

No. 23-927

IN THE SUPREME COURT OF THE UNITED STATES

---

NATIONAL RELIGIOUS BROADCASTERS NONCOMMERCIAL  
MUSIC LICENSE COMMITTEE, PETITIONER

v.

COPYRIGHT ROYALTY BOARD, ET AL.

---

**CERTIFICATE OF SERVICE**

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE FEDERAL RESPONDENTS IN OPPOSITION**, via email and first-class mail, postage prepaid, this 21<sup>st</sup> day of May 2024.

**[See Attached Service List]**

As required by Supreme Court Rule 33.1(h), I certify that the document contains **5,628** words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d). I declare under penalty of perjury that the foregoing is true and correct. Executed on **May 21, 2024**.

---

Elizabeth B. Prelogar  
Solicitor General  
Counsel of Record  
Department of Justice  
Washington, D.C. 20530-0001  
(202) 514-2217

**May 21, 2024**

Due to the continuing delay in receiving incoming mail at the Department of Justice, in addition to mailing your brief via first-class mail, we would appreciate a fax or email copy of your brief. If that is acceptable to you, please fax your brief to Charlene Goodwin, Supervisor, Case Management, Office of the Solicitor General, at (202) 514-8844, or email at **SupremeCtBriefs@USDOJ.gov**. Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

23-0927

NATIONAL RELIGIOUS BROADCASTERS  
NONCOMMERCIAL MUSIC LICENSE COMMITTEE  
COPYRIGHT ROYALTY BOARD, ET AL.

KARYN K. ABLIN  
FLETCHER, HEALD & HILDRETH, PLC  
1300 N. 17TH STREET  
11TH FLOOR  
ARLINGTON, VA 22209  
703-812-0443  
[ABLIN@FHHLAW.COM](mailto:ABLIN@FHHLAW.COM)

CODY S. BARNETT  
ALLIANCE DEFENDING FREEDOM  
44180 RIVERSIDE PKWY  
LANSDOWNE, VA 20176  
571-707-4655  
[CBARNETT@ADFLEGAL.ORG](mailto:CBARNETT@ADFLEGAL.ORG)

JOHN J. BURSCH  
ALLIANCE DEFENDING FREEDOM  
440 FIRST STREET, NW  
SUITE 600  
WASHINGTON, DC 20001  
616-450-4235  
[JBURSCH@ADFLEGAL.ORG](mailto:JBURSCH@ADFLEGAL.ORG)

**VIA EMAIL**

SCOTT W. GAYLORD  
ELON UNIVERSITY LAW SCHOOL  
201 NORTH GREENE STREET  
GREENSBORO , NC 27401  
336-279-9331  
[SGAYLORD@ELON.EDU](mailto:SGAYLORD@ELON.EDU)

RORY T. GRAY  
ALLIANCE DEFENSE FUND  
1000 HURRICANE SHOALS RD., NE  
SUITE D-1100  
LAWRENCEVILLE, GA 30043  
770-339-0774  
[RGRAY@ADFLEGAL.ORG](mailto:RGRAY@ADFLEGAL.ORG)

**VIA EMAIL**

BROOKS E. HARLOW  
TECHNOLOGY & COMMUNICATIONS LAW,  
PLLC  
12703 FOX WOODS DR  
HERNDON, VA 20171  
206-650-8206  
[BHARLOW@TECHCOMM.LAW](mailto:BHARLOW@TECHCOMM.LAW)

MATTHEW S. HELLMAN  
JENNER & BLOCK LLP  
1099 NEW YORK AVENUE NW  
SUITE 900  
WASHINGTON, DC 20001  
202-639-6000  
[MHHELLMAN@JENNER.COM](mailto:MHHELLMAN@JENNER.COM)

**VIA EMAIL**

STEVEN T. MCFARLAND  
CHRISTIAN LEGAL SOCIETY  
8001 BRADDOCK LANE  
SUITE 302  
SPRINGFIELD, VA 22151  
703-642-1070  
[SMCFARLAND@CLSNET.ORG](mailto:SMCFARLAND@CLSNET.ORG)

BRIAN H. PANDYA  
901 NEW YORK AVENUE N.W.  
SUITE 700 EAST  
WASHINGTON, DC 20001  
2027767807  
[BHPANDYA@DUANEMORRIS.COM](mailto:BHPANDYA@DUANEMORRIS.COM)

JUDD EDWARD STONE II  
STONE | HILTON PLLC  
P.O. BOX 150112  
AUSTIN, TX 78715  
737-465-7248  
[JUDD@STONEHILTON.COM](mailto:JUDD@STONEHILTON.COM)

JEFFREY A. WALD  
NELSON MULLINS RILEY & SCARBOROUGH  
LLP  
380 KNOLLWOOD STREET,  
SUITE 530  
WINSTON-SALEM , NC 27103  
336-774-3335  
[JEFFREY.WALD@NELSONMULLINS.COM](mailto:JEFFREY.WALD@NELSONMULLINS.COM)

J. MARC WHEAT  
ADVANCING AMERICAN FREEDOM, INC.  
801 PENNSYLVANIA AVENUE, N.W.  
SUITE 930  
WASHINGTON, DC 20004  
202-780-4848  
[MWHEAT@ADVANCINGAMERICANFREEDOM.COM](mailto:MWHEAT@ADVANCINGAMERICANFREEDOM.COM)