

§ 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to the 1987 fund is Asociacion de Compositores y Editores de Musica Latinoamericana ("ACEMLA").^{1/} ACEMLA has now withdrawn its claim.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.

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,

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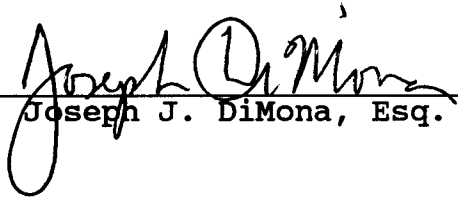

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Dated: April 27, 1989

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.



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