



MMF-US – E-NEWSLETTER (September 2012) - *Extra MMF-US FEATURE*

MEMBER/MANAGER ANNOUNCEMENTS



www.stoptaa.org

In 1968, the California Labor Commission ruled that the Jefferson Airplane’s manager performed talent agency functions without having a talent agency license and voided the manager’s contractual right to over \$12,000,000.

Since then, the California Talent Agencies Act has been a cloud over our profession: Anita Baker was excused of over \$7,000,000 and Jewel avoided paying over \$5,000,000 in otherwise owed commissions, Snoop Dog, Wheezer, The Killers, The Deftones, Cher, Jennifer Lopez (twice) and hundreds of other artists have used the California Talent Agencies Act to first receive the benefit and then avoid the obligation to pay for their personal manager’s labors.

That’s about to end. In an unprecedented effort, the **Music Managers’ Forum** is joining forces with the **National Conference of Personal Managers** and the **Talent Managers Association** to work for change. Later this month, our three groups will be filing a petition in a Federal Court asking for a determination that the California Labor Commission’s enforcement of the Talent Agencies Act is unconstitutional and should be barred by injunction from further such enforcement.

We are confident the law is on our side. It is unconstitutional to mete out any penalty or consequence when a legislature refused to provide notice. The Talent Agencies Act has no notice of any penalty whatsoever. It is unconstitutional to interfere with one’s right to be paid for their labors unless a court determines the activity they were to be paid for was criminal; the Talent Agencies Act specifically states that a violation of the TAA should “not be considered criminal under any law of this state.” (The full

details of this effort can be found at <http://websd-stoptaaorg.webs.com/> and the gist of the legal argument at: <http://websd-stoptaaorg.webs.com/enforcement>).

While the MMF has no financial liability for the legal fees in this effort, all personal managers are urged to contribute. After all, a successful effort will help ensure that are paid for the future monies you earn.

You can contribute:
via PayPal at <http://websd-stoptaaorg.webs.com/apps/donations/>
or Write a Check payable to "NCOPM - TAA Legal Fund"
and send it to

NCOPM -TAA Legal Fund
PO Box 50008
Las Vegas NV 89016
(Fed ID 20-5446329)

We are asking individual managers to contribute at least \$200, management firms a minimum of \$500, but whatever you can help with will be appreciated. Personal managers have lived with the fear of not getting paid for their labors long enough. Please, contribute. Be part of the solution.

INDEPENDENT MUSIC AWARDS
Posted by MMF on Sep 10, 2012



INDEPENDENT MUSIC AWARDS OPEN FOR SUBMISSIONS!

The Independent Music Awards is the most influential honors program specifically for indie artists and labels. Winners and nominees leverage IMA honors into high-profile bookings, more fans, more sales, etc. Winners and nominees receive a variety of program premiums including: eMusic promotion, three-month radio campaign, placement on more than 20,000 jukeboxes, music marketing to more than 1 billion mobile handsets in China, and more. Get your music in front of this year's IMA panel that includes: Tom Waits, Pete Wentz, Ziggy Marley, Meshell Ndegeocello, G. Love, Arturo Sandoval, Kevin Lyman (Warp Tour) and many others. The IMA entry deadline is fast approaching. Enter your albums, songs, music videos & artwork now at:

<http://www.independentmusicawards.com/affiliate/music-managers-forum>



CMJ DISCOUNT

(\$175 Off Badges for LINKED-IN GROUP: MUSIC and ENTERTAINMENT PROFESSIONALS)

Group: Music and Entertainment Professionals

Subject: CMJ - \$175 Off Badges & Meet Other Attendees.

is offered members of the LinkedIn Group: Music and Entertainment Professionals \$175 off festival badges. STELLAR deal. Here's the code and copy CMJ has provided:

or \$175 off Badges: CMJLINKED12

Music Marathon is a New York institution that exposes music fans to the best new talent in the world. But the event also contains plenty of debate and discussion from leading industry insiders, including executives from Warner Bros., Next Big Sound, Daptone Records, The Roots Group, SoundCloud, RocNation, Pandora and hundreds of others. All gather for four days of panels when the festival is underway from October 16 - 20.

Topics featured on panels this year include cloud computing, “direct-to-consumer” models of marketing, social media, branding, and other essential elements of the music industry in 2012. CMJ additionally hosts the prominent Business Law Seminar for all badgeholders, which offers education on current topics in the entertainment legal sphere. It’s by far the best and most comprehensive ways to get up to speed on current industry concerns, and this code (CMJLINKED12) offers a \$175 discount on festival badges and the wider festival, featuring over 1,300 artists in more than 100 venues across New York City.

For more info: <http://www.cmj.com/marathon>

or \$175 off Badges: CMJLINKED12

valid at: <http://bit.ly/cmj2012>

For more news item, MMF-US gives very special thanks to

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ad in working with CMJ this year or in the future - as partners, sponsors,
on an event, etc? Link-in: www.linkedin.com/in/amyhintz

Industry Spotlight – Ritch Esra



Since 1992, Ritch Esra and Stephen Trumbull have been running the Music Business Registry which includes The A&R Registry, The Publisher Registry, The Music Business Attorney Registry, The Record Producer Directory and The Film and Television Music Guide.

"The directories give everyone vital, accurate and the most up to date information they need to contact the entire A&R, music, publishing, legal and film/TV music communities," says Ritch. "Each directory tells you how to reach these industry veterans by regular mail, E-mail (including web sites), direct dial telephone and fax. Additionally, we provide the exact title, street address, the name of their assistant and the style of music that each executive deals with. Due to the volatile nature of A&R, the A&R Registry is completely updated and reprinted every eight weeks and often has over 100 changes in a single issue. There's no directory of this kind anywhere in the world."

Ritch says that among the subscribers are record company executives, music publishers, managers, agents, attorneys, studios and other various music business professionals in Los Angeles, New York, Nashville, Chicago, Atlanta, Toronto, London, Dublin, Copenhagen, Tokyo, Stockholm, Sydney and Munich.

Ritch started out as a promotion coordinator for A&M Records in Los Angeles in 1980-81. He coordinated releases with radio stations as well as the national field staff, providing promotional prerelease information on what competitive stations are playing, informing stations on status on how a record was selling and overcoming objections and resistance to broadcasting new releases. He also ensured that all field staff had product and took care of any product needs for radio stations.

From 1981-1987, Ritch was director of West Coast A&R for Arista Records. He signed The Thompson Twins to their US Deal as well as Mara Getz. He worked extensively with the publishing and songwriting communities for material for Whitney Houston, Aretha Franklin, Dionne Warwick, Melissa Manchester, Tanya Tucker, Jennifer Warnes and Jermaine Jackson. He also coordinated music for the "Ghostbusters" and "Perfect" soundtracks.

From 1988-1991, Ritch worked on various independent projects. He produced the award-winning educational video for artists and musicians, "How to Get a Record Deal." "At the time, it was the only video of its kind examining the frequently misunderstood process from five different perspectives: record company executives, A&R VPs, artist managers, record producers and 16 major artists including Los Lobos, Mark Knopfler, Phil Collins, Jody Watley, Karla Bonoff, Michael Bolton, Fleetwood Mac, Chick Corea and Kenny Loggins," says Ritch. Producers Phil Ramone and Jeff Baxter are also interviewed in the video.

Ritch has organized and coordinated the events and activities of The Independent Music Conference in Los Angeles sponsored by BMI. The three-day symposium addressed problems facing recording artists, including publishing, management, touring, obtaining record deals and exploring alternative ways to bring music to the public.

In addition, he has written articles for Music Connection, New England Performer and Musician. He has been a guest lecturer from 1983 to the present at USC, UCLA, NYU, and Middle State Tennessee as well as Canadian Music Week, New Orleans Business Symposium.

From 1987 to the present, Ritch has been an instructor at the Trebas Institute of Recording Arts in Los Angeles, where he was the chief Instructor as well as at UCLA Extension, USC, SAE teaching several courses including: A&R The Heartbeat of the Record Company, which focused on the artist signing policies of major and independent record labels, Music Business Overview, a course designed to give students an understanding of the many aspects of the Music Industry. He was a member of the board of advisors for the Department of Performing Arts at UCLA for 3 years 1990 - 1993, and initiated full day seminars and discussion panels on the music business as well as created new course ideas and methods for expanding programs to keep students enrolled in the UCLA Extension program.

What should an A&R rep look for in a new artist?

That's very subjective. You'd have to ask the A&R community. Mostly, they look for people who have music that they believe in. They look for artists or bands who are great live performers. They look for artists or bands who they believe can be stars. They look for artists or bands that believe in themselves. The other thing that A&R people look for are artists that they feel that they can work with. I know of a multi-platinum act that a very famous A&R man passed on - not because they were not great, but because he knew that he could not work with the act. They went on to sign with another label and were very successful. Finally, I believe that not every artist is right for every label and vice versa. A&R people look for artists that will fit the corporate culture of the label that they work for. This is very important to keep in mind because not all labels have the same corporate culture. Sony operates on a totally different corporate culture from Warner Bros. and Interscope. And Capitol operates on a totally different corporate culture than RCA.

What about an established artist in between labels?

They look for an artist who they still believe can have relevance and impact in the current marketplace. They look for an artist who is still making great music. They look for an artist who they feel still has a viable audience. As a live performer this was something Clive completely got with Santana. Carlos was someone who still had a viable audience from a live point of view. In addition, he was still very relevant with the newer generation of artists, and the album that he made was completely a reflection of that.

What should an artist and artist in between labels look for in an A&R rep?

You should look for someone/label who believes in your work and understands what you're about musically. You should look for someone/label who believes in your vision of yourself. You should look for someone who you feel you can work with on a creative level.

First industry job?

I was an office assistant/driver for the trade magazine Record World in 1978.

Career highlights?

Working with Clive Davis for six years at Arista Records in the A&R Dept. Producing an educational video for up-and-coming recording artists called "How to Get A Record Deal" and forming my own co 10 years ago.

Career disappointment?

None really - so far!!

Greatest challenge?

Forming a company with my business partner and having faith that there would be enough money to support us.

Best business decision?

Forming my own company!

Best advice you received?

It was from Clive Davis, who taught me the value of becoming a voracious reader and keeping well informed regarding what's going on in the industry. Over the last 10 years we've built a business on that premise!

Most memorable industry experience?

Signing my first artist when I was at Arista named Mara Getz.

What friends would be surprised to learn about you?

That I love to spend time alone!

Industry pet peeve?

That we expect artists to be successful in 20 minutes and if they are not, we move on. That's my biggest pet peeve - that we've completely lost our faith in artists to deliver. The other part of that comes from the fact that we, as an industry, have way, way too many artists that are signed.

If I weren't doing this, I would be...

Teaching students about the music industry

Industry mentor?

Clive Davis

Office paraphernalia?

I have a lot of signed CD's (James Taylor, Crosby, Stills & Nash) Special Promo CD Packages, signed posters (Rickie Lee Jones)

Best advice to offer?

Never lose sight of what's most important in your life!

MMF-US DUES

MMF-US Members:

MMF-US membership dues for 2012 are due. If you have already paid your dues in 2012, please disregard this notice. Please take care of your payment today so the MMF can continue the vital work it has done for the past 19 years on behalf of managers and artists worldwide. We really need your support to continue our work.

To renew your MMF-US membership, please fill out all fields of the Membership Application online.

Please pay by credit card using PayPal (PayPal account is not necessary, you can just use a major credit card).

Please use the following link from the MMF-US website to renew:

<http://www.mmfus.com/join-and-renew/application>

In addition, please fill out the Membership Submission Form with your PayPal or credit payment.

Alternatively you can send a check for \$75 payable to "Music Managers Forum-US" and mail it to THE NEW MAILING ADDRESS:

MMF-US
PO Box 419
New York, NY 10156

If you have any questions regarding payment of dues, please contact President Barry Bergman at barrybergman@earthlink.net
Please note, membership dues will increase in 2013 so take advantage of the current rate now.

The MMF-US is an all-volunteer organization with no paid employees, so your prompt payment of membership dues is vital for us to continue this important work. Please [contact us](#) if you would like to get more involved in MMF-US activities.

Thank you for your support.

MMF-US MANAGERS IN THE NEWS & ON THE MOVE

STEVE GARVAN

at the 20th Annual AAA FMQB radio conference
in Boulder Aug 11, 2012

AAA National Awards brunch with Mr. Garvan's artist Chris Daniels playing to support his release "*Better Days*" (Dispatch)



From left: some of Chris Daniels team & his guest artists:

Maria Brunner - CEO Insight Mgt-national tour & marketing pro
Tim Goodman - guest artist, former lead singer Southern Pacific
Chris Daniels - featured artist

Richie Furay - guest artist-former Buffalo Springfield, Poco
Steve Garvan - MMF-US Board Member , IMMF Communications Director, Manager for Chris Daniels

NOTE TO MMF-US MEMBERS:

For consideration of your news posts at the newly revised 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 info@mmfus.com This is *your* organization, please let us know about your management company's activities and your clients!

**2013 MusiCares Person of the Year tribute to Bruce Springsteen
February 8, 2013 – Los Angeles, CA**

If you are planning to attend the **2013 MusiCares Person of the Year** tribute to Bruce Springsteen, we recommend that you make your reservations as soon as possible. We anticipate that this event will sell out soon and we want to be sure you send in your reservation.





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music conference
a driven entertainment group event

Driven Music Conference

October 5 - 7, 2012

Atlanta, Georgia

www.drivenatlanta.com

Text drivenatlanta to 96362 for updates.

Questions? [Email](#) or chat live on the [Driven Music Conference](#) web site.

Continuing the success of last year's [Driven Music Conference](#) in Atlanta, the event will return to Twelve Hotel Atlantic Station in Atlanta, Georgia October 5 - 7, 2012.

Featured Panelists include:

- Warner / Chappell Music A&R, Marc Wilson
- Talent Producer for the NBC TV Series The Voice, Peter Cohen
- Alternative Press and AP Tour CEO & Founder, Mike Shea
- Atlantic Records VP of A&R, Steve "Stevo" Robertson
- and more!

Last and final call...

Artists of all genres: This is your **last and final call** to submit for your chance to be selected as a Showcase Performer! Receive 1 **FREE Panel Pass**, just for submitting!

Sponsors and Vendors: This is your **last and final call** to showcase your company. Looking to market your brand to the [Driven Music Conference](#) audience? Showcase your brand, company, product or service as a [Driven Music Conference](#) Sponsor or Vendor. [Email us](#) and request a list of available options, which includes a global promotional reach to one million+.

Market your brand or firm and join the following sponsors and partners: **The Recording Academy, Warner/Chappell Music, NBC TV's The Voice, Vans Warped Tour, Ernie Ball, Alternative Press, SESAC, NARIP, Sound Exchange** and more.

What Featured Panelists are saying about the Driven Music Conference...

"Seriously... Amazing!"

- **Alternative Press and AP Tour CEO & Founder, Mike Shea**

"The Driven Music Conference felt like I was at SXSW when it started, all about the artists and the music."

- **Kevin Lyman, Van's Warped Tour Founder**

"The Driven Music Conference is run the way all conferences should be run - educate and network with the artists during the day and make sure the industry folks show up and critique performances at night, like the artists are expecting them to."

- **Lou Plaia, ReverbNation Co-Founder**

"Well done, Driven Music Conference!"

- **Steve "Stevo" Robertson, Atlantic Records VP of A&R**



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nel Highlight

HOOL, NEW RULES

panel we mix seasoned veterans with a history of getting the job done and NextGen concert biz known as successful innovators who are changing the rules and making use of the new media tools e.

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Owner, **The Roxy/Adler Integrated**

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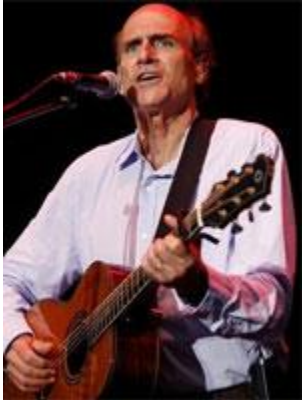
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MUSIC INDUSTRY NEWS & ANNOUNCEMENTS OF INTEREST TO MMF-US MEMBERS:

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James Taylor sues Warner Bros. over digital sales

Sept. 14, 2012

WENN

Folk icon [James Taylor](#) has joined the long list of artists seeking royalties for digital sales of songs after filing a \$2 million lawsuit against Warner Bros. Records executives. The Rock and Roll Hall of Fame member filed papers in Los Angeles on Thursday, claiming he has been underpaid for the sales of tracks and albums via iTunes and other digital download websites.

After a decade with the label, Taylor left in 1979, when he and record bosses signed a "termination and settlement agreement" that provided for continued payments. The deal was amended a decade ago, according to [The Hollywood Reporter](#), to allow Warner Bros. to release a greatest hits album.

The deal didn't allow for the onset of digital downloading, so Taylor is now asking for a bigger share of profits from songs his fans buy from digital or mobile outlets. [Kenny Rogers](#), [Sister Sledge](#), [Peter Frampton](#) and George Clinton are among several other icons fighting for more money from digital sales. According to the lawsuit, Warner Bros. executives and Taylor entered into a 2010 tolling agreement to extend the statute of limitations on claims to this month. As the deadline passed, Taylor filed suit.



Universal Music Makes \$1.6B Payment To Citi, Reportedly Must Sell 25% Of EMI To Seal Deal

Posted: September 11, 2012 by ENCORE – a Celebrity Access Publication

NEW YORK -- A Vivendi spokesperson has confirmed that the company made the scheduled \$1.6 billion payment to EMI owner Citi late last week. The payment was due whether the \$1.9 billion deal is approved by regulators or not. As of Tuesday morning, the deal's fate has remained a secret, with no leaks emerging from Friday's meeting between EU regulators and Vivendi Universal.

As the Universal Music / EMI deal enters its final phase of regulatory review in Europe, it has been reported that the European Commission will require Universal to sell the global rights to EMI's leading music label Parlophone, which houses top talent including Coldplay and Kylie Minogue. (UMG will likely be able to retain the global rights to The Beatles). This would mean that Universal would be required to sell a quarter of EMI (worth approx. £300 million) in order to be allowed to purchase the remainder for £1.2 billion. Universal has said it will sell some assets, but not offered specifics publicly.

It was previously predicted by many that the deal would be approved, but only with certain conditions. Executives from Vivendi (the owner of UMG) and many analysts all expected the EU to approve the \$1.9 billion deal with conditional approval. While UMG's offer to regulators included the sale of the global rights of the Parlophone catalog (excluding the Beatles) and other catalogs, the company had originally only offered to sell the European rights.

Whether or not the deal is cleared by competition authorities, Universal must pay the investment bank Citigroup (whom UMG agreed to purchase EMI from last year) £1.25 billion today under the terms of the deal. In preparation, Universal is reported to already have 22 buyers lined up to purchase parts of EMI. UMG is also said to be in negotiations over the sale of assets to BMG, while being in talks with Warner Music and U.S. billionaires Ron Perelmann and Ron Burkle, who were all interested in purchasing EMI when it was put up for sale last year.

Last week, Vivendi CFO Philippe Capron said that the group still viewed the EMI buy as a good deal, even if they were required to make significant concessions to get it approved. Despite giving up Parlophone, the new combined group would include an incredibly vast library of current top-selling and legacy artists the likes of Jay-Z, Kanye West, Katy Perry and Pink Floyd.

The European Commission is said to make their formal announcement by September 27th. Competition regulators in Canada, Japan and New Zealand have already cleared the takeover, while the U.S. Federal Trade Commission is expected to end their review soon, as well.

Level of Music Label Power Is Debated in Senate Hearing

By [BEN SISARIO](#)

First Published on June 21, 2012 by the New York Times



Alex Wong/Getty Images

Lucian Grainge, left, of the Universal Music Group and Roger Faxon of EMI at a Senate hearing.

That was one of the central questions on Thursday at a Senate hearing about a proposed \$1.9 billion deal in which the Universal Music Group would acquire the record labels of EMI, giving Universal — already the world’s largest music company — control of the recordings of the Beatles, the Beach Boys and Katy Perry. Herb Kohl, a Democrat of Wisconsin who is the chairman of the Senate Judiciary’s antitrust subcommittee, posed the question to the powerful music executives in attendance. “In almost all industries, reducing the number of competitors from four to three expands the market power of the remaining companies and increases the risk of higher prices,” Mr. Kohl asked. “Why shouldn’t these same principles apply to the music business?” Universal, a division of the French conglomerate Vivendi, says its investment will reinvigorate EMI, which was hurt by a disastrous [private equity](#) deal. Opponents worry that Universal, which would gain a 40 percent market share as a result of the deal, would assume undue influence over digital music services that depend on the labels for licenses.

Lucian Grainge, Universal’s chairman; Roger Faxon, chairman of EMI; and Irving L. Azoff, chairman of Live Nation Entertainment, argued that greater size would not give Universal an advantage over other labels because a record company’s strength depends on the quality of its artists’ music, and it has an incentive to license as many services as possible. “The thought that we would constrict our artists who we’ve invested in and construct the investment we make in EMI to dissolve the market would be commercial suicide,” Mr. Grainge said. Opponents of the deal portrayed that attitude as disingenuous, saying Universal’s real aim was to wrest as much control over the marketplace as possible. “Market power is why they’re doing this,” said Martin Mills, the founder of the independent Beggars Group, whose acts include the superstar Adele, “the power to dominate Internet services and impose their demands upon them, the power to leverage a disproportionately onerous deal, the power to squeeze out the competition.”

The impassioned responses at the hearing showed not only how much opponents of the deal fear it but also the straits of the mainstream recorded music business, which by most measures has lost more than half its value since the late 1990s. The other opponents, Edgar M. Bronfman Jr. of the Warner Music Group and Gigi S. Sohn of the consumer advocacy group Public Knowledge, made comparisons to the proposed merger of AT&T and T-Mobile USA. That deal would have given the combined company a market share of about 43 percent, but it was opposed by the Justice Department and dropped late last year.

This week, the American Antitrust Institute also came out against the deal between Universal and EMI. Universal’s deal is also being reviewed by the Federal Trade Commission and the European

Commission, which has until Sept. 6 to make its decision. On Thursday, New Zealand's Commerce Commission approved the merger there.

Flying With Instruments Gets Easier for Musicians

By [RACHEL LEE HARRIS](#)



Ted S. Warren/Associated Press

As if booking a gig wasn't hard enough, tightened baggage regulations and inconsistent policies among airlines have made it difficult for musicians to figure out how to get their instruments to the next show.

But a new bill passed by Congress this month sets a uniform national policy on the matter. The Federal Aviation Administration will permit any instrument that can be safely stored in the overhead compartment or underneath a seat to be treated as carry-on luggage. It also sets size and weight requirements (150 linear inches and 165 pounds) for instruments checked as baggage, and it allows musicians to purchase an extra seat on a plane for instruments that are either too large for the overhead compartment or too fragile to be stored in the cargo hold.

Ending the confusion over how to travel with instruments has been a legislative priority of the American Federation of Musicians for almost a decade, Ray Hair, the federation's president, said in a statement. "Musicians can now fly in friendlier skies."



Davis (AP)

Music Mogul Clive Davis To Release Autobiography

Posted: September 12, 2012 by ENCORE – a Celebrity Access Publication

LOS ANGELES (AP) -- Music mogul Clive Davis will release an autobiography in February that will include "the excitements, the disappointments and the triumphs" of his career. The untitled book will be released through Simon & Schuster and will be written with music journalist Anthony DeCurtis. A news release says it will include "never-before-heard tales" about Davis' work with acts like Whitney Houston, John Lennon, Bruce Springsteen, Janis Joplin and Bob Dylan. Financial terms were not disclosed for Davis' book deal, but an official with knowledge of the negotiations said the deal was worth seven figures. The official was not authorized to discuss the deal and asked not to be identified.

Davis has helped the careers of many top musicians from Aretha Franklin to Billy Joel to Alicia Keys. The Harvard Law School graduate founded both Arista and J Records. He's currently the COO of Sony Music and is working on Franklin's new album and Houston's forthcoming greatest hits set. The 80-year-old released his first book, "*Clive: Inside The Record Business*," in 1975.

Special thanks for contributions by:

Barry Bergman, Steve Garvan, Justin Seidenberg and compiler/editor Jack Bookbinder.

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