

7. Plaintiff is an individual and is domiciled in Connecticut.

FACTS

8. Plaintiff is the literary executor for the estate of Jack Kerouac and owns the copyright to all Jack Kerouac's works and has ownership to all Jack Kerouac's manuscript and writing.

9. Jack Kerouac owned his manuscript of the Town and City until his decease in 1969.

10. Jack Kerouac requested that Defendant safe-keep his manuscript of the Town and City while he was travelling to Florida in 1964.

11. Before Jack Kerouac had a chance to retrieve his manuscript, he died of cirrhosis in 1969 in Saint Petersburg, FL.

12. Plaintiff has repeatedly requested the return of the manuscript from Defendant over the course of many decades since 1998.

13. Defendant first acknowledged on its website that it has possession of

"Kerouac, Jack. The Town and the City. Typescript. 3 volumes. Northport-East Northport Public Library, Northport, NY.

In 1964, shortly before Kerouac left Northport for the second time, Northport artist Stanley Twardowicz urged him to leave a sample of his work at the Northport Public Library. Following Twardowicz's suggestion, Kerouac donated this typescript of his first published book to the Library. The work arrived as loose sheets in a shoebox, but is now bound in library buckram. The publisher's setting copy, it contains extensive deletions and many penciled additions in Kerouac's hand, as well as occasional editor's markings in magenta pencil. (A microfilm copy of The Town and the City transcript is available at the Reference Desk. Researchers may make an appointment at the Reference Desk to view the typescript itself.)"

14. In and around September 2018, Plaintiff met with Defendant's director in Northport and discussed the eventual return of the property.

15. Defendant's director, James Olney, admitted that there's no conveyance document from Jack Kerouac to allow Defendant to claim ownership.

16. Defendant's director, James Olney, agreed that the property should be returned to Plaintiff pending board approval.

17. In and around October, 2019, Defendant sent Plaintiff a letter refusing the return of the property.

18. Shortly after, Defendant changed the description of the item on its website to the following:

“Kerouac, Jack. The Town and the City. Microfilm transcript. Northport-East Northport Public Library, Northport, NY.

In 1964, shortly before Kerouac left Northport for the second time, Northport artist Stanley Twardowicz urged him to leave a sample of his work at the Northport Public Library. Following Twardowicz's suggestion, Kerouac donated the microfilm typescript of his first published book to the Library. This microfilm is available for viewing based on the researcher's need and by appointment only through the reference desk at the Northport Public Library.”

Course of Action No. 1

19. Plaintiff incorporates by reference the allegations of paragraphs 1 through 18.

20. Defendant is currently in possession of the manuscript which was never conveyed to Defendant.

21. Plaintiff is the lawful owner of the manuscript and is entitled to an Order of Replevin ordering Defendant to immediately tender the manuscript to Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

- A. An Order of Replevin ordering Defendant to immediately tender the manuscript to Plaintiff.
- B. An award of costs in this Action, including reasonable attorneys' fees, costs and expenses.
- C. Such other, further and different relief as the Court may deem just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury.

Greenwich, Connecticut
February 18, 2020

John Shen-Sampas
Plaintiff

