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Warner, Universal, Fox Exit Musicians' Union Soundtrack Row

By **Y. Peter Kang**

Law360, Los Angeles (November 1, 2016, 6:38 PM EDT) -- Warner Bros., Universal Studios, Twentieth Century Fox and others have resolved a suit brought by the world's largest musicians' union, which claimed the movie studios wrongfully reused the soundtracks for blockbuster films in other works, according to documents filed Tuesday in California federal court.

U.S. District Judge Ronald S.W. Lew greenlighted a voluntary dismissal filed by the American Federation of Musicians of the United States and Canada, with the union for about 80,000 musicians agreeing to dismiss its case against Warner Bros. Entertainment Inc. with prejudice and claims against Twentieth Century Fox Film Corp., Universal City Studios LLC and Paramount Pictures Corp. without prejudice. No monetary terms of any potential settlement were discussed in court papers.

A Warner spokesman declined to comment, while an attorney for the union said "the matter was disposed of to the mutual satisfaction of the parties." Representatives for the other parties did not immediately respond to requests for comment Tuesday.

The musicians' union lodged the suit in **May 2015** accusing the major film studios of reusing the soundtracks for blockbusters such as "Titanic" and "Die Hard" in other movies and TV shows without paying musicians who made the originals, an alleged violation of a 2010 union agreement.

The agreement purportedly blocks the studios from reusing certain clips longer than two minutes and requires the studios to make certain payments for clips up to two minutes long: \$1,500 for one minute or less of the soundtrack and \$750 for each 30-second increment beyond the first minute, according to the suit.

AFM has been seeking unspecified damages for the studios' alleged breaches of the agreement.

Claims against co-defendant Walt Disney Pictures Inc. were voluntarily dismissed with prejudice in June, leaving Sony Corp. subsidiary Columbia Pictures Industries Inc. as the sole remaining defendant in the case, according to court records.

Universal is a subsidiary of Comcast Corp., while Paramount is a unit of Viacom Inc.

AFM is represented by Jeffrey R. Freund, Robert Alexander, Abigail V. Carter and Philip C. Andonian of Bredhoff & Kaiser PLLC, and Lewis N. Levy and Daniel R. Barth of Levy Phillips APC.

Warner, Fox and Universal are represented by Adam Levin and Emma Luevano of Mitchell

Silberberg & Knupp LLP.

The case is American Federation of Musicians of the United States and Canada v. Columbia Pictures Industries Inc. et al., case number 2:15-cv-03953, in the U.S. District Court for the Central District of California.

—Additional reporting by Kurt Orzeck. Editing by Joe Phalon.

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