

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Library of Congress
Washington, D.C.

In re

Determination of Royalty Rates and Terms
for Making and Distributing
Phonorecords
(Phonorecords IV)

Docket No. 21-CRB-0001-PR
(2023–2027)

**(CORRECTED) GEORGE JOHNSON’S (“GEO”) MOTION TO COMPEL
PARTIES TO IMMEDIATELY SUBMIT ACTUAL SIGNED
PROPOSED SETTLEMENT AGREEMENT FOR
SUBPART C WITH ANY MOUS OR SIDE DEALS**

Participant George Johnson (“GEO”), a *pro se* Appellant songwriter respectfully submits this Corrected *Motion to Compel Parties to Immediately Submit Actual Signed Proposed Settlement Agreement for Subpart C With Any MOUS or Side Deals* here in *Phonorecords IV*.

On September 06, 2022, GEO respectfully filed an objection¹ ([eCRB No. 27239](#)) *Response in Opposition to the Subpart C Proposed Settlement in Phonorecords IV* to the entire August 31, 2022, Proposed Settlement² ([eCRB No. 27222](#)) in full, *Motion to Adopt Settlement of Statutory Royalty Rates and Terms for Subpart C & D Configurations*, by The National Music Publishers’ Association

¹ <https://app.crb.gov/document/download/27239> September 6, 2022, GEO’s *Response in Opposition to the Subpart C Proposed Settlement in Phonorecords IV*.

² <https://app.crb.gov/document/download/27222> August 31, 2022, *Motion to Adopt Settlement of Statutory Royalty Rates and Terms for Subpart C & D Configurations*.

("NMPA") and Nashville Songwriters Association International ("NSAI,") on the one hand, and Amazon.com Services LLC, Apple Inc., Google LLC, Pandora Media, LLC and Spotify USA Inc. (collectively, the "Service Participants" or the "Services"), on the other hand (NMPA, NSAI, and the Service Participants, hereafter, the "Parties"), regarding royalty rates and terms applicable under Section 115 of the U.S. Copyright Act ("Section 115") for Licensed Activity (as defined in 37 C.F.R. Part 385 Subpart A) presently addressed in Subparts C & D of 37 C.F.R. Part 385 (the "Subpart C & D Configurations"), together with certain regulations of general application (e.g., definitions and late fee provisions) applicable to the Subpart C & D Configurations presently addressed in 37 C.F.R. Part 385 Subpart A (collectively, the "Subpart C & D Configuration Rates and Terms").

GEO asks for relief by filing this motion, and by respectfully requesting that Your Honors Order the Parties to immediately submit their new Subpart C Proposed Settlement agreement, and any MOUs or side deals, for good reason and other good cause.

GEO asks where is the copy of the actual signed Settlement Agreement and why has it not been submitted to the CRB?

When I ask counsel for NMPA where the actual signed agreement is, counsel tries to convince me that "the agreement is attached to the Proposed Settlement", but it's *not the actual agreement*, and just more gaslighting to fool songwriters out of their rightful earned royalties by counsel manipulating the statutory process.

Why are these Settlement Agreements never submitted to the Panel, only “curated” copy and pasted versions, but never the actual agreement? Is there also a possible Memorandum of Understanding (“MOU”) like in Subpart B? It is beyond belief that this Participant, and affected Commenters, have to beg the CRB (as in earlier this year with Subpart B and by no fault of the CRB) just to get the NMPA, NSAI, RIAA, Record Company Participants, and now all of the Services to submit an honest and true copy of their entire Settlement, or any side-deals or end-runs around the statutory license, et al.

CONCLUSION

GEO respectfully requests that Your Honors Order and Compel the Parties to immediately submit their new Subpart C Proposed Settlement agreement in its entirety, in completed and signed form, including all MOU side deals, et al., for good reason and other good cause.

Respectfully,

By: /s/ George D. Johnson

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*George D. Johnson (GEO), an individual
songwriter and music publisher d.b.a.
George Johnson Music Publishing (GJMP)
(formerly BMI)*

Tuesday, September 20, 2022

Proof of Delivery

I hereby certify that on Tuesday, September 20, 2022, I provided a true and correct copy of the CORRECTED GEO'S Motion to Compel Parties to Immediately Submit Actual Signed Proposed Settlement Agreement for Subpart C With Any MOUS or Side Deals to the following:

Copyright Owners, represented by Benjamin K Semel, served via E-Service at Bsemel@pryorcashman.com

UMG Recordings, Inc., represented by Steven R. Englund, served via E-Service at senglund@jenner.com

Zisk, Brian, represented by Brian Zisk, served via E-Service at brianzisk@gmail.com

Apple Inc., represented by Mary C Mazzello, served via E-Service at mary.mazzello@kirkland.com

Pandora Media, LLC, represented by Benjamin E. Marks, served via E-Service at benjamin.marks@weil.com

Powell, David, represented by David Powell, served via E-Service at davidpowell008@yahoo.com

Amazon.com Services LLC, represented by Joshua D Branson, served via E-Service at jbranson@kellogghansen.com

Google LLC, represented by Gary R Greenstein, served via E-Service at ggreenstein@wsgr.com

Joint Record Company Participants, represented by Steven R. Englund, served via E-Service at senglund@jenner.com

Sony Music Entertainment, represented by Steven R. Englund, served via E-Service at senglund@jenner.com

Spotify USA Inc., represented by Joseph Wetzel, served via E-Service at joe.wetzel@lw.com

Warner Music Group Corp., represented by Steven R. Englund, served via E-Service at
senglund@jenner.com

Signed: /s/ George D Johnson