

# JAMES W. COUPE

777 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017  
barrister74@msn.com

Office (213) 406-1171  
Facsimile (213) 406-1101  
Mobile (818) 421-9622

## ALTERNATIVE DISPUTE RESOLUTION

- ◆ Active as a dispute resolution professional for over twenty years with majority of time as an ADR neutral since 2002. Currently serves on the American Arbitration Association's Commercial Panel of Neutral Arbitrators, the International Arbitration Tribunal of the Independent Film and Television Alliance ("IFTA"), the L.A. Superior Court ADR Panel, and the Attorney Settlement Panel of the U.S. District Court for the C.D. Cal. Practice involves both arbitration and mediation in media industry matters as well as in general commercial matters.
- ◆ ADR experience includes 58 arbitrations with IFTA Panel and in private arbitrations using AAA Rules involving a broad range of entertainment and general commercial matters. As Federal Attorney Settlement Officer have settled 4 cases involving a range of commercial matters including copyright, trademark and other business disputes. In ADR Program of Los Angeles Superior Court, have successfully mediated at least 24 cases from 2002 to present.

## ENTERTAINMENT LEGAL/ BUSINESS AFFAIRS, PRODUCTION, DISTRIBUTION & CORPORATE

- ◆ Structures business and legal aspects of financing of motion picture and television productions backed by completion guaranties or otherwise secured, including both foreign and state tax subsidy financing, co-production financing, split rights financing and credit supported and secured financing, with individual states as well as with foreign countries including: Germany, Canada, United Kingdom, Isle of Man, France, Luxembourg and Australia.
- ◆ Drafts, negotiates and coordinates the legal documentation relating to the above referenced productions. Transactions include the following films and TV series: *Hero*, *The English Patient*, *Crouching Tiger Hidden Dragon*, *Traffic*, *Dances with Wolves*, *Driving Miss Daisy*, *Cliffhanger*, *The Silence of the Lambs*, *Baywatch*, and *A River Runs Through It*.
- ◆ Performs legal and business affairs services for various production and distribution entities including copyright, trademark, chain of title and music licensing matters, acquisition and development contracts, drafting and negotiation of all major agreements with cast and crew, the guilds, distributors, banks and related completion guaranty documentation; also handled co-publishing and license agreements relating to interactive entertainment software with Electronic Arts.
- ◆ Production/Finance/Business Executive in charge of successful completion for reinsurance companies of the bonded films entitled *Shortcut to Happiness*, *Evelyn*, *City By The Sea*, *Brown Sugar*, and *The Antwone Fisher Story*, including supervising all postproduction activities such as editing, sound, music, credits and accounting. Negotiates and prepares settlement agreements relating to motion picture disputes.

- ◆ Negotiates and drafts financing and bank credit agreements, letters of credit, completion bonds and security and inter-creditor agreements related to film financings.
- ◆ Represented Walt Disney in various corporate and litigation capacities at Donovan Leisure and United Artists while at Phillips Nizer. Active corporate finance lawyer at ARCO including negotiating revolving credit agreements, public offerings of debt and equity securities, real estate financing and acquisitions. Spearheaded multi-million dollar divestitures of certain ARCO assets. Advises insurance and reinsurance companies on corporate and entertainment matters.

### **EXPERT WITNESS WORK**

- ◆ Expert witness and litigation consultant in the entertainment industry. Expert witness in the IFTA arbitration of Kinowelt vs. Beacon Pictures re: *Spy Game* (screenplay conformity dispute) and for Woody Allen's production company re: N.Y. litigation with Sweetland Films (computing adjusted gross profits). Retained as main expert witness in the IFTA arbitrations of *Miracle at Santa Anna* (a Spike Lee film), *Tekken* (Newbridge vs. cineFinance) and Comerica Bank vs. Intertainment Licensing GmbH. Successfully represented CNA in the IFTA arbitration with IMA Films re: *History Is Made at Night*).

### **EMPLOYMENT HISTORY**

PRIVATE PRACTICE, Los Angeles, CA - Attorney, Arbitrator/Mediator & Expert Witness  
 CINEMA COMPLETIONS INTL., Studio City, CA - Senior VP, Business & Legal Affairs  
 PRIVATE PRACTICE, Los Angeles and Pasadena, CA - Attorney  
 THE COMPLETION BOND COMPANY, INC., Los Angeles, CA - General Counsel  
 BEVERLY ENTERPRISES, Pasadena, CA - Chief Counsel  
 ATLANTIC RICHFIELD COMPANY, Los Angeles, CA - Senior Corporate Counsel  
 DONOVAN LEISURE NEWTON & IRVINE, New York, NY - Associate  
 PHILLIPS NIZER, New York, NY - Associate  
 JUDGE LLOYD F. MACMAHON, U.S. DIST CT, S.D.N.Y., New York, NY; Law Clerk

### **EDUCATION, PROFESSIONAL AFFILIATIONS AND PUBLIC SERVICE**

Vanderbilt University Law School JD, Member: Vanderbilt Journal Transnational Law  
 Hamilton College, Clinton, NY; BA; Junior Year at the Sorbonne, Paris  
 Fluent in oral and written French  
 ADR courses at LL.M. Straus Institute, Pepperdine University School of Law  
 Bar Admissions: New York, California, and Tennessee  
 Admitted to practice in the U.S. Dist. Courts for S.D.N.Y., the E.D.N.Y., and the C.D.Cal.  
 Admitted to practice in the U.S. Court of Appeals for the 2d Circuit  
 American Bar Assn. (ADR Section), State Bar of CA and LA Co. Bar Assn.  
 French American Bar Assn., Irish American and Italian American Lawyers Assns.  
 Secretary, Executive Committee: Business & Corporations Law Section, LA Co. Bar  
 Judge Pro Tem: L.A. Superior Court  
 San Marino City Traffic Commission  
 President: Stephen J. Weaver Foundation Inc.