



Submitted by: Natalye Childress Smith
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Rock'n'Roll Photography Lawyer

SACRAMENTO, Calif. – Andrew Stroud is the picture perfect example of the nine-to-five business man. Each day he arrives at the 25-story building that houses his law firm, Mennemeier, Glassman & Stroud, and immediately immerses himself in the various civil litigation suits piled high on his desk.

However, when the day comes to an end, Stroud strolls out of his office on the 17th floor and assumes a more adventurous role as a lawyer for rock ‘n’ roll photographers.

The halls of Mennemeier, Glassman & Stroud are lined with black and white photographs of Johnny Cash. On his bookcase, Stroud displays a picture of Miles Davis behind the scenes at the Monterey Pop Festival. Next to it sits a shot of a frantic crowd, taken moments after the assassination of John F. Kennedy.

According to Stroud, photographers for famous rock ‘n’ roll artists such as Johnny Cash and the Rolling Stones weren’t aware of intellectual property laws, and as a result, their photographs and artwork are not as protected as they should be.

“The world was a very different place in the 1960’s,” Stroud said, peering through Buddy Holly glasses. “These people were all very young back then and not paying attention to copyright law.”

That’s where Stroud takes over.

“I spend a lot of time trying to figure if a particular photograph is protected under the copyright law,” Stroud explained. “And if so, can we stop somebody else from using it and are there damages available?”

He views his job representing these photographers as an important role in “[allowing] authors, photographers and people like that to benefit from their artistic endeavors.”

Stroud knew he wanted to be a lawyer from a young age. Growing up in Placerville, he was instilled with a deep respect for those in powerful, law abiding positions.

“I grew up in a really small town, and it seemed like lawyers and judges were the respected people in town,” Stroud said.

After pursuing a bachelor’s degree from Claremont Men’s College and a juris doctor from Santa Clara University, Stroud said he landed his first job at Orrick, Herrington & Sutcliffe, a large firm in San Francisco, and “arguably one of the preeminent [law firms] in the United States.”

As much as he enjoyed his work and was grateful for the experience he gained from such a prosperous business, after six years Stroud was ready to move on from the firm, which had more than 1,000 lawyers employed at its San Francisco office.

“From a career perspective, I wanted to be in a smaller environment where I could make my own name, so to speak,” Stroud said.

Stroud and his wife moved to the Central Valley in January 1990, and he began working at the Sacramento offices of Orrick, Herrington & Sutcliffe, which was a smaller and much more intimate office setting. He continued at that job until September 1997 when two lawyers who had worked with him mentioned they were starting up a firm together and invited him to join. Stroud accepted.

One of Stroud’s business partners, Ken Mennemeier, spoke of why he chose Stroud to round out their law firm.

“Eric [Glassman] and I had both worked with Andy before we teamed up as partners, so we knew his personality, his legal skills and his commitment to excellence,” Mennemeier said.

He added that Stroud is “very thoughtful and creative in his work, and works hard to help clients solve problems and deal with their issues.”

While all three of the partners specialize in complex civil litigation, Mennemeier said that “to a significant degree, we each have our own niches.”

“The bigger part of my practice is commercial litigation and my biggest client is the State of California,” Stroud said of the work he does at Mennemeier, Glassman & Stroud.

He gave an example of a recent case where a group sued Gov. Schwarzenegger and the State of California for having what they described as campaign materials on the gubernatorial website, which is against the law. The case was dismissed.

He views his most rewarding case as one in which the State of California made a ruling that insurance companies had to disclose the names of all their policy holders they had during the Holocaust so that family members could see if their deceased relatives were among those listed.

“The large insurance companies sued, saying that the State of California didn’t have the right to do that,” Stroud said.

The case was argued for six years, and was finally resolved before the Supreme Court, in favor of the insurance companies.

That’s a case where you feel like you’re definitely doing the right thing; you’re wearing the white hat,” Stroud shared. “So it was very very rewarding and very frustrating to get so close and then lose on a 5-4 decision.”

Still, he is grateful for how far his practice has come and all he’s accomplished.

“It’s been great,” Stroud said. “I’ve been really, really lucky in the cases that I’ve gotten and the type of practice that I’ve had.”

Stroud tries to keep on friendly terms with other lawyers but realizes that isn’t always possible.

“I know one lawyer told people that I have a Napoleonic complex,” Stroud said. “Maybe I do – I can’t say that we get along too well. And that’s going to happen.”

However, Stroud believes the main incentive for getting along with those you’re arguing against in court is for the purpose of the case.

“Generally I think I do and try to get along with my opposing council for the client’s benefit,” Stroud said. “To really try to streamline all the other stuff that’s out there and try to get to, as quickly as possible, what the real issues are.”

Stroud first became involved in his side practice when a frequent opponent in the business approached him.

“After I started this firm and started doing the intellectual property practice, I was opposing council with a guy who practiced at another local firm,” Stroud said. “He decided he wanted to go be a law professor, so he called me and [offered me his client] Jim Marshall.”

Marshall is a famous photographer, who is referred to by some of the biggest names in photography as “the greatest”. Although he has worked with a variety of musicians, one of his most famous pictures is that of Johnny Cash performing at San Quentin and “flipping off” the warden.

This photo was the subject of one of Stroud’s past cases, which also involved the chain clothing store Urban Outfitters using the image in one of their shirt designs. Because of the large scale of the case, Cash got involved.

“In our files somewhere we have a settlement agreement signed by Johnny Cash,” Stroud said proudly, referring to it as one of the most fun cases he’s ever had.

Fun is something that Stroud is no stranger to. His wife, Shelley Blanton-Stroud, first saw him on the Claremont College campus while he was doing a comedy routine for a group of friends.

“I thought, ‘Who was that clown?’” said Blanton-Stroud.

One of Stroud’s business partners, Ken Mennemeier, agrees.

“Clients really enjoy working with him because of the quality of client service that he delivers, the quality of the representation that he provides, and because of his sense of humor,” said Mennemeier. “People like Andy, and that serves him well in his relationships with clients and adversaries alike.”

However much he enjoys his job, Stroud acknowledges a small downside to his legal hobby.

“This is the problem with being a [copyright] lawyer: if you see a photograph all you think about is ‘who owns the copyright, what rights do they have?’ rather than ‘that’s a cool photograph,’” he said.

Stroud cites the U.S. Constitution, which protects intellectual property, as an example of why he so strongly defends his photographer clients.

“That’s a recognition that our founding fathers believe in the arts and the value of arts,” Stroud said. “But they also knew that the arts wouldn’t prosper unless you let artists protect their rights and make money from that. It’s a commercial endeavor, as well as an artistic endeavor. And the genesis for that – it’s in the Constitution.”

When referring to his career, Stroud summed it up as “exciting, exhilarating and exhausting.”

“You have to like to think,” he explained. “It’s like a chess game.”

His wife attests to his love for thinking.

“I think he understands things. He’s more of a bigger picture person,” Blanton-Stroud said. “He makes people understand.”

And as for what he plans on doing after he retires from his practice?

“I’ll do nothing but read for pleasure,” he said.

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