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June 30, 2008

Via E-Mail inquiry@houstonlawreview.org

Stephanie Cecere
Editor-in-Chief
Houston Law Review
100 Law Center
Houston, TX 77204-6060

Dear Ms. Cecere:

I enclose recent correspondence to the Dean of UCLA Law School and Professor David Nimmer relating to misrepresentations I believe were made in an article in the Spring 2001 Edition of the HOUSTON LAW REVIEW, Volume 38, Number 1, David Nimmer - COPYRIGHT IN THE DEAD SEA SCROLLS: AUTHORSHIP AND ORIGINALITY (PP.1-218).

I would be most appreciative were a correction notice to be added to the beginning of your on-line version of the article,¹ as follows:

This article discusses and cites to two separate Second Circuit opinions, both bearing the same name, *Matthew Bender v. West*. One opinion concerns a challenge to West's claimed copyrights in citations, in which the prevailing parties were Matthew Bender and the intervenor HyperLaw, Inc. The second opinion relates to a challenge to West's claimed copyrights in the text of West's versions of judicial opinions, for which the only prevailing party was the intervenor, HyperLaw, Inc. Matthew Bender did not participate in that part of the case. Most of the citations in this article are to the latter text opinion. The author was not counsel in that part of the case. The Houston Law Review, which should have vetted the article more thoroughly, regrets any implications to the contrary.

I am not asking for the correction notice simply due to a "mistake" previously made. The errors would have been corrected at the time had the law review editors simply read the first page of the appellate decisions, if compliance with Bluebook form had been insisted upon, and perhaps if the editors resisted any faculty pressure if such existed. As the attached letters show, my belief is that the claimed misrepresentations were not a result of mistake and may constitute academic fraud.

I also ask that you request Westlaw and Lexis to add the same correction to the on-line versions of the article.

¹ The Table of Contents for this issue is at your web site, <http://www.houstonlawreview.org/archive/hlrtc38n1.html>, and the article appears at http://www.houstonlawreview.org/archive/downloads/38-1_pdf/HLR38P1.pdf.

Sincerely

A handwritten signature in cursive script that reads "Alan D. Sugarman". The signature is written in black ink and is positioned to the right of a vertical line.

Alan D. Sugarman

cc: Professor David Nimmer
Morgan Chu, Esq.
Carl Hartmann, Esq.
Paul Ruskin, Esq.

Attachments:

Letter of June 30, 2008 to Dean Schill with multiple attachments. (Note: A pdf version of that letter and attachments may be downloaded at this non-public url: <http://www.hyperlaw.com/private-temp/issue.pdf>)