

COPYRIGHT ROYALTY JUDGES
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In re

**DISTRIBUTION OF CABLE ROYALTY
FUNDS**

**DOCKET NO. 16-CRB-0009 CD
(2014-17)**

ORDER TO SHOW CAUSE WHY DAVID POWELL SHOULD NOT BE DISMISSED

On May 12, 2020, the representatives of the Allocation Phase claimant categories to which Section 111 cable royalties have been allocated in prior cable distribution proceedings (Allocation Phase Parties) filed with the Copyright Royalty Judges (Judges) a motion ([Motion](#)) to issue an order to show cause why David Powell’s claims for 2014-2017 cable royalties should not be dismissed for failure to demonstrate a “significant interest,” in the proceedings to allocate those royalties, as required by 17 U.S.C. § 803(b)(2)(C) and 37 C.F.R. § 351.1(b)(2)(i)(c). Joint Motion For Order to Show Cause Why the Claims of David Powell Should Not Be Dismissed (Motion). On May 26, 2020, Mr. Powell notified the Judges that he was experiencing technical difficulties resetting his eCRB password and requested additional time to respond to the Motion. The Judges extended the deadline for responding to the Motion from May 27, 2020, to June 8, 2020. [Order Granting David Powell Extension of Deadline for Filing Responses in Opposition](#) at 1-2. The deadline has passed, and Mr. Powell has failed to respond to the Motion. Therefore, the Motion is unopposed.

Upon review of the Motion and Mr. Powell’s Petition to Participate, the Judges find that Mr. Powell did not state facts in his petition sufficient for the Judges to conclude that he has a sufficient interest in this proceeding. Therefore, the Judges find good cause to **GRANT** the motion and hereby **ORDER** Mr. Powell to **SHOW CAUSE** within ten days from the date of this Order why the Judges should not dismiss Mr. Powell as a participant in this proceeding. Specifically, Mr. Powell shall provide what he claims to be “sufficient evidence to substantiate the basis of his interest” in the 2014-17 cable royalties, so that the Judges are able to determine whether Mr. Powell has the significant interest required by 17 U.S.C. § 803(b)(2)(C) and 37 C.F.R. § 351.1(b)(2)(i)(C). If Mr. Powell is unable to provide such sufficient evidence, or if Mr. Powell fails to respond to this Order within the allotted ten days, he will be dismissed as a participant in this proceeding.

SO ORDERED.

Jesse M. Feder
Chief Copyright Royalty Judge

DATED: June 9, 2020