

CALIFORNIA ApparelNews

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PHOTO BY ALEX J. BERLINER/ABIMAGES

Matthew Shay, president and chief executive officer of the National Retail Federation, delivered the commencement speech at the Fashion Institute of Design & Merchandising 2014 graduation ceremony on June 21 at the Staples Center in Los Angeles.

Dov Charney Wages War to Stay on at American Apparel

By Deborah Belgum *Senior Editor*

In a filing on June 23 with the **Securities & Exchange Commission**, Dov Charney, the ousted **American Apparel** founder, president and chief executive, said he met with a group of shareholders recently who want him to continue running the company, and he will fight to stay on.

The documents, filed on behalf of Charney, stated he was approached on June 19 by supporters, including stockholders, who want him to continue to lead the company. American Apparel's board of directors voted unanimously on June 18 to terminate Charney's employment for cause.

Meanwhile, American Apparel announced that it had hired the investment-banking advisory firm **Peter J. Solomon Co.** to ensure that it has "adequate access to capital in the future at a reasonable cost."

John Luttrell, American Apparel's executive vice president
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Bonobos' Hybrid E-commerce Opens in Los Angeles

By Andrew Asch *Retail Editor*

Bonobos, a New York-headquartered men's clothing brand, helped introduce a new retail model when its **Guideshops** opened in 2011. Bonobos would deliver one-on-one service to those who wanted a bricks-and-mortar store experience, then ship the clothes to the consumer just like other e-commerce stores do.

The company opened its first Los Angeles **Bonobos Guideshop** at 101 S. La Brea Ave. on June 27 at the **District La Brea** retail compound. The company believes that the unique hybrid model has already been proven to be a success, since nine other Guideshops have opened across the United States in the past three years. A San Francisco Bonobos Guideshop opened in 2013.

At the Guideshops, Bonobos hopes to provide the best of e-commerce and bricks-and-mortar shopping, said Erin Ersenkal, Bonobos' vice president of Guideshops and planning. Shoppers drop by the Guideshop to view Bonobos chinos, jeans, shirts, suits, swimwear and **Maide**, Bonobos' performance golf line. Bonobos jeans are manufactured in Los Angeles. The shop's staff, called "guides," work with the shopper to confirm his measurements and what fits look good on the shopper.

"We are able to offer an experience that is customized to those who want to shop in person but don't want to deal with

the hassles of a traditional retail store," Ersenkal said in an email. "Our Guideshop model gives customers the chance to touch and feel Bonobos clothing before they buy, which helps to take the guesswork out of shopping online. Additionally, this model allows us to showcase our entire fit and style offering in 1,500 square feet, something that is impossible for traditional retailers to do because they're constrained by showing the same shirt or pant in multiple sizes, which takes up more room."

Ersenkal said that Bonobos shoppers don't mind waiting two to four days before the clothes they ordered at the Guideshop are delivered from Bonobos' Boston-area warehouse. Delivery times are shorter on the East Coast.

"As for not walking out with your purchases, we've learned that most men don't care about carrying their bags of goods around and actually prefer having it delivered right to their door," Ersenkal said. "More importantly, our customer feedback shows that the service experience one receives in the Guideshop greatly outweighs the instant-gratification element. We've seen that transactions in our stores are double what they are online, and customers who have come to the Guideshop visit more frequently, which we attribute to the high-touch, highly personalized service customers receive in the store."

While consumers are welcome to drop by Guideshops as frequently as they wish, the Bonobos model calls for them to
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TRADE SHOW REPORT

Immediates, Fall and New Resources Key at Fashion Market Northern California

By Christina Aanestad *Contributing Editor*

SAN MATEO, CALIF.—The **San Mateo Event Center** was bustling with activity during the June 22–24 run of **Fashion Market Northern California**, where exhibitors were showing fashion and accessories lines and buyers were placing last-minute Summer through late-Fall orders.

"We have 36 new exhibitors—that's a 20 percent increase from last year," said Suzanne DeGroot, FMNC executive director. "I am hearing that people have found out about our show from their customers and vendors they meet at other shows."

First-time exhibitor Elizabeth Roney displayed her Indiana-based line, **Liz Alig**, which includes recycled, organic and fair-trade clothing and accessories.

"[FMNC] is a good market for fair trade and eco fashion."
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MADE IN CALIFORNIA

Melody Ehsani: Expanding From Accessories to Apparel

By Sarah Wolfson *Contributing Editor*

When Melody Ehsani turned from law to fashion, she wanted to capture a niche within the market for hip hop-inspired jewelry, which soon caught the eyes of musicians such as Rihanna, Erykah Badu and Alicia Keys, who were spotted wearing Ehsani's pieces, such as her "Love" rings and her barbed-wire choker necklaces.

Next came footwear, accessories, bags and a three-style sneaker capsule collection with **Reebok**; a collection of nail wraps with beauty company **NCLA**; a pocket knife for girls with **Victorinox Swiss Army**; and, in 2013, a Melody Ehsani retail store on Fairfax Avenue in Los Angeles.

Her latest brand extension is an apparel collection, which debuted in the store and online about a month ago.

"I've never had a fashion background, but I had a knack for products with form and function," Ehsani said. "My first

'job' was an internship at **Creative Recreation** at a time when they had no employees—the company was a month old."

Ehsani credits company co-founder and designer Rich Nand with showing her some of the technical aspects of design, including how to use **Illustrator**.

For her own collection, Ehsani started with a 12-piece collection of cut-and-sew tees that complement her jewelry, which is inspired by Cleopatra and Nubian motifs, as well as astrological signs and other ethnic influences.

"The impetus behind making the clothing was not because I wanted to create something that didn't exist before—which is what my intention was with the jewelry and footwear," Ehsani said. "It was, rather, that I wanted to bring a new voice into fashion. I personally want to wear clothing that
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Where fashion gets down to businessSM



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Juicy Couture Revamping Stores Under New Ownership

By Deborah Belgum Senior Editor

By next year, **Juicy Couture** will have a series of new concept stores open to reflect the label's changing directions under new ownership by **Authentic Brands Group**.

The new concept stores for the luxury casual line born in Los Angeles will be in major urban areas such as New York City, Los Angeles and Vancouver, Canada. The new locations will replace existing Juicy Couture stores in the United States that were being phased out because they opened under **Liz Claiborne Inc.**, the previous owner. Liz Claiborne, which changed its name to **Fifth & Pacific Cos.** and then to **Kate Spade & Co.**, sold Juicy Couture to Authentic Brands Group last year for \$195 million.

In addition, company executives announced that another 127 new Juicy Couture stores or shops in shop are expected to be launched around the world in the next five years, and the company will continue to expand upon its nearly 200 retail locations in key international markets.

"The Juicy Couture brand is strong and thriving globally, and Authentic Brands Group is committed to driving a comprehensive, multi-dimensional strategy to ex-

pand Juicy Couture across our international markets and to re-energize the brand in the U.S. and Canada," said Jamie Salter, chairman and chief executive of Authentic Brands Group.

On the product side of the business, Juicy Couture is pumping up its **Juicy Couture Black Label** collection, the brand's casual luxury lifestyle section. New products will be offered in intimates, kidswear and footwear. There will also be a focus on opening girls' and intimates freestanding shops worldwide.

Meanwhile, Authentic Brands Group is partnering with other companies to expand the label's various categories. Juicy Couture will work with **Elizabeth Arden** to develop fragrances, **Steve Madden** for shoes, **Movado** for watches, **Safilo** for eyewear, **Contour** for tech accessories and **Swimwear Anywhere** for bathing suits.

Authentic Brands, an intellectual-property corporation, operates with **Leonard Green & Partners** to acquire and build labels. Their brands include **Elvis Presley**, **Marilyn Monroe**, **Judith Leiber**, **Hickey Freeman**, **Adrienne Vittadini**, **Taryn Rose** and **Hart Schaffner Marx**.

After buying Juicy Couture, Authentic

Brands quickly inked a deal with discount department store **Kohl's** to sell Juicy Couture-branded products beginning this fall.

Juicy Couture became a hot item in 2001 when the brand's founders, Pamela Skaist-

Levy and Gela Nash-Taylor, fashioned a velour track suit for Madonna, who launched a new trend—sexy sweats with lots of bling. Juicy Couture was sold to Liz Claiborne Inc. in 2003 for around \$100 million. ●

Vince Announces 2nd Public Offering

Vince Holding Corp. received \$177 million in an initial public offering in November 2013, and, on June 24, it announced a second public offering.

Vince, which started business in Los Angeles in 2002, announced a second public offering of 3,550,373 shares of common stock. The sellers include the company's major stockholders, such as affiliates of **Sun Capital Partners Inc.**, a private investment company headquartered in Boca Raton, Fla. Other apparel companies in Sun Capital's portfolio include **Scotch & Soda** and **Kellwood Co.**

Prominent financial companies involved in this second public offering deal include **BofA Merrill Lynch** and **Robert W. Baird & Co. Inc.**, which are acting as joint book-running managers of the offering and are the

representatives of the underwriters. In addition, **Goldman, Sachs & Co.**, **Barclays Capital Inc.**, **J.P. Morgan Securities LLC** and **Wells Fargo Securities LLC** are joint book-running managers in the offering.

Also in June, Vince Holding announced results for the first quarter of its fiscal 2014 year. Comparable-store sales increased 11.1 percent of the first quarter of its fiscal 2014 year. Net sales were \$53.5 million, up 32.4 percent compared with the \$40.4 million reported for the first quarter of the previous fiscal year.

Jill Granoff, Vince Holding's chairman and chief executive officer, said, "It was another terrific quarter for the Vince brand as we again delivered double-digit growth across all distribution channels."

—Andrew Asch

American Apparel *Continued from page 1*

and chief financial officer, was named as interim CEO while the company searches for a new chief executive.

The announcement about Charney's departure was made after the stock market's close, when the company's shares were last selling for 64 cents.

American Apparel's stock, which trades on

the **New York Stock Exchange**, had risen on June 26 nearly 12 percent to 72 cents. The 52-week high for the stock was \$2.09 on July 29, 2013.

According to a press release issued by the company, "It is expected that the termination will be effective following a 30-day cure period required under the terms of Mr. Charney's em-

ployment agreement."

The board also intends to request Charney resign from the board, the release said. He is no longer the chairman of the board. That position is now jointly held by board directors Allan Mayer and David Danziger.

Mayer has been a member of the board since the company went public in 2007 and has served as its lead independent director for the past three years. Danziger has chaired the board's Audit Committee since 2011.

According to the company, American Apparel may have "been deemed to have triggered an event of default under its credit agreements" as a result of its decision. The release said the company "will be in discussions with its lenders for a waiver of the default."

The company's directors said they decided to fire Charney after conducting an investigation into his alleged misconduct, although the directors did not go into any details about the investigation.

Over the years, Charney has been embroiled in a number of sexual-harassment lawsuits, some settled out of court, some dropped and some still active. He has also garnered his share of criticism for his provocative advertisements showing scantily clad models wearing the company's apparel or posing in suggestive manners.

In recent years, American Apparel has been losing money and flirting with bankruptcy. It has had only one profitable quarter over the past 17 quarters.

For 2013, the company reported a net loss of \$106.3 million on \$633.4 million in revenues, compared with a loss of \$37.3 million on \$617.3 million in revenues in 2012. Facing a cash shortfall, the retailer in March announced plans to sell 61 million shares of stock at 50 cents each to meet debt payments.

With the stock issuance, Charney went from owning 42 percent of the company to 27 percent. As of March 31, he owned 47.2 million shares. **Lion Capital**, which has loaned American Apparel money in the past, has warrants that can be converted into 24.5 million shares.

Head hunt

The company is working with an executive-search firm to find a new chief executive.

Sources close to the company doubted that Luttrell, the acting CEO, would take over the top job permanently. He has been with American Apparel since February 2011 and currently serves as the company's executive vice presi-

dent and chief financial officer. Previously, he held the same titles at **Old Navy**, **The Wet Seal** and **Cost Plus**. His strength is running the financial side of a business.

However, in his new temporary position, Luttrell's yearly compensation will increase from \$441,000 to \$750,000, with a guarantee he will earn that sum for at least six months.

In addition, he was awarded a vested stock grant of 350,000 shares, which means he now owns 967,186 shares.

The board said in its statement that "Dov Charney created American Apparel, but the company has grown much larger than any one individual, and we are confident that its greatest days are still ahead."

In financial papers filed with the Securities & Exchange Commission, American Apparel noted that a new distribution center opened last year in La Mirada, Calif., had cost the company \$10 million instead of saving it \$3 million as planned. But it failed to note that Charney insisted that he run the new distribution center, which turned out to be disastrous until he departed around Thanksgiving, sources close to the distribution center said. Charney even moved in a bed to be closer to the operations, one source said.

American Apparel is probably one of the largest apparel factories in the United States. It employs 10,000 people around the world—in stores and in production facilities.

"We have one of the best known and most relevant brands in the world, with employees who are second to none; I believe we have a very exciting future," Luttrell said in the release. "Our core business—designing, manufacturing and selling American-made branded apparel—is strong and continues to demonstrate great potential for growth, both in the U.S. and abroad. This new chapter in the American Apparel story will be the most exciting one yet."

The release said the company will continue to "remain committed to its sweatshop-free, "Made in USA" manufacturing philosophy."

Charney founded American Apparel in 1997. The company operates nearly 250 retail stores in 20 countries, including the United States, Canada, Mexico, Brazil, the United Kingdom, Ireland, Australia, Belgium, France, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland, Austria, Japan, South Korea and China. The company also operates a wholesale business that supplies T-shirts and other apparel to distributors and screen printers. It has a vibrant e-commerce site, too. ●



F/3

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Barker Hangar
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photo: Wayward Denim

NRF's Shay's Message to Grads: 'Be Unreasonable'

After sweating through law and business classes, Matthew Shay, president and chief executive officer of the **National Retail Federation**, a leading retail trade group based in Washington D.C., got his JD and MBA degrees, but his latest degree was easy.

On June 21, **FIDM/Fashion Institute of Design & Merchandising** presented him with the first honorary degree in the college's history. Shay received an honorary degree of Professional Designation in Merchandise Marketing. He also delivered the commencement speech to the 2,000 FIDM students receiving their degrees at a ceremony at **Staples Center** in downtown Los Angeles. Shay took some time off from his schedule to talk to *California Apparel News*.

CALIFORNIA APPAREL NEWS: There's a fine art to making the commencement speech. What did you say to the FIDM graduates?

MATTHEW SHAY: Simply put, I told them to be unreasonable, challenge the status quo and don't accept "the mess we're in"—which is the Latin translation of status quo. Today's graduates are some of the most talented young adults this country has ever seen, and FIDM has an extremely unique model to bring out that talent and make each person shine: FIDM is an institution

that teaches young people to think for themselves, to design for others and to innovate for the world. And in speaking to the 2014 graduating class, I took immense pride in being able to tell these already incredibly talented individuals that retail offers exciting, rewarding and unique career opportunities and that where they start almost always isn't where they end up in retail.

CAN: Many brands are increasingly focusing on direct-to-consumer sales as a revenue generator. Is this a challenge to retail? How should retailers work with brands doing direct-to-consumer?

MS: Retailers have been working in symbiotic fashion with brands for more than 50 years and continue to look at brands as an important, non-competitive part of their business operations. At the end of the day it's about making sure their customers have access to the products they desire, and often-times that includes creating pop-up shops in their own stores and partnering in other innovative, unique ways with some of today's most beloved and recognizable brands.

What is most interesting in the explosion of direct-to-consumer brands available today is the cross-promotion that retailers and brands are using to reach consumers, and it's not only brands connecting with retailers, it's brands connecting with brands. Think of the amazing partnerships between **Vera Wang** and **Kohl's**, and even **Sephora** and **JCPenney**.

What may be perceived as a challenge to outsiders is another channel for retailers to connect with their customers.

I actually think this is a part of the bigger conversation about just how innovative the retail industry really is. Each and every day millions of Americans have at their disposal a technology that a retail company developed and/or implemented—including in-store mobile point-of-sale options, voice-activated apps that let them order food, and virtual beauty consultants who can help pick out specific makeup and personal-care items that better match their needs.

And at FIDM, the students with a passion for graphic design or visual communications could easily parlay their talents into a position within retail, where innovations are key.

CAN: What are the most important issues facing retail? The debit card—swipe issue? Organized retail crime?

MS: Decisions made in Washington affect retailers' bottom lines just as much as those made on Wall Street, so one of NRF's top priorities has always been to be at the table as policymakers discuss issues that affect the industry. Some of the top issues we are currently working on include sales-tax fairness that would level the playing field between online and Main Street retailers, comprehensive tax reform that is essential to the economy and job growth, efforts to make healthcare more workable, patent-law reform to end frivolous lawsuits over everyday use of technology, and blocking regulatory changes that would make it easier to unionize retail stores.

We also need to fix our broken immigration system so businesses can attract and hire highly skilled workers whose talents are a commodity in the global economy and work toward a 21st-century trade policy that eliminates outdated import tariffs that drive up prices for American consumers. And we need to improve and expand transportation infrastructure that has suffered from decades of underinvestment to the point where the transportation system has become a drag on the economy.

CAN: How has the retail business been in 2014 so far? Has it beaten forecasts? Has it just been OK? Any forecasts for the rest of the year?

MS: 2014 has been an interesting year thus far. Severe winter weather did more than just impact retail sales. It affected shipping and supply-chain operations across the country, consumer sentiment proved extremely volatile the first few months of the year, and there was a great amount of

pent-up demand heading into spring. However, sales for the past two months were revised upwards by the **Bureau of Labor and Statistics**, and retailers are gearing up for a more stable second half of the year.

We are currently forecasting sales to increase 4.1 percent for the year and, with the immense summer selling season still ahead of us, are hoping to see continued improvements in consumer sentiment, sales and economic growth. ●

Sequential Brands in Deal to Buy Galaxy Brand Holdings

By Deborah Belgium *Senior Editor*

Sequential Brands Group is getting ready to double its revenues. The company, which got its start in Los Angeles as a clothing company that has the **William Rast** label, announced it had signed a definitive agreement to acquire **Galaxy Brand Holdings** for \$280 million in cash and stock.

Sequential is paying \$100 million in cash and 13.75 million shares of Sequential common stock as well as issuing certain performance-based warrants that can be converted into stock.

The acquisition, which should be completed by the end of the year, will give Sequential three outdoor labels that will help grow the company. Those labels are the fitness brand **Avia**, basketball brand **AND1** and outdoor brand **Nevados**. Sequential also will have the home-goods brand **Linens 'N Things**.

"This merger is a game changer for Sequential, as it doubles the scale of our brand portfolio and further diversifies our licensee and distribution platform," said Yehuda Shmidman, Sequential's chief executive. "We were attracted to these four brands for both their existing licensing base as well as the strong prospects for continued organic growth in the future."

After the acquisition, Sequential's annual global retail sales are expected to grow from \$1 billion to nearly \$2 billion. Sequential will go from owning eight brands to 12 brands.

Galaxy also has 15 licensees whose products are sold at **Walmart** as well as at a wide

range of mid-tier and specialty stores.

Global alternative asset manager **The Carlyle Group**, which has a majority interest in Galaxy, will be granted one seat on Sequential's board of directors and will become a significant shareholder in the company after the acquisition has been completed.

In addition, Galaxy Chief Executive Eddie Esses and his team will continue to lead the business for the newly acquired brands.

Sequential Brands obtained financing from **Bank of America** and **GSO Capital Partners LP**, an affiliate of **Blackstone Group**. The company also will be replacing its existing debt facilities with new first lien and second lien debt facilities totaling approximately \$180 million. Additionally, upon completion of the deal, Sequential's diluted share count will be approximately 40 million.

Since changing its name from **People's Liberation** to Sequential Brands Group in 2012, the publicly traded company has been brand hungry. In 2012, Sequential bought **DVS Shoe Co.** for \$8.5 million. The next year it paid \$63.2 million for **Heely's Inc.**, best known for those athletic shoes with a detachable wheel in the heel that turns mere pedestrians into gliding travelers. It also owns the brands **Ellen Tracy**, **Caribbean Joe** and **Revo**.

Last November, Sequential agreed to acquire for an undisclosed sum **The Franklin Mint** brand, which for 50 years has been selling collectibles such as coins, figurines, stamps and board games. ●



Tonian Hohberg, FIDM president and chief executive officer, presented Matthew Shay, president and CEO of the National Retail Federation, with an honorary degree of Professional Designation in Merchandise Marketing at the FIDM/Fashion Institute of Design & Merchandising 2014 graduation ceremony, held June 21 at the Staples Center in Los Angeles.

that teaches young people to think for themselves, to design for others and to innovate for the world. And in speaking to the 2014 graduating class, I took immense pride in being able to tell these already incredibly talented individuals that retail offers exciting, rewarding and unique career opportunities and that where they start almost always isn't where they end up in retail.

Of course, I also spent some time telling them my own faults, failures and successes. With that I reminded them what Winston Churchill once said about success: "Success is stumbling from failure to failure with no loss of enthusiasm."

I am extremely humbled and honored to have been a part of the class of 2014's big day. It is surely something I will never forget.

CAN: The job market has been a tougher place to enter than in the past. What is your advice to college graduates for getting a job in fashion and retail and then getting a better job in fashion and retail?

MS: As I mentioned in my remarks on Saturday, everyone starts somewhere, and entry-level positions in retail and fashion retailing are a great starting place for anyone with a desire to succeed.

Companies such as **Macy's**, **HSN**, **Ralph Lauren**, **J.Crew**, **LVMH**, **Christian Dior**, **Gap** and so many more offer positions rang-

Calendar

July 5

Interfilère
Paris Expo Porte de Versailles
Paris
Through July 7

July 7

LA Fashion District Walking Tour
by Fashion Business Inc.
Los Angeles

July 8

Venue
Cooper Design Space
Los Angeles
Through July 9

Fashion Culture Trade Fair,
presented by Fi3
Barker Hangar
Santa Monica, Calif.
Through July 9

July 9

"Sales Negotiations" webinar
online

July 10

Agenda
Long Beach Convention Center

Long Beach, Calif.
Through July 11

"Follow-Up Business Plan"
workshop by Fashion Business Inc.
California Market Center, A792
Los Angeles

July 14

"Starting a Business Plan for a Fashion Product" workshop by Fashion Business Inc.
California Market Center, A792
Los Angeles

July 15

CMC Gift & Home Market
California Market Center
Los Angeles
Through July 21

Spin Expo
Metropolitan Pavilion
New York
Through July 17

July 17

Mercedes-Benz Fashion Week Swim
Various venues

Miami
Through July 21

July 18

California Gift Show
Los Angeles Convention Center
Los Angeles
Through July 21

July 19

Cabana
Miami Beach, Fla.
Through July 21

Salon Allure
W South Beach
South Beach, Fla.
Through July 22

Miami Swim Show
Miami Beach Convention Center
Miami Beach, Fla.
Through July 22

There's more
on ApparelNews.net.

For calendar details and contact information, visit ApparelNews.net/calendar.

Submissions to the calendar should be faxed to the Calendar Editor at (213) 623-5707. Please include the event's name, date, time, location, admission price and contact information. The deadline for calendar submissions is the Tuesday prior to Friday publication. Inclusion in the calendar is subject to available space and the judgment of the editorial staff.

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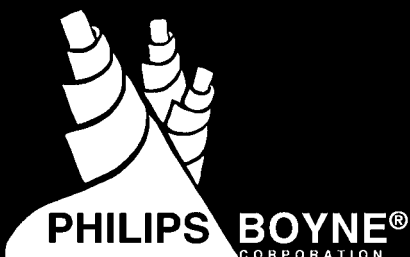


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INDUSTRY VOICES

Mediation: A Tale of Two Studies

By Robert Ezra, Esq. *Contributing Writer*

The power of mediation to resolve disputes is well known in legal circles, but it is not as familiar to the fashion industry. As a former garment-business owner myself, I started Fashion Dispute Resolution because I saw a need in the apparel and textile industries to give business owners a way to resolve their differences in a less costly and time-consuming manner as opposed to the court process.

Mediation is a consensual agreement requiring both parties to agree to the process. The cases that come to FDR often fall into one of two categories: disputes that are driven by emotion more than legal issues and disputes that are based in legal issues where emotion is less of a factor.

Case Study I: Transformative Mediation

An example of an emotional, multi-issue dispute resolved by FDR involves two friends and business partners. Let's call them Smith and Jones.

Smith is a licensed contractor who alleged that he helped Jones remodel his house but Jones never paid him for his work. Jones asserted that Smith was just a friend helping out, that there was no formal contract for the work and that, besides, the work Smith did was defective. Smith sued Jones for non-payment.

Before the remodeling scuffle, Smith and Jones had decided to create a garment-manufacturing company together. Jones invested some money into the company but charged in his countersuit that Smith failed to make his investment, which caused the venture to fall through and Jones to lose his entire investment.

The legal issues in this case were not very significant—there was nothing novel about these claims. The rub was the personal disputes between ex-friends and ex-business partners and the tactics each used to try to gain an advantage.

For example, Smith filed a mechanics lien on Jones' property, sent out letters to a number of people accusing Jones of fraud and even threatened to disrupt the wedding of Jones' daughter. For his part, before the remodeling project began, Jones took all the money out of the property to make it judgment-proof, indicating an intent from the outset not to pay Smith.

Both parties were culpable in some way, but this was all about emotion. The personal issues overshadowed the legal issues.

The strategy I used to deal with this case is called "transformative mediation." I sought to show that this kind of destructive interaction is the most significant negative impact of conflict resolution.

I first helped the parties understand the scope of their legal issues, and the fact that they were not complicated. Then I gave them the opportunity to vent personal frustrations harbored against the other. Each one just wanted a pound of flesh. I made them realize that litigation is not a good vehicle to satisfy personal animosities. The court system is not a forum for people to redress emotional issues.

This was a case where mediation created an environment for the parties to reach an agreement that is not available in court. We got the

parties to realize that their positions were preventing them from negotiating a settlement.

Case Study II: Evaluative Mediation

A second case study involves FDR's mediation to resolve a legally complicated but non-emotional, multi-issue dispute between two companies. In this case, Seller sold textile products, and Buyer was its customer.

Seller delivered his goods late, which Buyer claimed cost him his business relationship with some of his customers. Buyer also realized that at least some of the goods had a latent defect that could not be detected by normal inspection. It would be impossible to test all the product for defects. Buyer refused to pay Seller for the goods, and Seller sued.

Seller denied there was anything wrong with the product. And, even if there were problems, Seller alleged that Buyer sold the products without giving Seller timely notice of the defect, in violation of the Uniform Commercial Code. Buyer contended he was obliged to mitigate his damages by selling as much non-defective product as possible. Buyer also asserted that Seller had not only shipped late but had shipped "a bunch of junk." Furthermore, Buyer contended Seller's product was supposed to be exclusive to him but it wasn't.

The mediation uncovered a pivotal issue.

Buyer asserted that the contract was unenforceable because there was a "significant customs irregularity" in the importation process that may have rendered the contract illegal. Seller countered that Buyer was complicit in the customs irregularity.

A different approach—"evaluative mediation"—was called for in this case. You look at the legal issues and how they affect rights, duties and obligations of the parties.

This case had a host of issues, not the least of which was the legality of the contract. If Seller and Buyer had colluded in the customs irregularity, the court could refer the matter to the Justice Department!

FDR went through all the legal issues, helping the parties to understand the importance and consequence of each. We asked them, "What's the upside if you do not settle now?" Focusing on that question helped drive them to settlement.

And settle they did, in the course of one day.

In any type of case, everything is always disputed. As a mediator, I do not tell the parties what is going to happen in court. I make the parties drill down to the real issues. I try to work with clients and lawyers to deliver what the issues are, how to approach them and help craft alternatives so they can resolve their differences outside of court.

One of the advantages to resolution by mediation is that arrangements of all kinds can be worked out, limited only by the parties' imaginations. On the other hand, in court, someone wins and someone loses. That is the only outcome. The cost of litigation in time, money and emotion can be better spent.

Robert Ezra is a founding partner of the law firm Ezra Brutzkus Gubner LLP. He is also a founder of Fashion Dispute Resolution. Ezra can be reached at rezra@fdr-mediation.com or at (818) 827-9000.



Robert Ezra

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Crooks & Castles: After Friend's Shocking Death, a Collection

The Spring '15 looks of **Crooks & Castles** are in stores, and the streetwear brand's Fall '14 styles will be previewed at the upcoming **Agenda** trade show in Long Beach, Calif., but the Crooks label made one of its most heartfelt statements on June 19.

It is the **Lewds Collection**, the Los Angeles streetwear brand's tribute to Christopher "Lewds" Natalio, Crooks' former marketing director. When he died suddenly in 2012, said to be of a heart attack, it sent shockwaves through the hip-hop and streetwear communities.

Hip-hop star **Drake** devoted a song to Lewds' memory during a 2012 concert. The brand soon honored his memory with hangtags featuring the words "RIP Lewds." But it wasn't enough, said Dennis Calvero, Crooks' co-founder and creative director. "Lewds was the Robin to my Batman. He was my greatest supporter. He was my best



THE DETAILS: A centerpiece for the Lewds Collection debut was a Ferrari FF detailed with the collection's graphics.

friend for 20 years. ... We wanted to dedicate a collection to him," he said.

The collection took a bow with an event that Lewds would have loved. It was a party and exhibition at the **Known Gallery** on



Los Angeles' Fairfax Avenue, a few store-fronts down from the Crooks flagship store at 455 N. Fairfax Ave. Hip-hop innovator Russell Simmons appeared at the event. The party's exhibit included pieces from the Lewds line and, for a little automotive bling, a **Ferrari FF** hatchback luxury car detailed with graphics from the new collection.

To give the Lewds collection an added edge, the Crooks team called on Futura, the pioneering graffiti artist who gained fame doing murals on New York City subway cars. Futura also collaborated with iconic rock band **The Clash**, providing art for the band's 1982 album, "Combat Rock," as well as a rap on their song "Overpowered by Funk." A book on his art is tentatively scheduled to be published in 2015.

In a tragic twist, Futura was present at a gathering at Lewds' house the day he died. Futura and his son, a photographer who goes by the name 13th Witness, had been friendly with Lewds and his fellow Crooks for some time.

The artist sent the Crooks label some original art for the collaboration. For a signature look, the Crooks design team decided on a drawing of several intersecting circles, which looks like an atom diagram spray-painted on a graffiti mural. The capsule collection also presents Futura's iconography and lettering style through the brand's sensibility. The collection's looks include



THE CREW: At the debut event for Lewds Collection, from left, Dennis Calvero, co-founder of Crooks & Castles, CJ "Siege" Natalio, son of the namesake of Lewds Collection, and Futura. Futura collaborated with Crooks & Castles on the capsule collection.

T-shirts, fleece, snapback caps, bucket hats, baseball jerseys and compression pants, among other styles, and they will be retailed exclusively at the Crooks Los Angeles flagship. Retail price points will range from \$40 to \$110.

The collection is manufactured entirely in the U.S., said Emil Soriano, Crooks' apparel design director. The capsule will have a lot to say, he said. "We're bridging that intersection of who Futura is and who we are as a brand," Soriano said. It will also tell the story of Lewds, Crooks' great friend.

—Andrew Asch



FULL HOUSE: The Lewds Collection took a bow with a party at Known Gallery.

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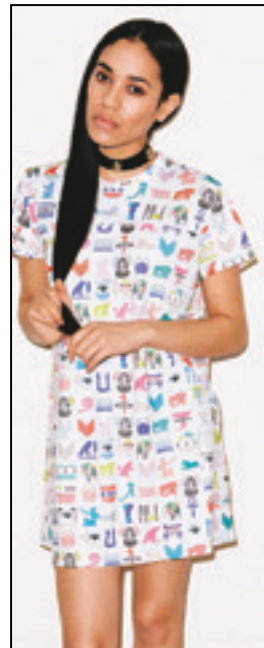
Melody Ehsani *Continued from page 1*

is meaningful, made with love [and] intention. I saw a hole in the market and tried to fill it with something that resonated more with me."

Some of the tees have a sportswear edge to them, such as the short-sleeve polka-dot floral cropped tee that comes in heather gray and the white knit tee with screen-printed sleeves and an "eye heart me" print on the back. There is a loose-fit sublimated tee with a graphic of Elizabeth Taylor from the 1963 film "Cleopatra" and a long-sleeve sports jersey, as well. Also featured is a colorful hieroglyphics T-shirt dress.

All of the products are manufactured in downtown Los Angeles from a variety of fabrics—mainly jerseys, poly blends suitable for sublimation printing and cotton knits, as well as woven fabrications. Retail price points range from \$48 to \$100. The T-shirt dress is retail priced at \$62.

Melody Ehsani apparel is currently sold online and at the retail store. For sales information, contact Dior Winston at dior@melodyehsani.com. ●



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MADE IN THE USA

Bonobos *Continued from page 1*

shop and to make purchases online after their initial trip to the Guideshop. There are a handful of Internet-launched product lines that have opened physical retail shops, such as **Warby Parker**, an eyewear company. However, there is a difference in delivery methods. Warby Parker allows shoppers to leave stores with sunglasses immediately after making their purchase. Prescription glasses are delivered from a warehouse, a Warby Parker clerk said.

This new model of shop is one of the many that retailers are experimenting with as the industry embraces omnichannel retail, or the retail model where consumers can shop and purchase clothing in a myriad of ways, including e-commerce, m-commerce and bricks-and-mortar retail. The model also has roots in an old form of apparel retail—the made-to-measure tailor, said Jeff Van Sinderen, a senior analyst at Los Angeles-based



NEW MODEL: The Bonobos Guideshop, which opened June 27, mixes aspects of e-commerce and bricks-and-mortar retail.

financial services firm **B.Riley & Co.** Like the made-to-measure shop, Bonobos will keep shoppers' measurements on file and have them ready when the shopper needs to buy new clothes.

Van Sinderen has not shopped at Bonobos and could not think of another retailer who offers a similar hybrid retail operation.

The Bonobos Los Angeles shop also was intended to offer a unique architectural style. The e-commerce company worked with the **Space 4** architecture company to make custom fixtures that are movable. The space also features an exposed ceiling bounded by wood beams, concrete floors, wood cabinets and display tables.

The store's tech is not limited to its e-commerce model. It also offers a photo mirror called Selfy, where shoppers can take full-length photos of themselves in Bonobos looks. They can later review the pictures on a custom iPad app. The customers also can be given prints of the pictures, along with an email detailing product information and sizing details. ●



THE GUIDES: Jennifer Salas and Vincent Soto both work as guides at the Los Angeles Bonobos Guideshop.

FMNC *Continued from page 1*

ion," said Roney, who attended FMNC in hopes of landing orders for her 5-year-old line in smaller boutiques. "Where I come from, it's more about education. Here people already get it—when you say fair trade and organic, they understand what that means."

Roney said her experience at FMNC was a positive one. She received new orders and is networking with sales reps to represent her line.

"This is nice because it's a smaller market, and independent lines have a chance to not get lost in all the other brands," she said.

Buyers navigated the show's open-floor format looking for new and existing lines to fill their stores. "We're looking for Immediate and Fall fashions," said Angela Harnden, co-owner of **Dandelion**, a 4,000-square-foot upscale women's boutique in Redding, Calif. She traveled four hours south to attend FMNC, which stays open until 7 p.m. on Mondays to accommodate long-distance travelers.

Jean Jung, owner of **Gold Dreams** in San Anselmo, Calif., expanded her custom fine-

cisco-based **Porto** and Berkeley, Calif.-based **Stella Carakasi**.

Mary Taft Johnson, a Northern California sales representative for seven lines—including **Tumbleweed Ranch**, a line of modernized dye-treatment prints from Los Angeles; **Fat Hat**, a knitwear line from domestically made fabrics out of Vermont; and **Krimson Klover**, based in Grass Valley, Calif.—said her client flow this market was "steady." By the second day of the show, she had a dozen orders, including two orders that picked up her new line, **Zand Amsterdam**, a collection of reversible skirts made in India from salvaged fabrics.

"My customers want us to pick up new things; they look to us to find new fashions," said Johnson, who saw clients from as far away as Oklahoma and Portland, Ore.

Convenient location

FMNC's location was an added bonus for sales representatives and buyers alike. For retailer Shunzi Che, who owns three **Shunzi** boutiques in Northern California—in Petaluma, San Rafael and Los Altos—FMNC's



CALIFORNIA-MADE: Several retailers shopping at Fashion Market Northern California were on the hunt for made-in-USA products such as Los Angeles-based Tumbleweed Ranch.



FIRST-TIME EXHIBITOR: Elizabeth Roney, designer of Liz Alig, exhibited for the first time at Fashion Market Northern California, where she landed a few new orders and met some potential sales representatives.

jewelry boutique three years ago to include fashions that complement her high-end accessories.

"This is where I picked up **Amma**," said Jung, wearing her favorite floral-printed dress by the Los Angeles-based label. "I'm looking for apparel that shows off jewelry—tailored, simple and fun for women."

"California made" was a theme several retailers, including Jung, were enthusiastic about. Gold Dreams also carries **Orange**, which produces bamboo-fabric fashions in Los Angeles, and **Inside Out**, also made in America.

Latest fashion finds

Retailers said they attend FMNC to find the latest fashion trends, and they often rely on sales representatives to provide them with that. Cynthia Zizzi, owner of **Zizi** in Healdsburg, Calif., traveled to FMNC to meet with her established sales representatives and stock her contemporary store with women's apparel for ages 30 to 70.

"Sales reps know what's selling strongly. I ask them how the line is going. It's valuable to work with a sales rep," explained Zizzi, who carries Paris-based **Lauren Vidal**, Tel Aviv-based **Ronen Chen**, San Fran-

proximity is convenient.

Che said, "70 percent to 80 percent of my lines are from this show. It's close to home, so I try to find as much as I can here." In addition to meeting with established sales representatives for lines such as **Babette** and **Niche**, Che also picked up a new line, **Tees by Tina**, a line of casual, American-made activewear designed by a Pilates instructor.

"My store is for women over 40 who are looking for items that are interesting and unique—not mainstream," she said.

Southern California sales representative Lisa Ozur returned to FMNC for the first time since its move to San Mateo seven years ago. Ozur runs **Niche**, a multi-line showroom in Los Angeles that includes **CJ by Cookie Johnson** (designed by the wife of basketball player Magic Johnson), **Acrobat**, **My Tribe** and **Fate**. Ozur said she attended FMNC as an alternative to traveling to individual shops and boutiques in the region.

"I can see more people here in a day than on the road. And when I've seen new stores, made new orders, it's an added bonus," she said. "Yesterday, I worked with 13 accounts. There's no way I'm driving to 13 stores in one day—unless I have four clones. So for me it's good to be here." ●

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Please send resumes to:

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www.classifieds.apparelnews.net

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