

Entertainment

Today a celebrity is not just a high-profile individual, but the primary asset in a complex business enterprise organized and managed to enhance, diversify, and monetize the celebrity's talent and personal brand. Brownstein serves as corporate counsel to some of the most well-known celebrities in the entertainment industry, providing practical, strategic and industry-specific legal advice on day-to-day operational matters, extraordinary transactions and legal disputes. We help our celebrity clients realize, preserve and defend the economic value of their talent and their brand.

Representative Matters

- Counsel to Left Field in its acquisition of the Sonoma Stompers, an independent professional baseball team, from Sonoma Sports and Entertainment.
- Counsel to former members of Creedence Clearwater Revival in licensing royalty and trademark cases against record label and John Fogerty in Northern and Central Districts of California.
- Nevada counsel to the Las Vegas Stadium Authority in the development of a \$1.9B, 65,000-seat domed stadium to serve as the future home of the Las Vegas Raiders.
- Counsel to KSE Radio Ventures, a wholly-owned subsidiary of Kroenke Sports & Entertainment, in its acquisition of Denver broadcast radio station KRWZ from Entercom Communications Corp.
- Counsel to KSE Radio Ventures, a wholly-owned subsidiary of Kroenke Sports & Entertainment, in its acquisition of Denver broadcast radio stations KIMN-FM 100.3, KXKL-FM 105.1 and KWOF-FM 92.5 from Wilks Broadcast Group.
- Counsel to Altitude WFN, a wholly-owned subsidiary of Kroenke Sports & Entertainment, in its acquisition of World Fishing Network from Insight Sports.
- Counsel to Kroenke Sports & Entertainment in its acquisition of the Sportsman Channel and related properties from InterMedia Partners.
- Established a first-of-its-kind loan guarantee and rebate program for the Colorado Movie and Television Industry in order to attract entertainment productions to Colorado. Recently secured \$5.3M in state funding for the rebate program which resulted in Quentin Tarantino choosing Telluride, Colorado as the location for his eighth feature film, The Hateful Eight.
- Counsel to a major sports league on a copyright piracy matter.
- Counsel to the MusicFirst Coalition on a copyright matter.
- Counsel to Gaiam in a carve out sale transaction in which it sold its non-Gaiam branded entertainment media distribution business to Cinedigm for \$51.5M.
- Negotiated 12-year deal for Las Vegas Events to host several annual USBC events, including the USBC Open Championships and USBC Women's Championships, inside a new, \$30M bowling tournament facility at South Point.
- Counsel to the Smith Center, as landlord, in negotiating a lease agreement for the Discovery Children's Museum located in downtown Las Vegas.
- Counsel to MOXI, The Wolf Museum of Exploration + Innovation on real estate, land use, redevelopment and CEQA issues associated with the construction of a 17,000 square foot museum designed to LEED Silver standards in the City of Santa Barbara's downtown El Pueblo Viejo Landmark District.
- Counsel to the Santa Barbara Museum of Natural History in CEQA, land use and real estate issues before the City and County of Santa Barbara regarding their master plan project for updating and expanding the museum property and facilities.
- Counsel to the Smith Center in the purchase of the vacant land adjacent to the Smith Center for the Performing Arts in Las Vegas. We also advised the Smith Center on various real estate and development

matters.

- Represented bwin.party digital entertainment plc, a publicly-traded online gaming company, in its joint ventures with Boyd Gaming Corporation and MGM Resorts International to offer online poker to U.S.-based players upon the passage of enabling legislation.
- Represented Tropicana in B2B and market access agreement with Gamesys Group for offering of online casino products in New Jersey.
- Assisted Vail Resorts, Inc. and its subsidiary Mountain News Corporation, publisher of OnTheSnow the most visited snowsports website in the world, with intellectual property issues associated with the acquisition of SkiReport.com, the second most visited ski report website in North America.
- Assisted Vail Resorts, Inc. and its subsidiary Specialty Sports Ventures, LLC with employment and ERISA issues associated with the acquisition of Outdoor Outlet, LLC, a Wisconsin-based company that owns and operates O2GearShop.com, an online retailer of outdoor/snowsports goods and equipment.
- Represented a subsidiary of Caesars Entertainment in its sale of 1.3 acres of vacant land in Bossier City, Louisiana.
- Served as Nevada corporate, real estate and gaming counsel to Caesars Entertainment Operating Company, Inc. and its subsidiaries in connection with the amendment to its senior secured credit agreements and extension of the maturity date of approximately \$800 million in loans from 2015 to 2018.
- Special Nevada counsel to Vail Resorts in its \$390M offering of senior subordinated notes.
- Nevada counsel to Caesars Octavius and Caesars Ling with respect to a new \$450M credit facility to be used to complete the construction of the Octavius Tower at Caesars Palace and to develop a retail, dining and entertainment project between the Imperial Palace and Flamingo properties.
- Successfully prevented an injunction from being entered against Netskeye Inc., a sports and entertainment company, which would have prevented their attendance at a world-renowned trade show.
- Negotiated and consummated the purchase of an 18-hole golf course, club house, and related facilities located in Henderson, Nevada. Brownstein also advised the client on various real estate, litigation, corporate water rights and business licensing matters.
- Negotiated a complex trademark settlement and consent agreement between the City of Las Vegas and Boyd Gaming Corporation regarding the use of the famous Fremont mark in connection with the City's downtown redevelopment district.
- Represented AMG Entertainment, LLC in their merger with and financing related to a significant night club, restaurant and entertainment company with primary operations in Las Vegas, Nevada.
- Served as counsel to the Flamingo Las Vegas Hotel and Casino in negotiation of the intellectual property and other rights necessary to develop a Margaritaville-themed gaming area at the Flamingo. This area is approximately 15,000 square feet and includes 22 table games and 220 slot machines.
- Negotiated the amendment to the third amended and restated agreement to design, construct and lease a performing arts center with the City of Las Vegas on behalf of The Smith Center for the Performing Arts.
- Representation of golf course in water rate proceeding before the Arizona Corporations Commission. Presentation of evidence and testimony regarding impacts of proposed increases in rates for course's irrigation water supplies.
- We successfully represented the owner of Staples Center in a defamation action. We defeated the defendant's anti-SLAPP motion in the trial court. After the Court of Appeals upheld the trial court decision, the case settled favorably.
- In this landmark case, we represented Carol Burnett in the first successful defamation jury trial against a major tabloid following the New York Times v. Sullivan decision.
- We represented Academy Award winning producer Jerome Hellman in a breach of contract and profit participation case concerning the movie Midnight Cowboy.

- We obtained a substantial jury verdict in this anti-trust case brought on behalf of a well known movie producer against a film distributor. The jury found that the distributor had engaged in unlawful “block booking.”
- We represented a major television production company defending a number of profit participation cases.
- We obtained a substantial jury verdict for breach of contract and profit participation on behalf of actress Valerie Harper against Lorimar Productions.
- Represented a sporting venue/event center in a Title III challenge under the American Disabilities Act.
- Negotiated the development agreement with the City of Las Vegas for the design, construction and operation of the Smith Center for the Performing Arts. The Firm also negotiated and amended the first, second and third restated development agreements.
- Assisted in the successful defense of Shuffle Master, Inc. in the alleged violation of an option agreement seeking damages in excess of \$14 million.
- Completed Denver Radio Company's \$11.7 million asset sale in chapter 11 bankruptcy to Guggenheim Corporate Funding, LLC . The transaction included two Denver radio stations and a radio transmittal tower.
- The Firm represented Wellbridge Company, a national health club operator with significant operations in Colorado and New Mexico, in its legal matters for more than 10 years. Brownstein handled matters including real estate acquisitions and dispositions, tenant leasing, club leases, membership and liability agreements and issues, employment matters, litigation and supervision, new club development, corporate and club financing, partnership/operating agreements and entity restructuring.
- Lead counsel and principal negotiator in adjudicating and purchasing direct flow and storage water rights for the Silverton Ski Area.
- Represented Inner Doorway, Inc., a magazine and journal publisher, in bankruptcy proceedings and the sale of its assets to a strategic buyer who planned to continue the operations.
- Represented The Wellbridge Company in the sale of a health club facility and related assets including the assignment of a facility lease.
- Brownstein successfully assisted AMC Theatres in sensitive proceedings involving foreign investment, CFIUS, and occasioned political interest. Brownstein worked to inoculate these matters from undue political pressure.
- Promoted and obtained RWQCB alteration in policy to protect Golf Courses.
- Settled for minimum penalties of \$945K with \$6,000,000 in potential penalties. Provided the legal representation and the negotiations with RWQCB.
- Negotiated settlement of a trademark infringement lawsuit between two Las Vegas golf courses. This matter included alleged counterfeiting, service mark infringement, dilution, false advertising, false designation of origin and unfair competition.
- Represented Gaiam, Inc. in the acquisition of fitness and children's media titles, inventory and contract rights under artist licensing agreements from Inspired Studios, Inc., Inspired Distribution, LLC and Inspired Productions, LLC.
- Represented CCA, Inc., a holding company which owns and operates a network of radio stations, in the refinance of a multi-million dollar term loan with United Western Bank.
- Represented Denver Radio Company, LLC and its subsidiaries as debtors in Chapter 11 cases, and as borrowers under a debtor-in-possession loan facility.
- Represented a California health club organization in the preparation of a property report assessing land use opportunities and constraints relative to long-term planning for a community recreation facility.
- Negotiated sale-leaseback agreements, guaranty documents, transfer documents and related collateral agreements in connection with representation of the Seller/Tenant in a \$176 million sale-leaseback transaction involving 15 sites in four states. Coordinated and handled due diligence on all properties.

- Represented Wolf Creek Golf Club in a trademark infringement suit against a neighboring real estate developer attempting to capitalize on the goodwill associated with the Wolf Creek trademark. Mr. Firth prohibited the developer's use of the Hidden Wolf name, other Wolf marks and prominent photos of the client's golf course.
- Brownstein spearheaded and successfully passed first-of-its-kind in the nation legislation to promote movie and television production in Colorado that had been attempted by other lobbying entities for the prior seven years without success.

Meet The Team

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