**Picking up from where the website “Looking Into Infinity” leaves off.** (http://metzlerstuff.com/LookingintoInfinity.html)

**2016** cont’d >>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

From: Arthur Gutch art@infinitypublishing.com Aug 2, 2016

To: Bo, Marc

Bo-

Good morning.

As discussed, we reviewing your questions below and would like to suggest a call for Friday at 9AM to provide some answers.

Let us know if that works for you.

Best,

Art

From: Bo Aug 3, 2016

To: Art

We need to figure out how to get a better connection for the phone calls.

Here is the problem - from my point of view.

I assume you know how walkie talkies work:

you push a button and talk, and the other person can't be heard until you let go of the button.

That is how it is on my end.

You talk, and I am trying to break in, but you keep talking and don't hear me.

It's like you have your button pressed.

In our last conversation, as you went on and on about figuring out how we could change the narrative and find a way to work together,   
I was trying to interject my opinion. I was trying to interrupt you, sometimes whistling and even yelling. But you didn't hear me -

until you took a long enough breath that I could finally get a word in. But then you would say "let me finish." And then you would go on and on again, until you took a long enough breath/pause, that I could finally break in.

I don't know why or how this is happening, but it is frustrating to the point of being infuriating.

Part of the reason I was so angry.

So . . . is there another way to call you other than your conference call system?

Bo

From: Bo Aug 4, 2016

To: Art

I will call at 8AM Friday - your time.

From: Arthur Aug 4, 2016

To: Bo

Bo-

Our office opens at 9AM. Are you able to make that time work?

Art

FROM: Bo Aug 4, 2016

TO: Art

why has it been 8am other times?

FROM: Arthur Gutch agutch@gmail.com Aug 4, 2016

TO: Bo

Bo-

I can’t do it tomorrow morning at 8AM. If I handle the first part of the call Marc can join us possibly towards the end of the call.

If you want 8AM possibly Wed or Thursday of next week?

Let me know.

Best,

Art

FROM: Arthur Gutch art@infinitypublishing.com Aug 5, 2016

TO: Bo, Marc

Bo-

So, I dropped the ball on this one...I have an author that was scheduled to meet me tomorrow morning from California.

My apologies.

But maybe this will work out to be better, I asked Marc if he could get in early on Tuesday next week so we could meet at 8AM.ET...does that work for you?

Thanks,

Art

FROM: Bo Aug 5, 2016

To: Art

Tuesday is fine with me.

ROYALTY STATEMENT SENT/RECEIVED Aug 6, 2016

FROM: Marc Histand <marc@infinitypublishing.com> Aug 9, 2016

TO: Bo, Art

Hello Bo,

I have attached a royalty statement that I believe will be more acceptable then the last statement sent to you today. The previous statement only shows amount earned through April 30th, but not the amount cut in checks. The royalty statement attached to this email includes both of those items. We have sent all processed checks out and the contact we have on file with you should receive the check any day now.

We are looking forward to following up with you tomorrow morning to answer all of your questions fully.

 Regards,

Marc

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

FROM: Bo Aug 6th, 2016

TO: EZ2C Targets Sales sales@ez2ctargets.com (Mark Gregory previous Infinity owner),  
 lindee@lrochelle.com

Mark and Lindee,  
  
I have created a website to tell the story of what I have experienced over the last year - trying to solve my account and statement problems with Infinity Publishing.

You are given a special, private preview of this website BEFORE I publish it online.

I would appreciate your opinion.  
  
http://metzlerstuff.com/LookingintoInfinity.html

Bo

FROM: LinDee Rochelle - lindee@lrochelle.com Aug 7, 2016

TO: Bo

Hello Bo,

I'm still jammed, trying to finish/publish my book by mid-Sept., but - because I believe in what you're doing, I quickly reviewed your website. Bravo!

A couple of items:

*This brought me into contact with the new CEO of Infinity, Arthur Gutch, who used to work under Tom and Mark Gregory.*

     Actually, Art never *worked* under/for Tom and Mark. He dabbled in the company to learn its inner workings, but not as an employee. Art and several others (Mariella, Scott [an attorney], et al) formed an investment group and purchased the company. Tom left immediately, and Mark stayed on for a year or two. He was "employed" by Art.

I believe that in the past year, all of other partners have left and Art runs IP (if not owns it) on his own.  I could be wrong about that, but I know the other partners were pretty fed up with him, too; they may be silent partners now, It doesn't really matter - they were all only interested in bottom line and I am convinced Mariella (as CFO) was/is as crooked as Art.

FYI: This heading came *after* the section that is headed "We talked on July 22nd." Did you mean July 23rd?

On June 23rd,   
*I sent another inquiry e-mail to the School District who purchased 125 copies of my book in June of 2015.*

Personally, I vote for this option:

*OR to stop this game now, and launch this website*

My suggestion is to request that Infinity cease publication of your book; wait 30 days; after the 30 days, advise Amazon that you have requested IP cease publishing your book (they'll need physical proof), and ask Amazon to OK you to publish directly through their CreateSpace (print platform) and Kindle (ebook platform) programs. All sales and royalties will be available to you, directly.

On the website, I also suggest that you ask if other Infinity authors (past and present) would like to be on your mailing list for updates, to commiserate, and to explore action options. Give them a place to offer their email address.

If you don't mind, I'd like to send this pre-launch website link to John Harnish - former VP/Dir. of Author Relations (under Tom and Mark).

Infinity is a mess. While you don't want to harm other authors, trust me, they are already being harmed by Art & gang. I doubt any of us are getting proper royalties. I gave up trying to talk with Art; as I mentioned before, the only reason I have not ceased publication with them, is I am focused on finishing the current book. When I publish it, I will remove the 1st book from Infinity and publish both with Amazon.

Thank you so much for keeping me in the loop with your actions. I wholeheartedly endorse your efforts.

Best wishes,

LinDee

FROM: Bo Aug 7, 2016

TO: Lindee

Hi Lindee,

Thanks for getting back to me so quickly.

When you have the time, I would appreciate it if you would expound on these bits from your email:  
  
Actually, Art never worked under/for Tom and Mark. He dabbled in the company to learn its inner workings, but not as an employee. Art and several others (Mariella, Scott [an attorney], et al) formed an investment group and purchased the company. Tom left immediately, and Mark stayed on for a year or two. He was "employed" by Art.  
   
I believe that in the past year, all of other other partners have left and Art runs IP (if not owns it) on his own.  I could be wrong about that, but I know the other partners were pretty fed up with him, too; they may be silent partners now, It doesn't really matter - they were all only interested in bottom line and I am convinced Mariella (as CFO) was/is as crooked as Art.

I need details, last names, Why did they buy Infinity? Was it a leveraged buy? Were Tom and Mark wanting to sell?

What does "dabbled in the company to learn its inner workings" mean? How does one get to "dabble" in someone's company to learn inner details?

What other partners are fed up with Art? Names.

Tell me all you know.

Yes you may send the link to John Harnish. Please tell him it is not for public view - yet.

Also, we need to start compiling an email list of Authors to be able to send this to when the time is right.

And a list of former disgruntled employees - with email addresses

I have heard not so good things about CreateSpace.  
  
http://writersweekly.com/angela-desk/createspace-complaints

Wishing you well on your book.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

FROM: Mark Gregory Aug 8, 2016

TO: Bo

Bo

I can no longer help you in any fashion.

I WOULD STRONGLY recommend you remove actual names, including mine, from any public documents.

I wish you the best of luck.

Mark

FROM: Bo Aug 9, 2016

TO: Mark Gregory

Mark,

I really don't know what to say to you.

You haven't really helped me, except introduce me to Lindee, and say you can't talk about anything.

How is that help? What is it that you "can't do" anymore?

I am only trying to get my account at Infinity cleaned up and on track. And I am meeting resistance and incompetence every step of the way.

I believe Infinity Authors deserve to know about what has happened to me, so they can be on guard as it pertains to their own accounts.

I am telling my story as an informational resource for all Authors.

I thought you would care about the Infinity Authors.

I have never made accusations regarding fraudulent activities.

It is not my intention to go there.

However,

I presume you are aware that if you know something about illegal activities at Infinity, and you keep quiet about them, pretending you "can't talk" due to a Non-Disclosure Agreement, that you could be implicated as an accessory.

I urge you to learn about the Whistle Blower laws and how they protect people in your situation.

I am not the bad guy here.

I urge you to help the Infinity Authors.

FROM: EZ2C Targets Sales sales@ez2ctargets.com (Mark Gregory) Aug 9, 2016

TO: Bo

Bo

I have been nice.... Until now.

I moved on, not by my choice.

I have absolutely positively nothing to do with infinity for years and years.

You think I do but I don't!!!!!!!!

I told you to get another publisher that was help that you did not want.

I gave you to Lindee, she knows more than I do.

I know you think you are correct but using names in one sided explanations is something no law student would even recommend.

I request for the last time you remove my name from any public documents.

If you don't know what to say to me.... Say nothing

FROM: Bo Aug 9, 2016

To: EZ2C Targets Sales sales@ez2ctargets.com (Mark Gregory)

I never said you have anything to do with current Infinity behavior.

I only said that you may know about what they "might" be doing.

There is no reason for you to have signed Non-discosure, unless there were things they didn't want to get out (and I am not talking about authors personal info).

It's not one-sided explanations. It is ALL of the emails between me and Art and Marc. How is that "one-sided?"

If you have nothing to hide - why do you want to hide?

Why did you move on?

Was this a forced take-over?

You are clearly not the man of character that I thought you were.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

FROM: Bo Aug 9, 2016

TO: ART

You have not confirmed the time I should call.  
  
We have several loose ends to tie up.

Please have appropriate documents in front of you for reference.   
(See attached Statements)

1) My email reaction/analysis of what Marc sent to me after our first three way conversation - which was never replied to (July 5th). What he sent to me was "supposed" to answer and explain how he has paid my arrears Royalties - It didn't.

2) My email to Art, regarding my take-away of the July 5th call. Sent on July 8th.

3) The "JULY 15 ROYALTY STATEMENT REPRESENTING MARCH 2016 SALES" that went to my SPAM folder. COMPARED TO the "Royalty Statement re-send" that came to my mailbox lamenting that my email address was "not recognized" ant longer. Referring to my email analysis sent July 25th.   
(Referring to Documents 4 & 5 attached)

4) The recent Statement Titled: AUGUST 5TH ROYALTY STATEMENT REPRESENTING SALES JANUARY 2016 - APRIL 2016 (received 8/6) and then another "Re-Send" (received today - 8/9 your 8/8).

(Referring to Documents 6 & 7 attached)

5) Why do I have no sales recorded for January - on any Statement - when Amazon says I sold 31 books???  Except, you said "April Sales are really for January" but you also said "April Sales represent a fake sale" to pay my arrears.

(Referring to Documents 1 thru 7 attached)

and IF we have time . . .

6) Email to my Author Page: the one from my friend has not yet been received.  
The one from Art seems like it was sent from his own email address (is that how it works?)  
And questions to Gold Support have STILL not yet been attended to or even acknowledged.

And I cannot change the description of my book on my Author Page.

Please let us have no diversion from this agenda.

Bo

FROM: Art Aug 9, 2016

TO: Bo

Bo-

Lets use this number for our 8AM call:

1-267-930-4000

Pass: 986 242 741

Best,

Art

Arthur Q. Gutch  
Phone: 01(978)-440-7502  
CEL: 978-460-1600

LONG PHONE CALL 8/9/2016

FROM: Bo Aug 19, 2016

TO: Arthur Gutch <agutch@gmail.com>,  
 Arthur Gutch <art@infinitypublishing.com>

Art,

It is close to being Fall Semester at Youngstown University.

Please tell me who Ellen and Suzanne need to order my books from - so that the order gets processed and shipped ASAP.

I don't want another 33 Book Fiasco.

Bo

P.S. - still waiting for your replay to my email regarding Amazon

NO REPLY

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

FROM: DON LITTLE ddlittlesr@yahoo.com Aug 21, 2016

TO: Bo

Dear Mr. Metzler,

You do not know me. Lindee I believe you know and she referred me to you.  Frankly I am blowing off steam about Infinity Publishing but she is too and she tells me you are as well and you may be going to do something.  I hope so.

My book, "Cowboy Food" a chili cook book has been published by Infinity and has been on the market world wide for about four or five years.  It is not a big seller but it is a steady seller (per Infinity and Amazon).  I have received few reports from Infinity (sporadically) and most of them show sales just under their mark where they will send a royalty check.  Sound familiar?

Amazon tells me the book is selling but I have not been able to get an exact count of sales from them.  Of course there are other markets and I have no idea what the sales are from those.

I just received a sales report from Infinity showing the sales over the minimum amount required.  I have not received a check however and I doubt that I will.  I have also written to them to purchase some books and they do not respond.  I called them about nine months ago to purchase books and again they gave me no info and refused to commit or sell the books to me.

In my opinion they are very crooked.  About a year ago I wrote to them and called them and told them to stop selling the book and to return all of my materials.  They did not respond and are continuing to sell my book.

I am very interested to see if there is anything we can do.  There are more authors suffering the same fate per Lindee.  I am sure she must be correct.

Any Ideas?

FROM: Bo Aug 21, 2016

TO: DON LITTLE

Thanks for writing and sharing your story. I am sure it is longer and more complicated.

I am looking forward to hearing from as many Infinity Authors as possible with their stories.

I want to collect an unexplained amount of criticism against Infinity.

Right now they blow individual authors off (by not answering calls and emails) and make excuses that they have had staff changes which have resulted in not responding. It is hard to prove they are skimming our royalties, but this is certainly possible.

I will keep your email.

If you know other Infinity Authors with similar or different complaints, encourage them to write to me.

I am considering publishing a website which will expose everything. It is important that I have as many authors as possible, with unaddressed complaints, to override their lame excuses.

Thanks

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

FROM: Bo

TO: Talmadge, Suzanne J." <suzanne.j.talmadge@ssa.gov>, Aug 22, 2016  
 Ellen J <ellenejones@gmail.com

Hello,

It is nearing Fall Semester.

Just wanted to check in to see if you (Ellen) were planning to use my book again.

I have already alerted Infinity that a new order may be placed via

Sara Matz (sara@infinitypublishing.con) or by (610) 941-9999 ext 11.

Please let me know when you proceed with the order, so that I can track it as well.

Hope your summers were great.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Mon, 22 Aug 2016

Subject: Re: Checks

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Marc,

When did you say the Statements for May sales will be sent?

Bo

Date: Mon, 22 Aug 2016

From: "Marc Histand" <marc@infinitypublishing.com>

To: "'Bo Metzler'" <bometzler@gmail.com>

Subject: RE: Checks

Bo,

I'll have May and June numbers within the next week. Finalizing both months to get myself back to-date on statements.

Regards,

Marc Histand

Client Services Manager

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Tue, 23 Aug 2016

Subject: Amazon conundrum

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <art@infinitypublishing.com>, Arthur Gutch <agutch@gmail.com>

Still waiting for your reply to my email about Amazon.

Sent on Aug 17th.

Bo

Date: Fri, 26 Aug 2016

Subject: Print /Ship

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <art@infinitypublishing.com>, Arthur Gutch <agutch@gmail.com>

How much does it cost for Amazon to print and ship our books?

How about Ingram?

How about Barnes & Noble?

How about Infinity?

Bo

## AUGUST 31ST ROYALTY STATEMENT REPRESENTING MAY AND JUNE 2016 SALES Sept 1, 2016

Date: Thu, 1 Sep 2016

Subject: Ebooks

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <art@infinitypublishing.com>, Arthur Gutch <agutch@gmail.com>

Who sells / distributes our Ebooks?

How much do they make - for literally emailing a file,

versus how much we make ($4.53 - $4.66)?

What is retail for Ebooks?

Are Ebooks sold under a wholesale pricing system?

Bo

Date: Thu, 1 Sep 2016

From: Arthur Gutch <agutch@gmail.com>

Subject: Re: Ebooks

To: Bo Metzler <bometzler@gmail.com>

Cc: Marc Histand <marc@infinitypublishing.com>

Bo-

Just saw your last e-mail. You should do the research on pricing. By

working directly with Amazon and others and managing your own distribution

you can make more money the questions is will you make up the time you

spend to manage the details. I suggest you take a look at those channels it

may be that you can be more productive doing everything yourself?

Most eBooks are sold through Amazon then Barnes & Noble, Apple and KOBO is

probably next. In our model with Amazon, we make 70% and pay the author 70%

of that.

Hope all is well.

Art

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Thu, 1 Sep 2016

Subject: RE: May / June Statement

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch <art@infinitypublishing.com>,

Arthur Gutch <agutch@gmail.com>

Marc,

According to the previous Statement (through April), all my checks were

cut, sent and received and I had a zero balance.

I questioned the debit amount on the Statement Summary. You said that would

go away because everything is caught up.

Now I get a new, FRESH, Statement, but there is a carry over of the debit

balance and my new sales are being subtracted from the old debit amount -

resulting in ZERO Payment Due..

Why is this debit amount still lingering???

What's up, Marc??

Bo

Date: Thu, 1 Sep 2016

From: "Marc Histand" <marc@infinitypublishing.com>

To: "'Bo Metzler'" <bometzler@gmail.com>,

"'Arthur Gutch'" <art@infinitypublishing.com>,

"'Arthur Gutch'" <agutch@gmail.com>

Subject: RE: May / June Statement

Hello Bo,

Thanks for inquiring with me. It appears as the statement is showing the =

May and July checks, this amount due debit is still showing up =

(reference payments 5-1 through 9-15) As you have not earned enough for =

another check to be cut, there is no further action for the system =

resulting in an additional $0 due at this time.

Regards,

Marc Histand

Client Services Manager

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Sat, 17 Sep 2016

Subject: Fall semester

From: Bo Metzler <bometzler@gmail.com>

To: Ellen J <ellenejones@gmail.com>

Hi Ellen,

I wrote you an email nearly a month ago.

I was wondering about your plans to use my book again in your Fall semester

class.

I want to make sure the order is processed correctly this time.

Bo Metzler

Date: Fri, 16 Sep 2016

From: Ellen J <ellenejones@gmail.com>

Subject: Re: Fall semester

To: Bo Metzler <bometzler@gmail.com>

hi,

I thought I replied,sorry. I am using it and seems like the order was

fine,everyone has a copy.Thanks for checking in. Been a wild beginning of

the academic year and I am sorry I forgot to get back to you.

eej

Date: Sat, 17 Sep 2016

Subject: Re: Fall semester

From: Bo Metzler <bometzler@gmail.com>

To: Ellen J <ellenejones@gmail.com>

Great. Glad it worked out.

Can you tell me when the book order was processed? and how many books were

ordered?

Have a great year.

Feel free to keep in touch.

Bo

Date: Sat, 17 Sep 2016

From: Ellen J <ellenejones@gmail.com>

Subject: Re: Fall semester

To: Bo Metzler <bometzler@gmail.com>

Bo,

That is through the bookstore so I have no idea. You would have to ask Ms.

Fox.

eej

Date: Thu, 22 Sep 2016

Subject: Re: Fall semester

From: Bo Metzler <bometzler@gmail.com>

To: Ellen J <ellenejones@gmail.com>

I sent an email to Susanne Fox.

It was returned as "un-deliverable."

Does she not still work there?

Who else may have placed the order?

I am trying to track the order to validate my royalties.

How many books were ordered and when the order was placed.

Do you know anyone else at the bookstore who can help me?

How do Professors like yourself inform the bookstore of books that you will

need?

Thanks.

Bo

Date: Thu, 22 Sep 2016

From: Ellen J <ellenejones@gmail.com>

Subject: Re: Fall semester

To: Bo Metzler <bometzler@gmail.com>

Bo,

I don't know. It is a huge campus and the bookstore may have changed

staff. I would find the web page and call the bookstore textbook

department.

eej

Date: Fri, 23 Sep 2016

Subject: Re: Fall semester

From: Bo Metzler <bometzler@gmail.com>

To: Ellen J <ellenejones@gmail.com>

Hi again.

My being in the Philippines makes it hard to make phone calls to America,

Can you tell me how many books were ordered? I assume you had to tell the

bookstore how many to order based on the enrollment for your class.

I am sure you can, at least, tell me how many students are in your class

and possess a book.

When did the semester start?

Thanks

Bo

Date: Fri, 23 Sep 2016

From: Ellen J <ellenejones@gmail.com>

Subject: Re: Fall semester

To: Bo Metzler <bometzler@gmail.com>

No, I tell them how many people the class is capped at and they make their

own decisions about how many to order. Usually they do not order as many as

are in the class; only a percentage and they are tight lipped about what

that number might be. It is an entirely separate entity. And the bookstore

can send back ones that are not sold by a certain date usually, so they may

have placed an order of one size and returned some after drop deadline. My

best guess is that they sold around 25.

You might check author central on Amazon because some people may have

ordered from there.

Eej

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Tue, 4 Oct 2016

Subject: Royalty Statement for July

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

It is now 4 days into October.

Were we supposed to get a Statement for July Sales?

Bo

From: "Marc Histand" <marc@infinitypublishing.com>

To: "'Bo Metzler'" <bometzler@gmail.com>

Subject: RE: Royalty Statement for July

Date: Tue, 4 Oct 2016

Bo,

Did you not receive the one sent? I'm sending manual statements out today

and will include you in that transmission batch. I suppose there was another

issue with the accounting system sending you the statement.

Regards,

Marc Histand

Date: Tue, 04 Oct 2016

From: Marc Histand <marc@infinitypublishing.com>

To: "Robert A. Metzler" <bometzler@gmail.com>

Subject: September 30th Royalty Statement representing July 2016 sales

Hello,

You are receiving this email because our royalty system has attempted to send your statement and our email communication bounced-back. You will receive a royalty statement monthly. Please see below, important information regarding statements.

Hello Infinity Author:

We are writing to you as an Infinity published author entitled to receive a monthly royalty statement. The Team at Infinity remains dedicated to bringing you the leading publishing services and resources - and we are very grateful to have you as an Infinity author.

Attached please find a copy of your monthly royalty statement. This is the only record of your statement that you will be receiving. We do not send Royalty Statements out via regular mail. If you are owed a royalty check, the check is mailed separately. Royalty checks are processed when the amount of the royalty owed is $20.00 or greater.

Please note: In some cases, due to a technical error in January 2016, royalties in April posted twice resulting in a double royalty payment. If you notice that you have earned above the $20.00 threshold for a check, but have a negative balance in the =E2=80=9CTotal Amount Due=E2=80=9D section of your statement, our system is crediting itself for that total, and will continue to do-so until a 0 dollar total is accrued. We apologize for any confusion, and thank you for your understanding.

A couple of notes:

(a) If you do not wish to receive this statement in the future please email info@infinitypublishing.com: mailto:info@infinitypublishing.com with the word 'cancel' and your email address in the subject line of the email and we will immediately remove you from the list of authors receiving a statement.

(b) VERY IMPORTANT: Please do not reply to this email. This is an automated email and does not accept replies.

(c) To ensure that you receive your royalty statements each month, please add the email address statement@buybooksontheweb.com: mailto:statement@buybooksontheweb.com to your address book or contact list.

(d) The royalty statement is in a pdf format. If you cannot open the statement please go to: www.adobe.com: http://www.adobe.com and click on Get Adobe Reader. This is free software.

(e) Please print a copy of the statement that is attached for record keeping purposes. You might need a paper record of the statement for your taxes at the end of the year. It is your responsibility to keep all records for tax purposes.

Thank you very much and please visit us at www.infinitypublishing.com: http://www.infinitypublishing.com.

Marc Histand

Client Services Manager

Attachment – October 2016 Statement for July 2016 Sales

Date: Wed, 5 Oct 2016

Subject: received

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

I have received the new statement from

statement@bbotw.com

thanks

Bo

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Tue, 11 Oct 2016

Subject: Regarding July statement

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Marc,

On my July Sales Statement there is an entry for a Payment dated 10/15/2016.

This date predated the date of the Statement, and even today's date.

Either this is a typo, or you are not planning on cutting the check until

10/15.

Which is it?

And when might I receive the check?

Bo

Date: Wed, 12 Oct 2016

From: "Marc Histand" <marc@infinitypublishing.com>

To: "'Bo Metzler'" <bometzler@gmail.com>

Subject: RE: Regarding July statement

Hello Bo,

This entry is correct. The checks from the monthly statement will be printed

and cut on the 15th of the month after the statement posts. The checks will

be sent out on the 16th.

Regards,

Marc Histand

Date: Thu, 27 Oct 2016

Subject: check

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Marc,

As of yesterday, I have not received the check that was on my statement.

The check "issue" date was 10/15. It is 10/27 now.

What's up?

Bo

Date: Thu, 27 Oct 2016

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: check

To: Bo Metzler <bometzler@gmail.com>

Hi Bo,

The check was sent and it should be received any day now.

Regards,

Marc Histand

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Tue, 15 Nov 2016

Subject: Statement

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

I have not received my Statement for August sales.

Bo

Date: Tue, 15 Nov 2016

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: Statement

To: Bo Metzler <bometzler@gmail.com>

Good Morning Bo,

I have attached your latest royalty statement to this email.

I hope you have a pleasant week.

Regards,

Marc Histand

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Sun, 4 Dec 2016

Subject: late

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Hello Marc,

Once again we are into a new month and my Statement for September sales has

not arrived.

Neither has the check dated 11/15 on the last statement.

What's up?

Bo

Date: Mon, 5 Dec 2016

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: late

To: Bo Metzler <bometzler@gmail.com>

Hello Bo,

Your check is in the mail on its way to New York. We had an issue with our

check distributor and just acquired new checks recently, so they were just

printed. My apologies.

The royalty statements will go out just as soon as I can get them

completed. My goal is to have them distributed within 1-2 weeks.

Thank you for your patience.

Regards,

Marc Histand

Date, 17 Dec 2016

Subject: Re: late

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Still waiting for my statement for September sales.

Bo

Date: Mon, 19 Dec 2016

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: late

To: Bo Metzler <bometzler@gmail.com>

Bo,

Thank you for your update. I understand things are late. I am working as

quickly as possible to complete this statement.

Regards,

Marc Histand

**2017**>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Mon, 2 Jan 2017

Subject: Statements

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch

Happy New Year.

The December statement for September sales is now a month overdue.

The January statement for October sales is due now.

What's up?

Bo

Date: Wed, 4 Jan 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: Statements

To: Bo Metzler <bometzler@gmail.com>

Cc: Arthur Gutch <art@infinitypublishing.com>

Bo,

Thank you for your patience, the statement showing September sales results

will be posted Friday evening.

Regards,

Marc Histand

Fri, Jan 13, 2017,

Bo Metzler <bometzler@gmail.com>

to Marc

Statement received.

Thank you.

I hope things get easier for you soon.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Mon, Jan 30, 2017,

Bo Metzler <bometzler@gmail.com>

to Marc

How is it going with the October Statement?

Tue, Jan 31, 2017,

Marc Histand <marc@infinitypublishing.com>

to me

Good Morning Bo,

Thank you for inquiring with me. I have the whole office working to have October -- December sales closed by end of February.

I truly appreciate your patience.

Regards,

Marc Histand

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Fri, Mar 3, 2017,

Marc Histand <marc@infinitypublishing.com>

to me

Hello,

You are receiving this email because our royalty system has attempted to send your statement and our email communication bounced-back. You will receive a royalty statement monthly. Please see below, important information regarding statements.

Fri, Mar 3, 2017,

Bo Metzler <bometzler@gmail.com>

to Marc

Marc

I received your special send of the new 3 month statement.

I do not know why your royalty system gave you a bounce back.

There was nothing in my Spam folder as far back as Feb 1st.

Mar 3, 2017,

Bo Metzler <bometzler@gmail.com>

to Marc

Marc

After analyzing the new statement you just sent - for Oct. Nov. & Dec.

I wanted you to know that I did not receive check #80986 for $87.36 marked as "sent" 11/15/16.

(The last check I received was check #80833 on 10/15/16 for $26.59)

So

Will check #80986 be coming with check #81343 for $41.95 on 3/15/17? Total = $129.31??

Mar 4, 2017,

Marc Histand <marc@infinitypublishing.com>

to me

Hello Bo,

80986 was sent two days after it was printed. (11/17/16) From your inquiry, I am assuming it was lost in the mail. I'll get it re-issued for you. Please verify that the below account information is correct.

Mar 4, 2017,

Bo Metzler <bometzler@gmail.com>

to Marc

Yes, the address is correct.

Mar 4, 2017,

Marc Histand <marc@infinitypublishing.com>

to me

Thank you, Bo,

I have you on my re-issue list.

All checks will be reissued and sent within 2 weeks. We are waiting on checks to be printed and sent to us.

-----------------------------------------------------------------------------------

APRIL 3RD ROYALTY STATEMENT, REPRESENTING JANUARY 2017 SALES Apr 4, 2017

-----------------------------------------------------------------------------

Tue, Apr 4, 2017,

Bo Metzler <bometzler@gmail.com>

to Marc

On my Statement for January Sales there is an entry for 3 books sold at a Value of .01 Net Wholesale = $0.00

Please explain.

Tue, Apr 4, 2017,

Marc Histand <marc@infinitypublishing.com>

to me

Hello Bo,

It appears that UNC Chapel Hill Barnes and Noble completed a return of your books.

Regards,

Marc Histand

--------------------------------------------------------------------------------

MAY 1ST ROYALTY STATEMENT REPRESENTING FEBRUARY 2017 SALES May 2, 2017

-----------------------------------------------------------------------------------

Fri, Jun 9, 2017,

Bo Metzler <bometzler@gmail.com>

to Marc

Haven't received my June Statement for March sales.

Fri, Jun 9, 2017,

Marc Histand <marc@infinitypublishing.com>

to me

Hello Bo,

March sales are to be reported by the 15th, checks being cut immediately following the release. April sales are projected to be reported on time, at the end of this month.

I hope you have a great day.

Regards,

Marc Histand

Mon, Jun 19, 2017

Bo Metzler <bometzler@gmail.com>

to Marc

Still waiting for June Statement for March Sales

Fri, Jul 7, 2017

Bo Metzler <bometzler@gmail.com>

to Marc, Arthur

So

what's the delay story for July Statement/April sales?

Fri, Jul 7, 2017

Marc Histand <marc@infinitypublishing.com>

to Arthur, me

Hello Bo,

The statements representing April sales are scheduled to be distributed within the next two weeks. I appreciate your patience.

--

Regards,

Marc Histand

Wed, Jul 26, 2017

Bo Metzler <bometzler@gmail.com>

to Marc, Arthur

Still waiting for "July for April" Statement.

What does this mean for "August for May" Statement that is due in a week?

Wed, Jul 26, 2017

Marc Histand <marc@infinitypublishing.com>

to Arthur, me

Bo,

June and July statements will be sent at the end of the month as one combined statement. August will be out at the end of August as per our standard operating procedures.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Aug 11, 2017

Bo Metzler <bometzler@gmail.com>

to Marc, Arthur

Still waiting for you to explain - why there is a discrepancy between

1) your April/May Statement sent out last week - 3 books sold.

2) your check based on my "wondering why" query - 5 books sold

and how do I know that every other month wasn't miscounted too??

Aug 15, 2017

Marc Histand <marc@infinitypublishing.com>

to me, Arthur

Bo,

This extra sold item seems like an issue on Amazon's part. Sometimes, there are glitches between our old way of distributing to Amazon and the way we do business with Amazon now.

What I can say in regards to your royalties is that our royalty process is still currently a manual operation. We are working to improve our systems, but, even as we do research and review all royalty reporting, we are human and mistakes can happen. I apologize that this has negatively affected your royalty reporting by a small number of units.

Aug 15, 2017

Bo Metzler <bometzler@gmail.com>

to Marc

You are referring to "a small number of units" regarding this statement period.

You have not addressed the possibility that your "manual operation" and "human mistakes" might have happened before this month, and could have happened every month, and possibly have involved larger numbers of units.

AND may have effected royalty accounting and payments for hundreds of authors.

The overall result for me, this month, was infinitesimal.

The overall potential result for Infinity is that you could have taken in more money for sales and did not pay out the corresponding royalties,

resulting in an overall net profit for Infinity of hundreds, if not thousands, of dollars a month.

This is basic accounting mis-management and is inexcusable as "human mistakes can happen."

You have been at this new job of yours for some time now. When are you going to get it under control?

How can you assure ALL Infinity authors that you ALWAYS have the AUTHORS best interests at heart.

Aug 17, 2017

Marc Histand <marc@infinitypublishing.com>

to Arthur, me

Bo,

I'd be happy to investigate this and provide you with as specific report as I can. Please allow me 2 weeks to get this done.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>.

## JULY 31ST 2017 STATEMENT REPRESENTING APRIL & MAY 2017 SALES Aug 1, 2017

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Sat, Sep 16, 2017

Marc Histand <marc@infinitypublishing.com>

to me, Arthur

Hello Bo,

As you've requested additional proof that we've been handling your account correctly and have corrected any previous errors, please see the attached report showing total LTD sales for your print and eBook. These metrics were compiled directly from the distributors. I've attached your LTD royalty statement to show that these metrics do match.

I do hope this is a sufficient analysis. Please note, I've included June sales in this as well.

Regards,

Marc Histand

LTD sales report attached – Nov ’08 – 8/15/17

----------------------------------------------------------

ROYALTY STATEMENT REPRESENTING JUNE 2017 SALES Sep 16, 2017

----------------------------------------------------------

Sat, Aug 5, 2017

Bo Metzler <bometzler@gmail.com>

to Marc, Arthur

I cannot believe that I sold only 3 books over the months of April & May.

Please check.

Aug 7, 2017

Marc Histand <marc@infinitypublishing.com>

to me

Hello Bo,

I've double checked reporting from distribution and am noting that you've sold a total of five books over those two months. There are no other books recorded as sold. I'll adjust your royalties and provide an updated royalty statement as soon as possible.

Aug 8, 2017

Bo Metzler <bometzler@gmail.com>

to Marc

My Amazon Author Central says 6 books for April / May

Aug 8, 2017

Marc Histand <marc@infinitypublishing.com>

to Arthur, me

Bo,

This report comes directly from the distribution channel used to sell your book.

This is the only reporting used to calculate book sales.

Aug 9, 2017

Bo Metzler <bometzler@gmail.com>

to Marc, Arthur

You are not explaining why there is a discrepancy between

1) your April/May Statement sent out last week - 3 books sold.

2) your check based on my "wondering why" query - 5 books sold

and now

3) Amazon - 6 books sold- and your comment "This report comes directly from the distribution channel used to sell your book.

This is the only reporting used to calculate book sales."

You will not be surprised if I tell you that this makes me question the accuracy of EVERY Statement you have sent out - to me and to all Infinity Authors - ever since you took over the job.

Aug 9, 2017

Marc Histand <marc@infinitypublishing.com>

to me, Arthur

Bo,

The discrepancy lies with old books that were sold from returned books in your previous listing when Infinity distributed through Amazon Advantage. If a warehouse had previously returned books from previous Advantage orders, and that warehouse is in a closer proximity to the client than the warehouse that prints the book, Amazon will route the book in inventory to that client first.

As this book was already purchased by Amazon, and a royalty was already paid, a royalty is not collected by Infinity or the author for these orders.

I hope I've adequately explained your concern.

Date: Fri, 11 Aug 2017

Subject: Re: Book sales

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch "

Still waiting for you to explain - why there is a discrepancy between

1) your April/May Statement sent out last week - 3 books sold.

2) your check based on my "wondering why" query - 5 books sold

and how do I know that every other month wasn't miscounted too??

Bo

Date: Mon, 14 Aug 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: Book sales

To: Bo Metzler <bometzler@gmail.com>

Cc: Arthur Gutch <art@infinitypublishing.com>

Bo,

This extra sold item seems like an issue on Amazon's part. Sometimes, there

are glitches between our old way of distributing to Amazon and the way we

do business with Amazon now.

What I can say in regards to your royalties is that our royalty process is

still currently a manual operation. We are working to improve our systems,

but, even as we do research and review all royalty reporting, we are human

and mistakes can happen. I apologize that this has negatively affected your

royalty reporting by a small number of units.

Regards,

Marc Histand

Date: Tue, 15 Aug 2017

Subject: Re: Book sales

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

You are referring to "a small number of units" regarding this statement

period.

You have not addressed the possibility that your "manual operation" and

"human mistakes" \*might\* have happened \*before\* this month, and \*could\*

have happened \*every\* month, and \*possibly\* have involved \*larger\* numbers

of units.

AND may have effected royalty accounting and payments for \*hundreds of

authors\*.

The overall result for me, this month, was infinitesimal.

The overall potential result for Infinity is that you could have taken in

more money for sales and did not pay out the corresponding royalties,

resulting in an overall net profit for Infinity of hundreds, if not

thousands, of dollars a month.

This is basic accounting mis-management and is inexcusable as "human

mistakes can happen."

You have been at this new job of yours for some time now. When are you

going to get it under control?

How can you assure ALL Infinity authors that you ALWAYS have the AUTHORS

best interests at heart.

Date: Thu, 17 Aug 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: Book sales

To: Bo Metzler <bometzler@gmail.com>

Cc: Arthur Gutch <art@infinitypublishing.com>

Bo,

I'd be happy to investigate this and provide you with as specific report as

I can. Please allow me 2 weeks to get this done.

Date: Sat, 30 Sep 2017

Subject: Re: Book sales

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

I am still waiting for an updated Statement that will reflect the

discrepancy from your initial report of 3 books sold in April/May, to 5

books sold, after you "looked into it" and found a "human error."

Bo

Date: Sat, 30 Sep 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Fwd: Book sales

To: Arthur Gutch <art@infinitypublishing.com>, Bo Metzler <bometzler@gmail.com>

Hello Bo,

Forwarding what was sent August 16th. This condensed report shows that the

discrepancies have been adjusted and your reporting is now even.

Date: Sun, 1 Oct 2017

Subject: Re: Book sales

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch <art@infinitypublishing.com>

I received nothing from you on August 16th.

If you are referring to the LIFETIME SUMMARY you sent on September 16th,

where it says 3 books in April/17

and 4 books in May/17, then that would be a further adjustment to your

original Statement itemizing 3 books sold in April, 0books sold in May,

which you then stated \*should\* have been 5 after I raised the question.

While I am glad that the number keeps getting bigger, it only shows how bad

your accounting is.

A check was supposedly sent on August 15 for $21.59. But I have not

received it yet.

Was this check stopped in order for the adjustments for April/May to be

included?

When will I receive my Royalty Check.

And, BTW, the Infinity LIFETIME STATEMENT you sent was the same thing you

sent last year when trying to defend your way out of

other mistakes.

This Summary (that Infinity creates) does not prove anything except that

these are the numbers that you are "claiming" reflect my sales.

"Telling" me that the numbers come from the distribution channel statement

does not prove they are the numbers that are actually ON the distribution

channel statement.

You are still behind in all of your accounting - nothing has changed since

we communicated last year.

You need to hire more people to help you.

And you need to SHOW me the actual Statement from the distribution channel.

Bo

**Date: Fri, 13 Oct 2017**

**From: Marc Histand <marc@infinitypublishing.com>**

**Subject: What We Do -- Account**

**To: Bo Metzler <bometzler@gmail.com>**

**Cc: Arthur Gutch <art@infinitypublishing.com>**

**Hello again, Bo,**

**Thank you for sending that last email. I do appreciate you breaking**

**everything down for me. I truly apologize for some minor accounting errors**

**in the past, some which unfortunately I inherited, and one or two I may**

**have made myself. Unfortunately, in many cases human error was the result**

**and, while we thoroughly check all royalty accounting monthly as it is**

**sent, mistakes do happen. Again, I can only send you my sincerest**

**apologies for past events, however, the condensed reporting that I’ve sent**

**you most recently shows your updated account, balancing between**

**distribution reporting and our own royalty reporting.**

**I'd like to continue to manage your account, however, I simply cannot**

**provide you with the confidential reporting you are requesting.**

**As you do seem to be dissatisfied with Infinity's royalty reporting**

**structure based on our previous conversations, you may want to consider**

**terminating your contract with us.**

**If you do choose to cancel with us, please be advised of the following:**

**1. Infinity will pay out all royalties owed from previous sales not**

**yet reported. If you believe that, after receiving the updated report I**

**sent you, that you are owed further royalties, and you can provide**

**confirmation of those royalties owed, I'd be happy to issue them as well.**

**2. If you'd like to purchase your book with the Infinity Imprint,**

**we'd like to offer you a chance to have us print one more run of books at**

**your author's first order price in addition to deducting your royalty for**

**the order, so you don't have to be concerned that the royalty will be sent**

**in the future. If you are interested, please let us know by October 27th.**

**3. We will provide you with your book files, so you can feel free to**

**republish with any other indie publisher.**

**4. We will begin the process of delisting your book upon acceptance**

**of this notice. This is a time-extensive process and will be completed**

**within 3-4 months. You'll see certain results, such as delisting of your**

**BBOTW.com page immediately, Amazon will take significantly longer.**

**Again, while I'm certain I've corrected all open accounting issues, I'm**

**happy to resolve anything else that may pop-up in the future. We will**

**continue to pay your royalties on any book sold through our Imprint until**

**all inventory or POD orders have been fulfilled and your book is properly**

**delisted.**

**Regards,**

**Marc Histand**

**Date: Sat, 14 Oct 2017 08:00:18 +0800**

**Subject: Re: What We Do -- Account**

**From: Bo Metzler <bometzler@gmail.com>**

**To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch <art@infinitypublishing.com>**

**Marc (& Arthur),**

**You sound like Trump regarding Puerto Rico when he was criticized by the**

**Mayor of San Juan.**

**Instead of working to solve the needs and problems of the citizens, he**

**threatened to cut off FEMA aid.**

**I ask for proof of the numbers and all you do is say:**

**" I simply cannot provide you with the confidential reporting you are**

**requesting." (no explanation as to WHY)**

**And then you send "apologies for past events"**

**"Confidential." There should be nothing I cannot see that pertains to MY**

**book and MY account.**

**Redact everything else and send MY numbers from the distribution reports**

**(Photo copies).**

**PROVE to me you are working in my best interest.**

**OR, if you don't want to do the work, tell whomever I need to contact, from**

**wherever the distribution report is created**

**and generated, that I would like to contact them for a copy of my numbers.**

**We are not talking about United Sates National Security stuff here.**

**We are talking about MY book and MY numbers and MY business.**

**I have the right to know \*every\* detail and to see \*everything\* that you**

**see.**

**Wake up.**

**Your cloaking everything as "confidential" puts a very big suspicious light**

**on you (Infinity).**

**You do not have the right to keep details about my book secret from me -**

**neither do the distributors.**

**YOU work for ME.**

**Bo**

**NO REPLY**

Date: Sun, 22 Oct 2017

Subject: Waiting

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Still waiting for a royalty check for the months of April/May.

Bo

## NOVEMBER 1 ROYALTY STATEMENT REPRESENTING AUGUST 2017 SALES Nov 2, 2017

-------------------------------------------------------------------------------

Date: Mon, 6 Nov 2017

Subject: Accounting

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch

Marc

I have been out of town for over a week with little online access.

I am just now trying to catch up.

I received the most recent Statement for August Sales.

The "Date Printed" on the Statement was: \*11/2/2017\*

\*I HAVE NOT received a Statement for July Sales YET.\*

Therefore I cannot do an accounting check for the 4 books sold that you

discovered based on my query about sales in August (Statement said 3 then

you found 2 more then another 2 more sales - total 7 for April/May)

I have received a check (82046) for $21.59 - This does not include the 4

extra book.

\*I need a Statement for July sales\* so that I can do a running check to

verify of the extra 4 books (royalties) have been paid.

Since you have totally unique accounting methods, please tell me where you

are adding the 4 outstanding sales.

Finally - referring to the recent August Sales Statement...

How can you be selling 43 of my books for $5.26 per book to Ingram

and 10 of my books at $3.83 wholesale????

\*You are fucking giving them away!!!!\*

Everyone is making MORE money than the AUTHORS.

This is a disgrace.

Hope to hear from you soon.

Bo

NO REPLY

Date: Sun, 12 Nov 2017 From: "Infinity Publishing" noreply@infinitypublishing.com

**FLYER from Infinity**

To: bometzler@gmail.com

Subject: Infinity Production Schedule

**Thank you for your business!**

Hi Robert A.,

Recently some customers have proivided us feedback regarding longer than average wait times on their print orders. Unfortunately, setbacks with our production partners have caused a less than ideal situation. We are working diligently to repair this issue and are hoping to return to our typical lead times soon.

Due to these challenges, we would reccommend that all orders needed for the holidays be placed before 11/17/2017. We apologize for any inconvenience

and will keep you updated with any new and relevant information as it comes to us.

At Infinity, we do care about the success of all of our authors and we are working diligently to solve any issues as they arise. If you have made a purchase and are still waiting on your order, it will be shipped as soon as possible.

Please stay tuned as we will be making other announcements in the near future that will provide added benefits to all of our customers and prospective authors!

Thank you,

The Infinity Team

Let your friends know!

Date: Wed, 15 Nov 2017

From: Infinity Publishing noreply@infinitypublishing.com

**FLYER – Announcement of Merger with FastPencil**

To: bometzler@gmail.com

**Subject: Exciting news from Infinity Publishing**

Welcome to the Best of Both Worlds

Infinity has come together with FastPencil, developer of the all-in-one self-publishing solution in the cloud

Hi Robert A.:

Infinity Publishing is proud to introduce the newest, most innovative publishing solution for authors.

Since Infinity opened its doors and website 20 years ago, we have been providing you with the easiest and most comprehensive self-publishing experience, maximizing your book's exposure in our global distribution network for softcover, hardcover, eBook, and audiobook publishing.

Now, with advancements in publishing technology, we're able to take that commitment to the next level. To continue this mission and to enhance your experience, Infinity Publishing has come together and merged with FastPencil (http://info.infinitypublishing.com/e1t/sc2/MmZ-8ykLZZCW99d7y08k7TLKW8sW0NF9d-sjtW3Dxrss8KHhY3dBzP8N04 ) , developer of the leading all-in-one solution for creating, distributing and selling your print or eBook.

Here's why we're excited and what you can expect:

A new workspace for you to create and publish

- The main driver of the FastPencil Solution is called the "Write/Edit Tool." This powerful application allows you to create your book and publish directly to distribution. Or, simply import your finished manuscript directly to the application and publish. It's as easy as 1, 2, 3!

- Collaborate with others with a simple invite, and get direct feedback or editing assistance in the moment. (You approve all changes.)

A new and improved Author Dashboard

- All of your publications will live on your own Dashboard. This means you'll now be able to order your book with your designated author discount online. No need to call in and wait for a representative!

- Link directly to social media and advertise your new book on social media with just the click of a button.

- Your royalties will be presented directly on your Dashboard. No more reading through complicated royalty statements and deciphering our reporting. All royalties from our marketplace are reported in the moment and all 3rd party distributor royalties are reported quarterly.

- Your account information will live on your Dashboard and you are in control! Anytime you have an update to make to your account, make that update on your account and the change will take effect immediately.

A streamlined ordering system

- Your orders, once placed, will take 48 hours to be confirmed by the printer and the order will ship out within 5 days of that confirmation. You'll now receive email updates when the order is confirmed and when the order ships with all carrier information included. No more guessing or waiting on a representative to provide you with this information.

- Pick your shipping method! We can now offer multiple shipping methods based on your needs.

The above are just a few of the outstanding enhancements we'll be rolling out and we can't wait to get started. Here's what you, the existing Infinity Publishing Author needs to know...

Your existing publications

- For now, your existing publications will remain on Infinity's Legacy system. You'll receive more communication on this as we move forward. Each author's individual transition will be mapped internally and we'll alert you when it's your turn to make the switch. This must be done in stages to optimize the schedule and to ensure data integrity.

- You keep your imprint. Infinity will operate as your publisher and our logos and imprints will automatically be inserted.

New publications

- Whether you are an existing Infinity Author, or just about to submit your first manuscript to us, when you are ready to publish, your Author Advocate will still be there to guide you along your journey.

Change is good

While all partnerships result in change, there should always be a constant. We are dedicated to making this process as seamless as possible for all of our authors and to do that, we've ensured that our imprint, backed by twenty years of experience in the publishing industry, remains that constant.

This is all very new and you may have more than a few questions. We have answers, but there's so much to talk about and we're sure you don't want to be reading this email for the next month!

So, please visit our Knowledgebase by clicking here (http://info.infinitypublishing.com/e1t/sc2/MmZ-8ykLZZCW99d7y08k7TLKW8sW0NF9d-sjtW3Dxrss8KHhY3dBzP8P04 ) to learn all about what this powerful online application has to offer. We will be sending you addtional communications regarding our new offering and are hoping we can continue to provide lasting value to you our authors, publishers and other content providers.

We hope you are excited as we are to partner with FastPencil. Let's journey into the 21st century, together.

Warm Regards,

The Infinity Publishing Team

PS: Congratulations! Your in-depth email reading prowess has earned you a special discount on your next order, just mention "old and new" and your Advocate will apply your savings!

To speak with an Author Advocate about FastPencil, your book or your journey click below:

Call us if you need help! (http://info.infinitypublishing.com/e1t/sc2/MmZ-8=

ykLZZCW99d7y08k7TLKW8sW0NF9d-sjtW3Dxrss8KHhY3dBzP8Q04 )

Date: Thu, 16 Nov 2017

From: Infinity Publishing <noreply@infinitypublishing.com>

**FLYER**

To: bometzler@gmail.com

Subject: How to supercharge your publishing with FastPencil workspace

Save $260 on print plus eBook, wide distribution, manuscript service and ne=

w FastPencil workspace in the cloud

Keys\_to\_success\_self\_publishing\_Author.png

New FastPencil workspace adds unbeatable value to your publishing journey

Independent authors have enough tough writing choices without having to handle all the details of the publishing process.

Now Infinity eliminates more of the pain by providing the best of both worlds- the concierge servce of an Author Advocate and now a FREE personal writing workspace in the cloud.

And we are making it easy and more affordable to publish in both paperback and ebook formats:

- You'll save $260 for

- print and eBook publishing with

- custom full color cover design,

- wide distribution and our new

- specialized manuscript uploading service

All of which makes this offer an easy choice for you to take up. But only until November 30.

-----------------------------------------------------------

Date: Sun, 5 Nov 2017

To: bometzler@gmail.com

From: "Marc Histand" <marc@infinitypublishing.com>

Subject: Thank you for contacting me Re: Accounting

Hello Infinity Author,

Thank you for contacting me. I am currently out of the office, returning Wednesday, November 8th.

Upon my return to the office, all emails and voicemails will be queued and answered in the order received.

For any emergent issues, please dial (610)941-9999, option 2, and speak with customer service or, email info@infinitypublishing.com.

Regards,

Marc Histand

Date: Sat, 18 Nov 2017

Subject: Re: Thank you for contacting me Re: Accounting

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

You said you would be back on the 8th.

It is now the 18th

and you have yet to reply to my last email.

Bo

---------------------------------------------------------

Date: Mon, 20 Nov 2017

Subject: **Regarding FastPencil**

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <art@infinitypublishing.com>

Will Author royalties go up, go down or stay the same?

Will Infinity profit go up. go down, or stay the same?

Bo

**NO REPLY**

-------------------------------------------

Date: Wed, 22 Nov 2017

Subject: October Statement for July Sales

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

I never received my October Statement for July Sales.

(It was NOT in my SPAM folder either)

Please resend

Bo Metzler

Date: Wed, 22 Nov 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: October Statement for July Sales

To: Bo Metzler <bometzler@gmail.com>

Bo,

Please see attached. The royalty check earned should be delivered to the

New York address on file within the next 2 business days, if it hasn't

already arrived.

Please also see, below, an important announcement regarding the merger

between Infinity Publishing and Fast Pencil Publishing.

http://info.infinitypublishing.com/exciting-news-from-infinity-publishing-1

Regards,

Marc Histand

Attached:

## October Statement for July Sales

Date: Wed, 06 Dec 2017

To: "Robert A. Metzler" <bometzler@gmail.com>

From: statement@bbotw.com

Subject: **DECEMBER 5TH ROYALTY STATEMENT AND IMPORTANT ANNOUNCEMENT**

Hello Infinity Author:

We are writing to you as an Infinity published author entitled to receive a monthly royalty statement. The Team at Infinity remains dedicated to bringing you the leading publishing services and resources - and we are very grateful to have you as an Infinity author. Attached, please find a copy of your royalty statement.

\*\*\*EXTREMELY IMPORTANT\*\*\*

We are pleased to announce that Infinity Publishing has merged with FastPencil, Inc. the newest, most innovative publishing solution for authors.

Since Infinity opened its doors and website 20 years ago, we have been providing you with the easiest and most comprehensive self-publishing experience, maximizing your book's exposure in our global distribution network for softcover, hardcover, eBook, and audiobook publishing.

Now, with advancements in publishing technology, we're able to take that commitment to the next level. To continue this mission and to enhance your experience, Infinity Publishing has come together and merged with FastPencil, developer of the leading all-in-one solution for creating, distributing and selling your print or eBook.

Your existing publications

For now, your existing publications will remain on Infinity's Legacy system. You'll receive more communication on this as we move forward. Each author's individual transition will be mapped internally and we'll alert you when it's your turn to make the switch. This must be done in stages to optimize the schedule and to ensure data integrity.

You keep your imprint. Infinity will operate as your publisher and our logos and imprints will automatically be inserted.

New publications

Whether you are an existing Infinity Author, or just about to submit your first manuscript to us, when you are ready to publish, your Author Advocate will still be there to guide you along your journey.

Change is good

While all partnerships result in change, there should always be a constant. We are dedicated to making this process as seamless as possible for all of our authors and to do that, we've ensured that our imprint, backed by twenty years of experience in the publishing industry, remains that constant.

We hope you are excited as we are to partner with FastPencil. Let's journey into the 21st century, together.

Warm Regards,

The Infinity Publishing Team

Attached:

## DECEMBER 5TH ROYALTY STATEMENT for September sales 2017

Date: Mon, 11 Dec 2017

Subject: **Change in royalties**

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <art@infinitypublishing.com>, Arthur Gutch <agutch@gmail.com>,

Marc Histand <marc@infinitypublishing.com>

Back in February 2010 :

Ingram -- 1 unit = $7.18 value = $1.08 royalty per book

Wholesale -- 1 unit = $ 7.38 value = $1.18 per book

Now (Sept 2017)

Ingram -- 1 unit = $5.26 value = $.79 royalty per book

Wholesale -- 1 unit = $ 3.83 value = $.57 royalty per book

\*Explain the drop in royalties - since you took over Infinity.\*

Date: Mon, 11 Dec 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: Change in royalties

To: Bo Metzler <bometzler@gmail.com>

Cc: Arthur Gutch <art@infinitypublishing.com>

Hello Bo,

Your royalties will change as the cost to produce your book increases. As

your royalties represent the net sale after distribution and print fees are

removed, this will change as print prices change. We are working to keep

print costs as even as possible, as they do seem to have leveled after this

year.

You still receive 30% of the full retail price on the book for any orders

through BBOTW.com.

Regards,

Marc Histand

Date: Tue, 12 Dec 2017

Subject: Re: Change in royalties

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Did Infinity "profits" change?

Did you and Art see a decrease in your income?

Date: Tue, 12 Dec 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: Change in royalties

To: Bo Metzler <bometzler@gmail.com>

Hello Bo,

Yes. As our printing costs have risen, our net earned has also decreased.

Regards,

Marc Histand

Date: Wed, 13 Dec 2017

Subject: Re: Change in royalties

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Show me the increase in printing costs. As I understand it, Infinity

decided to job out the printing because it was cheaper than doing it

yourselves (as Mark Gregory did).

Are you and Art paid a percentage from book income? What percentage?

Or, are you paid a flat income regardless of sales?

How will taking on a partner to do all the work (FastPencil) effect our

royalties since now we will have FastPencil and you and Art taking money

from sales?

Date: Wed, 13 Dec 2017

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: Change in royalties

To: Bo Metzler <bometzler@gmail.com>

Bo,

We do not share specific printing costs with our authors. The percentage

decrease in our earnings from the printer mirror the percentage drop in

your royalties. We are still working with FastPencil on specific costing

and royalty structure. You'll receive more information on any necessary

changes to either the price or royalty structure of your book during your

transition cycle. As some negotiations with distributors and printers are

still underway. I do encourage you to review the FastPencil knowledgebase

to understand how the system works, the current royalty structure and other

information.

https://kb.fastpencil.com/hc/en-us

Regards,

Marc Histand

**From FastPencil website: https://kb.fastpencil.com/hc/en-us**

**As the distributor of record, FastPencil shares royalties with authors:**

* **80% of the net sale goes to the author**
* **20% of the net sale goes to FastPencil**

**No one ever explains what “Net Sale” is, because to receive a royalty of $0.56, the Net Sale would be only $.70. 80% of .70 = .56**

**HOW CAN THERE BE A NEW SALE OF ONLY $.70 ON A $15.95 BOOK???**

Date: Thu, 14 Dec 2017

Subject: Really?

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch <art@infinitypublishing.com>,

Arthur Gutch <agutch@gmail.com>

According to Marc (in last email)

"We do not share specific printing costs with our authors."

Really?

Is that your answer?

Are printing costs "privileged information?"

Your decision to go with FASTPENCIL was YOUR decision.

Clearly we, the authors, \*the reason for the existence of Infinity\*, had no

say in your business decision.

I realize that you think you can do whatever you want, and then hide behind

"privileged information.'"

But the business depends on the writers, and when the authors realize

that you are basically giving our books away - as well as the Infinity

business - I would guess that they might not be too happy.

Bo

**NO REPLY**

**2018**>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Wed, 10 Jan 2018

Subject: January Statement

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>

Still waiting for my January Statement for October sales

Bo Metzler

Date: Wed, 10 Jan 2018

From: Marc Histand <marc@infinitypublishing.com>

Subject: Re: January Statement

To: Bo Metzler <bometzler@gmail.com>

Bo,

This has been delayed due to the merger.

Regards,

Marc Histand

**NO STATEMENT OR ROYALTY PAYMENT**

Date: **Sun, 11 Feb 2018**

To: bometzler@gmail.com

From: "Marc Histand" <marc@infinitypublishing.com>

Subject: Thank you for contacting me Re: Statements

Hello Infinity Author,

Thank you for contacting me. Please be advised that my email has changed. Your message has been forwarded to my new email account and queued for response so there is no need to resend your email. Moving forward, please direct your emails to **mhistand@fastpencil.com**.

Thank you.

Regards,

Marc Histand

Date: Mon, 12 Feb 2018

Subject: **Email change**

From: Bo Metzler <bometzler@gmail.com>

To: mhistand@fastpencil.com, art@fastpencil.com

So

you guys think you can change your emails from Infinity to FastPencil

without an explanation and it would be OK; no big deal ??

When should we expect the email that tells us we must change our ISBN and

book covers to reflect your change in publisher?

You are proving, every day, how Infinity authors mean absolutely nothing to

you and your "business."

The constant thorn in your side

Bo Metzler

NO REPLY

STATEMENTS……………….

Date: Mon, 12 Feb 2018 10:29:36 +0800

Subject: Statements

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <marc@infinitypublishing.com>, Arthur Gutch <art@infinitypublishing.com>,

art@fastpencil.com

Missing:

January Statement for October sales

February Statement for November sales

Infinity authors need a professional explanation for this delay.

(Unless, as it seems, you don't give a shit about Infinity authors)

Remember - we hired Infinity to be our publisher.

You work for US.

The perpetual thorn in your side

Bo Metzler

Date: Mon, 12 Feb 2018

From: Marc Histand <mhistand@fastpencil.com>

Subject: Re: Statements

To: Bo Metzler <bometzler@gmail.com>

Cc: Arthur Gutch <agutch@fastpencil.com>

Hello Bo,

As we move to a new partner, we move to a new royalty system as well. We

will be providing sales figures for October, November, and December at the

end of February as we move to a quarterly reporting system.

Regards,

Marc Histand

Client Services Mgr. | FastPencil

**NOTICE HIS SIGNATURE – “Client Services Mgr. | FastPencil”**

**BTW – as of February 2019 – one year later – the Sales Report he “promised” NEVER HAPPENED!!!!!**

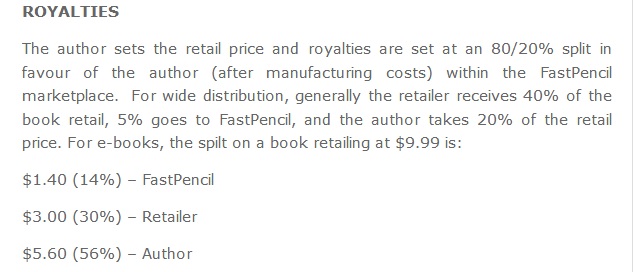
Date: Tue, 13 Feb 2018

Subject: Re: Statements

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <mhistand@fastpencil.com>

Is the "new royalty system" the one on the FastPencil website?



Date: 13, Feb, 2018

Subject: Re: Statements

To: Bo Metzler <bometzler@gmail.com>

From: Marc Histand <mhistand@fastpencil.com>

Hello Bo,

We will have more information for you regarding the specific royalty type

moving forward with your book when your grouping of authors makes the

switch to the FastPencil systems. We will determine based on book type and

costs whether the appropriate action will be to move your book to the

FastPencil royalty structure or to leave it with the Infinity royalty

structure. This will be a complex move on our end,, but our goal is to make

it as seamless as possible for our authors.

Date: Wed, 14 Feb 2018

Subject: Re: Statements

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <mhistand@fastpencil.com>

And why are YOU making the determination?

Why aren't the authors involved in the decision?

Date: Tue, 13 Feb 2018

From: Marc Histand <mhistand@fastpencil.com>

Subject: Re: Statements

To: Bo Metzler <bometzler@gmail.com>

Hello Bo,

Excuse me for mis-representing how this will work. We will present the

authors with their current royalty against the royalty they would earn as a

FastPencil author. Then each author will decide which route they'd like to

take.

Date: Wed, 14 Feb 2018

Subject: Re: Statements

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <mhistand@fastpencil.com>

Will you be comparing the FastPencil royalty against the royalty that

Infinity authors \*used\* to make.

Or will you be comparing FastPencil royalty against the recent Infinity

royalties that are HALF of what Infinity authors used to make?

And what about the difference in production/printing costs.

And any difference in distributor shares.

And don't forget to show Infinity authors the difference in yours and Arts

salary since "merging" with FastPencil, as compared with before.

Date: Tue, 13 Feb 2018

From: Marc Histand <mhistand@fastpencil.com>

19:28:13 -0500

Subject: Re: Statements

To: Bo Metzler <bometzler@gmail.com>

Cc: Arthur Gutch <agutch@fastpencil.com>

Bo,

We will be comparing royalties based on your \*current\* royalty payout per

book. This will be compared to FastPencil's \*current\* costs and royalty

structure. Production/print costs vary by book and are relative to each

author. More specifics will be shared with you when your grouping is

provided further merger instruction.

Salaries are private and will not be shared with authors.

**NOTICE: “Salaries are private” aka “privileged information”**

Date: Wed, 14 Feb 2018

Subject: Re: Statements

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <mhistand@fastpencil.com>

My "current" royalty payout has dropped, as per the September sales, from

$1.08/book to $.79/book through Ingram

and from $1.18/book to $.57/book wholesale. You blamed printing costs.

Which figures will you compare to FastPencil?

Obviously you don't believe that the earnings from the books that are

written by Infinity authors, and that PAY your salary,

should be part of a transparency that all authors should be entitled to.

What are you hiding?

**THERE WILL BE NO ACTION BASED ON THIS EMAIL CHAIN re: New Royalty Payment Method / STATEMENTS**

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

**1099**- - - - - - - - - - -

Date: Wed, 21 Feb 2018

Subject: 1099

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <mhistand@fastpencil.com>

Will our 1099's be ready in time for us to file our taxes?

Bo

Date: Wed, 21 Feb 2018

From: Marc Histand <mhistand@fastpencil.com>

Subject: Re: 1099

To: Bo Metzler <bometzler@gmail.com>

Bo,

Yours will be delivered to the NY address within 5 business days.

Marc

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

**First Letter to Pennsylvania Attorney General - Shapiro**

Josh Shapiro - Attorney General

Pennsylvania Office of Attorney General

Strawberry Square

Harrisburg, PA 17120 2/23/18

Dear Attorney General Shapiro,

I am writing to you regarding what I believe to be a flagrant case of fraud that is being knowingly and intentionally perpetrated by **Infinity Publishing**, an Independent Print on Demand (POD) Publisher located in Pennsylvania.

The “victims” of the fraud are the 4000+ authors who have written 7000+ books that are “published” by **Infinity**. My book was published in 2008. I believe we are being scammed by the current **Infinity** “publishers,” by way of false and secretive sales reports, resulting in monthly royalty shortages.

**Infinity Publishing** is located at 1094 New Dehaven St. Suite 100, West Conshohocken, PA 19428. The two people who are at the center of my concerns are Arthur Gutch (Publisher/CEO) who bought the company in 2010 and Marc Histand (Client Services Manager) who was promoted to replace his predecessor in February 2016.

My suspicions began to fester in 2014 when I contacted **Infinity** about some zero royalty statements and some book delivery problems that I was having. I was shocked to learn that the original owner, Mark (with a “k”) Gregory had sold the business to Arthur in 2010. I also found out that Mark signed a Non-Disclosure Agreement upon his exit from the company that he founded.

I tried, at great length, for nearly 3 years, to hash out my various concerns with Arthur and Marc (with a “c”). But I struggled with their diversion, denial and lame excuses. When all else failed, in the face of my confrontations, they resorted to silence.

They have also resorted to “letting go” several (if not all) of the original **Infinity** staff members (who also signed Non-Disclosure Agreements).

Eventually, I settled my specific problems from back then, but I began to think about the experience I just went through. It is my feeling that Marc, under the direction of Arthur, is skimming royalties and absorbing the windfall back into company which both Arthur and Marc profit from.

**Imagine:** There are 7000+ book titles “published” by **Infinity**. The average royalty per book sold is $1.00. If only one copy of each book is not reported on each author’s royalty statement, it means $7000 is not being paid out to authors in royalties – EVERY month! Thant’s $84,000 per year.

Obviously some books sell more than one copy. Some books sell dozens. Some even sell in the hundreds. You can imagine the math. If the sales of the big selling books are shorted 2 or 4 or even more copies on the ledger, then some authors get shorted $2 or $4 or more $ in royalties for those books. And suddenly the skim is greater – much greater – than $7000 per month. That’s a lot of money for Arthur and Marc – and there is NO ONE monitoring the situation from the author's point of view. The owners view is that it is their business and they can do what they want and don’t have to explain or share anything. They forget that the authors hired the publisher. They work for us. On top of it all, there are no State or Federal regulations covering POD Publishers regarding openness, transparency and oversight.

In fact, I offered to analyze the accounting back in 2015, when I had my questions about how the numbers were being handled on my book. I was emphatically told that was NOT going to happen. They claimed “privileged information.”

I offered again, recently. Same reply.

So, if that isn’t enough to warrant an investigation, then add on this recent development.

What pushes me to write to you now is the recent precarious and foreboding turn of events at **Infinity**. It revolves around **Infinity** “merging” with FastPencil (another POD Publisher located in Campbell, CA) to join forces “for the benefit of the authors.”

In September, I inquired about this POD marriage and a not so coincidental drop in my per book royalties from $1 to $.50), the reply from Marc was: “the drop in royalty was attributed to a rise in printing costs.” When I asked what the printing costs were, Marc’s answer was: "We do not share specific printing costs with our authors." Really?

(I can share with you this email chain if you are interested.)

When you think about it, the merger is very interesting in that **Infinity** is basically giving up the accounting and management of all **Infinity** book accounts to FastPencil (over time), so that they (Arthur and Marc) would have less (if anything) to do, but would continue, undoubtedly, to pull a percentage of the sales OF ALL **Infinity** imprinted books. I confronted them about this earlier this month and they did not respond. Not one author was consulted about this merger. I believe most have no idea it’s happing or what the ramifications are.

They have also, once last year and once recently, suggested I re-publish my book with a different POD Publisher (If I am not happy with **Infinity**).

This requires starting from scratch, getting a new ISBN number, a new title and book cover – and paying for it all again.

This might be fine for authors of fiction novels and their usual one shot bookshelf sales. But my book just happens to be a quasi-textbook about theatre. Some of my buyers are professors who use the book in their theatre classes semester after semester. I don’t even

know who they all are. How are they going to be able to start using my “new” book with a new title if I can’t inform them that I have changed publishers??

There is so much more to tell you, but I think you can see what this is all about.

We can talk about continued mistakes on my statements; late statements; the sudden drop in royalties per book; their failure to answer my questions; and mysteriously, the change in Art and Marc’s email from @infinity.com to @fastpencil.com.

I have sent you this snail mail letter via my son who lives in New York. My wife and I are currently living in the Philippines where she is from.

It would be best if we could communicate via email. Mine is bometzler@gmail.com.

I can also call you if you prefer.

I hope you are interested in pursuing this. There really needs to be a full scale multiyear audit.

You can visit a website I created for the purpose of communicating with other **Infinity** authors. I have not made the website public yet. There is a lot to read and it will give you a fuller explanation of how things started 3 years ago and how things have gotten to where they are today. *http://www.metzlerstuff.com/LookingintoInfinity.html*

I look forward to hearing from you.

!!!bosignature

Bo Metzler

P.S. Aside from being and author, I graduated college with a Bachelor’s Degree in Education with a major in Math. I didn’t teach. I didn’t do Math. I had a career as a Broadway stagehand until I fell and ruptured discs in my neck, causing me to retire on disability in 2006 at the age of 56.

My book is about my experiences in the theatre -- **What We Do - Working in the Theatre** *http://www.whatwedo-book.com*

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

1099

Date: Tue, 27 Feb 2018

Subject: 1099

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <mhistand@fastpencil.com>

From January through September 2017, I earned $110.53 (according to your statements).

Obviously the last three months of 2017 are not included on the 1099.

So, how do you explain the amount of $141.28 - a difference of 30.75?

Certainly you didn't include any income from 2016. Right?

And

looking forward

Are you going to put Oct-Dec 2017 on next years 1099?

And

Are you going to do the quarterly statements in a way so that Oct-Dec 2018

will be reported on the 2018 1099?

Bo

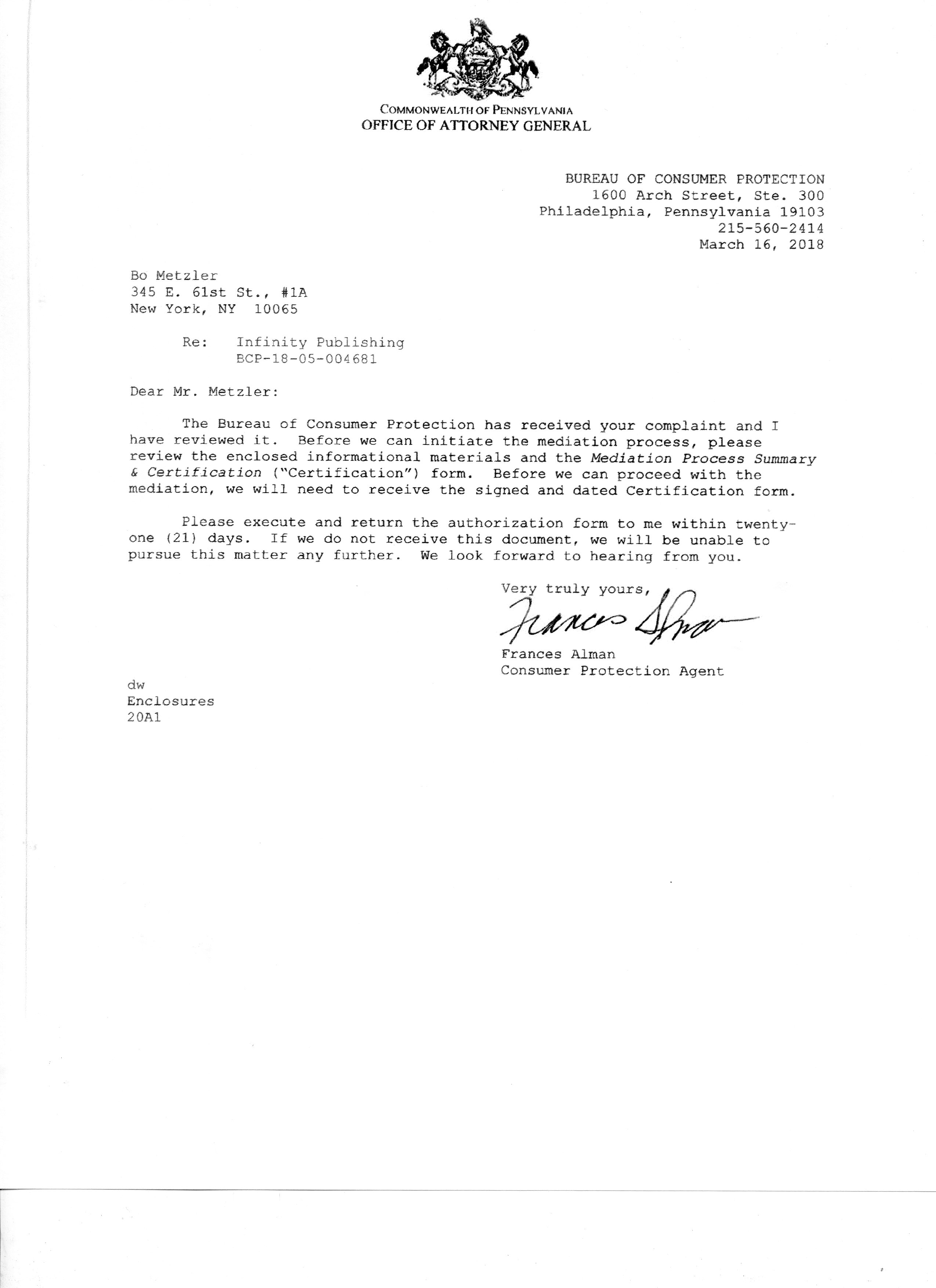
**NO REPLY**

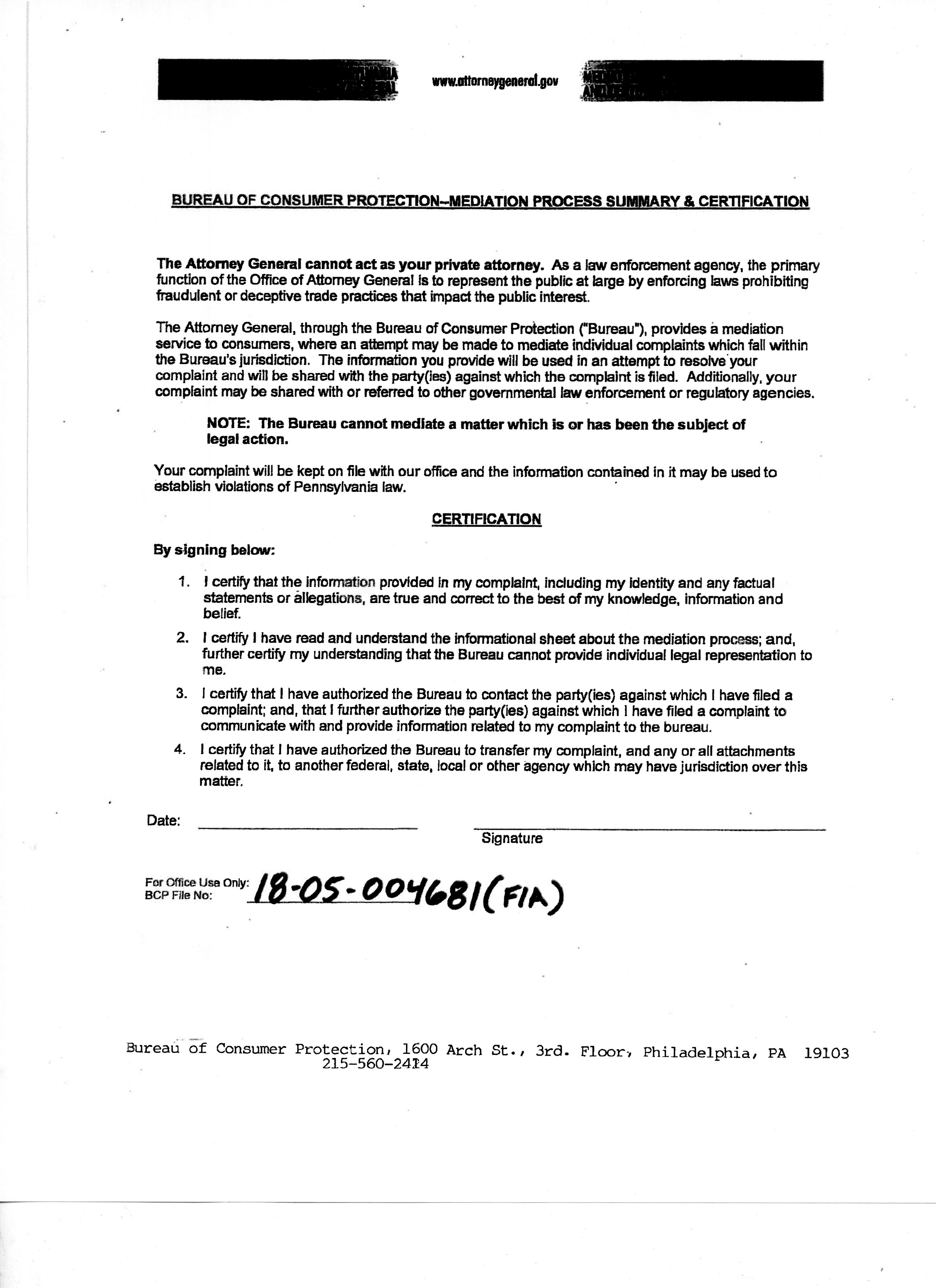
>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

***CONTINUES ON NEXT PAGE***

***CONTINUES ON NEXT PAGE***

***CONTINUES ON NEXT PAGE***





>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: Thu, 22 Mar 2018

Subject: statements

From: Bo Metzler <bometzler@gmail.com>

To: Marc Histand <mhistand@fastpencil.com>

On February 13th, you said:

\*"Hello Bo,\*

\*As we move to a new partner, we move to a new royalty system as well. We

will be providing sales figures for October, November, and December at the

end of February as we move to a quarterly reporting system."\*

Needless to say, once again, what you say and reality are 2 different

things.

Where is my statement?

Bo

**NO REPLY** - Until a month later

**Letter to ALLMAN**

Frances Alman

Bureau of Consumer Protection

1600 Arch Street Ste. 300

Philadelphia, Pennsylvania 19103 March 24, 2018

Dear Frances,

I am responding to your letter dated March 16th. I did not receive the letter until March 21st because it was sent to my son in New York and he had to forward it to me (I currently live in the Philippines). That is why I asked, in my letter to the Attorney General, that it would be preferential to correspond by email.

Anyway –

First let me clarify that I was not asking for legal representation from the AG regarding my complaints about Infinity Publishing. I was only trying to inform the AG of the fraudulent business practices that Infinity Publishing are engaged in (in my opinion), and that it was affecting the royalties of the 700+ authors signed to publishing contracts with Infinity. I was hoping that the AG (or Bureau of Consumer Protection) would investigate the situation.

I did not want this to be a direct confrontation between me and Infinity. I have tried that repeatedly and gotten nowhere against their denial, lies, obfuscation and claims of privileged information. This is not a “matter” to be “settled” between me and Infinity. It is my suggesting that an investigation be conducted to determine if Infinity is breaking any laws in relation to appropriate business practices or State or Federal tax liability.

I have offered my story as information to help guide the investigation, and I, of course, have an interest in the outcome of the investigation. But there is a risk to me if I were named directly as the cause of the investigation into Infinity’s business practices. The risk is that my book would be deleted from the publishing listings and, therefore, become unavailable on the market. Also – I do not want Infinity to close down. I just want them to pay the authors what we should be paid – on time!

And, please understand, that there is so much more information I can give you. There are many emails that have been exchanged between Infinity and me over the last year. These emails show the blatant disregard for my interests and the financial dealing of Infinity as they affect my book and the hundreds of books by the other authors. I also have recordings of phone conversations.

No dispute with Infinity can be resolve unless Infinity’s business practices are scrutinized to determine if they are fraudulent. I can talk you through the accounting process in general terms and you will see that it is wide open to abuse.

If they are simply accused of something coming from me – who has been back and forth with them for 2 years or more – they will simply deny any purposeful wrongdoing, claim “human error” and “pledge” to be more “cautious” in the future. This is there modus operandi. They will never admit that they are skimming royalties from the authors they represent; or selling us out by “merging” with Fast Pencil so they can get paid and yet not have to do the sales accounting work anymore. This merger means that the authors will have to “pay” for the work by the POD co-Publisher and their additional salaries will be deducted from our royalties. My royalties have already been reduced to $.50 per book.

I expect that you would have questions either motivated by my letter or by the website I created to show past confrontations with Infinity. I am open to any additional clarification you might need. There is a lot to share and break down for you.

There are currently no laws regulating Print on Demand Publishers (POD’s). There should be.

We, the authors, HIRED Infinity. Yet we are told nothing about their business practices. We aren’t even allowed to see how our own sales numbers are derived, and whether we are earning ALL of our royalties for ALL of our book sales.

We cannot have access to other authors via email.

We were not told anything about their “merger” with FastPencil.

All former employees, as well as the former owner – all with tons of knowledge -- were made to sign NDA’s when they left. Suspicious. Can a NDA become null and void?

I suspect nefarious activities – why is my own account info called “privileged” even from me?

My privacy should be protected against retaliation. All authors should be protected from fraud regarding their royalties. The “owners” of Infinity should be held liable – the authors and the business should be protected.

Please get in touch by email – bometzler@gmail.com

I can also try and call you on the phone. I am 12 hours ahead, so if we could talk, at

8-9am your time, which would be great.

Attached is Mediation Certification

(please don’t mention my name if possible)

Sincerely,

!!!bosignature

Bo Metzler

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

“1099” ------------------------------------------------------------------------------------------------------------------

From: Bo Metzler - bometzler@gmail.com April 7th/2018

To Marc Histand:

Just got my "corrected" 1099 for 2017.  
$86.95

That is almost half of the first 1099 you sent to me in February.  
141.28.

What accounts for this error?

(Is it "merge" problems again?)

Neither 1099 is accurate according to checks sent to me in 2017 - FOR earnings in 2017.  
$110.53

Neither one includes earning from October, November & December 2017 - BECAUSE I have not received statements OR checks for those months.

Amazing to me that you still have your job.

From: Marc Histand - mhistand@fastpencil.com April 9th/2018

To Arthur, me:

Hello Bo,

Our bank account is showing that $86.95 had cleared and was actually paid out to you in 2017.   
Due to our merger, one of the checks was not sent in 2017 and still owed, in the amount of $54.33.

We are working to have the statements for October, November, and December sales reported and royalty statements sent within the next 7 business days. Once that is sent we will start to send out payments owed.

The $54.33, as it was not paid out in 2017, will be reflected on your 2018 1099.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

From: Bo Metzler - bometzler@gmail.com April 27th/2018

To Marc Histand:

It has been almost 20 business days since you said that royalty statements for Oct/Nov/Dec will be "sent within the next 7 business days".

It is clear that the "merger" did nothing to help you meet your obligations to Infinity authors.

Date: Thu, 26 Apr 2018

To: bometzler@gmail.com

From: "Marc Histand" <mhistand@fastpencil.com>

Subject: Thank you for contacting me. Re: 1099

Thank you for contacting me. I will be out of the office beginning Thursday, April 26th and returning Tuesday, May 1st. For any urgent questions or concerns, please contact Sara Matz. You can reach her in the following two ways:

email: smatz@fastpencil.com

phone: (610)941-9999 ext. 11

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

From: Marc Histand - mhistand@fastpencil.com May 2nd/2018

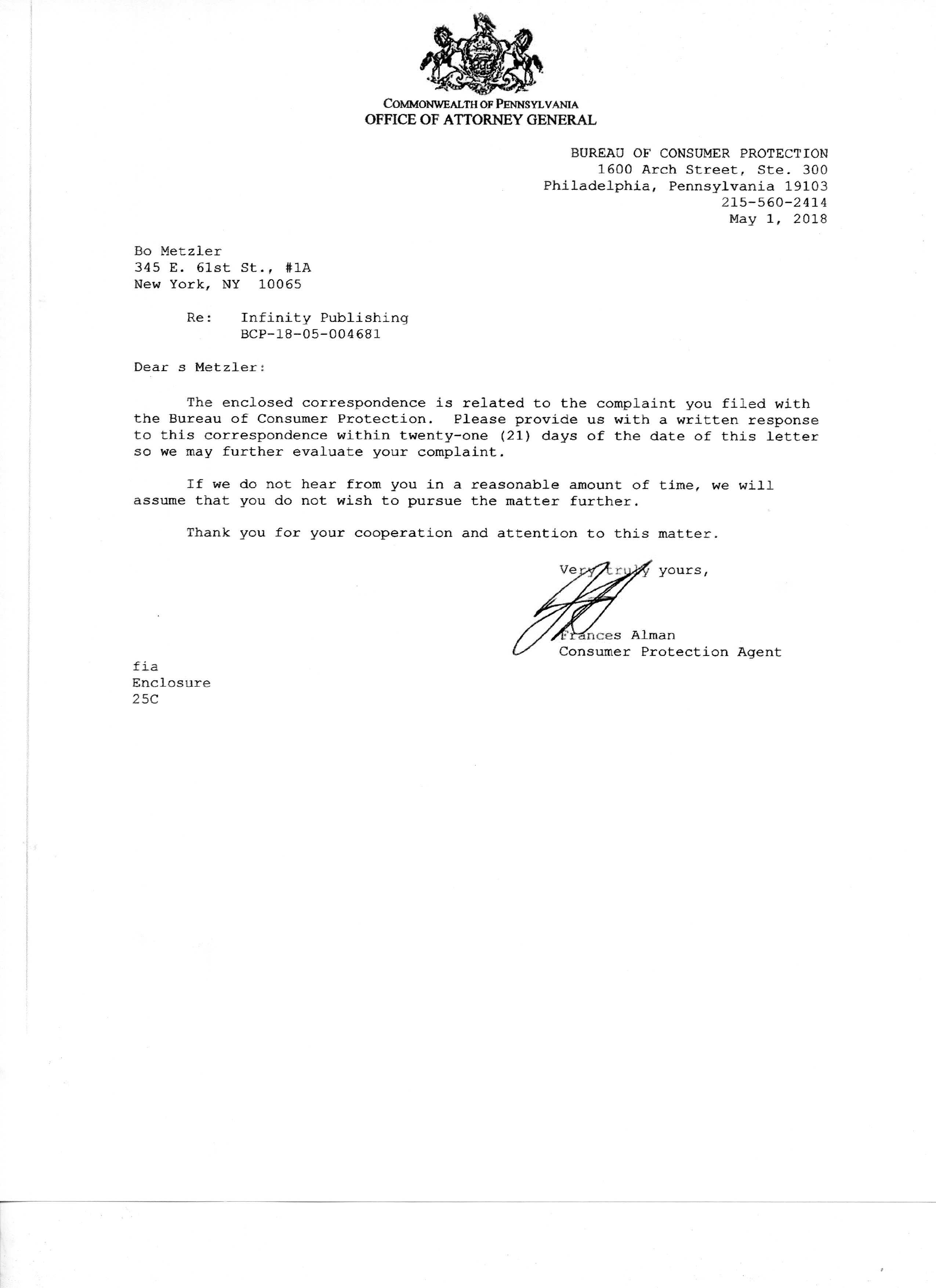
To me:

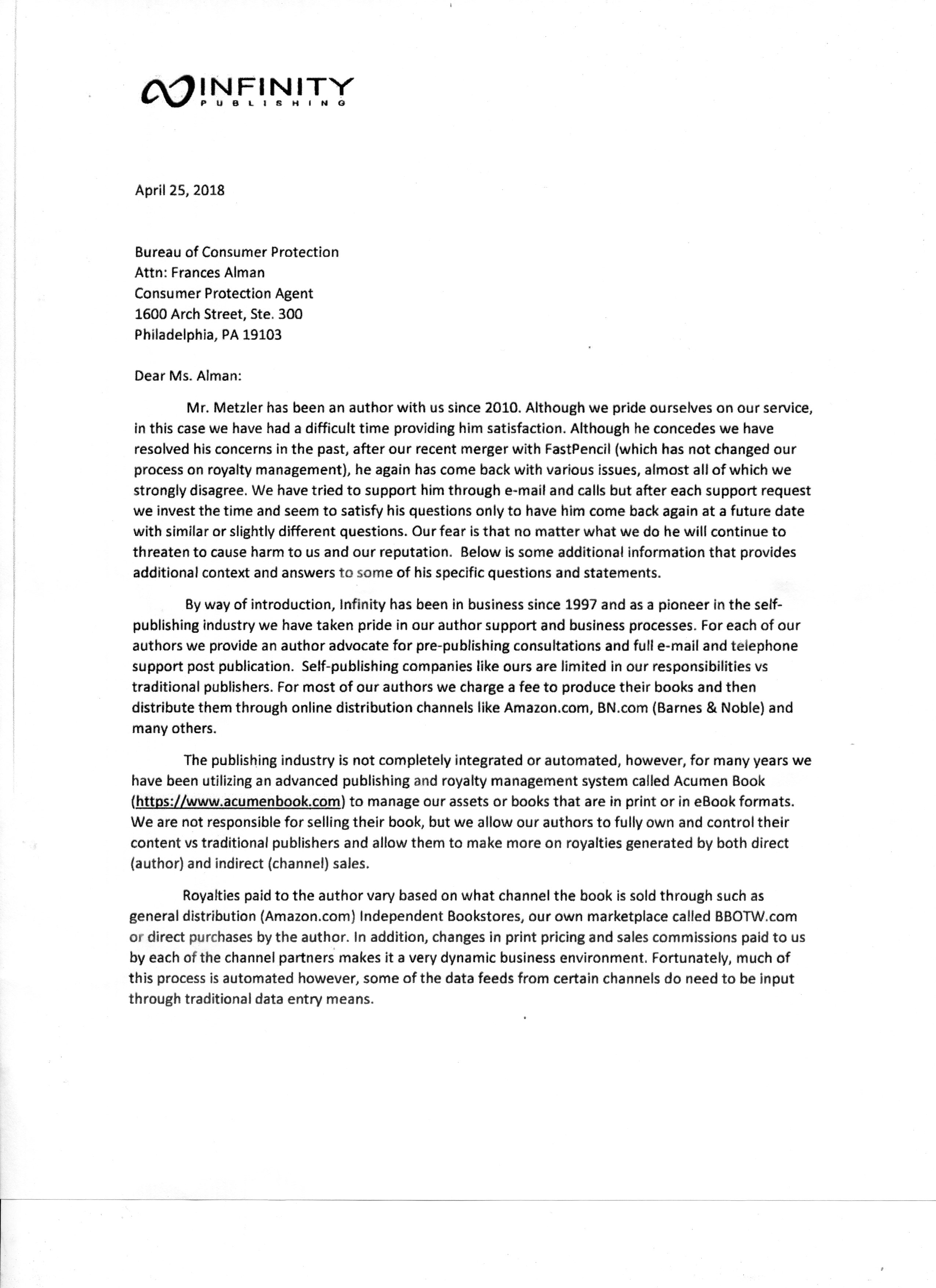
Hello Bo,

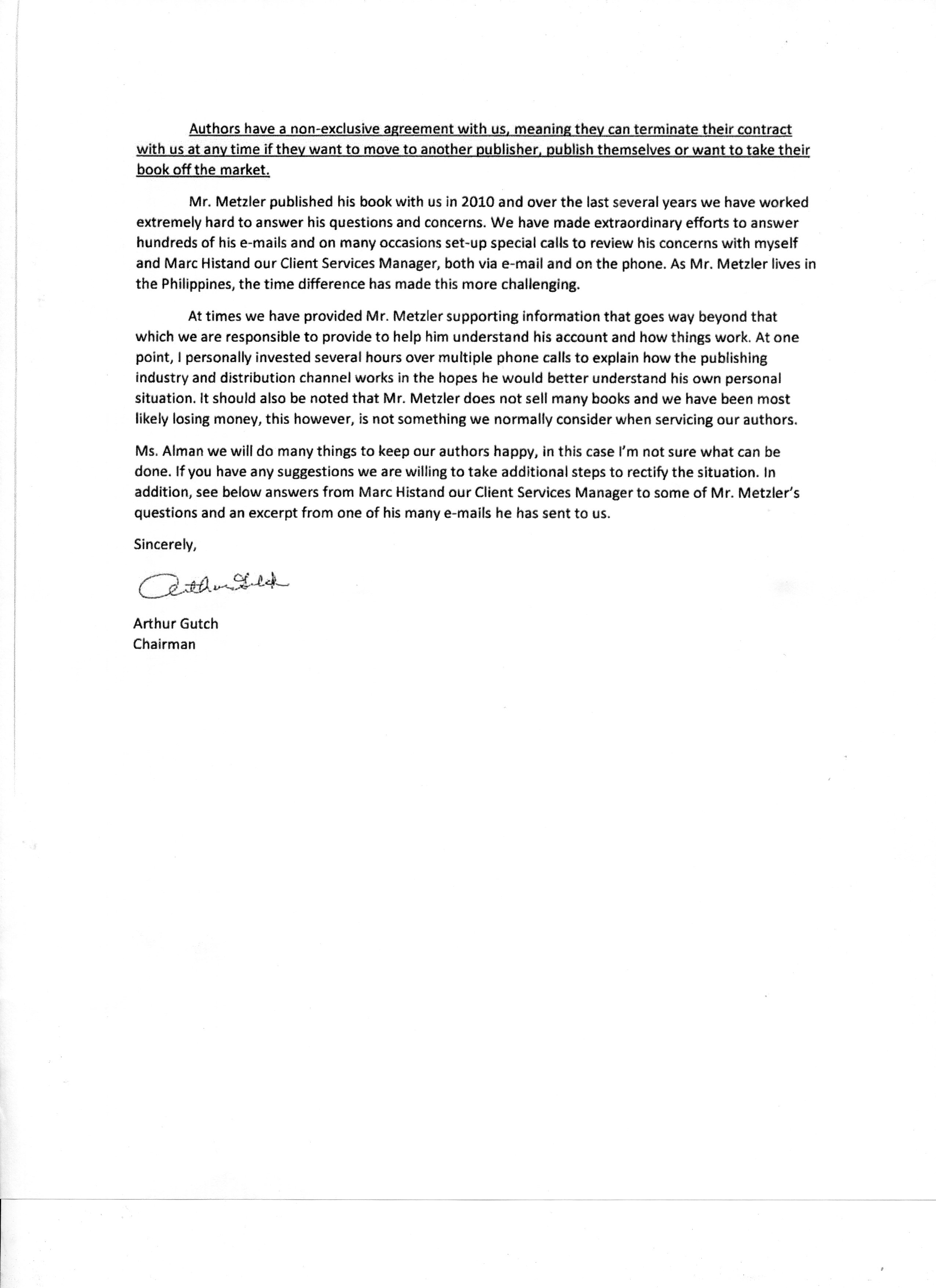
I see that you've opened a complaint with the Attorney General Consumer Affairs Division. We'll be responding to that and using that as the primary type of communication moving forward.

We are finalizing royalty statements now and I will have them distributed as soon as possible. We are looking at distribution by the end of the week.

from Allman with Gutch response May 1, 2018







## Email to: Frances Alman Consumer Affairs

Frances Alman May 10, 2018

Bureau of Consumer Protection

1600 Arch Street Ste. 300

Philadelphia, Pennsylvania 19103

Dear Ms. Alman,

Pardon me, but I don’t understand what you are doing.

When I wrote to the AG, and then to you, it was not to lodge a *personal* complaint against Infinity Publishing.

I specifically requested an investigation into possible fraudulent activities and deceptive practices regarding royalty accounting and payments, as well as their recent questionable “merger” with FastPencil Publishing.

I outlined how my concerns affect all 7000+ authors that are “represented” by Infinity. And I specifically ask that my name NOT be used.

You have since written to Infinity and, by using my name, have caused a very tenuous relationship to become even more fragile. And all you got from Infinity was a vague insinuation that Mr. Metzler is the problem and Infinity is wonderful.

If you had taken my request seriously, their response would not have been a personal attack on me.

If you had read the website I created, showing my interaction with Infinity over several years, you would see that they misrepresented the interaction between us and their denials and prevarication is only meant to avoid any responsibility or liability. http://metzlerstuff.com/LookingintoInfinity.html

I repeat – I intended this to be an investigation into Infinity’s fraudulent business practices. If you had no intension of doing this, you should have informed me.

Can you, and will you, investigate Infinity’s accounting practices on behalf of 7000+ authors? (People lie – documents don’t.) Can you investigate under the framework of the whistleblower protections?

If “yes” to these questions, then I have more info for you and a lot more to talk about. But we need to be able to communicate in a more efficient way (email or telephone).

If “no” to these questions, then please put me in touch with someone who can & will investigate.

Also - Please send me a copy of your letter to Infinity, including the attachment from Marc Histand.

Sincerely,

!!!bosignature

Bo Metzler

**Second Letter to Attorney General Shapiro**



If this was “procedural” – and her “normal way of doing things,” then, in my opinion, it is narrow-minded and myopic.

Now we are 3 months into this (due to having to communicate by snail mail) and the situation is worse than it was before.

There needs to be an investigation – subpoenaing records, auditing, following book sale tallies from point-of-sale to royalty payment, questions regarding NDA’s with former employees, and, in terms of the recent “merger” with FastPencil, how Infinity authors are going to be treated going forward?

The big question is about Infinity being so opposed to transparency between Infinity and the authors regarding their personal book business. What are they hiding???

Authors are the one and only reason Infinity exists? We should be privy to who buys our books because book sales are the focus of everything. And in my case, with a theatre book for students, repeat business is something I should be able to pursue. No one is asking for peoples Social Security numbers!

7000+ authors may be affected by suspected nefarious accounting and questionable royalty payment shortages – it is not just ME. Simply put – Infinity gets its sale data from outside worldwide data companies. I do not know how this actually works, and when I ask I am told that the methodology can only be discussed between data company and publisher. Infinity takes the sales data and transcribes it into their own accounting books from which are generated each author’s monthly (or quarterly) sales/royalty statement. The questionable activity would appear in this transference where actual sales numbers may not appear on final royalty statements because fewer sales reported means less royalties that have to be paid by Infinity. No author is allowed to see the books! I have asked twice and have been flatly refused.

I have requested that you investigate possible fraud.

Please explain to me why we cannot get on the same track here.

Can I call you?

Please reply by email – it’s so much easier.

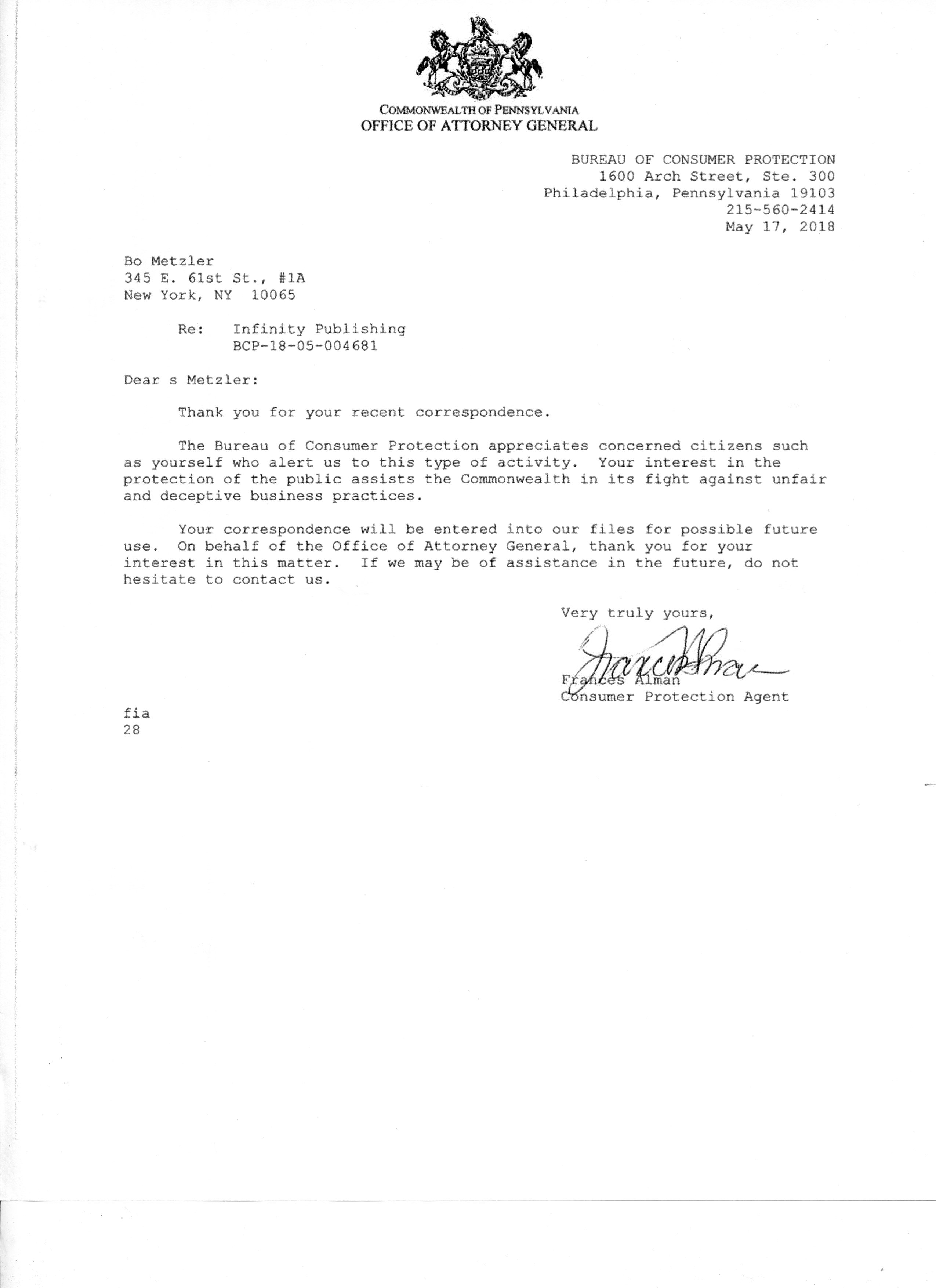
I currently live in the Philippines where my wife is from. Corresponding by snail mail means that I must email my letters for you and Frances to my son in New York, who puts them in an envelope and mails them to you. And when you reply, your letters go to my son who must scan them and send them to me via email.

Sincerely,

!!!bosignature

Bo Metzler

**Response from Allman**



**BCP-18-05-004681 (PA, AG Case Number)**

**Alman, Frances I. <falman@attorneygeneral.gov> Fri, May 18, 2018**

**to me**

**Good Afternoon,**

**The Office of Attorney General-Bureau of Consumer Protection received your reply to the correspondence sent to you on May 01, 2017 and you mentioned you didn’t understand what was being done. Our office mediates consumer complaints, which consist of us sending the business letters and communicating with the business on trying to mediate and resolve the matter. When it comes to investigating a business I cannot disclose that information to you. In regards to providing you with the correspondence we sent out to the business, unfortunately I cannot provide you with that information either. On behalf of the Bureau of Consumer Protection we appreciate you alerting us to this type of activity and will keep your file for possible future use.**

**Frances Alman**

**1600 Arch Suite 300**

**Philadelphia PA 19103**

**Response:**

**Bo Metzler <bometzler@gmail.com> Wed, May 23, 2018**

**to Frances Alman, Frances I." falman@attorneygeneral.gov**

**Ms. Alman,**

**I just wanted you to know that I received the email you sent me last thurs/fri.**

**I am deliberating as to how to respond.**

**And I am also waiting for a response to a letter I sent to AG Shapiro on May 14th.**

**Bo Metzler**

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

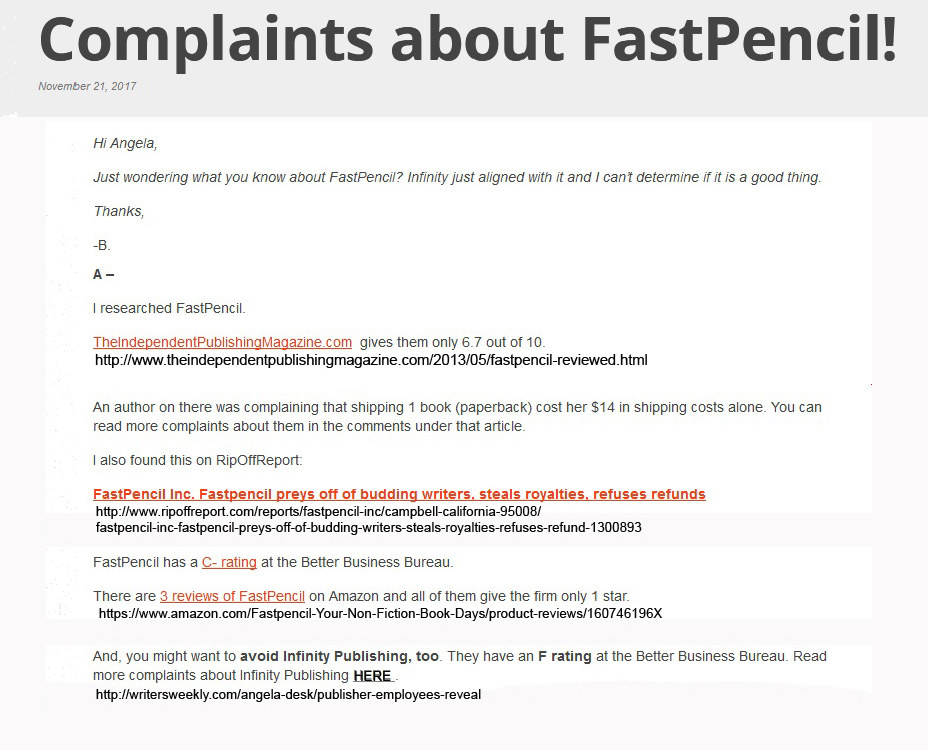
From: Bo Metzler - bometzler@gmail.com June 8th/2018

To Arthur Gutch:

You really owe Infinity Authors an explanation.

Why the merger?

Attachment:



## Reach-out to Infinity Authors

## Bo Metzler <bometzler@gmail.com> Wed, Jun 13, 2018

## to me, bcc: verticaltravel, bcc: gaywolff, bcc: bevwillis, bcc: brigmarlin, bcc: jkoob33, bcc: throwdeer, bcc: JMyers2839, bcc: janemarymartin80, bcc: jaytwillis, bcc: kauffman37, bcc: nlomofs, bcc: edu, bcc: rgardner, bcc: sharonminer, bcc: m

## Hello Infinity Author,

## I am an Infinity Author too.

I was wondering how you feel about what is going on at Infinity . . .

and about the Merger with FastPencil,

and about not being told anything about the merger,

and about not receiving any Royalty Statements since last September,

and about not receiving any royalty payments since September?

and how do you feel about Infinity in general?

have you ever had difficulties with the people who run Infinity?

are you satisfied about how your book account has been handled?

have you noticed a drop in your royalties since 2010 or 2011 when the new management took over?

Feel free to take a look at the website I created that chronicles my run-in with Infinity management a couple of years ago. http://metzlerstuff.com/LookingintoInfinity.html

Tell me how you feel . . .

and feel free to pass this email on to any other Infinity authors that you know.

We have to stick together.

Sincerely,

Bo Metzler

(What We Do - Working in the Theatre)

Gay Wolff <gaywolff@sagefoundations.com> Wed, Jun 13, 2018

to me

More bad than good, though with my persistence I got the book. Since the merger, nearly nothing good. I'll take a look.

Gay Wolff

## Mariaemma <m@learningsuccesscoach.com> Jun 19, 2018

## to me

## Hello, we were with Infinity from March 2013 to July 2017. We left and decided to self-publish with Create Space on Amazon.

## Reasons we left:

terrible customer service - we would call for days and left messages with no return calls

statements - we never knew if they were correct - we suspect we sold many more books (Just since last July with Amazon we have received more than we received total from Infinity)

statements were also confusing with the way they show previous payments subtracted from current payment - plus the "previous payments" were not even received yet –

for example, we still have an outstanding payment from last year - the last statement we received was dated 11-2-17, and showed that a check had been sent dated 10-15-17 –

we still haven't received that check - this happened over and over - the statement would show an issued check and we wouldn't receive it for months - usually after several calls

when we ordered our own books it took months for them to deliver

I must say it wasn't like this when we first published with them - but just a few months later all of this started happening - finally, we'd had enough.

I hate to think of more authors falling for their ads and signing up with them - not to mention all the authors like you not getting what you are owed. What do you think we can do?

Mariaemma

Mariaemma Willis, M.S.

Strengths-Based Learning Specialist for School & Life Success

Reflective Educational Perspectives, LLC

Workshops, Training Programs, Personal Coaching

1147 E. Main St., Ventura, CA 93001, 805-648-1739, FAX 805-648-1769

Bo Metzler <bometzler@gmail.com> Tue, Jun 19, 2018

to Mariaemma

Hi Mariaemma,

Thanks for your reply and summary of your troubles with Infinity.

I had/have the same troubles.

I am still with them and trying to hold their feet to the fire.

I am also in touch with the Attorney General of Pennsylvania to implore him to investigate the shenanigans.

I am focused on the lack of royalty payments like you mentioned. I believe we were all defrauded by their skimming the numbers and therefore not paying us.

You asked what can we do.

It would be great if you could write a brief summary of your experiences and give me permission to share them with the AG of Pennsylvania.

You can spread the word to any other Infinity authors that you may know - about what I am doing - and have them get in touch with me.

The more voices I have behind me, the louder I can yell.

Read about my experiences here:

http://metzlerstuff.com/LookingintoInfinity.html

Sincerely

Bo Metzler

Bo Metzler <bometzler@gmail.com> Jun 19, 2018,

to Gay

Hello Gay,

I am still with Infinity and trying to hold their feet to the fire.

I am also in touch with the Attorney General of Pennsylvania to implore him to investigate the shenanigans.

am focused on the drop in royalty payments. I believe we were all defrauded by their skimming the numbers and therefore not paying us.

I have not received a Royalty Statement since last September - have you?

I have not seen any explanation as to how our books will be handled by FastPencil - have you?

Do you believe you have received all of the royalties that you are entitled to?

It would be great if you could write a brief summary of your experiences and give me permission to share them with the AG of Pennsylvania.

You can spread the word to any other Infinity authors that you may know - about what I am doing - and have them get in touch with me.

The more voices I have behind me, the louder I can yell.

Read about my experiences here:

http://metzlerstuff.com/LookingintoInfinity.html

Sincerely

Bo Metzler

Gay Wolff <gaywolff@sagefoundations.com> Jun 19, 2018,

to me

Because they have sent me so few records, it is hard to know what I am due, but I will look over to reconcile. I can't get to it for a few days or a week b/c I've got a deadline I'm working against right now. But I will review and let you know. Either way, there has been no real accountability, nor the reporting that was promised.

Thanks for your efforts,

Gay

## Your FastPencil Support request

**Bo Metzler, Jun 18, 5:40 PM PDT:**

**To:**  support@fastpencil.com

I have not received a statement since last September! Where are they???

Bo

Date: Tue, 19 Jun 2018 01:30:42 +0000

From: support@fastpencil.com

To: Bo Metzler <bometzler@gmail.com>

Subject: Your FastPencil Support request was received: Where are the

Statements

Hello and thank you for contacting FastPencil Support. Your request (18581) has been received. To update your case at any time, simply reply to this email.

We know every word, sentence and paragraph counts, so we make every effort to reply quickly. However, due to high contact volume, we may need 2 or more days to respond.

Need help fast? Your question might already have an answer. Take a look in the FastPencil Knowledge Base and Community Forums - https://kb.fastpencil.com/ =

Sincerely,

FastPencil Support

**AND THEN THIS HAPPENED ----------------------------**

**Marc Histand QUITS ! ! !**

To: bometzler@gmail.com

From: "Marc Histand" <mhistand@fastpencil.com>

Date: Mon, 18 Jun 2018 17:40:08 -0700

Subject: Thank you for contacting me. Re: Where are the Statements

Dear Infinity/FastPencil Author,

Thank you for contacting me.

As of May 31st, 2018 I am no longer a representative of FastPencil or Infinity Publishing. It has been my pleasure serving each and every one of you and I wish you the best of luck in all future endeavors.   
  
Your email has been forwarded to the support team and queued for a response. Please allow two business days for an associate to get back to you. You can also reach a representative at (610)941-9999.

At this time, while emails are being forwarded to the support team, this particular inbox is NOT being monitored. Please send any additional or future inquiries to support@fastpencil.com

Regards,  
Marc Histand

Client Services Mgr. | FastPencil

Bo Metzler, Jun 18, 2018:

**To: support@fastpencil.com**

I am an Infinity author.  
I just found out that Marc Histand says "As of May 31st, 2018 I am no longer a representative of FastPencil or Infinity Publishing."  
I wrote to him asking about my Infinity Statements that I have not seen since September of last year.  
What is going on?????????????  
Bo Metzler

Date: Tue, 19 Jun 2018

**From: support@fastpencil.com**

To: Bo Metzler <bometzler@gmail.com>

Hello and thank you for contacting FastPencil Support. Your request (18582) has been received. To update your case at any time, simply reply to this email.

We know every word, sentence and paragraph counts, so we make every effort to reply quickly. However, due to high contact volume, we may need 2 or more days to respond.

Need help fast? Your question might already have an answer. Take a look in the FastPencil Knowledge Base and Community Forums - https://kb.fastpencil.com/

Sincerely,

FastPencil Support =

Date: Tue, 19 Jun 2018

Subject: Infinity Publishing Question

From: Bo Metzler <bometzler@gmail.com>

To: steve@fastpencil.com

Steve Wilson: CEO, FastPencil

I am an Infinity Author.

I just found out that Marc Histand is gone from Infinity AND FastPencil.

I expect, shortly, to find out that Art Gutch is vacating the premises too

- right after he sold out all of us Infinity authors.

We have been told NOTHING about the "merger".

I have not received a Royalty Statement since last September.

What is going on?????

Bo Metzler

What We Do - Working in the Theatre

Date: Tue, 19 Jun 2018

Subject: Marc Histand

From: Bo Metzler <bometzler@gmail.com>

To: art@fastpencil.com

Art

I wrote to Marc asking about the fact that I have not received any

statements since September of last year.

I just got an auto-response from him:

" Dear Infinity/FastPencil Author,

Thank you for contacting me.

As of May 31st, 2018 I am no longer a representative of FastPencil or

Infinity Publishing. It has been my pleasure serving each and every one of

you and I wish you the best of luck in all future endeavors.

Your email has been forwarded to the support team and queued for a

response. Please allow two business days for an associate to get back to

you. You can also reach a representative at (610)941-9999.

At this time, while emails are being forwarded to the support team, this

particular inbox is NOT being monitored. Please send any additional or

future inquiries to support@fastpencil.com" <support@fastpencil.com>

What the hell is going on Art?

Bo

Date: Tue, 19 Jun 2018

From: Arthur Gutch <agutch@fastpencil.com>

Subject: Re: Marc Histand

To: Bo Metzler <bometzler@gmail.com>

Cc: Steve Wilson <swilson@fastpencil.com>

Bo-

I saw you also sent an e-mail to Steve Wilson. I am still here.

Mergers are never easy and we are doing our best to move the ship forward.

In case you did not see it, the merger banner is still on the Infinity site

and the learn more button links here:

http://info.infinitypublishing.com/exciting-news-from-infinity-publishing-1

Thanks,

Art

Arthur Gutch

**Chief Strategy & Operations Officer INTERESTING!!!**

Phone: 01(978)-440-7502

CEL: 978-460-1600

Date: Tue, 19 Jun 2018

Subject: Re: Marc Histand

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <agutch@fastpencil.com>

What happened to Marc.

And where are our Royalty Statements since last September?

Bo

**NO EXPLANATION ABOUT WHY MARC HISTAND QUIT!!!!**

------- - - - - -- - - -- - - - - - - - -

**Third Letter to Attorney General Shapiro**

Josh Shapiro - Attorney General

Pennsylvania Office of Attorney General

Strawberry Square

Harrisburg, PA 17120 6/19/18

**FLASH - - - ALERT - - - June 19th, 2018**

As I was finishing and preparing the following letter for you, I sent Marc Histand an email asking, for the 3rd or 4th time, about our Royalty Statements which have been missing since September of last year.

I received this **auto response**:

*Dear Infinity/FastPencil Author,*

*Thank you for contacting me.*

*As of May 31st, 2018 I am no longer a representative of FastPencil or Infinity Publishing. It has been my pleasure serving each and every one of you and I wish you the best of luck in all future endeavors.   
Your email has been forwarded to the support team and queued for a response. Please allow two business days for an associate to get back to you. You can also reach a representative at (610)941-9999.*

*At this time, while emails are being forwarded to the support team, this particular inbox is NOT being monitored. Please send any additional or future inquiries to support@fastpencil.com.*

*(no signature)*

I have also sent Art Gutch two emails within the last week.

He has not responded.

**More on these events AFTER you read the letter I have been working on for nearly a month . . .**

Dear Attorney General Shapiro,

I have been working on this letter for almost a month while waiting for your response to my last letter.

I am going to try and put everything in context for you, and be as precise and informative as I can, so that you have the clearest picture of **what Infinity authors are faced with**, and how I believe it can all be resolved. It is complicated and multi-faceted, but it is also quite simple.

**I firmly believe there is corruption and fraud at Infinity Publishing.** I am trying to shine a light on that corruption so that something can be done to stop it and protect the more than 7,000+ authors who have entrusted the sales accounting of their 10,000+ books to Infinity Publishing.

It is not just about MY book or MY relationship with Art Gutch or Marc Histand. It is about how Infinity does their accounting and whether ALL authors are receiving ALL of the royalties that we are entitled to receive. It is about my being observant and smart (a math degree) and discerning enough to reason through what I believe are corrupt practices at Infinity Publishing. And I am still hopeful that something will be done.

Everything I have seen and experienced, in the last couple of years, has convinced me that I must come to you – the one person who has the position and power to do what is necessary.

I am not causing the trouble. I am a whistleblower - I am pointing you TOWARD the trouble.

**It’s all about whether the income from book sales, as reported to Infinity by many sources, is being accurately accounted for, and whether the appropriate royalties are being paid on each and EVERY one of those sales – or whether Gutch and the Infinity accounting staff (headed by Histand) is knowingly skimming sales numbers so that they can avoid paying royalties and keep more income for themselves.**

**You are NOT going to get the truth by asking Gutch some general questions about these charges**.

Gutch describes everything he doesn’t want to talk about, or doesn’t want to let you see, as “privileged information.” That’s how he keeps everything private and secret, so no one can see what he is doing.

His assurances that things are fine are not PROOF that things are fine.

**The only way you will get the truth is to investigate**, get search warrants and subpoena the accounting records of Infinity, and then have them analyzed. You may also have to get search warrants for bank records and payroll records and even IRS records. You may also have to contact former employees, other Infinity authors, and the former founder/owner of Infinity as well (Mark Gregory). You may also have to connect Amazon and Ingram with questions about their deals with Infinity Publishing and crosscheck their sales numbers with those that Infinity puts on our statements.

What I am asking for is sort of like a mini Mueller investigation. And you need to keep in mind that Gutch is NOT an author advocate (as he claims) but a career financial manipulator who is only out for his own personal financial gain. He will avoid or spin or deny everything that suggests his corruption (like Trump).

**Check out Gutch’s Linkedin page (https://www.linkedin.com/in/arthur-gutch-1305891/#experience-section). Things of note: Connection to FastPencil is first on his resume. Infinity Publishing is third – with a time period specified as Jul 2009 – Feb 2017 !!!!!**

**I am not trying to do any damage to Infinity Publishing. It should remain viable.**

I am only trying to make sure that all of the authors, who entrusted the management of our book sales to Infinity, are getting full royalties for every book sold.

**Some context . . .**

**Infinity Publishing is a POD Publisher**.

“POD is an acronym for Print-On-Demand. Print-On-Demand publishing is a method of producing books in specific quantities needed to meet ongoing bookstore or book buyer orders. The customer ordering the book creates the demand for a single copy. A single copy of that book can then printed on demand, perfect bound with a full color laminated cover, and shipped to the customer or the bookstore ordering the POD book. POD is a process for publishing books only as they are needed.” Quoted from Infinity website: https://infinitypublishing.com/what-is-pod-book-publishing/

More info on POD Publishing here: https://en.wikipedia.org/wiki/Print\_on\_demand

So . . . Infinity Publishing, like all of the dozens of other POD Publishers, help authors set up our books for printing, list our book(s) on the multi-armed data tabulating system, receive payment from multiple sources when each book is ordered, tabulate the number of books sold, pay the printer to print and ship the book(s), pay themselves accounting and handling fees and, finally, pay royalties to the authors for each book sold.

**POD Publishers do NOT promote or help sell our books** – that duty falls on the shoulders of each individual author. POD Publishers are glorified accountants.

**Honest POD Publishers would have no reason to keep ANYTHING about our book sales secret from each author, or label ANYTHING about our personal book account “privileged info.”**

**Infinity did not hire the authors; the authors HIRED Infinity Publishing.**

The authors pay the salaries of everyone involved (deducted from the sale price of each book).

**Infinity, and all its personnel, works FOR US.**

**Infinity Publishing writers have no one looking out for our financial interests – regardless of what management claims.**

There are no State or Federal regulations governing POD Publishers.

Authors are prohibited from contacting fellow authors because Infinity keeps contact info “private.”

So we cannot share our experiences with each other – or take action as a group.

**Personally . . .**

I chose Infinity to “publish” my book in the latter part of 2008 (despite what Gutch told you in his letter).

Mark Gregory was the publisher, at that time. Infinity grew out of his own business as a printer. It was a logical next step for him. We got along great.

My first actual Royalty Statement was for November 2008. I had sold 51 books already.

I sold 88 books in December 2008.

I sold a total of 467 books for the year 2009.

Arthur Gutch took over Infinity in 2010.

I sold 221 books in 2010. Do you see the drop?

I sold 235 books in 2011.

I sold 132 books in 2012.

I sold 102 books in 2013 - the first year with 2 months of zero sales.

**I sold 54 books in 2014** – 4 months with zero and 3 months with 1 sale. I contacted Infinity and began an Accounting Analysis with staff member Laura Wright that never got resolved before she mysteriously disappeared from the Infinity Publishing staff.

It was at this time I actually found out that Gutch had purchased Infinity Publishing through an LLC from Mark Gregory back in 2010. Infinity Authors had not been informed of the event.

Also, during the course of 2014, another staff member, who I had intermittent contact with over the years, was no longer working at Infinity (Brittany Lavin).

**I sold 157 books in 2015**. Not until April of 2015 was I put in contact with Sara Matz and then Marc Histand regarding my 1099 request. Then I found out that Michelle Shane was gone. In November I found out about a botched order of 125 of my books.

In **February of 2016** there was another botched order for 33 of my books. Laura was gone.

March of 2016 began an intense, year long, analysis of my account that did not wrap up with answers and solutions.

In **June 2016** Gutch and Histand were of the mind that the 125 book and the 33 book fiascos were “human error.” To them all of my accounting questions were solved. To ME, they were not!

**In a 3-way phone call that took place on July 1st, three things were said in the span of a few minutes, which are both scary and telling. Art said: "We don't go in and make manual changes." And Marc said: "There was a "fake sale" added by me to cover your back Royalties owed."  I took a breath, made a note, but didn't say anything. Then, later, when Art asked if I had any input that I thought might be helpful, I told him: "I can't have input about your accounting system until somebody shows me how the accounting system works." He said: "We're not going to open you up to our accounting system.  You know that."   OMG ! ! !**

I then created a website to chronical all of what happened, including 285 emails. It is called **“Looking into Infinity”** and you can find it here: http://metzlerstuff.com/LookingintoInfinity.html .

**YOU REALLY SHOULD READ THE WEBSITE.** It is markedly different from what Gutch alluded to in his April letter to Frances Alman.

**I sold 216 books in 2016**. **Maybe all of my challenges to the accounting process made them try a little harder. Maybe this was also when Gutch decided that running Infinity may not be the long term scam he had hoped it would be, and he began searching for a way out – and that let him to FastPencil.**

**The deal to merge with FastPencil began sometime in early 2017 – I don’t know when, because Infinity authors weren’t told anything about it**. Maybe my challenges to Gutch and Histand had the effect of them wanting to get out of the “publishing” business while the getting was good.

**The authors know NOTHING and can DO nothing to protect our rights and, in some cases, livelihoods.**

**More on FastPencil later.**

**To this day, Infinity authors have been told NOTHING about the FastPencil merger. We also have NOT received a Royalty Statement OR a royalty payment since September of 2017**

**Book Selling - Old History and New Process . . .**

In the old days, pre internet, people bought books from bookstores. The bookstores order multiple copies of books from traditional publishers (Random House etc.) and stocked their shelves. This system was easy to manage. A limited number of publishers provided multiple copies to bookstores. It was easy to account and pay royalties. If books were a hit, more were printed and authors earned more royalties.

Then digital printing was born with shorter setup time and little need for multi-copy runs. Sales and printing were on a book by book basis. The traditional publisher was outflanked by anyone who had access to a digital printer. POD Publishers were born. New books, good or bad, ordered/printed & shipped in a matter of days. Thousands of independent authors took advantage of these “easy” publishing methods. And then, as with anything without rules and regulations, “publishers” started taking advantage. Soon there were 2 types of POD Publishers: the good ones and those who discovered ways to take advantage and profit from questionable behavior. Some of the “bad” ones have already fallen by the wayside; some being punished and some taking the “profits” a disappearing.

The good ones are still trying to maintain a sense of professionalism and trust with their authors.

**So, then, what is the process for selling POD books?**

**IF YOU READ NOTHING ELSE - READ THIS . . .**

A book lover sees a book online (on Amazon or Barnes & Noble or elsewhere) and decides to order it. She doesn’t need to go to a bookstore, just click on “purchase” enter her payment option, and wait for delivery to her door.

All POD Publishers have a deal with Amazon & B&N, as well as Ingram Booksellers and others, that allows these distributors, many of whom now have their own built in print production capability, to manage every order of every book on their websites, from order to shipping. For this express handling, the POD Publisher commissions the distributor a certain percentage of the cover price which covers their costs of the sale transaction, and a little profit too.

The balance of the transaction is paid to the POD Publisher -in our case Infinity Publishing. Infinity deducts its own “fees” and “payroll costs” and “profit” (authors aren’t told what the breakdown is) and pays (or says they pay) an author royalty based on a percentage of what Infinity Publishing receives for each book.

Basically all the POD Publisher is responsible for is the receipt of payment, the tabulation of sales, and the author royalties.

**Everyone involved in a book sale transaction makes more profit than the royalty paid to the author.**

I cannot give you exact numbers for all of this transactional process. There are variants pertaining to the distributor fee, and the printing fees, and the expenses and the profit and this info is deliberately being hidden from the authors.

I can tell you that my royalty, for my book, with a cover price of $15.95, was:

Wholesale: $1.28; Ingram: $1.07 (in 2009).

Wholesale: drop to $1.07; Ingram: $1.07 (in 2011 – just after Gutch bought the company).

**In late 2015 the Wholesale royalty dropped to $.57 and in late 2016 the Ingram royalty dropped to $.79 per book.**

**When I asked Histand, recently, why the royalty dropped to roughly half of its previous value, he said “printing costs”. When I asked him what were/are the printing costs, he said that was “privileged information.”**

**That means that Infinity has started retaining roughly half the money that Infinity authors used to get paid in royalties. 7,000 authors with 10,000 Infinity books, at one book sale each month, means Infinity retains an additional amount of roughly $5,000. Most authors sell more than one book. Some authors sell upwards of 10, 15 or more. You can do the math.**

**Infinity is now retaining tens of thousands of dollars every month that used to go to author royalties – and the accounting is called “privileged information.”**

**If this money goes into anyone’s pocket, it is embezzlement. If it is not reported as personal income, it is tax fraud.**

Other POD Publishers pay a 15% of list price royalty for bookssold through other distributors/retailers (Amazon, B&N etc.) That is $2.39 for a $15.95 book like mine.

**Amazon gets to sell our books and pays Infinity 55% of list price. That equals $8.77. Infinity earns $8.00 to our $.50-$.79 in royalty.**

**And, the even bigger thing, is this:**

**The POD Publisher is the only one who knows the ACTUAL total number of books sold every month. There is no way for the authors to trace sales. We are not allowed. Specifically not permitted.**

So, not only are less royalties getting paid, per book (fact), and because Infinity is the only one who tabulates sales (fact), it is my reasonable suspicion that Infinity is not even accounting for an unknown number of book sales (hundreds? thousands?) and therefore **not paying any royalties at all!**

And the only way to determine if this is true, and therefore criminal, is to investigate and do an audit.

In the POD Publishing arena, now, it is getting harder and harder to keep up with printing demand. This means that some customers are waiting for their books for weeks, rather than days. Large orders get priority on the printers. Payments for sales come in irregularly to Infinity, making sales tabulation a game of catch up. Keeping track of which sales have already been recorded and royalty paid is not only time consuming and nerve racking, but the basis for all royalty payments.

**It is not an empty hypothetical to imagine that book orders and payments are not all tracked** from month to month in a clear efficient way. (Since Histand took over the accounting at Infinity, mid 2016, he has been on time with exactly 2 monthly statements and royalty payments.)

**It is also not an empty hypothetical to imagine that book sales are lost in the turmoil** **– having fallen through the cracks - or, actually, purposefully, OMITTED, from the accounting sheet so that royalties don’t have to be paid.**

AND NO ONE, EXCEPT THE INFINITY ACCOUNTANTS, KNOWS THE TRUTH.

AND THEY CALL EVERYTHING “PRIVILEGED INFORMATION.”

There are no regulations. There are no checks. There are no specific laws governing POD Publishing that can be pointed at. There is, however, FRAUD.

Several employees left or were fired during the period of time I had a confrontation with Gutch & Histand (read my website). All former employees were payed/forced to sign a NDA. All former employees know what was going on at Infinity (it’s not a large staff). These employees need to be told that NDS’s don’t protect criminal behavior or the knowledge of criminal behavior.

I don’t know whose desk this belongs on, in terms of action. But it needs to be adjudicated.

Investigate. Audit. Subpoena the records. Find the evidence of their crimes, or prove I am wrong.

Or ignore all of this. tell me I am fantasizing.

Your choice.

Of course, authors who don’t like how things are going, are free to switch to a new Publisher, get a new ISBN, and start from scratch. This avenue has been suggested to me at least 3 times already.

Not only is this more difficult that they imply, but the original book remains on the spreadsheet with its unique ISBN number and it can, and has been known to, still be sold with nothing going to the author.

**What will happen if nothing is done?**

Infinity writers have no one looking out for our interests. Gutch bought Infinity in 2010 as an investment. He actually was employed for a short time, at Infinity, before the purchase. This, I believe, gave him the time to determine how he could profit from owning and running Infinity.

**So far, Gutch has told Infinity authors exactly NOTHING about the merger with FastPencil**. There hasn’t even been an official announcement. I would not be surprised if there were authors who had no idea that the future of their books was in jeopardy.

Gutch and Histand have even changed their emails to: art@fastpencil.com and mhistand@fastpencil.com as if they work for FastPencil.

Already I have been reading about the bad reputation that FastPencil has.

<http://writersweekly.com/ask-the-expert/complaints-about-fastpencil>

<http://www.theindependentpublishingmagazine.com/2013/05/fastpencil-reviewed.html>

**It is my feeling and prediction that**, as soon as the “merger” with FastPencil is complete, Gutch will sell or otherwise relinquish his stake and connection with Infinity Publishing, and move on to a new financial enterprise. Or he may just take an inactive roll and collect a salary from the royalties he is not paying to Infinity authors. Infinity Publishing may collapse and Infinity authors will be stuck with a new publisher and have nothing to say about it.

**We do not know how the FastPencil merger will affect the contract regarding our books**. There are many questions to ask about the terms of the merger – like what the royalty rate will be; will Infinity authors be required to pay a setup fee or a yearly fee; and how the terms will affect Infinity authors.

It should also be asked how Gutch will profit.

You can wait and see if I am right – or you can intervene and ward of this coming apocalypse.

**These quote popped up in the news recently:**

“ …repeated and willful self-dealing transactions, and failure to follow basic fiduciary obligations or to implement even elementary corporate formalities required by law.”

“little more than a checkbook.”

“the organization engaged in a pattern of persistent illegal conduct occurring over more than a decade, that includes . . . repeated and willful self-dealing transactions to benefit . . . personal and business interests and violations of basic legal obligations . . .”

(by NYS AG Barbara Underwood in her civil suit against Trump and the Trump Charity Foundations)

**Sounds EXACTLY like what is going on with Gutch at Infinity Publishing.**

There is so much more that I can tell you about. So many details. So many twists and turns. So many questions based on so many observations and calculations. And all off it depends on whether you can see the need for attention to be paid.

If you have questions, feel free to ask (email is fastest).

Please,

Don’t ignore me. Don’t ignore this problem. And most importantly – don’t blow me and my case off without an explanation.

And don’t divulge my identity to Infinity or FastPencil regarding my request for an investigation.

Sincerely,



Bo Metzler

P.S.

More on the demise of Marc Histand . . .

This was shocking to read. It bolsters my opinion that Infinity is dissolving.

I wrote to Gutch when I read the Histand auto response. His reply only referred to another question I put to him about FastPencil.

So authors have been waiting for Marc Histand to send us our Royalty Statements and he has NOT been employed at Infinity for 3 weeks ! !

He quit or was fired – the implications, either way, are that shit is happening.

I sent an email to the CEO of FastPencil today asking “what’s the deal with Infinity.” I am waiting for his response.

**These events MUST show you that, clearly, something out of the ordinary is going on.**

If something isn’t done soon, by you, then we may be getting to a point of no return regarding author rights and the safety of our books.

PLEASE don’t let Gutch get away with this.

I have heard from a couple of other authors and they are with me on my Infinity assessment.

Bo Metzler

**More reading . . .**

**--- Is YOUR BOOK at Risk?! List of 23 Publishers Who Bit the Dust…and WHY**

<http://writersweekly.com/angela-desk/is-your-book-at-risk-list-of-23-publishers-who-bit-the-dust-and-why>

**---Employees (Allegedly) Reveal Behind-the-Scenes Info. about CreateSpace, Xlibris, Author Solutions, Infinity Publishing, Lulu, and Outskirts Press**

<http://writersweekly.com/angela-desk/publisher-employees-reveal>

**---CONSUMER OR CRIMINAL?! Did the (Alleged) Victims of America Star Books / ASB Promotions / PublishAmerica File Complaints with the WRONG DIVISION at the Maryland Attorney General’s Office?? (NOTE: It’s not too late to re-file!)**

<http://writersweekly.com/angela-desk/consumer-or-criminal-complaint-America-Star-Books>

**--- Complaints about specific publishers**

[**http://writersweekly.com/tag/complaints-about-specific-publishers**](http://writersweekly.com/tag/complaints-about-specific-publishers)

**---Infinity Publishing Reviews (17)**

<https://www.revdex.com/reviews/infinity-publishing/636398>

**---Infinity Publishing – BBB Reviews and Complaints**

<https://www.bbb.org/washington-dc-eastern-pa/business-reviews/vanity-publisher/infinity-publishing-in-conshohocken-pa-80019395/reviews-and-complaints?section=reviews&reviewtype=negative>

**---Complaints about FastPencil!**

<http://writersweekly.com/ask-the-expert/complaints-about-fastpencil>

**---Fastpencil preys off of budding writers, steals royalties, refuses refunds**

<https://www.ripoffreport.com/reports/fastpencil-inc/campbell-california-95008/fastpencil-inc-fastpencil-preys-off-of-budding-writers-steals-royalties-refuses-refund-1300893>

**---FastPencil – Reviewed**

<http://www.theindependentpublishingmagazine.com/2013/05/fastpencil-reviewed.html>

**Facebook Message June 19/18**

**Bo to Marc Histand**

What happened, Marc? Did the heat get too hot for you? Did you quit or get fired? Are you going to help me or not?

## Questions about FastPencil/Infinity merger

Date: Wed, 20 Jun 2018

Subject: Questions about FastPencil/Infinity merger

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <agutch@fastpencil.com>, swilson@fastpencil.com

Art and Steve,

Here are a few questions I have, some for Art,

and for both of you regarding the union of FastPencil and Infinity.

1. \*Why have I not received a Royalty Statement since December for

September sales for last year?\*

In my last communication from Marc, on May 2nd, he said: "We are finalizing

royalty statements now and I will have them distributed as soon as

possible. We are looking at distribution by the end of the week." When will

I see my next Royalty Statement for November 2017 sales?

2. I also asked Marc, in an email dated Feb 14th 2018, to \*explain the

drop in Infinity Royalties\* "from $1.08/book to $.79/book through Ingram

and from $1.08/book to $.57/book wholesale." \*Apparently this had taken

place at the end of 2016.\*

His only response was something cryptic about "printing costs" and that

"More specifics will be shared with you when your grouping is provided

further merger instruction."

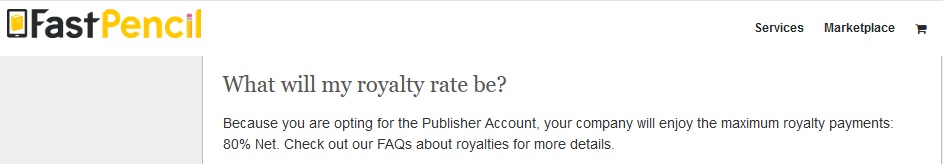
\*Art\*: explain this. \*Steve\*: What effect will the merger have on Infinity

Author royalties from the point of view of FastPencil? Will we get

FastPencil Royalties or Infinity Royalties? Both of you, please be specific

and accurate with your numbers.

3. Explain: how this may or may not pertain to current Infinity authors.



4. \*Is each individual Infinity Author, unbeknown to us, entering into a

"Publishers Account" with FastPencil? Are we going to be charged a $599

fee and $19 per year? If so, why were we not apprised of this already?\*

5. \*Art:\* \*I searched for the "Merger Banner" on the Infinity site. Where

is it?\*

6. I went to the "exciting news" link you included in your email

yesterday. Under \*"Your existing publications"\* there is the disclaimer "\*For

now...\*" with a vague explanation of a "transition." And then there is the

statement: "\*You keep your imprint. Infinity will operate as your publisher

..." These two statements seem contradictory. Are we changing or staying

the same? Who is going to be responsible for what happens to current

Infinity Authors books? (Please don't tell be an explanation will be coming

soon.)\*

\*7. If current Infinity books are still going to be handled by Infinity

Publishing, why is there a merger? Is this just a way to lower royalties

(as has already happened) and get all of the Infinity authors to fork over

a registration and yearly fee? What will this registration and yearly fee

be used for except profit for FastPencil?\*

\*8. Art: Why does it say, on your LinkedIn page, that you ended your

tenure at Infinity in February of 2017, and BEGAN your tenure as Chief

marketing, strategy and operating officer at FastPencil the same month?

Are you eventually going to dump Infinity? Or have you left someone else in

charge already? Can't be Marc Histand now.\*

\*9. Why is Marc no longer with Infinity? Did he quit or was he fired? Did

he also sign a NDA. And don't tell me it is "privileged information." That

is your common way to avoid being transparent to the authors who hired

Infinity! Remember - you work for us.\*

\*That's enough for now. I may have more questions later. \*

\*Please answer with honesty and integrity and don't just try to brush me

off. \*

\*And please don't waste time with your glossy salesman hype. Just the facts

please.\*

\*Bo\*

Date: Wed, 20 Jun 2018

From: Steve Wilson <swilson@fastpencil.com>

Subject: Re: Questions about FastPencil/Infinity merger

To: Bo Metzler <bometzler@gmail.com>

Cc: Arthur Gutch <agutch@fastpencil.com>

Bo, I will let Art answer the majority of your questions, but, here's a

couple of brief points.

- First, we are grandfathering in all Infinity authors into the FastPencil

program. You will not need to pay fees for your current publications as

you suggested. For future publications, you will only need to pay fees

associated with that one book and there services rendered for that specific

publication.

- On a royalties front, we are working on a true up for all outstanding

royalties. Please note, I know you as an author have patiently waited and

we apologize for this. In trying to merge systems and numerous other

consolidations, this has proved much more difficult than anticipated. It

is our hope that authors will be fully up to speed on all outstanding

items, including royalties in the coming weeks. We will send out a

consolidated statement at that time. Again, with several thousand authors,

this has proved incredibly difficult. We appreciate your patience and hope

to get this resolved soon.

Again, I will let Art answer the Infinity specific questions.

Thanks,

Steve

**ART NEVER REPLIED**

Date: Thu, 5 Jul 2018

Subject: Re: Questions about FastPencil/Infinity merger

From: Bo Metzler <bometzler@gmail.com>

To: Steve Wilson <swilson@fastpencil.com>

Steve

I appreciate your answering my email the day after I sent it.

I have bee waiting for Art to respond - he has not.

You could have chimed in on more of the questions. If this is a merger,

then, presumably things are merging.

And I would guess that you are discussing, with Art, all of the details of

the merger. So there should be very little

you wouldn't, at least, have an opinion about.

Art doesn't like writing to me - especially when I ask him direct

questions. He has a history of

ignoring the concerns I have had that go back 3 or 4 years. His usual

response is "that's privileged information." Marc would use that line too.

Maybe he has told you about things. Keep in mind that his articulation of

events is strictly from his point of view.

Regarding you answer about royalties.

It is still unclear \*who\* will be responsible for the accounting and

tabulation of sales and calculating royalties. Will it be Infinity still be

doing that -

because you use the word "we" several times in your answer.

Whether the "merger" will effect royalties is a simple question.

Will Infinity authors be making more, the same, or less royalties, per

book, after the "merger" is complete.

Will FastPencil be taking a cut from our book sales for \*any\* reason?

I have several other questions to ask, but some of them hinge on the

questions I asked originally, and on Art's answers to those questions.

I am all about the interests of the Infinity Authors.

We entrusted our work to Infinity - some of us in the time before Art

bought the company - and we, as authors, still have the same interests.

Our books belong to us. We should be earning the proper royalties on every

book sold.

This is all I want to be assured of and I believe we should have the right

to verify the accounting.

The publishing business is, first and foremost, about the books. Everything

starts with, and is fed by, the books. And the authors have done the work

writing those books.

You and Art are making money from the sale of the books. The authors

deserve to be making our fare share too.

Where is Art, by the way? California, Pennsylvania or Massachusetts?

later

Bo Meltzer

**Facebook Message 7/12/18**

**Marc Histand to Bo**

I quit. You will not be getting help from me. Ever. Do not contact me ever again ass hole

**Facebook Message July 12/18**

**Bo to Marc Histand**

Funny you should call ME the asshole - when all I was trying to do was get the royalties I deserved.

Just remember - you will be held responsible for what you did and didn't do @ Infinity - whether you are

there or not. I have all of your emails. And any NDA you signed cannot protect you or Art from criminal

actions. You NEED to help me pay the price. Your choice.

**Response to Allman shelving (copy to Shapiro)**

DATE: 8/9/2018

Bo Metzler <bometzler@gmail.com>

to Frances Alman,

**Metzler - BCP-18-05-004681**

Ms. Alman,

On May 23, I promised you a reply to your May 18th email to me.

Here it is.

I have since written to Attorney General Shapiro on 5/15 and 6/20. (Letters attached).

Update

on the situation regarding ALL 7000+ authors with books under the financial control of Arthur Gutch at Infinity Publishing . . .

NO Author has received a Royalty Statement OR a Royalty Check from Infinity Publishing since December of 2017. That is 8 months!!!

8 months of Infinity tabulating and collecting sales revenue from worldwide distributors of our books and NOT paying author royalties.

8 months of Infinity depositing sales revenue into Infinity's bank account and growing considerable interest rated on said deposits - which is retained as revenue by Infinity.

8 months of Gutch saying that "the merger with FastPencil is more complicated than we thought and is taking longer than expected."

8 months of Infinity Authors not knowing what is happening with our books NOR what might happen in the future. And Steve Wilson (CEO of FastPencil) knowing more about our books and what effect the merger will have on their future than the owners of the books (Infinity Authors).

8 months of the Attorney General's office doing nothing - or at least nothing you are willing to talk about (to me, the whistle blower) regarding this case.

My guess is, based on Shapiro's non-reply's to me letters, and your nebulous statement in your May 18th email to me -- "we will keep your file for possible future use," that you and he have decided to table any inquiry and requested investigation into these matters.

No one ever asked me any questions about what might have been unclear from my letters.

No one asked me about the POD Publishing business for any clarity on the issues I raised. No one has asked for any proof that I may have to substantiate my claims. And no one has investigated (to my knowledge) any issue that I raised.

A high level, highly lucrative fraud is being perpetrated on 7000 people, by a Pennsylvania business, and it doesn't seem to matter to anyone.

The only thing that has been accomplished - is my being outed to Gutch as a "complainant," and your statement that you can't talk about anything other than giving out my name and sending me Gutch's response to your secret inquiry.

I repeat - this isn't just about ME. This is about 7000 authors who are getting financially screwed by a Pennsylvania business.

A Special Prosecutor needs to be appointed. An investigation needs to be launched. Documents need to be subpoenaed.

This is a simple case - just follow the money as it is compared to book sale figures - figures reported to Infinity - and how different they are to the figures reported to the corresponding authors on which royalties are based.

If it is not the Attorney General's job to do this - tell me whose job it is.

If you and he just aren't in the mood, or are too "busy," let me know.

But, to me, the fact that you are avoiding your responsibility here, is a travesty of law enforcement and justice.

P.S. Marc Histand quit his job as #2 man at Infinity and he is very bitter. You might be able to get him to flip.

Bo Metzler

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

JAN. FEB. & MAR. 2018 ROYALTY REPORT

And Mea Culpa

Date: Aug 9, 2018

**From: bbotw@buybooksontheweb.com**

To: bometzler@gmail.com

Subject: JAN. FEB. & MAR. 2018 Royalty Report

Hello Infinity Author,  
  
     As you are probably aware, Infinity Publishing recently initiated a merger with FastPencil, Inc., an online publishing platform. You might also be aware that this undertaking has posed some significant and unforeseen challenges which in turn have impacted a number of our valued authors.  
  
     We want to thank you for your patience as we navigate through this challenging process. Ultimately, the merger of these two companies will enable us to deliver even more value to you as you pursue and expand your writing efforts. Because we sincerely believed that the merger would make us a better organization in many different ways, we embarked on this effort with both excitement and enthusiasm.  
  
     We are still excited today, but our excitement has been tempered a bit by the realities of blending two different and complex organizations into one. Along with what has proved to be a longer and more difficult journey than first anticipated, we have suffered through staff turnover, systems issues and unexpected hiccups that have most likely caused you a fair amount of concern. Turnaround times for printing services have suffered and our regularly scheduled communications with you have been seriously delayed. For that, we sincerely apologize.  
  
     Helping authors like you is our business-and our passion. Without you, we don't exist. We are working hard to correct the problems you have experienced over the past several weeks, and in some cases, months. We have already made sweeping changes to our staff, operational processes and technology systems, and we will continue to make these enhancement so that things will once more flow more smoothly for you. Indeed, it is both our objective and expectation to emerge from the challenges of this merger as a stronger, more capable, more agile and more responsive publishing partner that can accommodate all of your publishing, marketing and distribution needs, while simultaneously helping to accelerate your career as a published author.  
  
     We are listening to your complaints and have heard what you have to say. However, we support many authors and unfortunately, right now we are facing a backlog of pressing customer-related problems. But we are solving them the only way possible-one at a time. So please be patient and bear with us. Ultimately, we will take care of you and make it right.  
  
     Thank you for your patience and forbearance. In the meantime, if you need to communicate with us urgently, please send an e-mail to: Hotline@infinitypublishing.com   
  
The statement you are receiving today represents sales starting in January 2018 through March 2018.  
  
Sincerely,  
The Infinity / FastPencil Team

**Statement attached had NO SALES for me for Jan-Mar 2018!!!**

Date: Mon, 13 Aug 2018

**Subject: My reaction to your mea culpa**

From: Bo Metzler <bometzler@gmail.com>

To: art@fastpencil.com, Arthur Gutch <agutch@fastpencil.com>,

Steve Wilson <swilson@fastpencil.com>

Art and Steve,

This is my reaction to your recent mea culpa email.

First, some questions . . .

1 - I noticed that neither one of you were decent enough to sign the email.

This begs the question -- who wrote it?

And why didn't you \*personally\* take responsibility? Are you planning

to blame all of the problems on the staff who are now gone?

2 - A Statement was attached for Jan-March 2018. What about

October-December 2017??

The last statement I received was for Sept 2017 - and it was wrong!

3 - This Jan-March 2018 Statement says that I sold ZERO books.

Amazon says I sold six for that period - and that is just through

Amazon.

How do you account for this discrepancy?

4 - What happened to the personalized "Dashboard" that all Infinity Authors

where going to

be able to easily access and monitor our individual accounts?

5 - What desk are you working from, Art? Your Infinity Desk or your

FastPencil Desk? Or

your Boston desk? Or your Home Office Desk?

Now some comments . . .

a - Your self-effacing and over the top humility gushing is almost

laughable.

b - It seems to me that this past year of transition has effected more than

"\*a number of\* our valued authors." Your "merger" - that you never warned

us about - has effected ALL Infinity Authors.

c - You mentioned several things that have been effected by your total

miscalculation of

how this "merger" would work -- but you \*failed\* to mention the on-time and

accurate payment of Royalties. Apparently, as always, this is not an

important concern of yours.

d - Even printing turnaround times got a mention regarding blame. Is this

part of the Histand thesis for why our Royalties were cut in half last year?

e - Things don't have to "run more smoothly" for Authors. All we need to

see are our on-time and accurate Royalty payments. How hard is it to count

and write checks? I doubt very seriously that after experiencing your total

lack of business acumen, that not many, if any, Infinity Authors will

republish with Infinity in the future. I know for a fact that many have

already left.

f - You do NOTHING " to accelerate [our] career as a published author[s]."

g - You say you are listening and solving the problems and complaints -

"one at a time."

Is that why you haven't responded to my last emails?

h - I have tried to be patient with you ever since we started or dialogues

several years ago. How much longer do I have to remain patient???

i - "Forbearance" means: " patient self-control; restraint and tolerance."

I have run out of all of these things. In legal terms it means: "the action

of refraining from exercising a legal right, especially enforcing the

payment of a debt."

j - You, Art, have bragged, directly and indirectly, all along, about how

smart, knowledgeable, concerned, and forthright you are. You have

demonstrated none of these attributes to me. All I have seen, since you

took over Infinity, is a drop in the number of my reported book sales and

the pathetic abuse of basic math by your staff.

k - You never told us - up front - about the merger. If " Helping authors

like you is our business-and our passion. Without you, we don't exist"

were true from you, then it would seem reasonable enough for you to have

run this by us - with an explanation. All of us understand the English

language and at least one of us actually have degrees in Math.

l - Suppose I said that the K-Mart in Poughkeepsie and the K-Mart in Dallas

are joining forces - "merging" - so as to bring customers the best and

broadest possible service. That's 2 companies who do EXACTLY the same

thing, joining forces to do EXACTLY the same thing. And what if then I said

- "We can't figure out how to do what we do separately when we are

together." How foolish would that sound? (I know that you will contend

that I don't know what it takes to run a POD Publishing business. I will

answer by saying 2 things - 1) I am the one who keeps find the flaws in

your work, and 2) SHOW ME and I promise I will figure it our for you - just

like you have promised us. You won't do this, of course, because that would

mean I would see all of your secrets.)

m - Side Note: Non Disclosure Agreements were "invented" to protect trade

secrets. They were NOT "invented" to force former employees to keep quiet

about fraudulent activities. Ask a lawyer.

n - Art - I know you feel that you are smarter than the average author -

what with all of your investment and business acumen. But I am not just an

average author.

o - If your main goal was to satisfy the Authors - without whom you don't

exist - instead of yourselves, then everything would be different. And, by

the way, SAYING that you are doing everything \*for the Authors\* benefit,

does not make it true.

BTW, Art - your LinkedIn profile suggests that you SHOULD have know how to

do this merger. Maybe you should add - "Sometimes I misjudge and don't get

things right."

I am going to stop now. I have gone on record with my thoughts. I have

learned that you don't really care anyway.

But I am not finished. I will never stop until you are held responsible for

what you have and have not done.

The thorn in your side.

(Are you paying attention, Steve?)

Aug 9, 2018,

**For Your Eyes Only**

Bo Metzler <bometzler@gmail.com>

Mon, Aug 13, 2018

**to Steve Wilson @ FastPencil**

Steve,

You are either stupid or complicit.

Art is leading you down a rabbit hole and if you don't wake up, you will regret it.

Wake up or get buried.

Keep doing what you are doing and eventually it will all blow up.

Is that what you want?

What did Art promise you? What are you paying Art for all of the Infinity books?

Trump's lawyers are afraid of a "perjury trap" if Trump meets Mueller.

There is no perjury trap if Trump doesn't lie.

Open the books. There will be no problems if you are not hiding anything illegal.

Art is setting you up so he can disappear and leave you hanging.

Believe me or not. Your choice. We'll see.

In the meantime - fix the accounting. Pay accurate Royalties. Forget, for now, signing up new authors - clearly you can't handle it.

I'm trying to make things right - for the authors.

Bo

**Tue, Aug 14, 2018**

**Bo Metzler <bometzler@gmail.com>**

**to Frances Alman, Frances I." falman@attorneygeneral.gov**

**New Info - Metzler - BCP-18-05-004681**

**Ms. Alman,**

**The day after I wrote to you last week, I received an email from Infinity Publishing including our first Royalty Statement since December of 2017.**

**Entered in this email chain above**

**1) Email from Infinity August 9, 2018**

**2) My email response to Arthur Gutch (CEO Infinity) and Steve Wilson (CEO FastPencil) August 13, 2018**

**3) Separate email to Steve Wilson "For your eyes only" August 13, 2018**

**Bo Metzler**

**Waiting for Reply**

FROM: Bo Aug 17, 2018

TO: Art

So,

This is the estimated Royalty I would get with CreateSpace as my publisher, according to their calculator.

Are these numbers an "enticement" to USE CreateSpace? Because clearly a simple Amazon listing through Infinity gets me substantially less - even though the printing costs would be there in either situation?

**Sales currently through Amazon:**

Retail Price - $15.95

Infinity receives -- $3.63 (23%)

Author Royalty -- $.57 (15%)

**Sales through CreateSpace:**

Author Royalty: $2.65 - $5.84

**Sales through Ingram:**

Infinity: $7.16

Royalty: $1.08  
  
(I am not looking for reasons to go to CreateSpace - so don't misinterpret my questions. I am only trying to dig into how Amazon rips off authors and blackmails them into their royalty system.)

How does Amazon get away with this?

Why aren't all publishers like Infinity raising all kinds of hell against this rip off?

Tell me again:

Which vendors/distributors are summarized under "Ingram" on my statement?

Which vendors/distributors are summarized under "Wholesale" on my statement?

regards

Bo

**NO REPLY**

Wed, Sep 5, 2018

Bo Metzler <bometzler@gmail.com>

to Arthur, Steve, bbotw, Hotline

To whom it may concern,

(Art, Steve . . .)

I wrote to you all (Art, Steve, bbotw, Hotline) 3 weeks ago.

I asked about NOT receiving a Royalty Statement for October-December 2017.

I commented on the Statement sent to me for Jan - March 2018 which is incorrect.

I have heard nothing from ANYONE.

It is amazing to me that, after all of my questions and challenges, your choice

is to continue to NOT respond in your typical unprofessional and criminal way.

Try to find some ethics and produce my corrected Statements. It is your job.

"We're busy" is not an appropriate excuse.

Bo Metzler

What We Do - Working in the Theatre

Tue, Sep 18, 2018

Bo Metzler <bometzler@gmail.com>

**to Frances "Alman, Frances I." <falman@attorneygeneral.gov>**

**Re: Infinity Publishing**

Ms. Alman,

FYI

I sent a second email to Infinity in early September asking why I haven't heard from them regarding:

1 The lack of a Royalty Statement for sales from October thru December 2017

and

2 The fact that the Royalty Statement that WAS sent, covering Jan thru March 2018, was incorrect.

I have yet to hear from Gutch or anyone else at Infinity or FastPencil..

Are you or any other designee of the Attorney General investigating this fraudulent and potentially criminal behavior - against 7000 Infinity Authors??

Bo Metzler

Wed, Oct 3, 2018

Bo Metzler <bometzler@gmail.com>

to Arthur, Steve

Art and Steve,

In September, You paid royalties on 5 Ingram

and 12 wholesale sales. However - 17 books were sold

through Amazon alone.

In October - December you paid ZERO royalties

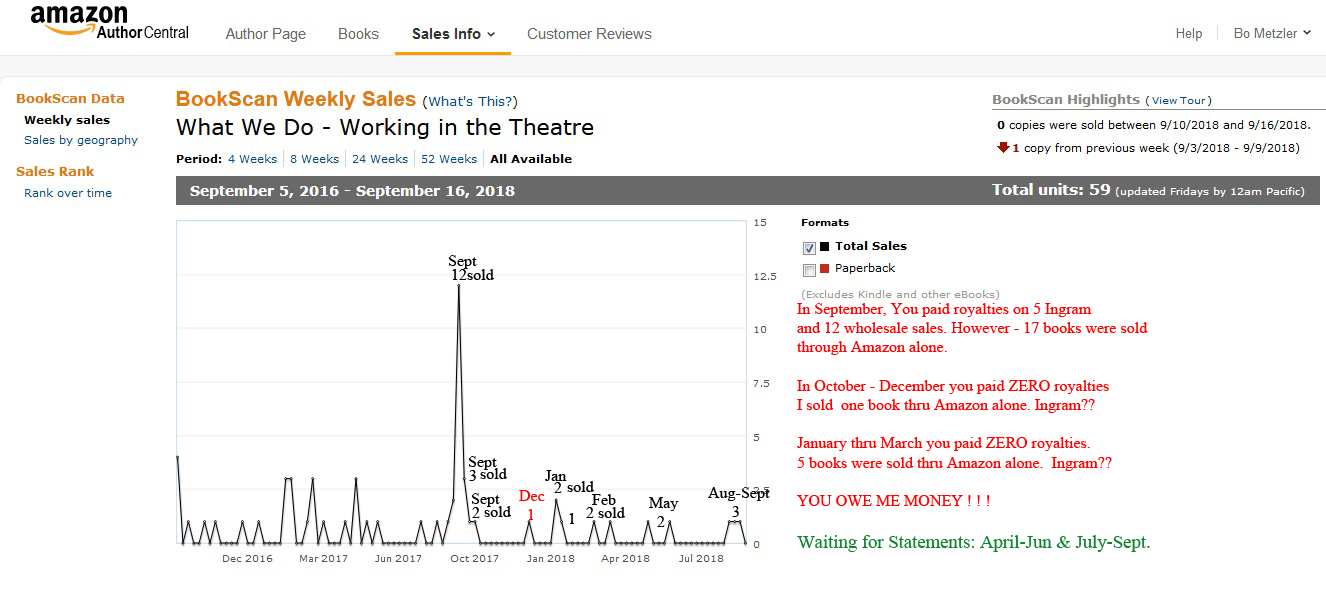
I sold one book thru Amazon alone. Ingram??

January thru March you paid ZERO royalties.

5 books were sold thru Amazon alone. Ingram??

YOU OWE ME MONEY ! ! ! See attached.

Waiting for Statements: April-Jun & July-Sept.

Bo

Wed, Oct 10,2018

Bo Metzler <bometzler@gmail.com>

**to Frances Alman**

Re: Infinity Publishing

FYI

Infinity Authors have only received one statement for monthly sales since September of 2018.

We, therefore, have not been paid any royalties.

The one statement that I received (Jan-March 2018) was not accurate.

I have tried communicating with Art Gutch (Infinity) and Steve Wilson (FastPencil) - to no avail.

I believe that ALL Infinity authors (7000) are being screwed.

I have implored you to launch and investigation.

Please respond and tell me, and the 7000 other authors, what you are doing.

Sincerely,

Bo Metzler

**What’s up?**

Sun, Oct 28, 2018

Bo Metzler <bometzler@gmail.com>

to Steve, Steve, art, Arthur

So . . .

no Royalty Statements since Jan-March

no internet link to bbotw.com

no internet link to infinitypublishing.com

does this mean Infinity doesn't exist anymore?

Just be honest.

What happens to our books? What happens to our production files?

Bo

Wed, Nov 14, 2018

Royalty Statements

Bo Metzler <bometzler@gmail.com>

to info@infinity.com

Where are our Royalty Statements and our royalties?

Haven't received a statement since the one for Jan-March 2018.

Did not receive a statement for Oct-Dec 2017.

Haven't received a royalty for a year!

Bo Metzler

What We Do - Working in the Theatre

## Metzler - BCP-18-05-004681 : Where do we stand?

Dec 12, 2018,

Bo Metzler <bometzler@gmail.com>

to Frances Alman,

Hello Ms. Allman,

I hope you haven't forgotten me.

It has been a year since I (and I assume all Infinity Authors) have received a legitimate Royalty Statement for the sale of our books.

Therefore: I (and I assume all Infinity Authors) have not been paid our earned royalties for this past year.

It is still my opinion that there is shady business going on at Infinity - to wit: skimming of sales numbers and non payment of royalties.

This is not just about me v. Infinity.

This suspicion involves ALL 10,000 Infinity Authors.

Imagine: There are 10,000+ book titles “published” by Infinity. The average royalty per book sold is $1.00. If only one copy of each book is not reported on each author’s monthly royalty statement, it means $10,000 is not being paid out to authors in royalties – EVERY month! That’s $120,000 per year. Is the IRS aware of this income?

Obviously some books sell more than one copy. Some books sell dozens. Some even sell in the hundreds. You can imagine the math. If the sales of the big selling books are shorted 2 or 4 or even more copies on the ledger, then some authors get shorted $2 or $4 or more $ in royalties for those books. And suddenly the skim is greater – much greater – than $10,000 per month. That’s a lot of money for Arthur and Marc – and there is NO ONE monitoring the situation from the author's point of view.

I have attached a Word Document which contains all correspondence regarding me and Infinity - Since August of 2016 (I apologize for the crude copy/paste format).

This email chain contains a wealth of information regarding Infinity business tactics and mistakes; about their merger with FastPencil; and about their attitude about being able to do whatever they want and they don't need to answer to anyone.

My main purpose in writing to you today, is to find out whether you are going to do (or have started) an investigation into this possible criminal activities.

If you have, then I will wait for its outcome - and stand ready to offer any information or explanations regarding the business of POD Publishing from an authors point of view.

If, on the other hand, you are not intending to investigate, I would appreciate your informing me so that I can pursue alternatives in my search for help and justice.

Please don't ignore me.

Sincerely,

Bo Metzler

**Wondering . . .**

December 13, 2018

Bo Metzler <bometzler@gmail.com>

to art, Arthur, Steve, Steve

Hi guys

Just wondering if you have been paying attention to what's happening in Washington and in the Southern District of New York?

Seems people are getting charged and convicted and sentenced for violations of law.

I know that your egos, like Cohen, Manaforte and Trump, among others, drive you to believe that you are above the law and no one can touch you.

Think again.

Fix things NOW with Infinity Authors - pay us ALL royalties, current and past - or go down the drain like the other liars and criminals.

BTW - just so you know - NDA's cannot protect criminals from the truth. (Marc has been informed of this fact.)

Sincerely,

Bo

Dec 12, 2018,

Bo Metzler <bometzler@gmail.com>

to Frances Alman,

Hello Ms. Allman,

I hope you haven't forgotten me.

It has been a year since I (and I assume all Infinity Authors) have received a legitimate Royalty Statement for the sale of our books.

Therefore: I (and I assume all Infinity Authors) have not been paid our earned royalties for this past year.

It is still my opinion that there is shady business going on at Infinity - to wit: skimming of sales numbers and non payment of royalties.

This is not just about me v. Infinity.

This suspicion involves ALL 10,000 Infinity Authors.

Imagine: There are 10,000+ book titles “published” by Infinity. The average royalty per book sold is $1.00. If only one copy of each book is not reported on each author’s monthly royalty statement, it means $10,000 is not being paid out to authors in royalties – EVERY month! That’s $120,000 per year. Is the IRS aware of this income?

Obviously some books sell more than one copy. Some books sell dozens. Some even sell in the hundreds. You can imagine the math. If the sales of the big selling books are shorted 2 or 4 or even more copies on the ledger, then some authors get shorted $2 or $4 or more $ in royalties for those books. And suddenly the skim is greater – much greater – than $10,000 per month. That’s a lot of money for Arthur and Marc – and there is NO ONE monitoring the situation from the author's point of view.

I have attached a Word Document which contains all correspondence regarding me and Infinity - Since August of 2016 (I apologize for the crude copy/paste format).

This email chain contains a wealth of information regarding Infinity business tactics and mistakes; about their merger with FastPencil; and about their attitude about being able to do whatever they want and they don't need to answer to anyone.

My main purpose in writing to you today, is to find out whether you are going to do (or have started) an investigation into this possible criminal activities.

If you have, then I will wait for its outcome - and stand ready to offer any information or explanations regarding the business of POD Publishing from an authors point of view.

If, on the other hand, you are not intending to investigate, I would appreciate your informing me so that I can pursue alternatives in my search for help and justice.

Please don't ignore me.

Sincerely,

Bo Metzler **Attachment – Infinity Email Log**

**NO REPLY**

**2019**>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Subject: Dashboard 8 Jan 2019

From: Bo Metzler <bometzler@gmail.com>

To: support@fastpencil.com

When will my book, published by Infinity, be available on the

FastPencil Dashboard?

Bo Metzler

What We Do - Working in the Theatre

Date: Wed, 9 Jan 2019

Subject: Change of address

From: Bo Metzler <bometzler@gmail.com>

To: art <art@fastpencil.com>, Arthur Gutch <agutch@fastpencil.com>

Art

Please update my record to reflect my new mailing address --

for purposes of 1099 forms, royalty statements & royalty checks.

NEW ADDRESS

Bo Metzler

c/o Alex Metzler

9 Holland Road

South Orange, NJ, 07079

Also --

I am still waiting for all the royalty statements we have not been

given - for over a year.

And I am waiting for the royalties that you are contractually required

to pay me.

Happy New Year

Bo Metzler

**Agutch**, Jan 14, 2019

FastPencil Knowledge Base

Hi,

We're hoping to have the issue blocking the royalties from going out to be resolved soon. We understand the frustrations the delays have caused and apologize for the inconvenience.

**Bometzler**, Jan 14, 2019

FastPencil Knowledge Base

I have submitted my change of mailing address to fastpencil and to Arthur Gutch. I have had no reply that the address has been changed.

NEW ADDRESS

Bo Metzler

9 Holland Road

South Orange, NJ 07079

Please respond and confirm.

Bo Metzler

**Agutch,** Jan 15, 2019

**FastPencil Knowledge Base**

Hi Bo,

We are confirming that we have your new address.

Thanks!

**Bometzler,** Jan 15, 2019

FastPencil Knowledge Base

Art

It has been nearly 2 years since you began this "merger." What is the problem?

Computer interface between companies? Is the accounting apparatus being joined or working in tandem?

Lack of manpower to accomplish the task?

Are all authors being effected by the non-payments or is this just a gradual slow phase in?

Are our books still being sold/printed and delivered?

Is it too late to go back to the way it was?

When will things be back to normal - the way it should be?

Bo

**Agutch**, Jan 18, 2019

FastPencil Knowledge Base

Bo,

Your concerns are valid and the problem is caused a number of factors that, we hope, are very nearly sorted out. We're expecting things to be a lot closer to "normal" soon.

TALK ABOUT A NON-ANSWER

**>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>**

**Bometzler,** Feb 24, 2019

FastPencil Knowledge Base

Give me the expense breakdown for a FastPencil/Infinity book with retail of $15.95 and ending with a royalty of $0.56? According to Royalty breakdown on FastPencil, 80% of the net sale goes to the author. <https://kb.fastpencil.com/hc/en-us/articles/202106644-What-is-my-Royalty-Split-with-FastPencil->

**Agutch**

**(FastPencil Knowledge Base)**

Feb 25, 2019

Hi Bometzler,

There are a lot of factors that go into account with the royalties pay out per book sold. Most of the money a book sells for covers the cost of the book. When you set up your book in the publication setup before publishing, the system will break down

every expense for you. However, as a general example, it goes like this:

The cost of a $15.95 book has to cover the cost of production, which includes distribution costs, cost of ink, paper, services of printing ect. All that is taken out, which can easily leave only a dollar or so in actual revenue. It is out of that actual revenue that the 80%/20% factor comes into play.

**Bometzler** Feb 25, 2019

FastPencil Knowledge Base

Before I respond to this patronizing message, I would like to know who actually

wrote it.

Bo

**Agutch**

**(FastPencil Knowledge Base** Feb 26, 2019

Hi Bo,

I apologize for writing an answer that came off as patronizing to you. That was not the intention. My intention was to generally explain the reasons behind why a royalty amount of $0.56 may make sense for a book priced at $15.95.

In regard to answering your question more specifically, I have done a few things for you:

1) I pulled the general guidelines that we give to understand the percentage breakdown for royalties and posted them below. I understand that you have been an Infinity author for some time now, and most likely have seen this before. I post it here just for your convenience and to help with clarity. As you can see, there are many avenues of sales that can affect the final royalty amount, which, as you may agree, is great for selling but complex for getting to the reason behind the amount you see on your royalties.

Retail Royalties: When we sell a book at full list price, you will earn 30% of the sale.

Wholesale Royalties: When we sell your book at a discount, you will earn 15% of the

net of the sale.

Ingram and Baker & Taylor Royalties: If you opted for our extended distribution package, your book will be sold via Ingram or B&T. These sales have their own line item on your royalty statements and you will earn 15% the net of all book sales.

Author Purchases: When you purchase your own published books, you will earn 10% of the sale. You may buy your book at an unheard of 50% discount on your first order.

All subsequent orders are offered at a steep 40% discount.

E-Book Royalties: You will earn 70% of what we receive from online retailers. For example an eBook that sells for $9.95 at Amazon would mean a royalty of $4.87 to you the author. This includes Amazon, Barnes & Noble, Borders, Chapters-Indigo and 30 additional global eBook retailers.

2) I do want to also point out that Amazon is selling your book, What We Do, for a variety of prices. I mention this because I often forget that a book is not always sold for the same price, and that variety shows up on the royalty statements. I added a screenshot just to show you the variations I found only this morning. While most of the sales are from either the $10.69 Kindle price or the $15.95 Paperback price, depending who the 3rd party distributors are, the other prices might be the starting point that your distribution fees come out of.

3) Last, because I realized you were asking for the specific breakdown, I pulled a statement for you that goes until the end of the 2018 year. Again, I'm certain you most likely have seen this before, so I won't explain it for you, but I do hope it helps answer your question. In regard to the statement (just because it was unclear to me) I do want to point out that the Royalty Type of net-cc is the category title for your own purchases, of which you get 10% royalty.

Of course, if I still have failed to answer your question or upset you in any way, feel free to call the office at 877.289.2665 ext. 63.

STILL DID NOT IDENTIFY THEMSELVES The phone number is a toll free number and connected to Jessica Koob – Author Advocate Infinity

Date Fri, 1 Mar 2019

Subject: Knowledge Base questions.

From: Bo Metzler <bometzler@gmail.com>

To: art <art@fastpencil.com>, Arthur Gutch <agutch@fastpencil.com>,

Steve Wilson <steve@fastpencil.com>, Steve Wilson

swilson@fastpencil.com>

Steve and Art,

I have been corresponding on FastPencil Knowledge Base with "Agutch".

Before I continue the conversation(s), I want you to verify that whoever is

responding to me is, in fact, Art Gutch, and not someone representing him.

Bo Metzler

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Date: 10 Mar 2019

Subject: Re: [FastPencil Knowledge Base] Re: Royalties

From: Bo Metzler <bometzler@gmail.com>

To: FastPencil Knowledge Base <support+id5438@fastpencil2.zendesk.com>

The person or persons who respond to my message(s) in FastPencil Knowledge

Base need to SIGN their responses - so I know who is writing the responses.

Bo Metzler

**To: Arthur Gutch (of Infinity Publishing) and Steve Wilson (of FastPencil)**

3/25/2019

Art and Steve,

I sent a direct e-mail message to you on March 1, regarding some questions I posted on **FastPencil Knowledge Base**. I don't know if you guys are actually reading my messages (despite the use of **Agutch** as the moniker), and I don't know who else is reading them either, because no one is signing the responses and, whoever is sending the responses isn't really answering my questions in a resourceful way. (Is Jessica Koob the one answering my messages on the Knowledge Base?)

I am also writing to both of you, now, because it is unclear who is actually running things during the fateful, long term, ridiculous “merger."

That being said . . .

Back on **January 15th** in a message via FastPencil Knowledge Base message to you, Art,

**I wrote:**

"*Art*

*It has been nearly 2 years since you began this "merger."* *WHAT IS THE PROBLEM?*

*Computer interface between companies?*

*Is the accounting apparatus being joined or working in tandem?*

*Lack of manpower to accomplish the task?*

*Are all authors being affected by the non-payments or is this just a gradual slow phase in?*

*Are our books still being sold/printed and delivered?*

*Is it too late to go back to the way it was?*

*When will things be back to normal - the way it should be?*

*Bo"*

**The reply** from **Agutch** at FastPencil Knowledge Base was:

*"Your concerns are valid and the problem is caused [by] a number of factors that, we hope, are very nearly sorted out. We're expecting things to be a lot closer to "normal" soon."*

That’s it – that is the answer I got!!! All 10,000 authors deserve a better response.

As far back as **June of 2018**, Steve wrote: *"It is our hope that authors will be fully up to speed on all outstanding items, including royalties in the coming weeks."* That was 8 MONTHS AGO!!

**"*In the coming weeks," "soon*,"** These are not answers. It seems like you aren't fully aware of, or able to deal with, the situation and problems created by your "merger." OR your answers have just been bullshit or fake news. It is time for honesty.

On **Feb/24/2019, I wrote** the following to FastPencil Knowledge Base:

*"Give me the expense breakdown for a FastPencil/Infinity book with retail of $15.95 and ending with a royalty of $0.56? According to Royalty breakdown on FastPencil, 80% of the net sale goes to the author. https://kb.fastpencil.com/hc/en-us/articles/202106644-What-is-my-Royalty-Split-with-FastPencil-"*

**The response** from **"Agutch,"** or whomever, was:

*"There are a lot of factors that go into account with the royalties pay out per book sold. Most of the money a book sells for covers the cost of the book. When you set up your book in the publication setup before publishing, the system will break down every expense for you. However, as a general example, it goes like this:*

*“The cost of a $15.95 book has to cover the cost of production, which includes distribution costs, cost of ink, paper, services of printing ect. All that is taken out, which can easily leave only a dollar or so in actual revenue. It is out of that actual revenue that the 80%/20% factor comes into play."*

**This is NOT a “breakdown”. There were No details, no numbers, just generalization.**

**And - When does the “80%/20% factor” actually start with Infinity royalties???**

**I responded**:

"Before I respond to this patronizing message, I would like to know who actually wrote it.

**Bo**"

On **Feb 26th 2019**, I received a longer response - again from "**Agutch**"

It was a longer version of the short patronizing answer that came previously.

It was still not signed.

It is my opinion that **Art** did not write the following message.

2 questions: 1) Why not ? And 2) Who did?

I will interject some comments, in red, within the Knowledge Base response.

And then I will have some additional general things to say.

**Agutch** wrote:

“Hi Bo,

*I apologize for writing an answer that came off as patronizing to you. That was not the intention. My intention was to generally explain the reasons behind why a royalty amount of $0.56 may make sense for a book priced at $15.95.* An author earning $0.56 in royalties for a $15.95 cover price is fundamentally outrageous and insulting. It used to be $1.07 till late in 2015. I was told this drop was “due to an increase in printing costs.” But when I asked for the printing costs, I was told it was “privileged information.” What could possibly be the reason for not disclosing printing costs? AND printing costs are not the responsibility for Infinity except in Retail sales from BBOTW.com.

In general, no one should make more profit from the sale of our books than the author makes in royalties.

I was very clear in my question – asking for an “expense breakdown.” That means NUMBERS for each expense that takes the Cover Price from $15.95 down to a royalty of $0.56. I specifically want to see where EVERY penny goes in the sales accounting process. That is why it is called “accounting.”

More on this later.

*In regard to answering your question more specifically, I have done a few things for you:*

You have “done” NOTHING except regurgitate the company handbook for explanations*.*

*I pulled the general guidelines that we give to understand the percentage breakdown for royalties and posted them below. I understand that you have been an Infinity author for some time now,* (It is clear that “**Agutch”** is NOT Arthur Gutch. He would not have said this.) *and most likely have seen this before. I post it here just for your convenience and to help with clarity. As you can see, there are many avenues of sales that can affect the final royalty amount, which, as you may agree, is great for selling but complex for getting to the reason behind the amount you see on your royalties.*

It is especially “complex” because these are only words/descriptions of the guidelines. These “avenues of sales” do not show, with examples, the mathematical sale-to-royalty breakdown for a $15.95 retail priced book.And, what can be “complex” about price of book/printing/shipping/discounts/fees – and who pays or receives what. They are all small numbers that up to $15.95 for each book. And they should be exactly the same for each book, and exactly the same between distributors and outlets.

***Retail Royalties:*** *When we sell a book at full list price, you will earn 30% of the sale.*

Interesting that you say “full list price.” **Take a look at my attachment called “!New Spreadsheet.”**

I transferred all of the numbers for 2016-2018 from your “Metzler.pdf” document that you attached to your message.

I eliminated a couple of columns that have never been used, and added new Columns for better understanding.

If you look at Lines 5 & 8, and Columns B & C, and do the math (division), you will get the Prices per Unit in Column E – which are two different Unit Prices for the same Retail List Price for my book ($15.95). This should not be.

In Column H is entered the same per unit Royalty amount (which is 30% of Column C). Line #5 produces 23.93 Royalty earned (which is 30% of Column C – 79.75). But in line #8, 30% of 200.97 = 60.29 NOT 100.49.

Something is wrong in Infinity’s math for line #8. I wonder how many times this bad math happens. (I have uncovered other mistakes over the years.)

So your little 16 word summary of “Retail Royalties” is bogus.

The reality is: 21 books entered as 200.97 Value Sold, which is a $9.57 unit price (not $15.95), and a mistake Royalty earned?? This time, the mistake was in my favor. Other times it has not been. But – WHY DID THIS HAPPEN? And – HOW OFTEN DOES IT HAPPEN?

***Wholesale Royalties:*** *When we sell your book at a discount, you will earn 15% of the net of the sale.*

Again, an 18 word summary that is patronizing not explanatory.

You don’t make it clear how the “NET” is determined.And I am NOT talking about a description, I am talking about **NUMBERS** – who gets what for selling the books? and what are the expenses? It is our right to know who and what are taking a piece of our pie.

AND – I have yet to see a list of ALL the wholesalers that are grouped in this one line on the statements. Does every wholesaler have the same “deal” with Infinity regarding the wholesale price for our books? What are the terms of the arrangements?

***Ingram and Baker & Taylor Royalties:*** *If you opted for our extended distribution package, your book will be sold via Ingram or B&T. These sales have their own line item on your royalty statements and you will earn 15% the net of all book sales.*

Same as above – we need to see the **NUMBERS** of Ingram, Baker & Taylor et al. regarding HOW MUCH the Cost Sheets are, that lead to the NET.

It is our right to know where the money goes, if it isn’t going into our pockets as Royalties.

A big question for both wholesaler and Ingram & B&T – who prints and ships the books and do these costs get covered by them (which it should).

***Author Purchases:*** *When you purchase your own published books, you will earn 10% of the sale. You may buy your book at an unheard of 50% discount on your first order.*

*All subsequent orders are offered at a steep 40% discount.*

Is that 10% of the LIST price? And is the discount of 50% or 40% royalty based on the LIST Price or NET Price – before or after Infinity pays production costs? Once again, your patronizing generalization is not definitively clear – SHOW THE NUMBERS!

***E-Book Royalties:*** *You will earn 70% of what we receive from online retailers. For example an eBook that sells for $9.95 at Amazon would mean a royalty of $4.87 to you the author. This includes Amazon, Barnes & Noble, Borders, Chapters-Indigo and 30 additional global eBook retailers.*

Tell me why your example uses the figure of $9.95 for an eBook sale, when that number rarely IF EVER appears as the Value Sold on my Sales History??

Who determines “what we receive from online retailers?” Does it vary?

In your example here, 70% of $9.95 is $6.97 – **NOT $4.87!!** --- $4.87 is **49%** of $9.95

Give authors a list of ALL Global eBook retailers, please.

*2) I do want to also point out that Amazon is selling your book, What We Do, for a variety of prices. I mention this because I often forget that a book is not always sold for the same price, and that variety shows up on the royalty statements.*

1) That “variety” does NOT “show up” on the Royalty Statements – only Units Sold and Total Value Sold. Once again you are misstating the facts.

2) OUR BOOKS should ALWAYS be sold at the same price. If Amazon wants to reduce the price from the cover price, then they should reduce their from the discount cost they are charged from Infinity. The author should not lose money because Amazon (or anyone) wants to reduce their sale price. The distribution fees should also be a fixed amount and if Amazon wants to let 3rd parties sell for less, it should eat into THEIR profit – NOT the authors’ royalty!!

3) I know you will say “this is not the way it is done,” but it should be.

STOP GIVING OUR BOOKS AWAY so that everyone who sells them makes more money that the authors. NO ONE would be making ANY money from books if the books weren’t written in the first place. Honor them!! Besides – who are all of these 3rd party sellers on Amazon anyway??

GIVE NAMES. And who gives them status as a seller – with a contract?

4) Canned meat is delivered to the grocery store at a fixed wholesale price - paid to the manufacturer by the store. It is sold at a retail price or sale price determined by the store - which determines the profit for the grocery store. The manufacturer doesn’t get his wholesale price reduced when the store puts the canned meat on sale. It should be the same for books!!

*I added a screenshot just to show you the variations I found only this morning. While most of the sales are from either the $10.69 Kindle price or the $15.95 Paperback price, depending who the 3rd party distributors are, the other prices might be the starting point that your distribution fees come out of.*

NO – the 3rd party prices should NOT be the starting point from which fees are determined. Fees to distributors and re-sellers should always be a fixed wholesale price set by the publisher. PERIOD.

*3) Last, because I realized you were asking for the specific breakdown, I pulled a statement for you that goes until the end of the 2018 year. Again, I'm certain you most likely have seen this before, so I won't explain it for you, but I do hope it helps answer your question. In regard to the statement (just because it was unclear to me) I do want to point out that the Royalty Type of net-cc is the category title for your own purchases, of which you get 10% royalty.*

I find it extremely interesting that you have given me a Life-to-Date Account Sheet that includes Sales and Royalties earned for the end of 2017 and all of 2018.

This is the period, covered by the FastPencil “merger,” for which NO ROYALTIES HAVE BEEN PAID to Infinity authors!!!!!

All we have heard from Infinity is “we are working on it.”

It is clear now that

Infinity HAS been selling our books,

and Infinity HAS been doing their traditional accounting,

AND it is clear that Infinity HAS been derelict in their contractual responsibility of paying royalties.

TIME TO WRITE SOME CHECKS!!! And don’t say “there are other reasons why the checks aren’t coming – without specifically telling us WHAT the reasons are!!

**And before I stop**, let me take issue with a few more numbers on the Spreadsheet I attached (on page 121 of this Email LOG). (Remember – the numbers are your numbers. I just transported them to a spreadsheet for easier explanation.)

Let’s start with **line #1**:

Just a direct comparison between 15% of NET ($1.08) and 80% of NET ($5.74). If FastPencil can pay its authors 80% of NET, then why can’t Infinity??? Is that the plan when the “merger” gets all figured out?

**Also Line 1 and line 18**:

1 Ingram book sold on each line – different Value Sold; different Royalty earned. **WHY???**

**Lines 2 & 3**:

3 wholesale units sold gets me a royalty of $2.58. But 4 wholesale units sold gets me a royalty of $2.29. Interesting. EXPLAIN – with numbers.

**Lines 4 & 6:**

33 wholesale books gets me a royalty of $0.57/book (total: $18.96) and 35 Ingram books almost doubles that to $1.07/book ($37.69). EXPLAIN – with numbers.

**Lines 7 & 9**:

5 wholesale books have a total value of $19.15 Net and a royalty earned of $2.87. But 3 wholesale books have a Total Value of $22.97 Net and a royalty of $3.44. HOW CAN THAT BE? SHOW ME YOUR NUMBERS.

**Lines 2, 9, 22 & 23**:

3 wholesale units sold on each line. Total Royalties earned were: $2.58; $3.44; $1.72 and $1.72. ??? Explain with numbers how we get these various “Values Sold”.

WHY ARE sellers allowed to sell my book for whatever THEY want – and I get less Royalty???

**Lines 14, 33, 47 & 48**:

Again: 2 wholesale units sold on each line; different “Value Sold” amounts; different royalties payed. Explain.

**Lines 34, 37 & 42**:

Again – different number of Units and different Prices per Unit, resulting in different Royalties paid. The same book should not be sold at different prices through the same distributor.

And finally, **Lines 1 & 34**:

Line 1: 1 Ingram book sold @ $7.18 with a royalty of $1.08. Line 34: 1 Ingram book sold at $5.26 with a royalty of $0.79.

Look at the eBooks on the Spreeadsheet. Compare Value Sold, Unit Prices and Royalty earned.

So many differences. Like print books – eBooks need to be sold at one price.

They are not cars where the buyer is shopping. Books are sold to people who want to buy THAT book, for whatever reason. SET the price. DON’T CHANGE IT.

See what happens when you analyze the numbers? And there are more numbers we need to analyze – but you don’t furnish them. If you want to defend the numbers you put on the Life –to-Date Statement, then be specific with numbers.

The thing about numbers is – they don’t lie. Only accountants do, by cooking the books to hide and/or manipulate the numbers – or to sell our books at wide variety of prices.

If you are cooking the books, you need to go to jail.

If you are randomly under-cutting the price of our books, you do NOT have our best interests at heart.

*By the way – Does Infinity print ANY books – other that Retail?*

***AGUTCH (or whomever) finishes their message with:***

*Of course, if I still have failed to answer your question or upset you in any way, feel free to call the office at 877.289.2665 ext. 63.”*

I know, after you read what I have written (whoever you are), that you will have the response: “Your way, Bo, is not the way Independent Publishing works.”

I say: It should be.

And By The Way - Not all Independent Publishers do things the way Infinity does them. So you cannot say “that is the way things work.”

If Infinity wanted to be the vanguard for POD Publishers, they need to think outside the box. They need to STOP thinking about how much MORE money everyone - except the author - can make.

MORE COMMENTS AND QUESTIONS:

MERGER

You (as in Art and/or Steve) NEED to explain to the Infinity Authors - in detail - WHAT is actually the problem with the merger – specifically addressing the non-payment of contractually obligated royalties!

We have a right to know what the holdup is. And those of us with math degrees are more than able to understand the details.

(Unless, of course, you have no intention of telling the truth and/or are hiding something.)

We hired you (actually, many of us hired Mark Gregory).

We pay you from dividends from the sale of our books.

You work for us. Without us, you have nothing.

All business about our books is OUR business. It is not "privileged information."

How you do business with our property is not "privileged business."

**It's as if you ran a day-care center and I dropped of my son with you.**

**EVERYTHING about my son, while he is in your custody, is MY business. Nothing you do with, or regarding my son, while he is in your care, is “privileged information” - even though the business is “owned” by you.**

**Both of you need to be more forthcoming and open and detailed about how you are handling our children (our books).**

So...

Answer my recent questions about the “merger” problems. Fully and completely.

Otherwise I can only assume that you are hiding something.

**Here they are again (from January 15th):**

What is the problem with the merger?

Computer interface between companies?

Is the accounting apparatus being joined or working in tandem?

Lack of manpower to accomplish the task?

Are all authors being affected by the non-payments or is this just a gradual slow phase in?

Are our books still being sold/printed and delivered? (Apparently, YES!)

Is it too late to go back to the way it was?

When will things be back to normal - the way it should be?

And here are a couple more questions.

The main question is WHY? Why a merger? - and don't give me the publicity oriented, marketing hype of "we want all authors to have the best of both worlds" reason.

Why FastPencil? How is sale tabulation and royalty payments easier or better with FastPencil.

Don’t pretend it is hard to be a publisher. You picked the job because you thought it would be easy and profitable. It can be if you would take my advice.

ROYALTY / SUB-SELLERS / PRINTING

If a $0.56 royalty is the way it is for the wholesale sale of my $15.95 book, why not just publish a chart with the royalty amounts for each of the various list prices for books? Instead of the misleading “15% of NET price” generalization. And, if you know what the royalty payment is going to be, month to month, book by book, then all the verbal garbage explanations about the “*cost of production, which includes distribution costs, cost of ink, paper, services of printing etc, that is taken out, can easily leave only a dollar or so in actual revenue” is just plain bullshit!*

*And, whoever wrote the responses from Knowledge Base also said: “It is out of that actual revenue that the 80%/20% factor comes into play."*

So, what about the 80%/20% of NET split?? It is what FastPencil posts on their website? Are Infinity authors going to get that royalty calculation when this whole “merger” is finished???

OR is the person writing these response to me, from Infinity, just talking out of their ass?

Or is the person writing these responses to me letting things slip that they shouldn’t be letting slip??

Explain the sub-seller system through Amazon. Are authors getting royalties on these sales?

What piece of sub-seller sales does Amazon get? Who prints them?

If a sub-seller (or any seller) wants to sell at sale price, the reduced price should come from THEIR profits. The seller can’t require the publisher or author to take a cut, just because seller doesn’t want to lose their profit.

Who gives distributors the right to sell at different prices?

Looking at your Life-to-date Statement: Why is the Royalty the same if the Sale Price is different? And why is the Royalty different if the Value Sold is the same?

3rd party sellers aren’t selling my book, or any book, because they are fans of the authors, or were hired by the authors. They are only trying to make money of OUR work and end up making MORE money that the authors do.

How much does it cost to print my $15.95 book with 240 b&w pages and color cover?

Who are the printers? Does printing at Amazon and Ingram et al. come out of their production costs?

I happened to notice last year, in the middle of your "merger," that my royalty per book was cut in half. Marc Histand said it was due to an increase in printing costs. How are things better at FastPencil if authors make less money in royalties at Infinity? I asked Marc what were the printing costs. He said: "privileged information." That was when he still worked for you. And it was bullshit! (Wondering: Why did Marc Histand quit?)

The cost of printing should be factored into the wholesale price paid by distributors – on THEIR cost sheet. You have no right to take, from authors, half of already, industry-wide, low royalties, to cover printing costs that should be paid out of the wholesale to retail cost differential of the distributors – especially when Amazon, B&T and Ingram do their own printing!

And, by the way, if you have supplied these distributors with our production files, so they can print on their own, how can you assure us that they are not selling and printing our books without telling you?

WHAT ARE YOU UP TO?

Art, if Infinity is still viable, why did you change your email address and why did you post on LinkedIn that you no longer work for Infinity?

Are you paving your way out of the publishing business?

Is Infinity still doing business out of the West Conshohocken office, or out of the Campbell CA office?

Is West Conshohocken still open?

Trying to figure out how the two of you make more money, at the expense of authors, should not be a "factor" in this "merger." Especially when the authors end up making less in royalties.

Are you still paying yourselves a salary from the sale income?

How much does/will FastPencil get per sale of an Infinity book? Is this "deal" the real reason why our royalties have dropped by half? I want ACTUAL NUMBERS not bogus descriptions.

As I asked before and as **Agutch** alluded to – there is/will be an 80%/20% of NET royalty. When will this kick in?

"The time is always right to do what is right." Martin Luther King Jr.

I keep giving you chances to be a good, honest, open and ethical people. You keep playing close to the vest and telling me I don't have a right to know what you are doing.

One of Trumps famous stump proclamations is "there was no collusion." Do you believe him?

By Trumps logic you think we should all just believe and trust you. But you have done little to earn my trust. Your management of Infinity does NOT put authors first - despite your publicity.

Inspirational memes and detailed tips and tricks to bigger sales are par for the course for a great publishing company that puts authors first. But they are not supposed to deflect attention and hide what is actually going on behind the scenes. And they are not supposed to deflect attention and resources away from currently published authors, just so that you can continue to balloon your potential sales income by signing new authors with their new books.

Your solution for disgruntled authors is that they leave Infinity and publish elsewhere. And many have. And you are happy they are gone. You have suggested that I get a new publisher if I am unhappy.

Listen up - - this isn’t about me being unhappy. This is about YOU seemingly screwing 7000 authors and me trying figuring it out. That is why you want me to find another publisher.

You need to start treating the 7000 Infinity authors with respect.

If you are doing everything right and above board then show us everything that pertains to our property.

THIS author only wants the best for ALL authors. WE are the reason Infinity exists. I want to keep it that way - but cleanly and above board with no bullshit.

By the way . . .

It can be argued that NDA's are a sly form of witness tampering.

If you are using NDA's to keep people quiet, it is a devious form of obstruction of justice through pressure and intimidation to influence present and past employees to not tell the truth.

Witness tampering is a criminal offense.

Bo Metzler

**Attached below: !New Spreadsheet**



**-----------------------------------**

**There was no response to this rather long and involved analysis of the situation at Infinity. I still do not know who has been writing the messages under the name “AGUTCH.”**

Then this came:

From: Steve Wilson <swilson@fastpencil.com>

**Date: Thu, 30 May 2019** 08:43:26 -0700

Subject: Conversation

To: Bo Metzler <bometzler@gmail.com>

Bo,

As you likely know, I have been on the board and consulting for FastPencil

for about a year. I realize things have been less than ideal but I have

reaching out for a conversation. Please advise as to what is outstanding

and I will push Art and team to get this done.

They notified me that your royalties have been all but up to date. I have

not been involved in the Operations of the company for some time, but, I

have every intention of making sure all people are treated with respect.

Please provide your phone number and let me know when you can discuss.

Thanks,

--

Steve

**MY REPLY:**

Date: Sun, **9 Jun 2019** 13:31:25 +0800

Subject: Re: Conversation

From: Bo Metzler <bometzler@gmail.com>

To: Steve Wilson <swilson@fastpencil.com>

Steve,

Surprising to receive your "reach out" email.

I must tell you I actually laughed at how ridiculous it was.

- You trying to downplay your involvement with FastPencil and connection to

your merged partner.

- You trying to downplay your involvement in the goings on regarding non-payment of royalties. Why is there a merger if you don't know what is going on.

- You acting all righteous about caring for authors.

My royalties as well as the royalties of all of the Infinity authors have

not been paid since the end of 2017. (except for the royalties of the authors who have threatened lawsuits – who Art has paid off.)

So if Art told you that my "royalties have been all but up to date" he is

lying. And all this bullshit about how the merger is very difficult and you are

working things out is a disgraceful diversion.

You guys are stealing our money and that is a crime.

Art is out asking for investments so he doesn't have to use his own money -

money he stole from us.

Just so you know - I am resolved to exposing your fraud and hold you and

your partner Art responsible.

As dedicated as you are to perpetrating your fraud, I am equally dedicated

in exposing you.

This is not a threat, it is a promise (and not a fake promise like you and

Art make).

Please read & re-read all of the email correspondence between you and Art

and me.

As you may know, the Pennsylvania AG has been made aware of the situation

and authors are filing coordinated complaints regarding the non-payment of royalties.

You need to decide if you are going to continue the game you and Art are

playing or change your tactics and become honest and honorable and ethical people and pay ALL Infinity authors their due royalties – PLUS 12% for the interest we would have made on the money if it was in the bank for the last year.

And we have never discussed the skimming of book sales numbers from the

distributors that Art has never paid royalties on.

Do you treat your authors the same way. Rumor has it.

Read:

<https://www.ripoffreport.com/reports/fastpencil-inc/campbell-california-95008/fastpencil-inc-fastpencil-preys-off-of-budding-writers-steals-royalties-refuses-refund-1300893>

<https://writersweekly.com/ask-the-expert/complaints-about-fastpencil>

<https://writersweekly.com/angela-desk/is-your-book-at-risk-list-of-23-publishers-who-bit-the-dust-and-why>

And I really love how Marc Histand has opened up his own publishing enterprise with Sara Matz. And how they think they are safe because they signed NDA's.

If you have real answers to real questions, then we can talk. But I am not going to waste my time listening to your bullshit.

Sincerely,

Bo

NO REPLY

A day after I sent this reply to Steve Wilson, I got a check from Infinity for $133. This was supposed to be my royalties for a year and a half. Unbelievable.

There was no statement accompanying the check. No note. Nothing.

It is absurd that they would think that this would appease me and stop me from pursuing their criminal activities.

I wrote this email:

Date: **Wed, 12 Jun 2019** 11:23:15 +0800

Subject: Royalty Payment

From: Bo Metzler <bometzler@gmail.com>

To: Steve Wilson <swilson@fastpencil.com>,

Arthur Gutch <agutch@fastpencil.com>

Steve and Art,

Yesterday, I received a royalty check dated May 29th, 2019 -- the day

before you wrote me your email, Steve.

What I have NOT received, Art,

- is a statement for the period of time that the check covers, with book sale numbers itemized by month.

- is interest on the royalties that would have accrued in my bank account IF the royalties had been paid on time over the last year and a half.

You are not done.

Bo

As usual – NO REPLY

During my communications with other authors, I received a copy of another authors’ Royalty Statement that she sent to me for analysis. The first thing I noticed was the fact that she was getting paid a larger percentage for her royalties.

I sent Arthur Gutch and Steve Wilson a quick message…

Date: **Thu, 20 Jun 2019** 09:42:33 +0800

Subject: Royalty Percentage

From: Bo Metzler <bometzler@gmail.com>

To: Steve Wilson <swilson@fastpencil.com>,

Arthur Gutch <agutch@fastpencil.com>

Why does my "Royalty Pcnt"column say 15% for Ingram and Wholesale, while

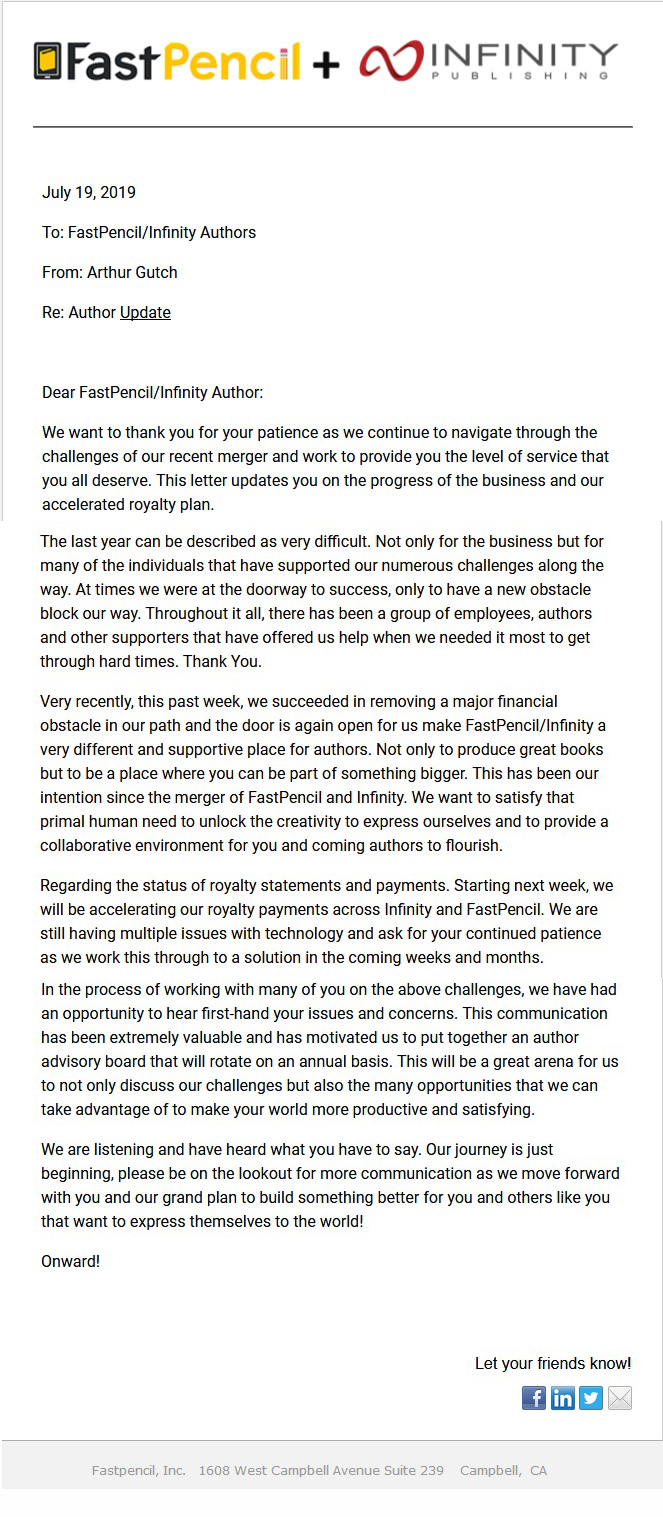
other authors have a 20% Royalty Pcnt??

Bo

As usual – NO REPLY

In July 2019, Infinity sent out to all(?) Authors an “Authors Update” designed to explain the situation at Infinity.

Scroll down



This was my reply sent to Art Gutch, Steve Wilson and Jessica Koob (who has been known to write under the pseudonym of AGUTCH):

**My thoughts on the “Author Update” sent to Infinity Authors recently:**

**My comments/questions are in red.**

-------------------------------------------------------------------------

Author Update July 2019

**Arthur Gutch** noreply@fastpencil.com via

<https://support.google.com/mail/answer/1311182?hl=en> bf10a.hubspotemail.net

**First question** -- Who wrote this Update??   Was it Jessica Koob – who has been known to write under Arthur Gutch’s  name in the past.  It doesn’t sound like Art, but if it WAS Art, why didn’t you sign it? Or was this just your way of being able to deny responsibility in the future? Do you actually still work for Infinity and its Authors?

**Second question** – What’s with the “noreply” aspect of your message? And what is all the “hubspotemail.net” crap?  If you would just spend more time fixing Infinity and paying royalties, instead of hiding, we would all be better off.

-----------------------------------------------------------------------

July 19, 2019

To: FastPencil/Infinity Authors

**From: Arthur Gutch**

Re: Author \_Update\_

Dear FastPencil/Infinity Author:

We want to thank you for your **patience** as we continue to navigate through the **challenges** of our **recent** merger and work to provide you the **level of service that you all deserve.**

(Who is “we”?

Most of us have NOT been patient. MOST of us are furious at how totally messed up Infinity is and how insulting is your respect for authors.  Keep in mind - YOU (Art) created the situation. YOU are the sole person responsible for all of the problems.  The “challenges” are not simply circumstances that cropped up and had to be dealt with.  They are aspects of the way you chose to run Infinity – aspects and “challenges” that YOUR management created.

The merger wasn’t “recent.” You started this fiasco over 3 years ago. You just didn’t tell anyone.

You profess that you want to provide us with the “service we all deserve.”  This is bullshit.  We deserve not to have had our royalties cut in half three years ago! – so that you could pay Steve Wilson as part of your merger deal.    We deserve to get paid our royalties – in full – NOW! - including the shortages since you cut our royalties in half.    We deserve openness and honesty regarding EVERY aspect of Infinity and every decision by you that has a bearing on the sales and royalties for our books.)

**This letter updates you** on the progress of the business and our **accelerated royalty plan**.

(This letter does not “update” us on any progress.   All this letter says is “we’re still working on things.”   And this letter most certainly does NOT update us on an “accelerated royalty plan.”  There is no time table. There are no procedures outlined. There are no details. There is no explanation as to why there was a royalty payment problem in the first place.)

**The last year** can be described as very difficult. Not only for the business but for **many** of the individuals that have supported our numerous challenges along the way.

(This mess has existed for almost TWO years.  Most authors have not been paid royalties since the end of 2017.) Name one author that supports what you have done to make a mess of one of the historically most respected POD Publishers.)

At times we were at the doorway to success, only to have **a new obstacle** block our way.

(What new obstacles? Explain!!)

Throughout it all, there has been a group of employees, authors and other supporters that have **offered us help** when we needed it most to get through hard times. Thank You.

(I can guess why employees offered help, if their jobs were on the line. But which authors? What kind of help? And who are the “other supporters?? And don’t tell me this is “privileged information” especially if you are sharing “privelaged information” with these “supporters”. My guess is that this claim of support is just more bullshit.  BTW – what happened to Marc Histand and Sara Matz? They didn’t stay around to help you. They opened up their own POD Publishing Company. And a number of other people have left too. You failed to mention this.)

Very recently, this past week, we succeeded in removing **a major financial obstacle** in our path and the door is again open for us make FastPencil/Infinity a very different and **supportive place for authors**. Not only to produce great books but to be a place where you can be **part of something bigger**.

(What was the “financial obstacle”?  Enlighten us? If we knew what was happening, in detail, we might be more understanding.  Remember – you have no business without OUR books!  If you want to “support” authors – pay them the royalties OUR books have earned.  “Something Bigger” – how will bigger effect our book sales and royalty payments? So far the “bigger” is just about taking more of our royalties to pay for your merger. Explain how that is something we should yearn for. You have demonstrated that you can’t handle “bigger.”)

This has been our intention since the merger of FastPencil and Infinity. **We want to satisfy that**

**primal human need to unlock the creativity to express ourselves and to provide a**

**collaborative environment for you and coming authors to flourish.**

(This sentence is hardcore verbal hyperbole, aka: bullshit. Who wrote it?? None of this is what your business should be concentrating on. Your job is to format our books for distribution and print-on-demand sales, then to tabulate sales and pay royalties.  The only thing “primal” for you, it seems, is how to make a greater personal income off of our book sales.  Staff reciting the company philosophy and claiming that everything is “privileged information” is NOT collaboration.  The only way for Infinity authors to flourish is for the truth to come out – completely and honestly, so we can all become aware of all of the details related to the care and feeding of our children – our books.  You have, instead, chosen to keep everything secret, and you are responsible for the deceit and the debacle that may, very nearly if not totally, destroy Infinity.)

Regarding the status of royalty statements and payments. Starting next week, we will be **accelerating our royalty payments** across Infinity and FastPencil. We are still having **multiple issues with technology** and **ask for your continued patience as we work this through to a solution in the coming weeks and months**.  (What issues?  Be specific. Tell us what is going on. If you don’t, it only appears like you are hiding something. Don’t tell us it’s not our business or that we won’t understand. ANYTHING that involves our books is OUR business. We have no patience anymore. That is why more authors are filing complaints with the Pennsylvania AG. And why more authors are filing lawsuits against you.

You are really personifying Donald Trump – saying anything, lying about everything, making wild claims and believing that you can do whatever you want.)

In the process of **working with many of you on the above challenges**, we have had an opportunity to hear first-hand your issues and concerns. **This communication has been extremely valuable** and has motivated us to put together an **author advisory board that will rotate on an annual basis**. This will be a great arena for us to not only **discuss our challenges** but also the many opportunities that we can

take advantage of to make your world more productive and satisfying.

(Who is sitting on the Author Advisory Board? I want to know who is “representing” me. How were these people (if they actually exist) chosen? When and where are the discussions taking place?

My guess is that this “advisory board” is a bogus attempt to pretend like you are making honorable efforts.  It’s more bullshit.  Any discussions between you and an “advisory board” need to be shared with all authors. If they are “representing “ us then we need to be able to evaluate their representation. I know you and many people like you. You will never admit your mistakes or take advice from anyone that you deem inferior to you. You will only try to pretend while pocketing your salary from our unpaid royalties.)

**We are listening and have heard what you have to say**. Our journey **is just beginning,** please be on the lookout for more communication as we move forward with you and **our grand plan** to build something better for you and others like you that want to express themselves to the world!

(No – you have NOT been listening.  The “journey” for some of us predates your arrival at Infinity and its “coincidental” drop in credibility and success.  Infinity had already been established. Our journey should have stayed on the same road.  Despite what you patronizingly claim – that you have our best interests at heart – you have single handedly broken the success of Infinity.  All for your own profit. THAT is YOUR “grand plan” – to make tons of money for yourself and then leave.

Whoever had a hand in the writing of this letter – Jessica, or Steve, or Art or others – I see through your flowery language. Remember – we know how to write and how to twist words and turn a phrase.

**“\_\_No Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_”**

Who didn’t have the balls to sign this letter???

Onward!

Let your friends know!

Some other thoughts:

Your characterization of the situation is nothing but a melodramatic attempt at a smoke screen to try and make authors feel that all is not lost.  It didn’t work.

How can you have such difficulty doing what you have been doing for nearly 10 years – tabulating the sales from the distributor reports and paying the corresponding royalties?

I am a math major – this is not hard!!

Don’t say things are more complicated without explaining what you mean.

Come clean and openly explain how you fucked everything up, and specifically how you intend to remedy the situation.

Are you still paying yourself?   BTW – you can’t buy my silence by writing me a check, without a royalty statement to back it up.   AND I would like to see all of the distribution reports for my book (since you took over) so that I can compare them with the Royalty statements. And don’t tell me this is “privileged information.”

In fact -  don’t ever use the phrase “privileged information” again. There is NOTHING about our books that is not our business.

I will not stop until you are held accountable for your actions, behavior, lies and theft of our rightful royalties.

Check this out.

<https://oklahoman.com/article/5636833/oklahoma-attorney-general-drafting-restitution-plan-for-qualified-tate-publishing-victims>

<https://writersweekly.com/tag/tate>

Bo Metzler

P.S.

to: Steve and Jessica

You are both complicit.

NDA’s will not protect you.  You are legally responsible for illegal activities that you are aware of, condone, hide or take part in.  Michael Cohen, who did what Trump wanted, and lied about it, is in jail!

As usual – NO REPLY

I wrote a follow up message:

Date: Sun, 4 Aug 2019

Subject: author advisory board

From: Bo Metzler <bometzler@gmail.com>

To: Arthur Gutch <agutch@fastpencil.com>,

Steve Wilson <swilson@fastpencil.com>,

jkoob@fastpencil.com

I want to know who sits on the \*author advisory board\* (if it exists).

They do not represent me until I know who they are and what their point of

view is regarding the treatment of Infinity Authors.

If you are telling the truth - there would be no reason to NOT let authors

communicate with the advisory board.

Bo

As usual – NO REPLY

**8/18/2019**

During the last couple of months there has been a surge in communication between Infinity authors. We have been writing emails and expressing our thoughts regarding what is happening and what should be done.

Some people think we should sue Art Gutch and Steve Wilson for failure to pay contractual royalties. Some, like myself, believe we should get the Pennsylvania AG to investigate and bring appropriate charges.

Additional authors are filing formal complaints with the AG Office.

AG Shapiro is not answering any of my letters.

Asst. Attorney Fances Ulman is not replying to any of my letters and emails.

Nor is anyone else telling us what IS or CAN be done **vis**-a-**vis** the AG office.

We are at a standstill now – exactly what Gutch wants.

Gutch is just running out the clock and stock-piling all of our royalty money in Infinity’s or His bank account. As soon as he sees that he has nowhere to go, he will take the money and disappear.