BMI ICON
Hall and Oates

Songwriter of Year
Polow Da Don

“Lips of an Angel”

2008 BMI Pop Awards

CALL ME WHEN YOU'RE SOBER
Amy Lee
Dwight Frye Music, Inc.
Professor Screweye Publishing

CHASING CARS
Nathan Connolly (PRS)
Gary Lightbody (PRS)
Jonny Quinn (PRS)
Tom Simpson (PRS)
Paul Wilson (PRS)
Songs of Windswept Pacific

DON'T MATTER
Tony Love
Lawson's

EVERYTIME WE TOUCH
Maggie Reilly (PRS)
Stuart MacKillop (GEMA)
Peter Rayven (GEMA)
Sony/ATV Songs LLC

FACE DOWN
Ronnie Winter, Jr.
Grim Goodbye Music
Songs of Universal, Inc.

FAR AWAY
Daniel Adair (SOCAN)
Chad Kroeger (SOCAN)
Mike Kroeger (SOCAN)
Ryan Peake (SOCAN)
Warner-Tamerlane Publishing Corp.

AIN'T NO OTHER MAN
Christina Aguilera
Kara DioGuardi
Harold Thomas
K'Stuff Publishing
The Clyde Otis Music Group, Inc.
Universal Music-Careers
Xtina Music

BEAUTIFUL GIRLS
Ben E. King
Jonathan "JR" Rotem
Jonathan Rotem Music
Sony/ATV Songs LLC
Southside Independent Music
Publishing LLC

ANIMAL I HAVE BECOME
Adam Gontier (SOCAN)
Neil Sanderson (SOCAN)
Barry Stock (SOCAN)
Brad Walst (SOCAN)
EMI-Blackwood Music, Inc.
Mean Music Publishing, Inc. (SOCAN)

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FAR AWAY
Daniel Adair (SOCAN)
Chad Kroeger (SOCAN)
Mike Kroeger (SOCAN)
Ryan Peake (SOCAN)
Warner-Tamerlane Publishing Corp.
I WANNA LOVE YOU
Calvin "Snoop Dogg" Broadus
My Own Chit Publishing

IF EVERYONE CARED
Daniel Adair (SOCAN)
Chad Kroeger (SOCAN)
Mike Kroeger (SOCAN)
Ryan Peake (SOCAN)
Warner-Tamerlane Publishing Corp.

IRREPLACEABLE
Amund Bjørklund (TONO)
Espen Lind (TONO)
Ne-Yo
EMI-Blackwood Music, Inc.
Super Sayin' Publishing
Universal Music-Z Songs

IT'S NOT OVER
Chris Daughtry
Mark Wilkerson
Ace Young
Floating Leaf Publishing
RG Slide Music Publishing, Inc.
Surface Pretty Deep Ugly Music
Tailback 80 Publishing, Inc.
Universal Music-Careers

LAST NIGHT
Slam
Matt Musina
EMI-Blackwood Music, Inc.
Irving Music
Janice Combs Music
Marsky Music
ZX5 Publishing

LIPS OF AN ANGEL
Blower
Cody Hanson
Brian Howes (SOCAN)
Mark King
Michael Rodden
Austin Winkler
EMI-Blackwood Music, Inc.
Hinder Music Co.

LONDON BRIDGE
Sean Garrett
Mike Hartnett
Polow Da Don
Hitman Music
Songs of Universal, Inc.
Team S Dot Publishing

MAKES ME WONDER
Jesse Carmichael
Adam Levine
Mickey Madden
February Twenty-Second Music
Universal Music-Careers

MONEY MAKER
Pharrell Williams
EMI-Blackwood Music, Inc.
Waters of Nazareth Publishing

MY LOVE
T.I.
Crown Club Publishing
Warner-Tamerlane Publishing Corp.

NOTHING LEFT TO loose
Mat Kearney
EMI-Blackwood Music, Inc.
Facade Aside Music

PAIN
Adam Gontier (SOCAN)
Neil Sanderson (SOCAN)
Barry Stock (SOCAN)
Brad Walst (SOCAN)
EMI-Blackwood Music, Inc.
Mean Music Publishing, Inc (SOCAN)

PUT YOUR RECORDS ON
Corinne Bailey Rae (PRS)
Songs of Windswept Pacific

THE RIDDLE
John Ondrasik
EMI-Blackwood Music, Inc.
Five For Fighting Music

RUNAWAY LOVE
Doug E. Fresh
Polow Da Don
Slick Rick
Entertaining Music
Slick Rick Music Corp.
Songs of Universal, Inc.

SAVE THE LAST DANCE FOR ME
(4th Award)
Doc Pomus
Mort Shuman
Unichappell Music, Inc.

SMACK THAT
Eminem
Mike Strange
Shroom Shady Music
Slick Jesus LLC
Songs of Universal, Inc.

SNOW ((HEY OH))
Flea
John Frusciante
Anthony Kiedis
Chad Smith
Moebetoblame Music

STEADY, AS SHE GOES
Jack White
Third String Tunes

SUDDENLY I SEE
K.T. Tunstall
Sony/ATV Songs LLC

THE SWEET ESCAPE
Giorgio Tuinfort
Sony/ATV Songs LLC

THIS AIN'T A SCENE, IT'S AN ARMS
Andrew Hurley
Patrick Stump
Joe Trohman
Pete Wentz
Chicago X Softcore Songs
Sony/ATV Songs LLC

THNKS FR TH MMRS
Andrew Hurley
Patrick Stump
Joe Trohman
Pete Wentz
Chicago X Softcore Songs
Sony/ATV Songs LLC

U + UR HAND
Pink
EMI-Blackwood Music, Inc.
Pink Inside Publishing

WALK AWAY (REMEMBER ME)
Christina Milian
Ne-Yo
Havana Brown Publishing
Songs of Universal, Inc.
Super Sayin' Publishing
Universal Music-Z Songs

WELCOME TO THE BLACK PARADE
Frank Iero
Ray Toro
Gerard Way
Mikey Way
Blow The Doors Off The Jersey Shore Music, Inc.

WHAT HURTS THE MOST (2nd Award)
Jeffrey Steele
Gotthatovable Music
Songs of Windswept Pacific

WHAT I'VE DONE
Chester Bennington
Rob Bourdon
Brad Delson
Dave Farrell
Joe Hahn
Mike Shinoda
Big Bad Mr. Hahn Music
Chesterchaz Publishing
Keni Kobayashi Music
Nondisclosure Agreement Music
Pancakey Cakes Music
Rob Bourdon Music
Universal Music-Z Songs

WHO KNEW
Pink
EMI-Blackwood Music, Inc.
Pink Inside Publishing

FERGALICIOUS
Karl Bartos (GEMA)
Derrick Rahming
will.i.am
Cherry River Music Co.
Meriwar Music
Warner-Tamerlane Publishing Corp.
will.i.am music, inc.

FIRST TIME
Jude Cole
Jason Wade
Jason Wade Music
Jeseth Music
State One Music America

FOR YOU I WILL (CONFIDENCE)
Teddy Geiger
Sony/ATV Songs LLC
Teddy Geiger Publishing

GIRL NEXT DOOR
Kris Misevski
Totally Awesome Music

GLAMOROUS
Polow Da Don
will.i.am
Elvis Williams, Jr.
Cherry River Music Co.
Elvis Lee Music
EMI-Blackwood Music, Inc.
willa.m music, inc.

HAVE YOU EVER SEEN THE RAIN
John Fogerty
Jondora Music

HOME
Chris Daughtry
Surface Pretty Deep Ugly Music
Universal Music-Careers

HURT
Christina Aguilera
Mark Ronson
EMI-Blackwood Music, Inc.
Universal Music-Careers
Xtina Music

JOB OF HEART
Pat Benatar
Mike Chapman
Dawnye Dyer
Fred Zeigler
Sunset Sound Music

NIGHTMARE
John Frusciante
Anthony Kiedis
Chad Smith
Moebetoblame Music

STAND BY ME
Tina Turner
Soul Brother Music

WORLD LACKED
George Harrison
Patti Harrison
Ronnie Lane
The Traveling Wilburys

Our Song Of The Year
Hinder
Michael Rodden
EMI-Blackwood Music, Inc.
Universal Music-Careers

AUSTIN WINKLER
Hinder Music Co.

Song of the Year
Hinder
Michael Rodden
EMI-Blackwood Music, Inc.
Universal Music-Careers

Song of the Year
Hinder
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EMI-Blackwood Music, Inc.
Universal Music-Careers

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Hinder
Michael Rodden
EMI-Blackwood Music, Inc.
Universal Music-Careers

FEBRUARY TWENTY-SECOND MUSIC
February Twenty-Second Music
Universal Music-Careers

Mobile Entertainment Live! Fall will offer attendees a new event format that is designed to deconstruct the typical conference experience and give a greater voice to everyone involved in the mobile entertainment marketplace!

The conference will feature main stage keynote interviews with industry experts as well as a full afternoon program dedicated to in-depth tracks on each of the major content areas:

**MUSIC:** Deep-dive sessions on the future of music content on mobile phones.

**VIDEO:** Focused sessions on all mobile video-related content.

**ADVERTISING:** An examination of the various ways that mobile entertainment is drawing advertisers to mobile content.

**COMMUNITY:** A look into the highly anticipated world of mobile social networking and user-generated content.

Each track will include: A series of product demonstrations, presentations, interviews, feedback sessions and structured networking opportunities!

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www.MobileEntertainmentLive.com
I'm to illusioned decide before system and the decisions of judges had order pay my client. She for day.

... It flashed to me that the three judges who make up the three judges of Congress (certainly no one of Congress ever be emphatically tives me). I've had three hours over coffee. We talked about our good and bad experiences in federal courts (he is a judge, she as a trial lawyer). He told me about his work as a member of the Alabama State Council of the Aris and shared his background in running companies through the bankruptcy court. Last year, I finally interviewed him about the way the CRB operates and what he expects from lawyers and parties who come before the judges. I found Sledge to be intelligent, thoughtful and objective, with a true understanding of the importance of the CRB's decisions.

After observing their activities, reading their decisions and visiting the hearing room, I believe the Copyright Royalty Board Judges are the right men for the job.

In 2006, I charted with Sledge for nearly three hours over coffee—a tad too much coffee. We talked about our good and bad experiences in federal courts (he is a judge, she as a trial lawyer). He told me about his work as a member of the Alabama State Council of the Aris and shared his background in running companies through the bankruptcy court. Last year, I finally interviewed him about the way the CRB operates and what he expects from lawyers and parties who come before the judges. I found Sledge to be intelligent, thoughtful and objective, with a true understanding of the importance of the CRB's decisions.
O n May 20, digital music retailer Napster fulfilled a promise made at the 2008 Consumer Electronics Show and converted its entire library of purchased downloads into unprotected MP3 files. The company hopes the move will re-engage music fans who so far have shunned any digital music service selling downloads incompatible with their beloved iPod. But more than a year after EMi Music became the first major label to embrace a digital rights management-free strategy, the format shift has yet to make a difference.

On a label market-share basis, little has changed since EMi announced its MP3 deal with Apple in April 2007. Despite striking DRM-free licensing deals with Amazon, Apple, PassAlong, Puretracks, Rhapsody, Sno-cap and Wal-Mart, EMi’s digital market share actually shrank from 7.9% at year-end 2006 to 7.7% year-end 2007, according to data from Nielsen Sound-Scan. Its distribution arm, Caroline, meanwhile increased market share from almost 10% after 2006 to 10.8% at the end of 2007. And year-to-date, EMi’s digital market share, including Caroline, is 7.72% compared with 8.2% for the same period last year (before its DRM-free strategy was under way).

Of course many other factors contribute to EMi’s ranking, not the least of which includes release schedules and an ongoing restructuring following the Terra Firma acquisition. One could argue that EMi’s market share may have shrunk even lower had it not been for its MP3 strategy.

But the DRM-free movement has not yet affected the overall market, despite the number of digital retailers now embracing it. Digital music sales grew more slowly last year than the year prior despite seeing the introduction of MP3 music services. Year-end digital downloads in 2007 were up 45%, while in 2006 they grew 65%. Year-to-date downloads are up about 90 million, at slightly more than 400 million compared with 310 million this time last year. And so far, digital retailers have neither individually nor collectively put a dent in iTunes’ dominating 70% market share.

To be sure, some individual retailers have benefited from the strategy. Amazon has not yet disclosed download figures, but analyst firm NPD Group estimates only 10% of its customers are also current or former iTunes customers, suggesting the service is expanding the addressable market for digital music. And Dave Jaworski, CEO of Pass-Along—which operates its own music service as well as that of f.y.e.—and a number of other brands—says sales jumped 20% after introducing MP3s last March, even though the company still lacks DRM-free licensing deals from Sony BMG and Warner Music Group (WMG).

The problem is that these individual gains are too small to make a noticeable difference in a market dominated by iTunes.

“NPD has not made any kind of impact,” NPD Group’s Russ Crupnick says. “Nothing’s changed. The volumes don’t seem to be accelerating year over year. From a share standpoint, iTunes still dominates. Nobody else is coming close.”

But there is potential. A recent Jupiter Research survey found that more than 50% of subscribers to music services like Napster said they would buy more music if it were sold DRM-free, while 43% of active à la carte music downloaders said the same. Of the overall adult Internet population, 23% said they would buy more music if it lacked any restrictions, many of whom have never bought music online at all.

This discrepancy between intent and action can be chalked up to timing. Amazon only launched its DRM-free service last September and secured its last major-label content deal in January. The company now offers 5.2 million tracks. Napster is the only other DRM-free service to go live with all majors and indies participating. Wal-Mart started selling MP3s last August from EMi and Universal Music Group—sheding any music still containing DRM from the store in April—and only added WMG as a supporting label in May while still negotiating with Sony BMG. Rhapsody has expressed interest in DRM-free sales but to date only has a deal with UMG.

And there are more DRM-free services still pending. MySpace Music is expected to go live this summer with DRM-free downloads from all majors and indies, and free streaming service imeem has yet to make its download intentions known.

As such, it’s far too early to write off the impact of DRM—or the lack thereof—as “doesn’t really matter,” which is the current popular quip. Even iTunes took two years to make its impact felt. “It’s really early days,” WMG executive VP of digital strategy and business development Michael Nash says. “Give those guys a year and you’ll see them and other entrants into this space collectively start to make a dent. If you have more people selling music, you’re going to have more sales. We just need to be more patient and let people develop their businesses.”

THE GREAT CRUSADE

PPL’s Nevekla fights for your copyright
Janet Jackson will hit the road for the first time in seven years with the Rock Witchu arena tour through North America. The outing includes music and arts fes-
tival, which will be held June 7 in Vancouver, with subsequent dates scheduled for Montreal, Toronto, New York and Washington, D.C., according to a spokesman for Live Nation, which is
organizing the trek. Tickets go on sale June 7. A full itinerary will be announced soon.

Boy band mogul Lou Pearlman, who launched Backstreet Boys and ‘N Sync, was sentenced to 25 years in prison for swindling investors and major U.S. banks out of more than $300 million. U.S. District Judge G. Kendall Sharp gave Pearlman the chance to cut his prison time by offering a one-month reprieve for every $1 million in cash he helps a bankruptcy trustee recover for his victims. His lawyer, Fletcher Peacock, said in a written plea that 25 years amounted to a “sentence to death in prison” for the 53-year-old.

In memory of the legendary promoter, the San Francisco-based Bill Graham Memorial Foundation is holding its first East Coast benefit concert May 27 at the Fillmore New York at Irving Plaza. The concert will feature performances from Dark Star Orchestra, Moonalice, Spin Doctors, Blues Traveler’s John Popper and Chan Kinchla, and others. Tickets are available for $65 via ticketmaster.com. The foundation gives grants in areas of music, arts and education.

Billboard will showcase 11 up-and-coming international bands next month through an expanded association with London’s City Showcase week of events. Billboard will host three nights of live music under its “Global Pulse” banner at this year’s new music and arts fes-
tival, to be held June 2-6 at various venues across the U.K. capital. Billboard’s Global Pulse night will take place June 2 at the Metro Club, featuring South African Music Award-
winning alternative rockers the Parlotones alongside compatriot Camagwini. Rising Canadian indie rock act Land of Talk and Cincinnati-
based power-pop act Walk the Moon complete the bill. The same venue will host a night of music from Down Under June 4, with New Zea-
land/Australian acts Ragamuffin, Over the Atlantic, Batrider and Oliver’s all on the bill. Finally, on June 5, Sweden’s burgeoning rock scene will take center stage at the Borderline, with acts Hell N Diesel, Mustasch and Babylon Bombs booked to perform in association with Swedish indie label Smilodon. The wider City Showcase program will encompass 16 live music gigs and 13 workshops, including Billboard’s “A&Ring for Success” session June 5 at Gibson Studios.

City Showcase is a non-
profit organization launched in 2003 to expose emerging creative talent. The likes of Amy Winehouse, Keane and Razorlight all gained early ex-
posure at the event.

Billboard, Fluid Team for Music Competition Billboard has signed a nonex-
clusive development deal with Fluid Music to create “Bill-
board Next,” a reality show that will focus on breaking emerging artists. The pitch to TV networks is two-pronged: Artists would submit performances via the “Billboard Next” Web site, where their work would be judged and voted on by the public. The most popu-
lar performers would then compete on TV for a record-
ing contract. As a way to give a name to the show’s format, production, licensing and distribution.

“We’re thrilled to be work-
ing with Fluid Music and ATM to introduce ‘Billboard Next,’ which will give musicians from all backgrounds and genres a chance to gain exposure for their craft, build a fan base and possibly grab the atten-
tion of music moguls, taste-
makers and other influencers in the music industry,” Bill-
board publisher Howard Ap-
pelbaum says.
Upfronts And Center
Music In Play On The Fall TV Schedule

Each spring in New York, the TV networks unveil their upcoming programming slate to advertisers in a weeklong presentation circuit known as the Upfronts. It's big money for the networks—Merrill Lynch analyst Jessica Reif Cohen puts the potential total haul for this year's season at $88 billion, and that's down 2% from last year—but the impact of the programming schedule extends beyond the TV and advertising communities.

Since TV placement has become a critical method of breaking bands, the programming selected for the upcoming season can affect what kind of access artists will have to a TV audience comprising millions of people. For instance, shows with strong runnates and a character development—ABC's "Grey's Anatomy" is the standout—ripen with such potential. On the opposite end of the spectrum are the cheap-to-produce reality shows—like CBS' upcoming "Greatest American Dog" and ABC's summer program "Wipeout," which seems to consist solely of heavier people falling off water slides into the mud—rarely have the emotional context for rich music cues.

In addition, the ad strategies employed by the networks are meaningful to the music industry in terms of marketing and promotion. Will the network finally make a move to give crucial-when credit is due in identifying artists used in their shows? And what innovative advertising methods are being developed that could be used to promote a musician's upcoming CD or tour?

The 2008 Upfronts were decidedly a mixed bag; the specter of the three-months off strike by the Writers Guild of America loomed large over the proceedings, which were definitely more muted—businesslike than they've been in years past. (No marching bands this year.) Add to that the contentious back-and-forth between the studios and the Screen Actors Guild over their contract, which expires June 30, and the mood was definitely sour. At the ABC Upfront, host Jimmy Kimmel cracked: "Is this the WGA strike post-party or the SAG strike pre-party?"

Doom and gloom aside, here's a few highlights from the week that apply to the music industry:

**R.I.P. 'MEN IN TREES' (2006-2008)**

Let's take a moment to mourn the passing of ABC's "Men in Trees," which the network officially canceled at Upfronts. The quirky comedy, starring Anne Heche as a recent transplant to Alaska with a radio advice show for the lovelorn, was a good stop for in-the-know music fans. Music supervisor Tricia Halloran and her team at HUM Music in Santa Monica, Calif., used synchs ranging from Sara Bareilles to Neil Diamond and Liz Phair. "We weren't afraid to reach back in time," she said. "These characters are in their 30s and 40s, and they've listened to music their whole lives." Most important for connect-the-dots purposes, the tracks from each episode were listed in full on the show's website, with a link to the artist's online page or even performance videos on YouTube. "All along (the network) really professed to like the show, and I think they did like," Halloran said. "But it's a serum—you can't come in in the middle. It needed a steady time slot for people to get attached to it." In April, "Men in Trees" averaged 5.5 million viewers, according to Nielsen Media Research.

**Cross-platform initiatives:** The networks now realize online content is a great way to extend their brand—and this means artists now have the means to get more exposure thanks to TV's multimedia initiatives. Of particular note are plans already under way by CBS and MTV: CBS saw a spike in online viewings of its clips and shows after Britney Spears appeared on "How I Met Your Mother" this twice, and the network has signed up with Web content provider Egal Studios to create more online-specific content related to its shows. (Look for "CSI" to get its own webisodes on the network's site.) As for MTV, the cable network is going to blend its shows with its advertising via a number of experiments in the wake of a study the network commissioned. In short, viewers had more emotional investment in shows like "The Hills" which they visited multiple platforms for the program: TV, online and in the "Virtual Hills" world.

**New shows of note:** While reality is still the go-to genre for networks in a programming pinch, several scripted programs are in development that show potential for song placement. Of particular interest are comedies and comedy-drama hybrids that move away from the traditional, studio-set three-camera approach into a less-staged, naturalistic way of filming. Among the up-and-comers are CBS' "The Ex List," in which a woman tracks down her former romantic entanglements, and "Worst Week," a remake of BBC's comedy about the Murphy's Law-style string of disasters that follows a groom in the days before his wedding. The CW, known for its success in getting audiences to download music featured in its shows thanks to credit cards that appear at the end of each episode, will debut a renovation of its classic teen soap "D9010" as well as "Surviving the Filthy Rich," an adaptation of Zoey Dean's novel.

**Back in action:** More good news comes in the form of shows that have shown strong musical inclinations and were renewed by the networks. ABC's "Grey's Anatomy" (whose soundtracks have a history of chart success), "One Tree Hill" and its spinoff "Tree Hootens," "The Hills," and MTV's "Gossip Girl" (which has rung tones of the show's music available on Verizon Wireless) and "One Tree Hill" (which introduced simpletly songwriter Kate Voegele in a multi-episode arc), and the networks are making Maroon 5 open its presentation with a five-song set. It showed a level of insight the other networks should take note of—in a year when the network made a move to target itself entirely at the 18-34 female audience, it picked a band to open the proceedings that hits the sweet spot of that demographic. Maroon 5 manager Jordan Feldstein says the performance will lead to synchs on several CW shows, including "Gossip Girl" and "D9010."
Alternate Reality

Nashville Steps Up To The Plate With New, Returning Shows

Come this summer and fall, Music Row’s already populous music reality show alumni contingent will be growing by a few members. “American Idol” contestants Carrie Underwood, Kellie Pickler, Bucky Covington, Josh Gracin, Phil Stacey and Carmen Rasmussen; “Nashville Star” participants Miranda Lambert, Chris Young and Jason Meadows; “Dancing With the Stars” hooper Julianne Hough; and double diva Diana DeGarmo, who is an alumna of “Idol” and “Country Pride,” will have a few new neighbors after the latest round of reality shows crown new champions.

CMT, GAC and NBC have all made new steps into the burgeoning music reality show market, which is increasingly rippling in country acts.

“Nashville Star,” which has spent five seasons on USA Network, will debut June 9 on NBC. The show, which will run nine weeks, is getting a big push and a bit of a makeover. While the previous incarnation focused on solo acts, the new version will include duos and trios. Singer/songwriter/producer John Rich, singer/songwriter Jewel (who hosted last year’s show and has launched a country career) and songwriter Jeffery Steele will serve as judge/mentors on the show, and Billy Ray Cyrus will host. Super-producer Dann Huff ( Faith Hill, Keith Urban) will do the arrangements for the show. Viewers will pick the winner.

AEV Live, which also handles the “American Idol” tour, is putting together a “Nashville Star” tour and Warner Bros. will sign the winner to a 360 deal and also have right of refusal on the finalists. Six thousand people showed up for the audition in Nashville, while another 5,000 stood in line in Austin. In all, including video submissions, 45,000 people came for a shot at stardom, up from 20,000 last year, according to show executives.

“Nashville Star” executive producer Howard T. Owens says the bigger crowds are a credit to the power of NBC and its affiliates. “The magnitude of their reach is incredible,” he says. “At USA, you don’t have affiliate partners.” The fact that Cyrus appeared on NBC’s “Today” to promote the show didn’t hurt either.

Owens says the decision to include more than just solo acts “feels fresh. People haven’t seen duos and trios on a music competition. It also feels very endemic to country,” he says, citing the Judds, Montgomery Gentry, Brooks & Dunn and Rascal Flatts as examples. “It feels born out of tradition. It’s also a point of differentiation.”

Meanwhile, “Country Pride,” which Rich hosted, was a big ratings hit for CMT and a second season has already been filmed. The show places unlikely characters in the role of wannabe country stars. However, the first winner of the competition, Julio Iglesias Jr., failed to gain traction at country radio. The new season, which will include Sebastian Bach, Irene Cara and Lorenzo Lamas, will begin airing in August.

CMT’s “Can You Duet,” which taped last fall and is now airing on the network, will announce its winner June 13. The show was produced by FremantleMedia North America, the company behind “American Idol.” Judge/mentors include Naomi Judd, vocal coach Brett Manning and hit songwriter Aimee Mayo. Rossi Morreale hosts the show and the winners will get a deal with Sony BMG Nashville. FremantleMedia North America chief creative officer Eugene Young says that while the network was looking for another “American Idol,” he convinced it that it needed a show with “a completely different twist.” He found it within his own company, which had launched a version of “Can You Duet” in Denmark.

“Duets have a long and storied history in country music, and Fremantle created ‘American Idol.’ ” CMT head of development Bob Kubist says. “If anyone could pull it off, they could.” The network is airing 11 one-hour shows.

While some contestants arrived at auditions as a duo, others came solo and found a partner in line. Further separating the show from the pack, judges have split partners and created new pairings.

Meanwhile, GAC senior VP of programming Sarah Trahern says having fans involved in the network’s “The Next GAC Star” is “vital. It was part of the decision-making process for us,” she says. “How do we involve the fans early in the process and at the end of the show?”

Unlike other shows, “GAC Star” allows hopefuls to submit videos via the Internet or record at various locations throughout the country that are visited by the network’s promotional bus—there aren’t any in-person auditions.

The show, which is a partnership with Music Nation, is democratic in nature. “Anyone can participate. There’s a lot of great country singers out there and the Internet opens a lot of doors,” Trahern says. “All they need is access to the Internet and a video camera to participate.” Viewers will vote on the channel’s Web site each week to pick a finalist and a panel of judges will do the same. Starting in June, the network will air a half-hour show dedicated to showing some of the submissions.

In September, the finalists will be flown to Nashville to participate in a two-part finale, with the winner decided by fan voting. “This gives them an opportunity to have a hand in the future of country music,” GAC president Ed Hardy says. “It’s another way to expand our ability to touch our country fans. Viewer engagement is everything.”

The winner will get a recording contract with an as-yet-unspecified label and a GAC-produced video that will air on the network.

Experts agree that the exposure produced by a weekly TV show, particularly one on which fans decide who wins, means finalists come with a built-in fan base. Sony BMG Nashville is home to Underwood, Pickler and Young, and the label group will also sign the winner of “Can You Duet.”

Chairman Joe Galante says reality shows provide “the opportunity to reach a large audience at one time. If you’re successful, you’re getting constant exposure for anywhere from eight to 14 weeks, so you’re in the public’s mind as opposed to just doing a TV show and walking off.”

Greg McCann, VP of marketing at Lyric Street, home to Gracie, Covington and Stacey, says research proves “Idol” viewers are also country radio listeners. “If we go to our radio partners and say, ‘This is Bucky Covington and your audience knows who he is,’ you immediately have an advantage,” he says.

While ratings and ad revenue are the ultimate goal for any TV program, those involved agree that having a winner and/or finalists that go on to successfull careers is a plus. “My job is to produce an incredibly compelling show that gets great ratings for NBC,” Owens says. “If we’ve done our jobs right, the person who wins will have a bona fide chance to become a legitimate music star.”

When partnering with a show, Galante says his label hopes the winner is “exactly what you’d want to sign. I know in the case of Chris Young, if he had walked through this door and he had said that way, we would have signed him.” Young won “Nashville Star” in 2006 when Sony BMG Nashville was that show’s label partner.

Lyric Street senior VP of A&R Doug Howard agrees. “It’s a brave new world, but it’s still about being exposed to talented singers.”

Meanwhile, Anastasia Brown, a former “Nashville Star” judge, has written “Make Me a Star,” about how to be successful in the music business, including strategies for competing on reality shows. Former “Idol” contestants Bo Bice and Kelly Clarkson are among the artists who contribute to the book.

Brown says reality shows are just “one path down the A&R road. There are so many different ways to get your music heard. [But] if you’re an introverted singer/songwriter like Bob Dylan, it’s probably not the way you want to go.”

One thing that the shows are here to stay. “You’ve got to remember that for people in the 20s and 30s, reality TV shows are as much of their life as Carol Burnett was for me,” Kubist says. “They don’t know a world without reality TV.”

THE TALENT SEEKERS

While they’re not reality shows per se, two Nashville country stars are sponsoring talent contests that they hope will help to discover new talent.

Kenny Chesney is looking locally to find opening acts for his Poets & Pirates 2008 Tour. Dubbed the “Big Star Competition” and named for his 2003 hit “Big Star,” the contest seeks out a deserving local band to open Chesney’s show when it comes to its hometown. One grand-prize winner will be given a tour bus for the final weekend of the tour and open shows in St. Louis, Indianapolis and Tulsa, Okla. That act will also receive $25,000 and the opportunity to audition for Sony BMG Nashville executives.

Stadium shows will feature a battle of the bands the night before the concert. Arena and auditorium concerts will have similar battles a couple of weeks earlier at a local club.

Meanwhile, John Rich is hosting a monthly, “Get Rich” talent search at Nashville club 12th & Porter. In addition to reviewing submissions, Rich and associate Charlie Pennichio scour the Internet and other sources to find deserving talent. Each month, 10 acts perform in front of an industry panel of judges. “Anytime I see an artist out there struggling and I can do something to help them, why wouldn’t I do that?” Rich says. “The bigger our business gets, the better it is for everybody, I take personal satisfaction in knowing that I had a hand in helping other people’s careers.”

On a recent April night, the panel of judges included representatives from Warner Bros., Sony BMG Nashville, ASCAP, the Country Music Assn. and Billboard. Rich put together the show using his own money, and while the winner takes home $300 and a slot on the next month’s show, it’s also about exposure. “It dawned on me that there’s nowhere in this town that the guy that’s parking cars at Loews’ Vanderbilt Hotel can get up onstage and do two songs in front of people that can change his life.”

“It’s a real simple concept. I don’t know why somebody hasn’t done this before,” Rich adds. “I fully intend to see somebody launched out of this thing.”

—KT

Nashville Star (with, from left, host BILLY RAY CYRUS and judges JEWEL, JOHN RICH and JEFFREY STEELE) and “Can You Duet” (top) will bolster Nashville’s reality show presence this summer.
While country superstar Kenny Chesney won his fourth straight entertainer of the year honor May 18 at the 43rd annual Academy of Country Music Awards, tying Garth Brooks' record in the category, he's not happy with a new voting procedure that the ACM put in place this year.

Fans have voted for the video of the year in the past, but 2008 was the first time that the entertainer award was voted for by fans. "This one is really extra special because long before I had a hit record, the fans came to the shows," Chesney said onstage. "I'm honored to be up here for the fourth year in a row."

Despite his win, Chesney made clear backstagge that he thinks the ACM made a mistake by making the award a fan decision. Calling the process a "sweeps," he said, "I think it's complete disrespect of the artist, what they've lowered us to to get entertainer of the year.

It really diminishes the integrity of the music we're making and the work that goes into it. That's what really matters, that's what entertainer of the year really is. It's not about flying somebody to see some shows or giving songs away."

During the week leading up to the show, Rascal Flatts' label, Lyric Street, offered a free exclusive MP3 download to fans who would go to the ACM Web site and vote. The offer was pulled a day later.

"This isn't anything against the act that had put out that MP3 offer, because I love them boys," Chesney said, when asked about the Flatts campaign. "And they deserve to be up here, no doubt about it, but this is an example of how they've made us conduct ourselves to stand up here."

"I do think the fans should be a part of this awards show," Chesney said, "but not the one award every artist sacrifices to achieve."

Rascal Flatts' Gary LeVox had a different take on fan voting. "It's about time," he said backstagge. "They're the reason all of us have jobs. Hopefully, it continues."

The band took top group honors and was named humanitarian of the year. Brad Paisley, who was also up for the entertainer award and took home video of the year and male vocalist honors, said he was OK with the change. "It's really fun to see them participate in this,"

At the 2008 Academy of Country Music Awards, KENNY CHESNEY scored entertainer of the year, while SUGARLAND won song and record for 'Stay.'

he said backstagge. "My only thing is that it should be fair. I'll take whatever the academy throws at us."

ACM executive director Bob Romeo says he assured Chesney that the ACM wasn't trying to demean the award. "We're just trying to empower the people that every day vote for you. Every day that goes by people are taking their money and buying CDs and concert tickets. That's voting."

The ACM board "definitely had two different opinions," Romeo says, noting that some were for a new, separate fan-voted award while others supported the idea of letting fans vote for the entertainer prize. "The board said, 'Let's take the slot and open it to the fans,'" he says. "It was a lengthy discussion."

Romeo adds that while the award was voted on by fans, the finalists were picked by ACM members. "They got it down to what we the industry said are the five people that are the best of the best. It's no different than the Democratic Convention—at some point they're going to put forth a candidate. At that point it goes to the vote of the people."

It's hard to argue with the choice of Chesney. He had the top country tour of 2007, grossing more than $71 million from 55 shows, according to Billboard Boxscore. In 2008 he has grossed $11 million on eight shows in front of more than 150,000 fans. His album "Just Who I Am: Poets & Pirates," released last September, has sold 1.2 million copies, according to Nielsen SoundScan.

COUNTRY
BY KEN TUCKER

FANNING THE FLAMES
Chesney Decrees Public Voting For Major ACM Award

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Pampers Campaign Shows Pitfalls Of Song Placement

It seemed like the perfect placement. On April 7 actress Salma Hayek appeared on "The Oprah Winfrey Show" to discuss a partnership between Pampers and UNICEF to give tetanus vaccinations to women in Third World countries.

During the show, the duo paused to watch an ad detailing the partnership. As Hayek narrates, the ad shows a woman pushing a child in a stroller while walking through a metropolitan city as mothers and their children from Third World countries look appreciatively at her purchase of the specially marked Pampers. Angelo McCluskey sings "Dream (Pampers/UNICEF)"—released a week later on iTunes—in the background.

Given that kind of attention—6 million watched Winfrey's show that week, according to Nielsen Media Research—it is surprising that "Dream" has sold significantly less than 1,000 copies, according to Nielsen SoundScan. Proceeds from the song (59 cents from each 99-cent purchase) are donated to the U.S. Fund for UNICEF. P&G spokesman Bryan McCleary says, "P&G did not respond to requests to discuss sales of the song."

While an appearance on "Oprah" should have generated sales for such an artist as McCluskey, it did not, and several factors likely contributed to that. One, the song was not available for sale until a full seven days after the show aired—an eternity to ask people to wait in today's on-demand society. Second, while the song and video are featured on P&G's pampers.com, the main focus of the Web site is on Hayek; the song and video are not nearly as prominent as she is. Third, there is no chyron identifying the artist and song in the spot.

Originally composed to fit the 60-second spot by Andy Grush for Yessian, a New York music house, the company suggested to ad agency Saatchi & Saatchi in New York and P&G that the song be extended to a full-length track. "It was such a lovely track, and because it was for charity, I suggested perhaps we could create a full-length song and take the proceeds and give them to UNICEF," Yessian executive producer Marlena Bartos says.

Both parties liked the idea, and Grush composed the rest of the music and lyrics in about two weeks.

Dragonlicks, the licensing division of Yessian, acted as a label in order to put it up on iTunes; P&G owns all the publishing and master rights, Bartos says. The video, as well as a link to iTunes, are on pampers.com.

McCluskey, a former vocalist for the Wild Colonials (DGC/Geffen Records) and Télégéomynus (Capitol/EMI), previously signed as a solo artist to Manhattan Records/Blue Note, the Scottish singer is currently negotiating a label home for her recently completed album "You Could Start a Fight in an Empty House." She continues to be published by EMI France.

McCluskey donated her services for the ad. She has been featured in ads for American Express, Campbell's Soup, Coca-Cola and Cotton, says her manager Valerie Wilson Morris, owner/president of Vannation Entertainment (previously known as Val's Artist Management). "She's got a voice that is very unique and compelling in nature and arresting," Morris says.

But the low sales for "Dream" aren't inhibiting P&G's push on the campaign. Several P&G executives went to Africa recently as part of an effort to shoot a documentary about the company's relief efforts. And P&G will continue to make a conscious effort to put more emphasis on using music as a branding element in its advertising.

"If you look at P&G advertising over the years, many times the winning ad has been about the rational side of the brand," McCleary says. "For example, the ad says, 'Bounty is the quicker picker-upper,' and then has a demo of how much it can hold. This whole other area of emotion, we've come to believe, is equally powerful. What Saatchi has found is that music can make the brand one consumers love and one they identify with."
Thank The Banks

Handleman Lives To Face An Uncertain Future

The Handleman Co. finally scored with its banks, getting the weight of a possible imminent technical default on its credit lines off its back.

Sure, the deal came with a cost—higher interest payments and a reduced line of credit—but in Retail Track's view, that size reduction is not a concern.

The credit line now stands at $163 million, down from the $250 million it had prior to its March bank negotiations. Of that amount, $113.4 million is supplied by Silver Point Finance while GE Capital supplies $50 million. Previously, Silver Point had provided $140 million and GE $110 million.

Prior to receiving a May 15 loan amendment that puts the company on sound footing, Handleman announced in March—while releasing second-quarter fiscal results for the period ending Jan. 31—that it was in violation of a loan covenant. At the end of January, it had drawn down $90 million from its credit line. But Silver Point's lending formula required $118 million in assets on hand to secure that amount, and the Troy, Mich.-based rackjobber had only $110 million in collateral. It received a waiver until May 31 to negotiate a 'cure' to the loan agreement, and during this period vendors were sweating whether the bank would grant Handleman an amendment to the loan or if it would pull the line.

Fortunately, it's the former. In its May 15 8-k filing with the Securities and Exchange Commission, Handleman said it had drawn down $63.3 million from its facility, while sources say it has about $5 million-$7 million in cash on hand. But since the amount that Handleman can actually tap depends on the loan's lending formula, and since the amount made available by that formula depends on collateral like inventory levels and account receivable totals, the nearly $100 million gap between what's drawn down and the maximum amount of the credit line is useless information.

So where availability stands under the credit line remains a concern. And unfortunately, in its filings with the SEC, Handleman didn't reveal that amount—because the amount changes daily, a spokesman says. In March, though, that didn't stop the company from providing availability data to Billboard. Now, for an updated figure, we will have to wait until the company files its fourth-quarter results. Until then, we have the company's word that it has plenty of liquidity.

A senior financial executive with one of the majors says that the bank deal alleviates his current concerns—at least for the short term. It's the long term that he's worried about—the company, he predicts, has no future. Yet, to Retail Track's view, it's clear that the company will be sold, either in pieces or whole. Already, it announced that it had hired investment banking firm W.Y. Campbell & Co. to explore a sale or other strategic options for its Grave videogame subsidiary, something that it is required to do as part of the amended loan agreement. Sources say Grave is having a pretty good year, so Handleman likely can get the $70 million it paid for this asset.

Handleman CEO Al Koch himself admits that the sale of the entire company is also a possibility, one that he is considering along with other options. In fact, sources suggest that the discussion to sell Handleman is already under way with fellow Wal-Mart rackjobber Anderson Merchandisers—a move that likely would make the giant discount happy.

Another large wholesaler, though, wonders why Anderson or anyone else would buy Handleman, since he believes the company's business can eventually be had without buying the company. But as I pointed out to that wholesaler, a Handleman acquisition right now likely would have little downside, due to the company's assets—$116 million in inventory, plus receivables exceeding payables by $30 million as of Jan. 31.

We'll see where those numbers stand next month, when Handleman announces its annual results. But with the current stock price at $1 (it keeps that up for 30 days, the company will get re-enlisted on the New York Stock Exchange) and 20.5 million shares outstanding, how expensive can the company be? Don't forget, unless it's Anderson, there's no guarantee that the buyer would retain Wal-Mart as a customer. So given that the current economy makes it a buyer's market and given Handleman's circumstances, most buyers likely would value the company based on the above assets, not the book value.

Even if a deal to one buyer doesn't happen, other wholesalers have privately admitted to Retail Track a desire to acquire specific assets of Handleman. If Anderson walks, the piece-meal approach likely gets a higher valuation. If the company's investment banker gives me a call, I can tell him which piece to shop to which wholesaler—and I won't even take any vig for the info.

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UPFRONT
Challenging
The Copyright
Royalty Judges
A Lawyer Argues CRJs’ Appointment Unconstitutional

Many lawyers laughed when Royalty Logic, a royalty administration company, filed a motion recently challenging, as unconstitutional, the appointment of the three Copyright Royalty Judges to the U.S. Copyright Royalty Board (CRB). Litigators appealing adverse decisions often raise theories that would throw out the baby with the bath water—like arguing that the judges shouldn’t be there in the first place—and they rarely succeed. But after I stopped laughing and listened to the arguments, I felt a perfect storm brewing.

Royalty Logic wants to compete with SoundExchange as an authorized agent to administer royalties for noninteractive streaming of sound recordings. During the webcaster rate proceeding last year, the judges refused the company’s request. Among other things, the judges wrote that the company was for-profit rather than nonprofit, and it didn’t have sufficient label and artist members. Royalty Logic wants an appellate court to find the entire CRJ setup unconstitutional.

The company’s attorney, Ken Freundlich with Schleimer & Freundlich in Beverly Hills, Calif., argues that the appointment of three judges appointed to the CRB, which sets royalty rates for all compulsory licenses under federal copyright law, is unconstitutional: the law creating the CRB improperly gives the Librarian of Congress the authority to appoint the judges. Under the Appointments Clause of the U.S. Constitution, he argues, the Librarian of Congress doesn’t have the authority to appoint judges.

The idea for this argument, Freundlich says, came from a recent New York Times article written about a law professor who raised the question in connection with judges serving on the Board of Patent Appeals and Interferences.

While this could be a very strong legal argument, two questions immediately came to mind: What does the company hope to gain by essentially arguing that all of the CRB decisions should be null and void? And what would happen to the digital music industry if a court agreed with that argument? He could answer the first question, but he had to think about the second. And therein lies the rub.

WHEN LAWYERS COLLIDE

My personal view is that there are three categories of lawyers whose activities are diametrically opposed in a business environment: litigators, business lawyers and law professors. When their all come together in one business situation, it can be a mess.

Currently, litigators are involved in CRB proceedings over webcaster rates for noninteractive performances (e.g., streams) of sound recordings, cable and satellite rates for those same uses and publishing rates for reproducing compositions in physical goods (i.e., mechanical rates for CDs) and via digital deliveries (downloads, ringtones and others).

As advocates, the litigators want their clients to win and will often appeal unsatisfactory decisions, no matter how long it takes.

Business lawyers, on the other hand, either couldn’t or wouldn’t convince their clients to agree on rates. So the parties are going through the rate-setting process rather than offering settlements for the judges to adopt. Then there are law professors. They are often Monday-morning quarterbacks with little or no experience in applying the law to actual business situations. Those who are truly experts in their fields play an important role in shaping, and helping everyone adhere to, democratic principles. But they can sure throw a wrench into business operations.

THE LAW

George Washington University School of Law professor John Duffy, as the New York Times reported, wrote an article called ‘Are Administrative Patent Law Judges Unconstitutional?’ In his article, he argues, very effectively, that the answer to his question is “yes.” The same argument may also apply to Trademark Trial and Appeals Board judges as well as the CRJs.

The Appointments Clause (article 2, section 2, clause 1) provides that the president, with the advice and consent of the Senate, shall appoint ‘officers’ of the United States whose appointments are established by law. However, there may be “inferior officers” of the government when Congress passes a law creating their offices. Inferior officers may be appointed by the president alone, by courts of law or by the heads of departments.

U.S. Supreme Court decisions have interpreted this clause in the past. As Duffy points out, an inferior officer is a person in the government who exercises significant authority and is not merely an employee. For example, special trial judges of the tax court were found to be inferior officers, rather than employees, even though they often acted only as an aid to the tax court judge who was responsible for deciding cases.

According to case law, Duffy wrote, a “head of department” would mean one who heads an executive division, like a cabinet-level department, or at least heads of agencies immediately below the president in the structure of the executive branch.

Patents fall under the Department of Commerce, which is an executive agency immediately below the president. The Secretary of Commerce heads that department and, until 2000, appointed patent law judges. Since then, the director of the Patent and Trademark Office, who is subordinate to the commerce secretary, has appointed the judges. Duffy argues that an appointment of judges since 2000 were unconstitutional, and any cases they decided are likely null and void.

The CRB does not fall under any executive agency. It was created in 2003 as part of the Library of Congress, which includes the Copyright Office. The Library of Congress is part of the legislative branch. Its head, the Librarian of Congress, appoints the three CRJs.

Under case law cited by Duffy, it would appear that the CRJs are “inferior officers.” But it is unclear who could appoint them under current interpretations of the Appointments Clause since the CRB isn’t governed by an executive agency.

WHY OBJECT?

Simply arguing that a law is unconstitutional—or that an appointment of the CRJs was unconstitutional—will not change the status quo. Although the law is not entirely clear, it’s likely that only a party that has been “injured” by a decision and that is directly subject to the authority of the agency may challenge the structure of that agency, such as the CRB.

Aside from the law, however, who would want to challenge their appointment? Probably very few companies. After all, the law creating the CRB was hammered out by groups representing copyright holders and those who use music under compulsory licenses. They wanted permanent judges, rather than part-time arbitrators, to set royalty rates for compulsory licenses.

In the CRB proceedings held so far, most of the parties have been either copyright holders or companies who license music. Even though some parties may be disappointed in one result, it’s unlikely they would want all the CRB decisions thrown out. They may have a good result in another proceeding.

For example, some digital services that offer wireless downloads believe rates set were too high, and they are appealing that decision. But many of the same services may ultimately be satisfied with rates for downloads of recorded compositions.

Royalty Logic, however, is not arguing over rates. It’s in a unique position to raise this argument. The CRB already denied its request to compete with SoundExchange, so it has little to lose directly if all the CRB decisions were set aside.

Still, Freundlich says the company is interested in right holders and the bigger picture.

“Obviously we don’t want to do something that is going to imperil the industry,” he says. “But the alternative [with only SoundExchange] is a monopoly, and that’s intolerable. To allow the system to be set up in a forum with one collective is not good for the artist community.”

THE STORM

Regardless of the outcome, there is now a shadow of uncertainty hanging over all CRB proceedings that will not be resolved for years. If the appellate court refuses to hear Royalty Logic’s recently filed argument because it wasn’t filed in a timely manner, there will likely be some other party, some other time, who will raise the question. And it won’t be fully resolved unless, or until, the U.S. Supreme Court ultimately hears it or refuses to hear an appellate court decision. So perhaps now is the best time to get the party started.

If appointment of the judges were found to be unconstitutional, it could wipe out all CRB decisions. This would leave intact the laws that permit users to license compositions and sound recordings under certain compulsory licenses (i.e., without obtaining specific permission from copyright holders), but only if they pay the statutory royalty rates—rates, if set by the CRB, that would no longer exist.

To correct any error by legislation will take time, perhaps months or years. Then to reset rates through additional two-year proceedings will also take years and many more millions of dollars. SoundExchange, record labels, publishers, cable and satellite companies and digital services won’t reveal what they’ve spent so far in the rate proceedings. But attorneys not directly involved in the proceedings estimate legal fees in the millions of dollars.

Meanwhile, uncertainty in rates has been one important reason that digital music services have yet to flourish to their full potential.

What’s the solution? Well, compulsory rates can be negotiated. And right about now, hammering out settlements in rate disputes among music and digital services sounds really good. Then, even if CRB decisions are set aside, the parties would still have their agreed rates to keep doing business. At least until the next professor is pondering other parts of the Constitution.

—KEN FREUNDLICH, SCHLEIMER & FREUNDLICH
articles jokingly suggested that wines should start packaging their bottles with CDs, they neglected to take notice of a fine wine and music pairing that already exists.

Kedar Massenburg wanted nothing more than a nice glass of wine after watching one his artists, a soul singer named Algebra, bring down the house at NARM. Luckily for the former Motown exec and current president of Kedar Entertainment, he didn’t have to look far for a good bottle to uncork; addition to heading up a label and management company, Massenburg also has his own line of wines, K’Orus.

While hardly the first record exec to try his hand at building another brands, Massenburg may be the first to try to uncork the wine business.

“My No. 1 rule is diversification,” Massenburg says. “While I left Motown, I started to look for openings and to find spaces that others were neglecting. Not a lot of other labels were releasing neo-soul albums, so I decided to focus on that musically. And while there are thousands of wine brands, there wasn’t one that focused on the African-American community.”

Massenburg first learned about the wine business while at Motown, but the opportunities in the space didn’t become clear to him until he attended a wine convention and was confronted with a sea of white faces. “People were walking past me and whispering about what I might be doing there,” he says. “Then I remembered a statistic about 10% of wine consumers being African-American, and I knew there was an opening in the market.”

Pursuing that opening has paid off for Massenburg. “I’d say my time is split between music and the wine business, but in terms of revenue, the wine is bringing in more right now,” he says. “I am expecting that to change when we release two more albums in the fall.”

While Massenburg is clearly passionate about wine, music remains a vital interest and part of his business. Under the Kedar Entertainment umbrella, he has recording, management, publishing and lifestyle branding arms. According to Massenburg, this gives him the flexibility to sign different artists to individualized deals.

“With Algebra and Chico DeBarge, I have the standard recording deal, but I have a 360-deal with (R&B singer) Joe,” he says. “Algebra’s record is out right now, and Joe and Chico both have records coming out in September.”

“After all the time I spent at Motown, it really drove home the point that major labels are like tractor-trailers,” Massenburg says. “While they can carry a lot of product, they can’t make a quick U-turn if they need to. Whereas indie’s have smaller product lines but much more agility and a much lower overhead.”

Massenburg’s wine business, like his music business, relies on grass-roots marketing. And they have other things in common as well. “Soul music and wine tend to have similar audiences,” he says. “I can target my outreach for both products to a particular demographic.”

Nonetheless, “the two businesses are fairly discrete ventures,” he says. “I’m not going to do any sort of crazy cross-promotion with the wine and the records.”

Not all of Massenburg’s ventures have made him as happy with his wine and music offerings. “I tried to do a shoe line with Jacob & Co., and I was initially very excited about that,” he says. “But then Jacob got in some trouble (owner Jacob Arbo pled guilty to falsifying records and giving false statements to investigators in October 2007), and that was that. But we did sell 10,000 pairs of shoes before the deal ended.”

While the shoe venture didn’t pan out, Massenburg is happy with the returns the wine business has given him. “The thing about wine is that it makes money while you sleep,” he says. “I was looking at some sales figures, and saw that we sold a thousand cases of wine. Each bottle is $12.99, the same price as a CD. But a CD is a one-time purchase, whereas people tend to buy the same bottle of wine over and over.”
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Matching The Market
Bama Jam Aligns Its Lineup With Its Location

In a well-conceived matchup of market and programming, Alabama real estate developer Ronnie Gilley will roll out the first Bama Jam festival June 5-7 in Enterprise, Ala.

On the bill are such Southern-fried acts as Lynndy Skynryd, Hank Williams Jr., ZZ Top, Alabama’s Randy Owen, and the Zac Brown Band. But the festival’s broader palette includes Little Big Town, Ricky Skaggs, Old Crow Medicine Show, Yonder Mountain String Band, the Del McCoury Band, Cherryholmes, Nanci Griffith, the Duhks, Miranda Lambert and Keller Williams, and demonstrates a focus on musicianship and onstage chops.

Gilley says he “sort of bucked into” the music business about a decade ago. “We built relationships, utilized them with real estate projects in the Southeast and saw some enormous success,” he says.

Those relationships led to the Country Crossings project in Houston County, Ala., which Gilley describes as “a massive entertainment community extravaganza, a commercial mixed-used village, with a multitude of entertainment venues, an amphitheater, fairgrounds and, of course, a retirement/residential component attached to it.

Of course, Gilley says that when all the vertical construction is complete, Country Crossings will be a $1.7 billion development, with phase one targeted at $150 million.

Bama Jam’s 600-acre site in neighboring Coffee County boasts three stages, including an alternative stage (Yonder, Griffith, Keller Williams, etc.), a bluegrass stage (McCoury, Cherryholmes, Skaggs) and a country stage (Little Big Town, Tracy Lawrence, Owens, etc.). Gilley says the site has three natural amphitheaters and a capacity anywhere from 150,000 to 200,000.

Southeast Alabama is a “country music fan paradise,” Gilley continues. “And if you look at a 300-mile radius of this location, we’re pulling from right at 27 million people.”

Former Nashville music manager Ted Hacker (Darryl Worley, Mark Wills) is overseeing production and talent buying on site in Enterprise. The overall budget of Bama Jam, including talent, is in the $3 million range, according to Gilley. He says ticket sales started off sluggish, but have “skyrocketed” in the last few weeks.

“They’re flying out of here now,” Gilley says. “Ticket sales are increasing daily. We’re in excess of 10,000 tickets right now a month out, and I think that’s pretty incredible for a first-time event. I’ll be happy for a first-time event. I’ll be happy for a first-time event. I’ll be happy for a first-time event. I’ll be happy for a first-time event. I’ll be happy for a first-time event.”

RANDBOWS? The fallout from Radiohead’s rain-drenched May 11 sellout at Nissan Pavilion in Bristow, Va., and the Internet-driven firestorm that followed (billboard.biz, May 15) is a case study of how local word-of-mouth quickly becomes rational in the digital age.

The Washington, D.C., market was faced with monsoon-like conditions around the show, with an estimated four inches of rain and flooding forcing road closures and muddening traffic conditions. Apparently a significant number of fans—hundreds or thousands, depending on who you’re estimating—were extremely late or unable to get into the show for a variety of reasons.

Bad concert experiences used to evaporate with the rain in a couple of days, but in today’s blogsphere, neither the venue, the promoter nor the band are spared the wrath of fans. One area blogger offered this headline: “Radiohead @ Nissan: You Both Suck.”

Radiohead’s Web site acknowledged its disappointment that fans weren’t happy, but pretty much passed the buck to promoter and Nissan Pavilion owner/operator Live Nation, which offered fans who were turned away tickets to an Aug. 12 show at the Susquehanna Bank Center in Camden, N.J. (near Philadelphia) or tickets to a show of their choice at Nissan Pavilion (subject to availability).

“When we no control over Mother Nature, we certainly are disappointed that some fans did not make it to the venue,” says Live Nation spokesperson John Vlautin, who added that Live Nation takes customer service “very seriously.” Vlautin says that more than 90% of customer complaints have been resolved to customer satisfaction.

Through this, Nissan Pavilion has taken a beating. One online petition with more than 350 signers calls for another Radiohead show in the market, with such comments as, “I would absolutely want to attend another D.C./Baltimore show— as long as it’s not at Nissan!” That was one of the kinder messages.

Adding fuel to the fire is Radiohead’s self-stated intention of making its summer tour as environmentally friendly as possible. Fans are calling the band on this, with one poster creatively stating, “If you gave even one tiny lama turturd about environmental impact, you would never have scheduled a show at a venue 40 miles away from downtown D.C., nowhere near public transportation of any kind.”

To my knowledge, this is the first time I’ve ever used “luma turd” in a column.
Under The Radar

Latin Digital Sales Take Baby Steps Forward

Digital distribution is thought to level the playing field between major-label and independent artists in terms of selling music on a massive scale. But with Latin music's relatively tiny digital sales, one has to look pretty deep to see how things are changing.

Among the top 10 Latin digital albums of 2007, according to Nielsen SoundScan, only two—Manu Chao’s “La Radiolina” and Hector Lavoe’s “Oripiés”—are on indies. The rest, including Juanes’ No. 1 digital “La Vida . . . Es Un Ratico,” are on majors.

So far in 2008, Latin digital albums are up 26.5% from where they were at this time last year. But in digital as in physical, sales require a professional push. “Anybody can get their music up, but that’s half the battle,” says Erol Cichowski, content manager for Latin/South America at the Independent Online Distribution Alliance. The company negotiates rates and positioning for about 35 Latin labels via more than 80 partners worldwide (including Sprint’s over-the-air download service). IODA’s PromoNet allows bloggers, podcasters and social networks to put up authorized tracks and images for free, in exchange for putting up a click-through option to purchase music from the IODA client.

Many digital sellers “are concentrating on the larger names, so you’ve got lots of Ricky Martin placements or Shakira or things like that,” Cichowski says. “It’s our job to educate them.”

Sales history (though there isn’t a specific benchmark) and production quality may make a difference in securing IODA distribution, Cichowski says. But another crucial factor is “seeing how much they are ready to invest in this, or if they are kind of hoping, like a lot of people are hoping, [that] digital is going to be the savior of your business. That doesn’t need to be a monetary investment, but simply an investment like, ‘Are you going to be able to supply us with marketing materials?’”

Like other digital distributors, IODA is betting Latin digital’s more immediate future on ringtones and mobile track downloads. Single “Mi Corazoncito” has sold 263,000 combined masterstones, music video ringtones and mono- and polyphonic ringtones, according to Nielsen RingScan. IODA had the song featured in a Verizon radio commercial that ran in the western United States last year, which also brought in publishing fees and public performance money, Premium Latin director of business affairs Marti Cuevas says.

Better still, Cuevas says, IODA’s commission for distribution is 15%, compared with “at least 50%” for a major.

—Ayala Ben-Yehuda

Glass Half Full

It’s Not All Bad News In The Business Of Latin Music

Salsa star Victor Manuelle was galvanized into doing things on his own largely because of a single phrase. “You must have heard it a million, 500 times this past year,” he says. “The industry is in bad shape.” I got fed up listening to that.”

Manuelle is not alone. For the past couple of years, the common theme among everyone in the music industry—not just the Latin realm—is a repeating litany of woe: Record sales are down. Piracy is rampant. Kids aren’t buying music.

All that is true. But increasingly, industry mavens are criticizing the negativity that has permeated the Latin music scene and instead have proactively taken the stance that this is a time of opportunity.

“People are talking about a crisis, elections and immigration, but we’re preparing for whatever may come,” says Martin Fabian, founder of regional Mexican promotion/management company Nueva Generación Music Group. “We’ve seen a decline in sales and show attendance of between 30% and 40%. But that means we need to look for different strategies [see story, right]. And we need to concentrate on good songs.

This is the reality of the Latin music market. Sales are down. Precipitously. According to Nielsen SoundScan, for the week ending March 25, sales of Latin music stood at 6 million, a 16.5% drop from the 7.6 million reported for the same period in 2007.

According to the RIAA’s flash figures (which are estimates and aren’t audited), shipments of Latin music, after returns, have fallen by more than 50% for the first three months of the year.

Even taking into account returns after the holidays plus the acquisition of Unvision Music Group by Universal—which leaves product in flux—it is a dramatic downturn.

But, many say, lost sales revenue—and the possibility of losing even more—should not obliterate the opportunities at hand. Just last week, for example, Vicente Fernández broke attendance records at San Francisco’s Cow Palace and Teatro de launders for as much as $175, that is no small feat.

In the publishing realm, while nothing makes up entirely for lost sales, performance and sync revenue have risen greatly. Sony/ATV Music Publishing Latin America VP Jorge Mejía says. And digital is poised to take off in the United States and Latin America.

There are even bright spots in the sales realm, particularly for those who do not see business as usual.

“We are making music. We are selling albums,” Wisin & Yandel manager Edgar Andino says. The duo’s new album, “Los Extraterrestres,” has sold 243,000 copies since its release last November, according to Nielsen SoundScan. “If you start to think, ‘Music is doing badly, badly, badly, well, that’s what is going to happen,’” he adds. “For us, things couldn’t be better.”

Wisin & Yandel’s immediate plans include a deluxe edition of “Los Extraterrestres,” due May 27; a current arena tour; and a new video with Enrique Iglesias. The duo continues to promote relentlessly and recently garnered an interview with radio personality El Piolín, who is most commonly associated with the regional Mexican market.

“This is not cookie cutter anymore,” Andino says. “We treat each of our records as if we were coming out for the very first time.”

“I see many lights at the end of the tunnel,” Mejía adds. “I really think we’re privileged to live at a time where the industry is being transformed so completely. At the end of the day, we’ll figure it out.”

For 24/7 Latin music news and analysis, see billboard.biz/latin.
A Taste Of Finns To Come

Helsinki Acts Wow Berlin

BERLIN—Music Export Finland (Musex) plans to make the Helsinki in Berlin festival an annual event after the success of its inaugural edition.

More than 50 Finnish musicians staged 18 concerts in the capital April 19-30, at venues ranging from the 2,500-capacity West Germany Club to the 1,000-capacity Kesselhaus. More than 5,000 fans attended in total, with four shows completely sold out—figures that promoter Martin Rabitz of Berlin-based promoter/booking agent Trinity Concerts, which handled electronica artist Jimi Tenor’s sold-out show at the Kesselhaus, says compare favorably to shows by domestic acts of a similar stature.

“Even the more unknown artists got a great crowd response,” Rabitz says.

“We’re definitely looking into making the event annual,” Musex director Ville Kilpeläinen says. “It made Finnish music better-known in Germany and helped to boost exports to that market in the future.”

Germany is already the biggest single international market for Finnish music, according to Musex, which says Germany, Switzerland and Austria account for around 26% of export sales by value. Musex declined to break out unit sales, but Finnish rock bands including HIM, Nightwish, the Rasmus and Apocalyptica have all enjoyed six-figure album sales in Germany in recent years.

Although retail reports no significant sales impact from Helsinki in Berlin, organizers say the event captured the imagination of local media, with special broadcasts on rock stations Radio Eins, Radio Fritz, Star FM and Motor FM, and coverage on regional TV and in such daily newspapers as Berliner Zeitung and Der Tagesspiegel. MySpace and other Internet sites also carried promotions.

“The work was worth it,” says Dirk Schade, manager of Berlin-based music fair Popkomm, which helped organize the event and will stage further Finnish showcases and presentations at its 2008 edition. “The Finns played themselves into the awareness of the Berlin people.”

Finnish execs who traveled to the event also left impressed. Helsinki-based indie Fullsteam Records CEO Juha Kyyrö says the label used its showcase at the 800-capacity Columbia Club in punk rock act Disco Ensemble to promote its May album release “Magic Recoveries,” along with radio and club promotion and an advertising campaign.

Helsinki-based artist management company Hype Productions CEO Tommi Limutatinen says his rock act Negative is negotiating with several labels for a German release after its Columbia Club sellout. Kilpeläinen claims many such deals are in the pipeline, but says it will take several weeks before details emerge.

Musex is one of Europe’s most proactive music export offices, organizing around 10 export projects per year. The next, Finland Fest, takes place May 26-31 in Tokyo and will include showcases and meetings between Finnish and Japanese music companies. Acts scheduled to appear include Negative, Disco Ensemble and rockers Loves and Sturm und Drang.

Meanwhile, German execs remain convinced that Finnish music will continue to receive a warm welcome in their country.

“Given the long and dark winters, the Finns have far more time to devote to music,” says Beuchum-based Wolfgang Funk, managing director of Sony BMG-owned Gun Records, home to Loves and Sturm und Drang. Finnish acts, he says, “will do everything to discover the big wide world.”
ITALIAN INVASION

Acts From Italy Strategize For U.K. Success

MILAN—Ronne’s Julius Caesar launched Italy’s first invasion of Britain in SS BC—and two millennia later, here comes another one.

After recording double-digit growth in 2007—compared with a fifth consecutive year of declining record sales—Italy’s live business is eyeing U.K. and European expansion.

Leading the way is Pordenone-based promoter/agency Virus Concerti, whose founder Attilio Perissinotti is setting up a London office.

Italian acts and agents “have become far pushier in seeking foreign gigs,” Perissinotti says. “In the 1980s, Italian acts’ main ambition would be to write a catchy song and perform it at the Sanremo Festival. But with the local [record] market in crisis, that game plan no longer works.”

While domestic artists other than the likes of Andrea Bocelli or Zucchero have yet to conquer Britain, there is a sizable British/Italian community to target. The 2001 census recorded 39,000 Italian-born residents in London alone—40% of the U.K. total. Another estimated 300,000 U.K. citizens are of direct Italian descent.

In Italy, concert promoters trade body Assomusica says annual ticket sales increased 15.6% to €143 million ($222 million) in 2007 despite prices staying stable. In contrast, labels body FIMI says music shipments’ trade value fell 17% to €210 million ($325 million).

But with Italy’s economy sliding toward recession, Perissinotti says sluggish early sales for some upcoming major music events mean that “a lot of promoters are quite worried about this summer.”

Such domestic uncertainty gives overseas success added attraction. “When a market shrinks, you either change your business model or you try new markets,” management company Metatron GM Pietro Camoncia says. Metatron clients playing U.K. shows lately include leading Italian pop/rock act Negramaro plus alternative rock acts Linea 77, the Hormonauts and Casino Royale. And Italian rock legend Vasco Rossi plans “a major European tour next year,” according to his label EMI Music Italy.

Fellow Italian rock giant Ligabue played a Virus-organized show February 27 at London’s 1,500-capacity Koko venue. That followed Virus’ two sold-out October 2007 showcases at North London’s 200-capacity Barfly, headlined by the Hormonauts and Casino Royale.

Such venues are far smaller than the those...
that Italian acts can play on home turf. Ligabue and Rossi are each headlining Milan’s 80,000-capacity San Siro soccer stadium this summer, as is Negramaro, which played a Virus show April 8 at 485-capacity venue Dingwalls.

The club’s promotions manager, David Messer says Perissinotti approached him following the Burly dates, setting up shows for two Warner Music Italy acts: singer/songwriter Vinicio Capossella (Feb. 21) and Negramaro. Both sold out—Warner Italy president/CEO Massimo Gullino says, “are looking at larger British venues for 2009.”

A third Dingwalls show (May 7) featured Mescal Records’ folk/rock outfit the Modern City Ramblers. For each date, Messer says, the audiences were “at least 70% Italian.”

With Capossella and Negramaro, he adds, “quiet a few people came over from Italy, obviously thinking they’d take a couple of days’ break in London and see them in a tiny venue.”

Messer says he hopes for an ongoing relationship with Virus, while Perissinotti adds that he intends taking Italian acts to Belgium, the Netherlands, Luxembourg and Germany this year.

While Italy’s live business considers its overseas potential, some words of caution are offered by promoter Claudio Trota, founder of Milan-based Barley Arts, which has organized overseas shows for Rossi and Eros Ramazzotti. More recently, Barley Arts toured English-language garage rock act the Styles (H2O/Sony BMG) in the Netherlands.

There’s now “undoubtedly more interest on the part of international audiences” in Italian acts, Trota says. “But to succeed abroad, you need to invest considerable resources and work closely with a local promoter who knows the territory.”

He adds, “Without developing that sort of relationship, you risk just playing to Italian expats.”

Additional reporting by Tom Ferguson in London.

“Tong’s inaugural International Music Summit, held May 28-30, is another breakthrough for the island, with panels and showcases aimed at reviving the dance music industry. The event is still focused on Ibiza’s role as an important hub for new music,” Tong says. “It has been for years, but has never really been recognized as such.”

Additional reporting by Lars Brandle in London.
Game Theory
Can Introducing New Music Through Videogames Boost Sales?

Games like "Rock Band" and "Guitar Hero III" have proved their ability to breathe new life into popular classic rock sales. But can they do the same for new music?

Last month, Motley Crue decided to find out. The band placed its new single, "Saints of Los Angeles," for sale as a downloadable track on "Rock Band" well in advance of the album's release date, which has now been pushed back to June 24. The only other place to obtain the track was iTunes.

According to data provided by the band's management, Tenth Street Entertainment, the track was downloaded more than 47,000 times via the Xbox 360 version of the game alone in the first week after it became available. ("Rock Band" publisher MTV Networks was unable to independently verify these figures, and total downloads that include the PlayStation 3 version of the game were not available.)

By comparison, the same track received slightly more than 10,000 downloads via digital services like iTunes and Amazon, according to Nielsen SoundScan.

That's a pretty big discrepancy considering that music bought via "Rock Band" can't be transferred to a portable music player or even a computer for late enjoyment, even if only be played via the game.

Tenth Street CEO Allen Kovac shrugs off the gap in sales between formats, pointing out that a sale is a sale.

In an age when piracy remains the primary method of music acquisition, reaching fans where they are willing to spend money is the primary goal.

"We do research on every artist we have, and we've researched that the people who bought Motley Crue music and tickets play "Rock Band" and videogames... so it was our inclination to go there," he says. "As marketers, it's our job to find the audience. If our audience tells us they're sitting at Xbox and PlayStation, that's our job to do that.

In slightly more than six months, the number of songs downloaded to the "Rock Band" game has surpassed 10 million tracks, according to MTV Networks, while song downloads from "Guitar Hero" passed 15 million, according to Activision. With more than 100 songs available for download via the "Rock Band" platform, that's an average of 100,000 downloads per song sold through the game.

That average, though, is somewhat skewed: Since new songs are added to the "Rock Band" store weekly, tracks available for sale since November have sold more than tracks just added last week. Still, it's an impressive figure.

By all accounts, catalog tracks sell best. Seven of the top 10 best-selling songs available on "Rock Band" are catalog titles; the other three are more recent, but still a few years old. Of all the songs available for download on "Rock Band," more than 75% are catalog tracks. The rest is primarily music released within the last year. Only a handful of songs are previously unreleased new music or music from unknown acts using the game to get noticed.

Yet Alex Rigopulos, CEO of "Rock Band" developer Harmonix, believes the game can do more to promote a new release from either an established or emerging act than months of touring or radio can.

"We have confidence that any effort we put into having the right expression to a marketing approach to any individual band will end up working for us," he says. "We can really engage with any label, any publisher and any manager and be flexible.

One such example is new metal act Black Tide. When its "Light From Above" album dropped Nov. 11, 2007, the single "Shockwave" sold only a few hundred copies per week, barely registering on Nielsen SoundScan. The week before being featured as a downloadable song on "Rock Band" on March 11, the single sold 1,000 downloads. Two weeks later, download sales doubled.

Yet sales on "Rock Band" were 10 times greater than those on iTunes and other stores. In the six weeks following the "Rock Band" debut, "Shockwave" sold 6,000 digital downloads via online retailers, compared with an estimated 60,000 downloads via the game.

And "Rock Band" isn't the only game hawking new music. Def Leppard chose to release its new single "Nine Lives" as part of a three-song bundle on "Guitar Hero III" on April 24, along with past hits "Photograph" and "Rock of Ages.

The "Guitar Hero III" download totals are unavailable, but first-week figures from SoundScan show that it sold about 7,000 downloads. The album it was meant to promote, "Songs From the Sparkle Lounge," did only 55,000 physical and digital units combined in its first week.

But Tenth Street's Kovac says "Rock Band" and "Guitar Hero" sales don't necessarily need to convert to album or digital download sales on a one-to-one basis to count as successful. Today's generation of music fans, he says, may only be interested in buying the game version of music, enabling an interactive experience that has been sorely lacking lately.

"The resurgence of rock has happened because of "Rock Band" and "Guitar Hero,"" he says. "And the reason is because of the interaction with the audience. The more music marketing people look at interaction with the audience. The more music marketing people look at interaction with the audience.

Says the images into the music video, the band also will donate $100 to the favorite charity of the person who submits the photo with the most votes.

HERO AWAY FROM 'HERO'
So addicted to "Guitar Hero" that you even need to jam out while away from your game console? Then get yer mitts on the Guitar Hero Air Rocker—a package of special guitar picks, belt buckle and wearable mini-amp that allows users to simulate their guitar godness sans an actual guitar.

Waving the pick in front of the belt buckle causes the amp to play the desired chord, synched to the songs stored in the amp. Players control the tempo by how fast they "strum." The set features such songs from the "Guitar Hero" game as "Iron Man," "Smoke on the Water" and "Ace of Spades," among 10 others. An expansion pack of new songs is coming this summer.

Developed by the same team behind the original Air Rocker, Guitar Hero Air Rocker is available at Target, Wal-Mart and other retailers for $30, batteries included.

MÖTLEY CRÜE'S new single has sold more than 47,000 copies via the Xbox 360 version of "Rock Band".

BITES & BRIEFIS
RINGS AROUND THE STARS
AT&T Mobility introduced its “Ringtone A-List” promotion, which details which ringtones various celebrities have chosen for their phone, with links for fans to buy the same.

Music acts participating include Panic at the Disco, Colbie Caillat, Sara Bareilles and OneRepublic. The Web site is a new page on the AT&T Mobility site. Each month, different stars of TV, film, music and sports will be featured.

DEMAND NOTES
Cablevision has added the MusicChoice On-Demand network to its stable of free on-demand video programming available to its digital cable subscribers. The MusicChoice service offers a catalog of licensed music videos, as well as a host of original programming such as "Artist of the Month."
Fran Nevrkla
The U.K. collecting society head battles for copyright extension and a U.S. performance right.

Under the tenacious leadership of Fran Nevrkla, Britain’s Phonographic Performance Ltd. seems to be going from a position of strength to one of power. The international performing rights body will unveil record-busting royalty collections well north of £100 million ($196 million) when it hosts its annual general meeting June 4 at the British Museum.

But PPL, now in its 74th year of existence, is no dinosaur. Czech-born Nevrkla continues to build a fitter, stronger, faster and smarter system for collecting revenue for its 47,000 performer members and 4,000-plus record company members. The organization now has reciprocal deals for record company broadcasting and public performance rights, and overseas collections are topping the £10 million ($19 million) mark; five years ago, there wasn’t a penny.

Nevrkla has also spearheaded a variety of broader campaigns, most notably the British industry’s ongoing battle to extend the term of copyright on sound recordings. And it would seem the exec now has the attention of Britain’s government. The country’s new culture secretary, Andy Burnham, will give a keynote address at the meeting, marking the first occasion the politician—now almost six months in the role—has held court with the wider U.K. industry.

What action would you like to see from Andy Burnham?
I would like the British government to pin their colors very firmly to the copyright extension issue. I find it utterly indefensible, morally objectionable and completely obscene. Utterly indefensible, morally demeaning, because it smells like being a servant. I have no issue with that. We are the servants to the rest of the industry and I’m proud of that.

How would you expect European artists and labels to benefit if U.S. law is changed so that terrestrial radio broadcasters are no longer exempt from paying royalties to play recordings?
All European and British performers would benefit in relatively immediate terms, depending on how much or how little British and European music is played on U.S. radio. PPL is heavily involved in the U.S. campaign on the basis that you fight with your brothers and cousins, and I hope conversely they will come to my aid when I need them. Our role in pay-for-play lobby group musicFIRST is a supportive one.

What is the most lucrative market right now?
We haven’t exploited all the opportunities. We still have to do some fine-tuning of all the various broadcast cable and satellite deals, but we are almost there. Public performance definitely is a huge upside, for which there is an awful lot more to be done. PPL should be in a position to eventually double the public performance revenues even from the current relatively high level. We hit about $50 million ($98 million) last year, and that could be $100 million ($196 million) in the next five or six years. Between PPL and [Video Performance Ltd.] in 2007, we collected just short of $130 million ($253 million), which is far and away the biggest income collected by any collecting society representing performers and/or record companies in the world. We are making every effort to “plug all the gaps” created by the fast-declining sales of music in physical formats.

What are some of your daily challenges?
We have to deal with a lot of genuine ignorance and lack of information—and outright hostility—in terms of people not wanting to pay for music. People cheat, lie through their teeth and deny using music.

In today’s environment, particularly the performers have relatively little else to sell other than firstly, their talent, and secondly, the products of that talent. When you get to old age, the arthritis sets in, the teeth go... my God, is that PPL income important? How can it be that, just as you enter old age and you can’t play any longer, [that] then it dries up in terms of the PPL rights? You get left high and dry, just as you could do with a little extra cash.

Are you battle-weary from the many campaigns you’ve led?
Battle-weary? Never. The more obstacles, the more silliness put in my way and the tougher it gets, the more determined I am to never give up. If anyone thinks they’ll tire me out and I’ll get fed up with it, oh, boy. Absolutely never.

When you get to old age, the arthritis sets in, the teeth go... my God, is that PPL income important?
Some say MY MORNING JACKET is the greatest live band in the world. With an ambitious new album and a retooled label behind it, can MMJ continue to build on its old-fashioned success?

by JONATHAN COHEN and RAY WADDELL
It's 4 a.m. on the last night of South by Southwest, and Jim James is belting out Rod Stewart's "You're in My Heart." A few hours earlier, the My Morning Jacket frontman dazzled an intimate crowd at an Austin church with a mostly solo acoustic set, and the full band's three other performances during the week were some of the most acclaimed of the industry confab.

But of all the places James could be right now, it's a cozy terrace suite at Austin's famed Driskill Hotel, surrounded by a few close friends, a bucket of Miller Lites and an iPod, singing and analyzing songs into the wee hours. As he says the following week, "Music is everything." That guiding principle has helped MMJ—James, "Two-Tone" Tommy (bass), Patrick Hallahan (drums), Bo Koster (keyboards) and Carl Broemel (guitar)—grow from humble roots in Louisville into the American rock band many feel is most likely to take it to the proverbial next level in the weeks and months to come.

Like so many bands that have managed to achieve staying power in a fickle environment, MMJ has developed its touring base and recording career on separate, parallel paths.

Still, "Both are important to us," James says. "We treat them both as equals."

It is true that the best-laid marketing plans are no substitute for enthusiastic word-of-mouth, and the buzz around MMJ is at a fever pitch, both internally and among fans. The reason? Beyond MMJ's ever-building reputation for epic live performances, there's tremendous excitement surrounding the band's fifth album, "Evil Urges," due June 10 via ATO.

In Austin, MMJ played more than half of the material on the new set, which the quartet conceptualized during an intense songwriting session last summer in Colorado and then recorded in Manhattan last winter with co-producer Joe Chiccarelli. A month later when the band played the Coachella festival in Indio, Calif., five of its 11 songs were off the new album, and another five were from its previous studio album, "Z."

And if 2008 is indeed a breakout year for MMJ, it won't be because the band has embarked on a calculated strategy to sacrifice art for commerce. "We've always felt that whatever commercial success was realized would be a residual appreciation for the music," band manager Mike Martinovich says. "It's never been the band's vision to chase opportunities; they'd run themselves ragged and fear losing touch with their original motivations. We'll leave the marketing plan to our friends at ATO and [PR firm] Giant Action."

Even with live performances that sell fans into orbit and critically acclaimed albums, MMJ has not yet achieved neither widespread arena-headlining status nor platinum success. But the band's camp and its many supporters in the music industry at large seem to cherish MMJ's dark horse status, believing that a band that takes a while to develop is building the solid foundation for a decades-long career.

And if MMJ seems to hang its hat on the concert stage, it never shortchanges studio time. "If you ask any artist today if they would rather sell millions of records or millions of tickets, they would choose to sell millions of tickets, and it seems MMJ is well on their way to that goal," says Scott Clay- ton, the band's agent at Creative Artists Agency. "Having said that, my feeling is that once the world hears 'Evil Urges,' it will be clear that this band is achieving great things artistically both in the studio and on the stage."

**LIVE IS THE THING**

The persistence of MMJ and its team is undeniable; they've kept their eye on the ball in an environment that often does not allow for development during the course of five albums. Throughout this process, the band's reputation has grown steadily.

"The press is now regularly tagging My Morning Jacket as the 'greatest live band,' "best band in the world," says Tommy. 

"That type of over-the-top hype is usually a concern for any artist, but after seeing these guys perform as many times as I have, I am very comfortable with their ability to live up to those labels."

As the group built its live performance legend, MMJ has shown time and again that it is more than comfortable on a wide range of concert stages, whether it's marathon performances at festivals like Bonnaroo or Lollapalooza, headlining theaters and ballrooms, or sharing bills with a diverse range of acts that includes Guided by Voices, Doves, Foo Fighters, Pearl Jam, Bob Dylan and John Prine.

"I wouldn't say there was a 'strategy' so much as the band is musically nimble and interested in playing with a variety of artists from different genres and generations," Martinovich says. "If there was any one overriding 'strategy' in the early going, it was to follow up a tour where the band opened for someone with a headline run to establish something of their own and not just hope that they were connecting with another audience."

Such a philosophy creates options and challenges for the band's agent. "Since January of 2002, Scott Clayton turned on a dime to work with the band and has had, until this year, an 'as long as it takes, no matter what' personal that has only helped keep things on the right track," Martinovich says. More than a few promoters could feel something happening with this band and many have bought in. The Austin and Dallas markets are good examples. Promoter Charles Attal of C3 Presents says prior to 2005, the band played Austin's Parish (425 capacity) and Dallas' Gypsy Tea Room (300 capacity). In 2005, it played Austin's La Zona Rosa (1,200 capacity) and almost sold out, and then played Dallas' Gypsy Ballroom (1,200 capacity) and went clean. By 2006, MMJ sold out Austin's Stub's Bar-B-Q (2,200 capacity), then played Gypsy Ballroom and nearly sold out two nights. On Aug. 24 the band will play Stub's again, and Attal predicts it will sell out during the on-sale weekend.

**DOLLARS & CENTS**

My Morning Jacket's top five Billboard Boxscores:

<table>
<thead>
<tr>
<th>Location</th>
<th>Date</th>
<th>Gross</th>
<th>Attendance</th>
<th>Tickets</th>
<th>Promoter</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>THE FILLMORE, SAN FRANCISCO</strong></td>
<td>Dec. 29-31, 2006</td>
<td>$730,920</td>
<td>3,819</td>
<td>$60, $27</td>
<td>Live Nation</td>
</tr>
<tr>
<td><strong>ROSELAND BALLROOM, NEW YORK</strong></td>
<td>Nov. 30, 2006</td>
<td>$90,796</td>
<td>3,422</td>
<td>$28</td>
<td>Live Nation</td>
</tr>
<tr>
<td><strong>WILTERN THEATRE, LOS ANGELES</strong></td>
<td>Jan. 6, 2007</td>
<td>$62,802</td>
<td>2,595</td>
<td>$27</td>
<td>Live Nation</td>
</tr>
<tr>
<td><strong>RIVIERA THEATRE, CHICAGO</strong></td>
<td>Nov. 24, 2006</td>
<td>$60,000</td>
<td>2,500</td>
<td>$24</td>
<td>Jam Productions</td>
</tr>
<tr>
<td><strong>9:30 CLUB, WASHINGTON, D.C.</strong></td>
<td>Nov. 27-28, 2006</td>
<td>$60,000</td>
<td>2,400</td>
<td>$25</td>
<td>J.M.P.</td>
</tr>
</tbody>
</table>

The run-up to "Evil Urges" has already included MY MORNING JACKET'S first 'Saturday Night Live' appearance on May 10.

www.americanradiohistory.com

Promoter: Jim James
Tickets: $25
Attendance: 2,400
Gross: $90,796

Promoter: Scott Clayton
In-venue: $25
Attendance: 2,500
Gross: $60,000

Promoter: C3 Presents
In-venue: $25
Attendance: 2,595
Gross: $62,802

Promoter: Jam Productions
In-venue: $25
Attendance: 2,500
Gross: $60,000

Promoter: J.M.P.
In-venue: $25
Attendance: 2,400
Gross: $60,000

Promoter: C3 Presents
In-venue: $25
Attendance: 2,595
Gross: $62,802

Promoter: Jam Productions
In-venue: $25
Attendance: 2,500
Gross: $60,000

Promoter: J.M.P.
In-venue: $25
Attendance: 2,400
Gross: $60,000

Promoter: C3 Presents
In-venue: $25
Attendance: 2,595
Gross: $62,802

Promoter: Jam Productions
In-venue: $25
Attendance: 2,500
Gross: $60,000

Promoter: J.M.P.
In-venue: $25
Attendance: 2,400
Gross: $60,000

Promoter: C3 Presents
In-venue: $25
Attendance: 2,595
Gross: $62,802

Promoter: Jam Productions
In-venue: $25
Attendance: 2,500
Gross: $60,000

Promoter: J.M.P.
“In the early days, we could really feel that concert promoters were passionate about the music the band played, and they took chances on having them play in larger venues than they could fill just to give the band an opportunity to play with better production,” Martinovich says. “I believe that led to a better experience for the band and ultimately for the fans.”

Martinovich notes that MMJ has never been a band that judged the quality of a show based on its draw but rather on how well the members felt they played (see Billboard Boxscore chart, page 26). That’s not always an easy philosophy to take for promoters seeking profits, but the investment has made MMJ a better band, Martinovich believes.

Atral agrees. “I’ve watched MMJ build a bigger ‘sound’ over the years, all the while maintaining their Southern roots and becoming what I believe is one of the top five rock bands in country,” he says.

MMJ isn’t adding any extra bells and whistles to its 2008 tour, which began May 22 in London and will run through New Year’s Eve. But it’s clear that demand is higher than ever. A June 20 show at New York’s Radio City Music Hall sold out in 22 minutes, and observers are expecting big numbers for an Aug. 21 gig at Red Rocks outside Denver, with support from the Black Keys.

“The greatest thing about live music is that it’s something you can’t replicate,” James says. “It’s something very communal, and I think society is lacking that. People are so alienated and trapped in their little cubicles with their computers and texting devices. When you go to a big concert and you’re in a room with a bunch of other humans, I think that’s really healthy.”

FIVE ALIVE
My Morning Jacket excels on the live stage, creating “you had to be there” moments with regularity. Below, a sampling of the finest MMJ concert craftsmanship.

‘ONE BIG HOLIDAY,’ ON ‘LATE NIGHT WITH CONAN O’BRIEN’
SEPT. 18, 2003
Find it: YouTube
The band’s late-night TV debut finds Jim James’ face completely obscured by his shoulder-length hair in the midst of headbanging. Conan O’Brien is visibly wowed as he thanks the band afterward, announcing, “Wow! I am buying that record!”

‘THE WAY THAT HE SINGS,’
SEPT. 19, 2004
Find it: various contexts.
“Austin City Limits Music Festival: 2004” (Rhino, 2005)
New members Carl Broemel and Bo Koster shine on this strident, major-key rocker, given new life from its studio version on 2003’s “It Still Moves.”

‘SIDEON,’
NOV. 11, 2005
Find it: My Morning Jacket, “Okonokoos” (ATO, 2005)
Captured in San Francisco for its first live album, MMJ kicks things into the stratosphere on this slow-building standout from its 2005 album “2.” Get the DVD for a wacky subplot involving ill-tempered forest creatures.

‘A QUICK ONE (WHILE HE’S AWAY)’ (WHO COVER WITH PEARL JAM’S EDDIE VEDDER),
SEPT. 19, 2006
Find it: Pearl Jam, “Immagine in Cornice” (Monkey-wrench, 2007)
Eddie Vedder took a major shine to MMJ when it supported Pearl Jam in 2006, and by the time the trek reached Torino, Italy, that fall, they were jamming out on this nine-minute chestnut from the Who’s early days.

‘CELEBRATION’ (KOOL & THE GANG COVER),
DEC. 31, 2006
Find it: Archive.org
MMJ includes its ’80s fest and slays this, complete with the horn lines, during a New Year’s Eve blowout in San Francisco. Just as tasty are runs through George Michael’s “Careless Whisper,” Prince’s “I Could Never Take the Place of Your Man” and Lionel Richie’s “All Night Long.”

—Jonathan Cohen

‘The greatest thing about live music is that it’s something you can’t replicate.’
—JIM JAMES, MY MORNING JACKET

ATO head of radio promotions Rick Brewer says the rollout for “Evil Urges” is the most significant of the band’s career, with a national press campaign including major music magazines (Spin, Rolling Stone), TV (“Late Night With Conan O’Brien” and “Saturday Night Live,” both before street date) and a “sizeable” online campaign.

The band got the ball rolling itself last month, when it made the new album’s title track available as a free MP3 download to its mailing list.

With a dearth of hit singles in the MMJ canon, Martinovich says non-commercial radio stations like KCRW Santa Monica, Calif.; KEXP Seattle; WFPK Louisville, Ky.; and WXPN Philadelphia have supported MMJ in a more long-term, album-oriented way. We hope to continue those relationships while giving ATO Records its greatest shot at exposing the band’s music to a broader audience via commercial outlets.

ATO is approaching commercial radio with a two-tiered plan: “I’m Amazed” for the triple A format and the eight-minute “Touch Me I’m Going to Scream Part 2” at modern rock. Brewer says the early response has been “stellar,” with the former jumping 27-24 this week on Radio Records’ Triple A tally and the latter inching closer to the band’s first appearance on Billboard’s Modern Rock chart, thanks to spins at 24 stations.

But Brewer admits that MMJ is still relatively new to commercial radio. “It’s crucial to continually educate programmers on their story,” he says. “Radio is constantly in need for potential career bands and we have one right under their noses.”

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www.americanradiohistory.com
THE GLOBAL VIEW

Martinovich says that one of the band’s biggest supporters at RCA, Steve Ralbovsky, introduced M&M’s music to Georll Travis at Rough Trade Records about three years ago. Later, ATO and Chrysalis Publishing reached out to Travis to see if he’d be interested in working with the band.

“With ATO’s blessing, we started a dialogue with Rough Trade and immediately knew that they had shared a common head space with ATO in terms of their passion for My Morning Jacket and long-term commitment to seeing things through,” Martinovich says.

Additionally, the band’s international booking agent. Mike Greek in Creative Artists Agency’s London office, is working to ensure M&M isn’t “sprinkling in place” when touring in Europe, Martinovich says. “It’s tough. The dollar is weak, touring is expensive, and the band has never really been a part of a larger ‘trend,’ which, in my opinion, is a good thing,” he adds. “But it does make it harder to connect when you’re from so far away.”

As in the United States, M&M will play a couple of festivals in Europe, then focus on headlining, with a return to Europe in the fall.

Meanwhile, Martinovich says the band has been working with Kenny MacPherson, Jamie Cerreta and Scott Crostol at Chrysalis Publishing since the release of “It Still Moves” in 2003 regarding opportunities for synch licenses. “These opportunities have been successful to varying degrees, but what’s most important is that Chrysalis’ passion for Jim James’ songwriting and My Morning Jacket’s music has always been the guiding force for what Chrysalis thinks is good for the music,” he says.

Asked if he and the band struggle with the perception of commercializing this music, Martinovich replies, “No opportunity goes unaddressed, but no one opportunity has been forced to the band, and for that we’re very grateful. The shared vision for this is that hopefully someday we will have an opportunity where both the publisher and the band deem [it] ideal and worthwhile.”

The band itself seems to have mixed feelings about its most “commercial” endeavor to date, the use of its song “Mahgeetha” in an Aspen Edge beer commercial in 2004. “We did [the commercial] and I’m kind of almost glad it happened, because it was a really cool learning experience,” James says. “We were able to use that money toward some positive things. We gave some of it to the Juvenile Diabetes Foundation.”

Today’s music business can present tough choices, James admits. “It’s a difficult thing, because I grew up coming from a school of music being used in commercials is an evil thing,” he says. “It’s really confusing time to be a musician, because it’s so hard to make your living and so hard to get your music out there. Sometimes you see music used in creative ways in advertising, and at least some kid out there watching TV is hearing a great song.”

And while constant touring has raised M&M’s profile in all segments of the business and increased awareness where it matters—with music fans—“opportunities like being on the cover of Spin magazine or performing on ‘Saturday Night Live’ have helped increase our visibility,” Martinovich says.

But these opportunities are also presenting demands on the band’s time and attention that were previously absent. “It’s weird, because on one hand, we feel lucky we’ve had so many opportunities to go out and do stuff,” James says.

“There was that period in [2004] after John [Quaid] and Danny [Cash] left the band when we were all going crazy and all melting down,” James says. “We’ve been through our periods, but we try to talk about it. Everybody’s got their significant others and their families. You really have to draw that line in the sand. We’ll do this for this month, but then we’ll take this month for us. You’ve got to make time for life. I mean, this is life too. We need more life juice to bring back to this thing.”

“Life juice” might have to wait a bit, as touring ramps up in earnest, James says. “We’re just all excited about music. We’ve never wanted to be a rock band or an R&B band or be one kind of band. We just enjoy celebrating music and having fun with it; making it loud, making it sad and making it funny. We feel lucky that people are excited about hearing the music we make.”

THE ‘A’ TEAM

Now A True Indie, ATO Takes Flight by ED CHRISTMAN

With Radiohead’s “In Rainbows” behind it and My Morning Jacket’s “Evil Urges” ahead (see story, page 24), ATO Records has quickly become a “must watch” indie label.

It was already a highly sought-after label when it decided to end its joint-venture label deal with RCA last year after a seven-year run. At that point, ATO could have went anywhere and received a big advance.

After all, the label had a great track record since its first release, David Gray’s “White Ladder,” cracked the Platinum milestone, with 2.5 million units sold in the United States, according to Nielsen SoundScan.

Then, the label has broken Spanish duo Rodrigo & Gabriela (a quarter-million in scans), and Patti Griffin, Ben Kweller and Gomez each have ATO albums that have scanned 100,000-plus units.

Since its inception, ATO has issued 54 albums, EPs and videos, scanning some 7.4 million units, or an average of nearly 137,000 units per release in the States.

But rather than signing a new deal with a major label, co-founders Corin Capshaw of Red Light Management, Michael McDonald of Mick Management, Dave Matthews and Chris Tompkins of Shakatak and the majority of M&M’s back-to-back contracts to buy back RCA’s share in the complete catalog, which sources say set them back in the neighborhood of $5 million.

To be sure, ATO’s success comes as others are scrambling to keep their heads above water.
Done Deals Are Coming Undone And Valuation Is Dropping. How Will The Biz Respond?

BY SUSAN BUTLER, ED CHRISTMAN and LARS BRANDLE
During a two-week period last summer, companies that wanted to borrow money to acquire music assets found that the availability of funds from lenders had changed dramatically. Potential buyers were then split into two categories: the haves and the have-nots. “If you didn’t already have credit committee approval at the highest level, it got difficult,” says Bug Music CEO John Rudolph, who has been involved in many large publishing acquisitions. “If you had it already—if you got through that first window as we did—you’re OK. But the funds aren’t unlimited.” Before the credit market tightened there had been aggressive lending banks that would take on the entire debt for a deal and then try to get syndicated (find other lenders to share in the debt) or try to find sponsors (like private equity firms) to share the debt. But some of those banks got caught in the credit crunch and couldn’t find others to buy or sponsor that debt at a workable price—and they got stuck with the debt, finding themselves without sufficient liquidity. Tight credit markets cut down the velocity of dealmaking, with fewer deals getting done and seemingly done deals becoming undone. But such a market also affects valuations, bringing prices down, yet requiring buyers to bring more equity to the table before lenders sign on.

Mergers & Acquisitions Impact

Whereas 18 months ago deals were getting done with as little as 5%–10% equity, today lenders can require buyers to put up one-third of the acquisition price in equity before they would lend the other two-thirds of the purchase price needed to conclude a transaction, says Geoffrey Maudlin, a partner with New York-based boutique investment advisory/investment banking firm Christian, Peters & Maddix.

Renowned deal-striker David Glick, founder of Edge Group, a London-based specialist investment and advisory business for the entertainment and media sector, backed up by noting that publishing buyout funds like Stage 3, the Ranch and Crosstown “are all based around taking 1-to-4 equity to debt. And they’re going to find it difficult to get the debt.”

In fact, when classical music publisher Boosey & Hawkes was sold in April for about £126 million ($248.3 million) to Imagem Music—the music publishing fund of CP Masters and Dutch pension fund Stichting Pensioenfonds ABP—“none of [those] funds were there, and a year ago they would have been at the table,” says Glick, who was “peripherally” involved in the sale. “It’s probably because they couldn’t raise the debt.”

The larger equity requirements for acquisitions hurt return on investment, making buyers more wary of doing deals, unless a compelling valuation is offered.

Publishing Impact

Despite the tightened market, there are still buyers actively looking for music publishing assets and lenders who are willing to back them.

“Lenders—whether private lenders or banks—feel much more comfortable with the credit quality of publishing vs. recorded music,” says Rob Wiesenthal, chief strategy officer of Sony Entertainment and executive VP/CFO of Sony Corp. of America. “In terms of the banks, hedge funds and other types of lenders that I speak with, there’s clearly an interest on the publishing side. At the end of the day, if you look at the billions that these hedge funds have to work, finding someplace that’s safe and annuity-like is a good strategy for at least a portion of the portfolio.”

Indeed, the credit crunch didn’t prevent Imagemusic, a venture formed by Dutch pension fund Stichting Pensioenfonds ABP and publisher CP Masters, from acquiring classical music publisher Boosey & Hawkes last month for £126 million ($248.3 million)—just two months after spending £77 million ($150 million) for some Universal Music Publishing Group assets.

What has changed in the publishing market is valuations. Prices are coming down to where most experts say they should have been in the first place.

Chrysalis Group became perhaps the first music company to publicly blame the credit crunch for derailing its plan to be sold. However, seven sources directly involved at various stages with bids for Chrysalis Music—which terminated discussions with potential buyers last month—insist that the credit crunch had nothing to do with what they were ready to pay for the company. They say the price Chrysalis wanted—about £75 million ($134 million)—was just too high for the type of publishing catalog and recorded music the company owns.

Despite the tightening lending market, companies that already have credit or cash are definitely on the prowl. “We and others are actively looking at opportunities because valuations have clearly come down,” Wiesenthal says. “These are the times in which real value-creation will take place. If you look back historically at times of dislocated markets, it is the time which people make money.”

—Susan Butler

When all is said and done on the deal-making side of things, it results in a buyer’s market for deep-pocketed investors and cash-rich strategic players, industry financial executives says.

That’s why sellers tend not to come to market at times like this. Currently, the only label assets known to be up for sale are those available through Chapter 11 auctions—TVT and Death Row Records.

Operational Impact at Labels

But the credit crunch can also take its toll operationally, as such conditions tend to make companies more conservative and put them in cost-cutting mode instead of embarking on new growth initiatives.

That’s because banks tend to get more conservative with revolving credit facilities, credit lines that help companies get through slow business periods during the year—or in the case of labels, an uneven release schedule.

Label sources say Berliner Bank’s specialist music and media division has had a change of heart and is reducing its commitment to—and investment in—the recorded-music businesses. In the past, the Deutsche Bank-owned regional financial services institution has given credit lines to back various local label projects. But the institution is now balancing on its support, sources say, and will no longer finance any projects related to recorded music.

Berliner Bank would not talk with Billboard for this article.

The volatility of labels’ business models are putting the toughest of squeezes on the recording companies’ credit opportunities. “Because margins are so thin, and there’s pressures all around,” says Patrick Yau, analyst with media investment specialist Iriguen-Se
For the last four years EMI's earnings before interest, taxes, depreciation and amortization have been sliding from a high of £284 million ($518.6 million) for 2004 to its last publicly announced results of £174 million ($341.5 million) for the year ended March 31, 2007. At that profit level, or should profits continue on a downward trend, EMI would struggle to make debt interest payments. That's why the company is implementing a restructuring that should yield £200 million in annual savings, leaving EBITDA at the $440 million level, if things go according to plan.

**Retail and Wholesale Operations**

In the retail sector, the credit crunch is rolling out unevenly. One deal has been aborted because of it, while another company is being forced to pay higher interest rates. Still other accounts claim they have no problem getting new credit lines, and at lower prices, too.

In the second week of May, Trans World Entertainment founder/chairman Bob Higgins abandoned his November 2007-initiated plan to take the company private because the deal got too expensive as interest rates rose, according to the chain's executive VP/CFO John Sullivan. Higgins and Trans World investor Riley Investment Management, which between them owned 57% of the company, offered to pay $5 per share, or about $75 million, in a bid to take the chain private. The company planned to finance the deal through its revolving credit facility, which carries an interest rate of LIBOR plus 0.75%.

Since the deal meant making adjustments to the company's revolving every time the company had a conversation with the bank about using the loan to buy back the stock, it got more expensive, according to Sullivan. The loan might have cost as much as LIBOR plus 2%, and while the company never received a final price on the deal, the interest rate increases finally made it so "the deal no longer made financial sense," Sullivan says. "There is no question you can still borrow money, but at what price?"

The Handleman Co. recently found out the answer to that question. On May 15, the company announced that it had finally negotiated an amendment to the terms of its revolver, something that had been needed since Jan. 31. In March, Handleman announced that it had violated a covenant in its loan with Silver Point, and received a waiver until May 31.

While the threat of the line being pulled is no longer hanging over Handleman's head, its credit lines were reduced to $163 million from $250 million. It also is a co-lender line since the lenders required a 2% rate increase, according to its filings, but other documentation suggests that the loan might even come at a higher price than that. Previously, the credit line cost Handleman interest rates of 9%-11%, Billboard estimates, but the lines now cost the company a minimum of about 14.5%, according to the loan documentation.

But while Handleman has to pay a higher interest rate, other accounts either recently refinanced or are in the process of doing so, and say they are having no such problem. As part of a deal to acquire the SoftBank wholesale company, which supplies entertainment software to the U.S. Marine Exchange Service, Allegro Media Services received a $25 million equity infusion from Canoeport Park Capital, in a deal that makes another $12 million equity line available for future acquisitions.

As part of the refinancing, the Portland, Ore.-based wholesaler also received a new $15 million revolving loan facility from U.S. Bank division USB Capital Resources. While he wouldn't give details, Allegro chairman Joe Micallef says the new credit line came with lower interest rates. Moreover, he says the line is not secured by inventory. "We have a rock-solid balance sheet," Micallef says.

Likewise, a senior executive with another music and video wholesaler says his company also is being wooed by switch lenders. "We are talking to a new lender and they are more aggressive than our current lender," the executive says. "They are willing to give us a term loan above and outside our revolver, with a little bit lower interest rates."

**Radio Also Feels the Squeeze**

The radio sector isn't immune to the crunch. Two major radio deals have been affected by the credit crunch and a third suffers from investor perception that it will be undone.

San Antonio-based Clear Channel Communications, which announced in November 2006 that it was being taken private by equity groups Bain Capital Partners and Thomas H. Lee Partners, recently agreed to accept a $36-per-share, or $7.19 billion, buyout offer after getting sideways with six banks. While lawsuits were filed in Texas and New York alleging the banks were improperly trying to forgo funding the deal, the principals put aside their differences and settled on the lower price, although it still has to meet shareholder approval.

Under the original deal, THL Partners and Bain Capital would have acquired Clear Channel for $39.20 per share, or $19.5 billion, and taken on $7.8 billion of its debt. The banks had agreed to provide more than $22 billion in financing.

The six banks stood to lose billions of dollars if the deal closed as scheduled June 12 with the original commitment terms. The acquisition agreement initially was reached in November 2006, and the banks revised their commitment letter to fund the deal in May 2007. Since then, the credit-market crunch has made it more difficult for the banks to reduce their risks by selling the debt in the secondary market.

Meanwhile, a deal to buy Atlanta-based Cumulus Media for $1.3 billion has fallen apart. The company, which owns more than 300 U.S. stations, announced May 12 that its July 23, 2007, deal to be bought by an investor group led by company chairman/president/CEO Lew Dickey with an affiliate of Merrill Lynch Global Private Equity has been terminated.

Under the terms of the original agreement, Cumulus stockholders would have received $11.75 in cash for each share of Cumulus common stock, a 40% premium at the time. The stock price hovered around $4.75 in early afternoon trading May 15. The investor group has agreed to pay Cumulus a termination fee of $15 million.

"Our business remains fundamentally sound, and we intend to continue to operate it aggressively and explore opportunities to create and deliver value for our shareholders," Dickey said in a statement. Cumulus said its board intends to explore, in the very near term, a new stock buyback plan to provide liquidity opportunities to stockholders.

Additional reporting by Ken Tucker.
RULE the ROAD

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STILL HER OWN MANN

DIY Model Continues To Pay Dividends For Singer/Songwriter

Aimee Mann named her new release "MSM & The Smilin's" as a tongue-in-cheek protest of people who constantly prod others to put on a happy face, even when they don't feel like it. But as Mann herself admits, her seventh solo album, due June 3 on her own SuperEgo Records, is one of her most "smiley" works to date.

And why shouldn't it be? The singer/songwriter has enjoyed more than two decades of ongoing success, much of it through her own label as a pioneer of the now thriving do-it-yourself model of the music business. "Smilin's" is the former "Til Tuesday" vocalist's fifth release on SuperEgo, which she founded with manager and longtime collaborator Michael Hausman in 1999 after negotiating a contract release from Geffen.

While the themes on "Smilin's" aren't universally cheerful—Mann masters wistfulness and dissatisfaction on songs like the synth-laced "Thirty One Today"—there's a musical playfulness throughout that culminates in closer "Ballantine's," a piano-bar romp with trombones. The variety is a deliberate departure from 2005's "The Forgotten Arm," a musical "novella" about a relationship headed for trouble.

"I think because the last record was a concept album and had a narrative that went through the whole record, I was in the mood to do something completely different and make every song its own thing," Mann says. "So if it needed horns, great. If the next song was just acoustic guitar and sounds like Neil Young, great." Mann praises the versatility of producer Paul Bryan, who she says "almost physically can't do certain things if they're not really good."

Hausman says that Mann's desire for this level of creative control was a major factor in her decision to leave the major-label system. "Her decision was based on creative reasons," Hausman says, "and I gave her the confidence that from a business standpoint, she could make a living." Boosting this confidence was Mann's success with the 1999 "Magnolia" film soundtrack, as well as the pair's early grasp of how to leverage the then-nascent power of the Internet to reach fans. "We had been collecting e-mail addresses since the mid-90s, as soon as people started using e-mail," Hausman says.

"By the time Aimee went solo, I think we had 10,000 e-mails," Mann then offered free downloads to promote 2000's "Bachelor No. 2 (Or the Last Remains of the Dodo)," which no one else was doing then," Hausman says. That album has sold 230,000 units, according to Nielsen SoundScan; 2002 follow-up "Lost in Space" sold 232,000 and hit No. 35 on the Billboard 200.

Hausman admits it's harder to be as cutting edge in the current environment. "We didn't go for a radical model like Radiohead did, [with] fans setting their own price," he says. "Aimee needs to sell records and make a profit. Her touring is very strong, but it's not superstar touring. So we need the record company model to work."

And it does work, he says, largely because independence means control. "For example, we're now doing Aimee's records internationally ourselves," through Alternative Distribution Alliance Global, he says. "I like [former international label] V2, but now I'm directly hiring the teams in the different territories, and I get much more accurate information. The feedback is instantaneous and we can adjust our thinking accordingly."

To promote "Smilin's," SuperEgo will offer exclusive bonus tracks for different download services and hold a make-your-own-video contest on YouTube for the single "Freeway." On the physical side, a limited edition will come with a 32-page screw-bound book of illustrations commissioned for each song.

Mann will also tour through the end of the year, including her acclaimed Christmas variety show that features comedy and video in addition to music. Mann says that although it's hard to make money on the road, it may be another key to staying ahead of the curve.

"Everybody can make a record on Garage Band, everybody has a Myspace page," she says. "I think maybe people who play live well are going to raise their heads above the fray. Making a record is more smoke and mirrors, but playing live, you really have to know what you're doing."...
‘War’ And Remembrance
World Music Favorite Jal Makes U.S. Solo Bow

Sudanese child-soldier-turned-rapper Emmanuel Jal admits that he had to tone down the lyrics of his new album, “Warchild.”

“If I described everything I’ve seen and done, the record would be too harrowing,” the 28-year-old says.

The autobiographical songs on “Warchild”—released internationally through Sony/360 May 13 in the United States (where it’s distributed by Fontana/Universal)—are written by Jal himself.

By the age of 8, Jal was fighting in the Sudan People’s Liberation Army, carrying an AK-47 rifle bigger than he was. After five years as a soldier in Sudan’s bitter civil war, he escaped the SPLA in 1993, when a British aid worker smuggled him into Kenya and sent him to school. Songs like “Forced to Run” and “Shadow of Death” detail his experiences so directly and disturbingly that one wonders what the uncensored versions might have sounded like.

“Warchild” is Jal’s third album but his international solo debut. Following 2004’s “Gza,” a gospel/rap set released only in Kenya, and 2005’s “Ceasefire” (Riverboat Records/World Music Network), a collaboration with traditional Sudanese Muslim singer Abdel Gadir Salim. Distributed in the United States through Universal, “Ceasefire” attracted considerable attention in world music circles and has sold slightly less than 4,000 units in the States, according to Nielsen SoundScan.

“Warchild” moves Jal into more mainstream hip-hop territory, but he distances himself from the genre’s image. One song on the album is called “No Bling,” while “50 Cent” is a direct appeal to the rapper to be a better role model. “Hip-hop artists have to take responsibility,” Jal says. “I wanted to talk to him, but that wasn’t possible, so I wrote him a song.”

A U.K. resident since 2005, Jal flew to the States on April 27 for promotion in Los Angeles and New York, where he attended the U.S. premiere of a documentary film about his life, also called “Warchild,” at the Tribeca Film Festival.

Select live dates, booked worldwide by Creative Artists Agency, are being planned and Jal is confirmed to play Nelson Mandela’s 90th birthday concert June 27 in London’s Hyde Park, alongside Eminem, Queen and Annie Lennox.

Although details of the U.S. campaign are not yet finalized, Sony/360 founder Chris Allison says the power of Jal’s lyrics is key to his global appeal.

“It was something we had to get behind,” Allison says. “His message has the rawness and conviction of early hip-hop, mixed with the charisma of a young Bob Marley.”

“I’m not turning away from the world music audience which has supported me,” Jal says. “There’s still an African influence in my music. I don’t try to sound American. I rap like an African, because that’s what I am. In the song ‘Warchild,’ I say I survived for a reason: to tell my story. I believe that. I feel a responsibility to do these songs and tell the world what is happening in my country.”
what the United States just refers to as “emergency rooms.”

“Songs in A&E” contains six melodic bridges in between the actual songs, which are overly dedicated to Korine. Although a majority of the material was written before his hospital stay, “Songs in A&E” reflects Pierce in a rather delicate state.

He’s always been a firm believer in questioning human relationships, alongside the entanglements of love, religion and death. But the music reflects a less abrasive Spiritualized—feedback and heavy reverb have been replaced with softer arrangements, highlighting violins and acoustic guitars, ultimately casting Pierce’s voice in an almost angelic-sounding warmth.

In the States and the United Kingdom, Spiritualized has gathered a fervent cult following, one that both markets hope to capitalize on this summer, primarily around the act’s live show. “Songs in A&E” will have four releases: the digital and CD versions will hit first, followed by a deluxe CD and a double gatefold vinyl version in June. Promotional tie-ins are in the works with Last.fm in conjunction with 26 London’s Rough Trade East. There is also the possibility of rebranding an out-of-service ambulance with album artwork and taking it on the festival circuit.

A hefty U.S. tour is planned for July through September, which will be Spiritualized’s first stateside trek this decade.

“There’s a real interest from them to spend some time in the U.S.,” says Tsunami Label Group managing director Adam Katz, who’s been tapped to head up marketing in the States. “There’s a lot of pent-up demand. He’s one of those guys who [for] those that are into it are really into it.”

For Pierce, he’s just happy that his hospital stay accidentally led him in a new direction. “It was great to be with someone as crazy and focused as Harmony, at a time when I had neither,” Pierce says. “It was hugely liberating to be in the studio where I was working with music, but I didn’t have to front.”

Additional reporting by Tom Ferguson.

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**FRESH BLOOD**

Critical acclaim for Najwajean’s 1998 trip-hop debut album “No Blood” (Subterfuge) hinted at a promising long-term career for the Spanish duo of vocalist Najwim Nimri and multi-instrumentalist Carlos Jean.

However, after sales failed to match the critics’ enthusiasm, the pair drifted apart. Both released solo albums, but Nimri largely concentrated on her successful film career while Jean produced leading Spanish artists Bebe, Bunbury, Alejandro Sanz and Miguel Bosé. Now Najwajean is back, with

“Till It Breaks” on Capitol/EMI Spain, which peaked at No. 16 May 2 on the Promusicae/ Media Control GfK chart. “Working together again brought out our musical intensity,” Nimri says. “We cried, we laughed, we got drunk.”

Jean adds, “With Najwai I find things that I don’t reach by myself. This record is on the frontier of obscurity, totally different to everything I’ve done before.”

EMI Spain marketing director Juana Romero says the album “oozes personality and will be recognized as a classic within a few years.” European releases are planned through the summer, he adds.

Najwajean’s publisher is Warner/Chappell Live bookings are through Madrid-based Aire de Música, and the act plans to tour Spain this summer.

—Howell Leveillen

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**RUSH HOUR**

Despite their tracks regularly turning up on U.K. and U.S. TV synchs—from the BBC’s soccer flagship “Match of the Day” to UPN/CH TV series’ “Veronica Mars”—indy-pop outfit the Dells remains the “best-kept secret in British music.”

So says Universal Music U.K. imprint Fiction Records managing director Jim Chancellor. “People have heard their music but don’t necessarily know who is playing,” he says.

The key [now] is to join the dots and let people know what they’re listening to.”

Chancellor signed the quartet after it split from Rough Trade, which had released its first two U.K. top 40 albums, “Faded Seaside Glamour” (2004) and “You See No Colours” (2006). Their third album “Everything’s the Rush,” released May 5, entered the Official U.K. Charts Co. listing at No. 26. “It’s a brilliant crossover record, spanning indie rock to pop,” he says. “We know it won’t be easy to work, but the bull’s-eye is enormous.”

The Dells kicked off a 12-date U.K. tour booked by Helter Skelter May 7 and will play summer festivals before heading to Europe.

Overseas release plans are not yet finalized, says Chancellor, who adds, “They have a good following in Mexico and the U.S., where they opened for Franz Ferdinand (in 2004). We’ll aiming to hit those markets, but the U.K. is our first priority.”

The Dells’ publishing is through Zomba Music.

—Steve Adams
In Good Company

After Bacilos Breakup, Villamizar Turns To New Sound, Strategy

Bacilos gained notoriety as a group that blended pop and tropical influences into one distinctive, catchy and often danceable mix. The concept struck a chord, with Bacilos' 2002 hits "Caraluna" and "Mi Primer Millón" peaking at No. 18 and No. 16, respectively, on Billboard's Hot Latin Songs chart. Likewise, album "Caraluna" and 2005's "Sin Verguenza" won Latin Grammy Awards in the best pop album, duo or group category.

But after three studio releases, the trio—Jorge Villamizar, Andre Lopes and Jose Javier Freire—split up last year.

Now, lead singer/songwriter Villamizar is launching his solo career by taking a different sonic and commercial direction.

His self-titled debut album, which arrived May 20 on Warner Music Latina (Bacilos' former label), will be largely supported by internet and alternative means rather than a major radio push.

And Villamizar describes the overall sound of the album, produced by tropical/electronic musician Richard Blair (known for his group Side-stepper), as that of a "groovy troubadour."

"Bacilos was a group that always mutated, but its essence was two types of acoustic music," he says. "One was 'Mi Primer Millón' and the whole party band thing. The other was my facet as a singer/songwriter. On this album, I clearly took that [latter] route."

Likewise, for Warner the challenge is to position Villamizar as a solo artist with a distinct persona.

Bacilos' U.S. sales never reflected the group's critical acclaim or radio success, with "Caraluna" selling a respectable 58,000 copies, according to Nielsen SoundScan, but "Sin Verguenza" topping off at 13,000.

Abroad, Bacilos was a driver of the movement later labeled "tropi-pop," a mix of tropical and pop whose proponents include such well-known acts as Cabas and Fonseca, and local Colombian acts like Sanalejo.

With his solo debut, Villamizar wanted to veer away from the Latin identity he established as a Colombian living in the United States and opt for a more mainstream sound.

"We want to launch a new platform for him with his new style of music," Warner Music Latino marketing director Albert Ramirez says. "It's a bit of a hybrid between world and pop. We now have to establish a specific genre of listener that will be his core fan."

Warner's early efforts have centered on a steady stream of weekly webisodes that can be seen via iTunes, YouTube and Villamizar's Myspace page.

The single "Ninguna" has been sent to radio and is getting early airplay on Latin pop stations, particularly in the Southwest and on the West Coast, although it has yet to enter the Billboard charts.

Starting the first week of July, Warner is planning a promotional/concert tour featuring Villamizar and Warner acts Tommy Torres and Jesse & Joy. The tour comprises 10 stops at nightclubs with capacities of 500-1,000 in Texas and Southern California.

For Villamizar, the change from Bacilos to soloist goes beyond sound. Long managed by RLM, he is now handled by his brother, Felipe. And, after his long-term publishing deal with Warner/Chappell expired, he has chosen to retain all publishing for this album and instead look for an administration deal.

Even in making his album, he says, Warner gave him total artistic freedom. "I'm very grateful and very attached to my label," he says. "Artists often feel pressured to wear what's fashionable. And I was basically left but with support: moral and financial."

RADIOS 

BY COURTNEY HARDING

Teen Spirit

From Baio To Barnes & Noble, Justin Nozuka Bares His Soul

Don't call Justin Nozuka a typical teen pop star—after all, he talks about promotional strategy with the ease most of his peers talk about, well, prom.

In support of his April 15 debut release, "Holly," 19-year-old singer/songwriter Nozuka will be featured as a VH1 You Oughta Know and a Barnes & Noble "Discover" selection, and is currently Clear Channel's artist of the Month. Released on Glassnote Records, the album has sold 8,000 copies, according to Nielsen SoundScan, and rises 29-27 on Billboard's Heatseekers chart.

"After Tonight" has sold 30,000 copies.

"I was revered the first time I saw him perform," Glassnote Records founder Daniel Glass recalls. "Here was a 17-year-old singing incredibly topical songs, and he had these fantastic guitar skills and a soulful, versatile voice. I pursued him all over the world because I wanted him to sign so badly."

When asked about his plan for kicking off his career, Nozuka answers like an old industry pro: "I did a record on my own about a year-and-a-half ago, and I knew I didn't want to sign a deal right off the bat, so I got a good lawyer and a manager and toured first," he says sagely. This type of thinking and patience would be impressive for a musician at any age, but it's especially noteworthy because Nozuka was barely out of high school when he assembled his dream team.

"We saw Justin perform at Glass' house, and we were impressed with how far beyond his years he was," VH1 executive VP of talent and music programming Rick Kim says. "We put him in a promo for our Scott Baio show ['Scott Baio Is 46 and Pregnant'], and the response was incredible."

Glass plans to re-creating Nozuka's intimate performances a key part of the marketing plan. "I want people to see him in settings, because so many of the people who have embraced him this far saw him in that way," he says.

For his part, Nozuka doesn't want to stay in front of small crowds for too long. "I'm really interested in bringing quality art to a big audience," he says.
JENNY SCHEINMAN

Jenny Scheinman
Producer: Tony Scherr

Release Date: May 27

Even though she has released four instrumental albums, Jenny Scheinman is one of those names known mostly by aficionados who’ve checked out the credits on releases by Norah Jones, Lucinda Williams and others to whom she’s brought her distinctive violin work. Scheinman’s self-titled vocal debut should certainly up that name recognition. The II-2track set—released alongside a new instrumental outing, “Crossing the Field”—has an agreeable, jazzy look at Tom Waits “Johnsburg, Illinois.” The album might be a little too pure and stark to bring her a Jones-style crossover, but it should certainly make her more than just a support player.—GG

THE FUTUREHEADS

This Is Not the World
Producer: Youth

Nul Records
Release Date: June 3

Not so long ago, it looked like the Futures were a thing of the past. Dropped by Warner after a disappointing second album, “News and Tributes,” it looked like all their particular future held was a downward spiral. But this self-released third record sees them right back on track. Kicking off with terrific lead single “The Beginning of the Twist”—already a top 20 hit in the United Kingdom—this is a fast and furious, back-to-backs punk-pop record that retools the spirit of their self-titled debut to 2008 specs. True, there’s not much in the way of light and shade, but with great songs like “Radio Heart” and “Broke Up the Time” up their sleeves, they finally possess songs as instant as their legendary cover of Kate Bush’s “Hounds of Love.”—MS

SPRITUALIZED

Spirits in the Vineyard
Producer: Jason Pierce

Spacecap/Fonatex
Release Date: May 27

Jason Pierce’s sixth album as Spiritualized tows his usual load of strange melodies and fuzzy feedback, but he pushes those tendencies to the back as he dips deep here into gothic Americana. Inspired by a live tour he did last year flanked by backing singers and a seven-piece string section, tracks from “A&E” orbit just outside of gospel (the haunting funeral march “Death Take Your Fiddle”) and touch on the blues (the dark and rhythmic “Yeah Yeah”). The remaining songs are peaceful and pretty, with quiet orchestras floating behind balmy verses that crash and ebb like ocean waves. Pierce ties the dark to the light with poetic folk ballads like closing lullaby “Goodnight Goodnight,” making “A&E” a strange and pleasing concoction of old and new.—LW

HIT-HOP

DAME GREASE

Goon Musik
Producer: Dame Grease

Release Date: May 27

Producer Dame Grease’s debut solo set is reminiscent of a lost Diplomats or an early Lox album without the plausibility. While Grease’s lyrics aren’t that breathtaking, his dark and buzzing beats are tolerable. On most of the tracks, Grease is flanked by several new MCs, including Messiah, Meeno, Bigga and Tony Wink. Former Diplomat member and “Blood In, Blood Out” lyricist High fame, awkwardly sings the chorus on “Connecticut Kush,” the catchiest song here, while Grease unconvincingly rhymes that he’s rich. On “Lennox Ave Boyz,” Grease commits to disc his belief that he’ll “keep on winning” while the world keeps spinning, these hoe’s keep grinning and the gems keep selling, but it just doesn’t ring true. Maybe Grease has been spilling drugs to keep the lights on, but where’s he found?—MC

Nashville’s top songwriters contributed and Hough handles their offerings with the grace and style that “Dancing With the Stars” viewers have come to expect.—KT

STEVE AZAR

Indiana (Tentative)
Producer: Steve Azar

Dang-Ride Records
Release Date: May 27

Coming onto the country scene in 1996, Steve Azar struggled to break through on major label Mercur. But he’s won his battle with a self-released set one gets the sense that this is the album he’s always wanted to make. Ultimately listenable, the at times—rocking, at other times—bluesy, at—times-country collection fits Azar and the listener as comfortably as an old shoe. Named for the Mississippi birthplace of B.B. King, the set includes “Flatlands,” which with its greasy slide guitar speaks to Azar’s Delta roots. “Crowded” finds Azar bemoaning urban sprawl, while “The River’s Workin’” is a working man’s anthem that conjures John Mellencamp, Bob Seeger and Jackson Browne. “You’re My Life,” written with Rodney Foster, could have been a hit for the Travelling Wilburys. Comparisons aside, this is an album that only Azar, with his varied influences, could make.—KT

CHRIS SLIGH

Running Back to You

Producer: Brown Bannister

Wil Owley, Stephen Leiske

Brash Records

During the course of 25 years, Cyndi Lauper has certainly played the singing minstrel, but she also revealed deep lyrical introspection as an observer of society’s foibles. On “Brink,” she craftily meshes the two personas. Melodically, Lauper still just wants to have fun, with jaunty dancefloor jams (she traveled the world to work with beat masters Basement Jaxx, Digital Dog, Peer Astrom, Scum-Frog and Rich Morel), but after a twirl under the disco ball, listeners have an opportunity to explore layers underneath. “Same Ol’ Story” is among Lauper’s most inviting melodies ever, as she talks about how folks hold others to a different set of values than their own. “Raging Storm” is a thunderous blast, until you observe its theme of isolation and alienation. There, the overall retro feel to the production that will no doubt delight minions, but those same faithful are old enough to appreciate meaning behind the melodies.—CT
THE BILLBOARD
REVIEWS

SINGLES

Release Date: May 6
Among the parade of “American Idol” contestants in recent years, Chris Sligh has been a standout, not only because of his vocal talent, but for his quiet wit and abundance of personality. Those same qualities made his Brash debut a solid winner. Sligh has an intriguing way of approaching faith from a fresh viewpoint that infuses the songs with warmth and substance. “Empty Me” is an autobiographical tune that puts the “Ido” experience in perspective with Sligh’s desires and beliefs, and “Vessel” is an eloquent song about simply wanting to be used by God to make a difference. Fans who earned on “Ido” and previously as a member of the band Half Past Forever will be happy to see Sligh deliver on that early promise and take his career to the next level with this well-crafted collection.—DEP

WORLD

ORCHESTRA BAOBAB
Made in Dakar
Producer: Nick Gold
World Circuit/NonSuch
Release Date: May 20
This iconic Senegalese band last released “Specialists in All Styles” in 2002, marking a return from an extended hiatus. “Made in Dakar” is an 11-song mix of new tunes and previously recorded songs that the band has re tracked in grand fashion. Several of the tunes have all but vanished, so to find them again here is a major thrill. The album offers a great retrospective on Orchestra Baobab and no shortage of stylistic turns.

LEGEND & CREDITS

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

CONTRIBUTORS: Tina Blenat, Mariel Concepcion, Hilary Crosse, Gary Day, Kerri Mason, Michael Mencheren, Debborah Evans Price, Shad Reid, Mark Sutherland, Chuck Taylor, Christa L. Title, Ken Tucker, Philip Van Vliet, Jeff Volante, Lavinia Wright

PICK: A new release, regardless of chart potential, highly recommended for musical merit.
All albums commercially available except as noted.
Critics’ Choice: A new release, regardless of chart potential, highly recommended for musical merit.

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KAT DeLUNA FEATURING BUSTA RHymes
Run the Show (3:34)
Producer: RedOne
Writers: K. DeLuna, RedOne, J. Sewell-Ulloa

EPIC
Kat DeLuna is shaping up to be two for two when it comes to summer dance anthems “Run the Show,” the second single from debut album “9 Lives,” is a fiery follow-up to last year’s breakout “Whine Up.” While the track was originally released months ago, it’s now gaining fuel following its use in promo spots for Fox TV’s “So You Think You Can Dance”—with Shaque Deel pulled off and replaced for radio by razer Busta Rhymes, while a Spanish mix adds reggaeton mainstay Don Omar. DeLuna delivers a focused, layered vocal as distinctive as her previous hit, while Busta plays off DeLuna’s Spanish jam with typical bravado. “Am I Dreaming,” starting as the third single, was snatched back when “Show” began to run and—with executive producer Akon now stripped on—wants in the wings as a worthy contender. Sounds like it could be the summer of the Kat.—MM

NEW KIDS ON THE BLOCK
Summertime (3:25)
Producers: Nasi Atweh, Adam Messinger
Writers: H. Abdalbarrad, N. Atweh, D. Wahlberg
Publishers: various

Interscope
It’s not often that a pop reunion draws the consummate mania that New Kids on the Block is. Understandably, few boy bands have had as much impact on a generation as they; in 1987, NKOTB was a global phenomenon, launching an entire wave of new sound heights, with nine consecu-
tive top 10 singles in two years, before momentum deflated in 1994. All five original members—Donnie Wahlberg, Danny Wood, Joey McIntyre, Jordan Knight and Jonathan Knight—now in their mid- to late-30s, are in the game for a new album and tour. Ironically, first single “Summertime” melodically and thematically sounds much like “Summer Girls,” a top 20 hit in 1999 for rival boy band LFO. It’s all right, but enough of a youthful reminder for millions of nostalgic (and financially able) 30-something fans to at least fuel thousands of iTunes downloads for the group’s “Greatest Hits” (plenty of videoclips are also available). Whether or not this particular song connects to radio, New Kids’ return is a pop culture event—and certainly cash cow. It’s also good clean fun, and that never goes out of fashion.—CT

LEXINGTON SHADE
The Sun & the Neon Light
Producer: Books Shade
Get Physical
Release Date: May 27
Much like Matthew Dear’s excellent “Asa Breed,” German duo Books Shade’s second full-length unexpectedly merges the minimal electro for which it is best-known with a dusty kind of sound-based acoustic folk. The result is simple and sparse, but more satisfying than heavier-handed electronic projects. “Control Me” and “Psychameleum” feel like stripped-down Depeche Mode, with vocalist (and Books member) Walter Merziger in a tin can instead of a Dave Gahan echo chamber. None of the instruments reach the dizzy heights of 2006 international hit “Body Language,” which convinced dancefloor holders of electro’s propensity for beauty. But “Cherriote” comes close, pounding an irresistible synth riff off Ca-
siotone keys. The title track might sound like the “Doo-
glose” theme song on PCP, but more often than not, Books proves that even the most tech-nerdy electronic music has a melodic heritage.—KM

METRO STATION
Shake it (3:02)
Producers: FAM, Sluggo
Writer: Metro Station
Publishers: EMI April/Metro Station Music
Red/Columbia

Dance hipsters and _punk-rock indie freaks alike are checking in to Metro Station’s “Shake It,” a song that sounds like it could play all night at dance-a thons, sports arenas, strip clubs or dance floors. In a track described as an adrenaline-pumping fun with addicting, antivocal sounds from Trace Cyrus “Billy Ray’s son” and Mason Musso. A hel-
luva ride.—MM

B&B
BUN FEATURING SEAN KINGSTON
That’s Gangsta (3:55)
Producer: J.R. Rotem

Writers: B. Freeman, S. Kingston
Publishers: various

Rap A-Dee
As Texas rap duo UGK, Bun and the late Pimp C let everyone know that the South had something to say, years before OutKast’s Andre 3000 did. On the first single from sophomore solo set “II Trill,” Bun proclaims what being gangsta means to him: a person of loyalty, humility and phi-
lanthropy. Sean Kingston’s ap-
pearance on the chorus seems a bit out of place, but doesn’t decrease the overall impact. Bun’s stern Southern drawl couldn’t be more believable, and the treble devotion and sheen skills he puts forth in his rhy mes are second to none. The legacy of UGK continues. Pimp C would be proud.—SR

COUNTRY

KENI THOMAS
Shreveport 2 LA (3:34)
Producer: Keni Thomas
Writers: B. Montana, M. Plume
Publishers: various

RMB Records

A former Army Ranger, Keni Thomas was one of the soldiers who survived the battle in Somalia that inspired the film “Black Hawk Down.” The military’s loss is country music’s gain as Thomas is an engaging vocalist and insightful songwriter with tons of personality on stage and off. This catchy single is a terrific intro to his finely crafted sophomore album “Gunlinger.” “Shreveport 2 LA” is a Billy Mont-
a/Max Plume penned num-
ber with a picturesquie lyric about a man traveling cross country to rendezvous with the woman he loves. It boasts an adhesive singalong chorus and sounds tailor made for a sum-
mer day. If any new artist de-
erves a shot at the big time, this is a talented guy, who has more than paid his dues.—DEP

ROCK

THE ANXIX
This Game (3:06)
Producer: Tomas Constanza
Writers: B. Smith, T. Constanza, C. Ybarber
Publisher: not listed

Chamberlin Records

The fondly embraced ‘80s nostalgia vogue for the ‘80s usually better serves bands that launched during that decade than those in-
spired by it. Los Angeles-
based Anxix is that rare act that might benefit from the trend, given that it’s forging another chapter in synth rock. “This Game” is a focus track from “Demolition City,” an addictive record uniting next-gen new wavers and emo devotees. The effervescent keys of “This Game” lightbly bubble and fizz before topping their hit that “People Are People” era Depeche Mode, then culminate in an after midnight techno zenith at the chorus. Anxix’s advantage of 20 years hindsight and improved technol-
ogy also protect it from the cliquish synth productions that now heavily date the trio’s rea-
ers. Don’t be surprised if you hear this band played along-
side Seconds to Mars on late night top 40.—CLT

DAVID COOK
Time of My Life (3:34)
Producer: Steve Lyson
Writer: R. Hamm
Publisher: 19 Entertainment

Despite its weary template, “American Idol” season seven managed to peak with a jaw clencher: Which David will win? With a comfortable margin of 12 million votes, America got it right, as rocker David Cook was deemed the prize winner May 21. Unfortunately, he is saddled with victory anthem “Time of My Life,” the same sort of gooe ballad that has bequeathed every Idol, but he delivers it with enough grit enough panache to at least propel it beyond its cliched thematic and melodic makeup. Despite the show reminding over and over about how much talent pervad-
ed this season, most among the top 12 face an uphill climb in the real world. Cook is a star, as is earnest runnerup David Archuleta and youngest cohort Michael Johns. The real competition begins when we hear these pageant-
fan finalists deliver post reality series. Time will tell.—CT
Frank Sinatra is having a very good week. Buoyed by a cavalcade of marketing and advertising surrounding multiple products tied to the 10th anniversary of his death, "Nothing but the Best" (Reprise), a collection of remastered classics, debuts this week at No. 2 on the Billboard 200 with sales of 99,000 copies, according to Nielsen SoundScan.

The last time Sinatra debuted so high was in 1993 with the No. 2 hit "Duets," which went on to sell 3.2 million copies.

Sinatra's name and works are all over the media landscape of late. Warner Home Video is releasing 22 of his films, including "Ocean's Eleven," "The Man With the Golden Arm" and "Anchors Aweigh." Turner Classic Movies, backed by a ubiquitous advertising campaign, is showing Sinatra movies and musical specials throughout the month of May hosted by his children Nancy, Tina and Frank Jr. And Life Books put out an updated version of "Remembering Sinatra" titled "Life: Remembering Sinatra: 10 Years Later."

Sirius Satellite Radio, which has a channel dedicated to Sinatra, broadcasts a 90-minute program about the new album with interviews and commentary. In addition, the U.S. Post Office issued a commemorative stamp bearing the same Sinatra image used on the album cover.

The 22-track disc had strong sales in chain retail (27,000), mass merchants (33,000) and such nontraditional outlets as Nordstrom and Starbucks (23,000), while digital had a much smaller share, with 10,000 copies sold.

"They're commemorating a classic star and associating him in a modern context. That revives interest and drives people to find out more about that artist," says Dean Crutchfield, brand-building expert formerly with Wolff Olin, a branding company in New York.

The avalanche of material stems from a partnership between Warner Music and the Sinatra family under the banner Frank Sinatra Enterprises. Announced late last year, the agreement gives FSE the sole right to license Sinatra's likeness and image.

And the large amount of content is not without its critics.

FSE wanted to commemorate Sinatra's life and his great body of work. There are so many facets to Sinatra's body of work it was essential for it to be represented in a synecdochic and comprehensive way. And FSE feels the success of the record represents that," FSE co-president Jimmy Edwards says. "All these partnerships helped increase his profile, but Frank sells Frank."

Newbury Comics buyer Natalie Wales predicts the album will be a steady seller but is disappointed it did not come out before Mother's Day. "I think it would have sold a ton more if it did," she says.

FSE does have marketing efforts tied to Father's Day with retail positioning through circulars.

---

ROAD WARRIORS

Take it from Cab frontman Alex Deleon: A little chutzpah and loyalty to your favorite band can take you a long way. "People think that we got signed because we were friends with Panic at the Disco, but that's not really true," he says. "I was a longtime fan of Panic, and when I gave them our demo tape after a show, they remembered me. Then I got a call saying we were going to fly out to California to open a secret Fall Out Boy show."

"It's a long way from playing coffee shops and opening secret shows to the top of Billboard's Heatseekers chart, where the band debuted in the May 17 issue and is No. 31 this week, with 11,000 copies of its debut, "Whisper War," sold, according to Nielsen SoundScan.

The band's label, Fueled by Ramen, is relying on its tried-and-true formula of building bands slowly and putting them on the road nonstop.

"We had them on the Cobra Starship tour, and now they are out with Metro Station," Fueled by Ramen president John Janick says. "We plan on having them on the road for the rest of the year."

Janick is also working the band online, with an extensive viral video campaign. As far as an MTV-ready video goes, the band is waiting until June to shoot its first one. "They did a walk-on at "TRL," but we're not working them over there quite yet," he says.

"We've had success with building grass-roots support on the road first before taking bands to radio and TV, and we're doing the same for the Cab."

"We don't want to be one-hit wonders," Deleon says. "I think it's really good for us to take it slow and focus on building our careers. When we signed to Fueled by Ramen, we knew what we were getting into; everyone told us to just work hard and tour like crazy."

-Cortney Harding
Trick Pony's Newfield Shows Her Softer Side

Heidi Newfield, former lead singer for Trick Pony, is glad she wrote her debut solo single when she did and not when she first thought about it. "Johnny & June," No. 32 on Billboard's Hot Country Songs chart, is, as the title suggests, a song about long-lasting love, like that of the late Johnny Cash and June Carter Cash.

While she hadn't co-written with Deanna Bryant and Stephanie Smith before, they knew that Cash had appeared on Trick Pony's first album and that Newfield had been friends with the couple. And while Newfield and former bandmates Traci Dean and Keith Burns had an idea for a song about the famous couple years earlier, they never wrote it. "This was meant to be," she told Bryant and Smith when they proposed the idea to her.

After departing Trick Pony in 2006, Newfield set out to find three things: the right manager, the right producer and the right songs for her solo debut. After signing with Red Light Management; where she works with Greg Hill and former Sony Nashville chief John Grady, her producer search began.

Tony Brown (George Strait, Reba McEntire) topped her list. "He goes in and builds a record around that artist, and it sounds like that artist," she says. "He made Wynonna sound like Wynonna and he made Lyle Lovett sound like Lyle Lovett.

But when Grady suggested they approach Brown, Newfield was skeptical. "He's working with Brooks & Dunn and Reba and George Strait. There's no way he'd have time for me," she told Grady. Yet after an initial meeting, Brown signed on. "I wanted to dig a little deeper musically and he loved that," Newfield says. "I felt like we really made a connection."

While she's proud of her work with Trick Pony, Newfield says she wanted to spread her wings. "We were known for one thing: that rowdy, barroom, honky-tonk sound. I love what we did, but we painted ourselves into a corner musically," she says.

"I wanted to show people a softer side, but I also wanted to keep an edge and still rock. I wanted it to be a little more intimate and a little more personal," Newfield's album, "What Am I Waiting For?" (Curb), is tentatively scheduled for late-summer release. Though she wrote or co-wrote six of the 10 cuts, she says her philosophy was to let the best song win. "I hoped that I could write or co-write all of them or some of them, but if I didn't get to write any of them, then so be it."

Country KRTY San Jose, Calif. PD Julie Stevens says Newfield has been a favorite at the station since her Trick Pony days. But she was skeptical when she heard Newfield was recording a solo album, since Trick Pony's biggest chart hits, "Post Me" and "On A Night Like This," came seven years ago. "Frankly, we had no hopes for this song," Stevens says. "We were not expecting anything." That changed when she actually heard "Johnny & June."

"We loved it right off the bat," Stevens says, noting that listeners seem to love it too, as it's already one of the station's top-researching songs.

BRAD HITS BIG

Newly awarded Academy of Country Music male vocalist of the year Brad Paisley achieves the fourth No. 1 from his "5th Gear" album, as "I'm Still A Guy" shifts 2-1 on Billboard's Hot Country Songs this week. The wry masculine anthem draws 29.4 million audience impressions with spins at each of the 108 stations monitored by Nielsen BDS for chart tabulation (Up 373,000 impressions).

Paisley's album is just the third country release this decade to yield that many No. 1s, following Tim McGraw's "Set This Circus Down" (2001-02) and Rodney Atkins' "If You're Going Through Hell" (2006-08). The new No. 1s is the West Virginia native's 11th to date and his seventh consecutive No. 1 single (excluding holiday titles). That's the best No. 1 total since Toby Keith launched a volley of seven No. 1 songs in March 2001, a streak that concluded with "Who's Your Daddy," in December 2002.

So far this year, Paisley is the only artist to claim more than one No. 1 on Hot Country Songs. His "Letter To Me" led for four weeks starting in the Feb. 3 issue. He also topped the chart three times in 2007 and twice each year in 2006 and 2005.

-Timothy Johnson
A couple of years ago, when an increasing array of digital-only releases became apparent on Top Digital Albums, I polled distribution company presidents as to whether these titles should appear on the Billboard 200. "The market isn't ready for that quite yet," one said.

Welcome to "yet." Effective next issue, digital-only albums and EPs will be eligible to appear on most album sales charts, the most noteworthy exception being Top R&B/Hip-Hop Albums, as our urban sales charts continue to be determined by a core subset of retail stores that concentrate in those genres.

Since the Nov. 17, 2007, issue, when a revision in Billboard policy allowed proprietary albums like the Eagles' "Long Road Out of Eden" or John Legend's "Get Lifted," album sales charts on the Billboard 200, the digital-only releases were the only category excluded from most Billboard album lists.

The exclusion wasn't tied to bias or a lack of awareness that such titles exist, but rather a need to reach consensus with labels and digital merchants on which digital bundles should be considered albums and which should be tracked as singles. Problematic tracking anomalies have been smoothed, and, with feedback from the industry, Billboard's charts team and our colleagues at Nielsen SoundScan have drafted guidelines that specifically differentiate singles and albums.

A detailed list of those chart rules is available from Nielsen SoundScan or from Billboard Research (research@billboard.com), but the overriding parameters are simple: Singles are defined as including no more than four songs. (In consideration of remixes, there is no restriction on number of tracks.) And, generally speaking, a single should be titled the same as one of the songs it contains. Bundles that vary from those criteria will be tracked as EPs or albums and will be eligible for our album charts.

An ironic twist in these brave new times is that the criteria that we will now apply to differentiate downloaded singles from albums are largely similar to the chart rules Billboard adopted for physical product in the '90s. Call it validation.

Going forward, Billboard's Hot Singles Sales chart will include digital singles and physical singles, regardless of whether a digital offering is sold in physical form, and those sales will consequently inform the Billboard Hot 100 and the Pop 100.

**TAXI RIDE:** Can Death Cab for Cutie still be described as an indie rock band with two major-label releases stashed in its meter? Regardless of how you answer that question, you can now safely describe this Seattle quartet with the words "chart-topper." With 144,000 copies sold in its first week, 38% of those digital downloads, Cutie's second Atlantic-distributed album easily leads the Billboard 200.

In fact, the band's "Narrow Stairs" is the only album to surpass 100,000 copies this week, a mark just missed by new Frank Sinatra retrospective "Nothing But the Best" (99,000).

The band's last album, its first through Atlantic, held prior career marks for peak position and sales week when "Plains" bowed at No. 4 on the big chart in 2005 with 69,000 sold. An earlier album, "Transatlanticism," peaked at No. 97 in 2003, while two sets before that dented Top Heatseekers: "The Photo Album" in 2001 and "You Can Play These Songs With Chords" in 2002. Those three Barks releases were sold by Warner Music Group's independent arm, Alternative Distribution Alliance.
<table>
<thead>
<tr>
<th>ARTIST</th>
<th>Chart Position</th>
<th>Title</th>
<th>Label/Generic (Price)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEATH CAB FOR CUTIE</td>
<td>1</td>
<td>Narrow Stairs</td>
<td>Sub Pop (9.98)</td>
</tr>
<tr>
<td>FRANK SINATRA</td>
<td>2</td>
<td>Nothing But The Best</td>
<td>Reprise (19.98)</td>
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<tr>
<td>JASON MRAZ</td>
<td>3</td>
<td>We Sing. We Dance. We Steal Things.</td>
<td>Epic (14.98)</td>
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<tr>
<td>LEONA LEWIS</td>
<td>4</td>
<td>Spirit</td>
<td>Epic (9.98)</td>
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<tr>
<td>NEIL DIAMOND</td>
<td>6</td>
<td>Home Before Dark</td>
<td>Capitol (9.98)</td>
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<td>MADONNA</td>
<td>31</td>
<td>Hard Candy</td>
<td>Warner Bros. (9.98)</td>
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<tr>
<td>TOBY KEITH</td>
<td>72</td>
<td>35 Biggest Hits</td>
<td>Capitol (11.98)</td>
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<tr>
<td>KEITH SWEAT</td>
<td>11</td>
<td>Just Me</td>
<td>Heat (9.98)</td>
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<td>TAYLOR SWIFT</td>
<td>12</td>
<td>Fearless</td>
<td>Big Machine (19.98)</td>
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<td>LYFE JENNINGS</td>
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<td>Save This One</td>
<td>Warner Bros. (12.98)</td>
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<td>CLAY AIKEN</td>
<td>16</td>
<td>On My Way Here</td>
<td>Epic (12.98)</td>
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<td>SOUNDSUITABLES</td>
<td>29</td>
<td>Juno</td>
<td>56-79-25-66-22-24 (9.98)</td>
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<td>JACK JOHNSON</td>
<td>15</td>
<td>Sleep Through The Static</td>
<td>Maple记 (14.98)</td>
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<td>COLBY CAIATTI</td>
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<td>Baby, It's You</td>
<td>Universal Republic (12.98)</td>
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<td>JORDIN SPARKS</td>
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<td>Ali &amp; The Chipmunks</td>
<td>Atlantic (12.98)</td>
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<td>CARRIE UNDERWOOD</td>
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<td>Carnival Ride</td>
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<td>ALAN JACKSON</td>
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<td>Sunset Man</td>
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<td>SOUNDSUITABLES (The Chronicles Of Narnia: Prince Caspian)</td>
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<td>Trista (18.98)</td>
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<td>RICK ROSS</td>
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<td>Portside (16.98)</td>
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<td>GEORGE STRAIT</td>
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<td>Troubadour</td>
<td>MCA (16.98)</td>
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<td>DAIUGHTY</td>
<td>27</td>
<td>Daughter (12.98)</td>
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<td>JAY TRIBBETT &amp; GADLO</td>
<td>47</td>
<td>Rock N Roll Jesus</td>
<td>01005084743217 (9.98)</td>
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<tr>
<td>MILEY CYRUS</td>
<td>32</td>
<td>Hannah Montana Miley Cyrus: The Best Of Both Worlds Concert</td>
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<td>JAMES OTTO</td>
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<td>Rockett Of Sunshine</td>
<td>Atlantic (16.98)</td>
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<td>LUIS MIGUEL</td>
<td>35</td>
<td>Complentes</td>
<td>EMI (16.98)</td>
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<td>ALICIA KEYS</td>
<td>32</td>
<td>As I Am</td>
<td>01005084743217 (9.98)</td>
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<td>FLIGHT OF THE CONCHORDS</td>
<td>46</td>
<td>Flight Of The Conchords (Soundtrack)</td>
<td>Zomba (9.98)</td>
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<td>CARLY SIMON</td>
<td>23</td>
<td>This Kind Of Love</td>
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<td>THE ROOTS</td>
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<td>Rising Down</td>
<td>Def Jam (16.98)</td>
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<td>TIM McGRAW</td>
<td>20</td>
<td>Greatest Hits: Limited Edition</td>
<td>MCA (14.98)</td>
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<td>CHERISH</td>
<td>41</td>
<td>The Truth</td>
<td>Sony (12.98)</td>
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<td>BRAD PAISLEY</td>
<td>43</td>
<td>5th Gear</td>
<td>Epic (14.98)</td>
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<td>VARIOUS ARTISTS</td>
<td>43</td>
<td>The Second Wave</td>
<td>Star Tru (14.98)</td>
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<tr>
<td>AMY WINEHOUSE</td>
<td>44</td>
<td>Back To Black</td>
<td>Atlantic (16.98)</td>
</tr>
<tr>
<td>MICHAEL BUBLE</td>
<td>46</td>
<td>Call Me Irresponsible</td>
<td>01005084743217 (9.98)</td>
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<tr>
<td>KENNY CHESEY</td>
<td>48</td>
<td>Just Who I Am: Poets &amp; Pirates</td>
<td>Curb (16.98)</td>
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<td>MARY J. BLIGE</td>
<td>45</td>
<td>Growing Pains</td>
<td>Geffen (14.98)</td>
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<tr>
<td>KESHIA COLE</td>
<td>54</td>
<td>Just Like You</td>
<td>Motown (16.98)</td>
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<tr>
<td>KEITH HERN</td>
<td>60</td>
<td>In Rainbows</td>
<td>XL (9.98)</td>
</tr>
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### Top 100 Digital Singles

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<thead>
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<th>Title</th>
<th>Sales (2008)</th>
<th>Pop</th>
<th>Airplay</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Adele</td>
<td>&quot;Someone Like You&quot;</td>
<td>372,136,000</td>
<td>45</td>
<td>1</td>
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<tr>
<td>2</td>
<td>Coldplay</td>
<td>&quot;Viva La Vida&quot;</td>
<td>302,704,000</td>
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<td>2</td>
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<td>3</td>
<td>Miley Cyrus</td>
<td>&quot;Party in the USA&quot;</td>
<td>283,000,000</td>
<td>28</td>
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<td>4</td>
<td>Jamie Cullum</td>
<td>&quot;White Lines&quot;</td>
<td>241,000,000</td>
<td>24</td>
<td>4</td>
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<tr>
<td>5</td>
<td>Taylor Swift</td>
<td>&quot;Love Story&quot;</td>
<td>220,000,000</td>
<td>20</td>
<td>5</td>
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<tr>
<td>6</td>
<td>Keshia Chante</td>
<td>&quot;You Already Know&quot;</td>
<td>198,000,000</td>
<td>18</td>
<td>6</td>
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<tr>
<td>7</td>
<td>Britney Spears</td>
<td>&quot;Gimme More&quot;</td>
<td>180,000,000</td>
<td>16</td>
<td>7</td>
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<tr>
<td>8</td>
<td>Beyoncé</td>
<td>&quot;Single Ladies (Put a Ring on It)&quot;</td>
<td>168,000,000</td>
<td>14</td>
<td>8</td>
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<tr>
<td>9</td>
<td>Rihanna</td>
<td>&quot;Umbrella&quot;</td>
<td>156,000,000</td>
<td>12</td>
<td>9</td>
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<tr>
<td>10</td>
<td>Usher</td>
<td>&quot;Yeah&quot;</td>
<td>148,000,000</td>
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### Top 100 Airplay

<table>
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<th>Artist(s)</th>
<th>Title</th>
<th>Pop</th>
<th>Airplay</th>
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<tbody>
<tr>
<td>1</td>
<td>Adele</td>
<td>&quot;Someone Like You&quot;</td>
<td>45</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Coldplay</td>
<td>&quot;Viva La Vida&quot;</td>
<td>39</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Miley Cyrus</td>
<td>&quot;Party in the USA&quot;</td>
<td>28</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>Jamie Cullum</td>
<td>&quot;White Lines&quot;</td>
<td>24</td>
<td>4</td>
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<tr>
<td>5</td>
<td>Taylor Swift</td>
<td>&quot;Love Story&quot;</td>
<td>20</td>
<td>5</td>
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<tr>
<td>6</td>
<td>Keshia Chante</td>
<td>&quot;You Already Know&quot;</td>
<td>18</td>
<td>6</td>
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<tr>
<td>7</td>
<td>Britney Spears</td>
<td>&quot;Gimme More&quot;</td>
<td>16</td>
<td>7</td>
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<tr>
<td>8</td>
<td>Beyoncé</td>
<td>&quot;Single Ladies (Put a Ring on It)&quot;</td>
<td>14</td>
<td>8</td>
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<tr>
<td>9</td>
<td>Rihanna</td>
<td>&quot;Umbrella&quot;</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>10</td>
<td>Usher</td>
<td>&quot;Yeah&quot;</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

### Top Music Videos

- **Principal Performer(s):**
  - Adele
  - Coldplay
  - Miley Cyrus
  - Taylor Swift
  - Beyoncé
  - Usher
  - Rihanna
  - Jamie Cullum
  - Britney Spears
  - Keshia Chante

- **Music Videos:**
  - "Someone Like You" by Adele
  - "Viva La Vida" by Coldplay
  - "Party in the USA" by Miley Cyrus
  - "White Lines" by Jamie Cullum
  - "Love Story" by Taylor Swift
  - "You Already Know" by Keshia Chante
  - "Gimme More" by Britney Spears
  - "Single Ladies (Put a Ring on It)" by Beyoncé
  - "Umbrella" by Rihanna
  - "Yeah" by Usher

### Additional Data
- **Top 40 Pop Songs:**
  - "Someone Like You" by Adele
  - "Viva La Vida" by Coldplay
  - "Party in the USA" by Miley Cyrus
  - "White Lines" by Jamie Cullum
  - "Love Story" by Taylor Swift
  - "You Already Know" by Keshia Chante
  - "Gimme More" by Britney Spears
  - "Single Ladies (Put a Ring on It)" by Beyoncé
  - "Umbrella" by Rihanna
  - "Yeah" by Usher

- **Top 40 Airplay:**
  - "Someone Like You" by Adele
  - "Viva La Vida" by Coldplay
  - "Party in the USA" by Miley Cyrus
  - "White Lines" by Jamie Cullum
  - "Love Story" by Taylor Swift
  - "You Already Know" by Keshia Chante
  - "Gimme More" by Britney Spears
  - "Single Ladies (Put a Ring on It)" by Beyoncé
  - "Umbrella" by Rihanna
  - "Yeah" by Usher

- **Other Notable Performers:**
  - Adele
  - Coldplay
  - Miley Cyrus
  - Taylor Swift
  - Beyoncé
  - Usher
  - Rihanna
  - Jamie Cullum
  - Britney Spears
  - Keshia Chante

- **Additional Notes:**
  - Music videos for these tracks are available on music platforms and streaming services.
  - Top 40 charts are updated weekly and reflect real-time listener preferences.
  - For more information, visit the official music website or streaming platform.

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**Data for week of May 31, 2008**

**Genre:** Pop

**Artists:**
- Adele
- Coldplay
- Miley Cyrus
- Taylor Swift
- Beyoncé
- Usher
- Rihanna
- Jamie Cullum
- Britney Spears
- Keshia Chante

**Tracks:**
- "Someone Like You" by Adele
- "Viva La Vida" by Coldplay
- "Party in the USA" by Miley Cyrus
- "White Lines" by Jamie Cullum
- "Love Story" by Taylor Swift
- "You Already Know" by Keshia Chante
- "Gimme More" by Britney Spears
- "Single Ladies (Put a Ring on It)" by Beyoncé
- "Umbrella" by Rihanna
- "Yeah" by Usher

**Related Content:**
- Official music videos and live performances are available on YouTube and other platforms.
- For the complete listing of the Top 100, check out the Billboard website.

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

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**www.americanradiohistory.com**
**R&B/HIP-HOP ALBUMS**

**ARTIST** | **Title** | **Weeks**
--- | --- | ---
**1** | **KEITH SWEAT** | **Just Me** |
**2** | **MARIAH CAREY** | **E-Mc2** |
**3** | **LYFE JENNINGS** | **Lyfe Change** |
**4** | **RICK ROSS** | **Rollin'** |
**5** | **FOXY BROWN** | **Brooklyn's Don Diva** |
**6** | **CHERISH** | **The Truth** |
**7** | **KEYSHA COLE** | **Just Like You** |
**8** | **MARY J. BLIGE** | **Growing Pains** |
**9** | **MARVIN SAPP** | **Loving You** |
**10** | **TONY ROBBINS** | **Rising Open** |
**11** | **CANDY KANE** | **Welcome To The Dollhouse** |
**12** | **LIL SCRAPPY** | **Prince Of The South** |
**13** | **SNOOP DOGG** | **Ego Trippin'** |
**14** | **LEDISI** | **Lost & Found** |
**15** | **ROCKO** | **Self Made** |
**16** | **FLO RIDA** | **Mail On Sunday** |
**17** | **ESTELLE** | **Shine** |
**18** | **VARIOUS ARTISTS** | **NOW 27** |
**19** | **RAY J** | **I Am** |
**20** | **LUPE FIASCO** | **Lupe Fiasco's Cool** |
**21** | **WEBEE** | **Savage Life** |
**22** | **JILL SCOTT** | **Woman** |
**23** | **JANET** | **Discipline** |
**24** | **AMY WINEHOUSE** | **Back To Black** |
**25** | **RHIANNA** | **Good Girl Gone Bad** |
**26** | **SCARFACE** | **The Best Of Scarface** |
**27** | **DAY6** | **Mama** |
**28** | **PRODGEY** | **N.I.C. Pt. 2** |
**29** | **PASTOR TROY** | **ATL-A Town Legend** |
**30** | **JOSHDUB** | **When Love Gives You Lemons, You Paint That Shit Gold** |
**31** | **TREY SONGZ** | **Trey Day** |
**32** | **LIL MAMA** | **V.P. Voice Of The Young People** |
**33** | **KIRK FRANKLIN** | **The Fight Of My Life** |
**34** | **BIZZY BON** | **A Song For You** |
**35** | **CHRISTETTE MICHELE** | **I Am** |
**36** | **MARIO** | **Go** |
**37** | **VARIOUS ARTISTS** | **We The Best** |
**38** | **Gnarls Barkley** | **The Odd Couple** |
**39** | **PLIES** | **The Real Testament** |
**40** | **CECILE HANINS** | **Thy Kingdom Come** |
**41** | **KANYE WEST** | **Graduation** |
**42** | **JAY-Z** | **American Gangster** |
**43** | **KIDZ IN THE HALL** | **The In Crowd** |
**44** | **BRIAN CULBERTSON** | **Bringing Back The Funk** |
**45** | **SHEEK LOUCH** | **Silverback Gorilla** |

**TOP BLUES ALBUMS**

**ARTIST** | **Title** | **Weeks**
--- | --- | ---
**1** | **Stevie Ray Vaughan & Double Trouble** | **The Real Deal: Greatest Hits Vol. 1** |
**2** | **Jeff Healey** | **Mass Of Blues** |
**3** | **Joe Bonamassa** | **A Life Untold** |
**4** | **Tab Benoit With Louisiana's Leroux** | **Live At Nashville** |
**5** | **Marcia Ball** | **Peace Love & BBG** |
**6** | **Stevie Ray Vaughan & Friends** | **The Formula** |
**7** | **Robert Cray** | **Live At The BBC** |
**8** | **North Mississippi Allstars** | **Songs Of The South** |
**9** | **Kenny Wayne Shepherd** | **10 Days Out: Blues From The Backroads** |
**10** | **Otis Taylor** | **Recapturing The Banjo** |
**11** | **Michael Barks** | **Iron Man** |
**12** | **Soundtrack** | **Black Snake Moan** |
**13** | **The Legendary Rhythm & Blues Revue** | **Command Performance** |
**14** | **Sean Costello** | **We Can Get Together** |

**FAMILIAR NAMES RETURN TO LIST**

A trio of artists make long-awaited returns to Top R&B/Hip-Hop Albums, led by Keith Sweat, who crowns the list with "Just Me," the singer's first studio album since 2002. Sweat last charted with a self-titled album in 1996, the last of five consecutive chart-toppers for him that began in 1988 with "Make It Last Forever." At No. 5, Foxy Brown celebrates her chart homecoming with "Brooklyn's Don Diva," her first album in seven years. Though it's her fourth consecutive Top 10, Brown has publicly disapproved of the project and plans to rework and release it next month. And Regina Belle makes her first arrival since 2002 with debut gospel album "Love Forever Shines" at No. 15. She also pulls the Hot Shot Debut on Top Gospel Albums at No. 3.

—Raphael George
### R&B/Hip-Hop Airplay

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# HOT COUNTRY SONGS

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<td>1</td>
<td>&quot;I'M STILL A GUY (MAINSTREAM)/THAT'S A GIRL (ROCK)/UP IN THE AIR (COUNTRY)&quot;</td>
<td>Brad Paisley</td>
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<td>&quot;LOVE IS A BEAUTIFUL THING&quot;</td>
<td>FGL</td>
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<td>3</td>
<td>&quot;EVERY DAY&quot;</td>
<td>Randy Houser</td>
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<td>4</td>
<td>&quot;DO YOU STILL MISS ME&quot;</td>
<td>Tim McGraw</td>
<td>4</td>
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<td>6</td>
<td>&quot;LIVE IN A NORTHERN TOWN&quot;</td>
<td>Sugarland feat. Little Big Town &amp; Jaye Owen</td>
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<tr>
<td>7</td>
<td>&quot;BEST THINGS (DO N' MESS WITH MY HEART)&quot;</td>
<td>Blake Shelton</td>
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<td>8</td>
<td>&quot;LADY A&quot;</td>
<td>Lady Antebellum</td>
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## HOT COUNTRY SONGS

**ARTIST/PRODUCER**

- Brad Paisley
- FGL
- Randy Houser
- Tim McGraw
- None
- None
- Blake Shelton

**Chart Rank**

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

**HITPREDICTOR**

See chart legend for notes and explanations. Yellow indicates recently tested title. Indicates new release.

**ARTIST/TOP 동일한**

- None

**Chart Rank**

- None

**DATA PROVIDED BY**

- promosaquad

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**BETWEEN THE BULLETS**

**wjessen@billboard.com**

**RADIO EXTENDS ARNOLD'S CHART REACH**

Country Music Hall of Fame member Eddy Arnold returns to Hot Country Songs for the first time in 25 years, as "To Life" makes the Hot Shot Debut at No. 49. Arnold becomes the only country artist in history to bow with a new track in each of the past seven decades, starting with "Each Minute Seems a Million Years" peaked at No. 5 in June 1944, on a chart then known as Billboard's Most Played Juke Box Folk Records. Arnold's most recent Hot Country Songs ink came with "The Blues Don't Care Who's Got 'Em" in March 1983. His country chart history touched the '90s when a duet with LeAnn Rimes of his signature song, "Cattle Call," spent two weeks on Billboard's Top Country Singles Sales in December 1999. Intended as a 90th-birthday tribute, label promotion of "To Life" began the week before Arnold died May 8 at age 89 (see Mileposts, page 50). Arnold topped the country singles chart 28 times between 1947 and 1968. The Blues Don't Care Who's Got 'Em" in March 1983. His country chart history touched the '90s when a duet with LeAnn Rimes of his signature song, "Cattle Call," spent two weeks on Billboard's Top Country Singles Sales in December 1999. Intended as a 90th-birthday tribute, label promotion of "To Life" began the week before Arnold died May 8 at age 89 (see Mileposts, page 50). Arnold topped the country singles chart 28 times between 1947 and 1968. The
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**JAPAN: ALBUMS**

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<td>AMY WINEHOUSE</td>
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<td>NORTH END</td>
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<td>SHERYL CROW</td>
<td>THE BOTTOM LINE</td>
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<td>50 CENT</td>
<td>IN MY ARMS</td>
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### RADIO AIRPLAY

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<td>I DON'T WANT TO LIE ABOUT IT</td>
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### TOP INDEPENDENT

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<th>Label</th>
<th>Number Tracks</th>
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<td>Theatrical Release soundtrack (Television)</td>
<td>Warner Bros. Records</td>
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<td><strong>DUFFY</strong></td>
<td>Rockferry</td>
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<td><strong>BRYAN ADAMS</strong></td>
<td>Reckless</td>
<td>Reprise Records</td>
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<td><strong>FOXY BROWN</strong></td>
<td>Crooked I &amp; Schoolly D</td>
<td>Interscope Records</td>
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<td><strong>OLD 97'S</strong></td>
<td>La Reina</td>
<td>Outside Music</td>
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<td><strong>EAGLES</strong></td>
<td>One of These Nights</td>
<td>Asylum Records</td>
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<td><strong>VAMPIRE WEEKEND</strong></td>
<td>Vampire Weekend</td>
<td>XL Recordings</td>
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<td>Atlantic Recording Corporation</td>
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<td><strong>RAY J</strong></td>
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<td><strong>NINE INCH NAILS</strong></td>
<td>With Teeth</td>
<td>Reprise Records</td>
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<td>Apocalypse Sun Rise</td>
<td>Loma Records</td>
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<td><strong>THE STORY OF THE YEAR</strong></td>
<td>The Story of the Year</td>
<td>Epitaph Records</td>
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<td><strong>WINGATE &amp; DAVIES</strong></td>
<td>A Question of Balance</td>
<td>CD Baby</td>
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<td><strong>SCHUNKER MALONE</strong></td>
<td>Blackout</td>
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<td>Drunken Stones</td>
<td>Fat Wreck Chords</td>
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<td>In the Shadow of the Sun</td>
<td>Metal Blade Records</td>
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<tr>
<td><strong>VARIOUS ARTISTS</strong></td>
<td>7 Mile</td>
<td>Heartland World Music</td>
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<td><strong>ARMIN VAN BUUREN</strong></td>
<td>Maxximum Vol. 3</td>
<td>Defected</td>
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<tr>
<td><strong>MARCHE MINISTRE</strong></td>
<td>Les Chefs-d'Oeuvre</td>
<td>Polydor</td>
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<td><strong>THE MYRDAL</strong></td>
<td>With Open Eyes</td>
<td>Peacefrog Records</td>
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<td>Warpaint</td>
<td>ATO Records</td>
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<td>The Legend of The Highwaymen</td>
<td>Rooster</td>
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<td><strong>TRICE</strong></td>
<td>Weight of the World</td>
<td>Black River Records</td>
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<td><strong>JASON ALDEAN</strong></td>
<td>Relentless</td>
<td>Broken Bow Records</td>
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### TOP DIGITAL

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<th>Artist</th>
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<td>Time is Illmatic</td>
<td>Def Jam Recordings</td>
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<tr>
<td><strong>VARIOUS ARTISTS</strong></td>
<td>The Car Seat for a Cutie</td>
<td>99 Records</td>
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<tr>
<td><strong>DRAKE</strong></td>
<td>Nothing Was the Same</td>
<td>Young Money Cash Money</td>
<td>11</td>
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<tr>
<td><strong>JAY-Z</strong></td>
<td>Magna Carter Holy Grail</td>
<td>Roc Nation</td>
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<tr>
<td><strong>GAVIN DEGRAW</strong></td>
<td>I Don't Want to Be</td>
<td>Geffen Records</td>
<td>11</td>
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<tr>
<td><strong>LEONA LEWIS</strong></td>
<td>The Dream</td>
<td>Jive Records</td>
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<td><strong>SOUNDTRACK</strong></td>
<td>The Hunger Games</td>
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<td><strong>MARIAH CAREY</strong></td>
<td>E=MC²</td>
<td>Epic Records</td>
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### ALBUMS

**Charts Legend**

- **ALBUMS**
- **SINGLES**
- **RADIO AIRPLAY**
- **DANCE CLUB PLAY**
- **INDIE CHARTS**

**Sales Data Compiled by Nielsen SoundScan

**Radio Airplay Singles Charts**

Compiled from a national sample of data supplied by Nielsen Broadcast Data Systems. Charts are based on number of gross audience impressions, computed by cross-referencing exact times of airplay with Arbitron listener data. The exceptions are the Rhythmic Annually, Adult Top 40, Adult Contemporary, Pop/Rock and Adult RB charts, which are ranked by total detections.

**Singles Sales Charts**

The top selling singles compiled from a national sample of retail, mass merchant, internet and specialty music store sales, compiled, and provided by Nielsen SoundScan. For R&B/Hip-Hop Singles, sales data is compiled from a national subset (group of 48 key-retailers exclusive to SoundScan). For Hip-Hop/Top-40, sales data is compiled from a national subset of 25 key-retailers.

**Radio Airplay Singles Charts**

- **ALBUM CHARTS**
- **DANCE CLUB PLAY**
- **RADIO AIRPLAY**
- **SINGLE CHARTS**

**Top Independent Albums**

**Top Digital Albums**

**Dance Club Play**

- **Commended from a national sample of reports from club DJs

**AWARD CERTIFICATIONS**

- **chart leader** with the charts' highest percentage growth.

**Top Independent Charts**

**Top Digital Charts**

**Dance Club Play**

- **Commended from a national sample of reports from club DJs

**Awards and Certifications**

- **ALBUM CHARTS**
- **DANCE CLUB PLAY**
- **RADIO AIRPLAY**
- **SINGLE CHARTS**

**ABC**

- **Sales Data Compiled by Nielsen SoundScan

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Los Angeles-based guitar/drums duo No Age, named after a 1989 SST compilation, helps take punk into the new millennium with its debut album, "Nouns," which is No. 26 on Top Heatseekers. Find out what other emerging act is making its mark each week at billboard.com/breaking.

**Progress Report**

Tracy Young featuring Cee-Lo, "What's Done Is Done"  
Superstar DJ/remixer/producer Tracy Young earns her first top 10 single with an artist whose "What's Done Is Done" rising 15-9 on Hot Dance Club Play. In the past, she has remixed No. 1 dance hits for such artists as Madonna and Rihanna.

**Tastemakers**

**Regional Heatseeker #1s**

**Northern Heatseekers**

**Mid-Atlantic Heatseekers**

**Western Heatseekers**

**Southern Heatseekers**

**Breakout & Emerging**

Los Angeles-based guitar/drums duo No Age, named after a 1989 SST compilation, helps take punk into the new millennium with its debut album, "Nouns." Which is No. 26 on Top Heatseekers. Find out what other emerging acts are making their mark each week at billboard.com/breaking.

**Go to billboard.com/breaking to discover developing artist making their inaugural chart run each week.**

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Eddy Arnold: 1918-2008

Country Music Hall of Famer Eddy Arnold died May 8. He was 89. Arnold is considered the top country artist ever in terms of overall chart performance in Billboard.

Known as the “Tennessee Plowboy,” Arnold enjoyed pop and country hits, including “Make the World Go Away,” “I Want to Go With You,” “Turn the World Around,” “I Really Don’t Want To Know,” and “You Don’t Know Me.” He notched 28 Billboard No. 1 country singles between 1947 and 1968, and had 92 top 10 hits—including 67 in a row, more than any other artist.

Arnold’s 1947 song “I’ll Hold You in My Heart” spent 21 weeks at No. 1, and “Bouquet of Roses” logged 19 weeks atop the chart in 1949. In the entire year of 1948, only one non-Arnold title topped the country chart.

Richard Edward Arnold was born May 15, 1919, on a farm in Chester County, Tenn., where he worked for six years. It was during the period 1940-45 when, as the lead singer for Pee Wee King’s Golden West Cowboys, he gained the nickname Tennessee Plowboy.

Arnold went solo in 1944. His first chart hit was 1945’s “Each Minute Seems Like a Million Years.” He hired Colonel Tom Parker, who would later manage Elvis Presley, as his manager in 1948.


He revitalized his career in the ’60s by adding strings to his music, a controversial move for a country artist at the time. In 1966, at age 48, Arnold was elected to the Country Music Hall of Fame. He remains the youngest inductee to receive the honor.

Arnold announced his retirement from the stage in 1999, although he continued to record.

His 100th album, “After All This Time,” was released in 2005 on RCA. A cut from it, “To Life,” has been released to country radio to commemorate his 90th birthday, a move that was planned before his death. The song debuts at No. 49 on Hot Country Songs this issue with airplay coming from country stations in Chicago, Philadelphia, Minneapolis, Seattle, Detroit, Boston and Los Angeles, among other markets.

Sony BMG Nashville chairman Joe Galante had a long relationship with Arnold. “He had a unique influence on the way I thought about what makes an artist and how I can help them,” he said. “The last time I saw him a few weeks ago, he wanted to make another record. There was a special kind of happiness about him whenever he talked about music, and that is how I will remember him.”

Arnold’s wife of 66 years, Sally Gayhart Arnold, died in March. He is survived by their children, Richard Edward Jr. of Nashville and Jo Ann Pollard of Brentwood, Tenn.

A public funeral service was held May 14 at Nashville’s Ryman Auditorium.

—Ken Tucker and Wade Jessen

Dottie Rambo, 74, gospel legend, died May 11 in a bus accident in Mt. Vernon, Mo., while en route to a concert in Texas.

An icon whose influence extended far beyond gospel music circles, Rambo is credited with penning more than 2,500 songs recorded by numerous artists, including Elvis Presley, Barbra Streisand, Bill Monroe, Johnny Cash, Whitney Houston, Jerry Lee Lewis and Dolly Parton.

Born Joyce Reba Luttrell, Rambo grew up in Morganfield, Ky. She began writing songs when she was only 8 years old and by age 10 was singing on local radio. She became a Christian at age 12, a decision that wasn’t supported by her father. She issued an ultimatum: Give up Christian music or leave. So Rambo hit the road and began performing in churches, forming a group called the Gospel Echoes.

Even early in her career, Rambo’s songwriting was a calling card. While still in her teens, she signed a publishing deal with then-Louisiana governor/record artist Jimmy Davis. She got her first big break signing a deal with Warner Bros. Records. She later recorded for many years with the Nashville-based Benson Co.’s Heartwarming label.

In 1968, she won a Grammy Award for her soul gospel performance for her album “It’s the Soul of Me,” stirring controversy as a white artist winning a category always dominated by blacks. That year, Billboard named her its female vocalist of the year.

Rambo’s appeal knew no racial, musical or geographical bounds. In 1999, she netted the Dove Award for best traditional gospel song for “I Go to the Rock,” performed by Houston on the soundtrack to “The Preacher’s Wife.” She also dueted with Parson on her 2003 comeback hit “Stand by the River.”

During the late ’80s and early ’90s, Rambo battled a debilitating back injury and went through a divorce. But in recent years, her health has improved and she was active again, touring and recording. She had completed a new project, “Sheltered,” which is slated for release by Daywind. The album features the last recording by Porter Wagoner, and Rambo had planned to dedicate the disc to him.

Through the years, Rambo earned numerous honors. She was a member of the Gospel Music Hall of Fame as a solo artist and as a member of the Rambo. In 1994, the Christian Country Music Assn. presented her with the Songwriter of the Century Award, and also gave her the Pioneer Award in 2003. She received the ASCAP Lifetime Achievement Award in 2000. She was inducted into the Kentucky Music Hall of Fame in 2006. Last year she was inducted into the Nashville Songwriters Hall of Fame.

“Dottie taught me the importance of really loving people and to really appreciate the gift of a song and what the lyrics really mean to life,” says Dusty Wells, Rambo’s previous manager and now Word Distribution senior director of national accounts. “Dottie Rambo lived what she sang and she sang what she lived. I’m a better person today because of Dottie Rambo.”

Rambo is survived by her sister, Nellie Sloan; two brothers, Jerry and Freddie Luttrell; a daughter; three grandchildren; and one great-grandchild. A memorial service was held May 19 at Nashville’s Christ Church.

—Deborah Evans Price

John Rutsey, 55, a founding member of seminal Canadian rock band Rush, died May 11.

Rutsey played drums with Rush from 1968 to 1974, as well as on the band’s self-titled debut album, but departed soon afterward.

In an obituary published in the Toronto Star, his family said his death was caused by “complications from a lifelong affliction with diabetes.” Some news reports said Rutsey died of a heart attack in his sleep.

According to Rush’s official biography, Rutsey was supposed to write the lyrics for the band’s first album, but grew dissatisfied with his attempts and never completed them. He was replaced by Neil Peart, who remains as the band’s drummer/lyricist.

Guiseppe Campi, 79, founder of Creazioni Artistiche Musicali, died April 18 of complications from a liver condition in Rome.

Campi founded CAM, an independent music publisher/record label based in Rome that specializes in film soundtracks, more than 45 years ago. The company is credited with several Academy Award-nominated and -awarded Federico Fellini films, such as “La Dolce Vita,” “Amarcord,” “Otto E Mezzo” and “Il Postino.”

The company’s roster of composers includes Nino Rota, Ennio Morricone, Nino Oliviero and Riz Ortolani, Armando Trovajoli and Carlo Rustichelli.

Previous to Campi’s involvement in the music publishing business, he founded Sorrisi e Canzoni TV, a popular Italian TV guide, in 1952.

Campi is survived by his wife, Claudia; two daughters, Francesca and Maria Grazia; a son, Agostino; and two grandchildren.

LonPaul Eflrich, 37, noted Indiana musician, died May 7 in Indianapolis. Eflrich played or worked on projects from an array of Indiana acts, including Sardina, the Mysteries of Life, the United States Three, June Panic, Some Girls, Jorma Whittaker, the Panoply Academy and the Impossible Shapes.

But he probably best-known for his work in Marmoset, one of the more beloved bands on (and one of the earliest signees to) Bloomington, Ind.-label Secretly Canadian. The group’s most recent album, “Floral Fried,” was released last year.

“Though most knew him as an amazingly subtle and musical drummer, LP was very much a Swiss army knife,” a tribute on Secretly Canadian’s Web site reads. “He could sing, play guitar, break out a fiddle, play keyboard part, it didn’t matter. His primary instrument was his sheer taste in music and unending—sometimes to a fault—need to realize what he was hearing in his brain.”
EXECUTIVE TURNTABLE
Send submissions to: exec@billboard.com

RECORD COMPANIES: Weik Music Group elevates Fred Jasper to senior director of TV/Film. He was licensing director.
EMI Commercial Development Group names Dominic Pandischa VP/GM of EMI Global Music Services. He was senior VP of sales at Capitol Music Group.
Provident Label Group ups Brian Dishon to VP of national promotions. He was senior director.
Valley Entertainment promotes Brandon Intelligator to VP of corrective institution sales. He will continue to serve as A&R/royalty administrator.

PUBLISHING: BMI promotes Michael Crepezzi to executive director of performing rights. He was senior director.

TOURING: Red Entertainment Group names Robert Rowland director of booking for the Northeast territory. He previously oversaw all Northeast talent buyers and Midwest clubs at Talent Consultants International.
European online ticketing company Seatwave names Ak sel van der Wal CFO. He was CFO of the global business development unit at Vodafone.
The European Arenas Assn., which represents 26 arenas from 19 countries, has elected a new board: Jos van der Vegt (president), Gil Carneiro de Almeida and Aivar Sirelpuu (VPs) and Linda Bull (executive director).

TV/FILM: Video/music network Music Choice promotes Rick Bergan to senior VP of distribution. He was VP.

RELATED FIELDS: Licensing consulting company Righteous Entertainment Group names Jacob Goldstein chief information and financial officer. He was chief technology and information officer for Havas’ North American Diversified Agencies Group.
Rock Ridge Music names Bobby Capps A&R consultant/staff producer. He will continue to serve as keyboardist for rock band 38 Special.

—Edited by Mitchell Peters

GOODWORKS

METALLICA PULLS IN $375,000 FOR MUSIC SCHOOL
Metallica’s intimate benefit concert May 14 at Los Angeles’ 2,100-capacity Wilton Theatre raised more than $375,000 for the city’s Silverlake Conservatory of Music. “We were very pleased and it exceeded our expectations,” conservatory director of development Bill White says. The benefit was pulled together at the last minute to help raise funds for the nonprofit conservatory, which was co-founded by Red Hot Chili Peppers bassist Flea, who joined Metallica on stage for “Fight Fire With Fire.” Money raised will go toward the conservatory’s programs and operations, along with scholarships for low-income students who can’t afford instruments and music lessons. “How many people in here have been saved by music?” Metallica singer/guitarist James Hetfield asked a packed audience. “Metallica is very proud to be here for the cause.” The band’s nearly two-hour set included such hits as “For Whom the Bell Tolls,” “Fuel,” “Master of Puppets,” “... And Justice for All,” “Enter Sandman” and “Seek and Destroy.”

ASCAP LATIN MUSIC AWARDS
ASCAP celebrated its 18th annual Latin Music Awards May 16 at the Ritz Carlton in Miami Beach. Stars at the glitzy event included Marco Antonio Solís, who won the songwriter of the year award; Vanguard Award winners Black Guayabas, and recording artists and composers including Olga Tañón, Gilberto Santa Rosa, Tito Nieves, Tommy Torres and Johnny Pacheco. Solís’ star Victor Manuel was honored with the Golden Guitar Award and serenaded with live performances by Omar Alfanno and Sergio George. Various countries and versions were

Robert Plant and Alison Kraus alongside with T Bone Burnett to perform at the 2008 ASCAP Music Awards at the Ritz Carlton in Miami Beach. The pair was honored with the Vanguard Award for their album “Raising Sand” (produced by Burnett) from Universal Music Sweden. From left to right: Musician-producer T Bone Burnett, Kraus and international talent booking/junior global music manager Kasim Cobane.

Photo courtesy of Michael J. Minnion

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2008 ACADEMY OF COUNTRY MUSIC AWARDS

The Academy of Country Music held its 43rd annual awards May 18 in Las Vegas at the MGM Grand Arena (see story, page 11). Among the night's biggest winners were Kenny Chesney (entertainer of the year), Miranda Lambert (album of the year for "Crazy Ex-Girlfriend") and Sugarland (single and song of the year for "Stay"). The show, which was broadcast on CBS, included eye-popping performances and special effects. Top new female artist Taylor Swift ended her performance by being drenched with a heavy downpour of water, while Lambert finished in a flurry of sparks. Sugarland fooled fans by "failing" off the back of the set only to quickly reappear unharmed. Top male and female vocalists Brad Paisley and Carrie Underwood fared the late Edify Arnold with a touching rendition of "What's Going On in Your World," while Chesney and George Strait teamed on their hit "Shiftwork." Top duo Brooks & Dunn were joined by the show's host, Reba McEntire, for "Put a Girl in It.

Sony BMG Nashville was on a roll, receiving seven major awards. Kenny Chesney and Brad Paisley were both double winners, with Chesney claiming his fourth consecutive entertainer of the year trophy along with vocal event ("You Cut Who Your Friends Are"), while Paisley walked away with top male vocalist for the second year and also won for video of the year ("Online"). Carrie Underwood won top female vocalist for the second year in a row, and Miranda Lambert was honored with album of the year for "Crazy Ex-Girlfriend." Brooks & Dunn claimed top vocal duo and extended their reign as the most-rewarded act in ACM history. From left at Sony BMG Nashville's post-show dinner celebration are Sony BMG Nashville executive VP Butch Waugh, Ronnie Dunn, Underwood, Kix Brooks, Lambert, ACM show host Reba McEntire, Paisley, Chesney, Sony BMG Nashville chairman Joe Galante and Sony BMG Nashville executive VP of A&R Renee Bell.

Inside Track

THE MAN, THE MYTH, THE LEMMY

The life and career of Motörhead frontman Lemmy Kilmister is being celebrated in a new documentary, tentatively titled "Lemmy." Stated for a 2009 release, the film promises fans more access than ever before to Kilmister's life and includes interviews with past and present bandmates and such peers/admirers as Slash, Dave Grohl, Mick Jones (the Clash), Alice Cooper, Steve Vai and wrestling superstar Triple H Director/producers Greg Olliver and Wes Orshoski (a Billboard contributer) are shooting the film on a combination of high-definition video and super 16mm film. "If we were in the 17th century, you don't think he'd be a pirate?" Cooper asks. "Everything he delivers is sincere and authentic. Nobody told him to do anything that he wasn't completely natural and comfortable doing." Vai adds. A distribution deal hasn't yet been inked, but a teaser clip, featuring onstage footage and such amusing backstage segments as Kilmister testing out a bass amp at deafening volume and telling dirty jokes, is available at lemmymovie.com.

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