



Minutes of the Officers & Board of Directors Meeting
Thursday, April 11, 2013 at the offices of HFA

Brittain Ashford (Administrator)	Present
Katie Baron (Legal Counsel)	Present
Bryndon Bay	Absent
Marco Berrocal	Present
Eugene Caprioglio	Absent
Carol Cuellar	Present
Steve Culbertson	Present
Daniel Dorff	Present
Kathy Fernandes	Absent
David Flachs	Present
Sean Flahaven	Present
Lauren Keiser	Present
Jim Kendrick. (Legal Counsel)	Absent
Sonya Kim	Present
Kathleen Marsh (President)	Present
Zizi Mueller	Absent
Norman Ryan	Absent
Jeff Schroedl	Absent
John Shorney	Absent
Todd Vunderink	Present
Todd Waldman	Present

Evan Hause of E.B. Marks was also present.

Call to order and announcements (Marsh) – 10:10

Approval of Minutes – approved as submitted.

Treasurer's Report – In Bryndon's absence Brittain presented the Treasurer's Report. There were no unexpected expenses. The report was approved as submitted.

Old Business

NMPA

Kathleen Marsh stated that she had been in touch with David Israelite of the NMPA regarding the Board's frustrations with the takedown program as it was executed last year and the lack of forward motion this year. Kathleen mentioned that Danielle Aguirre had been out on maternity leave, adding to communication issues. David was extremely sympathetic and understood the Board's concerns. Kathleen let him know that going forward the MPA was not going to contribute the planned \$12,500. David said that he wanted to reform the program and return to the MPA with a new lawyer and vision. There was some discussion about accountability, Sonya Kim suggested that perhaps with a new program we could bill on an ad hoc basis.

Kathleen said that the conversation with David was good and that we are not obligated to give to the program in the future. Despite frustrations, the Board supported the idea of a functional and reformed plan.

Kathleen also stated that there had been difficulty getting our own in-house program off the ground. The idea of an opt-in for publishers to have the MPA represent them in a take-down effort was discussed, though was dismissed by Katie Baron, who cited the issue of liability for MPA. After some discussion, it was agreed that Brittain will continue to assemble lists of copyrighted materials on illegal US based sites and identify the publishers of those works. These lists will be sent to the publisher of the specific works with the forms that Katie has created. These forms will then be returned to the MPA and submitted with the forms of other publishers to make a larger impact on the offending site. Kathleen and Brittain will draft a letter to send to member publishers to make them aware of the program.

New Business

Board Nominations: John Shorney, while unable to attend in person, supplied the Board with a full report:

Last meeting we voted Carol Cuellar onto our Board. I neglected to tell Carole that she is filling out Bryan's term which will run to the 2014 Annual Meeting.

Evan Hause from E.B. Marks Music has agreed to serve on the Board filling an open position. The by-laws give the Board the authority to fill open Director positions so this should serve as a motion to vote Evan onto the Board. The term he will fill will run to the 2015 Annual Meeting.

Sean Flahaven has agreed to step in as First Vice-President, officers are elected by the Board so this can serve as a motion for that vote. This position is a 2-year term that runs through the 2014 Annual Meeting.

The slate of Directors for 2013-2014 through 2016-2017 to be voted on by the general membership at this year's Annual Meeting is:

*Marco Berrocal, Bourne Company
Daniel Dorff, Theodore Presser Company
Sean Flahaven, Warner/Chappell Music
Todd Vunderink, Peermusic Classical*

The Board briefly discussed a remaining vacant seat and who might be interested in filling it. Todd also mentioned that Erin Rogers is interested in filling his Board seat, and that he would like to continue as Secretary.

At this time it was asked whether or not officers had voting rights. After consulting the by-laws, Katie stated that Officers didn't have voting rights, which would leave two vacant seats.

Sean was unanimously approved as Vice President and Evan Hause was unanimously approved as a new Board member.

2013-2014 Board Dates: proposed dates were presented as follows:

Thurs, September 19, 2013
Thurs, November 7, 2013
Wed, December 04, 2013 (pending AIMP holiday party)
Thurs, February 20, 2014
Thurs, April 03, 2014
Annual Meeting: Fri, June 06, 2014

Committee Reports

Annual Meeting: Brittain presented a working schedule for the day, which was discussed. She let the Board know that a deposit has been put down at 3 West and that there is a block of 10 rooms for our guests at the club. Anyone wishing to have a room should let her know.

The Board opted to give all guest speakers travel stipends, up to \$1000 for international and \$500 for domestic travel. Since there are no paid speakers this is within the Board's means. This figure would not exceed \$3000.

Brittain also included a sponsor guide in the folders for Board members to evaluate and distribute to potential sponsors. Leads should be directed to Sean and Brittain.

Keith Mardak, to whom the Board voted to give the Lifetime Achievement Award at the previous meeting, has declined the award this year as he would like to be able to accept the award in person. Two nominations were presented: Jay Morgenstern of Warner/Chappell and Arthur Gurwitz of Souther Music. After brief discussion, the Board voted to give the award to Mr. Gurwitz.

Contribution: no report

Copyright and Licensing: no report.

Curriculum: since Kathy Fernandes was not present, Brittain presented some news on her behalf. Kathy reported via email that the I Made It program was being very well received. Brittain read the following from Kathy's email:

1. *5,000 postcards advertising IMadeIt.org were mailed to elementary classroom teachers that teach primary grades.*
2. *5,000 additional postcards are in stock at Pepper, ready to be sent out to any organization or business who wishes to share them with their customers. Lauren will have time at RPMDA to spread the word, so hopefully print retailers will join in to support the effort. These are of course available to publishers as well if they have a conduit to elementary teachers.*
3. *Pepper has engaged in an email campaign to elementary music teachers notifying them of the free resource. As of today, we have personally contacted 6,177 teachers, with a many more thousands to come. We will also feature the project on the Pepper home page in April, I believe beginning on Monday. We'll also drop ads for this into our classroom, choral, band and orchestra catalogs, with a reach of over 100k music teachers.*

Digital Piracy: no report.

Educational Contacts & Trade Relations: Lauren reported that the NMC has joined the MPA for our scholarship efforts. The deadline to submit for the competition will be June 1.

Lauren will travel to the RPMDA convention for the weekend of May 1 where he will give a presentation. Brittain will help create a PowerPoint for this and supply him with promotional materials.

Finance/Audit: a full fiscal report will be presented at the next Board meeting, prior to the day's events of the Annual.

History: Todd Vunderink asked if it would be possible to slate our historian, David Peter Copen of the Sibley Library, for a short presentation. It was agreed that this would be a lovely idea and that the MPA could offer him a transportation stipend and lunch for the day.

ICMP: The ICMP Frankfurt is happening currently; Chris Butler of Music Sales is chairing and Richard King of Faber Music is moderating a session discussing our anti-theft program.

Lauren also reported that BREIN, *Protection of the Rights of the Entertainment Industry of the Netherlands*, has begun its anti-piracy effort with pianofiles.com. Documents are being translated; he will be able to report more in June.

Engraving and Production: no report.

Paul Revere Awards: Daniel Dorff reported that Robert Sutherland of the Met Opera will chair the awards. The Board decided it was appropriate to present Paul Sadowski with a small award/plaque to acknowledge his years of service; Daniel will present this, Brittain will facilitate the creation of the award.

Membership: there was a new member application presented from OnlineSheetMusic.com. The Board did not have enough time to properly review the application, there was some concern that the company was not licensing all works properly.

MPA/MLA/MOLA Joint Committee: Daniel reported that there will be a MLA meeting the following week. He reported that the Chair wanted MLA minutes disseminated to the whole MLA. The concern is that this will inhibit free discussion. Daniel doesn't think there will be a big push for this, as it would hurt the committee.

Nominating Committee: see report above in *New Business*

Performance Committee: Norman sent a report, letting the Board know that the committee is going ahead with the listening booths at the OPERA America conference. It is still up in the air as to whether or not the MPA will contribute to grab bags and/or flash drives.

Press/Publicity: Sonya mentioned that she could supply Brittain with a press list to help promote the winners of the scholarship competition. Kathleen mentioned that it would be really wonderful to have some press outlets pick up on the competition.

Research/Development/New Technology: Carol presented an email to Kathleen about licensing music in a paperless classroom and issues that arise from the use of copyright materials without compensation. Kathleen will be doing more research on this matter.

Daniel Dorff and Katie Baron brought up the recent Supreme Court decision that found the "first sale doctrine" applies to books published abroad as well as in the U.S. Under the ruling, which reverses the judgment of the Court of Appeals for the Second Circuit, books lawfully published and purchased abroad may be imported and sold in the U.S. -- a setback for U.S. publishers, as the prices of the imported books undercut their own domestic pricing practices.

The meeting was adjourned at 12:08

Respectfully submitted,
Brittain Ashford, MPA Admin, on behalf of
Todd Vunderink, Secretary