

**NEW YORK STATE BAR ASSOCIATION
ENTERTAINMENT, ARTS & SPORTS LAW SECTION
Executive Committee Meeting – May 15, 2018**

Herrick Feinstein
2 Park Avenue
New York City

Minutes of EC Meeting

Attending in Person: Anne Atkinson, Jason Aylesworth, Jason Baruch, Judith Bass, Ethan Bordman, Judith Bresler, Brian Caplan, Cheryl Davis, Joan Faier, Pamela Jones, Sydney Joy, Diane Krausz, Anne LaBarbera, Christine-Marie Lauture, Bennett Liebman, Paul LiCalsi, Shlomit Meering, Steven Rodner, Andy Seiden, Judah Shapiro, Robert L. Siegel, Barry Skidelsky, Innes Smolansky, Carol Steinberg, Irina Tarsis, Rosemarie Tully, Barry Werbin, Lisa Willis, and Mary Ann Zimmer.

Attending by Telephone: Kathy Kim, Les Greenbaum, Steve Richman, and Shannon Zu.

1. Welcome. EASL Chair Barry Skidelsky called the meeting to order and welcomed everyone in attendance. He then asked those EC members attending (both in person and by phone) to introduce themselves.

2. Approval of Minutes. Barry asked if there were any comments on the minutes from the April 4th 2018 EASL EC meeting. A few minor changes/comments were made by members, and Ethan Bordman, EASL Secretary, will make the appropriate changes. Based on the forthcoming changes the minutes were unanimously approved.

3. Chair's Report. Barry initially noted that this EC meeting would be abbreviated due to the EASL Spring Meeting scheduled to start at 1:30 p.m. immediately after today's EC meeting. He asked EC members in attendance to please keep this in mind when giving their reports and when engaging in appropriate discussions.

3.1 Change in NYSBA's Section Liaison to EASL. Barry then confirmed that Beth Gould has left the NYSBA to accept a position with the Girl Scouts of America. Barry expressed the shared consensus that Beth did a great job as NYSBA's liaison to the EASL section, and we all welcomed Sydney Joy as NYSBA's new liaison to EASL.

3.2 Change of EASL Officers. Barry also proposed certain changes to the EASL section's officers. Upon motion unanimously approved, EC approved those changes effective immediately, as follows:

Joyce Dollinger moves from 2nd Vice-Chair to EC Member-at-large.

Andy Seiden moves from Assistant Treasurer to 2nd Vice-Chair.

Carol Steinberg becomes Assistant Treasurer.

3.3 Phil Cowan Scholarship. Barry reported that Christine-Marie Lauture had agreed to join Judith Bresler as co-chair of EASL's Phil Cowan Scholarship committee. Upon motion unanimously approved, the EC approved that change effective immediately.

3.4 Law School Liaison Committee. Barry reported that EASL still needed a replacement for Jason Aylesworth as chair of the Law School Liaison Committee. Irina Tarsis volunteered for that additional role. Upon motion unanimously approved, the EC approved that change effective immediately.

3.5 Financial and Membership Reports from NYSBA. Barry reported that NYSBA prepares and sends periodic financial and membership reports to sections' leadership, adding that he was uncertain as to who receives them and who among the EASL EC should or would like to receive copies. After some discussion, the EC asked Sydney Joy to make sure that NYSBA sends EASL financial and membership reports to all EASL officers, and that copies of the membership reports are also sent to the co-chairs of EASL's membership committee.

3.6 Budget. Barry reported that he expected NYSBA to require all sections to prepare and submit proposed budgets for calendar year 2019 sometime over this summer, after the receipt from NYSBA of an initial draft budget. Barry requested assistance from all EASL's Officers and Steve Richman, and they agreed to join in that effort. Barry also asked that if any other member of the EASL EC would like to help with the budget process, he or she should contact him ASAP. Barry also noted that EASL has allocated \$500 to each committee, which can be used for committee meetings, social events or membership development, and that an increase from \$500 to \$750 is contemplated for the 2019 EASL budget.

3.7 By-Laws. Barry also suggested that, in conjunction with this year's budget review, EASL consider updating its by-laws. EASL's Officers agreed to also help with that matter.

Steve Richman noted that any changes to EASL's by-laws must be approved by *inter alia* the section's membership during its Annual Meeting.

4. Committee Reports. Barry then asked for committee reports.

4.1 Fashion Law. Lisa Willis reported that the Fashion Law Committee held a CLE program on April 25th, which focused on social media influencers and sexual harassment in the fashion industry. About 20 people attended, which was the lowest attendance of any previous fashion law CLE program in recent memory. It was noted that NYSBA's employment law section will be holding a CLE program on May 31st on sexual harassment in the workplace, and that the NY City Bar Association recently conducted a CLE program on the same topic. It was suggested again that EASL work with other NYSBA sections (as well as with additional bar associations and other organizations) on future CLE topics, in order to avoid conflicts and maximize attendance.

Sydney Joy stated that she will speak with other NYSBA staffers about the

planning and coordination of future CLE events, in part so that NYSBA sections can work together on similar issues and topics. Jason Baruch noted that the EASL/CTI (Commercial Theater Institute) annual CLE program is a great example of collaborating with outside organizations to increase attendance and maximize EASL's profitability on a particular program.

Lisa Willis also noted that many people who might be interested in attending or who have attended certain programs, such as the one recently organized by EASL's fashion law committee, are not attorneys and do not need CLE credit. Ethan Bordman added that Fordham Law School's annual Sports Law Forum offers a lower payment option for non-attorneys who work in the industry and who want to learn more about legal issues in sports.

The EC discussed the possibility that fees for attending EASL CLE programs include a non-attorney pricing tier, which might help drive attendance and revenue for our section. The EC also discussed the need for more advance planning, as well as the need for more marketing assistance from NYSBA, in order to help achieve those goals and drive EASL membership (which has this year declined approximately from 1500 to 1300 members).

4.2 Theatre Committee. Jason Baruch reported that the theater committee's annual CLE program "Legal Aspects of Producing" (a collaboration between EASL and the Commercial Theater Institute) was a success, generating over \$8,000 in revenue for EASL. The committee is also hosting a non-CLE social event on May 17th, involving discounted tickets for EASL members and their guests to attend the play "Hello Dolly" plus a pre-show cocktail/networking reception. 41 people have registered to date.

4.3 Diversity Committee. Anne Atkinson reported that the diversity committee is planning to host a social event in July, which involves attendance at the play Cypress Avenue. The committee will also be holding an event on September 27th, targeting students and young lawyers, tentatively entitled "How I Got My Career Started as an Entertainment Lawyer." Anne also reported that the diversity committee is also planning a program on "Unconscious Bias in the Entertainment Industry."

4.4 EASL Spring Meeting. Mary Ann Zimmer reported that today's EASL's Spring Meeting, to be held immediately after the EASL EC meeting, will include *inter alia* a panel on sports gambling -- which turns out to be very timely following a relevant Supreme Court ruling yesterday on that topic. However, in regard to advertising the event, Mary Ann also reported that that the EASL Spring Meeting was not listed on the NYSBA calendar of events on the NYSBA website under "CLE Events." Ethan also noted that a postcard mailer from the NYSBA listing all the May CLE events did not have the Spring Meeting listed either.

Pamela Jones added that NYSBA has stated that it cannot send more than a limited number of email blasts per section event, apparently because NYSBA members have complained that they receive too many emails from NYSBA. As a result, many members have said they are blocking emails from NYSBA. Pam also reported that the TV/Radio committee is planning a CLE program on inclusion riders and morals clauses in entertainment contracts.

4.5 Literary Works Committee. Judy Bass said that the literary works committee is working on a CLE event regarding copyright small claims.

4.6 International Committee. Irina Tarsis reported that the international committee is planning two non-CLE programs possibly to be held in June and July.

4.7 Music Committee. Judah Shapiro reported that the music committee is planning on holding a committee meeting in June, in part to plan a CLE event for this September. Barry encouraged all committees to likewise hold in-person and/or telephonic meetings quarterly.

4.8 Membership Committee. Anne LaBarbera encouraged members to use the EASL blog to have more discussion of issues in order to help drive or engage membership. Barry elaborated that members might use the blog beyond only posting inquires or discussion about legal issues, such as to share useful agreements or other documents, to advise law student members of possible internships, and to advise all members of any relevant job openings or work opportunities.

5. Additional Planned CLE Programs.

5.1 Annual Introduction to Entertainment Law. Our Introduction to Entertainment Law CLE program will be held this year on Wednesday June 13th, at the American Management Association Executive Conference Center located at 1601 Broadway at 49th. More details will be made available online ASAP.

5.2 Annual Music Business Law Conference. This year's all-day CLE program on the music business will be held on November 16th. Details TBD. There was some discussion about changing the durations of panels from previous years, such as shortening some panels and making others longer.

6. Other Possible CLE Programs. Barry Skidelsky floated various ideas for possible future EASL CLE program topics, such as ethics, ADR, NDAs and taxes. The last topic engendered some discussion about a program for lawyers and accountants, perhaps to be co-sponsored with the NYSBA tax section, addressing how recent tax law changes affect the fields of entertainment, arts and sports. There was also discussion about working with the NYSBA trusts and estates section, perhaps to create a separate program regarding trust and estate issues in those same fields.

7. Section Caucus Report. Rosemarie Tully reported she spoke at the recent section caucus meeting in Albany concerning the planning of CLE events, including how the NYSBA and EASL might work together regarding future CLEs. The NYSBA CLE department and the various sections are working to create guidelines explaining which CLE programs will be sponsored by the NYSBA and which will be sponsored by the section planning an event, in part to also establish an allocation of revenue and expenses.

8. EASL 30th Anniversary. The EC was reminded that Elissa Hecker has asked that each committee submit an article for the EASL 30th anniversary issue on its committee by August. These articles can be substantive and/or on historical changes affecting the area of each

committee.

9. Adjournment. Due to time constraints, discussion of other initiatives and new business (was tabled to the next EC meeting (which will be on June 19th at Pryor Cashman). Upon motion unanimously approved, this EC meeting was adjourned at 1:25 p.m.

Respectfully submitted,
Ethan Bordman (EASL Secretary)