**NEW YORK STATE BAR ASSOCIATION**

**ENTERTAINMENT, ARTS & SPORTS LAW SECTION**

**Executive Committee Meeting – September 13, 2018**

**Pryor Cashman**

**7 Times Square**

**New York, New York 10036**

**Minutes of EC Meeting**

Attending in Person: Anne Atkinson, Judith Bass, Jason Baruch, Ethan Bordman, Judith Bresler, Joan Faier, Diane Krausz, Anne LaBarbera, Christine-Marie Lauture, Steven Rodner, Andy Seiden, Robert L. Siegel, Barry Skidelsky, Carol Steinberg, Rosemarie Tully, and Mary Ann Zimmer.

Attending by Telephone: Ronald Coleman, Cheryl Davis, Leslie M. Greenbaum, Elissa Hecker, Erica Hines, Pamela Jones, Kathy Kim, Barry Werbin, Lisa Willis, and Shannon Zhu.

1. Welcome. Barry Skidelsky (EASL Chair) called the meeting to order at 12:36 p.m., and he welcomed everyone in attendance. He then asked attending EC members (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 last EASL EC meeting, which was held on July 17, 2018 (no meeting was held in August). Barry noted two additions to the attendees list, and Ethan Bordman (EASL Secretary) said he would make that change. Based on the foregoing, the minutes were unanimously approved.

3. Chair’s Report.

3.1 New EASL Section Liaison. Barry reported that Kristina Maldonado was appointed by NYSBA to serve as the new section liaison to EASL (replacing Sydney Joy who resigned from NYSBA for employment elsewhere). Barry welcomed Kristina, who noted that she also serves as NYSBA liaison to the Intellectual Property (IP) and Corporate Counsel sections.

Barry reminded Kristina that the EASL and IP sections held their first joint networking reception at the NYSBA 2018 annual meeting; and, that EASL planned to repeat that joint event at the 2019 annual meeting, as well as to work with IP and other NYSBA sections, bar associations and organizations on additional events and programs.

3.2 EASL/BMI/Phil Cowan Scholarship. Barry confirmed that the EASL/BMI/Phil Cowan Scholarship will continue to be two scholarships at $2,500 each (i.e., $5,000 total), with $2,000 of the total to be provided by BMI and the $3,000 remainder to be provided by EASL. Barry asked Judith Bresler to later elaborate on our scholarship program during the committee reports section of this EC meeting.

3.3 2019 EASL Budget. Barry reported that we are waiting for NYSBA to approve EASL's 2019 budget of $102,300 as proposed by the section's officers. This is a slight increase of $3,500 over EASL's 2018 budget of $98,800.

Bar Foundation Ad. Relatedly, NYSBA asked EASL to use part of its budget to purchase an advertisement for the NYSBA Bar Foundation awards booklet to be distributed at the 2019 annual meeting, which EASL had done in the past in part to congratulate the Cowan scholarship winners. Upon Barry's suggestion that EASL purchase a half page ad (at an estimated cost of $425), a motion was made and approved to purchase the ad featuring EASL’s 30th anniversary logo. November 19 is the deadline for ad space reservations, and the actual ad copy is due by December 1.

Mugs. Barry also suggested that the section firm up the order to purchase EASL 30th anniversary coffee mugs. He suggested ordering approximately 200 mugs (at an estimated costs of $600), which would be given as gifts to EC members, as well as to attendees at EASL's Fall and Annual Meetings. A motion was made and approved to purchase the mugs.

3.4 EASL Website. Barry made some suggestions to improve the EASL website, including making a portion accessible on a “read only” basis by EASL EC members (which in part would allow for better advance planning of programs and events). EASL's liaison Kristina Maldonado would have “write” privileges to make updates to that portion of the EASL website. Barry invited anyone interested in working on this matter to please contact him, and Rosemarie Tully said she would suggest at the next NYSBA Section Caucus meeting that section chairs be granted "read only" access to the master NYSBA calendar, so that more conflicts might be avoided and more collaboration fostered. Barry said he would also check with NYSBA's Brandon Vogel.

3.5 By-Laws, Committees and Engagement Guidelines. Barry stated he has begun working on a possible update to EASL's By-Laws, which were last revised in 2012. He also invited anyone interested on working on this matter to please contact him. Barry hopes to have a draft ready in time for the November EASL EC meeting, as any change to section by laws must be approved at our annual meeting. At the November EASL EC meeting Barry also hopes to have draft ready of new Engagement Guidelines, based on the report previously generated by Marc Jacobson, which would suggest guidelines relating in part to a possible reorganization of EASL committee co-chairs and members.

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

4.1 BMI/Phil Cowan Scholarship. Judith Bressler reported she had sent out a list to scholarship committee members noting the law schools they to which each was assigned. She also included a list of professors at each law school who teach media, entertainment, sports, arts, or intellectual property, so that they could be advised to inform their students of the scholarship opportunity. Judith also suggested that each scholarship committee member should contact media, entertainment, sports, arts, or intellectual property organizations, law journals and/or related publications at his or her assigned school. Ethan Bordman advised that he has already contacted Cardozo law school professors and asked them to please announce the scholarship to their law students. Judith added that Revi-Ruth Cohen of BMI will be contacting out-of-state law schools that are participating in this year’s competition. Christine Lauture is checking to make sure that the EASL/BMI/Phil Cowan Scholarship is also listed under the online and print listings of awards and scholarships that are made available to all NYSBA members. Barry suggested that scholarship committee members also reach out to law school student societies that are media, entertainment, arts, sports or IP related as well.

4.2 Membership. Anne LaBarbera reported that in January 2017 EASL had 1,503 members. In August 2018 that number was down to 1,385. The section's year end membership goal set by NYSBA is 1,579. If EASL can raise the number of its members to 1,500 or more by the end of 2018, the section will continue to have two section delegates in the NYSBA House of Delegates next year.

Anne asked that all members attending EASL's Fall Meeting in October and the Music Business Law Conference in November to please promote increased EASL section membership and participation. She added that meant not only asking an individual to become (or renew being) an EASL section member, but also asking that individual to actively involved with an EASL committee of interest, write an article, help organize events, etc.

Barry asked Kristina to please make sure that at extra copies of the EASL journal, as well as section membership materials and brochures, are made available at every EASL program and event. Barry also suggested that Judith Bass ask Sandy Baron to consider joining EASL as an EC member-at-large, as well as to consider the possibility of the Media Law Committee merging with EASL.

4.3 Fine Arts Committee. Carol Steinberg reported that she, Nisa Ojalvo, Jill Elliman and Lena Saltos organized a panel program on Design Issues, which was held on July 26 at the offices of Fross Zelnick and well received. Nisa moderated and asked pointed questions of the other panelists including *inter alia* Betsy Pierce, who spoke about representing Alexander McQueen and Kate Spade adding personal memories and anecdotes about those iconic designers.

4.4 Pro Bono Committee. Elissa Hecker reported that the Pro Bono committee is having an event on November 8th about Immigration and the Arts. It will be a full day program, with details to be announced. Elissa also stated that a new edition of The Profitable Artist, written by The New York Foundation for the Arts, was recently published. The book includes a compilation of “best practices” regarding planning and organizing an art career. Elissa was a contributor to that book, and she encourages EASL members to share information about or in the book with others in the arts community.

4.5 Diversity Committee. Anne Atkinson reported that EASL's Diversity Committee and the Black Entertainment and Sports Lawyers Association (BESLA) would be co-sponsoring a program titled “How I Got My Start” which is designed to provide practical career advice for young lawyers. The program and networking reception will be held the evening of Thursday September 27th at the offices of Haug Partners, and speakers include two sports and two TV representatives.

5. Programs and Events. Discussion then turned to other EASL programs events, including the following ones currently scheduled.

5.1 EASL Fall Meeting. Barry reported that the EASL Fall Meeting will take place at the offices of Arent Fox on October 18th, from 2:30pm – 5:30pm with food and a networking reception to follow from 5:30pm – 7pm. The program is titled “Sports, Drugs and Rock n’ Roll” and features two panels of expert speakers. The first panel, which is co-sponsored by the Food Drug and Cosmetics Committee (Brian Malkin, Chair), will address the intersection of sports and drugs. The second panel will address the legal fallout of the Me Too movement, including scandals or morals clauses, confidentiality agreements and inclusion riders.

5.2 Music Business Law Conference. Rosemarie Tully reported that this day long annual event will be held on November 16th at New York Law School. There are eight panels, and the program planning committee is working on securing a keynote speaker. The capacity for the event is 200, and only 25 people registered so far - with two months to go until the event. Rosemarie spoke regarding problems in NYSBA marketing of this event, and Barry reminded us of a recent change in the association's new approach to email and other marketing. NYSBA has told that sections that they can email section members as many times as they like, but NYSBA can only send email blasts on a limited schedule. Ethan Bordman asked if the MBLC was listed on a recent calendar mailing of upcoming CLE events from NYSBA, and several EC members said they were not sure. Rosemarie also discussed possible recording CLE events, and she stated that in the past NYSBA would not cover the cost of video recording the seminar. Currently, NYSBA will cover the costs of video recording, so that the association may charge (and keep the revenue from) on-demand viewing of the recorded seminar.

5.3 Commercial Theater Institute. Jason Baruch reported that the forthcoming annual CTI event will be held on March 27 & 28 in 2019. Jason stated that CTI plans to put the event on their calendar as soon as possible, so they can in turn post it on their website. Jason said he will speak with Kristina Maldonado regarding marketing of this event.

5.4 EASL 2019 Annual Meeting. Barry Skidelsky reminded us that the NYSBA annual meeting week has been moved up one week earlier than previously scheduled, with meetings to be held at the NY Hilton during the week of January 14 through 18, 2019. The EASL annual meeting will take place on Tuesday January 15th. NYSBA has asked that each section share the title of its annual meeting panel topics by September 7. The deadline for submitting the final agenda to NYSBA is November 1st. The first of two panels, which will be spearheaded by Judy Bass, will address underlying rights and adaptations. The second panel, which will be led by Ron Minkoff, will focus on legal ethics for entertainment lawyers. A joint networking reception with the IP section will follow, as was done for the first time last year.

6. Other Initiatives.

6.1 EASL 30th Anniversary Journal. Elissa Hecker reported that there will be twenty-one articles in the upcoming special issue of the EASL Journal. Barry Werbin, on the phone, said the number will be twenty-two as he is finishing his article this week. Due to time constraints, any other new initiatives and new business was tabled to the next EC meeting.

7. Adjournment. Upon motion unanimously approved, this EC meeting was adjourned at 2:10 p.m. The next EC meetings will be on October 11th and November 28th at Pryor Cashman.

Respectfully submitted,

Ethan Bordman (EASL Secretary)