

CN1610101

**SWANK MOTION PICTURES, INC.
PUBLIC PERFORMANCE LICENSING AGREEMENT
FOR CORRECTIONAL INSTITUTIONS**

This AGREEMENT is made on this 25th day of January, 2016, between MISSOURI DEPARTMENT OF CORRECTIONS ("Licensee" herein) and SWANK MOTION PICTURES, INC. ("Swank" herein), a Missouri corporation.

1. Subject Matter and Term of Agreement

A. Swank is an authorized distributor of copyrighted motion picture videocassettes and videodisc ("cassettes" herein) for non-theatrical public performances. Swank desires to license cassettes to Licensee for public performance exhibition. Licensee desires to exhibit cassettes licensed from Swank on the terms and conditions set forth herein.

The term of this Agreement shall commence on April 30, 2016 and continue through April 29, 2019, after which day it shall expire unless renegotiated by mutual agreement of the parties.

2. License

Producers listed are those supplying titles at the time of this printing.

During the term of this contract, Swank shall license Licensee for public performance in its facilities on the terms and conditions set forth herein. New facilities added during the term of this contract will require an amendment agreed to in writing by both parties. During the contract period, Licensee may exhibit cassettes for showings only at its location(s) listed in Exhibit A. Licensee shall be entitled to choose any title from Swank's current and future list of available cassettes for public performance purposes which includes titles distributed by Paramount Pictures, Paramount Vantage, Relativity, The Weinstein Company, Magnolia Pictures, CBS Films, Warner Bros, Allied Artists, Fine Line Features, Lorimar Productions, New Line Cinema, Picturehouse, RKO Films, Dimension Films, The Ladd Company, Turner Pictures, Warner Premier, Warner Independent Pictures, MGM/UA, American International, Orion, United Artists, Lions Gate Films, Trimark, Sony Pictures, Columbia Pictures, Epic Productions, Tristar Pictures, Triumph Films, NBC Universal Pictures, Polygram, Focus Features, Gramercy, October Films, USA Films, Buena Vista Distribution, Millennium Entertainment, Summit Entertainment, Hollywood Pictures, Miramax, Touchstone Pictures And Walt Disney Pictures. Rentals and or purchases of titles covered by this Agreement are at the expense of the Licensee.

Swank also offers select titles from E1 Entertainment, First Look Pictures, Home Box Office (HBO), National Geographic, The Travel Channel, Image Entertainment, IFC Films, Cohen Media and Monterey Media. (Contact your Representative regarding these titles)

3. Terms

In consideration of the License, MISSOURI DEPARTMENT OF CORRECTIONS shall pay Swank a estimated License Fee of \$412,371.00, payable in semiannual installments of \$68,728.50, due upon receipt of invoices dated April and October of each year. The License Fee for the first year is based on the inmate population in those facilities listed on attachments 1 and 2. The Population reported for this year's Agreement, 30,546 inmates at an annual cost of \$4.50 per each.

4. Payment

Invoices are due and payable upon receipt.

5. Advertising

These motion pictures are specifically licensed for non-theatrical showings only. Promotion or advertising outside the Facilities is strictly prohibited.

6. Warranties

Swank warrants that:

Swank is authorized by the copyright owners of the cassettes distributed by Swank to license the "cassettes" to others for non-theatrical public performance purposes.

SWANK MOTION PICTURES, INC.
PUBLIC PERFORMANCE LICENSING AGREEMENT

continued

7. Notices

All notices to be given hereunder shall be in writing or delivered personally or mailed by pre-paid certified or registered mail (return receipt requested) as follows:

If to Swank:
SWANK MOTION PICTURES, INC.
10795 Watson Road
St. Louis, Missouri 63127
Attn: John Kersting
Institution Sales Manager

If to Licensee:
MISSOURI DEPARTMENT OF CORRECTIONS
2729 Plaza Drive
Jefferson City, Missouri 65102
Attn: Gary Stoll CPPB
Procurement Officer

or to such other addresses as the parties shall specify, or by written notice so given, and shall be deemed to be given as of the date so delivered or mailed.

8. Applicable Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Missouri.

9. Termination:

The Department reserves the right to terminate the contract at any time, for the convenience of the State of Missouri, without penalty or recourse, by giving written notice to the contractor at least thirty (30) calendar days prior to the next scheduled invoice date. The contractor shall be entitled to receive just and equitable compensation for services and/or supplies delivered to and accepted by the State of Missouri pursuant to the contract prior to the effective date of termination.

EXECUTED on the day and year first above written.

EXHIBIT A LOCATIONS:

MISSOURI DEPARTMENT OF CORRECTIONS

See attachments A & B

The License coverage includes the Training Academy as well as the visiting rooms for each participating facility listed on Attachments A & B

SWANK MOTION PICTURES, INC.

By


John Kersting
Institution Sales Manager

MISSOURI DEPARTMENT OF CORRECTIONS

By


Name 3/4/11 Dave Dormiré
Title 3/4/11 DAI Director

ATTACHMENT 1

Department of Corrections
ALGOA CORRECTIONAL CENTER
8501 No More Victims
Jefferson City, MO 65101

Department of Corrections
BOONVILLE CORRECTIONAL CENTER
1216 East Morgan Street
Boonville, MO 65233

Department of Corrections
CHILLICOTHE CORRECTIONAL CENTER
1500 W. Third Street
Chillicothe, MO 64601

Department of Corrections
CREMER THERAPEUTIC CENTER
689 Rt O, PO Box 70
Fulton, MO 65251

Department of Corrections
CROSSROADS CORRECTIONAL CENTER
1115 E. Pence Road
Cameron, MO 64429

Department of Corrections
EASTERN RECEPTION & CORR. CTR.
2727 Hwy K
Bonne Terre, MO 63628

Department of Corrections
FARMINGTON CORRECTIONAL CENTER
1012 W. Columbia
Farmington, MO 63640

Department of Corrections
FULTON RECEPTION & DIAGNOSTIC CENTER
1393 Highway O, PO Box 190
Fulton, MO 65251

Department of Corrections
JEFFERSON CITY CORRECTIONAL CENTER
8416 No More Victims, Dock B
Jefferson City, MO 65101

Department of Corrections
MOBERLY CORRECTIONAL CENTER
5201 South Morley
Moberly, MO 65270

Department of Corrections
MISSOURI EASTERN CORRECTIONAL CENTER
18701 Old Hwy. 66
Pacific, MO 63069

Department of Corrections
MARYVILLE TREATMENT CENTER
30227 U.S. Highway 136
Maryville, MO 64468

Department of Corrections
NORTHEAST CORRECTIONAL CENTER
13698 Airport Road
Bowling Green, MO 63334

Department of Corrections
OZARK CORRECTIONAL CENTER
929 Honor Camp Lane
Fordland, MO 65652

Department of Corrections
POTOSI CORRECTIONAL CENTER
11593 State Highway 0
Mineral Point, MO 63660

Department of Corrections
SOUTH CENTRAL CORRECTIONAL CENTER
255 W. Hwy 32
Licking, MO 65542

Department of Corrections
SOUTHEASTERN CORRECTIONAL CENTER
300 E. Pedro Simmons Drive
Charleston, MO 63834

Department of Corrections
TIPTON CORRECTIONAL CENTER
619 N. Osage Avenue
Tipton, Missouri 65081

Department of Corrections
**WOMEN'S EASTERN RECEPTION &
DIAGNOSTIC CORRECTIONAL CENTER**
1101 E. Highway 54, P.O. Box 300
Vandalia, MO 63382

Department of Corrections
WESTERN MO CORRECTIONAL CENTER
609 East Pence Road
Cameron, MO 64429

Department of Corrections
**WESTERN RECEPTION DIAGNOSTIC
CORRECTIONAL CENTER**
3401 Faraon Street
St. Joseph, MO 64506

Department of Corrections
Kansas City Reentry Center
651 Mulberry
Kansas City MO 64101

ATTACHMENT 2

Department of Corrections
Farmington Community Supervision Center
1430 Doubet Road
Farmington, MO 63640

Department of Corrections
Fulton Community Supervision Center
Route 0
Fulton, MO 65251

Department of Corrections
Hannibal Community Supervision Center
2002 Warren Barrett Drive
Hannibal, MO 63401

Department of Corrections
Kennett Community Supervision Center
1401 Laurie Drive
Kennett, MO 63857

Department of Corrections
Poplar Bluff Community Supervision Center
1414 Industrial Park Road
Poplar Bluff, MO 63901

Department of Corrections
St. Joseph Community Supervision Center
3305 Faraon Street
St. Joseph, MO 64503

Department of Corrections
St. Louis Community Release Center
1621 North First
St. Louis, MO 63102