

Subject: Congratulations // Parallels To Your Experience With Phil Purcell . . . As Well As With The Ron Perelman Matter // Request For A Meeting

Date: 7/5/2005, 1:42 AM

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To: [John Mack](mailto:john.mack@morganstanley.com) <john.mack@morganstanley.com>

Organization: Spencer C. Young Investments, Inc.

John --

Congratulations on your appointment to CEO of Morgan Stanley -- a position originally promised to you as quid pro quo for the instrumental role you played in the merger of Morgan Stanley and Dean Witter. I'm sure Dick Fisher is smiling and quietly applauding from above. With hind sight, perhaps your only regret is that you trusted Phil Purcell to be a man of his word. As I have told my three sons, "the cream always rises to the top" -- ergo, bravo for your perseverance in proving this so.

I bring to your attention a matter of somewhat similar circumstances, also having parallels with the Ron Perelman matter. Specifically, I have been a victim of an egregious breach of contract and Machiavellian scheme carried out by Warren Friend and John Westerfield of Morgan Stanley. Through fraudulent internal misrepresentations and hectoring, I was terminated after having created and trademarked the most successful proprietary brand of CMBS on Wall Street, to wit, "IQ®, representing Institutional Quality". Specifically, my professional ethics were blasphemed and my personal integrity was defamed. Moreover, legitimate efforts for re-employment have been tortiously interfered with by Morgan Stanley, perhaps because group heads at firms such as AXA, Aegon, GMAC, Apollo, JPMorgan and Union Central Life had agreed to work for me in a new, competing endeavor, called Project Atlas. I was so vexed by what Warren Friend and John Westerfield perpetrated, that I wrote an epigrammatic poem as a cathartic release, which has been published by three periodicals, including one by Mensa, an intellectual society at which I am a lifetime member. I have attached this document, which includes translations and explanations directly related to this matter -- I merely changed or omitted names in the interest of proper decorum and discretion.

Morgan Stanley refused to enter into any settlement negotiations, so I was left with no alternative but to file a claim with the NASD for \$10 million plus damages -- and I am contemplating increasing this amount because of additional damages realized from delay tactics and failure to produce discovery information, similar to the unsavory legal tactics recently revealed in the \$1.45 billion judgment granted to Ron Perelman.

This ordeal has taken an enormous toll on me and my family. Specifically, Morgan Stanley's invidious actions have caused a tremendous financial and emotional strain, and has forced me to seek business opportunities outside of New York. By pure serendipity, I found such opportunities as a result of my son Michael's matriculation at Duke University, where he recently completed his freshman year, and played for their #2 ranked lacrosse team. Although I have had to spend most of my time in Durham and Chapel Hill away from my wife and other two sons in New York (who are also being recruited to play lacrosse for Duke), I had the opportunity to see most of Michael's lacrosse games and became well acquainted with Head Coach Mike Pressler. I have also established a strong relationships with Smedes York, the CEO of York Properties and a two term former Mayor of Raleigh, and Aaron Nelson, the Executive Director of the Chapel Hill/Carrboro Chamber of Commerce.

I would like to arrange a face-to-face meeting with you, as I believe you and I would be able to gain quick resolution to this matter -- you will likely recognize me from conversations we had during your original tenure at Morgan Stanley. By way of background, I joined Morgan Stanley in 1997 to jump start originations in Real Estate Debt Capital Markets, and did so by making sweeping operational changes. Accordingly, commercial mortgage originations increased 5 fold (to \$2.5 billion) in less than two years. I also established CreditSource® Commercial, utilizing the Dean Witter retail brokers to market commercial mortgage financing. Prior to that, I launched the CMBS principal transaction business at JPMorgan, and in so doing, became well acquainted with Dick Fisher's brother, David.

I have a similar regret -- to wit, having trusted Warren Friend and John Westerfield. Simply stated, I'm looking to: (1) clear my sullied name and reputation, (2) receive fair recompense; and (3) be given a legitimate opportunity to demonstrate that I am also the "crème de la crème".

Sincerely,

Spencer C. Young

 [Countermand of Valor by Spencer Young -- As Published by Mensa - Nov-Dec 2004.pdf \(292KB\)](#)



Mphasis

Volume XLVII
Number 6
Issue 408

The Newsletter of Greater New York Mensa

HAPPY



ANNIVERSARY!

WE'RE TURNING 40!

Check out the GNYM timeline

HO HO HO!

Jingle your bells at our annual Holiday Party

BE A GAMER

Trivia maven alert! Meet the creators of the NYC Trivia game

IN SEARCH OF

a new *Mphasis* Editor. Maybe you?

SAMOKIN SCRIBES!

Fiction contest winners burn up the page

POETIC MUNCHIES

Feed your head at Munchaba, an open-mike hot spot on Long Island

REASON FOR THE SEASON

Good, brisk fun in our calendar of events

GNYM HOLIDAY PARTY and 40TH ANNIVERSARY CELEBRATION

SUNDAY, DECEMBER 12, 2PM

Celebrate the Holiday spirit and 40th Anniversary of the official recognition of the first 10 local groups (see December 7 calendar entry). GNYM will provide food and drink. If you want to participate in a holiday grab bag, bring a gender neutral (interesting/fun) wrapped gift worth approximately \$7 to \$15.

**SOLDIERS', SAILORS', MARINES',
AND AIRMEN'S CLUB**

283 Lexington Avenue
(between 36th and 37th Streets)
Manhattan, New York City

Near public transportation. On street parking available after 7:00pm.

\$5 MEMBERS / \$7.50 NOT-YET MEMBERS AND GUESTS

For more information, please contact Jim Wolin at 212-620-4995 or JamesWolin@yahoo.com



MEEET THE CREATORS OF THE NYC TRIVIA GAME

THURSDAY, NOVEMBER 18, 7:30PM

Meet Toby Tumarkin and Patrick Martins, the creators of the New York City Trivia Game. They'll talk about what goes into creating a new board game, discuss how September 11, 2001, inspired them to make something so New York, and maybe even match wits against our own trivia experts.

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For more information, contact Greg Draves at 212-942-9281 or gdraves@nyc.rr.com



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Countermand of Valor

by Spencer Young

Why cast invectives o'er horizons to sea 1
Whilst Polymath Aegis lures patrons, thee? 2
Entrée vengeance, avarice to Dyad most trepid o'er shadows 3
Elixirs to the genesis of Machiavellian gallows 4

Spelunkers' plans transcend darkness to bliss 5
Casting leeward sojourns toward deeper abyss 6
Pontificating artifice cloaked as vaunt merit 7
Obfuscate plagiary, in barrister Sanskrit 8

Despots' de nouveau notorious vice 9
Propagate – now profligate the bastions entice 10
Ne'er a conscience revet Draco waves 11
Turn patrician forefathers' incessantly, graves 12

Overview

This epigrammatic poem speaks to instances where the often respected character trait of personal bravery, historically brought to bear to redress injustice, can be quelled by the economic influence wielded by a corrupt few. This can foster the development of a subculture within an enterprise that operates in a manner wholly inconsistent with the vision of its founders. Condoned or undetected, if unmitigated, it procreates like a cancer into the very psyche of an organization, and potentially throughout the industries it operates in—risking the forbearance of rational, independent thinking that would in turn impede creativity and noteworthy achievement, ergo the bane of self-actualization for many.

This is somewhat consistent with the circumstances and dogma suffused in Ayn Rand's epic novel, *Atlas Shrugged* – where a diabolical plan is foisted upon a populace to remove the greatest minds from the country. But there is one salient difference, to wit, in *Atlas Shrugged*, the world's great thinkers consciously withdrew from society in the form of a strike (at first surreptitiously, and eventually with a brazen declaration) because its leadership undermined a once vibrant economy with rampant collectivism – punishing the productive and efficient, and concurrently rewarding the slothful and wasteful. By comparison, this poem recounts a situation where an industry savant and architect of prodigious achievement is punished for his accomplishments by a surreptitious plan meant for the self-aggrandizement of a small, somewhat aristocratic group. Although individualistically employed, its effect spreads quickly and establishes an inherent rewards system where equivocation prevails at the expense of human progress and legitimate achievement. In short, leadership that is ignorant of the human need for self-actualization, or threatened by creative thinking can be parasitic to very the tours de force of mankind.

Cognizing this disturbing trend, the poem implores embracing valor to avenge instances of injustice, support personal achievement, and resist succumbing to countermand by economic ascendancy via implied or express hectoring. To quote Teddy Roosevelt: "Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much, nor suffer much, because they live in the great twilight that knows neither victory nor defeat". This is the infectious esprit de corps the author most wants to engender.

Translations by Verse:

1. The protagonist is vexed by the confluence of fabricated attacks on his professional competence and integrity
2. This is an especially perplexing response to the protagonist's creation and establishment of a trademarked brand of product that connotes erudition by those who buy it, and celebrates the creativity embodied in this high quality product (called "EC®"), enabling it to become the most successful proprietary brand of its kind, and a magnet for new clients, thereby creating tremendous incremental wealth for the Firm
3. The debilitating forces of revenge, greed and job insecurity created by the long shadows of the protagonist's successes are later elucidated as the motivations of two primary perpetrators
4. The collaboration of the perpetrators, one driven by revenge, the other by insecurity, and both by greed, gestated a malicious initiative intended to hang the protagonist in the public square of the industry.
5. The sinister perpetrators clandestinely devised their lowly plans (metaphorically akin to terrorists plotting an invidious attack, and having to move about an extensive network of caves to prevent detection), and then ingratiate themselves with like-minded ingrates for their ability to carry out their fallacious conspiracy with apparent aplomb.
6. The fabricated reasons to originally impugn the protagonist are then trumped by the perpetrators' carefully administered plan of incessant character defamation in order to preserve the portentous value of the EC® brand and related franchise, and in turn, their own wealth.
7. One of the perpetrators contemptuously takes credit for the creation of the EC® brand, as well as other accomplishments of the protagonist, while feigning no involvement in the insolent actions taken against the protagonist.
8. The misinformation is then amplified in legalese, which is metaphorically described as being scripted in an ancient language to further obfuscate the truth about the true progenitor of the EC® brand, and the intentions of the perpetrators in their procacious intellectual theft and breach of good faith
9. Newly ensconced in a position of power (one new and the other newly regained), the perpetrators collectively abused the authorities thus vested
10. Emboldened by their success, others have been encouraged to support the canard with promises of advancement and pecuniary benefits, in exchange for their cooperation (and veiled threats of a similar fate, if they do not).
11. Although aghast at the protagonists' sudden demise and ensuing treatment, fear of a similar reprisal mutes those who would otherwise speak out—a form of employee blackmail that countermands the valor of those in the Firm and perhaps its industries, generally, as information travels quickly when a new management practice proves effective, despite the fact that the foundation of its application may be morally reprehensible.
12. The founding fathers of the perpetrators' Firm long espoused conducting "first class business in a first class way". While difficult to discern how prevalent these corrupt practices of workplace mobbing are, the actions taken in this instance alone are enough to have them "turning in their graves".