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Power of attorney

Local lawyer carves out niche in entertainment world

By **STEVE RAPHAEL** Special to The Oakland Press

With a blue chip roster of rockers and rappers including Kid Rock, Emimem, George Clinton, the White Stripes and musical genres in between, Bloomfield Hills attorney Howard Hertz is one of the top entertainment lawyers around.

A founding partner of Hertz, Schram & Saretsky, he negotiates contracts, places clients' songs in TV shows and movies and keeps track of copyright infringements.

His work isn't as glamorous as that of his clients; but it isn't all grunt work, either. Working with partner Walter Piszczatowski, a criminal defense attorney, Hertz is a bail bondsman to the superstars — the go-to guy when they wind up in jail.

Witness these cases:

- Twice he has won probation for Eminem, following gun charges in Oakland and Macomb counties.
- He won probation for White Stripes rocker Jack White following a Detroit bar fight.
- He won a reduced sentence for Marilyn Manson, who was arrested and charged with faking a sexual act on a DTE Energy Music Theater security guard. Manson, who is not a client, pleaded no contest to a lesser count of disorderly conduct and assault and battery. Don't think the stars aren't grateful. A large poster of Emimen, whose real name is Marshall Mathers, hangs prominently on the wall of the law firm's Bloomfield Hills lobby with the inscription: "Howard: Keep Me Out of Jail — Marshall." Hertz was fresh out of Wayne State University Law School in 1976 and working in the public defender's office when a friend, singer Ted Strunk, called for help negotiating a record contract. Hertz did so well that the recording company turned around and hired him. With that business, Hertz's career took off. It was a surprise to him; he'd never considered practicing entertainment law. "I didn't know there was such a thing" he says.

Building a rep

Meanwhile, Hertz and lawyer Brad Schram opened their law firm in 1979, specializing in real estate, tax, criminal and aviation law. Hertz devoted much of his time growing his entertainment law practice. In 1981, he helped resurrect the career of forgotten blues singer Sippie Wallace by signing her to a record contract with Atlantic Records. When the album "Sippie" was released in 1982, it was nominated for a Grammy. "Women Be Wise" was the key song.

In the 1980s, he represented local rock group The Romantics, along with funk singer George Clinton. In recent years, he has added to his stable gospel singers such as Evelyn Turrentine-Agee and Vickie Winans

But Hertz struck gold in the mid-1990s without knowing it. He was representing local production company F.B.T. Productions LLC, owned by the Bass Brothers. F.B.T. had just signed unknown rapper, Emimen — real name Marshall Mathers — who hired Hertz to do his contractual work.

Today, Hertz represents Math - ers and his publishing entities and record companies in other projects and in litigation.

Last year Hertz sued Apple and MTV for copyright infringement of Emimen's Academy Award-winning song, "Lose Yourself," which was played without consent on an iPod commercial. In a written statement, Hertz said he reached an "amicable resolution" with the companies.

Hertz performs similar copyright protection work for Brandon Township resident Kid Rock. And he's on the board of the Marshall Mathers Found ation, which awards money to organizations that work for the betterment of children and troubled youths nationwide.

Lawyer to the stars

Not all of Hertz's clients sing for a living; some write, notably crime novelist Elmore Leonard.

Leonard met Hertz in 1985 through his partner Schram, a mutual friend.

Leonard had legal representation on and off throughout his career and already had written 20 novels when the pair struck up a professional and personal relationship that continues to fl ourish. Leonard describes Hertz as "extremely intelligent, aggressive and he knows what he is doing."

Hertz has represented Leonard in a number of sticky legal situations.

He defended Leonard recently for using a name in a novel "that I thought I was clear on and had already paid the guy money for," Leonard says. "(The man) decided to sue me and Howard settled that one."

Hertz also ensures that the copyrights on Leonard novels are renewed before the copyrights expire. And he is writing Leonard's will.

"I don't think there is any glamour involved in it ... he saves me a lot of money," Leonard says, and quips, "I have never have been in jail."

Through the years, Hertz has represented about 100 artists locally, many of whom have since left Detroit for greener musical pastures.

His life revolves around music, but it's not always about representing clients. He finds time to manage the rock band The Go, and has toured Europe with the White Stripes.

He is a member of the board of governors of the Chicago chapter of the National Academy of Recording Arts & Sciences — the people who hand out the Grammys — and is board member and president of the Motor City Music Foundation. The foundation presents the Detroit Music Awards, the local equivalent of the Grammys.

It's not clients that make the job satisfying, he says, but being able to practice law in his chosen area.

Hertz's two sons also have wound up in unconventional areas of the music business. Ryan, an ethnomusicologist, studies world culture through music. Adam recently graduated from New York University's music business program.

Wife Wendy is the one who deviated; she's a teacher for students with learning disabilities.

Hertz played guitar and sang as a youngster and once played blues harmonica in a blues band with other lawyers and an ad executive.

He hits the local clubs a few times a week to see existing clients, look at possible new clients or to just to hear the music.

“It doesn’t matter who I represent ... their music has to stand above the crowds,” he says.





The Oakland Press/TIM THOMPSON Attorney Howard Hertz has built a business representing high-profile clients such as Eminem.



When Howard Hertz represented Eminem in court, the rapper inscribed this poster: "Howard: Keep Me Out of Jail — Marshall." The Oakland Press/TIM THOMPSON