The American Bar Association
Forum on the Entertainment and Sports Industries
In Association with the Florida Bar Entertainment, Arts, & Sports Law Section and the Dade County Bar Association
Presents

The 9th Annual Miami Entertainment Law Symposium

Keynote Speakers
U.S. House Representative, Ted Deutch, 22nd District, FL (D)
&
John Capouya, Author, Florida Soul

APRIL 5-6, 2018
The Palms Hotel & Spa
3025 Collins Avenue
Miami Beach, Florida 33140
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FORUM LEADERSHIP
7:30 a.m. – 8:00 a.m. Continental Breakfast

7:30 a.m. – 9:00 a.m. Registration

8:00 a.m. – 9:30 a.m.

The Morality Police Have Arrived
Morals clauses grant employers the exclusive right to end a contract in the event an employee engages in behavior that may be harmful to the company’s image. Morals clauses are commonplace in the entertainment industry because they serve as a way for a company to protect its investment in high-profile talent. Today’s viral news culture has led many employers to quickly enforce the morals clauses in their employees’ contracts and to terminate their high-profile talent. This panel will examine the drafting and enforcement of morals clauses and terminations for cause and the legal implications for employees and employers in the long-term.

MODERATOR
Richard Wolfe, Wolfe Law Miami, Miami, FL

PANELISTS
Brian Caplan, Reitler Kailas & Rosenblatt LLC, New York, NY
Thomas Dillon, Hirschler Fleischer, Richmond, VA
Kenneth Freundlich, Freundlich Law, Beverly Hills, CA
Ed McPherson, McPherson Rane LLP, Los Angeles, CA

8:00 a.m. – 9:30 a.m.

Breaking into Entertainment Law: Real Strategies for Young Lawyers and Law Students
Finding opportunities to practice entertainment law early in one’s career can be daunting. It takes knowledge, hard work, and effective networking with a diverse group of professionals in the creative and legal industries. Join our panel of attorneys who will share tangible steps that you can take right now to start building a thriving entertainment practice.

MODERATOR
Polina Ivko, Amineddoleh & Associates LLC, New York, NY

PANELISTS
Ilana B. Broad, Ilana B. Broad, Esq., New York, NY
Shruti Chopra, Morrison Cohen LLP, New York, NY
Allen Jacobi, Law Office of Allen Jacobi, Miami, FL
Ryan Kairalla, Ryan A. Kairalla, PA, Academica Virtual Education, Miami, FL
Randy Kessler, Kessler & Solomiany, Atlanta, GA
9:30 a.m. – 11:00 a.m. - PLENARY

Alternative Dispute Resolution for Litigators and Transactional Attorneys

ADR is a three-letter word that is in reality a bucket term into which many types of resolution techniques and options exist. The panel will describe the pros and cons of various options, the strategy and timing thereof, as well as the intricacies and pitfalls of ADR clauses in entertainment contracts. Time permitting, we may “mock” with examples.

MODERATOR
Christine Lepera, Mitchell Silberberg & Knupp LLP, New York, NY

PANELISTS
Honorable Beatrice “Betty” Butchko, Eleventh Judicial Circuit of Florida, Miami, FL
Jeffrey Grubman, JAMS, Miami, FL
Honorable Thomas Rebull, Eleventh Judicial Circuit of Florida, Miami, FL

11:00 a.m. – 11:15 a.m. Break

11:15 a.m. – 12:45 p.m.

Global Wealth Planning in the New Economy: Rising Inflation, Lower Taxes and Global Uncertainty

With rising inflation, lower taxes and global uncertainty, global wealth planning in the New Economy faces a myriad of legal issues. This panel will explore the legal issues regarding the allocation of long-term assets in a rising interest rate environment and the effects of the new US tax regime on global entertainment income. The panel will also examine how the new laws affect off-shore business structuring, the legal implications when Robo-Advisors are employed and private equity and venture capital investing for beginners.

MODERATOR
Steve Erwin, Director, Legal Affairs, Chief Compliance Officer, JCR Capital, Denver, CO

PANELISTS
Robert M. Georgiou, Collaborative Wealth, Coral Gables, FL
Octavius "Ted " Reid III, Morgan Stanley, Marlton, NJ

11:15 a.m. – 12:45 p.m.

Music Transactional

This panel will examine the role of the music lawyer as it continues to expand and change with the emergence of new technologies and other recent developments in the music industry. Panelists will lead you through an in-depth examination of a selection of cutting edge issues involved in the negotiation of agreements with record labels, recording artists, music publishers, performance right organizations, as well as new laws and issues impacting the music industry. Topics are expected to include blockchain technology, so called "reverse morals clauses," participation in "breakage," signing of artists with established social media followings, master recording copyright terminations as well as many others.

MODERATOR
Gil Aronow, Former EVP, Business & Legal Affairs, Commercial Music Group at Sony Music Entertainment, New York, NY

PANELISTS
Ivan Parron, Parron Law, Miami, FL
Mark Stollman, Stollman Law PA, Boca Raton, FL
Dan Shulman, Tavel & Associates, PC, New York, NY
Leslie Zigel, Greenspoon Marder, Miami, FL
12:45 p.m. – 1:45 p.m.
**Luncheon**

**KEYNOTE SPEAKER**
**Ted Deutch**, U.S. House Representative, 22nd District, FL (D)

Congressman Ted Deutch represents Florida’s 22nd district, home to communities throughout Broward County and southeastern Palm Beach County in sunny South Florida. Now serving his fifth term in the 115th Congress, he is the Ranking Democrat of the House Ethics Committee and a senior member of the House Judiciary Committee and the House Foreign Affairs Committee, where he serves as the Ranking Democrat on the Middle East and North Africa Subcommittee.

2:45 p.m. – 4:15 p.m.
**Ethics and The Addict**

This panel is comprised of attorneys who have experience with the issues of addiction, recovery, and the rules of ethics governing attorney competence to practice law and the panelists will discuss: What are your ethical obligations if you know or suspect colleague is suffering from addiction? How do you detect, prevent and recommend treatment for colleagues and for celebrity clients? What special concerns must you take into account when representing the addicted celebrity? This panel will discuss the ABA Model Rules in these areas, explore the ethical dilemmas presented provide suggestions and guidance to the practitioner for analyzing, avoiding and dealing with professional and practical problems in the area of prevention of alcoholism and substance abuse. The panel will also discuss compliance with the applicable rules of ethics, including ABA Model Rule 1.1 Competence, 1.3 Diligence, 1.4 Communication, 1.16 Declining Or Terminating Representation, and 8.3 Reporting Professional Misconduct, selected ethics opinions, and an attorney’s ethical obligation to an incapacitated client.

**MODERATOR**
**Henry W. Root**, Lapidus, Root & Sacharow, LLP, Santa Monica, CA

**PANELISTS**
**David Given**, Phillips, Erlewine & Given LLP, San Francisco, CA
**Francine Ward**, Monty White LLP, San Rafael, CA
**Harold Owens**, Senior Director, MusicCares/MAP Fund, NARAS, Santa Monica, CA
**Richard Baron**, Baron, Breslin & Sarmiento, Miami, FL

2:45 p.m. – 4:15 p.m.
**Creatives in Hollywood and the Race to the Golden Globes: Representing Your Client in Producing in the Major Leagues for Film and Television**

Representing your client in the film and television industry and tracking a project from development and financing through production and distribution can be a demanding and sometimes perplexing path. It is fraught with legal, business and creative issues and obstacles on and off the set. This panel will take you down that path and address the plethora of challenges your client will face on the road to success in the entertainment industry and attaining that coveted prize of a Golden Globe, Emmy or Oscar during Awards Season.

**MODERATOR**
**Kirk Schroeder**, Schroder Davis Law Firm PLC, Richmond, VA

**PANELISTS**
**Darryl Cohen**, Cohen, Cooper, Estep & Allen, LLC, Atlanta, GA
**Kara Paldino**, NBCUniversal, Miami, FL
**Bryan Thompson**, CEO, Miami Web Fest, Miami, FL
4:15 p.m. – 5:45 p.m.
**Maximizing the Liquidity Event: Merge, Buy, Invest, Sell**
Companies are expected to repatriate a healthy amount of overseas cash thanks to tax reform. Also, companies are expected to generate more cash thanks to that same tax reform. How will this extra cash be used? This panel will discuss various investment, acquisition and monetization strategies via valuation methodologies, earn out structures, tax issues (related to sales and purchase of IP assets), post-transaction management retention as well as other pertinent topics.

**Moderator**
Margaret Marshall, Greenberg Traurig, Atlanta, GA

**Panelists**
- Brad Cohen, Jeffer, Mangels, Butler & Mitchell, LLP, Los Angeles, CA
- Batya Goodman, BGZ Law Firm, P.A., Cooper City, FL
- Mike Olsen, Executive Vice President - Corporate Development and Business & Legal Affairs - Entertainment One, Nashville, TN
- Henry W. Root, Lapidus, Root & Sacharow, LLP, Santa Monica, CA

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5:45 p.m. – 7:30 p.m. Break

7:30 p.m. – 9:30 p.m.
**Annual ABA Reception – Presented by Morgan Stanley**
The reception is open to all speakers and symposium attendees.
8:00 a.m. – 9:00 a.m. Registration

9:00 a.m. – 10:30 a.m. - PLENARY

Likes, Likenesses and a Dash of Bitters: A First Amendment Cocktail
Instant access to news and entertainment through social media, video games, online delivery and apps have combined with the current political climate to challenge our thinking about traditional First Amendment rights. Our panelists will explore the changing status of publicity rights, privacy rights and freedom of speech and association in the rapidly changing new world.

MODERATOR
David Fink, Kelley Drye & Warren LLP, Los Angeles CA

PANELISTS
Marcos Jimenez, Marcos D. Jimenez, P.A., Coral Gables, FL
Lili Levi, University of Miami School of Law, Coral Gables, FL
Audrey Pumariega, McDermott Will & Emery, Miami, FL

10:30 a.m. – 10:45 a.m. Break

10:45 a.m. – 12:15 p.m.

Entertainment Litigation Update
Top entertainment litigators from across the country will discuss recent developments in the law -- the good and the bad -- that affect practitioners in the field, as well as share their favorite trial tips.

MODERATOR
Julie Greer, Coblentz, Patch, Duffy & Bass LLP, San Francisco, CA

PANELISTS
Paul LiCalsi, Robins Kaplan LLP, New York, NY
Helene Freeman, Phillips Nizer LLP, New York, NY
John Bradley, Bradley Legal Group, P.A., Ft. Lauderdale, FL
Tim Warnock, Riley Warnock & Jacobson, Nashville, TN

10:45 a.m. – 12:15 p.m.

Going International
If you have clients doing business in other countries or represent foreign clients doing business in your home territory, then this panel is a MUST SEE. A panel of veteran entertainment industry lawyers who navigate cross-border issues on a regular basis will share their insights and give you a roadmap to developing an international entertainment law practice. Canada, China, Europe and Latin America will be among the territories discussed.

MODERATOR
Leonard Glickman, Cassels Brock & Blackwell LLP, Toronto, Canada; Chair, ABA Forum on the Entertainment and Sports Industries

PANELISTS
Robert A. Darwell, Sheppard, Mullin, Richter & Hampton LLP, Los Angeles, CA
John F. Haley, Broad and Cassell LLP, Miami, FL
12:15 p.m. – 1:15 p.m.
**Luncheon**

**THE RICHARD WARREN RAPPAPORT LECTURE SERIES**

John Capouya, author of *Florida Soul*

John Capouya is a professor of journalism and writing at the University of Tampa. He was formerly an editor at Newsweek, the New York Times, SmartMoney magazine, and New York Newsday, among other places. He is the author of *Real Men Do Yoga* and has contributed to numerous publications, including *Sports Illustrated, Travel & Leisure, and Life*.

*Florida Soul* tells the story of Ray Charles’s musical upbringing in Florida, where he wrote his first songs and made his first recordings. It highlights the careers of Pensacola singers James and Bobby Purify and their producer, Papa Don Schroeder. *Florida Soul* reveals how Hank Ballard created his international hit song “The Twist” after seeing the dance in Tampa and profiles Gainesville singer Linda Lyndell (“What a Man”). Miami’s Overtown and Liberty City neighborhoods produced Sam Moore of the legendary duo Sam and Dave, Willie Clarke and Johnny Pearsall of Deep City Records, and singer Helene Smith. Miami was also the longtime headquarters of Henry Stone, whose influential company T.K. Productions put out hits by Timmy Thomas, Latimore, Betty Wright, and KC and the Sunshine Band. Stone’s artists and distribution deals influenced charts and radio airplay across the world.

1:15 p.m. – 2:45 p.m.
**Counseling Your Entertainment Client on Protecting Its Trademarks/Brand Here and Abroad**

This panel will discuss counseling your entertainment client on when, what, where and how to protect its trademark rights throughout the world.

**MODERATOR**

Kimberly Kolback, Law Offices of Kimberly Kolback, Miami, FL

**PANELISTS**

Joan Davis, Schroder Davis, Richmond, VA
David Greenbaum, Fox Rothschild, Miami, FL
Meredith Frank Mendez, Mallory & Mallory, P.L., Miami, FL
Peter Strand, Leavens, Strand & Glover, LLC, Chicago, IL

1:15 p.m. – 2:45 p.m.
**Here Be Dragons: Exploring the Dangers of Technology in Your Office and Online**

This panel will explore the common dangers attorneys face when using email, applications, and social media. It will also how cover best practices to protect yourself against the risks presented by the use of technology and the internet, and clarify what steps the Bar Rules require us to take to maintain confidentiality and how to properly handle a security breach.

**MODERATOR**

Davey Jay, Meehle & Jay, EASL Chair, Altamonte Springs, FL

**PANELISTS**

Jose Cabrera, Empower It Group, North Miami, FL
Johnny Jimenez, Univision, Miami, FL
Suzanne Meehle, Meehle & Jay, P.A., Altamonte Springs, FL
Patrick Russell, Florida Bar, Tallahassee, FL

2:45 p.m. – 3:00 p.m. **Break**
3:00 p.m. – 4:00 p.m.
Virtual Reality...I Choose You! Examining Recent Legal Issues in Augmented and Virtual Reality

IP practitioners are facing a challenging and rapidly changing landscape when it comes to virtual reality and augmented reality. Technological breakthroughs with augmented reality and location-based data, virtual reality, and the pervasiveness of "smart" devices in our everyday lives bring about legal issues that were once unheard of and/or unimaginable. Seismic events like the release of the mobile augmented reality video game Pokémon Go highlight the cutting edge legal issues that are at the forefront of augmented and virtual reality. Experienced practitioners in the field will provide attendees with the necessary tools to recognize and address the challenges clients and businesses may currently be facing or will be facing in the future.

**MODERATOR**
Chrisie Scelsi, General Counsel, Wargaming (USA) Inc., Emeryville, CA

**PANELISTS**
Debbie Rosenbaum, Chief Counsel, Oculus VR, Menlo Park, CA
Tamany Vinson Bentz, DLA Piper, Los Angeles, CA
John Polito, Morgan, Lewis & Bockius LLP, San Francisco, CA
David Ehrlich, David Ehrlich & Associates, New York, NY

3:00 p.m. – 4:00 p.m.
Emergence and Convergence: The Changing Landscape for the Distribution of Television and Film Content in Latin America and US Hispanic

The emergence of a new wave of distribution platforms has fragmented traditional content rights deals and disrupted the traditional distribution windows for film and TV, but opened up a plethora of opportunities for content producers and owners to have their content distributed to a wider market. OTT platforms such as Netflix and Amazon are also increasing their original production budgets worldwide and increasing the acquisition and production of local content in Latin America. This panel will analyze how different media (Broadcast, Pay TV and OTT) platforms and content producers/distributors are structuring media rights agreements in this changing landscape and the legal and business issues that arise in the negotiations. The panel will also discuss the ever increasing proliferation of OTT platforms and "TV Everywhere" and how non-OTT programming networks are responding to the new environment.

**MODERATOR**
Sira Veciana-Muíño, Vice President, Business Affairs at Sony Pictures Television, Latin America and Brazil Networks, Miami, FL

**PANELISTS**
Lin Cherry, SVP and GC of HBO Latin America Group, Miami, FL
Juan Delgado, Delgado Media Networks (formerly VP of Business Affairs at Telemundo), Coconut Grove, FL
Gus Lopez, SVP Business Affairs at Ole Communications, Coral Gables, FL
The Forum would like to thank the following Sponsors:

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LOCATION INFORMATION:
The symposium will be held at The Palms Hotel and Spa, Miami Beach, Florida, 3025 Collins Avenue, Miami Beach, FL 33140.

HOTEL RESERVATIONS:
A block of rooms is reserved for symposium attendees at The Palms Hotel and Spa for arrival on Wednesday, April 4, 2018 and departure on Friday, April 6, 2018. The ABA room rate is $289.00 for a single or double room plus 14% tax and a $26.75 per room, per night resort fee.

Deadline: Friday, March 9, 2018, 5:00 pm CST.
If reservations are made after this deadline or once the block has been filled, the ABA cannot guarantee guest room availability at the rate quoted above.

To make reservations:
Phone: 305-534-0505 or toll free 800-550-0505 and refer to the ABA Entertainment Law Symposium.

Online Reservations: Access the following URL to make online reservations:
https://tinyurl.com/ABAES1804Symposium

AIR TRAVEL:
The American Bar Association offers discounted air fares through Expedia’s Egencia Business Travel. ABA members are encouraged to take advantage of this quick and easy way to receive negotiated airfare discounts available to ABA members and their families for both business and leisure travel.

ABA Meeting Discount Airfare Program for ABA Non-Members: ABA non-members are eligible for ABA airline discounts to attend the symposium from United and Delta as follows:

United Airlines - Available for ABA Meeting related travel only. Phone: 800-426-1122 - Agreement Code: 633818 Code: ZE6X

Discount available at www.united.com - Online Discount Code: ZE6X633818

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Discount available at www.delta.com - Online Meeting Event Code: NMR3V

REGISTRATION AND DEADLINE:
The registration deadlines for Early Bird – February 15, 2018
To register, please submit your completed registration form and send payment to: American Bar Association; Attn: Service Center—Meeting/Event Registration (ES1804), 321 North Clark Street, 16th Floor; Chicago, IL 60654. You can also register by faxing your completed form to 312-988-5850 or register online at https://www.americanbar.org/groups/entertainment_sports/events_cle/2018_symp.html

If you do not receive a written confirmation within ten days of registration, please call the ABA Service Center at 800.258.2221 to verify that your registration form and payment have been received. In order to be included in the advanced list of conference attendees, you must register by March 9, 2018.

ON-SITE REGISTRATION:
On-site registration is available for those individuals who miss the registration deadline. If you plan to register at the door, please call 312-988-5658 at least 72 hours before the conference to confirm that space is still available. Failure to call in advance may preclude admission to a sold-out program.

CLE:
The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 15.75 CLE credit hours (including 1.5 ethics hours) in 60-minute states, and 18.90 credit hours (including 1.80 ethics hours) in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://www.americanbar.org/cle/mandatory_cle.html
**SCHOLARSHIPS:**
Scholarships (waiver of full or partial CLE program registration fees) are available to attend this symposium. To apply, please submit the following information:
- Resume (for law students, please indicate your expected graduation date and any pertinent course work, academic scholarships, extracurricular activities/employment or volunteer experience related to sports and entertainment law).
- Cover letter explaining the following:
  - Your interest in entertainment and sports law
  - Your interest in attending the CLE programs
- A letter of recommendation (law student applicants must provide an academic reference)

The deadline to request a scholarship is March 9, 2018. Send your submissions to Bernadette.steele@americanbar.org.

**FINANCIAL ASSISTANCE:**
A limited number of scholarships to defray tuition expenses are available for this symposium. To request an application or receive additional information, please contact, bernadette.steele@americanbar.org. Qualifying attorneys may receive a 50% reduction in tuition fees.

**CANCELLATION POLICY:**
Registrants who are unable to attend the conference will receive a refund of their registration fee less a $50 administrative fee if written cancellation is received by March 9, 2018. Cancellations must be sent by email to Bernadette.steele@americanbar.org. No refunds will be granted after March 9, 2018. Substitutions are permitted in lieu of a refund. The ABA reserves the right to cancel or alter any programs and assumes no responsibility for personal expenses.

**ABA FORUM MEMBERSHIP:**
To encourage a registrant to join the ABA Forum on the Entertainment and Sports Industries, the reduced member’s tuition rate is being extended to registrants who join the Forum when they register for the conference. Forum membership dues are $50 for lawyers and associates (law students are free). Membership in the ABA is a prerequisite to Forum membership.

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Registration for attendance at, or participation in Forum conferences and other associated activities constitutes an agreement by the registrant to permit the American Bar Association to use and distribute (both now and in the future) the registrant or participant’s image or voice in photographs, videotapes, electronic reproductions, and audiotapes of such event and activities.

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**AMERICANS WITH DISABILITIES ACT:**
If special arrangements are required for individuals with special needs to attend this symposium, please contact Bernadette.steele@americanbar.org, by March 9, 2018.

**QUESTIONS:**
If you have any questions or require additional symposium information, please contact the Forum at Bernadette.steele@americanbar.org.
9TH ANNUAL MIAMI ENTERTAINMENT LAW SYMPOSIUM
THE PALMS HOTEL & SPA
APRIL 5 – 6, 2018, MIAMI BEACH, FL

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ATTN: American Bar Association—ES1804
321 N. Clark Street, 18th Floor
Chicago, IL 60654

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https://shop.americanbar.org/ebus/ABAEventsCalendar/EventDetails.aspx?productId=300900096

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Questions? Please call 312.988.5522