

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DETERMINATION OF RATES AND TERMS
FOR DIGITAL PERFORMANCE OF SOUND
RECORDINGS BY NEW SUBSCRIPTION
SERVICES AND MAKING OF EPHEMERAL
COPIES TO FACILITATE THOSE
PERFORMANCES (NSS V)**

**Docket No. 23-CRB-0013-NSR
(2026-2030)**

ORDER 5 MODIFYING CASE SCHEDULE

On July 23, 2024, the Copyright Royalty Judges (“Judges”) modified the case schedule for the *Web VI* proceeding pursuant to a joint motion from the parties in that proceeding (eCRB 42927). Given the substantial similarity of issues in and parties to the two proceedings and in the interests of efficiency and judicial economy, the Judges find good cause for both proceedings to continue to follow the same schedule.

On July 26, 2024, the Judges issued an Order to Show Cause to the parties in this above-captioned *NSS V* proceeding, instructing them to show cause, on or before July 30, 2024, why the same schedule should not be followed in this proceeding as in the *Web VI* proceeding (eCRB 42960).

No party in this *NSS V* proceeding has responded to the Order to Show Cause to object to the adoption of the same schedule as in the *Web VI* proceeding. Therefore, for good cause, the Judges hereby modify the case schedule in this proceeding as reflected in Exhibit A.

SO ORDERED.

David P. Shaw
Chief Copyright Royalty Judge

Dated: August 2, 2024

EXHIBIT A

NSS V Proceeding Schedule

Case event	Date
Non-Settling Parties File Written Direct Statements, and Proposed Rates and Terms	September 13, 2024
Commencement of Direct Case Discovery Period	September 20, 2024
Exchange documents on which witnesses based WDS	September 20, 2024
Exchange document requests and interrogatories	September 23, 2024
Exchange written objections to document requests and interrogatories	October 7, 2024
Produce documents and serve interrogatory responses	October 28, 2024
Parties jointly file Discovery Motion Packets (Motion, Response, Proposed Orders)	November 12, 2024
End of Direct Case Discovery Period	November 19, 2024
Deadline to file Amended Written Direct Statements	December 4, 2024
Deadline for Written Rebuttal Statements	January 17, 2025
Commencement of Rebuttal Case Discovery Period	January 20, 2025
Settlement Conference Period	January 27, 2025 - February 17, 2025
IF PARTIES DO NOT SETTLE COMPLETELY	
Deadline for Joint Settlement Conference Report	February 18, 2025
Parties jointly file Discovery Motion Packets (Motion, Response, Proposed Orders)	February 28, 2025
End of Rebuttal Case Discovery Period	March 7, 2025
Parties jointly file Motions in Limine Packets (Motion, Response, Proposed Orders)	March 21, 2025
Unified Hearing (with <i>Web VI</i>)	Commencing on April 7, 2025
Post-hearing Briefs (including joint outline of issues)	21 days after conclusion of hearing
Proposed Findings and Conclusions	21 days after conclusion of hearing
Responsive Findings and Conclusions and Post-hearing Reply Briefs	14 days after filing of proposed findings and conclusions and initial Post-hearing Briefs
Closing Arguments	Not later than June 30, 2025
Determination	Not later than December 16, 2025