

**Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Washington, D.C.**

In the Matter of:

**Digital Performance Right in Sound
Recordings and Ephemeral Recordings**

**Docket No. 2009-1
CRB Webcasting III**

**STATEMENT OF PANDORA MEDIA INC. IN CONNECTION WITH HEARING ON
MOTIONS FOR ISSUANCE OF SUBPOENAS TO NONPARTIES**

We represent Pandora Media Inc. We are aware that the Judges are soon to consider arguments concerning the requests of RealNetworks and Live365 to subpoena our client in connection with the above matter. A substantial reason why our client previously withdrew from participation in this proceeding is the substantial costs to appear in this proceeding, costs that are greater for our client, a California-based entity without counsel in the DC area.

Those costs would, of necessity, be incurred were we to appear in person at the scheduled hearing on this matter, and our client does not want to incur same. But we do wish to make clear that our decision not to appear to contest the positions of those seeking to depose and obtain documents from our client is not because of our client's lack of interest in this matter. To the contrary, our client wishes to express in the strongest possible terms their view that the requested subpoenas are inappropriate and should not be granted for the reasons set forth in our Opposition of December 17, 2009.

Respectfully submitted,



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January 11, 2010

Counsel for Pandora Media Inc.

CERTIFICATE OF SERVICE

I, Milton E. Olin, Jr., do hereby certify that the foregoing filing was sent via e-mail this 11th day of January, 2010 to the following:

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