

The Quarterly Report

Winter 2003

State Bar of Georgia

SECTION LUNCHEON A HIGHLIGHT AT STATE BAR'S MIDYEAR BAR MEETING - BY ALAN CLARKE

An enthusiastic group was educated, inspired and entertained by Superior Court Judge Paschal English as he spoke to the members of the Entertainment and Sports Law Section at our luncheon held in conjunction with the Midyear Meeting of the State Bar of Georgia. Judge English, perhaps better known now as "Pappy," spoke on his experiences as a Survivor on CBS television's "Survivor: Marquesas."

Judge English, a judge in the Griffin Judicial Circuit and long-time friend of Darryl Cohen, former chair of the Section, detailed harrowing stories of his 39 days on the island, nearing starvation, only to be eliminated from the final four contestants by selecting the wrong stone in a tie-breaking game.

The show has changed his life forever. He related that he and the other "Survivor" contestants have all experienced what has been termed post-traumatic stress disorder. There was a very difficult adjustment in returning to twenty-first century civilization, so much so that he and many

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Section Chair Alan Clarke and guest speaker, Paschal English, Superior Court Judge





ANNOUNCEMENTS

FRIDAY, FEBRUARY 28, 2003

(9:00 a.m. - 1:00 p.m., lunch included)

Annual Half Day Sports Seminar

(3 CLE)

Clubhouse, Lenox Square, Buckhead

WEDNESDAY, MARCH 12, 2003

(11:45 a.m.)

Independent Record Labels (1 CLE)

State Bar Building, Downtown Atlanta

APRIL 2003

(11:45 a.m.)

Copyrights Law Update (1 CLE)

(co-hosted with Intellectual Property Section)

APRIL 2003

ESL Section Executive Retreat

(Dates and Location to be Determined)

MAY 2003

Memorial Day Weekend

Florida and Georgia Bar Retreat

Registry Hotel in Naples FL

(3-4 Hours CLE)

\$145 per night, Reservations due by April 30

Contact Darryl Cohen: dcohen@coco-law.tv



**DON'T MISS THE ANNUAL HALF DAY
SPORTS LAW SEMINAR AT THE
CLUBHOUSE IN BUCKHEAD ON
FRIDAY, FEBRUARY 28, 2003**

Program Chair:

Bedelia C Hargrove, Esq.

Vice Chair of Sports

Confirmed Speakers:

-Ray Anderson, Esq., Executive VP &
Chief Administrative Officer, Atlanta Falcons

-Charles B. Zirkle, Jr., Zirkle & Hoffman, LLP

-Jack P. Reale, Esq., Drew, Eckl & Farnham

-Damien Sedrick Turner, Esq.

-Lisa Rovinsky, Esq., Coca-Cola Co.

-Jeff Gewirtz, Esq., Coca-Cola Co.

-James Dudukovich, Esq., Coca-Cola Co.

-Michael Hobbs, Esq., Troutman Sanders, LLP

-Larry Nodine, Esq., Needle & Rosenberg

-Allen Greenberg, Esq., Needle & Rosenberg

Selected Topics:

- Sports Marketing Agreements
- Effective Professional Team Representation
- Representing Client Interests in the Major Leagues
- Trademark Issues in Sports Law

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...JUDGE ENGLISH

of his cohorts had an unusual longing to return to their life together on the island. Many, including Judge English, found themselves illogically hiding food in their own homes upon their return from Marquesas. Some have taken advantage of the psychological counseling provided by Survivor's producers, which the producers will pay for as long as the contestant requests. He continues to stay in touch with his fellow Survivors on a weekly basis, and now considers them part of his family. The judge and his wife have traveled across the country to many of their homes.

Despite the difficulties and setbacks (he lost about 20 pounds while on the island due to the fact that the contestants averaged only about 200 calories per day), Judge English says that he would not trade the experience for anything. In addition to being an instantly-recognized "celebrity" wherever he goes, Judge English has said that he has a new (not necessarily positive) understanding of all of the comforts of our life in the United States, noting that the food left on one of the tables from our luncheon could have fed all of the Survivors for a week. The experience has motivated all of the Survivors to start and continue to support numerous charitable organizations.

Although Judge English has enjoyed speaking to hundreds of school, civic and legal groups per year around the country since his return to Atlanta, he informed the crowd that he has not thought about giving up being a judge. A very inspirational and motivating speaker, Judge English stressed that there is absolutely nothing that we cannot accomplish here in the United States. He summed up his experience by saying that he learned that friends and family are far more important than the material items which we in our profession strive to work for and obtain.

Attendees were provided with articles relating legal issues pertaining to "Survivor," including the judicial ethics controversy surrounding Judge English being paid as a celebrity spokesman for Atlanta Gas Light Company last summer. Although some critics have stated that English's endorsement may run afoul of judicial canons, the general consensus has been that since the spots did not identify him as a judge, they did not violate specific ethics rules.

HOLIDAY PARTY MEMOIR

ESL Section members enjoyed hors d'oeuvres, spirits, and networking with colleagues and friends at the Section holiday party hosted at Joel Restaurant in Buckhead on 12/19/02. The party was organized by ESL Section Vice Chair of Entertainment, Sandra Brown, and co-hosted with the Southeast Chapter of the National Academy of Television Arts and Science. ESL Section member Darryl Cohen is the President of the Southeast Chapter N.A.T.A.S. As requested, the attendees of the function donated a substantial number of toys and gifts

which were in turn donated to Scottish Rite Children's Hospital. A special thanks to those who donated gifts and who supported the section's successful attempt to close out 2002 on the right note and in the right spirit.



Darryl Cohen



Alan Clarke • Bedelia C Hargrove • Sandra Brown • Anthony Daniel



PUERTO VALLARTA 2002



The end of the year rush to satisfy CLE requirements was accomplished by many attorneys at the ESL Section's 14th annual Southern Regional Entertainment and Sports Law Seminar held at the Westin Regina Resort in Puerto Vallarta, Mexico November 13 through 17, 2002. ESL Section members along with members of the Georgia Bar-Intellectual Property Section and members of the State Bars of New York, Tennessee, and Florida, attended 3 days of law-related entertainment, sports, and intellectual property seminars including Internet Law for Entertainment, Sport and IP Attorneys, Ethics featuring the Hon. Carol W. Hunstein, Justice, Supreme Court of Georgia, Litigating IP and Entertainment Cases, Trademark Law Update by Michael J. Hobbs, Jr., Troutman Sanders, Producer Agreements with Artists moderated by Alan Clarke, ESL Section Chair, and the Future of America's Pastime featuring Don Fehr, Executive Director, Major League Baseball Players Association, NY. Attendees earned 12 CLE hours, including 1 Ethics hour, 1 Professionalism hour and 1.5 Trial Practice hours. Stayed tuned for future information concerning plans for the ESL Section's 15th Annual Conference to be held at the Ritz Carlton Montego Bay, Jamaica.

DIRECTLY FROM THE SOURCE...

AN INTERVIEW WITH CHARLES DRIEBE, ESQ.

BY BEDELIA C HARGROVE

"AND THE BEAT GOES ON ..."

If you didn't get a chance to see or communicate with Charles Driebe in the year 2002, don't feel slighted, because you aren't alone. Driebe, the Manager of the legendary gospel group the Blind Boys of Alabama, spent a lot of time on the road last year. More precisely, he explains, "I spent 215 days either going, coming, or gone - I actually counted them."

I caught up with Driebe last week via telephone while he savored the last quiet moments of the Christmas season and fondly looked forward to a "low-key" New Year's celebration. Driebe's life, however, has been anything but low-key during the past 24 months. Before you begin to feel badly for our section member, let's look at some of Charles' experiences with the Blind Boys during that time span. A trip to the Grammys and a Grammy Award to boot. Two appearances on the David Letterman Show and one with Conan O'Brien, an appearance on the Tonight Show with Jay Leno, and a trip to the White House to perform for and meet the President and First Lady.

The Blind Boys also performed at the 1st Annual Jammy Awards in New York along with the Allman Brothers and members of Plush. (According to the NY Post, the Blind Boys "stole the show.") The band ended 2002 by going on tour with Peter Gabriel for 25 concerts across the US and Canada. Dan Rather did a segment on the Blind Boys for CBS's 60 Minutes II where Dan actually sang with the group (they're blind Dan, not deaf!). In December, the Blind Boys made an appearance at a charity dinner honoring the head of Paramount Pictures in Los Angeles, where the band was introduced by Tommy Lee Jones and performed a song with Emmylou Harris. They also met and exchanged pleasantries with Tom Cruise, a professed fan of the band. In September the Blind Boys released their latest album "Higher Ground," a compilation that received Best Gospel Record of the Year acclaim from the Editors of

Amazon.com, the Boston Globe's top 10 list and others.

So, it has been a hectic and eventful couple of years for the band and for Driebe, but he has thoroughly enjoyed himself. And from the looks of it, Driebe will continue to enjoy himself because 2003 promises to be just as eventful. Earlier this year, the Blind Boys were nominated for another Grammy Award. In addition, Driebe has been in negotiations with television producer Steven Bochco concerning an on-screen appearance by the Blind Boys in a new television series set to air later this year. On April 10, the band will appear at the Dove Awards in Nashville, where they will be inducted into the Gospel Hall of Fame along with Amy Grant and Pat Boone. Yes, I said Amy Grant and Pat Boone! Later this year the Blind Boys will also appear on-screen to perform the song "Soldier" in *The Fighting Temptations*, a film starring Cuba Gooding and Beyonce Knowles. In addition, the Blind Boys will continue to tour throughout the US and the world, including Europe, New Zealand, and Australia.

Caution, Driebe's current success did not happen overnight. Driebe thinks it is important for young and aspiring music attorneys to understand that the "perfect" lawyering or management job may not come right off the bat. Although Driebe always loved music, he practiced for years outside of the music and entertainment arenas before he got his "break." Because of his prior lawyering experiences, Driebe now appreciates even more the success he has realized managing the Blind Boys. Prior to becoming the Blind Boys' manager, Driebe performed legal work for the band from 1999 to 2001. During that time period He also managed pianist Henry Butler.

Driebe is a graduate of Tulane University in New Orleans and the University of Georgia School of Law. He did 4 years of college

radio at Tulane and 2 years at Georgia. According to Driebe, he was at Georgia at a "good time, during the Hershel Walker days and when the group known today as REM performed its first gig at a party." (Driebe attended Georgia along with Bertis Downs who represents REM and Russell Carter who represents the Indigo Girls.) After law school, Driebe worked at an insurance defense firm. Several years later he began practicing with his father, Chuck Driebe, in small town Jonesboro, Georgia. Driebe got plenty of experience handling divorces, wills, civil litigation, real estate and criminal law.

Today, Driebe spends half his time managing the Blind Boys and the other half representing various entertainment clients as a lawyer, mostly in the area of roots music, blues, jazz, bluegrass, gospel, and zydeco artists, as well as jam bands. To keep up with the Blind Boys in 2003 check their web page at blindboys.com. And be sure to stay tuned because as you can see, "the beat goes on."



Peter Gabriel and Charles Driebe

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