



## → Richard W. Kopenhefer

Retired - Of Counsel

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Richard Kopenhefer is retired from the firm and is now Of Counsel.

### Areas of Practice

Richard represented producers and distributors of feature films, television shows, electronic games, commercials and new media, principally in their dealings with the unions and guilds in the entertainment industry. He regularly negotiated, arbitrated and litigated with SAG/AFTRA, DGA, WGA, AFM, IATSE and the Teamsters, along with their respective benefit plans and trusts. He advised clients concerning development disputes, including writer defaults, screen credits, separated rights and the WGA's territorial jurisdiction. In pre-production, he was instrumental in negotiating all production labor agreements. In this connection, he was conversant with IATSE's term collective bargaining agreements and frequently deals with so-called "runaway" production in tax-sheltered production venues in the United States, Canada and around the world. He frequently dealt with director's creative rights disputes. He had a special expertise in the negotiation of guild "financial assurances" concerning the payment of residuals. Richard has negotiated guild financial assurances for single pictures, and for entire libraries. He frequently assisted non-union producers with union organizing efforts and is thoroughly familiar with practice and procedure before the National Labor Relations Board. Richard represented clients in connection with both residuals and fringe benefits audits, and defended them in both federal court and tri-guild arbitrations. He was a well-known expert on residuals accounting issues. He represented ad agencies, advertisers and commercial production companies. He assisted off shore producers in connection with "Global Rule One" agreements with SAG. He had to re-negotiate the IATSE Low Budget Theatrical Agreement on behalf of a coalition of independent film producers. Richard represented Lionsgate in connection with its entire motion picture and television output. He has represented Legendary Entertainment on "42", "Pacific Rim", "Seventh Son" and "Hot Wheels." He represented DreamWorks Studios on "Lincoln." Television clients included FX and the Hallmark Hall of Fame.

Richard represented management in all aspects of labor and employment law, including employment discrimination, sexual harassment, wrongful termination, wage and hour, unfair competition, collective bargaining, grievance and arbitration, worker's compensation, workplace safety and OSHA.

Richard practiced in state and federal court, before labor arbitrators and mediators and in the myriad administrative agencies involved in labor law. He frequently lectures on disability rights law and sexual harassment. From 1978 to 1984, Richard was employed as a field attorney for the NLRB in both its Cincinnati and Los Angeles regional offices.

## Honors

Best Lawyer in America, *Best Lawyers*, 2013-2026

## Articles

### Labor and Employment Law Blog Posts

- "California AB 5 in Entertainment, Media and Advertising," October 22, 2019
- "'Financial Core' – A Dissident Writer's Recourse," May 9, 2019
- "Deputy Lawyer; WGA Tries Preemption Route in ATA Dispute," April 4, 2019

### Entertainment Law Blog Posts

- "Brands And Influencers Need To Know About SAG-AFTRA's New Influencer Agreement," March 8, 2021

## Media Mentions

Logging a String of Big Wins in Labor & Employment  
*Daily Journal*, 02.09.2011

## Speaking Engagements

"What is SAG/AFTRA and What Does It and The New Collective Bargaining Mean for Fashion Advertising?" New York, February 13, 2013

## Events

2012 International Film & TV Finance Summit  
The Luxe Hotel, Los Angeles, CA, 03.22.2012

Labor & Employment Law Update & Happy Hour - Century City  
Our New, Improved, and FREE Breakfast With Your Labor Lawyer (in the Evening!)  
Hyatt Regency Century Plaza - Los Angeles, 09.29.2010

## Education

J.D., University of Cincinnati College of Law, 1978  
B.A., Duke University, 1975, *magna cum laude*

## Admissions

California

Ohio

U.S. District Court for the Central District of California

Ninth Circuit Court of Appeals