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Songwriter Alert: Copyright Bill Could Hinder Control

BY WALLACE COLLINS

The proposed legislation concerning revisions to Section 115 of the Copyright Act may turn out to be the landmark Internet blanket licensing legislation some claim that it will be. However, songwriters—inde- pendent publishers and copyright adminis- trators—are convinced that the bill pending in the House of Representatives may be flawed in several significant ways and requires some amendments before they will agree to work with the House on this proposal.

One concern is the proposal granting the copyright owner a limited right to issue blanket licenses to one or more independent publishers to license songs throughout the world to streaming services. This provision—as currently written—would substantially limit the ability of songwriters and independent publishers to determine whether to grant compulsory licenses for digital uses of their songs.

Another problem with this arrangement is the inability of the little guy to effectively collect a fair share from the one holding his or her money—not an uncommon problem throughout the history of the record industry. A songwriter or rights administrator should be able to obtain from the GDA the same usage data and royalty collection information available to them that the GDA provides to the music publishers it represents. Songwriters need to be able to verify that the royalty payments they receive correlate with the actual royalties earned.

In addition, the proposed legislation does not set a time frame for the GDA to distribute the royalties it collects to the copyright owners. That is of great concern, given that the copyright owner’s participation in this system is not voluntary.

Songwriters who are also recording artists should be gravely concerned about the provisions requiring songwriter/recording artists with unsecured recording artist advances to direct the GDA to deliver their entire digital music publishing royalty payments to record labels pursuant to “letters of direction.” This provision also appears to indicate that if a label, prior to June 1, 2006, was unable to negotiate such a recoupment provision in the recording contract with the songwriter/artist, the statute will now provide the label with such cross-collateralization rights as an unequivocal matter of law.

Further, as a matter of fairness, if the GDA is going to have the extraordinary power to bind a songwriter who would otherwise object to such representation, then the songwriter should at least have the right to appoint a representative to a joint board that GDA is to create.

The U.S. Copyright Office has already labeled the unbridled authority the current bill grants the GDA to deduct and spend administrative fees for almost any initiative the GDA wishes as “unconstitutional.” The current language, for example, would allow the GDA to hold a meeting on “current legislative and litigation issues” at an exotic location anywhere in the world without any restraint on the cost and charge writers and publishers for this event. Under the current bill, songwriters would, in essence, be paying on average for two-thirds of the GDA’s activities, which in some extreme circumstances could be in conflict with the priorities, rights and interests of creators—easier and less costly for themselves, with strong arm Congress into enacting legislation that strips control of property rights from songwriters.

This was not the original intent of the Copyright Act, one of the few statutes standing between songwriters and the loss of their intellectual property rights.

Wallace Collins is of counsel to the New York law firm Setting Rockers & Ferrara.

TV LICENSING REVISED

It may be a “brave new world for licensing music for TV shows,” as described in the July 15 article “Want My Mobile TV?” However, there are at least a few concerns.

The main points of the article are that A) TV production companies are looking to clear music in a one-shot deal so they don’t have to resecure the music for future technologies; B) there are no guidelines on how much all media excluding theatrical rights should cost; and C) production companies have limited budgets when it comes to clearing rights.

Many TV production companies have begun requiring music rights, excluding theatrical, for years—they have just been doing it in the form of an initial license for basic rights with options for new media. What is now happening is that TV production companies are trying to get more rights for less money.

The rising cost of music that the studio exec pays is not the result of inflation or an increase in royalty rates. Rather, it is the result of music that is being used in new ways, which in turn are being used in new ways. Additionally, the idea of using synchronization placements on TV shows to promote record sales is not enough of an enticement for a producer to reduce its fees.

Placing songs on TV has never been a sure fire way to sell records. The way to make it work is that producers are beginning to make money from a sync use is by getting paid for that use.

The question of whether “people still buy buses” on DVD or switch to downloading individual albums does not warrant a redefinition in sync fees when production companies are asking for worldwide, perpetual buyouts of home and personal use video media. When rights are licensed in this manner, a production company is taking a risk that the media for which they are licensing music will sell a significant amount of copies. However, with such uncertainty, wouldn’t it make more sense to license these media for a limited term and per unit basis until the market can be deciphered?

So here are the instructions: 1) If you are not sure where the market is going, be willing to start with an experimental limited term; 2) if you are going to ask for more rights, be willing to pay for more rights; and 3) don’t make music the last thing on the budget.

Priya Perera

Licensing manager, Windsmith Holdings, Beverly Hills, Calif.

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JOINT VENTURE UNDER FIRE
EU Court Annuls 2004 Approval For Sony-BMG Merger; Clouds WMG-EMI's Future

In a bad case of déjà vu for the Sony-BMG merger, suddenly it's 2004 all over again.

Sony Corp. and Bertelsmann may need to reseek regulatory approval for their 2-year-old recorded music joint venture in Europe after a European Union (EU) court on July 13 annulled the European Commission's (EC) original July 2004 ruling authorizing the combination. For a merger beset with challenges since day one, the court's ruling is a most unexpected—and perhaps even fatal—development.

The European Court of First Instance in Luxembourg ruled that the EC, the EU's antitrust authority, had incomplete evidence and inadequate reasoning for approving the merger.

"The Commission did not demonstrate to the requisite legal standard either the nonexistence of a collective dominant position before the concentration or the absence of a risk that such a position would be created as a result of the concentration," Europe's second-highest court said in its judgment.

The case challenging the validity of the Sony-BMG merger was brought by Impala two years ago. The Brussels-based independent publisher and label trade group has long asserted that the major labels are operating as a cartel that has unfairly carved up the music market among themselves.

Although the EC's initial findings suggested it agreed there was tacit price collusion among the major music companies, it unconditionally approved Bertelsmann and Sony Corp.'s 50-50 joint venture after finding insufficient evidence that the deal would harm consumers. Those conclusions are now thrown into serious doubt.

The court concluded that the EU's analysis of competition in the music market was "incomplete" and "did not include the relevant data." As a result, the EC could not reasonably support the conclusions drawn from them, the court said. The court also criticized the EC for carrying out "an extremely cursory examination" and for presenting "only a few superficial and formal observations."

At press time, Impala executives were celebrating their victory with the judgment. "This is a watershed in European affairs," a landmark judgment for music," says Patrick Zelnik, president of French indie Naive.

WMG is 'reviewing' the decision to see what impact it might have on a potential merger with EMI.

Rej Cohen wrote in a July 13 note to investors: "While this decision can be appealed and does not reflect the thinking of the EC per se, it could force the Commission to give greater scrutiny to future deals."

Shockwaves from the court decision were felt in the stocks of both companies. Shares in EMI, which often move on merger speculation, were hit hard immediately following the announcement, slipping 10% in morning trading to below 200 pence ($3.30). Likewise, shares in WMG dropped more than 15% on the day of the announcement, falling in midday trading to £2.74.

News of the court's ruling broke just hours before EMI executives convened their annual general meeting in London. EMI Group chairman Eric Nicoli used the gathering to reaffirm to investors the company's desire for a deal with Warner. "We have strong operating momentum and will pursue a transaction to combine with Warner Music only if it delivers enhanced value and earnings accretion to EMI's shareholders," Nicoli said.

WMG issued a statement that it is "in the process of reviewing today's decision by the European Court of First Instance regarding Sony BMG to determine what impact it might have on a potential combination of Warner Music Group and EMI Group."

Impala has vowed to employ similar measures to try to derail a proposed union of EMI and Warner. "The... continued on p8"
Gracenote Leads Lyrics Into The Digital Age

New Service Means Revenue For Publishers—And Take-Down Notices For Unlicensed Sites

Chairman/CEO Ralph Peer II of peermusic says that publishers do not know their competitors' prices or license terms, but that publishers will share some percentage of the income that Gracenote receives rather than a specific penny rate. In most (but not all) cases there is a minimum absolute amount due to publishers under the licenses. This gives Gracenote some flexibility in pricing to its customers.

“We’re inclined to support Gracenote in their substantial investment in getting the lyrics in a database—that’s a big job,” Peer says. “We’ve given them a very broad range of possible uses for it.”

BMG Music Publishing chairman/CEO Nicholas Firth adds that most publishers had not licensed lyrics for the online world before. “We had to come up with new pricing and licensing structures, and figure out all the different kinds of possible models going forward.”

Consumer pricing will depend on the services Gracenote’s customers offer. Online services could present lyrics as a carte di gala digital download for a fee or bundled with tracks as part of a premium subscription service, provide free with downloaded tracks or with satellite radio broadcasts to car players, or transmit to wireless devices.

“Lyrics as a new online source of revenue for the publishing industry may be one of the most auspicious developments of the decade for composers and writers,” Peer says. The Canadian Music Reproduction Rights Agency, peermusic and other publishers have been working closely with Gracenote during the past year to provide a workable offering.

Gracenote has faced challenges, Palmer says. They include securing rights in the lyrics, anticipating potential business models, figuring out where to get digital files of lyrics, determining who can grant the rights and confirming who should receive payment.

“Publishers don’t really have anything in digital form,” Firth says. “If you didn’t have lyrics in sheet music, then you used somewhere in the files. It’s one of the things we have to start doing now.”

The agreements require publishers to provide the lyrics if they have them in digital form—typically those already licensed for karaoke, sheet music or songbooks. But Gracenote also has a team working worldwide creating a database of lyrics from recorded music.

With the licensed service available to olaupload, publishers plan to stop the operations of unlicensed lyric Web sites.

Firth says that BMG will serve take-down notices to all of the unlicensed sites as soon as the licensed service is available.

“BMG has given Gracenote that assurance,” he says.
We commemorate the life and achievements of ARIF MARDIN, a great man of music and a dear friend.

Bruce Lundvall & Ian Ralfini, and the staff of EMI Jazz & Classics
Dawn Of The DIY: Unsigned Acts Chart

Four Bands Sans Labels Flex Nontraditional Sales Muscle

One of the most exciting trends in the music industry today is the rise of nontraditional sales muscle. These acts, who have not signed to major labels or music publishers, are finding new and innovative ways to promote their music, often with surprising success. In this article, we take a look at four such acts who are breaking through in the current music landscape.

**The Sunstreaks**

The Sunstreaks are an up-and-coming band from the Mountain and South Central regional Heartseats charts. Their debut album, which was released in late 2006, has charted strongly and is continuing to grow in popularity. The band is known for their catchy hooks and energetic live performances, which have helped them build a strong following in the area.

**The Sunstreaks**

1. **Heartsong**
2. **Kathy's Hands Say Yeah**
3. **The Sunstreaks**
4. **Octane's Rise Up**

These four acts are just a few examples of the many unsigned bands who are making a name for themselves in the current music industry. As the marketplace continues to evolve, it is likely that we will see even more exciting new acts emerge in the future.

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**Additional Reading**

For more information on unsigned bands and their success in the music industry, be sure to check out Billboard Underground, a publication that covers the latest news and trends in the world of music. You can also find articles on this topic on the website of American Radio History, which has a wealth of information on the history of radio and music. 

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**About the Author**

Chris M. Wills is an award-winning music journalist and a regular contributor to Billboard Underground. He has written about the music industry for over 20 years and is a respected voice in the industry. He can be reached at chris@billboard.com.
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ARTISTS GET HAPPY FOR CLINIQUE

Cosmetics Company Taps Rihanna, Julie Roberts, Ne-Yo For Perfume Song

Come September, Rihanna, Julie Roberts and Ne-Yo will be makin’ happy in a new global campaign for the top-selling Clinique Happy fragrance.

In a strategic partnership with Island Def Jam, Clinique commissioned Ne-Yo to pen an original song specifically for the fragrance. The huayam tune, “Just Be Happy,” was then recorded by Rihanna and Roberts. The two decidedly different versions of the track skew hip-hop/pop (Rihanna) and country (Roberts).

“Just Be Happy” is the centerpiece of a holiday advertising and promotional campaign for Clinique Happy. Its goal, a Clinique representative notes, is to attract young consumers.

Rihanna and Roberts are leaders in R&B/hip-hop and country music, respectively, the rep adds. “They’re the Clinique Happy consumer. They appeal to the women we want to attract.”

Island Def Jam Records VP of strategic marketing and development Jeff Straughn agrees. Clinique Happy evokes great contemporary appeal, he says, while “Rihanna embodies a vision of the young, successful women of today.”

Clinique Happy is also sponsoring Rihanna’s summer tour, which commenced June 30.

Production Advisors president Lloyd Simon was instrumental in structuring the deal among Clinique, the artists, managers and labels.

“Just Be Happy” will be heard in Clinique Happy radio ads that begin airing in November.

The two Universal labels (Def Jam for Rihanna and Mercury for Roberts) are discussing the possibility of actively servicing the tracks to radio in the fall.

The Clinique radio ad campaign is preceded by an interactive Internet campaign commencing Sept. 1.

At the getyourhappy.com site there will be free MP3 and ringtone downloads of the two versions of “Just Be Happy.” Rihanna and Roberts fans can also stream videos of the two recording sessions, which include interviews with the artists.

The Internet platform is the sole element of the campaign that includes images of the two artists. Otherwise, Rihanna and Roberts are strictly the voices of Clinique Happy. An accompanying print campaign points people to the Web site.

In-store promotional activities are also planned for the holiday shopping season, including a gift with a purchase. Customers who buy Clinique Happy will receive five free music downloads at a to-be-determined online music store.

This is not the first time Clinique Happy has incorporated music into one of its campaigns. Since its launch in 1997, Clinique Happy has featured such songs as “C’mon Get Happy” (Judy Garland), “Happy Together” (the Turtles) and “Make Someone Happy” (Jimmy Durante) in campaigns.

Throughout, Clinique Happy has sent a clear message that fragrance and music are emotional and personal. “Music is Clinique’s way of entertainment,” the Clinique representative says. “Our products are our heroes, and the music adds an entertainment element to our brand.”

Rihanna’s version of “Just Be Happy” was produced by Ne-Yo, while James Stroud handled Roberts’ version.

Though financial details were not disclosed, the Clinique representative acknowledges that each participating artist was paid a flat fee.

TOP PHOTOGRAPHY BY WENDY T. WEBBER
An '80s Revival
VH1 Classic, Legacy Bring Back Acts With CD, Tour

With a joined-at-the-hips new CD series and tour, Sony BMG's Legacy Recordings and Viacom's VH1 Classic hope to extend the reach of their respective brands. At the same time, if all goes as planned, they will reintroduce core '80s artists to new and old fans alike.

The CD series, "We Are the '80s," named after VH1 Classic's video show of the same name, debuts July 18 with seven collections from the Bangles, Loverboy, Eddie Money and Scandal (Columbia/Legacy); Bow Wow Wow and Rick Springfield (RCA/Legacy); and A Flock of Seagulls (Jive/Legacy).

The CD series and tour are backed by a multiplatform marketing campaign, encompassing TV, radio, broadband, print, mobile and the Internet. Additionally, Wal-Mart, Borders Books & Music, Sirius Satellite Radio and videogame company Taito (which brought the world Space Invaders) are strategic partners.

The tour, headlined by Springfield, features Loverboy, Money and Scandal.

Jeff Jones, executive VP of Legacy Recordings and Sony BMG Catalog Worldwide, says the VH1 Classic audience is a perfect match for the Sony BMG catalog. Since the two major labels merged nearly two years ago, Legacy's catalog opportunities have grown tremendously. Such opportunities fit in quite nicely with VH1 Classic's programming.

Though the network's programming is classic in nature, the median age of its viewers is 36. "VH1 Classic is not just about baby boomers," explains Eric Sherman, senior VP/GM of VH1 Classic. "Initially, we thought [VH1 Classic] would reach an older audience, but it extends way beyond boomers."

This is key for labels like Legacy, which has a strong desire to reach a younger, hipper demo. "How do you get a 20-year-old to buy discs by Rick Springfield," Jones wonders aloud. "VH1 Classic helps the 25-40 demo discover this cool music."

Each CD in the "We Are the '80s" series contains hits, B-sides, album tracks and rare cuts. The Scandal and Seagulls sets will also include previously unreleased material.

In fact, it was the inclusion of unreleased material that appealed to Scandal lead singer Patty Smyth. "We had lots of recorded songs that were never released," Smyth says. "They were just lying around. Now they have a home."

Smyth is referring to tracks like "Grow So Wise," "If You Love Me" and "I'm Here Tonight," which hardcore fans will recall from seeing the band live.

And while Smyth smiles at the notion of twentysomethings "discovering" the band's music years after its original release, for her the tour's the thing.

"When we did the VH1 Bands Reunited Tour a couple years ago, all I heard from fans was, 'I've waited 20 years to see you play live,' " Smyth says. "Scandal rarely toured after those first few hits. I want to go out and sing and connect with fans who may have never seen us live."

Pausing for a few seconds, she adds, "I want to go out there and kick some ass."

Fast forward to next year and Legacy expects to release up to 10 new discs in the "We Are the '80s" series. "The possibilities are many," Jones notes. Indeed. Within seconds, thoughts of Alison Moyet, Thompson Twins and Toto fill the mind.

Of course, this series is not for all acts. "It depends where they are today versus where they were then," Jones says. "Some bands won't want to participate—the series may not be strategically in line with where they see themselves today. But others will see it as another way to connect with fans."
Digital Song Sales Increase As CD Sales Drop

While digital track sales continue to grow (much to the delight of the labels), the decline of the CD is accelerating to the chagrin of brick-and-mortar merchants.

For the second week ended July 2, sales of digital tracks outpaced albums—physical and digital—by 3.8%, with track transactions totaling nearly 2.81 million units versus album sales of 2.76 million copies, according to Nielsen SoundScan.

Overall, U.S. sales for the first half were up 23.7% to 564.6 million units, versus the 456.4 million units tallied in the first half of 2005.

Digital tracks are the primary reason for cheer, leaping 77% from 158.8 million transactions in the first half of 2005. But album sales are down 4.2% from the 282.6 million units the U.S. industry garnered in the first half of 2005. The rate of decline for the half increased from the 3.3% drop in album sales for this year’s first quarter.

The album sales decline can be attributed to CD albums, which were down about 19 million units, a 7.3% dip that was only partially offset by the 12.4% growth of digital-album transactions to 14.7 million units.

Universal Music Group widened its U.S. market-share lead over Sony BMG Music Entertainment even though its share was down slightly to 31.7% from the 32% it had in the first half of 2005.

UMG, including titles handled by Universal Music Group Distribution and Fontana, also landed at No. 1 for R&B, rap, Latin and alternative rock albums as well as current albums. At midyear, the UMGD-distributed Buena Vista Music Group was riding high with the two biggest sellers: the "High School Musical" soundtrack with 2.6 million copies scanned, and Rascal Flatts’ "Me and My Gang" with almost 2 million.

In the year’s first half, 16 albums scanned more than 1 million units versus 17 last year. So far three downloaded songs have passed the million mark. Daniel Powter’s "Bad Day" leads the way with 1.5 million scans, followed by Sean Paul’s "Temperature" with 1.2 million units and Natasha Bedingfield’s "Unwritten" with 1 million.

UMGD was tops in digital tracks, capturing 32.6% share, up from the 32.1% the company posted in the first half of 2005. Second-ranked Sony BMG’s digital track share dropped to 25.2% from 27.8%. Wea’s share grew to 20.6%, up from 16.4% for the half.

EMI Music Marketing had a slight uptick in digital-track market share, going to 7.8% from 7.6% in the first half of 2005. The independent sector saw its collective market share drop to 13.7% from 16.1%.

Other highlights from Nielsen SoundScan’s midyear results:

- Country was the fast-growing genre with a 17.7% jump in album sales. Other gainers: Christian/gospel (up 11.6%), Latin (7.9%) and soundtracks (12.6%). Classical, new age and metal also enjoyed sales gains.
- R&B suffered the biggest genre decline, a 22.4% drop to 53.8 million units. Alternative was down 9 million units to 50.9 million copies.
- Sony BMG was No. 2 to UMG in the album market with a 26.3% share, or 71.1 million units, down from 27.8%, or 78.5 million units. Still, Sony BMG was the top album distributor in country, classical, hard rock and gospel and on the Housewives chart.
- Warner Music Group was the only major to gain market share in the first half, growing to 19.3% share from 16.7%.
- SoundScan credited Wmg with all of Ryko Distribution’s sales for the half even though Wmg did not acquire the indie distributor until the end of May. Only Ryko’s scans for June are included. Wmg still shows an 18.8% share.
- The independent sector—excluding the major-owned indie distributors RED, Caroline, Fontana, Ryko and Alternative Distribution Alliance—tallied a 12.8% share of the album market in the first half of the year. The fourth major, EMI, stood at 10%.
- Nontraditional retail outlets such as CD sales on the Internet, album sales at concerts and mail-order houses accounted for 11% of total album sales, the first time such outlets reached double figures. Mass merchants were slightly off pace, while chain stores and independent accounts continued to steadily lose market share.

SCANNING RETAIL

A fast look at the first half’s market-share shifts and sales breakdowns

**Market Share**

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<thead>
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<th>Store Type</th>
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<td>EMI</td>
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<tr>
<td>INDES</td>
<td>13.2%</td>
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<td>BMG</td>
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<td>SONY BMG</td>
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**Sales by Store Type**

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<td>UMG</td>
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**Tracks vs. Albums**

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<th>Year</th>
<th>Tracks</th>
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<td>150M</td>
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<td>2006</td>
<td>130M</td>
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**In the first half of 2006, album sales were down 4.2% to 564.6 million units.**

According to retail sources, Wea has been touting a DVD album as either a replacement for or a complement to CD sales during its recent meetings with U.S. merchants. With CD sales down 7% so far this year, brick-and-mortar merchants have been clamoring for something to stimulate physical sales.

Some believe that an across-the-board wholesale price drop à la JansStart is just the ticket, but in Retail Track’s view that is wishful thinking. But retail will take what it can get, and a possible replacement or complementary physical configuration is just fine with retailers.

Sony BMG Music Entertainment already tried combining audio and visual components with the DualDisc, but while that hybrid format was wholly embraced by retail, he said he wished he had more support from the other majors and confusion among consumers seems to have staled that effort.

So why will a DVD album serve as a better replacement? And how is it different from DualDisc Audio, which offers 5.1 surround sound?

According to those in the know about Wmg’s plans, the difference is that in making a DVD Audio title, a disproportionate amount of space is allocated to audio, which allows for the high-resolution sound. The new DVD album will be a standard DVD, which allows for 90% of the space to be used for video and still leaves room for a full album. It is designed for the computer-based audio fan. While it won’t play in traditional CD players, the DVD album obviously will play in DVD players and computers with CD-ROM drives or ones that can play DVDs. The latter feature enables the music to be transferred off the disc to portable players, or burnt to CDs.

Wmg also has plans to allow the DVD album to unlock content from online locations, and it will also allow for the album artwork and liner notes to be downloaded to the computer. The DVD album can also carry ringtones, which some discs already do, or allow users to create mobile content from the music on the disc, according to sources. How all this will work is unclear because Wmg isn’t officially talking about it.

“We think this is the way to give the consumer extra bells and for the industry to maintain a two-configuration business,” one Wmg executive says. Wea has tentative plans to soft-launch the DVD album in the fall.

Needless to say, retail is bullish on Wmg’s plans, but it was also bullish on the DualDisc, and so far hasn’t been a resounding success. In fact, if Sony BMG continues to push that format and Wmg starts pushing its DVD albums, it likely will leave the consumer more confused than ever.

**NEW(O) PROMO TACTICS:** Trust Bob Chippard to wield his expertise as well, only he can. Chippard’s Concrete Marketing is renowned for its lifestyle marketing of hard rock and alternative genres. So it should come as no surprise that he’s played off the recent Billboard cover story about labels working music in strip clubs by putting together a promotion with Exotic Dancer magazine to help labels bring tracks to those venues. The company is planning four samplers that will be delivered to DJs in 2,000 of the “best” gentleman’s clubs in the United States. To ensure participation, DJs will have to provide feedback to qualify for a contest with a cash prize. Don’t tell me that Chippard doesn’t know how to work singles as well as anybody in the industry.
Wheeling And Dealing
This Summer Sees A Slaw Of Signings And Acquisitions

Deal-making is in full swing for publishers this summer. EMI Music Publishing has landed hot new songwriter Kristal “Tytewriter” Oliver, who hails from Philadelphia. We had a chance to hear some of her songs in April when Oliver met with EMI’s Jessica Rivera, director of creative/ A&R, East Coast, and Big Jon Platt, executive VP of urban music. She is definitely one to watch.

“The first time I heard a song written and performed by Kristal, I knew I had to meet this girl and be a part of the team to take her songwriting career to the next level,” Rivera says. “Her songs are so conceptual, and tracks are a playground for her melodies.”

Oliver co-wrote MTV’s “Making the Band” act Da Band’s first single, “Show Stoppin’” (Bad Boy Records). Her songs have been recorded and are in the running to be on forthcoming albums by Mario (J Records), Paula Campbell (Sony) and Mya (Motown Universal), among others. Separately, EMI inked a licensing deal with Lyric Jeans, the music-inspired clothing company. The publisher’s catalog will be used for lyric-driven premium denim wear.

Songs in the catalog that may end up appearing on legs near you include “Rebel, Rebel,” “Daydream Believer,” “Stop in the Name of Love” and “What’s Going On.”

Lyric Jeans says that each pair of jeans reflects the personality, style and flare of the artist and song through its design. Universal Music Publishing Group announced a deal with the company in May.

TAKING ROOT: Warner/Chappell Music is the new home for Timbaland’s entire back catalog. The publisher acquired the catalog as part of a deal in which it re-signed the songwriter/producer.

Warner/Chappell reports that the catalog includes more than 40 top 10 songs on various Billboard charts, including Missy Elliot’s “Get Ur Freak On” and Justin Timberlake’s Grammy Award-winning “Cry Me A River.”

Timbaland is executive producer of Nelly Furtado’s current album “Loose,” which debuted at No. 1 on The Billboard 200. He co-wrote nine of the 12 songs on the album including the No. 1 single, “Promiscuous.” Timbaland’s upcoming projects include Timberlake’s highly anticipated sophomore album.

During the past 10 years, Timbaland has also collaborated with such acts as Jay-Z, Ginuwine, Destiny’s Child, Aaliyah, Bubba Sparxxx, LL Cool J, Tweet, Lil’ Kim, Bjork, Hilary Duff and Jennifer Lopez.

A FAMILY AFFAIR: Music Sales Corp. not only acquired the publishing rights to the catalog of lyricist/composer Carl Sigman, but tapped the services of Sigman’s eldest son Michael as well.

Carl Sigman, who died in 2000 at 91, wrote about 800 songs during his six-decade career. The catalog that is moving from Major Songs to Music Sales includes Sigman’s share of such classics as “Where Do I Begin (Love Story Theme),” “It’s All in the Game,” “What Now My Love” and “Arrivederci Roma.”

Michael Sigman, who was president/publisher of L.A. Weekly for nearly 20 years, will have a frequent presence at Music Sales West in Santa Monica, Calif. He will work closely with the company to bring more vitality to the catalog, the company says. Recent covers of the catalog include the Pussycat Dolls’ version of “Right Now,” Barry Manilow’s “It’s All in the Game” and Rod Stewart’s “Crazy She Calls Me.”

Music Sales is expected to publish a comprehensive Carl Sigman songbook.

A SUMMER THONG: Dimensional Music Publishing has snagged Atlanta-based songwriter/producers Tim and Bob (aka Tim Kelley and Bob Robinson), who signed a worldwide co-publishing deal.

Tim and Bob co-wrote Sisqo’s “Thong Song,” which went to No. 1 on the Rhythmic Top 40 chart in April 2000, as well as Jon B.’s “They Don’t Know” and songs for Boyz II Men, TLC and many others. Tim and Bob also produced and co-wrote Bobby Valenite’s “Slow Down,” which peaked at No. 8 on The Billboard Hot 100 in May 2005.

The duo is in the studio writing and producing tracks for upcoming albums by Valentino and Brian McKnight.
Star Power Dim, Country Fests Play On

With So Many Top Talents On Tours Of Their Own, It's Been Slim Pickings For Some Regional Events

NASHVILLE—With Faith Hill & Tim McGraw, Kenny Chesney, Rascal Flatts and Toby Keith all on the road, it is a hot summer for country tours. But with these acts playing arenas and amphitheaters, how is it affecting fairs and festivals, which traditionally count on at least a few of the top acts to fill their bills and bring in crowds?

It depends on whom you ask.

Buddy Lee Attractions co-owner Tony Conway calls this summer’s slate of heavy hitters “unusual,” because everyone that I can think of that’s a headliner, except for Shania [Twain], is touring and not doing fairs and festivals.

Still he says, “This could be the healthiest fair and festival season we’ve seen in four or five years. I don’t think it’s affecting the fairs and festivals as far as not having the amount of talent they want or the level of talent they want.”

But Rod Essig, senior agent for Creative Artists Agency, says it is harder for fairs to compete. “It’s affecting fairs and festivals a lot, because they’re making an offer for one show and a [national tour promoter] is making an offer for 40.”

Radius clauses are also a factor. Most of [the tour promoters] put in a 150-mile radius clause and most of these festivals are within 150 miles of a major metropolitan area,” Essig says. “It has a huge effect on someone like Eric Claire or Cadillac [Wis]. If you’re playing Minneapolis, you can’t play [those festivals].”

While the length of time the clauses cover vary, they generally cover 60-90 days on either side of a show date.

Gil Cunningham, president of Neste Event Marketing, books eight festivals, including two in Canada. He says the bigger problem is the support acts that major tours take out of the fair mix, such as Dierks Bentley, Sugarland, Gary Allen and Joe Nichols. Whatever support acts [the tours] have won’t be able to play” festivals in that market, he says, due to radius clauses.

Triangle Talent CEO Dave Snowden, who books talent for roughly 20 fairs from Utah to Florida, believes the tours affect fairs and festivals because they’re taking money out of the market, so people’s discretionary income is tapped out when it comes time to buy tickets to see acts at the fair.

Furthermore, the amount of tours may be hurting the overall country market. A recent Chesney date at Freedom Hall in Louisville, Ky., didn’t sell out, even though he had sold out the previous five years, according to Snowden.

While Snowden counts high ticket prices and high gas prices as factors that can hurt fairs shows as well, he’s positive. “I think tickets sales are running pretty well where they have been in the past,” he says. “No big surprises yet, but there’s still time for things not to go as we had hoped.”

Some of the larger state fairs have grandstands that rival amphitheaters in the number of people they can accommodate. More than other summer events, they both compete with, and benefit from, the major tours. Their large grandstands mean they have more seats to fill, but that also means they have the ability to attract top tours and are often added as a stop on a tour that is primarily hitting amphitheaters.

Conway says it’s “tricky to book” the big fairs because they compete with amphitheaters and arenas for talent, but some, like the New York State Fair in Syracuse offer a great lineup.

“This year we kind of hit the jackpot as far as the touring time and our routing,” says Joe LaGuardia, marketing director for that event, which has Keith Urban, Rascal Flatts, Keith, Carrie Underwood, Gretchen Wilson and Jeff Foxworthy for its Aug. 24-Sept. 4 run. “Our schedule is predominantly country because these folks were available and it literally becomes a no-brainer. I think you’d be a fool to turn them down.” Last year’s fair included only two country acts: Keith and Alan Jackson.

“We’ve become creatures of the touring cycle during that time period,” LaGuardia adds. “We have to select from what’s available during that August-September window. Some years it will be more diverse than other years.”

FILLING THE VOID

While Chesney and McGraw & Hill might not be available, other acts are: Urban, Jackson and Martina McBride aren’t doing full-blown tours, but are doing festival dates. “For some reason, it seems that it will always level itself out,” Essig says of the available talent pool.

And when mainstream country acts aren’t available, such performers as Kid Rock, ZZ Top or John Mellencamp may fill the bill at the fair. “They draw the same crowd basically,” he says. “You can do a crossover and the country audience will like them.”

Cunningham agrees that bookers are also opting for acts from other genres. “They’re looking more at contemporary rock, they’re looking at comedy, they’re looking at classic rock,” he says.

But there are still solid country choices, Cunningham believes. “There are a lot of country acts that a major artist might not want on tour, but work great in a festival setting—acts that put on a great show and people enjoy,” he says. “Getting a major act is very important, but the quality of the act is also important to the festival promoters.”

In a heavier-than-normal country touring season, new acts like Keith Anderson, Jason Aldean and Josh Turner have benefited. Cunningham says, “They have played more festival and fair dates” than they might in another less-crowded year. “and so far have done well.”

And there’s a financial benefit for fairs. Cunningham says: “They might be able to buy one of those acts for $10,000 or $15,000 less than one of the mid-range acts they were [originally] interested in.”

Pavarotti Cancels Tour

Singer’s Operation Ends Farewell Trek; Plans To Return In 2007

Superstar tenor Luciano Pavarotti underwent surgery for pancreatic cancer in early July after doctors in New York found a “malignant pancreatic mass” during routine medical checkups. He continues to recover in an unnamed New York hospital. According to reports, the mass was completely removed during the surgery. However, the 70-year-old singer has cancelled the remaining 2006 dates on his worldwide farewell tour; his management and the tour producer, Harvey Goldsmith, plan to restart in 2007.

In December 2004, Pavarotti announced that he would undertake a 40-city farewell tour. So far, Pavarotti has sung about half the planned performances. A number of dates this year have been cancelled due to other unrelated health issues, including complications from back and neck surgeries. In a prepared statement, the tenor’s manager, Terri Robin, said, “Mr. Pavarotti is recovering well and his physicians are encouraged by the physical and emotional resilience of his patient. Mr. Pavarotti remains under the care of a team of doctors in New York and will undergo a course of treatment over the coming months.”

The singer made his operatic debut in Italy in 1961; opera aficionados remember signature performances during the height of his stage career in such operas as Donizetti’s “La Fille du Regiment,” Puccini’s “La Bohème” and Verdi’s “Un Ballo in Maschera,” among other works.

To millions of other fans worldwide, he has become a beloved figure as well, especially through his arena and stadium appearances with fellow singers Placido Domingo and Jose Carreras as the Three Tenors. His activities in charity are also well-known, including a series of “Pavarotti and Friends” concerts that have paired him with other stars like Bono, Mariah Carey, Sting and Celine Dion. A specific diagnosis of the singer’s pancreatic cancer has not been disclosed, nor have the specifics of his ongoing treatment.
A Forceful Approach

U.K. Act Dragonforce Storms The States, Nabs Ozzfest Spot

Six months ago Dragonforce was a veteran metal band with no real sales history in the United States. The U.K.-based act had a burgeoning following in Europe, but was mired in lineup changes and label instability. It also had played only a handful of dates in America. Additionally, the band’s metal subgenre—power metal, or as the band calls it, “extreme power metal”—hasn’t been in favor in the United States since the 80s heyday of Iron Maiden. “We didn’t know a lot about the band. It was really an unknown European-type metal band,” says Brian Meade, senior VP of marketing and label relations at Fontana Distribution.

And yet the act has become one of the summer’s biggest priorities for New York-based Roadrunner Records. In three weeks of release, the act’s “Inhuman Rampage” has sold 23,000 units in the United States, according to Nielsen SoundScan, and rests at No. 7 on Billboard’s Top Independent Albums chart. When the album was released three weeks ago, retail sources estimate that Roadrunner shipped 60,000 units.

Roadrunner VP of marketing Bob Johnson says the act has sold 85,000 copies of the album internationally. In most territories, “Inhuman Rampage” was released in January, and Roadrunner has the album, which it is licensing from Sanctuary Records, in the United States, the United Kingdom, Canada and Australia. The act’s previous two albums, released on Noise Sanctuary, have sold a combined 18,000 units in the United States. This one easily could have followed suit, and things got off to a foreboding start.

The band was slated to play a sold-out show at CBGB in New York last November, but was denied entry into America. Dragonforce vocalist Herman Li apparently shares a name with someone on the FBI’s watch list. Roadrunner A&R exec Mike Gitter says once immigration issues were sorted out, Dragonforce booked a brief U.S. tour for early 2006. It played venues in the 900- to 1,000-capacity range, which is typical for the types of metal bands that labels swear are “big in Europe.”

But a date at the Whisky A Go Go in Los Angeles was caught by Ozzfest bookers, and the band, Johnson says, “received an offer the next day.” Typically, any band that hasn’t sold 100,000 units is forced to pay about $70,000 to perform at Ozzfest, according to label sources, and the circuit is a huge expense for budding acts. Johnson declines to go into detail on the band’s Ozzfest agreement, but if indeed the band received an offer and didn’t pay its way on, other Indies that have had to pay fees for artists likely won’t be pleased.

A representative for Ozzfest says Dragonforce has already earned its spot. “There were many reasons why Dragonforce are opening the main stage. The main one being they are amazing,” the rep says, calling Dragonforce “possibly the future of heavy metal. Their albums, until this new one, were only available as import records, and they scanned impressive numbers there as well.”

The Ozzfest rep takes issue with the idea of acts paying to be on the festival. “Bands do not pay for slots, their labels are required to purchase them into our marketing plans ... They get that money’s worth of marketing through the Ozzfest Summer Sampler, commercial time on the Jumbotron, Web banner placement on ozzfest.com, OZTV videos on ozzfest.com, full-page ad in the Ozzfest tour program, news blasts and contest to our extensive ozzfest.com e-mail database and much more.”

ON THE SIDE: Caroline Distribution will be working releases from 859 Recordings, a label started by Keith Wood, former head of Rough Trade America. Its first release is the debut from the Fiery Furnaces’ Matthew Friedberger. The two-disc set features one disc of relatively accessible material and another of more experimental work. No other releases are planned. While Wood says it’s too early to discuss 2007 plans for the imprint, he indicates through a representative that it could become a home primarily for the side projects of already-established acts.
Music Players To Go Wi-Fi?

As Microsoft and Apple Battle, Upgraded Products May Boost Digital Sales

If the rampant speculation over the digital music plans of Microsoft and Apple Computer are to be believed, the digital music landscape is about to radically change in the near future. Both are said to be reading portable digital music players in time for the holiday sales season that significantly raise the bar on features and functionality previously unavailable in their respective product lines.

That Microsoft may actually introduce an MP3 player at all has generated the largest amount of buzz. Such a development would mark a major shift in the company's strategy. To date, the Xbox game console is the only product Microsoft makes itself. Historically, the company's model has been to license its technology to those actually creating the hardware and services, and fostering an ecosystem of developers.

But in the digital music market, neither the MP3 player manufacturers nor online music retailers using the company's technology have proved capable of successfully competing with Apple's iPod and iTunes Music Store. Introducing its own combined device and service essentially is a vote of no-confidence in the very ecosystem the company has been trying to create.

Microsoft has not commented on the rumors for Microsoft to mount an effective challenge to Apple, analysts say, it will have to bring something newer and/or better to the table than what the iPod currently provides. The consensus among several industry sources is that Microsoft will attempt to do this with a device featuring a Wi-Fi wireless Internet connection. This would allow users to download music and other content directly to the device without using a PC.

Whether this tactic will prove to be Microsoft's silver bullet remains a matter of debate.

"It's a nonissue," Jupiter Research analyst Michael Gartenberg says. "It's something that the geeks are into, but Wi-Fi isn't mainstream or ubiquitous enough to affect the masses."

Besides Wi-Fi's penchant for eating up battery life, Gartenberg says that the idea of music search and discovery on a handheld device is a user-interface nightmare, which makes it a questionable Lynchpin. Instead, he has been a device that builds upon the key factors that made the iPod a hit—design, usability and marketing.

Its success with the Xbox proves Microsoft has the ability to develop hit products and the willingness to back them up with extensive lifestyle marketing campaigns. In fact, the same team responsible for the Xbox reportedly is behind this new entertainment initiative.

Meanwhile, Apple is not expected to stand idle. The company is rumored to be working on a Wi-Fi-enabled iPod itself. Piper Jaffray analyst Gene Munster notes that Apple, which normally releases two new iPod models every 12 months, has yet to unveil a new product in the series this year. He expects Apple to introduce a wireless version of the iPod this fall.

Other Apple parent applications point to interest in text-to-speech and speech-recognition capabilities that would enable the iPod to "speak" song titles and allow users to give voice navigation commands. Additionally, there's the "real" video—Pod feature a touch-screen display, and of course the long-rumored iPhone.

All of this is good news to the music industry. Microsoft and Apple have the clout to do much more than just get existing iPod owners to replace their old devices.

"If these scenarios pan out, and we get some interesting products out there, the potential is that these could be devices that attract more consumers to buying more digital downloads than physical CDs," says Michael McGuire, an analyst with Garner G2.

But it's really the rumblings of an integrated device and service from Microsoft that has the music industry abuzz, and that's a significant feat, given the hype factor Apple has enjoyed to date.

Analysts suspect many consumers have not made the transition to digital music because they see it as Apple's domain and not a real market shift.

"It is important to have more than one or two vendors if you want the market to grow rapidly," McGuire says. "It is an actual ecosystem as opposed to a smaller ecosystem dominated by one company."

Additionally, music industry execs who publicly praise Apple's establishment of the space have been waging a silent war with the company over exactly how digital music is sold, with such issues as variable pricing and device interoperability as battlegrounds.

If executed well, priced reasonably and backed by an extensive marketing campaign, a Microsoft challenge could put the stage for real competition to the iPod.

"Another strong player who can grow the market overall and take away some of the power Apple wields in negotiations is something people are quietly rooting for," Gartenberg says. "If the rumors are true, it will be an interesting fall."
SORRY! Got carried away with the wild and wonderful Beatles show in Las Vegas last week so now we can catch up on things—like last week's coolest song in the world from Dirty Pretty Things and this week's from the Living Things.

The Libertines were all the rage in England for 15 minutes, but in 2004 co-leaders Pete Doherty and Carl Barat went their separate ways mostly due to Doherty's open, unapologetic and consistent drug use. Not to mention being jailed for burglarizing Barat's flat.

Doherty went on to form Babyshambles, and Barat put together Dirty Pretty Things with Libertines' drummer Gary Powell and second guitarist Anthony Rossomando and former Cooper Temple Clause bassist Didz Hammond. Their debut album is "Waterloo to Anywhere," and our coolest song is "Bang Bang You're Dead!"

The band will do a handful of showcase dates in August, but we're going to try and get them back for more shows in the fall. And there are more cool things this week with our coolest song, "New Year," from the Living Things' debut album "Ahead of the Lions.

It is a band of brothers—Lillian, Eve and Bosh Berlin, with Corey Becker—from St. Louis. Produced by Steve Albini (Nirvana, Pixies), the fact that the Berliners are battling brothers bodes well (à la the Everly Brothers, the Kinks, Oasis).

In other news, Live Nation just bought House of Blues, and the Hard Rock Cafes are for sale in case you need a hamburger. Rhino got a new rockabilly box called "Rockin' Bones," their boxed sets are always the best. EMI and Warner Bros. are still engaged in pre-manual feuding. Don't they know you're supposed to merge first, then go to war like Sony and BMG? See you next week.

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**COOLEST GARAGE ALBUMS**

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Skip Hop Down Under
Burgeoning Genre Is Long On Talent, Short On Producers

SYDNEY—A fresh crop of domestic hip-hop talent is budding Down Under, but will Australia's so-called "skip hop" mature and prove an exportable vintage?

The sector's made huge strides in the past six months, in terms of consumer awareness and radio interest," says U.S.-born, Sydney-based Universal Music Australia urban/hip-hop A&R manager B-Side. However, B-Side concedes, Australia and New Zealand are still short on experienced hip-hop producers who can make international-quality records.

In the last 12 months, Hilltop Hoods (Obese), the herd (Elefant Tracks), 1200 Techniques (Rubber/Sony BMG), TZU (Liberation), Butterfinger (Valley Track/Warner) and Phrase (Universa) have enjoyed degrees of crossover success in Australia.

In April, Hilltop Hoods' fourth album, "The Hard Road," became the first domestic hip-hop album to top the Australian Recording Industry Association chart. The band is one of 27 domestic hip-hop acts signed to Melbourne-based independent Obese. "It's an exciting time," the Hoods' manager PJ Murton says. "New acts are coming through, regularly gigging and recording. (Mainstream) radio is widening its support—it can see there is a huge audience for this music—and major labels are talking to acts."

Sony BMG Music Entertainment Australia and New Zealand chairman/CEO Denis Handlin confirms the major is "very interested in the Australian hip-hop scene." Sony BMG has two hip-hop acts on its roster, Che Fu and Pigfiddal. But despite increased radio support, Handlin says touring remains "the best way to break hip-hop acts."

The strong local identity of the skip hop acts is also important for fans, says film director Oriel Guthrie, whose 2005 documentary "Skip Hop," which chronicled the rise of the domestic scene, comes out July 15 on DVD through Rubber Records.

"These acts in Australian accents and talk about their lives here, rather than in Brooklyn or Compton," Guthrie points out. Several domestic acts including Butterfinger, the Herd, Downslyde (Obese) and Hermitude (Elefant Tracks) are mak- ing plans for overseas shows this year. While rapping in English should give them an advantage over acts from non-English speaking European and Asian countries, local execs concede Australian accents may prove a barrier to record sales.

"American audiences expect a certain sound and look, and the Australian accent can sound strange," admits B-Side, who previously held A&R roles at Epic, Loud and Universal in the United States. Still, he believes the music's quality and diversity will prevail internationally.

Not all of the current wave of hip-hop talent Down Under hails from Australia—its leading lights include several New Zealand acts with Maori or Polynesian backgrounds.

Key names include Che Fu, who has shipped a total of 92,000 units across his first two albums in New Zealand, according to Sony BMG, which will locally release third album "Underneath the Radar" July 22. Other Kiwi acts with healthy sales in New Zealand include P-Money (Dirty/Warner) and Ne-sian Mystik (Bounce) as well as MC Scribe (Dirty/Warner)—whose 2003 debut album, "Cru- sader," has shifted 65,000 units, according to Warner.

Warner Music Australia president of A&R Michael Parisi says Scribe's October-scheduled sophomore album will be an international priority. WMA has licensing deals with New Zealand urban labels Dirty Records and Dawn Raid, and has also licensed DJ Peril's album "King of the Beatz" from New Zealand label Fly Music for a July 22 Australian release.

Parisi suggests that New Zealand "is doing more adven- turous and interesting hip-hop" than Australia. Other NZ hip-hop labels like Move The Crowd and Major Flavours have licensing deals with Universal Music Australia. Skip hop's emergence has not gone unnoticed by mem-

bers of the international hip-hop community. While on tour in 2005, Black Eyed Peas member Will.I.am told Australian media he aimed to base himself in Sydney for six months for each of the next few years to develop acts for his William I Am Music Group imprint. "There's a greater diversi-

ty in hip-hop here than in America," he told Billboard. And U.S. DJ/producer Jazzy Jeff is heading to Australia to co-host and perform at the inaugura-

l Urban Music Awards July 21 in Sydney, organized by event management/marketing company Qi Media. He says he wants to work with Aussie acts because "the music has that purity and enthusiasm American hip-hop used to have before it became obsessed about money."

PUBLISHERS, EU SOCIETIES REACH ACCORD
Prompted By EC Recommendation, Groups Set Stage To Ease Pan-European Digital Licensing

After months of negotiations, music publishers and European collecting societies have set the stage for digital music services to have an easier time securing Pan-European licenses for re-

corded compositions. ICMP/Ciem, the global trade associ-

ation of music publishers, and GESAC, the European umbrella organization for collecting so-


cepted a "common declaration" to begin adjusting the way rights in compositions are managed throughout the European Union.

The declaration responds to the European Commis-


sion's formal recommenda-


tion fees by multiple societies. A negotiating committee for the ICMP/Ciem and GESAC hammered out the common declaration, which the two groups adopted July 7. They agreed that membership in societies will be open to all music publishers as rights holders, who may elect the society of their choice to manage their online rights. Publishers will be eligible to join the govern-


ing board of societies, with at least one-third of the seats dedicated to music rights holders. The societies must re-

port regularly to all rights holders they represent on any licenses, royalty rates, collec-


tions and distributions. They must also inform all rights holders of the repertoire they represent, the territorial scope of their rights and on existing reciprocal agreements with other societies.

Since granting online rights may involve reproduction and performance rights repre-


tative by ef-


ce of exploitation. Licenses for each category will include the different rights required for that type of exploitation. The groups promised to en-


courage their members to im-

plement these points within the next 12 months. The decla-

ration effectively encourages the publishers and societies to also request their national gov-

ernments to make necessary changes in their laws.

"This declaration provides a good opportunity to strengthen confidence be-


tween the two organizations," says Bernard Miyet, GESAC president and chairman of French society SACEM. The groups agreed to "move forward in successive steps" addressing the way so-


ce societies manage the var-


ous rights involved with on-


line exploitation of composi-


tions and further cooperation between societies.


www.americanradiohistory.com
Japan’s Podcasting Progress

Will New, Lower Licensing Fees Kick-Start An Audio Revolution?

TOKYO—The recent introduction of reduced podcast license fees for authors rights in Japan was intended to help the medium develop in the world’s second-biggest music market. But many remain unconvinced about the podcast’s progress.

JASRAC transmission rights department manager Satoshi Watanabe says the body has begun receiving some license applications from broadcasters and telecom companies since the new rate structure was introduced June 1. However, Japanese record labels have been slow to embrace podcasts as a promotional tool.

Until the new rates came into effect, Japanese podcasters using music in their programs had to pay JASRAC royalties at a rate of 5.5 yen (5 cents) per song. Podcasters complained the rate was too high, so JASRAC drew up a new scale, worked out in cooperation with industry body Network Music Rights Conference (NMRC), which represents providers of Internet-based content and ringtones.

Under JASRAC’s new “audio program” category, royalties for programs such as podcasts—which cannot be received in segments and include music plus spoken-word commentary—are for the most part calculated on a per-program basis.

Different royalties for music used in podcasts now vary according to when or whether they expire, whether they include paid advertising and whether users are charged a fee to download the podcast. For example, podcasters whose programs have no expiration date, do not contain any advertising and do not charge download fees must pay a royalty of 3.5 yen per program. If three or more tracks are used per program the rate changes to 2.7 yen (2 cents) per track.

“Our licensees are required to report how many times their programs are downloaded in a month, then we calculate a monthly royalty,” Watanabe says.

Sho Iwase is director of international relations at Ebisu-based digital distribution company Rightscale, parent of Tokyo-based production company Podcast Music Japan. “Podcasting itself is still very new,” he says, “and Japanese companies tend to have the mentality of waiting until someone tries it out, which was evident from the sudden surge in music downloads and e-tailers after the [August 2005] arrival of iTunes in Japan.”

Soribada agreed to sign up for 3,000 won ($16.3) a month and a download service for 500 won (52 cents) per song.

Soribada’s latest version remains a unique combination of P2P and pay technologies. Consumers provide the songs to share with others and the company promises to filter out music that has not been authorized.

Following several conflicting court rulings over the years, including an Oct. 31, 2005, shutdown order by the Seoul Central District Court, Soribada finally reached an agreement with the Korean Assn. of Phonogram Producers on Feb. 27 to turn the operation into a paid P2P service. Soribada agreed to pay 8.5 billion won ($9 million) in penalties in exchange for an end to civil and criminal proceedings. Soribada originally announced its new paid service would launch in April, but technical problems and disagreements over pricing led to delays. —Mark Russell

Universal brings Motown to France

Universal Music has launched the Motown label in France. French female hip-hop hitmaker Diam’s will serve as artistic director. As an artist, Diam’s remains linked with EMI/Hostile.

“This won’t be a replica of Motown U.S., which would be impossible anyway,” says Olivier Nusse, managing director of Universal France’s label ULM, to which Motown France is attached.

Sebastien Catillon joins as label manager. Until recently, Catillon was A&R director at Up Music/Warner. He is credited with signing Diam’s to EMI and Snik to Warner. Nusse says the label will release projects in various genres from soul to French chanson. Executives anticipate signing two artists each year, with a first album to be released before summer 2007. —Aymeric Pichevin

>>ZELNIK NEW IMPALA PRESIDENT

Patrick Zelnik, president of Paris-based independent label Naive, has been appointed president of Impala, the Pan-European independent labels trade body. Zelnik will be joined by Martin Mills, chairmamt of London-based Beggars Group, in the newly created position of Impala chairman.

The two executives succeeded Michel Lombot, who until now combined his duties as president and chairman of Impala. Lombot, co-chairman of Brussels-based PIAS Group/Vital, resigned after leading Impala for seven years; he will remain on its board. The dual roles were separated due to the trade body’s fast-growing workload, which include lobbying regulators to check the dominance of the major labels.

Brussels-based Impala has also named two new VPs: Horst Weidenmueller, CEO of Berlin-based J7, and Hein Van der Bee, managing director of Epitech Europe in Amsterdam. The new structure ratifies elections held at Impala’s June general meeting in Oslo.

—Juliana Kormet
AEG Live’s German Joint Venture
Deutsche Entertainment AG is AEG’s ‘Preferred Promoter’

Concert promoter Deutsche Entertainment AG and Anschutz Entertainment Group have forged an alliance for the German touring market.

In a statement, Berlin-based DEAG says it will be the “preferred promoter” for tours that AEG’s touring division AEG Live brings to Germany. DEAG’s management says it anticipates a “significant increase of activities in the live touring segment” thanks to the cooperation.

AEG Live CEO Randy Phillips describes the new pact as “primarily a joint venture, which combines the calendars of the Wallis Annenberg Center for the Performing Arts and the O2 World. DEAG’s state-of-the-art, 17,000-seat arena currently under construction in downtown Berlin.”

Phillips stresses, however, that the deal does not exclusively tie the two promoters to each other.

“DEAG Live and Peter Rieger or others,” he adds. “AEG Live is, as always, an artist-driven company and frequently co-promotes on our tours.”

In 2005, DEAG formed a joint venture for Germany with ticketing giant Ticketmaster to launch an electronic-ticketing distributor.

DEAG is expected to announce in coming weeks the establishment of a joint company with a renowned U.K. promoter for the British market. AEG Live produced the hugely successful Bon Jovi tour.

Dynamic Trio: With Arthur Fogel and Michael Cohl flanking him, Live Nation CEO Michael Rapino has a pretty formidable trio in the world of global touring. Fogel, president of Live Nation’s international touring division TNA, is also now music chairman of the company.

As previously reported, Live Nation has taken a controlling interest in Cohl’s CPI and a 50% stake in his Grand Entertainment—best-known as the worldwide promoter of the Rolling Stones. At the same time, Cohl joined Live Nation’s board of directors, which expands to 10 seats.

Fogel’s resume for just this year includes Madonna’s Confessions tour and U2’s Vertigo tour, with the latter sitting at the best-in-history mark of $333 million gross. Cohl is producing the Stones’ current biggest Hang tour, which will likely top Vertigo, and is gearing up for Barbara Streisand and, sources say, the Who.

Together, Cohl and Fogel have produced some of the biggest tours the world has ever seen, and now they’re reunited at Live Nation.

The recent acquisition of House of Blues seriously adds to the Live Nation portfolio, which undoubtedly will continue to grow with an increased international slant.

“Having Michael Cohl and Arthur Fogel really at the table with me running this company has taken two of the greatest and put them in a vested interest around Live Nation,” Rapino says. “That was a great start in assembling the right players that wake up every morning worrying about the whole company. And now this move [buying HOB] will start to solidify to our employees and the marketplace how committed we are to growing Live Nation.”

Additional reporting by Wolfgang Spahn in Germany.
The digital entertainment conversation to date has been dominated by two tech behemoths—Apple Computer and Microsoft.

Looking on the horizon, however, is yet another Internet-economy giant quietly making its presence felt—Google. Known by many simply as a search engine, Google's ultimate goal is to harness the vastness of the Internet via a growing suite of Internet services of various flavors.

Speculation has been rampant that Google is mulling a music service as a follow-up to its recent Google Video venture. If true, it could mount a significant challenge to the closed system offered by Apple.

But Google is famously tight-lipped and guarded about its plans, rarely discussing specifics about any product not immediately available.

This is due in part to typical cautiousness by a public company largely considered the face of the modern Internet. But much also is attributed to Google's take- it-as-it-comes corporate philosophy.

In many cases, even senior Google executives do not know where the company is headed. That's because Google's strategy is to create technologies and services that can take multiple forms based on emerging market realities.

It's a model that has helped Google adapt to the rapidly changing landscape of the Internet, and one Google VP of product management Susan Wojcicki tells Billboard could be best replicated by an entertainment industry still struggling to adapt to a new digital world.

In a rare interview for a high-level Google executive, Wojcicki discusses the company's entertainment vision of the future.

Q: Many people think Google is just a search engine. Where do you think Google fits in to the broader Internet landscape?
A: We're a search company, and we'll always be a search company. Our mission is to enable users to connect to the right information when they want it. One of the directions we've been going has been enabling users to connect to new types of information, such as movies, books and music, for example.

Q: That's got to be quite a challenge given the explosion of digital entertainment available online today.
A: With broadband adoption increasing, users are able to access new file types—music and movies—much faster. It's led to an opportunity for users to discover and find new types of entertainment that otherwise they wouldn't have known about. That's the challenge. As more and more content is created, you need a tool to recommend information to you and find it when you want it. It's both an opportunity and a challenge.

Q: Can you shed any light on your plans specific to digital music?
A: We don't have anything to announce right now in terms of future music plans. At Google we're always innovating and doing new and different things. We don't talk about products that we haven't released, and we don't talk about the future. Because we're not always sure what products are going to be in the future. We think there's a lot of very successful products out there already, and our goal is to innovate in new and different ways—mostly to improve our search.

Q: What have you learned about digital entertainment since introducing Google Video?
A: With video, we've seen a lot of interest in user-generated content. The tools today allow you to do this with a cell phone and an Internet connection. So suddenly you don't have a small set of people creating content, you have billions of people who can create content and share it with another set of billions of people. That's very powerful.

The other thing that's been happening on the Internet is that really been fascinating is how community has been leveraged to recommend and find other types of entertainment people would have known about.

Q: But for all this ability for end users to virally distribute and discover content online, there's an entertainment industry focused on controlling how that takes place. Where do you draw the line between user freedom and content control?
A: Content that's popular online in a viral way is very, very popular. Content that is protected doesn't allow for that viral sharing and viral adoption that you can get with content that is more user-uploaded. There's an opportunity for promotion with that kind of content. Content owners need to think about the right way to leverage that so they can benefit from that kind of promotion as well.

We want to provide the tools and services for a content owner to distribute and sell their content the way they wish, and we'll be agnostic to whatever choices they make. That said, we'll also see how content is consumed.

Q: Do you see any conflict between these user-community sites and the more established distribution models favored by content owners?
A: Their content is so different from what the user-generated experience is that those two types of media are complementary rather than competitive. I think user-generated sites are a great promotional vehicle, not a replacement one.

Q: What is the biggest threat to the digital entertainment future?
A: There are very large opportunities provided that the business models can adjust with the new distribution mechanism. I think one of the biggest barriers is being stuck in an existing business model that might make sense to evolve. I don't know what the future business models will be, but I'm fairly confident that they will be different. Because of broadband adoption and storage capacity, the opportunity to sell and distribute music and even videos and books is very different than it was just a couple of years ago, and it's important for content owners to adapt to that.

Whether the new model is subscription or ad-supported or download-to-own, I think it's important that they experiment. The biggest barrier is not willing to try different models.

Q: What current business models do you feel won't work in this new landscape?
A: I don't drive anymore to rent a video. The reason is because there are so many mechanisms to get videos digitally or sent to me in the mail.

That's an example of where the business model has changed. There are new and more efficient ways for me to get that content. Another is with books. People are purchasing books online because the selection of books is more than any bookstore can hold, at an economic advantage. Those are just examples of how things will change. They will want more selection, delivered to them faster, with the ability to move it to any type of device and consume more of that content because it's so accessible to them.

Q: If you suddenly landed a job at a music label tomorrow, what is the first thing you would do?
A: Well, I think there are certainly opportunities for them to work with a search engine or a community site where people are sharing and recommending music to one another. There's an opportunity for the artists to build communities of their own. It's important that the music labels try a lot of different opportunities and work with a lot of distribution providers. Distribution will come from a lot of different places, and content owners should be looking for the maximum distribution for their content and be willing to adjust the model for each site that makes sense for each.
OUTKAST DUO Antwan Patton and Andre Benjamin are sitting in a suite at the Four Seasons Hotel in Beverly Hills picking at pancakes. They need to figure out the track listing for their upcoming soundtrack album, the companion to their film "Idlewild."

Zomba Label Group president/CEO Barry Weiss, pens in hand, writes out different scenarios. Patton keeps picking at his breakfast. Weiss leans back on the couch and says with a laugh, "We need to figure this out! We need this album to be done!" Patton and Benjamin smile. Patton nods, "We know. We're getting there."

Patton, aka "Big Boi," and Benjamin, aka "Andre 3000," are perfectionists as much as they are innovators. "Idlewild" would have been released last year if the music had been done.

"Because the album had been bumped, the movie has been bumped," Weiss says. "It's 100% about the music. It's not once been a concern from the music company; they just want to make sure the music is done and out there for TV spots and the film."

Now, after numerous postponements, OutKast is finally ready—sort of. They still keep going back in the studio to "tweak" some tracks. But come hell or high water, the LaFace/Zomba album will be released Aug. 22, with the film hitting theaters three days later.

"This is probably the first musical that didn't have the music done before it was shot," Benjamin says. "That has been the biggest lesson I've learned in this whole thing. Next time, we'll do the music first."

OutKast's manager Blue Williams calls the film and album a "crowning achievement" for the duo. "It's an ending of sorts, but it's also a leading-off point for both of them," Williams says. "They have accomplished a lot of things. We've sold more with each album. Now we want to have a No. 1 movie and a No. 1 album. Then the time will be right."

Both Patton and Benjamin have wanted to do solo projects. Fans have long noticed the duo venturing in different musical directions, most noticeably with the double album "Speakerboxxx/The Love Below" (2003). "Speakerboxxx" was Patton's album and "The Love Below" was Benjamin's.

It was Williams who discouraged the duo from releasing them as separate albums. "The world wasn't ready to accept a Dre solo record and a Big Boi solo record. After this, they will be."

This does not mean the end of OutKast. Williams simply says both have a lot of experiences that they want to channel into their own music. "I just really wanted to set them up the right way."

To do a film/album package has been a longtime dream for OutKast. "Idlewild" (Universal/HBO), directed by OutKast's friend and video director Bryan Barber, has been in the works since the group's 1998 album "Aquemini."

"We had a movie called 'Aquemini' with Bryan," Patton recalls. "It was crazy. We were so excited, but we had no idea what it took to put it all together."

Benjamin says with a laugh. "We didn't know it takes two years to put a movie out, and we had a script three months before 'Aquemini' came out."

Also at that time, OutKast, though critically acclaimed, hadn't yet broken through with multiplatinum "Stankonia" (2000) and "Speakerboxxx/The Love Below."

"We made a lot of progress since 'Aquemini,' " Benjamin says. "We were young. We were trying to put all our friends in the movie."

The duo had meetings with MTV, who Benjamin says loved the film idea for "Aquemini." However, the network wanted to buy the project and cast Missy Elliott and Busta Rhymes, who had more star power than OutKast.
"We're like, 'But this is our movie!'" Benjamin says. "So, it didn't work out. You have to have some appeal to get people in the theater, and we weren't big enough at the time, so I can understand why MTV would say that." Patton sighs. "We were heartbroken."

Not to be deterred, OutKast and Barber kept working on ideas, and "Idlewild" was born.

The film is set in Prohibition-era Georgia and follows two childhood friends and the business of running a speakeasy. Williams stresses that "Idlewild" is not a biography-type film like Eminem's "8 Mile" or 50 Cent's "Get Rich Or Die Tryin'."

"The characters are loosely based on our personalities," Patton says.

Benjamin concedes. "The characters are an extreme version of what we are."

There is a lifelong bond between the two main film characters even though they don't spend every second together. In fact, there are only three or four scenes that feature them together. The same is true in real life: Patton and Benjamin often record separately. Additionally, Patton goes on tour, and Benjamin no longer does.

"It's not like 'Beverly Hills Cop' or 'Rush Hour' where it's a buddy type of thing," Patton says.

It's also not a traditional musical. Benjamin and Patton do not spontaneously break into song. The songs are used in performance settings or as background music.

"I don't know if audiences are into those type of musicals like we were when we were kids when we saw 'Singing in the Rain.' Now, it's more like 'Purple Rain' than 'Singing in the Rain.'"

Weiss describes the film as "musical, creative and artsy."

"It's not bang-bang-shoot-'em-up," Williams adds. "Visual sensibility is pure OutKast." The biggest challenge the film faces is to attract a mass audience and not just an African-American crowd. "OutKast fans are not just black," Williams says. "Universal really has to market this to everyone."

Both of OutKast's last two albums were megasellers with singles and videos that crossed over into the mainstream, starting with "Ms. Jackson" in 2001. "Our fan base is so diverse—we've got 600,000 backpackers, 500,000 skaters and on and on," Williams says. "It's easy just to say this is a black movie, but it's not."

During the film's production, the duo would hit the studio after a day of filming to write music for a scene. Then, of course, they would change their minds and rewrite it. The bulk of the writing happened after the film wrapped, when they could just be OutKast, instead of Patton and Benjamin, the actors.

"We went into the studio and did what we normally do," Patton says. "But we kept in mind that it was a 1930s movie. We tried to keep ourselves hip and fresh, but at the same time keep that 1930s frame musically, so it all fit together.

For example, the first single, "Mighty O," which leaked in May and is No. 42 on Billboard's Hot R&B/Hip-Hop Songs chart, is a take on Cab Calloway's famous scatting from the 1932 recording "Minnie the Moocher."

"Mighty O" has been charting below expectations—some say the record isn't hot. "You have to work an OutKast record," Williams says. "It's not like sending a Justin Timberlake track to radio. You have to call them back. Different people need to hear it."

Williams says OutKast's music is "outside the box." While every music programmer in the business knows who they are, OutKast's songs are musically complex; it takes a few listeners. "I'm always waving the flag," Williams says. "No one is fighting me. But I have to wave the flag."

Island Def Jam Music Group chairman Antonio "L.A." Reid, who co-founded LaFace Records and originally signed the duo, says, "OutKast actually broadened my musical existence with their completely original approach to the art of entertainment. They are, without question, the greatest act I've ever signed."

Weiss says, "Mighty O" was only a set-up track to get the buzz going that Andre was rapping again. We didn't want to treat it like a normal single.

The real focus will be on the next two singles, Weiss says: Patton's solo track "Morrin Brown," which features Scar and Sleepy Brown (both signed to Patton's Atlanta-based label Purple Ribbons), and Benjamin's solo track "Idlewild Blue: Don't Chu Worry Bout Me."

"We're looking at 'Morrin Brown' and 'Idlewild Blue' as the first two official singles and videos leading into the movie and the album," Weiss says. "From there we'll figure out what the future singles are."

Retail is bullish about the new album. "They've built up a tremendous amount of good will," says Mike Fratt, head of Homer's music stores in Omaha, Neb. "I think if it'll have a monster first couple of weeks. I'd say they stand the chance of hitting that platinum mark the first week."

It's been three years since "Speakerboxxx/The Love Below," and both artists have been busy with side projects. Benjamin has been honing his acting chops, including a starring role in last year's "Four Brothers." Patton runs his own record label, owns a real estate company and even has an energy drink, Kryptonite.

One of the biggest misconceptions is that the pair never record together. Just thinking about all the rumors floating around on the Internet and in the tabloids makes Benjamin shake his head in disgust. "People say we are never in the studio together and that's just not true."

The duo are simply untraditional because they both have home studios.

"It's like working your hit," Benjamin says. "I produce a song then take it to Big Boi and say, 'Check out this or that.' Sometimes you want to work on ideas you don't have to worry about if it's good."

"We just think people have blown it out of proportion about us not being on a song together just because we're not singing or rapping."

Even though they may go in different directions musically, Patton and Benjamin, who attended the same high school in Atlanta, are friends til death do them part.

"We've been friends since we were in 10th grade. At the end of the day with no records, no movies, no nothing—we are friends, we are homeboys," Benjamin says. "I know I'm going to know this man until I'm pretty much out of here. I know his kids, he knows my kids. We all hang out together. We're talking about Antwon and Andre. That's something that was born, not out of music, but from hanging out in high school. We just decided to do music one day. We weren't two guys that a record company put together. You have to go back to the homeboyage."

Additional reporting by David Greenwald in Los Angeles.

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OutKast's "Idlewild" hardly makes the duo the only platinum pop stars interested in the silver screen. In the coming months alone, Justin Timberlake, Pink and Beyoncé will get top (or close to it) billing in their own flicks. But all that, ahem, glitters is not gold and selling millions of records is no guarantee fans will follow to the box office. Softie Sondervan, senior VP of feature film at Sony BMG, says that when starting a film, the first task is to find a good script and cast the best actors. "It's important not to lose sight of performance," she says. "Not all musicians are talented actors."

Artists who have attempted the transition have met with mixed results at the box office. Here are some of the biggest hits and misses from the past 30 years. —Jill Menze

**WILL SMITH**
*Independence Day*, 1996
$306.2

**OLIVIA NEWTON-JOHN**
"Olivia," 1978
$153.3

**WHITNEY HOUSTON**
"The Bodyguard," 1992
$121.9

**EMINEM**
"8 Mile," 2002
$116.7

**LL COOL J**
"S.W.A.T.," 2003
$116.6

**JESSICA SIMPSON**
"The Dukes of Hazzard," 2005
$80.3

**USHER**
"In the Mix," 2005
$10.2

**MEAT LOAF**
"Roadie," 1980
$4.2

**RUN-D-M.C.**
"Tougher Than Leather," 1988
$3.6

**VANILLA ICE**
"Cool As Ice," 1991
$1.0

For A Band On The Brink Of The Big Time, It’s A Tough Call: Go To A Major Label, Or Stay Indie? Todd Martens Reports On Six That Made The Leap

One need only look at the charts to see why the major labels continue to invest in the independent sector. Panic! at the Disco, AFI, Dashboard Confessional and Taking Back Sunday have all spent time in the upper echelon of The Billboard 200 of late. And all either jumped from an indie label to a major, or are on indie labels that have upstreamed distribution, promotion and marketing to a major.

The lure of major-label financial clout—whether it be big advances or the ability to afford huge marketing plans—is powerful. "You can't ignore the deep pockets of the major label for the overall marketing plan as inducement, nor the power that the major distributors have with retail," one indie label president says.

For an indie band that sold 300,000 units with its last album, a major might initially allocate anywhere from $500,000 to $750,000 to bring the act to a new sales level, major label sources estimate.

An indie label would probably spend half that, indie sources say. An indie would be likelier to treat a follow-up record with the same sales expectations of reaching 300,000 units, at least as far as a marketing budget is concerned. In addition, the budget would probably be pegged to initial shipment expectations, not final sales expectations.

"If the first single gets traction, and you have something else going on, then you are looking at a phase-two budget," Koch president Bob Frank says.

Regardless, indie bands that make the jump don't always land in a better position. In the digital age, blockbusters of all kinds—music and films—are selling less, and new venues of promotion start all the time. Bands on independent labels—or no label at all—are able to develop powerful, grass-roots followings and online buzz.

"Big radio was all powerful and didn't have any time for the indie labels," Sub Pop head Jonathan Poneman says. But now radio's power to break records is waning and being co-opted by the Internet, which tends to be much friendlier to indie labels, he says.

Thus bands, including Arctic Monkeys, Arcade Fire, Hawthorne Heights, the Shins, Lacuna Coil or In Flames, have stayed on their respective independent labels. Of course, there are thousands of indie bands—or their managers or labels—who thought that a major label's marketing clout would result in greener pastures, be it Coheed and Cambria, Liz Phair, Green Day, Common, Paul Wall, Offspring or Boy Sets Fire.

And there's plenty more to come. The industry will watch how the Decemberists, formerly of Kill Rock Stars, fare on Capitol, or whether Shadows Fall, once on Century Media, will succeed on Atlantic. Both major-label debuts are expected this fall.

Ultimately, the jump remains little more than a crapshoot. Barsuk head Josh Rosenfeld, who continues to have a good relationship with Death Cab for Cutie and its new label, Atlantic, cautions against it.

"The major-label model is good for bands that—for whatever reason—are totally willing to risk their long-term career viability on a shot," Rosenfeld says. "Given that no one has come up with a formula for how to make a song really popular, a major-label model is high-stakes gambling."

And the jackpot is as elusive as ever. Success at the indie level does not foretell major-label fortunes. What follows is a look at six higher-profile recent indie-to-major signings, each nonupstreamed acts with solid indie fan bases, and how they have fared—so far.
Before the Postal Service and the Shins, it was Hot Hot Heat returning Sub Pop to the top of indie rock nobility. When the band brought its "Make Up the Breakdown" to the label in 2002, there were plenty of reasons to expect big things. The act was at the forefront of a new-wave revival, wowing the indie kids and the press, and predating such kindred spirits as the Killers, Franz Ferdinand and the Rapture. Hot Hot Heat's debut single, "Bandidos," went to No. 19 on Billboard's Modern Rock chart. The group then announced it was leaving Sub Pop for Warner Music Group imprint Sire, and Hot Hot Heat's career lost steam. With the release of the band's major label debut, the band traded in sharp guitars for glossy, No Doubt-styled pop. The album, "Elevator," came out in spring 2005, and alienated the very scene that had championed the band. Major label promotion budgets failed to propel new single "Good Night Good Night" any higher than No. 29 on the Modern Rock chart, and to date, the album has sold 193,000 copies in the United States. Meanwhile, "Breakdown" has scanned closer to 273,000. "I don't think the record was as good," says Melanie Sheehan, a manager at Sonic Boom in Seattle. "I just don't think people really cared that much." The band is back in the studio in Canada, working on its next Sire album.

The hardcore act made big news when it left Victory Records in 2002, posting a message on its Web site stating that the band had been "deceived, bullied and compromised to an unsatisfactory end" by the Chicago-based indie. The New Jersey-based band justified its jump to major label Island by stating its contract prevented it from signing with another indie. But there are signs that an indie is where the band belonged. "Full Collapse," the band's last album for Victory, has sold 364,000 copies. Its Island debut, "War All the Time," has moved 355,000 to date. More troubling is the fact that its May release, "A City by the Light Divided," fell off the Billboard 200 after only six weeks, suggesting that the band's fan base is not growing. ("War All the Time" lasted nine weeks on the big chart.) While the album has sold a respectable 90,000 copies, first single "Counting 5-4-3-2-1" has not appeared on any of Billboard's singles charts. After all the hullabaloo caused when Thursday signed to Island, has the band's fan base simply topped off? "Yeah, that's probably accurate," a major label A&R executive says.

The hardcore/metal/emo of Thrice excited plenty with its 2002 release for Hopeless/Sub City, "The Illusion of Safety," a blistering mix of wailing vocals, punk experimentation and metal guitar virtuosity. To date, it has sold 167,000 copies. The band ended up on Island, where it is labelmates with the similarly sounding Thursday. It certainly seemed like a good move when "The Artist in the Ambulance" came out in 2003. The album spawned two successful songs on the Modern Rock tally, "All That's Left" and "Stare at the Sun," and went on to sell 391,000 copies. "The jump from Hopeless to Island resulted in healthy figures," a major-label VP says. "It's more than doubled ["The Illusion of Safety"], so that was worth it." But October 2005 album "Vheissu" fell off the Billboard 200 after seven weeks, compared with 12 weeks for "Ambulance." and has sold 197,000 units to date. It's a sales number any independent would be delighted with, but also one that looks like it won't improve on the band's previous effort.
RILO KILEY

Rilo Kiley has bounced around a few labels in its relatively brief career. The band began on Barsuk, then moved to Saddle Creek and finally signed to Warner Bros., where the act set up its own Brute/Beaute imprint before being upstreamed to Warner Bros. proper. Each move has been a step up in the band’s career. The jump to a major didn’t result in a huge amount of airplay, but single “Portions for Foxes” earned the band some recognition from MTV. Rilo Kiley’s Barsuk debut, “The Execution of All Things,” has sold 66,000 units, while its Saddle Creek effort, “Take-Offs and Landings,” has sold 40,000. The band’s first for Warner, “More Adventurous,” has moved 166,000. That’s certainly a number Saddle Creek is comfortable handling (see Bright Eyes), but Warner Bros. had already quadrupled what the indie accomplished. Additionally, the success of Jenny Lewis’ solo debut, “Rabbit Fur Coat” (on indie Team Love), has the Warner signing looking quite prescient. Rilo Kiley has steadily built its career, and Lewis has now given the label a star in the making.

LAMB OF GOD

The thrash-inspired metal of Lamb of God may seem like an odd fit for a major label, but the metal underground has been one of the more stable sales-producing forces in independent music during the past few years. Such labels as Metal Blade, Victory, Century Media and Ferret, among others, have had success with more than one ear-splitting act. The band’s 2003 effort for Los Angeles-based Prosthetic, “At the Palace’s Burn,” has scanned 177,000 copies; its 2004 Epic debut, “Ashes of the Wake,” has moved a respectable 250,000. “From the band’s financial standpoint, it was a successful move,” an indie A&R rep says. Manager Larry Mazer says radio was “not a component” in bringing the act to a major. It’s a gradual build, he notes, and he is happy with the band’s progress. His goal, he says, is for the act to go gold in the United States. And while Prosthetic had distribution through Razon & Tie, which uses Sony BMG, Mazer says Lamb of God has still benefited from increased tour support and more marketing dollars by being on a major label proper, especially when it comes to working the band overseas. The band’s approach is due Aug. 22, and the band will be touring with Slayer, a trek he says may not have happened had the band stayed indie.

“Sony has much bigger pockets to take care of that,” he says. “With independent labels, it can always be a struggle to get money for marketing. But with Epic, that’s never a worry.”

DEATH CAB FOR CUTIE

Favorites of Fox series “The OC,” the indie poppers had many scratching their heads when it signed to Atlantic in 2004. After all, the band had built a sizable following, releasing four albums for Seattle-based indie Barsuk Records, with its last, “Transatlanticism,” selling 473,000. At the time the band signed with Atlantic, that album had surpassed the 250,000 mark, and had sold 345,000 by the time its Atlantic debut, “Plans,” was released. Death Cab was the prime example of an indie band that has succeeded outside the major label system. Barsuk’s Rosenfeld notes that Atlantic’s marketing plan for Death Cab was “hugely expensive,” and relied heavily on commercial radio. It is one, he says, he could never have afforded. If the sole goal was airplay, it appears to be money well spent, as “Soul Meets Body” hit No. 60 on The Billboard Hot 100 earlier this year. “Plans” has sold 693,000 copies in the United States. A sales increase of 223,000 units is not to be taken lightly, but it is a number, one indie label exec notes, that Barsuk could have reached on its own. “Possibly, but we’ll never know,” Rosenfeld says.
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20 YEARS AFTER 'MOONLIGHTING,' CONTEMPORARY JAZZ PIONEERS CONTINUE TO MAKE THEIR MARK
LET IT RIPP

BY DAN OUELLETTE

JAZZ CATS BRIDGE THE PAST AND THE PRESENT WITH NEW ALBUM, AND LOOK FORWARD TO THE FUTURE

n the liner notes to the Rippingtons' new "20th Anniversary" album, Russ Freeman, the founder and creative genius behind the contemporary jazz group, wrote, "My favorite band growing up was the Beatles.

"I will never forget running home from the record store, eagerly awaiting the latest LP from my heroes," he says, "I was heartbroken when, at age 9, I learned that the Beatles were breaking up. I vowed that if I ever started a band, it would never break up.

Freeman has proved true to his word. The Rippingtons, originally formed in 1986 as an ad hoc band of improvisers, turns 20 this year—an impressive feat for any group in any genre.

Not only were the Rippingtons a pioneer of the contemporary jazz genre, but the band also paved the way for a full slate of so-called smooth jazz artists via the Peak Records imprint that was co-founded in 1994 by Freeman and his longtime manager Andi Howard.

MOVEMENT MAKERS

The Rippingtons' story begins in 1986 when Freeman, then recording as a solo artist on the Brainchild label (later bought by Passport), was asked by Japanese label Alpha to round up some friends, including soprano-saxophonist Kenny G and pianist David Benoit, to record an album.

"He 'let it ripp,' " so to speak, with the resulting disc, "Moonlighting," which was later released stateside by Passport. Rather than become a one-hit wonder, though, the band turned into a movement maker.

"Unbeknownst to anyone at the time, that project became the basis of a new format," says Howard, who has served as the Rippingtons' manager for the past 20 years, "There wasn't smooth jazz radio at that time. But their music helped launch that. Russ was a forefather of the smooth jazz format."

A rep for film and TV composers at the time, Howard was impressed by Freeman’s creative streak when he first approached her with a business proposal.

"I jumped in," she says, "I saw his potential as an amazing writer whose melodies were extraordinary. He was a babe in the woods when this all started. living in a trailer with a little reel-to-reel setup."

That living situation didn't last long, and soon Freeman was speeding ahead on his new career path.

Freeman originally envisioned the Rippingtons as a band that would feature various guest artists for whom he would compose new material. However, a core band itself began to jell and "became as popular as the guests," Freeman notes. Today, the current lineup includes Freeman, Bill Heller, Eric Marienthal, Scott Brazilman, Dave Kozarony, Jeff Kashiwa, Steve Reid and Kim Stone.

Bassist Stone, an 18-year vet of the group, says that it was great having different artists such as pianist Joe Sample and saxophonist Dave Koz spotlighted on the band's albums over the years.

"But at a certain point, [the core members] became the personalities, and the audience enjoyed our musical characters," Stone says, adding, "I let it all hang out. I don't usually play the bass through the whole set. I let the drummer keep the groove sometimes. and I dance for the audience. The crowd loves that so much as the notes I play."

Stone quickly adds that he's not partial to the smooth jazz tag even though he's thankful smooth jazz radio has embraced the group. "Not all Rippingtons music is smooth," he says, "We can rock and groove. What we play is a hybrid of many kinds of music. I think of it as new jazz fusion."

Koz hosts the morning show on radio station KTWV (the Wave) in Los Angeles as well as the syndicated "The Dave Koz Radio Show." While he objectively praises the Rippingtons' "long arc of a career," he's also subjectively a fan of the band, having appeared on "Moonlighting" as well as on the "20th Anniversary" track "A Kiss Under the Moonlight."

Koz laughs when recalling his appearance on "Moonlighting," which was recorded four years before his debut album on Capitol Records.

"I was enlisted to play the EWI," he says, referring to the synthesized electronic wind instrument. "Russ was playing a synth guitar at that time, and the label didn't want that sound on this side project. So, I'm the one who was basically mimicking his synth guitar to give the sounds and colors he was looking for."

Koz is impressed that over the years Freeman has successfully stretched boundaries and has continued to be adventurous in his approach to the Rippingtons' music. "When he's in the studio, Russ isn't confined by the current radio flavor," Koz says, "He's created a band that's not afraid to push the music."

That's always a risk for potentially alienating its core audience. But Koz notes, "Russ has the ability to straddle the fence as a producer and a songwriter of very melodic music. He writes creative and interesting music that's readily accessible. Long-term Rippingtons fans want to be taken somewhere new."

DOMINANT CAREER

But what's truly remarkable is how what was once a side project has come to dominate Freeman's career. "Russ has totally let his solo career take a back seat," Koz says. "You don't see that happening very often. But over the years he's created a band concept, a band mentality."

FACT FILE

Label: Peak Records/Concord Music Group
Management: Andi Howard, Peak Records
Booking: Jim Gossell, APA
Publishing: Who's Rocking Music/Songs of Universal
Latest album: "20th Anniversary" (2006)

Peek Records senior VP Mark Wexler believes that's been a key factor in marketing the Rippingtons over the years.

"The beauty of the Rippy is that it has its own distinctive identity that is somewhat unique, especially in contemporary jazz," he says. "That's because Russ is the main guy who has created the sound and is known for his association with the band even though he's a very good guitarist who could easily be on his own."

Another marketing component for Wexler is the omnipresent image of the Jazz Cat, a cartoon character that adorns each Rippingtons album cover. Created by illustrator Bill Mayer, who Freeman says, "has captured the essence and the spirit of the band," the Jazz Cat was there from the beginning on the cover of "Moonlighting." The image stuck.

Over the years, though, the Jazz Cat has "changed its appearance as Russ changed themes," Wexler says. The logo took on the look of the tropics when Freeman moved to Florida (for the album "Life in the Tropics"), became a ski cat when Freeman moved to Colorado (on the skiing-themed "Curves Ahead") and reflected Freeman's passion for golf on "Let It Ripp."

As for the founding of Peak, which happened when the Rippingtons were recording for GRP, Freeman and Howard sought to provide a home for contemporary jazz musicians.

"We wanted to combine business acumen with musical artistry," Freeman says. "We felt that having a musician involved with a label was a good thing for nurturing a culture of creativity."

While the label has had distribution deals with GRP and Windham Hill/BMG, it became a joint venture with Concord in 2000.

Glen Barros, president of Concord Music Group, says that Concord wanted to stretch its jazz perspective beyond the mainstream and Latin sounds that it was traditionally known for: "But we didn't want to just go blindly into contemporary jazz," he adds, "We wanted to do it with experts, with people who understood the genre and were developing it."

So, to Barros, the decision to bring the Rippingtons and Peak under the Concord umbrella was a perfect fit. "Russ helped to build the genre of contemporary jazz, and we've had the utmost respect for what he's done with Peak," he says. "As for the Rippingtons, they are pioneers. What they've recorded is a testament to their talent. The mark of a great band is its staying power. That's what Russ and the Rippingtons are all about."
Concord Music Group congratulates Russ Freeman and The Rippingtons on 20 years of "peak" performance!

We're so happy and proud that you're a part of our family.
The Law Offices of Gary Greenberg
congratulates
Russ Freeman and The Rippingtons
on
20 years of
great music.
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Dear Russ & The Rippingtons,

On the road to SAHARA, we found a

BRAVE NEW WORLD filled with TOPAZ.

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for a wonderful LIFE IN THE TROPICS and drew a

WILD CARD heading to the 20TH ANNIVERSARY

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Love,
Sheryl

Sheryl Feuerstein
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I WANT TO BROADEN OUR APPEAL

RIPPINGTONS FOUNDER
RUSS FREEMAN GETS INTO THE GROOVE

When guitarist Russ Freeman started the Rippingtons as a one-off project in 1986, he never envisioned that it would become the act that would put contemporary jazz on the map or be considered the epitome of longevity in the genre.

In 1994, the band's success spawned the creation of Peak Records, which gave a voice to other contemporary jazz musicians like the Braxton Brothers, vocalist Regina Belle, pianist David Benoit and saxophonists Gato Barbieri, Paul Taylor and Eric Marienthal.

At the heart of the Rippingtons' success has been Freeman's creative vision and his insistence that commercial goals and artistic ideals can indeed dovetail.

From its debut album "Moonlighting," released by the Japanese Alpha label and issued domestically by Passport Records, to the band's "20th Anniversary" CD/DVD package on Peak, Freeman's commitment has made each Rippingtons album a proving ground for new expressions of contemporary jazz.

—Dan Ouellette

What was the impetus for recording the first Rippingtons album?

In 1986, I was playing Monday nights at the Baked Potato club in Los Angeles. We were packing people in, and lots of musicians like Marcus Miller, Kenny G and David Benoit came down to jam. It became a forum for musicians to meet and play. I was recording as a solo act for the Brainchild label at the time, but the Japanese label Alpha asked me to put together a group of players to record an album. It wasn't planned to be a long-term project, just a bunch of guys moonlighting from their own careers. So I got guys like Kenny G, David Benoit and Dave Koz, and we recorded "Moonlighting."

How did the Rippingtons evolve from there?

I realized that everyone was moonlighting that personnel would be constantly changing. I had to design a group setting to accommodate that. As the producer, I realized that each album could be a growth spurt as new people came in. That's how I got to work with some of my musical heroes like Joe Sample and Dave Grusin. The Rippingtons became a band where guests could come in and play.

When did the Rippingtons become more than just a platform for guests?

In the early '90s, the core band became as popular as the guests. The energy of the live band was incredible, and I decided to try to capture that. So it became a different model for the Rippingtons. We were making an album a year back then, touring for each one and breaking new markets. It never dawned on me that the Rippingtons would become a touring band. To this day, that's what we are, though. The lineup hasn't changed much in the last 10-12 years, and (bassist) Kim Stone has been here for 18 years. I write the music, but the musicians bring it to life. They

continued on >>p36
Most cats have nine lives...

but your cat already has 20...
...and counting!

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RUSS FREEMAN often incorporates his
worldly experiences into the Rippingtons' sound to keep it fresh.

from p34
bring their personalities to it.

Did touring affect the direction of the band?
It started to alter things musically. Going to different places inspired me to change as a songwriter. For example, in the early 90s, we played Puerto Rico with about a thousand people in the audience. They got so into our music that they started clapping in this reverse clave beat. It blew me away. I could have never imagined that on my own. So I made a point of studying music outside of jazz that I had never been exposed to.

Where else did you tour?
The Caribbean became big for us. Europe is huge, and so is Southeast Asia. It makes sense. We play instrumental music, which speaks universally. People from all over embrace our music for that reason.

Even though the core band’s importance grew, you still invited guests to be a part of the Rippingtons albums. Why?
They help unify my songwriting. But I also feel a responsibility to go outside of what the band does from album to album. I want to go beyond the normal mode to broaden the Rippingtons’ appeal. My greatest fear is to write the same album over and over again.

So I bring someone like Dave Benoit in, who is so deep as a songwriter, and I put him into the context of what the band plays. Same with Dave Koz. His soprano sax is so pure, so recognizable that I want to showcase that beautiful sound. All the guests on our albums have a signature sound, like David, Dave and Kirk Whalum. They play one note and you know who they are. It excites me as a songwriter to feature them.

 Aren’t there risks with going too far afield? Sure. I take chances to make a diversity of music. A good example is with continued on p38

ON THE HORIZON

The Rippingtons will celebrate their 20th birthday with the July 25 CD/DVD release of “20th Anniversary” (Peak), which reunites past and present band members and featured artists from the group’s 16-album career. The record contains old tunes that have been re-envisioned, plus a few new numbers.

Performers comprise a who’s who of the contemporary jazz world, including Dave Koz, Brian McKnight, Patti Austin, Jeffrey Osborne, Kirk Whalum, Paul Taylor, Eric Marienthal, Jeff Kashiwa and Steve Reid.

“The Rippingtons have been prolific and consistent,” says Danny Lamb, VP of Washington D.C.-based Kemp Hill Music. “Not a lot of groups last long in contemporary jazz. But the Rippingtons definitely have a core following that buys their albums and goes to their shows.”

In fact, a U.S. tour, sponsored by Cadillac and Smooth Jazz TV, will begin in August.

Jim Cosnell, the Rippingtons’ booking agent and president of Agency for the Performing Arts, predicts the tour will be a success. He notes that the band hits the road every year to support its new recordings.

“It all starts with the music,” says Cosnell, who has been with the act since 1988. Founder Russ Freeman “is a terrific songwriter and a great producer who is always creating new material that’s fresh. The Rippingtons reinvent themselves with every record. As a result they have diehard fans who keep coming back.”

—Dan Ouellette
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chart reflects data through the

Your fans

have a reputation for being very

loyal, the contemporary jazz equivalent of the

Grateful Dead's following. What do you think

keeps bringing listeners back?

Well, I'm not so sure about that. But it's not un-

usual for fans to follow us around. Not too long

ago I was talking with a guy at a show in the States,

and he told me he was from Italy. I asked him if

he was on vacation. He said, "No, I just flew in

for the show and I'm going home tomorrow." I

frankly don't know why our fans are so loyal.

Maybe the appeal has something to do with the

strong melodies we play or maybe the personal-

ities of the band or maybe the overall sound of

the music. Whatever it is, I'm thankful for it.

That's been a blessing. I could have never imag-

inated it 20 years ago. The fans have been pas-

sionate about our music and have supported us.


You started Peak Records in 1994 with your

manager Andi Howard. How's that been?

Enormously satisfying. We've got a great roster

that I'm proud of. The whole business model

for the label has been to make a creative atmos-

phere for musicians. It's like when the Rip-

pingtons recorded for GRP, which was our role

model. We combine business acumen with

musical artistry. We felt that having a musician

involved with a label was a good thing for nurturing a culture of

creativity.

Peak has been under the Concord umbrella

since 2000. With all the success Concord has

had with Ray Charles and John Fogerty, are

you afraid that Peak and the Rippingtons will

get lost in the shuffle?

Not at all. Our records find their own way. Con-

cord has grown enormously since we became

associated with it. We're lucky to be working

with such creative people. Concord is the best

place for us. It's a great launching pad.

What's in the crystal ball for the Rippingtons?

I honestly don't know. I deliberately don't make

long-term plans. Things unfold naturally. I try

not to guide. I don't need to. The best I can do

is stay inspired and the rest will come.


Rippingtons’

TOP ALBUMS

<table>
<thead>
<tr>
<th>Rank</th>
<th>Title</th>
<th>Peak Position</th>
<th>Debut Date</th>
<th>Label</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Black Diamond</td>
<td>1 (3 weeks)</td>
<td>Oct. 4, 1997</td>
<td>Peak/Windham Hill</td>
</tr>
<tr>
<td>2</td>
<td>Welcome To The St. James' Club</td>
<td>1 (2)</td>
<td>Sept. 15, 1990</td>
<td>GRP</td>
</tr>
<tr>
<td>3</td>
<td>Curves Ahead*</td>
<td>1</td>
<td>Sept. 14, 1991</td>
<td>GRP</td>
</tr>
<tr>
<td>4</td>
<td>Wild Card</td>
<td>1</td>
<td>June 4, 2005</td>
<td>Peak/Concord</td>
</tr>
<tr>
<td>5</td>
<td>Topaz</td>
<td>2</td>
<td>June 5, 1996</td>
<td>Peak/Windham Hill</td>
</tr>
<tr>
<td>6</td>
<td>Weekend In Monaco</td>
<td>2</td>
<td>Sept. 12, 1992</td>
<td>GRP</td>
</tr>
<tr>
<td>7</td>
<td>Let It Ripp</td>
<td>2</td>
<td>May 24, 2003</td>
<td>Peak/Concord</td>
</tr>
<tr>
<td>8</td>
<td>Life In The Tropics</td>
<td>3</td>
<td>Oct. 28, 2000</td>
<td>Peak/Concord</td>
</tr>
<tr>
<td>9</td>
<td>Killimanjaro</td>
<td>3</td>
<td>April 30, 1988</td>
<td>Passport Jazz</td>
</tr>
<tr>
<td>10</td>
<td>Tourist In Paradise</td>
<td>4</td>
<td>June 10, 1989</td>
<td>GRP</td>
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</tbody>
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* "Curves Ahead" is credited to the Rippingtons, all others are by the Rippingtons Featuring Russ Freeman. Titles on this chart are ordered by peak position on the Top Contemporary Jazz Albums chart. If more than one title peaked at the same position, ties were broken by the number of weeks spent at the peak. If ties still remained, they were broken by the number of weeks on the chart. This chart reflects data through the June 24, 2006, issue.
Dear Russ,

It's hard to believe it has been 20 years since you first walked into my office.

You've been my client and my label partner, but most of all... you've been my friend.

To all my Rippingtons past and present, a very big thank you and a very big kiss!

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Too Close/ Next /ARISTA
I Don’t Want To Wait/ Paula Cole /WARNER BROS

400,000 SPINS
You’ll Think Of Me/ Keith Urban /CAPITOL NASHVILLE/EMC
I Don’t Want To Be/ Gavin DeGraw /J
It’s My Life/ No Doubt /INTERSCOPE
Forever And For Always/ Shania Twain /MERCURY
Drop It Like It’s Hot/ Snoop Dogg Feat. Pharrell /DOGGYSTYLE /GEFFEN

300,000 SPINS
So Sick/ Ne-Yo /DEF JAM/IDJMG

200,000 SPINS
SOS/ Rihanna /RCA
Walk Away/ Kelly Clarkson /RCA
Hips Don’t Lie/ Shakira Feat. Wyclef Jean /EPIC
Speed Of Sound/ Coldplay /CAPITOL
1985/ Bowling For Soup /JIVE/ZOMBA
Sweet Southern Comfort/ Buddy Jewell /COLUMB
Accidentally In Love/ Counting Crows /GEFFEN
Oh Boy/ Cam’Ron /DEF JAM
Fill Me In/ Craig David /ATLANTIC

100,000 SPINS
So What/ Field Mob Feat. Ciara /GEFFEN/DISTURBING THA PEACE
Snap Yo Fingers/ Lil Jon Feat. E 40 & Sean Pau /BME/TVT
It’s Goin’ Down/ Yung Joc /BAD BOY SOUTH/ATLANTIC
Why/ Jason Aldean /BROKEN BOW
Looking For You/ Kirk Franklin /GOSPOCENTRIC
Dam California/ Red Hot Chili Peppers /WARNER BROS.
Living In Fast Forward/ Kenny Chesney /BNA
Me & U/ Cassie /NEXTSELECTION/BAD BOY/ATLANTIC
Bat Country/ Avenged Sevenfold /WARNER BROS./REPRISE
Stricken/ Disturbed /REPRISE
Blessed Be Your Name/ Tree63 /INPOP
Something’s Gotta Give/ Leann Rimes /CURB/AS’LUM
Holy/ Nichole Nordeman /SPARROW
Where’d You Go/ Fort Minor /MACHINE SHOP/WARNER BROS.
Never Scared/ Bone Crusher /BREAK’EM OFF

50,000 SPINS
Gimmie That/ Chris Brown /JIVE/ZOMBA
Promiscuous/ Nelly Furtado /GEFFEN
Unfaithful/ Rihanna /DEF JAM/IDJMG
The World/ Brad Paisley /ARISTA
Summertime/ Kenny Chesney /BNA
Do It To It/ Cherish /SHONUFF/CAPITOL
Hate Me/ Blue October /UNIVERSAL
Don’t Forget To Remember Me/ Carrie Underwood /ARISTA
Torn/ Letoya /CAPITOL
I Dare You/ Shinedown /ATLANTIC
Why You Wanna/ T.I. /ATLANTIC
Enough Cryin’/ Mary J. Blige /GEFFEN/MATRIARCH
Life Ain’t Always Beautiful/ Gary Allan /MCA NASHVILLE
Crazy/ Gnarls Barkley /DOWNTOWN/ATLANTIC/LAVA
Doing Too Much/ Paula DeAnda Feat. Baby Bash /ARISTA
If You’re Going Through Hell (Before The Devil Even Knows)/ Rodney Atkins /CURB
I Believe/ Third Day /ESSENTIAL/PLG
Above All/ Michael W. Smith /REUNION/PLG
4 Minutes/ Avant /GEFFEN
Que lloren/ Sin Bandera /SONY DISCOS

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Survivor
Booted From Destiny's Child In 2000, LeToya Luckett Has Returned With A New Album—And A Hit Of Her Own

LOS ANGELES—Most artists are lucky to get one shot at stardom. But six years after being forced out of Destiny's Child just as the R&B stars were about to break big, LeToya Luckett is poised for success once more. And the now single-monikered singer/songwriter is not taking the second chance for granted.

Answering questions while prepping for a photo shoot at Los Angeles' Le Mondrian hotel, LeToya reflected on the ups and downs she has encountered since leaving Houston's best-known export. "I only have one shot at doing this," she declares. "My first look had to be right."

Which is partly why delivery of her self-titled Capitol debut, originally scheduled for release last year, is finally coming July 25. It looks like the delay is paying off. "Torn" is No. 3 on the Hot R&B/Hip-Hop Songs chart, No. 36 on The Billboard Hot 100 and No. 12 on Hot 100 Airplay.

Other than mentioning LeToya's seven-year stint in Destiny's Child (including co-writing the career-building singles 'Bills Bills Bills' and 'Say My Name'), Capitol is treating her as a new artist. "Our initial objective was to introduce a hit song and video to establish her as the H-town girl that she is and let her tell that story," says Fabian "Fade" Duvernay, VP of urban marketing for Capitol.

Prior to "Torn," the label released a 12-inch version of album track "All Eyes on Me" featuring fellow Houstonian Paul Wall. After that warm-up, VP of promotion Geo Bivins researched extensively to find the right urban lead single. "It's an emotional ballad about a relationship that women can relate to," Duvernay continues. "Their reaction was an indication of the urban groundwork we've focused on. Now we really want to go into making LeToya the urban 'it' girl."

The label is already working a second single and a Christopher Robinson-directed video—"She Don't!"—following the video's premiere on BET's "Access Granted." On July 14, LeToya kicks off her stint as opening act (along with Jaheim) on Mary J. Blige's North American summer tour. On July 26, she will appear on "Live With Regis and Kelly." Also planned are featured-artist spots on Cingular Sounds and AT&T's Blue Room. Magazine coverage includes King, Sista & Sista and a six-page fashion spread for Vibe.

When the enhanced CD is released July 25, it will include segments from a limited-run reality show on BET, which tracks the singer's prerelease process. The show starts airing on the cable outlet July 17. The CD will sell at the EMI developing new artist price of $12.98. Box lot price is $8.05.

Stretching from soulful, sensual ballads and club jams to spotlighting the city's trademark screwed-up style, "LeToya" boasts production by Scott Storch, Jazze Pha, Just Blaze and Jermaine Dupri plus cameos by H-town rappers Slim Thug, Bun B., Mike Jones and Ida Kyleone.

"I'm a southern belle who likes heavy-hitting beats," says LeToya, who co-wrote nine of the album's 16 songs. "It can give it to you hard or I can be soft and soulful, hip-hop with grace."

That versatility wasn't fully realized during her Destiny's Child tenure. She and former fellow group member LaTavia Roberson gained notoriety for their unceremonious ouster from the group in March 2000. Ensuing breach-of-contract and defamation of character lawsuits were settled out of court in 2002. A subsequent pairing with Roberson in a new girl group called Angel was aborted. Moving to Los Angeles for six months, LeToya traveled the modeling and acting agency circuit while cutting demos that eventually secured the Capitol contract.

"Being the ex-Destiny's Child member was the most awkward part," LeToya says of that period. "Some people didn't want to touch my music. But at the same time, [Destiny's Child] got me in the door."

In the interim, LeToya established Houston boutique Lady Elle with her mother. The 3-year-old clothing and accessory store sells a variety of fashion lines, including Tag and Beyoncé and Tina Knowles' House of Dereon.

An urban buyer for a national retailer predicts LeToya will accomplish a top 10 debut on The Billboard 200 and Top R&B/Hip-Hop Albums. "She's not trying to imitate Beyoncé, but staying in her own lane with a record that's getting good buzz. If Capitol works this record right, it will have legs.

And a forward-looking LeToya is ready to stretch them. "It's funny. In the beginning I never saw myself as a solo artist. But the turning point came when people started showing me love on my promo tour. Now I want people to get to know me and my voice."
Sony BMG Promotes Its Latin Catalogs

While “Los Rompediscotecas” by Héctor “El Father” debuted at No. 1 on the Top Latin Albums chart, the dark horse for the week ending July 9 was Emmanuel with “Las Historias de Toda La Vida.”

The Mexican pop star has enjoyed regional success since the late 1970s, but in the United States, his highest (and only) showing on Top Latin Albums was 1997’s “Amor Total,” which peaked at No. 29.

In contrast, “Historias,” a greatest-hits compilation on Sony BMG, came in at No. 9. The success can be attributed to a targeted strategic marketing campaign that has yielded surprising results.

“Historias” is part of a series of albums released in the past year by Sony BMG, as part of an effort to exploit the formidable joint Latin catalogs of Sony and BMG.

“We’ve prepared specific projects for each artist, and we have designed very strong direct response campaigns,” says Guillermo Page, VP of Sony BMG Latin’s commercial division, who was brought into the company in January 2005.

The first artist to release an album under the “Historias” concept was Mexican pop/ranchera star Ana Gabriel, whose “Historia de Una Reina” debuted at No. 26 on Top Latin Albums in August 2005, then climbed to No. 5 in October. It has spent 48 weeks on the chart.

Ranchera icon José Alfredo Jiménez’s “La Historia del Rey” entered the chart in December 2005, peaking at No. 11 in March 2006. The album gave Jiménez his highest first-week sales, according to Nielsen SoundScan.

And Christian Castro’s “Nunca Voy a Olvidarte…” “Los Exitos” entered the chart at No. 27 in October 2005. The compilation, which includes early hits from Castro’s days at Melody (a defunct label whose catalog belongs to Univision), has sold more than the artist’s new studio set, “Días Felices” (Universal), according to Nielsen SoundScan. The album remains strong at No. 12 14 weeks later.

Although most of these sets carry the word “Historias” in their title, Page says the intention is not to create a “Historias” franchise (without the title of Castro’s set and Rocio Durcal’s “Amor Eterno,” another big hit).

“We don’t want to limit the possibilities,” Page says. “Perhaps there are acts who don’t have hits throughout their history, so we try to find a middle ground. Each act is unique.”

Releasing compilations, of course, is nothing new. But the Sony BMG approach differs from most others in that the thrust isn’t simply a TV promotional campaign, but the direct response element, coupled with a strategy at retail.

Additional elements, like radio, come in depending on the project. “Sigo Siendo Yo,” Marc Anthony’s upcoming greatest-hits album, includes two new singles, the first of which is already being worked at radio.

Other projects in the works include a hits collection from Gloria Estefan.

WRITING FRENZY: Universal Music Publishing Group paired Nashville and Latin writers for UMPG Camp Song, which took place June 19-23 in Miami Beach. The summit brought together Amy Foster Gillies, Marcel, Kyle Matthews and Troy Verges from UMPG’s Nashville office with Marcello Azevedo, Javier Garcia, Manny Lopez, Willy Perez-Feria and Jorge Luis Pilono from UMPG’s Latin America office. “We have several very promising songs,” says Ivan Alvarez, senior VP for UMPG Latin America. “We expect only the greatest things from this event.”
At 56 years old, David Johansen has performed under many guises: the frontman of evergreen rockers the New York Dolls, a solo act, as kitschy lounge hitmaker Buster Poindexter, a bluesman with the Harry Smiths and even the Ghost of Christmas Past (in “Scrooged,” the 1988 film starring Bill Murray).

The Staten Island native returns to his musical beginnings as the reformed New York Dolls release their first studio album since “In Too Much Too Soon” in 1974. “One Day It Will Please Us to Remember Even This” streets July 25 via Roadrunner and is a return to the glam, garage and guts that crowned the Dolls as one of the most influential bands of the pre-punk era.

Though the group disbanded in 1975, the remaining members (Johansen, guitarist Sylvain Sylvain and bassist Arthur “Killer” Kane, who died in 2005) reunited to play a set for the 2004 Meltdown Festival in London at the behest of the New York Dolls fan club’s former president—Morrissy.

One gig turned into another and eventually yielded recording a new album with producer Jack Douglas and with guests like Michael Stipe, Iggy Pop and Bo Diddley. Packaged with a “making-of” DVD, the 13-track “One Day” and its supporting tour may gauge, for Johansen, what kind of legacy the Dolls had left for their fans.

Q: What took so long? Thirty years for an album is a long time.
A: To be honest, the thought of getting back together had never occurred to me before. When Morrissy got in touch, it was like, “Oh, yeah...” and we had so much fun. It wasn’t a plan. It’s like we were living out his idea.

Q: Roadrunner hired Blue Streak to mount a major marketing and publicity campaign to the gay community. How do you think the Dolls came to have such a loyal fan base from that group?
A: Ever since we started, we had this kind of all-inclusive vibe. We wanted everyone to get together in the same room and realize that we’re all the same person. The world is full of the same bad rhetoric that people just repeat because they’re told to. We encourage people to make up their own minds. We had something that everybody could relate to.

Q: In 2005, First Independent Pictures released a documentary about Arthur Kane, “New York Doll,” shortly after he died. How do you feel about the movie’s portrayal of the band?
A: I thought it was really great. They almost got him, almost fully captured him. It’s great to have that artifact, that document of Arthur. He was one in a . . . a . . . planet.

Q: What has it been like working with Roadrunner, a first for you?
A: Walking into a room with them is like going to the comic book store. They’re very detail-oriented people. I’m amused by the whole machine and how it works. They take their business very seriously, which is much better than somebody who slaps it out there. It’s kind of comforting that somebody’s making everything happen—from the font we use, the interviews, the video, this and that. They have an interesting history with how they grew very organically and how they are willing to take on this rock’n’roll band when what they’ve been doing is hardcore.

Q: You’ve influenced bands from the Sex Pistols to the Smiths to the Donnas. Are rock bands today getting rock done right?
A: A lot of these bands all sound the same. They’re singing about the same kind of nonsense with a lot of negative energy and hatred, a lot of songs about stabbing your friend in the eye with a ballpoint pen. With this record, we kept our original philosophy and wanted things to be and feel more positive than that. The songs have a really good feel to them.

Q: What’s the best part about being back in the New York Dolls?
A: When I was with Harry Smith, I’d sit on a stool and play acoustic guitar. It was pretty esoteric. With this band, it’s more aerobic and invigorating. It’s all adjacent to being in a kick-ass rock’n’roll band. It’s very satisfying to get up and start running around.

The fusion between R&B/hip-hop and jazz will undergo another creative jolt via several projects involving jazz visionary Miles Davis.

During a recent meeting at Hollywood's storied Chateau Marmont, rapper Q-Tip and Davis' nephew, Vince Wilburn Jr., talked about collaborating on various projects, including a tribute CD in the vein of GRP's "Forever, for Always, for Luther." That 2004 album features various artists reinterpreting classic Luther Vandross tracks.

In addition to Q-Tip, Wilburn envisions producers and artists like Dr. Dre, Mike Elizondo, Jay-Z and Kanye West coming onboard. "I have a lot of respect for hip-hop in its positive sense," says Wilburn, a drummer who operates Los Angeles-based production company Neflight. He is also a co-developer of Miles Davis Properties along with his dad, Vince Wilburn Sr., and Davis' daughter Cheryl and son Erin. "So I went to Tip first. We're going to go into the vault and then see how we're going to evolve this into also being a tribute to cool hip-hop cats."

That the family would approach Q-Tip is not surprising. In various interviews, Jonathan "Q-Tip" Davis—who first made a name for himself as a member of A Tribe Called Quest—has acknowledged that his early musical influences include Davis (no relation) and Herbie Hancock. The Tribe's creative fusion of hip-hop and jazz resulted in such seminal albums as 1991's "The Low End Theory," featuring bassist Ron Carter on the track "Verses From the Abstract."

Others with deeper memories will recall Q-Tip's more extensive jazz explorations on the Arista album "Kamaal the Abstract." Though never commercially released, the 2001 album nevertheless drew critical plaudits for Q-Tip's teaming with such jazz players as saxophonists Kenny Garrett and Gary Thomas and guitarist Kurt Rosenwinkel.

Q-Tip was even supposed to collaborate with Davis on the latter's last album, 1993's "Doo-Bop" (produced by Easy Mo Bee). Scheduling issues, however, prevented the pair from consummating that plan.

Q-Tip can currently be heard on Busta Rhymes' new album, "The Big Bang." Q-Tip isn't the only rapper making a Davis connection. Fellow rapper Nas and his dad, noted jazz musician Olu Dara, will be among the featured guests on the forthcoming "Evolution of the Groove," a Sony Legacy project also shepherded by Wilburn and the other administrators. It's due in stores this fall to tie in with the 15th anniversary of the jazz great's death on Sept. 28, 1991.

Also appearing on "Groove" will be Lenny White and Carlos Santana. Santana also contributes a remix of "It's About That Time" on another Sony Legacy Davis project, "Cool & Collected." That CD is due Aug. 29.

And how are preparations coming for the announced Davis biopic starring Denzel Washington under the direction of Antoine Fuqua? Wilburn says the script is in development and that he and co-executive producer Darryl Porter are now looking at other options following an earlier deal with Sony Pictures. However, he assures it's all systems go.

"Don and Antoine are both into it," says Wilburn, whose mother is Davis' sister. "I want this movie to show how Miles evolved to change the course of music over several decades. It's got to be gritty but real. You can't fake Miles."
Anonymous 4 Visits Americana

When Anonymous 4 announced last year that its members would no longer work together full time, the group broke many fans’ hearts. During the last 18 years as one of the world’s premier early music ensembles, the four singers (Marsha Genensky, Susan Hellauer, Jacqueline Horner and Johanna Maria Rose) created a string of unlikely chart-busters running from their first album, 1990’s “An English Ladymass,” to last year’s “American Angels,” which spent a year and a half on Billboard’s Classical chart and has sold 80,000 copies, according to Nielsen SoundScan.

Through its recordings, the group opened listeners’ ears to an incredible variety of repertoire from far off the beaten path. Its material ranged from 12th-century songs of female poet/composer/mystic Hildegard of Bingen to medieval Hungarian compositions to music written for Anonymous 4 by contemporary British composer John Tavener. With “American Angels,” the group ventured into even more unusual territory: 18th- and 19th-century American gospel hymns, folk tunes and camp revival songs.

The album’s overwhelming success persuaded the quartet to regroup for follow-up “Gloryland,” which arrives Sept. 12. For this outing into Americana, the group joins forces with two guest artists who really know their way around this landscape: guitarist/man- dolinist Mike Marshall and violo-nist/mandalinist Darol Anger. The two instrumentalists frame the vocalists’ harmonies in beautiful and beguiling ways.

As Anonymous 4’s Hellauer notes, the energy Anger and Marshall bring to “Gloryland” allows the music to unfold in a very different way than if the foursome were performing a cappella. “Darol and Mike bring a very bluegrass, old-timey feeling to the album,” she says. “They really pushed the envelope of exploration for us and recording with them was really a beautiful session of breaking walls down.”

If “Gloryland” follows the impressive lead of “American Angels” (and Harmonia Mundi is indeed hoping for similar sales), new audiences will soon undoubtedly be introduced to the quintessential Anonymous 4 sound of crystalline, finely meshed singing. After performing two nights earlier this month at New York’s intimate Joe’s Pub—a venue hardly known for hosting early music ensembles—Anonymous 4 will bring “Gloryland” to the Americana Music Assn. Conference in September in Nashville and then hit the road for an extensive U.S. tour that begins in November and extends into spring 2007.

In fact, the Americana bug has hit two members of Anonymous 4 particularly hard. Genensky and Hellauer are teaming up as a new duo, dubbing themselves the Lost Girls. (The duo’s name actually comes from a song on “Gloryland.”)

Genensky says, “Our first recording session is tentatively scheduled for next summer after the conclusion of the ‘Gloryland’ tour.” As with Anonymous 4, the Lost Girls will record for Harmonia Mundi. The duo’s plan is to start off where Anonymous 4 has ended up with its two American-themed discs. “Our first project will also be of American traditional music,” Genensky explains, but quickly adds that the Lost Girls’ planned travels won’t begin and end there.

Hellauer notes, “The idea of wandering, of course, is implicit in our name. We don’t need to be rooted in a single style. The idea of mixing popular and classical music is something we’ve played with in A4, but the Lost Girls will take that concept even further.”

Anonymous 4

Global Pulse

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New Wave Of Bossa Nova Covers Hits Europe

Two years after its self-titled bossa nova style collection of new-wave covers attracted international attention, French act Nouvelle Vague is repeating the trick with second album “Bande à Part.”

The act, based around Parisian producers Marc Collin and Olivier Libaux, is signed globally through Collins’ production company Perfect Kiss to Vital-distributed U.K. independent Peacefrog. “Nouvelle Vague” (2004) placed new wave gems like Joy Division’s “Love Will Tear Us Apart” and Depeche Mode’s “Just Can’t Get Enough” in a Brazilian-inspired musical setting featuring a handful of female vocalists. In the United States, licensed to Luaka Bop/Warner, it made the top 10 of Billboard’s Top Electronic Albums chart in May 2005. Peacefrog says global shipments have passed 200,000 units.

The “Bande à Part” covers include the Buzzcocks’ “Every Fallen Love,” Echo & the Bunnymen’s “The Killing Moon” and New Order’s “Blue Monday.” Released June 12 in continental Eu- rope (through PiAS) and July 3 in the United Kingdom, it made the top 30 of Billboard’s European Top 100 Albums chart July 1. Peacefrog label manager Phil Vernot expects a Luaka Bop U.S. release by September. “It’s hard to follow up such an original idea,” Vernot admits, “but there’s such a solid fan base we can target 300,000-400,000 sales [worldwide].”

Nouvelle Vague plays European festivals through August, booked by Coda.

—Aymeric Pichelin

SOUL HUNTER: If old-school R&B is rarely mastered by non-American artists, it’s rarer still for such an act to win endorsement in America itself.

So English vocalist/guitarist James Hunter’s recent “new and emerging artist” nomination for September’s Americana Music Assn. Awards is noteworthy. Ditto his topping Billboard’s Top Blues Albums chart for three weeks in June with his third solo album, “People Gonna Talk.”

Born in Colchester in southeast England, Hunter released three albums between 1986 and 1990 with British R&B favorites Holland & the Vejays before joining Van Morrison’s touring band during the early ’90s.

“People Gonna Talk” appeared March 7 in the United States and April 24 in Europe on New York indie Go, licensed globally to Rounder. It has been widely praised for the soulful, horn-laden ambience of Hunter’s 14 self-published compositions, drawing comparisons to such acts as Sam Cooke and the Drifters. Cambridge, Mass.-based Rounder GM Paul Foley says worldwide shipments are already past 50,000.

Hunter recently opened U.S. shows for Aretha Franklin and Etta James and will play American dates supporting Boz Scaggs starting July 3. He is booked worldwide by Mercury Peninsula Artists.

—Paul Sexton

MUSE NEWS: After a career-defining Glastonbury Festival performance in 2004, Muse is setting its sights further afield.

The British alternative rock trio embarked on a world tour June 24 in Germany, supporting fourth album “Black Holes and Revelations” (Heli- um 3/Warner Bros.). “They plan to be on the road for the next two years,” Warner Music U.K. managing director Korda Marshall says.

According to Marshall, the album shipped 900,000 units internationally on its July 3 release and is already outpacing each of Muse’s three previous albums, which estimates have shipped a total of 5 million worldwide. The album stormed July 11 in the United States.


—Lars Brandie
It's always interesting to see how a group of young musicians can absorb diverse influences, filter them through their own creative vision, then deliver a fresh, exciting new sound that is uniquely their own. This is what I love about Slanted Records' new act DecembeRadio. Though it pays homage to such legends as Lynyrd Skynyrd and Aerosmith, with a dash of Lenny Kravitz and Stone Temple Pilots thrown in the mix, the band manages to forge its own identity with a hard-rocking debut set unlike anything else in Christian music.

"We grew up listening to our parents' CD collections, and our guitar teacher had us listen to a lot of older music," lead guitarist Brian Bunn says. "We wanted to take a lot of the older style—things from the '70s, '80s and early '90s—and fuse it with some of the more modern things. In the studio it was all about having fun. To us, the performance was more important than making everything absolutely perfect. If we had something that was a little out of tune, but it had great passion, we would leave it."

DecembeRadio consists of Bunn, lead vocalist/bassist Josh Reedy, drummer Boone Daughdrill and Eric Miker on guitar/vocals. The group recorded its self-titled debut at the famed Southern Tracks Studios in Atlanta. "Pretty much 75% of the CDs that we bought growing up were recorded in this studio," Bunn says. "So it was great to get to record at a place where all the artists who we've looked up to recorded."

Bunn and Reedy have known each other since they were kids. "Josh started playing the guitar when he was 11 years old, and he played a talent show," Bunn recalls. "I remember the girls going crazy. So, of course, I wanted to learn how to play guitar..." Our first year of high school, we started a top 40 band. We played Hootie & the Blowfish covers and that sort of thing. Then shortly thereafter, we realized that God had given us these gifts, and we wanted to utilize them for him."

They began to lead worship at their church then went on the road with speaker/evangelist Billy Wayne Arrington. They met Miker at a church in West Virginia, and he joined the group five years ago. Arrington introduced the young band to producer Scotty Wilbanks (NewSong, Overflow, Third Day), who began working with the group in the studio and introduced it to Daughdrill.

The band's Slanted debut streeted June 25, and the group is slated to perform at most major Christian music festivals this summer. The lead single, "I Love Found Me," is gaining steam at Christian radio, and the band was named buzz band of the year at the 2005 Rock Summit. Bunn credits Wilbanks with helping the group capture its sound on CD. "A lot of producers in the Christian market tend to sterilize it," he says of hard rock music. "They are afraid that Christian listeners might be scared of a CD with lots of energy, kind of rocking, but he wasn't scared of that."

Bunn describes the DecembeRadio sound as "Southern-fried, riff-driven rock with a slamming' groove." He admits that being unique can be a blessing and a curse in this business, but he and his buddies are in it for the long haul. "We know that not everybody will like it, but so far we have great response and reviews on the CD," Bunn says. "People are just looking for something different. Because we're doing something different, we're the kind of band that it may take a little while longer to climb to the top, but a lot of great things in life take time. So we are willing to work at it."

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The Firm Launches
Music Company

EMI-Financed Label Will Split Revenue With Artists

CEO Jeff Kwatinetz says the Firm's new music company will split record revenue with artists because it is "the right thing to do." But is it the smart thing to do?

Given the back-end structure of the deals, the Firm's still-unnamed company will cover upfront recording costs, but will not give traditional advances to artists. The music company will collect money from all revenue streams covered throughout the deal—which, in addition to record sales, could also include touring, merchandising, publishing and other ancillary rights.

The music company collects all revenue from sales; then subtracts hard costs such as video production and recording fees, and the artist and music company will divide the net 50/50. The music company won't take any upfront fees for overhead or foreign deductions.

On other revenue streams, such as touring and merchandising, percentages will be determined per deal.

The unavailability of certain rights won't keep the company from signing an act. For example, publishing isn't available for either of the company's first two signings, Mandy Moore and Army of Anyone. Although both acts are managed by the Firm, the music company will also sign artists with outside management. To avoid any conflict, if the Firm manages a client signed to the music company, it will not collect management fees.

Even though the deals may cover other rigi ts, the term will still be set by number of albums delivered. The artist and the Firm will jointly own the masters.

The Firm's dealings with EMI heads Alan Levy and David Munns on behalf of such management clients as Korn and 30 Seconds to Mars led to the development of this new company. "David and Alan, and the rest of their staff, instead of whining and putting their heads in the sand, they're not afraid to try new business models," Kwatinetz says.

EMI is financing the label, which is owned by the Firm. EMI has U.S. distribution rights, as well as rights to license the albums internationally.

Kwatinetz would not comment on how a merger between EMI and Warner Music Group—the two music groups continue to trade bids—could affect his deal.

With Korn, EMI and Live Nation having paid Lipman the multi-million-dollar advances in return for a percentage of profits from record sales, touring...

MANDY MOORE is one of the first signings to the Firm's new label.

Pink Floyd Visionary
Syd Barrett Dies At 60

Roger “Syd” Barrett, who shaped the distinctive music of Pink Floyd but was forced out of the legendary band after his mental health began to decline, died July 7 at the age of 60, reportedly due to complications from diabetes. The artist spent the better part of the past 50 years living in seclusion in Cambridge, England, where he was born on Jan. 6, 1946.

"Syd was the guiding light of the early band lineup and leaves a legacy which continues to inspire," read a statement released by the surviving members of Pink Floyd. “Syd was a lovely guy and a unique talent,” said bassist and once-Floyd frontman Roger Waters in a statement of his own. “He leaves behind a body of work that is both very touching and very deep and which will shine on forever.”

With Barrett at the helm, Pink Floyd began life in 1965 as an avant-garde band and progressed to become rock's most innovative act. They were known for their experimental approach to songwriting, with Barrett's influence evident throughout their discography.

Barrett's influence was evident throughout their discography, with his innovative and avant-garde approach to songwriting setting a new standard for the psychedelic and progressive rock movements.

While compelling in that Barrett rarely played a song quite the same way twice, the tracks also sport occasional confusion as to the tune, the studio control reel, which only reinforce the rapid decline of his mental state.

The 2001 collection "The Best of Syd Barrett: Wouldn't You Miss Me?" offered a never-before-heard version of "Hey Jude," previously appearing on "Crazy Diamond" (1993). Both features previously unreleased alternate takes of tracks from the solo albums, including a version of "Dark Globe" that many prefer to the somewhat disjointed original on "The Madcap Laughs."

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MIR

the grinding, bilingual
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from p.147

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BLUES

ALBERT CUMMINGS

Working Man
Producer: Jim Gaines
Blind Pig
Release Date: July 18

For several years, Albert Cummings has been juggling two careers: custom home builder and blues guitarist. The release of “Working Man” is only going to make his life more complicated, for this record is the calling card of blues star who has arrived. Cummings’ guitar work is sizzling, his vocals are sturdy, and he wrote all but one of the 13 tunes on the disc — the one cover tune is an inspired version of Merle Haggard’s “Workin’ Man Blues.” For a nice mix of grooves, spin “CoomBCm,” the slow burners “Let Me Be” and “Rumbos,” and the distinctly Southern “Feelin’ Feelin’” This is one of the best blues albums of 2006. — PVV

LECTOR REVIEW

from p.147

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A posthumous album by an American institution was one of the few key releases on a Tuesday that I'm most American holiday. Chart history results as Johnny Cash tops The Billboard 200 for the first time in almost four decades.

His "American V: A Hundred Highways," the latest and new-to-last edition in a series of albums produced by Rick Rubin, sells 88,000 copies, his largest debut week in the Nielsen SoundScan era. It is his fifth No. 1 on Top Country Albums, but only his second on the chart.

The last time Cash reached No. 1 on The Billboard 200, Richard Nixon was president, "The Carol Burnett Show" and "The Brady Bunch" loomed large on TV, and gas cost 35 cents per gallon. In the Aug. 23, 1969, issue, "Johnny Cash at San Quentin" moved 4-1 on the album chart. The country legend's "A Boy Named Sue" was also No. 2 on The Billboard Hot 100, trailing the Rolling Stones' "Honky Tonk Women." Sharing the top 10 with the likes of Tommy James & The Shondells, Zager & Evans and the Guess Who.

This also marks Cash's first No. 1 on Top Country Albums since 1985 when he collaborated with Willie Nelson, Waylon Jennings and Kris Kristofferson for "Highwayman," and his first as a solo artist since 1971's "Man in Black."

There have only been four weeks since SoundScan launched in 1991 that the artist has experienced larger frames, each of those posted by recent hits "The Legend of Johnny Cash." With biopic "Walk the Line" raising his profile, the "Legend" anthology surpassed 100,000 in each of the frames leading up to Christmas 2005, topping out at 178,000 in the holiday week when it ranked No. 14. Four weeks later, in less competitive waters, it peaked at No. 5.

LOW AND HIGH TIDES: The low number required to top this week's Billboard 200 is hardly cause for alarm. Independence Day is simply not a shopping holiday. Falling on the day when new releases hit shelves, the July 4 release schedule was light on star power beyond Johnny Cash.

His set's 88,000 copies are not the lowest sum for No. 1 album in the Nielsen SoundScan era. That distinction belongs to OutKast's "Speakerboxxx/The Love Below," which rang 86,000 copies in the Feb. 7, 2004, issue, the set's seventh and last week at No. 1.

Two 1991 albums—R.E.M.'s "Out of Time" and Paula Abdul's "Spelling Bound"—also owned the top slot with sums of less than 90,000.

However, the new Cash set does mark the lightest SoundScan sum for a No. 1 album's debut week, previously held by the 113,000-unit start of Destiny Child's "#1's." (Billboard, Nov. 12, 2005).

Before you declare Cash's modest No. 1 sign a sign of the end of the music industry as we know it, we ought to report that chart watchers predict a week north of 400,000 copies next issue for the 22nd edition of the "Now That's What I Call Music" series, based on chain reports of first-week sales.

That would line up as the sixth-largest sales week of 2006.

JAZZED: Conventional wisdom suggests crossover jazz outsells traditional jazz. That, in fact, is why labels labeled Billboard for the 1987 launch of the Top Contemporary Jazz chart so that serious works from Wynton Marsalis or Brad Mehldau would not have to compete with the commercialized fare of a Kenny G or Spyro Gyra.

Imagine my surprise when I talked to a Boston Globe reporter doing a story about smooth jazz to notice that six of the titles on this week's Top Jazz Albums posted release-to-date sales of more than 200,000 copies, while only three from this issue's Contemporary Jazz list exceed 100,000.

Mind you, the former chart's numbers are stretched by big-band albums from Michael Buble, a crooner who gets airplay on pop stations, and by the Oprah Winfrey-endorsed Chris Botti. Each place two among those six: 1.9 million for "It's a Time" is a career best for Buble, and 617,000 for "When I Fall in Love." Botti's high but Madeleine Peyroux and Norah Jones' unenthusiastic pairing of Thelonious Monk and John Coltrane also beat 200,000. Kenny G and Herbie Hancock are the only artists with albums on the current Contemporary Jazz chart to top that threshold.
## HOT 100 AIRPLAY

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EWW THE BULLETS ngeorge@billboard.com

NEW HEAVIES START NEW DAY

One week after its first Top R&B/Hip-Hop Album show in nine years, British soul collective The Brand New Heavies take the Hot Shot Debut (No. 24) on Top Independent Albums with "Get Used To It" (No. 20).


In 1991, the group peaked at No. 3 with "Don't Stop" (No. 1). The new track, a cover of Stevie Wonder's "I Don't Know Why (I Love You)," is getting radio play, and VH1 Soul offered promotion for the U.S. tour. — Raphael George

GO TO www.billboard.biz FOR COMPLETE CHART DATA

www.americanradiohistory.com
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<thead>
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</tr>
<tr>
<td>ITUR</td>
<td>Yo Adiós</td>
<td>#5</td>
</tr>
<tr>
<td>EXITUS</td>
<td>Omar &amp; El Pyenso</td>
<td>#7</td>
</tr>
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<td>El Gante</td>
<td>#8</td>
</tr>
<tr>
<td>BABY RANKS</td>
<td>De Todo Las Noche Tristes</td>
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**Dollar Scores**

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<td>Beto Fernandez</td>
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### Latin Airplay Pop

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<tbody>
<tr>
<td>1</td>
<td>ME VOY</td>
<td>HISPANIC AIR / SONY BMG NORTH</td>
</tr>
<tr>
<td>2</td>
<td>HIP HOPS</td>
<td>ELECTRO BACHATA / O明白了</td>
</tr>
<tr>
<td>3</td>
<td>VELA DE RAFAEL</td>
<td>SANTA FE / SONY BMG</td>
</tr>
<tr>
<td>4</td>
<td>NO NO</td>
<td>T/2500/TOMMY BOY / FLAVA MUSIC</td>
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<tr>
<td>5</td>
<td>ESTE CORAZON</td>
<td>Q/Audio / SONY BMG</td>
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<tr>
<td>6</td>
<td>PAISAJE</td>
<td>ULTIMATE /ISTRY / SONY BMG NORTH</td>
</tr>
<tr>
<td>7</td>
<td>NUESTRO AMOR SE HA VUELTO ATEN</td>
<td>TECNICA MUSICAL / RBD</td>
</tr>
<tr>
<td>8</td>
<td>CUECA TANZORRO</td>
<td>UNIVISION (SGZ / UNIVISION / UG)</td>
</tr>
<tr>
<td>9</td>
<td>TE ECHO DE MENDO</td>
<td>NUESTRO AMOR / SONY BMG NORTH</td>
</tr>
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<td>10</td>
<td>MARIPOSAS</td>
<td>SANTA FE / SONY BMG</td>
</tr>
<tr>
<td>11</td>
<td>QUE ME ALCANCE LA VIDA</td>
<td>Nuestro amor / SONY BMG</td>
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<td>12</td>
<td>UNA CANCION QUE TE ENAMORE</td>
<td>RBD / SONY BMG NORTH</td>
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<td>ABRAZAME</td>
<td>ENANITOS VERDES / UNIVERSAL LABS</td>
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<td>14</td>
<td>LO QUE SON LAS COSAS</td>
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</tr>
<tr>
<td>15</td>
<td>ESTOY CON EL Y PIENSO EN TI</td>
<td>ENANITOS VERDES / UNIVERSAL LABS</td>
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### Latin Albums Pop

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<td>ANTONIO RIVERA</td>
<td>TECNICA MUSICAL / RBD</td>
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<tr>
<td>3</td>
<td>JULIO IGLESIAS</td>
<td>UNIVERSAL LABS / SONY BMG</td>
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<td>4</td>
<td>RAMON ALVAREZ</td>
<td>CHANCE / SONY BMG</td>
</tr>
<tr>
<td>5</td>
<td>ROSARIO NAVarro</td>
<td>BACHATA PIRATA / SONY BMG SOUTH</td>
</tr>
<tr>
<td>6</td>
<td>MAURICIO ABADINI</td>
<td>SANTA FE / SONY BMG</td>
</tr>
<tr>
<td>7</td>
<td>ARMANDO RAMOS</td>
<td>CONJUNTO PRIMAVERA / SONY BMG SOUTH</td>
</tr>
<tr>
<td>8</td>
<td>NILSON TEJEDA</td>
<td>SANTA FE / SONY BMG</td>
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<td>PANTEONARIOS</td>
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<td>HOMBRE OSO</td>
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### Tropical

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<tr>
<td>1</td>
<td>MONICHA &amp; ALEXANDRA</td>
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<td>AVENTURA</td>
<td>SANTA FE / SONY BMG</td>
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<td>CHANCE / SONY BMG</td>
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<td>JOSE SEBASTIAN</td>
<td>SANTA FE / SONY BMG</td>
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</tr>
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### Electronic Albums

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<td>MADONNA</td>
<td>SONY BMG</td>
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<td>VARIOUS ARTISTS</td>
<td>SANTA FE / SONY BMG</td>
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<td>5</td>
<td>PET SHOP BOYS</td>
<td>SANTA FE / SONY BMG</td>
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<tr>
<td>6</td>
<td>DJ LIL' CEE / TREVOR SIMPSON</td>
<td>MCA NASHVILLE / USA</td>
</tr>
<tr>
<td>7</td>
<td>D'AQUINO</td>
<td>ELVIS RECORDS</td>
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<td>8</td>
<td>MARIO DANTO</td>
<td>SANTA FE / SONY BMG</td>
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<td>TIESTO</td>
<td>SANTA FE / SONY BMG</td>
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<td>THERAPY CORPORATION</td>
<td>SANTA FE / SONY BMG</td>
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<td>11</td>
<td>THE STREETS</td>
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<td>WHAT'S LEFT OF ME</td>
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<td>FEEL SOULFUL</td>
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<td>18</td>
<td>A NEW ADDITION</td>
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See chart legend for Hot Dance Club Play and Hot Dance Singles Sales rules and explanations. © 2006, VNU Business Media, Inc. Nielsen SoundScan, Inc. All rights reserved. For a complete chart data, go to www.billboard.com.
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<th>GERMANY SINGLES</th>
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**FRANCE SINGLES**

**AUSTRALIA SINGLES**

**ITALY SINGLES**

**SPAIN SINGLES**

**BRAZIL SINGLES**

**FLANDERS SINGLES**

**SWEDEN SINGLES**

**IRELAND SINGLES**

**NEW ZEALAND SINGLES**

**ARGENTINA ALBUMS**

**NEW ALBUMS**

www.americanradiohistory.com
## EUROCHARTS

### SINGLE SALES

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### EUROAMERICAN

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### ALBUMS

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### RADIO AIRPLAY

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<td>Jul 12, 2006</td>
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</tbody>
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**Note:** The provided data includes various musical artists, albums, and singles from different countries, highlighting their performance in the charts for the specified dates.
0 Albums with the greatest sales gains this week.

Where included, this award indicates the title with the chart's largest unit increase.

Where included, this award indicates the title with the chart's biggest percentage growth.

Indicates album entered top 10 of The Billboard 200 and has been removed from Heatseekers chart.

### Pricing/Configuration

Catalog titles suggested for buy equivalent prices, which are projected from wholesale prices. At a price indicates album only available on DualDisc. CD/DVD combo titles indicated CD/DVD combo available. * indicates vinyl LP is available. Pricing and vinyl LP availability are not included on all charts.

### Single Charts

#### Radio Airplay Singles Charts

Compiled from a national sample of data supplied by Nielsen Broadcast Data. Single titles are ranked by number of gross audience impressions, compiled by cross-referencing exact times of airplay with Arbitron listener data. The audience are the Rhythms Top 40, Adult Top 40, Adult Contemporary, Modern Rock and Adult R&B charts, which are ranked by total detections.

#### Recurrent Rules

Singles are ranked from the Hot 100 and Hot Adult Top 40 charts simultaneously if they have been on the Hot 100 for more than 20 weeks and rank below 50. Singles 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 Singles & Tracks for more than 20 weeks and rank below 50. Singles are removed from the Pop 100 and Pop 100 Airplay charts simultaneously if they have been on the Pop 100 for more than 10 weeks and rank below 30. Titles are removed from Hot Country Songs if they have been on the chart for more than 30 weeks. Titles are removed from Hot Rock from rank below 50 if detections or audience points fall below. SoundScan is removed from the Adult Top 40, Adult Contemporary, Adult R&B, and Hot Dance Airplay charts if they have been on the chart by more than 20 weeks and rank below 50 for Modern Rock and Alt or if they have been on the chart for more than 52 weeks and below 50.

#### Singles Sales Charts

The top selling singles compiled from a national sample of retail store, mass merchant, and Internet sales reports collected, compiled, and provided by Nielsen SoundScan. For R&B/Hip-Hop Singles, sales data is compiled from a national subset panel of core R&B/Hip Hop stores by Nielsen SoundScan.

#### Configurations


#### HitPredictor

#### Dance Club Play

Compiled from a national sample of reports from club DJs.

* Titles with the greatest dance club play increase over the previous week.

### Album Charts

#### Recording Industry Assn. of America (RIAA) for certification for net shipment of 500,000 albums (Gold).

#### RIAA certification for net shipment of 1 million units (Platinum).

#### RIAA certification for net shipment of 10 million units (Diamond).

#### Certification for net shipments of 1 million albums (Diamond). Numeral within Platinum or Diamond symbol indicates album’s multiplatinum level. For boxed sets, and doubles with a running time of 100 minutes or more, the RIAA multiples certifications by the number of discs and/or tapes. * Certification for net shipments of 100,000 units (Gold). * Certification of shipments by the RIAA. * Certification of 400,000 units (*Multi-Platinum).

### Singles Sales Charts

#### RIAA certification for 100,000 paid downloads (Gold). * RIAA certification for 200,000 paid downloads (Platinum). Numeral within platinum symbol indicates song’s multiplatinum level. * Certification for net shipment of 500,000 singles (Gold).

### Music Video Sales Charts

#### RIAA gold certification for net shipment of 25,000 videos for video singles.

#### RIAA gold certification for net shipment of 50,000 videos for shortform or longform videos. * RIAA platinum certification for net shipment of 100,000 videos for video singles. * RIAA platinum certification for sales of 150,000 singles for non-technical titles.

### Digital Sales/Services/Sales/Video Rental

#### RIAA gold certification for net shipment of 50,000 singlens or shortform or longform videos. * RIAA platinum certification for net shipment of 100,000 videos for video singles. * RIAA platinum certification for sales of 150,000 singles for non-technical titles.
## Top DVD Sales

<table>
<thead>
<tr>
<th>Title / Distributing Labels &amp; Number (Price)</th>
<th>Principal Performers</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>TITANIC: 2 DISC EDITION (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>2.</td>
<td>20TH CENTURY FOX: SCENES FROM THE LIFE OF PABLO (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>3.</td>
<td>UNDERWORLD: EVOLUTION (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>4.</td>
<td>THE HILLS HAVE EYES (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>5.</td>
<td>AARON'S MOVIE VACATION TO JUBAL (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
</tbody>
</table>

## Top TV Sales

<table>
<thead>
<tr>
<th>Title / Distributing Labels &amp; Number (Price)</th>
<th>Principal Performers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>HIGH SCHOOL MUSICAL: ENCORE EDITION (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>2.</td>
<td>THE PINK PANTHER (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>3.</td>
<td>12 MONKEYS (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>4.</td>
<td>THE TERRY PERRY COLLECTION: MADEA GOES TO JAIL (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>5.</td>
<td>THE HILLS HAVE EYES (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
</tbody>
</table>

## Top Heatseekers

<table>
<thead>
<tr>
<th>Artist / Distributing Labels &amp; Number (Price)</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>INHUMAN RAMPAGE (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>2.</td>
<td>DRAGONFORCE (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>3.</td>
<td>CARTEL (DOLBY DIGITAL 5.1, 29.98)</td>
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<td>4.</td>
<td>REGINAL SPERKETAR (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>5.</td>
<td>EMMANUEL (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>6.</td>
<td>ALCHANCES (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>7.</td>
<td>RAPAKI &amp; KENY (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>8.</td>
<td>DJ LIL CEE/TREVOR SIMPSON (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>9.</td>
<td>LEROY &amp; STITCH (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>10.</td>
<td>JULIETA VENEGAS (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>11.</td>
<td>AARON SHURT (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>12.</td>
<td>WAYMAN TISDALE (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>13.</td>
<td>VICKY (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>14.</td>
<td>MONCHY &amp; ALEXANDRA (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>15.</td>
<td>JUAN SEBASTIAN (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>16.</td>
<td>KATIE MELUA (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>17.</td>
<td>BILLY TALENT II (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>18.</td>
<td>DUOLO (DOLBY DIGITAL 5.1, 29.98)</td>
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<td>19.</td>
<td>THE WAILIN' JENNY'S (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>20.</td>
<td>VIC LATINO (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>21.</td>
<td>DONAVON FRANKERREITER (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>22.</td>
<td>AVENTURA (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>23.</td>
<td>BISHOP G.E. PATTERSON &amp; CONGRESSION (DOLBY DIGITAL 5.1, 29.98)</td>
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<tr>
<td>24.</td>
<td>URBAN MYSTIC (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>25.</td>
<td>AUGUSTANA (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
<tr>
<td>26.</td>
<td>THE SUNSTREAK (DOLBY DIGITAL 5.1, 29.98)</td>
</tr>
</tbody>
</table>

Go to [www.billboard.biz](http://www.billboard.biz) for complete chart data.
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Concord Music Group, a prestigious jazz & genre record label in Beverly Hills, is seeking the following accounting professionals: One FT & one temp (6 mos) opportunity. Will compile royalty data from licensees & third party sources; extract/analyze sales info from accounting system to create schedules for royalty calculations; and prepare statements (semi-monthly royalties, quarterly mechanical royalty, monthly P&L). Requires min 5 years related accounting exp.; advanced Excel skills; strong understanding of databases; and the ability to provide analysis and understanding of related legal documents. Accounting or related degree preferred. For immediate consideration email your résumé to: careers@concordrecords.com. Fax: 310-385-4197 Visit us at: www.concordrecords.com

**www.americanradiohistory.com**
**MARRIAGES**

Karen Fairchild to

Jimi Westbrook, May 31 in Nashville. Bride and groom are members of the band Little Big Town.

**DEATHS**

Roy “Mr. Malaco” Wooten, 59, of colon cancer, June 16 in Jackson, Miss. A well-known player in the gospel music industry. Wooten was a promotion and marketing executive at Malaco Music Group for more than 30 years.

With his wife Esther, Wooten founded the Exclesisa Booking Agency. The agency represented such gospel acts as the Canton Spirituals, Darrell McFadden, Paul Porter and the Anointed Jackson Sister.

Known to close friends and business associates as “Uncle Roy,” Wooten was also on the executive board for the Mississippi Mass Choir and was the international promotion manager for the Gospel Music Workshop of America’s Announcers Guild.

He had been battling cancer since April 1997.

Wooten is survived by his wife, three children, two grandchildren, a goddaughter and two nieces.

In lieu of cards and flowers, donations can be sent to the Roy Wooten Memorial Fund c/o The Malaco Music Group, PO Box 9287, Jackson, MS 39266.

Charles Levinson, 64, of unspecified causes, July 7. He was most recently deputy chairman and non-executive director of U.K. media conglomerate Chrysalis Group.

Prior to Chrysalis, Levinson served as VP of international at Island Records, managing director at Arista Records and was chairman/CEO of WEA Records and Warner Home Video in the United Kingdom.

He also served as managing director at the Music Channel.

which launched Europe’s first all-music TV network, and as CEO of Super Channel, the first Pan-European general entertainment TV channel.

In 1997, Levinson became a consultant advising on the entertainment business at London-based law firm Harbottle & Lewis.

His other achievements include receiving France’s prestigious Chevalier de l’Ordre des Arts et des Lettres from the French government. No information on survivors was available.

Milan Williams, 58, following a bout with cancer, July 9 in Houston. Williams was a founding member and keyboardist of R&B/funk outfit the Commodores.

Formed in Tuskegee, Ala., the Commodores’ lineup also included Thomas McClary (guitar), Lionel Richie (vocals and saxophone), Walter ‘Clyde’ Orange (drums), William King (trumpet) and Ronald LaPread (bass). After touring as the warm-up band for the Jackson Five, the Commodores signed to Motown subsidiary Motown in 1972.

The Commodores’ first hit was the 1974 synthesizer-pumped instrumental “Machine Gun.”

Written by Williams, the song climbed to No. 7 on Billboard’s R&B chart. The group went on to score seven No. 1 R&B hits, including “Slippery When Wet. “Just to Be Close to You,” “Easy,” “Nightshift,” “Three Times a Lady” and “Still.”

the latter two also topped the pop charts.

Richie left the group for a solo career in 1982, and the Commodores later recorded for Polydor in the late ’80s.

Before joining the Commodores, Williams played keyboards for and Tuxeege band, the Jays.

He is survived by his wife, Melanie Bruno-Williams, two sons, two brothers and a sister.

FOR THE RECORD

In the July 8 issue of Billboard, a photo caption in Global Newsline should have identified those pictured as Mark McEntee of the Divinyls and designer Melanie Greensmith.

In compiling publishing recaps for Billboard’s Songwriters Hall of Fame spotlight in the June 17 issue of Billboard, there were a few instances on Hot Latin Songs where producers received composer credit for songs where they were not officially listed as co-writers. Those recaps have been rerun to reflect proper writers’ credits, which yields a new No. 1 company, Universal-Music Unica, on Hot Latin Publishers.

The original Hot Latin Publishing Corporations list, with EMI Music at No. 1, remains unchanged.

Here is the revised Hot Latin Publishers list:

**Hot Latin Publishers**

- **1** UNIVERSAL-MUSIC UNICA, BMI (17)
- **2** SONY/ATV DISCOS, ASCAP (2)
- **3** FILTRO, BMI (13)
- **4** SAN ANGELO, ASCAP (4)
- **5** EMI BLACKWOOD, BMI (7)
- **6** EMI APRIL, ASCAP (10)
- **7** MOBB SONGS, ASCAP (1)
- **8** LOS CANGRIS, ASCAP (8)
- **9** PREMIUM LATIN, ASCAP (2)
- **10** SER-CAB, BMI (4)
The 56th Annual National Association of Broadcasters Television Engineering Excellence Awards were held on June 8 at the Mandalay Bay Resort & Casino in Las Vegas, Nevada. The awards program honored excellence in broadcast engineering, and featured keynote addresses from industry leaders.


The ceremony was preceded by a cocktail reception and dinner for award recipients and their guests. The evening concluded with a special performance by legendary rock band Lynyrd Skynyrd, who received the Legends of Music Award for their contributions to the music industry.


eighty-four of the best in broadcast engineering were honored at the 56th Annual National Association of Broadcasters Television Engineering Excellence Awards.

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The National Association of Broadcasters Television Engineering Excellence Awards are sponsored by the National Association of Broadcasters (NAB) and the Radio & Television Engineering Alliance (RTEA). The awards recognize outstanding achievement in broadcast engineering, production, and technology.

--\n
The event was attended by many industry leaders, including NAB CEO and President Gordon Smith, RTEA President and CEO Charles R. D’Amato, and NAB Foundation Board Chair Thomas J. Magnotta.

--\n
Special thanks to all of the award recipients and their companies for their contributions to the broadcast industry.
Clinton on Martell Bill

Look for noted saxophonist and former president of the United States Bill Clinton to be announced as guest speaker and honoree at this year’s T.J. Martell Foundation dinner. Beloved industry veteran Clarence Avant also will be honored at the Oct. 10 dinner at the Marriott Marquis in New York. Track also hears that Sherly Crow will be among the top entertainers at the annual gala.

Release the Tension

While in Los Angeles to tape the ESPY Awards, Ludacris and manager Chaka Zulu dropped by the Billboard office to preview several tracks from the rapper’s upcoming DTP/Def Jam album “Release Therapy.” Lead single “Money Maker” goes to radio on the week of July 17.

A Star Is Born

ABC’s latest entry into the reality show talent derby, “The One: Making Music Star,” bows July 18. The show, which follows contestants as they attend a music academy in Los Angeles, has picked three experts who are sure to rival the antics of Simon, Randy and Paula on that other talent contest. They are hit songwriter/producer (and former Billboard staffer—we plug her every chance we can get) Kara DioGuardi, former Motown Records president and Uptown Records founder Andre Harrell and songwriter/producer Mark Hudson, who has worked with everyone from Aerosmith to Ringo Starr. Hudson’s colorful outfits will, if nothing else, keep everyone tuned in.

The Band Plays on and On

The Band’s organist/pianist Garth Hudson has signed with Savoy Jazz to release a trio album. Work on the as-yet-untitled set will get under way in fall, with an eye on an April 2007 release. “This is the first project of this kind for him,” Savoy Jazz A&R consultant Stu Fine tells Track. “It may also be his most extroverted project.” Hudson, who turns 69 next month, waited 25 years following the demise of the Band’s original incarnation before releasing his first solo album, “Brotherhood.”

Meanwhile, as first reported last week on billboard.com, the Band will be the subject of a star-studded tribute album, which Savoy Jazz will release Jan. 9, 2007. Among the acts due to contribute are My Morning Jacket (which has already recorded “It Makes No Difference” at Levon Helm’s studio in upstate New York), Death Cab for Cutie, Gomez, Jack Johnson, Los Lobos, Dr. John, Allen Toussaint, Rosanne Cash, Joe Henry and Bruce Hornsby. Sources say a similar project devoted to Joni Mitchell is also in the works over at Nonesuch.

Southern Change

A change of command is in the works at label/distributor Southern Record in Chicago. Sources say James Zelpy will be named GM at the end of the year, when Danielle Soto is expected to step down. Zelpy declined to comment.

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3233 ST. GEORGE STREET: Los Feliz. Sublime renovation of the Grand Dame of St. George with modern amenities & classic details. 4bd/4ba, pool, park-like grounds. $1,899,000 Brad & Joe 332.481.4700

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2177 W. LIVE OAK DR: Los Feliz. Spanish Colonial Revival walled estate 4bd/4ba, over 6700sqft. Spectacular views, media room, priv newly remodeld gar apt. $3,695,000 WEB: 0302911 Lawyer / Wilson 310.888.3008

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13750 TUSCANY HILL: Pacific Palisades. Dramatic Medit Villa on Huntington corner lot. 6bd/5.5ba. Great kit/ fam rm opens to ingrd yard w/ pl. Private & gated. $6,895,000 WEB: 0314493 Barbara Boyle 310.253.3403

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HILLTOP: Pasadena. A geometric house in the romantic tradition. Thornton Ladd designed mid-century wisp has on sep lot. Approx 3.61 acres. Views. $6,850,000 WEB: 0272590 Susan / Bradley Mohr 626.396.3905


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MOD A-FRAME CIRCA '65: Mt. Washington. Architectural- 2 story, open floor plan, hght ceiling, 3bd/1.5ba., with sreqd yard, 2 fireplcs. Come & experience magic. $779,000 Peter Tomlinson 323.665.1700

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335 TOYOPA DR: Pacific Palisades. Dramatic Medit Villa on Huntington corner lot. 6bd/5.5ba. Great kit/ fam rm opens to ingrd yard w/ pl. Private & gated. $6,895,000 WEB: 0314493 Barbara Boyle 310.253.3403

2839 MEDILL PL: Cheviot Hills. Mediterranean on cul-de-sac. 3bd/4ba wipnig fpn, vtd clls, hwd flrs,Azsimg city & mountain vus. $2,195,000 Rory Penn 310.839.8500

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