

Before the
COPYRIGHT ROYALTY JUDGES
Washington, DC

<i>In re</i>	
DISTRIBUTION OF CABLE ROYALTY FUNDS	Docket No. 16-CRB-0009-CD (2014-2017)
DISTRIBUTION OF SATELLITE ROYALTY FUNDS	Docket No. 16-CRB-0010-SD (2014-2017)

JOINT SPORTS CLAIMANTS, SETTling DEVOTIONAL CLAIMANTS, MPA-REPRESENTED PROGRAM SUPPLIERS, AND MUSIC CLAIMANTS' JOINT COMMENTS TO ORDER 49 REGARDING CONSOLIDATING PROCEEDINGS AND CONDUCTING PAPER PROCEEDINGS

The Joint Sports Claimants, Settling Devotional Claimants, MPA-Represented Program Suppliers, and Music Claimants¹ (collectively, the “Joint Commenters”) comment jointly in response to Order 49 Regarding Consolidating Proceedings and Conducting Paper Proceedings, which seeks comments on (1) consolidation of the cable and satellite dockets for distribution phase proceedings related to the 2014-17 royalty years, and (2) resolution of those distribution phase controversies through a paper proceeding.

The Joint Commenters do not object to a consolidated proceeding for the litigation of issues relating to distribution methodologies for the cable and satellite claims in the above-captioned cases, and they believe such claims may be litigated efficiently in a consolidated proceeding.

The Joint Commenters do not object to consideration of all outstanding claims motions on the papers, without a hearing.

¹ For purposes of this submission Music Claimants consist of Broadcast Music, Inc. (“BMI”), the American Society of Composers, Authors, and Publishers (“ASCAP”) and SESAC, Inc. (“SESAC”).

However, once claims motions are decided, the Joint Commenters believe it would be most efficient for any remaining participants to exchange written direct and rebuttal testimony before taking a position on whether paper proceedings are appropriate. Depending upon the participants still at issue, the amounts at issue, the methodologies proposed, and the witnesses presented, cross-examination of witnesses may be desirable or necessary. It is also possible that paper proceedings would be appropriate in some claimant categories but not in others.

Therefore, the Joint Commenters request the Judges to defer their decision on whether paper proceedings are appropriate and to give the participants another opportunity to comment after decision on outstanding claims motions and submission of written direct and rebuttal testimony.

January 21, 2025

Respectfully submitted,

JOINT SPORTS CLAIMANTS

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Certificate of Service

I certify that on January 21, 2025, I caused the foregoing to be served on all parties through electronic filing on eCRB.

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