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Before the  
COPYRIGHT ROYALTY JUDGES  
Washington, D.C.

Received  
AUG 02 2012  
Copyright Royalty Board

In the Matter of )

Distribution of 2004, 2005, 2006, )  
2007, 2008 and 2009 Cable Royalty )  
Funds )

Docket No.

2012-6 CRB CD  
2004-2009

**INDEPENDENT PRODUCERS GROUP'S OPPOSITION TO MOTION TO  
INITIATE PHASE II PROCEEDINGS FOR THE DISTRIBUTION OF THE 2004,  
2005, 2006, 2007, 2008, AND 2009 CABLE ROYALTY FUNDS**

On July 28, 2012, Independent Producers Group ("IPG") received the Joint Motion to Initiate Phase II Proceedings for the Distribution of the 2004, 2005, 2006, 2007, 2008 and 2009 Cable Royalty Funds.

IPG opposes said motion on the grounds that proceedings for other Funds should be initiated first, specifically, for the 1997, 1998 and 1999 Satellite Funds, the 1998 and 1999 Cable Funds, and the 2000-2003 Satellite Funds.

Proceedings for the 1997, 1998 and 1999 Satellite Funds, the 1998 and 1999 Cable Funds had not been initiated to date due to litigation between IPG and the Motion Picture Association of America ("MPAA"), but said litigation has just now concluded as a result of the decision of the California Court of Appeal dated July 20, 2012, which upheld judgment in the favor of the MPAA in Los Angeles Superior Court (a copy of said decision is attached hereto as Exhibit A). Since that litigation is now over, there is no reason not to initiate proceedings for the 1997, 1998 and 1999 Satellite Funds, the 1998

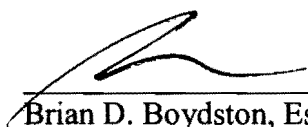
and 1999 Cable Funds. Logic and fairness would seem to dictate that proceedings for those funds, long delayed, should take precedence over proceedings for the more recent 2004-2009 funds.

In addition, prior to initiating proceedings for distribution of the 2004-2009 Cable Funds, proceedings should be initiated on the older 2000-2003 Satellite Funds. As with the funds for 1997-1999, logic and fairness dictate that claimants to the 2000-2003 Satellite Funds should not be forced to wait for resolution of their claims until after resolution of the later in time 2004-2009 Cable Funds.

IPG thus hereby opposes the Motion to Initiate Phase II Proceedings for the Distribution of the 2004, 2005, 2006, 2007, 2008 and 2009 Cable Royalty Funds.

Respectfully submitted,

Dated: July 31, 2012



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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 1 day of August, 2012, a copy of the foregoing was sent by overnight mail to the parties listed on the attached Service List.



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### **DEVOTIONAL CLAIMANTS:**

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