

# Klein Disavows Promo LP Money

## Testifies Following Conclusion By Government

By ROBERT ROTH

NEW YORK—Former Beatles manager Allen Klein denied receiving any money from the sale of promotional albums by his former associate Peter Bennett in the third week of Klein's tax evasion trial in federal court here.

The government contends that Klein did not declare \$207,755.43 of income from Bennett's transactions in the years 1970, 1971 and 1972, for which the additional taxes would have been \$119,755.15.

Klein's testimony Wednesday (26) followed the conclusion of the government's presentation of witnesses.

Manny Wells, former president of Garden State Record Distributors, New Jersey, testified Friday (21) that his firm purchased "schlock" records from a company identified as owned by Bennett for \$3,337.63, but on cross examination admitted that one of his buyers had actually negotiated the deal and that he had never personally dealt with Bennett.

Joel Silver, ABKCO's vice president and secretary, testified under a grant of immunity that he had received cash from Bennett "approximately one dozen times" in the late '60s. "He told me that he had sold records, and he had given me cash," declared Silver, who added, "I believe he said promotion records."

Silver testified that Bennett told him that he (Bennett) was leaving the money with Silver since "Mr. Klein was out of the office." Klein allegedly called Silver and asked if he had received cash from Bennett, and when Silver confirmed this, Silver claimed to have brought the money to Klein.

Capitol Records president Bhaskar Menon testified Monday (24) that in the summer or early fall of 1971 he met with Klein to discuss about 30 or 40 related items in the dealings between Capitol, and Apple and ABKCO. One of these items was promotional copies, of which Menon said, "The issue was boring holes" to identify the records as promotional, a practice he said Klein wanted discontinued. Menon believes the records were to be used for "give-aways."

Menon also related an incident involving Capitol's suspicions that Transcontinent Record Sales of Buffalo was an outlet for undrilled albums since it had "many more" Badfinger albums than were shipped to it by Capitol, which caused Menon to suggest that pro-

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EXECUTIVE ACT—Phil Carson, vice president of international operations, Atlantic Records when he is not playing rock'n'roll bass, gets some "help" during WEA-U.K.'s recent sales conference in Brighton. Playing a rousing version of "Lucille" are, from left: Billy Kinsley of Liverpool Express on lead vocals; Carson; Antic Records artists Carl Simmons on piano with Led Zeppelin's Jimmy Page adding a bit on guitar.

### STAX LPs DUE

## Fantasy To Open Memphis Outpost

By ELTON WHISENHUNT

MEMPHIS—Fantasy Records, the Berkeley, Calif. label known mainly for its jazz and blues catalog, is opening a Memphis office tied to the revival of the defunct Stax label, forced into bankruptcy in late 1975.

Fantasy bought the mechanical license for the Stax catalog several months ago from Sam Nassi of Los Angeles, who had bought the East Memphis Music, Inc. catalog, owner of most Stax releases, from Union Planters National Bank in a bankruptcy sale.

Gretchen Horton, a Fantasy official, says the Memphis office will be opened soon and details about the operation will be forthcoming. Fantasy has already hired Memphis promotion man Bruce Bowles as its regional promotion and marketing manager to be based here.

Fantasy re-issued several dozen singles several weeks ago from Stax master tapes. The artists included Isaac Hayes, Little Milton, Booker T. and the MGs, Rufus Thomas and Carla Thomas. Fantasy also plans to issue albums of released and unreleased Stax tapes. The first three al-

bums will be two-record sets called "The Johnnie Taylor Chronicle"; "Sunshine" by the Emotions; and "The Pinch" by Albert King.

Memphis recording engineer Robert Jackson, formerly a Stax engineer, spent several months in California this summer mixing and reworking some of the Stax tapes to prepare them for release.

Horton says Fantasy plans for Stax to be a live label and not just a series of re-issued old material. She says the company is at work signing new artists, the first being singer Pat Larry of Philadelphia.

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## Executive Turntable

Jerry Wexler joins Warner Bros. Records as senior vice president and a&r consultant basing in New York. Wexler, whose activity in the music industry dates back some 30 years, was a Billboard reporter from 1948 until 1951, when he left to work under publisher Abe Ollman at the Big Three. In 1953 he joined Atlantic Records as a partner and was a strong contributor, along with Ahmet



Roth

and Nesuhi Ertegun, during its prime growth period. He was vice chairman of the label when he resigned from Atlantic in August 1975 and took on a consultancy post with WCI. . . . Alan Rowan appointed assistant to the president at ABC Records and Tapes and a director of planning with the record division. . . . Stan Bly appointed vice president/national promotion for MCA Records in Los Angeles. Most recently he was a vice president of promotion for Polygram. . . . Lenny Beer named vice president, national promotion director, for 20th Century Records in Los Angeles. He comes to the label after five years as vice president of marketing at Record World magazine. . . . Myron Roth appointed vice president, business affairs, West Coast, CBS Records. He comes from RCA where he held a similar position. . . . At CBS in New York, Stephen Dessau becomes product manager, East Coast, Epic, Portrait and Associated Labels. . . . Jim Fishel named a&r manager, Columbia Records a&r, East Coast, based in New York. He was formerly campus editor at Billboard. . . . Elizabeth Henry named media coordinator CBS Records, New York. She was an executive secretary. . . . David Werchen has joined the business affairs department of Polydor Inc., and Phonogram as associate counsel in New York. He was with New York law firm of Lynton, Opton & Saslow. . . . Belinda Wilson named director of artist relations, special markets for ABC Records in Los Angeles. She had been a regional promotion director for the label. . . . Michael T. Garvin and Carole and Allan Thomas join ABC/Dunhill Music in Los Angeles as songwriters. . . .



Fishel

Nduyanyu Bernard Comas named to the post of national publicity coordinator, special markets, for A&M Records in Los Angeles. Most recently he was an independent publicity consultant. . . . Joseph E. D'Imperio becomes the new director of music of Paramount Picture's studio music department in Los Angeles replacing Dominic Frontiere who recently resigned. He had been with RCA Victor Records as an executive. . . . Nikki Randall promoted from an assistant in Capitol Records' market research department in Los Angeles to the newly created post of manager of music research for the label. . . . Kathy Hale becomes administrative assistant, business affairs, for Phonogram/Mercury Records in Chicago. . . . Eileen Michael joins the ATV Music Group as administrative director, East Coast, basing in New York. She was formerly general manager of Almo Publications and director of product and media for Warner Bros. Music. . . . Mike Gaffney promoted from buyer to sales manager at Pickwick Distributing, Atlanta, with Vaughan Jones replacing him as buyer. She was previously manager of the Lenox Square Franklin Music store in Atlanta. . . . Tom Gross, advertising manager for Lieberman Enterprises, Chicago, transferring to the Minneapolis home base to become national accessories buyer. . . . Carol Cassano promoted to the post of West Coast professional director for Jobete Music Company, Inc., and Stone Diamond Music Corp. and affiliated companies and will base in Los Angeles. A four year Jobete veteran, she most recently served as a professional manager for the company. . . . Chuck Seitz becomes vice president of QCA Records in charge of a&r, Cincinnati. Prior to joining QCA as chief engineer last March, Seitz served as senior engineer at the RCA Studios in Nashville for 14 years. . . . William Mulhern named marketing director of the Music Agency Ltd. in New York. He was director of product merchandising at RCA. . . . Charles Comer appointed to the newly created position of director of publicity and television for Island Records in New York. Also, Margret Lapiner named director of East Coast publicity and Marguerite Thomas named national tour publicist. Comer and Lapiner were the label's New York publicity staff, while Thomas comes from Cellar Door Productions. . . . At Phonogram in New York, Susan Scivoletti named publicist, East Coast. She was assistant to Sheryl Geuerstein, national publicity director. . . . Maria Polivka named national promotion director and Russ Palmer named director of special projects, for the Whittemore Corp., a Los Angeles-based promotion and public relations firm. . . . Polivka was an assistant program director at Ten-Q Radio and Palmer has held promotion posts with UA, RSO and Warner Bros. . . . Susan Markheim named assistant to David Chackler, co-president of Chalice Productions in Los Angeles. She had been assistant to Charlie Nuccio, president of Island Records. . . . At James B. Lansing Sound, Inc., Los Angeles, Frederic Boyer appointed vice president of finance after having been a director of finance. Peter Horsman, manager of JBL's professional division, elected chairman of the Los Angeles section of the Audio Engineering Society; and Nina Stern named to coordinate public relations efforts for JBL as well as other Harman International Industries audio companies Tannoy, Ortofon, and Boli-var Speaker Works as well as Harman Kardon. . . . Robert M. Sheehy appointed Western regional sales manager for Columbia Magnetics, the blank tape recording arm of CBS Records. He was most recently Western regional sales manager for custom tape duplicating with Ampex. . . . At Pioneer Electronics of America, Los Angeles, William Moreland appointed vice president of marketing. He was account supervisor on the Pioneer account in the L.A. office of Chiat/Day. And Howard Krivoy named sales promotion supervisor after having been a technical editor for James B. Lansing Sound. . . . Louis K. Warden elected a director of Continental Fidelity Corp. which recently acquired AudioMobile, a component car stereo firm in Los Angeles. He is president and chief executive officer of Pacific Clay Building Products, Calif.



Mulhern

Comas



Wilson

Cassano



Cassano

### SEES CONCERT FEES, PENALTIES

## NECAA Panel Explains C'right Law

By ED HARRISON

LOS ANGELES—Gary English, executive director of the NECAA, informed a group of disgruntled student programmers about pending licensing fees and infringement penalties at a special copyright workshop at the Far West regional NECAA conference Oct. 20-23 at the Biltmore Hotel here.

English made it clear, much to the dismay of those in attendance, that under the copyright revision, effective Jan. 1, 1978, schools will no longer be exempt from paying licensing fees on copyrighted material used in concert performances.

The only exemptions will be if the performance is used by an instructor or pupil in the course of face-to-face instruction; without any purpose of

direct or indirect commercial advantage (meaning nobody gets paid); or if a recorded piece is used as background music.

When queried on how the licensing organizations—BMI, ASCAP and SESAC—would enforce royalty payments, English aroused the group by saying college concerts would be monitored by spot-checkers who would randomly attend a concert with a tape recorder and in turn forward the performance to the proper performing rights organization.

Penalties for copyright infringement are both civil and criminal. While both individual and organization can be sued, English made it

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