



MSP 4663 – Art & Business of Recording
CONTRACT NEGOTIATION ASSIGNMENT
Facts for Representative of Record Label

Big T Records

You represent Big T Records, and as their attorney are tasked with representing their *best interest* in business dealings.

The label's A&R director has directed the label president – who has in turn engaged your services –to negotiate a deal with *The Owls*, a hot new act out of Philadelphia who has taken the east coast by storm, even though their style could be a bit of a departure for Big T.

They have self-released three CD's and have kept meticulous sales records. The first release, self-distributed and marketed only in the Philadelphia region sold 5,000 copies over the course of three years. The other two have been distributed throughout the Northeastern US by an independent distribution company and have sold 7,000 in two years and 10,000 in 1^{1/2} years.

Times are tough for Big T. While they were hit makers for a brief time, it's been 5 years since anything has made any money for the label. A&R tells you that the label is *desperate* and thinks that The Owls represent their best chance for renewed success.

You do some investigating and discover that you have some competition. Two labels have already made The Owls an offer - the big hit-maker of the day, *Crappy Records*, and a 3rd rate indy called *Altruism Records*. You don't learn anything about the specifics of those deals, but you know that *Crappy* has a reputation for being "greedy" and that you don't know anyone who has heard of *Altruism*.

You've been directed to do *whatever it takes* to sign them to Big T!

You have some understanding of the band's mentality and world view, and so tell Big T that it is very likely that The Owls would jump at the chance for a **fair** deal.

HOWEVER, Big T tells you that they have a concern regarding drug use among band members. They have no specific information regarding any member having any substance abuse problems per se, however, it has come to Big T's attention that it is quite common among other artists who work in their genre. You suggest language that would protect the label in the event that any band members break any laws while they're "on the clock" or if any band members become incapacitated due to a substance abuse problem.

They express their appreciation for your concerns but repeat their primary directive: you are to do whatever it takes to sign The Owls to Big T records.