

July 25, 2014



**Via UPS Next Business Day Delivery and
Via E-Mail to David.Hillman@SimonAndSchuster.com**

Mr. David Hillman, Esq.
Executive Vice President and General Counsel
Simon & Schuster, Inc.
1230 Avenue of the Americas
New York, New York, 10020

RECEIVED

JUL 28 2014

S&S Legal Department

NOTICE OF COPYRIGHT INFRINGEMENT:

***The Invisible Bridge: The Fall of Nixon and the Rise of Reagan,*
By Rick Perlstein**

Dear Mr. Hillman:

I represent Craig Shirley, author of the 2004 Thomas Nelson work and claimant of the copyright interest in *Reagan's Revolution: The Untold Story of the Campaign That Started It All*. I write regarding *The Invisible Bridge: The Fall of Nixon and the Rise of Reagan*, by Rick Perlstein, which I understand Simon & Schuster, Inc. has published with a release date of August 5, 2014.

As detailed below, Mr. Perlstein has infringed Mr. Shirley's copyright extensively, and in a number of ways. First, he lifts without attribution entire passages from *Reagan's Revolution*—in some instances, attempting to conceal his theft by altering words or re-ordering sentences, but in other instances not even bothering to do so. Second, he presents—again without attribution—facts and ideas Mr. Shirley first discovered and developed, recounting them instead as if they were widely known or as if he himself had discovered and developed them.

Accordingly, Mr. Shirley demands that all printed copies of *The Invisible Bridge* be withdrawn and destroyed. If Simon & Schuster decides to re-issue *The Invisible Bridge*, Mr. Shirley demands proper attribution for each and every piece of his work that Mr. Perlstein has quoted, paraphrased, used or otherwise relied upon. Likewise, digital copies should be revoked and replaced. And given the extent of the infringement—and what we believe to be its knowing and willful nature—Mr. Shirley also demands \$25 million in damages and a public apology from Simon & Schuster and Mr. Perlstein, to be run as an advertisement in/on *The Nation*, *New Republic*, *Newsweek*, *The New York Times*, *Salon*, *Slate* and *The Washington Post*.

Facts and Background

Thomas Nelson published *Reagan's Revolution* in 2004. It tells the story of Nixon's fall, the subsequent fall of the Republican Party, and the rise of Reagan, culminating in the 1976 GOP Convention in Kansas City. Mr. Shirley wrote *Reagan's Revolution* over approximately 23

months from 2003 - 2005. He conducted 104 interviews with historical figures, including then Vice President Richard Cheney, former Secretary of State, Secretary of the Treasury and White House Chief of Staff James A. Baker III, former Senator and HHS Secretary Richard Schweiker, former U.S. District Court Judge Charles Pickering, and journalists, columnists and authors such as Howard Fineman, George F. Will and Jules Witcover. He also conducted extensive original source research, including exclusive access to materials at the Reagan Library and in the private notes and files of several figures.

We know that Mr. Perlstein relied heavily on *Reagan's Revolution* when writing *The Invisible Bridge*. To begin, the arc of *The Invisible Bridge* is identical to the arc of *Reagan's Revolution*. Both books begin with the fall of Nixon, continue with the fall of the Republican Party, and build with Reagan's rise to the climactic Kansas City convention. Furthermore, as detailed below, *The Invisible Bridge* is laden with passages that were either directly lifted or sloppily paraphrased from *Reagan's Revolution*.

Even more telling, however, is the fact that Mr. Perlstein actually called Mr. Shirley to discuss the work, much like a hit-and-run driver might return to the scene of his crime or lurk in his victim's hospital lobby. Specifically, in May 2014, Mr. Perlstein called Mr. Shirley to allege that citations in *Reagan's Revolution* were inaccurate. Mr. Shirley requested a list of the citations at issue, which Mr. Perlstein failed to provide. When Mr. Shirley followed up with Mr. Perlstein to request the list again, Mr. Perlstein backtracked and told Mr. Shirley that he had determined the citations in fact were accurate.

Most recently, just this month, Mr. Shirley obtained a review copy of *The Invisible Bridge*. After realizing the book contained no bibliography, footnotes, end notes or other citations, Mr. Shirley initiated an exchange of e-mail messages in which Mr. Perlstein confessed to making a "principled decision" to omit them because he thought they were "useless except for show." (Of course, as Mr. Perlstein's May 2014 phone call to Mr. Shirley betrays, he found the notes in *Reagan's Revolution* to be quite useful.)

Whether principled or not, Mr. Perlstein's decision to infringe Mr. Shirley's work is still infringement. At bottom, there is no doubt that Mr. Perlstein knows who Mr. Shirley is, relied upon and used *Reagan's Revolution* extensively, and made a knowing and willful decision not to credit Mr. Shirley properly for his work.

Specific Examples of Infringement

We have conducted a preliminary review of *The Invisible Bridge* and uncovered a slew of infringing passages, just a few of which are presented in this letter. For instance, the following passages are lifted straight from *Reagan's Revolution* with no credit or attribution to Mr. Shirley whatsoever:



<i>Reagan's Revolution (2004)</i>	<i>The Invisible Bridge (2014)</i>
Page 326: "In 1982, White House Chief of Staff Jim Baker was in the Oval Office with President Reagan. While reminiscing about the 1976 campaign, Baker asked Reagan if he would have accepted the offer, if it had come from Ford. Seconds passed, and Reagan finally said, 'Yes, Jim, I probably would have.'"	Page 794: "However, when Jim Baker was his White House chief of staff in 1982, Reagan told him that he would have taken the running mate spot if Ford had offered it."
Page 140: "According to Keene, she said, 'That's what I like to hear.'"	Page 631: "Nancy promptly reared up with gleaming eyes: 'Now that is the kind of talk I like to hear.'"

I am aware that Mr. Perlstein has placed source notes on his website, in which he cites *Reagan's Revolution* many dozens of times. Holding aside for now the propriety of placing these notes online instead of in the book itself, in this case they only serve to underscore the intentional nature of Mr. Perlstein's infringement by highlighting the passages presented above, which are not sourced in his online notes or elsewhere.

Moreover, Mr. Perlstein's source notes also establish just how important *Reagan's Revolution* was to him as he wrote *The Invisible Bridge*. Indeed, we think it is unlikely that Mr. Perlstein even could have completed his book without Mr. Shirley's book. While the books concern the same historical figures, cover the same period in history, and share the same narrative arc, *Reagan's Revolution* was the first book to tell the story of Reagan's 1976 campaign and the Kansas City Convention—the very point to which *The Invisible Bridge* builds and then ends.

Lastly, Mr. Perlstein's blanket, backhanded reference to Mr. Shirley in the acknowledgements section of his book—he quips that Mr. Shirley "saved [him] 3.76 months of work"—is unavailing, particularly because it fails to mention *Reagan's Revolution* by name. The bottom line is that, between credited and unattributed uses, *Reagan's Revolution* comprises a substantial part of *The Invisible Bridge*—so substantial, in fact, that Mr. Perlstein should have sought to license its use.

Of course, he did not do so. Instead, he boasted to Mr. Shirley that he viewed himself as an innovator and a disruptor. Claiming the mantle of the so-called "open source" movement, Mr. Perlstein lectured Mr. Shirley in an e-mail message that "information wants to be free." In the meantime, Amazon is offering hardcover copies of *The Invisible Bridge* for pre-order at \$26.50 each.



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July 25, 2014
Page 5 of 5

Conclusion

Thank you in advance for your consideration of this letter. With a publication date of August 5, 2014, time is of the essence in this matter. Please let me know by the close of business on Wednesday, July 30, if you will meet Mr. Shirley's demands to pull *The Invisible Bridge*, apologize to him publicly, pay him monetary damages, and credit him properly in any re-issued version of the book.

Until we hear from you, our analysis of *The Invisible Bridge* will continue, and at some point likely will expand to include the other authors whose work we believe Mr. Perlstein also may have plagiarized in and to similar manners and degrees. We also are preparing to file a lawsuit, pre-publication, seeking to enjoin the sale of *The Invisible Bridge* and to vindicate Mr. Shirley's rights and remedies under the law, all of which we expressly reserve and do not waive at this time.

My contact information is listed at the bottom of the first page of this letter. Please contact me if you wish to discuss this matter.

Sincerely,



Chris Ashby

cc: Mr. Craig Shirley
Ms. Teresa Hartnett, Hartnett Inc.
Ms. Kristen Parrish, Thomas Nelson



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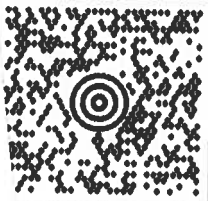
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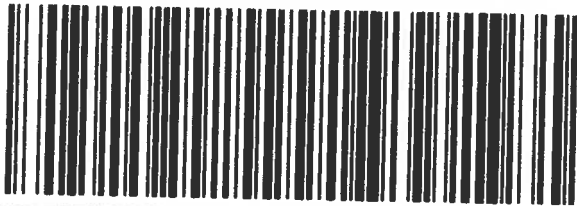
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