

EXHIBIT H

JD Salinger considers legal action to stop *The Catcher in the Rye* sequel

Agents for Jerome David "JD" Salinger, the famously reclusive and litigious author, are consulting lawyers about the publication in Britain next month of an unauthorised sequel to "The Catcher in the Rye".

By Philip Sherwell in New York
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Salinger's 1951 classic told the story of Holden Caulfield, a 16-year-old anti-hero whose teenage angst, alienation and observations have captivated generations of readers.

The new book "60 Years Later: Coming Through the Rye", written by a Swedish-American debut novelist, features a 76-year-old "Mr C".



John David California the New York based author of the new sequel to the *Catcher in the Rye*
Photo: JULIAN SIMMONDS

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Just as Mr Salinger's book involved the young Caulfield's reminiscences about his time wandering the streets of New York City after expulsion from an elite prep school, the new version sees Mr C musing in similar vein after escaping his nursing home to roam the same terrain.

A Salinger figure even makes an appearance in "60 Years Later" in an imaginary encounter with a hermit writer. And the book is dedicated to JD Salinger with the provocative message "the most terrific liar you ever saw in your

life".

Author John David California, whose previous jobs include a stint as a gravedigger, said the message was described as a Caulfield-style tribute to a "great inspiration". He added: "He's a great writer who influenced the entire world with the words he made up. It's a tribute the way Holden would have said it."

Mr Salinger, 90, who has lived in isolation in rural New Hampshire for more than half a century, making just one brief public comment in that time, has unsurprisingly offered no thoughts on this unsought homage to his work. Ironically, by instructing lawyers, he may simply have given it unintended publicity./

Phyllis Westberg, his literary agent at Harold Ober Associates in New York, told the Sunday Telegraph: "The matter has been turned over to a lawyer." She declined to comment further.

Despite the clear parallels, Mr California and his publishers said they were confident that the new book would not encounter legal problems.

"The stories are so different that I don't think you can argue this is a sequel," Mr California said. "This is such an American response. It's just words. I have written about Mr C, a 76-year-old man. Salinger wrote a book about a 16-year-old named Holden Caulfield. It's a story about growing old and old age and finding yourself in the world."

But the lawyers consulted by Mr Salinger's agents are expected to be studying the new text for signs of use of copyrighted characters and writing style.

Mr Salinger has not been shy about resorting to legal action in the past. He has blocked publication of his own writings, and in 1986 sued to stop the release of a biography by British writer Ian Hamilton, featuring letters he had written to friends. The book was published in 1988 with the letters paraphrased.

Mr Salinger has allowed none of his own work to be published since a 1965 novella. But close family and former lovers have disclosed that he written profusely since disappearing from public view, completing an unknown number of novels and short stories.

Joyce Maynard, who had a one year relationship with him in 1972 when she was aged 18, said he wrote every morning and had completed two further novels by then. Mr Salinger lives now with his third wife Colleen O'Neill, 40 years his junior.

In 1974, in his last public comments, he told *The New York Times* that there was "marvellous peace in not publishing". He added: "I like to write. I love to write. But I write just for myself and my own pleasure...I'm known as a strange, aloof kind of man. But all I'm doing is trying to protect myself and my view."

In literary circles, the few details known about Mr California and the new imprint Windupbird Publishing - which is releasing the book on June 25 in Britain and August in the US - prompted speculation that the project might be a stunt.

The Sunday Telegraph has, however, received a copy of the book, and both the writer and publishers insist that "60 Years Later" is a genuine literary effort.

Mr California's own name, provenance and date of birth - April Fool's Day in 1976 - aroused some suspicions. "I can see why people might be sceptical but I really was born on April 1st," he said, laughing.

"My initials really are JD, my first names are John David and I changed my last name to California. That's what's in my passport."

He was born in California to a Swedish mother and American father, growing up in Sweden after his parents split. He said his previous jobs included digging graves and cutting grass at a cemetery and working in a hotel and

shoe store, before he turned to writing.

The name and roots of Windupbird Publishing also raised eyebrows. The phrase "wind up" has obvious connotations, while *The Wind-Up Bird Chronicle* is a book by Japanese writer Haruki Murakami that features a Caulfield-style teenage protagonist.

The imprint is a new spin-off of Nicotext, a Swedish-based publisher of humour books such as "The Macho Man's (bad) joke book" and "Stupedia: The most useless facts on Wikipedia".

"But this is no spoof," said Windupbird's Fredrik Colting. "We are not concerned about any legal issues. We think '60 Years Later' is a very original story that compliments 'Catcher in the Rye'.

"We have not heard from Salinger's US agent or representatives. We've received one email from Salinger's British agent [Aitken Alexander], referred to us from our agent, saying they had a hard time locating the publisher. We replied to that, giving all our contact info and haven't heard anything since."