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Friday, August 26, 2005

Lessons learned

Attorney combines love of music, career

Entertainment industry gives Bloomfield Hills man platform for life's work.

[By Eric Pope / Special to The Detroit News](#)

BLOOMFIELD HILLS -- Attorney Howard Hertz can trace his involvement with his most famous client, rap star Eminem, back to the very first music contract he negotiated. Hertz, now 55, was a public defender fresh out of law school in the 1970s when a musician asked him to negotiate a contract. He loved music, but didn't know much about the business, so he quickly read a book. On the other side of the table was an 18-year-old Wayne State student named Joel Martin.

Hertz switched from criminal law to entertainment law, and Martin became a long-term client in the position to make many legal referrals. Martin owns the Ferndale recording studio, 54 Sound, used by Eminem and other Detroit rap artists. He also manages the music publishing and production companies



Elizabeth Conley / The Detroit News

Howard Hertz does his homework before entering negotiations. "You have to really study a new area and know it inside out," he says

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founded by Jeff and Mark Bass, who signed Marshall Mathers in 1995. Hertz said his very first deal taught him that if you provide services that people need and appreciate, they will tell their friends and help your business grow. His roster of clients includes George Clinton, Marilyn Manson, Jack White of the White Stripes and author Elmore Leonard. The partners at his firm, Hertz, Schram & Saretsky, have helped his clients with a wide range of legal issues, from fighting criminal charges to estate planning.

That first contract negotiation also helped Hertz realize how much he enjoyed bringing his love of music to his chosen profession.

"Combining something you have a passion for with your work helps you succeed because you're giving it your all," Hertz said. Martin agrees.

"His best quality is an absolute passion for doing this," Martin said.

"There are a lot of people in this business who are jaded -- it's not about the music any more."

Hertz continues to explore his love of music. He has his own record label and manages a group, The Go. When he finds undiscovered but promising musicians, he takes on the often-thankless task of trying to get them recording contracts.

Unlike most entertainment lawyers, Hertz attends many of his clients' performances. The clients benefit from the time he devotes to building relationships in the industry. He attends the Grammy awards show every year and is now a director of the Recording Academy that puts it on. He is president of the Motor City Music Foundation and helped organize the first Motor City Music Conference this year.

By attending an international music festival in France every year, Hertz has become an expert on the recording industry in other countries, and that knowledge has led to lucrative international deals for his clients, according to Martin.

"Every year he brings a suitcase full of materials ... to shop bands,"

Martin said. "He still gets excited about the music and the prospect of finding someone new."

Hertz demonstrated one more important business lesson during that first contract negotiation with Martin almost 30 years ago -- he did his homework.

Even though he has done thousands of deals since then and has countless industry contacts, he still emphasizes the importance of keeping up with the latest legal developments, such as court decisions on the dissemination of music over the Internet.

"Don't wing it and do the best you can," Hertz said. "You have to really study a new area and know it inside out. Otherwise you may be missing something you don't even know is there."

This year Mathers turned to the law firm when [Apple Computer](#) used one of his songs in an iPod commercial and when his aunt and uncle sued him over ownership of a house.

That first contract negotiation led to a successful career in entertainment law because Hertz had a passion for music, the willingness to do his homework before entering negotiations, and an ability to form good relationships even with the people on the other side of the table.

Eric Pope is a Metro Detroit freelance writer. You can reach him at popepub1@comcast.net.

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