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When Deals Go ‘Pear-Shaped’

Adam Leipzig · Wednesday, September 27th, 2017

In the past month, two deals appeared to go pear-shaped. I first heard the term “pear-shaped” from a British friend about twenty years ago. It means that something has gone wrong — what we Americans call “going sour” or “going south.” A good deal should rise upward with a strong and vertical stalk, then bloom into brightness, like a sunflower. Instead, when a deal goes pear-shaped it has sagged, the way men get that middle-aged bulge signalling decrepitude and proximate mortality.

One of my deals was for a film project, and the other was for a business venture. I tried to reflect on the overarching meaning of two pears in one month. Was I doing something wrong? Was the universe trying to tell me something?

Certainly, I have had my share of pear-shaped experiences. In fact, most of my career, probably anyone’s career, is that way. When people ask me how I have managed to get 34 movies made, I tell them it is only because I am persistent. I *tried* to get 340 movies made. I failed most of the time. 306 pears, 34 sunflowers. Yet not even all of those sunflowers bloomed well; some withered, and some barely opened.

The constant theme in the two pear-shaped deals of September was, surprisingly, not money. It was all about control.

In the film deal, the director was insisting on “final cut,” the absolute creative power to turn in the version of the film as he wanted it, and no one could have the power to change it. Final cut is talked about a lot in Hollywood, but very few people have in. In fact, at any one time, there are probably fewer than 5 directors who have true final cut. Everyone else, including most well-known directors, have, at best, a limited final cut — if they abide by strict parameters, such as shooting the exact script the studio has approved, coming in on budget, observing a minimum and maximum running time, and achieving a specific rating from the MPAA, then, and only then, will their cut be final.

For everyone else, final cut rests in the hands of whoever is distributing the picture. That’s because distributors feel they know the audience best, and most of the time they’re right. Distributors also want to be able to control all the changes films go through as they are shown in different places around the world; for example, some countries have censorship or cultural sensitivities that must be observed. Distributors don’t want to let a director block those changes, changes that would affect distributors’ commercial interest.

In the business deal, the pear came about because one party decided they didn't want to do something the other party thought they had committed. That's a complex moment in any deal, because both parties want to do well at the end of the day. If A and B agreed to something, and then B changes their mind before final contracts are signed, what should A do?

My father taught me the key principle of deal-making, which is that both parties should truly understand the deal and fully agree to it. "What's on paper doesn't matter if it's not in the handshake," my dad told me. My mentors in the movie business felt the same way. Jeffrey Katzenberg, for whom I worked at Disney, was scrupulous about his word being his bond. One evening at a party he made a commitment to an actor's agent. Jeffrey regretted it the next morning, but we kept the deal.

Jake Eberts, the legendary producer, was my second mentor. A junior producer once told me that he'd grown concerned about his back-end participation in a film Jake was producing. The junior producer had nothing in writing. He called Jake in distress, and ranted for 15 minutes. Jake listened, as he always did. "How do I know I will get my money?" the junior producer practically screamed. "Because I told you you would," Jake said. And he did.

When I'm confronted with a pear, as I have been this month, twice, I take a long breath, and then another. I have seen hundreds of deals go pear-shaped. Every once in a while, a deal needs to become a pear so people decide what they really want; then, if they re-evaluate, the deal may straighten itself out. Giving up control can hurt, but it's worth it when you recognize that all large-scale projects are collaborations in which everyone plays their part; not all players can have control. And some deals shouldn't be made.

Still, a sunflower's descent to bulbous tumefaction is never pleasant. Over time, I have learned it usually has nothing to do with me personally — it's about the context of the other party's experience. All I can control is my part, then plant the seeds for the next deal, hoping to grow a sunflower.

Photo by the author.

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