trusts you [me] and Ted when it comes to what she should do with the interviews. She trusts Derrick and John Zerzan in a more or less general way. She did not mention

old me that you were perplexed at reaction to your suggestion that go along

for the ride to corroborate the interview material. You will want to know that was very interested in having *me* come along, but I couldn't because of my responsibilities here at the time. I suggested that she bring ' She reacted oddly, saying, in effect, that it would be strange to go with her. I did not push the matter, and put it down to female issues. old me today that spent a good long time telling her that she was your most trusted ally. Why would she not want your most trusted ally to accompany her to the interview? This seems out of tune with what one would imagine the overall tenor should be. On a less important point,' that she was going to Wales to avoid the media. She told me that she was going to look into a Ph.D. program at the University of Wales, and to study her family's genealogy for a relative (an aunt, I think) and also to get away from the media. Earlier, when the *Gear* article came out, she mentioned to me something about becoming the national spokesperson for the Unabomber. Also:

She expressed the opinion that because she had met with you, your family would want to meet with her. She said nothing of this to me, but I can imagine that it may have something to do with an interview regarding the alleged shutdowns. I leave it there as information.

I will be writing the preface we discussed soon. In answer to your question, you *are* the most honest person I have ever encountered. I hold you up as a model after which I fashion my own behavior when it comes to the way in which I talk to people and relate information. I aspire to be in a position where nothing I have written or said is such that I wouldn't acknowledge it to anyone who might find occasion to ask me about it. This can be uncomfortable at times, but it makes life easier. This stance led me to articulate to Theresa my ideological position as based on what I call the truth. It can be boiled down to what is, for simplicity's sake, best termed the honest truth and it's pretty simple. First of all, we know that we will die some day. We also know that we need certain things to survive. We *also* know that there are many things that, in all "honesty," we do not need, including an abnormally long life. Being honest is part of being truthful, but being truthful does not require honesty.⁽⁵⁾ Does this make sense? Having gone this far, and realizing that I should get this off to you before the post office closes, I will say that you are also the most truthful person I have met thus far. The honest truth requires certain actions by the people who hold something to be true. It is the wellspring of activism, in my opinion, whether it takes the form of publishing or guerilla pragmatism.

I hope this letter finds you well (and apologize for its length), knowing full well that it must find you terribly busy.

Yours, Beau.

⁽⁵⁾ This needs further thought. It's not exact.

146. Beau to Ted — 8-9-99

Dear Ted,

I'm enclosing the page proofs of *Truth versus Lies*. There is a covering note with comments on the page proofs.

My assistant still needs to check the paragraph breaks and other details (e.g., I have found instances of inverted quotation marks and other compositional problems). As you will see, the entire book has not been formatted yet. I wanted to wait until we got all of your changes in before finalizing the pagination.

I wish you the best in the Herculean task ahead!

Final Notes on Pageproofs *TvL*

m=Tnaster

pp=pageproofs

exchange

1. All titles and publications will be indicated with italics. The compositor will make these change in the final pass.

2. Compositor will make all page references correspond to final pagination.

3. "Table of Contents" will be set by compositor.

4. Gaps between paragraphs will be closed by compositor in final pass.

5. Bob C. has been signified as "Male 11" because my assistant got it wrong. I see no reason why he should be assigned a number. Let me know what to do here, and else where with the number assignments if anything.

6. "ck" in the margin indicates something that my assistant will check for accuracy and usually pertains to paragraph breaks.

p. 22pp, 1 1,1.2: roman numeral: pls indicate 2 or 11

p. 29pp;

p, 33pp:	ex made ex made
p. 53pp:	ex made
p. 59pp:	ex made
p. 89pp:	

p. 90pp:

p. 220pp:	exmade .. t
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exmade <— Kar-.. CCuUyi

exmade — to ekte³ k | p. 256m, p. 153pp: ^2,1. 1, “pair gloves” > “pair of gloves” [ex made] **h AUa** — **WAS • T ‘ttauaV**,

p. 256m, p. 153pp: ^6,1.1, “underhand” > “underhanded” (consistent w/ footnote 43,356pp) kft *U.O. A 1* }

p. 276pp: p. 278pp:	ex made ex made	p. 291pp: footnote will be moved to back matter by compositor.
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p. 292pp: ex made

147. Beau to Ted — 8-31-99

Dear Ted,

Thank you for your letters. There is a lot that I have to respond to, but this is just a quick note.

Greta van Susterin called today. Did your letter to her include the “kook” comment? I said it, so I guess it’s fair game. I wondered about this throughout the entirety of my conversation with her. It was amusing to have it there in the back of my mind. For her part, she mentioned nothing. And she didn’t *seem* like a kook. She *seems* to be interested in exploring the issue of effective assistance of counsel. A couple of notes I jotted down about her opinions on various topics: 1.) The client should be able to choose his defense; 2.) Timothy McVeigh deserved the death penalty.

She also mentioned that you might give a telephone interview to a news organization and another major television interview, but did not say more. Who would be doing these interviews?

Gary Greenberg wrote via email that he has sent a copy of his writings to you. I await your response. I have only seen three excerpts (enclosed). They don’t seem that bad, but who knows what else he’s written.

(letter 69): The two questions you raise with regard to copyright are not a problem. Quoting other media sources and “quoting” a conversation from memory are both acceptable as far as copyright is concerned. We will have had our conference call by the time you receive this, so I’ll stop there.

I am in the process of fixing *all* of the “name” problems in the manuscript. The name changes and all of the other corrections will be reviewed by my lawyer, their proofreader, my copyeditor, and then I too will read it again. Your satisfaction vis-a-vis the copyright section quoted in letter 72 was totally warranted. It made me smile to watch them realize that you were correct. My lawyers did not argue, and only pointed out that copyright infringement depends on four criteria, and if a large enough percentage of one or more of these criteria are met, then there is no case for infringement. I guess they think the copyright issues with regard to your book are all right. Miller has said that he will do a final read-through on Wednesday, September 8, and then we are free to

go to press sometime around the end of September. In the event that unexpected legal maneuvers were to require a lot of your attention and effort, I thought you might like to know that there are no remaining legal issues with regard to the publication of *Truth versus Lies*, It is now time to close the book and get it out to the public.

Also: Many of the errors that you have noted were things that had not yet been “set” by the compositor. I am referring to italicized words, bad tables and formatting, reversed quotation marks, and other similar items. The copyeditor will also check these items in addition to the usual scan for typographical errors.

I very much appreciate your attention to potential legal problems. The second postscript of letter 72 was very nice to read, and I was happy that you said the things you did.

If you send me the young lady’s address, I will be glad to send the sections of the book that you have indicated.

I know that I have left out some things, but I want to get this off to you tonight. Oh yes, I am also enclosing my preface to your book. There are two versions, the first is how I feel, and the second demonstrates how my lawyers felt about it. They were afraid that litigants would level a charge of nepotism (*sic*: catachrestic) against me! (Actually, they thought people might look for bias with regard to legal issues.) The changes to which I refer are p. 2, 2, lb and the first sentence of the last paragraph.

I hope this letter finds you in good spirits.

148. Beau to Ted — 9-1-99

Dear Ted,

This letter follows on my letter of yesterday.

First, I wanted to let you know that I am indeed waiting for you to okay the first printing of *Truth versus Lies*. In connection to this, you have done more than the usual amount of work on the manuscript.

Generally, this is the stage where production editors (copy-editors compositors, and proofreaders) take over. Although it is expensive (10 dollars a page), we can make corrections supplied by you at the last minute (until October 5) as long as they do not change the pagination of the book (i.e., long deletions or additions). It may happen that more information will become available at some later point: I think we should consider a second edition in that instance. We could then add pages, make changes, etc. I am excited to get to work on your next project!

There was nothing in your corrections that I took issue with, and the changes will be entered this weekend. Miller will then read through the page proofs to make sure everything is okay from the legal standpoint. The few points upon which I waver are instances where you have supplied alternatives. So, if Miller wants a change, it's there. You are great!

I'm enclosing the excerpt that Talk wants to run. They have opted for some Harvard stuff and the mailbox correspondence. I think it's okay. Talk also wants to run the photograph of you, your father and Dave, as I mentioned in the postscript to yesterday's letter. In the event that you would like them to run the photo (there are no copyright restrictions on family photos) they will need your permission. Given the restraints of time, it would be best if you could either get a letter off to me with regard to these two points now, or call me before September 16 if you think your > letter might take longer than that to get here.

On another point altogether: I've had a very hard time getting up to the mosque in Harlem where "the only translation worth reading" (Assad) can be purchased. I am going to have a more generic version sent to you today, and get the Assad later. I am sorry for the delay. It has been quite busy lately.

Also: Do you need money for postage, supplies, or photocopies?

Also²: I am looking forward to reading the essay you mentioned during the interview with Dubner. I'll write to the Green Anarchist for a copy when it comes out. This would also be good to get posted on the Internet eventually.

Also³: This letter is very rushed, because I want to get the enclosure off to you. More later, says, "Hello."

I hope you are well.

Subject: Kaczynski

Date: Thu, 02 Sep 1999 16:05:40-0700

From: John Howard <jhoward@ap.org>

Organization: Associated Press [us 'Sept'. T

To: "beau@contextbooks.com¹" <beau@contextbooks.com>

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^AAM-CA—Centerpiece-Kaczynski's Struggle, Adv07,1480< '

^A\$adv07< btt+ ujcvtu "Kx-e. cAia-it—.

^AAn AP California Centerpiece=

[^]Handwritten court papers offer behind-the-scenes glimpse of Kaczynski

^AEds: Moving in advance for use Tuesday AMs and thereafter ^Ajhstfhomdwl< ^ABy JOHN HOWARD= ^AAssociated Press Writer=

? SACRAMENTO, Calif. (AP) _ Line by line, the handwritten court papers read like a second Unabomber diary, a catalogue not of Theodore Kaczynski's deadly attacks but of his relentless, secret struggle to affirm his sanity. ? "Your approach is this: You put a shrink or two on the stand to 'tell my story,' you expose publicly all the most intimate details of my life, and then you ask the jury to take pity on me because I've had it tough," an outraged Kaczynski wrote his lawyers in early 1997, nearly a year before he pleaded guilty to a 17-year bombing spree that killed three people and injured 23 others.

? "I categorically refuse," he told them, a refrain he repeated in a stream of memos, notes and telephone calls as he tried to control his legal defense.

? In public, his court-appointed defenders maneuvered desperately to paint him as insane, a strategy they believed offered the only hope of saving his life.

? But in secret, Kaczynski opposed his lawyers from the beginning, fruitlessly demanding to represent himself or at least change lawyers. He was ready to face execution, to be perceived as sane.

? Evil, perhaps, but sane.

? "The ultimate question in the Unabomber nontrial comes down to power, the allocation of power between a capital defendant and the court-appointed attorney," said Vermont law school professor Michael Mello.

? "When there is a fundamental difference about the goals of the defense, whose will prevails?" said Mello, who has authored a critically acclaimed work on legal issues raised by the case. "It's the defendant whose life hangs in the balance."

? In 200 pages written on notebook paper this spring from his Colorado prison cell, the former Montana recluse demanded a new trial _ a request that is pending before the 9th U.S. Circuit Court of Appeals.

? Kaczynski, 57, was sentenced to life without the possibility of release after he acknowledged responsibility for all the attacks in a guilty plea that abruptly halted the trial on the eve of opening arguments in January 1998.

? Now, acting as his own attorney, the former Montana recluse and Harvard-trained mathematics professor says his plea was coerced.

? Buried in the paperwork are intriguing glimpses into his personality, his thinking and the events surrounding his trial — a perspective that was not available to the public while his case was under way.

? Unlike the well-known diary seized from Kaczynski's cabin, which logged terrorist acts with cold precision, these papers describe an emotional struggle, including a description of his attempt to hang himself in a Sacramento jail cell.

? On one level it is an arcane legal document, rife with stilted legalese and composed eerily in the third person.

? On another it is a personal journal, detailing for the first time his inner torment and the behind-the-scenes maneuvering of the defense team he respected and mistrusted in equal measure.

? "Whatever else he may be, he is honest," said New York publisher Beau Friedlander, who visited Kaczynski recently in prison. Friedlander is publishing a book by Kaczynski, "Truth vs. Lies"; the proceeds will go to the victims' families.

? In letters to U.S. District Judge Garland Burrell Jr. and in closed-door meetings with the judge, Kaczynski tried to fire his defense team and be represented by Tony Serra, a prominent San Francisco lawyer. Above all, he sought to impugn his lawyers' attempts to question his mental stability.

? The judge refused, ruling that Kaczynski had failed to request a new defense team in a timely manner. Kaczynski now says his lawyers had refused for at least three weeks to forward his letters to the judge.

? "Kaczynski's attorneys used pressure, deception, intimidation and violent language to prevent Kaczynski from securing the services of J. Tony Serra, an attorney who would not have used a mental-status defense in Kaczynski's case," the Unabomber wrote in his appeal.

? Serra agreed.

? In a February 1998 letter to journalist William Finnegan, Serra said Kaczynski's defense team "utilized every device to keep me out of the case. Not just after Kaczynski announced he desired me to represent him, but months and months before that," Serra wrote.

? The letters and much of the rest of the material upon which Burrell based his decision remains under seal, but Kaczynski cites those and other documents in his request for a new trial.

? As the case unfolded in public, Kaczynski carefully detailed his thoughts in private, noting the "practical and psychological dependence that makes it difficult for an incarcerated defendant to resist the wishes of his attorneys."

? Described as corrosively honest by many who dealt with him, Kaczynski depicts himself as a man who is logical and cold, suspicious and contemptuous, rational and meticulous. By turns objective and passionate, intimate and detached, his words reflect his desperation to control his legal defense.

? He discusses his suspicions of defenders Quin Denvir, Judy Clarke, Gary Sowards and their associates, his futile efforts to have systematic access to newspaper accounts of his trial, his thwarted plan to hire Serra, his unhappiness with Burrell and his unbridled contempt — a contempt shared by some legal scholars — for a federal psychiatrist who described him in a provisional diagnosis as a “paranoid schizophrenic.”

? At one point, he says, Clarke shouted during a telephone conversation with Serra’s office that Kaczynski’s “blood will be on your hands” if Serra took the case.

? Later, the Unabomber said Denvir visited Kaczynski in jail “and delivered to him an ill-tempered lecture in the course of which he worked himself up into an angry state and told Kaczynski that Serra ‘was not a particularly good lawyer’ but had become famous because he was ‘a successful publicity hound.’”

? The defense attorneys declined requests to comment for this story.

Their offices, however, provided Kaczynski with the documents he needed for his appeal.

? Some legal observers say that appeal stands a good chance. Both the defense and prosecution suggested as much during the pretrial hearings, saying Burrell’s decisions to deny Kaczynski the right to choose a lawyer or represent himself created a fatal legal error that could open the door to a successful appeal.

? “There is an Alice in Wonderland quality to all this; the law was inside out. His own lawyers were staking his life on an argument that he would rather die than raise. The only person who could rein in his lawyers was Burrell, and he understood that very clearly,” said Mello.

? “And the prosecution was arguing what Kaczynski wanted, that he was a serious person who committed his life to a course of action because of political ideology,” said Mello, who has helped Kaczynski draft his request for a new trial.

? Nowhere in his notes does Kaczynski show remorse for the crimes, which prompted the longest, costliest, largest manhunt in the nation’s history. Nowhere is there empathy for the pain of his dead or maimed victims and their families, or even for the agony of his own family.

? His deepest desire is that his writings — including the 35,000-word anti-technology treatise published before his arrest — won’t be dismissed as the ravings of a diseased mind.

? Kaczynski wrote his appeal from his 12-by-7-foot cell in the “Supermax” federal prison in Florence, Colo. — a cell just slightly smaller than the remote Montana cabin where Kaczynski plotted his crimes for more than two decades until his arrest.

? He spends all but 90 minutes each day in the cell. He has access to a 9-inch black-and-white television and watches religious and educational programming on a cable hookup. Sunlight enters through a window five inches wide and 41 inches high. “He is treated like any other inmate,” a prison officer says.

? In the highest-security area of the highest-security prison in the federal system, Kaczynski is once again able to control his public image, at least in these legal documents.

? It's much more to his liking than in the days before his guilty plea, when his frustrations over his defense drove him to try to hang himself in his cell in Sacramento, using the elastic band from his underwear.

? "When he applied the arrangement he had devised for strangling himself, he felt that his sight was growing dark and that he was losing consciousness, but too slowly, so that he feared he might perhaps be left with disabling brain damage," Kaczynski wrote.

? "He paced the floor for a long time, trying to work up enough nerve for a second attempt. As he was not allowed to have a watch, he had no idea of the time until he heard the sounds that indicated breakfast was about to be delivered. This meant that it was too late for another suicide," he wrote.

? ^End Advance<

149. Ted to Beau #82 — 9-14-99

...

150. Beau to Ted — 9-14-99

September 14, 1999

To: Ted Kaczynski

Dear Ted,

Since my handwriting may be difficult to read, I will keep this note brief...

151. Beau to Ted — 9-16-99

524 WEST 57 STREET
NEW YORK, NEW YORK 10019-2985
(212) 975-4321

September 16, 1999

Theodore John Kaczynski

04475-046

P.O.B. 8500

Florence, Colorado 81226

Dear Mr. Kaczynski,

I am writing to you at the suggestion of Beau Friedlander.

As you know, *Talk Magazine* has written a story to be published in October that I've been told radically alters the public perception of you—especially with regard to your relationship with your family.

As you also know, I have been very interested in the possibility of an interview with you for *60 Minutes*. It is my understanding that both you and Beau feel that this could present a major risk, and I understand full well why you might think that.

In view of this I propose that *60 Minutes* (me, Mike Wallace, and my colleague Bob Anderson) come for an informal, *off-the-record* meeting. My hope is that this will clarify our goals.⁽⁶⁾

60 Minutes will also fly Beau to Colorado for the meeting.

I can be reached at: 212-975-4020. My address at work is: CBS News, 524 W. 57th St., New York, N.Y. 10019

Yours sincerely,

Vicki Gordon

Executive Story Editor

Context

BOOKS

[Enclosed letter]

To: Vicki Gordon

From: Beau Friedlander

⁽⁶⁾ In the broadest of terms, I suspect that your brother and your mother have unfairly portrayed you, and that there is another side to the story.

Pgs: 1

Dear Ted.

I am aware of the letter that Vicki Gordon has written, and that this memorandum will be included as an enclosure with it.

An informal meeting seems to me harmless (and possibly constructive), and I am willing to come out to be there. As you know, I have been talking to Vicki about the possibility of an interview with you for some time. In my opinion, she is as straightforward as S.D., and if it turns out to be a red herring with regard to your own goals, the risk, time, and effort expended here will be negligible.

My best,

360 Broadway, Suite 314 New York, New York 10013 Phone 212.233.4B80 Fax
212.964.1610 Email: info@ContextbOOKS.com Coni

152. Ted to Beau #83 — 9-18-99

...

153. Beau to Ted — 9-19-99

Dear Ted,

There have been developments that you will want to know about, which will form the substance of this letter.

I called _ (returning her call) on Friday night. She has just returned from Wales.

(She can tell you all about that.) The reason she called seemed to be specific: John Zerzan had received a call from *Talk Magazine*. She wanted to know why. I told her much that I didn't have to (and probably should not have given her track record in the realm of discretion) and of course she got some of it garbled. Theresa and I are very different, as I am sure you have noticed. One of the things that distinguish us from each other is focus. I tend to stay focused; she doesn't. She also has a tendency to use generalizations, which I try to avoid.

This latter tendency resulted most recently in her making a false statement to who of course

ran it by me. Immediately, the possibility that there was some transmission-loss occurs to me, and I am willing to suspend judgment. Here is what' asked (after making me swear that I would not go back to for an explanation): she asked if I knowingly allowed you to be interviewed by someone I did not trust (i.e., Dubner).

I can only guess what' said. I know what I said to *her*. I said that I did not entirely trust Talk (a metonymy in this case for its Editrix Tina Brown), but that my distrust was general and applied to all media. I then mentioned the first excerpt proposal that I turned down, pointing to it as an instance of untrustworthy behavior suspected and possibly averted. I also said that *the media* were not intrinsically evil, and that it is my opinion that given its prime motivation (profit) one can use the media to one's advantage. I specifically said: "The media is a gun. It all depends on who's holding it and what kind of ammunition they are using."

I never said that I distrusted Dubner, but rather expressed that there are ways in which he *might* not be fully trustworthy. In this I meant the obvious: He is not trustworthy when it comes to telling the truth about you to the mainstream media, since he is a contributor to it (as you will read a little later on, he is very trustworthy, for what it's worth). This was only meant to signify that Dubner is not comparable to you, John Zerzan, Derrick, or herself. I then went on to say that the people I compared him to (which included her) were not entirely trustworthy either — the point being that *no one* is ever entirely trustworthy because people are always unpredictable and you never know when some form of conditioned behavior will surface.

The bottom line:’ reported something garbled to ^T r ine. I just don’t like to sort this stuff out when I am in the middle of my eighth consecutive 100-hour work week. There are more important things that require my attention.

Here’s something that I consider more important. The next morning⁽⁷⁾ I went to the office and parked outside the front door, staking it out for the arrival of the mail lady (funny homonym). Anyway, I was staking it out because I needed your letter with the changes to complete the final page-proofs of *Truth versus Lies*. I was enjoying the feeling of being on this stake out. (I had to wait because the woman who delivers on Saturday does not have a key to the front door, and if I wanted my mail I would have to let her in.) The mail arrived (no letter). I went upstairs to my office to call the proofreaders, the copy editor and the compositor, who were all lying in wait for your letter’s arrival (more about them later).⁽⁸⁾ There was an urgent-sounding message from Steven Dubner.

Dubner’s message was alarming. He pulled his piece from *Talk* and wanted me to call him immediately. Apparently, Tina Brown got the jitters in the eleventh hour and demanded that the piece be re-written to make you seem less sympathetic. *This* explains why they wanted the excerpts. Stephen refused and told them that the deal was off, they would not be allowed to use any of the information that he had gathered, including the interview. They were offering Dubner a lot of money and also browbeating him, yet he would not change his position. I was alarmed, but as I said to you on the phone — we will have to wait and see what they *do*. Thank the skies above that we will never have to see this. I now think that Dubner can be considered more trustworthy than before. The same caveats as usual apply. But it seems clear that the article must be in some sense sympathetic to your side of the story. Otherwise no such demands as the one I report would have been made.

He has since (it is Sunday) shown his article to the editor of the *New York Times Magazine** and the editor (his old boss) has said that he will publish the article “as is”. He said that your picture will not be on the cover, since they do not want to appear too “pro-TJK” (s.o.s.) but I take this to be a favorable development. The magazine in question is more creditable since it is attached to a news organization. It also reaches somewhere between two and three million more readers. The final decision will be made on Tuesday or Wednesday, and you can rest assured I will let you know of any developments as they make themselves evident to me.

I have to get back to work now. was very happy to receive your kind regards and sends hers back. Hurricane Floyd was a fraud, a pusillanimous pussyfooter.

PS: All of the above is a secret for the time being.

⁽⁷⁾ That is the a.m. after the conversation with [TEXT REDACTED]

⁽⁸⁾ Next letter: they all were very excited by the book.

154. Ted to Beau #84 — 9-21-99

...

155. Beau to Ted — 9-24-99

September 24, 1999⁽⁹⁾

[Pages 1–3:]

Theodore John Kaczynski

04475–046

P.O. Box 8500

Florence, CO 81226–8500

Dear Ted:

Your book is on its way and I am glad for that. Certainly was a long time in coming. I'm already thinking about a second edition, in the event that your situation changes, and I look forward to more projects, if you should want to publish another book with me.

It has been a very hard week. You already know that Dubner pulled his piece. Well, I just got off the phone with Adam Moss, the editor of the *New York Times* magazine, who tells me that he's disinclined to publish Dubner's article because it would look like he was promoting your book. I told him that I thought it was news, he told me that the Times sells things — so anything he published about the book would be perceived as support. I tried to prevail upon him to reconsider, but he only said that he'd give it some more thought over the weekend. Dubner said that Moss will not change his mind. Dubner also said that he was being loyal to *me*, and would not allow the piece to change. Who knows, maybe they all decided that it was more interesting to write an article about the immoral “Unabomber's defender” (me), maybe this “pulled article” and NYTimes crap is just a ruse to get some soundbytes [sic] out of me. (All I've said is that it seems absurd that no one is willing to run the piece, and turn the story around, set the record straight.) It *is* absurd. So, I sit here and wonder if the Gods of Culture are waiting to smite me for disloyalty, and we shall see. And yes, I do understand that this must seem very paranoid... All I can say is that my situation as your publisher *inspires* paranoia. Maybe Barnes and Noble will call tomorrow and refuse to sell the book. But maybe I'm mistaken. I'm glad Melissa's with me, the support she gives me is immense. But enough of that.

Miss Simmons should be a name that means something to you. Here's why: It seems the Library of Congress never received an application for the cataloguing number that would place your book forever in that, and many other libraries. It's a pretty serious

⁽⁹⁾ [Pages 1–3 were written before letter #82 arrived, 4–5 were written after.]

thing not to have this number assigned to a book. I am still unclear as to how we came to have no number, since I thought Travis (my trusty sidekick) had applied for the number. At any rate, Blake was typing in your copyright page and asked me about the number. It was nowhere to be found. This was the day the pusillanimous, pussy-footing Floyd came to town. Everyone had gone home for the day: except me and Miss Simmons (I sent Blake home at noon). Miss Simmons and I talked about the weather (I'm sure no one every does that with her) I asked her if she had the number (she did not) and then asked if she might consider getting us one about a month faster than usual (she would). It was a nice thing for her to do, and it lightened my load a little — pretty difficult to bang on and on about historical artifacts and important documents and then not even have the thing catalogued in the Library of Congress! I sent her a small bouquet of flowers. She called back very happy. And that is Miss Simmons vis-a-vis *Truth versus Lies*.

The reason for the mad dash has to do with my distributor. I am not very happy with them. They seem to think it's funny that I'm publishing your book. I gave them a fairly severe tonguelashing at our last meeting, and I think they now understand my position. They are even more standoffish now. I'm currently looking for an alternative mode of distribution. They have the loyalty of a male rabbit. Anyway, they were pushing me to publish the book, and started to threaten me by saying that they would not have time to distribute it if it *was* delayed any longer. They were of course reacting to Talk. Then, when Talk fell through, they accused me of *lying* about Talk. Now I have also told them about the NYT magazine. Of course I will appear even less creditable after they find out that this too fell through. They simply have not given a moment's thought to the fact that the media and you are not chummy, that my project is not an easy one. What can I do? I'm not going to publish the book the way they want it published. They want something sensational, they want to put you in the same old pillory. I want it to change history, set the record straight. They think I'm mad. I think they're nuts. (I tell you, Ted, it's a match made in heaven.) As if it were a crime to attempt to recast a one-dimensional caricature into a three-dimensional man. The will to lie in our culture is a pandemic, chronic disease. No one wants to know the truth: the ship is still heading north. But I digress...

Your book *was* vetted by Miller, five times by me, then it *was* run by three proofreaders under the supervision of one copyeditor. They found very few errors — and you are their new hero. The copyeditor (Roz) thinks you should re-write the Chicago Manual. (I'm thinking of buying one for you — let me know if you would like that.) Your writing is pretty close to perfect with respect to both usage and punctuation.. I think a philosophy of grammar could be developed from the crystalline perfection there. But someone has already written a book called *The Philosophy of Grammar* (a Dane, if I remember correctly). The proofreaders and Roz found your book very compelling. I am sure everyone would, if the media would only let me publish the fact that readers will find the book compelling. We shall see. Interesting: Everyone

identified strongly with the letters exchanged about salted nuts and smoked oysters — it is indeed a universal problem.

Family problems. Do you remember (I should know better than to ask) when I said I had to run from classroom to classroom during junior high school? You said that you found it difficult to believe. Here's a thumbnail of that time in my life: My mother took an inordinate amount of narcissistic pleasure in my accomplishments. She *was* very abusive (verbally) toward my older sister Liza. The dynamic *was* dangerous. Liza abused me very badly, and I had no self-esteem. I was encouraged to be eccentric by my mother (she wanted me to draw well and play the classical guitar). This made me the odd-man-out among my peers. That my sister regularly scrubbed the asphalt with my body in their presence did not make matters better with me. Liza took her aggression out on me, since I was the most identifiable source of her problem. Her problem was quite simply that her mother didn't love her — or at least not in any manner that might be deemed healthy. To this day, I have a fear of doing well, because that was when Liza would come after me. I think this might be the cause of my strong reaction against Theresa, which should not have bothered me at all. She reminded me of my sister (with whom I now have a very loving relationship based on parity of esteem). Our mother died thirteen years ago and our stepfather died five years after that — so we have come to depend on each other for filial Jove.

All of the above made me seem strange to the other kids in middle school. Worse was the fact that the girls thought I was “cute,” which made me a particularly good target for the larger boys who had already hit puberty and had reason to value girls. I would not hit puberty until my fourteenth year, and then only slowly. Does this lend any credence to the statement I made during our visit?

Onward. I talked with John Zerzan. We talked about the media and the possibility that I might publish *Against Civilization*. We shall see, I think it might fit in with a series I am launching next year called “Grassroot Guides.” The titles in that series are: “Hacking: What it is and how it's done”; “The A to Z of Hate Groups and their Corporate Sponsors”; “How to Disappear: for victims of domestic abuse and fugitives from abuses of power”; “Investing with Good Karma”; “How to Grow your Own Herbal Cures”; and “Animal Farm(s): You are what you eat.” But maybe it would work better as a distinct entity. I think John and I should pursue the conversation.

All reference to your journals has been removed. I found two that you did not mention: p.250 of Notes and Documents and Chapter 3, footnote 5. I corrected these instances per your method. I was very sad to see the parsnip-reckoning-the-date-of-a-letter footnote go. I hope it can be restored in a different edition sometime down the line.

Peter Hossli wrote to me recently, after a long silence, to ask about an interview with you. I responded that you were probably not interested, but that he should write to you about it. Heike Faller is a bad idea, I met with her and must say that she would not contribute anything but a general interest article of a pretty ordinary variety. One of the head writers from Der Spiegel has expressed interest in the book, but I have not

heard from him in a while. He might be someone for you, but let's see what he's like in person. I have only spoken with him on the telephone and he is due in New York presently.

[Pages 4–5:]

It is now Saturday morning. I was just about to write about Yeats's "The Second Coming." I have enclosed a copy. But I received letter #82, and the poem can wait.

Working under these circumstances makes things so difficult. I feel confident that I understand the way you want things to be in your book. I am also very protective of our agreement. But let me respond in particular.

I had the impression that you sympathized with my situation, and I think that you do. I also understand where that sympathy ends. There are many forces that compel me to make the commitments you rightly said I should never have made. I promise you that I would not have in a perfect world. For instance, the *Talk* piece caused my distributor to say that they would not have time to distribute the book if it was not ready by the beginning of October. They were pushing me because they wanted to make sales. But they were also implying that it was now with support from them, or later with no support from them. If they do not support me, your book does not get into stores. And my project has been to get the word out. They were threatening my ability to do my job. The politics are very strong. I am not able to put them off entirely. And so I have done my best to satisfy their demands, my conscience with regard to our relationship, and most importantly *your* needs as an author.

I think you have an idea of the seriousness with which I take my prior commitment to you. I have very conscientiously remained true to that commitment. I wrongly assumed that I had your faith at this point, and that you trusted my ability to make some last-minute judgment calls. I apologize deeply. By now you and I will have spoken on the phone, and perhaps this will be moot. I cannot say that right now. I am very worried. The book is at the printer now, and pulling it (which I will do in the absence of word from you on Monday) may be impossible. This means that I may not have the funds readily available to print your book after your approval. I am sure I can find the money, but it is indeed a lot of money. I feel my error smartly. My feeling has been that the kinds of changes that you might want to make at this point (if any) would be small. I waited for Chapter 10. I entered those changes faithfully. I was hoping that we could re-number the footnotes in the second edition, which I would be willing to produce immediately. In other words, I assume that we might do altered editions of *Truth versus Lies* instead of second printings. It is not terribly expensive to do this. Everything is in shipshape legally. And in my opinion everything is in shipshape in other respects. The book was vetted several times by several persons.

You wrote your letter to me after our phone conversation. I even imagine that your irritation with me may have softened since you wrote the letter. But I can also imagine that you are very anxious to hear that I will respect your wishes. Guess what, I'll go out of business before I screw over *any* of my authors. And I like you too, which would just serve to galvanize that position. I am not sure what to do about the books, should

you not approve the contents as they stand. It's an awful waster of paper. Maybe we could use them later, in the event that you were to find that edition contained no grave errors and/or capricious alteration. I hope so. You are in the right, and I hope you will be able to somehow adjust to my needs for the mutuality of regard that I feel exists between us.

I am enclosing the galleys of *Truth versus Lies* under separate cover. I know that you like me personally and there are no hard feelings — other than anxiety, which has nothing to do with you. I don't like being at odds with you either. I hope you will come to understand this in time, if you do not already know this in your heart.

I'm going to get this off to you post-haste. More later.

Anxiously, yet still fondly,

Beau

P.S. I spoke to _____ last night at length. She told me some things that were surprising, and I asked if she had told you. She told me that she had not given you details. I suggested that she do so. I think Joy has her head screwed on right, and she is not mistaken in her perceptions.

P.S.2: Melissa and I are getting married in the Spring. I asked her by a reservoir among pine trees at about 10.30pm Wednesday, September 22. She accepted. It was a beautiful night with a threequarters moon and lots of stars. It was chilly (about 45 degrees) and I took her there on the pretext that we should greet the coming season. She was surprised.

156. Ted to Beau #85 — 9-27-99

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157. Ted to Beau #86 — 9-28-99

...

158. Beau to Ted — 9-28-99

Context

BOOKS

September 28, 1999

Theodore John Kaczynski 04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Ted,

I'm writing to you about my last letter and the final work that needs to be done on *Truth versus Lies*. Apparently the prison will not allow us to make legal calls to you because the matter does not involve a pending court date or decision. I spoke to Hector several times, and there was just no making it happen. What I really wanted to do was get word to you through Miller that I would honor the agreement and the book had been pulled off press. I thought the matter might give rise to anxiety, as it would were I in the same position and unable to communicate via telephone.

I think the best thing to do at this point is to have you hold on to the book and *all* of your corrections until you are sure everything is as it should be. The fewer changes you can make now would be the most cost effective for me, but I will do as you please regardless. If you are interested, it would be economically more advantageous were we to make the necessary changes to this edition, and then run in the rump of Chapter 10 and other such larger changes in the second edition, which can be produced quickly. When everything is as it should be you can then send your changes all at the same time.

I would prefer the next batch to be in a finished form. This will make it possible for you to include a letter confirming that you approve the book for publication; providing that Context Books accepts full legal responsibility in the event that any of the amendments are made inaccurately. It should say, in effect, that Context is free to commence with the printing and distribution of *Truth versus Lies*. This permission will have to be unequivocal and the printing will commence shortly after the changes are received and checked for accuracy, so it will have to wait until you are quite certain that all is well with regard to the various concerns that you have expressed to me.

I have now received the changes you sent in your letter # 83. As you will see, some of the changes you requested were anticipated. I hope that the wording in those instances will be sufficient, and that any finessing there can be done in the second edition. If you would like the changes you have listed there (in toto this would include the running in of Chapter 10, which I would prefer to do in the second edition) then please let me

know in the final changes that you will be sending to me. In other words, it would be best if you could send me a photocopy of letter #83 (enclosed) indicating which changes are to be included in the final round-up. Since those changes currently refer to an earlier set of page-proofs, please let me know if the reference is still to the previous proofs, or if it refers to the final galleys. The latter would be preferable, since some changes have been made along similar lines to the ones you requested, and it would make things simpler.

I am indeed disappointed to hear that we will be unable to take care of some of these issues on the phone. But there really are no more legal issues *as far as we* are concerned. I understand that there are some issues for you to work out with regard to sources, but that does not effect the legal okay that we have gotten from Miller. I can assure you that Miller and Korzenick have been very vigilant in their work. When they okay a book for publication, it is a serious and sober decision on their part. They know what the consequences of a misstep would be with regard to your book. Miller is very good when it comes to keeping your goals in view, and he has edited with an eye to keeping the argument intact and strong, without inviting any frivolous litigants.

Norse is Norse and souse is souse, there *Thor* there will be no crash. See, I can even make a bad pun worse! Do you know any Spoonerisms? The only one I can think of right now cdg|ff|s from Maitre'D fame: "Let me sew you to your sheets." Here's a French/Englishwe that offers another name for God: Pa[s] de tout! (Father of all/Not at all). One could do the same for the devil: Pa[s] Mal (Father Evil/Not bad).

I am reading the first few chapters of a book on the private lives of Kremlin rulers from Ivan the Dispeptic to Yeltsin the Blotto, which has been offered to me for publication. It is quite interesting. Do you think Czar Boris Godunov was somehow transmogrified into Goodenough while en route through Ellis Island?

is very excited about the upcoming interview. I like her so much. She just did me the honor of asking whether I would hold the duplicate key to her safety deposit box—a very high compliment I thought, and a duty which I will perform according to her will. She's great.

More later, I dare not ask whether this finds you well knowing full well that your hands are full.

159. Beau to Ted — 9-30-99

Dear Ted,

Thank you for letter #84, which just arrived. Interesting how one notices postmarks when time weighs heavy on one's mind. Your letter was dated September 21, and it was postmarked September 27! I was very upset by the prison's decision against legal calls. So, I have become increasingly aware of the time mail requires.

Okay, enough of my mood. I am holding up well enough all things considered. But one thing you said in your paragraph about *60 Minutes* bade me take pause. In short I am afraid that you are having second thoughts about publishing your bootf*The statement to which I refer is this:

"... I'm tempted by the idea of retaliating against my brother... I'm not going to do it." I understand that you were writing specifically of the sensational portrayal of him as a "sell-out" radical and the propagandistic nature of such a story. But there is a certain amount of retaliation against your brother in the book, and I wondered if you were having second thoughts about the — entire project. I also recalled Quin and Judy saying that you shouldn't use the 1979 autobiography. Well, were you to follow thwe advice to a "t" there would be no book. There is no way around the fact that there is a certain amount of risk associated with the publication of *Truth versus Lies*. (I know I am a little panicked, but I will calm down—I actually feel better as I sit here writing to you.) The risk has been there all along. I am willing to accept risk. Given the circumstances of your appeal and the hope to suppress evidence, I understand the nature of the risks you face in the event that you should find yourself back in court. And as I have said already, I'm totally behind you and want what's best for you. I hope in the process that you can help out with my situation to the extent that this is possible. And by the way, I am not really worried that you will scrap the project I understand the situation and accept responsibility for much of this ado. No sidestepping. I'm interesting in getting things in order now. And again I apologize deeply for the current problems. I truly thought we were finished. I overestimated your sense of my reliability—and I apologize.

The phone rang while I was typing in the last sentence. I am typing this sentence while having a conversation with Miller about your letter, and this conversation is irritating me immensely. (More on this conversation in the next paragraph.) Ten minutes later: Vicki Gordon on the phone wondering why I said "explosive story about your brother". (Because that's what they said they would do. Now they say "anything he wants to do")—she's still talking. Still talking. I have to admit that that radical slant may »we some of my imprimatur since you know that was one of my pet theories for

a while. Now, put a facsimile of quotes from the Dubner article in front of me that I have to fact-check. Still talking to Vicki who is now telling me about a conversation she had with Steve Fischler (I put them in contact with each other since Fischler needs FCC authorization.) Half an hour later; fact-checking done (see enclosed). Talking to after fact-checking Dubner, she returned my call to hear about the interview in *Boston Globe* (also enclosed but incomplete from fax that was sent to me earlier). calming me down. She said that things are going to work out, and I guess she's right. Fifteen minutes later: Dubner's on the phone now asking me to relay a message to you. While I typed this simultaneous account of the last hour or so I also completed a contract and developed a headache. It's just plain busy. Hrumph. Now, back to my conversation with Miller.

I am hoping that **this issue** can be cleared up in the letter that Miller will be writing presently. He seems to understand that legal penumbra in this situation will be impossible; I have asked him to give you the straight dope, with no double talk (as far as any lawyer is capable of that). Here's what I understood: First, he addressed a hypothetical based on the four documents he requested. He said that the four documents would be open to inspection with a waiver to all else, but then added a caveat saying that nothing could be said for certain with regard to such a waiver, since a judge could decide NOT to grant one. My interpretation: one step forward, one step back. Since the shades of possibility are so miniscule, I have asked him to explain this to you himself. My understanding: there is a high degree of probability that this protection will be reliable. A high degree of probability is not a certainty, so I don't know what decision you will want to make. Of course you will want to read Miller's letter before responding to anything I've written here, since I may have gotten something wrong. Miller also seems to think that non-privileged material can be entered into civic record while still maintaining constitutional protection in a criminal case, and he is looking for precedent before writing to you. I am willing to make some sort of compromise that will allow the book to be published, and I hope to figure this out (in terms of my room-for-compromise) with Miller by tomorrow. I *hope* it will be tomorrow.

Now, for Dubner. As you know, he pulled his piece from *Talk* when the editor-in-chief of that magazine made changes that left out important information and added stupid editorial comments that tended to make you as one-dimensional as most media portrayals of you. The editor-in-chief was uncomfortable with the sympathetic portrayal of you. It seems that Dubner was more sympathetic towards you than your mother. Dubner, unless a complete huckster, seems to be the most honest person I have met in the media. There is one person close in the running (i.e., Lisa Chase, who was his editor at *Talk*, and who actually resigned because of this last-minute editing and is now out of a job with her integrity intact). At any rate, here is what he asked me to relay to you: He has been straightforward with you all along and wants to continue to do so. His goal is to publish his article intact. *Time Magazine* had agreed to publish it "as is." He has no idea if you will like the article, but thinks that you will appreciate it and wants you to know that he has been "as fair as possible." Finally, he is intent on

publishing the article in a form that is consistent with the article that he first wrote to you about. That is it. He asked me to relay the above to you after learning that I was in the process of writing to you. He will also write to you. *Time* only expressed interest in the article two days ago, and it is still not certain that they will publish the piece. They thought it was news. They have been known to change their content at the last moment.

I am very curious about this article. I noticed what I perceived to be inaccuracies and told him about them. They are marked in the margins of the enclosure. I also was not sure about one of the legal changes that Miller made, so I asked them to paraphrase that. A photography editor at *Time* asked if they might use one of my photographs of you. I declined. I will send you a contact sheet as soon as I get it back from *Time*. I think some of them are quite good. Dubner tells me that he has a picture of you and I together. I want a copy. Let me know if you would like to have one, too.

I am now resigned to wait, as you know. But I wanted to mention what amounts to a conundrum. Your book and all of the publicity attached to it might very well help push through your request for the appeal. I understand that it must first be made acceptable and rendered harmless with regard to the proper unfolding of that appeal process. But here's the problem: I think people might start to question whether this book will ever come out. I hope not, but media people and book buyers alike can be real assholes. I have told people that the delay is unavoidable, and that you have been totally accommodating in all respects. I think it is important for people to understand this about you, my positive comments will hopefully help to change the way people perceive you. But I'm just blathering. I'm here, ready and waiting, trying to keep you abreast of everything. And I await your next letter (and the chance to get moving on the next book (ISIF)).

Be well.

P.S.: Regarding the letter about legal counsel that I sent to you undated, I can confirm to you now that I wrote that letter during the first week of September 1999^—
Las a J oa a draff-

160. Miller to Ted — 10-1-99

Miller and Korzenik, llp
488 Madison Avenue New York, N.Y. 10022
(212) 7 52-9200

TELECOPIER

(212) 688-3996

October 1, 1999 **CERTIFIED MAIL**

Mr. Theodore John Kaczynski No. 04475 P.O.Box No. 8500 Florence t Colorado
81226-8500

Re: Truth vs. Lies

Dear Mr. Kaczynski:

My client Beau Friedlander has asked me to write to you directly to address the questions raised in your letter of September 21.

1. You asked whether your authorizing Beau to see the Meister declaration and three investigator reports we mentioned, thus waiving the attorney work product privilege as to those four documents, will also result in the loss of the attorney workrproduct privilege with respect to all other documents currently so covered. In my opinion, the answer is “No” . The worst a judge would likely do would be to require only so much additional disclosure as would serve to round out the specific topic involved. Thus, if one of the investigators had conducted two interviews with Mr. X and the report of only the first was disclosed to Beau, a judge might rule that the privilege was waived as to the second interview, too. All other documents not so integrally related to any of the four documents to be disclosed, would be unaffected, and the privilege attaching to them would remain intact.

In the face of the discovery request by a civil plaintiff seeking to exploit the limited waiver in question, Context will take all reasonable good faith steps to obtain protective orders to maintain, to the maximum degree feasible, the protected status of all privileged documents.

2. You also asked about the impact of publication of the book on your ability, in a trial, to seek suppression of documents not otherwise privileged on the ground they were seized in violation of your Fourth and Fifth Amendment rights.

In this regard you asked about the impact of (a) the publication itself, and (b) revelation as a result of compelled discovery in a civil case brought against you.

The rules prohibiting the admission evidence seized or obtained in violation of Fourth and Fifth Amendments r ghts are meant to deter the State’s agents from

violating a citizen's constitutional protections. The suppression, in effect, is intended to punish the State, and by so doing, protect citizens from illegally compelled disclosures.

In your case, the violation of constitutional rights took place prior to any disclosure on your part, and but for such violations, your publication never would have occurred. Indeed, your publication now is, in a moral sense, compelled by the prior violation of your rights. Your subsequent disclosures should have no effect on your constitutional rights. In the most common case, that of an improperly obtained confession, the cat is always out of the bag prior to the suppression motion, and in many cases, the confession, though improperly obtained, was voluntary, at least in a common sense understanding of the word. Nevertheless, this confession still can be suppressed.

It is my opinion, therefore, that with respect to materials which came into the hands of the government in violation of your constitutional rights, your subsequent publication of non-self-incriminating extracts will not invalidate any otherwise valid motion to suppress in the context of a trial.

The reasons for my opinion in the case of publication, apply least as strongly with regard to disclosures in response to a subpoena or court order in a civil case since that disclosure would be made by you under compulsion.

In this circumstance as in that discussed in Section 1,

Context Books undertakes to make all reasonable good faith efforts to obtain protective orders to prevent, to the greatest feasible extent, disclosure of the legally seized materials not quoted or directly referred to in your book.

I hope I have succeeded in making this letter clear, comprehensive and satisfactory.

Jeffrey Craig Miller

Sincerely yours

JCM:ht

cc: Beau Friedlander

Theresa Kintz

161. Beau to Ted — 10-2-99

Subject:

Date: Sat, 02 Oct 1999 14:41:59 -0700

From: Derrick Jensen <dbjensen@earthlink.net>

To: beau@contextbooks.com

Dear Beau,

Well, the results are in, and it's official: is not a nice person.

I got a letter from John Z today in which he says says you are a hustler who is trying to make money off Ted. I wrote back immediately and told him she's wrong. I wanted to let you know so that you could make certain to not trust her.

sounds like a jerk. I'm sorry she crossed your path.

Talk to you soon,

Derrick

162. Beau to Ted — 10-3-99

Subject: Re: TK's first interview

Date: 03 Oct 1999 12:32:04 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: altfan.unabomber

Whoever posted this:

THANK YOU THANK YOU.

This is what I have been wanting to see for 3 years. This is the only reason I keep subscribed to this newsgroup, which has otherwise become a >garbage can of hate and ugliness. Notice that Ted doesn't say one word about hatred for Jews, Blacks or any other ethnic group. >

AWESOME !!! >! !!!! !!!!! !!!!!

riAK—> While the mainstream press has not been eager to report on this story, they know I spent 28 hours talking to TK in June and July of this year.

I found him to be a very interesting and complex person. I did not find him to be at all racist, sexist, homophobic, etc. He is just firmly convinced that the critique would be better directed at the techno-industrial system, not the various social pathologies it engenders.

I happen to share his belief that basically human beings took a wrong turn at sedentary agriculture, and that the root causes of social inequality derive from the difficulties inherent in trying to maintain a hierarchical society and a complex material culture.

The anarcho-primitivist writer John Zerzan has elaborated on this quite eloquently.
Green Anarchist

Subject: Re: TK's first interview

Date: 04 Oct 1999 00:56:43 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

>As far as Ted not being a racist, you didn't ask him about those thieving Gypsies, or those stupid, violent Blacks, now did you? <g>Also, his comments re: the Russian Revolution (alluding to the way the Jews killed

up to 60 million Gentiles), Rwanda and the Balkans are >revealing — but you missed it, of course.

—* I didn't ask him about “those stupid, violent

Blacks” as you put it... because he holds no such racist opinions... as a matter of fact, one of the first things he brought up in the interview was how he believes it is very important for revolutionaries to reach out to inner-city minority and impoverished populations who are already on the verge of rebellion as a result of their treatment by the system.

But to assert that the system itself is responsible for their predicament and get away from the black vs white, rich vs poor false dichotomy.

Our discussion of the Russian revolution was concerned with analyzing how a determined minority can succeed in disrupting the power structure, specifically we discussed the influence the anarchists had in that conflict.

His point is, that if the system collapses, those scenarios are likely, not that we should be hoping for that, on the contrary, we should be working towards finding a way to make people lose confidence in the techno-industrial system, and believe that revolution against the system is possible.

The implication is clear:

racism, hate groups, and other forms of social unrest inimical to the system should be encouraged, if it can bring the industrial system down. Indeed, that's exactly what he goes on to say: “In a general way, I think what has to be done is not to try and convince or persuade the majority of people that we are right, as much as try to increase tensions in society to the point where things start to break down.”

—» Yes, this is what he said. But what he feels needs to be done, though, as evidenced by the Ship of Fools essay, is to redirect the rebellion to be against the techno-industrial system. If each interest group is just fighting for a bigger piece of the pie, that does nothing to hasten the collapse of the system.

The goals of the revolutionary are relevant — i.e. undermining the system — social chaos for the sake of redistribution of the wealth is not the goal.

Green Anarchist

Subject: Re: TK's first interview

Date: 04 Oct 1999 13:25:02 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

>You need to read *ISAIF again*. Para. 29 is quite clear that Blacks differ from Whites in that they are, if left to themselves, >naturally more violent, and “not interested >in studying technical subjects”, a euphemism >for stupid.

VU4 ”* I still believe that TK has no anti-black sentiments. His analysis of how various minorities, not just African Americans, relate to the system is one that takes into consideration the historical realities of how certain populations have been disenfranchised by the dominant white culture as a result of racism — in a sense never really made part of the system, even blatantly abused by it, so they are more willing to listen to a profound critique. He considers this to be a superior position, not an inferior one.

*The system couldn't care less
what kind of music a man listens to, what kind of
clothes he wears or what religion he believes in as
long as he studies in school, holds a respectable job, >climbs the status ladder, is
a "responsible" parent, is >nonviolent and so forth. In effect, however much he may
>deny it, the oversocialized leftist wants to integrate >the black man into the system
and make him adopt its >values. “*

— > TK is a primitivist, first and foremost, his understanding of socio-cultural evolution is one that recognizes that the dominant white, western culture seeks intellectual and cultural hegemony — outsiders, those who have non-industrial, non “civilized” ancestral heritage and values are his natural allies. I think that is what is apparent in the text you quote above.

*Buy guns for Farrakhan, maybe. “Reaching out” as you
put it, by bringing urban Blacks into the system, is definitely NOT on TK's agenda.
-> He does not advocate, and I did not say he did, “bringing them into the system”
anyone who is dissatisfied with the system should join the rebellion, not the system.
>Zour language marks you as some kind of converted >Marxist.*

If that is supposed to be an insult, fuck off. I have long ago decided to make it my policy to not react to silly “radicaler-than-thou” accusations about being a leftist.

*I'd be interested in knowing more details
about your relationship with TK. If you actually
did talk to him at all, it's odd that he would pick
a crypto-leftist like you to confide in. But then,
he probably doesn't have a lot of choice about such
matters these days.*

— > TK approached me with the offer of an interview because he knows who I am. He was familiar with my writing and my activist credentials, which I feel no need to recite to you. It is public knoweldge (as reported in the Boston Globe, 9/30 and on various wire service reports) that I was working as an editor at the Earth First! Journal when I conducted the interviews.

*But why not post the text of your discussion, instead
of just asking us to take your word for it? I'm not
convinced you understand his ideas. I'd rather see
and interpret his words myself.*

— I did post the first article I written about the interviews, which appears in the latest issue of Green Anarchist — to get a copy you can write to GA/USA POB 11131, Eugene, OR 97440, send \$3. I do intend to write more in the future.

But let's extrapolate from TK's parable. If widespread fighting breaks out on the ship, and many are killed (possibly even the Captain, eh?), if any are left alive at the end of the fight, maybe then the ship will be turned around. Or maybe the cabin boy will seize control of the ship in all the confusion, and turn her around. Oo you understand now?

— I understand that there are many of us who believe that the current social chaos — school shootings, civil wars, rise of hate groups, etc — are all symptoms of the illness that is industrial civilization. We don't relish that fact, even though we acknowledge it.

The point is to attribute these manifestations to their proper cause and try to reverse the situation; instead of just fiddling while Rome burns, suggest positive alternatives. After all, the object of the revolution is to restore harmony between humans and the natural world, not increase suffering.

Do not forget that at its base, TK's and other eco-anarchist's philosophies are pro-nature, i.e. pro "the wild". There are models from prehistory we can use to argue that there was a time when people lived in harmony with wild nature. It is not abstract political theory — we have real, empirical, physical evidence that supports this claim.

TK advocates a "future primitive" he talks the talk and he walked the walk, that's one of the things that makes him unique.

Green Anarchist

Subject: Re: TK's first interview Date: 05 Oct 1999 04:17:56 GMT

From: susanj 1111 @aol.com (SusanJ 1111)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

Greenanarchist,

I'd like to add my thanks to Shadow for your putting up this article, which had many quotes from TK, hence, in his own words, n'est-ce pas?

There are a number of passages from ISAIF (Paragraph 192 especially) which show that TK is not a racist and I'm glad that you are here to support this. There is also no known evidence from his journals to support any claims of racism or neo-nazism. Who are we going to believe, the guys with the idee fixe (superglued) or someone who has spoken with TK?

So, it's nice to see the group getting back to the kind of discussions it used to have.

Just so you know, this group has been a delightful discussion center for questioning technology, for environmental questions and for topics related to individual resistance

to the troubles caused by aspects of modern life. It's only been during the lull of the summer and with no news that certain types have decided to take this group over. Rest assured, there are a number of people here who are more interested in talking to the issues you bring up than those sad souls are.

I did post the first article I written about the interviews, which appears in >the latest issue of Green Anarchist — to get a copy you can write to GA/USA >POB 11131, Eugene, OR 97440, send \$3. I do intend to write more in the future.

Glad to hear it, and please, keep us informed. And welcome!

believe that the current social of hate groups, etc ~ are all civilization. We don't relish that

I understand that there are many of us who >chaos — school shootings, civil wars, rise >symptoms of the illness that is industrial >fact, even though we acknowledge it.

This was mentioned in ISAIF — see paragraph 176, "...They would seek other, dangerous outlets (drugs, crime, "cults," hate groups)..."

The point is to attribute these manifestations to their proper cause and try >to reverse the situation; instead of just fiddling while Rome burns, suggest >positive alternatives. After all, the object of the revolution is to restore >harmony between humans and the natural world, not increase suffering.

I would agree here. Now, what do you think of what TK wrote in ISAIF suggesting that there were other possible ways that this objective might be fulfilled? This is what interested me.

-Susan

Subject: Re: TK's first interview

Date: 05 Oct 1999 13:28:32 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

snowe@rain.org writes:

Also, he did rely a lot on outside support.

AU—very minimally. I think all of us in the movement, at this stage, are forced to deal with aspects of modern life we wish we didn't have to as a matter of survival. It is an unfortunate compromise. Just like I am sitting here this a.m. dealing with this machine that I most certainly detest.

>(¥hat makes TK visible is bombing people, something that was really >underplayed in the interview.

— While he placed no limits on what I could ask him, I respected his right to decline to comment on the specifics of the unabom case.

What are you for?

If one has to put a label on it, then I would declare that I am an anarcho-primivist. That is, I believe that we should be working towards a * ' social/ecological ideal that is based on models from prehistory, specific to each bioregion.

Like TK, I have studied the subject very intensively. If one is acting from the biocentric point of view, i.e. the greatest amount of good for the greatest amount of living things, as I am, then the obvious ideal is a semi-nomadic hunter-gatherer subsistence strategy. Basically, return to living the way human beings managed to live quite nicely for the majority of their existence.

That way of life is most conducive to human freedom and happiness, and equality for all species.

Are you convinced that the whole shebang must be undone? That it can be undone?

Yep, and further, that eventually will be undone whether we are ready to acknowledge it or not. I think it is the epitome of arrogance to believe otherwise. I have studied the rise and fall of civilizations. They are like organisms, they have their birth, their fluorescence and eventually their demise. We see it time and time again.

It does, in some ways, come down to a moral, almost metaphysical question, why then, in light of what I believe, would activists like myself choose to act? It is perplexing. I guess it comes down to wanting to minimize the suffering that has to be endured.

I think a very important point is that we here in the industrialized world are leading the “developing” world down this incredibly complicated and ultimately destructive dead-end path.

There are a few places left out there on the planet where indigenous people have managed to retain their traditional lifeways, living in harmony with wild nature. I believe that revolutionaries in the industrialized world have a responsibility to rebel against the techno-industrial system in solidarity with these people. Here in the heart of Babylon, we need to demonstrate that all is not sweetness and light for those who are looking at us as a model. Don't come this way, it is fraught with danger and misery.

Would you favor undoing the libraries that TK used so much?

They're part of the “system” too. I don't think I'd want to be separated >from our intellectual and cultural tradition in the name of techno-free purity.

It is a dilemma and we discussed that. But the reality is that the codification of knowledge — books — have been one of the major handmaidens of conquest and exploitation. I would suggest reading “Guns, Germs and Steel: The Fates of Human Societies” by Jared Diamond, 1997; W.W. Norton & Company, Inc. New York.

In it he writes:

“...some parts of the world developed literate industrial societies with metal tools, other parts developed only nonliterate farming societies... others retained societies of hunter-gatherers with stone tools. Those historical inequalities have cast long shadows over the modern world, because the literate societies have conquered or exterminated the other societies. While those differences constitute the most basic fact of world history, the reasons for them remain uncertain and controversial.”

Did you ever ask TK what became of his mathematical interests?

Yes, I did. I am reluctant to paraphrase him, he spoke quite eloquently on this subject. But the gist of it was that he never assigned mathematics the same level of importance that his colleagues did. He thought that it represented a "surrogate activity" to them, and he personally felt it was much more important to try to figure out how to solve real world problems than mathematical problems.

Green Anarchist

Subject: Re: TK's first interview

Date: 05 Oct 1999 14:00:35 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

From: susanjllll@aol.com (SusanJllll)

Date: Tue, 05 October 1999 12:17 AM EDT

Message-id: <19991005001756.21934.OOOOO9580ng-frl.aol.com>

Greenanarchist,

I'd like to add my thanks to Shadow for your putting up this article, which had

many quotes from TK, hence, in his own words, n'est-ce pas?

Thank you for your kind words.

XJJ?' Yes, the quotes were taken directly from the transcripts. As was he read and ok'd the piece before it was published. That article fVS^for publication in the EF! Journal, they declined to publish it, permission, I gave it to Green Anarchist.

our agreement, was written so with TK's

I understand that people on the ML are sceptical, both of my claims to have spoken with him (but I really did) and of my interpretation of his thought.

I am actually quite reluctant to represent his ideas and I feel more comfortable relating my own opinions. But he and I both acknowledged that

we do

have an awfully lot in common in terms of our critique. I have thought & written about the subjects I have discussed on this list a great deal.

It certainly is his wish to speak for himself. He is very interested in helping the anti-tech movement in any way he can, that is why he

spoke to

The reality is that I have so much material to transcribe and it is going to take me a while before I am in a position to work on doing that. I had never done anything like this before, I am primarily an activist. I had never interviewed anyone before TK. I did my best in writing the article.

I have agreed not to release any verbatim quotes, transcriptions or future articles until they have been checked by TK for accuracy, which is as it should be.

The next article will be more of a traditional Q & A format and should be completed and submitted for publication, most likely in Green Anarchist again, by the middle of November.

There are a number of passages from ISAIF (Paragraph 192 especially} which show that TK is not a racist and I'm glad that you are here to support this.

There is also no known evidence from his journals to support any claims of racism or neo-nazism. Who are we going to believe, the guys with the id6e fixe (superglued) or someone who has spoken with TK?

I think TK would be very surprised to hear that such opinions are held (that he is racist, etc) I never had heard such claims before I came on this list last week.

Just so you know, this group has been a delightful discussion center for questioning technology, for environmental questions and for topics related >to individual resistance to the troubles caused by aspects of modern life.

It 's only been during the lull of the summer and with no news that certain types >have decided to take this group over. Rest assured, there are a number of >people here who are more interested in talking to the issues you bring up than those sad souls are.

I came here because I wanted to see if there were people who were interested in debating the issues and I thought that TK would not mind if I posted the article to the list. After all, the GA piece is @nti-copyright and can be reproduced at will.

I visited this list when it first went up, before TK's arrest, to iniate a discusson about the anthropolglcal thought that was contained in ISAIF. I was convinced that it had been written by someone who had studied anthropology, the analysis it contains is so perfectly in keeping with what I learned s a student of that discipline.

»The point is to attribute these manifestations to their proper cause and »try to »reverse the situation; instead of just fiddling while Rome burns, suggest »positive alternatives. After all, the object of the revolution is to restore »harmony between humans and the natural world, not increase suffering.

I would agree here. Now, what do you think of what TK wrote in ISAIF suggesting that there were other possible ways that this objective might be fulfilled? >This is what interested me.

-Susan

Again, I am reluctant to represent TK's thought, but one issue we discussed, which was very interesting, is the idea of a nature-based religion.

Green Anarchist

Subject: Re: TK's first interview

Date: 05 Oct 1999 14:22:52 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: altfan.unabomber

Subject: Re: TK's first interview

From: renodecaro@aol.com (RenoDeCaro)
Date: Mon, 04 October 1999 09:21 PM EDT
Message-id: 19991004212121.11156.00000793@ng-cql.aol.com
T.K. interview

Max wrote: >

Why would someone tape an interview with T.K. and subsequently only publish a paraphrased version of what T.K. had to say? Even an extremely lengthy >interview can be edited down to size.

And more of it will, with his permission. As I said in another recent post, I simply have not had time.

The only answer I can come up with (assuming Greenanarchist actually interviewed T.K.) is that the interviewer >wants to put his own interpretation and slant on what was said.

In the past T.K., who is familiar with the way the media distorts, misquotes, >and misrepresents those who don't fit into its agenda, has always insisted >on an unedited version of his message.

For one thing, I am not a part of the corporate media, whom he has good reason to mistrust.

In this case, we are to believe he allowed the interviewer total autonomy over what to quote, what to paraphrase, and >what not to. One thing should be clear: anything attributed to T.K. from this >interview should be suspect as to authenticity and interpretation.

I am finding the fact that some people don't believe I really talked to TK very amusing. Why do you assume that he would not trust me to simply report accurately and honestly what he had to say?

He did read the article before it was published and he ok'd it. Why is that so hard to believe? The quotes were in quotations and they are accurate.

The T.K. that emerges from this interview—not racist, not anti-Semitic—is >the PC version of a revolutionary as is, coincidentally, the interviewer.

TK did not say anything to me that could be remotely considered racist or anti-Semitic. Nothing! It is not a matter of being PC, it is a matter of being honest.

Green Anarchist

Subject: Re: TK's first interview

Date: Tue, 05 Oct 1999 19:30:49 -0400

From: Shadow <shadow42@erols.com>

Newsgroups: altfan.unabomber

Greenanarchist wrote:

»positive alternatives. After all, the object of the revolution is to restore >»harmony between humans and the natural world, not increase suffering. »

I would agree here. Now, what do you think of what TK wrote in ISAIF >suggesting that there were other possible ways that this objective might be fulfilled? »This is what interested me.

~Susan

Again, I am reluctant to represent TK's thought, but one issue we discussed, >which was very interesting, is the idea of a nature-based religion.

I'm so intrigued to hear you say this, because this has become central to my thought as well. Religion has seemed to be one of the most powerful forces shaping culture. At least in the last 2000 years. It has not always been a force for good, either. Nevertheless, I feel it is one of the few forces which has a chance to stand up to the force of material greed which has ruled the planet for the past few centuries. Already I believe that there is a Nature religion gaining ground (pun!) in the past decade or so. Nowadays people can speak of 'Mother EArth', "Gaia", "Goddess" or "Mother Nature" without getting a hairy eyeball; 20 years ago, most people wouldn't know what you were talking about.

I am actually very surprised to hear TK mentioning this, because in one place I believe he had written that the 'Gaia religion' was 'play-acting' or some such disparaging comment. Nevertheless, your portrayal of TK's feelings about wild nature does suggest that he has indeed heard Mother Earth speak to him.

If so, Ted is part of a growing number of people who have heard Her voice... including myself, of course. I could write a whole book or 2 on the subject of Listening to Mother Earth...

Just curious, Green Anarchist... have you read any books by Daniel Quinn? Specifically, "The Story of B" and "Ishmael". If anyone here hasn't read them, I urge you to do so. "Story of B" in particular, has a message every bit as radical as the Unabomber Manifesto... and yet he has managed to convey it in such an oblique way (in the guise of an 'antichrist religion') that the book is generally lumped together with the feel-good New Age category.

Thanks for joining this group. At last!! Intelligent & worthwhile dialogue!!!

Shadow

Subject: Re: TK's first interview

Date: Tue, 05 Oct 1999 23:13:38 +0200

From: Vidar Gronvold <gronvold@powertech.no>

Organization: PowerTech, +47-2220-3330

Newsgroups: alt.fan.unabomber

On 04 Oct 1999 00:56:43 GMT, greenanarchist@aol.com (Greenanarchist) wrote:

Yes, this is what he said. But what he feels needs to be done, though, as >evidenced by the Ship of Fools essay, is to redirect the rebellion to be >against the techno-industrial system. If each interest group is just fighting >for a bigger piece of the pie, that does nothing to hasten the collapse of the >system.

I'm a little surprised that neither agent99, Pyro 1488, or

RenoDeCaro has come up with the idea that the Captain of the Ship of Fools is a Jew. Don't they believe their own ideas?

Well, anyhow, this part of the parable, about the Captain and his men on the deck, epitomizes the problem with it and with TK's thinking as shown by the court papers cited in this group. In his mindset there will be certain evil people which are the cause

and which are to be kept responsible for the bad fate of everything. This inclination foster hate and create a link between TK and the the hate groups.

But which people can in a meaningful and intelligent way be blamed for the problems and is there any point in blaming people at all, let alone kill them?

Surely Henry Ford has been blamed for a lot and I'm sure TK would have considered sending a bomb to him, but he is dead.

Maybe one should "blame" them who doesn't take any responsibility?

regards

Vidar Gronvold

Subject: Re: TK interview

Date: 06 Oct 1999 13:16:54 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: altfan.unabomber

Subject: Re: TK's first interview

From: Shadow shadow42@erols.com

Date: Tue, 05 October 1999 07:30 PM EDT

Message-id: <37FA8A29.707A@erols.com>

Shadow wrote:

Now, what do you think of what TK wrote in ISAIF >suggesting that there were other possible ways that this objective might be fulfilled? »This is what interested me.

-Susan

Again, I am reluctant to represent TK's thought, but one issue we discussed, >which was very interesting, is the idea of a nature-based religion.

I'm so intrigued to hear you say this, >because this has become central to my thought as well.

And mine, when backed into a philosophical corner, I admit that what motivates me as an activist is more "spiritual" than "rational" as we understand those terms.

I have always felt a deep affinity with nature. When I consider my actions, I think of whether or not they would be approved of by the Wolf nation, the Lynx nation, the Hawk nation, the community of all living, growing, wondrous things I share this planet with, as much as, if not more than, by my fellow humans.

I know that people can speak for themselves, as a biocentric eco-anarchist, I am here to speak for that which has no representation in government, no corporate sponsor, no voice in the world of men... we can be forces of nature too.

I believe there have always been critics of civilization, perhaps destined to always be in the minority by the state of things today. But for the past 10,000 years I bet there were folks who argued that their societies should not create permanent habitations, build roads & pyramids, create armies, manipulate nature, etc... I imagine there have always been people like us, who cautioned their societies not to worship change, to walk more gently on the Earth, to go slowly and think about what they are doing in

the world, to not be so arrogant with their ideas of progress, who pointed out that all life is sacred, that there is no reason to believe humans have the right to destroy Mother Earth and cause suffering to the myriad of creatures we live with.

Religion has seemed to be one of the most powerful forces shaping culture.

At least in the last 2000 years. It has not always been a force for good, either. Nevertheless, I feel it is one of the few forces which has a chance >to stand up to the force of material greed which has ruled the planet for the past few centuries.

I agree, and I think what you speak of could also be considered a “worldview” rather than a religion. A worldview that respects the rights of all living things to live in peace and fulfill their destinies as part of an awe-inspiring, interconnected whole would inculcate people with values that would make the techno-industrial system appear to be the horrific aberration that it is.

Already I believe that there is a Nature religion >gaining ground (pun!) in the past decade or so.

Nowadays people can speak of ‘Mother Earth’, ‘Gaia¹’, ‘Goddess’ or ‘Mother Nature’ without getting a hairy eyeball;

20 years ago, most people wouldn’t know what you were talking about.

I am actually very surprised to hear TK mentioning this, because in one place I believe he had written that

the ‘Gaia religion’ was ‘play-acting’ or some such disparaging comment. Nevertheless, your portrayal of

TK’s feelings about wild nature does suggest that he has indeed heard Mother Earth speak to him.

Yes, I think it is evident in his words from the article that he does feel a deep spiritual connection to the wild. Saying that the “Gaia -religion” seems like “play acting” sometimes is something I agree with. I happen to believe that you cannot have a real affinity with something that you have little or no personal experience with. You can’t truly love someone, or something, i.e. the natural world, that you don’t know.

That is to say, when city people try to recreate the spirituality that comes naturally to those who interact with wilderness on a daily basis, it seems false and forced. I do not believe one can live in an artificial, human-centered urban environment and be confronted with the sensations that induces on a daily basis and still be truly connected spiritually with the wild. You must walk the walk to authentically talk the talk. I personally feel that only when people get back into the wilderness and actually live in harmony with wild nature again will they find the emotional strength and courage to accomplish what needs to be accomplished for the revolution to succeed, since that is the actual source of the strength.

If so, Ted is part of a growing number of people who have heard Her voice... including myself, of course. I could write a whole book or 2 on the subject of Listening to Mother Earth...

You should!

Just curious, Green Anarchist... have you read any books by Daniel Quinn? Specifically,

“The Story of B” and “Ishmael”. If anyone here hasn’t read them, I urge you to do so.

“Story of B” in particular, has a message every bit as radical as the XJnabomber Manifesto...

Yes, these are very important text that I and most of my friends have read.

Thanks for joining this group.

At last!! Intelligent & worthwhile dialogue!!!

Shadow

Thanks for being so welcoming...

Green Anarchist

163. Ted to Beau #87 — 10-3-99

October 3, 1999

Dear Beau,

You have fucked things up good. Most importantly, you kept telling me in effect that no significant changes would have to be made in Truth versus Lies due to libel problems...

Your statements about copyright problems were more cautious, but they still gave the impression that deletions of copyrighted material would be modest...

But, in spite of these assurances, the proofs that you sent me in late September contained several very important deletions of quoted material, as well as changes made because of libel issues, that had never been mentioned to me previously...

164. Miller to Beau — 10-4-99

Miller and Korzenik, llp
488 Madison Avenue. New York, N.Y. 10022 (ai2) 7S2-9BOQ
TELtCOPIeP.

<2i?>688-3998

PRIVILEGED and CONFIDENTIAL

October 4, 1999

BY FAX; 91S-498-571Q

Quin Denvir, Esq.

Office of the Federal Defender aoi K street 10th Floor

Sacramento, CA 95814

Re; *Theodore J. Kaczynski*

Dear Mi'. Denvir;

I am transmitting to you, together with this letter, a copy of a letter which I sent to Ted last week. Implicit in that letter is Beau's commitment not to print the book unless and until Ted is satisfied with it, and in fact, no copies have been printed. If you have an opportunity to pass along that message, it would be much appreciated.

Furthermore, I would appreciate your thoughts on the specific content of the letter. I hope I may speak with you.

Thank you for your courtesy.

ffrey Craig Miller

JCM:b j g cc: Context Books

165. Beau to Ted — 10-4-99

Dear Ted,

I just received the message you left on the company voice mail. I understand your irritation. As I wrote in an earlier letter, I wrongly assumed you would consent to the changes Miller made. Miller made the changes because he feared they*might invite an action. You said in your previous letters that you were concerned, and did not want me to get “screwed”. I mistakenly thought this meant you *wanted* me to make changes that would safeguard us against that, and did so because you trusted me. I was wrong, and apologize. I am sorry.

Nothing has been printed. The bound galley that you received was a digital printout. I had it made for you, because you are not allowed hardcover books. It is the only copy in existence. No printing plates have been made. The only thing that has been made (printing film with which plates are burned) can, and will at your say-so, be destroyed at a minimal cost. Preparing new film will not be a terrible financial burden. The letter I wrote to you after receiving your letter that directed me to hold on to the book because it was not finished was written before I knew that the book had not been printed. It was a Saturday. Had the book been printed, I would have destroyed the copies. Joy can confirm that this was my plan. I am waiting for your final corrections and release. I have postponed publication with a notice on our website.

After receiving your message, I called would not allow us to speak and could not pass along a message to you. I then faxed ___ (enclosed addressed to Warden

per protocol) requesting a meeting or at least a phone call with Miller (no word yet), I called Quin to see if he could get word to you, and I asked Miller to call Quin to see if a legal call could be set up that way. Ted, I do not want our relationship harmed over this. Besides this breach (which I regret), I think I have performed well as your publisher. There will be no public repercussions with regard to the breach, since no copies were printed. I believed that I had your faith, and now recall in your interview that your respect is hard-earned. It was hubris for me to think that I had earned it.

Miller just called to tell me that he faxed Quin. He requested that Quin pass on the information about your book’s status, and also an opportunity to discuss the legal issues that he addressed in his letter to you (facsimile copy enclosed).

I was thinking about posting s interview on our web site. She already said that I could, and sent me the interview via email. “ has asked me why I would help her by posting it. I answered that I would not be “helping” her, but getting out important information.

then pointed out something important. Neither of us was certain that you had given approval to the piece. So, I will wait until I hear from you that the article is acceptable. Derrick Jensen sent an email to me confirming what _ rad suspected: has it in for me (enclosed). All I

can say is I want my money back^I think *she* was the hustler. She abused our hospitality. I hope John Zerzan hasn't bought her cock and bull, since I have enjoyed the two conversations that I had with him, and would also like to publish *Against Civilization*. This is the first time in my life that I have really experienced a parallel between reality and Shakespeare.' seems like Iago.

I went fishing this weekend. took a picture out at the reservoir. If it's any good I'll send you a copy. I caught four yellow perch, which we ate on Sunday, and several very small specimens including a bass the size of your thumb (sensitive bobber)! The leaves are starting to change. There was clear fall weather over the weekend. It is raining now, and the weatherman says it will not get above 65 degrees this week... told me it snowed already in Montana. It's snowing upstate around Lake Erie.

Finally, I have been reading the journal you sent (thank you very much), and will comment on the poetry there as well as the Yeats poem soon.

Dear Ted,

I just received letters #85, 86. I will answer quickly since there is not so much time before the post office closes.

I did fight to you expressing a blase attitude toward profit. I think I have also said that I would like to make money to pay for the expenses associated with the publication of *Truth versus Lies*, and even that I do want to make a profit. The truth is that I could lose money punishing your book. There is risk. The blase attitude is my way of coping with the uncertainty. In a perfect world I would like all of the books that I publish to turn a profit. But I will not do this at the expense of quality.

When I read the second paragraph of letter #85, I was certain you had received a letter from I can only say that she must have gotten my meanings regarding anti-tech and radicalism garbled. But I do remember what I said: It makes no sense to me when radicals gossip and engage in interior battles because they do not like a particular group's approach to a specific problem. The Earth Firsters and other groups tend to discount what others do in aid of the environment when they should be working together or at least ignoring what irritates them. In the current model, the in-fighting makes everyone look ridiculous. Not unlike the captain of your parable; they are ignored and nothing changes.

The above is most definitely my opinion. I have always prefaced anything I say to the press about you with the fact that I cannot speak for you. Even when it comes to telling people about your book, I will begin by saying that in my opinion your book is... I do not speak as a proxy for you, and would never dream of doing it. I think there is no publicity being done that has anything to do with your book that goes beyond "what the book is about and why [I think] they should read it." I know that some journalists

want to tell the story about Chase and Dubner and *Talk*. But I have declined comment whenever a journalist asks me. Also: I send you all the print publicity. As for TV, I appeared with Mello on Court TV to talk about your book and was attacked by the anchor. Mello talked about your appeal and he was responsible, at least he said nothing that did not appear already in his book. Joy told you about another interview, and the only other ors was just informational. I will keep you abreast of it all when things actually happen, and rest assured that I would never say anything (about anyone) without discretion or without the qualifier: “It is impossible to know, but it seems to me...” or something along those lines.

Dubner called earlier this morning to let me know that he had written to you. He is honest. I am sorry to report that he was calling from his sister’s house where his mother has been slowly dying of heart failure. He seems to be close to her.

I do not know what meant by big-time publicity. Perhaps that is her view of *60 Minutes*. Nothing that I would consider valid in the promotion of your book, including the above program, would go beyond the selling of your book. That is how books are sold. To reiterate from the above, I make it clear that I am not a spokesman for you or the anti-tech movement. (The same may not be true for who seems to have a taste for the history books—specifically for a place within their covers.) I think it is a good idea for me to point out to the media that you do not endorse my opinions or the publicity associated with the book. I would add that you probably do not approve of the publicity in general because your audience consists of like-minded people, and they will find your book regardless.

I hope you understand that I care very much about you, and that I would not knowingly do anything that might compromise your integrity. Now, it is off to the post office!

P.S. Ulveman called me today. He wants to interview you. What’s new? I told him that I would pass on the word to you.

166. Beau to the Prison Warden — 10-4-99

Context

BOOKS

October 4, 1999

Warden Michael V. Pugh

United States Department of Prisons

United States Penitentiary Administrative Maximum Post Office Box 8500

Florence, CO 81226-8500

Dear Warden Pugh:

I am writing to you to request 1.) a meeting with inmate Theodore John Kaczynski (registration # 04475-046) or 2.) a legal call between Jeffrey Miller and Mr. Kaczynski; this may be admissible according to the Program Statement Blake Davis me to review before writing this letter.

I have already visited the above inmate as a media consultant and journalist for *Talk Magazine*. This was a necessary condition of the interview, and I agreed to accompany journalist Stephen J. Dubner. My role was to work out the details of an article that was specifically an excerpt from Mr. Kaczynski's forthcoming book *Truth versus Lies** which I performed as Publisher and Editor-in-Chief of Context Books, Mr. Kaczynski's publisher. The excerpt was only briefly discussed during that interview. Mr. Dubner's portion took up the majority of the time.

I later denied *Talk Magazine's* request for the excerpt, on the grounds that they were dishonest. In addition, Mr. Dubner's article will not be published by *Talk* because that magazine broke some of the conditions of publication. Mr. Dubner is currently trying to place the same article with *Time Magazine*. *This depends only on permission from Mr. Kaczynski, which has been requested.* Because Mr. Kaczynski is a controversial figure, there may be differences between the media group that requests an interview and the media group that publishes it. My hope is that the *final* publisher-in-fact will in the future need to get permission from Mr. Kaczynski, per Mr. Dubner and *Time Magazine*. This is due to the fact that not all persons and organizations are as reputable as the above parties.

Throughout the remainder of this letter, I will refer to citations numbered LTW1-LTW8 and provided in an enclosure marked REFERENCES. I would like to begin by saying that I believe my request is in keeping with the Program Statement where it

states: "It is not the intent of this rule to provide publicity for an inmate or special privileges for the news media, but rather to insure a better informed public." (LTW1)

As you may know, Mr. Kaczynski, has been subject to much misinformation, both about his person, his pre-trial, and his appeal which is still pending in the Ninth Circuit of Appeals. The appeal hinges on certain abuses of the constitution during his pre-trial and eventual guilty plea. Since Mr. Kaczynski's book is largely about this misrepresentation, it is a matter of important public information. Having said this:

I would like to be considered under the provisional conditions provided for in LTW2, that an author with a publisher may be permitted access to an inmate. I realize that I am not an author. I also assume that the Program Statement may not have taken into account the unusual circumstances of an inmate entering into an agreement to publish a book. I hope that it may be possible to include the requested interview as if it were comparable to LTW2.

The Program Statement provides that legal counsel may be secured to prepare legal documents. (LTW 3) While the preparation of the book is not a legal document, it could be entered onto the record in a legal proceeding, and thus needs to be prepared as though it is a legal document. If I cannot be admitted, I would request that you allow Attorney Jeffrey Miller (*who is now also Mr. Kaczynski's counsel on issues that are associated with the publication of his book*) to meet with "Mr. Kaczynski. The requirements for this meeting seem to be met with regard to ETW 4 and

LTW 5, and the right for such a meeting finds no resistance in LTW7 (there have been no violations). Also: this meeting is partially supported in LTW8: "The warden may not deny correspondence or visiting rights with attorneys generally." I understand that the warden may still deny particular requests such as the present one at his discretion with regard to maintaining order at the ADX without compromising the availability of BOP staff.

With all of this taken into account, I would like to arrange for a one to two-day meeting so that the details in question can be settled thereby permitting the timely publication of Mr. Kaczynski's book. It is my opinion, and that of Attorney Miller, that a meeting has become necessary as soon as it is convenient for the staff at the ADX.

In the event that you should decide that neither Mr. Miller nor I may be allowed the above requested meeting, I would like to request, on the behalf of Attorney Miller, that legal calls be permitted for the resolution of this matter. (LTW6) Attorney Miller requested to place a call to Mr. Kaczynski on September 27 and was denied the call on the 28th.

Thank you for your consideration of the above, and I look forward to your response. I can be reached by phone at 212-571-4866 and by fax at: 212-964-1810.

Yours sincerely,
Beau Friedlander

167. Beau to Ted — 10-6-99

Dear Ted,

I'm enclosing some postings from the alt.fan.unabomber discussion group. I would guess that has been sending these postings to you already, but if she hasn't please let me know if you would like me to collect them for you.

She seems to make a distinction between her opinion and yours (more so in the most recent postings) although she does at times get pretty specific about your ideas and beliefs, and there is something vatic in her tone. Maybe she's gearing up to write a book to rival Daniel Quinn's bestselling novel *Ishmael*. In other words, I think she may want to be a guru of the anti-tech movement. See page 13-14 of the enclosure. thinks that I am being magnanimous, but I think

it's wrong to knock the work of others if it is heading in the right direction. But is saying this because is engaged in smearing my reputation. I feel there is not much I can do about this. The truth will come out eventually. *

I hope you enjoyed your meeting with One more thing: I read your comment about Tina Brownnose to Dubner, and it made him laugh.

Context

BOOKS

October 4, 1999

John Zerzan c/o AAA P.O. Box 1131 Eugene, OR 94440

Dear John:

I understand that las been claiming that I am only out to make money from my association with Ted. It is not true. In the future I would hope that you might ask me about such a serious accusation before submitting it to the rumor mill.

I had been interested in working with you on *Against Civilization*. I still am. But I have no interest in working with someone who questions my ethics and then is not straightforward about their doubts. If you should like to work on something together, you will find me forthright.

I ask the same of the people with whom I associate, and hope that this is not too much to ask.

Yours sincerely,

Beau Friedlander

Ke; Truth versus Lies: Pubheation Date=Never?

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fa s'

Subject: Re: Truth versus Lies: Publication Date=Never?

Date: Mon, 04 Oct 1999 14:00:47 -0400

From: Beau Friedlander <beau@contextbooks.com>

Newsgroups: alt.fan.unabomber

Truth versus Lies is delayed for the time being. It will be published.

We are not certain yet as to the date of publication. Certain issues need to be settled before printing the book and we are working toward that goal. Technically the book is not finished although the majority is in its final form. We will post a notice for this discussion group when the book becomes available. CB

Mignarda wrote:

It looks as if Ted's "Truth versus Lies" may never see the light of day. For some time Context Books advertised the book as being available in

August;

August came and the date was pushed back to October; October came and >it was October 11; then, in short order, October 25, October-November and now >it's simply postponed indefinitely. >

The book has supposedly long since been finished and tendered to

Context

under the proviso that no changes were to be made. What gives? My guess is that either Context has determined that there isn't sufficient interest to UjVUtj

make the project worthwhile, or Ted has decided that he'd better go '<Ar over the "script and excise any portion of it that might shed a scintilla of light on his true self.

"Where be the true men?"

<http://members.bellatlantic.net/~mignarda>

Unabomber/Zodiac—Now on CD-Rom!

Beau Friedlander

Context Books

368 Broadway, Suite 314 New York, NY 10013

<http://www.contextbooks.com>

168. Ted to Beau #88 — 10-7-99

...

169. Beau to Ted — 10-8-99

iVG. S^UCPULMt

Subject: Re: Question

Date: 08 Oct 1999 02:03:07 GMT

From: staywild@aol.com (Stay Wild)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

greenanarchist wrote:

Umm, I really do not understand what exactly is going on with all the fascist >rhetoric on the alt.fan.unabomber list. Could one of the fascists please try >to explain (politely, if possible) exactly what it is they hope to accomplish?

Sorry, I am not one of the fascists and so I really don't have a clue as to what they hope to accomplish.

My apologies to the long-time list users who may already have a handle on >this,

I am just really astounded by what I have found on here since I came in last >week.

I am a long time lurker, unmasking I think for the first time. I have found the fascist drivel here quite astounding as well. I must say, however, I have been impressed with your postings. You have brought new life to the group. Just do what I do, delete their posts. I do read some of their posts every now and then just to reconfirm that they are indeed insane. Like most Usenet groups this one has a high noise to voice ratio...

Again, thanks for your recent postings. Don't let the trolls scare you away.

As Always, Stay Wild **io / g / 65**

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* wUg.U **TAK ic**

tiLr news

Subject: ELF news

Date: 07 Oct 1999 21:58:49 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

Shadow, Thanks for posting the great news below:

Communique

Greetings from the Earth Liberation Front.

we are claiming responsibility for the second attack upon C S McRossan's machinery.

<snip>

This is just the beginning of a new level of battling against highway 55 and car culture. We urge the elves of MN and the world to unite against the profit hauling infrastructures around the globe. Target machines, offices, and equipment used to build roads. We are everywhere and we are watching. We will be back, live simply

ttVC How nice! I do so love those little earth liberation fairies!

Live Wild or Die,

Green Anarchist

if J

Subject: Boston Globe TK article

Date: 07 Oct 1999 14:19:42 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: altfan.unabomber

Where it says <text redacted:* I have removed my name. I feel it is irrelevant in the context of this forum. But I wanted to post this in response to some of the accusations on this list that my postings are some kind of hoax. You can find it on the Globe website anyway.

Green Anarchist

DATE: THURSDAY, September 30, 1999 TAG: 9910010191 SECTION: National/
Foreign EDITION: Third

PAGE: A9 LENGTH: 61 lines

SOURCE: By Brian MacQuarrie, Globe Staff

KACZYNSKI SAYS ROAD TRIGGERED 'REVENGE'

A road, newly cut through a Montana paradise, may have turned Theodore Kaczynski onto a one-way path of revolution.

In what is believed to be the Unabomber's first published interview since he was arrested in 1996, Kaczynski, the man who used package bombs to kill and maim for nearly two decades, said his discovery of a road in a wilderness sanctuary set him on a mission to topple modern society.

"From that point on,*" Kaczynski said, "I decided that ... I would work on getting back at the system. Revenge."

Kaczynski, now imprisoned on a life sentence in Colorado, made the comments in an interview published this week in the London-based journal Green Anarchist.

From 1978 to 1995, three people were killed and 23 injured by elaborate bombs credited to the Unabomber, who targeted workers at universities, airlines, biotechnology companies, and advertising agencies.

Kaczynski was interviewed by <text redacted>, a former writer for the Earth First! journal in Eugene, Ore. <text redacted:*, who had been corresponding with Kaczynski, spoke with him over four days in June and July.

Although the Unabomber's explosions have been traced to a 1978 blast at Northwestern University, <text redacted:*, said Kaczynski had said he did not fully commit himself to violent revolution until 1983.

In that summer, Kaczynski said, he struck out for one of his favorite places: a rugged, lonely plateau about two days from his cabin in Lincoln, Mont.

"There were too many people around my cabin, so I decided I needed some peace. I went back to the plateau, and when I got there I found they had put a road right through the middle of it,¹" Kaczynski said. "You just can't imagine how upset I was."

Kaczynski said he had been driven to action he would have preferred to avoid. "The honest truth is that I am not really politically oriented. I would have really rather just be living out in the woods,"¹ he told <text redacted:*

"If nobody had started cutting roads through there and cutting the trees down and come buzzing around in helicopters and snowmobiles, I would still just be living there, and the rest of the world could just take care of itself."

In the interview, Kaczynski did not confess to any crimes of violence, but said that a successful revolution against modern society, which he advocates, would result in massive loss of life.

"For those who realize the need to do away with the techno-industrial system, if you work for its collapse, in effect you are killing a lot of people,"* Kaczynski said from federal prison in Florence, Colo.

Boston Globe TK article

"He didn't ask for any special treatment or to be treated in any certain way,¹" <text redacted>said of Kaczynski. "There was no limit on what I could ask him, but he reserved the right to decline to answer questions on specifics in the Unabomber case."

<text redacted>resigned from Earth First!, which opposes violence, when the journal's editors declined to publish the interview because of its content. John Connor, the editor of Green Anarchist, said he had heard tapes of the interview. "The range of details, political beliefs, and personal information on the tape could only have come from Kaczynski," Connor said.

Kaczynski told <text redacted>his disillusionment with society began in 1962, his senior year at Harvard University.

note two errors in this report:

Where it says:

"Kaczynski was interviewed by <text redacted>, a former writer for the Earth First! journal in Eugene, Ore."

I was not a "writer" for the EF! J, I was a member of the editorial collective, i.e., an editor ~ the EF! J has no "writers"

Where it says:

“ <text redacted>resigned from Earth First!, which opposes violence, when the journal’s editors declined to publish the interview because of its content.”

That is not true and I did not say that. There were several reasons why I left after working at the paper for a year and I left the J on good terms.

ll.V»>yV4U>V iVl 1»1UA

Subject: Response for ‘Max’*

Date: 08 Oct 1999 13:39:24 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL <http://www.aol.com>

Newsgroups: alt.fan.unabomber

Response to:

Subject: Re: Question From: renodecaro@aol.com (RenoDeCaro)

Date: Thu, 07 October 1999 09:19 PM EDT

Message-id: <19991007211954.27315.00000235@ng-cql.aol.com>

Greenanarchist wrote:

I really do not understand what exactly is going on with all the fascist rhetoric on the alt.fan.unabomber list. Could one of the fascists please try to explain (politely, if possible) exactly what it is they hope to accomplish?>

Max wrote:

I wrote a short critique of some of your views as stated on this group. Since I am extremely curious to see how someone holding those views deals with the objections I raised, I have been sitting on pins and needles waiting for your reply. Now I am disappointed to see that you would rather change the subject. Let’s reach a compromise, shall we? You address my critique of some of your beliefs and I will explain politely what those whom you label “fascists” hope to accomplish. Fair enough?>

OK Max, I’ll bite, but then I am not going to play with the fascists anymore. Actually, I am on the road again after today and will not be signing back on for a while.

Greenanarchist wrote: *And mine, when backed into a philosophical corner, I admit that what motivates me as an activist is more “spiritual” than “rational” as we understand those terms.>*

Max wrote:

<I can appreciate your honesty in stating this.>

Thanks, I guess.

< Neither FBI Susie nor Peter (not Jewish) would admit to (perhaps I should say “recognize”) being backed into a philosophical corner, nor could they ever point at a spiritual basis for their beliefs.>

Since I don’t know that much about the performance of “FBI Susie nor Peter (not Jewish)” on this list I cannot fully appreciate your slagging them for the purposes of patronizing me.

<In FBI Susie's case, she would like to send a rabid FBI after those who backed her into a philosophical corner. Not very spiritual, don't you agree?>

Again, don't know what you're talking about.

<For Susie's benefit you should ask T.K. how he feels about individuals who want to turn into the FBI those with whom they disagree. The answer should slow down a bit all the patronizing FBI Susie feels compelled to do for you.> see above

Greenanarchist wrote:

I have always felt a deep affinity with nature. When I consider my actions, I think of whether or not they would be approved of by the Wolf nation, the Lynx nation, the Hawk nation, the community of all living, growing, wondrous things I share this planet with, as much as, if not more than, by my fellow humans.>

Max wrote:

There is no doubt that what you say sounds good. The problem is that in this century, already too much that used to work has been replaced by what sounds good but does NOT work. >

I am not exactly sure what you mean here.

.If you take your view to its conclusion, you will want the approval of all the animal and plants required for food and other necessities to sustain you. With the highest of probabilities, this approval will not be forthcoming and you will die...>

I disagree. I think that the community of "animal and plants required for food and other necessities to sustain" me inherently recognizes the interdependence of all living things and reality of the food chain.

That is, if I kill in order to meet my immediate needs — for survival, i.e. food, clothing and shelter — I am living just like every other animal on the planet. There is no need for me to feel guilty about that. Everything dies in its time, that is a fact.

I think TK understands this as well. While he did not ask for the approval of the rabbits he killed, he respected their will to live and appreciated the contribution they made to his survival — thanking them for giving up their lives to sustain his. That is what is important, respecting life.

Max wrote:

<leaving the planet to those who did not harbor such noble, but unworkable, ideas.>

They are workable ideas — they worked for thousands, no millions, of years.

But you are correct in the sense that it is not enough for individuals involved in the rebellion to just give up and go live "off the grid" and let the rest of the world go on the way it is going. We must actively resist those who do not harbor such noble goals and see the revolution through. It is a matter of self-defense.

The resistance, those who despise the techno-industrial system and who advocate living in harmony with wild nature, have been called to the battlefield. We did not seek this conflict but we must respond, bravely and decisively. We must use all the tools in the toolbox to destroy the enemy that seeks to destroy us.

Greenanarchist:

I know that people can speak for themselves, as a biocentric eco-anarchist, I am here to speak for that which has no representation in government, no corporate sponsor, no voice in the world of men... we can be forces of nature too. >

ixcspuitse toi tviax

Max wrote:

<That makes you a fellow who deals with similar problems of the revisionists and race realists. They too are speaking “for that which has no representation in government, no corporate sponsor, no voice in the world “ >

You are missing my point. People — all humans — can speak for themselves. Even if certain people have not gained power yet, they have the potential to within human society. Non-human species do not.

And, by the way, what makes you assume that I am “a fellow” ;-)

<Contrary to them, though, you are not opposed by a government and media industry that work around the clock to villainize you and who indoctrinate the population through every means at its disposal that what you say is the greatest evil imaginable.>

Who is the “them” you are referring to in this statement — the people you call “race realists”? I have never heard this term. And who is being “villainized” the fascists? I wonder why?

<Consequently, you don’t have to deal with the products of this hateful indoctrination campaign. In other words, you don’t have to deal with the “anti-haters” on this group who love to hate those whom they accuse of being haters.>

You are losing me here Max... I thought this list was for people who certainly do admit to hating the techno-industrial system as I do. But I do not attribute the propagation of the system to any particular group of humans (like Jewish people, for example)... except that I will say I’ve been known to be able to make a pretty good case against a particular gender as having had more of a hand in the destruction of the wild and in promoting an ethic of exploitation.

After all, hierarchical societies have always had male leaders, no army of women has ever been led against an army of women, there have been no female fascist dictators... and who invented electricity, nuclear power, guns, steel, chainsaws, automobiles, computers, bulldozers, etc?

I would say that if we are looking for specific culprits, that is where I would start looking — at males in general — not males from a particular geographical region or ethnicity — all of them everywhere seem pretty determined to mess things up. Don’t you agree?

But what would be the benefit in that? I would rather focus on what needs to be done to change things for the better without advocating the extermination of the male gender based on their well-documented propensity to always fuck things up.

Greenanarchist wrote:

I believe there have always been critics of civilization, perhaps destined to always be in the minority by the state of things today. But for the past 10,000 years I bet there

were folks who argued that their societies should not create permanent habitations, build roads & pyramids, create armies, manipulate nature, etc...>

Max said:

<No doubt true, but as Oswald Spengler (a crackpot, according to Hertzlinger) pointed out, those who embraced ideas contrary to technological progress always wound up the victims of those who championed them.>

Yes, that is usually true, but it is not a reason for me to give up. And there are instances, though, where cultures have abandoned technologies that they realized were not in their best interests. For example, the Chinese political philosophers always believed that civilization was a dangerous thing and envisioned a “golden age” in their nomadic pastoralist/hunter-gatherer past that they were getting farther and farther away from as a result of civilizing impulses. This caused them go more slowly and value that past.

Max wrote: *Life is a struggle for all life forms and every one of them lives at the expense of another life form.*>

Yes, I acknowledged this above

We humans did not set up the system this way and, most importantly, we can't change it.<

“We” is an important word here. Not all humans set the system up this way, just the evil takers. And the “we” that I hope can change it are the real revolutionaries I seek to support.

All we can hope for is that, in our quest to make our lives more comfortable, we don't ultimately destroy parts of nature we need for our long-term survival.<

Ick — I disagree with this anthropocentric statement completely. My quest in life is not to make my life more “comfortable” in the way that I think that you mean it (more modern conveniences) Comfort is a relative term, I could say I believe my life would be more comfortable if there were not washing machines and automobiles and indoor plumbing and electricity — because then I would be living in a world where there were equal rights for all species and humans were free from the bonds of the techno-industrial system. That would make me more comfortable.

And I do not share your utilitarian views about why we should respect nature — it is not for the sake of long-term human survival — it is because it is the right thing, the compassionate, the intelligent — thing to do.

In my opinion, the answers to save the planet for mankind have to come from technology.<

Again, my question is not how to “save the planet for mankind”... so my answer will necessarily be different I suppose. I want to see the natural balance between humans and the ecosystems we inhabit restored. Doing away with the techno-industrial system and undermining the worldview that engenders it is the most important first step.

>*As improbable as it seems — that the cause of the problem could also produce its salvation—it is still considerably more feasible than to expect we would be able to do away with technology.*<

You got the part about it being improbable right, that's all.

Shadow wrote:

»*Religion has seemed to be one of the most powerful forces shaping culture.*

At least in the last 2000 years. It has not always been a force for good, either. Nevertheless, I feel it is one

1V» 1V1OA

of the few forces which has a chance to stand up to the force of material greed which has ruled the planet for the past few centuries.»

Max wrote:

To say religion "has not always been a force for good" is a monumental understatement if you're talking of the Jewish religions like Judaism, Christianity, and Islam. A more accurate description is that nothing man has invented has caused as much suffering during the last 2,000 years as have the religions mentioned above. To expect salvation to come from those forces who have a 2,000-year history of causing problems for human beings is either an act of desperation or ignorance.<

I would beg to differ, in the sense that the stories we tell ourselves about the nature of existence — call it our religion, our worldview, whatever — have an awfully lot to do with how we live our mundane lives, the decisions we make, the ethics we adhere to, the value system we promote. In that sense, yes, the “religions” that have put man above nature have been incredibly destructive. But others, for example the Taoist worldview, might have as much power to transform society for the better.

Greenanarchist wrote:

That is to say, when city people try to recreate the spirituality that comes naturally to those who interact with wilderness on a daily basis, it seems false and forced. I do not believe one can live in an artificial, human-centered urban environment and be confronted with the sensations that induces on a daily basis and still be truly connected spiritually with the wild. You must walk the walk to authentically talk the talk. I personally feel that only when people get back into the wilderness and actually live in harmony with wild nature again will they find the emotional strength and courage to accomplish what needs to be accomplished for the revolution to succeed, since that is the actual source of the strength.

Max wrote:

Once again I'm with you right up to your last sentence. If enough people ventured out into the wilderness, they would only be able to exist as long as the piece of real estate they appropriated was not desired by the technocrats who stayed behind in the city developing weapons. Shamanistic spiritual thinking has proven highly ineffective against machine guns.<

I think we need to always remember to go forth with good intentions — cultivating our spiritual connection to the wild where I still believe our strength comes from. The technocrats must be destroyed, by whatever means necessary. We can hope that a change in consciousness might do it and we should try hard to rationally convince the captives of the techno-industrial system to change their ways, but we also have the

right to self-defense. I understand the pathology of pacifism — I am not a pacifist. I know we are at war.

But I am at war with the system and the mass culture that supports it — and the actual machines that are causing the destruction. These are the proper targets, I see no benefit in fascist rhetoric that tries to pin all of the world's ills on a particular race — other than, in general terms, the human race. I suggest the fascists hone their rhetoric in a broader, more generally misanthropic direction.

For the Wild,

Green Anarchist

tie. nwy j j oc rratn ci aeration rront communique

Subject: Re: Hwy 55 & Earth Liberation Front communique **Date:** 08 Oct 1999 13:43:55 GMT

From: greenanarchist@aol.com (Greenanarchist)

Organization: AOL [http://www, aol.com](http://www.aol.com)

Newsgroups: altfan.unabomber

Nice post.. I agree completely!

From: "David Hainsworth" david@hainsworth.freemove.co.uk

Date: Fri, 08 October 1999 06:46 AM EOT

Message-id: <7tkiu9\$3v\$1@news7.svr.pol . co. uk> ELF should keep up with what they do, It is my belief that the consensus >within the movement is that we have had enough of the way capitalism / THE >MAN has ruined the way we live.

The ELF accept responsibility for their actions, but are not stupid enough >to help THE MAN by giving themselves up, what would be the point of that. Earth Firsters want grassroots democracy but as we do not >live in a democratic world why should we help them destroy us and put >ourselves in prison. The so called vandalism / sabotage can be a great means >of stopping the man making Profit or gaining more Power and that is all >the >man is bothered about.

Business insurance costs money. If the insurance company has to pay out >they will increase their charges which means Vail etc will have less profit.

Good!! they may get out of the business. >

Local or national law enforcement goons do not need an excuse to use >violence, and to look the other way. They have always been supporters of >the state and or business, not of the people.

(You say -There is an appropriate, effective kind of nonviolent civil >disobedience. Sneaking around and burning buildings and damaging construction equipment under cover of darkness ain't it.)

It can be for some!!!

anyhow you cannot be violent to property only to sentient beings.

Do not think your way is the only way, fight them anyway you can but stay >free!!

170. Beau to Ted — 10-11-99

Context

BOOKS

October 11, 1999

Theodore J. Kaczynski:

04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Ted:

I'm enclosing Dubner's story, which was published by *Time* today. I am also enclosing pieces that ran in the *New York Times*, the *New York Post*, *New York* magazine, *USA Today*, and *New York Daily News*.

A few points that these articles give rise to: Obviously, you did not tell "Time" anything. I heard a news report that said you gave the interview because your book will be coming out soon. It is not my impression that you gave the interview for that reason, but rather you gave the interview to set the record straight. The picture of your brother, as printed in the *Post* article, is a good example of the accuracy of the press.

Overall, I think the piece Dubner published was good. I thought it was unnecessary to focus on sexual issues. I liked the parts about Linda and David (for the most part) and there were some good things to be found in the last section. It was a good piece as far as mainstream journalism goes. Dubner will be appearing in at least one televised interview—Today— which is the one Joy told you about (when I was interviewed). He does not want to do anything sensational. I will not be appearing for any televised discussion.

Miller got the impression from his last talk with Denvir that Quin did not want to have anything to do with the publication of your book. Quin did not say this, but it was Miller's impression. Last I heard, he was waiting for you to call him. Miller told Quin that you were waiting for us to call you, and we are waiting now for Quin to tell us whether you called him today. He said that he would try to find time to help us place a call to you.

More later.

Ltd UXA &AX/U5 a.looi*,V sboA

171. Beau to Ted — 10-12-99

Context

BOOKS

October 12, 1999

Theodore J. Kaczynski: 04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Ted:

I received letter #87 today. I can only say that I have been honest, loyal, and honorable from day one. In addition, I value you personally, and this has made me all the more loyal. You have by now received my apology for the changes. I really did think that I had earned your faith and respect. I understand now how very wrong I was.

I'm enclosing an editorial that was published by the New York/Y.sv today, and my response, which I hope they will publish tomorrow.

By Fax Transmission: *and Hand Delivery*

October 13, 1999

(212) 930-8546

Mr. John Podhoretz

Editor, Editorial Page The New York Post 1211 Avenue of the Americas New York, New York 10036

Dear Mr. Podhoretz:

Although I am writing on behalf of a client justly aggrieved by a factually inaccurate editorial printed by the *Poet* on Tuesday ("The Friends of Ted Kaczynski"), I am not threatening suit, nor will I. My client, Context Booles, like many of my firm's clients, is a responsible publisher. Thus, we share a concern for the protection of the print media's First Amendment rights.

By the same token, we do believe that factual inaccuracies, especially when brought to a periodical's attention, should be corrected when practicable. In the matter at hand, the *Post* can easily do so, and it should.

The factual errors contained in your editorial are stated succinctly in Mr. Friedlander's letter, a copy of which is enclosed.

You can, and I strongly believe the *Post* should, in fairness, print Mr. Friedlander's letter in its next letters column.

Should you wish to do so, I will be happy to discuss the matters raised in these letters with you.

Sincerely yours,

JCMsbjg

Enclosure cc: Beau Friedlander

Jeffrey Craig Miller

Context

BOOKS

To the Editor:

May a “reprehensible idiot” respond briefly to your factually inaccurate editorial entitled “The Friends of Ted Kaczynski”?

A modicum of fact-checking would have revealed:

1. That Context Books is not a “vanity” press, but a traditional publisher of serious books. In addition to law Professor Michael Mello’s well received critique of Kaczynski’s trial entitled *The United States of America versus Theodore John Kaczynski*, Context’s forthcoming titles include works by two award-winning fiction writers; a memoir by Rhoda Berenson; an anthology of short stories about love gone wrong; and a series called Grassroot Guides.

2. Context Books did not commission *Truth versus Lies*. The all-ready written manuscript was solicited and acquired because of its intrinsic interest, and then only after it proved to be a cogent analysis of Kaczynski’s family life, his personal relationships, and how his story was distorted by the press.

3. Not one penny has or will Ted Kaczynski receive from the publication of *Truth versus Lies*. All author royalties will go into a trust fund for the Unabomber victims or their surviving families.

4. Neither Context Books nor Ted Kaczynski’s manuscript seeks to justify the crimes. Ironically, in allowing self-righteous emotionalism to substitute for research and sober facts, the *Post’s* editorial shows how very accurate is the analysis of the media in *Truth versus Lies* and why it is, sadly, a very relevant book.

5. The book is not going to be published this month. Its publication has been postponed.

6. Context Books is proud to be publishing a book of historical significance.

One last point that might be of interest, I was first tipped off to the existence of this manuscript and the fact that Kaczynski was looking for a publisher, in the June 24, 1998 edition of the New York *Post*.

Beau Friedlander, Publisher

Context

BOOKS

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To the Editor:

May a “reprehensible idiot” respond briefly to your factually inaccurate editorial entitled “The Friends of Ted Kaczynski”?

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4. Neither Context Books nor Ted Kaczynski’s manuscript seeks to justify the crimes to which he pled guilty.

5. The book is not going to be published this month. Its publication has been postponed.

Ironically, in allowing self-righteous emotionalism to substitute for research and sober facts, the *Post’s* editorial shows how very accurate is the analysis of the media in *Truth versus Lies* and why it is, sadly, a very relevant book.

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Beau Friedlander, Publisher

172. Beau to Ted — 10-13-99

Subject: Re: FW: victims escrow—kaczynski **Date:** Wed, 13 Oct 1999 15:12:25 -0400

This interchange began after this website posted the enclosed “article”.

From: Beau Friedlander <beau@contextbooks.com>

To: Aldina Vazao <VazaoA@mail.courttv.com>, ryanh@mail.courttv.com

Thank you for your note. I see your point. But with all due respect I still think there is a substantive difference. For the sake of journalistic accuracy, the text should read:

“The proceeds of his selective memoir will go to the victims of his bombing campaign, but Ted never addresses that budgetary quirk. “He understood the necessity of the trust fund, and he did not protest.” said Friedlander.

I apologize for being such a pain, but I do believe it helps achieve certain goals that we all share (i.e., getting to the truth of the matter without bias or cant). As you can see, the main difference is that it did come up.

My best, Beau Friedlander

Aldina Vazao wrote:

The most relevant question concerning the proceeds of the book is how did Mr. Kaczynski feel about the fact that the proceeds were going to the victims, not how did he feel about the fact that he >would not be benefiting from the book. It seems your original comment “It »never came up” is still contextually accurate because it appears Mr. >

Kaczynski never discussed the fact that the money would be going to the victims. The context I believe is quite clear. »

As social rehabilitations go, this is a very limited one.

Kaczynski does not apologize or even mention his victims. Outwardly, > he expresses no remorse, admits no errors, never second guesses himself. He ignores what he wants to. The proceeds of his selective memoir will go to the victims of his bombing campaign, but Ted never > addresses that budgetary quirk. “It never came up,” said Friedlander.

Original Message—————

From: Harriet Ryan

Sent: Wednesday, October 13, 1999 11:13 AM

To: Aldina Vazao

Subject: FW: victims escrow

Original Message—————

From: Beau Friedlander [SMTP:beau@contextbooks.com]

Sent: Wednesday, October 13, 1999 11:15 AM

To: ryanh@mail.courttv.com

Subject: re: victims escrow

While reading your article I remembered something. You had asked

about

TJK's reaction to the establishment of a trust fund for the victims and

survivors of the Unabomber crimes. I said it never came up.

But

while

reading you're piece, I thought: That can't be right. So, I

>	>	<i>checked, and</i>	<i>found that Kaczyn- ski had said (and</i>	<i>I para- phrase) that</i>	<i>money</i>	
>	>					
>	>	<i>was</i>				
>	>		<i>a matter</i>			
>	>		<i>of indif- ference to him. It also seemed to me from his</i>	<i>comments</i>		
>	>		<i>he</i>			
>	>	<i>that</i>	<i>understood</i>	<i>up the</i>	<i>and he</i>	
>	>		<i>the rea- sons for setting</i>	<i>trust fund,</i>		
>	>	<i>did</i>				
>	>	<i>not</i>	<i>protest. I thought this might make</i>	<i>the article more ac- curate.</i>		
>	>		<i>Beau Friedlan- der Context Books 368 Broad- way, Suite 314 New York, NY 10013 http:// www. con text- books.com</i>			<i>Beau Friedlan- der</i>

Context Books
368 Broadway, Suite 314
New York, NY 10013
<http://www.contextbooks.com>

173. Ted to Beau #89 — 10-16-99

...

174. Ted to Beau #89A — 10-17-99

...

175. Beau to Ted — 10-19-99

Context

BOOKS

October 19, 1999

Theodore J. Kaczynski 04475-046

P. O. Box 8500

Florence, CO 81226

Dear Ted,

I received letter #88 yesterday. I am not certain about the specific explanation you requested, so I will comment on what I take to be the issues at present.

Quin Denvir is incorrect in his assessment of Miller and Korzenik, and it occurs to me that what he really finds to be cavalier was the publication of Mello's critical book. Miller and Korzenik have approached the project with a high degree of seriousness. There is no reason to suspect that they have not done a thorough job. My lawyers have not taken a cavalier approach to the issues associated with your appeal. Miller and Korzenik represent Context Books, and their responsibilities are limited to protecting me from a lawsuit. Therefore, their opinion was based on two factors: 1.) the low likelihood of an action given all of the preventative measures that were taken in the form of legal edits and 2.) their knowledge of the discovery process during copyright and libel litigation.

Denvir and Clarke seemed almost to take the position that you should not publish the book; everything in their opinion was risky. Miller's opinion was based on two points: 1.) his responsibility per the contract was to make sure the document was not legally hazardous to Context Books, and all the possible problems had been addressed; 2.) the issues raised by the appeal did not come up until half way through the project, which means that he was saddled with the responsibility of making a judgment call on a point of law that could have negative consequences. In light of this, Miller proceeded to address these new and pressing issues, even though this was not part of his original mandate.

In addition, there were sections of text that still needed to be paraphrased. Since you had already sent summaries and paraphrases of letters, it seemed reasonable—given the pressures of distribution and publicity that I have already explained to you coupled with the fact that the legal edits were very close to complete—for Miller to execute the few remaining problems per style. As I wrote earlier, I would not have allowed this to happen had I not felt that we had reached a

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stage in our professional relationship where you trusted my judgment and dedication to getting your book out in a manner that is consonant with your desires, goals and legal necessity.

In letter #70, August 13, you wrote: "I would hate to see you get screwed by a libel or copyright suit—or would you be protected from this by insurance? So, just in case your lawyers have been careless, when I go over the page proofs I will, if you like, make a note of any items that I think might cause legal problems for you." I was especially appreciative of your concern about my situation when I received it, and I have depended on that concern as we brought this book to a publishable form. A successful lawsuit would be very, very costly, and would perhaps threaten the existence of Context Books. My lawyers requested changes for all of the material constituting copyright infringement, Specifically, that these sections be appropriately paraphrased or that a factual summary be written in lieu of that material, and this meant everything for which we were not granted permission to reprint. The rule you cited from Nimmer about the defense of one's reputation is important, but copyright issues are decided by four factors, and each of them is equally important. This means that the material you did not paraphrase or summarize still requires revision. Since you were not happy with the last round of legal changes executed by Miller, you will need to rewrite the legal edits you disapproved of, so that they are acceptable to you while remaining within the boundaries delineated by the Fair Use Doctrine. The specific boundaries are discussed in Miller's second memorandum regarding paraphrase and summary. It is also important that we do this in a timely fashion.

Since these new issues (those having direct impact *on your appeal*) are of obvious importance to you, I am more than willing *to further address thenjjHavi ngsardtffis,th'ese* issues are not covered under our contract with regard to acceptance of a final and complete manuscript. Again, I am more than happy to address these issues, but *they do not affect our mutual obligation to J meet the terms of_ the coniractand publish your bookMiHers* opinion with regard to your exposure given the eventuality of an appeal and a civil suit has been made. His opinion is that you can be protected. But you feel that there is a conflict of interest here (he is not your lawyer), and it is understandable that you would like to seek another opinion with regard to this important matter. I think both your final changes in completion of the terms of the contract and this legal consultation should be possible to accomplish in a timely manner, they are not mutually exclusive, and they can be done at the same time.

Miller spoke to Denvir last Thursday, and he reported that you would like me to pay for outside legal counsel to help you sort out the various issues connected with your appeal as they are associated with the publication of *Truth versus Lies*. I am willing to do it.

Now for something that definitely should have no bearing on the publication of *Truth versus Lies*. At the risk of sounding emotional, I think it is time to give you another point of view. I am deeply disturbed by the misinformation accusation (which I have secondhand from md third-hand from Derrick (who got it from Zerzan), that I want to be a spokesperson for the anti-tech movement, could not be more misguided. I am neither for nor against the anti-tech movement (although I privately do sympathize with some of its values), and this *has* to be my position as a publisher. My job is simply to get the thing out to the reader, to act as a transmitter.

As for the other accusation, that I only want to make money off of you, this is patently absurd. I am definitely *losing* money on the project. Legal bills are 20,000 dollars, and counting. I'll be lucky to recoup cost given the facts, which are as follows: advance orders are 12,000 copies, the usual total for sales on advance orders runs between 50–60%, and the profit for each book is a little less than a dollar on the first printing. I do not get paid for media appearances. If anyone files an action, the deductible is \$10,000. This fee is re-applied to each new suit. I have not sold any of the licenses associated with the book (i.e., first serial, performance (film), electronic versions, foreign). As I have said in an earlier letter, the uncertainty with regard to money has caused me to take an indifferent stance (for the sake of my nerves).

I have not defended myself against accusations because, for a long time, I assumed you knew what an ass she is. I formed this assumption after you questioned her judgment in a letter to me. This was evidently a false assumption. You may recall that I had problems with from the first time I met her, after she asked me for money, food, and housing as a subvention for her trip to Wales to “meet with the people at Green Anarchist” (not apply for graduate school, as it later turned out). I now regret the handout. At any rate, made a bad first impression. She fingered everything in the office upon arrival at midday, no perception whatsoever of boundaries and how intrusive she was being. Then, not fifteen minutes later, she smoked marijuana in the common lavatories (I smelled the smoke when I went to the bathroom right after her). Drugs do harm one's ability to read reality, since perception is unavoidably obtunded and distorted by their psychotropic effect. She told that she “liked to smoke pot” and offered her some.

can't remember whether , qualified her statement with “a lot”. (She declined the offer.) The qualification seemed self-evident, whether or not said it. After trip to the lavatory, she asked me where she could find a bar with “dirty old drunks.” I pointed her in the “right” direction.

I could go on, but I don't want to. I should have stuck to the original impression I had of her. She is not especially intelligent or perceptive, and as evidenced by her interview with the *Boston Globe* and in her postings on alt.fan.unabomber, she is also a hypocrite. This says nothing about her lack of judgment, which already has been established. I agree with her rant against me

was a projection of her own desire. In the interviews between the press and me, I have always maintained a proper distance.

As for John Zerzan, I am impressed by his ability to figure me out after two telephone conversations and no correspondence—his stance is based or stance. During the last phone call, Zerzan offered to help get press for the Grassroot Guides in a Eugene weekly. Maybe he’s angry because I told Theresa that I did not agree with what I understand to be his tactics. Derrick told me that John is also lambasting me, after carefully considering “information”. I wrote Derrick in response (I cite it because a third party might get it garbled). The following is my private and personal opinion:

“[Zerzan’s engagement in] rabble-rousing among punk-rockers and other disaffected youth serves not much purpose other than his own egotistical satisfaction and the illusion of “progress” toward his anti-tech goals... Z is probably an emotional opportunist, using the anger of Eugene’s youth and his connection to Kaczynski to satisfy his own ego...nothing I have ever heard about Z suggests that he is actually dangerous to the existing social order. The authorities tolerate him. Therefore, what can we say about his “actions”? The mere flourishes of a 70s-style kung-fu fighter (pan left and you will see the camera crew winking and grinning over joe and smokes).”

I know this is harsh, but I don’t appreciate his blind attack, and it is only my private opinion. Based on the two conversations, I like Zerzan—but I do not like his apparent proclivity for senseless muckraking.

And there is still the book to be published. Miller has re-requested the ability to place legal calls to you. No word yet. The warden turned down my request and suggested that Miller make his own request. As ever, I am committed to publishing your book, regardless of the complexities. Since the very beginning, I have remained adamant about the historical importance of its publication. This has not changed.

176. Ted to Beau #90 — 10-19-99

...

177. Ted to Beau #90A — 10-20-99

October 20, 1999

... So where do we go from here?

Here's what I propose:

1. The last-minute changes that Miller made in T.v.L are to be undone, except that Miller, if he likes, can propose some changes that are far less extensive. If this is okay with you, let me know, and I'll fix up the text to suit myself, incorporating those of Miller's changes that I feel are acceptable. If the text then suits you too, we will at last have an agreed-upon text.

2. We should prepare an addendum to the contract along the lines that I proposed in my letter #89.

3. Until steps 1 and 2 are completed, we will not know definitely that Context will ever publish T.v.L. Hence, until steps 1 and 2 are completed:

(a) You make no statements to the media about me or about T.v.L...

178. Beau to Ted — 10-20-99

Context

BOOKS

October 20, 1999

Theodore J. Kaczynski

04475-046

P. O. Box 8500

Florence, CO 81226

Dear Ted,

I am writing to let you know that letters from various news reporters (television) may be on their way to you. At least two (Fox and CBS), will be from people who contacted me. I have told them that you are not interested in televised interviews. I hope this was the proper thing to tell them. They insisted on writing to you regardless.

On a similar subject, Fischler and Sucher have met with the head of *60 Minutes* to get FCC sponsorship for the documentary. I told Steven about Vicki Gordon's interest and your lack thereof, and Fischler decided to pursue the possibility of sponsorship. He seems to be approaching the matter with care.

Fischler has no doubt written you with the details of his meeting. He asked me about timing with regard to the publication of *Truth versus Lies*, and I told him that he should not consider this an issue. I said the same thing to Gordon.

That's it for now.

179. Beau to Ted — 10-25-99

...

180. Beau to Ted — 10-26-99

Dear Dr. Kaczynski,

It is with great satisfaction and anticipation that I enclose the contract for *Truth versus Lies*. You will note that the Delivery of Satisfactory Copy section (pg.2) has been fulfilled and this letter is notice to you as Author that your responsibilities regarding the text of the publication have been fulfilled. I give good lead time for the procurement of photographs and illustrations (January 31, 1999), but I do hope to get the book out about a month in advance of that date.

I hope your concerns regarding textual integrity are acceptably laid to rest in the Reserved Rights section on page eight. The Non-discontinuance of Publication section on page seven makes my offer regarding permanent availability binding.

The sticking point I foresee is copyright infringement in general (you will find language that is meant to ward off the danger of thwarting motions caused by copyright litigation), and copyrights from your family in particular. My lawyer will begin the legal read-through after we have both signed an agreement that is mutually acceptable. We should be able to work out any problems after signing through the use of riders, etc. But I leave that to your discretion, and can only assure you that my intentions are good (i.e., I consider my job to be the satisfaction of your requirements and to publish a book that sets the record straight). If the contract is not acceptable, I look forward to your comments so that we can make it right.

I spoke to Mike Mello today, and he will be sending me a copy of his manuscript. Thank you for sending him my way. I hope this letter finds you well.

My best,

John Erv.

RE: Contract

Please do not date the agreement at the top of page one, since this will not be the date upon which I sign. It is customary for the Author to sign first.

Please sign both copies (one is for your records) where indicated on page eight, and return them to me for countersigning.

One point not discussed in my letter is the “conducting a business” issue. The problem is circumvented sufficiently with the language found in the Advance section on page four and the manner in which my lawyer has discussed royalties, escrow, re. the alleged victims, etc.

In the event that you strike a word from the agreement, please initial at the margin where such amendments have occurred to indicate that you have made the change and agree to it. Striking passages, or even words, may cause my lawyer to produce

another draft of the contract. I leave the option open to you in the event that there is something that can be easily amended and does not alter the intent and purpose of the agreement.

181. Beau to Ted — 11-03-99

Context

BOOKS

Beau Friedlander

November 3, 1999

Theodore John Kaczynski

04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Ted,

Letter # 92 arrived today. I will respond briefly to it; at some later time, when we have received responses to all of the letters written by Miller and me (specifically those received after October 26), I may respond in more detail.

The allegations of lies are not accurate. Since it might be helpful to you, I will say something to clarify one of the issues you raised regarding the letter to Warden Pugh. The statement that Miller would represent you on matters of common interest related to the publication of *Truth versus Lies* was made after the telephone conference call between you, Denvir, Clarke, Miller and myself. This reflected my understanding at the time. My understanding of Miller's expected role changed after your October 14 conversation with Quin Denvir and Judy Clarke, which they reported to Miller. In view of your subsequent letters, it became clear that Miller could not represent you because of a conflict of interest, which only became evident upon receipt of those subsequent letters, and was the reason I then offered to pay for an independent legal counsel to advise you. The 10/19 letter clearly reflects this, and should suffice as a record of the above.

In light of statements made in your letters, we hereby terminate the contract for a number of reasons, among them, that the Work has been rendered unpublishable due to statements made by you in many of your letters. Context Books no longer has confidence in the manuscript, and this lack of confidence now goes well beyond the changes that we have requested. Neither we, as editors, nor Miller and Korzenik are satisfied with its editorial or legal soundness. Therefore, you may not rely on our edits or efforts, since they have been rendered ineffective by you and the responses you have made to the above referenced edits and efforts. Context Books does not waive any of its available legal rights or remedies.

I am enclosing a copy of the letter I sent to Quin Denvir, which accompanied the family photograph you wanted me to send to him.

Sincerely,

cc: Quin Denvir

182. Ted to Beau #91 — 10-26-99

...

183. Ted to Beau #92 — 10-27-99

...

184. Miller to Ted — 10-29-99

Miller and Korzenik, llp
488 Madison Avenue New York, N.Y. 10022

(212) 752-9200

TELECOPIER

(212) 6B8-3996

October 29, 1999

CERTIFIED MAIL

Mr. Theodore John Kaczynski

No. 04475

P.O.Box No. 8500

Florence, Colorado 81226-8500

Re: Truth vs ☒ *Lies*

Dear Mr. Kaczynski:

Beau Friedlander has shown me the recent correspondence that has passed between you. I think it may be useful if I try to address directly some of the key issues that are currently in play.

The preparation of a manuscript for publication is always a fluid process; and until the final read-through and legal sign-off, the editor's comments have to be taken as, to some extent, provisional. This is because the author's response to one set of comments will affect the context in which the rest of the text will be viewed. Also, in a work of non-fiction, successive editorial comments and suggestions for changes will be affected by changing understandings about the nature and availability of substantiating materials. (An example of this would be the changes we decided were appropriate after we learned, at rather a late date, from our conversation with you and Quin Denvir and Judy Clarke, that an investigator (Scharlette Holdman) had promised some kind of "confidentiality" to Linda Patrik with regard to the details of her sexual history.)

The last set of changes were made only to protect both parties from what could otherwise be too great a risk of legal challenge. In no case did we wish to alter any point you were making, but always we struggled to preserve the sense of your text. I am sure that the purpose for every change we proposed is evident. If you do not like the way we have executed the task, *please propose another way of* accomplishing the same necessary ☒enclT^TEis is your-good'¹ faith responsibility under your contract. As it is your agreement under the contract that there will be nothing libellous or which will violate copyright, and as Context will not publish anything which does either, both

author and publisher must work with the other to produce a timely and publishable manuscript.

Once again I reiterate Context's commitment to defraying the cost of an independent legal opinion for you, and to having its attorneys undertake to do all that they could to

prevent third-party discovery disclosures that would be damaging appeal and trial. We cannot, prematurely bogged

to your _____.

Sown in a discussion about your proposed contract amendment which

could very well impose open-ended and ruinous expenses on Context in pursuit of the protection of documents even if your application for a new trial were finally denied and the protection issue ultimately moot. Moreover, please bear in mind that the changes that are required are intended precisely to minimize your exposure as well as Context's.

In sum, let us focus first on the manuscript to make it legally publishable. At the end of the day, this is everybody's highest priority. The third week in December would be the latest you should have your version of the changes that are required. I trust you will not withhold your good faith cooperation because

changes made to the publication

you want stage in

your contract, especially at this late of your book.

Sine

Je rey Craig Miller

ely yours,

JCM:bjg

cc: Quin Denvir, Esq. Beau Friedlander

185. Dubner to Ted — 10-29-99

Stephen J. Dubner 853 Seventh Avenue, #6G New York, N.Y. 10019
(212) 414-4836 (office)

Oct. 29, 1999

Mr. Theodore John Kaczynski #04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Theodore Kaczynski,

I received your letter of Oct. 18, 1999, in which you requested permission to publish my letter to you of Aug. 2. Since the letter was not written for publication, however, I would rather not have it included in “Truth Versus Lies” or, as you indicated, any other forum.

cc: Beau Friedlander

186. Beau to Ted — 10-29-99

Context

BOOKS

October 29, 1999

Theodore John Kaczynski

04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Ted,

Thank you for letters #89 and #89a, which arrived on Tuesday. This is a difficult letter for me to write. I hope to move us in the right direction, and I hope that is the spirit in which it is received.

Since much of letter #89 was contractual language, I passed it on to Miller and Korzenik. Miller has drafted his own letter in response, at my request, since I felt it was pointless for me to go to points of law. It is my understanding that by “good faith steps,” Miller meant that meys representing Context would do everything they could, in the event of a Fair Use Doctrine, and that the revisions were to encompass all of the quoted material from the letters and other material for which we were not granted permissions.

(If 4-5): You shouldn’t thank me for respecting the terms of the contract, as I never considered breaching it, but I appreciate the comment. I hope that you will return the courtesy. Thank you very much for the “acidic” well-wishing, which made me laugh— sends her regards.

(p. 1, U 1 b-p.2): I am glad to hear that there will be no difficulties with regard to the information that is drawn from your 1979 Autobiography. And I understand how you feel, to some extent, since I’m tired of this, too. But I think that there is light at the end of the tunnel with regard to the publication of your book, which will allow you to focus your energy on the appeal. I cannot imagine how stressful everything, taken together, must be for you at the moment. I am confident that the two issues can be settled. We have already signed an agreement that states the conditions of publication. The additional conditions—having come up long’ ago—signed our — —

(*agreement*—are extra-contractual, and as *such have no bearing on us* getting this thing done. I ‘intend to stand by my word with regard to the concerns you have expressed. In the mean time, there are Miller’s revisions that you wanted to change, and we should focus energy there.

With regard to the evolution of my stance vis-a-vis legal corrections, I asked Miller to comment on the reasons for j(. As for my hurry, this project has actually moved slower than industry"! *standards normally dictate*^! do not like the fact that the schedule has caused you _to feel rushed. I Vhave _explained sornedf *the mechanic*^ in previous letters.|*Tfie bottom line is that* I cannot function in a vacuum without going out of business,[and various pressures do dictate the ☒ ^schedule and timing of publication of any book. _____ J

(p. 5, T|2): I do have copies of the tapes from Dubner's interview, and as soon as I am able to get reliably safe (i.e., confidential) access to a tape dubbing machine, I will get copies off to Denvir. Would you like me to send another set to By now you will have received a copy of the *Time* article.

(p. 5, U 3): With regard to your request that I change the copy on the front flap of the jacket, I neither intended the suggestion that the book was only a refutation of the illness allegation, nor in my opinion does it suggest that in the copy. In your book, you offer particular instances that cause the reader to distrust the allegations made by David and your mother (i.e., "particular states") and the text expresses this precisely (i.e., "This discussion leads to...a Cain and Abel tale..."). Furthermore, this point is not made at all until the penultimate paragraph (the majority of which being dedicated to the Cain and Abel dimension). The first paragraph sets the tone, and explicitly states your intention: to set the record straight. (I couldn't get the term "bullshit" past Miller and Korzenik. ^*Thbpe* thatyou will reconsider this request since the jackets have already^— been printed, and it will cost in the neighborhood of six thousand dollars to have those sheets destroyed, and a new jacket reprinted. In the event that you stand firm on this point, please let me know how you would like me to phrase this particular sentence.

187. Miller to Ted — 11-1-99

Miller and Korzenik, llp
488 Madison Avenue New York, N.Y. 10022
(212) 7 52-9200
November 1, 1999
TELECOPIER (2 12) 688-3996

VIA CERTIFIED U.S. EXPRESS MAIL
PRIVILEGED AND CONFIDENTIAL LEGAL MATTER

Mr. Theodore John Kaczynski
No. 04475 P.O.Box No. 8500 Florence, Colorado 81226-8500
Re: Truth versus Lies

Dear Mr. Kaczynski:

We have received your letter of October 26, 1999 purporting to terminate your contract with Simulacrum, LLC (“Context”) (the “Agreement”) pursuant to paragraph 2(c)(ii) thereof. Your effort at termination is not effective for a number of reason, the following among them:

1. Publishers and authors alike have a now well- established “duty of good faith and fair dealing” requiring them to cooperate fully with one another to bring the manuscript in question to a publishable and legally satisfactory condition. It has been made clear to you in Beau Friedlander’s letter of October 19, and in all the correspondence generally, that Context is more than willing to work with you to arrive at a manuscript that will be both satisfactory to you and Context and legally protected as well. (This point was reiterated in our letter of October 26th, which you have now probably seen.) You have no right under the Agreement to d§s,i_ at—from_ that effort jajjd.,Context has not given you reason to} .conclude that it has desisted from that effort/ *Neither.p*Your terminafTon’~ on~ these gfbunds~ is ineffective. You may not evade that clear duty by purporting to “terminate” the Agreement without discharging fully your duty of good faith and fair dealing.

2. It is also very obvious from your last letter that you are insisting that Context/ revise its Agreement with you and agree to undertake to defray legal expenses wholly outside the existing Agreement and not contemplated by it. You do not have any right under Section 2 to terminate your Agreement with Context or to withhold performance for that reason. Your effort to terminate on these grounds is *defective* and in bad faith.

Your refused to meet your duty of good faith and fair dealing to bring the manuscript to a satisfactory condition, as well as your attempt to exercise the termination right

in order to alter your Agreement is a breach of your clear duties under the Agreement Context stands by the mutual duties of author and publisher to complete the work on the manuscript in good faith and to bring it to publishable form. Your flat refusal to accept or respond meaningfully to the last *legally-motivated* changes until after the Agreement is ended, as well as your effort to retake the book elsewhere, clearly establish your bad faith.

Because of your breach of the duty of good faith and fair dealing and your ineffective attempt to terminate the Agreement, we will not permit any other publisher to publish this manuscript. As we noted in our letter of October 26th, we will look forward to your addressing how you will assist Context in achieving a satisfactory manuscript. Your putative letter of termination is rejected as ineffective, and we call upon you to cure your breach.

Sincerely yours, /
Jeffrey Craig Miller
JCM:bjg
cc: Quin Denvir, Esq.
Beau Friedlander

188. Beau to Ted — 11-1-99

Context

BOOKS

November 1, 1999

Theodore John Kaczynski

04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Ted,

I received letters 90 and 90a yesterday, as well as your letter of termination to which Miller has responded.

You will remember that I stated some time ago that the James Brooke story on monkeywrenching was a positive piece. I said this for many reasons that were not apparent to you, since the most readily apparent *negative* element was the mention of Chris Waits's book. I cited the for instance of the headline; the fact that "Kaczynski" was used instead of Unabomber. It meant to me that you were being discussed as an individual, not a caricature. This was a small detail, but meaningful with regard to the way the media work. In addition, the article lent credence to the fact that you were involved in local political actions, and thus that the Unabom crimes were not the acts of a "sicko", but rather a political activist. It was a small step in the right direction with regard to what I thought you wanted to achieve by publishing your book. I am now resolved to *not* think about what you might want to achieve (since you have asked me as much), and to not comment on the book beyond what will be necessary for publicity.

To continue, the distinctions I made about that article were minute, but important. The media rely on nuance to say things that do not reflect status quo values, on the rare occasions that they have something to say that challenges common mores. They can only articulate "dangerous ideas" (such as the possibility that an intelligent person who claims to be sane might resort to violence to address societal ills) if they disguise such sentiments behind a veil of social propriety. As with all propaganda, the real message is located between the lines. This fact about the media had some bearing on the manner in which Dubner's article was published. Another factor that is more readily discernible would be the fact that it is a piece of mainstream journalism, and represents the fairest treatment you have received regarding your person, not the trial.

You asked me to explain how the statements that I made about the proposed article were fulfilled in the article that ran in *Time*. You also requested permission to cite my

letters. I will first address the latter. You may neither cite the letters you asked about nor the present one, since I have my own interests attached to their publication as part of a larger collection that-fewe Utes. nothing to do with your project. We might discuss the possibility of permission at a more appropriate juncture, but only were you to cure the contractual breach with regard to the publication of *Truth versus Lies* by Context Books. Now, I will respond to the specific quotations and then move on to some more detailed points.

(Citation from 7/19/99, page 2, 2): The provisional title (which would have been the title had there been one) can be found on p. 46, col. 1, If 1 • The piece is more critical of David and Linda than anything else to date, and it is particularly hard on Linda (see p. 48, col. 2, If 1–3). The angry Buddhist comment that Dubner made is implied there btjtj the manner in which he describes them. Also Dubner received a letter from your brother that is plaintive, which would suggest that he feels the treatment he received was not as you perceive it.

(Citation from 8/2/99, page 1, U 5): On p. 47, col. 1, K 6 and p. 48, col. 1, K 2, Dubner briefly mentions David’s “radicalism,” but as I said in the 8/2 letter, this was ancillary to his argument, since he was more interested in the triangulation between you, David and Linda. Also: you told Dubner that my notion about David’s radicalism was incorrect, so he dismissed it as such.

(Citation from 8/7/99, page 1, Tf 2): This paragraph makes sense in light of the second paragraph of this letter, and within the limits of mainstream journalism, the editor and Dubner did create the piece we discussed. I do not claim to have been suckered by Dubner, nor do I think that he suckered you. The article does make it clear that you “developed your own code of values and beliefs”, although it does not hold this code to be laudable or positive (e.g., the details of your personal evolution being attributed to sexual starvation, isolation, resentment and humiliation). I did not know these details formed part of the thesis until the article was published, not could I have known. While the article does not at all argue that your belief system is cogent, it does give you credibility on p. 49. col. 2, If 1–4, where you are portrayed favorably. First, Dubner quotes your sarcastic comment about your optimism regarding life in general, and then he quotes at length your comments about living in the woods. In between the lines, this does tend to make your system of belief seem rational and cogent.

Some time ago, you said that the readers to whom you have addressed *Truth versus Lies* would find the book without any publicity. You wrote that they would understand the importance of setting the record straight, and that you did not care about any other readers. I bring this up because while members of the altfan.unabomber site mostly complained that the article had no news in it, a few commented that the article did surprise them insomuch as the above mentioned paragraphs on the last page of the article allowed you the chance to voice your position, however briefly. I am enclosing *Time’s* “Letters to the Editor”, which contains responses to the article. To give you some further indication of the positive nature of the article and other press that has

come out since we began pre-publicity for *Truth versus Lies*, I would point to the approval of your COA, which could only have benefited from the above.

(Citation from 8/7/99, page 1,1f 3): The article is not far from what Dubner claimed it would be. He does discuss morality, but not in any significant way. He does not discuss David's supposed radicalism, because you told him that this was not a valid point. The article does mention that David and Linda "were upset" (p. 46, col. 2, 2) when Dubner started to pursue your side of the story ("David and Linda were recalcitrant"). What Dubner did not specify was the manner in which he would shade the piece. I had no way of knowing this before it was published.

(Citation from 8/7/99, page 2, 2): Everyone was surprised to find out that *Talk* not only did not want to "break the story about your brother's wishy-washy morals" including Dubner (who pulled his piece) and Lisa Chase (who resigned). I was personally surprised after reading the piece that there had been any problem with the stance it took, since it is not very forceful in the portrayal of your brother's character. But this further suggests the importance of nuance and shading in the eyes of editors in the mainstream.

(Citation from 8/7/99, page 2, 4): I still think that Dubner is on a par with Finnegan, both as a writer and intellect. It is obvious that the article does not represent "a changing of the tide". I cannot account for the manner in which he wrote about you, since that is a question for him to answer. I agree "that he designed the article to suit his own journalistic purpose rather than to give the best attainable approximation to the truth." I would only point out that he was commissioned to write an article for a journalism-based publication, that he was not working for you, and he did report the highest attainable approximation to the truth given his situation. With regard to his appearance on the *Today Show*, what he said was limited to the second paragraph of the first column on page 46.

(Citation from 8/7/99, page 3,13): This material was not used, although Dubner did speak at length to me about the manner in which the .. sections of your book fascinated him.

With regard to what you see as the insulting portrayal of you and the saintly portrayal of David and Linda, p. 46, col. 1,12, describes your voice as "singsongy" and remarks that your "upbeat manner hardly resembles that of the man... infamy." The entire paragraph, which comes early in the piece, is not insulting—except for the infantilizing remark about torturing flies—and besides the comment I made on Court TV (I said you were nice), Dubner is the only other person in the mainstream to say that you 1.) seemed sane and 2.) were affable. In the next paragraph, he does put everything in your own terms without providing substantiating evidence of your sanity with his own observations, but this paragraph follows his own portrayal of you as an affable person with no abnormal affects.

Far from reading the article in a lazy manner, I read it very closely. I would guess that the accusations against David are put in your own words because you know him better than Dubner, whose job as a journalist is to report the facts as related to

him by his sources. Dubner cites a lack of perspective in your writing because the bombings were something that most people abhor, and they are not addressed directly or indirectly. It seems clear that Dubner felt that the bombings had to be stopped, and that your brother was faced with a moral dilemma. In this respect he lauds your brother. But he immediately says: “the original tale had been so much neater” (p. 46, col. 1,17) and that “even the most righteous intentions have created shadows.”

He clearly states that he had originally thought of David as a saint, but later began questioning David’s motivations. This is his statement and it judges David harshly; it is not a citation from the interview with you or from your book.

Dubner does place David on the moral high ground throughout, but he also allows you the chance to give your opinion about his decision to turn you in (i.e., that David should have kept it to himself). Also: At both p. 48, col. 2, 4 and p. 49, col. 1, 3–4, Dubner portrays both Linda and David as suffering from emotional, or at least egotistical, avarice vis-a-vis their interest in the attention they received for turning you in. His portrayal of Linda gagging herself with her finger is accompanied, in the following paragraph, by an aspersion cast: “I had expected...a more united front.” The second citation provides a rather damning view of David’s vanity. Later, he cites your thoughts about going on the lecture circuit, and thus he equates David with you (and then neither of you is shown in a positive light). I understand this is not the best or most empathetic of possible portrayals, but it is a lot better than you have received elsewhere, with the exception of Finnegan’s piece, which was not about your personal history.

But enough of that. I do not at all mind writing to you about the *Time* article, but it should have absolutely nothing to do with the publication of your book. This is of course not the case, which brings us to a conversation that he become inevitable. I await your response to Context’s denial of your termination of contract on the grounds that it was ineffective in several ways.

189. Ted to Beau #93 — 11-3-99

...

190. Beau to Ted — 11-3-99

Context

books

Beau Friedlander

Novembers, 1999

Theodore John Kaczynski

04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Ted,

Letter # 92 arrived today. I will respond briefly to it; at some later time, when we have received responses to all of the letters written by Miller and me (specifically those received after October 26), I may respond in more detail.

The allegations of lies are not accurate. Since it might be helpful to you, I will say something to clarify one of the issues you raised regarding the letter to Warden Pugh. The statement that Miller would represent you on matters of common interest related to the publication of *Truth versus Lies* was made after the telephone conference call between you, Denvir, Clarke, Miller and myself. This reflected my understanding at the time. My understanding of Miller's expected role changed after your October 14 conversation with Quin Denvir and Judy Clarke, which they reported to Miller. In view of your subsequent letters, it became clear that Miller could not represent you because of a conflict of interest, which only became evident upon receipt of those subsequent letters, and was the reason I then offered to pay for an independent legal counsel to advise you. The 10/19 letter clearly reflects this, and should suffice as a record of the above.¹

In light of statements made in your letters, we hereby terminate the contract for a number of reasons, among them, that the Work has been rendered unpublishable due to statements made by you in many of your letters. Context Books no longer has confidence in the manuscript, and this lack of confidence now goes well beyond the changes that we have requested. Neither we, as editors, nor Miller and Korzenik are satisfied with its editorial or legal soundness. Therefore, you may not rely on our edits or efforts, since they have been rendered ineffective by you and the responses you have made to the above referenced edits and efforts. Context Books does not waive any of its available legal rights or remedies.

¹ Sidenote added by Ted: This is false ... — TXK, 2/8/00

I am enclosing a copy of the letter I sent to Quin Denvir, which accompanied the family photograph you wanted me to send to him.

Sincerely,

cc: Quin Denvir

Context

BOOKS

Novembers, 1999

Quin Denvir, Esq

Office of the Federal Defender 801 K Street, 10th floor Sacramento, CA 95814

Dear Quin:

I'm enclosing a family photograph that Ted sent to me for the publication of *Truth versus Lies* per his request in a letter dated October 27.

My best

Beau Friedlander

cc: Ted Kaczynski

190.5 Beau to AP News — 11-5-99

Publisher Yanks Unabomber Book Deal | AP News (5 Nov 1999)

“Toward the end, it wasn’t a pleasant exchange at all,” said Context Books publisher Beau Friedlander, who spiked Kaczynski’s 548-page “Truth Versus Lies.”

A flurry of letters between the publisher and Kaczynski led to Thursday’s announcement that the book deal — first revealed in February — was off. Kaczynski had tried to terminate the deal several days before Context reached the same conclusion, Friedlander said.

“Kaczynski was uncooperative and expressed himself in ways that made it impossible for the book to be published by Context, or by anyone else,” Friedlander said in a statement Thursday.

The book already was at the printer when Context opted to yank it on Wednesday, Friedlander said.

191. Ted to Miler — 11-5-99

...

192. Miller to Ted — 11-18-99

Miller and Korzenik, llp
488 Madison Avenue New York, N.Y. 10022
(2 12) 7 5 2-9200

November 18, 1999

**VIA CERTIFIED PRIVILEGED AND
U.S. EXPRESS MAIL CONFIDENTIAL
LEGAL MATTER**

Mr. Theodore John Kaczynski No. 04475 P.O.Box No. 8500 Florence, Colorado
81226-8500

Re: Truth versus Lies

Dear Mr. Kaczynski:

Thank you for your letter of November 5, 1999.

I understand that you are busy with work on your appeal, so this letter will be very brief, and I will not address those assertions in your letter with which Mr. Friedlander and I disagree. We can save that discussion until the latter part of December when you may have time to devote to this matter.

Two things, however, I will mention here:

1. Mr. Friedlander is certainly willing to discuss with you the possibility of a forward-looking contractual relationship.

2. Aspects of your (potentially fully-discoverable) correspondence have made, and will make, preparation of a publishable manuscript more difficult than it had to be. To put it as briefly as possible: Every time you express doubt concerning a fact presented in your book or concerning the reliability of any of your own sources, and every time you express mistrust of the quality of Context's due diligence, we must retrace our steps, and to a greater or lesser extent, go back to square one, and renew the evaluative process. The sum total of such remarks in your letters has placed such a cloud on the manuscript as to make it currently unpublishable

Mr. Theodore John Kaczynski November 18, 1999 Page -2-

by anyone. This means that more rather than less work will be needed to produce a publishable manuscript.

I look forward to further correspondence with you after you have completed work on your appeal.

Very/t-rtily yours

Jettrey Craig Miller
JCM:bjg
cc: Mr. Beau Friedlander (By Fax)

193. Ted to Miler — 12-26-99

December 26, 1999

Dear Mr. Miller:

... At the time I wrote my letter of November 5, 1999, I was unaware of statements about me that Mr. Friedlander had made to the media ...

It should be obvious to you that I will not do business of any kind with Mr. Friedlander until he has (1) admitted publicly that his statements to the media concerning the reasons for the difficulty between us are highly misleading and give a false impression of my role in the affair; (2) apologized publicly for said statements; (3) admitted publicly that he misled me about the amount of material that his lawyers wanted to delete from my book or replace with paraphrases or summaries; and (4) admitted publicly that the fact that he misled me was the principal source of the difficulty between us.

194. Miller to Ted — 1-5-00

Miller and Korzenik, llp

488 Madison Avenue New York, N.Y. 10022 (2 12) 752-9200

January 5, 2000

VIA CERTIFIED U.S. EXPRESS MAIL

PRIVILEGED AND CONFIDENTIAL LEGAL MATTER

Mr. Theodore John Kaczynski No. 04475 P.O.Box NO. 8500 Florence, Colorado
81226-8500

Re: Truth versus Lies

Dear Mr. Kaczynski:

Responding to your letter of December 26, 1999, Mr. Friedlander regrets that he cannot comply with your four conditions as he completely disagrees with your stated premises. On the contrary, Mr. Friedlander has endeavored, up to now, to protect your privacy and to underplay the circumstances that have left the referenced book, unfortunately, unpublishable by anyone.

Very

y yours,

frey Craig Miller

JCM:bjg cc: Mr. Beau Friedlander

195. Miller to Ted — 1-17-00

Stephen J. Dubner 853 Seventh Avenue, #6G New York, N.Y. 10019
(212) 414-4836 (office)

Jan. 17, 2000

Mr. Theodore John Kaczynski #04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Theodore Kaczynski,

As requested, I'm enclosing a copy of the letter I mailed you back in October.

Sincerely,

StephSn J.\Dubner

196. Beau to Ted — 6-20-00

Dear Ted,

I have wanted to correspond with you for some time now, and finally resolved to do so. If for no other reason, I wanted to let you know how sorry I am that our work together devolved the way it did. Although I still feel the same way as before about the particulars, I also understand your point of view, that I may have handled matters differently, especially with regard to the publicity. Hindsight is twenty-twenty.

I enjoyed corresponding with you. I still owe you an explication of the Yeats poem, which was where we left off when the bad blood arose. That is neither here nor there. I'm enclosing a copy of Derrick's book, which I published late-April/early-May.

I hope this letter finds you as well as is possible given your situation.

197. Beau to Ted — 3-28-05

Dear Ted:

I'm sorry to be bothering you, but I thought you would want this information. I was recently invited to take part in a daylong symposium at the Massachusetts Institute of Technology. The symposium was called Regarding Evil. I accepted the invitation. I later bowed out.

The organizer had wanted me to discuss my relationship with you. The lure of MIT prompted me to accept the invitation before I'd had the chance to think it over. I had not looked at our correspondence since things fell apart over the publication of *Truth Versus Lies*. I started looking at it last week. I soon realized that I had not spent any time reflecting on what happened. A moment's reflection brought a flood of emotions.

I just emailed the organizer to inform him that I would be unable to come to the event. My first reason was that I felt uncomfortable being billed a "Kaczynski expert," as one announcement referred to me. I do not consider myself to be an "expert" on you. Secondly, I did not feel comfortable discussing our communications. I then got to thinking about the subject. It seemed a fool's errand. I am not qualified to talk about evil. I have thoughts on the matter, but no more than others. I'm no expert. So I bowed out.

There's one more thing. Your book made plain that you highly value an apology when an apology is due. I owe you an apology. My work as an agent of the machine that is publishing conflicted with your work as an agent of refutation. I realize now that I could have handled things differently. You tried to tell me. I see that now.

I hope this finds you well.

My best,
[signed]

Unknown what date the document
was sent to Ted

201. Beau to Ted — Unknown Date

Context

Media

TRUTH VERSUS LIES by Theodore John Kaczynski Context Books, May/June 1999

TRUTH VERSUS LIES is a memoir- of sorts. It is also an attempt to tell the other side of a one-sided tale that was spun by his family, and his attorneys, in their attempt to save him from the death penalty.

On January 22,1998, Theodore John Kaczynski, Montana recluse and accused Unabomber, entered an unconditional plea of guilt in exchange for three life sentences after a dramatic behind-the-scenes legal struggle, which he now seeks to appeal. Among the many inaccurate reports to surface from the media frenzy that came to be known as “Club Ted,” was a speculative article claiming that Kaczynski had written a second manifesto. He had not. But he was writing, and taking scrupulous notes, in an effort to refute the canted stories about his life and character that riddled every newspaper in the nation.

Theodore Kaczynski’s engaging prose recasts his life story in the wake of family members and attorneys who portrayed him as a raving lunatic. TRUTH VERSUS LIES sets the record straight. Kaczynski has said that he would have preferred death to a mental illness defense, the unstated implication being that it would have ridiculed his life, and —more seriously- would have invalidated his activism.

Kaczynski’s undergraduate years at Harvard are vividly brought back to life by a lively account of his studies during the 50s. With glints of deadpan storytelling, it is hard not to be fascinated by dint of nostalgia, the moments of rather disarming comic relief, and for the deftness with which he quashes the gossip of his many chroniclers.

The Cain and Abel aspect offered here is perhaps of the greatest interest. Kaczynski is earnest about discovering his brother’s true motivations for turning him over to the FBI. The family tales are painful, and some of his adventures will make the reader uncomfortable—Kaczynski spares no details, even when they show him in a less than favorable light. But still, there is a wry sense of humor woven throughout, a Tiresius-like quest for the truth, and of course the chance to witness a penetrating intellect at work.

TRUTH VERSUS LIES is undeniably the first book of its kind.

202. Beau to Ted — Unknown Date

Context

Media

THE UNITED STATES OF AMERICA V. THEODORE JOHN KACZYNSKI:

Ethics, Power, and the Invention of the Unabomber by Michael Mello

Context Books, May 1999

On January 22, 1998, Theodore John Kaczynski, Montana recluse and accused Unabomber, entered an unconditional plea of guilt in exchange for three life sentences after a dramatic behind-the-scenes legal struggle. There were conflicting reports in the press: Kaczynski was an insidious sociopath; a mentally incompetent paranoid schizophrenic; hero of environmentalism; Machiavellian genius. One thing was clear: Kaczynski did not get his day in court. And it all begged a very simple question: Why?

During pre-trial proceedings, Michael Mello became an informal advisor to Theodore Kaczynski's defense with regard to the prosecution's questionable use of private journals as evidence in a capital trial. As the case unfolded, the questions kept piling up.

As a former defense attorney for the likes of Ted Bundy and "Crazy" Joe Spaziano, Michael Mello has a reputation for asking tough questions. Writing about his previous book *Dead Wrong*, *The Nation* praised Mello for having "no illusions to fog his vision of the legal machinery." *Kirkus Review* touted Mello's style as "authoritative," and *Publishers Weekly* noted that "far from romanticizing the defendants or their crimes, Mello keeps the focus on the system."

In *THE UNITED STATES OF AMERICA v. THEODORE JOHN KACZYNSKI*, Mello is in rare form, taking a close look at the manner in which the Unabomber got lost in a system that could not accommodate him, because it could not imagine him.

Following news stories, court transcripts, and taking spirited digressions to flesh out the scene, Mello masterfully retraces the events that led to Kaczynski's guilty plea. This is certainly Mello at his best, sidestepping the expected to expose the conflicts of interest and ideological underpinnings that led to the Unabomber non-trial. Mello finds a parallel in John Brown, who was put to death for the raid on Harper's Ferry, and lit the fuse of the Civil War. Brown got his day in court; and the result was the abolition of slavery. More than a century later, our courts willingly allowed a political criminal to be censored. What would have happened to environmentalism were Kaczynski to have had his day in court?

Mello passionately raises questions that cast both the trial and our understanding of the Unabomber in an altogether different light.

FOR IMMEDIATE RELEASE

Context

Media

CONTEXT BOOKS

As more and more book publishers merge with giant conglomerates and small presses slide into oblivion, the great works of literature fall along the wayside. To compound this situation, many noteworthy non-fiction titles with great potential go unpublished, or they get lost in the “dark wood” of university publishing. This is largely due to the unwieldy overhead associated with making a book earn out in the current corporate publishing model (i.e., sell enough copies to recoup the cost of unruly advances and a bloated management). It most certainly is not a reflection of the closing of the American mind, or any other such nonsense. It is merely the reflection of a business model that has eclipsed itself and forgotten that a book should nurture us, and expand our understanding of the world around us. Looking at a torso of Apollo, Rilke wrote (to himself): “You must change your life.” The epiphany is also the child of great books.

Context Books is a new publishing venture with a mandate: Bring the gems of non-fiction and literature from around the world, both old and new, to American readers. The market for world literature—whether fiction, poetry, or drama—has enormous potential. And it has been a long time since this potential was tapped. The last programs in the States that were dedicated to the fascinating intricacies of world literature, Grove Press and New Directions, dropped the torch a long time ago. It is time for the culture marathon to continue.

Context Books will only publish challenging, culturally significant books. No pulp. Nonfiction should give rise to discussion and dissent; a good history or memoir will have relevance for years to come. Good non-fiction, contrary to current publishing mores, should not have the same shelflife as a cup of yogurt.

As international borders shift and challenges of the twenty-first century give rise to a sea of new knowledge and ideas, obstacles and opportunities, **Context Books** will be there on the crest of that sea change.

Beau Friedlander, Publisher/Editor-in-Chief, was educated at Bennington College, Oxford University, and Columbia University. He left academia in 1995 with a headache and a Master’s degree in English and Scandinavian literature. A year later, after a brief stint at Alfred A. Knopf, Friedlander established Context Media, which was essentially a packaging company that specialized in the preparation of domestic publications for foreign markets, and vice versa. The idea was simple: raise enough capital to support a small publishing press. During the first year, Context Media prospered and found its niche preparing language courses, direct-mail wildlife encyclopedias, and

cookbooks. Friedlander continues to direct Context Media and is also the Senior Editor of *aRUDE Magazine*. In addition to his work in publishing, Friedlander is a poet and art critic. He has written for artist catalogs and published both poems and translations in various magazines, as well as an anthology edited by Nobel Laureate Seamus Heaney.

203. Beau to Ted -Unknown Date

Aug. 2, 1999

Mr. Theodore John Kaczynski 04475-046

P.O. Box 8500

Florence, CO 81226-8500

Dear Mr. Kaczynski,

For the past several months, I have been researching and writing an article about your brother and his wife, exploring the various psychological, behavioral, and moral facets of their relationship with you and their decision to inform the F.B.I. that you might be the Unabomber. The article is being written for *Talk* magazine, a new publication edited by Tina Brown, formerly of the *New Yorker*.

I have had hours of conversations with David and Linda (as well as various acquaintances of theirs) and have come to the conclusion that their motivations for informing the F.B.I. may have been far more complicated than have been previously reported. I was particularly surprised by the influence that Linda has always exercised over David's decision-making and David's very complicated feelings for you, which seem to have vacillated between love and hatred.

This last dynamic in particular was greatly illuminated by "Truth Versus Lies," which I have read in manuscript version under a confidentiality agreement drawn up by your publisher, Beau Friedlander. That is, much of what you write about David (and Linda) seems to corroborate my own impressions.

I would very much like to meet with you in person to further explore these issues for the sake of this article. As much as I have spoken with David and Linda, the true dynamic of the relationship between the three of you will remain incomplete unless I speak with you as well. I would especially like you to be able to explain directly to me and to readers your feelings about and your experiences with David, especially such statements as "David has never had any fixed attitudes, beliefs, or principles." I am currently revising this article on a strict deadline, and look forward to setting up a meeting with you as soon as possible. If it would make you more comfortable, I would be happy to have Mr. Friedlander sit in on our conversation. Thank you, and I hope to hear from you soon.

Sincerely,

Stephen J. Dubner

Kaczynski family letters/texts quoted in TVL (excluding TJK's)

3-4/1986 = *between* March and April 1986

(pp. 27–398)
DK letters/text

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#330 lost document #330 3-4/1986, p.14— c'Ui #330 #320 #330 (« earlier DK letter #? quoted in TJK letter to DK _____e #325 12/1985-1/1986 _____ #320 12/1985-1/1986 _____	3-4/1986, p.14— loofi ^4^17 3-4/1986, p.22————— 12/1985 or 1/1986 p. 1- 3-4/1986 ————— — CC n
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#330 3-4/1986 _____ —
 #264 summer or fall/1982 —
 #330 3-4/1986 _____ —
 #459 7/12/1991 _____
 #330 3-4/1986 _____
 #400 10/1989 _____ —
 very brief quote from memory—— | | ☒ 1VI / y |

#278 #279 #357 #264 #232 #315 #367 #378 #385 #330 #245	10/1983————— — 10/12/1983 _____ - 4/1984 — summer or fall/ 1982 3/1981 10-11/1985 11/1987 6-7/1988 9/1988 a-4/1 ORA summer or fall/ 1981	1 A r a — / a. — t A — CoJa. A - i A a Cxvfc / A aJd (4 ————— i' *	very brief quote from memory ☒— — iv.
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#245	summer or fall/1981 — ccJo/a	
brief quote from memory		
#245	summer or fall/1981—— ——	
#320	12/1985-1/1986 ———— ——	
#322	1/1986	
#325	12/1985-1/1986	
#330	3-4/1986	
#232	3/1981	
#378	6-7/1988	
#264	summer/1982	
#245	summer or fall/1981	
#247	summer or fall/1981	

14	#347	8/1986, p. 6		
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p. 398	13–5	#380 (Alpine Avalanche)	summer or fall 1988	
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12	#300	3-4/1985		
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p. 405	14	#234	3-4/1981	——— p 1 r s L.
p. 409		story (Me) El Cibolo”, p. 178, 180		
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#264 p. 422 p. 423 p. 504	summer/1982 n. 28 n. 34 appendix 5 full text of #264	— <i>p r l v</i> #234 #482 summer, 1982	3-4/1981 11/20/1995	WK Letters
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 #423
 #297 baby book
 WK quote from TJK Autbio; see n. 11 #459 unreferenced short WK quotes (mem-
 ory) #199
 #208 “possible draft letter (in WK’s hand) quoted in #329 letter from TJK to DK
 #297
 #334
 #427
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#459

#460

unreferenced brief WK quote

lateJan/1991 — ‘ 12/24/1984 —7 2/26 to 3/5/1943 3/5 to 3/12/1943 5/19 to 5/26/1943 9/11 to 9/18/1943 4/2 to 4/9/1943 7/31 to 8/7/1942 underlinings 4/23 to 4/30/1943

7/12/1991

spring, 1977

probably 1997–1978

3/15/1986 pp. 3,4

12/24/1984

4/1986 1/19/1991 1/22/1991 1/30/1991 6/5/1991

6/21/1991 7/12/1991

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		in TJK				
		letter				
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p. 359	12	c<				
p. 360	cc	cc	CC			
p. 362	n.1	#385	9/1988			

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p. 388
p. 390–391 | 14
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n. 13 | #400
story (Me) “El Cibolo” p. 185, pp. 182–183 | 97/1989 , . | | story (Me) The Conjurer’s
Stone——— — | |

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p. 386 | <11 #463 7/1991 —
n. 53 #429 1/23/1991 — ^A
(J4 WK + father quoted in TJK Autbio — -4**-*» * 7
I4-J1 #450 5/20/1991—

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 13 brief quote from memory _____ ~ _____
 13 #187 10/8/1976
 H5 #334 (WK & father) 4/1986 / .
 13 #427 1/19/1991 \
 14 #429 1/23/1991 (
 15 #430 1/30/1991 J |

p. 465	12 #297 12/24/1984/
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12- baby book various dates/1942-3*) ~ |

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‘ *MEMORANDUM*

TO; Beau Friedlander

FROM: Jeff Miller

DATE: August 2, 1999

SUBJECT: The Second Coming

• ☒☒HannttS!HE=r -e-3s&sass3assE3srs;?K*s?’«wflHiH»v!t«mn««iiaiee9e!»^9!e

As you requested:

Paraphrase:

Summary:

all social order is growing

Note :

Poetry such as Yeats’ may paraphrase, as the images
 increasingly inoperative, radically untenable.

The vortices expand;

The once-tamed beast reverts to wildness;

Unrule reigns;

Al 1 . d— — oo e (t > v -a.

not be amenable to “fair-use” in which the ideas are expressed

Invoking a favorite image from his personal mythology or cosmology, i.e., the “gyre,” the Poet, in the famous opening lines of this prophetic poem, expresses concern that, as traditional hierarchy is becoming, in the modern world,

are non-obvious and original “expression.” In any paraphrase, they would have to be invoked, and if invoked, infringed, since more than the idea is being restated-. Poems such as Pope’s “Essay on Criticism,” or Browning’s “Pied Piper,¹¹ on the other hand, probably could be paraphrased with impunity.

July 6,1999

David Kaczynski

Wanda Kaczynski

133 Saratoga Road

Building T, Apt. 11

Scotia, NY 12302

Dear Mr. and Mrs. Kaczynski.

I received your letter of June 28. Thank you. Per your suggestion, I have contacted Maureen Yee of the Unabom Survivors Fund, and she has sent down some information that I will look at ^{A v 1}

tonight. * ‘UKec’

I wanted to briefly respond to the main point of your last letter with regard to permission for Ted to use your letters in his forthcoming book. It is my opinion that you would both be better served by allowing your letters to be used in this book. By granting permission, you will be represented in your own words. The only option is for Ted to paraphrase your letters (which he will do in a fair and accurate manner). But your voices will be omitted, by your own choice. I would think it would be better to be quoted than paraphrased.

Your stance vis-4*vis permission to use the letters will cause a delay (for editing) but the book will still be published. I think everyone loses by the omission. I hope you will reconsider.

Yours sincerely,

Beau Friedlander

P.S.: If your concern has to do with specific letters or specific subject matter, there could be room for discussion. But in the absence of such input from you, the publication of the contents of the letters will be subject only to Ted’s selections and paraphrases, and the quotation permitted by the “fair use doctrine.”

204. Miller to Beau — August 2, 1999

Miller and Korzenik, llp
488 Madison Avenue New York, N.Y. 10022
(aia) 7Ba-eaoo
telecopier eae-asse

PRIVILEGED and CONFIDENTIAL

August 2, 1999

BY-PAX; 212-964-1810

Mr. Beau Friedlander

Context Media

368 Broadway

Suite 314

New York, New York 10013

Re: *TRUTH VERSUS LIES*

As I know David has emphasized, there is no “fair use” formula that is guaranteed to satisfy all judges called upon to evaluate one person’s use of another’s copyrighted writings.

The statute and cases, rather, set out a series of diagnostic criteria which Courts must consider in reaching their (ultimately subjective) determinations.

With regards to Ted’s use of David’s and Wanda’s letters, the following principles and guidelines should be considered:

1. Each letter is considered a separate work of the copyright owner, *i*, *e.*. the person who wrote the letter.

2. Any given use of another’s letter would necessarily be one of the following: a quotation, a paraphrase, or a summary.

3. Since copyright protects the author’s unique expression of ideas and facts, but not those ideas and facts themselves, a summary of contents which does not quote or paraphrase any of the contents, actually presents no legal problem. So to the extent Ted can make his point by summarizing the contents of a given letter, this would be his safest option. For example, Ted may write: “On [date] David wrote me a letter in which David describes the character of so-and-so. He writes that so-and-so believes xyz and David in his letter vigorously supports so-and-so’s point of view.”

Mr, Beau Friedlander

August 2, 1999

Page -2-

4. with regard to quotation, the problem is obvious: In quoting, one is taking the precise expression of the copyright owner's work. In order for this to have a chance of withstanding legal challenge, the following guidelines must be observed: (a) the quoted material must represent a very small percentage of the total text of the letter from which it is drawn; (b) the quoted portion must not constitute substantially all that is actually of interest in the letter; and (c) the purpose of the quotation must be clearly to throw a critical cross-light upon the writing and/or the writer. From the standpoint of Litigation, the least use of quotations is the best. Also, ellipses help.

5. Slightly more leeway is available to paraphrase. In paraphrase, the thoughts of the author are followed more or less closely and in a way that might permit the reader to infer the original expression of the author. A paraphrase is very close to the original could be viewed as an attempt to quote without *literally* quoting. In such case, the paraphrase would be treated virtually the same as quotation. So the closer the paraphrase, the less it should be used.

These would appear to be the principles to **be**

communicated to Ted in his editorial work. Of necessity, they are general, but nevertheless as specific as they can be under these circumstances. I do not doubt that Ted will grasp the point, and have little difficulty in applying them in his editorial task.

a ring

If you require anything further at this point, give me

With all best wishes.

Sino

JCM:ht

205. Unknown Date

...

206. Unknown Date

He (TK) will not tolerate being called, he variously puts it, “a nut,” or “a lunatic/” “a sicko.” (Various citations,)

Beneath David’s love for him, he argues, lay “a marked strain of resentment,” and “jealousy over the fact that our parents valued me more highly.” (Chap. VI, p. 195)

“It’s quite true that he is troubled by guilt over what he’s done,” Ted writes, “but I think his sense of guilt is outweighed by his satisfaction at having finally gotten revenge on his big brother.” (Chap. XIV, p. 367)

In order to gain forgiveness, Ted writes, David must renounce the “lies” he has told about Ted, leave his wife, and remove himself from modern society. “If he does not redeem himself,” Ted adds, “then as far as I am concerned he is the lowest sort of scum and the sooner he dies, the better.” (Chap. XIV, pp. 375–376)

On David: “Knowing him as I do,” Ted writes, “I am certain that if Dave had known of the Unabomber before 1989”- the year David moved in with Linda Patrik- “he would have regarded him as a hero,” (Chap. XIII, p. 361)

At home he sulked, and his parents, he says, railed against his antisocial behavior, calling him “sick” and “a creep.” (Chap. III, p.103) On Wanda: “I hate you and I will never forgive you, because of her name you

little UH’ 10 ri.

did me can never be undone,” (Chap. IV, p.

116) he would write her more than 30 years later.

At Harvard, Ted felt inferior to other

students. He recalls that “their speech, manners, and dress were so much more ‘cultured’ than mine.” (Chap. V, p.142) There was an even greater unease in Ted’s life; he suffered from what he calls “acute sexual starvation.* (Chap. 1, p. 25)

As an adolescent, he recalls, “My attempts to make advances to girls had such humiliating results that for many years afterward, even until after the age of thirty, I found it excruciatingly difficult—almost, impossible — to make advances to women,.. (Chap. II, p. 75) At the age of 19 to 20, I had a girlfriend; the only one I ever had, I regret to say.” (Chap. V, p. 168)

On Linda’s letters: “They were in a drawer,” Ted writes, “not lying out in the open, and I knew that he would not want me to read them, but I read them anyway

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Ue H-

TgotaAeA''

Why did I do it? I was full of contempt for him, and when you have contempt for someone you tend to be disregarding of his rights.”(Chap, XII, p. 325)

Ted thrived on his brother’s adulation but was also “disgusted” (Chap. VIII, p. 222) by it, he writes. While they shared a disdain for materialism and an “oversocialized” lifestyle, Ted considered David undisciplined, physically and Intellectually lazy. He also felt that David was prone to manipulation, especially by women-as Linda Patrik’s letters seemed to illustrate.

FAX NO. iy ittu uquo rn

“The letters were not very informative/ he

writes, “but they did make this much clear about Dave’s relationship with Linda Patrik: He had a long-term crush on her; his relationship to her was servile; ^**ho** hed interest in him as a male, but

use him as a shoulder to cry on, someone to unburden herself to.” (Chap. XII, p. 325)

On David: He kept writing but was mainly, according to one friend, “a lost, searching, unhappy soul.” ... “If that story is typical of your previous writing,⁰ Ted once wrote after David sent him some of his fiction, “then it’s obvious why no one wants to publish your stuff-it’s just plain bad, by anyone’s standard.” (Chap. XII, p. 329)

InQ 982jTed broke off communication with his parents. Given his brand of terrorism, the “proximate cause of the break,” as he puts it, was ironic: he was annoyed by the packages of food and reading material his mother mailed him. (Chap. VI, p. 184)

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wrote, “then you do so in an- othe ^*And now, to top off my disgust,* you’re going to leave the desert and shack up with this woman who’s been keeping you on a string for the last 20 year/... J can pretty well guess who the dominant member of that couple is going to be. It’s just disgusting, Let me know your neck size-l’d > like to get you a dog collar next Christ- ma\$.”(Chap. XII, p.330)

He added : “But remember—you still have my love and loyalty, and if you’re ever in serious need of my help, you can call on me.”(Chap. XII, p. 330)

207. Unknown Date

Attachment A

BP-S232.014 MEDIA REPRESENTATIVE'S AGREEMENT MAY 1994 U.S. DEPARTMENT OF JUSTICE FEDERAL BUREAU OF PRISONS

Inmate's Name: THEODORE JOHN KACZYNSKI

Inmate's Number: 04475-046

I, BEAU FRIEDLANDER, do hereby state that I am primarily employed in the business of gathering or reporting news for a newspaper qualifying as a general circulation newspaper in the community to which it publishes; or a news magazine or periodical having a national or international news services; or radio or television news programs holding Federal Communications

Commission license.¹

My employer is CONTEXT BOOKS, my immediate supervisor is myself (as owner and publisher) and I may be reached at: 212-571-4866.

I have familiarized myself with Program Statement "Contact With the News Media" governing my conduct during interviews and visits within the institution and agree to comply fully with them.

I hereby fully and completely waive my personal right to be free from search of my person or property so long as I remain within the boundaries of the institution grounds.

I agree to provide no compensation, either direct or indirect, to the inmate or his or her family for any interviews or correspondence. I further agree to respect the rights of privacy of all inmates and to obtain a release from any inmate before any photos or recordings are utilized or personal information derived from any interview or correspondence is used in any publication or broadcast.

I recognize a visit to a prison presents certain hazards, and I agree to assume all ordinary and usual risks to my personal safety inherent in a visit to an institution of this type.

Signature: Beau Friedlander

Date: October 1, 1999

¹ I represent that I work for an established publishing house, namely Context Books, which has been in operation for a year and is the subsidiary of Context Media, which has been in operation for three years, and that this company has been mentioned in national newspapers and magazines as well as national radio and television registered with the FCC, all of which recognize CONTEXT BOOKS and/or MEDIA as a trade publisher. I also represent that I have a signed contract with the above named inmate, and the CONTEXT BOOKS is in fact his publisher.

The Ted K Archive

Context Books Correspondence

Archive.org

In the University of Michigan special collections library, next to the folders containing Teds typed up book Truth versus Lies, there is a folder containing the letter with the moment Context Books realized Ted wouldn't accept the edited publishing of his book.

www.thetedkarchive.com