

# 2002 PUBLISHER SPECIAL

November 2002

Vol. 22 • No. 13 • Est. 1981 • \$4

# MUSIC CROW

**Trick  
Pony**

**PAST,  
PRESENT &  
FUTURE**

**What Publishers  
Are Thinking**

**ADVICE (or not)  
FOR WRITERS**

**Rick Carnes  
D. Vincent Williams**

**Roundtable:  
PUBLISHER  
HEADS OF  
STATE**

**Conrad, Higdon,  
Hilley, Overton,  
Wipperman**

**PUBLISHER  
DIRECTOR**

**From A**

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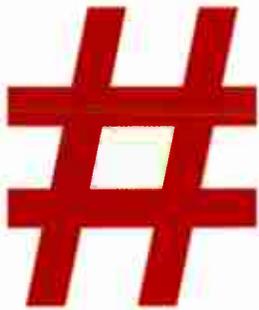
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Joe Nichols  
(Kelley Lovelace)

"I Don't Want You To Go"  
Carolyn Dawn Johnson  
(Carolyn Dawn Johnson)

"Where Were You (When The World Stopped Turning)"  
Alan Jackson  
(Alan Jackson)

"My Heart Is Lost To You"  
Brooks and Dunn  
(Connie Harrington)

"Second Wind"  
Darryl Worley  
(Darryl Worley/Steve Leslie)

"Forgive"  
Rebecca Lynn Howard  
(Rebecca Lynn Howard)

"Work In Progress"  
Alan Jackson  
(Alan Jackson)

"Wrapped Around"  
Brad Paisley  
(Brad Paisley/Kelley Lovelace)

"Shiver"  
Jamie O'Neal  
(Jamie O'Neal/Shaye Smith/Lisa Drew)

"That's When I Love You"  
Phil Vassar  
(Phil Vassar)

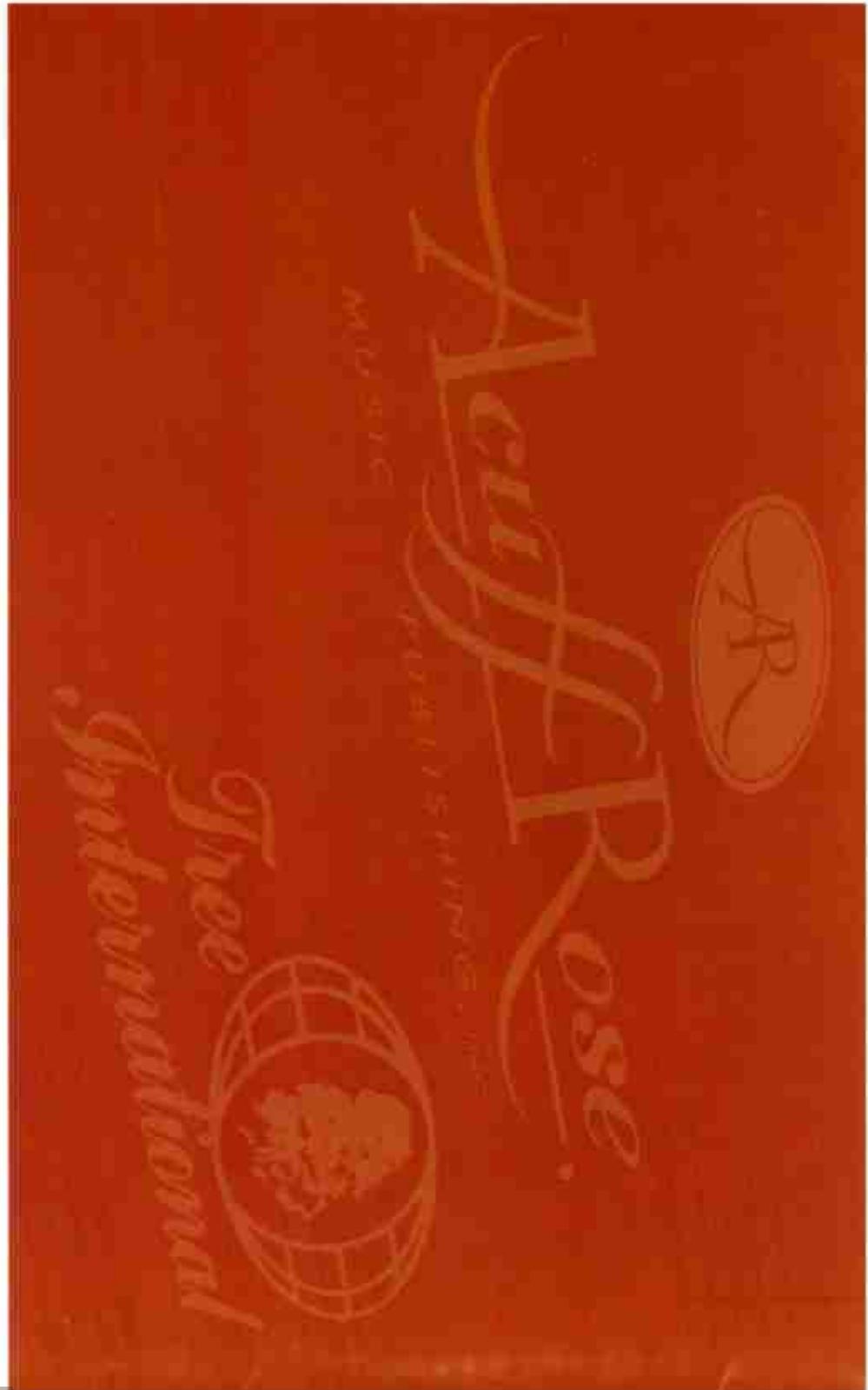
"I'm Gonna Miss Her (The Fishin' Song)"  
Brad Paisley  
(Brad Paisley/Frank Rogers)

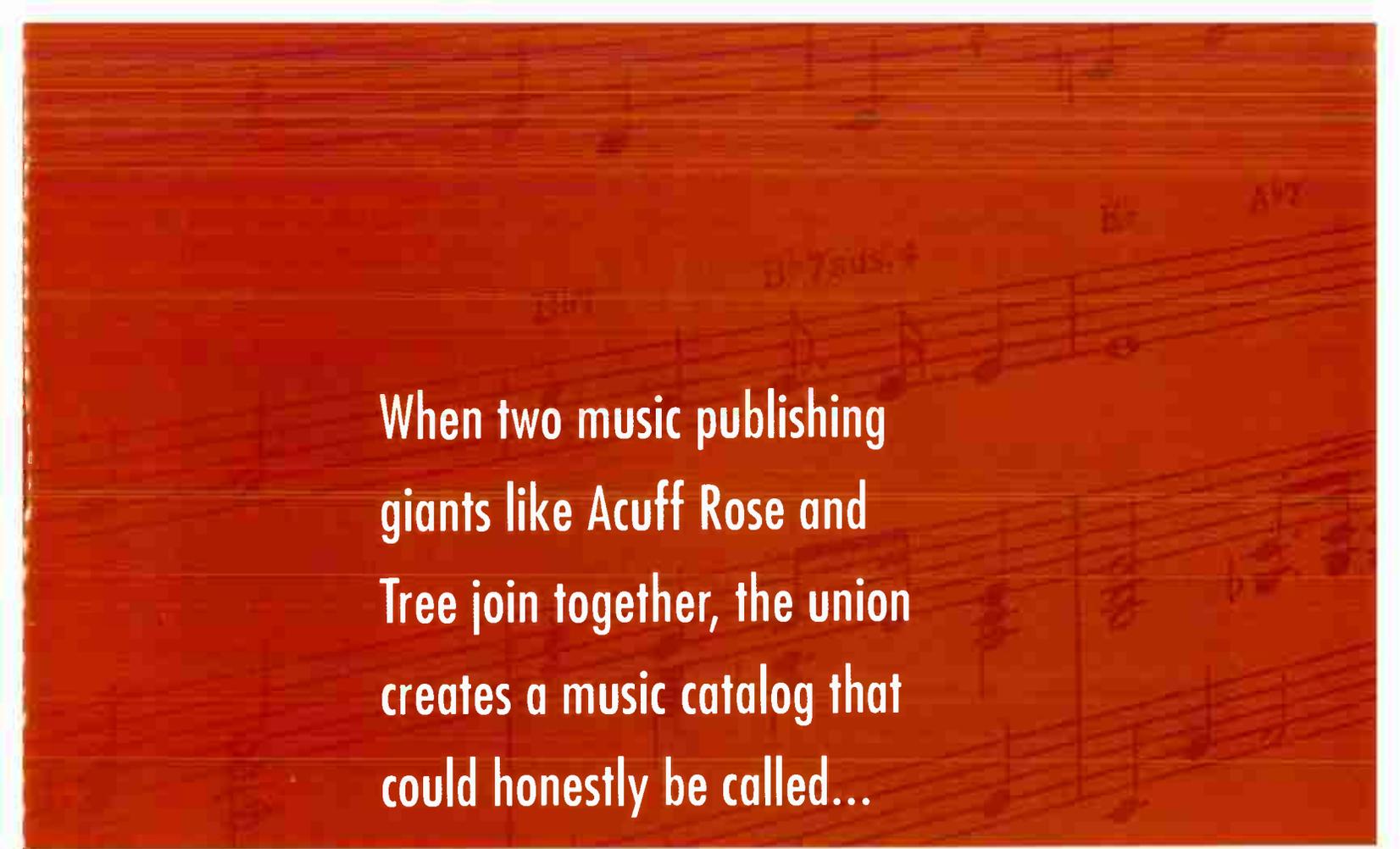


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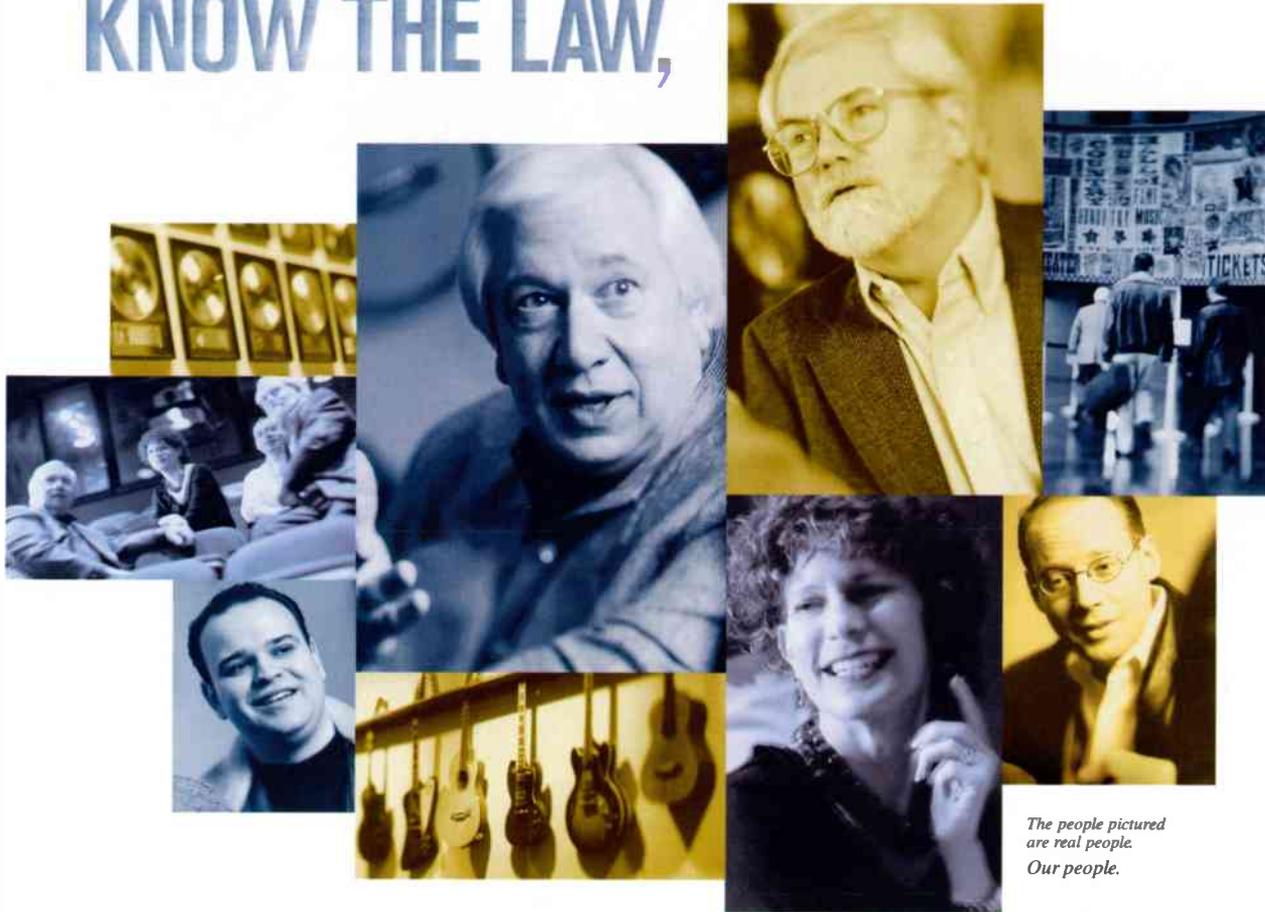
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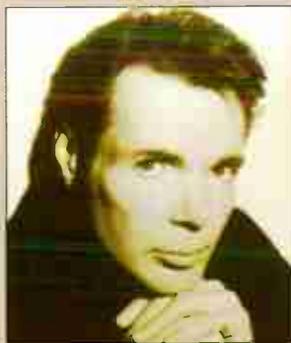
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## On the Cover Trick Pony

**Current Single:** "On A Mission"

**Current Album:** *On A Mission*

**Current Video:** "On A Mission"

**Current Producer:** Chuck Howard

**Member Names & Instruments:** Heidi

**Newfield**—vocals, harmonica and acoustic guitar;

**Ira Dean**—bass and vocals; **Keith Burns**—guitar and vocals

**Hometowns:** **Newfield**—Healdsburg, Calif.;

**Dean**—Raleigh, N.C.; **Burns**—Atlanta

**Management:** Chuck Howard/Herbert Graham

**Booking:** CAA

**Recent Hits:** "Pour Me," "On A Night Like This," "Just What I Do"

**RIAA Certs:** *Trick Pony*—Gold

**Awards:** AMA Winner for New Country Artist

**Birthdates:** **Newfield**—Oct. 4; **Dean**—Aug. 23;

**Burns**—Nov. 16

**Musical Influences:** **Newfield**—Waylon, Merle,

Loretta, Bonnie Raitt, Tina Turner, early Tanya

Tucker; **Dean**—Johnny Cash, Buck Owens, the

Eagles, Fleetwood Mac, Miles Davis; **Burns**—

Willie, Waylon, Tom Petty, Bruce Springsteen, Ray

Charles, Don Henley, Elvis, Hank Sr.

**Outside Interests:** **Newfield**—outdoors, skydiving,

gymnastics, hiking, horse-back riding, movies, fishing,

reading magazines; **Dean**—motorcycles, skydiving,

working on old cars, movies, hockey; **Burns**—time

with his kids, reading, golf, basketball, working-out,

fishing, camping, football

**First Live Performance:** **Newfield**—age 6, on a

trail ride in northern California sang "Delta Dawn"

and "Cow Patty" in front of 300 people; **Dean**—

won a talent contest in St. Paul, Minn., playing

drums; **Burns**—junior high school talent contest,

where he and a friend sang "Surf City"



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# "WHAT THE #@\*\$\$'S GOING ON AT ZOMBA?"

## OUR SINGLES!

"Life Happened"—Tammy Cochran  
"Hard Call To Make"—J. Michael Harter  
"I Should Be Sleeping"—Emerson Drive  
"Shiver"—Jamie O'Neal  
"A Good Way To Get On My Bad Side"—Tracy Byrd & Mark Chesnutt

"The Ball"—James Otto  
"Almost Home"—Craig Morgan  
"Man Of Me"—Gary Allan  
"I'm Already There"—Lonestar

## OUR WRITERS!

GARY BAKER  
LISA DREW  
WAYNE PERRY  
SHANE TEETERS

JASON BLUME  
STEPHANIE LEWIS\*  
KERRY KURT PHILLIPS  
GEORGE TEREN

ROXIE DEAN  
J.P. PENNINGTON  
TAMMY POWELL  
MARK ALAN SPRINGER

\*ASCAP Christian Songwriter Of The Year

## OUR ARTISTS!

ROXIE DEAN-Dreamworks Records

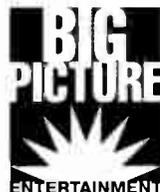
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~~influential...~~

~~outstanding...~~

~~noteworthy...~~

~~foremost...~~

~~excellent...~~

~~well known...?~~

# FAMOUS MUSIC

by Richard D. McVey II



Conrad

**CONRAD DOES 180**—David Conrad was recently appointed Executive VP of A&R for Mercury Records and MCA Nashville. With over 30 years experience, Conrad was a fixture in publishing circles, representing Almo/Irving Music for the last 21 years as its Senior VP. "It's a bit of a 180," says Conrad. "But essentially it's the same job I've done at PiGem and Almo Irving. The difference, which is delightful and exciting is this: I've experienced having a great, but limited [in number] world of songwriters and songs due to the rosters we worked with; but had the whole world of artists at my disposal to pitch songs. Now it's just the opposite: A limited label roster family of artists, but the entire world of songwriters. It's a supreme prospect for a song man."

**NARAS NAMES PORTNOW PRESIDENT**—The Board of Trustees of the National Academy of Recording Arts & Sciences, Inc. (NARAS) has chosen Neil Portnow as President of the Recording Academy, according to Garth Fundis,

Chairman of the Board. No specific start date has been announced. Portnow has served the Academy as a volunteer leader in a variety of roles for 20 years. He recently served as the Treasurer and Secretary of the Academy's National Board of Trustees, a position he held for two years. Portnow currently is Senior VP of West Coast Operations for the Zomba Group of Companies.

**UNIVERSAL ANNOUNCEMENTS**—Universal South label heads Tony Brown and Tim DuBois reached an agreement with Chordant Distribution, a division of EMI CMG, to market and distribute appropriate product to the Christian music marketplace. The first signing to their new association with Chordant will be singer/songwriter Matthew West, who is expected to release his debut album early next year. In addition, Universal South has entered into a creative development agreement with The Pro-Duce Section, a newly formed talent development consortium comprised of songwriters Walt Aldridge, Gary Baker and Mac McAnally. Under the terms of the agreement, Aldridge, Baker and McAnally will work with the label's A&R department to find and develop new talent.

**HIGH IMPACT**—The Nashville Convention and Visitor's Bureau and the CMA released numbers

showing an increase in Fan Fair's financial impact in the local community. Specifically, the event brought \$17 million to Nashville, up 10 percent from 2001. "At a time when concert ticket sales are soft across the country, we were not only able to increase our aggregate attendance, we were also able to increase the financial impact of Fan Fair on the Nashville community," said CMA's Ed Benson.

**BATTLE OF THE ACRONYMS**—The CMA is suing the Christian Country Music Association over the use of the acronym "CCMA." A prepared statement from the CMA reads in part, "We have tried for quite some time to encourage Mr. Gene Higgins, president and owner of the Christian Country Music Association, to stop promoting his event as the CCMA Awards because of the likelihood of confusion being created among consumers, the media and the industry. Our numerous requests being ignored, it has unfortunately become necessary to take more direct action—especially now that Higgins has scheduled his show for the day before the 36th Annual CMA Awards, which will be live on CBS Television Nov. 6." Higgins had no comment, other than to point out that his awards show has been held the first week in November for eight of the past 10 years. **MR**

## MUSICAL CHAIRS



Buchanan

Steve Buchanan, who currently oversees the Grand Ole Opry, Ryman Auditorium and Gaylord Program Services at Gaylord Entertainment, is upped to Senior VP of Media and Entertainment. Buchanan adds radio stations Live 95 WSM-FM, 650 WSM-AM and 99.7 WWTN-FM to his responsibilities...Keith Stegall exits as Executive VP/CCO/A&R at Mercury...Rob Dalton leaves Sony Nashville as VP Promotion...Bob Flax is named President of EMI Music Publishing's U.S. company. He is based in New York. Jeffrey J. Burrow joins the Nashville office of the litigation law firm Hall, Booth, Smith and Slover, P.C. as Associate Attorney...Management company Blanton Harrell Cooke & Corzine (BHCC) partners with Mitch White, President of Moose Management. White joins BHCC as VP of Artist Development...Alison Booth is promoted to Senior Director, A&R Administration, RCA Label Group-Nashville...Angela King joins R&R's Nashville office as Associate Country Editor...Producer/songwriter Flip Anderson is appointed to direct the day-to-day operations of Party



Warnke

On the Porch Music...Carole Ann Mobley is upped to Senior Director, A&R, RCA Label Group-Nashville...Sheri Warnke joins TBA Entertainment Corporation as a Senior VP...Michele Alford is promoted to Advertising Specialist at Country Music Media Group. In addition, Traci Williams is upped to Marketing Coordinator and Tracy Rogers is named Associate Publisher of Marketing/Promotions...Brian Allen is named Royalty Assistant for MCS Music America, Inc...Diana Johnson departs as Senior VP of Museum Services at the Country Music Hall of Fame and Museum...Provident Music Distribution hires Robert Bedenbaugh as Director of Sales for National Accounts, and Russ Evers as Retail Marketing Coordinator...Kathi Weidow is promoted to Assistant VP, Per Program & Administration, Media Licensing at BMI. In addition, Patricia Naar is elevated to Assistant VP, Collections...Duane Hobson is promoted to Coordinator, A&R, RCA Label Group-Nashville...Ken Tucker joins Airplay Monitor as a Special Contributor...Bill Ivey, former



Tucker



Ivey



Taylor



Rymer

Chairman of the National Endowment for the Arts, is named Program Facilitator for the executive education program Leadership Music...April Taylor is elevated to Manager, Arista Nashville Artist Development & Marketing...Christine Smith exits as Manager of Finance at Capitol Records...Compendia Music Group announces that John M. Rolfe, Jr. is named VP of Business & Legal Affairs, Michelle Duffie as Director of Marketing for Light Records, and Crystal McLin as Director of Publicity and Promotion for Light Records...Bullseye Marketing names Jennifer Green as Director of Active Radio Marketing...Bobbly Rymer is appointed VP, Almo Irving/Rondor Music Nashville...Tiffany Swinea joins Still Working Music as Creative Manager...Jim Grundberg is named VP of Sales for Chordant Distribution...DreamWorks Nashville ups D'Ette Brosius to Marketing and New Media Manager...Chris Loss joins Lyric Street Records as Director, West Coast Regional Promotion. **MR**



Flax



Booth



Mobley



Bedenbaugh



Weidow



Naar

## How Sweet Compendia Is

"We'd rather be with a small army that's ready to try and make a powerful fist," says David Sonenberg, manager of Joan Osborne, explaining why Osborne decided to partner with Nashville-based Compendia Music to release her new album *How Sweet It Is*.

He reveals that the multi-platinum selling singer had offers on the table from four major labels, but Compendia seemed a better fit for this project.

"Compendia served our purposes for a couple of reasons," he says. "One, they are going to be passionate. When we met with them they were all really excited about working with Joan. Two, if Joan has a gold album, they will be thrilled. A major might be disappointed with a gold album."

He also believes major labels have limited marketing plans. "The majors are chasing after that big dream. All they are looking at is getting on pop radio and MTV. That tends to be their marketing plan. If, in fact, you strike out at radio in the first week and MTV snubs your video then the marketing plan doesn't have many more legs than that. Compendia is willing to try different things. We just got Joan's record added to the top two smooth jazz stations in the nation. They were ecstatic about that, where I don't think a major label would be."

And ultimately the deal came down to dollars and sense. "One of the beauties of signing a record deal with an indie is that we can make a lot more money," says Sonenberg. "Our royalties are a lot better with Compendia. To be frank, we're making more than twice as much as we'd be making on a major label."

—John Hood



## MICKEY NEWBURY

1940-2002

Acclaimed artist and songwriter Mickey Newbury passed away September 28 at his home in Vida, Ore. He was 62.

Arriving in Nashville in the early sixties, Newbury helped bring greater emotional depth and more varied influences to the town's songwriting. The Houston native's early hits included Don Gibson's "Funny

Familiar Forgotten Feelings" and "Just Dropped In (To See What Condition My Condition Was In)" for Kenny Rogers and the First Edition.

Newbury was also a critically-heralded if commercially-overlooked recording artist, with notable songs including "San Francisco Mabel Joy," "Heaven Help The Child" and "American Trilogy" to his credit Bobby Bare, who produced Newbury's 1977 album *Rusty Tracks*, remembers him for his voice and the ability to command a writer's night. "When Newbury finished, it was over. Nobody wanted to follow him...unless they were drunk. Or crazy."

"I wish," Bare adds, "he'd been organized and disciplined enough to play the commercial music game. He had the artillery to blow everybody away. But he was a free spirit."

—Chuck Aly

## AND THE WINNERS ARE...



### CMA BROADCAST AWARDS

**Broadcast Personality of the Year:** National—Lon Helton—Country Countdown USA; Major Market—Kelly and Jonathan with Mudflap (Kelly Ford,

Jonathan Wilde)—KYGO/Denver, Colo.; Large Market—Eddie Stubbs—WSM/Nashville, Tenn.; Medium Market—Andy & Alison (Andy Ritchie, Alison Randall)—WIVK/Knoxville, Tenn.; Small Market—Bill Barrett & Tim Fox—KKNU/Eugene, Ore.; **CMA Radio Station of the Year:** Major Market—KPLX/Dallas, Texas; Large Market—WTQR/Winston-Salem, N.C.; Medium Market—KUZZ/Bakersfield, Calif.; Small Market—WIXY/Champaign, Ill.



### AMERICANA MUSIC ASSOCIATION AWARDS

**Artist:** Jim Lauderdale; **Album:** Buddy & Julie Miller, self-titled (HighTone); **Song:** "She's Looking At Me," Jim

Lauderdale & Ralph Stanley & The Clinch Mountain Boys; **Instrumentalist:** Jerry Douglas; **Lifetime Achievement, Executive:** T Bone Burnett; **Lifetime Achievement, Songwriter:** Billy Joe Shaver; **Lifetime Achievement, Performer:** Emmylou Harris; **President's Award:** Doug Sahn; **Spirit of Americana Free Speech Award:** Johnny Cash



### IEBA FOUNDERS DINNER AWARDS

**Founder's Award:** Jerry Garren; **Humanitarian Award:** Jeff Foxworthy;

**Artist Manager:** Clint Higham (Int'l Management Services); **New Agent:** Abby Wells (William Morris Agency); **Concert Promoter:** Mike Smardak (Outback Concerts of TN); **Event Producer:** Crisper Stanford (Park Place Ent.); **Fair/Festival/Event:** Rockin' Roadhouse Tour; **Talent Agent:** Stan Barnett (CAA); **Talent Buyer:** Fran Romeo (TBA Entertainment); **Pioneer Award:** Johnny Cash

## the buzz...

### CMA AWARDS EDITION

Great lineup for 2002: Vince hosting, AJ and Martina performing...or was that last year?

- ▲ **Cyndi Thomson**—As difficult as walking away from budding career may be, it shows integrity.
- ▶ **Trace Adkins**—Can someone please get this man work in a pillow factory?
- ▲ **Shania**—Props to this international superstar for keeping her album launch in-house (and in Nashville) at Mercury.
- ▼ **Ryan Adams**—Ego maniac curses fans and unravels onstage at Ryman. All part of his grand, career-killing scheme.
- ▼ **MUSIC Coalition**—All you young music fans, you who we'll depend on to support us for the next decade, you're all thieves!

## THAT AIN'T THE WAY HANK DONE IT



Dvoskin

New York-based songwriter and producer Larry Dvoskin is getting a lot of attention with his ongoing search for the "first openly gay male country star." *Music Row* recently spoke with him.

**Music Row:** How's the search going so far?  
**Larry Dvoskin:** Voice mail and e-mail are maxed out. I've gotten through the first 200 tapes and thousands more have called or sent something in.

**MR:** Uh, how will you know?

**LD:** Good question. The short answer is, gaydar. But to be honest with you, the top three contenders so far all have [live-in] partners.

**MR:** Is the aim to build a serious career, or is this just a one-off?

**LD:** I have a solid reputation with the artists I've worked with (Meredith Brooks, Sammy Hagar), so it can't be some kind of country Milli Vanilli. I just couldn't lend my name to that. It has to be somebody unbelievably talented.

**MR:** There already is a Lesbian & Gay Country Music Association. What sets your project apart from those artists?

**LD:** The primary audience for this project isn't the gay audience. It will be 20 to 25-year-old girls, and then the middle-aged housewives who shop at Wal-Mart and read the *Enquirer*. It's the same thing that happened in the fifties when people who liked Hank Williams also liked Liberace.

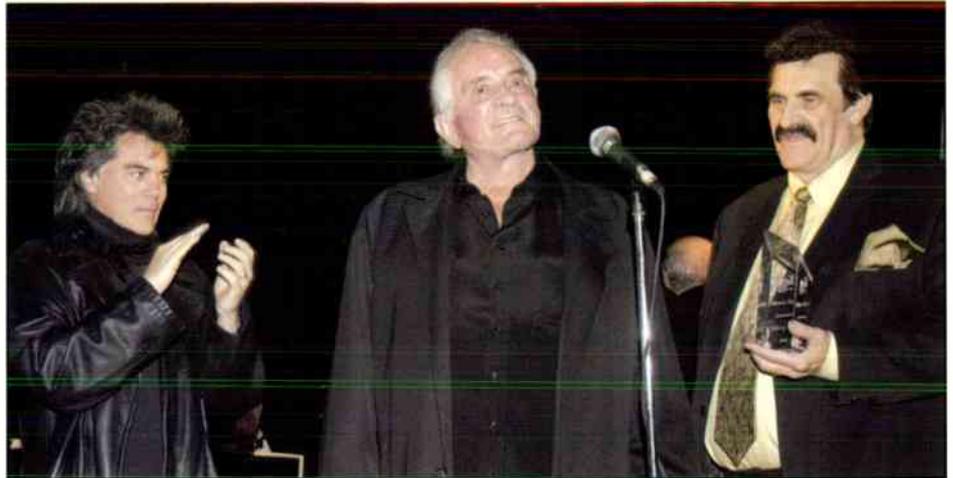
**MR:** Why not a lesbian?

**LD:** We already have k.d. lang. And in our Howard Stern culture, a chick with a chick is cool, but a guy with a guy isn't.

**MR:** And the response so far?

**LD:** The main word is unexpected. I've been on 354 radio stations. This morning WGNA in Albany gave me 17 minutes of airtime at 8 a.m. I've probably gotten \$4 million of free promotion. I'm impressed with America. I'm really impressed with Music Row. I thought I would get stonewalled but I'm not. People have been really receptive. This may be the big lark or it might be music history being made.

—Chuck Aly



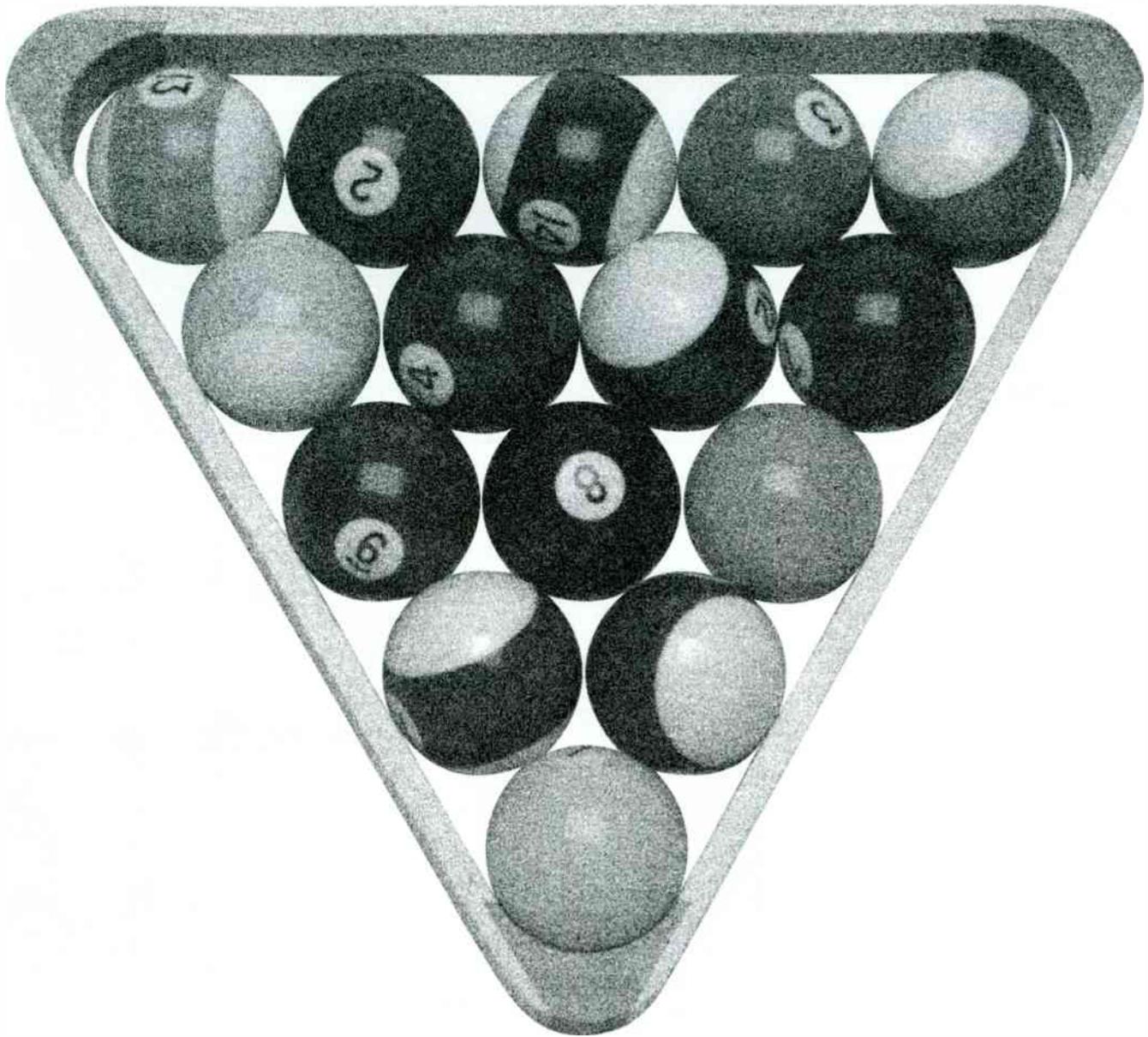
The 32nd Annual Conference of the International Entertainment Buyer's Association (IEBA), hosted in Nashville, held its Founders Dinner Awards on Oct. 8. The event was highlighted by Johnny Cash, who walked on stage to accept the Pioneer Award. Pictured at the event are (l-r): Marty Stuart, Cash and Merle Kilgore. Photo: Alan Mayor



The Second Annual Rock The Barn, hosted by Janine and Ronnie Dunn, took place Oct. 3. The event, which benefited the St. Thomas Women's Center, included entertainment by Brooks & Dunn, Sara Evans, Lonestar and Rascal Flatts. Pictured at the event are (l-r): Greg Pope, VP Philanthropy, St. Thomas Foundation; ASCAP's Connie Bradley, Ronnie Dunn, Sony/ATV/Tree/Acuff Rose's Donna Hilley and Cindy Roberts, Director of Center For Breast Health, St. Thomas Foundation.



A celebration was held at BMI Nashville for the writers of the Diamond Rio chart-topper "Beautiful Mess." The song is the first No. 1 for songwriters Shane Minor and Clay Mills, while co-writer and former Exile member Sonny LeMaire has scored 10 No. 1 hits. Pictured at the event are (front): Diamond Rio's Dana Williams, Gene Johnson and Dan Truman; writers Sonny LeMaire and Clay Mills, and Arista's Bobby Kraig; (back): Diamond Rio's Jimmy Olander, Brian Prout and Marty Roe, writer Shane Minor and BMI's Thomas Cain. Photo: Kay Williams



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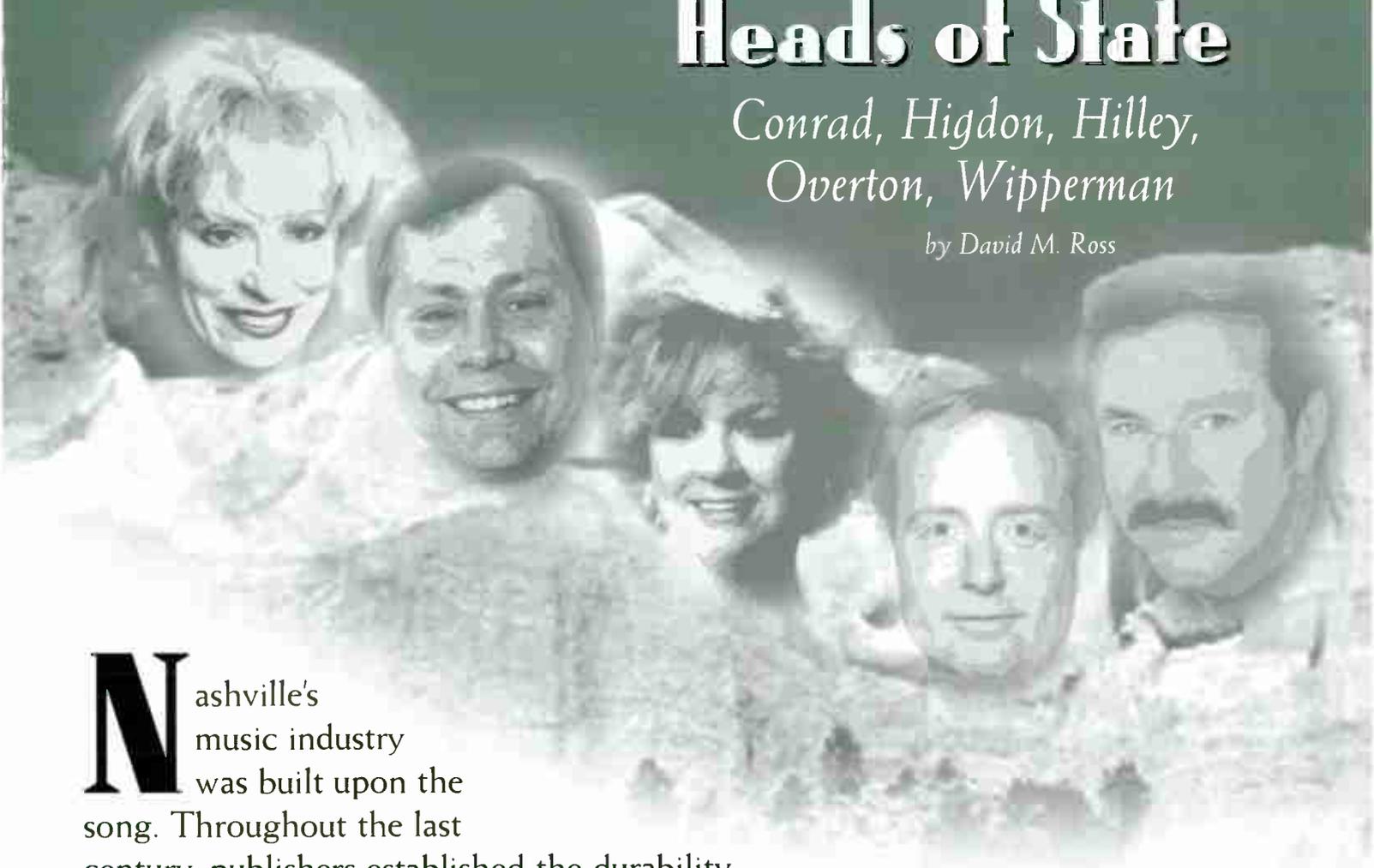
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# FORUM: Nashville's Publisher Heads of State

*Conrad, Higdon, Hilley,  
Overton, Wipperman*

*by David M. Ross*



**N**ashville's music industry was built upon the song. Throughout the last century, publishers established the durability of the copyright asset and refined its ability to generate income. Now, the advent of the digital era has introduced new complicated challenges for intellectual property caretakers.

To discuss today's issues, *Music Row* invited Music City's five publisher heads of state to meet at our office in a roundtable format. The unique camaraderie of Nashville industry leaders was evident throughout the 90-minute session and indeed the fact that these high-power, competitive publishers would join together to share insights illustrates a major strength of this community.

Framed against new financial realities, slowdowns at radio and the effect of digital media, the discourse included many areas. Doing more with less was a central theme as writer contracts, joint venture guidelines, beefed-up sync rights departments and new

plugging strategies took center stage. Surprisingly the group used this opportunity to issue a joint statement to performing rights organizations regarding awards. Read on.

***Music Row: How has the financial reality changed for writers in the current economic climate?***

**Donna Hilley:** The deals are more reasonable now. We are not in never-never land any more. The writers we work with have been very cooperative. The attorneys still haven't gotten the message, but when we get an attorney trying to negotiate an unreasonable deal for a new person we just say, "We're not doing those kind of deals,

you need to go somewhere else." We've been trying to deal in the beginning with the writers and most of them understand the marketplace.

**Gary Overton:** Beginning writers, as they've always been, are just thankful to get an opportunity. There is a sense of financial reality that has hit writers and publishers and everyone else. The writers still see the great worth to having a publisher. There are some attorneys and representatives still trying to go for the kind of deals that were happening in the mid-to-late '90s, but I don't think anybody sitting at this table is doing those kind of deals now. So we'll see some of the veteran writers and/or even artists remain without a deal for a while as long

as they continue shopping for a number they are not going to get.

**Pat Higdon:** But the deals are fair on both sides of the fence now. At one time they were unfair to the publishers. The growth is something that you try to build in and those are things which work for both parties on both sides.

**MR: What about writers that were getting the big draws and now have to readjust their lifestyles?**

**Overton:** This has been happening in all walks of the business. You have people working at record companies that no longer have jobs. Managers without clients. The standard of living or income from country music was exorbitant for a while and a lot of lifestyles went up...

**Tim Wipperman:** We all [publishers] participated in that problem, as a result of competing with each other. Looking back at some of the deals that were made, I just shake my head now. But writers aren't stupid, they understand the market. They may not like what has happened, but you can show them the logic and they realize they have to adjust their lifestyles just like we (and everyone else) have to adjust our staff and business models.

**Hilley:** We all got on the bandwagon where we were signing writer/artists. But sometimes they were artists and not writers. We've gone back to remembering, "We're in the publishing business not the record label business." If an artist can't write they don't get signed to Tree.

We don't have a lot of time to develop writers in our company, like we used to. When a writer that needs a lot developing comes to us, we encourage them to do so through a joint venture because it is smaller, one-on-one. So it's opened up space for new joint ventures which gets back to the entrepreneurial spirit.



Pictured L to R: **Tim Wipperman**, Exec. VP/GM Warner/Chappell Music; **Donna Hilley**, President/CEO Sony ATV/Tree/Acuff Rose; **Karen Conrad**, Senior VP BMG Music; **Gary Overton**, Exec. VP/GM EMI Music; and **Pat Higdon**, Senior VP/GM Universal Music

**MR: Is everyone doing joint ventures?**

**Karen Conrad:** We started a farm team a few years ago. We call it our 18/18/18 deal. We sign new developing writers to what amounts to a paid scholarship, we don't really intend it to be a job. We sign them for 18 months, \$18,000, and 18 songs. In that way the deal is not so expensive and we've given ourselves enough time to see if that writer really has the potential. Our employees have to spend more time and longer hours working with them, but we've found that the numbers with the joint ventures just don't seem to work for us. So on the low end, that's how we're trying to be able to sign more writers. Once a writer gets to the level of a Craig Wiseman or Aimee Mayo...

**Overton:** Then we start adding zeros [laughs]...

**Conrad:** Well the top end isn't anything which we will reveal, but there are still some healthy deals out there...

**Wipperman:** None of us can afford joint ventures with heavy overhead. That was the

model for a while, but that model doesn't work.

**Hilley:** We don't have heavy overhead joint ventures either. We have people that have made it financially in other areas that want to have ownership in something. We put the money in the writers.

**Higdon:** One of the things we've done is to identify viable people in the industry that may have connected at one time to three or four of our writers and are able to connect to past niches of our catalog. Then we've given them opportunities to bring us things on the new side as well. It creates participation income for old catalog that might otherwise lay unexploited and at the same time brings opportunities that they may find because they are in the marketplace. If they are successful they generate an income stream that they let us apply to advances that we give them, or they have a

stream they can live off that is not tagged into their venture so it doesn't create a huge amount of overhead inside the venture.

**Hilley:** We've done that with Dale Dotson. He's a writer, but then I also allow him to pitch usually 100% written songs from our catalog and use that as an advance against his draw as a writer. I've also taken catalog that was sitting on the shelf and said to our joint venture people, "Here's 10 writers and 10 songs. Get these cut and the income will go against your joint venture. It helps them recoup."

**Wipperman:** Most of the old deals were 100%, because we didn't have as many co-pub deals then, so it gives us some latitude to do these kinds of deals today.

**Higdon:** No matter which side of the table you are on, the most difficult thing in a joint venture, whether you are in the venture or in the seat of funding the venture, is the embryonic period. You start with nothing. No songs, no catalog and you have to grow it to a place where you

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have a revenue stream and that takes time. You don't just walk out and find the right people and chemistry, but you do find people that have an affinity for these old songs that would love to use these songs as their tools to do business with until they find the things they can put their own efforts into. It helps everybody.

**MR: So allowing a joint venture partner to use your catalog and share in the revenue from songs that get cut is a win-win situation?**

**Higdon:** We don't have time to do writer development or delve into the years behind and learn the songs from those periods. You can't exploit those copyrights, do the other stuff that comes across your desk everyday and work with your active writers, especially in view of the overhead environment we're all forced to work in today.

**Wipperman:** It's an efficient use of staff time. Especially trying to develop new writers. Most of us had mission creep during the '90s where we had too many writers. Everyone has cut the number of writers for economic reasons because the staff can only handle a limited number of writers effectively. Get too many and nobody is happy—writers don't get the attention they need and the staff is overrun with songs.

**Overton:** There's also been a number of catalog

acquisitions and a lot of song titles brought into these systems. Unfortunately, you don't get to keep all the song pluggers from each company to help move it forward. So one has to be creative.

**MR: How has the slowdown at radio changed publisher strategies?**

**Overton:** The performance income strategies have changed, but also mechanical income is almost nonexistent compared to what it was years ago. The former larger volume of income was why we could stay with a writer longer even if their account wasn't doing that great. Even if they got a few album cuts that were gold or platinum (no singles) it contributed. But now there's seven or eight artists that are each generating three to six million in album sales. If you're not on those few albums then mechanicals are so minor they are practically nonexistent.

**Higdon:** The album cycles for those artists is wider too, so you're looking at being able to use one of those events to recuperate only every three or four years instead of every year or 18 months.

**Wipperman:** Even singles. In years past, a given artist would put out maybe three singles per year. If you assumed the songs were co-written, the airplay could support maybe six writers. Now you have 1.5 singles per year and can only support half as many writers. Those writers will

## PUBLISHERS TALK BACK

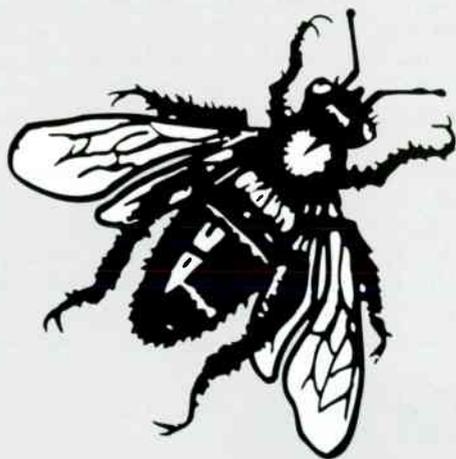
**Have shrinking slots at radio and on labels affected publishers? If yes, how?**

Fewer slots at radio have led to fewer singles. With only two singles per year from any particular artist, if you're the third single you're not looking at any performance income until two to two-and-a-half years after the album was released. This also means that some artists are three years between cutting a new album, which means fewer people recording and less songs being recorded thus less overall mechanical and performance income. Even though singles are paying more, I'd estimate that because there are fewer of them overall performance income is down as well.

—Mike Sebastian, Blacktop Music Group

There's no room at radio for breaking new artists except at small stations, which are off the performance survey map. Small publishers can't compete with the clout of the large insider publishers. Music has become the business of politics.

—Joyce Harrison, Luuu Music



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# PUBLISHERS TALK BACK

**Do you believe that Internet file-swapping has directly affected your business?**

Though it's affecting other formats more than ours I would have to agree it has the potential to become a major problem for our industry...Our mechanicals are in dire jeopardy

—Mike Sebastian, Blacktop Music Group

I don't believe that file swapping has had the negative effect the RIAA propaganda has led us to believe. The most active music downloaders are also the most active record buyers. If I download a handful of songs and like them, I will buy the CD for the convenience and superior audio quality. File sharing simply fills the role abandoned by radio of letting the consumer know what is embodied on a particular album. Is the whole album worth buying, or is it one hit single and 10 turds?

—Max Hutchinson, Creative Director, MCS America

My concern is that young buyers really have no "tactile" relationship to the music in that the experience of buying "albums" for the artwork, liner notes and music does not really exist...Kids have not been educated about the value of intellectual property. I do, however, think that as an industry we must look at the quality of the product that is being released and at how that product is priced. Consumers feel the product is over-priced and that has negatively affected our sales more than Internet file-swapping.

—Whitney Daane, Owner/President, Mighty Isis Music

**What will the market be like for songwriters and publishers during the coming year?**

I'm remaining optimistic for my publishing. I'm being proactive and trying to expand my services... I've been here 16 years. I see many of my writer friends without deals. If country music can't find some new saviors, it's going to be a bleak year for them.

—Larry Sheridan, Best Built Songs

I really don't believe it will get any better. There are more songs in the market than there are artists and radio slots. Twenty-five to 30 years ago reporting stations had playlists of 40-60 current songs. Today with playlists of 15-20 currents, fewer artists, and more writers than ever, it's all upside down.

—Bill Green, Pres., BGM Network, Inc./Bill Green Music

recoup more quickly on those 1.5 singles however, because the airplay lasts longer and therefore the income goes up. But you have three other writers that didn't get a single. And you have to make a decision about whether to keep or drop them. So it's changed the economics.

**MR: Does the slowdown at radio have an effect on hold policies?**

**Overton:** When there are less singles per album and a longer time between them, we begin invoking the "Pat Higdon rule" which says, "We'll stop pitching the song when it is in the top 10." [Pat smiles] But honestly, the album people are over-cutting by up to 20 tracks sometimes.

**Higdon:** For one particular act which just finished recording, we held 60 songs, and the average hold period was 12 months.

**Wipperman:** How much per song does a hold cost the publisher considering staff time, advances and demo costs? Perhaps \$3,000-\$5,000 per song?

**Higdon:** So that's \$300,000 (60 songs) of your inventory that's being held with no guaranteed return whatsoever. You've got to have a strong belief in your writers.

**MR: How are you compensating for the changes at radio?**

**Hilley:** We are becoming better business people and analysts with respect to figuring out what lies ahead. One area that has opened up is that record executives are very open to compilation ideas. If you look at the charts, there are a lot of album titles that don't necessarily get radio airplay, such as the Johnny Cash tribute. If you go to a label with a good compilation idea they'll likely say, "Bring it to me. I need the income as much as you do." So we're giving more in terms of rates on the copyrights in order to get into the compilations and to help the record labels lower their prices to be able to sell them. Publishing is a volume business. When it's down, like it is now, you'd better have a lot more cuts on a lot more albums or you'll sink. We can't just live off the performances, we'll die.

**Wipperman:** It isn't a magic wand in any one area. It's trying this and this and this and getting incremental income from all those areas so that it adds up and keeps your operation going.

**Hilley:** Our production company has never been structured to make money as a production company. It was set up to allow us to spend a little more money on a writer who has a possibility as an artist and to get them a record deal so that we might end up getting not just one song on an album, but 10 songs. I know the other publishers are doing that as well. Thankfully we got lucky with Brooks & Dunn, Blake Shelton, Lee Ann Womack and a few others to where we are making some money in the production company, but it was not ultimately the goal.

**Higdon:** But those kinds of strategies are still tied to the factors that control our overall industry. New is when, for example, you tie a great song to a book distribution or something like that. Those are different income streams than we have had in the past and they may replace some of these other things that are dwindling.

**Conrad:** We're trying to just expand our market. We can't look at Music Row as being the only source of income any more. We are looking at the world and the global market. One thing we did was to have an international writers retreat. We invited people from BMG all over the world to come and write with our writers. One song which came out of that in the first year was "Young." The response has been fabulous and we're starting to get cuts worldwide.

**Higdon:** It plays back to strategy though. When we sign writers we have to be a little bit more diverse than we were even five or six years ago. If you want to compete on an international level, you have to look at each writer a little differently and structure your writer portfolio accordingly.

**MR: Film and TV. Are sync rights playing a larger role?**

**Hilley:** We're more proactive than we've ever been and plan to be even more so with Acuff Rose. We're all having to do that to survive. That's the area where your biggest growth can come.

*I've had to tell her to slow down. If you know what I mean. She does so much.* — Hank Cochran

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**Wipperman:** We now have three full time film/TV people based in L.A., but who are here all the time. They go back and forth. We have weekly national staff meetings where we discuss every movie or TV project out there that needs songs. We link up New York, Miami, L.A. and Nashville.

**Higdon:** In addition to staff in New York and L.A. we have a person that devotes about 50% of their time in Nashville to searching for film and TV opportunities. You may have the best song in the world, but if you are not aware of a pitching opportunity, you don't have anything.

**Hilley:** We have departments in Nashville and L.A. because it adds a competitive edge. We have a consultant in L.A. that focuses on Acuff Rose and Tree as well as having the film and TV division. It's just like pitching a song. You don't want just one person pitching, you go to the producer, to the record label, the artist, anywhere you can get in. We sign very sophisticated writers. They don't just sign and say, "OK, you handle it." Most of my writers have their own songpluggers in addition to our pluggers.

**Wipperman:** And it is still an uphill battle. The preconceptions in L.A. or wherever the film is being made is that Nashville produces a certain kind of song. We have to proactively say, "No, we have writers that can write any kind of material, for any kind of movie and then prove that to them."

**Overton:** Our own people in L.A. and New York who love our music and understand it is diverse still have to deal with the preconceived notions of many music supervisors. However, the ad agencies seem less prone to have those preconceptions. They're just looking for the right song that makes sense. We've been working on relationships from the Nashville offices with ad agencies. Those guys are always starving for ideas and a great song and there's a tremendous amount of income in those TV ads.

**Higdon:** And they seem to be a little bit more creative than just reacting to what is popular. They'll take something that is older, more unique and try to spin it off in a different way.

**Hilley:** Sometimes they'll call and say, "I wanted this song, but so and so wouldn't work with me. Do you have a song like..." By being user-friendly we are able to slot our songs in there because New York and L.A. refused to negotiate. And it is in proportion to what you pitch. If you just answer the phone you are not going to get near as much as if you put your people on the road.

**MR: Catalog acquisitions continue to be a hot topic. Is it a buyer's or seller's market? How do you feel about acquiring a writer's share?**

**Hilley:** There are not too many standards being written, so any time I can purchase a standard—something that is going to continue to have earnings over and over again—I am in the market and will pay a fair price. What's a fair price? It

depends on who is selling and buying. For example, Acuff Rose contains tremendous standards mostly 100% written. So did I pay top dollar? I did. Can I grow it? I better, or I won't be there for long. And yes, people are selling their writer shares these days. If a writer wants to sell his writer's share he has every right to do it, but I hate to see it especially if there are children involved because I think they are selling their inheritance. But that's not for me to say.

**Conrad:** When the first writer's share deal came to me I felt, "Oh, that is totally taboo." But writers are more educated these days. They can figure out, "If I can get a big chunk now I can invest it and have more going on in the future than if I just sat on it and hoped that something was generated out of it." So if a writer wants to sell his share then do it. It is not up to us to decide what they might want to pass on to their children.

**Higdon:** From a practical buyer's perspective what it does is make you take a closer look at what you can do with it, because you no longer have a partner on the other side. Once a writer sells their co-pub share and the writer side they have no motivation to help you move that catalog to another level.

**Wipperman:** The other thing is that with only the writer share you can't administrate the catalog. I'm really uncomfortable with catalogs that I can't administrate and don't control.

That's another issue that devalues the writer's share if they try to sell that alone.

**Overton:** In Nashville, we've never bought a writer's share because it has always been something which felt uncomfortable to me. I'm still not warmed up to that idea. And we've not bought any co-publishing shares yet, either. Usually, the way the math works the value is based upon past income and by then the money is in. In our marketplace, by and large, the income earners might make a greatest hits album, but that's it. So the money is in and to pay again has never made financial sense to buy a co-pub share.

**Wipperman:** We've bought them, it just depends on the multiple.

**Higdon:** You can buy a co-pub share or you can buy a catalog. You do judge the value based upon the past. But you have to factor in the probability of whether you are going to be able to keep that income stream. That is usually dependent upon future activity not past, so you have to make a commitment to that catalog.

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Going back to your Acuff Rose example Donna, you had a strategic advantage there because you already co-published a lot of those songs and had them plugged into your people and your system. And you're able to continue to focus on them and maybe add additional energies to it because you own a larger share.

But if we just look at the question, "Is it a buyer's or seller's market?" well, it's really not great for either right now. It's not a great buyer's market because it is hard to put stuff into play. It is not a great seller's market because the market

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has been down so the prices people will pay are down a little bit too.

**Wipperman:** If you look at a time line, a lot of people tried to sell their catalogs two years ago or so because you value a catalog based upon the multiples earned during the previous three to five years. Those were still in the fat times. Now that we've moved forward in the time line, the atrophy in mechanical income is showing up in that curve and turned it downward. So sellers aren't going to get the money they might have a few years ago because the income has really tanked over the last few years.

**Conrad:** Most of those copyrights are hit driven and can't be valued the same way as standards. Basically, you have to wait 20 years to see if a song is a standard.

**Hilley:** I'm not interested in buying catalogs that are at their peak right now. Unless there is a song that I know will get recorded over and over again in commercials or TV or something, I'm not interested in a hit driven catalog.

**MR: Each year before awards time it seems a flurry of last minute acquisitions occur designed to get the trophy. But is it good business?**

**Wipperman:** We've all adjusted the way we do contracts and deals to win these awards in the past. But Publisher of the Year is not reflective of who is the best publisher. It has to do with

what percentage of the copyright you've amassed in a particular year using whatever technique you've used to amass it. The awards are reflective, however, of who the best writer is because they wrote the song and it is a very empirical process. Wouldn't you all like to see the Publisher of the Year award eliminated?

**Conrad:** Sometimes publicly held companies want the bragging rights to put out the word to their stockholders that they are Publisher of the Year.

**Higdon:** I take greater pride in having the Writer of the Year or Song of the Year.

**Wipperman:** I don't think it's ever been publicly discussed, but we've all agreed together that we wish ASCAP, BMI and SESAC would discontinue the Pub of the Year award.

**Overton, Hilley, Higdon & Conrad:** [all at once] Yes, we agree. But we're also very supportive of the writers and song awards.

**Overton:** I've always felt that if we've done a good job representing our writers and our catalog and we are making money that hopefully the award will be a byproduct. But winning Pub of the Year has never been my goal. My mandate at the end of the day is to make money. That's how the writers get paid, EMI gets paid and Gary Overton gets paid.

**Higdon:** Not that we would or could disclose our bottom lines, but I would bet that the two (profits and winning) wouldn't correlate.

**Conrad:** Even though BMG is in the top five I look at us as being more of a huge independent since we are not publicly owned. So I don't compete on the same level as my peers here as far as going after Publisher of the Year. If we get to be Pub of the Year that's great, but I'm happier to have an Aimee Mayo, who I gave her first deal six years ago and developed, get to the point where last year she became BMI writer of the year. That's my kudos.

**Hilley:** This town is about songwriting. I like to be Publisher of the Year as much as anybody, but I can tell you this, my New York office says you better make your bottom line—we don't care if you're Publisher of the Year or not. And the writers rarely get the honors they deserve. The other day we were at a number one party and it became the record label party. I was frustrated. I thought we were there to honor the writers, but all the label people got up and talked about how great they were. So I'm having a luncheon for my two writers because they weren't honored there.

**Overton:** You would think that based upon the tremendous amount of performing rights income represented by the companies in this room they would listen to what we say.

**MR: Producers today have their own publishing companies. Does that system work in everyone's best interest?**

**Overton:** There are a number of producers that have publishing interests either independently or with a major, but they're not abusing it. Record



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labels are very aware. Their antennae go up if an individual is always going to a certain catalog, especially one in which they have an interest.

**Hilley:** Producers are smart enough today that they better record the greatest songs regardless of where they came from, because if they don't they won't be producers very long. Actually, the artists are more abusive of it than the producers. If you think about it, artists have killed themselves with bad songs more in the last five years than producers have by cutting their own.

**Higdon:** Some of the producer companies you're talking about are well organized, free-standing publishers that are not created to just feed that producer.

**Wiperman:** Everybody is scared enough now that they are going to do it right. Now that the market is down you have to have a great song. If we get fat again you'll probably see the abuse come back.

**Hilley:** I have to say for Joe Galante, he doesn't have any in-house producers. He just wants a great song. These companies that sign writer/artists to album deals where they have to get a certain number of songs on the album, that's not good either. Joe will tell you that you better not do those kinds of deals with his artists. He won't put a song on an album just because the artist wrote it.

**Wiperman:** Most album deals for writer/artists have clauses in them that incentivise the

artist to get more songs on the album.

**Overton:** These writer/artist deals have sometimes been taken wrong by the record labels. I've had two label heads say you're paying your guys to cut songs. But no, my advance is based upon how many songs are on the record. I said, "OK Mr. record guy, what happens if your artist puts out a record, but you only owned three of the tracks out of the 12? Would you still give him the same advance and spend the same amount of money?" And the answer is, "Hell no." That's my point. I'm not saying you have to record a certain number of songs, I'm just saying the advance will be computed accordingly...My point is that our advances and the money we spend are based upon our potential to get our money back, the same as a record label. Labels are always guaranteed to have 100% of the album but publishers are not. Two labels have actually said, "You guys need to keep paying this artist while we're trying to break him." Well, it's taking a longer period of time. Two or three years after giving away free shows to radio and doing concerts for nothing they keep looking to publishers to fund these writer/artists. Publishers are very good business people. We understand our business and we know the economics of it. Our deals in Nashville are traditionally year-to-year deals even if you have an artist.

**Higdon:** It's because so few artists actually make any money off their record royalties that they

## PUBLISHERS TALK BACK

### What can publishers do differently to return to previous levels of success?

Artist development, now more than ever, is in the hands of publishers. We have so much talent in this community. I'm convinced there are audiences waiting to buy product they're not hearing on radio. Publishers either have to do a better job of convincing the labels, or we need to find alternative outlets ourselves.

—Daniel Hill, President, Cal IV Entertainment

Get back to the basics. Put people into decision-making positions who are willing to listen and will not be influenced by what everyone else does.

—Ray Griff, Cash Music

Labels need to look for hit songs, not just in-house songs because the producer or artist wrote it or they have the publishing on it.

—Linda S. Dotson, President/Co-Owner, Channel-Cordial Music Companies

Nashville isn't the close music community that it once was, where the old hand shake deals and buddy system were as good as ink. It would be nice to have the warmth back, and to light the fire that put the soul in the song, and the song on the air waves, when music was fun, and not just fortune.

—Darlene Austin, Owner, Vine Creek Music



# SEA GAYLE

~ m u s i c ~

### Writer Roster

Jim Brown	Brad Paisley
Chris DuBois	Frank Rogers
Jay Knowles	Don Sampson
Tim Owens	Trent Willmon
Chris Stapleton	

### Publishing Staff

Liz O'Sullivan  
Shane Adams

look to their publishing and/or production deals to be income streams.

**Hilley:** I don't do album deals. I tried it and hated them. It was suggested to me by an attorney and I didn't like it. I want a writer that I know is going to write songs whether he's an artist or not.

**Wipperman:** You have to get deals with more options now. The amount of time it takes to develop a new artist is a lot longer because the labels release schedules are so backed up due to the slowdown at radio. Before it was a six months to a year process. Now you are talking about times that stretch to 18 months, sometimes two years, before the album comes out. That means you are two years into your publishing deal and if you have a three-year deal you're toast.

**MR: What level of confidence do you have in the future value of copyrights?**

**Hilley:** Copyrights are always going to be valuable. You cannot have a record label without using a copyright. The way we get them out there is probably going to change, but you've got to have a song before you can have an artist. Now the Supreme Court is looking at life plus 70. Is it fair? It is, and I think it will survive the look see. The good that has come out of the Internet is that all intellectual property holders are looking at ways to protect our investments and our masters in ways we've never done before. We've come together for the cause.

**Overton:** People's desire for music has not diminished and technology has always been very good for copyright holders. This country and the world have always supported and legislated for intellectual property. As writers and publishers we have a certain size lobby. When Disney found out that Mickey Mouse was going into the public domain they joined the intellectual property lobby and brought in all the film companies. We're also talking about book publishers. All these areas are affected and to figure it out we all need to join together.

**Conrad:** The entertainment industry needs to liaison with the technology industry so we can

know what's going on in advance and can work out the situation. We're going through a very difficult time, but we will get through it and be better on the other side. It's a matter of getting both sides together and working out an agreement so that we can all benefit.

**Hilley:** I've often said if we could just have one day where the music stops around the world we wouldn't have the problems we have today. Music is the common denominator that pulls us all together.

**Conrad:** That would be a great educational tool. As an industry we need to have a program like "No drugs" or "Got milk." We have an entire generation that has no ethics with respect to downloading, but they can be educated.

**Wipperman:** At this point I'm glad I'm not a record company head. Because I'm not sure that the label business model isn't broken. There's a book called *The Tipping Point* about where a company or business model reaches a critical mass and goes one way or another. It may be that the record companies are approaching that tipping point with the existing business model. So I'm glad we're in the publishing business right now. Copyrights will always be used in whatever form the distribution of music takes so the intrinsic value of the copyrights will always be there.

**Higdon:** The diversity of music and even different artist performances that people wanted to download revealed a lot about what consumers want which I thought someone would take advantage of and respond to at the labels. They obviously weren't watching.

**Hilley:** Change is coming and the older we get the more painful it is. We are all hesitant to do things a little differently. Perhaps we sat around and didn't change quickly and now we are having to catch up. I believe we will figure it out.

**Wipperman:** If you look around the table, all of us started at that little entrepreneurial company that we built in one way or another... and look what happened.

**Hilley:** We're doing something right we just have to work harder at it. **MR**

## PUBLISHERS TALK BACK

**Are writers being disenfranchised or did they get too comfortable with the big advances of the late '90s?**

Our industry got fat in the '90s. Outrageous, unrealistic deals were being made left and right and now we're all paying for it in one way or another. Like everyone in the industry, writers are having to scrap for every little thing they can get...and we're all having to swallow a big, nasty dose of reality.

—Jana Talbot, GM, Talbot Music Group

Publishers and writers both got comfortable with the advances of the '90s. Advances are probably a third of what they were four years ago. With mechanicals down and the length of time between releases publishers are forced into bottom line decisions quicker. The writers in the '90s who kept their advances low and lived off their royalties are still around and doing well. Unfortunately, the low advances of the '90s are considered mid-to-high in 2002.

—Mike Sebastian, Blacktop Music Group

**Is the Nashville publishing community making any inroads into the Hollywood film/TV arena?**

We "circled our wagons" with five other indy publishers and produced a collective library of 30 cds called "Sync Tank." This library, which includes song demos of all genres of music, is on the desk of dozens of music supervisors in L.A. and New York, and has already produced a number of cuts in TV background uses.

—Todd French, Plugger, Off The Green Music

Our catalog is so huge world-wide that we get inside tracks on film projects and TV shows all the time. I've had a good bit of success with our older Starday/King catalog and some with more hip acts like Elizabeth Cook. I also pitch to small films and TV shows. You never know when something is going to break out big and, regardless, it's good exposure for the music.

—Jeff Gordon, Creative Director, Bro 'N Sis Music/Carlin Nashville

The fact that two of the biggest soundtrack albums in recent years, namely *Coyote Ugly* and *O Brother, Where Art Thou*, were ostensibly country records says a lot about how far we have come. When we signed Tom Kimmel at Maverick Music in 1998, we managed to recoup Tom entirely on TV and film soundtracks and syncs. He continues to get activity in that world based on those relationships because at the end of the day the soundtrack world is as much a relationship business as the one on Music Row.

—Whitney Daane, Owner/President, Mighty Isis Music

Pitching for film and television should always be part and parcel of a Nashville-based publishing company's curriculum. Although it can be intimidating at times, and a lot of work, it's well worth the time needed to "break into" that West Coast territory. Copyright saturation is a "world vision." From a shoe commercial in Italy, to a cell phone campaign in Malta, to a soundtrack spot in L.A. In order to accomplish this, the publisher needs to hit the road just like artists have to, in order to collect their "performance" money.

—David Kastle, VP, Newcastle Entertainment



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# So You Want To Be A SONGWRITER

by Rick Carnes

## You are a beginning songwriter. Where do you go? What do you do?

The place to start is right where you are. Get educated. It's a jungle out there and you need the weapons to survive. If you are in Nashville, go to The Songwriter's Guild (SGA) and The Nashville Songwriter's Association International (NSAI), and get every piece of literature they have. Memorize it all. Then do the same thing at ASCAP, SESAC and BMI. These organizations want to help you make a living as a writer. If you are not in Nashville, Los Angeles or New York, go to these organizations' Websites and e-mail them for info.

Also, songwriting workshops have long been the place for beginning songwriters to hone their craft and network their way into the business. Both SGA and NSAI offer several types of workshops for beginning songwriters. Call their offices or visit their Websites to get a schedule of upcoming events (SGA: 615-329-1782; NSAI: 615-256-3354).

If you are in a non-music biz city, the SGA offers regional workshops as well as online workshops ([www.songwriters.org](http://www.songwriters.org)) for those "impossible to reach" places like Butte, Mont. NSAI also offers numerous regional workshops and a map on their Website ([www.nashvillesongwriters.com](http://www.nashvillesongwriters.com)) to locate the one nearest you. Once you have learned the craft of songwriting, it is time to test the waters.

You should play a few open-mic songwriter nights. The legendary Bluebird Café has a Monday evening open-mic that has become the "front door to Nashville" for new songwriters. Check out their Website for information on how to sign up ([www.bluebirdcafe.com](http://www.bluebirdcafe.com)). The Broken Spoke has another popular open-mic held every Tuesday-Thursday night. When you perform, take note of whether people are cheering or jeering your music. If the response is overwhelmingly favorable (your friends and relation's opinions don't count) then perhaps you are ready to move to the next step.

You will need a credible demo to pitch the songs. If you are a talented musician and capable of playing and producing your own demos that is a definite plus. Home recording hardware and

software has become quite affordable and amazingly high quality. If you are a mere mortal and need help producing an effective presentation of your songs, ask the best writers you meet in your workshops where they demo their songs. Shop around for the best studio price. If you hear a great guitar player on somebody's demo find out his/her name and look up the number in the musician's union book. Sometimes one great player can help you put together an entire band and find a studio.

Once you have a demo in hand of your three best songs, it is time to try to place the songs with a publisher. However, it can be difficult to get a publisher to listen to your material. Most music publishers are forced by fears of frivolous copyright infringement lawsuits not to listen to unsolicited songs. So how do you get over this hurdle? Both the SGA and NSAI have workshops each month where a music publisher representative listens to songs (The first Monday of every month at SGA; the third Thursday of the month at NSAI). Or you can submit a song to the NSAI song evaluation service. If they like the song enough, they will recommend it to the third Thursday publisher pitch. The winners of the 3rd annual NSAI/CMT songwriting contest will also get pitched to publishers.

If you manage (through your intense networking and awe-inspiring talent) to land your first publishing meeting, show up with your three best songs and take up as little of the publisher's time as possible. Be sure to have lyric sheets for each song and your name and contact information on every tape or CD you give out. These people hear gazillions of songs so don't expect much the first time out. If you are polite and professional and your songs are first rate, then perhaps you can establish a rapport with this publisher and get the opportunity to pitch more material in the future. The best possible outcome you can reasonably hope for is the offer of a single song contract. This means that the publisher wants to sign one of your songs to a contract and pitch it to see if they can get it recorded. As much as you might want to, don't sign the contract right

there in the office! Gather your composure, and ask the publisher for some time to look over the contract. Then take the contract to the SGA and have them review it for you (a free service for members).

If your songs are good enough that some of them get recorded then the chances are that the publisher you signed the single song contract with will eventually want you to sign an exclusive songwriting contract. At this point it is time to contact a reputable music business attorney and have the contract reviewed. If you can come to favorable terms and sign an exclusive songwriting deal then expect to earn just barely enough from your "draw" to stay alive until the earnings from your songs start to arrive.

Don't forget that you have to pay taxes quarterly now (since you are self-employed). And also don't forget the people who helped you along the way. Stay involved with your songwriter organizations and help protect songwriter's rights! Good luck to you.

*Rick Carnes serves as President of The Songwriters Guild of America. As a songwriter Carnes has scored hits by Reba McEntire, Garth Brooks and Alabama, among others. MR*

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# Everybody Knows **EVERYTHING**

by **D. Vincent Williams**

## Advice, advice and a little more...advice!

That's what I got when I moved to town, what I gave a few years later and ultimately what I realized there is too much of between 16th and 17th Avenue. Now that doesn't mean there isn't any good advice out there, just that most of us seldom realize the good stuff until it's too late to apply. Looking back I remember the best advice I ever got. His name...Tommy Connors, who most of us know around town as one of the best songwriters, and the advice he gave me, when asked what a young newcomer

should do, was, "Keep your eyes open and your mouth shut and you'll do just fine!" Well, actually it was, "Shut the !@#\$ up" and then he smiled. His point was that he realized that I knew nothing about this town or how it worked and just because it worked for him didn't mean it would work for me the same way. He told me that if I paid attention I would learn all I needed to know from the mistakes of those who claimed to have all the answers. That little bit of advice has stood the test of time and I thank Tommy

from the bottom of my heart. But, of course, I didn't listen to him because I thought I knew better at the time.

We all think we know everything there is to know about being successful in the music industry. Don't believe me? Just ask anyone and you'll get an opinion faster than a retrieving hand from a hot stove. It doesn't matter if they just got here or have been here for years.

And as I said earlier, I'm no exception. When I moved to Nashville I thought I knew it

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all, too. I didn't exactly think I had all the answers, but I definitely trusted my judgment over the many well intended tidbits of great advice I let go in one ear and out the other. I knew how to sing, write and play. What else did I need to know? Well let's see...legal, management, contracts, direction, lawyer's fees, royalties, taxes, Music Row banking and publishing, just to name a few. The only success I had in the beginning was screwing each one of these up! It took the first couple of years to realize how much I didn't know. Then I listened to the people who claimed to know and after a few more years I realized that they didn't know either. My point? None of us know why some people are successful and others aren't or why some songs work and others don't. Why the one that appeared to be a no-brainer failed and the long shot skyrocketed.

Now, after a nine-year relationship with Warner/Chappell publishing (one of my true successes) and a few hits and misses, I think I'm finally getting closer to the truth. I believe it's about faith, instinct, patience and learning from your mistakes. Remember, luck is when preparation meets opportunity. If you're chasing the charts you're about two years behind and more than likely infringing on someone else. It's best to follow your heart and let what's gonna happen happen. The only real failure in this town is getting the chance to "do your thing" and doing someone

else's. Even if you're successful you could still end up unsatisfied.

Now I'm fully aware that I have totally contradicted myself with the advice thing, but in conclusion, "do your thing" and do it well. And when you or someone around you claims to know it all, just remember, I have yet to hear

the answers to a few of the most frequently asked questions in Nashville.

How do you write a great song?  
 What does a "star" look like?  
 What are my chances on making it?

Answer...No one knows! **MR**

*D. Vincent Williams is from Nacogdoches, Texas, and moved to Nashville in 1993. His cuts include "Hands Of A Workin' Man" (Ty Herndon), "Oklahoma" (Billy Gilman, not the Broadway show) and "I'm Movin' On" (Rascal Flatts).*



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Admin. Asst.; Greg McCoy,  
Songplugger

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**615-944-0374**  
Fax: 615-293-3594  
www.anonymousmusic.com  
**Key Staff:** J.K. Creighton-  
Hays, GM

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1009 16th Ave. S.  
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Fax: 615-327-9027  
apimage@mindspring.com  
**Key Staff:** Wyatt Easterling,  
Owner/VP of Creative Serv.;  
Janet Slate, Owner/VP,

Publishing Operations; Johnny  
Slate, Owner/Pres.

## Air Deluxe Music Group

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**615-726-1204**  
bob@airdeluxemusic.com  
**Key Staff:** Bob Berg, Owner/  
Songplugger

## Alias John Henry Tunes

11 Music Sq. E. #607  
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**615-255-4437**  
**Key Staff:** Bobby John Henry

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127 Academy Sq.  
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**615-313-8764**  
jim@allisongs.com  
www.allisongs.com  
**Key Staff:** Jim Allison, Pres.;  
Anne Reeves, Secretary/  
Treasurer; Stacy Hogan, Prod.  
Asst.

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1904 Adelia St.  
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**615-321-0820**

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wilsonmusicgroup@  
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jason.campbell@bpemusic.com  
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"Is It Over Yet" —*Wynonna*

"Come Some Rainy Day" —*Wynonna*

"Why We Said Goodbye" —*Tim McGraw*

**Answer:** Songwriter **Billy Kirsch**



Billy Kirsch

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# Nashville Sounds Cooler Than Ever

by Robert K. Oermann

**T**here is some extraordinary music to explore this month. With the gifted Nicole Nordeman, Lifehouse, Souljahz and Ceili Rain dropping new crossover-possible CDs in the CCM arena; our pop/rock community offering Llama and the Floating Men; Ronnie Bowman reappearing in bluegrass and Mark Knopfler and Peter Wolf drawing from our talent pool, Nashville sounds cooler than ever.

The next time somebody complains to you about Music Row, direct them toward the superb new albums by Kim Richey, Nanci Griffith and new Nashvillian and DISCOVERY Award winner Mary Gauthier.

And then there's Steve Earle. The man remains the most important songwriter in this city today, as fearless and challenging as ever. His *Jerusalem* CD is easily my *Disc of the Day*. He writes in his essential-reading liner notes that he feels like "the loneliest man in America." I'm with you, pal.

*Sugar Hill/Vanguard* nails down *Label of the Day*. Again.

## CHRISTIAN

### CEILI RAIN/No You No Me

Writer: none listed; Producer: Bob Halligan Jr./Trevor Johnson; Publisher: none listed; Cross Driven (track)

These Celtic-flavored popsters have one of the most distinctive sounds in Music City. The title tune of their latest is a story song with a religious message that's sung with enormous heart.

### NICOLE NORDEMAN/Holy

Writer: Nicole Nordeman/Mark Hammond; Producer: Mark Hammond; Publisher: Ariose/Mark Hammond, ASCAP; Sparrow (track)

It has a soaring Faith Hill-ish quality. This gal can sing.

### JODY McBRAYER/To Ever Live Without Me

Writer: Joe Beck/Chal Chapin/Blake Smith/Brian White; Producer: Mark Hammond; Publisher: River Oaks/CEC Animal House/BMG Songs/Multi Songs, BMI/ASCAP/SESAC; Sparrow

Tedious.

## JAZZ

### PAULA JAMES/Ain't Got That Swing

Writer: Duke Ellington; Producer: none listed; Publisher: none listed, ASCAP; Music of PJC

She takes this classic fast and furious, tossing in growls, scats and swoops. All in all, a breathtaking vocal tour de force. Nashvillian James formerly performed as Paula Chavis. CD is titled *Special Requests*.

## AMERICANA

### DAVID ALLAN COE/I'm an Ohio Boy

Writer: DAC; Producer: DAC; Publisher: New Music for Me, no performance rights listed; Coe Pop (track) ([www.clevelandintl.com](http://www.clevelandintl.com))

Recorded live at a biker rally, David's latest CD kicks off with a weird ditty whose entire lyric is "I'm an Ohio boy. Make no mistake about it," interspersed with a rambling version of his autobiography. Things get even weirder after that. The man can still rock.

### SLOBBERBONE/To Love Somebody

Writer: Barry & Robin Gibb; Producer: Don Smith; Publisher: Gibb Brothers, BMI; New West (track) ([www.newwestrecords.com](http://www.newwestrecords.com))

The Bee Gees oldie gets dragged across a beer-soaked barroom floor and comes up smelling like a rose.

### KIM RICHEY/Good Day Here

Writer: Kim Richey; Producer: Bill Bottrell; Publisher: Firemonkey/Songs of Windswept Pacific, BMI; Lost Highway (track)

I fell into this pool of sound and never wanted to come up for air. Her warm, languid vocal floats over a wash of keyboard, banjo thumping, string samples and insistent rhythm that is deliciously hypnotic. This album, *Rise*, is a real work of art.

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**KIERAN KANE/Better When You Take it Slow**  
 Writer: Kieran Kane/Sean Locke; Producer: Kieran Kane; Publisher: Little Duck/Family Style/Glacier Park/Songs of Moraine, SESAC/BMI; Dead Reckoning/Compendia (track)

Kinda bluesy and funky, but with the kind of gently lulling groove that made the O'Kanes so enjoyable. If you don't get into this you're either deaf or seriously rhythm impaired.

**TEDDY LARKIN/Counting Her Out of My Life**  
 Writer: Larkin; Producer: Bob Krusen; Publisher: Scary Wagon, BMI; Scary Wagon (track)

These Canadians have a rag-tag quality that's quite endearing. I bet they can get 'em up on the pub's dancefloor. Producer Krusen is noted for his work in pop, but proves here he's got a deft touch for raspy country, too. CD is titled *Yankee on the Wagon*.

**TOM ROZNOWSKI/You Never Know**  
 Writer: Tom Roznowski; Producer: Brent Truitt; Publisher: Syracuse Dreamer, BMI; Blazing Stump (track) ([www.tomroznowski.net](http://www.tomroznowski.net))

This troubadour can sure sing a tale or two. The rootsy, rollicking production is perfect for his drawled delivery. His *Voice Beyond the Hill* CD is going to be hovering near the stereo for weeks to come, I believe.

**MARY GAUTHIER/A Long Way to Fall**  
 Writer: Mary Gauthier; Producer: Gurf Mortix; Publisher: Mary Gauthier Songs, ASCAP; Signature Sounds (track) ([www.marygauthier.com](http://www.marygauthier.com))

Her singing has a sturdy, lived-in quality. But it's her song craftsmanship that really gripped me. Comparisons to Lucinda Williams spring to mind, but Mary has something uniquely her own. She's new to Nashville. And all I can say is, "Welcome. I think you have star quality."

**NANCI GRIFFITH/Goodnight New York**  
 Writer: Julie Gold; Producer: Nanci Griffith/Monty Hitchcock; Publisher: Irving/Julie Gold, BMI; Rounder (track) ([www.nancigriffith.com](http://www.nancigriffith.com))

Heart-tugging. It's like wrapping the great and wounded city in a comforting blanket and tucking it in for the night. Emmylou Harris guests on vocal harmony. Taken from Nanci's new live album, *Winter Marquee*.

**WAYNE CARSON/Soul Deep**  
 Writer: Wayne Carson; Producer: none listed; Publisher: Budde, BMI; MSU (track) ([www.carsonmusic.us](http://www.carsonmusic.us))

He had everything it took to be a star. But Wayne Carson took a songwriter's path to give us everything from "The Letter" to "Always on My Mind." After many years away from the microphone, he's back with a CD called *Writer*. Hearing him rock anew on "Soul Deep" is a joy.

**STEVE EARLE/John Walker's Blues**  
 Writer: Steve Earle; Producer: The Twangtrust; Publisher: Sarangel, ASCAP; E-Squared/Artemis (track) ([www.steveearle.com](http://www.steveearle.com))

Steve gets inside Lindh's head and comes up with a pretty scary character study. It's dark and

provocative. And, folks, sometimes that's what art is supposed to be. The anger directed at this singer-songwriter for this piece of work was completely out of line. I, for one, remain in awe of his talents.

## FOLK

**BARRY & HOLLY TASHIAN/We Could**  
 Writer: Felice Bryant; Producer: Barry & Holly Tashian; Publisher: House of Bryant, BMI; Copper Creek (track) ([www.tashian.com](http://www.tashian.com))

This is so darn charming. I smiled all the way through their folkie, homespun harmony reworking of this lovely Charley Pride goldie. It already has one of the prettiest melodies of any country classic. These two bring that quality home in spades. Their new CD is called, appropriately, *At Home*.

**DAVE CANNON/Darlin' Corey**  
 Writer: traditional; Producer: none listed; Publisher: public domain; Dave Cannon (track) (615-868-9842)

Dave plays in the old pre-bluegrass, Uncle Dave Macon banjo style and draws his repertoire from American folk music. His CD transports you back in time to a 19th-century town square on a summer day. His *Cold Blooded Banjo* CD isn't a dry slice of history. It's living and human and fun.

## BLUEGRASS

**RONNIE BOWMAN/Rise Above**  
 Writer: Craig Market; Producer: Don Cook; Publisher: Drop D, BMI; Sugar Hill (track)



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## DISCLAIMER

This man's liquid-silver voice is something to treasure and cherish. His magic touch on this fragile ballad will totally melt you. "Gorgeous" isn't a good enough word for this performance. The album is titled *Starting Over*.

### JIM MILES/My Dixie Home

Writer: Andrew Jenkins; Producer: Jim Mills; Publisher: Universal Duchess, BMI; Sugar Hill (track)

I didn't think it was possible to make your finger go this fast on a banjo.

## POP/ROCK

### JOAN OSBORNE/How Sweet it Is

Writer: Lamont Dozier/Brian Holland/Eddie Holland; Producer: John Levinthal/Rick Depoff; Publisher: Stone Gate, BMI; Compendia (track) ([www.compendiamusic.com](http://www.compendiamusic.com))

Joan's latest finds the Kentucky-bred popster reinventing R&B oldies. She turns the CD's title tune—a rocking Marvin Gaye classic—into a slow, romantic groove. And her vocals have never sounded more sensuously soulful.

### SOULJAHZ/True Love Waits

Writer: Joshua, Jakob & Rachael Washington/Phillip LaRue; Producer: Chris Rodriguez/Souljahz; Publisher: Jarajo/Word/Say It Loud/As Leaves Change, ASCAP; Word (track)

It's a sexual abstinence song outfitted in a pop, hip-hop arrangement that's kinda seductive.

### LIFEHOUSE/Spin

Writer: Wade/Aniello; Producer: Ron Aniello;

Publisher: G-Chills/Songs of DreamWorks/Aniello, BMI; DreamWorks

I understand that the intent is to cross-market them to both rock and Christian audiences. With a single this pounding and searing, count me in.

### MARK KNOPFLER/Why Aye Man

Writer: Mark Knopfler; Producer: Chuck Ainlay/Mark Knopfler; Publisher: Will Decide/Hornall Brothers, no performance rights listed; Warner Bros. (track)

Cool working-class lyrics. Dynamite, dramatic production with meaty rock hooks, vocal chanting and sensational jangly guitar work. And check out the CD's cast—Richard Bennett, Chuck Ainlay, Glen Duncan, Chad Cromwell, Glenn Worf, Paul Franklin, Mike Henderson, Jimmy Hall....

### PETER WOLF & MICK JAGGER

#### Nothin' But the Wheel

Writer: John Scott Sherrill; Producer: Kenny White/Peter Wolf; Publisher: Brand New Town/Old Wolf/Songs of Universal, no performance rights listed; Artemis (track) ([www.peterwolf.com](http://www.peterwolf.com))

He duets with none other than Mick Jagger on a song we all know and love. The two retain the yearning, "country" qualities of Patty's version, but add an undeniable, amped-up rock edginess. Congratulations, Scotty!

### DHARMAKAYA & REBECCA STOUT/Deepness

Writer: Stacy Fleeman/M. Jensen/J. Gray; Producer: Pete Cummings; Publisher: ; Spat! (track)

The guitars are like chainsaws. The usually penetrating Stout struggles to be heard. Recorded in Hendersonville.

### LLAMA/Fly to You

Writer: Morton/Greenberg/Rollings; Producer: Kenny Greenberg/Matt Rollings; Publisher: Phobos/Bassic Groove/Zippel of My Zippel/Silent Q/Greenberg/Zesty Zack's, BMI; MCA (track)

An over-the-fence homerun. It got me out of my chair, flailing around the room. Arguably the finest Nashville rock performance of 2002.

### THE FLOATING MEN/The Wasteland

Writer: Jeff Holmes; Producer: The Floating Men; Publisher: Holmespun, BMI; Shade (track) ([www.floatingmen.com](http://www.floatingmen.com))

This track rumbles through yer brain leaving a shadowy mood behind. Elsewhere, the boys are loud and proud or sweet and soft. But always, always listenable.

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Doug Martsch/Offer/Warner Bros.

Matt Redman/Where Angels Fear to Tread/Worship Together  
Chester Smith & Merle Haggard/Wreck on the Highway/Hag

Derrick Harris/Ignorance/Silent Planet

The Pete Ancient Band/Lady on the Radio/Like This  
Melissa Jones/You Just Wouldn't Believe It/Dyin' Breed

Cris Cuddy/Come Along Carmelita/Cris Cuddy

Royal Ruckus/Next Best Thing/Flicker

The Sways/Ain't Gonna Call My Baby/Paigow

Mike McClure/Haunt Me No More/Compadre

Ralph Stanley/Lift Him Up, That's All/DMZ (track)

The Goads/Red Letter Day/Vital

Travis Abercrombie/Spin/Moonshot

The Brooklyn Cowboys/Dodging Bullets/Leap

Cynthia Barber/State of Grace/CB

Riley Armstrong/Whatever the Weather/Flicker

Open Road/Cold Wind/Rounder

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## ROW FILE



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Barry Cardinael's office building is like something out of a *Mission Impossible* movie. For starters, it's located in a nondescript building with a gated and fenced parking lot. Then there's a maze of locked-down doors only accessible by way of a security card. The facility, which includes 11-inch thick concrete walls, is surrounded inside and out with video cameras. And the archival companies' 62-degree, humidity-controlled main vault includes a fire suppression system that removes oxygen from the atmosphere. Of course, all this is to insure the protection of media elements for Iron Mountain clients—many of which are Nashville record labels, publishers and artists. But Cardinael is right at home among the more than

125,000 music, film and video elements archived and cataloged at the facility. In fact, he's one of the foremost authorities on the subject.

"I've spent a lot of time on Neil's 30,000 tape archive," says Cardinael, referring to his former boss of 16 years, Neil Diamond. "And I still work very part-time as an advisor on his archive, which goes into a database. If Neil wants to know how many unreleased versions of 'Hello Again' he's recorded live and what format they're in, I can give it to him in 15 seconds."

Cardinael grew up in the countryside of Tinley Park, Ill., enjoying music. When he was young he learned to play the accordion and later adapted to play

keyboards in rock bands in high school and college. "I went to Augustana College in Rock Island, Ill.," he says. "I was going to major in music, but somehow ended up majoring in psychology." He graduated in 1970 and quickly guided his career back to his first love, landing a job teaching music at a high school. "I taught for a year," he recalls. "During that year I watched the piano tuner that came in and thought it looked like great job with a certain amount of freedom."

He then went to a trade school in Sioux City, Iowa, to become a piano craftsman. It wasn't long before he found work as a piano technician, and from the mid-to-late '70s, Cardinael was, as he says, "traveling the world with Earth, Wind & Fire, Cat Stevens and Barry Manilow." In addition, he also worked for The Gap Band and Shaun Cassidy, among others.

From 1979 to 1995 he went to work for Neil Diamond as a keyboard technician, studio engineer, equipment manager and archivist. In his latter years with Diamond he undertook the daunting task of trying to catalog the massive collection of recorded music the legendary singer had amassed over the years. The

experience brought him to Iron Mountain in Hollywood.

"I had approached the regional director at Iron Mountain back in 1995 and said, 'You guys could lead the way into the next century in terms of archiving and preserving these elements. I wrote a rough draft prospectus and sat down with them. Eventually the company's headquarters gave the go-ahead to establish a subdivision to focus attention on the environmental and cataloging service needs of the music and entertainment industry.'"

After working in Hollywood for the company, Cardinael moved with his wife and two home-schooled sons to Nashville in January 2001 to oversee the Nashville facility. In addition to his work at Iron Mountain, he was recently involved in the Producers & Engineers wing of the Nashville NARAS chapter which recommended master delivery guidelines.

When he's not busy working with clients or helping out Diamond, Cardinael says he likes to camp and hang out with his family. "We stay busy performing 'honey-dos' with my 13 and 15-year-old boys," he laughs. "I call it weekend camp."

—Richard McVey II

# East Iris Completes B; Castle Adds On

by Richard D. McVey II

**S**tudio B at East Iris Studios has completed its transformation from a small ProTools suite into a mix/overdub room. The room now features an SSL 4000 analog console and access to all recording formats including an upgraded Sony 3348 digital multitrack recorder, a Studer 827 analog multitrack recorder, 64 I/Os of ProTools, and new and vintage mikes and outboard equipment. Neil Finn, former

Crowded House frontman, was recently in East Iris mixing with Producer/Engineer David Leonard. Proud Mary, a new band from London on Oasis' Sour Mash Records, was also in the studio mixing with Leonard...Castle Recording has added another Digidesign 888/24 I/O module to its ProTools system, bringing it up to a full 24 channels of I/O.

## Artist      Producer      Engineer      Label      Project

### 2 MONKEYS PRODUCTIONS

Artist	Producer	Engineer	Label	Project
Dolly Parton	Dolly Parton	Tony Smith	Disney/Velvet Apple	soundtrax
4 Runner	Wells/Smith	"	—	new record
Curtis Wright	Curtis Wright	Charlie Chadwick	Paddock Music	demos
Heather Lee	Wells/Smith	Tony Smith	—	"
Bobbi Lynn	"	"	—	"

### 615 MUSIC

Artist	Producer	Engineer	Label	Project
—	Bryant/Wachtler/Snider	Gant/Rydberg	KNTV	promo
—	Kennedy/Wachtler/Snider	"	Animal Planet	"
—	Snider/Wachtler	"	KPHO-TV	"News One" updates
—	Salvador/Wachtler	"	Tech-TV	show theme
—	Wachtler/Gant	Aaron Gant	615 Music Lib.	"Hollywood Premieres"

### AUDIO PRODUCTIONS

Artist	Producer	Engineer	Label	Project
Pam Tillis	Barry Freeman	Steve Johnson	Lucky Dog	radio tour
Aaron Tippin	Jamie Matteson	"	Lyric Street	"
Ty Herndon	Barry Freeman	Collin Parker	Epic	"
SheDAISY	George Achaves	Travis Turk	Lyric Street	"CCUSA"
Carolyn D. Johnson	"	"	Arista	"
Tanya Tucker	Freeman/Matteson	Steve Johnson	Tucker Time	radio tour
Keith Urban	George Achaves	Travis Turk	Capitol	"CCUSA"
Terri Clark	"	"	Mercury	"
Tracy Byrd	Barry Freeman	Steve Johnson	Arista	radio tour
dc Talk	Scott McDaniel	Travis Turk	EMI/Forefront	commentary
Montgomery Gentry	Barry Freeman	Steve Johnson	Columbia	radio tour
Jeff Hannah	Freeman/Matteson	"	Capitol	"

### BAYOU

Artist	Producer	Engineer	Label	Project
Dean Greer	Pete Wade	Barry Senter	—	bg. voc's
Buddy Smith	Mike Chapman	George Clinton	—	mix
Brad Wolf	Tom Collins	Jim Pace	Maroon Dogg	trax
David Brendan Hunt	Bobby Boyd	George Clinton	—	album
Adam Hall	George Clinton	Barry Senter	—	voc's
Jeff Bates	Beard/Malloy	"	RCA	od's
Frank Durbin	Col. Buster Doss	George Clinton	Stardust	album
Buddy Cannon	Buddy Cannon	"	—	demos
Prophet B	George Clinton	Barry Senter	Yo-Jim	trax

### CASTLE RECORDING

Artist	Producer	Engineer	Label	Project
Alan Jackson	Keith Stegall	Matt Rovey	Arista	od's

## Artist      Producer      Engineer      Label      Project

Gordon O'Brien	Gordon O'Brien	Mike Janas	Warner/Chappell	demo trax/od's
"	"	Tim Waters	"	demo mix
Jamie O'Neal	Keith Stegall	Kelton/Rovey	Mercury	trax
Hitchcock Circus	Hitchcock Circus	Malcolm Gibbs	—	od's

### CREATIVE WORKSHOP

Michael Snow	Michael Snow	Joe Funderburk	Irish Eyes	Celtic/Irish proj.
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—	Dan Williams	Dan Williams II	—	Clorox
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—	"	"	—	Toyota
—	"	"	—	Winn Dixie
—	"	"	—	Ford

### DARK HORSE

Jessi Colter	Barney Robertson	Greg Cane	RCA	trax/mix
Mark Heimerman	Mark Heimerman	Todd Robbins	Fun Attic	trax
FFH	Scott Williamson	Randy Poole	—	"
Timothy Spell	Glen Woodard	Ed Simonton	Past Twelve	"
Shannon Wexelberg	Jay Stocker	Jay Stocker	Doxology	"
Wayne Watson	Neil Watson	Patrick Kelly	—	od's

### EAST IRIS

Neil Finn	David Leonard	David Leonard	Nettwerk	mix
Proud Mary	"	"	Sour Mash	"
Jo Dee Messina	Brent Maher	Maher/Scoggins	Curb	"

### EMERALD

Travis Tritt	Sharla McCoy	Russ Martin	Columbia	radio tour
Terri Clark	"	"	Mercury	"
Joe Nichols	"	"	Universal South	"
James Otto	"	"	Mercury	"
Aaron Tippin	"	Martin/Mottry	Lyric Street	"Lia" syndication
Darryl Waltrip	—	Russ Martin	—	voice over
Lynyrd Skynyrd	Ben Fowler	Ben Fowler	—	od's
Travis Tritt	Travis Tritt	Steve Tillisch	Curb	trax
Colt Prather	Decker/Chancey	Billy Sherrill	Sony	"
Amanda McDonald	Clyde Brooks	Jim Cotton	—	mix
Tim McGraw	Byron Gallimore	Julian King	Curb	mix
Tim Wilson	Wilson/Horn	Steve Melton	Capitol	od's

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Artist	Producer	Engineer	Label	Project
Wynonna	Dann Huff	Jeff Balding	Curb	mix
Newsboys	Dan Rudin	Dan Rudin	—	od's
Jeff Bates	David Malloy	Derek Bason	RCA	trax
George Jones	Billy Sherrill	Billy Sherrill	Bandit	trax/od's
Ronnie Milsap	Rob Galbraith	John Saylor	Milsap Prods.	trax
Tebey Ottoh	Tebey Ottoh	David Hall	Warner/Chappell	"
Alison Krauss	Alison Krauss	Gary Paczosa	Rounder	mix
Jessica Andrews	Byron Gallimore	Julian King	DreamWorks	trax
King Crimson	Machine/K. Crimson	Machine	DGM, Ltd.	mix
Deric Ruttan	Steve Bogard	Patrick Murphy	Lyric Street	od's/edit
Steven Troy	Jason Sellars	Steve Marcantonio	RCA	trax
Big Sofa & Lazyboys	Quinton Ware	Milan Bogdan	—	trax/od's/mix
Skip Ewing	Skip Ewing	David Hall	Sony/Acuff Rose	od's
Jamie Morgan	Josh Moore	"	—	trax

## HUM DEPOT

Jeff Steele	Jeff Steele	Rusty McFarland	Windswept	od's
Tim Stanley	Rusty McFarland	"	—	mix
Jo Jo Herman	Jo Jo Herman	"	Fat Possum	basics/od's/mix
Chris Knight	Baird/Hardy	Joe Hardy	Dualtone	basics/od's

Artist	Producer	Engineer	Label	Project
<b>IV MUSIC</b>				
Haynes Geadelmann...	Brasher/Geadelmann	Rudin/Noga	—	film fest. entry
Georgia Boot	Chris Parker	Daniel Noga	—	tv/radio spots
—	Dukes/Keller	"	—	iv music demos
Dodge	Chris Parker	Dan Rudin	—	tv spots

## MONEY PIT

Carolyn D. Johnson	Worley/Johnson	Schleicher/Hellerman	RCA	trax/od's/mix
James Otto	Worley/Parker	"	Mercury	od's
Johnny Williams	Eddie Bayers	Beckett/Hachler	—	trax/od's
Pinmonkey	Worley/Poole	Poole Hachler	RCA	od's/mix
Sara Evans	Worley/Evans	Schleicher/Hellerman	"	trax/od's
Reagan & The Rayguns	Reagan & The Rayguns	Hachler/Buchert	Deaf-Aid	trax/od's/mix

## SMASH RECORDING

Jamie O'Neal	—	Good/Ledet	—	demos
Shaye Smith	—	"	—	"
Jason Sellers	—	"	—	"
Stephanie Smith	—	"	—	"
Shawn Jones	—	"	—	"
Rob Ryan	—	"	—	remix

## WRITER'S NOTES



# TOM SHAPIRO

**Hits/Cuts:** "No Place That Far," "Ain't Nothing 'Bout You," "Living And Living Well," "I Miss My Friend," "Wink," "Walking Away A Winner," "Thinkin' About You," among others

**Birthplace:** Kansas City

**Years In Nashville:** 22

**Publisher:** Sony/ATV/Wenonga

**Favorite Song You Wrote:** "If There Hadn't Been You" (Billy Dean)

**Favorite Song You Didn't Write:** "All The Way" (Sinatra)

**On What Instrument Do You Write:** Keyboards

**Influences:** Beatles, Bacharach, Motown, the Eagles, Paul Simon

**Advice To Writers:** If you want to write the good songs, you gotta write the bad ones out of your system.

### Issues Facing Songwriters

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**Cut By?** Always wanted an Alabama and Conway Twitty cut.

Tom Shapiro was born and raised in Kansas City, with career aspirations of something other than songwriting. "My dream growing up was to be a pro golfer," says Shapiro. "I played golf in high school. But my cousin by marriage, who I played all the time, kept beating me. He wanted to be a lawyer or something. So I thought if this guy can beat me and doesn't really care about playing that much, then maybe this isn't for me. Of course, it was (golf star) Tom Watson."

Instead Shapiro turned his attention toward his other passion—music. As a kid he learned to play the piano, and wrote his first song while still a teenager. He got the songwriting bug, strangely enough, while at a French university during a summer exchange program. While there he met an Oklahoman with a guitar who enjoyed writing songs. Shapiro says it was first real entry into the craft.

He spent his freshman year at Whittier College in California, then moved to Boston University, where he majored in Music and minored in

English. He later taught at Berklee School of Music. "I was sort of an adjunct professor and taught compositional theory," he recalls.

In 1973, he co-founded a school of contemporary music. Yet a year later, the allure of songwriter became too much. "I sold my part in the business, then I moved to L.A. around 1974. I wanted to be a songwriter and times were tough for a few years."

While in L.A., he took odd jobs to make ends meet. His first major publishing deal came from Heath-Levy Music, and yielded a handful of pop cuts by L.T.D., Sister Sledge and Smokey Robinson. His introduction into country songwriting came from Michael Garvin. "Michael had one foot in Nashville and one in L.A.," says Shapiro. "We were writing R&B and pop. Then one day he came over to the house and said, 'Let's write a country song.' The first song we wrote was called 'Every Time You Throw Dirt On Her (You Loose A Little Ground).' It finally ended up on George Strait's first album.

"I started writing professionally in 1976, and then the publisher got rid of me in 1978," he laughs. "So I quit the music business and went to work in West L.A. selling musical equipment. I did that for about a year."

His lucked turned around, however, when George Benson recorded his song called "Never Give Up On A Good Thing." "I was so thrilled," he says. "That was a life-changing song for me."

The cut allowed him to quit his job and move to Nashville in 1980. "Interestingly enough," he adds, "I just found out that the song has been incorporated into a song on Jennifer Lopez's next album."

In Nashville he signed with Tree International and soon had cuts by Crystal Gayle, Eddie Raven, Lee Greenwood and Marie Osmond. Over the next few years he signed with Terrace Music and Great Cumberland Music Group, scoring No. 1's by Janie Fricke ("Your Heart's Not In It"), Tanya Tucker ("Highway Robbery") and Lorrie Morgan ("Watch Me").

His dedication to songwriting has been rewarded with 21 No. 1 songs and three BMI Country Songwriter of the Year awards. NSAI even named him its Songwriter of the Decade for the '90s. His success continues even today with Darryl Worley's "I Miss My Friend" and George Strait's "Living And Living Well."

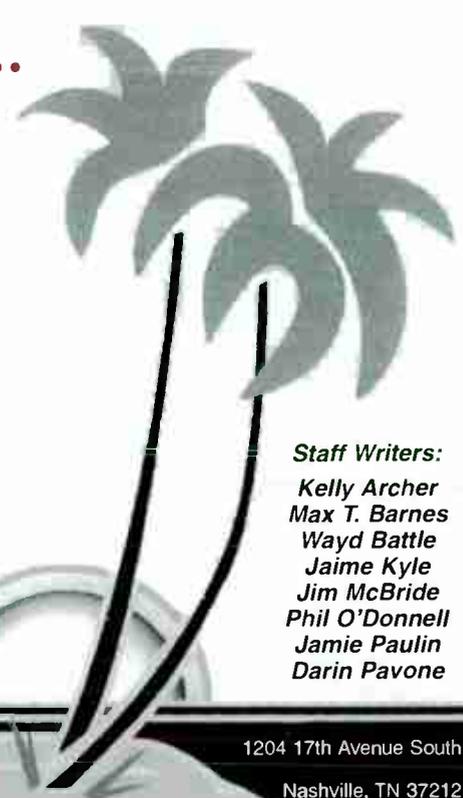
His own publishing company, Wenonga (named after the street he was born on), currently has two writers. "I love publishing," he says. "I love being involved with new writers and seeing and reliving that excitement."

When he's not running his company or writing, Shapiro likes to spend time with his wife of 30 years and their three sons. And, of course, he also likes to hit the links, where he continues to shoot well above Tom Watson.

—Richard McVey II

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# Foreign Subpublishing for the Independent Publisher

by Kerry O'Neil, O'Neil Hagaman, PLLC

**F**or most independent publishers involved in a joint venture with one of the "major" publishing companies (Sony, Universal, etc.) the sub-publishing of their foreign activity will automatically go through the larger company's system. But for independent publishers who are not in a venture with a major, there are many choices and possibilities when it comes to handling their foreign activity. In this month's article we will highlight some of the key areas involved in sub-publishing.

The typical independent publisher has a number of decisions to make when entering this area.

## I. WORLD-WIDE VS. TERRITORY BY TERRITORY DEALS

The first decision encountered is the type of deal; world-wide or territory by territory. There are pros and cons to both. World-wide deals with a major publishing entity (Warner/Chappell, EMI, Sony, etc.) allow the greatest ease of administration since you only cope with one office which in turn then deals with all of its territorial representatives. However, all territories are lumped together in the economic sense, i.e., a single advance is usually cross-collateralized against all territories' activity.

In a territory by territory deal you can pick the subpublisher you feel is best for you in each market and your economic relationship is not cross-collateralized between territories. This can have more importance when you have significant advances in many territories and don't want to cross-collateralize the performance of each market into one pot. Also, in either case, Canada is sometimes dealt with separately and it's often prudent to deal directly with the Canadian collecting societies as opposed to a sub-publisher.

## II. LICENSING PERIOD

The typical term for most deals is three years, plus a collection period of one year after the expiration of the term to collect income in the "pipeline." The term, plus any extensions, and the collection period can vary based on a number of factors such as advances, the economic strength of the catalog, etc.

## III. ADVANCES

As mentioned above, a source of capital to the independent publisher can be the advance received from its subpublishers. However, advances have their cost and the larger advances will generally impact on the favorability of other aspects of the deal such as the term, income splits, etc. Often the initial advance is calculated based on the estimated catalog earnings for a certain period

of time and the contract may have a provision for additional advances, called "rollover advances," if the original advance is recouped before the last year of the contract term.

## IV. INCOME SPLITS

The subpublisher and publisher split the income earned in each market on a negotiated basis. The percentage splits typically range from 80/20 to 90/10 (publisher/subpublisher,) based on the gross receipts after the mechanical/performance rights organization fees have been deducted. The splits vary based on type of income (performance, mechanical, synch, etc.) and whether there was an advance of any substance made; "collection deals," which are subpublishing deals without an advance, usually have the most favorable income splits. Also, there are frequently incentive splits for "covers," i.e. new exploitations that the subpublisher obtains, that usually range from 70/30 to 75/25.

The complexity of subpublishing is increasing each year with the growth in importance of foreign markets and the European Union in particular. Each country has its own peculiar rules and customs and they need to be understood in order to obtain the best results from each arrangement. As with all business arrangements of this complexity, we strongly suggest that you consult with an advisor experienced in the international arena before venturing into this area. **MR**



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# Bobby Karl...

# ...Works The Room

Chapter 171

**W**e pause in our labors to honor one of our own. The staff of *Music Row* joins the rest of the hard-working press corps to salute AP music reporter **Jim Patterson** on being this year's recipient of the CMA Media Achievement Award. The surprise party honoring him was held in the CMA lobby (10/10) with many well wishers in the house.

**Ed Benson** had lured Jim to the event with the ruse that his expertise was needed for a committee meeting. Um, they don't have committee meetings from 5-7 p.m., but Jim bought it.

"I guess you've figured out by now that something is up," said Ed as the surprised scribe walked through the crowd. "This reflects an enormous amount of respect and admiration of your peers," he added, presenting the plexi trophy.

Jim got all choked up, but recovered enough to quip, "Really, the free CDs are reward enough. You should probably give an award to some guy playing fiddle in a road band, rather than a journalist. But I'll take it."

The room was packed with publicists—to wit, **Jessi Schmidt, Karen Byrd, Darlene Beber, Janet Bozeman, Lisa Wysocki, Kirt Webster, Jeff Walker, Jerry Bailey, Leslie Kelner, Craig Bahn and Susan Niles**, plus the phalanx of ex-MCAers **Jenny Bohler, Hannah Sanford and Sarah Brosmer**, plus former winner **Jay Orr**. And in what I believe is a historic first, the Media Achievement winner's wife was invited. Wait a minute, **Athena Patterson** is a CMA employee.

"For those of you who think I have an inside track because my wife works for the CMA, this is proof that I don't," the surprised Jim insisted.

The concert of the month was unquestionably **The Chieftains'** star-studded showcase at the Ryman (9/30). One by one, **Bryan Sutton, Buddy & Julie Miller, John Hiatt, Tim O'Brien, Earl Scruggs** (a standing ovation), **Emmylou Harris** (another standing ovation), **Jerry Douglas, Patty Griffin, Ricky Skaggs, the Opry Square Dancers, the Mary Moran Irish Dancers, Martina McBride, Alison Krauss** (lovely on "Molly Bawn"), **Jeff White, the Del McCoury Band** and the superb **Gillian Welch & David Rawlings** ("Katie Dear") celebrated the music of the group's new Nashville CD *Down the Old Plank Road*.

It was *O Brother*, only further back in time to country's Celtic roots. **Hazel Smith, Traci Thomas, Traci Todd, Martin Fischer, Richard Wooten, Jon Grimson, Rebecca Crawford, Rick Taylor, Larry Holden and Jerry Holthouse** were among the acoustic-music lovers cheering. "You know what kind of a crowd you've got when Del McCoury gets a bigger hand than Martina McBride," observed **Brett Woolcott** sagely.

If you weren't there for the glory days, well, you're just young, that's all. Those of us who were there, gathered for **The Contenders** "reunion" at **The Basement** (9/28). This fondly recalled Nashville roots-rock band of the '70s featured

the late **Walter Hyatt, the late Steve Runkle and the late Champ Hood**. A visit from Hawaii by original drummer **Jimbeau Walsh** prompted **Tommy Goldsmith** to recruit **John Owen, David Olney, David Ball** and others to recreate some of the band's finest moments. This was to celebrate the CD reissue of the band's lone LP (1978). A grand time was had by all.

It's been a month of conventions and confabs. First up was **Songfest**, a group of panel discussions and showcases designed to put the spotlight back on **Muscle Shoals, Ala.** (9/19-9/21). **Rick Hall** played 'em as the keynote. I got to meet soul legends **Clarence Carter and Freddy Hughes** at an afternoon panel.

Because the town is so small, the convention was notable for the ease with which participants mingled at the showcases. **Dan Dailey and I schmoozed Rita Coolidge, Norbert Putnam, Dan Penn, Wayne Carson, RCA newcomer Brice Long, Bonnie Bramlett, Spooner Oldham, Barry Beckett, Jim Foglesong, Marty Raybon and more.** **Nancy Shapiro** led a **NARAS** recruitment team on the scene.

Next up was the **Americana** convention, notable for a rare appearance by the legendary **Johnny Cash** (9/13). Cruising the **Hilton**, I spotted fabulons **John Lomax III, Bob Saporiti, Pete & Kitsy Keykendall, David Conrad** and

(we are not worthy) **The Flatlanders**. The level of talent showcasing this year was awesome—**Darrell Scott, Leslie Satcher, Dale Ann Bradley, Mike Ireland, John Cowan, Saddlesong, Heather Myles, Kelly Willis, Irene Kelley, Duane Jarvis, Jim Lauderdale, Will Kimbrough** and so many more that it was impossible to take it all in.

The **IEBA** convention at the **Sheraton** (10/6-10/9) featured a second awards-show appearance (10/8) by **The Man in Black** (no, we really are not worthy). The convention also spotlighted **Rhonda Vincent, Crystal Gayle, Larry Fitzgerald, Mark Hartley, Bill Engvall, Patti Burgart, Marty Stuart, Merle Kilgore and Paul Moore**. **Legendary Billy Deaton** ("One Call Gets 'Em All") was surprised by **Porter Wagoner** at the **Graham Central Station NATD** breakfast as a lifetime-achievement awardee (10/9). **Billy Walker, Jeannie Seely, Clay Walker, Ray Stevens and Jan Howard** were among the applauders offering get-well wishes to **Billy** as he recovers from a broken hip.

Done schmoozing? Not by a long shot. Next came the **Nashville New Music Conference** (10/9-10/11) at the **Ramada Inn**. Participants got tours of Nashville studios, nightclubs, the **Opry and CMT**. There were demo-making demonstrations, a small trade show and panel discussions. Launched last year, **2NMC** aims to

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fill the void left by the defunct Extravaganza. So there were about 350 showcasers at clubs all over town, including faves **The Bees**, **Venus Envy**, **Jaime Hanna**, **Moe Loughran**, **Willie Crespo**, **Georgia Middleman**, **Brent Woodall**, **Lauren Braddock** and **Stereoblis**.

Living legends gathered at the Opry House to celebrate the 100th anniversary of the Nashville chapter of the AFM. **Brenda Lee**, **Willie Nelson**, **Ray Price**, **Kitty Wells**, **The Jordanares**, **Dobie Gray**, Grand Ole Opry stars and **The Nashville Symphony Orchestra** headed a star-packed bill. The AFM's **Harold Bradley** correctly noted, "There won't be another show like it for 100 more years."

I just love a progressive party, don't you? If you were a museum devotee, the Frist Fine Arts Center and the Country Music Hall of Fame dazzled with back-to-back exhibit-opening bashes (10/10). The Frist drew the far bigger crowd for the opening of its gorgeous "Whistler, Sargent and Steer" show. Party queen **Elaine Wood**, State Sen. **Doug Henry**, Symphony Chorus member **Mike Nolan**, *Country Music* magazine's **Mike McCall**, Hall of Fame architect **Seab Tuck**, marketer **Ellen Pryor**, Phonolux Records guru **Mike Smyth**, regular Music Row scenesters **John & Michael (Bevington) Sales**, publicist **Susan Keel** and, of course, gracious Frist chief **Chase Rynd** ooded and ahhed.

The exhibit is a must-see. John Singer Sargent (1856-1925) painted turn-of-the-century

portraits that are so sumptuous you almost want to lick them. (Do NOT do this!) James McNeill Whistler (1834-1903) handled paint brilliantly, combining masterful draftsmanship with impressionistic technique while fusing Japanese graphic influences. Philip Wilson Steer (1860-1942) is considered one of Britain's leading impressionists.

Our second museum stop of the night was for the opening of "Treasures Untold," an exhibit of country-music memorabilia collected by fans. **Chuck Mead**, **Patsy Stoneman**, **Charlie Dick**, **Gordon Stoker**, **Michael Montana**, **Glenn Sutton** and **George Riddle** were there. So were **Amy Kurland**, **David & Lois Riggins-Ezell**, **John Bridges**, **Jerry Williams**, **Ed Salamon** and **Beth Gwinn**.

"This is how fans help tell the country-music story," said **Michael Gray**. **Kyle Young** introduced several of the fans/collectors who contributed to the show. **Marty Robbins** fan **Barbara Pruett** spoke on their behalf.

It's a fun little exhibit. One fan made a book filled with celebrity guitar picks. Another had logged all of Bob Wills' KVOO radio broadcasts. One filled a glass case with Barbara Mandrell stuff. Another collected odd stringed instruments. Homemade fan-club publications, photos, an obsessive chronicle of Vernon Dalhart's voluminous recordings. You get the idea.

Celebrating new albums were **Tanya Tucker** (9/26, BMI), **Chris Jones** (10/5, Station

Inn), **Ronnie McDowell & The Drifters** (9/17, Coach Room), **Teddy Larkin** (10/3, Douglas Comer) and the likes of **Rosie Flores**, **Billy Burnette**, **Raul Malo**, **Chris Knight** and **Robbie Fulks** (9/26, 12th & Porter), who are among those on the Cash tribute CD *Dressed in Black*.

**Michael McDonald** and **Wynonna** sang at the Grace Chapel benefit (9/28, Leiper's Fork). And the whole world turned out for **Ronnie Dunn's** "Rock the Barn" benefit for the St. Thomas Women's Center. **Sara Evans**, **Darryl Worley**, **Rascal Flatts**, **Pam Tillis**, **Brooks & Dunn**, **Lonestar**, **Rodney Crowell**, **Martina McBride**, **Rebecca Lynn Howard** and **Brenda Lee** took the stage.

**Robin Mitchell-Joyce** was there. So was **Clarence Spaulding**. **David Ross** schmoozed **Mike Dungan**, **Scott Borchetta**, **Bob Doyle**, **Don Cook**, **Tom Collins** and, of course, organizers **Donna Hilley** and **Connie Bradley**. You want a rockin' party? Call those two.

In other news of note, **Joe Diffie** and **Hank Thompson** sang their way into the Oklahoma Music Hall of Fame in Muskogee (10/8). **Ray Charles** and **Travis Tritt** traded soul songs at a CMT Opry House taping (9/10). BMI held a reception for the board of the North American Folk Music & Dance Alliance (9/20). And 615 Music Studio's **Randy Wachtler** and Am South Bank's **Lisa Harless** hosted a reception for "Eye in the Sky"/"Don't Answer Me" 1980s rock star **Alan Parsons** (9/18). MR



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## ALBUM REVIEWS

chart-topper "Fly" and in honor of 1980s pop, the group gives Cyndi Lauper's "I Drove All Night" a countrified makeover. The band chose a cast of top-notch songwriters for the remaining originals. Standout tracks include "Falling Down," a sorrowful ballad written by Jeff Skorik; Gwil Owen's "Augusta," a reflective acoustic number featuring guest Ricky Skaggs; and the still-climbing debut single, "Barbed Wire & Roses," a swampy, raunchy, slide guitar-fueled tune penned by Tia Sillers, Mark Selby and Sean Locke. Reynolds also proves himself as a promising songwriter on the languid "The Longest Road." Taking a shy new lover on a date, he offers, "Before this quarter moon is spent/We'll let these razor high beam lights/Cut us a slice of Friday night" Then assures, "We don't have to move so slow/We can take the fastest lane down the longest road." Pinmonkey's accessible sound resembles harmony-centered rock acts such as the Byrds and the Eagles, but they add just enough twang for coveted country radio airplay. The group plays it safe on their self-titled debut, but Reynolds' strong vocals, backed by an abundance of catchy melodies, earn them a winning strike.

—Heather Johnson



### RASCAL FLATTS Melt

(Lyric Street Records)  
Producers: Gary Levox,  
Jay DeMarcus, Joe Don  
Rooney, Mark Bright,

Marty Williams

**Prime Cuts:** "These Days," "Dry County Girl," "Fallin' Upside Down"

**Critique:** *Melt*, the long awaited follow-up album to Rascal Flatts' platinum selling 2000

debut, has all the hallmarks that made the trio special in the first place: stellar harmonies, brilliant arrangements, bright production and wonderful musicianship. However, unlike their debut, too much of the material contains an overly sunny disposition and a love-conquers-all outlook that seems aimed deliberately at the bored housewife demographic. Except for "These Days," a rumination on lost love; the cleverly-writ and unique take on a love object "Dry County Girl"; and "My Worst Fear," a steel guitar soaked song that's a twist on the love-'em-and-leave-'em formula from Al Anderson and Anthony Smith, that's about it. Too much of the remainder of the album (co-produced by the group itself) sounds pretty and buoyant but lacks the kind of songs such as "I'm Movin' On" which gave the band's debut so much commercial momentum as well as a strong core. Granted, there are some satisfying moments here. "Too Good Is True" is as catchy as a summer cold while the power ballad "I Melt" should heat up airwaves and hearts alike. Still others such as the cutesy "Love You Out Loud" and "You" are little more than thinly disguised Journey, sappy lyrics and all. And "Like I Am" is at best a terrific showcase for co-writer Joe Don Rooney's vocal mastery. "Mayberry," a banjo-driven piece, is distinguished by seamless harmonies, an interesting melody and arrangement, yet it comes off about as sincere as a chamber of commerce spot. "Fallin' Upside Down" is a peppy melody co-authored by Derek George and John Tirro that rivals the band's past hit "Prayin' For Daylight" on the ditty scale. Yet, despite their abundant talent, without consistently great songs Rascal Flatts comes off like Diamond Rio's kid brother... still wet behind the ears.

—Ron Young



### KEITH URBAN Golden Road

(Capitol)  
Producers: Keith Urban,  
Dann Huff

**Prime Cuts:** "Somebody Like You," "Jeans On," "Who Wouldn't Wanna Be Me," "You Look

Good In My Shirt," "You Won," "You're Not My God"

**Critique:** Five years ago Capitol Nashville released and promptly ignored the triumphant debut album of a band called The Ranch. Despite being stillborn, this eminently entertaining and marketable record developed a small cult following within the industry, the consensus being that if this was the direction country was headed, then hallelujah. But shunned by radio and label alike, The Ranch broke up and country headed in a different direction. Mostly down. Capitol held onto Ranch frontman Keith Urban, however, pushing his self-titled debut album to gold certification on the strength of the ballad, "But For The Grace of God." Success at radio notwithstanding, Urban pulled most of his punches on the album, backing away from the gritty, energetic edge of The Ranch. Probably a smart move. Now, with Horizon award in hand and firmly established as one of the format's fastest-rising stars, Keith Urban has returned. And this time he's bringing the whole package. First single and chart rocket "Somebody Like You" hints at *Golden Road's* tone, but the album is far from one-dimensional. It unfolds with repeated listenings, exploring Urban's familiar wanderlust ("Who Wouldn't Wanna Be Me," "Jeans On") and his faith ("You're Not Alone Tonight") while speaking frankly of his battle with addiction ("You Won," "You're Not My God"). Urban wrote or co-wrote eight of the 12 tracks, produced the entire album (Dann Huff co-produced six cuts) and his signature guitar sound is all over the disc. In short, Keith Urban has emerged as country music's most complete artist, bar none. As such, he's created the most complete album to come out of Nashville in years. And I can't shake the feeling his best work is still ahead of him. Hallelujah.

—Chuck Aly

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# Chuck, You Big Dufus!

**M**usic United for Strong Internet Copyright (MUSIC), an alliance encompassing most of the music industry, has launched a public relations campaign to educate consumers about digital "piracy."

Full page ads have been taken in prominent publications under the headline, "Who Really Cares About Illegal Downloading?" Undersigned are organizations from RIAA to GMA, and artists from Eminem to the Dixie Chicks. The campaign also includes quotes from folks like Mark Knopfler, who says of file sharing, "You might as well walk into a record store, put the CDs in your pocket and walk out without paying for them."

Days after these ads appeared, the major labels agreed to pay \$142 million-plus to settle a price-fixing lawsuit brought by Tennessee's attorney general. The announcement prompted this snide response from a music fan: "They might as well walk up to me in a record store and pick my pocket for an extra five bucks every time I buy a CD."

Despite the poetic timing of the price-fixing announcement, the long and detailed history of music industry abuse and thievery (mostly at creators' expense) does not provide justification for alleged Internet theft. Two wrongs do not make a right. But is the behavior exhibited by most downloaders truly wrong? Consider this MUSIC Alliance quote from renowned producer Jimmy Jam: "It sounds kind of parochial to say this, but you have to play by the rules. There's rules that have been established over a long period of time. The rules aren't always the right rules, but you have to follow them."

So what are the rules? Copyright? Consumers have, at best, a vague notion of the concept. And they certainly don't understand licensing or Intellectual Property revenue streams. Here, then, are the unspoken music usage rules, from a consumer perspective:

- 1) I (the consumer) will be able to hear all the free music I want on TV and radio.
- 2) You (the industry) will do everything in your power, legal or illegal, to get me to hear and be ravenous for the music you promote.

3) If you succeed in creating a demand for your song, I have the option of either holding myself hostage to the whims of radio to hear it again or paying \$12 to \$20 for a product of largely undetermined quality.

Now throw the Internet into the mix and reconsider these rules. File sharing conforms perfectly to Rule No. 1. Rule No. 2 is working better than ever. And the flaws in Rule No. 3 have been fixed. Brilliant!

Here's where the rights holders in the audience stand up and scream, "BUT WE'RE NOT GETTING PAID!" Which underscores my point. Compensation for creators has never been a consumer issue and it is not one now. Nor should it be anymore than you and I concern ourselves with whether the newscast copywriter gets paid. It's a back-room function. And in this situation, getting paid means attaching to the revenue streams of Internet Service Providers. Nobody downloads without an Internet connection, right?

Instead, we're focused on "educating" consumers. We want to change behavior that, compensation aside, fixes the music industry's biggest problems. What if we succeed?

—Chuck Aly, c.aly@musicrow.com

Chuck, you big dufus. Is it the consumers' fault that arguably the greatest distribution system to date doesn't have a viable way of compensating copyright holders? Sure it is! Consumers should know better. A 13-year-old kid—let's call him Little Blind Orphan Jimmy—who hears a song on the radio should realize that the copyright compensation structure is non-existent if he gets that song via file-swapping. Little Blind Orphan Jimmy should understand that despite the massive amount of advertising from labels to "Get This Music!" getting it via downloading isn't right. Kill Little Blind Orphan Jimmy!... Sorry, I just have no sympathy for thieves!

And labels aren't stupid. It makes perfect sense for them to pay middle-men millions of dollars to reach consumers via radio instead of going directly to the public. You big dufus.

—Richard McVey II, mcvey@musicrow.com



## GARY NICHOLSON MUSIC

### "Squeeze Me In"

Thanks to Garth Brooks, Trisha Yearwood and Allen Reynolds

### "She Couldn't Change Me"

Thanks to Eddie Montgomery, Troy Gentry, Anthony Martin and Joe Scaife

### "Never Without You"

Thanks to Ringo Starr and Mark Hudson

### "More Love"

Thanks to the Dixie Chicks and Lloyd Maines

### "I Want To Be The One"

Thanks to Lonestar and Dann Huff

### Delbert McClinton

Grammy Winning Nothing Personal Album (Producer, Gary Nicholson)

### Other Cuts By:

Bonnie Bramlett  
T. Graham Brown  
Tommy Castro  
Guy Clark  
Shemekia Copeland  
The Derailers

Fleetwood Mac  
Rosie Flores  
George Jones  
Keb' Mo'  
Chris Knight  
Colin Linden

Patty Loveless  
Kathy Mattea  
Delbert McClinton  
Lee Roy Parnell  
Travis Tritt  
Tanya Tucker

**Thanks to everyone involved  
for another great year!**

Contact: Nathan Nicholson (615) 473-3639 • ntnicholson@comcast.net

## industry events CALENDAR

### November

- 4 ASCAP Country Awards
- 4 12th Annual Music Row Celebrity Golf Tournament
- 4 12th Annual Bowling & Billiards Bash
- 5 CRB Fall Forum, Renaissance Hotel, 1:30-3:30 p.m., www.crb.org
- 5 50th Annual BMI Country Awards
- 6 37th Annual CMA Awards (CBS), Grand Ole Opry House, 7 p.m.
- 7 SESAC Country Music Awards
- 11 BMI Roundtable, BMI, 3-5 p.m., 401-2000
- 12 BMI Songwriters Workshop w/Jason Blume, BMI, 1-5 p.m.
- 13 ASCAP Presents Straight Talk, 10 a.m., 742-5000
- 20 ASCAP Presents Straight Talk, 10 a.m.
- 21 Nashville GRAMMY Showcase, 327-8030
- 27 ASCAP Presents Straight Talk, 10 a.m.

To list an event in the Music Row Industry Events Calendar, please send an e-mail to news@musicrow.com or fax us at (615) 329-0852. Please include the name of the event, date, location and phone number (if applicable). Music Row retains the right to edit or reject any listings.

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