McGraw Tugs Heartstrings
Poignant New Album Also Has Its Humor

BY DEBORAH EVANS PRICE

NASHVILLE—Tim McGraw describes his ninth Curb album, “Live Like You Were Dying,” as a “tapestry of life.” Indeed, the project is deeply woven with themes that reflect some of life’s brightest and darkest threads. “You can listen to this record, jump into it and kind of flow downstream with it. It kind of wraps you up a little bit,” says McGraw, who recorded the album shortly after losing his father, baseball legend Tug McGraw, to cancer. “It was probably therapeutic,” he says of working on the Aug. 24 release. “Dad died the (Continued on page 77)

Retail Outlook Brighter At This Year’s NARM

BY ED CHRISTMAN and BRIAN GARRITY

NEW YORK—When the National Assn. of Recording Merchandisers held its last convention in March 2003, the music account base limped into Orlando, Fla., in tatters. It was in the midst of a two-year downturn that saw more than 1,000 music specialty stores close, two one-stops shutter and four chains file for Chapter 11 bankruptcy protection. On the eve of this year’s NARM (Aug. 21-24 in San Diego), a different story emerges. Look at the market capitalizations of four publicly traded long-term music industry accounts: Trans World (Continued on page 77)
Welcome Back

New Album In Stores 8.24.04

He's Back...
## Top of the News

### Movies & Music: Hip-hop’s influence was felt at the Urbanworld Film Festival in New York.

### Classical Score: London Symphony Orchestra director Clive Gillinson will move stateside for his new post at Carnegie Hall.

### Touring: Travel agents who specialize in concert tours handle plenty of logistical challenges.


### 34 Beats & Rhymes: Hip-hop duo Foreign Exchange collaborates on an album without the pair ever meeting face to face.

### Latin Notas: Melina León takes a pop turn on her new album, “Melina.”

### Beat Box: Faultline’s overlooked set “Your Love Means Everything” gets another chance from EM/Capital.

### Country: Malibu Storm’s self-titled debut includes a twangy twist on Def Leppard’s hit “Photograph.”

### Studio Monitor: A fire during a Black Eyed Peas recording session at Glenwood

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### Quote of the Week

"If [Bruce Springsteen] wants to piss off half his fan base, he can do that... But we have to answer to Arbitron every three months."

TONY TILFORD, PD at WDTY, DAYTON, OHIO

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AUGUST 28, 2004

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**TOP OF THE NEWS**

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**Weather Mucks Up Phish Farewell**

BY RAY WADDELL

Muddy and memorable, Phish closed the door on one of the more remarkable chapters in live rock’n’roll history at the band’s Coventry festival Aug. 14-15 in Coventry, Vermont.

Torrential rains on the days before the performances turned areas designated for camping and parking into mud bogs so severe that tractors were used to pull out cars that had gotten stuck in the mine. Thousands of fans were turned away and hundreds of others walked up to 20 miles to reach the swamp-like concert site.

“We’re still sorting it out, but we estimate about 65,000 people were here on the grounds,” says Dave Werlin, president of Great Northeast Productions, promoter for Coventry and all previous Phish festivals.

“We’re trying to understand how many people we’ll have to offer refunds to,” Werlin tells Billboard.

“When people normally come in [to a Phish festival], they present their ticket, it’s torn and they get a wristband, but this was far from normal,” Werlin says. “People came walking in from every direction. Most . . . found their way to the box office and exchanged their ticket for a wristband and then somehow found their way back to the stage.”

Clearly, though, many Phish-heads entered without their tickets ever being torn. And then there were those who never made it at all, who will receive refunds.

Instructions for how fans will be reimbursed were posted Aug. 17 on the Phish Web site. The scenario has fans mailing untorn tickets to a post office box for a credit card refund. Werlin did not expect many fans who actually attended the concert to try and get a refund.

(Continued on page 30)

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**Analog: A Race Against Time**

**Tapes Used For Masters Not Built To Last**

Last issue, senior writer Bill Holland began a five-year update on the state of the music industry’s vaults. He found that all companies face new challenges in preserving digital-era recordings that were captured on equipment and in formats that are now obsolete. This issue, he revisits the problems still encountered with analog tape.

The problem with analog tape presentation is simple: The music is embedded on a ferric oxide layer stripped or the plastic tape. Unfortunately, such tapes were not built to last. Nearly 1 million analog studio tapes from the ’70s and ’80s, both masters and session reels, are now in perilous condition because, as engineers discovered to their horror nearly a decade ago, they were manufactured with a flawed binder that absorbs moisture over time.

Problem tapes include Ampex 406 and 456 and Scotch 3M 206/207 and 290/291. Several Agfa formulations also show the symptoms. None of those tapes are still manufactured.

If the tape is played without treatment, the sticky binder, taking bits of the oxide “playing” surface with it, pulls away from the tape. The binder residue also clogs the master transport system. The friction caused as a tape is played can stop a machine in its tracks.

And it can destroy a master recording.

These analog tape assets, which represent some of the most lucrative catalog for companies to exploit, cannot be played without destroying the music (Continued on page 78)

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**Subs May Best Downloads**

**BY SCOTT BANERIEE and BRIAN GARRITY**

Subscription services once again are the hot business model in digital music circles.

After spending the past year taking a back seat to download sales, subscriptions are seeing renewed interest, thanks to digital retailers’ growing dissatisfaction with margins on 99 cent transactions. Also powering this interest is the promise of making subscription music portable via Microsoft’s forthcoming Janus digital rights management technology.

Currently, music purchased via a subscription service can only be played on a computer. The market for such services is roughly 1 million customers, according to industry experts.

However, industry research firm Jupiter Research expects that to change soon. It forecasts digital subscription revenue will grow from the current $113 million to more than $700 million, and that subscription sales will eventually surpass download revenue.

Not long ago, many of the same companies weren’t so sure. This time last year, subscription specialists were rushing to roll out à la carte download offerings as a hedge against Apple Computer’s successful iTunes Music Store.

Today, the honeymoon on downloads is over for just about every digital music seller other than Apple.

Lacking a compelling portable player solution to drive download sales (Continued on page 79)
Real Cuts Cost Of Downloads To Promote Harmony Technology

BY SCOTT BANERJEE

SAN FRANCISCO—RealNetworks, which sells digital music through its RealPlayer download store and the Rhapsody subscription service, has embarked on an aggressive price slashing and marketing campaign in an effort to gain market share in the ultra-competitive online music space.

The Seattle-based technology company cut download prices from 99 cents to 49 cents on its RealPlayer Music Store Aug. 17. The move came just days after it announced it would offer a free two-week trial to Rhapsody that coincides with the Olympic Games.

Real’s sales pricing could create a short-term cost for its shareholders. Following the announcement, the company said the reduced pricing could increase its expected third-quarter loss of 3 cents to 4 cents per share to as much as 5 cents per share.

Real is plugging the promotions through a national print, radio and online advertising campaign dubbed “Freedom of Choice.”

ENCOURAGING INTEROPERABILITY

The move highlights the rollout of Harmony, the technology that makes tracks from the RealPlayer Music Store compatible with Apple Computer’s iPod and more than 100 other portable music players.

Previously, the Real download store was not usable with either the iPod or any Windows Media-compatible devices because of competing digital rights management standards from Apple and Microsoft. Harmony technology is embedded in the updated RealPlayer 10.5 music management software, which is now available for free download.

The price break also functions as a carrot to lure digital music users into Real’s 30,000-song store, which is the lowest ever offered by a major download store. Most others, including Apple’s iTunes, Napster, Sony Connect and MusicMatch, sell their downloads for 99 cents. Walmart.com prices tracks at 88 cents. Additionally, Real’s album downloads will be sold at prices around $4.99 during the promotion.

Over the long term, the price slashing and Harmony rollout is widely regarded as a means to tackle iTunes, which by some estimates controls 70% of the digital download market.

However, Forrester Research analyst Josh Berruff pegs the long-term chances of converting iTunes users over to Real as “small.” He says most digital music users will eventually “pick one service, stick with it and manage their music in one place.”

In July, Apple voiced its opposition to Harmony, dubbing RealNetworks’ actions “hackertactics.” More than just a means for recruiting download users, Michael Gartenberg, analyst with Jupiter Research, says the move would be a means for a company that is not able to make money in the digital music space. The tech space includes on-demand Internet radio, on-demand video and cable television. Harmony technology is embedded in the RealStore music store.

(Continued on page 16)
Madonna has re-invented the definition of “smash hit” with her acclaimed “Re-Invention Tour”!

• All six performances completely sold out!
• Attended by 88,625 cheering fans!
• A whopping $12,674,925 in gross receipts!

RCE and MSG would like to thank Caresse Henry, Arthur Fogel, Gerry Barad, Tres Thomas, Chris Lamb & Everyone at Clear Channel Touring ...and, of course, Madonna!
European Biz Hopeful Of Change At EC

BY EMMANUEL LEGRAND

LONDON—The music industry has high expectations for the new European Commission, which comes into power at the beginning of the year.

Joaquin Bemstein, who appointed the Brussels-based body, has said that reform will be a central focus of his five-year term.

The new EC will take office Nov. 1 and the European Parliament approves its makeup. Commissioners are also appointed to five-year terms.

The EC has a busy agenda for the creative industries with rulings required on a range of legislative, taxation and protection issues.

From a political and economic perspective, Kern says the EC looks “very liberal, and we’ll see what it bodes for the music sector.”

COMPETITION ISSUES

The EC is the central executive structure of the European Union. It proposes legislation, coordinates EU policies and manages a yearly budget of 100 billion euros ($125 billion). Since the EU was enlarged to 15 countries in 25 to 28, the EC has consisted of one representative, including the president, appointed by each of the 25 member states.

New commissioners will be directly involved in issues of interest to the music industry. They include the new

的竞争部门主任，Neelie Kroes of the Netherlands, who brings to the post a reputation as a free-market proponent.

The previous competition commissioner, Mario Monti, of Italy, ruled twice on proposed mergers between major record companies during his tenure. The attempt at an EMI-Warner merger in 2001 faced strong opposition from the commission.

Restructuring various departments Barroso has “tried to build a convergence between the telecoms and the visual sector.”

However, he warns, in simple economic terms, we have the risk of seeing the audiovisual sector marginalized. A key question will be—is [Kroes] going to go take the side of the content or the conduit?

The EC is expected to review the levels of criminal sanctions against pirates. Reding will be an integral contact for the industry, as she will oversee all Internet-related issues.

The new commissioner for education and culture is Jan Figiel of Slovakia.

His department has developed a relationship with the music community during the past five years. Among its initiatives was the creation of the Border Breakers Awards, which recognize EU artists who sell outside their countries of origin.

The awards debuted in January at the Midem trade show.

The commission does not yet have a specific action plan for music similar to the MEDIA plan for the audiovisual sector. MEDIA is a five-year, multimillion-euro initiative funded by the EC to support the film and TV industries in Europe.

Several organizations, notably Brussels-based lobbying body the European Music Office, have been pressing the EC in recent years to grant the industry a larger allocation of EU funding.

“We are keenly following the changes in Brussels,” EMO secretary-general Jean-Francois Michel says. Noting that the EC in 2005 will set out new cultural programs for the next five years, he (Continued on page 79)

Composer Bernstein Dies

BY CARLA HAY

Award-winning composer Elmer Bernstein died in his sleep Aug. 18 at his home in Oak, Calif. He was 82.

Bernstein’s prolific career included composing the score to the classic films “The Magnificent Seven,” “The Ten Commandments,” “To Kill a Mockingbird,” “The Great Escape,” “The Man With the Golden Arm” and “True Grit.”

Some of his more recent film credits included “Far From Heaven,” “A River Runs Through It,” “The Age of Innocence,” “My Left Foot,” “Devil in a Blue Dress” and “Wild Wild West.”

He received 14 Academy Award nominations throughout his career, and Bernstein won the best original score Oscar for the 1967 film “Thoroughly Modern Millie.” His Grammy Award recognition included nominations for compilation album scores to “Ghostbusters” and “The Age of Innocence.”

Bernstein won an Emmy Award for composing the score to the 1963 TV documentary “The Making of the President: 1960.”

Born April 4, 1922, in New York, Bernstein was educated at Walden School and New York University. He studied piano under Aaron Copland.

(Continued on page 79)

Grokster and StreamCast, distributors of peer-to-peer file-sharing software, are not contributorily or vicariously liable for users’ copyright infringements, the federal Ninth Circuit Court of Appeals held Aug. 19.

Rejecting an oral argument by plaintiffs, the court affirmed the U.S. District Court’s granting of partial summary judgments in April 2003.

The Recording Industry Assn of America, the National Music Publishers’ Assn. and the Motion Picture Assn. of America originally filed the suit in 2001. Unlike Napster’s first incarnation, which had a centralized index of files, Grokster and StreamCast use “decentralized” P2P protocols.

The RIAA chairman/Ceo Mitch Bainwol said, “This decision does nothing to absolve these businesses from their responsibility . . . to address the rampant illegal use of their networks. We will continue to pursue legislative solutions and legal actions to address the ongoing illegal activity facilitated by Grokster and other P2P services.”

StreamCast CEO Michael Weiss said, “This is a win for our fellow P2P developers and a victory for American innovation.”

The decision is limited to specific software in use at the time of the District Court’s decision. The copyright owners also seek relief based on different software and metatagging. The case was remanded to the District Court to resolve the remaining issues.

CAROLYN HORWITZ

Navare Entertainment Media senior VP/GM Steve Pritchitt exited the company Aug. 20, sources tell Billboard. Pritchitt had headed New Hope, Minn.-based Navare’s music distribution operations since April 2001, when he succeeded Jim Chado. He joined the company in early 2000.

Pritchitt’s departure from the company came little more than a week after Navare announced a series of wide-ranging changes in its sales staff.

A Navare representative declined to comment.

CHRIS MORRIS

Fat Possum Records and owner Matthew Johnson have sued former joint venture partner Epitaph Records for a to-be-determined amount, alleging that Epitaph harmed the company.

The suit, filed Aug. 17 in California Superior Court in Los Angeles, alleges that Oxford, Miss.-based Fat Possum—home of R.L. Burnside and Junior Kimbrough—was funded at a loss by Los Angeles-based Epitaph under the terms of a July 1997 agreement. The action maintains that in October 2003, Fat Possum agreed to be moving into profitability, Epitaph told the blues label it would no longer fund operations or pay Johnson’s salary.

The suit alleges that under financial duress, Johnson agreed to buy back Epitaph’s interest in Fat Possum for an unstated price and that he was forced to add $50,000 to the redemption price and give up distribution rights to albums by Solomon Burke and the Black Keys.

Doug Mark, Epitaph’s attorney, says he has not seen the filing. But he adds, “Why would my client put a company out of business? It is impossible to comprehend . . . Epitaph’s reputation for integrity speaks for itself.”

CHRIS MORRIS


Chancellor joined the Nashville-based label in 1996 as VP of sales for the Spring Hill Record division and was named president of SHMG in 1997. Following Chancellor’s departure, CFO David Robinson was appointed interim CEO/COO.

SHMG includes the Spring Hill label, whose roster includes Southern gospel/inspirational acts the Oak Ridge Boys and the Martins.

DEBORAH EVANS PRICE

Sony BMG COO Michael Smelie sent a memo Aug. 17 offering either early retirement or a voluntary severance program for all eligible employees who choose to leave the company. More than 2,000 members of Sony BMG’s international staff are expected to be cut.

“We have designed these programs to offer you an opportunity to separate from Sony BMG with a favorable exit package that would not otherwise be available to you,” Smelie wrote.

Sony BMG reps declined to comment further.

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Wall Street Remains Uncertain About The Music Biz
A Bear Market For Music

By Michael Nathan

Wall Street remains uncertain about the music biz, and a bear market is emerging. An emerging trend of making music downloads an alternative to physical retail sales.

As the industry enters this "shovel" phase, as everyone from Apple to Microsoft to Nokia to Vodafone becomes a new distribution point and consumer product companies from McDonald's to Pepsi look to piggyback on digital music.

Thus, the industry is seeing dual-product revenue streams similar to the early days of the Walkman (which built cassette demand) and the CD player (which built CD demand).

These early product phases sustained demand for existing formats while tapping new demand for emerging ones. Yet, I believe this digital growth curve will look more like the short-duration Walkman phase than the decade-long CD phase.

Why? Because I do not see digital downloads as a replacement cycle. Digital distribution is an alternative distribution path, not an alternative format. Most CD owners can and will transfer their CD collections into a digital format. In contrast, the CD was a revolution from vinyl in quality, durability, portability and convenience.

Yes, a legitimate distribution path can create an easier method for music fans to consume music. But this new model will likely not have material profit impacts in the near term. Digital downloads will not replace physical retail sales.

While Apple's iPod and its iTunes store have received an enormous amount of press, it is important to put the business in perspective. By our count, the average iPod owner purchased around 11 to 12 songs in the last quarter—roughly equivalent to a full album. This rate looks equal to the run rate of the previous three quarters, so it is safe to assume that the average iPod user buys around 800 songs per year via digital downloads.

If iPod users triple by year's end to exceed 10 million and double by the year after to 20 million—7% of the U.S. population—and the early album purchase dynamics hold, we are talking about a run rate of 80 million incremental albums by the end of 2005.

The Recording Industry Assn. of America estimates that more than 745 million albums were shipped in 2003; thus, an increase of 80 million units will boost unit demand by more than 10% before pricing and cannibalization are factored in.

Yet pricing, is, and will continue to be, under pressure. While we all tout Nielsen SoundScan sales data and RIAA shipment numbers, no one has been able to pinpoint the most important statistic: the year-over-year changes in industry revenue.

Starting with Universal's courageous decision last fall to cut prices, wholesale price points have been falling. But the industry price pressures are not publicly available.

We have long argued that the digital downloading model will unleash an unalike legacy in the 80 million unit annual consumers once again to purchase singles. Remember when the industry used to sell CD singles but found the model to be unprofitable and cannibalistic? A consumer's ability to cherry pick the best sales in a digital format rather than purchase an album will cause pain for physical sales of bundled CDs.

Pricing pressure will also accelerate because the retail base has shifted dramatically from the independent and music-focused shopkeeper toward mass discounters. The percentage of Wal-Mart and Best Buy within the industry's retail client base will limit industry pricing power while hurting the retail base's traditional retail partners.

Lastly, music is but one form of entertainment. Fortunately and unfortunately, it has been the first business to experience the joys and pains of our nation's shift into the "digital home." In the coming years, the iPod succeeds a PC, MP3 player, and CD player.

In my opinion, music will blend into a personal video recorder will allow couch potatoes to create video playlists that will take time away from audio consumption.

As I constantly remind myself, there is a difference between industries we enjoy working in and industries we want to invest in. No doubt the men and women who read this magazine religiously have made a tremendous impact on our lives—more so than folks who write research reports for a living. As a long time music fan, I am thankful to the executives and companies that have brought these songs into my life. However, as an investor, I would still just as soon sit out this dance to earning.
Gibbons CD Fights To Save Memories

Painful life experiences often force us to become experts in areas we wish we knew nothing about. Such is the case with entertainment reporter/personality Leeza Gibbons, who found herself researching memory diseases after her grandmother and mother were diagnosed with Alzheimer’s disease. What she found was the tremendous need for a consistent model for caregivers and the newly diagnosed. To help fill the void, in 2002 she founded the Leeza Gibbons Memory Foundation, which supports the day-to-day needs of caregivers and people with memory diseases.

To raise funds for the foundation and the Alzheimer’s Foundation of America, she is releasing “Leeza Gibbons Presents Reflections” Sept. 14. The set is a collection of previously released songs from some of today’s top hitmakers, including Sarah McLachlan (“I Will Remember You”), Madonna (“I’ll Remember”), Rod Stewart (“Have I Told You Lately”), Barry Manilow (“Memory”) and Josh Groban (“To Where You Are”).

WEA-distributed Top Sail Productions is releasing the CD and will donate 100% of its profits to the two charities. The set retails for $12.98. Gibbons created the fundraising disc because of her ties to the music community and because, she says, her research taught her that “the ability to understand music is one of the last senses to go. My mother is still alive. She doesn’t speak; she’s just sitting there, but one of the last things we were able to do together was listen to music.”

The CD works on two levels: People can enjoy it simply for the music, or those who want to know more can play the disc in a DVD player to find out about the foundation and Gibbons’ story.

“Having the enhanced video was huge,” Gibbons says. “It allows us to recruit new people into our spiritual street team. It links people directly to the Web site and allows us to give people the warning signs of memory disease.”

“We created a business model that’s very doable,” she says. “We can open one for $150,000 because our strategic partnerships [within each community] and other nonprofits allow us to move quickly. This is not a disease that will wait.”

In addition to promoting the disc—which she hopes is the first in a series—on her daily syndicated radio show, “Hollywood Confidential,” Gibbons will also pitch directly to retailers. She will host an awards dinner at the National Assn. of Record Merchandisers convention Aug. 24 in San Diego.

“You bet I’m going to the retailers and asking for better shelf position and for everything they can do to help,” she says.

(Continued on page 16)
Vagrant
Continued from page 15

It wasn’t until 1997 that the company issued its first big title: “Before You Were Punk,” a compilation of ‘80s covers by such acts as Blink-182. Face to Face, Guttermouth and Unwritten Law. That album was succeeded the following year with a by-product of Egan’s management relationship with Face to Face. The Vagrant album “Face to Face Live” sold 75,000 copies on release, according to Egan. “They were on A&M, but I was managing them, so it was easy,” he says. “That was really our first real, legitimate, good-selling release.”

TAKING NOTICE
The major breakthrough for Vagrant came in 1999, when the Get Up Kids’ “Something to Write Home About” quickly sold more than 100,000 units, according to Egan. But Egan says the group’s importance extended beyond its ability to garner rapid sales.

Egan says, “The Get Up Kids were the head of the indie-rock class at that point. So when they signed to Vagrant, which was largely unknown [then], it made all these other bands look to us.”

Saves the Day, Dashboard Confessional and Alkaline Trio—all of which proved to be mainstays of the label—soon joined the roster.

Vagrant went on to develop a powerful brand among indie rockers with package tours in 2000 and 2001. “It was one of those cases of one plus one equals three,” Egan says of the 2001 tour, “because when we put [the acts] all together, we were able to do more of an event. It was like a collective presentation of the label, city by city. I think we did 40 dates, and it was about 90% sold out… It just clicked for everybody at that point. Because all the bands were at a certain point on the rise.”

The majors began to take notice of Vagrant, and in 2002 Interscope acquired a minority interest in the label. Egan says, “We thought we needed a next kind of level in order to supervise what the bands wanted. I think bringing Interscope in was the move that made us all—the label and the bands—feel comfortable, rather than the bands wanting out to move out to a major, or a major swooping in and not really knowing what to do.”

The Interscope buy-in included a provision for Vagrant to move over to Universal for distribution at the conclusion of the label’s contract with TVE.

The shift came at a potentially precarious time, since Universal recently announced its formation of an indie arm, Fontana Distribution.

At this point, it is uncertain if all of Vagrant’s product will move through Universal Music & Video Distribution, or if some of it will be shifted by Fontana. But Cohen easily envisions a relationship with the new indie firm.

“I’d imagine they would look to a certain extent to how we sell records,” Cohen says. “I think they’re going to make a strong play for us going through [Fontana], which could be good… We know they have the upper echelon of sales covered. We’re not concerned about that.”

A two-tiered distribution approach could work well for Vagrant, for Egan says that its established acts sell between 100,000 and 300,000 units, while its developing acts usually bow in the 20,000-to-60,000-unit range.

The label’s best seller, Dashboard Confessional’s “A Mark, a Mission, a Brand, a Scar,” has sold more than 651,000 units, according to Nielsen SoundScan.

Based in the world of melodic punk, Vagrant has sought to broaden its offerings. Two years ago the label signed punk elder Paul Westerberg, and last year it released an album by New York metal act From Autumn to Ashes. New signing Senses Fail will release an album and begin a tour next month.

Ben Perri, From Autumn to Ashes’ vocalist, believes the relationship with the well-branded label has broadened the band’s reach.

“They’ve gotten us a wide range of fans,” Perri says. “With the Vagrant tour we did last year, we opened up a whole new world of fans to play our music to. Instead of just the heavy-music crowd, we actually have the pop-pier side now also.”

Avid
Continued from page 10

audio workstation platform and its hardware interface products. Tekwbury, Mass.-based Avid will pay approximately $80 million in cash, issue approximately 2 million shares of common stock and assume all outstanding M-Audio stock options.

M-Audio will market its line of computer audio peripherals, keyboard controllers and control surfaces, microphones, loudspeakers, PCI sound cards and distributed software and proprietary sound libraries alongside Digidesign’s DAW products for the professional and home/hobbyist markets.

Founded in 1988 and privately held, M-Audio has a reputation for offering high-quality devices at entry-level cost, particularly its USB and FireWire audio interface and keyboard products. The Irvine, Calif.-based company has grown rapidly during the past four years, corresponding with a dramatic rise in DAW-based personal recording studios.

Daily City, Calif.-based Digidesign has established its Pro Tools platform as the standard in non-linear recording and editing for the professional and—more recently—home recording markets. Its Mbox and 002 interfaces, listing at $495 and $2,495, respectively, are extremely popular in home and personal studios.

With the acquisition, Avid formalizes the grouping of Digidesign and M-Audio products already found in countless recording environments, particularly at the low end of the audio recording spectrum.

“This is an addition that allows us to go down-market from where we were,” says Dave Leholt, Digidesign GM and Avid VP. “We’re going to allow more entry-level customers into the world.”

Leholt adds that Avid and Digidesign will be hands off with regard to M-Audio’s ongoing product development.

“It’s logical to look at putting the [products] together at the trade shows,” he explains, “but it may not be practical this year… But it’s worth mentioning that when this transaction is concluded, the two audio groups will pretty much act autonomously for the foreseeable future, because we need them to be able to concentrate on what they do and not change the magic. We plan very much on letting M-Audio be themselves.”
Urbanworld Film Fest Has Musical Bent

Hip-hop had a strong presence at the Urbanworld Film Festival, held Aug. 4-8 in New York. The eighth annual event, which celebrates the movie industry from the perspective of people of color, featured several participants from the music industry.

"The Convergence of Film and Music" was a lively session that included such panelists as rapper/record producer/film composer RZA of Wu-Tang Clan fame, Music World/Sanctuary Urban Records Group president Mathew Knowles, Creative Artists Agency agent Andrea Nelson Meigs and Strange Fruit Films co-founder and producer Nia Hill.

The panel was moderated by film producer Loretha Jones, whose credits include "The Fighting Temptations" and "Martin Lawrence Live: Runteldat.

RZA, who wrote music for "Kill Bill Vol. 1," said he had the rare privilege of being a composer who got to visit the film's set during shooting. "I spent about 35 days on the set. I really wanted to be like a student and learn as much as I could. When you're acting you tend to be pigeonholed into doing that one thing [in the film]. When you compose music, you can learn about editing and directing.

When it comes to musical artists who want to cross over into acting, Meigs (who represents such entertainers as Will Smith and Beyoncé) commented, "A lot of people in the music industry may not want to play a music person in the movies. My biggest challenge is to find roles for them where they can expand their acting abilities and be taken seriously as actors. You have to be open-minded, even in terms of race and gender roles."

Knowles, the manager of daughter Beyoncé and Destiny's Child, said that his strategy in breaking artists into films is to have them initially take supporting roles instead of rushing them into top-billing status.

"With Beyoncé and 'The Pink Panther,' we did the movie for a dual reason: She didn't have to carry the weight of the movie [as the star], and there was the timing aspect. The film is positioned to be out next year, so we won't go two years without seeing a Beyoncé movie." The artist has appeared in "The Fighting Temptations" and "Austin Powers in Goldmember.

RZA had this advice for anyone in the music industry who wants to work in movies: "Take your talent and don't be stuck in one bracket.

The festival also screened several music-themed films.

QD3 Entertainment's fascinating "Letter to the President" is a documentary about hip-hop's involvement in politics. But it is an uneven, often unfocused film that suffers from trying to tackle too many other issues, such as racial profiling and drug trafficking.

Directed by Thomas Gibson, "Letter to the President" also has a heavy-handed anti-Republican bias, which may disappoint viewers looking for more objectivity in a documentary.

Another QD3 Entertainment film told a better story: "Beef II," the sequel to last year's "Beef" documentary about feuds between hip-hop stars. "Beef II" focuses on how these conflicts are commercialized on songs and bootleg recordings.

Highly entertaining and informative, "Beef II" spotlights several notorious hip-hop rivals, including LL Cool J vs. Canibus, Westside Connection vs. Cypress Hill, D12 vs. Royce Da 5'9" and KRS-One vs. Nelly. One memorable moment involves K-Solo taking a lie detector test in an attempt to prove his side of the story in his dispute with DMX over who wrote the lyrics to "Spellbound."

Peter Spirer, who directed and co-wrote both "Beef" movies, has an engaging storytelling style, showing how many of hip-hop's feuds start as petty arguments but then are often blown up to absurd proportions because of egos and money.

Image Entertainment will release "Beef II" Aug. 31 on VHS/DVD.

We also liked "Afro Punk" (directed by James Spooner), a documentary about African-American punk music fans. Although a low-budget film, it has its merits and should be commended for spotlighting a subculture that the mainstream media ignores.

D12 MOVIES: Members of D12 are reportedly working on two movies: horror flick "Devil's Night" and dramatic film "Runyon Cash." Both productions, which are in development, will be produced by D12 managers Jeremy Gelfin and Max Gousse.

D12 frontman Eminem will not be involved in these projects.
New Carnegie Chief Aims For 'The Extraordinary'

Carnegie Hall has a new executive and artistic director: Clive Gillinson, former managing director of the London Symphony Orchestra. A cellist who played in the LSO for 14 years before ascending to the board of the musician-owned orchestra, Gillinson succeeds the late Robert Harth, who passed away in January.

Under his watch, the LSO launched its lauded record label, LSO Live; created an annual LSO residency in New York; and co-founded the Pacific Music Festival in Sapporo, Japan. Gillinson also raised $30 million to launch LSO Discovery, a successful education and outreach program.

Gillinson, who has lectured at the London School of Business, notes that his philosophy starts from a single premise. "One of the core things is to lead with vision," Gillinson stresses, "not to make decisions grounded only in the practical or in terms of already available resources. Start with the extraordinary, then figure out how to make it happen."

Gillinson says most of Carnegie's programming is already set through the 2005-06 season, so 2006-07 will be the first full season to feel his imprint. "Maybe there's still some room to amplify certain ideas in 2005-06," he says.

Looking forward, he adds, "Every single event needs to be special...so if someone comes just to one event, it will still be an exceptional experience. "It's not a matter of coming in saying, 'Here's what we must do immediately,'" Gillinson muses. "One must say first, I'm going to immerse myself in what's already going on, understand the existing strengths and be part of the organization and the great achievements of Carnegie and its unbelievable thing to be a part of."

CELEBS TAKE ON CLASSICAL MUSIC: The Gramophone Awards are continuing an image transformation that began last year, when the major awards categories shrank from 15 to six in addition to special awards for lifetime achievement and artist of the year. Gramophone editor-in-chief James Jolly announced recently that the annual awards concert and ceremony, held at the Barbican Centre in London, has been canceled. Instead, the funding for the event will go toward a new press and marketing campaign that will feature six celebrities from TV, film, theater and the arts. Each of these people will then be assigned one of the six winning discs to root for as record of the year.

Jolly describes the new setup as "a high-exposure press and retail campaign for the month of September. On Sept. 2, we'll announce the six short-listed albums as well as the celebrity advocates. The record of the year winner, along with the special award winners will be announced Oct. 1."

The marketing campaign will primarily focus on U.K. retailers, but Jolly says the magazine is discussing plans with major U.S. chains as well. The celebrity-plugging formula draws its inspiration from BBC's program "The Big Read," which boosted book sales in the United Kingdom, as well as successful book clubs on such TV shows as "Britain's Richard and Judy" and "The Oprah Winfrey Show."

Jolly notes that the magazine will spend about as much money on this new program as it did on previous years' ceremonies. Saying that he hopes the change will bring classical music to new audiences, Jolly avers that this shift actually brings the awards closer to the spirit and mission of the magazine.

"The gala concerts were a great deal of fun to put together, but they were really rather indulgent," Jolly says. "After all, we're a publication dedicated to recorded music, not live performances."

The Beat

Continued from page 15

BE WELL: Dan Fogelberg, whose music almost single-handedly got us through our teen angst years, has been diagnosed with advanced prostate cancer. He has canceled his fall acoustic tour to undergo treatment. His management had no comment at press time.

SPEAK OUT: Paul Simon, Mos Def, Patti Smith, Philip Glass and Nanci Griffith are among the artists who will participate in the American Civil Liberties Union Freedom Concert Oct. 4. The show, which takes place at Lincoln Center's Avery Fisher Hall in New York, will also feature a number of actors, including Sean Penn, Robin Williams, Maggie Gyllenhaal and Jake Gyllenhaal, performing spoken word pieces from Supreme Court decisions during the last 50 years in which the ACLU played a part. The evening will include a special tribute to Lenny Bruce, produced by Hal Willner. Glass will serve as the event's producer.

STUFF: Former Capitol Records senior VP Larry Jacobson and Robert "Berkooz" Webber, previously an A&R exec at Maverick Records, have formed World Audience. The management company's roster includes Hot Water Music, Averaged Sevenfold, Moments in Grace and producer Mudrock.

Elton John, Destiny's Child, Toby Keith, Mary J. Blige and Lenny Kravitz are slated to perform on the National Football League's "Opening Kickoff" TV special that airs Sept. 9 on ABC.
Happy Birthday, Caroline! 
Indie Distributor Celebrates 21 Years On The Musical Edge

BY CHRIS MORRIS

Turning 21 is a landmark, whether you're a person or a company. Caroline Distribution Group VP Rick Williams sees significance in his firm's 21st anniversary.

"We really genuinely have grown up," Williams says, "and we are capable of handling artists and labels at any level and taking people as far as a label can go. We can sell to any form of retail. We can take a record to its limit."

Fourth-quarter priorities for Caroline include albums on distributed labels by acts including Radio 4, Clinic, Shadow Fall, RD2 and Ms. Thing.

Caroline today boasts 110 employees, offices on the East and West Coasts and a 48,000-square-foot warehouse in Memphis.

But the company was always a little ahead of the curve. Many 21-year-olds are just moving into their own apartments. But Caroline had its own apartment at its inception in 1983.

It was Richard Branson's apartment, actually.

Branson, founder of Virgin Records, created Caroline as an import and distribution firm, and set up his U.S. shop in his own place on Perry Street in New York.

Ashley Warren, today's product/international manager at Caroline sister label Astralwerks, joined Caroline about six months after its inception, and he recalls the company's humble beginnings.

"It was originally located in Branson's townhouse in the West Village," Warren says. "It was a three- or four-floor townhouse. To give you an idea of how small the operation was, we only filled up one of those floors. The warehouse was in sort of a living-room area, and the phones were in another sort of antenna or living-room area.

It was basically a two-room operation—three if you count the toilet.

"Between the buyers and the people on the phones, there were seven or eight employees, and we had a staff of three or four warehouse pickers," Warren adds. "Of course, if the picking got too far behind, everybody got off the phones."

**EARLY DAYS**

In its earliest incarnation, Caroline was a key importer of rock from overseas. It had early success bringing in records by such rising English acts as Duran Duran, the Human League and Culture Club. Within a couple of years, Caroline moved its warehouse near New York’s Chinatown to accommodate its growing business.

"Most of the groundbreaking acts around that time, in the ‘80s, were from the U.K.," Warren says. "Then that whole U.S. independent explosion started happening. We started drifting more into domestic product."

Among the earliest U.S. indie labels handled by Caroline were Southern California hardcore punk stalwart SST Records; Dead Kennedys vocalist Jello Biafra’s San Francisco-based Alternative Tentacles; Touch & Go in Chicago; and Restless Records in Los Angeles.

"We would handle a lot of one-off labels, bands bringing their singles in to sell," Warren says. "There was a lot of punk rock stuff back then."

By the late ’80s, the winds of change were beginning to blow in the import business. A furor over parallel importing led Caroline to focus on its distribution activities. In 1988, Williams—who had spent four years with Jem Records, Caroline’s arch-competing in the import business—came on board to establish Caroline’s West Coast branch office.

From the late ’80s into the ’90s, Caroline enhanced its reputation as a high-profile distributor of independent rock music. Beyond helping to break a number of enduring acts—including Nirvana, Green Day, the Offspring and Soundgarden—Caroline sparked the careers of a couple of bands on its like-named sister label, the Smashing Pumpkins and Hole.

In 1992, Branson sold Virgin Music Group to EMI Music. Within a couple of years, the Caroline Records label took on the rubric of Caroline’s dance-oriented imprint Astralwerks.

**FATBOY SLIM’S BREAKTHROUGH**

Caroline’s key role in breaking such Astralwerks acts as Fatboy Slim and the Chemical Brothers during the ’90s served as a template for the distributor and its parent moving forward, according to Ivan Gavin, COO of EMI Music North America.

"Fatboy Slim is probably the best case of an Astralwerks-Caroline combination, where it came out of independent distribution," Gavin says. "There have been numerous acts that have come out of independent distribution that have gone on to sell millions of records through the mainstream. That is one of our key areas of focus going forward. We’re very much in touch with what’s going on in the independent distribution world—call it the ‘farm team,’ if you would like."

Gavin adds, "Our major labels do sign acts and use the Astralwerks system and the Caroline system as a developmental ground for some of their artists that may not be quite ready to go to the full mainstream route. It’s an extremely useful tool because, in today’s mainstream record business, the cost of entry, from a marketing and promotion point of view, is very prohibitive if your artists aren’t ready for that breakthrough today. We find it very useful and quite economical."

While Caroline VP of label relations Michael Bull notes that the company is still true to its rock roots, with 50%-60% of its distributed labels in that genre, he adds that the company has diversified in the decade he’s been with it.

"Things were much more punk rock-oriented back then, as far as the indie go," Bull says. "It was punk and metal. There wasn’t a whole lot of dance music, as far as I was aware of, that was really being distributed."

"With the rise of... (Continued on page 24)"

Ms. Thing
GM Williams: Caroline More Creative Than Ever

BY CHRIS MORRIS

Rick Williams has been GM of Caroline Distribution since 1998. He joined the company in 1988 and opened its West Coast branch. In 1994 he was promoted to VP of sales, and he relocated to New York in 1996. Williams previously worked at indie distributors Jem Records, Pickwick and M.S. Distributing.

As Caroline marks its 21st anniversary, Williams reflected on the company’s growth and future plans.

The music business has changed extensively during the last five years. How has that evolution affected Caroline?

I guess you could say we’ve had to grow up. We’ve had to create a great deal more organized, we’ve improved our systems. We’ve had to create a broader reach of retail.

Five years ago, we weren’t selling directly to people like Target or getting our product to places like Wal-Mart. Now it’s commonplace for us to do so.

In 1999 we were just getting into the hip-hop scene, and that has grown considerably for us. It’s now approximately 18% of our business. And we don’t carry quite as many labels as we did then; we’ve cut back about 10 percent in that time period, probably.

Generally, we’ve just become a lot more creative in the way we approach things.

Given the state of retail, didn’t you have to develop some different strategies?

We have had to work with customers in the way we market products and customize programs. The types of accounts we try to sell to are now broader, and we’ve had to become more creative in that area as well.

Do you have any staff that deals specifically with alternative markets for your product?

I’ve created a position that has a dual duty, the East Coast marketing manager [Marc Weitz, director of strategic marketing and sales]. Obviously he’s a marketing manager, but he also deals with our ventures into the lifestyle market. For instance, he just recently set up a program we’re doing with [clothing chain] Urban Outfitters. We are reaching out in that regard.

On the independent side, we have seen a lot of continuing consolidation, though things have seemed to settle down a bit. How have you reacted to that consolidation and to an intensified level of competition?

We try to work as closely as possible with our labels. We make sure that we’re on a sound footing with our customers—that everybody is on the same page [and] we have product that is viable in the marketplace.

It has become extremely competitive out there. People are certainly looking at our labels, approaching them, asking if the grass is greener.

Are your labels satisfied and staying put, generally speaking?

Generally speaking, we’re able to hold on to labels and have long relationships with our largest labels, with most of our labels.

We still look at startup-label situations. People sometimes come to us with not a lot of experience in the beginning, and part of what we do is help build them up. That, I think, is something that we still do more of than other people do.

Caroline Distribution: Fact File

Founded: 1988
Headquarters: New York
GM: Rick Williams
Employees: 110
Web site: carolinedist.com

With the announcement of the Sony-BMG merger, we’re seeing new consolidation on the major-label level. Does this represent an area of opportunity for an independent company?

With the consolidation of the majors, there are artists who no longer fall into the roster of these labels, so it is harder to get signed by or to stay with a major.

There are artists out there that perhaps may have been on a major, but now the opportunity exists for them to be on an independent. That is where the opportunity is.

Increasingly, major-owned independents are being looked at as an enclaves for artist development. Caroline has historically taken that role. How is the company working with the EMI labels and EMI Music Marketing to platform new acts?

Certainly, as far as the EMI labels are concerned, our major doorway is Astralwerks. They will sign artists who it’s hoped, eventually will have an attraction for one of the EMI major labels. On the EMI side, the opportunity exists for us to deal with them under the situation is appropriate for them, to have upsteam ability.

What are some of the biggest recent successes that have been a product of the relationship between Caroline and Astralwerks?

The biggest one is Air. I think the band has finally matured. Their album “Walkie Talkie” has done fantastically well so far, and we hope to continue it. There is a band called Radio 4 that there is considerable hope for.

There is a band from Australia called the Sleepy Jackson. It could quite possibly be the hardest-working band in the world. They had to be pushed onto the airplane to get them back to Australia. It’s a band we may settle in the next year, and, if we’re doing well, that will click.

We’re talking about a new album coming out in September; we’re looking to ship about 120,000 of that.

Nuclear Blast has done fantastically well with artists like Dimmu Borgir. Ultra/Sequence has done fantastically well with the branding of the Ultra Dance and Ultra Trance series. They have an album coming out in a few weeks for an artist called Ms. Thing, who’s been dubbed the female Sean Paul. I think there’s some real potential there. She’s a Sequence act.

Then we have labels like Definitive Jux that have done really well. The hip-hop labels like Stones Throw are performing very well. There are some other labels that are bringing in some results—456 Entertainment, for instance, which is an label that was started by Jonathan Rikkind and Carson Daly, has fantastic potential.

There are great ears over there, and the experience they have in the company will pay off pretty soon.

DOMINO is another up-and-coming new label. They have a new album coming out that we’re really looking forward to, and it’s one they just had [European success with] Franz Ferdinand.

It seems to me that Caroline’s offerings are pretty well balanced. You’ve tried to go for a spread of genres, correct?

Yes. There are some genres we don’t get into. We don’t get into country. We don’t really do jazz.

Although there has occasionally been a jazz record, we don’t have a jazz label. We don’t do classical. We don’t do pure pop.

The Web music business has developed explosively during the last year with the advent of iTunes, and independent distributors have taken a variety of approaches to address that marketplace. What’s Caroline’s plan for selling music on the Internet?

We are going to partner with EMI. They obviously already have systems set up. They are already dealing with many of the iTunes of the world, and we are going to look into their systems. Our labels will be able to take advantage of some of those situations that have already been negotiated by EMI, and we will be taking advantage of already existing relationships that EMI has with these people. We’re hoping to roll it out by mid- to late summer.

Specially retail has still been getting bounced around, and it seems like the turmoil is never-ending. How long do you think brick-and-mortar will remain your main focus, and how great a role do you think downloading will play in your business in the future?

I can’t imagine a time in my life-time when traditional retail is not still the main focus, or at least a main focus, of the business.

The biggest problem is to get the new generation, which is not quite as used to going to a record store, back into finding that to be an enjoyable experience. Independent retail especially is involving themselves in local communities, working with radio stations, work...

(Continued on page 28)
BALLS OUT
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Label, Retail Relationships Key To Caroline’s Success

BY TRUDI ROSENBLUM

Ask labels why they chose Caroline Distribution as their business partner, and the same answers keep coming up.

Caroline is renowned for experienced, knowledgeable staff who are passionate about the music. The company has an unerring sense of which markets and retail outlets will maximize sales. They offer creative ideas for marketing and promotion. And they boast a solid relationship with independent music stores.

"When you talk about Caroline, you’re talking about a very intelligent and musically savvy bunch of people,” says Patrick Moxey, president of Ultra Records, which signed with Caroline six years ago. “They analyze the feedback from chains to see what programs are working for which genres of music. If something needs to be addressed, or a hole needs to be filled, they’re very quick to respond.

“With Caroline, you’re talking about a very intelligent and musically savvy bunch of people.”

Caroline’s creative marketing strategies have included creating the first branded music compilation for retail clothing chain Urban Outfitters. Titled “Like What Ya Heard? Now Buy This!,” the CD features music from the chain’s in-store playlist. With tracks by such artists as Les Savy Fav, Mice Parade, Thievery Corporation and Madvillain, the CD has been sold at Urban Outfitters’ 58 stores for the past several months. Caroline is currently working on a second Urban Outfitters compilation, which is set for a December release.

Because the band Stuck Mojo, on Century Media Records, featured professional wrestler Diamond Dallas Page in its video “Rising,” Caroline leveraged the connection by getting the video on a cable wrestling show.

Since the band is from Atlanta, Caroline marketed the title heavily in the Southeast. Caroline also got the CD into KMart and Wal-Mart—the first time Century Media had product with those retailers. The title has sold 50,000 units, according to Nielsen SoundScan.

“With Caroline, you’re talking about a very intelligent and musically savvy bunch of people.”

Brian Sharp, VP of sales and distribution for Century Media, notes that Caroline also was instrumental in getting the “Art of Balance” by Shadows Fall into Target.

“We’d never had an album at Target before,” Sharp says. “But we really wanted to get Shadows Fall into Target’s launch.com program, where you get the artist’s video featured on launch.com, and it’s tied in with end-caps at Target. Caroline actively went
(Continued on page 28)
ASTRALWERKS SALUTES CAROLINE DISTRIBUTION

CUTTING EDGE MUSIC: PAST, PRESENT, & FUTURE

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BEN FOLDS FIVE 1995
MISFITS 1996
THE CHEMICAL BROTHERS 1997
PATBOY SLIM 1997
AIR 1998
BETA BAND 1998

SONDRE LERCHE 2004
THE CONCRETES 2004
KINGS OF CONVENIENCE 2004
RADIO 4 2004
VHS OR BETA 2004
AIR 2004
BETA BAND 2004

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Spotlight

The Caroline team includes, front row from left: Sean Gibbons, East Coast sales manager; Natalie Chavez, West Coast sales manager; Isa Shulman, West Coast marketing manager; Mercedes Ramos, finance director; Kenny Butler, distribution center manager. Back row from left: Niall Rafferty, finance analyst; Ken Kamber, IT manager; Rick Williams, GM; Michael Bull, VP of label relations; Marc Weitz, strategic sales and marketing manager; and Michael Toppe, national director of sales and marketing.

Birthday

Continued from page 19

Astralwerks in the early '90s, our focus changed a little bit, and we made a concerted effort to try to get some repertoire that would complement the Astralwerks stuff that was coming through, and give us enough stuff to service the hardcore dance indie accounts."

Today, dance-oriented Ultra is among the distributor's biggest labels. It also handles Warp, Ninja Tune, System, Subliminal, Ghostly and Mute, the EMI label with a balanced repertoire of rock and dance acts. "Now we've got hip-hop, which we never used to deal with at all on any kind of basis," Bull says. "For the last six or seven years, we've been slowly adding to the roster. We brought a few labels on that were very successful for us."

But rock remains Caroline's bread and butter. Los Angeles-based Century Media, with its imprints Nuclear Blast, Olympic, Abacus, and Liquor and Poker, is one of the company's top three lines. Bull also cites Nitró, Fueled By Ramen, Bridge Nine and Arts & Crafts as linchpin rock labels.

U.K.-based label Domino supplied

(Continued on page 28)
Rick Williams presents

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**Birthday**

Continued from page 24

Caroline with one of its major hits this year: Scottish band Franz Ferdinand's self-titled debut, which Epic quickly picked up after the album's independent launch.

While Caroline, like every other nonexclusive distributor, has its roster of exclusive labels, it remains true to its indie-rock roots on a business level.

National director of sales & marketing Michael Toppe says, "One of the areas that does set us apart in many respects is that we do have nonexclusive labels, and we subdistribute for other companies such as Revolver and Mordam, who don't have penetration into the chains."

Caroline employs a staff of 15 regional salespeople, who service chain and independent accounts. But, like many on the indie front, the company is exploring marketing opportunities at nontraditional locales.

"That's definitely been one of the focuses since I've been involved on the marketing side—to try and venture into as many of those fields as we can accommodate," Toppe says. "We've generated several hybrid positions over the course of the last few years to achieve that.

**NONTRADITIONAL RETAIL**

"We've tested some programs with places like [clothing chain] Urban Outfitters and nontraditional retail, and we have a deepened relationship with NPR [National Public Radio] and some of the affiliates such as KCRW. We did something in the last year with the Landmark Theatres chain, licensing a track to a sampler and doing in-theater play between films."

Just as Caroline has broadened its label offerings beyond rock over the years, the company, in tandem with EMI, is moving beyond brick and mortar and delivering its labels' music into the digital sphere.

Gavin says, "We believe, through the use of EMI, Caroline can be of great assistance to the independent labels by actually getting them piggy-backed onto some of the deals that we've cut with some of the major e-tailers. That way, they will be guaranteed attention and they will get coverage on all of the e-tailers' sites. We're going to do this on a label-blind basis, so that everybody who's going through the EMI system, whether it be our own repertoire or third-party distributed labels, whether it be through EMM or Caroline, will get a great platform to have their repertoire in the digital format."

As a veteran of Caroline and Astralwerks, Warren notes that the company's robust growth through more than two decades is the product of its ability to sail with the current of the times.

"The music industry is a fashion industry," he says. "You see labels go in and out of style, music go in and out of style. The important part of Caroline's success is that it's always been able to leap on the trends as they were starting to occur, and they were always on top of whatever kind of change that consumers were buying."

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**Williams**

Continued from page 20

ing with clubs, reaching out to people. The indie stores are not just expecting consumers to come to them, and I think that's a fantastic way of doing it.

Online music is going to grow, and I think, now that it has begun to become meaningful, it will certainly take hold, and it will become over the next few years an extremely important part of the overall music business.

It's an opportunity that everyone has to take advantage of. Everyone was really concerned about it, but the main problem was piracy and illegal downloading.

Now that is beginning to come under control, and the real sale of music digitally is starting to become a focus for people, and consumers are genuinely interested in purchasing it. You can't ignore it.

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**Success**

Continued from page 22

after it to get our hand on it."

The album has sold 100,000 units, according to Nielsen SoundScan.

Another Century Media act, Lacuna Coil, has sold 100,000 mark with its album "Comalies."

Kris Chen, label manager of Domino Recording, which has been with Caroline for three years, credits the company with the success of Franz Ferdinand's self-titled debut album.

Caroline VP of label relations Michael Bull "was very keen and aware of their potential from the beginning," Chen says. "They wouldn't be where they are today if it wasn't for Caroline really pushing them into all the indie stores and convincing retailers that this was a product they had to pay attention to. If they hadn't done that, we wouldn't have seen those sales and results."

Franz Ferdinand sold 70,000 units on Domino before moving to Sony.

This summer, Caroline teamed with label Definitive Jux and Virgin Megastore Union Square in New York for a promotion called "Indiependent's Week—A Celebration of Independent Hip-Hop." The event, which ran July 8-15, featured a panel discussion, a producers' workshop and in-store performances from Aesop Rock, Rob Sonic, Hangar 18, SA Smash and C-Raye Walz.

In another promotion, at indie store Amoeba in Hollywood, the first 100 customers to buy Probot's self-titled debut album at the store were given an advance copy of the upcoming album. Caroline also had an online contest for the Motorhead T-shirt that Dave Grohl wore in Probot's "Shake Your Blood video."

Bull sums up Caroline's strengths: "We have a strong mix of labels that are cutting edge. We're flexible with our deals. We work with labels for a plan that makes sense for them. We have the largest indie store base of any independent distributor.

"We have our own warehouse, not tied in with any major-label warehouse, so we can control our shipping," Bull adds. "We have a family atmosphere that makes people feel welcome. Labels like our sales and marketing staff, because everyone is a big music fan first and foremost. They like the records they're selling, and it comes through when talking to customers."

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Travel Agents: Tours Hold Unique Challenges

BY RAY WADDELL

The world has no shortage of travel agents, but relatively few specialize in the business of concert tour travel. And those who work with the touring industry require skills that far exceed just getting agents and crew from point A to point B.

About a half dozen agencies handle 80% of all touring acts, estimates Nick Gold, president of Nashville-based Preferred Travel. Among the major players in North America are Preferred Travel, Entertainment Travel, Tell Travel, Pro Travel, Altour and Linden Travel.

“In a high level of specialization, business is good for those that can pull it off, even when the touring scene hits a bit of a slump as it has for amphitheater acts this summer.”

“I’m not complaining,” Gold says. “You have to have your wits about you. Every tour is different, every band’s needs are different.” According to Gold, that diversity keeps the job interesting. Nancy Rosenblatt, president of Preferred Travel in Mountaintop, Pa., says her company is also very busy.

“Knock on wood, business is really, really good,” she says. “We do not solicit; all our business comes from word-of-mouth.”

Aside from national and international travel agencies, several independents also work the touring industry.

“It’s all about knowing the market, the venues, your bands and the specifics of touring,” says Janet Crowley, an independent travel agent specializing in the concert business. “You just need to understand the logical process that the touring business dictates.

“I don’t know cruises or vacations in the Bahamas, so I would turn that over to someone else.” Crowley says. “I’ve put my knowledge and expertise into this market, and I know how a tour should function so everything goes well.”

NOVEL KIND OF TRAVEL BIZ

Rosenblatt says a major component of a touring travel agency is flexibility.

“I deal with booking agents, tour managers, production managers and artists,” she says. “The most important difference between what we do and regular travel agencies is we’re on call 24 hours a day. We have to be ready for anything and everything.”

Another difference is knowing which hotels are “artist-friendly,” according to Gold. That can entail everything from having a place to park tour buses to being located near the venue where the act is playing.

“The biggest complaint I get is when someone is put a half-hour from the gig and when they get to the gig, there’s a hotel next door.”

Being artist-friendly today is also more likely to mean high-speed Internet access than tolerance of TVs being thrown into swimming pools.

“You sit down with the tour manager and discuss all the needs,” Rosenblatt says. “Some people want to be near malls, some need a gym, some need to be able to bring their dog.”

While Crowley has certain hotels she works with regularly, she says, “There’s never one hotel in a given city that I send all my bands to. You change hotels based on the needs of the bands.”

Meanwhile, Rosenblatt says she and her staff deal almost exclusively with on-site hotel staff, not national sales people. “If there’s a problem, I want a one-on-one situation,” she says.

But finding the necessary information in a given market is not limited to hotels.

“We need to know about access to various vendors, limousines, high-end rental cars, private jets and vacation places that are not run-of-the-mill,” Gold says. “That’s the kind of knowledge needed for the entertainment industry.”

Crowley adds, “It’s all about asking the right questions. Never assume anything.”

Knowledge of how a tour works is also mandatory.

“We get the itinerary from the tour manager or the booking agency, and from that we extract the information we need,” Gold notes. “Jumps are very important because drive time will have an impact on whether a band will take the full complement of rooms vs. a cleanup room.”

According to Gold, production crews tend to only get a room on off nights while the “tour always gets one to sleep in. It’s a fairly standard crew travel pattern,” he says.

Another necessity of a tour travel agency is keeping travel data out of the wrong hands, for obvious reasons. Such information tends to be guarded at a level that rivals national security standards.

“I would say that our industry is on par with lawyers and insurance companies in terms of confidentiality,” Gold says. “If someone’s wife calls me and says she’s lost her husband, if I’m not convinced she is who she says she is, that information does not get out.”

Creating trusting, long-term artist-relationship is also important.

Crowley jumped into the touring agency business right out of school and 30-plus years later she still deals with several of the same clients.

“I’m small, so I have to offer a lot of service,” she says. She adds that the touring side of the business has not really changed from her perspective, but the travel side has become more difficult.

“Whether you’re booking 10 rooms or 50 rooms, it’s the same amount of work,” she says. “I find myself working a lot harder these days.”

Phish

Continued from page 9

“We believe in the basic decency of Phish fans and think that will be a non-issue,” Werlin says. “But we still have to get our hands around how many refunds there will be. Several thousand, anyway.”

Werlin stresses that it was not the band, management or producers who made the decision to turn fans away, but rather Vermont state police.

“To us this was a frustrating decision because it was not our call,” Werlin says. “It was not our desire to do things this way, but it became a public safety issue.”

Werlin says that on Aug. 12, the Thursday night prior to the festival, state police were ready to shut down the event completely because of safety concerns.

“At that point we already had 25,000 people on the property, the production was ready and the band was coming in,” Werlin says. “Relocating was not an option for logistical reasons. So police were willing to compromise and let the people already on the exits come in and shut out the rest. Clearly, to play the show for those people already here was the best option.”

But those Phish-heads left on the highway were not ready to give up.

Many abandoned their vehicles and set off on foot.

“They had been sitting there, some of them, for 30 to 40 hours, and they weren’t going anywhere,” Werlin says. “This was one of the most important moments of their lives. So when [police] closed the road, they walked in, some 15 to 18 miles.”

MONEY-MAKING FESTIVALS

Coventry will end up grossing about $10 million, exceeding the $8.25 million from the band’s festival last year in Limestone, Maine. And Werlin has no regrets about the band’s final performance.

“We were blessed with clear skies on Saturday and decent weather on Sunday,” he says. “The band played incredibly well, production was great, the sound was great and there was a real emotional interaction with the fans.”

Phish’s tests were all big moneymakers, including the Clifford Ball in 1996 ($3.3 million), the Great Went in 1997 ($4.2 million) and Lemosnwheel in 1998 ($4 million). The band’s millennium show at the Big Cypress Seminole Indian Reservation in Florida grossed $1.16 million.

Coventry had the chance to be the most lucrative Phish festival of all.

“This had the potential to be the highest-grossing event of the summer,” Werlin says. He adds that, once the rains came, no expense was spared in dealing with the weather.

“We built over seven miles of roads, and then when it rained we had to go back and maintain those roads,” he says. “We spent $200,000 on bark mulch, gravel and wood chips alone.

Producers put down hundreds of military-style mabey mats (designed to move heavy equipment through mud) and thousands of sheets of plywood: “Anything and everything to address the rain,” Werlin says. All of which wreaked havoc on the Coventry production budget.


THE LEGACY

Now Phish's reign atop the jam-band scene is over. Since 1989, the act has racked up a total of $175,541,923 in concert grosses, with 5,842,798 tickets sold to 475 shows reported to Billboard Boxscore.

The final run this summer grossed slightly less than $10 million, not counting Coventry, and it could have been more.

True to form, rather than raise ticket prices under a “farewell tour” banner, Phish kept costs in the $40 range when it likely could have charged three times that amount, with a big corporate sponsor on board to boot.

“Phish really stayed the course in keeping to their core values, which is to have a real pure artistic vision and reject the commercialism the industry has so much been driven to,” says Werlin, who has worked with the band since 1991.

“At the same time, they kept building their audience, which shows there’s a real hunger out there for pure enjoyment of the music with all the commercial trappings so ubiquitous in our business,” Werlin adds. “Their legacy in large part will be just that. It has been an incredible ride and a privilege to work with such artists.”

Phish was managed by John Paluska at Dionysian Productions and booked by Chip Hooper at Monterey Peninsula Artists for most of its career.

In an earlier interview, Paluska told Billboard he was unsure what life post-Phish would hold for him and the Dionysian staff, but he felt confident the band’s place in rock history was secure.

“They’ll most be remembered for their skill at live performance and connecting with their audience,” Paluska said.

“They created their own distinct style of improvisation, a little different from anybody else. I imagine that will be one of the saddest things for them to let go.”
VETERAN GALLERIA MUSIC MANAGER TO HEAD COUNTRY DEPARTMENT

Wendy Rigg is in place as managing director of the Galleria Performing Arts Center, which is set to open in March 2007 in Atlanta.

Rigs, who assumed her new post since Aug. 2, comes to the $96 million Galleria from Atlanta's venerable Fox Theatre, where she was assistant GM under Edgar Neiss.

The Galleria will be owned and managed by the Cobb-Marietta Coliseum and Exhibit Hall Authority, the same authority that runs the Cobb Galleria Centre.

And like the Centre, the Galleria will be overseen by GM Michele Swann.

Ground will be broken for the PAC later this year at a site about one-quarter mile from the Centre.

Facilitating the overall design of the project is Atlanta design firm Smallwood, Reynolds, Stewart, Stewart & Associates. Design consultants include Theatre Projects Consultants, Kirkegaard Associates and Bozer & Associates.

The main theater of the Galleria will seat 2,750, Swann tells Billboard.

According to the arena's bookings director, Debbie Burda, the fight, promoted by local outfit Straight Out Promotions, grossed $1.8 million and drew 15,500.

Burda says food and beverage sales noted a per cap of $11.40, and merchandise sales hit $46,000 before the purveyors ran out of product.

The presence of Laila Ali, daughter of Louisville native Muhammad Ali, on the card clearly raised interest in the event. Burda observes.

"I'd love to have another fight at Freedom Hall," she says, "especially considering the [current] dire concert season.

NOT DEAD YET: Like many acts this summer, the Dead saw a drop in ticket sales in the early going. But the band has picked up some momentum on the East Coast, after drawing 42,000-plus to four shows at Red Rocks Amphitheatre in Morrison, Colo. Maybe Deadheads aren't as quick on their feet as they once were, as the band is now averaging about 2,500 in walkups per show.

THESE RASCALS: Rascal Flatts will begin their 20-city headlining tour Oct. 2 in Annapolis, Md., at the United States Naval Academy Alumni Hall. Support includes Chris Cagle, Julie Roberts and Gary Allan. Coors Light will sponsor the tour, and Clear Channel Entertainment's Nashville office will produce beginning Oct. 10.

Rascal Flatts is just wrapping a monster summer run with Kenny Chesney and Uncle Kracker. Rob Beckham at the William Morris Agency books the group.
Hitco Has Holiday In L.A. Office

BY GAIL MITCHELL

Hitco Music Publishing has appointed Shawn “Tubby” Holiday as VP/GM. The appointment also marks the opening of a Hitco office in Los Angeles.

In his new role, Holiday will report to Antonio “L.A.” Reid, chairman of Island Def Jam and co-founder of Hitco. Holiday will also work with Evan Medow, CEO of Windswept Holdings, which is Reid's partner in Hitco.

Holiday succeeds Shakir Stewart, who was based in Hitco’s Atlanta office. Stewart has joined Def Jam as VP of A&R.

“Shawn brings a wealth of musical taste, important relationships and extensive knowledge in music publishing,” Reid said in a statement. “We are all confident that Shawn will be extremely instrumental in growing Hitco into a dominant force in the music publishing arena.”

Medow says, “Shawn is one of the best young men in the urban business. He's a stand-up guy who will bring some attitude to the job.”

Holiday spent the past two years as a creative manager with EMI Music Publishing. Prior to that, he worked at Bad Boy Records in promotion.

Holiday began talks with Reid about the position in May. “I’m excited about joining Hitco because of its talented roster of writers and the opportunity to work closely with L.A. Reid,” he says. “Hitco has had a good run of No. 1 records, and I want to continue to make Hitco a top home for labels and A&R.”

During his tenure with EMI Music Publishing, Holiday worked with such artists as Kanye West, Fabolous, Jadakiss and former B2K member Omarion.

Holiday will spend time in Hitco’s offices in Atlanta, New York and Los Angeles.

“The new L.A. office will give the Hitco staff better access to the film and television people, as well as [the] marketing we do here,” Medow says. “The family analogy is hackneyed, but between Shawn, the New York operation and additional synergies with Windswept, we’re all about growth and maximizing everything work together.”

Hitco was established eight years ago as a joint venture between Reid and Windswept. The Hitco songwriter roster includes Beyoncé, Sean Garrett and J-Que (co-writers on Usher’s “Yeah!”), Tab (Mya, Tyrese), Carl-Mo (co-producer of OutKast’s “The Way You Move”) and Pooh-Bear (co-writer of 112's “Peaches ‘N Cream”).

Windswept’s other recent ventures include Combustion Music Publishing and Blotter Music Publishing.

Atlantic Preps ‘Joint Chiefs’

As the fourth quarter looms, look for Atlantic Records to shift into full-throttle promotion mode for several key rap projects.

The “Joint Chiefs” campaign rolls out with the Oct. 19 release of Twista’s “Kamikaze.”"The original version counts 29 weeks on the Billboard Top R&B/Hip-Hop Albums chart and 1.5 million in sales, according to Nielsen SoundScan. The revamped “Kamikaze” will feature new tracks “So Sexy Chapter II (Like This)” and “I'll Know Who.” Reissues sold at Target stores will also contain bonus track “Freak A Leak.”

Following “Kamikaze” is Fabolous’ Real Talk” (Oct. 28); Trick Daddy’s long-awaited set, “Thug Matrimony” (Nov. 9); Fat Joe’s solo turn, “Things That Nature” (Nov. 16); and LL’s Urban Legend” (Dec. 7).
‘Foreign’ Duo Creates Album Via Internet

With the Summer Olympics under way in Athens, what better time to talk about artists from different cultures and countries coming together to make beautiful music? Enter the Foreign Exchange—MC Phonte (of North Carolina-based rap trio BOC) and Dutch producer Nicolay.

The two met online at the Roots’ community hip-hop site, okayplayer.com. They struck up a conversation about Nicolay’s beats, and the result is the Aug. 24 release “Connected” (BBE).

The album features a host of state-side MCs rapping over Nicolay’s soulful beats. What makes the 14-song project so special is that it’s recorded by trading song files over the Internet—without ever meeting in person.

“It was up to Phonte as to whether or not his schedule would permit him to do any real work on the album while he was touring,” Nicolay explains. “His main focus was and is Little Brother. However, we did some cuts [in] two or three months. That’s when Phonte said, ‘We have to try and get a full-length going.’

That was still before we had a deal.”

Phonte chimes in, “I like a lot of different music, and I wanted to incorporate that in my music. Because Little Brother is hip-hop, there’s only so much I can do under that name. Foreign Exchange was a way to stretch out into R&B and other forms of music while still staying within hip-hop. Nicolay is one of the few producers who can go back and forth [like that]. Everything just fit perfectly.”

“The album’s title” represents the power of music,” he says. “Music is the connection. We believed in each other and the music was made to come together. Obviously, there’s the Internet connection, but the connecting power of music is what holds all races, cultures and us together.”

LITTLE BROTHER GETS BIGGER: As I reported exclusively on billboard.com, ABB Records has inked a production agreement with Atlantic Records for Little Brother. The group’s upcoming sophomore set, “The Minstrel Show,” will be handled under the new deal.

“Little Brother is one of those groups that individually and collectively is a music sensation that is bigger than the resources of an indie,” ABB Records president Ben B. says. “Given the current [music industry] climate, you look for opportunities to get to the top. So when Atlantic co-chairman/coo [Craig] Kallman wanted to do the deal, we stepped up.”

Little Brother—the trio of DJ/producer 9th Wonder and MCs Phonte and Big Pooh—made its mark in the industry last year with critically acclaimed debut “The Listening” on ABB.

“I am thrilled to welcome Little Brother to the Atlantic family,” Kallman said in a statement. “They are without a doubt one of the most creative and refreshing crews on the underground urban music scene. With two gifted rappers and a genius producer, they tell down-to-earth, authentic stories laced with brilliant soundscapes. With their roots in the music of classic Native Tongues artists, they are taking the art of hip-hop into the future with an inspired musical vision and a truly organic chemistry.”

THANKS TO YOU: Thank you to all the sponsors, panelists, performers, attendees and special guests who helped make our fifth annual Billboard/ American Urban Radio Networks R&B/Hip-Hop Conference a success. Given the climate of today’s industry, we were blessed to have a strong, enthusiastic turnout. We couldn’t have done it without you. Here’s to next year!
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**Latin Pop Albums**

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REGIONAL MEXICAN AIRPLAY

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HOT SHOT DEBUT

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Recopilado de un muestreo aleatorio de archivos supuestamente proporcionados por Nielsen Broadcast Data Systems Radio Facts service. Un período de 38 semanas o todos los lat pop, 18 Traspos. 9 regional Mexicanas se electrostáticamente mantuvieron en las semanas de 4. 1 semana. Songfacts (www.billboard.com) de acuerdo, 50% de las canciones en este listado. No es una lista exhaustiva. Asociado con la canción de los artistas.
Confab Plots Latin Alternative’s Future

BY JUSTINO AGUILA

BEVERLY HILLS—Despite tumultuous times in the music industry, the Latin Alternative Music Conference returned for its fifth installment with an upbeat view toward the future.

Aspiring artists mingled with industry veterans Aug. 11-14 at the Beverly Hilton Hotel here to support a genre that many insiders feel may have reached a plateau.

The overriding theme at this year’s LAMC was pushing the genre forward even when it appears to be stuck. Seminars and panels ranged from looking at the new rules of the music industry to the impact of piracy on the independent music movement.

“The last few years have been the most important for Latin alternative,” as the genre discovers new options apart from sales to keep it afloat, said Gustavo Fernandez, president of Miami-based indie Delanuca.

“Latin alternative doesn’t really have many vehicles to expose itself,” he said, noting that it gets very little play on commercial radio.

But Fernandez believes Latin alternative is at a crossroads where it can attract broader support from the Anglo industry. For example, the music is increasingly being used in films and commercials.

Fernandez also feels that investors are finding the genre more attractive as they realize that there is a potential audience of 40 million Hispanics in the United States.

Geography is crucial to the format’s growth, according to Adriana Pereira Rey, author of “In Search of the Crossover: The Latin Alternative Music Market in the United States.” Los Angeles continues to be the country’s main hub for Latin alternative. It also is the city with the largest number of Hispanics and Spanish media outlets.

LOW IN SALES, HIGH IN CRITICAL ACCLAIM

Few Latin alternative acts have managed to muster strong sales. What they have obtained is critical acclaim. This is evident by the overwhelming number of nominations for such acts in the main categories of the Latin Grammy Awards, which will be held Sept. 1 in Los Angeles.

Superlito bassist Pedro Rotetto spoke during a question-and-answer session about the role of the Latin Academy of Recording Arts and Sciences. His band, virtually unheard of one year ago, has been nominated for a Latin Grammy, and it will likely attract more attention in the wake of the awards show telecast.

The nomination, Rotetto said, represents many years of networking, performing, touring and connecting with conferences such as LAMC that support the Latin alternative.

“It truly has been five years of nonstop networking,” said Rotetto, who attended the first LAMC in New York. “It’s about finding the right targets and not giving up.”

Andrea Echeverri, lead singer of venerable Colombian band Aterciopelados, said, “We’re fortunate to have found a niche audience.”

Echeverri, who performed during the LAMC in support of her new solo project, describes Aterciopelados— which is still active—as a quirky band that found a following. But for every band that attracts attention in the Latin alternative genre, there are others working toward reaching an audience beyond the niche.

“What we do as musicians is about truth and honesty,” Echeverri said. “Money may not always be on your side, but like many things in life, it will come around at some point.”

INDIE POWER: Ingenuity can go a long way when an artist doesn’t have a record label. Witness Jenni Mejía, who created the project the Green Room and released a self-titled album in English on his own label in 2002. Now, Mejía—who also works at Sony/ATV Music Publishing—is preparing to release an all-Spanish album, “Mejía,” again on his own label, Infusion.

A Sept. 25 release party for the album will air as a TV special on MTV España in the United States.

Funding the project is Telemedia, a ringtone provider with offices in the United States, Mexico and Chile, which is already selling Mejía’s ringtones in the latter two countries. The company will promote the new album for subscribers, and tracks will be made available for download via Sony Connect.

In other indie news, songwriter/producer Ray Contreras (Jennifer Lopez, Carlos Santana, La India, Jerry Rivera) will release in September “In Memory Of . . . ” an inspirational album featuring Brenda K. Starr and Irish tenor Michael Londra, among others. A tribute album to those loved and lost, it comes from Starr’s label, Racy Music.

Starr performs the first single, “I’m Not the Same,” which will be released this month. A Spanish-language version has also been recorded.

A portion of the album’s proceeds will go to the Safe Horizon Foundation, the Children’s Leukemia Foundation and the Prasad Project.

Contreras is also producing Starr’s upcoming album, due out on Mi Voz Records. The label is a joint venture created by Contreras, Starr and John Holohan.

IN BRIEF: Rebecca León (no relation to Melina León) has left her post as CEO of marketing and A&R at EMI Latin USA to launch a management company.

Lion Fish Entertainment, based in Miami, has its first client, JD Natalia. The teen pop/rock singer recently released her debut album on EMI.

At the time, Faulltine was signed to Blanco y Negro, a sub-label of Warner Music U.K.

“Although people were loving the record—it was receiving great press—the label never got behind it,” he says.

Still, while the situation left a bitter taste in Kostens mouth, he is glad to have made it together to an important lesson: “If you’re playing within the major label area, you cannot predict the end result. It can get messy and ugly.”

But at the core, he notes, “I made a record that I poured my soul into. It was the record I had dreamed of making. I just wanted it to be heard.”

Apparently so did EMI U.K. Fortunately, Kostan was able to get the masters back from Warner. He then licensed the album, by friendly” label that is “realistic” about what it can accomplish.

The newly released version of “Your Love Means Everything” includes three new tracks: “We Came From Lego Blocks” (featuring Vordul Megilah of East Coast hip-hop duo Cannibal Ox), “Biting Tongues” (with MC Ras B from Adrian Sherwood’s On U-Sound collective) and a stunning cover of The Rolling Stones’ “Wild Horses,” which spotlights the gorgeously aching vocals of Joseph Arthur.

Also included is a new Kostan remix of the Flaming Lips-fronted “The Colossal Gray Sunshine.”

Mesmerizing as these new additions are, one cannot forget that the contributions from Coldplay and the Flaming Lips came before both acts became international stars.

“The only reason my debut album [‘Closer, Colder’] was all instrumental was because I didn’t know any vocalists,” Kostan says. “So I wrote raps and letters to artists I wanted to work with. Basically, the letters said, ‘Will you join me?’”

Since that time, in addition to nurturing a band of artists for Tiny Consumer and EMI, Kostan has been working on a new Faulltine album that is equal parts duets and remixes. “I am having artists sing their all-time favorite songs,” he says.

Thus far, he has recorded Keane singing Elton John’s “Goodbye Yellow Brick Road” and Kevin Mark Trail— who appeared on the Streets’ debut album, “Original Pirate Material”— covering Joni Mitchell’s “A Case of You.”

Right now, though, our fingers remain crossed that the second time will be the charm for “Your Love Means Everything.”
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UNION SQUARE BALLROOM • NYC
Malibu Storm Rides New Country Wave

BY JIM BESSMAN

With a name like Malibu Storm, siblings Dana Burke, Lauren Mills and Michael Alden might be mistaken for a Los Angeles surf trio.

But while Burke does in fact surf and Malibu is a boogie-boarder, the young threesome, who grew up near Malibu, Calif., are quickly becoming known for their fresh, bluegrass-inflected take on country music.

Malibu Storm's self-titled Rounder debut album, which came out Aug. 10, has yielded a country single and video version of Def Leppard's classic "Photograph." The unusual pairing of group and song has helped spur media coverage, including features in Country Weekly and on CMT's "Insider" and an upcoming story in People.

"We love all types of music besides country, so we're big Def Leppard fans," explains bassist/vocalist Alden, whose twin sisters Burke and Mills both sing and play banjo and fiddle, respectively. "We would be jamming in the living room on the most random things and jammed on that song one day. Even though it was a rock song, we felt a country version would be just as good."

Noting that the 1983 original came out before she was born (the group members are all in their early 20s), Burke adds, "A lot of our friends don't know it's a Def Leppard song. They find out Matt Lange wrote it and think it's a country song because they associate him with Shania Twain."

Other noteworthy cuts include a country reworking of the 1966 Lee Dorsey hit "Working in a Coal Mine" and Janis Ian's ballad "Some People's Lives." While Mills' cat-dedicated instrumental "Clover" is the only Malibu Storm original, Alden says the group is writing many of the songs for its next Rounder release.

Every song on the album is significant in terms of "who we are and what's going on in our lives," Alden says.

A GARAGE DISCOVERY

The group gives A&R credit to Rounder co-founder Ken Irwin, who Burke says followed Malibu Storm around during its development. In Burke's case, that development began when she was 9 or 10 and rummaging through the garage.

"I stumbled upon a banjo my dad had bought for $20 when he was in college that was missing a string and sounded horrible—but I thought it sounded great," she says. "It reminded me of the records I loved when I was 5, like Dolly Parton records and this old Disney record, 'Pardners,' which was a cowboy album of Mickey and Donald and Goofy singing country songs."

Burke quickly started entering and winning banjo competitions, inspiring her twin to do the same on fiddle and her brother to become a contest-winning vocalist. Forming a sibling band came naturally, and in 1996 Malibu Storm released its debut album, "Duality," on its own City West Records label.

"We got compared more to the Dixie Chicks than to Nickel Creek because we're a little more country than bluegrass/folk," Burke says.

Alden adds, "People see banjo and fiddle and go 'bluegrass,' but we're a country band with bluegrass roots like the Dixie Chicks."

Alfred Ishak, country buyer for Handleman, sees in Malibu Storm a much-needed fix for country music.

"They appeal more to the mainstream than Nickel Creek because of the Def Leppard cover. There are not a lot of young and talented developing artists in country," he says.

Ishak salutes Rounder for coming in with "a very low, aggressive price where we can retail for under $10, which is unique for developing artists in country."

He also lauds the label for bringing the group to Handleman headquarters in Troy, Mich., to showcase and meet executives. Rounder's sales and marketing VP Sheri Sands says this was a big part of the early setup plan.

"We started right after the first of the year working to introduce the group to the industry," Sands says. "We got music out there very early to radio, retailers and press, as well as CMT and GAC. And we had them touring the country on a promotional tour, doing on-air radio interviews and acoustic performances and performances in conference rooms and warehouses for retailers like Trans World [and for] Handleman and the UMVD home office in Los Angeles."

Malibu Storm is slated to play a showcase at the National Assn. of Recording Merchandisers conference Aug. 23 in San Diego, to be filmed for GAC.

"For being to all the showcases, and when people see them live, they're blown away because of the sibling harmonies and that they're such accomplished musicians," Sands says. "Live performance is obviously a big part of the campaign."

Radio was targeted at the same time as retail, Sands adds.

"We sent out five tracks to programs, and they helped select the first single," she says, noting that while country radio has been the initial focus, AC formats may follow because of "good feedback" there as well.

Having experienced "a really good start with retailers," including Target, which Sands says is putting "Malibu Storm" into its country "Sounds Good" program, Rounder is buttressing sales efforts with in-store programming of the "Photograph" video. The clip was also the centerpiece of a two-week GAC prerelease promotion, which has now switched to a contest awarding viewers a trip to see Malibu Storm in Malibu.

Proctor Makes It Worth The Wait With Top 10 Debut

Rachel Proctor is finally enjoying the payoff for her years of patience.

The West Virginia-raised singer/songwriter spent years in Nashville trying to land a label deal and was twice passed over by RCA Label Group before the company eventually signed her to its BNA Records imprint in 2002.

From there, it was another two-year wait for the release of her first album, "Where I Belong," which debuted at No. 8 on the Billboard Top Country Albums chart this issue. Pledged by poignant single "Me and Emily," the album sold nearly 19,000 copies in its first week, according to Nielsen SoundScan. Songwriter Chris Lindsey produced the album.

From the beginning, Proctor had a benefactor at RLG. After each failed audition for the label, A&R executive Carole Ann Mobley would take her to lunch and give her some pointers. In the album's liner notes, Proctor thanks Mobley "for never giving up on me and always keeping me in line."

Proctor first garnered attention in Nashville as a songwriter, most notably as the composer of the Martina McBride hit "Where Would You Be." During her first four years in Nashville, Proctor wrote for Warner/Chappell. She has been a Murrah Music writer for the past six years. Proctor's album was originally slated for release last summer, but she views it as a blessing that it was delayed a year after an unsuccessful first single, because it gave her an opportunity to "write some new songs to round out the record better."

Along the way, Proctor added some real-life experience to augment her songwriting chops. Now 30 and twice divorced from the same man, Proctor has a penchant for writing songs about feisty, independent women.

"I write the best songs when I'm tortured and unhappy," she admits with a laugh. "But I do write a lot of strong-woman songs because that's pretty much my personality."

The top 20 hit "Me and Emily" is about a woman escaping with her baby daughter from an abusive relationship. The follow-up single, which is the album's title track, has just gone to radio.

Proctor, who is managed by Hallmark Direction and booked by the William Morris Agency, has been getting some exposure this summer playing a side stage on some dates on the Kenny Chesney tour.

More from Moraine: Nashville-based publishing and production company Moraine Music Group is expanding its artist development division to include a new country label, Moraine Records.

Moraine was founded by Grammy Award-winning producer/songwriter Brent Maher. He has produced records for the Judds, Kenny Rogers, Jo Dee Messina, Shelly Lynne and others. Veteran record promoter Stan Byrd is the company's VP of promotion. He previously worked for Warner Bros. and A&M Records.

The label's first two signings are writer/artists Jenai and Sean Lock. Label executives plan to forge individual distribution deals for each artist.

The company's publishing division is also home to writer/artists Kevin Welch, Kieran Kane, Billy Montana, Mark Selby and Ken Thomas.

On the Row: Director of sales and marketing Barry Yarbrough and office manager Annette Sazov have been let go at Koch Records. Yarbrough's duties are now being handled out of the company's New York office.
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**Notes:**
- Billboard Top Country Albums: August 22, 2004
- Chart positions are based on sales data compiled by Nielsen SoundScan.
- The chart includes sales data for albums released during the previous week.
- The chart is published by Billboard Magazine, a publication of VNU Business Media, Inc., and Nielsen SoundScan, Inc. All rights reserved.

**Additional Information:**
- The chart is ranked based on the number of copies sold during the week.
- The chart covers the top 100 albums, with positions 1 through 10 being the highest.
- The chart includes information about the artists, albums, and sales data.

**Links:**
- [Billboard's website](http://www.billboard.com)
- [American Radio History](http://www.americanradiohistory.com)
### Billboards HOT COUNTRY SINGLES & TRACKS

**August 28, 2004**

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**Top Bluegrass Albums**

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ALBUMS

Edited by Michael Paolletta

NEW & NOTeworthy

BETZAI DA

BETZAI DA

PRODUCERS: Rudy Pérez, Kike Santander, Fonovisa 50849
RELEASE DATE: Aug. 24
Betzaida, a native of Chicago with Puerto Rican and Mexican roots, shows much promise on her debut. Although reminiscent of Jennifer Lopez in her take and material, the tracks were produced by Rudy Pérez and Kike Santander. Betzaida has her own freshness and appeal. Primarily pop (save for a couple of northera, tracks, including a cumbia moréna version of the single “Te Tengo Que Aprendere un Olvidar”), the songs are solid, though not groundbreaking. The one exception, “El Moreno,” a mix of tropical pop with a reggaetón intro and rap, doesn’t quite gel with the rest of the album. Regardless, Betzaida’s high, sweet voice has a compelling purity and is devoid of the affectations that hurt so many up-and-coming artists. The first single, a power ballad, does justice to her voice and personality.—LC

TRAVIS TRITT

My Honky Tonk History

PRODUCERS: Billy Joe Walker Jr., Travis Tritt
Columbia 92084
RELEASE DATE: Aug. 17
Travis Tritt is one of country music’s most soulful and distinctive vocalists, equally adept at Southern rock swagger and understated ballads. On his ninth release, he tilts more toward the former, making a statement out of the box on the orner “Honky-Tonk History” and following suit with a thumpin’ (if lyrically challenged) “The Girl’s Gone Wild.”

MOBB DEEP

Amerikaz Nightmare

PRODUCERS: various
Infamous/live 82765-37390
RELEASE DATE: Aug. 10
Despite a label change, Mobb Deep remains true to its grimy self on this, the sixth installment. The Queens, N.Y., duo—Havoc and Prodigy—introduces the album with single lead “Got It Twisted.” Produced by the Alchemist, the track’s haunting, synthy-driven musical bed is postcard perfect for the pair’s drop-deep verses, some of which are directed at new labelmates. The album also contains a remix of the single, featuring Twista. Mobb Deep gets crunk on the Lil Jon-produced “Real Gangsta.” This is an infectious affair that treads the fine line between the group’s hardcore leanings and the producer’s anthemic sensibilities. Other highlights include “Win or Lose” and “When You Hear The.” One of the set’s flaws is that it’s too one-dimensional. While Mob Deep fanatics will embrace “Amerikaz Nightmare,” passing hip-hop fans may crave a bit more diversity.—RH

The Georgian’s take on Delbert McClinton’s “Monkey Around” is a boogie romp, and the stone-country ballads “Cussin’ Leaving Town” and “Small Doses” are classic Tritt. But this set is mostly about attitude. The hell-raising “When in Rome” is a true barn burner that, like much of this album, fits perfectly in the current stormy country climate. Muzik Mafia notwithstanding, let’s not forget that Tritt wrote the book on this stuff.—RW

SHYNE

Godfather Buried Alive

PRODUCERS: various
Gangland/Def Jam 80002962
RELEASE DATE: Aug. 10
Shyne is one of hip-hop’s most controversial stars. Given his previous affiliations with Sean “P Diddy” Combs and his current imprisonment, the Brooklyn, N.Y.-based MC has been through a lot in the past few years. It’s no wonder, then, that “Godfather Buried Alive,” his second set and first for Gangland/Def Jam, has not been released as anticipated. Shyne still knows how to strike a hardcore stance, as evidenced on the lead single, the Kanye West-produced, Lamont Dozier-sampling “More or Less.” On “Jimmy Choo,” which features Ashanti, Shyne shows his softer side. Other highlights include “For the Record” (which is aimed at 50 Cent) and the East Coast gangsta mix of “Behind the Walls” featuring Kurupt and Nate Dogg. However, Shyne is at his most impressive when he is confrontational, as on the melancholic “Martyr,” where his reflections on life and death have real emotion.—RH

**LHASA**

The Living Road

PRODUCERS: François Lalonde, Jean Massicotte
Nettwerk America 6700 30375
RELEASE DATE: Aug. 24
With a family background surprisingly similar to that of Lila Downs, Lhasa may well be the next Mexican-American chanteuse to follow in the former’s footsteps. Her Network America debut, “The Living Road,” is a thoroughly intriguing collection of songs, almost all of which Lhasa wrote or co-authored. She sings in Spanish, English and French, and does so with a voice that possesses clarity and subtlety of expression. The opening track, “Con Toda Palabra,” glides with the mystery of a tango, while the lyrics speak of love and physical passion. Lhasa’s luridly vocalistic lilt is shadowy and passionate, couched in arrangements that are impeccably languorous. Observers note “I love a man/Who’s afraid of me/He believes if he doesn’t Stand guard with a knife/It’ll make him my slave/For the rest of his life” (“Anywhere on This Road”) as being as splendidly incisive. This is a debut to cherish.—PYY

**JAZZ**

**BILL FRISSELL**

Unspeakerable

PRODUCER: Hal Wilner
Nonesuch 79669
RELEASE DATE: Aug. 24
Guitarist Bill Frisell’s 19th Nonesuch release is a revisiting of an old friendship that stretches 20 years: as with several previous Frisell projects, it’s a partnership with producer Hal Wilner (music supervisor for “Chasing Amy” and “Live by Night”). Taking fragnments of obscure vinyl recordings as a launching point, (Continued on page 46)

CONTRIBUTORS:
Leila Cobo, Gordon Ely, Rasshaun Hall, Gail Mitchell, Chris Morris, Dan Ouellette, Michael Paolletta, Michael David Spies, Chuck Taylor, Brain Telteliman, Anastasia Tsioulika, Philip van Reck, Waddell, Christopher Walsh. ESSENTIALS: Releases reviewed by the editors to deserve special attention on the basis of musical merit and/or Billboard chart potential. VITAL IPS: Reviewed albums of special articial and commercial interest and outstanding collections of works by one or more artists. HITS—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. All albums commercially available in the United States are eligible. Send album review copies and singles review copies to Michael Paolletta (Billboard, 770 Broadway, 6th Floor, New York, N.Y. 10003) or to the writers in the appropriate categories.

BILLBOARD AUGUST 28, 2004 www.billboard.com • www.billboard.biz
www.americanradiohistory.com
the duos traverse a landscape that passes, in an almost hallucinatory way, through myriad styles that tickle the pair’s ears—a Brazilian rhythm here (“Del Close”), the fire of Afrobeat there (“Alias’”), with a dash of ’70s soul (“Who Was That Girl?”). A special pleasure is the lush yet piquant string arrangements, played by the 858 Strings (such as quasi-minimalist track “O, Sharpe,” named after the towsome’s mutual drummer friend). It will not come as a surprise to Frisell’s legions of fans that this is an utterly gorgeous and captivating disc from haunting opening track “1968” to elegy close, “Goodbye Goodbye, Goodbye.”—AT

VITAL REISSUES

ELVIS COSTELLO & THE ATTRACTIONS

ALMOST BLUE

REISSUE PRODUCERS: Gary Stewart, Val Jennings

ORIGINAL PRODUCER: Billy Sherrill

Rhino R2 76485

RELEASE DATE: Aug. 3

Goodbye Cruel World

REISSUE PRODUCERS: Gary Stewart, Val Jennings

ORIGINAL PRODUCERS: Clive Langer, Alan Tarney

Rhino R2 76486

RELEASE DATE: Aug. 3

Kojak Variety

REISSUE PRODUCERS: Gary Stewart, Val Jennings

ORIGINAL PRODUCERS: Elvis Costello, Kevin Killen

Rhino R2 76487

RELEASE DATE: Aug. 3

Rhino Edits—Elvis Costello-then continues with three fresh double-CD reissues from his Columbia and Warner oeuvre. The selection of his 1981 country foray “Almost Blue” may be the best: It includes duets with George Jones and Johnny Cash, as well as seven hot tracks cut live with steel guitarist John McFee at the old Los Angeles country palace the Palomino. The uneven 1984 collection “Goodbye Cruel World” is augmented by sparse original demoes, solo live shots, an early version of the hit “I Hope You’re Happy Now” and some superfluous covers (Sam Cooke’s “Get Yourself Another Fool” being the finest). The 1995 all-covers set “Kojak Variety” is befezzed up with sharp interpretations of tunes by Bob Dylan, Tom Waits, Paul Simon, the Beatles, Bruce Springsteen, the Gershwins and others. Rhino continues to do right by Costello and his fans.

DVD

BOZ SCAGGS

Greatest Hits Live

Zok/Roannder 01134 1017

RELEASE DATE: Aug. 3

Recorded at San Francisco’s Great American Music Hall, “Greatest Hits Live” features two hours of Boz Scaggs and a top-notch band in high-definition video and high-resolution, surround sound audio. The hits, including “Low Down,” “Lido Shuffle,” “Look What You’ve Done to Me” and “We’re All Alone,” are each given a superb rendering. Tracks like “I All Went Down the Drain” showcase Scaggs’ bluesier leanings. That tune, along with encore “Look Me in the Eye,” allow guitarist Drew Zingoli to shine; his extended, always tasteful solos lend a harder edge to the more prevalent mellow jazz/R&B fusion. The DVD includes behind-the-scenes footage and a photo gallery. An accompanying CD is available from Scaggs’ Gray Cat Records. —CW

SINGLES

Edited by Michael Paoletta

R&B/HIP-HOP

BOYZ II MEN What You Do For Love (3:23)

PRODUCERS: Nathan Morris, Shawn Stockman, Wynia Morris

WRITERS: R.H. Caldwell, A.F. Kettner

PUBLISHERS: EMI Longitude Music (BMI); Lindsey Angee Stanley

MSS/Kach 5735 (CDromo)

It has been a long time since Boyz II Men scored their first R&B/ pop crossover hit with “Motownphilly.” Now, in the footsteps of other legacy acts, the quartet have assembled the vaults for its latest album, “Throwback,” due Aug. 24. But rather than covering American standards à la Rod-and-The-Drifters—reimagined as a trio (Nathan Morris, Shawn Stockman, Wynia Morris)—opt for R&B/funk/classic-pop standards from the ’70s and ’80s. Kicking off the proceedings is the Hall & Oates nugget “Sara Smile,” which is going to AC radio, and this duet of Bob Dylan’s 1978 crossover breakthrough, aimed at R&B and jazz formats. Theoretically, the song, featuring rap accompaniment from fellow music war veteran MC Lyte, may sound contrived. But featured to enjoy it. Understated production complements the easygoing groove. And Lyte’s street-edged rap interludes add a dash of contemporary relevance without compromising the story or distracting from the Boyz’s signature vocals.—GM

POP

LINDSAY LOHAN I Decide (3:14)

PRODUCER: Peter Stengood

WRITER: D. Warren

PUBLISHERS: Simon Songs (ASCAP)

Walt Disney 038561701 (CD promo)

The list is growing: Hilary, Ashlee, Cherie, Bonnie McKee … . Suddenly, Brandy and Miley Cyrus are looking like the grannies of pop. Rolling Stone cover girl Lindsay Lohan is the latest addition to the queue. She’s definitely the consummate looker of the crowd, while her vocal abilities are obviously processed, crossover success is the way to make the grade in pop culture. Fortunately, she’s armed with a teen anthem that demands youthful independence and a group of clever producers to make it. Billboard’s Michael Paoletta reviews the latest from the trio’s—talent? Certainly. On par with Avril? You better believe it.—CT

ALANIS MORISSETTE Eight Easy Steps (2:50)

PRODUCERS: Alanis Morissette, John Shanks

WRITER: A. Morissette

PUBLISHERS: Sirenet/BMG (ASCAP)

Maverick 1031384 (CDpromo)

For all the enlightenment that Alanis Morissette brought to women in the mid- to late ’90s, her latest single, “Eight Easy Steps,” leaves us in the dark. The verses are a shrill mumble of incoherence, followed by a chorus that is so rhythmically harsh and vocally off-key that one has to wonder what the artist is hoping to accomplish. The song’s frantic pace and grating assault of guitars does not make it more listenable. The American public has not embraced Morissette’s latest album, “So-Called Chaos,” and this release is sure enough to make the title embarrassing ironically. Forget about it this time around; this song just plain hurts.—CT

DANCE/ELECTRONIC

THE KILLERS Somebody Told Me (3:54)

PRODUCERS: Jeff Saltzman, the Killers

WRITERS: B. Flowers, D. Keuning, M. Stenner, R. Valley

PUBLISHER: the Killers Publishing (ASCAP)

REMIXERS: King Unique, Josh Harris

Island 002253 (12-inch single)

Dance-rock jam “Somebody Told Me” has already proved itself at modern rock radio: The wildly infectious track peaked at No. 5 on the Billboard Modern Rock Tracks chart in the Aug. 21 issue. Now, along come these potent remixes, which deserve to reach the summits of the Hot Dance Club Play and Hot Dance/Sales Charts. Producer/remixers King Unique and Josh Harris did not simply lay vocals atop new production, which is most often the case with today’s remixes. Instead, they made a concerted effort to maintain the band’s authenticity. This has resulted in one very clubbable track that is equal parts rock, new wave and house. In fact, if you compare the Las Vegas-based quartet’s Is not lost or compromised—never is the song’s oh-so-chatty chorus. With dance-rock sounds gaining momentum on dance-floors, the timing is right for these remixes. But do yourself a favor and don’t stop with this single. Dig into the act’s debut album, “Hot Fuss,” for more tasty treats.—MP

GREEN DAY American Idiot (2:56)

PRODUCERS: Rob Cavallo, Green Day

WRITERS: Billie Joe, M. Dirl, T. Cool

PUBLISHERS: WB Music; Green Day Music,admin. by WB Music (ASCAP)

Reprise 101399 (CD promo)

It has been four years since Green Day released a studio album, and judging from the immediate response to the title track from its forthcoming set, radio has indeed been waiting for its return. To the Aug. 21 issue, “American Idiot” entered the Modern Rock chart at No. 10, the highest entry of the trio’s original while the time of might have created a demand for Green Day, it also helps that this is a very strong song. A signature Green Day punk-pop number, “American Idiot” is also one of the group’s most political songs. The band has said in interviews that it did not set out to make a political record, yet the song casually touches on the world’s current. With the election 10 weeks away, this song could not be more timely. A chart-topper? Very likely. Ditto for the album, which streets Sept. 21.—BT

AC

DIDO Sand in My Shoes (3:34)

PRODUCERS: Rollo, D. Armstrong

WRITERS: D. Armstrong, R. Nowels

PUBLISHERS: Warner/Chappell, Future Furnish, EMI-April (ASCAP)

Arista 560 086 (CDpromo)

As phenomenal as 2003’s “White Flag” was for Dido, the artist pretty much remains one-track. Previous single “Don’t Leave Home” was not particularly distinguishable from most of the songs on current album “Life for Rent.” “Same” holds true for this new “Sand in My Shoes.” Dido adds tempos to this cut, but it’s not enough to take listeners to any new place. A nice background brush cut, but purely vanilla in flavor.—CT

ALANIS MORISSETTE Eight Easy Steps (2:50)

PRODUCERS: Alanis Morissette, John Shanks

WRITER: A. Morissette

PUBLISHERS: Sirenet/BMG (ASCAP)

Maverick 1031384 (CDpromo)

For all the enlightenment that Alanis Morissette brought to women in the
BY STEVE TRAIMAN

In a prime example of Disney corporate synergy, Hollywood Records' emerging rock band Breaking Benjamin is providing 11 tracks from its first two albums to Buena Vista Games' "TRON 2.0: Killer App" videogame. "TRON 2.0" is due this fall exclusively for Xbox Live.

Rob Souriall, VP of marketing at Hollywood, explains that "the in-game play features only instrumental tracks to stay true to the 'TRON' franchise." But cross-promotional marketing efforts will feature tracks, including lyrics. The label is planning a pre-sale and/or gift-with-purchase program for a bonus CD-ROM that contains all 11 music tracks and several videos from Breaking Benjamin. Featured are the band's first radio hit, "Polyamorous," and two other tracks from its 2002 debut album, "Saturate." That record has scanned 212,000 copies, according to Nielsen SoundScan.

The other eight tracks are from new album "We Are Not Alone," which debuted at No. 20 on The Billboard 200 in the July 17 issue. Included is lead single "So Cold," which is getting good response at active and modern rock radio. The video is in regular rotation at MTV2 and Fuse, according to Souriall. "We Are Not Alone" has sold 187,000 units, according to SoundScan.

Breaking Benjamin's name appears prominently in the game's print ads, "with some interesting joint online initiatives in the works," Souriall says.

Ben Burnley, the band's lead singer, is a self-described "huge Xbox fan" who enjoys playing videogames on the road. "It's a very cool thing to have our music featured in 'TRON 2.0," Burnley said in a statement. "I can't wait to play the game with the rest of the band."

Breaking Benjamin manager Larry Mazer at Entertainment Services says, "Rob Souriall and Ren Bunt in Hollywood's new media department bring us all the games, but it was Ben who really pushed for this multitrack deal. It's his biggest hobby, so he likes any game usage possible—and the more the merrier for me."

Mazer and Souriall cite the success of several "Saturate" tracks that Vivendi Universal featured in its "Run Like Hell" videogame a few years ago. "Music is such an important part of videogames," Buena Vista Games product marketing director Bob Picunko says, "and with its raw, hypnotic, edgy vibe, Breaking Benjamin's music plays perfectly into the 'TRON 2.0' experience."

Another promo effort had Breaking Benjamin featuring game tracks "So Cold," "Away" and "Polyamorous" on a five-week, 25-city tour with Evanscence that ended Aug. 14 at Alltel Arena in Little Rock, Ark. Breaking Benjamin joined the tour July 13 at the Target Center in Minneapolis.

Breaking Benjamin holds a copy of 'TRON 2.0,' which will feature music from his band.
Navarre Revamps On Eve Of NARM Confab

It's still a shrinking world at retail. Attempting to roll with the changes, a second prominent independent distributor made critical alterations to its sales force on the eve of the National Assn. of Record Merchandisers' convention, which begins Aug. 21 in San Diego.

New Hope, Minn.-based Navarre Entertainment Media has initiated a wide-ranging revamp of its sales staff. Koch Entertainment Distribution made similar moves in late July (Billboard, Aug. 14). At the time, Koch president Michael Rosenberg told The Indies that the restructuring was a response to the contracting retail landscape.

It would be incorrect to categorize either companies' changes as "downsizing," since they have resulted in overall additions to manpower. In both cases, however, the shifts have involved cutting field sales staff, as the chain base continues to wither through consolidation, attrition and restructuring at such key accounts as Best Buy.

An Aug. 12 memo to Navarre's staff from Western sales director Ed Maxin and Eastern sales director Vyto Lazauskas says the company instituted changes "to maximize opportunities in a highly competitive environment, adapt to changing market conditions and to better manage [the company's] strategic initiatives."

Navarre eliminated three regional sales positions, resulting in the departure of Chicago-based Karen Pasen, Northeastern rep Rick Miller and Southern California rep Jamie Lurtz.

The company also made several changes in its reporting structure and broadened some staffers' responsibilities.

Nashville-based rep Rodney Metoyer has been promoted to retail promotion manager; he will continue to sell to Central South and Music City, with an increased focus on sales to Wal-Mart.

Miami-based national account manager Kevin Bradshaw will now report to David Womack, his Atlanta-based counterpart, with an eye toward sharpening the focus of Navarre's Southeastern sales efforts.

Seattle-based rep Teresa Sullivan, who previously reported to Maxin, will now report to Los Angeles-based national account manager Tommi Diaz.

Navarre has also added two people to its telephone sales team, promoted administrative assistant Jean Jorgensen to music data coordinator in its home office and hired Eric Neese as Best Buy vendor-managed inventory analyst.

In the latter role, Neese will split his time between Navarre's office and Best Buy's corporate headquarters in Minneapolis.

The company is also conducting interviews for a catalog sales manager, who will likely report to Maxin and will be based in Southern California.

VICTORY HITS THE DRIVE-IN: AEI Home Entertainment, a division of Los Angeles-based Atchity Entertainment International, has signed an exclusive pact for DVD distribution with Chicago-based Victory Records.

The deal marks a major step into the home video business for Victory, the hottest—and most gosiped-about—indie label in the country at the moment.

The RED-distributed indie scored a recent No. 3 entry on The Billboard 200 with Taking Back Sunday's "Where You Want to Be." The first batch of AEI Home Entertainment releases under the agreement, due Oct. 21, will feature titles by well-known B-movie horror/exploitation director Ted V. Mikels. These include "Cauldron: Baptism of Blood," "Mark of the Astro-Zombies" and "Dimensions in Fear."

RIPE FOR SUCCESS: Garden Seeker Productions, an imprint operated by Ali Shaheed Muhammad, a former member of A Tribe Called Quest and Luscious Pearl, has signed a distribution deal with Penalty Associated Labels, which moves through Ryko Distribution.

Muhammad's album "Shaheedullah & Stereotypes" will be released in October. The label also plans releases by Kay, Chip Fu and Sy Smith later in the year. Penalty is an umbrella distribution entity that also handles Disinformation, Blackstone, And 1, Activate, Insomniac, Native, Madd and Raptivism.
BY ED CHRISTMAN

In a time of sea change for the music industry, this month's trade show and convention of the National Assn. of Recording Merchandisers could prove to be a transitional one for the organization.

The NARM convention traditionally has been the forum for discussing the industry's most vexing issues. This year should be no different when the event unfolds Aug. 21-24 in San Diego. In addition, the status of NARM and the convention itself will likely be key topics of conversation.

For the first time, NARM is holding its conference in August instead of March. Some have questioned the wisdom of this switch.

And the appointment of Jim Donio as acting president of NARM still leaves questions about the organization's leadership that can only be answered when he or someone else takes the job permanently.

At press time, the trade organization was exploring a possible merger with the Video Software Dealers Assn., a move that is said to be driven by the perceived weaknesses of both organizations.

NARM's purpose has been questioned in the face of both consolidation and the increasing polarization among the various retail sectors that make up its prime membership.

"I think it's a transition year for NARM," says Mike Drees, CEO of Newbury Comics and a member of the NARM board. "For one, the effect of consolidation of our industry will never be more poignant."

For example, Drees says, Newbury Comics will have about 25% fewer labels and distribution meetings this year. "We won't be having an Elektra meeting; we won't be having an Epic meeting," he explains. "But NARM is invaluable to us, because it's probably the only time of the year we get to have face-to-face meetings with the mid-sized and smaller labels."

**NARM: Fact File**

**What:** Insights & Sounds '04, the annual convention and marketplace of the National Assn. of Recording Merchandisers

**Where:** San Diego Marriott Hotel & Marina, San Diego

**When:** Aug. 21-24

**Who:** Attendees include retailers, distributors, one-stops, rackjobbers, music labels, video and multimedia suppliers and suppliers of related products and services

**Web site:** narm.com

Donio knows that NARM itself will be a discussion topic at the convention.

"I am sure that people will be talking about the NARM-VSDA merger exploration," he says. "If there is anything to report at that time, it will be included by me or [NARM chairman] David [Schlang] at the convention."

The timing of this year's convention is also an issue. It was moved to August to allow labels to present fourth-quarter priorities and talk about setup.

Some have criticized the new dates, including a few current heads of the major distribution companies, who weren't in those positions when the decision was made. Also, a few retailers are said to be unhappy with the timing.

Nonetheless, Rob Perkins, president of Value Central Entertainment in Marietta, Ga., says it's perfect timing. Perkins says that holding the convention prior to the Christmas holiday selling season "will give us the opportunity to view product that will help us through the fourth quarter."

**SHOWCASES & SIZZLE**

Donio adds, "The product presentations and Club NARM are the showcase and sizzle of the convention."

There will be no shortage of live performances. The acts confirmed at press time include Gretchen Wilson, whose debut album has gone platinum, and Hayley Westenra, who has gone platinum in the United Kingdom. Other noteworthy acts include Jason Mraz, Shinedown, Rachel Sage, J-Me, They Might Be Giants, John Brannon, Brazilian Girls, Beth Hart, Bob Schneider, Camper Van Beethoven, Malibu Storm, Catherine Marie Charlton, and Ben Harper and the Blind Boys of Alabama.

Speaking of Wilson's appearance, Donio says, "This is one of those things where we have such a history where someone explodes at the time they are doing NARM, such as Charlotte Church, 'N Sync, Mariah Carey, Josh Groban and Harry Connick Jr."

"It's fabulous to have established artists like Rod Stewart, Seal, Bon Jovi, Garth Brooks and Tony Bennett play the convention," Donio adds, "but it's also amazing to have artists break through around the time they are playing the convention."

There will be plenty of time at the convention to get down to the issues. Perkins says, One such issue is DualDisc, a two-sided CD/DVD hybrid, for which Perkins has high hopes. "We need the industry to get behind this, it could be a win for all of us," he says.

Donio points to demonstrations of kiosks for in-store downloading as a "centerpiece" of the convention. At least four companies developing the units will attend and show what they can offer retailers to compete with digital music services.

NARM increasingly is seeking to serve the independent label and distribution sector.

In addition to holding a "crash course" on music business, NARM is holding an indie "speed dating" session to allow companies to introduce themselves to each other.

On the indie retail front, the Coalition of Independent Music Stores and the Music Monitor Network are bringing sizable contingents to the convention, "which is great for them and for us," Donio says. "The coalitions are still going strong and continue to have a lot of energy and excitement."

Donio points out that industry legend Clive Davis, chairman/CEO of BMG North America, will make the keynote address at a question-and-answer session.

"The last time Clive spoke at NARM was 18 years ago, and so much has happened to him and the industry in that time period. He is still at the top of the game and will be there to impart wisdom on how to be successful. He will have great stories to tell."

With retail being one of the strongest it has been in the past few years, the mood at the convention is expected to be optimistic. "We are excited about the convention," Perkins says. "We think it will be the best one in years."
Majors Bring Priorities To Confab

BY ED CHRISTMAN

By moving its convention to August, the National Assn. of Recording Merchandisers has transformed the event into a giant crystal ball that merchants can use to forecast the holiday selling season.

Previously scheduled in March, the NARM confab will take place Aug. 21-24 in San Diego, allowing suppliers of music and other home entertainment software to tout their full lineup of releases.

Judging by the comments of executive interviewees for this report, there are about 75 albums set for release by year's end with the potential to yield gold-or-platinum sales.

Jordan Katz, executive VP/GM at BMG Distribution, says he counts 25 albums with such potential coming from his company alone.

"At the convention, we will be talking about our upcoming releases first and foremost," he says. "Our business discussion will include the evolving digital world, including kiosks; our position as leader in the world of copy management; and new formats, like the DualDisc. We will also be updating our accounts on our achievements and where we are headed in the future."

The latter topic should prove to be very interesting, considering the forthcoming merger of BMG and Sony Music Entertainment and the challenge the two companies face in melding their operations.

But Katz isn't talking about the merger. He is referring to marketing initiatives and any possible sales programs the company might announce. He notes that each account that BMG meets with will likely have its own set of concerns, as well.

Among the titles BMG plans to work during the rest of the year are releases from Rod Stewart, Kenny G., Kelly Clarkson, Babyface, Diana DeGarmo, Santana, Heather Headley, Moby Deep, Mystikal, R. Kelly, Donald Lawrence, Vickie Winans, Donnie McClurkin, Hezekiah Walker, Bone Crusher, Alan Jackson, Alter Bridge, Megadeth, De La Soul and Earth, Wind & Fire. Additional releases include new titles from John Denver, Brooks & Dunn, Creed, Alabama and Wu-Tang Clan.

BMG will also focus on Clay Aiken's Christmas album, Ruben Studdard's gospel album, a "Will & Grace" cool jazz-sounding album and greatest-hits set from Britney Spears.

BMG-distributed Razor & Tie will issue "Kidz Bop 6." And BMG's U.S. Latin division will release albums from Rocio Dulara, Pablo Montero, Alexandre Pires and Jerry Rivera, as well as a DVD from Tego Calderon. Pop DVD titles are due from Spears, Mary J. Blige, 111 and the White Stripes.

When Sony Music Distribution attended NARM in 2002, the company had just come through a corporate shakeup. Since then, things have solidified into a unique set up that consists of shared-services sales groups for all the labels, headed by executive VP of sales Tom Donnarumma, and a distribution company headed by executive VP/GM Bill Frohlich.

SONY'S SETUP

"We will set up a Sony Music suite and have assembled a very extensive schedule to present music and online music," Frohlich says.

Sony has booked a full schedule of meetings with accounts—mostly those not in its top 10. The company built its meetings around the NARM schedule so that it can fully participate in the convention.

"We are making a special effort to commit to every part of NARM, and we are bringing a force of around 25 people," Frohlich says. "Our customers deserve the best possible shot we can give them, so let's see what comes out of this year's NARM. We are there to speak to any concerns, whatever is on their mind, big or small."

Sony is also showing its commitment to NARM by the talent it is bringing to the convention, Frohlich says, citing chart-topping artist Gretchen Wilson, who will perform on the closing night.

Sony expects to tout albums from Bruce Hornsby, System of a Down, Nas, Destiny's Child, Ricky Martin, Z-Max, Vivian Green, Chevelle, Good Charlotte, Duran Duran, Celine Dion/Anne Geddes, Shakira, Jill Scott, Bebe Winans, Travis Tritt and CeCe Winans.

Also, the company is expecting albums from Robert Downey Jr., Tony Bennett, Cake, "Keb' Mo," Jamiroquai and Jennifer Lopez. And greatest-hits albums are expected from Pearl Jam and the Offspring, while a Christmas set is coming from Jennifer Nettles and Jim Messina.

In addition, Sony's Legacy division is preparing packages, compilations, reissues and/or DVDs from Stevie Ray Vaughan, Johnny Cash, Jeff Buckley, Michael Jackson, Janis Joplin, Ozzy Osbourne and the Byrds.

The largest U.S. distributor, Universal, is promoting its Music & Video Distribution, plans to release 16 albums that could go gold or platinum by the end of the year, says Cliff O'Sullivan, senior VP of marketing for UMDV.

Among the acts with albums coming out that UMDV will be highlighting at the convention are the Hives, Lloyd, Terror Squad, Al Jarreau, Saliva, 311, Green Day, Mike Judge's Beavis & Butt-Head, Lucinda Williams, No Doubt, Ashanti, Beanie Sigel, Bryan McNight, Elvis Costello, John Fogerty, Hilary Duff, Ja Rule, Redman, Pat Green, New Edition, Darryl Worley, Baby Bash, Rasical Flatts, Loon, Shyne, Rammstein, Ludacris, Toby Keith, Elton John, P. Diddy and two from Nelly.

Additionally, Terri Clark, Shania Twain and Leann Rimes will each release a greatest-hits set. UMDV also expects another Michael McDonald album, a Christmas album from Will Downing and the first-everMOOTH album titled "50 No. 1s."

Universal is also anticipating albums from IZ, Eminem, 50 Cent, Gwen Stefani, Stevie Wonder, Beck and Marilyn Manson, as well as greatest-hits and best-of collections from Bon Jovi, Def Leppard, Mary J. Blige and a John Mellencamp anthology with new tracks.

UMDV is one of the companies putting on a product presentation, and it will have live performances from new artists and superstars. "The opening will be fantastic," O'Sullivan says.

UMDV plans lots of customer meetings, including a question-and-answer session for independent retailers with president Jim Urie.

EMI Music Marketing will be highlighting releases from Josh Stone, Keith Urban, Faith Evans, Aaliyah, Anita Baker, and Ben Harper and the Blind Boys of Alabama, says Ron Werre, senior VP at EMM. The latter two acts will perform together on the last night at NARM, and there will be a special event featuring Baker.

WEA Distribution president John Esposito reports that the company has a very bullish second-half release schedule, helped in part by albums that were bumped from the first half of the year.

Its priorities heading into the holiday selling season are Big & Rich, Story of the Year, Twista, Ti, Jet, Kevin Lyttle, Brandy, the Darkness, Josh Groban, Linkin Park, Alanis Morissette, Wilco, Jason Mraz and a greatest-hits package from Van Halen.

In addition to strong carryover from current titles, Esposito says WEA has a strong DVD release schedule, including a live Eric Clapton concert filmed this summer in Dublin.

"WEA is once again showing its commitment to the NARM convention's focus on music by being proud to sponsor the first night of music at the WEA Zone," Esposito says. "Last year we featured six new artists, two of whom had records that went platinum—Jason Mraz and Simple Plan—and this year we intend to entertain again."
Indie Sector Finds A Home At NARM

BY ED CHRISTMAN

With the shut down in April of the Assn. for Independent Music, the National Assn. of Recording Merchandisers has designed a convention that caters to the independent sector of the industry more than ever.

The NARM convention, taking place Aug. 21-24 in San Diego, will offer such events as an indie "town meeting"; a music business "crash course," moderated by Alexis Kelley of Live Wire Entertainment Sales & Marketing; and an Indie Night at Club NARM to showcase indie acts.

Of course, like the majors, independents will be highlighting their fourth-quarter releases at the confab. "This year's NARM is right in the midst of our frenzied release schedule—this is good and bad," says Paul Burgess, senior VP of sales and marketing at TVT.

Since many major releases arrive in August, Burgess says, "It's bad, because we won't be at the office taking care of all of our big releases."

But it's also good, because TVT's biggest release—a new album by Lil Jon & the East Side Boyz—comes out in November, and TVT will use NARM to set it up, Burgess says. The label is expecting the album to ship 1 million units.

TVT's other big release for the holiday selling season is 213, which is expected to ship about 450,000 units before NARM. Also set for release on TVT are Pitbull (which is expected to ship about 300,000), Ambulance Ltd., the Blue Van, the Years and Teedra Moses.

On the business front, TVT will come to NARM seeking some labels for distribution. "Our deal with Vagrant will be running out this year, so we are looking to bring in new labels," Burgess says.

Alternative Distribution Entertainment president Andy Allen says his company also aims to take care of business at NARM.

"We have been meeting with the national accounts prior to NARM and making an effort to meet with accounts that we hadn't had the chance to meet with in years past," Allen says.

The convention's timing also works well for ADA's release schedule. This fourth quarter is expected to be its "biggest one ever," according to Allen. Among ADA's priorities are the initial releases being issued under its new deal with Epitaph. These include records from Nick Cave, Tom Waits and the late Elliott Smith.

Allen adds that he is expected to put some numbers up on the board for the next release from Flogging Molly, which is due in September.

"The first two have sold 220,000 and 170,000, respectively, so we are looking for the new one to be huge," he says. "They are just finishing the Warped tour, and then they will be headlining their own tour. They do great business on the road, with tremendous merchandise sales. I suspect we will ship about 125,000 units and have a huge first week."

HIGH HOPES FOR SOUNDrACKS

Allen also has high hopes for a couple of soundtracks, including "Elf," which came out last year. The movie was a surprise hit, so the soundtrack did better than ADA expected. The "Elf" DVD is being released and will ship 2 million, so the album is being reworked, Allen says.

The other soundtrack that could rack up large numbers is "Blade 3."

"We don't know what music will be on the album, but the movie is testing extremely well," Allen says. "We think the soundtrack will be interesting."

Other noteworthy ADA-distributed records are from Guided By Voices, O.A.R., theaint, Intropol and Sister Hazel.

Caroline Distribution, which marks its 21st anniversary this year (see story, page 19), has a diverse roster of priority releases for the third and fourth quarter. These include the September release "Stealing of a Nation," the third album from Radio 4, a band on the Astralwerks label, which will be marketed to college, noncommercial and modern rock radio.

Caroline-distributed Century Media will release next month "The War Within," the fourth album from thrash metal quintet Shadows Fall. The band's previous album, "The Art of Balance," has sold more than 100,000 units, according to Nielsen SoundScan.

Other Caroline priorities include the debut solo album from producer/remixer RJD2 on the Definitive Jux label, the recently released debut disc from Jamaican singer Ms. Thing on Sequence Records, the Domino recording set from British garage-rock quartet Clinic and the latest set from French electro-music act M!K3, on the Mute label.

Koch Entertainment Distribution's key fourth-quarter releases are from Lil' Romeo, Silkk the Shocker, Jimmy Cliff, Steve Earle, Ann Hampton Callaway and Swing Out Sister. The company will also be working a nine-CD boxed set, "Holy Ghost," from Albert Ayler; a live DVD from Ani DiFranco; and the DVD debut of "La Dolce Vita."

At RED Distribution, executive VP Alan Becker says the company's priorities include "the continuing story that is unfurling with new releases by Atreyu, the Unearth, Alesia On Fire, Everyday I Die and As I Lay Dying. All five groups are on Ozzfest and will be our important rock priorities for the year."

Other priorities for RED include developing acts Lola Ray, the Darnwells and Harry Hest with Sony, he says.

In addition, RED expects big things from Taking Back Sunday's latest album; compilation set "Rock Against Bush, Vol. 2"; a Hall & Oates soul tribute disc; and new releases from Insane Clown Posse, Aimee Mann and Paul Oakenfold.

The Mann release will have a DVD component. According to Becker, other key RED titles are coming from Alicia Keys, Bruce Hornsby and Willie Nelson.
Margin Pressure To Command NARM Attention

Last March, coming out of the National Assn. of Recording Merchandisers convention, I summarized the key points retailers had made. Among them was a plea for labels to make adjustments so that retailers could maintain their commitment to the CD format—which, they noted, remains the industry’s No. 1 revenue driver. The majors responded remarkably, by initiating a string of promotions and policies to drive down album prices, particularly those for catalog and developing artists. These tactics have helped rejuvenate CD sales, which so far this year are up 7.5%, thank you very much.

This year’s convention, which takes place Aug. 21-24 in San Diego, promises to focus on the topic again. Expect merchants to press for more and deeper price cuts—and expect labels to be less responsive this time around. “The one overriding issue at NARM will be margin pressure,” one senior distribution executive predicts. “Retailers will want more of what we have seen for the last year, but if we are giving away margin, we need volume to make it up. so we will be pressing harder to find out what we get in return.”

WHEN D’YA GET IT?: Many of the topics that have circulated around the NARM convention for the past few years should reappear prominently, including digital delivery and in-store kiosks that allow customers to burn CDs and top off their portable devices. But also expect NARM itself to be an issue.

The organization is exploring a merger with the Video Software Dealers Assn., and that will get some airtime at the convention. So will questions about the viability of NARM in light of the often disparate goals of its membership, and whether August is the right time to be holding the convention.

On top of these questions, certain issues from last year still linger. Despite the hoopla, the physical single still looks dead as a doornail. Meanwhile, the independent-led charge to kill superior versions of albums and other exclusives may have worked for a little while, but guess what? Those different versions are back, and they will once again be a hot topic at NARM.

The convention has always had its share of naysayers going into the conference—a share that seems to be growing lately—but often, coming out of the event, their number becomes smaller. Retail Track makes a point of talking to people about their NARM experience, and many naysayers double back after the event and say the association put on a productive meeting.

If you need proof, look at the accomplishments of last year’s meeting. Look at all the pricing initiatives that helped revolve the CD format. Say what you will about NARM’s shortcomings, these results alone justify the existence of the organization and its convention.

NARM MOVES: Once upon a time, the majors used the NARM convention to announce new policies, pricing strategies and promotions. Then the Federal Trade Commission charged the majors with price-fixing (via minimum-advertised-pricing policies), and it implied that NARM was one of the places where the majors signaled each other on prices. Since then, a vast silence has descended on the majors in front of the NARM convention. Whatever they discuss at the convention, they do it guarded, even when it involved things they had every legal right to talk about.

That trend took some of the wind out of the convention. But for the first time in a long time, some majors are trying out new promotions and pricing strategies before the convention, and that should help heat up discussions. A few weeks back, BMG Distribu-

downloads for burning CDs or send the music to their computers at home. By next year, Higgins added, those stations will allow customers to download music to portable devices. With Trans World’s “strong staple of brands,” Higgins said, “the evolution of [our listening and viewing stations], continued refinement in our product mix, and a fully integrated cross-channel strategy combining [customer relationships management], digital downloads and the Internet, we will provide our customers with a highly interactive and personalized means for exploring and acquiring entertainment.”

New Accounts Call: 800-635-9082 • Fax: 954-340-7641
Urban Sales & Marketing:
800-329-7664 ext. 4469 • Fax: 954-255-4830
Retailers Hotline: 800.635.9082
or visit us on the web at:
www.oent.com

AOL Music: Total Monthly Streams

Top Audio
1 ASHLEY SIMPSON * 1 APRIL LAVIGNE
2 USHER 1,321,821 2 APRIL LAVIGNE *
3 RIHANNA 1,321,821 3 ARIEL LAVIGNE
4 ASHLEY SIMPSON * 1,253,312 4 PRINCE ROYCE & FRIENDS
5 HILARY DUFF 1,253,312 5 LEON SNODE
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17 JASON DELOOR 1,225,016 17 JASON DELOOR
18 TAYLOR SWIFT 772,560 18 TAYLOR SWIFT
19 TRACY LAWSON 1,216,492 19 TRACY LAWSON
20 ANDY FURLONG 772,560 20 ANDY FURLONG

* First Listen/FirstView ** Live from Broadway Rocks * Artist of the Month ** Breaker Artist ** Sessions@AOL

Source: AOL Music for four weeks ending Aug. 12, 2004

THEME: 'WE MEAN BUSINESS' aec URBAN RETAIL BREAK&' ARTISTS NATIONWIDE

By Ed Christian echristman@billboard.com

Trans World

Continued from page 47

Trans World continues to focus on

den NFL ‘05,” “Def Jam’s Fight for New York” and “Grand Theft Auto: San Andreas Fault.”

Trans World has helped improve its digital presence by bringing online the Carson, Calif., distribution center it acquired when it bought the Wherehouse stores.

This fall, Trans World will test new listening and viewing stations that allow customers to handle digital

AOL Music: Total Monthly Streams

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Scary Flicks Kick Off Q4 Sales

BY JILL KIPNIS

LOS ANGELES—Halloween is far from spooky for the DVD business. The holiday is, in fact, increasingly seen as a prime time to pump up the sales for the fourth quarter.

“October is when store traffic starts really increasing through the end of the year,” says Chris Sato, VP of marketing for Paramount Home Entertainment. “It’s when people are looking for more home entertainment as the weather becomes cooler. It’s opportune timing to take advantage of a nationally celebrated holiday and kick-start the fourth quarter at the same time.”

Justine Brody, VP of marketing for New Line Home Entertainment, agrees. “Halloween has definitely become more of an event time period. Horror fans, though, are also buying at other times of the year. They are a group that has vast DVD libraries.”

With that in mind, many studios are utilizing extensive marketing campaigns for their slate of new releases and catalog DVDs for Halloween, aiming to generate top sales of these titles beyond October.

PHE, for example, will release “Friday the 13th—From Crystal Lake to Manhattan,” Ultimate Edition DVD Collection” Oct. 5. The $79.99 five-disc set includes eight “Friday the 13th” films and numerous extras.

PHE started marketing the title in July, handing out its trademark Jason masks at San Diego comic book convention Comic-Con. The company will launch a national print and online campaign with ads on major networks and in such consumer publications as Rolling Stone, Maxim and Spin.


Due in October from WHV are three “It’s Alive” movies (Oct. 5, $19.97 each) and the “Ghostkilla” two-disc special edition (Oct. 12, $26.99). The studio’s marketing efforts for the titles include retail merchandisers, national newspaper inserts and a TV ad campaign.

Other horror DVD releases include New Line’s “The Mangler” and “The Guyver” (both Aug. 17, $19.97 each), Buena Vista Home Entertainment’s “Dracula III: Legacy” (Aug. 31, $19.99) and Universal Studios Home Video’s “Dawn of the Dead” (Oct. 26, $29.98).
<table>
<thead>
<tr>
<th>Title</th>
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<th>Principal Performers</th>
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<td>Henschel: Live in Concert</td>
<td>Image Home Entertainment</td>
<td>4 Week At Number 4</td>
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**TOP VHS SALES**

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U.K. Revisits Piracy Fight

BY LARS BRANDLE

LONDON—The British record industry is optimistic that a fresh government pledge to tackle the counterfeit trade will be backed by firm action.

The British government unveiled its strategy to fight counterfeiters Aug. 10. It emphasized a special focus on intellectual property.

Spearheaded by the Patent Office (a division of the Department of Trade and Industry), the project coordinates a broad group of brand owners with customs, police and trading-standards officials to enforce IP protection.

Labels vary their strategies according to their views of the Mechanical-Copyright Protection Society welcomed the initiative. "We hope that as a result of this, the police will put IP theft on the radar," says David Martin, director of the BPI anti-piracy unit.

"We're very encouraged by it," he adds. "We hope it will mean that finally there is going to be a national, coordinated strategy to deal with IP crime, right across the sector."

Nick Kounoupis, head of the MCPS' anti-piracy unit, calls the move "a positive step forward in the fight against the counterfeiters who rob composers, songwriters and music publishers of their earnings."

The initiative is intended to facilitate the exchange of information between the various groups involved in fighting IP crime and to improve training for those working on the front lines.

In its strategy report, titled "Counter Offense," the Patent Office outlines an approach that brings together government and music industry enforcement agencies around the creation of an annual "National Enforcement Report."

The first such report will be published in December.

Additionally, the strategy will include the formation of a high-level Strategic Tasking and Coordination Group, made up of yet-identified members of the government, industry and enforcement units. The group will set priorities for prevention and enforcement.

(Continued on page 58)

MapleCore's Indie Arena

Canadian Universal Affiliate Sets Frenetic Pace

BY LARRY LeBLANC

TORONTO—After just a few years in business, MapleCore has become one of Canada's leading outlets for domestic independent music.

"I am trying to corner the market on being Canadian," MapleCore president/CEO Grant Dexter says. "If you want to know about independent Canadian bands or buy their CDs or merchandise, we're the place. If you are not signed to a major label, we're the place to come."

Toronto-based MapleCore operates two labels, alternative rock-oriented MapleMusic Recordings and country imprint Open Road Recordings. It also has an e-commerce site, maplemusic.com, that carries merchandise for over 500 Canadian acts; distributor MapleNationWide; online magazine umbrella.mus.com; and Web development firm MapleSolutions.

"We assess where an act fits," MapleMusic GM Kim Cooke says. "That can range from having a relationship with them at the dot-com that moves to distribution, or we might want them for a [MapleCore] label."

MapleMusic has a packed full release schedule.

(Continued on page 58)

FRS Launches Downloads In Netherlands, Belgium

BY MARC MAES

ANTWERP, Belgium—European record label Free Record Shop Holding aims to have 500,000 downloadable tracks available to consumers in the Netherlands and Belgium by the end of the year.

The "clicks and mortar" music specialist, based in Capelle aan den IJssel, the Netherlands, launched its download service Aug. 10. The service is accessible from the company's website, freeforthenetherlands (freeforthe.nl) and Belgium (freeforthe.be).

The service gives the two markets—which Apple's iTunes Music Store does not yet serve—online access to 250,000 tracks from the major labels' national and international catalogs.

A Pan-European version of iTunes is planned for October; single-market iTunes services bowed in the United Kingdom, France and Germany earlier this year (Billboard, June 26).

FRS is offering a "comprehensive and transparent legal alternative, allowing the consumer to download music legally, safeguarding revenues for writers, composers and artists," says Serge Couveur, GM of the company's Belgian arm, based in Aarselaar.

"I'm convinced that this new era of legal downloads, in combination with the growing success of the music DVDs, will result in a growth of the overall music market," Couveur adds.

FRS has 180 stores in the Netherlands, 70 in Belgium, 44 in Norway and 18 in Finland.

Rather than follow the lead of European e-tailers that use a digital supplier like U.K.-based OD2 to operate their download stores, FRS opted to deal directly with the majors in licensing content. Prices vary from 0.89 euros ($1.10) to 1.19 euros ($1.47) per track. Complete albums range from 8.99 euros ($11) to 12.99 euros ($16).

The retailer says it also hopes to strike deals with leading European independents as a way to hit its goal of a half-million tracks by year's end.

In addition to the new download services, the main FRS sites allow for physical CD purchases.

Marcel Heymans, director of the International Federation of the Phonographic Industry Belgium, welcomes the FRS initiative. He says the company has an "ear and eye for local product, something that tends to be lost with bigger international systems." However, he adds, "I need to be convinced that downloaders also go for off-line product—it's a difficult combination."

Netherlands-based FRS subsidiary Free Interactive Services handles the download infrastructure and physical-product order fulfillment for both countries.

FRS execs say the company intends to expand the download service to its Scandinavian operations.
### Japan

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<td>上手な猫を見つける</td>
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<td>KIYOSHI TAIYOU</td>
<td>私たちはまだ</td>
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<td>KIMIKO DA YUIKA</td>
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### More...
Libertines’ New Set Targets U.K. Peak

The self-titled sophomore album by alternative rock act the Libertines is expected to top the Official U.K. Charts Co. sales chart the week after its Aug. 30 release.

The British band is signed to Sanctuary-affiliated independent Rough Trade and managed by former Creation Records head Alan McGee.

The new album, produced by ex-Creates guitarist Mick Jones, has undergone a troubled gestation. Since the October 2002 release of debut “Up the Bracket,” Libertines guitarist Peter Doherty has served a prison sentence for drug banditry and has undergone three attempts at drug rehabilitation.

The band has dismissed Doherty since recording the album. Such chaos provided subject matter for the Libertines’ punk-fueled melodies. “It was traumatic, emotionally, physically,” Garret says. Lauded by local music press, the act’s first album has shipped more than 150,000 units in the United Kingdom, according to the label.

Rough Trade America will release “The Libertines” Aug. 31, following the start of an 18-date North American tour (without Doherty) that begins Aug. 17.

CHRISTOPHER BARRETT

MAKING WAVES: Irish acoustic alternative rock act the Devlins mark a decade of recording with the release of fourth album “Waves.” Indie Rubyworks will release the set Aug. 6 in Ireland. The album will arrive Nov. 1 in the United Kingdom through Pinnacle, with a U.S. release by BMG likely in February 2004.

The band, led by Dublin-based brothers Colin and Peter Devlin, hopes to build upon the international profile it established through contributions to such soundtracks as “Batman Forever” and “Six Feet Under.”

DIANE COETZER

SPANISH PIONEERS: A best-of compilation by ‘80s hitmakers Radio Futura is heading toward gold status (50,000 units shipped) in the act’s homeland of Spain, according to its label, BMG.

The CD/DVD “Paisses Eclecticos—Lo Mejor 1982-1992” arrived July 5. The double CD includes such local hits as “Escuela de Calor” and “La Negra Plata.” The DVD includes videos and previously unreleased TV appearances.

Radio Futura was one of the first Spanish pop/rock acts to break through in its home market after the death of dictator Gen. Francisco Franco in 1975. Franco’s strict policies ensured that major events that shaped pop and rock elsewhere—from the rise of Elvis Presley in the ‘50s to punk in the ‘70s—had little impact in Spain.

Radio Futura’s six albums have shipped some 1.4 million units in Spain, according to BMG.

NOWELL LEEVELYN

AMPLIFIED ‘ANGEL’: The highest-ranking South African song on the country’s Nielsen Broadcast Data Systems airplay chart in early August was Losies’ “My Angel,” from his sophomore album, “Amplified.”

Creatingknight/Sony South Africa released the set June 21.

“My Angel” is the strongest offering yet from the young R&B singer, who began his career at the Drakensberg Boys Choir School in Kwa-Zulu Natal. He suggests that he has both then that of other South African urban acts—lies in “keeping an African spirit alive in our R&B.”

The singer first made a national impact in October 2000, when he won best R&B artist at the Metro FM Music Awards for his self-titled debut EP on Bala/BMG. Voted on by the public, the annual awards are organized by Metro, South Africa’s largest national radio station, and mobile phone service provider MTN.
Latin Music Moving Far East

Authors’ Society SGAE Prepping China For Spanish Product

BY HOWELL LLEWELLYN

MADRID—Spaniards authors’ society SGAE hopes to spearhead Latin music’s push into the increasingly sophisticated catch music market.

SGAE Shanghai office director Maria Cruz Alonso and Madrid-based Francisco Galindo, secretary general of SGAE promotional arm Fundación Autor, have laid groundwork for the initiative during this past year.

Additionally, Galindo—who is SGAE’s second in command after executive president Teddy Bautista—has made several exploratory visits to China in the past four years.

SGAE opened its Chinese office in Shanghai in March 2003 (Billboard, March 15, 2003).

“China has passed its first phase of rapid economic growth, and the small, sophisticated middle classes now need leisure time to accede to Western culture,” Galindo says.

“Exactly the same thing happened in the Asian ‘tiger economies’ [and in] Japan, where flamenco and salo now have a hardcore following.”

SGAE’s first task will be to establish China as a priority market for the Spanish music industry. For the past 10 years, Spanish companies have concentrated their export efforts on Latin America and the U.S. Latin markets, with their huge base of Spanish-speaking potential customers.

Galindo says SGAE will then try to persuade the Miami-based Latin division of major record companies that the time is ripe for Latin culture to penetrate China.

He notes that one positive sign for overseas operators is that the Chinese government is encouraging citizens to direct more income toward leisure and consumerism rather than savings.

She adds that Radio Shanghai’s “funk opera frequency,” FM 94.7, broadcasts some Spanish music—mainly, flamenco—to Shanghai and the Yangtze River delta. “We send albums of Spanish repertoire to [Chinese] radio and TV stations,” Alonso says.

FESTIVAL LINKS

SGAE’s Shanghai presence facilitated the recording of an album, “Claveles Y Jazmín,” in the city featuring classical Spanish and Chinese music. The project includes a flamenrock guitarist José Luis Encinas and the Shanghai Conservatory Orchestra, which uses traditional Chinese instruments. It is due for September release in Spain on SGAE imprint Factoria Autor. Naruto plans to release the album in the United States.

In October, Bautista will lead a delegation to China to sign an accord with the government to promote Spanish and Latin repertoire in that country. Bautista, Galindo and the SGAE team will meet with the culture ministers of the two countries, film executives and directors of arts festivals during their visit.

The same month, a flamenco troupe led by dancer Aida Gómez will perform in Shanghai and Beijing. Galindo says that both the Chinese have taken to U.K., U.S., German, Canadian and French culture, the country will embrace Latin ballet, orchestras, painting, sculpture and pop music.

SGAE hopes to use the government-organized Chinese Youth Festival as a platform to introduce Spanish and Latin pop to Chinese teenagers. The festival of cultural events takes place throughout April, with every May 4 (Chinese Youth Day).

“The aim then is to organize a big Latin music festival [in China] in 2006,” Galindo says.

SGAE has also signed accords with the monthlong Shanghai International Arts Festival, which takes place every October/November, and the annual festival in Beijing arts festival, held in April/May.

“We’ll also sign accords with the Shanghai Film Festival [held annually in June], music conservatories and other music platforms,” Galindo says.

“This fall, we should send a Spanish orchestra conductor to give classes on Spanish classical music at a Shanghai conservatory.”

Citing the China Statistical Yearbook 2003 (compiled by the National Bureau of Statistics of China), Galindo says the Chinese cultural sector represented $4.2 billion, or 2.9%, of the country’s gross domestic product.

“This year, the market will grow 4% to 4.4% in Europe, 7.75% in the United States and 7.8% in Japan.”

The International Federation of the Phonographic Industry estimates that year-end sales from all labels in China was $198.3 million in 2003. However, the trade group puts the piracy level in the country at 91%.

MapleCore

Continued from page 55

The BPI and MCPS are among 30 organizations involved in the project, considered one of a growing number of cross-border alliances. The National Crime Squad, HM Customs and Excise, the Trading Standards Institute and the Federation Against Copyright Theft.

The goal of this broad network is to better identify and act upon areas perceived as IP threats.

“The government isn’t going to spend any more money, they’re just going to focus their existing resources in the right way and coordinate matters,” Martin says. “But I’m hoping that we are going to see some effective action in the future.”

Upon the launch of the project, British industry minister Jacquie Smith vowed to deliver greater government assistance in defeating the escalating counterfeiting trade. “Pirates and bootleggers cheat consumers and place a drain on our economy,” Smith said in a statement. “We cannot and we will not simply turn a blind eye to copyright and trademark crime.”

The Anti-Counterfeiting Group, an advocacy organization, estimates overall counterfeiting and piracy cost the British economy £10 billion ($18 billion) and 4,000 jobs each year.

EMI Group chairman Eric Nicoli, in his role as a member of the recently launched Creative Industries IP Forum, praises the new strategy. “We’re very encouraged that the government is taking steps to help Britain’s creative industries tackle the theft of intellectual property, and we welcome this latest enforcement initiative from the Patent Office,” he says.

Nicoli is the music industry representative to the forum, which is a joint initiative between the Department of Trade and Industry and the Department of Culture, Media and Sport. According to the BPI, the value of the counterfeit music trade in Britain exceeded £56 million ($103 million) in 2003. The trade body reports that commercial music piracy in Britain is now at 13% from 2002, a rate of increase six times that of legitimate album sales.

In its report, the Patent Office hints at plans to expand its IP strategy outside the United Kingdom. “There will be a need to develop bilateral and multilateral strategies with overseas governments to partner the enforcement gap,” the report says.

The report also says that total recorded sales for the year in the U.K. amounted to £4.5 billion in 2003, according to a recent study by the International Federation of the Phonographic Industry. It estimates that 1 out of every 3 physical CDs sold in 2003 was pirated.

For the latest breaking news, go to billboard.biz.
Pro Audio

Peas’ Studio Time Blackened

In the early morning of Aug. 11, a fire broke out in Studio A at Glenwood Place Studios in Burbank, Calif. Though damage to the studio was not catastrophic, a significant number of instruments and some equipment belonging to the facility and its client—Black Eyed Peas—was destroyed.

Studio manager Kit Rebhan reports that the fire apparently started when lit candles ignited a globe, a portable screen used to isolate and shield a microphone. Several gobos had been arranged to form an isolation booth for vocal overdubs. Rebhan explains, “It was around three o’clock in the morning.”

She says, “They were in the middle of a song and took a break. They were in the lounge eating breakfast. My assistant came up and saw a flame and rushed into the live room with a fire extinguisher and tried to put it out. Then the Peas came up, and they helped as well. It got out of control really quickly, and they called 911.”

“The fire trucks came,” Rebhan adds. “The response time was amazing because they’re just around the corner. But in that period of time, the gobos had gone up. We had some rental equipment in there. It’s not as much burned, but there was some smoke damage on some stuff and our Steinway piano was trashed.”

ROLAND ON A ROLL: Though the computer-based digital audio workstation format is more popular among audio professionals and instrument retailers, stand-alone workstation products continue to evolve and attract professionals and “prosumers” alike. The Roland MV-8000 Production Studio is one of the more impressive products of the latter category, packing into a single unit a multitrack recorder, mixer, audio/MIDI sampler, multiple effects processors, mastering tools, 16 touch-sensitive drum pads and a CD player.

At the International Music Products Assn.’s (NAMM) summer session, held July 23-25 in Nashville, Roland announced a version 2 upgrade to the MV-8000. The update—and the addition of Roland’s MVS-VGA expansion board—allows users to connect a VGA display and mouse, bringing the visual display of computer-based DAW recording, editing and mixing to the stand-alone unit.

The MV-8000 has attracted professional users, including producers Jermaine Dupri and Armand Van Helden.

MIXING POLITICS, PRO TOOLS: Composer Nathan Wang’s soundtrack to “A Remarkable Promise,” the nine-minute video that preceded Massachusetts Sen. John Kerry’s acceptance speech at last month’s Democratic National Convention in Boston, was recorded at Firehouse Recording Studios in Pasadena, Calif.

All tracks were recorded, edited and mixed in Studio A on Firehouse’s Pro Tools-based workstations. Upon its opening in 2002, the Studio 440-designed Firehouse became one of the first facilities to eschew traditional large-format consoles in favor of DAW control interfaces.

Songwriters & Publishers

Caesars’ Rights Fund ASCAP

The ASCAP Foundation has been named the beneficiary of all of “Tea for Two,” lyricist Irving Caesar’s copyrights. These include those held under his lifetime trust and those retained in his newly owned publishing company Irving Caesar Music. Caesar died in 1996 at age 101. The prolific writer penned hundreds of lyrics for songs that include “Just a Gigolo,” “Swanee” and “Animal Crackers in My Soup.” Among his collaborators were George Gershwin, Vincent Youmans, Rudolf Friml and Gerald Marks, with whom he created the popular children’s educational series “Songs of Safety” and “Songs of Friendship.”

Because of the bequest, the foundation is developing programs aimed at preserving Caesar’s legacy. Among them will be music education and musical theater programs for young people, particularly those who are economically disadvantaged.

With musical theater historian Robert Kimball supervising, the foundation has already completed a thorough inventory of Caesar’s memorabilia dating back to the 1910s. It includes correspondence, autobigraphical material, song contracts, scripts for shows, patents for gadgets and games Caesar invented, sheet music, music and lyric manuscripts, photos, recordings, artwork, books from Caesar’s library and financial records.

The ASCAP Foundation will create the Official Irving Caesar Web site, where visitors can access a biography, a gallery of photos, lyrics and sheet music, Broadway shows, children’s songs and licensing information. Plans also include a Caesar Tribute Concert at Carnegie Hall in early 2005 in conjunction with Michael Feinstein’s “Now and Then” series.

Caesar joined ASCAP in 1920 and remained active in the society for 75 years, serving several terms on its board of directors.

“This is a major milestone in the history of our foundation,” says ASCAP president/chairman Marilyn Bergman, who is also the foundation president. “Mr. Caesar was a legendary songwriter, and we will faithfully target proceeds from Mr. Caesar’s catalog to support ASCAP Foundation music education programs for young people, per Mr. Caesar’s wishes. With this extraordinary bequest, the ASCAP Foundation will not only perpetuate Irving Caesar’s great songs and his dedication to the future of young ASCAP writers, but it will also serve as an inspiration to others to follow his lead and support the vital work of the foundation.”

In other ASCAP news, the society is concluding its latest ASCAP Songwriter Mondays series at New York club Makor. The last gig stars David Olney and Paul Geremia on Aug. 30. It caps a summer of acts that included Ian McLagan, Amy Rigby, Joy Lynn White, Sid Selvidge and the Brilliant Mistakes—a New York power-pop band featuring songwriter/bassist Erik Philbrook, whose day job is editor of ASCAP’s Playback magazine.

“I wouldn’t book a band featuring a music journalist unless they were really good,” insists ASCAP’s Jim Steinblatt, who booked the series in cooperation with Makor.

KIRBYBO’S KERRY ON KEBRUTNEY: Music VP Kenneth Higney was music supervisor for the indie film comedy “Chooch,” which launches Aug. 27 in New York.

The Fruitbasket Films production concerns the misadventures of two cousins from Queens, N.Y., during an ill-fated vacation in Can-cun. It uses such classic ASC titles as John Lee Hooker’s “Boom Boom,” George Thorogood’s version of Bo Diddley’s “Who Do You Love,” Diddley’s instrumental “Aztec” and “Motherless Child” by the Harmonizing Four.

Also included are such non-Arc tunes as the Italian folk song “Stornelli,” which is a field recording by Alan Lomax, and Louis Armstrong’s version of “A Kiss to Build a Dream On,” which is featured prominently in the film. The soundtrack, available on Higney’s indie label Kebrutney Records, also includes score music by Kirbybo Music (ASCAP) writer Ken Muzesy.

Higney says he worked closely with the filmmakers in picking music that evoked “innocence, optimism and a sense of community.”

“I’m sure, in the future, that indie film producers will be paying closer attention to the great music available to them,” Higney says. “It takes focus, persistence and flexibility, but you can get a big budget-style soundtrack that will take your film to another level if you have the right supervisor working in tandem with the film’s director.”

SEYMOUR’S STATEMENT: Leave it to that great sage Seymour Stein to sum up the essence of the Ramones in the new documentary “End of the Century: The Story of the Ramones.”

“I heard in the Ramones what I look for first in any artist that I sign, which is great songs,” the Sire Records kingpin says. “Because to me, that is the most important thing.”

FYI: Oh Boy Records has issued “Breakthrough,” a companion DVD to its recent CD reissues of Kris Kristofferson’s “Third World Warrior” and “Repossessed” (Words & Music, Billboard, May 29). The DVD includes live performances of Kristofferson and his band the Borderl Lords, together with interviews concerning his commitment to causes devoted to social justice.
Executive Turntable

People on the Move

Record Companies: Universal Music Group in Santa Monica, Calif., promotes Vincent Freda to executive VP of digital logistics and business services. He was senior VP of common label operations.

EMI Jazz & Classics Group in New York promotes J.R. Rich to VP of publicity and Zach Hochkeppel to VP of marketing for the company's Blue Note Records, Angel Records and Manhattan Records. Rich was VP of publicity at Blue Note and Hochkeppel was director of marketing at Blue Note.

EMI Jazz & Classics Group in New York also appoints Michele Singer senior VP of legal and business affairs and David D'urbano VP/CFO. Singer was senior VP of business and legal affairs at EMI Music North America and D'urbano was senior director of financial planning and analysis at Virgin Records.

Nash Productions in Milwaukee appoints Steve Pedo CFO. He was director of finance and operations at BMG. RCA Records in Phoenix names Matt Galvin regional promotions manager/West. He was promotions coordinator at Arista Nashville Records.

Warner Bros. Records in Nashville ups Kristen Dowscher to manager of Midwest promotion and George Meeker to manager of secondary promotion. Dowscher was manager of secondary promotion and Meeker was a promotion intern.

Publishing: ASCAP promotes Los Angeles-based Pamela Allen to director of film and TV music and New York-based Pauline Stack to manager of public relations. Allen was associate director of film and TV music and Stack was publicity coordinator.

Distribution: Word Distribution in Nashville elevates Laura Neutling to senior director of marketing, LeeEric Pesko to director of sales administration, Rodney Bowen to marketing director and Tom Lathrop to marketing manager. Neutling was marketing director, Pesko was sales analyst, Bowen was marketing manager and Lathrop was marketing coordinator.

Concert Promotion: Vivelo promotes Miami-based Kate Ramos to senior VP of marketing and Los Angeles-based Jason Garmer to GM of music. Ramos was regional VP and Garmer was VP of booking.

The Jackie Gleason Theater in Miami appoints Mitch Morales director of marketing/booking. He was director of entertainment at Miami Arena.

Radio: Sirius Satellite Radio in New York promotes Doug Kaplan to senior VP of business affairs and business development, entertainment and sports. He was VP of business affairs.

Oldies WCBS-FM New York names Dave Logan PD. He was executive VP of programming at Air America Radio.

Music Video: MTV Networks Latin America in Miami appoints Noel Gladstone VP of research and development. He was a research consultant for Viva and Viva Plus.


Related Fields: VH1 Save the Music Foundation in New York appoints Paul Cothran VP/executive director. He was director of health and community programs at Big Apple Circus.

Berklee College of Music in Boston names Kari Juusela dean of the professional writing division. He was associate dean of composition at Boston University School of Music.

Reba Rules Billboard Country Chart

Reba McEntire received a commemorative plaque for being the female country artist with the longest No.1 singles chart span in Billboard history. McEntire has had 22 No.1 hits on the Billboard Hot Country Singles & Tracks chart since 1985. Universal Music Group Nashville executives were among those on hand Aug. 4 to congratulate McEntire at Nashville nightclub Rocketown. Pictured, from left, are UMGN co-chairman Luke Lewis, Billboard chart manager Wade Jessen, McEntire, UMGN senior VP of promotion and artist development Scott Borchetta and UMGN co-chairman James Stroud.

Now, Hear This ... Kieran McGee

At the age of 23, Kieran McGee has already completed his third album, a notable feat for artists outside of the teen pop category. Equally remarkable is that the recognition he has won came without the benefit of the idol-making machinery of TV or major labels. Such slick and quickly forgotten pop is anathema to this gifted singer/songwriter and multi-instrumentalist. Singing at the piano, he is reminiscent of John Lennon. When hearing McGee on acoustic guitar and harmonica, it is difficult not to think of Bob Dylan, though both comparisons are due more to the quality of McGee’s songs than their instrumental makeup. The influences of Robert Johnson and Woody Guthrie are also heard in McGee’s achingly beautiful meditations on anguish and loss, but he is equally at home with rau- cous and upbeat rock’n’roll. Both are in abundance on “Anonymous,” due Sept. 14 from New York-based Stanton St. Records. “Anonymous” is the logical trajectory of a career that launched when, at 15, McGee released “Left for Dead” on the Clean Cuts imprint. Following that label’s demise, he self-released “Ash Wednesday,” which he recorded at Sun Studios in Memphis. “Anonymous” is consistent with the vibe of his previous recordings, with the addition of Levon Helm and Sonic Youth’s Steve Shelley, who perform on several tracks.

Christopher Walsh

Teen Favorites: Blink-182 was among the performers and winners at the 2004 Teen Choice Awards, presented Aug. 8 at the Universal Amphitheatre in Universal City, Calif. Fox aired the show Aug. 11. The top choices were Usher and Lindsay Lohan, who won awards each. Pictured above accepting the award for choice love song (“I Miss You”) are, from left, Blink-182’s Mark Hoppus, Travis Barker and Tom DeLonge. Jolo, pictured at left, Lenny Kravitz and Ashlee Simpson also performed at the show. (Blink-182 photo: Carin Baer/Fox. Jolo photo: Kevin Mazur/WireImage.com)
Keith Plays For Gram
Rolling Stones guitarist Keith Richards was among the artists who performed at the Return to Sin City: A Tribute to Gram Parsons concerts, which took place in California July 9 at the Santa Barbara Bowl and July 10 at the Universal Amphitheatre in Universal City. Richards was a close friend of country-rock pioneer Parsons, who died in 1973 at the age of 26. Other performers at the tributes, which benefited the Musicians Assistance Program, included Norah Jones, Steve Earle, Lucinda Williams and Dwight Yoakam. Pictured backstage at the Universal Amphitheatre show, from left are Parsons’ daughter Polly Parsons, Richards, Sin City Music president Zhalah Morrow and House of Blues Concerts director of tour marketing Lisa Battista Giglio. (Photo: Robert Matas/Grano Productions)

Janet’s Sitcom Return
Janet Jackson and “Will & Grace” co-star Sean Hayes are pictured during the recent taping of Jackson’s guest appearance as herself on the NBC sitcom. In an episode titled “Back Up, Dancer” premiering Sept. 23, Jackson performs with Hayes’ Jack McFarland character as her backup dancer. The guest spot marks Jackson’s first sitcom appearance since she was a cast member on “Different Strokes” more than 20 years ago. (Photo: Chris Haston)

Hot In The City
Usher kept in the spotlight during his recent visit to New York. On July 30, he performed, left, before a record-breaking audience on ABC’s “Good Morning America.” According to the network, Usher’s free show at Bryant Park attracted nearly 10,000 people, the largest crowd for “Good Morning America’s” Summer Concert Series. The day before, Usher unveiled his new Usher Raymond IV Debit MasterCard, above, during a media event at Murray Hills Studio. (Photo: Stephanie Keith/ABC)

HOT FASHION ...
LENNY KRAVITZ
Lenny Kravitz, left, is part of the new Gap “How Do You Wear It?” campaign celebrating individual style. The global promotion includes print, TV, outdoor and online marketing. In other music-meets-fashion news, Foxy Brown has teamed with Alexis & Gianni Enterprises to launch a collection of furs this fall. The new line will feature items under two brand names: Foxy Brown Luxury Furs (with retail prices ranging from about $500 to $9,000 per item) and Marchand, whose retail price range will be $3,000 to $15,000 per item. Lil Jon has inked a deal with Oakley Eyewear for his own limited-edition sunglasses, which debuted at U.S. retail earlier this month. Jennifer Lopez and her Sweetface Fashion Co. are planning to launch a line of footwear and watches. (Photo: Mikael Jansson)

Kobalt’s U.S. Domestic Deal
London-based independent publisher Kobalt Music Group inked a deal with the U.S. division of the Music Managers Forum to offer a music publishing administration service to MMF members. The deal follows a similar agreement between Kobalt and the International Music Managers Forum. Pictured, from left, are attorney Ronald Kreisman, MMF U.S. president Barry Bergman and Kobalt managing director Bruce Lampcov.

Backbeat
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Hockey

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is a work stoppage and games are lost, there is no magic programming potion," Williams adds. "It’s not as if Mick Jagger is sitting there thinking, ‘Hey, no hockey, let’s do an arena tour.’"

The more opportunistic in the touring industry are surveying options. “We are on what you might call a ‘content hunt,’” says Randy Phillips, CEO of AEG Live, a national concert promoter specializing in arena dates.

Uncertainty exacerbates the problem.

In most cases, arena managers will wait until about three weeks out, making bookings and promotion for substitute events—say, concerts—untenable.

“There is no quick solution,” says Tony Conway, president of Nashville-based booking agency Buddy Lee Attractions. “You need time to set an event up, and usually four or five weeks to market it. We try to do our routing six months to a year out.

Promoters agree. Brad Garrett of Police Productions says, “It is very difficult to route [tours] and confirm dates on tentative tours. Plus I don’t know what guarantees you can get on date holds if [the work stoppage is] short. That being said, I’ve had some emails from venues already looking.”

For their part, Conway and BLA are trying to take advantage of the situation, at least for arenas with configurations that can reduce capacity to 5,000 or less.

“We’ve talked to several different area managers and said, ‘Give us the dates that you have right now and for the next six months’,” Conway says. “We have two different packages we’re routing into buildings on dates that were held for hockey games. And if the hockey does happen, we have alternate venues to play in those markets.”

COMPLETE UNCERTAINTY

Right now, confusion reigns as to which games will be postponed or scratched completely, and why.

“I’ve had several promoters ask me how this is working exactly,” says Mike Evans, senior VP of sports and entertainment for Philadelphia-based facility firm SMG. “I wish we had the Rosetta stone and could figure it out.”

As it stands, with labor discussions between the league and the players union ongoing, arenas have no choice but to proceed as if the season will come off.

The current NHL collective bargaining agreement expires Sept. 15, just a few days before the start of the exhibition season. Many observers expect a long work stoppage; some believe it could last two years.

If that is pulled on the 2004/05 NHL season, 30 arenas will be looking at some 40 lost dates, not counting playoffs. “That’s a lot of empty, dark nights,” Conway notes. “That’s a lot of lost beer sales.

Arena managers are between the ice and a hard place.

“The day-to-day nature of this situation makes it extremely difficult for long-term planning,” says Tim Ryan, GM of the Arrowhead Pond in Anaheim, Calif., home ice for the Ducks.

“As of today, we’re planning on a full hockey season. And if something changes, it’s not like freeze-dried coffee, where you can add water and, poop, you have an event.”

In the short term, arena execs do what they have always done: try to fill open dates.

“We’re booking as aggressively as we can right now, hoping that what we have open, says Hugh Lombardi, GM of the Gaylord Entertainment Center in Nashville, home to the NHL’s Predators.

GEC officials say the Predators left the arena with plenty of weekend dates to work with in anticipation of a possible strike. “Actually, the [concert] season looks pretty good,” Lombardi says.

SMG Promoters believe assembling a blockbuster tour like the company’s 2004 Prince tour is pretty much out of the question. More likely are value-priced package tours.

But Phillips adds that low ticket prices on their own are not necessarily enough to fill arenas.

“You can give tickets away, and that doesn’t mean people will give up four hours of their time to come see a show,” he says. “It has to be something people want to see.”

Howie Silverman, president of Oaji, Calif.-based booking agency Paradise Artists, has several packages ready to go that could fill hockey dates, including the Royal Circus of Moscow on Ice; International Fighting Championships; Hot, Hot Havana (a Cuban dance and music revue); and the Solid Gold ’60s Fest.

More important, Silverman says he can set up these packages in less than three weeks. “Two weeks!” he adds.

It’s not as if Mick Jagger is sitting there thinking, ‘Hey, no hockey, let’s do an arena tour.’”

---

**NOTES**

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![Image of a advertisement for Billboard magazine](Image)
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I thought the Conference was excellent. The event was well organized, panel topics were thoughtful and panelists were key industry players. The relaxed setup was conducive to memorable discussions. Having gone to many conferences over the years, this one is a cut above.

JASON BENTLEY
Music Supervisor
MACHINEHEAD

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Emmis Communications is paying $300,000 to settle all pending Federal Communications Commission forfeiture orders, investigations and complaints, as recently reported in Billboard's Entertainment Law Weekly.

The Aug. 12 Consent Decree also requires Emmis to implement a companywide compliance plan aimed at preventing future violations.

The settlement stems from complaints dating back to 2000 about modern rock WQKX Chicago's "Man's Morning Madness" show. The decree vacates three forfeiture orders totaling $24,000, six pending claims and a final adjudication that finds Emmis has fired, "or decided to air, an obscene or indecent programming order and this results in enforcement action, the offending employees must "terminated without delay."

Finally, Emmis must "fully participate" in industry efforts to develop a voluntary, industrewide response to "indecency and violence."

FCC commissioner Michael Copps concurred the decision to settle, but not was "troubled" by certain aspects of the agreement. His concern focused on the license renewal process, since he believes the "totality" of a broadcaster's record should be considered when licenses are renewed. The decision "takes an entire part of the record off the table."" In a statement, Emmis reported: "Earlier this year we made an aggressive policy to ensure that Emmis provides quality, compelling on-air content that conforms to decency standards. We announced a zero tolerance policy and are taking extraordinary steps to educate our on-air employees and program directors."

Monitor Moves: Airplay Monitor has made three new hires to its editorial staff in recent weeks.

Paul Heine joins from Friday Morning Quarterback as director of news, music and programming. His more than two decades of experience covering radio will be key in the rollout of an expanded Monitor this fall.

Dan Cox joins as business editor with experience at Variety, Reuters and The New York Post. He also recently completed a documentary on Arnold Schwarzenegger.

Katie Hasty becomes Monitor's first online editor and is already preparing for the launch of Monitor's forthcoming Web site. She is a graduate of the Medill School of Journalism at Northwestern University.

Additional reporting by Susan Butler in New York.
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- Times Square Celebration of America's Favorite Ad Icons Tony the Tiger®, Mr. Peanut®, Miss Chiquita®, Mr. Clean®, and other legendary advertising icons kick off the Week with a grand procession from Times Square to Madison Avenue and 50th Street
- Grand Central Terminal Exhibits Never-before-seen public exhibits celebrating the works of The Ad Council, The Partnership for a Drug-Free America®, The Ballyhoo of Broadway, and the famed I Love New York® campaign
- Madison Avenue Advertising Walk of Fame America's favorite ad icons and slogans are revealed for the first time as voted by the public via Yahoo! and USA TODAY
- Fluid Battle of the Ad Bands Advertising and rock and roll collide at Irving Plaza with a new-age version of an old-time “battle” to benefit New York City public schools

TUESDAY
- TV Land Presents Legends of Madison Avenue Advertising's leading creatives take the stage at the Museum of Television & Radio for a panel discussion moderated by The New York Times advertising columnist Stuart Elliott
- Billboard "Who's Next" Music Showcase Celebrating the centrality of advertising and pop music. Live music event at BB King's featuring cutting-edge talent handpicked by the major labels
- Creativity No Spot Short Film Festival Featuring original short films produced by advertising industry professionals. Winners to air on the Independent Film Channel (IFC)
- Panasonic Ideas for Life Keynotes Where are the advertising and media industries heading? What's the next “Big Idea?” Madison Avenue's leading luminaries reveal their fearless forecasts

WEDNESDAY
- ESPN Celebrates 25 Years of great sports advertising and remembers other all-time favorites—from Joe DiMaggio and Mr. Coffee® to Yogi Berra and Yoo-hoo®; to Joe Namath and Hanes; and to Michael Jordan and Nike
- Kellogg's Leadership Breakfast Advertising industry leaders start their day with Tony the Tiger® and friends at the Grand Central Terminal exhibits
- The New York Times Celebrates Broadway Live noontime performances by stars from Broadway's biggest musicals at Grand Central Terminal
- Yahoo!/OMD Internet Deprivation Study Results Released How would our lives be impacted if the Internet went away? We'll find out as findings from a brand-new study commissioned for Advertising Week in New York City are released

THURSDAY
- Smokey Bear's 60th Birthday Celebration America wishes happy birthday to one of advertising's most beloved and important icons, Smokey Bear, with a celebration at Grand Central Terminal
- Forbes Highlander Leadership Cruise Advertising and media leaders take to the high seas for a cruise in New York Harbor on the famed Forbes Highlander
- Central Park Concert A celebratory concert in historic Central Park

FRIDAY
- Advertising Futures Public school outreach program with campaign pitches produced by New York City high school students
- Advertising Week in New York City Closing Ceremony The week closes at Vanderbilt Hall
- And Much More...

For more information about each event and a complete schedule, visit www.advertisingweeknyc.com.
Album Gains Greet NARM

I found it odd that Geffen’s sales team was dismissed a day after Ashlee Simpson’s album returned to No. 1 on The Billboard 200. Then I remembered that just a few months ago, most of the Arika team was disassembled in the same week that Usher’s “Confessions” opened with 1.1 million copies, the largest Nielsen SoundScan week in the label’s history.

Without passing judgment on either of those events, both of those stories set an appropriate stage as retailers and music company sales executives gather Aug. 21-24 in San Diego for the convention of the National Ass’n of Recording Merchandisers.

The weird tone of this year is that even as album sales continue to improve after three years of decline, 2004 will be remembered as much for jobs that were eliminated as for the hits. Head counts were reduced at Sony and BMG before the merger of those companies won approval; the change of ownership at Warner Music Group also forced staffing cuts. But the contrast of jobs lost at a time when sales are on the rebound simply reflects an industry in search of a healthier business model. And while we’re waiting to see where things will go, there is much to celebrate.

By Geoff Mayfield
gmayfield@billboard.com

Over the Counter

This issue’s charts again see album sales heat those of the same week in the prior year, a recovery that began in September when John Mayer’s “Heavier Things” hit stores. Since then, album numbers have beat those from a year earlier in 41 of the last 49 weeks. At least two of those eight down weeks were merely the function of calendar fluctuations—the Grammy Awards moving to an earlier date and the shift Easter makes from year to year—rather than product flow.

Mass merchants are in the midst of a banner year, with their album numbers up 12% over the same point of last year, but Nielsen SoundScan also has traditional music chains ahead by 4.8%. Independent stores are down by about 1.1%, but considering store closures that have occurred in the past 20 months, that small decline suggests a number of strong indie retailers are beating their 2003 numbers.

JUMPING THROUGH OLYMPIC HOOPS: Universal Music & Video Distribution president Jim Urie told me he noticed stores’ album sales began to cool when the weekend of the Aug. 9-15 tracking period arrived. The observation surprised me: Could that many consumers get swept up by the theatrical arrivals of “Alien Vs. Predator” and “The Princess Diaries 2: Royal Engagement”?

Before I made a fool of myself, Urie pointed out that retailers thought NBC’s coverage of the Olympics kept consumers, particularly mature ones, at home.

Yet even with that distraction, album sales still beat those of the comparable 2003 week by a hefty 7.2% margin, which is as

(Continued on page 70)

Market Watch

A Weekly National Music Sales Report

Week of Aug. 14-20, 2004

WEEKLY ALBUM SALES

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<th>Altabus</th>
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<th>Digital Tracks</th>
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<td>2003</td>
<td>2,354,000</td>
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Change:
-6.4% -0.6% -6.5%

WEEKLY UNIT SALES

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<td>2003</td>
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Change: +0.1%

WEEKLY UNIT SALES BY STORE TYPE

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<tr>
<td>Non-Traditional</td>
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Duo Scores With ‘Solo’

Two veteran acts with more than 80 years on the R&B singles chart between them team up on a new entry this week, ironically titled “Gotta Go Solo.”

Patti LaBelle and Ron Isley made their debuts on this survey in the early ’60s with 15 months of each other. Philadelphia-born Patricia Holt had already changed her name to Patti LaBelle when she joined the Blue Belles on “Down the Aisle (Wedding Song),” which debuted on the Billboard R&B singles chart the week of Aug. 31, 1963. The single peaked at No. 14.

Cincinnati-born Isley also made his debut as part of a group. The Isley Brothers debuted the week of June 16, 1962, with a cover of the Top Notes’ “Twist and Shout.” The original, released a year earlier, wasn’t a hit, but the Isleys spent two weeks at No. 2 with the song that was later a No. 2 pop hit for the Beatles. LaBelle and Isley have even more in common. Both have sustained careers through five decades, remaining contemporary and relevant. Neither artist has been off the chart for a significant amount of time.

“Gotta Go Solo,” issued on Def Soul Classics, is LaBelle’s 47th chart entry and Isley’s 79th. LaBelle’s biggest R&B hit to date is “If Only You Knew,” which was No. 1 for four weeks in 1984. Her second-biggest hit, “On My Own,” also was No. 1 for four weeks, but with a shorter chart run, like “Solo,” “On My Own” was a duet (with Michael McDonald).

Isley’s biggest R&B hit so far is the Isley Brothers’ “Don’t Say Goodnight (It’s Time for Love) (Parts 1 & 2),” which was No. 1 for four weeks in 1980. In second place is “It’s Your Thing,” again No. 1 for four weeks in 1969, but with a shorter chart run than “Goodnight.”

By Fred Bronson
fbronson@billboard.com

Chart Beat

‘LEAVE’ GETS OUT: The new No. 1 on the Mainstream Top 40 list is “Pieces of Me” (Geffen) by Ashlee Simpson. It’s the first No. 1 on this chart by a debut artist since last week, when another debut artist, João, completed her five-week reign with “Leave (Get Out)” (Da Family/Background).

It’s the first instance of back-to-back debut singles at No. 1 since Sept. 28, 2001, when “Fallin’” by Alicia Keys succeeded “Hit ‘Em Up Style (Oops!)” by Blu Cantrell.

PARK SHIFTS INTO SECOND: “Breaking the Habit” moves 2-1 on Modern Rock Tracks, giving Warner Bros. band Linkin Park its fifth consecutive chart-topper (see Singles Minded, page 74).

Adding in this current frame at No. 1, Linkin Park has accumulated 32 weeks in pole position, spread over six songs. That’s the second-highest total of weeks at No. 1 in the history of the Modern chart.

Pushed down to third place is R.E.M., also on Warner Bros., with 31 weeks at No. 1, also from six different titles.

Comfortably ahead in first place is Red Hot Chili Peppers, yet another Warner Bros. act, with 58 weeks at No. 1 from eight different tracks.
<table>
<thead>
<tr>
<th>ARTIST</th>
<th>IMPRINT &amp; NUMBER/DISTRIBUTING LABEL</th>
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**GREATEST Gainer**: 2 PAC

**The Best**

**The Tires**

**The Royal Heritage**

**Here For The Long Goodbye**

**The IRISH Tenors**

**K.D. LANG**

**ANTHONY HAMILTON**

**THE IRISH TENORS**

**SAMMY HAGAR**

**THREE DAYS GRACE**

**SEETHER**

**STORY OF THE YEAR**

**K.D. LANG**

**TRACY ADDKINS**

**BRANDY**

**OUTKAST**

**SOUNDTRACK**

**BLINK-182**

**HILARY DUFF**

**VARIOUS ARTISTS**

**VARIOUS ARTISTS**

**PETEY PABLO**

**ALAN JACKSON**

**SARA EVANS**

**CASTING CROWNS**

**CASTING CROWNS**

**CONEED AND CAMBRIA**

**IN KEEPING SECRETS OF SILENT EARTH**
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The Beach Boys

August 2004

Top Internet Album Sales reflects physical albums ordered through Internet Promo sites, based on data collected by Nielsen SoundScan. Unlike most Billboard album charts, catalog titles are included on the Internet and SoundScan charts. • Albums with the greatest sales gain this week. • Recording Industry Ass. of America (RIAA) certification for net shipment of 500,000 units (Gold). • RIAA certification for net shipment of 1 million units (Platinum). • RIAA certification for net shipment of 10 million units (Diamond). • RIAA certification for net shipment of 10,000 units (Gold). • RIAA certification for net shipment of 100,000 units (Platinum). • Certification of 200,000 (Multi-Platinum). Materials indicates shipments that exceed RIAA certification. 

The Billboard 200 A-Z (Listed by ARTISTS)

Over The Counter

Continued from page 67

much a testimony to the momentum that music retail has seen in the past 11 months as it is to the strength of the Aug. 10 release slate.

Looking up the pace next issue’s charts could be a challenge, as the Aug. 17 slate looks much lighter than the one from the week before. First-day numbers have chart watchers projecting Hot Shot Debut honors for hip-hop supergroup 21st, which brings together Snoop Dogg and Nate Dogg with Warren G. The collective’s “The Hard Way” looks good for the top 10, but with a sum in the range of 75,000 to 80,000—a lighter figure than was earned by any of the three sets that lead this issue’s new entries.

Ryan Cabrera, with exposure from MTV’s “The Ashley Simpson Show,” looks good for the second-highest bow with sales of 60,000 to 70,000 and a shot at the top 10.

INCOMING: Top dog from the Aug. 10 schedule is Shyne, who bows at No. 3 on the big chart and No. 1 on Top R&B/Hip-Hop Albums. His top seven albums and his debut solo effort, 2002’s “Shyne,” have given him the distinction of becoming the second star to enter a Billboard album chart’s top slot while incarcerated.

The late 2Pac was in jail in 1995 when “Me Against the World” began at No. 1 on The Beach Boys’ album chart for the week ended Aug. 10. The late Tupac Shakur died on Sept. 13, 1996.

much in the news, sold about 3,000 more copies during its first week than the new one.

Mob Deep follows at No. 4 with first-week sales of 109,000. That’s more than double the opener of its first 2Pac-distributed album, released last year, but about 86,000 of its group’s Nielsen SoundScan sales, set in 1997 when “Mundra Muzik” bowed at No. 3.

Another hip-hop artist, rapper singer Houston, whose “I Like That” jumped from a radio hit to become the head of a McDonald’s commercial, enters the big chart at No. 14. He bows at No. 8 on Top R&B/Hip-Hop Albums while Mob Deep sank seven spots after street-date woes caused an early chart debut. The highest-ranking rock act on The Billboard 200 belongs to Alter Bridge, who makes members of Creed with Mayfair Flour singer Myles Kennedy. It starts at No. 5 with 95,000 sold.

CHATTER: Kidz Bop Kids enter at No. 23 with 37,000 for “Kidz Bop 6.” That beats the highest rank and sales week’s “Kidz Bop 5” set earlier this year (No. 34, 35,000). Four of the Kidz Bop editions have been certified gold. 

Prissy prompted Death Row to rush release 2Pac’s “Live,” but it appeared many stores didn’t have it in stock. Thus, its Greatest Gainer award on The Billboard 200 reflects the album’s first complete sales week (185-54, up from 6,000 to 23,000). ...in the week following his death, three Rick James albumsbullet on Top R&B/Hip-Hop Catalog (Nos. 25 and 28), each with core-stores gains of at least 15%. He remains a no-show on Top Pop Catalog, as his best seller for the week, “Millenium Collection,” moves 2,000 copies. The floor of the chart, at No. 50, stands this week at 4,500, ...the Irish Tenors returned to QVC, which explains why their “Heritage” reenters The Billboard 200 for the first time in 17 weeks (No. 69, 18,000). More than 95% of the week’s sales come from the shopping channel.
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<td>Terri Lyne Carrington</td>
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<td>John Mayer</td>
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**Greatest Gainers**

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**Top Hot Shots**

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For context, this chart lists the top ten selling albums for the week ending August 28, 2004, according to Billboard magazine. The chart is based on sales data collected by Nielsen SoundScan and published in the Billboard magazine. The top ten albums on the chart are:

2. Tone Sultan - Between Americana
3. Buckethead - The Unfettered Mind of Buckethead
4. John Mayer - Room For Squares
5. Lenny Kravitz - The Best Is Yet To Come
6. Chyno Nyno - Songs You Know By Heart
7. Avril Lavigne - Almost There
8. Soundtrack - O Brother, Where Art Thou?
10. Tone Sultan - Between Americana
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<td><strong>TOP WORLD ALBUMS</strong></td>
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### Billboard August 28, 2004

#### Top Artist
- **George Thorogood & The Destroyers**: *Greatest Hits 30 Years Of Rock*
- **Eric Clapton**: *Me And Mr. Johnson*
- **Aerosmith**: *Honkin' On Bobo*
- **Stevie Ray Vaughan and Double Trouble**: *The Essential Stevie Ray Vaughan And Double Trouble*
- **Etta James**: *Blues To The Bones*
- **Theodosia Early**: *Stand Up In It*
- **Keb’ Mo’**: *Keep It Simple*
- **Johnny Winter**: *I’m A Bluesman*
- **Ray Charles**: *Music Legends: Ray’s Blues*
- **Kellee Hunt**: *New Shade Of Blue*
- **Susan Tedeschi**: *Wait For Me*
- **Stevie Ray Vaughan**: *Martin Scorsese Presents The Blues: Stevie Ray Vaughan*
- **Soundtrack**: *Martin Scorsese Presents The Best Of The Wild One*
- **Tinsley Ellis**: *The Hard Way*

#### Certification for net shipment

- **Is It Doubles: Songs By Bob Marley**: 1,294,348 units
- **Greatest Gainer**: *Martin Scorsese Presents: The Blues: Stevie Ray Vaughan*
- **Heatseeker Impact**: *Martin Scorsese Presents: The Blues: Stevie Ray Vaughan*

#### Top Artist
- **Shawn McDonald**: *Simply Nothing*
- **Avalon**: *Watermark*
- **Scorpions**: *Age Of Thunder*
- **Various Artists**: *R&B Hot Shot Debut*
- **Martin & Jonathan**: *Keep It Natural*
- **Bobby Brown**: *Keep It Simple*
- **Various Artists**: *Gospel Hot Shot Debut*
- **Various Artists**: *Keep It Natural*

#### Heatseeker Impact

- **Hot Shot Debut**: *Scorpions: Age Of Thunder*
- **The Williams Brothers & Their Superstar Friends**: *New Generation (New Generation)
- **Various Artists**: *Simply Nothing*
- **Various Artists**: *Chasing Safety*

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**Note**: The document contains various tables listing album titles, artists, and certifications. The tables are structured in a way that highlights the most popular and recently released albums across different genres and categories.
Linkin Park: Its ‘Habit’ Is Breaking Records

Linkin Park makes it five for five as its “Breaking the Habit” moves 2-1 on the Modern Rock chart, extending the group’s record at the format for most No. 1s from a single album. The five modern chart-toppers from the album “Meteora” have spent 27 weeks at No. 1 thus far, which is three shy of the record for most weeks at No. 1 from one album. The Red Hot Chili Peppers’ “Californication” set the record in 1999 and 2000.

That set spawned three No. 1s—“Scar Tissue,” “Otherside” and “Californication.” It is the only other album besides “Meteora” to place as many as three No. 1s atop the Modern Rock chart.

To put Linkin Park’s success at the modern format in perspective, only one other act, Godsmack, has placed five songs (from two albums) anywhere on the chart since “Meteora” arrived in March 2003.

It is very rare for a label to commit to working five tracks from one album these days. But 17 months after the debut of “Meteora,” Warner Bros. recognizes that an album with depth is worth the investment.

“Habit” is shaping up to be a major Mainstream Top 40 hit as it climbs 29-26 in its third chart week. When the track “Numb” hit the top 10 of the Mainstream chart last winter, “Meteora” rose from No. 43 to No. 12 on The Billboard 200. Since “Habit” hit Mainstream Top 40 in June, the album has rebounded to No. 41 from a low of No. 73, and has posted increases in seven of the last eight weeks.

FEMALE FOURSOME: The top 10 of Hot Country Singles & Tracks sees four female artists for the first time in close to three years. Sara Evans’ “Suds in the Bucket” jumps 14-9, and Gretchen Wil- lson’s “Here for the Party” rises 12-10, joining Alison Krauss (with Brad Paisley) at No. 3 and Terri Clark at No. 6.

It’s the first time since the Nov. 3, 2001, issue that four females appear in that part of the chart. In that week, solo singles by Martina McBride, Reba McEntire and Carn- oly Dawn Johnson joined Trick Pony (led by vocalist Heidi Newfield) in the top 10.

RHYTHM NATION: Starting with the debut of Sean Paul’s “Get Busy” on the Hot R&B/Hip-Hop Singles & Tracks chart in the Feb. 15, 2003, issue, reggae has been represented at least one title each week. With Elephant Man’s “Jook Gal (Wine Wine)” moving to recurrent status this issue, that streak comes to an end . . . sort of.

“Turn Me On” by Kevin Lyttle featuring Spragga Benz holds at No. 20, and “Dance To Touch” by Rupee debuts at No. 91. Both fall under the umbrella of reggae music, but are technically classified as soco, a fusion of soul and calypso.

While not to say that soca is suddenly eclipsing the popularity of reggae, the success of the latter genre during the last few years has paved the way for the introduction of soca to a mainstream audience.

TERROR ALERT: “Lean Back” by Terror Squad takes the top spot on the Rhythmic Top 40 chart in the tight- est three-way race the list has seen in almost eight years. The track takes Lil’ Flip’s “Sunshine” by a mere 10 detections and leads No. 3 “Goozles” from G-Unit by only 13 spins.

The last time the top three of the chart was so tight was in the issue dated Nov. 29, 1999, when it points stood between Toni Braxton’s “Un-Break My Heart” at No. 1 and “No Diggity” by Blakkstreet at No. 3. Stuck in the middle was Keith Sweat’s “Nobody.”

LONG AND WINDING ROAD: Christina Milian sets the mark for the longest climb to the top 10 of the Rhythmic Top 40 chart as “Dip It Low” moves 11-10 in its 21st consecutive chart week. Lex Diamond’s “More Than Ever” had a longer trek to the top 10 at 25 weeks, but that included two chart runs in 1995 and 1996 that were separated by a six-month hiatus.

Milian’s climb is as high as No. 26 in May and then dipped to No. 38 in June. Increased airplay at mainstream top 40 stations, as well as the debut of the sexy video, improved familiarity of the track and helped turn listener callout scores around at rhythmic outlets. Gavin DeGraw also takes his time reaching the top 10 of the Adult Top 40 chart, spending 11-10 in his 22nd week on the list with “I Don’t Wanna Be.” Unlike Milian’s track, “I Don’t” has shown steady (but slow) growth throughout its chart life and makes DeGraw the first male artist to enter the top 10 of this chart in 2004.

The 22-week climb is the longest at Adult Top 40 for a male solo artist and the second-longest overall in a single chart run. Only Jann Arden’s “Insensitive,” at 26 weeks, took longer.
McGraw
Continued from page 5
first week in January, and at the end of that month I was in the studio recording with all my best friends. It was a week that I still go up there and blow all that stuff off, blow into the music.”

With an NBC TV special planned for this fall, a hot-selling tour and roles in the upcoming films “Friday Night Lights” and “Black Cloud,” McGraw will be hard to miss in the next few months. As a result, Curb Records executives are anticipating strong sales. The initial shipment of “Live Like You Were Dying” is 1.8 million units.

A MOUNTAIN RETREAT
Like his previous album, 2002’s “Tim McGraw and the Dancehall Doctors,” the Louisiana-born artist recorded this project with his band instead of Nashville studio musicians. All the members of the Dancehall Doctors have been with him for more than 11 years. Band leader Darran Smith once again co-produced with McGraw and the singer’s longtime producer, Byron Gallimore.

McGraw and the group spent eight weeks in Floyd County, located in a 1920s mountain retreat in upstate New York. McGraw says they returned to the studio with “confidence and some success under our belts. We didn’t have to be so nervous this time. We thought we could go up there and do something that would be way better. We loved the [pre-

Retail
Continued from page 5
Entertainment (see story, page 47), Hastings Entertainment, Navarre and the Hunderman Co.

The combined market capitalization of these companies as of Aug, 18 was $2.2 billion, or 17 times NAVR’s $125.8 million.

WALL STREET SEES FUTURE
“One thing that has been a huge overhang was the difference between the perception and reality of digital distribution and its effect on our value,” Trans World chairman/CEO Bob Higgins says. At the time of last year’s NAVR, “Wall Street believed that the music business of the past would no longer exist.”

Higgins believes the Recording Industry Assn. of America’s lawsuits have reduced the amount of unautho-

ized music sharing and the reduction has helped convince Wall Street that the music industry has a future. But growing fortunes for music retail also come from the recording industry escalating back its near-

medium-term expectations for digital music as a revenue generator.

At the Jupiter Plug, in conference in New York last month, analyst and label executives said that even with the rapid growth of pay-per-download services like iTunes and subscription services like Napster and Rhapsody, physical CD sales are not going anywhere and the industry’s overwhelming format leader for at least the next five years.

In fact, a Jupiter Research analyst warned Plug, in an interview that digital music downloading is a format shift at all—at least for the foreseeable future. Jupiter forecasts that by 2009 sales of downloads and sub-

scriptions will represent $1.7 billion, or 9%, of an estimated $18 billion in U.S. recorded-music market. That compares with e-commerce sales of physical CDs that will represent 10% of the market.

Jupiter is advising people to look at the digital music sector as an incremental revenue stream akin to licensing. Label executives in attend-

ance at Plug, in regard to this view. “Despite the overwhelming move toward a digital future, it is fair to say that, for the medium term at least, ‘As goes the CD, so goes the industry,’” BMG North America COO Charles Osielski said at one point. “The performance of the CD will dictate, in large part, how the industry has to behave from a structural standpoint.”

As a result, traditional music retail is arguably the big winner of the indus-

try’s increasingly modest expectations for digital music. However, that also

put the back in traditional retail’s court to drive increased sales.

Mass merchants are certainly stepping up to the plate, as the 12.1% increase in album sales they posted this year as of Aug. 15 outpaces the 7.5% increase in U.S. album sales and more than doubles the 4.9% increase that chains have produced, according to Nielsen SoundScan.

MARKETS IMPROVE
How are the publicly traded music retailers faring? Trans World closed Aug. 18 at $9.99 a share, which translates into a market capitalization of $352 million, or about $2.5 stock price, to its market cap on March 20, 2003.

Hastings Entertainment’s market cap rose in the past 17 months by $53.6 million to $91.1 million—an increase of better than 2.5 times.

Hundertman, a rackjobber in Troy, Mich., that services mass merchants, has the largest market capitalization of traditional music accounts. Its Aug. 18 close at $21.25 gave it a market capitalization of $474.5 million, compared with the March 20, 2003, figure of about $385.5 million.

Navarre, a New Hope, Minn.-based wholesaler that also sells to mass mer-

chants, among other accounts, gains the biggest percentage in share price among traditional music accounts. Its Aug. 18 close at $13.93 gave it a market capitalization of $705.1 million. That is nine times more than the $1.33 it had at the end of last year’s NMR, when its market cap was $33.7 million.

This in music retail stocks mirrors growth in the retail sector at large, where other players with a meaningful stake in selling CDs—mass merchants, consumer electronics specialists and consumer electronics retailers—have been growing in stock value. Best Buy, Circuit City, Target, Kmart and Borders Books & Music claim a combined market cap of more than $66.8 billion—up from $40.3 billion in March 2002.

The biggest stock winner since last year’s NMR is Kmart. Since emerging from bankruptcy in May 2003, its shares have jumped almost 80%, from $11.25 on Aug. 18 close to $20.55 by Aug. 18.

Shares in Best Buy are up 83% since the previous NMR, from 29.56 on March 20, 2003, to a close of 47.82 Aug. 18. Notable in relation to this change in fortune is Best Buy’s shedding of its stake in the musicland Group in June 2003. The stock of Best Buy rival Circuit City has risen by an even larger percentage—more than 65%—from its $4.48 average in March 2003 to its $13.05 as of Aug. 18.

Comparing market cap, Best Buy’s $15.3 billion value trumps Circuit City’s $2.6 billion.

Shares in Target have grown by more than 32% between the two NMRs, rising from $29.67 to $44.11.

The Borders Group has enjoyed a simi-

lar ride, increasing 52% from $14.89 on March 20, 2003, to $23.23 Aug. 18. Barry Sonnick, a longtime retail analyst who covers the music sector, says despite this growth in share prices, music merchandisers will face a tough time soon.

Music sales have improved with the overall economic environment, but when you make a record, but the thing is, it’s going to creep into everyday life, says McGraw. “I’ve never been more optimistic about the music business than I am today,” he says. "I know sooner or later that my taste isn’t going to be like everybody else’s, but there’s not a whole lot I can do about that. You learn probably a million things when you make a record, but the thing for me is, I’ve always pressed on about getting better.” He continues. “I feel like I’m just starting to get a hold of how to do this, and I’ve got some more in me to dig out.”

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content—unless they are individually “baked” in a convection oven for many hours to dehydrate them. Of course, the tapes themselves also have a “shed” problem, where the tape oxide surface containing the music material simply peels away from the adhesive binder. Sticky shed syndrome is the diagnostic term for the “disease” affecting such tapes.

Experts say that about 85% of tapes manufactured between 1971 and 1991 exhibit sticky shed syndrome. But the good news is that five years after Billboard’s articles initially appeared, most studios have ovens on hand to dry out problem tapes. A remaining obstacle is that at all the major labels, the tapes are baked only when a reissue project is scheduled. Most sit soggy and unattended on the shelves.

“They’re now in control, in dry rooms,” says Glenn Romain, head of BMG Music’s vault. “They won’t get any sticker. We pull them when we need them and then bake them.”

But even tapes that seem safe right now may have decreased shelf life.

“There’s a lot of educated people out there who believe that you can bake a tape over and over,” says Frank Bowen, director of EMI’s North American archives. “[But] common sense tells you that every time you bake a tape for eight hours, something is diminished on it.”

Warner Music librarian Steve Lang is most critical: “If a tape is sticky, we bake it, so maybe they last another 20 or 30 years. Maybe by that time we’ll have a better idea.”

After baking is taken, a tape is racked and played back in a nitrogen-dehumidify. The music information is transferred to more stable “safety” copies, usually both in analog and high-resolution digital formats.

The labels programs at any of the four major record companies to institute a full-time effort to save these masters and session reels. The reason is the sheer scope of the problem.

In 2000, six catalog veterans estimated that it would take 17 years for a crew of six engineers working 8-hour shifts and 4 days per week to ensure,的研发, and have mastered in the vaults of the four companies.

MANY TAPES, FEW RESOURCES

The sheer volume of the major labels’ holdings—often in original master tapes that may be lost, mistagged or are stored on reels siting on shelves. The surviving companies have acquired many labels—and their catalogs of hundreds and even thousands of master and session tapes—that in some instances they have not completely inventoried their holdings.

A prominent producer told Billboard that “we are going to lose a lot of tapes from air-conditioned, underground parking lot in Los Angeles that contained a

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www.americanradiohistory.com
Subs
Continued from page 9

and offset their thin margins, services are trumpeting the benefits of their subscription components.

Chris Gorog, CEO of Napster, says, “We see subscriptions becoming the predominant contributor to our business very soon.”

Defenders of the subscription model point out that a growing number of consumers already pay for some form of digital music subscription service, be it radio, on-demand streams or tethered downloads. Subscription service providers are looking to portable subscriptions as a catalyst for consumer interest.

The success of portable subscriptions hinges on everything from the creation of a viable business model to increased consumer willingness to move away from the traditional notion of music ownership.

Some digital music executives warn that portable subscriptions will not be a meaningful business until next year. Most labels have not even announced what they will charge for portable subscription content.

“We haven’t figured out a correct model for it yet,” one leading digital music service executive admits.

Currently, labels are paid through a variety of methods ranging from a penny per play to a revenue-sharing plan.

Because of a lack of an industry standard payment plan, early portability offers are expected to be viewed more like experiments, with only a limited amount of cash available to them.

But with the advent of Janus, Gorog and others see a long-term opportunity for growth—especially among new buyers of MP3 players.

Device makers Rio and Go Video say a range of Microsoft-compatible devices they are releasing in time for back-to-school can be upgraded to work with Janus technology once content becomes available.

“Most people that we are targeting to get into the portable subscription service don’t even have an MP3 player yet,” Gorog says. “As we market to the consumer that has not yet discovered digital music, he’ll be going out and purchasing his first MP3 player, and in all likelihood, he’ll want to make darn sure it’s Janus-compatible.”

Gorog sees portability driving the current popularity of a la carte download services. The firm maps 2004 download revenue at $138 million.

Not all analysts see subscription services eventually outsourcing download loads. Research firm Forrester predicts that 2008 subscription revenue will be $1.37 billion, far behind a la carte revenue at $3.20 billion.

Josh Bernoff, an analyst at Forrester, points out that even with the right business model for portable subscriptions, labels and digital music services will have to persuade customers to change their habits.

“It’s very hard to take consumers who are used to buying and owning music [and] convert them to just renting it,” Bernoff says.

Radio
Continued from page 10

Station PDs contacted by Billboard were at pains to remain neutral about the tour.

“We’re positioning the show as ‘Here’s what it is, and if you want to support it, here’s how you do it,”’, mainstream rock WOTU Toledo, Ohio, APD Troy Michaels says. “We’re not taking a shot at it, we’re just passing along the information and letting people make a decision.”

At classic rock WHTQ Orlando, Fl., PD Greg Stevens says his station has made on-air announcements about the tour and directed listeners to the WHTQ website for more information and to respond to an online poll. “About 70% of visitors to our website said that they would prefer the station not even give away tickets to the show. WHTQ airs the syndicated “John Boy & Billy” morning show, “which probably skews us a little bit to the right of Dick Cheney, and partially explains the results of our poll,” Stevens says.

Some stations, such as mainstream rock WTUE Dayton, Ohio, are choosing not to get involved. PD Tony Tiidt says the main reason is he doesn’t want to alienate listeners.

“Bruce Springsteen has $100 million and never has to do anything again. So if he wants to pass off half his tour and do that,” Tiidt says. “But we have to answer to Arbitron every three months. It’s too volatile this year. We’re encouraging the people to register to vote, but we’re playing it straight down the middle on the air.”

RIGHT TO CHOICE

To keep from taking any sides, the stations that plan on giving away ticket offerings will offer alternate prizes should their right-leaning listeners win.

“When we opened up the phones about the topic, we found that people felt that just mentioning the concert and giving away tickets—if in fact we got any—would be tantamount to supporting the cause of the concert, since it’s not balanced with anything else,” Stevens says.

So Stevens and his staff asked listeners if they would be satisfied with an on-air giveaway that offered the option of choosing the tickets or something else.

Cruez has similar plans at WMGR. “If we’re giving tickets away, we’ll probably buy a handful and give the listener a choice to take the tickets or take an amount of money equal to what the tickets cost and donate it to the other side of the campaign. That way, the winners get to choose for themselves.”

The Vote for Change tour will wrap Oct. 10 in St. Louis. Only a few hours north in Orlando, Stevens says the majority of WHTQ’s listeners had to be told what the concert was about.

So if that despite significant national and local media coverage of the event, “many listeners had no awareness that the Springsteen show was anything other than just another concert,” he thought.

The Working Tribute show name ‘Vote for Change’ was self-explanatory, but we found quite the opposite.”

Michaels, who also handles the afternoon show at WHTQ, has not received any negative calls about the concert. In fact, he hasn’t had any calls at all.

Cruze says he is working on an on-air spot for WMGR that will explain what is at the heart of the show. “It will basically say, ‘Isn’t it great that we live in a country where this dialogue happens, and this, in fact, is what our soldiers died for, our right to have this dialogue. And even if you disagree with their point of view, these concerts aren’t anti-American—they’re very American.’”

Bernstein
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Bernstein began scoring films in the early 1950s. His last film work, for the 2002 drama “Far From Heaven,” earned him Academy Award and Golden Globe nominations for best original score. He received multiple lifetime/career achievement awards, including those from ASCAP, the Los Angeles Film Critics Assn., the World Soundtrack Awards and the American Academy of Recording Arts and Sciences.

In a statement, NARAS president Neil Portnow said, “As one of the first supporters of the Recording Academy when we began our work more than 45 years ago, Elmer Bernstein has left an indelible legacy by creating music for film and television that was as much a part of the film experience as were the images it accompanied.

Bernstein is survived by his wife, Eve; sons Gregory and Pete; daughters Emilie and Elizabeth; and five grandchildren.

Details on funeral and memorial services were unavailable at press time.

Europe
Continued from page 12

adds, “we have a lot of hope and excitement about the whole thing.”

On the legislative side, the EU and the European Parliament are reviewing and amending five existing directives concerning intellectual property rights, all initially published in the 90s. The review will be the responsibility of the internal market commissioner, Ireland’s former finance minister Charlie McCreevy.

The Term of Protection Directive, which modernizes a text from 1993, is high on the music industry’s agenda with the EC. The International Federation of the Phonographic Industry wants an extension of the duration of protection for sound recordings, currently set at 50 years after material has been recorded. Initial reaction from the outgoing EC has been lukewarm about changes in the legislation.

McCreevy and the commissioner are charged with taxing, Iudra Udre of Latvia, will also deal with the thorny issue of whether value added tax rates should be reduced on recorded music.

Representatives of the IFPI were not available for comment.

Kern says the way Barros has set up his team signals that he intends to be a hands-on EC president.

So far I must say I have been impressed by the way Barros has been operating,” Kern says.

WMG
Continued from page 10

WMG is calling for improved recorded-music revenue in 2005 as its release schedule is “normalized.”

Second-quarter music publishing revenue increased 11%, to $129 million.

IMPROVED BOTTOM LINE

The improved bottom line for WMG follows Time Warner’s sale of the company to a private investor group led by WMG chairman/CEO Edgar Bronfman Jr., private equity fund manager Thomas H. Lee. This is WMG’s first financial statement since the ownership change.

In the past six months, WMG reports, it has achieved more than $225 million in annual cost savings by merging Atlantic and Elektra, reducing staff and trimming the artist roster.

Improved efficiencies drove a rise in ebitda (earnings before interest, taxes, depreciation and amortization) in the year’s first half. Pro forma ebitda increased 17%, to $135 million.

Meanwhile, WMG reports first-half cash flow from operations of $340 million and cash on hand at $421 million.

WMG expects “significantly higher” cost savings for 2004 than the $60 million estimated in an offering memorandum to bondholders. The company is undertaking a financing program to save more than $250 million by the end of the restructuring period this year.

WMG also says it expects one-time costs associated with the restructuring plan to come in below the original estimate of $30 million.

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‘We Have Done A Good Job Of Keeping Our Eyes On The Ball’

BY ED CHRISTIAN

As chairman/CEO of Universal Music Group, Doug Morris oversees the largest record company in the world. Morris, a graduate of Columbia University, began his music career as a songwriter for music publisher Robert Melin. He joined Laurie Records in 1966 as a writer/producer and rose to VP/GM there before starting Big Tree Records. After hitting it big with the group Brownsville Station, Morris sold Big Tree to Atlantic Records in 1978.

That acquisition led to long stays for Morris at Atlantic and at parent Warner Music Group. Morris ascended to chairman of Warner Music U.S. in 1994, while there, he established co-ventures with Interscope, Rhino and Matador; partnered with Warner Books to create Time Warner Audiobooks; and founded A*Vision Entertainment with Stuart Hersh.

After leaving WMG, Morris entered a joint venture with MCA in July 1995 to form Rising Tide. When Morris became chairman/CEO of UMG a few months later, Rising Tide became Universal Records, which is wholly owned by UMG.

“Doug is a great music executive who has the ability to recognize talent, attract the best players to help him run his company and, at the same time, recognize that you have to keep costs under control,” Trans World Entertainment chairman/CEO Bob Higgins says. “He loves what he does and is very successful at it.”

On the eve of the National Assn. of Recording Merchandisers conference, taking place Aug. 21-24 in San Diego, Morris discussed UMG’s place in the record and retailing communities.

Q: Will the merger of BMG and Sony create opportunities or problems for UMG?

A: There will be fewer places for artists to sign and fewer places for people to get jobs. I don’t like to call it an opportunity but a lot of people get fired, but maybe some of them will wind up here.

Q: It has been almost a year since you announced the JumpStart pricing program. You revamped it after some retailers complained. Does phase two accomplish everything you had hoped?

A: Yes, the modification has really driven our catalog [sales] through the roof. We have gotten some incredible benefits from one of them was quite unexpected to me: It has caused our returns to drop, which is a big help. And we got control of our business.

Q: The other majors haven’t followed your lead, although some are experimenting with elements of JumpStart.

A: The way we did it is simple. We got lower returns, and we can control our advertising to drive people to the stores. [The other majors] all run their companies the way they see fit, and that is the way it should be. As the industry leader, we felt that this was the correct way to do it. I think [Universal Music & Video Distribution president] Jim Urie really came up with the idea, and he looks good just now. It’s certainly not where you start—it’s where you end. Our U.S. sales are up 8% so far this year.

Q: Are you getting the retail pricing and real estate you hoped for on JumpStart, considering that it cuts out cop-out dollars?

A: I doubt if we will ever get everything from retailers across the board. Record store sell records for completely different reasons. Some [stores] use them as loss leaders. And some view records as their primary business, so they have [look at] it differently. We worked our way through that in a way that works for us. But we measure all the record prices from all the companies and it appears that [prices] are going down. People are just doing it in different ways.

Q: Why is UMG starting Fontana, an independent distribution arm?

A: It has to do with the contraction of the industry. With BMG and Sony coming together, now that there are only four major distribution centers, it means that a lot of talented people will be without jobs, and a lot of artists won’t be able to penetrate and have access to this distribution.

We did it now because of the realization that this is a moment when there will be a lot of independent and entrepreneurial people trying to start and establish independent labels. I believe there will be a resurgence of independent record companies in the next three to five years. And hopefully we can give them a choice of where they can stay independent or they can swim upstream. If ever there is a time for a Renaissance of independent labels, it’s now.

Q: Given the growth of downloads, Super Audio CD and DVD Audio, and now DualDisc, are we throwing too many formats at the consumer?

A: People are always going to be trying new things, and the consumers will decide which ones will float and which don’t.

It is such an interesting period because we have all of these physical things being tried and then you have the amazing phenomenon of selling things electronically, which is really like a revolution and a renaissance of the business. The idea of 100 years of music suddenly becoming available in one store where you will be able to get any record from any country [will be real].

Q: Some retailers believe the majors are so preoccupied with online commerce that they are missing some of the changing dynamics of the physical goods side of the business.

A: For years, they called for lower prices at NARM. Well, they got them [from us], and now they are selling more records. I think we have done a pretty good job of keeping our eyes on the ball.

Q: How is the fight against piracy going?

A: Some just looked at piracy as an issue that couldn’t be defeated. When you talk about piracy, we are doing a lot of things to deter it, whether it be physical piracy, where we beef up the enforcement, or Internet piracy, with the spoofs or the lawsuits.

But there is another factor going on. Look at all the huge companies that are coming in and investing tens of millions of dollars in their Internet stores and opening real businesses. We have a policy that the labels of all the other companies that are now joining the music industry: Microsoft, Apple, Viacom—one of these companies will want their businesses ruined by piracy.

The weight of all of their lobies is very powerful, I believe that you will never see piracy completely eliminated, but you will see it reduced sharply.

Q: How would you assess the health of the industry?

A: This electronic distribution of music just turns the whole business on its head. If you realize that there is money coming in from France, Germany, the U.K., from electronically sold music—and then on top of it, the physical business has picked up—it’s really an interesting moment for the company and the industry. The industry took tremendous criticism for being tardy, but if you really think about it, there are no technology guys working for the record companies, just as there are no great record executives working for Apple. So it makes a lot of sense that it would take awhile to work out all of the bugs with the publishers, with the artists, with the technology. I think it took 50 years from the time that the Wright Brothers first flew till the advent of commercial aviation.
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