

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

_____))
In the Matter of))
) Docket No. 14-CRB-0007-CD (2010-2012)
Distribution of the))
2012 Cable Royalty Funds))
_____)

Comments of Devotional Claimants

On behalf of the Devotional Claimants,¹ we hereby submit these comments in connection with Notice Requesting Comments concerning the partial distribution of 2012 cable royalty funds, and soliciting comments as to existence of Phase I and Phase II controversies. 79 Fed. Reg. 59306 (October 1, 2014) (“Notice”).

I. Motion for Partial Distribution and Comments of Phase I Parties

The Devotional Claimants joined in the filing of the Motion for Partial Distribution (“Motion”) and herein reiterate their support for it. The Devotional Claimants also have joined in and endorse the “Joint Comments of Phase I Parties” (“Joint Comments”) submitted separately. By both documents, the Devotional Claimants join with the other Phase I Parties to assert that there is no reasonable objection to the partial distribution as requested in the Motion.

¹ The Devotional Claimants joining in these comments are Amazing Facts, Inc.; American Religious Town Hall Meeting, Inc.; Billy Graham Evangelistic Association; The Christian Broadcasting Network, Inc.; Christian Television Corporation; Coral Ridge Ministries Media, Inc.; Crenshaw Christian Center; Crystal Cathedral Ministries; In Touch Ministries, Inc.; International Fellowship of Christians & Jews, Inc.; It Is Written; John Hagee Ministries; Joyce Meyer Ministries; Kerry Shook Ministries aka Fellowship of the Woodlands; Lakewood Church aka Joel Osteen Ministries; Liberty Broadcasting Network; Living Church of God (International), Inc.; Living Word Christian Center; Messianic Vision, Inc.; Philadelphia Church of God, Inc.; Rhema Bible Church; Ron Phillips Ministries; Word of God Fellowship, Inc., d/b/a Daystar Television Network.

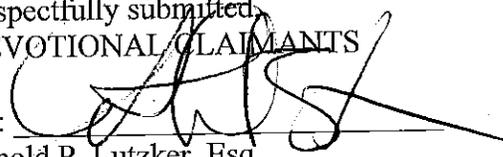
II. Phase I

As noted in the Joint Comments, there is no settlement of Phase I claims for 2012. In the event a Phase I proceeding is initiated, Devotional Claimants may assert a claim of 10% or less of the royalty pool.²

III. Phase II

Regarding Phase II, the Devotional Claimants listed in Footnote 1 have reached a settlement as to their respective claims. To the extent there are other parties in the Phase II category, the Devotional Claimants are not in a position to determine whether a settlement of their claims is possible, and thus a Phase II proceeding may be necessary. The Devotional Claimants further believe that the potential amount in controversy from all other religious program owners' claims would be less than 40% of the religious program category funds.

Respectfully submitted,
DEVOTIONAL CLAIMANTS

By: 

Arnold P. Lutzker, Esq.

(DC Bar No. 108106)

Jeannette M. Carmadella, Esq.

(DC Bar No. 500586)

Benjamin Sternberg

(DC Bar No. 1016576)

LUTZKER & LUTZKER LLP

1233 20th Street, NW, Suite 703

Washington, DC 20036

Telephone No. 202-408-7600

² Nevertheless, in light of the Phase I Parties' commitment to return any excess amounts to the extent necessary to comply with the final determination on the distribution of the fees, this potential claim does not require the CRB to reserve any additional funds beyond the 40% set forth in the Motion.

Facsimile No. 202-408-7677
Email: arnie@lutzker.com

October 31, 2014

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of October 2014, a copy of the foregoing Comments of the Devotional Claimants regarding the 2012 Cable Royalty Funds was sent by Federal Express to the individual listed below:

PROGRAM SUPPLIERS

Gregory O. Olaniran
Lucy Holmes Plovnick
MITCHELL SILBERBERG & KNUPP LLP
1818 N Street, NW, 8th Floor
Washington, DC 20036
Telephone: (202) 355-7917
Fax: (202) 355-7887
goo@msk.com
lhp@msk.com

JOINT SPORTS CLAIMANTS

Robert Alan Garrett
Charles G. Curtis, Jr.
Michael Kientzle
ARNOLD & PORTER LLP
555 Twelfth Street, NW
Washington, DC 20004-1206
Telephone: (202) 942-5000
Fax: (202) 942-5999
robert.garrett@aporter.com

PUBLIC TELEVISION CLAIMANTS

Ronald G. Dove, Jr.
Lindsey Tonsager
COVINGTON & BURLING LLP
1201 Pennsylvania Ave., NW
Washington, DC 20004-2401
Telephone: (202) 662-5685
Fax: (202) 662-6291
rdove@cov.com

COMMERCIAL TELEVISION CLAIMANTS

John I. Stewart, Jr.
Jennifer H. Burdman
Ann Mace
CROWELL & MORING LLP
1001 Pennsylvania Ave., NW
Washington, DC 20004-2595
Telephone: (202) 624-2685
Fax: (202) 628-5116
jstewart@crowell.com

MUSIC CLAIMANTS

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS

Samuel Mosenkis
ASCAP
One Lincoln Plaza
New York, NY 10023
Telephone: (212) 621-6450
Fax: (212) 787-1381
smosenkis@ascap.com

BROADCAST MUSIC, INC.

Joseph J. DiMona
BROADCAST MUSIC, INC.
7 World Trade Center
250 Greenwich Street
New York, NY 10007-0030
Telephone: (212) 220-3149
Fax: (212) 220-4447
jdimona@bmi.com

SESAC, INC.

John C. Beiter
SHACKELFORD, ZUMWALT & HAYES
1014 16th Avenue South
Nashville, TN 37212
Telephone: (615) 850-2291
Fax: (202) 256-7106
jbeiter@zahlaw.com

Michael J. Remington
Jeffrey J. Lopez
DRINKER BIDDLE & REATH LLP
1500 K Street, NW – Suite 1100
Washington, DC 20005
Telephone: (202) 842-8800
Fax: (202) 842-8465
michael.remington@dbr.com

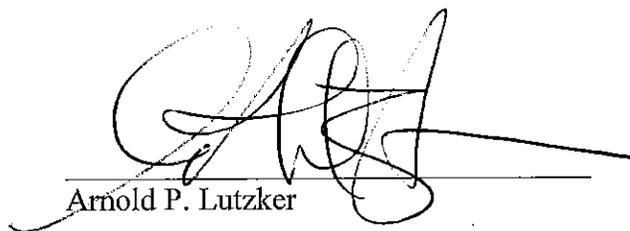
NATIONAL PUBLIC RADIO

Joyce Slocum
Gregory A. Lewis
NATIONAL PUBLIC RADIO
635 Massachusetts Avenue, NW
Washington, DC 20001-3753
Telephone: (202) 513-2050
Fax: (202) 513-3021
glewis@npr.org

CANADIAN CLAIMANTS

L. Kendall Satterfield
FINKELSTEIN THOMPSON LLP
1077 30th Street NW
Washington, DC 20007
Telephone: (202) 337-8000
Fax: (202) 337-8090
ksatterfield@finkelsteinthompson.com

Brian D. Boydston
Pick & Boydston LLP
10786 Le Conte Avenue
Los Angeles, CA 90024
Telephone: (213) 624-1996
Facsimile: (213) 624-9073
brianb@ix.netcom.com



Arnold P. Lutzker