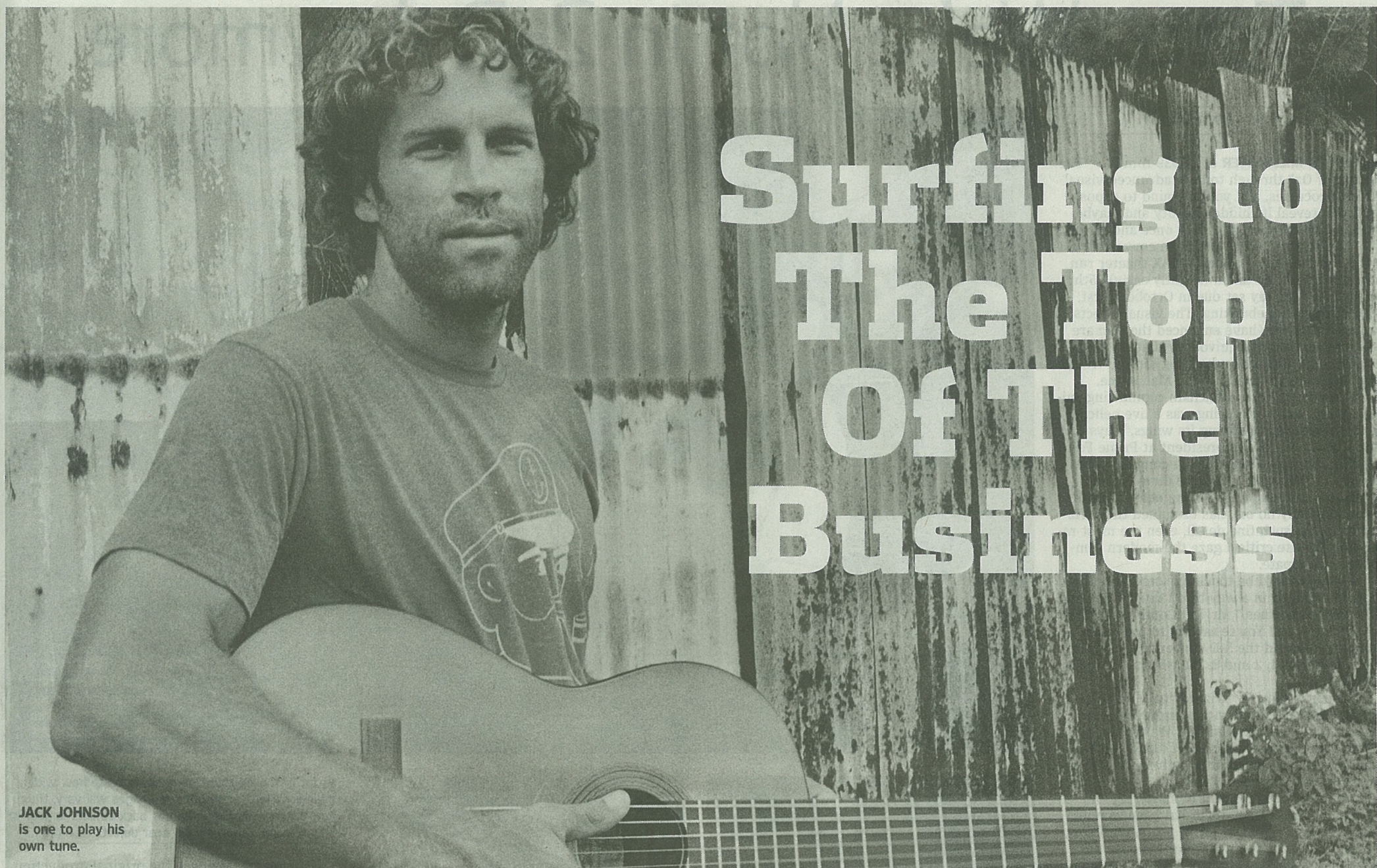


MUSIC

Surfing to The Top Of The Business



Emmett Malloy

JACK JOHNSON
is one to play his
own tune.

A tour of small venues is the latest move in a singer's quirky, but very profitable career

BY CHRIS KORNELIS

JACK JOHNSON, a surfer-turned-songwriter, has carved out an unusually lucrative niche in the music business.

The singer, known for his catchy acoustic guitar songs, has already sold 10 million albums in the U.S., according to SoundScan. Fellow musicians envy Mr. Johnson for the high degree of control he has maintained over his career and the favorable financial terms he enjoys.

Now, as the music industry looks to touring revenues to offset waning profits from record sales, Mr. Johnson is going in the other direction. Mr. Johnson played to an average of 15,000 people a night in amphitheaters around the country while touring for his 2010 album, "To the Sea," according to Pollstar. When he takes to the road to promote his sixth album "From Here to Now to You," (out Tuesday) he will be playing theaters that seat closer to 3,000 people. Fans had to enter a lottery to buy tickets for the tour, which has sold out. Mr. Johnson's team said he wrote the album with smaller venues in mind, plus he wanted to play in some historic venues like the Ryman Auditorium in Nashville.

Mr. Johnson grew up in Hawaii, the son of a notable surfer, and was shooting surf films when his demo tape began gaining popularity on the islands and caught the attention of record executives in the late 1990s. He brought his friend, the filmmaker Emmett Malloy, to label meetings to act as his manager. Mr. Johnson informed his suitors that he was interested in a record deal, but didn't want to promote an album on the road for hundreds of days a year. He wanted time to surf.

"He really, purposefully warned everybody, he's not a guy who had dreams of being a rock 'n' roll star," says Mr. Malloy, who is still Mr. Johnson's manager. "He had this reluctance always."

Mr. Malloy says the two attended a lot of meetings that failed to lead to a record deal. Andy Factor, then a vice president of artist and repertory at Virgin Records, tried to get Mr. Johnson signed to his label, but his bosses passed. Mr. Factor parted ways with Virgin soon after they passed on Mr. Johnson. He used his severance to record Mr. Johnson's album with J.P. Plunier, a record producer and manager, who also saw the surfer's musical potential. Once the album was finished, they shopped it around to labels, and, once again, were turned down.

Mr. Johnson's debut, "Brushfire Fairytales," was eventually released Feb. 1, 2001 on Enjoy Records (now called Everloving Records), a label created specifically for the album by Mr. Factor and Mr. Plunier. They arranged a one-album deal with Mr. Johnson in which the two parties split the album proceeds after expenses. Enjoy had little money to market the record and no distribution to speak of, but it wasn't without its resources. Messrs. Plunier and Factor had a long relationship with singer/songwriter Ben Harper. They put Mr. Johnson on the road, playing arenas and theaters opening for Mr. Harper, whose audience they felt would respond well to Mr. Johnson's sound.

"Usually when you open for bands, you're getting \$200 or \$250 (a night)," Mr. Plunier

says. "We wanted to make this something that was sustainable."

Mr. Johnson was a hit with Mr. Harper's audience, and "Brushfire" took off. As the album started to sell, the startup label's lack of distribution became an issue and retailers had trouble getting CDs. Mr. Factor says the label sold the first 100,000 copies of "Brushfire" out of his garage. On tour stops, Mr. Johnson filled his backpack with CDs and skateboarded to independent record stores and sold them directly.

"A lot of the indie stores would buy 10 CDs off us and say: 'Oh, yeah, we've had people coming in all week asking for this but we couldn't figure out where to order it from,'" says Mr. Johnson.

As the album kept selling, say Messrs. Johnson and Factor, the executives who had turned them down were calling with offers. Mr. Johnson says he initially demurred because of a combination of arrogance and fear of what might be expected of him if he signed one of the deals. The more he said no, Mr. Johnson says, the sweeter the offers got. After a bidding war, Mr. Johnson and Enjoy eventually agreed to license the album to Universal Records. To date, "Brushfire" has sold 2.4 million copies in the U.S., according to SoundScan.

With Mr. Johnson's one-album deal exhausted, he and Mr. Malloy formed their own label, now called Brushfire Records, to release subsequent Jack Johnson albums, as well as those of their friends. They signed a distribution deal with Universal that gave the indepen-

dent label major label distribution, and a larger share of album revenues than a standard record deal. Mr. Johnson also retained complete artistic control.

"From Here to Now to You" is exactly the kind of campfire acoustic fare Jack Johnson fans heard on his first five albums, including "Brushfire Fairytales."

"When I listen back to all my records, they tend to all sort of fit together," says Mr. Johnson. "It's not like I've had one of those careers where I've reinvented myself on every one."

"He's not beholden to anybody," says Monte Lipman, the CEO of Universal Music Group's Republic Records, and the executive who brought Mr. Johnson to the label. "The way he operates as an artist, as a business man, as an entrepreneur, is very inspiring because he's never been compromised. He's never done anything that would hurt him as an artist."

For instance, Mr. Johnson has declined to license his music for a commercial. He has allowed his music to be used in some movies, including "Curious George," and TV shows, but not for commercials. Mr. Malloy says they get offers every month, asking about songs like "Better Together." "How many things can you imagine it would be nice for that to be the catchphrase?"

Mr. Johnson's live show will be familiar. He is still playing with the same musicians Mr. Plunier brought in to record "Brushfire"—drummer Adam Topol and bassist Merlo Poddlewski, as well as multi-instrumentalist Zach Gill, who joined the band in 2005—and has the same casual approach to the stage that he has had since the beginning. The band scarcely rehearses before tours, Mr. Johnson says, "fortunately, and unfortunately."

"Sometimes when I hit a wrong chord or I forget a lyric, it ends up uniting the crowd [and] they come together to sort of sing the line for me," he says. "It not always great. It's just sort of how we do it."

