

Before the  
**COPYRIGHT ROYALTY JUDGES**  
Washington, D.C.

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*In re* )  
 ) CONSOLIDATED PROCEEDING  
 ) Docket No. 14-CRB-0010-CD (2010-13)  
**Distribution of Cable Royalty Funds** )  
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 )  
*In re* )  
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 )  
**Distribution of Cable Royalty Funds** ) CONSOLIDATED PROCEEDING  
 ) Docket No. 14-CRB-0010-SD/CD (2010-13)  
*In re* )  
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 )  
**Distribution of Satellite Royalty Funds** )  
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**SUPPLEMENTAL MEMORANDUM REGARDING THE ALLOCATION PHASE  
PARTIES’ MOTIONS FOR FINAL DISTRIBUTIONS OF 2010-13 CABLE ROYALTIES**

In June, the undersigned Allocation Phase Parties filed motions for final distribution of 2010-13 cable royalties (collectively, “Motions”).<sup>1</sup> Together, these Motions seek the final distribution of the vast majority of the approximately \$390 million in 2010-13 cable royalties that remain on deposit with the Copyright Office. The Allocation Phase Parties submit this supplemental memorandum to report on the status of the litigation concerning the 2010-13 cable royalties and to respectfully request that the Judges promptly grant their Motions.

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<sup>1</sup> See Motion of the Settling Devotional Claimants for Final Distribution of the 2010-13 Cable Royalty Funds, 14-CRB-0010-CD/SD (2010-13) (June 10, 2020); MPA-Represented Program Suppliers’ Motion for Final Distribution of 2010-13 Cable Royalty Funds, 14-CRB-0010-CD/SD (2010-13) (June 10, 2020); Motion of the Canadian Claimants Group for Final Distribution of 2010-13 Cable Royalty Funds, 14-CRB-0010-CD (2010-13) (June 12, 2020); Joint Sports Claimants’ Motion for Final Distribution of 2010-13 Cable Royalty Funds, 14-CRB-0010-CD (2010-13) (June 12, 2020); Public Television Claimants’ Motion for Final Distribution of the 2010-13 Cable Royalty Funds, 14-CRB-0010-CD (2010-13) (June 16, 2020); Commercial Television Claimants’ Motion for Final Distribution of 2010-13 Cable Royalty Funds, 14-CRB-0010-CD (2010-13) (June 16, 2020).

No controversies remain regarding the allocation of 2010-13 cable royalties. The D.C. Circuit has affirmed the Judges' Final Determination, a mandate has issued, and all deadlines for seeking rehearing or certiorari have passed. Judgment, *Program Suppliers v. Copyright Royalty Bd.*, 19-1063 (Apr. 14, 2020) (per curiam); Supreme Court Rule 13; Fed. R. App. P. 35(c) & 40(a)(1). Likewise, all Distribution Phase controversies have been resolved, either by settlement, or in the case of the Program Supplier, Devotional and Joint Sports categories, by the Judges. Ruling and Order Regarding Objections to Cable and Satellite Claims, No. 14-CRB-0010-CD (2010-13) (Oct. 23, 2017). Multigroup Claimants appealed the Judges' Distribution Phase rulings, but the D.C. Circuit dismissed the appeal for lack of jurisdiction. Judgment, *Multigroup Claimants v. CRB*, No. 18-1338 (D.C. Cir. Feb. 5, 2020) (per curiam). The D.C. Circuit's mandate has issued, the D.C. Circuit has denied Multigroup Claimants' petitions for a panel rehearing and rehearing *en banc*, and the deadline for petitioning for a writ of certiorari has passed. Still further, there have been no objections to the Motions, and the time for filing an objection has long since passed. *See* 37 C.F.R. § 303.6(f).

For all of the above reasons, the Allocation Phase Parties respectfully request that the Judges grant their Motions at the Judges' first convenience. Prompt action on the Motions is particularly important given the financial challenges posed by the pandemic.

August 10, 2020

Respectfully Submitted,

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# Proof of Delivery

I hereby certify that on Monday, August 10, 2020, I provided a true and correct copy of the Supplemental Memorandum Regarding the Allocation Phase Parties' Motions for Final Distributions of 2010-13 Cable Royalties to the following:

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

Canadian Claimants Group, represented by Lawrence K Satterfield, served via ESERVICE at lksatterfield@satterfield-pllc.com

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Signed: /s/ Michael E Kientzle