

SHOOT[®]

THE LEADING PUBLICATION FOR COMMERCIAL, INTERACTIVE, & BRANDED CONTENT PRODUCTION

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A \$10.5 Million Win For Ad Biz: N.Y. Spot Filming Incentives

Tax Credits For Commercial Prodn. On Brink Of Becoming Reality, Pending Governor's Signature; AICP Plays Key Role In Measure's Advancement

By Robert Goldrich

ALBANY, N.Y.—The New York legislature has passed a fiscal year 2006-'07 state budget that provides \$7 million in funding for newly created tax credits specifically designed to help keep and attract more commercial production. At press time, Gov. George Pataki (R-N.Y.) was expected to sign the measure, formally establishing the financial incentives for spot filming in the Empire State.

If Pataki's approval is indeed secured, still to be determined will be exactly when the tax credits will take effect. Currently there are three possibilities on the table: making the incentives retroactive to Jan. 1, '06; enacting them on July 1, '06, which is the beginning of the new fiscal year; or having them take hold on Jan. 1, '07, the start of the next full calendar year.

Additionally, New York City is well on its way

to setting up a companion program, putting 50 cents to the dollar on what the state has approved. This amounts to a \$3.5 million fund for tax credits to encourage commercialmaking in Gotham.

The state initiative consists of three prime components:

- A growth credit provision designed to encourage companies to increase the amount of business they bring to the state by providing a refundable tax credit of 20 percent of qualifying production costs solely on newly generated business. The amount will be based on the difference between the total qualified production costs of the current year and the total amount of production costs of the preceding year. The growth credit is funded by \$3 million of the aforementioned \$7 million total.

The intricacies of the growth credit—such as com-

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The Road To NAB: Color Correction

By Carolyn Giardina

LAS VEGAS—The industry-wide acceptance of the Digital Intermediate (DI) and related DI-style processes makes '06 a pivotal year for postproduction as the industry looks toward the annual National Association of Broadcasters (NAB) convention, which will be held April 22-27 in Las Vegas.

DI is essentially a process of scanning film into data for all postproduction tasks, including

color correction, to complete a digital master that would be used to create all video and film deliverables. In the feature industry, more than 50 percent of major studio motion pictures are now finished using this post method.

For advertising production, related processes introduce a new way of working in a data-centric environment that offers nonlinear, random access color correction. Essentially the film is scanned into the data realm, and

can be worked on in a nonlinear environment—meaning that spots can be color corrected and viewed in shot order.

What makes this topic so complex is that it is not about a new box, but a new process that is still evolving. So more customized workflows are developing with combinations of film scanners/telecines, film recorders, color correction systems, compositing and finishing systems, stor-

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Red Car Is Game For Interactive

By Carolyn Giardina
SANTA MONICA, Calif.—“Ian Hollister’s Haunted Hospital,” the premiere episode of the new “Stranger Adventures” anthology series, arrived this week on the Web. This weeklong episode and the series is an interactive game; players are asked to participate in an adventure in which they follow clues toward cracking a 10-digit pass code to win reward money.

The series—which is advertiser sponsored—is a hybrid of high-end scripted drama, alternative reality gaming, mock reality TV and personal TV. It relies on

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Joe Berlinger Makes History Via @radical

By Robert Goldrich

NEW YORK—While SHOOT has chronicled assorted instances of directorial diversification, the latest for Joe Berlinger stands out with the atypical twist of his serving as co-executive producer of *10 Days That Unexpectedly Changed America*, a series produced by The History Channel in association with bicoastal/international @radical.media. The show—executive produced by Susan Werbe, The History

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Estate Sale

While some forms of sponsored content blur the line between advertising and entertainment, there are some lines that should not—and cannot—be broken. Well make that should not, because the can is, alas, happening in a number of markets as product integration has made its way into local newscasts and other news programs.

As TV stations look to turn a buck, they're capitalizing on interest from clients in getting their pitches—soft sell and otherwise—woven into the fabric of news programming.

For example, according to *The Hollywood Reporter*, Spanish language TV station KMEX, Los Angeles, has an integration partnership with healthcare provider Kaiser Permanente Southern California. It's part of what the



station calls its "Lead a healthy life, get the facts" public service campaign. But it's more a public disservice.

Kaiser physicians are interviewed regularly on health topics for KMEX news pieces, news footage is shot at Kaiser facilities, and Kaiser patients and support groups are featured in news segments. Kaiser pays fees for the inclusion, an arrangement that isn't disclosed during the programs.

Other examples cited in *The Hollywood Reporter* piece included an 11-day "Spa Spectacular" series in which 11 local spas were featured in the last half-hour of morning news programs on KRON-TV, San Francisco. Viewers were offered the chance to buy half-price gift certificates for spa services. Additionally Tourism Australia paid KRON to run a weeklong series featuring

stories about Down Under in its morning news program. Tourism Australia bought traditional spots in the program while also paying an integration fee, and footing the bill for a five-member news crew to travel to Australia.

Call it an Estate sale—except in this case it's the Fourth Estate in a transaction that wouldn't have been fathomed years ago when preserving editorial integrity was paramount. But the ad industry isn't entirely to blame. The emergence of the pay-for-play dynamic is symptomatic of what many news programs have become: entertainment.

Happy talk newscasts, team coverage of "the runaway bride," freeway car chases/police pursuits, celebrity-driven fare ranging from movie reviews to romantic liaisons, features on the titillating instead of the intellectually stimulating, coverage of what the public supposedly

wants rather than what it needs to know. Even much of the so-called issues-driven news fare takes the form of talk radio on TV, with "journalists" confronting anyone and everyone, generating controversy but rarely any meaningful insights, much less genuine illumination.

Sadly news in these forms is packaged entertainment, which dovetails nicely with product integration and other forms of sponsorship. But true journalism doesn't mix with product placement and the like. The news shouldn't be for sale—even the suggestion of impropriety is unacceptable.

While this publication has covered—and sometimes lauded—inventive forms of branded entertainment, there's no room for such compromise in news programming. The ethics guidelines of the Radio and Television News Directors Association's

affirm that news reporting and decision-making "should be free of inappropriate commercial influences" and "should not show favoritism to advertisers." The guidelines language goes on to urge that news organizations "protect the integrity of coverage against any potential conflict of interest."

Clearly some news directors have ignored—or have been ordered to ignore—these guidelines. The ad industry shouldn't be party to such abdication of journalistic responsibility.

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Meet The Commish

By Emily Vines

Sunny Outlook For Sunshine State

As we spring forward into days with more hours of light, it seems appropriate to check in with the Sunshine State and its film commissioner Paul Sirmons. As this Q&A session reveals, pending legislation could make Florida, which is full of hot locations, even more attractive to spotmakers.



Paul Sirmons,
commissioner
of the Florida
Film Commission

huge part of our business in Florida; anywhere from 30 to 50 percent of the production we do in the state is commercials. Of course a large part of it is done in South Florida, but it is the one type of production that impacts pretty much our whole state. Much of the production in the pan-handle of Florida is commercial activity so it's very important to us on a statewide basis.

SHOOT: What is the state of commercial production in the rest of Florida?

SHOOT: Tell us about the state of commercialmaking in Florida right now.

Sirmons: Commercials are a

Sirmons: It's very good. Production activity affects Orlando, Tampa/St. Pete, Jacksonville and Miami, or what we call South Florida, which are our four production centers. I say that because we have the most crew living in those four areas. But of course, commercials are done down in Naples and Palm Beach and West Palm Beach. You can pretty much find it all over the state. And we want to encourage that and that's why we are looking at making our incentives work for commercials starting July.

SHOOT: What are the proposed changes?

Sirmons: We've had an incentive for two years and on paper it includes commercials. But in reality, not one commercial has been able to qualify for it because it requires commercials to spend at least \$850,000 on each production in order to get the incentive. We currently offer a 15 percent cash back incentive.

So one of the things we have proposed to make it work for the commercial industry is allowing commercial productions to be cumulative and to qualify by reaching a lower threshold of \$500,000 [annually]....Each commercial has to have no less than \$75,000 in qualified expenditures to reach the [\$500,000] threshold. Qualified expenditures are payments to Florida vendors, businesses, cast and crew.

[The proposed alterations are for the existing] Florida Entertainment Incentive Program.

It was funded last year with \$10 million in a cash rebate situation so if you did a production that reached \$850,000 in qualified expenditures, then you would get back 15 percent afterwards.

The proposal that is in both the House and the Senate right now will actually lower the threshold to six hundred and twenty five thousand dollars on all productions and it will switch our incentive to a tax credit as opposed to a cash rebate. But in the proposal it does guarantee a producer that the tax credit cannot be sold for less than eight-five cents on the dollar, or eighty-five percent of face value. So it's more protective than other programs and the tax credit can be monetized against both corporate income tax and sales tax, for companies with sales tax obligations to the state. That creates a very broad-based monetized credit.

Some states have tax credit programs that make it hard, if you don't own a company in the state, to turn that into money; we're trying to make it as easy as possible and that's why the legislature proposed switching to the tax credit this year.

Because it's in appropriations, we don't know until June when the governor signs the bill, how much money we have in the incentive program and we start qualifying productions on July 1.

The shows that can have the highest impact on the state's economy, they plan farther in advance than that. Our \$10 million was promised out in 11 days

FLASHBACK

5 YEARS / 10 YEARS



5 Years Ago

□April 6, 2001/Director Irv Blitz is now directing out of bicoastal HSI Productions, after a stint at bicoastal Morton Jankel Zander....After nearly three years in business, Santa Monica-based music and sound design house Conning Hammers + Klok (CHK) has been closed by its principals.... Director Thor Freudenthal is joining Slo.Graffiti, a satellite of Los Angeles-based Palomar Pictures....Composer Mario Gringorov has joined Crushing Music, New York. He has most recently been with Amber Music, New York....

10 Years Ago

□April 5, 1996/Postique, Southfield, Mich., ha named Mary Suzanne Patek president....First Edition, a New York-based editorial company, has announced the formation of an audio division, to be called Aural Fixation. Rich Cutler will be on board as mixer/sound designer....The principals of Fleet Street Pictures, a San Francisco editorial company, have parted ways, opening two independently owned and operated companies: editor Miodrag Certic has launched Jump Ship Studios, while cutter Joe Orr and exec producer Bruce Goronsky have launched Beyond Media....



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LEGALEASE

BY JEFFREY A. GREENBAUM



FOOD FOR THOUGHT

The National Advertising Division recently told Dr. Pepper Seven Up, Inc. that advertising for its 7UP PLUS soda, which is made with real fruit juice, was misleading because of the real fruit that was shown.

The National Advertising Division of the Council of Better Business Bureaus (“NAD”) is the advertising industry’s main (and very influential) self-regulatory organization. It not only hears challenges to advertising that are brought to its attention by competitors and others, but it also has its own monitoring program where it identifies advertising (as it did here) with potential truth in advertising concerns.

FRUIT JUICE?

The television commercial challenged by the NAD shows, among other things, a large amount of fruit flowing in a stream of water and a still shot of several 7UP PLUS products surrounded by a pile of fruit. A variety of types of fruit are shown. The commercial describes the product as having “real fruit juice.” A disclaimer in the spot reads, “These products contain 5% apple juice from concentrate.”

The NAD said that showing all of that fruit, even with a disclaimer, communicated that 7UP PLUS contains a large amount of fruit juice, not just the five percent that is actually included. The NAD also said that showing different types of fruit was problematic, since the only actual fruit juice (as apposed to flavoring) present in 7 UP PLUS is apple juice from concentrate. In its decision, the NAD recommended that Dr. Pepper Seven Up, Inc. revise the advertising so that it would not communicate the message that 7UP PLUS contains a substantial amount of fruit juice. The NAD also recommended that the advertiser include a more prominent disclosure about the actual fruit juice that is in the product. Although Dr. Pepper Seven Up, Inc. told the NAD that it disagreed with the NAD’s conclusions, it agreed to take the NAD’s recommendations into consideration.

IMPLIED CLAIMS . . . FROM FRUIT?

If you have been reading this column regularly, you know that when creating advertising, you are responsible for ensuring that both the express and the implied claims that are made in advertising are truthful and substantiated. Here, the problem was not really with the express claim; the soda does actually contain real fruit juice.

The key problem identified by the NAD was that some of the creative techniques used – the pictures of fruit that were shown – may have communicated implied claims about the fruit content of the soda which weren’t true. When you are planning to illustrate a product attribute (such as showing pictures of fruit to illustrate the fact that the product contains real fruit juice or fruit flavors), you have to be careful, then, before beginning production, to identify what implied claims may be communicated. Even humorous or non-realistic illustrations may communicate specific information about a product. If actual claims are communicated, even implied claims, then you must ensure that you have sufficient proof to back them up. And, be careful about disclosures. It is very difficult to correct a misimpression that is caused by exciting visuals just by including a super.

The lesson to learn from the NAD’s decision here is that it’s not enough to worry about the words that are used. As the saying goes, a picture is worth a thousand words. So, look carefully at the visuals -- including photographs, animation, and special effects – to make sure that you can back up any implied claims that are made. Taking this extra step should really help you avoid legal challenges to the fruit of your labors.

This column presents a general discussion of legal issues, but is not legal advice, and may not be applicable in all situations. Consult your attorney for legal advice.

Jeffrey A. Greenbaum ESQ. is a partner at Frankfurt Kurnit Klein & Selz, New York. If you have a suggestion for a topic to be covered in a future column, send an e-mail to jagreenbaum@fkks.com

Directors Jhaveri, Ogens Join HKM

Continued from page 4

making mark while a student at Rhode Island School of Design. There he worked on a number of short films, including *Ma Baap*, a personal documentary about his parents that won prizes at international film festivals and was exhibited around the world. Jhaveri’s work drew the attention of MTV’s Abby Terkuhle, the head of its on-air promotions department, who hired him as a producer in the mid-’90s. Jhaveri’s endeavors there included writing and directing MTV promos and TV spots.

MTV then dispatched Jhaveri to India to help launch MTV India, for which he directed a series of humorous promo spots that went on to be short-listed at Cannes. He then returned to New York and became supervising producer at MTV Labs, a creative resource founded by MTV president Judy McGrath. There he wrote and helmed short experimental films before earning the Saatchi Showcase recognition.

OGENS

Ogens comes over to HKM from now defunct Headquarters. He recently wrapped three projects: a Splenda assignment for the Web, mobile phones and video on demand; an unscripted five-spot package for ESPN via Ground Zero, Marina del Rey, Calif.; and a Tylenol commercial out of Deustch, New York.

“My background is in unscripted filmmaking, documentaries and television,” said Ogens, “and as such it’s been very important for me to approach spot work both from that standpoint and the more traditional narrative perspective.”

While a student at Tulane University, Ogens directed and produced *Ray of Hope*, a documentary principally shot behind the walls of the Louisiana State Penitentiary. He also directed and co-wrote the shorts *Harvest* and *101*. The latter was screened in competition at the ’05 Slamdance Film Festival in Park

City, Utah. Other directorial highlights include: sequences of a Victoria’s Secret fashion show for CBS; a VH-1 pilot, *Players*, profiling hip-hop artist Ludacris; *Who’s Got Game?* which is an MTV series on street basketball (exec produced by Magic Johnson); and Country Music Television’s *All Access Big & Rich*. Following Hurricanes Rita and Rita, Ogens spent three weeks as one of a handful of filmmakers brought in by the Red Cross to document the devastation. He shared his experiences with *SHOOT*’s readership in a column last October titled “Gulf Coast Diary.” The Red Cross plans to use the work of Ogens and his filmmaking colleagues to assess the relief organization’s tactics, and to possibly cull PSAs from the footage.

Last month, Ogens’ *Timeless* for ESPN received two Sports Emmy nominations (best feature and best cinematography). He is currently helming an FX Network pilot set inside the Louisiana State Penitentiary.

Creative Director Kilmer-Purcell’s Memoir Generates Buzz

Continued from page 4

Though the outfits were playful, there were dark sides to this world too. For Kilmer-Purcell, drinking was a large part of his personality in drag because it allowed him to overcome his inhibitions and deal with the extreme pain he experienced from the tight corsets and high heels.

Out on the town at night, Kilmer-Purcell attracted a lot of attention, but it was the attention from a man called “Jack” that helps drive this memoir. After going home with “Jack,” Aqua soon moved into his luxury apartment where much of the story takes place.

Kilmer-Purcell had been telling stories about this time in his life for a while and began to notice that his friends also seemed to remember one boyfriend who stood out and often fell into the “bad boy” category. Of all of the people he and his friends had dated, he wondered why one seemed to stand out in each person’s memory.

“I just started to think to myself, ‘Why do I remember this one and why does everybody always remember the one that was supposed to be bad for them?’ And then I realized that we all started making jokes out of all of these people but they stuck with us so there had to be something more important in the relationship that we weren’t looking at,” he shared. “So it was really a conscious effort to try to figure out why ‘Jack’ stuck with me for all of those years.”

The late nights and partying took a toll on the author, but he credits his youth as one reason he was able to sustain such high levels of activity all day and night—he was in his 20s at the time.

His job at the unnamed agency, where he worked for clients like Kudos and on Emmy-award winning work for an ABC Television anti-drug campaign, didn’t suffer according to his account and is evidenced in his progression to his current job at SS+K.

“Because of my Midwestern upbringing, I had a really strong work ethic and I really liked my job so to me going to the advertising agency during the day was as fun and adventurous as going out,” he shared. “It wasn’t drudgery to get up at eight in the morning, after having been asleep two hours, and going to work. There was something new and exciting going on at work, too.”

Kilmer-Purcell continued to perform in drag after the time chronicled in the book ends. But, he said that as his advertising career continued to go well, he had to decide what he would focus on and retired from drag in 2000.

“I do [miss it], but I don’t miss it enough to do it again. It’s an awful lot of work and as you can tell from the book I got myself in trouble on a regular basis,” he noted.

Though the subject matter in his memoir is often daring and includes detailed descriptions of sexual encounters and drug use, the author said that he doesn’t see any of it as particularly embarrassing and that it has made him who he is today.

Now that he has put his wigs away and only drinks with dinner, his life has mellowed dramatically. He lives in Manhattan with his partner of six years, a physician, and describes his life as “vanilla ... it’s just the two of us and our cat.”



Cover of Kilmer-Purcell’s book *I Am Not Myself These Days*

McCarthy-Hadfield Joins Jigsaw As Exec Producer

Continued from page 4

postproduction arena at Jigsaw, we will win awards and collaborate more creatively with our clients. My intention is to build an effective support system at Jigsaw for agency creatives and producers. We will set out to demystify the postproduction process and provide solutions.”

McCarthy-Hadfield succeeds Traci Meyer as Jigsaw’s executive producer. Meyer left the business to pursue other interests. The Jigsaw talent roster includes editors Jon Hopp, Justin Trovato, David Trachtenberg and Peter Tarter, and Flame artist Mark Leiss.

Andrea Andrews is head of sales and marketing for Jigsaw. She handles sales nationally and teams with Mark Andrews and Astrid Steele of indie rep firm Where’s the Boards? to cover the West Coast.

TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK TOP SPOT OF THE WEEK

Director Miller Plays With Dolls For Virgin Mobile

Silly Porn Film Spoof Born Out Of The Imagination Of Mother, New York

By Christine Champagne

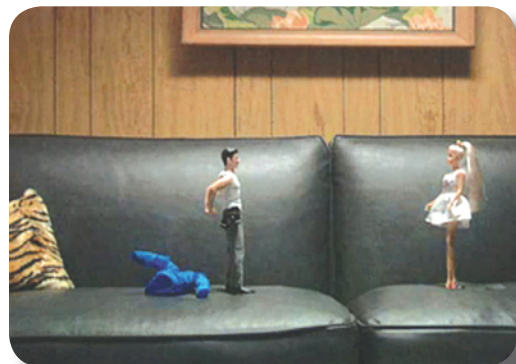
We've seen dolls used in commercials before. But, uh, never like this. We're talking about the wonderfully ridiculous new Virgin Mobile spot "Greatest Adult Music," which finds dolls starring in a soft-core porn spoof. Created by Mother, New York, and directed by Peter Darley Miller of bicoastal/international @radical.media, "Greatest Adult Music" promotes Virgin Mobile's introduction of free nights and weekends minutes to its pay-as-you-go plan customers. "That concept in this industry isn't absolutely new—well, it's new when it comes to pay-as-you-go plans—but, in general, it isn't that new, so we wanted to create something extra and add some dimension [to the offer]," explained Mother partner/creative director Paul Malmstrom.

That something extra is Virgin Mobile's Listen Line. Created by Mother, the Listen Line allows Virgin Mobile users to spend their free nights and weekends minutes listening to offbeat audio. Among the content offerings on Listen Line: language lessons, motivational gems and the greatest adult music, of course.

Hence the "Greatest Adult Music" commercial (one of a multi-spot campaign divided between @radical.media's Miller, Dave Meyers and Andrew Zuckerman), which finds Nikki, an attractive blonde (who happens to be a doll), opening the door of her apartment to find Chad, the cable guy (another



CLICK HERE TO VIEW SPOT



doll), standing there.

"Hi. I'm here to fix the cable," Chad says, his voice deep and sexy.

Nikki invites him into her apartment, and they retire to the couch.

"My friend just came over to shower," Nikki informs Chad.

Cut to a shot of a female friend of Nikki's in the shower, then back to Nikki in time to see the strap of her dress fall off her shoulder.

Cue the music—a groovy porn-style track with a distinctly 1970s vibe.

Discarding his jacket, Chad advances toward Nikki, asking, "Where should I plug this in?"

One has to ask: What went through Miller's mind when he read the script for "Greatest Adult Music?" "I was laughing," Miller recounted. "It was very funny and very well done."

Miller and DP Mott Hupfel shot "Greatest Adult Music," as well as spots titled "Motivational Speaker" and "History By Dwayne," over two days in—of all places—a New York City church. In fact, Nikki's apartment is actually the office of a rector's secretary's office, Miller shared.

According to Mother creative Dylan Bernd, the office, which happened to

have a bathroom with a shower, was re-fitted with wood paneling, a "pleather" couch and bad art to give it that "classic seventies/eighties cheesy porn look."

The dolls featured in the spot were procured in Manhattan's Chinatown. After rounding up about twenty of them, the Mother team brought the dolls back to the office for a casting session. "We had them take off their clothes and act out some scenes—nothing too sexual but more just sensual and tasteful. It was a good casting session," Bernd shared, noting, "It got a little hot and heated. I actually had to leave the room."

Bernd is joking, of course—at least we hope so.

NEW YORK DOLLS

Chad, with his Boogie Nights look, is a hybrid of sorts, constructed from the pieces of other dolls, pointed out Miller. Chad didn't originally have the sexy mustache he sports in the spot, by the way. That's an idea Bernd came up with on location, according to Mother creative Susan Corbo, who recalled, "The art department just drew it on with a marker. We had no Chad backup, so if they had screwed up the mustache, we were done for. But, luckily, everything went okay."

Once his talents were looking their hottest and ready to perform, Miller got to work, mixing stop-motion and live-action techniques. "When you see Chad and Nikki, they move in stop-motion, but the door [to Nikki's apartment] moves in real time,

and the shower scene with her friend is in real time," Miller said, noting the combination of stop-motion and live-action gives the spot a unique twist in terms of look.

A low-tech production, Miller noted, "The whole idea was to go for the concept and make it as funny as possible and not worry about making it perfect."

As you might imagine, making this spot was a lot of fun. "You have to understand that we were all laughing hysterically when we were taping Chad to the couch," Miller said. (To achieve the effect of Chad "climbing" up onto the couch, Miller simply taped him in place, moving him up and onto the couch little by little.) "There was something to be said for the pure entertainment of making the whole thing."

Editor Dick Gordon of Spot Welders, New York, cut "Greatest Adult Music." Miller noted that Mother allowed him to work on a first cut with Gordon over the course of a weekend, "then they came in on Monday and kept going on it because I had to leave for another job."

As for the music, credits initially provided by Mother list a music company called Monkeybacon, however, in talking with Malmstrom about the tune featured in the spot, the creative revealed that he was the composer. Miller, for one, was impressed with Malmstrom's musical skills. "He would have had a life in the porno industry in the '70s," Miller mused.

Malmstrom's willingness to

TopSpot OF THE WEEK

Client
Virgin Mobile

Agency

Mother, New York.

Paul Malmstrom, Linus Karlsson, Andrew Deitchman, Rob Baird, Cory Berger, Dylan Bernd, Jon Clarke, Susan Corbo, Christina DeGuardi, Phil Graham, Helen O'Neill, Margaux Ravis, Debra Sercy, Alex Stankiewicz, Dena Lenard, Alain Sylvain and Allon Tatarka, creative team.

Production Company

@radical.media, bicoastal/international.

Peter Darley Miller, director; Mott Hupfel, DP; Deborah Sullivan and Maya Brewster, executive producers; Gary Romano, line producer. Shot on location in New York City.

Editorial

Spot Welders, New York.

Dick Gordon, editor; Tommy Murov, executive producer; Dahkil Hausif, assistant editor.

Post/Visual Effects

Company 3, New York.

John Bonta, colorist.

RIOT Manhattan.

Toby Brockhurst and Jay Tilin, VFX artists; Luis Ribeiro, executive producer; Gwen Frey, associate producer; Connie Griffin, managing director.

Music

Monkeybacon, New York.

Paul Malmstrom, composer.

Audio

audioEngine, New York.

Hillary Kew, mixer.



Peter Darley Miller

pitch in and create the music for the spot was typical of the enthusiastic team approach Mother brought to the table, Miller praised. "The thing that was so fun about the whole job was that everybody who was involved brought something to the party," the director said. "Everybody had something to contribute."

THE BEST WORK YOU MAY NEVER SEE THE BEST WORK YOU MAY NEVER SEE THE BEST WORK YOU MAY NEVER SEE THE BES

Pre-Vis Artist Builds Bridge To Directorial Career

Spec Spot For Bank Of America Spans S.F. Bay, Pacific Ocean

By Robert Goldrich

This spec spot takes us back to the early 20th Century. A car of the time period is seen pattering along the road. In the background are the San Francisco Bay, the Pacific Ocean and the water passage that connects them—the Golden Gate Strait.

A boat is seen making its way through the water. Back then the body of water was just that—with no bridge to span it.

We are then taken on a journey forward through time, primarily during the four years (1933-'37) when the Golden Gate Bridge was constructed. In one scene, we see a construction worker in the foreground as the bridge starts to build itself before our eyes. Finally the bridge is seen spanning the Strait's vast reaches, connecting San Francisco to Marin County. To this day the bridge still ranks as one of the construction marvels of all time.

A voiceover relates that the Golden Gate Bridge was originally just a dream. "But with the right strategies and the right resources," says the voiceover, "dreams begin to take shape. And the bridge—that many said could not be built—was."

The black-and-white construction footage then turns to full color as we see the Golden Gate Bridge today in its full splendor. The voiceover continues,



CLICK HERE TO VIEW SPOT



"Bank of America was there—celebrating 150 years of lending for projects big and small." A Bank of America logo serves as the spot's end tag, with a supered message echoing the voiceover reference to the financial institution's 150-year history of lending.

Titled "Golden Gate," this spec ad was directed by David Dozoretz, who also served as hybrid writer/art director on the job. Dozoretz runs a Los Angeles-based pre-visualization shop, Persistence of Vision, and recently completed pre-vis on *Mission Impossible 3* and *X-Men 3*. On the side he has directed some spec work to further his aspiration to get into commercial helming.

Dozoretz's background includes working at Industrial Light+Magic (ILM), San Rafael, Calif. (now in San Francisco) where he helped to develop the pre-vis pipeline for the *Star Wars* films.

For "Golden Gate" Dozoretz deployed such

tools as the Maxon Cinema 4D for 3D modeling and animation, and Apple Shake for compositing. The work was done largely on Mac G5s.

The spec job entailed considerable planning and meticulously executed effects. For example, for the opening shot, a background plate was captured in HD. Visual effects work included replacement of the current San Francisco skyline with a digital version circa the 1930s, sky replacement, a digital ocean and boat, and removal of the present day Golden Gate Bridge and the road's rail guard.

Among other touches were the creation of a digital crane, an animated trellis and north and south towers for a subsequent scene as the construction of the bridge unfolds before our eyes.

Additional credit goes to DP Ron Fricke, producer Ted Gagliano and CG artists Kevin Aguirre, Chad Hoefstig, Shane Cook and Hunter Kuhnert.

"Luggage"

By Robert Goldrich

Luggage lost, paradise found. That's the quirky combination—with apologies to noted 17th Century English poet John Milton ("Paradise Lost")—that comes together in this :30 for Prince Edward Island Tourism, directed by John Mastromonaco of Untitled, Toronto, for Grey Worldwide, Toronto.

We open on a man standing alongside an airport luggage carousel. A single suitcase rotates on the carousel. The bag is then picked up by another guy, leaving the first man still in search of his missing suitcase.

Whatever hope he has of recovering his luggage is also seemingly lost

when the carousel comes to a complete stop. He looks up the empty carousel ramp.

But help is on the way—from unexpected sources.

A man pulls a dress shirt out of his suitcase and hands it to the luggage-less guy. Next a woman hands him a pair of socks. Other passengers follow with other articles of clothing, including



CLICK HERE TO VIEW SPOT

underwear.

A voiceover explains the charity of these caring strangers, asking the rhetorical question, "What if the world had been to Prince Edward Island?"

The spot ends with an aerial shot of an idyllic coastline, providing a glimpse of Prince Edward Island's natural beauty and serenity. An accom-

panying super reads, "Prince Edward Island. The Gentle Island."

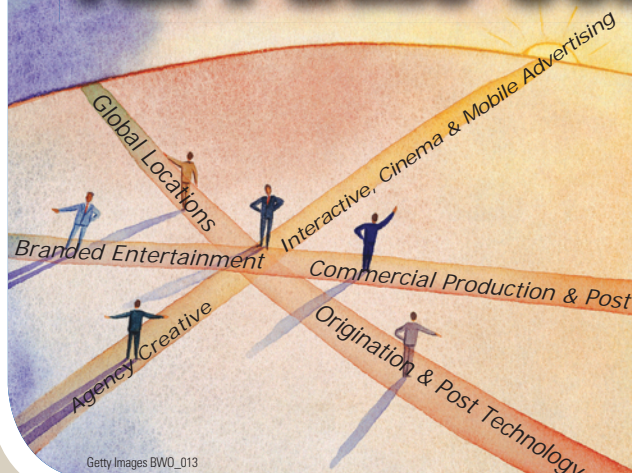
Director Mastromonaco's support team at Untitled included executive producer Peter Davis and producer Tuula Hopp. The DP was Barry Parrell.

The Grey creative team consisted of creative director Rick Kemp, group art director Gerald Schoenhoff, group copywriter Jason Buback, and producer Camielle Clark.

Editor was Richard Unruh of Third Floor Editing, Toronto. Colorist was Kent McCormick of Notch, Toronto. Sound house on the job was Grayson Matthews Audio Design, Toronto.

The principal actor was Mike McPhaden.

All Paths Connect Via SHOOT in 2006



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After the best work is chosen SHOOT will compile the 2006 SHOOT New Director Showcase Reel and interview the directors for a special feature that will appear in SHOOT's May 12th issue, pdf version, HTML e.dition, and on SHOOTonline.com, bringing worldwide attention to the work and the directors. In addition, the work will be screened for an audience of key advertising agency and production industry decision-makers at SHOOT's 2006 New Directors Showcase Event in New York City in May. Coverage of that event will appear in SHOOT in June and the showcase reel will be posted on SHOOTonline.com.

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Category 3: Other

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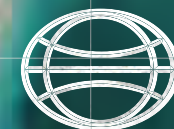


Infiltration of 2006 Clio Festival

- > Code name:
OPERATION MOJITO
- > Location:
The Delano and Shore Club Hotels
South Beach
- > Deployment:
13 May - 16 May
- > Mission Summary:
Groups of next wave creative minds
converging like moths to a flame.
- > Reconnaissance:
www.clioawards.com/festival
Early registration ends 14 April.
- > Questions:
1-212-688-4300
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registration@clioawards.com
- > Co-conspirators:



C.L.I.O. Spy Submarine



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Raisin' Brand

Agency Artisans Assess The State of Creativity

As the industry awards season gets into full swing, what better time to assess the state of creativity? SHOOT surveyed various competition judges to get their feedback on the current state of creative fare. Responses spanned traditional and new media. And in the latter vein, before launching into the survey itself, we thought it best to share a big picture perspective from Eric Hirshberg, president/chief creative officer at Deutsch Los Angeles, who last week addressed a gathering at the Online Media, Marketing & Advertising (OMMA) confab in Universal City, Calif.

Hirshberg contends that the heavy focus on new media technology—how advertising is delivered to people—is “misplaced.” Ironically, he observes, while technology can help audiences avoid ads, we are currently in an era when people are interacting with brands in more profound, emotional and elective ways than ever before. Arguably the most significant trend today, he says, is how people are connecting with brands.

“Brands have become a powerful part of pop culture...kind of mini-religions,” relates Hirshberg. “...Religions are ‘marketed’ as a set of values. ‘I’m this type of person and that’s why I belong to this community.’ That same dynamic is happening with brands.”

He then proceeded to list different products in four categories: automotive, technology, fashion and food. From selections in each category, Hirshberg asked the OMMA

audience to imagine the kind of person who liked certain brands (Dell, BlackBerry, Apple, Armani, Volvo). Certain sets of brands indeed conjured up profiles, albeit superficial, of each consumer. “Five to 10 years ago, we couldn’t have played that game,” he contends. “Instead you would have had to do it based on something like the movies a particular person liked. But now, brands have become shorthand for who we are in the world...

Teens, for example, express themselves through fashion...You have a movie today like Mean Girls, which through brand, taste and style, underscores the differences between the haves and have-nots.”

Hirshberg adds, “Brands have become a much bigger part of our lives, our mental landscape...Decisions we make in commerce, on a superficial level, help to define us.”

The Deutsch creative believes that consumers want to connect with the right brands for them and have increasingly become “marketing Mensa [members]. They know the tricks, are more sophisticated. They don’t mind being marketed to but it must be done well.”

“People don’t hate advertising. They hate bad advertising,” says Hirshberg. Towards that end of creating smart, relevant advertising that connects with people across different platforms, he affirms that agencies should foster “integrated people, not integrated departments.”

The holding company structure and mentality at many ad agencies leads to separate divisions in separate buildings. By contrast, he says, at Deutsch “all of our creatives [from different disciplines] sit together. They’re one community designed to deliver one voice for every element of the brand.”

FEEDBACK

The following mix of agency creatives have served, are serving or are slated to serve on judging panels for such competitions this year as The One Show, the ANDYs, The Art Directors Club (ADC) Awards, the Clios, the AICP Show, and the Cannes International Advertising Festival, among others. The sur-

vey questions were: What is the state of creativity in traditional television and emerging media today? How has the process of judging changed over the years? For example, being able to routinely access work from around the world over the Web, one would think there are fewer surprises in terms of what you see while serving on a competition jury. What have you gotten out of judging competitions in years past? Or if this is your first time judg-



BWO_023 Photodisc Blue/Getty Images

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Agency Creatives Offer Perspectives On State of the Biz

Continued from page 17

ing, what do you hope to gain from that experience?

Pete Favat
Chief Creative Officer
Arnold Worldwide, Boston

People look at the mix of new media and see chaos and confusion. I think it's pure opportunity. This year's ANDYs and One Show Interactive competitions had a number of entries that were through the roof creatively. Interactive content is no longer in startup mode. It's a full-fledged media vehicle.

When television was created, I'm sure there were creatives who thought, "No way we're doing that. Print has been awesome for us." To ignore or give short shrift to interactive would be to make the same mistake.

To have separate creative people in interactive is crazy. I tell my creatives, "You are going to learn interactive. You are going to understand it."

Yes, we have world-class, kick-ass talent at Arnold in design, interactive and concept development. But we all work together in one place—one building—to bring an integrated campaign together. The smart trend today is to be media agnostic. Have the idea first and then figure out how to dispense the idea.

I don't see TV being replaced. But interactive at the very least can complement TV or become like the TV medium in terms of importance. In judging award shows, I saw R/GA's Nike work on the Times Square big screen where you design your own shoe via your cell phone. You size it up and order it via phone. The campaign breaks all the rules and works on so many levels. You use the phone to communicate with the Times Square screen. Talk about giving customization and empowerment to consumers. They can design a pair of shoes, click on the size and it will get shipped to them.

Even with the Internet, you're on your ass somewhere. This [R/GA] work takes it to the street to use your phone as a design and purchasing device. Let's try the color yellow or red. If that's where we're going, I like it. It's way beyond traditional and the Web.

For me, judging has been a terrific experience. Hanging out and talking with Goodby, Bogusky, Scarpelli is a learning experience no matter what level you're at in the business. You see great work and not-so-great work. But the great work you can bring back to your agency to show that this is the caliber of work we need to do. Our Volkswagen interactive stuff has won tons of

awards—but even then, you need to keep growing and developing and striving to do great creative. And even with work all over the place and accessible during the year—and I am an advertising junkie who constantly seeks out work—you still can run into surprises when judging...pockets of work you hadn't seen before or had the chance to thoroughly see and fully appreciate.

As a judge, I think agencies are grappling with how to best present their integrated work at shows. A lot more experimentation needs to be done to show integrated work cases in the best possible light. Sometimes presentations seem disjointed and messages aren't clear. This goes beyond just presenting a print ad or a TV spot. The big picture often needs to be better thought out for presentation to judges.

David Lubars
Chairman and Chief Creative Officer
BBDO North America

Television-wise, there are some great spots and not great spots, same as it has always been.

With all the talk about emerg-



David Lubars

ing media, it hasn't progressed as fast as I imagined it would. Unfortunate, because clients and agencies really do want to go in new directions. The problem is our industry hasn't figured out how to provide substantive media metrics for the new things. Without decent measurement, new media pieces can seem experimenty and risky. We have to work hard to come up with models that'll prove the impact of [Cannes] Titanium styled creative.

The biggest thing that has changed is the universality of the work. You can't have inside American or Brazilian references anymore because the judge from Poland won't understand. The creative has to address human truths, not cultural ones. The best work always did that anyway.

I judge shows where I think I can learn something from the work being entered. Cannes, One Show, a couple of others.

Jeroen Bours
Creative Director,
Hill Holliday New York and Boston.

There's a big difference noticeable between the U.S. and other countries and it's coming through in the award shows. The U.S. is clearly in a new media frenzy. The focus is new media in practically every meeting. Media planners are pulling their hair out. Clients and agencies think they need new media while trying to figure out what it really is. Often you hear between the lines: "I want it, I want it, whatever it is." Only everyone notices that once a new idea has been discovered, someone is already doing it. And copying a blog idea for a brand or an interactive game idea cannot be done. Once the "Subservient Chicken" was born [for Burger King], no one can repeat it. New media won't let you repeat an idea. Ford cannot do Ford Films after BMW. You can't have another subservient-anything ever again. This fever hasn't yet reached other countries it seems. And if they're practicing it, they're just calmer about it. The word "commercial" has become an almost dirty word in pitches and meetings and the work suffers because of it. Where are the campaigns, the real lasting ideas today? They're nowhere to be found because everyone is working on the "candy of the week idea." Agencies are getting famous for putting out one-time ideas that last less than a month. Not so in other countries and so the best commercials are foreign.

Thanks to countless blogs and emails sending you the latest cool spots from all over the planet, judges go into the shows expecting to see certain work. The never-seen-before work suffers because of it. It's as if certain ideas campaign for themselves during the year like an old politician. For some judges it's very easy to form an opinion before the judging is actually over. Not a good thing of course. I found myself lobbying for a good spot from England that nobody had ever seen before, just because opinions were already formed on the familiar stuff.

Judging is a very humbling experience. You sit there and judge everyone's hard work. You easily become a snob in the process. And then you pinch yourself and remind yourself that you don't often get the chance to be that good at all on a daily basis because of many circumstances including budgets and clients. In the end, I always walk away thinking, what an incredible

amount of people work so hard to keep up the standards in our profession. It gives me the energy to keep trying.

Marc Lucas
Creative Director
SS+K, New York

I was invited to judge both the ADC and the AICP this year—a great way to get an overview of the work done around the world in the past 12 months.

It's clear there's a change sweeping over the industry, and it is reflected in the work we saw. In the past, the parameters were more clearly defined—much like a haiku, advertising existed within some structural givens. Today, it's harder to judge work because the first task is to understand



Marc Lucas

exactly what we're looking at. Is it a spot, a viral piece, or something we've never seen before? Is it magnetic work? Does it give people a reason to rewind the TiVo? Will people devote precious time engaging with this idea? Or is it just a commercial without a budget or the discipline of media restrictions?

Based on what we saw submitted at the ADC, everyone is wrestling with this stuff, some with more success than others. There's some really interesting work coming out of China, Japan and France, and closer to home, Crispin continues to recalibrate the definition of good. Others created complex and convoluted conceits that were ambitious but naive failures.

At the AICP Show, I was on the Humor Jury, which was a slightly different beast. It was hardly the yuk-fest I'd been hoping for. While many of the entries forgot the first rule of comedy (Be funny), the few that didn't fell into two distinct categories: 1) weird or 2) physical comedy. I'm not sure if its generational, but the candy category defined the Weird (see: Starburst, Snickers, Skittles). The rest felt like out-takes of America's funniest home videos or were so

familiar I half expected to hear a rim-shot after the gag.

AdCritic and ad blogs have virtually eliminated surprises at the shows. The viral snowball that started with the John West Salmon spot—"Ooh look! An eagle!"—has become a juggernaut. On the one hand, it's great to have access to the very best work as it runs, but the danger becomes that industry opinion is swayed and steered by this 24/7/365 access. In the old days, award annuals and reels were blamed for defining what was good by last year's standards—creating an annual creative feedback loop. That cycle is now faster than ever. PR has always helped pre-sell work to juries, but today it's unheard of to see something brilliant and unknown at Cannes. Is that a bad thing? The jury's still out.

I've been lucky enough to judge a bunch of shows over the past few years—I've even chaired a couple—and the thing I value the most about the experience is the people you meet. If you're not there, you'll see the work eventually—and you're spared picking through the rubbish—but you miss the dialogue. Judging a show means being sequestered with some of the smartest people in our business. The conversations over pasta salad during the lunch break make you realize we're all going back to same stresses and frustrations when we're done. And when the conversations turn to the work being judged, you get a glimpse of how these people think.

My most memorable judging experience was co-chairing the jury of the Asian Advertising Awards with Pat Fallon. I don't know quite how it happened but under no other circumstance would I have had the opportunity to spend two days discussing the state of advertising with Pat Fallon.

If you're a fan of our business—and I am a self-confessed geek for this stuff—judging is totally win/win. You get to sort through all the work, searching for gems, and you get to spend time with people you'd never meet any other way.

Bill Morden
Chief Creative Officer
BBDO Detroit

As far as the state of current television creative goes, I feel the work has taken on a much more "entertaining" versus product focus. Both clients and agencies feel the pressure to compete with all the other choices a consumer has to spend time watching, whether it is regular TV, cable, Internet, satellite and, yes, even on their ipod. With all that competition, the work has to be more

sought out and being more entertaining seems to be the solution, rather than just informing.

As far as the emerging media goes, we are seeing a lot more controversial work running on the Internet and satellite, which has fewer guidelines, which makes it more free form.

So from a creative perspective it allows us to be more edgy and less traditional.

I think that because of the Web, we [as award judges] are able to be more familiar with the work as a whole and there are fewer sur-

prises. Particularly when it comes to international work.

I think one of the more interesting conversations we had judging the ADC was how should we judge work that was created for the Internet. Should just the longer version of a regular TV spot, that was put on the Web, be judged the same way as a body of work that was created specifically for the Web with a real interactive outcome, i.e. would you pass it on, did you click through to another Web site, etc.

What I always get out of judging is "inspiration." It is fun to see great ideas executed perfectly. It makes me excited to be a part of such a creative business.

Kris Kiger
Executive Creative Director
R/GA, New York

From what I've seen this year of TV and emerging media, TV has stayed pretty much the same as in past years. There are always one or two brilliant spots that get your attention but most are fairly straight forward and nothing new or groundbreaking. Perhaps it's a symptom of emerging media. If your communications plan is to tell a story across multiple channels, the way you think about

the end creative has to radically change. However, it's important to remember that just because you can do a longer format piece doesn't always mean you should, and because there are new ways to deliver a message doesn't

sage isn't diluted. Additionally, collaborating with your planning group and technologists during the initial creative brainstorm is essential so that these mediums are fully exploited, the story remains compelling and the ideas

tier of what you see. The interesting thing to note is that each jury is made up of a unique mix of people, and each one has its own collective personality and perspective—different things resonate to each jury.

The discussions and debate about the work from various perspectives is what really interests me. Judging (for me, especially interactive) is such a personal experience and users are engaged with the work on a one-to-one basis. The experience is unique to that person because there are so many different ways to navigate the piece. Interactive is not something that you sit back and passively take it in. A TV spot runs for a short duration and the experience is linear and passive—you can expect that everybody saw the same thing. However, with interactive, you are engaged in the creative and taking an active role in the experience. You, as the user, decide what areas of the creative you want to explore and as a result, you can't always be sure that everybody saw the same thing—let alone interpreted in the same way. It's always interesting to hear someone else's take on what they experienced, and how it affected them.

What I always get out of judging is "inspiration." It is fun to see great ideas executed perfectly. It makes me excited to be a part of such a creative business.

—Bill Morden



Bill Morden

mean it's right for the target audience.

That said, now that the creative may end up on a TV, a computer, a two-inch cell phone screen or a digital sign the size of a skyscraper, editing and production is more important than ever to ensure the creative is still at its highest quality and the mes-

executed properly.

I'd say in most cases the judging process has become more streamlined. However, there are still a few shows out there that leave you wondering why you still have a pencil in your hand. And yes, there are pieces that circulate prior to judging so you know it will likely be in the top

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The Road To Filming

Incentives Continue To Emerge As Locations Show Gets Underway

By Robert Goldrich

The road to filming is seemingly paved with good incentives. Tax credits, rebates and the like are emerging in states and municipalities across the country, continuing a trend which represents a dramatic turnaround from the situation of just three-plus years ago when assorted film commissions were facing significant budget cuts, if not outright elimination, due to belt tightening at the state government level.

Many of the incentives in play today include TV commercials and branded content projects as qualifying projects.

The latest major development is chronicled on this week's front page, the passage of incentives expressly designed for commercial production in the State of New York, which has funded the incentives to the tune of \$7 million. Still to be determined is exactly when the tax credits will take effect, the prime options being on July 1, 2006, or by January 1, '07.

Additionally, the City of New York has set up a matching fund of \$3.5 million to encourage spot production in Gotham.

The state funding goes toward three areas:

○ A growth credit provision designed to encourage companies to increase the amount of business they bring to the state by providing a refundable tax credit of 20 percent of qualifying production costs solely on newly generated business. The amount will be based on the difference between the total qualified production costs of the current year and the total amount of production costs of the preceding year. The growth credit would be funded by \$3 million of the aforementioned \$7 million total.

○ A downstate jobs credit which looks to retain the existing share of work that is currently being produced in New York. This provision would apportion \$3 million in credit funding annually to eligible commercial production companies that conduct filming activities within the Metropolitan Commuter Transportation

District. The jobs credit is five percent of the total production costs that exceed \$500,000 and would be distributed on a first come, first served basis.

○ And an upstate jobs credit which recognizes that spot production regularly occurs outside major metropolitan areas that are considered traditional production centers. This incentive component would provide \$1 million annually to all eligible commercial production houses that participate in filming activity outside the Metropolitan Commuter Transportation District. This jobs credit would be five percent of the total production costs that exceed \$200,000 and would be distributed on a first come, first served basis.



MASS. APPEAL

For Mark Hankey, executive producer of Boston-based Picture Park, an Association of Independent Commercial Producers (AICP)-member company, one of the most important elements of Massachusetts' recently passed production incentives package is that it applies not only to features and television programs, but also to commercials.

Hankey is a member of the Massachusetts Production Coalition (MPC), which played a key role in helping to bring about this anti-runaway production measure. The MPC is an alliance of production professionals and related groups in the state that are actively engaged in content creation for all media. The mission

of the volunteer-driven coalition is to help maintain, promote, increase and expedite the development, creation and production of film, video and new media content in the city of Boston and throughout the state of Massachusetts.

MPC representatives lobbied vigorously for the production incentives, garnering bipartisan support for the initiative in both houses of the state legislature.

Hankey was brought into the MPC fold in early 2005 by Chris O'Donnell, IATSE Local 481 business manager and MPC legislative committee chairman. In a relatively brief span, the MPC

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The Road To Filming Is Paved With Good Incentives

Continued from page 21

has made significant gains.

As reported in December, the principal elements of the incentives package include: a 20 percent wage tax credit on a filming project's source payroll in Massachusetts; a 25 percent tax credit for qualifying Massachusetts production expenses (excluding payroll); and a sales tax exemption on Massachusetts production costs.

To qualify for the 20 percent tax credit and the sales tax exemption, a producer has to incur at least \$250,000 in Massachusetts-based production costs in a year. To be eligible for the aforementioned 25 percent tax credit, more than half of the total production must take place in Massachusetts or more than half of the total production costs need to be spent in the state.

The total credits available for any single production are capped at \$7 million. And there's no appropriations cap on the bill, meaning that funding for the anti-runaway provisions will cover the entire year.

The new measure recently took effect. However, the provisions are retroactive to January 1, 2006.

AICP executive VP Steve Caplan describes the legislation as "ambitious and far reaching.... We're encouraged and pleased to see these incentives enacted—and that they apply to commercials."

Next on the MPC agenda is to bring about the formation of a state sanctioned film commission under the Massachusetts Executive Office of Economic Development. A full-fledged state film office is needed to help facilitate and administer the new incentives.

O'Donnell relates, "This new law is going to open the

floodgates for production in Massachusetts, and we have to become very effective in channeling this new business into our community. The MPC's sole agenda is to facilitate production in the commonwealth—and we look forward to working with the Office of Economic Development to make this the mission of the new film office as well."

MONTANA, NEW MEXICO

While new pro-filming packages emerge, existing incentives have also been sweetened in other states. An example of the latter is New Mexico. Last month, Governor Bill Richardson (D-New Mexico) signed into law a measure that increased potential tax credits on a film project to 25 percent, a five percent jump over the previous limit.

The incentives cover certain expenses of making a feature film, TV program, national or regional commercial, music video, video game, and documentary shot in New Mexico. A credit of 25 percent of any portion of stand-alone qualified expenditures ranging from set construction and crew-member wages to postproduction work (i.e.—special effects, sound editing) is provided for these projects. The credits take the form of a direct cash refund.

Meanwhile in Montana, new incentives initiated by Gov. Brian Schweitzer (D-Montana) took effect just a few months ago. The initiative applies to feature, TV, commercial and documentary production. The Big Sky on the Big Screen Act provides a 12 percent rebate on hired Montana labor (covering the first \$50,000 worth of wages paid per Montana resi-

dent) and an eight percent rebate on qualified production budget expenditures including, but not limited to, hotel and lodging, production equipment rental, fuel costs, expendables, lumber/construction materials, vehicle rentals, and food and catering costs. (In addition to these new incentives, Montana has no sales tax.)

"This incentive makes Montana more competitive in the film industry since producers will now get a refundable tax credit on their Montana production expenses," states Tony Preite, director of the Montana Department of Commerce, which oversees the Montana Promotion Division, of which the Montana Film Office is a part.

Montana also has a newly appointed Montana Film and Television Advisory Council. Created by Gov. Schweitzer, the 28-person body is responsible for promoting Montana to the film and TV industries, and for advising the Department of Commerce's Film Office, the Governor's Office of Economic Opportunity, and the Governor's office. The Council's members have experience in varied production, spanning, film, video and stills. A key Council priority is to promote the new tax incentives. Additionally, the Council will work with the Department of Commerce to sponsor workshops, seminars and festivals on film-making.

Council chair is Bozeman, Mont.-based film producer Patrick Markey. Co-chair is Missoula-based film producer Chris Cronyn.

FOREIGN FARE

The initial momentum dat-

ing back several years ago for state incentives was generated by film-friendly measures in foreign countries. Illinois' groundbreaking package, for example, was in response in part to Canadian incentives, which had been luring American production.

International incentives still figure prominently in the mix. The Association of Film Commissioners International (AFCI) lists assorted tax credits, rebates and other perks on its Web site spanning such countries as Australia, Belgium, Brazil, Canada, France, Germany, Ireland, Italy, Jamaica, Netherlands, New Zealand, Spain, Sweden, the U.K., Puerto Rico and Venezuela.

While a fair amount of these incentives don't include commercials, the prospect of actor talent buyouts in foreign countries has proven attractive to a number of advertisers.

The global scope of incentives will be reflected both on the exhibit floor and in the panel discussion agenda of this weekend's AFCI Locations Trade Show, April 7-9 at the Santa Monica Civic Auditorium.

On Saturday (4/8), from 10-11:30 a.m. at the Doubletree Guest Suites Hotel in Santa Monica, Locations will present Film Incentives: An Independent View of What Governments are Giving, a roundtable discussion moderated by attorney Vince Ravine, with panelists such as AICP's Steve Caplan, and Jared Underwood of Comerica Bank.

The day prior to the opening of the Locations Trade Show, an AFCI-related discussion on accessing film and TV production incentives worldwide is scheduled. The session was co-sponsored by

Loyola Law School, Los Angeles, the L.A. law firm Thelen Reid & Priest, and the Location Managers Guild of America. Panelists included Franck Priot of French film commission Film France; Rino Piccolo of Italy's Campania Film Commission, Sue Hayes of Film London, Brenda Sexton of the Illinois Film Office, and Paul Steinke of Walt Disney Pictures.

Meanwhile, representation from international film commissions on the Locations Trade Show exhibit floor continues to build. Among those slated to showcase their wares—including locations, infrastructure, incentives and resources—are such international markets as Australia, the Bahamas, Belgium, Brazil, Canada, Chile, Ireland, Fiji, France, Germany, Hong Kong, Iceland, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Malaysia, New Zealand, Peru, Puerto Rico, Scotland, South Africa, Spain, Thailand and Trinidad.

Film commissions and support services from throughout the U.S. continue to be mainstay exhibitors. Last year's Locations drew some 3,400 production industry attendees, including members of the commercialmaking community spanning production houses and ad agencies.

Feedback from exhibitors was positive on the quality of booth traffic, with location decision-makers spanning features, TV, spots and documentaries. This will mark the 21st year of the annual AFCI Locations event, which provides a centralized venue where producers, directors, location managers, agency creatives and other industry artisans can connect with film commission members from around the world.

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California Dreamin' The Golden State Remains Hopeful Of New Incentives

By Robert Goldrich

With an industry, crew and talent infrastructure of longstanding renown, and diverse locations spanning every backdrop imaginable, California has been perennially regarded as a dream host for filmmaking. Nonetheless, the reality of increased competition from other states and countries has the Golden State with a dream of its own—making a proposed economic incentives program a reality spanning features, TV and commercials.

Indeed many competing states and nations have significant tax credits and other perks. But adding impetus to California's quest is the New York commercials initiative that just passed (see front page story), providing a mix of tax credits funded to the tune of \$7 million from the State of New York, and \$3.5 million slated to be set aside by New York City.

"All the states figure into the competitive equation," relates California Film Commission (CFC) director Amy Lemisch. "States like Louisiana and New

Mexico did not have a huge amount of filming before they enacted their incentives. But New York represents more of a parallel to California, which hosts a lot of filming business. New York too does a significant amount of filming business but still saw the need for incentives."

Lemisch would like to see the latest development in the Big Apple spur on support from California legislators for Assembly Bill 777, a tax incentives package designed to encourage production of features, telefilms and commercials in the Golden State.

Per AB 777, a refundable tax credit of 12 percent would be applied to qualified wages, as well as to certain production and post expenditures incurred in the making of commercials in California. The tax incentive, if passed, would apply to new commercialmaking business for California, meaning that the qualifying expenditures for a production house would be those that exceed the amount that the

company spent in California during the previous year. The program for commercials is tied to annual spending by a company instead of being paid out on a per-project basis.

Lemisch describes herself as "cautiously optimistic" over prospects for passage of the measure, which is currently up for consideration in the State Senate. The bill initially gained passage in the State Assembly, and then went to the Senate where it has been amended. If this amended version clears some Senate committee hurdles and a full floor vote, it would then go back to the Assembly for approval. There is support in the Assembly as underscored by the fact that the original bill's author is Assembly Speaker Fabian Nunez (D-Los Angeles). If passed in the Assembly, the measure would then need the signature of Gov. Arnold Schwarzenegger (R-CA), who has been a proponent of the filming incentives.

However, the passage is not a fait accompli as the state is in

murky political waters to say the least. Also the granting of a tax break to the filmmaking industry might be difficult for some legislators to reconcile at a time when California faces a major budget deficit that could translate into further cuts in core services.

EXISTING INCENTIVES

California does have a couple of incentive programs in place that impact the spotmaking sector, one being the longstanding State Theatrical Arts Resources (STAR) partnership which makes designated state-owned and controlled surplus property and unused real estate assets available to filmmakers for no or a low fee. These properties for lensing include historic homes, hospitals and office buildings throughout the state.

The CFC administers the STAR program. Lemisch reports that STAR recently helped a budget-challenged Noggin TV series enter its second season by providing a closed correctional facility as a site for extensive filming.

She adds that assorted commercials have plugged into the STAR inventory of properties.

The other alluded to existing incentive in California took effect last year in Los Angeles. In late '04, the City Council passed a business tax reform package, which included an initiative that provides relief to many small and medium-sized production houses that shoot in Los Angeles. Many of these shops are primarily involved in spotmaking.

The measure, which took effect in July '05, restructured how the city business tax applied to the production community. The city's business tax code had previously been tied to a yearly per company cap of \$4.2 million on gross production costs incurred when lensing in Los Angeles. A production house that met or exceeded that cap had to pay an annual city business tax of \$12,700. Thus, boutique houses often found themselves paying the same amount in business taxes as major motion picture

Continued on page 24



So often, disaster diminishes nature in all its forms: human, physical, and spiritual. Only in rare instances does one recognize the opportunity it provides. We in Mississippi realize this is our moment. While much in our state stands untouched by Katrina, amid the ruins in the south, we have all of us gathered and focused our vision and enjoined our spirit: we are hard at work. We thank you for your good thoughts; we welcome your abiding support; and we invite you to be a part of our future.



The Mississippi Film Office - VisitMississippi.org/film - 601.359.3422

California Dreamin' Of New Economic Incentives For State Filming

Continued from page 23

and TV studios.

The reform initiative attached that maximum tax to a higher cap: \$12 million in annual gross production costs on Los Angeles shoots per individual company. This means that many commercial production houses end up paying a considerable lower amount in business tax. The savings become greater for those entities that maintain more than one commercial production company. The collective business tax savings for two or more sister/satellite spot shops would translate to a fairly significant sum.

Additionally the reform raised the \$50,000 gross production cost floor—under which production companies paid a minimum tax (\$147)—to a much higher level, \$2.5 million. This again resulted in savings for smaller shops that shoot a limited number of jobs in Los Angeles.

Cities generally impose business taxes on companies—local or from other towns and states—that conduct business within city limits. This applies to different business sectors, not just entertainment and media production. Production houses based in other cities and states are all subject to the business tax if they annually lens a certain minimum dollar amount of production in Los Angeles. Thus the business tax reform, which came about in large part

due to lobbying and behind-the-scenes efforts by the Association of Independent Commercial Producers (AICP)—favorably impacts most spot production companies that shoot in Los Angeles.

CFC

While the aforementioned STAR program has opened up properties that hadn't been readily available for filming before, the CFC has perennially provided and continues to offer state-owned property—such as roads (for assorted car commercials) and state parks and beaches—free of permit charges and location fees.

Lemisch also cites assorted other state-owned properties in Northern and Southern California that have proven popular with the ad industry. One is a building—the Caltrans headquarters in downtown Los Angeles. The stark, contemporary structure has primarily hosted commercials, along with scenes from *The Island*, a feature film directed by Michael Bay, whose roots are in commercialmaking.

According to Lemisch, commercials account for about 25 percent of film permits issued by the CFC. Helping to facilitate this business are Film Liaisons In California Statewide (FLICS), a network of local film commission offices throughout the Golden State. Lemisch describes these assorted liaisons as “troubleshooters”

whom producers can call upon for help, information and services. From West Hollywood to San Francisco, Monterey County to Modesto, San Diego to Santa Barbara, Oxnard to Orange County, Marin County to Humboldt, the FLICS network is extensive.

At press time, the CFC had a breakfast reception slated for this week which will bring FLICS representatives from throughout the state together with executive producers and producers spanning long form and commercials. There are more than 50 FLICS liaisons in California. Started by the CFC years ago, the FLICS organization has since become a nonprofit organization unto itself. Lemisch serves on the FLICS board, which is chaired by Ray Arthur of the Ridgecrest Regional Film Commission.

HANDLE WITH CARE

It's hard to get a firm handle on the exact number of commercials produced in California, acknowledges Lemisch. However, there's been a steady annual barometer of at least some of the work done in Los Angeles based on film permits secured by FilmL.A. (formerly the Entertainment Industry Development Corp.—EIDC).

Based on those lensing permits, the finally tally for spots in calendar year '05 was 6,983 production days which is 280 days or a little more than four percent more than the total for '04.

The FilmL.A. figures represent the number of film-permitted, on-location production days in the City of Los Angeles, Diamond Bar, South Gate and West Hollywood, unincorporated areas of Los Angeles County, the Angeles National Forest, and in more than 800 facilities operated by the Los Angeles Unified School District. The tally of filming days does not include production that occurs only on soundstages or in surrounding cities. Permit applications handled by FilmL.A.—which oversees the joint Los Angeles City/County Film Office—account for an estimated 80 percent-plus of on-location shooting in Los Angeles County.

The '05 spot production performance continues a fairly steady growth path for commercialmaking in Los Angeles since the large drop-off of '00. Indeed spot biz plummeted precipitously in '00, which is when the six-month actors' strike against the advertising industry took place. That strike arguably exacerbated what had already been a deepening runaway commercial production problem with American spots scurrying to Canada and overseas for production. The resulting negative impact on the U.S. economy, including in such markets as Los Angeles and New York, was felt well after that strike was settled.

Keep in mind that the current actors' contract is set to expire in October. Suffice it to say that the Screen Actors Guild

(SAG)/American Federation of Television and Radio Artists (AFTRA) commercials contract is of prime industry concern and the hope is that negotiators on both sides of the table can learn from the past.

Per FilmL.A. statistics, overall growth spanning theatrical feature, TV program and commercial on-location days in '05 amounted to about four percent as compared to '04. This marked a leveling off of the bullish 19 percent increase in '04 when stacked up against '03.

FilmL.A. president Steve MacDonald says that while rising demand for entertainment content is fueling increased production around the world, L.A.'s significant slowdown in growth is an indication that production is being lost to other regions.

This brings us back to where this story began—on the subject of incentives. “A four percent annual rise in production should not be interpreted as a sign of L.A.'s competitive success,” relates MacDonald. “Other jurisdictions, such as New York City, are celebrating dramatic growth in production activity thanks to very aggressive incentive programs [for features and TV programs]. We're concerned L.A. isn't capturing its share.”

MacDonald notes that in just the past few years, 20 states in the U.S. along with an increasing number of locales around the globe have begun to offer economic and other incentives to lure entertainment production.

Florida Commish Breaks Down Pending Legislation, Looks At Locations

Continued from page 2

lion was promised out in 11 days this year so it's very hard to attract those other productions. What we are trying to do is a tax credit program that stretches for a number of years.

What is proposed in the House and Senate bill right now is \$25 million a year for eight years in the form of tax credits. And by being a tax credit you will know it's there for the next eight years basically.

Furthermore, if you want to shoot within a year and you are afraid that the tax credits might run out, you can actually, if those tax credits are promised out, you can take the tax credit for the following year; you can go ahead and shoot when you want and take the tax credit from a subsequent year. It helps ensure that if you want to have a production in Florida, you can be much more assured, not promised, but much more assured that the incentive will be available.

SHOOT: Is the sales tax exemption included in your

Entertainment Incentive Plan?

Sirmons: It's a completely separate incentive. The sales tax exemption is huge and is taken advantage of by a tremendous amount of productions; I think in the thousands now.

SHOOT: What other things are you working on?

Sirmons: We're also going to break out a statewide Reel Scout system probably in late April or May, which will unite all of the 54 film offices in the state and allow them to put their photos and representations all within one basic Web site, one super Web site so producers will have a much easier job of looking over the location photos that are available.

SHOOT: Tell me about the locations in Florida, South Florida seems like an especially beautiful place to film.

Sirmons: It is beautiful, [as it is] all around [the state]. You get into Cedar Key and Fort DeSoto up the west coast, and on the east

coast you've got the Kennedy Space Center. There are not only unique natural looks but also so many unique structures, anything from old forts to the space program.

And in Pensacola, they just announced that, I believe, in May they are going to sink an aircraft carrier off the coast of Pensacola and that is available for filming. So there are a lot of very unique opportunities.

Across the coast in Naples you've got some of the greatest golf courses and hotels in the world. When you get up to St. Pete you've got Fort DeSoto and the aquarium in Tampa, large ports in Tampa and of course up in Jacksonville on the other coast.

In Daytona Beach you've got the speedway, terrific beaches and the LPGA golf course. When you get down into the Cape Canaveral and the Cocoa Beach area you've got again outstanding beaches—we don't run short of outstanding beaches here. And we've got the space center and all of the companies that support

the space center; it's a very technical area.

Orlando is so much more than theme parks. You've got every look in the world right there in Central Florida and if you want beaches, you're a 45-minute drive from Cocoa Beach, so Orlando is a great place to set up. And they have state-of-the-art sound stages that are the best available in the state and probably on the East Coast there are no finer than they have in both Universal and Disney and also Chapman/Leonard.

Jacksonville is in the running to land the Dallas feature, so that's how diverse that place is. Not only does it have the great ports and the great downtown and an NFL football team, but it's got a chance to land the movie Dallas because John Travolta is going to play J.R. and Mr. Travolta happens to live over in Ocala.

And even in Tallahassee here, a large company like Wal-Mart comes in to shoot their commercials. And in the panhandle there are really picturesque beaches

and the sands in Panama City and Fort Walton Beach all the way to Pensacola are legendary.

SHOOT: What about the Everglades?

Sirmons: The Everglades are fascinating and the water source for the Everglades actually starts in Orlando and flows all the way down. Then you get up in North Florida and right up near the Georgia border and you're pretty much in the southern part of the Blue Ridge Mountains. It has the rolling hills and the valleys, old growth trees—it's beautiful.

SHOOT: What is the state of your infrastructure?

Sirmons: It's very good. By all accounts, we are the third largest state [behind New York and California] for crew base in the country ... we have equipment houses in Central Florida to South Florida for camera gear, grip gear, electric gear; post production houses in both Central and South Florida, everything right through to HD.

street talk

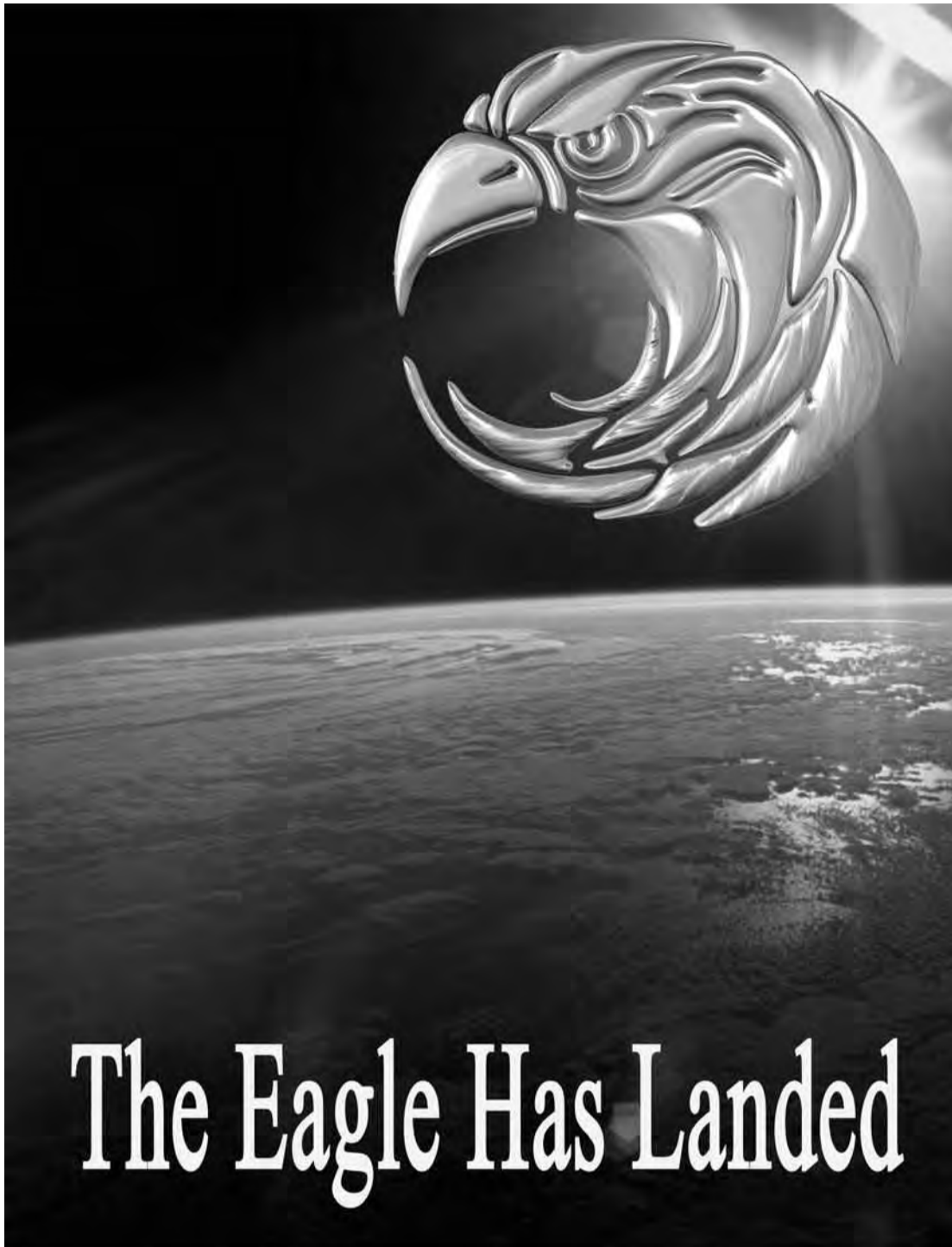
Joe Grundhoefer has been hired as director of broadcast services at **Carmichael Lynch**, Minneapolis. He will join the agency in late April, taking over for **Jack Steinmann**. Grundhoefer comes over from **Fallon**, Minneapolis, where he was executive producer on work for such clients as **Lee Jeans**, **Holiday Inn Express** and **Citibank**. . . . **Comedy director Maggie Zackheim** has come aboard **Good Films**, New York. Her prior company affiliations include now defunct **Headquarters**—and prior to that, bicoastal **HKM**. . . . **Uber Content**, Hollywood, has added director **Ramaa Mosley**. She comes over from **Park Pictures**, New York. . . . **Sergio Guerrero** has joined the directorial roster of Venice, Calif.-based production house boutique **Mechaniks**. He has just wrapped a seven-spot package for **Century 21** and his campaign credits include work for **Corona**, **SBC**, **Avon**, **Bud Light** and **Victoria beer**. Guerrero was co-writer/producer/second unit director of the feature *A Day Without a Mexican*. . . . **Anita Madeira Inc.**, New York, has signed director **Tricia Caruso**. . . . Director **Mark Gardner** has joined **Imaginary Forces** in New York. He was most recently at **Kemistry**, a London-based design and branding shop. . . . **Brand New School** has named **Dan Sormani** as its head of production, working out of the New York office. His experience includes serving as a producer for **Crispin Porter+Bogusky**, Los Angeles, and **Lowe**, New York. . . . The industry is mourning the passing of **DDB Worldwide** president/CEO **Ken Kaess** who fought a courageous battle against cancer. He was 51. . . .

rep report

Karin Levinson has joined New York-based **rhinofx** as VP of business development for long form entertainment, which is a newly created role at the company. She will spearhead new business opportunities for **rhinofx** in the feature film, episodic TV and videogame entertainment arenas. . . . Additionally **rhinofx** has secured **Maggie Klein** and **Diana Mandelare** of **Maggie Klein & Company** for representation on the East Coast. . . . **Buzz Management** has been named East Coast spot sales representative for **RIOT's** facilities in Santa Monica and New York. **RIOT** provides visual effects, compositing, CG and other post services. **Buzz Management** was formed in 2003 by **Delores Hively** and **Dawn Goodburn**. . . . Hollywood, Calif.-based production house **Zoo**, headed by executive producers **Gower Frost** and **Jan Wieringa**, has signed **FinnSaxon Represents**—**Rachel Finn**, Santa Monica, and **Mary Saxon**, who's based in San Francisco—for representation on the West Coast and in Texas. **Zoo's** directorial roster includes **Simon West**, **Michal Utterback**, **Luca Maroni**, **Diane Van Ussel** and **James Frost**. . . . **Partos Company**, Santa Monica, has recently signed cinematographers **Tico Poulakais**, **Curtis Clark**, **Chris Robertson** and **Yoshi Yasaki**, as well as production designers **Jeremy Hindle** and **Billy Bostock**. . . . **Orlando Management**, Sherman Oaks, Calif., has signed DP **Robin Miller** for exclusive representation. His credits include spots for such clients as **Carl's Jr.**, **Epson**, **Walmart**, **Heinz**, **Casio**, **Chrysler** and **Honda**. . . . Production designer **Robert De Vico** has signed with **Innovative Artists**, Santa Monica, for exclusive representation in commercials, music videos and features. . . .

bulletinboard

- April 22-27/Las Vegas: National Association of Broadcasters (NAB) Convention at the Las Vegas Convention Center. www.nab.org. . . .
- May 10/New York: The One Show award show and gala at Jazz at Lincoln Center www.oneclub.org. . . .
- May 13-16/Miami: The 47th Annual Clio Festival. www.clio-awards.com. . . .
- May 24/London: The Design & Art Direction (D&AD) Awards. www.dandad.org. . . .
- May 25/Los Angeles: 2006 AICE Awards Show at The Henry Fonda Theatre. www.aice.org
- May 25/New York: SHOOT's 4th Annual New Directors Showcase Event at The DGA Theater, NYC. www.shootonline.com
- June 8/New York: The Association of Independent Commercial Producers (AICP) Show at the Museum of Modern Art (MoMA). www.aicp.com. . . .



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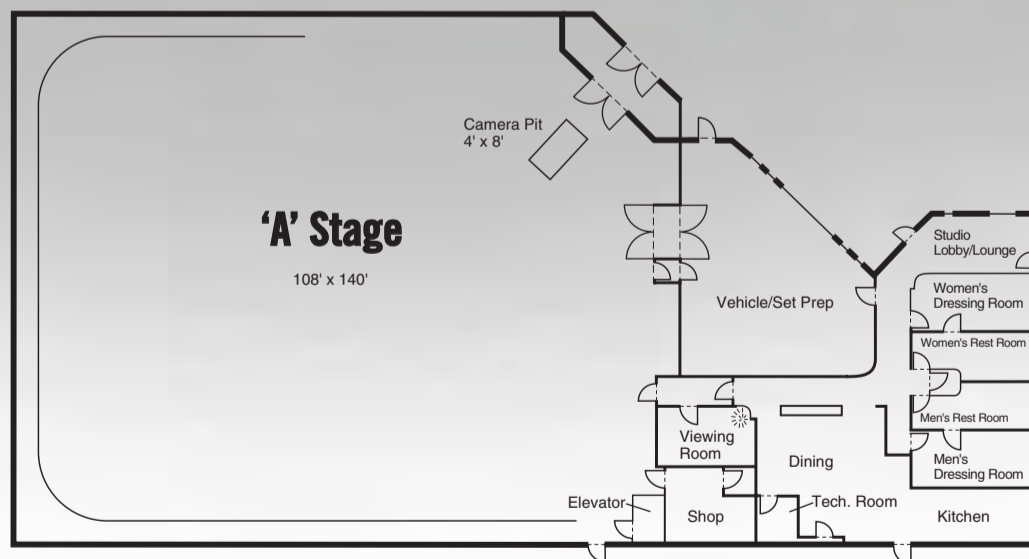


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