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Docket: 16-CRB-0010-SD (2014-17)
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**COPYRIGHT ROYALTY JUDGES**
**WASHINGTON, D.C.**

**Distributution of Satellite Royalty Funds** | **CONSOLIDATED DOCKET NO. 16-CRB-0010 SD (2014-2017)**

**MOTION REPLY TO JUDGES Order 10-22-19 To Cure Defects For Reconsideration And 5% Relief Royalty Satellite Distribution Exigent (2014-2017)**

Pro Se motion to cure defects Judges order 10-22-19 persuasive argument shown grant reconsideration and 5% relief 2014-2017 Satellite royalty distribution immediate breach. Based on clarity how, why, and on the basis of persuasive argument presumption disappears once presumed facts have been contradicted by Pro Se credible corroborated new evidence and trial by the record exist.

To prevent clearly manifest injustice and need to correct a clear suggestion of error that is direct, obvious, and observable unreasonable decision manifest unjustly. Lacks of legal sufficiently evidentry basis for a fact finder Judges to rule in Joint Opposition favor.

New evidence a Anti Competitive Conduct permanent Exclusion. Noerr Pennington Doctrine United Mine Workers vs. Pennington, 381 U.S. I, 53 S.CT. 1585 (1965). A Sham Exception to harm all and any Pro Se (myself) Exclusion Participants competition in Royalty Distribution funds ever. A Crime Fraud Exception Clark vs. 289 U.S. I, 53 S. Ct. 465 (1933). Thru false language and introduction of fabricated evidence sham pleadings false statements contradicted by Trial by the record. Missing Evidence Rule Bursting Bubble Theory proved up to gain an economical advantage over Pro Se.

Pursant to section 119 under False Pretext plain and reversible error objection point of errors Standing and Third Party Standing actual injury in fact occurred in Zone of Interest. A matter of record exist credible corroborated evidence that of timely filing in July (2014-2017) PTP, Pro Se met comment deadline of 8-15-19 proof enclosed, and on Satellite claims list for Royalty distribution a matter of record exist on file. Now Pro Se directs judges attention to any intervening change of controlling law smoking gun and hot documents. To rebut footnotes 1 10-22-19 and 9-19-19 letter unsupported by the record on file with ecrb.gov files records Trial by the record. Pro Se claims legal prejudice shown fraud on the court new evidence.

Pro Se asserts Equitable and Judicial Estoppel substantial prejudice unless estoppel succeeds. A submission to a special findings of ultimate facts active and fraudulent concealment pattern spoliation.

Respectfully Submitted,

David Powell, Pro Se

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**EXHIBIT A**

**LIST OF PARTIES THAT FILED A TIMELY PETITION TO PARTICIPATE**
**Satellite Royalty Distribution (2014-17)**

| Party | Contact | Firm | Address | Email and Phone number |
|---|---|---|---|---|
| American Society of Composers, Authors and Publishers (ASCAP) | Sam Mosenkis | | One Lincoln Plaza<br>1900 Broadway<br>New York, NY 10023 | smosenkis@ascap.com<br>(212) 621-6450 |
| Broadcast Music, Inc. (BMI) | Brian A. Coleman | Drinker Biddle & Reath LLP | 1500 K St. NW, Ste. 1100<br>Washington, DC 20005 | Brian.Coleman@dbr.com<br>(202) 842-8868 |
| Broadcast Music, Inc. (BMI) | Jennifer T. Criss | Drinker Biddle & Reath LLP | 1500 K St. NW, Ste. 1100<br>Washington, DC 20005 | jennifer.criss@dbr.com<br>(202) 230-5648 |
| Broadcaster Claimants Group | Ann Mace | Crowell & Moring LLP | 1001 Pennsylvania Ave. NW<br>Washington, DC 20004 | amace@crowell.com<br>(312) 399-2141 |
| Broadcaster Claimants Group | John Stewart | Crowell & Moring LLP | 1001 Pennsylvania Ave. NW<br>Washington, DC 20004-2595 | jstewart@crowell.com<br>(202) 624-2685 |
| Broadcaster Claimants Group | David Ervin | Crowell & Moring LLP | 1001 Pennsylvania Ave. NW<br>Washington, DC 20004-2595 | dervin@crowell.com<br>(202) 624-2622 |
| Circle God Network Inc. d/b/a David Powell | David Powell *(pro se)* | | P.O. Box 010950<br>Miami, FL 33101 | davidpowell008@yahoo.com<br>(305) 539-1755 |
| Devotional Claimants | Arnold P. Lutzker | Lutzker & Lutzker LLP | 1233 20th St. NW, Ste. 703<br>Washington, DC 20036 | arnie@lutzker.com<br>(202) 408-7600 |
| Devotional Claimants | Benjamin S. Sternberg | Lutzker & Lutzker LLP | 1233 20th St. NW, Ste. 703<br>Washington, DC 20008 | ben@lutzker.com<br>(917) 628-3503 |
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**Copyright Royalty Board**

**Washington, D.C.**

**Distribution of Satellite Royalty Funds** **Docket No. 16-CRB-10-SD (2014-2017)**

**Comments Common Agent**

Significant interest Circle God Network Inc. d/b/a David Powell are in agreement as one of the allocation Phase claimants. Pursant to section 801(b)(3)(C) of the Copyright Act 17 USC 801. As an representatives of Allocation Phase Claimant categories filed on 6-28-19 to fully participate in proceedings. In judges motion requesting a partial distribution of 40% of the 2016 and 2017 Satellite Royalty funds.

On 6-28-19 mistake of facts erroneously, claimant now requesting amended motion added back to both allocation phase categories list retroactive list permanently. Also added to repayment agreement settling claimant(s) list(s) retroactive permanently list now, past, and future all proceedings. Pursant to 17USC ss. 801(b)(3)(C)(ii)(2012). As an settling parties agree to sign and file such an agreement as prepared by Copyright Royalty Judges pursuant to 801 (b)(3)(C)ii-(iii).

**Respectfully Submitted,**

**David Powell, Pro Se Common Agent**

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Signed: /s/ David Powell, Pro Se

**JOINT SPORTS CLAIMANTS**

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**AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS**

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## PROOF OF DELIVERY

**I hereby certify that a true and correct copy of this letter sent to the following on 10-28-19 :**

Broadcaster Claimants Group, represented by John Stewart, served via Electronic Service at jstewart@crowell.com

Broadcast Music, Inc., represented by Jennifer T. Criss, served via Electronic Service at jennifer.criss@dbr.com

Devotional Claimants, represented by Arnold P Lutzker, served via Electronic Service at arnie@lutzker.com

Global Music Rights, LLC, represented by Scott A Zebrak, served via Electronic Service at scott@oandzlaw.com

Multigroup Claimants, represented by Brian D Boydston, served via Electronic Service at brianb@ix.netcom.com

SESAC Performing Rights, LLC, represented by John C. Beiter, served via Electronic Service at john@beiterlaw.com

Program Suppliers, represented by Gregory O Olaniran, served via Electronic Service at goo@msk.com

circle god network inc d/b/a david powell, represented by david powell, served via Electronic Service at davidpowell008@yahoo.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman, served via Electronic Service at ted@copyrightroyalties.com

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis, served via Electronic Service at smosenkis@ascap.com

**Signed :/s/ David Powell, Pro Se**

# Proof of Delivery

I hereby certify that on Monday, October 28, 2019, I provided a true and correct copy of the MOTION REPLY TO JUDGES ORDER 10-22-19 TO CURE DEFECTS FOR RECONSIDERATION AND 5% RELIEF ROYALTY SATELLITE DISTRIBUTION EXIGENT (2014-2017) to the following:

Global Music Rights, LLC, represented by Scott A Zebrak, served via Electronic Service at scott@oandzlaw.com

Devotional Claimants, represented by Michael A Warley, served via Electronic Service at michael.warley@pillsburylaw.com

Multigroup Claimants, represented by Brian D Boydston, served via Electronic Service at brianb@ix.netcom.com

Broadcast Music, Inc., represented by Brian A Coleman, served via Electronic Service at Brian.Coleman@dbr.com

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis, served via Electronic Service at smosenkis@ascap.com

Broadcaster Claimants Group, represented by John Stewart, served via Electronic Service at jstewart@crowell.com

Program Suppliers, represented by Gregory O Olaniran, served via Electronic Service at goo@msk.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman, served via Electronic Service at ted@copyrightroyalties.com

SESAC Performing Rights, LLC, represented by John C. Beiter, served via Electronic Service at john@beiterlaw.com

Joint Sports Claimants, represented by Michael S Laane, served via Electronic Service at sean.laane@apks.com

Signed: /s/ david powell