

Pickles, Twisters join fight against record giants

Used CD sales controversy slashes funds for promotions

By Jill O'Brien
Senior Reporter

Local music store owners John McCallum of Twisters and Rod Ferguson of Pickles have gone to war with other record retailers throughout the nation, siding against four major record labels.

"The flack is about selling used CDs," McCallum said. "The major labels don't want to see used compact discs in the stores."

"It's a very hot topic," Ferguson said. "Most artists and most of the public don't know anything about this."

The problems began last April when CEMA, Capitol/EMI labels, announced the withdrawal of cooperative advertising funds from retail businesses selling used CDs. After CEMA's decision, Sony Music Distribution (Columbia/Epic), UNI (MCA), and WEA — Warner Brothers/Elektra/Atlantic — followed suit.

Withdrawing cooperative funds means smaller stores like Pickles and Twisters will no longer be supported by the big companies like CEMA. Previously, the major labels contributed funds to promote new releases and artists. Now, it will be up to retailers to foot the advertising bills.

"Six major monopolies control 95 percent to 96 percent of the record companies," McCallum said. "Out of those six, Sony, WEA, CEMA and UNI are the stinkers. They are withholding co-op dollars provided as a percentage of our purchases."

The two major labels who have chosen not to get involved are BMG and PGD.

"PGD's president made a statement that they want to take advantage of this (controversy) and continue to aggressively market their artists. They need our type of record stores. Street-oriented stores like ours get the word out for new artists," McCallum said.

Ferguson agreed. "The majors realize the small retailers are the cutting edge," he said. "We break the new artists. We're the people who promote alternative, hard rock and heavy metal. We've stopped doing that with the top four labels. We're aggressively promoting the remaining two majors and the rest of the independents."

Ferguson co-founded the Independent Music Retailers Association to represent the views of independent retailers and to research the legalities of the CD issue.

The legal battle intensifies daily as court decisions are reached regarding lawsuits filed against recording labels. While the major labels lost one lawsuit this week, small retailers celebrated a victory.

"Capitol (CEMA) will be selling us the new Garth Brooks' CDs after all," Ferguson said, referring to Brooks' announcement earlier this summer that he would not allow CEMA to distribute his new CD to stores selling used CDs. If retailers don't buy their CDs from CEMA, they have to purchase them from a distributor, Ferguson said. "If we buy direct, which is what Capitol is forced into, we can save money."

Why would Brooks get involved in the first place?

"He thinks artists are getting hurt by the used CDs business," McCallum said.



William Lauer/DN

Ellie Erickson, left, and Robin Strickland browse through the used CD rack at Twisters. "I never buy new CDs," Strickland said. "If you wait long enough you can find what you want."

Brooks may be right.

"Artists and writers are losing money because they can't get the royalties from used CDs," Ferguson said.

Normally, artists make a percentage of the profit from the sale of their records. Royalties cannot be collected from the sale of a used CD.

According to Ferguson, CEMA has become the most contentious of the four labels. CEMA started the battle by withdrawing advertising funds,

then getting big-name artists to protest the sale of used CDs and recently issued a policy stating that no opened CDs may be returned. Returning opened CDs because of defective workmanship or the "Try It, Buy It" guarantee was a common practice among retailers, Ferguson said.

McCallum, who also is an IMRA member, said that despite the influence of the four labels, independent retailers are not defenseless.

"We're trying to get as many peo-

ple as we can to form a combined bargaining group to go to BMG and say 'What can we do to help you?'"

The IMRA plans to promote the giants who promote small businesses, he said.

"Big companies want to get rid of the small retailers and do business with the big retailers like K mart and Best Buy," McCallum said. "If big retailers get rid of the small guys,

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Shaun Sartir/DN

Larry Charbonneau, Mike Turner, Heather Hudson and other trumpet players, wear Burger King crowns while practicing their formation Wednesday.

Time, effort before season sustains pride of NU band

By Jeff Zeleny
Senior Editor

For seven years Tami Namestek has been coming to campus one week before classes start.

The week isn't spent buying books or getting acquainted with campus buildings — it's spent getting ready to perform.

Namestek, captain of the NU Flag Line, said the people were one reason she kept coming back.

"I love flags," she said. "I like meeting people, and I like to perform in front of 76,000 people every week."

Over the last seven years, Namestek, a senior history major, has seen the marching band constantly improve.

"I think the band has improved overall," she said. "I know the flagline has. We try to work a lot more on being more tactful."

Jay Kloecker, in his seventh year as director of the Cornhusker Marching Band, said although about 40 percent of this year's group of 252 students were first-time members, it was the seasoned veterans who kept the band's pride strong.

"The old people are the ones who do that.

They do it by starting to close in on the tradition," Kloecker said. "The pride comes when new people see what we do."

Flagline instructor Katy Coleman said pride was one thing she didn't have to teach members of the flag line in her six years with the program.

"Putting the pride in isn't a problem," she said. "It's tougher to instill the individual confidence, but not the pride. It exists on its own entity."

First-year members, or "rookies," began camp last Saturday and were joined by "veterans" Sunday. The two groups had additional tryouts Sunday and will practice for more than 12 hours every day until Friday.

First-year member Monica Gallagher of Sioux Falls, S.D., said Wednesday that the week had been tough so far.

"It's a lot of hard work, it takes a lot of concentration and it's hot out there," she said.

Gallagher, a sophomore music education major and trombone player, said it was scary taking the field with veterans at first, but the reputation of the band was what persuaded her to tryout.

"I heard a lot about it being good by word of

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Unfancy feasts

Lincoln provides for ethnic gourmets



So you want to be in the culinary know, to be a man-about-town, a woman of discerning tastes. And you want to do it on a budget.

Well here are some restaurants with which even native Lincolmites may not be familiar. Knowing the pros and cons of these out-of-the-way spots will make you a sure hit with the more-cultural-than-thou crowd.

Besides, a taste of ethnic food will do you good after a week of burgers, fries and residence hall mystery meat.

But be warned: these places specialize in food, not atmosphere. You want mood lighting and potted plants, try elsewhere.

El Taco Grande, 16th and P St.

El Taco Grande serves good Mexican and Philippino food priced under \$5. dollars.

Philippino food is an adventure in itself — kind of like Chinese, only different — and a great way to break the endless string of Runzas that constitute Nebraskan home cooking.

I had the spicy pork adabo, which was hot enough for an old West Texan like myself. Weaker palates should steer clear and get plain old adabo, which comes in chicken as well.

I also nabbed a lumpia — pronounced "loom-pee-ah" — off someone else's plate. It was delicious and greasy: a kind of skinny egg roll, about the size of a cigar.

The place used to be a Taco John's and then it was something else, and now let's hope it stays the way it is.

Vasquez, 1434 South St.

Ricardo Vasquez was a construction worker. He brought a couple of tacos to work each day for lunch. Soon his fellow workers were buying tacos from him for a dollar each.

Then he was "told by the Lord to quit (his)

job and feed those men," he said.

The result of that dream is Vasquez, a new Mexican restaurant in a tiny white-washed room.

The bad velvet tenebrons on the wall, the broken guitar in the corner and the enormous decorative sombrero create the kind of ugly that can only be sincere.

But if your only experience of Mexican cooking comes from Taco Bell, then you're in for a very pleasant surprise.

The lunch menu at Vasquez is extraordinarily cheap. You can eat like a king for less than five bucks.

I had the cheese enchiladas with beans and rice and a Mexican soda pop.

After years of settling for B-grade Mexican food — so far from Tex-Mex it could have been Dakota-Mex — I felt I had finally come home.

The food here is good and simple, with great salsa that doesn't come out of a jar and large portions for little money.

The evening menu is more expensive, but I can't imagine a better place for lunching in Lincoln with a few friends.

But don't bring a big crowd, Vasquez is smaller than your residence hall room.

Eve's Place, 2230 R St.

Eve's menu reads like a New Orleans litany: creole gumbo, catfish, red beans and rice, and sweet potato pie. And they serve the best damn barbecue in Lincoln; it's that simple.

Having given up long ago in my search for good barbecue in this town, I came upon Eve's through a revelation.

I had the pork loin sandwich and creole gumbo.

I haven't had barbecue like this in three years, at least. And I don't think I've had better gumbo in New Orleans.

I ate like a man starved for protein and felt good all day afterward.

But let me warn you, Eve's is no place for vegetarians. Also, there's really no place to sit down and eat — be prepared to take out.

Don't go there if you don't like messy food. Eve's is a finger-licking kind of place.

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