



Hertz's job lets him live in two different worlds: music and the law.

## THAT'S ENTERTAINMENT

by GREG TASKER

PHOTOGRAPHY BY GEORGE WALDMAN

**H**oward Hertz remembers arriving late one night to meet with a few creative types who were helping him plan an event for a well-known client.

It was not unusual for the entertainment attorney to be late. And the restaurant meeting eight years ago might have been forgettable except for the observations of the musicians and artists waiting for him. Someone casually remarked—eliciting confirmation from the others—that Hertz looked “frazzled.”

Or maybe it was “tired” or “haggard.” Hertz doesn’t quite remember what the word was, but he does recall his reaction.

“It’s crazy. I feel like I’m on a roller coaster,” Hertz told them, not immediately pondering his response.

No wonder. Hertz’s client happened to be Elmore Leonard, who was in the midst of a national tour to promote his mystery *Be Cool*, then at No. 4 on *The New York Times* Best Sellers list and the sequel to Leonard’s *Get Shorty*. (Both became movies starring John Travolta.) The meeting had been called to design a poster promoting a reading by Leonard and an accompanying performance by another

client—Detroit folk and rock singer Jill Jack—at the Magic Bag auditorium in Ferndale.

At the same time, another Hertz client was riding the coveted top of the Billboard album charts. His name? Marshall Mathers III, the Detroit rapper known as Eminem.

Hertz’s star-studded client roster includes authors, screenwriters, recording artists, producers, production companies, record labels, agents, artist managers and songwriters. Figure in the daily demands of Hertz Schram—a successful Bloomfield Hills law firm—along with management of a couple of local bands and service on the boards of several cultural and musical organizations, and you get the picture: Life for Hertz is never dull.

Still, after his initial response to his colleagues at the restaurant, Hertz says, “I relaxed a little bit and then thought, ‘Wait a minute, I like roller coasters.’”

### Hand of fate

Though entertainment law seems the perfect fit for Hertz, the Detroit-raised lawyer did not deliberately choose that path. It more

or less chose him. Hertz was wise enough to cultivate relationships with people who appeared in his life and to take advantage of timely opportunities along the way.

The first inkling Hertz had that he should become an attorney came when he was a sixth-grader.

"I had a couple of teachers who kept saying I should be a lawyer," Hertz recalls. "I was always arguing with them, and I was right. [So] it was something that was always in the back of my head."

But when he enrolled at Wayne State University, Hertz opted to study psychology. One course involved a field study with at-risk kids; the goal was to spend a couple of weekends teaching skills to help them stay out of trouble. The next semester, Hertz was asked to supervise students working with these youngsters. After his professors introduced him to attorneys at the Juvenile Public Defender's Office, he decided to switch to law. Hertz earned his law degree at Wayne State, graduating cum laude in 1976.

He became a public defender and seemed poised for a lifelong career in that arena. But then the new attorney was approached by a singer-songwriter friend, Ted Strunck, who had just received a contract from a company that wanted to publish his songs. Strunck wasn't sure if the contract was fair and brought it to Hertz.

"What do we do?" Strunck asked Hertz.

"How am I supposed to know? I am a public defender," Hertz recalls saying.

Strunck brought Hertz a book on the music business.

"He was the smart one," Hertz says.

Hertz read the chapters on songwriting and successfully negotiated a contract for Strunck, whose publisher ended up sending more work Hertz's way.

The experience taught Hertz the importance of preparing for a case and showed him how good work can create a chain reaction. And it reminded him of his lifelong love of music.

Hertz always loved to sing. Long before he entertained thoughts of performing in the courtroom, he was particularly mesmerized by a song he kept hearing on the radio: Elvis Presley's "Hound Dog."

"I thought I sounded like him," Hertz says. "I have a good voice. I like to sing and I learned to play the guitar, but I play it for myself."

Several years ago, Hertz played harmonica and did some singing in a blues band called The Willies, composed of three lawyers and an advertising executive. They performed four gigs a year. Most of the bookings were local, but the highlight was performing at the Legs Inn, a restaurant and bar near Harbor Springs.

"It was our first professional gig. It was a thrill," he relates.

During his two years in the public defender's office, Hertz could be found reading *Billboard* magazine, the bible of the music industry, while waiting in the courthouse hallways as the other attorneys chatted.

Hertz followed his heart in 1978, leaving Detroit's Legal Aid and Defender Association and opening his own law practice a year later. He eventually went into partnership with a friend, litigator and real estate attorney Brad Schram, who introduced Hertz to one of his first clients, Elmore Leonard.

"I used to go down to the [Frank] Murphy Hall of Justice a lot and watch the criminal examinations, where they decide whether a crime was committed," Leonard recalls.

That's where he met Schram and, later, Hertz. "I would watch them handling trials, defending some guy up on criminal charges," he says.

Hertz has handled Leonard's copyrights, corporate work and estate planning for three decades. "He knows what he's doing and he gets it done in a minimal amount of time," Leonard says. "He's very sharp."

Strunck, his singer-songwriter friend, inadvertently aided Hertz's career again a few years later. While attending one of Strunck's gigs, Hertz met his publisher, Joe Martin, who played in a couple of bands and was also breaking into the business side of music as a recording-studio owner and publisher. He began sending Hertz clients, including Detroit rock band The Romantics and funk artist George Clinton.

Later, Martin was managing a pair of young producers in Detroit who signed a rapper named Eminem.

"It was through that very first deal [with Strunck] that I

## With clients ranging from rappers to famous authors, Howard Hertz's career is a roller coaster, which is how he likes it

became part of the Eminem family," says Hertz, still amazed at the serendipity.

In perhaps one of the best-known cases involving Eminem, Hertz represented the rapper and other plaintiffs in a lawsuit to block five companies from selling Eminem ring tones on the Internet. Representing Eminem's publishing companies, Eight Mile Style and Martin Affiliated, Hertz also accused Apple Computer of using an Eminem song in an iPod advertisement without permission. Most of the suits have settled.

### Passion flowers

Hertz's Bloomfield Hills office could be the workplace of a music producer. The walls are adorned with framed photographs and memorabilia from musicians. There's a poster from Eminem's movie *Eight Mile*, autographed by Eminem: "Howard, keep me out of jail ... Marshall D-12." The platinum record from the soundtrack to *Beverly Hills Cop II* is framed on another wall. A client published a song on that album. Yet another client wrote a song on a platinum album by country singer Brad Paisley; that, too, is framed. Copies of industry magazines lie on the coffee tables.

Every year Hertz attends MIDEM, the international music trade show in Cannes, and Musexpo, a music conference in Los Angeles. He's on the board of governors of the Grammy Awards for the Midwest region, based in Chicago; the Michigan Film Advisory Commission; and the board of visitors of the Wayne State University College of Fine, Performing and Communication Arts. He is also president of the Motor City Music Foundation, which hosts the Detroit Music Awards.

"Music has been a way for me to express myself," Hertz says. "I am in a profession that is at least music- and entertainment-related. I am passionate about all kinds of music."

That love of music has spilled over into his family life. He and his wife of 34 years, Wendy, have two grown sons, one of whom worked for the American Music Research Foundation before going on to graduate school. The other son manages world-renowned pianist McCoy Tyner, formerly John Coltrane's pianist, and is the talent buyer for a New York club.

A youthful 57, Hertz has no plans to jump off the roller coaster anytime soon. Life just wouldn't be the same. ♦