

DATE January 8, 1964
TO Mr. Dave Dexter
OFFICE 12 CRI CRDC
FROM Alan W. Livingston
OFFICE E CRI CRDC

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- 1730 Broadway—N.Y.
- L. A. Plant
- Tower—1750 N. Vine



MEMO

SUBJECT: "THAT WAS THE WEEK THAT WAS"

File - LIVINGSTON

I had hoped that we might be able to sign the couple who did "FLY BUTTONS", and record additional material to make a full album with them. If you can follow through on this with Dick Rising, it still would be the best plan, but if not, I would like to have you release the album as it stands.

Attached is a memo from Dick Rising to Lloyd Dunn dated December 23 with some background, as well as a wire from Marshall of Transglobal advising me that the album is clear for release.

I would appreciate your attempting to work this out one way or the other.

AWL:cm
Atts.

Alan W. Livingston

cc: Voyle Gilmore
Lloyd Dunn
Karl Engemann

SIGNED:

- INFORMATION COPY — READ AND DESTROY
- ACTION COPY — PLEASE HANDLE AS NECESSARY

DATE December 23, 1963
 TO Lloyd Dunn
 OFFICE _____ CRI CRDC
 FROM Dick Rising
 OFFICE Germany CRI CRDC
 SUBJECT:

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- 1730 Broadway—N.Y.
- L. A. Plant
- Tower—1750 N. Vine



MEMO

Week of Dec. 19, 1963
 Received De. 23, 1963

Dear Lloyd:

Here is the box score to date on the TWTW album as they call it here.

1. Exclusivity: As a result of NBC TV showing of BBC Kennedy tribute show on TWTW many inquiries and much interest has been expressed by American companies in EMI's TWTW album as well. (Neither English Decca nor EMI have exclusive rights to all the material contained in all the shows. Each show is a renewed negotiation.) Consequently, three samples of the EMI LP were sent very recently to Ronald Rennie at Transglobal. Subsequently, EMI was notified by Rennie that United Artists was extremely interested in the album and was seriously considering signing a contract. This happened just a few days before I arrived in London.

After consulting with Geoff Bridge, a cable was dispatched immediately to Rennie requesting him to refrain from taking further action and if the contract had not already been signed, to cease and desist. Further, that he should immediately send a cable back to EMI confirming that the album was free and clear. This cable from Rennie has not yet been received so I do not know the status of the TWTW LP.

I will be called in Frankfurt the minute the cable is received and I will then relay the contents to you.

2. Material for new LP: At the time the TWTW album was conceived and approved, George Martin personally reviewed the scripts of 1½ years of TWTW shows. Since he faithfully watched the show most weeks, he could screen the shows via scripts instead of having to listen to the actual shows. The selections contained in the TWTW album represent the very best that were available from all of the shows.

I had lunch with George the day I arrived and discussed every aspect of coming up with eleven more selections that would fit the American market better than the other selections in the TWTW LP.

Without offending George, I told him that there might actually be quite a bit of material in the 1½ year backlog that would be hilarious to Americans even though it wasn't to the English (even Geoff only thought "Buttons" was mildly funny, while I almost rolled on the floor). George agreed this was a possibility but highly unlikely. I pushed the point and asked how we could have tapes made available to us to audition if we desired. He said it would be possible but highly impractical because of

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DATE December 23, 1963
 TO Lloyd Dunn
 OFFICE _____ CRI CRDC
 FROM Dick Rising
 OFFICE Germany CRI CRDC

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- 1730 Broadway—N.Y.
- L. A. Plant
- Tower—1750 N. Vine



MEMO

SUBJECT:

-2-

Week of Dec. 19, 1963
 Received Dec. 23, 1963

(1) the cost and (2) difficulty of negotiating with NBC. The shows only exist on Videotape and apparently the technical difficulties of transferring the audio portion of a Videotape to a regular tape are pretty great. Except as an absolute last resort, he recommends - forget it.

He thought arrangements could possibly be made to send some scripts if you thought it would do any good.

We next discussed the material existing in other albums on EMI. It pretty much boiled down to (1) The Establishment, (2) Peter Sellers material and (3) Beyond The Fringe and similar albums, none of which have been successful apparently in the States. This seemed to leave nothing suitable.

I then approached the idea of signing the artists themselves who perform on the "Buttons" track (Millicent Martin and Roy Kinnear). George thought this was the most practical idea. The TV show itself is closing in England on this December 31 and the artists are without a show. Kinnear is an actor and Millie is trying to become one. She just finished a picture. Millicent is under a separate contract to EMI independent of the TV show itself (she has had one record released in the States on ABC-Paramount). George was of the opinion that Len Wood would be willing to waive EMI's rights in the States on Millie and allow Capitol to sign her to contract independent of EMI. Kinnear is not under contract to anyone.

If the potential justifies the cost and the effort, I believe these two artists can be signed by Capitol to an English type contract or an American type contract. Financially, we would come out better with an English type contract, where we would pay the recording costs. According to George, the artist royalty paid beginning artists (including the Beatles for the first year) is 1¢ (flat) on a single and six times the single rate on LP's. It graduates to 2¢ on better selling artists to 3¢ on top artists. This would be 12¢ and 18¢ on LP's. On a very expensive album, it might be better the other way around.

The "key" is of course, "The material". I suppose script sketches could be fed to the writers these artists have been used to working with on TWTW and they could continue to write for them, or the material could be written in the States. The artists could be recorded in England or the States.

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MEMO

DATE December 23, 1963
 TO Lloyd Dunn
 OFFICE _____ CRI CRDC
 FROM Dick Rising
 OFFICE Germany CRI CRDC

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- 1730 Broadway—N.Y.
- L. A. Plant
- Tower—1750 N. Vine

SUBJECT:

-3-

Mailed Dec. 19, 1963
 Received Dec. 23, 1963

Summary

On a short range basis, it probably would not be worth the effort to sign the artists to a Capitol contract.

If you felt these two have a Nichols-May potential for several years, then that's something else.

I'll be happy to secure any more information needed to help make a decision.

kindest regards,

P.S. I'm on my way to an EMI party to meet Millie and The Beatles.
 How's that for a team? And also Warren Birkenhead.

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WESTERN UNION
TELEGRAM

WESTERN UNION
TELEGRAM

VLWUB246 SYB268 SY FIB094 PD

FI NEW YORK NY 24 220P EST

ALAN LIVINGSTON CAPITAL RECORDS

1750 NORTH VINE ST HOLLYWOOD CALIF

ALL RIGHTS TW 3 ALBUM CONTAINING FLY BUTTONS CLEAR STOP YOU
MAY GO AHEAD WITHOUT PROBLEM AND WITH OUR BEST WISHES
FOR GOOD LUCK AND SUCCESS

MARSHALL TRAGLOBMIC

(33).

1148A PST DEC 24 63



DATE Feb. 20, 1964
TO Alan Livingston
OFFICE CRI CRDC
FROM Dave Dexter, Jr.
OFFICE CRI CRDC

 Scranton Plant
 46th St. Studio—N.Y.
 1730 Broadway—N.Y.
 L. A. Plant
 Tower—1750 N. Vine



MEMO

SUBJECT:

You asked me to give you information on six British rock artists apparently being touted by Sir Joseph Lockwood.

Billy Kramer and the Dakotas and Gerry and the Pacemakers were offered to Capitol nearly a year ago along with numerous other rock combos, solo singers, vocal groups, orchestras, comedy acts and other EMI artists. I waived on both of them because neither had a particularly unique sound. Subsequently, they became big hits in England but the American labels who put them out here sold nothing.

Freddie and the Dreamers, in my opinion, have a most attractive rock sound and might make it big over here, although the first record we issued sold hardly any copies. Freddie's second record comes out next week on Capitol.

The Swinging Blue Jeans and the Fourmosts are more recent EMI acquisitions, but their first samples were received by me in December at just about the time we were desperately fighting to get the Beatles. Also, bear in mind that along with these two combos were many other rock combos on the HMV, Columbia and Parlophone labels. In my opinion, Capitol can handle only a small percentage of these groups. The Blue Jeans are getting some action but are not on the charts yet. The Fourmosts have not sold a record over here either.

Manfred Mann came out a couple of weeks ago with his first record. Tony Palmer sent me a sample. A day or so after I received the sample, Palmer cabled me that he must have an immediate decision. Although I am allowed by agreement 30 days to make a decision, I could sense that EMI preferred some other label to issue it (the Beatles were red hot here by this time) and because the record sounded like something that had been made by Chess in 1951, I promptly cabled Tony Palmer to go ahead and place it elsewhere. That is the last I have heard of Manfred Mann.

Alan, I make errors in judgment as does everyone else, but when you consider the enormous amount of singles and albums sent to my desk every month from not only English Parlophone, Columbia and HMV, but France, Germany, Italy, Japan, Austria, Australia, the Scandinavian countries and several other places, I am frankly amazed that we do not miss out on more hits as the months and years go by.

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MEMO

DATE Feb. 20, 1964 Page 2.
 TO Alan Livingston
 OFFICE CRI CRDC
 FROM Dave Dexter, Jr.
 OFFICE CRI CRDC

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- 1730 Broadway—N.Y.
- L. A. Plant
- Tower—1750 N. Vine

SUBJECT:

I am somewhat perturbed by Sir Joseph Lockwood's inquiry into these artists because they cover a span of a full year, and all he had to do was check with 20 Manchester Square to ascertain which American label owns the respective release rights. Now that the Beatles are so successful, I should like to issue more EMI singles if Gilmore will allow it. Sometimes I must wait from four to eight weeks to get a record on release.

Last week in England, there was quite a hype in the trade on a new type of music with Jamaican influences called "the Blue Beat." I have already cabled for two sides and hope to be the first in North America to issue this new music, which is a sort of hybrid combination of rock with calypso.

If you need additional information on this subject, please check with me. Out of the five artists in this memo whom I waived on, not one has sold anything in the USA on other labels.

DD/r1

cc: Dunn
 Gilmore

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COPY SENT TO
 CENTRAL FILE



MEMO

DATE June 26, 1964
 TO Mr. Dave Dexter
 OFFICE 12 CRI CRDC
 FROM Alan W. Livingston
 OFFICE E CRI CRDC
 SUBJECT: "BEATLES"

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- N.Y. Executive Office
- L. A. Plant
- Tower—1750 N. Vine

Would you please provide me with a monaural dub of all unreleased Beatles tracks -- all of the U-A tracks and the new ones, that is.

Also, I would like to have a dub of the Beatles interview album which we had made for radio play.

Thanks very much.

AWL

Alan W. Livingston

cm

AWL:cm

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(File Livingston)

DATE August 13, 1964
TO Dept. Heads, Dept. Managers & Supervisors
OFFICE CRI CRDC
FROM Alan W. Livingston
OFFICE CRI CRDC

Scranton Plant
 46th St. Studio—N. Y.
 1730 Broadway—N. Y.
 L. A. Plant
 Tower—1750 N. Vine



MEMO

SUBJECT: BEATLES CHARITY GARDEN PARTY

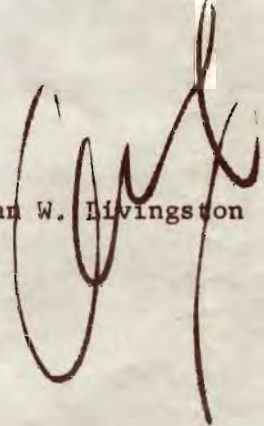
As you may have heard, I am giving a charity garden party for the Beatles where children of invited guests will meet and shake hands with the Beatles and be photographed with them as well. Although this is being done in the interests of publicity and identification of Capitol with the Beatles to somewhat counteract the U-A tie-in, it also is being done for charity as specifically requested by the Beatles.

The party is by invitation only and each invited guest is requested to make a contribution of \$25. per person to the Hemophilia Foundation of Southern California. I am not sending invitations to Capitol employees because I feel that in many cases the financial contribution would be a burden. Much as I would like to have Capitol employees as our guests, particularly those directly associated with the Beatles in regard to recording and sales, it would be impossible to accommodate the many people who will be coming. Rather than restrict such a Capitol guest list to only selected individuals, I feel the only proper thing to do is to treat all those wishing to come on the same basis.

If any Capitol Department Head, or persons associated with Beatles production or sales, wishes to attend, and bring his children on the basis of the above charitable contribution, he or she is, of course, very welcome. In such event, please call Ext. 270, and an invitation will be supplied.

Again, I am extremely sorry that we cannot have you on a different basis, but circumstances make it impossible if we are to adhere to the conditions laid down by the Beatles themselves.

AWL:cm


Alan W. Livingston

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DATE September 21, 1964
TO Dave Dexter
OFFICE 12 CRI CRDC
FROM Alan W. Livingston
OFFICE E CRI CRDC

 Scranton Plant
 46th St. Studio—N.Y.
 N.Y. Executive Office
 L. A. Plant
 Tower—1750 N. Vine



MEMO

SUBJECT:

Dear Dave:

Would you please prepare for me a report in some detail as to the imported masters from EMI which we have turned down, as well as those we have accepted, with the reasoning and implications in each case.

At the time of the visit of the EMI Board of Directors here next month, as part of my presentation, I plan to give them a resume of the history of our imports. I would like to go back to the earlier days when English records were unsuccessful here and review for them the records which we took which had been successful in England and which were unsuccessful here. I am particularly interested in those on which we made some effort, such as Helen Shapiro and any others you can mention.

I would also like to review the now successful artists that we had turned down as a result of our bad experience and then go on to our current attitude and practice. I plan to review for them the failure of the Beatles on Vee Jay and Swan and the subsequent success of Capitol. In this regard, I would like any information as to dates of our original Beatle turndown, subsequent release dates, and quantity of records put out by both Vee Jay and Swan before the Beatles came to Capitol.

In addition, I would like a review of current activity, in particular our success of Cila Black and Peter and Gordon, and any recent misses that we may have had. I am thinking specifically of The Animals and if I understand the situation correctly, we turned down a master which was subsequently unsuccessful. As a result of turning down this master, however, under our agreement we lost future rights to the artists and therefore did not have a chance to take the successful Animals' record now on the charts. I would like your confirmation or any further explanation of this.

Obviously the point of my presentation is to explain the dangers and problems of our reviewing EMI product, and any other information you can add that will be useful to me will be appreciated. I realize this requires some digging and detailed work, but it will be most helpful since you are the only one completely informed as to all the facts. If you have any questions, please call me.

Alan W. Livingston

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DATE August 31, 1965
TO Dave Dexter
OFFICE 12 CRI CRDC
FROM Alan W. Livingston
OFFICE E CRI CRDC

 Scranton Plant
 46th St. Studio—N.Y.
 N.Y. Executive Office
 L. A. Plant
 Tower—1750 N. Vine



MEMO

SUBJECT:

THE BEATLES

In a meeting with Brian Epstein yesterday, he expressed the very strong hope that we would consider using the same art work for our Beatle album covers as England uses. Please let me know if this is possible, and if so, what the complications, if any, might be.

AWL:dn

Alan W. Livingston

cc: Voyle Gilmore

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DATE September 2, 1965
TO Alan Livingston
OFFICE E CRI CRDC
FROM Voyle Gilmore
OFFICE E CRI CRDC
SUBJECT:

- _____
 Scranton Plant
 46th St. Studio—N.Y.
 N.Y. Executive Office
 L. A. Plant
 Tower—1750 N. Vine



MEMO

I have a copy of your memo to Dexter regarding Brian Epstein's wishes that we use the same art work for Beatles albums as EMI uses. I feel that this would be a good idea.

Also, I would like to have the songs in the albums identical and released simultaneously. I don't know if this is possible, but I feel we should do everything possible to release in this fashion.

VG:sed
cc: Dexter

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MEMO

DATE Sept. 2, 1965
 TO Alan Livingston
 OFFICE CRI CRDC
 FROM Dave Dexter, Jr.
 OFFICE CRI CRDC
 SUBJECT: THE BEATLES

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- N.Y. Executive Office
- L. A. Plant
- Tower—1750 N. Vine

I waited for Marvin Schwartz' return today to answer your query of 31 August about Beatles' album covers.

Firstly, no Capitol LP is ever identical in repertoire to the British LP. This affects billing, pose of artists, etc.

Timing is another (and perhaps the most frequent factor) in our going ahead and rushing out a Beatles album with our own art. Because EMI persists in the 14-track package we will never ever be in position to release with them simultaneously.

Too, we consider our artwork in virtually every case superior to the English front cover art, artistically as well as commercially. Ours is slanted more to the merchandising end; we also use more color than EMI. Our billing is vastly different. Their type on front cover is smaller, underplayed, in some cases at the side or bottom of the cover instead of at top as we must do.

Schwartz and I recall that Epstein sold us one color transparency for a front cover (Beatles '65) which was never used on an EMI cover--funny?

Note the two HELP! albums. EMI omitted most of the United Artists billing which we were required to reproduce on front--not the back. Thus theirs is a bit "cleaner" looking. But ours has more "grab," more sales appeal, we think. Again, the repertoire in the British album was vastly unlike that in ours.

Have you noticed that when Japan EMI, and numerous other affiliates, issue Beatles albums they more often than not use the Capitol front covers?

On Page 2, please note visual breakdown of the seven Beatles album covers. Alan, if we have to wait around for British covers in future it will compound our problems with Beatles product even more than now.

DAVE DEXTER, JR.

DD/rl
 Att.
 cc: Voyle Gilmore
 Marvin Schwartz

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MEMO

DATE Oct. 12, 1965
TO Alan W. Livingston
OFFICE CRI CRDC
FROM Dave Dexter, Jr.
OFFICE CRI CRDC
SUBJECT: PAUL McCARTNEY ALBUM

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- N.Y. Executive Office
- L. A. Plant
- Tower—1750 N. Vine

Alan, we do not have 11 selections featuring Paul McCartney as solo vocalist. While he has probably sung 11 solos on records, most of them feature solos by other members of the group as well, and I suspect that Epstein and the other three guys would scream like hell if the package were built exclusively around McCartney.

As soon as you hear from Epstein on this project, please let me know.

DAVE DEXTER, JR.

DD/r1

cc: Voyle Gilmore

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DATE Dec. 15, 1965
 TO Alan W. Livingston
 OFFICE CRI CRDC
 FROM Dave Dexter, Jr.
 OFFICE CRI CRDC
 SUBJECT:

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- N.Y. Executive Office
- L. A. Plant
- Tower—1750 N. Vine



MEMO

Alan, in attempting to get up our usual session reports on all singles and albums released we have not been able to do so with the Beatles' "RUBBER SOUL" LP and their most recent single, 5555.

EMI this week advised me that only you can explain the recently adjusted artist royalty payable to the Beatles. At your convenience, I wish you would do so in a memo so that we can make accurate entries on our session reports.

Dexter
 DAVE DEXTER, JR.

DD/r1

cc: Voyle Gilmore
 Gerry Hibbs

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- INFORMATION COPY — READ AND DESTROY
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DATE December 20, 1965
TO Dave Dexter
OFFICE 12 CRI CRDC
FROM Alan W. Livingston
OFFICE E CRI CRDC

- _____
- Scranton Plant
- 46th St. Studio—N.Y.
- N.Y. Executive Office
- L. A. Plant
- Tower—1750 N. Vine



MEMO

SUBJECT:

In answer to your memo of December 15, the Beatles confidentially are negotiating with E.M.I. on a new record contract which would reactively raise their royalty. Until such time as this is signed and in effect, however, there is no firm information I can give you.

In the meantime we are reserving for the increased amounts.

AWL:dn

cc: Voyle Gilmore
Gerry Hibbs

Alan W. Livingston

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