

Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
Washington, D.C.

**In the Matter of:**

**Determination of Rates and Terms for  
Digital Performance of Sound Recordings  
and Making of Ephemeral Copies To  
Facilitate Those Performances (*Web V*)**

**Docket No. 19-CRB-0005-WR  
(2021-2025)**

**PARTICIPANTS' PRAECIPE REGARDING PUBLIC DOCKET FILINGS**

**To eCRB Personnel:**

The Participants<sup>1</sup> respectfully request that, to avoid the public disclosure of “confidential information” as defined by the Protective Order governing these Proceedings (Dkt. No. 4012), eCRB personnel please refrain from posting on the eCRB docket the initial public versions of (1) the Services’ Joint Proposed Findings of Fact and Conclusions of Law and (2) the NRBNMLC’s Proposed Findings of Fact and Conclusions of Law, both of which were filed on Friday, October 9, 2020.

Shortly after the Services and the NRBNMLC filed those documents, the Participants identified a handful of additional redactions that were inadvertently omitted from them. In addition, the NRBNMLC identified a number of corrections to the Restricted version of its Proposed Findings of Fact and Conclusions of Law, which had been filed on Wednesday,

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<sup>1</sup> The Participants include Sirius XM Radio Inc. (“Sirius XM”), Pandora Media, LLC (together with its predecessor Pandora Media, Inc., “Pandora”), Google LLC (“Google”), the National Association of Broadcasters (“NAB”), the National Religious Broadcasters Noncommercial Music License Committee, through which Educational Media Foundation is participating (collectively, the “NRBNMLC”) (each identified licensee-side Participant referred to collectively as the “Services”), and SoundExchange, Inc., American Federation of Musicians of the United States and Canada, Screen Actors Guild-American Federation of Television and Radio Artists, American Association of Independent Music, Sony Music Entertainment, UMG Recordings, Inc., Warner Music Group Corp., and Jagjaguwar Inc. (collectively, “SoundExchange”).

October 7, 2020. On Monday, October 12, 2020, with the consent of all Participants, the Services submitted a corrected public version of the Services' Proposed Findings of Facts and Conclusions of Law that included the additional redactions, as well as a motion seeking leave to replace the initial public version with the corrected version. Also on Monday, October 12, 2020, with the consent of all Participants, the NRBNMLC submitted a motion seeking leave to correct its Restricted Proposed Findings of Fact and Conclusions of Law, which included clean and redlined exhibits identifying the additional redactions and other corrections that the NRBNMLC proposes to make.

Accordingly, if the Judges grant the pending motions for leave, then the corrected public version of the Services' Joint Proposed Findings of Fact and Conclusions of Law (filed October 12) may be posted on eCRB. In addition, to enhance administrative convenience and minimize unnecessary filings, and pursuant to guidance received from Ms. Kimberly Whittle, the NRBNMLC will promptly file both Restricted and public versions of its corrected Proposed Findings of Fact and Conclusions of Law, which may be posted on eCRB. The Participants respectfully request that the *initial* public versions (filed October 9) be withheld from the public eCRB docket in furtherance of the Protective Order. Counsel for the Participants are available for a telephonic conference at the eCRB personnel's request.

Dated: October 14, 2020

Respectfully submitted,

By: /s/ Benjamin E. Marks  
Benjamin E. Marks (NY Bar No. 2912921)  
benjamin.marks@weil.com  
Todd Larson (NY Bar No. 4358438)  
todd.larson@weil.com  
Randi W. Singer (N.Y. Bar No. 2946671)  
randi.singer@weil.com

Jessica L. Falk (N.Y. Bar No. 4763686)  
jessica.falk@weil.com  
Reed Collins (N.Y. Bar No. 4628152)  
reed.collins@weil.com  
Jeremy C. Cain (N.Y. Bar No. 5438940)  
jeremy.cain@weil.com  
Jeremy P. Auster (N.Y. Bar No. 5539101)  
jeremy.auster@weil.com  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
Tel: (212) 310-8000

*Counsel to Pandora Media, LLC and  
Sirius XM Radio Inc.*

By: /s/ Blake Cunningham  
Kenneth L. Steinthal (CA Bar No. 268655)  
ksteinthal@kslaw.com  
J. Blake Cunningham (TX Bar No. 24099417)  
bcunningham@kslaw.com  
David P. Mattern (D.C. Bar No. 1024564)  
dmattern@kslaw.com  
Lida Ramsey (NY Bar No. 5591862)  
lramsey@kslaw.com  
King & Spalding LLP  
101 Second Street, Suite 2300  
San Francisco, CA 94105  
Tel: (415) 318-1211

*Counsel for Google LLC*

By: /s/ Joseph R. Wetzel  
Joseph R. Wetzel (CA Bar No. 238008)  
joe.wetzel@lw.com  
Sarang Vijay Damle (D.C. Bar No. 1619619)  
sy.damle@lw.com  
Andrew M. Gass (CA Bar No. 259694)  
andrew.gass@lw.com  
Sadik Huseny (CA Bar No. 224659)  
sadik.huseny@lw.com  
Brittany N. Lovejoy (CA Bar 286813)  
brittany.lovejoy@lw.com  
Kristine W. Hanson (CA 280429)

kris.hanson@lw.com  
Caroline N. Esser (CA 307745)  
caroline.esser@lw.com  
Ivana Dukanovic (CA 312937)  
ivana.dukanovic@lw.com  
Lauren Kane (CA 329375)  
lauren.kane@lw.com  
Latham & Watkins LLP  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111-6538  
Tel: (415) 391-0600

*Counsel for the National Association of  
Broadcasters*

Karyn K. Ablin (D.C. Bar No. 454473)  
ablin@fhhlaw.com  
FLETCHER, HEALD & HILDRETH, P.L.C.  
1300 N. 17th St., Suite 1100  
Arlington, VA 22209  
Tel: (703) 812-0443

*Counsel for the National Religious Broadcasters  
Noncommercial Music License Committee*

By: s/ David Handzo

David Handzo  
(D.C. Bar No. 384023)  
JENNER & BLOCK LLP  
1099 New York Ave., N.W., Suite 900  
Washington, D.C. 20001  
Tel: (202) 639-6000  
Fax: (202) 639-6066  
Email: DHandzo@jenner.com

*Counsel for SoundExchange, Inc., Sony Music  
Entertainment, Universal Music Group, Warner  
Music Group, the American Association of  
Independent Music, the American Federation of  
Musicians of the United States and Canada, the  
Screen Actors Guild and American Federation of  
Television and Radio Artists, and Jagjaguwar Inc.*