

October 12, 2007

**BY FEDERAL EXPRESS;
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Karen Andrews, Esq.
Hachette Book Group USA, Inc. d/b/a
Grand Central Publishing
237 Park Avenue
New York, New York 10017

Re: "Blonde Ambition"

Dear Ms. Andrews:

As you are aware, I represent Howard K. Stern in the libel action filed by Mr. Stern against Rita Cosby and Hachette Book Group USA, Inc. regarding the false and defamatory accusations published about Mr. Stern in Ms. Cosby's book, "Blonde Ambition." In light of Ms. Cosby's recent activities in the Bahamas and the denial by Quethlie Alexis and Nadine Alexie of statements attributed to them in "Blonde Ambition," I hereby demand on behalf of Mr. Stern that Hachette Book Group immediately have all copies of "Blonde Ambition" returned to Hachette Book Group and cease any further publication, distribution and/or circulation of "Blonde Ambition."

In "Blonde Ambition," Ms. Cosby falsely accused Mr. Stern of engaging in a videotaped homosexual act with Larry Birkhead:

Without knowing what Jackie Hatten had seen, Anna's nannies, Quethlie Alexis and Nadine Alexie, accompanied by their attorney, told private investigators some details about Howard and Anna's home life. Howard, they said, was always on his computer and Anna often stayed in bed and watched movies. "Is there one video she loved watching?" an investigator asked.

"Yes," one of the nannies surprisingly said, "the one with Larry Birkhead and Howard...doing that thing."

"You mean like two gay guys?" the investigator asked. "Having sex?"

"Just like that," she nodded. The investigators were taken aback and told me that the nannies were clearly embarrassed about it, since they were quite religious.

"She'd lie in her bed and watch it," Nadine affirmed.

According to the nannies, she watched it over and over again.

(Blonde Ambition, 204.)

This week, Quethlie Alexis and Nadine Alexie, through their attorney, Elizabeth Thompson, denied ever making the statements attributed to them in the above-quoted passage of "Blonde Ambition." Alexis and Alexie have also issued the following statement in which they unquestionably deny that they made the statements attributed to them in "Blonde Ambition":

The nannies never spoke to Rita Cosby before the book was written and indeed did not speak to private investigators relative to any allegations of homosexual acts which may or may not have occurred between Howard K. Stern and Larry Birkhead.

Furthermore, Ms. Cosby's and Hachette Book Group's failure to even attempt to contact Alexis and Alexie prior to publication of "Blonde Ambition" demonstrates both an egregious breach of professional standards and a reckless disregard for the truth or falsity of the accusations against Mr. Stern made in "Blonde Ambition." Apparently in an effort to rush "Blonde Ambition" to market to profit from Ms. Smith's death, Ms. Cosby and Hachette Book Group willfully turned a blind eye to the truth.

Further evidencing Ms. Cosby's and Hachette Book Group's reckless disregard for the truth, you were content to rely on the triple hearsay of a private investigator who was paid to find information to discredit Mr. Stern. Although he denies being a source for "Blonde Ambition," Don Clark has admitted that he is an investigator to whom Alexis and Alexie allegedly made the statements in the above-quoted passage. Clark, however, contends that he quickly ended his interview of Alexis and Alexie because of concerns that Alexis and Alexie were unscrupulous. Clark, as you know, is employed by John O'Quinn, who represented Ms. Smith's mother, Virgie Arthur, in proceedings adverse to Mr. Stern and who Mr. Stern has sued for slander arising from O'Quinn's accusations that Mr. Stern was criminally involved in the deaths of Ms. Smith and her son, Daniel Smith. Prior to publishing "Blonde Ambition," Ms. Cosby and Hachette Book Group knew that Clark lacked any reliability or credibility as a source for statements regarding Mr. Stern. Rather than going to the alleged source of the accusations from "Blonde Ambition" quoted above—Alexis and Alexie—Ms. Cosby and Hachette Book Group relied on an unreliable second-hand source for scurrilous, sensational accusations that irreparably damaged Mr. Stern.

Only after Ms. Cosby and Hachette Book Group were sued for the reprehensible, false, and unsupported accusations contained in "Blonde Ambition" did Ms. Cosby first attempt to contact the alleged sources of the above-quoted accusation. In an unconscionable act, Ms. Cosby apparently first offered Alexis and Alexie one thousand dollars (\$1,000.00) for a one hour interview and then further offered Alexis and Alexie a financial benefit for confirming the accusations contained in "Blonde Ambition":

Bain: Okay, then on (inaudible), 15 thousand dollars, what do you all want?

Cosby: What we would like in return is to, I'd obviously love to meet with them today. I would love to look at the affidavit...

Thompson: Okay, how is meeting with them today involving this? How does this...how do these two...

Cosby: Well, I'd like to be able to, to go back and to say to these people to that I actually spoken with them because that's important. I need to be able to...

Based on Ms. Cosby's comments to Mr. Bain and Ms. Thompson, Ms. Cosby or her boyfriend, Tomaczek Bednarek, apparently offered to broker a deal between *In Touch Weekly* and Alexis and Alexie if Alexis and Alexie would meet with Ms. Cosby. *In Touch*, however, has expressly denied Ms. Cosby's claim that *In Touch* would be providing the fifteen thousand dollars (\$15,000.00) in exchange for Alexis' and Alexie's story:

We were approached by a party about paying to speak to Anna Nicole's nannies. We said we wouldn't pay for the story but would be interested in talking to them and maybe open to licensing photos of the nannies with Anna Nicole.

Without verification of Alexis' and Alexie's alleged statements about a videotaped homosexual act between Mr. Stern and Mr. Birkhead, the "credibility" of Jackie Hatten falters. Ms. Cosby has previously admitted that some of the things Hatten told her "sounded . . . pretty fantastic." Nevertheless, Ms. Cosby published Hatten's accusations that Mr. Stern engaged in a criminal lewd act with Mr. Birkhead because Ms. Cosby claims that the alleged statements by Alexis and Alexie corroborated Hatten's story:

Cosby: [A]nd then we also had the two nannies – former employees of Howard K. Stern who told private investigators; separate, unrelated and because of that they said that they saw Anna Nicole watch her favorite video tape. One of the investigators said well what is that videotape; and they said Howard and Larry doing that thing. You mean gay sex? And they said yes.

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O'Brien: Have you seen the videotape?

Cosby: I have not seen the videotape. But I can tell you that these two nannies say that they have.

O'Brien: Who told you it exists now – three people?

Cosby: We have three people.

O'Brien: Yeah, the two nannies and Jackie Hatten? Where did they say it was shot?

Cosby: Um, I actually do not know where it was shot and I can't say that because I have not seen the videotape. So I personally have not seen it but when you have someone that says they walked in on it and when you have someone independently saying that they saw Anna watching the videotape and you have the conversations Virgie Arthur had with Larry Birkhead, the combination of these things, and you see what's happened with Larry Birkhead and Howard K. Stern – you see a pattern of these two men being cahoots.

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O'Brien: Right, and under what circumstances would they [the nannies] have seen the tape?

Cosby: They said they walked in because they constantly would see Anna. Remember we do know and it's been undisputed that these nannies did have access to the house and that they did spend time with Anna and that they did walk in. It's interesting because you know Howard K. Stern and his camp will, you know, try to dismiss any of these uncertain points. And other points where others have come out and said well this is corroborated, this is corroborated . . .

O'Brien: They walked in and saw her look at it. Is that what they claim?

Cosby: That's what they say. They say that they walked in and again I'm getting this from investigators who spoke specifically to these nannies. I have not spoken – I have spoken very briefly with people who were close to the nannies. But it is corroborated from a number of different people.

O'Brien: So this is third hand information.

Cosby: Well this is from individuals who spoke directly to the nannies. And I've spoken to other people who were very close to the nannies. So I've spoken to several people connected to the nannies, we are certain that that is what they've said.

(Cosby Interview, *The Insider*, September 4, 2007.)

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Co-Host: You maintain that Howard K. Stern who we saw fight Larry Birkhead in the press very publicly in the wake of her death were not adversaries but were lovers.

Cosby: Yeah and we know that at least there was an encounter or two and from different witnesses. That's what's so important.

Co-Host: How do you know?

Cosby: We know it from people who, one person who actually walked in on it, who we've been able to corroborate a number of other things that this individual has said unattached to other people. Also, separately, another group of individuals. People who have actually seen the tape and we have some very powerful evidence. When you look at this whole thing together and that's what I think is so important you guys when you look at the whole piece together the reason we brought it up is not about the sex, it's not about their sexuality but what is important is it explains why there was some deal at the expense of this child. What one had on the other and vice versa.

(Cosby Interview, *Fox & Friends*, September 9, 2007.)

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Cosby: They met, I think, I think Larry's come out and said they met Anna Nicole Smith in 2003 and then he started dating her he said in 2004. And now what we're hearing is this incident took place at least Jackie Hatten, you know, the friend who walked in and saw them, this is, you know, these are first hand accounts, she walked in and saw them soon after Larry Birkhead and Anna started getting together. What's important, you guys, is there's another separate, totally individual, this is a former employee who says Anna Nicole's favorite tape was to watch these guys. I mean, it's so crazy, but that's exactly this woman is a very sexual woman, used to watch porno films and other things so it's not by any means out of the question. But what's important, you guys, is these are two separate individuals who don't have any connection to each other. It's not like this Jackie Hatten knew the nanny. It's not that there's not like any issue where they could say okay well let's plan this master scheme and corroborate these stories. These are people who do not know each other.

(Cosby Interview, *The Bob & Sheri Show*, September 13, 2007.)

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Cosby: And separate from that, we have somebody else. We have nannies, who do not know Jackie Hatten. And that's what I think is powerful, when these are people who do not know each other, didn't speak to each other, have never spoken to each other. . .

Williams: Corroborated.

Cosby: . . . and they, they corroborated. They said they saw a videotape that Anna was watching. We also know Virgie Arthur had a very heart to heart conversation with Larry Birkhead and said, what's happening? I see you falling apart. And he said, they're fixing to say I'm queer. And she said, do they have a tape? Do they have a photo? She said he wouldn't look her in the eye and he said, I just wanna take my baby home. A couple days later he was friends with Howard K. Stern. You be the judge.

(Cosby Interview, *The Montel Williams Show*, September 14, 2007.)

In light of Alexis' and Alexie's denial of the statements attributed to them in "Blonde Ambition," Ms. Cosby's reliance on Hatten as a "source" also fails and "Blonde Ambition" is further discredited.

Ms. Cosby's recent actions in the Bahamas—steeped as they are with desperation—provide further evidence that the accusations made about Mr. Stern in "Blonde Ambition" are unequivocally false and defamatory. Prior to publishing damaging accusations about Mr. Stern, neither Ms. Cosby nor Hachette Book Group went to the alleged source of the information regarding a videotaped homosexual act between Mr. Stern and Mr. Birkhead. Ms. Cosby and Hachette Book Group apparently were more interested in profit than in truth. Only after being sued for libel did Ms. Cosby make any effort to contact the sources of the alleged statements regarding the videotape. Ms. Cosby's and Hachette Book Group's complete failure to contact Alexis or Alexie prior to publishing "Blonde Ambition," Ms. Cosby's bizarre recent actions in the Bahamas, and Alexis' and Alexie's clear and unambiguous denial that they made the statements attributed to them require that "Blonde Ambition" be pulled from the shelves and Hachette Book Group make every effort to immediately cease the publication, distribution and/or circulation of "Blonde Ambition."

Please notify me on or before 3:00 p.m. on Monday, October 15, 2007, when Hachette Book Group will begin seeking the return of "Blonde Ambition" from its distributors and the

Karen Andrews, Esq.
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steps Hachette Book Group will undertake to cease the publication, distribution and/or circulation of "Blonde Ambition."

Sincerely,



L. Lin Wood

LLW/b

cc: Howard K. Stern, Esq.

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