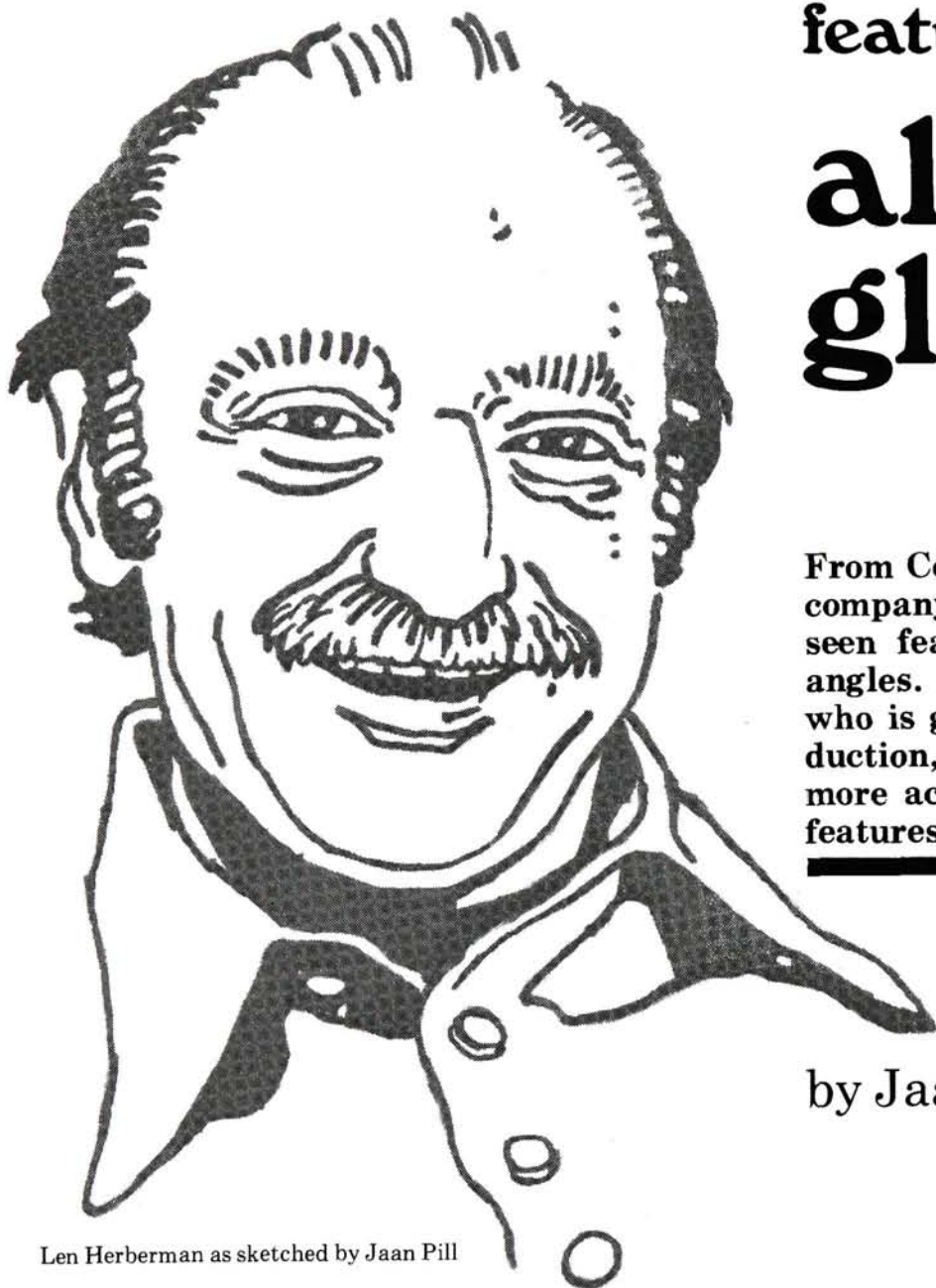

feature distribution

all that glitters...

From Columbia to International to his own company, Ambassador, Len Herberman has seen feature film distribution from many angles. Today, he sees it as a distributor who is getting deeply involved in film production, and who recognizes the need for more accountability to those who invest in features.

by Jaan Pill



Len Herberman as sketched by Jaan Pill

Len Herberman, who is president of Ambassador Film Distributors in Toronto, has over the last four years built his company into a major Canadian distributor of feature films.

He has achieved this primarily through his success in marketing American-made films to largely American-owned theatres across the country.

At the same time, however, Ambassador has also been distributor for many Canadian-made features which have been appearing in the last few years. Included among these are **Second Wind**, **It Seemed Like a Good Idea at the Time**, **Quiet Day in Belfast**, **Monkeys in the Attic**, **Shoot, Born for Hell**, **Sudden Fury**, **Sunday in the Country**, **Goldenrod**, **All Things Bright and Beautiful**, **Black Christmas**, **Why Shoot the Teacher?**, **A Sweeter Song**, and others.

*Jaan Pill is a graduate in psychology from Simon Fraser University where he also edited the student newspaper and worked as a summer student at the Vancouver National Film Board production office. He is currently working on a film project, **Holes and Wholes**, an animated film based on figure-ground transformations in the class of optical illusions known as "ambiguous figures."*

And Herberman sees many more Canadian pictures on the way, including half a dozen production this year from Ambassador itself. One of these is **Deadly Harvest**, co-produced with Tony Kramreither's Burg Productions. Another is **Welcome to Blood City**, a science-fiction western, which Ambassador co-produced with EMI in London after the Canadian Film Development Corporation turned down the script.

Deadly Harvest is a film about a time in the future when there is a food shortage in Canada, while **Welcome to Blood City** involves scientists who program computers to test humans in a variety of settings to "weed out the inferior people," as Herberman explains, "keeping the people who show they can maneuver, who have intelligence of a certain order, with the idea being to create an elite group to control the world."

There are two things about **Welcome to Blood City** which Herberman finds particularly appealing. First, it's "a very commercial picture," and secondly, "it doesn't deal with Canadian culture" – it's Canadian because it was made primarily by Canadians, and that's enough, as he sees it.

Ambassador's Distribution Profile

Country of origin	% of films distributed	% of total revenues
U.S.A.	80%	60%
England and Italy	10%	35%
Canada	10%	5%
	100%	100%

To put it another way, commercialism is not a dirty word to Herberman, and self-conscious analysis of "Canadian culture" is not what he feels is going to get people into theatres, in Canada or anywhere else. Herberman says it actually makes him shudder to hear Canadian producers or directors talk to him about films which involve Canadian culture and which are aimed solely at Canadian audiences. It's no way, he says, to get a return for the investor: the Canadian market is too small to recoup negative costs, let alone make a profit. In fact, he says, this is true of most countries in the world.

While he's on the subject of Canadian producers, Herberman says he wishes they'd get distributors involved right at the beginning of a film, when it's still at the script and screen treatment stage, instead of bringing them in when the picture is already finished.

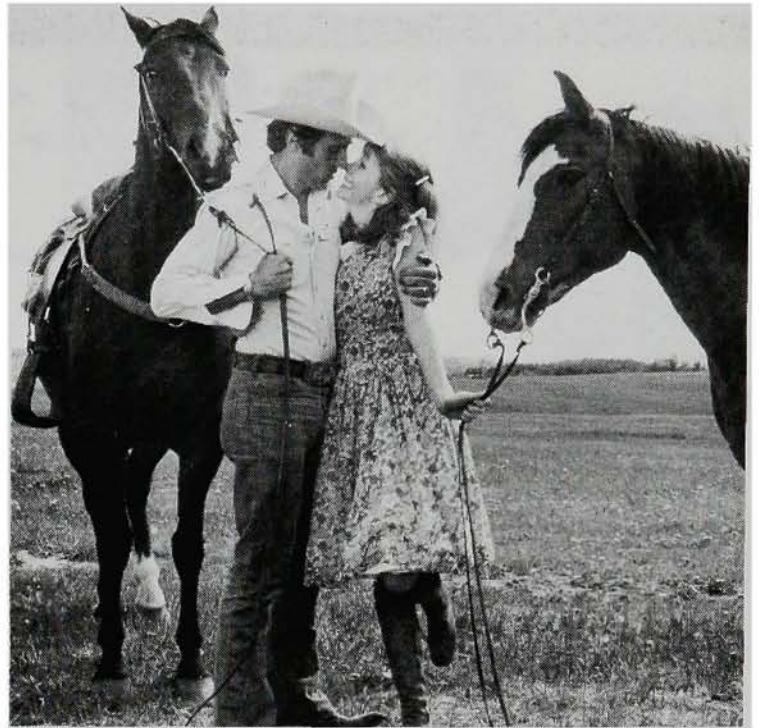
"I'm a businessman, I'm not an artist," he remarks, "but in reading a script I have a pretty good idea if it's going to be a saleable subject."

And there's another way, Herberman says, that producers can contribute to the success of their own films. They could see to it that background material on cast and crew, and production stills and press clippings and the like, are readily available for the distributor, who needs them to prepare print and radio ads, and television and theatrical trailers. Too often, a producer wants to hand over the picture and say "OK, I made the picture, now you distribute the picture." "That's great," says Herberman, "except that we have no way of getting this material."

To launch an effective sales campaign usually takes a distributor a couple of months, and when there's no time and material for a campaign, the result is a box office disaster, even for a well-made picture. A case in point is the recent million-dollar Canadian fiasco entitled **Goldenrod**.

Normally the distributor looks after the sales campaign for a film, but with the film being shot in Alberta, and because of a deadline release date, it had been agreed that the producers would create the campaign for **Goldenrod** and submit it to Ambassador for approval.

However, despite assurances from the producers during production, Herberman discovered, two weeks before release date, that nothing had been put together for a campaign. The campaign was thereupon dumped onto Ambassador, and given the circumstances, the sales effort bombed and so did the film. Its total Canadian gross office was less than \$40,000.



The ill-fated **Goldenrod**, a victim of poor coordination

"The picture deserved to do far better but it didn't have a chance. And the only reason it didn't have a chance is because of the producers. Not the distributor, not the director, not the production, not anything other than the producers, who couldn't even give us background material on the people in the picture."

*Although controversy surrounded the production of **Goldenrod**, Cinema Canada has found no difference of opinion about the following facts:*

*The project was sold to CBS for television. This sale was crucial, got the project going, and assured the financial participation of Film Funding, a group of Canadian investors, along with Talent Associates from the States. Harvey Hart, the director, and Ron Wisman, the editor, both withdrew from the film because the first edit was refused by the producers. Gerry Arbeid, Canadian producer, left the production as well, dissatisfied with the post-production decisions which were being made. Thousands of feet of excellent shots – vistas and long shots – were not used in the final edit. The final edit was tailored for television and not for theatrical exhibition. The producers did not furnish the distributor with the material promised for the promotional campaign. The publicity campaign for **Goldenrod** was extremely bad. Given the statistics of random chance, more Canadians should have gone into theatres showing **Goldenrod** than actually went. Famous Players re-released the film almost immediately, unable to accept the bad results of the first release. The results were just as bad the second time around. Ed.*

Another of Herberman's pet peeves involves producers who, in spite of everything, do manage to make money on their pictures, but who then proceed to rip off their investors. "The investors," he says, "in some cases never get a dime back on the picture, even when the picture has earned money.

"This may sound like a contradiction – as a matter of fact perhaps it is a bit of a contradiction, but producers generally do not worry too much about the realities of life;



A Canadian feature distributed by Ambassador: **Shoot** by Harvey Hart

they are primarily interested in their production. But in many cases producers, after a picture has been made, and money starts to come in, suddenly realize there is a different side to this business.

"There've been a couple of cases where rip-offs to investors have meant a couple of hundred thousand dollars."

After what he's seen happening, Herberman has suggested to the CFDC that to protect investors, it should itself be directly involved in the handling of revenue generated by each film which applies to it for Canadian-content certification. The distributor would send money earned by a film to the CFDC, who would have a list of all the investors, and it would then dispense the funds to investors and producers.

As things are now, Herberman has encountered several potential investors who have decided to stop investing in Canadian features. "They can't even get reports from some of the producers. They haven't got a clue in the world if they have any money coming to them."

•

Len Herberman has been in the film business since 1948, when he began with Columbia Pictures in Canada. Until four years ago, he was general sales manager for International Films, which was when Nat Taylor and Associates sold out to American interests.

"It was a little strange for me," he recalls, "when I found out that I had to start reporting to people in the United States. I had never operated this way because practically my whole career, in this business, had been working for Canadian companies, and it is a different operation. We have far more leeway from a standpoint of distribution, advertising, and so on, and I couldn't get accustomed to having to report to, or get permission from, people in the States, to do what I thought we knew how to do."

"So that was basically the reason for resigning from International Films. I felt strongly about it, and decided to try and start my own company, which I did."

Having established his own company – he now has offices in Montreal, St. John, Winnipeg and Calgary, as well as the Toronto head office – there has never been a question, however, of working independently of the American distribution chains in Canada.

"Now, don't misunderstand me," he remarks. "I have nothing against American companies. I love 'em, I'm a

member of their association, I don't look upon them as monsters, as ogres."

Nonetheless, it does bother him that the National Film Board distributes its films in theatres in Canada through an American distributor, Columbia Pictures (as it has since 1939, according to an NFB spokesman in Toronto). "That has bothered me, I must admit... I find it unbelievable."

It also bothers him that no airline in Canada, as far as he knows, shows Canadian films. The reason, Herberman says, is that airlines have booking arrangements with companies in the United States.

At the time of his interview with **Cinema Canada** Herberman was preparing to talk it over with Inflight, a New York booking company, and with airlines in Canada.

"If it has to be done through Inflight, I'm all for it, but I would like these people to be aware that there are Canadian pictures on the market.

"You'd be amazed," Herberman says, "at the dollars and cents that can be earned on the airlines."

In general, Herberman's feeling about American control over feature film distribution outlets in Canada is expressed in the fact that he belongs to both the major distributors' associations in Canada. On the one hand he belongs to the Canadian Motion Picture Distributors Association which, its name notwithstanding, is dominated by American distributors such as Columbia Pictures, Metro-Goldwyn-Mayer and Warner Brothers. On the other hand he also belongs to the Association of Independent and Canadian-Owned Motion Picture Distributors, which is made up solely of Canadian distributors.

Because he belongs to both associations, Herberman has at times been labelled a fence-sitter, but he rejects the label. He's a moderate, he says, who happens to disagree with what he describes as the radical outlook expressed by Sandra Gathercole and the Council of Canadian Filmmakers on the development of the feature industry in Canada.

"I am not a fence-sitter. I have very definite ideas. It's just that I disagree with Sandra Gathercole's outlook because she, as I understand it, says 'we're here, we have the talent, we have the ability, we have the money; who needs outside interference? Let's get rid of them, let's do it ourselves, and to make sure we do it successfully, we should pass legislation to say the theatres have to do this, the distributors have to do this...'"

"That isn't how any industry is formed," Herberman comments. "Certainly, there should be government assistance, and there should be legislation to help the Canadian filmmakers. But not to show American films – is that going to help the Canadian filmmaker?"

"I think that competition has got to be good for the industry. I think a maturity for our screenwriters, producers, directors, will only come about if they are forced into competition with their counterparts around the world. It's the only way. Otherwise we'll never be accepted as an industry around the world."

Herberman has never met Gathercole, but he would like to. "One of these days I'd like to meet her, really. I can't conceive that she really feels this way about so many different things. I would like the opportunity of someday talking to her."

In the meantime, the future for the kind of commercially successful Canadian films he wants to see made, and distributed around the world, looks promising to Len Herberman. Canadian pictures, he says, are getting better. "I'm surviving, it's true, but certainly not on the revenues that are being produced, to this point at any event, in Canadian film. But you can see it – picture after picture, they're getting better and better all the time." □