

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

In re

**DETERMINATION OF ROYALTY RATES
AND TERMS FOR MAKING AND
DISTRIBUTING PHONORECORDS
(PHONORECORDS V)**

**Docket No. 25-CRB-0013-PR
(2028-2032)**

ORDER TO SHOW CAUSE WHY DAVID POWELL SHOULD NOT BE DISMISSED

On January 28, 2026, David Powell of Miami, Florida, submitted a Petition to Participate in the above captioned proceeding (eCRB no. 77976).

The Copyright Royalty Judges (Judges) note that Mr. Powell has repeatedly offered statements of interest in various proceedings, which upon further review do not *clearly* describe his interest in the proceedings. These circumstances have given rise to Orders to Show Cause as to why Mr. Powell should not be dismissed and responses which do not demonstrate or support a significant interest in the proceedings, and dismissal from the proceedings *See, e.g.* Order Dismissing Petition to Participate of David Powell; Docket No. 16-CRB-0002 PBR (2018-2022) (August 16, 2016) (eCRB no. 1585) and Order Dismissing David Powell as a Participant; Docket Nos. 16-CRB-0009 CD (2014-17) & 16-CRB-0010 SD (2014-17) (June 25, 2020) (eCRB nos. 22314 & 22315).¹

Upon review of the record of this proceeding, the Judges have concerns regarding clarity and accuracy within Mr. Powell's petition to participate. In light of these concerns

¹ See Order Denying Copyright Owners' Motion to Deny the Petition to Participate of Pandora Media, Inc. at 2-4; Docket No. 16-CRB-0003-PR (2018-2022) (May 10, 2016) (eCRB no. 44031) for a discussion of the significant interest requirement.

and Mr. Powell's history of insufficient demonstrations of significant interest, the Judges require a clear statement of Mr. Powell's interest, with corroborating proof to support that statement.

Therefore, the Judges **ORDER** Mr. Powell to **SHOW CAUSE** within ten days from the date of this Order why the Judges should not dismiss Mr. Powell as a participant in this proceeding. Specifically, Mr. Powell shall provide a clear statement of his interest in this proceeding, with corroborating proof to support that statement, so that the Judges are able to determine whether Mr. Powell has the significant interest required by 17 U.S.C. § 803(b)(1)(B) and 37 C.F.R. § 351.1(b)(1)(i)(B). If Mr. Powell is unable to provide such a clear statement with evidence, or if Mr. Powell fails to respond to this Order within the allotted ten days, he will be dismissed as a participant in this proceeding.

SO ORDERED.

Trevor Jefferson
Interim Chief Copyright Royalty Judge

Dated: March 23, 2026