

On November 26, 2003, Norman Mailer met with the following individuals in his home at 627 Commercial Street, Provincetown Massachusetts: Norris Church Mailer, J. Michael Lennon and Robert F. Lucid. Mr. Mailer called the meeting to express his wishes concerning the publication of certain of his literary works after his death. He stated the following (as amended by Mr. Mailer in December 2003):

1. An Executive Board should be formed with the following members: Norris Church Mailer, Michael Mailer, John Buffalo Mailer, Ivan Fisher, J. Michael Lennon, Robert F. Lucid and Andrew Wylie. Each member of the Board will have one vote. J. Michael Lennon is to be the convener of an annual meeting and will prepare an agenda of items submitted by members. Other meetings may be called as necessary, although at least two members must call for such meetings. Five members will constitute a quorum. If any member or members dies, becomes incapacitated or resigns, the remaining members will elect replacement(s) to bring the number to seven. If there is a 3-3 tie on a vote to elect a new member or members, the candidate or candidates of the majority of the Mailer family members voting will be the winner. The Executive Board will approve the publication of all Mailer's works, in accordance with the following items, which express Mr. Mailer's wishes.
2. The interviews on his explorations into theology conducted with Lennon should be published as an appendix to his novel-in-progress, if Mailer dies before the novel is completed.
3. If he completes this novel before his death, the interviews, edited by Lennon, should be published separately. Note: Paragraph 2 refers only to the first novel of what may yet be three or more volumes. After the first is published, therefore, there will be no need to use the "explorations into theology" as an appendix.
4. A volume containing selections from Mailer's political writing, previously published in collections such as THE PRESIDENTIAL PAPERS (1963), CANNIBALS AND CHRISTIANS (1966) and SOME HONORABLE MEN (1976) and other volumes, and including selected uncollected magazine pieces such as to his recent political article in the January 2004 PLAYBOY, should be collected, edited, and published. Lucid, Lennon or some other knowledgeable individual or individuals will edit this collection. This collection *must* include WHY ARE WE AT WAR? and the three pieces printed in *The New York Review of Books* as well as the PLAYBOY piece.
5. NO PERCENTAGE, Mailer's first, and still unpublished, novel should not be published in a commercial or trade edition, but may be copied in manuscript form for the exclusive use of members of The Norman Mailer Society, or for specific scholars selected and approved by the Executive Board.
6. Mailer has no objection to the publication of his screenplays.

Norman Mailer: Literary Will

Provincetown, Massachusetts

7. Robert F. Lucid is Mr. Mailer's choice to be the authorized biographer. He shall have complete access to all Mailer's papers. If Lucid dies, becomes incapacitated or resigns from this position, Lennon will take over as authorized biographer. If Lennon dies, becomes incapacitated or resigns the position, the Executive board will choose a successor. Ron Rosenbaum is one likely possibility.

8. Mailer's literary and personal papers should be sold after his death, if they have not been sold previously. The proceeds will go to his estate, with the exception of three percent of the sale price, which will be divided equally among Lennon, Lucid and Judith McNally, Mailer's Assistant. If the Executive Board concludes that the papers cannot be sold for \$1.5 million or more within five years, they should be donated to a not-for-profit institution chosen by the Executive Board with all tax benefits going to the Mailer estate. The Executive Board may decide to sell the papers for a lesser amount than \$1.5 million, however. This is not to assume that the papers might not be worth considerably more than this amount.

9. Mailer's personal library, not including the books of Norris Mailer or other family members, should be appraised, preferably by Peter Lennon of Chicago, and sold, with all profits going to the estate. A bulk sale to an institution is preferable but not mandatory.

10. A previous statement signed by Mr. Mailer on December 28, 2002 concerning the publication of Mr. Mailer's letters (edited by Lennon) and other projects, remains in force, and does not contradict the forgoing statements. A copy is attached. These two statements should be considered as formal codicils to my will.

Signed by: Norman Mailer

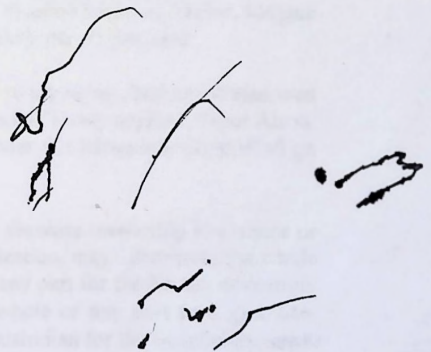
Witnessed by: *[Signature]*

Witnessed by: *[Signature]*

Date: Dec 22, '04 103 NY
Date: Dec. 22. 03
Date: December 22. 2003

Aide Memoire for NM/NCM from Mike Lennon, 9/10/07

- 1) Review Literary Will and update (copy attached)**
- 2) Add Sam Radin to replace Robert F. Lucid**
- 3) Add language on film rights and profit distribution**
- 4) Add statement about Lennon as authorized biographer (copy attached)**
- 5) Indicate if you want original of film prints sold to Harvard, retaining copyright**



COPY

LAST WILL AND TESTAMENT

OF

NORMAN MAILER

I, Norman Mailer, a resident of and domiciled in the Commonwealth of Massachusetts, at 627 Commercial Street, Provincetown, MA 02657, make, publish and declare this to be my Last Will and Testament, revoking all wills and codicils at any time heretofore made by me.

FIRST: I direct that the expenses of my last illness and funeral, the expenses of the administration of my estate, and all estate, inheritance and similar taxes payable with respect to property included in my estate, whether or not passing under this will, and any interest or penalties thereon, shall be paid out of my residuary estate.

SECOND: If my former employee Myrtle Bennett survives me, I give and bequeath to her the following: \$100 per week until her death.

THIRD: I give, devise and bequeath all the rest, residue and remainder of my property and estate, both real and personal, of whatever kind and wherever located, that I own or to which I shall be in any manner entitled at the time of my death (collectively referred to as my "residuary estate"), as follows:

(a) If my wife Norris Church Mailer survives me, to my wife outright.

(b) If my wife does not survive me, my estate shall be divided into ten (10) equal shares to be distributed as follows:

(1) nine equal shares to my children (Susan Mailer, Danielle Leslie Mailer, Elizabeth Anne Mailer, Kate Cailean Mailer, Michael Burks Mailer, Stephen McLeod Mailer, Maggie Alexandra Mailer, Matthew Norris Mailer, and John Buffalo Mailer), per stirpes; and

(2) one equal share shall be divided, one-half jointly to my sister, Barbara Wasserman and her husband, Al Wasserman, if my sister survives me, and one-half to my nephew, Peter Alson. If Barbara Wasserman predeceases me, then the one equal share under this paragraph (2) shall all go to Peter Alson.

FOURTH: If any property of my estate vests in absolute ownership in a minor or incompetent, my Executor, at any time and without court authorization, may: distribute the whole or any part of such property to the beneficiary; or use the whole or any part for the health, education, maintenance and support of the beneficiary; or distribute the whole or any part to a guardian, committee or other legal representative of the beneficiary, or to a custodian for the beneficiary under any gifts to minors or transfers to minors act, or to the person or persons with whom the beneficiary resides to use for the beneficiary. The receipt of the person to whom the distribution is so made shall

release my Executor from any liability with respect thereto, even though my Executor may be such person. If such beneficiary is a minor, my Executor may defer the distribution of the whole or any part of such property until the beneficiary attains the age of eighteen (18) years, and may hold the same as a separate fund for the beneficiary with all of the powers described in Article EIGHTH hereof. If the beneficiary dies before attaining said age, any balance shall be paid and distributed to the estate of the beneficiary.

If any occasion shall arise during the administration of my estate, or in connection with any matter or proceeding relating to my estate, calling for the appointment of a person to represent the interests of persons unborn or unascertained or the interests of any other person, I direct that such appointment shall be dispensed with, if permitted under applicable law.

FIFTH: I appoint my wife Norris Church Mailer to be my Executor. If my wife does not survive me, or shall fail to qualify for any reason as my Executor, or having qualified shall die, resign or cease to act for any reason as my Executor, I appoint Ivan S. Fisher as my Executor. I direct that no Executor shall be required to file or furnish any bond, surety or other security in any jurisdiction.

SIXTH: I grant to my Executor all powers conferred upon executors wherever my Executor may act. I also grant to my Executor power to retain, sell at public or private sale, exchange, grant options on, invest and reinvest, and otherwise deal with any kind of property, real or personal, for cash or on credit; to borrow money and encumber or pledge any property to secure loans; to divide and distribute property in cash or in kind; to exercise all powers of an absolute owner of property; to compromise and release claims with or without consideration; and to employ attorneys, accountants and other persons for services or advice. The term "Executor" wherever used herein shall mean the executors, executor, executrix or administrator in office from time to time.

SEVENTH: If any beneficiary under this will and I die in a common accident or under circumstances in which it is difficult or impractical to determine who survived the other, such beneficiary shall be deemed to have predeceased me.

Except as provided in this will, I intentionally, and not as a result of mistake or inadvertence, omit to provide for any issue of mine.

IN WITNESS WHEREOF, I, Norman Mailer, sign, seal, publish and declare this instrument as my last will and testament this day of October, 1996.

The foregoing instrument was signed, sealed, published and declared by Norman Mailer, the above-named Testator, to be his last will and testament in our presence, all being present at the same time, and we, at his request and in his presence and in the presence of each other, have subscribed our names as witnesses on the date above written.

residing at

residing at

residing at

AFFIDAVIT

COMMONWEALTH OF MASSACHUSETTS, COUNTY OF _____, SS.:

Before me, the undersigned authority, on this day personally appeared Norman Mailer and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me duly sworn, the said Norman Mailer, Testator, declared to me and to the said witnesses in my presence that said instrument is his last will and testament, and that he had willingly made and executed it as his free and voluntary act and deed for the purposes therein expressed; and the said witnesses, each on their own oath stated to me, in the presence and hearing of the said Testator, that the said Testator had declared to them that said instrument is his last will and testament, and that he executed same as such in their presence, and he wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said Testator and at his request; that the said Testator was at the time at least eighteen years of age, and was of sound mind and under no constraint, duress, fraud or undue influence; and that each of said witnesses was then at least eighteen years of age.

Testator

Witness

Witness

Witness

Subscribed, sworn to and acknowledged before me by the said Norman Mailer, Testator, and subscribed and sworn to before me by the said witnesses, this _____ day of October, 1996.

Notary Public
My commission expires on _____