



The Personal Manager

FALL, 2007

Published periodically by the National Conference of Personal Managers Inc., an association established in 1942 committed to the advancement of personal managers and their clients.

California Supreme Court hears oral arguments in *Marathon v. Blasi*

On Nov. 6, 2007, the California Supreme Court heard oral arguments in *Marathon v. Blasi*, an important entertainment industry case dealing with the California Talent Agencies Act (TAA).

NCOPM member Rick Siegel, owner of Marathon, sued his former client Rosa Blasi over unpaid commissions. Blasi, who starred in Lifetime's "Strong Medicine," countered by claiming Marathon acted as an unlicensed talent agent – a violation of the Talent Agencies Act, which would void the contract altogether under recent labor commission rulings.

The state Supreme Court is considering two questions posed by both sides: (1) Can violations of the TAA be severed from the rest of a contract or does any unlicensed employment procurement by a manager completely void the contract? (2) Does the TAA apply to personal managers or does it only govern talent agents?

NCOPM National President Clinton Ford Billups Jr. attended the proceedings in Sacramento with attorney B. Paul Husband, who represented NCOPM, an *amicus curiae* in the case.

In its amicus brief, NCOPM told the Court that proper statutory construction under California law compels exemption of personal managers from TAA.

NCOPM also supported Marathon's argument that a personal manager does not become a talent agent by an incidental act of procuring employment.

NCOPM also claimed that TAA licensing violations should not affect the contract between the talent representative and an artist in accordance with the legal principle of severability.

NCOPM further claimed that TAA is unconstitutional in violation of the Commerce Clause of the U. S. constitution.

Following the oral arguments, NCOPM worked with NCOPM member Rick Siegel to file a supplementary brief related to due process issues raised by jurists' questions during the proceedings.

"I truly believe the State Supreme Court will soon rule that the activity of procuring employment by a personal manager for a client does not require a talent agency license. Once that happens, we'll never have to worry about a client using the TAA to keep us from our deserved commissions ever again," said Siegel.

According to National President Billups, NCOPM will continue to support Rick's efforts even if the case goes to the U. S. Supreme Court.

A decision by the California Supreme Court is expected in early 2008.



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Mark Your Calendar!

Mark your calendar now for upcoming meetings of the NCOPM Eastern Division:

Tuesday, March 4, 2008

Tuesday, June 17, 2008

Meetings are held from 6:00 to 9:00 p.m. at The Friar's Club, 57 East 55th Street (between Madison & Park) in New York.

Validated parking is available at Central Parking, 17 East 54th Street (between Madison & Fifth).

All NCOPM members are welcome!

For more information, contact Dan Abrahamsen, Eastern Division Executive Director, 1-866-91-NCOPM, extension 3.

Membership Update

New members recently elected to membership in NCOPM include: **Madeline Abalos-Gallagher**, New York, NY; **Ann-Riley Caldwell**, Nashville, NJ; **Terry Cole**, Los Angeles, CA; **Meredith DiMenna Saunders**, Stamford, CT; **Liz Gallagher**, New York, NY; **Kenneth Hartung**, N. Hollywood, CA; **Leigh Lamson-Quay**, N. Hollywood, CA; **Alex Morawec**, Studio City, CA; **Heather Taylor**, N. Hollywood, CA; **Satomi Tanaka**, New York, NY; and **Tselane Williams**, Newark, NJ.

Important Reminder: Update Your Email!

The membership information posted on the NCOPM website is only as good as the information supplied to NCOPM by its members. Log on to www.ncopm.com today and verify that your membership listing is accurate and complete, including your correct email address. NCOPM needs current email addresses of all members for correspondence with our membership, plus features that will be incorporated into our updated website.

Please email all updates of membership information to: ncopm@earthlink.net or include your email address on your billing statement when remitting your dues payment.

Effective in 2008, all issues of **The Personal Manager** will be delivered by email.