

THOMAS BOYD / The Register-Guard

Kris Millegan runs Trine Day Press out of his home near Waltherville. The press is being sued by the Special Forces Association, a fraternal group that disputes stories told in a Vietnam memoir by retired Air Force Lt. Col. Daniel Marvin.

Soldiers association sues independent publisher over Vietnam book

BATTLE FOR A WAR STORY

By **KAREN McCOWAN**
The Register-Guard

WALTEVILLE — A tiny publishing house here is in the cross-hairs of a \$700,000 lawsuit backed by the Special Forces Association, a fraternal organization for current and former U.S. military special operatives.

On the one side are Kris Millegan's Trine Day Press and one of its authors, retired U.S. Air Force Lt. Col. Daniel Marvin, who have been targeted in the case. On the other are seven men who served with Marvin in Vietnam during 1966 and 1967.

They contend that Marvin's book "Expendable Elite: One Soldier's Journey Into Covert Warfare," provided a "false, libelous, defamatory, embarrassing and humiliating" account of their activities at An Phu near the Cambodian border. They seek \$100,000 each in general, special and punitive damages.

Millegan said the case already has racked up nearly \$50,000 in legal expenses, and it could bankrupt his small press, which has published just eight books and sold a total of 40,000 copies since its creation four years ago.

But he declined to agree to the men's demand that he reissue the book as a work of fiction. He stands by Marvin's account, saying that some of the defendants verified it on tape at Marvin's request after he sent them early drafts in 1988.

"I have audio tapes from the people who are now suing me, not only confirming Col. Marvin's story, but saying he could use their names," Millegan said.

His willingness to challenge the lawsuit has won admiration from other small, independent publishers, said Teresa Kao, owner of Our Town Publishing in Portland and

former president of the Northwest Association of Book Publishers.

"Small publishers typically can't afford to carry liability insurance," Kao said. "If someone decides to sue you, there just isn't money for this sort of thing."

"Too often you see people say, 'I'll take this book off the market if you'll make this lawsuit go away,'" Kao said. "But Kris sees this really as a kind of quest. He is just going ahead with it because he believes it needs to be done."

A South Carolina U.S. District Court jury began hearing the case on Halloween day,

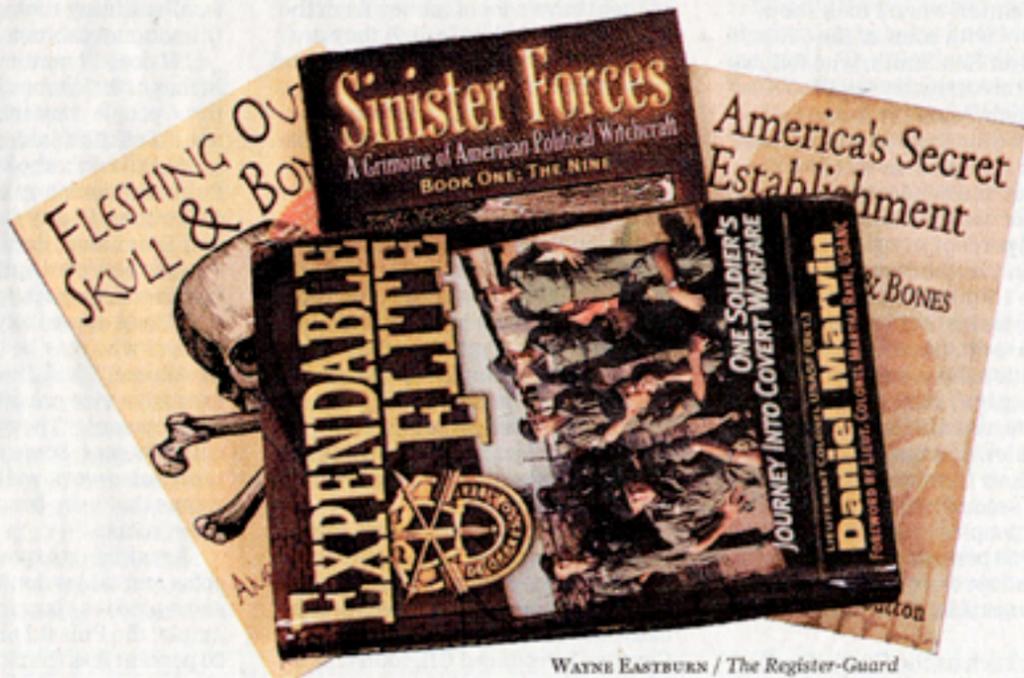
but a mistrial was declared two days later after one of the plaintiffs' attorneys suffered a medical emergency.

Judge David Norton has scheduled a new trial to begin Jan. 23.

In their opening statement, the plaintiff's attorneys, Ben and Bobby Deaver, acknowledged the audio tapes, but say their clients thought they were being asked to "vet" a work of fiction.

At particular issue are Marvin's contention that he was assigned to assassinate Cam-

Please turn to **PUBLISHER**, Page F4



WAYNE EASTBURN / The Register-Guard

Trine Day's books often include allegations of conspiracies, such as linking Yale's Skull and Bones society with drug running.