

EXHIBIT “A”

**Alexander Stewart, Ph.D. LLC
Preliminary Musicology Report**

April 10, 2022

Re: “The First Time Baby Was a Holiday” and “10,000 Hours”

1. Background

I am Professor of Music, the founder and coordinator of the Jazz Studies Program, and former Director of Latin American and Caribbean Studies at the University of Vermont. I collaborated in the design and implementation of the Music Technology and Business Program. I have contributed to numerous peer-reviewed journals and other publications and I am author of a book, *Making the Scene: Contemporary New York City Big Band Jazz*, published by University of California Press (2007). My article on drumming and rhythms, “Funky Drummer,” first published in the British journal *Popular Music* in 2000, has been reprinted in several anthologies and has been widely cited. My scholarly work encompasses extensive music transcriptions, musicological analysis, historical research, and other activities, particularly in popular music. I earned a Ph.D. in Music (Ethnomusicology Concentration) from the Graduate Center of the City University of New York (CUNY) and a Master of Music in Jazz and Commercial Music from Manhattan School of Music. During 2006-7 I was a Fulbright scholar researching traditional and popular music in Mexico. As an active professional musician for more than forty years I have performed and recorded with leading musicians in jazz and popular music such as Lionel Hampton, Wynton Marsalis, and Ray Charles. I have provided expert opinions and analysis and lectured widely on music copyright matters for nearly twenty years. A C.V. attached to this report as Exhibit 3 lists my professional activities in more detail.

2. Assignment

I have been asked to examine, compare and research two songs: “The First Time Baby Was a Holiday” (henceforth “FTB”) and “10,000 Hours” (henceforth “10K”). I was provided mp3’s and links to the recordings by Tre Lovell, Esq. of The Lovell Firm, P.C. He also provided me with the deposit copy sheet music to FTB (Exhibit 1). I was also asked to perform a preliminary search for other songs containing similar expression (“prior art”).

3. Summary of Findings

My investigation and analysis have found that the compositions FTB and 10K are substantially similar in their main melodic themes, hook lyrics, supportive harmonies, and accompaniment. A prior art search turned up no songs with anywhere near this degree of similarity that predate either of the two versions of FTB (1980 and 2014). The analysis below is primarily based on the more recent (2014) version of FTB. The melody, harmonies, lyrics, and other expression in the 1980 recording and the deposit copy sheet music are very similar to those in the later recording of the composition.

4. Analysis

a) General

FTB and 10K are both set to major keys and have similar tempos and overall feel or style.

	Tempo	Key
FTB	84bpm ¹	Eb major (and E major after the modulation)
10K	89bpm	Bb major

b) Structure

The forms of both songs are as follows:

First Time

intro	0:00	instrumental; guitar plays theme
verse 1 ²	0:13	
chorus 1	0:36	
verse 2	1:00	
chorus 2	1:23	
verse 3	1:53	(modulation) guitar plays theme; vocal ad lib.
chorus 3	2:13	
outro	2:37-3:02	improvised vocal over fadeout and guitar/piano riffing on chorus

10,000 Hours

intro	0:00	
verse 1	0:09	
chorus 1	0:29	
verse 2	0:56	
chorus 2	1:17	
bridge	1:49	
chorus 3	2:02	
outro	2:24-2:48	improvised vocal over guitar riffing on chorus

¹ BPM = beats per minute

² This section also functions like a chorus in FTB as is clear in the sheet music deposit copy version.

While there are differences (such as the short bridge in 10K) the basic form is similar. One unusual feature of FTB is that the verse also functions like a chorus later in the song, as evidenced in the original lead sheet deposit copy where the lyrics and music of the first section are repeated at the end.

c) Melodies

Following standard musicological procedure when comparing two or more works, in this and all following examples, I have transposed each song to the same key (C major).

Example 1. Chorus of “10,000 Hours” and 1st verse/chorus of “First Time”

First Time $\text{♩} = 84$ ① ② ③

THE FIRST TIME__ BA-BY WAS A HOL-I - DAY. We packed up my bags and we went__ a-way.__ You

10,000 $\text{♩} = 89$

I'd spend TEN THOU-SAND HOURS__ and ten thou sand more, oh, if that's what it takes to learn that sweet heart of yours. And I

First Time ③ ④

treat - ed me ten - der,__ so per-fect-ly right, a time I'll re - mem-ber for *the rest of my life.*

10,000

might nev er get__ there,__ but I'm gon-na try,__ if it's TEN THOU-SAND HOURS or *the rest of my life.*

Example 1 provides the chorus of 10K and the verse/chorus of FTB. The melodies in each of these sections reference the titles of the songs and, by containing the signature phrases, they can be considered the most important sections of both songs. These eight measure sections are constructed from four two-measure phrases. In the above example each phrase has been marked and assigned a number 1-4. Notes and lyrics that match are red. Note that in both songs, the sections end with the same hook phrase: “*the rest of my life.*”

As discussed in greater detail below, phrases 1 and 3 in both songs are virtually identical. Phrases 2 and 4 begin with different pitches³ for the first four notes but are virtually identical for their remaining notes. The fourth phrase in each song ends with identical lyrics set to the same melodies (pitches and rhythms). The only difference is an insignificant decorative embellishment on the last syllables of 10K. The fourth and final phrase containing the words “the rest of my

³ “Pitch” is the frequency of a sound, generally perceived by the human ear as its highness or lowness.

life” can be considered an important hook in each song as it explains the significance of the titles and the lyrics that precede it.

Overall, 34 of 47 or 72.3% of the notes in the pitch sequence of the main verse/chorus of FTB, appear in the chorus of 10K. These pitches are set to the same rhythms and appear in relation to the same beats (metric placement). Phrases 1 and 3 share the same initial (C) and final pitches (E), and phrases 2 and 4 the same final pitches (C). The only relatively minor difference between these sections of the songs are the first four pitches of phrases 2 and 4 (which nevertheless are set to the same rhythms).

In fact, the rhythms and metric placement of all four phrases are virtually identical. As can be seen in Example 2, only 5 of 47 notes are set to different rhythms and the difference in metric placement of all five of these notes is miniscule (just a sixteenth note, or less than two-tenths of one second (0.178) at 84 bpm).

Example 2.

Rhythm and metric placement compared

Example 2 displays musical notation comparing the rhythm and metric placement of two songs, FTB and 10,000. The notation is presented in two systems, each with a 'First Time' and '10,000' staff. The tempo is marked as $\text{♩} = 84$ for FTB and $\text{♩} = 89$ for 10,000. The notation includes lyrics and red markings indicating note placement. Circled numbers 1-4 indicate specific phrases being compared.

FTB lyrics: THE FIRST TIME__ BA-BY WAS A HOL-I - DAY. We packed up our bags and we went__ a-way__ You

10,000 lyrics: I'd spendTEN THOU-SAND HOURS__ and ten thou-sand more, oh, if that's what it takes to learn that sweet heart of yours. And I

FTB lyrics: treat - ed me ten - der,__ so per-fect-ly right, a time I'll re - mem - ber for *the rest of my life*__

10,000 lyrics: might nev-er get__ there,__ but I'm gon-na try,____ if it's TEN THOU-SAND HOURS or *the rest of my life*__

For all intents and purposes, the melodies and melodic structure of the chorus and verse/chorus sections of these two songs are the same.

Phrase 1 compared (signature theme and title phrase)

Example 3 looks at phrase 1 in closer detail. As can be seen, these melodies are a close match. By referencing the title of each song and their prominent placement at the beginning of each section, they can be considered the signature phrases of each song.

Example 3. Phrase 1 Signature phrases

First Time

THE FIRST TIME_ BA - BY WAS A HOL - I - DAY.

10,000

I'd spend TEN THOU - SAND HOURS and ten thou-sand more, _

When comparing melodies a common procedure is to convert each pitch to an integer. The C major scale would thus be rendered as 1 to 7 where 1 = C, 2 = D, 3 = E, 4 = F, 5 = G, 6 = A, and 7 = B.⁴

Pitch sequences in phrase 1

FTB **165632161 13**
 10k **1165632151233**

In terms of pitch sequences, 9 of 11 or 82% of the notes in the signature phrases of FTB and 10K match. Melody, of course, also includes durations, metric placement, and contour⁵ as well as pitch ordering, all of which are nearly identical in these songs.⁶

These phrases begin with an upward leap from the tonic (C) up to the 6th degree of the scale (A) on beat one, a stepwise motion to the 5th (G) and return to the sixth (A) before a downward leap to the 3rd (E) and stepwise descent to the tonic. The melodies continue similarly after a similar gesture to a lower pivot or pick up note by returning to the tonic and landing on the third on the last syllable. The slight difference in this very brief lower pivot note (on the words “a” and “and”) is insignificant.

Slightly embellished and harmonized iterations of the signature phrase by the guitar appear in FTB during the intro (see example 9) and a similar version is heard during the instrumental section (1:53-2:12).

⁴ This is similar to the Western system of solfege, using numbers instead of the syllables *do* (1), *re* (2), *me* (3), etc.

⁵ “Contour” refers to the shape of a melody as the pitches rise and fall.

⁶ The most authoritative reference work on music in the English language, the *New Grove*, defines melody as “pitched sounds in musical time” and the *Oxford Companion to Music* defines it as the “interaction of rhythm and pitch.” The *Harvard* and *Oxford* dictionaries of music further explain that, along with pitch, duration (rhythm) is an essential element in the formation and recognition of melodies.

If we compare the second phrase of FTB with the opening signature phrase of 10K, even more pitches and notes match – 10 of 12 or 83%.

Example 4. signature phrases (second iteration in FTB)

Pitch sequences

FTB 165632161231

10k 1165632151233

As in example 3, the difference in the note at the end of the first full measure (set to the words “we” in FTB and “and” in 10K) is insignificant because of its brevity, its similar pitch level (6 in FTB and 5 in 10k), contour (skip down to 6 or 5), and function (a pivot or pickup into the second part of the phrase). The musical gesture is the same and the miniscule difference in pitch of this single brief note would be imperceptible to most listeners.⁷ Essentially, the only difference in these phrases is the last pitch.

Phrase 2 compared

In the second phrase of each song, after the first 4 notes (5 notes in 10K including the initial “oh”), the two phrases are identical for the last 8 notes except for a slight inflection on the last word (“yours”) in 10K. In other words, 8 of the 12 notes (or 67%) in FTB appear in 10K.

Example 5 Phrase 2 comparison

⁷ As the only sixteenth notes, these notes have the shortest duration in the entire phrase.

Pitch sequences

FRB 1656**32161231**

10K 56125**321612321**

Phrase 3 compared

The third phrase of each song closely mirrors the melody (pitches, rhythms, and metric placement) of the first or signature/title phrase. 9 of 12 or 75% of the notes match.

Pitch sequences in phrase 3

FTB **165632161113**

10k **11656321512343**

Phrase 4 compared (hook phrase)

Similarly, phrase 4 in each song closely mirrors the melody (pitches, rhythms, and metric placement) of phrase 2. Moreover, the fourth phrase in both songs ends with an identical hook: the words “the rest of my life” set to the same melody (pitches, rhythms, and metric placement).

Example 6. Phrase 4 “hook” comparison

The image shows two staves of musical notation in 4/4 time. The top staff is for the song 'First Time' and the bottom staff is for '10,000'. Both staves show a melodic line with lyrics underneath. The lyrics for 'First Time' are 'a time I'll re - mem - ber for the rest of my life.____' and for '10,000' are 'if it's ten thou-sand hours____ or the rest of my_ life.____'. The words 'the rest of my life' are highlighted in red in both. The melody for these words is nearly identical in both songs, with red dots marking the notes.

Again, duration and rhythmic placement are essential components of melody. These pitch sequences are set to nearly identical rhythms and contours and placed identically in the meter.

Pitch sequences

FRB 1656**32161231**

10K 56125**3216123121**

The two added pitches (1 and 2) at the end of the phrase on the words “my” and “life” in 10K are purely decorative with little melodic significance. As in the second phrase of both songs, out of 12 notes in FTB the last 8 (67% or 2/3) appear in 10K.

d) Harmonies

As discussed above, in both songs the title or signature theme of both songs are set to nearly identical melodies. The harmony underlying these passages is given below.

Passages at issue (see example 7):

First Time	C	F C	
10,000	C A-	F C	

As can be seen above both songs these passages are set to very similar chords and harmonic rhythm. In the second measure the return to the tonic (C) is anticipated (played before the downbeat).

In FTB the melodic passage at issue is also set to another harmonic progression (see example 8).

First Time	C	Bb F	
10,000	C A-	F C	

e) Melody and accompaniment

In addition to the nearly identical melodies and similar harmonies, the songs share similar accompaniment figures. As can be seen in examples 7 and 8, the drum patterns are similar. Though not unusual, both use a steady stream of 8th-notes on the hi-hat and back beat on the snare. More significantly, the kick or bass drum in the second measure of the pattern is sounded on the “and” of two and the “and” of three. The bass in each song also follows this pattern.

Example 7. Melody and rhythm section parts

The image displays a musical score for two songs, 'First Time' and '10,000', comparing their melody and rhythm section parts. The score is presented in two systems, one for each song, with three staves per system: Lead Vocal, Bass, and Drumset. The time signature is 4/4.

First Time System:

- Lead Vocal:** THE FIRST TIME__ BA- BY WAS A HOL-I - DAY.
- Bass:** Chords C, F, C are indicated below the notes.
- Drumset:** Shows a steady stream of 8th notes on the hi-hat and back beat on the snare.

10,000 System:

- Lead Vocal:** I'd spend TEN THOU-SAND HOURS_____ and ten thou-sand more,
- Bass:** Chords C, A-7, F(sus2), C are indicated below the notes.
- Drumset:** Shows a steady stream of 8th notes on the hi-hat and back beat on the snare.

f) Finally, both songs share an important detail – the same five-note pickup figuration in the bass and in the guitar (see example 8). While similar figurations appear in other songs, here it is generally coupled with the signature phrase. This melodic phrase is contiguous with the signature vocal melodies of each song.

Example 8. Melody and rhythm section parts with pickup figuration

The image displays two musical examples, 'First Time' and '10,000', each with three staves: Lead Vocal, Bass, and Drumset. The time signature for all is 4/4.

First Time:
 - **Lead Vocal:** Treble clef, 4/4. Lyrics: "We packed up our bags and we went a-way... You".
 - **Bass:** Bass clef, 4/4. A blue box highlights a five-note pickup figuration (G2, A2, B2, C3, D3) in the first measure, labeled with a red 'C'. Chords Bb and F are indicated below the staff.
 - **Drumset:** Snare drum (x), bass drum (.), and cymbal (o) patterns.

10,000:
 - **Lead Vocal:** Treble clef, 4/4. Lyrics: "I'd spend ten thousand hours and ten thousand more, oh, if".
 - **Bass:** Bass clef, 4/4. A blue box highlights a five-note pickup figuration (G2, A2, B2, C3, D3) in the first measure, labeled with a red '(guitar 8va) C'. Chords A-7, F(sus2), and C are indicated below the staff.
 - **Drumset:** Snare drum (x), bass drum (.), and cymbal (o) patterns.

In FTB this instrumental melodic phrase occurs in the intro, the verse⁸ and the central guitar section. In 10K it occurs at the beginning of each chorus. As such, it is part and parcel of the overall expression heard in these sections.

⁸ As previously noted, this section also functions like a chorus as can be seen in the deposit copy version.

This figuration also appears in the guitar and keyboard part of the intros of both pieces as seen below. Example 9 provides the guitar, piano and vocal parts of the first two measures of each song.

Example 9.

Intros

First Time

0:00

Guitar

Electric Piano

10,000 Hours

0:00

2

Lead Vocal

Do you love the rain, does it make you dance,

Guitar

The note heads in orange above indicate the signature phrase in FTB as it is played by the guitar and keyboard during the intro. Similar phrases sounded by the guitar appear during the third verse of “First Time.”

5. Quantitative Analysis

The signature phrase melody and hook phrase appear fourteen times FTB and at least eight times in 10K (a variation appears in the last chorus). In FTB the signature phrase is heard twice instrumentally in the intro, four times in the vocal of each of the two verses, and four times again in the guitar during the last verse. These fourteen iterations comprise a total of 1:17 seconds in the 3:02 song or approximately 42% of the entire length. In 10K the phrases at issue provide the main theme of the choruses which account for 1:18 or approximately 46% of the total length of the song (2:48).

6. Qualitative Analysis

Qualitatively, these themes are the most important expression in each song. The lyrics of the titles are set to them (“The first time baby was a holiday” and “I’d spend ten thousand hours and ten thousand more”). The phrases containing the words “for the rest of my life” that conclude these sections form the hook of each song. In the popular music industry, it is an article of faith that, to become successful, a song must have at least one “hook” or memorable passage. As the title or signature phrases of each song, this distinctive expression in these sections must be considered the “hooks” or most valuable parts of the songs. In FTB the signature melody also appears at the very beginning of the composition and is the first expression heard by the listener (see example 9). In 10K this content comprises the beginning of each chorus. The nearly identical phrases on “...remember for the rest of my life” and “...hours or the rest of my life” occur in the fourth phrase that conclude the sections. In assessing the overall value of musical expression in a composition, the standard practice is to adjust the quantitative analysis according to qualitative factors. In this case, because this expression is the most important in each song, the quantitative value must be adjusted upward significantly.

7. Conclusions

The musical expression at issue in this case is significant both quantitatively and qualitatively to each song. These signature phrases and hooks are distinctive and a prior art search has uncovered no other songs nearly as similar to these songs as they are to each other. As discussed above, the phrases occur repeatedly in both songs in important places and contain the lyrics referencing the titles. These sections of both songs are constructed from four phrases and the rhythms and metric placement of all four phrases match almost perfectly. The fourth concluding phrase ends with the same words (“for the rest of my life”) set to the same melody. Overall, pitch sequences are nearly identical, particularly in the first and third phrases and in the last 2/3 of phrases two and four. Clearly, these sections and the phrases within them form the most valuable expression in these compositions. In fact, at least as regards this core expression, First Time Baby and 10,000 Hours are practically the same song. Given the degree of similarity in these passages and other details, I consider it almost impossible that 10K was created independently from FTB.

As a preliminary inquiry, this report is not intended to be exhaustive, and I retain the right to amend or supplement it should further information become available.

Respectfully submitted,



Alexander Stewart, Ph.D. LLC

Attachments

- Exhibit 1 Melodies, lyrics, and rhythms: signature phrases and hooks compared
- Exhibit 2 “First Time Baby” Deposit Copy Sheet Music (1980)
- Exhibit 3 “10,000 Hours” Sheet Music
- Exhibit 4 Alexander Stewart, Ph.D. Curriculum Vitae

Melodies

The First Time Baby

$\text{♩} = 84$

THE FIRST TIME BABY WAS A HOL-I-DAY. We packed up our bags and we went a-way. You treat-ed me ten-der, so per-fect-ly right, a time I'll re-mem-ber for the rest of my life.

10,000 Hours

$\text{♩} = 89$

I'd spend TENTHOU SAND HOURS and ten thou sand more, oh, if that's what it takes to learn that sweet heart of yours. And I might nev-er get there, but I'm gon na try, if it's TENTHOU SAND HOURS or the rest of my life.

Rhythms

The First Time Baby

$\text{♩} = 84$

THE FIRST TIME BABY WAS A HOL-I-DAY. We packed up our bags and we went a-way. You treat-ed me ten-der, so per-fect-ly right, a time I'll re-mem-ber for the rest of my life.

10,000 Hours

$\text{♩} = 89$

I'd spend TENTHOU SAND HOURS and ten thousand more, oh, if that's what it takes, to learn that sweet heart of yours. And I might nev-er get there, but I'm gon-na try, if it's TENTHOU SAND HOURS or the rest of my life.

THE FIRST TIME BABY WAS A HOLIDAY

1. FIRST TIME BA-BY WAS A HOL-I-DAY_ YOU PACKED UP MY BASS AND YOU
 2. BA-BY BA-BY THERE'S A PLACE NOT FAR_ AN HOUR_ OR TWO_

TOOK ME A-WAY_ TREAT-ED ME TEN-DER SO PER-FECT AND RIGHT. TIME I'LL RE-MEM-BER FOR THE
 DRIV-IN' BY CAR_ BA-BY RE-CITE PO-E-TRY IN MY EAR. LOVE IS THE MUS-IC THAT I

REST OF MY LIFE. I WAS A-FRAID_ BUT YOU SHOWED ME HOW_ I'M SO
 WANT TO HEAR.

GLAD THAT IT DON'T_ HURT NOW YOU WERE MY SYN-PHON-Y_ THAT PLAYED THE WHOLE DAY

THROUGH. AND LOVE WAS THE MUS-IC THAT WE DANCED TO_

WE DANCED TO_ THAT WE DANCED TO_ THE FIRST TIME BA-BY WAS

"... HOLIDAY" P. 2

Ab Eb Eb Db Ab
HOL-I-DAY YOU PACKED UP MY BAGS AND YOU TOOK ME AWAY

Eb Ab Eb Eb
TREAT-ED ME TEN-DER SO PER-FECT AND RIGHT. TIME I'LL RE-MEM-BER FOR THE

Db Ab
REST OF MY LIFE

10,000 Hours

by

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JORDAN REYNOLDS, JUSTIN BIEBER,
SHAY MOONEY and DAN SMYERS

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10,000 HOURS

Words and Music by
DAN SMYERS, SHAY MOONEY,
JUSTIN BIEBER, JASON BOYD,
JORDAN REYNOLDS and JESSIE JO DILLON

Moderately $\text{♩} = 88 - 92$

D D(add9)/F# G D

Do you love the rain, does it make you dance, - when you're drunk - with your friends - at a par - ty?

The first system of musical notation for the song. It features a vocal line in treble clef with lyrics and a piano accompaniment in grand staff (treble and bass clefs). The key signature is D major (two sharps) and the time signature is 4/4. The tempo is marked 'Moderately' with a metronome marking of quarter note = 88-92. The system includes a guitar chord progression: D, D(add9)/F#, G, and D.

D(add9)/F#

G

D

What's your fa - v'rite song, - does it make you smile? - Do you think of me? _____ When you

The second system of musical notation, continuing the vocal line and piano accompaniment. It includes guitar chords: D(add9)/F#, G, and D.

Bm7

G

D

close your eyes, tell me, what are you dream - in'? Ev - 'ry -

The third system of musical notation, concluding the vocal line and piano accompaniment. It includes guitar chords: Bm7, G, and D.

Bm7 G D

thing, I wan - na know it all. Mm. I'd spend

Bm7 Gsus2 D

ten thou - sand ho - urs and ten thou - sand more, oh, if

Bm7 Gsus2 D

that's what it takes to learn that sweet heart of yours. And I

Bm7 Gsus2 D

might nev - er get there, but I'm gon - na try, if it's

Bm7 Gsus2 D

ten thou - sand ho - urs or the rest of my life. I'm gon - na love

Bm7 Gsus2 D

you.

(Ooh)

mp

D(add9)/F# G D

Do you miss the road that you grew up on? Did you get your mid-dle name from your grand - ma?

mf

D(add9)/F# G D

When you think a - bout your for - ev - er now, do you think of me? When you

Bm7 G D

close your eyes, tell me, what are you dream - in? Ev - 'ry -

Bm7 G D

thing, I wan - na know it all. I'd spend

Bm7 Gsus2 D

ten thou - sand ho - urs and ten thou - sand more, oh, if

Bm7 Gsus2 D

that's what it takes to learn that sweet heart of yours. And I

Bm7 Gsus2 D

might nev - er get ___ there, ___ but I'm gon - na try, ___ if it's

This system contains the first two measures of the musical score. The vocal line starts with a treble clef and a key signature of two sharps (F# and C#). The lyrics are "might nev - er get ___ there, ___ but I'm gon - na try, ___ if it's". The piano accompaniment is in a grand staff with treble and bass clefs, featuring chords and moving lines in both hands.

Bm7 Gsus2 D

ten thou - sand ho - urs or the rest of my life. ___ I'm gon - na love _

This system contains the next two measures. The vocal line continues with the lyrics "ten thou - sand ho - urs or the rest of my life. ___ I'm gon - na love _". The piano accompaniment continues with similar harmonic support.

Bm7 Gsus2 D

___ you. (Ooh) ___ I'm gon - na love _

This system contains the next two measures. The vocal line includes the lyrics "___ you. (Ooh) ___ I'm gon - na love _". The piano accompaniment features a more active bass line and sustained chords.

Bm7 Gsus2 D

___ you. (Ooh) ___

This system contains the final two measures of the page. The vocal line ends with the lyrics "___ you. (Ooh) ___". The piano accompaniment concludes the phrase with sustained chords and a final bass line.

6

Dmaj9/F# G(add9)

Ooh, ___ want the good and the bad ev-'ry-thing in be-tween. _____

Dmaj9/F# G(add9)

___ Ooh, ___ got-ta cure my cu-ri-os-i-ty. _____

N.C. D Bm7 Gsus2 D

Oh, _ yeah. ___ I'd spend ten thou-sand ho - urs ___ and ten thou-sand more, _ oh, if

Bm7 Gsus2 D

that's what it takes ___ to learn that sweet heart of yours. ___ And I

Bm7 Gsus2 D Bm7

might nev - er get _ there, _ but I'm gon - na try, _ if it's ten thou - sand ho - urs or the

Gsus2 D Bm7 Gsus2 D

rest of my life. _ I'm gon - na love _ you. (Ooh) _ I'm gon - na love _

D Bm7 Gsus2 D Bm7

_ you. (Ooh) _ Yeah! And I (Ooh) _

Gsus2 D Bm7 Gsus2 D

I'm gon - na love _ you. I (Ooh) _ I'm gon' love _ you. _

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TEACHING EXPERIENCE

UNIVERSITY OF VERMONT

Professor, 2012-present

Associate Professor, 2005-2012

Assistant Professor, 1999-2005

Jazz Studies Coordinator, 2003-present

Director, Integrated Fine Arts Program, 2008-2012

Director, Latin American Studies Program, Spring 2006; 2011-16

LONG ISLAND UNIVERSITY, C.W. POST

Instructor in Music, 1988-1999

Director of Jazz Studies

Additional courses at:

The New School (Jazz and American Culture), 1995-1997

John Jay College of CUNY (History of Jazz and Rock), 1995

COURSES TAUGHT

Jazz History

Jazz Improvisation I & II

World Music Cultures

Seminar in Ethnomusicology

Alex Stewart

Music Business & Copyright
Music Theory
Musical Avant-Gardes
Music of Cuba, Puerto Rico, and the Dominican Republic
Duke Ellington
Jazz Ensembles (Big Band and Combos)
Seminar in World Music (Honors College)
Music of Latin America and the Caribbean
Latin Jazz Summer Immersion
Culture and Politics of Latin American Protest Music (team taught with professors from Political Science, Romance Languages, and Global Studies)

PUBLICATIONS

Books

Making the Scene: Contemporary New York City Big Band Jazz, Berkeley: University of California Press, 2007.

Spanish translation from the French and German: Hans Bodenmann, *El ABC de la Flauta Dulce*. Zurich: Anton Peterer Music & Books, 2003 (Recorder method book).

Forthcoming

“Music, Media, and Anarchism in the ‘Oaxaca Commune,’” In *Oxford Handbook of Protest Music*, edited by Noriko Manabe and Eric Drott, New York: Oxford University Press [2022].

Articles, Book Chapters, Reviews, Entries

“Been Caught Stealing”: A Musicologist’s Perspective on Unlicensed Sampling Disputes” *University of Missouri Kansas City Law Review* 83(2): 340-61 (Winter 2014).

“Make It Funky: Fela Kuti, James Brown and the Invention of Afrobeat.” *American Studies* 52(4) (2013): 99-118.

“*La chilena mexicana es peruana*: Multiculturalism, Regionalism, and Transnational Musical Currents in the Hispanic Pacific.” *Latin American Music Review/Revista de Música Latinoamericana* 34(1) (Spring 2013) Austin: University of Texas Press.

“Funky Drummer’: New Orleans, James Brown and the Rhythmic Transformation of American Popular Music,” edited by Tom Perchard. Reprinted in *From Soul to Hip Hop*, Routledge 2017. (originally published in *Popular Music* 19(3) October 2000 Cambridge University Press).

“Funky Drummer’: New Orleans, James Brown and the Rhythmic Transformation of American Popular Music.” Reprinted in *Roots Music*, edited by Mark F. DeWitt. London: Ashgate, 2011 (originally published in *Popular Music* 19(3) October 2000 Cambridge University Press).

Review of Ben Ratliff, *Coltrane: The Story of a Sound*. *Jazz Perspectives* 2(1):103-109 (2008).

Alex Stewart

“Contemporary New York City Big Bands: Composition, Arranging, and Individuality in Orchestral Jazz,” *Ethnomusicology* 48(2) (Spring/Summer 2004): 169-202.

Review of *The New Grove Dictionary of Jazz* in *Ethnomusicology* 47(3) (Fall 2003):376-80.

“Second Line,” *Encyclopedia of Popular Music of the World*. London: Cassell 2003.

Essay review of Lewis Porter, *John Coltrane: His Life and Music*. *Annual Review of Jazz Studies* 11, 2000-1 [2002]: 237-52.

“‘Funky Drummer’: New Orleans, James Brown and the Rhythmic Transformation of American Popular Music,” *Popular Music* 19(3) (Winter 2000): 293-318.

Review of Scott DeVeaux, *The Birth of Bebop*. *Yearbook of Traditional Music* 30 (1998): 135-7.

LECTURES, COLLOQUIA, CONFERENCE PAPERS

"Blurred Lines IV: Legal Considerations When Writing." Canadian Film Centre Slight Music Residency Panel Talk. Toronto, Canada. May 27, 2021

“Melody, ‘Beats,’ and Minimalism: Copyright in Contemporary Popular Music.” *Substantial Similarity and the Role of Forensic Musicology in Music Copyright Litigation*. American Musicological Society/Society for Music Theory Annual Meeting, Minneapolis, MN. November 15, 2020.

Silicon Flatirons Conference: *The Future of Copyright Infringement Analysis in Music*. Invited panelist and Speaker. March 5, 2020, Colorado Law, University of Colorado, Boulder, CO.

Composition, Jazz Improvisation, and Copyright,” Jazz Educators Network (JEN) annual conference, New Orleans, January 8, 2020

"Blurred Lines III: Legal Considerations When Writing." Canadian Film Centre Slight Music Residency Panel Talk. Toronto, Canada. August 7, 2019

"Blurred Lines II: Legal Considerations When Writing." Canadian Film Centre Slight Music Residency Panel Talk. Toronto, Canada. August 13, 2018

“The Future of Sampling: Transformative Art or Copyright Infringement?” Alexander von Humboldt Institute for Internet and Society, Berlin, Germany. February 28, 2018.

"Blurred Lines: Legal Considerations When Writing." Canadian Film Centre Slight Music Residency Panel Talk. Toronto, Canada. August 2, 2017

“Creativity and Copyright,” Champlain College, November 11, 2015

Invited Speaker: Symposium on Hip Hop, Technology, and Copyright. Utah State University. (March 28, 2015).

Alex Stewart

“Make It Funky: Fela Kuti, James Brown and the Invention of Afrobeat.” Annual Conference of the American Studies Association. Washington DC, November 23, 2013.

“Creativity and Copyright,” Champlain College, October 25, 2013

“Lila Downs: Music, Culture, and Politics in Oaxaca, Mexico.” Pre-Concert Lecture. Flynn Center for the Performing Arts. Burlington, VT. April 26, 2013.

“Music, Media, and Anarchism in the Oaxaca Commune” Paper presented at Music and War Panel. AMS/SEM/SMT Annual Conference. New Orleans. Nov. 2, 2012.

“*Pasos cromáticos en la improvisación del jazz* (Chromatic Passing Tones in Jazz Improvisation).” Lecture/workshop (in Spanish) at Instituto Projazz, Santiago, Chile. May 31, 2012.

“Musicology CSI: Sampling, Interpolation, and Copyright.” Thursdays at One Performance/Lecture Series, UVM Music Department.

“Music, Media, and Anarchism in the ‘Oaxaca Commune,’” Presentation to University of Vermont Global Village, 15 February 2011.

“*Son de las barricadas*: Protest song and revolution on Oaxaca’s Radio APPO.” Paper read at the annual conference of Society for Ethnomusicology (SEM) in Los Angeles, CA, Nov. 2010.

“*Son mexicano*” OLLI (Osher Life Long Learning Institute). Pre-Concert Lecture Sones de México, Lane Series 8 October 2010.

“*Música popular* and the Ideology of *mestizaje* in Postrevolutionary Mexico.” 1 October 2010, UVM Hispanic Forum.

Musicology CSI: Sampling, Interpolation, and Copyright.” Invited lecture, State University of New York (SUNY) Albany, 28 April 2010.

“La Chilena Mexicana: Transnational Musical Currents in the Hispanic Pacific” Global and Regional Studies Lecture, 17 March 2010 Billings Marsh Lounge.

“Copyrights and Copywrongs: Introduction to Forensic Musicology” Invited lecture, State University of New York (SUNY) Plattsburgh, 11 March 2010.

FLYNNsights: Lecture on Charles Mingus opening the residency of the Mingus Repertory Ensembles (Mingus Dynasty, Mingus Orchestra, and Mingus Big Band along with dance troupe choreographed by Danny Buraczeski at the Flynn Center for the Performing Arts. 17 October 2010.

“Supergenre, genre, subgenre: Mexican *son* and the *chilena* complex.” Paper presented at the annual conference of the Society for Ethnomusicology (SEM) in Mexico City, November 2009.

Alex Stewart

“*Socialismo con pachanga*: Music in Revolutionary Cuba.” Hispanic Forum, University of Vermont, 22 October 2009.

“Performing Race: Afro-Mexicans and Multiculturalism in Oaxaca’s Guelaguetza.” Paper presented at the Latin American Studies Association (LASA) XXVIII International Congress, “Rethinking Inequalities” Rio de Janeiro, Brazil, 12 June 2009.

La chilena oaxaqueña: “*El gusto de mi region*.” Paper presented at the annual conference of the Sonneck Society for American Music (SAM), Denver, CO, 19-22 March 2009.

Insights FlynnArts. Pre-concert lecture on Maria Schneider and her Orchestra. 22 January 2009. Amy E. Tarrant Gallery at the Flynn Center for the Performing Arts.

“Performing Race: Afro-Mexicans and Multiculturalism in Oaxaca’s Guelaguetza Festival.” Paper presented at the annual meeting of the Society for Ethnomusicology (SEM), Wesleyan University, Middletown, CT, 28 October 2008.

“*La Danza de las Diablas*”? Race, Gender, and Local Identity in Afro-mestizo communities of Mexico’s Costa Chica. Paper presented at the annual meeting of the Society for Ethnomusicology (SEM), Columbus, OH, 28 October 2007.

“*Son de las Barricadas*”: Songs of Protest from the Spanish Civil War to the Present on Oaxaca’s Radio APPO.” Hispanic Forum, University of Vermont, 10 October 2007.

“Cross-Cultural Learning through Music and Dance: A UVM Class in Guantánamo, Cuba.” Presentation to the UVM College of Arts and Sciences Advisory Board, April 2004.

“Beauty and the Beast: Maria Schneider’s *Wyrgly*.” Paper presented at special session of the joint meetings of Society for Music Theory (SMT) and the American Musicological Society (AMS), “Women in Jazz: Voices and Roles,” Columbus, OH, 1 November 2002.

“On the Edge: Sue Mingus and the Mingus Big Band.” Colloquium at the University of Illinois (Urbana and Champaign), 6 March 2002.

“*Blood on the Fields*: Wynton Marsalis and the Transformation of the Lincoln Center Jazz Orchestra.” Paper read at the 2001 annual meeting of the Society for Ethnomusicology (SEM), Detroit, October 2001.

“The Jazz Concerto as Collaborative Work: Jim McNeely’s ‘Sticks.’” Paper read at the joint meeting of the Society for Music Theory (SMT) and other major music societies in Toronto, 4 November 2000.

“New York City Big Bands and the Professional Jazz Musician.” Paper read at the annual meeting of the Society for Ethnomusicology (SEM) in Bloomington, IN, 24 October 1998.

“From Mardi Gras to Funk: Professor Longhair, James Brown and the Transformation of Rhythm and Blues.” Paper read at joint meeting of the Society for Ethnomusicology (SEM) and

Alex Stewart

the International Association for the Study of Popular Music (IASPM) in Pittsburgh, PA, October 1997.

GRANTS AND AWARDS

Coor Collaborative Fellowship, Rethinking African Art. 2020-2021.

UVM Humanities Center Public Humanities Fellowship for sabbatical travel to Uganda. 2019.

International Travel Funds Award. College of Arts and Sciences. Travel to and residency in Uganda. Jazz Performance and Workshops; Research in Traditional Music. October and November 2019.

Interdisciplinary Experiential Engagement Award for course proposal, *Culture and Politics of Latin American Protest Music*, to be taught in collaboration with Political Science, Romance Languages, Global Studies, and Music Departments. January 2013.

Lattie F. Coor Award for International Travel to present paper and chair panel at the Society for Ethnomusicology conference (SEM) Mexico City. November 2009.

Joan Smith Faculty Research Support Award *Performing Race: Afro-Mexicans, Multiculturalism, and the "Black Pacific."*

Lattie F. Coor Award for International Travel to present paper at the Latin American Studies Association (LASA) Congress in Rio de Janeiro, Brazil. June 2009.

Fulbright Research Fellowship to Mexico, Afro-Mexican music, 2006-7.

Award for Contribution to Vermont Jazz Education, presented by Wynton Marsalis and the Flynn Center for the Performing Arts, October 2005.

UVM Arts and Sciences Dean's Fund for Faculty Development (to initiate fieldwork in the Costa Chica of Mexico), Fall 2005.

UVM Humanities Center Research Grant, Spring 2004.

UVM Global Outreach Committee Grant, March 2003.

UVM Arts and Sciences Faculty Development Grant for study in Cuba, May 2002.

2001 Barry S. Brook Award for best dissertation in music CUNY.

CUNY Dissertation Year Fellowship 1998-1999.

MUSIC COPYRIGHT & RELATED

Alex Stewart

Expert Report in *Bridgeport Music, Inc. v. Dimension Films*, 410 F.3d 792 (6th Cir. 2005). Case recognized as setting new “bright line” standard for use of samples of copyrighted recordings.

Testimony in trial in Federal District Court, Nashville TN, Case No. 3:01-780, *Bridgeport Music v. Universal Music*. February 2007. “Atomic Dog” and “D.O.G. in Me.” Affirmed by US Sixth Circuit Court of Appeals, No. 07-5596, November 4 2009. Case examined issues concerning fragmented literal similarity, originality, and fair use.

Testimony in Federal District Court, Nashville, TN Case No. 3:01-0155 involving rap artist, the Notorious B.I.G and the Ohio Players. (March 2006). Affirmed by US Sixth Circuit Court of Appeals, No. 06-6294, October 17 2007.

Testimony by Deposition (for the Plaintiff), Case No. 1:09-cv-21597-DLG (Florida Southern District Court) *Kernel Records Oy v. Timothy Z. Mosley p/k/a Timbaland, UMG Recordings, Inc, et al.* New York City, May 27, 2010.

Testimony by Deposition (for the Defense), Case No. 37-2008-00098508-CU-BT CTL (California Southern District Court) *Sixuvus v. Victor Willis*, New York City, July 7, 2010.

Testimony by Deposition (Los Angeles, September 2011). Case No. 10-CV-08123 *Phoenix Phenom v. William Adams, Jr. Stacy Ferguson, et. al.*

Testimony by Deposition (New York City, January 2012). Case No. SACV10-1656JST(RZx) *Pringle v. William Adams, Jr. Stacy Ferguson, et. al.*

Testimony by Deposition (New York City, June 3, 21, 2013). Case No. CV12-5967 *VMG Salsoul, LLC v. Madonna Ciccone, Shep Pettibone, et al.*

Testimony by Deposition (New York City, September 11, 2013). 11-cv-6811. *Marino v. Usher.*

Testimony by Deposition (Burlington, VT, May 20, 2015). RALEIGH, NC #301280 *Absent Element v. Daughtry.*

Testimony by Deposition (Burlington, VT, May 17, 2016) and in Trial (June 17, 2016) Federal District Court, Los Angeles Case No. 15-cv-03462 RGK (AGRx). *Skidmore v. Led Zeppelin, et al.*

Testimony by Deposition (New York, NY, November 3, 2017) Supreme Court of the State of New York, Index No. 650427/2016. *Pai v Blue Man Group Publishing, LLC, et al.*

Testimony by Deposition (New York, NY, May 30, 2018) *Griffin v. Sheeran*. 1:17-cv-05221 New York Southern District Court

Testimony by Deposition (Burlington, VT, January 2, 2020). *Beatbox Music Pty, Ltd. v. Labrador Entertainment, et al.* Case No. 2:17-cv-6108. Central District of California.

Testimony by Deposition (Burlington, VT, May 27, 2020). *Smith v. Tesfaye*. Case No. 2:19-cv-02507-PA-MRWx Central District of California.

Alex Stewart

Testimony by Deposition (Burlington, VT, November 1, 2021). SA Music, LLC v. Apple, Inc. et al. Case No. 20-cv-02146-WHO (JSC), (N.D. Cal. Aug. 11, 2021).

Los Angeles: Warner Bros. Entertainment Inc.; Universal Music Group; Hiscox Insurance Co.; Clair G. Burrill P.C.; Sheppard Mullin Richter & Hampton LLP; Doniger Burroughs, APC; Pen Music Group; Microhits; Robert S. Besser Law Offices; Foran Glennon; etc.

New York: BMG Group; Schwartz Ponterio & Levenson, PLLC; Grubman Shire & Meiselas, P.C.; Eisenberg Tanchum & Levy; Sample Clearance Limited; Lastrada Entertainment Company; etc.

Nashville: King and Ballow; Riser House Entertainment, LLC; DeSalvo Law Firm, PLLC; Beckett Law Office; etc.

Elsewhere: K & L Gates (London); Schwartz Cooper (Chicago); Brooks Pierce (Raleigh NC); Frank & Rice (Florida); Francis Alexander, LLC (Philadelphia); Rawson Merrigan & Litner (Boston); Koeppe Traylor (New Orleans); JPMC (Burlington VT); Kile Goekjian McManus (Washington DC); Arent Fox LLP (Washington DC) Gould Law Group (Chicago); Richardson Patrick Westbrook & Brickman, LLC (Mt. Pleasant SC); Hall Booth Smith & Slover (Atlanta); Miller Canfield Paddock & Stone (Detroit); King Mesdag Music Publishing Limited (United Kingdom); as well as clients in Canada, Australia, Indonesia, Hong Kong, India, United Arab Emirates, Latin America and Europe.

Classes and seminars in Music Business and Copyright (see above for details)

Symposium on Music Copyright. University of Vermont, January 2003.

SELECTED RECORDINGS

Early Heroes, Dan Silverman. Section playing and solo on Chares Mingus' *The Shoes of the Fisherman's Wife*...Around the Slide Recordings 02 (2018).

Rick Davies *Thugtet* – Tenor saxophone Emlyn Music EM 1003 (2017)

Rick Davies and Jazzismo, *Salsa Norteña*, - Tenor saxophone (Recorded in Montreal 2011 (2012).

New York Jazz Repertory Orchestra, *Le Jazz Hot*, featuring Dave Liebman and Vic Juris. Planet Arts 310976 - Baritone saxophone, bass clarinet (2009).

Rick Davies and Jazzismo, *Siempre Salsa*, featuring Wayne Gorbea. Emlyn Music EM1001 - Tenor saxophone (2006).

Anne Hampton Callaway, *To Ella with Love*, featuring Wynton Marsalis, Christian McBride, Lewis Nash, Cyrus Chestnut. Touchwood Records TWCD 2006 - Tenor saxophone and clarinet (1998).

Alex Stewart

Peter Herborn, *Large*, featuring Gene Jackson, Greg Osby, Robin Eubanks, and others. Jazzline JL1154-2 – Baritone saxophone and bass clarinet (1998).

Billy Stritch, *Waters of March: The Brazilian Album*. Sin Drome SD8950 - Tenor saxophone and flute (1998).

Dave Stryker, *Nomad*, featuring Randy Brecker and Steve Slagle. Steeplechase Records SCCD31371 - Baritone saxophone and bass clarinet (1997).

Frankie Lane: *Wheels of a Dream*. Touchwood Records TWCD 2020 - Tenor saxophone, flute, and alto flute (1997).

The Bill Warfield Band, *The City Never Sleeps*. Seabreeze Records CDSB 2048 - Baritone saxophone and bass clarinet (1996).

SELECTED PERFORMANCES: JAZZ AND LATIN

Burlington Discover Jazz Festival Big Band (Music Director, Contractor, Performer)

Birth of the Cool: Music by the Miles Davis Nonet. Featuring Ray Vega, trumpet. Performances in June 2012 (BDJF), and in September 2012 (UVM), and May 2013 (SUNY Plattsburgh).

Textures: Jim Hall with Brass featuring the Jim Hall Trio (Jim Hall, guitar, Scott Colley, bass and Joey Baron, drums) with brass ensemble, Alex Stewart, conductor. Flynn MainStage, 2010 Burlington Discover Jazz Festival.

Paquito D’Rivera Funk Tango. Produced, co-directed, and played saxophone in concert on Flynn MainStage with 17-piece orchestra with guests: Paquito D’Rivera, alto saxophone; Diego Urcola, trumpet; Alex Brown, piano; Massimo Biocalti, bass; Mark Walker, drums; and special guest Ray Vega, trumpet. Burlington Discover Jazz Festival (1 June 2008). Reviews in *Free Press*, *AllAboutJazz*, and other media.

Mary Lou Williams Resurgence with Cecilia Smith, vibraphone and Amina Claudine, piano, 2007 Burlington Discover Jazz Festival, Flynn Center.

Music of Jim McNeely with special guest Jim McNeely, piano 2006 Burlington Discover Jazz Festival, Flynn Center.

Sketches of Spain: Celebrating the Miles Davis/Gil Evans Collaboration with trumpeter Randy Brecker and guest conductor, Joe Muccioli 2005 Burlington Discover Jazz Festival, Flynn Center.

The Grand Wazoo: Music of Frank Zappa, with Ernie Watts, Napoleon Murphy Brock, Ike Willis, and Ed Palermo 2004 Burlington Discover Jazz Festival, Flynn Center.

Alex Stewart

Duke Ellington Sacred Concert, with David Berger, Priscilla Baskerville, Paul Broadnax, and 100-voice Choir, 2003 Burlington Discover Jazz Festival, Flynn Center

Jazz and Latin

Solo Recital: Chasin' the 'Trane: Music of John Coltrane. UVM Southwick Recital Hall, September 27, 2018.

Concert: Ray Vega & the Burlington Latin Jazz Orchestra, FlynnSpace, August 9, 2018.

Recital: Ray Vega & the Burlington Latin Jazz Orchestra, UVM Southwick Recital Hall, October 21, 2018.

Chasin' the Trane: Homage to John Coltrane, with Ray Vega, trumpet. Juniper, Hotel Vermont, 2018 Burlington Discover Jazz Festival June 7 and July 18, 2018.

Chasin' the Trane: Homage to John Coltrane, with Ray Vega, trumpet. Light Club Lamp Shop, Burlington VT, July 26, 2018

Performances of Alex Stewart Quartet on Jazz Wednesdays at Juniper (Hotel Vermont), Lamp Shop Light Club (some performances featured special guest Ray Vega, trumpet), 2018.

Featured soloist – SUNY Plattsburgh Jazz Festival December 2013.

James Harvey and Garuda – opening act for Randy Weston in Discover Jazz Festival (2004); numerous other performances around region.

Beboparaka (featuring poetry of Amiri Baraka) and JazzLit.com – jazz and poetry collaborations with UVM professors Major Jackson, Tina Escaja, John Gennari and UVM students. Performances at the Discover Jazz Festival and local venues. Coverage in the *Burlington Free Press* and *Vermont Quarterly* (2005, 2006).

Grupo Sabor (Salsa and Merengue) – Performances in UVM's Grand Maple Ballroom and Brennan's Pub for Alianza Latina (2010), Higher Ground, Burlington; Red Square; Eclipse Theater, Waitsfield; Onteora Club, New York; Burlington Latino Festival (2001-present).

Performances with UVM jazz faculty (Jeff Salisbury, Joe Capps, Paul Asbell, Patricia Julien, Ray Vega, John Rivers, Tom Cleary, Rick Davies, Steve Ferraris) at recitals, concerts, and other events (1999-present).

The Lionel Hampton Orchestra; featured artists: Dizzy Gillespie, Dee Dee Bridgewater, and others. Extensive tours of Europe and North America and appearances at major jazz festivals including: North Sea, Nice, Montreal, Newport (NY and Saratoga), Biarritz (1989-1991). The Bill Warfield Band, The Dorsey Brothers Orchestra, David Berger, Paquito D'Rivera, Clem DeRosa, Bobby Shew, David Liebman, Andy Farber, Stan Rubin, Lew Anderson, Billy Mitchell, Roland Hanna, Lew Soloff, Randy Brecker and many more (1985-1999).

Alex Stewart

The Lehigh Valley Repertory Jazz Orchestra: *Sketches of Spain* featuring Randy Brecker, *An Evening with David Liebman*, *A Tribute to Benny Goodman* featuring Buddy DeFranco, and *Celebrating Louis Armstrong* featuring Jon Faddis (1997-2000).

Rick Davies & Jazzismo

Burlington Latin Jazz Orchestra, directed by Ray Vega, FlynnSpace, August 9, 2018

Featured Performer: Jazz Education Network Conference, San Diego, CA January 2015.

Workshops and concerts, Colectivo Central, Oaxaca, Mexico. June, July 2011.

With guest pianist/composer Arturo O'Farrill (and sons, Zachary, percussion and Adam, trumpet), FlynnSpace. 2010, 2011, 2012, 2013, 2014, 2015, 2017, 2017. With Jonathan Maldonado, drums, and Papo Ross, vocals and alto saxophone, 2009.

With guest artist Ray Vega, FlynnSpace (July 2003, 2004, 2005, 2006, 2007, 2008).

Appearances at SUNY Plattsburgh Jazz Festival (with Harvie S., 2002; with Chocolate Armenteros 2003; with Ray Vega 2008, 2011; with Curtis Fowlkes 2010); Red Square and other venues.

Oaxaca, Mexico: Colegio Teizcali, Colectivo Central, Spring 2007.

SELECTED PERFORMANCES: POPULAR AND BLUES

Frankie Valli, Ray Charles (Sweden 1999), Mary Wells, Frankie Avalon (Atlantic City), The Drifters, Funk Filharmonik, The Funk Collection, Nick Apollo Forte, Little Wilson, Sandra Wright Band, Jimmy Branca and the Red Hot Instant Combo, Dave Grippo Funk Band, and others (1985-present).

Contractor, musical director. *Joan Rivers*. Flynn Center for the Performing Arts. April 26, 2012.

Orchestra contractor with Bernadette Peters at the Flynn Center of the Arts October 2011.

CLINICS AND GUEST CONDUCTING

Guest Conductor, Connecticut Valley District Jazz Festival, January 30-31, 2015.

Guest Conductor, Winooski Valley Jazz Festival, February 4-5, 2010.

Adjudicator/Clinician, Vermont All-State Festival, International Association of Jazz Educators (IAJE): 2000-2003.

Guest Conductor, Nassau County (Long Island) All-County Jazz Festival, 1997.

MEMBERSHIPS

American Musicological Society (AMS)

Society for Ethnomusicology (SEM)

Society for American Music (Sonneck)

Latin American Studies Association (LASA)

Friends of Indian Music and Dance (FIMD), Burlington VT

Burlington Discover Jazz Festival Advisory Board