As of 5/19/10

Committee on Fine Arts

Judith Prowda, Chair

Blurbs for 2008-2010 Programs

UPCOMING:

JOINT PROGRAM WITH PRO BONO COMMITTEE, CARDOZO'S IP PROGRAM, AND CARDOZO'S ART LAW SOCIETY
Creative Time – Legal Issues in Producing and Presenting Public Art (Title TBD)
Speakers: Katie Hollander, Deputy Director, Creative Time; Judi Church, Esq., Counsel to Creative Time
September 15, 2010, 6-8 p.m.
Non-CLE Program
Program Description:
TBD

Egon Schiele's Dead City: Current Issues in Nazi Art Looting and Recovery
Speaker: Raymond Dowd, Esq., Dunnington, Bartholow & Miller LLP
March 24, 2010
1.5 MCLE credit hours in professional practice
Program Description:
In 1998, Manhattan District Attorney Robert Morgenthau seized Egon Schiele's *Dead City* and *Portrait of Wally* at the Museum of Modern Art, creating a scandal that changed the legal landscape of Europe and the United States for victims of Nazi persecution and their survivors. Ray Dowd represents the heirs of Fritz Grunbaum, a Jewish cabaret performer murdered in the Dachau Concentration Camp. Fritz's wife Lily died in the Minsk Death Camp. Grunbaum's art collection surfaced in Switzerland in 1956 under disputed circumstances, and in the first Holocaust-era art recovery trial in U.S. history, *Bakalar v. Vavra,* the District Court found that passing the artwork through Switzerland gave it clean title. The case is now on appeal to the Second Circuit. This presentation covered the legal and evidentiary obstacles to litigating Holocaust-era expropriation and provide legal practitioners with basic tools to assemble evidence and prove Nazi property looting.

As of 5/19/10

The Art of Attorney Ethics
Speaker: Pery D. Krinsky, Esq., Law Offices of Michael S. Ross
November 16, 2009
2 MCLE credit hours in ethics and professionalism.
Program Description:
From brokering the "deal," to advising and representing galleries, auction houses and artists - art law arouses a spectra of attorney ethics issues that nearly every art lawyer will face in his or her career. This program provided a practical, real-life approach to confronting some of the most common attorney ethics issues involving art law, including:
* The ethics of negotiating - what is the scope of "acceptable deceit" by attorneys?
* The "stolen art" conundrum - is ignorance really bliss?
* Loyalty to past and present clients - where does the attorney-client privilege begin and end?

Art Title Insurance and Litigation Trends
Speaker: Judith L. Pearson
November 7, 2008
Non-CLE Program
Program Description:
Judith L. Pearson, President of ARIS, an art title insurance company, gave a presentation on litigation trends and exposures to art collectors and their fiduciaries.
Every day headlines report on contested art transactions. With the current volatility in the financial markets, we can expect more litigation over art transactions because of the inherent lack of transparency in the art market. Art title insurance insures the ownership of works of art so that people can buy and sell art with confidence in the event of a gap in provenance, a World War II claim, an import-export issue or lien or judgment against the artwork.

State of the Art
MODERATOR:
Judith B. Prowda, Esq., Senior Lecturer, Sotheby's Institute of Art; Chair, Committee on Fine Arts, Entertainment, Arts & Sports Law Section, New York State Bar Association
PANELISTS:
Andy Augenblick, President, Emigrant Bank Fine Art Finance, LLC
Christiane Fischer, President & CEO, AXA Art Insurance Corporation
Jeffrey A. Galant, Esq., Of Counsel, Herrick, Feinstein LLP
Paul R. Herman, Esq., Partner, Herrick, Feinstein LLP
Elizabeth von Habsburg, President, Gurr Johns, Inc.
February 24, 2009
2.0 MCLE credit hours in professional practice.
Program Description:
The critical issues facing the art market in these difficult financial times were analyzed by a distinguished panel of experts who will report on such matters as the importance of appraisals in owning, planning and disposing of artworks; considerations of leverage and the monetizing of art; art insurance, risk evaluation, and strategies for protecting your

collection; satisfying succession and estate planning goals for the benefit of family and philanthropic beneficiaries; and the impact of ethics on art world professionals.

The ARTstor Digital Library: A Balanced Approach to Copyright
Speakers:
Gretchen Wagner, General Counsel and Secretary, ARTstor
Valerie Borden, Associate Counsel, ARTstor
April 17, 2008
Non-CLE Program
Program Description:
ARTstor, a non-profit organization founded by The Andrew W. Mellon Foundation in 2001, has developed an online digital image library for noncommercial educational and scholarly uses. The Digital Library contains approximately 750,000 images, associated cataloging data and a set of tools to view, present and manage these images. ARTstor has collaborated with museums, universities, libraries, photo archives, artists, estates and licensing societies to build the Digital Library, which is currently made available to over 1,000 educational institutions in the United States and abroad. Some of ARTstor's collections are made available in reliance on fair use, while other collections are made available in collaboration with rights holders.
This discussion explored the need for high quality digital images for teaching and scholarship, the origins of ARTstor and the challenges that ARTstor has faced—and continues to face—in attempting to balance the concerns and interests of content owners with the needs of the educational user community.

As of 5/19/10

Pro Bono Committee

Elissa Hecker, Co-Chair
Kathy Kim, Co-Chair
Philippa Loengard, Co-Chair
Monica Pa, Co-Chair
Carol Steinberg, Co-Chair

Blurbs for 2009-2010 Programs

UPCOMING

CREATIVE TIME PROGRAM
September 15, 2010
6-8 p.m.
(See description in Fine Art Committee blurbs.)

SETTING UP AND RUNNING YOUR ART BUSINESS
Panelists: Innes Smolansky, Esq., Diane Kraus, Esq., and Mark Bennett, President Graphic Artists Guild
Moderator: Carol J. Steinberg, Esq.
June 15, 2010
Non-CLE Program
School of Visual Arts 6 -8 p.m.
Program Description
"Being good in business is the most fascinating kind of art."--Andy Warhol
SVA students and alumni will learn how to set up and run their art business. Innes Smolansky and Diane Kraus, lawyers who help visual artists set up and run their companies, will talk about which business form to choose and why, how to minimize taxes and work with an accountant, and how to run a company. They will also discuss and provide examples of agreements artists need with fellow collaborators and employees. Mark Bennett, graphic designer/art director/and President of the Graphic Artists Guild, will talk about practical aspects of running a company. Carol Steinberg, SVA Faculty member and arts attorney, will moderate. There will be plenty of time for questions.
Co-sponsored by SVA and EASL's Pro Bono Committee

Legal Concerns for Designers, Illustrators, Cartoonists, and Artists – What You Need to Know
Panelists: Arlana Cohen, Cowan Liebowitz and Latman.; Monica Pa, Davis Wright Tremaine LLP. ; Lucie Kim, MyORB Art + Design; Lisa Marroni, General Counsel Wicked Fashions
Moderator: Will Snyder, Co-founder J. Fold
School of Visual Arts, October 13th, 2009 7 to 9 p.m.
Program Description
Panelists discussed how to get a gig without losing the store. This panel of lawyers and designers covered topics including copyrights, trademarks, patents, contracts, and how

to protect your ideas. They addressed the concern of designers who want to protect their rights in their creations but also want to get and keep clients in this difficult economy.
Co-hosted by Career Development and the New York State Bar Associations' Entertainment, Arts, and Sports Law Section's Pro Bono Committee

As of 5/19/10

Theater and Performing Arts Committee

Jason Baruch, Co-Chair
Diane Krausz, Co-Chair

Blurbs for 2009-2010 Programs

How School Musical: Negotiating Broadway Contracts With Music Staff
Speakers: Mark D. Sendroff, Esq. and Laura Green
January 7, 2010

Program Description:

Two Broadway musical veterans, attorney Mark Sendroff (Sendroff & Baruch, LLP) and general manager Laura Green (Frankel-Green Theatrical Management) discuss the ins and outs of negotiating contracts with composers, orchestrators, arrangers, music directors and supervisors. The conversation encompasses potential union issues, ownership and future use of, and compensation for, contributions by the music staff.

Everything You Wanted To Know About Form D But Were Afraid To Ask
Speaker: Gary Emanuel, Esq.
March 5, 2009

Program Description:

Gary Emanuel (Reitler Brown & Rosenblatt) discusses the recent change to mandatory electronic filing of Forms D and how the new rules affect production counsel for film and television productions.

Omigod You Guys – We're On MTV
Speakers: M. Graham Coleman, Esq, Brad Hazzard, Esq., and Amanda Lipitz
November 6, 2008

Program Description:

MTV counsel Brad Hazzard, stage and film counsel Gray Coleman (Davis Wright and Tremaine) and stage and television producer Amanda Lipitz (Amanda Lipitz Productions) discuss the transformation of the Broadway musical "Legally Blonde" to both a reality television series and full production telecast. Topics include union obligations, copyright ownership, acquisition of rights and the business models necessary to produce in different media.

Conducting Private Placements on the Internet – An Oxymoron

As of 5/19/10

Speakers: Gary Emanuel, Esq. and Mark Beigelman, Esq.
February 28, 2008

Program Description:

Securities attorney Gary Emmanuel and stage and corporate attorney Mark Beigelman, Esq. (Beigelman, Feiner & Feldman) discuss the benefits and pitfalls of reaching out to potential stage investors on-line.