

NATO of California/Nevada

PREVIEWS

Information for the California and Nevada Motion Picture Theatre Industry

CALENDAR of EVENTS & HOLIDAYS

October 25 – 28
ShowEast

October 31
**Daylight Saving
Time ends**

October 31
Halloween

November 9 & 11
**Fall/Winter Film
Product Seminars**
see page 3

November 15
**NATO of CA/NV
Moves to New
Office**

November 17 & 18
**National NATO
Board Meeting**

MPAA Hails California's Landmark Legislation Targeting Illegal Sharing Of Copyrighted Works Over The Internet

Washington, D.C. – The Motion Picture Association of America (MPAA) hailed a new California law designed to curb the illegal distribution of copyrighted films, music and software via the Internet. Gov. Arnold Schwarzenegger signed SB 1506 into law last month.

The legislation was patterned after an existing state law, which requires individuals to publish their “true name and address” on a video movie, DVD or music CD when it is being distributed to others so consumers know whether the copy is legitimate or counterfeit. SB 1506 requires persons transmitting copies of movies, music, or games over the Internet to more than ten persons to also include their email address or face a misdemeanor penalty of up to \$2,500 and one year in jail. This new law protects California consumers in the same way the existing hard goods statute does by providing a way to alert consumers to the source of the file they are downloading to guard against viruses or other harms. Importantly, consumers will also be able to monitor the source of material being sent to their children as well.

“This landmark California legislation sets the benchmark for other states throughout the country,” said MPAA President and CEO Dan Glickman. “This new law is designed to combat counterfeit downloading so that the entertainment industries can continue to pursue a vision of the digital future where consumers have access to thousands of movie, music and game files any time, anywhere they have an internet connection in a safe and legal environment. The only people who should be discouraged today are those who engage in the unauthorized distribution of intellectual property.” ▼

We're Moving... Effective November 15, 2004

National Association of Theatre Owners of California/Nevada

new address:

11661 San Vicente Boulevard, Suite 830
Los Angeles, CA 90049-5116

Phone: (310) 460-2900 Fax: (310) 460-2901

E-Mail: Office@NATOCalNev.org

Please change your records.



~ ROUTING SLIP ~

Please share *Previews* with
other people in your
organization:

- _____
- _____
- _____
- _____

Visit our web site at: www.NATOCalNev.org

Previews
is published by the
**National Association of
Theatre Owners of
California/Nevada**

116 No. Robertson Blvd., Suite 708
Los Angeles, CA 90048
Phone: 310/652-1093
Fax: 310/657-4758
E-mail: Office@NATOCalNev.org
www.NATOCalNev.org

OFFICERS

Milton Moritz
President & CEO

Philip Harris
Chairman

Raymond W. Syufy
Vice President

Jerome A. Forman
*Chairman Emeritus
Treasurer*

John Tegtmeier
Secretary

BOARD OF DIRECTORS

Sergio Contreras
Premiere Cinemas

David Corwin
Metropolitan Theatres

Jerome A. Forman
Pacific Theatres

Alan Grossberg
UltraStar Cinemas

Philip Harris
Regal Entertainment Group

William F. Hertz, Sr.
Mann Theatres

George Krikorian
Krikorian Premiere Cinemas

Frank Rimkus
Galaxy Theatres

Bruce Sanborn
The Movie Experience

Raymond W. Syufy
Century Theatres

John Tegtmeier
Tegtmeier Associates

Len Westenber
Loews Cineplex



Charlene Sievers
Director, Member Services



United States Department of Justice Asks for Comments on ADA Rulemaking

By Gregory F. Hurley, Esq.

On September 30th The United States Department of Justice published its Advanced Notice of Proposed Rulemaking (ANPRM) for its adoption of the recently revised ADA Access guidelines. Public comments on this Rulemaking are due by January 28th 2005.

For movie theatre owners there are two critical issues in this Notice. First, should existing facilities that comply with the current ADA Access Guidelines (ADAAG) be allowed a safe harbor from complying with the new regulations, and second, what should the new regulations say about movie theatres.

Safe Harbor for Existing Facilities

The DOJ has asked for comments on whether the new regulations should have a safe harbor for existing facilities. For example, under the current ADAAG all features accessed by side reach, such as many light switches and counters, must be mounted below 54 inches above the floor, while under the new ADAAG they must be mounted at 48 inches. The DOJ is asking whether existing facilities that comply with the old standard should be exempt from the new standard until the feature is altered, or whether existing facilities should be evaluated by the readily achievable barrier removal standard. Compliance with the readily achievable barrier removal standard has been the basis of much of the litigation we have seen.

Three approaches have been suggested by the DOJ: (1) those elements compliant with current ADA standards would be considered compliant going-forward under the revised standards; (2) reduce the new scoping requirements for selective requirements as applied to existing facilities; and (3) deem particular requirements under the new ADA standards as inapplicable which would equate compliance under the current ADA standards with compliance under the revised standards. The DOJ believes that these approaches may be implemented exclusively or in any combination.

The question of whether there should be a safe harbor for existing facilities is certain to draw comments from many industries, especially since the DOJ does not seem inclined to adopt a blanket safe harbor. Each industry will probably have to fight for its own exceptions to the new regulations. For example, without relief from the DOJ a hotel owner might have to prove that it was not readily achievable to immediately change the height of light switches in their rooms.

Stadium Style Seating

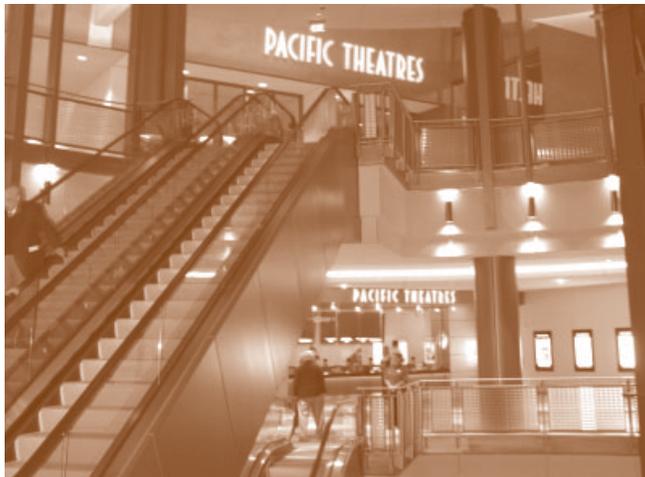
It appears that the DOJ intends to propose its own new regulations for movie theatres independent from the ADAAG drafted by the Access Board. The DOJ does not explain how this comports with their statutory obligation to follow the Boards regulations. This reflects the dispute between the DOJ and the Board over what is required for movie theatres.

The DOJ's regulations will have a dramatic effect not only on how theatres are built in the future but also on the liability for existing theatres. In fact, even the commentary in the DOJ's Notice might effect the current litigation facing NATO members. A full analysis is beyond the space we have available here and I suggest that NATO members review the ANPRM on line at <http://www.ada.gov/adaanprm.pdf>.

In essence the DOJ proposes the following:

- Horizontal and vertical dispersion requirements would apply independently of any line-of-sight regulation.
- The DOJ's regulation would require wheelchair seating locations to be placed in the stadium section of a stadium-style movie theatre.
- The regulation would also establish one or more standards governing the placement of wheelchair seating locations within the stadium section.
- The Department offers the three following standards, either alone or in combination:

(continued on page 7)



RESERVATIONS STILL AVAILABLE FOR FALL/WINTER FILM PRODUCT SEMINAR

REGISTRATION FORM

NATO of California/Nevada Fall/Winter Film Product Seminar

Attendance is open to NATO of CA/NV member companies and is by reservation only, no walk-ins and no substitutions. Due to space limitations we can accommodate no more than two persons from each theatre location.

Deadline for reservations: Friday, October 29th

Reservations are still being accepted for the 2004 NATO of CA/NV Fall/Winter Film Product Seminars set for November 9th at Pacific's Galleria Stadium 16 in Sherman Oaks and November 11th at the Century Oakridge 20 in San Jose. The seminars will begin at 9:00 AM with a continental breakfast, the program will start promptly at 10:00 AM and conclude by 3:30 PM.

Please note that all reservations must be approved by either the respective corporate office or district manager. Registrations can be faxed or mailed to the NATO of CA/NV office, or emailed to office@NATOCalNev.org. Due to space limitations we will be able to accommodate only two representatives from each theatre location. The NATO of CA/NV Film Product Seminar is designed for managers, district managers and corporate personnel of our member circuits. **Attendance is free however it is by reservation only, we cannot accommodate walk-ins or substitutes. This policy will be strictly enforced.** The deadline for reservations is Friday, October 29th.

Please phone the NATO of CA/NV office (310/652-1093) for additional information. Look forward to seeing you at the Southern California Fall/Winter Film Product Seminar on November 9th in Southern California and in Northern California on November 11th. ▼

<p>November 9, 2004 Pacific's Galleria 16 Theatre 15301 Ventura Blvd. Sherman Oaks, CA 91403</p>	<p>November 11, 2004 Century's Oakridge 20 925 Blossom Hill Road San Jose, CA 95123</p>
---	--

NAME: _____

TITLE: _____

EMAIL: _____

PHONE: _____

COMPANY NAME: _____

THEATRE NAME: _____

BUSINESS ADDRESS: _____

PLEASE CIRCLE: DISTRICT MANAGER OR CORPORATE OFFICER

SIGNATURE: _____

PHONE: _____

PRINT NAME: _____

Will attend: No. Calif. So. Calif.

Maximum of two representatives per location, no walk-ins or substitutes.

FAX THIS COMPLETED FORM TO NATO of CA/NV: 310/657-4758.
For more details call 310/652-1093.



ANSWERS TO YOUR QUESTIONS ABOUT THE 2005 SHOWMANSHIP AWARDS:

We have received questions about the 2005 Showmanship Awards from some of our members and felt that *Previews* would be the best place to answer those questions:

May one theatre submit multiple entries?

Multiple entries from a theatre are permitted as long as they are for separate events or pictures from the period of May 1, 2004 through January 31, 2005.

If a theatre has won a prize from their company for a display they have done can they still submit that work to be eligible for the NATO of CA/NV award?

Yes, promotions for all campaigns are eligible whether they were prepared for a company contest or as a studio promotion.

Our circuit has done many promotions this year that consist of setting up a sweepstakes for the customers to enter for a chance to win a prize. How would a promotion of this type be categorized?

Circuit film promotion.

Please contact the NATO of CA/NV office with any questions. Prior to November 11th we can be reached at our current number, 310/652-1093, afterwards we will be in our new office, 310/460-2900, or visit our web site www.NATOCalNev.org for an entry form.

Projectionists Receive Checks from Anti-Camcording Rewards Program

Pacific Theatres' projectionists Tony Bahena and Scott Bergin were the first recipients of the Motion Picture Association of America, Inc. and the National Association of Theatre Owners new Anti-Camcording Rewards Program. Each of the projectionists was responsible for the apprehension and arrest of individuals, at separate locations, on charges of operating a recording device in a theatre.

Mr. Bahena spotted a camcorder's red light during the screening of *THE PASSION OF THE CHRIST* at Pacific's The Grove Theatre and two days later Mr. Bergin using night-vision goggles at Pacific's Winnetka Theatre detected an individual camcording *THE ALAMO*.

The \$500 rewards were presented by John G. Malcolm, director of the MPAA's worldwide anti-piracy program and Mike Bugielski, Director of Loss Prevention for Pacific Theatres. ▼

Help Fight Piracy!

NATO and the MPAA have prepared an information booklet regarding piracy, containing helpful hints on how to identify camcording activity, and the steps to take to stop that activity. The booklet is titled *Tools For Theatre Employees*. If you have not received a copy or need additional copies please contact the NATO of California/Nevada office. ▼



France May Allow Cell Phone Jammers

PARIS (AP) — Watch a movie or make a mobile phone call? Soon, in France you might not be able to do both at once.

The government's industry minister has approved a decision to let cinemas, concert halls and theaters install cell phone jammers - on condition that emergency calls can still get through.

Jean Labbe, president of the National Federation of French Cinemas, said the measure was a response to "a long-standing request" from cinema owners. Cinemas have invested heavily to improve comfort, and "the authorization of jammers is the cherry on the cake," he told France Info radio.

The new law also specifies that emergency calls and calls made outside of theaters and performance spaces not be affected by jamming devices. ▼

TECHNICAL *Corner*



Digital Cinema Is Coming

By Ken Jacquart, Cinema Product Manager; Motion Picture Division, Dolby Laboratories Inc.

Digital cinema is coming. Advancements in technology have brought us to a point in time where a motion picture can now be projected on to a screen without film.

What is D-Cinema (Digital Cinema)? Not to be confused with E-Cinema, D-Cinema is a complete system for storing, managing and playing digital feature movies. The system may typically include a content show storage unit, a content show player, show management software, an automation adapter, and a high quality professional digital projector.

What is E-Cinema (Electronic Cinema)? This term generally refers to the digital projection of pre-show entertainment or on-screen advertising. The term, E-cinema, is not derived from the fact that it is used for pre-show content, but more so that the equipment is usually designed for a broad area of applications. Therefore it is available in the consumer market place at various cost and quality levels. It is not designed specifically for feature movie playback.

Are the D-Cinema manufacturers building systems as they each see fit? DCI (Digital Cinema Initiatives), a coalition of seven major studios was established in 2002 to create voluntary digital cinema technical specifications. These standards will ensure that compliant manufacturers of digital cinema equipment will design "open" systems that will meet a high level of performance and reliability. Equipment manufacturers that build DCI compliant products will help to assure the industry that there will be compatibility, high quality, and reliability.

What are the benefits of digital cinema? There are benefits to all parties that are involved. The patron will be able to see movies in first rate quality each and every viewing of a movie. The exhibitor will be able to easily project and manage digital cinema content. The studios will benefit from the ease of moving content to theatres.

What can I do to get ready for digital cinema? There really isn't a whole lot of preparation that will be necessary except for one item. When installing a digital projector next to a film projector, an additional projection port will be required. If you are building a new theatre, consideration for an extra projector port and additional floor space will save the aggravation later. The content show storage and show player units will generally be rack mountable and should fit in your existing sound rack. The automation adapter could fit in the rack or be mounted on the wall next to your existing automation. If you install more than one digital cinema system, an Ethernet cable will be needed between auditoriums, but is a simple undertaking. Overall, the installation should not be too difficult and day to day operation easily manageable. ▼

Do you have a question about the operations of your booth? Feel free to submit questions or suggestions for upcoming Tech Tips to techtips@dolby.com. We look forward to hearing from you.

Exhibitor Relations Contact Information

Buena Vista

Christina Nedelec
Christina.nedelec@disney.com
Nayery Markarian
nayery.markarian@disney.com
One sheets & trailers can be ordered
from Technicolor

DreamWorks

Eric Tabak
etabak@dreamworks.com or
818/695-7758 for materials
One-sheets & trailers can be ordered
from Technicolor

Focus Features

Eric Carr
818-777-8840
eric.carr@focusfeatures.com

Fox/Fox Searchlight

Fox Fulfillment
Materials Hotline 800-FOX-0010
Materials Fax line 818-785-3077
www.FoxExhibitor.com

FOX REWARDS
Fox Rewards Enrollment & Hotline
888-FOX-9330
www.FoxRewards.com

Lions Gate Entertainment

Mike Polydoros
Ph 310/255-3719
mpolydoros@lgecorp.com
Demetri Panos
Ph 310/255-4038
dpanos@lgecorp.com
Fax 310/255-3730

MGM

Tony Cheng — Tcheng@mgm.com
Brett Fellman — Bfellman@mgm.com
One-sheets & trailers can be
ordered from Technicolor.

Paramount

Bill Saugez or Chris Chauvinard
PARAMOUNTPROGRESS.COM

New Line/Fine Line

kristina.warner@newline.com
zach.beebee@newline.com
vinele.grana@newline.com

Sony Pictures

All materials can be ordered at
www.sonypicturesreleasing.com
or by phone: 877/Deluxe6

Universal

www.exhibitorrelations.com

Warner Bros

Bill Smith
Bill.smith@warnerbros.com

Scholarship Thanks

Dear NATO and Scholarship Committee,

I just wanted to take this opportunity to thank you for choosing me as a recipient of such a gracious award. Receiving such an honor from such a prestigious establishment really gives me the motivation to work extra, extra hard to fulfill every dream I have ever had. Knowing that there are others out there who believe in me gives me such a strength it is impossible to explain. I cannot express how grateful I am for your willingness to help students like myself pursue our dreams.

Having the opportunity to study at UCLA is a dream come true for me and I do not know if it would have been possible without your help! I am very excited to be embarking on this journey and I will forever be reminded of your generosity every time I think about UCLA. Your help financially means the world to me! Thank you very much again!

Sincerely,

Sara Rocha

Premiere Cinemas



LABOR ISSUES & Updates

New Workers' Comp Law Changes Process of Choosing Medical Provider

Under the new workers' compensation law can an employee still designate a personal physician?

Under the new workers' compensation law, which went into effect on April 19, an injured employee may seek treatment for a work-related injury or illness from a physician he/she pre-designates who is the employee's primary care physician under the employer's health plan — unless the employer has established a "medical provider network."

Previous Law

In 2003, an employee had the right to select (and to change) a designated treating physician for any illness or injury that occurs at work. The employee could designate his/her own treating physician in advance of an injury by using the "Personal Physician or Personal Chiropractor Predesignation Form" on the back of the 2003 workers' compensation pamphlet.

Current Changes

As of April 19, an employee may see his/her own physician if the employer does not have a "medical provider network."

The newly amended Labor Code Section 4600 provides that after 30 days from the date the injury is reported, the employee may see his/her own physician within a reasonable geographic area.

The employee must advise the employer in writing of the physician designation in advance of any injury and the physician must be the employee's regular, primary care physician under the employer's health insurance plan.

In addition, the physician must agree to be predesignated.

Medical Provider Network

After January 1, 2005, an employer or insurer may contract with or establish a "medical provider network" consisting of a majority of health care providers that treat occupational injuries and illness (Labor Code Section 4616). For insured employers, the insurer will be responsible for creating the medical provider network. When an injured worker notifies the employer of an injury, the employee will be treated by the employer's medical provider network indefinitely.

If an employee disputes the diagnosis or treatment prescribed by the medical provider network physician, the employee may seek a second or even a third opinion from other physicians within the medical provider network.

If, after the third physician's opinion, the employee still disputes the diagnosis or treatment, the employee may request an independent medical review (IMR). If the IMR process agrees with the injured employee, then the employee may seek treatment from a doctor of his/her own choosing and the employer loses medical control.

~Source: California Chamber of Commerce: Alert

EEOC Says More Teen Workers Harassed

Sexual harassment and discrimination against teens in the workplace is on the rise, the government says, citing the growing number of lawsuits it is pursuing against employers. The surge has also prompted a new national campaign to educate youth about their rights at work.

The Equal Employment Opportunity Commission says more teens are working these days, which could account for the rise in lawsuits. Workers also may be better educated about what is appropriate, and more willing to report problems. The EEOC said most of the agency's recent suits involving teens are on behalf of young women complaining of sexual harassment by managers, such as lewd comments and inappropriate touching. The jobs are in industries that employ many younger workers: restaurants, retailers, hotels and movie theaters. Turnover often is high, and many managers, often young themselves, aren't trained to avoid or recognize harassment and discrimination. EEOC thinks more awareness is needed. ▼

continued from page 2

United States Department of Justice Asks for Comments on ADA Rulemaking

Option 1: Adopt Viewing Angle Requirement.
Option 2: Adopt Distance From the Screen Requirement.
Option 3: Adopt Combination Viewing Angle/Percentile Requirement: Wheelchair seating locations should be placed within the area of an auditorium in which the vertical viewing angles to the top of the screen are from the 50th to the 100th percentile of vertical viewing angles for all seats as ranked from the seats in the first row (1st percentile) to seats in the back row (100th percentile).

What is astounding about the DOJ's proposal is that the DOJ sits on the Access Board and participated in drafting the new ADAAG. Apparently the DOJ was unable to convince the other Access Board members to adopt their unique guidelines for movie theatres and now seeks to impose them independently of the Access Boards adopted regulations. This should be troubling to theatre owners.

Please feel free to contact Greg Hurley if you would like a copy of the DOJ's notice. ▼

Mr. Hurley, a Shareholder of Greenberg Traurig's Orange County Office, chairs Greenberg Traurig's National Accessibility group and is a nationally-recognized expert on disability law. Mr. Hurley can be reached at 714-708-6500 or at HurleyG@gtlaw.com



FILMS TO VIDEO: PROJECTED RELEASE SCHEDULE

Around the World in 80 Days	11/2/04
Shrek 2	11/5/04
The Clearing	11/9/04
The Stepford Wives	11/9/04
Zatoichi: The Blind Swordsman	11/9/04
The Chronicles of Riddick	11/16/04
Elf	11/16/04
Yu-Gi-Oh! The Movie ...	11/16/04
Harry Potter and the Prisoner of Azkaban	11/23/04
Sleepover	11/23/04
The Terminal	11/23/04
Hero	11/30/04
Spider-Man 2	11/30/04

Year-To-Date Box-Office

YEAR-TO-DATE ~ 284 Days starting Thursday, January 1, through Sunday, October 10, 2004, 2004. Average ticket price for 2004 is estimated

Year	Avg. Ticket Price	Ticket Price Change	Total Gross	% Changes vs. Previous Year	Attendance	% Change vs. Previous Year
2004	\$6.25	3.65%	\$7,404,213,826	2.38%	1,184,674,212	-1.23%
2003	\$6.03	3.97%	\$7,232,319,070	-0.45%	1,199,389,564	-4.24%
2002	\$5.80	2.65%	\$7,264,756,628	-	1,252,544,246	-

~Source: Exhibitor Relations Co.

Fall-To-Date Box-Office

FALL-TO-DATE ~ 31 Days starting Friday September 10, through Sunday, October 10, 2004, 2004. Average ticket price for 2004 is estimated

Year	Avg. Ticket Price	Ticket Price Change	Total Gross	% Changes vs. Previous Year	Attendance	% Change vs. Previous Year
2004	\$6.25	3.65%	\$557,213,826	-7.76%	89,154,212	-11.01%
2003	\$6.03	3.97%	\$604,082,070	-0.24%	100,179,448	-4.05%
2002	\$5.80	2.65%	\$605,556,628	-	104,406,315	-

~Source: Exhibitor Relations Co.

**For additional listings refer to:
www.hive4media.com
Source: Video Store Magazine**

INSIDE PREVIEWS

**MPAA Hails
Landmark
Legislation Sharing
of Copyrighted
Works**

**New Address for
NATO of CA/NV**

**DOJ Asks for
Comments on ADA
Rule Making**

**Reservations
Available for
Fall/Winter
Product Seminar**

**Projectionists
Receive Checks
from Anti-
Camcording
Rewards Program**

**2005
Showmanship
Awards Questions
Answered**

Technical Corner
Digital Cinema Is Coming

**Labor Issues &
Updates**
New Workers' Comp Law
Choosing Medical Provider
More Teen Workers Harassed

Statistics

**Video Release
Schedule**



PREVIEWS

National Association of
Theatre Owners
of California/Nevada

116 No. Robertson Blvd., Suite 708
Los Angeles, CA 90048

ADDRESS SERVICE REQUESTED

HEALTH TIP

Never microwave an egg in its shell, not even to reheat a hard-boiled egg. Pressure can build up inside, causing the egg to explode in the oven – or even worse, after you take it out, in which case it can cause burns and serious eye injury.



Reminder!

NATIONAL ASSOCIATION
OF THEATRE OWNERS OF
CALIFORNIA / NEVADA

2005
showmanship
AWARDS

Entries due by March 1, 2005. You could be one of the ten lucky \$2,500 winners. See page 4 for answers to frequently asked questions.