It doesn’t take much imagination to fill in the blanks at the Atlantic Yards development in Brooklyn, where Barclays Arena will host the New Jersey Nets in 2012 in what is expected to be a revival of the Brooklyn-Manhattan rivalry not seen since the Dodgers and Giants left for California.

**Nederlander Loses Injury Lawsuit**

A woman who attended a John Legend concert at Los Angeles’ Greek Theatre in 2009 has been awarded a $3.2 million verdict for injuries sustained near the venue and subsequent job loss and surgeries.

Denise Herron, a former L.A. Sparks marketing director, and her boyfriend were walking in a dirt parking lot in Griffith Park and had two options to get to the venue – to walk a dirt road into oncoming traffic or to hop a two-foot fence, according to a statement from the prosecuting attorneys.

Herron and her boyfriend opted for the latter, following several other patrons in “pitch-black” darkness. There was a three-foot drop on the other side, according to the statement.

Herron has had four major surgeries, and a bone in her leg is still in two pieces, according to a statement. She lost her job because of her injury and faces three to five more surgeries, according to testimony.

The jury determined the parking lot was in dangerous condition and Nederlander Concerts failed to provide a safe walkway.

Nederlander directed Pollstar to its attorney for comment, who was not available at press time.

**Novatour’s Capital Idea**

The film industry has for years taken advantage of state and local tax incentives that have helped stem the tide of overseas production that was once thought to be less expensive than filming in the U.S. The state of Louisiana, however, is the only state so far to expand those incentives to include the concert industry.

Novatour, a joint venture of financier Film Production Capital and facility management giant SMG, was recently formed to provide the type of tax incentive-based capital to the concert industry that the film business enjoys.

SMG operates numerous venues in the state, including the Louisiana Superdome and New Orleans Arena, while FPC has long provided tax incentive-based financing for the motion picture industry.

So it was only natural that SMG Senior VP Doug Thornton and FPC President Will French would put their heads together to see how best the companies could develop a strategy to put more money on the table for artists choosing to work in Louisiana.

“We’ve been looking at it as an easy offshoot from our film tax incentive business but we didn’t know the first thing about the concert touring industry,” French told Pollstar.

“SMG happened to be looking at it because it would benefit their local venues and venues across the country. But they didn’t have the tax incentive financing expertise.”

After an initial meeting in December, Novatour was created in February specifically for the live performance industry to leverage Louisiana’s Live Performance Tax Credit and make touring artists eligible for cash advances or operating expense savings.

“We had been looking at the tax credit for two to three years,” Thornton told Pollstar.

“We were trying to figure out how to leverage those tax credits in order to fill dates in our buildings here.

“Some of the tax credits helped finance a new entertainment district next to the Superdome called Champion
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Artists need not be residents of Louisiana to take advantage of the credits, but if they choose to base a touring production in the state by using a venue for rehearsals, hiring a Louisiana trucking company or construction crews for staging, those credits can be leveraged by Novatour into a sizeable new revenue stream.

“Looking at some of the hypotheticals, it’s almost as though they’re going to get revenue from one or two performances without actually having to perform them,” French explained. “It’s a nice pool of additional revenue that can be shared among the various parties – the artist, the promoter, the managers and so on – to make touring in the U.S. more profitable and keep that business here where we want it.

Thornton and French believe Novatour represents a win-win for the industry as well as the state of Louisiana, hard hit by Hurricane Katrina in 2005 and the BP oil spill in the Gulf of Mexico last year.

“If the subsidy can provide good additional revenue that they’re not used to, you’ll see more of the industry coming down to Louisiana to use crews and vendors, performing here, building sets, and doing all those various things that helps Louisiana grow its music industry,” French said. “And Novatour is prepared to start offering cash financing to the concert tour industry at a time when the industry needs additional revenue sources to come into the game.”

[Deborah Speer]