

**Before the
COPYRIGHT ROYALTY JUDGES
Washington, DC**

In the Matter of)
)
Phase II Distribution of the 2000-2003,)
Cable Royalty Funds)
)
)

**Docket No. 2008-02 CD 2000-03
(Phase II) REMAND**

**SETTLING DEVOTIONAL CLAIMANTS’ MOTION TO COMPEL
INDEPENDENT PRODUCERS GROUP TO PRODUCE DOCUMENTS**

The Settling Devotional Claimants (“SDC”) hereby move to compel Independent Producers Group (“IPG”) to produce documents in response to the SDC’s sole, follow-up document request for IPG to produce “All documents produced by MPAA to IPG in *Docket No. 2008-2 CRB CD 2000-2003 (Phase II)*.” This request refers specifically to documents produced by MPAA to IPG at an earlier stage in this proceeding, prior to the appeal and remand. MPAA did not produce documents to the SDC during that stage in the proceeding.

IPG objected to the SDC’s follow-up request, serving the following written response on the SDC on June 8, 2016:

Response to Follow-Up Request No. 1: IPG objects to the request on the grounds that such request is unrelated to any document produced to the SDC by IPG in the initial round of discovery, and so is not a "follow-up" request. Additionally, such request is unrelated to any assertions made in IPG's Written Direct Statement, and is therefore objectionable as beyond the scope of discovery. Moreover, the 2000-2003 Cable Phase II Protective Order at p.4, paragraph 4, states that no party receiving Protective Materials is permitted to disseminate them to attorneys or parties in other Phase II categories. No documents will be produced.

Counsel for the SDC have conferred by e-mail with counsel for IPG in a good faith effort to resolve this dispute. *See* Exhibit 1, June 8, 2016, June 14, 2016, and June 16, 2016 correspondence between M. MacLean and B. Boydston. Despite having already produced to the

SDC certain documents produced by MPAA related to IPG's time-of-day methodology ("Item 33 – MPAA PRODUCED NIELSEN DATA (SECOND)(102 STATIONS).mdb"), IPG refuses to provide any other documents produced to it by MPAA.

I. The SDC's Request is Within the Scope of Follow-Up Discovery and Directly Related to Assertions Made in IPG's Written Direct Statement

IPG objects to producing the documents produced to it by MPAA on the grounds that the SDC's request is "unrelated to any document produced to the SDC by IPG in the initial round of discovery, and so it is not a "follow-up" request." IPG further objects on the grounds that the SDC's request "is unrelated to any assertions made in IPG's Written Direct Statement, and is therefore objectionable as beyond the scope of discovery." We disagree.

Contrary to IPG's assertions, the SDC's request is related to documents IPG produced to the SDC in the initial round of discovery, and specifically related to assertions made by IPG's expert, Dr. Charles Cowan, Ph.D, in his Expert Report submitted in IPG's Direct Statement. On May 18, 2016, IPG produced to the SDC files containing certain protected MPAA data relating to IPG's time-of-day methodology. IPG designated this data "Restricted" on the grounds that it had been "previously marked 'Restricted' in prior proceedings by various parties." *See* Exhibit 2, May 18, 2016 Affidavit and Rule 11 Certification of B. Boydston in Support of Disignation [sic] of Protected Materials, at 2. Additionally, Dr. Cowan stated in his Report that he "considered the computations that IPG has performed in the past" and employed a methodology that "remove[d] the Time Period Weigh Factor...which was the subject of significant criticism by the Judges." Report at ¶ 31. Having been served with certain protected MPAA information that was expressly considered by IPG's expert, but not all protected MPAA information in IPG's possession, the SDC followed-up with IPG by requesting documents produced by MPAA to IPG. The SDC's request was properly served during the period for follow-up discovery.

Moreover, especially in light of the Judges' findings in earlier cases that IPG had hamstrung its expert witnesses through the selection of information, the fact that Dr. Cowan was not given information in IPG's possession is relevant, and entitles the SDC to inquire as to what information was withheld from him. This is follow-up discovery, because the SDC were unaware that data had been withheld from Dr. Cowan until IPG made its initial production.

II. The SDC Is Entitled to Review the Entire Universe of Data from Which Dr. Cowan Formed the Statements in His Report

Because IPG has already produced to the SDC a portion of the protected MPAA information, the SDC is now entitled to see the entire universe of documents from which the produced information was selected. IPG argues that the Protective Order in the 2000-2003 proceeding precludes IPG from disseminating Protected Materials to parties in other Phase II categories. But IPG cannot reasonably make this argument after having already produced protected materials from MPAA to the SDC. Indeed, IPG prevailed against MPAA on a substantially identical issue in the 2004-2009 Cable and 1999-2009 Satellite Proceeding. There, MPAA moved to strike portions of the written testimony of IPG witness Dr. Laura Robinson, Ph.D. which relied on protected Nielsen viewing data that MPAA produced to IPG in the 2000-2003 proceeding. Despite language in the Protective Order restricting the use of protected materials "solely for the purpose of [the 2000-2003] Proceeding," the Judges denied MPAA's Motion and permitted IPG to use the protected data, finding that Dr. Robinson's use of the data to compute aggregated information for the IPG methodology was acceptable under the Protective Order. *Amended Order Denying MPAA Motion to Strike Testimony of IPG Witness Dr. Robinson*, Docket Nos. 2012-6 CRB CD 2004-09 and 2012-7 CRB SD 1999-2009 (Phase II) (July 30, 2014) at 5.

Moreover, the Judges have already ruled in a prior proceeding that where a party seeks to use protected MPAA information, “only an entity such as MPAA that has a proprietary interest in, or contractually limited right to, the ... material at issue may attempt [to] seek relief regarding the use of such material.” *See Order on Motion of SDC for Appropriate Relief*, Docket No. 2008-1 CRB CD-98-99 (Phase II) (July 15, 2014) at 2 (denying the SDC’s motion for relief or clarification as to whether the SDC were permitted to use protected MPAA data produced to the SDC by IPG and underlying IPG’s expert testimony). Thus, because IPG does not have a proprietary interest in the protected MPAA material, IPG lacks standing to refuse to produce the material on the basis of the protective order. At any rate, the SDC are bound by the protective order in this case, and will abide by it with regard to any protected information produced.

Additionally, Dr. Cowan stated in his Report that he will apply his own methodology when more data becomes available. Report at ¶ 3. The SDC is entitled to inquire into what data was already available to IPG when Dr. Cowan made this statement.

Finally, it is highly likely, if not inevitable, that IPG will have to produce the rest of the protected MPAA information in connection with IPG’s rebuttal statement. IPG’s own document requests suggest that IPG again intends to argue (as it did the 1999 Cable Proceeding) that it lacks sufficient information to replicate the Reports of Household Viewing Hours from MPAA Copyright Royalty Database Showing Cable Viewing Data for 2000 through 2003 (“HHVH reports”), which were utilized by SDC witness John Sanders in his methodology. *See Exhibit 3*, IPG’s June 1, 2016 Follow-Up Requests to the SDC, at Request No. 34 (seeking any documents utilized to create the HHVH reports). Accordingly, the SDC are entitled to review the protected MPAA material to inquire into the accuracy of IPG’s anticipated contention, because it is the

SDC's understanding that the HHVH reports can be replicated from the information produced by MPAA.

Conclusion

For the foregoing reasons, the SDC respectfully request the Judges to compel IPG to produce in response to the SDC's follow-up discovery request all documents produced by MPAA to IPG in this proceeding.

Dated: June 22, 2016

Respectfully submitted,


Clifford M. Harrington (D.C. Bar No. 218107)
Matthew J. MacLean (D.C. Bar No. 479257)
Victoria N. Lynch-Draper (D.C. Bar No. 1001445)
PILLSBURY WINTHROP SHAW PITTMAN LLP
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Counsel for Settling Devotional Claimants

CERTIFICATE OF SERVICE

I, Victoria N. Lynch-Draper, hereby certify that a copy of the foregoing was sent via Federal Express, and sent electronically, this June 22, 2016 to the following:

INDEPENDENT PRODUCERS GROUP	MPAA-REPRESENTED PROGRAM SUPPLIERS
Brian D. Boydston Pick & Boydston, LLP 10786 Le Conte Avenue Los Angeles, CA 90024 brianb@ix.netcom.com	Gregory O. Olaniran Lucy Holmes Plovnick MITCHELL, SILERBERG & KNUPP LLP 1818 N Street, NW, 8 th Floor Washington, DC 20036 202-355-7917 202-355-7887 goo@msk.com lhp@msk.com


Victoria N. Lynch-Draper

EXHIBIT 1

Draper, Victoria L.

From: MacLean, Matthew J.
Sent: Thursday, June 16, 2016 11:19 AM
To: Brian D. Boydston, Esq.
Cc: Harrington, Clifford M.; Draper, Victoria L.
Subject: RE: IPG Follow Up Responses

Brian,

I am sorry I did not have a chance to call you yesterday. As you probably gathered, I was at the CRB hearing, which went pretty much the whole day.

Given your representations that you have no documents responsive to all but one of the areas of concern that I have raised below, I suppose there is no need for us to meet and confer about those areas.

Regarding your question relating to MPAA data, you did produce protected MPAA information apparently related to IPG's time-of-day methodology, which Dr. Cowan apparently considered but did not implement. We're clearly entitled to these documents, as the Judges have previously ruled. We think they are appropriate follow-up discovery, both because they are within the scope of our initial requests and not produced to us, and because you did in fact produce MPAA data, naturally leading to the question of why you produced some MPAA data and not others.

Your production of protected MPAA documents will also make it difficult or impossible for you to argue that the protective order prohibits you from producing them. And, I will add, you prevailed on this very issue in another case. Nevertheless, we would be willing to join a consent order allowing you to rely upon and produce MPAA information, if you (now) believe it to be necessary.

Finally, I will point out that it is inevitable that you will have to produce this information eventually in connection with your rebuttal statement, as I presume and you have already strongly suggested that you intend again to challenge the replicability of our HHVH reports.

Are you available to discuss today?

Matthew J. MacLean | Partner

Pillsbury Winthrop Shaw Pittman LLP

1200 Seventeenth Street NW | Washington, DC 20036-3006

t 202.663.8183 | f 202.663.8007

matthew.maclean@pillsburylaw.com | website bio

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NASHVILLE NEW YORK NORTHERN VIRGINIA PALM BEACH SACRAMENTO
SAN DIEGO SAN DIEGO NORTH COUNTY SAN FRANCISCO SHANGHAI
SILICON VALLEY TOKYO WASHINGTON, DC



From: MacLean, Matthew J.
Sent: Tuesday, June 14, 2016 3:33 PM
To: 'Brian D. Boydston, Esq.'

Cc: Harrington, Clifford M.; Draper, Victoria L.
Subject: RE: IPG Follow Up Responses

Brian,

Thanks, I will try to give you a call tomorrow. Sorry to miss your call today.

Matthew J. MacLean | Partner

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SILICON VALLEY TOKYO WASHINGTON, DC



From: Brian D. Boydston, Esq. [<mailto:brianb@ix.netcom.com>]
Sent: Tuesday, June 14, 2016 3:20 PM
To: MacLean, Matthew J.
Cc: Harrington, Clifford M.; Draper, Victoria L.
Subject: RE: IPG Follow Up Responses

Matt, I write with regard to the issues raised in your email of June 8, 2016 regarding IPG's responses to the SDC's Follow Up Requests.

First, regarding documents establishing Raul Galaz as an authorized representative of IPG, there simply are none to produce.

Second, regarding the method used by Dr. Cowan at the FDIC, Dr. Cowan has told us that documents regarding that method belong to the FDIC and are not in his care custody or control and, consequently, he cannot produce them.

Third, your request for documents underlying Dr. Cowan's "estimation of values that are an approximation of Shapely values," mis-understands Dr. Cowan's testimony in that Dr. Cowan did not actually perform such task, but merely said it could be done.

Regarding documents produced by the MPAA, you say that Mr. Galaz produced and relied upon certain documents produced by the MPAA. We are not aware of that; what documents are you referring to? However, even if such documents exist, I do not understand the basis for your contention that the SDC would be entitled to see "the universe of documents from which these documents were selected." When certain documents are taken from a group of documents, I fail to see why that puts other somehow related documents at play. As for Dr. Cowan's statement that he would apply his methodology when more data becomes available, asking for what data is currently available puts the cart before the horse. You are entitled to documents used in a methodology, not documents which might or might not be so used.

As for the general objections, I believe we made clear in each of our specific responses whether or not we were not producing requested documents, but to be extra clear, IPG is not refusing to produce any documents based upon general objections other than attorney client privileged documents.

As I said in my voice mail to you earlier today, I remain willing to also discuss these issues by telephone. I should be available the rest of today (although I understand you may not be). Tomorrow I have a hearing at 9:45 am, but should be available from around 11 am (PST) on. Thursday I will be in deposition all day and Friday I should be available all day.

Brian

-----Original Message-----

From: "MacLean, Matthew J."

Sent: Jun 8, 2016 3:48 PM

To: "Brian D. Boydston, Esq."

Cc: "Harrington, Clifford M." , "Draper, Victoria L."

Subject: RE: IPG Follow Up Responses

Brian,

Are you available tomorrow to meet and confer about IPG's objections to our requests? In particular, I would like to discuss the following:

- Documents establishing Galaz is "authorized representative." (Request No. 1) This is clearly a relevant and appropriate request, and relates directly to his written direct statement. We have particular reason to inquire into that statement, since Mr. Galaz has testified that he is no longer employed by IPG, and also because of the recent enigmatic involvement of Multigroup Claimants, leaving a very significant question of who is doing what over there. Also, Mr. Galaz's personal history of fraud and perjury renders the extent of his personal involvement with the operations of IPG relevant to practically all of IPG's case.
- Documents relating to the "method" used by Dr. Cowan when he was "Chief Statistician for the FDIC." (Request No. 22) Dr. Cowan says that his methodology is similar to the method he previously used, which he therefore relied upon in developing it. We are entitled to see how similar it is.
- Documents underlying, describing, reflecting, and applying the method that Dr. Cowan "developed" for "estimation of values that are an approximation of Shapley values." (Requests 23 and 24). You did not object to these requests (other than general objections, addressed below), but I can't see where you have produced any responsive documents.
- Documents produced by MPAA. (Follow-up Request 1). Contrary to your objection to this request, Mr. Galaz did produce and rely upon certain documents that had been produced by MPAA, notwithstanding the fact that the documents were covered by the protective order. We are entitled to see the universe of documents from which these documents were selected. Moreover, Dr. Cowan said he will apply his methodology when more data becomes available. We are entitled to inquire into what data was already available to IPG when he said that. Finally, your own document requests suggest that IPG again intends to argue that it lacks sufficient information to replicate the HHVH reports. We are entitled to inquire into the accuracy of that anticipated contention, because it is our understanding that the HHVH reports can be replicated from the information produced by MPAA.
- General objections. Once again, you have relied on vague, non-specific, and unsupported general objections that leave us with no clue as to whether or not you have withheld responsive documents. Courts have universally held that such objections are tantamount to making no objection at all. Therefore, we will need confirmation that no documents have been withheld pursuant to the general objections.

Can we discuss tomorrow?

Matthew J. MacLean | Partner
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-----Original Message-----

From: Brian D. Boydston, Esq. [<mailto:brianb@ix.netcom.com>]
Sent: Wednesday, June 08, 2016 2:01 PM
To: MacLean, Matthew J.; Draper, Victoria L.
Cc: worldwidesg@aol.com
Subject: IPG Follow Up Responses

Attached are IPG's follow up responses.

Brian Boydston

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EXHIBIT 2

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

_____)	
In the Matter of)	
)	
Distribution of 2000, 2001, 2002)	Docket No. 2008-2 CRB CD
And 2003 Cable Royalty Funds)	2000-2003 (Phase II Remand)
_____)	

**AFFIDAVIT AND RULE 11 CERTIFICATION OF BRIAN D. BOYDSTON
IN SUPPORT OF DESIGNATION OF PROTECTED MATERIALS**

1. I am a partner in the law firm of Pick & Boydston, LLP. I am counsel of record for Independent Producers Group (“IPG”) in the above referenced matter and am authorized to submit this affidavit and certification on behalf of IPG.

2. I am familiar with the documents produced by IPG on May 18, 2016. The documents within the following files in that production have been marked “Restricted”: “IPG Documents previously produced to SDC - Restricted #1(a)-(f)”, “IPG Documents previously produced to SDC - Restricted #2”, and all the Access files within the file “IPG Documents newly produced to SDC, 2000-2003 cable remand”. Pursuant to 37

C.F.R. Section 350.4(e)(1), I hereby certify that these documents have been marked “Restricted” on the following grounds: with regard to the files “IPG Documents previously produced to SDC - Restricted #1(a)-(f)”, and “IPG Documents previously produced to SDC - Restricted #2”, those files were previously marked “Restricted” in prior proceedings by various parties; with regard to the Access files within the file “IPG Documents newly produced to SDC, 2000-2003 cable remand”, the information therein is proprietary to IPG.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: May 18, 2016

_____/s/_____
Brian D. Boydston, Esq.
California State Bar No. 155614

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10786 Le Conte Ave.
Los Angeles, California 90024
Telephone: (213) 624-1996
Facsimile: (213) 624-9073
Email: brianb@ix.netcom.com

Attorneys for Independent Producers Group

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of May, 2016, a copy of the foregoing was sent by electronic mail to the parties listed on the attached Service List.

_____/s/_____
Brian D. Boydston, Esq.

SETTLING DEVOTIONAL CLAIMANTS:

Matthew MacLean

Victoria Lynch-Draper

Pillsbury, Winthrop, et al.

P.O. Box 57197

Washington, D.C. 20036-9997

EXHIBIT 3

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

_____)	
In the Matter of)	
)	
Distribution of 2000, 2001, 2002)	Docket No. 2008-2 CRB CD
And 2003 Cable Royalty Funds)	2000-2003 (Phase II Remand)
_____)	

**INDEPENDENT PRODUCERS GROUP FOLLOW-UP DOCUMENT
REQUESTS UPON SETTLING DEVOTIONAL CLAIMANTS**

A. Introduction and Definitions.

Pursuant to the Copyright Royalty Board Regulations, 37 C.F.R. Section 351.6, Independent Producers Group (“IPG”) hereby requests that the Settling Devotional Claimants (“SDC”) produce for inspection and copying documents related to the Written Direct Statement of Settling Devotional Claimants, filed on April 15, 2016, on or before May 18, 2016. These requests shall be deemed continuing to the final decision of the Copyright Royalty Board in these proceedings and supplementation of the SDC’s responses is hereby requested to the maximum extent of the rules of this tribunal.

For purposes of this request, the term “document” is defined as including

writings, recordings, drawings, graphs, charts, photographs, phonorecords, and other data compilations from which information can be obtained, translated, if necessary, by the respondent through detection devices into reasonably usable form.

Any data or information utilized by respondent and capable of electronic manipulation should be produced in electronic format. Writings and recordings, in particular, shall include, without limitation, all forms of electronic communication, including but not limited to electronic mail. A draft or non-identical copy is a separate document within the meaning of this term. Also, for purposes of these document requests, when we refer to (1) "Exhibit" we are referencing the SDC's Exhibits to its Written Direct Statement, and (2) "SDC" we intend to include Settling Devotional Claimants and any SDC-represented claimant.

In addition, these requests are subject to the following definitions and instructions:

1. If no responsive documents exist, indicate "No responsive documents".
2. If documents requested are not available in exactly the form requested, furnish carefully prepared estimates designated as such, or indicate that the documents cannot be obtained, and explain the reason that the documents cannot be obtained. When information is supplied pursuant to this instruction, explain why the information is being supplied in a form different from that requested.

3. If you do not produce any document or any information relating to any document, or if you withhold any document because of a claim of privilege, set forth the privilege claimed, the facts on which you rely to support the claimed privilege, and furnish a list identifying each document or thing for which privilege is claimed, together with the information as to each such document or thing required.

4. When a requested document has been destroyed, is alleged to have been destroyed, or exists but is no longer in your possession, custody, or control, state (a) its date of creation; (b) the name(s) and title(s) of its author(s), sender(s), and recipient(s) of the document; (c) the reason for its destruction, disposition, or non-availability; (d) person(s) having knowledge of its destruction, disposition, or non-availability; and (e) the person(s) responsible for its destruction, disposition, or non-availability.

5. These requests are intended to reach all requested documents and things to the extent permissible under the Copyright Royalty Board regulations, and requests should be construed to be inclusive rather than exclusive.

6. When responding, identify each discovery request by number and letter and specifically identify the documents that are being provided that are responsive to the request.

B. IPG requests the following documents:

Testimony of John S. Sanders

- 1) Any and all documents relied on by John Sanders in order to form the statements and opinions expressed in his testimony.
- 2) Any and all of the documents identified by Mr. Sanders as “materials considered” during the preparation of his written testimony.
- 3) Any and all documents used to prepare any of the “materials considered” by Mr. Sanders, including but not limited to any information and data described at 37 C.F.R. Section 351.10(e).
- 4) Any and all documents reflecting methodological alternatives considered by Mr. Sanders.

Any and all documents underlying or used to support the following statements:

- 5) “I also reviewed the following items: ... The Nielsen Media Research *Report on Devotional Programs* for February 2000, 2001, 2002, and 2003.”
- 6) “I also reviewed the following items: ... The *Report of Household Viewing Hours from 2000 MPAAA Copyright Royalty Data for 2000*, prepared by IT Processing LLC on December 8, 2006, as well as the corresponding IT Processing LLC reports for 2001, 2002, and 2003.”
- 7) “[A]ll of the programs claimed by SDC and IPG appear to be directed predominantly to a Christian audience, and can therefore be thought of as homogeneous in terms of the subscriber base to which they are likely to appeal.”
- 8) “Where programs are homogeneous, the most salient factor to distinguish them in terms of subscribership is the size of the audience.”
- 9) “A religious program with a larger audience is more likely to attract and retain more subscribers for the cable system operator, and is therefore of proportionately higher value.”

- 10) “Nielsen ratings are the currency of the broadcast and cable industry, and are generally regarded as the most reliable available measure of audience size.”
- 11) “We sought, but were unable to obtain from Nielsen, the remaining quarterly Reports for each year at issue.”
- 12) “Based on these criteria, in my opinion, excluded programs would tend to have lesser value for cable operators than included programs.”
- 13) “Use of local ratings from the RODP yields the following percentages by year ... [and table results].”
- 14) “In my expert opinion, these would be reasonable allocations, in the absence of further information.”
- 15) “[I]t is my understanding that the Nielsen and Tribune data underlying the HHVH reports in the 2000-2003 cable case are not in Mr. Whitt’s possession.”
- 16) “I determined in consultation with the SDC that the likely cost of gaining the right to use [certain underlying data in the 1999-2009 satellite and 2004-2009 cable cases] and then seeking to replicate Mr. Whitt’s work was not justified by whatever additional benefit to the reliability of my valuation it would add.”
- 17) “I believe that the HHVH data still has utility in a relative valuation analysis, and can be used as a tool to frame a confirmation of the results of the RDOP analyses calculated above.”
- 18) “I employed the HHVH data, extracted from the IT Processing Data Report, which was included in Exhibit 12 of the *Rebuttal Testimony of Dr. William J. Brown*.”
- 19) “The four year average share for the SDC using the RODP data is 70.0%, while the corresponding average using the HHVH data is 68%. Conversely, the four year average shares for the IPG using the RODP and HHVH data, respectively, are 30% and 32%.”

- 20) “Although there are fluctuations from year to year, the overall averages across the four year period are within 3% of each other.”
- 21) “The correlation coefficient for the Nielsen shares relative to the HHVH shares is approximately 0.89 in 2000, 0.84 in 2001, 0.77 in 2002, and 0.71 in 2003.”
- 22) “As shown in Exhibit D, the correlation coefficient simply confirms and quantifies statistically what is visually obvious: that there is a strong relationship between the RDOP data and the HHVH data.”
- 23) “A correlation coefficient of between 0.60 and 0.80 is considered to be strong in business economics and the social sciences.”

Any and all documents underlying or used to create the following:

- 24) Appendix B
- 25) Appendix C
- 26) Appendix D

FOLLOW-UP REQUESTS

- 27) IPG request no. 4 above sought “Any and all documents reflecting methodological alternatives considered by Mr. Sanders”. In response thereto, the SDC objected to the extent that such documents are publicly available, stating that such documents would not be produced. Notwithstanding, in the absence of identifying such publicly available documents, such documents remain unknown. IPG hereby requests that the SDC either identify such “publicly available” documents, or produce such documents.
- 28) As regards SDC00000240, SDC00000503, SDC00000757 and SDC00000998, please produce any documents utilized by Nielsen to create such documents, including but not limited to viewer diaries.
- 29) As regards SDC00000240, SDC00000503, SDC00000757 and

SDC00000998, please produce any documents indicating the identity of any individual making handwritten notations thereon, the significance of such notations, and to whom such documents with handwritten notations have been provided.

30) As regards SDC00001471, please produce any documents reflecting the author of such electronic file.

31) As regards SDC00001471, please produce any documents utilized to create the figures appearing on the first tab, entitled "Neilsen".

32) As regards SDC00001471, please produce any documents utilized to create the figures appearing on the second tab, entitled "HHVH".

33) As regards SDC00001471, please produce any documents utilized to create the figures appearing on the third tab, entitled "Correlation Coefficient 0414".

34) As regards SDC00002321, SDC00002322, SDC00002323, and SDC00002324, please produce any documents utilized to create such documents.

Dated: June 1, 2016

_____/s/_____
Brian D. Boydston, Esq.
California State Bar No. 155614

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Email: brianb@ix.netcom.com

Attorneys for Independent Producers Group

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of June, 2016, a copy of the foregoing was sent by electronic mail to the parties listed on the attached Service List.

_____/s/_____
Brian D. Boydston, Esq.

SETTLING DEVOTIONAL CLAIMANTS:

Clifford M. Harrington

Matthew MacLean

Pillsbury, Winthrop, et al.

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