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Texas Bar CLE

continuing legal education

13th Annual Entertainment Law Institute

Legal and Business Aspects of the Film and Music Industries

LIVE Austin

October 10-11, 2003

Stephen F. Austin Hotel

SCENE SCENE

Texas Bar CLE presents the 13th Annual

Entertainment Law Institute

Legal Aspects of the Film and Music Industries

Cosponsored by the Entertainment and Sports Law Section of the State Bar of Texas

MCLE Credit

12.75 Hours (2 ethics)MCLE #000051219

Applies to the College of the State Bar of Texas

AUSTIN October 10-11, 2003 Stephen F. Austin

Friday 6.5 hrs (1.25 ethics)

8:00 Registration

8:45 Welcoming Remarks & Introductions

Course Director
Mike Tolleson, Austin
Mike Tolleson & Associates

9:00 Year in Review: Court Decisions and Legislation Impacting the Entertainment Industry

1 hr (.5 ethics)
State and federal legislative issues, case rulings on the Internet, determining attorney fees in entertainment cases, attorney disqualification in royalty suits, enforcement of compensation agreements, right of publicity, and copyright litigation concerns.

Stan Soocher, *Denver*Editor-in-Chief
"Entertainment Law & Finance"
Associate Professor
Music & Entertainment Industry Studies
University of Colorado at Denver

10:00 Ethics Reloaded! .75 hr ethics

Ethics issues for entertainment lawyers, including an overview of lawyer liability, with practical tips on how to keep from getting sued, or perhaps equally important, to make clients happier.

Walter L. Taylor, *Austin* Law Offices of Walter L. Taylor

10:45 Break

11:00 Authors, Agents, and Publishers

hr

A discussion of the book publishing business: securing an agent, making the publishing deal, and self-publishing vs. signing with a major publisher.

Moderator

Evan M. Fogelman, *Dallas* Attorney and Owner Fogelman Literary Agency

Panelists

Michael D. Farris and Susan Morgan Farris, *Dallas* Attorneys and Owners Farris Literary Agency, Inc.

Evelyn Palfrey, *Austin* Attorney and Author

12:00 Lunch (on your own)

1:15 **How Screenplays Become Movies** .75 hr

Securing an agent, making the pitch, selling to the producer.

Karen Lutz, Los Angeles Screenwriter, "Legally Blonde"

Agent: To be announced

2:00 How to Get Your Independent Film Made 1 hr

Filmmakers and attorney discuss the facts and fictions of independent filmmaking from funding to distribution. A case study. Anne Walker McBay, *Austin* Producer, "Levelland"

Clark Walker, *Austin*Director & Writer, "Levelland"

John Sloss, *New York*Executive Producer & Attorney

3:00 Break

3:15 Guilds, Unions & Film Business

1 hr

Guild representatives discuss their role in the movie making process with special emphasis on terms available for low budget features.

Moderator

Michael Norman Saleman, Austin
Law Offices of Michael Norman Saleman

Panelists

John Contrubis, *New York*Assistant Counsel
Writer's Guild of America, East

Jack Dunlop, *Houston*Executive Director
AFTRA/Screen Actors Guild Houston

Dan Moore, *Chicago*Midwestern Executive Director
Director's Guild of America

Bruce C. Doering, Los Angeles National Executive Director International Cinematographers Guild IATSE Local 600

4:15 **Producing Documentaries** 1 hr

This panel of producers will talk about funding and distribution for documentaries, and dealing with PBS.

Moderator

Mike Tolleson, *Austin*Mike Tolleson & Associates

Panelists

Hector Galán, Austin President, Galán, Inc.

Paul Stekler, *Austin*Professor, UT Austin
Department of Radio-TV-Film

Richard Lewis, *Austin*Assistant Professor, UT Austin
Department of Radio-TV-Film

5:15 Adjourn

Saturday 6.25 hrs (.75 ethics)

8:15 Introductions

Mike Tolleson, *Austin*Mike Tolleson & Associates

8:30 Record Distribution for the Indie Label 1 hr

Independent distributors come and go about as fast as indie labels: What's the problem? This panel will address the challenges facing independent record labels as they try to find reliable distribution.

Moderator

J. Craig Barker, *Austin* Law Office of Craig Barker

Panelists

Cameron Strang, Austin Founder, New West Records

James G. Zumwalt, *Nashville* Zumwalt, Almon & Hayes

Distributor: To be announced

9:30 Is There a Future For the Music Business? 1 hr (.25 ethics)

Attorney for many major artists and author of best selling industry guide looks into his crystal ball.

Donald S. Passman, *Beverly Hills*Gang, Tyre, Ramer, & Brown
Author, "All You Need to Know About the
Music Business"

10:30 Break

10:45 Destiny's Child Grows Up

1.25 hrs

Artist manager, Matthew Knowles, and attorney, Ken Hertz, chart the path to international fame and fortune for one of the most successful groups to ever come out of Texas.

Matthew Knowles, *Houston* Manager, Destiny's Child and Beyoncè Knowles

Kenneth Hertz, *Beverly Hills*Goldring Hertz & Lichtenstein, LLP

12:00 Lunch (on your own)

1:15 The American Federation of Musicians 1 hr (.25 ethics)

The role and function of the AF of M and a review of the rules and regulations that impact record companies, filmmakers, television producers and concert promoters.

Randy McCall, *Austin* President, AF of M

Jeffrey Freund, Washington, DC Bredhoff & Kaiser, PLLC

2:15 Venue Management & Concert Production .75 hr

Austin's top club owner and concert promoter operating from the "Live Music Capital of the World" talks about the art of show business.

Tim O'Connor, Austin President, Direct Events

3:00 Break

3:15 Music, Money & Success

1.25 hrs (.25 ethics)

Two music industry veterans talk about new developments in the world of music publishing including songwriter deals, industry consolidations, digital media, and dollar downloads.

Steve Winogradsky, *North Hollywood*The Winogradsky Company

Jeffrey Brabec, Los Angeles
Vice President of Business Affairs
Chrysalis Music Group
Co-author of "Music, Money and Success:
The Insiders Guide to Making Money in the Music Industry"

4:30 Adjourn

FACULTY

Mike Tolleson, Program Chair, has a long-standing practice in the music, motion picture, television and digital-media industries. He represents individuals and companies in connection with their entertainment industry business affairs. He is a former chairman of the Entertainment and Sports Law Section of the Texas Bar and the founder of the Entertainment Law Institute.

Craig Barker is an Austin music lawyer and former artist manager, bass player, and tour manager.

Jeff Brabec is Vice President of Business Affairs for the Chrysalis Music Group. Brabec is the co-author with his brother Todd (Executive Vice President of ASCAP) of the book "MUSIC, MONEY, AND SUCCESS: The Insider's Guide To Making Money In The Music Industry."

John Contrubis is Assistant Counsel at the Writers Guild of America, East.

Bruce C. Doering is the National Executive Director for the International Cinematographers Guild, International Association of Stage and Theatrical Employees, Local 600. He is also the Labor Trustee for the Motion Picture Industry Pension and Health Plans.

Jack Dunlop is a graduate of North Texas State University. He spent 25 years in sales and general management for a Texas tool manufacturer. In 1979, he began a full-time career as an actor and voice-over narrator. Since 1986, he served as Executive Director for the Houston branch of Screen Actors Guild and American Federation of Television and Radio Artists.

Mike Farris is an owner in Farris Literary Agency with his wife. He is also a screenwriter, serving as President of the 100-plus-member Dallas Screenwriters Association.

Susan Morgan Farris, in addition to her law practice and being co-owner of the Farris Literary Agency, has edited several non-fiction publications and has consulted screenwriters, novelists and non-fiction authors.

Evan M. Fogelman is immediate past chair of the State Bar of Texas Entertainment and Sports Law Section. He is an expert in publishing law and intellectual property licensing and his literary and media agencies represent over one hundred clients across the spectrum of media. He maintains offices in Dallas and New York.

Jeffrey Freund has more than 25 years of experience representing International and local labor unions. Mr. Freund, along with his colleague recently completed a cycle of collective bargaining for the AFM that included negotiation of the Commercial Announcement, Sound Recording, Television and Theatrical Film, Network Television, Traveling Musical and Country Music Television ("CMT") collective bargaining agreements.

Hector Galán As one of the most prolific and impassioned independent documentary filmmakers working today, Hector Galán has contributed over thirty hours of programming to the national PBS television schedule, exploring such diverse topics as migrant farmworkers, the historical roots of Mexican music, and the dynamics of race relations in the military.

Kenneth Hertz is managing partner in the Beverly Hills law firm of Goldring, Hertz and Lichtenstein LLP; he specializes in representing talent in the entertainment industries. The firm's clients include Will Smith, Destiny's Child, Beyoncè Knowles, Christina Aguilera, No Doubt, Hillary Duff and Alanis Morissette. Prior to joining the firm, Hertz was vice president, music, business and legal affairs for The Walt Disney Company.

Matthew Knowles is manager of both Destiny's Child, one of Texas' most successful acts, and Beyoncè Knowles, rising star on the pop charts.

Richard Lewis is an Assistant Professor in the Department of Radio Television Film, College of Communication, at the University of Texas at Austin. He primarily teaches producing and screenwriting. He has worked as an editor, producer, director and/or writer for companies including National Geographic Television, A&E, PBS, and Sierra Club Productions.

Karen McCullah Lutz co-wrote "10 Things I Hate About You", starring Julia Stiles and Heath Ledger, and "Legally Blonde" starring Reese Witherspoon. She is currently co-writing "Don't Ask", a comedy for Columbia about a gay man who joins the Army. She also sold her first novel, "The Bachelorette Party", to St. Martin's Press. It will be published in the spring.

Randy McCall has had a forty year career encompassing professional accounting and management consulting services, concert promotion, record manufacturing, food and beverage management, and music as a professional musician and an elected representative of professional musicians.

Dan Moore is the Midwestern Executive Director for the Director Guild of America. He is responsible for DGA activities in the Midwest, South, Southeast and Toronto, Canada. He is currently president of the independent film organization IFP/Chicago and an officer and legislative chair of the Illinois Production Alliance.

Tim O'Connor ran Castle Creek in the 70's. In the 80's, he owned and operated the Austin Opera House, while co-founding Star Tickets and staging hundreds of large scale festivals and benefits, from No Nukes concerts to Farm Aid. Today, he owns three of the city's most popular venues: The Backyard, Austin Music Hall, and La Zona Rosa.

Evelyn Palfrey is the author of four novels, including the current hit "Everything In Its Place". She is currently at work on her fifth novel.

Donald S. Passman is the author of "All You Need To Know About The Music Business", and a graduate of the University of Texas and Harvard Law School. He practices law with the Los Angeles firm of Gang, Tyre, Ramer & Brown, and has specialized in the music business for over 25 years.

Michael Saleman, represents independent film makers, television producers, writers, actors and other members of the film/television community.

John Sloss is the head of the Sloss Law Office P.C., a law firm providing counsel in business transactions for the entertainment, sports, and media industries. He has represented clients in all aspects of motion picture financing, production and distribution.

Stan Soocher is Associate Professor in the Department of Music & Entertainment Industry Studies at the University of Colorado at Denver. He is also an entertainment attorney and the long-time editor-in-chief of *Entertainment Law & Finance*. In addition, Stan is an award-winning journalist and author of the critically acclaimed book "They Fought the Law: Rock Music Goes to Court" (www.theyfoughtthelaw.com).

Paul Stekler is a professor in the Department of Radio Television Film, College of Communication, at the University of Texas at Austin and a nationally recognized documentary filmmaker whose critically acclaimed and award-winning work includes "George Wallace: Settin' the Woods on Fire", a three-hour documentary which won the Special Jury Prize the 2000 Sundance Film Festival and the Emmy Award for Outstanding Individual Achievement in Research in 2001.

Cameron Strang is the founder of New West Records with offices in Los Angeles and Austin and distribution by RED. New West features releases by artists such as John Hiatt, Delbert McClinton, The Flatlanders, Billy Joe Shaver, John Dee Graham, and Steven Bruton. Cameron is also a Canadian barrister originally from Vancouver.

Walter L. Taylor is a songwriter and musician who is also a sole practitioner in Austin. His experience and practice have focused exclusively on litigation and he has represented artists, songwriters and music publishers in the protection of their work against infringement, artists and managers in litigation to void or uphold management or other industry related contracts as well as industry related vendors and service providers on such issues as contracts and collections.

Clark Walker wrote the screenplay for "Levelland", and the film marks his directorial debut. His previous screenwriting credits include "The Newton Boys" (1998), which he also co-produced.

Anne Walker-McBay is a longtime Richard Linklater collaborator and Producer of "Waking Life" and "Dazed and Confused" among others. She currently manages Detour Filmproductions.

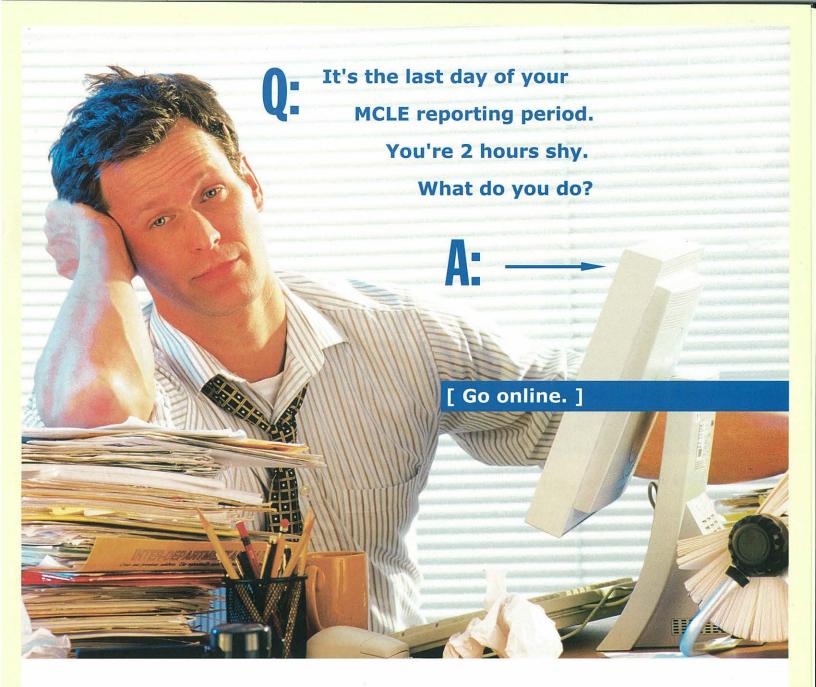
Steve Winogradsky, is the President of Winogradsky Company in North Hollywood, California which provides music business affairs and legal support for composers, songwriters, music publishers, recording artists and television, film, video and multi-media producers.

Jim Zumwalt is the senior partner of Zumwalt, Almon & Hayes, a Nashville law firm concentrating solely in the practice of music and entertainment law. Jim's clients include Creed, Jars of Clay, Courtney Love and The Estate of Kurt Cobain, Jamie O'Neal, Saliva, Kenny Wayne Shepherd, Tommy Sims, Keith Thomas, Tonic and Vertical Horizon.

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Register Early - Save \$20!

We encourage early registration because it helps us ensure that sufficient course books, seating, and refreshments will be available. Registration fees increase two weeks before most presentations.

Registrations are accepted on a space-available basis. As a pre-registrant, course materials and seating will be reserved for you until the start of the first presentation.

Payment

should be by check (no trust/escrow accounts, please) payable to the **State Bar of Texas** or charge to your Visa, MasterCard, AMEX or Discover. If you use a credit card, you may fax your registration to **512-463-7387**. No confirmation will be sent; pick up your name tag and program materials at the program.

Are you a member of the Entertainment and Sports Law Section?

This course is cosponsored by the **Entertainment** and **Sports Law Section** of the State Bar of Texas. If you are a current member of that section, or you agree to become one by the date of the presentation that you plan to attend, you may register at a special discount. See the registration form for details.

If you wish to join the section, please contact the State Bar's Sections Coordinator, Kathy Casarez, at 800-204-2222, x1425. Please do not send payment for section membership with your registration fee.

If You Register But Cannot Attend

and would like a refund, mail or fax (512/463-7387) your refund request so that it is received by us **at least** one business day before the program. Registrants who do not attend will be sent the written materials.

Qualifying Judges

may attend complimentary, provided (1) the course id directly related to the jurisdiction of their tribunal, (2)they are full-time judges or judges retired under the judicial retirement system and (3) space is available after admission of all paid registrants. Judges must actually attend to receive course materials.

This non-transferable privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity.

Persons With Disabilities

who need special accommodations to attend should contact us as soon as possible at 1-800-204-2222, x2097.



Reserve Your Hotel Room Early!

Hotel rooms on a space available basis have been blocked at special rates. Deadline dates for these rates are indicated below. To make a reservation, contact the Austin Film Festival Office at 1-800-310-3378 and speak to Office Manager, Naila Ahmed.

Stephen F. Austin Hotel

701 Congress Avenue \$149/night Deadline: 9-10-03

Driskill Hotel

6th & Brazos

\$165/night Deadline: 9-10-03

Discount Airfare is available through American Airlines. Call 1-800-433-7300 to make your reservations.



REGISTER EARLY AND SAVE \$20!

Early registration deadline is Sept 26, 2003

Registration fees go up 2 weeks before the program date, so register early and save! By doing so, you help us ensure that sufficient course books, seating, and refreshments are available—and you save \$20.

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Austin, October 10-11, 2003 Stephen F. Austin Hotel

Early registration deadline: Sept. 26th

Entertainment Law Institute

1 Check all applicable boxes below to calculate your fee: □ \$265 (Registration fee) □ ADD \$20 if registering after September 26th. (If registration is by mail, date of postmark will determine if this fee applies.) □ Subtract \$25 if licensed two years or less -OR- if you are a member of the State Bar Entertainment and Sports Law	Bar Card or State Bar Membership No
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10th Anniversary **Austin Film Festival 2003**

Don't miss this year's 10th Anniversary Austin Film Festival in Austin, Texas!. In addition to its reputation for being the "live music capital of the world", Austin is also becoming known as the "third coast" due to its thriving and rapidly growing film industry. Don't just watch - be a part of it all!

As the first event of its kind to focus on the writer, the Austin Film Festival's Heart of Film Screenwriters Conference provides unique access to the most tremendous talents in the industry. Emerging writers who attend the conference discover a wealth of opportunities to mingle with their idols and peers while networking with the many producers, development executives and agents who attend annually. Nowhere are great screenwriters more celebrated or sought after. Each October the Festival recognizes the writer's contribution to the film and television industries through its panel discussions and film screenings, all geared toward championing the craft of narrative expression in motion pictures

This year's Conference, October 9-12, 2003, will showcase more than seventy-five writers, directors, producers, actors and studio executives, who will share their experience and expertise in over seventy panels, craft sessions, roundtables and other special events. The Conference is a rewarding, encouraging and fun experience for beginners and professionals alike. Its rich atmosphere provides an excellent setting for business and pleasure. Its scope and diversity ensure the discovery of breakthrough talent, the birth of new careers, and the growth of exciting contacts and friendships. For writers, the climate of camaraderie and exchange created by the Conference is both incredible and indispensable

Check out www.austinfilmfestival.com or call 1-800-310-FEST for more information.

Be sure to take advantage of these SPECIAL FILM FESTIVAL DISCOUNT PASSES** exclusively for Entertainment Law registrants

Producers Pass* \$295 (regular price = \$695)

This is the real deal premier pass and includes admission to the follow-

- Panel Discussions
- Film Screening for all 8 nights
- Exhibit Hall
- Opening Night Premier
- Meet and Greets
- Governor's Mansion BBQ Supper
- WGA,e Mixer
- Filmmaker's Happy Hour
- Wrap Party
- Conference Closing

 Closing Night Premier

CLE Networking Pass \$195 (regular price = \$295)

This pass provides the perfect opportunity to network with your colleagues in the business and have lots of fun in the process! This special pass includes admission to:

- WGA,e Mixer
- Film Screening for all 8 nights
- Filmmaker's Happy Hour
- Opening Night Premier Party Governor's Mansion BBQ Supper
- Conference Closing Wrap Party
- *Certain special events may require an additional purchased ticket. Individual passes are for one person only and do not include a guest.
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