

GENERAL INFORMATION

SPECIALIZATION

Accreditation from the Texas Board of Legal Specialization has been sought for this conference.

PRE-REGISTRATION

In order to allow us to serve you more effectively, UT-CLE strongly recommends that you pre-register for our conferences. The pre-registration deadline for the 9th Annual Entertainment Law Conference is March 10, 1999 at 5:00 p.m. Door registration is subject to an additional fee of \$35.00. Please register as early as possible in order to assure that we can accommodate you. We will hold, until the first break, seats and written materials sufficient to accommodate all who have pre-registered for the conference. At a sold-out conference, door registrants will be accommodated on a first-come, first-served basis after all pre-registrants have been provided for. Please call us in advance if you know you will be arriving late for a conference.

REGISTRATION BY PHONE/FAX

You may register for any UT-CLE conference by calling our special registration line (512) 475-6700 between the hours of 8:00 a.m. and 5:00 p.m. or by FAX at (512) 475-6876 at any time using the registration form in this brochure. All phoned or faxed registrations must be accompanied by a VISA or MASTERCARD number and expiration date.

CANCELLATIONS

If your plans for attendance change, simply call or write to us by March 9 at 5:00 p.m. in order to receive either a refund, or to receive written materials with a partial refund, or to transfer the registration fee to any of our other conferences. No phone call is necessary for a substitution by another person for all or part of a conference; however, please check in at the conference registration desk. If no cancellation is made, the written materials will be sent automatically to paid no-shows; please allow 4-6 weeks for delivery. A \$35 administrative fee will be charged for cancellations or transfers requested less than one week prior to the start of the conference.

MEAL FUNCTIONS

The registration fee covers all food-and-beverage expenses related to hosting the conference, including the continental breakfast to be provided each morning. However, **the luncheons are optional** (tickets **must be purchased in advance**) and the cost for the luncheons is not included in the conference registration fee.

SPECIAL ACCOMMODATIONS

The University of Texas School of Law offers its continuing legal education programs and related services to disabled persons on a nondiscriminatory basis and at accessible sites. Disabled persons with special communication or other needs should contact the CLE Registrar as far in advance of the program as possible in order that their needs may be addressed.

ABOUT THE COVER

Willie Nelson's Third Annual 4th of July Picnic Poster, 1975 by Jim Franklin. From the Texas Poster Art Collection of the Barker Center for American History, The University of Texas at Austin.

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Spring 1999 CLE Calendar

16TH ANNUAL NONPROFIT ORGANIZATIONS INSTITUTE
January 21 & 22, 1999 • Dallas

NEW DISCOVERY RULES

January 22, 1999 • Houston
January 29, 1999 • Austin
February 5, 1999 • Dallas

21ST ANNUAL CONFERENCE ON SECURITIES REGULATION AND BUSINESS LAW PROBLEMS
February 18 & 19, 1999 • Dallas

TELECOMMUNICATIONS LAW CONFERENCE
February 25 & 26, 1999 • Richardson

3RD ANNUAL CONFERENCE ON LAND USE PLANNING LAW
March 4 & 5, 1999 • Austin

14TH ANNUAL SCHOOL LAW CONFERENCE
March 11 & 12, 1999 • Austin

25TH ANNUAL OIL, GAS & MINERAL LAW INSTITUTE
March 26, 1999 • Houston

11TH ANNUAL HEALTH LAW CONFERENCE
April 8 & 9, 1999 • Houston

11TH ANNUAL ADVANCED INTERNATIONAL LAW INSTITUTE
April 15 & 16, 1999 • Dallas

21ST ANNUAL CORPORATE COUNSEL INSTITUTE
April 22 & 23, 1999 • Houston and
May 13 & 14, 1999 • Dallas

4TH ANNUAL EVIDENCE AND PROCEDURE SYMPOSIUM
April 29 & 30, 1999 • Austin

6TH ANNUAL CONFERENCE ON LABOR AND EMPLOYMENT LAW
May 6 & 7, 1999 • Houston and
May 20 & 21, 1999 • Dallas

12TH ANNUAL COMPUTER LAW CONFERENCE
May 20 & 21, 1999 • Austin

9TH ANNUAL CONFERENCE ON STATE AND FEDERAL APPEALS
June 3 & 4, 1999 • Austin

CURRENT ISSUES AFFECTING PARTNERSHIPS, LIMITED PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES
July 8 & 9, 1999 • Austin



The University of Texas School of Law

9TH ANNUAL

Entertainment Law Institute



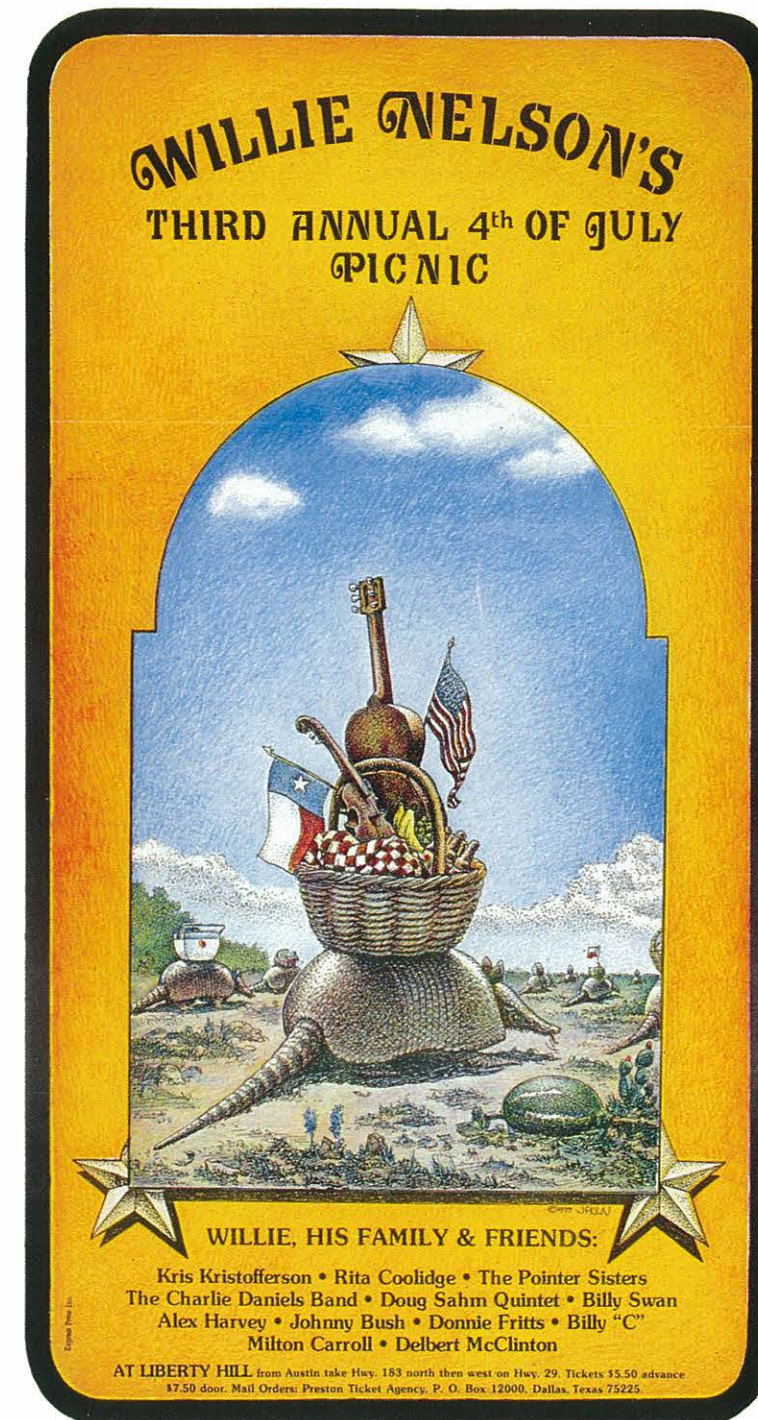
*This year's conference
has been increased to
two full days to include
additional topics and
more in-depth treatments
of topics including:*

★ MUSIC

★ FILM

★ SCREENWRITING

March 19 & 20, 1999
The Four Seasons Hotel
Austin, Texas



9TH ANNUAL ENTERTAINMENT LAW INSTITUTE

MARCH 19 & 20, 1999 • THE FOUR SEASONS HOTEL • AUSTIN, TEXAS

THE UNIVERSITY OF TEXAS SCHOOL OF LAW
727 East Dean Keeton Street • Austin, TX 78705-3224

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FOR MORE INFORMATION on any of our conferences, visit our Web site at www.utexas.edu/law/cle. Also, you may e-mail us at: utcle@mail.law.utexas.edu. Or, call us at 512-475-6700.

SPONSORED BY THE UNIVERSITY OF TEXAS SCHOOL OF LAW
AND THE ENTERTAINMENT AND SPORTS LAW SECTION OF THE STATE BAR OF TEXAS



9TH ANNUAL ENTERTAINMENT LAW INSTITUTE

March 19 & 20, 1999 • The Four Seasons Hotel • 98 San Jacinto Boulevard • Austin, Texas

FRIDAY, MARCH 19, 1999

Presiding Officer: Mike Tolleson, Austin, Texas

8:00 a.m. LATE REGISTRATION

8:50 a.m. WELCOMING REMARKS

Ballroom foyer, Four Seasons Hotel, Austin. Telephone: (512) 478-4500. Continental breakfast to be provided.

9:00 a.m. WRITING FOR FILM AND TV (PART I): ACQUISITION AND DEVELOPMENT OF LITERARY AND LIFE STORY RIGHTS—(1.50 hours)

An exploration of legal and business issues in buying and selling concepts, life stories, books and other literary material for development as film or television projects. Issues addressed include: What is the role of the attorney? What are the basic copyright, privacy, defamation and other legal issues that typically need to be considered? What do submission agreements, option/purchase agreements and life story agreements look like? How are these agreements negotiated—what can relative newcomers expect? Who are typical buyers of different types of materials and stories and what are typical business and legal terms?

Moderator: F. Richard Pappas, Austin, Texas
F. Jay Dougherty, Los Angeles, California
Daniel M. Satorius, Minneapolis, Minnesota

10:30 a.m. BREAK

10:45 a.m. WRITING FOR FILM AND TV (PART II): SCREENPLAY AND TELEPLAY AGREEMENTS, DOCUMENTS, DEALS AND INDUSTRY CUSTOMS—(1.50 hours)

Once material has been optioned and goes into development for TV or film, new contracts for writing services must be negotiated, often with writers who had nothing to do with the original concept or material. This session examines the role of agent and attorney in obtaining and negotiating writing agreements. Sample screenplay and teleplay agreements will be provided: the panel will discuss the terminology of these agreements ("rewrite" vs. "revision"); key business and legal terms; and the importance of the Writers Guild of America (WGA) and industry custom.

Moderator: F. Richard Pappas, Austin, Texas
F. Jay Dougherty, Los Angeles, California
Tom Hunter, Los Angeles, California

12:15 p.m. LUNCHEON PRESENTATION—(0.50 hour)—OPTIONAL

Tickets available in advance only for \$12.00 (box lunch).

Speaker: Evan M. Fogelman
The Fogelman Literary Agency, Dallas, Texas
Topic: Hitting Pay Dirt in Publishing Deals—The View From Texas

1:45 p.m. SHOPPING RECORD DEALS: A&R APPROACH, ETHICS ISSUES—(0.75 hour ethics/PR credit)

A review of shopping agreements, compensation structures, and the appropriate approach to record labels, including a discussion of the role of lawyers in presenting creative material to A&R representatives and related ethics issues.

Kenneth Abdo, Minneapolis, Minnesota
Wallace Collins, New York, New York
A & R representatives, Los Angeles & New York

2:30 p.m. LICENSING MUSIC FOR NEW MEDIA—(1.00 hour)

A review of the legal issues and practical policies in licensing music for new media. The speakers will cover licensing terms, pricing and strategies for computer games, CD-ROMs, DVD and Internet sites. The discussion will include a review of current practices, predictions of future trends and problems involving the legal and illegal distribution and sale of music via the Internet, and the effect of new distribution options on record companies, distributors and retailers.

Robert Kohn, Palo Alto, California
Steven Winogradsky, North Hollywood, California

3:30 p.m. BREAK

3:45 p.m. INDEPENDENT FILM FINANCE—(1.50 hours)

An overview of film finance covering the five most common film finance/distribution scenarios, noting how independent filmmakers may relate to or participate in each. The presentation will also cover the more common method of financing for low budget independent film—investor financing, providing analysis of the three phases in the life of a film that may be financed in this manner, discussing the important distinction between active versus passive investor financing and then moving on to cover basic securities law considerations for passive investor offerings. Finally, the presentation will touch on the very contemporary aspects of raising financing for independent films on the Internet.

Speaker: John W. Cones, Los Angeles, California
Texas Commentators: Michael Norman Saleman, Austin, Texas
Rick Triplett, Austin, Texas

5:15 p.m. ADJOURN

SATURDAY MORNING, MARCH 20, 1999

Presiding Officer: Russell E. Rains, Austin, Texas

9:00 a.m. LEGAL ISSUES FACED BY EMERGING ARTISTS AND RECORD/PUBLISHING COMPANIES (PART I)—(1.50 hours, including 0.25 hour ethics/PR credit from 10:00-10:15)

This session will focus on the selection of business structure and how this choice affects the music business directly—for example, copyright issues relating to partnership law and conflicts of interest in representing individual band members vs. the band. Trademark issues including ownership of the group name and trademark protection, and affiliation with performing rights societies, e.g., BMI, ASCAP, SESAC will also be covered.

Edward Z. Fair, Houston, Texas
Thomas J. McCaffrey, Houston, Texas
Steven Winogradsky, North Hollywood, California

10:30 a.m. BREAK

10:45 a.m. LEGAL ISSUES FACED BY EMERGING ARTISTS AND RECORD/PUBLISHING COMPANIES (PART II)—(1.50 hours)

Part two will address the next phase of legal issues faced by a developing artist or small record label/publishing company, including management agreements and talent agency agreements, shopping deals, small distribution/consignment deals, studio/producer spec deals, and investment agreements.

Edward Z. Fair, Houston, Texas
Henry Root, Santa Monica, California
Mike Tolleson, Austin, Texas

12:15 p.m. LUNCHEON PRESENTATION—(0.50 hour)—OPTIONAL

Tickets available in advance only for \$24.00.

Speakers: Evelyn Shriver & Susan Nadler, Asylum Records
Nashville, Tennessee
Topic: The Changing Nature of the Country Music Business

SATURDAY AFTERNOON, MARCH 20, 1999

Presiding Officer: David S. Sokolow, Austin, Texas

1:45 p.m. COPYRIGHT: WHAT HAS WASHINGTON WROUGHT, AND HOW WILL IT AFFECT THE MUSIC AND MOVIE BUSINESSES?—(0.75 hour)

An update on Congressional and Supreme Court actions affecting copyright protection and duration, music performance licensing, importation of copyrighted goods, and infringement trial procedures.

Lionel Sobel, Santa Monica, California

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2:30 p.m. LITIGATION—FOCUS ON REMEDIES: CASE LAW AND PRACTICAL LITIGATION STRATEGIES—(1.00 hour)

This session examines litigation options and relevant case law for typical disputes between artists and labels, including what sorts of behaviors or actions are sufficient to terminate contracts, strategies and approaches for terminating contracts when an artist wants out, management disputes, declaratory judgment as a remedy for perpetual contract renegotiation, practical impact of threats of audits, specific performance (from both the artist and the record company's perspective), and effects of bankruptcy on recording contracts.

Moderator: Cindi C. Lazzari, Austin, Texas
Cheryl L. Hodgson, Santa Monica, California
Lawrence A. Waks, Austin, Texas

3:30 p.m. BREAK

3:45 p.m. RECORDING CONTRACTS—INDIES VS. MAJORS: DOING THE MATH—(1.50 hours)

Comparing and contrasting major and independent label deals with an emphasis on the financial impact on the artist.

Moderator: Kenneth Abdo, Minneapolis, Minnesota
Jon Polk, Santa Monica, California
Daniel M. Satorius, Minneapolis, Minnesota

5:15 p.m. ADJOURN TO RECEPTION FOR SPEAKERS AND REGISTRANTS

MCLE

An application for accreditation for this activity has been submitted to the MCLE Committee of the State Bar of Texas and is pending. It is expected that this program will be accredited by the State Bar of Texas for up to 13.50 hours of participatory continuing legal education credit (including the optional luncheons), of which 1.00 hour will apply to the legal ethics/professional responsibility requirement. Credit in other states also is available. CPAs may obtain 12.00 hours of CPE credit toward licensing with the Texas State Board of Public Accountancy. Sponsor #250.

Hotel Accommodations and Parking

This conference takes place at THE FOUR SEASONS HOTEL • 98 San Jacinto Boulevard • Austin, TX 78701 • (512) 478-4500. THE FOUR SEASONS HOTEL offers limited self-parking in the hotel garage for \$3.00 and valet parking for \$7.00. NO SLEEPING ROOMS are available at The Four Seasons Hotel.

Sleeping rooms are available just two blocks from The Four Seasons Hotel at THE RADISSON HOTEL AND SUITES • 111 Cesar Chavez Street, • Austin, TX 78701 • (888) 444-2582 or (512) 478-9611. A special block of rooms has been reserved at the rate of \$145.00 for single or double occupancy. A 3-night minimum will be enforced by the hotel, and the hotel will release all unused rooms on the CUTOFF DATE OF FEBRUARY 27, 1999. You must make your reservation before this date in order to get the special rate. Self-parking for guests is \$5.00 in the attached garage. Parking is based on availability.

An additional block of rooms has been made available about one mile from The Four Seasons at the CLUB HOTEL BY DOUBLETREE, 1617 IH 35 North, Austin, TX 78702, telephone (512) 479-4000. The rate for rooms at the Doubletree is \$109.00 for single occupancy or \$119.00 for double for rooms reserved before the CUTOFF DATE OF MARCH 3, 1999. The hotel offers complimentary guest parking based upon availability.

When contacting a hotel for sleeping rooms, please identify yourself as a participant with the conference by name in order to obtain a room from a reserved block. NOTE: *Your room reservation will be confirmed by the hotel. Please do not send any payment for accommodations to the School of Law.*

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Austin, Texas

DAVID S. SOKOLOW
The University of Texas School of Law
Austin, Texas

MIKE TOLLESON
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Attorney at Law
Houston, Texas

EVAN M. FOGELMAN
The Fogelman Literary Agency
Dallas, Texas

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Santa Monica, California

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Bloom, Hergott, Cook, Diemer & Klein
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Goodnoise Records
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CINDI C. LAZZARI
Attorney at Law
Austin, Texas

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Asylum Records
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F. RICHARD PAPPAS
Attorney at Law
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Epic Records/550 Music
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MICHAEL NORMAN SALEMAN
Law Offices of Michael Norman Saleman
Austin, Texas

DANIEL M. SATORIUS
Abdo & Abdo, P.A.
Minneapolis, Minnesota

EVELYN SHRIVER
Asylum Records
Nashville, Tennessee

LIONEL SOBEL
Editor, Entertainment Law Reporter
Santa Monica, California

MIKE TOLLESON
Mike Tolleson & Associates, Inc.
Austin, Texas

RICK TRIPLETT
Graves, Dougherty, Hearon & Moody, P.C.
Austin, Texas

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North Hollywood, California

Please mail this registration form or fax a copy:

REGISTRATION FORM

The University of Texas School of Law • Office of Continuing Legal Education
Attn: ET99 • 727 East Dean Keeton Street • Austin TX 78705-3224

I would like to register for the conference as follows:

[] PRE-REGISTRATION FEE (DUE BY MARCH 18, 1999) \$295.00
[] Door Registration Fee \$330.00
[] Friday box lunch w/speaker \$12 per ticket (optional) \$ _____
[] Saturday luncheon w/speaker \$24 per ticket (optional) \$ _____

I cannot attend the conference. Please forward the following:

[] Audiocassettes and written materials at \$295.00 \$ _____
[] Written materials only at \$118.00 \$ _____

ET99 TOTAL ENCLOSED \$ _____

NO REFUNDS after 5:00 p.m. March 16, 1999.

Name _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Bar Card# _____

☐ non-lawyer

Indicate below any special needs you have so we may arrange to accommodate you.

Paid by : ☐ Check ☐ VISA ☐ Mastercard

Make checks payable to: The University of Texas at Austin

Card # _____ Exp. Date _____

Authorized Signature _____



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