Neil Diamond

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THE 2006 BILLBOARD MUSIC AWARDS SNEAK PREVIEW

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Conferences
MIDEM
Nearly 10,000 music professionals from almost 100 countries will meet to do deals, network, learn and check out hot new talent at MIDEM 2007, taking place Jan. 21-25 at the Palais des Festivals in Cannes. More information at midem.com.

MUSIC & MONEY
Billboard's 2007 Music & Money Conference, set for March 1 at the St. Regis Hotel in New York, is the premier event for the music industry's decision-makers, entrepreneurs and companies. For more information, go to billboardevents.com.

Television
CHART-TOPPERS
Don't miss the 2006 Billboard Music Awards airing Dec. 4 on Fox, featuring performances by the year's chart-topping artists as determined by Billboard's weekly charts. For more information, go to billboardevents.com.

Blogging
THE JADED INSIDER
Citizen Cope busing on the subway? Queens of the Stone Age slumming it in a small club? EMF in a cheese commercial? Unbelievable! Get those scoops and much more on the Billboard blog, only at jadedinsider.com.
Dealing pirated CDs on street corners is more lucrative than selling crack. No, really. Preparing cocaine for distribution costs dealers between $1 and $2, depending on the amount and the cocaine base, according to law enforcement officials. Preparing CDs costs only 45 cents. Between the cost of production and the cost of being caught, it’s no wonder so many criminals opt for piracy.

People often assume, “Oh, they aren’t really criminals, they’re just burning and selling CDs.” But think again. In Los Angeles, gang members and drug dealers are now setting up shop to sell CDs. And why not? Selling cocaine is a felony. In California, if you’re caught with fewer than 1,000 pirated CDs, it’s only a misdemeanor. (Thankfully, as of Jan. 1, 2007, the law will be changed to 100 CDs.)

Body Guildini had a good fix for this when he was mayor of New York. Under his tolerance policy, the New York Police Department was mandated to bust anyone for committing even such “minor” crimes as subway turnstile jumping or graffiti. Guildini’s theory was that minor crimes turn into big crimes. Since drug sales and CD piracy are clearly linked in Los Angeles, zero tolerance could be the answer—there, too.

The RIAA and the Motion Picture Assn. of America have been working closely with law officials to clamp down on piracy through raids and busts. In fact, the key players spoke at an anti-piracy panel during the Hollywood Reporter/Billboard Film & TV Music Conference in November. Panelists included Univision Music Group President José Belar; Marcus Cohen, RIAA regional counsel for anti-piracy; Wendy Greuel, Los Angeles city council member, second district; detective Rick Ishihata, Los Angeles Police Department (LAPD) anti-piracy unit; and MPAA VP of U.S. anti-piracy operations Mike Robinson. Los Angeles Mayor Antonio Villaraigosa, who could not attend the panel, even prepared a written statement showing his support for his city’s anti-piracy efforts.

What’s interesting is that Los Angeles, the capital of the entertainment business, has only five detectives and one police officer in the anti-piracy section of its narcotics vice division. Piracy operations, working out of storage units all over Los Angeles, far outnumber the cops.

To deal with what has essentially become organized crime, the anti-piracy division needs a bigger force. It also needs more money for such costs as rental cars, so detectives aren’t seen in the same vehicles sticking out locations, and for overtime, so other detectives in vice can opt to work with the anti-piracy unit if they choose to do so.

As of Nov. 22, the anti-piracy unit has served 58 search warrants, made 190 arrests and recovered more than $10.7 million in contraband for 2006. Imagine what it could do with more manpower.

Why is it important? Belar said it best: “It’s killing the music business.” Not just the artists—it’s killing the songwriters, the engineers, the record studios, the record stores, the graphic designers who do album art, photographers, mixers, producers and the mailroom clerk at a record label.

According to a study done in New York, which has yet to be released, counterfeited goods overall have cost the city and its residents $1 billion in tax revenue. Imagine what it’s doing to Los Angeles.

So, to all of us affected by these illegal round-dance distributions, let the LAPD and other city law enforcement efforts. If we make enough noise, maybe, just maybe, more funds will get approved. To make a difference, go to music.org.

RBD’s ‘Celestial’ Success

Latin Teens And Tweens, Served At Last

RBD’s ‘Celestial’ bows at No. 1 on Billboard’s Top Latin Albums chart this issue, scanning 177,000 copies, more than five times that of its closest competitor. In sheer sales, it’s the highest debut for a Latin album this year and historically, second only to Shakira’s ‘Fijación Oral, Vol. 1,’ which scanned 157,000 in its first week in 2005.

However, ‘Celestial’ notches its 100,000-plus sales not in a week but in just three days, as label EMI Televisa took the unusual route of releasing the album the Friday after Thanksgiving. The risky strategy paid off by zeroing in on Latin teens and tweens, a hugely underserved audience.

The majority of the album’s sales, more than 90%, came from mass merchants. And among those, the bulk came from Wal-Mart, which sponsored RBD’s Thanksgiving Special that aired on Univision and packaged the CD with a DVD of the first season of “Rebelde,” the TV show that spawned RBD. At $16.98, it was a good deal.

But RBD’s sales aren’t about price. The group’s fans are die-hard, and they want to get as close as they can to it. No wonder RBD has three other titles on the chart, and all of them rose in sales this issue, including first album “Rebelde,” which has been on the chart 90 weeks.

In contrast, although RBD has a massive online following—the group’s Web site has more than 2 million unique visitors per month—online sales were less than 1%. It goes back to the physical need of owning a tangible product when you are a fan in this age bracket.

Given its success, why aren’t there more acts like RBD?

Because it’s been years since the Latin music industry has seriously looked at this consumer. Most albums purportedly made for teens either feature older singers (30-year-olds are routinely pitched as tween-appalling) or heavy-duty romantic material that makes kids roll their eyes. This applies to either, perhaps, TV or made-for TV groups as well.

Instead, RBD’s repertoire is sweet and simple, but its members have just the right amount of edge to be cool. The group has also torn down stereotypes of who watches Spanish-language TV or listens to Spanish-language radio. Clearly, there was an appetite for the new that wasn’t being fed. Or rather, it was being fed homogeneous, preconceived fare that doesn’t cut it anymore.

WRITE US...
Welcome To The Music Department

CD Sales At Nordstrom And Sears

With music specialty stores dying by the hundreds this year between the liquidation of Tower and Musicland, Nordstrom and Sears may be picking up some of the slack as they add an entertainment cache to their own stores by carrying CDs.

Nordstrom has been testing music in 29 stores in Seattle and will roll out the category to all 157 stores in the chain by mid-December, says Michael Barber, who heads up Barber Entertainment and assists Nordstrom in the selection.

In Chicago, the Sears holding company began carrying music and videogames a couple years ago, and in November began testing music in its 789 stores, according to Sears Holding entertainment divisional merchandise manager Jim Stella.

At Nordstrom, the chain sees music as an extension of its presence as the leading fashion department store in the United States. "The key for Nordstrom is to first and foremost be a fashion retailer and we believe there are parallels between fashion and music," says Barber, who points out that a number of artists have their own clothing lines. Gwen Stefani's brand is carried by Nordstrom.

"We are bringing in titles that are timely and that are right for Nordstrom's customers," Barber says. In fact, Nordstrom is buying all kinds of titles: from new releases to select catalog titles, compilations and custom-designed artist compilations carrying the Nordstrom logo.

In stock music, Nordstrom is placing a rack with four titles at most cash registers in the store, which in some outlets number as many as 56. What's more, each rack is stocked with titles appropriate to the department where it is located. The only departments not carrying music are those with crowded point-of-sale merchandising displays like cosmetics.

In total, each store may carry about 50 titles, "from current hits to older titles that are somewhat timeless, but are important to highlight to our customers," Barber says.


"A person at the register is only seeing four titles to choose from so it is not an overwhelming impression to the customer," Barber notes.

But it could eventually mean big business for the labels. Sources say Nordstrom is buying direct from the majors, on a one-way basis, with Barber acting as the exclusive consultant in choosing titles. What's more, they say orders range from 1,000 to 1,500 copies per title, with the latter number usually applying to the stores' own custom albums. So far it has licensed custom compilations of Jamie Cullum and Marvin Gaye, with a Chet Baker title coming in 2007.

Beyond that, "we are making great efforts to provide customization within the stores," Barber says. "And we can track sales on a daily and hourly basis and react to those sales."

Nordstrom makes CDs shelf-ready in its own distribution centers. Barber says. So far, the chain has dealt only with majors, but Barber expects to expand into the independent label community as he looks the right titles for the chain.

Other merchants will be hearkened to know that Nordstrom isn't employing the loss-leader pricing typically used by big-box merchants, as sources say prices range from $12 to $24.

Meanwhile, Sears Holding is taking a different approach in carrying music. Since Sears merged with Kmart at the end of 2004, the music industry has been expecting the parent to add music to Sears stores.

In the States, Sears runs 926 full-line department stores, while its Kmart division operates about 1,400 stores. The latter chain has carried music for decades, largely racked by the Handleman Co., but in recent years Alliance Entertainment Corp. picked up about 400 of those stores.

At Sears, the company initially brought in movies and DVD games, and only began experimenting with music in November. Sources say Sears is supplied by AEC.

Sears has put racks of midline CDs, each carrying about 120 titles, in about 875 of its mall stores. The racks are located around center-aisle cashiers, says Stella, who has been with Sears for 18 months but was previously a buyer at Trans World Entertainment. Also, each electronics department carries three full-line CDs at the registers.

In addition, about 75 Sears Grand stores, which were converted from Kmart free-standing locations, continue to carry full music departments like Kmart does. All Sears stores occasionally run special in-and-out music promotions as well, Stella says.

"What we are up to," Stella says, "is trying to see how entertainment can play a role in Sears stores."
SCHOOL'S IN SESSION

Disney Phenomenon 'High School Musical' Hits The Road

The Disney Channel's "High School Musical" has already conquered TV and music, and now it is expanding to yet another medium. The film's cast kicked off a full-scale North American tour Nov. 29 at San Diego's iPayOne Center, and nearly every show has sold out in advance, according to AEG Live senior VP Debra Rathwell, whose company is producing the 40-city trek.

The "High School Musical" soundtrack has been the top seller of 2006 so far, having shifted 3.3 million copies in the United States, according to Nielsen SoundScan. As such, it was no surprise the iPayOne Center was "selling up opening night as big as we've ever staffed for merchandise," GM Ernie Halin says.

High School Musical: The Concert was booked by Creative Artist Agency's Jeff Frasco, who also booked fellow Disney act the Cheetah Girls' current arena jaunt. He says Disney has recently found a profitable synergy among its TV network, record company, and radio station.

Those tools will all be used to promote the High School Musical tour, says Chip McLean, senior VP of business development/business affairs at Buena Vista Music Group. The company teamed with the Disney Channel to produce a "Disney 365" promotional program featuring the cast rehearsing for the tour, which will air in early December. "It's a program largely based on letting people know we've got the tour coming to their town," he says.

The Disney Channel is working with TV affiliates in local markets for tour contests and promotions, he adds. AEG Live is also tapping into Disney's promotional arms to market the tour, for which tickets range from $35 to $55. And while the target audience is 6-14-year-olds, newspaper ads are being utilized to draw in parents who could also potentially attend, Rathwell says. 

Indie Acts, Mastered Like Superstars

Sony Studios Initiative Reaches Out To Young Artists

Vitamin Devo, a 24-year-old Brooklyn-based DJ and independent electronic artist, was recently looking to have a song mastered for vinyl release. Normally he would turn to a company that specializes in budget postproduction services for unsigned musicians—for instance, Disc Makers. Instead he gave the job to an unlikely savior for his business: Sony Music Studios.

In a bid to tap into an expanding universe of musicians in the independent sector, Sony Music Studios is opening itself to all corners with a new, low-cost Web-based service called Sony Music Studios Mastering Online (SIM). For a $99 fee, Vitamin Devo's song was mastered at Sony Studios by Vic Anesini, whose credits include Ozzy Osbourne, Santana, Elvis Presley, Judas Priest, Uncle Tupelo, Aerosmith, Kelis and Sly & the Family Stone.

The pairing of a mastering engineer who has helped shape the sound on hit singles including Kelis' "Milkshake" with an artist who claims 1,100 MySpace friends seems improbable at first blush. But Sony Music Studio's foray into consumer mastering comes 18 months after a wave of prominent studios, including the Hit Factory in New York and Cello Studios in Los Angeles, shuttered operations. The closings were blamed on a mix of the impact of record industry consolidation, competition from smaller, lower-cost studios and the rise in home recording. Major labels are releasing fewer albums amid a prolonged downturn in CD sales, meaning less work for studios.

And with indie artists and labels increasingly forgoing professional services in the age of Pro Tools and other computer software programs that turn any personal computer into a recording studio, Sony Studio executives view the SIM program as a tool to build longer-term relationships with a new generation of artists. "This is a strategic initiative on our part to grow the business over the long haul," says Andy Kadison, executive VP at Sony Music Studios. "SIM gives us an opportunity to give up-and-coming musicians an initial introduction to what an extraordinary facility like Sony Music Studios can offer to the creative process."

Sony BMG-owned recording arts complex is one of the top facilities in the United States and caters to superstar clientele like Britney Spears, Jennifer Lopez, Marc Anthony, Elton John and Celine Dion. Mastering fees can typically run into the thousands of dollars. "Mastering by engineers of Sony Music Studios' caliber normally don't take on indie projects," says Kori King, GM of Empire City Records, an indie label that is also working with Sony Music Studios. "Doors to such services are normally blocked off by two main factors: exclusivity and high pricing."

But Sony Music Studios executives say SIM has been specifically tailored for artists who use popular social networking sites for promotion, such as MySpace, PureVolume and GarageBand. SIM users can submit up to four tracks online at sonymusic.com for similar mastering services enjoyed by star musicians at a rate less than $150 per song. Joke are handled by Sony Music Studio's team of more than a dozen mastering engineers, the majority by its staff of junior mastering engineers, and are typically turned around within 48 hours.

Brian McKenna, chief of audio operations for Sony Music Studios, says one of the program's goals is that it will lead to indie artists ultimately booking full-album mastering jobs with the studio after trying a handful of songs at an introductory rate through SIM. Kadison_adds. "We see this new service as a great way to extend the studio's reach."

What Men Want

Ludacris will be the subject of the keynote Q&A address at the second Marketing to Men Executive Summit, to be held Dec. 5 at the MGM Grand Hotel in Las Vegas. The event is hosted by Adweek, Mediaweek, Brandweek and Billboard and unites more than 200 executives in the brand marketing, entertainment and media industries to rethink traditional marketing strategies and discuss how to better capture the male consumer.
LATIN GRAMMY AWARDS
CONGRATULATIONS TO OUR 2006 WINNERS

SHAKIRA
SONG OF THE YEAR - "LA TOY" I.R.A.
RECORD OF THE YEAR
ALBUM OF THE YEAR
BEST FEMALE POP VOCAL ALBUM

LUIS FERNANDO OCHOA
ALBUM OF THE YEAR
SONG OF THE YEAR

BEBO VALDÉS
BEST INSTRUMENTAL ALBUM
BEST LONG FORM MUSIC VIDEO

MAURICIO GUERRERO
ALBUM OF THE YEAR
BEST ENGINEERED ALBUM

GUSTAVO CELIS
RECORD OF THE YEAR
ALBUM OF THE YEAR
BEST ENGINEERED ALBUM

MARCOS WITT
BEST CHRISTIAN ALBUM
(SPAH LANGUAGE)

RICKY MARTIN
LATIN RECORDING ACADEMY PERSON OF THE YEAR

JEFFREY VILLASEÑOR
PRODUCER OF THE YEAR

MICHEL CAMILO
BEST CLASSICAL ALBUM

ERNESTO CORTAZAR
BEST REGIONAL MEXICAN SONG
"NO SIGUES SIENDO MIA"

EDGAR CORTAZAR
BEST REGIONAL MEXICAN SONG
"NO SIGUES SIENDO MIA"

CAFÉ TACUBA
BEST LONG FORM MUSIC VIDEO

RICKY MARTIN
LATIN RECORDING ACADEMY PERSON OF THE YEAR

DOMINIC "DOM" BERNARDO
LATIN RECORDING ACADEMY PERSON OF THE YEAR

LESTER MENDEZ
ALBUM OF THE YEAR

LOS TIGRES DEL NORTE
BEST NORTEÑO ALBUM

PEPE AGUILAR
BEST RANCHERO ALBUM

JULIETTA VENEGAS
SONG OF THE YEAR

CACHORRO LÓPEZ
ALBUM OF THE YEAR
BEST INSTRUMENTAL ALBUM

RICKY MARTIN
LATIN RECORDING ACADEMY PERSON OF THE YEAR

MICHEL CAMILO
BEST CLASSICAL ALBUM

ERNESTO CORTAZAR
BEST REGIONAL MEXICAN SONG
"NO SIGUES SIENDO MIA"

EDGAR CORTAZAR
BEST REGIONAL MEXICAN SONG
"NO SIGUES SIENDO MIA"

CAFÉ TACUBA
BEST LONG FORM MUSIC VIDEO
DEMXX Zer0es In On User Interaction
Companies Explore Aggregating Customer Content

To date, the entertainment industry has used the Internet as either a promotional tool or a distribution platform. The former use is fairly common and widespread, while the latter is still struggling to gain traction amid clunky digital rights management (DRM) technology and relatively low consumer awareness.

At the DEMXX conference, held Nov. 29-30 in Los Angeles and hosted by Billboard, The Hollywood Reporter and Adweek, attendees identified a third area of opportunity—user interaction. It will be some time before the Internet becomes the primary channel for watching full-length TV shows or acquiring music, but it already plays host to a large number of fans, message boards, user-generated spoofs and originally produced exclusive content that entertainment brands and Internet portals are working to aggregate into sites accessible 24/7.

Following the lead of YouTube and MySpace, Internet bellwethers like Yahoo, entertainment brands like NBC Universal and old-media elite like The New York Times are revamping their online content to give customers more hands-on control over how they interact with the content and brands.

“One of the things in short supply today is relevance,” Yahoo head of entertainment, games and youth, Vince Broady said in his opening keynote address. “It's something promised but rarely delivered on.”

Illustrating how a simple online service that lets users do whatever they want with content can be a successful strategy, YouTube walked away with the most awards at the third annual DEMXX Awards, including visionary and brand of the year. Other award winners included Sonos 2.0 and Rhapsody for best download or subscription music service, MySpace for best digital music community, the Barenaked Ladies for best use of technology by an artist and Motorola’s Radio for best radio service.

For a full list of winners go to demxx.com.

Among other news surfacing at the event:

- Murmurs on the sidelines that one of the major record labels will start selling its entire music catalog in unprotected MP3 format early next year with an as-yet-unnamed service.
- Sony is developing a DRM solution for the PlayStation Portable that would lock content stored on the device's removable memory stick to a particular user. The aim is to prevent users from downloading music to the PSP, then sharing it with others who haven't paid for it.
- Verizon Wireless on Nov. 29 expanded its user-generated video-content lineup through a deal with Rever, an online video-sharing service that, unlike YouTube, splits its profits with contributors 50/50. Verizon announced a similar content deal with YouTube the day before.

Label Gets Visual
Warner Music International Expands Its Video Arm

Warner Music International is thinking inside the box. The TV box, that is.

WMI has acquired London-based specialist DVD and digital production business the Rights Co. in a move that fortifies its ambitions in the video content field.

The deal, unveiled Nov. 28, will see TRC incorporated with Warner Vision, WMI’s existing commercial video division, to form a division in London called Warner Music Entertainment.

The new unit will be responsible for creating new music-related programming formats, acquiring content rights from third-party producers and generating programming opportunities around WMI's catalog.

TRC’s existing library of assets will also transfer to the new venture. TRC produces, markets and manages the distribution of a broad scope of music, comedy, sport and special-interest properties, including “Ibiza Rocks” (aired on U.K. national broadcaster Channel 4), BBC comedy panel game show “Q.I.” and Paul Weller's “Studio 150 Live” DVD.

“Video-based content is an increasingly important creative opportunity for us and our artists,” WMI CEO Patrick Vien says. “When we look at the digital transformation of WMI, which continues to be our obsession, there’s no doubt that video content—not just music videos—is something that we want to invest in and grow. Not in any way at the expense of recorded music, but as an enhancement,” Vien declined to disclose financial terms of the new deal.

“It's a smart move on [WMI’s] part,” says Lee Otolodghi, CEO and co-founder of Intent MediaWorks, a U.S.-based provider of technology for the distribution. “It gives them the ability to do a direct connection to the consumer. They have a window of opportunity which may last 36 months to 60 months, before cable and satellite guys buy up in order to reintermediate themselves.”

WMI is not the first major music company to expand into video content. Earlier this year, Universal Music U.K. pressed the button on Globo, a U.K. production arm dedicated to creating TV programming and innovative visual platforms for that company’s artists (Billboard, July 15). Rival Sony BMG had earlier launched its Feva Media joint-venture TV production company in the United Kingdom.

But critically, WMI has been particularly aggressive in recent months in the development of its digital footprint and has struck a string of strategic partnerships in international markets.

With the digital pipes, and now in content, Vien says WMI has seen the seeds for a video-rich future with maximizing the digital medium as a priority. “The broader, industrial world hasn’t figured it all out yet,” he says, “but we have to produce for that growth curve. That’s how this deal is really justified.”
30 SHOWS... 350,000 TICKETS SOLD... ONE SUPERSTAR...

SHAKIRA

2006 ORAL FIXATION TOUR

www.americanradiohistory.com
EMI Cranks Up AMP
New Web Portal Helps Artist Managers Access Information

EMI Music says it will revolutionize the label–artist management relationship with a new Web portal that gives managers easy access to all the figures the record company holds on its artists.

Billboard was given an exclusive preview of the Artist Management Portal (AMP), which allows managers to log on to a secure Web site and access information ranging from daily sales figures to unit shipments, from press updates to international chart positions. The system also stores an artist's publicity of photos, videos, digital downloads, CD artwork and other assets for easy access and distribution to third parties.

Tony Wadsworth, chairman/CEO of EMI Music U.K. and Ireland, says the new system—which 10-15 managers in both sides of the Atlantic started trying out in July, and which is due to go live in the United Kingdom in late January or early February 2007—has been designed to cut down on "unproductive communication" between EMI and artist managers.

"A lot of our interaction tends to be ad hoc, with people on the phone to international saying, 'What's the chart position in Poland?' and then another call to press and so on," Wadsworth hopes that, with such information now readily available, those conversations will be replaced by "productive" discussions revolving around business and problem-solving.

EMI U.K. took six months to build the portal, after years of developing the idea through its regular market presentation to artist managers, who have been consulted about AMP's content at every stage of its development.

"Being a successful record company in the future is about providing a service to artists and this is core to that," Wadsworth says. "Being in partnership with artists means there's got to be that trust and transparency."

The system is also being given a trial run by a small number of internal employees. New York-based EMI Music chief information officer James Anderson says it could ultimately be used by 5,000 managers, lawyers and staff, servicing a global roster of 1,500 artists.

Managers involved in the trial have given the initiative a warm welcome. Chris Morrison of London-based CMO Management has been testing AMP for his Parlophone-signed act Gorillaz. He calls the portal "an enormous timesaver."

"When I started as a manager, you couldn't get sales figures out of record companies, so it's definitely a step in the right direction. You can make judgments quicker and respond to problems quicker."

Morrison sees the scheme as indicative of a power shift between labels and artists, with record companies now having to work harder to maintain their relationships with artists and their representatives.

"They aren't as in control as they were. I don't think anybody changes by choice, they are forced into change. But EMI are doing it in a good will, so I don't knock it."

Brian Message of London-based ATC Management and England-based Courtyard Management has tried out AMP for his Parlophone-signed acts Radiohead and Supergrass. He is also a fan of the system, while less sure of its significance.

"It would be easy for me to say [there's a power shift], but I don't think so. It's just indicative of everybody trying to pull together at a time when there's a lot of distrust and paranoia between the artist community and labels. Putting this information up there is only going to help the relationship."

Message wants AMP to be used for direct communication between management and label as well, and EMI's Anderson enhances submissions to the system's capabilities early next year. They include adding royalty statements and bulletin boards and using the portal for digital and sync-right clearances. Multiarm versions for Japan, Germany, France and Latin America are also in the pipeline.

Deb Klein, manager of the Firm and GM of the management company's new EMI-distributed label Firm Music, is one of the early users of AMP in the United States, trying it for her Capitol-signed rock act Yellowcard.

Yellowcard is at the end of the cycle for its "Lights and Sounds" album, so she used the system primarily to find historical data. But she expects the tool to be "a big help" on future EMI-distributed releases from Firm acts, including the next Korn album.

Due to confidentiality issues, other labels couldn't be contacted for their views on the new system, but no other record company is believed to be developing a similar system.

Klein was noncommittal as to whether all labels should be offering similar technology, but Morrison and Message both hope to see AMP become an industry standard tool.

"I think everybody should do this," Morrison says. "And I don't see any reason why they can't."

EMI STRIKES PSP DEAL

EMI Music U.K. has struck an agreement with London-based digital solutions agency HiFi Entertainment, allowing gamers in Britain to download its music videos to Sony PlayStation Portable players.

EMI is the first music major to agree to terms with HiFi Entertainment, which operates the PSP online platform psp-playlist.com. The deal means music promos from EMI's catalog are being made available for download via the site at prices ranging from £1.89 ($3.63) to £6.19 ($11.99) per video. Eventually, electronic press kits and long-form videos of EMI acts will also be made available. "There's a massive gap in the market for PSP content," HiFi Entertainment managing director Bela Molnar says, "and with these users are content-hungry." According to HiFi Entertainment, 1.5 million PSP players are registered in the United Kingdom.

MOBILE MUSIC RISES IN JAPAN

PC-based music downloads in Japan increased by 144% to 5.7 million units in the July—September quarter compared with the same period in 2005, according to the Record Industry Association of Japan. CD downloads rose 173% in trade value to 1.2 billion yen ($10.3 million).

However, downloads—including all ringtones—over wireless networks to mobile phones far outpaced the PC figures. Mobile sales (on either per-track or subscription basis) rose 20% to 86.2 million units, with value up 36% to 12.4 billion yen ($106.8 million).

The RJAC counts singles and albums sold over wired networks, as well as singles units Regarding the number of tracks they contain, but says single tracks account for the overwhelming majority of downloads.

CENTRAL STATION TRAVELS TO DESTRA

Australian digital media and music company Destra has acquired dance label Central Station Records and distributor MRA Entertainment from Mansfield, Queensland-based holding company Home Leisure for $14 million Australian ($10.6 million).

Sydney-based CSR's current artist roster includes Dannii Minogue, Roger Sanchez, Freeform Five and Inferral.

Queensland-based MRA Entertainment from has 3,500 music CD titles, including a 1,000-title DVD catalog focusing on children's entertainment, TV series and extreme sports. Destra's Melbourne-based CEO Domenic Carosa says the company intends to exploit CSR's repertoire through streaming, music downloads, merchandising and online advertising opportunities. MRA's licensed DVD and CD content offer lucrative opportunities for online distribution, Carosa says.

SELLAR EXTINGUISHING MMF

London-Based Music Managers Forum general secretary James Sellar is quitting the trade body, effective Dec. 11, to join London-based rights organization Compact Collections, which collects revenue from the film and TV markets.

Collect compact revenue internationally on behalf of TV and film production companies for various broadcast rights—including cable retransmission—and blank tape levies. Its clients include FremantleMedia Enterprises, Granada International and Capitol Films.

Sellar will take on the new role of director of operations for performer services. He had been MMF general secretary since 2002. A statement from the MMF said the replacement will be named in due course.

ICELAND CUTS VAT

The Icelandic government has pledged to cut the rate of value-added tax (sales tax) on recorded music from 24.5% to 7%, effective in March 2007.

Iceland is not a member of the European Union, although it did sign the European Economic Area agreement with the EU in 1992, allowing it to trade on equal terms with EU states. The music industry has long unsuccessfully lobbied the EU to have recorded music classed as "cultural goods" with a lower rate of VAT than the standard rate it currently attracts. VAT on sound recordings within the EU currently ranges from 12% to 25%.

The Iceland initiative follows a 20-year campaign by the local national group of the IFPI, supported by local authors' and performers' organizations.
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Japanese Company Cuts CD Costs With Stripped-Down Packaging

TOKYO— A Japanese company claims it can help local labels counter declining physical sales by offering consumers stripped-down, low-cost versions of CDs.

The new Music Posca service provided by Tokyo-based Inter Asia has drawn mixed reactions from the Japanese industry. It sells CDs by domestic acts at roughly half the regular price by pressuring them under license in China and packaging them without booklets in postcard-thin card cases.

"The jewel case is old," Inter Asia CEO Atsuo Takeda says. "This is a new way of packaging music, and it's cheaper than downloading."

Takeda founded Inter Asia in 2000 as a music production company, enjoying some local success with independent label Ave's pop vocalist/actress Y Briefs Hitsu. Inter Asia entered music production in 2004 to act as an agent for Japanese companies pressing optical discs in China.

More recently, Takeda has concentrated on setting up the Music Posca service, whereby customers in Japan can order discs online from musicians, which mails them directly from an office in Hong Kong.

With physical sales declining, Takeda says the service is aimed at middle-aged music fans who no longer visit music stores. Local labels group the Recycling Industry Assn. of Japan says shipments in January-October fell 2% from the corresponding period in 2005 to 240.5 million units, with trade value down 4% to 278 billion yen ($2.4 billion).

New release CD albums by domestic acts retail for between 2,500 yen ($21.18) and 3,000 yen ($25.42) in Japan; the corresponding average price on the Japanese version of the iTunes Music Store is 2,000 yen ($16.94).

However, albums handled by Music Posca sell for between 1,600 yen ($13.55) and 1,800 yen ($15.25), including postage and packing costs. They will still be available in Japanese music stores at full price in jewel-box packaging.

Both versions of the album appear on the original label and are subject to Japan's government-backed saihan system, under which labels set domestically pressed product's retail price for a specified period from release date.

"We will have a contract with each label to sell the [Posca] CDs," Inter Asia VP Hiromi Suzuki says. "We recommend a low retail price to each label and then they decide the retail price." Retail payments are handled by the original record company, he adds.

The first Music Posca album was the Sept. 21 release "ima Bokutachi Aruku Michi" by punk band the Stand Up on Tokyo-based label Heaven's Rock. Suzuki says Music Posca has not yet approached major labels for repertoire, and to date just three other independent labels — Tokyo-based Highway, Ark and Green Door — have signed up, with only nine albums currently available on the Web site. Inter Asia declines to release sales figures, but Suzuki says it is negotiating with local labels Tokuma Japan, Crown, Teichiku and Columbia Music Entertainment.

"This kind of service is good for new, unknown acts, because a limited amount of CDs can be pressed at a low cost," Ark president Koichi Mizoe says. Ark's stable includes male pop vocalist Naoya Mori, best-known in Japan for his 2000 single "Yuzora no Kami Hikoki" on previous label VAP.

While Music Posca initially targets customers in Japan, the company hopes to eventually sell Japanese CDs to overseas clients. Inter Asia is promoting the service online, but is planning to run consumer ads in broadcast and print media once it has a 100-strong catalog.

Although music merchants are taking a wait-and-see attitude toward Music Posca, at least one retail source doesn't buy the concept. "I think this is a moronic idea," he says. "There are many difficulties involved with selling physical CDs these days, but pressing cost is not one of them."

"Also," he continues, "historically Japanese customers do not like cheap shit, so postcard-style packaging does not sound like a great idea."

Nonetheless, Suzuki says Music Posca aims to have a catalog of 500 titles within the next six months, including major-label repertoire.
Tom Waits
For No One
Supply Of Waits, Sufjan Boxes
Does Its Best To Meet Demand

Nevert

N

evermind the Ni	

tendo Wii and Sony’s
PlayStation 3. The
in-demand, sold-out
item at indie retailer
this holiday season might
end up being the three-disc

The album finished its first
week with U.S. sales of 21,000
units, according to Nielsen
SoundScan. Yet on its Nov. 21
release date, retailers told Bill
that Epitaph/Anti-distribu
tor the Alternative Distribution
Alliance reported it sold out
of the disc by about 1:38 p.m.
Larry Mans ior}, buyer for
Brighton, Mass.-based New
bury Comics, says he brought
in about 1,500 units chain-wide
for the album’s release, and or
ordered another 340 once ADA
reported that it had only 410
in stock. Mansdorf says the
album was on queue at the chain
to outsell Waits’ 2004 set “Real
Gone” in its first week. That
album moved a total of 34,000
units when it was released.
Anti-issues the album as a
limited-edition boxed set, and
Epitaph/ Anti- founder Brett
Gurewitz says the label printed
up about 60,000 units for North
America. The box’s suggested
retail price is $49.98.

“We didn’t know how many
to make,” Gurewitz says. “It’s
three hours of music, and it’s
selling for a lot of money. We
tried to figure out how many
to make so we wouldn’t run out
before Christmas.”

Word is that Best Buy had
brought in only about 1,500
copies to start, but suddenly
double its order after strong
first-day sales. Multiple indie
retailers tell Billboard that ADA
contacted them about 12:10 p.m.
on Nov. 21, urging them
to get in any follow-up orders
for the album.

Eric Levin at Criminal Rec
ords in Atlanta says he brought
in about 60 copies for week
of release and hopes that will
carry him through most of the
holiday season. As of now,
most indie retailers should be
stocked, but Gurewitz says the
label will reassess the situa
on if it appears the album will
sell out.

“We don’t want the record
not in stores during Christ
mas,” he says.

INDIES GET FESTIVE:
Sufjan Stevens looks to have
a key seller at indie retail with
his five-disc “Songs for Chris
mas.” The box, which comes with stick
ers, an essay from Rick Moody
and a songbook, carries a sug
gested retail price of $19, and
sold 13,000 units in its first
week.

“It’s a pretty expensive pack
age to put together, but he
wanted it to be something of a
Christmas gift,” Asthmatic
Kitty head Lowell Brans says.

“But I think we’ll do better than
break even.”

Brans notes that the label is
running a few days behind in
fulfilling orders for the set as it
didn’t anticipate a high de
mand for a specialized, se
asonal item. He won’t give exact
numbers, but says the label has
sold multiple thousands of
units direct from its site, which
means it’s selling faster after
week one than Stevens’ two
earlier ones.

“It’s not exactly 12 days of
Christmas,” he says.

Stevens’ 1994 release “Get
Real” sold about 75,000
units, while his debut, “Eug
aeanus,” sold 14,000 units
when it was released.

The album is available via
mail-order company Collector’s
Choice Music.

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Old Movies, New Soundtracks

Univision Music Group has found a new way to move its regional Mexican catalog, get people to stay for the movie.

The company is reissuing films along with “soundtracks” that didn’t exist at the time the movies were made but have been compiled for a CD/DVD package.

The 1978 Mexican gangster film “La Banda del Carno Ropero,” which featured a guest appearance and title track by Los Tigres del Norte, was released on DVD Aug. 1 by Fonovisa. It has sold 44,000 copies, according to Nielsen SoundScan.

The accompanying CD contains 15 songs by the band, which has appeared in more than a dozen movies.

The songs were chosen based on their relevance to the movie’s subject and their popularity at the time the movie was released, Fonovisa marketing VP Alberito del Castillo says.

The movies/soundtracks are “a result of the search of new ways to exploit catalog,” Castillo says. “There isn’t sufficient room on store shelves anymore for all the [Tigres’] CDs.”

The timing was also right given the high ratings that classic crime dramas achieve when they’re shown on TV, as well as the critical mass of older DVD buyers, Castillo says.

Fonovisa plans to secure the rights to all 13 Los Tigres del Norte movies for similar CD/DVD reissue and eventual boxed sets.

The band’s “La Muerte del Cipolom” (1977) movie soundtrack debuted at No. 11 on Billboard’s Top Latin Albums chart, with 6,000 copies sold since its Nov. 7 release. Los Huracanes del Norte’s “Grandes Corridos De Película” debuted the same day on Univision Records. It includes the 2000 film “El Clavo,” which starred two members of the band, and 12 corridos by the group.

Joe Sanchez, West Coast buyer for the Ritmo Latino chain, says a Juan Gabriel movie combined with a tribute CD from Dixie sold poorly several years ago. But he says the current crop of movies/soundtracks is faring better due to a TV and radio campaign from Univision.

As far as who is buying, “Only adults know the movies. The young people who were born here aren’t so familiar with Mexican films,” Sanchez says.

The combo is available in a jewel case of a DVD case. But “people tend to shop for the bands still,” says Rick Banules, Latin and world music product manager for Virgin Mega Store. “If you were to separate them, the CD would do much better than the DVD.”
A crucial music publishing proceeding is about to hit full swing. Publishers, labels and digital media companies have filed their cases with the Copyright Royalty Board, which will determine compulsory license rates for companies who previously recorded and released in the United States.

The rates for compulsory mechanical and digital phonorecord delivery (DPD) licenses (section 115 of the Copyright Act) will include a full range of uses, from CDs and multisession discs to digital downloads and ringtones.

Written arguments and documents, due to be filed Nov. 30, were not completed at press time. But sources close to the parties provided some of their arguments on the condition that they not be communicated or published prior to that date.

The National Music Publishers' Assn. is expected to urge keeping a penny rate for mechanical licenses, though significantly higher than the current 9.1 cents per song. The NMPA will argue that a rate based on a penny amount, rather than a rate based on a percentage of some amount like wholesale price, is the model that has been used for about 100 years.

Business expectations, the sources say, have been based on this model, which ensures some guaranteed value for copyrights. If rates were a percentage, publishers may not be able to control the amount on which that percentage would be based.

Publishers are expected to urge keeping a penny rate for DPDs as well since the royalty is easy to calculate for individual sales, like permanent download sales. But they want a DPD rate higher than the mechanical rate since, they argue, producing a digital delivery costs less than producing a physical product.

For reproductions not based on individual sales (e.g., subscriptions and streams), publishers are open to accepting some variation of the penny rate. They are expected to propose three rates with the rate equal to the greater of a micropenny minimum based on activity (e.g., number of streams); a percentage of revenue (depending on how revenue is derived) or a percentage of the content cost (example: the amount a third party like Apple Computer pays for all the music—recording and composition).

The RIAA is expected to argue that all rates be based on an aggregate percentage of the labels’ price (e.g., wholesale price) per product, rather than a penny rate per song. Compulsory rates would then not exceed some total percentage per product, such as a percentage per CD price or a percentage of a multisong or multisession product that includes video. Sources say this would allow greater flexibility for companies to offer newer formats.

Labels are also expected to argue that the current rates are too high since compulsory rates have increased during the past several years even though CD prices have dropped and digital piracy has resulted in a drastic decline in sales.

The Digital Media Assn. is expected to focus only on DPD rates, arguing for a percentage rate based on retail price without a minimum royalty.

The specific percentage and penny amounts that the parties will request were undecided at press time.

The Lion Roars: Top indie film company Lionsgate is now set up internationally and digitally as a music publisher and is looking for catalog acquisitions.

The company is attracting composers and artist-songwriters for its films and TV shows, buying rights in songs and finding ways to exploit the music beyond the programs.

The company recently sealed a deal with Fintage Music to subpublish Lionsgate outside the United States. "I don’t want 13 different subpublisher deals," Faires says. He believes Fintage has "the next generation" of collection systems, offering a transparent process with a quicker pay-through process than other companies.

The deal follows one that Lionsgate made with the Orchard to distribute soundtracks digitally and, depending on the outcome of current talks, pitch songs for other music opportunities.

The Lionsgate publishing deals seem pretty straightforward. Although some songwriters are signed to the publisher, the company is not necessarily tying up rights in all the artists/songwriters’ catalogs. Many deals are for single-song rights, offering marketing exposure that could help push that artist’s music. Faires says not only will they release score soundtracks on CD, but they may remix the score to find alternative sources of revenue. And the company has many opportunities for the right writers.

"I have a thousand synch features I have to fill, and we’re going to 12 TV shows next year," Faires says.

Lionsgate TV shows include "The Dead Zone" (USA Network), "Wildfire" (ABC Family) and "Weeds" (Showtime). Past films and scores include "Crash," "Monsters Ball" and "Requiem for a Dream."
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JOHN MAYER, Sheryl Crow, Marjorie Fair

Selena Quintanilla, Pflugerville,

Iron Maiden, Bullet, hammer.

Country, Printing, Graphical Arts, Publishing, Entertainment, and Music

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And The Beacon Makes Four
New York's 2,800-Seater Added To MSGE Portfolio

New York's Beacon Theatre is now the fourth venue in the Madison Square Garden Entertainment (MSGE) portfolio, which includes Madison Square Garden, Radio City Music Hall and the Theater at Madison Square Garden.

The 2,800-seat Beacon has become one of New York's busiest rock halls, hosting approximately 70 concerts annually, as well as family shows and other special events. Fifty-two events reported to Billboard Boxscore this year by the Beacon had a combined gross of more than $8 million and drew more than 136,000 patrons.

Under MSGE's management, the Beacon plans to host more than 100 events, concerts and family shows in 2007. For MSGE, the venue is a nice fit. "We are now uniquely positioned within the industry to help agents and managers groom young artists," MSGE president Jay Marciano says. "Adding the 2,800-seat Beacon Theatre to our profile of venues gives us the flexibility to offer artists a broader choice of various-sized venues to play, from the more intimate Beacon, to Radio City Music Hall [6,013 capacity] and the Theater at MSG [5,605 capacity], to Madison Square Garden."

The Beacon has been an "open shop" in working with a variety of promoters, but Live Nation has been the primary presenter in the hall. Under the MSGE banner, the Beacon will continue to work with a variety of promoters, as well as promote events in-house.

In January 2008, the Beacon will be closed for a seven to nine-month restoration, in which MSGE has committed to spend a minimum of $10 million for initial renovations of the building. The restoration will extend from the front of house to the back of the loading docks. MSGE, then operating as Radio City Entertainment, orchestrated a $70 million restoration of Radio City Music Hall in 1999.

The Beacon is located at Broadway and 74th street in Manhattan, and was built in 1928 and designed in the art deco styling of the day by architect Walter Ahlschlager.

Meanwhile, these are heady times for the Garden. After weighing several options, Garden owner Cablevision Systems decided earlier this year to move the celebrated New York arena from its current location to a new site across the street as part of the James A. Farley Post Office project (Billboard, March 8).

The new Garden is targeted to be completed by 2011, at a cost expected to be in the $800 million range. Since 1879, the Garden has had four incarnations, moving to its current site atop Penn Station in 1968. The new deal would include the demolition of the current arena. MSGE owner Cablevision had been considering possible renovation plans that would have cost about $550 million (Billboard, Dec. 17, 2005).

The Garden is the top grossing arena in the world. Elton John, who called the venue "near and dear to his heart" when accepting the Legend of Live award at the Billboard Touring Conference last month, has played the venue more than any other artist, and said he will notch his 60th sellout at the arena on his 60th birthday, March 25. The Garden took in more than $118 million at the box office in 2006, according to Billboard Boxscore.

MSGE also has revealed plans for a joint partnership with Cirque du Soleil to present New York’s first theater production of Cirque at the Theater at Madison Square Garden, beginning in 2007. The as-yet-unnamed production is being created specifically for that theater, and will run for 10 weeks each winter for the next four years.
 injuries of Second Life residents could be converted to Lindens.

On Aug. 3, Suzanne Vega became the first major recording artist to perform live in avatar form as part of a simulcast on the public radio station WNYC in New York City, performing a live Second Life concert as well.

Like MySpace, Second Life is also a haven for unsigned bands and indie artists. Several virtual nightclubs, bars and other venues host live performances and stream recorded music from acts hungry to gain an audience. Second Life even has a dedicated "live music" category in its live event directory, with several performances scheduled daily.

Currently, this activity is strictly promotional. Like Web sites, popular Second Life destinations can sell advertising space for other Second Life services as well as for real-world Web sites in the form of virtual posters or billboards, and organizers could conceivably charge for live events.

However, performing in Second Life does have its limitations. Too many members in one spot can cause a lag in the music, so bands must set up station-to-station links and maintain a fast connection.

Today the biggest benefit of holding events in Second Life is the press they receive. Once that buzz factor wears off, there will need to be more concrete results to justify further activity in the space, and no one has determined how to measure that just yet.

Ultimately, Second Life could wind up being yet another hyperbolic online phenomenon that never gets past its geek-chic status. But it could also just be the future of the Internet.
Indies For Adults
Music Experience and Museo Del Disco
Score With Older Consumers

Two independent stores that appeal to the older consumer are doing well for themselves. In Chicago, Dedry Jones has started a high-profile marketing event that keeps his Music Experience store top of mind with local customers; in Miami, wholesaler H.L. Lazo is attracting customers to his 5-year-old store, Museo Del Disco, the old-fashioned way—with deep inventory.

At the Music Experience, Jones says that although he carries hip-hop, rap and pop—"what the young people want"—the main focus is on the older demographics, 28 and up. "The record companies seem to have forgotten that the older customers exist," he says, which is why his store specializes in having a deep selection in each genre of soul, jazz and blues. Also, he adds, in this day and age you have to focus on what the big-box stores don't carry.

Beyond that, Jones has found a marketing vehicle to benefit his store, while reminding the labels that the older customers still care about music. He started a series called the Experience, in which he features an artist with a new album in an interview setting, sometimes followed by a performance, and usually a CD signing. Depending on the artist, the performance takes different forms, either singing to track, acoustic or with a band.

The first one was in early 2002 at Will Downing in an art gallery, he says, followed by Al Jarreau at a bigger gallery and then George Duke at a Jaguar dealership. He has since settled on putting most of the events at the DuSable Museum of African-American History, when it is available. The museum, which its Web site describes as the oldest of its type in the country, contains a 450-seat theater where the Experience events take place. People get in for the price of the new CD, although it's described as a ticket sale in which attendees get the CD for free on the day of the event.

So far, Jones has put on about 20 events, including appearances by Patti Labelle, Lyle Jennings, Natalie Cole, Ruben Studdard, John Legend, Israel & New Breed, Jarreau and Andráe Crouch. "Sony BMG Music Entertainment Sales have been my biggest supporter for the Experience series, so has Verve as a label, and now other suppliers are stepping up," Jones says.

In fact, Brian McKnight will be the next artist appearing in the series, on Dec. 6 at the International House in Chicago, with a mini-acoustic performance, an onstage interview and CD signing for his new "7" album out Dec. 5 on Warner Bros.

"Dedry has created a marketing vehicle that is viable in the marketplace," Sony BMG Music Entertainment Sales VP of urban and gospel marketing Anthony Ellis says. In fact, Sony BMG recorded two of the events, Jennings' and Studdard's, with the former coming out as a limited edition CD given away as a premium when customers bought the artist's "Phoenix" album in independent stores. The latter performance may be used in the same way. Meanwhile, in Miami, Lazo found a way to survive the wholesale wars—by opening up a record store, after feeling the squeeze at his wholesale operation, H.L. Distributors.

"I am in the middle of two giants: Reyes, which specializes in Latin, and Alliance Entertainment Corp., the biggest one-stop in the country," Lazo says. So he decided to try opening a record store and in doing so broke all the rules. For one, he put Museo Del Disco in a building he owns in the warehouse district of Miami; customers have to drive through a trailer park to get to it. He did this out of desperation, after seeing his wholesale business getting squeezed and his building left with empty space when a factory tenant went out of business.

But one rule he followed well was stocking the store deeply, with $2 million worth of inventory, all targeting the older demographics. "We have all kinds of music, except rap," Lazo says. The 10,000-square-foot stores about 50,000 SKUs, of which 42,000 are CDs and 8,000 are DVDs.

Within the music, about 20,000 are in English while the majority is Latin from all over the world. Of the DVDs, about 3,000 are movies—Spanish theatrical and foreign releases—and 5,000 are music-based, including what Lazo calls the biggest selection of opera and jazz DVDs in the city. The store also has about 100 listening stations and three plasma TVs where videos are constantly played.

Billboards, TV and radio advertising, good customer service and word-of-mouth drive traffic to the location, where there is a parking lot that can accommodate about 100 cars. "Our clientele is 35 and up, and a cultured client," Lazo says.

"One more reason for our success—we are next door to H.L. Distributors so we hardly ever run out of product in the retail store," he says.

Voices from the past? The future? Is it tortured angels or the evil dead receiving redemption at last? "Get Back! Get back before you run out of time!... my God—that voice... we're looking through a "Glass Onion" that twists and turns... "Hello Goodbye," a "Magical Mystery Tour" indeed! The howl has returned... the overture begins... the magnificent strings... and the wind becomes the Aah of "Eleven Ruby Ribby"... that voice again... it's right there, you can touch it... "fala"... quiet... desperate... tragic... taken away in the European ambulance... her son's castration reaches its genius peak with "I Am the Walrus"... it can't be, but it is... another extraordinary voice... different but somehow... we're back at the beginning... so long ago... was it all a dream?... each single gaining strength until the fifth could not be denied even by the dinwired Americans... "I Want to Hold Your Hand"... incredible power even now hiding behind those innocent words... hold my hand today, and tomorrow you can "Drive My Car"... but... with the "Taxman" solo... "What You're Doing"... "The Word"... all expertly blended and disappeared and you're down the rabbit hole riding a droopy tamboura and the "Sun King" is speaking... backwards, of course... a magical transition to... "Something"... really something... yet another impossibly beautiful voice... follow the yellow brick road, or better yet "Blue Jay Way"... the "Nowhere Man" will lead you... to the psychedelic cirrus... "Being for the Benefit of Mr. Kite"... and inevitably to the house of horrors... "I Want You"... soooo bad!... "Help!"... follow the "Blackbird" to... "Yesterday", "Strawberry Fields"... forever... but with the brass bridge of "Sgt. Pepper", the harpsichord of "In My Life", the piccolo trumpet of "Penny Lane"... any "Piggies" in there? "Hello Goodbye" again... it's all... "Within You Without You"... "Tomorrow Never Knows"... how beautifully they mix... and the demon birds are set free by "Lucy in the Sky With Diamonds"... as the gorgeous strings of "Goodnight" provide the unllest high of the highest moment... an invitation from... "Ringo"... it's the melody with different chords... it shouldn't work this brilliantly... it's breathtaking... come on with us, he says, if we all dream the same dream it will become real... and the dream is... love... and the trip continues... The Beatles have a new album. You've got to love that. See you on the radio.
Jimmy Rosemond, CEO of New York-based Czar Entertainment, has had quite a year. Few managers can say that they've steered an artist through one of hip-hop's most storied beefs (the Game's public squabble with 50 Cent), and emerged with a successful album and a renewed career. But that's exactly what happened, after the Game's "Doctor's Advocate" sold 358,000 copies in its first week, according to Nielsen SoundScan, without collaboration or production help from Dr. Dre and 50 Cent.

Hatching and enacting a marketing plan to keep the public interested, Rosemond has been playing chess all year. It's been a learning experience, and he's grateful for it all.

Founding Czar Entertainment, formerly Henchmen Entertainment, 10 years ago, Rosemond began assembling the Henchmen's, the songwriting and production team that created Bad Boy's first string of hits: among them Deric "D-Dot" Angeletti ("The Benjamins") by Puff Daddy featuring Lil' Kim & the Lox, Ron "Amen Ra" Lawrence ("Hypnotize") by The Notorious B.I.G. and D-Moost ("Hate Mo Now") by Nas featuring Puff Daddy.

Stretching into film and TV by executive-producing "Romeo Must Die" and Vibe magazine's awards show, Rosemond now produces the nationally syndicated cable game show "Hip Hop Hold 'Em," pitting artists and DJs against each other for charity. For him, it all comes down to innovation, which is one thing that Rosemond isn't afraid of.

What's next in your plan to push the Game's "Doctor's Advocate"? We're still working the second single "Let's Ride," but the third single is "Wouldn't Get Far" featuring Kanye West. It's getting a lot of radio spins right now. So we're going to milk that song all the way and go to the radio another way. We're actually going to have a few of the young ladies mentioned in the song in the video as well.

"Wouldn't Get Far" isn't so nice to the models it mentions. How do you get them to appear in the video? Well, the song "Wouldn't Get Far" is really about what you see isn't always what you get. We are both in terms of rappers and models. For example, people may say they've got a certain amount of money, but that's the case. It's all entertainment and in good fun.

What's it like managing a media magnet like the Game? Everything is really spontaneous. My biggest job is really clarifying people's misunderstandings about him. Because he raps about what he does, people assume he's going to be this violent guy. But it's all entertainment. For example, I got a call from the NBA and they want him to perform but they're afraid of his image. So they're asking me, "What if he go to the stage and starts fighting?" We're going to make sure they don't hear that. We're going to have a few of the young ladies mentioned in the song in the video as well.

What kind of barriers? There were a lot of people that didn't believe that Game could overcome what he had. But we always knew that if we made great records, we would be fine. We understood where we stood in the hip-hop community. Guys want to hear something with a story and we always knew that Game is intriguing enough, that people would want to hear what he had to say. And if they have kids, they'll most likely want to hear Game as well. Also, people with the vision knew, from the label executives, that Game is a talented rapper.

How so? For example, just seeing how security reacts when we go to the mall shows you that people view him in this certain way as a gang member. They wouldn't act like that if it was another artist.

With so much controversy leading up to "Doctor's Advocate," do you feel vindicated now that the album's been so successful? I think we all feel relieved that the sophomore jinx didn't descend upon us. We were able to knock some of the barriers and we were able to get through it. It's an accomplishment.

Why is it such a challenge to keep the Game's Black Wall Street label deal? We wanted to get past the first-week sales initially. And now that he's done what he has, we've got bragging rights, so we'll be starting the distribution conversations again.

What management decisions did Czar make leading up to the project? Just making sure that he remained relevant. The 110 [Motors] commercial [for Game's Hurricane 2 shoe brand] and being very open with the rap community worked well. We had to know when to let that car out of the bag. That's exactly what we worked on. I think about a month out, we told people, "Hey, Dre's not on the album." Fortunately, Game's always relevant, and we've done well to keep his alliances right with the right rappers. But I think the most strategic thing we did was get certain key people—different rappers, label folks, MTV, radio DJs—that record early. People knew he would hit the rumor mill, they would talk about how hot this album was.

Any touring plans for the Game after his MTV $2 Bill concert in November? That $2 Bill show was crazy. Nas came out and killed it. He and Game ended the show with Marsha from Floetry and performed. We're actually talking about a Game, [Jay-Z] and Nas tour, and I'd love to add Snoop Dogg. That'd be a super tour. That bill would cover all the marketplaces they'd go with that tour.

What's up with rapper Smitty, who you also manage? He released "Lil Haiti" and then disappeared. J Records happened with him. They're not really into rappers over there, so we put him on hiatus instead of keeping try to work within a flawed system. J Records wants to get another chance with Smitty and that's one thing you don't hear in the business very often. Most times, they'll just give up on an artist, so the fact that they want to try is respectable. So we're trying again.

And with Akon, whom you're consulting? We're just helping with tour stuff with him. Touring is just as important as setting up records as far as sales are concerned. There's so many other ancillary ways of getting an artist paid besides record sales, if done right.

And singer/producer Mario Winans? He's coming out second quarter and he's signed to Warner Brothers/Bad Boy. He gave some of his hits to Puffy, like the Puffy and Krayshia Cole record, "Last Night," that was supposed to be for his album. So he did about three songs on Puffy's "Press Play," took some time off, and now he's working on his own project.

In what other ways are you planning to expand Czar? Will there be other TV shows after your poker game show, "Hip Hop Hold 'Em"? We're willing to try anything that's entertaining to the consumer. We don't have any problem with taking any chances. "Hip Hop Hold 'Em" has been very successful and has been renewed for a second season. They're probably going to be a lot of other poker shows after ours, and that's fine. On our show we have the players choose from a list of charities, or bring their own. We're actually educating a lot of these rappers on how to give. They don't know about the tax write-offs. They'll have a sister with cancer, but they won't know what kind or what charity speaks to their specific need, so it's been a good thing.

My biggest job is really clarifying people's misunderstandings about him. People assume he's going to be this violent guy.
The past 12 months have been particularly good for one Canadian rock band, three Nashville upstarts, a once-imprisoned Southern rapper and an R&B diva in the throes of a major comeback. Now, Nickelback, Rascal Flatts, T.I. and Mary J. Blige are being recognized for their achievements as finalists in a leading five categories each for the 2006 Billboard Music Awards. The 17th annual honors will boast performances by Janet Jackson, the Killers, Gwen Stefani, Fergie, the Fray, Mary J. Blige, and Ludacris featuring Pharrell and Young Jeezy. Bowling for Soup, Carrie Underwood, Carmen Electra, Dave Navarro, Flavor Flav, Three 6 Mafia, the cast of "High School Musical," Rihanna, Chris Brown and "American Idol" alums Katharine McPhee and Chris Daughtry will make appearances. The hard-touring Nickelback is up for artist, rock artist and duo/group of the year. Its 2005 Roadrunner release "All the Right Reasons" will vie for album and rock album of the year. The set has sold 4 million copies in the United States, according to Nielsen SoundScan.
Rascal Flatts, which owns the second-highest-selling album of 2006 with the Lyric Street/Hollywood set “Me and My Gang,” is a finalist for artist, duo/group and country artist of the year. “Gang” is up for country album of the year.

Thanks to his Grand Hustle/Atlantic set “King,” rapper T.I. is up for R&B/hip-hop artist, male R&B/hip-hop artist, rap artist, R&B/hip-hop album and rap album of the year.

Blige, meanwhile, earned finalist nods in the female artist, R&B/hip-hop artist, female R&B/hip-hop artist, R&B/hip-hop album and R&B/hip-hop single categories. Her 2005 album “The Breakthrough” has been one of this year’s most consistent sellers, having shifted 2.6 million copies.

The diversity of the top awards finalists will be matched by the performers on the MGM Grand Garden stage. “We’ve got everything from Janet, Fergie and Gwen and their very stylized, theatrical performances, to the Fray, which will be a full-on rock ‘n’ roll moment without all the props and colors,” the show’s talent producer Bruce Gillmer says.

“Some of the more intense performances definitely will take on a Las Vegas vibe, just because there’s so much happening,” he adds. “The venue brings out a lot of that, too, because there are so many possibilities in terms of rigging and staging.”

Gillmer is especially proud of the Jackson and Fray performance segments, which are unique to this year’s telecast. “It is a challenge because we’re at the end of a year crowded with award shows,” he admits. “But this is Janet’s only big awards show appearance. Same with the Fray. There are performers who have done some of the other shows, but we’re working really hard to differentiate their performances so they’ll stand out.”

In addition, Tony Bennett will receive the Century Award, Billboard’s highest honor for creative achievement. “It will be a nice, genuine, heartfelt moment, celebrating his amazing career and the fact he’s still as vital now as ever,” Gillmer says. “We’ve also created a video package with some pretty diverse artists and friends of Tony.”


Billboard Music Award winners are determined by performance on Billboard’s weekly charts.

YOUNG JEEZY

While the “drug rap” era has been captivating the hip-hop world, Young Jeezy remains one of its main purveyors with his gruff voice and grimy street-corner rhymes. The charismatic Atlanta rapper and self-proclaimed “Snowman” first gained recognition as the fourth of Bad Boy’s Southern collective Boyz N Da Hood, but eventually distinguished himself as a solo star with his 2005 debut “Let’s Get It: Thug Motivation 101” (Corporabe Thugz Entertainment/Def Jam).

The disc bowed at No. 2 on The Billboard 200 and has sold 1.7 million copies in the United States. According to Nielsen SoundScan, while spawning the singles “Go Crazy” and “Soul Survivor” featuring Akon, Jeezy told Billboard last March, “You’re going to feel my energy. You’re going to feel a little hip hop coming through the struggle with me. You’re going to have a hang on you. You’re going to hit the trap with me. You’re going to see the hood through a young man’s eyes who has really seen it, really felt it, really touched it, really tasted it.” And that he has done.

Amid Def Jam’s high-profile fourth-quarter release schedule is Jeezy’s follow-up “The Inspiration: Thug Motivation 102,” led by the single “I Luv It.” Due Dec. 12, the album features guest appearances from Ludacris, T.I., Keyshia Cole, Three 6 Mafia, Young Buck and Timbaland, among others. Jeezy also won best new R&B/hip-hop artist at Billboard’s R&B/Hip-Hop Awards in September in Atlanta.

Gwen Stefani

A decade ago, Gwen Stefani was all over pop radio as the frontwoman of No Doubt. Today, it’s Stefani the solo artist that rules the airwaves. Her 2004 Interscope solo debut, “Love, Angel. Music. Baby,” has sold more than 3.8 million copies in the United States, according to Nielsen SoundScan, and spawned a host of hits, including “ Hollaback Girl,” which spent four weeks at No. 1 on The Billboard Hot 100.

Originally from Fullerton, Calif., Stefani joined No Doubt in her late teens. The group signed to Interscope in 1991 but didn’t break into the mainstream until 1995’s “Tragic Kingdom,” which featured mega hits “Just a Girl” and “Don’t Speak.” After an eight-year run, Stefani took a break from the band to focus on her solo career.

Recruiting such collaborators as Linda Perry, André 3000, Dr. Dre and the Neptunes, Stefani created “Love, Angel. Music. Baby”—named for each member of her four-woman entourage the Harajuku Girls. Ever fashion-forward, Stefani also launched clothing line L.A.M.B.

After taking a break this year to raise her son with rocker Gavin Rossdale, Stefani is now back in the spotlight with her second solo set, “The Sweet Escape.” Due Dec. 5 via Interscope, the album is led by the single “Wind Up” and features Akon, Stefani’s No Doubt bandmate.

Ludacris

A former radio shock-turned-rapper, Ludacris has made a lasting impression in the last few years not only with his music but via substantial roles in Academy Award-winning films “Crash” and “Hustle & Flow.” This year the Atlanta native also earned his third No. 1 album when “Release Therapy” (Disturbing Tha Peace/Def Jam) bowed atop The Billboard 200, selling 309,000 copies in its first week, according to Nielsen SoundScan. Lead single “Money Maker” featuring Fooseytopped The Billboard Hot 100 for two weeks.

Having played the joker in many of his rhymes (“Hi, “Area Codes”), Ludacris finally turned serious on “Release Therapy”—at least half of it anyway. The “Release” portion of the album finds the rapper exposing a more personal side of himself, with rhymes about child abuse (“Runaway Love”), among other subjects. While the “Therapy” portion features the humorous club tracks for which Luda has become renowned.

“It was also time for me to release,” Ludacris told Billboard in September. “I’m really getting a lot of stuff off my chest on this album; something my career has been leading up to. You get to a phase where you want to try new things.”

And while the rapper-turned-actor phenomenon continues to run its course, Ludacris has been critically praised for his natural talent and charisma, earning roles on TV’s “Law & Order: Special Victims Unit,” among other opportunities. Next, he will play an angel elf in the Warner Bros. holiday comedy “Fred Claus,” starring with Vince Vaughn, Paul Gaillotti and Kevin Spacey. Ludacris is also planning a tour featuring his Disturbing Tha Peace roster, which is home to Shawnna, Bobby Valentino, Shareefa and Field Moll.

Mary J. Blige

With her seventh studio effort, “The Breakthrough,” Mary J. Blige proved once again that R&B divas can make stunning comebacks (see Mariah Carey). The Geffen disc
bowed atop The Billboard 200 (her third such achievement) in December 2005 with 727,000 first-week sales—the biggest opening week by a solo R&B female artist in Nielsen SoundScan history. The set has sold 2.6 million copies thus far.

At the top of the year, lead single "Be Without You" crowned the R&B/hip-hop chart for 15 straight weeks and this summer, Blige embarked on the Breakthrough Experience tour. As the Queen of Hip-Hop Soul noted on the album cut "Hate It or Love It," the album marked "a point in my life where I can finally call myself a Queen."

"My goal was to make my fans happy, and I knew that [2003's] 'Love & Life' was something that disappointed them," Blige told Billboard in January. "None of us were in a good place. Too many cooks spoiled the soup. You had [Will] saying, 'Do this, do that,' and I wanted something else. I have to give the glory to God for giving me the strength and guidance to do this."

In addition to an upcoming album of duets, Blige will release a greatest-hits album, "Reflections: The Journey," on Dec. 12. The set will feature a mix of old favorites such as "Real Love" and "Family Affair" and previously unreleased tracks including new song "We Ride" produced by Bryan-Michael Cox.

Next, Blige will make her film-starring debut in a biopic about jazz great Nina Simone. The artist has also continued her charitable efforts with her involvement in HIV/AIDS campaigns, anti-drug public service announcements and outreach groups.

THE FRAY

The Fray may be only one album into its career, but that hasn't stopped the group from having a major impact on the Billboard charts in 2006. After debuting modestly at No. 15 on The Billboard 200 in the fall of 2005, the Fray's Epic debut, "How to Save a Life," clawed its way to a peak of No. 14 almost exactly a year later, thanks to its ubiquitous title track and fellow single "Over My Head (Cable Car)."

The Denver-based band was formed when vocalist/pianist Isaac Slade happened upon an old schoolmate, guitarist Joe King, at a local music shop. The pair added drummer Ben Wysocki and guitarist Dave Welsh and began hitting the local scene with a piano-driven sound in the vein of Keane and Coldplay. Epic signed the band in 2004 and sent it to Bloomington, Ind., to record its debut at the famed Echo Park Studios.

Thanks to relentless touring and some key licensing tie-ins with "Grey's Anatomy" and HBO, the title track got as high as No. 3 on The Billboard Hot 100, while "Over My Head" reached No. 8. According to Epic, "How to Save a Life" is the No. 3 best-selling album in iTunes history; it has now sold 1.1 million copies in the United States, according to Nielsen SoundScan.

For King and his bandmates, one way to keep the swirling success in perspective is to think locally. As he told Billboard in April, "We got a video from this guy and a girl at [Denver high school] assembly, and they started singing 'How to Save a Life.' I [got] goose bumps at this point. That was me 10 years back. I was learning the songs of a band that inspired me, and [now] these kids are learning me. That's more gratifying than any licensing or radio play."

JANET JACKSON

When it comes to the term "diva," Janet Jackson has always fit the bill. Ever since her breakthrough album "Control," her shelves in 1986, the youngest Jackson offspring has released hit after hit marked by her sex-styled R&B and pop. Her new Virgin set, "20 Y.O.," recently debuted at No. 2 on The Billboard 200 and spawned the single "Call On Me" featuring Nelly, which hit No. 1 on the Hot R&B/Hip-Hop Songs chart.

"This album takes me to a place where I haven't been in a while: R&B and dance," Jackson recently told Billboard. "The album also features samples from music that inspired me 20, 25 years ago. There are also some midtempo songs and some of what everyone calls my 'baby-making songs.' Basically, the album is everything that's always been a part of me, but with freshness to it."

Having watched as her older brothers rose to worldwide superstardom in the Jackson 5, Jackson set off on a solo career in 1982 with her self-titled debut. With "Control," she cemented herself as a major pop figure in her own right, following it up in 1989 with "Rhythm Nation 1989," which yielded seven top-five hits including "Escapade," "Come Back to Me" and "Black Cat."

Jackson has remained perched near the top of the charts for the past decade, thanks to such albums as "Janet." In 1993, "The Velvet Rope" in 1997, "All for You" in 2001 and "Damita Jo" in 2004. Overall, she has racked up eight top 10 albums, five of which reached No. 1.

FERGIE

With her sometimes raunchy, sometimes sensual brand of hip-hop and pop, Stacy "Fergie" Ferguson finally came into her own this year. The Black Eyed Peas frontwoman broke from the pod with her solo debut "The Dutchess," (Will.i.am/A&M), which bowed in October at No. 3 on The Billboard 200 and has sold 655,000 copies in the United States, according to Nielsen SoundScan.

The suggestive chants of lead single "London Bridge" ("How come every time you come around/my London, London Bridge wanna go down") drove the song to the top of The Billboard Hot 100 for three straight weeks. On second single "Fergalicious," the singer enulates '80s female rap trio J.J. Fad.

A former child actor (she performed voice-overs for "Charlie Brown" cartoons) and member of '90s girl group Wild Orchid, Fergie battled drug addiction and self-esteem issues before landing a meeting with Peas frontman Will.i.am. Once in the group, the Hacienda Heights, Calif.-raised singer helped the trio-turned-foursome achieve global stardom.

But with "The Dutchess," Fergie looked to explore subjects that were virtually off limits to her as a member of the Peas. "There are a lot more ballads and more intimacy between me and the listener because sometimes when you're in a group you don't have space to air out your dirty laundry," she told Billboard recently. "For me, this album is a complete thought. It's not just a verse or a sentence. It's my complete feeling and emotion."

THE KILLERS

Just how meteoric was the Killers' rise? About three months after they released their Island debut, "Hot Fuss," in June 2004, the Las Vegas-based band played the 1,200-capacity 9:30 Club in Washington, D.C., and just eight months later, it was rocking the 16,000-plus-capacity Merriweather Post Pavilion in nearby Columbia, Md. It was par for the course for a band that went from blogosphere darlings to retail domination in short order.

"Hot Fuss" sold more than 3 million copies in the United States, was nominated for five Grammy Awards and spent 53 weeks in the top 50 of The Billboard 200. "Mr. Brightside" spent more than 40 weeks on the charts and reached No. 10 on The Billboard Hot 100, while "Somebody Told Me" spent 30 weeks on the charts and hit No. 3 on the Modern Rock tally.

The Killers (lead singer Brandon Flowers, guitarist Dave Keuning, bassist Mark Stoermer and drummer Ronnie Vannucci) were arguably the biggest artist development story last year. Striking while the iron is hot, the group recently released its second album, "Sam's Town," which debuted at No. 2 on The Billboard 200. First single "When You Were Young" reached No. 14 on the Hot 100.

"We're not cocky," Flowers recently told Billboard. "And I don't mean to sound cocky. We're just proud of this record. At the end of the day, it's all in the ear of the beholders. We don't believe the hype. We believe it's a good piece of work. I never said we were trying to reinvent the wheel. We just want to keep it rolling."
It was not that long ago that the words “independent label” were generally construed to mean “a quick way for an aspiring artist to be bilked out of their life savings by disreputable operators.” Times have changed.

Independent labels in today’s Nashville represent something else entirely - legitimate businesses that compete with major labels for radio and video airplay, media exposure and, most importantly, sales.

During a recent week in November, a full third of the songs listed on Billboard’s Hot Country Songs chart were from independent labels: unheard of 10 or even five years ago.

So while consolidation has reduced the number of major label groups to four, the number of independent labels on Music Row has grown steadily during the last few years. In fact, it is that same majors label consolidation that has provided both the staff and the artist roster for many independents.

Five years ago, Broken Bow, Dualtone and Curb were pretty much it when it came to Nashville indies. Today’s lineup includes at least a dozen companies that have placed, or are likely to place, songs on Billboard’s Hot Country Songs chart. Among others, Toby Keith’s Show Dog Nashville and Category 5 (home to Travis Tritt) have launched in the last year.

“The thing that had hampered independent labels in the past was lack of quality distribution and a lack of talent on both sides of the spectrum: the artistic talent and the executive talent to run a company and staff a label,” says Equity Music VP of promotion Bill Mayne. Veteran artists Neal McCoy founded 903 two years ago. It is also home to Darryl Worley and popular touring act the Drew Davis Band.

“In a consolidation era, it’s like squeezing a balloon, the air’s got to go somewhere,” Mayne adds.

The label most often cited in industry circles as the forebear of the modern independent movement is Broken Bow, which was started in the late ’90s by California car dealer Benny Brown. After owning a Nashville studio and financially backing various new artists, Brown decided to open his own label. It took a few years, but it eventually succeeded with Craig Morgan, who had previously recorded for Atlantic Records Nashville. Since joining Broken Bow in 2001, Morgan has scored three top 10 singles, including No. 1, “That’s What I Love About Sunday.”

“Broken Bow was the first to re-create the major label model in terms of personnel and staffing,” says Equity Music Group partner and president Mike Kesler, who spent 27 years at CBS Records, which later became Sony. “They were willing to make that commitment and ultimately you saw the results.”

Eventually, Broken Bow also had success with a new artist, Jason Aldean, which forever changed the way independents — by design heavily reliant on artists with a major label track record — were viewed. Aldean’s debut album has sold 75,000 copies and has spawned two top 10 singles, including No. 1 “Why,” which peaked in May.

Equity, launched in 2003, is another label that has “sounded success with an act other than the tried and true. Although the label counts veteran artist Clint Black as one of its founding partners, and also has on its roster ex-major label performers Mark Wills and Carolyn Dawn Johnston, it has had its biggest success with Little Big Town, a band that has scored on both the airplay and sales charts. The band has sold 807,000 albums to date, according to Nielsen SoundScan.

Certainly, lots of ex-major label talent is fueling the indie world. Hitmaker Tracy Lawrence started his own label, Rocky Comfort Records, with a different plan than what he experienced during his years at major labels such as Atlantic and DreamWorks. “The ultimate goal here is not to hang No. 1 plaques on the wall, it’s to sell records,” he says. “You can be more efficient with how you spend your money and how you advertise and market your artist. There’s just way too much waste in this business.”

Big Machine president, CEO Scott Borchetta leans heavily on past experience, including executive stints at MCA and DreamWorks. “We’re taking a lot of our own personal research and development and how to compete out-of-the-box at the highest level,” says Borchetta, who counts Jack Ingram and Taylor Swift among his signees.

Indeed, indies have found ways to tweak the major label model to their advantage. While almost all of them rely, like the majors, on radio airplay as their primary means of exposure to consumers, there are a few that are exploring other means.

Ken Cooper, who moved his Rust Records operation to Nashville from Cleveland, says that the label has a traditional promotional and marketing staff, but also has placed a strong emphasis on new media. “In the country world, 94% of sales are coming from the traditional model and 6% from the digital model. We believe that in the next 16-24 months that’s... eventually a 50-50 model.”

Cooper says Rust, which is home to BlackHawk, Aaron Tippin and Poverty-Neck Hillbillies, is creating country lifestyle online communities. Even though country consumers are historically behind the tech curve, “when they go to convert, we will be there for them.
BORCHETTA says one way that his label remains cost-effective is that "we’re not top-heavy with executives. It was more important to me to have great people who could get the job done than bring in experienced high level executives. That’s for an aggressive reason—a desire and a hunger—and for a financial reason.

The Big Machine toscoho says the decision-making process is quicker at his label as well. "I don’t have to check with New York or L.A.," he says. "My crew walks in, we talk about something and either we do it or we don’t. There’s not a long, drawn-out process."

Major label consolidation has meant more than an injection of top executive and artist talent into the indie realm. It’s also meant better, easier distribution. There was a time when independents couldn’t get their product in every retail chain, but consolidation has limited the number of clients needed to carry it.

In addition, consolidation at retail, and subsequently on the distribution side, made "a lot of very talented distribution executives available for the independent world to absorb," according to Kraski. "That’s what you see at places like RED and Navarre—they are full of ex-major label distribution folks."

Sales and marketing veteran Bob Fresse, VP/GM of Navarre Corp., which distributes a half dozen country independents, says country is discovering what other genres, most notably rock and hip-hop have known for years—there’s a business in "niche." "In other genres, there’s always been an acceptable world for independents," he says, noting that "our biggest selling titles this year are without a doubt country records."

Broken Bow's Howell doesn’t believe the independent label boom has peaked. "I still believe that anybody can have a hit on any given day," he says. "With the right song, the right artist and the right people working it, regardless of the record label, you can have a hit." Lofon Creek's success with Heartland (see story, next page) is an example of that principle, Howell says.

Brian Smith, VP of store operations for Value Music Concepts, agrees. "If you have a hit song you will get played." Smith says: "Eans don’t care what label is involved."

As solid a reputation as country independents are currently enjoying, Kraski says that they still have to fight the bias—sometimes seeded by majors—that they might be gone tomorrow. "We have to overcome it again every time an independent label shows up on the radar screen and then fails," he says, noting that there is an answer to the bias. "Success brings credibility."
It’s tempting to describe Heartland’s emergence on the national country scene as an overnight success. The Huntsville, Ala.-based band signed a recording contract with Nashville independent Lofton Creek in May, and less than six months later it had a No. 1 Billboard chart single—“I Loved Her First”—and a top-selling album by the same name. But, as with most acts, Heartland’s success is anything but overnight. “It took us 12 years to be an overnight success,” lead singer Jason Albert says wryly.

There are thousands of bar bands and church choirs singing across America that have as much, if not more, talent than what regularly pours out of your car radio. The difference between those folks and today’s stars, in many cases, is the right connection, the right break, the right set of ears to hear their talent. A few years ago, that might have exclusively meant a major label. In Heartland’s case, it meant crossing paths with songwriter/producer Walt Aldridge, DJ Dan Hollander and veteran record executive Mike Borchetta.

The band, made up of Albert, Craig Anderson (rhythm guitar), Keith West (bass guitar, background vocals), Chuck Crawford (fiddle, background vocals), Todd Anderson (drums) and Mike Myerson (lead guitar), kicked around the Southeast playing clubs, hoping for something bigger for at least a decade. “The core of the band was me, Craig and Todd starting out,” Albert says. “Then we added Mike and Keith. Crawford joined the band after he answered an ad on a local Internet site. ‘He just fits like a glove,’ Albert says.

In addition to regional gigs, the band made its share of trips up I-65 to Nashville, where, like countless other acts, it hoped to find fame and fortune but instead found rejection. “We had our share of doors slammed in our face,” and hearing “thanks, but no thanks,” Albert says.

But the seeds of Heartland’s current success were planted a little closer to home. Looking for songs that it could record and pitch to labels, the band went to a songwriter showcase. It was there that it first heard “I Loved Her First,” a look at love through the eyes of a father at his daughter’s wedding (“I prayed that you’d find you someday, but it’s still hard to give her away”). The singer that night was Aldridge, who had written the song with Elliott Aldridge. “Our eyes just welled up with tears,” Albert says. “Whether you have kids or not, that song is special.”

After the show the group asked Aldridge to send it material. He agreed. “When we got a CD in the mail, that song was on it,” Albert says. “We couldn’t believe that nobody had recorded it. Came to find out, they’d pitched it around [Nashville] for several years. Everybody panned it because they didn’t want anybody to think that they were old enough to have a child who was getting married. But we thought, ‘A good song’s a good song. You’re just telling a story when you do it.’”

The group eventually went into the studio with Aldridge producing a four-song demo. One of the demos ended up in the hands of Hollander, who works at WLLX in Lawrenceburg, Tenn. After listening, Hollander called Borchetta. “I’ve known Dan for 25 years,” Borchetta says. “He has never called me up and said, ‘You got to hear this.’

“Why don’t these guys have a major label deal? They’re incredible,” Borchetta recalls thinking when he first heard the demo. The wheels were set in motion. “He listened on Friday and met with us on Monday,” Albert says. Soon after the act was signed to Lofton Creek. A veteran promotion man whose career dates back to the ’60s, Borchetta was confident that “I Loved Her First” was a hit. “I’ve worked enough No. 1 records over the years, going back to the Beach Boys, that I know what one feels like,” he says. “I knew I had a hit.”

Interestingly, what Borchetta had was a demo cut for roughly $500. Based on his experience with 606 records like “Chick-A-Boom” by Duddy Dewdrop, Borchetta resisted going back into the studio to re-record the song. “Like the old days, you can cut a record for a few hundred dollars and have a hit,” he says.

Lofton Creek took the song to radio. A cadre of veteran promoters that Borchetta dubbed the “Over the Hill Gang,” began mining their longstanding relationships at radio. Instead of a hard sell, they simply asked programmers to give the song some airplay and see what happened. The single sold itself as an overwhelming listener reaction grew, so did the band’s story. “We built it block by block,” Borchetta says.

DJ/music director Shadow of WWKA in Orlando, Fla., says the potential was evident from the start as calls for the song came from every demographic. “It wasn’t so much the requests, but that so many of the callers wanted to know where they could buy it,” Shadow says. “That’s pretty good passion.”

The single reached No. 1 in its 17th week on Billboard’s Hot Country Songs chart, which by today’s slow-climb standards is impressive. That same week, the group’s album, also titled “I Loved Her First,” sold 61,000 units, according to Nielsen SoundScan, which was good for a No. 3 debut on the Hot Country Albums chart and a No. 1 slot on the Top Independent Albums chart. Since its release in October, the band has sold 170,000 units.

“Heartland came out of the box extremely strong for us,” says Brian Smith, VP of store operations for Value Music Concepts. “I was concerned that some of the enthusiasm might have died off due to the fact that it took a while to get the album to the street, but the first month’s sales proved me wrong.”

Lofton Creek didn’t discount Heartland’s album at retail. “We didn’t put it out at $7.99 or $9.99,” Borchetta says. “This is a have-to-have record. They just don’t come around that often.”

Now Heartland is touring nonstop while juggling national TV appearances and other media opportunities. “We’re just trying to hang on to the wave,” the band’s Albert says, noting that the group has gone from two to three shows a month to four or five shows a week for increasingly larger crowds.

The band’s next single “Bait to Last,” also written by Park, will ship to radio in January. “We’re just happy to have a record deal,” Albert says. “All we ever wanted was a chance.”

—Ken Tucker
For the music industry, another year brings another roller coaster ride. The Winners and Losers of 2006 captures the best of times and the worst of times for key players in our business.

Atlantic Record execs Craig Kallman and Julie Greenwald presided over the comeback of that esteemed label in the past year after concerns two years earlier that A&R cutbacks would hamper its success.

Viacom, parent company of MTV, was in the unfamiliar situation of watching other media companies grab young audiences with the increasing popularity of MySpace, owned by News Corp., and Google's headline-making deal for YouTube.

And who could have guessed last January that the year would see Viacom president/CEO Tom Freston and Sony Music Label Group chairman Don Ienner leave their posts?

Our Winners and Losers report is organized by business sector and was written by Billboard’s editorial team: Lars Brandle, Antony Bruno, Susan Butler, Ed Christman, Leila Cobo, Brian Garrity, Clover Hope, Gail Mitchell, Craig Rosen, Ken Tucker and Ray Waddell.
DIgital entertainment

YouTube
This clearly was YouTube's year. The online videosharing site, founded by Chad Hurley and Steve Chen, went from relative geek obscurity to a new-media powerhouse in months, cumulating in daily video streams of 100 million, 72 million users and a $1.65 billion acquisition by Internet bellwether Google.

YouTube's success is strange. The site is poorly organized, difficult to browse and primarily consists of lousy videos in terms of quality and content. What's more, it faces the ire of content owners who find their copyrighted material posted by YouTube members. Media mogul Mark Cuban, prior to the acquisition, notably stated whoever ultimately buys YouTube would be a "moron."

But the company fits squarely between the two sweet spots of tomorrow's Internet—user-generated content and video.

By focusing on the individual user YouTube found success. The challenge for YouTube and Google is to concentrate on the needs of the content providers without losing their loyal users.

Napster
In a perfect world, Napster would be a great success. It has a globally recognizable brand, a creative leadership team willing to innovate, and at one point, millions of dollars at its disposal. But alas, a perfect world it is not. To be fair, Napster's year debuted a new ad-revenue-supported free music service that marked a major evolution of its business model. It launched a mobile music service with regional carrier SunComm and Japanese powerhouse NTT DoCoMo. Its stock price even rose from a low of $2.55 to $4.37 at press time.

But as the only pure-play digital music service on the market, going it alone against a market leader like Apple has proved too great a challenge. In September, the company retained UBS Investment Bank to help it weigh potential buyout offers, which have been rumored for months.

Depending on the terms of any resulting deal, if any, a Napster acquisition could be seen as a successful bargain for whoever snatches it up. But it will also be viewed as Napster's failure to survive as an independent.

Business

Atlantic Records
Under chairman/CEO Craig Kalman and president Julie Greenwald, Atlantic delivered a diverse mix of hits during the last year, including T.I., James Blunt, Gnarls Barkley, Panic! at the Disco, Rob Thomas, Staind and Death Cab for Cutie.

In the process, Atlantic has vaulted into ranks of the top labels in the industry with more than 5.9% in market share in 2006. The label, which critics worried two years ago cut too deep into its A&R capabilities, is on track to break six new acts this year beyond gold certification: Panic! at the Disco, Gnarls Barkley, Yung Joc, Cassie, Young Dro and Cassie.

Particularly notable is its urban music turnaround, which is outpacing the R&B and rap market shares of pre-merger Atlantic and Elektra Records combined.

Viacom
Following a January split from CBS Corp, the company's stock stumbled amid concern about its Web strategy. While News Corp and Google were busy gobbling up the likes of MySpace and YouTube, Viacom stood pat.

Meanwhile, its online sites, most notably mtv.com, have floundered by drawing a fraction of the traffic claimed by those social networking sensations, as well as by other destinations offering music videos like AOL and Yahoo.

Adding to MTV's woes: a shift in Microsoft's digital music strategy. MTV and Microsoft in January announced an alliance to make MTV's new Urge digital music service the preferred retailer for the Windows Media Player. But shortly after the service launched in the summer, Microsoft announced plans to roll out its own rival offering, Zune, by year's end.

In September, company chairman Sumner Redstone sacked CEO Tom Freston, and the Viacom board replaced him with Philippe Dauman. The board also named Thomas W. Dooley senior executive VP/chief administrative officer.

Redstone has previously worked with both men and praised them as "two of the most extraordinary executives I have ever known."

Touring

Michael Cohl
As producer of every Rolling Stones tour since 1981, Michael Cohl, chairman of Concert Productions International, (CPI), has had a lot of big years. But 2006 has been remarkable by even his standards.

First, Cohl is producing another Stones global trek—A Bigger Bang—that is now the top-grossing concert tour ever.

But that's not all for the big MC. He also helms the Who's hugely successful world tour and, to top it off, Cohl helped coax the mighty Barbra Streisand back into music. For the past 17 years, Streisand has been overseeing mobile technology products, a responsibility she also retains.

Meanwhile, Porter continues to bust a move, taking the game Arnold began to the next level with the Earth, Brooks coup last year and the Eagles deal this year.

Labels hate the way Porter forges fancy footwork to blow right by them to get to artists and their managers, prompting one senior label executive to refer to him as "the Antichrist."

Still, another senior label executive says that for all people complain about Walmart, the discount giant has enough credit for all it does for the music industry. And if Walmart ever started using media to promote music and video the way Target does, it would become completely unbearable. Collectively, the titans comprise about 55% in U.S. market share.

Retail

Big boxes
David Porter swings the biggest bat in the business with Wal-Mart's 23% 75% market share, but Best Buy's Gary Arnold is practically the father of modern retail marketing, having invented most of the bag of tricks being wielded today by big-box merchants.

Every week the list of titans with exclusives in the consumer electronic chains' circular is the envy of retail, and Arnold's big-picture marketing abilities should be enhanced by the execution skills of the returning Jennifer "J.J." Schaeffer, the former GM of ATT Wireless. For the past 17 years, Schaeffer has been overseeing mobile technology products, a responsibility she also retains.

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Specialty retail chains

While there have been tumultuous years in this sector—1996 came to mind when financial difficulties at something like 12 chains led to either Chapter 11 filings, liquidations or sales to other chains—2006 was a defining moment for music retail.

This was the year when two of the industry's best-known, most widely spread and longest-running brands bit the dust.

The year began with the demise of Musicland. The Helichters started the chain in 1955 and at its peak had 1,400 stores, including its well-known Sam Goody brand. It ended with the liquidation of the industry's most involved merchant, Tower Records.

Who failed? At both chains, there's certainly enough blame to go around.
POP

Ron Fair

Following his success with the Black Eyed Peas and the Pussycat Dolls, A&M Records president Ron Fair was elevated to chairman of Geffen Records in March, and the hits kept coming.

With his finger firmly planted on the pulse of the pop landscape, Fair enjoyed two more hit singles this year from the Pussycat Dolls' 2005 debut, "PCD," which has eclipsed the 2 million sales mark.

Under his watch, Nelly Furtado recovered from a sophomore slump by being recast as a hip-hop crossover artist. The makeover resulted in the chart-topping single "Promiscuous" and album "Loose," which is closing in on sales of 1 million copies.

As his icing on the cake, Fergie—the one-time Wild Orchid singer that Fair drafted for the Black Eyed Peas—spun off a successful solo effort with the No. 1 single "London Bridge." Her album, "The Dutchess," debuted at No. 3.

COUNTRY

Independent country labels

The number of independent labels on Music Row has grown steadily in the last few years, and the trend shows no signs of stopping.

Lofton Creek, a label run by veteran promoter Mike Borchetta, is the most recent indie to score. The label's band Heartland landed a No. 1 hit that hit the Country Songs chart the same week in October that its debut album sold 61,000 units, which took it to the No. 1 spot on the Top Independent Albums tally.

Category 5 (Sammy Kershaw, Travis Tritt), Montage Music Group (Little Texas, Andy Griggs), Rust Blackhawk (Black Hawk, Aaron Tippin) and Midas Records Nashville (Steve Azar, Emerson Drive) are among the independent hopefuls fighting to build on the reality of acts that have appeared on the country charts.

But the real standout among Nashville's independent labels this year are Equity and Broken Bow.

Equity act Little Big Town has scored one of the top independent albums of the year, regardless of genre, with "The Road to Here." The album's success has been driven by the hit single "Boodocks."

Likewise, indie Broken Bow has broken through with Jackson Aldean's self-titled album, boosted by Aldean's hit "Why."

Los Angeles country radio listeners

"I don't relish passing off a built a million people in Southern California, but the problem was we needed a million people. It's really not that simple."

That's how Emmis Communications radio president Rick Cummings explained the decision to flip country KZLA to a rhythmic AC format in August.

While Emmis was "very proud" of KZLA, the reality was that its Arbitron ratings were not what the company needed them to be. KZLA regularly performed well among adult women—its target audience—in Orange County, but it did not in Los Angeles County, which is a much bigger influence on ratings.

So for the first time in 26 years the market is without an FM country outlet, although two AM stations recently signed on for disenfranchised listeners. While there are rumors that an FM station is in the works, for now L.A. country fans will have to rely on other means to get their fix.

HIP-HOP

Bad Boy Records

Bad Boy suffered a major loss with the 1997 death of the Notorious B.I.G., followed by the departure of thriving acts like Mase, 112 and Faith Evans.

Sean "Diddy" Combs tried hard to recapture that magic, but the mogul who at one point could not, would not stop—did.

This year, however, saw the rejuvenation of Bad Boy as it shifted from Universal to Atlantic. Diddy's solo effort "Press Play" bowed atop The Billboard 200, selling 170,000 copies its first week, and his girl group Daniel Kane's self-titled debut bowed at No. 1 and has sold 663,000 units, according to Nielsen SoundScan.

This summer, Bad Boy newcomers Yung Joc and Cassie scored with their respective hits "It's Goin' Down" and "Me & U."

"We're heating up, but we don't get overexcited," VP/GM Harve Pierre told Billboard in July. "We just have to stay focused, try to break new artists and keep the momentum going."

G-Unit

After taking over the rap world with their street-savvy tunes, 50 Cent's G-Unit imprint/cast members continued to round out with sales dipping considerably this year. 50 Cent's 2003 debut, "Get Rich or Die Tryin'," sold 872,000 units its first week (and 7.6 million overall), and 2005's "The Massacre" has shifted 5 million units. But recent efforts by Lloyd Banks and Tony Yayo have not fared so well. Banks' sophomore set, "Rotten Apple," bowed at No. 3 on the Billboard 200 in October but sold only 145,000 copies its first week—down from 2004's "Hunger for More," which debuted atop the chart with 434,000. (It sold 1.5 million overall.)

Meanwhile, Yayo's "Thoughts of a Predator Felon" has shifted 500,000 since its August 2005 release. N.O. Deep's "Blood Money" sold 257,000, if anyone is interested. G-Unit used to be the go-to crew for hits, but its latest singles have become sonically repetitive. Upcoming releases by Lil Scrappy and Young Buck could redeem the label.

R&B

Stargate

Eighteen months after relocating from their native Norway, Tor Erik Hermansen and Mikkel S. Eriksen can claim in-demand status. Under the Stargate moniker, the producers scored R&B/pop hits for Ne-Yo ("So Sick" and "Sexy Love") and Rihanna ("Unfaithful"), and gave Lionel Richie his first urban hit in 10 years.

Stargate also collaborated with Beyoncé, Mario, JLo, Ruben Studdard, Jeannie Ortega and Jessica Simpson during 2006. Looking ahead to 2007, the duo is already ensconced in New York's Battery Studio, huddling with Ne-Yo for his sophomore set, plus a new album by former Destiny's Child member Michelle Williams.

Joining forces nine years ago, Hermansen and Eriksen—avoided lovers of R&B/hip-hop—migrated stateside after multiplatinum success in the United Kingdom with such acts as Blue and S Club 7.

As Hermansen remarked in a recent R&B/Billboard interview, the challenge of coming to America "has given us more confidence to do what comes natural to us."

R&B/hip-hop sales

R&B/hip-hop easy command on most radio airplay, but don't look upon its sales slip is showing. R&B/album sales (including rap) rang up 93.3 million as of Nov. 19, or 19.9% of overall album sales (468.5 million).

While 19.9% is a strong showing, it is a downshift from the 24% share R&B/hip-hop logged last year at the same time (118.1 million units) and down from the 24.4% posted through Nov. 21, 2004 (106.5 million). This year's dip is attributed to sales bonanzas reaped by Mariah Carey and 50 Cent.

However, comparable numbers were not achieved in 2006 despite some bright spots (T.I., Beyoncé, Ludacris). And hopes pinned on other anticipated albums (e.g., Janet Jackson, Chingy) weren't realized.

It's certainly not time to wave the white flag for the genre. Album sales overall are down 4.8% (468.7 million), due to downloading and other factors.

Late November/December releases by Jay-Z and other high-profile artists may ultimately strengthen the bottom line. 2006's disappointing sales sound a somber note as 2007 approaches.
Impala

Impala may well fancy itself as the mouse that roared. The voice of the Brussels-based independent music industry trade group echoed in the halls of Europe's regulatory and legal authorities this year and no doubt rang in the ears of the major music companies.

Just days into the reign of its new president, Patrick Zelnik, Impala scored a massive coup when it effectively prompted a rethink of the Sony-BMG merger. In light of complaints submitted by Impala, the European Court of First Instance in Luxembourg on July 13 annulled the European Commission's original 2004 ruling authorizing the Sony-BMG amalgamation.

Soon after, EMI and Warner Music's courtship came to an end, while Impala further flexed its newfound muscle by threatening to derail Vivendi's proposed purchase of BMG Music Publishing.

It's proof that what Zelnik calls 'Impala's fight for a well-regulated and balanced market between majors and independents' will continue for years.

The BBC's 'Top of the Pops'

As Britain's TV and musical institutions go, the 'Top of the Pops' brand has ranked somewhere on or near the top for more than 40 years. But in 2006, the BBC pulled the plug on its once-flagship, now-floundering music-chart show.

There are a number of factors that have contributed to the show's decline, but one of the key reasons is the loss of exclusivity for the program's music content.

In recent years, 'Top of the Pops' has struggled to attract viewers as it has faced increased competition from other music shows on television. The show's ratings have continued to decline, leading to its eventual cancellation.

Regional Mexican music sales

Latin music suffered in 2006 at the hands of the usual suspects: the hands of the usual suspects: the continued need to pay to get played on radio, the lack of artist development and big budgets for artists who no longer deliver.

But there are several issues unique to 2006. Chief among them is a rising tide of anti-immigration sentiment and actions that resulted in a decline in album sales, particularly for regional Mexican music. Regional Mexican music sales fell in 2006 for the first time since 2003, the year when the RIAA began tracking the genre's sales. Anti-immigrant displays affected concert attendance as well. Not enough voices in the industry were raised to deplore this sad state of affairs. And that's a shame, as regional Mexican sales are a primary source of income for all labels. When the regional Mexican genre loses, we all lose.
From the roads of his native Brooklyn, NEIL DIAMOND has taken the world.

ACCLAIMED '12 SONGS' ALBUM RETURNS IN A TRIUMPH FOR VETERAN SINGER/SONGWRITER AFTER FOUR DECADES OF HITS

SPECIAL FEATURE
Neil Diamond's ArchAngel Recording Studio in Los Angeles is under construction. Memorabilia that lined the halls from floor to ceiling—nearly 40 platinum and gold records, album covers and fan-generated needlepoint—has been put in storage as the facility is updated for the first time in three decades. In a sense, Diamond's sound went through a similar makeover when the artist teamed up with producer Rick Rubin on his 2005 album "12 Songs," possibly the most acclaimed album of a storied 40-year career. During the sessions that resulted in "12 Songs," Rubin stripped Diamond's often heavily adorned sound to its roots—his unmistakable rich baritone and acoustic guitar, with minimal accompaniment by guitars, keyboards and strings. It's a sound that harks back to Diamond's earliest hits, such as "Solitary Man," but it's no mere nostalgia trip. His lyrics and the weariness of his voice are miles from the wide-eyed optimism of "I'm a Believer." This singer/songwriter has experienced much during his more than six decades and has wisdom to share. Fans and those who missed it the first time around will get another chance to experience "12 Songs" when Columbia Records rereleases it Dec. 12 as a limited-edition artist's cut, with a bonus disc featuring alternate takes and demos. continued on >>p38

DEMOS AND ALTERNATE TRACKS ON RERELEASED '12 SONGS' CD REVEALS DIAMOND'S BRILLIANCE

INSIDE THE CREATION

BY CRAIG ROSEN

NEIL DIAMOND'S '12 Songs was the highest-debuting album of his career.
SESAC is proud to represent the extraordinary songs of Neil Diamond.
We are proud to congratulate Neil Diamond on his 40th anniversary, and on the forthcoming 2 disc limited edition release of his acclaimed album

12 SONGS

words and music by Neil Diamond
produced by Rick Rubin
Upon its initial release, "12 Songs" became the highest-debuting album of Diamond's career. Fueled by a stack of positive reviews, it debuted at No. 4 on The Billboard 200 with sales of 92,700 copies.

Yet Diamond's joy and triumph with the album's debut was soon replaced by frustration and depression.

Soon after its release, consumers discovered that "12 Songs" was one of 20 Sony BMG titles to include XCP, short for extended copy protection, a controversial digital rights management system that automatically installed potentially malicious "rootkit" anti-piracy software on any computer attempting to play it.

Following a groundswell of negative publicity, including the filing of several class-action lawsuits, Sony BMG recalled the affected CDs, effectively taking "12 Songs" out of the marketplace during much of the crucial holiday shopping season. Still, the album managed to sell more than 517,000 copies in the United States, according to Nielsen SoundScan.

When asked what prompted the "12 Songs" rerelease, Diamond cites the XCP disc. "Columbia Records decided for a rerelease based on what happened last year," he says.

He could have been referring to the album's critical acclaim, but that wasn't the case when asked if he was happy about it.

"Not [about] what happened last year," he says, "but the rerelease."

The new executive team at Columbia declined to comment on the XCP issue, but says that "12 Songs" deserves to be revisited.

Columbia Records Group chairman Steve Barnett says that he and Sony Music Label Group chairman Rob Stringer met with Diamond and Rubin. "We were not involved with the original campaign, but we just felt that this record, which is an incredible record, could benefit from a rerelease... We just thought it was the right thing to do for Neil Diamond and for this particular record."


Columbia senior VP of adult marketing Jay Krugman concurs with Barnett's view of "12 Songs."

"It's certainly one of the most critically acclaimed records of the year, and it's the perfect time to revisit it," he says.

Columbia will market the rerelease with a full-court press of print advertising, TV appearances and online marketing.

Krugman adds that the second disc "showcases a rare look into Neil's creative process" with its mix of alternate takes and previously unreleased demos.

It was about a week-and-a-half after the initial release of "12 Songs" that Diamond found out about the XCP problem.

"I didn't know about it. I wasn't asked about it," he says. "I had to ask my son who is a tech nerd what it meant. He told me, I fainted.

"When I came to, I went into a deep depression for a couple of weeks, and then I started working on our next album," says Diamond, sitting a few feet from the work space where he has been recording demos of new material for Rubin, who will again serve as producer.

It's that dedication to work and singular focus...
SONGS THAT MAKE MILLIONS OF FANS HAPPY.
AND THOUSANDS OF SONGWRITERS JEALOUS.

Congratulations on your 40th anniversary, Neil.
We can’t wait to hear what the next 40 will bring.

Sony/ATV Music Publishing
from >>>38

that has made Diamond one of the most successful recording and touring artists in the history of popular music.

By his own admission, the Brooklyn, N.Y.-born son of Akeeba and Rose Diamond had little success during his first eight years in the music business. It was the path he chose after dropping out of his premed studies at New York University just six months shy of graduation.

"Originally, it was pure songwriting, and I didn’t do it very well," he says, referring to his days on Tin Pan Alley as a staff songwriter for Sunbeam Music. He earned $50 per week.

Nonetheless, Diamond “not once” thought of giving up his dream.

The dream began one summer at Surprise Lake Camp in Cold Spring, N.Y., which offered Jewish children refuge from the heat of New York. “The joke was, ‘Surprise, no lake’,” Diamond quips.

Yet whatever the camp lacked in aquatic adventure, it more than made up for with a healthy dose of musical inspiration. “I got to know about Woody Guthrie and Pete Seeger and folk music,” Diamond recalls.

“It was a very liberal-oriented camp, so the songs were pointed in that direction aside from the usual camp songs,” he says. “That opened me up, and I decided to take some lessons. My parents liked the idea of keeping me off the streets. I got myself a $9 guitar, paid it off $1 a week and haven’t put it down since.”

He had some chance meetings along the way. While a student at Brooklyn’s Erasmus Hall High School, Diamond sang in the same chorus as a 15-year-old Barbe Streisand. Years later, in 1978, the pair would reunite in the dixieland band “You Don’t Bring Me Flowers,” which topped The Billboard Hot 100. The song ranks as the most successful single of Diamond’s career.

Between the encounters with Streisand, Diamond met another Brooklyn-born woman who would have a dramatic effect on his career. Ellie Greenwich, who was his then-husband Jeff Barry and producer Phil Spector composed a string of ungettable hits, including the Ronettes’ “Be My Baby,” the Crystals’ “Da Doo Ron Ron” and Darlene Love’s “Christmas (Baby Please Come Home).”

It was a chance meeting in the office of a music publisher. “I went up to the office and there was this guy sitting there with his guitar, and he played me a couple of songs, one song was ‘Call Me His,'” Greenwich recalls. “It was very interesting and very different from a lot of the songs I had been doing demos on.”

After that meeting, Greenwich invited Diamond to meet with Barry. “Jeff really loved the way Neil sang. He thought Neil had a very interesting voice,” she says. “I loved his writing and Jeff loved his voice, so we both knew there was something there.”

Initially, Diamond was signed by songwriter/producers Jerry Leiber and Mike Stoller, who also had Greenwich and Barry under contract.

But eventually Greenwich, Barry and Diamond launched Tallyrand Music to publish Diamond’s songs. It was Greenwich and Barry who brought Diamond to the attention of Bert Berns, who signed Diamond to his Bang Records.

“Bert gave us, like, $5,000 and said, ‘Go in the studio and cut a couple of things.’ The two things we cut were ‘Cherry, Cherry’ and ‘Solitary Man,’” Greenwich says.

Diamond went on to tremendous success, scoring a string of platinum-selling albums from the early ’70s through the early ’80s, including such multiplatnum smashers as “Jonathan Livingston Seagull” (1973), “I’m Glad You’re Here With Me Tonight” (1977) and “The Jazz Singer” (1980).

But it was those earliest, late-’60s recordings that Diamond and Rubin revisited prior to starting the sessions for “12 Songs.”

The producer—who’s credits include such diverse acts as Red Hot Chili Peppers, Shakira, Dixie Chicks, Slayer and Jay-Z—initially reached out to Diamond more than a decade ago. But it took a while before Diamond responded and agreed to meet with him.

“I was really excited to meet him, having always been a fan,” Rubin says. “We started meeting on a pretty regular basis for a long time before we started any work. We just became friends and listened to a lot of music, talked about songs, what we liked and why and compared notes.”

During that time, Rubin had Diamond revisit some of his earliest recordings. “Over the years, typically when artists play...continued on >>>42

SIXTIES MEMORIES, CLOCKWISE FROM ABOVE:
NEIL DIAMOND AT NEW YORK’S BRIDGING IN CONCERT; AND WITH PRODUCERS JEFF BARRY AND ELLIE GREENWICH. INSIDE: SHEET MUSIC FOR ‘CHERRY, CHERRY.’

“‘I Am, I Said’ is one of my fave Neil Diamond songs, because it is written by a man entering the midlife of his career. It is filled with soul-searching questions: ‘Why am I here?’ ‘Where should I be?’ ‘Where do I belong?’ No other songwriter has captured that spirit and encased it in such a rousing chorus. It still sends chills up my spine.’

—MELISSA ETHERIDGE

‘I love a lot of his songs, but “Song Sung Blue” is my favorite. Many times I would hear the songs after they were completed, but this one, I heard in its infancy, and I knew it could be a No. 1 record. So we put it out, and it was a smash hit.

Neil Diamond is an incredible artist, and I love him. Beyond talent, it takes a lot of intelligence to sustain in this industry, and Neil has sustained.”

—RUSS REGAN, VELOCITY ENTERTAINMENT PRESIDENT (REGAN SIGNED DIAMOND TO UNI RECORDS IN THE LATE ‘60s.)

DIAMOND DATES

1941 Neil Leslie Diamond is born Jan. 24 in Brooklyn, N.Y., to Akeeba and Rose Diamond.
1942-1945 Diamond’s father is stationed in Cheyenne, Wyo., during World War II.
1955-1958 Diamond attends both Erasmus Hall High School and Lincoln High School in Brooklyn, N.Y. While at Erasmus, Diamond sings in the same chorus as a young 15-year-old singer named Barbra Streisand.
1956 While attending a reunion of his childhood summer camp, Surprise Lake Camp in Cold Spring, N.Y., Diamond encounters the great folk singer Pete Seeger, who inspires him...continued on >>>42

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www.americanradiohistory.com
For adding to the storied tradition of this Legendary Diamond, the fans of Red Sox Nation salute another Legendary Diamond...

So Good! So Good! So Good!
Thank You, Mr. Neil Diamond, for everything.

John Henry, Tom Werner, Larry Lucchino, The Boston Red Sox and Red Sox Nation
songs live, they kind of evolve and change," Rubin says. "I wanted him to hear what the songs sounded like when they initially had the impact that they did, just to see how they changed over the years and talk about the content of the song, what was going on musically in the songs and what the arrangements were.

"Not even necessarily to go back to them," Rubin adds, "but as a learning experience to see what we could learn about who Neil Diamond the artist was through listening to the music that made him who he was.

One thing that had changed through the years was that in the studio Diamond no longer accompanied himself on guitar. Rubin insisted on it.

"He was insecure about his guitar playing," Rubin recalls. "But I found, for one, it informed the other musicians what to do. He would kind of set a rhythmic tone for the song, and all the other players were playing off of what he was doing."

Aside from directing the group of ace session players—including guitarist Mike Campbell and keyboardist Benmont Tench from Tom Petty & the Heartbreakers and guitarist Snokey Hormel, known for his work with Beck and Tom Waits—Rubin noticed that the quality of Diamond’s vocal changed when he played guitar.

"It was harder for it to become too much of a vocal performance, it was much more just getting the song over, because he was focused on playing guitar," Rubin says. "It also gave it a more natural feeling."

Those who have witnessed the unlikely pair of Diamond and Rubin in the studio are impressed with the way they work together.

"It’s a balanced collaboration," Hormel says. "No one is more powerful than the other. They both listen to each other’s opinions and weigh them. It’s beautiful, actually. It’s like their egos are set aside, and they’re really focused on finding the right song and the right vibe."

With "12 Songs," Diamond and Rubin found that vibe, as the album generated some of the most positive reviews of Diamond’s career.

"I wasn’t sloughed off like any of the albums in the past years," Diamond says. "I got some serious looks, and some of the reviews were unexpectedly positive."

The new material also helped reinvigorate Diamond’s famed stage show, which included cuts off "12 Songs" along with his classic material. "It’s the difference between a nostalgia act and an act that’s still productive, so it’s important for me to have new material," he says.

As Diamond and Rubin continue to work on the follow-up to "12 Songs," the songwriter doesn’t foresee hanging up his guitar anytime soon.

"It’s programmed into my genes at this point," he says, "I write consistently, I love writing. There’s always that unknown factor in writing. You don’t know what you’re going to come up with. You don’t know if it’s going to be the usual or if it’s going to be something unusual."
It's been 40 years...
And you still got the way to move us.
"12 Songs" was very well-received. People were very happy to hear you in that kind of stripped-down setting. What are your thoughts on the album a year later? I love the intimacy of it. I love the simplicity of it. And I also loved having to make it work without embellishments for the most part. I got to love playing the guitar on these things. Let's not say "love," let's say "accept."

Talk about first meeting Rick Rubin. How did it happen? I knew his name. That was about it. I knew he was a producer. I started to pick up on rumors that he wanted to talk to me, and I finally responded. We liked each other. His first question was, "How do you take criticism?" I told him that I hadn't had any in a long time, but lay it out, give it to me, if I start to cry ease back a little.

Then you went back and listened to your old recordings with Rubin? We did. I'm not exactly sure why. I think he wanted to know why the music changed after a certain period, after the Jeff Barry productions. I wasn't too sure. I probably wanted to experiment because half the recording budget was being paid by MCA. Mostly I wanted to experiment from "Kentucky Woman" and "Cherry, Cherry" and see what else I could do.

Did the Beatles and what they were doing with large productions influence you? Well, not so much large productions, but that they kept moving on. I liked that a lot. It was not part of the music business at that time. If you had a hit, the next record was supposed to be pretty much a copy of the record before that. You'd change the title, but it had the same groove, same concept, you'd change a couple of names. It was something I wanted to get out of.

When Rubin wanted to go back to the approach you used at the beginning of your career, what was your response? I was weary until we started cutting and I picked up on the intimacy of the whole thing. I think I got it and got what he was talking about. Although we stayed away from electric, it was still going back to the original roots, if I can ever use that word again.

Had you listened to his other productions? Of course, he produced Johnny Cash's cover of "Solitary Man." I listened to some of his things, a couple of artists, Tom Petty and Johnny Cash.

My favorite Neil Diamond song would have to be "Hello Again" from our film, "The Jazz Singer," because Neil sang the entire song live right into my eyes, and the day we shot that scene, I had just found out that I was pregnant with my first child. At the time, only Neil and I and the father, Larry Luckinbill, knew the real reason I had that heavenly look in my eyes. —LUCIE ARNAZ

The thing about Neil is he sings as well as he writes. Most people think his songs and his vocals are joined at the hip. I think some of his best vocal performances were [covering classic movie songs] on the "Movie Album." He got a Grammy nomination for it. —BOB GAUDIO, PRODUCER/SINGER

My all-time favorite song, of many favorites, is "Cracklin' Rosie." It always gets the audience on their feet, dancing in the aisles and makes the whole show rock. —BARRY CLAYMAN, LIVE NATION U.K. CHAIRMAN
Neil...

Congratulations on this amazing milestone in your career!

40 years of fantastic shows

Here’s to many more!

Sal Bonafede & Jeff Apregan
Talk about your relationship with Rubin. You share some common bonds in your background. You both grew up in New York and went to New York University.

They were only very superficially common bonds. Not once in the 2½ years that we worked on the album did we discuss NYU or New York City. It had no relation to what we were doing now. He was the producer. I was an artist and songwriter. We had to work with what we had now. I don’t think when he was going to NYU he was like he is now.

He’s gone through a number of changes, as I have. I think he’s in a good spiritual place, and he’s super talented and one of the easiest people I’ve had a chance to get along with in the studio.

He’s an intimidating man. I had to get used to his penchant for hugging. He’s a big man. I finally did and embraced it myself, and now I hug him back just as enthusiastically. He’s super talented.

The mind is working, the heart is working, [and] the spirit is working. [There’s] never an argument [and] always a laugh when there should be an argument. It’s a tremendous relationship we have. I have the utmost respect for the guy.

Because of iTunes, we’re returning to the days of the single, and people making their own albums. How do you feel about it?

I think it’s good. The best thing about it is that it proves to me that people are still interested in music. They can go the computer route but they still have to be interested in it. That’s what struck me first.

It was doing damage to an industry at the beginning, because nobody seemed to know what to do about it. I didn’t know it had any effect on singles, but I like that people still want to hear music.

Do you own an MP3 player?

I have an iPod. I love it.

Talk about the rerelease of “12 Songs.” What’s on the second disc?

It has a variety of things. Not songs that didn’t make the album, but various versions, some alternative versions and some demos. It’s good. I like it as much as I like the original.

When you were recording the album, Rubin brought in some session players, including Smokey Hormel, and Mike Campbell and Benmont Tench from Tom Petty’s Heartbreakers. Is it true that you felt self-conscious about your guitar playing?

It was great. First of all, the musicians were encouraging. There was no laughter in the room, which is always encouraging. Second of all, they’re all great musicians. They helped take the songs and flesh out the songs. It was a great experience for me.

I heard they left you with some CDs by other musicians. Is that true?

We talked about other artists, but Smokey in particular put together a couple of CDs for me. I asked some ques- continued on >>p48
Congratulations

NEIL

From a couple of

JERSEY BOYS

BOB & FRANKIE
Congratulations, Neil!

Having been there before the beginning, I’ve always taken great pride in your accomplishments and success – and spent a terrific 33 years with the catalogs.

David Rosner

from >>p46

Do you have a favorite?
I liked Sinatra’s version of “Sweet Caroline.” It was very different than what I had. Of course it was Sinatra’s voice. Excuse the pun, but he did it his way with a swing band.

UB40 did things a little differently with “Red Red Wine.” What did you think of it?
I loved it. It wasn’t a hit here at first. Then suddenly like six months or a year later it caught on here and became huge. I loved it because it was different than the way I’d written that song. Not intentionally, but it was a little country song and hearing this reggae thing was a revelation to me.

It must be rewarding for you to see that these songs still have life 30 and 40 years later. The songs themselves seem to have evolved. The newer versions of the older songs are usually different, and I like that a lot. Probably the simplicity of the songs opens them up to new interpretations. I like that, too, a lot.

How do you feel about this whole cottage industry of tribute acts that have sprouted up around you?
I saw Super Diamond and did a song with them at the House of Blues. They’d been fans for a long time. They were out there while I wasn’t out there. I felt they covered for me and kept my name out there and the songs out there, so I stopped by to catch them. They asked and I said yes.

When you were recording “12 Songs” you ran into Mick Jagger. He was working in one of the other rooms at this studio.

What transpired in the conversation?
We exchanged pleasantries.

continued on >>p50

NEIL DIAMOND walks by the Bitter End in New York in the 1960s.

‘When he [once] walked by the [Bitter End] club, I was sitting in the window and he pointed to me and said, “There’s the guy that hired me more times than I deserved.” The club brings back fond memories. It’s where he started. “Sweet Caroline” is the song I will always remember. It’s Neil’s label.’

—PAUL COLBY, OWNER OF NEW YORK CLUB THE BITTER END

from >>p46

1978
Diamond receives gold and platinum records simultaneously for “You Don’t Bring Me Flowers,” an album that went multiplatinum five years later.

1980
“September Morn” goes platinum. Diamond stars in “The Jazz Singer” opposite Sir Lawrence Olivier. He receives a Golden Globe nomination for his performance.

1981
On its way to becoming Diamond’s highest-selling album, “The Jazz Singer” is awarded a gold record. It has since gone platinum five times and become one of the highest-selling soundtracks of all time. “Rainbow” is awarded a gold record.

continued on >>p54
40 YEARS OF SUCCESS!

Congratulations Neil
An Honor Well Deserved!

JAMES M. NEDERLANDER
JAMES L. NEDERLANDER
AND ALL YOUR FRIENDS AT THE NEDERLANDER ORGANIZATION
from >>>p48

antlers. I told them, "If they were cocking and rolling, I would have known," and they were. I told him his business office had made a real big mistake, and I was interested and asked, "How?"

I replied, "They booked your tour at the same time as my tour." I thought it would hurt him, I thought it was a giggle.

How did Jagger react?

Nothing at first. Maybe he took me seriously. I don't think so. He went along with the joke.

There's also a rumor that you had words with Bob Dylan when you came off the stage during "The Last Waltz." Is that true?

I said, "That's my audience, Bob." It couldn't have been further from my audience at all. He gave me a questioning look as though I was serious, and then he continued to tune up his guitar and went out and knocked them dead.

It seems like you enjoy joking about it, but are you competitive with your peers in terms of record sales or boxscores?

It's hard to be competitive, because most of the time you don't start at the same starting line. You have an album coming out three months after they do, or they have an album six months after you do. So it's hard to be competitive.

I suppose everyone has a little bit in them. You want to do as well as your peers. If you do better than your peers, that's even better.

When did you come to the realization that "Solitary Man" was autobiographical?

It was almost immediately. You get a song on the charts, and you start doing interviews here and there. One of the common questions was, "Are you a solitary man?" At first I thought, "What's the relevance of that? It's just a song, how do the two relate?" Up until then I never considered that. There were good songs I liked and terrible songs I hated, but I never really connected with the idea the songs really represented the writer.

How many tracks on "12 Songs" are autobiographical?

Most of them I wouldn't say are about myself, but most of them relate to me and what kind of person I am without being specific. There are lots of them.

How did Brian Wilson get involved with "Delirious Love"?

Rick and I were listening to "Delirious Love," and we wanted something for the instrumental part and I immediately suggested Brian Wilson. Don't ask why, I just heard his voice there.

Are you a big Beach Boys fan?

[I have always [been] a big Beach Boys fan. Everyone in a big Beach Boys fan. Rick surprised me and said he'd call him and see what he thinks. I sent the record over to Brian and he said, "I'll do it." And he did it.

What did you think of it?

I fell down on the floor and cried. It was so beautiful. I called Brian and I went on and on and told him whatever he wanted me to do anytime. I'll do it. I'll clean your house. I think he was a little surprised by my overreaction. It was an exquisite addition to the record. To hear his voice, doing his harmonies, on my record was a real honor.

Is it frustrating for you to still make vital work and have terrestrial radio ignore it, because there's no format for you?

It's been that way for 25 years, so I've kind of come to terms with it. It took a while for me to not concentrate on singles. I spent 10 years trying to figure out how I can do albums that would get [that] kind of attention. It was a tough period, kind of jumping around from here to there trying to find my place again.

There aren't that many artists around that are 40 years into their career and still successful. What do you attribute your longevity to both as a performer and an artist?

I'm not sure what I attribute it to. If anything it's just that I kept working and slogging through trying to find myself and trying to find great songs in me. Also, there was nothing I wanted to do more and probably nothing I could do other than that. So when you're looking at it like that, that's what you do, aside from absolutely loving it.

---Craig Rosen

THE SOLITARY MAN IN THE STUDIO

A SINGLE-MINDED FOCUS IS A HALLMARK OF DIAMOND'S CREATIVE STYLE

From his earliest days as a songwriter in Tin Pan Alley through his current work on a follow-up to acclaimed 2005 album "12 Songs," Neil Diamond has demonstrated an unstoppable drive and dedication to his craft, his colleagues say. Songwriter/producer Ellie Greenwich, who along with then-husband Jeff Barry, formed the production company Tallyrand Music with Diamond and co-produced his early hits.

From the beginning, Greenwich says Diamond's work ethic stood out.

"Aside from his talent, I found him very determined and centered," she says. "He knew what he wanted to accomplish and, not that he would kill anyone to get where he wanted to get, he just looked straight ahead. There was something very professional about him even at that young age."

That professionalism continues to this day.

"I was extremely impressed with his work ethic in the studio," says Mike Campbell, the Tom Petty & the Heartbreakers guitarist who played on the "12 Songs" sessions.

"He really puts his heart into each take," Campbell says. "He was very meticulous about wanting the tracks to feel a certain way and to have a certain energy. I was real impressed with that."

Noted session guitarist Smokey Hormel, who played on "12 Songs," concurs.

"He is really interested in song craft. It's really hard to write a simple catchy song and so many," Hormel says. "That takes a lot of work, and he's dedicated, he's really willing to put in the hours. That's what impressed me, he'd be there when we got there, and when we left, he was still there working on them. Every day. That's pretty rare for an artist of his stature. He's really committed. If there's one wordbugging him, he's going to sit there and try to fix it. It pays off definitely."

Diamond's perfectionism even shocked producer Rick Rubin. "He's a very diligent songwriter," he says. "When he and the band would do a performance, and then we'd come in and listen to it, he'd very rarely talk about the performance or whatever anyone else played. He'd sit there in the corner and make notes and the next time, he'd do it differently or change a couple of words, very subtle things. He was always in this kind of perpetual upgrading mode. He was always focused on the little details."

The process continued to the end of the project. "I got to the point where we had finished mixing the album, and we were really happy with it, and I remember getting a call from Neil saying, 'I want to go in tomorrow. There are things I want to change on six of the songs,' I thought the album was done," Rubin says with a laugh. "Until it came out; it was a work in progress."

---Craig Rosen

NEIL DIAMOND Records his 1973 album "Jonathan Livingston Seagull" in Los Angeles.
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DIAMOND’S SCREEN GEMS

The big and small screens have been an integral part of Neil Diamond’s career, from the Monkees’ chart-topping cover of his “I’m a Believer” in 1966 to Smash Mouth’s hit interpretation of the same song in 2001 on the “Shrek” soundtrack.

In between, Diamond scored his own monster smash in 1980 with “The Jazz Singer,” the second remake of Al Jolson’s 1927 classic.

His long association with the screen began thanks, in part, to record/TV mogul Don Kirshner, Diamond recalls.

Kirshner “fell in love with ‘Cherry, Cherry’ and wanted something like it for the Monkees, but I couldn’t get close,” Diamond recalls. “I’m not that good. I made substantial variations so it’s not the same song. He heard the album and picked out ‘I’m a Believer’ and went with that.”

“Look Out (Here Comes Tomorrow),” written by Diamond, was also plucked for inclusion on the chart-topping More of The Monkees album. For Diamond, there was no downside to being involved with the Monkees’ phenomenon.

“I was thrilled,” he says. “They were the hottest thing going, maybe second only to the Beatles, and I needed the money. I made a few dollars, and it was the first decent royalty check I received.

“It came at a time when you had to have one hit after another or there was no play,” Diamond says. “You had a bomb, it was like starting over again.

And I did have a bomb called ‘I Got the Feelin’,’ but it came out at about the same time as ‘I’m a Believer,’ so [that] was another Neil Diamond hit and it kind of skipped over the results of ‘I Got the Feelin’ and kept me in the public’s eye and the radio’s ear.”

Diamond’s first album for Columbia Records was the soundtrack to Jonathan Livingston Seagull.” Although the film bombed, the soundtrack became Diamond’s biggest hit to date, peaking at No. 2 on the album chart. It was eventually certified double platinum.

Similarly, “The Jazz Singer” peaked at No. 3 in 1980 and racked up triple-platinum sales.

A cover of one of Diamond’s early tunes, “Girl, You’ll Be a Woman Soon,” by Urge Overkill was featured in Quentin Tarantino’s acclaimed 1994 film “Pulp Fiction.” Initially, Diamond wasn’t sold on the idea.

“Quentin Tarantino sent me some script pages, and I passed on it,” he says. “Dave Rosner, who was handling my publishing at the time, made his point that this director was not a sensationalist, exploitive kind of guy and was a serious kind of director and I should reconsider, which I did, and I OK’d it.”

Diamond was a bit surprised that the recording by Chicago indie band Urge Overkill was so close to his original.

“I guess there was the hip factor involved as the reason for not using mine,” he says. “It worked for sure.”

More recently, the animated block buster “Shrek” breathed new life into “I’m a Believer.”

Diamond says, “I liked it a lot, because it was an animated feature and I’d never been included in anything like that. I thought this would be interesting, especially with Eddie Murphy doing [one version of it]. I had no idea what it would be like. I hadn’t heard it until I saw the movie. I did like what they did with it.”

In recent years, Diamond has showed his sense of humor by making comedic cameos in 2001’s “Saving Silverman” and 2007’s “Keeping Up With the Steins.”

The former film centered on a pair of buddies, who happen to be Diamond fanatics, trying to save their friend from marrying the wrong woman.

“I read the script, and the whole point was that they were devotees to the extreme and had the dream some day of singing with me,” Diamond says. “After reading the script I felt, ‘Yeah, these people should have the chance to sing with me in the mix.’ The movie was crazy. I only worked a couple of weeks on it. It was one of those wacky movies that either come off great or fall on their face. It sounded like fun. I didn’t know what they would do with the songs, but I think it wasn’t too embarrassing. I should have been in the movie, that’s why I was in it.”

In “Keeping Up With the Steins,” families battle over who can throw the best bar mitzvah; one clan plans to have Diamond sing the national anthem at a bar mitzvah at Dodger Stadium. In the end, Diamond sings another standard, “Hava Nagila” was something I always wanted to do,” he says. “I’ve never played a bar mitzva, so it’s the closest I’ll get.”

—Craig Rosen

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FROM BARRY CLAYMAN, PHIL BOWDERY AND ALL OF YOUR FRIENDS AT

LIVE NATION
During Neil Diamond’s 30-year-plus tenure with Columbia Records, by his count, he has seen the president of the label change nine times. The singer/songwriter has weathered the turbulence due in part to his own staff that he’s had in place for 30 years. Diamond approves of the label’s current executive team. “I’ve spoken to [Columbia Records president] Steve Barnett and [Sony Music Label Group chairman] Rob Stringer a number of times, and I like them a lot,” he says. “They are really passionate people and want to show what they can do. So far, they’ve come up to it and exceeded. I’m very hopeful. I have a very good vibe and very good feeling about the future with them.”

It was Clive Davis who originally signed Diamond to Columbia in the early ’70s. “He was self-contained and very successful,” Davis says of Diamond. “Not only was he a great songwriter, but the uniqueness was that he was an incredible entertainer, so the combination of the two made him very special.”

At the time, Davis wasn’t into bidding wars, but he wanted Diamond. “It was a case of an artist at the top of his form,” Davis says. The bidding for Diamond’s services was narrowed down to Davis at Columbia and the artist-friendly environs of Warner Bros. Columbia won.

“He and I forged a personal relationship, and we matched what Warner was offering, which was $400,000 an album, including recording costs,” Davis says. “Obviously, in this day and age, that’s a small deal. At the time, it wasn’t a deal to break the bank, so to speak, but it did show that faith that this was an artist that would become a platinum seller and a major artist.” As fate would have it, Davis left Columbia before Diamond delivered his first album for the label.

“If it had to happen, it was probably a good time to happen because [Davis] didn’t want me doing ‘Jonathan Livingston Seagull,’” Diamond says. “He wanted a Neil Diamond album, but I had no idea what a Neil Diamond album was supposed to be. I kind of liked the [uniqueness] of ‘Jonathan Seagull,’ but I had no idea what I was going to do. I couldn’t figure out who the character was. I had a Hare Krishna guy move in for a year. I ate their food, read their books, listened to their tapes and found the key, the word, the idea, to the first song. I thanked him and sent him off to India where he wanted to go to get closer to who he was, and I began to write this album.”

The album went on to become one of Diamond’s biggest hits, reaching No. 2 on the album chart and hitting the double-platinum mark for sales of 2 million.

—Craig Rosen

### From >>p48

**1982**


**1984**

“Primitives” is awarded a gold record. Diamond is elected to the Songwriters’ Hall of Fame.

**1986**

“Headed for the Future” goes gold. Billboard magazine’s (now defunct) sister publication, Amusement Business, names Diamond the industry’s top-grossing solo performer.

**1989**

“The Best Years of Our Lives” goes gold. “Classics, the Early Years” receives gold certification and two...
The Man in Black and Neil Diamond may be forever connected. Johnny Cash covered and used Diamond’s “Solitary Man” as the subtitle to his 2000 “American III” set. The connection continued when producer Rick Rubin revived Diamond’s career after performing similar magic with Cash and his “American Recordings” series. In “Hell Yeah,” a track on “12 Songs,” Diamond appears to give a nod to Cash with the lyrics, “He saw it all/He walked the line/Never had to crawl.” It’s not the first time the pair have been linked. They appeared together on “The Johnny Cash Show” on Feb. 11, 1970. In the clip available on YouTube as of this writing, the duo chatted before Diamond performed a bit of his own “New York Boy.” Cash countered with his interpretation of Jinnie Davis’ “Where the Old Red River Flows.”

Cash’s cover of “Solitary Man,” Diamond approves. “I thought it was raw,” he says. “He plays it on, and although it was basically the same song, he also was very intimate about it. There’s not self-consciousness about it, and I like that a lot.” In spite of the obvious links, Rubin says Diamond and Cash are very different artists, although they do share some commonalities. “They’re really different types of singers and songwriters,” Rubin says. “Johnny was more of a storyteller, and Neil is more of a melodic singer. Neil is a much more prolific writer than Johnny was at the time I was working with him, so it was a very different kind of thing. The intention with Johnny wasn’t to do a stripped-down record either. It was turned out that way. The same thing happened with Neil.”

Smokey Hormel, the ace session guitarist who played on Cash’s “American” series and reprised his role on “12 Songs,” says there are a few commonalities. “Both are lovers of songwriting,” he says. “To them it’s all about the song. They are both very original. They’re true to their own personalities. They’re not trying to be someone else. They’re just being honest. It’s real sincere. And they both have such great voices.”

Mike Campbell, guitarist for Tom Petty & The Heartbreakers and another session player on “12 Songs” and the “American” albums, says Diamond shares an honest and authentic approach with Cash and Petty. “They each write songs that are honest and true to their own character,” he says. “Johnny, when he sings a song it’s as real as he is, same with Tom and Neil, too. When he gets a song he believes in, he does it his way with truthfulness. There’s nothing phony about him. They all have that in common.”

Another plus for Campbell. “Neil always has the best cigars, and he’s very generous with those as well.”

—Craig Rosen

Congratulations to a living legend on 40 years of hits.

Wishing you continued success with the re-launch of “12 Songs.”

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DECEMBER 9, 2006 | www.billboard.biz | 55
Neil Diamond and Barbra Streisand teamed up in 1978 and recorded the duet "You Don't Bring Me Flowers." The song debuted on The Billboard Hot 100 on Oct. 28, 1978, and spent two weeks at No. 1. In this recap of Diamond's top-charting hits, the duet stands at No. 1.

The titles on this chart are ordered by peak position they achieved on the Hot 100. 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.

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**NEIL DIAMOND'S**

**TOP SINGLES**

<table>
<thead>
<tr>
<th>Rank</th>
<th>Title</th>
<th>Peak Position</th>
<th>Debut Date</th>
<th>Label</th>
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<tbody>
<tr>
<td>1</td>
<td>You Don't Bring Me Flowers*</td>
<td>1 (2 weeks)</td>
<td>Oct. 28, 1978</td>
<td>Columbia</td>
</tr>
<tr>
<td>2</td>
<td>Cracklin' Rosie</td>
<td>1</td>
<td>Aug. 22, 1970</td>
<td>Uni</td>
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<tr>
<td>3</td>
<td>Song Sung Blue</td>
<td>3</td>
<td>May 5, 1972</td>
<td>Uni</td>
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<tr>
<td>4</td>
<td>Love On The Rocks</td>
<td>2</td>
<td>Nov. 1, 1980</td>
<td>Capitol</td>
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<tr>
<td>5</td>
<td>Sweet Caroline (Good Times Never Seemed So Good)</td>
<td>4</td>
<td>June 28, 1969</td>
<td>Uni</td>
</tr>
<tr>
<td>6</td>
<td>I Am . . . I Said</td>
<td>4</td>
<td>March 21, 1971</td>
<td>Uni</td>
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<td>Heartlight</td>
<td>3</td>
<td>Sept. 7, 1982</td>
<td>Columbia</td>
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<td>8</td>
<td>Longfellow Serenade</td>
<td>5</td>
<td>Oct. 5, 1974</td>
<td>Columbia</td>
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<td>9</td>
<td>Hello Again</td>
<td>6</td>
<td>July 21, 1981</td>
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<td>Holly Holy</td>
<td>6</td>
<td>Nov. 1, 1969</td>
<td>Uni</td>
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<td>11</td>
<td>Cherry Cherry</td>
<td>6</td>
<td>Aug. 20, 1966</td>
<td>Bang</td>
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<td>12</td>
<td>America</td>
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<td>Girl, You'll Be A Woman Soon</td>
<td>10</td>
<td>April 1967</td>
<td>Bang</td>
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<td>14</td>
<td>Yesterday's Songs</td>
<td>11</td>
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<tr>
<td>15</td>
<td>Play Me</td>
<td>11</td>
<td>May 6, 1972</td>
<td>Uni</td>
</tr>
<tr>
<td>16</td>
<td>If You Know What I Mean</td>
<td>11</td>
<td>June 19, 1976</td>
<td>Columbia</td>
</tr>
<tr>
<td>17</td>
<td>I Thank The Lord For The Night Time*</td>
<td>13</td>
<td>July 22, 1967</td>
<td>Bang</td>
</tr>
<tr>
<td>18</td>
<td>Stones/Crunchy Granola Suite</td>
<td>14</td>
<td>Nov. 13, 1971</td>
<td>Uni</td>
</tr>
<tr>
<td>19</td>
<td>I Got The Feelin' (Oh No No)</td>
<td>16</td>
<td>Nov. 12, 1966</td>
<td>Bang</td>
</tr>
<tr>
<td>20</td>
<td>Desiree</td>
<td>16</td>
<td>Dec. 3, 1977</td>
<td>Columbia</td>
</tr>
</tbody>
</table>

* Barbra Streisand & Neil Diamond

---

Dear Neil,

Congratulations on 40 great years!

- Melissa Etheridge

W. F. Leopold Management, Inc
Three decades after Neil Diamond's hit "Sweet Caroline (Good Times Never Seemed So Good)," it debuted on The Billboard Hot 100, it is Diamond's most played hit of the past year. Also in the top five: "Cherry, Cherry" from 1966, "Crackin' Rosie" from 1970, "Solitary Man" from 1972 and the seasonal favorite "You Make It Feel Like Christmas."

The following chart ranks, by detections, Diamond's 20 most-played songs during the past year (Nov. 6, 2005, through Nov. 5, 2006). The chart, compiled by Nielsen BDS—surveyed all formats of U.S. radio (including classic rock, college and oldies stations), video channels (like MTV and VH1), satellite radio (Sirius and XM) and cable music service Music Choice.

—Keith Caulfield

After Neil Diamond signed with Columbia Records in the early 1970s, he threw the label a bit of a curve ball by choosing to release, as his first Columbia album, a soundtrack to the film "Jonathan Livingston Seagull."

The film was forgettable. But Diamond hit that curve ball out of the park. The soundtrack to "Jonathan Livingston Seagull" ranks as the most successful album of Diamond's 40-year career. It debuted on the Billboard 200 on Nov. 3, 1973, and peaked at No. 2.

A second soundtrack, "The Jazz Singer," ranks second on this tally. It debuted on the chart on Nov. 29, 1980, and peaked at No. 3. Notably, none of Diamond's most successful albums have peaked at No. 1 on the Billboard 200.

—Keith Caulfield

Mr. Diamond,

Congratulations on a brilliant career!

Happy 40th to
"cherry cherry"

Sincerely,
Scott Scott
& Garry Garry
Marshall Marshall

WEB SITE: www.americanradiohistory.com | ADVERTISERS | 57

DECEMBER 9, 2006 | www.billboard.biz
The songs of NEIL DIAMOND have become part of pop culture.

FROM 'PULP FICTION' TO 'SHREK,' CLASSIC HITS ARE WIDELY COVERED

MINING DIAMOND'S CATALOG

BY JIM BESSMAN
Neil Diamond

Your Loyal Fans are a testament to your Artistry.

Thanks for the magic.
Acts that have covered Neil Diamond songs include Urge Overkill, whose version of ‘Girl, You’ll Be a Woman Soon’ appeared in the film ‘Pulp Fiction.’

Neil Diamond's songs have always stood apart, and the exploitation of his catalog has been appropriately respectful. "Philosophically, we've always been careful and protective of the music," music publisher David Rosner says. Rosner handled Diamond’s publishing interests for 33 years through his Bicycle Music prior to selling the company a year ago to a co-venture involving Clear Channel for an undisclosed amount. "Sometimes this created tension internally," Rosner says. He points to Urge Overkill’s version of Diamond’s 1967 classic “Girl, You’ll Be a Woman Soon” in Quentin Tarantino’s cinema landmark “Pulp Fiction.” “They explained to us the scene where a woman would be puking to it, so internally Neil resisted at first, until he said to me, 'Use your best judgment.'" Rosner says. "But over the years he's got a sense of the fact that when something becomes so ingrained in the culture, you have to respect that and let go of it. That kind of thinking led to the use in 'Pulp Fiction,' where something like that may have been rejected earlier." While this "balance between protectiveness and exploitation" was always maintained, Rosner still actively promoted Diamond's songs as cover material throughout his tenure. "Of course, it used to be a lot easier before record companies deemed that artists aren't artists unless they write what they record, though this had less to do with Neil than the industry as a whole," Rosner says. Artists from Frank Sinatra to Elvis Presley have covered Diamond's songs, with his 1968 hit “Red Red Wine” probably the most notable thanks to English reggae group UB40's chart-topping 1984 cover. “They knew the earlier [Jamaican] reggae version by Tony Tribe—who was a hero of theirs—and included it on their reggae tribute album ‘Labour of Love,’” Rosner says. “But Roy Drusky charted with a coun-

---

‘It's not easy to elevate one of a vast number of songs above all others. Neil has so many wonderful songs; many seem to me to go into hiding too early in life. So with that acknowledged, I must say that... the one which I consistently connect to is “I Am... I Said.” When it's brought to life in a concert, it seems to draw an extra-special caress from us all, performers and audience alike.’

—REINIE PRESS, DIAMOND’S BASSIST

---

4 DECADES OF GEMS

NEIL

YOU ROCK OUR WORLD!

CREATIVE MARKETING • PR • ALBUM DESIGN • WEBSITES • FAN CLUBS

.../

www.americanradiohistory.com
With more than 120 million records sold and 53 albums, you have earned the right to be called a legend.

We congratulate and thank you, Neil, for 40 incredible years in the business.
try version around the time that Neil did it, and country artists like Waylon Jennings, Ronnie Milsap and Elvis have also recorded Neil's songs."

Rosner recalls the time "when anyone had a hit, all kinds of people—Andy Williams, Percy Faith, Glen Campbell," for example, would record the song.

Hence, Diamond's 1969 hit "Sweet Caroline (Good Times Never Seemed So Good)" and 1972 hit "Song Sung Blue" became "enormous copyrights, probably his two most-recorded songs."

Bobby Womack's 1972 version of "Sweet Caroline," in fact, is a personal favorite of Rosner's, as is Jose Feliciano's version of Diamond's 1972 hit "Play Me."

Noteworthy covers of more recent vintage that Rosner cites are the Chris Isaak and Johnny Cash versions of "Solitary Man." The 1966 hit also served as title of Cash's 2000 album "American III: Solitary Man."

The 2001 animated movie "Shrek" had two versions of Diamond's "I'm a Believer," originally a 1966 chart-topper for the Monkees: Smash Mouth's and Eddie Murphy's (his was in the Donkey character's voice).

Rosner says one of his favorite usages was "the final scene in Cheech Marin's 'Born in East L.A.,' where these Mexicans were all gathered at the border to make a mass entrance into the U.S. and did it to the tune of Neil singing 'America.'"

After saying that "copyrights are living things, and you can kill them," Rosner notes that "attitudes of late..." continued on >>p64

from >>p60

'I love Neil's hits, but "The Pot Smoker's Song" just struck me when I heard it. It sounds like a happy pop song, but it is a crazy mixture of pop and hardcore street stories. It's poignant, and was written as an anti-drug song in the early 70s when everyone was doing drugs. I've never heard anything else like it.'

—SCOTT MARSHALL, MOVIE DIRECTOR

NEIL DIAMOND

Congratulations...

She got the way to move me, Cherry! 1966 ~ 2006

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Farzam Hemmatyar • Sales Representative
In the world of music, there are stars, and then there are STARS!

Neil,
For over forty amazing years you have entertained us with your timeless music and dazzling performances, reaching across generations and continents, and taking your place among those rare artists whose talents and career achievements set them apart as true musical legends.

Thank you for letting us share the last thirty-eight years of this journey with you. It's been an exciting adventure and we are all so proud to be on your team.

GELFAND, RENNEET & FELDMAN, LLP

Los Angeles ☢ New York
have been looser to commercial usage as well" when it comes to Diamond songs.

"We let Burger King use 'I'm a Believer' in connection with a tie-in with DreamWorks and 'Shrek,' " he says. "We'd done others, but nothing that was as highly exposed."

Theatrical uses of Diamond's catalog have included Bob Fosse's 1978 Broadway musical "Dancin,'" which featured "Crunchy Granola Suite."

"That one keeps cropping up," Rosner says, adding that the 1999 Broadway revue "Fosse" also included the song.

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Internationally, there are versions of Diamond songs "probably in any language you can think of," Rosner says, highlighting a 1971 Italian hit adaptation of "I Am . . . I Said" ("La Casa Degli Angeli") by Caterina Caselli.

"Neil's music is very active internationally but concentrated, I think, only on recorded versions," he says. "The catalogs are also very active in the media, i.e., TV, film, commercials, and are administered by Marsha Gleeman in conjunction with Sony/ATV Music Publishing."

Diamond's publishing is now split among the artist's Stonebridge Music and Prophet Music companies, which he started in 1968 after acquiring control of his earlier copyrights, and his Diamond Songs, which publishes his most recent music.

These companies, and Diamond himself, are SESAC affiliates. He also has an ASCAP company, Sweet Sixteen Music, and a BMI company, Mild Ones Music, both of which publish songs that he has co-written or songs that his band members have written without his help.

"And speaking of collaborations," Rosner says, "he's famously written with Marilyn and Alan Bergman ['You Don't Bring Me Flowers'] and Gilbert Becaud ['Love on the Rocks,' 'September Morn'], among others."

Rosner's son Jonathan is now co-president of Bicycle Music and exploits Diamond's catalog on a worldwide basis. David Rosner, now runs the Darville Music publishing company that he launched after selling Bicycle.
So many great songs to choose from. "Solitary Man" is one of the great melodies in pop; "Sweet Caroline" [has] probably the best singalong chorus ever. I loved a newer ballad Neil and I recorded together called "I Believe in Happy Endings."

In the end, though, I have to go back and vote for "Cherry, Cherry" as my all-time favorite. It was the first tune I remember in which the instrumental hook was as strong as the vocal one—and the musical structure was unconventionally brilliant. Part of the genius of Neil's writing lies in not always following any of the traditional pop structures and it has always been so. His best songs have a structure which is organic rather than mathematical, inspired rather than devised, and yet the various parts fit together perfectly and make a beautiful noise.'

—PETER ASHER, PETER ASHER MANAGEMENT

NEIL DIAMOND

This is one Diamond that sets the gold standard.

Congratulations, Neil, on four decades of superstardom.

From your friends at MGM GRAND

mgmgrand.com
‘12 SONGS’ CONTINUES SINGER’S RECORD OF INTERNATIONAL SUCCESS

In many markets around the world, as in North America, Neil Diamond’s 2005 album “12 Songs” achieved his strongest sales in recent memory. The acclaimed album has sold 200,000 units in the United Kingdom, according to Columbia Records, Diamond’s best sales in the territory with a studio release since the 1980s. When the album charted at No. 5 in that market in late February, it was Diamond’s highest debut for a new, non-soundtrack studio album, with first-week U.K sales of 40,000. “We did quite a lot of press advertising, an extensive outdoor campaign and TV advertising,” says Johanna Headland, marketing director for Sony BMG U.K. “We hadn’t TV advertised [Diamond’s releases] for a while, because the business hadn’t really been there. But we got the [support of] the music press, plus really strong support in the broadsheets and the tabloids, so I do think it was quite a press-driven album.”

In Australia, “12 Songs” has been certified gold with sales of 50,000, and in Germany the album achieved sales of 45,000 units. Sales of the album have been strong from Holland to Hong Kong, according to Diamond’s label.

In a marketplace where veteran artists compete with hit-producing newcomers, “it really does come down to the [veteran’s album] concept, and whether people buy into the artistic statement

---

Dear Neil,

Congratulations for bringing us music we feel and care about. Music that touches the soul.
We feel honored to have worked with you over the last 20 years and eagerly look forward to the next 20.

From Allen and Anne and all your friends at Ocean Way Recording.

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they're making," Columbia Records senior VP of international Jim Salter says. "12 Songs was such a brilliant idea that Neil and [producer] Rick Rubin came up with, it just stuck."

This all bodes well for the international rerelease of "12 Songs" as a limited-edition double disc, with a bonus CD featuring alternate takes and demos. The international release is scheduled for 2007.

In preparation for the original release of "12 Songs," which arrived in international markets in February 2006, three months after its U.S. release, Diamond visited some key markets for in-person promotion.

Additionally, key members of the media were flown in to interview Diamond, as expectation for the record grew, driven by spectacular reviews.

Diamond's ethos of professional loyalty, evidenced by long-term relationships with key colleagues, is reflected in his international touring business. British concert promotion veteran Barry Clayman, chairman of Live Nation U.K., has worked with Diamond for more than 25 years.

"You've got a very disciplined artist who cares about his sound, his lights, his production," Clayman says, "and an awful lot of his people were with him all those years back. The members of the band and most of his entourage are the same people."

Before the creation of Live Nation, its predecessor company, Clear Channel, oversaw Diamond's British concert activity. "All our shows with him have been in the U.K.," Clayman says, "[although] we've agented certain European dates in the past. It kind of works on a three-year cycle; we've done [venues] from Woburn Abbey to Earl's Court to Wembley Arena."

Clayman worked with Diamond on his U.K. shows in the summer of 2005. That world tour began with sellout dates in Australia and New Zealand promoted by Paul Dainty. As Billboard reported at the time, those 15 shows filled venues from Woburn Abbey to Earl's Court to Wembley Arena.

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dates drew 212,710 people and grossed $14.6 million.

Clayman agrees that Diamond's fan base has lately had a healthy influx of young newcomers, thanks to the critical praise for "12 Songs." He observes that young staffers in his office who went to see Diamond last time were unaware of his remarkable heritage in rock and pop. They shared great enthusiasm for the event when they reconvened in the office the following day.

But Clayman also says that interest in Diamond's concerts is not subject to the whims of musical fashion.

"I'm pleased to say that demand for him has always been extremely strong," he notes. "From a promoter's point of view, this is a fantastic artist to work with because he's such a good performer and gives the audience everything they want.

"You're not relying on ticket sales on the latest album like you are with an awful lot of acts," Clayman adds.

Sony BMG's Headland says: "Barry's worked with him for years and we have a good relationship with [Clayman]. Neil's always done tremendous ticket sales, whatever his albums have been."

Commenting on Diamond's international touring appeal, Clayman adds: "He's got very big markets in Holland, Germany, Belgium, Switzerland and a huge market in Ireland, I would say one of his biggest. He can go in there and play to 60,000 people. If Neil wanted to come back every year, I'd be happy to promote him."

‘Neil knew my mom, Judy, who passed away from Alzheimer's disease two years ago. The Judy Fund was established in her honor before she died . . . Neil has been an enormous supporter. My favorite song is “Stones,” because it was my mother’s favorite song. My mother was a pianist and she appreciated beautiful melody. She loved Neil Diamond music. A lot of the music he wrote spoke to her and touched her. It is music that is about love and relationships and compassion.'

—ELIZABETH GELFAND, JUDY FUND
I'm A Believer • A Little Bit Me, A Little Bit You • Look Out, Here Comes Tomorrow • Love To Love
When it comes to touring, Neil Diamond is solid gold. Hit albums, radio singles, TV exposure and any of the other elements that add much-needed juice to the touring efforts of other artists are just gravy for Diamond. He can and does do big business on the road any time, regardless of what else is going on in his career. Sal Bonafede, who first began working with Diamond’s tours more than 30 years ago, credits the artist’s enduring success to always delivering the goods. “People know they’re going to get a fantastic show and an evening full of huge hits,” Bonafede says. “His music spans generations, and he consistently delivers.” Jeff Apregan, who has worked in conjunction with Bonafede on Diamond’s tours since 1982, adds, “Neil has always been a dynamic live performer, and he delivers an amazing show night after night. The fans that come to the shows, they come back year after year.” A combination of instantly recognizable hits, an undeniable onstage charisma and a rare warmth he exudes toward fans, gives Diamond a perennial perch near the top of the Billboard Boxscore charts every time he tours.

Bonafede says Diamond’s touring formula is simple: “Neil has consistently focused on delivering a high-quality show at an affordable price.” This seems to be a Diamond touring machine blueprint, as Apregan describes Diamond’s touring philosophy as, “Deliver an amazing show at a price fans can afford. There is such an emphasis on delivering a quality production. He is genuinely concerned about his fans, and it shows.” The numbers tell the tale.

Although Diamond has been a touring artist since the mid-1960s (his landmark album “Hot August Night,” recorded live in 1972 at the Greek Theatre in Los Angeles, is regarded by many as one of the greatest live albums ever), he has never been more successful as a touring artist than in this decade. The combined gross of Diamond’s 2001, 2002 and 2005 world tours is a staggering $168,010,354, according to numbers reported to Billboard Boxscore.

The attendance for the 203 shows on those tours was 2,172,480. Impressive as those numbers are, for many the true testament of touring power is consistency, what an artist can be expected to do night after night, show after show. And Diamond shines brightly in this regard. A workhorse on the road for years (he was the top solo touring artist of the 1990s, grossing $182 million from 461 shows), Diamond clearly has not peaked. Since 2001, he has averaged $827,637 per night at the box office, with average paid attendance of 11,430. That’s called knocking it out of the park every night.
CONGRATULATIONS

NEIL DIAMOND

ON 40 YEARS AS A SINGER, SONGWRITER, AND PERFORMER.

From:

GLOBAL SPECTRUM

comcastTIX
CONGRATULATIONS TO NEIL DIAMOND
ON FORTY YEARS OF MAKING MUSIC.
YOU ARE A GREAT ARTIST AND A GREAT HUMANITARIAN.
THANK YOU FOR ALWAYS BEING THERE FOR CHILDREN WITH DIABETES.

LOVE,

BARBARA DAVIS AND THE
CHILDREN’S DIABETES FOUNDATION
"At the end, you understood perfectly why Diamond has remained at the top of his field for four decades – he is the consummate showman"

Wellington Dominion Post

We couldn’t have said it better ourselves!

Congratulations on the 40th Anniversary of your Billboard debut and record breaking 2005 World Tour.

From Paul Dainty & the team at DCE and the 1.5 million fans who have attended your concerts Down Under.

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Photo: Courtesy of Online Fotos Ltd Westpac Stadium, Wellington, Saturday 5th March 2005
Neil,
As you celebrate the 40th Anniversary of your debut on the Billboard album charts, the touring security staff extends our heartfelt congratulations to you on another exceptional milestone in your illustrious career! We wish you continued success in all of your future projects.
All the Best...

Tom Gorlewski
Director of Security
Jason ‘JT’ Temke
Asst. Director of Security
Craig ‘Cujo’ Yun
Advance Coordinator
Dana Berry
Security
Dave Gorlewski
Security
Eric Crocker
Security

We are proud of our former camper. Congratulations, Neil!

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**BOXSCORE**

NEIL DIAMOND: TOP BOOKINGS 1990-2005

<table>
<thead>
<tr>
<th>GROSS SALES/</th>
<th>VENUE</th>
<th>Attendance, Capacity %</th>
<th>Promoter(s)</th>
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<tr>
<td>Venue, Date(s)</td>
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<td>of Show, Sellouts</td>
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<td>$4,366,245</td>
<td>STAPLES CENTER</td>
<td>Los Angeles</td>
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<td>WEMBLEY ARENA</td>
<td>London</td>
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<td>SYDNEY SUPERDOME</td>
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<td>EARLS COURT</td>
<td>London</td>
<td>July 26-28, 2002</td>
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<td>WEBCLE ARENA</td>
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<td>Boston</td>
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<td>EAGLES COURT</td>
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<td>St. Paul, Minn.</td>
<td>Oct. 20-21, 2001</td>
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</tbody>
</table>

Note: Boxscore ranking shows top-grossing concerts by Neil Diamond reported to Billboard between 1990 and 2005.
CONGRATULATIONS NEIL

-MARSHA GLEEMAN
Among the top 20 multination concert stands in Neil Diamond’s career, as reported to Billboard Boxscore during the past two decades, four have taken place in Australia—three of which occurred during his 2005 world tour. In 1992, from April 13 to May 8, Diamond played 10 sellouts at the Sydney Entertainment Centre, drawing 113,588 fans and grossing $3,682,208. In March 2005, Diamond performed three sellout shows for 43,780 fans at the Sydney Superdome and grossed $3,105,766. Diamond’s tour moved on to staggered dates between Brisbane and Melbourne. At the Brisbane Entertainment Center from March 15 to March 30, Diamond played three sellouts for 45,521 ticket buyers, grossing $2,291,296. At the Rod Laver Arena in Melbourne March 21 to March 28, he played four sellout shows before 45,873 fans and grossed $3,209,995.

“IT’s not only just that he has successfully appealed to a broad demographic,” says Michael Jacosen, executive chairman/CEO of Sydney-based Arena Management, which operates the Sydney Entertainment Centre. “But he has maintained that broad demographic across a number of decades.”

Paul Dainty of Paul Dainty Consolidated Entertainment has promoted four Diamond tours between 1991 and 2005. During one visit, Dainty presented the singer with a special plaque for selling more than 1 million tickets Down Under. “What makes Neil so special is that he can return each time and consistently do the same numbers,” Dainty says. “That is rare in a market [as small] as Australia. Only the Rolling Stones do that. After 40 years, Neil can still come back and do the business.”

“The reason is that he’s one of the premier performers ever. People know he’ll deliver a brilliant show, the catalog of songs is amazing, and he does the entire continued on >>p78
NEIL THANK YOU FOR 40 YEARS OF GREAT MUSIC AND ENTERTAINMENT

JACK REVEL    EDIE SITEMAN    BETTY STAFFORD

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two-and-a-half to three hours. He's done a couple of in-the-round shows which were magic. The artist is 50% closer to the stage and it's intimate, but it's hard for an artist in that situation to keep all the 20,000 happy all the time. But Neil does.

Diamond is the godfather to Dainty's 10-year-old son Sam. But there's another emotional attachment.

In 1976, Diamond toured Australia for promoter Paradine Patterson behind "Hot August Night." (It is the third longest-charting album Down Under with 239 weeks on the list. It is estimated that one in eight Australian households has a copy.) A young Paul Dainty was in the audience at the Melbourne Myer Music Bowl. At the time, he had aspirations to be a tour promoter. Diamond's performance, particularly in the way he left the audience spellbound, solidified that desire.

Fifteen years later, Dainty was a major-league promoter and grabbed the opportunity to promote Diamond's tours.

"It was massive," Dainty says of Diamond's tour in 1992. "He did 10 shows at the Sydney Entertainment Centre, 10 at the Rod Laver Arena in Melbourne, six in Brisbane, one outdoors in Adelaide. An amazing achievement."

During one visit. Diamond met his partner Rae, who was handling merchandising on the tour. In an interview in August 2004 on "Enough Rope With Andrew Denton" on the Australian ABC-TV network, Diamond recalled that he normally makes it a point to tell those handling the merchandising what he thinks of the items.

"Well, she was tough," Diamond said. "She didn't like any of my ideas, and she let me know right upfront that I had some bad ideas and her ideas would be the one that prevailed and if I thought anything different, well, I just better think again because that's just the way it was."

What also makes Diamond a rarity among performers coming to Australia, Dainty says, "is that he does consistently good business at the box office and in record sales."

A major reason is that Denis Handlin, chairman/CEO of Sony BMG Music Entertainment Australia & New Zealand, is such a Diamond fan that he takes personal responsibility for the marketing of his albums.


The album was also marketed as part of Sony BMG's retail/TV "Essential" series campaign, while the "Neil Diamond Live" DVD was included in the label's "best seat in the house" DVD campaign.

'Having had the fortunate experience of performing and to some degree, forming so many wonderful songs for over 25 years now, the difficult task is to narrow it down to only one favorite. I'm partial to a "story" or "message" song containing an outstanding balance of melody, chords and lyrics—as well as instrumental lines or licks. [With] great musical dynamics and emotional impact. Some of [Neil's] great songs are "I've Been This Way Before," "I Am . . . I Said," "The Grass Don't Pay No Mind," "Morningside," "Brooklyn Roads"—all songs from the heart.'

—RON TUTT, DIAMOND'S DRUMMER

CONGRATULATIONS

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To market his 2005 album "12 Songs," Handlin says, "we ran a multilevel promo campaign, including television advertisements on the original release and then readvertised in our Mother's Day TV advertising campaign.

"We locked in Neil to do a great radio interview with John Laws, who is one of the legends of Australian (talk) radio with the largest audience nationally, which is syndicated to 60 stations throughout Australia.

"Oprah [Winfrey's] special [on Diamond] was also aired here in Australia during that time. We also produced a TV special that was aired on [Australia's] Channel 9 at various times during the release."

For the reissue of "12 Songs" with additional material, Sony BMG will look at radio and press advertising as well as interviews with key media outlets.

"Neil has a long history and a great connection with the Australian public," Handlin says, "and one of the best things we can do is to let music fans hear Neil talk about his music in his own words."

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**WHAT'S NEXT FROM NEIL**

After he recovered from a bout of depression brought on by the Sony BMG rootkit fiasco, in which the company coded his acclaimed "12 Songs" album with potentially malicious anti-piracy software and then pulled the disc from retail, Neil Diamond went back to work writing songs for his next effort with producer Rick Rubin.

"To kind of get warmed up, we started recording a couple of cover songs and Neil has been writing, but I haven't heard any of the new stuff he's been writing yet," Rubin says.

"But we still had a bunch of songs from the last sessions we did, so some of those might work their way into the next one."

While an album of covers or another album of originals have both been discussed, Rubin says it's too early in the process to know which way it will go.

"It depends on how long the writing process takes," he says. "I thought it's going to take a while to write, it might be fun to do a covers album in between, but we'll see. The material is going to dictate everything."

Still, even the session players, including ace guitarist Smokey Hormel, are optimistic about another Diamond-Rubin effort.

"We've had one session since '12 Songs,'" he adds. "I think it was just to try out some things," he says, "but it was really great." —Craig Rosen

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SHADY’S BACK
Eminem Promotes Up-And-Comers On His Label’s New Sampler

Eminem planned to make "The Re-Up" a classic kind of hip-hop mixtape—an underground affair distributed hand to hand and by word-of-mouth rather than conventional label marketing and promotion.

Instead, as the superstar himself might say, he created a monster.

"The Re-Up," a collection designed to show off some new artists signed to his Shady Records imprint—Stat Quo and Bobby Creekwater from Atlanta and Chicago's Ca$his—will be released Dec. 5 by Shady/Interscope. "Eminem Presents: The Re-Up" is a 22-track set with performances by established stars Eminem, 50 Cent, D12, Lloyd Banks and Obie Trice, as well as a special remix of the Aken/Eminem smash "Smack That."

"Basically, ["The Re-Up"] was taking a long time because, as Eminem does with everything, he is extremely meticulous and has high quality-control standards," Eminem's manager Paul Rosenberg says. "It just started turning out really great, so rather than just put it out there, it was better to do it right."

Rosenberg says Eminem and the label were more involved in the creative process than on previous albums. "The decision certainly changed the complexion of "The Re-Up." Eminem appears on seven tracks, including the single "You Don't Know," with Banks, Ca$his and 50 Cent, who is on three other songs. Eminem also produced 11 of the tracks, while the Alchemist, who served as his DJ on the 2005 Anger Management tour, produced three songs.

Despite the superstar firepower, however, Rosenberg calls "The Re-Up" a real back-to-basics thing. It's not a pop or extreme-commercial-selling album. It's about the art form and flexing your muscles as a rapper.

And the album's primary mission is to introduce Shady's new artists to the public.

"We believe we have a really strong fan base," Rosenberg says, "and by putting this record out with Eminem and 50 and other artists they know, people get to check the new guys out."

Rosenberg says a Ca$his EP and a Stat Quo album will probably drop in the first quarter of 2007, while Creekwater's debut will hit during the summer.

The "Re-Up" marketing campaign actually started during this year's World Series, which featured Eminem's hometown team, the Detroit Tigers. The video for "You Don't Know" premiered during game two before an audience of millions, and Interscope marketing director Chris Clancy says the label is planning a number of promotions to make fans aware of "The Re-Up."

An Internet-based contest that began Nov. 28 involves a number of websites, including apparel, music and lifestyle portals, such as MySpace. Clancy says other plans include TV spots incorporating different tracks from the album and listening parties that will be held around the country prior to release.

Eminem's Shady 45 Sirius Satellite Radio channel has regularly featured artist tracks by-translation commentaries on their new album, though there is no word yet if Eminem—who is developing his next film project, "Have Gun Will Travel," and recording the next D12 album—will do one for "The Re-Up."

There are a few rumors of some surprise personal appearances on the day of release.

"Compilation albums are tricky," Clancy says. "So what we want to do is reaffirm this is not a typical compilation album and make sure they understand there are seven songs with Eminem on it and four songs with 50 on it."

Retailers will certainly appreciate that awareness. Mike Himes of the Record Time stores in suburban Detroit says anticipation for "The Re-Up" has been modest, mostly because buyers aren't certain about what it is.

"How much actual, true Eminem stuff is on there—that's the selling point," Himes says. "There are going to be Eminem fans who buy whatever he does, but a lot of people will only buy it if they're exposed to it."

Still, Himes says he is optimistic that will be the case by the time "The Re-Up" rolls into stores.

"Shady and Interscope know what they're doing," he says. "And, of course, with Eminem's name on it and a few other bigger artists, people are going to look at it and pick it up and go, 'Hmm, what's this all about?' The key is to get them interested enough to be curious, and if that happens it'll do very well."
**The Aterciopelados Alternative**

Now On An Indie, Colombian Rock Act Try A Viral Approach

For a long time, Aterciopelados was a very alternative band signed to a traditional major label.

But after a lifetime at BMG, the critical and commercial Colombian group has started its indie life with “Oye,” its first studio album in five years, on U.S.-based Nacional Records.

Now Nacional is using a more targeted approach. For “Oye,” which stretched Oct. 24, National had retail campaign with Rima Latina on the indie end and Target on the mass-merchant end.

But a major component of the sales strategy has been pushing the album at a viral level, with heavy promotion and exposure on iTunes and eMusic, where the album reached No. 1 on the Latin sales lists.

National also manages Aterciopelados via its management arm. Echeverri and Buitrago are in the process of signing for publishing with Canciones Nacionales, National’s joint publishing venture with Nettwerk. This will allow for a 360-degree promotion of the group from one office.

As an indie, Cookman says, “One of the first things you can offer [the group] is the attention and the understanding.”

But Cookman, who prior to launching his label had management and promotion offices, also offers an understanding of the U.S. Latin alternative market.

“We’ve had many years of experience of selling concert tickets and reaching out to the MTV TR3s, the mun2, the NPR crowd,” says Cookman, who also founded the Latin Alternative Music Conference. “Now we’re selling their music.”

Overseas, Cookman has licensed “Oye” to different labels, including EMI in Colombia. Stateside, “Oye,” has sold just 2,000 copies, according to SoundScan. But Cookman says that as an indie, he’s in no rush.

“Whether we do it as a jack rabbit or as a turtle, it doesn’t matter,” he says. “I think this record in the U.S. alone should sell 80,000 copies.”

As for the band, Aterciopelados is in no great rush to sell millions either.

In fact, the band members are so unmotivated by money that throughout their career they have refused offers to use their music in promotions or commercials. The exceptions were a Volvo campaign, which Echeverri agreed to because he heard Volvos were safe for kids, and a public service campaign advocating condom use.

“It’s important to us to safeguard our image because it’s cool to communicate valuable things,” Echeverri says. “And if you say ‘use a condom’ and also say ‘drink this soda,’ well, it be-comes banal.”

Indeed, “Oye” includes a track titled “Don Dinero” (Mr. Money), which is a criticism of consumerism gone crazy.

Overall, the album, which came after Echeverri and Buitrago released solo projects, is the band’s first in eight years to feature live drums instead of computer-generated percussion.

This, Echeverri says, defined the arrangements and intent of the songs and lent more power to the live performances.

On Nov. 12, Aterciopelados finished a 14-city U.S. tour, booked by the Agency.

—Jonathon Cohen
Featuring: "Do You Hear What I Hear?" By Chaka Khan
"It's Gonna Be a Cold Cold Christmas" By Vonzell Solomon
"Miracle of Lights" By Sandra Bernhard

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Hello Top 40, Goodbye Obscurity

Indie Band On Drive-Thru Scores A Surprise Dance-Pop Hit

When Drive-Thru Records first signed synth-pop act Hellogoodbye in 2004, the label had to keep its new band on the down low. Drive-Thru’s multiyear deal with MCA/Geffen was coming to an end, and Drive-Thru co-founder Stefanie Reines didn’t want to offer the major label a peek at its latest signing.

Drive-Thru’s relationship with the Universal subsidiary included an unspoken component that saw such rock acts as Sensees Full, the Starting Line, New Found Glory and Something Corporate, among others, all land with the major label. Reines was determined that this would not be the fate of Hellogoodbye. “They would catch wind that this band was good and take them from us,” she says of Geffen. “So we decided we would just put an EP online for free. We figured we could kind of do it under the radar.”

It would prove to be one of the last things Hellogoodbye would do that was “under the radar.” Two years and one stint on MTV’s “The Real World” later, Hellogoodbye is taking Drive-Thru somewhere it’s never been—mainstream top 40 radio. Hellogoodbye landed at No. 13 on the Billboard 200 in March with its debut, “Zombies! Aliens! Vampires! Dinosaurs!”

The album has sold 150,000 units in the United States, according to Nielsen SoundScan, and single “Here (In Your Arms)” — a slice of retro dance that’s emo’s answer to Clue’s “Believe”— is No. 62 on The Billboard Hot 100.

Singer Forrest Kline, who worked for the suburban Los Angeles-based Drive-Thru as a Web designer when he was 16, is not yet used to all the mainstream attention. “We’ve gone into some radio stations and done interviews on this tour,” Kline says. “I thought they’d be college station things, like the local college ska show. Instead they were [L.A. top 40 powerhouse] KIIS-FM.”

Drive-Thru, whose releases are handled by Sony BMG’s RED Distribution via an agreement with Sanctuary Records, did receive some unsolicited help in launching Hellogoodbye’s career. The band was chosen by the cast of MTV’s “The Real World: Austin” to be followed during the South by Southwest music conference, and Reines acknowledges it was a turning point in the band’s career.

“We’d be wearing Hellogoodbye T-shirts and go shopping, and a 40-something-year-old guy, or a mother, would say something to us,” Reines says. “So it was definitely outside of the normal realm of people we can reach.”

The label then took the act to the rock audience that typically follows Drive-Thru releases, and booked the band a slot on this year’s Warped tour. Drive-Thru spent about $20,000 upfront to market the album, and Reines notes that the label’s deal with Sanctuary requires the latter to pay for retail pricing and positioning.

“We have to recoup it all, but that’s the only way we can afford it,” she says.

By the summer of 2006, Hellogoodbye had been touring long enough that the band was selling out 1,000-capacity venues. Reines expected a high chart debut, but even she was surprised when the set sold 41,000 first-week units. That persuaded her to start heavily pushing the band at top 40, and she credits the promotion departments at RED and Sanctuary in helping get her foot in the door.

Rod Carrillo, program director at KNJX Phoenix, says it’s the fourth-most-requested song at his station. A club DJ at night, he put “Here (In Your Arms)” in rotation after witnessing crowds react to it on the dance floor. For the week ending Nov. 26, the song received 23 spins at the station, according to Nielsen BDS.

“It’s a breath of fresh air to see an indie making it,” he says. “It’s a rare record, and I first didn’t know if it would work, but once I got some club mixes, and heard the vocals and the look, I knew it would get a reaction.”

Without the marketing budgets of major labels, Carrillo says he can barely get indie labels to get the ears of program directors. Reines notes it has been a frustrating process at times, as more than one station has rebuffed her.

“Everyone loves to tell us they don’t play Warped tour bands,” she says. “If anyone thinks Hellogoodbye is a Warped tour band, they clearly never listened to the single.”

For his part, Kline always thought there was one station that would latch onto his band. “I pictured some of our stuff on Radio Disney,” he says. “I know a lot of toddlers that like us.”

The Caravans, 4 Decades Later

Influential Gospel Legends Make Return To Disc

As 2006 draws to a close, everyone starts to think back on the albums that have made an impact during the previous year. For sheer historical significance—as well as musical excellence—one of the most memorable releases of the year would have to be the Caravans’ reunion record “Paved The Way,” featuring the first new music from the legendary group in 40 years.

Released in September, the Malaco Music Group disc reunites Caravans founder Albertina Walker with Dorothy Norwood, Deloris Washington and Inez Andrews—auch of whom has gone on to have successful solo careers.

“Dorothy called me and said, ‘Since both of us are still here, why don’t we go back and do another album?’” Walker recalls. “So she contacted the rest of the girls and all of us consented.”

“Paved The Way” features six new songs and seven gospel classics, among them the Caravans’ hit “Mary Don’t You Weep.” The album was recorded at Chicago’s West Point Baptist Church where Walker made her debut at age 4, singing in the children’s choir. Among the new songs, Walker takes lead on “He Fixed it,” penned by Milton Biggham, and Washington steps out on “Lord, Let Your Will Be Done.” “We did what God gave us to do,” Walker says of the new tunes. “The songs that we did were our kind of songs. That’s the bottom line.”

Since debuting in 1952, the Caravans are credited with launching more successful artists than any other gospel outfit. Among the group’s many distinguished alumni are Shirley Caesar, Cassietta George, James Herndon, Josephine Howard and the late Rev. James Cleveland.

Walker, dubbed “the Queen of Gospel Music,” and the Caravans paved the way for today’s gospel artists. During their heyday, they were at the forefront of historical changes, not just in the music community, but in society at large.

“When we were on the road, we couldn’t go into white hotels or white restaurants,” recalls Walker, now 77, and still residing in her beloved Chicago. “We couldn’t do none of that then. We had to go to the back door to get food. That’s why [we recorded] that song ‘Paved the Way.’ We paved the way for these young folks to be eating and going to the front door of these restaurants and staying in these white hotels and being able to fly. We drove in cars during that time, six of us going all across the country. The Lord has really blessed us, and this is harvest time.”

Walker says she and her friends got into gospel music not to become rich and famous but to serve God and “win souls for Christ.” She says it’s been a very rewarding journey.

“I feel good about the way things turned out because God blessed us with this talent,” she says. “We didn’t become millionaires or nothing like that, but what we need, the Lord has supplied.”
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Hazy Holidaze
R&B Acts Celebrate The Season As Urban-Label Speculation Looms

U

usually around this time of
year, label halls are decked
with rumors about who will or
won’t be around to
usher in the new business
year. This year is no exception.

As talk runs rampant about layoffs
and restructuring at Lisa Ellis-led
Sony Urban Music, folks are still
pondering who will fill the Virgin
vacancy left by urban division president
Jer-maine Dupri. And with interscope’s
Kevin Black now ensconced at Warner
Bros., others are speculating what
the next move there will be to further
boost its urban presence.

With all that happening, it’s easy
to forget that this is, indeed, the holiday
season. You know, the time for good
cheer. To help all of us get the
mood going, I gave a listen to
several first-time
Christmas projects.

The most intriguing conceptwise—
even before I played the disc—was Bootsy Collins’ “Christmas Is 4-Ever.”
Best-known for such funk masterpieces as “Bootzilla” and “The Pinoch-
io Theory,” the bass player’s legacy
doesn’t exactly scream Christmas.

But the spirited, tongue-in-cheek
vibe he creates to get his funkified
division The
 Cincinnati
new track, “I’d Rather Be With You” on another new cut, “Be With You.”

From Collins’ take on holiday perman-
ent “This Christmas” (titled “Dis-
Christmas”), I segued into a cover of
the same song on Jon B’s “Holiday
Wishes From Me To You.” No offense
to Collins, Jon B or, for that matter, the
Whispers, but Donny Hathaway’s version
can’t be beat.

That said, Jon B—a talented singer/,

songwriter who merits more attention—
shines best on “Santa’s On His
Way” and the original ballad “Hold
You Down.” This album is on Arse-
nal Records, headed by CEO Max
Gousse, and distributed by Universal
division Fontana.

The more traditional-minded will
enjoy Gladys Knight’s “A Christmas
Celebration.” The soulstress reunites
with the Saints Unified Voices—the
same 100-voice multicultural choir
Knight teamed with on the Grammy
Award-winning 2005 set “One Voice.”

For those not familiar with
that name, he’s a Los Angeles ra-per
who recently signed with My Block/SUM.

Which brings us right smack
back to the year-end speculation
opening this column. Damn. Think I’ll
hit the repeat button and take
another spin on that sleigh ride with
Bootsy.

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Nashville Scene

Tracy Lawrence Cooks Up Turkeys, New Album
Country Star Finds Rocky Comfort In Running His Own Label

Tracy Lawrence has a lot cookin’. Not only did he recently fry
more than 200 turkeys for the homeless at the Nashville Res-
cue Mission, he has a new album and his own record label
on his plate.

The turkey fry was more
than a photo op; it was Lawrence’s brainstorm to cre-
ate awareness for the mission.

He actually spent all day cook-
ing, shaking hands and bond-
ing with the homeless in the
mission serves.

On the other hand, the new
album and label grew out of
Lawrence’s desire to control his
own destiny. Frustrated with get-
ing bounced from label to label
due to management changes at the top,
Lawrence had had enough. “It
seemed like a healthy avenue
for us to go down,” he says
of starting his own label, Rocky
Comfort Records, with his
brother Laney last summer. “It’s
absolutely impossible to estab-
lish any kind of momentum,”
he says of being moved from label
to label. “You’ve got to start
all over.”

While Laney handles the
business end of things, Tracy is
focusing on the A&R side, at
least for now. “I’ve got visions

of grandeur, but the reality is
I’ve got a lot on my plate right
now,” he says, noting his
roughly 120 concert appear-
ances in 2006.

The first artist signed to
Rocky Comfort is Lawrence’s
old friend Chad Brock, who
had success at Warner Bros.
in the late ’90s and the early part
of this century. “It’s easier to
reconnect an older artist that’s
had hits—because they’re
more savvy and they get the lay-
of the land—than it is to break
everybody feel more a part of
it,” he says.

The album also features the
first song that Lawrence wrote
by himself, “Speed of Flight.”
“It’s been really critical of
my own work,” he says, “so
it was really a big step for me
to record something that came
from me and nobody else.”

Like most independent la-

ers, Lawrence’s Rocky Com-
fort is counting on a lower
overhead to turn a quicker
profit. “If we can sell a couple
hundred thousand records, we’ve
got a grand slam,”

Lawrence says. To that end,
Rocky Comfort will be distrib-
uted by A2M (Artist2Market),
Handleman’s independent dis-
tribution arm that has also han-
dled releases by Tracy Byrd and
Tommy Lee, among others. The
album, like other A2M releases,
will have a $10 price point.

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CIARA

Ciara: The Evolution
Producers: various
LaFace/Zomba
Release Date: Dec. 5
With "The Evolution," Ciara aims to take the success of her 2005 debut "Goodies" to a new level musically and creatively. This "evolution" is evident with the slow-burn hit "Promise," which finds the 21-year-old dance queen exploring her sultry side. In addition to appearances by Pharrell, Will I.Am, 50 Cent and Chamillionaire, crank king Lil Jon, who produced the title track on the debut, returns for two songs—the basis heavy, dancefloor jam "That’s Right" and the somewhat juvenile "C.R.U.S.H." Songs such as the Rodney Jerkins-produced "Make It Last Forever" and "Get Up," produced by Jazze Pha and also featured on the film soundtrack to "Step Up," are surefire club hits, although such ballsads as "It’s Over" tend to fall flat. Nonetheless, "The Evolution" should give a two-step Ciara even closer to superstardom.—JM

JARVIS COCKER

Jarvis: Various
Producers: Graham Sutton
Jarvis Cocker
Round Trade
Release Date: Nov 13
(U.K.)
One of the messages written on former Pulp frontman Cocker’s first solo CD—"Don’t adjust your tone control—it’s meant to sound like that." And, indeed, the 14 songs here are a long way from Pulp’s high-gloss Britpop days, with to-fi production and an endearing ramshackle approach to performance very much the order of the day. Yet Cocker’s witty lyrics and pithy songwriting shine through as he tackles everything from Britain’s obesity epidemic (“Fat Children”) to Love 8 (the expletive-strewn hidden track "Running the World") with bleak black humor and borderline contempt. The sinister air and downbeat arrangements may ultimately stiffle any commercial aspirations and prolong Cocker’s self-imposed exile in France, but artistically this is an understated triumph, whatever your tone control might say. How’s about a U.S. release, too?—MS

BRIAN McKNIGHT

Ten
Producers: various
Warner Bros.
Release Date: Dec. 5
McKnight celebrates his 10th album and 15th year of recording by largely doing what’s always done—mingling smooth soul grooves and singing about who’s done what wrong to who. But there are some new tricks: "Used To Be My Girl" styly kicks off an ex with cautionary words to her current lover over a moody and sparse but still rhythmic groove. McKnight also enters the realm of current events on "Red, White, and Blue," joining the country trio Rascal Flatts for a solemn, textured soldier’s paean to his wife back home. The rest of "Ten" features standards McKnight fare, from booty ballads ("Comfortable," "What’s My Name") to songs about being in ("1 Do") and out of love ("Unhappy Without You"). On which McKnight is all too happy to take it on the chin for his own shortcomings.—GG

SHAKIRA FEATURING CARLOS SANTANA

Illegal (3:49)
Producers: Shakira, Lester Mendez
Writers: Shakira, D. Mendez
Publishers: various Epic
Following up the biggest radio hit in history—"Hips Don’t Lie" by Shakira with Wyclef Jean—no doubt daunting, so Epic is doing soft-shoe with the Latin siren’s "Illegal" from her tepidly received "Oral Fixation, Vol. 2." This gorgeous ballad mourns the loss of a lover in the singer/songwriter/producers most understated performance to date, as Shakira laments, "It should be illegal to deceive a woman’s heart." Santana effectively weaves a quiet electric guitar thread throughout, like tears accompanying the loss. It may take MTV/VH1 fuel to catapult "Illegal" and convince top 40 that there’s room for two ballads, alongside Christine Aguilera’s "Crazy"—but this forlorn masterpiece is as instantly reactive on the slow side as "Whenever, Whenever." was on the fast.—CT

JAY-Z

Lost Ones (3:47)
Producers: Dr. Dre, Mark Batson
Writers: S. Carter, A. Young, M. Batson, D. Forrest, C. Payne
Publishers: not listed
Roc-A-Fella/Def Jam
Jay-Z made his less-than-triumphant return with the trumpet-blinging single "Show Me What You Got," in which he musters dull metaphors, comparing his second coming to that of Michael Jordan. A much better depiction of the rapper is second "Kingdom Come" single "Lost Ones," featuring an eerily jazzky hook by Def Jam soulstress Crystee Michelle. In three succinct verses, Jay reflects, respectively, on his severe heat with Roc-A-Fella confidantes Damon Dash and Kareem Burke ("Hov had to get the shallow shit up off him"); a female companion concerned about Jay-Z’s death "in the car I bought." A few stale references linger, but for the most part this is the Jay we know and love.—CH

LAURENCE WATKINS

215 Records
Release Date: Nov. 14
Since emerging from New York’s Knitting Factory jazz scene in the late ‘90s, Nora York has ignored musical boundaries. Like Miles Davis, she has no use for the words "musical genre." On her third album, the audaciously titled "What I Want," York stands tall and proud at the intersection of Joni Mitchell, Steely Dan, Jane Siberry and Norah Jones. York had a hand in writing the bulk of the songs here, such as the buoyant title track "Artificial Paradise." "The gap between Mitchell’s ‘Hejira’ and ‘Dog Eat Dog’ is easy, for sure. In York’s worldview, desire and redemption share the same stage. A cover of Tammy Wynette’s "Stand by Your Man" lacks luster, but a reading of the Rolling Stones’ "Ruby Tuesday," stripped of any excess, is, in a word, beautiful.—MP

VOLKIMAL: INSIDE THE NINE

Directors: M. Shawn Crahan
Roadrunner
Release Date: Dec. 5
"Volkimal: Inside the Nine" is being touted as a "brutal, honest, visually unique art piece." Translation: "Art piece" means randomly stringing footage from the band with the usual backstage antics with images of pigeons and overflowing toilets, then tossing in whatever visual effects struck M. Shawn Crahan’s fancy while he edited it. "Brutally honest" refers to showing band personnel puking at the time they puke and closeups of percussionist Chris Fehn making obscene gestures. As for "visually unique," that’s the jargon for a Slipknot guy slopping all over the place and then continuing on >>r88

REVIEWERS deemed by the review editors to deserve special attention

on the basis of musical merit and/or Billboard chart potential.
from p.87

onstage during a set by As I Lay Dying, wearing nothing but a mask and hat. She
fetched her dress the next tour—just in case you wanted more covered chaos, that’s where you’ll get your
money's worth.—CLT

CHRISTIAN
KATHY TROCcoli
The Story Of Love
Producers: Kathy Troccoli, Matt Bealger
KT Records
Release Date: Nov. 14
Next year Troccoli will commemorate her 20th year as a recording artist, but the performances on this captivating CD sound as fresh and
exuberant as if she were taking her first turn behind the mic. Troccoli unleashes her
high, warm alto on a mix of beautiful originals such as “Dancing Me Through This Life” and “Friend for Life” alongside pop standards like
“Pick Yourself Up” and the oft-recorded “The Glory of Love.” Her jazzy, breezy take on I Corinthians 13 in “1 Cor 13” is among the album’s highlights, as is the heartfelt
ballad “Talk to Jesus,” which she co-wrote with Tom Kimmel and Jeff Francel. Troccoli has previously enjoyed success in the
contemporary Christian and mainstream pop markets, and this classy CD should serve as a reminder that the lady can sing anything and
make it a moment to remember.—DEP

VITAL REISSUES
SUBLIME
Various Artists
Everything Under the Sun
Producers: Various
Geffen/UMe/Gasoline Alley/Street Side
Release Date: Nov. 14
With just three proper albums to its name, and almost past having been the subject of a rarities collection, live album, acoustic live album, Deluxe Edition reissue, three greatest-hits comps and a
tribute record, Sublime has officially stretched the definition of what a box-set is by
reaching the snapping point. This three-CD/one-DVD set sounds literally like
every CDR in the attic that still had the name Bradley Nowell, who succumbed to a drug overdose in 1996, scribbled on it. These sketches, jams, demos, sub-
bootique-quality live recordings and Bob Marley covers—many of which clock in at just about two
minutes—range from the
interestingly raw to the
unpleasantly, especially when the band trades its slow-rolling, dub-style vibe for stabs at lo-fi punk. Completers will be tickled.
Casual “What I Got” fans will most likely wonder what could possibly warrant this level of
continued fuss.—JV

SOUNDTRACK
VARIOUS ARTISTS
Steep Your Music
Listenings That Have Been
Origin In Moving Film
“Borat”
Producers: Monica
Levinson, Richard
Henderson
Downtown/Atlantic
Release Date: Oct. 24
This year’s winner of the “Beavis and Butthead
Headgear” award for Best Audio Component of an
Absurdly Dominant Cultural Event in a
landslide, the “Borat” soundtrack is a tempting
enough impulse buy, if only so one can install “You Be
My Wife” on his or her’s next iPod party shuffle. All
the great Borat hits here—here are
the hilarious,
ghetto "In My Country
There Is Problem," the
ghostly, hilariously
"Wife," etc.—
punctuated by lively
Eastern
European
club tracks and score
samples by
Sacha Baron
Cohen’s
brother Erren, an
actual
composer (no, really). Even the
liner notes stay in
character: “Selling Pirations
of this disc by any
other than Government Officials
will result punishment by
crushing.” Some acts don’t
even attend to that kind of
detail in their songs.—AV

REACTION
THE PUSSYCAT DOLLS
How Many Times, How
Many Lies (3:56)
Producers: Ron Fair, Tai
Hervey
Writer: D. Warren
Publisher: RealSongs, ASCAP
A&M
Who’d have imagined a
year ago that the Pussycat
Dolls—an image
act with little more than 1 &A
in its system—would deliver the
year’s most memorable
pop hooks? “Don’t Cha” hit
No. 2 on the Billboard Hot
100; “Stick It” flared with
No. 5, “Jump” and “Buttons”
No. 3. Fifth U.S. single “How
Many Times, How Many Lies”
returns songwriting great
Diane Warren to the
mainstream with a
convinvingly seductive
down-tempo number, thanks
again to the on-par vocals of
lead Nicole Scherzinger.
There’s little question that
this ensemble owes all to the
named singer. But—and so
many horrendous top 40
mainstays that have made
2006’s hit scene smell like a
barnyard, we give a hearty
thumbs up to any act whose
hooks will live to radio’s
catalog a year from now, and
the “Cats keep serving them
up. Here’s to nine lives.—CT

ADDITONAL REVIEWS:
Dave Fisher: "The Crawl” (Cracker
Cassette)
The Oxford
college, "Remember
the Night
Parties Pack:
Card
Jimmie Amos: "Blink It Up
Burn It Down
Kick It To 11 Blended" (Goin’ Down)

NAS
Hip-Hop Is Dead
(3:48)
Producer: Will.am
Writers: N. Jones, W. Adams, J. Landon, D. Ingle
Publisher: not listed
Def Jam
Fans have cried foul
that Nas’ Will.am-
produced single “Hip-Hop Is
Dead” uses the same “In-a-
Good God”/“Da Vida”
sample as 2004’s “Thief’s
Theme.” But the
dynamic drums and
guitar riffs are an apt
counterpoint for the
Queens
rapper’s diatribe against
hip-hop. In the
closer, Nas
prefaces, “I had to flip
this track again, y’all.” Ironically,
this anti-mainstream cut has been
popular on radio. In an
age when many rappers
simplify their lyrics for mass
consumption, Nas persists with
fresh imagery, cunning
wordplay (“like my girl Foxi,
the kid went Def”) and
insightful lyrics that require
second and third listeners.
And fittingly, he’s still rhyming as
the song fades out.—CH

ROCK
FLYLEAF
Fully Alive (2:46)
Producer: Howard Benson
Writers: various
Publisher: BMG Songs, ASCAP
A&M
The second single from
Flyleaf’s debut is a
ready-made winner that’s
as sticky as, well, flypaper.
When it comes to shaping
commercially viable
music, producer Howard Benson
(POD, Papa Roach) keeps
things snappy and tight, and
for “Fully Alive,” if you
wink you’ll miss it. This
song is deadly brooding.
It kicks in with an
amphitheater
kind of vibe that
opens up a new
metal-urban
groove. Despite the fuzz
tones on Sameer
[Feathers], the guitars
are gutsy and
James Culpepper’s
drums are coming from a
distance. Flyleaf’s
tempting, angst-ridden angst
appeal to Avril Lavigne
followers who want to rock a
little harder, as Lacey
Mosley’s nasal vocals are notar removed from the anti-
pop princess.—CLT

AC
LEIGH NASH
Ocean Side Love
(3:16)
Producer: Pierre Marchand
Writers: L. Nash, S. Cutler, 
& Proven
Publishers: various
One Son
Former Sixpence None the
Richer lead singer Leigh
Nash’s stellar solo outing
“Ocean Side” failed to
stir any serious desired
interest from AC radio. It’s
because this group’s hands-off approach to
indie releases? Shame, shame,
but hopefully, with
Clear Channel’s recent sale
to private partners, the
artist will come down—
especially given Nash’s incredible vocal talent
and absolute familiarity. Second single
"Ocean Side Love" is another sweet, accessible
track, this time with an
adding chugging tempo and
a guitar lick or two that
intense nut the cord to
the formula’s ideal audience.
Timing is off, as AC stations make the transition to
to holiday, but come 2007, this
could be rocking in the
stations across the
country. Any programmers out
there really care about what
the audience wants to
hear?—CT

CHRISTMAS
ASHLEY TISDALE
Last Christmas
Warner Bros.
WHITNEY WOLAIN
Frosty the Snowman
Clear Channel
LEIGH NASH
Baby It’s Cold Outside
One Son
DAVID YOUNG A
Christmas I’ll Remember
Universal/Allegro
JESSIE DANIELS Little
Diamond Boy
Midas
THIRD DAY
Born in
Essential/PLG
BRYAN LUBECK The First
Earscape
Holiday Season, Jay-Z See Promising Starts

Not a bad start. That goes for both the holiday selling season and the return to duty of a certain recording artist.

A stronger release slate than we saw during Thanksgiving week 2005 makes for a busy top 20 on The Billboard 200. In all, overall album volume is essentially flat compared with last year’s same week haul, down just 2,000 units, according to Nielsen SoundScan. In a year when album sales lag last year’s pace by 4.6%, that represents a promising start to the always key gift-shipping drive.

Thanks to the much ballyhooed return of Jay-Z and strong supporting cast, volume on the big chart actually beats the 2005 turkey-week tally by almost 7%. The top 13 is particularly fruitful, where seven titles sell more than their same-ranked counterparts of a year ago. The biggest shift resides at No. 1, as 573,000 copies for Jay-Z’s “Kingdom Come” more than doubles the 220,000 that System of A Down’s “Hydrogen” did when it entered the top slot last year.

Factor in Garth Brooks’ Wal-Mart exclusive, “The Sessions,” which the retail giant did not report to SoundScan, and overall volume would beat last year’s frame. Wal-Mart offers the set for $9.72. Then again, considering the way sales funnel toward price leaders like Wal-Mart, Target, Best Buy and Circuit City, the omission of Brooks’ details might make for a more appropriate report card. Without his album factored in, mass merchants are down 1% from Thanksgiving 2005, but that’s mild compared with the 12% dip by chain retailers and the 20% decline posted by independents. So, if stores are down, how did business remain so close? SoundScan’s non-traditional sector, which includes digital downloads, online sales, direct-to-consumer campaigns and limited-selection stores like Starbucks and JCPenney, tracked growth of 3% over Thanksgiving 2005. Album downloads alone more than doubled, from 362,000 a year ago to 791,000.

BACK IN BUSINESS: Fair warning. I will snap at the first person who shrugs shoulders and says, “I thought Jay-Z would have a bigger week.”

Certainly the end of his short-lived retirement brought me more questions from the consumer press about “Kingdom Come” than any other album scheduled this quarter, and chart watchers projected an 800,000-plus start from chains’ first-day sales. Still, 680,000 marks his best sales week ever.

For all his considerable chart success, Jay-Z has surpassed 500,000 copies only twice before, his previous best being 558,000 when “The Dynasty Roc La Familia” arrived in October 2000.

His first album since 2004 further secures his place in Billboard 200 history. It marks the ninth time he has bowed at No. 1, padding his all-time record. Garth Brooks is next with seven.

His nine No. 1s on the big chart also exceed any other rapper. DMX and 2Pac are tied for second with five each. Among acts from all genres, Jay-Z moves into the league of all-time greats, tied for third place with the Rolling Stones, trailing only the Beatles (19) and Elvis Presley (10).

WATCH WHAT HAPPENS: Prime-time music specials have become almost as much a Thanksgiving tradition as turkey feasts and football games.

For the second year in a row, ABC carried the American Music Awards on the Tuesday before the holiday, the same night that NBC placed the excellent “Tony Bennett: An American Classic,” sponsored by Target. Both programs generated handsome sales gains.

In a week when album sales are up 36%, at least as much of the acts that played the AMA show score spikes that beat the market’s pace. The biggest rise among them belongs to show opener Beyoncé, whose sales were more than double (9.6, up 155%), but she also appeared on “Opprail” and had a deep discount at Circuit City the day after Thanksgiving.

The next-largest percentage gain belongs to Nelly Furtado (5.63, up 77%). The big chart also posts AMA-related increases of 40% or more at Nos. 13, 23, 46 and 71.

Tony Bennett’s latest, which had a value-added edition on sale at Target, garnered the Pacesetter award as its sales almost tripled (32-16, up 194%).

Among Bennett’s guests, the first set by John Legend more than doubles (192-128, up 177%), and Dierks & Kral, No. 1 on Top Jazz Albums, sees her best gain since bowing 10 weeks ago (up 9%).

Market Watch

Weekly Unit Sales

<table>
<thead>
<tr>
<th>Year-To-Date</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albums</td>
<td>509,587,000</td>
</tr>
<tr>
<td>Digital Tracks</td>
<td>500,796,000</td>
</tr>
<tr>
<td>Total</td>
<td>1,010,383,000</td>
</tr>
</tbody>
</table>

Digital Tracks Sales

- ‘05: 300.8 million
- ‘06: 507.6 million

SALES BY ALBUM FORMAT

<table>
<thead>
<tr>
<th>Format</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD</td>
<td>492,401,000</td>
<td>455,683,000</td>
</tr>
<tr>
<td>Digital</td>
<td>13,667,000</td>
<td>28,176,000</td>
</tr>
<tr>
<td>Cassette</td>
<td>2,333,000</td>
<td>1,033,000</td>
</tr>
<tr>
<td>Other</td>
<td>986,000</td>
<td>822,000</td>
</tr>
</tbody>
</table>

Year-To-Date Album Sales By Store Type

<table>
<thead>
<tr>
<th>Type of Store</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indies</td>
<td>100,000</td>
</tr>
<tr>
<td>Non-traditional</td>
<td>200,000</td>
</tr>
<tr>
<td>Mass Merchant</td>
<td>300,000</td>
</tr>
<tr>
<td>Chain</td>
<td>400,000</td>
</tr>
</tbody>
</table>
## HOT 100 AIRPLAY

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist/Label</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>My Life</strong></td>
<td>Rascal Flatts / Lyric Street</td>
</tr>
<tr>
<td>2. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>3. <strong>Too Little Too Late</strong></td>
<td>Pussycat Dolls / Interscope</td>
</tr>
<tr>
<td>4. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>5. <strong>Smack That</strong></td>
<td>Kardinal Offishall / Young Jeezy</td>
</tr>
<tr>
<td>6. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>7. <strong>Irreplaceable</strong>.</td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>8. <strong>Too Little Too Late</strong></td>
<td>Pussycat Dolls / Interscope</td>
</tr>
<tr>
<td>9. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>10. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
</tbody>
</table>

## ADULT TOP 40

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist/Label</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>My Life</strong></td>
<td>Rascal Flatts / Lyric Street</td>
</tr>
<tr>
<td>2. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>3. <strong>Too Little Too Late</strong></td>
<td>Pussycat Dolls / Interscope</td>
</tr>
<tr>
<td>4. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>5. <strong>Smack That</strong></td>
<td>Kardinal Offishall / Young Jeezy</td>
</tr>
<tr>
<td>6. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>7. <strong>Irreplaceable</strong>.</td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>8. <strong>Too Little Too Late</strong></td>
<td>Pussycat Dolls / Interscope</td>
</tr>
<tr>
<td>9. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
<tr>
<td>10. <strong>Irreplaceable</strong></td>
<td>Faith Evans / Epic/Atlantic</td>
</tr>
</tbody>
</table>

## MODERN ROCK

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist/Label</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>Welcome to the Black Parade</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
<tr>
<td>2. <strong>Through the Glass</strong></td>
<td>The Smashing Pumpkins / Geffen</td>
</tr>
<tr>
<td>3. <strong>The Diary of Jane</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
<tr>
<td>4. <strong>Love Like Winter</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
<tr>
<td>5. <strong>Face Down</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
<tr>
<td>6. <strong>The Pot</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
<tr>
<td>7. <strong>Snow (Hey Oh)</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
<tr>
<td>8. <strong>Welcome to the Black Parade</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
<tr>
<td>9. <strong>Through the Glass</strong></td>
<td>The Smashing Pumpkins / Geffen</td>
</tr>
<tr>
<td>10. <strong>The Diary of Jane</strong></td>
<td>Nine Inch Nails / Reprise</td>
</tr>
</tbody>
</table>

## LEGEND FOR HOT 100 AIRPLAY LOCATED BELOW CHART HOT DIGITAL SONGS: Top selling digital songs purchased from internet sales reports collected and provided by Nielsen SoundScan. This data is used to calculate the Top 100 Adult Top 40 and Contemporary Rock to adult top 40 listeners. It is monitored continuously 24 hours a day, 7 days a week. See Chart Legend for additional rules and explanations. © 2006, VMG Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved.
### POP 100 AIRPLAY

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
<th>Airplay Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;My Love&quot;</td>
<td>&quot;Smack That (Prequel)&quot;</td>
<td>&quot;Fergie ft. RedOne&quot;</td>
<td>&quot;Sony Music Entertainment&quot;</td>
</tr>
<tr>
<td>&quot;Lips Of An Angel&quot;</td>
<td>&quot;Lips Of An Angel&quot;</td>
<td>&quot;Blackstreet ft. Kem&quot;</td>
<td>&quot;RCA&quot;</td>
</tr>
<tr>
<td>&quot;Ferocious&quot;</td>
<td>&quot;Ferocious&quot;</td>
<td>&quot;Katy Perry ft. P. Diddy&quot;</td>
<td>&quot;Warner Bros.&quot;</td>
</tr>
<tr>
<td>&quot;Ready To Go&quot;</td>
<td>&quot;Ready To Go&quot;</td>
<td>&quot;Journey ft. Chris Brown&quot;</td>
<td>&quot;Sony Music Entertainment&quot;</td>
</tr>
<tr>
<td>&quot;Suffragette City&quot;</td>
<td>&quot;Suffragette City&quot;</td>
<td>&quot;The Stooges&quot;</td>
<td>&quot;Rhino&quot;</td>
</tr>
<tr>
<td>&quot;In The Air&quot;</td>
<td>&quot;In The Air&quot;</td>
<td>&quot;Led Zeppelin ft. Robert Plant&quot;</td>
<td>&quot;Columbia/Legacy&quot;</td>
</tr>
<tr>
<td>&quot;All My Life&quot;</td>
<td>&quot;All My Life&quot;</td>
<td>&quot;Dr. Dre ft. Snoop Dogg&quot;</td>
<td>&quot;Interscope&quot;</td>
</tr>
<tr>
<td>&quot;Up The Garden Path&quot;</td>
<td>&quot;Up The Garden Path&quot;</td>
<td>&quot;The Corrs&quot;</td>
<td>&quot;More時に&quot;</td>
</tr>
<tr>
<td>&quot;Counting Stars&quot;</td>
<td>&quot;Counting Stars&quot;</td>
<td>&quot;OneRepublic&quot;</td>
<td>&quot;Capitol&quot;</td>
</tr>
<tr>
<td>&quot;Bad Romance&quot;</td>
<td>&quot;Bad Romance&quot;</td>
<td>&quot;Lady Gaga&quot;</td>
<td>&quot;Sony Music Entertainment&quot;</td>
</tr>
<tr>
<td>&quot;Single Ladies (Put A Ring On It)&quot;</td>
<td>&quot;Single Ladies (Put A Ring On It)&quot;</td>
<td>&quot;Beyoncé ft. Rihanna &amp;2&quot;</td>
<td>&quot;Def Jam&quot;</td>
</tr>
<tr>
<td>&quot;Dynamite&quot;</td>
<td>&quot;Dynamite&quot;</td>
<td>&quot;Korean Boyband ft. Taeyang&quot;</td>
<td>&quot;Universal Republic&quot;</td>
</tr>
</tbody>
</table>

### POP 100 SALES

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
<th>Sales Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;I Wanna Love You&quot;</td>
<td>&quot;I Wanna Love You&quot;</td>
<td>&quot;Aretha Franklin ft. Elton John&quot;</td>
<td>&quot;Atlantic&quot;</td>
</tr>
<tr>
<td>&quot;My Love&quot;</td>
<td>&quot;My Love&quot;</td>
<td>&quot;Celine Dion ft. R. Kelly&quot;</td>
<td>&quot;Sony Music Entertainment&quot;</td>
</tr>
<tr>
<td>&quot;There's Everything&quot;</td>
<td>&quot;There's Everything&quot;</td>
<td>&quot;Rascal Flatts ft. National Guard&quot;</td>
<td>&quot;Atlantic&quot;</td>
</tr>
<tr>
<td>&quot;I'm Your Little Derriere (Remix)&quot;</td>
<td>&quot;I'm Your Little Derriere (Remix)&quot;</td>
<td>&quot;Boyz II Men ft. Lil' Kim&quot;</td>
<td>&quot;Jive&quot;</td>
</tr>
<tr>
<td>&quot;Let's Get Ready&quot;</td>
<td>&quot;Let's Get Ready&quot;</td>
<td>&quot;50 Cent ft. Juelz Santana&quot;</td>
<td>&quot;Columbia&quot;</td>
</tr>
<tr>
<td>&quot;Welcome To The Black Parade&quot;</td>
<td>&quot;Welcome To The Black Parade&quot;</td>
<td>&quot;My Chemical Romance ft. Green Day&quot;</td>
<td>&quot;Reprise&quot;</td>
</tr>
<tr>
<td>&quot;Ring The Alarm Bell&quot;</td>
<td>&quot;Ring The Alarm Bell&quot;</td>
<td>&quot;Electro Groove ft. T-Pain &amp; Lil Jon&quot;</td>
<td>&quot;Interscope&quot;</td>
</tr>
<tr>
<td>&quot;I Love Her First&quot;</td>
<td>&quot;I Love Her First&quot;</td>
<td>&quot;2Pac ft. Babyface &amp; K-Ci &amp; JoJo&quot;</td>
<td>&quot;Columbia&quot;</td>
</tr>
<tr>
<td>&quot;I Can't Help Myself&quot;</td>
<td>&quot;I Can't Help Myself&quot;</td>
<td>&quot;The Five Heartbeats ft. Keith Sweat &amp; Debbie Rowe&quot;</td>
<td>&quot;Capitol&quot;</td>
</tr>
<tr>
<td>&quot;2006 - The Ultimate Hits&quot;</td>
<td>&quot;2006 - The Ultimate Hits&quot;</td>
<td>&quot;Sony Music Entertainment&quot;</td>
<td>&quot;Sony Music Entertainment&quot;</td>
</tr>
<tr>
<td>&quot;Ferris Bueller's Day Off&quot;</td>
<td>&quot;Ferris Bueller's Day Off&quot;</td>
<td>&quot;Dio ft. Richard Branson&quot;</td>
<td>&quot;MCA&quot;</td>
</tr>
<tr>
<td>&quot;Standing In The Rain&quot;</td>
<td>&quot;Standing In The Rain&quot;</td>
<td>&quot;The Isley Brothers ft. Patrice Rushen&quot;</td>
<td>&quot;Capitol&quot;</td>
</tr>
<tr>
<td>&quot;Right Here, Right Now&quot;</td>
<td>&quot;Right Here, Right Now&quot;</td>
<td>&quot;Union J ft. JLS&quot;</td>
<td>&quot;Polydor&quot;</td>
</tr>
</tbody>
</table>

### Chart Legend

- **Pop**: Pop Chart
- **Air**: Airplay Chart
- **Sales**: Sales Chart

- **R&B**: R&B Chart
- **Hip-Hop**: Hip-Hop Chart
- **Rock**: Rock Chart

- **Country**: Country Chart
- **Latin**: Latin Chart
- **Adult**: Adult Chart

See chartlegend for rules and explanations.

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**NOTE:** The top 100 singles and tracks, according to mainstream top 40 radio audience impressions measured by Nielsen SoundScan, are compiled and reported weekly by Nielsen SoundScan. © 2006, Nielsen Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved. **POP 100 AIRPLAY:** Legend located below chart. **Singles Sales:** Data is compiled by Nielsen SoundScan, Inc. and compiled and reported weekly by Nielsen SoundScan, Inc. © 2006, Nielsen Business Media, Inc. All rights reserved. **HiPREDICTOR:** See chartlegend for rules and explanations. © 2006, Promusique and HiPREDICTOR are trademarks of their respective owners.
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<tr>
<th>ARTIST</th>
<th>TITLE</th>
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<td>Pag Life</td>
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<td>B-Day</td>
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<td>Doctor's Advocate</td>
<td>Cash Money Records/Cash Money/Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>AKON</td>
<td>Invincible</td>
<td>Konvicted/Oh Baby Entertainment/Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>Future LoveSounds</td>
<td>RCA Records/Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>VARIOUS ARTISTS</td>
<td>NOW 23</td>
<td>Universal Motown 006141 /UMRG</td>
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<td>Press Play Music</td>
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<td>BIRDMAN &amp; LIL WAYNE</td>
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<td>Ife, Youself &amp; I</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>Back To Basics</td>
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<td>Point Of No Return</td>
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<td>Dancy Kane</td>
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<td>MARY J. BLIGE</td>
<td>The Breakthrough</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>CHINGY</td>
<td>Hoodstar</td>
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<td>Best Thang Smokin'</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>R. KELLY</td>
<td>Coming To America (The Best Part)</td>
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<td>JOHN LEGEND</td>
<td>Get Lifted</td>
<td>Epic Records/Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>The Hits</td>
<td>JAGGED EDGE/Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>KIRK FRANKLIN</td>
<td>Songs From The Storm, Volume 1</td>
<td>Bad Boy Records/Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>GINuwine</td>
<td>Greatest Hits</td>
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<td>JIBBS</td>
<td>Jobs Feat. Jodeci</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<tr>
<td>L. C</td>
<td>King</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>MIGUEL</td>
<td>I'm In The Mood For Love...The Most Romantic Melodies Of All Time</td>
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<td>ICE CUBE</td>
<td>Laugh Now, Cry Later</td>
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<td>KELLY PRICE</td>
<td>This Is Who I Am</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>LUTHER VANDROSS</td>
<td>The Ultimate Luther Vandross</td>
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<td>DAVE HOLLISTER</td>
<td>The Definitive Collection</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>GEORGE BENSON &amp; AL JARREAU</td>
<td>Givin' It Up</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
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<td>INDIA ARIE</td>
<td>Testimony: Vol. 1, Life &amp; Relationship</td>
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<td>MARY MARY</td>
<td>A Mary Mary Christmas</td>
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<td>YUNG JOC</td>
<td>New Joc City</td>
<td>Tha Carter IV/Tha Carter V/THA/Carter/Franklin</td>
</tr>
</tbody>
</table>

**BETWEEN THE BULETS**

togeorge@billboard.com

**JAY-Z, SNOOP HEAD SALES FEAST**

This week, as Jay-Z tere R. Kelly for the most

**No. 1** is in the Nielsen SoundScan era with R&B/Pop, his ninth debut in this decade and the 14th appearance since his death in 1996. Heather Headley gets the Pussycat medal (84-26) as a single gets featured in the latest March of Dimes radio campaign. She was also specially priced at Circuit City, adding a 415% spike. —Raphael George
**Hit Predictor**

**Country Songs**

<table>
<thead>
<tr>
<th>Chart Rank</th>
<th>Artist/Title/LABEL</th>
<th>Country Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>McBride/RCA</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>Brown/Great Opry</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>McGraw/Capitol</td>
<td>6</td>
</tr>
<tr>
<td>4</td>
<td>Swift/Capitol</td>
<td>7</td>
</tr>
<tr>
<td>5</td>
<td>Thompson/Lytton</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>Underwood/Mercury</td>
<td>9</td>
</tr>
<tr>
<td>7</td>
<td>Bentley/Capitol</td>
<td>10</td>
</tr>
<tr>
<td>8</td>
<td>McGraw/Capitol</td>
<td>11</td>
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<tr>
<td>9</td>
<td>Swift/Capitol</td>
<td>12</td>
</tr>
<tr>
<td>10</td>
<td>Underwood/Mercury</td>
<td>13</td>
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</tbody>
</table>

**Weekly Airplay**

- McBride's "Baby, It's Cold Outside" reached No. 21 on country radio in 2004.

**Hitparade**

- McBride brings his hit song to Country Radio Pop Chart for a second time as her newly minted dixie cowgirl with the Deep Pack icon, "Baby, It's Cold Outside," bows at No. 38.

- McBride's "Baby, It's Cold Outside," which peaked at No. 35, issued by Warner Bros., that single featured guest vocals by Conway Twitty, who was also signed to the label at that time.

**BETWEEN THE BULLETS**

Martina McBride brings the late Dean Martin back to Country Radio Songs for a second time as her newly minted dixie cowgirl with the Deep Pack icon, "Baby, It's Cold Outside," bows at No. 38.

- McBride recorded the studio Capitol in Hollywood, McBride's vocals were recently mixed with Martin's original version of "Baby," which was also cut at the Capitol Tower. This version got added to new pressings of Martin's 2004 "Christmas With Dino" compilation. The duet version is being worked to country stations by Capitol Nashville in tandem with RCA's Nashville staff, and the two competitors will split recap points 50/50.

---

**Update**

- McBride Brings Pop Icon to Country List.

- McBride brings the late Dean Martin back to Country Radio Songs for a second time as her newly minted dixie cowgirl with the Deep Pack icon, "Baby, It's Cold Outside," bows at No. 58.

- Martin, who died on Christmas Day 1995, spent 12 weeks on the country chart in 1983 with "My First Country Song," which peaked at No. 35. Issued by Warner Bros., that single featured guest vocals by Conway Twitty, who was also signed to the label at that time.

---

**Hi-Res Chart**

- McBride's "Baby, It's Cold Outside," which peaked at No. 35, issued by Warner Bros., that single featured guest vocals by Conway Twitty, who was also signed to the label at that time.

**Additional Notes**

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**Radio and Records**

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---
### HOT LATIN SONGS

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<th>Artist</th>
<th>Song</th>
<th>Week</th>
<th>Chart Position</th>
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<tr>
<td>1</td>
<td>Wisin &amp; Yandel</td>
<td>&quot;Te Encontre&quot;</td>
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<td>2</td>
<td>Wisin &amp; Yandel</td>
<td>&quot;Te Encontre&quot;</td>
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<tr>
<td>3</td>
<td>Wisin &amp; Yandel</td>
<td>&quot;Te Encontre&quot;</td>
<td>3</td>
<td>3</td>
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<tr>
<td>4</td>
<td>Wisin &amp; Yandel</td>
<td>&quot;Te Encontre&quot;</td>
<td>4</td>
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<tr>
<td>5</td>
<td>Wisin &amp; Yandel</td>
<td>&quot;Te Encontre&quot;</td>
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### TOP LATIN ALBUMS

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<th>Album</th>
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<td>Don Omar</td>
<td>&quot;Daddy Yo Amo&quot;</td>
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<td>&quot;Daddy Yo Amo&quot;</td>
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Data for week of December 9, 2006.
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<td><strong>Pop</strong></td>
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<td><strong>Top Latin Air</strong></td>
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<td><strong>Tropical</strong></td>
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<tr>
<td><strong>Regional Mexican</strong></td>
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**Latin Airplay**

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<td><strong>RIIO</strong></td>
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<td><strong>Rest of the Top 30</strong></td>
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**Tropical**

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<td><strong>Rest of the Top 30</strong></td>
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**Regional Mexican**

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<td><strong>Top Regional Mexican</strong></td>
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<td>JAPAN</td>
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<td>SPAIN</td>
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<td>THE NETHERLANDS</td>
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<tr>
<td>PORTUGAL</td>
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</tr>
<tr>
<td>GREECE</td>
<td>Singles</td>
<td>November 26, 2006</td>
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</table>
ALBUM CHARTS
Salus data compiled from a comprehensive pool of U.S. music retailers by Nielsen SoundScan. Salus data for R&B/Pop热销的 retail charts is compiled by Nielsen SoundScan from a national subset of core stores that specialize in those genres.

- Albums with the greatest sales gain this week.
- Albums with the greatest sales gain last week.
- Where included, this award indicates the title with the chart's biggest percentage growth.
- Indicates album entered top 100 of The Billboard 200 chart within five years.
- Indicates album removed from the Hot Airplay charts if they have been on the chart for more than 20 weeks and rank below #1.
- Where included, this award indicates the title with the chart's biggest percentage decline.
- Indicates album removed from the Hot Airplay charts if they have been on the chart for more than 20 weeks and rank below #1.
- Where included, this award indicates the title with the chart's biggest percentage decline.
- Indicates album entered top 100 of the Hot R&B/Pop Airplay chart.
- Indicates merchant, and if the chart has been on the chart for more than 20 weeks and rank below #10.
- Indicates album entered top 100 of the Hot R&B/Pop Airplay chart.
- Indicates album entered top 100 of The Billboard 200 chart.
- Indicates album entered top 100 of the Hot R&B/Pop Chart.
- Indicates album entered top 100 of the Hot R&B/Pop Chart.

SINGLE CHARTS
Compiled from a national sample of data supplied by Nielsen Broadcast Data Systems. Charts are ranked by gross audience impressions, computed by cross-referencing exact times of airplay with Arbitron listener data.

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- Albums with the greatest sales gain last week.
- Where included, this award indicates the title with the chart's biggest percentage growth.
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- Where included, this award indicates the title with the chart's biggest percentage decline.
- Indicates album entered top 100 of the Hot R&B/Pop Airplay chart.
- Indicates album entered top 100 of the Hot R&B/Pop Chart.
- Indicates album entered top 100 of The Billboard 200 chart.
- Indicates album entered top 100 of the Hot R&B/Pop Chart.
- Indicates album entered top 100 of The Billboard 200 chart.

SINGLE CHARTS
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- Albums with the greatest sales gain last week.
- Albums with the greatest sales gain last week.
- Where included, this award indicates the title with the chart's biggest percentage growth.
- Indicates album removed from the Hot Airplay charts if they have been on the chart for more than 20 weeks and rank below #1.
- Where included, this award indicates the title with the chart's biggest percentage decline.
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- Indicates album entered top 100 of The Billboard 200 chart.

Top Holiday Albums: All Christmas, Hanukkah, and Kwanzaa collections, including holiday songs, are eligible. Entries are ranked by retail sales of physical albums ordered through Internet retailers, mass merchants, and specialty retailers. The chart is compiled from sales data that is tracked by Nielsen SoundScan. Each week, the chart is updated to reflect current sales. The chart is updated weekly. The chart is updated weekly.
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**CONNECT WITH THE MUSIC INDUSTRY'S MOST IMPORTANT DECISION MAKERS**
NOTICE OF PUBLIC SALE OF ASSETS
OF
THE SONGWRITER COLLECTIVE, LLC

Notice is hereby given that Business Credit Opportunities I LP, a Delaware limited partnership, as a lender and as agent on behalf of the lenders (the "Agent") under a certain Loan Agreement, dated as of March 1, 2004, as amended (the "Loan Agreement"), among The Songwriter Collective, LLC, a Delaware limited liability company, as borrower (the "Debtor"), the Agent and the lenders, having postponed the public sale scheduled for November 4, 2005, December 14, 2005, January 31, 2006, March 14, 2006, April 25, 2006, June 6, 2006, July 18, 2006, August 29, 2006, October 17, 2006 and November 29, 2006, intends to sell at public sale in accordance with the provisions of the New York Uniform Commercial Code, certain personal property assets of the Debtor, generally described as all of the Debtor's right, title and interest of every kind and nature in and to all accounts, chattel paper, deposit accounts, documents, electronic chattel paper, equipment, general intangibles, goods, instruments, inventory, investment property, inventory, property, intangibles and/or intellectual property belonging to the Debtor, in each case whether tangible or intangible, wherever located or situated, including all rights to a portfolio of musical compositions, including, in some instances, copyrights of the musical compositions, the right to and interest in any and all revenues and licenses derived from such musical compositions, and all claims and causes of action related to the musical compositions accruing at any time and all other rights of the Debtor of any nature whatsoever in the musical compositions (the "Collateral"). A more detailed description of the Collateral will be provided to you upon execution of a confidentiality agreement.

The public sale will take place at the office of Sidney Austin LLP at 787 Seventh Avenue, New York, New York 10019, on Tuesday, January 9, 2007 at 11:00 a.m., New York time. The Agent reserves the right to cancel the sale, without notice, in its entirety, or to adjourn the sale to a future date. The Agent may further adjourn the sale herein described to another date from time to time, before, during or after commencement of bidding, without further notice, by announcement at the time and place appointed for such auction, or any adjournment thereof, and, without further notice, such auction may be made at the time and place to which the auction may have been so adjourned. Interested persons should take notice that the Collateral will be sold on the following terms and conditions:

1. All bids must be given orally at the public sale.
2. The Agent reserves the right to bid for and purchase the Collateral and to credit the purchase price against the expenses of sale and principal, interest and any and all other amounts due and payable to the Agent pursuant to the terms of any and all indebtedness secured by the security interests in the Collateral.
3. The Agent has sole discretion to determine which offer is the highest or best offer, and to reject any offer which it deems to be insufficient.
4. Concurrently with the acceptance of any bid, the prospective purchaser shall be required to execute and deliver to the Agent the Asset Purchase Agreement, a copy of which may be obtained by contacting one of the persons identified in the final paragraph of this notice, containing terms of sale and conditions precedent to the Agent's obligation to sell, in each case, in addition to those set forth herein, including, without limitation, the requirement that the sale of the Collateral pursuant to the Asset Purchase Agreement be consummated no earlier than 30 days following execution thereof.
5. Upon acceptance of any bid, the prospective purchaser shall be required to deposit (the "Deposit") with the Agent earnest money in an amount equal to ten percent of the purchase price. Such Deposit shall only be refunded to such prospective purchaser as, and to the extent, provided in the Asset Purchase Agreement. In all other cases, the Agent shall have the right to retain such Deposit. If such sale of the Collateral is consummated with such prospective purchaser, the full amount of such Deposit shall be applied to the purchase price. If such sale is not consummated, the Agent shall have the right, but shall have no obligation, to reoffer the Collateral for sale, without further notice. The prospective purchaser shall not be entitled to any interest on the Deposit held by the Agent, whether or not the Deposit is required to be refunded to such prospective purchaser by the Agent pursuant to the Asset Purchase Agreement.
6. No bids may be withdrawn once made, but no sale is final until accepted by the Agent.
7. Only cash or cashier's check or other immediately available funds will be accepted for the Deposit or for payment of the purchase price. The bid of any prospective purchaser who fails to render proper payment may be rejected and the Agent may, subject to the other terms hereof, (a) accept any alternative bid made at the sale, in which case the Agent shall have no obligation to reconsecrate the sale, accept additional bids, or notify any other bidders of the acceptance of such bid, or (ii) reoffer the Collateral for sale without further notice, in each case, at the Agent's option. Notwithstanding anything contained herein to the contrary, the Agent shall not be obligated to make any sale of the Collateral pursuant to this notice.
8. In the event the Agent is unable to consummate any sale and deliver the Collateral to a purchaser, then the sole liability of the Agent to such purchaser shall be to refund the purchase price, if any, previously paid to the Agent.
9. The Collateral will only be sold in its entirety unless the Agent announces otherwise at the outset of the public sale.
10. Subject to satisfaction of all of the conditions precedent to the Agent's obligation to sell the Collateral pursuant to the Asset Purchase Agreement and the terms and conditions hereof, consummation of the sale of the Collateral will be made immediately upon receipt by the Agent of the purchase price and shall be evidenced by delivery of the Collateral to the purchaser thereof, BUT WITHOUT DELIVERY OF A BILL OF SALE, WITHOUT GUARANTEE OF SIGNATURES, WITHOUT PAYMENT OF ANY TRANSFER OR OTHER TAX, AND WITHOUT REPRESENTATION OR WARRANTY BY THE AGENT, AND SUBJECT TO ALL DEFENSES.
11. The above terms and conditions of sale may be subject to additional or amended terms and conditions to be announced at the time of sale.
12. In any dispute arising between two or more bidders, the Agent may decide the same or put the Collateral up for sale again and reoffer to the purchaser submitting the best bid, as determined by the Agent. In all cases, the Agent's decision shall be final.
13. All bidders and other persons attending this auction agree that they have full knowledge of the terms set forth above and contained in the Asset Purchase Agreement and agree to be bound by the terms hereof and thereof.
14. The Debtor shall have the right to redeem the Collateral in accordance with, and only to the extent provided for, applicable law. Persons desiring further information as to the public sale of the Collateral, and the terms and condition relating thereto, and/or desiring to obtain copies of the confidentiality agreement or the Asset Purchase Agreement, may contact either Martin Jackson (212/839-6726) of Sidney Austin LLP, 787 Seventh Avenue, New York, New York 10019 or Colleen McDonald (415/772-1207) of Sidney Austin LLP, 555 California Street, San Francisco, California 94104, counsel for the Agent.

December 2, 2006

LEGAL NOTICE

www.americanradiohistory.com
A very touched AIM chairman/CEO and VoH president Alison Wehmohr receives her Top 20 Women in Music Award from Billboard London bureau chief Mark Sutherland.

The Living Legends Foundation honored three music industry stalwarts at its annual dinner held Nov. 16 at the Westin Hotel in New York's Times Square. The sold-out event, "Recognized in Def Jam Music Group chairman Antonio "LA" Reid; BET executive VP Stephen Hill and Skip Cheatham, programming director for KOKS Dallas and host of the nationally syndicated "Hip-Hop Countdown" program. Celebrities as well as past and present executives from all major record labels came out to show support for the honorees. Pictured, from left, are Def Jam president/CEO Shawn "Jay-Z" Carter, Radio One founder and chairwoman Cathy Hughes-and Reid. Photo courtesy of KENNEDY PUBLIC RELATIONS.

15 YEARS OF BEING QUIET: "Quiet on the Set," ASCAP's popular and long-running showcase honoring songwriters, celebrated its 15th anniversary with "15 Years of Being Quiet," a three-night residency at Los Angeles' Hotel Cafe Nov. 6, Nov. 7 and Dec. 4.

ABOVE: From left are performers Judiion Owen and Jill Solana with ASCAP assistant VP's Loretta Muñiz and Brendan O'Keefe.

BELOW: Desmond Child, left, who opened the evening, poses with ASCAP's Brendan O'Keefe center, and guest vocalist Storm Lee. Photo courtesy of JENNIFER WEINTRAUB.

Rod Stewart performed an intimate solo-concert Oct. 9 at the Nokia Theatre in Times Square that was broadcast live by CenterRoom on mix.com and to the National Onedia figure "starlet," nationwide. Stewart's No. 1 Billboard album—his first rock set in eight years—"Still the Same," was released in October. Stewart's show was taped Nov. 15, 1979. Pictured, from left, are RCA Music Group executive VP of promotion Richard Patrese, BMI U.S. president/CEO Charles Goldstuck, Stewart, BMI U.S. chairman/CEO Oliver Davis, Stiletto Management's Arnold Stifel, and AIM Records executive VP Tom Corson. Photo courtesy of mix.com/centerroom/series/rob-stewart/906109.html.

BILLBOARD UNDERGROUND: BMI artist Ehren Ebbage was featured as part of BMI Billboard Underground Nov. 12 at the Core Club in New York.

ABOVE: From left are Core Club director of cultural content Peter Galvin, BMI artist Ehren Ebbage, and BMI group editorial director Scott Hickenstil. Photo courtesy of BMI.com/staff/who/whatis/billboard Underground.bj.html.

LEFT: Six-longtime BMI artist Ehren Ebbage performs as a crew of industry executives and influential tastemakers at the Core Club. Photo courtesy of BMI.com/staff/who/whatis/billboard Underground.bj.html.

Nigeria celebrated 51 years of independence with the first annual "NISDAY Music Festival held Oct. 7-8 in Lagos, featuring an array of world-renowned stars, including BlacYoung, Jay-Z, 2 Chainz, Naija, Floetry, DJ Tony Orlando and local artists D'Banj, Halle Berry, Tulaface and King Sunny Ade. Pictured here is Def Jam president/CEO and recording artist Shawn "Jay-Z" Carter, left, with Hammond Entertainment president/CEO Bill Hammond, who produced the event in association with Laものです.

Photo courtesy of ARNOLD TURNER.
WEiland the Mogul

Velvet Revolver frontman Scott Weiland has launched Softdrive Records, in tandem with business partners Doug Grean and Dana Dufine. Track can exclusively reveal the imprint will go through Sony's RED Distribution, with additional back-end support provided by New West Records.

Softdrive's first signing are Los Angeles rock band the Actual, whose debut album "In Stitches" is due early next year, and country singer/songwriter Tommy Joe Wilson, who Weiland discovered in a Nashville bar. In addition to co-producing the Actual's album, Weiland will release his second solo album on Softdrive in late 2007 or early 2008.

We had a lot of opportunities early on to sell ourselves out and just be a production imprint, but that's not really what Doug and I wanted to do," Weiland tells Track from a Los Angeles studio, where he's recording with Velvet Revolver. "But we also didn't fool ourselves to think we could creatively run the label like he and I are and also run the business side of things."

Enter RED and New West, which Weiland says is "an amazing model of a great independent record company." As for Velvet Revolver, the group is working with producer Brendan O'Brien on its second RCA album, which Weiland says should be out in the spring.

Moby Mixes It Up

Having written more than 400 songs in a variety of styles, Moby tells Track that his new album, which he expects to finish in the spring and have out before the end of 2007, is "a little more experimental and subtle, less conventional song structures and more experimental arrangements. It doesn't necessarily have 'big blockbuster' written all over it."

This direction is in some ways a reaction to his last album, 2005's "Hotel," which he calls "probably the most conventional record I've ever made. Now I feel like I want to go in the other direction."

Moby is also awaiting word about whether a soundtrack album will be released for "Southland Tales," a new film he scored for "Donnie Darko" director Richard Kelly. The film—which stars Justin Timberlake, Sarah Michelle Gellar, Mandy Moore and the Rock—is about the end of the world and set in Southern California, but Moby says his music has "an odd, delicate counterpart to it—very quiet and pastoral. It's all minimal electronic music. If a [soundtrack] comes out and sold more than 100 copies, I'd be genuinely surprised."

RBD Gives Back

RBD is going philanthropic. Following the lead of other major stars like Shakira, Mana y Juanes, who all have charities aiding various causes, the Mexican pop sextet says it will announce the creation of a foundation called Sálvame (Save Me). Sálvame will help homeless children living on the streets of Mexico and Brazil, and will initially have support from Fundación Televisa. Group members (ell Track the first event surrounding Sálvame will be a free concert in Brazil at the beginning of 2007, with proceeds from sponsorships all going to the endeavor.

A Haute Couture Christmas

Don't count on too many silent nights at Janice Dickinson's house this holiday season. The supermodel and star of reality series "The Janice Dickinson Modeling Agency" is hosting "Christmas With the Dickinsons," a one-hour special that premieres at 10 p.m. Dec. 13 on Oxygen.

Included in the celebration will be her music video for the "Twelve Days of Christmas," complete with new lyrics that she's made all her own (very, very). Also featured are her headlining appearance in the Hollywood Holiday parade, her modeling agency's male model auditions for the

Beverly Hills "Hunky Santa" and an outrageous VIP Christmas party, complete with Dickinson's attempt to prepare a traditional meal.

Meanwhile, the second season of "The Janice Dickinson Modeling Agency" kicks off in January.
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Ahhh...Cannes!

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