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October 31, 1980

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The Honorable Mary Lou Burg
Chairman
Copyright Royalty Tribunal
1111 20th Street, N.W.
Washington, D. C. 20036

Dear Chairman Burg:

On behalf of our client, Canadian Broadcasting Corporation, we hereby request that we be joined in the application of the National Association of Broadcasters filed October 22, 1980, for a Stay of the Tribunal's determination pending the outcome of the appeal to the United States Court of Appeals for the District of Columbia.

Respectfully submitted,


Malcolm A. Hoffmann

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December 2, 1980

Mary Lou Burg
Chairperson
Copyright Royalty Tribunal
1111 20th Street, N.W.
Washington, D. C. 20006

Dear Chairperson Burg:

The National Association of Broadcasters (NAB) received today the Tribunal's notice (45 F.R. 79867) rescinding its order of October 24, 1980, which had stayed distribution of 1978 cable royalty fees.

As you recall, I spoke with you immediately after the Tribunal's November 25th hearing and expressed some of NAB's concerns in the event that any of the royalty funds are distributed while appeals are pending. In light of the Tribunal's rescission of the stay, I am writing you to urge the Tribunal to adopt the measures I requested in our conversation in order to prevent the irretrievable loss of royalties.

The notice rescinding the stay does not state whether and to what extent the 1978 royalties will now be distributed. However, if any distribution is planned, NAB requests that the Tribunal require each recipient to post a bond with the Tribunal in the amount of its award. As I pointed out in our conversation, this security will ensure that funds will be available in the event that the Court of Appeals modifies the current distribution plan. The difficulty in recovering these funds from recipients once they are disbursed to various claimant representatives is no doubt obvious to the Tribunal and was discussed at length in NAB's initial stay application.

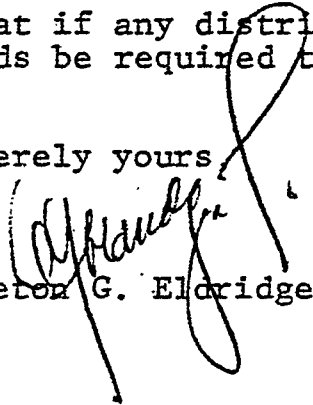
In any event, NAB further requests that any planned distribution of funds be postponed at least for three weeks to afford

Mary Lou Burg
Chairperson
December 2, 1980
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us an opportunity to apply to the Court of Appeals for a stay. Our original stay application was filed with the Tribunal in compliance with Rule 18 of the Federal Rules of Appellate procedure, which requires applicants to first seek such stays from the administrative agency involved. If the stay is denied (or as in this case, rescinded) the applicant is entitled, under the rule, to file a motion with the reviewing court for a similar stay. Therefore, NAB requests that the Tribunal postpone any distribution at 1978 cable royalties to permit filing a motion in accordance with Rule 18.

NAB further requests that if any distribution takes place, all recipients of 1978 funds be required to post the above-described security.

Sincerely yours,



Carleton G. Eldridge, Jr.

CGE/bg

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing
correspondence has been mailed to the following parties:

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Dated: December 3, 1980

By Kristine Leone Kern

KRISTINE LEONE KERN
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Commission Expires March 30, 1981