



Talking Agents Ezine

Welcome

Welcome to *Talking Agents Literary E-Zine*, the free successor to the hard copy/subscribers-only-online *Talking Agents* newsletter we published ten times a year for ten years.

Our mission is as it has always been: To help writers both new and well established find the best possible representation by giving them both inside information, and relevant advice. Much has changed in publishing in the past decade, but a topflight literary agent is still absolutely necessary if you're going to get shelf space for your books in every major bookstore from coast to coast (and in the end that's the only kind of published you want to be).

GETTING THEM WITH THE PROGRAM

We wrote last month about the urgent need for authors to self-promote, but an article by Dick Cavett just appeared in the *NY Times* and demands we continue the discussion.

We can't give you a hot link to the piece because it came in our e-mail as part of that behind-the-veil thing the *Times* does (*Times Select* - online columns for those who are home subscribers as well as website regulars), but here's the gist: Cavett is on tour for *CAVETT*, a book he'd written with Chris Porterfield. It's Christmas. The book's been selling pretty well, and they're in Chicago doing a media blitz that includes TV as well as signings. Cavett discovers the local bookstores - including the major chains - have sold out. There are no books in the stores, and have been none for a couple of weeks. He calls his publisher - Harcourt Brace Jovanovitch - and gets nowhere, until he finally reaches the company president in a steam room at some private NYC club. Then he has to threaten to no-show every stop on the tour from that moment on in order to get the guy to agree to fill outstanding orders by overnight express.

Not only was the column funny, and loaded with truths any writer would recognize as such - even those who do not

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Talking Agents Literary

Ezine is a complimentary resource for writers (and sometimes their agents) from Agent Research & Evaluation, Inc., the firm established in 1996 by Bill Martin and Beverly Swerling Martin.

This Ezine is an occasional mailing meant to serve the interests of writers relative to (a) finding the right literary agent (b) understanding how to work with a literary agent (c) building a platform to assist in marketing via author's web sites, (c) staying abreast of web neutrality issues and (d) various developments in our business.

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possess the brass appendages required to get the president of a publishing company out of a steam room for the purpose of tearing a strip off him - but because *Times Select* is an interactive feature, it got a slew of great comments from other publishing professionals. Here's an excerpt from the one that really got us going (posted by someone signing herself only Kay; now we can all ponder which Kay in the biz it probably was). Incidentally, she was speaking about some other book, not Cavett's. Making the point that these are systemic complaints.

"...A company bigwig sheepishly admitted to me that the print runs had been far too small given the sell rate and blamed the author's agent for not making more of a stink about the situation... as if he had no power to rectify the situation ... the perception that investment in marketing, publicity ... and other in-house talent is an overwhelming financial burden is a core problem. If you've had a book publicist who knows how to do more than staple a jiffy bag and slap a label on it, be very, very grateful. If you had a copyeditor who has any familiarity with the common use of the English language, idioms, and slang terms, be thrilled..."

Yes! Yes! Oh my God... YES!

Okay, that's made all of us who write for a living feel better. Now a few more hard truths. First, while the bigwig is ignoring his responsibility to the publishing house that pays his salary - and its shareholders - it absolutely *is* the agent's job to be the writer's ally in these matters. A good agent doesn't bow out once the book is sold. If for no other reason than that the agent has a 15% ongoing interest in what the book earns. Moreover, this is one of those instances when you come to understand why having a really good agent matters. An agent with clout can threaten to drop the publisher - or at least the imprint - from the auction list when he or she has the next hot property to offer. Whether such a threat is stated or implied, it is a possibility known by all concerned, and one of the realities in the symbiotic dance between author, agent, and publisher. But it means nothing if your agent is Alice Somebodyorother from Podunk who got lucky just once.

Second, it's unlikely any of this is going to change quickly. There are signs that some publishers are beginning to think more creatively about marketing and publicity, particularly with regards to using the web, but they can afford to take the long view. Or at least they think they can. If you have a book due out in a few months, or a few weeks, or even next year, you cannot afford the long view. Just thinking about how very, very hard it was to write that book (and they are all very, very hard to write), should convince you that having it fall into a black hole of anonymity may well be the worst work-related disaster of your life.

Be proactive.

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First - and here comes the self-serving plug - do whatever you have to do to get that all-important good agent. See the [Customized Fingerprint](#) on the AR&E site.

Second - Consider hiring a professional publicist, and discuss the possibility with your agent well before the book comes out. If you decide to go that route, it should be the agent who informs your publisher and makes sure they are prepared to cooperate.

Third - As soon as you can, begin figuring out ways to both grow your fan base and keep in contact with same. And as we said in the last newsletter, think about a really good author website. We're working on ways to help you get the info to make wise choices in that regard. And we'd be interested in hearing from writers who have built sites and want to tell us about the experience. Or about any writer's website you've been to that you think is absolutely terrific. (Of course tell us why.) And please don't hit reply to this e-mail; webmaster@agentresearch.com is what you want.

What it all comes down to is the amount of muscle the publisher has decided to put into selling this particular book, i.e. yours. Here's a very relevant comment lifted from another e-zine, a daily called [Shelf Awareness](#) aimed at independent booksellers. They quote Knopf's director of publicity, Paul Bogaards, as saying, "The book business still turns on word of mouth and the hand sell. If you can sit an author next to an influential bookseller, and the bookseller can go back to their store [with the enthusiasm from that conversation], the book can develop a heartbeat."

HOW NOT TO PITCH

Once more unto the breach... Yet again we've seen a query letter that says: "I'm really hoping you'll be my agent because I note how many world rights deals you've made, and I'm convinced this book will have international appeal..."

Listen up folks: With rare exceptions, world rights deals are just what you *don't* want if there's any hope of selling translation rights to your book (or English language rights outside North America).

When you give the primary publisher (that's the one in your home country or possibly the home country of your agent) world rights, the profits from any sales made to publishers in other countries must be shared with that primary publisher, according to the contractual split. Sixty -forty in your favor is good as these deals go. Fifty-fifty isn't unusual. And you will pay your agent a minimum 15% of your share. IF YOU RETAIN ALL RIGHTS OTHER THAN ENGLISH LANGUAGE RIGHTS IN YOUR OWN COUNTRY, YOU GET THE WHOLE THING MINUS THE AGENT'S COMMISSION. That's right. All of it. The primary publisher does not participate.

In the nearly eleven years we have been running AR&E, that must be the thousandth time we've said that. Obviously there are still many new writers who don't understand how it works. Now, if you read this *Talking Agents Literary E-zine*, you do.

And a bit more on the same subject: A good agent will do everything possible to hold on to as many rights as possible, because that's the healthiest option for your bottom line (and incidentally hers - though she's got a piece of the action of a lot of writers, while you have only your own). So when you see an agent record with lots of world rights deals, recognize them as red flags. If the record you're looking at came from us, the part of the report labeled General Information, which precedes the hard data about specific clients and the sales made for them, will call your attention to that fact. We'll also tell you what we think is going on with the agent in question. Is it a pattern indicating at best naiveté and at worst sloth? Or is it a consistent trade off for a six figure advance, (a technique pioneered thirty years ago by Morton Janklow when he was the most sought after agent in town)? Sometimes our judgment is based entirely on what we've gleaned from studying the agent's performance over a number of years. At other times it is a direct result of a conversation Bill has had with the agent.

Recently we were checking on science fantasy writer Steve Erikson for a client who wanted to know Erikson's agent. We first turned up Howard Morhaim, who is the agent of record on Erikson's deal with US publisher Tor. But Morhaim, it turned out, was acting for Erikson's UK publisher. The author's primary agent is Patrick Walsh at Conville & Walsh in London. In 1997 Walsh did a nine-book-world-rights deal with Transworld for Erikson. The advance was £675,000, (at the time around \$1.2 million, and that figure was published at the time; we're not betraying any confidences). But Walsh, excellent agent that he is, immediately said that wasn't the best deal possible from the writer's pov, because world rights deals almost never are. It was, however, a great deal of sure-thing money. And the author made the decision to take it based on his own circumstances at the time. Which story we tell here to illustrate what we meant when we said above "with rare exceptions."

YOU PUT YOUR RIGHT FOOT IN, YOU TAKE YOUR RIGHT FOOT OUT...

Here are a few of the latest agent moves, with more useful info than simply the announcement of same:

Among the most interesting is that Peter McGuigan who has been at S. J. Greenberger since 2000 is leaving to join Yfat Reiss, author and founder of [SharpMan Media](#) in what's billed as a new agency and book packager.

Greenberger is essentially a cooperative of independent agents sharing front and back of the house costs. When McGuigan started there he was handling foreign rights for a number of those agents. This is a common entry-level job in the world of literary representation, and McGuigan soon had his own list of clients. To quote a bit from our evaluation on his report, "...his specialties are pop-culture, running the range from humor to one or another sort of societal angst, to relationships, to how we do business, or stay healthy, fit and desirable."

McGuigan recently sold Clarkson Potter Dave Evans's *COOL GREEN STUFF*, environmentally friendly designs from an international coterie of cutting edge designers, all

intended to make the world a cleaner, greener and, of course, cooler place. In that sale McGuigan was acting for the author's Australian publishers. (Who apparently had if not world rights, at least world English rights. Tsk.) Still more recently, and acting as the primary agent, McGuigan got an almost six figure deal from Wiley for Jay Atkinson's memoir of Jack Kerouack. (We're nearing the 50th anniversary of *ON THE ROAD*).

That gives you a quick sense of what McGuigan has been doing. As to what the new agency *will* do it's instructive to note that in 2005 this agent sold a book by Joanna Schlip with Yfat Reiss. Schlip was billed as a make-up artist who worked with Oprah Winfrey, and the book was *GLAMOUR GURLZ*, which came out from Clarkson Potter in 2006, but only had Schlip's name on it. Then in 2006 McGuigan sold another project involving Reiss. This one was *THE NATURAL SUPERWOMAN*, by Dr. Uzzi Reiss, a Hollywood ObGyn hormone expert and author of *HOW TO MAKE A PREGNANT WOMAN HAPPY*, and his daughter Yfat. That book is due out from Avery in October.

Reiss's [SharpMan](#) website pitches hip and savvy grooming and other ideas to young males, which is certainly not a million miles away from the interests McGuigan has made his own. It's also important to note that the proposed outfit is being billed as a combo packager and agency. McGuigan's move is clearly going to be about spotting markets and creating ideas, including books, to serve them, as well as - maybe - representing the work of authors not otherwise involved with the new entity. There are successful examples of similar operations with perhaps informal links to major agents - Jennifer Rudolph Walsh at Wm Morris and [Alloy Entertainment](#) springs instantly to mind - but this is the first one we know about with an agent in-house. If you work with one of these outfits the one thing you want to watch for is that you don't pay an agent's commission *on top of* whatever your deal is with the packager. That has to be overkill.

Also in the musical chairs news, a move by West Coast agent Kassie Evashevski, who has left Brillstein Gray where she was billed as literary manager, to join United Talent Associates up the road on Wilshire Boulevard.

Evashevski has been more than a standard dramatic rights agent since she left NYC's Writers House for the California sunshine, combining the sale of dramatic rights to works represented by other agents with occasionally taking on a writer for whom Evashevski would sell the primary volume rights. Few dramatic rights agents can hit from both sides of the plate; Evashevski proved she could. Which didn't prevent her from enduring a great deal of *sturm und drang* as a result.

Quoting from the evaluation paragraph on Evashevski's AR&E report, "...she was the agent who sold Leonard Frey's huge bestseller *MILLION LITTLE PIECES* [to the Nan Talese imprint at Doubleday], and thus she became part of the brouhaha that surrounded that book when it was proven to be a work of fiction rather than the memoir it was marketed to be. We were, we think, the first to point out that when Frey said 'we tried first to sell it as a novel,' the we of whom he spoke had to have been he and his agent. In our mind that does not impugn Evashevski's effectiveness (and the fuss has long since died down). The line between memoir and novel is fuzzy always..."

Evashevski dropped her representation of Frey soon after the scandal broke, and we've seen no primary volume rights deals cited for her since. In fact, no deals at all for almost a year. Now her first sale at UTA is for Amy Berkower, who runs Evashevski's old home ground, Writers House. Berkower client Sharon Creech's *RUBY HOLLER* has been optioned to Abigail Breslin; her *BLOOMABILITY* to Teri Hatcher's production company, and her *WALK TWO MOONS* to Rocket Dreams.

Finally there's word that Emmanuelle Alspaugh has become an agent at Wendy Sherman Associates. The announcement says she was previously at The Creative Culture. We've only ever picked up one sale for her, however. That one was made last April when Alspaugh auctioned Danielle Younge-Ullman's *FALLING UNDER* - a young woman struggles to find love - and the book was won by Plume. A quick Google search reveals that someone of the same distinctive name was an associate editor at Random House, and - presuming it's the same person - also authored a number of Fodor travel guides. Peru, Norway, and Holland. This lady gets around. We'll watch. And we'll tell you.

FEEDBACK

Last issue we said we weren't including agents' contact data because such information is now readily available on the web. At least one subscriber has called us on that, and says he finds it a huge nuisance and not easy to get the addresses elsewhere. It really isn't very difficult for us to include that stuff, but it will make the e-zine quite a bit longer.

What's your vote? Let us know at info@agentresearch.com

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