



NEWS

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Showbiz Managers Ask Schwarzenegger to Investigate Labor Commissioner

SACRAMENTO, Cal., Jan. 5, 2007 – The national trade association representing entertainment personal managers has asked Gov. Arnold Schwarzenegger to investigate Robert A. Jones, acting State Labor Commissioner.

In a recent letter to the Governor, the National Conference of Personal Managers (NCOPM) claimed Jones acted improperly, demonstrated bias and violated California law as a result of his Aug. 22 letter to the California Supreme Court regarding "Marathon Entertainment, Inc. v Blasi (S145428)," a case currently being reviewed by the Court. [NOTE TO EDITOR: Request NCOPM letter to Gov. Schwarzenegger at ncopm@earthlink.net.]

NCOPM's complaint is the latest development in a decades-long controversy over whether managers are subject to the California Talent Agencies Act, which is administered and enforced by the State Labor Commission. Managers claim the California Legislature expressly considered and chose to exclude personal managers from this Act when it was adopted.

"The Labor Commissioner injected himself into a case for which he will be the decision maker upon remand of this case to the labor board, unless the Supreme Court rules the Act does not apply to managers," said Clinton Ford Billups Jr., NCOPM president.

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“The California Government Code requires state agencies to act within constitutionally mandated limits in administering law and mandates a separation between administration and adjudication. The Commissioner’s comments in his letter to the Supreme Court were not made in an advisory position, but as an advocate in a case still before him. His actions were biased, improper and illegal,” added Billups.

Performers have frequently used the Talent Agencies Act to avoid paying commissions to personal managers found to have “procured employment,” which only licensed talent agents can do according to the act. In most cases in which a manager was found in violation, the labor board voided the entire management contract, resulting in loss of all commissions to the manager. In appeals by managers, courts have upheld the labor board’s decisions.

In *Marathon v. Blasi*, personal manager Rick Siegel recently petitioned the California Supreme Court to rule on whether the act even applies to personal managers. The Court’s ruling is expected later this year.

“While NCOPM is confident the Supreme Court will negate the labor board’s interference with personal managers, we have urged the Governor to take immediate action to prevent future bias and violation of statutes by Commissioner Jones, which would result in denial of due process to our members,” concluded Billups.

NCOPM is a not-for-profit association of personal managers representing artists engaged in entertainment, media and performing arts. Founded in 1942, NCOPM is committed to the advancement of personal managers and their clients through education, public affairs and ethical trade practices.

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