

# Behind the cover-up of the 2008 Universal Music Group vault fire

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The *New York Times Magazine* feature “The Day the Music Burned” by Jody Rosen published June 11 has brought to light important details about the inferno that destroyed an invaluable popular music archive in 2008 at Universal Studios in Hollywood. Of equal significance are Rosen’s revelations about the cover-up of the disaster by Universal Music Group (UMG).

The profound loss of an estimated half-million popular song masters going back six decades is of immense concern to people all over the world. Millions who have grown up with, listened to and appreciated the music of the jazz, blues and rock ‘n’ roll greats are just now learning that the original studio recordings—including some that have never been heard or released—of their beloved artists perished in the fire and have been lost forever.

Moreover, many of the musicians themselves are finding out for the first time that their master tapes have been destroyed. The day after the *New York Times Magazine* exposé was published, musicians and managers reacted with bewilderment, frustration and anger. For example, Irving Azoff, the manager of the jazz rock group Steely Dan, said: “We have been aware of ‘missing’ original Steely Dan tapes for a long time now. We’ve never been given a plausible explanation. Maybe they burned up in the big fire. In any case, it’s certainly a lost treasure.”

By the end of the week, the *LA Times* and *Billboard* were reporting that legal action was being prepared on behalf of many artists. UMG responded by neither denying nor confirming the *Times Magazine* report, saying, “While there are constraints preventing us from publicly addressing some of the details of the fire that occurred at NBCUniversal Studios facility more than a decade ago, the incident—while deeply unfortunate—never affected the availability of the commercially released music nor impacted artists’ compensation.”

How was it possible that a giant media corporation like UMG could conceal the full impact of the devastating fire from the public for more than a decade?

The answer to this question lies in the rot and neglect of 21st century capitalism, the corruption of the business and financial elite and the complicity of the corporate news media.

## The fire

The fire reportedly broke out at Universal Studios on Sunday morning, June 1, 2008, at 4:34 a.m. on the roof of a building on the studio lot known as New England Street. After a blowtorch repair of asphalt roofing shingles spontaneously ignited, the blaze moved quickly to the studio’s New York City streetscape. It then spread to the film set featured in the popular *Back to the Future* series of movies known as Courthouse Square.

Although hundreds of firefighters responded in support of the studio’s

on-site fire brigade, the blaze gained intensity and made contact with a warehouse on the property known as Building 6197. Universal Studios staff only knew this 22,320 square-foot facility as the “video vault.” However, one corner of it housed a sound recordings library, a “repository of some of the most historically significant material owned by UMG, the world’s largest record company,” according to Rosen.

That the music archive wound up on the property of Universal Studios was a product of convoluted business deals between giant media corporations. Following a series of multi-billion-dollar acquisitions and buyouts—among them the purchase of Universal Entertainment by General Electric in 2004 forming NBCUniversal and the subsequent sale of Universal’s music business to Vivendi in 2006—the UMG-owned archive was being stored in 18-foot-high racks in a fenced-off rental space in a Hollywood studio warehouse.

Twenty-four hours after the blaze began and after five firemen were injured fighting it, the massive warehouse conflagration was put out when bulldozers and heavy machines knocked down the walls of the structure and the last flames were extinguished. All that remained were the twisted metal racks and tape reels in heaps of rubble and ash, including the charred contents of the UMG archive.

As Rosen explains, “The archive in Building 6197 was UMG’s main West Coast storehouse of masters, the original recordings from which all subsequent copies are derived. A master is a one-of-a-kind artifact, the irreplaceable primary source of a piece of recorded music.”

The vault held magnetic tape masters dating back to the 1940s, digital masters from more recent decades and raw multitrack recordings—isolated instruments and voices on the same tape—from which final mixed masters are made. Among the most valuable recordings were session masters that contain alternate takes, overdubs and studio banter between artists and engineers that open a window into the creative process.

Much of Rosen’s extensive report is based on interviews with Randy Aronson, the former senior director of vault operations at UMG who was intimately familiar with the West Coast archive. Aronson was among the first to arrive on the scene and he witnessed the inferno and its aftermath. By Aronson’s estimate—never officially confirmed by UMG—something in the range of 175,000 master tapes, including approximately 500,000 individual songs, were lost in the fire.

## The music labels and artists

UMG emerged as the largest company in the music industry after it acquired the assets of EMI in 2012. As the music industry has consolidated over the decades into giant monopolies—UMG (31 percent control), Sony Music (21 percent) and Warner Music (18 percent)—the legacy recordings of virtually all earlier music labels are owned by three

firms. One cannot read through the list of artists whose original recordings were lost in the UMG fire without sadness and anger.

**Decca Records:** The British pop, jazz and classical label founded in 1932 became part of MCA Records in the 1970s and was bought by Universal in 1996. Among the master recordings lost are some, but not necessarily all, of those by Louis Armstrong, Duke Ellington, Al Jolson, Bing Crosby, Ella Fitzgerald, Judy Garland, Louis Jordan and His Tympany Five and Patsy Cline. Rosen writes that the tape masters of Billie Holiday's entire Decca catalog "were most likely lost in total."

**Chess Records:** The American label founded in 1950 that specialized in blues and rhythm and blues also became part of MCA Records and was acquired by Universal in the 1990s. Among the works lost are most of Chuck Berry's Chess masters and multitrack masters and "nearly everything else recorded for the label and its subsidiaries." This includes the Chess recordings of Muddy Waters, Howlin' Wolf, Willie Dixon, Bo Diddley, Etta James, John Lee Hooker, Buddy Guy and Little Walter. Rosen adds, "Also very likely lost were master tapes of the first commercially released material by Aretha Franklin, recorded when she was a young teenager performing in the church services of her father, the Rev. C.L. Franklin, who made dozens of albums for Chess and its sublabels."

**Impulse! Records:** The American jazz record company was founded in 1960 by ABC-Paramount Records and was also sold to MCA in the late 1970s and became part of Universal's jazz portfolio in the 1990s. The majority of John Coltrane's Impulse! masters were lost along with those of Duke Ellington, Count Basie, Coleman Hawkins, Dizzy Gillespie, Max Roach, Art Blakey, Sonny Rollins, Charles Mingus, Ornette Coleman, Alice Coltrane, Sun Ra, Albert Ayler, Pharoah Sanders and other jazz greats. Among the rock 'n' roll Impulse! artist masters lost are Buddy Holly along with the masters of hits such as Bill Haley and His Comets' "Rock Around the Clock," Jackie Brenston and His Delta Cats' "Rocket 88," Bo Diddley's "Bo Diddley/I'm A Man," Etta James' "At Last," the Kingsmen's "Louie Louie" and the Impressions' "People Get Ready."

The scale of the losses is staggering, as Rosen finishes up his review: "The list of destroyed single and album masters takes in titles by dozens of legendary artists, a genre-spanning who's who of 20th- and 21st-century popular music. It includes recordings by Benny Goodman, Cab Calloway, the Andrews Sisters, the Ink Spots, the Mills Brothers, Lionel Hampton, Ray Charles, Sister Rosetta Tharpe, Clara Ward, Sammy Davis Jr., Les Paul, Fats Domino, Big Mama Thornton, Burl Ives, the Weavers, Kitty Wells, Ernest Tubb, Lefty Frizzell, Loretta Lynn, George Jones, Merle Haggard, Bobby (Blue) Bland, B.B. King, Ike Turner, the Four Tops, Quincy Jones, Burt Bacharach, Joan Baez, Neil Diamond, Sonny and Cher, the Mamas and the Papas, Joni Mitchell, Captain Beefheart, Cat Stevens, the Carpenters, Gladys Knight and the Pips, Al Green, the Flying Burrito Brothers, Elton John, Lynyrd Skynyrd, Eric Clapton, Jimmy Buffett, the Eagles, Don Henley, Aerosmith, Steely Dan, Iggy Pop, Rufus and Chaka Khan, Barry White, Patti LaBelle, Yoko Ono, Tom Petty and the Heartbreakers, the Police, Sting, George Strait, Steve Earle, R.E.M., Janet Jackson, Eric B. and Rakim, New Edition, Bobby Brown, Guns N' Roses, Queen Latifah, Mary J. Blige, Sonic Youth, No Doubt, Nine Inch Nails, Snoop Dogg, Nirvana, Soundgarden, Hole, Beck, Sheryl Crow, Tupac Shakur, Eminem, 50 Cent and the Roots."

Finally, there were "tens of thousands of gospel, blues, jazz, country, soul, disco, pop, easy listening, classical, comedy and spoken-word records that may now exist only as written entries in discographies" and will never be heard again by anyone. Due to the lack of resources and the relatively primitive methods used by Aronson and his staff working in the archive, a definitive list of what was lost will never be known.

## The cover-up

Since the fire took place on the property of a film studio, most news reports focused exclusively on the loss of the "video vault." A June 1, 2008, *New York Times* article quoted Universal representatives as saying the blaze was a close call and only a few video and television images were lost. "In no case was the destroyed material the only copy of a work," the report said.

A similar report appeared in *Billboard* on June 2 with the headline "Universal Music Group Masters Unharmful in Fire." *Billboard* quoted a Universal representative, "We moved most of what was formerly stored there earlier this year to our other facilities. Of the small amount that was still there and awaiting to be moved, it had already been digitized so the music will still be around for many years." These statements, according to Rosen, were known to be false.

Meanwhile, any same-day reports that pointed to the UMG archive were quickly challenged by the company. For example, blogger Nikki Finke (founder of *Deadline Hollywood*) posted a report on June 1 with the headline "Uni Blaze Burns Music History." Finke quoted an unnamed source who told her that thousands of recording masters were destroyed and that "This is a tremendous loss in music history."

The following day, Finke posted an update that said, "Universal Music just gave me a 'clarification' on my report." She then quoted the same company fabrications that appeared in the *Billboard* article. In response, Finke wrote, "So let me get this straight: first there's no report of irreplaceable damage at the Universal Studios vault, then I find out there's musical history destruction because of a rental agreement with Universal Music, and now execs [say] it's only 'a little' and not a problem. Funny, because my insiders insist it's a BIG problem. ... My final thought: the public may never know the truth."

As Rosen explains, the UMG public relations department went rapidly into "crisis management." A deliberate campaign was launched aimed at reversing references to a catastrophe and repeating UMG's false explanation. Rosen quotes from an email by company spokesman Peter LoFrumento, "We stuck to the script about physical backups and digital copies. ... We were able to turn [Jon] Healey around on his *L.A. Times* editorial so it's not a reprimand on what we didn't do, but more of a pat on the back for what we did."

The coverup went even further as LoFrumento provided the names of two little-known pop singers—Lenny Dee and George Shaw—to the media. Dee and Shaw were provided as examples of the small number of tapes by "obscure artists from the '40s and '50s" affected by the fire. These lies or distortions were published in subsequent reports by both the *New York Times* and the *Daily News*.

Rosen writes that UMG filed a lawsuit in December 2009 against its landlord NBCUniversal for damages from the fire. Case depositions and documents present a dramatically different picture than the one that UMG offered the public. In court filings, the company valued the archive at \$150 million and demanded compensation for 118,230 "assets destroyed" and "an estimated 500K song titles" lost. In 2013, UMG dropped the suit and settled out of court for an undisclosed amount.

## The assessment

Rosen, formerly pop music critic for *New York* magazine and senior critic at *Rolling Stone*, deserves credit for bringing to light the truth of the fire and the subsequent cover-up. However, his assessment of UMG's behavior and the broader implications of the disaster is misdirected and

unsatisfying. Rosen skirts the question of UMG's direct responsibility for the disaster and how the company managed to conceal it for so long.

Reviewing similar events in the handling of precious master recordings, Rosen points to the technical challenges facing the music industry in preserving and digitizing them. But the treatment of the master archives by UMG and the record companies—which view them for the most part as financial liabilities and a drain on resources rather than a legacy of great historical importance—reveals basic truths about the profit system.

With tens of billions of dollars in annual revenue and more than enough resources to protect these invaluable assets, the music industry executives and their Wall Street investors are focused on the most immediate considerations of sales, quarterly earnings and profits, not the preservation of musical heritage.

In regard to responsibility for the historical back catalog, Rosen advances justifications for corporate negligence. He writes, “The fate of millions of recordings does finally come down to blunt cost-benefit judgments.” He then directs his readers to the UMG donation of “200,000 metal parts, aluminum and glass lacquer disc masters” from 1926 to 1948 to the Library of Congress. Of course, the company still maintains intellectual property rights and has handed off the very expensive project of maintaining and digitizing the collection to a budget-strapped government institution.

Rosen then criticizes the artists themselves for failing to be accountable for the fate of their own music. He writes, “Artists famous for activism around masters, like Prince, have construed the issue strictly as a labor-versus-management struggle, a matter of individual artists' rights, not as a question of collective cultural patrimony.” He quotes Gerald Segilman, the director of the government National Recording Preservation Foundation who says, “Musicians themselves don't seem to understand what's at stake.”

In the first place, many of the artists in question are no longer alive. For those who are living or even still performing, they are hardly in a position to deal with the task at hand. In many cases, after signing contracts with the record companies, the artists no longer own or have any rights to the original master recordings.

Rosen writes that the fate of the UMG music archive was “an open secret” for years, pointing to published interviews with artists speaking about their masters lost in the fire. He also points to the existence of references to the lost Decca and Chess master tapes on a Wikipedia entry published in 2014. Yet, between Nikki Finke's post (still available online) of June 2, 2008, and Rosen's feature in the *New York Times Magazine* last week, not a single journalist covering the media or music business explored or questioned UMG's version of what occurred in the fire.

Why is it that no corporate media outlet followed up on the facts made available in the 2009 lawsuit or the online references to masters lost in the NBCUniversal “backlot” fire?

In fact, the American media has, over the last four decades, been converted into a fully compliant arm of the establishment. It has little interest in exposing the dirty secrets of corporate operations. On the contrary, as opposed to journalists of an earlier age who took for granted that their relationship with big business was adversarial, contemporary media figures—who themselves are millionaires in many cases—see their job as little more than passing on the press handouts from the government and corporations.

It should come as no surprise therefore that UMG's effort to falsify the events of June 1-2, 2008, was for ten years aided by the collapse of investigative journalism and the subordination of news reporting to corporate money-making interests. The preservation of society's priceless cultural heritage, including the great popular music archives, falls to the working class as one of its many tasks in reorganizing economic and political life.



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