

WSO
DM
Fed Court
Settlement

1-4-91

B

AGREEMENT

This is an Agreement entered into this 4th day of January, 1991 between World Service Office, Inc., (hereinafter "WSO") a charitable corporation with a principal place of business at 16155 Wyandotte Street, Van Nuys, California, 90025, and David Moorhead, an individual residing at 1110 Palmer Street, Philadelphia, Pennsylvania, 19120 (hereinafter "Moorhead").

Whereas WSO and Moorhead have been engaged in litigation in Civil Action No. 90-7631, in the United States District Court for the Eastern District of Pennsylvania, concerning certain copyrights, trademarks and service marks held in trust by WSO;

Whereas the parties are desirous of amicably resolving the above noted litigation;

It is hereby agreed by and between the undersigned parties who intend to be legally bound thereby, as of the date of the entry of the ORDER, attached hereto as Exhibit A, as follows:

1. Civil Action 90-7631 shall be terminated subject to the entry by the Court of the ORDER, attached hereto as Exhibit A.

2. Moorhead hereby covenants and warrants: that he produced approximately 9,000 copies of a book incorporating portions of the Basic Text of Narcotics Anonymous, which was identified as an infringement in the Complaint in Civil Action No 90-7631; that he is no longer in possession of any of said approximate 9,000 copies; and that he has destroyed any and all printing plates or other apparatus associated with the manufacture or production of said

approximate 9000 copies.

3. Moorhead and WSO hereby agree, that in an effort to heal any wounds caused by the controversy which led to the above referenced litigation, a Statement shall be published in the January 1991 Fellowship Report and the next editions of the Newsline and the NA Way containing the signatures of Messrs. George Hollahan, Stuart Tooredman and David Moorhead. The contents shall be agreed to by all three individuals and be published to the Fellowship of Narcotics Anonymous. This Statement shall: (a) reference the controversy which led to the above litigation, and include a call for peace within the Fellowship of Narcotics Anonymous; (b) include a call for a full and adequate discussion of the issues which led to the above litigation; and (c) include an admonishment against any recrimination within the Fellowship of Narcotics Anonymous as a result of the controversy which led to the above litigation.

4. WSO agrees to place, without comment, but with an introduction, the following Motions in the 1991 Conference Agenda Report of the World Service Conference ("WSC"), which shall immediately follow the publication, in their entirety, of the closing remarks of The Honorable Lewis H. Pollak entered at ~~the~~ a Preliminary Hearing held on Wednesday, January 2, 1991, in the United States District Court in Philadelphia, PA., prior to the announcement of any judgment.

Motion 1

That the Fellowship reconsider its decision on which

Edition, or parts thereof, (1st, 2nd, 3rd, 3rd Revised, 4th, or 5th) of the Basic Text shall be produced and distributed by the WSO as the official and accepted text of Narcotics Anonymous.

In order for this Motion to be considered, a description of the differences between the respective Editions will be sent to each registered area and region, along with a copy of the complete Basic Text Third Edition, Revised. It is expected that the WSC will rescind the motions adopted in 1988, which adopted the Fifth Edition as the Basic Text, as well as the motion restricting any change to the Text for five years.

Motion 2

That the WSO produce, at a reduced price, the Edition of the Text ratified by the WSC. The actual price of this text should be determined in view of the following factors: its affordability to the membership at large; a change in the cost and quality of the materials used in producing the book; the responsibility of the WSO to provide services from the income generated by sales of the Basic Text; and whether it includes personal stories or only the first ten chapters.

DMH
5/1/4/91

Motion 3

That the WSC be directed to obtain a group by group tally of all the groups registered with the WSO, on Motions 1 and 2 above. This procedure will begin on July

1, 1991 and continue through December 31, 1991. All registered groups shall receive a copy of a paper detailing the differences between the Editions of the Basic Text, and a complete copy of the Basic Text Third Edition Revised. In addition, each group shall receive complete information concerning the issues relevant to a reduction in the price of the ratified Text.

The committee appointed to supervise this tally shall consist of the following: four RSR's, to be nominated by the entire group of RSR's in attendance at the 1991 WSC; two Trustees to be nominated by the members of the World Service Board of Trustees; two WSO Directors, to be nominated by the Directors of the WSO; and the WSC Chairperson. Those nominated by the RSR's, Trustees and Directors, respectively, are to be submitted to the World Service Conference in 1991 for confirmation by two-thirds published roll-call vote, failing which, those not confirmed shall be replaced by others nominated by the RSR's, the Trustees, or the Directors, respectively. Two members of the WSO staff shall also be assigned as non-voting advisory members. The results of the group by group tally shall be published in the Fellowship Report and confirmed as official at World Service Conference in 1992.

5. This agreement represents the complete agreement of the parties and is to be construed and enforced pursuant to the laws of

the Commonwealth of Pennsylvania.

6. WSO and Moorhead hereby unconditionally grant mutual releases to each other, their successors, predecessors, officers, employees and directors for all causes, claims or demands, both in law and equity, arising from the beginning of the world until the execution date of this agreement.

Date: I, 4, 91

David Moorhead (Seal)
David Moorhead

World Service Office, Inc.

Date: 1/4/90

by George Hollahan (Seal)
George Hollahan
Assistant Executive Director

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WORLD SERVICE OFFICE, INC., a :
Charitable Corporation and :
Trustee of the Copyrights, :
Trademarks and Service Marks :
for the Fellowship of :
Narcotics Anonymous :
Plaintiff :
v. : Civil Action No. 90-7631
DAVID MOORHEAD, :
Defendant. :

ORDER

Having come before me this 4 day of January, 1991,
upon the joint Application of the parties, it is hereby finally
ordered as follows:

Defendant, David Moorhead is hereby permanently
enjoined, subject to the terms and conditions of the Agreement
appended hereto and incorporated by reference as if set forth in
full, from:

1. Using, selling, or trading in any manner utilizing the
federally registered and common law trademark and service mark
"NARCOTICS ANONYMOUS";

2. Reproducing, copying, distributing, or selling works
identified in the following subsisting copyright registrations,
or portions thereof:

(a) United States Copyright Registration TX2 837 638,