

**Copyright Royalty Judges  
Washington, D.C.**

**Distribution of 2014 Dart Royalty Funds**

**Docket No. 15-CRB-0011-SRF(CO)  
2014**

**Motion Response In Opposition To Dismiss Powell By AARC From 2014 SRF  
Proceeding and To Dismiss AARC From Proceedings**

CGN INC d/b/a David Powell moves to dismiss AARC artists and record labels as the settling parties. From the distribution proceeding for failure to file a claim during the statutory specific period in Dart 2015. 17 U.S.C. ss. 1006(a)(2); 37 CFR ss. 360.20.

**BACKGROUND OF THIS PROCEEDING**

AARC claimant(s) artists and record labels rec'd 2014 distribution when it clearly missed the deadline. Then granted royalty distribution any ways from Judges under false pretext. Thus, Equitable and Judicial estoppel claimed substantial legal prejudice unless estoppel succeeds. AARC appearance fraud on the court as untimely filing proved up. 37 CFR 303.7 (5) I-IV; (6)(b)1-6. AARC requested no extension motion and or consented approval by CGN Inc. and other participants to file late petition to participate.

**LEGAL DISCUSSION**

Failure to file a claim during statutory specific period by AARC own omission negative acts March 2, 2015 artist(s) and record labels accomplice liability. 17 USC ss. 1007(a)(1); 17 USC ss. 1003-1007; 360.21(b) ;37 CFR ss. 360.21. No payments will be distributed to any interest party who has not filed during January or February of the following calendar year.

## **ARGUMENTS**

By AARC Lawyer Ms. Bocchi own omission March 2, 2015 missed the deadline for Dart 2014 proceedings in November 19, 2019 letter motion to dismiss Mr. Powell. Previously AARC ongoing pattern stated Mr. Powell claimants had no claim in prior Dart proceeding to deny any royalty distribution. Mr. Powell claimants established entitlement has filed a valid Dart claim on every prior occasion. And followed procedural requirements. That is a critical requirements to establishing entitlement to royalty payments under section 1007, 17 USC ss. 1006(a)(2) and 17 USC 1007(a)(1).

AARC artists and record labels fraudulent misrepresentation impugn authenticity of exhibit copy Attachment 1. Veracity proof called into question as a computer list appeared generated by AARC own paperwork. Copy appears not authentic a matter of record or Ecrb record. The Ecrb system was not established online until 2017. Attachment 1 AARC Direct Case is a False Statement document to mislead Judges decision to dismiss. Reading DART Docket no. 2008-3 CRB DD (2007-2011 SRF).

## **CONCLUSION**

For all the foregoing reasons , CGN Inc. d/b/a David Powell now request motion for AARC artist(s) and record labels PTP to be dismissed DART 2014 as out of time and untimely filing. Sua sponte motion to be dismiss from proceedings. Therefore Pro se opposition response request motion to dismiss be denied by AARC.

**Respectfully Submitted,**

**David Powell, Pro Se**

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**Proof of Delivery**

**I hereby certify that on November 22, 2019 a true and correct copy of  
Response in opposition motion to dismiss by AARC and untimely  
filing sent to the following:**

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

# Proof of Delivery

I hereby certify that on Sunday, November 24, 2019, I provided a true and correct copy of the Motion Response In Opposition To Dismiss Powell By AARC From 2014 SRF Proceeding and To Dismiss AARC From Proceedings to the following:

Eugene Curry Mr., represented by Eugene Curry Mr., served via Electronic Service at lambchopsmusic@voicenet.com

Alliance of Artists and Recording Companies, represented by Linda R Bocchi, served via Electronic Service at lbocchi@aacroyalties.com

Signed: /s/ david powell