

ORIGINAL

COUDERT BROTHERS

ATTORNEYS AND COUNSELLORS AT LAW

200 PARK AVENUE
NEW YORK, N. Y. 10166

TELEPHONE
212 880-4400
CABLE
"TREDUOC" NEW YORK
TELEX
INTL: RCA 234373
ITT 424736
WUI 666764
DOMESTIC: 148439
TELECOPIER
DEX 4100
(212) 972-1768
RAPIFAX
(212) 490-3751

HAND DELIVERY

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WASHINGTON, D. C.
ONE FARRAGUT SQUARE SOUTH
WASHINGTON, D. C. 20006
SAN FRANCISCO
THREE EMBARCADERO CENTER
SUITE 1080
SAN FRANCISCO, CA. 94111
PARIS
52, AVENUE DES CHAMPS-ÉLYSÉES
75008 PARIS
LONDON
49-51 BOW LANE
LONDON EC4M 9DL
BRUSSELS
RUE BELLIARD, 20, BOX 11
B-1040 BRUSSELS
HONG KONG
20 CHATER ROAD
HONG KONG
SINGAPORE
5 SHENTON WAY
SINGAPORE 0106
TOKYO
TANAKA & TAKAHASHI
NEW AOYAMA BUILDING W-1352
1-1 MINAMI AOYAMA H-C HOME
MINATO-KU, TOKYO 107 JAPAN
RIO DE JANEIRO
ULHÓA CANTO, REZENDE,
NEVIANI E GUERRA
AV. ALMIRANTE BARROSO, 81
20000 RIO DE JANEIRO, R. J.

Honorable Clarence L. James, Jr.
Copyright Royalty Tribunal
1111 Twentieth Street, N.W.
Washington, D.C. 20006

Re: NAB Application for a
Stay Pending Appeal
Docket No. CRT 7-91

Dear Chairman James:

We are writing on behalf of our client, the National Association of Broadcasters in response to the Tribunal's order published this date in the Federal Register authorizing distribution of 50% of the 1978 cable royalty fund. 46 Fed. Reg. 21637, et seq.

NAB presently is preparing an emergency motion to the Court of Appeals for a stay of that partial distribution order pending final determination of the appeals now pending from the Tribunal's September 23, 1980 final determination allocating the 1978 fund. Inasmuch as the Tribunal's partial distribution order will become effective on April 16, 1981, i.e., three days from the date of its publication in the Federal Register, we respectfully request that the Tribunal postpone the effective date of that order from April 16, 1981 until and including April 30, 1981.

We believe this request to be timely made and in the best interests of all parties to these proceedings. Although the Tribunal voted to rescind its stay of the

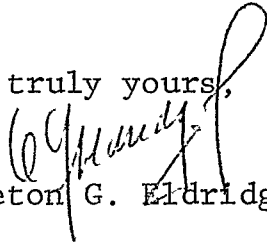
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September 23, 1980 hearings on that issue, it was not until today that the Tribunal published a decision specifying what portion of the funds, if any, would be distributed prior to judicial review of the appeals now pending from that final determination. Moreover, unless the Tribunal postpones the effective date of the partial distribution order, NAB will be forced to petition the Court of Appeals for stay protection on an "emergency motion" basis, i.e., without seven days' notice to all interested parties. Given these considerations and the lack of any harm to claimants in the event that partial distribution of the fund is delayed by two weeks, NAB urges the Tribunal to grant this request, and in any event, to rule on this application no later than Tuesday, April 14, so as to permit an emergency motion to the Court of Appeals by April 16.

Very truly yours,


Carleton G. Eldridge, Jr.

CGE:a

cc: Members of the Tribunal
Parties listed on attachment

COUDERT BROTHERS

John F. Cordes, Esq.
William Kanter, Esq.
U.S. Department of Justice
Civil Division
Room 3631
Washington, D.C. 20530

James F. Fitzpatrick, Esq.
Arnold & Porter
1200 New Hampshire Avenue, NW
Washington, D.C. 20036
Counsel for Joint Sports
Claimants

Philip R. Hochberg, Esq.
Vorys, Sater, Seymour & Pease
Suite 1111
1828 L Street, NW
Washington, D.C. 20036
Counsel for Joint Sports
Claimants

Judith Jurin Semo, Esq.
Squire, Sanders & Dempsey
21 Dupont Circle, NW
Washington, D.C. 20036
Counsel for NCAA

Peter F. Robinson, Esq.
Canadian Broadcasting Corp
P.O. Box 8478
Ottawa, Ontario K1G 3J5
Canada

Malcolm A. Hoffman, Esq.
12 East 41 Street
New York, New York 10017
Counsel for Canadian Broad-
casting Corporation

Arthur Scheiner, Esq.
Wilner & Scheiner
Suite 300
1200 New Hampshire Avenue, NW
Washington, D.C. 20036
Counsel for Motion Picture
Association of America and
related parties

Jeffrey D. Southmayd, Esq.
Fischer, Wayland, Southmayd
& Cooper
1100 Connecticut Ave, NW
Washington, D.C. 20036
Counsel for Christian
Broadcast Network

Bernard Korman, Esq.
American Society of Composers,
Authors & Publishers
One Lincoln Plaza
New York, New York 10023

Benjamin L. Zelenko, Esq.
Landis, Cohen, Singman & Rauh
1019 Nineteenth St, NW
Suite 500
Washington, D.C. 20036
Counsel for ASCAP

Paul, Weis, Rifkind,
Wharton & Garrison
345 Park Avenue
New York, New York 10154
Counsel for ASCAP

Charles T. Duncan, Esq.
Peabody, Rivlin, Lambert
& Myers
1150 Connecticut Ave, NW
Washington, D.C. 20036
Counsel for BMI

Edward W. Chapin, Esq.
Broadcast Music, Inc.
320 West 57 Street
New York, New York 10019

Albert E. Ciancimino, Esq.
SEASAC, Inc.
10 Columbus Circle
New York, New York 10019

Janice T. Hill, Esq.
National Public Radio
2025 M Street, NW
Washington, D.C. 20036

COUDERT BROTHERS

Nathan Lewin, Esq.
Jamie S. Gorlick, Esq.
Miller, Cassidy, Larroc
& Levin
2555 M Street, NW
Suite 500
Washington, D.C. 20036
Counsel for National Public
Radio

Richard Dannay, Esq.
Schwab, Goldberg, Price
& Dannay
1185 Ave of the Americas
New York, New York 10036
Counsel for Cartoon Claimants

Peter Feinberg, Esq.
Robert F. Corazzini, Esq.
Smith & Pepper
1776 K Street, NW
Suite 700
Washington, D.C. 20006
Counsel for Superstation, Inc.

Jacqueline Weiss, Esq.
Public Broadcasting Service
475 L'Enfant-Plaza West, SW
Washington, D.C. 20024

Gene A. Bechtel, Esq.
Arent, Fox, Kintner, Plotkin
& Kahn
1815 H Street, NW
Washington, D.C. 20006
Counsel for PBS

Mildred Kritt
4523 Van Nuys Blvd
Suite 202
Sherman Oaks, Calif. 91423