

MANUSCRIPT LITIGATION

In your packet:

- ◆ Manuscript Timeline
- ◆ Copy of an e-mail from Greg T. GM of GSO re: lawsuit dated May 19.
- ◆ Copy of an email dated August 9 from Michele Grinberg (Chair General Service Board)
- ◆ Copy of an email from Rich P. (Chair A.A.W.S.) regarding suit.

On display:

The Book That Started It All (Hazelden), Original Manuscript (Anonymous Press)
Service Manual (Traditions & Concepts)

FACTS

- 1) Here is the website you can find all the legal documents pertaining to the lawsuit: <http://iapps.courts.state.ny.us/iscroll/> Index Search Number: **652676-2017**. Read and/or download pdfs of all court documents. If you download the Affidavit from Greg T., please note that there is a page missing. I can provide that to you if you like.
- 2) AAWS was informed of the pending auction of the manuscript in April, well before the General Service Conference. The delegates were in no way informed of this and did not have a chance to discuss anything related to it.
- 3) This is the only time in AA history when we have filed suit which was not related to trademark or copyright. In fact, we are the plaintiffs in this case.
- 4) The Board has given no explanation of the spiritual principles behind the decision to file the lawsuit. In the three letters, there is talk of fiduciary responsibility and the “desire to protect and preserve the manuscript in our archives” but no real explanation of the thought that went into the decision.
- 5) There has been a lot of negative press generated over this matter already. AP, Fox News, NY Times, etc.
- 6) Some Areas, Districts and Groups are considering exercising the power of the purse and withholding contributions to the General Service Office and proposing Agenda Items. A couple of examples:
 - a. **Area 01 – Alabama/NW Florida** – has made a motion for a 2018 Agenda item for the complete reorganization of the General Service Board and the AAWS Board as a result of this matter, based on perceived violations by the two Boards of Traditions and Concepts. This motion has been forwarded to the trustees Nominating Committee for potential inclusion on the Conference Agenda next year. (as reported in the July 2017 Quarterly Report from G.S.O.)
 - b. **Area 59 – Agenda Item:** Inform GSB Area 59...AA money should not be used...to settle or purchase...manuscript.
 - c. **Area 65 – No. East Texas:** Censure of GSB for allowing AAWS to pursue lawsuit without consulting the Conference...blatantly disregarding Fifth Warranty in clear violation of the Conference Charter.
- 7) The AA Archives hold other copies of the original manuscript, just not the one with the printer's instructions.

- 8) A legal obligation suddenly became paramount in 2017 and was seemingly unimportant in 2007 and 2009?
- 9) After purchasing the manuscript at auction in 2007 for \$850,000 plus fees, the current owner of the manuscript entered into an agreement with Hazelden to produce a facsimile edition of the printer's manuscript. It is called "The Book that started it all." (when contacted by Hazelden, AAWS denied ownership)
- 10) The demand for the return of the manuscript by AAWS means that the current owner would not be compensated in any way.
- 11) AAWS has appointed a "negotiation committee" If there is in fact negotiation underway, it is likely that AA funds could be used to compensate Mr. Roberts.
- 12) This lawsuit has already cost AA \$170,000 to post a surety bond of \$1.7 million. Plus legal fees.
- 13) Court dates extended: Defendant response: Oct 11 and Preliminary Conference: Dec. 13

QUESTIONS

- 1) How does the acquisition of the manuscript support our primary purpose? How does it help us carry the message?
- 2) How does it hurt us to not have the manuscript in the Archives?
- 3) Are we okay as a Fellowship with just taking something from someone who paid hundreds of thousands of dollars for it? On the other hand, do we want AA money – 7th Tradition money or income from literature sales – to be used to settle the litigation?
- 4) We also have the right to demand transparency and accountability from the Board. They don't have to discuss the suit while it is pending, but weren't there decisions made that led up to the lawsuit which involve matters of AA principles that could be discussed?

ACTIONS

1. **Please take this matter back to your groups and districts, informing the Fellowship. If your group or district wants me to come and share about this, I would be happy to do so.**
2. **After today's discussion, it will be up to you whether you want our area to take any action on this matter. There are some time constraints – the AAWS Board meets on October 27, General Service Board Weekend is October 28-30. Deadline for proposed Agenda items for 2018 is December 15, 2017.**

CONCEPT 12

General Warranties of the Conference: In all its proceedings, the General Service Conference shall observe the spirit of the A.A. Tradition, taking great care that the Conference never becomes the seat of perilous wealth or power; that sufficient operating funds, plus an ample reserve, be its prudent financial principle; that none of the Conference members shall ever be placed in a position of unqualified authority over any of the others; that all important decisions be reached by discussion, vote and whenever possible, by substantial unanimity; that no Conference action ever be personally punitive or an incitement to public controversy; that, though the Conference may act for the service of Alcoholics Anonymous, it shall never perform any acts of government; and that, like the Society of Alcoholics Anonymous which it serves, the Conference itself will always remain democratic in thought and action.



Joyce Caristi <delegateread14panel67@gmail.com>

From Greg , general manager , Friday , May 19, 2017

Staffcoord <staffcoord@aa.org>
To: GMGSO-Greg T <gmgso@aa.org>

Fri, May 19, 2017 at 5:10 PM

Dear General Service Conference member,

I'm writing to inform you of recent actions taken by the General Service Board and the A.A. World Services, Inc. Board of Directors to secure the 1939 Printer's Copy of the manuscript of Alcoholics Anonymous, our Big Book. The Printer's Copy (also called the working manuscript) has handwritten notes from Bill W. and others and shows the evolution of what became the first published edition of the Big Book.

The manuscript was gifted to A.A.W.S. by Barry L., an A.A. member, who had received the manuscript from Lois Wilson, the widow of Bill W., a co-founder of our Fellowship. Although A.A.W.S. possessed the letter in its files at the time of Barry L.'s death in 1985, no one within the organization was aware of the gift or of our right to ownership until the letter was found in our archives in 2007.

We recently learned that the manuscript was going to appear at public auction in June. Because the manuscript undeniably belongs in the G.S.O. Archives, we have requested and were granted a temporary restraining order by New York State Supreme Court to prevent the manuscript from being sold.

Pursuing litigation is not something to be taken lightly. As you know, within our Traditions and Concepts, and expressed succinctly in the Preamble is the principle that we shall do nothing to incite public controversy. We focus strictly on carrying the message of recovery to still-suffering alcoholics and serving the A.A. groups. However, as part of the General Service Board's and A.A.W.S.'s fiduciary responsibility and to protect and preserve the manuscript in our archives – for A.A. groups, individual members and for future generations – the Board took the action described above.

It is important that the members of our Conference, as representatives of the A.A. groups of the United States and Canada, know what steps both A.A.W.S. and the General Service Board have taken.

We ask that all inquiries you may receive concerning the Printer's Copy of the manuscript of the Big Book be forwarded to the Public Information coordinator, Clay R. His direct line is [212-870-3119](tel:212-870-3119), and his email is publicinfo@aa.org.

We have requested each trusted servant (trustee, delegate, director) and employee in our office to use common sense and discretion, and not to attempt to answer questions concerning this ongoing matter, but simply to refer questions to the P.I. desk of the General Service Office, as noted above.

With gratitude for your service to Alcoholics Anonymous,

Greg

G. Gregory T

August 8, 2017 Communication from Michele Grinberg

Staffcoord <staffcoord@aa.org> Wed, Aug 9, 2017 at 3:17 PM

To: GMGSO-Greg T <gmgso@aa.org>

Dear members of the General Service Conference,

At the most recent Board Weekend, General Service Board received an update on the pending legal matter in executive session with counsel present. While I cannot share that discussion, I can share some new information that will keep you current with our actions to date.

The court has entered a stipulated order, as proposed and agreed to by both parties, which requires defendant (Mr. Kenneth Roberts) not to transfer or sell the Printer's Copy Manuscript of *Alcoholics Anonymous* for the duration of the matter.

The August 2 hearing (noted in the judge's initial order granting the temporary restraining order) did not occur, upon agreement of the parties and the court. The court has recently set the next status conference for October 11, 2017.

The Manuscript is now in secured storage at Crozier Fine Arts. Both Profiles in History (the auction house) and Questroyal Fine Arts (the gallery that had displayed the manuscript) have been dismissed from the matter.

Please note: All filings in the case are a matter of public record.

The discussions of the legal situation within the Board and with counsel, however, remain confidential and privileged, so this is as much as can be shared at this time.

On behalf of the General Service Board and A.A. World Services, I wish to thank you for your ongoing engagement, all your questions and expressions of concern, and your love for our A.A. Fellowship and the Legacy of A.A. Unity. While some of you may disagree with our actions from time to time, please be assured that each Board member loves A.A. and is acting in good faith as a trusted servant in accordance with Tradition Two, as discussed in the Concept Seven essay.

The Public Information desk at the General Service Office continues to be the primary source of communication about this legal matter, both within and outside the Fellowship. We ask that you direct your comments there, so that we can gather your thoughts in an orderly manner. All communications about this matter received as of July 27 have been provided to all Board members.

With much gratitude for your service to Alcoholics Anonymous,

Michele Grinberg, Chair
General Service Board

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communications to:**
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September 1, 2017

Dear Conference members,

Regarding the litigation underway concerning the Printer's Copy Manuscript of *Alcoholics Anonymous*, we feel that a response is in order to the various concerns and comments sent to the office and to the General Service Board, as well as those not addressed directly to us but communicated within the Fellowship.

Michele Grinberg's letter to you of August 9, 2017 addressed the most recent developments that we could share with you, to keep you as informed as possible. All of us understand that it would be inappropriate to discuss legal matters outside the context of the case and outside the attorney-client relationship. The issue that has arisen for us, of course, is our traditional practice of full and open disclosure of the Board's handling of the business of Alcoholics Anonymous guided by the Twelve Concepts for World Service, which has served us all for six decades.

Tradition One states, "Our common welfare should come first; personal recovery depends upon A.A. unity." In all deliberations and actions, the Board keeps A.A. unity clearly in the forefront. In that spirit, I wish to share these reflections:

- In the context of ongoing legal actions, anyone who is consulted could potentially be drawn in as a witness to the lawsuit. Therefore, our decision to refrain from discussing certain details of the case outside of public filings is in the interest of the members of the Fellowship and the Conference.
- Most aspects of the case are public record. However, some elements are not, and there is information we cannot provide without jeopardizing ongoing efforts toward resolution. To this end, discussion and reporting beyond the public record is being suspended for now. This deferral to a later time is in no way intended to thwart deliberation or communication, but rather to protect the integrity of the matter
- Our Society holds precious the informed group conscience. At every step of this matter we are taking great pains to consider all elements, majority and minority viewpoints, prior facts and actions. We recognize that, in the absence of all the information, some members and trusted servants, present and past, are likely missing elements vital to the formation of a fully informed perspective. We are also committed to the principle of complete candor to the court, if and as the case moves forward. We very much look forward to a time when we can report out to the Fellowship in keeping with our Third Concept.
- We recognize that the Concepts advise that consultation is almost always

- desirable. However, the timing and procedures that exist for action may not always allow wide and thorough consultation. It is at such a time that delegated authority must be used with great deliberation and caution.
- We very much appreciate that the Right of Decision carries with it a duty to report fully, which we will do as soon as the matter is resolved in a manner that allows us to report fully.
- The Board is listening to all perspectives, and, in accordance with our principles, we are making decisions through careful debate and deliberation, with substantial unanimity, always seeking to obtain an informed group conscience.

Indeed, it has been frustrating both for the Fellowship and for trustee members of the General Service Board to suspend wider discussion, as this is such an important issue. I am sure you appreciate that good arguments are being made on all sides, informed by the Concepts as most good discussions are at the General Service Conference and within our boards. Our hope is that this eventually leads to a full policy-level discussion about the Board's role in protecting the A.A. name and intellectual property (i.e., copyrights and trademarks); and we are proceeding with caution, recognizing the potential benefits and liabilities to the Fellowship as best we can, based on ongoing informed discussion and consultation.

I am a member of Alcoholics Anonymous who loves this Fellowship, as do all who are expressing both their support and their disagreement with the Board's action in this matter. Despite the current limit on communications from the Board, for the reasons stated here, I would hope that fair and open-minded members would give us the opportunity to serve to the best of our abilities and handle our delegated responsibilities with proper care.

The General Service Conference will certainly have the opportunity to express its group conscience when you receive the Board's full reporting upon the resolution of the legal action.

It is an honor and a blessing to serve Alcoholics Anonymous, under a higher power as we may seek to understand that higher power, which will guide us to make the best informed, most principled decisions we can.

Yours in service,

Rich P

Northeast Regional Trustee
A.A. World Services, Inc. Director and Chair

Timeline of events regarding the manuscript lawsuit

1978—Lois gifts the manuscript to Barry L.

1979—Barry L. gifts the manuscript back to AAWS, by notarized letter, with the understanding that it would remain in his possession until after his death.

1985—Barry L. dies.

May8,1986—Fran Hartigan, secretary to Lois Wilson, sends a letter to Lenora Leach acknowledging meeting with Fenn Leach to discuss “Barry’s papers” and “appropriate archives” with Lois.

June4,1986—Frank Mauser, AAWS archivist, send a letter to Fran acknowledging a telephone conversation and the gift letter, stating that the manuscript belongs to AAWS.

June2004—The manuscript is sold by Joseph B. at auction for the first time for \$1.4M+ to William Shenk. Employees of AAWS archives attend the auction, but at the time the gift letter had not been discovered.

June2007—Ken R. purchases the manuscript at Sotheby's for \$850k + fees.

Sept2007—AAWS discovers the gift letter in its archives.

2009—Hazelden approaches AAWS to inquire about copyrights to the manuscript, informing AAWS of their intent to cooperate with Ken R. to publish The Book That Started It All, which included facsimile of the manuscript. AAWS informs Hazelden that it had no ownership interest in the manuscript.

Sept2010—First printing of The Book That Started It All

Oct 2016—AAWS director emails the GSO GM, GSB Chair, AAWS Chair, and AAWS board requesting disclosure of the gift letter to the rest of the GSB and the Fellowship.

April7,2017—Ken R. notifies AAWS of auction date and manuscript's scheduled showing at Questroyal May 18-20.

April23-29—67th GSC is held. No mention of the manuscript is made to the Conference body. No plans existed at this time to pursue litigation.

May 17, 2017—Greg T. makes formal demand for manuscript from Ken R., signs sworn affidavit same day

May18,2017—AAWS files lawsuit, requesting seizure of the manuscript.

June1,2017—AAWS receives 1986 letter from AA archivist to Fran at Stepping Stones about manuscript which contradicts statements in sworn affidavit. AAWS/GSO had no actual knowledge of this when the affidavit was filed. No correction has been made to public record as of 9/24/2017.

Sept1,2017—AAWS Chair sends letter to the Conference