

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

Executive Committee Virtual Meeting – (Wednesday) September 7th, 2022, at 12:30 PM

Minutes of EASL EC Meeting

Attending by Virtual Conference/Telephone: Anne Atkinson, Anne LaBarbera, Arlen Appelbaum, Avita Delerme, Barry Skidelsky, Barry Werbin, Bob Seigel, Brian Caplan, Carol J. Steinberg, Christine-Marie Lauture, David Friedlander, Diane Krausz, Elissa D. Hecker, Ethan Bordman, Imraan Farukhi, Isaro Carter, Jason Baruch, Jill Pilgrim, Joan Fraier, Judah Shapiro, Judith Bass, Judith Prowda, Kathy Kim, Kristin Paradisis, Larry Sapadin, Les Greenbaum, Louise Carron, Nyasha Foy, Pam Lester, Phillip R. Hurwitz, Rosemarie Tully, Sarah Robertson, Sonia Autret, Steve Rodner, Sharmin Woodall

1. Approval of June 2022 Meeting Minutes – Isaro Carter, Secretary.; Ethan Bordman Chair; Christine-Marie Lauture, Asst. Secretary

Pending the addition of Barry Skidelsky's name to the attendance list in the September EC Meeting minutes, they were approved by the EC.

2. EASL Journal status (Elissa Hecker)

Elissa reported that the Fall/Winter journal would be ready in late November/December. We will all have it for the Annual Meeting. The following journal after this will be the Spring Journal which should be available in April. There is no theme for the Spring journal, but Elissa let us know that if Committees want to create themes, she is happy to create a specific area of the journal for that theme. The Spring meeting, of course, will also feature the Annual Meeting transcript.

3. Financial Report (Judah Shapiro, Treasurer)

Judah reported that they created a budget, and it was based upon the last pre-covid year, which was 2019. He noted that they were a bit more conservative with the numbers understanding that not everything will be in-person like it was back in 2019, but still accounting for the possibility that every other EC meeting and a couple of other

conferences and events could be held in person. Judah also reported that we still have a hefty surplus.

4. District Representatives – Districts 6, 10, 11, and 12 do not have Representatives.

The Chair again mentioned that we do not have representatives for Districts 6, 10, 11, and 12. If anyone knows anyone in one of the Districts, it would be great to have a rep.

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

5.1. June 2, 2022 – Freelancers Event – Rosemarie Tully/Diane Krausz/Anne LaBarbera/Robert Seigel

Rosemarie reported that the event was well received. Cheryl Davis was a fantastic moderator. There were interesting speakers, including the Head of the Freelancers Union, and it is available to watch. Anne LaBarbera reported that the Freelance Isn't Free Act was passed at the state level later in the day. Sharmin Woodall said that 53 people attended the program.

5.2. June 18th – Section Caucus/House of Delegates Meeting - Steve Richman attended

The Chair let us know that he wasn't in attendance at the meeting, but Steve Richman was. He also disclosed that Steve Richman has resigned from the Executive Committee of EASL as of July 5th, 2022. He remains a member of EASL. We will be addressing replacements for these now vacant positions.

5.3. MBLC

Rosemarie reported that it would be a hybrid event this year with three virtual sessions (2 panels per session) and one in-person panel. The dates will be four consecutive Thursdays this year because one of the would-be Fridays is Veteran's Day.

The virtual sessions will be 12noon-2:30pm on 10/27, 11/3, and 11/10. The in-person session will be on 11/17, starting from 1pm-4pm, with a reception at Citrin Cooperman. In advance of this meeting, Chris Hull secured a conference room, which holds up to 100 people.

Rosemarie concluded that MBLC topics include an Ethics panel, Litigation Review, a Washington D.C. Update, and Key Trends in music, business, music, licensing and the meta verse music, and valuations. The announcement for the MBLC is coming soon.

5.4. June 22, 2022 – Sports Committee – Title IX event

Pam Lester reported that a few college athletes who want to go to law school eventually shared the impact of Title IX in their lives. Sharmin said that 32 people were in attendance. Most attendees spoke, and it was a positively received event.

5.5. Chair needed for Publicity, Privacy, and Media

The Chair noted that we still need a chair for this committee. He reported reaching out to the current members via email to gauge interest in filling the position. Barry Werbin mentioned that we should be asking what the focus of this committee should be, especially with some of the most radical data privacy laws in the US being passed recently in California's state legislature. Specifically, we should do an update on this type of legislation because it has implications for how business is done in Entertainment.

Barry Skidelsky supported this and mentioned the new Cybersecurity CLE requirements for NY lawyers that will go into effect next year. Judy Bass suggested looking at where committee concerns overlap with this committee's and deciding whether we need this many committees. There might be a chance that we don't need a Publicity Committee if the relevant topics come up in other committees. The Chair agreed that this was a good idea.

5.6. Welcome New Cowan/Bresler Committee Chairs – Kajon Pompey and Aniq Chowdhury

The Chair reported that we have two new co-chairs for the scholarship committee, Kajon Pompey and Aniq Chowdhury (both not in attendance). Elissa noted that Kajon is also a member of the Weeknd Review team on the EASL Blog. We welcome them both to the EC!

The Chair noted that the deadline for submissions will be January 3rd, 2023, that he will send out a letter soon, and to reach out to the schools/alumni in the meantime.

5.7. Welcome to New Law Student Co-Chair – Alexander Marzullo

Alexander was not in attendance, but he is a law student at Fordham Law School. We welcome Alexander!

5.8. Sponsorships Committee

The Chair announced that the Sponsorship Committee approved a pdf on our annual events. This way, we can sell one-off sponsorships as well as sponsorship packages.

The annual Theater Law Program was included in the pdf. Jason Baruch updated us that the Commercial Theater Institute (CTI), which co-presented the program, has been non-operational in services since COVID began, with no news on whether they'll be back in 2023. Jason said the committee would be moving forward with event planning without them. Instead of having the usual two-night program, Jason said they would be breaking it up into 4-5 modules over the year. The first will be in November and then every three months after that. He is also looking to make this a fully live event, not a hybrid, and to keep everything made from registration sales.

6. Other Initiatives and New Business

6.1. EASL By-Laws – EASL EC review

Barry Werbin mentioned that they hadn't spoken since the last meeting. The members of the Bylaw Committee agreed that they would have a meeting to discuss everything still at issue & present it to EC (particularly the quorum issue). There was a brief discussion refreshing the EC on the issues brought up during the June EC meeting.

6.2. EASL Mentorship Program

The Chair reported submitting a 4-pg outline to NYSBA about the mentorship program. He will also update the website with forms for mentors and mentees to sign up. All materials will be submitted in the next couple of weeks. The intention is to start the program on October 1st and continue through April, which would cover the academic school year (we anticipate most of the mentees will be law students).

The Chair explained that it would only be a couple of hours a month commitment for mentors. Anne Atkinson asked whether young lawyers would be allowed to be mentees. The Chair confirmed that young lawyers and law students would be able to be mentees--he's also put together some requirements that define what a young lawyer would be in this context. A mentor can be an attorney with 5+ years of experience, and a mentee can be a law student or lawyer with less than five years of experience.

Finally, the Chair again emphasized that this program would be strictly advisory and not intended to help mentees find employment.

6.3. House of Delegates – Steve Richman resigned on July 5th, 2022, Barry Skidelsky was nominated, EC Election confirmed. Need 1

The Chair reiterated that Steve Richman attended the House of Delegates meeting and later resigned. The Chair said he would nominate Barry Skidelsky as our one delegate. We are also in need of an alternate. We can appoint another delegate when our membership returns to at least 1,500. As of now, we will have one delegate and one alternate. The Chair also called for volunteers for an alternate in the House of Delegates. He will also reach out to some of our newer members of the EC.

The EC unanimously voted to make Barry Skidelsky our representative in the House of Delegates. Congratulations Barry!

6.4. Section Caucus – Need (2) Representatives

The Chair reported that we need two representatives and motioned to make Diane Krausz and Steve Rodner our section representatives. The EC unanimously approved the motion. Congratulations, Diane & Steve!

6.5. Legislative Committee – Per the above, Steve Richman has resigned; Talent Agencies Act of New York:

Marc Jacobson was not in attendance today, so the Chair will contact him to receive an update directly. Additionally, Steve Richman has resigned, so if anyone is interested in taking over as co-Chair of this committee, please reach out.

6.6. Annual Meeting 2023 – IN PERSON – Thursday, January 19, 2023

The Chair reported that the Annual Meeting will be in person on Thursday, January 19th, 2023. The live events will be from Wednesday to Saturday that week. That following Monday and Tuesday, the virtual meetings will be held. As a brief overview, on Wednesday afternoon, there will be the Presidential Summit, diversity awards, and a joint reception for both events. Thursday is the House of Delegates reception, Friday is the Section Caucus, and then the Gala that evening. The Chair reported that he has spoken to Bill's Burgers about catering for our Thursday reception (from around 5:30-8pm).

Sharmin Woodall confirmed that if NYSBA mandates everything be virtual, we are fully prepared to make that switch for our in-person events. She will confirm whether or not we would lose our deposits if we have to switch to virtual at the last minute, but she

doesn't believe we would lose them at this time. She also confirmed that the EC meeting would have a call-in option.

Judy Bass asked whether the Annual Meeting would at least be hybrid for those who would either not be traveling or would not want to be in physical attendance because of COVID. Elissa Hecker seconded this specifically because of accessibility issues. She suggested that we collaborate with other sections and diversity committees to raise this issue to NYSBA, and the virtual accommodation should be made. Anne LaBarbera gave excellent examples of how it's been done in other contexts. It was also highlighted that not having that option may be illegal.

The Chair wrapped up with the following deadlines: September 16th – NYSBA needs description for Annual Meeting Programs; November 14th – NYSBA needs Final Agenda for Annual Meeting Program.

6.7. Suggested future EASL events from attendees of the Spring 2022 Meeting:

6.7.1. Jill Pilgrim and Pam Lester – Co-Chairs of the Sports Committee, would like to have one panel be in “Negotiating.”

Pam shared that they plan to have both sports lawyers and Gary Noesner (the first FBI chief hostage negotiator)--he can participate in the panel via Zoom. She also has an invitation out to Mike Tannenbaum, former general manager of The Jets and on-air talent at ESPN, in case Gary Noesner cannot attend.

6.7.2. Barry Skidelsky – Social Media and the Law – discussing regulations in social media, free speech, DMCA, cyberbullying.

Barry discussed how the panel intends to address the cases that SCOTUS may have to decide in the near future (the Net Choice cases) regarding social media regulations.

Anne LaBarbera asked about including anti-trust in this discussion because specific platforms dominate the online social media infrastructure and ban users from these platforms inequitably. Barry agreed that this could fall under the social media regulation umbrella.

Judy Bass reminded us that we should have an ethics panel and a diversity panel as they are both important topics. Elissa Hecker suggested a diversity panel on how we can make the Bar Association accessible.

Carol Steinberg suggested that we work ethics into the negotiation panel that these Sports Law committee is doing; it would make sense to discuss the ethics of those kinds of negotiations. Pam Lester noted that it might be hard to work ethics into that panel because it would only be an hour and a half to discuss negotiations and the ethics of the negotiations extensively. Anne Atkinson suggested making the panel a 2-part series so everything can be addressed.

6.7.3. Additional Remarks

On behalf of the Pro Bono committee, Carol Steinberg announced a program on the CASE Act. She will be discussing this with the Fine Arts Committee as well. She asked if anyone had any experience with the Act to let her know. Judy Bass volunteered a co-sponsorship with the Literary Property Committee because they discussed the act at their committee meeting back in June.

Anne LaBarbera mentioned that the Young Lawyers Section is doing a 48-hour film challenge from September 30th to October 2nd and may ask EASL to be a co-sponsor.

7. Chair's Remarks

Ethan Bordman let us know that he is interested in kicking off in-person meetings with that first one in 2023 for the Annual Meeting. Anne Atkinson will cancel the reservations she made for in-person meetings for the rest of 2022. There were no objections to having alternating in-person EC meetings.

The Chair also announced that there would be a virtual career fair, and he will get that info to the Law Student Committee and young lawyers. It will be on September 28th.

He also reported that he attended the Best Practices and Virtual Chairs meetings. Ethan told the EC to let him know of any finalization for the Annual Meeting panel titles.

8. Dates of Future EC Meetings – Save the Date:

The next EASL EC Meeting will be on October 12, 2022, from 12:30pm – 2pm.

Future Meeting Dates:

October 12th, 2022

November 2nd, 2022

December 7th, 2022

9. Adjournment. The EC meeting was adjourned at 2:06 pm.

Respectfully submitted,
Isaro Carter, EASL Secretary