

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

In re

**DISTRIBUTION OF CABLE ROYALTY
FUNDS**

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

**SUPPLEMENTAL JOINT PROPOSAL ON HEARING SCHEDULE AND RELATED
PREHEARING MATTERS**

On December 9, 2022, the parties that filed direct statements in the Allocation phase of the above-captioned proceeding: Program Suppliers, Joint Sports Claimants, Commercial Television Claimants, Public Television Claimants, Settling Devotional Claimants, and Canadian Claimants Group (collectively the “Parties”) submitted their Joint Proposal On Hearing Schedule And Related Prehearing Matters (“Joint Proposal”) to the Copyright Royalty Judges (“Judges”) and their Proposed Order On Hearing Schedule And Related Matters.

In the Joint Proposal the Parties agreed to submit a supplemental joint proposal to the Judges on or before December 22, 2022 to address issues on which the parties were still conferring. The Parties met and conferred on December 16, 2022 and again on December 20, 2022, and have reached a consensus regarding (1) the order of presentation of evidence, (2) the order of opening statements, (3) the technical protocols and procedures for the virtual hearing, and (4) the schedule for technical and dress rehearsals for the virtual hearing. These matters are addressed in two proposed orders¹ that the Parties are submitting to the Judges in connection with this filing.

¹ See [Proposed] Order Regarding Order Of Presentation Of Evidence And Order Of Opening Statements and [Proposed] Order On Detailed Hearing Protocols And Procedures For Virtual Hearing, filed herewith.

The Parties have not yet reached a consensus regarding the allocation of hearing time among the Parties and would respectfully request that the Judges allow the Parties to defer determination regarding this issue until after the Judges issue an order setting the total amount of time they will allot for the hearing and the Parties have submitted their joint witness list and proposal on which witnesses will appear live.

The Parties will continue to meet and confer in good faith in an effort to reach a consensus regarding the time allocation among the Parties, and anticipate submitting a second supplemental proposal to address this issue no later than January 10, 2023 or seven (7) days after the Judges determine the total amount of time allocated for the hearing, whichever is later.

Respectfully submitted,

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Proof of Delivery

I hereby certify that on Thursday, December 22, 2022, I provided a true and correct copy of the Supplemental Joint Proposal On Hearing Schedule And Related Prehearing Matters to the following:

Broadcast Music, Inc. (BMI), represented by Jennifer T. Criss, served via E-Service at jennifer.criss@dbr.com

ASCAP, represented by Sam Mosenkis, served via E-Service at smosenkis@ascap.com

Multigroup Claimants, represented by Brian D Boydston, served via E-Service at brianb@ix.netcom.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman, served via E-Service at ted@copyrightroyalties.com

National Public Radio, represented by Amanda Huetinck, served via E-Service at ahuetinck@npr.org

SESAC Performing Rights, LLC, represented by Timothy L Warnock, served via E-Service at twarnock@loeb.com

Global Music Rights, LLC, represented by Scott A Zebrak, served via E-Service at scott@oandzlaw.com

Devotional Claimants, represented by Matthew J MacLean, served via E-Service at matthew.maclean@pillsburylaw.com

Commercial Television Claimants / National Association of Broadcasters, represented by David J Ervin, served via E-Service at dervin@crowell.com

Public Television Claimants, represented by Ronald G. Dove Jr., served via E-Service at rdove@cov.com

Joint Sports Claimants, represented by Michael E Kientzle, served via E-Service at

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Canadian Claimants, represented by Lawrence K Satterfield, served via E-Service at
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Signed: /s/ Lucy H Plovnick