

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

**Executive Committee Virtual Meeting –
(Wednesday) March 1st, 2023, at 12:30 PM**

Minutes of EASL EC Meeting

Attending by Virtual Conference/Telephone: Anne Atkinson, Anne LaBarbera, Avita Delerme, Barry Skidelsky, Barry Werbin, Bennett Liebman, Bob Seigel, Carla Varriale-Barker, David Friedlander, Diane Krausz, Donna Frosco, Ethan Bordman, Imraan Farukhi, Innes Smolansky, Isaro Carter, Jason Baruch, Jill Pilgrim, Judah Shapiro, Judith Bass, Judith Prowda, Kathy Kim, Larry Sapadin, Louise Carron, Marc Jacobson, Mark Moretti, Merissa Pico, Pam Lester, Paul LiCalsi, Phillip R. Hurwitz, Rosemarie Tully, Sarah Robertson, Sharmin Woodall, Steve Rodner

1. **Approval of February 2023 and January 4th Bylaw Meeting Minutes** – (Isaro Carter, Secretary.; Christine-Marie Lauture, Assistant Secretary; Ethan Bordman, Chair)

Ethan Bordman asked the EC if anyone had any revisions for the February 2023 EC Meeting Minutes or the January 2023 Bylaws Meeting minutes. Other than the revision that Donna Frosco emailed to Isaro before the meeting (and let us know of in the chat box), there were no other revisions. Pam Lester moved to approve both sets of minutes, Jill Pilgrim seconded the motion, and the EC unanimously approved the meeting minutes.

2. **EASL Journal Status** – (Elissa Hecker)

Elissa Hecker was unable to make the meeting this month. On her behalf, Ethan reported that the upcoming journal is going to the printer soon. The deadline for the issue after this upcoming issue is at the beginning of April. If anyone is interested in submitting articles for the Journal, we are encouraged to submit them to Elissa.

3. **Financial Report** - (Judah Shapiro, Treasurer)

Judah started by informing us that NYSBA is finishing its 2022 audit. He stated the numbers look pretty accurate. Judah reported that the main takeaways are that our surplus decreased by about \$7,000 - \$8,000, which, according to him, is okay. We're starting the year at about \$102,000, which he notes does not account for most of the annual meeting expenses or income. He stated EASL won't get any of the income due to the pricing structure of the meeting.

Regarding the expenses, Judah projects this to be around \$25,000, which we will see reflected in a decrease in our surplus. That said, none of this reflects the amount we will see in dues paid by members for 2023. Overall, he's expecting we will land in the \$90,000 range, giving EASL plenty of room for regular activity.

Rosemarie Tully asked what the audit was; Judah informed her it was NYSBA's routine to look over each section's books. Judy Bass asked for an update on the newsletters and mistakes in the January financial report (where it looked like we were charged for something we weren't supposed to be charged for.). Sharmin provided an answer to this question, letting us know that the extra charge was a NYSBA charge that was incorrectly charged to our account. NYSBA is correcting it.

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

4.1. Sponsorship Committee

Ethan asked the EC to consider any potential sponsors and said if we know of potential sponsors, he's always glad to reach out if we don't feel comfortable. Marc Jacobson told us that the potential sponsor he contacted was not returning his calls and didn't know any others off the top of his head. Ethan told us that many section are having success finding sponsors with people/organizations they deal with in their practice areas such companies that serve summons or court reporting for depositions.

Jill Pilgrim shared that the Dispute Resolution section has a sizable surplus, and they don't do many sponsorships, but they do put on many programs. There is almost no week that there is no program from that section. Given that we have so many disciplines in this one section, it would be beneficial to have more panels because we must have something to offer to bring eyes to the table. The EC then went into a conversation about what events we keep revenue from and the events where the revenue goes to NYSBA.

Jason Baruch mentioned that the Theatre program is no longer a signature event because it was split over multiple days. Other EC members let him know this may not be the case because the MBLC and Annual Meeting programs are also over multiple days. Rosemarie let us know that the MBLC revenue wasn't retained by EASL either. Judy Bass mentioned that these specific events are ones that we put on every year (including the Spring Meeting) and should be considered our signature events. Further, we should clarify this with NYSBA and discuss us retaining the revenue from these programs. Ethan asked Sharmin if she could ask NYSBA to reconsider to make these signature events. Sharmin agreed that she would investigate this for us.

Judy Bass made a pitch to ask more people to join the Sponsorship Committee and ask our respective firms to sponsor our events. Barry Skidelsky suggested getting a prospect list together based on where everyone works.

Diane Krausz suggested an Intro to Entertainment Law signature event because we have the material and can do it over two days. (This was an event that used to be held at NYU). Marc Jacobson provided the historical background for that event and mentioned that each committee should have an annual program (i.e., signature event). Steve Rodner mentioned that the annual Intro to Entertainment Law program was an event where NYSBA received all the revenue. Rosemarie confirmed that this was the case from 2012 forward.

Barry Skidelsky asked Sharmin if she could put together a list of all the annual events that EASL has done over the last five years. Sharmin said that she would look into it. Anne LaBarbera suggested EASL do an Intro to Entertainment Law event upstate.

5. Other Initiatives and New Business

5.1. EASL Blog

Sharmin let us know that people weren't receiving notifications for updates. To remedy this problem, Sharmin reported that Elissa would be sending them to the community page so that people would receive updates.

5.2. EASL Ethics Committee – Welcome Carla Varriale-Barker as Chairperson

Welcome to Carla! Carla briefly introduced herself and shared her excitement for organizing some events and potentially making them signature events.

5.3. Spring Meeting – Tentative Dates Thursday May 11th or May 18th, Location – TBD, contact Stan Soocher

Ethan reported that Steve Rodner has reached out to Stan Soocher. Ethan has reached out to Cardozo Law to use the auditorium space for the meeting.

Larry Sapadin reported that the Motion Picture Committee and the Digital TV & Radio Committee are proposing to cosponsor a panel on FAST—the newest acronym in the streaming world. It's a variant of traditional AVOD (ad-supported video-on-demand, think Pluto TV). The goal is to explore the issues and conflicts coming up and how lawyers are navigating this space. Barry Werbin offered to reach out to a potential panelist (Before the end of the meeting, the individual accepted the invitation). Judy Bass asked whether this panel can be broadened to make the information more accessible to those who aren't as familiar with this recent trend. Possibly leaning into the extension of cord-cutting/getting rid of your cable box.

Anne Atkinson suggested we do a panel on AI and how it will affect WGA negotiations, entertainment, and music. She mentioned that it might be too early to discuss this, but we should all be aware. Anne LaBarbera suggested that it might not be too early because it's a hot topic and that we should consider this for future programming. Barry Skidelsky also mentioned that AI & discrimination is a hot topic.

Judy Bass suggested that there should be a panel on AI that ties into Copyright law. She mentioned that they were thinking about it in the Literary Rights Committee.

5.4. House of Delegates – Future Meetings:

Saturday, April 1st 2023 – NYSBA Bar Center – In-Person or Virtual

Saturday June 10, 2023 – The Otesega Resort Hotel – In Person or Virtual

Saturday, November 4th 2023 – NYSBA Bar Center – In-Person or Virtual

5.5. February 9th, 2023 – Hybrid Distribution – Motion Picture Committee – On-demand community page for members – Rebroadcast for members.

Bob Siegel reported that the meeting was well attended, well received and that the recording is available on the EASL website.

5.6. NYSBA EASL event profit/cost split

Ethan reiterated that we would be pushing for more signature events.

5.7. April 28th & 29th – A Deep Dive into the Metaverse & Web3—the First Global Symposium

Ethan asked if there was an interest in co-sponsoring this NYSBA hybrid event. He offered to send everyone the link for more info. He mentioned to the EC that NYSBA President contacted Ethan to see if we can be involved in either sponsoring by either helping to plan the event or financially asking for \$10,000 from EASL for support. Judah Shapiro was not on board with the financial support. Anne Atkinson suggested letting NYSBA know we can help plan and maybe offer a more modest monetary contribution.

Ethan reported that during his call with NYSBA President earlier that day that \$10,000 contribution isn't in our budget. President Wallach stated she will send us more information. The symposium would be held at NYU's School of Professional Studies, and it would be 9 CLE credits at \$150.

5.8. NYSBA Section Open House

Ethan reported receiving an email from NYSBA stating they are they are looking for speakers to have for a Section Open House. They're looking for attorneys with seven + years, 3-6 years, and 0-2 years of experience. The event is designed to introduce law students and newly admitted attorneys to NYSBA's various sections. Ethan will send an email out to everyone on the EC to gauge interest.

We can choose the date from Thursday 3/30, 4-5:30 pm or Tuesday 4/11, 4-5:30 pm. It will be a virtual event.

5.9. April 13th – “What Entertainment Attorneys Need to Know about Matrimonial Law and Estate Planning”

We have a potential sponsor for this event. Trusts & Estates section is looking to co-sponsor this event. The Family Law Section has yet to respond to Ethan's initial contact. We also have a potential sponsor in Northwestern Investments/Mutual Insurance—Hope Fuller would like to present on the panel and would be looking to give between \$500-\$1,000. It was discussed that the time and signage involved for sponsors should be in relation to their financial contribution. It was noted it would not be fair to give too much time so that we are fair to sponsors who have previously given us \$1,500-2,000.

Sharmin let us know that Hope has not decided yet. She is waiting for us to tell her how much she can get to be a \$1K sponsor. For \$500, we agreed to give her signage, speak for 1-2 mins, can attend the event, and network also. For \$1K, we'd also put her name on the emails and things like that, according to Ethan.

The event is 3 CLE credits and is currently in-person. We are looking into whether this facility has the capabilities for hybrid work. Judy Bass asked if there was an EASL member on the panel. She suggested Ed McCoyd, on the Literary Rights Committee, and he works on estate planning issues for literary folks & has spoken on panels. David Friedlander seconded this. Jill Pilgrim asked who was sponsoring this event; Ethan told her that this was a NYSBA event but that the hosting law firm would sponsor this event. Anne LaBarbera mentioned that there should be a California attorney on the panel if pre-marital agreements are to be discussed because there are legal caveats there that the audience should be aware of.

5.10. Talent Agencies Act of New York – Leanne Evans, Government Relations Policy Manager meeting with NYSBA Lobbyist

Leanne sent an email saying they're working on nailing down sponsors, the legislature is in budget mode, and they hope to have more movement on the standalone legislation as the budget winds down.

5.11. MBLC – Locations, Ideas

Rosemarie Tully reported that the MBLC still doesn't have a location for its Fall 2023 meeting. Jill Pilgrim and Rosemarie will be talking offline to discuss possible venues. Barry Skidelsky asked if any PROs have an open space or potential sponsorship interest. Rosemarie shared that she doesn't have contacts there anymore.

5.12. March 8th, 5:15 pm – Theatre Committee Program at Dramatist Guild

Jason Baruch reported that they were on schedule for putting on the program. He also noted that the event starts at 5:15pm, not 5:30 pm. The room fits 50-55 attendees. It is an intimate space; food & beverage are being arranged, speakers are lined up, and the program is ready. Sharmin let us know that around 38 people are registered at the time of this meeting.

5.13. EASL Hybrid Capabilities

Judy Bass reported updating the initial letter to NYSBA concerning the hybrid capabilities at the Annual Meeting. Those involved in the first letter have seen it. Ethan told us the next steps are to contact NYBA and talk with them. He mentioned having a conversation with NYSBA President Sherry Wallach, where he voiced EASL's concerns.

She told him that the Annual Meeting would be held at the Hilton next year and NYSBA's goal is to have as many in-person events as possible. This is because NYSBA finds that with hybrid, people change their minds at the last minute to attend virtually instead of in person thus the location room is not filled, and refreshments are unused.

To mitigate this and the cost, Ethan mentioned that we should ask to have these events in places with AV capabilities. Jill Pilgrim also mentioned that there should be better advertisement for the free events that are available so that we can boost membership.

5.14. Cardozo Law School – Name, Image, Likeness: The Evolution of College Athletics 10am - 3:30pm (3 CLE) Registration Link: bit.ly/cardozoaelj_nil

Ethan said he would discuss the advantages of joining EASL at this event. Barry Skidelsky asked about the date (it will be March 3rd) and whether it will end at 3:30 or 4pm. Ethan clarified that the event will end at 4pm.

6. Chair’s Remarks

Thank you to everyone for all their work and help! He also shared that the June meeting might be hybrid.

7. Dates of Future Meetings

May 4th, 2023 (Hybrid meeting tentatively)

June 1st, 2023 (Hybrid meeting tentatively)

July – NO Meeting

August – NO Meeting

September 7th, 2023

October 5th, 2023

November 2nd, 2023

December 7th, 2023

8. Adjournment. The EC meeting was adjourned at 2:07 pm.

Respectfully submitted,

Isaro Carter, EASL Secretary