

To: bruce
From: kkapp@idig.com (Ken Kappel)
Subject: Time for an Accounting
Cc: mrex@interport.net

Bruce-

This is personal email. I have cc'd Mark at his request, though he will not see this until you do. Under separate cover I am faxing and mailing certain documents to you that are not personal, but result from my intention to clear up our business misunderstanding.

The last time we spoke, my final words were, "Bruce you don't have anything I want." I then put the phone on the receiver. That was on a Thursday evening. I don't believe I will be able to convey the anger, bitterness and pain I felt at that moment.

On the preceding Saturday evening you had called sometime after ten p.m. and told me that you were now, finally, willing to discuss some sort of involvement for me with Evo. I was aware that Mark had recently written an extensive six-page memo outlining certain problems in the admin/operations functions at Evo. I had no advance knowledge that Mark was doing that (and had no knowledge until after the fact that he had mentioned me in the memo), and it was ironic that at about the same time he was writing said memo, I had a conversation with you on the previous Thursday or Friday to the same effect.

You responded to me on Sat night. I begged off, was tired, and would see you the following day. You asked me to write up something, again I begged off, indicating that we could use the bullet points from Mark's memo as a starting point for focused proactive method and practice. On Sunday I went ahead and wrote up a one page overview memo, and dropped in. I showed you and Simon my new efforts re the WebCenter, Simon retreated to his computer, and the vibes were strange. I left without showing you the one-pager because it was clear that my presence was causing a certain discomfort, even for you. On Monday, Mark gave me a call before leaving for Amsterdam and told me that he was sorry that it wasn't going to work out between Evo and myself. Having no such certain knowl-edge I queried him, and he told me in confidence that he had met with the three of you later Sunday afternoon and Simon had expressed, "I don't think I can work with Ken."

Mark portrayed that you attempted to overcome that, but, Simon is your partner, he was firm and there it stood. This is the same Simon, who four weeks before had said (in your presence) words to the effect, "Ken, we're thinking of inviting you to be on our Board." In that Simon and I had no interplay in the intervening time period, I was surprised to hear from Mark that Simon "... wouldn't be able to work with me."

So it was. After leaving your offices on Sunday afternoon, I did not hear from you until Thursday evening, and you indicated everything was fine, and actually encouraged me to expand my one page document to a more thorough presentation. You did this knowing that Simon choose not to work with me. You tasked me to spend more time in a fruitless endeavor.

I fully appreciate your good intention of protecting your partner from information that it could be easily argued that I had no need to know. But, what caused me to be so com-pletely shocked was your lack of personal honesty to me. Your willingness to cause me to waste more time in what you knew would not be, could not be. You didn't have to tell me that it was Simon, even if in fact that were the case. You could have simply told me that it wasn't going to work, it wouldn't happen. You did not have the courage to face that, and instead would have abused me to cover up your weakness.

That is when I realized that your inability to tell the simple truth was dangerous to me. That is why I was astonished, and said, "You don't have anything I want."

Last week, when I asked Mark for permission to tell you this (which I had been told and kept in confidence), he granted my request with the caveat that I cc him, which I have done. In discussing the overall issues, he asked me point blank (and I paraphrase) "Do you think the personal relationship with Bruce is worth salvaging?" And I had to answer him that I do and have always liked you personally, that you carry a certain attractive context, a spirit and energy, which extends past your parent's monies, which have enabled you to continue to be an entrepreneur.

You may have decided that you've outgrown me. Even if you believe that you've managed to gain in the last couple of years, what has taken me thirty years to understand; the fact that your computers and personnel festered in the unseasonable July heat wave tells me all I need to know about your newly evolved business sense.

You made the decision to pay my finder's fee when it was easy for you to give lip service. However, when your new partner challenged it, tried to save money by saying it's a "personal thing," amongst friends, you lost sight of our original meeting of the minds.

You were working down a \$500K contract!!!

It wasn't sweat equity and joining together to build something on spec. In the final analysis it was greed, though not necessarily or exclusively yours. You told me that you weren't going to pay the balance of the fee for one of your woman programmers who you were going to let go, but instead she quit. Not pay the fee? Well, you did. But, could contemplate not paying. You proved two things on that event, (i.) that you did pay fees and (2) if you didn't feel like you would not pay bills that you believe you can avoid.

Throughout the months I did everything possible to both keep the relationship possible and collect monies owed me. Hoping that by utilizing time and continuity we could find some method to work out a "settlement." That is why I was particularly pleased, and then brought so low by what appeared to be a bright, but was in fact a failed opportunity.

My best understanding is that Mark had to leave because he's not a Web market-ing/salesman, he's a project management/professional coder, capable of insight and expression. If he weren't damn good at that, you would not have kept him aboard. It turned out that his professional interpersonal skills greatly assisted the project near the end. The proof is that MVV insisted that Mark remain in Amsterdam.

It is a shame that we seem to have lost our friendship over money, but it isn't that simple. You had pressure from your partner and too many causes to serve. The fact that you were unable to tell me the truth, that you led me on in order to avoid the reality of the situation was very hurtful to me. Causing me to doubt that I'd ever had a positive effect on you.

Bruce, the fact that I gave you what you needed when you indicated extreme duress and pressure over your stated need to avoid giving Dennis earned equity at Vox sealed our relationship both personally and business wise. You turn from loyalty to loyalty to loyalty, always blindly embracing the newest loyalty, able to wipe out with a blink what has been because you perceive that the "new reality" is the thing, and you owe nothing to what helped you get to the new place, it becomes too painful for you to deal with rise above. It's in part a matter of experience that only comes through time, not insight or marvelous intuitive gifts. And, alas, a matter of character.

In the end you are like that Gatsby, those people who: "It was all very careless and confused. They were careless people . . . they smashed up things and creatures and then re-treated back into their money or their vast carelessness, or whatever it was that kept them together, and let other people clean up the mess they had made."

Your willful decision to always not read (even lose a copy of) my book spoke in volumes. I put up with it when you were indifferent to papers I would send to you for comment. You failed to give me basic respect for having the

tenacity of spirit to become an author, with no connections, none at all. On that score, history may vindicate the evidence I dis-covered, though I may not be around by the time that happens. Yet I continued with you out of some altruistic and opportunistic (how can we harness this guy, he's built some-thing, he's got the tenacity, he's cool beans, he's intellectually lazy, but he shows up, how can we ALL work together to rise up all those "rivers of money" running underneath).

Even after I'd made it clear I wouldn't talk to you until you finished the book, you'd call and say, "Ken, I'm reading your book tonight/this weekend/on the plane, can we talk." And, of course, I'd relent, but you never did. You couldn't avoid dissing me. You some-how couldn't give me respect I'd earned by action in the real world. The issue does not go to "my" character.

In my mind, the Gatsby syndrome and your propensity to view life from a "dungeons and dragons" perspective, were as you know two areas in which I attempted to work with you, both personally and professionally. Did you not come to my house with the emails regarding a net/public accusation that you were a racist? It was you singing outloud all summer, "Whiteys on the Moon Black Man's on the street."

I took all of that on as a challenge. I listened to you over and over and over and over for months while you expressed your problems and concerns, and ran to me for soothings. Sometime after 8:00 the phone would ring: 'it's Saturday, it must be Bruce.'

My work with you, the time I gave, was done in a conscious and unconscious manner in hopes that I could teach, or help to show by example, a younger man a son, to be a brother and a friend ... a man.

Best,

Ken-