

1 Labor Commissioner of the
2 State of California
3 107 So. Broadway, Room 5015
4 Los Angeles, California 90012
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8 BEFORE THE LABOR COMMISSIONER OF THE
9 STATE OF CALIFORNIA
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11 WARREN ENTNER, ROBERT GRILL,
12 RICK COONCE and DENNIS PROVISOOR,)

13 Petitioners,)

14 vs.)

15 JOEL MAIMAN,)

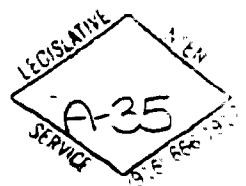
16 Respondent.)

NO. MP-281

DETERMINATION AND AWARD

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18 The above entitled controversy came on regularly for
19 hearing on August 10 and 11, 1971, before the Labor Commissioner,
20 Division of Labor Law Enforcement, Department of Industrial
21 Relations, State of California, by Arthur Stahl, attorney for
22 the Division of Labor Law Enforcement, under provisions of
23 Section 1700.44 of the Labor Code of the State of California.
24 All parties appeared and were represented by counsel. Cooper &
25 Hurewitz and Barnard F. Klein, by Barnard F. Klein, appeared and
26 represented petitioners. Nathan Goller appeared and represented
27 respondent. Evidence both oral and documentary having been
28 introduced and the matter submitted for decision, the following
29 determination and award are made:

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DETERMINATION AND AWARD

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3 It is the determination of the Labor Commissioner that
4 respondent JOEL MAIMAN, independently and doing business as
5 Malicious Melodies Publishing Company, Cobbler Publishing Company
6 and New London Investment Corporation acted in the capacity of
7 an unlicensed artists' manager and, therefore, his contracts
8 with petitioners WARREN ENTNER, ROBERT GRILL, RICK COONCE and
9 DENNIS PROVVISOR are void; the contract of New London Investment
10 Corporation with WARREN ENTNER, ROBERT GRILL, RICK COONCE and
11 DENNIS PROVVISOR is void; and the Malicious Melodies Publishing
12 Company contract with DENNIS PROVVISOR is also void for failure
13 of said respondent to comply with Sections 1700 to 1700.46 of
14 the Labor Code.

15 It is the further determination of the Labor
16 Commissioner that petitioners are not liable to respondent,
17 independently or doing business as Malicious Melodies Publishing
18 Company, Cobbler Publishing Company and New London Investment
19 Corporation, for any sums spent by respondent or either of the
20 aforesaid three companies in furtherance of petitioners' musical
21 careers; that respondent, independently, or Malicious Melodies
22 Publishing Company or Cobbler Publishing Company or New London
23 Investment Corporation are not entitled to any commissions
24 resulting from the musical or artistic efforts of petitioners;
25 that commissions plus monies resulting from petitioners' musical
26 and artistic efforts in the sum of \$70,454.66 heretofore received
27 by respondent be returned to petitioners.

28 It is the further determination of the Labor
29 Commissioner that petitioner DENNIS ERROL PROVVISOR is entitled
30 to the return of all sums received by Malicious Melodies
31 Publishing Company as the result of petitioner DENNIS ERROL



1 PROVISOR's musical compositions, and that WARREN ENTNER, ROBERT
2 GRILL, RICK COONCE and DENNIS PROVISOOR are entitled to the
3 return of all sums received by New London Investment Corporation
4 from WARREN ENTNER, ROBERT GRILL, RICK COONCE and DENNIS PROVISOOR.
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6 WHEREFORE, the following award is made:

7 That the management contracts between petitioners,
8 WARREN ENTNER, ROBERT GRILL, RICK COONCE and DENNIS PROVISOOR,
9 and respondent, JOEL MAIMAN, are void for failure of respondent
10 to comply with Sections 1700 to 1700.46 of the Labor Code; that
11 the publishing contract between petitioner DENNIS PROVISOOR and
12 respondent JOEL MAIMAN, doing business as Malicious Melodies
13 Publishing Company, is void for failure of respondent to comply
14 with Sections 1700 to 1700.46 of the Labor Code; that all
15 contracts between WARREN ENTNER, ROBERT GRILL, RICK COONCE,
16 DENNIS PROVISOOR, and NEW LONDON INVESTMENT CORPORATION are void
17 for failure of respondent to comply with Sections 1700 to
18 1700.46 of the Labor Code; that petitioners are not liable to
19 respondent or to Malicious Melodies Publishing Company for any
20 sums spent by respondent or Malicious Melodies Publishing
21 Company in furtherance of petitioners' musical careers; that
22 respondent pay to petitioners the sum of \$70,454.66 heretofore
23 received by respondent as commissions and monies resulting from
24 petitioners' musical and artistic efforts; and that respondent
25 pay to petitioner DENNIS PROVISOOR all monies received by
26 respondent and/or Malicious Melodies Publishing Company from the
27 result of petitioner DENNIS PROVISOOR's musical compositions,
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1 and that respondent pay to petitioners all monies received by
2 respondent and/or New London Investment Corporation from
3 petitioners.
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5 DATED: August 18, 1971.
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7 GEORGE W. MILLAS
8 LABOR COMMISSIONER
9 DIVISION OF LABOR LAW ENFORCEMENT
10 DEPARTMENT OF INDUSTRIAL RELATIONS
11 STATE OF CALIFORNIA

12 By Arthur Stahl
13 Arthur Stahl, Attorney
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