

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DETERMINATION OF WEBCASTING
ROYALTY RATES AND TERMS FOR
EPHEMERAL RECORDING AND DIGITAL
PERFORMANCE OF SOUND RECORDINGS**

**Docket No. 14-CRB-0001-WR
(2016-20)**

**ORDER EXTENDING DISCOVERY PERIOD
AND REVISING CASE SCHEDULE**

Pursuant to the August 29, 2014, Order Establishing Revised Case Schedules, the period for discovery in connection with the written direct statements for this proceeding was to conclude on December 8, 2014, 60 days after the filing of the written direct statements. As of December 8, 2014, parties to the proceeding have filed discovery motions proximate to the present end date for discovery, raising numerous discovery disputes that the Judges must resolve. The pending motions include the following, as well as any other motions that were timely filed:

- iHeart Media's Motion to Compel SoundExchange to Produce Documents in Response to Discovery Requests
- SoundExchange's Motion to Strike "Reply" Briefs in Support of iHeartMedia's Motion Filed by National Association of Broadcasters and Sirius XM
- Sirius XM Radio Inc. and Pandora Media Inc.'s Motion to Compel SoundExchange to Provide All Documents Responsive to Requests for Production Related to Substitution
- SoundExchange's Motion to Compel Accuradio to Produce Financial Documents
- SoundExchange's Motion to Compel Sirius XM to Produce Forecasts, Business Plans, and Competition-Related Documents
- SoundExchange's Motion to Compel The National Association of Broadcasters to Produce Certain Financial Documents in Response to Discovery Requests
- SoundExchange's Motion to Compel iHeartMedia to Produce Documents Related to the Testimony of David Pakman

Pursuant to 17 U.S.C. §803(b)(6)(C)(iv), discovery may continue beyond the 60-day period referenced above, to accommodate resolution of motions, orders, and disputes pending at the end of that 60-day period.

The Judges note that the unresolved discovery disputes relate to documents not yet produced that may be utilized in connection with depositions in this proceeding. Accordingly,

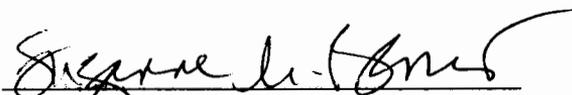
the Judges hereby extend the discovery period in connection with the written direct statements through **December 29, 2014**.

In light of the extended discovery period, the Amended Case Schedule in this proceeding, set forth at Exhibit A to the August 29, 2014, Order Establishing Revised Case Schedules, shall be altered as follows with regard to this proceeding:

Case Event	Date
End of Discovery re Written Direct Statements	December 29, 2014
Deadline for Amended WDS, if any	January 13, 2015
Settlement Conference period	January 13 – 20, 2015
Joint Settlement Conference Report	January 23, 2015
IF PARTIES DO NOT SETTLE COMPLETELY	
Deadline for Written Rebuttal Statements	February 23, 2015
Commencement of Discovery re WRS	February 25, 2015
End of Discovery re WRS	March 25, 2015

In all other respects, the dates set forth in the extant Amended Case Schedule for Web IV shall remain in effect. For ease of reference, the revised dates set forth above and the unchanged dates from the August 29 Order are combined in a Second Amended Case Schedule for Web IV, attached as Exhibit A to this Order.

IT IS SO ORDERED.


Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: December 10, 2014

EXHIBIT A

Second Amended Case Schedule for Web IV

Case Event	Deadline
Parties file Written Direct Statements	October 7, 2014
Commencement of discovery period	October 9, 2014
End of discovery period	December 29, 2014
Deadline for Amended Written Direct Statements, if any	January 13, 2015
Settlement conference period	January 13 – 20, 2015
Joint Settlement Conference Report	January 23, 2015
IF PARTIES DO NOT SETTLE COMPLETELY	
Parties file Written Rebuttal Statements	February 23, 2015
Commencement of discovery	February 25, 2015
End of discovery period	March 25, 2015
Parties file pre-hearing motions	April 1, 2015
Parties file responses to motions	April 8, 2015
Parties file replies, if any, to motions	April 14, 2015
Unified hearing	April 27 – May 28, 2015
Closing arguments	June 3, 2015
Proposed findings and conclusions	June 19, 2015
Reply findings and conclusions	July 10, 2015
Initial determination	Not later than December 14, 2015