

**Distribution of 2003 DART
Royalty Funds
Docket No. 2004-4 CARP DD 2003**

<u>TITLE</u>	<u>DATE</u>	<u>PARTY</u>	<u>CONTENT</u>
Letter	2/26/04	Dennis Dreith	Requesting distribution of non-featured musicians' and non-featured vocalists' subfunds
Filing	6/2/04	AARC	Notice of Settlement and Request for Distribution of 2003 Sound Recordings Fund/Featured Artists Subfund
Filing	6/9/04	AARC	Amended Notice of Settlement and Request for Distribution of 2003 Sound Recordings Fund/Featured Artists Subfund
✓ Filing	6/18/04	AARC	Motion to Dismiss Copyright Owners' Subfund Claims (Trudy Borset)
✓ ORDER	6/21/04	Copyright Office	Directing that oppositions to motion to dismiss Borset's claim be filed by 6/30/04 with replies due to be filed 7/8/04
ORDER	6/28/04	Copyright Office	Directing distribution of non-featured musicians' and non-featured vocalists' subfunds to Dennis Dreith (independent administrator)
ORDER	6/28/04	Copyright Office	Granting request for distribution of 2003 Featured Artists Subfund
✓ Filing	7/7/04	AARC	Motion of AARC
✓ Filing	7/12/04	AARC	Amendment of Motion of AARC
✓ Filing	7/14/04	Borset	Opposition to AARC' motion to dismiss
✓ Filing	9/20/04	Borset	Answer to AARC Amendment of Motion
✓ Filing	9/21/04	AARC	Surreply
✓ Filing	9/23/04	AARC	Signed Certificate of Service
✓ ORDER	11/5/04	Copyright Office	To show cause (Borset/FedEx, Bocchi/Fax)
✓ Filing	11/22/04	Borset	Reply to order to show cause received

~~to show~~
 (original dt. 12/7/04 b/c
 what was received on 11/22/04
 lacked original signature)

✓ Filing	3/14/2005	AARC	Request for Partial Distribution of the 2003 Sound Recordings Fund/Copyright Owners Subfund Royalties
✓ Filing	3/17/2005	AARC	Exhibit A to filing for partial distribution of the 2003 Sound Recordings Fund/Copyright Owners Subfund Royalties
✓ Filing	3/18/2005	Trudy Borset	Response to Request for Partial Distribution
✓ ORDER	3/21/2005	Register of Copyrights	Order of Dismissal (of Trudy Borset)
✓ Email	4/12/2005	Trudy Borset	Heads-up on her reply to order of dismissal (filed with her actual snail-mail reply)
✓ Filing	4/14/2005	Trudy Borset	Reply to order of dismissal
✓ Filing	4/15/2005	Trudy Borset	Reply to order of dismissal with corrected send date
✓ Email	4/15/2005	Linda Bocchi/AARC	Email stating AARC will not respond to Trudy Borset's reply to order of dismissal
✓ ORDER	4/27/2005	Librarian and Register	Request for reconsideration on the part of Trudy Borset denied
✓ ORDER	5/13/2005	Copyright Office	Requesting status of Jacobson & Colfin, PC, claim (to AARC and Jacobson & Colfin, PC)
✓ Filing	5/18/2005	AARC on behalf of Jacobson & Colfin, PC	Report of Settlement and Renewed Request for Distribution of the 2003 Sound Recordings Fund/Copyright Owners
✓ ORDER	5/27/2005	Register of Copyrights	Distribution of the remaining funds in the 2003 SRCO Subfund

Ms. Declercq:

Attached please find documents relating to the suit Ms. Borset has brought against the Office.

As you can see, I have put the documents into various PDF files and have provided an index to each PDF file. I have also attached an index of miscellaneous correspondence for you to review. None of those documents have been included; please review the index and let me know what, if any, of that correspondence you need.

As you will see in the PDF file entitled "Borset Letter of Complaint," Ms. Borset responded to our letter of December 20, 2004, addressing her complaints about the Office. We did not respond to that letter (dated January 24, 2005) as she did not raise any new issues.

In addition, I have included Ms. Borset's 2004 claims to the Musical Works Fund/Writers' Subfund even though it is not subject to this suit. These claims also were rejected. As noted in the file and on the index, she has requested reconsideration of this rejection. The 2004 claims are now under the jurisdiction of the Copyright Royalty Board. To date, the Board has not ruled on her request.

Please let me know if you have any questions or need any other documentation. As we discussed on August 10, 2005, I have also enclosed our Motion to Dismiss or For Summary Judgment in the Universal case and our Brief in the appeal (I do not have a pdf version of this document), since they include the argument that our claims filing rules are not reviewable. I know that you are planning to speak with Jim Gilligan when he returns from vacation next week.