mla **Arts Brief**

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The Electronic Frontier Foundation's Guide to YouTube Removals

*by Fred von Lohmann**

So your video was removed from YouTube: What do you need to know? YouTube generally removes videos for one of three reasons: 1.) Terms of Service Violation, 2.) Content ID Match, or 3.) DMCA Takedown Notice.

Removals for Terms of Service violations usually have nothing to do with copyright. Instead, they generally result when the video contains nudity, gratuitous violence, or otherwise violates YouTube's Terms of Use or Community Guidelines. The Terms of Service also state that "YouTube reserves the right to remove Content and User Submissions without prior notice," so YouTube takes the view that it can remove a video for any reason it likes.

Removals for content ID match are automated removals that result when YouTube's computers spot a "match" between your video and content that has been claimed by a copyright owner. In response to pressure from copyright owners, YouTube's "Content ID tool," or Video ID tool, works by checking every video uploaded against a database of audio and video "fingerprints" submitted by copyright owners. The copyright owner gets to decide what happens when there is a match by setting a "usage policy" — it can Block, Track, or Monetize (i.e., put ads around the video and get a portion of the revenues).

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Image courtesy of Stacia Yeapanis

Confessions of an Aca-Arta-Femi-Fan

*by Stacia Yeapanis**

On December 1st, 2008, I received a takedown notice from YouTube in reference to my first fanvid "We Have a Right to Be Angry." Fox Broadcasting had blocked the video using an automated video ID system that identifies copyrighted content. After much anxiety, I removed my video on December 5th.

In "We Have a Right to be Angry" I appropriate footage from *Buffy the Vampire Slayer*, *Xena: Warrior Princess*, and *Charmed*. It is edited to "Invincible" sung by Pat Benatar. By uniting the fictional feminist icons of my adult life with a real-life feminist icon from my childhood I explore my own complicated position as a feminist in contemporary society. The women in the video vacillate between running, lying low, and fighting back. As these women from different TV shows pass a sword around, they share collective power that extends beyond the boundaries of their fictional universes. They are fighting cultural patriarchy on its own terms and they are doing it together.

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ABOUT MLA

Founded in 1985, Maryland Lawyers for the Arts provides pro bono legal assistance to income-eligible artists and arts organizations, and educational workshops and seminars on topics affecting artists.

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If your video was removed by the Content ID tool, you can submit a "dispute" and get it put back up. This can be done from the "Video ID Matches" page for your videos and requires you to answer a few questions. If you submit a dispute, however, the copyright owner will be notified and will have the opportunity to submit a formal DMCA takedown notice to get it taken down again.

DMCA Takedown Notice

As part of the Digital Millennium Copyright Act of 1998 (DMCA), Congress granted online service providers (like YouTube) certain protections from copyright infringement liability, so long as they meet certain requirements. One requirement of this "DMCA safe harbor" is that online service providers must implement a "notice-and-takedown" system. Another requirement is that YouTube must cancel the accounts of "repeat infringers."

That's why, when YouTube receives a formal DMCA takedown notice from a copyright owner, it removes the video. It also puts a "strike" on your YouTube account. Once you accumulate three "strikes" on your account, YouTube will cancel all of your YouTube accounts, taking down all of your videos and refusing to allow you back as a YouTube account holder.

If your video was removed by a DMCA takedown notice, you can submit a "counter-notice." In order to be valid, however, the counter-notice must include your contact information, a signature, a statement under penalty of perjury that the "material was removed or disabled as a result of a mistake or misidentification," and your consent to the jurisdiction of your local federal court (if the copyright owner elects to sue you).

Unless the copyright owner files a copyright infringement lawsuit against you within two weeks of receiving your counter-notice, your video will be restored and the "strike" removed from your account. If the copyright owner does sue, your video stays down until the lawsuit is resolved.

Sending a DMCA counter-notice is serious business, as it leaves the copyright owner with few options (other than suing) in order to keep the video down. We recommend that users research copyright law and consult a qualified attorney before sending DMCA counter-notices.

To subscribe to the e-version of *MLA Arts Brief*, email news@mdartslaw.org and put the word "subscribe" in the subject line.

Removal for Copyright-Related Reason

If your video has been removed from YouTube for a copyright-related reason (i.e., a Content ID removal or a DMCA takedown), you have several options to get your video restored. But because taking those steps can have potentially serious legal consequences, you should exercise care in deciding what to do.

Most people who have their videos removed and are interested in getting them restored are looking for the answers to two questions: 1.) Will I get sued? and 2.) If I were sued, would I win? Let's start with two facts: First, if your video incorporates copyrighted material owned by someone else (like a clip taken from a movie, TV show, or song performed or written by someone else), the copyright owner could sue you at any time. They don't have to warn you first, they don't have to use the Content ID tool, they don't have to send a DMCA takedown notice.

Second, as far as we know, no typical YouTube user has ever been sued by a major entertainment industry company for uploading a video. That's right — millions of videos have been posted to YouTube, hundreds of thousands taken down by major media companies, but those companies have not brought lawsuits against YouTube users.

So, while a lawsuit is always a possibility to be taken seriously, it is not as if the entertainment industry has (yet?) launched a mass lawsuit campaign against YouTubers.

"Just because the entertainment industry hasn't sued any typical YouTube users yet, doesn't mean they can't be goaded into doing so."

But Will They Sue Me?

Just because the entertainment industry hasn't sued any typical YouTube users yet, doesn't mean they can't be goaded into doing so. And when you dispute a Content ID removal or send a counter-notice in response to a DMCA takedown, you are tweaking the tiger's tail.

So before you take that step, take a moment and try to put yourself into the shoes of the copyright owner that took your video down. If your video was removed thanks to a Content ID match, it's quite possible that no human at the copyright owner's office has ever seen your video. When you submit a dispute, however, the copyright owner is notified and your video goes into their "review" queue.

Keep in mind that the review staff are likely to take a dim view of verbatim, unedited copies of their works. That's the stuff that they call "piracy." Copyright owners are often sensitive about uses that, if they became widespread, would cut into an existing or anticipated revenue stream.

For example, the music industry is used to getting paid when one of its songs is used in a car commercial. If you are posting a video advertisement for your business on YouTube, and using a song as the soundtrack, some in the music industry may worry that your use is usurping the business of licensing songs for use in Internet video ads.

Some copyright owners can be sensitive about videos that criticize, parody, or mix their content with unexpected themes. Of course, these may also be precisely the situations where fair use and the First Amendment should protect the video. Nevertheless, some copyright owners may want to silence this kind of expression and may be willing to use DMCA takedowns, even if improper, to do so.

When you submit a dispute for a Content ID removal, the copyright owner has three options: 1.) let it slide, leaving your video up; 2.) sue you; or 3.) send a DMCA takedown notice.

For copyright owners who object to your video, and want to keep it down, the third path is generally the easiest. By sending a formal DMCA takedown notice to YouTube, the copyright owner can get your video removed again almost immediately, at which point you'll need to decide whether to counter-notice.

The takedown notice will also count as a "strike" on your account — after three strikes, YouTube will cancel all of your YouTube accounts and remove all of your videos. This probably explains why DMCA takedown notices are much more common on YouTube than lawsuits against uploaders — they are cheaper and faster for the copyright owner.

Sending a DMCA Counter-notice

Unlike a Content ID removal, if your video was taken down in response to a DMCA takedown notice, it's likely that someone took a look at it before pulling the trigger. That does not mean that your video was watched — some copyright owners may rely on keyword searches to target videos for DMCA takedowns.

So, unlike a Content ID removal, it is likely that your video was targeted for removal for a particular reason, rather than simply because it matched an audio or video fingerprint in a database. That doesn't mean the copyright owner had a good reason, only that it's likely that it had some reason.

When you send a counter-notice to YouTube, you leave the copyright owner with two choices — either allow the video to be restored after 10 business days, or sue you to keep it down (the copyright owner could contact you

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and ask you do withdraw your counter-notice before suing, but is not required to do so). This is consequently a higher stakes game than disputing a Content ID removal, because the copyright owner does not have a cheap and fast way to keep the video down, short of suing you.

If I Get Sued, What Then?
If you suspect that there is a possibility that you could be sued, but you want to dispute or counter-notice anyway, that would be a good time to seek specific legal advice (you may contact EFF, although we cannot promise to be able to help everyone).

There are many circumstances where copyright law allows you to borrow from pre-existing works owned by others. The most important of these are addressed by a legal doctrine known as "fair use," which excuses activity that might otherwise constitute copyright infringement. For most YouTube videos, a good place to begin your analysis is to ask the following questions:

- Is my video transformative? Is it noncommercial?
- Is my work a substitute for the original? Will people still want to buy the original after seeing my video?
- How much of the original work did I take, both quantitatively and qualitatively?
- Was the purpose of my use noncommercial, educational, for the purpose of research?
- If my use were to become widespread, would it harm the market for or value of the original work?

Copyright law provides a prevailing copyright owner with a variety of remedies, including actual damages (how much money did the copyright owner lose due to your video) and disgorgement (any profits you made).

If the copyrighted work was registered with the Copyright Office before the infringement began (most major media companies register their TV programs, movies, songs, etc.), the copyright owner may be eligible for an award of their attorneys' fees (which can quickly mount to be greater than any damages award), and can also opt for "statutory damages," where the court imposes a fine of anywhere between $750 and $30,000 (and up to $150,000 for willful infringements) per work infringed. ■

** Fred von Lohmann is a senior staff attorney with EFF. This piece is excerpted with permission from a longer article found at www.eff.org/issues/intellectual-property/guide-to-youtube-removals.*

(Confessions from page 1)

During the five days between getting the notice and removing the video, I was extremely conflicted about what to do. As an appropriation artist, I already had a basic understanding of copyright law, and I believe my video falls under fair use. But I was only vaguely aware of the Digital Millennium Copyright Act (DMCA) and the takedown notice procedures. For example, YouTube did inform me that I had the option to dispute Fox's claim, but I didn't know how long I had to make this decision. If I took too long to consult an attorney, could the situation escalate to an official Cease and Desist letter? If I disputed based on the doctrine of fair use, would Fox back down or take me to court?

I watched my own fanvid over and over again. It seemed to have the answers. In light of the takedown notice, a new meaning that was floating beneath the surface emerged for me. The video was always about the struggle of any feminized (read: marginalized or disadvantaged) group. It was about aggression and injustice. It was about collective power that takes place on many fronts. But now it is also a metaphor for the struggle over meaning between producers and consumers. Mass media corporations are clinging to rigid ways of thinking about who controls meaning and how meaning is made. The feminist icons in my video are now also fighting outdated copyright laws that have begun to prevent the free flow of culture. Their swords are metaphors for fair use. I felt that if I didn't dispute, I would be letting Buffy and the others down. I wanted to fight with them.

At the same time I also began to worry about the difference between theory and practice. Theoretically, fanvids fall under fair use. Most legal scholars who are writing about fanvids in law reviews come to this conclusion, at least where the video is concerned. I would argue that even the uncut audio, which is more often assumed to be infringing, is transformed merely through juxtaposition with the video. But there don't seem to be any case precedents to this effect. Theoretically, appropriation art also falls under fair use. But as we learned from *Rogers vs. Koons*, conceptual art that rests on a foundation of postmodern theory does not fare well in court. Understanding appropriation art, like fanvids, it isn't a matter of intelligence. It's a matter of having specialized information and understanding how context affects meaning. The Art World is a subculture that is as misunderstood by nonmembers as Fandom is.

In all of my research since the takedown notice, I have yet to find any discussion online about the shared interests of the Contemporary Art World, Media Fandom and Media Scholarship. Professional appropriation artists seem to have flown under the radar, except in cases when the artist begins to make a lot of money. The few cases I know of (Jeff Koons, Andy Warhol, Richard Prince) have all involved appropriation of printed images and only Koons actually had his day in court. (He lost.) At this stage in my research, I'm not aware of any cases involving appropriation art that uses video or audio. The distribution of contemporary art seems to still have the invisibility that fanvid distribution used to have before the advent of the Internet.

I have this suspicion that if I just show my work inside the traditional gallery system, I will be safer from litigation. But if I want to reach across the boundaries of the art world and blur the line between mass-media culture and fine art by posting my work on YouTube, I better watch out. It's almost as if the law is barring me from pursuing hybridity. And that's really the foundation of my practice. My work is a synthesis of conceptual art, already a synthesis of cultural theory and art, and fandom. I'm responding to the ironic appropriation art of the '80s and '90s by adding my sincere Fandom into the mix in order to question cultural hierarchy (i.e. the idea that "high" culture is better or more important than "low" culture). If I can't appropriate, then I can't make my work.

I removed the video from YouTube with the intention of arming myself. It was clear I wasn't quite ready for the big battle against the Big Bad. I want to be part of the movement for reform of copyright law, but there are two problems. One is financial. I don't have any money to go to court. Even if I were to win the case, the costs alone could have a devastating effect on my life. I am an emerging conceptual artist. That means I don't really get paid to make artwork at this point in my career. And two, I'm not sure if I could win. I fear that my hybrid position as artist/ fan and the fact that my art practice rests on conceptual, not visual, strategies would be detrimental to my case and to the cause.

In the next five years, maybe this fear will seem absurd. Maybe by then, the law will have stretched itself to make room for the various cultural developments of the last 40 years, namely, postmodern theory and the destabilization of cultural hierarchy through appropriation art, fanvids and other forms of remix culture. In the meantime, it would be beneficial to have more conversation about the parallel development of appropriation in the Art World and in Fandom. It seems pretty significant that fanvids and appropriation art have been developing simultaneously since the '70s and yet their creators seem utterly unaware of each other. There needs to be a stronger acknowledgement of the overlap in the cultural work we are all doing as scholars, artists, fans and lawyers. We are all producers and consumers of our culture. We are all warriors, slayers and witches. ■

** Stacia Yeapanis is a Chicago interdisciplinary artist. This piece is reprinted with her permission and the permission of MIT Professor Henry Jenkins, on whose blog it appeared.*

Confession Heard

*by Peter Jaszi**

Let me start by saying that I think that Ms. Yeapanis' fanvid "We Have a Right to Be Angry" has a lot going for it where copyright fair use is concerned. It creates "new meaning by juxtaposition," to borrow language from our "Code of Best Practices in Fair Use on Online Video" (*Arts Brief* Vol. 1, Issue 3). And it also can be understood as "commenting on ... copyrighted material." The hardest aspect to defend would be the use of "Invincible" in its entirety, but even there the argument is pretty strong: the clips illustrate the song in ways that "help us to hear in a new way." And, in any event, the take-down notice to YouTube came from Fox, not Sony (or Pat Benatar).

But, that, of course, isn't the end of story. Ms. Yeapanis is right that were she to formally request a put-back, Fox might begin a lawsuit against her — if it actually were inclined to press its claim. That's because Section 512(g) of the Copyright Act says that if a suit hasn't been filed within 10 business days of the so-called "counter notice," YouTube can put the video back up without losing its qualified immunity from liability for infringement.

Would Fox choose this course of action? It's hard to know, but there's reason to think that if she (and YouTube) were to stand up, Fox might sit down. Large, well-counseled copyright owners generally don't pursue claims that they might lose — especially when the loss might be an adverse legal precedent on an issue as volatile as fair use. And the law isn't as far behind the practice of remix culture as the post suggests. Jeff Koons may have lost his case back in 1990-91, but in 2006 he won a big fair use victory in the Second Circuit Court of appeals, in *Blanch v. Koons* (*Arts Brief* Vol. 1, Issue 4). The case involved use of a cropped advertising photo in a collage, and the court decided that the case turned on whether the artist "had a genuine creative rationale for borrowing Blanch's image, rather than merely using it merely 'to get attention or to avoid the drudgery in working something fresh up.'" In other words, they decided it was a "transformative" use.

Legal developments notwithstanding, we all can sympathize with Ms. Yeapanis' concern about the potential expense and incidental stress of becoming a fair use "test case" — in the (perhaps unlikely) event that it ever came to that. Of course, were YouTube to restore the vid, and were Fox actually to sue, she'd still have the (admittedly somewhat humiliating) option of cooperating in yet another take-down to settle the matter. But, perhaps, in the meantime, she'd have been able to find a lawyer to take her case pro bono. There already are resources out there: the Fair Use Project at Stanford, volunteer lawyers for the arts organizations in many cities, EFF's lawyer referral service, a network

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of law school-based IP clinics around the country, and more. But if we take fair use seriously — and we should — we need to find more and better ways to support the risk-takers among us! ■

** Peter Jaszi is faculty director of the Glushko-Samuelson Intellectual Property Law Clinic and professor of law at American University, where he also works with AU's Center for Social Media to develop "best practices for fair use" for documentary filmmakers, DIY video producers, and media literacy educators. This piece is reprinted with his permission and of MIT Professor Henry Jenkins, on whose blog it appeared.*

AP, Fairey File Dueling Suits Over Obama Hope Poster

by Marcia Semmes, MLA Executive Director

Shepard Fairey fired off the latest shot in the dueling lawsuits over his iconic Obama "Hope" poster April 14, arguing that Associated Press's copyright infringement claims against him are barred by the doctrine of "unclean hands" because the company's image database contains numerous unlicensed works of art.

According to Fairey, "The AP itself exploits the copyrighted work of Fairey and other artists without permission and in a manner that is far less transformative than the Obama Works." Accusing AP of applying a double standard, Fairey said AP failed to obtain licenses to use works by Jeff Koons, Banksy, George Segal, Kerry James Marshall, Keith Haring, and Ron Mueck, in addition to his own and others.

Fairey sued AP in February, seeking a declaration that his use of Mannie Garcia's photograph of Barack Obama did not infringe any copyrights held by AP and is protected by the Fair Use Doctrine.

Fair use is a defense to copyright infringement that allows works to be reproduced without payment or penalty in certain situations — criticism, comment, news reporting, teaching, scholarship, and research. Section 107 of the Copyright Act lays out four factors to consider in deciding if a use is fair:

1. the purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

Fairey also sought an injunction to keep AP from asserting its copyrights against him. According to his suit, he used the Garcia photograph as a "visual reference," but "transformed the literal depiction contained in the Garcia Photograph into a stunning, abstracted and idealized visual image that creates powerful new meaning and conveys a radically different message that has no analogue in the original photograph."

Fairey argued that he altered the original photograph with new meaning, new expression, and new messages; that he did not create any of the Obama works for commercial gain; that he used only a reasonable portion of Garcia's photograph; that his use of the photograph imposed no significant or cognizable harm to its value or any market for it or any derivatives, and in fact enhances the value of the photograph "beyond measure."

AP Countersuit

In March, AP filed a countersuit against Fairey, calling him "hypocritical" for repeatedly copying the works of other artists and photographers without paying or crediting them.

AP also argued that "[i]n a striking departure from the casual disregard that Fairey shows for the creative works of others," he acts "hypocritically and aggressively" when it comes to protecting his own work and enforcing his copyrights against those who make use of them.

AP argues that Fairey has a sophisticated understanding of copyright protection when it comes to his own work that contrasts sharply with his repeated failure to obtain permission and a license to use other artists' works. For example, the suit says, Fairey's web site allows fans to download for free certain specific trademarks and images that promote his brands, but it does not allow visitors to download any of his photographs, fine art, or other items.

"The contrast between Fairey's use of others' works and his approach to copyright enforcement in his own works is

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Top Ten Estate Planning Tips for the Artist (and Collector)

*by Meredith Blake Martin, Esq.**

Estate planning generally involves three basic elements: determining how assets will be distributed at death; minimizing taxes due in connection with death; and planning for disability, incapacity or serious illness. Artists and collectors face additional issues arising from the unique nature of their creative assets, which may be illiquid and difficult to value as part of an estate. An estate plan for an artist or art collector must ensure that the art is properly valued, maintained, distributed, and/or sold in the best interest of the estate and/or beneficiaries. Herewith, the top 10 tips for doing just that:

10 Maintain Careful Records. Not only should the artist or collector maintain records as to the cost and value of artwork, but an artist should also be sure to sign and date his/her own work to avoid depreciation for unsigned works, which are typically less desirable in the marketplace.

9 Address Date-of-Death Valuation Issues. State and/or federal estate tax is levied on the value of a decedent's assets as of the date of death. Estate tax problems may arise (or tax-saving benefits may be lost) because of the difficulty in valuing estate assets such as artwork. Appraisal before death, and other techniques, may be used to help head off these problems.

8 Ensure Estate Liquidity to Pay Taxes and Administration Expenses. A common estate planning problem arises when there is substantial value in non-liquid assets, such as artwork, and a lack of liquidity to pay estate taxes and/or expenses of administration. Failure to properly plan for the taxes due at death may result in artwork being sold at a discount to facilitate a quick sale. Numerous tools — like an irrevocable life insurance trust, for example — are available to facilitate liquidity.

7 Pay Attention to Transfers of Intellectual Property Rights. Not only is intellectual property (such as copyright in an artist's work or an artist's right of publicity) difficult to value, but intellectual property rights may or may not be transferred in connection with the physical transfer of property. Copyright protection may extend beyond the life of an author, and rights of publicity (i.e., the right to use a person's name or likeness) may also extend beyond death (depending on the law of the state in which a person dies). These intangible rights may have significant value in the case of a well-known artist. Consider the rights of others who may have an interest, or license to use, certain intellectual property belonging to the decedent, and allocation of any related stream of income after death.

6 Beware of Incomplete Gifts. Although gifts before death can be used to reduce a taxable estate under certain circumstances, they involve many nuances. For example, if you "gift" artwork to a friend or relative, but do not actually deliver the gift (i.e., the artwork remains in your home), the gift is not complete and the value of the art will be includible in your estate for tax purposes.

5 Consider Charitable Giving. Gifts to charity upon death may reduce the taxable value of your estate, since the value of these gifts is not includible in the taxable estate. There are many ways to structure this type of gift (in addition to charitable bequests free of trust) and depending on how the gift is structured, you may also reduce income tax liability. Be aware, however, that there may be related gift tax consequences if value of the gift exceeds the annual exclusion amount. Note that an artist may not be able to take a deduction for the value of art he/she has created – where an artist donates his or her own work, the income tax deduction is generally limited to the costs of materials. But, this limitation applies only to income tax deductions. An artist who makes a bequest of his or her own work by Will may generally claim a deduction on the estate tax return for the full fair market value of the work as of the artist's date of death.

4 Be Clear as to Specific Bequests. When describing particular works of art for bequest to individuals, charities or other persons upon death in a Will, be specific as to which particular pieces of art are to go to each person, as this may affect the total value of your estate. Consider also the opportunity to express additional instructions and/or guidance as to particular works which should not be sold or works which are particularly valuable.

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further shown with respect to the very Infringing Works at issue in this case. During the 2008 presidential campaign, Fairey offered free licenses to download the 'Obama Hope' poster from his website. … However, the license was subject to several restrictions, including that the poster was 'not to be used for merchandise or any other profitable means.'"

Further, the suit contends, Fairey is quick to hunt down artists who use his intellectual property, "without apparent regard to the principles of fair use that Plaintiffs conveniently espouse in this case." According to AP, "in March and April 2008 Fairey and his related enterprises sent Texas-based artist Baxter Orr a series of cease-and-desist letters in connection with Orr's creation of a work that borrows from Fairey's Obey® image." AP also contends that Fairey violated the Digital Millenium Copyright Act, by stripping its name from the Garcia photo. The inclusion of AP's name in all of its news reports is "copyright management information," as defined in 17 U.S.C. § 1202(c), the suit said, and "Fairey's removal or alteration of copyright management information from The AP's Obama Photo, including for use in the Infringing Works, and subsequent distribution of the Infringing Works, as alleged above, was and is willful and intentional, and was and is executed with full knowledge of The AP's rights under copyright law, and in disregard of The AP's rights." ■

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3 Carefully Consider the Appointment of a Personal Representative, Trustee or Executor. Appoint someone who is familiar with handling art or other intellectual property, and preferably someone familiar with the art business and the artist's unique work. Consider appointing a family member together with an individual who has expertise in the art business, as a family member unfamiliar with the art industry may undervalue the works, be influenced by emotion, confuse art that should be sold versus art that the estate should hold, or sell art to bulk dealers at a discount.

2 Make Contract Arrangements Regarding Estate Assets in Advance. Consider entering into an agreement with a reputable gallery to market and sell your works after your death in cooperation with your estate. Determine pricing, commissions, storage, and maintenance issues before the emotions and hurry of estate administration.

1 Make a Plan. Be aware of the issues surrounding estate planning for artists, and consult a professional familiar with estate planning issues for the artist and/or collector to assist you in crafting an estate plan that will allow you to protect and distribute your creative works and other estate assets according to your wishes, while maximizing estate tax savings and easing the burden of estate administration. ■

** Meredith Blake Martin is an attorney with Astrachan Gunst & Thomas, P.C.*

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