

**NEW YORK STATE BAR ASSOCIATION  
ENTERTAINMENT, ARTS & SPORTS LAW SECTION**

**Executive Committee Meeting – February 5, 2020 12:00 –2:00pm**

**Herrick, Feinstein LLP  
Two Park Avenue  
New York, NY 10016**

**Minutes of EASL EC Meeting**

**Attending in Person:** Anne S. Atkinson, Jason P. Baruch, Judith B. Bass, Cheryl L. Davis, Joan Faier, Kristin Gaines, Brian Logan, Diane F. Krausz, Jill Pilgrim, Stephen B. Rodner, Robert Seigel, Judah S. Shapiro, Barry Skidelsky, Rosemarie Tully, Tiffany Tsai and Barry Werbin.

**Attending by Telephone:** Elissa Hecker, Kathy Kim, Christine Lauture, Jared Leibowitz, Richard C. Lewis, Steven H. Richman, Innes Smolansky.

1. Welcome.

Barry Werbin (EASL Chair) called the meeting to order at 12:35 p.m. and welcomed everyone in attendance. He thanked outgoing EASL Chair Barry Skidelsky for his work over the past two years. Barry mentioned the Virtual Bar Committee's continued efforts to make the NYSBA website more user-friendly. He mentioned that Ethan Bordman is now Vice-Chair and Robert Seigel is now Secretary.

Barry reminded all the attendees to sign-in and those attending by phone to email their attendance to Robert Seigel, EASL's Secretary.

2. Approval of Minutes.

Barry next asked if anyone had any comments or changes to the minutes of the last EASL EC meeting, held on January 28, 2020. Thereupon, a motion was duly made and seconded, the EC meeting minutes were unanimously approved.

3. Chair's Report.

3.1 New Chair Goals.

Barry Werbin stated some of goals as the new EASL Chair such as promoting membership growth with such measures as encouraging student members joining EASL and the NYSBA. He welcomed the new Law Student Committee Co-Chairs Isano Carter and Gabrielle Costa and said they should be invited to future EASL EC meetings. He further recommended

that there be further outreach with EASL members and programs outside the NYC area such as in Buffalo, Rochester, Albany and Syracuse. He further encouraged that EASL have programs/events that are co-sponsored with other NYSBA committees. Barry mentioned that he had been speaking with Judge Karen Peters concerning the constitutionality of mobile sports betting and that he would be speaking with EASL Sports Co-Chair Jill Pilgrim regarding a possible program addressing the topic. He noted the need to fix the links on the NYSBA website, which permits users to join NYSBA and EASL committees. He advised that he would be stepping down as Co-Chair of the Committee on Publicity, Privacy and Media and that Co-Chair Ed Rosenthal will likely also resign but is willing to remain as the other Co-Chair for the balance of this year to assist a new incoming Co-Chair. Barry mentioned that Fine Arts Committee Co-Chair Carol Steinberg had proposed that an EC membership be extended to Adrienne Fields, the General Counsel of the Artists Rights Society.

### 3.2 Annual Meeting.

Barry announced that the Annual Meeting appeared to be a sell-out, and he extended his congratulations to Anne Atkinson, Judy Bass and Sarah Robertson for their outstanding planning assistance for the Annual Meeting for which Barry received very positive feedback. There also were positive comments regarding the networking reception co-sponsored with the Intellectual Property Committee at Bill's Burgers.

Elissa Hecker said she was glad to see how many women were panelists and observed the need to include more people who are physically challenged as panelists at future events.

Judy Bass remarked that there had been difficulty in getting NYSBA CLE to send correct Annual Meeting CLE written materials (including updated bios) in a timely manner. Judy noted that the evaluation notices had not been sent as of the date of this EC meeting and there were some errors in the Annual Meeting agenda.

Steve Richman noted that such delays were an overall NYSBA issue. Elissa Hecker noted that there was an internal NYSBA restructuring and the current staff is overwhelmed.

Rosemarie Tully observed that there were issues signing up new EASL members through the NYSBA website.

Barry (Chair) noted that this has been a problem affecting various NYSBA sections and he proposed working with other NYSBA Section Chairs to generate a joint letter to be sent to NYSBA. Stephen Rodner has volunteered to work with Barry on the proposed letter.

### 3.3 Bylaws.

Barry discussed the possibility of committee chair term limits and the need to have staggered terms in which co-chairs' terms overlap. He suggested and referred to the Bylaw Committee Chairs, Jill Pilgrim and Anne LaBarbera, the possibility of forming working groups

to modify the bylaws and to send out a survey to EC committee members regarding changes to the bylaws. Brian Logan has agreed to volunteer on the survey.

### 3.4 Judicial Districts.

Barry stated that there is currently no District 1 (Manhattan) Representative.

Barry Skidelsky notified the EC that Alan Barson has stated that he will not serve as the Judicial District Representative in the 9th District and that Andy Seiden has volunteered to serve in his place.

### 3.5 Social Media.

Jill Pilgrim noted a need for more of a presence by EASL on social media especially in a timely manner for time sensitive events. Barry Skidelsky mentioned the possibility of engaging a blogger and for the EASL membership to use Twitter for committee updates. Judy Bass suggested that a student(s) as well as junior associates possibly could be engaged to work on such blogging and other social media. Judy Bass also suggested that EASL establish a Public Relations Committee. Elissa Hecker suggested that law students could be helpful to use for social media content. Rosemarie Tully noted that EASL has a Twitter account but whoever will tweet must be familiar with EASL and its programs.

## 4. Committee Reports.

### 4.1 Publications.

Elissa Hecker stated that there were ten articles in place for the upcoming edition of the EASL Journal. Elissa reminded everyone to send photos in a timely manner so they can be included in EASL Journal issues.

### 4.2 Pro Bono.

Elissa Hecker stated that the next EASL Pro Bono event would be a two-day symposium to be held on March 20-21, 2020 concerning dance. She noted that the event will be smaller than in past events so there are a limited number of spots for attorneys to volunteer.

### 4.3 Fine Arts.

In Carol Steinberg's absence, Barry (Chair) announced that the Fine Arts Committee will be holding a screening of the film "Driven to Abstraction," [about the Knoedler Gallery art scandal], at Pryor Cashman on February 19, 2020. The Committee will be holding a brown bag lunch (titled "Agency Relationships in the Art World,") with an art gallery director on the topic of art gallery operations. The Fine Arts Committee will be having an event addressing artists' legacies, as well as trust and estate issues, with the Artists Rights Society and the Pro Bono Committee this spring. There will be two Arts Westchester programs, which will be co-

sponsored by the Fine Arts Committee and Westchester Arts to be held in White Plains on March 5, 2020, concerning fair use issues for visual artists, and on June 3, 2020, concerning artists agreements (which will be also co-sponsored with the Pro Bono Committee). A Fine Arts and ADR program is being planned with the Dispute Resolution Committee. More details to follow.

#### 4.4 Sports.

Jill Pilgrim stated the Diversity Committee will be holding an e-sports program on March 31, 2020, which will be co-sponsored with the Metropolitan Black Bar Association. The Sports Committee also will be holding an event titled “Name, Image & Likeness” on collegiate sports regarding the compensation of college athletes. She said Sports Co-Chair Joe Hanna is looking into planning this event with Syracuse Law School. The date of the event is TBD.

Jill Pilgrim noted that there is a need for more sports law dedicated EASL programming, including at the next Annual Meeting if not earlier in the year.

#### 4.5 Music.

Rosemarie Tully and Judah Shapiro announced a brown bag lunch in which the issue of royalty audits would be addressed.

### 5. Programs and Events (Currently Scheduled)

#### 5.1 Annual Theater Law Program.

Jason Baruch stated the annual EASL/CTI Theater Producing event will be held April 1-2, 2020 from 5:30 p.m. – 9:30 p.m. each night and encouraged EASL members to attend.

### 6. Program and Events (Planned or Proposed)

#### 6.1 Spring Meeting and Other meeting Ideas.

The Spring Meeting (which will be held on Thursday, May 21, 2020 starting at or about 1 p.m.) will have panels addressing the following: (1) the Sports Committee will be planning a program on sports arbitration, including a focus on the summer Olympics; (2) the issue of California Assembly Bill-5 (AB-5), which recently passed [AB-5 distinguishes between the classification of workers as employees or independent contractors, which is an important change in the entertainment industry. Diane Krausz and Cheryl Davis with Stephen Rodner are planning this panel]; and (3) Prof. Stan Soocher will be giving his “Annual Year in Entertainment” review of important legal issues.

7. Adjournment. Upon motion unanimously approved, the EC meeting was adjourned at 2:02 p.m.

The next EASL EC meeting is scheduled for Wednesday, March 4, 2020.

Respectfully submitted,

Robert L. Seigel, EASL Secretary