

# Mary Kay Inc. threatens legal fight over book; she 'is turning over in her grave,' publisher says

'Pass It On,' published Oct. 5, is already sold out. It's written by a former Mary Kay employee who says she has nothing but good things to say about the founder and company.



Jennifer Bickel Cook worked directly alongside Mary Kay Inc. founder **Mary Kay Ash** for 25 years before the iconic cosmetics queen died in 2001.

"Everything I learned, I learned from Mary Kay," Cook said, explaining why she decided to write a book about her experiences and dedicate the profits to charity.

Her positive memories of the legendary businesswoman, chronicled in *Pass It On*, could soon become ensnared in a legal fight with the Addison-based company over a nondisclosure agreement and her efforts to woo independent sales consultants into promoting the book.

The book was published by Dallas-based Brown Books, headquartered across the street from Mary Kay's pink granite corporate office. At the end of September, the publishing group's founder, Milli Brown, walked over to speak with Mary Kay's North American regional president Nathan Moore about promoting the book.

"If I had an ex-employee who loved my company and wrote a book about how great it was, I'd put her on tour out of my own pocket," Brown said. "I thought the author could be a great value for Mary Kay."

Brown said she was told Moore wasn't available so she left a message for him saying she'd like to give him with a copy of the book and talk about how it could be promoted.

A few hours later on Sept. 29, she received a **letter** from law firm Lynn Pinker Hurst & Schwegmann on behalf of Mary Kay that informed her Cook had "ongoing legal obligations to Mary Kay," including a nondisclosure agreement.

The letter asked Brown to provide Mary Kay with a copy of the book by 5 p.m. the next day and to delay its publication until the company could review it "to determine if it contains any of Mary Kay's confidential and proprietary information."

The book promised to "share never-before-told stories of Ash's productivity habits, eccentricities and Christian faith," according to the letter.

The firm also warned that Cook had asked Mary Kay sales consultants to promote the book to other members, which could put them “in violation of the terms and conditions of their agreements with Mary Kay and jeopardize their businesses. This could also lead to legal liability for Ms. Cook and Brown.”

Mary Kay now intends to file a federal complaint on Friday, the law firm told *The Dallas Morning News*.

“I can’t comment on the issue except to tell you there will be substantially more information on Friday morning,” law firm partner Chris Schwegmann said.



LOCAL COMPANIES

### Who is Jennifer Bickel Cook? Meet the author Mary Kay Inc. might take to court

BY NATALIE WALTERS -

Brown said the book is “a piece of history” and she’s perplexed by the company’s reaction, especially because all of the profits are going to charity, including the Mary Kay Foundation, which focuses on finding a cure for cancers that affect women and ending domestic violence.

“I expected him to say, ‘I’m sorry you missed me but let’s set up a time to talk together,’ ” she said.

Brown said she didn’t respond to the law firm’s letter and is sad to see the attack on Cook, “a woman so important to the company.” The book could have been a “phenomenal plus for the company,” she said.

“I had nothing to say to them because this is not how you treat people,” she said. “For them to not even call to find out more before sending a letter through a law firm is ridiculous.”

The book’s Oct. 5 publication date also wasn’t delayed because it was too far along in the process, Brown said.

“Once it’s in the distribution channel, there’s no pulling it,” she said.



Cook, 70, a native Dallasite, began working for Mary Kay in 1971. She worked directly with Ash for 25 years, including as manager of her personal staff. After Ash had a stroke in 1996, Cook became director of the Mary Kay Museum in Addison and director of The Mary Kay Foundation.

When asked about the law firm’s letter, she instead wanted to focus on the positive aspects of Mary Kay and her book.

“I spent 45 years working with Mary Kay, and my book is a tribute to the company and Mary Kay,” she said. “I only have good things to say about her and the company. My life is blessed because I was a part of it.”

Cook said employees felt grateful to be a part of the company because the golden rule — kindness — was its foundation.



worked directly with founder Mary Kay Ash for 25 years, including as manager of her personal staff. (Courtesy of Jennifer Bickel Cook)

“When people came there and found out about the wonderful atmosphere, you didn’t want to leave,” she said.

Cook’s lawyer is the nationally recognized publishing attorney Jonathan Kirsch, who is based in Los Angeles. Kirsch was incredulous about the company’s response because he had vetted the book, Brown said. Editors at the publishing firm also vetted it, she said. Kirsch didn’t respond to a request for comment.



Mary Kay spokeswoman Kelly Medley said the company isn’t concerned about whether the book is a positive take on the company’s founder. Instead, “the question is whether or not Ms. Cook violated federal copyright law and her obligations to Mary Kay Inc. in the process of writing and promoting this book, largely to Mary Kay’s independent beauty consultants.”

Brown, who founded her company in 1994, said she’s never seen this type of reaction from a company. She said if Cook had been “a renegade employee,” then she could see why the company would be nervous about her talking with sales consultants about the book.

Despite an impending legal challenge, the book is “selling like crazy” and is already sold out, Brown said about the 250-page book that sells for about \$16 online from **Amazon**, **Target** and **Barnes & Noble**.

The publish date is often the happiest day of an author’s life, Brown said, so it saddens her that Cook’s big day is associated with any negativity.

“She was so excited about the book, and I hate that they’re raining on her parade,” Brown said. “You know Mary Kay is turning over in her grave.”