



# Talking Agents Ezine

Welcome to the latest edition of the *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.

## PLAYING CATCH UP

Home news first: A few days ago Beverly finished the fourth book in the City of Dreams series for Simon & Schuster. To read more about this - title, pub date, why one of you is owed a bottle of champagne, though we don't know who - check out Beverly's [blog](#) on the Beverly Swerling site. Also, there's a new [blog](#) on the AR&E site.

## BIG STORIES WE MISSED

Back in 2005 we may have been the first folks to point out that the missing link in the big brouhaha about what was true and what was not in James Frey's purported memoir, *A MILLION LITTLE PIECES* was the advice he had to have gotten from his then agent, the usually very good Kassie Evashevski. Frey's first response when the stuff hit the fan was, "...we tried to submit it as a novel..." and no one on TV or in the papers, not even Oprah, was asking who "we" was. Not surprising. The general press absolutely doesn't get the role of the literary agent.

So, late as we are, we must take note of the next chapter in the saga. The extraordinarily talented Frey has done a novel, and a few months ago no less a publishing mench than Eric Simonoff at Janklow & Nesbit sold it to Jonathan Burnham at HarperCollins. *BRIGHT SHINY MORNING* is scheduled for the summer of 2008. We'll be among those waiting at the bookstore. Frey is a compelling writer.

Okay, that's Frey's second chance and in our view his talent deserves it. On the agent front, Evashevski - who was with Brillstein Grey during "the troubles" - went to ground for something like a year, then surfaced last spring at UTA. The address is below and

**December 6,  
2007**

### 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.

You are welcome to pass these mailings along; simply forward this email. A new subscriber will ONLY be added to our distribution list by signing up through the registration process.

**Copyright and Reprint:** Please feel free to copy in whole or in part, any of the information provided in this newsletter when the following statement is

the following quote from her AR&E file is worth repeating here: "...while [Evashevski] sells a lot of dramatic rights to books already represented by other agents, she, more than most dramatic rights agents, is capable of marketing primary volume rights. And willing to do so when something really grabs her. A ton of heart on the page is the sine qua non of what she takes on, and non-fiction remains a better bet than fiction." (Which may indeed be why she was the wrong one to tell Frey how to novelize the story, or have the right editorial contacts to sell it as important fiction.)

Another major agent story that passed us by while we were off in nineteenth century Manhattan - absolutely fascinating, you should go - is the implosion of the once mighty PFD agency in London. This one really has been well reported, but distilled to its essence it involves a large, highly prestigious agency that was sold some years ago to a fairly arm's-length parent company who recently indicated they were ready to sell, but were unable or unwilling to come to an agreement with the in-house consortium of agents who wanted to buy. So the agents (a very big chunk of the agency's roster) said, fine, we're out of here. They're planning to open a new agency in early 2008, and so far the indications are that almost all their very prestigious authors will be going with them. We'll list the agents involved when the new agency officially opens and we have the firm data.

Meanwhile this sounds very much like the story of the demise of the once mighty Scott Meredith Agency. Meredith almost single-handedly broke the grip of the editors who as late as the sixties were demanding that agents approach them one at a time; a feat Meredith was able to pull off because at the time his agency represented an enormously high percentage of bestselling authors. No publisher could afford to be blackballed by Scott Meredith. When he died suddenly in the early '90s, his widow also could not come to an agreement with the in-house agents who wanted to buy the agency. The result was the formation of the still active and healthy Scovil, Chichak & Galen, who took virtually all the Meredith clients with them. Leaving a totally defanged and utterly discredited Scott Meredith Agency that wound up with only the much criticized quasi-scam ms reading service Meredith had himself started. Plus, of course, the humongously valuable backlist of books - many still selling - on which the Meredith Agency remains the agent of record.

included in its entirety: "Bill Martin and Beverly Swerling Martin are matchmakers for you the writer. The goal is to direct you to the literary agent who is right for your work. The Martins can be contacted at their website [www.AgentResearch.com](http://www.AgentResearch.com) or at 215-563-1867. Copyright 2007, AR&E, Inc. All rights reserved."

Opt In / Opt Out --You are receiving this email because you have requested to be included on our mailing list, or signed up for the agent verification process at our website, or are a client of ours. Our lists are **never** shared or sold! If you no longer wish to receive the Talking Agents Literary Ezine, follow the unsubscribe instructions below.

Visit us on the web:

[www.AgentResearch.com](http://www.AgentResearch.com)

[www.BeverlySwerling.com](http://www.BeverlySwerling.com)

Bringing us to the bottom line on the PFD story. Whatever the shake out eventually looks like, the backlist stays with the original agency. Whoever owns that entity will continue to get the commissions on all royalties paid on contracts signed when PFD was a fully functioning agency, alive and well and selling books in London and points north, south, east, and west. This is why the "agent of record" clause is so important. (Another thing the general press frequently doesn't get. And sadly, neither do a lot of writers. Though it's less critical, because authors continue to get their share of the royalties earned by previously published books whomever their current agent might be.)

### DO I REALLY NEED AN AGENT WHEN I'VE ALREADY GOT THE DEAL?

Astonishingly, this question continues to come up, even from experienced writers who should know better.

Short answer: Yes, you do. There is simply no way a decent literary agent is not going to be able to cut you a better deal than you can cut for yourself.

Moreover, when you approach an agent with a deal in hand - whether it's because the publisher approached you as a known expert on a given subject, or in response to something you wrote in a magazine or a newspaper, or because you got an editor interested at a writing conference or through a mutual connection - that agent is going to see it as a point of pride to get you more money and better terms than you have already been offered. And no, you won't offend the publisher. They all - without exception - expect to work with agents 99% of the time. Most much prefer doing business with someone who knows which clauses are likely to be negotiable, and which represent standard industry practice, more or less graven in stone for all but authors with a great deal of clout.

We were reminded of this because at the moment we've been corresponding with a long-time writer who is in precisely that situation, and having gotten a Customized Fingerprint from us, can't now see why he should take this virtually done deal to the agent he winds up with, rather than signing this contract on his own, and getting the agent to go to market with the next project. For our response see the preceding paragraph. But also note what follows: It's just been announced that Canadian film director David Cronenberg's first novel has gone to Nicole Winstanley at Penguin Canada. She, we're told, wrote him "several months ago to inquire about whether or not he'd consider writing a novel." Apparently Cronenberg had one in mind if not underway.

He did not, however, fall into Penguin's open arms. The sale has been

reported as being made by Andrew Wylie. (Think Philip Roth, the late Norman Mailer, Elmore Leonard, Larry McMurtry, et much al.) Meaning that Cronenberg - who does not appear to have previously been represented by the agent - asked Wylie to negotiate with Penguin. The agent did better than that. He set up an auction and Penguin was forced to take the book as a pre-empt, no doubt for decent money, to avoid having to bid against other publishers. The book meanwhile sounds as if it's not yet written. Publication is scheduled for early 2010.

Any odds you care to name says the illustrious (or notorious, depending on your pov) Mr. Wylie got Cronenberg a better deal than he could have gotten for himself. Never mind that as a director he is no doubt accustomed to negotiating in the world of film.

## GREEN THING

Sometimes some things are more important than even a book contract. We know a writer in London who recently told his publisher he simply couldn't finish the book on any kind of deadline because he was helping to save the planet. (Though he was much more unassuming than that.)

We're speaking of Andy Hobsbawm, one of the founding principals behind a super site called [Do The Green Thing](#). It's powered by creativity seeking to change the behavior of us all, and based on the simple principle that this is an emergency, and the net is the easiest, most effective way to reach millions of people. If you're concerned about climate change - and you should be - you should definitely visit. No, you won't have to give up your current contract. Remember Martina Navratilova's story when a reporter asked her why when in training she ate only the white of a nicely fried egg: "The hen is involved, but the pig is committed." Like Martina, Andy decided to be a pig. You can be a hen and go take a look.

## THE SCREENWRITERS STRIKE

It is a constant puzzle that the Writers Guild of America, largely writers for film and TV, has managed to bind their members into such effective solidarity, while the Authors Guild serving writers of book-length works, has never managed to achieve the same unity or effectiveness. (Yes, we know about the Writers Union and certainly the ASJA, but neither of them have anything like the same clout either.)

Partly it's the way the different aspects of the writing profession function; partly some mysterious alchemy we don't pretend to understand. And yes, like the rest of you, we're missing new episodes of some of our favorite shows. But if ever there was a looming disaster for those of us who make our living stringing words together, the issue of electronic content is it.

The bottom line is pretty straightforward. If in the already arrived digital future - destined only to grow larger - anyone can put what we write on the Internet in any way, shape, or form without having to pay us a just and reasonable royalty, we're cooked.

That sentence began as just, reasonable, and prompt royalty. But in the book publishing world prompt is already a dead issue; we're not only cooked, we're done to a turn. But the Internet... You go, guys. You're carrying the water of us all.

Kassie Evashevski  
United Talent Agency  
9560 Wilshire Boulevard, Suite 500  
Beverly Hills, CA 90212  
310-246-6059

Eric Simonoff  
Janklow & Nesbit Associates  
445 Park Avenue, 13<sup>th</sup> Floor  
New York, NY 10022  
212-421-1700

Andrew Wylie  
The Wylie Agency, Inc.  
250 West 57th St., Suite 2114  
New York, NY 10107  
(212) 246-0069

Agent Research and Evaluation, Inc; 425 No. 20th Street, Philadelphia, PA 19130 Tel: 215-563-1867 Fax: 215-563-6797 Email: [info@agentresearch.com](mailto:info@agentresearch.com) [www.AgentResearch.com](http://www.AgentResearch.com)