STATE OF THE (TOURING) NATION
>P.33

JON BON JOVI: COUNTRY STAR
>P.5

JUST HOW BIG IS THE DARK SIDE OF THE MOON?
>P.12

LATIN MUSIC AWARDS RECAP
>P.24

CHANNEL SURFING
ARTISTS FLOCK TO THE SMALL SCREEN
>P.31
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## On The Charts

### Albums

<table>
<thead>
<tr>
<th>Chart Type</th>
<th>Page</th>
<th>Artist / Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Billboard 200</td>
<td>52</td>
<td>George Michael / Faith</td>
</tr>
<tr>
<td>Top Bluegrass</td>
<td>62</td>
<td>Alan Jackson &amp; Union Station / 20 Hits with 40 Hits</td>
</tr>
<tr>
<td>Top Classical</td>
<td>67</td>
<td>The 5 Browns / It's All Happening</td>
</tr>
<tr>
<td>Top Classic Crossover</td>
<td>67</td>
<td>Andrea Bocelli / Hits</td>
</tr>
<tr>
<td>Top Country</td>
<td>62</td>
<td>Bruce Springsteen / We Shall Overcome: The Seeger Sessions</td>
</tr>
<tr>
<td>Top Digital</td>
<td>68</td>
<td>Hot 100 / It's Time</td>
</tr>
<tr>
<td>Top Electronic</td>
<td>65</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top Heatseekers</td>
<td>69</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top Internet</td>
<td>68</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top Jazz</td>
<td>67</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top Contemporary Jazz</td>
<td>67</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top Latin</td>
<td>64</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top Pop Catalog</td>
<td>68</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top R&amp;B/hip-hop</td>
<td>59</td>
<td>Hot 100 / Forever</td>
</tr>
<tr>
<td>Top Reggae</td>
<td>59</td>
<td>Hot 100 / Forever</td>
</tr>
</tbody>
</table>

### Singles

<table>
<thead>
<tr>
<th>Chart Type</th>
<th>Page</th>
<th>Artist / Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Contemporary</td>
<td>57</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Adult Top 40</td>
<td>57</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot Country</td>
<td>63</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot Dance Club Play</td>
<td>65</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot Dance Airplay</td>
<td>65</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot Digital Songs</td>
<td>57</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot 100</td>
<td>56</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot 100 Airplay</td>
<td>57</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot Singles Sales</td>
<td>58</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Hot Latin Songs</td>
<td>64</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Modern Rock</td>
<td>57</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Pop 100</td>
<td>58</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Pop 100 Airplay</td>
<td>58</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>R&amp;B/hip-hop</td>
<td>61</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>R&amp;B/hip-hop Singles</td>
<td>60</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>R&amp;B/hip-hop sales</td>
<td>60</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>R&amp;B/Adult</td>
<td>60</td>
<td>Danzig / Forever</td>
</tr>
<tr>
<td>Rhythmic</td>
<td>60</td>
<td>Danzig / Forever</td>
</tr>
</tbody>
</table>

### Videos

<table>
<thead>
<tr>
<th>Chart Type</th>
<th>Page</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Top DVD Sales</td>
<td>69</td>
<td>Hostel</td>
</tr>
<tr>
<td>Top VHS Sales</td>
<td>69</td>
<td>Titanic (full screen version)</td>
</tr>
<tr>
<td>Video Rentals</td>
<td>69</td>
<td>Hostel</td>
</tr>
<tr>
<td>Game Rentals</td>
<td>69</td>
<td>52e: The Godfather</td>
</tr>
</tbody>
</table>

### This Week on Billboard.biz

<table>
<thead>
<tr>
<th>Type</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Top Blues</td>
<td>41</td>
</tr>
<tr>
<td>Top Christian</td>
<td>41</td>
</tr>
<tr>
<td>Top Dance Sales</td>
<td>41</td>
</tr>
<tr>
<td>Top Gospel</td>
<td>41</td>
</tr>
<tr>
<td>Top Independent</td>
<td>41</td>
</tr>
<tr>
<td>Hot Ringtones</td>
<td>41</td>
</tr>
<tr>
<td>Tastemakers</td>
<td>41</td>
</tr>
<tr>
<td>Top World</td>
<td>41</td>
</tr>
<tr>
<td>Top Music Video</td>
<td>41</td>
</tr>
<tr>
<td>Hot Videoclips</td>
<td>41</td>
</tr>
</tbody>
</table>

## Billboard R&B/hip-hop Conference Awards

Joni Iwanczak awards for the premier event to network, share knowledge, identify and discover new talent with the key industry players in the R&B/hip-hop community.

### Cover Story

28 BURLESQUE BUSINESS. Billboard investigates how hip-hop labels are using strip clubs to expose their music.

### Highlights

5 BON JOVI is the first rock band to land a No. 1 single on Billboard's Hot Country Songs chart.

12 PINK FLOYD'S "The Dark Side of the Moon" hits 1,500 weeks on Hot 100 Chart.

33 THE SUMMER will roll in promising treks by such acts as Red Hot Chili Peppers, A*Tea, and others.

43 BACKSTREET BOYS crooner Brian Littrell makes a Christian crossover with "Welcome Home."
Post-Spitzer, Indie Labels Still Need Access To Radio PDs

BY DON ROSE

Independent record labels have been watching New York State Attorney General Eliot Spitzer's payola investigation and the FCC's subsequent actions with great interest. "Payola-like practices," wherever implemented, have been damaging to the music industry, corrupting the process of music selection while depriving recording artists of access and the listening public from the bounty of more diverse playlists. I will argue that the system did not even serve radio programmers as it restricted their conversations to only a few providers of information.

Independent labels have been disadvantaged more than most as many have neither the ability nor the desire to compete within or against the "communications-industrial complex." Even those labels fully "in the game" participate at great cost, often putting their livelihoods on the line with each successive campaign.

Therefore, we were gratified to see the system's abuses exposed with the hope of leveling the playing field for great music, regardless of the size or economic power of its source. That is still our hope.

Since these practices have publicly surfaced, however, reports are that radio has reacted by retreating rather than by opening up to broader sources of material. One of the issues is over the definition of "independent promotion." Let's be clear: Independent promoters can be integral participants in the independent label ecosystem. Very few independent labels have large in-house promotion staffs with the regional operating structure required to coordinate a breaking hit. And almost all depend upon independent promotion firms for support, if not as the primary point of contact with radio programmers. Unfortunately, the entire independent promotion industry has been tarred by the actions of a few who have been identified as instruments for corrupt practices. Today, many radio stations and chains have blanket bans in effect, prohibiting contact with any form of independent promotion, thereby shutting the major broadcasters. The American Assn. of Independent Music—which represents U.S. independent labels—recently sent a letter to FCC chairman Kevin Martin, strongly urging the commission to consider establishing a set of "best practices" to be integrated into any such settlement discussions.

Commissioners Jonathan Adelstein and Michael Copps responded with an invitation to discuss the independent community's needs and have asked us to assist in the development of these practices aimed at ensuring reasonable access to music programmers and a transparent process of music selection going forward.

Wish us luck. It won't be an easy task, and we welcome dialogue with all affected players to create a workable construct. But without a clear set of guidelines, strictly adhered to by all parties, the dynamic forces that have resulted in the current quagmire are destined to resurface, and sooner than we all think.

Therefore, a policy must be created that ensures access to programmers for all with relevant music and information, and this must necessarily include independent promoters on whom the vast majority of indie labels depend.

It has been reported that the FCC is on a fast track to settle payola allegations with the major broadcasters. The American Assn. of Independent Music—which represents U.S. independent labels—recently sent a letter to FCC chairman Kevin Martin, strongly urging the commission to consider establishing a set of "best practices" to be integrated into any such settlement discussions.

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It's Bon Jovi Country
First Time A Rock Band Has No. 1 On Hot Country Songs

NASHVILLE—Bon Jovi has reached No. 1 on The Billboard Hot 100 four times in its hit-studded career. But recently, it notched a first—not just for the band, but for music history. The hit “Who Says You Can’t Go Home” made Bon Jovi the first rock band to land atop Billboard’s Hot Country Songs chart—a position it holds for a second week in this issue.

The road to its first country hit began when the band’s Jon Bon Jovi and Richie Sambora created two versions of the song, both of which appear on their current album “Have a Nice Day” (Island), which has sold 1.1 million copies, according to Nielsen SoundScan. The band-only version is a hit on the adult top 40 AC chart. The country version features Jennifer Nettles, lead singer of the country act Sugarland. The single is available as a digital download. Starting May 23, the duet and video will be available exclusively through Target as a CD shrinkwrapped with Sugarland’s album, “Twice the Speed of Life.

At the time the duet was recorded, Sugarland was little-known. Since then, “Twice the Speed of Life” (Mercury) has sold 1.3 million copies, according to Nielsen SoundScan; the group has landed three other top 10 songs.

Nettles was actually not the first choice for a duet partner. Jon Bon Jovi first asked Keith Urban to sing and play banjo on the track. But the collaboration wasn’t what either artist had in mind. “Our voices were too similar,” Bon Jovi says. “A banjo wasn’t really the way to go. But I now had the idea that this could really work.”

Universal Music Group Nashville co-chairman Luke Lewis suggested Nettles and sent Bon Jovi a copy of Sugarland’s album. While top pop producer John Shanks worked on the original track, Bon Jovi sent Nettles into the studio with Nashville producer Dann Huff, who “tweaked it up for real,” Bon Jovi says.

“I was so happy with it that I was willing to take a shot,” Bon Jovi says. He was trying to avoid having his group seen as “carpetbaggers who were going to say they’re a country band suddenly.”

In fact, Bon Jovi already had some familiarity in Nashville. Jon Bon Jovi has made multiple trips to Music City for songwriting collaborations, and the group has recorded and performed there many times, including laying the tracks for the “These Days” album.
Latinos Speak Out
Music Community Shows Its Support For Immigration Reform

On May 1, norteno icons Los Tigres del Norte—arguably the most influential regional Mexican group in the United States—walked down Wilshire Boulevard in Los Angeles, alongside hundreds of thousands of people protesting for immigration reform. And when the band was asked to speak but had no speech prepared, it instead sang half a dozen songs a cappella: “El Mohado Acucaladito” (The Wealthy Wetback), “De Paisano A Paisano” (From Brother to Brother) and “Tres Veces” (Three Times a Wetback). Part-way through the performance, Los Tigres leader Jorge Hernández says, the emotion made him forget the lyrics to songs he had been singing for a lifetime. “Being there, surrounded by all these people, reminds you of why you came to this country, and those emotions came atab,” says Hernández, who’s a U.S. citizen. “They were shouting the words to the songs, and tears came to my eyes. It was something I hadn’t experienced before.”

Among all the Latin musicians who either live in the United States or make their living there, Los Tigres del Norte have perhaps most consistently touched upon immigration and social class issues in their music. But they are by no means the only act to speak their mind about the burgeoning issues of immigration. Many other, mostly Mexican acts, including Mariana Seoane, Paquita la Barri, Grupo Montez de Durango and Graciela Beltran also participated in the march in Los Angeles. In New York, non-Mexicans, including José Alberto “El Canario” and Andy Andy, took to the streets. And many mainstream names, including Gloria and Emilio Estefan, Shakira and Daddy Yankee have voiced support for the immigration cause.

The issue dominated the Billboard Latin Music Awards April 27, as many acts used their podium time to speak words of solidarity for immigrants on live, national TV. The show acknowledged the issue with various Latin stars performing the song “No Me Llamas Extranjero” (“Don’t Call Me Foreigner”). The performances, interspersed with stark black-and-white photographs of immigrants arriving at the country, elicited a standing ovation.

Latin retail and, especially radio, have played a huge role in supporting—and organizing—the Latin community at large. Music chain Rítmico Latino, for example, shut down all 45 of its stores May 1, even though it meant a major loss of income. “Not all Latinos are in favor of the protests,” Rítmico Latino head buyer: Alberto Uribe acknowledges. “But Latinos make up the majority of people affected by these immigration laws. We needed to show the community that supports us, that we also support them.”

In such cities as Los Angeles, Chicago and Atlanta, Latin radio helped to organize rallies and distribute information. In Los Angeles, rhythmic KXOL had “Nuestro Himno,” the controversial Spanish-language rendition of the national anthem, in heavy rotation prior to the march (see story, below).

In general, stations and their personalities ignored archly competitive lines to unite in spreading the word for a common cause. In Los Angeles, for example, rival morning DJs and PDs from stations like KXOL and regional Mexican outlets KLAX and KBBE marched side by side. Additionally, stations including KBBE went off the air, “because our audience asked us to,” PD Pepe Garza says.

Immigration issues have a history in Latin music, from the early-20th-century corridos like “El Corrido De Gregorio Cortez” dealing with the U.S.-Mexican conflict to the songs of Los Tigres, who began singing about immigration in the 1970s. Most recently, Guatemalan pop star Ricardo Arjona, for example, has a single called “Mojado” on his latest album. The track, a duet with regional Mexican group Intocable, was inspired by Arjona’s mother’s own illegal crossing of the U.S. border, and lyrically moves from the poetic to the incisive with such lines as: “The wetback, the undocumented, he carries burdens the legal ones would never take on. The agony of a paper has made him a fugitive.”

But some Latin acts may be avoiding the debate, as industry insiders say many non-Mexican acts do not see immigration reform as their issue. Cubans, for example, are granted automatic asylum if they set foot in the United States, and Puerto Ricans, of course, is a commonwealth. According to U.S. Census numbers, 65% of the U.S. Latin population is of Mexican descent.

“I don’t think any non-Mexicans who have come out in support of this” in Los Angeles, Garza says. But, he adds: “It would be far more helpful if some American acts spoke out.”

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Anthem Divides A Nation

“Nuestro Himno” (Our Hymn)—the Spanish-language rendition of America’s national anthem—has captured headlines and elicited a response from President Bush, who says the song should be sung in English. But it has also divided the Latin music community.

In Los Angeles, for example, KXOL had the song in heavy rotation, playing it more than 40 times—the number of spins generally associated with a top hit—the week ending April 30. However, as of May 4, only four of the 128 stations that report to Nielsen BDS had played the song, and no one besides KXOL had played it regularly. That station has now dropped the song.

“We wanted to make the statement that to become American and be patriotic, it wasn’t necessary to leave your own culture behind,” says Adam Kidron, president/CEO of Latin label UBO, which released the track to radio April 28. The song is performed by a slew of Latin artists—including Aventura, Olga Tañon, Ivy Queen and N*Klave—and even Haitian Wyclef Jean.

But Billboard spoke to at least a dozen Latin artists, executives, journalists, programmers and publicists, none of whom supported “Nuestro Himno.”

“You can interpret it in your heart in any language you want,” says Jorge Hernandez, leader of Los Tigres del Norte, an act committed to immigration reform. “But we must respect this country’s flag and anthem.”

Los Angeles regional Mexican KBUE (La Que Buena) PD Pepe Garza worried that the song was being too closely associated with the pro-immigration movement. “Right now anyone can get in front of a microphone and Americans think they represent all Latinos,” he says. “You can’t speak for an entire community in that manner.”

Ultimately, the controversy may be a marketing coup for UBO. “Nuestro Himno” will be included in an upcoming compilation titled “Somos Americanos” (We Are Americans). “It goes against an national emblem,” says Alberto Uribe, head buyer of Latin channel Rítmico Latino. “But, our clients have been requesting it.”

Kidron says that “Nuestro Himno” was no marketing ploy. “Our profit margin on this album is real slim,” he says, noting that $1 of each disc sold will go to pro-immigration organizations. “We did this record for a reason. Nobody in their right mind would have thought the president would comment. No marketing plan goes that far.”

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The Leading Hotels of the World®
MVNO Helio Says Hello
Wireless Operator Is Latest Entry In Race To Target Niche Users

The Earthlink/SK Telecom joint venture Helio is the latest company to join the suddenly crowded frenzy of upstart wireless operators hoping to challenge the mobile status quo.

Amp’d Mobile, Disney Mobile, ESPN Mobile and Virgin Mobile are already in the market, targeting niche user bases with wireless services. These mobile virtual network operators (MVNOs) lease wireless airtime from established wireless carriers to offer the kind of mobile entertainment, news, and other content and services they feel their host networks are not adequately providing.

For between $85 and $135 per month plus extras, Helio aims to attract affluent, tech-savvy yuppies with a mix of cutting edge wireless phones, video content and a wireless social networking service provided by MySpace. Amp’d, meanwhile, gun for a slightly younger user with less expensive devices and deeper pockets and content for between $100 and $150 per month. ESPN takes a sports-themed approach, while Disney Mobile is aimed at families with children.

Record labels and other content providers have high hopes for MVNOs like Helio and Amp’d for two reasons. First, they focus all their marketing on an audience proved to be voracious consumers of entertainment. Second, they built their services from the ground up specifically to deliver mobile entertainment. Mainstream wireless operators, meanwhile, must market to multiple demographics and are saddled with networks not originally built for content delivery.

“We think there’s an overall market opportunity for entertainment-focused wireless operators,” says Rico Caraffi, VP/GM of Universal Music Group’s mobile division, which also has an equity stake in Amp’d. “When it comes to product innovation, platform innovation and rapidly deploying new products or services, MVNOs have an edge.”

According to an October 2005 A.T. Kearney report, 28% of mainstream carrier subscribers with multimedia phone owners downloaded some type of music content at least once per month in 2005. Almost all of Amp’d’s subscribers do so regularly. But not all MVNOs are expected to survive. It takes about $50 million in funding to launch a MVNO, and analysts estimate they must then attract 1 million subscribers in less than three years to become self-sufficient before running out of cash.

Helio and Amp’d are attempting to build a mobile entertainment brand from scratch at a time when larger carriers with deeper pockets and better name recognition are already expanding their own entertainment services.

Furthermore, MVNOs have a limited retail sales presence—considered an essential distribution channel. At launch, Helio phones and services are available only via the Helio Web site or a toll-free number. The company says it will expand availability to more than 1,000 retail locations by the end of May and 3,000 by the end of the year, including Tower Records and Sam Goody.

None of the new MVNOs are discussing subscriber numbers yet, but initial estimates are that Amp’d picked up no more than 100,000 subscribers in the first quarter of the year.

But analysts and investors alike say it’s too early to predict winners and losers.

“You can’t really judge what these guys do in the first quarter at all,” Yankee Group analyst Marina Amaroso says. “What’s important is how they’re doing in three quarters from now, because that’s when you should be seeing the ramp-up.”
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11. Scripted Television
12. Sports
13. Wireless Promotion
14. Integrated Campaign
15. Other

Finalists will be notified on or about July 17. A winner per category and one Grand Prize Winner will be honored at The Next: Big Idea Conference in New York on September 14.

**FOR ENTRY FORMS, RULES, AND A DESCRIPTION OF CONTEST CATEGORIES, visit** www.adweekbuzz.com or contact jrudolf@adweek.com with questions.
Indie Labels Launch DIY Download Sites

As major labels quietly lobby Apple to bring variable pricing to its iTunes store, some indie acts are taking matters into their own hands.

Last week, New York-based hip-hop label Definitive Jux launched its own download store. The site follows in the footsteps of other such labels as Warp Records and Arts & Crafts, allowing the labels to sell directly to fans and set their own prices.

Def Jux co-owner Amaechi Uzoigwe says the label was motivated to open its own download store as it watched its profits from iTunes grow each month. While not revealing a specific number, Uzoigwe says Def Jux earns “in the six figures, annually,” from iTunes.

“If we’re clearing that kind of money on iTunes, we’re onto something here,” he says.

But with iTunes’ growing popularity, Uzoigwe noticed his indie taking a back seat to the major labels at the download store. In that sense, he saw the digital outlets starting to mirror the traditional retail world, where new releases from major labels often get preferential treatment.

“We were one of the first indie hip-hop labels up with iTunes, and we got a lot of love,” he says.

“We still get a lot of love, but now they’re selling Gwen Stefani and top-40 stuff. I don’t blame them, but for us, we’re relegated to the back pages way more than we were before. It’s business, and we’re not going to complain. We are going to be proactive.”

Yet when it came time to set prices for the download store, Def Jux could not escape the impact of iTunes. A single track at the label’s store costs 98 cents, and an album goes for $9.98. Warp’s bleep.com prices singles at $1.35, and the Arts & Crafts download store sells its songs for $1.52.

“For us, to charge more than iTunes is a slap in the face to the consumers,” Uzoigwe says. “If there’s no middleman, it’s a money grab, and we weren’t comfortable with that.”

The Def Jux MP3 downloads will not contain any digital rights management encoding. The site will also highlight exclusive content, and Uzoigwe envisions a time when the label’s artists—which include El-P, Company Flow, Ms. Lif, RJ2D and Aesop Rock—will upload new tracks and freestyles to the site on a monthly basis.

The creation of Def Jux’s store was largely spearheaded by the label’s director of marketing and new media, Jay Drake. An outside programmer was hired to help design the site, but most of the work fell to Def Jux interns. When all was said and done, designing the store was not a huge cost to the label.

“When we first wanted to do this two years ago, we were quoted between $40,000 and $60,000,” Uzoigwe says. “It ended up being a fraction of that.”

Drake says more labels do not create their own boutique stores because of the time it takes to build a site and a lack of Web expertise at a lot of imprints. That’s a situation that could soon change.

Santa Monica, Calif.-based Musicane, a subsidiary of MyMO.com, has been offering artists and labels the ability to launch self-serve downloads via their own Web sites, with a three-party company administering the back end of the site.

For $19.99 per month and 30% of each digital sale, Musicane will provide the tools to create an artist- or label-branded download site and sell videos and ring tones, if desired.

Musicane CEO Sudhin Shahani says the cost to labels is small, since the site offers the “ability to customize a store without needing the technical knowledge or a graphic designer or a programmer.” It’s well-suited, Shahani says, for small labels without the resources of a Def Jux.

Musicane has reached an agreement with digital distribu tor the Orchard, and Shahani says about 1,500 artists are using the service.

Meanwhile, digital distributor the Independent Online Distribution Alliance will announce its service in a few days, says Tim Mitchell, VP of business and product development. It will allow its labels to create a storefront to sell their own downloads, with the IODA administering the back end of the site.

Of course, all of these label-centric stores could leave traditional retailers a bit uneasy. Uzoigwe admits that, with exclusive content going straight to the Def Jux Web store, the label’s physical distribution partners “hate it.” But Uzoigwe believes the site will position Def Jux to be at the forefront of a new business model. New artists, for instance, will get digital-only trial runs before a single CD is pressed, saving a slow-selling artist up to $100,000 in unrecoupable debt.

Retailers been making a lot of money off record labels, and it’s a bad business model,” Uzoigwe says. “We’re not antagonizing them. Our great relationships with a lot of retailers aren’t going to stop. But for anyone to think if we ignore the Internet it will help retailers, that’s nuts. It’s delusional. The Internet is happening.”

-- The Indies --

WEA Gives Indie Labels A Hand With Online Retail

WEA's distribution arm is banking on a new digital download service, set to launch by the end of May. It will be used by the 184 independent stores that make up the three independent retail coalitions: the Alliance of Independent Media Stores (AIMS), the Coalition of Independent Music Stores and the Music Monitor Network (MMN). Each site will be branded with the individual store’s name.

WEA has hired B3, an e-commerce company based in Burbank, Calif., to create storefronts and a shared back end for each of the indie coalitions. The stores will feature music from all the major labels and a large number of independents. Content licenses will be provided by Toronto-based MoonTaxi Media, a digital distribution specialist that sells downloads in Canada under the PureTracks name.

The size of WEA’s investment was not disclosed. But the company’s bid to jump-start indie retail’s presence in digital distribution reflects WEA’s desire to expand the number of outlets selling music online.

Five years after the launch of Apple’s iTunes Music Store, independent retailers have been stuck on the sidelines of the download business, in large part because of the costs of building a digital music store.

Thanks to WEA’s cash, the upfront costs to the indie retailers utilizing the digital service have been offset. WEA will provide the digital infrastucture to stores for free during the next two years.

WEA president/CEO John Esposito says, “We’re putting our money where our mouth is. Supporting the independent music community is part of our core strategy.”

To be sure, the indie merchants are in need of support. According to the Almighty Institute of Music’s Retail, which offers a store database online, almost 650 indie stores—and nearly 1,200 chain outlets—have gone out of business in the past two and a-half years.

“I don’t think any of these stores suddenly expect that we’ll be in business the next 20 years because of this gift,” says Eric Levin, who runs Criminal Records in Atlanta as well as AIMS. “But it adds to our suite of offerings, and that’s what we’re constantly doing. This is a new SKU—that’s the way I look at it.”

The retailers using the service will be able to offer digital albums packaged with extra content (including videos, interactive digital booklets and bonus tracks) in a single downloadable file, downloads of in-store performances, music downloads from local artists and coupon-based download promotions in addition to the standard content available through virtually every online music service.

Indie merchants are particularly anxious to access the digital-only value-adds and exclusive content that the majors regularly dole out to iTunes and other online sellers.

The downloads, however, will not be iPod-compatible. The retailers are banking on indie-only exclusives and download coupons given to those who purchase a CD or a vinyl LP to drive digital purchasing.

“This will mainly be about marketing,” MMN president Michael Kurtz says. “We’ll have our special downloads, our unreleased tracks and our local content.”

Kurtz says the stores will also experiment with a variable pricing scheme, with downloads from developing artists priced for less than those from established artists. However, he declined to say whether the indie stores would follow the standard 99-cents-per-track pricing.

Levin hopes the offering ultimately will help drive more foot traffic to the stores.

“None of us are particularly interested in selling digital files,” he says. “We want to get people into these community centers, the stores. I look forward to selling an LP that comes with a coupon for the digital files.”

-- Digital --

www.americanradiohistory.com
Making The Brand

MICHAEL PAOLETTA mpaolletta@billboard.com

Bands Meet Brands
Music, Ad Worlds Connect At Leo Burnett Initiative

Licensing music for an ad campaign is not new. There are times when the musical use is strategically smart (think Sting and Jaguar). Other times, it amounts to a waste of time, energy and money (Celine Dion and Chrysler).

To that end, the players in the world of brand marketing are ever contemplating the best ways to satisfy the needs of their clients—brands and bands. The Leo Burnett agency in Chicago has hit upon a smart concept with its daylong Artist-in-Residence music program (Billboard, May 6).

Days after immersing myself in the agency’s program and translating the experience into words, the excitement of witnessing the Goo Goo Dolls and the Donnas on separate days, meeting with the agency’s creative and music production teams remains. The days provided a window into some eye-opening questions—and answers—from artists and agency.

More than once, phrases like “making connections” and “forming relationships” were bandied about when describing the year-old program’s long-lasting goal. Sure, deals may be made on the spot, but this program learns more toward the future.

“Things don’t always work out immediately,” Leo Burnett VP/music producer Bonny Dolan said. “But other does can open down the road. Once the connection is made, the real work begins.”

Goo Goo Dolls manager Fat Magnarella views the program similarly. “The band was into being here. It’s another opportunity to meet people who, someday, with the right campaign, might be able to help us out.”

In the past 12 months, the AIR program has also welcomed Chaka Khan, Cheap Trick, Collective Soul, Gary Allan, Good Charlotte, Lifehouse, Mando Diao, Mohair, Miri Ben-Ari, Nickel Creek, the Redwalls, Tri-cia Yearwood, Jewel and the Kaiser Chiefs.

The program has resulted in a handful of success stories. Collective Soul’s “Better Now,” from the band’s 2004 self-released studio album, was used in three spots for Kellogg’s Special K cereal. Following its day at Leo Burnett, Cheap Trick wrote a song specifically for McDonald’s Wake Up Call regional campaign. The band also appears in the commercials, which are airing now. Four artists are also confirmed to participate in McDonald’s annual convention, May 1-4, as a surprise to the attendees.

When looking acts to participate in the program, AIR co-designers—Dolan and Leo Burnett director of music Ira Antelis—work primarily with labels, managers and publishers. In fact, of the 16 acts that have participated in the program, EMI Music Publishing claims nearly half, including the Goo Goo Dolls and the Donnas.

John Mellilo, senior VP of EMI Music Resources, likes that the program puts people in situations where they can think freely and openly. “The more you make business organically creative, the better the business runs,” he says.

Creative and personal exchanges—open dialogue—are poised to push opportunities forward. And while other agencies, including TBWA/Chiat/Day in Los Angeles, and publishers like EMI Music Publishing and Cherry Lane Music Publishing, host their own artist showcases, the level of creative integration in Leo Burnett’s AIR program goes beyond what traditionally happens between agency and artist.

At a time when record label marketing budgets aren’t what they used to be, a program like this can be incredibly beneficial for the participating artists. To be sure, an ad campaign, with the potential to reach 50 million pairs of eyes, is a pretty powerful tool.

A strong campaign, Leo Burnett executive VP/director of broadcast production Chris Rossiter noted, provides an artist with “X millions of dollars worth of media exposure.” With people fleeing terrestrial radio, he added an agency “can provide the best exposure, across different platforms, to reach people.”

Will this result in agencies trading more and more media exposure for music use in future campaigns? Time will tell.

In the meantime, we’d like to see the AIR program cast its artist net wider—Latin and electronic music, for example, are two areas largely untapped by Leo Burnett. We could easily imagine electronic DJ/producer Paul Van Dyk, Colombian artist Shakira, R&B/hip-hop newcomer Juelz Santana or folk-pop singer/songwriter Alana Davis having a lot to offer the creative types at the company.

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Floydian Theory

Billboard Shines Some Light On 'Dark Side Of The Moon' As It Cracks, 1,500 Weeks On The Chart

On March 17, 1973, a band in musical transition named Pink Floyd hit the Top 200 chart with the release of its new album, “Dark Side of the Moon.” It entered the chart at No. 95, the top debut that week. And then a funny thing happened: It never left.

Or almost never, anyway.

More than 14 years later—736 weeks to be precise—in July 1988, it finally fell off The Billboard 200. Add in a later run on that chart and another 759 weeks on the Top Pop Catalog Albums chart, and Pink Floyd, this issue, reaches the staggering plane of 1,500 weeks on the charts.

It’s difficult to contextualize just how singularly dominant a chart—and cultural—force the album has been. The runner-up for time served on The Billboard 200 is several years behind (see sidebar). Pink Floyd’s lead in total chart weeks is greater than Bob Marley’s second-place spot by an almost 2-1 margin.

“Dark Side” is the 900-foot bunny of Energizer rabbits. Label sources say the album has sold roughly 40 million copies worldwide—on the short list of the all-time top sellers—and still routinely moves 8,000-9,000 copies a slow week. The charts on this page document its nonstop retail and radio presence. The album still often outpaces the low end of The Billboard 200, and every song on the more than 30-year-old record still gets radio play, with some among the most-played songs at classic rock stations monitored by Nielsen BDS.

“You’d think that after 30 years, there would be some burn on the album,” says Fred Jacobs of Jacobs Media, a radio consultancy that frequently advises classic rock stations. “The fact is, in most classic rock music tests, tracks from ‘Dark Side’ populate the top 20, 25 songs, and usually something ends up being in the top five or 10.”

Several factors contribute to the album’s staying power beyond the obvious fact that it is a classic recording.

Unlike other top-sellers—the Beatles, for example—Pink Floyd only has one or two records that most fans buy upon discovering the band (“The Wall” would be another). And older fans have frequently been compelled to repurchase the record, as it is reissued in new packages or on new platforms.

Capitol, which controls “Dark Side of the Moon” in the United States, is working on promotions for the album on Apple’s iTunes Music Store, the song “Money” routinely sells about 1,000 digital copies per week.

Capitol still actively coordinates sales campaigns around holidays, band anniversaries and events. And the iconic imagery of “Dark Side” even helps perpetuate the world’s fascination with the album.

Asked to describe the sales pattern for “Dark Side” merchandise, Norman Perry, president of Anthill Trading, which handles Pink Floyd’s merchandising, says, what else?

“Perpetual.”

Waters Revisits The ‘Dark Side’

In an exclusive Billboard Q&A, former Pink Floyd frontman ROGER WATERS dishes on an album that changed his band forever and made his wife cry. RAY WADDELL holds court.

The imagery is a big part of the album’s legacy. Storm Thorgerson and Aubrey Powell designed it at Hipgnosis. They came in with like six or seven ideas for album covers and threw them on the floor in the control room, and we all, as one man went, “That one!” There wasn’t any conversation. There is just something so cool about it.

Did “Dark Side” mark a turning point for Pink Floyd in the studio? Yeah. Up until “Dark Side,” we were a very cohesive team. We were very much a band, we worked very closely together, and we were content to do that. (“Dark Side”) marked a watershed in that, after that [recording] became more and more problematic. With “Dark Side” we had sort of achieved what we’d set out to achieve as young men going into the music business. After that we clung together out of fear more than out of hope.

You plan to play the album in its entirety on your upcoming tour. How did that come about?

It was a request from Formula 1 in France. They wanted a big event to go on July 14, the day before the French Grand Prix, at Magny-Cours, about 100 kilometers south of Paris. Somebody rather fancifully suggested Pink Floyd playing “Dark Side of the Moon,” and somebody else rather fancifully approached various people who said, “Are you fucking insane? It’s not going to happen.” So they asked me...The more I’ve worked on it, the more the idea has grown on me.

I’m going downtown as we speak to work on visuals for “Dark Side of the Moon” and the rest of the show. I’ve got a great band together, and I have every hope that we will do the work justice.

The Mainstays

How impressive is 1,500? The runners-up are years—literally—behind. A look at the other acts with 500-plus chart weeks:

Bob Marley & the Wailers, “Legend” 845 weeks
Metallica, “Metallica” 746 weeks
AC/DC, “Back in Black” 727 weeks
Journey, “Journey’s Greatest Hits” 660 weeks
Queen, “Greatest Hits” 636 weeks
Bob Seger & the Silver Bullet Band, “Greatest Hits” 597 weeks
Tom Petty & the Heartbreakers, “Greatest Hits” 545 weeks

Buy the Numbers

Weekly sales of “Dark Side of the Moon” for the history of SoundScan (in thousands)

Buy the Numbers

<table>
<thead>
<tr>
<th>Week</th>
<th>Sales</th>
</tr>
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<tbody>
<tr>
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<tr>
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<td>March 2000</td>
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</table>

Additional reporting by Christa Tius and Ray Waddell.

Get the Spin

A year in the radio life of "Dark Side of the Moon" (total plays for each song)

<table>
<thead>
<tr>
<th>Song</th>
<th>Plays</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Money&quot;</td>
<td>6,084</td>
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<tr>
<td>&quot;Time&quot;</td>
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<td>&quot;Us and Them&quot;</td>
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</tr>
<tr>
<td>&quot;Time&quot;</td>
<td>11,346</td>
</tr>
</tbody>
</table>

Additional reporting by Christa Tius and Ray Waddell.

Additional reporting by Christa Tius and Ray Waddell.

III Holiday Season

SOURCE: Nielsen SoundScan

Illustration by Steve Price/Plan-B Studio
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EMI Studios Group seeks rightful owners of tapes retained following the sale of the Townhouse Studios in 2002.

The EMI Studios Group would like to make it known that they have approximately 900 music tapes, belonging to third parties, which despite best efforts, they have not yet been able to establish ownership of.

More than 10,000 tapes were retained by EMI following the sale of Townhouse Studios (which EMI owned until 2002). These tapes would have accumulated from recording, mixing or mastering sessions prior to 2002.

EMI has managed to return more than 9,000 of the tapes to their rightful owners but have been unable to identify who owns the remaining 900.

If you were a client of the Townhouse Studios, Goldhawk Road, London, before 2002 and believe that you may have left tapes at Townhouse Studios, please contact Cary Anning, with proof of ownership, on +44 (0)20 7266 7233 or email cary.anning@emimusic.com

Due to space restrictions at the EMI archives, storage of these tapes will not be possible after 1st January 2007.

Regrettfully, any tapes remaining after that date will be destroyed.

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Published by Hal Leonard Corporation
Music publishing is one of the most complex parts of the music business, yet it can be the most lucrative. Industry vet Randall Wixen's new book presents a clear, concise approach on how it works, equally valuable for lay musicians and those already in the biz. Covers everything from mechanical, performing and sync rights to sub-publishing, foreign rights, copyright basics, types of publishing deals, advice on representation, and more.

00331266 (ISBN 0-634-09054-2) Hardcover $18.95

"Using everyday language and a touch of humor, Wixen offers a high-level, insider's view of music publishing." — American Songwriter magazine

www.musicdispatch.com
1-800-637-2952

A slight thematic digression (if I may).

Well, it might seem like an unrelated subject, but I think Bruce Springsteen has discovered the original garage rock.

His new album, "We Shall Overcome: The Seeger Sessions," and tour are a tribute to the importance of Pete Seeger and a bit misleading as to the epic nature of the music the tribute evolved into.

I just came from the show, and it is exhilarating, joyous, unifying, completely original yet familiar by genetic memory, important and as emotionally satisfying as anything I've ever seen or heard.

I've never seen a show or heard music that everybody could like. The music is essentially the first 50 years of true, undiluted Americana. It is all acoustic with 17 people, and yet it rocks as hard as anything you've ever heard. I won't use the word "spiritual" and scare you away, but that word means raising the human spirit, this stuff does it. "Depression rock," the next big thing! And just in time by the way.

This is early American musical history mixed with Bruce's own lifelong musical journey. The ability to combine such a wide range of geographical, musical, emotional, historical and autobiographical elements so effortlessly into a coherent, dynamic whole is breathtaking. It is safe to say no one else could have pulled this off, and I don't believe Bruce could have bad he thought about it too much. The beauty of this is a complete absence of intention or agenda. Clearly a victory of instinct over intellect.

To be perfectly honest, my barely-made-it-through-high-school education is not capable of the eloquence needed to describe how good this is. Do not miss this show or album.

Now, as for our Coolest Song, the Hellacopters finally get the respect they deserve this week. Yes, it's been out for a minute in Sweden, but the record's too good to be ignored.

See you next week.

For more of this column, go to billboard.com.

COOLEST GARAGE ROCK SONGS OF THE WEEK

1. NOTHING TERRIBLY NEW
   THE HELLCOPTERS
   Universal

2. HANDS
   THE RACONTEURS
   Universal

3. WISH I NEVER LOVED YOU
   BUZZCOCKS
   Cooking Vinyl

4. WORLD WIDE SUICIDE
   PEARL JAM
   Capitol

5. DON'T LISTEN TO THE RADIO
   THE VINES
   Capitol

6. STEADY, AS SHE GOES
   THE RACONTEURS
   Domino

7. I BET YOU LOOK GOOD ON THE DANCEFLOOR
   ARCTIC MONKEYS
   Domino

8. WALK OF FAME
   BOINK!
   Teenage

9. WELCOME TO MY HEAD
   WILLIE NILE
   Laughing Owl

10. CHINESE BURN
    THE LEN PRICE 3
    Laughing Owl

Little Steven's Underground Garage column is syndicated exclusively for Billboard.

For more information go to UNDERGROUNDGARAGE.COM
Smart Money: Live Music Deals Ramp Up

Corporate America is investing more than ever in live music, with sponsorship dollars for tours, concert series, and venues expected to jump 15% this year, according to the IEG Sponsorship Report, which tracks the sponsorship business.

IEG predicts live music-related sponsorships will hit $867 million in 2006, up from $754 million on music deals last year.

The spending increase outpaces last year's 8.5% growth and IEG's projected 10.6% increase for the overall sponsorship industry.

"Music provides direct access to a highly targeted audience that is increasingly difficult to reach through traditional media," IEG Sponsorship Report senior editor Bill Chipps says. "As a result, more and more companies are aligning with music to break through the clutter and gain one-on-one marketing opportunities."

Several factors are driving the rise in music sponsorship spending, among them increased spending by telecommunications companies. Already one of the most active in music marketing, many telecom players have ramped up their investments in the live music business as they seek platforms to showcase new products to the highly coveted youth and young-adult market.

Content is playing a key role in telecom's growing interest in live entertainment. Chipps cites Sprint Nextel as an example. The company leveraged its sponsorship of Bon Jovi's North American tour to gain exclusive content for subscribers including access to a streamed concert and two previously unreleased songs. Sprint customers can also download Bon Jovi ring-tones and access the band's music videos.

Chips says large festivals and concert tours are also attractive for sponsors, with Lollapalooza, Austin City Limits Music Festival, Coachella, Milwaukee Summerfest, Vans Warped tour, and Ozzfest drawing more and more interest from marketers.

"These types of events often generate more excitement than one-off music tours, and they are usually easier for sponsors to activate because they often take place over a couple of days Ultra Music Festival as examples. New product categories sponsoring music include flash memory and computer chip manufacturers, with SanDisk sponsoring punk rock's Vans Warped tour, and Advanced Micro Devices supporting the Austin City Limits Music Festival.

Other emerging industries within the music sector include energy drinks, secondary ticketing outlets and financial services categories. Deals include RockStar Energy Drink's title sponsorship of the Taste of Chaos tour; StubHub.com's sponsorship of New Orleans' Superfly During JazzFest concert series, and First Midwest Bank's title of the Chicago area's former Tweeter Center amphitheater.

Companies are increasingly moving away from the signage-driven deals that marked the birth of tour sponsorships 20-plus years ago. "Companies want integrated marketing platforms that can be leveraged through advertising campaigns, one-on-one marketing opportunities and other vehicles," Chipps adds. "Companies use sponsorship to engage consumers. Signage doesn't do that. Companies that are just looking for impressions should buy print or radio ads."

For tour sponsorships, the days of slapping a banner onstage are pretty much over. "Companies are looking for bigger, more robust partnerships that offer multiple touch points," Chipps says. "Music properties can, and should, help them achieve that goal."

Music Sponsorship Spending

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<tr>
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<td>$867 mil (projected)</td>
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By RAY WADDELL
TOKYO—Consolidation is king in the Japanese retail sector. Mergers and alliances have become commonplace as traditional music merchants tackles the challenges of digital downloads and competition by e-tailers—most notably Amazon, which launched in Japan in 2001. One well-placed retail source puts Amazon as Japan’s third-biggest music retailer.

HMV Asia Pacific president Paul Dezelsky views recent consolidation as a natural development. “As the Japanese music market has been shrinking, it’s not really surprising that we are seeing some consolidation (at retail),” Dezelsky says.

“Music retail here has historically been very fragmented,” he adds. “Online sales have been growing because there is an ability to present a much larger range and depth of information.”

The most recent consolidation came in March when Culture Convenience Club and with Napster, which is expected to begin selling downloads later this year.

In November, NTT DoCoMo, Japan’s biggest mobile-phone operator, bought a 42% stake in Tower (Billboard, Nov. 26, 2005).

“I expect further consolidation,” says John Yang, a Tokyo-based equity analyst with Standard & Poor’s. “It is becoming harder for any music retailer to differentiate from others when users can simply download music online.”

IFPI figures for 2005 put the retail value of the Japanese recorded music market at 600 billion yen ($5.3 billion), down 27% since its 1997 peak of 819 billion yen ($7.2 billion). Although authoritative data is not available, one industry source suggests the current market share in Japan is: Tsutaya 11%, Tower 9.6%, Amazon 8.6%, Shinseido 8.3%, HMV 6.6%.

However, a spokesperson for CCC sounds a slightly more optimistic note. “Although online music distribution has started up, sales at Tsutaya music retailer Shinseido announced plans to join forces to create Japan’s biggest audiovisual software chain (billboard.biz, March 22).

CCC operates the 878-store entertainment retail/rental chain Tsutaya; Shinseido has some 230 stores nationwide. The deal followed CCC’s purchase last year of the 22-store Virgin Mega-stores Japan chain from department-store operator Marui (billboard.biz, April 5, 2005).

Tower Records Japan purchased the 30-store Wave music retail chain in April 2004, and last year formed a joint venture with Napster, which is expected to begin selling downloads later this year.

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Global By Lars Brandle

Universal Looks East
EU Candidate Romania Seen As Ripe Market For Music Sales

LONDON—As Romania strides toward membership in the European Union, the Eastern European nation is also emerging as a valued recorded music market.

Universal Music Group International has identified Romania as a strategic link in its Pan-European network. The company is in the final stages of setting up a wholly owned affiliate in the country—the first major record company to do so.

"A country of almost 22 million which is entering the European Union has got to have growth potential for the business," says Victor Antipas, UMG's president for Eastern Europe. UMG is targeting June 1 as the new company's official launch date. It will have 10 staffers in Romania's capital Bucharest and will be helmed by GM Ioana Fesnic.

Fesnic previously managed the media division of retail conglomerate RTC and also serves as head of national labels body UPFR.

The new business will be UMG's fifth operating company in Eastern Europe. It already operates in Poland, Hungary, the Czech Republic and Russia.

The EU's proposal to admit Romania on Jan. 1, 2007, comes following years of structural and political reform since the 1989 fall of dictator Nicolae Ceausescu and his oppressive regime. But EU membership is not yet a sure thing. Membership obligations Romania to bring its house in order with regard to copyright protection, and the EU has frequently raised concerns about the adequacy of copyright enforcement in the country.

The IFPI has also expressed deep concern on physical piracy in Romania. Government promises for better copyright protection have not been followed up with concrete action, the labels body warned in a March report. "The level of music piracy in Romania, especially of European and international repertoire, continues to be high at a staggering 80%," the IFPI said.

UMG remains bullish on tapping a market that combines a vibrant domestic music scene with a consumer base receptive to international repertoire.

In 2004, O-Zone, a trio from the republic of Moldova, gave Europe its first Romanian-language breakout with its recording of "Dragostea Din Tei." Universal bought the label for local independent label Media Services.

UMGI companies licensed and released the single in a number of European territories. A No. 1 on Billboard's Eurochart Hot 100 Singles for 12 weeks, it went on to sell a cumulative 2 million copies for Universal in the region, including 1 million in France alone. It was also a major hit in Japan.

Until now, UMG has been represented in Romania by licensee Zone Records, a subsidiary of RTC. Zone claimed a share of roughly 11% of sales of international repertoire in Romania. Antipas says the new company is expected to improve upon this result, initially through expanding distribution and higher retail penetration.

The company will also attempt to engage record buyers with a two-tiered pricing system. A typical current international CD carries a price tag of roughly €18 ($25), which Antipas concedes is a relatively high sum for the average consumer. Going forward, Eastern European versions of frontline product will be priced at 25%-30% less.

"It handled right and taken seriously," Antipas says, "Romania will be a valuable addition to European music markets."

According to the IFPI, the legitimate Romanian market was worth $346 million at retail in 2004, with domestic repertoire accounting for 77% of sales. Figures for 2005 are not yet available.
Is Virgin Planning A HMV-Style Exit?

With three Virgin Megastores closing and the impending departure of the chain's highly visible chief marketing officer, Dave Alder, U.S. distributors are pondering whether Virgin Entertainment Group North America (VEGNA) is pulling a HMV.

For the first few years of the new century, HMV closed its U.S. stores one by one and danced around questions about whether it was pulling out of the United States until the answer didn't matter anymore. About a year ago, it finally issued a press release stating it would close its last three stores.

At one point: Virgin had 23 stores, but with an announcement that it is shuttering its South Miami and Dallas stores this summer and its Boston store next summer, it will have 14 outlets left. That store count could go to 15 if it finds a replacement location for the Boston store—that property is being redeveloped, and Virgin says it is scouting new locations.

As we all know, actions often speak louder than words. But the current actions—the closures—are in line with Virgin Entertainment Group International CEO Simon Wright's words from two years ago (Oct. 2, 2004). At the time, Wright acknowledged that the chain had identified around 10 unprofitable store situations that needed to be solved either through closures or renegotiated rent structures. You might notice that 23-10=13, which is pretty close to the 14-store count that VEGNA will have if a Boston replacement store isn't found.

Let's not forget that in the United States, VEGNA opened the Hollywood store in October, and remodeled and remerchandised its flagship store in Times Square. Last year, Wright told Billboard that the company's future in the States would depend on how the new merchandising model in those stores perform. Both locations feature plenty of high-margin fashion clothing and lifestyle merchandise in prominent real estate.

Wright now says that while these stores are performing well, "market conditions are tougher than expected." Nonetheless, the chain is still looking for locations in New York, California, and Miami if the right real estate becomes available.

He adds that the store closings and Alder's departure are unrelated. "Alder has some plans that he wants to go off and do, and this allows him to do it."

In fact, Alder, whose last day will be May 26, played the lead role in the reinvention of Virgin's product assortment, store design, retail marketing and overall brand positioning, according to a company statement announcing his departure. Alder was with the chain for more than 20 years. Following Alder's departure, VEGNA VP of products Kevin Milligan and senior director of marketing Dee McLaughlin will report directly to Wright, who wasn't available for comment at press time.

So even though VEGNA is closing three stores and not replacing Alder, it's still too early to compare the chain's activities to that of HMV.

If between now and June 2007 VEGNA opens another Boston store or another location elsewhere, that would certainly show the chain's interest in the United States. Likewise, it will also be telling if a replacement store isn't found for the Boston area. In April 2004, VEGNA executives said they were looking for a replacement store for the Columbus, Ohio, location that shuttered—an opening the folks of Columbus still await.

AFTER THE FOX: Trans World Entertainment held a highly successful marketing meeting with vendors about new advertising and promotion opportunities that left labels and distributors happy about the emphasis on using outside media.

Trans World has long been the champion of in-store promotion, but sometimes has been criticized for not using enough outside media to promote acts and drive traffic.

"We showed our vendors how we want to become an entertainment brand that will use TV, radio and in-store programs to support their artists to drive sales and incremental revenue," says Jim Litwak, president of the Albany, N.Y.-based chain.

At the meeting, Trans World told suppliers that the 150 Sam Goody stores it acquired would all change the FYE logo during the next 18 months. The company also announced that Musicland's Sonya Askew, as director of urban marketing, would work from the company's headquarters.

The tag team of Askew and Violet Brown, the chain's urban buyer based in Los Angeles, is the best in the country, Litwak says.

Meanwhile, the company announced that Fred Fox, executive VP of merchandising and marketing, has left the chain. Director of marketing Barry Burnmaster will report directly to Litwak, and the company is looking for someone to head merchandising.
Japanese market-leading record company Sony Music Entertainment (Japan) reported a fall in revenue for the year ended March 31.

SMEJ revenue totaled 152.5 billion yen ($1.3 billion), down 11.1% from the previous year. Sales and distribution of recorded music accounted for 85.7 billion yen ($748.2 million), up 0.7% on the previous year. The remainder came from other operations including music publishing and artist management. That 66.8 billion yen total ($582.7 million) was down 3.3%. SMEJ did not release profit figures.

Domestic product accounted for 79.4% of recorded music sales, compared with 79.2% in the previous year. SMEJ and BMG Japan remain separate in Japan despite the Sony-BMG merger elsewhere. —Steve McClure

The BBC has unveiled an integrated multimedia strategy that it says will strengthen the role of music in its programming.

Britain's public broadcaster published the conclusions of Creative Future, a yearlong project to identify its ambitions in the online age.

It included a raft of music-led TV, radio and Internet services. Among them are proposals to support new artists, new music and U.K. music so that the BBC "becomes the destination for unsigned bands and young musicians to turn to for support." Others include the creation of more BBC music-based events and the development as "major multiplatform music brands" of digital/cable TV channel BBC Three, top 40 network Radio 1 and the latter's digital sister station, 1Xtra.

Implementation of the strategy over the next six years is to be led by BBC director of radio and music, Jenny Abramsky. —Lars Brandle

Universal Music Italy has unveiled a new management structure. Effective immediately, head of international Massimo Battaglia becomes head of commercial affairs/new media and mobile. He assumes the responsibilities of former head of commercial affairs Nino Rossi, who has left the company.

Battaglia's head of international role goes to Graziano Ostuni, formerly deputy director of BMG Music Publishing Italy's light music division. Simultaneously, Universal Music Publishing Italy GM Corrado Filipa is named Universal Music Italy CFO. He replaces the departing Marco Blasi.

Universal Music Italy has been without a president/CEO since the December 2005 departure of Piero La Falce. The new appointees report to Pascal Negre, president of Universal Music Group International Mediterranean, South America and Middle East. Negre remains the Italian company's acting head. —Mark Worden

Australasian hip-hop, R&B and soul acts will be honored at the inaugural Urban Music Awards Australia & New Zealand July 21 at Sydney's Homebush State Sport Centre.

The event is being organized by Sydney-based event management and marketing company Qi Media. Nominees and winners for the 17 categories will be decided from public votes via the awards' Web site. Gibson Guitars is the sponsor.

Qi Media managing director Jade Harley says excerpts from the awards ceremony will be carried in Australia on satellite/cable music TV broadcaster Channel [V] and radio network Austereo. Negotiations for New Zealand are ongoing, she adds.

U.S. artists DJ Jazzy Jeff and Kurtis Blow will present the show and perform. Local acts will also play on the night. —Christie Eliezer

Former BPI director general Andrew Yeates has joined London-based entertainment and media law firm Sheridans as a consultant specializing in general copyright and related issues. The company says Yeates will work closely with its film and TV partners, Peter McInerney and Robin Hilton.

Lawyer Yeates was director general of the BPI July 2000-April 2004. Prior to joining the labels body as legal affairs director in July 1999, he had been corporation secretary/head of rights at national U.K. broadcaster Channel 4. He is also a former legal adviser for U.K. collecting society PPL. He continues to chair the Creative Exports Group of the U.K. government's Department of Culture, Media and Sport. —Lars Brandle

MBK Entertainment and KnowJoy Entertainment would like to congratulate Lyfe Jennings on being certified platinum on his debut album "268-192"


BECOME A PART OF THE LYFE EXPERIENCE.
Napster's New Old Business Model: Free

In their continuing struggle to attract music fans from iTunes, subscription music services are resorting to what made digital music popular in the first place—a price tag marked “free.”

This time, however, they have the support of the music industry, because these services are using online advertising to compensate labels, artists and publishers for the rights to their work.

The latest iteration of this strategy is the relaunch of the Napster.com Web site. Previously, napster.com existed only as a place to download the company’s software—originally as a peer-to-peer application and more recently as a subscription service. It is now presented as a complete music portal. Visitors can access and play songs in Napster’s 2 million-track library free for up to five times before they are required to either buy the track or subscribe to the service.

“We never intended to be a Web-based experience,” Napster CEO Chris Gorra says. “But this was an effective piece of real estate we weren’t using to any scale.”

This closely followed a similar move by rival RealNetworks, which in December introduced a new version of the Rhapsody.com site that allows anyone to stream up to 25 songs per month for free, without buying or subscribing.

Both services sell banners adorning these sites as well as their Web-based music players. Both also share the generated ad revenue with labels and publishers in return for music licensing rights.

The result is yet another new source of income for a music industry desperate to recoup its losses from the continuing decline of physical CD sales.

“It’s a great model,” Pali Research analyst Richard Greenfield says. “It just shows how there’s more and more ways to make money off of music beyond the specific sale of it.”

Subscription services pay labels and publishers a per-subscriber minimum each month, estimated to be about $6-$8 per month. Now Napster and Rhapsody will include a percentage of that monthly ad revenue as well.

The amount of advertising revenue each label and publisher receives will vary based on the number of times their artists’ music is played each month, according to industry sources.

And each service pays a different amount. It is widely believed that Napster is paying the music industry a larger split of its advertising revenue than RealNetworks, primarily because napster.com limits the number of times an individual song can be played while Rhapsody.com limits usage to just 25 songs per month.

“The more control you have over what the user can do and the less that the user can do with it, the lower the split,” says Chris Castle, a music industry lawyer specializing in digital music services.

“These moves come at a time when Internet advertising is at an all-time high. According to the Interactive Advertising Bureau, online advertising in the United States grew by 30% last year to $12.5 billion. Forrester Research estimates that figure will grow to $26 billion and represent about 8% of all advertising spending by 2010. But the determining factor for marketers as to where they will spend these dollars online is the same as that of any other medium—viewers. By that measuring stick, Napster and Rhapsody have some catching up to do.”

According to Nielsen NetRatings, Rhapsody.com had 2.3 million unique visitors in March, while napster.com had 1.9 million. By way of comparison, iTunes received 20 million unique visitors in March.

Piper Jaffray analyst Gene Munster estimates Napster’s ad revenue will total about $50 million annually.

“It’s not going to be Google Revenue by any stretch in terms of advertising,” Gammarazzi analyst Mike McGuire says. “But it’s probably enough to help fund it and pay for the licensing of the music. Now it’s up to them to drive traffic.”

According to RealNetworks VP of music and mobile services Kevin Nakao, the free rhapsody.com service is responsible for the majority of its monthly subscriber growth since the free service launched. The company has more than 1.5 million paid music subscribers, although this figure accounts for all RealNetworks music services, not just Rhapsody.

“Right now it’s one of our best performing channels for acquiring new subscribers,” he says. “They’re certainly the highest conversion rates I’ve ever seen in a Web or a direct-marketing environment.”

If sustainable, this would be good news to the music industry.

Record labels routinely profess their preference for the reoccurring revenue gained via subscription services over the thin margins collected from a la carte sales, but due to circumstances have not shared that enthusiasm.

The idea of music as a service that is “rented” over music that is owned and purchased has proved a tough sell. With an estimated customer acquisition cost of $100 per subscriber, Napster spent tens of millions on marketing alone just to convince music fans to download their subscription software for a free trial. It currently has about 600,000 subscribers (from the effort).

This new model allows Napster and Rhapsody to offer an indefinite trial period while still collecting revenue and paying labels for the ability to do so.

“We find it an interesting approach,” EM1 executive VP of strategy and business development Adam Klein says. “There’s a huge amount of evidence that shows consumers need to listen to streams a certain number of times before they commit to buy. Consumers who spend more time experimenting with music end up spending more money buying music. We have to be progressive in our experimentation, understand where consumers are going and adjust our product accordingly.”

Nokia and Apple are other players in the iPad market. Apple released the iPad in April, and Nokia has announced plans to release an iPad competitor. The competition between these companies is expected to increase as the market for digital music services grows.

Yahoo! Music has a wide selection of music, including live streaming and video content. The service is available on various devices, including computers and mobile phones.

Sony Music, one of the major music companies, is an important player in the digital music market. The company has a strong presence in both the physical and digital music industries, with a focus on developing new technologies and marketing strategies.

Motorola and Apple are two major companies in the mobile phone market. Motorola has introduced the Moto X, a smartphone with a unique design and a focus on privacy and security. Apple, on the other hand, has continued to dominate the market with its line of iPhones and iPads, which are known for their high quality and user-friendly interfaces.

The competition between these companies is expected to increase as the market for mobile music services grows, with each company seeking to gain a competitive edge by offering innovative features and technologies.
MUSICIANS WHO PLAY FROM THEIR HEARTS. EVEN WHEN THEY'RE BROKEN.

You'll find the largest collection of amazing independent artists at eMusic. You can download songs for just 25 cents and it all works with your iPod® player. And right now, receive 25 free songs that you keep forever just for checking out the site. eMusic. The heart and soul of independent music.

GET 25 FREE SONGS FOR CHECKING OUT EMUSIC.COM/CASH

#1 Site for Independent Music
It's 9 a.m. and James Hetfield is on his way to the recording studio where his band, Metallica, is working with producer Rick Rubin on a new album. Five years ago, Hetfield would not have been awake or sober enough to get into the studio so early in the morning. "I would have been going to bed at 9 a.m., not going to work," he says.

Things have changed for Hetfield. He is sober, creative, and on May 12 he will receive an honor he says he is more proud of than any career achievement. The MusiCares MAP Fund, a non-profit organization aimed at helping music industry professionals with addiction recovery treatment, will present Hetfield with the Stevie Ray Vaughan Award for his "devotion to helping other addicts with the recovery process," during its second annual benefit concert at the Music Box/Henry Fonda Theater in Hollywood.

Bill Silva, legendary concert promoter and manager, is sitting in Hawaii. He is working, even though he is pretending to take a few days off. Silva, a 27-year music veteran, says he has often turned to the MusiCares MAP Fund to help his addicted artist clients. For his "unconditional friendship and dedication to the mission and goals of the organization," Silva will receive the MusiCares From the Heart Award.

The late Buddy Arnold, a longtime musician and addict, and his late wife Carol Fields, founded MAP in 1992. MusiCares acquired MAP in September 2004 and created the MusiCares MAP Fund to carry on the mission lead by senior director Harold Owens. Silva praises Owens for his compassion in dealing with the "disenfranchised" at critical moments in their lives.

(For further information on the May 12 benefit concert, contact Wynnie Wynn at 310-392-5777.)

Q: What does this honor mean to you?
James Hetfield: I noticed that I've been inviting everyone I know to this thing as opposed to the Grammys or some other awards show. It's very different. I guess I never thought of inviting family to other stuff. But this is obviously something I'm more proud of. It's more of a lifestyle instead of an accolade of what you've accomplished. This is more internal for me.

Q: Is accepting this award a way for you to talk to other musicians with addiction problems?
Hetfield: I go back and forth with my role. Sometimes I really want to get out there and preach it. But it doesn't make sense to do that. People have their own paths. I don't believe that you have to walk straight into the fire to know how hot it is. That was my path. The biggest awareness is that you're not alone and that there is some help. When people get so far into it, where they feel their life isn't worth anything, that's too far. But, you can survive it. That's important to know.

Q: How did you get involved with MAP?
Bill Silva: I was managing a couple of young bands and a few members had issues directly related to drug and alcohol abuse. We just needed a resource. I needed somebody who was of the music community, but not me, so they could hear the message from someone other than from the manager. I was so impressed with the work Buddy and Carol were doing. It became a big supporter. It's been a great service to our people and obviously we'd love to do what we can to make it available to everybody when they need it.

Q: Was it hard for you to accept you had a drug and alcohol problem?
Hetfield: Coming up on five years. Which is nothing really, but it is a big deal because it's all I know. It seems like lifetimes ago that I first put it down. Life seems longer the last five years than it did the first 37 years.

Q: How has being sober affected your music?
Hetfield: Good and bad. It's very different because there is a lot more awareness of what we are doing and sometimes over-thinking it. Now we are very present for it all and I'm not afraid to do or try anything musically.

Q: Were you afraid you would lose your creativity while sober?
Hetfield: I go back and forth with yes, you've got to struggle, you have to have an ego, you have to do all this stuff to be very creative. I think it's all baloney. You have to have a real openness and be able to channel things through you. There is enough tragedy in life without having to self-destruct and go to extremes. I'm not the guy to say you have to go there, or not got here. I'm just telling what happened to me and that it's survivable.

Q: How is the new album going?
Hetfield: It is going great because everyone is present and everyone is enjoying the process. The process is a lot easier. Lars and I would butt heads daily. It would be going to war every day. You'd suit up in your armor before you go in the studio. Battling back and forth.

Now it's helping each other do the best of their ability. It's all moving toward the same goal instead of pulling back.

Q: Your music has been going through many evolutions. How do the fans respond?
Hetfield: There will always be people you can identify with and always people that will identify with you. That's evident in Metallica. We've been going through our life changes—being able to express them in our music. Some relate to it still, some stay stuck on certain albums. Some grow with us, some grow different ways. Worrying about where your fans are going to come from is a problem. You just do what feels right. People show up.
Songwriter/artist Victoria Shaw gave a stellar performance before the U.S. Senate Judiciary Committee arguing for support of the Perform Act. The Nashville mom stood her ground against XM Satellite Radio chairman Gary Parsons and artist Todd Rundgren, who oppose the bill, as the senators’ heard testimony April 26 about digital radio.

“We want to help usher in the digital radio revolution,” Shaw told the senators. “But to continue to be part of it, we need your help.”

Sen. Dianne Feinstein (D-Calif.), Lindsay Graham, R-S.C., and Senate Majority Leader Bill Frist, R-Tenn., introduced the Platform Equality and Remedies for Rights Holders in Music Act of 2006 on April 13. It would require satellite, cable and Internet broadcasters to pay royalties based on the same standards and to pay at fair-market-value rates.

The record labels have taken the lead in lobbying for this legislation, addressing satellite radio’s new portable devices. The devices can record, disaggregate, create song libraries and store hours of music for as long as the user pays the monthly radio subscription fee. Satellite radio pays performance royalties, but it does not issue distribution royalties like download services pay for temporary downloads.

“New technologies and business models have become so advanced that the clear lines between a listening service and a distribution service have been blurred,” Feinstein said.

The bill would also benefit songwriters and publishers by ensuring that services triggering the distribution right under copyright law are paying for that distribution—in addition to the performance—to all copyright holders.

Distinguishing between casual, fair-use recording from the radio and the type of recording from satellite radio on the new devices, Shaw testified, “I just imagine my pride if I saw someone race to the radio to record one of my songs that has come out. But now imagine my frustration if I saw someone with an entire collection of my works, automatically recorded, labeled, stored and transferred to them in pristine, permanent and portable digital copies without seeing a cent from a sale in return. This is not radio.”

Shaw challenged Parsons when he testified that satellite radio should not pay for any distribution because recording equipment manufacturers pay a royalty under the Audio Home Recording Act. She also firmly answered in the positive a question from Sen. Patrick Leahy, D-Vt., about whether the service’s activity in a distribution under copyright law, which Rundgren skirted

From left, SCOTT STORCH, KARA DIOSGUARDI, ROGER FAXON and MARTY BANDIER lunching in Miami.

The Monas Rock Latin Confab’s ‘Future’ Contest

One of the first things you must know about the Monas is that they like blondes. They like them so much that the Colombian rock quartet’s name is partly inspired by blondes. You see, in Colombia, “mona” is slang for blonde.

Unfortunately, the same definition doesn’t hold true elsewhere in Latin America, where “mona” most commonly means a female monkey.

But the idiomatic confusion hasn’t hampered the Monas.

On April 26, the band won the first-ever “We Hear the Future” showcase and competition that took place as part of Billboard’s Latin Music Conference & Awards. The Monas and five other acts competed for the honor, playing live before a panel of judges that included recording superstars Ricardo Montaner and Jon Secada, record executives Jorge Pino, VP of Venevisión Music, and Adrian Posse, senior creative VP at EMI Televsia; ASCAP senior VP of Latin membership Alexandra Liontikoff and Francisco Serrano, GM of Linamar in Mexico’s most venerable venue, Auditorio Nacional.

I was also a judge, but I swear I did not vote for the Monas because they’re fellow Colombians.

Instead, we unanimously voted for the Monas because they displayed excellent ensemble work, performed their own songs, had a distinctive, edgy, rock sound and well-crafted lyrics. In fact, it turns out the Monas even have a record deal, a fact the jury was not aware of.

Last year, the group inked the band’s self-titled debut due out this month. Moreover, two members of the Monas—bass player Francisco Fonchi and drummer Juan David—are former members of Colombian pop/rock outfit Los de Adentro, which is signed to Sony BMG.

Why then risk losing first prize and lose a lot of exposure by participating in a competition where most contestants were unsigned and unknown?

“We were divided 50-50,” lead singer/guitarist Felipe Maria says. “(The judges) could either say, ‘Wow, what these guys sing,’ or they could get in a rock’n’roll mode.”

Truth is, the Monas had no idea they’d gotten into a competition until the very day of the showcase. At that point, with the prospect of performing only hours away, they took the plunge, gambling on a win to help promote their album.

“Participating alone was good enough,” Davila says. “If everyone had sung to track, probably a reggaeton act would have won.” But since we played live, we knew we had something.”

The reaction has been immediate. In Colombia, where success abroad is especially valued, the Monas’ win received heavy press coverage and opened the doors for additional airplay of their single, “Cae la Noche.”

The objective, says lead guitarist Felipe Maria, is to work the band simultaneously in Colombia—and the United States, where it is not. Here in the States, however, the Monas see the possibility of breaking through touring, and again, hope their new win will open doors for an agent and/or concert promoter.

And despite radio preferences, the group doesn’t plan to deviate from its straight-ahead rock’n’roll sound.

Latin rock bands here, Davila says, start by “aiming for the bull’s-eye, but eventually they fuse their sound with reggae and trumpets, and they end up not doing simple rock.

Perhaps that’s why there has never been a real movement here because the essence gets lost. Yes, we’re a rock’n’roll band, but for us rock’n’roll is popular music.”

For more of Billboard’s Latin Music Conference coverage, see next page.
Billboard Takes Miami Beach

Miami Beach lived up to its glitzy reputation as the capital of mode s, beaches and yes, Latin music, as more than a thousand music mavens converged for the 17th annual Billboard Latin Music Conference at the Ritz Carlton, South Beach in Miami Beach. The fest was the most attended in Billboard's history. It culminated with the Billboard Latin Music Awards April 27, which aired live from the Hard Rock Live in Hollywood, Fla., and garnered its highest-ever ratings for the Telemundo network. Conference highlights included an exclusive Q&A with Daddy Yankee, a panel of the winning exclusively stated they had never paid to download digital tracks and showcases galore. The festivities also included the premiere of the "We Hear the Future" competition and showcase. Contestants included such acts as Doble Fino, Anamor, Jessica McQuade, and the Rican but rock band the Monas was chosen as the winner by a marquee panel of judges including artists Jon Secada and Ricardo Montaner. (For more on the conference, see Latin Notes on page 23.)

- Leila Cobo

ABOVE: "We're not a bunch of guys with two stomachs who sit in a corner and do window dressing or in the fowls," said Tony Molinieres, lead singer of Fonseca act Conquistador Primavera during the musical Mexican panel, which sought to dig into stereotypes associated with the biggest-selling Latin music genre. "I was born in the United States—my parents are Mexican, and I have a full appreciation for the culture. But I also have a university degree, and I speak both English and Spanish," art critic, Molinieres said. Pictured, from left, are Melina and Yuris Flavia. (Billboard's Leila Cobo, who moderated, Triange Jessica Phillip, Des's Jeff Cleary, and Neki's)

RIGHT: A Bacardi model shows off her favorite drink at the official Latin Music Award party after sympathy sponsored by Bacardi. The night was presented by Heineken in association with Burger King.

LEFT: The Sony BMG showcase was the stage for a host of new talent from the label, which has made new-artist development a priority. Newly signed Camila, Joan and Chelo (he of "Charta" fame), performed, as did seka group and Latin Music Award winner N'Klabe. Pictured with Sony BMG Latin region president Kevin Lamm, second from right, are members of Mexican pop group Camila.

BELOW: The panel of marquee judges for the premiere Heineken Happy Hour and "We Hear the Music" show and competition is a moment to.k for the camera. From left are EMI Telefonia's Adolfo Pesce, ASCAP's Amorella Lioutkoff, Audionation's Francisco Serrano, Universal Music's Jorge Principe, and "Latin American Idol" judge Jon Secada and Billboard's Leila Cobo.
Above: Absolut Ruby Red models surround Absolut brand manager Rick Tacla and artist Alondra, who also performed April 24 at the VIP kickoff party, presented by Billboard Latino and Gibson Guitars.

Below: Alex Pels, GM of youth appeal network mun2, presented the findings of the network’s ‘iieTyouth study as a prelude to the teen panel. He is pictured with Billboard Latin bureau chief Leila Cobo.

Above: Following their performance, members of Puerto Rican rock band and Universal Music Latino act Las Sectas hold up their Billboard Latin Music Award for Latin rock/alternative album of the year. (Photo: Gary Rothstein)

Above: Latin Music Awards finalist Nikiela made the crowd get up and dance during its performance at the Sony BMG showcase, and later at the Billboard Bash, which was presented by Heineken in association with Burger King and co-sponsored by Absolut Ruby Red, Harley-Davidson and Tone Exotic Fusions.

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At the Regional Mexican Panel: “We are not a group of people who are working in music because we didn’t want to work in construction.” —Tony Meléndez, lead singer of Conjunto Primavera on misconceptions the general public has about regional Mexican.

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At the President’s Panel: “This generation of Latin musicians is one of the most creative I’ve seen. “The biggest mistake people make is saying this generation of music is less than the one before.” —Adam Kidron, president, UBO.

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Below: Metro 7 spokeswoman Dayanara Torres poses in front of the line of models sporting clothes by Heineken Z, the official fashion sponsor of the Billboard Latin Music Conference, during the welcome cocktail reception at the Ritz Carlton, South Beach pool. (Photo: Manny Hernandez)

Above: Alex Nufiez, Karlen Quintero and Norine Rincheno joined stars under the spotlight while sporting exclusive “Heineken green” ribbons for the event.

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AT THE DADDY YANKEE Q&A:

Explaining why he created his own reggaeton label: "The major labels saw an entire movement born, and they simply let it pass them by. "People ask me how I can still write from the perspective of [Puerto Rico]'s Barrio. I spent 25 years there. It never goes away."

AT THE TEEN PANEL:

Fifteen teens ages 14-19 answered questions from the audience at the popular teen panel now in its second year. Among the highlights: Only two of the teens had purchased an album in the past month. Only six had purchased an album in the past six months. None had ever paid to download a track even though they all download on a regular basis. Why don't they pay? Because they can do it for free.

Among their explanations: Nowhere does it say on Kazaa or Limewire that it is illegal to download music. The ideal price for a downloadable track? 50 cents. Ideal price for an album? $10.

NEWS FIT TO PRINT:

Univision Music Publishing has started signing "promocedes" with writers. They are short-term contracts struck for a specific song or songs that allow Univision to shop the tracks around. "If we get a deal for the song, we sign the song or we sign the author," Univision Music Publishing's Senior Rodriguez said. The promoced can access the work of a broad base of writers who might not be ready to turn their entire catalog over to a publishing company. The system saves the company the cost of big advances and gives the writer liberty to shop other material via alternate means.

ABOVE: Heads of indie and major labels found a common—and not so common—ground during the President's Panel, sponsored by Morgan Renee Entertainment. The biggest mistake people make is saying this generation of music is less creative than the one before," UBO president Adam Kidron said. Shown, from left, are Morgan Renee Carrillo; producer D'Aido Romano; Kidron; Universal Music Latino president John Scheurleman; Billboard'sLuis Cobo, who moderated; Sony BMG's Latin region president Kevin Lante; Morgan Renee Entertainment's Carmen Arango; Madonna Music president Gustavo Lopez; and Morgan Renee Entertainment's Randy Carrillo.
MUCHAS GRACIAS

to all attendees, sponsors, performers and participants!

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AT STRIP CLUBS, THE BUSINESS OF HIP-HOP IS AS HOT AS THE DANCERS

Three women, each nude but for the tiniest of G-strings, dance onstage at Sue's Rendezvous, one of the hottest strip clubs for the New York area's hip-hop scene. These women are beautiful, leggy and lithe, all hips and eyes, in the way that strippers in a relatively classy club can be. We're here for the music, though. We swear, in fact, as attractive as these women might be, we're in awe of their ability to undulate incredibly specific body parts: the upper third of a thigh, here, the majesty of hip flexors undulating in fifth gear. More to the point—and our reason for a trip to Sue's on this fine spring night—these women undulate to some of radio's and the underground's hottest tracks. In the space of an hour, we hear Rick Ross' screwed-up radio hit "Hustlin'" and new relic Casio's subdued underground bubbler "Me & U," right along with Shawna's "Getting Some," Dr. Evil's "More Strange" and, of course, T-Pain's "I'm N Luv (Wit a Stripper)" remix featuring Remy Ma. It's no longer just the hardworking ladies who make money at stripclubs. These late-night tangos, with their booming sound systems and gender-mixed crowds, have become big business for the record industry, particularly for hip-hop labels. "Strip clubs have become the main breaking place for records, especially in the South," says Jermaine Dupri, president of urban music for Virgin Records. At this moment in the North, we contemplate the rapid-fire, syncopated twitch of one woman's hyper-developed lower cheeks. These glutes could win a land war in Asia, and as they approach, pulsing to the beat of the Notorious B.I.G.'s "Nasty Girl," the words of Robert "Kaspa" Smith, who runs a record pool for strip club DJs, come back to us as if in epiphany. "The visual of a nude woman dancing in front of a consumer," Smith says, "tends to put that record in a new light." Indeed.
The music industry—especially the dominant hip-hop segment—has increasingly embraced the strip club out of necessity and convenience. Tighter radio playlists mean it's harder than ever to break a track on the FM dial, and regular dance clubs—where songs get played for a moment and then lost in a mix—tend to play what's already on the radio. At strip joints, DJs are able to let a full track ride, and if the bass is right or the ladies request it, they can take a chance on unproven material.

Strip club DJs collective have sprung up that specifically work the strip club circuit—such as Den Francisco's Boyz in Detroit and Atlanta-based Hittmenn DJs, a 72-DJ collective established three years ago by Smith, now president, and CEO Greg Street. "Right now our DJs reach 12 million people in 29 markets," Smith says.

That's major reach for lifestyle promotions. Interscope urban promotion executive Kevin Bubelo puts it this way: "When we work lifestyle venues like barber shops, beauty shops, skating rinks, bowling alleys—all things with a culture to it. And strip clubs fall into that category."

"Word-of-mouth is still one of the biggest promotion factors out there," Universal Motown VP of rap promotion Troy Marshall adds. "That has helped turn strip clubs into big business."

Perhaps most important for the record promotion business, plenty of strip clubs break the stereotype of lecherous men in raunchy, smoke-filled haunts. At Sue's Rendezvous, for example, DJ Carl Blaze of New York's top-rated R&B/hip-hop station WWPR (Power 105.1) plays the hits to a smartly dressed crowd. And while women—ones not on poles—are a minority, there are still plenty of them.

"I just like watching women dance," one young woman tells Billboard at Sue's.

"It's just another night out for us," another offers. "Great music—and this is where the men are."

More single females are frequenting these clubs of their own," a label promotion rep says. "So you can leave samplers and coordinate promotional contests" for new records.

Today, strip clubs are one of the fastest-rising segments among entertainment venues. There are now more than 7,500 strip clubs across the United States, according to the Strip Club New Web site. Urban promotion reps are plugged into a circuit that stretches from the Southeast to the Midwest and into the Southwest. Key venues are located in such prime markets as New York (Sue's Rendezvous), Detroit (Platinum), Charlotte, N.C. (Champagne), Miami (Diamonds) and Atlanta (Redy Tap, Magic City, Strokers).

Houston's Club Onyx, for example, is an upscale venue established nearly two years ago to tap into what its Web site calls one of the "fastest-growing but underserved demographic segments—the universe of highly successful and increasingly affluent urban males."

The strip club circuit is also a great place to see—and be seen—in the hip-hop business. Virgin's Dupri, who declares that "strip club airplay is stronger than radio airplay in Atlanta," has signed artists as a result of his strip club forays. These include rappers Mannish Man and T. Waters.

"Strip clubs are definitely a good place to meet people, learn things and see what's happening in other people's worlds. I'm probably the only label president there every other week," Dupri says with a laugh.

Record executives love the easy access to quick feedback provided by strip clubs. "You can often gauge how hot your record is by the number of times strippers request the song during a given night," says one major-label promotion executive who requested anonymity.

"It's like a mix tape that helps get your records heard," Dupri says, "and gives a firsthand chance to watch audience reaction."

As such, labels and promo execs are reaching out to strip club DJs constantly. At Sue's, Blaze says he and other DJs get serviced all the time. "They know if I like it in the club, they'll hear it on the radio," Blaze says. And it's not just moonlighting FM jocks getting serviced. DJ Alemo ran the tables in the hours before Blaze, and Alemo says he gets records from various labels, including Swizz Beatz's Full Surface, Dupri's Virgin imprint So So Def and Def Jam.

The Hittmenn crew, which works major and independent releases, participates in a weekly conference call during which they discuss if a record is worth working to the clubs. He estimates that about 75% of the songs make cut. Within 12 weeks, Smith says, they'll know if a record is hot or not and whether it needs a remix.

Among the bounce-friendly, beat-banging R&B/hip-hop hit records that Hittmenn has worked first in the strip clubs are Ciara's "1, 2, Step," Dr. Dre Franchise Boyz's "Lean Wit It, Rock Wit It," Young Jeezy's "Trap or Die" and D12's "Laffy Taffy.

"I'm on, the Ying Yang Twins and Ludacris are all artists who were helped early on" by strip club exposure, Smith adds. "Now today they are some of the biggest artists in the country."

LOOKING BACK

Urban music's working relationship with strip clubs dates back to the late '80s when Luther "Luke" Campbell and the 2 Live Crew first gained notice. The dancers who worked with the censorship-threatened performer onstage and in his videos were strip club dancers.

"I didn't have a big budget where I could hire regional people," Campbell recalls. "It had to be creative and use all the different avenues I could think of."

Strip club promotion moved into the contemporary spotlight with the emergence of the Ying Yang Twins. Early in their career the brotherly duo previewed their records at strip clubs, including the top 20 R&B hit "Whistle While You Twunk" in 2000 and recent hit "Badd."

"Strip clubs were a part of our lifestyle before this generation of artists started breaking records," says Mr. Collipark, a producer and executive whose Collipark Music production roster includes TVT's Ying Yang Twins. He appears with the Twins on Bubba Sparxxx's current hit and club favorite "Ms. New Booty."

"Radio wasn't always as friendly to me as it is now," Collipark continues. "But I didn't have to take it to radio. If the music made the girls want to dance, it was an instant hit. We were one of the only acts making music for the strip clubs: we had the lane all to ourselves."

Strip Club Strategy

Robert "Kaspa" Smith is president of Atlanta-based Hittmenn DJs, a promotion company that services more than 70 strip club DJs around the United States. Here he waxes philosophical on the records that work and how to work 'em.

• Know the ways in which a woman's body works. Women that dance have a certain walk that's side to side as they approach the stage. The beat matches that walk. That will win every time!

• The song must have a strong hook, and it has to have an element on the hook that will be a party chant that the whole club can feel.

• Some of the girls actually listen to the words. If the lyrics make them feel sexy or makes the crowd spend money, it's a good strip club record.

• Make sure that you tip the DJ and he knows your record prior to the stage set.

• Take your own girls in with you to the club. Keep two stacks (money) in your jeans—build relationships with the girls. To do that, you have to break bread!"

Now every rapper has a strip song."

Another source agrees. "It's to the point where all of the artists are trying to make strip club records. It's become another vehicle to get the record to radio because radio seems to want to play more aggressive songs like 'Laffy Taffy.' Add to that list such songs as Da Muzicianz's "Camera Phone' (the group includes Ying Yang Twins D-Roc and T-Pair's surprising mainstream hit, "I'm Mr Nuv Wit a Stripper")."

What started as a joke—former DJ T-Pain penned the song about his friend's first-time visit to a strip club—has become a hit on the pop and R&B charts. Its popularity has spawned numerous remixes including one featuring R. Kelly and Too Short, among others, although radio is relying primarily on the original version featuring Jone.

Campbell is in the midst of promoting his first new pro ect in several years: a three-CD boxed set titled "Uncle Luke: My Life & Freaky Times," due May 16. Once again his promotional strategy includes strip clubs. Campbell is staging a "Are You Ms. Freaky Soul 2006" competition at strip clubs across the country. Prizes include $10,000 in cash, a Rolex watch and the opportunity to tour with Uncle Luke.

Universal Motown's Marshall is coordinating a promotional strip club tour in June on behalf of "Go Head," a new track by Ali & Gipp. The plan includes visits to venues in 17 cities, including Houston's Onyx.

Indeed, no less an authority than the men's room attendant at Sue's says top acts seem to stop by the club whenever they are in town. "In the past few months, we've seen Lil Jon, Chamillionaire and Lil' Kim," he says.

Marshall notes that he works strip club promotions in one of two ways. Sometimes he'll host a party on behalf of an artist in a market's most popular club and prime the dancers to request whatever new single is being promoted. Marshall also stages performances at times if the venue has a proper sound system. In both cases, Marshall says the DJ and the strippers are serviced with the new product.

The attention the dancers are receiving from the hip-hop business—requests to dance in videos, for example—hasn't been lost on the ladies. "The music business is turning so many kids on to money that it's changing the game," Magic City founder Magic says. "Some of these girls are being paid $2,500 to dance in a video. They aren't trying to hear about being a damned secretary anymore. That was a good job back in the day, but ain't nobody singing. I'm in love with a secretary."
TV: SEEN+HEARD

Sit back, relax and don’t change that channel ... Your favorite artist may be up next.

Call it the pursuit of the “Q Factor”: That magical, often elusive measure of how recognizable and popular an artist, actor or news anchor is in the eyes of the viewing public.

It’s the stuff that makes for lucrative contract renewals and, for the music business, a steppingstone to building artist awareness.

Witness the parade of artists through TV show plotlines of late and the value proposition of the Q Factor becomes immediately apparent.

BY MICHAEL PAOLETTA and MELINDA NEWMAN
In the course of its short life, “Love Monkey” featured Teddy Geiger, James Blunt, Natasha Bedingfield, Si-Sé, Aimee Mann and John Mellencamp.

More and more TV shows are turning to artists to help boost ratings: “It’s an instant boost to the show’s cool factor, and for the artist it means exposure to millions of eyes and ears.”

“Since FM radio is so dependent on playlists and rotation, TV shows have become the new forum for emerging talent,” says Tom Lynch, executive producer of TV’s “Romero!” (starring Master P and his sons Romeo) and the forthcoming “Class of 3000,” which he co-created with Ouat’s André Benjamin.

In today’s pop-culture obsessed landscape, music supervisors are working closer than ever with TV show creators, directors and producers to book talent for scripted shows.

Senior VP of Fox TV Music Jacqueline Perrryman describes music’s heavy-duty presence on TV shows as “a very hot topic.”

Top music supervisors say this is because the folks running today’s TV shows are younger than ever, and that they understand the role music plays in pop culture today. “Music is part of their daily lives,” says Chop Shop Music Supervision’s Alexandra Patsavas, music supervisor for “The O.C.” and “Grey’s Anatomy.”

Michael Rauch, executive producer/creator of “Love Monkey,” concurs: “I must like an artist to use them in a show,” he says.

Zomba Label Group VP of urban marketing Lisa Cambridge says TV performances are all about building the brand of the artist and less about seeing sales increase.” Very, very rarely do you see solid album [sales] bumps for that, but it raises their profile,” she says. One exception: Juelz Santana’s “What the Game’s Been Missing” increased 8% the week he was on “Cuts.”

A host of artists have appeared across multiple TV offerings, but the season finale of “Gilmore Girls” may set a record for the number of acts performing on a single show.

The May 9 episode on the WB will feature Sonic Youth’s Kim Gordon and Thurston Moore. Sam Phillips (who scores the show), Joe Pernice, Sparks, Yo La Tengo and the Michael Miller Crusade.

Moore described walking onto the set of “Gilmore Girls” for the first time as a moment when “the reality versus fantasy bridge sort of collapsed.”

And now, even the legions of crime dramas are having artists walk that bridge. This spring, Ludacris acted on “Law & Order: SVU,” Obie Trice performed on “CSI:” while Kid Rock played himself and performed on “CSI:” NY.

Ludacris says he was attracted to the “Law & Order” role because it allowed him to do the unexpected. “That was my motivating factor,” he says. “Also, I want to be as versatile as possible.”

Which could help explain why Mick Jagger has signed on to participate in a comedy pilot for ABC.

For a new artist like Jive’s Chris Brown, his appearance on “One on One” gets him in front of the eyes of talent coordinators and casting directors for other shows.

“The TV roles tend to be carneos for people who are not actors who want to begin acting,” Sony Urban president Lisa Ellis says. Epic/Sony Urban artist Omarion already had plenty of movie and TV roles before he made multiple ratings-booster appearances on “One on One” and its spinoff “Cuts,” but he decided to do the shows because his friend Marques Houston appears on them.

BACK TO STAR’S HOLLOW

For the “Gilmore Girls” season finale (and the swap song for the show’s creators Amy Sherman-Palladino and Daniel Palladino), the plot revolves around the town troubadour, a recurring role played by Grant Lee Phillips, going on tour with Neil Young after Young sees him performing in the show’s setting of Star’s Hollow.

As word spread, other troubadours make their way to the Connecticut burg hoping to be discovered by Young. None of the performers are identified as themselves.

“Gilmore Girls” pays a negotiated fee to license the music and pays an additional set fee for the artist to perform.

Sherman-Palladino says “Gilmore Girls” licenses a great deal of music, but artists rarely make appearances. “We don’t do a lot of stunt casting on our show because it doesn’t work a lot of the time and because we have 2 cents and a gum wrapper to hand out,” she says.

The artists on the “Gilmore Girls” finale had music previously used in the show or had been mentioned by characters.

Indeed, Moore and Gordon were watching the show with their then-11-year-old daughter Coco, when “one of the characters name-checked me and Kim and we almost fell off the couch,” Moore says.

The two, with Coco, play “What a Waste,” a song from Sonic Youth’s June 13 album, “Rather Ripped.” And despite being an icon for alternative music, Moore says he doesn’t feel the appearance connotes a sellout: “The show has such a positive vibration about it that we can only benefit from basking in its glow.”

To get a new act on a TV show, the process often begins months in advance. “Management will have casting executives come to the artist’s video shoot and they can see how [the artist] interacts,” Cambridge says. “Then that usually leads to ‘Here are some opportunities we can create for you.’”

Or, Fox’s Perrryman says, “you get one of those panic calls where a band is needed immediately.” This recently happened to Perryman, who was able to secure at the last minute indie band the 88 for the May 1 episode of NBC show “How I Met Your Mother.”

Of course, it helped that Perryman had a working relationship with the act, which had penned the theme song for the Fox show “Free Ride.” The 88 has placed songs from its two self-released albums on numerous shows (see sidebar).

While it is often up to the artists as to whether they will perform or just appear. Ellis prefers that Sony Urban acts perform as opposed to just having a speaking role “because it keeps [the audience] connected to their music.”

Following their Nov. 17, 2005, appearance on “The O.C.,” where they performed “Rock & Roll Queen,” the Subways saw the crowds at their live shows swell. Additionally, for the week ending Nov. 20, digital sales of “Rock & Roll Queen” were up 27%.

Similarly, “Love Monkey” helped introduce newcomer Geiger, whose debut album, “Underage Thinking” (Ced/Columbia), debuted at No. 8 on The Billboard 200 last month.

Many of the UPN sitcoms have become strong stops for urban artists with labels asking for their artists to be on.

However, Boone feels her programs have been labeled solely as urban shows, and, therefore, she has had trouble getting artists from other genres.

“What’s really hard is if you have more than two black people on a show, it’s an urban show,” she says. “I wanted to get Gavin McGraw, I’d love to have John Mayer, I’d like to get James Blunt… If it’s an African-American show, [the labels] think it’s not enough exposure.”

Boone says that when the merged UPN/WB unveils next fall as CW, she plans to aggressively seek a wider range of acts for “One on One” and “Cuts” and feature performances in as many as half of the former show’s episodes.

‘Since FM radio is so dependent on playlists and rotation, TV shows have become the new forum for emerging talent.

—TOM LYNCH, TV PRODUCER

PLAY MY SONGS, PLEASE

Days before commencing its spring trek April 30, indie rock band the 88 signed with Azoff Music Management.

“Everyone at the company was blown away by the amount of exposure we were able to get on our own,” keyboardist Adam Merrin says.

Though the act’s two self-released albums (2003’s “Kind of Light” and 2005’s “Over and Over”) have barely sold 10,000 units collectively, according to Nielsen SoundScan, its music is known via TV.

The group’s songs have been heard in many hit TV shows, including “The O.C.” and “Grey’s Anatomy.” The 88 also penned the theme for the new Fox show “Free Ride,” and on May 8 the group will make an appearance on the CBS sitcom “How I Met Your Mother” (see main story).

“One thing leads to another,” Merrin says. “Getting music placed on TV shows presents other opportunities.” He points to performances on late-night talk shows like “Last Call With Carson Daly” and a Target TV spot.

“Because of our music placements on TV shows, we’re able to earn livings as musicians,” Merrin says.

The 88 is not alone. G Tom Mac, Joe Purdy, Split Habit, Trespassers William, Fannypack, Junk and others earn far more money from licensing their music to TV shows than they do from record sales.

After licensing several songs to shows like “Lost” and “Grey’s Anatomy,” Purdy was picked up by the William Morris Agency for representation.

British pop-punk band Junk, which has yet to release an album, earned about $100,000 last year from third-party licenses, says Spirit Music Publishing senior director of A&R Justin Kalifowitz, who handles the group’s catalog.

Meanwhile, G Tom Mac, aka Gerard McGinn, has maintained steady work in Hollywood since his song “Cry Little Sister” was featured in the 1987 film “The Lost Boys.” His TV credits include “Charmed,” “The Shield” and “Witchblade.”

McGinn sees a correlation between the number of TV and film placements and sales of G Tom Mac CDs and crows at his shows.

“If the TV shows to digital is that of the radio effect,” McGinn says. “More performances of songs equals more fans equals more revenue for all.”

—Michael Paoletta

Recent episodes of “The O.C.” and “Glimore Girls” featured appearances by “American Idol” contestant Lisa Tucker, left, and, above from left, Sonic Youth’s Thurston Moore and Kim Gordon along with their daughter, Coco.
Looking For Big Hits In ’06

Touring Industry Banks On High-Profile Acts For Home Runs

BY RAY WADDELL

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*On selected shows*
As the days get longer and the busiest part of the
touring season looms, the concert industry is in
search of blockbuster summer tours. With the
Rolling Stones selling out stadiums in Europe
and U2’s delayed Down Under wrap of Vertigo set for No-
vember, North American home runs appear scarce.
* Madonna, Kenny Chesney, Tim McGraw/ Faith Hill and
Bon Jovi are all early winners. Jimmy Buffett and Dave
Matthews Band are perennial. Dixie Chicks, Eric Clapton,
Pearl Jam and Red Hot Chili Peppers are promising, and a
Barbra Streisand trek could add muscle if it comes to fruition.

But the question remains, Is this enough to
pull the business out of a rut?
“It looks like a good year with some great acts
on the road,” says Live Nation CEO Michael
Rapino, who thinks overall grosses for 2006 will
be in line with last year.

Other promoters are enthused about the di-
versity of acts. “It’s seems like there is great ac-
tivity in all venue capacities, and we are excited
about a great season,” adds Adam Friedman,
president of Nederland Concerts. He is “very
bullish” on the season.

As the season begins to ramp up, a flurry of
U.S. tours have already been announced, in-
cluding Bruce Springsteen, Tom Petty & the
Heartbreakers, Slayer, Queen + Paul Rogers,
Ringo Starr’s All Starr Band, Nine Inch Nails,
James Gang, Rascal Flatts, Toby Keith, Brooks
& Dunn, Crosby Stills Nash & Young, Shakira,
Nickelback, the Who, Mariah Carey and possi-
bly Guns ’N Roses, who have already scheduled
four shows in New York.

Meanwhile, package tours include Black
Crowes/Robert Randolph/ Drive-By Truckers,
Counting Crows/ Goo Goo Dolls, Rob Thomas/
Jewel, Fiona Apple/ Damien Rice, the New
Cars/Blondie, John Fogerty/ Willie Nelson, Lynyrd
Skynyrd/3 Doors Down, Journey/Def Leppard,
Chicago/ Huey Lewis and Steely Dan/ Michael
McDonald. And the usual festivals—such as Ozzfest,
Sounds of the Underground and the Vans Warped
tour—are also beginning to take form.

ENCOURAGING INDICATORS
House of Blues Concerts executive VP Alex
Hodges admits there may be fewer “block-
busters” on the road this year, but that’s not nec-
cessarily bad.
“The most encouraging thing about 2006 is
the solid sales at larger venues for some break-
through bands,” Hodges points out, adding that
Fall Out Boy, My Chemical Romance, the
Strokes, Dashboard Confessional, the Black
Eyed Peas and many more are upgrading to
larger venues. “There are some very interesting
combinations coming out as well, such as Mark
Knopfler and Emmylou Harris, the New Cars
and Blondie, Def Leppard and Journey.”

Still, few could argue that 2006 could use
a superstar injection. But Rapino says more tours
will be announced, and that Live Nation takes a
global view.

“Robbie Williams is selling out stadiums in
Europe,” Rapino says. “The Rolling Stones, Bon
Jovi and the Eagles are all stadium acts in Eu-
rope this summer.”

That’s great for Europe, which has been a
more stable concert market for the past few
years. North America, however, saw concert
grosses dip more than 5% in 2005, even with a
superstar-laden autumn. Many blame a skewed
touring industry business model.

While Billboard Boxscore tracks concert
grosses, it is a lack of net profits that has
slammed promoters the last two years. “It’s im-
portant to remember that a positive bottom line
NINE INCH NAILS, above, added a summer leg to its successful With Teeth tour, while SHAKIRA, left, and DEF LEPPARD are just beginning their respective treks.

is important, and avoiding losses is critical," Hodges says. "If the deals drive ticket prices too high there can be red ink or 'blood.'"

A saturated May–September touring market could be the problem. According to independent promoter Seth Hurwitz, this situation was in part created by Live Nation "making these silly tour offers to get people to play too many dates or, in some cases, any dates at all to create inventory."

According to Hurwitz, president of Washington, D.C.-based I.M.P., "Booking is a lot like playing music—what you don't play is as important as what you do."

Under Rapino's watch, Live Nation has become an independent entity free of parent Clear Channel Communications. Rapino bristles at talk that Live Nation is overpaying and over buying talent, an accusation its predecessor Clear Channel Entertainment often bore.

"What the industry is seeing is a result of the resurgence of a very focused company," Rapino says. "Clear Channel Entertainment was a live entertainment company with eight to 10 focuses. Live Nation is a live music company with a new intense focus on its core business—booking live concerts throughout the world to fill its 150 venues and 25 festival sites."

Rapino says the new focus simply drives more bookings worldwide.

"We are not overpaying," he insists. "Our business model is based on filling our global network and maximizing all our revenue streams, not just the door. The artist won the door game long ago, and they deserve it. The new promoter must build revenue streams beyond the door while providing added value to the fan and artist."

Hurwitz believes a strategy of filling inventory dilutes the content by creating tours that are not in demand. "Blaming others—acts, agents, managers—for taking the deals is just more denial of responsibility," Hurwitz says. "That's like putting a piece of chocolate in front of a child and expecting them to use good judgment. And we all know what happens when you eat too much candy."

As for the promoter revenue streams outside ticket sales, Hurwitz says, "As a shed operator, this idea that the ancillaries will cure all the ills of an overpriced show is a complete myth and will eventually catch up with itself. There's only so much beer people can drink and so many cars you can park."

CAPTIVATING FANS

Rapino says ticket prices will be relatively flat in 2006. "I think the industry has worked together in the last year to stabilize ticket prices," he says. "In 2005, we had the first average ticket price drop in our amphitheaters in five years."

Hodges adds, "Everyone is more cautious today" regarding ticket prices, especially for the less desirable seats in arenas and amphitheater lawns.

"Sitting above the arena suites is not optimal, and thus price is important," Hodges says. "Fans seem to be willing to pay very high prices for up close and center, but for other locations there is price sensitivity."

As is always the case in May, the concert industry is at the mercy of hoping the pool of concerts captivates fans.

"There are questions around many tours, but this is always the case, and it's too early to pinpoint any real disappointments," Hodges says. "This time of year, we always wonder if we have enough depth to carry a full year, but I believe it will be a good year. Hopefully, there will be fewer big losers than we saw last year."
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Shed Slump
Will More Shows With Fewer Seats Save The Summer Season?

After more than 20 years, it is safe to say the honeymoon is over between concertgoers and modern-day amphitheaters.

The shed boom was the result of concert promoters building venues so they could tap into ancillary revenue unavailable to them when promoting shows at arenas and other venues they did not own.

When Robert Sillerman consolidated the promoter business in the late 1990s, he primarily sought promoters with amphitheaters. Today, there are 41 sheds in Sillerman’s operation—which is now under the Live Nation banner—by far North America’s largest amphitheater owner/operator. House of Blues is a distant second with eight sheds.

Despite millions of dollars spent on capital improvements and focused discounting strategies to lure concert fans—some call them “fire sales”—amphitheaters are struggling. With a $50 million decline in gross and a 2 million drop in attendance during the last three years, according to numbers reported to Billboard Boxscore, the bloom is clearly off the rose for sheds.

The top-grossing tours annually almost always play arenas, largely because reserved seating tickets can be priced higher. It has also been pointed out that the lucrative baby-boomer market prefers the controlled environ of a arena.

Another problem seems to be a lack of compelling content, with many of the same acts playing amphitheaters year after year.

“Our base business has been fine," Live Nation CEO Michael Rapino says. “We need to focus on creating more packages and local shows, which we have been neglecting the past few years.”

Among the amphitheater packages Live Nation will roll out this summer are Counting Crows/GoGo Dolls, Fiona Apple/Dannien Rice, Willie Nelson/John Fogerty, Lynyrd Skynyrd/3 Doors Down, Def Leppard/Journey and Steely Dan/Michael McDonald.

But creating content for content’s sake may be part of the problem.

Independent promoter Seth Hurwitz, who programs the Merriweather Post Pavilion in Columbia, Md., says the summer outdoor market is already overcrowded with acts, and simply booking more shows does not mean consumers will go to more shows.

“People don’t simply keep picking [shows] until they’ve picked all the bands they like, they pick the same number of shows they think they can go to,” Hurwitz says. “Personally, I’m not happy to have something on my marquee unless it’s making me money. If your goal is to send out press releases with names of people that have been on Oprah, that’s different.”

House of Blues executive VP Alex Hodges has a different perspective.

“Fans love the outdoor experience,” he says. “More bands and artists tour in the summer, so the marriage is perfect between artist and fan.”

But just because an amphitheater has a 15,000-20,000 capacity—with usually two-thirds or more offered as a festival-seating lawn—doesn’t mean it all has to be used.

“In some cases, we are having a great deal of success with reserved-seating-only shows,” Hodges says. “I believe amphitheaters will use smaller configurations more this year than ever, and this is good.”

Hodges says developing bands that want to jump to the next level can use the lower-capacity configurations.

“To sell 5,000-7,000 tickets is fantastic, it’s always been a sweet spot,” he adds.

But Hurwitz says he still opts for quality over quantity.

“I would rather do 10 shows that all sold out than 10 shows that were half full,” he says, adding that he passes on shows at a 3-to-1 ratio.

According to Hurwitz, the reasons for the shed slump have been falsely attributed to poor fan experiences or ticket prices.

“The problem is there are too many shows,” Hurwitz asserts. “The idea that you should book as many shows as you can possibly get is archaic and self-destructive. If quantity is your business model, you need to change your business model.”

—Ray Waddell

Crunching The Numbers
During the past few years there has been a slow but steady decline in business for all U.S. amphitheaters.

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<th>Overall Shed Gross (in Millions)</th>
<th>Number of Shows (Annually)</th>
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Source: Billboard Magazine

www.americanradiohistory.com
On The Road
RAY WADDELL rwaddell@billboard.com

New Venue Perks
House Of Blues Hopes Improvements Lure More Fans

House of Blues Concerts is throwing some bucks at its amphitheaters in an attempt to improve the concertgoer experience this summer. HOB owns and/or operates eight major venues in North America, including the Gorge in George, Wash.; Molson Amphitheatre in Toronto; and Coors Amphitheatre in Denver and San Diego.

"To work really involve and empower the local teams, not to dictate so much from the home office, but to really put the local teams in position to "be the fan" and operate the facilities toward that end," says Steve MacFadyen, VP of operations for concerts and amphitheaters at HOB.

Among the capital improvements at HOB venues are new video displays for text messaging boards for fans. "At Coors Amphitheatre Denver, GM Ross Hoffman is working on adding separate text messaging boards inside the bowl," MacFadyen says. "Ross is real good on the technology side and we're leader in figuring some of these new types of technology out. Ross will do it first, and others will follow.

Simple improvements can be important, MacFadyen notes. "Everyone's familiar with cupholders on the backs of seats to make it more pleasant in the aisles, but now most of our amphitheaters are installing cupholders in the restrooms," he says. "We're putting cupholders at the condiment stations that you can set your drink in while you dress your dog. These things seem small, but they loom large when the crowds are in the facilities, and they're just looking for that next little new thing." Amplitheaters are no longer new to consumers, MacFadyen points out, so the extras are what it's all about these days. "It's where people go to enjoy themselves in an outdoor setting, and anything we can do to enhance that experience is what it's all about in today's world," he says. "There are just too many choices out there, it's not enough for us. We're the outdoor place in town and here's the show. You go to work at it."

Other improvements include new lawn-delay systems to update sound. "We're trying to improve the portion of the sound system that we control," MacFadyen says. "We're trying to keep up with the technology that the bands are bringing in order to bring that same sound experience to the people on the lawn.

HOB is spending "more than seven figures" on capital improvements, above and beyond the normal painting and upkeep. "You have to keep it looking fresh, but you have to keep the ideas fresh, too," MacFadyen says. He says that, given the right act at the right price, fans still love the amphitheater experience. "When you've been cooped up indoors all fall and winter in places like Cleveland, man, outdoors is what it's all about," MacFadyen says, adding that Toronto's Molson Amphitheatre is another venue fans love. "I don't know what it is about the Canadian culture, but boy, are they happy to be outdoors for the shows. They can't wait for that facility to open."

LOCAL FLAVOR: In an attempt to offer value and lure concertgoers back to shores, Live Nation has formed numerous tour packages for this summer. But the world's largest promoter's show owner is not just rolling out national tours. Live Nation is also taking a local approach in many markets.

Examples of local packages, themed events and radio shows include the following:
- The Old School Fiesta featuring War, Tierra and Malo at Shoreline Amphitheater in Mountain View, Calif.
- Funk Fest featuring Morris Day, Average White Band and others at the Classic Pavilion in Concord, Calif.
- Fish Fest Christian Festival at Verizon Wireless Amphitheater in Irvine, Calif.
- Car Load Jam featuring the Black Eyed Peas at Verizon Wireless Indianapolis. (Admission is $100 for as many people as you can fit in a car.)
- Buzz Fest featuring Shinedown, Trapt, 10 Years and Staind at Cynthia Woods Mitchell Pavilion in the Woodlands, Texas.
- Lunatic Luau featuring Puddle of Mudd and Saliva at Verizon Wireless Amphitheater in Virginia Beach, Va.
- WJZ Jazz Show featuring Chris Betti, Brian Culbertson, Gerald Veasley and Kern at Tween Center at the Waterfront in Camden, N.J...
New Consoles, Ideas Should Give The Industry A Much Needed Boost  

BY ANTONY BRUNO

After years of explosive growth, it seems the videogame biz is feeling the slump that has been affecting the movie and music industries. In the last year, total game sales fell 8% to $499 million, according to recent figures by the NPD Group, while anticipation of next-generation consoles caused total hardware sales to slip 31% to $220 million. Overall, the industry is down 16%. This year has not been off to a great start either. Game sales are still down 8% year to date. PlayStation Portable has been the bright light, helping hardware sales inch up just 1% so far this year.

By all accounts, it's a tough time for the videogame industry. But going into this year's Electronic Entertainment Expo—the annual videogame extravaganza, which will be held May 10-12 at the Los Angeles Convention Center—the industry remains upbeat.

Historically, the videogame industry suffers from sagging sales and financial results every five to six years when new game console platforms are released.

During the holidays, Microsoft introduced the first of three next-generation gaming systems expected to be available by the end of this year with the Xbox 360. Nintendo is believed to follow with its Revolution platform, and Sony in March said it would delay the availability of the PlayStation 3 until this November.

Once all these consoles are available in the marketplace in mass numbers, game sales should rebound, as evidenced the last time the industry went through this phase.

"It's a product of the fact that consumers are looking forward to the next big thing," says Greg Richardson, a former executive at Electronic Arts and now principal at private equity firm Elevation Partners, which owns game developer BioWare/Pandemic Studios. "A lot of publishers' attention is on building games for these new platforms, and there's not a very large installed base right now. But if history is any indicator, we're in for a period of huge growth over the next five years."

He expects this E3 to be the most exciting one yet, because all three console manufacturers will be running hands-on demonstrations of their new consoles for the first time. Last year only the Xbox 360 was available for a test run.

FOCUS ON REVENUE

Parallel to this technological evolution though is a philosophical one, to which the industry will take much longer to adapt. Like the early days of the music and movie industries, for years the videogame market was run primarily by a group of freewheeling developers building a new form of entertainment fueled solely by innovation and creative spirit.

Now a $30 billion industry, videogame companies are publicly traded entities run primarily by marketers and accountants concerned more about the bottom line. Sounds a lot like today's movie studios and record labels.

With a focus on earnings, these videogame publishers have grown complacent in churning out the cookie-cutter titles consumers expect at the expense of innovation. Most have taken the easy way out by making safe games—sequels and games based on movie titles.

EA, the world's largest game publisher, is perhaps the poster child for this issue. The company is passing version No. 10 of the vastly popular "Madden NFL" series, and has churned out games based on such movie franchises as "Harry Potter," "James Bond" and "The Lord of the Rings."

But that's changing. Last year, Neil Young, GM of EA's L.A. operation, outlined an aggressive focus on developing new titles based on original concepts.

The company has huge expectations for "The Sims" creator Will Wright's highly anticipated title "Spore" (it allows players to build an entire universe starting off as a single microbe), which is expected later this summer. The company also formed a deal with Steven Spielberg to develop the storyline for several currently unnamed upcoming titles.

Such moves are indicative of the industry's greatest challenge—create entertainment that is as emotionally compelling as movies and music. While the videogame business is now suffering from the same challenges..."
as the movie and music industries, it will never be as mainstream or popular until someone develops a game so immersive that it generates an emotional response.

MORE MUSIC, ADS

As these games reach even more of a mass market, expect to see much more in the way of music, particularly original music on soundtracks. Also, more artists are expected to appear in games as either voice characters or as themselves, and providing their likeness and even exclusive music to games built around their personas.

50 Cent did so to record sales. If not critical acclaim, of “50 Cent: Bulletproof,” which sold more than 1 million units in less than two months. Others are already following. Brandy and the Game are working with L.A.’s Matty/Markus Games to develop separate titles that feature themselves as the respective lead characters.

Some argue that what is needed is a strong independent arm, separate from the mighty publishing powerhouses that are to videogames what the major studios are to Hollywood. But given the increased cost of developing today’s games, that’s not an easy task.

The cost of game development is topping $15 million for certain titles, particularly with the demands put on them by the more sophisticated next-generation consoles. One poorly selling game is enough to bury an independent publisher.

As such, the industry is looking to limit its financial exposure through increasingly creative means. “As the cost of development goes up, you need more sources of revenue to offset that,” Richardson says.

Gaining the most traction these days is in-game advertising. Similar to the product placement seen in movies, in-game advertising is poised to skyrocket in the coming years as the new game consoles allow for a more graphically rich setting where smaller details lost on legacy systems are easily highlighted.

For example, Ubisoft’s Xbox 360 title “Ghost Recon: Advanced Warfighter” is set in a vast urban combat area strewn with billboards for Nokia, soft drink vending machines and other consumer products that are easily noticeable, yet not a distraction from the game. If anything, they add to the game’s realism. These ads can be updated on a regular basis, as well, by taking advantage of the new console’s Internet connection.

Companies like Massive Networks and IGAPartners market technology that lets publishers replace certain game elements on a regular basis. “The potential for in-game advertising exponentially expands with online games where ads can be changed in real time and measured more easily,” eMarketer analyst Ben Macklin wrote in a recent report on the videogame future. “Military game players might play multiple missions with characters whose health is replenished by Red Bull in one game and Minute Maid orange juice in the next.”

According to the Yankee Group, U.S. in-game advertising revenue is expected to skyrocket from $72 million in 2005 to $562 million by 2009.

Other revenue streams include downloadable game add-ons or expansion packs, and even replaceable soundtracks. Perhaps most interesting to the music industry is that game developers are now selling the original music created just for videogames as digital downloads and ringtones. In fact, EA, Cherry Lane Music Publishing and Nettwerk Records have joined forces in a venture called Next Level Music to do just that.

But most expect a serious thinning of the videogame ranks. The harsh development climate of today will separate the wheat from the chaff—with extreme prejudice—resulting in fewer, but hopefully better, games.

“That’s good news for the market, because the consumer won’t be confused by a bunch of poor quality, cheaply made products,” Richardson says. “This is a business where there’s only a handful of development teams that consistently make great games. If you give people like that the right amount of resources, money and time, they’re going to create media-changing games.”

Business aside, the main reason to go to the Electronic Entertainment Expo every year is to check out all the cool new games.

Often, the E3 confab is the first time anyone outside the gaming press will get the chance to either play hands-on demos or see on-screen previews of the most-anticipated upcoming titles. This year’s expected E3 highlights include the game publishers showing off all three next-generation gaming consoles—Microsoft’s Xbox 360, Sony’s PlayStation 3 and Nintendo’s Revolution.

Despite a rather lackluster launch lineup for the Xbox 360, new titles that truly show off the platform’s power have started to hit shelves, while the other two new consoles aren’t even available to consumers yet.

Recently released Xbox 360 games include “Elder Scrolls IV: Oblivion” (Bethesda Softworks/2K Games); “Ghost Recon: Advanced Warfighter” (Ubisoft); “2006 FIFA World Cup” (Electronic Arts); “Battlefield 2: Modern Combat” (EA); “Lara Croft Tomb Raider: Legend” (Edios); and “Far Cry Instincts: Predator” (Ubisoft).

Pendining 360 titles, some of which have been delayed for months now, also expected at E3 are “Saints Row” (THQ), “Dead Rising” (Capcom), “Lost Planet” (Capcom) and “Halo 3” (Microsoft).

Part of the challenge in launching new games this year is that these additional new game consoles are coming, but that’s not stopping publishers from introducing new titles for the current-generation platforms or the PC for that matter.

The most notable upcoming cross-platform games include “X-Men: The Official Game” (Activision); “Sparte” (EA); “Hitman: Blood Money” (Edios); “Scarface” (Vivendi Universal); and “The Godfather” (EA).

But the real excitement at E3 is over the official unveiling of new, never-before-seen clips and images of games still in development. Hardcore gamers shelling out the $500-$725 to attend the event often wait in line for hours just to watch a game’s video trailer.

Highly anticipated is what clips, if any, Konami will unveil from the reportedly last installment of one of the industry’s most popular franchises—“Metal Gear Solid 4: Guns of the Patriot.” Also generating quite a bit of interest is the next title Games that are expected to be played or previewed at this year’s E3 include, from left, “Far Cry Instincts: Predator,” “Mad Men: The Video Game” and “Hitman: Blood Money.”

in Ubisoft’s “Splinter Cell” series—“Splinter Cell: Double Agent”—under development for Xbox 360.

And there’s the franchise of all franchises: “Final Fantasy,” of which developer Square Enix will show a teaser of “Final Fantasy XIII” to the faithful throngs at its massive booth.

Other first looks include Disney Online’s as-yet-unseen “Pirates of the Caribbean Online”; LucasArts’ “Indiana Jones” game, the sequel to “LEGO Star Wars” and other “surprises”; NCSoft’s previews of “Dungeon Runners,” “Extel,” “Tabula Rasa” and its vastly popular “Guild Wars”;

and EA’s “Superman Returns: The Video Game.”

Gamers are also hopeful that Activision will unveil a next-generation Nintendo version of the “Spider-Man 3” game.

One bit of advice for first-time attendees—leave the tie at home and bring earplugs. E3 is by far the loudest and flashiest of all conferences, and despite the relative down-turn in game titles, few expect any to hold back this year.

There is one notable exception: “booth babes.” E3 organizers, responding to complaints from past years, have instituted a dress code banning overtly provocative garb (all lace thereof) and have implemented a $5,000 on-the-spot fine to enforce the new rule.

—Antony Bruno
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Pressing the Right Buttons: How to Successfully Blend Game and Film
Beyond Backstreet

Christian Community Embraces Brian Littrell

NASHVILLE—When the term 'crossover' is used in conjunction with Christian music, it usually refers to a Christian act that has won success in the mainstream market, such as Amy Grant, Switchfoot or MercyMe. With the release of "Welcome Home" this month, Backstreet Boy Brian Littrell will make something of a reverse commute as he moves from multiplatium pop success to newcomer in the Christian field.

The Reunion Records artist is already off to a strong start. Littrell netted a Gospel Music Assn. Dove Award last month without even having an album in that marketplace. He won best inspirational recorded song for his cover of the Michael English classic "In Christ Alone," which appeared on the Reunion Records compilation "Wow #1." "Brian brings a strong pop vocal style that is different from most of what we are hearing on AC radio at the moment," says Terry Hemmings, president/CEO of Provident Music Group, Reunion Records' parent company and Sony BMG's Christian music arm. "We believe the consumer will embrace his presence on AC, and our hope is that his fans from mainstream radio will follow him to Christian formats and retail outlets, introducing new consumers to our channel."

The Lexington, Ky., native had long wanted to record an album that shared his faith. He says people frequently say, "You've been in the secular world, selling 80 million copies of various CDs, why would you want to do this?" I think that's why I had the platform in the first place," Littrell says. "I had an opportunity to go to the University of Cincinnati Bible College, but God basically took my life south to Florida, and I started singing in the Backstreet Boys, and he has truly multiplied my audience... but being a Backstreet Boy is a mere steppingstone for me." Littrell knows Christian music gatekeepers and audiences can often be skeptical of secular artists who enter the fold, but Littrell's good-boy rep should help Backstreet Boys members who have been embroiled in scandals or addiction issues. Littrell has always maintained a positive image and been open about his faith and moral choices. He even once refused to participate in a Rolling Stone cover shoot when the photographer wanted the group to pose with scantily clad women.

Now that Littrell has entered the Christian market, there are some who see him as becoming the next major male artist, following the footsteps of Steven Curtis Chapman and Michael W. Smith. "Absolutely, I see him as having that potential," says Jim Marshall, PD of WAVE-AM West Palm Beach, Fla. "He's demonstrated a heart for that genre of music. He's well-respected in the industry, too. He was well-received during Gospel Music Week. Performers resonate with their music, but if there's not the heart there as well, I believe they'll be limited in their success. He is not a case of resting on his laurels. We first knew him as one of the Backstreet Boys, but now we know him for producing some pretty powerful music."

Hemmings has high hopes for the project. "I believe Brian will have a long and successful solo career in Christian music," he says. "He has worked at the level of a new artist in an effort to tell his story to our marketplace as well as communicate his intentions to his fans from the Backstreet Boys. We have high expectations for this record and many more to come." Littrell says the Backstreet Boys plan to work on a new record this year. "I'm a big fan of the Backstreet Boys and our success and the quality of music that we put out and our fan base that's been there for us over the 13 years that we've been together," he says. "I hope to further that and also have the freedom to do this." God has called me to be here, and I pray every day in and day out that God opens the doors for me to go through."
A few years ago, some in the industry may have thought worship music was a passing fad, but it's become the backbone of the Christian genre. When Chris Tomlin and David Crowder picked up multiple honors at last month's Gospel Music Assn. Awards, those wins further reinforced the continued strength of the praise and worship movement.

One of the reasons for its popularity is the strength of the songs, and few songwriters have helped shape modern worship more than Paul Baloche. The Texas-based worship leader is back with "A Greater Song," a new project on Integrity Music.

"I hope that the music hooks people and inspires them enough to really think about the words and hopefully inspires them towards the things of God," Baloche says.

In addition to recording his own material, Baloche's songs have been covered by numerous artists, including Michael W. Smith, Don Moen, John Tesh and SoniSofa. He has more than 10 songs in the top 500 listed with Christian Copyright Licensing International, an organization that monitors song usage in churches. "Open the Eyes of My Heart" is No. 2 on the CCLI list and "Always," written with Lenny LeBlanc, is No. 22. Baloche shares his songwriting expertise in a new book, "God Songs—How to Write and Select Songs for Worship," which he wrote with Jimmy and Carol Owens.

Though Baloche generally writes music solo, the new album finds him collaborating with Matt Redman, Graham Kendrick, Brenton Brown and Sara Groves. The project began with an invitation to Baloche from British worship leader Kendrick to a songwriters retreat. Baloche describes the event as "really inspiring" and subsequently, he and Kendrick penned "What Can I Do" and "Creation's King."

For the new album, Baloche and Redman co-wrote the title track and the closing cut, "Rising." "A Greater Song" was recorded at Community Christian Fellowship in Lindale, Texas, where Baloche has served as worship pastor for more than 15 years. "Maybe because I've been a pastor at my church all these years I see that role when I am writing a song," Baloche says. "When I write, I am trying to think about how it impacts our church or life. Many times songs come from a sermon our pastor preaches."

Camden, N.J., native Baloche became a Christian at 19 after seeing a Christian rock band perform at an Amway convention. He had been performing in clubs in the Philadelphia and Atlantic City, N.J., areas, but after his conversion, he began using his musical talents to share his faith.

"We need to worship," Baloche says. "Part of our job is to help bring God's kingdom here on earth, to go out into the world and bring his presence and bring his truth. It's not just (going to) church, it's taking church to the world."

**NEWS NOTES:** On June 27, Franklin, Tenn.-based label Mono Vs Stereo will release "My Other Band, Vol. 1." The collection features side projects from several well-known artists, including Matthew Thiessen (lead singer of Relient K) and journey's Earthquakes, Agnes (Dave Douglas of Relient K), My Red Hot Nightmare (Ethan Luck and Dan Spencer of the Supertones and Josh Abott of Ace Troubleshooter), Royal Empire Music (Davy Baysinger and Jared Byers of Bleach) and Tyler Burks (Audio Adrenaline).

Third Day continues its four-year relationship with Chevrolet with the new "Can You Feel It?" campaign. As part of the campaign, Chevy is offering a copy of Third Day's latest CD, "Wherever You Are," to customers who test drive vehicles in the Southeast market. After the test drive, consumers will receive online access to register and download the exclusive bonus tracks "Love Lifted Me" and "Falling to Pieces." The automaker also offered test-drive opportunities at recent Third Day concerts.

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**LYLER’S WRITING DEAL**

Nashville-based Skyline Music Publishing and Mr. President Rich Music, a company partly owned by Big & Rich's John Rich, have signed Tammy Lyler to their writer roster in a joint venture between the two companies.

Lyler’s songwriting has been recorded by Martina McBride, Collin Raye, Journey and Shania Twain. —Phyllis Stahl

**COLE IS STILL KING**

PBS “American Masters” will salute the 50th anniversary of Nat “King” Cole’s groundbreaking TV program, “The Nat ‘King’ Cole Show.” The singer became the first African-American with his own TV series in 1956. Airing May 17, “The World of Nat ‘King’ Cole” documents his professional and personal achievements through interviews with his family, as well as with Stevie Wonder, B.B. King, Quincy Jones, Isaac Hayes and O’Kast’s Andre Benjamin, among others. —Gail Mitchell

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**MOZART CONCERTO WINS PULITZER**

Yehudi Menuhin won this year’s Pulitzer Prize in music for his piano concerto, "Chiaro in Mano," published by Associated Music Publishers. The concerto was commissioned by the Boston Symphony Orchestra and had its world premiere there in February 2005, with soloist Robert Levin.

The Pulitzer board’s goal—publicly proclaimed in 2004—of expanding the music category to embrace recordings as well as works from the worlds of jazz, musical theater, movie scores and other genres seems to be moving slowly. This year’s roster of nominees was purely classical, and this year’s winner is a 1997 Commonwealth Arts Award winner. 

"The Pulitzer board’s goal—publicly proclaimed in 2004—of expanding the music category to embrace recordings as well as works from the worlds of jazz, musical theater, movie scores and other genres seems to be moving slowly. This year’s roster of nominees was purely classical, and this year’s winner is a 1997 Commonwealth Arts Award winner. The 77-year-old Canada-born, New York-based Wyner was a finalist for the Pulitzer in 1998 for his piece “Horntrio.” Other awards include two Guggenheim fellowships and the 1993 Rome Prize, a prestigious accolade that allowed him to spend three years in residence at the American Academy in Rome."

His work has been recorded for such labels as Alliance, Bridge, CRI, New World and Pro Arte. In addition, three of Wyner’s pieces (“The Mirror,” “Passover Offering” and “Tants un Maysele”) were recorded for Naxos as a single title in its Milken Archive of American Jewish Music series. That album was nominated for a 2005 Grammy Award in the category of best small ensemble performance (with or without conductor). It was one of the five titles named in producer David Frost’s award for producer of the year, classical.

**ROMANCE RETURNS:**

Two tenor titles to hit the Classical chart in recent weeks are a throwback to years gone by: specifically, to the era that gave birth to the first “crossover” recordings—long before that genre had such a name—by fellow tenors like Enrico Caruso and Mario Lanza.

Iconic singer Plácido Domingo’s album “Italia, Ti Amo” (Deutsche Gramophone), whose packaging recalls vintage travel posters, is an homage to the popular Italian and Neapolitan songs that have embraced sang and audience alike from Canada’s days. Meanwhile, tenor Juan Diego Flórez’s “Sentimiento Latino” (Decca), a tribute to popular songs from his homeland of Peru and elsewhere in Latin America, has also popped up on the World Music chart.

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**NEW & NOTEWORTHY:**

Twenty-five-year-old American pianist Jonathan Biss has been signed by EMI Classics to a two-year exclusive contract. His first CD, an all-Schumann recital recording, will be released in January 2007. The Philadelphia Orchestra has named its new president, CEO James Undercoffer, who has served as director and dean of Rochester, N.Y.’s Eastman School of Music since 1997. Undercoffer takes up his new job in August.
**MISSION COLE: DIVA TAKES CHARGE**

Keyshia Cole survived a rough foster child background and a number of unhealthy relationships, but her frank lyrics and gritty emotional delivery have won her the Gloria Gaynor path to freedom. Some call her Mary J. Blige’s successor. Even Blige has given Cole kudos and added her as a top eight MySpace friend.

Cole is the first R&B diva in a while to successfully turn personal tragedy into platinum record sales with her 2005 debut “The Way It Is.” Now she’s headed straight into the mainstream with a sophomore album, BET reality show and her own label. And did we mention she’s best friends with Tom Cruise? Fortunately, success hasn’t made Cole lose her hometown charm.

“I’ll be excited when I go multi-Platinum,” Cole says. “Child, I’m still working. Usher sold 9 million records. But after this tour is over, I’m taking time off.”

And Cole deserves it. The songstress, who began singing with Tupac Shakur and MC Hammer, has sold 1.2 million copies of her A&M/Interscope debut. 2006’s R&B boom featuring Blige, Jamie Foxx, Ne-Yo and Chris Brown proved fruitful for Cole. Most notably, current single “Love” is No. 24 on Billboard’s Hot R&B/Hip-Hop Songs chart after 19 weeks and No. 24 on Hot R&B/Hip-Hop Airplay.

Cole created her platinum earnings by touring until her wheels almost fell off. Beginning the circuit in late 2004, she performed her first single, “I Changed My Mind,” during friend and producer Kanye West’s set at Usher’s Truth tour. She then graduated to support West on his Touch the Sky tour in 2005 along with Fantasia and Common. And finally, Cole headlined her very own trek in March 2006.

Then “Mission: Impossible III” happened. West, who produced “I Changed My Mind,” called Cole to Los Angeles to work with him on the project. Cole says she was reluctant. “You do songs with Kanye, and then they never see the daylight.”

“As such, the West-produced theme song, featuring Cole and Chi-town MC Twista, just entered Billboard’s Hot R&B/Hip-Hop Songs chart and is bubbling at radio. Hype Williams will shoot the video in Prague sometime this month. “Mission: Impossible III” is Cole’s second film soundtrack appearance. “Never,” featuring Philly MC Eve, was included on 2004’s “Barbershop 2” soundtrack.

As for her second album, Cole isn’t stressed about the sophomore jinx of soulful songstresses. Sometimes fans only want to hear heart-wrenching songs and don’t take well to happy joints.

“I’m not worried about that,” Cole says about being pigeonholed as a tragic songbird. “I’m going to just keep selling it how it is.”

She’s shrewdly working with the writers and producers that made “The Way It Is” so successful, including West, John Legend and 112’s DaRon. Cole would also like to collaborate with singer/songwriter R. Kelly, saying, “I didn’t get a chance to work with him yet.”

On the hip-hop side, Cole recently finished an untitled track with Def Jam’s breakout star and her rumored love interest, Young Jeezy. She also sings on a DMX track, “Dog Love,” for his new Sony Records release that will drop this summer.

And finally, Cole has a few other business ventures in the fire. Her forthcoming label is in the works, and her management, Imani Entertainment Group, is shopping for a deal. She also has a reality show coming through BET. What began as a “day in the life of Keyshia Cole” flowered into a seven-episode series, and the shooting begins in May. The as-yet-untitled show will air this fall with manager Manny Halley, Jimmy Iovine, Ron Farrow and Cole as executive producers.

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**Rhythm & Blues**

GAIL MITCHELL gmitchell@billboard.com

Knocking Out The Knockoffs

The Supremes’ Mary Wilson Works To Prevent Imposters From Lifting Names

Mary Wilson has an itch in her heart. But it’s not due to the love she sang about as a member of the Supremes in 1966. This itch is to once and for all protect the legacies—and livelihoods—of the Supremes, Platters and other legendary groups from their knockoff counterparts. To date, Pennsylvania, South Carolina and North Dakota have passed into law the Truth in Music Advertisign Act that Wilson promotes as chairwoman of the Vocal Group Hall of Fame’s artist board.

The act stipulates that if a performer was not part of the original recording group then that person is prohibited from booking and performing gigs under that name. Fines of up to $50,000 can be issued. Currently, the bill sits on governor’s desks waiting for signatures to become law in Connecticut and Illinois. Several other states, including New Jersey and Massachusetts, are also weighing the matter.

The goal, Wilson notes, is to build awareness by securing the legislation in at least 10 states before taking the issue to the federal level.

Bogus performers touring the United States and Europe certainly are not anything new. But with legendary acts relying on tour profits to make a living these days instead of record sales, the situation takes on added urgency. The sour note especially hits home for Wilson who knows of five faux Supremes groups. There was even one impostor act working in Europe that accepted a lifetime achievement award in the Supremes’ name.

“The people are defrauding the public; this is identity theft,” Wilson says. “We make our money touring, and these people are taking gigs from us. And some promoters don’t care. If they can pay less for the bogus group than the original, they’ll do it.”

Wilson notes that Las Vegas sports several versions of such classic acts as the Platters, Drifters and Coasters. Members of these groups—some still performing in their 70s and 80s—as well as other acts like Sha Na Na and Danny & The Juniors are singing the advocacy chorus with Wilson.

When she performs, it is as Mary Wilson of the Supremes. Motown Records owns the trademark on the act’s name.

“We want these fake groups to say they are tribute groups or get their own name,” Wilson says. “Why steal our legacies? After all your hard work, no one should be able to come and take your history.”

Contemporary groups who think they can’t learn a lesson from this should think again. Branding has become a key factor in today’s music marketplace. And savvy hit makers protecting their flanks now can cash in on their hard work for years to come. Rock act Kiss is a prime example.

For another crucial slant on the issue, check out Susan Butler’s Legal Matters column in the Oct. 15, 2005, issue of Billboard. “What’s in a Name? Years of Brand Value.”

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**NOTEWORTHY:** Dome Records signs singer/songwriter Karen Bernod. She’s rapped on vocal credits with Incognito, D’Angelo, Erykah Badu, the Pet Shop Boys and most recently Kanye West. J. Blige’s first Dome project will be her second solo set, “Life @ 360 Degrees,” due May 15. Former Sony Urban Music executive VP Dave McPherson restructures with Dave Mac Records. First act is teen male R&B quartet Event, which just wrapped an opening gig on Chris Brown’s Xbox 360/House of Blues tour.
Aussie Hoods Stay Home

Becoming the first domestic hip-hop act to top the Australian Recording Industry Assn.'s album chart has forced a swift reappraisal of priorities for Hilltop Hoods.

The Adelaide-based act's fourth set, "The Hard Road" (Obese Records/MGM), debuted at No. 1 on the ARIA chart April 16. As a result, tentative plans for the Hoods' first international dates this summer have been postponed.

"The current attention the band is receiving in Australia alone is enough to keep them well occupied for the next nine to 12 months," says the act's manager, P.J. Murton of Pulling Strings Management. Hilltop Hoods began a three-month tour of Australia in June and now intend to tour North America, Asia and Europe in the first quarter of 2007.

The trio of Saffa, MC Pressure and DJ Debris met at high school during the early 1990s and released their debut album "A Matter of Time" on Melbourne-based MGM-distributed Obese in 1999.

The band scored its first top 40 single in February this year, with "Clown Prince" and Murton says two more domestic singles will be taken from "The Hard Road."

The fiercely independent act handles its own publishing and booking. "Our aim was always to create a community which would support an Australian hip-hop sound, not an imported one," Saffa says.

DOUBLE TREBLE: Sony BMG Italy execs took a simple approach to following up last year's career retrospective three-CD set "Tutti Qui" (Columbia) by 55-year-old singer/songwriter Claudio Baglioni. They just did it again. "Tutti Qui" has shipped quadruple-platinum (320,000 units) since its October 2005 release. Sony Music Italy GM Massimo Bonelli says, "We thought we'd covered his repertoire with the first collection of 50 songs." Bonelli says, "but fans kept wanting us to do more, suggesting less-well-known tracks we should choose."

A second three-disc set, "Gli Altri Tutti Qui," was released March 11 and debuted at No. 3 on the FIMI album chart one week later.

The two sets cover Baglioni's recordings from 1967 onward. "Tutti Qui" featured his best-known numbers like "Questo Piccolo Grande Amore" (1957) and "Strada Facendo" (1981). The 48-track "Gli Altri Tutti Qui" includes two new recordings, one being "Va," the 2006 Winter Olympics official anthem that Baglioni performed at the games' opening ceremony Feb. 10.

Bonelli says the second compilation has already shipped 80,000 units. A single CD compilation of Spanish-language material is being prepped for release in Spain and Latin America.

Baglioni's publishing is shared among his own Casa Edizioni Musicali, BMG Ricordi, EMI Music Publishing and Warner/Chappell.
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For those about to rock, we salute you.

If the flurry of rock signings we’re witnessing at the major labels are any indication, we are poised for a full-scale rock invasion.

Additionally, rock returns to the summit of The Billboard 200 this issue with “Godsmack IV” (Billboard, April 29) for the first time since System of a Down topped the chart in December.

Like other labels, Interscope is on a signing spree. In addition to Wolfmother, whose album came out May 2, other roster additions include former Touch & Go act TV on the Radio and Dirty Pretty Things, a British group led by ex-Libertine Carl Barât. AFI’s first album on Interscope comes out June 6. Interscope is also wooing Interpol, although the label won’t comment on the status of that deal.

Virgin chairman Jason Flom recently brought A&R exec Ken Blaustein over from Warner Bros. to help bolster Virgin’s rock roster. Former Geffen Records co-president Jordan Schur says his mandate with his new Siretone imprint is to deliver rock records for Interscope Geffen & A&M chairman Jimmy Iovine and he’s off to a great start with Siretone/Geffen acts Angels and Airwaves.

Island Def Jam senior VP of A&R Rob Stevenson inked Long Island, N.Y., rock band Permanent Me as the first act for its Stolen Transmission imprint.

We’re also sure that labels are circling around that darling DIY band, Clap Your Hands Say Yeah, as the act starts work on its second album. The group’s first set, which it self-released through Alternative Distribution Alliance, has sold 91,000 copies, according to Nielsen SoundScan (billboard.com, April 27).

Newbury Comics buyer Carl Mello says Green Day is too thank—or blame—“About a year and a half ago, [labels] would come in and say we’ve done this and this, and now we’re about to rock. This was after ‘American Idiot.’ Everyone really made a push at that point.” We also think the success of such acts as Fall Out Boy may have something to do with it.

There are other reasons why we think rock’s pendulum is swinging back.

Call it the “American Idol” effect. Not to disparage any of the singers—as readers of this column know, we believe that the ability to interpret another writer’s song is a lost art—but many music fans are clamoring for something real and will gladly trade glossy, warmed-over studio perfection for sweaty, inspired, authentic playing—warts and all—any day.

Additionally, and infinitely more appealing to labels that are watching every penny, is the fact that it may not be easier to break a rock act than any other flavor of performer, but it can be less expensive.

With major labels now routinely investing more than $1 million in an act—often before the album even streets—rock bands come self-contained and can prove a faster return on investment if they hit. Or as Blaustein puts it: “Bands need some basic equipment, a van and some PB&J sandwiches and they are off to the races. Pop acts need writers, producers, staging, makeup, vocal training, studio time, etc.”

In other words, it takes a village, and an expensive one at that, to raise many pop acts, whereas rock groups are often used to fending for themselves by the time they sign a major-label contract.

Our one complaint: Would it kill A&R folks to actually look for some female-fronted rock groups? The Donnas are up for grabs after parting with Atlantic. Larcuna Coll is doing fine on Century Media, but it might want a bigger push; one of Stevenson’s signings, Oohlas, includes a female, but we can’t pin all our hopes on the Yeah Yeah Yeahs and Flyleaf—both of whom are on the rock charts right now—that just wouldn’t be fair. C’mon, guys, girls just wanna rock.

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Country Music: A Natural Rodeo Event

There are few pairings more natural than rodeo and country music. Now, the Professional Rodeo Cowboys Association is recognizing that inherent fit by creating an emerging artist program in an effort to build awareness for the sport and the music.

Warner Bros. artist Lane Turner, a Texas native and lifelong rodeo fan, has been selected as the program’s inaugural artist. He will perform at rodeos across the country and act as a spokesman for the association, hosting events for such national PRCA sponsors as Wrangler.

“Our demographics are aligned. We have a fan base in common,” PRCA commissioner Troy Ellerman says. “We have [rodeo] venues that offer an opportunity to those individuals who are upstarts in the music industry.”

He says many of today’s biggest country stars got their start playing at rodeos and country fairs. Many still do.

The PRCA will most likely align itself with just one emerging artist each year. The ideal artist to partner with, Ellerman says, is someone who is “fan-friendly, has talent and is willing to travel to the fairs and rodeos.”

Turner grew up around rodeo events, and they are where he first developed an appreciation for music. “There’s always bands, always a concert, always a rodeo dance, so it really paved the way for me loving music,” he says. “When I first got into college I started a band and we played a lot of rodeos around West Texas.”

He likes the fact that rodeos are “family-oriented” and “draw a wide variety of people,” much like country music.

The biggest boost Ellerman thinks the PRCA will give to artists is exposure. “This provides an opportunity . . . to be seen across the country and for fans to develop an affinity with that person,” he says. “Any chance to get to go play for people is a good thing,” Turner says. “At any level you want people to see what you do.”

Elleman says the artist’s label will always be a partner in the promotion. “They have to be involved in every aspect because it’s their artist,” he says. “We’re not experts in that industry, so we’re going to take our cue from the record company.”

Turner, who shares a manager with Garth Brooks, got signed to Warner Bros. in 2004, but was temporarily back-burnered after just one single due to a regime change at the label. He’ll return with a new single, “Let You Go,” in July and is expected to release his first WB album later this year.

ON THE ROW: Just days after the news broke of the merging of Sony Music Nashville and RCA Label Group into one entity, Billboard learned that artist Keith Gattis had been signed to Sony by ousted president John Grady, not long before the exec’s abrupt departure. While the deal is good news for Gattis—a talented musician and member of Dwight Yoakam’s band—it also makes him one of two artists on the Sony roster who were previously signed to, and subsequently dropped by, RLG.

With RLG chairman Joe Galante now at the helm of Sony as well, Gattis and labelmate Jon Randall could be pardoned for feeling a little nervous.

Randall released two singles on RLG imprints RCA and BNA between 1994 and 1996, including the hit duet “By My Side” with his then-wife Lorrie Morgan, before exiting the roster. Gattis got just one mid-charting single under his belt, 1996’s “Little Drops of My Heart,” before his departure from RCA.

Additional signed and dropped the Warren Brothers at RLG less than three times, indicating he’s clearly willing to give artists another chance.
RED HOT CHILI PEPPERS
Stadium Arcadium
Producer: Rick Rubin
Warner Bros.
Release Date: May 9
"Stadium" is the word, and the message is loud and clear. Twenty-three years into their career, the Red Hot Chili Peppers sound euphoric and enormously alive. Distilling the energy of their live shows into 24 new songs, "Stadium Arcadium" is a mature showpiece anchored by a concentrated power with riotous groove jams, super-sized hooks and transcendent vocal arrangements. It runs the gamut from classic funk rock ("Tell Me Baby") and crisp, hard pop ("Snow (Hey Oh)") to deep funk ("Hump De Bump") and soft-rap balleday ("Hard to Concentrate")—even they venture into post-apocalyptic blues ("Rage Against the Machine"). "Stadium Arcadium" is one wild melodic rush, and Rick Rubin's airy production squeezes the essence out of a monster—without taming it. A double disc makes sense because no real stadium show pulls the curtain after only 50 minutes. The Peppers' strongest set since "Blood Sugar Sex Magik."—SP

GNARS BARKLEY
St. Elsewhere
Producer: Danger Mouse
Downtown/Atlantic
Release Date: May 9
When Goodie Mob rapper Cee-Lo Green declared that he was leaving the group to work solo in the studio, he grabbed the attention of hip-hop fans everywhere. But what happens when he gets together—just months before his first solo release—with an all-star lineup of producers including Danger Mouse, Kool Keith, and Yeasayer's坦尼? The answers are found on the new album from the Atlanta-based group, which is a dark, experimental hip-hop sound that's both intriguing and perplexing. The album features guest appearances from Erykah Badu, Talib Kweli, and Nas, among others, and is a must-listen for fans of the experimental hip-hop scene. Overall, St. Elsewhere is a groundbreaking album that challenges traditional hip-hop conventions and offers a fresh take on the genre.—DV

ANNA NALICK
Breathe (2 a.m.)
(4:15)
Producers: Eric Rosse, Brad Smith, Christopher Thorn
Writer: A. Nalick
Publisher: A. Nalick
Music (ASCAP)
Columbia (CD track)
It is unfortunate that it took prime-time exposure on TV's "Grey's Anatomy" to convince radio that Anna Nalick's "Breathe (2 a.m.)" is an instant reaction song. Almost a year after AC and adult top 40 championed the track to top 10 glory, mainstream radio is now sniffing a hit for itself. California singer/songwriter Anna Nalick is just 22 years old, but writes with the introspection of one who has lived and studied life's joys and pains. Produced by Blind Melon founding members Christopher Thorn and Brad Smith and Tori Amos producer Eric Rosse, the song is as cool as it is pop, as immediate as it is deep. Truly one of this (and last) year's standouts. And Columbia deserves high marks for refusing to let this one go.—CT

TOBY KEITH
A Little Too Late (3:18)
Producers: Ian White, Toby Keith
Writers: T. Keith, S. Emerick, D. Dillon
Publisher: various
Snow Dog Nashville
(CD promo)
Toby Keith traditionally spends so much time being rowdy and a good time that it's easy to forget how effective he can be on more pensive tunes like this one. A Little Too Late" shows the softer side of Keith (perhaps because there was a woman's touch in the production). The song boasts a potent lyric about the unraveling of a relationship with an utterly gorgeous accompanying melody. This is that perfect combination of great songs, solid production and winning performance that has made Keith one of the big dogs on Music Row.—DEP

ROCK

TOOL
10,000 Days
Producer: Tool
Tool Dissection/Volcano
Release Date: May 2
The journey is longer than it appears: 10,000 Days makes Tool's album title appropriate in all but one track exceeds five minutes. Companion cuts "Wings for Marie (Pt. 1)" and "10,000 Days (Pt. 2)" run three full minutes. The strength of Led Zeppelin's throttling on-stage improv and Pink Floyd's laid-back, sprawling comedic rapport with a desolate, modern tone. Conversely, opens "Vicarious" and "Jambi" are more intense and uptempo. Adam Jones' psychic guitar, heard behind hospital-ward videotapes. "Keys (Blame Hoffman)," evokes anxiety before blooming into classic rock squalls for the epic "Rosetta Stoned." Native American-inspired "Lipan Conjurings" is an unexpected breath that sharply cuts through the heavily sequenced album set. distinctive rattle accompanying Maynard James Keenan's sonorous float. The entire record is a disquieting trip that ends at "Viginti Tres," which sounds like an electronic windstorm blowing through a bad dream.—CLT

ALEJANDRO ESCOVEDO
The Boxing Mirror
Producer: John Cale
Back Porch/Narada
Release Date: May 2
To the relief of fans worldwide, Escovedo's death-defying bout with hepatitis C is behind him, and his first solo release in four years is at hand. With Velvet Underground vet John Cale in the producer's chair, The Boxing Mirror" rivals anything Escovedo's ever tracked. The album is a taste of Mexico: "The "addler" has a bigger flavor of romanticism while "Looking for Love" is surprisingly danceable. The first three tracks "Dearhead on the Wall" and "Notes on Air," amount to an emphatic announcement that Escovedo is back in the groove and evidently none worse for wear. A masterpiece from one of the genuine lights in rock music.—PJV

GRANDADY
Just Like the Famby Cat
Producer: Jason Lytle
V2
Release Date: May 9
Grandaddy's music has always had an undercurrent of melancholy, so it's fitting the group's breakup comes in the second year before its final album's release. Through the use of vintage analog keyboards and songs about depressed recluses, Grandaddy's previously fixated on technology turned newly obsolete. This time, the gorgeous harmonies and lo-fi Elo homages remain, but the lyrics are more personal. Summer: it's gone. "Dearhead on the Wall" and "Where I'm Anywhere" seem to speak of the gradual demise of the band, which, despite its critical praise, never had a commercial breakthrough in its 13-year career. At least Grandaddy is ending on a high note, as John "Lez Louise," "Mirror" and the surprisingly rocking "50% rank among the band's best work. "Famby Cat" serves a worthy coda to a woefully under-appreciated band.—BT

THE ISLEY BROTHERS
FEATURING RONALD ISLEY
A.K.A. MR. BIGGS
BABY MAKIN' MUSIC
Producer: various
Def Soul Classics/Def Jam
Release Date: May 9
Siblings Ronald and Ernie mark their debut on the Def Soul Classics label with a suite of love songs billed as baby making music. Easy-grooving lead single "Just Came Here to Chill" leaves no doubt as to Ronald's intentions. His silky, sexy tenor still mesmerizes, and Ernie's guitar prowess continues to hit home. "Gotta Be With You," which coyly tweaks the duo's 50-year career ("Been in the game since '59/Have had a whole lot of women at that time"). What's missing are more of the Isleys' subtle yet no less poignant takes on the subject like a "For the Love of You" and "Hello It's Me."—GM

TEENAGE MARIE
Sapphire
Producer: Teena Marie
Doo Crissby, James Stewart: James Allen
Cash Money Classics/Universal Motown
Release Date: May 9
Teena Marie possesses one of the most distinctive—and respected—voices in R&B, and she shows it off to full effect on her second Cash Money album. Titled after an unreleased song by late mentor and longtime producer Rick James, the album also features Marie and James reprising their earlier duet magic on "You Got Me" and "Where I'm Anywhere." Marie harmonizes with 14-year-old daughter Aila Rose, family continued on p5050

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MAY 13, 2006 | www.billboard.biz | 49
Harry Connick Jr.'s Broadway isn't the show-stopping, anthem-beltind kind. Instead "Harry on Broadway, Act I" finds the 47-year-old trying, true to his original incarnation as a honey-voiced jazz crooner. The two-CD set consists of the original cast recording of "The Pajama Game"—the current revival of the 1954 musical that marks Connick's Broadway debut. It features a stripped-down version of Connick's murky original score for the 2001 show. "I'm just the kind of singer that, after a brief, poorly reviewed run, Connick plays soulful "Pajama." Lead Sib as a bedroom-eyed, sheepish seducer, quite a change from originator John Raitt (Bonnie's dad), who was all pan and power. But Connick's version of "Hey There," the show's most recognizable song, is so easy and convincing that it makes a good case for onstage restraint.—KM

VARIOUS ARTISTS

Sail Away: The Songs of Randy Newman

Producers: various

Sugar Hill

Release Date: May 9

This 12-song collection is as compelling and perfectly conceived a multi-artist "tribute" as one could imagine. Drawing entirely from Newman's incredibly fertile early to mid-70s era, a diverse yet utterly coherent grouping of alternative-country blues and acoustic artists give this body of songs an identity all its own. Cajun homeboy Sonny Landreth delivers a searing, post-Katrina "Louisiana 1927," while Steve Earle offers up a deft, reminder of his "Rednecks." Allison Moorer is devastatingly poignant on "Marie," as is Kim Richey on "Texas Girl at the Funeral of Her Father." Tim O'Brien, the Del McCoury Band, Bela Fleck, Sam Bush, the Doobies and others all prove not only the depth of their own creativity, but the surprising versatility and timelessness of Newman's work.—GE

ROY NATHANSON

Sotto Voce

Producers: Hugo Dwyer, Stephen Joerg

AUM Fidelity

Release Date: May 2

Here's a resounding welcome back for Nathanson, whose "Sotto Voce" brims with a bemused exuberance and bubbles with a strange brew of spoken word, song and improvisation. "Sotto Voce" functions as a hip, lyrical variety show that turns gets bolder with increasing confidence (snaky sax lines, Curtis Fowkes' trombone sifthers, violinist Sam Bardfeld's klezmer-inspired phrasings) and energized by the hip-hop and doo-wop-infused vocals of Napoleon Maddox. Tunes range from Nathanson originals (the playful but poignant "By the Page," and the melodic beauty "Home") to covers like the new-grooved rendering of Bobby Hebb's 1966 soul hit "Sunny." Like Nathanson's spirited projects with the The Radiators, which he and Fowkes co-founded in 1987, "Sotto Voce" is jazz that stretches the art form.—DO

MISSZÉ Love Song (3:43)

Producers: Tynece Jones Writers: T. Jones, D. Carter, S. Jones

Publisher: not listed

Eighteen years after its release, this synth- and guitar-driven pop confection remains a significant contemporary girl group on the charts. Seifert hopes to fill the gap with trio Misszé. Comprising Keysha, Tomi and Misszé (featuring Pimp C), the group is an attractive to a cool guy in a club, and his reciprocated reaction to her. The girls whisper over lullaby-like pixie bells with a moderately chunky bass, reminiscent of DJ Screw's Tenderlove. Houston MC Pimp Caddys hip-hop flair with two more verses, giving the track's driving beat some sample validity. With the single's modest goals and Pimp's C's popularity, "Love Song" stands a good chance of cementing its airplay success.—AC

Tim Eitel, Philip Van Veek, Jeff Wabel

PICK > A new release precluded to hit the top half of the chart in the commodiﬁcation format.

Legend and Critics' Choice • A new release precluded to hit the top half of the chart in the commodiﬁcation format.

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All albums commercially available in the United States are eligible. This album review column copies to Chuck Taylor (both at Billboard, 770 Broadway, Sixth Floor, New York, N.Y. 10003) or to the writers in the appropriate bureaus.
Ever see "A Mighty Wind," the excellent 2003 parody film? If you did, the contrast between The Billboard 200's action-packed top 10 and the tracking week's lacklustre numbers may lead you to mimic the stock line frequently explained by Fred Willard's "Wind" character: "What happened?"

On one hand, we see new entries in each of the top five slots for the first time in almost three years, led by Godsmack, which earns its second No. 1 album with 211,000 sold. Yet, despite all the vim and vigor of six new chart entries this big chart's top 10, album sales trail those of the comparable 2005 week by 10%. One of the causes for the slower lower album volume is the intriguing confrontation of Bruce Springsteen versus ... Bruce Springsteen, as we witness the rare phenomenon of a high-profile artist dropping albums in the same sales week of consecutive years.

This track's chart line up with the exact same stage that Springsteen's last album, "Devils & Dust," bowed at No. 1 with 222,000, a figure that surpasses the first week tally for Godsmack's "IV." The Boss rides in at No. 3 this time with 149,000 for his mining of Pete Seeger's repertoire, "We Shall Overcome: The Seeger Sessions." He is parked behind a career high-peak for Taking Back Sunday (No. 2, 158,000 copies). Prior to the band's new "Louders Now," Sunday's previous highest best had been No. 3 for "Where You Want to Be" on indie label Victory, the 2004 album that actually sold more in its first week out (164,000).

Like last year's "Devils," Springsteen's "Seeger Sessions" has been supported by a long and well-orchestrated press campaign, its visibility aided by him performing the album's material at the New Orleans Jazz & Heritage Festival.

Missing this time, though, were the appearances on NBC's "Today" that helped pave chart-topping launches for "Devils" and Springsteen's 2002 album, "The Rising." Last year's set also got love from the same network's "Dateline" and VH1's "Storytellers."

INSIDE GAME: This marks the first time since the Oct. 13, 2001 issue that each of the top five albums are new to The Billboard 200, and this week's chart also sports seven albums exceeding 100,000 copies, one more than it did in the comparable 2005 frame.

That would seem to be a recipe for the kinds of gains seen during Easter week and each of the two frames preceding it, yet the aforementioned 10% gap results. The trouble actually starts in the top 10, as each of the top six albums sells less than the same-rated title from the chart published one year ago. Consequently, volume by the albums in this week's penthouse lags 6% behind that of the top 10 for the week that ended May 1, 2005.

ROCK ME, BABY: Remember the rock resurgence The Billboard 200 felt about this time last year? The category is heating up this spring, too. Bruce Springsteen's "Devils & Dust" was the second of six albums by rock artists to bow at No. 1, although some observers still quibble over whether Rob Thomas' "... Something to Be" can be classified as a rock album.

Following Thomas and Springsteen were chart-topping starts in consecutive weeks by Nine Inch Nails, Dave Matthews Band, System of a Down and Audioslave. The week after this streak ended, Coldplay put rock back in the No. 1 slot when "X&Y" started with 737,000 copies, one of the year's biggest sales weeks.

You may have noticed that new rock albums own each of this issue's top three slots, while a fourth, Godsmack's "Let Love In," opens shop at No. 3 (83,000). Chains' opening day numbers suggest rock will cast an even larger shadow next issue, as combined volume from albums launched May 2 by Tool and Pearl Jam alone should exceed the units sold by the four new rock sets in this issue's top 10. Soothsayers have Tool's new "10,000 Days" projected at about 600,000 and the self-titled "Pearl Jam" aiming for 300,000.

LATIN FLAVOR: Big winner Shakira is not only the beneficiary of Telemundo's April 27 airing of the Billboard Latin Music Awards. Alicia Villareal's performance on the show sparks a 46% gain, the largest spike by any participant. She moves 20-8 on Top Latin Albums, while titles at Nos. 10, 19, 45, 53, 62 and 75 also see gains from the telecast.

For week ending April 30, 2006. Figures are rounded. Compiled from a national sample of retail store and radio reports and provided by Nielsen SoundScan. For complete chart data go to www.billboard.biz

For detailed weekly reports for weekly and special charts, subscribe to The Hot Box, a weekly newsletter. For more information, contact: GEOFF MAYFIELD, gmayfield@billboard.com or 212-255-3000, ext. 8613.

GODSMACK

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<table>
<thead>
<tr>
<th>ARTIST</th>
<th>Title</th>
<th>DISTRIBUTING LABEL</th>
<th>PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GODSMACK</td>
<td>IV</td>
<td>BMG</td>
<td>(18.98)</td>
</tr>
<tr>
<td>TAKING BACK SUNDAY</td>
<td>Louder Now</td>
<td>RCA</td>
<td>(13.98)</td>
</tr>
<tr>
<td>BRUCE SPRINGSTEEN</td>
<td>We Shall Overcome: The Seeger Sessions</td>
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<td>(18.98)</td>
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<td>A Girl Like Me</td>
<td>Jive</td>
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<td>Me And My Gang</td>
<td>Universal</td>
<td>(13.98)</td>
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<tr>
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<td>High School Musical</td>
<td>Touchstone</td>
<td>(13.98)</td>
</tr>
<tr>
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<td>NOW 21</td>
<td>Sony</td>
<td>(13.98)</td>
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<td>(13.98)</td>
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<td>Amore</td>
<td>Warner Bros</td>
<td>(18.98)</td>
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<td>TI</td>
<td>King</td>
<td>Interscope</td>
<td>(13.98)</td>
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<tr>
<td>TOBY KEITH</td>
<td>White Trash With Money</td>
<td>Mercury</td>
<td>(13.98)</td>
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<tr>
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<td>(13.98)</td>
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<td>Oral Fixation Vol. 2</td>
<td>Epic</td>
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<td>RCA</td>
<td>(13.98)</td>
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<td>All The Roadrunning</td>
<td>Geffen</td>
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<td>All The Reasons</td>
<td>Atlantic</td>
<td>(13.98)</td>
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<td>Precious Memories</td>
<td>Epic</td>
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<td>Greatest Hits Vol 2: Reflected</td>
<td>RCA</td>
<td>(13.98)</td>
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<td>In My Own Words</td>
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<tr>
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<td>Some Hearts</td>
<td>MCA</td>
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<td>The Trinity</td>
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<td>(13.98)</td>
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<td>Epic</td>
<td>(13.98)</td>
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<td>Def Jam</td>
<td>(13.98)</td>
</tr>
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<td>Atlantic</td>
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<td>Columbia</td>
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<td>PCD</td>
<td>High Life</td>
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<td>KEITH URBAN</td>
<td>Be Here</td>
<td>Capitol</td>
<td>(13.98)</td>
</tr>
<tr>
<td>VARIOUS ARTISTS</td>
<td>Disneymania 4: Music Stars Sing Disney...Ther Way</td>
<td>Hollywood</td>
<td>(13.98)</td>
</tr>
<tr>
<td>MARY J. BLIGE</td>
<td>The Breakthrough</td>
<td>Geffen</td>
<td>(13.98)</td>
</tr>
<tr>
<td>THE FREEWAYS</td>
<td>How To Save A Life</td>
<td>Atlantic</td>
<td>(13.98)</td>
</tr>
<tr>
<td>JACK JOHNSON</td>
<td>Curious George (Soundtrack)</td>
<td>Geffen</td>
<td>(13.98)</td>
</tr>
<tr>
<td>Janelle Monae</td>
<td>It's Time</td>
<td>Atlantic</td>
<td>(13.98)</td>
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<tr>
<td>BARRY MANILOW</td>
<td>The Greatest Songs Of The 70's</td>
<td>Epic</td>
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<tr>
<td>ROB ZOMBIE</td>
<td>Educated Horrors</td>
<td>SME</td>
<td>(13.98)</td>
</tr>
<tr>
<td>THE ALL-MERICAN REJECTS</td>
<td>Move Along</td>
<td>Elektra</td>
<td>(13.98)</td>
</tr>
<tr>
<td>RASCAL FLATTS</td>
<td>Feels Like Today</td>
<td>Warner Bros</td>
<td>(13.98)</td>
</tr>
<tr>
<td>EMINEE</td>
<td>Curtain Call: The Hits</td>
<td>American</td>
<td>(13.98)</td>
</tr>
<tr>
<td>KEISHA COLE</td>
<td>The Way It Is</td>
<td>Def Jam</td>
<td>(13.98)</td>
</tr>
<tr>
<td>THE BLACK EYED PEA'S</td>
<td>Monkey Business</td>
<td>Interscope</td>
<td>(13.98)</td>
</tr>
<tr>
<td>SOUNDRACK</td>
<td>Walk The Line</td>
<td>Warner Bros</td>
<td>(13.98)</td>
</tr>
<tr>
<td>FALL OUT BOY</td>
<td>From Under The Cork Tree</td>
<td>Atlantic</td>
<td>(13.98)</td>
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<tr>
<td>BUBBA SPARKXX</td>
<td>The Charm</td>
<td>Universal</td>
<td>(13.98)</td>
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<td>Chica Brown</td>
<td>Def Jam</td>
<td>(13.98)</td>
</tr>
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<td>NATASHA BEDINGFIELD</td>
<td>Unwritten</td>
<td>BMG</td>
<td>(13.98)</td>
</tr>
<tr>
<td>TRACE ADKINS</td>
<td>Songs About Me</td>
<td>Warner Bros</td>
<td>(13.98)</td>
</tr>
</tbody>
</table>

**THE BILLBOARD 200 ARTIST INDEX**

**ARTIST** | **Title** | **Label** | **Price** |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>TAKING BACK SUNDAY</td>
<td>Shaped Like That</td>
<td>RCA</td>
<td>(13.98)</td>
</tr>
<tr>
<td>BRUCE SPRINGSTEEN</td>
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<td>Songs About Me</td>
<td>Warner Bros</td>
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Wall-to-Wall Hits

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**HOT DIGITAL SONGS**

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**HOT DIGITAL ROCK**

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**HOT ADULT CONTEMPORARY**

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**HOT ADULT Top 40**

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### BETWEEN THE BATTLES

Avant sets the scene for "Director," scoring his first No. 1 on Top R&B/Hip-Hop Albums. Powered by single "4 Minutes," the set collects 123,000 units for a No. 4 launch on The Billboard 200. Coming in a couple of steps better than his sophomore outing, "Ecstasy" bowed at No. 6 on the big chart with 122,000 and at No. 2 on the R&B/hip-hop list.

Avant made release week stops at "The Tonight Show With Jay Leno" (April 25) and "106 & Park" (April 27). And in-store appearances, along with help from AOL and BET, offered fans a preview:

"4 Minutes," which is four minutes long, bullets at No. 10 on Hot R&B/Hip-Hop Songs with 31 million in audience and ranks No. 1 at five stations monitored by Nielsen BDS.

—Raphael George
See chart legend for rules and explanations. All rights reserved. HOT R&B/HIP-HOP AIRPLAY takes into consideration data from Nielsen SoundScan, 15 hours a day, 7 days a week, 9 a.m. to 9 p.m., artists and songs are monitored in Adult R&B stations and rhythmic stations. Nielsen SoundScan is used to compile and analyze R&B/Hip-Hop Singles & Tracks. © 2006 VNU Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved.
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**HOT COUNTRY SONGS**

- **Title**: *Who Says You Can't Go Home* (Doe 1)/What's Your Excuse (Doe 2)/When the Sun Comes Down (Doe 3)
  - **Artist**: Jake Owen
  - **Weeks at No. 1**: 16
  - **Date**: 2006-05-07
  - **Highest No. 1 Rank**: 3
  - **Total Weeks at No. 1**: 27

**ADKINS' MIGHTY 'SWING' YIELDS A HIT**

"Swing," the centerpiece of a Major League Baseball promotion for Trace Adkins' forthcoming album, is a Most Valuable Player on Hot Country Songs. With 0.75 million impressions, the track owns the chart's Hot Shot Debut at No. 47.

Adkins' stock is rising after "Honey, You Badonkadonk," as he starts his career song to reach as high as 2, but he has two previous higher debuts—over the top at #1. "Arlington" entered at No. 24 last June, and...
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Data for week of May 13, 2006 | CHARTS LEGEND on Page 68

Go to www.billboard.biz for complete chart data
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### LATIN AIRPLAY REGIÓN MEXICANA

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<td>ゴーゴーゴー</td>
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| 10 | FRIENDE | 明日 | STUDIO 

### UNITED KINGDOM

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### DENMARK

**ALBUMS**

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<td>BRUCE SPRINGSTEEN</td>
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Data for week of May 13, 2006 | CHARTS LEGEND on page 58

Go to www.billboard.biz for complete chart data
**EUROCHARTS**

**SINGLE SALES**

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<td>Columbia</td>
<td>154,139</td>
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**ALBUMS**

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**RADIO AIRPLAY**

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<td>Dani California</td>
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<td>Put Your Records On</td>
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<td>Upside Down</td>
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See Chart Legend for rules and explanations. © 2006 VNU Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved.

For chart reprints call 646.654.4633

Get: [www.billboard.biz](http://www.billboard.biz) for complete chart data

Data for week of May 13, 2006

www.americanradiohistory.com
### Chart Analysis

**ALBUMS CHARTS**

Sales data compiled from a comprehensive pool of U.S. music merchants by Nielsen SoundScan. Sales data for R&B/hip-hop retail charts is compiled by Nielsen SoundScan from a national subset of stores that specialize in these genres.

- **ASingle in the charts.** Indicates album entered top 100 on The Billboard 200 and has been removed from Heatseekers chart.

**SINGLES CHARTS**

Compiled from a national sample of data supplied by Nielsen Broadcast Data Systems. Charts are ranked by number of gross audience impressions, compiled by cross-referencing exact times of play with Arbitron-Rater data. The exceptions are the Rhythmic Top 40, Adult Top 40, Contemporary Modern, Rock and Adult R&B charts, which are ranked by total retail sales.

**TOP INTERNET SINGLES**

Tracks are listed based on precision and accuracy of internet sales reports collected from a national sample of reports from club charts with 15,000 or more listeners.

**DANCE CLUB PLAY**

Compiled from a national sample of reports from club DJs.

**ARTISTS**

Sales data compiled from a comprehensive pool of U.S. music merchants by Nielsen SoundScan. Sales data for rock/hard rock retail charts is compiled by Nielsen SoundScan from a national subset of stores that specialize in these genres.

### Top Artists

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>JOHNNY CASH</td>
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<td>GREGORY PORTER</td>
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<td>REPRISE</td>
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### Top Albums

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<td>We Shall Overcome: The Seeger Sessions</td>
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### Top Digital

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### Top Artists (Distributing Labels)

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<tr>
<td>DANE COOK</td>
<td>Life Is Worth Losing</td>
<td>SONY</td>
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<tr>
<td>GODSMACK</td>
<td>Billboard Chartbusters</td>
<td>REPRISE</td>
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<tr>
<td>TIM McGRAW</td>
<td>Let It Go (feat. Tim McGraw)</td>
<td>WARNER BROS.</td>
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<tr>
<td>LEWIS BLACK</td>
<td>The Best Of Lewis Black: 20th Century CENTRAL</td>
<td>CENTURY</td>
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<td>RASCAL FLATTS</td>
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<td>How To Save A Life</td>
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<td>Coming Up To Breathe</td>
<td>SONY</td>
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<td>The Hardest Way To Make An Easy Living</td>
<td>SONY</td>
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<td>Ain't No Sunshine (feat. Jamie Cullum)</td>
<td>SONY</td>
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<tr>
<td>SOUNDTRACk</td>
<td>Mensa's INTELLIGENCE</td>
<td>WEA</td>
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<td>PINK</td>
<td>I'm Not Dead</td>
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### DVD Sales

- **DVD SALES**
  - **DVD SALES/VHS SALES**
  - **DVD SALES/VIDEO RENTALS**

**DIgITAL**

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<td>TITLE</td>
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</tr>
<tr>
<td>1</td>
<td>HOSTEL</td>
<td>Idea Film/Entertainment) (9.98)</td>
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<tr>
<td>2</td>
<td>FUN WITH DICK AND JANE</td>
<td>20th Century Fox (9.98)</td>
</tr>
<tr>
<td>3</td>
<td>THE CHRONICLES OF NARNIA (FULL SCREEN)</td>
<td>20th Century Fox (9.98)</td>
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<tr>
<td>4</td>
<td>THE GREATEST GAME EVER PLAYED</td>
<td>20th Century Fox (9.98)</td>
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<tr>
<td>5</td>
<td>BROKEBACK MOUNTAIN (FULL SCREEN)</td>
<td>20th Century Fox (9.98)</td>
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<tr>
<td>6</td>
<td>THE CHRONICLES OF NARNIA (2-DISC SPECIAL COLLECTION)</td>
<td>20th Century Fox (9.98)</td>
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<tr>
<td>7</td>
<td>WOLF CREEK</td>
<td>20th Century Fox (9.98)</td>
</tr>
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</table>

**SALES DATA COMPILED BY: nielsen SoundScan**

**SEE BELOW FOR COMPLETE LEGEND INFORMATION:**

**WHEN THIS WEEK ON BILLBOARD**

**ARTIST**

**HINDER**

**EXTREME BEHAVIOR**

**THE CARNegie Hall Performance**

**LEWIS BLACK**

**COMEDY CENTRAL**

**PRINT WICKHAM**

**THE ASCENDENT**

**TEN SILVER DROPS**

**EVANS BLUE**

**IN SEARCH OF SUNRISE 5: LOS ANGELES**

**THE GREAT ALICIA VILLARREAL**

**ORGullo De Muere**

**SAVING JAYNE**

**GRIT NEXT DOOR**

**SONYA KITCHELL**

**WORDS CAME BACK TO ME**

**IMAGEN HEEP**

**SPEAK FOR YOURSELF**

**THE TERMS**

**SMALL TOWN COMPUTER CRASH**

**ANAS**

**AUI SYO**

**EAGLES OF DEATH METAL**

**DEATH BY SASHA**

**RAMON AYALA Y SUS BRAVOS DEL NORTE**

**ANTOLOGIA DE UN REY VOL. 2**

**REGGAETON NINOS**

**REGGAETON NINOS VOL. 1**

**RAXIM K & KENY**

**MASTERPIECE: NUESTRA OBRA MAESTRA**

**MONICHA & ALEXANDRA**

**EXITOS Y MAS**

**GIR AUTHORITY**

**GNETO REVELATIONS II**

**DANAL DUNNING PRESENTS THE TRIPLE SINGERS**

**FINALE: Act One**

**MAY KEEARNY**

**NOTHING LEFT TO LOSE**

**KAM HUNT**

**ON THE JUNGLE FLOOR**

**ANYTHING WORTH SAYING**

**THE COUP**

**PICT A BIGGER WEAPON**

**HILLSONG**

**UNITED WE STAND**

**HISTORIA DE UNA RENA**

**DONALD LAWRENCE PRESENTS THE TRIPLE SINGERS**

**FINALE: Act Two**

**HURT**

**NO BOUNDARIES**

**THE SOUNDS**

**DYING TO SAY THIS TO YOU**

**NICHOLAS NORDSTROM**

**BRUCE**

**CALIEXOLO**

**GARDEN RUN**

**MINDI ABAR**

**LESS LIFE**

**SANCUS REAL**

**FACE OF LOVE**

**CASSANDRA WILSON**

**MIND OF ANGEL**

**BISHOP G.E. PATTERSON & CONGREGATION**

**SINGING THE OLD TIME WAY Volume 2**

**YURIDIA**

**LA VIDA DE UN ANGEL**

**THE ACADEMY IS...**

**ALMOST HERE**

**CARLE 13**

**CARLE 13**

**RAMON AYALA Y SUS BRAVOS DEL NORTE**

**ANTOLOGIA DE UN REY**

**GOLDFRAPP**

**SUPERNATURAL**

**MARK HARRIS**

**THE LIME BETWEEN THE TWO**

**THE BULLET FOR MY VALENTINE**

**THE POISON**

**JOSE JOSE**

**LA HISTORIA DEL PRINCIPE**

**CORONADO: LOS EXIOS**

**GUARDIANES DEL AMOR**

**THE BACK ROOM**

**GOTAN PROJECT**

**LAMINATO**

**LAURA MAUSINI**

**ESCUCHA AMOR**

**ANDY MONTANEZ**

**SERA CON REGRETAION**

**BREAKING & ENTERING**

"As I Say To" by Anahí, winner of "Obietto Fama," a talent show similar to "American Idol," a winner of Top Heatseekers. Anahí's "Break & Enter" on its eleventh week at No.1 on Hot Latin Songs. Discover developing artists making their Inaugural Chart Full with each week in Breaking & Entering on billboard.com.

The list selling albums by new and developing artists, defined as those who have never appeared in the top 100 of The Billboard 200. A Heatseekers title reaches that level, and the act's subsequent albums are immediately ineligible to appear on the Heatseekers chart. See Chart Legend for rules and explanations. © 2006, VNU Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved.

Go to www.billboard.biz for complete chart data.
<table>
<thead>
<tr>
<th><strong>SINGLES &amp; TRACKS</strong></th>
<th><strong>SONG INDEX</strong></th>
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<tbody>
<tr>
<td><strong>MAY 13 2006</strong></td>
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</tbody>
</table>

**Chart Codes:** CS (Hot Country Songs); H100 (Hot 100 Songs); LT (Hot Latin Songs); POP (Pop 100 Songs and RBH (Hot R&B/Hip-Hop Songs). TITLE (Publisher - Licensing Org) Sheet Music Dist., Chart Position

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**A**

**B**

**C**

**D**

**E**

**F**

**G**

**H**

**I**

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**M**

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**V**

**W**

**X**

**Y**

**Z**

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**DATA FOR WEEK OF MAY 13, 2006**

**CHARTS LEGEND ON PAGE 68**

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Go to www.billboard.biz for complete chart data
REAL DEALS
BY MICHAEL SLOWDON
LUXURY SHOW
Terry for Los other securities. to be interest lion estate market. the fluctuations that tend capitals luxury real agents And home, the Game lot bucks more June Carter Cash, sonville, Tenn., for his own foot Ryan "There's Deals like In New Down In New York, Daddy Yankee bought an apartment there. And Barry and Linda Gibb just purchased the Hendersonville, Tenn., home where Johnny Cash and his wife, June Carter Cash, lived.

Deals like these make news, even when the real estate agents involved typically decline to discuss their high-profile clients. But those agents will gladly declare that the luxury real estate market in the four U.S. entertainment capitals is doing just fine.

In signature fashion, high-end properties have bucked the fluctuations that tend to occur in a softened overall real estate market. Simply put, people spending several million on a residence are less affected by changing mortgage interest rates and shifts in the economy.

Also, as an asset class, high-end real estate often proves to be a better return on investment than venture capital or other securities. And for Europeans and Latin Americans buying in the four U.S. entertainment capitals—New York, Los Angeles, Miami and Nashville—a strong euro makes for a very sound investment.

"There's no softening in the high-end market here," says Terry Stevens, an affiliate broker with Fridrich & Clark in Nashville. "These people have the money. They have a different way of looking at the market. And their finances are structured differently than those going after $200,000 homes."

Daniel Gaviria, owner of Great Properties International in Key Biscayne, concurs. "If you're doing well, money doesn't disappear. It just changes hands," he says.

Still, realtors acknowledge that perception can become reality. In other words, when real estate buzz is heightened, the luxury market booms that much louder.

"The demand is strong," says Deborah Grubman, senior VP of the Corcoran Group in New York. "There are a lot of people with a lot of money." Pausing for a moment, she adds, "A great property equals great interest equals strong demand. That has not changed."

Though "a great property is subjective, today's buyers take many things into consideration, including location, size, architecture, view and natural light. Also important, for some, is the provenance of the property. (Did it once belong to Cher, Madonna, Mick Jagger or David Geffen? Jackpot.)"

While agents prefer to not name names, many acknowledge that such aspirational sales occur on a regular basis. "Did the property once belong to Jackie O.?" Grubman notes. For many, that is reason enough to buy a place, she says.

A trend in new high-rise constructions is to hire a celebrity architect, such as Richard Meier, whose luxury towers rise at the riverfront edge of Manhattan's West Village. Also noteworthy is the trend to incorporate numerous amenities into the property. These include on-site fitness centers, pools, dog walkers, restaurants and lounges. With older buildings, residents typically get a doorman and concierge. Period.

Gaviria says his clients seek location and security, "Many are looking for a second home," he says. While they prefer homes to condos, he says being near the water is key in Miami.

continued on >>p74
**IMPECCABLE COMPOUND**

1401 Oriole Drive • Los Angeles

*Please visit www.orioledrive.com*

Trophy property in the prestigious "Bird Streets" with head-on city to ocean views. Designed by architect Robert Offenhauser. Consisting of single-story main house with large scale rooms, walls of glass that disappear to patios, gardens, pool, waterfall-jacuzzi and special views. Grand master suite with lounge/ screening room, dual baths and two additional guest suites. Gourmet kitchen that opens to family room with fireplace and informal dining area. Fully equipped guest house with kitchen and flat, grassy yard. N/S tennis court and gym complete this estate, ideal for buyers who require privacy and breathtaking views.

Offered at $14,900,000

**Sotheby's INTERNATIONAL REALTY**

421 North Rodeo Drive • Beverly Hills, CA 90210 • socalsir.com

Mimi Starrett
310.385.7237

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SPECTACULAR VIEWS $3,450,000
150 PRIVATE LAKE FRONT $5,590,000
1308 LAUREL WAY $5,790,000
325 TOYOPA DRIVE $7,295,000
SPECTACULAR VIEWS $3,450,000
OPEN 2-5 05/07/06
OPEN 2-5 SAT/SUN
OPEN 2-5 05/07/06
OPEN 2-5 05/07/06
OPEN 2-5 05/07/06
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Realtors note the luxury real estate market is skewing younger.

In Los Angeles, today’s double-digit million-dollar homes are moving very quickly. Jonah Wilson, a broker with Sotheby’s International Realty on Sunset Strip, says people are lining up to buy “those wonderful, 10,000-square-foot family homes—the ones with all the bells and whistles—west of the 405” Interstate. A fair number of these buyers, he says, are music executives, producers and artists.

Nashville, centrally located and boasting a Midwestern lifestyle, offers the best of both worlds: no state income tax and great deals on luxury real estate, when compared with markets like New York and Los Angeles.

Across the board, realtors note that the luxury real estate market is skewing younger and younger, with 25- to 30-year-olds buying multimillion-dollar homes. Ten years ago, “unless you were a rock star,” a $6 million house was sold to someone who had more time to make his or her fortune. Wilson says. Today, it’s the 35-year-old music executive who is as apt as his older counterpart to buy the high-end property. Surprised? Don’t be. Though the record business is in a slump, the music industry as a whole has shifted, Wilson maintains. In addition to the labels, today’s music business encompasses the gaming industry, the Internet, mobile technology and branded entertainment. “Maybe the person who has the incredible Internet company is the one looking for the $6 million home,” Wilson says.

Indeed, agents and brokers confirm that they are now dealing with a wider net of buyers and sellers—people in new positions or people employed in industries that did not exist five years ago. And one of the first things they’d like to do—to best express their upward mobility—is buy a new home.

In Nashville, realtors say that growth in luxury real estate can also be attributed to non-entertainment companies migrating east. Nissan moved its U.S. headquarters from Southern California to the country music capital. The city also boasts home-healthcare firms and two pro sports franchises.

According to agents and brokers, this helps explain why real estate in Nashville has been on a growth path for the last six years. “It’s been growing like spokes,” Stevens says. Nashville proper is home to about half a million people, while more than 1 million live in surrounding areas.

Counties surrounding Nashville, including Davidson and Williamson, are expanding tremendously. Areas like Brentwood and Franklin are experiencing whole-growth patterns that were not in place 10 years ago. One-acre lots, with 5,000- to 6,000-square-foot homes, are selling for around $1 million.

A surrounding area like Belle Meade, with its enormous homes and old money, is comparable to Beverly Hills or Bel Air in Los Angeles.

A neighborhood like Leipers Fork outside Nashville offers acreage that promises privacy—for a price. A 17,000-square-foot property on 250 acres of land was recently listed for $7.5 million. Stevens acknowledges that this is incredible growth for Nashville, “where you can go crazy with $1 or $2 million.”

Thirty miles southeast of Nashville sits Murfreesboro, one of the fastest-growing areas for people who feel priced out of Nashville and other neighboring areas. Here, homeowners get more house for less money, generally in the $200,000-$400,000 range. (In New York, this might cover a studio apartment.)

This is a vital market for the not-yet ‘big star’ set. Stevens says, “You can’t forget to mention that the people propping up [the name acts and label presidents] are buying and selling homes for $300,000-$500,000. That, too, is a very important part of the market.”

To entice younger buyers—those in their 30s and 40s—and to get the attention of prominent brokers, condominium developers, particularly in New York, are hiring musicians to help raise awareness of new projects.

In early March, Extell Development invited Seal to perform near the construction site of its condominium, the Avery, going up on the Upper West Side.

Downtown, developer Leviev Boymlgegreen worked with Shvo Marketing president Michael Shvo on an event celebrating the opening of its condominium, 20 Pine Street, in the financial district. John Legend performed at the social soiree, which was done in association with the New York Academy of Arts.

According to Shvo, whose firm works alongside developers to produce and sell developments, more people showed up for the event than could be accommodated. With such creative marketing, Shvo stresses the importance of finding the right marriage between building and celebrity. “You want the celebrity to be as unique as the property we’re selling,” Armani/Casa designed the interiors of 20 Pine Street.

Corcoran’s Grubman credits such star-studded events to the numerous new developments cropping up around the city. “Some contractors want to capture the public’s attention immediately,” she says. Call it high-end publicity.

Shvo has now partnered with Jade Jagger on a building taking root in New York’s Union Square neighborhood. “I’m sure we’ll try to produce something exciting when the time comes,” Shvo says, with an apparent wink to Jagger’s rock legend dad.

Contractors and developers need to woo potential brokers and clients. So, they now treat a new condominium development the same way a record label treats a new release or an artist’s tour. “You want to get the attention of the press,” Grubman explains. “You’re advertising a product.” This concept has yet to catch on in Los Angeles, Miami and Nashville.

In the city of Miami’s mayor, Manny Diaz, hosted a VIP cocktail reception in March at the Four Seasons Hotel Miami to celebrate the premiere of “Viva Florida” on E! Entertainment Latin America. The TV show is billed as the No. 1 luxury real estate program.

Plain and simple, Grubman notes, real estate has become a hot and sexy topic for everyone. It’s no longer simply the lifestyle of the rich and famous. “When I meet clients at buildings, even the doormen are now talking prices.”

She adds, “I’ve always thought it was the sexiest thing to talk about. I guess I was ahead of the curve.”
4099 Mandeville Canyon • Brentwood
Offered at $6,750,000

Poised on approx. 7.5 acres, The Stone Hollow Ranch is a private, exclusive estate. This 5-bedroom, 5-bath home is a new construction, premiere horse property. It is rustic, yet sophisticated with a fully gated & grand entrance, sweeping canyon views and plenty of flat grassy yard. The main home has over 5,400 sq.ft. with top line finishes throughout. There is a approx. 700-sq.ft. guest home on the 2nd level of the 3-car garage. Professional grade 4-stall barn with tack room feed room, wash area, office and regulation size riding arena. This property is co-listed.

27091 Sea Vista Drive • Malibu
Offered at $4,485,000

Gated Zen-Contemporary style home in turnkey condition in a private beach community with direct beach access under PCH. Large grassy usable yard & ocean views of Point Dume. Keyless entry with Brazilian walnut hardwood floors throughout. 4 bedrooms, 4.5 baths, gourmet entertainer’s kitchen, fully equipped media room with 120” LCD projection screen & surround sound. Creston control panels control the entry, sound, light, & temperature. Over 1,800 sq.ft. of slate decking off the main living area with sweeping ocean views.

6087 Cavalleri Drive • Malibu
Offered at $12,000,000

One of the finest gated estates in Malibu. Surrounded by state parkland & situated in a private & serene setting featuring ocean and mountain views. Custom high end finishes throughout, gourmet kitchen, beautiful master with large deck, grand living room that leads out to the backyard featuring ocean views. Amazing outdoor BBQ area includes pizza oven, grill, sink fridge and outdoor fire pit. Tennis, pool, spa with expansive yard and garden are great for entertaining. Grand estate in great neighborhood. This property is co-listed.
**Villa Tular, Carmel Valley**
Offered at $3,500,000

This exquisite Tuscan-style residence and guest cottage, designed by Ric Miller, is newly completed and offers unsurpassed privacy & serenity in approx. 40 level acres of woodland and wildflower meadows, with wooded arroyos and abundant wildlife. European ambience has been created using seldom seen vintage design elements. Situated in a picturesque gated community in the heart of Carmel Valley, the house is five minute drive to Stonepine, one of the world’s premier equestrian centers and lodge, and ten minutes from shopping and dining in the peaceful Carmel Valley Village. Monterey Peninsula offers numerous world-famous golf courses including Pebble Beach. The property is twenty-five minutes from the Monterey Airport, which has frequent flights to/from San Francisco and Los Angeles. The property is ideal for nature lovers, horses and horticulture.

**Havenhill, Carmel Valley**
Offered at $5,695,000

Located in the sun-drenched Carmel Valley which is an ideal year-round Mediterranean climate. Enjoy country living from your own English Country estate in Carmel Valley’s most exclusive gated residential developments, Sleepy Hollow. Elevated to enhance your views of the Valley, luxuriate in over 12,000 sq.ft., 6+ bedrooms 4+ baths, pool, cabana and tennis court, plus 2 separate guest apartments over a 4-car garage situated on over 7 acres. Whether it’s for Corporate events or private compound, join the likes of Earth Wind & Fire who saw the beauty and peace of Carmel Valley life. Don’t let Hollywood run you, run Hollywood from your new headquarters at Havenhill, Carmel Valley California.

**Rocky Point Restaurant, South Coast**
Price Upon Request

 Conceivably one of the world’s most famous restaurant landmarks. The exclusive 2.5 acres of breathtaking views and coastline have been photographed and filmed by tourist and film makers alike. Located 10 miles south of Carmel on the west side of Highway 1. A private road leads to the approx. 6,159 sq.ft. restaurant offering a spectacular view of the sea and shore from all tables. The sun sets, the rocks, cliffs, and water are illuminated by powerful floodlights. Restaurant seats 105 guests and has a liquor license. Additionally there are 2 apartments (887 q.ft. each) and a free-standing guest cottage (340 sq.ft.). More than 100,000 tourists visit the scenic, rugged coastline between Carmel and Big Sur a month. Residential or commercial expansion possibilities.

**Mill Creek Ranch & Wilderness Empire**
Price Upon Request

Flowing down from the austere, volcanic foothills of the Southern Cascade Range into the verdant pastures of the Sacramento Valley, this land encompasses more than twenty-five thousand acres comprised of rolling rangeland, shady oak woodlands and the rugged Mill Creek Canyon. Ecological diversity, a pristine salmon stream, historical significance, and exquisite landforms make this property a special one. Mill Creek Ranch offers an unique experience of secluded natural beauty, secured by sheer size and the Preserves that surround it: the Gray Davis Creek Preserve, Lassen National Forest and the Ishi Wilderness. Once described as “one of the largest unfragmented and most biologically diverse landscapes in California”, Mill Creek Ranch stands alone in its dedication to wildlife, preservation and its legacy of precious, unspoiled California terrain.

Jim Somerville 831.659.6818 • jones.m.may@sothebysrealty.com
Jon Sutherland 831.659.6814 • jon.sutherland@sothebysrealty.com
Michele Guastello 831.214.2545 • michelle.guastello@sothebysrealty.com
Steve Clark was a professional drummer for over fifteen years, playing in countless bands, including VAST and Memento. Stephen Placial has been in the top 2% of Los Angeles real estate agents for nearly fourteen years. With more than $21,000,000 in property transacted in 2005, they employ a different approach to the real estate industry. Their professionalism and creative thinking are what set them apart.

"Stephen sold me my first house back in '98. It was a beautiful Wallace Neff nestled in the Hollywood Hills. A few years later, we outgrew the home. He put the home on the market, and within the first few days, found us the perfect buyer. He represented us and the buyer to a 'T'. He then found us our dream home in Los Feliz, which we negotiated and closed on Super Bowl Sunday."

David Ayer, creator, “Training Day” and “Harsh Times”

"Buying our ideal home turned into a challenging deal. Steve was fantastic, came through for us, and made it a pleasurable experience."

Miles Siggins, costumer, American Idol

"I met Stephen in '94 when he helped me sell my first house. Since then, we have done several other real estate transactions. I trust no one else with my real estate needs."

Johnette Napolitano, singer, Concrete Blonde

"When I met Steve Clark, he was drumming in a band called Memento. Aside from being a fan of the band, I was impressed by the fact that Steve was a smart guy with a great business sense. I went on to sign the band, and throughout the years, I've never waivered in my opinion of him as a person. Although Steve is no longer in the music business, I am still proud to call him a friend and can see why he excels in real estate."

Matt Messer, VP Creative, EMI Music Publishing

"Steve Clark turned our open house into an event. Four days, four offers over asking. 'Nuff said."

Cristina Bartolucci, co-creator, DuWop Cosmetics

"I had my house on the market for months with another agent. I called Steve and had him come up to see my home. Within one week of signing the listing, the house was staged and in escrow for over the asking price. Steve Clark and Stephen Placial are the ****!"

Reno Wilson, actor, “Heist”

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Majestic Hudson River views set the stage for this remarkable Westchester County, New York estate. Built circa 1825, the seven bedroom, six and one-half bath residence boasts the finest of architectural details of the 1800s. Three other unique dwellings grace the landscape to add to this artist’s palette. Surrounded by over 20 acres of rolling lawns, mature trees, stone walls and a tranquil pond, the estate is reminiscent of the classic southern mansions of New Orleans. Only 45 minutes from Manhattan, Prudential Rand Realty, 1270 Pleasantville Rd, Briarcliff Manor, NY 10510, $10,950,000.

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N.Orlens-Style older home and recording studio sitting on 2.18 acres on beautiful Lake Mary Jane, remodelled and ready to move in. Sunset vu of a 2600 acre fish & lakes from the lg rm - 6/4 BR, 4 1/2 baths, CHA, sep.3 room,1100 sq ft recording studio and office w/central AC -3 rms (20x20 office, 8x20 control rm and 20x20 vocalodium rm,) plus half bath. Updated kit with black granite counters/Dacon prof. range, Kitchenaid fridge.Billiards rm-library. Master ste w/sitting rm, and 2 (his and hers) granite and marble ba. -Office (could be BR) Exercise room (could be BR). Lg BR w/ ADA comp. bath and walk-in closet w/ sep. ent: HW floors throughout. Garage w/rap storage, pool, hot tub, sauna. Dock & boathouse w/ig deck on lake. 15 min. to Orl Intl. Appt-25 min to Disney- 30 min. to downtown! $1,350,000 Bay. appt. Shown by appointment only. Email bananajuna@yahoo.com, or contact Jane by phone 407/498-9173, 407/487-0004 (call 9 during message to bypass voicemail) or 011/506-844-2577.

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NOTICE OF PUBLIC SALE OF ASSETS OF
THE SONGWRITER COLLECTIVE, LLC

Notice is hereby given that Fortress Credit Opportunities I LP, a Delaware limited partnership, as a lender and as agent on behalf of the lenders (the "Agent") under that certain Loan Agreement, dated as of March 1, 2004, as amended (the "Loan Agreement"), among The Songwriter Collective, LLC, a Delaware limited liability company, as borrower (the "Debtor"), the Agent and the lenders, having postponed the public sales scheduled for November 4, 2005, December 14, 2005, January 31, 2006 and April 25, 2006, intends to sell at public sale in accordance with the provisions of the New York Uniform Commercial Code. Certain personal property assets of the Debtor, generally described as all of the Debtor's right, title and interest of every kind and nature in and to all accounts, chattel paper, deposit accounts, documents, electronic chattel paper, equipment, general intangibles, goods, instruments, inventory, investment property, payment intangibles and software belonging to the Debtor, in each case whether tangible or intangible, wherever located or situated, including all rights to a portfolio of musical compositions, including, in some instances, copyrights of the musical compositions, the right to use and interest in any and all revenues and licenses derived from such musical compositions, and all claims and causes of action related to the musical compositions accruing at any time and all other rights of the Debtor of any nature whatsoever in the musical compositions (the "Collateral").

A more detailed description of the Collateral will be provided to you upon execution of a confidentiality agreement. The public sale will take place at the office of Sidney Austin LLP at 787 Seventh Avenue, New York, New York 10019, on Tuesday, June 6, 2006 at 11:00 a.m., New York time. The Agent reserves the right to cancel the sale, without notice, in its entirety, or to adjourn the sale to a future date. The Agent may further adjourn the sale herein described to another date from time to time, before, during or after commencement of bidding, without written notice, by announcement at the time and place appointed for such auction, or any adjournment thereof, and, without further notice, such auction may be made at the time and place to which the auction may have been so adjourned. Interested persons should take notice that the Collateral will be sold on the following terms and conditions:

1. All bids must be given orally at the public sale.
2. The Agent reserves the right to bid for and purchase the Collateral and to credit the purchase price against the expenses of sale and principal, interest and any and all other amounts due and payable to the Agent pursuant to the terms of any and all indebtedness secured by the security interest in the Collateral.
3. The Agent has sole discretion to determine which offer is the highest or best offer, and to reject any offer which it deems to be insufficient.
4. Concurrently with the acceptance of any bid, the prospective purchaser shall be required to execute and deliver to the Agent the Asset Purchase Agreement, a copy of which may be obtained by contacting one of the person's identified in the final paragraph of this notice, containing terms of sale and conditions precedent to the Agent's obligation to sell, in each case, in addition to those set forth herein, including, without limitation, the requirement that the sale of the Collateral pursuant to the Asset Purchase Agreement be consummated no earlier than 45 days following execution thereof.
5. Upon acceptance of any bid, the prospective purchaser shall be required to deposit (the "Deposit") with the Agent an amount equal to ten percent of the purchase price. Such Deposit shall only be refundable to such prospective purchaser as, and to the extent, provided in the Asset Purchase Agreement. In each case, the Agent shall have the right to retain such Deposit. If such sale of the Collateral is consummated with such prospective purchaser, the full amount of such Deposit shall be applied to the purchase price. If such sale is not consummated, the Agent shall have the right, but shall have no obligation, to reoffer the Collateral for sale, without further notice. The prospective purchaser shall not be entitled to any interest on the Deposit held by the Agent, whether or not the Deposit is required to be refunded to such prospective purchaser by the Agent pursuant to the Asset Purchase Agreement.
6. No bids may be withdrawn once made, but no sale is final until accepted by the Agent.
7. Only cash or cashier's check or other immediately available funds will be accepted for the Deposit or for payment of the purchase price. The bid of any prospective purchaser who fails to tender proper payment may be rejected and the Deposit forfeited. The Agent, subject to the terms hereof, (i) accept any alternative bid made at the sale, in which case the Agent shall have no obligation to reconvey the sale, accept additional bids, or notify any other bidders of the acceptance of such bid, or (ii) reoffer the Collateral for sale without further notice, in each case, at the Agent's option.
8. In the event the Agent is unable to consummate any sale and deliver the Collateral to a purchaser, then the sole liability of the Agent to such purchaser shall be to refund the purchase price, if any, previously paid to the Agent.
9. The Collateral will only be sold in its entirety unless the Agent announces otherwise at the outset of the public sale.
10. Subject to satisfaction of all of the conditions precedent to the Agent's obligation to sell the Collateral pursuant to the Asset Purchase Agreement and the terms and conditions hereof, consummation of the sale of the Collateral will be made immediately upon receipt by the Agent of the purchase price and shall be evidenced by delivery of the Collateral to the purchaser thereof, BUT WITHOUT DELIVERY OF A BILL OF SALE, WITHOUT GUARANTEE OF SIGNATURES, WITHOUT PAYMENT OF ANY TRANSFER OR OTHER TAX, AND WITHOUT REPRESENTATION OR WARRANTY BY THE AGENT, AND SUBJECT TO ALL DEFENSES.
11. The above terms and conditions of sale may be subject to additional or amended terms and conditions to be announced at the time of sale.
12. If any dispute arises between two or more bidders, the Agent may decide the same or put the Collateral up for sale again and resell to the purchaser submitting the best bid, as determined by the Agent. In all cases, the Agent's decision shall be final.
13. All bidders and other persons attending this auction agree that they have full knowledge of the terms set forth above and contained in the Asset Purchase Agreement and agree to be bound by the terms hereof and thereof.
14. The Debtor shall have the right to redeem the Collateral in accordance with, and only to the extent provided for, under applicable law.

Persons wishing further information as to the public sale of the Collateral, and the terms and conditions relating thereto, and/or desiring to obtain copies of the confidentiality agreement or the Asset Purchase Agreement, may contact either Martin Jackson (212/839-6726) of Sidney Austin LLP, 787 Seventh Avenue, New York, New York 10019 or Colleen McDonald (415/772-1207) of Sidney Austin LLP, 555 California Street, San Francisco, California 94104, counsel for the Agent.

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THE DONUT MAN
Leave it to BMG North America chairman Clive Davis to feed New York’s tired and hungry. Davis stopped by Tower Records East Village store last week to purchase $1,000 worth of doughnuts to the massive throng of Pearl Jam fans that had camped out for more than 48 hours to be the first to purchase the band’s new album at the stroke of midnight May 2.
Tower event coordinator for the Northeast region Jim Kaminski says it was the retailer’s biggest midnight sale in the last five years, with around 500 cars sold in 45 minutes. “These days, it was just nice to see people waiting outside for two days for a record’s release,” he says. “It was nostalgic. It brought a tear to my eye.”
In addition to picking up the band’s debut for J Records, and downing a few glazed donuts, the hardcore fans received comp tickets to a secret Pearl Jam show. (See you May 5 at Irving Plaza!)

A LITTLE DIDDY QUESTION
True or false: Sean “Diddy” Combs will participate in a forthcoming got Milk? ad campaign.

NOT CRAZY FOR MCDONALD’S
Is Gnarls Barkley, to quote the title of its monster international smash, “Crazy”? Track hears the duo of Cee-Lo and Danger Mouse has turned down a request from McDonald’s to use the feisty track in an ad campaign that would have had a total spend in the tens of millions range, including a multimillion-dollar licensing fee for the act. Perhaps Cee and Mouse are Burger King fans.

TOUGH BREAK
Track is fairly confident that whoever told Blue October’s lead singer Justin Furstenfeld to “break a leg” is feeling really bad right now. Furstenfeld broke his leg running the bases during a baseball game in Tampa, Fla., following a radio show. But sticking to the time-honored “the show must go on”—or recalling the stage antics of a similarly afflicted Bette Midler—Furstenfeld performed from a wheelchair for the group’s May 2 show in Baltimore. However, following further examination, Furstenfeld is headed for surgery on the leg and the band has postponed its tour. The group, whose “Heart Me” is No. 2 on Billboard’s Modern Rock chart this issue, hopes to be back on the road in June.

INUDDY
Sources say Polydor U.K. has inked a deal for Yusuf Islam’s first new pop album since the late ’70s for release on Universal Music International worldwide outside of the United States. Now, track hears the battle over who will release it in the United States is heating up with several majors in the running. Polydor U.K. reps declined to comment. For those who may have forgotten, Islam is better-known as Cat Stevens. And sources who have heard the record say it recalls the beautiful lyrics and melodies of 1971’s “Teaser and the Firecat.”

BRIDGE CLOSE TO NEW DEAL
Now that Alter Bridge—better known as Creed minus Scott Stapp and plus singer Myles Kennedy—has split from Wind-up and is up for grabs for recording, publishing and merchandising deals, sources say Sony, Universal, EMI and Roadrunner are among the labels that have expressed interest in meeting with the band. Managed by Jeff Cameron and Randy Deae, Alter Bridge negotiated to sever its ties with Wind-up following the release of its debut, “One Day Remains,” which has sold 459,000 copies in the United States, according to Nielsen SoundScan.

BETTE DAVIS EYES
Track hears that Bette Davis—better known as Elizabeth Taylor and plus singer Myles Kennedy—has split from Wind-up and is up for grabs for recording, publishing and merchandising deals, sources say Sony, Universal, EMI and Roadrunner are among the labels that have expressed interest in meeting with the band. Managed by Jeff Cameron and Randy Deae, Alter Bridge negotiated to sever its ties with Wind-up following the release of its debut, “One Day Remains,” which has sold 459,000 copies in the United States, according to Nielsen SoundScan.

Renaissance man
Track has learned that Derrick Thompson has been promoted to senior VP of urban music at BMG Songs. Thompson’s promotion returns him to New York from Los Angeles, where he was formerly VP of the publishing company’s urban division. Since joining BMG Songs in 1994 as creative manager, Thompson has signed Nelly, the Neptunes’ Chad Hugo, Manuel Seal, Erykah Badu and newcomers Keyshia Cole and Lupe Fiasco.

THOMPSON MOVES UP AT BMG SONGS
Track has learned that Derrick Thompson has been promoted to senior VP of urban music at BMG Songs. Thompson’s promotion returns him to New York from Los Angeles, where he was formerly VP of the publishing company’s urban division. Since joining BMG Songs in 1994 as creative manager, Thompson has signed Nelly, the Neptunes’ Chad Hugo, Manuel Seal, Erykah Badu and newcomers Keyshia Cole and Lupe Fiasco.

MEDIA:
VHl in New York ups Scott Reif to VP of multiplatform music programming. He was director of music programming and talent relations.

RELATED FIELDS:
Groove Mobile in Andover, Mass., names Eric Giler chairman/CEO. He was founder and president/CEO of Brooktrout.

RECORD COMPANIES:
Morisson & Forerst in New York taps Lisa Weiss as a partner. She was an in-house counsel for five years at Sony BMG Music Entertainment.

Ticketmaster in West Hollywood, Calif., names Eric Korman executive VP. He was senior VP of mergers and acquisitions at IAC/InterActiveCorp.

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