

June 5, 2020

via PDF

Dr. Vladimir Gurevich

[REDACTED]
Haifa 85844, Israel

Re: *Various CRC Press Books – Protection Devices and Systems for High-Voltage Applications; Electric Relays: Principals & Applications; Digital Protective Relays; Power Supply Devices and Systems of Relay Protection; Cyber and Electromagnetic Threats in Modern Relay Protection; and Electronic Devices on Discrete Components*

Dear Dr. Gurevich,

Your claims concerning royalty payments for the books noted above, as set out in your four emails of May 11, 2020, have been referred to me for review by my colleague Emmett Dages. At Mr. Dages' request, I have reviewed closely many prior emails concerning this matter. In doing so, I have sought to understand your concerns further and assess whether we have adequately responded.

From my review, I see that Mr. Dages, and Ms. Christin Harrington of our Royalties department, have already provided numerous and detailed responses to you through more than a dozen emails during the past four months.¹ Yet, in your emails of May 11, you have asked for another response and have indicated a very specific format in which you would like to have it. **We decline to provide yet another iteration of responses (in the format you have now requested)** but I will instead direct you, through this letter, to key prior correspondence on this matter:

To begin with, I want to acknowledge that your concerns or "claims" arise from an email from our Royalties associate Stephen Kruszewski to you on September 16, 2019, which, unfortunately, contained some inaccurate sales figures for the books authored by you and published by Taylor & Francis. From this you noted where you saw a discrepancy between Royalty Statements previously provided by Taylor & Francis, and the figures reported by Mr. Kruszewski. We sincerely apologize for any misunderstanding or frustration such reporting errors have caused. We have, however, explained that all such discrepancies stemmed from that reporting error by Mr. Kruszewski, and that there has been no failure on our part to make any owed payments to you.

Based on my review of the noted prior correspondence, I see that on February 4, 2020, Mr. Dages provided you a summary email (Subject: "RE: Royalty reconciliations"). In that email, Mr. Dages stated

¹ This count is of correspondence only since January 2020, which is when you directly emailed Mr. Dages about this matter. This does not count the many prior emails between yourself and our Royalties team.

that there were three errors in Mr. Kruszewski's September 16, 2019 email, which explain the discrepancy you flagged. I restate those three errors here:

1. Mr. Kruszewski's email reported, in error, **sales made by publisher Marcel Dekker in 2003 that were not, in fact, Taylor & Francis sales**. Sales figures reported to you previously in Royalty Statements do not include these Marcel Dekker sales—nor should they, as royalty payments were never owed by Taylor & Francis for Marcel Dekker sales. Ms. Harrington further explained this to you in emails dated March 30 (with a chart she prepared) and April 16, 2020. Indeed, Taylor & Francis acquired publisher Marcel Dekker in 2004 but it acquired only its assets, not its liabilities with respect to any prior sales. Any amount owed for Marcel Dekker sales would be owed only by Marcel Dekker.²
2. Mr. Kruszewski's email reported, in error, **certain short-term e-Book rentals as "sales" that are not, in fact, sales** (and we do not treat them as such in our sales calculations). Rather, these are treated for royalties purposes as "rentals" (because they are, with technical accuracy, a *license*, not a sale). Royalties are indeed paid on any such rentals and I confirm that they have been paid to you—they are included on your Royalty Statements within the calculation of net sales (but do not appear on a per-unit basis). I see that both Mr. Dages and Ms. Harrington answered your questions about this by various emails on April 15-16, 2020.
3. Mr. Kruszewski's email reported, in error, **"Post royalty statement" 2019 sales**. Upon running a sales report as of the date Mr. Kruszewski sent the email, such report would have included sales made during the then-current sales period but which would not yet have appeared on a previously issued Royalty Statement.³

Consistently in prior correspondence with you, Taylor & Francis has taken the position—and I take the same position today in this letter—that we have paid you all royalty amounts currently due to you.⁴

Your questions have been extensive and we have made every reasonable effort, with much diligence on our part in reviewing and re-reviewing relevant sales figures, to answer those questions. We have resupplied Royalty Statements and provided data in alternative formats. All of this has been in a good faith effort to explain what was ultimately an unfortunate error by a member of our Royalties team.

I hope you will see that we have done our very best to explain that error and assure you of the accuracy of the numbers formally reported to you by your Royalty Statements. However, from this point we must decline to continue this dialogue with you. If you do in fact engage an attorney to pursue any claims against Taylor & Francis, please share with him or her my contact information and I will follow up promptly.

² Further, we are surprised to hear this claim from you now, about 17 years after any such amounts would have been owed to you by Marcel Dekker. We do not have any record of your raising this concern previously.

³ You received, and will continue to receive, Royalty Statements and any payments that are due for each of the six books authored by you and published by Taylor & Francis according to the schedule designated in each of our contracts with you.

⁴ This statement is as of the date of this letter; further royalty payments will, of course, be owed after new sales or rentals of your books are made. Such payments will be issued according to the schedule designated in each of our contracts with you.

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Again, you have our sincere apologies for the error that led to this challenging exchange over the past months. We are hopeful we can now move past this together.

Kind regards,

A handwritten signature in blue ink, appearing to read "Corinne Militello".

Corinne Militello
Vice President & Assistant General Counsel