

# Directors Guild of America, Inc.



**NATIONAL OFFICE**  
**NEW YORK OFFICE**

• 7920 SUNSET BLVD.  
• 110 WEST 57TH STREET

• LOS ANGELES, CA 90046  
• NEW YORK, NY 10019

• 310-289-2000  
• 212-581-0370

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## GENERAL COUNSEL

DAVID B. DREYFUS

May 9, 2016

VIA ELECTRONIC FILING

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12<sup>th</sup> Street, SW

Washington, DC 20554

**Re: Notice of Ex Parte Presentation**

***In the Matter of Expanding Consumers' Video  
Navigation Choices, MB Docket No. 16-42;  
Commercial Availability of Navigation Devices,  
CS Docket No. 97-80***

Dear Ms. Dortch:

This ex parte covers recent communication with Commissioner Rosenworcel. On Thursday, May 5, 2016, Kathy Garmezy of the Directors Guild of America (DGA), Erika Dinkel-Smith of the International Alliance of Theatrical Stage Employees (IATSE), and Washington, DC Representative, Alec French, spoke with Commissioner Jessica Rosenworcel and her legal advisor Marc Paul. The purpose of the meeting was to discuss the impact of the FCC's proposed rules on DGA and IATSE members, the individuals who make films and television programs and who are compensated for their key role in that creation through a long established entertainment industry compensation structure. The discussion was consistent with the issues raised in the DGA/IATSE joint filing in this proceeding.

The DGA and IATSE reiterated that as proposed, the rules would undermine long-held collective bargaining gains and harm the creators and craftspeople who make the content that is at the heart of the current review. As stated in our filing the proposed rulemaking would harm creators and craftspeople by: 1) enabling third parties to distribute copyrighted films and TV programs in secondary markets without any payment to them; 2) provide the consumer on their home TV, video services that knowingly provide access to illegal copyrighted content and that have built a business model based on 'free'; 3) reduce the value of ad-supported programming.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed via ECFS. Please let us know if you have any questions.

Sincerely,

/s/ Kathy Garmezy  
Associate Executive Director  
Government and International Affairs  
Directors Guild of America

CC: Commissioner Jessica Rosenworcel  
Marc A. Paul, Legal Advisor