

## Director duty for Grammer; CW will 'Flirt'

By Nellie Andreeva and Kimberly Nordyke



Grammer

ring Wayne Brady.

In other casting news, Bo Derek has joined My Network TV's drama series "Secret Obsessions," Constance Zimmer has come on board ABC's comedy pilot "52 Fights," and Danielle Panabaker has been added to the

See **CASTINGS** on page 3

# SAG draws up ani deal

## Tentative contract boosts performer residuals

By Jesse Hiestand

SAG and industry negotiators have tentatively agreed to a new basic cable animation contract that will raise residual payments by 20%, the guild said Tuesday.

The announcement came on the same day that bargaining resumed on a separate but similar contract for live-action basic cable series, where SAG is prepared to strike if they do not get an acceptable hike in residuals.

Both contracts were last negotiated 16 years ago when cable television was a relatively new medium, and SAG negotiators were clearly proud of their gains in the animation contract.

"The performers who work under this contract have waited a long time for these well-deserved gains, particularly in the area of



"SpongeBob SquarePants" is one of the shows covered under new deal.

residuals," SAG president Alan Rosenberg said. "Thanks to the hard work of the negotiating committee and staff, and with the support of our membership, we were able to improve this con-

See **SAG** on page 3

## YouTube, E! in 'mash-up' of content

By Andrew Wallenstein

Viral-video Web site YouTube is teaming with E! Networks in support of a new broadband offering from the cable programmer.

E! is spinning off a segment of its series "The Soup" into its own online channel called Cybersmack, a compilation of user-generated video clips that satirize pop culture. Cybersmack launches Friday along with a \$25,000 prize for the best Cybersmack clip.

E! will spread the word on the new channel with help from YouTube, which has eclipsed Internet giants including Yahoo! and Google in the viral-video category, delivering 30 million videos per day. YouTube will provide multiple links to the E! venture on its homepage and exhibit clips of other E! programming.

The partnership is the latest example of how YouTube is forging links with established media players even as some conglomerates have clamped down on the site for hosting copyright-infringing material (HR 3/21). While NBC Universal and CBS Corp. have forced the site to dump illegal footage, brands including MTV2 and Dimension Films have joined forces with YouTube to help promote their offerings.

"We see this partnership as a sort of mash-up between the E! Television viewing audience and the YouTube community, bringing the two together to promote compelling TV shows through entertaining short clips," YouTube co-founder and CEO Chad Hurley said. ■

## Alt output gaining steam in indie scene

### Firms scout fests for worthy pics

First of two parts.

By Gregg Goldstein

For many an ambitious independent filmmaker, the elation of being accepted into a premier film festival like Sundance quickly is replaced by the disappointment of leaving Park City without having attracted the interest of a distributor. This year, of the 64 films selected for competition at Sundance, fewer than one in six have been picked up for domestic theatrical distribution.

Kristian Fraga, director of "Anytown, USA," didn't even get that far. When his movie failed to make the cut at Sun-

dance and the Tribeca Film Festival, "we were a bit worried," he admitted. Compounding the uphill battle to release his film was the fact that "Anytown" was one of two documentaries chronicling a New Jersey mayoral race, the other being the Oscar-nominated "Street Fight."

Nevertheless, "Anytown" picked up awards at the Minneapolis-St. Paul and Trenton fests. Still, despite some interest from smaller indie distributors, "it was starting to look like a straight-to-DVD situation," Fraga said.

Then along came Film Move- See **DISTRIBUTION** on page 2



Filmmakers Susan Buice and Arin Crumley took alternative route to distribute "Four Eyed Monsters."

## Distribution

*Continued from page 1—*

ment. In December, the company made "Anytown" its DVD of the month for its subscribers while releasing the film in three New Jersey cinemas (it plans further select theatrical bookings nationwide). With Fraga's film rescued from obscurity, "It was the best of both worlds," he said.

Like Fraga, many filmmakers who don't succeed in securing an established indie distributor are discovering that, increasingly, there are alternative modes of release. Stepping into the breach are a variety of new distribution outlets — theatrical, DVD and online companies that allow filmmakers to take matters into their own hands.

Emerging Pictures, Film Movement and Truly Indie are just three companies that scout festivals for films deserving of broader exposure.

Launched in 2003, Film Movement already has about 45 films in its library. Operating a DVD-of-the-month club for subscribers, it acquires North American rights to a film and releases most of them theatrically. The company offers anywhere from simply a royalty to more than \$100,000 for the films it selects, with a typical backend for the filmmaker of 50% for TV and a 20% home video distribution cut.

"Our standard is that a film gets in a well-established festival," president Stuart Litman said. "They garner big press, and our subscribers have to know we stand for something." In February, for example, the company picked up this year's Berlin International Film Festival winner, Aureaus Solito's Filipino coming-of-age drama "The Blossoming of Maximo Oliveros," for theatrical release.

Emerging Pictures CEO Ira Deutchman, who founded Fine Line Features in the early 1990s, has assembled a network of five East Coast digital cinemas from Scranton, Pa., to Ft. Lauderdale, Fla., for the simultaneous exhibition of films. The filmmakers retain rights to their work.

"In many cases, our goal is to find films a traditional distributor, but that often isn't feasible," Deutchman said. "In those cases, we tailor distribution through existing chains like Landmark or an ad-hoc collection of cinemas." He cited "This Old Cub," a docu about the Chicago Cubs, which

employed a regional release that set it up for "spectacular DVD sales."

Deutchman's team attends festivals, screenings and tracks articles to find worthwhile projects but prefers to catch films before they hit the fest circuit. "That's the best time to get one," he said, "because I'm a big believer that a film needs to be premarketed."

Magnolia Pictures' Truly Indie program has adopted a slightly different strategy, operating like a cross between a small indie distributor and a "four-walling" service, giving the filmmaker total control over where his film plays, how many screens it hits, marketing and press screenings.

Magnolia CEO Bill Banowsky says the cost to the filmmaker ranges from \$40,000 in a minimum of five cities to \$150,000

papers. "You keep every dime you earn, and we broke even," he added. The publicity helped him garner a DVD distribution deal with Fireside Entertainment.

Although alternative distributors give less commercial and star-driven indies a chance at finding an audience, their respective selection processes can leave some filmmakers out in the cold. That's when it becomes necessary to venture into the uncharted territory of self-distribution.

This summer, Withoutabox.com plans to launch a "distribution lab" to help such creators-turned-entrepreneurs. Currently, the Web site sports an "audience" section where filmmakers can upload shorts, trailers and podcasts for free. In return, they can get feedback (that includes the ZIP codes

with the help of some press coverage, he said the podcasts racked up about 3,000 downloads within the first 36 hours.

Crumley is negotiating a deal with Withoutabox.com under which theaters would keep half the boxoffice, Withoutabox.com takes less than a quarter and Crumley pockets the remainder. "The idea is one-off screenings where the venue isn't taking a risk — we can (do it) because this many people have requested to see the film," said Crumley, who has seen the most online demand in Orlando and Santa Rosa, Calif.

Thelemaque is premarketing his \$200,000 film "Dogwalker" through the site and is negotiating distribution terms, hoping to reach 10 theaters initially. He has set up links between the Audience section of Withoutabox.com and sections of MySpace.com for people coping with some of his film's themes such as cancer and domestic abuse. "The idea is to identify these communities and have them speak out to their members," he said.

Peter Broderick, president of Paradigm Consulting, rejects the term "self distribution," preferring to call such efforts "hybrid distribution" because they often open the doors to foreign and DVD deals. He recommends that filmmakers opt for theatrical service deals with outfits like Balcony Booking and Releasing, a 4-year-old company that takes on two or three films a year in exchange for a fee based on the amount of work involved, and sometimes a backend deal if a certain boxoffice is achieved. Under Balcony's terms, the filmmaker has to pay for the costs of marketing, which Balcony oversees, but gets 35%-40% of the boxoffice and retains all rights to the project.

The most important factor before a filmmaker approaches any of these new venues? "It's indispensable to have a marketing budget no less than 20% of the cost of the film built into your total budget," said attorney and producer Steven Beer of Greenberg Traurig. "It's very hard to start raising money after you hit the festival circuit because many investors believe if a distributor didn't acquire your film, you're just throwing good money after bad."

Tomorrow: While most filmmakers dream of seeing their film on the silver screen, some are facing the reality that DVD and new online ventures might be their only chance at winning an audience. ■



Donal Logue's "Tennis Anyone ...?" was the pilot project for Truly Indie.

for 20 cities for a week. "It entirely depends on the film, the filmmaker's objectives and appetite for risk," said Banowsky, who launched the program in October and plans four releases during the next six months.

After the outfit's point person, Kelly Sanders, accepts submissions, she sends them to one of three members of a selection team from Landmark Theatres, another 2929 Entertainment company, which showcases most of the films. "If we believe the film has artistic merit and is capable of attracting audiences, the film qualifies," Banowsky said.

In November, actor Donal Logue's \$600,000 feature directing debut, "Tennis, Anyone ...?" served as Truly Indie's pilot project. It played in Berkeley, Calif., San Diego and Boston after a Los Angeles premiere. "It's hard work, but you get some good reviews," said Logue, who paid \$5,000-\$6,000 per theater per week, plus the cost of ads in local

of visitors) to help them determine the ideal markets for each film while also permitting them to sell tickets online.

"It's a tool kit to essentially self-distribute," co-founder and CEO David Straus said. Costs are calculated per transaction based on how wide the filmmaker wants to take his film. Royalties from boxoffice sales will be paid through the company, which is establishing relationships with theaters and hopes to partner with DVD and online distributors. "A filmmaker has the power to greenlight themselves," Straus said.

Two of the first films out of the box will be Susan Buice and Arin Crumley's quirky romance "Four Eyed Monsters" and Jacques Thelemaque's drama "The Dogwalker."

Even after 16 film festivals, "distributors didn't express an interest to even attend our screenings," Crumley said. He turned to free video podcasts about "Monsters" on iTunes, and

## Castings

*Continued from page 1*—  
cast of CBS' drama pilot "Shark."

"My Ex-Life" revolves around two divorced couples and the way they deal with their lives after divorce. The show, from 20th Century Fox TV, stars Tom Cavanagh and Gillian Vigman.

Grammer, a four-time Emmy winner for his title role on NBC's "Frasier," directed about three dozen episodes of that long-running comedy series and earned a DGA nomination for the segment "Merry Christmas, Mrs. Moskowitz." Last year, he directed the pilot for CBS' comedy series "Out of Practice."

He is repped by CAA.

"Flirt," from Touchstone TV, centers on the only man (Brady) working at a women's magazine.

Barry Wernick wrote the pilot, which is being directed by Gary Halvorson. Claudia Lonow, Wernick, Lawrence Bender and Kevin Brown are executive producing.

"Secret Obsessions" (previously titled "Secrets"), from Twentieth Television, goes behind the scenes to focus on the glamorous yet often brutally ruthless fashion industry, centering on a violent corporate takeover of the business'

hottest company, Zianni Inc. Derek will portray cutthroat fashion mogul Maria Zianni, who runs the company.

"Secret Obsessions," along with another drama, "Desire," will be the first programs to air on Fox's new My Net when it debuts Sept. 5. Each drama features a 65-episode story arc of hourlong stripped episodes airing over the span of 13 weeks.

"52 Fights," from Touchstone TV and Brillstein Grey TV, chronicles a couple's (Christine Taylor, Matt Letscher) transition from dating to marriage. Zimmer will play Taylor's character's best friend, who is facing the demise of her own marriage.

Zimmer will continue her recurring role on HBO's "Entourage" for that show's upcoming third season. She is repped by Innovative Artists and manager David Sweeney.

"Shark," from 20th TV and Imagine TV, centers on a celebrity attorney (James Woods) who becomes a prosecutor. Panabaker will play the attorney's teenage daughter.

On the feature side, the actress has been cast in "Mr. Brooks" opposite Kevin Costner.

Panabaker, recently seen in "Yours, Mine & Ours" and "Sky High," is repped by CAA, Management 360 and attorney Patrick Knapp.

# Internet business attacks new Net protection bill

By Brooks Boliek

WASHINGTON — Some of the nation's most famous Internet companies claim a policy change backed by some of Congress' top leaders fails to protect Internet users and content-delivery companies from knuckling under to the phone and cable industries that run the networks.

Amazon.com, eBay, Google, IAC/InterActiveCorp, Microsoft and Yahoo! all signed a letter to leaders of the House Commerce Committee slamming legislation being pushed by chairman Joe Barton, R-Texas.

On Monday, Barton and other key committee members released a draft copy of legislation that would make it easier for the phone companies to get into video business and begins to set so-called "net neutrality" rules. The bill not only received the backing of the panel's telecommunications subcommittee chairman Rep. Fred Upton, R-Mich., and Rep. Bobby Rush, D-Ill., but also received the imprimatur of House Speaker Dennis Hastert, R-Ill.

Hastert said the legislation would "prevent outdated regulations from stunting the growth of new pay TV services and drive down costs by giving people more choice."



Barton

The high-tech industry fears that the phone and cable companies, whose networks make up the Internet's backbone, will use their power over the net-

work to take any number of steps that will raise their costs or degrade their ability to provide service.

"We are extremely concerned that legislation before your committee would fail to protect the Internet from discrimination and would deny consumers unfettered access to the tremendous scope of content, applications and services that are available today on the Internet and will be developed in the future," the companies wrote. "This bill would allow for such a fundamental change in the paradigm of the Internet that it would frustrate the reasonable expectations of the tens of millions of Americans who go online."

The House Commerce Committee's telecommunications panel scheduled a hearing on the proposal for Thursday. On the same day, the Senate Commerce Committee has a hearing scheduled on a similar topic. There is no Senate counterpart to the Barton bill. ■

## SAG

*Continued from page 1*—

tract, which affects mainly working day performers, for the first time in almost two decades."

It also was the first negotiation completed under Rosenberg's administration, which came to power in the fall election on a promise to get tougher in collective bargaining.

The animation deal demonstrated that the politically divided union could reach a deal despite its more aggressive stance, something Rosenberg attributed to "standing together as a united group of actors."

The new contract was negotiated with major producers of animated basic cable programs, including Walt Disney Pictures & Television, Warner Bros. Animation and Cartoon Network Studios.

The contract covers such shows

as "SpongeBob SquarePants" and "The Boondocks" but also allows SAG to expand its jurisdiction by covering any animated production created by the signatory companies for basic cable. The past industry practice has been to rely on single-production contracts.

SAG will hold a caucus April 10 in Hollywood to inform members of the proposed terms before it is considered for ratification by the national board at a meeting April 21-22. The union has agreed to a deadline of April 30 to have the agreement ratified or not.

If approved, the contract would be retroactive to Jan. 1 and run through June 30, 2008.

The contract would raise the rate for the first residual from 12% to 17% of a voice performers' minimum, which currently stands at \$716 for a four-hour session. The rate will continue to descend with each rerun, culminating in a 1.5% residual, up from 1%, for the 13th

and all subsequent reruns.

Because episodes of animated series tend to get 25 reruns on average, SAG estimates that the full value of the new contract is a 20% increase in residuals.

"We achieved important gains that will truly benefit the many actors who do voice-over work to make a living," SAG chief negotiator Sallie Weaver said. "Basic cable animation is a burgeoning industry, and this deal comes at a critical time. I'm very proud of how the dedicated members of the negotiating committee worked with our incredible staff and achieve real, tangible gains for working actors."

Added Loren Lester, chair of the negotiating committee: "It's truly historic when you consider the guild hasn't achieved any negotiated gains on this contract during the past 16 years. We were successful because we possessed a strong negotiating team, com-

prised of an activist committee of working performers, a supportive elected guild leadership, and an expert professional staff, especially our chief negotiator, Sallie Weaver."

Both the live-action and animation basic cable contracts expired Feb. 28.

SAG has objected to the industry's latest offer in the live-action agreement, saying the estimated 14% gain is inadequate in the face of the cable industry's growth over the past 16 years.

To gain added leverage, SAG leaders polled members over the past week and received overwhelming support to call a strike, if necessary (HR 3/28). Those talks are expected to continue over the next few weeks, with the Alliance of Motion Picture & Television Producers stepping in to represent the series' producers because of the prospects of a strike. ■

## clips

**Blake's plea**

Seeking to set aside the civil court verdict that he was liable for his wife's death, Robert Blake's lawyers cited numerous acts of alleged juror misconduct, including one woman's failure to disclose that her daughter was in prison on a murder conviction. "Jurors prejudged and expressed opinions concerning the case before it was submitted to them (and even before Mr. Blake testified), referred during deliberations to matters never introduced into evidence during trial (and discussed sending a message to 'celebrities' and 'rich people' by imposing a huge award," according to the defense motion filed Monday in Van Nuys, Calif.

**Arquettes' salute**

The Arquette family will receive the sixth AFI Associates Platinum Circle Award, honoring a family whose creative contributions have significantly enhanced the entertainment community. Clifford, Lewis, Rosanna, Richmond, Patricia, Alexis and David Arquette, along with David's wife, Courteney Cox, and Patricia's fiance, Thomas Jane, will be feted at a luncheon May 10 at the Regent Beverly Wilshire.

**NATPE's date**

NATPE's 2007 Conference & Exhibition will take place Jan. 15-18 at the Mandalay Bay Resort in Las Vegas. The third installment of the Mobile ++ Conference — which addresses the impact of wireless, mobile and digital distribution platforms — also will be held within those dates.

**Fest's move**

The 2006 Los Angeles International Film Festival, presented by Film Independent, will run from June 22-July 2. For the first time, the fest will take place in Westwood, where movies will unspool in 11 theaters.

**'Love's' night**

Peter Ho-Sun Chan's musical "Perhaps Love" will be the opening-night film at the 49th San Francisco International Film Festival, which launches April 20. The film, Hong Kong's submission last year for the foreign-language film Academy Award, will screen at the Castro Theatre.

# New chatter over digital radio

## Record companies, b'casters resuming talks on rights

By Brooks Boliek

WASHINGTON — The battle between the record companies and broadcasters over digital radio rights might have taken a turn recently as senior representatives of the two industries actually talked to each other.

Although Thursday's parlay ended only in an agreement to keep talking, at least RIAA chief Mitch Bainwol and National Association of Broadcasters leader David Rehr and other top industry executives are meeting face to face.

It wasn't as if they were willing participants. Although both sides said they wanted to talk, it took the nudging of Sen. Daniel Inouye, D-Hawaii, to get the ball rolling. Several weeks ago, Inouye told the two sides to get together and send him a status report every three weeks.

While not exactly marching orders, no one wants to disappoint the co-chairman of the Senate Commerce Committee.



Rehr

Bainwol

Inouye and chairman Sen. Ted Stevens, R-Alaska, are close. Both are decorated World War II heroes, are comfortable working with each other and have highly competent staff, making it one of the last of the old-style Capitol Hill relationships.

"We were pleased to have the opportunity to convene a high-level meeting of our executives at the request of Sens. Stevens and Inouye," the organizations said. "Both the broadcast and music industries are committed to finding a balance that achieves both protection for copyrighted works and a robust

expansion of digital audio broadcasts, keeping in mind the interests of consumers. We appreciate the leadership and encouragement of Sens. Stevens and Inouye, who similarly share an interest in both parties developing a balanced solution. Our meeting was highly productive, and we will continue to work toward a timely resolution that can be implemented industry-wide."

The record industry was represented by Bainwol and RIAA president Cary Sherman; U.S. Warner Music Group chairman and CEO Lyor Cohen; Sony Music president Michele Anthony; UMG vice chairman Nick Henry, UMG eLabs president Larry Kenswal and EMI North America chief operating officer Ivan Gavin.

Rehr and a smattering of top radio industry executives represented the broadcasters, including Clear Channel CEO Mike Mays and Entercom CEO David Field.

# Sirius chief Karmazin pumps sat radio

By Paul J. Gough

Normally press-shy Sirius chief Mel Karmazin talked up satellite radio during a rare public appearance Tuesday and said that his old company's lawsuit against Howard Stern was without merit.

Karmazin joined Sirius after a long career in traditional radio that culminated in a turn as CEO of Viacom. In that time, he has seen Sirius' subscriber base grow and snagged Stern from CBS.

He acknowledged that the big bucks Sirius is paying for Stern, the NFL, NASCAR and other high-profile rights are expensive but well worth it.

"It's scary how much they cost, but I would rather have them and find a way to make money with them rather than compete against them," Karmazin said.

He was interviewed by noted media journalist-analyst Jack Myers onstage at the Sports Business Journal's annual World Congress of Sports. The two-day event, which began Tuesday, was held at the Pierre across from Central Park. Karmazin said sports, along with Stern, are a

major driver of subscriptions to satellite radio.

And while Sirius and its competitor, XM Satellite Radio, are locked in a battle for subscribers, Karmazin said the more important battle is for the entire field of satellite radio.

"This is not about us vs. them," he said. "It's about satellite radio."

Yet he also said that despite the big bucks, Karmazin met with Stern on Monday to try to get him to extend his five-year deal with similar pay structure.

"He wasn't interested," Karmazin said. "He'll take his chances when the contract is up."

Karmazin said CBS' lawsuit against Stern, who left CBS in December for a multiyear contract with Sirius, only served to put Stern back on the front page.

"The last thing I would want to talk about today is Howard Stern," Karmazin said of CBS



Karmazin

before adding, "But I'm sure CBS had its reasons."

The former Viacom chief — who when he was running the show had control over Viacom's cable operations as well as CBS and UPN — wasn't optimistic about the growth chances for terrestrial radio. About terrestrial radio, he said that it would continue to exist and continue to be good for free cash flow.

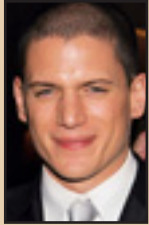
"It's just not going to grow much," Karmazin said of radio. He also denied rumors that Sirius had been in the market for the Walt Disney Co.'s radio unit that eventually went to Citadel Broadcasting in February for the same reasons.

"There was just no truth to it at all," Karmazin said. "We're a growth company, and we don't want to be bogged down with slower growth businesses."

He also said that talks with Apple over a possible iPod-Sirius satellite radio unit were "non-existent." He said the technology could be done, but he didn't know if there was a business model for it.

## Fox tacking a year on its 'Prison' term

By Nellie Andreeva



Miller

Two episodes into the spring portion of "Prison Break's" freshman season, Fox has given the suspense drama a full-season pickup for fall.

The first season of the show has chronicled the planning of a prison break by a group of inmates led by two brothers, Lincoln (Dominic Purcell) and Michael (Wentworth Miller). Because the season culminates with the escape of eight inmates, the second year of the series will have a new story line.

"Season 1 was the prison break, and Season 2 will be the manhunt," series creator-executive producer Paul Scheuring said in a phone interview from New Mexico, where he is scouting locations for the second season. "It will be 'The Fugitive' times eight. We're going to be scattering our escapees to the four corners of the country, using various modes of transportation, planes, trains and automobiles. Basically it's going to be the second half of 'The Great Escape.'"

Because the nature of the show will change, its title also is expected to be modified in the tradition of the "Law & Order" and "CSI" franchises.

"I wouldn't be surprised if you saw something like 'Prison Break,' colon, and a few other words," Scheuring said. "But it's not going to be 'Prison Broke.'"

As for which of the cast members will return next year, "there'll be one or two surprises, but by and large you'll see the same faces," he said.

# 'Idol,' tournament drive week

*Fox, CBS split; reality series 'Unanimous' debut hot*

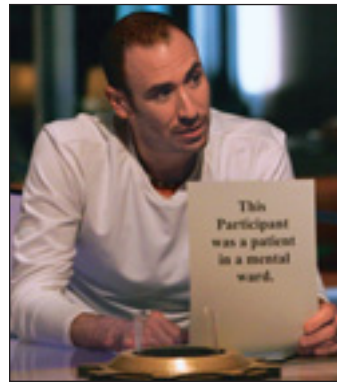
TV Rate Race charts online and in today's print edition.

By Nellie Andreeva

The "American Idol" hopefuls and Barry Manilow crooned to the tune of another weekly win for Fox in the adults 18-49 demographic, while a series of upsets in the NCAA men's basketball tournament cut down the ratings net in total viewers for CBS in a narrow win over Fox for the week ending March 26.

Among the debuts, Fox's new reality series "Unanimous" was unanimously voted the top performer, riding high on "Idol's" coattails Wednesday, while the crime dramas "The Evidence" on ABC and "Heist" on NBC didn't bring out the best in each other in their first face-off in the Wednesday 10 p.m. slot.

Airing behind the results show of "American Idol" (27.7 million viewers, 11.4 rating/27 share among adults 18-49), "Unanimous" (16.0, 7.1/16) scored the highest reten-



The debut of "Unanimous" on Fox attracted 16 million viewers.

tion of "Idol" demo lead-in for a series premiere or a special in about two years and tied ABC's "Lost" for the top spot in adults 18-49 in the 9:30-10 p.m. half-hour, according to Nielsen Media Research data.

The Wednesday 9-10 p.m. hour, which also features CBS' breakout hit crime drama "Criminal Minds," has emerged as one of the toughest time periods on the schedule. That

took toll on the hour's newcomer, veteran NBC crime drama "Law & Order" (9 million, 2.6/6), which finished a distant fourth in its time slot debut and was down 28% in the demo from its season average.

The soft lead-in from "L&O" put a dent on the premiere of NBC's sleek caper "Heist" (8.8 million, 3.0/8), which trailed the competition at 10 p.m.

The debut of ABC's crime drama "The Evidence" (9.1 million, 3.4/9) did a little better but still finished behind the time slot's leader, CBS' "CSI: NY" (13.9 million, 4.4/12).

For the first eight days of the tournament, NCAA men's basketball on CBS has averaged a 5.9 household rating/13 share, down 6% vs. last year but up 2% vs. 2004.

It was impressive second-week showings for CBS' midseason comedy "The New Adventures of Old Christine" (15.1 million, 5.1/12), which built slightly on its time slot premiere the previous week, and for ABC's new reality series "American Inventor" (13 million, 5.1/13), which lifted ABC to No. 1 in the Thursday 9-10 p.m. hour and was down only slightly from its two-hour premiere.

Also promising was the return of Fox's drama "Prison Break" (10.3 million, 4.3/11). Airing in its new Monday 8 p.m. slot, the first original episode of the suspense drama after a four-month break was up 11% in total viewers from the show's fall average.

But the 8-9 p.m. hour on Monday belonged to NBC's "Deal or No Deal" (16.8 million, 5.6/14), which set series records and scored NBC's highest marks in the time period with regular programming in about two years.

## 30 affils sign on for newbie CW

By Kimberly Nordyke

The CW said Tuesday that it has signed affiliation agreements with 30 additional stations, increasing its national coverage to more than 74% of the country.

Among the stations signing exclusive, long-term affiliation agreements with the new network are WASV Greenville-Spartanburg, S.C.-Asheville, N.C.-Anderson, S.C., and WJWB Jacksonville, Fla., which are owned by Media General Inc.; KBEJ San Antonio, owned by Corridor Television Llp. and

operated by Belo Corp. under a local marketing agreement; WBVA Roanoke-Lynchburg, Va., and KGWB Davenport-Rock Island-Moline, Ill., owned by Grant Communications Inc.; and WSTQ Syracuse, N.Y., and KXTU Colorado Springs-Pueblo, Colo., which are owned by Raycom Media Inc.

WASV, KBEJ, WSTQ and KXTU are affiliates of UPN, while WJWB, WBVA and KGWB are affiliates of WB Network.

The CW, a joint venture of CBS Corp. and Warner Bros. Entertainment, launches in the fall. ■

## Painter Young to be Back Stage national editor

Staff report

Jamie Painter Young has been named national editor in chief of Back Stage.

Painter Young, an 11-year veteran of the trade publications focused on working and aspiring actors, has served as interim national editor in chief since November. Back Stage is owned by VNU, parent company of The Hollywood Reporter.

Painter Young had been instrumental in the relaunch of the redesigned Back Stage weekly publications, which include Back Stage East, Back Stage West, and the Web site BackStage.com. She also spearheaded the launch of Back Stage's "Evening



Painter Young

With ..." film screening series.

In her new role, she will oversee all editorial matters for the publications and lead collaborative partnerships with other VNU Business Media-related companies.

Painter Young joined Back Stage West in 1995 as an editorial assistant. She rose through the ranks in a variety of editorial positions, serving as editor of Back Stage West until she was tapped as interim national editor in chief last year. She reports to Back Stage publisher Steve Elish. ■

tech reporter

John Gaudiosi



## Scribe Avary game for 'Hill' adaptation

**R**oger Avary, best known as the writer of "Pulp Fiction," has been an avid video gamer all his life. So he was more than ready when he received a call from "Brotherhood of the Wolf" director Christophe Gans asking whether he'd help translate Konami's "Silent Hill" from game to film.

"Christophe and I knew how passionate the video game fans are for 'Silent Hill,'" Avary says. "At the minimum, we didn't want to piss them off. We wanted to make this movie for them. They're the canaries in the coal mine."

The project also is evidence of a demographic shift that means game creators are having a more direct impact on Hollywood scribes, he says.

"Hollywood writers are getting younger," Avary says. "The old-timers who don't play games are writing (fewer and fewer) movies of this sort. There are more younger people who grew up with gaming getting opportunities in Hollywood today."

"Hill" marks the first time Avary has been able to immerse himself in a video game franchise that he fell in love with years ago. He remembers that when he and Gans first discussed "Hill," they knew that they wanted to approach it as gamers who wanted to be as true to the spirit and detail in the adaptation as possible.

The two spent several months in France playing through all four games of the franchise. "I hadn't played 'Silent Hill' for years," Avary says. "Your first reaction is the graphics have really gotten better since then. But then once you give yourself to the game, you fall into it just as well. In some ways, less detail gives you greater empathy for the character that becomes your avatar while playing."

Avary says that Hollywood producers all too often get the rights to a video game and then look to reach a larger audience by going beyond its universe.

"Hollywood executives are very quick to want to throw out the source material of a game," he says. "'Doom' kills me. That was one of the movies I wanted to do so badly. I met with them early, on and I looked at the original script and asked, where's the 'Doom' in this?"

Avary recently was asked to work on the "Darkwatch" movie script, based on the Capcom vampire Western game of which he is a fan, but his schedule interfered.

His early interest in video games originally took him down a different path. Avary began playing games in the late 1970s and built his first computer from a kit — a Rockwell KIM-1 — and started his professional life as a programmer for the Atari 800.

Even though he left the programming path for Hollywood, he never gave up his roots. Avary collects and restores such Atari Vector coin-operated machines as "Asteroids," "Space Duel," "Tempest" and "Battle Zone." He also spends hours playing PlayStation 2 games like "Driver: Parallel Lines" from beginning to end.

"In many ways, gaming has not changed much since the Atari 2600," he says. "It's still just polygons and fields and things bouncing into each other."

In other ways, of course, the changes have been dramatic. The impressive experiences made possible by next-generation graphics and sound have increased the costs of making games with the larger teams and more expensive technology they require.

"The thing to watch out for, when costs get high, suddenly you see less and less innovation occurring and more repetition of tried and true ideas," Avary says. This is evident in movies, he says, with big-budget Hollywood films lowering the odds of original stories making it to the big screen. There already are those in the game-development industry who have complained about the lack of interest game publishers show to original game ideas for next-generation consoles.

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## Court TV puts a 'Bounty' on development docket

By Paul J. Gough

Court TV will return 12 series to the channel's primetime lineup next season as well as add programs that look at spam, a mastermind of polka and crime and a series about a group of 11 female bounty hunters.

Series in development include "Divorce Story," a look at binding arbitration among divorcing couples that will be produced by Craig Piligan ("American Choppers"); "Bounty Girls," about female bounty hunters in Southern California; and "Inside the Criminal Mind With Keith Ablow," a forensic psychologist's look at why criminals are the way they are. Another fact-based series, "Call 911," features a reconstruction of actual emergency calls.

New documentaries on Court TV include "Spam: The Documentary," about the e-mail clogging nuisance; "The Man Who Would Be Polka King," about an Atlantic City polka impresario who also dabbled in crime; and "The Human Behavior Experiments," a Court TV-Sundance Channel film about how social conditions affect unethical acts.

The new shows are in addition to others recently announced and the 12 series that are back on the schedule including "Forensics Files," "Body of Evidence" and "Dominick Dunne's Power, Privi-



Schleiff

lege and Justice," among others.

Other offerings include "Seriously RED," a broadband offering that extends its primetime block that

begins at 8 p.m. to include behind-the-scenes features, deleted scenes and other programming from "Beach Patrol," "Anatomy of Crime" and "Video Justice."

"We're hitting a stride," Court TV president and CEO Henry Schleiff said.

Also hitting a stride in the channel's efforts among ad buyers, which last year culminated in its strategy of putting money on the line to guarantee not only viewership but also involved viewers — viewers who watch Court TV and hang on through commercial breaks and are engaged in the programming. Charlie Collier, executive vp advertising, said that Court TV has achieved its objectives despite the risk. Ninety-seven percent of Court TV's primetime schedule in the first quarter exceeded its guarantees with advertisers.

"It's not about selling media any more, it's about selling effectiveness," Collier said. ■

## ESPN2 unveils starting lineup

By Paul J. Gough

ESPN Original Entertainment will debut a series of sports-related entertainment programming on ESPN2 next month.

The series "It's the Shoes," consisting of eight half-hour episodes, focuses on celebrities whose sneakers are a big part of their lives, including Juelz Santana, Ghostface and Run-DMC's Reverend Run. "Shoes" is hosted by DJ Bobbito Garcia and will appear on ESPN2 at 1 a.m. Tuesdays beginning next week.

A half-hour later, ESPN2 will premiere another season of "2 Live Stews," the return of brothers and Atlanta radio hosts Ryan and Doug Stewart, who will talk about sports for eight episodes.

ESPN2 also will have the U.S. Paintball Championships at 10 p.m. Mondays beginning April 10 and a streetballer championship in April and May in a show titled "City Slam."

And baseball uberagent Scott Boras will get his own two-part documentary on ESPN2 focusing on his efforts during baseball's free-agency period. Boras recently negotiated deals for Johnny Damon and Kevin Millwood, among others. "Free Agent" airs April 13 and 20.

ESPN also will have one series, "Battle of the Gridiron Stars," at 9 p.m. Tuesdays from April 11-May 16. There will be six one-hour shows pitting such NFL stars as Pittsburgh's Hines Ward and quarterback brothers Eli and Peyton Manning in a series of competitions. ■

## digest

**Cablevision filing**

Cablevision Systems said in a regulatory filing Tuesday that it has appointed a group of independent directors to consider whether to pay a special dividend proposed by the controlling Dolan family and whether to pay the \$3 billion suggested by them. The filing also said Cablevision has reached a tentative settlement of a shareholder lawsuit filed in connection with the dividend. It still requires court approval.

**Russian TV update**

The sale of a major slice of Russia's valuable television market could be in the cards after the banking wing of Russia's natural gas giant Gazprom took back full control over its media assets, analysts said Tuesday. A deal struck Monday between Evrofinance-Mosnarbank and Gazprombank, the gas monopoly's bank, allowed it to resume full control of TV stations NTV, NTV-Plus, TNT, radio stations and a TV listing magazine. Neither of the banks put a cash value on the deal, but they said on their Web sites that the goal was to finance joint real estate investments worth \$1.5 billion. The deal paves the way for the sale of TV and media interests collectively known as Gazprom-Media.

**China going digital**

A major cable operator in Southern China, Guangzhou Radio and Television Network Co., and News Corp.-controlled NDS Group, a digital pay TV technology firm, said Tuesday that they will work together to offer digital cable services to the Chinese firm's 2 million subscribers. Using NDS conditional access technology, GZCATV expects to expand from carrying 50 analog channels to 120 digital channels and to offer high-definition television, interactive and digital video recording capability to its customers.

# EM.TV gets assist from kids biz

## Profit increases 1.4%; core sports sector slows in '05

By Scott Roxborough

COLOGNE, Germany — Working without the net of one-off sales and settlements, German sports and kids television group EM.TV said Tuesday that it managed to book a slim profit in 2005 and also managed to inch up revenue as stronger results at its kids operations outweighed weaker financials in its core sports business.

In other German sports TV news, cable group Unity Media said it has taken on long-term loans worth €1.4 billion (\$1.6 billion) to help finance expansion, particularly the creation of a pay TV channel in Germany that could rival Premiere, which the firm recently outbid for German soccer rights.

According to 2005 figures released Tuesday, EM.TV recorded a profit of €200,000 (\$240,500) last year on revenue of €209.5 million (\$251.9 million), a 1.4% increase year-over-year.

Without the one-off windfall of €25 million from a settlement with now-defunct KirchGroup,

EM.TV would have lost €8.3 million in 2004.

EM.TV's sports division, which includes all-sports channel DSF and sports production group Plazamedia Entertainment, accounted for 85% of the company's revenue last year, even though that was slightly down from 2004 levels.

The acquisition of German rights to the UEFA European club soccer tournament cut into profit at DSF, and EM.TV's sports revenue declined €10.1 million (\$12.1 million) year-over-year.

The company's children's TV division, however, bounced back, turning a €5.7 million (\$6.9 million) profit last year compared with a €4.8 million loss in 2004.

"EM.TV in 2005 kept its word," CEO Werner Klatten said. "We were profitable despite substantial additional expenses that, to a degree, were not able to be foreseen and despite a lack of one-off or special effects."

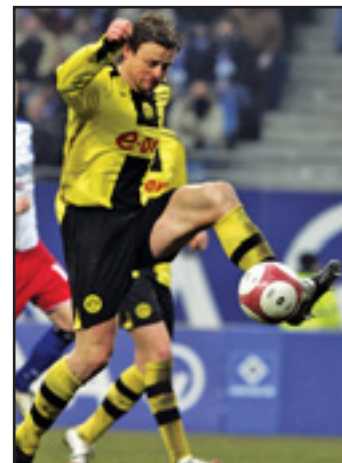
Shareholders, however, didn't seem to embrace the message. EM.TV shares dropped 8.8% on Tuesday to €4.85 (\$5.82).

For this year, EM.TV said it expects revenue to jump 10%, boosted by a buffed sports division.

Meanwhile, Unity Media unveiled new loans from Dresdner Bank, Citigroup and Goldman



Klatten



AP/WIDE WORLD

Arena netted Bundesliga soccer rights for \$276.6 million a year.

Sachs that will run through 2013.

Unity managing director Parm Sandhu would not detail how much of the cash would be used to build up its pay TV unit Arena, but observers suggest it will be the bulk of the new loans.

Arena in December outmaneuvered leading German pay TV group Premiere to secure rights to Bundesliga soccer games. Arena will pay €230 million (\$276.6 million) a year for the rights and an estimated €30 million-€50 million (\$36.1 million-\$60.1 million) to produce and broadcast the games. ■

## Concern over Brit tax laws slows Pinewood

By Ray Bennett

LONDON — U.K. studio facilities company Pinewood Shepperton on Tuesday posted a 13% decline in 2005 revenue to £33.4 million (\$58.5 million), blaming Hollywood's concern over British tax laws that were resolved by the government in its budget statement only last week.

The studio operation, which has long been the home of the James Bond films — the latest of which is being filmed abroad — also reported an operating profit for the year of £5.3 million (\$9.3 million). That was less than half the £11.4 million that Pinewood had recorded for 2004.

The company said in its results statement that overall film production investment in the U.K. last year came in at £559 million, down from the £812 million spent in 2004. That amounted to a 31.2%



"The Da Vinci Code" is among Pinewood's recent productions.

year-over-year decrease.

"This reduction was mostly due to the uncertainty over the U.K. film tax environment, which is now resolving itself satisfactorily," the company said.

Chairman Michael Grade said that first-half 2005 had been particularly challenging, and sluggishness there couldn't be overcome by a second-half acceleration of momentum. "As anticipated, film revenue during the latter part of the year improved

and made an important contribution to the full year's results," Grade said.

"The Da Vinci Code" and "Basic Instinct 2" are among recent productions at the studio.

Pinewood CEO Ivan Dunleavy said Tuesday that he felt the U.K. film industry can look forward with confidence.

"Our long-term strategy remains on course: to increase utilization of our studio facilities, to enhance the scale and quality of the studios and to further grow our television and media park revenue," he said. ■

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