

TFF THE FILM ENTREPRENEUR:

A Newsletter for Independent Filmmakers and Investors



LOUISE LEVISON, EDITOR AND PUBLISHER

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SUNDANCE MAKES HISTORY WITH \$17.5 MILLION SALE

Indie films are alive and well. Buyers came to the 32nd edition of the festival with the intention of buying and set some epic prices. There was a bidding war for Nate Parker's *The Birth of a Nation*, including a \$20 million offer by Netflix. Fox Searchlight, one of the most successful buyers of Sundance films, was the winner with the \$17.5 million. Over the years, the winners in Sundance bidding wars often have been the companies that promised the best releasing strategy from the filmmaker's point of view, rather than the companies that promised the highest dollars. "It just felt like we were speaking the same language," Director/Writer/ Producer Parker told *The Hollywood Reporter* in explaining their decision. "There were sentences that were being finished on both sides, and the dialogue just flowed." They also were open to hearing all his ideas about how the film should be released. The Netflix bid surprised many in the industry, as the digital company has never shown much interest in the type of over-all-media distribution that would benefit the filmmakers. The next highest price ever paid for a film at Sundance — also by Fox Searchlight — was \$10.5 million in 2006 for *Little Miss Sunshine*. The worldwide revenues for that \$8 million film were \$193.5 million.

The \$10 million paid by Amazon Studios for *Manchester by the Sea* was the third highest price ever at the festival. The company also made a \$15 commitment for P&A. The purchase had everyone wondering how they planned to make the deal lucrative. In an interview with *deadline.com*, WME Global's Graham Taylor said, "The filmmakers really connected with Ted Hope, Bob Berney, and Josh Kramer and how they saw the release as one with a traditional theatrical window with a minimum of 90-day hold back to give theater chains what they needed. They plan a major awards play, which they'll get behind with the P&A." The company also picked up *Gleason* before the festival started and later made a deal with Open Road for domestic distribution. Both Berney and Hope were doing deals at Sundance as independent producers and distributors for many years before joining Amazon. Netflix and Amazon were another story from the festival, as the two picked up a total of 11 films.

There were 12,793 film submissions in 2016 (up 5 percent from 12,218 in 2014) from 120 countries. Of those, 4,081 were features with 128 screened and 8,712 were shorts of which 72 were screened. The festival also included 49 first-time filmmakers. Fifty-six films were in the four competition categories (Dramatic, Documentary, World Dramatic and World Documentary) and the rest were in Premieres, Doc Premieres, Park City at Midnight, Next, Spotlight and Sundance Kids.

Thirty-eight films were picked up, with eight being grabbed after the schedule was announced in December but before the festival started. In the table below, a film is counted once even if it had a sale to more than one buyer.

SUNDANCE FILM FESTIVAL SALES -2016

FILMS ACQUIRED DECEMBER 3rd TO JANUARY 20th

FILM	DISTRIBUTOR	TERRITORY	Estimated Purchase Price (Million \$)
<i>Between Sea and Land</i>	Global Screen.	German-speaking territories	n/a
<i>Complete Unknown.</i>	Amazon Studios	U.S.	n/a
<i>Jim: The James Foley Story</i>	HBO Documentary Films	U.S. television	n/a
<i>Fits, The</i>	Oscilloscope	U.S.	n/a
<i>Fundamentals of Caring</i>	Netflix	World SVOD	7.0
<i>Tallulah</i>	Netflix	World SVOD	mid 7 figures
<i>Under the Shadow,</i>	Netflix Vertical Entertainment and XYZ Films	World SVOD World VOD & digital	5.0 n/a
<i>Weiner</i>	Sundance Selects	North America	n/a

FILMS ACQUIRED JANUARY 21st to January 31st

FILM	DISTRIBUTOR	TERRITORY	Estimated Purchase Price (Million \$)
<i>Audrie & Daisy</i>	Netflix	World SVOD	n/a
<i>Birth of a Nation</i>	Fox Searchlight	World	17.5
<i>Brahman Naman</i>	Netflix	World SVOD	low 7 figures
<i>Eagle Huntress, The.</i>	Sony Pictures Classics	North America	2.0
<i>Eat That Question — Frank Zappa In His Own Words</i>	Sony Pictures Classics	World	n/a
<i>Equity</i>	Sony Pictures Classics	World	n/a
<i>Fits, The</i>	Sundance Channel Global	Foreign	n/a
<i>Frank and Lola</i>	Universal	World	2.0+

<i>Gleason</i>	Amazon Studios (partner with Open Road)	U.S. SVOD, and Theatrical	n/a
<i>Goat</i>	Paramount Home Video	World	2.25
<i>Hollars, The</i>	Sony Pictures Classics	U.S. & Asia	n/a
<i>Hunt For The Wilderpeople</i>	The Orchard	North America	2.0
<i>Indignation</i>	Lionsgate/Summit	North America	2.5
<i>Intervention, The</i>	Paramount	World	2.5
<i>Jaqueline</i>	Sundance Channel Global		n/a
<i>Life, Animated</i>	The Orchard	North America	n/a
<i>Little Men</i>	Mongrel International	Foreign	n/a
<i>Lo and Behold: Reveries of the Connected World</i>	Magnolia Pictures	World	n/a
<i>Love and Friendship</i>	Roadside Attractions	U.S. Theatrical	n/a
<i>Lovers and The Despot, The</i>	Magnolia Pictures	World	n/a
<i>Mammal</i>	Sundance Channel Global	World	n/a
<i>Manchester by the Sea</i>	Amazon Studios	U.S. SVOD	10.0+ 15M P&A
<i>Morris from America</i>	A24/DirecTV	U.S.	1.0
<i>My Friend in the Park</i>	Sundance Channel Global	World	n/a
<i>Norman Lear: Just Another Version of You</i>	Netflix	World SVOD	n/a
<i>Resilience</i>	Brainstorm Media	North America	n/a
Richard Linklater: Dream is Destiny	American Masters Pictures	Broadcast Rights	n/a
<i>Sleight</i>	WWE® Studios & BH Tilt (Blumhouse Prod.)	World	low 7 figures
<i>Spa Night</i>	Sundance Channel Global	U.S. SVOD	
<i>Swiss Army Man</i>	A24	North America	low 7 figures
<i>Wiener-Dog</i>	Amazon Studios	U.S. SVOD	low 7 figures

NOTES:

Netflix is leaving theatrical and alternative platforms in play.


Amazon Studios made some deals for streaming with a commitment to release theatrically, either itself or partnering with another company.

Sundance Global – rights vary depending on market in which channel operates

AND THE SUNDANCE PRIZES GOES TO...

AWARDS/PRIZES	FILM	FILMMAKER
U. S. DRAMATIC		
Grand Jury Prize	<i>The Birth of a Nation</i>	Nate Parker
Directing	<i>Swiss Army Man</i>	Daniel Scheinert, Daniel Kwan
Audience	<i>The Birth of a Nation</i>	Nate Parker
Waldo Salt Screenwriting Award	<i>Morris from America</i>	Chad Hardigan
Special Jury / Individual Performance	<i>The Intervention</i> <i>Morris in America</i>	Melanie Lynskey Craig Robinson
Special Jury / Breakthrough Performance	<i>Spa Night</i>	Joe Seo
Special Jury	<i>As You Are</i>	<i>Miles Joris-Peyrafitte</i>
U.S. DOCUMENTARY		
Grand Jury Prize	<i>Wiener</i>	Josh Kriegman, Elyse Steinberg
Directing	<i>Life, Animated</i>	Roger Ross Williams
Audience	<i>Jim: The James Foley Story</i>	Brian Oakes
Special Jury / Verité Filmmaking	<i>The Bad Kids</i>	Keith Fulton, Lou Pepe
Special Jury / Writing	<i>Kate Plays Christine</i>	Robert Greene
Special Jury / Social Impact Filmmaking	<i>Trapped</i>	Dawn Porter
Special Jury / Editing	<i>Nuts</i>	Penny Lane, Thom Styliniski
NEXT		
Audience	<i>First Girl I Loved</i>	Kerem Sanga
WORLD CINEMA: DRAMATIC		
Grand Jury	<i>Sand Storm</i>	Elite Zexer
Directing	<i>Belgica</i>	Felix van Groeningen

Audience	<i>Between Sea and Land</i>	Manolo Cruz, Carlos del Castillo
Special Jury / Unique Vision and Design	<i>The Lure</i>	Agnieszka Smoczynska
Special Jury /Screenwriting	<i>Mi Amiga Del Parque</i>	Inés Bortagaray, Ana Katz
Special Jury / Acting	<i>Between Sea and Land</i>	Manolo Cruz, Carlos del Castillo
WORLD CINEMA: DOCUMENTARY		
Grand Jury	<i>Sonita</i>	Rokhsareh Ghaem Maghami
Directing	<i>All These Sleepless Nights</i>	Michal Marczak
Special Jury / Editing	<i>We Are X</i>	Mako Kamitsuna, John Maringouin
Special Jury / Cinematography	<i>The Land Of The Enlightened</i>	Pieter-Jan De Pue
Special Jury / Debut Feature	<i>When Two Worlds Collide</i>	Mathew Orzel, Heidi Brandenburg
Alfred P. Sloan Feature Prize (\$20,000)	<i>Embrace of the Serpent</i>	Ciro Guerra
SHORT FILM PRIZES		
Grand Jury	<i>Thunder Road</i>	Jim Cummings
Special Jury / U.S. Fiction	<i>The Procedure</i>	Calvin Lee Reeder
Special Jury / International Fiction	<i>Maman(s)</i>	Maimouna Doucouré
Special Jury / Non-fiction	<i>Bacon & God's Wrath</i>	Sol Friedman
Special Jury / Animation	<i>Edmond</i>	Nina Gantz
Special Jury / Outstanding Performance	Her Friend Adam	Grace Glowicki
Special Jury / Direction	<i>Peacock</i>	Director: Ondrej Hudecek, Screenwriters: Jan Smutny, Ondrej Hudecek
GLOBAL FILMMAKING		
Emerging Writer/Director	<i>August</i>	Armando Capo
Emerging Writer/Director	<i>Insha' Allah</i>	Geetu Mohandas
Emerging Writer/Directors	<i>Sicilian Ghost Story</i>	Antonio Piazza, Fabio Grassadonia
Emerging Writer/Director	<i>The Treasure</i>	Abdellah Taia

Note: For more details on these awards, go to: <http://www.sundance.org/blogs/news/sundance-institute-announces-feature-film-awards-for-2016-sundance-film-festival>. 

QUOTABLES

“I’ve sponged off of Ang [Lee], but I’ve also sponged off Edgar Wright, Gus Van Sant, the Coen Brothers. I’ve always had the benefit of a front row seat, watching these filmmakers and maintaining a conversation with them. One thing I learned was not to learn too much from them, because every filmmaker’s different. They run sets differently. You can’t just say, ‘Well, Ang does it this way so that’s the way to do it.’ Ang does it that way because he’s a genius, and he can get away with doing it that way; but you don’t want to do it Ang’s way if you’re not Ang,” Producer James Schamus on his first time directing a film in an interview with [deadline.com](http://deadline.com/2016/01/james-schamus-on-his-sundance-directing-debut-focus-exit-and-why-hes-all-about-jesus-qa-part-1-1201688959/) <http://deadline.com/2016/01/james-schamus-on-his-sundance-directing-debut-focus-exit-and-why-hes-all-about-jesus-qa-part-1-1201688959/>

“In film school, life, whatever, they’re equipped to do this job, in many ways, better than us. They’re infinitely more complex than we are. Stronger and sharper. So, you know, we’re going to get better movies [if we have more female filmmakers]. The industry would improve.” Ryan Coogler, Director of *Creed*, *Fruitvale Station* and *Black Panther* on the need for female voices. <http://variety.com/2016/film/in-contention/creed-black-panther-ryan-coogler-artistic-voice-1201672338/>

COMINGS AND GOINGS

Indiewire announced through a press release that the Internet news site has been acquired by Penske Media Corp., which also owns *Variety* and *Deadline*, *TVLine.com*, *HollywoodLife*, *Gold Derby*, *Variety Insight*, *BollywoodLife*, *LA411*, *NY411* and *Variety Latino*. Eugene Hernandez, Mark Rabinowitz, and Cheri Barner started the site 20 years ago as *iLine*. “Indiewire has a rich history as one of the early innovators in digital media—and I’ve long admired the company and its team’s dedication to informing and breaking the most essential news in independent film,” said PMC Chairman and CEO Jay Penske, who bought the site from SnagFilms. “The most fundamental elements will remain unchanged. We remain committed to covering the best in film and television with voices that are fresh, strong, and unique. We are all excited for what the future holds. Thanks for your support, your readership, and for caring about great content as much as we do. Stay tuned; this is going to be a lot of fun.”

Open Road Films has negotiated a deal with Crystal City Entertainment/Boundary Stone Films to finance films produced in-house by Open Road. Two to four films a year are expected to be developed through the deal, with each film getting a wide domestic release via Open Road and foreign sales being handled by Open Road International and partner FilmNation. “Their development financing investment will lay a strong foundation for future projects,” said Open Road CEO Tom Ortenberg. The company’s only in-house production to date is *Sleepless Night*, a remake of the French action thriller starring Jamie Foxx and Michelle Monaghan, which Open Road financed and is distributing this year.

Borderline Films, the filmmaking collective whose past films include *Simon Killer*, *Martha Marcy May Marlene* and *James White*, is launching a new label, **Borderline Presents**. Founding members Josh Mond, Sean Durkin, and Antonio Campos will executive produce select projects. An expansion of their collaborative approach to filmmaking, the primary aim of Borderline Presents is to help filmmakers realize their vision. "We started Borderline Films so that we had each other's support and felt safe making the films we wanted to make," said Josh Mond on behalf of the group. "We've been fortunate enough to have all made our first feature and want to use our experience to provide that same kind of support to help other like-minded filmmakers, whether they be our contemporaries or from the next generation of young directors." The first official project from Borderline Presents is Nicolas Pesce's debut feature, *The Eyes of My Mother*, which premiered this year in the Next section at Sundance.

Universal Pictures Home Entertainment and **Pure Flix Entertainment** have signed a long-term, multiyear distribution agreement. Under the deal, Universal will exclusively manage sales and distribution for Blu-ray, DVD, electronic sellthrough and video-on-demand platforms of Pure Flix new-release and catalog titles in the United States. Pure Flix will oversee consumer marketing to support Universal and will continue to manage sales, marketing and distribution for the Christian Booksellers Association (CBA). "Pure Flix is the premier leader in faith-based entertainment as evidenced by its decade-long success in the category," said John Morici, UPHE Managing Director for the U.S. and Canada in a statement.

Fred Bernstein has launched **Astute Films**, a Los Angeles-based production company. He previously was President of the Columbia TriStar Motion Picture Companies, President of the Columbia TriStar Motion Picture Companies, and Senior VP of the MCA Motion Picture Group. Based in Los Angeles, the company is backed by \$50 million in private equity. Astute's first project is based on the novel *Billy* by Albert French. The film will be adapted, directed and produced by Marty Davidson (*The Lords of Flatbush*, *Eddie and the Cruisers*). Other producers include Wendell Pierce (*Selma*, *The Wire* and *Treme*) and Jerry Leider (*On the Road*). Before starting Astute, Bernstein was a partner at the Katten Muchin Rosenman law firm, where he specialized on legal issues surrounding the creation, financing, production, distribution and branding of entertainment content. 📌

RELATIVITY UPDATE—ALMOST THERE

Despite a protest from Netflix, the U.S. Bankruptcy Court judge gave a conditional approval for Relativity to emerge from bankruptcy. The company must prove that an additional \$80 million in financing is firmly in place and that Kevin Spacey and Dana Brunetti's roles at the company are spelled out. As of the Feb. 1 court date, only \$20 million in new financing had been secured. The lawyers for Relativity said they would file documents showing that the financing is secure and would submit video testimony that would demonstrate that Spacey and Brunetti were prepared to take over the company by Feb. 17th, the next court date. 📌

NUMBERS! NUMBERS! NUMBERS!

LOW-BUDGET INDEPENDENT FILMS (\$9.0 M and under)

FILM	DISTRIBUTOR	REVENUE	COST
		thous. \$	thous. \$
<i>99 Homes</i>	Broad Green	1,1412	8,000
<i>Amy</i>	A24	8,412	3,000
<i>Anomalisa*</i>	Paramount	1,933	8,000
<i>Dope (1)</i>	Open Road	17,506	700
<i>DUFF, The</i>	Lionsgate Films	34,030	8,500
<i>Gift, The</i>	STX Entertainment	43,787	5,000
<i>Goodbye, Mr. Loser</i>	China Lion	1,292	800
<i>Grandma*</i>	Sony Pictures Classics	6,971	600
<i>Green Inferno, The</i>	High Top Releasing	7,193	6,000
<i>Lazarus Effect, The</i>	Relativity Media	25,801	5,000
<i>Letters, The*</i>	Freestyle	1,647	1,000
<i>Mustang*</i>	Cohen Media	518	1,400
<i>Room*</i>	A24	9,902	6,000
<i>Tangerine</i>	Goldwyn	684	100
<i>Truth*</i>	Sony Pictures Classics	2,540	8,100
<i>Unfriended</i>	Universal	32,482	1,000
<i>Un Gallo con Muchos Huevos</i>	Lionsgate	9,081	5,300
<i>Walk in the Woods, A</i>	Broad Green Pictures	29,504	8,000
<i>War Room</i>	Sony Pictures Releasing	67,790	3,000

*Still in North American distribution as of January 31, 2016. Revenues are from boxoffice.com and boxofficemojo.com. Negative costs (production prior to prints and ads) are approximate, based either on industry estimates, published interviews with filmmakers or personal conversations with filmmakers.

(1) Revised budget. Press had picked up the \$7M paid by Open Road for the right to distribute as the budget.

MORE NUMBERS! NUMBERS! NUMBERS!
HIGH-BUDGET INDEPENDENT FILMS (Over \$9.0M)

FILM	DISTRIBUTOR	REV.	COST
		thous. \$	thous.
<i>33, The*</i>	Warners Bros./Alcon	12,228	26,000
<i>Big Short, The*</i>	Paramount	60,964	28,000
<i>Boy, The*</i>	STX Entertainment	21,185	10,000
<i>Bridge of Spies*</i>	Buena Vista	71,884	40,000
<i>Brooklyn*</i>	Fox Searchlight	30,432	10,000
<i>Burnt*</i>	The Weinstein Co.	13,645	20,000
<i>Carol*</i>	The Weinstein Co.	11,403	11,800
<i>Danish Girl, The*</i>	Focus Features	10,332	15,000
<i>Forest, The*</i>	Gramercy	25,944	10,000
<i>Hateful Eight, The*</i>	The Weinstein Co.	52,369	44,000
<i>Hunger Games, The: Mockingjay-Part 2*</i>	Lionsgate/Summit	280,737	160,000
<i>Kung Fu Panda 3*</i>	DreamWorks Animation	41,282	
<i>Mad Max: Fury Road</i>	Warner Bros.	153,636	150,000
<i>Norm of the North*</i>	Lionsgate	15,965	18,000
<i>Point Break *</i>	Warner Bros.	28,458	105,000
<i>Revenant, The*</i>	20 th Century Fox	138,551	135,000
<i>Secret in Their Eyes, The</i>	STX Entertainment	20.180	19,500
<i>Sicario</i>	Lionsgate Premiere	46,889	30,000
<i>Spotlight*</i>	Open Road Films	34,766	20,000
<i>Suffragette*</i>	Focus Features	4,702	14,000
<i>Trumbo*</i>	Bleeker Street	7,631	15,000
<i>Woodlawn*</i>	Pure Flix	14,393	25,000
<i>Youth*</i>	Fox Searchlight	2,516	13,000

*Same references as Low-Budget Table

LARGE FORMAT FILMS

FILM	DISTRIBUTION	REV.	COST
		thous. \$	thous. \$
<i>Air Racers 3D</i>	3D Entertainment	1,310	5,000
<i>Apollo 13: The Imax Experience</i>	IMAX	1,737	n/a
<i>Born To Be Wild 3D*</i>	Warner Bros./IMAX	24,487	n/a
<i>Bugs!</i>	SK Films, Inc.	18,114	9,000
<i>Deep Sea 3D</i>	Warner Bros.	46,155	1,000
<i>Galapagos: The Enchanted Voyage*</i>	IMAX	18,352	7,000
<i>Ghosts of the Abyss</i>	Buena Vista	17,041	13,000
<i>Haunted Castle</i>	nWave	13,652	n/a
<i>Hubble 3D*</i>	Warner Bros.	51,003	n/a
<i>Island of Lemurs: Madagascar*</i>	Warner Bros.	10,493	n/a
<i>James Cameron's Deepsea Challenge</i>	DisruptiveLA	236	n/a
<i>Jerusalem 3D</i>	National Geographic	7,880	n/a
<i>Journey to the South Pacific*</i>	IMAX/MacGillivray	7,106	n/a
<i>Magnificent Desolation</i>	IMAX	34,109	3,000
<i>NASCAR 3D</i>	Warner Bros./IMAX	21,337	10,000
<i>Ocean Wonderland 3D</i>	3D Entertainment	11,035	3,000
<i>Roving Mars</i>	Buena Vista	10,408	1,000
<i>Sea Monsters 3D: A Prehistoric</i>	National Geographic	23,746	n/a
<i>Sea Rex: Journey to a Prehistoric</i>	3D Entertainment	6,097	n/a
<i>Space Station 3D</i>	IMAX	93,134	1,000
<i>Thrill Ride</i>	Sony Classics	18,795	9,000
<i>To the Arctic 3D*</i>	Warner Bros.	14,404	n/a
<i>T-Rex: Back to the Cretaceous</i>	IMAX	53,347	14,500
<i>U2 3D</i>	National Geographic	10,362	13,000
<i>Under the Sea 3D*</i>	Warner Bros.	34,834	n/a
<i>Wildest Dream: Conquest of Everest</i>	National Geographic	898	n/a
<i>Wild Parrots of Telegraph Hill</i>	Shadow	3,058	n/a
<i>Wild Safari 3D</i>	nWave	16,621	4,500

* Same references as Low-Budget table ■

NEED MONEY FOR A MOVIE? DON'T GO IN EMPTY-HANDED. HAVE A BUSINESS PLAN.

The benefit of using a reliable business plan to raise financing for a film is that it allows the investors and the filmmaker to gauge the potential success of a film. A polished business plan with projections based on the worldwide results of other films and with clear explanations about the industry, markets and production personnel attached to the film is far more effective than an incomplete document that leaves prospective investors wanting more information. Contact Louise Levison at louisel@earthlink.net to find out how you can put her 27 years of experience as a Film Business Consultant to work creating a business plan for your film.

Levison, the President of Business Strategies, is a highly respected financial consultant in the entertainment industry, specializing in creation of film business plans. Her clients have raised money for low-budget films including *The Blair Witch Project*, the most profitable independent film in history, and for companies raising as much as \$300 million. She is the author of *Filmmakers & Financing: Business Plans for Independents*, currently in its revised and expanded seventh edition (Focal Press, 2013). The sixth edition of the book continues to be available in Mandarin from www.hindabook.com in Beijing, China. Levison also is editor of the online newsletter *The Film Entrepreneur: A Newsletter for the Independent Filmmaker and Investor*. Among other clients' projects are Kahlil Gibran's *The Prophet, Unlimited* (Nathan Frankowski), *The Redemption of Henry Miller, Emoticon ;*), *Moving Midway, Redemption Road, Haunted* (2012), *The First of May, The Open Road, Aluna, Yak: The Giant King, Visual Acoustics: The Modernism of Julius Shulman, My Father and the Man in Black* and *Michael Winslow Live*. Among her corporate clients are Danny Glover's Louverture Films (2008 nominee for Best Documentary Academy Award *Trouble the Water*), The Pamplin Film Company (*Hoover*), Hurricane Film Partners, LLC and Tokuma International Ltd (*Shall We Dance, Princess Mononoke*). Levison is an Instructor in the Extension Program at UCLA. She also has been a Visiting Professor at the Taipei (Taiwan) National University of the Arts, Chapman University (Orange County, CA) and the University of Montana (Missoula). Levison has presented seminars and/or been on panels at festivals and markets around the world. (Additional information is available at <http://www.moviemoney.com>).

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Louise Levison, Editor
Faryl Saliman Reingold, Assistant Editor
Office: 4454 Ventura Canyon Ave., Suite 305
Sherman Oaks, CA 91423
Phone: (818) 990-7774
E-mail: louisel@earthlink.net; <http://www.moviemoney.com>

Have your scripts professionally read and analyzed by *TFE*'s Assistant Editor Faryl Saliman Reingold. For more information, e-mail care of *The Film Entrepreneur*, at louisel@earthlink.net