

SIDELETTER NO. 13

As of July 1, 1996;
Revised as of July 1, 1999

Jay D. Roth
National Executive Director
Directors Guild of America, Inc.
7920 Sunset Boulevard
Los Angeles, California 90046

Dear Jay:

This will confirm the Guild's agreement to issue waivers to allow directors to be employed on distant location to shoot scenes for multiple episodes of one-hour series such as *"NYPD Blue,"* *"E.R."* and *"Party of Five"* under the following terms and conditions:

- (1) No individual episode will contain more than the lesser of five (5) minutes or ten percent (10%) footage from a director other than the principal director of the episode.
- (2) The principal director of the episode shall be given the option to direct the distant location scenes for the episode, if he or she is available.
- (3) In any event, the principal director of the episode shall have a right to consult with the director(s) of the distant location scenes.
- (4) The director(s) filming the distant location scenes must either have previously directed an episode of the series or must be committed to direct an episode in the future.
- (5) The director(s) filming the distant location scenes must not have been employed on the series in any capacity other than as "director;" however, the Guild agrees to recommend that the Western Directors' Council waive this restriction for experienced directors who work on the series in another capacity. If the Council intends to deny a request for such a waiver, it shall so advise the AMPTP and, thereafter, the parties agree to convene the Creative Rights Committee as soon as possible to discuss the matter.
- (6) Any director employed pursuant to this sideletter shall be paid at a rate equal to one hundred fifty percent (150%) of the applicable daily rate for each shooting day.

SIDELETTER NO. 13 (continued)

- (7) There shall be one (1) day of prep time for each day of shooting which exceeds five (5) hours. Prep days shall be paid at one hundred percent (100%) of the applicable daily rate.
- (8) The director filming the distant location scenes may be employed for no more than fourteen (14) hours on any such shooting day.
- (9) The director(s) filming the distant location scenes may direct scenes for up to three (3) episodes in a given day.
- (10) If a director is employed to shoot scenes only for episodes which that director has directed or will direct, then such director shall be paid at one hundred fifty percent (150%) of the director's *pro rata* daily salary for each location day of shooting. In all other respects, the foregoing conditions shall apply to such director.
- (11) Paragraphs (2) and (3) above are only applicable when the distant location scenes to be shot are done after the director(s) of the episode(s) in which they will be used is (are) hired.

If the Guild intends to deny a request for such a waiver, it shall so advise the AMPTP and, thereafter, the parties agree to convene the Creative Rights Committee as soon as possible to discuss the matter.

The foregoing waivers will be continued as long as the creative rights process continues. It is understood that the Guild's right to withdraw such waivers is not subject to arbitration nor to judicial review. However, prior to a Guild determination to discontinue such waivers, the matter of termination will be discussed with the ongoing Creative Rights Committee.

Sincerely,

J. Nicholas Counter III

ACCEPTED AND AGREED:

Jay D. Roth