

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

_____)	
<i>In re</i>)	
_____)	
Distribution of Cable Royalty Funds)	Docket No. 21-CRB-0008-CD (2020)
_____)	
<i>In re</i>)	
_____)	
Distribution of Satellite Royalty Funds)	Docket No. 21-CRB-0009-SD (2020)
_____)	

**SUPPLEMENTAL MEMORANDUM REGARDING THE ALLOCATION PHASE
PARTIES' MOTIONS FOR PARTIAL DISTRIBUTIONS OF 2020 CABLE AND
SATELLITE ROYALTIES**

On December 30, 2022, the undersigned Allocation Phase Parties filed a motion for partial distribution of 40% of the 2020 cable royalty funds pursuant to Section 801(b)(3)(C) of the Copyright Act, 17 U.S.C. § 803(b)(3)(C).¹ On March 9, 2023, the same parties filed a motion for partial distribution of 40% of the 2020 satellite royalty funds.² Together, these motions seek the distribution of approximately \$90.8 million in 2020 cable and satellite royalties on deposit with the Copyright Office. The Allocation Phase Parties submit this supplemental memorandum to report on the status of these requests and to respectfully request that the Judges promptly grant their Motions.

¹ Motion of the Allocation Phase Parties for Partial Distribution of 2020 Cable Royalty Funds, 21-CRB-0008-CD (Dec. 30, 2022).

² Motion of the Allocation Phase Parties for Partial Distribution of 2020 Satellite Royalty Funds, 21-CRB-0009-SD (Mar. 9, 2023). Public Television Claimants, Canadian Claimants Group, and NPR do not participate in proceedings concerning the distribution of satellite royalties, and therefore did not join the Allocation Phase Parties' motion for partial distribution of the 2020 satellite royalty funds.

As required by Section 801(b)(3)(C), the Judges published notices in the Federal Register seeking comment on the Allocation Phase Parties' partial distribution requests. *See* Distribution of 2020 Cable Royalty Funds, 88 Fed. Reg. 17,272 (Mar. 22, 2023); Distribution of 2020 Satellite Royalty Funds, 88 Fed. Reg. 17,271 (Mar. 22, 2023). No party objected to either partial distribution. The deadline for submitting comments closed on April 21, 2023.

As no party has objected to the requested partial distributions of the 2020 cable and satellite royalties, the Allocation Phase Parties respectfully request that the Judges grant their motions at the Judges' first convenience.

September 27, 2023

Respectfully Submitted,

PROGRAM SUPPLIERS

/s/ Gregory O. Olaniran
Gregory O. Olaniran
D.C. Bar No. 455784
Lucy Holmes Plovnick
D.C. Bar No. 488752
MITCHELL SILBERBERG & KNUPP
LLP
1818 N Street N.W., 8th Floor
Washington, D.C. 20036
Telephone: (202) 355-7817
Fax: (202) 355-7887
goo@msk.com
lhp@msk.com

JOINT SPORTS CLAIMANTS

/s/ Daniel A. Cantor
Daniel A. Cantor
DC Bar No. 457115)
Michael Kientzle
DC Bar No. 1008361
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Avenue, N.W.
Washington, D.C. 20001
202.942.5000 (voice)
202.942.5999 (facsimile)
Daniel.Cantor@arnoldporter.com
Michael.Kientzle@arnoldporter.com

PUBLIC TELEVISION CLAIMANTS

/s/ Ronald G. Dove, Jr.

Ronald G. Dove, Jr.
DC Bar No. 430533
Dustin Cho
DC Bar No. 1017751
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, N.W.
Washington, D.C. 20268
Telephone: (202) 662-5685
Fax: (202) 662-6291
rdove@cov.com

COMMERCIAL TELEVISION CLAIMANTS

/s/ David Ervin

David Ervin
DC Bar No. 445013
CROWELL & MORING LLP
1001 Pennsylvania Ave., NW
Washington, DC 20004-2595
Telephone: (202) 624-2685
Fax: (202) 628-5116
dervin@crowell.com

CANADIAN CLAIMANTS GROUP

/s/ L. Kendall Satterfield

L Kendall Satterfield
DC Bar No. 393953
Satterfield PLLC
1629 K Street, Suite 300
Washington, DC 20006
Tel: (202) 355-6432
lksatterfield@satterfield-llc.com

DEVOTIONAL CLAIMANTS

/s/ Arnold P. Lutzker

Arnold P. Lutzker
DC Bar No. 101816
Benjamin Sternberg
DC Bar No. 1016576
Jeannette M. Carmadella
DC Bar No. 500586
LUTZKER & LUTZKER LLP
1233 20th Street, NW, Suite 703
Washington, DC 20036
Telephone: (202) 408-7600
Fax: (202) 408-7677
arnie@lutzker.com

Matthew J. MacLean
DC Bar No. 479257
Michael A. Warley
DC Bar No. 1028686
Jessica T. Nyman
D.C. Bar No. 1030613
PILLSBURY WINTHROP SHAW
PITTMAN LLP
1200 Seventeenth Street, NW
Washington DC 20036
Tel: (202) 663-8183
Fax: (202) 663-8007
Matthew.MacLean@pillsburylaw.com

NATIONAL PUBLIC RADIO

/s/ Keonna Carter Austin

Keonna Carter Austin
DC Bar No. 988719
NATIONAL PUBLIC RADIO, INC.
1111 North Capitol Street, NE
Washington, DC 20002
Telephone: (202) 513-2808
Fax: (202) 513-3329
kaustin@npr.org

**AMERICAN SOCIETY OF
COMPOSERS, AUTHORS AND
PUBLISHERS**

/s/ Samuel Mosenkis

Samuel Mosenkis
NY Bar No. 2628915
ASCAP
250 West 57th Street, 14th Floor New York,
NY 10107
Telephone: (212) 621-6450
Fax: (212) 787-1381 smosenkis@ascap.com

BROADCAST MUSIC, INC.

/s/ Brian A. Coleman

Brian A. Coleman
DC Bar No. 459201
FAEGRE DRINKER BIDDLE & REATH
LLP
1500 K Street, NW – Suite 1100
Washington, DC 20005
Telephone: (202) 842-8800
Fax: (202) 842-8465
brian.coleman@faegredrinker.com

Hope M. Lloyd
NY Bar No. 3903754
BROADCAST MUSIC, INC.
7 World Trade Center
250 Greenwich Street
New York, NY 10007-0030
Telephone: (212) 220-3148
Fax: (212) 220-4490
hlloyd@bmi.com

SESAC PERFORMING RIGHTS, LLC

/s/ Tim Warnock

Tim Warnock
TN Bar No. 012844
Keane Barger
TN Bar No. 033196
LOEB & LOEB LLP
35 Music Square East, Suite 310
Nashville, TN 37203
Telephone: (615) 676-5189
twarnock@loeb.com

Christos P. Badavas
NY Bar No. 2673838
SESAC PERFORMING RIGHTS, LLC
152 West 57th Street, 57th Floor
New York, NY 10019
Telephone: (212) 586-3450
cbadavas@sesac.com

Proof of Delivery

I hereby certify that on Wednesday, September 27, 2023, I provided a true and correct copy of the Supplemental Memorandum Regarding The Allocation Phase Parties' Motions For Partial Distributions Of 2020 Cable And Satellite Royalties to the following:

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

Devotional Claimants, represented by Arnold P Lutzker, served via E-Service at arnie@lutzker.com

Broadcast Music, Inc., represented by Brian A Coleman, served via E-Service at Brian.Coleman@faegredrinker.com

Joint Sports Claimants, represented by Michael E Kientzle, served via E-Service at michael.kientzle@arnoldporter.com

Commercial Television Claimants Group, represented by David J Ervin, served via E-Service at dervin@crowell.com

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

Signed: /s/ Lucy H Plovnick