



§ 305.4(a). See our joint Justification of Claim in this proceeding dated November 1, 1988.

2. The only other entity which had filed a claim to the 1987 fund is Asociacion de Compositores y Editores de Musica Latinoamericana ("ACEMLA").<sup>1/</sup> ACEMLA has now withdrawn its claim. ACEMLA Letter dated April 24, 1989.

3. Accordingly, as we are the only remaining claimants to the 1987 jukebox royalty fund, and as we have reached voluntary agreement on distribution of that fund, there remains no controversy as to the distribution of that fund.

4. On November 16, 1988 and January 12, 1989, we filed a Motion for Immediate Partial Distribution and a Motion for Immediate Further Partial Distribution, respectively, in this proceeding, which motions the Tribunal granted. See Tribunal Orders dated December 5, 1988 and January 13, 1989. The Tribunal has, to date, made a partial distribution to us of 99% of the 1987 jukebox royalty fund.

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1 SESAC, Inc. had filed a Motion for Leave to File Claim of Entitlement to Share in 1987 CRT Jukebox and Cable Royalty Distributions and had conditionally filed a Justification of Claim in this proceeding. SESAC, however, subsequently withdrew its Motion and Justification of Claim. SESAC Letter dated January 9, 1989. Italian Book Corp. ("IBC") also filed a claim, but subsequently withdrew it. IBC letter dated December 7, 1988.

5. There being no other claimants to and no controversy over distribution of the 1987 jukebox royalty fund, we respectfully request that the Tribunal make the final distribution of all remaining 1987 jukebox royalties to us.

6. We have learned from the Copyright Office Licensing Division that the remaining 1987 jukebox royalties have been invested in United States Treasury Securities which mature on June 15, 1989, in the amount of \$65,000.00.

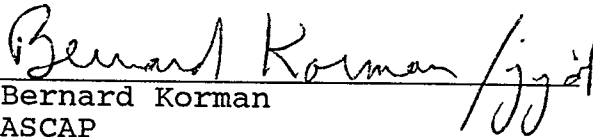
7. We therefore respectfully request that the Tribunal make the final distribution we have asked for as soon as possible, and in any event not later than June 15, 1989. In the past, the Copyright Office has assured us that there would be no problem in selling those securities before their maturity date, so as to make available for distribution the final portion of the 1987 fund at any date directed by the Tribunal. If such a sale is necessary, we would affirmatively support such a sale before the securities' maturity date.

8. For these reasons, we respectfully move that: (a) the Tribunal order an immediate final distribution to ASCAP and BMI jointly of all of that portion of the 1987 jukebox fund which remains to be distributed; and (b) the

Tribunal direct the Copyright Office to implement such a final distribution order by taking all steps necessary (including, if necessary, sale of United States Treasury securities in advance of their maturity date) to make such portion of the 1987 jukebox royalty fund available for distribution as soon as possible, and in no event later than June 15, 1989.


Respectfully submitted,

AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS

  
Bernard Korman  
ASCAP  
One Lincoln Plaza  
New York, N.Y. 10023  
(212) 870-7510

Of counsel: I. Fred Koenigsberg  
Bennett M. Lincoff

BROADCAST MUSIC, INC.

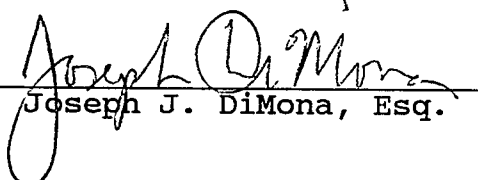
  
Charles T. Duncan  
Michael W. Faber  
Joseph J. DiMona  
Reid & Priest  
1111 19th Street, N.W.  
Washington, D.C. 20036  
(202) 828-0100

Of counsel: Edward W. Chapin  
Nicholas Arcomano

Dated: April 27, 1989

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Motion for Immediate and Final Distribution" was served on this 27th day of April, 1989, via first-class mail, postage prepaid, to each of the parties on the attached service list.

  
\_\_\_\_\_  
Joseph J. DiMona, Esq.

Ronald E. Karam, Esq.  
Schnader, Harrison, Segal & Lewis  
1600 Market Street, Suite 3600  
Philadelphia, PA 19103

Margot Polivy, Esq.  
Katrina Renouf  
1532 Sixteenth Street, N.W.  
Washington, D.C. 20036

Gene A. Bechtel, Esq.  
Bechtel, Borsari, Cole & Paxson  
2101 L Street, N.W., Suite 502  
Washington, D.C. 20037

Bernard R. Sorkin, Esq.  
Warner Communications, Inc.  
75 Rockefeller Plaza  
New York, NY 10019

Barbara S. Wellbery, Esq.  
Public Broadcasting Service  
Sixth Floor  
1320 Braddock Place  
Alexandria, VA 22314-1698

Dennis Angel, Esq.  
33 Lynwood Road  
Scarsdale, New York 10583

Arnold P. Lutzker, Esq.  
Dow, Lohnes & Albertson  
1255 Twenty-Third St., N.W.  
Suite 500  
Washington, D.C. 20037

Laurie Hughes, Esq.  
SESAC, Inc.  
55 Music Square East  
Nashville, Tennessee 37203

Peter H. Feinberg, Esq.  
Pepper & Corazzini  
1776 K Street, N.W., Suite 200  
Washington, D.C. 20006

I. Fred Koenigsberg, Esq.  
ASCAP  
One Lincoln Plaza  
New York, New York 10023

Arthur Scheiner, Esq.  
Dennis Lane, Esq.  
Wilner & Scheiner  
1200 New Hampshire Ave., N.W.  
Washington, D.C. 20036

Fritz E. Attaway, Esq.  
Motion Picture Association of  
America  
1600 I Street, N.W.  
Washington, D.C. 20006

Robert A. Garrett, Esq.  
Arnold & Porter  
1200 New Hampshire Ave., N.W.  
Washington, D.C. 20036

Philip R. Hochberg, Esq.  
Baraff, Koener, Olender &  
Hochberg, P.C.  
2033 M Street, N.W., Suite 700  
Washington, D.C. 20036-3355

Ritchie T. Thomas, Esq.  
Judy Jurin Semo, Esq.  
Squire, Sanders & Dempsey  
1201 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Harry R. Olsson, Jr., Esq.  
Gilbert & Gilbert  
10 E. 40th Street, 43rd Floor  
New York, NY 10016

Jamie S. Gorelick, Esq.  
Miller, Cassidy, Larroca & Lewin  
2555 M Street, N.W., Suite 500  
Washington, D.C. 20037

Carol R. Whitehorn, Esquire  
Senior Attorney  
National Public Radio  
2025 M Street, N.W.  
Washington, D.C. 20036

W. Thad Adams, III, Esq.  
2180 First Union Plaza  
301 S. Tryon Street  
Charlotte, North Carolina 28282

John H. Midlen, Jr., Esq. .  
1050 Wisconsin Avenue, N.W.  
Washington, D.C. 20007

Douglas G. Thompson, Esq.  
Kendell Satterfield, Esq.  
Finkelstein, Thompson & Levenson  
2828 Pennsylvania Ave., N.W., Suite 2  
Washington, D.C. 20007

Clifford Harrington, Esq.  
Barry Gottfried, Esq.  
Fisher, Wayland, Cooper & Leader  
1255 23rd Street, N.W., Suite 800  
Washington, D.C. 20037

Grace Shafran, Esq.  
Legal Counsel  
Baton Braodcasting, Inc.  
Post Office Box 9  
Station "O"  
Toronto, Ontario M41 2M9

Diane H. Ming, Esq.  
George R. Grange, II, Esq.  
Gammon & Grange  
1925 K Street, N.W., Suite 300  
Washington, D.C. 20006

Mr. Robert O'Reilly  
Office of Executive Vice President  
Canadian Broadcasting Corporation  
Post Office Box 8478  
Ottawa, Ontario K1G 3J5

Joel M. Schoenfeld, Esq.  
Neal Edelson, Esq.  
Recording Industry Association  
of America, Inc.  
1020 Nineteenth Street, N.W.  
Suite 200  
Washington, D.C. 20036

Benjamin F. P. Ivins  
Assistant General Counsel  
National Association of Broadcasters  
1771 N Street, N.W.  
Washington, D.C. 20036

Jerome J. Shestack, Esq.  
Schnader, Harrison, Segal & Lewis  
1600 Market Street, Suite 3600  
Philadelphia, PA 19103



Lawrence J. Bernard, Jr.  
Ward & Mendelsohn, P.C.  
1000 17th Street, N.W.  
Suite 900  
Washington, D.C. 20036

Victor E. Ferrall, Jr., Esq.  
John I. Stewart, Jr., Esq.  
Crowell & Moring  
1001 Pennsylvania Ave., N.W.  
Washington, D.C. 20004-2505