

**From:** Kelly Updike <ke [REDACTED]>  
**Sent:** Wednesday, August 7, 2019 8:39 AM  
**To:** ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>  
**Subject:** Comment re: ASCAP and BMI

Dear Department of Justice officials:

Thank you for the opportunity to provide comment on your review of the consent decrees for ASCAP and BMI.

Revoking the antitrust consent decrees would cause great damage. These PROs do not currently follow good business practices and loss of the decrees would only further harm consumers. And ending their oversight would put our organization and all others in our industry into a further tailspin.

Our organization, which is a nonprofit, already has difficulties efficiently meeting the irregular and strangely hidden licensing rules demanded of us by ASCAP and BMI. BMI currently is demanding a high percentage of revenue from areas we don't control, such as parking and merchandise, and also demanding a percentage of concessions and other areas that have no bearing on music copyright issues. In its current operations, communicating with BMI about sudden and unexplained charges and trying to determine what musical selections are part of BMI is extremely difficult. Figuring out how to report on these new areas will be nearly impossible.

Ending the antitrust decrees will significantly harm our ability to provide quality arts programming to our community.

Thank you for your review of my comments regarding this important topic. Please do not revoke the decrees.

Kelly Updike  
President & CEO  
Embassy Theatre  
125 W. Jefferson Blvd.  
Fort Wayne, IN 46802  
260.424.6287  
260.424.4806 fax  
[www.fwembassytheatre.org](http://www.fwembassytheatre.org)  
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