

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BROADCAST MUSIC, INC.,

Petitioner,

v.

NORTH AMERICAN CONCERT
PROMOTERS ASSOCIATION, as licensing
representative of the promoters listed on Exhibit
A to the Petition,

Respondent.

1:18-cv-08749 (LLS)

*Related to United States v. Broadcast
Music, Inc.*, 64 Civ. 3787 (LLS)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Respondent North American Concert Promoters Association appeals to the United States Court of Appeals for the Second Circuit from the Clerk's Judgment entered in this action on March 28, 2023 (Dkt. No. 213), and all underlying orders, rulings and findings entered in this action, including but not limited to the Court's Opinion, dated March 28, 2023 (Dkt. No. 212), which determined final rates for a BMI music performance rights license for the period January 1, 2014 through December 31, 2022, and the Court's Opinion, dated May 22, 2023 (Dkt. No. 218), granting in part and denying in part BMI's Motion to Amend the Judgment. This appeal is taken from each and every adverse part thereof.

Dated: June 20, 2023
New York, New York

Respectfully submitted,

/s/ Benjamin E. Marks

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¹ NACPA uses electronic signatures with consent in accordance with Rule 8.5(b) of the Court's ECF Rules and Instructions.