Copyright Term Debate Rages

**Supreme Court Case Could Have Major Impact on Music Industry**

BY BILL HOLLAND
WASHINGTON, D.C. — The Supreme Court will hear a case this fall that will determine if Congress had the constitutional authority in 1998 to extend the term of federal copyright protection.

The review will mark the first time in history that the court has accepted a case that challenges the constitutionality of any aspect of the U.S. Copyright Act. In the music industry, an adverse ruling could have a major impact on the financial security of record companies, songwriters, music publishers, and recording artists.

While amicus (friend of the court) briefs have already been filed by those who agree with the challenger, briefs that support the constitutionality of the law are due Aug. 2. The Recording Industry Assn. of America, ASCAP, BMI, and the National Music Publishers’ Assn. plan to file such briefs.

The Recording Artists Coalition (RAC) also plans to join the industry groups, filing in support of the law’s constitutionality—a particularly odd juncture, because the RAC supports reversion rights for authors as the result of the repeal of the industry’s work-for-hire law, which took those rights away.

“I don’t see why we should try to gain reversion and then chop 20 years out of the back end,” says artist attorney and copyright lawyer Jay Rosenzweig, who is writing an amicus brief for the RAC. The American Federation of Television & Radio Artists has not yet decided on filing a brief, but a spokesman says the union supports retention of the current law.

The 1998 Copyright Term Extension Act (CTEA) was passed Oct. 7 that year after being held up in committee for more than two years. It extended the term of protection for 20 more years from the previous term of the author’s life plus 50 years. (The CTEA is also called the Sonny Bono Copyright Term Extension Act in honor of the late congressman and recording artist, who was the main sponsor of the bill.)

In addition to the new life-plus-70 term, the term for older works created and renewed before the 1976 Copyright Law revision that had been granted a 75-year term was extended to 95 years.

Music industry groups all support retention of the law. Observers here say that an adverse ruling could also affect music industry international trade relations, since the European Union and copyright laws of many European countries now have copyright terms of life of the author plus 70 years. If the U.S. is not in compliance, they argue, other countries could elect not to offer "home country" equal protection to U.S. recordings and musical compositions.

BMI president Frances Preston makes the case: "BMI strongly supports the Sonny Bono Copyright Term Extension Act because it offers our songwriters, composers, and copyright owners the same length and level of protection that is in force worldwide in every major market economy. To (Continued on page 79)
TOP SOUNDBRACK SONG OF THE YEAR
"Independent Women Part 1" (from Charlie's Angels)
Writers: Samuel "Tone" Barnes, Beyoncé Knowles
Publishers: Beyoncé Publishing, EMI Publishing,
New Columbia Pictures Music, Sony/ATV Tunes LLC

"Baw Wow (That's My Name)"
Writers: Francois De Roubaix (ASCAP),
David Spradley
Publishers: Chrysalis Music,
Silo America Music, LLC,
Southfield Music, Inc.

"Cross The Border"
Writers: Al-Baseer Holly,
Chad Hugo, Joel Witherspoon
Publishers: Chase Chad Music,
EMI Music Publishing,
Fatima & Baron Outlet, Maine Money

"Dollar, Drink & Dance"
Writers: Kevin "Battlecat" Gilliam,
Mr. Short Klop
Publishers: Always Thinkin',
Black Fountain Music,
EMI Music Publishing,
Show You How Daddy Ball Music

"I Won't Let You"
Writers: Rickardo "RikRok" Ducent, Shaggy,
Shaun Pizzonia
Publishers: Livingsting Music,
Warner/Chappell Music, Inc.

"Ms. Jackson"
Writers: Andre "Dre" Benjamin,
Antwan "Big Boi" Patton, David Sheats
Publishers: Chrysalis Music,
Dungeon Ratz Music,
EMI Music Publishing,
Gnat Booty Music

"My Projects"
Writers: Coop Coa Cal, Henry Cook
Publisher: From The Pit Publishing

"Purple Hills"
Writers: Von Carlisle, Rufus Johnson,
Ondre Moore, Donnam Porter
Publishers: Derby Werks,
EMI Music Publishing,
Idiotic Biz, Runyon Ave.,
Swifty McVay Publishing

"Raise Up"
Writers: Pety Pabio, Timbalaed
Publishers: Kumbaya
Virginia Beach Music, Warner/Chappell
Music, Inc., Zomba Enterprises, Inc.

"What Would You Do?"
Writers: Brian "Hittman" Bailey,
Melvin "Mel Man" Bradford,
Dr. Doo, Robert Pardlo, Ryan Toby
Publishers: Ain't Nothing But Punkin',
Big Yacht Music, EMI Music Publishing,
Hard Working Black Folks, Inc.,
Hotish Music, Lord of Loose Leaf,
Pladis Music, Warner/Chappell Music, Inc.

TOP RAP SONG
"My Baby"
Writers: Berry Gordy, Jr., Alphonso Mizell,
Freddie Perren
Publisher: EMI/Jobete Music Publishing

R&B AWARD WINNING RAP SONGS
"Tell Me If You're Ready"
Writers: Priest Brooks, Chas Gaines,
Kevin "Battlecat" Gilliam,
Kola Marion, Kimberly Proby,
LaToya Williams
Publishers: Black Blessed Girl,
Black Fountain Music,
EMI Music Publishing,
Famous Music Corp.,
High Priest Publishing,
Nay D Publishing,
Precious Little Lamb,
Show You How Daddy Ball Music,
So Kol Productions

TOP RAP SONG
"Stand Still"
Writers: Aubrey Reddy, Dezrok
Publishers: Aubrey Girl Music,
Jennica Michael Music, Inc.,
Tunnel Vision Productions,
Warner/Chappell Music, Inc.

"The Underworld"
Writer: Celeda
Publishers: Sharpe As A Tack*,
Universal Music Publishing Group

R&B AWARD WINNING DANCE SONGS
"Are You Satisfied?"
Writer: Deborah Cooper
Publisher: Fresh Up Music

DANCE SONGS
"Can't Tell Me"
Writers: Joseph Lee Henry, Madonna
Publishers: True North Music,
Warner/Chappell Music, Inc.,
Webo Girl Publishing, Inc.

"Tell Me"
Writers: Joseph Lee Henry, Madonna
Publishers: True North Music,
Warner/Chappell Music, Inc.,
Webo Girl Publishing, Inc.

R&B AWARD WINNING DANCE SONGS
"All For You"
Writers: Wayne Garfield,
James "Jimmy Jam" Harris,
Terry Lewis, Mauro Malavasi (ASCAP),
David Roman (ASCAP)
Publishers: Arapishe Communications,
EMI Music Publishing,
Flyte Tyme Tunes,
Little Macho Music,
Warner/Chappell Music, Inc.

Congratulations 2002 ASCAP
RHYTHM & SOUL AWARD WINNERS

"Don't Tell Me"
Writers: Joseph Lee Henry, Madonna
Publishers: True North Music,
Warner/Chappell Music, Inc.,
Webo Girl Publishing, Inc.

"I'm Not That Crazy"
Writers: Celeda

Awards 2002 ASCAP
RHYTHM & SOUL AWARD WINNERS

TOP DANCE SONG
"All For You"
Writers: Wayne Garfield,
James "Jimmy Jam" Harris,
Terry Lewis, Mauro Malavasi (ASCAP),
David Roman (ASCAP)
Publishers: Arapishe Communications,
EMI Music Publishing,
Flyte Tyme Tunes,
Little Macho Music,
Warner/Chappell Music, Inc.

"You & I"
Writers: David Benfiel, Chris Green
Publisher: Atlantic Recording

"Your Love"
Writers: Bebe & Cece Winans
Publisher: Portrait Music Publishing

"Don't Tell Me"
Writers: Joseph Lee Henry, Madonna
Publishers: True North Music,
Warner/Chappell Music, Inc.,
Webo Girl Publishing, Inc.

"I'm Not That Crazy"
Writers: Celeda
RHYTHM & SOUL MUSIC HERITAGE HONOREE

Earth Wind & Fire

SONGWRITERS OF THE YEAR

Chad Hugo
Dr. Dre

PUBLISHERS OF THE YEAR

EMI Music Publishing
EMI/Jobete Music Publishing

TOP R&B/HIP-HOP SONG

"Lose"
Writers: Carvin Haggins, Andre Harris
Publishers: Dirty Drek Music, EMI Music Publishing

"A Long Way"
Writers: Chad Hugo, Jermaine Dupri

"Difference"
Writers: Carvin Haggins, Troy Oliver

"Family Affair"
Writers: Mary J. Blige, Melvin "Moe Man"
Bradford, Da Dre, Michael Elizondo

"Get Up On It"
Writers: Missy "Misdemeanor" Elliott, Timbaland
Publishers: Mass Confusion Productions, Virginia Beach Music

"Heard It All Before"
Writers: Rhythm "Madam Pinky" Shemer
Publisher: Pinky's Playhouse

"I Just Wanna Love U (Give It 2 Me)"
Writers: Sean "P Diddy" Combs, Chad Hugo, Rick James, James, NOTORIOUS B.I.G.

"I'm Real (Murder Remix)"
Writers: Rick James, Marcus "Sevva" Vest

"Just Friends (Sunny)"
Writers: Carvin Haggins, Musiq
Publisher: Warner/Chappell Music, Inc.

"Let Me Blow Your Mind"
Writers: Michael Elizondo, Dr. Dre, Eve, Scott Storch

"My First Love"
Writers: Ernest Dixon, Mark Sebastian

"The Year"
Writers: Andre "Dre" Benjamin, Antwan "Big Boi" Patton, David Sheats

"It's Over Now"
Writers: Daron Jones, Michael M. Keith, Quinnes Parker, Marvin "Slim" Scandrick

"Just A Friend"
Writers: Edward Berkeley, Kier "Kay Gee" Lat, R. I. Huggar

"Need I Say More"
Writers: Man, Usher, Stevie Wonder, Timbaland

"Peaches & Cream"
Writers: Jason "Poo Bear" Boyd, Sean "P Diddy" Combs, Daron Jones, Michael M. Keith, Quinnes Parker, Marvin "Slim" Scandrick, Courtnej Sills

"Promise"
Writers: Brandon Casey, Brian Casey, Jermaine Dupri

"Put It On Me"
Writers: Thievery Crocker, Paul "Tru Style" Wlatcht
Publishers: Blunts Jams and Funds, Famous Music Corp, Tru Style Music Publishing

"So Fresh, So Clean"
Writers: Andre "Dre" Benjamin, Anthony "Big Boi" Patton
Publishers: Chrysalis Music, EMI Music Publishing

"Southern Hospitality"
Writers: Ludacris

"Strange In My House"
Writers: Anthony "Shep" Crawford, Shae Jones

"Swing Me"
Writers: Tommy Lee Dickson
Publisher: Universal Music Publishing Group

"Take The Day Off"
Writers: Carvin Haggins, Musiq
Publisher: Warner/Chappell Music, Inc.

"U Got The Right Stuff"
Writers: Mary J. Blige, Marko "Mark" Wonder
Publisher: The Cariad Music Group

"U Remind Me"
Writers: Carvin Haggins, Musiq
Publisher: Warner/Chappell Music, Inc.

"Unbreakable"
Writers: Rodney "Darkchild" Jermaine Howard, Jermaine Dupri

"We Made Ya"
Writers: Carvin Haggins, Musiq
Publisher: Warner/Chappell Music, Inc.

"When We Party"
Writers: Marley, Marvin "Slim" Scandrick

"Who Am I"
Writers: Jermaine Dupri, Nelly

"Why, Why, Why"
Writers: Sean "P Diddy" Combs, Daron Jones, Michael M. Keith, Quinnes Parker, Marvin "Slim" Scandrick, Courtnej Sills

"You Already Know"
Writers: Carvin Haggins, Musiq
Publisher: Warner/Chappell Music, Inc.

"The Year"
Writers: Andre "Dre" Benjamin, Antwan "Big Boi" Patton, David Sheats

"It's Over Now"
Writers: Daron Jones, Michael M. Keith, Quinnes Parker, Marvin "Slim" Scandrick

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By Brian Garrity

New York -- Vivendi Universal's (VU) plan to pay down debt by dumping part of its holdings in French water utility Vivendi Environnement (VE) may be winning favorable reviews in Wall Street circles as a step in the right direction toward fixing its financial woes, but the highly leveraged media giant is a long way from being out of the doghouse with investors. While the sale strategy, announced June 17, is expected to reduce Vivendi's debt by more than $1 billion, its total deficit remains sizable. A recent disclosure of quarterly results under U.S. accounting standards—a first for the Paris-based conglomerate—puts the company's net debt at $30 billion as of the end of March.

Meanwhile, a shareholder rights group is petitioning a French court to appoint an expert to audit the company's corporate governance practices—a gambit that, if successful, could further tie the hands of embattled chairman Jean-Marie Messier. A ruling on the matter from the Paris Commercial Court is expected as early as Friday (21).

The moves reflect the ongoing concern surrounding the finances and operations of the parent company of Universal Music Group.

The VE sale will comprise roughly 15% of the utility's outstanding shares—dropping VE's stake from 63% to slightly more than 48%. Perhaps more important, Vivendi will no longer count VE's financial results—and its $13 billion in debt—toward its own bottom line once the deal is done. But 40% of that $13 billion debt will still belong to Vivendi, even though it will be measured on its balance sheet. The company is also carrying an additional $18 billion in media-related debt.

This remains a lingering source of consternation to some Vivendi investors. Vivendi America President John Waldeck told Billboard, "We're still over 40% in 2002, in part because of debt concerns. A group led by shareholder activist Colette Neuville wants a French court to appoint an auditor to determine whether Messier and Vivendi management adequately warned Universal Music Group boards of directors about the substantial debt loads it would be taking on as a result of its media acquisition strategy. Published reports have suggested the Nashville group may yet sue the company on behalf of shareholders.

With its practices under fire, Vivendi's newly formed corporate governance committee—a four-man group co-led by former Sea- gram vice chairman Edgar Bronfman Jr.—has retained Ira Millsstein, a senior partner in the law firm of Wei, Gotshal & Manges, as an adviser on governance issues. Millsstein, regarded as an expert in the area, was recently hired in a similar capacity with Walt Disney Co.

The emergence of Messier, coupled with the specter of a court-appointed auditor, are the latest examples of internal difficulties as Messier's management of Vivendi. The corporate governance committee, the byproduct of a May 29 board meeting in which many were calling for Messier's job, was designed in part to reign in the chief executive. Major strategic and financial decisions by the company must reportedly first be approved by the committee.

De Luna Departing Sony Discos To Helm Indie Label Costrola

Sony also acquired De Luna's Luna Records, which specializes in regional Mexican music, and has jurisdiction over its catalog and artists—although De Luna says he still has outstanding material for future projects.

In a press release, Sony Discos chairman Oscar Lloyd said, "There is no doubt at Sony Music that our relationship with De Luna and his enter- prise will produce multiple economic benefits in the years ahead."

To date, De Luna has managed to make his new label Costrola, including Sancha, Juan Duran, and Ricol loco ("Billboard" 7/25/96) "I'm going to be very aggressive," says De Luna, who will have his own marketing and promotional team. "I know the business, and I'll have time to go to the studio and produce. In two to three months, people will hear about us."

Dixie Chicks Find 'Home' On New Imprint

Launch Of Open Wide Records Is Key Term In Group's Deal With Sony After 10-Month Battle

By Phyllis Stark

Nashville — When Dixie Chicks release their new album, Home, later this summer, it will be on their own, newly created Sony Music Entertainment imprint label, Open Wide Records.

The new imprint is the final key of the terms of the group's new deal with Sony, which was finalized first exclusively in Billboard Bulletin last month—the chicks have finally signed after 10 months of battling in court (Billboard Bulletin, May 10).

"We have settled and resolved our differences with the group's then-existing label imprint and we believe this is it's signed, sealed, and delivered," says the group's manager, Simon Renshaw of Los Angeles-based Firm.

While other terms of the new contract were not disclosed, reports elsewhere with the imprint deal contain that the band did not get a $20 million signing advance and a 20% royalty rate for the group. Commenting on those reports, Renshaw scoffs. "It was a settlement, not a fire sale."

While Open Wide will be an imprint staffed by existing Sony employees, Renshaw says that "we do envision signing other acts" at some point in the future.

The group's first new album in three years, Home, is due Aug. 27 (Billboard, June 8). Sony's Nashville-based Monument Records and the New York division of Columbia Records will handle marketing and promotion for the album, its first single, "Long Time Gone," is rocking up the Hot Country Singles & Tracks chart, hitting No. 15 this issue after only four weeks on the chart.

Sony Rendahl says the group will tour to support the album, but he would not reveal specific details. The Chicks' first and only headlining tour in 2000 generated more than $46 million, according to Billboard's Boxscore.

The group's legal battle with Sony began last summer, when the band attempted to terminate its contract while still 'swing' five albums.

Since that time, they have been in discussions with other labels. On July 13, 2001, the Chicks' attorneys served Sony with a notice that their contract with the label would be terminated "by reason of Sony's material misconduct and material breaches." Sony responded with a lawsuit seeking to prevent the group's exit—calling the Chicks' charges "trumped-up and baseless." Sony said in the suit that it invested at least $1 million in revenue before the band did not fulfill its contract. The Chicks countered, claiming fraud and breach of contract, and said that they had "no intention of bargaining" with Sony or otherwise continuing their recording careers with Sony.

In a prepared statement issued June 17, Chicks members Natalie Maines, Martie Maguire, and Emily Robison said, "Our relationship with Sony Music couldn't have come at a better time."

The group's debut album for Sony, 1998's Wide Open Spaces, is certified 11-times platinum by the Recording Industry Ass'n of America. The follow-up, 1999's Fly, is certified nine-times platinum and spent two weeks at No. 1 on The Billboard 200, as well as an amazing 36 weeks at No. 1 on the Billboard Top Country Albums chart.

BY LEILA COBO

Miami — Three years after he was brought into Sony Discos' regional Mexican music department to help boost the label's share of that marketplace, Abel de Luna has left. Sony has left to helm Costrola Music, a small indie label that specializes in regional Mexican music and whose artists include Adrian Chalino Sanchez.

De Luna leaves vacant the position of senior VP of regional Mexican music at Sony Discos. De Luna will depart Sony July 1, an announcement has been made regarding a replacement.

"I'm very satisfied with the work I did at Sony," De Luna says. "The truth is, I felt I did what I had to do, and I've worked more as an independent all my life."

During De Luna's tenure, Sony beefed up its regional Mexican roster by signing such artists as Lupillo Rivera. At the end of 2001, the label's share of the regional Mexican market was second only to Fonovisa.
CMT appreciates the brilliant efforts of the performers, musicians, presenters and crew. The 2002 Flameworthy Awards rocked the entertainment world, thrilled millions of fans and delivered the highest prime time ratings in the 20 year history of CMT!

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Chart Beat

by Fred Bronson

JAN. 8, 1947: The biggest chart news this week is the debut of Elvis Presley at No. 1 on the U.K. singles chart with his 18th chart-topper, "A Little Less Conversation" (RCA). That breaks the 25-year-old tie between Presley and The Beatles for having the most No. 1 singles in Britain, as foretold in Chart Beat (Billboard, June 13). But there's also big chart news for the man born on Presley's 12th birthday.

That would be David Bowie, who has the highest-debuting album of his career this issue, as Heather (ISO/Columbia) enters The Billboard 200 at No. 14 (See Over the Counter, page 67). That makes the critically acclaimed work Bowie's highest-charting set since Tonight sailed to No. 11 in November 1984. Bowie's previous best debut was the entry at No. 21 of Outside in October 1995.

Thanks to its high debut, Heaven's ranks 12th among the 36 Bowie albums to appear on the Billboard album chart. Bowie's highest-charting set is Station to Station, which checked in at No. 3 in 1976. Next is Let's Dance, Bowie's EMI America debut, which reached No. 4 in 1983. In third place is Diamond Dogs, a No. 5 album in 1974. The debut of Heaven's stretches Bowie's album chart span to 30 years, two months, and two weeks, dating back to the entrance of Hunky Dory in the week of April 15, 1972.

O BROTHER: Ralph Stanley last appeared on a Billboard chart under his own name 42 years ago this month. Actually, "How Far to Little Rock" was credited to the Stanley Brothers, a duo that consisted of Ralph and his older brother, Carter Stanley. "How Far to Little Rock" was their only single to appear on the country singles chart, making them one-hit wonders.

Stanley is an integral part of the most successful soundtrack in the history of Billboard's country charts. He can be heard on O Brother, Where Art Thou? (Lost Highway/Mercury), which reclaims pole position on Top Country Albums this issue.

As Dan Cecil of Huntsville, Ala., points out, the Stanley Brothers recorded as early as 1947, for the Rich-R Tone label—13 years before their lone chart single was issued on the King imprint. So it's a sweet triumph for 75-year-old Stanley, who debuts on The Billboard 200 at No. 163 with Ralph Stanley (VMP/Columbia). The set enters Top Country Albums at No. 22, earning Hot Shot Debut honors.

'HOT STUFF: Nelly is the first male solo artist to have a No. 1 hit on The Billboard Hot 100 since Usher, "Hot in Herre" (Ft. Reel/Universal) replaces Ashanti's "Foolish" (Murder Inc./Def Jam) after the latter tune's 10-week reign. Usher's "Got It Bad" first moved into the top spot in the issue of Dec. 15, 2001.

"Hot in Herre" is the first song to reach No. 1 in 2002 that does not feature Ashanti or Ja Rule. It's the first chart-topper for Nelly, producers the Neptunes, and Universal (see Singles Mindset, page 67).

Nielsen North America
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MoS, MCA Join In Licensing Deal

BY MICHAEL PAOLETTA
NEW YORK—Internationally recognized and revered dance/electronic label Ministry of Sound (MoS) has entered into an exclusive two-tiered North American licensing agreement with MCA (Billboard Bulletin, June 12).

According to both labels, the deal includes the launch of an all-access, joint-venture-branded, hits-driven compilation series—debuting in October—designed to merge the labels' respective dance catalogs. MoS will also have right of first refusal to position certain MoS artists under the joint MoS/MCA banner.

Tuesday (25) sees the first release bearing the MoS/MCA imprint: Fatboy Slim’s Live On Brighton Beach (see Reviews & Previews, page 32). Two additional MoS/MCA artist sets are scheduled to street by year’s end, including Pachec-Spooner’s #1—due in August (Billboard, June 8)—as well as four compilations.

MoS’ 12-inch vinyl singles will continue to be exclusively distributed by New York-based Satellite.

“This is a very collaborative union,” MCA senior VP of A&R Gary Ashley says. “The MoS people have experience and knowledge that we don’t have—and vice versa.”

MCA president Jay Boberg, who acknowledges that the deal has been in the works for a year, said in a statement, “Simply put, MoS is the benchmark for dance music throughout the world.”

Since opening a North American office last year, MoS—which, in the past, had exclusive deals with Ultra Records (licensing/distribution) and RED (distribution)—has discovered the realities of being a dance/electronic indie in a majors-dominated society. MoS Music Group CEO Matt Jagger explains, “Compared to the U.K., the costs of operating an independent in the U.S. are extreme, especially if you want to have a healthy bottom line.”

MoS North America GM Brian Glover concurs: “In order to move forward, we knew we needed a partner.” According to Glover, MCA will help with MoS marketing and promotion.

Both labels confirm that MoS will remain autonomous when it comes to signing new talent. But MoS North America head of A&R Andrew Goldstone says, “I’d be silly not to think about a potential act’s viability within MCA’s system. I have to think about what’s considered dance music by people who may not necessarily know a lot about the genre.

A successful company in the world of dance/electric compilations (Trance Nation, The Chillout Session, The Annual!), MoS recently began developing proper artists. “While our compilation business is hugely important for us, there is a definite shift now to develop artists,” Glover explains. Fischer-Spooner, which MoS has for the world, was the label’s first U.S. signing.

Overseas, Jagger says MoS is currently working on 18 artist albums from acts like Bent, FC Kahuna, and Louise (formerly of U.K. girl group Eternals). “They will definitely be available to MCA,” he notes. “We also know that we can’t overload their system.”

In The News

• The Librarian of Congress rejected Webcaster rates suggested by the Copyright Arbitration Royalty Panel (CARP) June 29. The CARP’s two-tiered rate of 0.14 cents per performance for Internet-only transmissions and 0.07 cents for each simulcast retransmission was thrown out in lieu of a 0.07 rate for both. Webcaser fees for making ephemeral recordings were cut from 9% of performance fees to 8.5%. Earlier, on June 15, the House Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing to review complaints about the structure and processes of the CARP Subcommittee chairman, Howard Coble, R-N.C., suggested that before future CARP proceedings, “roundtables” should be set up among participants and Copyright Office officials to work out a better approach.

• Warner Home Video has struck a deal to distribute Eagle Rock Entertainment music-DVD projects. Financial terms of the nonexclusive deal, which runs for at least five years, were not disclosed. The firms aim to do at least six major artist projects a year for mass retail. Among the first, due Sept. 3, is Janet Jackson: Live in Hawaii, a version of the HBO concert that aired in February.

• Bad Boy Entertainment has terminated its joint venture with Arista. Bad Boy founder and CEO Sean “P-Diddy” Combs has acquired Arista’s 50% stake in the label; the deal includes the entire Bad Boy roster and catalog. Arista will continue distributing the Bad Boy catalog until Combs finds a new deal, according to a source, and will continue providing sales, promotion, and marketing services for current Bad Boy projects.

NARM Honors MOCA Authors Boucher, Cannon

BY BILL HOLLAND
WASHINGTON, D.C.—Flexing its muscles as an industry-lobbying presence in the digital-music era, the National Assn. of Recording Merchandisers (NARM) honored its inaugural Champion of Music Retailing honors June 14 to the two congressional authors of the pending Music Online Competition Act (MOCA).

NARM president Pam Horowitz presented Reps. Rick Boucher, D-Va., and Chris Cannon, R-N.H., with the awards at a dinner in honor of their “leadership on the challenging issues relating to digital distribution of music and the complex balancing act of crafting law that protects both creators and users of intellectual property and protecting retail competition in digital distribution.”

The trade group came out in support of the bill last session, because it contains non-discriminatory music licensing, as well as a provision that would allow for legitimate, free and 30- and 60-second sound sampling. Horowitz explained, “They would essentially guarantee that retailers can compete both in selling and marketing of digital music online.”

The dinner followed a day of lobbying by 20 NARM retailers and wholesale companies who sat down with more than 30 House members and senior staff. Horowitz explained that these congressional meetings had originally been scheduled for the week of last Sept. 11. "Obviously we didn’t proceed; the Judiciary Committee had a lot to deal with, and we were respectful of that. Then there were the Christmas holidays, and then there was the [NARM] convention, so finally, here we are.”

MOCA is not expected to be voted out of committee this session. It is opposed by a number of members of the Judiciary Committee’s House Subcommittee on Courts, the Internet and Intellectual Property because of provisions that would amend the Digital Millennium Copyright Act to allow broader fair use of copyrighted material. Judiciary Committee chairman F. James Sensenbrenner, R-Wis., is trying to forge an amended bill addressing digital-music concerns that has a chance of “consensus” passage.

Horowitz tells Billboard that NARM will back any congressional effort to “support the principles of competition and consumer choice, whatever it means supporting MOCA or taking the form of supporting the principles of MOCA attached to another bill.”
Feingold Bill To Face Long Battle
Legislation About Consolidation, Payola Due This Month

BY BILL HOLLEND
WASHINGTON, D.C.—A bill to be introduced this month by Sen. Russ Feingold, D-Wis., addressing concerns about media consolidation and relaxed radio-station ownership limits and calling for probes of “new payola” pay-for-play practices and stratospheric concert ticket prices, is creating a buzz in the entertainment industry. But veterans here say that the size of the promised package will surely produce a pitched battle in Congress.

According to Capitol Hill players and observers, there is virtually no chance that such a bill, if introduced, could pass this session and little chance that it could even be held over into the next Congress. All agree that the battle will be lengthy and expensive.

On June 13, while announcing on the Senate floor that he planned to introduce legislation this month, Feingold characterized the deregulatory 1996 Telecommunications Act as a bill “bought and paid for by soft money.” He added: “Everyone was at the table except for the consumers. In November, we will finally have rid the system of this [soft money] loophole, but we must repair its damage.

“I did not predict that one provision would have caused so much harm to a diverse range of interests,” he said. “The elimination of the national radio ownership caps and relaxation of local ownership caps has triggered a wave of consolidation and caused harm to consumers, artists, concert-goers, local radio stations, and promoters.”

One veteran says, “Congress is going out on recess in August, and it has plenty on its plate when it returns, and there’s no inclination for Congress to admit they made bad law.”

Another says, “It’s obviously important, but it will take certainly public outrage to fuel it and a couple of years and maybe even a change in administration to try to wrestle with this one, to keep up a unified front and not let these issues peel away.”

If there was any doubt that the powerful National Assn. of Broadcasters (NAB) lobby is preparing to squash such a measure, NAB spokesperson Dennis Wharton put it to rest. “We think Congress made the correct decision [in the ’96 rewrite] in allowing an element of consolidation in the radio industry that was not there before. We think Sen. Feingold is flat wrong when he claims there is less diversity in program formats. The reality is that there have never been more formats and program diversity.” He had no comment on the issues of ticket prices or artists’ worries that they would not get airplay unless they appeared at Clear Channel venues (see Venues View, page 18).

Wharton’s description of Clear Channel’s diversity does not match those of critics, who say that decisions—including music choices—are no longer made by local program and music directors. His comments about the independent promotion money echo those of Clear Channel spokesman Pam Taylor—who, in response to a letter sent by a coalition to the Federal Communications Commission and members of Congress (Billboard Bulletin, May 20) to look into consolidation, said the practice “was created by the [music] industry; they continue to use [inde promoters]. The day they quit using them is the day the system ends. This is not a radio industry issue, it’s a record company issue.”

Of the Feingold announcement, Jonathan Potter, president of the Digital Media Assn., said that it will take a long-term effort. “But counter-balance that with this: Feingold was told the same thing when he started down the road of campaign finance reform, and he didn’t ever count Russ Feingold out.”

EMI’s Levy Focuses On European Piracy

BY GORDON MASSON
LONDON—EMI Recorded Music chairman/CEO Alan Levy used a speech in front of some of Europe’s most senior politicians to accuse his home of jeopardizing culture for the sake of winning votes.

Addressing a conference in Madrid hosted by the Spanish Secretary of Justice and the Spanish Secretary of State for the European Union, Levy highlighted the rise in piracy in Europe and urged legislators to view more seriously the protection of intellectual property.

Commenting on the explanation for the rise in piracy, Levy offered: “Politicians are trying to befriend the young generation and see free or cheap music as a means to an end.” And he stated, “It is sad that at the present time to address physical piracy we have to use the American watch list for countries with high piracy levels. No significant effort is made by Brussels or local governments to protect culture.”

The conference’s objective was to raise awareness and stimulate legislation, as well as public opinion reactions both in Spain and within the European Union, Spain currently holds the presidency of the European Union.

Pointing out that the music industry generates 1.9 billion euros ($1.8 billion) in tax revenue across Europe and that European music accounts for 30% of world sales, Levy said: “We were used to seeing piracy in places like Asia and Latin America, but it is now rapidly becoming an European problem. While there is little control over some countries in Asia or Latin America, in Europe we have the means and we can sort out our problems.”

Levy noted that Spain has one of Europe’s highest piracy levels—30% of all units sold—while Greece, with 50%, is also faring very badly.

“Who gets hurt by piracy?” he prompted. “Obviously the artists, producers, publishers, the collecting societies . . . artists, producers, musicians, and authors lose out because they do not receive royalty payments on pirated products. Retailers lose out and are forced to close their businesses, the government loses tax on the money they do not collect taxes and, finally, the consumer loses out the most because the loss of business forces the industry to reduce its investments in new artists and therefore limit the choice the consumer could have.”

Urging European politicians to “implement proper legislation,” Levy served up a music industry wish list, beginning with the hope that countries would follow Italy’s lead of increasing the legal punishment for piracy from a maximum of three years to a maximum of four years.

He continued, “We also believe that like other cultural products—for example, books—music’s value-added tax across Europe and in Spain should be lowered. Why are books at 4% and music at 16%? [Music is currently at 16%].” This is the easiest way to reduce piracy, he added.

And highlighting the very real cultural danger should governments fail to assist the fight against piracy, Levy concluded: “If this problem continues, record companies could restructure and sell off only international Anglo-Saxon music—something we have done in places like the Philippines or Thailand. But this is not what we like to do, because we have a passion for music and culture. We are concerned that free music or stolen music will result in no music at all—therefore it is time to act now.”

Atlantic’s Lava Imprint To Become Full-Service Label

BY MELINDA NEWMAN
LOS ANGELES—Warner Music Group (WMG) and the Atlantic Group’s decision to expand Lava Records from an Atlantic Records imprint to a full-service label will bring higher sales, Lava Records president Jason Flom hopes.

“We need our own staff to be able to increase our volume,” says Flom, who started the label with Atlantic in 1995. “In the last six years, we’ve shipped over 80 million albums worldwide. My goal is to increase that over the next five years by 50%.”

The decision to spin off Lava “came out of a discussion had with [WMG chairman] Roger Ames about a year ago,” Flom says.

“Roger wanted me to release more records, and I told him that it was difficult because Atlantic has a full roster and there’s only so much that their promotion staff can do at one time. He came up with the idea of restructuring Lava into a stand-alone.”

Flom, who has signed a new, multi-year contract with WMG, will continue to report to Atlantic Group co-chairman/co-CEO Val Azoli, who says his mandate to Flom is to grow the company: “We want Jason to sign new acts—we said, ‘Don’t go out and try to sign established acts.’

For Ames, betting on Flom is a sure thing: “Jason is a proven hitmaker and time and time again. The front line of the music business is A&R, promotion, and marketing. Lava’s expansion in these areas will give us additional firepower for that growth.”

As part of the deal, WMG has purchased the percentage of Lava it did not already own from Flom for a reported $50 million.

New York–based Lava will hire its own promotion, publicity, and marketing staffs but will share sales, creative services, international, legal affairs, and accounting with Atlantic. Its staff will expand from 10 to 40.

Kid Rock, Uncle Kracker, and Trans Siberian Orchestra, as well as seven other acts, will stay on at Lava, while Matchbox Twenty, the Corrs, and Sugar Ray will now be on Atlantic. The acts were divvied up according to when they signed with Lava. Flom acknowledges that the protracted negotiations have slowed Lava’s release schedule. “We had to push some records back, because we didn’t want to have to switch them midstream.” First up for the new Lava will be Uncle Kracker’s second set this fall. Flom started with Atlantic 23 years ago as a field merchandiser. Azoli says: “It’s great to see that someone has stayed with the company and that the loyalty factor has been there on both sides.”

Executive Turntable

Record Companies: Pete Rosenblum is named VP of alternative promotion for Elektra Entertainment Group (EEG) in New York. He was VP of promotion for Mammoth Records. EEG also promotes Andrew Hilsgard to director of national sales in New York. He was national sales manager.

David Munk is named senior creative director of Denise Rich Songs in New York. He was head of Chalkboard Music.

Edith Bellinghausen is promoted to VP of new media for Razor & Tie Entertainment in New York. She was director of new media.

Kelly Green is named director of marketing for Universal Records in New York. She was director of marketing for Epic Records.

Matt Winkler is promoted to manager of artist development for the Island Def Jam Music Group in New York. He was head of tour promotion and ticket buys for Island Def Jam.
TOURING QUARTERLY 2

Touring Quarterly II focuses on the 77th Annual IAAM Convention & Tradeshhow, and features the latest news in arena and tour activity around the globe. Our IAAM preview looks at this year’s conference line-up, the participating companies, and more. Bonus distribution at the IAAM Convention and Tradeshow, July 27-31!

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BY STEVE SMITH
NEW YORK—At a glance, it might seem that the members of the Brodsky Quartet have discovered the fountain of youth. The acclaimed ensemble, which formed in Manchester, England, in 1972, celebrates its 30th anniversary this year with a new three-disc series pairing the complete string quartets of Tchaikovsky and Britten on the Dutch label Challenge Classics, exclusively distributed in the U.S. by Portland, Ore.-based Allegro. Issued in March in Europe, the first disc in the series—which pairs Tchaikovsky’s Quartet No. 1 with Britten’s Quartet No. 1 and Three Divertimenti—arrived in U.S. shops June 4. The remaining volumes, which will include each composer’s two remaining numbered quartets and other works, will follow later in the year.

“Part of you wants to celebrate such a thing,” violinist Paul Cassidy says. “But on the other hand, these days, there seems to be a little too much emphasis put on things like that.” The quartet’s longevity takes on a new dimension, however, when you note that its oldest members are in their early 40s.

Cassidy hunts broadly at the suggestion of supernatural intervention, but the truth is so much less extraordinary: He explains that the founding members of the quartet—violinists Michael Thomas and Ian Belton and cellist Jacqueline Thomas, along with another friend who played viola—all performed in a youth orchestra in their hometown of Manchester. After rehearsals, they would gather at the Thomas siblings’ house for sports, which soon gave way to chamber music. Naming themselves after Russian violinist Alexander Brodsky, a leading Manchester pedagogue, the four enrolled in college together. Cassidy joined in 1981, when the original violist departed after graduation.

In the early ’90s, the quartet garnered international acclaim with a highly regarded complete cycle of the Shostakovich quartets on Teldec. After backing Elvis Costello on his 1993 album The Juliet Letters (Billboard, Dec. 19, 1992), the Brodskys briefly became ubiquitous. Parting ways with Teldec, the quartet pushed the envelope with innovative collections of unusual repertoire for the Silva Classics label, including original compositions by Michael Thomas. Collaborations with Paul McCartney and Björk followed.

Thomas left the group in 1998 to pursue his composing career; his replacement, Andrew Haveron, had performed in quartets since age 6.

In 1999, the Brodskys signed to the Dutch Vanguard Classics label, recording quartets by Schonberg, Zemlin, and Kromgold, as well as collaborations with mezzo-soprano Anne Sofie von Otter in music by Berghui and a Schubthorpe. (Those recordings have been reissued by Challenge.) “The Brodskys are a very fine group,” says Michael Parsons, manager of Portland, Ore.-based Classical Millenium. Allegro hopes to bolster awareness by drawing attention to the new discs at press and radio.

BY JIM BESSMAN
NEW YORK—With the David Grisman Quintet’s first new recording in seven years, the pioneering acoustic string-music veteran has really gone to the dogs.

Dogma, which articulated Grisman’s San Rafael, Calif.-based Acoustic Disc label issues June 25, takes its name from the “Dawg” nickname that Jerry Garcia gave him in 1973. Back then, Grisman, banjoist Garcia, guitarist Peter Rowan, fiddler Vassar Clements, and late bassist John Kahn were the legendary bluegrass band Old & In the Way. “Dawg music” soon became the definition of Grisman’s trademark blend of bluegrass, jazz, and other traditional acoustic music genres.

DEFINING ‘DAWG’

“When I made the first Quintet record of original music and people asked, ‘What is this music? I figured if I had a generic term, I wouldn’t have to describe it,” explains Grisman, whose friendship with Garcia was documented last year by his daughter, director Gillian Grisman, in Sony Pictures Classics’ Crazy ‘Bout a Dawg. “Of course they asked, ‘What is dawg music?’ So it didn’t really work. But now a lot of people know what dawg music is.”

They also know its canine connotations. Indeed, Dogma is the quintet’s cover graphic and CD booklet features more than 100 images of dogs, submitted by Grisman’s legion of fans via Acoustic Disc’s Web site. No surprise, then, that Acoustic Disc hopes to build upon the Dogma—theme by seeking a pet-related corporate sponsor.

“I latch onto the title from the tune ‘Dawgnation,’ which I wrote one day when Jerry was over and recorded right away,” Grisman says, noting that the track then appeared on 1996’s three-disc DGQ 20 retrospective of unreleased material covering the Quintet’s then-20-year span. “But I’ve been playing it, and people love it—so I thought it would be a good title for the new CD.”

The Dawg Music (BMI) writer originally planned to record a Quintet disc in 2000, to be called Yonder. But those plans were shelved when longtime bassist Jim Kevlin’s wife died, and he didn’t return to the band until six months ago. “He’s been with me 16 years—longer than anybody,” says Grisman, whose Quintet also includes multi-instrumentalist Joe Craven, fiddlist Matt Eakle, and guitarist Enrique Coria. Reviving the project, Grisman chose to open the set with “Slade,” a 4-year-old tune written to honor his late friend Charles Savetelle of Hot Rize. The rest of the disc, besides the title track, is new material for the Quintet.

Acoustic Disc promotion director Rob Bleetstein says, “It’s probably their most vibrant release since the influential first album, The David Grisman Quintet, from 1977. They honed a lot of the material live before putting it down, so there’s a real good, upbeat feel to it.”

To promote Dogma, the Koch-distributed label—whose motto is the appropriate “100% Handmade Music”—is offering radio edits for three album tracks: “Slade,” “Cha Cha Chihuahua,” and “Mellow Mang.” “It’s the first time we’ve ever done anything like that, so we’re playing the game,” says Bleetstein, who is taking the edits to triple-A and also promoting the album to Americana, bluegrass, and jazz formats.

Mark Reefe, PD at non-commercial WNCW (88.7) Asheville, N.C., notes, “They’ve recognized that not every radio station plays seven-minute versions. But a sampler with three songs with edits is almost unheard-of in the community that plays this music, so it eliminates any excuse for not playing it. But it’s still instrumental, progressive acoustic music.”

The label will undertake a heavy marketing campaign during the JamGrass 2002 tour featuring the headlining Quintet, as well as the Sam Bush Band, Peter Rowan & Tony Rice, the John Cowan Band, and the Yonder Mountain String Band. The Quintet tour runs from July 18 through Sept. 22 and will be preceded by Quintet performances starting with a June 22 album-release party at Telluride Festival. Grisman is managed by Craig Miller of CM Management in Woodland Hills, Calif., and booked by Dexter Johnson of Jamgrass Music in Carmel, Calif. Bleetstein says Acoustic Disc will utilize upfront gondola listening stations in Borders Books & Music stores and will promote the title in Trans World bluegrass departments.

“We’re also doing regional things with [stores] like Twist and Shout in Denver and linking up with the jambase.com marketing company, which ties in with a younger audience via targeted e-mails and mailouts,” he says. “It’s safe to say that our fan base skews a bit older, but this new generation is into this new kind of music—bluegrass and jam—and we’re interested in welcoming them into our world.”

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New Oasis Touted As Return To Form

Noel Gallagher Calls Epic’s ‘Heathen Chemistry’ Best Set Since Debut

BY ADAM HOWORTH

LONDON—“It’s far and away the best record since Definitely Maybe,” declares a confident Noel Gallagher. “I’d probably say the whole thing will be an eight out of 10.” There are few if any releases in the U.K. that generate the level of hype and anticipation afforded a new Oasis record, and with album number five, Heathen Chemistry (Big Brother/Epic), due in the U.S. July 2 and a day earlier internationally, Gallagher is as bullish as ever.

“It’s a fucking great time for guitar music,” he says. “I love the Hives, I love Soundtrack of Our Lives and Black Rebel Motorcycle Club. The Doves record is a special record, and there are not many of them that come along. There are maybe half a dozen special records every 10 years. Our first album was special.”

But eight years on from the release of Definitely Maybe, the question is whether the band’s new set can put it back on both commercial and critical track.

With sophomore album (What’s the Story) Morning Glory in 1995, Oasis achieved the biggest-selling British record since the Beatles’ Sgt. Pepper’s Lonely Hearts Club Band. But subsequent albums, Be Here Now (1997) and Standing on the Shoulder of Giants (2000) were poorly received in the press and failed to come close to the sales of Morning Glory.

“The thing that makes Morning Glory so good is the exact thing that makes Be Here Now so bad.”

Gallagher concedes. “It was a party atmosphere in the studio but not a drug atmosphere—we were just having a laugh. By the time we got to Be Here Now, we started to think about it too much and thought that we could just carry it off because it was us.”

With Heathen Chemistry, Oasis decided to get back to basics and shoulder the load itself. The main difference is we produced it—just us and an engineer. Not having a sixth opinion always helps. Not having somebody justifying their $100,000 salary helps. Not that I think anybody who’s co-produced in the past has not been worth it; that’s just that sometimes they don’t know when to leave it alone.”

The result, according to Sony Independent Network Europe’s London-based VP of marketing Torsten Luth, is a return to form: “I think it’s got some of the greatest Oasis tracks in the last seven years on it. The reactions we get both in the U.K. and internationally seem to confirm that.”

The first cut off the album, “The Hindu Times,” entered the U.K. sales chart at No. 1, and it debuted on the Music & Media Eurochart Hot 100 Singles at No. 3 following its release April 15.

MTV Networks Europe’s London-based VP of music programming Hans Hagman points out that this had probably as much to do with the first single of the track. “They have a very strong, loyal fan base, and they’ll always have it,” he says. “The question is, can they cross over again like they did with ‘Lose It All’?”

Richard Bridge, product manager for singles and dance at Virgin Megastores and V Shop in the U.K., says “The Hindu Times” has “performed better than I expected. It sold 116,000 nationally, and we were looking at 80,000. It’s one of the few singles outside of Popstars and Pop Idol that’s sold in excess of 100,000.”

It’s apparent that they have a very strong fan base. They tend to sell the majority of their records in the first week, but whether they’re crossing over to a newer audience is harder to determine. Sony has slated a second single, “Stop Crying for Cherokee,” for release before the album streets in July.

“By the time we release the record, people will have heard two great tracks off the album and will realize that if [Oasis] ever lost it, they are now back to form,” Luth says. “We are getting plenty of promotion now. They have been promotion nearly every day for the last six weeks, and they’re now doing a one-week promo trip to Japan where they will be playing at the first Japanese MTV awards. This will be followed by a few promotional events in Europe in June.”

After that, the focus switches to the States, where the band concludes its touring duties Dec. 10 in Mexico City.

“The plan is always the same,” Gallagher says of the U.S. “If it blows up we’re then quite prepared to go and do the fucking legwork. But if it doesn’t, it’s very simple: You go where you sell records. Our American audience has always been cool, but it’s a huge fucking place. Texas is 20 times the size of England. If you put that into perspective, you just about get an understanding of what it takes.”

Oasis are led by the moniker Kara’s Officiel, a guitar team headed by guitar virtuoso and Courtney Barnett’s former bassist Heather St. John. Although the band retains much of the band’s sound, the chemistry has evolved to reflect the influences of the 60’s and 70’s, and the sound stands alone. The duo is often more touching and poignant on soul-searching love songs, and there are a few of those here, but this is a worthy addition to their fine catalog.

“An Angel Screams From Outer Space,” but it’s a tough slog from start to finish here. Still you have to be grudgingly admire a band that still takes itself so seriously it delivers a 10-minute opus ("The Scientist’s Canvas"), as well as the seven-minutes plus “Jesus Was a Test Tube Baby,” on its debut.

GRAB BAG: As we settle into summer, we grabbed a glass of refreshing lemonade in one hand and a few of the dozens of advance CDs taking up residence on our desk to get a sense of what’s coming in the next few months. The following is a random sample of future releases.

• **Dave Pirner**, **45 RPM (Medicine, July 30).** Soul Asylum frontman takes a break from his Minnesota band for his first solo album. Much rarer than Soul Asylum during the band’s pop heyday, Pirner’s work is more reflective and mellow, which is to his fans’ credit. It was their first single “Never Recover” or horns on “Someday Love.” For a complete and updated discography, what Pirner fans are used to, check out the R&B-flavored, soulful “Feel the Need.”

• **Silverchair**, **Diorama** (Atlantic, July 30). The Australian two-piece makes its Atlantic debut after a long stint on Epic. Talk about an ambitious, laudable undertaking—by turns seemingly effortlessly gorgeous, and at other times forced, in many ways Diorama marks a huge shift in the band’s music. With its sweeping landscapes and grand themes, it should come as no surprise that Van Dyke Parks, most noted for his work with Brian Wilson, served as arranger on three of the album’s tracks. It’s such tunes as the hiss- icky, layered “Tuna in the Brine,” it’s clear that Parks has found a protege in Silverchair leader Daniel Johns. First single “The Greatest View” is a nice blend of the band’s previous edgy rock and its new, textured sound, but the tracks here rely more on atmosphere than hooks.

• **Maroon 5**, **Songs About Jane** (Octone Records, June 25). Los Angeles-based band Maroon 5 used to go by the moniker Kara’s Flowers when it recorded for Reprise Records. With a new name and label comes a new sound that comes across like Jamiroquai meets Lenny Kravitz—and that’s a very good thing. Destined to be a single in the States, “Lose To You” is so catchy it practically jumps out of the speakers into your lap. Other highlights on this fun, funk-tinged pop-rock set are the musically upbeat but confessionless “Tangled” and the easy-going “Sunday Morning,” and first single “Harder to Breathe.”

• **Elizabeth Cook**, **Hey Y’all** (Warners Bros. Nashville, Aug. 20). If the future of country music is a return to its hardcore roots, Cook is a shoo-in. So country she makes Deana Carter sound pop. Cook makes music so traditionally country that, at first listen, it sounds almost like XTC. Listening makes one hope that Cook is the real deal.

The twang factor goes to 11 on the first few numbers, but by the time you realize you’re listening to a country tune, the focus is on Cook’s often plaintive voice. The songwriting, primarily helmed by Cook, is strong, especially on “Dolly” (a funny tune that may have worked in the ‘60s or ‘70s that sometimes wears a little thin here).

• **Tuck & Patti**, **Chocolate Moose** (T&P Records, Aug. 3). The first release from the husband-and-wife team on its own label offers fans more of the same: eclectic tunes they’ve been creating for years. Tuck’s nimble acoustic guitar work makes perfectly with Patti’s soaring, scatting vocals. Much of the material, including album opener “Comfort Me,” was influenced by her Sept. 11, but the songs stand alone. The duo is often more touching and poignant on soul-searching love songs, and there are a few of those here, but this is a worthy addition to their fine catalog.

• **Stage**, **Stage** (Maverick, Sept. 24). This overearst self-titled debut from the New York-based Stage opens strongly with the driving first single “The World Has Come Between Us,” but, sadly, lead singer Ryan Stahr’s strong voice dissolves from effective delivery on that track to all-too-generic, overwrought melodrama on a number of tracks that follow the promising start. The band regains some ground on the languid, hypnotic “Flag” and the Bush-like “An Angel Screams From Outer Space,” but it’s a tough slog from start to finish here. Still you have to be grudgingly admire a band that still takes itself so seriously it delivers a 10-minute opus (“The Scientist’s Canvas”), as well as the seven-minutes plus “Jesus Was a Test Tube Baby,” on its debut.

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BILLBOARD July 29, 2002
Nelly Turns Up The Heat With 'Nellyville'  
Timberlake, Rowland, St. Lunatics, Toya Guest On 'Country Grammar' Follow-Up  

BY RASHAUD HALL  
NEW YORK—As music fans can be fickle, artists often have to walk a tightrope of sorts, maintaining a balance between presence in the marketplace and overexposure. Nelly seems to have become a pro at this.

From guest shots with Jagged Edge and 'N Sync to his contribution on the “What's Going On?” benefit single—not to mention his association with The St. Lunatics—the Universal artist has deftly managed to remain a fan favorite. For Nellyville, due June 25, the St. Louis native looks set to reap the benefits of his hard work.

“I tried to be careful of being overexposed, but you also don’t want people to forget you and the things you can do,” says Nelly (né Cornell Haynes, Jr.). “That’s why the things that we did were universal. It wasn’t just about having the No. 1 song, we also worked with ‘N Sync and Jagged Edge. It wasn’t just constantly picking out songs, but taking my time and trying to decide which songs were right for me. I could have probably been out ever other week with something new, but I just tried to do things that were not only beneficial but that would set me up right and keep me going. You don’t get to sell 9 million albums without touching a part of the audience you never thought you’d touch before.”

Of all of his recent collaborations, Nelly fans were probably most surprised when the rapper turned up on a remix of ‘N Sync’s “Girlfriend.”

“We always said we should do something together just to fuck everybody up,” Nelly says. “Then the opportunity presented itself. The song was perfect. It wasn’t anything that was not me, and it wasn’t anything that was not them. I could bring my own flavor, and that was the thing working with them—they just wanted me to do me and that’s what I did. Again, it gave me the opportunity to work with folks that may not be in the same element as I am but have the same fan base because, like I said, everybody deserves to hear from you.”

“Girlfriend” also marked Nelly’s first collaboration with producers The Neptunes, although they had known each other prior to the project. He reunited with the Neptunes for the lead single from Nellyville, “Hot in Here.”

“I knew them before I had a deal,” says Nelly, whose songs are published by Jackie Frost Music/BMG Songs, ASCAP. “They watched me (gro) from nothing to whatever it is you want to call me now, and I watched them grow as well. I wanted to work with them. We talked about it back then. Of course, I wasn’t able to work with them on [Country Grammar], so when the opportunity presented itself on this one, we ran with it.”

“Pharrell [Williams, of The Neptunes] said, ‘I have this track,’” Nelly adds. “‘As soon as I heard it, I knew that it was it, but I had to make one of those hooks. I started playing with it, and it just came to me. When I heard the beat, I knew the clubs would pick it up right away. And I think everyone’s been to that party where it was real hot, but it was so off the chain you didn’t want to leave. You’d rather start taking off clothes than leave.”

Nelly’s side project, St. Lunatics, is featured throughout the 18-track set. The group returns to pay homage to classic sneakers with “Air Force Ones.”

“That’s the law, right there in 48 out of 50 states,” Nelly says with a laugh. “You can’t go wrong with those on, no matter what. Rich, poor, whatever, those Air Force Ones rock. We just had to send love out. Run-D.M.C. put Adidas out there—not that Air Force Ones weren’t already out there—but we just wanted to show our appreciation for them. We decided we were going to rock about Air Force Ones, and everyone just went in and did their verses as it was going.”

Other guest appearances include ‘N Sync’s Justin Timberlake, Toya and Destiny’s Child’s Kelly Rowland, who appears on potential single “Dilemma.”

“It’s about a girl who’s in a relationship and she’s not happy,” Nelly says. “Sometimes women stay in relationships because they think it’s the right thing to do.”

With the success of Nelly’s debut, 2000’s Country Grammar, having topped both The Billboard 200 and the Top R&B/Hip-Hop Albums chart, the setup for Nellyville should be straightforward for Universal.

According to Universal senior VP of marketing Jackie Rhinehart, “The emphasis is on visibility, whether it be television, interviews, or advertising.”

To that end, Nelly will be performing on The Tonight Show With Jay Leno as well as opening this year’s BET Awards, which are scheduled for the same day as the set’s release.

The rapper has also scheduled a series of events to coincide with his charity, Asho 4Kids, which is focused in St. Louis.

Universal has also lined up new-media initiatives to promote Nellyville. In addition to promotion on AOL, bet.com, launch.com, and getmusic.com, the set will also feature UMYD’s new Backstage Pass technology.

“With Backstage Pass, when a consumer purchases Nellyville and puts it in their CD-ROM, it automatically launches them to this article where they can get access to exclusive content on Nelly,” says Universal/Motown associate director of new media Jennifer Carlson.

With Country Grammar selling more than 7.7 million albums, and St. Lunatics’ Free City selling 1.3 million, according to Nielsen SoundScan, retailers are looking for Nellyville to pop.

“This album could have real pop acceptance when not a lot of hip-hop is breaking that big,” says Eric Kiel, VP of purchasing for South Plainfield, N.J.-based Compact Disc World. Managed by Tony Davis of St. Louis-based T-Us Management and booked by Taj McClade for St. Louis-based Team Lunatics, Nelly views Nellyville as his Utopia.

“All is well with me, even though Biggie never lied when he said ‘Mo’ Money Mo’ Problems,’ ” he says. “But I’m better off than I was. Any time I look at my problems now, I know that there’s someone out there that’s doing a lot worse and would trade with me in a heartbeat. I have to accept what it is I do and what comes along with it.”

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Mammoth's A Gets 'Serious' On Sophomore Set

BY CHARLES DOUGHERTY

With the July 16 U.S. release of Hi-Fi Serious on Mammoth/Hollywood, British rock-punk band A has high hopes of transcending its popularity as a great live band and building a greater fan base on the radio airwaves. "Of course, it's all about the moss pit," jokes lead singer/songwriter Jason Perry, "but the band has gone to great lengths to deliver the strongest music we can.

As a result of constant touring in the past couple of years for its first U.S. release, 1999's Monkey Kong, N's Hi-Fi Serious shows a more focused effort. Consequently, expectations are high. Hollywood VP of sales and marketing Daniel Savage explains, "With Hi-Fi Serious, there is a stronger, more diverse presence, both lyrically and musically."

Perry agrees, adding, "We wanted the new album to reflect what we've found to be most important for us in life. It's about home, family, and your loved ones. Our newfound appreciation shows in our passion for our music."

Hi-Fi Serious was first issued in April to the U.K. and Europe on London Records. The single "Nothing" has made a strong impression there. Produced by Al Clay of Pixies fame, the set features 12 confident songs. The Van Halen-guitar-influenced band sounds akin to Foo Fighters and Green Day, while Perry's vocals are reminiscent of the range of young Rod Stewart mixed with the soulful sound of a Police-era Sting.

Perry notes, "With the current climate of radio having been opened up by American rock bands in the past couple of years, we've caught the country at the right time to receive what we have to offer."

A is currently touring Europe and Japan, with a possible U.S. trek this fall. A is managed by Tank at Furtive Mass Transit in the U.K. The band is booked by Steve Ferguson at Little Big Man in New York. Its songs are published by Warner/Chappell, ASCAP.

MANGIN

It's a serious quandary. Brian Mangin has an interesting idea for tackling the problem—attack it from a methodical business perspective. Instead of throwing your dreams of success on a novice with minimal experience, connect with someone with solid business and marketing acumen who's not looking to become a music hot-shot and is instead a strong businessman. "That's me," Mangin says with a grin, adding that one of the missions of his company, the multifaceted, Minneapolis-based Startspark, is to help focus acts that are trying to reconcile the cold rigidity of business with the more fluid nature of being creative. "Bands hire me to act as their marketing manager. The first thing I do with a band is sit down with them and we map out their goals as a business entity. I'm not there to critique or become overly involved in their music. I'm there to help them realize their goals from a purely logical standpoint."

"I've been with them since their inception a year-and-a-half ago," he notes. "I helped them develop a mission statement. We had them answer questions like 'What does this band stand for?' and 'How would you define the various stages of success?' Then we mapped it out, from planning videos—and how they'd be paid for—to building an effective Web site. There was no making it up as we went along. 'The path was planned, and it became a process of knocking things off a list.'"

That list also included creating glossy press kits and developing a multimedia CD-ROM of material by the band.
OLD BOTTLES, NEW WINE: Arrng the more valuable lessons imparted by the period-instrum-nts movement in classical music is that despite the march of time bringing forth newer, more flexible implements for music making, there’s still a great deal of vitality to be found in using historic instruments and tech- niques in the music of Bach, Beethoven, and even Berlioz. More recently, those instruments have been used to make modern music as well: Composers have begun to write for the distinct etive timbres of gut-string violin, wooden flute, and harpsicord, and early-music ensembles have commissioned new pieces to sit alongside Handel and Vivaldi on concert programs.

This month, the Santa Fe New Music label has issued a cor spelling case for such generational hybrids with The Shock of the Old, a collabora- tion between the Common Sense Composers’ Collective—an eight-member cooperative based in New York and San Francisco—and American Baroque, an e- music consort that makes its home in the Bay Area. The disc is available via amazon.com and the websites of the composers (commonsense.org), performers (americanbaroque.com), and the label (slism.com).

Since its inception in 993, the members of Common Sense have composed for a different perform- ing ensemble each year. A cor to founder Dan Becker, this par- ticularly uncommon collaboration began as small talk more than six years ago.

“American Baroque,” he adds, “is a group of friends with a love for our old instruments,” Becker explains. “We got together and talked about problem areas that might come up. People started sending snippets of music experiments, improvisational games, choral improvisations.”

The offhand comment led to months of experimentation, “We got together once a week to taped all our sessions,” Becker says. “I’d write music that made sense, and talked about problem areas that might come up. People started sending snippets of music experiments, improvisational games, choral improvisations.”

The disc is available via amazon.com and the websites of the composers (commonsense.org), performers (americanbaroque.com), and the label (slism.com).
OOPS . . . I BLEW A TRANSFORMER: The Friday, June 14, show by Britney Spears at United Spirit Arena at Texas Tech University in Lubbock was a memorable one. Three songs into Spears’ set, a house transformer blew, forcing the sold-out show’s cancellation by promoter Concerts West. The pulling of the plug elicited scattered boos from the crowd.

“This was the worst possible show to have go down because of the audience,” arena GM Kent Meredith notes. “This show went on sale in March. People were in line for three days, and it sold out the first day. This was the highlight of their summer.” Meredith was also quick to point out that the house weren’t directed at Spears. “I hope people understand the house fanboos reported were boos of disappointment. They didn’t boo her; they booed the situation. And the only way we can appease the fans is to bring her back.”

Meredith says the Spears tour has proven experiences technical difficulties, including sound problems in Portland, Ore., and a stick lifting platform in Phoenix. United Spirit Arena will quickly have a chance to see Warren Zevon when the latter brings in the Eagles June 28. “That will be another opportunity for us to prove that our house is great for concerts.”

FREAKY FRIDAY, PART II: June 14 was also an interesting day for Clear Channel Communications (CCC), Melinda Heerwagen, a Chicago-area woman, filed a lawsuit in Manhattan Federal Court against Clear Channel seeking unspecified damages for Clear Channel Entertainment’s (CCE) allegedly gouging concert-ticket sellers with inflated prices. The antitrust lawsuit seeks class-action status on behalf of individuals who bought tickets to any live rock concert in the U.S. from CCC and its affiliates and subsidiaries from March 1, 1997, through the present.

The suit states that from 1991 to 1996, concert-ticket prices rose by 21% while the Consumer Price Index shows that all prices grew by 15%, yet in the past five years, during the time of CCC’s consolidation of the industry and when anti-competitive practices were implemented, concert ticket prices ballooned by 61% while the Consumer Price Index increased by only 13%.

Regarding the suit, CCE senior VP of public relations Howard Schacter tells Venues View, “We don’t comment on the specifics of a lawsuit but will say our lawsuit shows a lack of understanding of the way our industry works. Ticket prices are set by the artists, not by the promoters. We’re in a volume business, and it’s to our benefit to have prices set as low as possible.”

In Washington, D.C., that same day, U.S. Senator Russ Feingold, D-Wis., from the Senate floor raised his concerns regarding “the concentration of ownership in the radio and concert industry and its effect on consumers, artists, local businesses, and ticket prices.” Feingold believes that “a corpora-

tion that owns radio stations, promotion companies, and venues has a conflict of interest in terms of promoting its own concerts and tours on its radio stations over those of the competition.”

Feingold also alleges that from 1996 to 2001, concert-ticket prices outpaced inflation: “We must look into allegations that mismanagement in the radio industry has triggered anti-competitive practices and raised ticket prices.” Finally, Feingold stated that “in the coming weeks, I will be introducing legislation to address the concerns about concentration and anti-competitive practices that have resulted from the Telecommunications Act” (see story, page 9).
While it in some ways remains the Rodney Dangerfield of rock—that is, it gets no respect—hard music continues to sell and make inroads into the mainstream. Aided by crossover ballads, Linkin Park's *Hybrid Theory* has sold 7 million copies and Stand's *Brick the Cycle* 4 million, while Puddle of Mudd's debut effort, *Come Clean*, has been certified platinum. System of a Down is having its biggest success yet with its double platinum *Toxicity*, and Ozzy Osbourne is finding a whole new audience and increased album sales thanks to that little home-invasion experiment on *MTV*.

The metal/hip-hop sub-genre, popularized by the likes of Limp Bizkit and Korn, has significant new entries with the latter's fifth album, *Untouchables*, and Papa Roach's sophomore effort, *Lovehatetragedy*. But the format may soon be eclipsed by a return to more melodic, guitar-based sound exemplified by artists such as Creed, Nickelback and party rocker Andrew W.K.

### NEW TRENDS

"I think that guitar-based rock is poised to make a return. Stripped down, basic guitar/bass/drums music," says Ed Trunk, who hosts hard-music shows on New York talk-radio station WNEW as well as the nationally syndicated program *Rock the Nation*. He notes that, in the near future, metal will "move away from a lot of the sampled, rap-type, highly produced" music and toward "an early Black Sabbath-type sound with bands like Down, Brand New Sin and Screedealer.

The underground movement coming through with bands like Icecubed and Nevermore. It's starting to really take root in some places," says the radio vet, who tours new releases by Injected, Superjoint Ritual and Black Label Society and has high hopes for Rob Halford's *Crush*.

Metalcore phenom Tours and the next efforts from Marilyn Manson, Anthrax and Metallica.

Monte Conner, senior VP of A&R at Roadrunner Records, points to bands like the Hives, the Strokes and the White Stripes as evidence of a retro return and cites Thursday and Glassjaw as examples of another trend—emo-influenced hard rock. "These are the two things that are happening right now," he says, but he doesn't buy into the me-too tendency to sign artists for genre's sake.

"The industry is so quick to recognize trends and rushes to capitalize on them that, very often, we kill a good thing. I think we have to be more conscious about that and sign good music and not just emulate what's happening."

Conner's label hit quadruple-platinum paydirt with Nickelback, a band much more mainstream than any act currently on its roster. While elated over the success of Nickelback's *Silver Side Up* and radio airplay for its singles ("How You Remind Me," "Too Bad"), Conner is not about to abandon the heavier bands that created "the brand name that is Roadrunner" or the fans that buy their music. "In fact, it's more important now than ever to continue to sign aggressive bands in the wake of Nickelback," he says, offering such examples as Killswitch Engage, Five Pointz O and 30 Crazylids, plus new releases from Soufly (3) and Coal Chamber (Dead Days).

Roadrunner's slate also includes the second release from guitarist Jerry Cantrell, *Degradation Trip*. "We'll run the gamut of the hard-rock genre and do so without paying attention to trends or signing the stuff that all the other labels are signing," Conner says.

### GET THE PARTY STARTED

Bob Chiappardi, president of Concrete Marketing, foresees the continued success of Korn, Linkin Park, Godsmack and Disturbed and a "metal mixed with melodic" sound, plus more introspective themes.

"Things are getting more intellectual," he observes. "We're living in emotional times." He names 3rd Strike, A and 30 Seconds to Mars as new bands to watch.

"Chiappardi doesn't see media darling Andrew W.K. as part of or heralding a trend, and neither does Lynx Cohen, president of W.K.'s label, Island Def Jam. His press department's efforts aside, Cohen credits W.K. himself for the media attention. "He's so different from a lot of the things out there, so he's compelling to write about. I would have preferred a tad less press visibility, but I don't think there's too much hype," he says.

W.K. aside, Cohen is focusing on marketing a hard-music roster that ranges from Slayer to Bon Jovi (which will release a new album Oct. 8) and includes newer acts Saliva, Hoochastank, Injected and Greenslade. "I think Hoochastank will continue exploding. We're still committed to Injected. We don't believe in failure," says Cohen, whose label's "hyperactive urban department that's getting a lion's share of dollars in cash flow" affords the ability to nurture baby bands.

As for W.K., he is neither bothered by reviews that dismiss the songs on *I Get Wet* as simplistic or pressured by others that hail him as the savior of rock. "It is simple party music," states W.K., noting that his greatest pressure is self-generated and that he has it "way too good" to gripe. He insists that his music is "not a return to anything from the past" or "a reaction to music other people are making or music that sucks," stressing that he'd "be doing it no matter what was happening."

### HOT TICKETS

Like Rob Zombie, System of a Down and a couple dozen other acts, W.K. is on this summer's Ozzfest, which may reap increased attention from Oszy's TV visibility. "They'll be under a microscope," says Chiappardi about the bands on the bill. At
HARD MUSIC

The Blizzard Of OZZ

The woman behind the heavy-metal icon’s curtain, Sharon Osbourne, has stirred up a marketing frenzy around Ozzy and the family name.

BY KELLY BARBIERI

At 53, Ozzy Osbourne, the self-proclaimed “Prince of Darkness,” is looking toward a mighty bright future thanks to no small part to his wife, Sharon, master marketing mogul.

While the rock star has always enjoyed success with fans of hard music, the MTV reality show The Osbournes has launched Ozzy into the mainstream and landed the family on the covers of several magazines. The rocker also recently received a star on the Hollywood Walk of Fame.

In another surprising twist, Ozzy received an invitation to play for Queen Elizabeth at a Buckingham Palace concert to mark the 50th anniversary of her accession and an invite to the White House for dinner last April.

Almost all of the kudos for the recent Ozzy revelry are going to the entrepreneurship of manager-missus Sharon Osbourne. In fact, Entertainment Weekly recently suggested that Sharon just might be “the most powerful woman in rock.”

But, according to many in the industry, this is not a new revelation. Sharon brought Ozzy into a new light six years ago with the introduction of Ozzfest—the heavy-metal festival that flew in the face of the grunge genre that held the charts captive at the time.

“Sharon is indeed a very sharp woman,” says Bob Chiappardi, president of Concert Marketing. “When all the tours were taking off, she realized that there was a need for one that specialized in heavy metal, even if the genre was not popular. Then, she branded it with Ozzy’s name.”

Still it can be said that Ozzfest has not only kept Ozzy fresh musically but fresh in the mind of U.S. youth, as well. And the festival has become synonymous with the hardest and heaviest rockers new to both the airwaves and MTV rotation.

“Ozzfest has become the keeper of the gate, as far as in metal acts are concerned,” says Chiappardi. “If a new band does not make it onto Ozzfest, they know that they are in trouble.”

BOX-OFFICE BLITZ

According to Joseph Bonfiglio, VP of marketing and tour sponsorships at Clear Channel Communications, which has promoted Ozzfest since 1997, the tour has developed into a hugely successful sponsorship machine.

“During our first year with the tour, we had one sponsor, Best Buy, and that was more of a barter deal,” says Bonfiglio. “This year, we will have at least eight national sponsors that will not only bring in a lot of revenue but create a lot of additional marketing for the shows, as well.”

Grosses also have increased since the tour inception by about $2 million a year until 2001, when final revenues jumped $8 million to just over $24 million, with a total attendance of 500,000.

The current demographic breakdown for the festival, according to Bonfiglio, is between the ages of 24 and 40, with a 55% male audience. “These are people that have a lot of money,” he says. In fact, the tour did so well last year that the public saw the premier of a second Ozzy tour called Merry Mayhem. Says Sharon, “Ozzy has a hardcore fan base, and we know that they are not going anywhere.”

Although the initial numbers for the tour, which ran from Oct. 31 to Dec. 23, 2001, did not rival Ozzfest, it did bring in an additional $7 million for 22 shows.

The veteran rock god, along with Sharon, daughter Kelly and son Jack (another daughter, Aimee, refused to take part in The Osbournes) signed on with the Endeavor talent agency in April to look into a deal with MTV for a second season. The reality series, which was the third-most-watched show on cable in late April with more than 5 million viewers, raked in huge numbers for the music channel. In fact, the first episode of The Osbournes was the highest-rated debut in MTV’s history, and the show has drawn in a whole new over-34 demographic.

Early in the negotiations, it was reported that the asking price for a new season was in the high seven figures, significantly higher than the initial paycheck they received for the wildly successful first season. After some wrangling, however, a deal was reportedly signed for a staggering $20 million for up to three more seasons. The next set of episodes will be set on the family farm in England.

“The there is a large demographic which grew up with Black Sabbath and Ozzy that is hungry for this kind of exposure,” says Bonfiglio. “Ozzy is bringing families together. The generation gap no longer exists.”

OZZY: THE BRAND NAME

“I think that things have progressed since the inception of Ozzfest [1996], which have turned Ozzy into not just a rock star, but a brand name as well,” says Chiappardi. A brand name in a genre that is at the top of its game, according to an April 29 report in Billboard Bulletin, which stated that the RIAA’s consumer profile survey for this year listed rock as the No. 1 genre in America with 24% of the purchases.

And it seems that Ozzy will continue to build his profile.

Catalog Classics

Reissues by heritage artists are reigniting old fan bases and bridging the generation gap.

BY BRYAN REESMAN

Brands may rise and fall, trends may come and go, but classic albums are always a precious commodity. “Metal is an evergreen genre,” affirms Adam Block, VP/GM, Sony Legacy Recordings. “New and old artists continue to find new audiences and reach new generations of fans. There is an appreciation for core artists that make virtually any time a good time to address their catalog.”

Major and independent labels have actively been reissuing vintage, out-of-print and import-only titles in increasing numbers over the past two years, tapping into a strong demand for remastered and enhanced product. Legacy recently reissued Judas Priest’s Columbia output, spanning 1977’s Sin After Sin to 1990’s Painkiller.

Epic is unleashing most of the Ozzy Osbourne catalog in two phases, beginning with Diary of a Madman, Blizzard of Ozz, Tribute and No More Tears. And, through Sanctuary Records Group, Sony recently reissued the entire Iron Maiden catalog housed in vinyl replica covers.

With all of these artists remaining active, they can become actively involved with the reissue process, while their tours stimulate back-catalog sales. “I think it’s real important to have band involvement,” says Ed Trunk, syndicated hard-rock DJ at WNEW New York, “although that’s not always possible because most of the artists who are having the catalog reissues done are no longer on the record label. At the very least, the labels should talk to somebody that really knows the
HARD MUSIC

Artists Take Control Of The Music

While many have found success, some high-profile artist imprints have called it quits or quietly stepped out of the limelight. What does it take to make it work?

BY CLAY MARSHALL

S

But many musicians in the hard-rock community who successfully juggle their own artistry with label concerns. But many other high-profile imprints founded in recent years, including the Osbournes' Divine and Marilyn Manson's Posthuman, are currently without distribution deals. Still others, such as Lars Ulrich's The Music Company and Megatonic, the imprint launched by Powerman 5000's Spider One, are either inactive, on hold or have nothing in production at this time.

TIME, MONEY AND MORE

According to Vai, discipline and delegation are key. "Running a label takes a tremendous amount of focus and energy," he says. "When I'm expressing myself musically, I'm most comfortable when in control of the elements. But, when you're running a business, you have to know how to surround yourself with great people. You simply cannot hold everybody's hand."

Nickelback singer Chad Kroeger will soon launch an as-yet-unnamed imprint licensed under Roadrunner Records. Roadrunner president Jonas Nachsin says he's not concerned that the venture might compete for the attention of the label's top-selling artist. "I'm not worried at all that it will detract one bit from Nickelback," Nachsin says. "Chad has aspirations that include being both a successful recording artist and a successful executive. His activity with Nickelback is one thing, and he has time and energy to do this."

Nachsin says Roadrunner supported Kroeger because of his hand in discovering and developing the gold-certified band Default. "He was able to prove that he really has an ear for talent," he says. "It certainly had nothing to do with being a reward mechanism—Chad didn't do all of a sudden have a hit record and say, 'Hey, somebody give me a production deal.' The guy is just a really talented, highly energetic artist and would like to be more than that."

Other artists, such as Devin Townsend (HevyDey), Phil Anselmo (House Core) and Neal Morse (Radiant), started labels as a means to further their own musical interests. "I wanted to have my hands on the steering wheel of my career," says Morse, who launched Radiant in 1997. Currently, Radiant is distributed by Metal Blade Records and only releases projects with which Morse has been directly involved, such as Spock's Beard and Transatlantic. Morse says he'd be willing to branch out, if he had both the time and unlimited financial resources. "You have to have enough money around so that you can really invest in acts, and you have to feel pretty secure about that to do it," he says.

LABORS OF LOVE

Limp Bizkit front man Fred Durst, whose Flawless imprint has a scored chart success with Puddle of Mudd, is indeed scouting for fresh talent. "I'm open to any type of music, as long as it's real and I feel it has a career," he says.

Durst says Flawless is currently battling the stigma of its identity stemming primarily from its founder. "Nobody goes around saying, 'This is Jimmy Irvine's new band,'" he says. "It's really weird that it always has to be, 'This is from Fred Durst.' It's new for me to be putting artists out into the world, so once post gets used to that idea, I think they'll stop focusing on me."

Durst recently released Hollywood, the band's second album on its own Cyanide imprint, distributed by Jimmy Buffett's Mailboat label. "Our philosophy was, nobody's going to fire us off our own label," singer Bret Michaels says. "I knew one day I wouldn't have to wake up and go, 'I worked six months on this album, and they're going to shelve it for years.'"

He refers to Crash a Smile, the record Poison completed for Capitol in 1995 that didn't see an official release until 2000. "I was really proud of that album, and it was heartbreaking when they said they were shelving it," he says. "Record companies can be absolutely great when it's all working in their favor, but if they change their regime and a new president comes in, it's easy to change the image of the label."

That was a primary reason why Marilyn Manson's Posthuman imprint recently severed ties with Capitol and signed a deal with Epic Records and Def Jam, a relationship that disappeared when the [Capitol] merger took place," says Posthuman's Goraphit. "The new situation wasn't going to be something that was going to work for either Capitol or Posthuman, so we're in the process of finding a new distribution home for the label."

Michaels says Poison's current arrangement is more viable for the band: "We had to [ask], 'Do we want to make a dollar a record, or do we want to make eight dollars?' Now, we put up the money for our own albums. We decide the songs we want to write, we maintain our publishing and we completely own everything we record."

But Vai, whose Favored Nations custers other artists' music, says his reward is not financial. "The thing I enjoy most about having a label is that I get to hear and work with very talented and inspired artists," he says. "It's the sense of achievement—to look back and know we've released a dozen records and that I've helped bring a certain kind of music into the world that I know people find valuable and stimulating."

We put all profits back into the label," he continues. "I don't use this label as a source of income; it's a labor of love. But I'm not complaining—I make a good living as a musician, and my first and foremost job is playing the guitar. And I get enough of that done."

Assistance in preparing this story was provided by Todd Martin in Los Angeles.

BOSTON'S NEXT BIG EXPLOSION

With guys like Godsmack talking about what a great band they are, one can only imagine great things to ahead for Blind By Noon.

Jonathan Lev, President of the Jerry Brenner Group

www.blindbynoon.com

(Download Audio and Video)

Music by Blind By Noon

"I've seen the boys from Blind By Noon a number of times in the Boston scene, and they kicked ass every time. I can't believe these guys aren't signed yet."

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- Jonathan Lev, Presen
MESHUGGAH - Nothing

"One of the ten most important hard and heavy bands."
- Rolling Stone Magazine

On August 15, the world will be treated to the next chapter in Meshuggah's amazing evolution from a quirky metal band into a full-blown hard rock juggernaut with the release of their newest opus, Nothing. Catch Meshuggah on tour 2002 all summer long performing on the second stage with Down, Kataklysm, Frenz Thony and many more. Check appearing on selected off dates this summer with System Of A Down.

POISON THE WELL - Tear From The Red

Jew-dropping sophomore album packed with ferocity and beauty.

THE CRUCER CONSPIRACY - Audio Medium

Solemnizing the progressive-rock '80s by evolving a punk-rock version of its. Call it "Tales from Topographic Puddles."
- Jim Berosh, Chicago Sun Times

CRIDE IN - Lost In The Air

The moment just before the moment you've been waiting for has arrived. Two brand new tracks from180yard castaways / soon to be international superstars Cride In. New EP out of Hydra Head Fall 2002.

SCISSORFIGHT - Mantrapping For Sport & Profit

Scissorfight rejects the rock and tours a new reality with yet another skirmish on fractal social epistemology, semantic chemistry and screaming green utopia. New EP on Tenenbae out Fall 2002.

ORANGE GOBLIN - Coup De Grace

The leaders of the retro/stoner revolution and purveyors of insane behavior. Features Kyuss' Scott Reeder (producer) and John Garcia (guest vocals).

SKINLAB - revoltingRoom

"A unleash play with a conviction and intensity that bands like P.B.D. and Papa Roach couldn't even fake well..." - LA New Times IN TOUR NOW!

TIME IN MALTA - A Second Engine

0 A Second Engine flawlessly bridges the gap between the worlds of hardcore, punk, metal and rock.

caroline DISTRIBUTION LOUD AS HELL SINCE 1983
Artist: Flevmo
Album: Episode 2: Meddresize
Label: Epic/Sony Music France
www.plevmo.com
Taking its name from its moldy logo characters, the
French metal band Flevmo has been described as
"elegant and epitaphic" by Billboard correspondents
in its 1999 album Kreuказывает.

The Fake Cake via Epic France. Released in
January in France, Belgium and Switzerland, Medeire Cake
debuting at the top 15 on the French album charts and has
already sold more than 40,000 copies. Lead singer Mark Maggiori,
aka Kenor, explains, "Our music is completely new to France. We call it 'new rock.'"

Produced and mixed by Fabrice Levy, known for his work with
NTM, Medeire Cake eclectically melds underground hip-hop,
electronica, and extreme new-age metal. "We've developed a very
creative marketing plan for Flevmo," says Annick Geisler,
international marketing manager for Sony Music France. "Without
substantial radio or TV coverage, we've relied on street marketing.
We do not rely on the French media and have not used

Columbia has already seen early
career with Lostprophets, says
Luth. "Only one single [‘Shinobi Vs. Dragon Ninja’] has gone to
radio in the U.S. so far, and sales are picking up. Shipments for
the album are currently beyond 110,000 units, with more than
55,000 scanned, resulting in a first dip into the Billboard 200."
Luth says this is down to "good response at, and to, radio, shows
and, increasingly, word of mouth. Then constant touring is a key
factor." After a second U.S. tour sponsored by MTV2, Lost-
prophets is booked for all the U.S. Ozzfest dates later this year.

GERMANY
Artist: Donots
Album: Amplify the Good Times
Label: Gun Records/BMG
Web site: www.gunrecords.de
From Munich in the west of
Germany, Donots sing in English
and offer a more old-school take
on melodic punk rock than its
U.S. nu-metal peers. The band's
recent single, "Saccharine Smile," offers
a good example of
its knack for combining strong
hooks with new-wave chops and was released
in Germany last month through BMG subsidiary Gun Records.
The band's third album, Amplify the Good Times, arrived June 17, with
Swedish indie Burning Heart (home to the Hives) handling the
release for Europe outside the
GSA territories. The band's previ-
ous release, Paradate, made the
German top 30 last year, prompt-
ing Gun's managing director
Wolfgang Funk to predict a top-
10 placing for the new album.
"The album will be promoted
through press interviews and ads,
independent radio promotion,
TV interviews and video plays,
and a street-poster campaign,"
says Funk. "One of the most
important promotion tools is the
European tour with [Burning
Heart act] Millencolin and two shows with Die Toten Hosen, plus
the summer festivals and their
own headline tour in September
and October." Funk started
Gun Records 10 years ago as a joint
venture with BMG, who bought it
outright at the start of 2002. "We
do all marketing, A&R and promo-
motion, and BMG takes care of
distribution. If needed, we some-
times use BMG Berlin for mar-
keting and promotion as well."

The band's work currently has no distribu-
tion in the States, says Funk.
"They don't give a shit in the U.S.
about European bands; they don't
care about the music—just where
the bands come from."

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a Dull Moment. Packages vying for ‘80s fans’ dollars include Poison/Cinderella/Winger/Faster Pussycat, Ratt/Warrant/Dokken/L.A. Guns/Firehouse and Tesla/Skid Row/Vince Neil/Jackyl. Veterans Aerosmith and Def Leppard also plan to hit the road this summer.

Trunk foresees success for the David Lee Roth/Sammy Hagar pairing, since it will attract fans of both singers and the long-dormant Van Halen. "You'll see a lot of Van Halen fans out who, in the past, were split and would only see one or the other artist. This will be a big love-in—if Sammy and Dave can get along, the fans can get along too."

Clearly, there's room for a wide variety of hard-music bands to succeed on the road, at retail and on radio. "No matter what happens with the trends—metal being in or out, cool or not—there are certain types of bands that will always survive," says Conner. "Bands like Creed, Nickelback and Godsmack that sound great on the radio and write mainstream music with an edge, there will always be a place for that on the radio, and there will always be room at radio for big rock ballads."

EURO METAL
Continued from page 21

fashion, manga-style graphics and, above all, the Internet. Through a partnership with the surfer site GOA, a Pleymo F-K7 was serviced to 200,000 subscribers, using a database of 14- to 20-year-old fans, the band’s target audience. To reach the international market, Pleymo's English-language version of the album, Doctor Tank's Medicine Cake, is set for European release this month. The French-language version of the album was released earlier this month in Japan in a marketing partnership with the streetwear brand Laundry. The show-stopping group will perform in Tokyo and Osaka in August at the Summersonic Festival, alongside headliners Guns N' Roses and No Doubt in 35,000-capacity venues.

—MILLANE KANG

SWEDEN
Artist: Insision
Album: Beneath the Folds of Flesh
Labels: MNW Records Group (Sweden), Earache (U.S.)
Web sites: www.mnw.com/www.earache.com

Insision boldly proclaims "war on Swedish melodic metal" on the band's Web site and backs up the declaration on Beneath the Folds of Flesh, released by MNW in the group's home market and due June 25 in the U.S. on Wicked World/Earache. The nine-track album, which already has received favorable press in key metal magazines, was produced by Berno Paulsson and Johan Axelsson and recorded at Berno Studios in Sweden. Through numerous revisions and alterations to the band's lineup since forming in Stockholm in 1997, Insision has earned a reputation as a musically impressive band, both in concert and on record. While Scandinavia became renowned during the past decade for death-metal bands, including the melodic metal of acts such as Gothenberg's At the Gates, Insision has carved out its own identity by rejecting the past. On the new album, the songs "forsake the tired Swedish cliches in favor of a fresh new sound," declares Earache's bio for the band "Insision," adds Earache press manager Curtan Reynolds, "rejects the ubiquitous At the Gates-derived melodies that have become synonymous with Swedish metal."

—KAI R. LOFTUS

ITALY
Artist: Lacuna Coil
Album: Unleashed Memories

Although having only released two full-length recordings, Italian goth-metal six-piece band Lacuna Coil has already made an impact on both sides of the Atlantic with its compelling mixture of seductive melodies and aggressive riffs. After building a steady following by aggressively touring throughout Europe, the group—which seamlessly interweaves the vocals of its male and female singers—issued the acclaimed Unleashed Memories last year and supported the album with its first American tour. "The number of records sold at the shows and since then is phenomenal," says Marco Barbiere, VP/GM of Century Media's U.S. offices. "You usually see a little spike in sales, but there's been a lot of retail and consumer demand. It was a really good setup for the next release." That album should arrive this fall, Barbiere says. "To build hype and buzz, we may bring them back over prior to the record's street date," he says. We feel like they have plenty of potential, as they're a young band that's willing to make the sacrifices it takes to get their music out there."

—CLAY MARSHALL
METAL... IT'S IN OUR BLOOD

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once again be at the forefront of the genre, with its latest offering, Down to Earth, which was released at the end of last year, certified gold by the RIAA for sales of 500,000.

The new album is the 24th consecutive release, including hit recordings with Black Sabbath, for which Ozzy has earned at least a gold certification in the U.S.

In addition, this summer's Ozfest is in the final stages of preparation. Bands on the roster include System of a Down, Andrew W.K., Adema, Rob Zombie, Meshuggah, Ape Theory, Lostprophets, Pulse Ultra, Neotopia, Flaw, Mushroomhead, 3rd Strike, Otep, Seether, Glassjaw, Used, Soil, Ill Nino and Chevelle.

A second Merry Mayhem tour is also in the works, and, as it wasn't enough, Simon & Schuster announced a $3 million deal on May 9 to publish two books about the Osbourne band.

So what is next for the Prince of Darkness? "I could see a movie sometime in the future, but I don't think that we will see any themed restaurants," says Chiappardi. "The one thing we can count on is that Sharon will not allow Ozzy to become overplayed."
**ROLLINS BAND**  
**The Only Way to Know for Sure**  
**PRODUCER:** Cliff Norrell  
**Santocty 06076-8455**

The music band is one of those rare groups that plays its gigs out night after night, leaving nothing onstage but sweat and maybe a little blood. The over-cafed teddy bears of former Henry Rollins and the savage riffs behind him create a piston-fired frenzy of released aggression as direct and to the point as a kick to the head. The Only Way to Know for Sure, a double-disc live set recorded in Chicago in March, captures the band in its most natural element—guns blazing. No over-dubs or fancy edits here, just bone-crunching rock and plenty of lyrical bile. As relentless as Rollins is, guitarist Jim Miller, bassist Marcus Blake, and drummer Jason Mackenroth keep step with muscular rock that’s smart enough toMsadapt the format’s typical clichés. Especially Nox is “Gone Inside” disc two’s leafcord track, and the follow-up, “Nowhere To Go But Inside.” ________________________

**MAIA SHARP**  
**Maia Sharp**  
**PRODUCERS:** Maia Sharp, Mark Addison, Randy Sharp  
**Concord 2150**

Maia Sharp’s eponymous second studio album corges the allure of yesterday’s Brill Building luminaries. Nearly all of its 12 radio-paired pop tracks were written in collaboration with one or more songwrit- ers, including Sibyy and Hadley. Sharp wields her crisp, alluring vocals like a temptress listeners will surely be enraptured. A multi-instrumentalist with a particular flair for moody sax, Sharp pens vivid character sketches about des- perate, no-win tryouts and the impossible nature of fame. The 24-year-old often caps her clear, brawny vocals with a sad twist, particularly on such sly lines as “I came a little closer to a hit with every miss,” from “You Can’t Lose Them All.” “Sinners,” the best cut on this set, says it all: Sharp’s tear-soaked lyrics and high-crested melody conjure for a finely crafted lesson on invincible pop.

**GEORGE TATE**  
**Geoff Tate**  
**Santocty 06076-8455**

Geoff Tate’s first solo album outside Queensrchy could, if pro- moted correctly, finally draw attention to a stellar voice that has gone unheard outside the metal lexicon. After several years as the frontman, Tate artfully flexes his five-octave range on 11 cuts that bring together electronic Atmospheres and hard-rock passion surrounded by textures and harmonies that recall Queen—shes The Pheme, clad in rock attire, looking into the heart of the heart but than swerving schmaltz, opener “Flood” builds an enjoyable tenor that’s retained until the last guitar lick on the heartbreaking “Over Me.” At times dreamy (“Touch”), dramatic (“In Other Words”), and danceable (“A Passenger”), this epony- mous set is an essential musical journey that can easily cross mainstream rock and top 40 borders. In fact, any PD who doesn’t embrace first single “Off The T.V.” probably should turn in his or her headphones—CLT

**DAVID JOHANSEN & THE HARRY SMITH SHAKES**  
**PRODUCERS:** David Chesky, Brian Koonin  
**KJDD 1234**

David Johansen was so at home with the renowned archival Harry Smith-inspired folkies of his preceding album, David Johansen & The Harry Smith’s, that he’s back two years later, mining even deeper into the heritage of the self-proclaimed “singer of odd characters.” This picks this time are even more obscure, ranging from Memphis Minnie’s “In Love Again” to the Tommy McClennan version of “Deep Blue Sea”—which signifies seamlessly into “My Morphine” by David Rawlings and Gillian Welch, the set’s only contempo- rary sources. Recorded again at St. Peter’s Church in New York, the disc, which is a bit edgier this time, retains its predecessor’s—and Chesky’s—emphasis on superior sonic quality. Indeed, it’s almost as if you’re sitting in the pews with Johansen and his equally authentic and superbsmiths (guitarist and mandolinist Brian Koonin, guita- rist/dobro player Larry Saltzman, bassist Kermit Driscoll, and drummer Keith Carlcock)—or, to keep it real, on the front porch—JB

**ZUCO 103**  
**Tales of High Fever**  
**PRODUCERS:** ZucO 103  
**Zignibus/Six Degrees 657063 1072**

Two years ago, Amsterdam-based trio ZucO made a dazzling de- but with Outro Labo, which effortless merged cool electronic lounge beats and sultry tropical rhythms. Tales of High Fever finds the band—Brazilian vocalist Lilian Vieira, Dutch drummer Stefan Kruger, and German keyboardist Stefan Schmid—continuing this quest, while at the same time bringing new flavors into the mix, partic- ularly a hip-hop 5th Dimension-shaded soul, ‘70s-era Philly orchestration, and U.K.-hardbreakbeats. The threensome even explores roots music—“Curso de Reclamacion—Lion 1” (Complaining Course—Lesson 1), complete with fiddle loops, guitar riffs, distorted violins, and Vieira’s rap-meets-folk-rap-paced delivery. Such guest musicians as Marcos Suzzano (percussion), Siba (violin), and Peter Bergman (bass), among others, only enhance an already color- ful and spirited sound.

(Continued on page 32)

**BELLY**  
**Sweet Ride:** The Best of Belly  
**PRODUCERS:** Various  
**Sire/Rhino RZ 78246**

In a genre known for being big and brassy, it’s always a pleasure to come across a musical that peels in its quiet moments. That’s why The Flats, an off-road Broadway show about a young woman whose spirit helps revives a dying town, is like a breath of fresh country air. You see, Belly’s heart is one of honesty blaring—composer James Valcq (working here with lyricist Fred Alley) pro- duces a rich sound with styles ranging from classic folk to honky-tonk to rockabilly to raucous Dixieland.

**RUSTY & DOUG KERSHAW**  
**Greatest Hits**  
**PRODUCERS:** Cary E. Mansfield, Bill Dahl, Wesley Rose  
**Varese Sarabande 302 066 347**

Perusultme swamp-pop classic “Louisiana Man” by brothers Rusty and Doug Kershaw—originally released on AucilRose Publishing founders Roy Aucil and Fred Rose’s Hickory Records (and produced by Rose’s son Wesley)—reached the top 10 on the country & western charts in 1961 and pointed the way South Louisiana Cajun music and culture. But the Kershaws were hardly limited to Doug’s autobiographi- cal tune about his bayou upbringing, which featured his infectious Cajun fiddling and an edgier brother-harmony vocal sound than country contem- poraries the Everly Brothers. Though the duo delivered other heritage-inspired songs like “Cajun Boy (in a Hayboun)” and “Cajun Bayou” and country hit “Diggly Lo Lo,” the Kershaws were equally adept at rockabilly (1957’s “Hey Mac”), which owed nothing to Elvis Presley and in fact varied material from the likes of Hank Williams (“Why Don’t You Love Me?”), Don Gibson (“Sweet Sweet Baby”), and France and Boudleaux Bryant (“Hey, Sherry”). This fabulous hits collection serves as a fitting memorial for Rusty, whose last year was marked by the two split professionally and Doug achieved solo stardom. —JB

**CONTRIBUTORS:** Jim Bessman, Leila Cobo, Jay DeFeo, Steven Graybow, Rasham Hall, Wayne Hoffman, Gail Mitchell, Wes Orshoski, Michael Pialetto, Mark Sullivan, Christina L. Thius, Karen Iris Tucker, Philip van Vleck, Ray Waddell.

**SPOTLIGHT:** Reissue sdened by the review editor. To deserve special mention on the basis of musical merit and/or Barrel Chart potential. NOTeworthy: Releases of critical events, VITAL REISSUES: Released albums of special artistic, archival, and commercial interest, and standing collections of works by one or more artists. PICKS: New releases predicted to hit the top half of the chart or the corresponding format. CHOICES: (x): New release, regardless of chart potential. Highly recommended because of their musical merit. WRITE TO MY EARS (L): Two new releases deemed Pops that were featured in the Music to My Ears column as among the most surprising records of the year. All albums commercially available in the U.S. unless noted. E-mail reviews to Michael Portnow (Billboard, 770 Broadway, 6th Floor, New York, NY 10003 or to the writer, in the appropriate business.)
DANCE/ELECTRONIC

► FATBOY SLIM
Live on Brighton Beach
PRODUCERS: various
SOUTHERN FRIED/Music of Sound/MCA 72438-12559

Most DJs wish they could rock as hard as Grammy Award-winning Fatboy Slim (aka Norman Cook). Known the world over for his four-track beats and clavinet-filled riffs, his music is aclaimor-lyke knack for know just what to play. It’s no wonder that Fatboy Slim’s music is a standard issue dub album. Still, it’s a fascinating recontextualization of the emotive music of the Bee Gees. The tracks are built with the kind of layered density typical of dub, featuring a host ofpercussion sounds, clapping, and rap. The prevailing mood of the songs is very bluesy, however, and that resonance is unmistakable and surprising, given the genre, which stray vary far from anything we’ve heard from a modern blues artist (though Poco Chubby may be getting close). This is definitely bluesy and a dub fan can appreciate. —PVV

NEW AGE

► OTTAM LIEBERT
In the Arms of Love: Lullabies
Children + Adults
PRODUCER: Ottam Liebert
Higher Octave Music 72438-12559

While listening to flamen戈o guitarist Ottam Liebert’s latest, don’t be surprised if you find yourself nodding off—and that’s meant as a compliment. In a city like New York, where street noise is a given, and where everybody seems to have mastered the art of music in their daily routines, it’s nice to know that once in a while, there is music that can make you want to shut up and listen. Ottam Liebert’s latest album, In the Arms of Love: Lullabies, is a true gift to music lovers. The album is a perfect blend of acoustic and electric guitar, creating a soothing and relaxing atmosphere that is hard to resist. —MP

NOTEWORTHY

MAROONS
Songs About Jane
PRODUCED BY Wallace
Ozone 82376-75001

Vocalist Adam Levine’s soulful, sundaedelay and Mickey Madden’s loose, jazzy rock work are reminiscent of Jimi Hendrix or James Taylor. The band’s debut, Songs About Jane, features a mix of rock and roll with a bluesy edge, and the result is a unique blend of genre-defying rock that is sure to please fans of all ages.

JAZZ

DAVID GRISMAN QUINTET
Dawgsmouth
PRODUCER: David Grisman
Acoustic Disc 49

Pinning down mandolin player David Grisman’s trademark “dawgsmouth” music is akin to describing the United States as a “melting pot.” It is, and so much more. Encompassing all elements of Americana, from bluegrass and Jazz and including Latin, classical, and klezmorim music that has become part and parcel of the American experience, the Grisman Quintet create identifyingly pleasing, all-acoustic music that jumps through genres at will. Improvisation plays a large part in its ability to transcend single influences, even melodic, percussive, guitar, violin, flute, and acoustic bass add their cultural and stylistic voices to material ranging from the gentle, Latin-influenced “Argentine Trio” to the country-meets-surf range of “Bluegrass at the Beach.” It might take well-trained ears to fully comprehend the range of styles that go into the quintet’s music, but if you listen attentively, you will likely find that you’re in a new place someplace in the mix. —SG

WORLD MUSIC

FLORA PURIM
Flora Purim Sings Milton Nascimento
PRODUCERS: Flora Purim, Airto Moreira, Dominique Camarillo
Narada jazz 72438-12454

Iconic singer Flora Purim says this album could have been titled The Tiar of Us, in honor of her long-lasting friendship and musical relationship with Brazilian singer-songwriter Milton Nascimento. That notion comes to fruition in the tasteful “Nós Dois,” arranged for piano trio (that’s piano maven George Duke sitting in on keyboards) with Purim’s throaty vocals playing above. Overall, the sound here is lush and richly textured, with Purim using sparse musical backing, which, of course, includes Laurindo Almeida’s piano. Even as improvisational give and take is maintained in every track, it’s always at the service of Purim’s trademark Brazilian grooves. At the same time, the renditions are always at the service of Nascimento’s music, with thoughtful solos blending seamlessly with vocals. In the line, “The Two of Us” well describes an album where jazz ensemble and voice come together as one. —LC

BLUES

LITTLE AXE
Hard Grind
PRODUCER: Adrian Sherwood
Fat Possum 798

This unusual project comes to us from producer Adrian Sherwood and session guitarist Skip McDonald (aka Little Axe). The music, hailed as dub-blues, is a combination of Jamaican dub and blues. Don’t expect to see this album nominated for any awards, but it’s barely recognizable as a standard-issue blues album. Still, it’s a fascinating recontextualization of the emotive music of the Bee Gees. The tracks are built with the kind of layered density typical of dub, featuring a host of percussion sounds, clapping, and rap. The prevailing mood of the songs is very bluesy, however, and that resonance is unmistakable and surprising, given the genre, which stray vary far from anything we’ve heard from a modern blues artist (though Poco Chubby may be getting close). This is definitely bluesy and a dub fan can appreciate. —PVV
**SINGLES**

Edited by Chuck Taylor

**R&B**

D.J. ROGERS JR. Lonely Girl (3:58) **PRODUCERS:** Jamey Jaz, Dent

**WRITERS:** J. Sample, L. Carr, E. Shuman

**PUBLISHERS:** Universal Music Publishing/9/4 Five Knights Music, BMI; Music Sales Corp/Embury Music, ASCAP

**Motion 20754 (CD promo)**

Motown’s new sound looks primed to carry on the label’s grand traditions. Recent releases from Erykah Badu, India.Arie, and Remy Shand have the R&B giant once again pioneering soul music. Newcomer D.J. Rogers Jr. is one more name to add to that new class. The California native displays an impressive debut with lead single “Lonely Girl.” From his forthcoming *Emo-Soul* set, the midtempo ditty is both groovy and smooth. The guitar-driven track, produced by Jamey Jaz and Dent, will have heads nodding and fingers snapping all summer, while Rogers’s silky vocals should make his father—we’ll call him DJ Rogers Sr., the voice behind ’70s classics—“Say You Love Me” and “Lovelove Love Me Back”—pride. Adult R&B stations should all over this soon-to-be smash.—**RH**

**COUNTRY**

**ALABAMA I’m in the Mood (3:20)** **PRODUCERS:** Don Cook, Alabama

**WRITERS:** L. Anderson, R. Rogers

**PUBLISHERS:** Sony/ATV Songs, Route Six Music, BMI

**RCA 69148 (CD promo)**

Veteran country supergroup Alabama surprised fans by releasing the recent album Country of My Country Awards by announcing its retirement from touring. The American farewell tour is slated for next year and will mark the foursome’s final road trek. In advance of the tour, the band is releasing Aug. 20 a new RCA album, *Love Songs,* which includes this fine song, the group’s 61st single. Performed by L.A. Anderson and Ronnie Rogers, “I’m in the Mood” has a slow, sultry groove that showcases lead vocalist Randy Owen’s warm, Southern voice. The lyric describes how quickly the day’s stresses can slip away when you return home to the one you love. It’s the kind of tender, sensual ballad that has become an essential part of Alabama’s perpetually hit-laden repertoire over the years. The combination of this solid song and an outstanding performance should remind grammer and listeners why this band has been so successful for the past two decades—and how much it will soon be missed.—**DEP**

**LEE ANN WOMACK Something Worth Leaving Behind (3:49)** **PRODUCERS:** Mark Wright, Lee Ann Womack

**WRITERS:** B. Beavers, T. Douglas

**PUBLISHERS:** Sony/ATV Songs, BMI

**WVAZ 2752 (CD promo)**

Following her career-defining album *I Hope You Dance,* which earned Womack innumerable accolades, expectations are high for her forthcoming new MCA collection. If this single, the title cut, is any indication, Womack is hitting one out of the park again. Written by Tom Douglas and Brett Beavers, the outstanding song has a haunting, memorable melody and a great lyric, starting with the opening lines, “Hey Mona Lisa, who was Leonar- do/Was he Andy Warhol/Will we Marilyn Monroe.” Womack sings that she’ll probably never paint a masterpiece or lose her life to save another soul, but the writer’s luck over the payoff in the lines, “If I will love then I will find that I have touched another life, and that’s something wonderful.” The song is a lyric with a poignant sentiment, and Womack delivers it beautifully. She possesses one of the most compelling country voices to come along in quite a while—vulner- able one minute, compelling and gutsy the next. This should quickly become the next hit on what will no doubt become a lengthy parade for this talented artist.—**DEP**

**NEW & NOTEWORTHY**

**ABRA MOORE First Date (3:57)** **PRODUCER:** Paul Fox

**WRITERS:** W. Woodruff, W. Woodruff

**PUBLISHERS:** Skully 1331/Chief Music, ASCAP

**J Records 21187 (CD promo)**

In the wake of Teddy Wilson, Avril Lavigne, and Michelle Branch comes Abra Moore, J Records’ entry in the current really young female-singers-who-sound-nothing-like-Britney-mix. Ironically, Moore actually pre-dates her contemporaries; she debuted a couple years back with Clive Davis on Arista. “First Date” is an acoustic midtempo folk-pop out- putting that focuses squarely on the loose, baby-girl vocal from Moore, whose sound is obviously influenced by a number of ’90s singers whose approach bears more than a resem- blance, from the Cranberries’ Dolores O’Riordan to Jewel and Sixpence None the Richer’s Leigh Nash. Even so, listeners who are dazzled by her voice may turn their attention towards lyrical substance and a hipper image than the leaders of the previous youth pop movement—she’s got the chops and the will. Time and experience will take care of the rest. In the meantime, leave this infectious anthem to keep your head- and shoulders above the pack.—**LP**

**BBMAK Out of My Heart (Into Your Head) (4:06)** **PRODUCER:** Rob Cavcolo

**WRITERS:** Barry Burns, McNally, Griffiths & Griffiths

**PUBLISHERS:** Strongsongs/EMI Famous Music, PRS

**Hollywood Records 11521 (CD promo)**

Brit trio BBMAK previews its sophomore outing, *Into Your Head,* with a song so hooky, you’ll wonder how life seemed complete before your ears began wagging in rhythm to this one. Written by team members Mark Barry, Christian Burns, and Ste McNally with collaborators Griffiths & Griffiths, and

**BEYONCE Work It Out (3:23)** **PRODUCERS:** Williams & Hugo

**WRITERS:** B. Knowles, P. Williams

**PUBLISHERS:** Beyonce Publishing/Hitco Music/EIM April, ASCAP; Waters of Nazareth, BMI

**Columbia 59874 (CD promo)**

It didn’t take long for videogame Des- tiny’s Child singer Beyoncé Knowles to get her first solo single out—a wise move given the fickle tastes and often short memories of her targeted youth audience. The fun and maniacal “Work It Out” ushers in the imminent soundtrack to the Austin Powers fea- ture Goldmember (in which Beyoncé also stars), as well as the singer’s own *Dangerously In Love* debut, due in October. The track may initially con- found listeners whose ears have been dulled by a steady diet of Ashanti, Puerto, and the rest of today’s increas- ingly sound-alike hip-hop/R&B stars. Instead of playing follow-the-lead, Beyoncé and production team Wil- liams & Hugo go their own stylistic way by deftly merging cutting-edge rhythms with classic rhythm and blues guitar and horn riffs. And instead of pursing like a sex kitten, Beyoncé strives to assert herself as a viable, old-school belter by wailing and stamping like a baby Arabella. Her pas- sion is palpable, and it carries her when the limitations of her youth keep her from sounding like a sage ole diva. No worries, though. Beyoncé is well on the road to her ultimate destination. She’s got the chops and the will. Time and experience will take care of the rest. In the meantime, leave this infectious anthem to keep your head-and-shoulders above the pack.—**LP**

**STAFF RECOMMENDATIONS**

**ERIC ASENE, Deborah Evans Price, Larry Flick, Rachel Hall, Chuck Taylor**

**SPOTLIGHT: Release details by the review editors to draw special attention on the basis of musical merit and/or Billboard chart potential. NOW & NOTEWORTHY: Exceptional releases by new or upcoming artists. PICKS: New releases predicted to hit the top half of the chart in the corresponding format. CRITICS’ CHOICES: New releases, regardless of chart potential, highly recommended because of their musical merit. Send review copies to Chuck Taylor (Billboard, 770 Broadway, 6th floor, New York, N.Y. 10013) or to the writers in the appropriate categories.

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**R&B/HIP-HOP**

**Dre, Hugo Win Top ASCAP Awards**

_Ceremony Also Pays Tribute To The Legendary Earth, Wind & Fire_

**BY MARGO WHITMIRE**

LOS ANGELES—Dr. Dre and Chad Hugo were honored as songwriters of the year and EMI Music Publishing as publisher of the year during ASCAP’s 15th annual Rhythm & Soul Music Awards. The June 17 event—held at the Beverly Hilton Hotel and hosted by Murder Inc. artist Ashanti and producer/artists DJ Quik—also paid tribute to legendary group Earth, Wind & Fire with the organization’s Rhythm & Soul Heritage award.

Dr. Dre and Hugo (who, with Pharrell Williams, comprise the Neptunes production team) were both recognized for three ASCAP award-winning songs. Dr. Dre’s titles were “Family Affair,” “Let Me Blow Ya Mind,” and “What Would You Do?”. Hugo’s winning titles were “Cross the Border,” “Danger (Been So Long),” and “I Just Wanna Love U (Give It 2 Me).” Other top song winners were Musiq’s “Love” (top R&B/hip-hop of the year), and Janet Jackson’s “All For You” (top dance song).

When combined with its EMI/Jobete Music Publishing division, EMI Music Publishing scored a total of 23 award-winning songs, including “All for You” (written by Wayne Garfield, James “Jimmy Jam” Harris, Terry Lewis, Mauro Malavasi, and David Romaniti), “My Baby” (Berry Gordy Jr., Alphonso Mizell, and Freddie Perren), “Love” (Carvin Haggins, Andre Harris, and Musiq), and Alicia Keys’ “Fallin’” (Keys).

**RHYTHM, RAP, AND THE BLUES**

_Six Months In: As another Black Music Month winds to a close, I asked our chart department for a six-month snapshot of the top-selling R&B/hip-hop albums. The top 25 for 2002 thus far (Jan. 19-June 22) are Ashanti (Ashanti), Eminem (The Eminem Show), Ludacris (Word of Mouf), Nas (Stillmatic), R. Kelly & Jay-Z (The Best of Both Worlds), Ja Rule (Pain Is Love), Jaheim (Ghetto Love), Musiq (Usurper Lust Listen), Tweet (Southern Humphirbird), various artists (P. Diddy & Bad Boy Records Present... We Invented The Remix), Usher (8701), Busta Rhymes (Genius), Mary J. Blige (More Drama 2000), Cam’ron (Come Home With Me), Avant (Estate), Brandy (Full Moon), Big Tymers (Hood Rich), Mystikal (Paraludus), Alicia Keys (Songs In A Minor), Keke Wyatt (Soul Sisters), Kirk Franklin (The Rebirt of Kirk Franklin), Nappy Roots (Watermelon, Chicken & Grille), Jennifer Lopez U2 To Tha L-O!-The Remixes), OutKast (Big Boi & Dre Present... Outkast), and Faith Evans (Faithfully)._

**DO IT GOOD:** There’s an old Bill Withers called up, and it took me too long to know that God made me beautiful. Now maybe others can bypass some of that drama with this song.

**INDUSTRY BRIEFS: R&B pioneer/showman James Brown:** will receive the BMI ICON Award during the organization’s 2002 Urban Awards festivities, Aug. 6 at Club Tropicana in Miami’s Fontainebleau Hilton hotel. Brown and his brother(guest producer) Chuck Berry, Bom Diddley, and Little Richard, who were honored in May during BMI’s Pop Awards ceremony .

 blackjack Marketing Solutions will host the inaugural EarlJohnStreets Music Conference at New York’s Hotel Pennsylvania. Geared toward music producers, the three-day event (July 31-Aug. 2) will feature Rockwilder (Janet Jackson), Chucky Thompson (Faith Evans), and others. For more info, visit earljohnstree.com... The Smokin’ Grooves tour kicks off July 18 in San Francisco; featured acts are Lauryn Hill, OutKast, the Roots, Jurassic 5, and Truth Hurts. It wraps Aug. 7 in Atlanta.

**CONVENTION UPDATE:** Please note that the Billboard/American Urban Radio Networks R&B/hip-Hop Conference will now take place at Miami Beach’s Fontainebleau Miami Beach and the Eden Roc Hotel. Dates (Aug. 7-9) remain the same; the awards show remains at Billboard Live.
Refunds will be processed after cancellations received between June 26 and July 24.

CONFERENCE CANCELLATIONS: All cancellations received between June 26 and July 24 must be in writing and are subject to a 25% cancellation fee. No cancellations accepted after July 24 and no refunds will be issued. Substitutes may be made at any time. Refunds will be processed after the conference is over.

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**RETURN OF THE HOT BOY:** At 19, Lil’ Wayne is the youngest member of the Cash Money Millionaires. But he’s not content to rule the coasts of his older crew members—a fact he says he’ll prove with his new release, **500 Degrees,** which bows July 23.

“I just want to hold it down for the camp so all the bad talk can get eliminated,” Wayne says, “because I’m gonna speak out and just hold us down, because I know I can do it and I know I’m gonna do it.” He says the album is about more things than that a lot of people can relate to. Not really speaking from a 19-year-old point of view, I’m thinking on a lot issues, a lot of stuff I never talked about on other albums.”

One of those things is relationships. On the song "Youngin Blues," I’m speaking from the point of view of a youngin’. We do our things and we don’t know it. And I’m just describing that feeling,

**THEY GOT GAME:** It’s a well-known fact that athletes are drawn to the entertainment industry, and some of them are turning the tide in label ownership. Two of the latest to do so are Atlanta Hawks forward/center Alonzo Mourning and Philadelphia 76ers forward Derrick Coleman.

Henderson’s Hendu Recordings is not exactly new; rather, it’s revamped with a new distribution deal and EMI. Label president/CEO Malcolm Thompson says the label, already known for its 2000 release of Book I by Pastor Troy, and the Congregation, is now preparing for releases by two new acts: Indiana rapper Hoax Mendosa, whose single, “To Be” is produced by Petey Pablo and pro-}

**LIKE FATHER, LIKE SON:** T2, the 16-year-old son of rapper Lil’ Troy, is following in his dad’s footsteps with the upcoming release of his debut **My Turn** on Troy’s Short Stop Records. T2 says that even though he joins the ranks of young MCs like Lil’ Kim and Bow Wow, he’s not concerned about being compared with other teen rappers. “I think every rapper or singer has their own style, and I got my own style,” T2 says. “I think I’m the only rapper that dances onstage the way I do. I don’t do nothing like it. It’s just a freestyle dance that I do.”

Like his father, T2 says he plans to learn the business side of the industry, explaining, “I wanna take over once my dad gets old.”

But dad might have something to say about that: “I ain’t never getting old,” Troy jokes. “I’m bringing him along so that hopefully he can do something besides just rap; he can own and run the company at the same time.” Hey, they say father knows best.

Rhonda Baraka may be reached at rhsr@att.net.
By TAMARA PALMER

London-based British DJ/producers Henry and Justin Drake, known collectively as Peace Division, a name that turns out to be startlingly apt. The pair’s unexpected approach to DJ-ing finds Henry and Drake, more often than not, managing turntables separately. In other words, they don’t normally DJ together.

“We tend to do our DJ gigs separately,” explains Drake, who considers himself to be the more studio-oriented of the pair, while Henry is more likely to be found behind the decks at clubs like Fabric in London and Sala 62 in Spain. “We just find it easier this way. Clive’s been doing it a lot longer than I have. He’s more selective than I am: He may not play a record if it’s got some sounds in it that he doesn’t like, whereas I’ll play it anyway.”

A RARE PAIRING

Such an approach led to the July 9 release of Peace Division’s beat-mixed set, Nite:Life (NRK Sound Division UK), which offers the rare opportunity to catch the pair pimping the turntables side by side.

The collection—the 10th volume in Bristol-based NRK’s Nite:Life series—was completed during a painstaking three-month period in which more than 60 tracks were considered, then road-tested at various stops along their respective DJ tours to gauge the merits of including (or not) in the mix.

Ultimately, the selection was a representative of what Peace Division plays in a club. But Henry and Drake are also mindful of the fact that most listeners will not hear the disc in a dance studio.

Surprisingly, and unlike other DJ/producers in a similar situation, Peace Division—which has remixed tracks for Moby, Rui da Silva, and X-Press 2, as well as produced tracks for U.K. labels like Slip’n’Slide—doesn’t include any of its own productions or remixes on Nite:Life. Thus the musical two-some nearly avoids the blatant self-promotion and “stacking” that is too common with mix CDs.

“We did start off with a few of our songs in there, but they didn’t make it in the end,” Drake notes. “It’s a rigorous selection process, indeed, when one’s own tracks end up on the cutting-room floor. Also, once I finish a track, I tend to put it away and not play it for at least six months. Then I’ll go back and listen to it and see how it holds up. So there was a bit of that [thought process] there as well.”

Peace Division’s Nite:Life packs a premium of energy as it wends its way through contemplative, moody jams—from Florida veterans Oscar G. and Stryke and London’s James Holden—and comparatively brighter vocals tracks from Shauna Solomon and Urban Soul featuring Roland Clark. It is a style that is at turns hard, dirty, and reminiscent of DJs like New York’s Danny Tenaglia, chief among the duo’s numerous globe-trotting DJ supporters.

“Peace Division’s Nite:Life is definitely the darkest and deepest house CD we have released so far,” notes Redg Weeks, the international distribution and marketing manager for NRK. “It sums up what Justin and Clive do well: no nonsense, heads-down, underground music made for the dancefloor. Hopefully, it will not only appeal to fans of their remixes but to those who might also go out and buy a DJ Dan, Doc Martin, or Sasha CD.”

“Typically, there’s a small bit of interest regarding Peace Division among CD buyers,” offers Mike Battaglia of Amoeba Music in San Francisco, “but a lot of people come in asking about their singles and remixes on various venues.”

Battaglia continues, “In this case, I think there will be more recognition for the Nite:Life series itself than the actual artist. It’s probably on the same level as the Back To Mine and Another Late Night Series in terms of name recognition and mid-level sales.”

While NRK will align itself with ‘select publications’ for contest promotions relating to Peace Division’s Nite:Life, the bulk of the label’s energies will be spent on keeping the door on the road, playing to the same level as the Back To Mine and Another Late Night Series in Europe, Australia, and Asia. A North American tour is being planned for August.

Peace Division—ever together in its studio and house and hip-hop-fused aged pair whose bookings are handled chiefly by Janet Belsey of Low Pressing in London.


• DJ Geofoe, Trance Essentials (ULT album). With this disc, San Francisco-based/Navarre-distributed UBL gives the British labels a home for their money in the compilation department. DJ Geofoe, who beat-mixed this euphoric set, brings together-of-the-moment tracks like Ian Van Dahl’s “Will It,” DJ Sammy & Yannow Featuring Do’s “Heaven,” Kosheen’s “Catch,” and the DJ Tiesto mix of Moby’s “We Are All Made of Stars.”

• Lamy, “Empires” (1 single). Clive Davis’ latest in-a-waiting, Lamy, offers the club community a sneak peak into her forthcoming debut full-length (the sterling Learning From Falling, due July 30) with the poetic “Empires,” which has been gloriously reconstructed for dancefloors by Sander Kleinenberg and Brit. forthcoming is a mix from Victor Calderone.

• Orbital, Back To Mine (DMC/Razor Tie album). In the past, Everything But The Girl, among others, has helmed sets in the chilled Back To Mine series. Now, along come brothers Phil and Paul Hartnoll, aka Orbital, to offer their own take on the perfect post-club experience. Orbital’s deliciously eclectic musical vision spotlights tracks by Lee Perry & The Upsetters (Justice To The People), the Divine Comedy (Lost Property), and yes, Jethro Tull (Living In The Past).

• High Contrast, True Colours (Breakbeat Science album). Design a drum’n’ bass landscape with more melody, soul, and warmth? Apparently, High Contrast mastermind Lincoln Barrett did and decided to do something about it. With original music that stretches over two discs (one mixed, the other not), True Colours culls from various fields, including house, drum’n’ bass, and hip-hop, like True Colours and “Music Is Everything” are sweeping and epic. MIchael Paolotta
Lyric Street’s Shedaisy Hopes Critics Won’t ‘Knock On Sky’

By Deborah Evans Price

NASHVILLE—Rarely has an act garnered more polarized response from fans and industry pundits than Shedaisy. Selling more than 1.7 million copies of its 1999 Lyric Street debut, The Whole Shebang, the trio struck a chord with country consumers, but many critics have been less than kind.

With their new release, Knock on the Sky, sisters Kristyn, Kassidy, and Kelis Osborn are hoping not only for strong sales but also a little respect. Kristyn, who either wrote or co-wrote every song on the record, says she and her siblings took their time on the album and the lyrics came naturally. “It had to be better, more mature, and different than the first one. That was what the three of us focused on,” the blonde siblings say. “It reflects a lot more maturity and growth.”

On Knock on the Sky, the sisters expanded their involvement in the creative process, co-producing the record with Dunn Huff. “Musically, we became much more intelligent when it came to being in the studio and knowing what we want,” Osborn says. “Critically, people have been a little bit more open to it than they were with the first one, and we hope our fans are just as responsive, because they made the first album so successful.”

It’s been three years since the release of The Whole Shebang, but the sisters have been anything but idle. They switched to a parasol album, Brand New Year, in 2000, and a remix album, The Whole Shebang—All Mixed Up, in the fall of 2001. Osborn admits that taking time between albums had generated some speculation.

“We’ve heard a lot of rumors—that we didn’t have material, that the label was making us wait, and none of it is true,” she says. “The truth was it took over two years to get through five [radio] singles on the first album... Also, the label built in time for the writing to be as good as it possibly be... And they were being very patient with my personal life, allowing me time to get my stuff together and get my head in the right place to go out and promote a record. I appreciate that.”

The personal issue Osborn alludes to is her recent divorce from husband Joel Stevenett. She admits the experience colored the songs she wrote for the album, though not necessarily the songs one would expect. “People automatically assume that songs that sound like they may be angry [were about the divorce]. They have nothing to do with our relationship,” Osborn explains, adding that she does not have any animosity about the divorce. The album is lyrically meatier than its predecessors. The beautiful ballad “Rush,” written by Osborn and Marcus Hummon, was featured in Hummon’s play Warrior about the life of Olympic legend Jim Thorpe. There are also lighter moments, such as the catty, tongue-in-cheek “Everybody Wants You,” written about an artist Osborn declines to name. There’s also “Reptil,” which shows the sisters delivering a high-energy song with unique lyrics.

HEART ON HER SLEEVE

Osborn says the more vulnerable songs on Knock on the Sky came from her breakup. “I wish I were the Rain is so difficult for me to listen to,” Osborn admits of another song she penned with Hummon. “I don’t know when I’ll be able to come to terms with that one, but it is one of my favorite things on there.”

As someone who values her privacy, it sometimes feels awkward for Osborn to pour her heart out in her songs. “It’s bizarre. I’m almost contradicting myself because my life is private, but I know that this is what I do best,” says Osborn, an ASCAP writer with her own publishing company, Without Anna Music (named for the sister who doesn’t perform with the trio). “My role in this group is to write,” she observes, noting that what she wrote for this album is “really revealing. It hits close to home, and that’s what is scary.”

KMEL Phoenix assistant PD/music director Chris Lois calls Osborn “the Shirley Crow of country music in terms of the way she lyrically lays it all out there.”

THE SPATULA MANEUVER

The album’s first single, “Get Over Yourself,” didn’t fare well with radio programmers, many of whom felt it was a male-bashing anthem. So Lyric Street switched to “Mine All Mine,” currently No. 39 on the Billboard Hot Country Singles & Tracks chart. “We took a little bit of a swing with this record,” Lyric Street VP of promotion, Kevin Herring says about “Get Over Yourself.” “It was unique, [and] we just felt we were in a position with Shedaisy that could hit one over the roof. We have a great album, and it was worth taking a chance.”

To encourage programmers to “flip to” the new single, Herring and his cohorts sent spatulas to radio. “We went out and bought every spatula in the city of Nashville,” he says. “It caused people’s attention and they understood what we were trying to do.”

Loss is one of the programmers who did hit “Get Over Yourself,” and he’s now playing “Mine All Mine.” He also likes the album’s title tune, which is included as a hidden track. “The project has some really strong material,” he says of Knock on the Sky. “Kelis, Kassidy, and Kristyn are great for the format. They’ve been gone for a while, so it’s really exciting to get new material from Shedaisy... Unless you’re smokin’ crack, most people in radio should love when [they] get new music from exciting artists.”

This summer it will be nearly impossible for Shedaisy fans not to notice the group has a new record, as Lyric Street has put together a comprehensive marketing campaign. “We have a partnership that we are doing in conjunction with FM Country, Neutrogena, and Wal-Mart,” Lyric Street senior director of product development Greg McCarran says. “There will be 120,000 copies of the [JULY issue of Fm] that are polypadded, including a CD sampler. Inside the magazine itself, there is an advertising supplement that Neutrogena did, which is four pages of Shedaisy. We’ve got all tied in together in one additional visibility at Wal-Mart.”

The label will also be doing an AOL keyword promotion, and the sisters were featured on Sessions@AOL. A new shedaisy.com website, shedaisy.com, launched June 1 and will send out weekly e-mail blasts to more than 20,000 fans.

Shedaisy will be the only country act featured on a CD + Play promotion that places the act on 20,000 movie screens nationwide prior to the trailers that run before every film shown in July and August. According to McCarran, the group is also involved in a Wal-Mart/Nabisco promotion that began in April and includes in-store displays, Wal-Mart radio spots, floor stickers in the thousands, on 100,000 websites, shedaisy.com, launched June 1 and will send out weekly e-mail blasts to more than 20,000 fans.

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- **Harry Stiles The Bluegrass Birthday Ball**: This album features a variety of bluegrass artists and was released in 2002.
- **George Strait's The Best Of George Strait**: This album, released in 2002, features some of George Strait's greatest hits from his career.
- **Garth Brooks' Scarecrow**: Released in 2002, this album contains some of Garth Brooks' most popular songs.

*Note: The album data is based on Billboard's charts and listings for the week ending June 29, 2002.*
The Iconic Charly García Returns On EMI

BY LEILA COBO

MIAMI—Charly García is lying on an unmade bed in a Miami Beach hotel, surrounded by three keyboards and a stack of drum sticks. He’s 67 years old and he still has all his teeth. “I have a lot to do,” he says. “I have a lot to do.”

“Every time I do a show or an album, it’s an excuse to play some kind of trick,” he says. “To do something that has to do with what I want to do but gives it another little turn.”

García, scantily clad and sporting red nail polish, is attempting to explain what he’s doing holed up in this mess of a room when I suddenly realize that the multitude of bright stains on his bed sheets are nothing more dangerous than ink stains seeping from the numerous uncapped markers laying beside scores of sheet music. García, a man of music. He’s doing it methodically and precisely. The next day, when he travels to Boston for a performance, he’ll invite a bunch of friends currently studying at Berklee College of Music to play with him—not to jam but to play exactly what he’s writing for them now. But having them onstage will be that “little trick.”

Maybe they’ll improvise as well? “No,” García answers bluntly. “They’re going to play what’s written. That’s the way I painted the song.”

The dichotomy of García—the schooled musician who revolutionized Latin rock and the key person for the main incursions for the most revolutionary rock en español acts—hasn’t been lost on generations of fans who’ve enjoyed three decades of music that has veered from Beatles-esque classics to outlandish avant-garde.

Now, after several years of largely experimental recordings with Sony, García has signed a three-album deal with EMI, which will be released with a highly melodic and clearly delineated album.

Influenzas (Influences)—which has been certified gold in Argentina (30,000 units) since its release there two months ago and which will be released in the U.S., Colombia, Mexico, and Venezuela July 2—is a seemingly conventional album for such an unconventional man. But García sees it as a homecoming album of sorts, and surprisingly—for a man with so much mileage—as a new beginning. “I look, if they don’t kill me like they did John Lennon, I’ll say I’m starting a new stage,” he says. Influencias kicks off with a midtempo, solid rock track, “Tu Vicio” (Your Vice), before going into “I’m Not In Love,” a song whose chorus (“It’s too late, how come you’re culprit”) quotes from “She’s Not There” by the Zombies.

“I did that because Tony Sheridan, who discovered the Beatles, came over, and he doesn’t sing anything in Spanish,” García says. “So, to have something, I said, ‘Do it’s Too Late.’”

In fact, García adds, “I made an album of songs, very direct and highly influenced, and I don’t hide my influences. Well, Influences is the title of the album. And the title track is a Spanish version of Todd Rundgren’s ‘Influenza,’ which García sings in its original version at the end of the album. There’s also an a cappella gospel version of ‘Tu Vicio,’ as well as a very solo piano piece that García, who thinks cinematically (he conceived the album that way, with one track leading into the next, according to a storyline) titled ‘Película Sordomuda’ (Silent Movie).

Throughout, the most obvious ‘influence’ is that of the Beatles, the band to which García most relates, and whose connection with EMI—their label—he sees as a good omen. Beyond the album itself, García says he’s playing better; he feels he’s written good songs, and he feels a new connection with his fans. “His fan base always follows him regardless of what he does,” says Rafael Vila, EMI Argentina director of marketing and A&R. “But commercially, maybe he hadn’t been as successful [in recent years] as with his previous albums... And we’re very happy, because the good response he’s had—the Gaucho Gold Award (which he received in April) and everything else he’s doing—has made him very interested in his career.”

Which is not to say he wasn’t before. But García is notorious for doing it exactly as he pleases. Indeed, when he moved to EMI, most of his album—recorded through his own label (Say No More, whose name is something of a life statement)—was already done. Since the album’s release, he’s been continuously touring, mainly in Argentina and Uruguay, with a formal presentation of the album planned for July 5 and 6 in Buenos Aires’ Luna Park Stadium. EMI is planning to bring García to the U.S. for a tour of major markets—including Los Angeles, New York, Boston, and Miami—in the summer, following his sold-out shows last May in Boston and at New York’s Webster Hall.

“Is this a marketing and more accessible album, so we’re planning to give it priority in the circuit as he reaches,” EMI Latin USA president/CEO Jorge Pino says, indicating that plans are to extend García’s touring in the U.S. and take him on the college circuit.

As iconic as García is, though, it will take some work to get a younger, U.S.-raised audience of rock en español fans reacquainted with his work. “He has a following, but he’s never reached the mainstream,” says Monica Ricardes, national Latin market coordinator for Tower Records. “The strong following is here and it’s international, but it defines needs to be extended.”

García, who never thinks in such terms, is merely happy at having recorded an album of beautiful songs. “It’s not only about writing ‘perfect’ pop songs, because there’s a technique to do that, or about doing a wonderful symphonic work or doing a terrible symphonic work, because you don’t know anything about it,” he explains. “What’s out there is music, and you put yourself at its service. In other words, hurting music has no sense. It is one thing to establish what you know what you’re doing. But most people who think they do audacious things in reality don’t know the principles of harmony, so they write whatever. That’s not being avant-garde. You understand me? I’m not my music. I’m my music.”

GARCIA

GRAMMY CARETAKERS: Three months before the third annual Latin Grammy Awards, the Latin Academy of Recording Arts and Sciences (LARAS) has elected its first board of trustees, headed by former Universal Latin America chairman Manolo Díaz, who will serve as chairman. Gabriel Abaroa, CEO of Wireless Latin Entertainment, is named president-elect. Michael Greene will act as a consultant to LARAS.

The notion of LARAS being independent from NARAS—with its own awards and its own front—has long been discussed. The creation of an independent board of directors is the first step, although for now the Latin Grammys will continue to be overseen by NARAS’s awards department. This year’s awards are set to take place Sept. 18 in Los Angeles and air live on Telemundo.

The first round of ballots has already been sent out to voting members, with final ballots scheduled to go out at the end of July, after a meeting by the Latin nomination committee. In related news, a nominations review committee has been established for the Latin field of the general-market Grammy Awards, which are scheduled to take place next February. According to NARAS, the committee was created “to ensure that only excellence in Latin music qualifies for a Grammy nomination, regardless of name recognition or crossover popularity.”

Previously, some nominees—and winners—in the Latin field have been more a reflection of what the mainstream perceives as Latin music than what is truly representative.

On the other hand, it could be argued that having a nominations review committee takes the Grammy Award process too close to that of the Latin Grammys, which requires a review committee to ensure that all the participating countries’ interests are considered.

In the case of the general-market Grammys, as much as we dislike to see nominees with little or no right to be in a category up for nomination and in many cases actually win, the notion of a totalemento democracia votable is compelling.

Voting bodies certainly make mistakes. But this is, after all, a single territory, and voting members should have a complete say on what goes on within it. With Latin music having come this far in the U.S. and gaining more widespread recognition than ever before, the role of a review committee might hinder more than help.

Sensible Proportion: Latin Hip-Hop Producer E-Dubbs (aka Fuego Locos) Has Launched a New Latin Music Label with Attorney Helen Yu. Los Angeles–based Sol Records will focus on Latin hip-hop acts. Its first release is a compilation disc titled Latin Fusion (Fuego locos), which includes tracks by artists featured on E-Dubbs’ weekly radio show of the same name on L.A.’s KPWJ 105.9 FM.

“We want to take Latin hip-hop out of the swap meets and into the chains,” says Yu, Sol head of business affairs. “We’re taking what was an underground movement and selling it in Tower and Virgin.”

E-Dubbs is president of Sol, which is currently distributed by Southwest Wholesale. According to Yu, Southwest is also banking on the label. Sol Records has already signed a handful of artists, including Mr. Shadow and Spanish Fly. An album release for Mr. Shadow is planned for later this year, along with the second volume of Fuego Pelo Locos.

In Brief: The solo album by Angel Lopez, originally scheduled for June 18, has been postponed until July 23. Lopez is due to record a duet version of “Para Decir Adiós” with La India, which will be included on the album. The song has already been recorded by Jose Feliciano with Vikki Carr, among others.
### Billboard HOT LATIN TRACKS

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<th>WEEK 32</th>
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**Note:** The document contains a table listing Latin and tropical music tracks along with their respective artists and labels, updates the weekly rankings on the Billboard magazine, which is a weekly music magazine that publishes charts ranking the most popular songs in the United States. The table includes various classifications such as the top chart movement, artist's name, and the label associated with each song. The document also mentions the Billboard Hot Latin Tracks and Latin Pop Airplay charts, highlighting the most recent and popular songs in the Latin music genre.
### Latin Pop Albums

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### Tropical/Salsa Albums

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### Regional Mexican Albums

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"There's no business like show business"

Located in the heart of Mexico City, the Auditorio Nacional offers:
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According to Pollstar Magazine, (January 7, 2002) during 2001, Auditorio Nacional was the first venue worldwide in ticket sales, attendance and sell-outs, and second venue worldwide, (capacities 5001-10,000) according to Billboard Magazine (December 29, 2001).

www.auditorio.com.mx
Volumen Cero’s 'Luces' Has Bright Future

BY JUDY CANTOR
MIAMI—Volumen Cero’s new release, Luces (Lights), comprises 10 indispissably infectious songs with addictive hooks and lyrics you will find yourself singing even if you don’t understand what they mean. The veteran Miami-based band’s first major-label release on Warner Music Latina delivers unadulterated and accessible alternative pop-rock in Spanish. Though the melodies are in Spanish, the rhythms, country-specific socially conscious lyrics, or overt attempts at Pan-Latin globalization. It’s an album whose concept is classic but whose time could be now.

“These guys are perfectly bilingual and bicultural,” says Maribel Schumacher, whose Transparent Talent Management company recently signed Volumen Cero. “They speak to the current generation.”

With a pop sensibility but enough of a bite to appeal to the massive yet still-underestimated audience for Latin rock in the United States, Volumen Cero could emerge as a leader in the next wave of mainstream Latin music, according to Warner Music Latina. A&R director Amílcar Aguiar declares that Luces, shipping July 9, will yield 10 hits and have the most significant impact on the U.S. West Coast market. The album release will be accompanied by promotion of the band’s first and very funny video (for "Hollywood"), directed by Simon Brand), which projects the smart indie-pop culture vibe of the band’s music while playing up the musicians’ garage-band style and rock-star good looks. Aguiar says, “I think they’re a band that’s very different, very much themselves, but with wide appeal. They have a really commercial sound without selling out. And their sound is completely Anglo, but they’re still Latin.”

Brazilian-born Luis Tambly, Marthian Chan, Cristian Escutti, and Fernando Sánchez spent their younger years both in Miami and in their families’ native countries of Chile, Colombia, and Peru. Typical of young U.S. latinos, they inter-changeably identify themselves as both American and Latin American. Heavily influenced by the Cure and other 80’s bands, the quartet, all about 30 years old, also grew up listening to such Latin rockers as Los Prisioneros and Soda Stereo.

“We don’t think language really matters—it’s the music that counts,” Aguiar says. “The band takes a break in a Subway eatery near its rehearsal studio in Miami Beach. “We’re just doing rock’n roll and right now, we’re singing in Spanish. What I hear in the English is just as natural.”

Volumen Cero actually had its beginnings in the early 90’s as an English-language pop band called Organismic Bliss. Switching to Spanish in 1997, they renamed the band and entered a Buscando Bandas band search sponsored by the Teleuniverso Network. The band won the Miami contest, which will be nationally, attracting the attention of the independent label Grita! It recorded an album on that label, touring extensively on the college circuit. The album will also be, internationally, the independent producer of rock bands (including Fulano and El Manjar of Los Dioses), has been working with the band to develop its music for the possible release on Warner Music Latina.

The next OpenArt release, an all-stars feature of contemporary jazz musicians, Terry Gibbs, and Buddy DeFranco, is scheduled for spring 2003. Ballard also hopes to develop a line of DVDS that will “give people a more intimate look at a jazz concert. Whatever we put out, the music has to come first. Packaging has become very important, but if the singer or musician doesn’t have the chops to back it up, it means nothing.”

NOTEWORTHY: Organist Gene Ludwig releases his seventh studio album, entitled “The Grosset Originals,” on June 18 on the Blue Leaf label. Joined by guitarist Bob DeVos and drummer Billy James, Ludwig recorded the soul-jazz tracks live in his studio, direct to disc. In Pittsburgh in 1957, Ludwig was a classically trained pianist before falling under the spell of Hammond B-3 master Jimmy Smith in the mid-60s. He has worked with Sonny Stitt, Pat Martino, Redd Howard, and Gus Johnson.
Latin Alternative Music Finds Promotional Alternatives

Street Teams, Word Of Mouth And Tour Support Build Awareness

BY LEILA COBO

W hen it comes to marketing and promoting Latin alternative music, the term “alternative” has come to mean more than just different musical styles.

Indeed, the phrase also describes the way this music is promoted by marketing specialists who have had to look outside the commercial radio box that serves more mainstream pop, regional Mexican and tropical Latin music.

The task is doubly arduous, given the absence of a 24-hour Latin music-video channel that is broadly accessible (although this will change with increasing distribution of Latin music to HTV, HTV and VH Uno).

For the time being, “people have to get out of simply thinking of radio and video, because, if they think that way, the world is limited,” says Jerry Blair, president of Blare Music.

Blair, who last year launched an initiative that joined BMG and Arista in an effort to market alternative product (namely “Atecopellatons” and “Caper Peladon”), believes in targeting a group’s core constituency—those “passionate” fans whose word of mouth will get a project going.

When an artist is up and coming, with little name recognition, what Universal Music Latin alternative product manager Elena Rodrigo needs are “very basic tools.” These include a video to be shown not only on video outlets but primarily in retail stores and clubs; it can also be included in V-Lites (a kind of disposable VHS that is very cheap to manufacture and can be given away in mass quantities).

“What I’ve learned through the years is that direct marketing is what works,” says Rodrigo, who handles Universal’s extensive alternative roster, including artists on the Suroco label. But such marketing, including street teams, needs to be very targeted.

“[The Internet works, but you have to be very quick],” adds Rodrigo. “You need to have something creative—F cards, flash cards. And you have to think about how many people have computers and how many people have fast computers.

The notion of street teams is one frequently alluded to by those who promote and alternative music, but it has to go hand in hand with identifying those spots where consumers of this music go.

So tour support is an integral part of the marketing process, as much because it creates exposure as because it brings together fans of the music and provides an ideal setting in which to directly target large groups of people.

MARKETING ON TOUR

“My two primary areas of concentration are street teams and tour support,” says Rebecca Leon, label manager for EMI Latin, USA. Testament to the importance of touring is La Mosca, whose sales jumped after the Argentine group came to the U.S. to tour in support of its sophomore album.

And the thing La Mosca did is, they came. They’re hard working; they’re not stars; they roll up the sleeves, and they take

Continued on page LM-3

A Study Of Latin Studios

The Business Of Recording In Miami Is Booming Along With The Genre

BY CHRISTOPHER WALSH

T

ough the artist had long been a star in Latin America, both as a member of Menudo and as a solo artist, the 1999 English-language album Ricky Martin introduced a global star and started a new era in Latin music, as the genre was suddenly a worldwide phenomenon.

The crossover success of Martin was quickly repeated by a multitude of artists, and Latin music went international.

BUSY SOUTH BEACH

Scott Kuhrin, studio manager of South Beach Studios, is also Dreamhire’s Miami agent. At South Beach Studios, he explains, a third room was recently built for artist, producer and engineer Cesar Segui (Chayanne, Enrique Iglesias, Jennifer Lopez). “He hasn’t left the room. Honestly, in something like three months,” says Kuhrin. “When he’s two days from finishing one project, he’ll tell me who’s coming in next—a project from Spain, then one from Argentina, then one from Venezuela.”

Segui’s discography, like those of producers Roberto Levi, Luis Romero, Leaer Mendez, Rudy Perez and Manny Benito, proves that Latin music isn’t a new phenomenon. Needless to say, artists such as Julio Iglesias and Los Lobos have been popular for decades.

“The Anglo—specifically American—realization that there’s something other than rock ’n roll or hip-hop or jazz has just exploded in the last three or four years,” says Trevor Fletcher, general manager at Hit

Continued on page LM-7
El Poder de un Creador

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MARILYN BERGMAN | PRESIDENT & CHAIRMAN OF THE BOARD
NEW ARTISTS HOLD THE FUTURE OF LATIN MUSIC

A recurrent theme at the 13th annual Billboard Latin Music Conference was the need to develop new talent to nurture the Latin music field. While it may seem obvious that new acts are the bloodstream of this industry, growth in Latin music has been stymied by radio's reluctance to play new music—especially when it comes from unknown, untested artists—and by a lack of video channels that reach young audiences. But the music is certainly out there.

In this issue, Billboard takes a look at promising debut acts in Latin pop, tropical salsa and regional Mexican music.

MAGIC JUAN

Former Proyecto Uno frontman Magic Juan is putting his talents to the test with La Prueba (The Test), his solo debut slated for release in early July on JNR imprint Flia Recording's lead single, "La Buena" (It's Good)—with such memorable lyrics as "I wanna turn you upside down and tattoo you with my name"—is already making

To people who haven't been exposed to that sound," Juan says.

—KARI ROSS

SIN BANDERA

At first glance, Mexico-based duet Sin Bandera—made up of pianist Noel Schajris and guitarist Leonel García, who both write and sing their own material—seems an unlikely candidate for immediate success in the Latin pop world. But at a time when many record executives are clamoring for "real" acts, Sin Bandera's earthy yet sophisticated sound, compounded by a mix of styles that ranges from R&B to traditional pop ballads and tropical rhythms, seems to have struck a chord. The duet's eponymous debut album, out on Sony, has been a smash hit in Mexico.

Schajris, noting that they're fans of K.G. & JLo, "We're very versatile and very broad. That's also why we took the name Sin Bandera."

—LEILA COBO

ESTRUENDO

Most kids don't have any idea what they want to do in their lives, but when your father is noted pro-
ducer Jose Luis Ayala (and your uncle is norteno legend Ramón Ayala, the choice comes naturally. "I decided to go into the music business when I was 3," says Estruendo drummer Jose Luis Ayala, Jr. "My family inspired me to dream of playing drums and of traveling all over the United States and Mexico."

The new Hidalgo, Texas-based group got a major boost right out of the chute, thanks to those family ties. Ayala Jr.'s father produced the band's August 2001 debut Rumba a las Estrellas (Univision Music Group), and Ramon Ayala let the group open for him during a five-month stretch last year.

Estruendo (the name means "lots of noise") is made up of young musicians with a fresh sound that blends the danceable pop/norteño influence of Lime's with the romantic Tejano/norteño tradition of Intocable and Iman.

The first single, "Yo Quiero a Hacerlo?", is an instant winner with its three-part harmonies, catchy chorus and accordionist Jorge Alberto Lugo's sunny hooks. The duet was written by Jose Luis Borrego, who's penned some of La Mafia's biggest hits. The band has yet to score any massive hits, but it backed Jaime Camilo on his grupero version of "Dime"; the single, released in pop, salsa and grupero formats, reached the Hot Latin Tracks top 20 earlier this year.

The rest of the band is made up of Alfredo Guillen on banyo sexto and Edmundo Torres on percussion.

—RAMIRO BURR
A PIECE OF SHANNON:
Two years after he became the first gringo merenguero, Patrick Shannon is back with his sophomore release Un Pelo de Mi (A Piece of Me), on New York-based M&M Records. The disc represents a new wrinkle in Shannon's crossover career, as the Irish-American singer from Brooklyn forsakes merengue and makes a go at it as a bachatero. The lead single, "Sirena Encantada" (Enchanted Siren), has done well in smaller Latin markets in the Midwest, and the label is already planning to drop a second single, "Mamá," a bolero originally sung by Edwin Rivera, says M&M director of radio promotion, Angel Chacón.

The CD also features a melding alternating between bachata and merengue, featuring hits by Alex Bueno, Fernando Villalona, Sergio Vargas and Robby Pérez. The hit song, however, is an English-language bachata version of "When the Children Cry" by heavy-metal act White Lion. While in high school, Shannon was a drummer in a speed-metal band who was too shy to sing in public. Shannon twice charted with his debut effort on Universal Music Latino but was dropped due to sluggish sales.

M&M plans to concentrate on smaller U.S. Latin markets, such as Indianapolis, Akron, Ohio; and other Midwestern cities, as well as the Dominican Republic, Puerto Rico and New York.

PLATINUM PRISIONEROS: Estadio Nacional, the double live album recorded by rock group Los Prisioneros at one of the comebacks shows offered by the band last December at the venue of the same name in Santiago, has reached double-platinum status by selling more than 40,000 units. The trio ended a national tour of Chile in May at the Quinta Vergara in the city of Viña del Mar. Future plans include an international tour and the recording of a new album.

FUNKY MUSIC: After working for two years as an independent band, the funk group Los Tetars has signed a contract with Sony Music. The label will distribute the band's new material in Chile, Argentina, Peru and Bolivia. The group will also be distributed in the U.S., Mexico and Spain by the Universal-associated company Sones del Mec Side. The label belongs to

as Mexican DJ Toby (Tony Hernández), a member of the popular hip-hop outfit Control Machete. Hernández worked with Los Tetars on the production of the forthcoming album Familia. Its release in Chile is scheduled for late April.

SELL-OUT SHOWS: La Vela Puerta, the popular Suco Univer-
sal rock band from Uruguay, has become the first act to perform two sold-out shows at Montecideo's 6,000-seat Teatro del Verano, on May 3-4. The group's second album, De Ricos y Flores (Of Bugs and Flowers), has sold 15,000 units in Uruguay and was recently released in the U.S.

SOLO REIS: Nando Reis, bass player for rock band Titãs, has signed a three-album deal with Universal Music. Reis had already released three international albums with VEA. He's currently selecting material for the new disc, which is slated for an early-2003 release.

SOSA'S BACK: Top-ranking both as a rock icon of the Argentine scene of the '80s and a romantic singer of the early '90s, Patricia Sosa finally released her first album in five years, through Universal Music. The first cut of this comeback is "Por El," and an impressive spring showcase confirmed that Sosa is indeed alive and kicking.

WORLD CUP MUSIC: Sony Music confirmed that its high-profile artist Alfredo Casero will reach new territories with the release of his hit "Shauna (Canción de la Isla)" as a bonus track on the band for the official album of the 2002 World Cup soccer championship. The list already includes Uruguay, Bolivia, Peru, Chile and Paraguay, plus soon-to-be-confirmed additions of Mexico, Venezuela, Colombia, Brazil and Ecuador. Casero's album Caserias will be released this month in Brazil and Japan.

BACHATA SERENADES: Universal Music Latino's Los Toros Band, best known for its lively merengue, has released an all-bachata set called Serenatas (Serenades), with lead singer Hector Acosta playing to his new following as a bachata crooner. The band is hoping to reach beyond Puerto Rico market, where merengue has vanished from the format of leading tropical stations. They plan to do so by promoting remixes of romantic classics by such revered Puerto Rican artists as Danny Rivera and Trio Los Condes. The lead single is "Queruva," a remake of

the '60s classic by Trio Los Condes. A "potpourri" of Danny Rivera tunes was also considered, but label executives decided it was too long for radio.

"Puerto Rico is a very complicated market; to make it big there is like winning the lottery," Acosta says. "But, these days, Puerto Ricans are fascinated by bacha-
ta." The disc is Los Toros' first original all-bachata set, although most of its recent releases have dedicated a track or two to the genre, which is increasingly pop-
ular in Central America, Colombi-
a and U.S. Latin markets.

MERCHANTS $ MARKETING

BATTLE OF THE BANDS:
Local, unsigned alternative bands have an opportunity to interact with existing local internationa acts in Las Noches del Dragón (Nights of the Dragon), a monthly concert series in Los Angeles that now features a band as the main component. The Budweiser Battle of the Bands (with sponsorship from Budweiser) takes place over a nine-month period, during

which such established acts as Molotov, Santa Sabina and Los Pollos share the stage with local acts in monthly appearances at different L.A. venues. Unsigned acts are invited to open for Los Toros' albums, with the commission repeating itself in subsequent months. Three finalists will perform at a November concert, where judges will choose first-, second- and third-place winners.

"It's not just about having opportunities to perform; the battle of the bands will give local talent amazing prizes and the opportunity to get a record deal," says promoter Ayelit Soto, who's staged Las Noches del Dragón in previous years but says this is the first time she's included a battle of the bands in the program.

QUALITY JAZZ: A thin jazz has a new home at Metrox

Records, a new label founded by Miami-based pianist Alex Arias and distributed by Universal Music. "We thought it was nec-

essary to give breathing space to so much talent we have in this field, who really don't have a [recording] outlet," said Arias.

To date, Metrox's roster includes percussionist Edwin Bonilla, violinst Federico Britos, bassist Eddie "Gua" Rivera, El Sexteto de Jazz Latino, guitartiago Papi Mafllo and Eric Figueroa.

Although aware that the commer-
sial possibilities for Latin jazz are limited, Arias is never-
theless confident that his label—which plans to put out 10 rele-
ases per year—will find its niche. Marketing plans include work-
colleges and easy-listening radio, as well as tour support at the college and music-school level.

In an effort to supervise quality control, most Metrox releases are scheduled to be recorded at Arias' Miami-based 305 Studios, Univibe.
"They won't be just [typi-
cal] albums," says Arias, who plans to put out CDs with lengthy liner notes. "We're going to work with the bands to put out classic productions that transcend and mark an era."

DEL RIO'S FIESTA: Yolanda del Rio will celebrate her three decades in the business with Fiesta Mexicana, a two-
month U.S. tour that kicks off July 14 in Los Angeles. Del Rio will perform with Pablo Mons-
ter, Juan Valentin and Beatriz Adriana, all singing with mari-
achi.

Del Rio is a pioneer in dealing with family problems through songs like "La Hija de Nadie" and "Canas Separadas," which made her a ranchero/banda femini-
a. Her upcoming 40th album, Intrusa, includes the single "Una Lettrusa," a duet with Dinorah about two women sharing the same man.

N.Y.'S ALTERNATIVE: The third annual Latin Alternative Music Conference has gone international for: its trademark free Central Park Concert. This year's edition of the show, slated to take place Aug. 10, will fea-
ture Spanish singer Enrique Bunbury (former lead singer of Héroes del Silencio), Brazilian band Skank and Argentina's Bahiabanos. The LA which is geared toward the marketing of Spanish-language youth-ori-
tented music, will take place Aug.

The contributors to this edition of Latin Music 6-Pack are Leila Cobe, Karl Ross, Marcelle Fernandez, Bitar and Teresa Aguilar.
new single from the album "corazón latino"

600,000 album copies shipped in Spain on the first day

Produced by Kike Santander
The chart recaps in the Latin Music Six-Pack are year-to-date rankings—starting with the Dec. 1, 2001, issue (the beginning of the 2002 chart year) through the June 1 issue.

Recaps for Hot Latin Tracks are compiled using gross audience impressions as monitored by Nielsen Broadcast Data Systems (BDS). Recaps for Top Latin Albums are determined using point-of-sale information as compiled by Nielsen SoundScan. Titles receive credit for radio audience or sales registered during each week they appear on the pertinent chart. The Top Latin Rock Albums are titles culled from the Top Latin Albums list.

Top New Latin Artists are determined using information from both Hot Latin Tracks and Top Latin Albums, using an inverse point system, with artists receiving recap points for each week they appear on either chart. Only artists who had not charted on Top Latin Albums or the Tropical/Salsa, Pop or Regional Mexican album charts prior to Sept. 1, 2001, are considered new artists.

The recaps were compiled by Anthony Colombo with assistance from Latin chart manager Ricardo Compani.
Bogart Recording Studios, where two-time Grammy-nominated engineer Bob Rosa and songwriter-producer Gary Corbett are busy with a variety of projects. “Don’t Say Goodbye,” by Mexican singer Paulina Rubio, is another project to come from Bogart. More recently, Rosa has been working with producer Chris Rodriguez, mixing several Sony International artists, including Andreas DeLeon and Anna Cristina.

PRO TOOLS PRODUCERS
The dominance of Pro Tools as a recording and mixing format applies to Miami and Latin projects as it does elsewhere. As with the overall recording industry, the cost, power and portability of the digital audio workstation translates into an abundance of personal studios where producers can accomplish much of an album project at their own pace. “Most producers have their own [Pro Tools rig],” says Parra of the Warehouse. “Rudy Perez has his own, Roberto Levi has his own studio, and Julio Iglesias has his own Pro Tools studio too.”

Use of Pro Tools is probably even greater on Latin projects than other genres, says Hit Factory/Criteria’s Fletcher. “It’s the most common studio. A lot of Hispanic projects tend to be album budgets. If you hand a producer a bunch of money, and he goes out and buys a Pro Tools, he can do a larger percentage of the record at his leisure and just come to a studio when he needs to.”

“When they have enough budget,” adds Parra, “they use tape too.” In the Latin market, the budgets are small, but when the productions are big, they use both—analog locked to Pro Tools—so they can keep the drums and instruments on tape; the rest goes to Pro Tools.

While the sluggish economy and apprehension about international travel have impacted Miami as well as the overall recording industry, the city remains a hub of activity, particularly for the dynamic Latin music market. “Just like everywhere,” says South Beach/Dreamhire’s Kubrin, “things have slowed down. The whole international travel issue has impacted everything, but Miami is still happening. I have clients who don’t speak a word of English, but they can come here and easily assimilate, just like they’re at home. It’s usually a matter of just dialing up an extension to the next room, and there’s somebody bilingual who can show them around. The whole community is bilingual. It’s very comfortable for these artists to come here and not have to worry about that.”
Projects Show Michael’s Feinery

BY JIM BESSMAN

NEW YORK—Michael Feinstein has a whole lot more on his plate than his successful New York nightclub, Feinstein’s at the Regency. While the high-class club has been presenting the likes of George Shearing, Rosemary Clooney, Keely Smith, Jimmy Webb, and Feinstein himself, the singer/pianist has been busy recording, touring, starting a label, and creating an ambitious six-part series for TV and Warner Home Video that traces the history of the American popular song up to 1960.

As if that’s not enough, the pop-song maven, renowned for excavating and rejuvenating the catalogs of America’s greatest songwriters, has mined his own extensive discography in assisting Rhino/Elektra’s release last month of the two-disc The Michael Feinstein Anthology.

“I supplied some odds and ends that I sampled of my early elec- tronic period,” Feinstein says—most notably, a duet with Liza Minnelli on her godmother Kay Thompson’s obscure party tune, “Violin,” which was originally sung by five people.

Feinstein is most excavated about his Concords, Michael Feinstein With the Israel Philharmonic Orchestra, which was also released last month and marks the first time he has ever recorded with a symphony orchestra.

“I’m proud because Alan Broadbent did most of the arrangements, and it’s a lush-sounding record,” says Feinstein, who is touring this summer with the Israel Philharmonic. “It’s probably the most important song that I’ve recorded since Isn’t It Romantic [Elektra, 1988], which Johnny Mandel arranged. It has that kind of sensi- bility. The thing about Alan is that he worked with Nelson Riddle for years, and Percy Faith, and he did all the great jazz charts for Woody Herman. So he’s extraordinarily facile with his palette.”

His Best Feinery

Meanwhile, Concord is creating a subsidiary label for Feinstein, to be called, cleverly, Feinery. “It will con- sist of unreleased and previously released archival material and other things that have all fallen through the cracks,” Feinery’s namesake says, likening his imprint’s projected output to that of the Bob Dylan Series of albums that he made for Elektra and Nonesuch featuring legendary song- writers at the piano.

He says, “I did two with Burton Lee, and one each with Hugh Martin, one with Julie Styne, and last year I completed one with Jay Livingston and Ray Evans that will come out this fall through Feinery.”

Feinstein concludes that his label affords him the opportunity to pur- sue recording projects of an “arcane” nature but says that it is immensely rewarding. “It gives me the chance to preserve certain kinds of music that Concord doesn’t consider mainstream—perhaps at a lower budget, but which is very important to me musically. Like the Livingston and Evans project—which is important now, because [Livingston’s] gone.’

“[Feinery] gives me the chance to preserve certain kinds of music. Like the Livingston and Evans project—which is important now, because [Livingston’s] gone.’

With Jay Livingston playing piano—which is important now, because he’s gone. [The Academy Award-winning ‘Buttons and Bows,’ ‘Mona Lisa,’ and ‘Que Sera Sera’ (Whatever Will Be, Will Be)’ songwriter died last year.] So if someone wants to know what ‘Mona Lisa’ sounded like with Jay playing, they can hear it. So I think of this as preservation—but it’s also very satisfying musically.”

Consequently, Feinstein notes that one of his favorite Tony Bennett albums is The Movie Song Album from 1966. “He does ‘Emily’ con- ducted and arranged by Johnny Mandel—who co-wrote it,” he says. “It’s marvelous to hear composers’ settings of their own work, as it is with my recording of ‘Laura’ on the Israel Philharmonic album: It has the arrangement by David Raksin, who wrote it and has never done a vocal setting of his songs for any- body. He’s 90 in August, and one of the great master orchestrators in Hollywood—and I’m lucky enough to have his special arrangement of this wonderful song that’s been done 400 times. I love doing things like that, where it gives the song sort of a stamp of authenticity, but it’s still a contemporary interpretation.”

Feinstein adds that the first Fein- ery release, which includes radio recordings of Bing Crosby and Clooney that he discovered in Clooney’s basement two years ago: “It will be things like that, which I think are very important to people.”

As for his video project, Feinstein expects it to be completed in the fall. “It’s called The Great American Songbook, and it could very well end up as a PBS special,” Feinstein says, adding that there has been a rash of offers. “What makes it interesting for me is that the product is for Warner Home Video, we have carte-blanc of the film library, including some of the best of United Artists. So we’re able to use film clips and archival footage from its massive collective library, which would be prohibitively expensive for anybody else to license. And because of my relationships with many of the songwriters and families and estates, we’re able to secure favorable licensing agreements allowing us to use all the songs.”

The series, Feinstein adds, will cover the history of the American popular music chronologically from the country-saloons of the 1920s to the big bands of the 1930s, the Tin Pan Alley-years of the 1940s, “because at that point the whole world of music changed—and post-1960 is another type of docu- mentary that I may do at one point.” In addition to hosting the programs, Feinstein will perform songs, relate anecdotes, and “present all these resources that I have.”

In addition, the club operator re- mains actively involved at Feinstein’s at the Regency. “We’re in our third season and going great guns,” Feinstein says, still marveling over Keely Smith’s three-week stand there last month. “There were a few people on her age who have complete command of their vocal resources and sound the same.”

Feinstein says, “she’s an adorable lady—funny and sponta- neous and just great to work with. There aren’t too many rooms left to bring in these kinds of people—which is amazing, because when I first came in New York, it was the mecca for enter- tainment.” Feinstein continues. “But that’s all changed dramatically, which is why I just want to pre- serve something I care about.”

NAXOS GETS GREBENSHIKOV: Classical music label Naxos recently launched Naxos World, world-music imprint is preparing Russian Songwriter, a collection of Russian songs picked and performed by legendary Russian rock singer/songwriter Boris Grebenshikov.

“[NAXOS] has a great feel for this music, and they’re putting out a lot of different Russian songwriter, so I decided to work with them. They’re very well known in Russia, and they’re a great label.”

FEBRUARY 2002
BY RICH TOZZOLI

NEW YORK—To many, the acronym “SACD,” for Super Audio CD, conjures images of a new audiophile format making its way into the marketplace. To those who make music for a living, it represents much more. With a 2.8 MHz sampling rate, six channels of audio, and full backward compatibility to the CD, SACD and its associated Direct Stream Digital (DSD) recording technology represent another niche: a superior high-resolution platform to which to print final mixes.

“TO me, it’s probably the most important breakthrough in digital recording yet,” states producer Michael Beinhorn, known for his work with such acts as Soundgarden, Marilyn Manson, and Hole. Teaming with engineer Frank Filipetti, the pair utilized SACD recording to capture the best tracks for the storys Tell’s latest effort, which are destined for a mini-series of albums exploring the storied Rolling Stones, which are destined to be released at Guillaume Tell’s studio. It’s really what we have been able to do,” Chemey says. “We have been able to capture the best tracks using the SACD format to preserve the leading edge of the sound in a way that no other format I’ve ever heard was able to do.”

Created by Sony and Philips, DSD technology is based on 1-bit sigma-delta modulation and samples music at 2.8224 million times per second, 64 times the amount of a standard CD. SACD supports several disc configurations, including a hybrid containing two complete layers of music information: a high-density DSD recording that can be played in the new generations of stereo and surround SACD players, and a conventional Redbook CD layer, playable on any standard CD player.

The actual SACD audio information is captured using a DSD converter, such as those made by dCS or EMM Labs. Such audio manufacturers as SADIE, Tascam, Mytek, and Genex are making DSD hardware and software products, helping push the format into studios.

“We mixed the final mix down to half-inch analog, as well as DSD,” Beinhorn continues. “The mastering engineer, Howie Weinberg, had listened to both and could have gone either way. Then, almost a day into [mastering], we were listening to the whole thing on SACD and he said, ‘This is absolutely remarkable. I can’t believe what I’m listening to. I hear exactly why you want to go with this.’ The clarity was absolutely stunning, and on music like this, with such intense harmonic content, there are so many diverse textural elements. With the SACD print, you could hear everything.”

At Sterling Sound in New York, mastering engineer Greg Calbi also likes what he hears with the SACD format. “I’m very favorable with SACD,” he notes. “I have had the opportunity to take the output of my console and put it into a DSD converter, then compare it to the exact same console output with 24-bit/192 kHz. PCM audio. The SACD takes away a lot of the harshness you hear in digital that you kind of get used to. With the direct A/B comparison, you particularly find the SACD easier on the ears and also hear the material breathing and opening. It’s an enhanced experience of listening.”

Be it a vintage analog console output or a 192kHz digital workstation file, a DSD master is another option to the production team that appears to be growing in popularity. “Honestly, I’ve never encountered anything like it,” Beinhorn notes. “I think it’s an important step for every consumer in the music industry and for consumers as well. On certain projects, other formats may be more viable to mix to, but for a master, you just can’t beat this. What it does sonically is absolutely remarkable.

Studio Monitor
by Christopher Walsh

ROLLING: Like Paris itself, Studios Guillaume Tell, located just outside the city proper in Suresnes, reflects the elegant and cultivated sensibility of that most beautiful of European cities. A former theater, the expansive, atmospheric Studio A at Guillaume Tell recalls an age before multitrack recording and sound processing, when an artist’s performance, by necessity, stood solely on its own merit.

It seems a superb venue, then, for the acerbic rock ‘n roll band, the Rolling Stones, to spend a month performing, as a unit, while the team of engineer Ed Cherney and producer Don Was captured it all from the adjacent control room.

Tracks recorded at Guillaume Tell, some of which are destined for an upcoming collection, are part of a blitz from the storied band that includes a world tour and the Aug. 29 release of 22 remastered Stones albums on hybrid Super Audio CD (Billboard, June 8). Rough mixes of these new tracks are, in Cherney’s words, stupendous.

“It is one of the best-sounding rooms I’ve ever recorded in,” Cherney says, “and I’ve recorded in lots of rooms. It was a theater, and obviously when they built it they had paid some attention to what it would sound like. I think the biggest thing they did was for intelligibility. And we could go out in the room and listen to them play and into the control room and it was intelligible. I was getting through the speakers what was going on in the room, which was great. It was just the right amount of ambiance, just the right amount of air around stuff. The way the floor shook, where it resonated, was really sweet. I think I cut some of the best tracks I’ve ever cut.”

A guitar-based band, the Stones recorded their tracks to 2-inch analog tape on Guillaume Tell’s Studer A820 multitrack recorder, though in order to capture every sound generated in the live room, a Pro Tools rig, operated by Nick Brophy, was additionally employed. “Keith [Richards] will be playing, and somebody else will wander out, [and] somebody else will wander out,” Cherney explains, “and pretty soon everybody is out there and they’re playing a song. So if there was anybody making noise out there, we ran the Pro Tools.”

Cherney used Royer R-121 ribbon microphones on Richards’ and Ron Wood’s guitar amplifiers and tracked through Studio A’s Solid State Logic 9000 J Series console. “Usually, if I’m using SSLs—and most production consoles—I’ll use onboard microphone preamps,” Cherney says. “But I brought stuff up through the [console’s] preamps to hear what it sounded like and ended up using all the preamps on the console for everything. I was really surprised.”

Guillaume Tell’s Studio A is complemented by Studio B, a mix room outfitted like Studio A for surround mixing and featuring the world’s first Sony OXP-R3 “Oxford” digital console installation. Surround mixing for film and DVD, say Guillaume Tell’s Jean-Luc Denis, accounts for about 35% of the facility’s business, in a usually solid schedule. “Pro Tools has obviously changed business,” Denis says, acknowledging the impact of personal studios in Europe, as well as the U.S. Two Pro Tools rigs in each of Guillaume Tell’s studios, however, are accommodated by clients who are working at home, as well as in commercial studios. “We are obligated to be compatible with the computer and with programs clients use,” Denis allows. “That’s why we have two Pro Tools in each studio: one as a multitrack, the other to transfer between [Mark of the Unicorn’s] Digital Performer, [Emagic’s] Logic Audio, or whatever they bring to us.”

For the Rolling Stones, Pro Tools co-existed with analog—not as a primary recording format, but to capture all musical ideas, as previously mentioned. “I can do a few little fixes and edits on the 2-inch,” Cherney says. “On other stuff, if we need to, we’ll just transfer the 2-inch and do it on Pro Tools.”

The Stones’ producive Guillaume Tell sessions are the first of many, as Cherney expects to record with the band while they stage an extensive tour. “I’ve always loved it,” Cherney says. “We had the best time.”
JUNE
 June 24, BMI Christian Music Awards, BMI Nashville office (by invitation only). 615-401-2728.

JULY
 July 9, 42nd Songwriter Showcase, presented by the Songwriters Hall of Fame, Pez Under Time Cafe, New York. 212-957-9230.
 July 15-17, National SGA Week, sponsored by the Songwriters Guild Foundation, various venues, Nashville, 615-329-1782.
 July 26-31, International Assn. of Assembly Managers’ 77th Annual Conference & Trade Show, Georgia World Congress Center, Atlanta. 972-255-8020.
 July 31-Aug. 3, Atlantic Music Conference, Sheraton Atlanta Hotel. 770-499-9600.

AUGUST
 Aug. 14, Fourth Annual Recording Academy Golf Tournament, presented by the Chicago chapter of NARAS, HarborSide Golf Center, Chicago. 312-786-1121.
 Aug. 21-22, DVD Entertainment Conference and Showcase, Hilton Universal City & Towers, Universal City, Calif. 609-279-1700.

SEPTEMBER
 Sept. 22-25, CISAC World Congress, Queen Elizabeth II Conference Centre, London. 20-7222-5000.

OCTOBER
 Oct. 8-10, East Coast Video Show, Atlantic City Convention Center, Atlantic City, N.J. 818-385-1500.
 Oct. 19, Second Annual World Soundtrack Awards, Bijouke Concert Hall, Ghent, Belgium. christiana@fondation-creation.com.
 Oct. 24, MTV Video Music Awards

Turkey and Dressing. Among Ricky Martin’s hitmaking duet partners is Turkish pop star and Sony International recording artist Serhat Erzer, who sang on “Private Emotion” for the Latin heartthrob’s career-defining 1999 eponymous album. Their version of the song was included on the Asian/Middle East regional release of the set and became a hit single there. Serhat, who is a superstar in her own right in Turkey, performed in mid-June before an enthusiastic, all-ages crowd of 4,000 at the annual alumni reunion of TEDA, the nation’s capital city.

Ga. Groom is member of pop recording act Hanson.

DEATHS
 Cesar Diaz, 50, of complications from a liver disease, April 26 in East Stroudsburg, Pa. Known as the “Amp Doctor,” Diaz first made a name for himself by restoring tube-powered vintage guitar amplifiers. Diaz began designing and hand-building prototype amplifiers that eventually evolved into his own line of specialty guitar equipment. A version of Fender Musical Instruments’ Vivotverb amplifier based on a design previously done for Stevie Ray Vaughn will be released early next year. Throughout his career, Diaz created or fixed guitar devices for such artists as Eric Clapton, Keith Richards, Richie Sambora, and Bob Dylan, with whom he also played guitar on tour. He is survived by his wife, son, and three siblings.

Randy Ray Hardison, 41, of head injuries sustained in an assault, June 4 in Madison, Tenn. Hardison was a successful songwriter, with tunes that had been recorded by Garth Brooks, Tracy Byrd, Kenny Rogers, and Mark Chesnutt. Most recently, he co-wrote two songs with Darryl Worley for Worley’s upcoming CD. Hardison also played drums and performed backing vocals for recordings by such artists as Brooks, Worley, Jim Lauderdale, Deryl Dodd, and Bobby Osborne.

Good Works

HARLEM NIGHTS: Cassandra Wilson, Nnenna Freelon, Jimmy Owens, Regina Carter, and Paquito D’Rivera are among the jazz artists featured on A Great Night in Harlem, a benefit CD released June 11 by Playboy Jazz and Concord Records. The two-disc set, recorded live at the Apollo Theatre, will benefit the Jazz Foundation of America’s Jazz Musicians’ Emergency Fund. Through donations and a partnership with New Jersey’s Englewood Hospital and Medical Center’s “Dizzy Gillespie Memorial Fund,” the foundation procures employment opportunities, medical insurance, and unemployment and “disability compensation for elderly jazz musicians and those in poor health. Contact: Jo Foster at 310-385-4218.

PLUG IN FOR A CURE: Jupiter Media Metrics and the T.J. Martell Foundation will present the Plug-In 2002 Cure Dinner Factory in New York. The evening, which kicks off the seventh annual Plug-In Conference, will raise money for the T.J. Martell Foundation, to be used toward leukemia, cancer, and AIDS research. During the event, the first T.J. Martell Foundation New Media Vision Award will be presented to Rob Glaser, founder and CEO of RealNetworks, for his role in creating a market for streaming and downloadable entertainment. Contact: Laurie Jakobsen at 212-633-5056.

MUSICALLY ‘N Sync: Justin Timberlake has partnered with the American Music Conference (AMC) to create the Justin Timberlake Foundation to promote the importance of music as part of a child’s education. The foundation encourages young people to become music-education advocates by writing their congressional representatives and logging on to AMC’s Web site, amc-music.org, to sign an online petition for the cause by June 30. Contact: Nina Biggar at 646-437-3632.

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Czech Giant Bonton To Break Up Empire?

BY MARK ANDRESS
PRAGUE—In the course of its 12-year existence, the Czech Republic's Bonton group has established itself as the country's premier multimedia player. But now the company is looking to split up its empire and invite strategic partners into its various divisions.

Bonton's success is firmly rooted in its rich repertoire of Czech music and films. But a statement issued May 30 said that breaking up the company was seen as "the best way to maximize shareholders' value and garner more interest." Bonton management expects to launch negotiations with various potential partners during the second half of this year.

As a music company, Bonton's major shareholder, with a 36.37% share, is U.S.-based private equity fund Bancroft Eastern Europe Fund. It bought into the company in 1997 but initially allowed to cash its chips in, according to Bon-

ton chairman Martin Kratovchil. The other sizable shareholders are Kratovchil himself (10.15%), his co-founder Michael Kocab (6.72%), UBS Maverick (7.74%), and the Czech state (5.42%).

Bonton began to sound out the market for a strategic partner last summer, when it launched talks with various investment banks in search of an adviser. It firstly decided on London-based LongAcre Partners, an independent corporate finance house focusing on the media and communications sectors.

Kratovchil tells Billboard that Bonton's shareholders are looking to exit the group completely. "My personal feeling is that it's better to sell Bonton as a whole because of the synergies - the contracts between the divi-
sions," he says. "I'm now pushing in this direction. But you listen to the guy who crunches the numbers. The market at the moment for buying is not so good. There's a depression, and multimedia companies will not buy. We're told it may be better to sell part by part. The price will decide."

Bonton's 48% share in its joint venture with Sony Music, which owns the other 51%, is also up for grabs. "We'll either sell it to Sony or to a third party," Kratovchil says. "Sony would be first-choice bid- der. They know the company. They know what they have." The Sony deal in 1998 (Billboard, March 7, 1998) melded Bonton's unprofitable multimedia empire with a radio and video producer and a home video and entertainment firm.

Sony's 20% stake in Prague-based pop station Radio Bonton; U.S. broadcasting company Clear Channel Communications has held the other 50% stake since 1997.

Bonton believes the group's financial showing will be a substantial draw for any new owners. In 2001, Bonton posted $43 million in revenue—marking a 13% increase on 2000—and further growth is pre-
dicted for this year. The group recorded a $2 million profit in 2000, with $2.4 million expected for 2001, although audited results were not available.

The greatest interest so far has been shown in Albatross and Bonton's film and video divisions. Kratovchil says, "For each of them, we have bidders that look very interesting and are very serious." "I would be lying if I said there was no emotion in selling up," he adds. "There are emotions. But the major owners [Bancroft] decided to sell. It's not a spur-of-the-moment decision but rather part of a long-lasting strategy with which they entered the company four or five years ago. They always claimed they would eventually sell." Kratovchil says Bonton will launch an investment "road show" in late August or early September to lure U.S. and European companies. "Bertelsmann might be interested in certain parts," he says. "Almost everyone from the major [entertainment companies] has some stake or interest in the companies."
## Hits of the World

### JAPAN

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**Hit of the World**

(June 29, 2002)

www.billboard.com

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**Next = New Entry RE = Re-Entry**
### THE NETHERLANDS

**SINGLES**

1. WITHOUT ME
2. DANSPLAAT
3. IF TOMORROW NEVER COMES
4. DESENCHANTÉ
5. UNDERNEATH YOUR CLOTHES

**ALBUMS**

1. **STUDENT SHOW INDOOR**
2. **SHAKIRA**
3. **MARCO BORSATO**
4. **MARK KENNEDY**
5. **KANE**

### SWEDEN

**SINGLES**

1. **MTV UNPLUGGED**
2. **EMMIE**
3. **UNDERNEATH YOUR CLOTHES**
4. **IF TOMORROW NEVER COMES**
5. **KANE**

**ALBUMS**

1. **PROMO EDDIE NAKED**
2. **TOMAS LEVIN**
3. **THE REAL GROUP & ERIC ERICSON QUARTET**
4. **EMMIE**
5. **LIVE & INTERACTIVE**

### DENMARK

**SINGLES**

1. ** WITHOUT ME**
2. **GARDEN PARTY (2002 REMIX)**
3. **UNDERNEATH YOUR CLOTHES**
4. **SHAKIRA**
5. **KANE**

**ALBUMS**

1. **DAMIANKS DICHENG**
2. **SHAKIRA**
3. **NORAH JONES**
4. **EDDIE NAKED**
5. **REVERB RECORDS**

### ARGENTINA

**ALBUMS**

1. **DISCO TORRES**
2. **CHAYANNE**
3. **CARLOS VIVES**
4. **RICARDO MONTANER**
5. **AEROSMITH**

**SINGLES**

1. **SOUNDS TRACK**
2. **BANDA RITA**
3. **LEO MATTIOLI**
4. **ALEJANDRO SANZ**

### COMMON CURRENCY

A weekly scorecard of albums simultaneously attaining top 10 chart status in three or more leading world markets.

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### GLOBAL MUSIC PULSE

**BIRD SONG:** Japan’s Seagull Screaming Kiss Her Kiss Her (SSKHKK) has long been regarded as one of the country’s foremost all-girl alternative-pop acts. Consisting of songwriter/guitarist/vocalist Aki Higurashi and bassist Nao Koyama, says, “is that we’re able to go quite firmly for the pop market now.”

**TOP 10:**

1. **LIAM HOWLETT**
2. **SUZIE SOLO**
3. **MUSE**
4. **KORN**
5. **SOPHIE ELUSS**
6. **JESSICA BEXTOR**
7. **POLYDOR**
8. **MURDER**
9. **GET OVER**
10. **KYLIE MINOGUE**

**NEW ZEALAND**

**SINGLES**

1. **WITHOUT ME**
2. **EMMIE**
3. **UNDERNEATH YOUR CLOTHES**
4. **GABRIEL**
5. **KANE**

**ALBUMS**

1. **PRINCE TIL TEKA**
2. **RONAN KEATING**
3. **KORN**
4. **NORAH JONES**
5. **HNH**

**PORTUGAL**

**SINGLES**

1. **NORAH JONES**
2. **XUTOS & PONTAPES**
3. **EMMIE**
4. **LENNY KRAVITZ**

**ALBUMS**

1. **ASH**
2. **KANE**
3. **GABRIEL**
4. **EPIC**

**SEAGULL SCREAMING KISS HER KISS HER**

SSKHKK was discovered by Japan’s experimental electro-pop maverick Cornelius and signed to his Trajectria label six years ago. After four albums, various international tours, and growing interest— including Courtney Love listing them among her top five artists of 2001—it’s blend of feisty post-punk will finally be released outside the duo’s homeland. Signed to U.K. independent Arrivederci Baby!, the pair will release the 18-track retrospective Red Talk July 8. Label managing director Gina Harp is now looking to license the release to other territories. “Their collective attitude is a microcosm of everything that the modern young woman might aspire to,” she says. “They’ve got intelligence, strength, sensuality, incredible energy, and poetry.”

**THE BEST IS YET TO COME:** New Zealand singer/songwriter Greg Johnson has returned from Los Angeles to announce a deal with U.S. label Immigrant Records. The signing is the culmination of several self-funded tours to the U.S. during the past year, which saw Johnson playing numerous club dates in the L.A. region. The New Zealand consulate office in L.A. helped promote Johnson’s shows with mailouts to media and music industry staffs. Johnson says the Immigrant deal begins with recording a five-song EP in August: “If we get any kind of reaction from that, we’ll carry on and make an album next year.” With five albums on EMI and several top 20 singles, Johnson is already a musical icon in New Zealand. His greatest-hits album The Best Yet was released last November. He credits the recent David Gray-led folk-pop revival as helping to open previously closed radio doors. “What is so exciting,” he says, “is that we’re able to go quite firmly for the pop market now.”

**NIKE**

ERIC THE VIKING: Sweden’s house maestro Eric S (Eric Svensson) is a solo owner/producer/recording artist/ songwriter/performer. His Sidelake Studios complex is in his hometown of Sundsvall, about five hours along the Baltic Coast from Stockholm. With credits on 10 albums and more than 60 singles, his biggest success so far was a four-year stint with Melodie MC, who enjoyed hits in Holland, France, Spain, Japan, and Australia. His debut as a solo artist comes at the age of 31 via his Playground Scandinavia album, You Are Somebody! The first single to surface outside Sweden is the title track, subtitled “Blue Collar Worker of America.” The album also features the Scandinavian hits “Alright” and “Dance With Me.” With a commendably laid-back view of his nascent solo career, Eric S says: “I’m not a starving artist, and it’s gone far beyond what I thought it would be anywhere. It’s fun to do.”

**JEFFREY DE HART**

A CLOSE SHAVE: The power of TV has played a big part in the Italian success of the single “Mon Petit Garçon” by Yaya, a glamorous 25-year-old who is the child of an Italian diplomat father and a French mother. The catchy French song has made the charts and gained plenty of media attention, thanks largely to its use in an ad for Lancis jeans that features supermodel Eva Herzigova dressed in a man’s suit and shaving her face. The single is released by Milan-based indie-dance label New Music International, whose founder Marco Benzi tells Billboard: “In these difficult times, you have to find alternative forms of promotion—and this one certainly seems to have worked.”

**MARK WORDEN**

**PHOTOGRAPH BY THE NETHERLANDS**

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**BILLBOARD** JUNE 29, 2002

www.americanradiohistory.com
London-Based Web Firm Provides ‘X-Factor’ For Session Planners

BY JULIANA KORANTENG
LONDON—Artist management and label A&Rs are among the music-industry targets for U.K.-based XFactory, a recently launched one-stop talent booking shop on the Internet that offers talent for studio sessions or live performances.

XFactory co-founder Nigel Proktor says his company's digital booking system slashes the time spent searching for appropriate talent and opens up the closed community of session artists.

"Traditionally," Proktor points out, "has been a "closed, black-book world"—a who-you-know type of business." Other potential clients for the service, which formally launched May 1, include record and video producers, TV commercial production companies, and concert promoters.

Proktor notes that, when using standard directories of musicians either in print or online, it's difficult to "try out" talent before fixing an audition. But XFactory's "digital and virtual streaming technology enables clients to listen to and see artists online before booking them."

"Sometimes [as a producer], you didn't get the right person for the right job," he says. "On a financial and choice level, you had to take what you were given, and you could still be wasting a lot of time searching. At best, [in traditional directories] you could provide an e-mail address or a link to someone else's Web site. There had to be a better way."

Although the service is based in London and is U.K.-focused, clients are international. Martin Boehm, owner of the MC Sound Studios in Vienna, is an XFactory fan. In February, during its "soft launch," the service helped him find three urgently needed gospel singers to work with an act auditioning for the Eurovision Song Contest. "Previously, I would have had to fly to London myself," he says, "as it would have been really hard to find something like that in German-speaking markets. I contacted XFactory, and within hours I had the singers and knew their availability."

Proktor has a background in design and radio-TV production, his two fellow founder/directors are Tony Barry and Jolyon Burnham. Barry's experience lies largely in the writing/production field, while Burnham comes from artist management, having worked with Tears for Fears, the Human League, and Asia. Augmented by three other associates with playing and/or performing experience, they form the six-strong XFactory team, which began compiling a database of acts in September 2000. The database, currently with details of 5,000 musicians and performers, is regularly updated and expanded.

After logging on to the password-protected free service's Web site (xfactoryuk.com), clients can search menus with various options: musicians, vocalists, dancers, and choreographers. Sample menus offer a choice of instrumentalists or people with special skills. Clients can then check out streaming audio/video performances, using either Apple QuickTime (for Mac users) or RealNetworks' RealPlayer (standard PCs). Once an artist is booked, XFactory takes a 15% commission from the client's payment and gives the rest to the artist.

London-based Roisin Duffy, V2 Music TV promotions manager, recalls that in March, she needed female singers to back Stereophonics, when the band promoted its "Vegas 2 Times" single. She used the "Education to Perform album) on chart show CD:UK, which airs each Saturday on the national ITV1 network. "XFactory really paid off much of their acts and heard what they sound like. Now, we use [XFactory] virtually all the time."

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IFPI Figures Show Greek Police’s Crackdown On CD Piracy Is Beginning To Pay Off

BY MARIA PARAVANTES
ATHENS—A total of 317,429 illegal CDs and CD-Rs were confiscated in the first four months of 2002, according to figures from the Greek affiliate of the International Federation of the Phonographic Industry (IFPI). Compared with the same period last year, IFPI Greece says, the total number of raids and units seized in 2002 is 4½ times greater.

"Police are finally beginning to realize that CD piracy is a crime and are actively doing something about it," IFPI Greece GM Ion Stamoulis tells Billboard. Stamoulis says the figures underline the determination of local enforcement officials to wipe out piracy and protect intellectual property rights. IFPI estimates put the level of CD piracy at 50% in the Greek domestic market.

In 2001, local authorities and the IFPI anti-piracy team carried out 108 raids confiscating a total of 69,078 units of pirated material, compared with 824 raids and 317,429 seized units in 2002.

For a long time, Stamoulis says, police simply would not act on their own accord. But law enforcement authorities began to take the issue seriously after the local industry initiated one-day forums nationwide that were aimed at training members of the justice system, customs officials, and police in music piracy and copyright issues. In the wake of a broad-based anti-piracy campaign that included radio and TV advertisements, buyers are beginning to get the message that "buying is as criminal as selling," according to IFPI Greece.

But there is a new problem, Stamoulis says, in that justice officials are being lenient with offenders. This means that a few days after their arrests, pirates are back on the streets. Stamoulis says, "Laws must be enforced if we want to tackle the problem."

Outside the former eastern bloc, Greece has the highest piracy rate in Europe, according to the IFPI, and is the world's largest pirate market in dollar terms ($353 million at retail values). IFPI Greece estimates that 10 million units were sold illegally last year. The piracy figures do not take into account the single most important source of legitimate sales lost to CD burning at home. In 2001, 30 million blank CD-Rs were sold in Greece—an 80% rise over 2000. It is estimated that nearly 10 million of those were used to record music. IFPI Greece expects this figure to rise by an additional 40% in 2002.

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The British Phonographic Industry (BPI) will launch a review of its chairman's role after incumbent Bob Dickins steps down at the trade body's annual general meeting July 3 in London. The review will continue until a successor to Dickins is found; BPI director general Andrew Yeates will temporarily chair meetings of the organization's ruling council. A committee of six BPI council members, representing four of the federation's 19 independent labels, will conduct the review. Dickins was among the U.K. music-industry veterans recognized in Queen Elizabeth II's Birthday Honours List, published June 15. Dickins was named a Commander of the (Order of the) British Empire, while Rolling Stone Mick Jagger was knighted, and DJ Norman Jay was made a Member (of the Order of the) British Empire.

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Norway’s Largest Music Retail Chain, Hysj, Filed for Bankruptcy

KAR R. LOFTHESS

Hysj, Norway’s largest music retail chain, filed for bankruptcy June 11 in Oslo’s Bankruptcy Court after unsuccessful attempts to turn around its financial problems (Billboard Bulletin, May 31). The retailer’s debts are understood to total somewhere between $8.6 million and $17 million, and its total assets to total $57 million. The news came as two executives from the chain nor label reps could be reached for comment. The 41-store Hysj, which reportedly has been in discussions with Dutch chain Free Record Shop to sell off some of the stores. The Norwegian chain was founded in 1990.

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Kield Wennick, founder of Danish label Mega Records, has re-emerged as CEO of his own new company, Copenhagen-based Capella Music. Wennick sold Mega—home to such successful acts as Ace of Base and Savage Rose—Germany’s independent Edel Records in 1999. He says the new company is an A&Rproduction/publishing firm that “aims to develop home-grown and European talent” while also officially licensed and recorded. Wennick says the company is in talks with local labels and with the company he previously ran as a part of the Kongsberg publishing company. It will also administer his future works. Wennick was a mainstay in the ’90s for PolyGram and then Universal recording artists, notably penning hits for Jacky Cheung and Hacken Lee, as well as acts on other labels, including Gigi Leung (Warner), Aaron Kuok (Warn), and Andy Lau (NMC). Tony Yap currently appointed regional director for Universal Music Publishing Group in Southeast Asia, says that UMP paid more than $1 million Hong Kong ($128,000) for the back catalog of more than 200 songs.

WINNIE CHUNG

The British Phonographic Industry (BPI) will launch a review of its chairman’s role after incumbent Bob Dickins steps down at the trade body’s annual general meeting July 3 in London. The review will continue until a successor to Dickins is found; BPI director general Andrew Yeates will temporarily chair meetings of the organization’s ruling council. A committee of six BPI council members, representing four of the federation’s 19 independent labels, will conduct the review. Dickins was among the U.K. music-industry veterans recognized in Queen Elizabeth II’s Birthday Honours List, published June 15. Dickins was named a Commander of the (Order of the) British Empire, while Rolling Stone Mick Jagger was knighted, and DJ Norman Jay was made a Member (of the Order of the) British Empire.
Deep River
BILLBOARD
release profit figures. The company's album, artists baikemad by Paul Russell, and lawyer Walter Lichte. Seated Music Musician Utada's market reported McClure, 63% owned during February, the business a 14% falling 18.4% the music market, according to Nielsen SoundScan Japan. Breaking the results down by category, sales of audio software were down 18.4% to 47.1 billion yen ($355.2 million), and "miscellaneous products" sales were down 14.4% to 8.7 billion yen ($65.6 million). Music video sales represented one bright spot for the company, rising 26.7% to 7.2 billion yen ($54.3 million).

Sales of international music were down 30.2% to 16.2 billion yen ($122.2 million), in large part because of the lack of a strong-selling title like the Beatles' '1', which was a huge hit for the label in the previous business year. Domestic record sales fell 10.5% to 30.9 billion yen ($225.3 million).

Despite the perceived problems, AFYE president Carlos Grande insists that "the protest was a very positive, with the majority of the music industry crying out to stop piracy, which is now rampant."

The central act of the protest was a three-hour event at Madrid's Fine Arts Circle, one hour of which was broadcast simultaneously by the majority of Spain's music-radio networks. An antenna test was read by musician Teo Carballo, and several leading Spanish artists—including Rosana, Rosario, and Maria Jimenez—recited the lyrics of their songs in the music. During the hour, Spanish TV channels showed a clip featuring several top artists singing "deep deep beef..." without music and with unsmiling faces.

What is really disappointing is that Radio 3 is a [state-run] institutional network, and the message for immediate action to combat piracy is directed at the government.

PACO HERRETA, CADENA DIAL

According to Paco Herrera, director of Catalan network Cadena Dial and national music outlet Radiol—both part of Spain's largest private radio group, Cadena SER—says: "What is really disappointing is that Radio 3 is a [state-run] institutional network, and the message for immediate action to combat piracy is directed at the government." Radio 3 PD Geraldo Bellod counters that "there was no interest from Radio 3 in uniting with this event, for the simple reason that Radio 3 also has non-music content, such as literary sections, and these prevail over the music. It was not seen to be proper to support the protest."

The only major-label president at the Madrid event was Universal Music Spain's Carlos Ituño, who described the day as a "response to the government, which is largely responsible for the piracy crisis for not eradicating the problem earlier."

The protest came only days after Spain's Justice ministry organized a two-day conference in Madrid on the defense of intellectual property in the European Union, which was attended by 230 delegates from the music, book publishing, perfume, food, and sports-goods industries, plus law enforcement agencies. EMI Recorded Music chairman Casoliva, who is American, was among those who addressed the conference, as did Francis Curri, assistant director general of the World Intellectual Property Organization.

### Toshiba-EMI Sees Sales Slump

Another Japanese Label Reports Annual Decline

BY STEVE MCCLURE
TOROY—Another major Japanese label has reported a hefty sales slump in its annual results, as the woes of the music market here continue to mount.

On June 11, Toshiba-EMI announced that its sales for the business year ended March 31 fell 14.4% from the previous year's $721.5 million to $632 million (€473 million). In recent weeks, several leading Japanese labels have reported sales slumps: Market leader Sony Music Entertainment Japan suffered an 8% decline during the same period (Billboard, May 25), music sales at leading independent Avex fell 9.8% (Billboard, June 8), and Victor Entertainment's sales dropped 14% (Billboard, June 15).

Toshiba-EMI blames the results—the second consecutive annual sales decline for the label—on the Japanese market's overall weak condition. In February, the Recording Industry Assn. of Japan released final record-recording music production data for calendar year 2001, which showed the steepest decline seen in Japan for at least a decade (Billboard, Feb. 23).

Exacerbating the situation for Toshiba-EMI was a relative lack of major releases by its leading domestic artists during the year—top-selling female artists Utada Hikaru and Ringo Shima, for example, did not release albums. But Shina's current chart-topping covers album, ‘Utule Miyori—Son Echi’ (‘I'm So Happy to Be a Singer’—Volume 1) and Utada's latest third album, ‘Deep River’ (June 19), are expected to boost sales for the current year.

Toshiba-EMI—55% owned by EMI and 45% owned by Japanese electronics company Toshiba—does not release profit figures. The company currently has a 14% share of the Japanese music market, according to Nielsen SoundScan Japan.

### International Appetite For Swedish Pop Boosts STIM Revenue

BY KAI R. LOFTUS
STOCKHOLM—The enduring international popularity of Swedish pop music continued throughout 2001, according to local collecting society STIM, which reported a record performance and mechanical revenue of 1 billion Swedish kronor ($102 million) after administration expenses. That represents a 12% increase over the previous year.

The revenue comprised 571.1 million kronor ($57.1 million) in performing rights (up 15% on 2001) and 487.5 million kronor ($48.9 million) in mechanical revenue (up 8%). Online revenue last year amounted to 11.1 million kronor ($110,000).

A key contributing factor to the impressive statistics for 2001 was the ongoing acceptance of Swedish songwriters and producers outside the Nordic region: international revenue was put at 100 million kronor ($11.7 million). The U.S. retains the biggest slice of that pie, with 34%, while the UK still ranks second with 28% and France with 16%, Sweden with 12% and Germany with 7%.

Both markets were among the brightest spots on STIM's international balance sheet, with 26.7% and 41%, respectively, from 2000's revenue. There were also substantial increases in revenue from Nordic neighbors Finland (up 35%), Denmark (up 54%), and Norway (up 85%). According to STIM, its international income has increased during the past 10 years by 487% to 271.5 million kronor ($27.2 million) from 46.2 million kronor ($4.6 million) in 1991.

STIM's Stockholm-based managing director Gunnar Petri says, "Sweden lacks a strong domestic music sector but benefits from a number of international successfully creators of music."

In recent years, STIM has taken steps to improve its working relationships with collecting societies in other countries, primarily through the NORD-DOC project in Scandinavia (a combined database of available works in the region), while obtaining knowledge about how its sister societies around the world handle licensing and remuneration.

Concerning the problems posed by online music sector, Petri says, "The need for a standard for worldwide documentation of music copyrights, as well as standardized communication systems, is obvious," he says. "This needs to be regulated by the frames of [international authors body] CISAC. The multinational companies' lack of willingness to fully support the development of such solutions became an increasing problem last year."

Jordi Casoliva, director of hot AC network Cadena 100, describes the no-music hour as "the first time in history that the major music-radio networks have broadcast the same program together, without music or adverts."

But, he added, "I thought it would decline the network since Radio 3 would have come aboard."

According to Paco Herrera, director of Catalan network Cadena Dial and national music outlet Radiol—both part of Spain's largest private radio group, Cadena SER—says: "What is really disappointing is that Radio 3 is a [state-run] institutional network, and the message for immediate action to combat piracy is directed at the government."

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Listen Links With Electronics Firms

Listen.com will offer a free one-month Rhapsody subscription to consumers of select computer-to-stereo transmission products. The offer, to be announced today, will come with certain products from electronics companies Jensen/Recoton Corp., Stereolink, Terk Technologies, and U.S. Robotics.

Products covered by the deal transmit audio signals from consumers' desktop speakers to their stereo receivers, either wirelessly or via a connecting cable.

Consumers who purchase the products from the online stores of Jensen/Recoton, Stereolink, and U.S. Robotics will qualify for the free Rhapsody offer. Terk consumers must purchase through retail partners the Good Guys or Circuit City. Listen.com will feature the products on its site, Brian Garrity, N.Y.

Labels, Artists At Stalemate In Talks On '7-Year Statute'

Monday's meeting between both sides of the issue on California's "seven-year statute" was a "waste of time," according to a source who was present at the Sacramento gathering (Bulletin, April 23). The three-hour meeting was called by California Sens. John Burton, D-San Francisco, and judiciary chair Martha Escutia, D-Montebello, to discuss a possible compromise on the issue. In addition to RIAA president/CEO Hilary Rosen and the body's negotiator, David Altshul, the meeting brought out the highest level of label executives to the proceedings so far, including EMI Recorded Music chairman David Munns and Universal Music Group president/CEO Zach Horowitz. Among those representing the artists' side were Jay Cooper, co-counsel for the Recording Artists Coalition, and managers Irving Azoff and Jim Guerinot.

Key to the discussions are artist damages lawsuits, in which artists who exit a record company after seven years can be sued for undelivered albums. "The labels aren't yielding on the damages part," says the source.

Cooper tells Bulletin, "There was no resolution—nothing—and that's it. Everybody stated their case. As far as another meeting, I don't know." The RIAA declined to comment. Escutia is expected to decide today if the judiciary committee will go forward with another hearing on the issue that had been scheduled for Friday in L.A.

Sen. Kevin Murray, D-Culver City, who introduced the bill admits to Bulletin, "I was disappointed in the meeting because we believed we were close to reaching a compromise. I always my intention to go forward with the hearing.

Melinda Newman

Tonos Names Cl

Tonos Entertainment names Clive Davis, the executive chairman of Sony Music Entertainment, as its first chair of the board of directors. Davis is the owner of Clive Davis & Sons Entertainment, the firm he founded.

Clive Davis has been the president and CEO of Arista Records and, prior to that, the chairman and CEO of Warner Brothers Records. He has also been the executive vice president and chief operating officer of Warner Music Group.

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TOWER RECORDS & BOOKS

Tower significantly improved its gross margin to 31.3% of revenue, compared with 27.8% in the same quarter last year.

Tower Sees Smaller Losses

BY ED CHRISTMAN

NEW YORK—Tower Records posted a loss of $8.5 million in sales of $225.2 million for its fiscal third quarter that ended April 30, down considerably from the $34.4 million in red ink that the company reported in the same time period in its previous fiscal year, when it had sales of $255.1 million.

In its 10-Q filing with the Securities and Exchange Commission, West Sacramento, Calif.-based Tower attributed the 11.7% drop in sales to the closing of unprofitable stores. In the past nine months, Tower has closed six stores and opened five. Tower recorded a $2.6 million charge for the quarter as part of its restructuring plan, of which $1.3 million was for professional fees associated with the plan and $1.1 million was for asset-impairment costs. For the quarter, Tower generated earnings before interest, taxes, depreciation, and amortization (EBITDA) of $6.6 million, while the company had an operating loss of $1.6 million, vs. EBITDA of $22.0 million in the same quarter in the previous year and an operating loss of $25.1 million. For the quarter that just ended, interest payments on the company’s debt totaled $6.8 million.

As part of its restructuring, Tower says it has a commitment letter from CIT Group/Business Credit for a $125 million revolving credit facility to replace its current facility with J.P. Morgan Chase, which is due to expire June 23. But the new facility is contingent on Tower completing the sale of its Japanese operation to Tokyo-based Nikko Principal Investments. That was due to close June 19, although the company says it expects the closing to be delayed until a later date, with the current revolving credit facility due date being amended to accommodate that change.

The facility is also contingent on Tower finding supplemental financing to retire its current revolving credit facility. Since the facility is due to expire June 23, with the delay of the closing of the Japanese chain sale, Tower likely will ask for another extension. The loan originally was to come due April 23, and Tower received a two-month extension in order to allow for the sale. As of April 30, Tower had drawn down $180 million from its J.P. Morgan Chase revolver. With Tower expected to receive about $124 million for the sale of its Japanese chain and the company having $31 million in cash on its balance sheet as of April 30, Tower needs to find a lender that will supply about $25 million in supplemental financing.

Tower significantly improved its gross margin to 31.3% of revenue, compared with 27.8% in the same quarter last year. Tower says the increase in gross profit was due to the culmination of inventory writedowns as well as stronger margins in both the company’s Internet division and certain international markets. The company says selling, general, and administrative (SG&A) expenses rose to 27.7%, up from 27.2%, mainly due to the decrease in net revenue.

For the nine-month period ended April 30, Tower had a net loss of $29.5 million on sales of $745.6 million, compared with $40.6 million on sales of $833.5 million in the corresponding period of the previous year. Of the sales total, U.S. revenue was $427.6 million, and international revenue was $343.8 million.

For the first three quarters of its fiscal year, Tower recorded a gross profit of 29.7%—down from 30% for the corresponding time frame in the previous year—while SG&A expenses were 27.3%, up from 27.1%.

By Matthew Benz

NEW YORK—Alliance Entertainment Corp. and digital-music distributor Liquid Audio have announced plans to merge, creating a company they say will have a strong presence in physical distribution, as well as a realistic approach to building a digital-distribution business, should that market further develop.

The deal, announced June 13, is structured as a reverse merger, whereby the privately held Alliance would merge with the publicly held Liquid Audio to form a single, publicly traded company. It has been approved by the boards of both companies and is expected to be completed in the fall, pending Liquid shareholder approval. Alliance stockholders will own 67% of the merged company, and Liquid stockholders will own the rest. The combined firm’s board will have nine positions: six controlled by Alliance, three by Liquid.

Alliance president/CEO Eric Weissman will be president/CEO of the new entity, whose name is yet set, and will administer the business out of Coral Springs, Fla. Liquid president/CEO Gerry Kearby is expected to remain in Redwood City, Calif., where his company is currently based, and head the digital business. Alliance, which distributes entertainment products to customers including Musicland, Trans World Entertainment, Barnes & Noble, and Barnesandnoble.com, also operates the All Music Guide, had revenue in fiscal 2001 of $887 million. It says it is profitable but declines to disclose a figure.

Liquid went public in mid-1999 and saw its shares traded as high as $40. They have since fallen to around $2.40, as revenue has failed to materialize and losses have grown. In 2001, the company had a loss of $37.2 million, or $1.64 per share, on sales of $1.7 million.

"The digital delivery of home entertainment media is a reality," Weissman says, adding that he expects, "over time, the business model will refine itself in a positive manner." Liquid’s digital-distribution services "are going to be important offerings in the newly merged company but will be properly rationalized within the context of our profit model."

Kearby says, "As we have seen this market, from the digital-download perspective, not take off quite as fast as we hoped, it became obvious that we had to find a partner that had real business now."

Weissman says the merger offers "real synergies," such as the integration of Liquid’s digital-distribution capabilities with Alliance’s TheStore.com e-commerce package. The Liquid Audio brand is expected to survive, but it’s unclear how the divisions and employees of the two companies will be combined. Kearby says more will be said in the coming weeks about how the companies’ two product lines will be integrated.

Alliance plans to spin off or otherwise dispose of its AMG music database business and its Red Dot Net kiosk venture (formerly Digital On Demand, which has been operating at a loss). The merger gives the Yucaipa Cos., which owns Alliance, a chance to cash out its investment in the distributor. Yucaipa, the Los Angeles investment vehicle for billionaire and supermarket magnate Ron Burkle, bought Alliance in April 1999. Six months later, it invested an additional $70 million when Alliance bought digital-entertainment distributor Digital On Demand.

Weissman says Yucaipa is "extremely supportive of this transaction and thinks that it will create value for [the companies] as well as Liquid shareholders." The firm “has been a good, long-term partner with Alliance, and I’m sure they’ll be extremely supportive of the business going forward.” Yucaipa did not return calls for comment.

Meanwhile, Liquid is facing opposition to the Alliance merger from two large shareholders, Steel Partners II and musicmaker.com. Steel Partners II, which owns 9% of Liquid’s outstanding shares, made its own offer to buy Liquid Audio for $2.75 per share in cash the day after the merger was announced. The firm has been calling for Liquid to sell itself to the highest bidder or otherwise distribute its $83.3 million in cash to shareholders since last fall.

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Audiogalaxy has swapped its recording company to a system that allows fans to purchase individual songs via Liquid Audio for 99 cents. Sony Music is offering tracks through RioPort for $1.49, a 25% drop from the price previously offered through other sites. Both services allow for CD burning, and both promise to offer a significant percentage of new music. Meanwhile, Warner Music Group is offering select tracks in the MP3 format via AOL Music for 99 cents.

**VIVENDI CUTS:** Citing a need to reduce expenses and redundant operations, Vivendi Universal Net—the San Diego-based unit comprising Emusic, GetMusic, MP3.com, MP4.com, and rollingstone.com—has made across-the-board staff cuts. A spokesperson would not comment on the number of employees affected.

**EPIC/APPLE PARTNER:** Epic Records is teaming with Apple Computer to stream new audio and video from its acts in the new MPEG4 compression standard. Each month, new content from four of Epic’s priority artists will be streamed in Apple QuickTime 6, which features the MPEG4 video codec and the AAC audio codec. MPEG4 allows for higher-quality, more cost-effective digital transmission of audio and video.

**TRAFFIC TICKER**

**Top Overall Sites**

Traffic in May

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<td>15. winamp.com......... 1,553</td>
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**AVERAGE MINUTES PER HIT IN THE MONTH**

| 1. audiogalaxy.com...... 49.43 |
| 2. live365.com......... 49.33 |
| 3. flip.com............... 49.32 |
| 4. msnmusic.com....... 49.21 |
| 5. mvix.com............ 49.13 |
| 6. vivid.com............ 49.13 |
| 7. winamp.com........ 49.12 |
| 8. bmgmusicservice.com 48.33 |
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| 10. lexash.com......... 48.11 |
| 11. aimster.com....... 48.11 |
| 12. circuitcity.com.... 48.11 |
| 13. real.com........... 48.11 |
| 14. bhutto.com....... 48.11 |
| 15. windowsmedia.com... 48.11 |

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**ROUNDER INTRODUCES KIDS TO CLASSICAL MUSIC**

**BY MOLIA MCCORMICK**

**CHICAGO**—After enlisting promotional support from classical and public radio stations around the country for its recent children’s release, Beethoven’s Wig: Sing Along Symphonies, Rounder Records is seeing results at retail. The album—which was written, produced, and performed by Richard Perlmutter—puts entertainingly educational lyrics to famous classical music pieces and has already won a trio of awards from Parents’ Choice, Oppenheim Toy Portfolio, and discoveryschool.com, according to Regina Kelland, director of children’s marketing for Rounder Kids, Rounder’s children’s division.

Kelland says the radio ball got rolling nine days after Beethoven’s Wig’s March 5 release, when NPR programmers considered airing an interview with Perlmutter.

“The album immediately shot to No. 6,” Amazon.com’s overall Top Sellers chart and No. 1 on both the children’s and the classical charts,” she says. “It stayed at No. 1 on amazon.com’s children’s chart for a month, and on the classical chart it yo-yo’d in and out of the top spot with albums by Andrea Bocelli and Sarah Brightman.”

Amazon.com, Kelland says, is “an immediate barometer for gauging radio’s effect on retail sales.” So is Barnesandnoble.com, which at press time showed Beethoven’s Wig as its No. 4 children’s title; Kelland says it was the Web retailer’s No. 1 children’s title for “at least a month” after the promotions began.

Since then, Rounder has set up more than a dozen promotions with classical and public radio stations around the country giving away Beethoven’s Wig. The cities include Los Angeles; Philadelphia; Houston; Detroit; Hartford, Conn.; Chicago; Atlanta; and Omaha, Neb. In addition, Westwood One is featuring an in-depth promotion with Perlmutter, and Rounder is arranging more radio promos, which will run through the summer, according to Kelland. “WNPR Hartford already did a giveaway promotion and now tracks encompass 11 songs with lyrics and the same 11 with just music. Song titles include the title track, set to Beethoven’s 5th Symphony; “Please Don’t Play Your Violin at Night” (Mozart’s “Eine kleine Nachtmusik”); “Tchaikovsky’s Cannonball” (“1812 Overture”); “Franz Liszt the Famous Pianist” (“Hungarian Rhapsody No. 2); and more.”

“Richard’s lyrics provide a hook for kids—and adults—that will enable them to identify these pieces for years to come. The album is a great tool for learning about classical music and composers.” She notes that L.A.’s largest commercial classical station, K-Mozart (KMZT 105.1), has been “supportive from the get-go,” has been pushing the album at public events that involve families, and “we’re talking to them about doing something in the fall when school starts. A number of schools tune into K-Mozart during the day.”

Rounder has also been advertising Beethoven’s Wig in parent publications around the country, as well as in publications that serve the educational market, according to Kelland. Perlmutter, who has previously released two children’s albums independently, had been working on Beethoven’s Wig for several years and had to overcome objections from classical purists who found the idea of putting words to classical pieces distasteful, if not downright blasphemous. But Kelland, for one, found the concept very useful in remembering the names of the pieces as well as who composed them. Perlmutter’s words contain humorous, yet useful biographical information. Its 22 tracks encompass 11 songs with lyrics and the same 11 with just music. Song titles include the title track, set to Beethoven’s 5th Symphony; “Please Don’t Play Your Violin at Night” (Mozart’s “Eine kleine Nachtmusik”); “Tchaikovsky’s Cannonball” (“1812 Overture”); “Franz Liszt the Famous Pianist” (“Hungarian Rhapsody No. 2); and more.

“Richard’s lyrics provide a hook for kids—and adults—that will enable them to identify these pieces for years to come.”

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**REGINA KELLAND, ROUNDER KIDS**

**‘Richard’s lyrics provide a hook for kids and adults that will enable them to identify these pieces for years to come. The album is a great tool for learning about classical music and composers.’**

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**BILLBOARD JUNE 29, 2002**

**www.americanradiohistory.com**
DEJA VU ALL OVER AGAIN: Alliance Entertainment Corp.'s (AEC) planned merger with Liquid Audio, if completed, will allow the Coral Springs, Fla.-based wholesaler to go public through the back door, so to speak. The deal, which in Wall Street parlance is called "a reverse merger," calls for Alliance to receive 46.2 million newly issued Liquid Audio shares, which would give Alliance's owners, the Yucaipa Cos., a two-thirds ownership stake in the merged entity, with Liquid stockholders owning 23.1 million shares (see story, page 57).

It marks the second time Alliance has gone public through a reverse merger. In November 1999, AEC went public when it merged with a shell company called Trinity Capital, which had $22 million in cash and public status. Shareholders who bought Trinity Capital's stock when it went public were betting that Trinity Capital's principals would pick a good company with which to merge. If I remember correctly, Trinity shareholders weren't exactly enamored of the choice of AEC at the time—which proved to be justified, as AEC would go on to be the biggest bankruptcy in the history of the music industry, at least at that point in time. It has since lost the distinction of that dubious honor to Valley Entertainment.

Likewise, it seems that Liquid Audio's major stockholders are unhappy about the company's planned merger with AEC and are calling for it to be liquidated and its $86 million in cash to be divided among shareholders.

I stopped following digital distribution closely because it doesn't matter now in the commercial music marketplace. But Liquid Audio is a survivor so far in a landscape already dotted with digital-distribution losers, including Liquid Audio dissident shareholder group Musicians and I, would argue, AEC itself and its Red Dot Net. AEC spent millions on its digital efforts but was forced to scale back its ambitions. AEC president/CEO Eric Weissman labels my AEC assessment as an "inaccurate characterization."

What does the merger do for the two companies? The Liquid Audio shareholders appear to be ignoring this, but it lets them have ownership in a company that actually has something to sell, as AEC had revenue of $687 million last year, while Liquid Audio had revenue of $135,000 in its most recent fiscal quarter.

As for Alliance, Weissman said in a statement, "The merger will firmly position the combined company to become a leading provider of commerce solutions for entertainment media through physical and digital channels"—which sounds exactly like his spiel on what Red Dot would do for AEC's digital effort a couple of years back. Alliance will spin off Red Dot and the All Music Guide business to its shareholders prior to the closing of the merger, according to a Liquid Audio press release.

The main thing the Liquid Audio deal did could, in my view, is give Yucaipa a chance to eventually cash out from the music industry. Weissman has long denied to me that Yucaipa wants out, but from what I see, with the exception of AEC's wholesaling operation, all of its efforts in this sector have yielded little fruit. Who knows how many millions of dollars Yucaipa spent on the ill-fated Red Dot/CheckOut.com; it has poured $225 million into AEC—$130 million to buy the company as it emerged from Chapter 11 reorganization in May 1999, a $70 million equity investment as part of the acquisition of Digital on Demand/Red Dot in December 1999, and $25 million in December 2000.

Think of that: Yucaipa, with $225 million already on the table, and until now, no exit strategy in sight. Weissman objects to suggestions that the Liquid Audio deal is a vehicle for Yucaipa to cash out, saying the deal "enhances value" for AEC and Liquid Audio shareholders. For its part, Yucaipa spokesman Art Swiller also objects, saying, "We think Liquid Audio is a complementary asset to what Alliance already has."

But in doing this deal, Yucaipa is betting on Weissman, a sharp business executive who transformed Alliance from a bankrupt company into a power that is respected by the industry. In the proposed deal, Liquid Audio's red ink, which this year is on pace to be about $20 million, would be offset by AEC's black ink. Last year the company posted an earnings before interest, taxes, depreciation, and amortization (ebitda) of $21 million. In a world where Alliance's one-stop operation remains the price leader despite the disappearance of main competitor Valley Entertainment (which was liquidated at the end of last year), there is plenty of room for Weissman to wring out greater profit from his wholesale operation. After all, in 1994, before it ran into trouble, AEC posted ebitda of $51 million on sales of $720 million. If Alliance suddenly shows a larger-than-anticipated profit this year, shareholders likely would respond accordingly, which could set the stage for Yucaipa to begin cashing in on the liquidity that the merger would give it.
Sizzling as open throughout as they enjoy their independence in on-stage fantasies and back-stage fun. Playboy's Naked on the Fourth of July. There's no better way to celebrate a hot summer's night than with these sexy rebels!

**RIAA May Certifications**

Following are the May Recording Industry Assn. of America certifications of albums shipped:

### MULTI-PLATINUM ALBUMS
- Soundtrack, O Brother, Where Art Thou? Lost Highway/Universal, 6 million.
- Shakira, *Laundry Service*, Epic, 3 million.
- Ashanti, *Ashanti*, Murder Inc./Def Jam/IDJMG, 2 million.

### PLATINUM ALBUMS (1 million units)
- Ashanti, *Ashanti*, Murder Inc./Def Jam/IDJMG, her first.
- Sheryl Crow, *C'Mon C'Mon*, A&M/Interscope, her fourth.
- Fat Joe, *J.O.S.E.*, Uptight Ones Still Strong, Epic/Atlantic, his first.
- Soundtrack, *The Fast and the Furious*, Murder Inc./Def Jam/IDJMG, her first.

### GOLD ALBUMS (500,000 units)
- Steven Curtis Chapman, *More to This Life*, Sparrow, his ninth.
- Steven Curtis Chapman, *Declaration*, Sparrow, his 10th.
- Ashanti, *Ashanti*, Murder Inc./Def Jam/IDJMG, her first.
- Norah Jones, *Come Away With Me*, Blue Note/Capitol, her first.
- Sheryl Crow, *C'Mon C'Mon*, A&M/Interscope, her fourth.
- Patty Loveless, *Classics*, Epic Nashville, her eighth.
- Banda el Recodo, *Contigo Por Siempre*, Fonovisa, their second.
- Soundtrack, *Spider-Man: Roadrunner*, Columbia/IDJMG.
- Soundtrack, *The Scorpion King*, Universal/IDJMG.

**Declarations Of Independents**

**Proper Folds:** At this column's deadline, our colleague Ed Christian reported that New York-based Proper Distribution is closing its doors (*Billboard*, June 14).

The 6-year-old indie distributor—formed by the principals of collegiate radio promotion and producer/management firm Advanced Alternative Media, which will reportedly remain in business—was thought to have annual revenue of $9 million during its heyday but was said to be generating a third of that amount more recently. Much of Proper's product was dance-oriented; among its distributed labels were Antler Subway, Murder, and Messenger.

**Hillbilly Heaven:** Memphis International Records, the new label founded by industry vets Bob Merlis and David Less (*Billboard*, April 13), drops its first releases July 9. The unique gem among them is *Missing Link*, a collection of unreleased material by the great Bluff City eccentric "Harmonica" Frank Floyd.

Floyd, who died in 1984, was a street musician and carnival and medicine-show performer whose career built up to an imitative blues rooster, imitates the great bluesmen and vaudeville and primitive rock'n'roll he recorded in the early '50s for Sun Records. Floyd ranges his way through a bizarre and diverse catalog of tunes. He hoots and hollers, crows like a rooster, imitates a freight train, and generally disperses himself like the "Howlin' Wolf" (I got it) of one song title. *Missing Link* is a stellar introduction to a true Southern original.

**Flag Waving:** Los Angeles-based vocalist/songwriter Greg De Lisle's sophomore album, Homeweaver, released on the singer's own Hummingbird Records label, is one of those drop-dead gorgeous records that stops you in your tracks.

De Lisle—who is dolled up in a startling Bobbie Gentry bouffant on the album's cover—strikes us as the most dazzling alt-country talent to hit the boards since the '90s arrival of Lone Justice's Maria McKee.

Appropriately, both of De Lisle's albums were produced by ex-Lone Justice member Marvin Etzioni. De Lisle met Etzioni when she was searching for a string player for her debut album, 2001's *Small Time*. "I met my Everly Brother," she says of the musician/producer.

Homeweaver is a more elaborate piece of work than the equally fine *Small Time*, which was cut in three days at a studio where De Lisle does cartoon voiceover work. (She has voiced *The Flintstones* Betty Rubble and Scooby-Doo's Daphne, among many others.) At that time, De Lisle—who composes her songs on the autoharp—and Hammond are already working on a new, Carter Family-styled set of old-timey country songs: it's tentatively titled *The Graceful Ghost*, after the name of a steamboat.

We just built a little studio in our garage," she says. "I want [the album] to be spooky. In all the songs, everybody dies."

Like Small Time, Homeweaver has received limited release via mail-order/internet retailer Miles of Music and at local L.A. stores. But De Lisle is not averse to getting wider distribution. Interested parties should contact her manager, Lorne Salifer, at 310-283-2000.
**Altman On His ‘Gosford’ DVD**

The DVD to Robert Altman's Academy Award-winning movie Gosford Park (Universal Studios Home Video) hits retail shelves June 25. The director gave *Billboard* some insight into the role he played in putting the DVD together.

What was your involvement in the DVD production of Gosford Park? I was very involved, because it's the first feature to use a new process called Darbee Vision. It snaps the picture and gives it an illusion of 3D. It will be as common as Dolby is to sound. Also, I follow these things down to the end.

You share the commentary with your production designer and producer. Why? I can get a dialogue going that way. Also, I don't like doing those commentaries at all. Usually I just like to talk about the film and then let them edit what I say.

Music plays its own role in your films. How do you choose a score? I look for the music to be indigenous to the film. With *Gosford*, I had a conventional score, and I had the Von Norell music. I think music in a film becomes a cocoon. Without that, the audience would get lost.

Another film of yours, * McCabe & Mrs. Miller*, debuted on DVD June 4. It's been so beautifully restored, it hardly looks like a '70s film... That's a totally reconstructed print that Warner Bros. made. Many movies from the '70s are just dust. It costs around $200,000 to reconstruct those things. Companies don't want to do that. It's criminal!

**6 Questions**

**Is DVD changing that?**

Sure, because it gives these films a new life. They're saved in their original form forever. So the product goes on and becomes a cash cow for film companies.

What makes a Robert Altman film a Robert Altman film? The actors. The rest of us, as we're preparing a film, are dealing in two dimensions. The minute you put an actor into it, it becomes three-dimensional. The actors are what gives it a life and a density. You'll never see a good film with bad acting. **CATHERINE CELLA**
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<thead>
<tr>
<th>TITLE</th>
<th>LABEL/DISTRIBUTING LABEL</th>
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<td>2 Weeks #1</td>
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<td>2</td>
<td>HARRY POTTER AND THE SORCERER'S STONE (WIDESCREEN)</td>
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<td>THE MOTHMAN PROPHECIES</td>
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<td>VENUS</td>
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<td>5</td>
<td>OCEAN'S ELEVEN (WIDESCREEN)</td>
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<td>THE OTHERS</td>
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<td>SNOW BIRDS</td>
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<td>16</td>
<td>NOT ANOTHER TEEN MOVIE (THEATRICAL)</td>
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<td>ROSE RED</td>
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<td>CHASING THE STARS</td>
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<td>TRAINING DAY</td>
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MUCHMUSIC MAYHEM: Kid Rock and fiancée Pamela Anderson’s sexually charged antics, Sum 41’s pranks, and Swedish Members’ arrival of awards: Those were just some of the highlights of the 2002 MuchMusic Video Awards, held June 16 at the network’s Toronto headquarters.

The event—attended by more than 1,500 people—remained a boisterous house party. Vancouver-based rock band Nickelback kicked off the show by ripping through a spirited version of “Too Bad.” The band later won the awards for best video and MuchLOUD best rock video for the “Too Bad” clip.

With four prizes, Swollen Members dominated the winners’ circle. The Toronto act’s “Fuel Injected” (featuring Moka Only) won awards for MuchVIBE best rap video, best independent video, best VideoFact video, and best director (Wendy Morgan). Swollen Members performed the hit song on the show.

Other performers at the awards show were Bow Wow, Shakira, Avril Lavigne, and Puddle of Mudd. Award show presenters Kid Rock and Canadian Mammatrac presented the event’s most unforgettable moment. Onstage, a disheveled Kid Rock said, “I think I might have done something wrong in asking Pamela to marry me, and that’s why I didn’t ask Canada’s permission. Is it OK, Canada?”

Then he and Anderson snuggled and kissed passionately. Kid Rock added: “I’ve got no problem with drinking Canadian beer for the rest of my life.”

Shakira was visibly moved by her wins for top international video artist and favorite international artist for “Whenever, Wherever.” “It’s great to be here,” she said. “I just want to say gracias, gracias, gracias—and all my love to my Canadian fans.”

Lavigne, 17, told Billboard, “I used to watch this show back in Napanee (Ontario) when I was growing up. I used to wish I was on this show. And now I am.” Backstage, the punky pop singer began to light a cigarette but was quickly dissuaded by a handler because of the presence of photographers.

Modern rock band Sum 41 (winner of the favorite Canadian group award for the “In Too Deep” video) showed up at the event in a school bus and performed “What We’re All About.” During Shakira’s performance, Sum 41 playfully sprayed the audience with water guns. Onstage, drummer Steve Jocz did light fireworks and threw one into the crowd. “We’re starting to work on our next album,” bassist Cone McCaslin told Billboard. “We hope it will be out in November.” Most of the awards were chosen by an in-house MuchMusic panel. Fans selected the winners of the four people’s choice awards via phone and online voting. A complete list of winners can be found at billboard.com/awards.

Additional reporting by Larry LeBlanc in Toronto.

On June 18, Federal Communications Commission (FCC) Media Bureau Chief Ken Ferree said that next spring, the FCC will announce a “blockbuster” review order that will affect radio ownership... Clear Channel Radio ups Don Howe to president of Clear Channel Advantage, the company’s cross-platform sales effort. Howe, who was West Coast senior VP, has been replaced in that position by Charlie Rahilly, previously regional VP for Clear Channel’s Los Angeles cluster. In other Clear Channel news, Kelly Hiller is elevated to VP/market manager of the Las Vegas cluster. Kohler was director of sales for the Dallas cluster. Compiled by Carla Hay.
Continued from page 1

wondered why a 52-year-old musician was getting the kind of treatment usually reserved for deceased composers or silver anniversaries.

For Adams, the question is itself indicative of the gulf that divides classical music from other artistic endeavors. "If you're any kind of successful [visual] artist, at a certain point in your career you have a one-man show," Adams explained during a recent visit to New York. "As a poet, it would be assumed that if you've produced four or five books and reached the age of 53 or 54, you might produce your collected poems. So what's so special about this? The special comment on how people view contemporary classical music."

The release of The John Adams Earbox was auspicious for another reason, as well. It provided an opportunity to take stock of several decades' worth of creative achievement before plunging into a steady stream of activity soon to become a veritable flood. The July 30 Nonesuch release of a major orchestral piece, Naive and Sentimental Music, marks the beginning of a year in which the Bay Area-based composer commands center stage in New York, with a newly commissioned work to be premiered by the New York Philharmonic in September, a multi-evening festival at New York's Lincoln Center next May, and the beginning of a three-year term as composer-in-residence at Carnegie Hall in September 2003.

RETIENA ONE'S NAIVE

The Nonesuch recording of Naive and Sentimental Music was made by conductor Esa-Pekka Salonen and the Los Angeles Philharmonic, who premiered the work in 1999. That orchestra and others subsequently performed it in New York, Boston, Chicago, Cleveland, and throughout Europe. A sprawling composition nearly 50 minutes in length, the work demonstrates a duality that has emerged in several recent Adams scores: looking back toward aspects of his earlier music while simultaneously forging resolutions with new, often unimagined techniques and unexpected choices.

Adams found his title in the writings of German poet Friedrich Schiller, whose 1795 essay "On the Laboratory" posited two types of artists: those who create in an un-self-conscious manner and those prone to analyze their efforts as they work. "It's a great title, as many of my titles are," Adams says. "At the same time, this title is about dichotomies. I feel that my compositional psyche is very much balanced between both worlds and bombastic climaxes. The first movement, which shares its title with the entire piece, opens with an extended, lazy drift through harmonically ambiguous chords that build slowly to a riotous, sunny climax. The second, "Mother of the Man," is a meditative, dreamlike lull with prominent guitar that contains some of Adams' loveliest music to date. "Chain to the Rhythm," the finale, will sound familiar to longtime Adams listeners with its driving metric blocks and melodic motifs.

The music illustrates this dichotomy. Adams uses an enormous orchestral palette to depict both wistful, yearning moods and bombastic climaxes. The first movement, which shares its title with the entire piece, opens with an extended, lazy drift through harmonically ambiguous chords that build slowly to a riotous, sunny climax. The second, "Mother of the Man," is a meditative, dreamlike lull with prominent guitar that contains some of Adams' loveliest music to date. "Chain to the Rhythm," the finale, will sound familiar to longtime Adams listeners with its driving metric blocks and melodic motifs. Each early works as Harmonielehre (composed in 1984-85) and The Chairman Dances (composed in 1984). Here, however, swooping horns and swooping harps lead to an ending as indefinite as the beginning.

Jim McDaniel, sales manager for the Tower Records Classical section in Los Angeles, predicts that Naive and Sentimental Music, like many Adams discs before it, will be his No. 1 seller upon release. "Adams is easily the best-selling contemporary composer," McDaniel says. "We've had an advance of the new disc since March that we've played many times in that precious custom-making always enjoyed it. It's a wonderful piece—probably his most listener-friendly since Harmonielehre."

CONTEMPORARY VENTURES

The divide between spontaneity and self-reflection isn't the only duality that Adams addresses in his work. Though he is deeply in touch with contemporary trends in classical composition, Adams is very much concerned with the ways in which the classical tradition can engage in a dialogue with them. "When I'm writing music, much of his music is brushed with the vibrant energy of pop and occasionally borrows its instrumentation. His operas Nixon in China and The Death of Klinghoffer were based on contemporary historical events; other works, like the naivety oratorio El Niño, recall timeless tales in a modern light. "I'm a huge believer in the presence of the living, breathing composer as part of the daily life of a musical organization," says the contemporary artist's generation, "John Adams is most vital to us as a resource in terms of the artists and music he's interested in. And, as an American of his generation, that means beyond contemporary or American or even classical music."

If the proximity of these events makes it seem that Adams has suddenly become flavor of the month, both the Lincoln Center festival and the Carnegie Hall title were years in the making. Moss, Guelzicman, and Carnegie Hall executive director Robert Harth all have longstanding relationships with the composer and a deep passion for his work—qualities that they share with Nonesuch president Bob Hurlwitz.

Hurlwitz's commitment to documenting Adams's complete works has added immeasurably to the composer's profile. Even before Naive and Sentimental Music was scheduled for release, Hurlwitz was already making plans to record Guide to Strange Places and On the Transmigration of Souls during the coming year. Adams certainly can't imagine what his career might have been like without Nonesuch.

"I feel that my compositional psyche is very much balanced between polarities: a sentimental side—by which I mean being in touch with one's sentiments—and also a desire to retrieve that sense of naïveté, which is so intensely important to artists but which gets corrupted along the way."

—JOHN ADAMS

When the Earbox came out, people commented on the fact that the box [contained] 700 minutes of music, and somebody had to listen to those things over and over again and decide on the sequencing," Adams says. "And they just didn't believe me when I said that the person who did it was Bob Hurlwitz. I would get test pressings and I couldn't even listen to it. And then I would get a phone call from Bob saying, 'At a minute-seventeen there's a glitch; you should listen to it.'"

His involvement on every level, from the most microscopic to the biggest picture, has been remarkable.

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"When you're involved on every level, from the most microscopic to the biggest picture, it's a different kind of excitement. It's a different kind of music, but they're very similar in that they're artists who never settle on one thing and always break new ground."
KORN-FED GLORY: Although rapper Eminem maintains a commanding lead on The Billboard 200, rock makes noise, too, accounting for seven slots in the top 20, including three in the top 10. Leading the genre's charge are new entries from Korn (No. 2, 434,000 units) and New Found Glory (No. 4, 91,000), while at No. 10, newcomer Avril Lavigne achieves a second-week peak (up 12%)—a rare sight in the top 10. Korn misses notching its third No. 1, but New Found Glory exhibits huge growth, surprising previous chart holders at No. 107.

This is the first time that two rock acts have entered the top five simultaneously since the Sept. 29, 2001, issue of Billboard, when Nickelback and Bob Dylan, whose albums were released Sept. 11, entered at No. 2 and No. 5, respectively. Lavigne, a guest on The Late Late Show With Craig Kilborn, becomes the first debut artist to follow a top 10 start with a second-week gain since Britney Spears firms her hold at No. 1 in the Feb. 6, 1999, issue.

Two 50-somethings join the rock parade, as the soundtrack from MTV's The Osbournes, featuring Ozzy Osbourne, enters at No. 13 (56,500), followed immediately by David Bowie (No. 14, 55,000). It's Bowie's biggest sales week in Nielsen SoundScan's 12-year history and his highest chart standing since 1984, when Tonight peaked at No. 11. Both British vets have basked in the spotlight lately: The Osbournes was one of the most talked-about series on TV in recent months, while Bowie benefits from a well-oiled publicity campaign, including stops on Today and Late Show With David Letterman.

Also waving rock's banner are Sheryl Crow at No. 11 and the Spider-Man soundtrack at No. 14. This marks the third time in the past eight weeks that rock parks seven albums inside the top 20, but Eminem views this bustle from afar. The 529,500 copies moved in his third complete week lead Korn by a 21% margin, squelching what appeared to be a close race when Korn first hit stores.

COUNTRY COMFORT: As Father's Day shopping helps spark a 12.8% increase in album sales over the previous week (see Market Watch, page 8), CMT's first-ever Flameworthy Awards perk a country resurgence, while the launch of Ralph Stanley's eponymous album rallies a bluegrass revival.

Alan Jackson, who played for the show and won an award, has the most conspicuous gain among the CMT crowd, as a 46% increase lifts him 24-12 on The Billboard 200. Other winners and/or performers who prosper include Kenny Chesney (No. 8, up 136%), Brad Paisley (62-45, up 35.7%), Toby Keith (91-72, up 47%), Brooks & Dunn (84-79, up 22%), Martina McBride (94-81, up 29%), and Tim McGraw (90-85, up 17%).

A performance on the Flamingo hotel show featuring Earl Scruggs, Keith Urban, and Alison Krauss + Union Station put the spotlight on bluegrass, but the bigger catalysts for this issue's bluegrass spikes sprang from the second-highest of Stanley's album, including performances on The Tonight Show With Jay Leno and CBS' The Early Show, plus an article in the June 10 issue of Time.

In that media glow, the O'Brother, Where Art Thou? soundtrack, which features Stanley, returns to No. 1 on Top Country Albums and zips 19-7 on the big chart (up 61%), while his own album scores the Hot Shot Debut at No. 22 on the country list. In so doing, 75-year-old Stanley becomes the oldest living artist to earn country's highest album bow since that chart was introduced in 1984—a distinction that eluded two noteworthy talents. Scruggs was 77 last year when his Earl Scruggs and Friends had the second-highest bow in the same week that Keith entered at No. 1, and, in 1980, comic legend George Burns, then 84, was only one rung below a new Anne Murray album when his I Wish I Was Eighteen Again started at No. 24.

Krauss' latest is among the bluegrass albums that prosper on The Billboard 200 (162-126, up 49%), while on the country chart, Time-Life's Treasury of Bluegrass wins the Pacesetter (41-30) and O Brother sibling Down From The Mountain bounds 44-33, each with gains of 81%.

FEATS: Razor & Tie is known for its successful compilations culled from other labels' acts, but the label can now brag about two of its own, as albums by Atmosphere and the Clark's debut in the top two spots on Heatseekers...Andrea Bocelli emerges in the Father's Day rush, rising 199-127 on The Billboard 200 with the Pacesetter award. His 88% gain over prior-week sales follows a Law With Regis and Kelly visit and concert stops in New York, Boston, and Washington, D.C.

Additional reporting by Wade Jessen in Nashville and Marc Zabukin in New York.

IT'S HERRE: Nelly's "Hot in Herre" slides into the No. 1 spot on The Billboard Hot 100, ending the 10-week run of Ashanti's " Foolish. " "Herre" gains 10 million listener impressions for a total audience of 122.5 million—a 7 million more than Eminem's " Without Me " garner, as it moves 4-2.

"Herre" is the first No. 1 for Nelly; his previous peak was No. 3, which he attained with "Ride Wit Me" in June 2001 and as a featured artist on Jagged Edge's "Where's the Party At" in September 2001.

"Herre" is also the first Hot 100 No. 1 for Universal Records in its 6½-year existence. The label previously reached the runner-up spot with "Give Me Just One Night (Una Noche)" by 98° in September 2000. Universal has, however, topped the Hot 100 Airplay chart twice before, with "Kryptonite" by 3 Doors Down in October 2000 and "Tubthumping" by Chumbawamba in November 1997.

BOOT CAMP: Toby Keith's "Courtesy of the Red, White and Blue (The American Way)" crashes the top 10 on Hot Country Singles & Tracks with the chart's second-largest increase (12-8, 528 detections). This follows a flap in which ABC balked at scheduling Keith for the network's Independence Day special, In Search of America: A July 4th Musical Celebration—a decision for which Keith and his fans have blamed Peter Jennings, the network's news anchor.

"Courtesy" includes the lyrics "We'll put a boot in your ass/It's the American way," a network spokesperson said producers found the "angry" song inappropriate to open the special.

The ensuing airplay surge is linked to country stations that took the controversy to the airwaves. WXTU Philadelphia created a petition for listeners to protest the perceived slack. WMZQ Washington, D.C., joined the fray by adding a link to Jennings' World News Tonight viewer feedback Web page. KBQ Albuquerque, N.M., and KTST Oklahoma City are among a handful of country outlets asking listeners for boots that will be delivered to the ABC news offices as an act of protest.

VILLAGE SCENES: Detroit based hip-hop group Slum Village charts its first single, as "Tainted" earns the Hot Shot Debuts No. 77 on the Hot R&B/Hip-Hop Singles & Tracks chart. "Tainted" is the first track since Slum Village switched labels from Goodie/Barak to Priority/Capitol and comes from the group's second set, Trinity: Past, Present and Future. In addition to the new deal and the new album, the group also has a new rapper, Elahi, who replaces member/producer Jay Dee. Dee, however, contributes four tracks and will continue to produce for the group.

Two other tracks that bounce into the Hot R&B/Hip-Hop chart are from upcoming soundtracks. "Basketball" from Like Mike by Bow Wow Featuring Jermaine Dupri, Fabolous & Fundisha enters at No. 78, while "Black Suits Comin' (Nod Ya Head)" from Men In Black II by Will Smith Featuring Trukfit breaks at No. 72. Bow Wow and Smith also star in their respective movies.

Another movie-related track, "Trade It All," which was credited to Fabulous Featuring Jagged Edge, has been updated to include the ubiquitous P. Diddy, who appears on—yes guessed it—the remix. The updated version, from the Barbershop soundtrack, helps " Trade " jump 94-75 in its 11th week on the chart, racking up 3 million listeners. From the same soundtrack, Ginuwine's "Stingy" advances 76-64 in its second week on Hot R&B/Hip-Hop Singles & Tracks.

ONE WAY: Red Hot Chili Peppers score their seventh No. 1 on Modern Rock Tracks, as "By the Way" ascends to the top in its third week. The last time a song rose faster to No. 1 on this chart was January 1997, when U2's "Discotheque" did so in its second week. Two weeks also marks the Chili Peppers' fastest trek to No. 1, as "Soul to Squeeze" turned the trick in August 1993.

"Hero" by Chad Kroeger Featuring Josey Scott is knocked from the top spot despite continued gains, the second Modern Rock song this year to be pushed from No. 1 while still growing. The other was Linkin Park's "In the End," which surrendered in January to Puddle of Mudd's "Blurry." This issue, Puddle follows up, "Drift & Die," crowns Mainstream Rock Tracks, making it the first act to have consecutive No. 1 from a debut album on that chart since 3 Doors Down topped it with "Kryptonite," "Loser," and "Duck and Run" in 2000 and 2001.
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This page contains a table listing artist names, track titles, and other related information. The table is structured in a way that each artist is listed alongside their respective tracks and associated details such as labels, release years, and other metrics. The table appears to be a chart or list used for tracking and ranking purposes, possibly within a music industry context.

The table includes columns for artist names, track names, and additional information such as labels, release years, and metrics like first-week sales.

The bottom of the page includes a footer with a URL: www.billboard.com.
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### Billboard Heatseekers Chart

**Sales data compiled by Nielsen SoundScan**

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<td>Audiotent (Minn. Distrib.)</td>
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<td>Un Dia Normal (ASCAP)</td>
<td>28</td>
<td>Belle &amp; Sebastien (ASCAP)</td>
<td>Storytelling (Soundtrack)</td>
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<td></td>
<td>PILAR (EP)</td>
<td>Fireproof (ASCAP)</td>
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<td>Rachele Lampa (ASCAP)</td>
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<td></td>
<td>MARVIN SAPP (EP)</td>
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<td>CLEO T JUAN (EP)</td>
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<td>EMERSON DRIVE (EP)</td>
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<td>CHAYANNE (EP)</td>
<td>Grandes Exitos (ASCAP)</td>
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<td>Kurt Carr &amp; The Kurt Carr Singers (ASCAP)</td>
<td>Awesome Wonder</td>
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<td>COURSE OF NATURE (EP)</td>
<td>Libre</td>
<td>36</td>
<td>Steve Azar (ASCAP)</td>
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<td>CASSANDRA WILSON (EP)</td>
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<td>PETE YORN (EP)</td>
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<td></td>
<td>SUGARCULT (EP)</td>
<td>musicforthemornin'after</td>
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<td>Go Get Your Life Back</td>
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### Billboard Top Independent Albums

**Sales data compiled by Nielsen SoundScan**

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<td>DEFAULT (EP)</td>
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<td>KHA FEATUREING DSD (EP)</td>
<td>Thug Misses</td>
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<td>YING YANG YANG (EP)</td>
<td>Alley: The Return Of The Yang Twins</td>
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<td>NAUGHTY BY NATURE (EP)</td>
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<td>JIMMY BUFFETT (EP)</td>
<td>Far Side Of The World</td>
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<td><strong>NEW</strong></td>
<td>DAZ DILLINGER (EP)</td>
<td>This Is The Life I Lead</td>
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<td>LOOS DAVOLO (EP)</td>
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<td>LOUIE DEVITO (EP)</td>
<td>Louie DeVito's Dance Factory</td>
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<td>DASHBOARD CONFESSIONAL (EP)</td>
<td>The Places You Have Come To Fear The Most</td>
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<td>DJ PAUL (EP)</td>
<td>Triple 6 Mafia Presents DJ Paul — Underground Vol. 16: For Da Summa</td>
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<td></td>
<td>TOM WAITS (EP)</td>
<td>Blood Money</td>
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<td>Reggae Gold 2002</td>
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<td>NOFX (LP)</td>
<td>45 Cr 46 Songs That Weren't Good Enough To Go On Our Other Records</td>
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<td>VARIOUS ARTISTS (LP)</td>
<td>Atticus: ...Draggin The Lake</td>
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<td>SIR CHARLES JONES (LP)</td>
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<td></td>
<td>POISON (LP)</td>
<td>Hollywood</td>
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### Notes
- The Heatseekers chart lists the best selling albums by new and developing artists, defined as those who have never appeared in the top 10 of the Billboard 200 chart. Albums on the chart are eligible to appear on the Heatseekers chart if they meet specific criteria, including having at least 10,000 copies of their debut albums sold, or having reached a certain position in the UK Albums Chart. Heatseekers albums are released by independent labels and are not subject to the same marketing strategies as major label releases.
- The Top Independent Albums chart lists the best selling independent albums, defined as albums released by independent labels and not subject to the same marketing strategies as major label releases.
- Sales data compiled by Nielsen SoundScan.
## Billboard Mainstream Rock Tracks

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<tr>
<th>Title</th>
<th>Artist</th>
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<td>[Title]</td>
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## Billboard Adult Contemporary

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<tr>
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<td>[Last Week]</td>
<td>[Current Week]</td>
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## Billboard Adult Top 40 Tracks

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<td>[Last Week]</td>
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## Billboard Modern Rock Tracks

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<th>Current Week</th>
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<tr>
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## Billboard Top Tracks

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**Compared from a national sample of outlets surveyed by Nielsen Broadcast Data Systems' Audience Tracking Service.** Billboard Top Tracks, Modern Rock Tracks, Adult Contemporary Tracks, Adult Top 40 Tracks, and Modern Rock Tracks are compiled from a national sample of Nielsen Broadcast Data Systems' Audience Tracking Service. The مجلة Top Tracks are electronically monitored 24 hours a day for 7 days a week. Top 40 Tracks and Adult Top 40 tracks are monitored over the previous week and ranked regardless of chart movement. A record which has been on the chart for more than 20 weeks will generally not receive a hot, even if it records an increase. Records from the top 20 heat 15 for AC are monitored from the chart after 20 weeks. All networks and songs appearing in the top 40 on the Nielsen BSS charts are the first time with a decrease in both broadcast and audience (Top 40 excludes cable). **

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<th>Wknd</th>
<th>Title</th>
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<tbody>
<tr>
<td>25</td>
<td>Hot In Here</td>
<td>T-REX (REPUBLIC)</td>
</tr>
<tr>
<td>26</td>
<td>Without Me</td>
<td>THEA (ATLANTIC)</td>
</tr>
<tr>
<td>27</td>
<td>Foolish</td>
<td>ARISTA RECORDS</td>
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<tr>
<td>29</td>
<td>I Need A Girl (Part One)</td>
<td>LIL WAYNE (RECORDS)</td>
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<td>30</td>
<td>Oh Boy</td>
<td>THE BEATLES (PARLOPHONE)</td>
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<td>34</td>
<td>Here</td>
<td>KAYA (HYPER)</td>
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<td>37</td>
<td>I'm Gonna Be Right</td>
<td>JIB (DEF JAM)</td>
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<td>40</td>
<td>Down <strong>/Chic</strong></td>
<td>TALIB KWARA (JIVE)</td>
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**Top 20 March 7, 2002**

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<td>5</td>
<td>Can't Fight The Moonlight</td>
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</tr>
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<td>Heaven</td>
<td>LISA MARIE PRESLEY (REPUBLIC)</td>
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<td>Soldier's Heart</td>
<td>PIG (ELEPHANT)</td>
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<td>21</td>
<td>In A Day</td>
<td>JAY-Z (RCA)</td>
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<td>22</td>
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Copyright Term Debate Rages

Continued from page 1

suggest that American creative works deserve a lesser standard than international market economics would lead us to create a great reserve and put them at substantial financial risk.

In the case, Eldred vs. Ashcroft, plaintiff Eric Eldred—a book publisher of public-domain works—filed suit against the federal government following the passage of the CTEA. He and other plaintiffs argued that Congress does not have the constitutional authority to extend protection to such a degree, citing the words of the Constitution that restrict copyright protection—in essence, a monopoly—as “limited times” before creative works enter the public domain for the benefit and enrichment of the general society. They say that an extended term granted to the work of a deceased author does not promote the progress of science and art, especially not new work.

A subtext of the lawsuit is that the plaintiffs believe that the framers of the Constitution did not intend to copyright works from the early part of the 20th century, such as the late Walt Disney's cartoon creations Mickey Mouse, to remain in the hands of corporations for more than 100 years for their benefit. The slogan of those who side with the plaintiffs is "Free the Mouse."

The lead lawyer for the Eldred side is professor Lawrence Lessig of Stanford Law School. He explains: "The essence of our view is that copyright is a bargain. It's an exchange for a government monopoly for getting new work out there, so when there exists no existing copyright, you are granting a government monopoly for nothing at all."

"No matter what we do," Lessig continues, "Robert Frost or George Gershwin are not going to produce anything more for us. So a copyright law that's attempting to extend a body of copyrights that were granted in 1923 [creative works prior to 1923 went into the public domain before the passage of the CTEA] has no relation to the underlying purpose of granting Congress the power to issue monopolies over speech."

However, attorney Bill Patry, who served as a House staffer during the debate on the CTEA, agrees with Lessig on that point. "Giving an extra 70 years to the work of a deceased author will not, cannot, produce an incentive for new work." He doesn't agree that the law is unconstitutional, however, but just a result of "bad policy." He says he believes "Congress has the constitutional right to make bad laws.

Professor Marcia Hamilton of Yeshiva University's Cardozo School of Law argued with artists when she testified before Congress in that sound recordings are not works for hire. She is on the opposite side of the fence from industry groups and the RAC on the copyright-term issue.

In a 1996 article for Cardozo Law Review, Hamilton wrote that the extension "benefits the entertainment industry and not authors," adding that "the plain language of the Constitution states that Congress has the power to enact law to the decentralization of power. The British Statute of Anne, the precursor to the American Copyright Clause, was designed to protect the monopoly power of the publishing industry and decentralizing that power by placing it in the hands of individual owners.

"The marketing and concommitant lobbying power of the copyright industries," she wrote, "and none of this is by expense of individual authors [most particularly in the work- made-for-hire context] is a clear call to the Court to read the Copyright Clause with a greater attention and historical understanding.

Hamilton, who is also an expert on the Supreme Court, tells Billboard that she hasn't changed her opinion. "I still think it's the right argument," she says, "but I don't think the court will rule that it's unconstitutional because of the international trade implications and because the court is loathe to step in and legislate public policy."

Peter Jasi, a copyright law professor at American University's Washington Law School who is writing an amicus brief siding with the plaintiffs for the National Writers Union, says there is a strong argument to be made that the law is unconstitutional because of First Amendment concerns. "The argument is that if, without a good reason, you prevent material from coming generally available for those who want to use it, read it, hear it, you're interfering with speech." While copyright owners might say, "Well, you may have it, but you must pay," Jasi adds, "That's fine, unless they don't want you to have it, in which case you don't get it at all."

The owners of such silent movie comedies as the Laurel & Hardy classics produced by the Hal Roach studios in the '20s apparently agree, having written an amicus brief in favor of Eldred and the plaintiffs. They say that they might lose some money because of a rollback, if these historical silent movies do not go into the public domain, they will be lost for generations because the copyright costs mean there is little incentive for their restoration and future distribution.

IRVING BERLIN & PUBLIC DOMAIN

There has been a similar debate over the added protection given to historic works of popular music. But those who have fallen into the public domain had the CTEA not been passed. At the House hearings on the bill, the major music publishers complained that under the old law, Irving Berlin's "Alexander's Ragtime Band" fell into the public domain during his lifetime. For two years, the publication written after 1923 remains the property of his heirs and music publisher. But the court will not rule on the corporation-owner-ship issue.

Congress has extended the copyright term 11 times in 40 years from its original term of 14 years, plus 14 more if renewed. Subsequent updates gave authors renewal terms. Since Jan. 1, 1978, there has been only one term.

The U.S. Court of Appeals has ruled against Eldred and the other plaintiffs, saying Congress does have the authority and that the extended term does not violate the First Amendment.

In the modern era, the Supreme Court disagreements in the area of intellectual property have been about the authors' rights to control a work and the public's right to access. Beyond the fact that four of the nine justices must vote to bring a case before the court, legal observers note that some of the justices may have particular interest in examining the copyright-term issue. Justice Sandra Day O'Connor has written the majority opinion on all four of the court's recent rulings on intellectual property issues, though none touched on the constitutional issue. Three opinions ruled that the authors of creative works are property owners and, if not remunerated, are entitled to withhold works from the public. In the fourth, the majority found that copyright protection does not extend to a factual work, such as a white-pages telephone directory.

Justice Stephen G. Breyer published an article in the Harvard Law Review in 1970 examining the economic incentive of copyright-term protection. He argued that had that incentive been extended, something would continue unaffected if copyright protection was abolished; however, he also wrote that the best case for copyright protection was for reference books and textbooks with high fixed publishing costs that require sales over a long period of time to recover costs. His current vote will be closely watched, and he never returned to the copyright issues in later writings.

Further, Jane Ginsburg, a prominent copyright law professor at Columbia University and the daughter of Justice Ruth Bader Ginsburg, has gone on record to say, in essence, that the CTEA is bad policy but not unconstitutional. While no observers would speculate on whether the views of the younger Ginsburg will influence those of her mother, they pointed out that the justice is probably aware of her daughter's opinion.

Those involved in the case are hoping for guidance where the court will focus its interest. Rosenthal says, "I think they'll look at the basic question of where does promotion—or progress, or benefit—fit in copyright law?" He relates to protected works and to unprotected works. "[The plaintiffs] are saying, 'We can provide more benefit than copyright owners in exploiting works to the public.' I think that is going to be compelling to the Court."

UNKNOWN TERRITORY

Unknown at this point is whether copyright-term protection would revert to life plus 50 years if the Supreme Court struck the CTEA as unconstitutional or whether Congress would attempt to re-establish the longer term, possibly drafting a variant constitutionally language. From the view of copyright owner-creators, the loss of extra protection would certainly affect the financial negotiation of heirs of successful artists.

Patry doesn't think a change would necessarily shut down creative works. "I don't believe society would say, 'I'm not going to produce any work if I'm not protected by copyright law for life plus 70 years,' just as I don't think they'd decide that with life plus 50 years."

Lessig says if the extended term is rejected on constitutional grounds, he might challenge the CTEA under a 1970 statute. He adds, "If you're asking me if I like it, that's another matter."

The CTEA was first put forward by the music industry in 1995 and introduced by then-Rep. Bono. But it was kept at committee level for years, on the recommendation of F. JamesSenenbrenner Jr., R-Wis., until Democrats voted out his separate bill to give carve-outs to small record companies, bazars and others freeing them from paying background music royalties to songwriters and music publishers. Senenbrenner is now chairman of the House Judiciary Committee.
BET Founder Robert L. Johnson Named Humanitarian Of The Year At T.J. Martell Gala

More than 1,200 members of the music industry gathered to honor Black Entertainment Television (BET) founder and CEO Robert L. Johnson, who received the 2002 Humanitarian of the Year Award from the T.J. Martell Foundation for Leukemia, Cancer, and AIDS Research. Tony Martell, founder and chairman of the foundation, said during the presentation, held at the Hilton New York, that Johnson "contributes generously without fanfare, without applause. He gives quietly of his gifts, both personal and financial." Martell also announced that the music industry in charity raised more than $5.5 million during its annual campaign.

Gathered at the 2002 Humanitarian Award gala June 11 are, from left, T.J. Martell Foundation COO Tod Minnich, BMI president/CEO and T.J. Martell Foundation national board of directors president Princes W. Preston, BET founder and CEO and Humanitarian Award winner Robert L. Johnson, T.J. Martell Foundation founder and chairman Tony Martell, BET COO Debra Lee, actor/producer Robert Townsend, and jazz keyboardist Marcus Johnson.

Mel Karmazin, president/COO of Viacom, which is BET's parent company, introduced Humanitarian of the Year Robert L. Johnson.

‘7-Year’ Bill Moves Forward

Continued from page 1

"legislative intent" version of the bill that basically serves as a procedural bookmarker. What the lawmakers characterize as a "spot bill" substitute will allow the labels and artist sides to keep negotiating a settlement until the end of session in August. Importantly, the June 18 vote moves the bill out of the Judiciary Committee to the Senate floor, where observers say it is expected to pass during session June 24.

The spot bill moves on to the entire senate body with a number of new co-authors, most significantly conserva-
tive Republican senator Ray Haynes, R-Riverside, who also serves as the vice chairman on the senate judiciary committee. Other lawmakers signed on as co-authors include Democratic senators Gil Cedillo (Los Angeles), Jerome Horton (Inglewood), Fred Keeley (Boulder Creek), Joe Nation (San Rafael), Sara Reyes (Fresno), and Virginia Strom-Martin (Duncans). "What this means is that the spot bill [also] moves forward out of the Senate and into the Assembly," says Sen. Kevin Murray, D-Culver City, who introduced the original legislation in January (Billboard, Jan. 19). "It postpones the fight until the assembly. It means it moves forward. It frankly is not relevant what [the language] is in the bill right now. What matters is what is in it in the end."

He adds that the labels and artists’ groups are expected to keep trying to negotiate a resolution but adds that if no agreement is struck by the time the Assembly goes to vote on the spot bill in a few weeks, he will reinstate the original language calling for a repeal of the industry exemptions. Murray has also stated he would reintroduce the bill next year should it be defeated.

Recording Industry Assn. of America negotiator David Altschul says Senate Judiciary Committee chairwoman Martha Escutia, D-Monterey, "made it very clear...that neither party should construe the action today as a victory or a loss and that she wants us to keep working toward a compromise." He says he is optimistic about a resolution. Escutia did not return phone calls to Billboard.

Recording Artists Coalition (RAC) co-founder Jay Cooper says, "We very definitely feel there is room to go forward. It took a while for the members to understand the [record] business, but with the trips to talk to them, I think they finally get it—they get it that it's a big problem. Our next step is to continue talks with the label side." Don Henley, co-founder of the RAC, commented, "We feel very encouraged. We've been able to sit down with legislators of both parties, even those who were not inclined in our direction, and were able to explain to them how the record industry really works. Many of them were incredulous that some of the unfair and unscrupulous practices that touch so many artists have become standard business practices.

Labor groups were encouraged. "It's good," California Labor Federation executive secretary Art Pulaski says. "There's now a lot of flexibility in moving the spot bill to the floor. "Recording artists are workers and have a right, at a certain point, to renegotiate contracts," Pulaski continues. "I've met with guys with gold records who are not making any money from royalties or their tours—it's so contrary to what the public perception is about the wealth of performing artists."

American Federation of Television and Radio Artists (AFTRA) director of sound recordings Ann Chaitowitz says the union is "encouraged by the developments" and adds that AFTRA is also currently negotiating a new collective bargaining agreement with the labels that features a proposal—not yet approved by record companies—that would offer similar protection to artists nationwide "by limiting the term of contract to up to seven years and a maximum of four albums."

Chaitowitz hopes the agreement will be negotiated by the end of summer.
upcoming events

Billboard R&B/Hip-Hop Conference & Awards
The Roney Palace - Miami Beach - Aug. 7-9

Billboard Dance Music Summit
Marriott Marquis - New York City - Sept. 30-Oct. 2

Hollywood Reporter/Billboard Films & TV Music Conference

Billboard Music & Money Symposium
The St. Regis Hotel - New York City - Nov. 1-2

For more info: Michele Jacangelo 646-654-4660
bbevents@billboard.com

this week@

COMING THIS WEEK: Sea & Cake/Cocktails principal Archer Prewitt steps back into the spotlight with Three, his third full-length solo album. The set finds him backed by a host of Chicago's finest musicians, including longtime Cocktails colleague Mark Greenberg. The review of the album will appear exclusively on Billboard.com.

Also this week, read the second of four installments in Billboard.com's series of excerpts from His Song: The Musical Journey of Elton John, the new book by Elizabeth J. Rosenfeld.

Plus, Billboard.com will feature reviews of Arto Lindsay's Inflame (Righteous Babe) and Netwerk's various artists compilation set Chillout 2002, with tracks from Dido, Coldplay, and Radiohead.

News contact: Jonathan Cohen • jacohen@billboard.com
I’ll Drink to That

Scott Hunter Smith of the Heineken Music Initiative presents VH1’s Save the Music Foundation a check for $50,000. The initiative is a nonprofit organization created to raise funds for urban music-education programs. Pictured, from left, are VH1 Save the Music’s Jennifer Lynch and Robert Morrison, Smith, and Mark McIntire from VH1.

Singing The Blues

B.B. King was named as a winner at the third annual Blues Music Assn. (BMA) A.G.E.S Awards this month in Memphis. The awards are presented each year to individuals who have helped members of the blues community “achieve greater economic success” (hence A.G.E.S). King is the first musician to receive this award. BMA board member Steve Berkowitz of Sony Music said that King was “chosen for being the world’s greatest ambassador of the blues and for using his prestige and drawing power to bring lesser-known blues musicians onto his bandstand as opening acts, thereby helping the careers of aspiring younger blues artists.” Pictured, from left, are BMA executive director Maggie Mortensen, BMA president and Alligator Records president Bruce Iglauer, King, and Berkowitz.

Bryan Switzer: Born To Rein

You can take the record executive off the farm, but you can never really take the farm out of the record executive. That’s certainly true of Bryan Switzer, senior VP of promotion for Nashville-based Universal South Records.

With his wife, Jennifer, Switzer breeds, raises, and shows quarter horses on the couple’s 55-acre spread in Springfield, Tenn. It’s a hobby/side business he’s been involved in for about eight years.

Rather than pursuing some stereotypical vision of a country record executive gone cowboy, however, Switzer comes by his fascination with horses honestly. He grew up on a farm in Ohio. And while many executives in the country music business have horses, Switzer notes that “not many of them came from a farming background.”

Switzer sells some of his colts and yearlings—many to artists and music business executives who know of his hobby—but keeps some select stock for show horses. He hires trainers to work with the horses, which are generally trained for reining or roping. (Reining, Switzer explains, involves “a combination pattern of drills” that the horses compete in.)

Switzer, pictured with son Ben on the stallion Docs Nip O Brandy, enjoys calf roping and says he is also learning to rein. The Switzers own 18 horses on their Tennessee property and several more that are housed in Delta, Colo.

Switzer says it’s more a hobby than a side business: “If I break even, I’m happy.” More importantly, he says, his avocation “keeps me outdoors and working with the animals.” In fact, during foaling season, he once had to spend a weekend and a half sleeping in the barn. The Spawn was worth it. “There’s nothing better than in foaling season, in the spring, when you have a field full of babies.”

Of course, it’s also a useful diversion from the record business. “Working with the horses, especially the young horses, you can’t be drifting too much [mentally],” he says. “You have to stay focused, so it takes me out of the business and puts my mind on something else.”

By day, Switzer is a savvy record executive. Formerly VP/GM of Atlantic Records in Nashville, he’s now part of the core senior staff at Universal South, which was launched by veteran label heads Tim Du Bois and Tony Brown earlier this year. Asked if there are any parallels between raising horses and record promotion, Switzer laughes then quiets. “Both are extremely expensive to take part in.”

PHILLIS STARK

Horses take me out of the business and put my mind on something else.

The Billboard BackBeat

The solution to this week’s puzzle can be found on page 50.

RIM SHOTS

My dad will let her have the Britney CD, but only after she’s wearing a full length black dress...

BY MARK PARISI

BILBOB BILBOB

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Policy vs Piracy.
Global music sales are down 5%. Labels and retailers point accusing fingers at file sharing as the cause for this year’s depressed sales, but true peer-to-peer networks are more difficult to squelch than last year’s Napster. Recent Jupiter research says it doesn’t matter, contending that file sharing drives a bigger boost in sales than bust. Hear both sides, and a dozen opinions that haven’t yet made the mainstream – on stage at Plug.IN.

Debated in these sessions:
- New Jupiter Research: Forecasting the Future of Digital Music
- Subscription Services and Beyond: Targeting the New Music Consumer
- The Future of Online Radio: Interpreting the CARP Rulings

Playback vs Pay Back.
Consumer electronics and PC manufacturers are tempted to meet their customers’ demand with technology that facilitates playback of digitally duplicated music, at the risk of provoking the ire of the RIAA. Gateway and Apple have even built their marketing around this message. Are their solutions your problems? What will carry the day – positioning, policy or industry pressure?

Debated in these sessions:
- Remixing the Payment Track: Where is the Fair Share in Digital Distribution?
- The Billboard Roundtable: Where’s the Online Business Model for Music Retail?
- Delivering Digital Music off the PC: The Next Wave of Devices

Bands vs Bandwidth.
Over 15 million US households will have broadband access this year. And, according to the same Jupiter research, an additional 5 million households will enjoy high-speed home connections by 2003. Downloading large files suddenly becomes as easy as opening an email. Does this enhance the appeal of subscription services by eliminating a major friction – or undermine it by enabling easier file sharing? And is it a moot point until copyright and royalty issues are modernized for the digital age?

Debated in these sessions:
- Teen Music Consumption: An On-Stage Focus Group
- New Jupiter Research: Home Networks – Seizing Near-Term Opportunities to Extend Connectivity to Every Room
- Artists Are Brands, Labels are Not: Marketing Music Through Online Media

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