



SELF DEFENSE FOR WRITERS AND FILMMAKERS

With Mark Litwak, Esq.

**Saturday, October 20, 2012, 10am – 5pm
West Los Angeles College**

Writers and filmmakers need to understand their legal rights and how to defend themselves from those who may seek to exploit them. Production companies and distributors often know all the tricks of the trade, while writers and filmmakers know little about how to protect themselves. This seminar explains how writers and filmmakers can prevent problems from arising by properly securing underlying rights, and by encouraging the other party to live up to agreements by adding performance incentives, default penalties, and alternative dispute resolution clauses. In the event of a dispute, participants learn what remedies are available to enforce their rights. Related topics include creative approvals, typical compensation and terms of studio contracts, merchandising deals, and negotiating tactics and strategies. **Extensive handouts (see below) will be made available exclusively online for download. Light breakfast will be provided.** Finally, the lunch hour will provide a great opportunity for networking.

Mark Litwak is a veteran entertainment attorney based in Beverly Hills. He has lectured at UCLA Extension for more than 20 years, and at Harvard and other top universities. He is the author of six books including: *Reel Power: The Struggle for Influence and Success in the New Hollywood*, *Dealmaking in the Film & Television Industry* (winner of the 1996 Krazna-Kranz award for best book in the world on the film business), *Contracts for the Film & Television Industry*, and *Risky Business: Financing and Distributing Independent Films*. He has executive produced 6 feature films and successfully arranged for the distribution of more than 50 features as well as serving as production counsel on several TV series. Mark also functions as a producer rep, assisting filmmakers in the financing, marketing, and distribution of their films. He is AV Peer Review Rated and has been named a Southern California Super Lawyer multiple times.

VENUE: Fine Arts Auditorium (*see directions and map below*)
West Los Angeles College, 9000 Overland Ave., Culver City, CA 90230
Free parking is available in the campus parking structure.

ADMISSION: **Online registration closes 11:59pm Thursday, October 18, 2012**
Phone and lunch registration closes 5pm Friday, October 19, 2012
Walk-in registration: add \$20 to ticket price (lunch option not available)

MCLE credit ticket (6 hours):
CLA Attorney Members: \$205
Attorneys: \$295

Standard ticket (no MCLE credit):
CLA Student Members and CLA Senior Members: \$65
CLA Members: \$75
General Admission: \$120

All registrants:
Optional lunch (provided by California Pizza Kitchen: sandwich, salad, chips, drink): \$10

REGISTER: Online: http://calawyersforthearts.org/calendar/Special_Events
Phone: (310) 998-5590

QUESTIONS: jennie.park@calawyersforthearts.org

These workshops were made possible, in part, by support provided by the California Arts Council, Los Angeles County Arts Commission, California Community Foundation, and National Endowment for the Arts.

**California Lawyers for the Arts presents:
SELF DEFENSE FOR WRITERS AND FILMMAKERS
With Mark Litwak, Esq.**

Seminar handouts (over 100 pages, available exclusively online for download) **cover:**

SECURING UNDERLYING RIGHTS

- When you need to purchase the rights to a person's life story
- Ensuring that option contracts are enforceable
- Conducting copyright and title searches
- Acquiring music rights
- How to protect titles

PREVENTION

- Contractual incentives to encourage contract compliance
- Advertising and marketing minimums
- Audit and inspection rights
- Reserving rights
- Reversion and Turnaround clauses
- Watering down warranties
- Adding yourself as a named-insured to an E&O policy
- Using lab access letters to retain possession of your negative
- How to check out distributors and producers
- Criteria for selecting a distributor
- What is, and is not, negotiable
- Techniques to induce a studio to make a deal
- Pitfalls of deal memos and oral agreements
- Registration of literary works with the WGA and U.S. Copyright Office
- Compliance with state and federal laws when seeking investors
- Retaining an attorney or producer's rep
- Personal guarantee
- Collaboration agreements

ABUSES

- Story theft
- Shopping
- Games dealmakers play
- The tricks of creative accounting and how to protect yourself
- Breach of contract
- Misrepresentation and fraud

REMEDIES

- Remedies under the WGA and DGA agreements
- Confirming arbitration awards in Superior Court
- Enforcing judgments
- Debtor's exams and liens
- Using small claims court
- Credit arbitration
- Using the Sheriff and Marshall to seize property or collect money
- Availability of punitive damages
- Typical compensation and terms of studio contracts
- Defenses and privileges to defamation and invasion of privacy
- How to preserve the integrity of your screenplay and avoid costly lawsuits

**California Lawyers for the Arts presents:
 SELF DEFENSE FOR WRITERS AND FILMMAKERS
 With Mark Litwak, Esq.**

DIRECTIONS:

From Overland Ave., enter campus through Freshman Dr. and stay in right lane.
 Turn right at first stop sign, onto Albert Vera Dr.
 Drive past Lot 7 on right, till you reach campus' only **parking structure** at top of hill.
 After parking, walk toward Albert Vera Dr.; signs will direct you to Fine Arts Auditorium ("FA" on map).

