

2009.¹ Independent Producers Group appealed both final determinations to the U.S. Court of Appeals for the D.C. Circuit. The D.C. Circuit affirmed the Judges' final determinations in a judgment entered on July 21, 2020, and issued its mandate on September 14, 2020.

The SDC's distribution phase shares of cable royalty funds allocated to the Devotional category are set forth in the following chart:

SDC's Distribution Phase Shares Devotional Category		
Royalty year	SDC cable share (percent)	SDC satellite share (percent)
1999	-	100.0%
2000	-	100.0%
2001	-	98.8%
2002	-	98.5%
2003	-	97.2%
2004	89.1%	98.8%
2005	89.2%	98.4%
2006	87.5%	91.2%
2007	92.4%	97.1%
2008	90.2%	*
2009	90.0%	97.9%

* 2008 satellite royalty funds have been distributed.

Final Distribution Determination, 84 Fed. Reg. 16,038, 16,039 (Apr. 17, 2019).

All allocation phase controversies regarding the Devotional category share of funds collected for cable royalty years 2004-09 and satellite royalty years 1999-2009 were previously resolved through confidential settlement agreements between the allocation phase parties. If the SDC are required to disclose the terms of those confidential settlement agreement to the Licensing Division, the SDC request leave to do so under seal, without disclosure to the Judges, in compliance with the confidentiality provisions in those agreements.

¹ Satellite royalty funds in the Devotional category for satellite royalty year 2008 were finally distributed pursuant to the Judges' Order Granting Final Distribution of 2008 Satellite Royalties for the Devotional Category (Dec. 22, 2015).

Conclusion

Accordingly, the SDC request the Judges to order final distribution of the SDC's share of funds collected for cable royalty years 2004-09 and satellite royalty years 1999-2007 and 2009, in accordance with the Judges' final determinations.

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Respectfully submitted,

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Proof of Delivery

I hereby certify that on Tuesday, September 15, 2020, I provided a true and correct copy of the Settling Devotional Claimants' Motion for Final Distribution of Cable Royalty Funds for 2004-09 and Satellite Royalty Funds for 1999-2007 and 2009 to the following:

Independent Producers Group (IPG), represented by Brian D Boydston, served via ESERVICE at brianb@ix.netcom.com

MPA-Represented Program Suppliers, represented by Gregory O Olaniran, served via ESERVICE at goo@msk.com

Signed: /s/ Matthew J MacLean