

HEARING MARCH 30 IN N.Y.

Writers' Suit May Be Settled

NEW YORK—Details of the proposed settlement of the long-standing class action by film composers and lyricists against Hollywood producers of films and television shows have been revealed as a result of a hearing here set for Friday (30) before U.S. District Judge Charles L. Brieant Jr.

The hearing will determine whether the proposed settlement, reached late last year, should be approved by the Court as "fair, reasonable and adequate. . ."

In the original action in 1973, a group of film writers (Elmer Bernstein, et al. vs. Universal Pictures, Inc. et al.) claimed that the defendants had combined, attempted to monopolize and monopolized the film and tv music publishing business.

In a counterclaim, the defendants charged the composers and lyricists with conspiracy to fix prices, terms and conditions for writing material for films and tv.

If the Court approves the proposed settlement, all claims will be dropped.

Main feature of the proposed settlement involves exploitation of music, a major issue from the composers and lyricists point of view.

The proposed settlement gives the producer 15 months after the release of a film in the U.S. to obtain a commercial recording and publish a printed edition of the film's main theme in either the U.S., U.K., Germany, France or Japan.

If the producer does not achieve this, then the creators of the copyright can exploit the material for a period of 30 months, although the copyright remains with the producer.

If the creator is successful in generating income on the copyright, the publisher's share of such income will be divided 75% to the composer and 25% to the producer. Failure by the creator to achieve this means that the exploitation rights revert to the producer.

In addition to future contracts, these provisions for the exploitation of film music will be applicable to contracts entered into during the 15-

month period immediately prior to court approval of the settlement.

In the area of music not used in productions, upon request of the composer, the producer will grant the composer all rights which it has in such unused music, including the copyright.

However, the producer will retain a non-exclusive right to use all or part of the unused score and will be entitled to 25% of the publisher's share of income generated by the exploitation of an unused song.

The provision of the settlement is effective for a period of 20 years after its approval by the court.

Fisher Movie Tie—25 Free Stereos

LOS ANGELES—Fisher Corp., Chatsworth, Calif., headquartered manufacturer of consumer audio products, will be giving away 25 stereo systems in conjunction with American International's "California Dreaming" motion picture.

The film's soundtrack is available on Casablanca.

According to Chuck Baker, Fisher director of public relations, a special advertisement will appear with the movie ads in those major markets inviting consumers to listen to a selected radio station in the market to discover how to win a free Fisher component system.

"We'll probably have listeners

send in postcards," says Baker, "to the radio station and they will pick a winner."

In addition, window banner will be provided to Fisher dealers with the film logo and copy which will read "California Dreaming, the motion picture and the sound track. Listen to it on Fisher stereo."

Tickets for screenings will also be made available to selected Fisher reps and dealers in those markets where Fisher is running the promotion. The film opens in certain markets March 16, with openings in major cities continuing throughout April and May.



BENEFIT SHOW—"Saturday Night Live's" Gilda Radner chats with Arista/GRP artist Angela Bofill backstage at a benefit show for the patients of New York Univ. Institute of Rehabilitative Medicine.

Guilty Plea In Westchester Case

NEW YORK—A major figure in the Westchester Premier Theatre case pleaded guilty Monday (12) to fraud charges, further reducing the number of defendants awaiting a second trial.

Gregory J. DePalma, who was also charged with having links to organized crime, admits he concealed his part in the theatre's management and that he skimmed proceeds of ticket sales. Another defendant, Richard Fusco, pleaded guilty to fraud the previous week.

As a result, both defendants have had racketeering charges dropped.

Awaiting trial is Eliot H. Weisman, a former stockbroker who was the theatre's president, and several others who are charged with stock fraud and skimming money from the theatre.

The last trial, in January 1978,

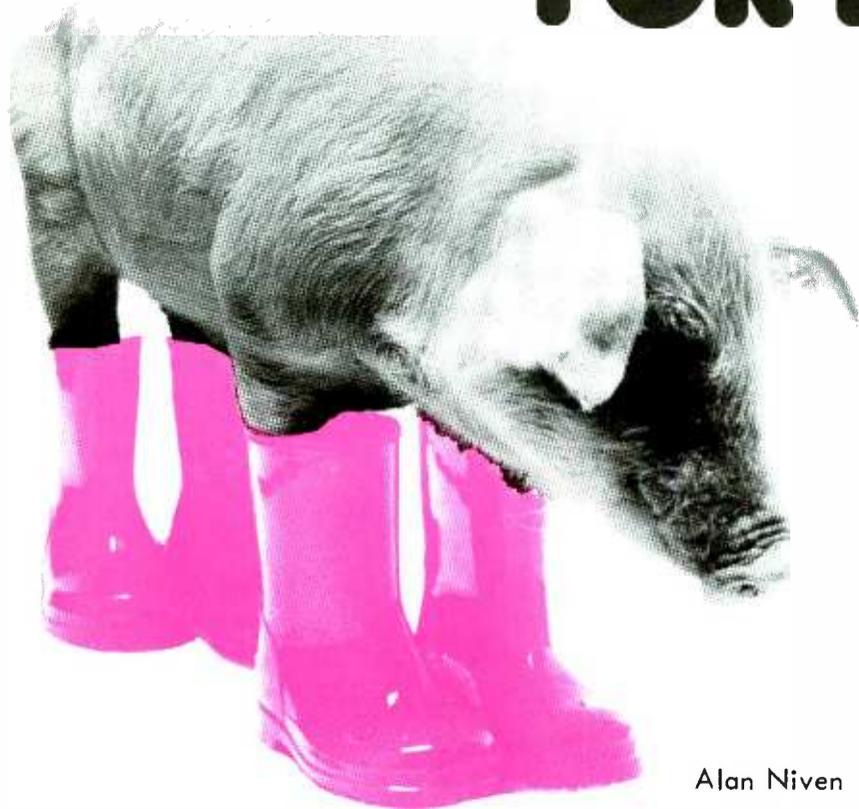
ended with a jury deadlocked 11 to 1 for conviction.

The theatre, which went bankrupt during Weisman's reign, has recently been acquired by impresario Dick Clark, who says he'll continue to book Las Vegas-type acts into the 3,500-seat hall and will also expand the booking policy and revitalize the operation's dining facilities.

Distributor Grows

LOS ANGELES—Distribution By Dave, a distribution firm, has moved to new quarters in the same complex that it has always occupied. The new facility is twice the size of the former. The address is 7220 Owensmouth Ave., Suite 103, Canoga Park, Calif. 91303. Telephone is (213) 887-7930.

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