

# 44th Annual UCLA Entertainment Symposium

## WEBINAR SERIES

July 22, 2020 • July 29, 2020  
August 5, 2020 • August 12, 2020

5p - 6:30p/7p PDT



KEYNOTE SPEAKER:

**ROBERT GREENBLATT**

CHAIRMAN

WARNERMEDIA ENTERTAINMENT  
AND DIRECT-TO-CONSUMER

# 44th Annual UCLA Entertainment Symposium

## WEBINAR SERIES

**Wednesday, July 22, 2020**

**5:00p - 5:10p PDT**

### **DEAN'S REMARKS**

presenter:

**Jennifer L. Mnookin** / Dean, Ralph and Shirley Shapiro Professor of Law, and Faculty Co-Director, PULSE @ UCLA Law (Program on Understanding Law, Science & Evidence), UCLA School of Law

**5:10p - 5:55p PDT**

### **THE WORLD TURNED UPSIDE DOWN - DIVINING THE MEDIA BUSINESS IN DYSTOPIAN DAYS**

Let's be honest. Nobody knows where things are going, but we can try to figure out where they stand today, what is impacting costs, revenue, and distribution, and how companies are beginning to cope. The question is whether the changes we are seeing today, for good and bad, are just sprouts from acorns planted in the past that will wither if the coronavirus goes away this year, or are these the seeds of major changes that will be locked in permanently if the pandemic continues through 2021? We'll do our best with the annual Status Report, traditional to this opening session, and then look at some of the cost, revenue, and distribution factors impacting the industry as a setup for the panels that follow.

presenter:

**Tom Wolzien** / Chairman, Wolzien LLC and The Video Call Center, LLC

**6:00p - 6:45p PDT**

### **THE SAFETY DANCE: HOW THE ENTERTAINMENT INDUSTRY IS WORKING THROUGH A COVID-19 PANDEMIC**

Join us in an overview of the current status of how COVID-19 is impacting the entertainment industry. Panelists will address their point of view from insurance, to talent concerns, to federal lending programs and how all of these considerations are being reconciled with the desire for productions to resume safely during a pandemic.

moderator:

**Jodi Peikoff** / Partner, Peikoff Mahan

panelists:

**Pamela J. Martinson** / Partner,  
Sidley Austin LLP

**Stephen Plum** / Senior Executive Vice  
President, Business and Legal Affairs,  
Paramount Pictures

**Daniel R'bibo** / Senior Vice President, Gallagher

# 44th Annual UCLA Entertainment Symposium

## WEBINAR SERIES

Wednesday, July 29, 2020

5:00p - 5:45p PDT

### **BACKEND? WHAT BACKEND? ARE PROFIT PARTICIPATIONS AN OUTDATED CONCEPT IN THE NEW TELEVISION ERA?**

The \$180 million arbitrator's decision in the *Bones* litigation sent shock waves through the entertainment industry. The finding that one studio failed to deal on an arm's length basis when licensing a television series to its affiliates, and the proliferation of vertical integration in the television industry in particular, has caused the studios to rethink the traditional profit sharing model. The digital platforms and at least one major studio have fundamentally changed the industry by introducing a replacement for the age old profit participation typically granted to content creators. This new "bonus" definition is based on longevity and, in some cases, the medium of exploitation, thereby eliminating the possibility of lawsuits for non-arm's length transactions while limiting any upside for participants on very successful shows. Our panel of experts will discuss the *Bones* case, the pros and cons of the new bonus model and the future of profit participations in the television industry.

moderator:

**Craig Wagner** / Head of Business Affairs and General Counsel, Paradigm Talent Agency

panelists:

**John V. Berlinski** / Partner, Kasowitz Benson Torres LLP

**Craig A. Emanuel** / Partner, Paul Hastings LLP

**Karen Tatevosian** / Executive Vice President and Head of U.S. Business Affairs, Sony Pictures Television Studios

5:50p - 6:50p PDT

*The John H. Mitchell Panel on Ethics and Entertainment Sponsored by the Patricia W. Mitchell Trust*

### **THE NEWS, THE LAW AND LEGAL ETHICS**

The news business oft times seems like it is aflame: massive lawsuits filed by public figures and government officials; damaging hacks and revealing leaks about celebrities, politicians and public companies; social media fueling controversies about disagreements big and small. And programs and pundits spinning every event, often sprinkling in "alternative facts" and perspectives condemned as fake news. Our expert panel will discuss the lawyer's ethical responsibilities when advising journalists and media companies telling stories that raise difficult legal and fairness issues including, reporting based on hacks and leaks, NDA breaches, and surreptitious recordings. To facilitate open dialogue, the panelists will analyze a hypothetical fact pattern that raises many familiar issues.

moderator:

**Dale Cohen** / Director, Documentary Film Legal Clinic, UCLA School of Law, and Special Counsel, FRONTLINE

panelists:

**Jonathan Anshell** / Executive Vice President and General Counsel, ViacomCBS Media Networks

**Kelli L. Sager** / Partner, Davis Wright Tremaine LLP

**Jeffrey Toobin** / Chief Legal Analyst, CNN, and Staff Writer, The New Yorker

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# 44th Annual UCLA Entertainment Symposium

## WEBINAR SERIES

Wednesday, August 5, 2020

5:00p - 5:45p PDT

### LABOR OF LOVE: A DISCUSSION OF THE RELATIONSHIPS BETWEEN UNIONS, TALENT AND PRODUCERS

In the ever changing media and content landscape, labor unions are dynamically evolving and responding to protect its members. Conversely, studios, networks and tech companies are working to adhere and comply with unions while balancing the economics of exploiting and producing content. With strikes and union rifts in the background, studios, companies and union members need to find a way to focus on the 'relation' aspect of 'labor relations' to ensure that despite both parties protecting their interests, the show must go on. This panel of 'labor relations' experts will cover the day to day challenges along with the current status of larger union issues that impact all interested parties from potentially just getting along.

moderator:

**Michael Maizner** / Founder and Managing Partner, Maizner & Associates PLLC

panelists:

**Richard W. Kopenhefer** / Partner, Sheppard, Mullin, Richter & Hampton LLP

**Olga Rodriguez-Aguirre** / Executive Director, Entertainment Contracts, SAG-AFTRA

5:50p -6:50p PDT

### SPORTS, ENTERTAINMENT AND RACIAL EQUITY: HEEDING THE CALL FOR JUSTICE

The national discussion around racial inequality has been reignited by the tragic deaths of George Floyd and countless others at the hands of law enforcement. During this time, many industries are beginning to dive deep into the waters of social responsibility and evaluating the ways in which they can, and should, engage in the work to make the world a more equitable place for all. As gatekeepers of societal knowledge, it is important for the entertainment industry to evaluate its role in this conversation. This panel will explore the industry's response to this moment in history, and the ways in which creative content shapes and guides the discussion on racial justice. In particular, the panel will explore: (1) the changes that need to be made at the C-Suite level in order to effectuate lasting racial equity; (2) the necessity of amplifying diverse storytellers to push the conversation forward; and (3) the ways in which creative content can reshape how society thinks about racial justice.

moderator:

**Lisa Gilford** / Partner, Sidley Austin LLP

panelists:

**Nichelle Carr** / Founder, WC1 Studios  
**Nicole Duckett** / General Counsel and Vice President, LA Clippers LLC

**Tina Perry** / President, Oprah Winfrey Network (OWN)

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# 44th Annual UCLA Entertainment Symposium

## WEBINAR SERIES

**Wednesday, August 12, 2020**

**5:00p - 5:45p PDT**

### **THE SHIFTING POWER OF INFLUENCERS IN THE AGE OF SOCIAL DISTANCING**

The meteoric rise of social media platforms as a marketing medium has spawned a vibrant industry of paid influencers, from major A-list celebrities to newly minted YouTube/Instagram/Tik Tok celebrities, some of whom are merely children. These influencers use their vast network of fans to communicate marketing messages on behalf of brands in a variety of ways. As the economic activity in much of the United States (as well as the rest of the world) has come to a grinding halt due to the unprecedented global public health crisis stemming from COVID-19, more and more people have been turning to social media for news, entertainment, and social activity, thereby further strengthening social media's dominance as a leading communication and marketing platform. While the increased consumer use of social media coupled with an acute drop in traditional marketing activity and marketing budget have in theory opened up opportunities for influencers, the realities of living through a global pandemic, economic uncertainties as well as greater awareness and public debate about social justice have shifted the way brands are working with influencers to get their messages across. This panel will address strategic and IP issues as well as legal/regulatory and PR risks facing influencers and brands that work with influencers in the post-COVID era. In particular, the panel will explore the following questions: (1) Who are today's influencers and why are they valuable to brands in reaching their customers? (2) How are influencer deals structured? (3) What are the key regulatory requirements related to influencer activity and how are brands and influencers addressing such issues?

moderator:

**Po Yi** / Partner, Manatt, Phelps & Phillips, LLP

panelists:

**Oren Aks** / Creative Director & Founder, Atomic Milk Media

**Ellie Heisler** / Partner, Nixon Peabody LLP

**D'Angela Proctor** / CEO, Wayfarer Entertainment

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**5:50p -6:35p PDT**

### **KEYNOTE ADDRESS**



**Robert Greenblatt** / Chairman, WarnerMedia Entertainment and Direct-to-Consumer

interviewed by:

**Ken Ziffren** / Ziffren Brittenham, LLP

UCLA School of Law is a State Bar of California approved MCLE provider. By attending all four (4) sessions, you may earn Minimum Continuing Legal Education credit in the amount of up to 4.5 hours of general credit, 1 hour of legal ethics credit, and 1 hour of recognition and elimination of bias in the legal profession and society credit.

This program qualifies for New York CLE credit under the New York Approved Jurisdiction Policy. For more information, please visit:

<http://ww2.nycourts.gov/attorneys/cle/jurisdictions.shtml>

**Ticket Cost: \$95 for all 4 sessions**  
**To purchase tickets, please click here.**

**For any questions, please email**  
**events@law.ucla.edu**