

## The Board Speaks! (Kinda.)

I spoke today with Rory Miller, the attorney representing the Board. We had a frank conversation for about an hour. Here's what I've taken away:

- 1) The Board will be issuing a major announcement today or Monday about the future of the Cinefamily. Rory wouldn't give me details, but something about the tone of the conversation gives me a bad feeling. We'll find out soon enough.
- 2) Rory says the Board has a few major takeaways from this crisis: that management needs to be better trained and more professional; that engagement between members and the Board needs to improve; that the Board needs to be more engaged in the day-to-day. Personally, I agree with all of this.
- 3) Rory said the Board's silence is because they wanted to wait to make a statement until they had something concrete to announce. I replied that whatever the intent, the effect has been negative and damaging. I suspect the silence is related to another point Rory made: that the Board has become paralyzed (his term) and non-functional (my inference). He described "different Board members pulling in different directions" and them taking action "in fits and starts."
- 4) Rather than function as a unified Board, they've formed subcommittees to address 4 topics: financial transition; abuse investigation; media relations; property ownership. To me, these are the committees you'd form in a wind-down of operations more than a restructuring—but I'm no expert.
- 5) Rory reports there have been no calls (from the public, from staff or volunteers) to the investigator hotline—or at least "no corroboration" of many of the public claims. (My notes aren't perfect, apologies.) We didn't get deep into this, but I, for one, would be deeply concerned if the Board issues a report absolving itself of responsibility. I don't know if it's true or not that the investigation yielded nothing, but I can certainly imagine people didn't trust the process and thus didn't call. (The absence of evidence is not the evidence of absence, etc.)
- 6) Money: Rory says the organization is beyond broke—that they're \$70k in the red. That Board members reached into their own pockets to fund the investigation. He acknowledged the Board made a representation about refunds, but says the money just doesn't exist. (I told him that if the Board reached into its own pocket because the investigation was the right thing to do, then it should reach into its own pocket to make members whole.) To me, this is not an acceptable answer. To move this forward, I believe we'll need some legal assistance. To those who are still being charged monthly installments, Rory says you should contact him immediately ([rmiller@glaserweil.com](mailto:rmiller@glaserweil.com), 310.282.6289).
- 7) This FB group: Rory would not offer an assurance about this Black Card Social page's continued existence, but he said he knows of no plans to change anything and said "there will be no reprisals" (ie, for speaking out). He did commit, at least, to providing advance notice if there are going to be changes that would affect us on this page. (If this page does suddenly disappear, feel free to contact me & I'll try to set something else up.) It's worth noting that yesterday, when Erin became the page admin, I reached out to her but I have not heard back.
- 8) Member involvement: this was (IMO) one of the few positive elements of the discussion. Rory says the Board understands member voice needs to be formalized in some way. We mentioned a few structures in passing (Member advisory Board, designated member seats on the Board, etc.), but he made no specific commitment. He did make the general commitment that there will be a formal & structured role for a member voice. Of course, if the Cinefamily is going away, that's all moot.

- 9) Access to documents: this is a legal requirement with which the Board must comply; Rory understands this but it's not clear the Board does. He first needs to find out who has the books (!!), and he committed to get back to me ASAP (including a status update by COB today) with information about accessing & reviewing their books & documents.

So what do I make of all this? Mainly, we'll know more later today or Monday when we see the Board statement. I'd like to think they're engaging in good faith, but it would be naïve to conclude that based on a single conversation. Still, I plan to give them the benefit of the doubt-- for now.

I'd like to know how many others are in the same boat as me: having paid an annual membership in one lump sum (and are owed a refund). If you have, please contact me. If you know someone else in this position, please have them contact me. They owe us this money and they've acknowledged it.

So... that was a lot. What do you think? (As always, if you'd rather not post publicly, feel free to contact me privately.)

Yours in solidarity,  
"Josh"

PS- I'm typically a pretty private person online but by posting my letter I've already, to my chagrin, outed myself. So to be clear, "Josh [REDACTED]" is pseudonymous, but feel free to use it. I'll answer to either Josh or to Jon (my actual name). But let's just keep this amongst the 926 of us, 'kay?