

ENTERTAINMENT, ARTS & SPORTS LAW SECTION

Executive Committee Meeting – May 5th, 2021 12:30 –2:00 pm

Minutes of EASL EC Meeting

Attending by Virtual Conference/Telephone: Andrew Seiden, Anne Atkinson, Anne LaBarbera, Arlen Appelbaum, Barry Skidelsky, Barry Werbin, Bob Seigel, Carol J. Steinberg, Cheryl Davis, Dana Alamia, David Faux, Donna Frosco, Elissa D. Hecker, Ethan Bordman, Isaro Carter, Jared Leibowitz, Jason Baruch, Jeff Aber, Jill Pilgrim, Joan Faier, Judith Prowda, Judy Bass, Kathy Kim, Les Greenbaum, Louise Carron, Marc Jacobson, Mariam Chubinidze, Olivera Medenica, Paul Cossu, Rachel Aichelmann, Richard Lewis, Rosemarie Tully, Sarah Robertson, Stephen Rodner, Steven H. Richman

1. Welcome and Approval of April 2021 Meeting Minutes – Barry Werbin, Chair; Isaro Carter, Secretary; Carol Steinberg, Ass't Secretary.

Barry Werbin (EASL Chair) called the Zoom virtual meeting to order at 12:35 pm and welcomed everyone in attendance. Revisions were addressed and the April minutes were deemed approved with the revisions.

2. Addressing minutes being posted online.

The EC addressed the length of minutes, details of what should & should not be included, and the possibility of a private and public version of the minutes. The EC resolved that the minutes should not read as a transcript, there would only be one public version, and they would be shorter.

3. Journal spring issue feedback and articles for the summer issue. Elissa Hecker.

The spring issue, Elissa reported, was met with positive feedback. The summer issue deadline was extended—anyone who was interested in submitting was encouraged to reach out to Elissa.

4. EASL budget/financial status report. Kathy Kim, Treasurer.

Good news was shared - EASL's dues income was aligned with what we estimated in our 2021 budget. Furthermore, sponsorship income exceeded our estimates.

The March 2021 financials generated by NYSBA (including the net income over expense) cannot be circulated because NYSBA needs to correct aspects of its document.

5. EASL Spring Meeting –

Dana Alamia gave a brief overview of what information would be needed for the programs and their promo materials by the end of the week of this EASL meeting and the weeks to come.

5.1 Status reports by program planners.

a. Prof. Stan Soocher's "Entertainment Law Year in Review." (Stephen Rodner)

May 26th at noon was confirmed for this program. CLE credits were confirmed as 1.5, and the timing was tentatively planned for 85 minutes. Dana confirmed that there would be recordings for all of the programs and that we would not be getting 25% of the income from on-demand purchases of the programs.

b. Sports Law Committee program on "Olympics 2020 in 2021: On Your Mark, Get Set, Go... hopefully." (Jill Pilgrim/Jeff Aber)

Jill Pilgrim confirmed the program would be on June 1st at noon and would carry 1.5 CLE credits. There is also a backup panelist slated for this program. The Chair reminded the group to send this information about programs to Dana by the end of the week.

c. "The Lawful Return of Patrons/Fans to Venues in NYS in accordance with COVID -19 Protocols." (Steven Richman)

Elizabeth Fine was the only panelist confirmed to date. The Chair offered help on confirming a panelist. The program would bear 1 CLE credit, be a 1-hour program, and the date was not confirmed at the time of the meeting. *The EC went into executive session.*

Other EC members were tapped to see if they would be able to think of other panelists for this program. Steven would be following up by the

d. Influencers (title needed). (Sarah Robertson)

Sarah Robertson will send an outline of this program to Dana and The Chair by Friday.

6. Committee Updates (+ *ad hoc*).

6.1 Sports: College sports NIL and the NCAA (Jill Pilgrim)

Jill explained that NIL means "name, image, likeness" and its importance to NCAA athletes. New legislation surrounding NIL rights for NCAA athletes across the states (13 states have relevant legislation to date) was addressed.

Jill addressed the issue of the NCAA athletes' representation by lawyers vs. agents in their IP and suggested that a task force be created to stay on top of this emerging issue in this area of law. It was mentioned that this issue was analogous to the one Marc brought up at the last meeting. It was confirmed that we could make an official comment on the proposed legislation with Albany. The Chair suggested that a report may be appropriate if a task force is not created.

The bill will be circulated to the EC.

6.2 Fine Arts: "Estates Issues for Artists" program with Artists Rights Society - May 12th.

All speakers were confirmed. A list of resources was confirmed to be circulated to attendees and our members. Dana confirmed that she sent out the resources to EASL members and other members in NYSBA in relevant practice areas.

The Chair mentioned that it might be good to address legacy rights concerning commercial value to artists' estates. Judy Bass recommended doing a follow-up event in the fall addressing what the Chair mentioned with the Trusts & Estates Section.

The Chair mentioned the Copyright Society's spring events in June and stated that he would circulate an email addressing those dates so that our planning committee and avoid them.

6.3 Pro Bono Committee: Introduction to artists' rights with NYFA – May 13th. Planning program on rights of privacy/publicity for second half of June. (Carol Steinberg & Elissa Hecker)

The first program, on May 13th, was confirmed as a webinar. On June 17th, the event will be at NYFA—Carol Steinberg and Judy Bass are doing this program together. The pro bono clinic will be on July 20th from 10 am-1 pm.

6.4 Motion Picture Committee and Digital Entertainment & TV Radio Committee: "Film and TV Profit Participation: The Future Upside For Streaming Entertainment." May 13th. (Ethan Bordman)

This program was confirmed for May 13th from 12:30–1:30 pm. All speakers were confirmed, Dana confirmed the event promo, and 48 people were registered for the program at the time of the meeting.

Ethan Bordman mentioned that he wanted to plan an event to discuss the new initiative for changing rules on how to be considered for an Academy Award. The Chair

noted that coordination with the Diversity Committee would be a good idea and confirmed that the fall would be the best time for such a program.

6.5 Fashion Committee: May 19th program. (Olivera Medenica)

Olivera confirmed the date (May 19th) next program in the Fashion Luminary series. Dana confirmed that the flyer would be circulated the day after the meeting.

7. Other Initiatives and New Business – Next EC meeting (via Zoom) is June 2nd, 2021 (Wed.) at 12:30 pm.

The Chair noted that the EC should start thinking about the “basics” programs for newly admitted lawyers. There was also a discussion about whether it could be CLE or not.

Steve Richman mentioned the May 20th Section Leaders event for all EASL officers. Dana confirmed that the officers received the email but that she would re-circulate it.

8. Adjournment. Upon motion unanimously approved, the EC meeting was adjourned at 2:06 pm.

The next EASL EC meeting is scheduled for Wednesday, June 2nd, 2021.

Respectfully submitted,

Isaro Carter, EASL Secretary