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December 5, 1980

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

Dear Ms. Burg:

We are in receipt of a letter dated December 2, 1980, to you from Mr. Carleton G. Eldridge, Jr. on behalf of the National Association of Broadcasters.

That letter discloses a blatant and gross violation by counsel for NAB of the Tribunal's ex parte rules, and in the circumstances it is requested pursuant to Section 301.17(d) that the Tribunal "... take such action as it considers appropriate ...".

Further, it is requested that the Tribunal proceed immediately to issue an order authorizing the distribution of not less than 50% of the cable royalty fund of 1978 to Program Syndicators as requested in its submission to the Tribunal entitled "Response in Opposition to NAB Motion for Stay and Request for Partial Distribution of 1978 Cable Royalty Fund" filed October 24, 1980.

Continued inaction on this matter does indirectly what the Tribunal has ruled it will not do directly -- that is, a stay of distribution. Program Syndicators submit that the Tribunal must act to distribute to them the requested portion of the fund as quickly as possible in order to avoid the very result which it has found not justified under the act or traditional criteria for a stay.

Sincerely,

  
Arthur Scheiner

AS/scr

CC: Attached List of Parties

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