

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
LIBRARY OF CONGRESS
Washington, D.C.

In the Matter of: Adjustment of Rates and Terms for Preexisting Subscription and Satellite Digital Audio Radio Services	Docket No. 2006-1 CRB DSTR
In the Matter of: Determination of Rates and Terms for Preexisting Subscription and Satellite Digital Audio Radio Services	Docket No. 2011-1 CRB PSS/Satellite II
In re: Determination of Rates and Terms for Satellite Radio and “Preexisting” Subscription Services (PSS/SDARS III)	Docket No. 16-CRB-0001-SR/PSSR (2018- 2022)
In the Matter of: Determination of Rates and Terms for Satellite Radio and “Preexisting” Subscription Services (PSS/SDARS IV)	Docket No. 25-CRB-0014-SR/PSSR (2028- 2032)

**JOINT MOTION TO ACCESS AND TO MAKE USE OF THE RESTRICTED FINAL
DETERMINATION, WITNESS MATERIALS, AND PROCEEDING TRANSCRIPTS OF
PAST SDARS PROCEEDINGS**

SoundExchange, Inc. (“SoundExchange”), Sirius XM Radio LLC (“SiriusXM”), and Music Choice (collectively, the “Stipulating Parties”) have retained outside counsel for the *SDARS IV* proceeding for the 2028-2032 period (“SDARS IV Outside Counsel”). Outside counsel for SoundExchange, Milbank LLP, did not participate in *SDARS I, II, or III* (collectively, the “Past SDARS Proceedings”). Outside counsel for SiriusXM and Music Choice, respectively, participated in Past SDARS Proceedings and thus have previously accessed restricted materials from those proceedings, but wish to access and make use of such materials in *SDARS IV*. The relevant restricted materials from Past SDARS Proceedings include: (1) the Final Determinations, (2) written testimony of all SoundExchange, SiriusXM, and Music Choice witnesses, and (3) the appendices and exhibits (including underlying work papers) to such written testimony, where applicable, and (4) transcripts of the Past SDARS Proceedings (together, the “Past SDARS Materials”).¹ To assist *SDARS IV* Outside Counsel in the current proceedings, the Stipulating Parties hereby request, pursuant to 17 U.S.C. § 801(c), that the Judges allow *SDARS IV* Outside Counsel and expert witnesses (and expert witness support staff) retained to assist the Stipulating Parties in *SDARS IV* (together with *SDARS IV* Outside Counsel, “SDARS IV Outside Counsel and Experts”) full access to and use of the restricted versions of the materials outlined in Appendix A.

As reflected in the Stipulation Regarding Access to and Use of the Restricted Final Determinations, Witness Materials, and Proceeding Transcripts of Past SDARS Proceedings (the “Stipulation”) ² filed herewith, the Stipulating Parties, who are also the non-settling licensees that submitted restricted materials in Past SDARS Proceedings, have agreed to allow *SDARS IV*

¹ A list of the Past SDARS Materials which the Stipulating Parties seek access to and/or use of is appended hereto as Appendix A.

² The Stipulating Parties include all parties represented by outside counsel in this proceeding. The Stipulating Parties sought the consent of David Powell (“Powell”) and George Johnson (“Johnson”) to this Motion and the Stipulation. Powell and Johnson indicated that they object to this Motion and the Stipulation.

Outside Counsel and Experts be given immediate access to Past SDARS Materials for use in connection with *SDARS IV*.

The Stipulating Parties propose that the use of Past SDARS Materials be subject to the operative protective orders for the Past SDARS Proceedings, except that provisions limiting the use of the materials to each Past SDARS Proceeding shall not apply to the extent that Past SDARS Materials are used to prepare for *SDARS IV*. For the avoidance of doubt, restrictions relating to “outside counsel of record in this proceeding” or “outside counsel” in the protective orders for the Past SDARS Proceedings shall apply to *SDARS IV* Outside Counsel in accessing and using Past SDARS Materials for and in the *SDARS IV* proceeding. To that end, the Past SDARS Materials would be treated as “Restricted” under any protective order that may be entered in *SDARS IV* and would only be used on an outside-counsel-only basis by *SDARS IV* Outside Counsel and Experts in connection with *SDARS IV*.

ARGUMENT

I. The Past SDARS Materials Are Relevant to the Upcoming *SDARS IV* Proceeding

The Stipulating Parties expect that the Past SDARS Materials will be highly relevant to the Stipulating Parties’ respective presentations in the forthcoming *SDARS IV* proceeding. As an initial matter, it is self-evidently important for a party’s chosen counsel to be familiar with the precedent of the body before which it is appearing. That is particularly so here, because in prior CRB proceedings, including the Past SDARS Proceedings, the Judges have made extensive reference to the record in earlier proceedings. For example, in *SDARS III*, the Judges referred to *SDARS II* estimates regarding music content value when considering a similar estimate offered in *SDARS III*.³ The Judges in *SDARS III* also referenced an economic framework from *SDARS I* and

³ Corrected Final Determination at 71, *SDARS III*, Docket No. 16-CRB-0001 SR/PSSR (2018–2022) (Oct. 18, 2018) (“*SDARS III* Final Determination”).

II that the Judges did not find persuasive.⁴ Access to and ability to use Past SDARS Materials will allow *SDARS IV* Outside Counsel and Experts to understand fully the Judges’ Final Determinations in the Past SDARS Proceedings and their implications for their economic analyses in support of the Stipulating Parties’ respective positions in *SDARS IV*. In particular, the Past SDARS Materials will allow *SDARS IV* Outside Counsel and Experts to evaluate the Judges’ findings about the propriety and persuasiveness of prior experts’ proposals and calculations. Further, the Judges often are informed in one set of royalty-setting proceedings by their decisions in proceedings setting other royalties—and are required to act on the basis of applicable prior determinations. *See* 17 U.S.C. § 803(a)(1).

II. The Judges’ Precedents Support This Joint Request

The Judges have previously granted similar requests to use restricted materials from a prior proceeding—including determinations and expert evidence—in a subsequent proceeding. *See, e.g.,* Order Granting in Part Services’ Motion to Access and to Make Use of the Restricted *Web V* Materials at 5-6, *Phonorecords IV* (“*Phono IV*”), Docket No. 21-CRB-0001-PR (2023-2027) (Mar. 23, 2022)⁵ (“*Phono IV* Order”) (granting access to restricted *Web V* final determination and expert testimony); Order Granting in Part Services’ Motion to Access and to Make Use of the Restricted *Webcasting V* Initial Determination and Future Substantive Rulings at 2, *Phono IV*, Docket No. 21-CRB-0001-PR (2023-2027) (Aug. 9, 2021)⁶; Order Granting in Part Motion for Access to the Restricted *Phonorecords III* Determination and Certain Restricted *Phonorecords III* Testimony at 1, *Web V*, Docket No. 19-CRB-0005-WR (2021-2025) (Sept. 13, 2019) (granting access to

⁴ *See, e.g.,* *SDARS III* Final Determination at 7, n.19 (explaining that “Professor Crawford’s Nash Framework from *SDARS II* . . . is described at length in the determination and need not be repeated here”); *id.* at 64 (citing *SDARS I* holding regarding “Nashian analysis”).

⁵ Also filed in *Web V*, Docket No. 19-CRB-0005-WR (2021-2025) (Mar. 23, 2022).

⁶ Also filed in *Web V*, Docket No. 19-CRB-0005-WR (2021-2025) (Aug. 9, 2021).

restricted *Phono III* determination and expert testimony, exhibits, and appendices); Order Entering Stipulation to Access and to Make Use of the Restricted *Web V* Final Determination, Expert Materials, and Proceeding Transcripts at 1, 3, *Web VI*, Docket No. 23-CRB-0012-WR (2026-2030) (June 5, 2024)⁷ (“*Web VI Order*”) (granting access to the restricted *Web V* determination, written testimony of economic experts, including appendices, exhibits, and underlying work papers, and transcripts of the proceedings).

In *Web VI*, the Judges granted a motion by SoundExchange to access restricted *Web V* materials—including expert testimony, exhibits, and appendices, transcripts of proceedings, and the Final Determination—for use in its written direct case. *See Web VI Order*. As in this motion, there, SoundExchange argued that the values derived by the experts formed the foundation of the Judges’ determination and, therefore, the analyses considered and weighed by the Judges in *Web V* could be relevant to the *Web VI* proceeding. *See SoundExchange’s Motion to Access and to Make Use of the Restricted Web V Final Determination, Expert Materials, and Proceeding Transcripts, Web VI*, Docket No. 23-CRB-0012-WR (2026-2030) (Apr. 18, 2024).⁸ The Judges granted the request, allowing access to and use of *Web V* materials in *Web VI*. *Web VI Order* at 3. The Judges further agreed to allow Milbank to collect copies of the restricted versions of the *Web V* materials from either its *Web V* predecessor counsel or from the counsel of record for other parties in *Web V*. *Id.*

III. Permitting Access to the Restricted Materials Would Avoid Prejudice and Unnecessary Inefficiencies and Delay

Denying *SDARS IV* Outside Counsel and Experts access to restricted materials from Past *SDARS* Proceedings would result in needless inefficiencies and delay. The public, redacted

⁷ Also filed in *Web V*, Docket No. 19-CRB-0005-WR (2021–2025) (June 5, 2024).

⁸ Also filed in *Web V*, Docket No. 19-CRB-0005-WR (2021–2025) (May 3, 2024).

versions of the Past SDARS Materials do not allow *SDARS IV* Outside Counsel and Experts to fully understand and evaluate the implications of the Past SDARS Proceedings' Final Determinations for *SDARS IV*. For example, the redacted versions of Past SDARS Materials do not reveal the full extent of how the specific economic analyses presented in Past SDARS Materials may have influenced the Judges' determinations, or how—if at all—those analyses might impact *SDARS IV*.

CONCLUSION

SDARS IV Outside Counsel and Experts require sufficient time to analyze the Past SDARS Materials in preparation for the Stipulating Parties' direct cases. For that reason, the Stipulating Parties respectfully requests that the Judges grant the proposed order accompanying the Stipulation as promptly as reasonably possible to allow *SDARS IV* Outside Counsel and Experts access to and/or use the restricted Past SDARS Materials in, and to prepare for, *SDARS IV*.⁹

⁹ The Stipulating Parties further request that the Judges permit Milbank to collect copies of the restricted versions of the Past SDARS Materials from its predecessor counsel, Jenner & Block LLP (“Jenner”). To the extent that Jenner does not have such materials in its possession, the Stipulating Parties agree that the counsel of record for SiriusXM or Music Choice will provide any of the requested Past SDARS Materials, to the extent they have them in their possession, to Milbank upon request.

Dated: March 10, 2026

Respectfully submitted,

/s/ Scott A. Edelman

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Appendix A - List of Requested Materials

I. *SDARS I*, Docket No. 2006-1 CRB DSTRA

- **Direct Statements:**

- **SoundExchange, Inc.**

- **Written Direct Statements:** James Griffin, Yoram (Jerry) Wind, Sean Butson, Michael Pelcovits, Janusz Ordover, Edgar Bronfman, Jr., Charles Ciongoli, Lawrence Kenswil, Mark Eisenberg, Michael Kushner, David Hughes, Ed Chmelewski, Dan Navarro, Barrie Kessler, and Simon Renshaw (January 17, 2007) [eCRB Nos. 12691, 12693, 12692, 12194]
- **Amended Written Testimony:** Yoram (Jerry) Wind (May 14, 2007) [eCRB No. 12969]; Michael Pelcovits (May 14, 2007) [eCRB No. 12970]
- **Designated Statements:** Michael Pelcovits: Written Direct Testimony, Oral Direct Testimony, and Oral Cross Examination from Docket No. 2005-1; Barrie Kessler: Written and Oral Testimony from Docket No. 2005-1 [eCRB Nos. 12694, 12191, 12192, 12193]

- **Sirius Satellite Radio, Inc. and XM Satellite Radio Inc.**

- **Written Direct Statements of Sirius Satellite Radio, Inc. and XM Satellite Radio Inc.:** Mel Karmazin, David Frear, Terrence Smith, John Douglas Wilsterman, Robert Law, Michael J. Moore, Jeremy M. Coleman, Steve Cohen, Steve Blatter, Christine Heye, Gary Parsons, Anthony Masiello, Eric Logan, Stephen Cook, Mark Vendetti, Roger J. Rusch, J. Armand Musey, and John Woodbury (January 17, 2007) [eCRB Nos. 36117, 36123, 36129, 36133, 36134, 36135, 36136, 36137, 12684, 36072]

- **Music Choice**

- **Written Direct Statements:** David J Del Beccaro, Damon Williams, and George G. Strong, Jr. (January 17, 2007) [eCRB Nos. 36009, 36010, 36011, 19187, 36230]
- **Designated Statements:** Adam B. Jaffe: Written and Live Direct Testimony from Docket No. 2005-1, Written and Live Direct Testimony, Written Rebuttal and Live Rebuttal Testimony from Docket No. 2000-9; Karyn Ulman: Written and Live Direct Testimony from Docket No. 2005-1 [eCRB No. 19183]

- **Rebuttal Statements:**
 - **SoundExchange, Inc.**
 - **Written Rebuttal Statements:** Steven Herscovici, Sean Butson, Michael Pelcovits, Janusz Ordover, Yoram (Jerry) Wind, George Mantis, Bruce R. Elbert, Mark Eisenberg, Charles Ciongoli, Barrie Kessler, (July 27, 2007) [eCRB Nos. 36203, 36174, 36189, 36190, 36204, 36205, 36206, 36207]
 - **Amended Written Rebuttal Testimony:** Yoram (Jerry) Wind (August 27, 2007) [eCRB No. 35876]
 - **Designated Statements:** Jonatha Brooke: Written and Live Direct Testimony and Live Cross-Examination Testimony from Docket No. 2005-1, Cathy Fink: Written and Live Direct Testimony and Live Cross-Examination Testimony from Docket No. 2005-1, Harold Bradley: Written and Live Direct Testimony and Live Cross-Examination Testimony from Docket No. 2005-1, Michael Pelcovits: Written and Live Rebuttal Testimony and Live Rebuttal Cross-Examination Testimony from Docket No. 2005-1 [eCRB Nos. 36208, 36171]
 - **Sirius Satellite Radio, Inc. and XM Satellite Radio Inc.**
 - **Written Rebuttal Statement Submitted by Sirius Satellite Radio Inc. and XM Satellite Radio Inc.:** John Woodbury, Roger Noll, John Hauser, George Benston, Erich Joachimsthaler, Daryl Martin and Russell Parr (Conсор), Bruce Silverman, William Fisher III, David Frear, Mel Karmazin, and Mark Vendetti (July 27, 2007) [eCRB Nos. 36154, 35744, 36152, 36147, 36148, 36149, 36150, 36151, 36142, 36144]
 - **Amended Written Rebuttal Testimony:** George Benston (August 17, 2007) [eCRB No. 35884]
- **Hearing Testimony:**
 - Transcript Volume I (June 4, 2007)
 - Transcript Volume II (June 5, 2007)
 - Transcript Volume III (June 6, 2007)
 - Transcript Volume IV (June 7, 2007)
 - Transcript Volume V (June 11, 2007)
 - Transcript Volume VI (June 12, 2007)
 - Transcript Volume VII (June 13, 2007)
 - Transcript Volume VIII (June 14, 2007)
 - Transcript Volume IX (June 18, 2007)
 - Transcript Volume X (June 19, 2007)
 - Transcript Volume XI (June 20, 2007)
 - Transcript Volume XII (June 21, 2007)

- Transcript Volume XIII (June 25, 2007)
- Transcript Volume XIV (June 26, 2007)
- Transcript Volume XV (June 27, 2007)
- Transcript Volume XVI (July 9, 2007)
- Transcript Volume XVII (August 15, 2007)
- Transcript Volume XVIII (August 16, 2007)
- Transcript Volume XIX (August 20, 2007)
- Transcript Volume XX (August 21, 2007)
- Transcript Volume XXI (August 22, 2007)
- Transcript Volume XXII (August 23, 2007)
- Transcript Volume XXIII (August 27, 2007)
- Transcript Volume XXIV (August 28, 2007)
- Transcript Volume XXVI (August 30, 2007)
- Transcript Volume XXVII (October 17, 2007)

II. *SDARS II*, Docket No. 2011-1 CRB PSS/Satellite II

- **Direct Statements:**

- **SoundExchange, Inc.**

- **Written Direct Statements:** Janusz Ordover, Thomas Z. Lys, J. Gregory Sidak, George S. Ford, Jonathan Bender, Stephen Bryan, Charles Ciongoli, Raymond M. Hair, and Darius Van Arman (November 29, 2011) [eCRB No.37039], (December 2, 2011) [eCRB No. 47816]
- **Corrected Written Direct Statements:** Stephen Bryan (March 26, 2012) [eCRB No. 47649]; Charles Ciongoli (March 26, 2012) [eCRB No. 47647]; George S. Ford (March 26, 2012) [eCRB No. 47650]
- **Amended and Corrected Written Direct Statements:** Janusz Ordover (March 26, 2012) [eCRB No. 47646]; Gregory Sidak (March 26, 2012) [eCRB No. 47648]; Thomas Z. Lys (March 26, 2012) [eCRB No. 47642]; Janusz Ordover (Second; April 4, 2012) [eCRB No. 47780]

- **Sirius XM Radio Inc.**

- **Written Direct Statements:** Mel Karmazin, James Meyer, David J. Frear, Ronald H. Gertz, Steven Blatter, Roger G. Noll, John R. Hauser, David P. Stowell, and William R. Rosenblatt (November 29, 2011) [eCRB Nos. 12158, 12291, 47910, 47915, 47633, 47634, 47635, 47632, 12160]
- **Amended Written Direct Statement:** Roger G. Noll (March 26, 2012) [eCRB No. 12368]

- **Corrected Written Direct Statements:** Ronald H. Gertz (May 30, 2012) [eCRB No. 12367]
 - **Amended and Corrected Written Direct Statements:** Ronald H. Gertz (March 26, 2012) [eCRB Nos. 47643, 12366]; Roger G. Noll (May 18, 2012) [eCRB No. 12013]
 - **Music Choice**
 - **Written Direct Statements:** David J. Del Beccaro, Damon Williams, and Gregory S. Crawford (November 29, 2011) [eCRB Nos. 47862, 47863, 47864, 47865]
- **Rebuttal Statements:**
 - **SoundExchange, Inc.**
 - **Written Rebuttal Statements:** Janusz Ordover, Thomas Lys, Mark Eisenberg, David Pearlman, Itamar Simonson, George Ford, Jonathan Bender, Aaron Harrison, and Michael Powers (July 2, 2012) [eCRB Nos. 37001, 12154, 37000]
 - **Amended Rebuttal Testimony:** Janusz Ordover (August 9, 2012) [eCRB No. 10768]
 - **Corrected Rebuttal Testimony:** Aaron Harrison (August 20, 2012) [eCRB No. 47681]
 - **Amended and Corrected Rebuttal Testimony:** George S. Ford (August 17, 2012) [eCRB No. 47677]; Mark Eisenberg (August 15, 2012) [eCRB No. 10763]
 - **SiriusXM Radio Inc.**
 - **Written Rebuttal Statements:** David J. Frear, Ronald H. Gertz, Roger G. Noll, Michael A. Salinger, and David P. Stowell (July 2, 2012) [eCRB Nos. 12286, 12287, 37033, 47630], (August 16, 2012) [eCRB Nos. 47684, 47685]
 - **Corrected Written Rebuttal Statement:** Michael A. Salinger (August 10, 2012) [eCRB No. 36990]
 - **Revised Written Rebuttal Statements:** David J. Frear (August 16, 2012) [eCRB No. 47683]; David J. Frear (August 21, 2012) [eCRB 36986]; Ronald H. Gertz (August 21, 2012) [eCRB No. 36988]; Roger G. Noll (August 12, 2012) [eCRB No. 4018]; Roger G. Noll (August 21, 2012) [eCRB No. 36977]

- **Music Choice**

- **Written Rebuttal Testimony:** David J. Del Beccaro and Gregory Crawford (July 2, 2012) [eCRB Nos. 37020, 37023]
- **Corrected Rebuttal Testimony:** David J. Del Beccaro (August 6, 2012) [eCRB Nos. 47667, 36978]
- **Amended and Corrected Rebuttal Testimony:** Gregory S. Crawford (August 5, 2012) [eCRB 47666]

- **Hearing Testimony**

- Transcript Volume I (June 5, 2012)
- Transcript Volume II (June 6, 2012)
- Transcript Volume III (June 7, 2012)
- Transcript Volume IV (June 8, 2012)
- Transcript Volume V (June 11, 2012)
- Transcript Volume VI (June 12, 2012)
- Transcript Volume VII (June 13, 2012)
- Transcript Volume VIII (June 14, 2012)
- Transcript Volume IX (June 15, 2012)
- Transcript Volume X (June 18, 2012)
- Transcript Volume XI (August 13, 2012)
- Transcript Volume XII (August 14, 2012)
- Transcript Volume XIII (August 15, 2012)
- Transcript Volume XIV (August 16, 2012)
- Transcript Volume XV (August 20, 2012)
- Transcript Volume XVI (August 21, 2012)
- Transcript Volume XVII (August 22, 2012)
- Transcript Volume XVIII (August 23, 2012)
- Transcript Volume XIX (October 16, 2012)

- **Final Determination:**

- Final Determination (February 14, 2013) [eCRB No. 11]

III. ***SDARS III*, Docket No. 16-CRB-0001-SR/PSSR (2018-2022)**

- **Direct Statements:**

- **SoundExchange, Inc.**

- **Written Direct Statements:** Jonathan Bender, Jason Gallien, Raymond J. Hair, Aaron Harrison, Bruce Iglauer, Michael Kushner, Jason Pascal, Jeremy Sirota, Darius Van Arman, Jeff Walker, Stefan Boedecker, Ravi Dhar, George

Ford, Thomas Z. Lys, Jonathan Orszag, C. Paul Wazzan, and Robert Willig (October 19, 2016) [eCRB Nos. 12563, 23143, 12564, 20437]

- **Corrected Written Direct Testimony:** Jonathan Orszag (January 26, 2017) [eCRB 23249]; Thomas Lys (March 9, 2017) [eCRB No. 23316]; Ravi Dhar (March 30, 2017) [eCRB No. 23273]
- **Designated Testimony:** George Ford: Direct Case Testimony from Dkt. No. 2009-1 CRB *Webcasting III* [eCRB No. 4847]
- **Sirius XM Radio Inc.**
 - **Written Direct Statements:** James E. Meyer, Bridget Neville, Terrence Smith, George White, Steven Blatter, Thomas D. Barry, Carl Shapiro, and Joe Lenski (October 19, 2016) [eCRB No. 23155, 23156, 23158]
- **Music Choice**
 - **Written Direct Statements:** David J. Del Beccaro, Damon Williams, and Gregory S. Crawford (October 19, 2016) [eCRB Nos. 12561, 22988, 22989, 35606]
- **Rebuttal Statements:**
 - **SoundExchange, Inc.**
 - **Written Rebuttal Statements:** David Blackburn, Ravi Dhar, George Ford, Thomas Z. Lys, Jonathan Orszag, Itamar Simonson, C. Paul Wazzan, Robert Willig, Glen Barros, Jonathan Bender, Aaron Harrison, and Jeff Walker (February 16, 2017) [eCRB Nos. 23626, 23622, 23623, 23625]
 - **Sirius XM Radio Inc.**
 - **Written Rebuttal Statements:** Carl Shapiro, Joseph Farrell, John Hauser, David J. Frear, and Thomas D. Barry (February 17, 2017) [eCRB Nos. 12122, 12121]
 - **Music Choice**
 - **Written Rebuttal Statements:** David J. Del Beccaro, Damon Williams, and Gregory S. Crawford (February 17, 2017) [eCRB Nos. 12116, 12117]
- **Hearing Testimony:**
 - Transcript Volume I (April 19, 2017)
 - Transcript Volume II (April 20, 2017)

- Transcript Volume III (April 24, 2017)
 - Transcript Volume IV (April 25, 2017)
 - Transcript Volume V (April 26, 2017)
 - Day 6 Transcript (April 27, 2017)
 - 5-1-17 Transcript (May 1, 2017)
 - 5-2-17 Transcript (May 2, 2017)
 - 5-3-17 Transcript (May 3, 2017)
 - 5-4-17 Transcript (May 4, 2017)
 - 5-8-17 Transcript (May 8, 2017)
 - 5-9-17 Transcript (May 9, 2017)
 - 5-10-17 Transcript (May 10, 2017)
 - 5-11-17 Transcript (May 11, 2017)
 - Revised and Corrected Transcript – Open/Closed Sessions (May 11, 2017)
 - 5-15-17 Transcript (May 15, 2017)
 - 5-16-17 Transcript (May 16, 2017)
 - 5-17-17 Transcript (May 17, 2017)
 - 5-18-17 Transcript (May 18, 2017)
 - 7-18-17 Transcript (July 18, 2017)
- **Final Determinations:**
 - Restricted Final Determination After Remand (March 21, 2025) [eCRB No. 48237]
 - Restricted Final Determination (October 11, 2018) [eCRB No. 3447]

Proof of Delivery

I hereby certify that on Tuesday, March 10, 2026, I provided a true and correct copy of the Joint Motion to Access Past SDARS Restricted Materials to the following:

David Powell, represented by David Powell, served via E-Service at davidpowell008@yahoo.com

George Johnson, represented by George D Johnson, served via E-Service at george@georgejohnson.com

Music Choice, represented by Paul Fakler, served via E-Service at pfakler@kslaw.com

Sirius XM Radio LLC, represented by Todd Larson, served via E-Service at todd.larson@weil.com

Signed: /s/ Scott Edelman