

FREE!

Filmmakers Alliance

Magazine *Spring 2009*



INSIDE: Ted Hope calls out for us to seize our true independence, ***Thomas Ethan Harris*** speculates on why the American independent film scene is suffering, ***Thomas Mathai*** checks out 'The Workbook Project', ***Michael Cioni*** Catches Red Fever...**AND MORE.**

Filmmaker's Alliance is a non-profit collective dedicated to supporting independent filmmakers in Los Angeles. The members of FA help each other make films of all styles and lengths. It's that simple.



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Visit the website or call the office for meeting and general information.
Guests and prospective members welcome.

Mission Statement

Filmmakers Alliance (FA) is a community of film artists dedicated to the advancement of true independent film through community action. FA provides a unique mutual support system through which members share time, energy, expertise, equipment and, most important, creative support for one another's film projects from concept through distribution. We work together to restore humanity, authenticity, diversity, originality, intelligence, relevance, personal vision and emotional resonance to American Cinema.

FA facilitates a unique mutual support system where members share time, energy, equipment and, most importantly, creative support on one another's work from concept through distribution. Support is facilitated via monthly meetings, screenings, seminars, discussion forums, writers groups, labs, workshops, staged readings, and our website.

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Editor's Note

By Amanda Sweikow

At Filmmakers Alliance we always tell people who are thinking of joining that, while we can provide all sorts of programs for your creative development and offer many practical production benefits, it's up to YOU to make the most out of your membership. If you are too tired to attend the discussion forums, or the staged readings, or if you just want to watch football and sleep on Sunday instead of attending the monthly meeting, or if you never ask to borrow a camera to shoot that sketchbook, then how can you expect FA or any community to help you become a better filmmaker? You have to take responsibility for your filmmaking life.

As an organization, we decided it was time to listen to our own advice – to practice what we preach. We decided to get rid of a service that we offered that wasn't benefiting our community in any significant way, other than paying the bills. In fact, it was a distraction for those of us who run the organization, filling too many hours of our time with tedious work and extra stress. While it was never meant to be a lifelong income stream, it had become a

crutch that we were too lazy or scared to let go of. But the time had come. It was time to cut loose that burden and open ourselves up to completely focusing on fulfilling our mission and allowing FA to reach its full potential. In doing that, we have faith that the money and the support will follow.

We're making this year the year that we focus on what we want to do. And we're calling upon all of you, members and non-members, as filmmakers, to do the same. It's time to throw away our old ideas about the system, filmmaking and



Amanda Sweikow
Executive Director, Filmmakers Alliance

distribution. Embrace the “death” of Independent Film as we know it, and as we've lived it, and forge ahead with carving out a new path.

The articles in this issue of the FA magazine reflect that call to action. We have the keynote speech that producer Ted Hope gave at the Film Independent

Filmmakers Forum, where he calls upon us independent filmmakers to take responsibility for our filmmaking lives. “Independence is within our reach, but we have to do what we have never done before: we have to choose.” This led me to want to dig deeper into the current state of independent film, so I interviewed longtime festival programmer and independent film consultant Thomas Ethan Harris and we discussed how better films can be made. Then we look into tools that can help us accomplish this. As Michael Cioni, of PlasterCITY, discusses the revolutionary power of the Red camera, Thomas Mathai sheds some light on the website “The Workbook Project,” and Sean Hood lets us in on one of his tricks to great writing.

We have some film reviews by filmmakers and FA members Carlo Pangalangan and David Johann Kim to leave us inspired. And, as usual, our regular columns, Jacques Thelemaque's Collectively Speaking, Michael Blaha's legal advice, David Andrew Lloyd shares his opinion of the best books for learning to write screenplays, and Cain DeVore's Cinema Charlatans. We hope you'll devour it cover to cover and walk away motivated to take control of your filmmaking life during this unprecedented, transitional moment for “independent” film!

Enjoy! **FA**



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Collectively Speaking ...One For All

By Jacques Thelemaque

“Unus pro omnibus, omnes pro uno” is a Latin phrase that means “One for all, all for one” in English. In its inverted state, it is known as being the motto of Alexandre Dumas’ Three Musketeers as well as the Three Stooges. Also, it is apparently the traditional motto of Switzerland. Who knew?

It is also the core concept behind Filmmakers Alliance – actually, collectivism in general. All this is obvious to anyone who has ever been a meaningful part of Filmmakers Alliance. But what continually confounds me is how difficult it is for many other independent filmmakers to see how powerful this concept is to them in their own filmmaking lives.

Well, in truth, most indie filmmakers seem to have no problem grasping half of the concept. “All For One... Me!” seems to be the defining modification they’ve made to the concept, essentially transforming it into a complete energetic contradiction. Now, it’s not that this self-absorbed approach to filmmaking is without benefit. Films do need a sort of authorship (although I do not fully embrace the “auteur theory”), a guiding aesthetic vision. And sometimes these more self-absorbed types have a determination, drive and focus that defy limitation.

On the downside, such self-servitude can also defy imagination – limiting creative vision and obscuring awareness of that which doesn’t immediately seem to serve them. As I’ve said ad nauseam, filmmaking is a collaborative experience. It is a community endeavor – a community of artisans and/or creative professionals brought together in service of a common creative purpose. Everybody brings something to the table that adds to the development and realization of the film...and thus, the potential success of the film. But that communal energy is even more present in the exhibition of the film. What is an audience if not a community brought together for a singular, shared experience. But the concept of communalism is still, nonetheless, diffi-

cult for many independent filmmakers to grasp. To them, they are making the film and everyone else is simply “helping.” They write in a vacuum, edit in a vacuum and, at times, aggressively discourage creative contributions from anyone else. And of course, when they are not working on their own films, they spend precious little time being in service to any other filmmaker. In the end, people are only useful to them when they need them – in producing the film (cast and crew) and showing it (audiences).

I know this all sounds very negative, but I’m simply trying to shed some light on a challenging truth that is absent from much discourse in the wake of Ted



*Jacques Thelemaque
President, Filmmakers Alliance.*

Hope’s amazing state of the union address on Independent Film (reprinted in this issue on (page 6), and the subsequent discussions/arguments about the “death” of Independent Film. Of course, it is difficult to explore any discussions about Independent Film when there is no longer any consensus agreement on what “independent” film actually means. But by any commonly-embraced definition, I strongly believe that Independent Film cannot, and will not, ever die. As long as there is a single film that displays fresh creative energy and/or was made without regard for ANY institutional agenda, Independent Film is alive. And those will simply never cease to exist.

But sadly, those films are, and have always been, anomalies. There is not a cul-

ture that supports that kind of filmmaking. They are made despite the prevailing filmmaking paradigms, not because of them. So, on another level, I couldn’t agree more with Ted Hope’s assertion that “Indie Film” has never truly existed. The term “Independent Film” was once a perfectly benign catch-all phrase to describe films made outside of the commercial mainstream until it was cleverly co-opted and bastardized by that commercial mainstream. Ironically, it is now that very same commercial mainstream announcing Independent Film’s death because they can’t figure out a way to make money from it consistently.

But maybe those commercial mainstream folk did us a favor by trampling all over the term “Independent Film.” Because, as Hope says, filmmaking on any level has never been truly “independent.” It is NOT independent of cinematic grammar. It is NOT independent of cinematic history. It is NOT independent of creative collaboration. It is NOT independent of technical/practical support and innovation. It is NOT independent of audience reaction. It is NOT independent of word-of-mouth and other marketing support. Even by commercial mainstream’s bastardized definition, Independent Film was NOT EVER independent of the foolhardy dreams of fame and success (and mainstream validation). No, “Independent Film” is a sexy phantom. This is why Hope prefers to eschew the term completely and use the term Truly Free Film.

Whatever term you use, the concept people like Ted Hope are striving to maintain, and the thing for which they dream of creating a supportive infrastructure, is nothing more, or less, than Singular Creative Expression – or, in a word, originality. And that is a word that is far, far more difficult to achieve than it is to bandy about in everyday conversation. That is because, as Hope says, originality demands a freedom of thought that bears great risk and responsibility. It also demands a slightly counter-intuitive process. Meaning, to experience true freedom, originality and independence, we have to acknowledge and, in key ways, embrace their contradictions – connectivity, familiarity and dependence.

It is our responsibility as filmmakers to understand those things to which we’ve connected ourselves so that we can

know which things/ideas we need to let go and which we need to hold onto for dear life. It is our responsibility as filmmakers to know what exists around us and what has come before it so that we can know our place in it all and in what direction we must evolve creatively (and otherwise). It is our responsibility as filmmakers to recognize and appreciate how much we depend on the larger community to sustain us on nearly all levels so that we can clearly see the effect on the whole of each individual contribution – especially our own.

Of course, this last point is the one I am repeatedly striking home with this column. And it is one Mr. Hope also strikes repeatedly in his address. Our independence demands our absolute dependence on each other – literally lending a hand (or strong back), challenging each other creatively, sharing information and resources, providing connections, introducing tech innovations to each other, banding together to protect the power and possibilities of the Internet, watching and even buying (shocking!) each others' films and much more I've certainly overlooked or have yet to imagine. There is no one to do it for us. And you are short-sheeting yourself if you want to just grab what you can and contribute nothing. We are living in a time when new technologies have made the possibilities limitless for filmmakers wanting to do truly independent, truly free, truly original work. To realize that potential, you must take on its risks and responsibilities. Which means asking yourself the key question: "How am I contributing to the future I want to create?" Hopefully, the answer will always lead you to the second half of FA's rallying cry "...One For All!"





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Ted Hope: How The New Truly Free Filmmaking Community Will Rise From Indie's Ashes

On Saturday September 27th in Los Angeles, producer Ted Hope gave the keynote speech at Film Independent's Filmmaker Forum. Below are his complete prepared remarks.

A THOUSAND PHOENIX RISING

How The New Truly Free Filmmaking Community Will Rise From Indie's Ashes

I can't talk about the "crisis" of the indie film industry. There is no crisis. The country is in crisis. The economy is in crisis. We, the filmmakers, aren't in crisis.

The business is changing, but for us — us who are called Indie Filmmakers — that's good that the business is changing. Filmmaking is an incredible privilege and we need to accept it as such — and accept the full responsibility that comes with that privilege.

The proclamations of Indie Film's demise are grossly exaggerated. How can there be a "Death Of Indie" when Indie — real Indie, True Indie — has yet to even live?

Yes, there's a profound paradigm shift, and that shift is the coming of true independence. The hope of this new independence is being threatened even before it has arrived. Are we going to fight for our independence and can we even shoulder the responsibility that independence requires? That is: will we band together and work for our communal needs? Are we ready to leave dreams of stardom and wealth behind us?

When someone says "Indie is dead," they are talking about the state of the 'Indie Film Business,' as opposed to what are actually the films themselves. They can say "The sky is falling" because for the last fifteen years, the existing power base in the film industry has focused on films fit for the existing business model, as

opposed to ever truly concentrating on creating a business model for the films that filmmakers want to make.

This is where we are right now: on the verge of a TRULY FREE FILM CULTURE, one that is driven by both the creators and the audiences, pulled down by the audience and not pushed onto them by those that control the apparatus and the supply. We now have the power and the tool for something different, but will we fight to preserve the Internet, the tool that offers us our new freedom? Can we banish the dream of golden distribution deals, and move away from asking others to distribute and market it for us? Can we accept that being a filmmaker means taking responsibility for your films, the primary responsibility, all the way through the process? That is independence and that is freedom

Indie, True Indie, is in its infancy. The popular term "Indie" is a distortion, growing out of our communal laziness and complacency - our willingness to be marketed blandly and not specifically. Our culture is vast and diverse, and we need to celebrate these differences, not diminish them. It's time to put that term "Indie" to rest.

Independence is within our reach, but we but we have to do what we have never done before: we have to choose.

It's a lot like the Presidential election. And it's also a lot like the way — psychotherapy works: we have to ask ourselves if the pain we are experiencing presently is enough to motivate us to overcome the fear inherent in change itself.

We have to change our behavior and make that choice. We have to choose the type of culture we want. We have to choose the type of films we want available to us. We have to choose whether the Internet is ours or the corporations. We have to choose whether we decide for ourselves whether a film is worthwhile or whether we let those same corporations decide. We have to choose who our audiences are and how we are to reach them. We have to choose how we can all best

contribute to this new system. And as we act on those choices, we have to get others to make a choice too.

For the last fifteen years our Community has made huge strides at demystifying the production process and providing access to the financing and distribution gatekeepers. Some call this democratization, but it is not. This demystification of production was a great first step, but it is not the whole shebang. In some ways, understanding the great behemoth that is production is also a distraction. It has distracted us from making really good films. And as it has distracted us from gaining the knowledge and seizing the power that is available to us. We have learned how to make films and how to bring them to market. We now have to demystify how to market and distribute films, and to do it in a way truly suited to the films we are making and desire to make.

Don't get me wrong the last fifteen years have been great. The Indie Period - as I suspect history will call it — has



Ted Hope at Film Independent's Filmmaker Forum

brought us a far more diverse array of films than we had previously. It got better; we got more - but that is still not freedom. We are still in a damn similar place to the way it was back when cinema was invented 100 years ago. And it's time we moved to a new term, to the period of a Truly Free Film Culture.

If we want the freedom to tell the stories we want to tell, we all have to start to contribute to build the infrastructure that can support them. We need to step back from the glamour of making all these films, and instead help each other build

the links, articulate the message, make the commitments, that will turn us truly into a Truly Free Film community. We have to stop making so many films.

The work before us is a major readjustment that will require many sacrifices. We must redesign the business structure for what the films actually are. We have to recognize that a Truly Free Film Culture is quite different from Studio Films and even different from the prestige film that the specialized distributors make. But look at what we gain: we will stop self-censoring our work to fit a business model that was appropriated from Hollywood and their mass market films to begin with. We will reach out to

the audiences that are hungry for something new, for something truthful, for something about the world they experience, for something that is as complex as the emotions they feel. We can let them guide us because for the first time we can have real access and contact with them.

Presently, we are divided and conquered by a system that preys upon our dreams of success, encouraging us to squander collective progress on false hopes on personal enrichment. We follow the herd and only lead reluctantly. If we want Truly Free Films we have to stop dreaming of wealth, and take the job of building the community and support system.

For the last decade and a half, we have been myopically focused on production. Using Sundance submissions as a barometer, our production ability has increased eight and half times over — 850% — from 400 to 3600 films in fifteen years.

C'mon! What are we doing? Wasting a tremendous amount of energy, talent, and brainpower - that much is clear. If the average budget of Sundance submissions is \$500K, that means the aggregate production costs are \$1.8 billion dollars a year. That's a hell of a lot of money to lose annually. And you can bet the Indie World isn't going to get a government bail out like Wall Street and the Banking Industry have.

We need to recognize the responsibility of telling unique stories in unique ways. We are frequently innovators and ground-breakers, but that brings additional responsibilities. Working at the intersection of art and commerce, requires consideration for those that come after us. It is our responsibility to do all within our power to deliver a positive financial return. If we lose money, it will be a lot harder for those that follow us. With a debt of \$1.8 billion per annum you can bet it will be a lot harder for a lot of people. And it should be - but it didn't need to be.

We don't get better films or build audiences by picking up cameras. Despite this huge boom in production, the number of truly talented uniquely voiced auteurs produced annually remains unchanged. What's happened instead is the infrastructure has rusted, the industry has failed to innovate, and we are standing on a precipice begging the giant to banish us into oblivion.

There is a silver lining too this dark cloud of over production that they like to call The Glut. As a young man I never found peace until I moved to New York City; the calm I found in New York, is explained by a line of Woody Allen's: "in New York, you always know what you are missing". What's great about a surplus of options - and we have that now, and not just from movies, but from the web, from books, from shows - what's great is that you have to make a choice. You have to commit. And you have to commit in advance.

The business model of the current entertainment industry is predicated on consumers not making choices but acting on impulses. Choice comes from research,

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from knowledge, and from tastes. Speak to someone from Netflix, and they will tell you that the longer someone is a member, the more their tastes move to auteurs, to quality film. Once we all wake up and realize that with films, as frankly with everything, we have to be thoughtful. We have to make it a choice, a choice for, and not an impulse.

We are now in a cultural war and not just the red state/blue state, participate vs. obey kind, not just the kind of cultural war that politicians seem to want to break this country down to. We are in a culture war in terms of what we get to see, enjoy and make. The Lovers Of Cinema have been losing this war because the Makers have invested in a dream of Prince Charming, content to have him sweep down, pick us up and sing that rags to riches refrain even if it comes but once a year to one lucky filmmaker out of 3,600.

So what is this TRULY FREE FILM CULTURE I am proposing? It is one that utilizes first and foremost the remarkable tool that is The Internet. It is the Internet that transforms the culture business from a business that is based around limited supply and the rule of gatekeepers to a business that around the fulfillment of all audience desire, and not just the desire of mass audiences, but also of the niches.

We have never had this sort opportunity before and the great tragedy is that just as we are learning what it means, forces are vying to take it away from us. The principal that all information, all creators, all audiences should be treated equally within the structure that is the Internet is popularly referred to as Net Neutrality. The Telecoms, the Cable Companies, and their great ally, the Hollywood Motion Picture Studios and the MPAA are now trying to end that equality. And with it you will lose the opportunity to be TRULY FREE FILMMAKERS. But they are not going to succeed because we are going to band together and organize, we are going to save the Internet, and keep equal access for all.

A TRULY FREE FILM CULTURE will respect the audience's needs and desires as much as it currently respects the filmmakers. A TRULY FREE FILM CULTURE recognizes film as a dialogue and recognizes that a dialogue requires a community. Participants in a TRULY FREE FILM CULTURE work to participate in that community, work to get others to participate in

that community. We work to get others to make a choice, to make a choice about what they want to do, what they want to see. We all become curators. We all promote the films we love. We reach out and mobilize others to vote with their feet, vote with their eyes, and vote with their dollars, to not act on impulses, but on knowledge and experience.

A TRULY FREE FILMMAKER — be they producer or director — recognizes their responsibility is not just to find a good script, not just to find a good cast, a good package. A TRULY FREE FILMMAKER recognizes that they must do more than find the funding, and even more than justifying that funding. The TRULY FREE FILMMAKER now recognizes their responsibility to also find the audience, grow the audience, expand the audience, and then also to move the audience, not just emotionally, but also literally: to move them onwards further to other things. Whether it is by direct contact, email blasts, or blogging, whatever it is, express what you want our culture to be.

The TRULY FREE FILMMAKER also recognizes that knowledge is power, and not ownership. The TRULY FREE FILMMAKER recognizes that others, as many others as possible, sharing in that knowledge will make everything better: the films, the apparatus, the business, and the just plain pleasure of participating. We are walking into new territory and we best map it out together.

The TRULY FREE FILMMAKER is no longer bound to just the 5 or 6 reel length. The TRULY FREE FILMMAKER is no longer bound to projection as the primary audience platform and is not stuck on the one film one theater one week type of release. The TRULY FREE FILMMAKER recognizes that just because there is no user term, no audience term, no consumer term for the cohesive cross-platform immersive experience, does not mean that we don't want that. A child understands that when you say "Pokemon" you mean not just the films, or tv shows, but also the cards, the games, the figures, the books. And a child understands that when you say "Brand Management" or "Franchise" you are just looking for ways to separate you from your wallet. We need to define that term to help the audience recognize what it is they want, what it is that we now can create, own, and distribute independently.

It is this thing that we once called the Independent Community that is the sector that truly innovates. The lower cost of our creations allows for greater risks. It is what we used to call "indies" that have innovated on a technical level, on a content level, on a story telling approach, and it is this, the TRULY FREE FILM CULTURE that will innovate still further in the future of distribution.

With the passion that produces 3600 films a year, with just a portion of those resources, we can build a new infrastructure that opens up new audiences, new models, new revenue streams that can build a true alternative to the mainstream culture that has been force fed us for years. We are on the verge of truly opening up what can be told, how it is told, to whom it is told, and where is told. We can seize it, but it requires that we embrace the full responsibility of what independence means.

Independence requires knowing your film inside and out. Knowing not just what you are choosing to do, but what you have chosen not to do. Independence comes with knowing that you have fully considered all your options. It is knowing your audience, knowing how to reach them - and not abstractly, but concretely. Let's make the next ten years about seizing our independence, killing "indie" film, and bringing forth a Truly Free Film Culture.

Thank you. **FA**

Ted Hope has produced over 50 independent films. He takes particular joy in first features, and enjoys a reputation as an unparalleled spotter of new talent. His extensive list of credits includes, "The Savages," "American Splendor," "21 Grams," "Lovely & Amazing," "Human Nature," and "Happiness."



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The American Independent Film Scene: A Conversation with Thomas Ethan Harris

By Amanda Sweikow

Late last September I was on my computer browsing some independent film websites, when I came across an article on Indiewire.com. They had reprinted the keynote speech given by producer Ted Hope, at Film Independent's Filmmaker Forum (the same speech that we have reprinted on {page 6}). As I was reading it, I found what he was saying to be simultaneously inspiring and familiar. Inspiring because of his call to filmmakers to take more responsibility for the future of our filmmaking lives and the potential that lies there. Familiar because he touches upon some key points that speak to what our mission is here at Filmmakers Alliance, such as building community and support.

There was also something else that made it familiar. I was reminded of the seminars that Thomas Ethan Harris gives for the American Cinematheque. I realized there was a certain kind of thrust in what Thomas often ends up lecturing about during his seminars that is similar to what Ted Hope was speaking about, and I just had to hear what Thomas had to say about the speech.

So, I went to Thomas to discuss not only Ted's speech but also where the American Independent scene, in general, is headed. We sat down at a café on Third Street in Los Angeles and shared Moroccan Tea and this is what happened.

Amanda Sweikow (AS): So, Thomas, what do you think about the recent keynote speech that Ted Hope gave at Film Independent's Filmmaker Forum?

Thomas Harris (TH): When I read the speech, I was really inspired to know that somebody else out there was thinking about the American Independent scene like I had been for several years.

About two and a half years ago I started giving seminars about the idea that maybe we have a reawakening here – that a movement is beginning that is outside of the films that Commercial Hollywood and that Independent Hollywood or American Independent filmmakers make – that there is a third bracket of cinema that is actually developing.

I had felt like Independence had kind of lost its way, and had become something that was completely guided by its own set of formulas and genres. So it was really exciting to hear somebody say that there is this potential to come in cinema. That we are still in the midst of trying to move the American scene forward and find its true potential.

When I start looking at what we have in American cinema today, I see three main types of cinema. One, a commercial cinema that's guided pretty much by film adaptations, big budgets, stars, and event-related films. Then we have the independent Hollywood or the American independent scene, which is guided by its own subset of genres. It's full of romantic comedies, horror films, the Kevin Smith rip off, the Quentin Tarantino rip off, etc. A lot of cinema in this realm lies with people trying to mirror and match what is currently in vogue.

Then we have that third set for which I don't have a name right now. And that's where the really creative American independent filmmaker is working and they are working in a realm of completely original expression. They're bringing cinema back to being about something that is personal to them, that hopefully has a point of view, something that they believe is important to say.

So while the "American Independents" are talking about how, in a romantic comedy, "love is good" and "love will find you," the people in this other filmmaking sector may be analyzing what romantic love really can do to someone, how it can destroy them or frustrate them, or whatever. So they're taking it a little bit more personally, they are adding a new twist to it. And the other thing about the new sector is that we're seeing something that I think is essential – we see a form, a look to cinema that is of its own and it comes from that

creator, and her team or his team – whoever is bringing the film elements together. So the film has a visual personality, as much as it has something personal to say.

And that's kind of what gets me all excited about "independent" cinema right now – that we haven't seen its full potential. If Ted Hope's speech is right, working together we can actually move in this direction to excite and inspire a whole new audience that doesn't have anything to see anymore.



Thomas Ethan Harris as he lectures at a DGA seminar, in Los Angeles on November 11th 2008

AS: So, if there's a "new" film movement beginning, what do you think needs to be done in order to accomplish this?

TH: In his speech, Ted focuses mostly on lots of ways to build a film culture to receive these movies and about putting the focus of distributing the films more in the hands of the actual creators of the films versus in the hands of corporate America and subsidiary companies that are really not too interested in moving the film out to a specific audience. All of which, I think, is just brilliant about his speech, but what got me most charged is the idea that somebody finally said that we just have to make BETTER films.

I think that that's the key. I think in these last ten years American independent cinema has just become completely flat, both in terms of narrative and visual style. There's no personal voice in cinema, there's no personal style, and nobody has

anything to say. It feels like a very desperate cinema. It is as if, when filmmakers are designing their films, they're often starting the process being completely focused on hitting something that is in vogue. They are trying to make cinema that can sell instead of starting at that point that the great filmmakers start, which is getting your point of view out.

The thing that seems to be lacking in independent cinema is ingenuity. It's just the desire to actually really make a great film, and you know, the thing is if you go back into the seventies when someone like John Cassavetes was making cinema, there was no distribution entity there to put his film in theaters. He was just purely making what he felt he had to make and he was thinking about how he was going to get people to see it at a later date. And today we not only have festivals for your "theatrical distribution," there's the Internet, there's so many other options. And the funny thing is, with all of this available, filmmakers go and make something really, really blah.

In terms of cinema becoming flat visually, many filmmakers will blame the lack of a big budget on this. Cinema today has

come to this very basic formula I notice over and over and it's something that is over a hundred years old. It's called master shot, shot-reverse shot. It's chronic, despite having all this access to amazing cameras and lighting and all the stuff. All the New Yorkers are shooting in their NY apartments and the west coasters are all out in the desert where they don't need permits and they will constantly tell you it's because they were on a budget.

I think that we have to remember that just because our budget is small, this does not mean that we have to settle for mediocrity. In fact, since technology is in our favor and we've got great amazing digital cameras we can use, and we even have unions that are willing to work with us to help us to have actors and the talented crew needed, we have no excuses. And I've got news for you; you can be on a budget and move way outside that realm if you really start thinking it through. That's why I start to talk about ingenuity. It's like the American Independent filmmaker is fat and lazy.

AS: I would hope that most filmmakers are intending to make good films. Do

you think they are aware that they are not?

TH: I think that there is an arrogance with, in particular, the American filmmakers. I deal with a lot of filmmakers when I'm doing my seminars and they are all depressed about not getting into Sundance or whatever festival and then you look at their work and you realize all they did was try to copy something that was already successful and this does not work.

AS: So why do you think it is that people aren't making better films? Are they not being taught how? What's missing?

TH: That's a great question. It's so fascinating to me that when you think about film schools, or film seminars in NY or Los Angeles, one thing you start noticing right away is that mostly all of the seminars and film schools throughout the United States are based in kind of a "dream factory" mentality. Having graduated from USC, I have had firsthand experience with this. They teach you how to dream, they teach you how to fit in, they teach you the "secrets to success." Whether it's "How to Get a Publicist" or

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“Meet the Distributors,” there are all these ridiculous seminars that people pay hundreds and hundreds of dollars to go to and yet they do nothing for you. The secret to your success is actually making a good movie.

What I think is missing out there is the emphasis on seminars that are about aesthetics. Teaching you how to think more deeply about the images you are about to create or the images that you’re going to write. Teaching you how to get back in touch with your true potential, instead of seeing everything through rose-colored glasses in the “dream factory” that most seminars project.

At the American Cinematheque, where I do most of my lecturing, we have visual communication seminars where we actually show film clips and then in a group dialogue we sit and we talk about how meaning is signified. It is amazing how once you get filmmakers into that arena, they get a chance to look at cinema again as an artistic creation instead of something to market – a vehicle for success and money. They just explode with new ideas. They start to function, not like little bureaucratic business people, but like filmmakers again. It’s the most positive, re-affirming thing I’ve seen in the last ten years. People coming up to me at the seminars saying, “I did four years at UCLA, this was more important to me. I can go make my movie now.” and “I see what I haven’t been seeing.”

AS: Don’t we need these schools and seminars for “connections” and to “open doors” for us? I mean that’s what they would like us to believe.

TH: You know, it all starts with getting honest with yourself. It starts with having something to say, and it has to do with finding that unique form of expression and that visual capacity to express yourself. That’s what is going to open up doors. If you do that, YOU are going to find the publicist that you want to publicize your film premiere at Sundance. YOU are going to get investment in your motion picture. You’re probably also going to find that critics are in love with you for doing something that is much

more innovative than the average filmmaker. And even if your film doesn’t get big theatrical distribution, who cares? If you’ve got the critics behind you, if you get to make something that is artistic, people will come out of the woodwork to work with you. But if you do what 99.9% of American Independent Filmmakers do – which is make a flat, genre picture, with



Thomas Ethan Harris is the primary lecturer for The American Cinematheque Film Seminar Series

nothing to say, or something that feels like it was supposed to come out in the nineties – you’re not going to go anywhere. You’re not going to be playing festivals. You’re not going to get a distributor. You’re not going to get a publicist. You’re just going to sit there and flounder. So, I say, reach inside yourselves and get back to the basics. The basics of having the career you want are found in making that really beautiful, amazing, and original motion picture.

AS: You keep saying that you have to be an all out original. But in this post modern landscape, it seems like everything has been done. So, how does one make something original? Are you saying we need to make an experimental film?

TH: What I’m talking about is not necessarily making an experimental film. I’m just talking about finding ideas and techniques that are distinctive to the film and filmmaker. On a level of technique, it’s thinking about places where you can tell your story in terms of the long take, giving it room to breath. It means working with mise-en-scène instead of through very basic cross-cutting. It’s about re-imagining sound to be less of a functional element and more something of a designed element. It’s about thinking specifically about color and taking risks

with that. But no matter the technique, if you invest yourself in exploring all the cinematic choices available to you – rather than settling for what is tried and true – it will separate you from everybody else who’s not doing that. That is the way to get into these festivals or to put your work on the minds of critics.

And if you think back to all of your favorite filmmakers, the filmmakers that you obsess over, and if you look in particular at their first film – whether its Spike Lee, Jim Jarmusch, David Lynch, or Allison Anders – what you’re going to find is that they separated from what was currently in vogue – both in terms of the narrative and the thematics...and cinematic form, in general.

AS: All those examples that you just gave are people who did innovative things that fit perfectly within the story. But after a film like Memento came out, everyone started doing the “non-linear” time thing. But it didn’t serve a narrative purpose. It was just a “hip” style, so it wasn’t as powerful.

TH: Exactly. I would say that about 50% of the horror films that are currently being made today are all just throw backs to The Blair Witch Project. But Blair Witch is almost ten years old. I mean, it is insane that they are still copying this stuff.

It’s all this insecure quest to try to make a film that plays Sundance. There is no such thing as a Sundance movie. Whether it’s a short or a feature, there’s no such thing. You may study a trend and think you’ve figured it out, but you’re going to be wrong, because every year they have a new accent to their programming. It’s always ahead of you. Your job as a filmmaker is to start to become inspired. It’s so beautiful to see an American Independent filmmaker connect with the artistry of their film work, instead of wasting time trying to connect with imaginary ideas of distribution or imaginary festivals that are not going take your movie. You’ve got to make something for those people to get excited about. You’ve got to earn what you want. There’s no “formula” to get you what you think you deserve, you have GOT to work for it.

AS: So who inspires you today in cinema?

TH: You know it's like this small group of people that continually come to mind. First it would be somebody like Todd Haynes. I think every Todd Haynes film made so far has an element of risk in it. They're all such tremendously personal statements. Whether it's *Safe* or *I'm Not There*, even if you really don't think the films work, you've got to admit they are really inspired. I've never seen anything like them.

Then I tend to like this little bit higher end "independent" work of anybody from obviously a David Lynch, to a Paul Thomas Anderson, to a David Fincher. I'm also really inspired by this kind of new American cinema that I don't call American Independent, but don't yet have a name for. This would be a film like Lance Hammer's *Ballast*, or So Yong Kim's *In Between Days*, both of which played Sundance. Both of those films are shot on extraordinarily tight budgets and yet are so humanistic and visually fascinating. That they can pull it all together and make such original creations is so inspiring.

And of course, there's the national cinemas of South America, South Korea, and Thailand. And you know, parts of the Eastern Block just really excite me because they are making films without a lot of money, such as Cristian Mungiu's *4 Months, 3 Weeks and 2 Days*. It's funny I know some people have trouble with Lars Van Trier, but I was revisiting *Dogville* the other night and I was like "My God! Look at what this man did with no sets." Any decent filmmaker out there can get a warehouse to shoot in and create, but who would have thought of getting a warehouse and creating a period drama based with no sets? What does that say about the story he's really telling, about the invisible walls that really lurk in small towns and stuff. There's really a lot of great film work out there, but I'm seeing more interesting stuff from the people working on the real sidelines of independent film or in international cinema.

AS: Why do you think that is?

TH: You know Siskel and Ebert said – and it's a very powerful thing to think about in terms of our national cinema – that the primary thing that separates American cinema from all other cinemas

of the world is the idea that the rest of the world starts creating film from a character point of view and we start from a story point of view. This fits in really nicely with the Hollywood system's desire to have "pitches," before you write your script, because you are primarily pitching story or concept. It's "so and so does this, and then they do this, and then they do this" and whether or not they can cram a character in there or not is a whole other story. Most of the time the reason that I think audiences are disconnecting from commercial cinema and independent Hollywood films, and for me, most independent films in general, is because the characters don't seem to resonate within the realm of their story. They seem like a secondary afterthought. Filmmakers have forgotten all about the idea that great cinema always begins from a character's point of view. You develop a great character and they will take you on the cinematic journey.

AS: Okay. Let's say the American filmmaking community undergoes an incredible transformation and most filmmakers do start exploring all of the possibilities of cinema while digging deep into human complexities in their characters. Do you think that this new form of cinema will be enough to keep the audiences coming back?

TH: I've had a lot of people ask me why do people even go to the movies. Is it for entertainment? And I always end up saying the same thing. I don't really understand cinema as being driven by the need to be entertained because that's a really complex idea – what is entertainment? Some people are entertained by horror films, whereas other people would be appalled to think that those kinds of films could be entertaining. I think we go to cinema to identify. If we're going to connect with cinema we have to identify with something that is going on up there on the screen. That something is usually a character, an emotion, or even a filmmaker's primary interpretation of the world that they are living in. So, when you sit in the voyeuristic confines of a theater you're not just being entertained, you're also connecting. You are saying "I know that feeling." or "Oh, that happened to me." or "I've been there." Those are the things that actually bring you back to the theater, filling you up and allowing you to feel whole again. They allow you to feel like your life does make sense, that it is within the realm

of this thing we call life, you're not living some abstract thing.

Think about it. If commercial cinema is making films that no one can identify with and independent Hollywood is making films that no one can identify with, and the average American independent filmmaker is making films that no one can identify with, then why should it be a big surprise to you that nobody goes to the movies anymore? There's nothing to find there.

And that's the JOB, in my opinion, of this other group of filmmakers who lie on the outside right now. That's where the magic will begin again.



Thomas Ethan Harris is a Los Angeles based film consultant. He is the co-producer and primary lecturer at the American Cinematheque's Film Seminar Series, and President of the Filmmakers Alliance Board of Directors. To contact him please email, amcineseminars@earthlink.net. Check out www.americancinematheque.com.

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The Bucket

By Sean Hood

I have a bucket that I carry with me wherever I go. I collect things in it, hour by hour, day by day. Some of the things are ordinary like a piece of string or a broken watch, but other things are quite unexpected, like a love letter or the lens of a telescope.

Yesterday, I found a thumbtack on the bottom of my shoe; it went in the bucket, along with three dried chips of turquoise paint and an empty Coke bottle. While in the shower a bright yellow frog appeared by the open window, and I would have put it in too, but I left my bucket in the car, and by the time I fetched it, the frog was gone.

You have to be quick.

Often I will steal things, usually from my closest friends. They'll be talking and a little golden coin will drop out of their mouth and tinkle on the floor. I'll snatch it up when they aren't looking and then call it my own. I don't feel bad about it because they do the same thing to me. Just the other morning I spied a little porcelain bird that a friend had copped from my pail and had put into hers. I think she felt guilty, but I didn't mind; in fact, I was glad that she could use it. I just couldn't find a place for it anywhere, and it suited her collection perfectly.

I know people who leave their bucket at home most of the time, only taking it out when they think they need something. Of course, after just a few hours of searching they get bored or frustrated about not finding the thing they were looking for, so they put the bucket away. What they don't realize is that you have to keep your bucket at all times and you can't be so picky about what you collect.

Me, I'll pick up anything.

Some people like fancy buckets made of tin, old-fashioned buckets made of wood, or electric buckets with flashing lights, but I'll use whatever is handy. The container isn't as important as the things you collect. You can use a cereal bowl, or discarded Starbucks coffee cup, or even your pocket in a pinch. The mistake is to see something and tell yourself, "I'll get that later, when I have more time," because as soon as you turn your eyes away (from the bronze nail, the dead caterpillar, the silk yarmulke) it will disappear. You'll never find it again.

Recently I've gotten in the habit of getting up very early and meeting friends at coffee houses. They bring their buckets too, and together we sort and sift and show each other what we've found. Often we trade: a rusty license plate for a silver toothpick, a rubber ball for scrap of shag carpet. It's fun to share.



David Andrew Lloyd

But most of the work I do alone, dumping out the contents of my bucket and deciding what to use, what to throw out and what to save for later. It's really amazing what turns up if you keep your eyes open and you make sure to have your bucket with you.

For instance, while driving in my car, my cousin appeared in the passenger seat – not as she is now, a middle-aged mother of two, but as a child with fiery red hair and a doll that was missing its left eye. I didn't know why or how she appeared, but I didn't ask questions. I just collected her and her doll in the bucket as soon as I reached a red light, keeping an eye on her in my peripheral vision to be sure she wouldn't vanish.

I sometimes put expressions in the bucket, like "positively spliflicated." I put sounds in the bucket, like the popping of bubble wrap or the giggle of a barista. I collect attitudes, poses and gesticulations. I gather confusion and doubt. I pick up itches, headaches and ennui. I take things I don't believe in, like ghosts or trickle down economics. It's important not to be judgmental and to accept whatever appears in your path. Anything.

Do I sound crazy to you?

Well, if you haven't guessed, I'll tell you that the "bucket" is just my notebook. And the things I find are seeds: seeds for writing, seeds for filmmaking, seeds for acting, seeds for understanding, seeds for meaning. If you are an artist or creative person, you need to have a bucket, you need to take it with you everywhere, and you need to collect whatever you find. Whatever idea flashes in your head, write it down. Anything and everything.

Just put it in your bucket – it may look dusty and ordinary, but you may discover something rare and beautiful in it later. Don't wait. Do it now. Right now.

Before it disappears forever... FA

A Look into The Workbook Project

By Thomas Mathai

The Workbook Project (www.workbookproject.com) is a website founded by Lance Weiler, an independent filmmaker whose films include *The Last Broadcast* and *Head Trauma*. It's similar to other Web 2.0 sites, using video, audio, Flash, RSS feeds and even Twitter to keep filmmakers informed about aspects of independent filmmaking.

The Workbook Project takes a DIY (Do It Yourself) approach to independent filmmaking with an emphasis on user contributions. They see it as a part of an "open source social experiment." Displayed on the top of the site is fund::create::distribute::sustain. So, clearly an important goal is to enable filmmakers to be self-sufficient, which in these hard economic times, seems like a practical goal.

The Workbook Project site appears to be a work in progress. Some sections have much less information or are just blank. The front page is a bit cluttered. Not everything is laid out in an easy to find way. Sections like DIY News and Links are located way at the bottom of the page instead of up top where it would be easy to see. While it's possible to leave comments in the blogs and chat features on the video streams, there aren't any forums to interact with the filmmakers.

That doesn't take away from the quality of the content, much of which is worth absorbing. There is a map of various movie theaters nationwide that are capable of projecting digital work. Users can submit new theaters. DIY News and Feed Mashup are RSS feeds to various links of interest. At the top, there is a Twitter comment about something of interest, usually with a link.

Content on The Workbook Project is subdivided into categories:

Culture Hacker: storytelling & technology

Hoardability: news about events, tools, etc.

Motive: trends in media

New Breed: DIY Projects
Pollinate: audience building
 I found Pollinate the more fascinating of the categories, because I haven't come across many articles or podcasts about practical advice on building an audience. There is definitely an active participation from the filmmakers about where, when, how and to whom to show their films, instead of waiting for a distributor to do it.

A podcast interview with filmmaker M Dot Strange (*We Are the Strange*) called "The Art of Alienating the Right People," has him talking about how he used YouTube to preview parts of his movie, and based on the comments, figured out who his audience is. M Dot Strange, by the way, went to Sundance with his movie *We Are the Strange*, got a distribution deal, then turned it down because he didn't like the terms, and decided to self-distribute.

New Breeds is another category that I enjoy checking out. It's more of a community blog, where filmmakers give nuts and bolts presentations on their films.

One of the presentations, broken into multiple episodes is called

"Tour De Fours." A bunch of filmmakers taking their movies on a road tour like a band and showing them in small venues.

The DIY spirit of Workbook Project also extends out into their sites. DIY Days (www.diy-days.com) is a series of one day conferences in various cities. I had the pleasure of going to the LA DIY Days Conference, and it was pretty intensive for an all day event; all free, very informative and inspiring. They took it to San Francisco, Boston and New York. Hopefully they will continue to expand it in the years to come.

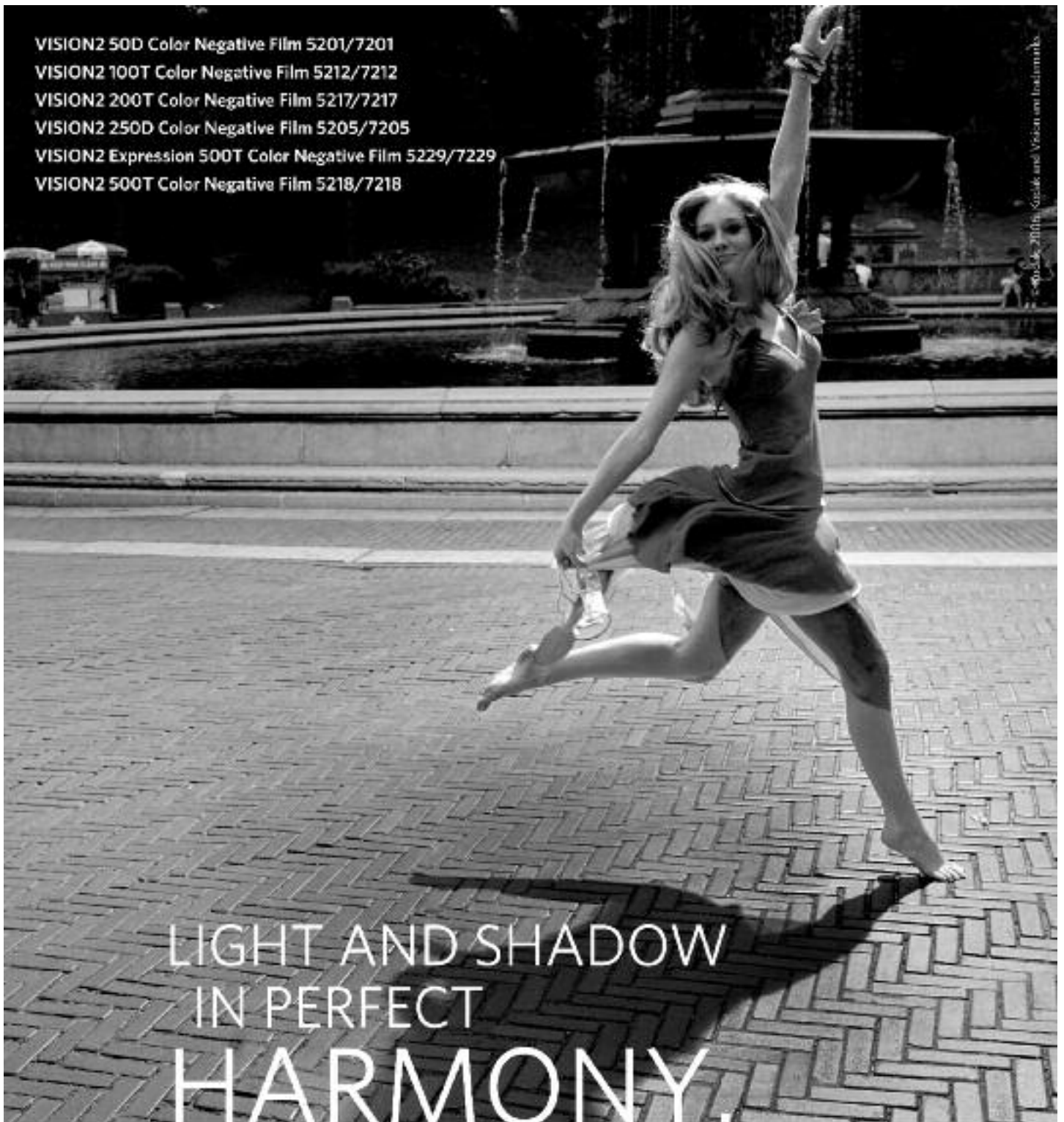
From Here to Awesome (www.fromheretoawesome.com) is an online festival. Short films are submitted and the best ones are audience selected as a showcase to be presented on Hulu, Joost, iTunes, Xbox, Amazon, IndieFlix and some other sites.

I see a great future for Workbook Project as it grows. There are plenty of filmmakers who want to take control of their projects and will find it a valuable resource for their own projects.

As small distributors close their doors and investors become harder to find, the DIY approach may be more practical for independent filmmakers. It's very similar to how independent bands, musicians and singers have been doing it for years.



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Seeing Red in '08

Catching the Fever

By Michael Cioni

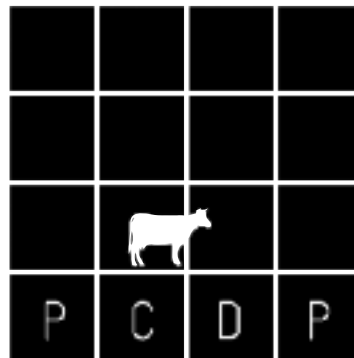
It's becoming more difficult to find filmmakers nowadays that haven't heard of the Red One digital cinema camera. In some circles, the camera is considered a bit of a science experiment. Then there are the herds of adamant and dedicated naysayers. And yet in other circles, filmmakers seem to be constantly getting drunk on "Red Kool-Aid." But as the data have shown, 2008 undeniably marked the year of "Red Fever," and more importantly, exposed a new lineage of movie making that goes far beyond the reach of the Red itself, paving the way for perhaps the most ideal independent cinema infrastructure ever.

To date, an estimated 500 feature films have been shot on the Red One since the first 100 units rolled out in September of 2007. More than 1,000 commercials and music videos and countless independent productions have explored this new format. Over 3,000 Red One bodies have been delivered and the initial delivery wait list has shrunk to just a few days from placing an order. From studio feature releases (including 3D) to local news affiliates, the Red One has saturated the market enough that it can be seen in nearly every commercial break. The mid-sized company headquartered in Lake Forest, California spent much of 2008 covertly sending Los Angeles some much needed wake-up calls from behind the Orange Curtain. Publications, blogs and dinner conversations alike all seem to enjoy the good, healthy debate: "To Red or not to Red?" But far too often, that debate finds itself pointlessly disputing questions about image quality and effective resolution. So the challenge to independent filmmakers is not to waste time discussing useless definitions of camera specs, but rather to evaluate their motive behind choosing any camera for a production and how it will positively shape their productions in the future.

When buying a car, very few people base their decision on the fuel efficiency alone. But after a test drive, considering your expected use for the car and compar-

ing the fuel efficiency with the payload, engine, warranty and sale price, you'll have enough information to make an educated decision on your investment. Likewise with Red camera technology, it is impossible to evaluate what this system does on image quality alone. It is imperative that filmmakers on a budget evaluate all the unique selling points (USPs) of a camera system and balance that with what the production actually needs and/or is able to accommodate. Of the hundreds of Red projects I've seen, consulted on and supervised, I find that many projects are literally "forcing" the Red One into a production that is not equipped to handle it. From dealing with antiquated post production tools to a gross misunderstanding of workflow, the Red may seem like the obvious choice, but it is not always the right one. Or worse, it can end up being the right camera for the wrong reasons. I've seen the Red succeed and I've seen it fail. I've see it save thousands of dollars and I've seen productions lose more time and money than they ever did with film. But above all, I've also seen the biggest and most promising evolutionary jump in cinema in 10 years.

In September of 1997, Canon released the XL-1 MiniDV Camcorder, offering a new level of attainable high-quality image acquisition to a hungry independent community called "Prosumers." But what made MiniDV an industry changing legacy format was not just the quality of the images or the options of interchangeable components or even the attractive price points. It was all these USPs coupled together and stacked with a new way to interpret the footage in a post production workflow via a single cable delivering audio, video, machine control and time code called "FireWire." It was a completely new end-to-end digital pipeline that pioneered the elimination of high-end studio



VTR systems for editorial and mastering. A decade later, riding the same revolutionary ideology, Red has brought the highest-end production and post together, while simultaneously shrinking the gap between Prosumer and Professional product lines. The result is a total slam-dunk for the independent. Red has put a great camera in the hands of people that often could only start their production with a good camera. And it is the only camera system of its class designed to work with software-driven desktop toolsets. I've worked with top industry DP's who put this camera up against the industry's top formats, including 35mm and when in the hands of an artist, I am floored on a daily basis by pictures that are undeniably beautiful and engaging.

But as we dig below the surface of this revolution, we remember that image quality is only one component of this system. Independent filmmakers must analyze the whole package in order to determine whether or not utilizing the Red camera will actually enhance their production. Because Red is a camera development company, one of its biggest weaknesses is that it does not internally develop toolsets for editorial and finishing for the end user. Instead, Red relies on outside parties to incorporate Red support in their product lines. And like a surfer on

the ocean, when the Red gets too far ahead of the wave, it loses momentum and the technology it rides falls behind leaving the Red and its users waiting for the next wave. Ironically, because of this unique relationship with other companies, Red has found a clever way to stay nimble and quickly change its own evolutionary path, adjust its mission and adapt to its users needs. Over the past 15 months, Red has changed at least as many times in the form of free upgrades downloadable from red.com. Through these updates, the camera evolves and improves based on infor-

mation that comes from the front lines, allowing average filmmakers to play an intricate role in the revolution itself. The result is the first camera and camera company that literally works for you. But a model like this means the liability that accurate information, education and experience will be less available in the form of a users manual and more likely available through one's own trial by fire. Working with Red means the independent must set aside development time and money and make a bold investment in new tools and talent prior to starting down the Red path.

Over the course of 2008, thousands of people have volunteered their own bread and butter to brave this new world and Red Fever favorably spread across the market in both production and post production sectors. It has lowered pricing structures on other camera systems like the Sony EX series. It has forced NLEs like Premiere and Avid to implement native support for editorial. And it has strengthened Final Cut Pro and Color without driving up the price. It has added to the group of companies that use eco-friendly reusable recording formats instead of perpetuating a film and tape-based infrastructure. It's forcing high-end post production workflows to evolve by replacing "telecine" with "datacine." It has even encouraged large post entities to

incorporate file-based and formerly "Prosumer" tools into their legacy heavy-iron infrastructures. All this inside of one monumental year.

It's not drinking Red Kool-Aid that makes me a supporter of this format: rather I have seen and experienced the Red doing what it's supposed to be able to on budgets of \$5,000 and \$5,000,000. With experience on nearly two dozen other camera systems, we have found that Red is the best camera system to become available in more than a decade. Hands down. The future is very bright with Red and I wouldn't recommend it to my friends, colleagues and clients or use it on my own independent films if it didn't deliver. But extracting images and processing your media with an entirely new medium is not something anyone should take lightly. The Red ideology and the wake it's created are leading a revolution on a Copernicus scale. Who would have bet three years ago that the top two or three companies making digital cinema cameras would not be Sony or Panasonic? Who would have thought Red, Arri and Dalsa (who never made a digital camera before) would be able produce some of the best digital images the world has ever seen? That is a revolution, and that is why new creatives have a brand new chance to capitalize.

Working with Red may be a double-edged sword, but with the proper infrastructure, it contains the power to vastly improve the quality of any project and save money in the process. In doing so, Red fever has taught us a lot of valuable lessons in 2008. It taught film crews that digital may be closer to film than they thought. It taught the post production community that they need to prepare to compete with their own clients for work. It taught the camera rental community that price point is no longer relative to image quality. It taught the filmmaker that they bear more responsibility than ever before for knowing the depths of their craft. And best of all, with the ability to harness this information, Red taught users to examine their motives for filmmaking and begin to strategize their options early on in the process. It is an industry changing force that will inspire the competition to build similar and better systems. More importantly, Red puts control back into the hands of the creators and caters to more progressive minds that want to take full advantage of their own investments. That, perhaps, is why Red is a fever I want to catch.



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P C D P

LEGAL ADVICE

By Mike Blaha Esq.

I have heard that SAG has changed the parameters of their low budget agreements in the last couple of years to make it easier for independent filmmakers to use SAG actors. What are the terms of the various SAG low budget agreements?

SAG currently offers four different low budget agreements that may be of interest to the indie filmmaker. First, the Short Film Agreement is available for films of 35 minutes or less with budgets of less than \$50,000. Actors need not be paid (except for certain non-deferrable items like transportation allowance, per diems, etc.) unless the film is commercially exhibited, at which point the actors must be paid \$100 per day and Pension & Health (P&H). The Ultra Low Budget Agreement is for regular features with budgets of less than \$200,000, and actors must be paid \$100 per day plus P&H. However, unlike the dreaded Experimental Agreement and Limited Exhibition Agreements, which SAG no longer uses, in part because they caused filmmakers so much grief, there are no "step-up" fees requiring additional compensation (based on the Basic Agreement rates) to the actors if the film is not initial-

ly released theatrically. The Modified Low Budget Agreement (budgets of less than \$625,000; day rate of \$268, weekly rate of \$933) and the Low Budget Agreement (budgets of less than \$2,500,000; day rate of \$504, weekly rate of \$1752) do both require an initial theatrical release, but now SAG will permit you to exhibit the films on DVD or tv without a "step-up" payment if there is no theatrical release within three years of the end of principal photography. For all three Low Budget Agreements, residuals are payable as if the film was produced as a "theatrical motion picture" (as opposed to, e.g., "made for television") and there are other terms regarding overtime, consecutive employment and similar issues about which you should be aware before signing any particular Agreement. Samples of all of these Agreements are available for download at www.sagindie.org.

I am using just a few notes of some copyrighted music and a very short clip from an old tv show that is still under copyright, but I think it should be ok under the doctrine of "fair use." Is it true that you can claim fair use if you only use a certain number of notes or your clip is under a certain length?

No. This is one of the most enduring myths in the film business. There is no statute or case law which holds that

music or film uses (or uses of any other copyrighted material) are automatically deemed "fair" if only a certain number of notes or under a certain duration are used. Fair use, which is a defense to a copyright infringement action, must be made on a case-by-case basis, based on four factors: (1) the nature of your use of the copyrighted material. The main question is whether your use is purely commercial or is it "transformative"; i.e., do you comment on or satirize the underlying work? (2) the nature of the copyrighted work you are using. If you are using a highly creative work, such as a film or song, it will be harder to argue fair use than if the underlying work is news footage or the phone book. (3) how much of the underlying work you are using (this is probably where the myth came from). If you are critiquing a movie, it would be reasonable, e.g., to show a few clips, but not the whole film. (4) The impact which your use will have on the commercial value of the underlying work. This factor is given great weight and is of course closely related to the third factor. In summary, it is a very subjective area of the law which is the subject of much litigation and it is best to get the opinion of an expert in copyright law.

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AFI Film Reviews

by Carlo Pangalangan

Afterschool

Directed by Antonio Campos

I had a great feeling after seeing this film at the AFI Fest. It was the last film I saw at the festival and it was satisfying to see a fresh and original independent American film. The director seemed to know where to place his camera, when to cut, and showed great restraint (the film featured no musical score) – even more impressive given the director’s age at the time he made it, 23 years old.

I think, though, for a film really to stand up, it has to go past that first impression. And unfortunately, this film didn’t. It really began when I told a friend about the film, and he pointed out that it sounded a lot like a Michael Haneke film: the story of a young man obtaining a video camera, which leads him to express repressed or unconscious feeling in overt

behavior. Here was the turning point for me, having never realized that before (not exactly being a Haneke fan, whose films that I’ve seen have infuriated me so much that I try to forget them.) But then I realized, yeah, the pivotal scene in the film when the video suddenly rewinds when we thought we were watching something that was going on in “real time” was straight out of *Caché*! This led to other cracks starting to appear in the film.



Now, the diluting of “difficult to watch” European films is nothing new in American cinema. Soderbergh did it with Rohmer in *Sex, Lies, and Videotape*; more recently Gus Van Sant has done it with Béla Tarr’s films. Even this year’s other American indie breakthrough, Lance

Hammer’s *Ballast*, dilutes the Dardenne brothers’ style (although I did find *Ballast* a lot harder to sit through than a Dardenne brothers film, mainly because it refused to end). But the point is that it’s not where you take things from, it’s where you take them to. And sometimes it’s successful, like with Gus Van Sant transforming Béla Tarr’s style with impressionistic sound design, and other times, it’s just copying with no additional perspective or insight (no need to name names here, you know who they are).

And unfortunately, *Afterschool* just comes across as Haneke-lite. Major themes exploring violence in the media and our insatiable desire to consume it have already been covered by Haneke in the past 20 years he’s been making films. Some might say that this film does take Haneke a step further because it represents the YouTube generation and how violent and sexual videos are now readily available for online viewing, but the film only really scratches the surface. The videos shown in the film are weak, lacking the visceral power that supposedly they have on the film’s main character, primarily because the director chooses to show clips that we’ve seen a thousand times before,

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SAGIndie University is committed to diversity in the classroom, and in the casting room. Here our students learn about the Diversity in Casting Incentive, so they will have the tools they need to make films that reflect real life. Instead of movies where white guys punch out other white guys with phony accents, and women alternate between screaming helplessly and taking off their clothes (not that there's anything wrong with that). To learn more about our Diversity Incentives yourself, visit www.sagindie.org.

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whether it be online, on the news, or on a late night talk show. This film, though, may be one of the first to address how the Internet is affecting the youth today, in the way they view the world, etc. But somehow I feel that a more thorough (and anthropological) exploration can be done. Maybe Larry Clark can make it? (He hinted at it with his segment in *Districted*.) Or maybe even Haneke himself? I just hope he makes it back in Europe, having made an American shot for shot remake of his own *Funny Games*, Haneke (and the ill-fated Tartan Films) learned that just having the audience seek out the original, more difficult film to watch can be a more fulfilling and rewarding experience.

Still Orangutans

Directed by Gustavo Spolidoro

No matter how many times it's been done before, it remains an impressive feat: shooting a feature film all in one shot. And with this film it actually one-ups the first big one shot breakthrough *Russian Ark*. Gustavo Spolidoro does give us something we haven't seen before: the film runs around the (almost) uncontrolled concrete jungle of Porto



Alegre. The camera and we the audience are taken for a ride through the city, literally: the film begins on a train, gets on and off buses, enters buildings and elevators and then leaves them, and of course, the real coup of the film is not that it was shot in 81 minutes real time, but the film's timeframe takes place over 14 hours, achieving the illusion that the film's stories began at dawn and ended in the evening.

All very impressive, sure, but what about the film's substance? That is really the problem that most one shot feature films face, how can the film hold the audience's attention without being distract by the thought of wondering how they did it all, and given those coups mentioned

above, it can be a difficult task. In this case they get uneven results.

As with most long take films, there is chance for *longueurs*, and there are quite a few in this film. It's not with the transitions, though, when one character travels from one location to another, but rather, with the actual scenes

or events. The film is based on a collection of short stories combined in a Short Cuts-style tapestry; the scenes between characters and their relationships with each other are alternately dull and interesting. It's a simple set up: one character leads us to another character and they either form a relationship or end it. They engage in trivial conversations, which constitute a lot of the lethargy of the film. Relationships end with either a character bafflingly leaving without saying goodbye, or with a death. This along with the film's use of real time displacement give the film the feel of a dream, but the conversations, which are supposed to ground the film in reality, just go on for too long and aren't really about much. The film also has a nice punk attitude about itself with its characters and its music, but again this is contradicted by the one shot style, which ends up making it pretentious anyway.

As a spectacle, it's still worth seeing once, especially for brilliant homage to David Lynch, but in the end, the film really doesn't amount to much. **FA**



Leonera Review

By David Johann Kim

I knew little about Lion's Den (Leonera), directed by Pablo Trapero, when I went to AFI Film Fest to see it. I knew it was at least in part shot in the long take style and that it came from a new wave of South American Cinema – Argentinean to be specific. I snuck in to the front row of the ArcLight theater just as the animated opening credits were wrapping up. The opening sequence introducing the protagonist, Julia Zárate (Martina Gusman), is so engaging and seamlessly designed that I don't want to ruin it through description. Suffice it to say, something mysterious, strange and very violent has happened to this apparently quite normal middle class University student the night prior to the film's opening scene. As those events become a little clearer, Julia is charged with murder and remanded to prison where we discover she is already pregnant. The film from there on explores the world of women in prison with their children through Julia and her son Tomas' heartwarming and rending incarcerated years. Leonera was shot almost entirely in a number of actual prisons in Argentina where inmates and guards performed

alongside the actors. It was engaging to me as an exposé on that world of mothers and children behind bars, but it is Julia's 4+ year journey from early pregnancy through the battle to keep her child that is the heart and soul of this powerful film. Martina Gusman's performance subtly pulls you in and progressively becomes



riveting. Interestingly, Gusman (also executive producer and married to Trapero) was actually pregnant through the first part of filming. I remember thinking, "Damn that pregnancy prosthetic is great." Throughout the film, there is an interesting exploration of 3's, starting with Julia, her boyfriend and his lover, through Julia, her son and her mother and Julia, her in-prison lover and her son, but in the end it all leads to two: Mother and Son. Strong

performances are also given by Elli Medeiros as Julia's mother and Laura García as Julia's lover/partner in prison.

Director Pablo Trapero and cinematographer Guillermo Nieto capture the prison life and Julia's journey with a studied expressiveness from her first entrance to the penal system to the torture of separation of mother and child after years inside. As I mentioned, their opening sequence outside of prison walls in near pitch perfect. The long takes throughout the film pull you deeper and deeper into Julia's world. The numerous traveling shots to and in the prisons intensify the claustrophobia. In my opinion, the last continuous shot is a perfectly executed cap to a powerful but never overstated film.

It doesn't appear that Leonera (Lion's Den) has US distribution yet, but you can save it in your Netflix queue now. Do it. Do it right now. Put down the magazine and put it in your Netflix queue. Now. It's in my queue and I think I am going to buy it.

Should you like to read a more in-depth review of Leonera, I would recommend James Rocchi's review written after its Cannes screening, www.cinematocal.com/2008/05/17/cannes-review-leonera-lions-den.

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Brainwashing Yourself to Become a Better Writer

By David Andrew Lloyd

After your script fails to sell for the \$1,000,000 cash prize they promised you in *Variety*, you eventually reach a point where you realize you must shake your creative tree.

First, you start listening to your friends – and your scripts get worse.

Then, you seek advice from professionals in the business, and realize they know *everything* – about the genre you do not want to write.

Finally, you take matters into your own hands, and devour every writing book at Samuel French. Unfortunately, there are roughly 4,328,392 titles, and most of them are more confusing than the calculus you slept through in college. You learn why Voltaire insisted, “The multitude of books is making us ignorant.”

So, to help you achieve your own personal renaissance, I’ve cut through the crap, and developed a short cheat sheet based on the “*Three R’s*”: *Reading, Riting & Re-Education*. (Okay, so I took some creative license on the last one.)

Reading

Writers must watch zillions of movies to learn their craft, but, if we don’t know the tricks and techniques we’re hoping to emulate, our learning curve will remain flat. Therefore, we must constantly re-energize our minds with the theories handed down by the masters. Here are some of my favorite classics.

Save the Cat! by Blake Snyder: The subtitle boldly states, “The Last Book on Screenwriting You’ll Ever Need.” Although I suggest you seek knowledge from several different sources, this statement is not too far from the truth. Unlike most writing books, this is an easy to read instructional guide. You’ll breeze through chapters on developing ideas and building characters. You’ll also learn a unique and powerful approach to writing your

beat sheet. Oh, you’ll also discover why he chose such an unusual title.

Story by Robert McKee: This book is titled *Story* because it offers readers a comprehensive explanation of the three most important elements of any screenplay: *Story. Story. Story.* Once you get past his pompous, scholarly image, you’ll discover McKee’s just one of the guys. His writing is relatively Earthly with a few \$1,000 words thrown in for fun. Although Syd Field is the granddaddy of screenwriting structure, McKee perfected the art of teaching the art. For everyone who snarls at the concept of forcing form and function into your precious, little script, McKee smacks you down like a redheaded stepchild.



David Andrew Lloyd

In his chapter on *The Structure Spectrum*, McKee makes this observation: “Writers who found success in the deep corners of the story triangle [art films]...began their careers in the classical. Bergman wrote and directed love stories...for twenty years before he dared venture into the minimalism of *The Silence...Godard* made *Breathless* before *Weekend*. *Robert Altman* perfected his story talents in the TV series *Bonanza*... First, the masters mastered the Archplot [traditional films].”

Still not convinced? Read the book yourself, and argue with him. I’m just the messenger.

Hague: No, that’s not the title, that’s the author. *Michael Hague* has written so many insightful books and produced so

many DVDs, it’s hard to narrow the choice down to one.

His DVDs on *Grabbing the Reader in the First 10 Pages* and *Writing Romantic Comedies* and *Love Stories* are indispensable. Even if you are not writing a love story, Hague explains the concept of *Character Arc* in such simple terms (identity vs. essence) that I even understood it. *You’re nothing in this town unless you can quote Hague.*

Honorable Mention: Syd Field (*Screenplay* – a classic study of screenplay structure and the *paradigm*). Christopher Volger (*The Writer’s Journey* – a comprehensive thesis on the struggles of a memorable film hero). Dara Marks (*Inside Story* – although the writing is a little complex at times, it’s the best explanation of character development I’ve read). Other notable authors include Linda Seger, Vicki King and Billy Mernit (*Writing the Romantic Comedy* – a valuable guide used by the writers of *The Wedding Crashers*).

Riting

There’s no substitute for writing. Like working out at the gym, you must constantly keep your gray matter active. However, without critical feedback, you’ll simply write around in circles.

Writer’s Groups: I know we’re all mavericks, like Sarah Palin, but it’s often wise to travel with the herd, even if we drift into the wilderness from time to time. In the classic *Think & Grow Rich*, Napoleon Hill reveals that highly successful people rely on their peers to help them generate ideas. He calls this *The Master Mind* (i.e. a dozen brain cells are better than one).

A Writer’s Group exemplifies this concept. Each writer benefits from the synergy created by the input of the other writers. You may not agree with everyone, as some of the members will be frustrated artists with a limited knowledge, but you’ll receive objective opinions of your work and hopefully be able to isolate trouble spots.

Staged Readings: After you’ve rewritten your script 893 times and allowed the hyenas in your group to shred your work to pieces, it’s time to put your baby on stage and see how it plays

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in front of an audience. You can always find actors. Simply visit your nearest restaurant. (Sorry, but I worked in the *Waiter's Ghetto* myself, so I'm allowed to make fun of this subculture.) Theaters will cost a little more, but you can find several renting space for \$100 or less per night. Oh, and finally, remember to invite friends, because it's pointless to have a staged reading without an audience. Promise them food. If that doesn't work, threaten their lives.

Netflix: As you're writing your script, you should study classic films in the same genre. Bombard yourself with film after film, so you can see how other writers handle certain situations. No, it's not cheating. Everybody does it. They say bad writers borrow material from others. Great writers steal it! What's the difference between Shakespeare's character in *Merchant of Venice* saying, "It is a wise father that knows his own child" and Homer's saying, "It is a wise child that knows his own father"? So, rob the classics blind, but take a lesson from OJ and don't get caught. Just put a twist on it, and call it your own.

Re-Education

Maybe the communists were on to something. Your mind has been polluted by the American Educational System, and you need to rise up against the tyranny (your own stubbornness) and work for the people (your audience).

Re-educate yourself by taking writing courses. I know we're living in the worst economy since...well...the last one, but, as one of those dead dudes from our history books once said, "If you think education is expensive, try ignorance."

In his "Millionaire Mind" seminars, Harv Eker encourages his audience to spend 10% of their income on continuing education. Of course, he wants you to spend those pesos on the *Advanced Courses* that he pitches at his *Free Seminars*, but he has a point.

Your mind is a sponge, get it wet.

So, unless you're ready to sleep with plenty of producers (and most snore), put a few bucks away every month so you can afford at least one class or seminar a year. If you can't seem to save enough, rob a bank (tips available from the execs at AIG).

Robert McKee's Story Seminar: McKee? Again? Is he paying us to adver-

tise in this publication? No, he's just the best. I won't go into details about his popular lectures, because we've already referenced his work in a previous section; but there's a reason the writers lampooned him in *Adaptation* – then followed his advice to win an Oscar.

See. Structure doesn't always create Hollywood garbage. Sometimes manure becomes fertilizer. McKee offers his seminar this March, and again in the Fall.

Six Weeks to a Screenplay: In her *On the Page* series, Pilar Alessandra keeps it simple. In six weeks (as the course title suggests), you will learn how to develop an idea and create a comprehensive Beat Sheet using her unique approach to scene structure.

You will also create a solid one-sentence logline to pitch your script to the busy studio executives that you corner at a party. Pilar also offers script consultations, but she's so popular the wait time could be a couple months. The courses are held on Saturdays in Sherman Oaks.

UCLA Extension Courses: Naturally, you'll have to start rooting against the Trojans if you enroll, but you might actually learn enough to sell a script and afford tickets to the Rose Bowl. These ongoing classes are taught by working professionals. No, not the kind you see walking around in *Pretty Woman*, although the writer may have taught one of the courses, but actual screenwriters who have survived in the war zone we call Hollywood.

When I took the courses (back in the *Early Paleolithic Era*), they were hit or miss, and, if one of their administrators reads this article, I'd really appreciate credit toward another course or two. Since that time, the curriculum has improved, but you should ask plenty of questions when you sign up so you get the course you really want.

Honorable Mention: Although I have not taken "Beyond Structure" with David Freeman, I've heard he offers a unique approach to scriptwriting. Also, many of the authors mentioned earlier offer classes and script consulting services.

Conclusion

Before you ask anyone to read your script, make sure you have a firm grasp of writing theory. That way, when they rip your story apart, at least you'll know

why. You should also read a lot of scripts, which you can find on-line at www.simplyscripts.com and www.scriptorama.com.

Now get off your lazy ass – and start writing!



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Cinema Charlatans

By Cain DeVore

Ponzi: a swindle in which a quick return, made up of money from new investors on an initial investment, lures the victim into much bigger risks. Named after Charles Ponzi (died 1949), the organizer of such a scheme in the United States – 1919 to 1920.

Of course, our generation will now want to call it a Madoff. But it will always be a Ponzi first.

Why am I ranting about an old scheme turned into the latest multi-billion dollar financial scam that is hitting our national and world economies upside their collective heads? Because it is affecting me, and will affect all of us as independent filmmakers.

As a creative soul who must also survive in the big city, we must all remember that we are not disconnected from the rest of our society that we love to deconstruct on film. We must also wrestle with the hard, cold fact that the always difficult, if not impossible task of raising funding for independent film, will now be more difficult than it has ever been in our lifetimes as filmmakers.

Even the super rich just got slammed in the gut, and the days of buying art or investing in film because it's a hip, cool and a socially upscale way to show off are for the moment – over.

Necessities now rule. Last I looked, investing in independent film is way down on the necessities list.

So, what do we do? First, we keep writing, shooting sketchbooks and exercising our left brains, building our film muscles, studying the masters, controlling the creative that is ours to control, that we need only our will and discipline to finance.

But we must also not think ourselves any better or better off than the bankers and securities traders that recently lost 60,000 now insecure jobs. We must not for a moment believe that what is happening to the auto workers in Detroit, or all of the small businesses and bars and restaurants that support them, does not eventually have direct bearing and affectation on each and every one of us.

In the short term, it may appear to be helping us in some ways. Gas is much cheaper. Getting around this metropolitan

maze is definitely less damaging to our bottom lines than it was just 6 months ago. Shopping is much cheaper...with 70 percent off being the new 50 percent off, which just a few years ago was 20 percent off, if that.

But the damage to our country's real bottom line - its citizens - is going to prove deep and long lasting. This is a recession with real teeth. This is a once every 100 years financial meltdown. This one will take years, if not decades to recover from. This is one of those 'In our lifetime...' moments.

What it really is...is a debacle built on the backs of greed. It's a series of actions and events that can only be fulfilled by a generation of people that had forgotten the very hard earned lessons of their ancestors. My grandfather said to me that I should



Founding FA Member, Cain DeVore.

“never believe it when they say that the great Depression cannot happen again. Never believe it.”

He would continue, “As long as there are men and greed, it can happen again. As long as shareholders own great stakes in companies that they have never set foot in, or built anything in...it can happen again. As long as we trade in paper stocks instead of hard currencies or actual products, it can and will happen again.”

When I was told, “You should pull money out of your house and the equity that you have built up in it, Cain, because otherwise that value is just sitting there untapped”, I wish that I had remembered and heeded my grandfather's words and warning. I wish that I had heard the memory of his voice in my ear saying, “Don't ever use your house as a bank.”

Well, I did. Big, fat lesson learned. As a creative soul, already struggling to make another film, keeping my nut low was a better way to make room for inspiration. Living with less, with fewer worldly attachments, was a better way to nurture and support the filmmaker inside of me.

Chasing the tail of our own self-made personal dramas is not always the best path toward getting to create drama that transcends through film.

That is why we need to take advantage of this period of forced economic struggle, the simplicity of having less, to realize that we don't need all of those distractions, and toys, and trappings, and travel for the sake of not sitting still, to be truly creative. In fact, a great path toward the fulfillment of our creative voices, is to actually sit still with them, allowing them to be revealed and tell their stories. Our stories. Our films.

Less truly can be more.

So, while so much has been lost by so many, we need to find and discover the voice that costs us nothing to unlock, and in so doing tap into the untapped creative potential of this, our shared, collective crisis.

When our entire system of credit and financial liquidity in our country is tapped out, we need to tap into our creative potential all the more. It's more important than ever. A world where the soul is losing its battle with the almighty dollar needs art. Desperately.

And yes...it's an even greater challenge to tap into one's creative potential, when we are struggling to survive in a world that can no longer afford to support many of us. When the financial mirage - the pure, unchecked capitalism - that we all agreed on as the best way to make our way, has let us all down.

My once secure old home in the Hollywood hills is extremely insecure and leveraged

beyond my means now. My day job is simply not supporting me or my property. My property taxes are now unsustainable, for even the county of Los Angeles was caught up in the Pyramid-like scheme of escalating home values and get rich quick real estate. The bottom finally dropped out from under the pyramid, and there were suddenly not enough buyers on the bottom to support all of the false profits on the top.

What's really sad about our human nature, which includes the ability to forget, is that many people knew that it was all going to crash, devastating millions when it did. But they were still willing to cash out as many times as they could, and each time added weight to the already heavy hammer that was about to drop. It's very close to a form of criminal insanity, when we as a nation allow ourselves to be swept up in short term profits, that might well

prove to decimate an entire generation of gains and prosperity.

My grandfather's generation wanted a good life, where family and loved ones were secure, where working hard meant providing plenty, but not too much or more than they needed. It was a life where retirement was earned and actually provided for when one arrived at it. Many retirees who thought they had built a pension and their family's welfare, are now going back to work, sometimes at McDonalds, because their "golden years" were sold out by corporate greed. The "depression generation" bought what they could afford, because there was no such thing as teaser rate credit cards that could easily balloon into a 25 percent annual death march to insolvency.

But it was also a life where he and his co-workers at Bendix never dreamed of being millionaires, nor would they have dreamed of an America where in the last 20 years the number of millionaires and billionaires has multiplied by 30 times, while the number of middle class Americans has shrunken noticeably. They could not have conceived of an America where almost 50 million of its citizens do not qualify for health care.

That's not the kind of America that he went to World War II to fight for and protect. An America where a guy or girl on

Wall Street, with a \$180,000 annual salary can get a 5 million dollar bonus (not unusual), while working class Americans are slogging away at 3 jobs and still can't afford to send their kids to college. That's not the kind of country that some of his buddies died for in the war.

And we must, all of us, begin to remember what that once great country, full of promise, looked like, but more importantly, felt like. Forever changed by history, what greatness and equal rights and prosperity and security for all looks like has and will change, but what it feels like when we get it right, that remains constant.

Just because we are filmmakers does not exempt us from a responsibility to build a better world to pass on to the next generation. That's what my grandfather's generation was all about. And somewhere in between his generation and our own, greed got a hold on us, and the discipline of sharing was lost to the free markets. Man, have we paid a high price for that "free" market.

So, we must bridge the gap between prosperity and hardship, the wound that capitalism has by its unyielding nature opened once again. We must do it in the way that only a collective of artists can. We must unlock our creative capital. We must reveal authentic truth through film, and by

its reflection, change the world.

How we perceive it is how we create it.

And since even the truly rich have been damaged by our collective greed (probably a good thing for the collective soul and future market stability), we must all focus on the creative first, the story, the structure, the characters, and our binding, pure, child-like need to be loved and to be inspired, which has always trumped the Ponzi of every once great empire.

But don't worry about the rich. They always get richer when the markets turn soft, as they can afford to prey like buzzards on the losses of others, when cash and gold again turn king and credit disappears. The rich will be fine. Historically, they always make out like bandits in hard times. And in so doing, they maintain control of the mirage.

For them, the eternal gap of the haves and the have-nots is a necessity.

True that some rich will never recover. And for them I do feel bad, for I'd rather be us with nothing monetarily than them with nothing. For we have spent 15 years developing our collective creative souls. We already know how to struggle. And...we know how to create.

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