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11 Authors Sue Publisher Over Unpaid Royalties

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Law360 (January 9, 2023, 8:26 PM EST) — Eleven authors have claimed publisher Authors' Place Press failed to pay the authors thousands of dollars in royalties they are owed, according to a suit in Florida federal court.

In a complaint filed Friday in the Middle District of Florida, the authors claim Authors' Place, which bought the assets from now-defunct Motivational Press, "systematically failed to pay royalties to authors and for years delayed providing royalty statements to their authors."

The authors are seeking a declaration that the book rights have reverted to the authors and an accounting to determine the amount of unpaid royalties they are owed.

Lead plaintiff Karyn Schoenbart said the suit was filed after unsuccessful efforts by the Authors Guild and the plaintiffs' attorneys to achieve an out-of-court solution.

"There are already so many challenges facing authors today, with extremely one-sided contractual terms, low royalties and little publisher support," Schoenbart said in a statement. "Being cheated out of payments we're owed shouldn't be another one."

Schoenbart signed a deal in 2017 with Motivational Press to publish her book, MOM.B.A., according to the complaint. After she was notified in March 2019 that Authors' Place had acquired her previous publisher's assets, she asked for a reversion of her rights, but Authors' Place refused, according to the suit.

She said she then asked for an audit under her publishing agreement, but Authors' Place again refused. Authors' Place did agree to increase her royalty percentage, but

then failed to pay her at the higher rate and later stopped paying royalties altogether, according to the suit. Schoenbart said she has not received any royalties for paperback and hard copy books sold since 2020 and has never received royalties from Authors' Place for any online or e-book versions of her book.

The complaint says other authors got similar responses from the publisher and when they asked about royalties, they were told they have not sold many books or that due to Authors' Place "opaque and unilateral assessment of expenses," the net revenues from the sales of their books were extremely low. The plaintiffs said the publisher has also demanded additional arbitrary payments from authors to maintain the status quo for publishing services.

A representative for Authors' Place did not respond Monday to a request for comment. As of Monday evening, the publisher's website notes Authors' Place is no longer operating.

The plaintiffs are represented by Alina A. Nowicki of Meland Budwick PA.

Counsel information for the defendants was unavailable.

The case is Schoenbart et al. v. Ferraro et al., case number 6:23-cv-00024, in the U.S. District Court for the Middle District of Florida.

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