

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

Executive Committee Virtual Meeting – (Wednesday) December 8, 2021, 12:30 -2:00 PM

Minutes of EASL EC Meeting

Attending by Virtual Conference/Telephone: Anne Atkinson, Andrew H. Seiden, Arlen Appelbaum, Barry Skidelsky, Barry Werbin, Bob Seigel, Carol J. Steinberg, Cheryl Davis, Dana Alamia, Diane Krausz, Donna Frosco, Elissa D. Hecker, Ethan Bordman, Isaro Carter, Jason Baruch, Jeff Aber, Jill Pilgrim, Joan Faier, Judah Shapiro, Judith Bass, Judith Prowda, Kathy Kim, Les Greenbaum, Olivera Medenica, Paul Cossu, Paul LiCalsi, Rosemarie Tully, Sarah Robertson, Steve Rodner, Steven H. Richman

1. Approval of November 2021 Meeting Minutes – *Isaro Carter, Sec.; Barry Werbin, Chair; Carol Steinberg, Ass't Secretary.*

Barry Werbin (EASL Chair) called the Zoom virtual meeting to order at 12:36 pm and welcomed everyone in attendance. Last-minute revisions were addressed, and the November minutes were deemed approved.

2. January 2022 virtual EC meeting – *Wed. Jan. 12, 2022, at 12:30pm.*

The Chair reiterated that the next EC Meeting would be on the above date and time. It'll be a week before the annual meeting, where the new officers will be elected.

3. Nominating Committee Proposed New Officers Slate - *Barry Skidelsky*

Barry Skidelsky reported that the Nominating Committee compiled a list of seven nominees for the officer positions. The nominees are Ethan Bordman, Chair; Kathy Kim, First Vice-Chair; Judy Bass, Second Vice-Chair, Isaro Carter, Secretary; Christine-Marie Lauture, Vice-Secretary; Judah Shapiro, Treasurer; Marissa Pico, Assistant Treasurer.

Steve Richman made a motion to recommend this list to EASL's membership. The Chair seconded the motion, and the EC unanimously passed it. Barry Skidelsky and The Chair acknowledged that Members-at-large of the EASL EC are to be appointed (by the new Chair).

There was also a discussion asking the EC to consider who might volunteer to be an alternate delegate. There was also a discussion about growing our membership in 2022.

4. Next EASL Journal submission deadline: January 4, 2022. *Elissa Hecker*

Elissa confirmed that January 4th is the submission deadline for the spring issue of the EASL Journal. The winter issue had already been sent out before the meeting. There are several columns lined up for this issue. The Phil Cowan and Judith Bressler award winners will also have their work featured in the spring issue. The annual meeting transcript will also be published in the spring issue. Louise Carron also volunteered to write an article for the spring issue about the Miramax/Tarantino NFT lawsuit.

5. NYSBA Law Students Meet and Greets - Weekly roundtables starting in Feb. 2022
Chair and Dana Alamia

The Chair explained that NYSBA is starting a law student engagement program and reached out to the section Chairs about it. The Chair explained that the program is designed to introduce law students to the nuts and bolts of each section's evolving areas of law. There aren't many details yet, but the program will start in February 2022.

Jill Pilgrim mentioned that, in line with this new program, she's on a 50th Anniversary of Title IX Committee with the Sports Lawyers Association (SLA). The SLA Title IX Committee is doing specific programming and outreach with law schools related to Title IX and National Girls & Women in Sports Day (NGWSD), on February 2, 2022. The Law Student Committee was indicated as the best to be involved. The Chair also suggested co-Sponsoring with the Diversity Committee as well. Anne LaBarbera recommended reaching out to Michaela Hand—Michaela is new to NYSBA and works with students. Jill also mentioned that she would like EASL to honor NGWSD as well. Jill will follow-up with the individuals mentioned and liaise between SLA and EASL/NYSBA.

6. Bylaws review and recommendations working group – Proposed for interested volunteers.

The Chair asked for volunteers to form a working group (3-4 people) to look at the existing bylaws and make any recommendations for amendments to them. He specifically asked for more experienced members of the EC to reach out to him if they were interested.

Anne LaBarbera mentioned that she was still interested in working on the bylaws. Barry Skidelsky indicated his interest and suggested that the working group provide enough lead time to prepare a draft to send to the NYSBA Executive Committee. Steve Richman said that we might need to have the draft to send to NYSBA by the end of April. Understanding this, the Chair noted that the EASL EC might require a recommendation for amendments by the February meeting. According to our bylaws, we're looking at a 2023 submission to NYSBA. The Chair also said that he would also participate in this working group.

7. Annual meeting 2022 planning status reports:

- 7.1. **Cowan Bressler Scholarship Competition** - *Ethan Bordman, Christine M. Lauture*

Ethan reported that they already have one paper. He said that next year, we could emphasize that students can submit a shortened version of a paper that they've already written. Ethan took on CUNY Law because they couldn't get a representative there, but the competition's information is still being passed along. The deadline for submissions is January 5, 2022. One more email reminder will be sent out before the deadline.

- 7.2. **College Sports Chaos or Correction; From Alston to NIL to Conference Realignment to 50 Years of Title IX** - *Jill Pilgrim, Jeff Aber*

Jill reported that the panel would address the total restructuring of college sports that is happening right now. She also said that she and Jeff secured Deana Garner – a former domestic violence prosecutor who has worked at the NCAA and the NFL -- as the moderator of the panel and four panelists with deep knowledge of the NCAA and intercollegiate athletics. The Sports Lawyers Association is a co-sponsor of this program; their members will get a discount for this panel.

7.3. **NFTs (art, music, sports, fashion)** – *Louise Carron, Judith Prowda, Carol Steinberg*

Louise reported that they have five speakers, three of whom are attorneys. Louise will also serve as a co-moderator. All of the speakers are very well versed in NFTs so. It should make for a wonderful conversation.

The Chair mentioned that there should be time even for an extended Q&A now. The Chair also noted that it would be good to have paid sponsorship for the event—he suggested going to the Copyright Society. Elissa Hecker stated that we could look into it as long as it has to do with Copyright. The Chair also suggested looking into bringing up the international perspective of NFTs.

Donna Frosco volunteered her help with co-sponsorship and with speakers (if needed, but understands that there are already five for this program).

7.4. **On adding panels** – *Judith Bass*

Judy suggested that we have a panel on working with disabilities and that experience, particularly in reference to having a program for the Diversity Committee. She highlighted a host of different areas of entertainment that can be discussed through that lens. Judy volunteered to help plan this program if the EC is interested in having it. She also offered to contact Anne Atkinson and Cheryl Davis about it.

Elissa Hecker volunteered to help with this program. Judy and Elissa agreed to conference offline.

8. Committee/Program Reports/Updates (ad hoc).

8.1. **MBLC Wrap-up, including CSUSA co-sponsored diversity panel; sponsorship revenues** - *Rosemarie Tully, Marc Jacobson, Anne Atkinson, Cheryl Davis*

Rosemarie reported that the MBLC was a success. The Diversity Panel was very impactful, and the whole Conference had about \$6000 in sponsorships. The last panel (litigation update) was longer than expected at 2 hours because there was an additional discussion about damages.

8.2. **Literary Works & Related Rights Committee Brown Bag Luncheon** (Nov. 30, 2021) – *Judith Bass*

Judy reported that the turnout was a nice group of very experienced people. The panel, which was presented in an open discussion/meeting format, was on author insurance and what lawyers need to know. The two speakers were Jim Borelli, an insurance lawyer, and Christine Sadofsky, an insurance broker. Our own Cheryl Davis was also able to speak for a bit at the program. There is also a link that is available for circulation to members.

8.3. Podcasting 101: Key Lawyering Skills In Advising Clients In The Preproduction, Production And Distribution (Nov. 17, 2021) – *Louise Carron*

(*Louise had to leave the meeting by this point.*) Carol Steinberg shared that she attended this program and it was very good. The other attorney was also from Klaris Law, like Louise, and Louise asked very good questions. The information was great.

8.4. Basics of Music Industry Entertainment Litigation: A Practical Perspective (December 9, 2021) – *Judah Shapiro, Brian Caplan, Paul LiCalsi*

Judah reported that this basics panel is ready to go and scheduled to be 1.5 - 2 hours long. The panel will be covering infringement, recovering statutory damages and profits, and breach of fiduciary duties.

9. Other Initiatives and New Business.

9.1. Fine Arts Committee and Pro Bono Committee – *Carol Steinberg*

Carol shared that the two committees are planning a program in April on art licensing. They are presently looking to finalize a date. They will be inviting artists to attend the panel and send out program information through NYFA.

The Chair suggested that they ask the new General Counsel for the Artists Rights Society to speak.

9.2. Meeting Announcement (December 16, 2021 – 1pm) – *Jill Pilgrim*

Jill shared that she is on the task force for the treatment of transgender youth in sports. NYSBA has held several forums on the topic in the past, and there will be another one on December 16, 2021, at 1pm. Jill shared that she will be speaking at this forum and wanted to make the EC aware that this forum will be happening.

9.3. Nominating Committee & District Representatives – *Barry Werbin*

The Chair shared that the nominating committee will circulate something before year-end regarding recommendations for district representatives.

10. Adjournment. The EC meeting was adjourned at 1:57 pm.

Respectfully submitted,

Isaro Carter, EASL Secretary