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10 *Interim Lead Counsel for Plaintiffs and the [Proposed] Class*

11 **UNITED STATES DISTRICT COURT**
 12 **CENTRAL DISTRICT OF CALIFORNIA -**
 13 **WESTERN DIVISION**

14	GOOD MORNING TO YOU	)	Lead Case No. CV 13-04460-GHK (MRWx)
15	PRODUCTIONS CORP., <i>et al.</i> ,)	
16	Plaintiffs,	)	SECOND SUPPLEMENTAL
17		)	DECLARATION OF NORMAN
18	v.	)	SWETT IN SUPPORT OF FINAL
19	WARNER/CHAPPELL MUSIC,	)	APPROVAL OF CLASS ACTION
20	INC., <i>et al.</i>	)	SETTLEMENT
21	Defendants.	)	Room: 650
22		)	Judge: Hon. George H. King, Chief
23		)	Judge
24		)	Date: June 27, 2016
25		)	Time: 9:30 a.m.
26)	
27)	
28)	

1 The undersigned, Norman Swett, under penalty of perjury, hereby declares and
2 states as follows:

3 1. I am a Senior Project Manager for Rust Consulting, Inc. (“Rust”), the
4 Court-appointed Settlement Administrator in this Action. I have personal knowledge
5 of the matters set forth herein concerning all matters pertaining to this Action and, if
6 called upon, I could and would competently testify thereto.

7 2. I submit this second Supplemental Declaration in further support of
8 Plaintiffs’ motion for final approval of the Settlement, which was filed on April 27,
9 2016.

10 3. The postmark deadline for claim filing was May 27, 2016. As noted in
11 the prior supplemental declaration, we emailed Notices to 83 foreign performing
12 rights societies with which ASCAP is affiliated on May 5, 2016. It was determined
13 that 48 of these 83 societies had not been on either list of names and addresses of
14 Settlement Class Members who received Notice by mail sent on March 28, 2016
15 (pursuant to the Notice Plan), or on the list of foreign rights organizations (“FROs”)
16 who received Notice by email on April 15, 2016 (pursuant to Plaintiffs’ Counsel’s
17 request). Plaintiffs and Defendants stipulated and agreed to extend the claim filing
18 deadline for these 48 entities, which the Court approved on May 27, 2016. (Dkt.
19 Nos. 331 & 333).

20 4. On May 27, 2016 Rust sent emails to these 48 FROs with the following
21 message:

22 **RE: Happy Birthday Litigation Extension of Claim Deadline**

23
24 **You may not have received notice of the Settlement until May 5,**
25 **2016, when it was sent to you by email. Therefore, please be**
26 **advised that the Parties have agreed to extend the deadline for**
27 **you to submit a claim to June 24, 2016. To be timely, your claim**
28 **must be received by the Settlement Administrator no later than**
June 24, 2016. No other dates or deadlines have been changed.

