



## ***8<sup>th</sup> Annual Legal Aspects of Producing: An Inside Approach to Navigating the Theatrical World***

**March 27-28, 2019**

**5:30 PM – 9:15 PM (each night)**

**The Anne L. Bernstein Theater at The Theater Center  
210 West 50<sup>th</sup> Street, 4<sup>th</sup> Floor  
New York, NY 10019**

For the eighth consecutive year, the Theater and Performing Arts Committee of the Entertainment Arts and Sports Law Section (**EASL**) of the New York State Bar Association, in collaboration with The Commercial Theater Institute (**CTI**), the industry's leading training program, is proud to host an intensive 2-evening CLE seminar focusing on the roles that theatrical lawyers play in guiding both new and seasoned industry professionals through all of the stages and legal aspects of theater producing.

Led by the top entertainment lawyers in the business, the first evening will cover the acquisition of underlying rights and securing contracts with the dramatists, as well as the engagement of other core members of the creative and business team. The second evening will focus on capitalizing development and production of stage plays and musicals, including new avenues for fundraising unavailable to producers a few years ago. We will also have a special session devoted to recent theater-related litigation cases (including many so-called "fair-use" decisions), and we will cap the evening off with a panel discussion addressing emerging trends and "hot topics" in the industry (including the recent dispute between Actors Equity and producers regarding profit sharing, the impact of new technologies on the "analog" business of show and changes in fundraising techniques and documentation, among other issues relevant to today's theater law practitioners).

**Wednesday, March 27<sup>th</sup>, 2019 –**

### **Rights Acquisitions & Engaging the Creative Team**

**5:30 p.m. – 6:00 p.m. Registration**

**6:00 p.m. – 6:10 p.m. Introductory Remarks**

**6:10 p.m. – 7:50 p.m. Negotiating Rights and Production Contracts (2 credits)**

**Speakers:** **Jason Baruch, Esq.**, Sendroff & Baruch, LLP, **Jason Cooper, Esq.**, Creative Artists Agency, **Seth Stuhl, Esq.**, Disney Theatrical Productions, and **Ralph Sevush, Esq.**, The Dramatists Guild

- The Jasons, Seth and Ralph will discuss the various sources of underlying rights (including films, music catalogs and life rights) and, if time allows, they will engage in mock negotiations of an underlying rights agreement and production contract with authors.

**7:50 p.m. – 7:55 p.m. Break**

**7:55 p.m. – 9:10 p.m. Engaging the Creative Team (1.5 credit)**

**Speakers:** **Steven Chaikelson, Esq.**, Snug Harbor Productions, and **Patrick Herold**, ICM Partners

- Lawyer, general manager and teacher Steven Chaikelson – along with agent Patrick Herold, will discuss the ins and outs of engaging the creative team, from the directors and choreographers, to the designers and music staff. Steven and Patrick will go over the practical considerations, union obligations, best practices and pitfalls for assembling the team.

**9:10 p.m. – 9:15 p.m. Wrap Up / Summary for Day One / Closing Notes**

**Thursday, March 28<sup>th</sup>, 2019 -**  
**Investor Fundamentals, Theater Litigation & Emerging Trends**

**5:30 p.m. – 6:00 p.m. Registration**

**6:00 p.m. – 6:05 p.m. Introductory Remarks**

**6:05 p.m. – 7:20 p.m. Investor Fundamentals (1.5 credits)**

**Speakers:** **Benjamin Feldman, Esq.** and **Jon Rebell, Esq.**, *Feldman, Golinski, Reedy + Ben-Zvi PLLC*.

- Ben and Jon will walk the group through Front Money Agreements, Joint Venture Agreements among producers, Co-Producer and Associate Producer Agreements between lead producers and major financiers, and Offering Documents (i.e., the operating agreement or limited partnership agreement, and related subscription documents) between producers and investors. Ben and Jon also will discuss recent changes in the regulations and some of the more “out-of-the-box” alternatives to traditional theatrical fundraising methods.

**7:20 p.m. – 7:25 p.m. Break**

**7:25 p.m. – 8:15 p.m. Theater Litigation (1 credit)**

**Speaker:** **Toby Butterfield, Esq.**, *Moses & Singer LLP*

- Toby, a seasoned litigator who has participated in numerous theater-related litigation matters, will discuss recent court cases including those involving *Blue Man Group*, *Jersey Boys*, *Three’s Company*, *Hand To God*, *Who’s Holiday* and *To Kill A Mockingbird*.

**8:15 p.m. – 9:05 p.m. Emerging Trends in Theater Law (1 credit)**

**Speakers:** **Scott Lazarus, Esq.**, *Lazarus & Harris LLP*, **Loren Plotkin, Esq.**, *Levine Plotkin & Menin*, **Carol Kaplan, Esq.**, *Loeb & Loeb LLP*, **Elliot Brown, Esq.**, *Franklin Weinrib Rudell & Vassallo, P.C.* and **Jean Ward, Esq.**, *Frankfurt Kurnit & Selz, LP*

- Our distinguished panel will discuss emerging trends and hot topics in the theater such as the AEA’s recent push for actors participating in workshops to share in future net profits; issues surrounding co-producer “finders,” crowd-funding, general solicitation and other fundraising trends; recent theater-related case law, and the impact of technology on the theater industry and how it impacts the legal community.

**9:05 p.m. – 9:15 p.m. Wrap-Up / Closing Remarks**

*This program approved for up to 7.0 credit hours, in the area of professional practice for experienced attorneys only. This program will not qualify for newly admitted attorneys because it is not a basic practical skills program.*

**For more information and to register visit:**

<http://www.nysba.org/EASLLegalAspects19/>