

CABLE DISTRIBUTION 1990, 1991 and 1992  
Docket No. 94-3 CARP CD 90-92  
PHASE II

<u>TITLE</u>	<u>DATE</u>	<u>PARTY</u>	<u>CONTENT</u>
Notices	3/15/96	JSC James Cannings, NPR, PBS, Music Claimants, ProgSupp,Devotnl, NAB, HSN	Intent to Participate
Filing	6/14/96	Music Claimants	Motion to Dismiss PhII Claim of James Cannings
Filing	7/3/96	James Cannings	Opposition to Motion of Music Claimants to Dismiss his Phase II Claim
Filing	7/11/96	Music Claimants	Reply to Opposition to Motion to Dismiss James Cannings
Service list	7/12/96	James Cannings	Served all Phase II cls. opposition to motion to dismiss
<b>ORDER</b>	8/5/96	Copyright Office	Granting in part/denying in part Music Claimants' Motion to Dismiss Cannings
<b>ORDER</b>	11/11/96	Copyright Office	Request for Notification of Settlement
Notices	12/16/96	PBS; NAB; NPR; Devotional; Program Suppliers; JSC	Notices of Settlement
Notice	12/16/96	Music Claimants	Notification of Non-Settlement
Notice	12/17/96	James Cannings	Notice of Nonsettlement
Filing	12/20/96	Music Claimants	Request for Partial Reconsideration of 8/5/96 Order re Phase II claims of Cannings in 1990-92 cable distribution proceeding
Filing	12/23/96	PBS, JSC, Devotional;	Comments of Certain Other Parties re Program Suppliers Music Claimants' 12/20 motion for partial reconsideration
Filing	1/6/97	James Cannings	Reply to Music Claimants' Motion for Partial Reconsideration [12/20/96]
Notice	1/6/97	James Cannings	Notice of Non-settlement
Filing	1/15/97	Music Claimants	Reply to Cannings' Opposition to motion for partial reconsideration

<b>ORDER</b>	1/31/97	Copyright Office	Denying motion for partial reconsideration of 8/5/96 Order
<b>ORDER</b>	2/14/97	Copyright Office	Announcing precontroversy discovery schedule
Filing	4/24/97	Music Claimants	Motion to Reschedule Procedural Dates
Fax	4/25/97	James Cannings	Re: distribution of 1991 cable fund
Filing	4/28/97	James Cannings	Response to Motion to Reschedule Procedural Dates
Filing	4/28/97	James Cannings	Motion for Waiver of Rules § 251.43(e) § 251.44(b) and § 251.44(f)
Letter (Fax)	4/28/97	James Cannings	Request for information re calculation of interest
Letter (Fax)	4/30/97	James Cannings	Request that motion for waiver of rules be considered on expedited basis
<b>ORDER</b>	4/30/97	Copyright Office	Suspending precontroversy discovery schedule and its procedural dates
Filing	5/2/97	Music Claimants	Reply to "Response" to Motion to Reschedule Procedural Dates
Fax	5/5/97	Copyright Office	Response to James Cannings' 4/25/97 fax re distribution of 1991 cable fund
Filing	5/8/97	Music Claimants	(1) Opposition to Motion for waiver of rules §251.43(e), §251.44(b) and §251.44(f) and (2) Motion to Revise Official Service List
Filing	5/13/97	James Cannings	Reply to Opposition of ASCAP, BMI and SESAC to Motion for Waiver of Rules and Motion of Music Claimants to revise official service list and James Cannings' expedited motion for reconsideration of rule 251.44(g), as amended
<b>ORDER</b>	5/21/97	Copyright Office	Granting in part/denying in part Cannings' request for waiver of rules; allowing revision of service list; granting Music Claimants' request for new schedule of precontroversy discovery period
Letter	5/27/97	Copyright Office	Response to Cannings' request for advice on how to calculate interest

Notice	6/3/97	PBS	Notice of settlement of Phase II controversy
Filing	6/16/97	Music Claimants	Direct Case
Filing	6/16/97	James Cannings	Direct Case
Filing	6/18/97	James Cannings	Response of a completed "Waiver of Conflict" re arbitrators
Filing	6/23/97	Music Claimants	Initial request for Document underlying documents directed to Cannings
Filing	6/23/97	James Cannings	Initial request for Document underlying documents directed to BMI, ASCAP & SESAC
Filing	6/27/97	James Cannings	Response to initial request for underlying documents directed to Cannings
Filing	6/30/97	Music Claimants	Response to Cannings' request for underlying documents
Filing	7/9/97	James Cannings	Follow-up requests for underlying documents
Filing	7/9/97	James Cannings	Objection for failure of BMI, ASCAP, and SESAC to provide relevant underlying documents
Filing	7/9/97	Music Claimants	Follow-up request for underlying documents
Filing	7/15/97	James Cannings	Response to Music Claimants' follow-up requests for underlying documents
Filing	7/15/97	Music Claimants	Response to Cannings' follow-up requests for underlying documents
Filing	7/18/97	James Cannings	Motion to compel production of underlying documents from Music Claimants
Filing	7/29/97	Music Claimants	Opposition to motion to compel production of underlying documents
Letter	7/29/97	Music Claimants	Correction of direct case
Filing	7/30/97	Music Claimants	Request for designation of an issue to CARP
Filing	7/30/97	Music Claimants	Objections to certain arbitrators

Filing	8/5/97	James Cannings	Reply to opposition to production of underlying documents
Fax	8/10/97	James Cannings	Re: summaries of 1991 WWOR total minutes of music and performances
<b>ORDER</b>	8/15/97	Copyright Office	Denying in part/granting in part Cannings' motion to compel production of documents from Music Claimants
<b>ORDER</b>	8/19/97	Copyright Office	Designation of issue to CARP: whether to suspend formal hearings and decide controversy on written pleadings
Letter	8/22/97	Copyright Office	Re: Payment of arbitrators
Letter/Fax	9/2/97	SESAC, Inc.	Re: Service List
Filing	9/2/97	James Cannings	Documents responsive to Other Music Claimants' initial request
Transcripts	9/10/97	Neal Gross	Re Initial Meeting
Fax	9/15/97	Judge Wertheim	Re: distribution of Order to parties
<b>ORDER</b>	9/16/97	CARP	Waiving requirement of oral evidentiary hearing and to proceed on written pleadings alone; setting procedural schedule Discovery
Filing	9/17/97	James Cannings	Request for sample of cue sheets
Letter	9/19/97	BMI	Change of BMI attorney contact from George Galt to Mike Remington & Jeffrey Lopez
Letter	9/25/97	CARP	Re: Invoices of arbitrators for September
Filing	9/25/97	Music Claimants	Motion concerning James Cannings' request for sample of 10% of cue sheets
Filing	10/6/97	James Cannings	Response to the strenuous objection of BMI, ASCAP & SESAC to Cannings' request for sample of cue sheets
Filing	10/7/97	Music Claimants	Notice of settlement re: approach to production of cue sheets
Filing	10/30/97	James Cannings	Rebuttal Case
Filing	10/30/97	Music Claimants	Rebuttal Case
Filing	11/7/97	James Cannings	Motion to Strike the testimonies of Rebuttal of J. Saffer, S. Mosenkis, M. Schoenfeld and Smith

Filing	11/7/97	James Cannings	Motion to demand from the other Music Claimants underlying documents to prove entitlement of SESAC to distribution of 1991
Filing	11/7/97	Music Claimants	Motion to strike certain portions of the Phase II Rebuttal case of James Cannings CAN CAN Music
Invoice	11/10/97	CARP	Charges for October 1997
Filing	11/19/97	Music Claimants	Opposition of BMI, ASCAP and SESAC to motion to strike by James Cannings/Can Can Music
Filing	11/19/97	Music Claimants	Opposition of Music Claimants to Cannings' motion to demand from the Other Music Claimants underlying documents to prove entitlement of SESAC to distribution of 1991 Cable Royalties
Filing	11/19/97	James Cannings	Opposition to Motion of ASCAP, BMI and SESAC to strike certain portions of the Phase II Rebuttal Case of James Cannings/Can Can Music
Filing	11/25/97	Music Claimants	Reply to Opposition of Cannings to Music Claimants' Motion to Strike
Filing	11/26/97	James Cannings	Reply to Music Claimants' opposition to motion to produce documents re proof of SESAC's entitlement to distribution of 1991 cable royalties
Filing	11/26/97	James Cannings	Reply to Music Claimants' opposition to motion to strike
Invoice	12/2/97	CARP	Charges for November 1997
<b>ORDER</b>	12/3/97	CARP	Granting Music Claimants' motion to strike Ex. 33 and related discussion in Cannings' rebuttal case; denying Cannings' motion to demand underlying documents to prove SESAC's entitlement; granting Cannings motion to strike certain portions of Smith's testimony and denying remainder of motion; extending date for filing proposed findings of fact & conclusions of law to 12/12/97 and replies thereto to 12/29/97
Filing	12/3/97	James Cannings	Motion to reschedule procedural dates

Filing	12/5/97	James Cannings	Motion for reconsideration of 12/3/97 CARP Order
Filing	12/10/97	James Cannings	Motion to Dismiss the Claim of SESAC
<b>ORDER</b>	12/10/97	CARP	Granting motion for reconsideration of 12/3/97 CARP Order; extending the date for filing Proposed Findings of Fact and Conclusions of Law to 12/19/97 w/replies due 1/5/98; entering exhibits to motion for reconsideration into the record
<b>ORDER</b>	12/12/97	CARP	Setting date for responses to Cannings' motion to dismiss SESAC claim as 12/17/97
Letter	12/15/97	Music Claimants	Request clarification of the Panel's 12/10/97 Order and request for extension of due date for reply findings
<b>ORDER</b>	12/15/97	CARP	Waiving any reply to any oppositions to Cannings' motion to dismiss SESAC's claims
Filing	12/17/97	James Cannings	Motion to Grant Admission of Evidence on File and Newly Discovered Evidence in the Record
Filing	12/17/97	Music Claimants	Opposition to Motion to Dismiss the Claim of SESAC
<b>ORDER</b>	12/17/97	CARP	Waiving filing of any response to Music Claimants' requests re: expedited clarification of CARP Order of 12/10/97 and extension of due date for reply findings of fact
<b>ORDER</b>	12/18/97	CARP	Waiving responses to Cannings' motion to grant admission of evidence on file and newly discovered evidence in the record; rendering as moot Cannings' motion re admission of evidence on file; denying Cannings' motion to admit newly discovered evidence
Filing	12/19/97	Music Claimants	Proposed Findings of Fact and Conclusions of Law of BMI, ASCAP & SESAC
Filing	12/19/97	James Cannings	Proposed Findings of Fact and Conclusions of law
Fax	12/23/97	James Cannings	Re missing pages from proposed findings of fact & conclusions of law

Correction	12/29/97	James Cannings	<b>CORRECTED COPY</b> of Proposed Findings of Fact and Conclusions of Law
Invoice	1/6/98	CARP	Charges for December 1997
<b>ORDER</b>	1/8/98	CARP	Denying Cannings' motion to dismiss SESAC's claim
Filing	1/9/98	Music Claimants	Reply Findings of Fact and Conclusions of Law of BMI, ASCAP and SESAC
Filing &	1/9/98	James Cannings	(1) Final Sample Survey and Correction <b>CORRECTED</b> page 6 to Proposed Findings of Fact and Conclusions of Law  (2) James Cannings/Can Can Musics' Reply to Proposed Findings of Fact and Conclusions of Law of ASCAP, BMI, SESAC
Filing	1/16/98	Music Claimants	Motion of Music Claimants to Strike New Evidence and Portions of Reply Findings of Fact and Conclusions of Law of James Cannings
Filing	1/22/98	James Cannings	Final Reply to Proposed Findings of Fact and Conclusions of Law of BMI, ASCAP & SESAC
Fax	1/22/98	James Cannings	Sent fax of docket sheet for case per Cannings' request
Fax	1/27/98	James Cannings	Sent fax of replacement copy of 12/17/97 Order
Letter	1/27/98	Music Claimants	Request for Panel to Strike Final Reply to Proposed Findings of Fact and Conclusions of Law of Cannings
Filing	1/28/98	James Cannings	Opposition to Motion of Music Claimants to Strike New Evidence and Portions of Cannings' Reply Findings of Fact and Conclusions of Law
Filing	2/4/98	Music Claimants	Reply in Support of Motion of Music Claimants to Strike New Evidence and Portions of The Reply Findings of Fact and Conclusions of Law of James Cannings/Can Can Music
Invoice	2/5/98	CARP	Charges for January 1998
Letter	2/9/98	James Cannings	Clarifying facts mentioned in Opposition to Motion of Music Claimants to Strike

			New Evidence and Portions of the Reply findings of Fact an Conclusions of Law of James Cannings/Can Can Music
<b>REPORT</b>	2/26/98	CARP	Phase II Distribution Report
Invoice	2/27/98	CARP	Charges for February 1998
Filing	3/12/98	James Cannings	Petition to Modify or Set Aside the Determination of the CARP
Filing	3/26/98	Music Claimants	Reply to Petition of James Cannings/Can Can Music to Set Aside CARP Report
Filing	3/26/98	BMI	Supplemental Reply of BMI to Petition of James Cannings/Can Can Music to Set Aside CARP Report
<b>ORDER</b>	4/24/98	Librarian of Congress	Librarian's Order adopting the Panel's report [63 FR 20428]