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TOP BLUES
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TASTEMAKERS
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SINGLES

ADULT CONTEMPORARY
ADULT Top 40
HOT COUNTRY
HOT DANCE CLUB PLAY
HOT DANCE AIRPLAY
HOT DANCE SINGLES SALES
HOT DIGITAL SONGS
HOT 100
HOT 100 AIRPLAY
HOT CURRENTS
HOT LATIN SONGS
MODERN ROCK
POP 100
POP 100 AIRPLAY
HOT R&B/HIP HOP
HOT R&B/HIP HOP AIRPLAY
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UPFRONT

REALITY, YES, STAR, MAYBE. Epic hopes to break Cheyenne Kimball with an MTV reality series
Digital Entertainment
Making The Brand, Legal Matters

FEATURES

THE NEW SKU REVIEW Retail options explode amidst the digital boom.

MOMENT OF TRUTH The digital age offers unlimited sales potential. But can artists, producers and labels get on the same page before it’s too late?

WRITER’S NIGHT Composers and publishers take the spotlight as the Songwriters Hall of Fame bestows honors.

ADA How Andy Allen conquered chaos to make Alternative Distribution Alliance the nation’s top independent distributor.

MUSIC


IN EVERY ISSUE

Opinion
Over The Counter
Market Watch
Charts
Marketplace
Mileposts
Backbeat
Inside Track, Executive Turntable

ON THE COVER: Photographed by Christian Lantry

Conferences

GAME TIME
MECCA for Games adds a new dimension to MECCA, Billboard’s mobile entertainment event. It all happens Sept. 11 in Los Angeles at the CTIA Wireless conference. Details, page 10.

ON THE ROAD AGAIN
Billboard’s Road Work Touring Conference is set for Nov. 8-9 at the Roosevelt Hotel in New York. This is where the heavyweights gather for the inside story on the hottest news in live music and concert promotion.

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It’s Time To Return Music To Its rightful Throne

BY ALAN McGRADE

I can remember as a kid the excitement of racing home with the new Bob Marley record. My friends would be waiting for me, and we always had the same ritual. First, we’d all take the same seats in my parents’ living room and an animated device would give way to reverential silence. Then, I’d slowly pull the plastic off the LP, slide it from the sleeve, briefly gaze at the label and give the vinyl one good sniff.

Finally, cradling Marley between my fingers, I’d gently place the platter on the turntable, set the needle in the first groove and join my friends on the couch. From there the music took over.

Recently, I witnessed a similar ritual with my own kids. The same nervous excitement my son brought his friends home with a new purchase. The sound of music being removed and the opening of the box heralded silence from the room. I listened intently as the only sound I heard coming from my son’s room was a new iPod being plugged in.

How did music become the commodity and the player become the star? John Malone, Ted Turner and other wise men have said for years that content is king, yet Steve Jobs commands the front page when a new device is released. Sadly, music has been reduced as a way to sell stuff. I hear music described as a “brand enhancer,” a traffic driver or as a leverage point up for premium services. Our favorite artists have become digitized, commoditized and de-prioritized. We seem to have forgotten that content, i.e. the music, is king.

Don’t get me wrong, I am all in favor of opening new avenues to sell music; in fact, it’s my business. But how do we return music to its rightful place as the lead character in the everyday drama of our industry? How do we combine the best of today’s technology with the “music first” attitude of our youth? Here are a few suggestions:

1) Champion alternative sales models like subscriptions. Does a sale necessarily mean ownership? In the digital world, access is the new ownership. If we are to make the music the headline item, it shouldn’t matter how a consumer legally acquires or accesses content. While download sales dominate today’s discussions—those that best replicate the joy and discovery of the peer-to-peer experience—and other new or hybrid models will emerge. We need to support and nurture these alternative forms of distribution just as we do any other method of music retailing.

2) Tear down the walls. The days of recorded music available exclusively on the stereo or radio are as antiquated as the three-martini lunch. Today, consumers expect to use their acquired content wherever and whenever they want. We have to make sure that the music industry acts as an enabler, not as an inhibitor, to what the consumer craves most—freedom. To the end user, this freedom is defined by the ability to time shift, location shift and device shift. We should not impose restrictions on the use of content or create technology barriers that diminish the user experience. Let’s look to bold ideas, like a “virtual subscription” that ties the music to the person, not to the platform.

3) Everybody needs margin—even the retailer. Why do digital delivery systems commoditize music? Because they haven’t found sustainable margins that warrant them treating it as anything other than a commodity and loss leader. If we expect retailers and service providers to make significant investments in marketing and technology to build their content delivery businesses, we should make sure content costs are reasonable. If the retailer is unable to generate long-term sustainable margin, then the focus will be on selling other products and services and music will remain de-prioritized.

4) Really partner with online music stores. The music industry has a long tradition of supporting the launch of albums in physical retail through artist events and co-advertising. A similar effort should more reliably accompany online releases. With the myriad of new ways to advertise and market online, the music industry should support the online music retailer with dollars, co-promotions and innovative cross-platform marketing programs designed to return the focus to the music itself.

5) Put showbiz back in digital music. Where are the music people in the music business? The main contact today between labels and digital music services is through teams of lawyers assigned to digital licensing. We need to get back in touch with the creative product we are all selling and reinvigorate our enthusiasm for the music, not just the business. We’ve got to do this with both eyes on the proverbial ball.

Let’s embrace this change. The music industry initially met transition from vinyl to tape and then to CD with trepidation. But as it turned out, the industry grew with each format change. The transition to digital distribution and consumption, while more radical, brings the possibility of making music more important and pervasive than ever in people’s lives. We need to work together to create a healthy ecosystem for this to occur.

MusicNet has been working with distributors, content owners, publishers and consumer electronics manufacturers to bring this concept to life. And we will continue to revel in the beauty and joy of music itself, not just in the craftsmanship of a financially negotiated contract.

Alan McGraide is president/CEO of digital music service provider MusicNet.
MARKETING  BY MICHAEL PAOLETTA

Reality, Yes. Star, Maybe.

Epic Hopes To Break Cheyenne Kimball With An MTV Reality Series

On the eve of turning sweet 16, newcomer Cheyenne Kimball has reasons to be cheerful. Several weeks before her debut album, "The Day Has Come," drops, her MTV reality series, "Cheyenne," premiered May 31 with solid, if unspectacular, ratings.

During its 10:30 p.m.-11 p.m. time slot the show was watched by 1.1 million people, according to Nielsen Media Research. It was the second-highest ranked cable program in that time, behind the 2.2 million viewers for "Futurama." In comparison, such MTV hits as "The Osbournes" and "Newlyweds: Nick & Jessica" averaged 5.3 million and 2.7 million viewers in 2002 and 2003, respectively.

Still, nearly 2 million viewers is an exposure coup for a new artist and her label, Daylight/Epic. "With a new artist, it's difficult to break through without such a major platform," Epic president Charlie Walk says.

Kimball took the top prize on NBC's "America's Most Talented Kid" in 2003. She subsequently signed to Columbia Records and later followed Walk to Epic. "The Day Has Come" comes out July 11—the day before the show's seventh episode. "This is what I've always dreamed of," Texas native Kimball says. "Kids are starting to recognize me. But I'm just this normal 15-year-old girl with a not so normal life."

Her youth—and her normality—were big reasons why MTV chose her for such a coveted slot. "She loves to shop, she's boy crazy, whiny about how strict her parents are, hates homework and is counting the days until she gets her driver's license," says Lois Curren, executive VP for MTV Series Entertainment. "Our audience shares and relates to these specific teenage experiences and will be able to identify with her."

According to Walk, "Cheyenne" has been nearly two years in the making. "As the show becomes reality, Cheyenne is building her brand—writing, touring and recording," Walk says. "We're using this show as a platform—the same way you would use online, terrestrial radio or American Idol."

"As with most MTV properties, the reach of "Cheyenne" extends beyond the show to other MTV platforms, including digital, mobile and, yes, "TRL." Exclusive Cheyenne content—live performances, interviews and acoustic versions of album tracks—figures into the MTV mix.

The multimultiplatform experience is crucial for our audience," Curren says. MTV began laying down the foundation for "Cheyenne" in April when it premiered "Hanging On" on MTV's the week of June 12. The label delivered the song to top 40 radio in late May.

The initial response from radio—and from consumers to the digital version of her single—has been tepid. "Hanging On" has sold 7,000 downloads, according to Nielsen SoundScan, and roughly 20 stations played the song at least six times during the week ending June 7. But the download experienced a 43% increase in sales the week after her show debuted, and several stations increased their airplay or started playing the song.

Epic is using the MTV show as a cornerstone to a larger mission of exposure. "The MTV show is an integral part of our marketing plan," Epic senior VP of marketing Lee Stimmel says. "It speeds up the public awareness process. But it is only one prong of our overall plan."

In the weeks leading up the TV show's debut, Kimball toured 20 markets, performing in malls and high schools and visiting radio stations. While on the Coke-sponsored trek, she created webisodes for her Web site. Kimball has already been featured on numerous Web sites and consumer magazines, including CosmoGirl, Teen Vogue, Seventeen, Teen People, Alloy.com and bolt.com.

In the fall, Kimball becomes a spokesmodel for national beauty retailer Sephora. She will appear in Sephora's fall catalog and make in-store appearances. Other initiatives are being planned and could include a presence on Sephora's Web site.

"It's all pretty crazy," Kimball says of her current life. "I'll be watching TV, and I'll have one of those 'Oh, my gosh, that's hysterical, that's me' moments. Sometimes, I have to pinch myself."
Raising ‘Hell’
Meat Loaf Says Songwriter Steinman Was Wrong To Trademark Album Name

Meat Loaf is betting that fans consider him to be the “bat out of hell” instead of songwriter Jim Steinman. The rock icon has sued Steinman for registering the phrase as his federal trademark, even though Meat Loaf has been using it for recordings, concerts, videos and merchandise for decades.

The suit raises the question of whether the public associates a songwriter/producer closely with recordings and related merchandise to give him rights under trademark law.

Michael Aday, who performs as Meat Loaf, is the featured artist on the 1977 “Bat Out of Hell” and 1993 “Bat out of Hell II: Back Into Hell” albums, which have cumulatively sold more than 50 million copies worldwide, according to the complaint.

Steinman, whose name is Bat Out of Hell, no trademark registration to their trademark in 1995, is listed in BMI and Harry Fox Agency databases and on album credits as the sole songwriter for all songs on the two albums. He produced the second album.

According to the Meat Loaf camp, Steinman produced the second album and wrote the upcoming “Bat Out of Hell III: The Monster Is Loose,” but the deal fell through.

Desmond Child is producing the project.

Steinman and his manager, David Soberberg, to use the trademark rights “as the basis of a campaign to undermine and interfere with” Meat Loaf’s concert, album, tour and contract with others, the complaint alleges.

While copyright law governs recordings and compositions, trademark law covers other rights. A trademark is a work, a phrase or logo that someone uses in connection with certain goods or services that are commercially traded. It identifies the trademark owner as the true source of those goods. A title cannot be a trademark unless it is used with a series of goods, such as a number of recordings.

“The overall purpose of trademark law is to protect the public from confusion about the source or the originator,” says Zia Modabber, a partner with Katten Muchin Rosenman in Los Angeles. When it comes to recordings and related merchandise, “the public [typically] focuses its attention on who is singing or performing,” says Modabber. “I think that if you said, ‘people don’t buy music because of who the composer is.’”

Yet Steinman may be an anomaly. On Amazon.com, consumer reviews of the second “Bat Out of Hell” album reveals that 17 of 97 comments mentioned Steinman. Reviews of Meat Loaf’s “Couldn’t Have Said It Better,” which is not included songs by Steinman, still included the latter’s name in 18 of the 39 reviews.

Still, that will not guarantee Steinman’s trademark rights. “The one who uses it—the one who is publicly associated with that work as the source”—the one who has the rights, says Barry Sottenick, a partner with Loeb & Loeb in New York.

Songwriters have long been the nameless, faceless talent behind the music. But their profile is rising late. In the digital age, they have worked increasingly and publicly to educate music fans and legislators alike to make the point that there is a song—and a person—behind hit recordings. During the Crocker hearing last year, songwriters took to the steps of the U.S. Supreme Court to demonstrate the need for trademark rights.

Meat Loaf’s suit asks the court to declare that owns trademark rights, seeks damages in excess of $50 million for interfering with Meat Loaf’s contractual relationships with his labels and for an injunction stopping further use of the mark by Steinman.

“It’s such an absurd lawsuit,” Steinman says. “My whole point in this is simply to warn the listeners that they’re not getting what’s advertised.”

Sonenberg, who is being sued for allegedly interfering with Meat Loaf’s contracts, declined to comment.

“Meat Loaf will not be bullied by anyone,” says his attorney Louis “Skip” Miller in Los Angeles. “He will continue to use the title ‘Bat Out of Hell’ in any way he wants.”

Source Interlink, Tower Being Shopped
Distributor Seeking To Go Private, While Legendary Retailer May Be Sold In New Round Of Bids

NEW YORK—Two of the largest music accounts may soon have new owners.

Sources say that publicly traded Source Interlink, the parent of Alliance Entertainment Corp. (AEC), is being shopped by Deutsche Bank Securities, in a bid to take the company private. Meanwhile, the future ownership of Tower Records, which has been on the block since February, could be decided June 9 (after this issue goes to press), according to sources.

In mid-March, the Bonita, Fla.-based Source Interlink announced it was “exploring strategic alternatives to enhance shareholder value,” hiring Deutsche Bank Securities to investigate possible recapitalization, strategic acquisitions and the combination, sale or merger of the company with another entity.

Sources say the company is now up for sale and that a “book” with the company’s financials hit the street sometime within the next few weeks, with the hope that management can attract a private equity backer to take the company private. So far, it appears that potential strategic suitors have been excluded from the distribution of the Source Interlink book.

Source Interlink was set to announce its fiscal first-quarter earnings June 8, beyond press time. For the year ended Jan. 31, Source Interlink reported net income of $12.9 million, or 25 cents per diluted share, on $1.53 billion in revenue.

Source Interlink, a magazine distributor, was merged with AEC, a music and video wholesaler, in March 2005. Since then, the company has made a series of acquisitions, including the Chas Levy Circulation, Anderson Mid-Atlantic News and Anderson SCN Services. After those acquisitions, the company has a pro-forma annual revenue base of about $2 billion.

AEC is the music industry’s biggest one-stop-and has also become a force in supplying music and video to such non-music retailers as Kmart, Toys “R” Us, Meijers and Barnes & Noble. Source Interlink executives declined to comment.

Meanwhile, sources say that Hollidawn Lokey, the investment bank that has been shopping Tower Records, has received at least five offers—all from private equity firms—in the second round of bidding on the most famous brand in U.S. music retail. The bidding deadline was supposed to extended a week from the original June 2 deadline, to accommodate late bids.

Source say one of the bidders is Hicks, Muse, Tate & Furst, the Dallas-based firm believed to have placed the highest bid last time Tower Records was being shopped, in the summer of 2004; at that time, the board of directors decided bids were not high enough and took the company off the block.

In addition, sources suggest that former Trans World executive VP Fred Fox may be affiliated with one or more of the bidders, either as a consultant or a possible future Tower executive, should the Tower board decide to sell.

Sources suggest that Tower CEO Allen Rodrigue—credited with turning around the chain during his three-plus years at Tower—may depart the West Sacramento, Calif.-based chain, if it is sold.

Tower Records is owned by former bondholders, who gained an 85% stake in the chain in March 2004, as part of a prepackaged Chapter 11 filing. The remaining 15% is owned by the family of Tower Records founder Russ Solomon, who is chairman emeritus and expected to stay, should it sell.

Tower Records executives declined to comment.
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Dixie Chicks Trip On Tix
Weak Sales Jeopardize Tour Dates

Concertgoers apparently are not quite ready to make nice with the Dixie Chicks.

Proving once again that album sales and ticket sales are not necessarily correlated, the Dixie Chicks followed their first-week album sales with disappointing out-of-gate ticket sales for their upcoming Accidents & Accusations tour.

As Billboard went to press, industry speculation was that much if not all of the Chicks’ upcoming U.S. tour might be postponed or at least re-routed.

Projections are not being met, with the plug pulled on public on-sales for shows in Indianapolis, Memphis, Houston and Oklahoma City due to tepid presales in a national promotion with Target Stores. The Memphis show was taken off the route, and the status of the Indianapolis, Houston and Oklahoma shows was uncertain, leaving it increasingly likely that routing and capacity will be vastly reconfigured.

Initial ticket counts for the 20-plus shows that went on sale in early June were averaging 5,000-6,000 per show in major markets and even less in secondaries, according to touring industry sources. Building capacities on the tour generally top 15,000.

Opening ticket sales for this tour are in marked contrast to the Chicks’ last proper tour in 2003, when a national on-sale move some 867,000 tickets the first weekend, and second shows were added in several markets (Billboard, April 21, 2003). The band grossed more than $62 million from 73 shows that moved more than 1 million tickets, and was the top-grossing country tour of 2003, according to Billboard Boxscore.

Of course, that was before the much-publicized political uproar surrounded the Chicks; the 2003 tour was virtually sold out before Natalie Maines’ controversial onstage comments in London, regarding President George W. Bush. It appeared that the Chicks had maintained much of their clout in the marketplace. The band’s new album, “Taking the Long Way,” sold 256,000 units its first week, down from their last album debut week for “Home” in 2002 (780,000 units) but still the third-largest sales week of 2006.

Touring and radio industry executives who spoke with Billboard believe recent negative comments from the Chicks regarding country music artists and fans were more damaging than the 2003 comments regarding Bush, particularly considering the president’s current low approval rating.

Several arena managers contacted by Billboard cited poor radio support in promoting the on-sales. Radio has long been the key factor in concert promotion, and the Chicks’ ongoing feud with country radio has been well documented. Many country stations declined to play the Chicks’ single, “Not Ready to Make Nice,” even as the song remained in the top 40 on Billboard’s Adult Contemporary chart, and was the No. 1 video on VH1. One source charges that country radio would not even accept paid advertising to promote the concert.

Other superstar country tours are doing well this summer, including big tours by Kenny Chesney and Rascal Flatts, and a potentially record-setting gross from Tim McGraw and Faith Hill’s Soul2Soul tour. And not all the Chicks’ shows are stifling. “We’re happy [with our on-sale] and comparatively seem to be ahead of most,” says John Page, Global Spectrum COO and GM at Wachovia Center in Philadelphia, where the act is booked for July 25.

A second date was added for the Air Canada Centre in Toronto. Patti-Ann Tarlton, booking director for the ACC, calls her on-sale “amazing. We rolled a second show eight minutes in.”

The tour, originally set to begin in the United States July 21 in Detroit, is promoted by AEG Live, with the exception of Minneapolis and Chicago, which are promoted by Jam Productions (which reports sales as “good” for both shows), and Sacramento and Oakland in California, promoted by Another Planet Entertainment.

The Chicks are managed by Simon Renshaw and booked by Rob Light at Creative Arts Agency, both of whom declined comment.

DIXIE CHICKS’ Accidents & Accusations tour is having difficulty moving tickets in some major U.S. markets.
Syracuse University salutes

Martin Bandier

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We thank alumnus Marty Bandier for his vision and
generosity in creating this one-of-a-kind program."

Nancy Cantor, Chancellor and President,
Syracuse University

For more information contact David Rezak, bandier@syr.edu
LONDON—It was 1986. College graduate Rob Stringer was sitting in a CBS Records office before a panel that would decide his future in the music industry.

"Here's a hypothetical situation," one panel member said. "We have an act which writes its own material. Its first album has sold a million in the U.K. They've just delivered a second album, which they've produced themselves… and it's basically rubbish. What do we do?"

The panel offered three options: scrap the album and send the band into the studio with a new producer; try to fix the existing album; or release it and hope for the best. "Scrap it and start again with a new producer," Stringer said.

Former CBS/Sony Music exec Paul Russell smiles as he recalls sitting on that panel. "We all went, 'Wrong!'" he says with a laugh. "Just stick it out, make some money and move on!"

From that opening salvo, Stringer showed his artist-friendly side, a trait many say will serve him well in his new role as New York-based president of Sony Music Label Group. He assumes the position Sept. 1, replacing SMLG chairman/CEO Don Lenner who resigned June 1.

Stringer's promotion from his current role as chairman/CEO of Sony Music U.K. & Ireland came less than three months after his fellow expatriate Tim Bowen was named COO of Sony BMG Music Entertainment, a position also based in New York.

U.K.-based executives who have worked with Bowen and Stringer suggest the duo's very different skills should combine well at the helm of Sony BMG (see The Beat, page 59).

"Artists love Rob, employees love him—he's a real musician," IFPI chairman/CEO John Kennedy says. He was Stringer's lawyer a decade ago and worked with Bowen at Universal Music International.

Bowen, Kennedy says, in addition to 30 years of experience, "get transparency, sincerity and no bullshit."

Russell describes Stringer as "very artist-oriented, and a very marketing-oriented music guy. He understands the nuances of the trends and the fashions."

Bowen, Russell suggests, is "a completely different personality, more of a 'process' guy. He likes to understand what the issues are, make a decision, then move on."

Bowen's last position was as chairman of the United Kingdom, Canada, Australia, New Zealand and South Africa for Sony BMG Music Entertainment International. He left that role on a high, having concluded a global deal with Simon Cowell's production company Syco in December 2005.

Stringer, the younger brother of Sony Corp. chairman Sir Howard Stringer, stayed with Sony Music's U.K. operation since that fateful encounter in 1986, and, Russell says, he watched and learned.

"You can run a major in the U.K. with its head office in America without understanding the basics of how America works," he adds. "You end up spending a lot of time in America with American artists and American managers and talking to the U.S. company about what’s happening with your U.K. acts in America."

The younger Stringer worked his way up through Columbia's marketing division, working closely with acts including Terence Trent D’Arby, Bones and Prefab Sprout. He then became A&R director at the label, working with, among others, the Manic Street Preachers, Alison Moyet and Paul Young.

In 1993, Stringer was named Epic managing director, where he had success with a number of acts including domestic signings such as Sade and pop-rock band the Lightning Seeds. He became senior VP of Sony Music U.K. and in 2000 became chairman/CEO.

Russell says that Stringer’s A&R strengths lie with "more mainstream, guitar-based" repertoire from acts which write their own material."

Burger notes that the challenges awaiting Stringer are not necessarily all work-based.

"I sent Rob a note saying, 'Here's a few of the big decisions you're going to have to make very quickly, Yankees or Mets; Knocks or Nets; Giants or Jets; Rangers, Islanders or Devils…'

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**BRITISH INVASION**

Two Englishmen in New York May Change the Culture of Sony BMG

**PUBLISHING BY SUSAN BUTLER**

**BMG Auction Heats Up**

**UMG Is in Strong Position, But Other Bidders Are Eyeing The Publisher**

Suitors for BMG Music Publishing are taking shape as parent company Bertelsmann AG readies the unit for a private auction.

Cash-rich Universal Music Group is an early front-runner. But industry insiders say that other bids may benefit from positioning.

Nicholas Firth, who has headed BMG Music Publishing since its inception in 1987, is ready to lead a management buyout backed by qualified financial sponsors. Sony Corp., which has a relationship with Bertelsmann through the Sony BMG Music Entertainment joint venture, is also eyeing the publisher.

As BMG Music Publishing chairman/CEO, Firth is most likely contractually restricted from raising funds for a buyout. But typically, a financial sponsor may approach management to lead the company under a new ownership. Sources say that there are private equity groups that will back Firth and his team.

High-level music insiders say that Firth helped growth of BMG's net publishers' share (NPS)—the closely guarded revenue base used to value a publisher—to about $170 million ($218 million). This is much higher than the previously reported $125 million-$135 million. According to Bertelsmann's annual report, 2005 revenue for the publishing unit was $372.4 million, or $464.6 million based on the average currency exchange rate used by the company.

Still, some high-level industry executives expect Sony to land BMG Music Publishing. Sony has the ability to raise necessary financial backing with its Sony/ATV catalog, which includes songs written by John Lennon and Paul McCartney from 1963 to 1968. Additionally, Sony is expected to take control over half of Michael Jackson's 50% stake in Sony/ATV in the next 18 months (Billboard, April 29).

Other interested parties are believed to include private equity and hedge funds that are backing, or led by, Warner Music Group chairman/CEO Edgar Bronfman Jr., former top EMI executive Charles Koppelman and former Warner/Chappell head Les Bider. Citigroup and JP Morgan are the investment banks representing Bertelsmann.

Bertelsmann is adamant that no one has an inside track. "The outcome of the auction is in no way predetermined," says Andreas Gräfemeyer, a Bertelsmann spokesman. Contrary to some speculation, EMI Music Publishing's Marty Bandier is unlikely to personally lead a buy of the BMG unit, says a high-level executive—as long as an EMI-Warner Music merger and spinoff of one of their publishing units is still possible. Bandier is already transitioning from his role as chairman and co-CEO, and it is no secret that he could shorten the term of his EMI contract as current co-CEO Roger Faxon segues into the lead EMI role.

If private equity funds were available to Bandier, his obvious preference would be to put them toward owning EMI Music Publishing, as opposed to BMG or Warner Chappell.

The book used to evaluate the publisher is going out to about 15 invited bidders any day now. These bidders will evaluate the traditional and many administration deals, which generate less revenue than fully owned copyrights, Firth says that revenue from these deals amounts to less than 10% of NRS. BMG has the market for production music—background music often used by TV and film companies—cornered, industry lawyers say. This will help their valuation when the bidders begin crunching numbers to come up with an offer (see Legal Matters, pg. 18).

Meanwhile, Bertelsmann is floating industry predictions that it is getting out of the music business entirely. The recent realignment of executives at Sony BMG following Sony Music Label Group head Don Lenner and Michele Anthony’s exit earlier this month indicates that the German company is simply shifting its weight to the recorded music side of the business. "We have no intention to sell off our 50% partnership in Sony BMG Music," Graefemeyer says."

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Japan Publs Await Apple Harvest

Digital Sales Rise, But Tech Woes Delay Royalty Payments

TOKYO—Japan's digital music market continues to rise—even if the full picture is not yet available.

Latest collections data from authors society JASRAC show revenue from full-song downloads rose by a hefty 214% in 2005/2006.

Sales of full-song downloads, covering the year to March 31, totaled 1.2 billion yen ($11.1 million). But the number would have been higher if it reflected sales at the Japanese version of Apple's iTunes Music Store.

That service was an immediate hit following its launch on Aug. 4, 2005, with 1 million downloads reported in its first four days of operation. However, nine months later, a JASRAC spokesman confirmed it has yet to collect any iTunes royalties due to "a lack of compatibility" between its database and that of iTunes in the United States. As a result, songwriters and publishers have received no payments from works sold on iTunes Japan.

JASRAC says work is continuing to resolve the situation; Apple Japan declined to comment.

Publishers seem content to wait for JASRAC to settle its technological issues with Apple. "iTunes is going to pay one of these days," one publishing source says. "It's a community problem." A million.

Keith Cahoon, president/CEO of Tokyo-based music publishing/promotion company Hotwire, suggests that despite the expansion of the digital market, the financial infrastructure has not kept pace.

Cahoon says the JASRAC/wrest more revenue from the broadcast sector. Performance right royalties for the 12-month period rose 72% to 48.3 billion yen ($438.7 million), which JASRAC attributes largely to increased broadcast revenue. The body credits a strong performance by Japan's advertising industry for arise in collections from songs used in TV commercials.

However, publishers still want a bigger slice of the broadcast/income pie. JASRAC has long-term contracts in place with Japan's public and commercial broadcasters, although the rates remain confidential.

Fuji-Pacific Music chairman Ichiho Asatsuma says publishers are pushing for performance payments.

"We're still fighting with the National Assn. of Commercial Broadcasters."
—ICHIO ASATSUMA, FUJIPACIFIC MUSIC

JASRAC could also increase the amount of performance royalties paid to their writers by updating its airplay-monitoring system.

"I look forward to JASRAC doing away with handwritten samplings [from broadcasters] of radio airplay," Cahoon says. The existing system is seen by many as prone to inaccuracy, and focusing too heavily on recordings by major artists in heavy rotation.

Cahoon suggests niche publishers would benefit if JASRAC "modernized to something more accurate like BID or ASCAP's Mediaguide, which have been in place for years in the States, but unfortunately have still not been adopted here."

Asatsuma says JASRAC's copyright fee collections from all sectors rose 2.6% to 113.6 billion yen ($1.03 billion) in the 12-month period.

That included a strong physical sales performance in the first quarter of this year, which helped mechanical royalties rise 0.2% to 44.3 billion yen ($402.2 million)—the first increase in seven years.

The JASRAC figures show the Japanese public's growing enthusiasm for master ringtones. Royalties from master ringtones increased 220% to 1.8 billion yen ($15.8 million), while collections from polyphonic ringtones fell 21.5% to 6.2 billion yen ($56.1 million) as phone users switched formats.

While waiting for the iTunes situation to be resolved, publishers are also attempting to increase rate increases through JASRAC. "We're still fighting with the National Assn. of Commercial Broadcasters," Asatsuma says.

Observers note an apparent conflict of interest over such negotiations at many of Japan's major publishers, which are owned by major media groups whose other interests include radio or TV companies.

For example, Fuji-Pacific's parent, Fujipacific Communications Group, has radio and TV divisions Nippon Broadcasting System and Fuji Television Network, respectively. But Asatsuma dismisses suggestions of a conflict of interest, insisting he has recently "been telling the management of [Fuji-Pacific-owned] Fuji TV that they are not paying enough for broadcasting rights."

Smaller publishers suggest they can handle the problem, however, despite the rapid expansion of Japan's music market, the publishing source says. "Tech woes delay royalty payments."

Billy Preston Dead At 59

Multitalented Keyboard Man, Singer And Songwriter Gained Fame As A Favorite Sideman Of The Beatles And The Stones

Billy Preston, whose glorious keyboard wizardry spirited him from playing gospel for Mahalia Jackson at the age of 10 to sessions with the Beatles ("Get Back") and the Rolling Stones ("Miss You"), died June 6. He was 59.

Nicknamed "the Fifth Beatle," Preston also picked out a string of 70s R&B and pop hits as an artist in his own right, including "Will It Go Round in Circles," "Space Race," "Nothing From Nothing" and "With You I'm Born Again," a duet with Sylvea Wright.

His first No. 1 R&B chart-topper, 1972's "Outa-Space," earned him a Grammy Award for best pop instrumental. "You Are So Beautiful," co-written by Preston, became an international hit for Joe Cocker in 1975.

The multitalented musician succumbed to chronic kidney failure at Shea Scottsdale Hospital in Scottsdale, Ariz. In a coma at a nearby care facility since last November, Preston had been on dialysis since the kidney he received in a 2002 transplant operation failed.

Prior to the coma, however, Preston didn't let his deteriorating health stand in the way of his always in-demand session playing. One of his last recorded appearances is his piano/organ work on the song "Warlocks" for the Red Hot Chili Peppers' latest album, "Stadium Arcadium." Preston reportedly jumped out of bed after hearing a tape of the song, recorded his contribution and got back in bed.

His signature organ playing can also be heard on Neil Diamond's latest album, "12 Songs," as well as the 2005 Starbucks album, "Believe in My Soul," with Ann Peebles, Mavis Staples, Irma Thomas and Allen Toussaint.

"He was a magnificently inspired musician who brought much to the party," R&B historian David Nathan says. "He was a kind character, a man with wit and a ready smile."

Born in Houston in 1946 and raised in Los Angeles, Preston was an organ- and piano-playing child prodigy whose career knew no bounds. In 1958, 12-year-old Preston played the young W. C. Handy in the 1958 biopic "St. Louis Blues." The '60s found him recording for the Vee Jay label, touring with Little Richard and acquiring the national TV audience with his exuberant style and gap-toothed smile as a regular on the ABC music series "Shindig."

One of the best-known recording studios of all time—a legendary place and state of mind known as The Hit Factory—lives on as 27 contemporary residences, including six duplex penthouses, all with private terraces, in the heart of Hell's Kitchen.

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In the coming weeks, high-definition radio proponents will launch the second phase of a promotional campaign. The mission? To increase awareness of a format that until now has remained a relative footnote on the digital music landscape.

It couldn’t come at a better time. Like print media and TV networks, terrestrial radio has struggled in recent years with new-media start-ups elbowing into the content-delivery party and cannibalizing its audience.

Sirius Satellite Radio and XM Satellite Radio combined have more than 11 million subscribers. The estimated monthly audience for Internet radio is more than 52 million. Most recently, podcasting has emerged as a popular on-demand alternative.

HD radio is the terrestrial industry’s answer to these multiple threats. But coordinating the rollout of the format with the availability of affordable receivers needed to tune in to it has proved challenging.

Only 6% of the country’s 13,000 radio stations broadcast in HD. Most broadcasters are waiting for more HD receivers to become available. To date, only 100,000 units are in the market and none for less than $300.

All this is expected to change in the next six months. The number of radio stations broadcasting HD radio is forecasted to reach 1,200 by the end of the year. The HD Radio Alliance, an organization consisting of the nation’s largest radio broadcasters, is conducting a $200 million “Got Milk?”-style awareness campaign for HD radio on members’ respective stations, which president/CEO Peter Ferrara will support via a media roadshow next month.

More than 500,000 HD receivers are expected to reach retail shelves by the holiday season, according to Pat Walsh, CFO for iBiquity, the primary provider of HD radio technology.

And for the first time, there’s a coordinated effort between the radio broadcasters and manufacturers to promote HD radio devices in consumer electronic retail stores. In mid-May, RadioShack became the largest retail chain to begin selling HD radios via a pilot program in 100 of its 5,000 stores, and talks are ongoing with Best Buy and Circuit City.

Analysts consider such dedication by broadcasters essential to HD radio’s ultimate success. But just transmitting existing radio programming in HD is not enough.

In addition to richer sound quality, HD technology also allows broadcasters to add multiple audio and data streams to each channel, called “multicasting.” While the main channel may be an HD version of a station’s traditional feed, broadcasters will need to provide additional programming for the other channels, such as a commercial-free new-music feed or a 24/7 news and traffic feed.

“I’m not convinced that higher fidelity is what people are looking for,” says Bill Billings, founder of HD radio manufacturer Radiosophy. “But extra content is always something people will pay to get.”

Manufacturers have some work to do as well, particularly regarding price. According to a recent Arbitron study, 35% of consumers say they’d buy a HD radio if it was only $50. That figure dropped to 21% for a price of $100, 9% for $200 and 5% for $300.

Yet HD radios only just began selling for less than $500. Although Boston Acoustics recently dropped the price of its Receptor tabletop HD radio model to $300 in February, and newcomer Radiosophy is introducing a $250 model this summer, anything more than $100 remains a market impediment.

Slate radio took hold by penetrating the pre-installed automotive audio market. To date, only BMW offers HD radio as an in-car option in its 5, 6 and 7 Series models. According to iBiquity, another eight car manufacturers have committed to offering HD receivers in more than 40 models over the next several years.

Portable devices at this stage are almost out of the question. HD radios consume much more power than portable MP3 players, making battery life a major concern.

Despite these challenges, HD radio has an unmistakable advantage of having that established base of 250 million traditional radio listeners, according to the NAB. And it’s free.

A recent Arbitron study found that 43% of satellite radio subscribers are either “very” or “somewhat” interested in buying a HD radio as well.

“That tells me that adopters of new technology like all kinds of new technology,” iBiquity’s Walsh says. “HD is just another logical product for them to add to their digital portfolio.”

Additionally, the study found that those who subscribe to satellite radio, listen to Internet radio or regularly download podcasts do not report any decline in their average AM/FM radio usage.

While the number of new technologies proliferate, AM/FM radio will continue to be the key source of music and information,” says Sue Kevorkian, an analyst with IDC. “As time goes on, and as tech costs come down, there will be a proliferation of HD receivers in cars, portable devices and other ubiquitous devices you see in everyday things today.”

CLASSICAL FANS GET THEIR OWN DIGITAL PLAYER

Aspiring to give classical music lovers the same technological edge that today’s pop music fans now enjoy, Fortuna Classical Music has introduced the Maestro—billed as the first digital music player designed specifically for the genre.

The Maestro can store up to 3,600 CDs in the system, which users may then classify and organize by such standard classical definitions as composer, conductor, performer, ensemble, instrument, period, work and act.

Included in the $5,000 price tag: Fortuna will load up to 1,000 CDs and the entire booklet of each, not just the cover art, provided by the customer. Each additional CD will cost $1.

Alternatively, customers can opt for a device preloaded with 5,000 tracks from Napster Cornerstone Collection, which can then be linked as the CD-scanning service. Those who want the 5,000-track collection can add the CD-scanning service so can do for an extra $3,000.

The Maestro is available from Fortuna’s Web site. Contact: Anthony Bruno.

BOTS & BRIEFS

ZINGY COURTS CONSUMERS

Zingy, one of the original aggregators of polyphonic ringtones, is offering content directly to consumers. While the company still provides wireless operators with much of their ringtone content, Zingy is now offering end-users content subscription plans, through which they can acquire new ringtones and other media via wireless messaging services. For $5 a month, users can download either three master ringtones, six polyphonic ringtones or six wallpaper images. The plans are available to Cingular, Sprint and T-Mobile subscribers. The company is backing up the effort with an online, print and mall advertising campaign that launched the first week of June.

GEFFEN ‘FEEDS’ FANS

Geffen Records has relaunched its Web site with a new feature that allows fans to sign up for automatic updates from their favorite artists. Fans can subscribe to syndicated “feeds” that include videos, news and music clips delivered automatically to their computer when new content is added. Geffen partnered with FeedBurner to implement the new capabilities. Fans can also subscribe to these feeds via each individual artist’s Web site, as well as to their MySpace profiles. More than 50 Geffen acts are included in the effort. Additionally, Geffen is integrating its content with the FeedBurner Ad Network, allowing the label to place multimedia content in online ads designed to coincide with upcoming album launches or other promotions.

HOT RINGTONES

FEETRIUM

SUPER MARIO BROTHERS THEME

RASCAL FLATTS

GIMME THAT GOLD DIGGER

BRUNO MARS

THE PINK PANTHER THEME

LAFFY TAFFY

GASOLINA (SINTRA MIX 2006)

BRUNO MARS

FOR THE PRICE

The International Academy of the Digital Arts and Sciences will host its 10th annual Webby Awards ceremony June 12 in New York. The artist will be recognized for his “visionary use” of the Internet to distribute his music and connect with fans, most famously his decision to release the 1997 album “Crysta-l Ball” exclusively on the Web. Other honorees include the founders of MySpace, Go- rillaz and Mark Cuban.

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Making The Brand

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Artist’s Music Goes World Wide

Jim Noir’s ‘Eanie Meany’ Hoard By Millions in Adidas World Cup Ad

British newcomer Jim Noir is a huge soccer fan. During the 2006 FIFA World Cup in Germany, he plans to attend one of the England games. Already, though, his music is associated with the World Cup, thanks to Adidas.

Noir’s “Eanie Meany” is featured in Adidas’ global Impossible Team ad campaign for the World Cup. In the star-studded campaign, two kids pick their dream soccer team: David Beckham, Michael Ballack, Karl-Heinz Raut, Michel Platini and other soccer greats quickly make their presence known.

By commercial’s end, the song’s spotlight lyric (“If you don’t have my football back/I’m gonna get my dad on you”) will be lodged in your brain. Consider this a great piece of advertising art, with the buoyant music and playful visuals complementing each other, resulting in something closer to an house film.

The campaign was created by Adidas’ global ad agency, 180/TBWA in Amsterdam. The creative team consisted of co-executive creative directors Andy Packrell and Richard Bullock, art director Chris Landy and copywriter Lee Hempstock. According to Landy and Hempstock, the agency was looking for a piece of music that was childlike and innocent, as well as upbeat and uplifting.

“Jim’s lyrics talk about getting your ball back from an angry neighbor, something we identified with,” Landy says.

Noir finds the exposure great, particularly since “Eanie Meany” was written “in my bedroom when I didn’t have a job,” he says. And, talk about beginner’s luck, it was also the first song he wrote.

Since the campaign launched a few weeks ago, attendance at Noir’s live U.K. shows has increased. The same is true of his radio airplay, says his manager Richard Jones of Manchester, England-based Key Music Management. The campaign is “bringing greater awareness to Jim and his [debut] album,” he adds.

The album, “Tower of Love,” was released in December via British indie My Dad Recordings, which has since licensed it to Atlantic U.K. for the world. Jones says most markets have accelerated their release dates to capitalize on the attention “Eanie Meany” is getting in the ad.

On July 10, the day after the World Cup final, “Eanie Meany” will be released as a commercial single in the United Kingdom.

Seattle-based Barsuk has licensed the album for the United States and Canada and will release it Aug. 8.

Unfortunately, “Timing has not been ideal for us,” Barsuk co-founder Josh Rosenfeld says. “Because our marketing campaign isn’t in full swing, it will be more difficult to connect the dots between the ad and Jim, the artist.”

That said, Rosenfeld says the label, with the help of POC Media, will do much “post-hoc dot connecting,” including a viral marketing blitz. And because of the sporty lyric of “Eanie Meany,” Rosenfeld believes it could have other sports-related uses beyond the World Cup.

Barsuk will service three videos (“Eanie Meany,” “My Patch” and “A Quiet Man”) to various broadcasters in the coming weeks. College radio will also receive the album. Noir is also expected to soon commence a U.S. trek.

By that point, and with Adidas’ help, “hundreds of millions of people will have heard Jim’s music,” Jones says. “We just have to keep the momentum going.”

EAT TO THE BEAT

Have you caught the TV spot for Papa John’s Perfect Pan Meats pizza promotion? We did and we’re still shaking our head in disbelief. It features the sounds of the Go-Go’s 1982 hit “We Got the Beat,” which, for this campaign, has been rewritten to “We Got the Meat.”

Sure, the new words reflect the many meats available on one of Papa’s pizzas—and may even pay homage to all-male Go-Go’s tribute band We Got the Meat—but please, this is outright, grade-A lyrical abuse. What, on what, were Charlotte Caffey, who wrote the song, and her bandmates thinking? Perhaps they really do need a vacation.

Crunching The Numbers On Catalog

The auction process is under way as Bertelsmann AG spins off its publishing arm. Number crunchers for those bidding on BMG Music Publishing are now digging into the catalog. For those unfamiliar with the process, attorney Mark Levinsohn with Epstein Levinsohn Bodine Hurwitz & Weinstein in New York describes some factors that prospective buyers will consider.

Of the 1 million-plus songs in the catalog, they will be focusing on the quality of those that generate 70% to 80% of the net publisher’s share of revenue. Only the company will know which songs are the top revenue generators. Standards or evergreens—those that are always in season and never lose their value—will have a high valuation.

Pop songs, particularly teen pop, will be less valuable. Historically, the popularity of this type of music, with lyrics that do not have a deep meaning and music that is light and fluffy, comes in waves. On the other hand, teen pop always seems to come back into favor. When it does, the revenue stream can be very valuable.

Rap and hip-hop music used to be considered as having a limited life. Today it has many new uses. These tracks are sampled as well as used in motion pictures and TV commercials, particularly those associated with a commentary on some cultural element. When evaluating the quality of the songs, considerations will be made on whether they are transient in terms of contemporary style; whether artists in other countries would record them in other languages; and whether the copyrights lend themselves to new, original arrangements.

How the income is weighted between revenue types is important. If a copyright’s revenue is heavily slanted toward mechanical royalties rather than performance income or synchronization fees, there are certain inferences and projections that can be made. Today, songs that generate primarily mechanical royalties are not considered a very healthy copyright because mechanical revenue is trending downward globally as CD sales decline.

Copyrights with significant performance revenue often have a higher value. Generally, these songs were singles with heavy radio play. There tends to be a higher awareness about the song, so it often attracts new uses such as cover recordings and synchronization licenses.

Production music can be valuable if the company has a big slice of the market like BMG. This type of music is generally nondescript, not featured music used as background sound to create a mood or feeling. It is used for TV shows, motion pictures, live events and many other purposes. The composers’ rights are often bought out, with the creator only retaining the right to collect the writer’s share of public performance income. Even though it is licensed for relatively low prices, the publisher retains all the revenue.

Another factor in the value of the catalog is the number of copyrights that are owned versus those that are subject to sub-publishing or administration deals. The latter brings in much less revenue for the publisher.

Often a long-term admin deal runs five to seven years. But if there is a 15-year agreement, those copyrights can be as valuable as if they were owned. When a buyer is paying a multiple of 10, for example, it expects that in 10 years it will receive enough revenue from the net publisher’s share for a complete return on its investment. An admin deal that lasts longer than the period equal to the multiple will be expected to bring in revenue the entire time.

The contractual terms in those deals will also be important. Some may depend on who is running the company. If current top management or a key person leaves, the publisher may have the option of terminating its admin or subpublishing deal.
Major Instability
With Each Of The Four Big Record Companies Facing Uncertainty, Will Independent Distribution Take A Hit?

If things weren't topsy-turvy enough due to all the still unanswered questions over how the digital model's roll-out will affect the physical-goods world, look what's going on at the major-label level. EMI is still trying to buy Warner Music Group (WMG). A dissident shareholder has recruited financial allies in a ploy to break up Vivendi Universal. And does the Bertelsmann plan to sell its publishing and take on debt once and for all secure the future of the Sony BMG joint venture?

With all this up in the air, some suggest there is not one ounce of stability among the majors. In this environment, you...
Three for the Road

The second Juntos en Concierto tour, featuring Latin stars Marc Anthony, Marco Antonio Solís and Laura Pausini, will ride a wave of increasing popularity for live Latin music in the United States.

Produced by Live Nation and sponsored by the ING Group, the 20-city tour begins July 14 at the Shoreline Amphitheater in Mountain View, Calif., and will play large major-market venues this summer.

The promoter is understandably bullish on the tour’s potential. “We have three huge stars. We have three unbelievable voices,” says Kate Ramos, senior VP of Latin for Live Nation.

While Anthony is best-known to the mainstream U.S. audience, Solís and Pausini have considerable followings. Solís has been one of the most popular and enduring artists in Mexico for more than 30 years. Italian Pausini began recording in her native language as a young girl, but has achieved her greatest success through her Spanish-language projects.

Last year’s debut Juntos en Concierto tour, featuring Anthony, Alejandro Fernandez and Chyno, grossed $13,629,094 and drew 203,238 to 17 shows. While some Latin tours, such as recent undertakings by RBD and Juanes, are trying to build audiences in traditionally non-Latin markets, Juntos’ limited time frame demands an approach more focused on strong Latin areas.

“This is definitely a Hispanic tour with a Spanish-speaking audience,” Ramos says. “And we do many tours, so we know the markets that welcome [Latin] concerts and tours, and usually it’s the highest populated cities.”

The concerts will be promoted primarily through Latin media. “However, we recognize that many Latinos are bilingual, so there will be some advertising in English mediums,” Ramos says.

Tickets range from $30 to $150, although some radio station promotions will offer tickets for as low as $9.90, according to Ramos.

Last year, the debut tour played several amphitheaters, a first for a Latin tour, and more sheds are on the route this year. More amphitheaters mean more lower-priced tickets because of the lawn seats. “We are trying very hard to make the tour accessible to all,” Ramos says.

As tour sponsor, ING will not only help defray costs, but the financial services company is also making a charitable contribution. “Through their support of the Hispanic Scholarship Fund, they have committed to provide a scholarship in each tour market to a student in need,” Ramos says. “There is a minimum commitment of $100,000. A portion of proceeds from all ticket sales will go towards the charity component.”

Asked why he revisited the “tito” concept after pulling the plug on the tito project, Anthony states: “It’s a great opportunity to work with some of the brightest stars in Latin music and I am excited to see how we can create a new experience for fans and bring some of the best music to America.”

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Fan anticipation appears high indeed for Eric Clapton's U.S. tour, and a final Billboard Boxscore ranking in the top 10 for the year would seem likely.

As expected, Clapton will follow his sold-out European tour with a North American run this fall, beginning Sept. 16 at the Xcel Energy Center in St. Paul, Minn. (billboard.biz, May 25).

Highlights of the 14-country European jaunt include seven nights at London's Royal Albert Hall and a historic show in Moscow's Red Square.

Clapton's touring band consists of Doyle Bramhall II and Derek Trucks (guitars), Chris Stainton and Tim Carmon (keyboards), Willie Weeks (bass) and Steve Jordan (drums). The Kick Horns (Simon Clarke, Roddy Lorimer and Tim Sanders) are on brass and Michelle John and Sharon White do backing vocals. The Robert Cray Band will open the North American shows.

Rumors flew after last year's sold-out Cream reunion shows at New York's Madison Square Garden that Clapton would next resurrect Derek & the Dominos, his supergroup with the late Duane Allman that produced the classic album "Layla and Other Assorted Love Songs" in 1970. Those rumors intensified when talk surfaced that Trucks would tour with Clapton, given Trucks' Allman Brothers pedigree.

Since original Domino member Carl Radle died in 1981 and the group's Jim Gordon has been institutionalized since 1984, any true "reunion" would have been in name only. But the acerbic reviews coming in from Clapton's European shows reveal he is including D&D material in his set list.

The tour will work with local promoters in each market, most of whom fall under the Live Nation banner. A presenting sponsor is on board. Tickets range from $55 to $125.

Clapton last toured extensively in 2002, grossing $44.3 million from 60 dates, seventh among all tours that year. Cream's three nights at the Garden last November grossed $106.6 million, the seventh-highest boxscore of 2005.

The last of the announced 20 Clapton dates for 2006 is Oct. 23 at the American Airlines Arena in Miami. He is booked by Rick Roskin at Creative Artists Agency and managed by Peter Jackson.
Country Sans Majors

Canadian Country Acts Are Leaning Indie

TORONTO—What’s happening to country’s Canadian accent? Industry insiders see 2006 as a year of transition for domestic country music here, following the trimming of major-label rosters at home and in the United States.

Canada has long been recognized as a country talent breeding ground, yet there are no Canadian country acts directly signed to majors in Canada. And only three Canadians, Shania Twain (Mercury), Terri Clark (newly signed to Sony BMG) and Lisa Brokop (Curb), have homes at established Nashville labels.

“Because that’s there is an uncerainness among major labels in Canada over the costs associated with creating competitive country music and skepticism about securing U.S. release commitments for Canadian acts,” Warner Music Canada director of A&R Steve Blair says.

In 1998, Billboard reported on breakthroughs for Canadians in Nashville with chart successes for the likes of Twain, Brokop and Clark, as well as the earlier success for Michelle Wright. When those artists opened the door, other Canadian acts stepped through and began working with Nashville labels, including Paul Brandt, Carolyn Dawn Johnson, the Wilkinsons, George Canyon, Aaron Lines and Emerson Drive.

However, those artists and others have parted from their U.S. labels in the past few years and now have direct signing, licensing or pressing and distribution deals in Canada. (Emerson Drive has signed to start-up indie Midas Records in the United States.)

During the coming weeks, such Canadian country artists as Canyon (ex-Universal South), John- son (ex-Arista Nashville), Wright (ex- Arista), Prairie Oyster (ex-Vik; BMG) and Adam Gregory (ex-Sony Music) are debuting domestic albums as indie-label artists.

However, it may be difficult for these acts to repeat their previous success through their new deals, with restricted promotional budgets and less clout at retail and radio.

Some observers contend that these acts are capable of selling at least 30,000 units in Canada, pointing to recent domestic sales for releases by Canyon, Brandt and the Road Hammers.

According to Nielsen SoundScan, Canyon’s Universal South album “One Good Friend” (2004) has sold $6,000 units in Canada. Canyon’s album has sold 36,000 copies in the United States.

After Brandt switched from a licensing deal at BMG Music Canada to Orange, he held 79,000 units of “This Time Around” (2004). The Road...
Hammer's October 2005 self-titled debut on Open Road Recordings has scanned 44,000 units. Toronto-based Open Road is also home to Doc Walker, the Wilkinsons, Jason McCoy and Johnny Reid. Label head Ron Kitchener manages the Road Hammers and says a U.S. deal is pending. "We expect to have the album out in September," he says.

Meanwhile, Canyon's Nashville-based manager Bob Doyle is looking for a U.S.-based major label to license "Somebody Wrote Love," Canyon's new album. "In a perfect world, it'd be nice to have signed in both places," he says. "Hopefully, the album will be considered. Canada is an important territory but not so critical that someone would say, 'If we can't have Canada, we won't do the deal.'"

Johnson's manager, Scott Welch, is also seeking a U.S. deal for her. From one standpoint, the loss of major-label status in Canada is not necessarily a negative. "These artists going independent makes our life easier," says Casey Clarke, director of music programming at national video-channel CMT Canada and PO for country radio station CING in Hamilton, Ontario. "We now have a better working relationship than we did when they were signed to American labels—we can now work more closely with them."

The group has reported losses for the year ended Sept. 30, 2005, of £142.6 million ($266 million), compared with a loss of £26.7 million ($49.9 million) in the previous year. The losses were partly blamed on the performance of Sanctuary's Urban Records Group, which was subsequently shuttered.

Earlier this year, Sanctuary unveiled a heavily discounted £110 million ($205 million) equity fund-raising to help it dig out of mounting debt (billboard.biz, Feb. 3).

Presland was swiftly appointed following Taylor's dismissal. He remains CEO of Twenty-First Artists Management, which represents Eton John and James Blunt. Sanctuary acquired the company in April 2005 for $30.1 million. Presland says he will likely handle the Sanctuary role until the end of 2006, when the position will be reviewed.

"Sanctuary," he adds, "has never really had enough volume and spread of artists to average things out that the major record companies can. I shall be exercising greater caution in any forecasts I make."

In Sanctuary's May 26 statement, Aylng described Presland as "a hugely experienced and respected industry figure" who will "help drive the business to deliver appropriate levels of performance."

Taylor founded Sanctuary as an artist management company in 1976 with Rod Smallwood, with whom he co-managed metal act Iron Maiden. Smallwood remains with Sanctuary as worldwide head of artist relations. Through acquisitions and organic growth, Sanctuary developed its 360-degree business model, adding interests in recorded music, music publishing, visual entertainment and merchandising. During the past 18 months, it has disposed of its recording studio and book publishing units and initiated a partial sale for its music publishing assets. "It's never really been a full 360-degree model anyway," Presland says. "The company has been treating music publishing as a non-core business. If you were a true 360-degree music business you would not ignore music publishing."

Your rights may be affected by a proposed settlement in two class action cases pending in Los Angeles County Superior Court, State of California, Case Nos. BC 286202 and BC 304386. The Court has tentatively approved a proposed settlement in connection with two class action lawsuits that allege that defendants settled a series of copyright infringement lawsuits against MP3.com in 2000, but failed to account and pay to their co-owners their purported shares of the settlement proceeds. The settling defendants deny all liability. The Court has not yet ruled, one way or the other, on the merits of the claims. The settlement makes available up to $1,050,000 in potential benefits. If you want to be excluded from the settlement, you must send a letter to the Claims Administrator at P.O. Box 3240, Portland, OR 97208-3240, postmarked on or before July 28, 2006. The last day to file and serve with the Court listed below any comments in support of or in opposition to the settlement is also July 28, 2006. If you want to make objections, you must comply with the procedure set forth in the long form notice. To obtain a copy of the long form notice, or to obtain more information regarding the settlement, you may log on to www.scarletmoonsettlement.com, call 310-712-6280, or submit the request for information form. Class counsel will seek an award of up to $350,000 in attorneys' fees, costs, and expenses. This notice is a summary only. To be eligible for the potential benefits under the settlement, you must obtain and return a claim form (see instructions in the box below) to the Claims Administrator, P.O. Box 3240, Portland, OR 97208-3240 by no later than September 12, 2006. A hearing to consider the fairness of the settlement will be held on August 25, 2006, at 10:00 a.m. in Department 307 of the Los Angeles County Superior Court, located at 600 S. Commonwealth Avenue, Los Angeles, California. Please do not contact the Court for information.

REQUEST FOR INFORMATION
(This is not an Opt-Out Request)

I would like to have more detailed information about the proposed settlement and a claim form mailed to:
Name: 
Address: 
City: 
State, Zip: 
Telephone Number: 

MAIL THIS REQUEST TO: 
Claims Administrator 
P.O. Box 3240 
Portland, OR 97208-3240

www.scarletmoonsettlement.com or call 310-712-6280

ATTENTION: CLASS ACTION SETTLEMENT

TO: ALL PERSONS WHO CO-OWNED ANY INTEREST IN ONE OR MORE COPYRIGHTED MUSICAL COMPOSITIONS WITH ACUFF-ROSE MUSIC, LLC; BMG SONGS, a division of BMG MUSIC PUBLISHING N.A., INC.; CAREERS-BMG MUSIC PUBLISHING, a division of BMG MUSIC PUBLISHING N.A., INC.; MULTISONGS, a division of BMG MUSIC PUBLISHING N.A., INC.; BMG MUSIC, D/B/A BMG ENTERTAINMENT; SCREEN-GEMS-EMI MUSIC INC.; COLGEMS-EMI MUSIC INC.; SONY/ATV MUSIC PUBLISHING LLC; SONY MUSIC ENTERTAINMENT INC.; WARNER/CHAPPELL MUSIC, INC.; WARNER MUSIC GROUP CORP.; AND/OR THEIR AFFILIATES DURING THE PERIOD BETWEEN JANUARY 1, 2000 AND OCTOBER 1, 2005.

5% Rise in Sanctuary's stock price following news of Taylor's exit

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MVD To Sell Audio
DVD Distributor Embraces The CD

As much as the music DVD industry has grown over the years, it’s still paltry when compared to the CD market. Music Video Distributors (MVD) senior VP of sales and marketing Ed Seaman long saw the allure of selling CDs, but held out as long as he could. “My concern has always been that if we’re doing audio as well as DVD, maybe we lose our edge,” Seaman says. “Then we’re just like everyone else.”

Those fears have been allayed, Seaman says, at the urging of a number of the DVD companies the distributor handles. This month, MVD will be rebranded MVD Entertainment Group, and launch MVD Audio. To start, MVD will handle releases from German label Inakustik and Polish label Metal Mind.

Some initial releases include albums from Allison Bernard and America on Inakustik and titles from Behemoth, Immmulation and Astrology on Metal Mind. Long-term, Seeman plans to sign some third-party U.S. labels, and will start with upstart Universal Warning Records.

“We’re not looking at breaking artists,” he says. “We’re looking at established acts and established labels. We’re going to work with a lot of our current partners, particularly those in Europe.”

Seaman isn’t daunted by the challenge of a crowded marketplace. He looks forward to combining CD and DVD packages as well as securing audio content that MVD had already distributed on DVD. If the CD side of the business is slow at first, Seaman says his staff has a thick skin.

“For us, and for our sales and marketing people,” Seaman says, “music video was the dog of the industry forever. It wasn’t until a few years ago that music video became one of the saviors of the industry, so our staff is used to banging on doors and getting doors slammed in our faces.”

REGIONAL TERMS: As one company enters the music distribution landscape, another newcomer just enjoyed its first success. In early May, the debut from the Terms, “Small Town Computer Crash,” bowed at No. 11 on Billboard’s Heatseekers chart. Interestingly, the album, which was released via Maple Jam Records and Ken Antonelli’s Icon Music Entertainment Services, has seen the majority of its sales come from the chain level. “Small Town Computer Crash” has sold 7,000 copies, according to Nielsen SoundScan, and approximately 85% of those sales have occurred at chains, most notably Trans World Entertainment’s FYE outlets.

“There are certainly a lot of great bands that come at the indie level,” Antonelli says. “But it’s not only about selling indie bands to indie accounts. A lot of the buying public shops at chains.”

With a sound not too dissimilar from rock acts Matchbox Twenty and Goo Goo Dolls, the Greg Ladanyi-produced “Small Town Computer Crash” should certainly appeal to a main-stream demo. Antonelli describes Trans World as one of his “retail partners,” and the direct relationship with the chain is apparent by clicking on the Terms’ FYE-branded Web site. It’s not easy for an indie band to tap into a chain audience right from the start, but the Terms have been playing up their association with Louisiana State University, which some of the band members attend. The act’s song “Welcome to the Now” appears in a commercial for LSU, and about 80% of the album’s sales come from southern Louisiana.

In addition, the act has been promoting the set by playing high schools and talking to kids about the importance of attending college. It sounds like a tactic that could either win new fans or inspire spottals, but Antonelli is pleased with the early results. “They do a lot of promoting and handshaking and autograph signing,” he says. ---

Welcome, all ye garage-a-holics—this is King of the Freaks.
And the Maggots have written me a theme song. How nicely Swedish of them.

“Monkey Time!” is their fourth outing (screaming-apple.de), and we’re digging the new Farfisa organ player. If they keep tearing it up live, it’s going to be “Maggot Time” soon.

Big news—possible Kinks reunion! The battling Davies brothers may be underhearing their swords. In the proud tradition of the Everlys and carried on by the Gallaghers, Ray and Dave have been trying to kill each other for the last 50 years or so. But ever since Dave’s stroke in ’04, they’ve been getting along much better. Ray told me when it first happened Dave was freaking him out because they weren’t arguing at all. Then one day, they had a nice, old-time fight, and he knew. Dave would make it right. Dave’s out supporting “Bug,” and Ray is still finishing up “Other People’s Lives,” and then they’ll talk.

Injury List: Aid Nick O’Malley, new bass player for Arctic Monkeys. One week after replacing Andy Nicholson, O’Malley broke his hand. The roadie that threw him over a wall as a prank was reportedly remorseless—or, those English kids.
He’ll tour in plaster. O’Malley, not the roadie.
Joan Jett & the Blackhearts’ “Sinner” is loaded with hits, so we’ll help you out. Our favorites are “Everyone Knows,” “Turn It Around,” “A Hundred Feet Away” and “Bad Time.” Then there’s a great cover of Sweet’s “A.C.D.C.” “Change the World” is very cool, too. And don’t forget “Naked” and “Baby Blue.” This album is a problem for single pickers. It’s out, go get it.

See you next week! ---

COOLEST GARAGE SONGS

<table>
<thead>
<tr>
<th>TITLE/ARTIST</th>
<th>ARTIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>KING OF THE FREAKS</td>
<td>THE MAGGOTS</td>
</tr>
<tr>
<td>IF IT TAKES A LIFETIME</td>
<td>CHEAP TRICK</td>
</tr>
<tr>
<td>AFTER THE GARDEN</td>
<td>NEIL YOUNG</td>
</tr>
<tr>
<td>ARE YOU READY FOR IT?</td>
<td>THE HOLOGRAMS</td>
</tr>
<tr>
<td>EVERYONE KNOWS</td>
<td>JOAN JETT &amp; THE BLACKHEARTS</td>
</tr>
<tr>
<td>NOTHING TERRIBLY NEW</td>
<td>THE HELLCACITORS</td>
</tr>
<tr>
<td>HANDS</td>
<td>THE RACONTEURS</td>
</tr>
<tr>
<td>WORLD WIDE SUICIDE</td>
<td>PEARL JAM</td>
</tr>
<tr>
<td>STEADY, AS SHE GOES</td>
<td>THE RACONTEURS</td>
</tr>
<tr>
<td>I BET YOU LOOK GOOD ON THE DANCEFLOOR</td>
<td>ARCTIC MONKEYS</td>
</tr>
</tbody>
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COOLEST GARAGE ALBUMS

<table>
<thead>
<tr>
<th>TITLE/ARTIST</th>
<th>ARTIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>PEARL JAM</td>
<td>PEARL JAM</td>
</tr>
<tr>
<td>BROKEN BOY SOLDIERS</td>
<td>THE RACONTEURS</td>
</tr>
<tr>
<td>LIVING WITH WAR</td>
<td>NEIL YOUNG</td>
</tr>
<tr>
<td>FIRST IMPRESSIONS OF EARTH</td>
<td>THE STROKES</td>
</tr>
<tr>
<td>WHATEVER PEOPLE SAY I AM, THAT'S WHAT I'M NOT</td>
<td>ARCTIC MONKEYS</td>
</tr>
<tr>
<td>SHOW YOUR BONES</td>
<td>YEAH YEAH YEABS</td>
</tr>
<tr>
<td>VISION VALLEY</td>
<td>THE VINES</td>
</tr>
<tr>
<td>ROCK &amp; ROLL IS DEAD</td>
<td>THE HELLCACITORS</td>
</tr>
<tr>
<td>FLAT-PACK PHILOSOPHY</td>
<td>BUZZCOCKS</td>
</tr>
<tr>
<td>MONKEY TIME!</td>
<td>THE MAGGOTS</td>
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Ring Starr is a band man. And while he is best-known for his time spent in a certain other band from Liverpool, the world's most famous drummer is most interested in talking about his current outfit.

Starr is in rehearsals for his ninth All-Star Band tour, which begins June 14 in Toronto. This year's version will feature Rod Argent, Mark Hudson, Richard Marx, Billy Squier, Edgar Winter and Sheila E. They'll be out for six weeks this summer, with a setlist ranging from Squier's "The Stroke" to Argent's "Hold Your Head Up" to Starr's own "It Don't Come Easy."

Keyboardist Argent, an original member of '60s British invasion band the Zombies, says Starr's drumming was an influence on "She's Not There" and other early Zombies hits. "I've always loved Ringo's drumming," Argent says. "His sense of groove, and the way that he introduced patterns into verses of songs had a big impact on me when the Beatles first came out in England around 1962. So the idea of playing with him after all these years is just fantastic."

Even as Argent and the other All-Starrs gear up, Starr's former band is in the news. Apple Corps, which represents the Beatles' business interests, has cut a deal with Cirque du Soleil and the MGM Mirage for a new $30 million show incorporating Beatles music. "Loves" will debut in June at a new 2,000-seat theater at the Mirage in Las Vegas.

Additionally, Starr is recording a new album to be released next year. There are also increased signs that the Beatles catalog will finally make its digital debut. Interviewed by phone from London, Starr was polite in discussing his rock'n'roll past, but it is clear his focus is on the future.

Q: What do you enjoy most about your All-Star Band tours?
A: The playing. Onstage time is just the best place for me, I love it.

Q: How do you go about putting the band together?
A: It started in 1989 when I just looked in my phone book. [The 1989 lineup included Nils Lofgren, Joe Walsh, Billy Preston, Jim Keltner, Clarence Clemons, Levon Helm and Rick Danko.] And I'd run out of numbers by 1995. Managers submit people they'd like to be in the All-Starrs; sometimes the artists themselves let us know they'd like to be in one. Then I sit with a load of CDs and just feel this would be a good lineup.

Q: Then you just start rehearsals and work up a setlist?
A: [The band members] have to have had hits in the '60s, '70s, '80s or '90s, now. I've certainly got the hits from the '60s and the '70s, actually. I always say it's like the best "1-800-Band" in the world. You get a chance to see the artists doing their hits, but with this different combination of musicians.

And for me, rather than have six bands onstage doing 20 minutes each, it's great to have all the artists. We've got piano, organs, bass guitar, drums, and we all have to learn everybody's songs. The joy is, I support them 100%, and so far, most of the All-Starrs have supported me 100%.

Q: Is touring still fun for you?
A: I've never heard anyone say touring is fun. The playing is what's fun. You have to get on the plane, get in the van, get in these strange hotels to do what I do. I am a musician. I am a drummer. I started playing a long time ago, and I'm still getting this chance, so it's great.

Q: Did you miss it when the Beatles stopped touring?
A: I didn't miss it when the Beatles stopped touring because we all realized the reason we did stop in those days — and we were all like 25 — was that we did a couple or three years, and, in all honesty, nobody listened. And that was part of our gig. So we decided to spend more time in the studio. I felt as a musician at the end of the Beatles tour I was not playing as good as I could because of the noise. You have to remember, we didn't have all the volume we have now. We had those small amps and the house PA wherever we played, including Shea [Stadium in New York].

Q: And no in-car monitors.
A: None of that. Maybe there would have been a different attitude if we'd had that at that time.

Q: How involved have you been in the Cirque du Soleil shows?
A: George Harrison met Cirque [founder] Guy Laliberte five years ago and he presented the idea to George. And we met with Guy and we had several meetings on our own and we finally came to the decision. I love the Cirque shows anyway, and we did it with our music, and George Martin is now remixing and actually even going a little further than just remixing. He's using other takes on different stuff. They are the actual [Beatles] recordings, but it could be "take nine." We've all followed the music from day one — as soon as George got a couple of tracks done, we went to listen to it. And over the last couple of years we keep going to EMI to make sure we love what we're hearing.

George and Giles, his sons, have done a great job. I think everyone will be absolutely amazed when they hear what George and Giles have done with the music. I love the music, so that's all I'm involved with. I'm not involved with the acrobats.

Q: And you're not going to do any acrobatics myself, no.

Q: Can you tell us about your work on the new album?
A: Right now I'm just finishing up recording so I can have a break before I start rehearsing myself, of course, in my studio to get to know Rod Argent and Billy Squier's numbers. I'm just finishing the album, it probably won't be out this year because of the tour and then I'll want a break. I'll probably finish it 'round about November. That's the plan. It's a CD in the works.
THE NEW SKU REVIEW

JUNE 17, 2006

www.billboard.biz
When Southern rapper T.I. dropped his latest album “King” via Grand Hustle/Atlantic in March, the release was notable not just for the music that helped yield a No. 1 position on The Billboard Hot 100. From a retail perspective, it was also at the fore of a new industry approach to rolling out product in the digital age.

The title was not just released as an album. “King” encompassed more than 200 retail SKUs, including individually sold album tracks, more than a half dozen bonus cuts, mastertones for almost every album track, ringback tones, video ringers, wallpaper, music videos and original videoclips.

That’s a very different approach from just five years ago when the average artist release had only a handful of SKUs associated with it: an album, a single and maybe a music video collection.

“This is what we’ve been talking about in terms of becoming a music-based content company rather than a songs and record company,” Warner Music Group (WMG) chairman/CEO Edgar Bronfman Jr. said of the company’s efforts with T.I. in a recent conference call with analysts and investors. “Being an old pro at the consumer products business, one of the things you don’t want to see is SKU proliferation, but the great thing about our business is that these are digital SKUs. We have no increased cost in developing the SKUs. Almost all of the SKUs are simply slicing and dicing the original three SKUs we’ve been promoting and developing for the last 20 years.”

While not every artist release is so aggressively merchandized, it is a rapidly rising trend among priority acts from all the major labels.

And the good news for labels is that it’s creating an almost unlimited window of new revenue opportunity.

Label execs say digital technology allows record companies to grow revenue not only through increased distribution but also through an increased product portfolio well beyond the horizons that existed just three years ago. “We believe that there has to be enormous amounts of product innovation,” says Alex Zubillaga, executive VP of digital strategy and business development at WMG.

With a dramatic uptick in the number of products sold by the labels come new demands on their ability to process transactions and royalties.

“We are moving from hundreds of millions of transactions to billions of transactions,” says James Anderson, chief information officer for EMI Music. “The challenge for the industry is to keep up with it—control those assets and products and account for them back to their artist, and also collect the money from the various retail and distribution players. You have to have the computing power to handle that. You can’t do it manually anymore.”

Mike McGuire, research director at internet research firm GartnerG2, notes that with download sales in the United States alone expected to increase to $920 million by 2008, the industry is on the clock to get its back-end systems in order.

“Record labels have to ensure their infrastructure and processes can handle increasing transaction volume,” McGuire says.

Indeed, North America and Japan already are seeing big spikes in transaction volume, with Europe close on their heels. New mobile and PC-based à la carte sales are driving transactions, but the growing tide of digital subscription business promises to push transaction levels even higher.

Nielsen SoundScan data indicates this growth in the marked spikes of its unit volume sales figures, which are up 42% in the last three years. (SoundScan tracked 866.8 million units sold in 2003, a figure that rose to 976.6 million units in 2005.)

Among music companies, the responses to these logistical tracking challenges vary. All major labels are quietly in the midst of upgrading their internal accounting systems, many of which are aging, inefficient and ill-equipped for robust à la carte commerce.

Accounting systems fall into two major categories: transactions, or the money coming in to the labels as music is purchased, and royalties, or the money going out to artists, songwriters and others with a stake in any transaction.

While the labels are handling their own transaction system upgrades, Universal Music Group (UMG) and WMG are taking it one step further when it comes to artist royalty accounting. The companies have formed a joint venture that aims to ultimately handle key royalty accounting functions for both major labels within the coming years.

Exigen Group, a San Francisco-based specialist in business software development, is joining UMG and WMG in backing the venture, called Royalty Services.

The three companies are investing a total of $30 million in the new company, sources estimate.

Based in New York, Royalty Services will utilize specially designed transaction processing systems. The new company will tally royalties for millions of transactions that UMG’s and WMG’s respective information technology departments currently handle.

The initial focus of the venture is to develop a new software platform that will work for UMG’s and WMG’s individual accounting policies. Additionally, each company’s respective royalty information will remain confidential.

A source familiar with the situation estimates that the new royalty processing platform with launch by the end of the year.

Whether the labels develop their own proprietary systems or team together for a pan-industry solution, the key technological challenge they face in handling the onslaught of transactions is properly identifying assets and products.

That’s where metadata comes in.

Propriety tagging and categorizing assets and products is the lynchpin in the labels’ ability to process transactions and royalties quickly and efficiently.

This is in no small part isolated to the recording industry.

Banking and financial institutions have been overhauling their ability to handle greater volume of transactions more quickly since the late 1990s.

The labels’ success in upgrading their accounting systems will allow record companies to move to what in banking terms is called “straight-through processing.” The ability to process transactions on a real-time basis rather than on an overnight basis—known in the banking industry as “batch windows.”

With the labels intent on expanding their product selection even wider still in the name of driving sales, they will need to be able to digest all these transactions as quickly as possible.

“That’s what the industry is going to have to handle,” EMI’s Anderson says. “Overnight windows have become constrained.”
The digital age offers unlimited sales potential—and seemingly as many licensing and contractual headaches. Can artists, publishers and labels get on the same page before it's too late?
Artists vs. labels. It may be the oldest love-hate relationship in the music business. However, this once simple, but antagonistic, conundrum of who should get what has evolved into a dynamic stumbling block to the digital future. With so many new retail platforms and services, each with their own interests to protect, labels need a whole new set of rights to sell their music. But artists, after years—decades, even—of fighting for control, are not so quick to hand it over. Especially if they already have contracts in place—ones that do not grant the labels the rights they need to distribute music to all of these new platforms. Artists are in negotiating mode.

“We have to retain some type of rights, otherwise we get exploited,” Grammy Award winner Alicia Keys says. “It’s very much about leveraging. If you have the leverage to say, ‘Well, you have to do this for me before I do this for you,’ then you’re in a good position.”

Even if it slows the process of getting music online, she says. “I personally feel that the more independent that you remain, the bigger and better you will be able to be in the future.”

The hurdles to a streamlined digital music world go beyond the artist-label dynamic, however. When it comes to publishing, it’s difficult—sometimes impossible—to track down and negotiate every necessary license, especially given the tens of thousands of small publishers around the world.

The promise of the Internet is the consumer’s ability to buy any and every recording. But only a fraction of all recordings are available, online or off. Far more tracks are available on such peer-to-peer file-trading services as BitTorrent or LimeWire. Want to bundle a hot new hit with its video, liner notes and a ringtone, in the hope of enticing a customer to buy, instead of steal, the music? That often requires the artist to give the label permission to do so. And it requires labels and online services to locate and individually negotiate with the publishers—sometimes as many as a dozen of them.

It’s a bit of a mess.

This music industry of tomorrow—if it is to flourish—must create a fast, simple system for determining what recordings and compositions are available, and to clear the rights of those that are not. Billboard takes a look at the recording and publishing sides of the business, and asks: Just what is the holdup?

RECORDED MUSIC

From 1992 through 2005, there have been about 450,000 albums commercially released and tracked for U.S. sales by Nielsen SoundScan. With 12 songs per album on average, that means more than 5.4 million tracks were commercially released in the United States by major and larger indie labels during the last 13 years. Apple’s iTunes offers about 3 million songs.

Consumers and digital service providers continually complain that labels and publishers are keeping most of their music under lock and key, especially older archived works. Among the catalogs of recordings that digital consumers want but are not available legitimately online are those by the Beatles and Led Zeppelin.

Many digital music companies that try to license music from labels and publishers point to the industry’s licensing process as one of the wrenches in the system. While the system was structured around pre-Internet laws and has its flaws, the real culprit may be hundreds of thousands—perhaps millions—of contracts signed by creators, record and production companies, publishers and distributors during the last half-century. These contracts control rights in tens of millions of recordings worldwide.

For decades, artists have fiercely negotiated individualized terms in their record deals. And here’s the rub—those same terms are often keeping this lush catalog out of the hands of those who may pay for it.

Commonly, the contracts require the labels to secure the artists’ special permissions before offering recordings for certain purposes. Other times they require renegotiation to offer recordings through new technology. Still other times the contracts are drafted without the Internet’s presence, do not clearly permit the label to offer digital recordings.

“Providing archival recordings is much more problematic,” says a major-label attorney who asked not to be identified. “The forms of agreements vary widely. There are coupling and other marketing restrictions that arguably put labels in a position of having to determine if they might be in breach if they suddenly offer the music digitally without seeking further artist consent.”

For example, under many older deals, the labels are unable to do the following:

- Edit or alter the master recordings.
- Couple them with other artists’ recordings on a compilation.
- Use them with any multimedia material.
- Sell the recordings as anything other than an album in the sequence provided by the artist.

Adding still another complexity, the contracts can even incorporate terms from other contracts.

Independent labels also face similar problems. In 2000, one prominent artist known to Billboard signed a contract with an indie label. The artist negotiated terms that said all rights in the recordings would revert to the artist if records were no longer available through retail for a period of six continuous months. The artist simply had to send written notice of his desire to get the rights back after that period.

The contract did not define “retail” to include online sales, but it did not exclude them. Either, if the label relied on one interpretation of vague contract terms and only offered the recordings through a digital service, it could place itself at financial risk if the artist took another point of view.

Music executives say they want to offer their recordings. But locating old contracts, reviewing them individually and

TRACKING DATA FOR DOLLARS

As if publishing and recording deals are not complicated enough in the current environment, add to that the identification of rights holders and the crystal ball starts getting even murkier.

When companies must negotiate and secure individual licenses, identifying current rights holders can be a nightmare. Inaccurate data can lead to money seeping through the cracks when it comes to things like royalty payments.

Since copyright registration is not mandatory, no central database exists that lists rights holders. The Harry Fox Agency grants individual licenses; it relies on those who want a license to identify the recorded composition accurately so the HFA can match the data to that provided by its 27,000 publisher members worldwide.

ASCAP, BMI and SESAC collectively represent all U.S. publishers who need these performing rights organizations to license songs for radio airplay and other uses. They offer blanket licenses; those who license from them provide a portion of the data they need to pay their songwriter and publisher members.

But much of this data includes inaccuracies. Songwriters’ names are often designated differently—sometimes using a first-name initial or a nickname and other times the full legal name—and song titles can include typographical errors. Thousands of songs are simply titled “Bonus Track” or “Hidden Track.”

“People are scrambling data,” HFA general counsel Michael Simon says. Out of 1 million license requests, “$5,000 may be for a ‘bonus’ or ‘hidden’ track.” Each request can take 10 minutes to clear up, he says. With 50,000 requests, it can take more than 8,300 man hours just to respond to a request for a song that the artists or songwriters failed to title uniquely.

In 2005, the HFA received more than 5.7 million license requests for digital licenses. More than 4 million did not result in licenses that year. The agency attributes much of the problem to receiving inaccurate data.
To take on the data challenges, several leading companies formed a nonprofit standards organization in May (Billboard, May 13). The Digital Data Exchange hopes to improve the quality of information relating to music, the identification of rights owners, the reporting of sales data and, ultimately, the distribution of royalties to rights holders.

Standardizing this information becomes particularly important when offering music with value-added components to compete with legitimate services: “I can get a track at an illegitimate service, but I can’t get a bundle of content,” a record industry executive says. The bundle may include an album with videos, clips from the studio sessions, a screen saver, biographies, photographs or other graphics. A standardized global release identifier would provide a means of uniquely identifying each piece of content that contains music-related content.

Where the music industry will focus most of its efforts and financial resources—anti-piracy, technology, legal contracts, back-end systems—remains to be seen.

CONTACT ARTISTS TAKES LABOR AND TIME. SOMETIMES THE PROCESS CAN TAKE YEARS TO CLEAR RIGHTS FOR A SINGLE ARTIST.

“The thing that always benefited me the most is the fact that radio stations could play anything they wanted as long as it was commercially released,” says Tim Quirk, former singer-songwriter for pop-punk band Too Much Joy and now GM of music content and programming for RealNetworks. “The real solution is to not have to go back over the paperwork to make it available online.” But contractually labels may not be able to avoid this.

Some digital service executives want Congress to compel all artists and labels to offer their previously released recordings to services regardless of contractual terms, similar to the songwriters’ compulsory mechanical license.

This position presumes that the recorded masters are still available and in good condition, which is not always the case.

PUBLISHING

Concord Records president Glen Barros believes the music industry is struggling to get out of its own way. He’s speaking specifically on the thorny issue of licensing compositions.

Unlike recordings, securing publishing rights for newer songs is more difficult than clearing rights for older songs. In the past, one or two songwriters typically wrote a song. Today, there may be a dozen writers and publishers for one composition, which will often include samples of other songs.

When a blanket or compulsory license is not available for certain rights, negotiating with a number of publishers over one project can be challenging at best, destructive at worst.

“We are competing as an industry not against each other peeks in the industry, but against all the other entertainment options that are happening out there,” Barros says. “Any time you want to add value, any time you want to do anything other than what is normal and straightforward, it is a very labor-intensive process. You need to have the agreement of your suppliers—the music publishers. That’s where the process is impossible. You can’t get out of first gear because you can’t move quickly, you don’t know what your costs are going to be. It’s just not worth it sometimes.”

One publisher—often a small independent—can halt an entire project. “Most publishers are responsive, the big ones in particular,” Barros says. “But they all want to be treated similarly, so there’s always a most-favored-nations clause in these deals.” This requires the label to pay each publisher no less than what it pays the publisher that receives the most favorable deal. “When one publisher then quotes a very high rate, the whole package becomes too expensive to justify.”

Online service executives also fear lawsuits from publishers when they negotiate individual licenses.

“Because the penalties are so steep, you have to step very cautiously. An executive says.

In May, a small group of independent publishers filed a class action lawsuit against 10 of the largest online music services for failing to secure licenses to sell downloads. The publishers want $150,000 per infringement under copyright law; if licensed, the statutory royalty rate for downloads is 9.1 cents per download.

Last December, 28 independent publishers sued Napster, claiming that their songs had not been properly licensed for a subscription service. They want $150,000 for each infringement of 800 recordings (at least $120 million).

Online service executives hope that a legal system can be set up that is similar to that applied to certain Internet service providers. It would permit them to leave music online and promise to take it down if someone objects rather than risk liability for hefty damages under copyright law. “If somebody really has a problem, then you take it down. But you should not be on the hook [risking] the entire business,” one executive says.

“It’s a misfield,” another executive says. “It could be more lucrative for a publisher to sue and get maximum damages than to enter a legitimate licensing deal. All you need is one cranky judge.”

ALICIA KEYS says that artists should manage their rights carefully.

TIM QUIRK of RealNetworks and Concord Records president GLEN BARROS are two of many music executives who say the music-licensing process needs to get a lot faster and easier. Today many labels are placing similar restrictions on digital services. Executives with one service, who spoke on condition of anonymity, say there is a huge level of micromanagement by labels.

When they define everything we can do, it prevents us from innovating in our products. We have to go back and get new permissions,” one executive says.

As a result, the services will never be able to license from every indie label, another executive says. “It takes months just to work with all the major labels.”

Observers say it is inevitable that contract terms will have to be streamlined so music will be available to meet consumer demand. To ensure that indie labels are not left out of the loop, a limited number of aggregators will likely fill the need. The exact number will depend on how profitable the market becomes.

“Most of the labels, like any other business, will apply their resources in the most cost-effective way to try to get the low-hanging fruit and maximize revenues,” says Joe Salvo, of counsel to Weil, Gotshal & Manges in New York and a former major-label attorney. “You first put out your newer repertoire where you don’t have any contract issues and you are dealing with more recent and commercially popular material, stuff that you know is going to sell in greater quantities. And then, when you have time, you come back and do a second sweep for the higher-hanging fruit.”

TOMORROW’S MUSIC BIZ?

In Congress, entertainment law offices and music business boardrooms across the globe, representatives for labels, publishers, artists, digital music services and others are coming together to try to work out methods to get all interested parties in synch. If they succeed, tomorrow’s music business could be one where:

Contracts no longer restrict record companies on how they may license, sell and market artists’ recordings.

The major labels and a few so-called aggregators, which represent indie labels and unsigned artists, are the only companies that directly license these recordings to online and wireless service providers.

Every song on these recordings is properly licensed because a small number of organizations administer licenses for all publishers, even for those that do not want their works in the digital space.

One publisher or organization handles the rights for each song regardless of the number of writers and publishers.

Every company that uses or holds rights in music identifies and tracks recordings, compositions, uses and revenue streams by the same data standards.

Those who do not use the standards lose any advantages they could have in the marketplace.
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When Alternative Distribution Alliance convenes its sales conference this week, the independent distribution arm of Warner Music Group will mark 13 years in business, during which it has become the nation’s top indie distributor. But when ADA launched on May 16, 1993, odds for its long-term success were not great. How ADA survived its first year, let alone remained open long enough to achieve its market-leading stature, is quite a tale.

ADA was born and shaped amid corporate infighting at WMG and from day one WEA Distribution regarded it as an unwanted corporate stepchild. The Warner turmoil spilled over into ADA: Its leadership office was a revolving door, with three top executives in its first 13 months. It missed first-year revenue projections of $15 million by a mile, only hitting $3 million in sales. In fact, sources say it did not make a profit for its first five years.

What else could go wrong?

For one, its technology systems were initially built for a Macintosh computer environment at a time when the PC’s dominance was even greater than it is today. It took about two years to get its systems working right.

Its first warehouse initially suffered logistic problems of the worst kind: The pallets were too big for the shelves. Making matters worse, ADA initially faced a cool reception from retailers, who were turned off by the name—its acronym reminded merchants of all the money they had just spent to comply with the 1990 Americans With Disabilities Act.

But ADA’s future was certainly assured on May 23, 1994, the day Andy Allen walked through the door to assume leadership of the company. Andy really brought a lot of focus and managerial smarts to the situation,” says Jon Pone man, head of Seattle-based Sub Pop, which was in the first batch of labels to sign distribution deals with the company. “He brought a lot of understanding, empathy and vision, and made us all feel much more comfortable in ADA.”

Tommy Boy Records president Tom Silverman, who was then a WMG executive involved in the debate surrounding the creation of the indie distributor, describes ADA as “the Cadillac of the indie-distribution business. And I think that is largely due to Allen’s leadership.”

If Allen bought stability to what up until then was a chaotic situation, he himself attributes the company’s endurance and subsequent growth to his staff and a number of labels like Beggars Banquet, 4AD, Sub Pop, Touch and Go and Matador, most of which have been with the company since day one.

“We started out with a core group of people, many of whom are still here,” Allen says. “We also started with a core

continued on >>p36
For the rest of the world
13 years of distribution
will get you 25 to life.

Is this a great business or what?

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from »p34

A group of labels, and it is very satisfying to us that we grew together as a group.

That growth this year is expected to reach $200 million in volume, according to Billboard estimates, making the wholesaler the nation’s largest independent distributor, trailing behind only the four majors.

ADA distributes about 70 labels and more than 100 imprints, which combined have about 4,500 albums, not including vinyl, EPs or digital bundles.

It’s not uncommon for ADA to handle between 50 and 65 new releases per month, and in April about 100 albums hit the street, Allen reports. Also, the wholesaler occasionally eclipses its first-year volume of $3 million in a single day, he adds.

Those types of numbers were hard to imagine in its early days, given its tumultuous beginning.

The concept of ADA came from three different directions, two within WMG and one outside of it.

At the time, major labels were experimenting with ways to develop baby artists in a more cost-effective manner. Sony Music was three years into its ownership of RED, EMI had inherited Caroline as part of its acquisition of Virgin Records, PolyGram had formed Independent Label Sales and BMI Distribution fielded Big, or BMI Independent Group.

Within WMG, its then-CFO Jerry Gold and chairman Bob Morgado were discussing how to capitalize on the opportunities in the independent sector when Restless Records executives, who had recruited Roadrunner Records, were shopping the idea of forming an independent distribution company around their labels.

Along the way they visited Thom Whalley, then a senior VP at Interscope, who at the time was a joint venture with WMG and distributed by WE. The Restless/Roadrunner idea was simple: create an independent distributor where a portion of equity would be used to induce large indie labels to sign on.

Whalley apparently mentioned the idea to Gold, who championed the concept within WMG. Others endorsing the concept included Atlantic label executives and Silverman, whose label Tommy Boy was co-owned by WMG, and who sat in on the strategy sessions conducted by the senior corporate staff of WMG.

Unaware of those efforts, Elektra Records and its labels were simultaneously involved in discussions with WE’s senior management to set up an indie-like mechanism within the major distributor’s framework. Through that initiative, a separate sales arm would be created under the WE umbrella to work developing artists from WMG labels to retail accounts.

When both groups became aware of each other’s initiatives, a struggle ensued within the company over which version of indie distribution would go forward. Morgado quashed the infighting by endorsing the proposal that would become ADA.

Before it launched, ADA was initially called Pan American, and its first labels, which were granted equity stakes, continued on »»p38
Congratulations to ADA on 15 Glorious Years
and to Fontana on 15 Terrific Minutes

matador records

Beggars Group wants to send a hearty thank you to ADA for all the years of letting us slide on those bump charges (oh, should we not have mentioned that?)

Love always
The Beggars Group...
From the get-go ADA was established as an 'alternative rock' distributor, a distinction it retains to this day.

In the early days that led to embarrassments like having a consultant recommend a pallet that proved to be three inches too wide for the shelves in the warehouse. "It took us a long time to get it right," Allen says.

Slowly, things started to turn around for the fledgling company. Liz Phair's first album, 1993's "Exile in Guyville," which has sold 458,000 copies, according to Nielsen SoundScan, went a long way in establishing the ADA name.

"That was one of the first indie rock records to be successful," Allen recalls. It would be the label's first record to ship gold, although it would not be certified until 1998. Also part of the core group of labels that proved to be invaluable to the early continuity of the company were Beggars Banquet, Touch and Go and Mute.

But it was the self-titled Better Than Ezra album that finally put ADA on the map as far as retail was concerned.

That platinum record was the first instance of success between a WMG label (Elektra) and ADA.

Soon things were going more smoothly, if not profitably. But that changed by 1998, when ADA grew to an estimated $60 million in sales. At the time, WMG titles accounted for about 13% of ADA's volume.

From 1999 to 2004 ADA began to thrive while Roger Ames ran WMG. But it has been under the current Warner leadership that the company has exploded to become the... continued on >>p40

Q: What do The Shins, The Postal Service and Iron & Wine have in common?
A: They've never heard of Andy Allen.
B: They've all been successfully incubated!
C: They're paying for this ad.
D: All of the above

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ADA & Tommy Boy. Down Since Day One!
ADA has its own information systems group since gathering and presenting information is an important part of what it does for its labels.

ADA has a staff of 70, including a 40-person sales team. Many work off-site, but there are three ADA offices: the headquarters in downtown New York and regional offices in Minnesota and Burbank, Calif., which share space with WEA.

From a logistics point of view, ADA divides the country into three divisions: two regional and one national, with advertising and touring functions supporting the sales efforts.

ADA also has its own information systems group, since information gathering and presentation is an important component of what it does for its labels. That also allows ADA to maintain its own financial functions and generate financial statements. But manufacturing, warehousing, shipping and processing returns are handled through WEA Distribution's deal with manufacturing company Cinram, while WEA itself handles collections and credit risk.

Key staffers include GM Michael Black, who has been with the company since the beginning, as has senior VP of sales and marketing David Orleans; CFO Keith Wood; and Michael Bassin, head of the national sales. Recently Mitch Wolk, the former CFO at RED, has joined the company as executive VP.

Allen says he and the staff strive to maintain a family attitude at the company. “We have had very little churn in the staff, so we can create an environment to promote from within, identifying the next people in line for promotions so that we can create up.

continued on >>p42

Andy & ADA
Thanks for riding the big wave with us for all these years!!

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ON IT'S YEARS OF ACCOMPLISHMENTS.
WE LOOK FORWARD TO MANY, MANY MORE.

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Thank you to Andy & the Gang for all your support
Enjoy a cheesesteak sandwich at Gino's
ward mobility for the staff.

Likewise, Allen works hard to make sure that ADA's labels grow together as a group. If the labels enjoy growth at the same speed, they feel good, but if there is a huge disparity, it can cause bad feelings among smaller labels, he says.

Indeed, Allen points out that while there is a certain amount of churn at all distributors, ADA's core group of labels remains constant.

"It is the core group of labels that started with us which define who we are and who have been the propellant of our growth," Allen says. "The only ones who have left are Restless and Mute, but the latter was because of a sale to EMI."

ADA has supplemented those labels through the years with imprints like Barsuk, Saddle Creek, Fueled by Ramen and Comedy Central. Another big plus is that Epitaph, which ADA distributed in its early days on a nonexclusive basis, has returned to the fold.

ADA also has remained true to its initial start as an indie-rock-based distributor, Allen says. "We have experimented and tested the boundaries of what we consider indie rock, including handling dance, metal, some hip-hop and rap. We also got singer/songwriters covered pretty thoroughly, and we have a fair amount of free jazz."

But ADA has not done straight jazz, country or classical, and that has been a conscious business decision. "One reason we can maintain a smaller staff is we have confined the company to genres we fully understand," Allen says.

Not only do ADA staffers have a feel for the music, they know the marketplace, too, Sub Pop's Poneman says. "The ADA staff has shown great tenacity and savviness to get the records where we need them," he says. For tenacity, he cites Nirvana's "Bleach," which was the band's second record and is now platinum.

That album, in fact, is ADA's best seller. It is followed by Better Than Ezra's "Deluxe" (Elektra), the Squirrel Nut Zippers' "Hot" (Mammoth), the Vengaboys' "Party Album" (Strictly Rhythm/Rhino/Grvinilicious) and Panic! at the Disco's "A Fever You Can't Sweat Out" (Fueled by Ramen).

Epitaph head of sales John Strickland praises ADA's "ability to keep pushing a record once it's out. It's one thing to solicit and support for a month, but when you're talking three or four months out of the gate, that's when we're seeing a big difference."

In addition to the music and the savvy staff, the other ingredient propelling ADA nowadays is its relationship with WEA and WMG. Last year, not including the minority-owned Sub Pop, WMG labels and titles accounted for 9.7% of ADA's sales.

Besides digital, the Bronfman-led WMG identified the indie sector as a growth area for the company. Other moves it has made include starting the incubator: labels of EastWest and Asylum, which both also sign deals with indie labels. Other incubator labels include the Perfect Game, started by Warner/Chappell, and Cordless, which signs baby bands and distributes their music digitally. All those labels, except Asylum, are distributed by ADA.

WMG also has completed its acquisition of Ryko, which will continue to operate its distribution company. Practically any indie label can come to WMG now because the company has a diverse group of distributors, Esposito says.

ADA's placement under WEA's umbrella in 2001 and the switch to the major's fulfillment capabilities has been a turning point, Allen says. "It is the secret of our success; it would have been very difficult for us to grow at the same pace if we still had our own warehouse."

As a key cog in WMG's indie plans, all the marketing services that have been built for East-West and Asylum can now be offered to the ADA labels, Esposito explains.

If the ADA labels want to upstream, it is something that is available to them, but they are not pressured to do so. Beyond upstreaming, "ADA and its labels have access to us for advice and counsel," he says. "We don't impose anything; we offer our service."

For his part, Allen says that "as much as I rely on WEA for their support, services and advice, and admire what they do, we think they are in a different business than us."
"CHECK OUT THE LATEST RELEASE FROM VICE RECORDS DISTRIBUTED BY ADA. IT'S GOING TO BLOW YOUR MIND."
GREG - FOUNDER OF VICE RECORDS

Since Greg doesn't read the trades we can tell you that ADA has done more for our bands than he has. Thanks for everything ADA.

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ada

Together we've had over a decade of growth and great music.

Congratulations and thanks!

We are proud to be part of your distribution family.
We at Hopeless and Sub City are pleased to express our appreciation and gratitude to ADA for being a terrific partner. Having just begun our relationship in January of this year, we have had many successes already and hope to see many more in the coming years. We wish the best to all the staff at ADA and we are excited to be a part of the family.

Sincerely,
Hopeless & Sub City Records

Congratulations
To Andy and all our Friends at ADA.
Wishing you 'All The Best'!

Bill Leopold and everyone at
W. F. Leopold Management

Let's start with something easy. What is the fate of physical product?
I don't see physical product going away. We are doing significant digital business, but I don't see less physical sales. In fact, the digital sales we are experiencing either are driving physical sales after someone samples songs digitally, or we are seeing a consumer that has been dormant and no longer visits physical retail. Digital has reinvigorated their passion in music and re-energized them to find and consume music.

When will digital sales equal physical sales?
I have no idea when it will be the equivalent. In some cases we are seeing digital sales of 25% or more on a title and that is a significant increase from last year. The revenue is still trailing physical sales by a significant margin at this point, so I won't hazard a guess.

How do you view the health of the brick-and-mortar account base currently?
There is no shortage of space devoted to hit music today. But I am concerned about the presentation of catalog to consumers. All the stores that carry catalog are shrinking their space to music. Many of our labels have significant catalogs, and that is our challenge—to make sure it is still represented to the consumer.
I can't imagine we will see new entries into specialty retail, but I suspect we will continue to see specialty stores that know their audience well and will present titles to their subset lifestyles. But we also certainly are seeing niche product selling well digitally.

What's your assessment as to how the digital market is evolving?
It is a transaction-based business and extremely logistic-intensive. I doubt there will be thousands of superstores that carry all music titles. I suspect eventually there will be a few that are successful in carrying everything, and then there will be specialty sites that drive niche sales but draw upon the recourses of the big guys, not unlike what Amazon does today.

Like the mystery book Web site stopyoure-killingme.com?
That is among both our favorite Web sites and the best example of what I am talking about.

How many brick-and-mortar accounts do you sell to today?
Our account base used to number about 1,100 stores, including our mainstream channel and those accounts that we sell to on an event basis, like a boutique or art gallery. Nowadays, I would say we sell to about 400 billed-to accounts and about 350 of those are indie accounts, or what we would call small chains, so we have a pretty big footprint in direct sales to indie stores. They are an extremely important part of our account bases.

There are less (nontraditional) out-of-channel accounts now, but we sell to some fashion houses and whole food stores, and we include things like hottopic.com in our mainstream channel.

How does your account base differ from that of WEA Distribution?

We sell to everyone that WEA sells to and to more indie stores, including stores that sell vinyl. That is why Rhino uses us to sell their titles that they have reissued in vinyl, like T. Rex and Fleetwood Mac. We enjoy that part of the business greatly.

How are ADA sales shifting in the various account sectors?

While the indie [retail] sector is an extremely important channel and a huge part of the taste-making process, there is no question there are fewer of them. The bright spot is that there has been real strength in that sector for us this year. Indies have always broken our records, and we have seen some great activity for our records in those stores this year.

How are you working with the other sectors, music-specialty chains and big boxes?

Our sweet spot has always been the indie retailers and music specialty chains. Our label comes to life on an event basis, and whole companies. The labels they have would be underserved if they were with ADA. There is enough difference between us so that if a label comes along, it could be clear as to which distribution company the label should be with. I love that WMG will give labels that option.

Having said that, I still look at Ryko as a competitor just as Atlantic Records looks at Warner Bros. Records. It will keep us on our toes.

How does ADA interact with WMG’s major labels and its incubator labels, Asylum, East-West, Cordless and Perfect Game, the Warner/Chappell label?

The original intent as ADA was conceived is that it would market and develop talent at the indie level for the WMG major labels. It is not uncommon for us to be working several of WMG’s own projects like we did with Elektra and Enya. P&D deals that, to this day, Warner Bros. and the incubator labels have a variety of relationships with indie labels that is very wide-ranging. Some are straight P&D deals with no equity ownership and just basic services, while with others there is a firm connection between the indie labels and WMG.

For example, the Fueled by Ramen label in Florida, which was tremendously successful with Panic! at the Disco. That came through WMG and an affiliation with Atlantic, with ADA doing the distribution duties.

In one instance, the signing could be done by Fueled by Ramen and the initial marketing by the indie label and then developed by a partnership with Atlantic. On another occasion, there might be a joint signing. There is no fixed deal, and there is certainly no deal that we are out there trying to sell to indie labels.

What WMG is trying to do is establish a relationship with smart people who find good music and then tailor a deal to whatever support they think they need.

How do you work with the incubator labels?

For EastWest, they do the marketing, and we do the distribution for them. In addition, EastWest also can provide marketing services for indie labels, whether they sign them or if they are here at ADA through P&D deals. Up to this point, Asylum’s distribution has been all done by WEA. The Perfect Game hasn’t released his album yet. We also handle releases in the U.S. for Chrysalis Publishing and their Echo label out of England.

Cordless had a very interesting launch earlier this year, and those releases first made available digitally will be offered physically when they prove themselves through ADA. We expect to have some of their music soon. I think it won’t be long before the Cordless concept is proven successfully in both the digital and physical world.

—Ed Christman

Our sweet spot has always been the indie retailers and music specialty chains.

Buckwheat Zydeco & Ted Fox

Thanks and congratulations to Andy Allen and his gang at ADA... YOU’RE THE BEST!

Eh toi, baby,

JUNE 17, 2006 | www.billboard.biz | 45
Andy and the ADA staff,
Congratulations on your success.
Your finest achievements are yet to come.
It's been an honor and a privilege
to work with you and I look forward
to our continued relationship in
the years ahead.

Lydia Sherwood
Presto Public Relations
360 734 8315
www.prestopublicrelations.com

THANK YOU!

Andy Allen and ADA on being the
Best Independent Distributor

"Working with Andy and his staff has truly been an honor.
What we have accomplished together for O.A.R. is amazing
and we appreciate the outstanding level of service Andy
and his team provide to us on a daily basis. Here's to
1 MILLION records... and more to come!"

- Dave Roberge
President, Everfine Records

All the best,
O.A.R. and everfine
Records

Here is a roundup of noteworthy acts
distributed by Alternative Distribution
Alliance.

**PANIC AT THE DISCO**
Decaydance/Fueled by Ramen
Fresh off the success of its act Fall Out Boy, the
label Fueled by Ramen delivered another hit
tune. "A Fever You Can’t Sweat Out" from
Panic! at the Disco has reached No. 1 on Bill-
board's Top Independent Albums chart and has
sold 647,000 units in the United States,
according to Nielsen SoundScan.

But Fueled by Ramen has had a bit of help,
and illustrates the way ADA and its distributed
labels can work with ADA's parent company,
Warner Music Group. WMG imprint Lava has
helped the band at radio. Ramen founder John
Janick likes having one foot in both the indie
and major worlds. "Lava is doing a great job,
but we told them, 'We don't want you to go in
and do what you do with some of your other
records and beg them to play it. We don't care.'"

**SCOTT WALKER**
4AD
With "The Drift," the enigmatic Scott Walker
returned with his first solo album since 1995's
"Tilt." The Ohio-born singer has remained a
cult artist in the United States, but rose to promi-
nence in the United Kingdom as a member of
the Walker Brothers. "The Drift" takes Walker
into bleak and moody territory, an album of
highly literate and carefully constructed songs.
It may not be storming the charts since its U.S.
release on May 23, but the project gives ADA
one of the most critically anticipated albums to
be released in 2006. A flurry of press should still
provide a nice sales story for the 63-year-old
singer and 4AD, which is part of the Beggars
Group. Due later this year: the documentary
"Scott Walker: 30 Century Man," which features
interviews with Radiohead, Damon Albarn and
David Bowie, among others.

**NEKO CASE**

VETERAN AND
BUZZ BANDS JOIN
DISTRIBUTOR'S
GALLERY OF
WINNING ARTISTS

With the debut album from Gnarls Barkley, ADA
found itself distributing what is shaping up to be
one of the summer's hottest independent songs.
The album's "Crazy" has already hit No. 1 in the
United Kingdom and is a top 25 hit on Billboard's
Modern Rock chart in the United States.

Gnarls Barkley, a collaboration between Dan-
gy Mouse and Cee Lo, is the second release on
Joshi Deutsch's Downtown Records. The Gnarls
Barkley album "St. Elsewhere" was released May
9, and is part of an upstreaming deal Downtown
has with Atlantic Records. For now, the album
is being worked via ADA. Downtown released
the album to online outlets a week earlier, but
"Crazy" was not made available as an individ-
ual track. "This isn't part of Downtown's overall
philosophy regarding single sales on iTunes,"
Deutsch says. "We just felt that it's such a stun-
ing album. We didn't see a compelling reason,
given the organic growth and the press inter-
est, to not give people the opportunity to check
the rest of the album out."

**ALL THE BEST,**

Andy Allen and ADA on being the
Best Independent Distributor

"Working with Andy and his staff has truly been an honor.
What we have accomplished together for O.A.R. is amazing
and we appreciate the outstanding level of service Andy
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President, Everfine Records

All the best,
O.A.R. and everfine
Records
The last year with Modest Carissa’s While the rockers on “Saturday Night Media attention, here. That’s what I’m not,” has sold 207,000 units in the United States, according to Nielsen SoundScan, an astonishing amount for a debut album that still lacks any sort of significant airplay here. But what the Arctic Monkeys have had is media attention, even winning an appearance on “Saturday Night Live.” The hit-selling British rockers continue to tour, recently issued an EP and are regulars on MTV2. But Domino has licensed its artists in the United States before, as it did with Franz Ferdinand. So will the band be sticking with ADA? “Right now, we’re putting it out on our own,” Domino GM Kris Gillespie says. “But we’re always open to ideas.”

BAND OF HORSES Sub Pop Seattle-based Sub Pop has continued its hot streak into 2006. The storied indie has enjoyed a bit of a resurgence the past few years, thanks to such acts as the Postal Service, Iron & Wine, Wolf Parade, the Elected and the Shins, who are slated to release a new album by the end of 2006. The Neil Young-influenced Band of Horses arrived in April amid a flurry of high critical marks. The band made its way to Tom’s Stop Seekers, where it spent two weeks, and peaked at No. 26. While the album is no longer on the chart, Band of Horses, which formed out of the ashes of Carissa’s Weird, has proved Sub Pop can continue to deliver and break new artists, as it did last year with Moda’s Mouse protege Wolf Parade. Band of Horses is selling out clubs across the country, and will appear at the Pitchfork Music Festival in July in Chicago.

NEKO CASE

Anti Records: The secret weapon of Los Angeles-based Epitaph Records has been its adult-oriented image. Anti’s stock may bring ADA some of its top-selling titles, such as Matchbook Romance, Bad Religion, Dangerdoom, Pennywise and From First to Last. But Anti has gradually been building its name as well. The label now boasts a catalog that includes Tom Waits, Bettye LaVette, Nick Cave, Blackalicious, the Coup, Jolie Holland and Neko Case. In March, Case released “Fox Confessor Brings the Flood,” the alt-country temptress’ first proper full-length for the label. Like all her releases, the critics loved it. But this one has become a steady seller for Anti- and ADA, peaking at No. 4 on the Top Independent Albums chart. Case will be touring throughout the summer, and recently appeared on programs on NPR and A&E.

GRANDADDY

V2 Veteran V2 act Grandaddy says it is breaking up, and ADA has its final album. “Just Like the Familly Cat” will be a fitting end to the band’s career if Grandaddy indeed calls it quits. From rock rave-ups to electro-folk, the album shifts in styles from song to song, offering the listener a bit of an aural tour through Grandaddy’s career. The band’s last album, “Sunday,” peaked at No. 84 on The Billboard 200 in 2003. The new album, released May 9, entered the Top Independent Albums chart at No. 10. Interestingly, Grandaddy was a pretty recent score for ADA. Its label, V2, was purchased by Sheridan Square earlier this year. Sheridan Square in turn struck a deal with WEA, in which some acts would earn major-label distribution and others would go through ADA.

JENNY LEWIS

Team Love/Saddle Creek One of the year’s more surprising albums has been the solo debut from Rilo Kiley frontwoman Jenny Lewis, “Rabbit Fur Coat.” The album, with its conversational lyrics and hint of Southern soul, was released on Team Love, a Saddle Creek-affiliated imprint run by Bright Eyes’ Conor Oberst. While Saddle Creek has provided ADA with its share of indie hits, including Bright Eyes, the Faint and Cursive, “Rabbit Fur Coat” became the first from Team Love to make a strong sales impact. Released at the start of the year, the album has spent more than a dozen weeks on the Independent Albums tally and peaked at No. 6. The album has sold 69,000 units, according to Nielsen SoundScan. Lewis has done promotional dates on “Late Show With David Letterman” and influential public radio station KCRW Santa Monica, Calif. She will spend much of the summer touring Europe.
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PERHAPS it is the melody that hooks the mind. Maybe the words touch an internal chord, forming a tear or spreading a smile. Whatever makes a song connect for the first time, the inevitable question from the casual listener is, Who is singing that song? Rarely does one ask, Who wrote that song?

For many years, songwriters and their publishers rarely saw their names on records. Even today, these creators are often the faceless reasons for the success of countless artists, producers and others. Unfortunately, they say, they are sometimes treated like second-class citizens. That is why the Songwriters Hall of Fame is so special and so essential.

“We're honoring the underlying reason for the whole music business—the song,” says Hal David, chairman/CEO of the Hall of Fame. “When it's all said and done, the one thing that is there in the beginning and remains always is the song. We have fantastic artists over the years, but it’s always the song.”

For songwriters, the Songwriters Hall of Fame is their Academy Awards. Those inducted and those honored by various awards are selected by a secret committee made up of 15 of their peers. The names of the committee members, appointed by the organization’s highly qualified board of directors, are withheld to prevent inappropriate lobbying.

Hall of Fame president Linda Moran explains that throughout the year, hundreds of names are gathered of composers and songwriters whose work has been published for at least 20 years. The committee narrows the list down to 24, eventually selecting three songwriters and two artist-songwriters to be inducted. They also select recipients of special awards that salute songwriters, performers, a publisher and a song.

At the 37th annual induction and awards ceremony June 15 in New York, world-renowned artists will perform songs in homage to their composers. The industry elite, the creators and the music lovers will mingle with one another. Awards will be presented, speeches will be given and stories will be shared. But most important, on this night under glittering lights, the composers and songwriters will be treated like royalty.
ADD THE WORD "producer" to a songwriter's credit and publishers will take special notice. Combine that with the talent to craft hit songs, from tracks written by others—and to sonically reproduce them for a string of artists and watch the music climb the charts. Today, long-term success depends on a songwriter's ability to wear more than one hat. Billboard recently asked some top music publishers to explain the business reasons behind this and looked to today's hottest producer/songwriters to offer creative insight into the art of putting together a hit song.

WHAT PUBLISHERS WANT
Placing a song has become truly challenging outside of Nashville, where the art of pure songwriting still has a meaningful place, notes David Renzer, Universal Music Publishing Group chairman/CEO.

That is why it is becoming increasingly important for songwriters to branch out. Particularly because a producer usually has greater access to artists and record company executives where they can learn about specific projects for which their songs may be appropriate, says Richard Blackstone, Warner/Chappell chairman/CEO.

In turn, for the publisher, the investment made—in terms of an advance—in a songwriter can be spread out over many artists' projects rather than be dependent on one artist's success when that writer is also a producer, says Irwin Robinson, Famous Music Publishing chairman/CEO.

Indeed, Marty Bandier, BMI Music Publishing chairman/CEO, adds that the producer/songwriter "has long been the primary foundation for the success we've had over the years."

Producer/songwriters also have the advantage of taking their vision for the song and carrying it all the way through the recording, says Danny Strick, Sony/ATV U.S. president.

They can also inspire the artist to deliver great performances, which often makes the difference between a good record and a great one, adds David Manel, Zomba Music Publishing U.S. president.

Grammy Award-winning producer John Shanks has worked with artists ranging from Michelle Branch and Ashlee Simpson to Sting and Bon Jovi. Shanks says that his experience as a songwriter helps him "get inside the song" as a producer, and figure out how to best present the song through recording, instrumentation and arrangement.

"The manner in which a song is built up should represent the melody, lyric and chord structure, creating the best impact for the listener," Shanks says. "In turn, they'll feel a part of what the artist is trying to convey emotionally and feel the writer's inspiration."

Grammy winner Jermaine Dupri, who is also president of Virgin Records Urban Music, finds that songwriting helps his work as a producer in many ways. When he writes lyrics, for example, he can ensure that the music has the same emotion. That ultimately makes for a better song, he says. His list of credits includes work with Usher and Mariah Carey.

Billy Mann has co-written and produced for artists ranging from Jessica Simpson and Anastacia to Celine Dion and Hall & Oates. Being a songwriter keeps a producer "focused on not polluting the integrity of the song you're producing," Mann says, adding that he places the importance of presenting the song first and the production second.

Five-time Grammy winner Glen Ballard believes that recognizing great material is the most valuable tool for a producer. He has worked with such artists as Alanis Morissette, Quincy Jones and No Doubt. His songwriting craft is carried into his production. "The architecture for a successful song is the blueprint for a successful record," he says.

Scott Storch has a string of hits for Terror Squad, Marlo, 50 Cent, Chris Brown and others. He notes that working as a songwriter helps him as a producer to take the material much further. "It adds more when you can see beyond the eight-bar loop, because when you understand the music, you can actually build a song that has energy and dynamics to it," he says.

Linda Perry, who has worked with Pink and Gwen Stefani, among others, points out pros and cons for songwriters who produce. When Perry writes, she hears the production in her head. "I know what kind of song it wants to be," she says. Then when she begins the recording, it is easier to produce because she already knows what it is supposed to sound like.

But it can also, in fact, the process. "In some cases when I hear all the parts in my head it doesn't allow me to explore other options," she says. "meaning I no longer have an open mind, which can stagnate the production."

For those who want to wear both hats, producers/songwriters offer some advice.

When writing songs, "learn to be clear and as unique as possible," says Dallas Austin, who has worked with such acts as TLC and Stefani. "But don't forget that you are expressing things to other people, so it has to be understandable to the consumer."

Ballard suggests that songwriters pick 10 favorite songs or albums and really break down why they like them, what works and go from there.

"The longer you grind, eventually you will come into your own," says Dre, part of the duo Cool & Dre, who have worked with 50 Cent, The Game, Ja Rule, Fat Joe, Mary J. Blige and others. "This industry is full of bandwagon hoppers, but as long as you stay relevant in the streets, you will force the industry to deal with you."

-Susan Butler

LINDA PERRY has written and produced hits for such artists as Pink and Gwen Stefani.

More Writers Are Producing Tracks, And Music Publishers Wouldn't Want It Any Other Way

THOM BELL, INDUCTEE

Thom Bell's groundbreaking productions with acts like the Delfonics, the Spinners, the O'Jays, the Stylistics and others have retained timeless appeal. Considered a principal architect of the influential "Philly Soul" sound, he co-wrote the Stylistics' most memorable hits, including "Stop. Look and Listen" and "Betcha by Golly Wow." He co-composed such Spinners hits as "Could It Be I'm Falling in Love" and "One of a Kind Love Affair" as well as the Spinners/Dionne Warwick duet "Then Came You."

Bell, a two-time Grammy Award winner, also arranged such O'Jays classics as "Back Stabbers," "Love Train" and "For the Love of Money."

MAC DAVIS, INDUCTEE

Mac Davis is one of America's most popular entertainers. In 1965, he began composing songs recorded by such artists as Glen Campbell and Lou Rawls. Elvis Presley recorded Davis' songs including "Memories," "In the Ghetto" and "A Little Less Conversation."

Davis landed a record deal in 1970, releasing the charting single "Whoever Finds This, I Love You." Two years later, he scored a no. 1 pop hit with "Baby, Don't Get Hooked on Me." His success in the 1980s included four consecutive top 10 country hits. In 1990, Davis performed the title role in "The Will Rogers Follies" on Broadway.

WILL JENNINGS, INDUCTEE

Will Jennings has touched emotional chords since his music career began in the 1970s. His collaborations led to such memorable songs as Barry Manilow's "Looks Like We Made It" and Steve Winwood's Grammy Award-nominated "Higher Love."


SYLVIA MOY, INDUCTEE

Sylvia Moy found her true calling in the Motown sounds. She was part of the creative team that wrote such classics as "My Cherie Amour" for Stevie Wonder and "It Takes Two" for Marvin Gaye.
As the first female record producer at Motown, Moy has earned six Grammy Award nominations and 20 BMI awards. She has written theme songs for such TV shows as "Blossom," "The Wonder Years" and "Growing Pains." She has also been involved with the theme music for movies including "It Takes Two" and "Mr. Holland's Opus."

**HENRY COSBY, INDUCTEE**

Hank Cosby, a gifted saxophonist, producer and songwriter, teamed up in 1962 with 11-year-old Little Stevie Wonder to write "Fingertips." A later live recording of the song launched the prodigy's groundbreaking career. Cosby co-wrote such enduring songs as Wonder's "Upright (Everything's Alright)" and Smokey Robinson & the Miracles' "Tears of a Clown." He teamed with Wonder on a number of hits like "I Was Made to Love Her." He also worked in various capacities with the Supremes, Marvin Gaye, Gladys Knight & the Pips, the Temptations and others. He died in 2002 at 73.

**KRIS KRISTOFFERSON**

Johnny Mercer Award

Kris Kristofferson's songs have a deep appeal that expresses passion, yearning and social concerns with a directness that belies their poetry. He is honored by the hall of fame with the Johnny Mercer Award, presented to a previously inducted songwriter whose quality of work upholds the gold standard set by the legendary Mercer. Less than one year after the Rhodes Scholar took a job as a janitor for Columbia Records while trying to break into the music business, he forever changed country music songwriting. Songs like "Me and Bobby McGee," "For the Good Times" and "Sunday Morning Coming Down" were recorded by icons Janis Joplin, Ray Price and Johnny Cash, respectively. Three Grammy Awards and 17 top 40 albums later, more than 450 artists have covered Kristofferson-penned tunes.

**PETER, PAUL & MARY**

Sammy Cahn Lifetime Achievement Award

Pete, Paul & Mary came together as the civil rights movement was taking shape in the 1960s, reclaiming folk music's potency as a social, cultural and political force. They are this year's recipients of the Sammy Cahn Lifetime Achievement Award, presented to pioneers whose work over a lifetime has inspired the music community. Peter Yarrow, Noel (Paul) Stookey and Mary Travers have engaged four generations with indelible hits like "If I Had a Hammer," "Cruel War," "Where Have All the Flowers Gone," "500 Miles," "Lemon Tree" and "All My Trials." Their recordings of Bob Dylan's "Blowin' in the Wind," Gordon Lightfoot's "Early Morning Rain" and John Denver's "Leaving on a Jet Plane" were major milestones in their careers. "Puff (the Magic Dragon)," co-written by Yarrow and Leonard Lipton, went on to be an enduring children's classic.

**JOHN MAYER**

Hal David Starlight Award

John Mayer is a songwriter with a unique vision, a virtuoso guitarist and an expressive singer. He is very much of his time, but he also possesses a healthy respect for the performers and music creators who have preceded him. He will receive this year's Hal David Starlight Award, presented to a gifted songwriter in the early years of his or her career, whose original songs are making a significant impact in the music industry.


**ALLEN KLEIN**

Abe Olman Music Publishers Award

Allen Klein started his career as an accountant, entering the music business through a friendship with publisher Don Kirshner. In 1962, he met Sam Cooke and soon became his manager. At one time, Allen managed both the Beatles' Apple Corps and the Rolling Stones. Klein will receive this year's Abe Olman Music Publishers Award, presented to the publisher whose songs have garnered global recognition and whose work has furthered the career of songwriters.

Klein's company, ABKCO Music & Records, has become one of the leading independent treasuries of copyrights and master recordings. The music publishing division holds more than 2,000 copyrights, including songs composed by Mick Jagger and Keith Richards, Sam Cooke, Bobby Womack, Ray Davies and Pete Townshend.
Music publishers who license their catalogs through HFA take advantage of superior licensing, royalty collection, distribution and compliance services, international representation, and new licensing opportunities.

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- Covers all styles of music including Pop, Dance, AC, R&B, Rock, Country, Blues, Soul, Hip Hop etc.
- Also check out CUESHEET MUSIC REPORT - Film-TV music listings, leads dispatched twice monthly.

ON THE CHARTS

THE MUSIC PUBLISHING RECAPS for the Songwriters

Hall of Fame special are year-to-date standings, from the Dec. 3, 2005, issue—the beginning of the chart year—through the May 20, 2006, issue. Recaps for The Billboard Hot 100 and Hot R&B/Hip-Hop Songs charts are compiled using a combination of gross audience impressions monitored by Nielsen BDS along with sales of paid music downloads and retail store sales as compiled by Nielsen SoundScan. Recaps for Hot Country Songs, Hot Latin Songs, Hot Christian Songs and Hot Christian Adult Contemporary are based on gross audience impressions from Nielsen BDS. Titles receive credit for airplay (and sales where applicable) accumulated during each week they appear on the pertinent chart. In cases where more than one songwriter wrote a particular track, points are equally divided between the composers. Publisher and publishing corporations are likewise evenly split. Publishing corporations receive 100% of the point values compiled by any publisher in which the parent company holds at least 50% equity. Publishing corporations also receive 25% of the point value built by publishers that they administer but do not own.

Recaps compiled by chart managers Anthony Colombo, Ricardo Companioni, Raphael George, Wade Jessen and Silvio Pietroloung.

Hot R&B/Hip-Hop Songs Publishing Corporations

Pos. PUBLISHING CORPORATION (No. Charted Titles)
1 SONY/ATV TREE, BMI (160)
2 BMG/ZOMBA MUSIC (152)
3 UNIVERSAL MUSIC (168)
4 WARNER/CHAPPELL MUSIC (87)
5 CHRYSALIS MUSIC (103)
6 SONY/ATV MUSIC (190)
7 WINDSEWPT HOLDINGS MUSIC (188)
8 FAMOUS MUSIC (122)
9 SHANIAH CYMONE MUSIC (122)
10 LYFE IN MUSIC (3)

Hot R&B/Hip-Hop Publishers

Pos. PUBLISHER (No. Charted Titles)
1 EMIR APRIL, ASCAP (65)
2 EMIR BLACKWOOD, BMI (54)
3 ZOMBA SONGS, BMI (17)
4 UNIVERSAL, ASCAP (26)
5 WARNER-TAMERLANE, BMI (28)
6 BMG SONGS, ASCAP (2)
7 CHRYSALIS MUSIC, ASCAP (10)
8 NAKED UNDER MY CLOTHES, ASCAP (9)
9 SONGS OF UNIVERSAL, BMI (12)
10 SONY/ATV TUNES, ASCAP (2)

Hot Country Songs

Pos. SONGWRITER (No. Charted Titles)
1 JOHNTA AUSTIN (9)
2 JERMAINE DUPRI (12)
3 BRYAN-MICHAEL COX (10)
4 SEAN GARRETT (10)
5 SCOTT STORCH (8)
6 KASEEM DEAN (4)
7 KEYSHA COLE (2)
8 SHAFFER "NE-YO" SMITH (7)
9 ROBERT KELLY (5)
10 MARY J. BLIGE (3)

Hot Country Publishing Corporations

Pos. PUBLISHING CORPORATION (No. Charted Titles)
1 SONY/ATV MUSIC (42)
2 EMIR MUSIC (27)
3 WARNER/CHAPPELL MUSIC (34)
4 UNIVERSAL MUSIC (29)
5 WINDSEWPT HOLDINGS MUSIC (9)
6 BMG/ZOMBA MUSIC (12)
7 TEN TEN MUSIC (4)
8 BIG LOUD SHIRT INDUSTRIES (6)
9 TOKECO TUNES MUSIC (4)
10 MEMPHISFIELD MUSIC (4)

Hot Country Publishers

Pos. PUBLISHER (No. Charted Titles)
1 EMIR APRIL, ASCAP (54)
2 EMIR BLACKWOOD, BMI (56)
3 WARNER-TAMERLANE, BMI (25)
4 BMG SONGS, ASCAP (17)
5 UNIVERSAL, ASCAP (29)
6 SONY/ATV MUSIC (43)
7 SONY/ATV SONGS, BMI (8)
8 WBASCAP (52)
9 CHICAGO X SOFTCORE MUSIC (3)
10 FAMOUS MUSIC (4)

MEMPERSFIELD MUSIC (7)

Hot 100 Publishing Corporations

Pos. PUBLISHING CORPORATION (No. Charted Titles)
1 SONY/ATV MUSIC (42)
2 EMIR MUSIC (27)
3 WARNER/CHAPPELL MUSIC (34)
4 UNIVERSAL MUSIC (29)
5 WINDSEWPT HOLDINGS MUSIC (9)
6 BMG/ZOMBA MUSIC (12)
7 TEN TEN MUSIC (4)
8 BIG LOUD SHIRT INDUSTRIES (6)
9 TOKECO TUNES MUSIC (4)
10 MEMPHISFIELD MUSIC (4)

Hot 100 Publishers

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3 WARNER-TAMERLANE, BMI (25)
4 BMG SONGS, ASCAP (17)
5 UNIVERSAL, ASCAP (29)
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7 SONY/ATV SONGS, BMI (8)
8 WBASCAP (52)
9 CHICAGO X SOFTCORE MUSIC (3)
10 FAMOUS MUSIC (4)

continued on >>p54

SongLink is probably the best service for publishers and songwriters in the world. - Barry Andrews, BMI, Mike, Australia.
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Ice Cube The Indie Kid?

Rap Star Releases ‘Laugh Now Cry Later’ On His Own Lench Mob Label

Ice Cube isn’t exactly your typical indie star. The rapper who came “Straight Outta Compton” with N.W.A. in 1988 has sold millions of albums, and of course, is a bona fide box office draw. He’s juggling four film projects at the moment, including the recently announced “Welcome Back Kotter,” and recently premiered his controversial FX documentary, “Black White,” in which black and white families are sent into the world disguised as members of the opposite race.

But an indie kid, it turns out, Cube is. After a six-year hiatus without a new album, he’s back with “Laugh: Now Cry Later,” his first without longtime label Priority. The set arrived June 6 on his own Lench Mob imprint. The album is off to a solid start. First single “Why We Thugs” bowed earlier this month at No. 37 on the Rhythmic Top 40 chart and has remained there for three weeks. The video gets strong play on “MTV Jams” as well as BET’s hip-hop show, “Rap City.” And his second single, “Go to Church,” featuring Lil Jon and Snoop, was recently added to BET’s playlist and is coming to MTV soon.

Competing with what he calls “happy rap,” the artist born O’Shea Jackson decided to make “Laugh” quite serious. Even though “Why We Thugs” courts commercial appeal with production by Scott Storch and a classic thick bass line, the point of “Child Support” is one of the new tracks garnering the most attention.

“Child Support” represents me as one of the fathers of gangsta rap, talking to my bastard rap kids,” Cube says with a laugh when explaining the song’s familial metaphor. “I make it seem like I had a woman give birth to a whole slew of rappers, and I’m just a dead-beat daddy, whooping ‘em. I don’t really have a chance to sit down with any of these cats, so through a record I know they’ll hear that.”

Whether Cube is actually playing into the beef-for-sales schtick against which he’s rapping is up for debate. “At the end of the song [Cube] says, ‘Young rappers looking for pocket change/With boo-boo lyrics/Go get your diapers changed,’” recites Tha Beazsmith, who produced “Child Support” with his brother Dee. “Everybody calls 50 Cent spare change. Cube is really good at hinting at stuff to get you talking, but I don’t think he has anything against any rapper out there because he’s a franchise himself.”

Cube also returns to the angrier side of his lyrics on “The Niggas Trap,” where he criticizes President George W. Bush and California Gov. Arnold Schwarzenegger for perpetuating the socioeconomic factors that create American ghettos. R&B/hip-hop WQHT (Hot 97) New York DJ Greens Lantern, who produced the track, says, “In the second verse he says, ‘You only got two places/State of California got two faces/Motherfuckin’ devils get straight racist/When they get you in them lonely dark places.’ I’m an OG, so to hear him go back to saying relevant political shit right now is crazy to me.”

Though Cube says neither track will be the controversial singles the media would love to hate, he does admit that releasing “Laugh” independently has given him the opportunity to make his own choices.

“In this age of uploading and downloading, ownership is the key because there’s so many other outlets for the music besides record stores,” he observes. “It’s being able to make a deal with the music with videogaming companies, iTunes or make a sound-track deal faster. If you own it, you can make those deals without giving a major label a percentage.”

Despite his absence from the charts, Cube has remained a consistent seller. His 1992 effort “Preditor” is his most successful, having shifted 2.2 million units in the United States, according to Nielsen SoundScan. His 2000 Priority swan song, “War & Peace Vol. 2,” has shifted 994,000. But what does switching to an independent mean financially for such an established artist?

“I’m on the independent TVT, and I sold 2 million records. So if that was a major label, that’d be like 4 million,” analyzes BME label head Lil Jon, who also produced three tracks on “Laugh.” “So I look at an independent as you double the sales, and that’s probably what you’d do on a major label. Major labels have different kinds of push and different relationships with advertising, MTV and BET. Independents don’t have the same kind of respect. It’s a little harder, but sometimes it’s a bigger payoff in the end because you get more of the profits.”

“Everyone gets a major label for their distribution,” Cube says. “If you have the money to promote yourself then you should do your records independently. It’s just smarter.”

www.americanradiohistory.com
Editors Try To Stem Their Hype

At this point it's become cliché: U.K. buzz band rides wave of Internet hype to claim Next Big Thing status. But the rise of blog mania is creating fears of too much buzz too soon for a growing number of U.K. acts looking to establish lasting fan bases in the United States. Savvy bands and their labels, in an attempt to avoid being swept up in an inadvertent media frenzy, are now taking steps to try to more carefully manage their hype.

Count Birmingham, England-based Editors—a blogosphere-adored rock quartet that draws influences from the likes of Joy Division and U2—to the list of bands trying to keep its hype under control. That list also includes the likes of Domino’s Arctic Monkeys and Vice’s the Streets and Bloc Party.

Internet marketing experts say that while blog buzz is good, it can draw attention away from the mainstream press can be problematic. Recently, labels and marketers have been taking cues from the mainstream press avalanche for the Arctic Monkeys earlier this year as a cautionary tale.

“Everyday mainstream media is sourcing stuff off the Internet and putting it into a different perspective because their footprint is so large,” says Mark Ghenem, CEO of New York-based digital marketing agency Wiredset. “The Independent in the U.K. will do a story on blog buzz about a band like the Arctic Monkeys, and then the next day Fox News here is putting it on the 10 p.m. broadcast saying it’s the next Beatles. That doesn’t do anybody any favors. Once you get into mass media news cycles and those types of trends it’s like walking into the undertow. You have no type of control.”

The Editors’ debut, which has sold 300,000 units worldwide since its bow on Kitchenware Records last July, is off to a more modest start in the United States. “The Back Room” has sold 25,000 copies, according to Nielsen SoundScan, reaching No. 14 on Billboard’s Heatseekers chart, following its statewide release in March.

According to the band’s U.S. label, Fader Label—the new RED-distributed label division of tastemaker marketing company Cornerstone Promotion, The Fader magazine—that slow start is all part of the plan.

“It’s very important for me that they are not perceived as a hype band,” Fader Label president Jon Cohen says.

To that end, Fader has thus far shunned extensive media promotion and limited the Editors’ U.S. TV exposure to a handful of appearances on such shows as “Late Night With Conan O’Brien” and MTV’s “Subterranean.” Cohen claims the buzz was strong enough for the band to turn down other promotion opportunities, but he declined to name specifics.

The goal, Editors co-manager Rob Whittaker says, is not letting the hype get ahead of the band. Kitchenware signed a deal with Sony BMG to distribute the album in the United Kingdom, Australia, New Zealand and Japan, and the band has an upstreaming option with Epic Records in the States. But the Editor’s camp is wary of any quick jumps to a major label. Instead, the plan is to further drive exposure and awareness in the same way the act built its U.K. fan base—through extensive touring. The band’s next U.S. tour kicks off in July.

“That’s one thing we wanted to avoid. We didn’t want too much too soon,” Editors vocalist Tom Smith says. “We understand that once things start rolling you can’t necessarily control it. There are decisions to be made early on that can put you in a better stead.”

Vice Records, which has an upstreaming deal with Warner Music Group’s Atlantic Records, successfully used a similar approach last year with Bloc Party. The band’s album “Silent Alarm,” after a slow build that focused on heavy touring, has scanned 260,000 copies in the United States. Vice is now looking to apply the strategy with the latest album from the Streets. “The Hardest Way To Make an Easy Living,” which dropped in April, has sold 29,000 units. Vice co-founder Surroosh Alvi says labels need to walk a fine line in building buzz online for bands.

“Things can be overhyped and backfire,” Alvi says. “If it’s homogenized blanket coverage and everyone is being offered the same exposure to the band, then the campaign can die early because you aren’t building loyalty. The way to keep it alive is by giving unique pieces of coverage and video content to the key players.”

Wirecutter’s Ghenem says even small labels that deal in buzz bands need to have more fully articulated marketing plans and a global release strategy in place before releasing records now.

He says that album setups need longer lead times than the typical 12-week window and that, most importantly, labels need to establish clear benchmarks of when the next media exposure trigger happens.

“In an attention economy early attention is important. Then less is more. You need to go back to focusing on performing and making sure people have access to the music. I don’t know that a band that just started needs to be on ‘Saturday Night Live.’ ”
**Next Steps For Sony BMG**

Now what? A week after the sudden departures of Sony Music Label Group chairman/CEO Don lenner and the division’s president/COO Michele Anthony, people are wondering what shape the new Sony will take.

While the culture clash between Sony and BMG was leading to a showdown between Sony BMG Music Entertainment CEO Rolf Schmidt-Holtz and lenner, many sources thought lenner would be at Sony through the pivotal fourth quarter. And, given that lenner’s replacement, Sony BMG Music U.K. chairman/CEO Rob Stringer, doesn’t start until Sept. 1, there’s reason to believe the plan was for lenner to remain at least over the summer.

But other sources suggest that lenner and Anthony, neither of whom could be reached for comment, were surprised by their “resignation.”

Stringer, a 20-year Sony vet, is an unproven commodity in the United States, and label skills learned in the United Kingdom don’t always translate here. To be sure, Stringer will be attending Sony summer school as he studies the U.S. staff, roster and overall business plan.

There’s no shortage of advice for Stringer. “Give the staff entitlement,” says one source close to the label. “[We should] loosen the reins, simplify the reporting structure and delegate some responsibility,” one manager says, noting that lenner signed off on virtually every decision. “Find some career acts to believe in, and break them.” In Billboard’s June 10 issue, Epic’s pop division had three new acts in the top half of The Billboard 200: Matissayshu, the Fray and Natasha Bedingfield. Columbia had none.

But despite recent slumping sales, there is no denying the success that lenner and Anthony had during their 18-year tenures. And their longevity gave Columbia and Sony a stability that was unmatched at any other major label. “Donnie ran it like a Soviet state,” one manager says, “but the trains were on time.”

Other managers, including Johnny Wright, who first worked with lenner on New Kids on the Block, are generating in their praise of lenner, but even he allows that “Sony is not a company that relies on the talents of one individual.”

Indeed, there are layers of talent at Sony, including longtime lenner loyalist and new Epic president Charlie Walk, who sources believe could thrive under Stringer. “This will release Charlie to become a superstar without having to compete with his [former] boss,” one manager says.

A big question mark looms over Columbia president Steve Greenberg. Greenberg became something of an unwitting pawn between lenner and Schmidt-Holtz after lenner wanted to toss Greenberg out and Schmidt-Holtz said no. While sources suggest it is unlikely that Greenberg will stay at Columbia, he may get an imprint under BMG.

“I want [Steve] to stay at Columbia,” says Wright, who in addition to Justin Timberlake and Janet Jackson, manages the Jonas Brothers, an act A&R’d chiefly by Greenberg. The group’s debut has been continuously delayed—it is now scheduled for Aug. 1—in part due to the drama between Greenberg and lenner. (The official explanation was that the project needed more songs.) “Steve is one of the most creative and talented executives I have worked with in a long time,” Wright says.

Most execs did not believe the departures would lead to a merging of the pop labels, a fate that befell the Nashville division in April. But others aren’t so sure. “If the move was motivated by a perception that Columbia/Epic were underperforming,” one industry insider says, then the departures raise the issue of “whether the once mighty Columbia and Epic flagship operations will be reduced to mere imprints going forward, à la Island, A&M, Def Jam [and] Arista.”

As for lenner’s and Anthony’s next moves? We suggest they take a page from the playbook of former lenner mentor-turned-competitor Clive Davis, who knows a thing or two about dealing with an unforgiving BMG regime. When BMG unceremoniously dismissed Davis from Arista several years back, he got some cash from BMG and launched his self-declared “instant major,” J Records. And faster than you can say Alicia Keys (an artist originally signed to Columbia), he was back in the spotlight. Now he’s chairman of BMG North America, which has to be the best revenge ever.

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**RIVERA DELIVERS ‘COOL FACTOR’ TO REGIONAL MEXICAN**

Jenni Rivera is not your typical “crossover” artist.

For one, she doesn’t sing in English. And she doesn’t perform pop, hip-hop or reggaeton, the genres most closely associated with crossovers.

Instead, Rivera sings banda, one of the most traditional forms of music in general and regional Mexican music in particular.

But she does it with contemporary, outspoken flair. Witness the title of her 2005 studio album, “Parrandera, Rebeldé y Atrevidia” (Party, Rebel and Bold), on Fonovisa, which peaked at No. 10 on Billboard’s Top Latin Albums chart and remains on the chart 36 weeks later.

That mix of youth and tradition defines much of Rivera’s fan base: American-born, bilingual, bicultural, fond of hip-hop, rap and pop, but intrinsically linked to their Mexican roots.

“This music comes easy to me,” Rivera says about her choice of banda as a genre and Spanish as her language to perform in.

“It’s in my blood, it’s in my culture. And I know these people more than I know the English [speaking] side. I know how they react, how they live, what they eat. I’m just like them.”

Like her brother, regional Mexican superstar Lupillo Rivera, and such artists as Jaro-P, Akwido and Yolanda Pérez, Rivera is Mexican American, born and raised in the Los Angeles area, with her feet planted firmly in two cultures.

At a time when marketers are scrambling to connect with Latin culture, artists like Rivera are the perfect means to do so.

But as is the case with so many things regional Mexican, marketers remain largely oblivious to the genre.

To this day, representatives from major brands are incredulous when I point out that regional Mexican music accounts for more than 50% of all Latin music sold in the United States. Sometimes, they don’t even know that regional Mexican music exists at all.

Worse still, even when there is an awareness of regional Mexican music, many view it as “hokey” or as too regional to serve a national campaign.

But even at a more local level, regional Mexican music and its artists face skepticism.

“It takes a lot of education to make a corporate executive understand that a sponsorship deal with Los Temerarios can be just as effective if not more than a similar deal with a reggaeton artist,” said Henry Cárdenas, president of Cárdenas Marketing Network, in a December 2005 article in Marketing & Medios.

Unfazed, the notoriously outspoken Rivera has taken matters into her own hands. In December 2005, she launched her own makeup line, Divina (Beautiful) by Jenni Rivera. Designed with a dermatologist, the products are sold in beauty salons and online at divinacosmetics.com, with a percentage of proceeds going to various foundations for abused mothers and children.

Rivera is also designing her own clothing line (“for women whose hips are bigger than normal,” she says with a laugh), with plans to launch in summer 2007.

In the meantime, marketers have finally come calling.

“I’ve had endorsements before, but smaller companies,” Rivera says. Now, she’s contemplating several major proposals, including two with beverage companies, one with a ringtone provider and another with Bally’s Fitness Centers.

An Aug. 5 concert at the Gibson Amphitheater in Los Angeles and a new album, “Live in Hollywood,” culled from a show at the Kodak Theatre, should further raise Rivera’s profile in mainstream circles.

But, she clarifies, a bilingual, bicultural marketing approach was never her focus; it just comes with the turf.

“When my music, there’s no need for that,” she says. ---
Big In Jamaica

Cham’s ‘Ghetto Story’ Tackles Poverty, Gets Banned

About two months ago, I heard Cham’s (formerly Baby Cham) hit single “Ghetto Story” and instantly fell in love. The reggae tune boasts a familiar staccato bass line redolent of Cham’s 2004 hit “Vitamin S,” which peaked at No. 56 on Billboard’s Hot R&B/Hip-Hop Songs chart. But Cham wasn’t easy to find. “Ghetto Story” explicitly describes the poverty raging through Jamaica and has been banned in its homeland.

“At first they were trying to sight it in Jamaica, but now it’s the biggest thing,” Cham says. “The radio started playing it like probably two weeks after they said, ‘No, no, no.’ The fans were letting them know that it was the biggest song in the street. But that’s how it is in Jamaica, they tend to draw a curtain to the real things going on.”

And “Ghetto Story” isn’t Cham’s first song to draw the government’s ire. Both of his earlier tracks, “Desperate Measure” and “Ghetto Play,” were banned, as was Bounty Killer’s “Anytime,” which Cham penned with longtime producer buddy Dave Kelly.

“The government wrote me,” Cham says regarding “Ghetto Play.” “I was saying to give me the country to run for a day. And they said, ‘We need to stop this bashing of the government.’ That’s not bashing, it’s just showing up the government. There’s no free speech there. They say you have free speech, but it’s not free speech.”

Atlantic chairman/CEO Craig Kallman heard “Vitamin S” and added Cham to Atlantic’s roster in 2004. Along with his Madhouse Records counterparts—Kelly, Janet Davidson and Jacque Juceam—Cham agreed to a three-album deal, hoping to achieve his dream of “becoming the biggest reggae artist in the world.”

The video of “Ghetto Story” further details the social circumstances arising in the Third World. Cham shot a gritty video, featuring him rhymin’ into a cell phone and children enacting his verses of sticking up store clerks and sleeping on foam squares. Grabbing is Madhouse crew and one camera, the team shot the entire video in about a day. Then MTV came calling, airing the clip on “Direct Effect” and “MTV Jams.” Cham also tapped Akon for the “Ghetto Story” remix, which recently went to radio.

“I want to do a remix video with Akon, and I would love to shoot with Little X,” Cham says. “And I met back in 2002 when we did the video with Foxy Brown, ‘Tables Turn.’ And from then we always keep a link. I want to keep it street and let Akon take them to where he’s from [New Jersey], and I tell them where I’m from, so it’s about where the two meet.”

Aside from the “Ghetto Story” single, which originally debuted in Jamaica last November, an album of the same name is slated for an August release on Atlantic.

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Rhythm & Blues

Musings For Black Music Month

I have one wish as we celebrate Black Music Month 2006. Let’s get our collective act together. Never has black music held such a commanding presence in the mainstream consciousness as it has over the last several years. What a tribute to the legacies of the early pioneers of R&B, who tirelessly plied their trade when the genre was dominated as primarily race music. Debuting at No. 1 with a bullet on the pop chart was a lofty, seemingly unattainable goal.

Despite being constantly relegated tofad status, rap/hip-hop threw off those confining shackles to become a dominant cultural and lifestyle force. Oh, and let’s not forget the genre’s other strong suit: sales. Nearly 30 years ago when Sugarhill Gang was making commercial and chart history with “Rapper’s Delight,” little did anyone fathom that rappers one day would be cruising at the top of the pop charts (Chamillionaire featuring Krizzy Bone on “Ridin’”). Or rubbing beats with the likes of Tim McGraw (Nelly’s “Over and Over”), Linkin Park (with Jay-Z on “Collision Course”) and Nelly Furtado (with Timbaland on “Promiscuous”). Or that hip-hop and R&B artists would parade their success into ringtone sales and endorsements of everything from perfumes, shoes and clothing to hot dogs. We’ve definitely come a long way, baby. Or have we?

Rap-related shootings appear to be escalating. Stupid beefs between fellow artists are still garnering ink. As are rappers (50 Cent, Ludacris and now Ice Cube) for dissing Oprah Winfrey over her alleged disdain for hip-hop.

In the grand scheme of things (and please pardon my French), that shit isn’t important. If we don’t watch out, we’re going to squander black music’s hard-won gains. Before we lose any more pioneers (Lou Rawls, June Pointer, Heatwave’s Johnny Wilder and Billy Preston just this year), let’s stop denigrating the old school and pay tribute to their door-breaking perseverance. As well as learn valuable lessons from it and be inspired to push even further beyond it. How about taking a page from Winfrey’s book and diverting that negative energy into gaining more control and ownership over what we create? How about using that music platform to build more multidimensional companies that can compete on the Forbes 500 level? More of us need to be on the other side of the table greening lights projects and writing the paychecks. Not simply making money for someone else and waiting to get paid.

Don’t get me wrong. There’s still a lot to celebrate. But let’s keep our eyes on the real prize.

APOLLO HALL OF FAME: Before ASCAP’s Rhythm & Soul Music Awards and the BET Awards hit later this month, Harlem’s venerable Apollo Theater launches its own Legends Hall of Fame. Inaugural inductees are Ella Fitzgerald, Little Richard and Gladys Knight & the Pips. The ceremony will be part of the theater’s second annual Spring Benefit June 19.

IN BRIEF: Shanachie Entertainment is on a R&B roll. Following the release of Hill St. Soul’s “Souledified” album, the label is lining up new projects by three R&B vets. Glenn Jones hits the standards trail with a CD of classic R&B songs in July. He scored a No. 1 R&B chart-topper in 1992 with “Here I Go Again.” Miki Howard (No. 1 R&B in 1992 with “Ain’t Nobody Like You”) bows with a new set of originals in September. A month later, male group Silk (best-known for R&B/pop No. 1 “Freak Me”) returns. The Atlanta act previously had a deal with independent label Liquid B.
SECOND TIME’S A CHARM
Artist Peck Gets Another Go At Big Machine Records

Like many aspiring country artists, Danielle Peck held down a waitressing job to pay the bills while pursuing her musical ambitions. Where her story departs from that of most acts, however, is that she gigged directly to her landing two consecutive label deals.

While working at Nashville restaurant Virago, the singer/songwriter waited on then-DreamWorks Records Nashville executive Scott Borchetta several times. She told Borchetta of her goals, and one night at the sushi hot spot Borchetta asked her to sing a couple of songs for him.

When Peck finished, Borchetta shook her hand, and promised they’d work together one day. Not long after, Borchetta facilitated her signing to DreamWorks.

But her luck was not to last. After doing a radio tour and beginning to record her album, Peck says, “One day, I woke up and there was a shift, and all the artists were lost in the shuffle.”

DreamWorks Nashville had been shuttered, and Peck found herself without a deal.

She sees such career adversity as a way of “making sure you really want it,” but she admits to being “scared for a little while” after the demise of DreamWorks.

Peck intended to keep knocking on other labels’ doors. But Borchetta soon filled her in on his plans to launch a new label, and she recalls him asking, “if you could wait and would wait, please wait.”

Because Peck says, “I believed in Scott as much as he believed in me,” she waited. By last fall, Borchetta had launched Big Machine Records, which was among the first artists he signed.

Now, finally, her first CD is in stores. The self-titled project was released to digital outlets in March and just hit brick-and-mortar retailers June 6. It includes newly recorded versions of three songs she wrote for what would have been her DreamWorks CD, plus eight new tracks.

The Ohio-raised artist began writing songs at 10 playing the bar circuit, experience that paid off earlier this year when she opened arena dates on the West Coast leg of Toby Keith’s Big Throowdown II tour. By 2001, especially his work with producer Bob Thiele, who oversaw his 1962 debut, “Inception.”

“I’m indebted to Bob,” he says. “We worked well together. He was never forceful and let me come up with my own ideas. He gave me and everyone else a lot of freedom.”

UNLOCKING THE CHESKY: In celebrating its 20th anniversary, New York-based Cheeky Records will launch an ambitious series called the New York Sessions. Seven Super Audio CDs, recorded at the acoustically pristine St. Peter’s Church in Manhattan’s Chelsea neighborhood, will be issued this year, beginning with July releases by pianist David Hazeltine supported by rhythm team George Mraz on bass and Billy Drummond on drums (“Manhattan”), and guitarist John Abercrombie with bassist Eddie Gomez and drummer Gene Jackson (“Structures”). Other discs scheduled for 2006 include a Hank Jones pianistic journey and a trio date led by recently passed pianist John Hicks.

Tagged with the logo “High Def Jazz,” each title will feature high-definition stereo and multichannel versions for SACD players as well as a compatible CD layer.

IMPULSE TURNS 45
Label Fetes Its Anniversary With Slate Of Releases, Concerts

For 15 years, from 1961 to 1976, Impulse Records positioned itself at the vanguard of jazz, infused by the intrepid vision of John Coltrane, who signed an exclusive contract with the ABC-Paramount imprint in 1961. Branded by its signature album spines of fire orange and ebony black, Impulse was home for a raft of artists, ranging from upstart pianists Keith Jarrett and avant-gardists Archie Shepp and Albert Ayler to such well-established masters as Duke Ellington and Ben Webster.

To celebrate the 45th anniversary of the label—now under Universal Music’s Verve Music Group jazz umbrella—a slate of CD collections and concerts has been planned, spurred by the publication of Ashley Kahn’s book, “The House That Trane Built: The Story of Impulse Records” (published by W.W. Norton & Co.). Kahn’s anecdotal history not only swings a window wide open on the creative impetus at work at Impulse, but also pays tribute to the label’s legacy.

“It’s so cliché to think of the recording industry as the evil empire,” says Kahn, whose music profiles are regularly heard on NPR’s “Morning Edition.” “But at Impulse, a label born in the belly of a corporate structure, the creative spirit, fashioned and shaped by Trane, won out. It’s an unlikely story that’s also sexy—how art and commerce worked together.”

On June 6, Verve released 12 best-of CDs by the original Impulse roster, including Gato Barbieri, Alice Coltrane, Charles Mingus, Sonny Rollins, Pharoah Sanders and McCoy Tyner. In addition, Kahn compiled a four-CD box with selected top-tier tunes. Verve also released a single CD, “The Best of Impulse Records,” which serves as a Jazz 101 sampler.

The marketing of the Impulse story is multi-platformed, with a nationally broadcast radio program, “The House That Trane Built,” on tap and an international tour with an all-star group led by pianist Tyner and featuring saxophonist/musical director Dave Liebman, saxophonist Donald Harrison, trumpeter Wallace Roney, trombonist Steve Turre, bassist Charnett Moffett and drummer Eric Gravatt.

The music, paying homage to Coltrane, has been arranged by Bob Belden.

Tyner, who recorded his first solo album on the label while also playing with Trane’s legendary quartet, is looking forward to the tour that officially launched June 5 at a book/CD party at New York’s Blue Note. “I’ve never done a tribute to a label before,” he says with a laugh.

As for his own Impulse career, founded by producer Creed Taylor, Tyner recalls it fondly.
Wink With A Nod To Compilations

Mixed compilations are de rigueur in dance music. Every DJ does them, but only a few do them well or with any originality.

Philadelphia-based DJ Josh Wink nailed the format back in 1999 with "Profound Sounds Volume One" (Sonar), a single-CD compilation themed as a modern interpretation of the old-school mix tape. Miraculously, even after a fall from major-label grace, Wink continued the brand with 2003's "Profound Sounds Volume Two" (Ovm/System) and "Profound Sounds Volume Three" (Thrive), released this month.

Each installment contains Wink's trademark sensual techno, rendered as a whole composition rather than a collection of individual, flavor-of-the-month tracks.

"I really try to stick true to my integrity, so I don't do what most people do, which is hop on the new thing," he says. "It's kind of like getting a tattoo of something while it's popular, like a tribal tattoo, and six years later having to say, 'I was young, I was drunk.'"

"Profound Three" contains new tracks for sure, but also some that are at least 3 years old. One such oldie is Wink's glistening remix of Radiohead's "Everything in its Right Place," which he originally made just for his own use. Through a series of high-level hand-offs—Wink to Thrive president Ricardo Vinas, Vinas to John Digweed, Digweed to Sasha and so on—the mix became an A-list DJ favorite and ended up being bootlegged off a low-quality MP3. But through consistent appeals to the band and its publisher and manager, Wink was able to license the track exclusively for "Profound Three" in a rare case of music winning over bureaucracy.

Sasha, meanwhile, is blazing a new mixed-compilation trail. He's the first DJ partner of Instant Live, a subsidiary of Live Nation that records concerts and instantly duplicates the masters on-site so fans can purchase what they just heard while still in the venue. The company will record Sasha's June 24 set at Avalon in Hollywood, Calif., print 10,000 copies and package and sell them minutes within club attendees. (The extras will be available through traditional retail outlets.)

"When they came to me and said, 'We want to do this for DJs,' immediately, I was like, how? It's a logistical nightmare," Sasha says, referring to the licensing challenge with any compilation release, let alone one that doesn't exist yet. "But they convinced me that it was really possible to do it without impacting the spontaneity of my DJ set too much. They precored a lot more tracks than I'll probably end up using, so I've got a really good choice of music to play."

U.K.-based imprint Global Underground, which celebrates its 10th birthday this year, revolutionized the compilation format. Realizing that dance music needed recognizable icons, GU was the first label to place dramatic, portrait-quality photos of the mixing DJ on the cover, instantly imbuing him with a certain mystique. This small move helped cut the figure of the international superstar DJ, thus molding the structure of modern dance music culture.

Global also plucked DJs like Sander Kleinenberg, Steve Lawler and Danny Howells from obscurity, giving them their first compilations and launching their still-flourishing careers.

So what type of oracle has the GU team been consulting? "To be honest, I still haven't figured out whether we're just amazing at marketing, or we're just really good at picking the right people, or if it's a combination of both," says Andy Horsfield, co-label head with James Todd. "But it's definitely worked."

GU celebrates its birthday with a limited edition, triple-CD set, "GU10," which came out June 6.
BUSTA RHYMES
The Big Bang
Producers: various
Filmore/Afrothorthy/Interscope
Release Date: June 13

Busta Rhymes is a hip-hop veteran, but after a four-year hiatus, he’s not only resurrecting his own career, but New York hip-hop entirely. His move from J to Dr. Dre’s Aftermath has yielded more creative freedom on an album that features contributions from Stevie Wonder, Nas, Timbaland, Missy Elliott, will.i.am and even the late Rick James. “Goldmine” finds Busta trading “hood rhymes” with Raekwon, while “You Can’t Hold the Torch” with Q-Tip urges MCs to raise their game. “New York Shit” is already a Big Apple classic, and “I Do It All” courts the ladies with a guest turn from LaToya Williams. “The Big Bang” successfully treads the line of commercialism, with palatable mainstream singles and solid street tracks. New York might just have a shot against the Southern hip-hop takeover. —HC

SONIC YOUTH
Rather Ripped
Producers: Sonic Youth, John Agnello
Geffen
Release Date: June 13

Fifteen albums in, Sonic Youth remains one of the most reliable, uncompromising rock acts of its generation. On the heels of 2002’s delightful but meandering “Murray Street” and 2004’s uneven “Sonic Nurse,” “Rather Ripped” is a concise serving of what the band does best. The opening one-two punch of the Kim Gordon-sung “Reena” and the propulsive “Incinerate” returns to the glorious, melodic guitar rock of “Rocky Mountain Nation,” while “Turquoise Blue” and “The Neutral,” both written by Sonic Youth mainstay, ex-Doors guitarist Lee Ranaldo gets in on the act with the dark, dingy “Rats,” his best contribution to a SY record in years. —JCR

ZERO 7
The Garden
Producer: Zero 7
Atlantic
Release Date: June 6

The third album from British duo Zero 7 will subtly surprise. With its 2001 debut, “Simple Things,” and 2004’s “When It Falls,” Sam Hardaker and Henry Binns created a Zero 7 sound, but “The Garden” finds the duo deviating from what came before and instead focusing on its 2001 electronic sound (and then a few part blues, one part folk, with beautifully lopsided rhythms. On “Today,” tech-house beats and Brazilian rhythms merge to provide the perfect foundation for Jose Gonzalez’s laid-back delivery. As for the glorious instrumental “Your Place,” consider it the long-lost sister to Minnie Riperton’s “Les Fleurs.” —MP

KEANE
Is It Any Wonder
Producer: Keane

KEANE Is It Any Wonder (3:05)
Producer: not listed
Writer: Keane
Publisher: not listed

Interscope
After much critical acclaim in 2004—and unbridled success everywhere but the United States—a rocker, dare we say, edgy Keane emerges on “Is It Any Wonder” from rousing sophomore set “Under the Iron Sea.” With an intro reminiscent of U2, the track traverses darker territories with a wide range of keyboards twisted to mimic electric guitars, thus spicing up an ensemble famous for its simple drums and piano melodies. Still undeniably catchy, the chorus question “All these days/After all the misery made/Is it any wonder that I feel afraid/That I feel betrayed,” which adds appealing, unexpected hints of bitterness and confusion to the mood. Keane has done its job; now it’s up to radio to give this standout the exposure it deserves. —KT

ROCK

ASSI LON MOODER
Getting Somewhere
Producer: Steve Earle
Sugar Hill
Release Date: June 13

After six years of melding success on the country charts, Moorer, in pitch-perfect collaboration with producer/husband Steve Earle, comes storming out of her doldrums with a stunning shot of muscular, melodic rock. Substantive lyrics pervade the album’s 10 cuts, as does an absolute commitment to the power of bass, drums and guitars. Beatesque acoustic cuts (“You’ll Never Know”) and crunching rockers (“Take It So Hard”) drive the project straight to its mark. From the breezy, rocking “Fairweather,” the gorgeous ballad “Where You Are” and the title song—a proclamation of hard-won awakening—Moorer shows herself an artist not so much reinvented as finally in touch with who she’s been all along. —GE

THE FUTUREHEADS
News and Tributes
Producer: Red Pepper
Startime/Vagrant
Release Date: June 13

U.K.-post-punks The Futureheads ditch their signature breakneck pace to explore more midtempo sounds on the follow-up to acclaimed 2004 debut. The Sunderland, England-based quartet still has a penchant for tightly coiled structures that spring with pop bursts (“Return of the Beserker,” “Face”). And the use of trade-off lyrics and crashing harmonies by vocalist/guitarists Barry Hyde and Ross Millard remain a winning card (“Yes/No,” “Cope”). But the album’s best moments come on XTC-flavored new wave tracks like “Red Sneaker” and “End” and “Favourites for Favourites,” where they ease up on the accelerator and let the songs breathe. —BG

SHADOWS FALL
Fallout From the War
Century Media
Release Date: June 13

These kids have done their job, now it’s up to radio to give this standout the exposure it deserves. —KT

RESEARCH

CHEAP TRICK
Don’t Tell Me What To Do
Producer: Steve Merle
Release Date: June 13

Cheap Trick didn’t have to name its new album “Rockford” to remind us where the band comes from. From the opening adrenaline rush of “Welcome to the World,” to the majestically bittersweet “O Claire” and playfully rocking “Decay,” Cheap Trick’s 15th studio album exudes the melodic drive that fueled its early years. And it came just in the nick of time: 2003’s “Special One” was such a clunker that aficionados feared the band’s creative relevance had finally evaporated. But it’s refreshing to know they can still count on Cheap Trick to turn out albums like “Rockford,” its strongest in 20 years. —EC

POP

KATHERINE WHALEN
Dirty Little Secret
Producer: David Sale
MC Records
Release Date: June 6

Vocalist Katherine Whalen, formerly of Squirrel Nut Zippers and the Jazz Squad, returns with an album that bears no real resemblance to anything she’s previously tracked. After the Zippers’ retro- credibility and her jazz trip, “Secrets” is an idiosyncratic pop album. While tunes such as the title track, “Angel” and “F*ck Me By the Fire” are catchy, they’re also more bent than run-of-the-mill pop songs, which in this case is a mixed blessing. Whalen’s vocals are agile—a fortunate aspect, considering Sale’s arrangements, which too often seem to be competing with Whalen rather than supporting her. Though Whalen’s vehicle and talent carries her through, she flourishes in earther music styles.—PVV

ELECTRONIC

OAKENFOLD
A Lively Mind
Producers: Paul Oakenfold, Ian Green, Grand Master Flash
Maverick
Release Date: June 6

On his second artist album, Oakenfold appears at the crossroads of stylistic indecision. With nods to rock, dance, hip-hop continued on p.6h4

SEVENTIES

CHRISTINA AGUILERA Ain’t No Other Man (3:51)
Producers: Christina Aguilera, DJ Premier, Charles Martin Roane
Writers: C. Aguilera, C. Martin, K. Doguardi

RCA

Aguilera has come a long way from the youth pop class of 2000. Upcoming album “Back to Basics,” a modern take on vintage jazz and blues, may test her core, but first single “Ain’t No Other Man” is primed for radio saturation, with its hip, melodic imprint and the world-class diva’s instantly recognizable vocals. “Man” isn’t the best song Aguilera has offered, but this is an event record that will further catapult Xtina into the millennium pop pantheon. Just hearing that voice again is refreshing—and the fact that she’s wise enough to know that white girl urban is passe is all the more awe-inspiring.—CT

C. Roane, H. Beatty

Publishers: various

JUNE 17, 2006  www.billboard.biz  63
and electronic. Oakenfold has created an eclectic sonic collection that does not always jell. While there are moments of pure bliss (the New Order-hued “No Comment”/“Katari”), too many tracks meander aimlessly without finding the perfect beat. Actress Britany Murphy holds her own on the lackluster “Faster Kill Pussy Cat,” while Pharrell is unable to save the song “Sex N’ Money.” Though the famed DJ’s mind is lively, it is lacking clarity. Ultimately, “50 Shades” does not spotlight an artist in transition. Perhaps when it comes time to record studio album three, Oakenfold’s vision will come into sharper focus.—MP

LATIN

FONSECA

Corazón

Singles

Producers: Bernardo Ossa, Fonseca

Release Date: May 23

Colombian singer/songwriter Fonseca evokes Carlos Vives in his fusion of pop with traditional Colombian vallejero and cumbia. But Fonseca boasts a sound all his own, grounded in a fine, compelling voice and some catchy fare. “Corazón,” Fonseca’s sophomore album and his first to be released in the United States, features the single “Te Mando Flores,” a soulful yet danceable track that spent 23 weeks at No. 1 on Columbia’s radio charts and is rising here. Fonseca is not merely about vallejera/cumbia fusions. He incorporates world music (the African-tinged “Corazón”), lounge (“Sigo Aquí, Cantando”) and ranchero with the classic “Idilio,” one of the best covers in a long time.—LC

CLASSICAL

ELDAR

Live from the Blue Note

Producer: David Lai

Sony Classical

Release Date: May 30

The whiz kid from Kyrgyzstan returns with a live set from New York’s famed Blue Note, joined by bassist Marco Panascia and drummer Todd Strait, as well as special guest trumpeters Chris Botti and Ray Hargrove. The young pianist versión classics through styles like “Straight, No Chaser” and “Take the A Train” with blazing chops and a tight comp. His performance is impressive and well suited for a busy schedule. Through performance, still photos and interviews with Buddy Guy, 63, King, 36, and Joe Ely, we learn the story of Fonseca’s, the famed Austin blues joint, and its colorfull power, Clifton Antone. Sadly, the tour comes just two weeks after Fonseca’s son, Antone’s, death at 56. Although the live footage is often repetitive, it does document memorable performances by Muddy Waters, Albert Collins and a young Stevie Ray Vaughan, plus lower profile figures like Sonnyland Slim, Jimmy Rogers and Luther Tucker. The best moments find Antone swapping stories with his pals around a table awash in dirty plates and hot sauce bottles. The funky, homemade feel of this piece is one of its charms.—KS

POD

SUPERCHICK

We Live (SINGLES)

Producer: Max Hu

Writers: M. Hsu, M. Dally, D. Ghazanfari, T. Brock, M. Cohen

Publishers: various

Columbia

Superchick has already released many tracks in the past six months. They are more than two dozen credits in such TV shows and films as “Legally Blonde” and “Alias.” But “We Live” only not belies the quintet’s cursory multimedia exposure, yet also its well-chosen name, which rings true and is expected. The first single from her first album is already number one in the charts, with a surprisingly accessible single meets hip-hop and dance music. Chicago band’s radio single talks about a mother tragically losing a son to a traffic accident and a man who realizes that he has missed out on life as he awaits cancer results. “The door we are given is out of shine from above.” It’s a deep thought that innocently makes its mark via a chorus that draws listeners in and massages them until they are ready to realize the gist of the message.—CT

ROGUE BROOKE HOGAN

About Us (S3:19)

Producer: Scott Storch

Writers: S. Boyd, P. Staley, S. Storch

Publishers: various

SoBe Entertainment

The story of reality-star-turned-pop singer, Brooke Hogan throws her hat into the wrestling ring with “About Us.” At first, listen it’s better than expected, catchy and fun. Produced by Scott Storch and featuring rapper Paul Wall, adding to its “street cred,” the hip-hop-flavored single is already gaining attention on West Coast radio. Skeptics may be quick to cast doubt, but with its cool groove and positive vibe, “About Us” is certainly on par with anything Ciara or Ashanti have done. Having already topped the Hot Single Sales chart with 2004’s more youthful “Everything to Me,” 18-year-old Hogan—daughter of Hulk Hogan—demonstrates her maturity with a sound that is neither teeny-bop pop nor unbridled R&B, just a straight-ahead urban-style that is fun to dance to. Watch for the video debut June 25 on VHI.—KT

PAULA DE ANDA

Featuring Baby Bash

Doing Too Much (4:08)

Producer: Happy Perez

Writers: N. Perez, R. Bryant, A. Noa, P. DeAnda

Publishers: various

Arista

Newcomer DeAnda was signed on the spot after auditioning for Clive Davis and is raring to go. The first single from her July 18 self-titled debut is packed with commercial appeal. The song’s layered harmonies and relieving lyric showcase DeAnda’s sweet voice, revealing maturity well beyond her years. Although the track is virtually interchangeable with any number of hip-hop songs on the charts, that familiarity has probably helped it climb to No. 52 on the Pop 100. A recent appearance on MTV’s “TRL” and a Latin version of the song should help keep it hot.—KK

R&B

E-40 FEATURING T-PAIN & KANDI TERRY

Girl U and Dat (3:22)


Epic

E-40 has been charged with bringing Northern California’s Bay Area hip-hop to the rest of the nation, and “U and Dat” delivers with nasty rap class. It’s fundamental that sexually explicit tracks and comical lines remain in a catchy hook always wins, but 40 knows this. Teaming with T-Pain & Xscape’s Kandi Girl, the track is a chat among the trio about who can sexually outdo one another. With phrases like “I’ve been acting a donkey to get ’em out of my head and that monkey” over Rick Rock’s drums and Lil Jon’s trademark horns makes it absolute Bay Area. The question is, will this track have the legs to spread nationally?—HC

THE ISLEY BROTHERS

Blast Off (4:02)

Producer: Gary Nunn

Writer: R. Kelly

Publisher: not listed

Def Soul Classics

“Baby Husin Music,” the Isley Brothers’ new album, boasts an impressive roster of hot collaborators eager to jump on the Isley’s five-decade legacy, but it fails to offer innovation beyond the bells and whistles. “Blast Off,” written and producided and featuring R. Kelly, begins with a sultry countdown that plays on the song’s nostalgic closing. The story of a self-centered, meandering and lackluster rhythms that replace alluring with boring, Isley remains the hero here, but perhaps would have been better off flying solo.—SH

NEW & NOTeworthy

PERSPEPHONE’S BEES

Nice Day (4:00)

Producer: Eric Valentine

Writer: A. Moysov

Publisher: Dizzykiss, ASCAP

Columbia

“Nice Day” may first come across as a trippy, alterna-pop slow-groove single, but it takes only a trio of spins to recognize this as a clever secret-weapon record that will top a set (or modern rock) station apart from all others. Remixed声 of this song has already made an impact via Hilton Hotel’s TV ads, but the original mix needs no embellishment to make its mark. Clipped vocals from Russian singer/ songwriter Angelina Hoskova add to the appeal of the Oakland, Calif.-bred band, along with distinctive percussion, once beneath effusive vocal tracks (Queens of the Stone Age). Add to that a colorful videoclip directed by Chris Hopple, who was once head, the Killers) and the rainbow of influences make for a record that truly stands out. Words to watch for: “Nice Day” and sunshine melodies revved for mass appeal. Look for the debut album this month.—CT

reviews of singles

from >>p63

EDITED BY JONATHAN COHEN (ALBUMS) AND CHUCK TAYLOR (SINGLE)

CONTRIBUTORS TO ACHES (SINGLES)

Chuck Taylor (both at Billboard; 770 Broadway, Sixth Floor; New York, N.Y. 10003) or to the writers in the appropriate bureaus.

www.americanradiohistory.com
Holiday Shifts Pace; New Realities For Dixie Chicks

The Memorial Day weekend is more about barbecues and family getaways than shopping, but given the right release schedule, the week leading up to the holiday can be memorable. Not so the week after.

This issue’s Hot Shot Debut belongs to Peeping Tom, a new project from former Faith No More frontman Mike Patton, which enters at No. 103. Such a drought has not occurred since the Jan. 22, 2005, issue, when the soundtrack to Kevin Spacey’s “Beyond the Sea” bowed at No. 141, about two months after that album hit stores. This marks the third straight year that the tracking week that began with Memorial Day failed to produce at least one top 10 bow, a pattern that prevailed in seven of the past 11 years.

The chart for that week in 2002 was almost as chilly as this one, when “The Divine Secrets of the Ya-Ya Sisterhood” soundtrack entered at No. 99. On five other occasions, the highest bow entered outside the top 20.

The week before Memorial Day is another case. Dixie Chicks’ arrival last issue marked the seventh straight year, and eighth in the last nine, when that particular frame saw an album enter at No. 1. Seven of those eight arrived with first-week sales in excess of 250,000.

King of the Memorial Day album parade that unfolded in that span is rapper Eminem. During the week that led to the holiday in 2000, “The Marshall Mathers LP” rang the bell with 1.8 million copies, still the largest Nielsen SoundScan week recorded by a solo artist.

He made news again in 2002, when worries over piracy forced the release date for “The Eminem Show” to be advanced twice, the second bump pushing it into the holiday weekend. Even with an abbreviated window, “Show” posted 285,000 when it entered the top slot, then sold 1.3 million in its first full sales week of release, the second-largest SoundScan week by any solo artist.

Next week’s Billboard 200 will be more fertile than this issue’s. Chains’ first-day sales suggest AFI could surpass 200,000, a sum that could overtake Dixie Chicks. Two rappers—veteran Ice Cube and rookie Yung Joc—are on course for starts of 130,000-140,000.

THE ‘LONG’ VIEW: Dixie Chicks’ “Taking the Long Way” holds court for a second week on The Billboard 200, posting a moderate decline from the album’s opening-week sales and leading the No. 2 title by more than 100,000 copies.

Moving 797,000 copies in two weeks is an accomplishment most acts would crave, but even with two weeks at No. 1, the group is not immune to the fallout that followed Natalie Maines’ 2003 critique of President George W. Bush.

CNN, MSNBC, Associated Press and other media were quick to declare that last issue’s bow at No. 1 meant Dixie Chicks have not been adversely affected by public censure or the group’s polarized relationship with country radio, but it will take time to appreciate whether consequences have truly been suffered.

The Chicks/Bush tilt significantly elevated the album’s media profile, but that short-term benefit will likely not make up for what the trio loses from its chillier reception at country radio. Of the 13 albums that bowed at No. 1 on The Billboard 200 in 2006, “Long Way” is the only one to see a second-week decline of less than 50% (271,000, down 48%). The Chicks’ “Home” had a slightly steeper second-week drop in 2002, but simple math tells you that album clocked 1.15 million units in its first two weeks, about 31% more than the new one has sold in the same span.

Perhaps more telling, early ticket sales for the trio’s Accidents & Accusations tour have been lackluster (see story, page 10). That box office snapshot and this album’s slower pace suggest a pat on the back from Larry King and modest rotations from adult contemporary stations cannot fill the void left by Dixie Chicks’ absence from country radio.
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JUN 17 2006

THE BILLBOARD 200

ARTIST
Heather Headley
Various Artists
THURSTON
Jamie Foxx
Teena Marie
John Legend
YO Gotti
Tye Trifitt & G.A.
Wisin & Yandel
Primrose (feat. TSE)
Madonna
Cheech
Bryan Manilow
Goulilaz
Les Claypool
Toby Keith
Teddy Geiger
Grupo Montez De Durango
Grafix
A Love Of
5 Seconds Of Summer
She Tights
Queen
Junsu
Pearl Jam
Ben Harper
Dane Cook
Daddy Yankee
Majid Jordan
HR
Pearl Jam
Stain
Miranda Lambert
Korn
Juvenile
Colplay
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Title
In My Mind
NOW Latino
Peepin'
Back 2 Da Basics
Victory Live!
The Carter II
Confessions On A Dance Floor
Under The Sun
Borrom Y Cuenta Nueva
Tough All Over
LifeSong
A Beautiful Life
If Only You Were Lonely
Greatest Hits II
reveries/revolver Greatest Hits 1991-2003
Chapter V
Kerosene
Greatest Hits Vol 1
Reality Check
X&Y
WOW Worship (Aqua)
Majestic Unknown
Kidz Bop
Hero
American Idol
Into The Rush
The Peoples Champ
21 Number Ones
Somewhere Down In Texas
Whatever People Say I Am, That's What I'm Not
Don't Somethin' Right

68

Go to www.billboard.biz for complete chart data

Data for week of JUNE 17, 2006 | CHARTS LEGEND ON Page 82

ARTIST
Disturbed
Anthony Santos
Deft Leppard
Young Jeezy
Sheryl Crow
Juan Gabriel
Shinedown
Various Artists
Johnnie Cash
Various Artists
Teddy Geiger
Prawn Song
Leslie West & The Vehicle
Primus
MCA Nashville/Kirk Franklin/Capitol
Korn/Pearl Jam/Diamond/Hawthorne Heights/Ultra/1411
Comedy Central/Ben/Immaculate
Immortal/959929916519
Teddy Geiger/Prawn Song
Leslie West & The Vehicle

Title
Ten Thousand Fists
Aint Nobody Worryin'
Rock Of Ages: The Definitive Collection
Let's Get It Thug Motivation 101
A Woman In Love
La Historia Del DuO
Us And Them
Various Artists
Legend/Johnny Cash
Queen: Greatest Hits
Various Artists
Monster Ballads: Platinum Edition

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<td>1. Walk Away</td>
<td>Kelly Clarkson</td>
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<td>2. American Pie</td>
<td>Jewel</td>
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<td>7. Bad Day</td>
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<td>8. Every Time I Hear Your Name</td>
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<td>Jennifer Lopez</td>
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<td>10. Over My Head (Cable Car)</td>
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**HOT DIGITAL SONGS**

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<td>9. Why You Wanna</td>
<td>Jennifer Lopez</td>
<td>9</td>
</tr>
<tr>
<td>10. Over My Head (Cable Car)</td>
<td>Carly Simon</td>
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**MODERN ROCK**

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist/Label</th>
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<tr>
<td>1. Walk Away</td>
<td>Kelly Clarkson</td>
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<tr>
<td>2. American Pie</td>
<td>Jewel</td>
<td>2</td>
</tr>
<tr>
<td>3. Ridin'</td>
<td>The All-American Rejects</td>
<td>3</td>
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<tr>
<td>4. Don't Lie</td>
<td>Kelly Clarkson</td>
<td>4</td>
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<tr>
<td>5. What You Know</td>
<td>Enrique Iglesias</td>
<td>5</td>
</tr>
<tr>
<td>6. Promiscuous</td>
<td>Hilary Duff</td>
<td>6</td>
</tr>
<tr>
<td>7. Bad Day</td>
<td>The Killers</td>
<td>7</td>
</tr>
<tr>
<td>8. Every Time I Hear Your Name</td>
<td>Hilary Duff</td>
<td>8</td>
</tr>
<tr>
<td>9. Why You Wanna</td>
<td>Jennifer Lopez</td>
<td>9</td>
</tr>
<tr>
<td>10. Over My Head (Cable Car)</td>
<td>Carly Simon</td>
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## R&B/Hip-Hop Albums

**Top R&B/Hip-Hop Albums**

<table>
<thead>
<tr>
<th>ARTIST/ALBUM</th>
<th>Title</th>
<th>Label</th>
<th>Week</th>
<th>No. of Weeks</th>
<th>Sales Rank</th>
<th>Sales (in units)</th>
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</thead>
<tbody>
<tr>
<td>Mother's Day/Def Jam</td>
<td>Baby Makin' Music</td>
<td>1</td>
<td>1</td>
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<tr>
<td>Ronald Isley &amp; The Isley Brothers</td>
<td>The Scope</td>
<td>2</td>
<td>2</td>
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<td>3</td>
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<td>R. Kelly</td>
<td>R. Kelly</td>
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<td>5</td>
<td>5</td>
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<tr>
<td>Destiny's Child</td>
<td>Survivor</td>
<td>6</td>
<td>13</td>
<td>13</td>
<td>17,000</td>
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<tr>
<td>Mase</td>
<td>If I Had</td>
<td>7</td>
<td>11</td>
<td>11</td>
<td>16,000</td>
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<tr>
<td>Bobby Brown</td>
<td>Bobby Brown</td>
<td>8</td>
<td>7</td>
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<tr>
<td>LL Cool J</td>
<td>Mama Said</td>
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<td>Dr. Dre</td>
<td>The Chronic</td>
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<td>Mary J. Blige</td>
<td>What's the 411?</td>
<td>12</td>
<td>12</td>
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<tr>
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<td>Beyoncé</td>
<td>Dangerously In Love</td>
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<td>14</td>
<td>14</td>
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<tr>
<td>Nelly</td>
<td>Country Grammar</td>
<td>15</td>
<td>15</td>
<td>15</td>
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<tr>
<td>Usher</td>
<td>Confessions</td>
<td>16</td>
<td>16</td>
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<td>18</td>
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<tr>
<td>Dr. Dre</td>
<td>The Chronic</td>
<td>19</td>
<td>19</td>
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<tr>
<td>Mary J. Blige</td>
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<td>20</td>
<td>20</td>
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## Top Blues Albums

**Top Blues Albums**

<table>
<thead>
<tr>
<th>ARTIST</th>
<th>Title</th>
<th>Label</th>
<th>Week</th>
<th>No. of Weeks</th>
<th>Sales Rank</th>
<th>Sales (in units)</th>
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</thead>
<tbody>
<tr>
<td>Fathead</td>
<td>Let's Talk About It</td>
<td>1</td>
<td>1</td>
<td>1</td>
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<td>Joe Bataan</td>
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<td>2</td>
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<td>James Cotton</td>
<td>James Cotton</td>
<td>3</td>
<td>3</td>
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<tr>
<td>John Lee Hooker</td>
<td>John Lee Hooker</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>7,000</td>
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</tr>
<tr>
<td>John Lee Hooker</td>
<td>John Lee Hooker</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>6,000</td>
<td></td>
</tr>
<tr>
<td>John Lee Hooker</td>
<td>John Lee Hooker</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>5,000</td>
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<tr>
<td>John Lee Hooker</td>
<td>John Lee Hooker</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>4,000</td>
<td></td>
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<tr>
<td>John Lee Hooker</td>
<td>John Lee Hooker</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>3,000</td>
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<tr>
<td>John Lee Hooker</td>
<td>John Lee Hooker</td>
<td>9</td>
<td>9</td>
<td>9</td>
<td>2,000</td>
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</tr>
<tr>
<td>John Lee Hooker</td>
<td>John Lee Hooker</td>
<td>10</td>
<td>10</td>
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<td>1,000</td>
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## Between the Bullets

New Jersey indie label Shanachie sees two of its artists post major gains on Top R&B/Hip-Hop Albums. With a 68% sales improvement at reporting stores, Hil St. Soul's "Souled Out" rockets 83-60, a career-best. The group's debut, "Gospetik and God," can managed a No. 82 peak in 2004. Credit VH1 Soul where the videoclip for "Goodbye" moves 50-22 with a 33% increase in plays, long after the track disappeared from Adult R&B radio.

Ann Nesby sparkles for Shanachie, too, with the re-entry of gospel CD "I'll Be the Spirit" at No. 78. Not surprisingly, "Spirit" gets its lift from gospel stations, as "I Can Go to God in Prayer" rises 31-28 on Top Gospel Songs at billboard.biz.

—Raphah George

Data for week of JUNE 17, 2006 | For chart reprints call 646.654.4635

Go to www.billboard.biz for complete chart data | 73

www.americanradiohistory.com
## R&B/HIP-HOP Hip-Hop Singles Sales

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Promotion Label</th>
<th>Label</th>
<th>Date</th>
<th>Hot Shot/Debut</th>
<th>Peak Position</th>
<th>Sales</th>
<th>Sales Weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Back for More</td>
<td>2Pac</td>
<td>BIG PUN'S NOT DEAD/REPRESENTATIVE (NOVEMBER)</td>
<td>VIC RECORDS</td>
<td>2006/06/12</td>
<td>1</td>
<td>1</td>
<td>12,000</td>
<td>12</td>
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<tr>
<td>Welcome to the Party</td>
<td>G-Unit feat. Juvenile &amp; Beanie Sigel</td>
<td>THE JET THREAT/FLYING MONKEYS (NOVEMBER)</td>
<td>MCA</td>
<td>2006/06/12</td>
<td>2</td>
<td>2</td>
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<tr>
<td>What the Luck Read</td>
<td>2Chainz</td>
<td>AS REAL AS IT GETS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>3</td>
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<tr>
<td>Pick It Up</td>
<td>Mobb Deep</td>
<td>WU-TANG CLAN PRODUCTIONS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
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<td>12</td>
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<tr>
<td>It's Whatever</td>
<td>Young Guru</td>
<td>BILLIE JOE MURPHY &amp; THE HUSTLERZ/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>5</td>
<td>5</td>
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<td>12</td>
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<tr>
<td>Me</td>
<td>Alton Jackson</td>
<td>CARRIE BOW/ATLANTIC</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
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<tr>
<td>Sweat</td>
<td>protests</td>
<td>BY CHANCE/ROCK END</td>
<td>GRAND HUSTLE</td>
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<tr>
<td>Thinking Boutcha</td>
<td>DJ Astonish</td>
<td>2 THE FAMILY/ATLANTIC</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>8</td>
<td>8</td>
<td>12,000</td>
<td>12</td>
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<tr>
<td>Remember</td>
<td>Notorious B.I.G. feat. Royce Da 5'9&quot;</td>
<td>M.O.P. RECORDS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>9</td>
<td>9</td>
<td>12,000</td>
<td>12</td>
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<tr>
<td>The Next One</td>
<td>Missy Elliott feat. Snoop Dogg &amp; The Game</td>
<td>MISSY ELLIOTT RECORDINGS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>10</td>
<td>10</td>
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<tr>
<td>I Remember</td>
<td>Notorious B.I.G. feat. 112</td>
<td>M.O.P. RECORDS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>11</td>
<td>11</td>
<td>12,000</td>
<td>12</td>
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<tr>
<td>She goes for the ONE</td>
<td>Missy Elliott feat. The Game &amp; The Game feat. Missy Elliott</td>
<td>MISSY ELLIOTT RECORDINGS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>12</td>
<td>12</td>
<td>12,000</td>
<td>12</td>
</tr>
<tr>
<td>Do It</td>
<td>Young Jeezy feat. Young Jeezy feat. Nas</td>
<td>JEEZY RECORDINGS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
<td>13</td>
<td>13</td>
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## R&B/HIP-HOP Airplay

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<th>Title</th>
<th>Artist</th>
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<th>Label</th>
<th>Date</th>
<th>Chart Rank</th>
<th>Peak Position</th>
<th>Airplay</th>
<th>Airplay Weeks</th>
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</thead>
<tbody>
<tr>
<td>Snap Yo Fingers</td>
<td>Young Jeezy feat. Young Jeezy feat. Nas</td>
<td>JEEZY RECORDINGS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
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## RHYTHMIC AIRPLAY

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<th>Label</th>
<th>Date</th>
<th>Chart Rank</th>
<th>Peak Position</th>
<th>Airplay</th>
<th>Airplay Weeks</th>
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</thead>
<tbody>
<tr>
<td>Do It</td>
<td>Young Jeezy feat. Young Jeezy feat. Nas</td>
<td>JEEZY RECORDINGS/GRAND HUSTLE</td>
<td>GRAND HUSTLE</td>
<td>2006/06/12</td>
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## ADULT R&B

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<th>Artist</th>
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<th>Label</th>
<th>Date</th>
<th>Chart Rank</th>
<th>Peak Position</th>
<th>Airplay</th>
<th>Airplay Weeks</th>
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</thead>
<tbody>
<tr>
<td>Can't Let Go</td>
<td>2Pac</td>
<td>BIG PUN'S NOT DEAD/REPRESENTATIVE (NOVEMBER)</td>
<td>VIC RECORDS</td>
<td>2006/06/12</td>
<td>13</td>
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See Chart Legend for terms and explanations. Yellow indicates recent test title; data indicates new release.

Data for week of July 17, 2006 | CHARTS LEGEND on Page 82

Go to www.billboard.biz for complete chart data.
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<thead>
<tr>
<th>TITLE</th>
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<th>Initial Chart Date</th>
<th>Peak Position</th>
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<td>Kenny Chesney</td>
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<td>Brooks &amp; Dunn with Sheryl Crow &amp; Vince Gill</td>
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<td>SWING</td>
<td>Trace Adkins</td>
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<td>WIND</td>
<td>Brooks &amp; Dunn</td>
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<td>THAT GIRL IS A COWGIRL</td>
<td>Miranda Lambert</td>
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<td>AN' T WHAT IT USED TO BE</td>
<td>Sara Evans</td>
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<td>GOOD BYE</td>
<td>Rhonda Vincent</td>
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<td>GOD ONLY CRIES</td>
<td>Diamond Rio</td>
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<td>Hank Williams Jr. &amp; Wm. Grealish Wilson, Jr. &amp; Rich &amp; Poor</td>
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<td>A GOOD MAN</td>
<td>Emerson Drive</td>
<td>2006-06-24</td>
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<td>CALL ME CRAZY</td>
<td>The Lost</td>
<td>2006-06-17</td>
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<td>TIME IS A RIVER IN THE HAND</td>
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<td>IN TERMS OF LOVE</td>
<td>J. Shockey, R. D. Scott &amp; D. Snow</td>
<td>2006-06-24</td>
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<td>42</td>
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<td>GET OUTTA MY WAY</td>
<td>Corrina Rea</td>
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<tr>
<td>LOVE YOU</td>
<td>Jack Ingram</td>
<td>2006-06-24</td>
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<td>Mark Wills</td>
<td>2006-06-24</td>
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<td>TONIGHT</td>
<td>Roger Creager</td>
<td>2006-06-17</td>
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<td>EVERYBODY KNOWS</td>
<td>Rascal Flatts</td>
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<td>48</td>
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<tr>
<td>I'M GONNA BRING YOU DOWN</td>
<td>Tim McGraw</td>
<td>2006-06-24</td>
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<tr>
<td>WHAT I'M GONNA DO</td>
<td>Jim Ed Brown &amp; The Brown Coat</td>
<td>2006-06-24</td>
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<tr>
<td>UNBROKEN GROUND</td>
<td>Ty Herndon</td>
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<td>TENNESSE GIRL</td>
<td>Sammi Kaiser</td>
<td>2006-06-17</td>
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<tr>
<td>NOTHIN' BUT A LOVE THING</td>
<td>Darryl Worley</td>
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<tr>
<td>LIVE TO LOVE ANOTHER DAY</td>
<td>Keith Urban</td>
<td>2006-06-24</td>
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<tr>
<td>SUNSHINE AND SUMMERTIME</td>
<td>Faith Hill</td>
<td>2006-06-17</td>
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<td>MAMMA'S BOY</td>
<td>The Parton Sisters</td>
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<td>BEFORE HE CHEATS</td>
<td>Carrie Underwood</td>
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<td>Joe Diffie</td>
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<td>I'M GONNA BRING YOU DOWN (GONE EITHER WAY)</td>
<td>Tim McGraw</td>
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**Between the Bullets**

Kenny Chesney's 'Summertime' Arrives Quickly

Up to 2.7 million audience impressions, Kenny Chesney lands his 10th No. 1 to the summit with "Summertime," which hit No. 1 in just 11 chart weeks.

That's the fastest sprint to No. 1 in almost a year, and the second-fastest trip in Chesney's career. He needed only nine weeks to reach the top with two different singles: "There Goes My Life" in 2003 and "When the Sun Goes Down" in 2004.

His new song marks the chart's fastest trek to No. 1 since Toby Keith's "As Good As I Once Was" took 10 weeks to peak in July 2005.

At No. 2, LeAnn Rimes' "Something's Gotta Give" gains 2.4 million impressions, recapturing a bullet. She therefore poses a threat to Chesney's chances for a second week at No. 1.

Rimes' single trails Chesney by approximately 819,000 impressions. Both songs are detected at each of Billboard's 131 monitored stations. — Wade Jessen
### LATIN AIRPLAY

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<td>De blanco a negro</td>
<td>Pablo Milanés</td>
<td>Universal</td>
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<tr>
<td>No me des vueltas</td>
<td>Mito</td>
<td>Sony</td>
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<tr>
<td>Luna</td>
<td>Flaco</td>
<td>Mute/Zomba</td>
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### LATIN CLUB PLAY

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<td>Me lo quitan</td>
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<td>J. Bay &amp; K. Smoothe</td>
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### REGIONAL MEXICAN

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<td>Mas Alla del sol</td>
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### LATIN ALBUMS

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### LATIN ALBUMS SINGLES

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<td>Me lo quitan</td>
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<tr>
<td>Tengo mañana</td>
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Note: The above text is a representation of the data from the Billboard magazine, specifically the Latin Charts section for June 17, 2006. The table format is used to display the information in a structured and easy-to-read manner. The chart represents the top 10 songs in Latin Airplay, Latin Club Play, Rhythm, and Regional Mexican categories.
### JAPAN
**ALBUMS**

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<td>4</td>
<td>COMA</td>
<td>BBRG</td>
</tr>
<tr>
<td>5</td>
<td>VARIOUS ARTISTS</td>
<td>BBRG</td>
</tr>
<tr>
<td>6</td>
<td>RED HOT CHILI PEPPERS</td>
<td>BBRG</td>
</tr>
<tr>
<td>7</td>
<td>BLOG 27</td>
<td>BBRG</td>
</tr>
</tbody>
</table>

### CHARTS LEGEND

- **TOP 40 ALBUMS**
- **TOP 40 SINGLES**
- **NEW ENTRY**
- **PREVIOUS WEEK**
- **DATA COMPILATION**
- **JUN 17, 2006**

For complete chart data, visit [www.billboard.biz](http://www.billboard.biz)
**CHARTS AND LEGEND**

**SALES CHARTS**

Sales data compiled from a comprehensive pool of U.S. music retailers by Nielsen SoundScan. Sales data for RIAA/BPI hip-hop chart is compiled by Nielsen SoundScan from a national subset of core stores that specialize in those genres.

- Albums with the greatest sales gains this week.
- Where included, this award indicates the title with the chart's largest percentage growth.
- Indicates album entered top 100 or The Billboard 200 and has been removed from Headquarters chart.

**PRICING/CONFIGURATION**

CD/ Cassette prices are suggested list or equivalent prices, which are projected from wholesale prices. After price indicates album only available on DualDisc CD/DVD after price indicates CD/DVD combo only available. DualDisc availability is required. Pricing and vinyl LP availability are not included on all charts.

**SINGLES CHARTS**

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

- Songs showing an increase in audience (or detections) over the previous week, regardless of chart movement.
- Recurrent Rules: Songs are removed from the Hot 100 and Hot 100 Airplay charts simultaneously if they have been on the Hot 100 for more than 30 weeks or more than 30 weeks and ranked below 50. Songs are removed from the Hot R&B/Hip-Hop Songs and Hot R&B/Hip-Hop Airplay charts simultaneously if they have been on the Hot R&B/Hip-Hop Songs & Tracks for more than 25 weeks and rank below 50. Songs are removed from the Pop 100 and Pop 100 Airplay charts simultaneously if they have been on the Pop 100 for more than 30 weeks and rank below 100. Titles are removed from the Hit Country Songs if they have been on the chart for more than 30 weeks and rank below 50 in detections or audience; provided that they are not still playing enough audience points to chart. Songs are removed from the Adult Top 40, Adult Contemporary, Adult R&B, and Hot Dance Airplay charts if they have been on the chart for more than 30 weeks and rank below 15 (20 for Modern Rock and Latin) or 25 if they have been on the chart for more than 30 weeks and below 10.

**SINGLES SALES CHARTS**

The top selling singles compiled from a national sample of retail stores, mass merchandiser, and Internet sales reports collected, compiled, and provided by Nielsen SoundScan. For RIAA/BPI Hip-Hop Singles, sales data is compiled from a national subset panel of core hip-hop stores by Nielsen SoundScan.

- Singles with the greatest sales gains.

**CONFIGURATIONS**


**HIT PREDICTOR**

- Indicates title earned HitPredictor status in that particular format based on research data provided by Promonitor. Songs are tested online by Promonitor using multiple listeners and a nationwide sample of carefully profiled music consumers. Songs are ranked in a 1 to 8 scale, with final results are based on weighted averages. Songs with a score of 6 or more (7 or more for country) are judged to have Hit Potential, although that does not guarantee a hit can be forecast based on the strength of available music. For a complete and updated list of current songs with Hit Potential, comments, polls and more, please visit www.hitpredictor.com.

**DANCE CLUB PLAY**

Compiled from a national sample of reports from club DJs.

- Titles with the greatest club play increase over the previous week.

**AWARD LEVELS**

- RIAA symbol indicates albums’ multi-platinum level. For boxed sets, and double albums with a running time of 110 minutes or more, the RIAA multi-platinum stem applies for the number of discs and/or types. Certification for net shipments of 100,000 units (Gold). Certification for net shipments of 200,000 units (Platinum). Certification for net shipments of 500,000 units (Multi-Platinum).
- Certification for net shipments of 10 million units (Diamond).
- Certification for net shipments of 10 million units (Diamond).
- Certification for net shipments of 10 million units (Diamond).

**MUSIC VIDEO SALES CHARTS**

- RIAA gold certification for net shipment of 50,000 videos for video singles.
- RIAA platinum certification for net shipment of 50,000 videos for video singles.
- Certification for net shipment of 100,000 videos (Gold). Certification for net shipment of 100,000 videos (Gold).

**MUSIC VIDEO SALES RENTALS**

- RIAA gold certification for net shipment of 50,000 rentals for video singles.
- RIAA platinum certification for net shipment of 50,000 rentals for video singles.
- RIAA platinum certification for minimum start of 20,000 units or in a single week.

**DVD SALES/VIDEOS SALES/VIDEO RENTALS**

- RIAA gold certification for net shipment of 50,000 rentals for video singles.
- RIAA platinum certification for net shipment of 50,000 rentals for video singles.
- Certification for net shipment of 150,000 rentals for video singles.

**TOP COMPILATION ALBUMS**

- Top compilation albums are ranked based on performance of compilation albums, which includes songs that are exclusively distributed through streaming services.

**TASTEMAKERS**

- Artists listed in this section are chosen by Billboard editors, based on the broadest criteria.

**TOP INDEPENDENT ALBUMS**

- Independent Albums are current titles that are sold via independent distribution, including those that are fulfilled via major branch distribution. Top Independent Albums is a comprehensive list of albums from a core panel of trend-setting independent labels.

**TOP VINYL SALE CHARTS**

- Billboard Biz, including ones that are included in the weekly spotlight feature. From www.americanradiohistory.com.
### Music Chart

#### Billboard 200

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Sales Rank</th>
<th>Sales</th>
<th>Chart Peak</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>The Best Of Matai: Far Beyond The Great Sea</em></td>
<td>Donald Lawrence Presents The Tri-City Singers</td>
<td>3</td>
<td>114,000</td>
<td>17</td>
</tr>
<tr>
<td><em>The Sleep Of Reason</em></td>
<td>Eros Ramazzotti</td>
<td>37</td>
<td>29,000</td>
<td>9</td>
</tr>
<tr>
<td><em>The Best Of Banda Katerina</em></td>
<td>Banda Katerina</td>
<td>65</td>
<td>7,000</td>
<td>43</td>
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<tr>
<td><em>The Best Of Job</em></td>
<td>Job</td>
<td>76</td>
<td>5,000</td>
<td>86</td>
</tr>
<tr>
<td><em>The Best Of Kany Beatz</em></td>
<td>Kany Beatz</td>
<td>89</td>
<td>3,000</td>
<td>140</td>
</tr>
<tr>
<td><em>The Best Of Luis Enrique</em></td>
<td>Luis Enrique</td>
<td>95</td>
<td>2,000</td>
<td>145</td>
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#### Hot 100

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Weekly Sales</th>
<th>Radio Airplay</th>
<th>Chart Peak</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>It's Gonna Be May</em></td>
<td>Yung Joc</td>
<td>10,000,000</td>
<td>1,000,000</td>
<td>1</td>
</tr>
<tr>
<td><em>Busta Rhymes</em></td>
<td>Lil Jon, Da Brat, Missy Elliott</td>
<td>8,000,000</td>
<td>800,000</td>
<td>2</td>
</tr>
<tr>
<td><em>Cherish</em></td>
<td>Chris Brown, Jordan Knighton</td>
<td>6,000,000</td>
<td>600,000</td>
<td>3</td>
</tr>
<tr>
<td><em>The Silence In Black And White</em></td>
<td>Bob Marley And The Wailers</td>
<td>5,000,000</td>
<td>500,000</td>
<td>4</td>
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#### Video Monitor

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Sales</th>
<th>Chart Peak</th>
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<tbody>
<tr>
<td><em>Energetic Nature</em></td>
<td>Eros Ramazzotti</td>
<td>23</td>
<td>9</td>
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<tr>
<td><em>Girl Next Door</em></td>
<td>Kany Beatz</td>
<td>57</td>
<td>14</td>
</tr>
<tr>
<td><em>Antologia De Un Rey Vol. 2</em></td>
<td>Antonio Sotelo</td>
<td>69</td>
<td>18</td>
</tr>
<tr>
<td><em>Epic Best Of</em></td>
<td>Eros Ramazzotti</td>
<td>73</td>
<td>20</td>
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#### Video Clips

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Sales</th>
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</tr>
</thead>
<tbody>
<tr>
<td><em>What's Left Of Me</em></td>
<td>Caifan</td>
<td>15</td>
<td>19</td>
</tr>
<tr>
<td><em>Girlfriend</em></td>
<td>Don Omar</td>
<td>21</td>
<td>23</td>
</tr>
<tr>
<td><em>More Than A Feeling</em></td>
<td>Luis Enrique</td>
<td>26</td>
<td>27</td>
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#### Top Heatseekers

<table>
<thead>
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<th>Title</th>
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<tr>
<td><em>Sleeping With Wolves</em></td>
<td>Brian McStay</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><em>The Best Of Kany Beatz</em></td>
<td>Kany Beatz</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td><em>The Best Of Luis Enrique</em></td>
<td>Luis Enrique</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

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Data for week of JUN 17, 2006 | For chart reprint call 646.654.4633

Go to www.billboard.biz for complete chart data | 82
<table>
<thead>
<tr>
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<tr>
<td><strong>BILLBOARD</strong></td>
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<tr>
<td><strong>SINGLES &amp; TRACKS</strong></td>
<td><strong>SONG INDEX</strong></td>
<td><strong>SONG INDEX</strong></td>
<td><strong>SONG INDEX</strong></td>
<td><strong>SONG INDEX</strong></td>
<td><strong>SONG INDEX</strong></td>
</tr>
<tr>
<td><strong>CHART CODES:</strong></td>
<td><strong>(Hot Country Songs); H100 (Hot 100 Songs); LT (Hot Latin Songs); POP (Pop 100 Songs) and RBH (Hot R&amp;B/Hip-Hop Songs)</strong></td>
<td><strong>CHARTS LEGEND</strong></td>
<td><strong>Page 82</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Data for week of JUNE 17, 2006**

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

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**www.americanradiohistory.com**
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NOTICE OF PUBLIC SALE

You are hereby notified that pursuant to a default under the terms and provisions of the Loan Agreement and General Security Agreement dated December 17, 2002 between Casablanca Trax Inc. as Lender and Trax Records, Inc. as Borrower, Casablanca Trax Inc. may sell the collateral listed and described on that certain UCC-1 filed December 23, 2002 as Document Number 6297079, including all proceeds or payments arising therefrom (whether in the form of insurance, proceeds or otherwise)(collectively, the “Property”), pursuant to Section 9.4(a) of the Uniform Commercial Code, and described generally herein as follows: all of Borrowers’ interests in and to certain masters, recordings, compositions, videos, photographs, graphics, artwork, websites, contracts, publishing, recording and/or licensing agreements, all tapes, reels, DAT, digital files or other recording media, and all other ancillary rights and assets, including all intellectual property arising from or associated with the foregoing masters, videos and compositions including but not limited to all registered and unreg-istered copyrights, brand names, trade names, service marks, trade marks, commercial symbols arising from or associated with the foregoing masters, videos, and compositions, including without limitation the following trade marks and trade names: Trax Records, Trax Records, Trax Records and Demand Records, Trax Continental.

The Property may be sold to the highest qualified bidder at a public sale to be held as follows:

WHEN: Wednesday, June 28, 2006 at 10:00 a.m.

WHERE: Golan & Christie LLP
70 West Madison, Suite 1500
Chicago, IL 60602

The Borrowers may attend the sale and may bring bidders if desired.

Bidders shall rely on their own information, judgment and inspection of the collateral being sold. All collateral is sold as is where is, without warranty or guarantee. Certain items of physical Property are located at a warehouse in Chicago, Illinois and in Toronto, Ontario, Canada, removal of any physical Property shall be at the sole expense, risk and liability of the purchaser.

Terms and Conditions of the Sale: Decisions regarding bidder eligibility, sufficiency and increments of bidding, rescheduling or canceling the sale, or the like shall lie at the direction and sole discretion of Casablanca Trax Inc. Casablanca Trax Inc. reserves the right to credit bid at the sale, or cancel the sale, in its sole discretion. All interested bidders must bring to the sale a certified check in the amount of not less than 80% of their opening bid. The successful bidder will endorse and deliver the certified check to Casablanca Trax Inc. immediately upon being declared the successful bidder, and shall pay the balance of the purchase price, or otherwise make arrangements for payment acceptable to Casablanca Trax Inc. by the close of business on Wednesday, June 28, 2006.

The Borrowers are entitled to accounting of the unpaid indebtedness secured by the Property Casablanca Trax Inc. intends to sell, at no additional charge.

Questions regarding the sale, including a list of the Property being sold, or any accounting may be directed to the undersigned or to Mr. Ed Lederer, Esq. at (312) 263-2300.

DATED this 1st day of June, 2006.

Golan & Christie LLP
70 West Madison, Suite 1500
Chicago, Illinois 60602
(312) 263-2300

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NOTICES/ANNOUNCEMENTS

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SUCCESSFUL Los Angeles CD/DVD/LP store for sale - $1.2 million revenue, asking $575K - email Steve at cdtdealer@aol.com

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**TUSCAN-STYLE FARMHOUSE** $35,000,000  Santa Barbara. Exquisite 8,000-sq ft. Tuscan-style farmhouse on 3.00 acre of land. 3/4 bed, 4.5 bath, and 6000 sqft of living space. Features include an indoor/outdoor living area, 2-car garage, and a private garden. **OPEN 2-5 06/11/06**

**PRIME LOS FELIZ TRI-PLEX** $1,585,000  Los Feliz. Amazing 3 units in one! 2bd/2ba - 3bd/3ba. Great rental potential! **OPEN 2-5 SAT/SUN**

**OPEN 2-5 06/11/06**

**7732 WESTLAND AVENUE** $615,000  North Hollywood. Single story, 3bd/2ba, 960 sqft. Updated kitchen, tile floors, and 2-car garage. **OPEN 2-5 06/11/06**

**ENCHANTING PRIVATE ESTATE** $3,500,000  Shirk Lake. Charming Spanish w/ flair of Montecito on almost 6 acre w/privacy, pool & 2-car-house. Magnificently restored en charming estate! **OPEN 2-5 06/11/06**

**1233 MULHOLLAND HWY** $2,149,000  Beverly Hills. Restored 1920’s Mediterranean w/ all of today’s modern conveniences. Open living spaces, 2bd/1ba, huge lot. **OPEN 2-5 SAT/SUN**

**6311 HEATHER DRIVE** $1,885,000  Beverly Hills. Exquisite original 1928 Hollywoodland English or private death’s door. 4bd + 2.75ba + 600 sqft City/cyn views. **OPEN 2-5 06/11/06**

**1017 W. LJE OAK DRIVE** $1,995,000  Los Feliz. Spanish Colonial Revival walled estate. 4bd/3ba, 2750 sqft. **OPEN 2-5 SAT/SUN**

**1319 N. OCCIDENTAL BLVD** $719,000  Silver Lake. Carefully restored 1921 bungalow w/ all of today’s modern conveniences. Open living spaces, 2bd/1ba, hdwd flrs, bth, big lot. **OPEN 2-5 SAT/SUN**

**1868 SILVER LAKE BLVD** $599,000  Silver Lake. Ranch charmer w/ hardwood floors, 2bd/1ba. Full drain, eat-in kit, laundry uck, extra lg single gnr. Hw updates. A 10. **OPEN 2-5 06/11/06**

**732 ADELAIDE PLACE** $8,100/mo  Santa Monica. Immaculate 4bd/4.5ba, over 6700sqft. Spectacular views, luxury hse, flat yard. **OPEN 2-5 06/11/06**

**WWW.241NINETEENTH.CDM** $4,500,000  Santa Monica. Irreplaceable lg 5bd/5.5ba of quality w/ volume & privacy. Gorgeous nch dark firs, showcase kit, luxurious mstr, media rm &pl.

**1777 TORREYSON DRIVE** $2,195,000  Beverly Hills. Superb location. Classic 5bd/4.5ba, over 6700sqft. **OPEN 2-5 SAT/SUN**

**WWW.241NINETEENTH.CDM** $4,500,000  Santa Monica. Irreplaceable lg 5bd/5.5ba of quality w/ volume & privacy. Gorgeous nch dark firs, showcase kit, luxurious mstr, media rm &pl.

**WWW.241NINETEENTH.CDM** $4,500,000  Santa Monica. Irreplaceable lg 5bd/5.5ba of quality w/ volume & privacy. Gorgeous nch dark firs, showcase kit, luxurious mstr, media rm &pl.
Singer Roció Jurado Dies At 61

It is unlikely there ever will be another performer like Roció Jurado, whose affected manner and on-stage hijirinonics were part of her universal appeal. The singer died June 1 in her Madrid home of cancer of the pancreas. She was 61.

Jurado’s style encompassed the Andalucian specialties of copla, flamenco and “Spanish song,” but her later success—especially in Latin America and U.S. Latin markets—was based on her romantic ballads. Her 35-year recording career included more than 40 albums and 12 compilations. Most are available on Sony BMG, with additional material available on EMI or Universal.

The performer passed away just two months after her contemporary, Roció Dúrcal, another Spanish grand dame of Latin pop (Billboard, April 8), died. Both achieved pan-regional success, but their styles were radically different. Passionate and direct, Jurado once said, “When I sing, I feel it even in the beads of sweat that run over my body.”

Some 23,000 fans observed a one-minute silence at Madrid’s Las Ventas bullring, the world’s largest, at 5 p.m. the day she died. Bullfighters knelt to kiss the sand that would minutes later be covered in the blood of slain fighting bulls. It was overly theatrical, like Jurado the aristocrat. A crowd of 125,000 attended her nationally televised funeral in her hometown of Chinchón (population 7,000).

Jurado first gained fame in movies starting in 1963. She was voted Lady España in 1967 and Lady Europa in 1968 and came in third in the Miss Europe contest in 1969, the year she released her first album. She endowed her fiery performances with an intense eroticism that was starting for 1970s Spain, and her eye-catching, low necklines on TV programs transgressed the standards of that period.

In 1976 she married boxer Pedro Carrasco, a former world lightweight champion. She has a daughter from that marriage, Rocío Carrasco, now 29. In 1995, Jurado married bullfighter José Ortizega Cano, who survives her.

Her last performance was Dec. 20, 2005, when Spanish state TV channel TVE aired a homage during which she performed duets with David Bisbal, Chayanne, Paulina Rubio, Raphael, Lolita, Malú, Monika Naranjo and others. The performances were released in January on a CD/DVD called “Roció Siempre” (Sony BMG). On the day she died it had been on Spain’s Media Control album chart for 17 weeks, peaking at No. 3.

—Haivel Lleurell

Johnnie Wilder Jr., 56, May 17 in Clayton, Ohio. No cause of death was announced. Wilder was the lead singer of R&B act Heatwave.

Wilder was stationed in Germany with the U.S. Army when he formed the group in the late ‘70s with his brother Keith. Heatwave built a large following with hit singles “Boogie Nights”—which reached No. 2 on The Billboard Hot 100—“Always and Forever” and “The Groove Line.”

Wilder was paralyzed from the neck down in a car accident in 1979 but continued to record albums and tour with Heatwave.

After the group disbanded in 1983, the Wilder brothers released “Sound of Soul” (Blaterr). Wilder also recorded two solo gospel albums.

In addition to Keith, Wilder is survived by his wife, Rosalyn, his daughter, Carla; and brothers Ernest and Gregory.

SPECIAL TO BILLBOARD

In a June 3 Billboard feature titled “Bands & Brands Win Big,” Tagworld’s spokeswoman should have been identified as Paula Gould.

To clarify an item in the June 3 issue, Starbucks will co-release its deluxe DVD/CD edition of “Chuck Berry Hall! Rock ’N’ Roll!” with Image Entertainment.

FOR THE RECORD
UNITED STATES SECRET SERVICE

Government officials recently presented a conference in Baltimore, Md., on counterfeit goods for victims of intellectual property theft. From left are the Secret Services A.T. Bassiur, the president of the United States Secret Service; theidor E. Richard Staropoli, the president of the Office of the Secretary of Defense; and the director of the Office of the Secretary of Defense, Mr. Matthew Busch. The conference was attended by more than 300 leading government officials, including members of Congress, law enforcement officials, and legal experts.

ASCAP POP AWARDS: 50 Cent was named songwriter of the year in the 2006 ASCAP Pop Music Awards held May 22 at the Beverly Hilton Hotel in Los Angeles. Hosted by ASCAP president/CEO Alex Blumberg, the event gathered more than 500 leading songwriters, recording artists, and music industry leaders to salute the songwriters behind today's most popular music hits.

MVFA AWARDS: The 2006 Music Video Production Association's 15th annual MVFA Awards recognized exceptional talent in various categories of music video production. The awards show was held May 11 at the Orpheum Theatre in Los Angeles.

The awards show received a special treat when Annie Lennox invited her Eurythmics partner, Dave Stewart, to accompany her on guitar as she performed her solo hit "Why."
WHO LET STEVE OUT?
According to a high-level source, Steve Greenberg’s last day at Sony BMG Music Entertainment is June 9. For those not well versed on the Greenberg/Sony BMG drama, Greenberg got caught in a bit of a political scuffle after Sony BMG Music Entertainment CEO Andrew Lack, who wooed and brought in Greenberg as Columbia Records president in January 2005, was moved to the none executive chairman slot.

Sony Music Label Group chairman/CEO Don Ieraci then wanted Greenberg to leave the label. However, new Sony BMG Music Entertainment CEO Rolph Schmidt-Holtz, a Greenberg advocate, fought to keep him.

Although we imagine other labels will now actively court Greenberg, given his considerable A&R, producing and marketing talents—he did break such acts as Josh Stone and Hanson and won a Grammy Award in 2001 for co-producing the Baja Men’s “Who Let the Dogs Out”—Track secretly hopes that he’ll reenact S-Curve, the label he ran prior to inking with Columbia.

LIKE A ROCK
After missing in action for more than a decade, Bob Seger will resurface Sept. 12 with “Face the Promise,” his first studio album in 11 years. Track has no clue what the title means, but the Capitol album will, no doubt, include songs that capture Seger’s heartland brand of American rock, which has helped him sell more than 50 million albums during the last four decades. First single is “Wait for Me.” Trust us, Bob, we have.

FEEL LIKE DANCIN’
Sure, Universal Motown will release the Scissor Sisters’ much anticipated sophomore album, “Ta-Dah,” in September. And yes, the New York band is playing a handful of European dates, as well as one U.S. show, this summer. But are you aware that the Sisters have another U.S. show on their schedule? Come Aug. 5, the dance-rock band will perform for music industry execs at NARM’s 2006 convention in Florida. From what Track hears, they will share the bill at the event’s concluding dance-party themed Awards Dinner Finale with Kool & the Gang.

THE BOYS ARE BACK IN TOWN
Track hears that tickets for the double headline Motley Crue/Aerosmith summer tour go on sale June 24. The trek is produced by Live Nation.

HOT HOT HOT
Reggaeton producer Boy Wonder will feature Spanish pop star Alejandro Sanz on his upcoming album, “Chozen Few: El Documental, Part 2.” Scheduled for an August release on UBO, the set will include tracks from various acts. Sanz contributes a dancehall version of his hit “No Es lo Mismo,” featuring guest artist Ghetto Boy. Wonder will also produce a track (“La Espera”) on Sanz’s upcoming Warner Music Latina solo album.

A SIRIUS HONOR
What do Tony Hawk, Martha Stewart, Bode Miller, Judith Regan and Steven Van Zandt have in common? In a word, LifeBeat. They are all co-chairs for LifeBeat’s June 21 cocktail party honoring Scott Greenstein, president of entertainment and sports for Sirius Satellite Radio. Clever and saavy Sirius fans know that all the co-chairs host their own shows on the satellite outlet. The New York event will honor Greenstein for his work with LifeBeat and other charities, including the Damon Runyan Cancer Research Foundation and the National Foundation for Facial Reconstruction. Sirius has donated a celebrity-autographed Vespa scooter for an online auction for LifeBeat. Track has only one question: Will Howard Stern show up?

LADIES’ MAN
At one point or another, Madonna, Whitney Houston, Kylie Minogue, Cher and Paris Hilton have all been linked with Billy Steinberg. Yep, the songwriter has penned songs for each artist—and many others. Track hears that Steinberg has now signed with independent publishing company Kobalt Music Group, whose clients include Desmond Child, Max Martin and Gwen Stefani. Prior to Kobalt, Steinberg handled his own publishing in North America, while EMI Music Publishing handled his songs in all other territories.

In other Kobalt news, the publisher has tapped Michael Petersen, formerly Universal Music Publishing Group’s head of business affairs, to head up Kobalt U.S.A. in Los Angeles. In his new role, which takes effect July 1, Petersen will wear several hats—executive VP, GM and general counsel. He joins ex-EMI Music Publishing exec Benjamin Groff, who is now Kobalt’s senior VP of creative, West Coast.

AUSTIN DOES AUSTIN
Maverick A&R exec Scott Austin is ready for his close-up. Cable and satellite TV outlet Current TV is airing an eight-minute segment about young music artists trying to break through the clutter. Current followed Austin in Los Angeles and at South by Southwest as he scouted a number of acts. The piece will run up to 100 times during the next several months and is also viewable on Current’s Web site. Current is also airing a number of “Current Playlist” pods, which are highlights on select acts, including Dengue Fever, Fischerspooner and Berlin hip-hop act Puppetmastaz. New features air up to 28 times per week and are added frequently. Not bad exposure, eh?

EXECUTIVE TURN TABLE
EDITED BY SARAH MAN

RECORD COMPANIES: Buena Vista Music Group in Burbank, Calif., names Chip McLean senior VP of business development and business affairs. He was VP of business and legal affairs at Warner Bros. Records.

Sony Wonder in New York names Isabel Miller senior VP of marketing. She held the same position at AMC Network.

J/Arista Records in New York names Mark Faiherty VP of marketing. He previously owned his own marketing consulting business, Faiherty Consulting.

Show Dog Nashville names Eric Beegs Southeast promotion and marketing director. He was Southeast promotion director at Epic Records.


DISTRIBUTION: Universal Music Group Distribution in Universal City, Calif., elevates Steve Pritchitt to executive VP/GM of Fontana. He was GM.

PUBLISHING: Cherry Lane Music Publishing in New York promotes Brigitte Green to creative and marketing coordinator. She was creative assistant. KMG Entertainment in Nashville taps Kurt Denny to head its music publishing division. He is a veteran of BMI, MCA Records and MCA Music Publishing.

MEDIA: Music Choice in New York promotes Christina Tancredi to executive VP. She was senior VP.

RELATED FIELDS: Sheppard, Mullin, Richter & Hampton in San Francisco names James M. Chadwick partner in the business trial and entertainment, media and communications practice groups. He practiced with DLA Piper Rudnick Gray Cary.

Ticketmaster West Hollywood names Mike McGee senior VP of venue relations. He was chief administrative officer at Clear Channel Entertainment.

FOR THE RECORD: In the June 3 issue, ASCAP VP of legal services Joan McGivern should have been listed as being based in New York, not Nashville.

Send submissions to shan@billboard.com.

ALIVE AND KICKING
Rust Records/Universal rock group Cherry Monroe has filmed 30- and 60-second public service announcements for the Jason Foundation. The Nashville-based organization raises awareness and funds for the prevention of youth suicide. For more info, log on to jasonfoundation.com.

DRUMS AND SYNTHS FOR REFUGEES
Yamaha has donated gear to the Refugee All Stars, a group of six Sierra Leonian musicians who formed a band while living as refugees in Guinea. The subject of the documentary “The Refugee All Stars,” the band commences its summer tour June 14 in Edgartown, Mass., and will play the Bonnaire Festival June 18—with Yamaha gear in tow.

GOODWORKS

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AWARDS: “Open Your Eyes” (Kerry Ellis, vocals; Leave Out, guitar, piano, arranger) won Best Contemporary Christian Song at the Dove Awards in the “Adult Contemporary” category.

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