

**MMF-US – E-NEWSLETTER (October 2009 I - *Extra MMF-US FEATURE*)**

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**MEMBER/MANAGER ANNOUNCEMENTS**

**NARM Connects: Salon event at Soho House in New York on Thursday, October 22**

The National Association of Recording Merchandisers (NARM) has invited manager colleagues in the NYC vicinity to register and attend in person for the Salon event at Soho House, New York City, on Thursday, October 22, 2009. There is an online registration option for those outside the area. For more information, please go to:

<http://www.narm.com/events/narm-salon-series/salon-october-22-nyc/>

Established in 1958, the National Association of Recording Merchandisers (NARM) is the leading trade association for music retailers; wholesalers; distributors; record labels; multimedia suppliers; technology, telecommunications and media companies; suppliers of related products and services; and individual professionals and educators in the music business. The Association advances the promotion, marketing, distribution, and sale of music by providing its members with a forum for diverse meeting and networking opportunities, information, and education to support their businesses, as well as advocating for their common interests. NARM’s retail members operate thousands of physical, digital and mobile storefronts that account for about 90% of the music sold in the U.S. market. [www.narm.com](http://www.narm.com)

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Music Managers Forum-US @ Dfest Music Conference & Festival 2009  
special submission reported by **Craig S. Hyman** – MMF-US Board Member/Numinous Music NYC



Left to Right: Hyman, President Bergman, Garvan, Gormley & Seidenberg  
Photos courtesy of Ben Beresh of Dfest

The MMF-US had its first ever presence at Dfest 2009 in Tulsa, Oklahoma late this summer. Representing the MMF-US board of directors was **Barry Bergman, President (NY) Craig Hyman (NY), Justin Seidenberg (Chicago), Mike Gormley (LA) and Stephen Bond Garvan (Idaho)**. In addition to the MMF-US Artist Management panel that all five board members participated in, the MMF-US hosted its customary peer group round table discussion for managers and aspiring managers present at DFEST. In addition, the five board members also participated in panels individually as well as mentoring sessions.

The 8th annual Dfest brought together music industry members from all over the United States. Dfest attendees saw a well balanced representation of national headlining acts, mid level touring acts and a solid presence of acts from the state of Oklahoma, in particular from the vibrant music scenes of Oklahoma City and Tulsa.

The MMF-US board of directors, as well as what seemed to be the general consensus of all industry present at Dfest, were not only happy to contribute their experience to the conference but also felt that the more intimate atmosphere at the Dfest conference provided a welcome change of pace. In addition, Dfest was viewed as an opportunity to have a greater impact and exchange with attending managers, industry and artists alike, more so than at other music conferences.

The MMF-US board of directors felt that Dfest was a very well managed and produced event. The event was considered to be a very manageable and self-contained conference and the music festival boasted 60,000 attendees (1,000 for the conference alone). Several hundred music industry members attend the conference and there are 150 acts, comprising close to 100 bands from Oklahoma. The conference takes place over the course of one weekend in July and is contained within a four-city radius in downtown Tulsa.

The Dfest conference staff headed by conference owners **Tom Greene** and **Angie Devore-Greene**, along with the local Tulsa community, were gracious and welcoming hosts to the hundreds of industry out-of-towners and created an intimate atmosphere of friendliness with a “southern hospitality” vibe.

*“We are hoping that Dfest will be where the MMF-US has its primary summer conference presence”* says Dfest Owner and Head Talent Buyer **Angie Devore-Greene**. *“We are looking forward to Having the MMF-US back next year and creating a relationship of longevity together”*.

Of special note this year was a Yoga and Music conference component to Dfest that presented the two activities in their own light, as well as where yoga and music cross paths with the popular music industry in the United States. This represents a fresh new trend in conferences, certain to prosper and grow, riding the crest of the wave of things to come from Dfest in the future.

[www.dfest.com](http://www.dfest.com)



All DFEST Panelists including DFEST staff – 2009  
Steve Garvan of MMF-US representing at a Dfest Panel



President Barry Bergman  
Justin Seidenberg  
Craig Hyman  
Mike Gormley

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## MMF-US / SXSW MUSIC CONFERENCE SHOWCASE – MARCH 2010

Artist Submissions are being accepted by MMF @ SXSW subcommittee, with a submissions deadline due on Friday, October 16, 2009.

Music Managers Forum-US will be presenting its Third Annual Music Showcase at the SXSW Music Conference in March 2010, in addition to another planned pre-showcase networking party, a managers panel and a peer group meeting in Austin, Texas. At the 2009 MMF@SXSW Music Showcase, MMF presented at its showcase at legendary Maggie Mae's (Gibson Room) - and the showcase included musical performances by legendary MC5 founder **Wayne Kramer**, Nashville roots rocker **Bobby Bare Jr.**, and **The Cringe**. The event included special guests **Steve Conte** of the **New York Dolls**, pioneering rock and roots DJ & AMA President **Jessie Scott** as our emcee, and even TV's Rachel Ray rocked out from the crowd. MMF-US had a strong U.S. and International MMF managers turnout in support of the showcase.

For members of MMF and IMMF, managers may submit their artist(s) for a SXSW Music Conference 2010 Showcase presented and hosted by the Music Managers Forum-US. MMF showcase submissions must be done by MMF members in current standing in order to have their artist selected for the showcase.

MMF-US has set up a submission system so that all artists are reviewed by an MMF@SXSW sub-committee. The subcommittee then suggests a short list of artists to be reviewed by the MMF-US board. The entire MMF-US board will take a private vote and select up to three (3) artists each for the live showcase (pending other 'national and international' headliners that are currently being considered for the evening showcase total of six acts, each performing up to a 40-minute set. Artists can only perform one (1) nighttime show at SXSW, per SXSW rules. There is NO FEE to submit your artist for the MMF@SXSW showcase. If selected, SXSW/Sonicbids artist submission fees will apply by the SXSW submission deadline of November 6, 2009. Travel to/from SXSW in Austin, Texas and accommodations during the conference are the financial responsibility of performing artists and their representatives.

Apply at: [www.sxsw.com/music/shows/apply](http://www.sxsw.com/music/shows/apply)

Event Date: One evening either March 17, 18, 19 or 20, 2010  
Showtime: 7:00 PM (estimated start time)  
Place: Austin, Texas  
Venue: At a venue near or on 6th Street (venue to be announced in February 2010)

#### EASY SUBMISSION REQUIREMENTS FOR 2010 MMF@SXSW MUSIC SHOWCASE:

1. All genres of music are considered
2. Artist MUST be able to draw a MINIMUM of 250 attendees to showcase
3. Artist must apply also through SXSW Sonicbids process.
4. Send an email with ONLY the below information to the SXSW MMF-US Committee Chairman's email address:

[craighyman@earthlink.net](mailto:craighyman@earthlink.net)

- a. Managers Name and Contact Info (email address & phone #'s)
- b. Artist Name
- c. Link to Artist Website which must include:
  - \*2 or 3 stream-able songs (to hear music from the website)
  - \*Bio & Photo
- d. Live Performance History (including venues played in Austin)

If your artist does not have a working website or Myspace, then there is no consideration and the submission is disqualified automatically.

4. DO NOT SUBMIT AN MP3 or PHOTO as an attachment with your submission (all song/photo/bio info must be posted at the website), but email the relevant performance history of the artist in the Austin, TX area please)

5. DEADLINE for submissions is FRIDAY, OCTOBER 16, 2009 - 6:00 PM-EST

You will be contacted ONLY if your artist is selected/voted to be in the showcase. MMF-US is reaching out to the ENTIRE global MMF/IMMF membership for inclusion in this MMF@SXSW showcase selection process.

Thank you for your attention and we wish you the best of luck. MMF-US will send further announcements about special registration discount deals for members wishing to register for SXSW and advance information about MMF-US events/panels/meetings during the SXSW Conference March 17-21, 2010.

Craig Hyman, Steve Garvan & Jack Bookbinder  
for the MMF@SXSW SUB-COMMITTEE

[www.mmfus.com](http://www.mmfus.com)

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**TOMORROW HAPPENS HERE.**

**When:**  
**Wednesday**  
**October 21st**  
**6pm - 8pm**

**Where:**  
**City Winery**  
155 Varick Street  
New York, NY 10013  
[www.citywinery.com](http://www.citywinery.com)

**RSVP:**  
by Friday, October 16  
[tmann@sxsw.com](mailto:tmann@sxsw.com)

**SXSW @ CMJ**  
*March Is Sooner Than You Think!*  
Start Your SXSW Strategy with complimentary food & drinks!

**SXSW 2010**  
**MUSIC + FILM**  
**+ INTERACTIVE**  
MARCH 12th-21st

**SXSW @ CMJ**

Wednesday, October 21 6pm – 8pm at :  
City Winery  
155 Varick Street, NYC  
RSVP: [tmann@mglimited.com](mailto:tmann@mglimited.com) (by Friday, October 16)

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**EUROSONIC**  
**NOORDERSLAG**

15 JAN THURSDAY  
16 2009  
17 SATURDAY


**EUROSONIC / NOORDERSLAG CONFERENCE**  
**REGISTRATION DISCOUNT FOR MMF / IMMF members**

All IMMF-members can register for the Eurosonic/Noorderslag conference and showcase event (January 14, 15 and 16, 2010) at the early bird rate. Follow this link to register:  
<https://webshop.bumacultuur.net/event/detail/EUNO2010/early-bird.xhtml>

This offer is valid until November 1, 2009!!

Check [www.eurosonic.nl](http://www.eurosonic.nl) for more details or contact MMF-US's international relations representative: [Stephenbondgarvan@immf.com](mailto:Stephenbondgarvan@immf.com)

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**MUSIC INDUSTRY NEWS & ANNOUNCEMENTS OF INTEREST TO MMF-US MEMBERS:**

**Another Nail In The Coffin For New & Developing Artists From Best Buy**

We wanted to give you an update on receipts. Overall there is no receipt issue. We are replenishing above and beyond our sales every week. One of the issues is we are currently using 75% of our dollars for New Release initial orders and we are

not getting equal return.

While digging into the numbers we have come to realize we are over assorted and our new release forecasts overall are inflated and not performing. We as a team will be taking the necessary steps effective immediately to correct this. The following steps are now in effect:

1. We will be passing on sku's that have a Best Buy forecast of 500 units or less a week. There might be a business case to bring in a sku that will sell less than 500 units and we will address those on a case by case basis. This does not mean we cannot come back and revisit at a later date with the ROFR process. It also means we must be very on purpose with what we are bringing into our active mix. Every "nice-to-have" new release means we could be taking away from an evergreen and/or best seller title that is a "need-to-have".
2. We are reviewing our min logic for positioned and bin card titles.
3. We are reviewing our assortment and making adjustments to make this more manageable.

We are continually brainstorming ideas but to set us up for a successful Holiday these changes need to be made.

Please let me know if you have any questions.

Thanks,

Jeremy

Jeremy J. Bartfield  
Demand Planning Manager - Entertainment

Best Buy Company Inc.  
7601 Penn Avenue South  
Richfield, MN 55423

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## **Orchard President & CEO Greg Scholl Announces Resignation**

The Orchard announced that President & Chief Executive Greg Scholl has resigned from the company, effective November 1st, having accepted a new position to be announced in the coming weeks. Scholl will remain at the company through the end of October to assist in structuring an orderly transition before beginning his new position on November 2nd. As of October 1, 2009, Director Danny Stein will become interim CEO, supported by an expanded role for current Orchard General Manager Brad Navin. Board Chairman Michael Donahue will lead a search committee to evaluate candidates and identify a new leader for the company. Scholl's resignation comes as the company announced a restructuring resulting in the reduction of 20% of its global headcount, among other cost savings, taking advantage of technology efficiencies and aligning costs with a slower-than-expected digital music market growth rate.



"Reducing staff is always a difficult decision, but in this case, the responsible one, and it better positions The Orchard for future growth and profitability," said Greg Scholl, President and Chief Executive of The Orchard.

"While we are disappointed to lose Greg, The Orchard has one of the best and most experienced teams in the industry and we will continue to offer existing and new clients the high level of service and innovation they have come to expect," said Danny Stein, an Orchard Director and in-coming Interim CEO. "Over the past two years, The Orchard has completed two major acquisitions and invested in technology efficiencies to make our global team more productive. As a result, and also considering the digital music market grew less quickly than we expected it to grow during 2009, we have eliminated positions and implemented other cost saving measures," continued Stein.

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## **UK Managers Forum Backs Flat Fee Unlimited Downloads As Answer To Piracy**

Posted: October 2, 2009

LONDON ([Hypebot](#)) – The British music industry seems obsessed with battling piracy, but the various armies in the fight aren't close to agreeing on the same attack plan.

The government is hoping that the music industry can figure things out before they have to enact new laws. The ISP's prefer to leave their paying customers alone. But the record labels demand three strikes and you're off the net; while the most vocal group of artists suggests a softer throttling back of bandwidth.

Now Brian Message and Jon Webster of the UK Music Manager's Forum are taking yet another position - much easier licensing of services which offer unlimited downloads for a flat fee. Though void of any details of what to charge or how the money would trickle down to artists, the proposal does suggest yet another path forward for the music industry. Their public statement:

### **MMF-UK POSITION ON ILLEGAL P2P FILE SHARING CONSULTATION**

Much has been said in the media and behind closed doors over the past weeks, and we thought we should clarify our position arrived at by the Copyright Committee, and after consulting the membership. This is a very emotive issue as you will have seen it played out in the media. We believe that :

1. Creators should be paid when their music is downloaded or streamed.
2. The bigger problem is that of the failure to license new and innovative services rather than to sanction existing consumers. As such we agree with Lord Mandelson that "...it is essential that film, music and other content companies do more to build joint services with ISPs, such as the deal between Virgin Media and Universal Music to allow unlimited music downloads for a monthly fee..."
3. If the creative industries and the ISPs cannot come to voluntary licensing agreements and provide services that mimic illegal P2P then the Government should intervene and impose licensing solutions that could include statutory licensing in the same way that radio is licensed. There should also be more

experimentation with licensed services (through the Technology Strategy Board) to further develop consumer friendly offerings.

4. The FAC is correct in asking for objective research into the music market to determine consumer attitudes and potential solutions.

To preserve industry unity we will not be abstaining from the UK Music submission to Government on illegal P2P file sharing which is of necessity relatively anodyne. It does allow for the possibility of temporary suspension as a last resort for persistent offenders who ignore 3 warning letters and 3 periods of bandwidth shaping although all these sanctions will be discussed further. It also mentions licensing which as we have seen from Government quotes is also a concern of ministers. We will be reinforcing the licensing issue in our own submission. As a result of this issue coming to the fore we will in future have regular meetings with rights holders and will be pushing the licensing agenda.

All the best  
Brian Message and Jon Webster

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## **UK Agency Opposes Ticketmaster-Live Nation Merger**

Posted: October 8, 2009

LONDON (AP) -- The U.K. Competition Commission on Thursday provisionally ruled against the proposed merger of live-entertainment companies Ticketmaster Entertainment Inc. and Live Nation Inc., saying it would stifle a prospective competitor from Germany. The Competition Commission said the merger of the two California-based companies "could severely inhibit the entry of a major new competitor, CTS Eventim, into the U.K. ticketing market."

Before the merger plan was announced, Live Nation had agreed to provide ticketing services for CTS' live music events and venues in Britain. That arrangement promised to significantly increase competition in the market, the commission said. It said possible remedies include prohibition of the merger, divestment of some of Ticketmaster' or Live Nation's U.K. operations, or require Live Nation to use CTS or another company to sell tickets for Live Nation's U.K. events.

The commission set an Oct. 29 deadline for interested parties to comment ahead of a final ruling.

Ticketmaster, based in West Hollywood, is the largest seller of tickets to live concerts and other entertainment events in the United States. It also owns an artist management company, Front Line Management, and a ticket-reselling company called TicketsNow.com.

Live Nation, based in Los Angeles, is the largest U.S. concert producer. It also owns entertainment venues and in January launched its own ticket-selling business, which currently competes with Ticketmaster.

CTS Eventim AG is based in Bremen, Germany.

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## **Music Managers Forum-US Executive Board Members Unite!**

### **Numinous Music & Kiqstart Music Sign The Uglysuit to Exclusive Management Agreement**

On October 6, 2009, MMF-US Board of Directors Craig S. Hyman of Numinous Music (NYC) & Justin Seidenberg of Kiqstart Music (Chicago) have announced the signing of an exclusive personal management agreement with Oklahoma City-based Rock-Folk-Pop band, The Uglysuit. Hyman & Seidenberg came together to represent The Uglysuit after discovering their shared mutual appreciation for the band's fresh and eclectic music and live performance while together this year at DFEST in Tulsa, OK. Hyman and Seidenberg both sit on the Board Of Directors for the Music Managers Forum – U.S. Chapter (MMF-US) together.

MMF-US wanted to recognize this coalition as a special example of how our trade organization brings managers and business together for the benefit of artist careers. Bassist, Dustin Maynard said, "*We are really excited to officially be working with Craig and Justin. They have gone above and beyond for the past few months. We appreciate and respect their hard work and integrity.*" Jonathan Martin, The Uglysuit's keyboardist, added, "*We are very happy to announce our partnership with Craig and Justin. We're also very excited about the avenues that are opening as a result, and we look forward to growing with our new management team and all the relationships still to be forged as a result.*"

More information and the complete press release concerning this news from Mr. Hyman and Mr. Seidenberg will be posted at [www.mmfus.com](http://www.mmfus.com) in the Member/Affiliate News section.

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### **NOTE TO MMF-US MEMBERS:**

For consideration of your news posts at [www.mmfus.com](http://www.mmfus.com) and MMF-US's official social network pages established at Facebook & Myspace, MMF-US members are always welcome to submit press releases and news announcements concerning their management companies, special events, and artist achievements by sending an email to [funpalace@walrus.com](mailto:funpalace@walrus.com) (hit reply).

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**Special thanks for contributions by:**

Barry Bergman, Perry Resnick, Craig Hyman, Justin Seidenberg, Steve Garvan and compiler/editor Jack Bookbinder.

[WWW.MMFUS.COM](http://WWW.MMFUS.COM)