

Landing The Big One

Filmmaker **Ed Burns** needs a hit every now and then to keep his artistry alive.

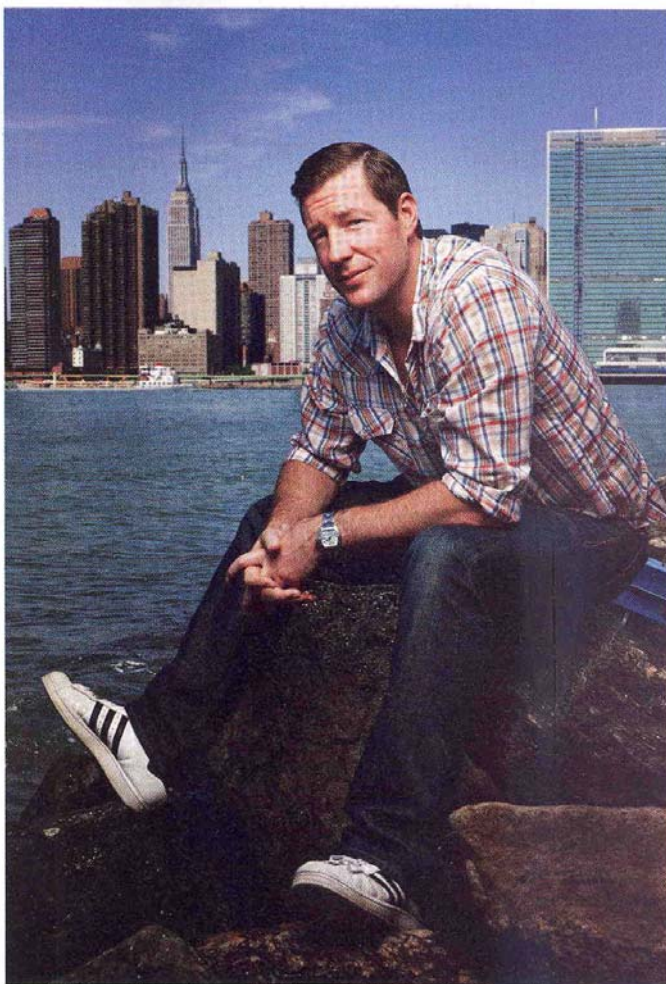
By Monte Burke

ON A COOL, GRAY NEW YORK City morning filmmaker and actor Ed Burns stood in the bobbing bow of Captain Frank Crescitelli's 32-foot boat, *Fin Chaser*. Sporting camouflage pants, his lucky white Mets cap and movie-star stubble, the 42-year-old Burns cast a white lure into the rolling swells of an inlet between the boroughs of Brooklyn and Queens. In short order he caught one striped bass, then another. The fish were small—maybe 10 pounds apiece—but spirited, and they tugged Burns back into his childhood.

Burns was born in Queens and raised on Long Island. He used to fish these waters with his father, then an NYPD police sergeant. "He would take me out on these big party boats packed with guys drinking beers and barfing all over the place," says Burns.

This morning's fishing was just a brief respite from Burns' quest to answer a career question: How do you make small, personal movies and still pay the bills? "My whole thing has always been about creative control," he says. But no artist exists in a vacuum. His films still require production money, and they also need an audience.

Burns' biggest hits were his first two films, 1995's *The Brothers McMullen* (\$11 million at the box office) and 1996's



Home turf (and surf): Burns frequently uses his native New York City in his movies.

She's the One (\$10 million). Those films bankrolled his next seven. But the game has changed since the small-film boom of the mid-1990s. Studios like Picturehouse and Warner Independent that dealt in such fare have shut down. Marketing got expensive. So Burns' films were lost in a sea of better-funded movies produced by big studios. "I haven't made money on a studio release since *She's the One*," he says. "I've had trouble getting them out to an audience."

With his latest film, *Nice Guy Johnny*, Burns thinks he may have figured it out. Like the eight films that preceded it, *Nice Guy* is all Eddie: He wrote it, directed it, acted in it and produced it. The film is a romantic comedy about a young man who believes he can please his demanding fiancée only by giving up his dream job as a sports radio talk show host for a more serious vocation. Burns first showed the movie in April at the Tribeca Film Festival, just steps from his apartment,

where he lives with his wife, model Christy Turlington, and their two young children. He spent the next two months trying to sell it.

From the beginning Burns knew he probably wouldn't take the traditional route—a theatrical release followed a few months later by a DVD and video-on-demand release. Marketing money for a theatrical release had become an unworkable problem. "I can make a movie for \$5 million, but when you add in the marketing budget, it suddenly becomes a \$25 million film," says Burns. And it still has to compete for attention with some Robert Pattinson movie with a \$40 million marketing budget.

So Burns decided to skip the movie theaters. He signed a distribution deal with Film Buff, a video-on-demand cable channel that launched last summer and is in 43 million U.S. homes. (Film Buff is a subsidiary of Cinetic Rights Management, a movie sales agent founded by John Sloss, who was Burns' lawyer for *The Brothers McMullen*.) The deal lasts 3 years, when the rights then revert to Burns. A typical studio deal lasts 20 years.

On the release date, scheduled for mid-October, *Nice Guy* will be available on Film Buff's channel and from Apple's iTunes. It will also come out on DVD in a promotional partnership with "a big retailer," says Sloss. Burns loves the deal: He keeps creative control and gets more than half of the dollars that come in. He's confident he'll cover the film's production cost of under \$1 million.

A month before the release Burns will

preview the movie at festivals and film schools, like a rock band promoting an album. He says, "I decided not to mourn the death of the theatrical release and embrace the new digital platforms. I really think this might be the future of indie film distribution."

Burns initially wanted to be a novelist but became obsessed with filmmaking after taking a film class at the State University of New York at Albany. His first real job was as a gofer on the TV show *Entertainment Tonight*. In his spare time—and occasionally with equipment "borrowed" from the show—Burns filmed *The Brothers McMullen*, a movie about three Irish-Catholic brothers simultaneously struggling with relationships with women. He shot the majority of the film at his parents' house, and his father helped finance the film's \$25,000 budget.

The film, Burns says, was rejected by "festivals, studios and agents. I couldn't get my foot in the door." That changed, thanks to some moxie. When Robert Redford came to the *ET* set to promote his 1994 film, *Quiz Show*, Burns handed him a VHS of his movie. Redford entered it into his Sundance Film Festival, where it won the top prize. Fox Searchlight bought the distribution rights for \$250,000. "They didn't think it would amount to much, so they gave us big bumps at \$5 million and \$10 million," says Burns. The film went on to make \$11 million at the box office, 440 times its budget. "I've been trying to replicate that ever since," says Burns.

The movie provided Burns the opportunity to direct big-budget studio films, something he says has been tempting because of the money. Last year he nearly signed on for a studio romantic comedy but backed out at the last minute.

"I just realized

that's just not me," he says. That experience—of nearly giving up on a dream for a bigger paycheck—formed the basis of the script for *Nice Guy*.

Artistic control is something worth a financial sacrifice. He casts whomever he wants; there are no script notes "from some studio exec with an M.B.A.," he says. "Indies aren't just about the budget or the subject matter. It's 'Is anyone telling you what to do?' If the answer is 'No,' then you're an indie filmmaker."

Burns has taken the occasional detour from directing to act in other movies, most notably in Steven Spielberg's 1998 film, *Saving Private Ryan*. (Burns and Spielberg fish together in the Hamptons, and Spielberg watched an early version of *Nice Guy* and sent Burns some notes.) But filmmaking has remained Burns' primary endeavor.

With 2001's *Sidewalks of New York*, Burns started to tinker with financing models. For that film he sold the foreign rights (in countries like Germany, France and Australia) to raise money to make the film, then sold the domestic rights to Paramount Classics after the film was done. The movie grossed \$2.5 million, tripling its tiny budget, but Burns didn't see a dime, thanks to the marketing money spent on the theatrical release. *Ash Wednesday* (2002) and *Looking for Kitty* (2004) were box-office bombs, taking in a combined \$7,500. With *Nice Guy*, he thinks he's found the right model.

Later in the morning on New York Harbor, Crescitelli motored the boat into Jamaica Bay, not far from Burns' childhood home in Valley Stream. After a series of small fish, Burns finally hooked into a lunker that nearly bent his rod in two. Landing the 20-pound striper, he cracked a huge smile. As with his movies, the small ones are fun, but a big one every once in a while can make the day.

"I figure I need about one in five of my movies to pop. That buys me another five years," says Burns. "I'm due for another one." **F**



The art of angling: Burns with a New York City striped bass.

CAPTAIN FRANK CRESITELLI