

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re XM SATELLITE RADIO COPYRIGHT LITIGATION

MASTER DOCKET
06 Civ. 3733 (LAK)

This Document Relates to: 07 Civ. 4682 (LAK)
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**[PROPOSED] ORDER FOR A FINAL DISTRIBUTION OF
THE NET SETTLEMENT FUNDS**

WHEREAS, the Court previously granted final approval of the Stipulation and Agreement of Settlement (“Settlement”) on March 22, 2011 (ECF No. 109);

WHEREAS, on April 8, 2014 the Court ordered an initial distribution of the Net Settlement Funds to eligible Class members (ECF No. 128);

WHEREAS, the Court-appointed Administrator, Garden City Group, LLC (“GCG”), completed the initial distribution in accordance with the Court’s April 8, 2014 Order (ECF No. 131);

WHEREAS, on October 19, 2016 the Court ordered a second distribution of the remaining Net Settlement Funds to eligible Class members (ECF No. 133);

WHEREAS, GCG completed the second distribution in accordance with the Court’s October 19, 2016 Order;

WHEREAS, monies remain in the Net Settlement Funds following the second distribution;

WHEREAS, Class Counsel has made a motion for a final distribution of the remaining Net Settlement Funds;

WHEREAS, notice of the requested final distribution of the remaining Net Settlement Funds was provided to Class members by publication on the official Settlement website;

WHEREAS, the Defendant does not oppose the requested relief; and

WHEREAS, the Court having considered all papers filed and proceedings had herein and otherwise being fully informed in the premises and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The Court hereby directs a final distribution of the remaining monies in the Net Settlement Funds (*i.e.*, \$6,908.82) to The ASCAP Foundation in order to support music education programs throughout the country. The foregoing payment shall be made no later than thirty days after entry of this Order.

2. No earlier than sixty (60) days after the final distribution GCG shall (a) discard/destroy all copies of the claim forms and any supporting documents and other correspondence, in whatever form or media they are maintained, and (b) close the post office box, disconnect the telephone number and remove the Settlement website and e-mail address from the internet, which were specifically designed and created for the Settlement.

3. Class Counsel and the Settlement Administrator are directed to execute this Order and shall not be liable to Class members for any reason in executing and complying with this Order.

IT IS SO ORDERED.

DATED: _____, 2018

The Honorable Lewis A. Kaplan
United States District Court Judge