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INDEPENDENTS DAY

Inking big deals and chasing high-profile franchises, a fearless class of rising-star producers is risking it all on the film business
By Ian Mohr

“My entire career has been about having more control over movies”, ThinkFilm head of U.S. distribution Mark Urman confesses from his indie banner’s funky Tribeca offices on a recent sweltering summer morning in New York. “I realized I wanted it all; I was not fully satisfied with how movies turn out”.

In 2000, when Urman was co-president of Lions Gate Releasing, he found himself involved in the marketing and distribution of “American Psycho”, Mary Harron’s adaptation of Bret Easton Ellis’ controversial novel about handsome stockbroker-turned-serial killer Patrick Bateman (Christian Bale).

“I realized, after doing marketing and distribution, that I could actually get involved in the making of the movie”, Urman says, “ It was even more fulfilling”. The experience was fulfilling enough to convince Urman to executive-produce Lions Gate’s Oscar-winning 2001 release “Monster’s Ball”, and ThinkFilm – which also includes former Lions Gate executive Jeff Sackman as president – recently made its first foray into production with Thom Fitzgerald’s relationship drama “The Event”, set for fall release.

Controlling original material is not a new take on the “best way” for indie producers to gain leverage amid a competitive Hollywood marketplace – in 2002’s “The Kid Stays in the Picture”, Robert Evans asserts that the concept launched his career – but more than ever before, they are exploring all angles to beat out more established players. Material can be controlled by grabbing remake rights to foreign hits and cult films; identifying adaptable, franchisable properties that have flown beneath the radar of bigger producers; and learning the ins and outs of split-rights deals and other avenues to foreign revenue.

For distribution outfits like ThinkFilm, control also means spreading the company’s wings into production and shepherding a project from inception to the marketplace. Other indie banners, including New York-based labels ContentFilm (planned fall release “The Cooler”) and GreeneStreet Films (“Uptown Girls”, set for release Friday), have launched international sales arms in order to retain control and revenue.

“There’s a lot of doom and gloom out there”, says entertainment attorney and producer representative Steven C. Beer, who recently produced hip-hop mogul Damon Dash’s directorial effort “Death of a Dynasty”. “But there’s been a regrouping in the stock market, a resolution to the war (in Iraq) – and, I think, producers are willing to move forward”.

After representing clients including bubble-gum sensations Britney Spears, Backstreet Boys, ‘N Sync, Aaron Carter, Nick Carter, 98° and O-Town and rap acts such as DMX, Wu-Tang Clan, Rakim, Keith Murray and the Sugar Hill Gang, Beer recently has produced and packaged projects with an eye toward hooking up the top-40 set with movies.

“One of the things we have done is to take our reputation on music and entertainment coming together”, says Beer, who announced last month that he will head to New York film practice at multinational law firm Greenberg Traurig as former partner Larry Rudolph segues to managing stars, including Spears, full time. “We are really packaging (projects) and making sure our clients are really involved. We are attorneys who know this incredible talent we represent; we can connect the dots and advance their careers – that is the genesis of this. Our desire is to be proactive in terms of our clients and their goals and to match the money to the projects”.

Beer notes that a niche for urban projects exists in the indie realm because the finer points of hip-hop culture have proved elusive at the studio level. "Urban culture is pop culture today", he says. "It has become the leading cultural force in the U.S. and also as an export. Growing up, rock 'n' roll was the soundtrack of a generation; (now,) youth culture has accepted hip-hop and rap as a vibrant culture force, and I don't think that Hollywood can fully address that because (the major studios employ) mostly white, Ivy League-educated people making decisions at the highest levels. We know the music, the style, the language, the clothes because we are involved with the music world".

In Dash's satirical "Death", a white journalist (Ebon Moss-Bachrach) goes undercover for hip-hop magazine Mic Check to infiltrate Dash's Roc-a-Fella Records. Believing that he has uncovered a major story – a rift between Dash (played by rapper Capone) and rap star Jay-Z (Robert Stapleton) – the reporter feeds New York's voracious gossip mill, with tragic results. The film was produced by Dash's Roc-a-Fella Films and Rudolph and Beer's R&B FM production arm.

Perhaps proving Beer's point about hip-hop infiltrating the mainstream, "Death" premiered in May at the Tribeca Film Festival, where Dash was benefactor of the most ink. "Death" has not yet found domestic distribution but was snapped up internationally by Wellspring Media. Beer previously co-executive produced 2002's "Empire", the directorial debut of songwriter/music producer Franc Reyes that played during the Sundance Film Festival then was released by Universal. The \$3.5 million-budgeted picture grossed more than \$17.5 million in domestic theaters.

Treading the indie filmmaking waters amid a tough market increasingly requires adept knowledge of how to assemble financing deals and tap into foreign equity as previously reliable cash sources dry up. "Our primary business over the first five years of our company was making a film that we'd have as much control over as possible", says Matt Rhodes, who heads indie production outfit Persistent Entertainment with partner Judd Payne. "The business plan was to find a great script, attach talent to it, find foreign equity, take it to Sundance or Berlin and then have it bought by a studio".

After producing smaller-scale films including the 2001 release "Auggie Rose", Rhodes is executive-producing Miramax/Revolution Studios' "An Unfinished Life", with Lasse Hallström and the helm and Jennifer Lopez, Robert Redford, Morgan Freeman and Josh Lucas starring. Persistent also is in production on "A Different Loyalty", directed by Marek Kaniévka with Sharon Stone and Rupert Everett toplining; to be released by Lions Gate, the drama centers on the life of Eleanor Philby, wife of infamous 20th century British double agent Kim Philby. "But you can't really presell movies anymore", Rhodes says. "There's a new way of financing – of doing split-rights deals – and we are moving into larger budgets".

"Loyalty" enjoys the advantage of a Canada-based distributor in Lions Gate – and ThinkFilm moved into production, in part, because of economic advantages it enjoys as a Canada-headquartered outfit. "We did not really plan on getting into production in our first year, but it just sort of materialized – because we have a Canadian company, it is economically advisable", Urman says. "(Event) was being made and had actually started shooting for two days; we talked Canadian math and realized that world rights were much more involving than just seeing the movie at Sundance and picking it up".

"Loyalty" falls under Persistent's newly inked first-look deal with Sam Nazarian's Samy Boy Pictures, which will see Samy Boy finance Persistent projects up to \$10 million. (Los Angeles-based Persistent is moving into Samy Boy's Century City headquarters). Persistent also is in postproduction on "September Tapes", a drama shot in 2001 in Afghanistan, at the beginning of the U.S.-led war on terror.

As studios look to roll out franchises – following the success of films including 2002's "Spider-Man" and "Scooby-Doo", the "Harry Potter" movies and "The Lord of the Rings" trilogy – Rhodes says identifying franchise-worthy fare can be challenge for up-and-coming producers. "As a smaller company it's harder to find (franchisable) properties that haven't already been developed by older producers", he says. "The generation of projects we grew up on have already been bought".

Rhodes adds, though, that Persistent has found promise in video games. “We’ve mainly been focused on original material”, he says. “We have and are working on projects based upon books and video games based on franchisable properties, but we are mostly interested in finding original stories we are passionate about and finding films that are more character-driven. You need to know your audience; I work backward once I’ve identified something I’m in love with: ‘Is this and A-list studio project?’ Some movies just work on a smaller level”.

After riding the tide of superhero-mania and nabbing rights to a trio of Marvel projects – “Werewolf by Night” for Dimension, “Deathlok” for Paramount and the Steve Norrington-helmed Ghost Rider” – Los Angeles-based production-distribution outfit Crystal Sky also sees value in the video game market: the company is producing a movie based on “Tekken” (with Japan’s Gaga Prods.) and recently optioned rights to 1980s video game “Pac-Man”.

“At the end of the day, you’ve got to make good movies”, Crystal Sky head Steven Paul says. “‘Tekken’ is a well-thought-out game; ‘Pac-Man’ is the ultimate family movie”.

Paul adds that the formula extends to his company’s superhero projects. “One of the reasons (superhero films) have not worked (until recently) is that they were being done in a hokey way, with silly adaptations”, he says. “Starting with (1998’s) ‘Blade’, which could have been a hokey picture, it was done in a serious way. People are enjoying their characters and story lines”.

Crystal Sky senior vp development and production Patrick Ewald has focused on Marvel characters because the comic book maker offers a “new generation of superhero; Batman and Superman are the older generation’s heroes. There’s a freshness to the (Marvel) characters; the approach that Marvel takes is that the stories are hyper-reality rather than supernatural”. Ewald notes that the big-screen success enjoyed by superhero and video game titles has broadened the marketplace for Crystal Sky’s pictures. “Dimension and New Line were considered the ‘hip’, genre guys”, he says. “Now, every studio is into it”.

Up-and-comers know that success in independent film is a calling card to move on to major-studio movies – but, like Rhodes and Payne at Persistent, some wish to keep their feet in both worlds. “It has been very much our goal to play more in both worlds”, says Sean Furst of Furst Films, which produced “Cooler”, a Lions Gate acquisition and Sundance standout from director Wayne Kramer. “It is nearly impossible to create a profile in (the studio realm) without having some commercial and critical support”.

Also on the slate for Furst Films – run by Sean Furst and his brother Bryan – are psychological horror project “The Woods”, penned by David Ross to be directed by Lucky McKee for United Artists; writer-director I. Marlene King’s dark comedy “Rain Falls”, for Fine Line; the jailbreak thriller “Conviction”, with Albert and Allen Hughes at Escape Artists; and “Alpha”, from filmmaker Marc Forster and scribe David Benioff for DreamWorks. Says Bryan Furst of the challenges facing indie producers: “Independent movies have always been predominantly driven by foreign markets, but the number of actors that generate those sales is shrinking. Because of widening gaps between these types of movies being made, studios and indies are looking for people who can put together a rich-looking film on a budget.”