

April 15, 2019

## Entertainment & Media Law Symposium 2019

CO-CHAIRS: **Casey Chisick, C.S.**, *Cassels Brock & Blackwell LLP*

**Carlyn Klebuc**, Assistant General Counsel, *Bell Media Inc.*

**May 2, 2019 (9:00 a.m. to 4:30 p.m.)**

**May 3, 2019 (9:15 a.m. to 1:30 p.m.)**

**Total CPD Hours = 9 h Substantive + 40 m Professionalism  + 50 m EDI Professionalism **

**The Law Society of Ontario  
Donald Lamont Learning Centre  
130 Queen Street West  
Toronto, ON**

**SKU CLE19-00501**



STEERING COMMITTEE:

**Susan Abramovitch**, *Gowling WLG (Canada) LLP*  
**Gillian Akai**, *Postmedia Network Inc.*  
**Emmanuel Evdemon**, Entertainment Counsel  
**Angelika Heim**, *Stohn Hay Cafazzo Dembroski Richmond LLP*  
**David Steinberg**, *Dentons Canada LLP*  
**Danny Webber**, *Hall Webber LLP*  
**Astrid Zimmer**, *Blue Ant Media Inc.*  
**David Zitzerman**, *Goodmans LLP*

## Agenda

\*Time has been allotted at the end of each panel/workshop for a question and answer session.

### DAY ONE: May 2, 2019

9:00 a.m. – 9:10 a.m.

#### Welcome and Opening Remarks

Casey Chisick, C.S., *Cassels Brock & Blackwell LLP*  
Carlyn Klebuc, Assistant General Counsel, *Bell Media Inc.*

9:10 a.m. – 10:30 a.m.

#### Entertainment Law in the #MeToo Era (20 m )

##### Moderator:

Gillian Akai, *Postmedia Network Inc.*

##### Panellists:

Robin Brudner, President, *Orbit Leadership Inc.*  
Monica Jeffrey, *JMJ Workplace Investigation Law LLP*  
Danielle Robitaille, *Henein, Hutchinson LLP*  
Victoria Shen, Special Advisor, *ACTRA Toronto*  
Kristin Taylor, *Cassels Brock & Blackwell LLP*

10:30 a.m. – 10:45 a.m.

#### Coffee and Networking Break

10:45 a.m. – 12:00 p.m.

#### Entertainment & Media Law: The Year(s) in Review

Casey Chisick, C.S., *Cassels Brock & Blackwell LLP*

12:00 p.m. – 1:00 p.m.

#### Getting in the Game: What You Need to Know About eSports Now

##### Moderator:

Kristopher Alexander, PhD, Professor of Video Games: Design and eSports, *Humber College*

##### Panellists:

Jamie Firsten, *Goodmans LLP*  
Neil Glasberg, President & CEO, *PBI Sports & Entertainment*

**1:00 p.m. – 2:00 p.m.**

**Lunch provided for Toronto registrants**

**2:00 p.m. – 2:15 p.m.**

**Transition to Concurrent Sessions**

**Breakout Sessions:**

**2:15 p.m. – 3:15 p.m.**

**Workshop 1: Negotiating and Drafting Morals Clauses and Inclusion Riders (30 m ☺)**

The #MeToo era has made morals clauses increasingly important. However, crafting one takes some delicacy and legal know-how. How do you draft a practical and enforceable morals clause that all stakeholders find acceptable? This workshop will begin with an overview of key issues to consider, including an explanation from our workshop leaders of morals clauses generally and recent case law developments. Then, workshop participants will be taken through, in detail, sample morals clauses, with the opportunity to engage in a discussion on how they might be negotiated.

**Workshop Leaders:**

Stephen Henderson, *Cassels Brock & Blackwell LLP*

Jaclyn Seidman, *Goodmans LLP*

**OR**

**Workshop 2: Dealing with Social Media Influencers**

The social media “influencer” is a modern phenomenon: someone whose online credibility and reach is such that their endorsement is a valuable branding tool. This workshop will look at the practical issues facing lawyers who draft and negotiate contracts involving the services of social media influencers. Our workshop leaders are two experienced lawyers who will lead a group discussion on contract terms and regulations applicable to structuring influencer deals. Workshop participants will receive a checklist of the key issues to be considered when working with influencer contracts.

**Workshop Leaders:**

Emmanuel Evdemon, *Entertainment Counsel*

Tara Parker, *Goodmans LLP*

**OR**

### **Workshop 3: Errors & Omission Insurance – A Practical Guide**

Your clients need to get their E&O insurance coverage approved with a minimum of fuss. A misstep could be costly. Our workshop leaders will take you through the application process and highlight common mistakes and misperceptions that producers (and their counsel) often make. They'll also provide practical guidance on how to navigate more complicated and misunderstood issues, such as when you can rely on fair dealing, what qualifies as "public domain," what circumstances you need to clear trade-mark and product placements, and how to get coverage approved for docudramas. Workshop participants come to understand the perspectives of the broker, the underwriters' legal counsel, and production counsel, and take away current best practices to assist their clients.

#### **Workshop Leaders:**

Stephen Fraser, *Fraser Entertainment Law*

Damian Schleifer, *Front Row Insurance Brokers*

Danny Webber, *Hall Webber LLP*

**OR**

### **Workshop 4: Battle of the Bands (10 m )**

Making music together is complex—so too is the band's business relationship. Our workshop leaders explore the finer points of intra-band business relationships, with help from a band manager who has been through the "battle." Workshop participants will discuss the importance of aligning expectations of each band member's roles, responsibilities, decision-making power, ownership interest, and profit split—both while the band is together and after a member leaves or the band breaks up. You leave with a handle on the most pressing issues, from written agreements to co-authorship to record/merchandising deals and everything in between.

#### **Workshop Leaders:**

Susan Abramovitch, *Gowling WLG (Canada) LLP*

Sean Anderson, Artist, *Finger Eleven*

Bernie Breen, *Bernie Breen Management*

Angelika Heim, *Stohn Hay Cafazzo Dembroski Richmond LLP*

<b>3:15 p.m. – 3:30 p.m.</b>	<b>Coffee and Networking Break</b>
<b>3:30 p.m. – 4:30 p.m.</b>	<b>Repeat of Workshops 1 through 4</b>
<b>4:30 p.m.</b>	<b>End of Day One</b>
<b>4:30 p.m. – 6:30 p.m.</b>	<b>Reception Sponsored by</b> <ul style="list-style-type: none"> <li>• <i>Cassels Brock &amp; Blackwell LLP</i></li> <li>• <i>Dentons Canada LLP</i></li> <li>• <i>Goodmans LLP</i></li> <li>• <i>Gowling WLG (Canada) LLP</i></li> <li>• <i>Hall Webber LLP</i></li> <li>• <i>Stohn Hay Cafazzo Dembroski Richmond LLP</i></li> </ul>

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### DAY TWO: May 3, 2019

8:00 a.m. – 9:00 a.m.      Are you an up-and-coming lawyer? Bonus Session!

*Pre-registration is required - Space is limited  
Open to law students and new calls up to 5 years  
Qualifies for 1 h Professionalism.*

**Speed Mentoring: (Almost) Everything You Wanted to Know About Practising Entertainment and Media Law (But Were Afraid to Ask) (1 h P)**

Sit down for an informal mentoring session with senior members of the bar and learn about managing your practice, meeting your professional and ethical responsibilities and dealing with your clients.

9:15 a.m. – 9:20 a.m.      **Welcome and Opening Remarks**

Casey Chisick, C.S., *Cassels Brock & Blackwell LLP*  
Carlyn Klebuc, Assistant General Counsel, *Bell Media Inc.*

9:20 a.m. – 10:30 a.m.      **Navigating the OTT Revolution**

**Moderator:**  
David Zitzerman, *Goodmans LLP*

**Panellists:**  
Karyn Edwards, *Netflix*  
Hilary Goldstein, *Buchli Goldstein LLP*  
Justin Stockman, Vice President, Premium SVOD & OTT  
*Bell Media Inc.*

<b>10:30 a.m. – 11:30 a.m.</b>	<p><b>Beyond the Grave: Dealing with Entertainment Assets Post-Mortem (10 m  )</b></p> <p><b>Moderators:</b>  Susan Abramovitch, <i>Gowling WLG (Canada) LLP</i>  David Steinberg, <i>Dentons (Canada) LLP</i></p> <p><b>Panellists:</b>  Catherine Lovrics, <i>Bereskin &amp; Parr LLP</i>  Kevin Sartorio, <i>Gowling WLG (Canada) LLP</i>  Lindsay Histrop, <i>Gardiner Roberts LLP</i></p>
<b>11:30a.m. – 11:45 a.m.</b>	<b>Coffee and Networking Break</b>
<b>11:45 a.m. – 12:45 p.m.</b>	<p><b>I'll Huff and I'll Puff and I'll Blow Your Acts Down – The Broadcasting and Telecommunications Legislative Review</b></p> <p><b>Moderator:</b>  Michael Koch, <i>Goodmans LLP</i></p> <p><b>Panellists:</b>  Erin Finlay, <i>Stohn Hay Cafazzo Dembroski Richmond LLP</i>  Peter Grant, Panel Member, <i>Broadcasting and Telecommunications Legislative Review Panel</i> and Counsel, <i>McCarthy Tétrault LLP</i>  Jason Kee, <i>Google Inc.</i></p>
<b>12:45 p.m. – 1:30 p.m.</b>	<p><b>In-House Counsel Roundtable (20 m  )</b></p> <p><b>Moderator:</b>  David Steinberg, <i>Dentons Canada LLP</i></p> <p><b>Panellists:</b>  Marla Boltman, SVP Business Affairs and Operations  <i>Halfire Entertainment</i>  Asha Danieri, EVP, Legal and Business Affairs, <i>Blue Ant Media Inc.</i>  P. Austin Wong, Senior Director, Legal, <i>DHX Media Ltd.</i></p>
<b>1:30 p.m.</b>	<b>Program Ends</b>