



Shaun C. Clark Enjoys the Variety and Challenge of Being a Top Entertainment Attorney

[By Kenneth Davis]

As an undergrad at the University of Texas at Arlington in the early 1990s, Shaun Clark aspired to have a career in the entertainment industry and believed that pursuing a career in law would be the best way to reach his goal.

"After taking a look at the entertainment industry, I realized that most people that are successful in the industry are or were lawyers or trained to be lawyers," he said. "So it made sense to go to law school after graduating from undergrad."

After receiving a business degree in 1992, Clark enrolled at Loyola Law School in Los Angeles and earned his law degree in 1996. Following graduation, he joined Buchalter Nemer in its Los Angeles office. At the firm, Clark primarily handled transactional finance work. He said that he chose a finance position because he thought it would be good training for a career in entertainment law.

"It's extremely difficult and challenging to get a job doing entertainment work in your first year out of law school," he said. "I waited for the right transactional position...a transactional position that would provide me with the skills necessary to help me land an entertainment position."

Clark left Buchalter Nemer after working there for two years to join the last incarnation of the prominent Los Angeles-based entertainment firm Hill, Wynne, Troop & Mesinger.

"I successfully made the move from a pure finance position to an entertainment transactional position," he said.

When Hill Wynne broke up, Clark and some of the Hill Wynne entertainment lawyers

went over to Katten Muchin Rosenman's Los Angeles office, where Clark continued to build his entertainment law practice. In 2003, after working at Katten Muchin for two years, Clark joined Sheppard, Mullin, Richter & Hampton in 2003 as a partner in the firm's entertainment and media practice group in Century City, CA. Clark said that one of the many benefits of joining Sheppard Mullin was that he was able to reunite with most of the members of the team of entertainment lawyers he had worked with at Hill Wynne.

"We've been practicing together for a long time," he said. "But when the firm broke up, we went in different directions. And then Sheppard gave us the opportunity to get back together and practice as a team again."

Clark discussed his practice at Sheppard Mullin:

"I practice entertainment transactional law, primarily for institutional clients," he said. "I don't represent actors or directors or writers. Most of my clients are major studios, producers, independent production companies, banks, distributors, online companies, publishers, advertising agencies, and investors. I often work closely with the general counsel or other in-house counsel to address the client's needs."

He added that the work he does for his clients covers everything related to the "creation and exploitation of content."

"So that means I'll handle the development of a screenplay for a motion picture or a concept for a new reality program," Clark explained. "I'll do the production deals, the financing and distribution deals, and then the deals relating to marketing and promotion. My work is primarily in connection with television and motion picture projects, but my practice also covers branded entertainment and video games, as well."

Clark recently did legal work for Atlanta-based production company Rainforest Films, which produced the soon-to-be-released motion picture *Stomp the Yard*. He said that he assisted the company with the acquisition of the underlying rights to the film. Clark added that he and his team also represented the company in all the production agreements related to the motion picture, which included "representing the producer; engaging the actors, the director, the editor, and others who actually create the motion picture; and assistance with the location agreements and other agreements related to production."

Clark and his colleagues also assisted KKR/Primera in its acquisition of German television network ProSiebenSat, which was announced on December 21.

"It's a \$4-billion-dollar transaction, and we were engaged to do a small part of the deal as U.S. entertainment counsel," he said.

Additionally, Clark represented Inform Ventures, a specialty promotions company,



in arranging its promotional events for Lexus that took place over the past few months. He said he negotiated all of the deals associated with the successful, cutting-edge events.

Another of Clark's clients is Bunim-Murray Productions, which has produced top reality TV shows such as *Road Rules*, *The Simple Life*, and *The Real World*.

"We assist them with legal advice relating to the production of reality TV, which raises challenging intellectual property, rights of publicity, and clearance issues," he said. "We also assist them on the development and production of new pilots for various network and cable channels."

Clark also assisted WPT Enterprises with the launch of its World Poker Tour. He said he and his colleagues have been the company's primary outside counsel for the past five years, handling its network licenses, trademark work, international licenses, and all of its sponsorship and merchandizing agreements.

"Our client signed up the top casinos around the world and created a television series based on it," he said. "And it basically took poker from the back room to the living room and made poker mainstream. That's just been a really fun client to work with because we've been involved in all aspects of the growth of a brand-new company all the way through their IPO."

Some of Clark's other clients include MGM, Playboy Enterprises, Yahoo!, and J. Walter Thompson, a prominent advertising agency.

Clark discussed what he enjoys most about his job:

"One of the things that I enjoy most about my work is that every day is different...I get to work on a wide variety of projects and issues," he said. "I also enjoy working with

clients that are creating entertainment for people. I think our practice is very international in scope right now, so I'm constantly doing business with Germany and the rest of Europe, and I find that very interesting and exciting. And I also really enjoy the challenge of keeping up with technology and new methods and means of exploiting content, as these developments change the way that we structure agreements and draft our documents."

Clark said that the things he enjoys most about his job are also the most challenging aspects of his work.

"Keeping up with all the technology that is released and how the clients are going to utilize it in their business and dealing with international clients on international transactions is challenging," he said. "I'm up early in the morning or late at night to be present on international conference calls, and I'm also asked to travel to Europe for some of the deals. It's exciting. It's fun, but it's also a challenge to keep up with everything with only 24 hours in the day."

He said the two highlights of his professional career were being named one of the "Top 35 Executives under Age 35 in the Entertainment Industry" by the *Hollywood Reporter* in the fall of 2004 and being named one of the "Top 20 Lawyers under Age 40 in California" by the *Daily Journal* in March of 2005.

Clark, 36, said that the person who has influenced him the most over the course of his career is Robert Darwell, the head of Sheppard Mullin's entertainment and media practice group. Darwell is also one of the attorneys from the Hill Wynne team who joined Sheppard Mullin with Clark.

"He involved me in his practice at a very junior point of my career," he said. "So it was easy for me to understand and learn

to develop business and to develop those types of relationships with clients that create value. A lot of young associates are not fortunate enough to receive that type of exposure."

Clark said that he often speaks to students at Loyola Law School about networking and finding jobs in the entertainment industry. And he has also been invited to speak on a panel at Harvard Law School about representing companies in the poker industry.

"I think it's fun to meet law students that are excited about their career opportunities," he said.

Clark had the following advice for law students:

"I think the key is finding a position where you are enjoying what you are doing because I think it's a mistake for law students to accept a job just because it's being offered," he stated. "So the key is to determine what you want to do and then to find a position where you're going to enjoy doing it because we, as lawyers in this day and age, work way too many stressful hours to be doing something we don't enjoy."

He also discussed what he believes are some of the most important issues facing the legal community today:

"From my perspective, I think that our clients are becoming more and more sophisticated consumers of legal services," he said.

"And as they become more sophisticated, it creates an obligation on us to be more efficient and to find ways to add value in order to maintain a competitive advantage. Our hourly rates are getting higher and higher, and you know, that's just the competitive forces of the industry we're in. But at those higher rates, you really want to provide added value to your clients."



Clark was born in Massachusetts and grew up in Dallas, TX. He recently got married and said that he and his wife love to travel. He also said that he enjoys mountain biking, likes to go rock climbing, and is a big soccer fan.

"I went to the World Cup this year, which was an extraordinary event," he said.

Clark talked about some of the goals he'd like to accomplish with his practice in the next few years:

"My constant goal is to work with a team that I enjoy working with, for clients that I enjoy

working with, on high-profile, intellectually stimulating projects," he said. "And if I can continue to do that in the next few years, then I'm a very happy lawyer."

ON THE NET

Sheppard, Mullin, Richter & Hampton
www.sheppardmullin.com

Rainforest Films
www.rainforestproductions.com/wow/area.cfm?xcr=we

Buchalter Nemer
www.buchalter.com