

From: Laura Perkins
Sent: Wednesday, May 19, 2010 8:34 PM

To: 'mayor@baltimorecity.gov'; 'kaliope.parthemos@baltimorecity.gov'

Subject: A needed reassessment of The Senator Theatre situation

Dear Honorable Mayor Rawlings-Blake and Deputy Mayor Parthemos:

I want to fully level with you on The Senator Theatre situation and express, without constraints, how I feel overall. I've been trying to be judicious with public officials, and diplomatic in an extremely difficult situation, but you are the first officials in a position of authority in Baltimore City government that the FOTS had any practical expectation to work with, so I want to transmit what has been going on without restraint from our perspective.

First of all, most of what you've heard about recent history at The Senator and about Tom Kiefaber from the BDC, or former Deputy Mayor Andrew Frank, or from the Abell Foundation is in all probability inaccurate. We are not concerned with what you think of M. J. Brodie, or Robert Embry, or Andrew Frank, or Kim Clark, or Bill Henry. You may like them as people, but they are totally off base in this overall situation, and their pattern of actions are not what they may appear to be regarding The Senator Theatre and its future. Their position on this issue is morally indefensible and literally nauseating to those of us who know from first-hand experience what has really been going on.

For over a year now, ever since we learned in early 2009 that the city had made Tom Kiefaber an offer he literally couldn't refuse (because if he did, Baltimore City would "throw his family out on the street") those of us who have been advocating for the theatre have been in an intractable situation fighting a losing battle with a city government that just doesn't get it and is causing huge problems for the future of the theatre, and the family that built the extraordinary national monument and have been its tenacious stewards for over 70 award-winning years.

We have yet to be able to have a rational discussion about the issues with anyone who was in the direct chain of authority on the matter, because they had all taken on a negative mindset and in essence become more part of the problem than a path to a successful resolution. We tried diplomacy, we tried reason, we tried strength in numbers, and even what little intimidation we could muster, but the

ordeal has not managed to enlighten those who are in such dire need of the facts and not the fictions being generated by a few around this issue.

Tom Kiefaber isn't the problem. The FOTS aren't the problem. These few powerful individuals with a negative agenda are the problem: Brodie, Embry, Henry, Clark, and whatever's left over from Frank's tenure in office. The FOTS are fervently hoping that your new administration will see this calamity in the making, and take evasive action to avert the approaching train wreck, and reverse the city's clearly disastrous course on this high-profile matter.

We don't know what impression you may have formed regarding Tom Kiefaber, but I would suspect you've heard purposeful negative assessments. If so, you may have no reason not to believe the spin, because certain falsehoods have been repeated for effect so often that others have come to believe them. This is disheartening, sad and also infuriating to all of us who have come to know him well over time, under such trying circumstances.

I've been working with Tom for over a year, volunteering at the theatre daily and researching what is really going on. Here's what I know first-hand about Tom Kiefaber:

Tom Kiefaber is very smart and resourceful. He is also incredibly hard-working, passionate, knowledgeable, tenacious, selfless, moral, and relentlessly positive and upbeat in his day to day interactions, especially regarding The Senator Theatre and its future potential.

He is also steeped in all things related to The Senator and its past, and understands its synergistic future viability and optimization as much as any other living person on planet earth. I strongly suggest that you ask him to take you on a tour of his beloved Senator Theatre, as we predict it will be an enormously eye-opening experience and a good use of your valuable time.

Tom literally grew up from early childhood in The Senator Theatre. It has been noted to us time and again with obvious admiration by many visitors and well wishers from his lifetime of service that Tom is The Senator Theatre and the two entities have become one. While it may seem over the top to note, in fact Tom and his incredible theatre have become fused in ways that are hard to describe, but will become evident if you take the initiative and experience this phenomenon for yourself.

Take the tour with him and be sure to include his greatest source of delight and pride, the 100 colorful commemorative sidewalk blocks in the theatre's "Walk Of Fame" or "Sidewalk of the Stars," every one of which was designed by him, and installed for scores of high profile World Premieres and special events, with Tom as the sole prime mover in every instance. The history that is represented in that collection alone serves as an incredible legacy that has also become a source of pride for Baltimore City, with folks regularly making the pilgrimage to view them.

Tom is encyclopedic in his compelling recitations of what was involved in each and every event, since Barry Levinson's directorial debut with Diner in 1982. Tom possesses this vast institutional knowledge first hand, because he was present for every moment that occurred, and it would not have even taken place if not for him and his family. It's hard for us to convey just how vast and complex Tom's accumulated knowledge is of the theatre industry in Baltimore and beyond, and how steeped he is as the most integral aspect of The Senator's proud legacy over the years. Efforts to sever that relationship between him and The Senator are horrifically misguided and destructive.

As many will concur, Tom Kiefaber is the sole reason The Senator remains so historically intact and has become renowned nationwide, and even overseas. The Senator did not accomplish that remarkable feat in the worst of economic circumstances over the years; Tom Kiefaber did that. It has been noted time and again that without Tom Kiefaber's extensive industry background and unique skills, persistence and vision, The Senator Theatre would have surely been lost to us all decades ago. That makes Tom a bona fide civic hero to be celebrated, not a liability to be scorned and treated so shabbily by a city government that should instead be touting his many accomplishments and his dedication to The Senator and the City of Baltimore.

With his long and illustrious history of positive connections with show business celebrities and many others who have helped to support the theatre in the past, Tom will be an enormous asset to the fundraising efforts required to secure the theatre's future long term viability. As has been pointed out to us by theatre redevelopment experts, Tom's destiny and lifetime of achievements make him a critical strategic asset to the team effort that will take this endeavor forward to successful fruition. He is the ideal Senator expert and impassioned ambassador for the unique landmark theatre.

From our informed perspective, it is literally crazy for others to be so pointedly attempting to sever this wonderful and advantageous 50 year bond between Tom Kiefaber and the historic Senator Theatre. It's also a cruel and monumentally immoral undermining of his life achievements that is taking place, and the impetus for this is primarily coming from a very small group of individuals that have been noted above. Senator Joan Carter Conway and others also know the truth of that statement.

All of us who volunteer with Friends of The Senator are frankly terrified that one day Tom will finally sicken of all the undeserved abuse he's received from our city government, the BDC, and the Abell Foundation, and simply walk away in disgust. Although it may not yet be evident to all, that would be a dreadful day that everyone who loves The Senator Theatre would eventually come to regret as a tragedy.

As to issues of public subsidy, please pull the accurate numbers from the Board of Estimates on how much in Baltimore City public funds has actually been invested in The Senator over the years, particularly in the 10 years leading up to the city's recent acquisition of the theatre.

Our research has revealed the amount the city has spent on The Senator in the past decade, prior to the acquisition, to be zero. There have been numerous official pronouncements coming from the BDC to the contrary, but on each occasion, these were later recanted. Please note as well that The Senator under Tom's ownership has directly and indirectly generated millions that have been infused into the city coffers in taxes, jobs and neighborhood stabilization.

It should also be noted that in a century of building and professionally operating over 50 theatres in Baltimore City, Tom's family has greatly enriched the city in innumerable ways. It all started with Tom's grandfather, Frank H. Durkee, and his 1909 Paradise Theatre, located at the intersection of Washington and Federal. It is an extraordinary and beneficial 100 year legacy that few know of, but should become known and honored in light of his family's vast contribution to our city.

You will also find that Baltimore City has not subsidized The Senator at all on par with other similar private businesses, and that Tom Kiefaber has been discriminated against in that regard. The discrimination is most evident in the fact that Buzz Cusack was helped by the BDC, the city, and the Abell Foundation and the state to expand the Charles Theater to five screens. The Charles then "cleared" The Senator, while

Tom Kiefaber was repeatedly denied the same type of proactive assistance to expand The Senator's flexibility during that same period.

The discrimination in the application of public funds between Buzz Cusack and Tom Kiefaber, coupled with the resulting inability to expand to a multi-screen model, is the primary reason The Senator has experienced financial challenges over time. The BDC and Abell may choose to characterize the lack of comparable parity as benign neglect, and not an inequity, but we would disagree. In its context, this type of purposeful neglect is not benign, but has produced malignant results, to the detriment of all concerned.

The bottom line truth of the matter is that for whatever reason, the BDC and Robert Embry of the Abell Foundation have consistently favored Buzz Cusack and backed his efforts, while stifling Tom Kiefaber, with the intention to ultimately transfer control of The Senator to Mr. Cusack. There are multiple instances of appalling abuses of power, which we can cite, but have not been reported. All of the volunteers at the theatre and hundreds of others are simply aghast at what has happened, and we talk about how corrupt, counterproductive and wrong it is all the time.

We also worry about the long-term skilled and loyal staff at The Senator, particularly the theatre manager Bill Hewitt, who is a living legend in the world of film exhibition, due to his skills, his extensive film collection assembled over a lifetime, and his consistent technical excellence in projection. Bill Hewitt is, like Tom Kiefaber, a living treasure to be honored and appreciated. He is well past retirement age, has no nest egg, and has worked in film exhibition with Tom's family all his life. He has been volunteering his time at The Senator for over a year now, like the rest of us, because working hard without pay is the only way we can currently keep the theatre open to hopefully overcome this grossly mishandled situation.

We don't know specifically when or why M.J. Brodie, Andrew Frank and Robert Embry decided that Buzz Cusack was the next operator of The Senator, but it was certainly over a year ago and in all probability several years ago. This is why, in my previous letter to Deputy Mayor Parthemos, I noted that they may be in the process of violating federal criminal statutes. These individuals are using public funds and their positions of authority to take an individual's private property away and hand it over to benefit another private individual. We do not know if this can be proven in a court of law, but we know the moral truth of it.

We also know that it is in all probability an unconstitutional breach of Mr. Kiefaber's civil rights.

There are many people who may not know the depth and specifics of the whole situation, but they know it's skewed and wrong, and they know we've been treated unfairly by those few in power in our city government and at the Abell Foundation.

So, what is the right thing to do? What can be done to right this troubling situation?

Best regards,
Laura Perkins
Friends of The Senator