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Who the Independents depend on
Film • TV • New Media

Entertainment Law Circular
February 2018

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Membership limited to attorneys who've won million dollar verdicts & settlements

Sign Up Now For The Annual BHBA Film Finance Seminar featuring Senior Officials from NETFLIX and City National Bank with Moderator David Albert Pierce.

Wednesday, February 21st Noon - 2pm Beverly Hills Bar Association annual Film Finance Seminar at Lawry's Prime Rib.

Moderated by David Albert Pierce and featuring:

Liz Polk of NETFLIX Business Affairs,

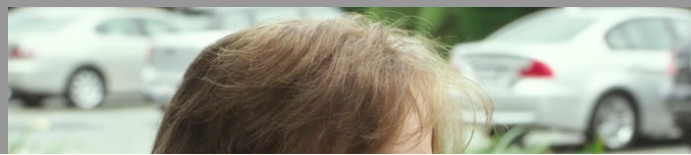
David Acosta of City National Bank,

Bianca Goodloe, film finance attorney, and

Mike Kolko, President, Tax Incentive Division of Great Roads Capital.

Click below to register for this seminar that should not be missed (*How often do you get to hear inside info directly from Netflix?*):

Pierce Law Group Clients Return to the Oscars!



The Annual Film Finance Panel:



Congratulations to Pierce Law Group LLP longtime client, LionsGate and its Academy Award Nomination for Best Makeup & Hairstyling for their film **Wonder** (for which Pierce Law Group provided a small role in performing 'Additional Legal Services').

Pierce Law Group has provided legal services to Oscar winning films in the past, such as 2011's Best Picture Winner, **The Artist**.

Client Slamdance Film Festival Has Another Successful Festival Run



Pierce Law Group LLP is proud of its longtime affiliation with **Slamdance Film Festival**. In addition to serving as the General Counsel for the Festival, Pierce Law Group LLP is a premiere sponsor of the event and presented daily legal clinics for festival attendees. During these clinics, filmmakers asked any and all legal questions covering everything from hiring writers, financing, the minutiae of legal delivery for distribution, and even litigation. This year attorney **Joshua Edwards** led the Pierce Law Group legal clinics.



An Update on Developments Affecting Equity & Other Film Financing Mechanisms

In 2018, Netflix remains "the big game changer." This program will include, among others, a representative of Netflix, who will discuss how Netflix deals work, and when they can and cannot be part of a traditional "pre-sales" funding campaign. Meanwhile, established financing sources such as Weinstein Company, Redbus-Dune and Itelivity have fallen from grace. In January, CAA was named as a defendant in a \$55 Million case brought by Wishview Entertainment alleging predatory and fraudulent business practices by the agency it allegedly sought to rely on for investment advice. Meanwhile, firms under \$7 Million seek to avoid the expense of a completion bond while still attempting to hedge their bets through the use of "Executives in Charge of Production," which serves as an extra set of eyes watching over the line budget. These issues and others, will be examined from the standpoint of what's new in the realm of film financing, and of course, new variations and hot topics concerning loans, tax credits, co-production opportunities and crowd financing will also be discussed. Industry experts on all of these topics will speak and be available to answer your specific questions.

Speakers:

Elizabeth Falk
Senior Counsel Netflix Business Affairs

David Accetta
Sr. VP, Entertainment Division of City National Bank

Bianca Goodloe
Managing Partner of Goodloe Law, film finance attorney

Mike Kolko
President Tax Incentive Division of Great Works Capital

Moderated and Chaired by **David Albert Pierce**
BBBA Entertainment Law Section Vice Chair

When: Wednesday, February 21, 2018, 12:00 p.m. | Program: 12:00 p.m. - 2:00 p.m.
Where: Levey's the Prime Rib @Madison, Free Underground Parking

\$0 - Members of **BBBA** & **Free Order of Distinction** Attorneys
\$45 - **BBBA** Members who pay in advance*
\$745 - **Non-BBBA** Members who pay in advance*
Interested in Membership? [Tap Here](#). No Commitment for 30 days.

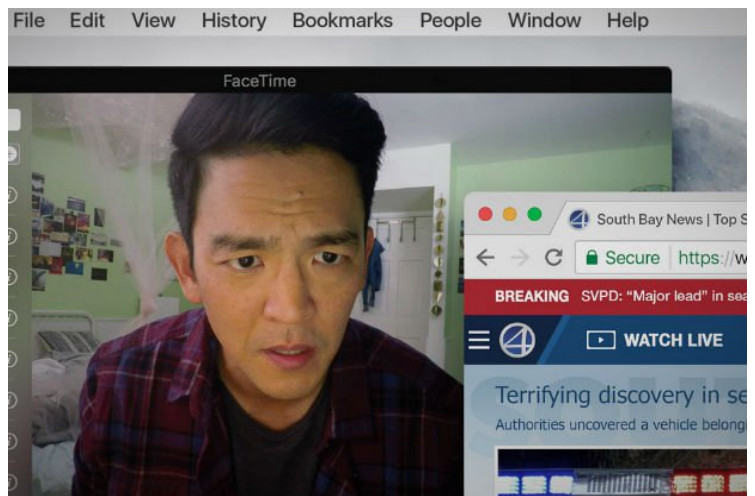
BBBA/Entertainment Law Section 2018 Feb 21, 12:00 p.m. - 2:00 p.m.
BBBA/Entertainment Law Section 2018 Feb 21, 12:00 p.m. - 2:00 p.m.
Program Co-Chair: David Albert Pierce, Esq. Pierce's Firm: Esq. & Goodloe O'Connell, Esq.

[Attend in Person](#)

*Advanced registration costs 24 hours prior to event. Registration required thereafter. Includes \$25 additional fee. See [www.bbba.org/resources/PurchaseWebOfInterest](#).

Click the image above for More Details and to RSVP.

2018 Sundance Acquisitions Summary By Will Mavity



John Cho in 'Search,' acquired by Sony

Sundance 2018 has come to a close. Much has changed in the industry since **Call Me By Your Name** and **Get**

Out began their year-long journeys to Best Picture Oscar nominations. For starters, Harvey Weinstein, once a titan of indie Sundance acquisitions was obviously nowhere to be found. Meanwhile, **Fox Searchlight**, who in recent years, provided some of the biggest purchases in the festival's history for films like **Birth of a Nation**, **Brooklyn**, and **Me and Earl and the Dying Girl** didn't make a single purchase in light of its parent company's recent merger with **Disney**.



This year, **Pick of the Litter**, a Slamdance film sold to IFC (this followed a 'Parade of Puppies' down main street sponsored by the filmmakers).

Slamdance Handed out Prizes to a number of films including **Pierce Law Group Sponsored Prizes** for Best Narrative Feature, **Rocksteady Row** and Best Documentary Feature, **Mr. Fish**.

Slamdance also hosted a panel with Slamdance Alumni, **The Russo Brothers** (who are currently helping **Avengers: Infinity War**)

Other Previous Slamdance Alumni include **Christopher Nolan**, **Rian Johnson**, and **Benh Zeitlin**.

Pierce Law Group Moviemaker Party

Meanwhile, over at the Sundance Film Festival, **Pierce Law Group** partnered with our client, **MovieMaker Magazine** in hosting a party on Main Street in Park City, Utah to celebrate MovieMaker's 25th Anniversary.



In general, high-profile sales were few and far between. Perhaps it was the uncertainty caused by Hollywood's shakeups caused by the recent light shed upon sexual harassment within the industry, not to mention a migration of indie films towards the small screen.

So...who acquired what?

30West:

Beast
Collette (jointly w/ Bleecker Street)

Annapurna:

Sorry to Bother You

Bleecker Street:

Collette
Leave No Trace

HBO:

Believer
The Price of Everything
The Sentence
The Tale

IFC:

A Kid Like Jake
Pick of the Litter
Wildlife

LionsGate:

Blindspotting

Magnolia:

The Guilty
Kusama- Infinity
RBG (with Participant Media)

Neon:

Assassination Nation
Monsters and Men
Revenge (In Partnership with Shudder)
Three Identical Strangers

Netflix:

Seeing Allred

The Orchard:

American Animals (with MoviePass)

Oscilloscope Laboratories:

The King

Saban:

Lizzie (with Roadside Attractions)

Sony:

Hearts Beat Loud
Leave No Trace (Worldwide)
Search

Sony Pictures Classics:

Puzzle



Firm Speaking Engagements & Articles

On **Tuesday, February 6th**, David resumed his role as Adjunct Professor at **Elon University's** semester in L.A. Program and is again teaching his semester-long course entitled "**Media Law & Ethics**" to the 25 undergrads enrolled in the Semester in L.A. Program. This is the fifth year that David has taught this course.

On **Thursday, February 15th**, The Beverly Hills Bar Association Entertainment Law Section in Association with the Intellectual Property & New Media section is presenting a seminar on "Virtual and Augmented Reality" at the BHBA Headquarters from 12:30-2:00 PM PST. David Albert Pierce is the Vice Chair of the Entertainment Law Section. [Learn More and Sign Up Here.](#)

On **Wednesday, February 21st** the BHBA Entertainment Law Section's annual Film Finance Seminar will take place at Lawry's with David Albert Pierce serving as Moderator. See above for more Information about this fantastic seminar or to sign up, click [here](#).

In the 25th Anniversary Edition of **MovieMaker Magazine**, **David Albert Pierce & Tony Hanna** have written an article on understanding entertainment unions and pitfalls to avoid when dealing with those unions. The magazine is on newsstands now.

Connect with Us on Social Media



 Forward to a Friend

About Pierce Law Group LLP

Pierce Law Group LLP is a full service, boutique entertainment law firm that provides both transactional and litigation legal services. Our practice areas include entertainment law, intellectual property (copyright, trademarks, right of publicity), film finance, securities law, production counsel, and labor & employment issues affecting the entertainment industry, with an emphasis on film, television, and new media. We represent production companies and other creative businesses as well as artists including producers, actors, writers, directors, comedians, and other entrepreneurs. Our client list includes both Academy Award and Emmy Award winners. We utilize an

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Starz:
America to Me

YouTube:
Bodied

Films acquired Prior To the fest:

A24:
Eighth Grade
Hereditary

Amazon:
Don't Worry, He Won't Get Far on Foot
You Were Never Really Here

Netflix:
A Futile and Stupid Gesture
Private Life
Seeing Allred

Takeaways:

While **Sony** was as active as ever in acquiring properties, it stood out as the only 'major' to do so. There was not a single acquisition from **Fox** (nor by extension, **Disney**), **Paramount**, **Warner Bros**, etc. Nor, in light of a recent Exec shakeup, were there any from Amazon.

Even smaller studios like **A24** who have been major presences at the festivals in recent years didn't make a single in-festival acquisition.

Neon, on the other hand, nearly cornered the market in purchases this year. **HBO** was a major player as well, acquiring a presumed Oscar contender like **The Tale** for exclusive TV distribution. **Moviepass** made its first acquisition, signaling its foray into distribution.

In short, TV and new media distributors, as well as new, relatively untested companies like Neon and 30 West were the main staples instead of the Sundance old-guard.

More notable, however, is the relatively low number of acquisitions overall. An unusually high number of Sundance's biggest films were not acquired at all. For example, Audience Award Winner, **Burden**, Directing Award Winner, **The Kindergarten Teacher**, and Grand Jury Prize Winner (Drama), **The Miseducation of Cameron Post** all went home without obtaining distribution.

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