

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SUNTRUST BANK as Trustee of)	
the Stephens Mitchell trusts f/b/o Eugene)	
Muse Mitchell and Joseph Reynolds Mitchell)	
)	Civil Action File No.
Plaintiff,)	1:01 CV-701-CAP
)	
v.)	
)	
HOUGHTON MIFFLIN COMPANY,)	
)	
Defendant.)	
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SECOND SUPPLEMENTAL DECLARATION OF JOHN SITTER

1. I have read the Affidavit of Alan Lelchuk (“Lelchuk Affidavit”), the Affidavit of Louis D. Rubin, Jr. (“Rubin Affidavit”), the Affidavit of Joel Conarro (“Conarro Affidavit”), and the Affidavit of Gabriel Motola (“Motola Affidavit”).

2. Dr. Motola cites a definition of parody in paragraph 4 of his affidavit that omits with an ellipsis an important sentence: “as a branch of satire, [parody’s] purpose may be corrective as well as derisive.” Again, as I have demonstrated in my previous declarations, *The Wind Done Gone* not only ridicules *Gone With the Wind*, but it **seeks to correct through parody** *Gone With the Wind*’s demeaning and stereotypical portrayals of blacks and its idealized representation of slaveholding society.

3. After citing to this dictionary definition of parody, Dr. Motola in paragraph 6 of his affidavit makes a series of general statements about parody that are flatly mistaken. First, he states that, like satire, “parody may also poke fun of public figures, such as politicians, celebrities, or- *in much rarer cases*- other literary figures or

their work.” **This is simply backwards: by definition, literary parody *always* addresses other literary figures or their work, and, in doing so, parody may also poke fun of public figures. It is precisely the fact that parody mimics other *works* in order to make its point that distinguishes parody from satire.** Dr. Motola then proceeds to state that “while parody may allude to another work or figure, it does so briefly while securing its own imaginative plot and language so that the parodied work is ultimately put aside in the reader’s imagination, replaced by the work being read.” This too is wrong: it is simply not a requisite of parody that the parodied work is “ultimately put aside in the reader’s imagination.” One of the earliest and most famous parodies is Henry Fielding's *Shamela*, which parodies Samuel Richardson's *Pamela*; and throughout *Shamela*, the reader never forgets the work’s allusion to *Pamela*.

4. Dr. Motola’s discussions regarding plagiarism in paragraphs 5 and 7 of his affidavit fail to recognize that while **the parodist’s first object is to *reveal*** the prior work in order to comment on and criticize it, **the plagiarist’s first goal is to *conceal*** the existence of the prior work. As I have demonstrated in my previous declarations, *The Wind Done Gone* does not try to conceal the existence of *Gone With the Wind*, rather, it alludes to *Gone With the Wind* in order to conjure up and then to parody aspects of that work.

5. Several of the Plaintiffs’ experts suggest that parody must inevitably be simple and humorous. As an eminent scholar of parody has written, “this relegation of parody to the burlesque” leads to a view of parody as “an inferior literary form, incapable of either complexity or seriousness...” (Margaret Rose, *Parody: Ancient, Modern, and Post-modern* (Cambridge UP, 1993), p. 68). **Humor has never been a crucial element**

of parody, rather, what is crucial to parody is its comment on and critique of another work. As one eminent critic defines parody: "Parody includes any cultural practice which provides a relatively polemical allusive imitation of another cultural production or practice." (Simon Dentith, *Parody* (NY & London: Routledge, 2000), p. 9).

This declaration is true and correct. I make this declaration under penalty of perjury. This 15th day of April, 2001.

John E. Sitter

John E. Sitter, Ph.D.