

**ORAL ARGUMENT SCHEDULED FOR DECEMBER 4, 2015**

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

UNITED STATES TELECOM ASSOCIATION,  
*et al.*,

*Petitioners,*

v.

FEDERAL COMMUNICATIONS COMMISSION  
and UNITED STATES OF AMERICA,

*Respondents*

No. 15-1063 (and  
consolidated cases)

**MOTION OF WRITERS GUILD OF AMERICA, WEST, INC.; FUTURE  
OF MUSIC COALITION; AND NATIONAL ALLIANCE FOR MEDIA  
ARTS AND CULTURE FOR LEAVE TO FILE *AMICI CURIAE* BRIEF  
IN SUPPORT OF RESPONDENTS**

Pursuant to Federal Rule of Appellate Procedure 29(a)-(b) and D.C. Circuit Local Rule 29(b) and (d), and the briefing schedule established in this case on June 29, 2015, Writers Guild of America, West, Inc. (“WGAW”), Future of Music Coalition (“FMC”) and National Alliance for Media Arts and Culture (“NAMAC”; collectively “amici”) move for leave to file a brief as *amici curiae* in support of Respondents the Federal Communications Commission (“FCC”) and the United States. This brief will be filed no later than September 21, 2015 in accordance with D.C. Circuit Rule 29(c).

**WGAW** is a labor union representing writers of motion pictures, television, radio and Internet programming, including news and documentaries. Founded in 1933, WGAW negotiates and administers contracts that protect the creative and economic rights of its members. It is involved in a wide range of programs that advance the interests of writers, and is active in public policy and legislative matters on local, national, and international levels. WGAW actively participated in the FCC administrative rulemaking that resulted in the FCC's Open Internet rules adopted on February 26, 2015 and made effective on June 12, 2015.

**FMC** is a national nonprofit education, research and advocacy organization that seeks a bright future for creators and listeners. FMC works towards this goal through continuous interaction with its primary constituency—musicians—and in collaboration with other creator/public interest groups.

**NAMAC** consists of 225 organizations that serve over 300,000 artists and media professionals nationwide. Members include community-based media production centers and facilities, university-based programs, museums, media presenters and exhibitors, film festivals, distributors, film archives, youth media programs, community access television, and digital arts and online groups. NAMAC's mission is to foster and fortify the culture and business of the independent media arts.

Amici seek leave to file an *amici curiae* brief of no more than 5,000 words to address points not addressed by the parties and unique to the content creators—writers and musicians—whose interests they represent. Specifically, amici will argue that the low entry barriers of the open Internet have produced unparalleled opportunities for content creators, including writers and musicians. Because of the ability of content creators to reach audiences directly, the Internet has created space for independent and diverse content often missing from traditional media. For these reasons, the brief amici propose to file would be of assistance to the Court and the matters to be argued in the brief are relevant to the disposition of this case. *See* Fed. R. App. 29(b)(1).

Respectfully submitted,

/s/  
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September 21, 2015

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**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and D.C. Circuit Rule 26.1, amicus Writers Guild of America, West, Inc. certifies that it is a California nonprofit corporation doing business as a labor organization; it does not offer stock and has no parent corporation.

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and D.C. Circuit Rule 26.1, amicus Future of Music Coalition certifies that it is a Washington, D.C. nonprofit corporation; it does not have a parent company and no publicly held company owns 10% or more of stock therein.

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and D.C. Circuit Rule 26.1, amicus The National Alliance of Media Arts Centers Inc., doing business as National Alliance for Media Art and Culture, certifies that it is a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code. No parent corporation or publicly held corporation owns 10% or more of stock therein.

/s/  
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*Counsel for the Amici*

Dated September 21, 2015

## **CERTIFICATE OF SERVICE**

I hereby certify that service of the foregoing will be made electronically via CM/ECF system upon the following counsel this 21st day of September 2015. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Others will receive service by mail unless another attorney for the same party is receiving service through CM/ECF.

Dated September 21, 2015

/s/ Anthony R. Segall