

**UNITED STATES COPYRIGHT ROYALTY JUDGES**  
**The Library of Congress**

*In re*

**DETERMINATION OF ROYALTY RATES AND  
TERMS FOR MAKING AND DISTRIBUTING  
PHONORECORDS (Phonorecords IV)**

**Docket No. 21-CRB-0001-PR  
(2023-2027)**

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**ORDER GRANTING SERVICES' INTERIM RELIEF PENDING RESOLUTION OF  
EMERGENCY MOTION FOR LIMITED MODIFICATION TO *PHONORECORDS IV*  
PROTECTIVE ORDER**

On May 6, 2022, Spotify USA Inc., Amazon.com Services, LCC, and Pandora LLC<sup>1</sup> filed a motion (Emergency Motion) seeking a limited modification to the protective order in this proceeding (“Protective Order”),<sup>2</sup> requesting that any outside counsel representing both the Copyright Owners in *Phonorecords IV* and the Mechanical Licensing Collective (the “MLC”) be required to execute an attestation or otherwise be screened from access to the Services’ underlying confidential accounting and financial data. In the Judges’ April 26, 2022 Order on Copyright Owners’ Motion to Compel Production of Documents and Information Concerning the Services’ Rate Proposals, the Judges ordered the Services to produce documents containing such confidential accounting and financial data by **May 10, 2022**. Prior to that document production, the Services request that—pending resolution of the Emergency Motion to Modify the Protective Order—the Judges provide interim relief preventing any other outside counsel representing both the Copyright Owners in *Phonorecords IV* and the MLC from accessing those documents, unless they attest to not participating in or advising with respect to any MLC audits.

For reasons detailed in the Emergency Motion, the Judges find good cause to grant the interim relief sought by the Services pending resolution of the underlying request to modify the Protective Order. The Judges hereby order that any other outside counsel representing both the Copyright Owners in *Phonorecords IV* and the MLC be screened from accessing the documents produced by the Services on May 10, 2022, pending resolution of the Protective Order Motion.

**SO ORDERED.**

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Suzanne M. Barnett  
Chief Copyright Royalty Judge

DATED: May 9, 2022

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<sup>1</sup> Google LLC and Apple Inc. join in requesting the relief sought by the Motion by footnote.

<sup>2</sup> The operative Protective Order was amended on November 4, 2021. See Dkt. No. 25908. It has since been modified by the Judges to limit access to Broadcast Music, Inc.’s (“BMI”) license agreements to any outside counsel directly involved in negotiating BMI license agreements. See *Order Granting in Part Broadcast Music, Inc.’s Motion for a Limited Modification to the Protective Order*, Dkt. No. 21-CRB-0001-PR (2023-2027) (Mar. 23, 2022).