

**UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

No. 10-2173

SAMUEL BARTLEY STEELE; BART STEELE PUBLISHING; STEELE RECORDZ,

Plaintiffs-Appellants,

v.

VECTOR MANAGEMENT; MLB ADVANCED MEDIA, L.P.,

Appellees.

THE AMERICAN SOCIETY OF COMPOSERS; FOX TELEVISION STATIONS, INC.; ISLAND RECORDS, a/k/a Island Def Jam Records; THE BIGGER PICTURE CINEMA CO.; TURNER BROADCASTING SYSTEM, INC.; TIME WARNER, INC.; JON BONGIOVI, individually and d/b/a Bon Jovi Publishing; RICHARD SAMBORA, individually and d/b/a Aggressive Music; WILLIAM FALCONE, individually and d/b/a Pretty Blue Songs; FOX BROADCASTING COMPANY; MAJOR LEAGUE BASEBALL PROPERTIES, INC.; MLB PRODUCTIONS, A&E; A & E/AETV; BON JOVI; AEG LIVE, LLC; MARK SHIMMEL MUSIC; AGGRESSIVE MUSIC, a/k/a Sony ATV Tunes; BON JOVI PUBLISHING; UNIVERSAL MUSIC PUBLISHING GROUP; UNIVERSAL POLYGRAM INTERNATIONAL PUBLISHING, INC.; PRETTY BLUE SONGS; SONY ATV TUNES; KOBALT MUSIC PUBLISHING AMERICA, INC.; BOSTON RED SOX,

Defendants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

**CORPORATE DISCLOSURE STATEMENT
OF APPELLEE MLB ADVANCED MEDIA, L.P.**

Pursuant to Federal Rule of Appellate Procedure 26.1, Appellee MLB

Advanced Media, L.P. hereby submits the following statement:

MLB ADVANCED MEDIA, L.P.

MLB Advanced Media, L.P. ("MLBAM") is a limited partnership organized under the laws of the State of Delaware whose partners consist of MLB Advanced Media, Inc. and MLB Media Holdings, L.P. MLBAM has no parent corporation. No publicly traded company owns 10% or more of the stock of MLBAM.

Counsel previously filed two Corporate Disclosure Statements on behalf of Appellee MLB Advanced Media, L.P. (which is the name of the entity included in the case caption). In a letter dated March 25, 2011, a copy of which is attached hereto as Exhibit A, counsel for Appellants contended that such Corporate Disclosure Statement contained alleged "material inconsistencies."

Notwithstanding said assertion, those previously filed Corporate Disclosure Statements were (and remain) accurate in that MLBAM has no parent corporation and no publicly traded company owns 10% or more of the stock of MLBAM.

MLBAM has two partners, MLB Advanced Media, Inc. and MLB Media Holdings, L.P., neither of which is a parent corporation or publicly traded. Undersigned counsel is filing this Corporate Disclosure Statement to hopefully avoid unnecessary motion practice.¹

¹ Counsel for Appellants has previously filed similar "ill-advised" and "perhaps unnecessary" procedural motions that have been denied, which motions are the subject of this appeal. See Steele I, September 27, 2010 Order at A992 ("Although, in retrospect, the filing of plaintiff's motions [for entry of 'defaults'] was ill-advised and perhaps unnecessary, the court declines to find them so frivolous as to warrant the imposition of sanctions. Plaintiff and his counsel are, however, forewarned that any further motion practice in this regard will be looked upon askance.").

Dated: March 28, 2011
Boston, Massachusetts

Respectfully submitted,

/s/ Clifford M. Sloan
Clifford M. Sloan (1st Cir. No. 60920)
Matthew J. Matule (1st Cir. No. 60698)
Scott D. Brown (1st Cir. No. 109415)
Christopher G. Clark (1st Cir. No. 122617)
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Counsel for Appellee
MLB Advanced Media, L.P.

CERTIFICATE OF SERVICE

I, Christopher G. Clark, hereby certify that on March 28, 2011, I electronically filed the foregoing document with the United States Court of Appeals for the First Circuit by using the CM/ECF system. I certify that the following parties or their counsel of record are registered as ECF Filers and that they will be served by the CM/ECF system: Christopher A.D. Hunt, The Hunt Law Firm LLC, 10 Heron Lane, Hopedale, Massachusetts 01747, cadhunt@earthlink.net, counsel of record for Plaintiffs-Appellants Samuel Bartley Steele, Bart Steele Publishing, and Steele Recordz.

Dated: March 28, 2011

/s/ Christopher G. Clark
Christopher G. Clark

EXHIBIT A

THE HUNT LAW FIRM LLC

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(508) 966-7300
(508) 478-0595 (fax)
cadhunt@earthlink.net

VIA ELECTRONIC AND FIRST CLASS MAIL

March 25, 2011

Clifford Sloan, Esq.
Skadden Arps Slate Meagher & Flom LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005

Re: MLB Advanced Media, L.P.
Steele I, III, IV (and Appeals): No. 08-11727 (USDC) (Steele I) (Appeal Nos. 09-2571 & 10-2173 (1st Cir.)); No. 10-11458 (Steele III) (USDC);
No. 10-03418 (Mass. Superior Court) (Steele IV)

Dear Mr. Sloan:

I write regarding material inconsistencies in your representations to the Court regarding the ownership of MLB Advanced Media, L.P. ("MLBAM") in Steele I, III, IV, and the two First Circuit appeals arising from Steele I. Your "updated" MLBAM corporate disclosure statement filed two days ago, on March 23, 2011, with the First Circuit in 10-2173, as well as your MLBAM corporate disclosure statements filed in Steele III and IV, appear to contradict your statement as to ownership of MLBAM in your June 30, 2010 Opposition to Steele's Motion for Entry of Default in Steele I ("Steele I Opposition").

Specifically, in your Steele I Opposition, you asserted that "MLB Advanced Media, L.P. is a Delaware limited partnership owned by MLB Media Holdings, L.P. and MLB Advanced Media, Inc." Steele I Opposition at 4. You cited the Declaration of Ethan Orlinsky, General Counsel of Major League Baseball Properties, Inc., which was attached to your Steele I Opposition.

Just over four months later, however, your November 5, 2010 MLBAM corporate disclosure statement filed in Steele III stated that MLBAM "has no parent corporation." One month later, on December 6, 2010, you filed an identical disclosure for MLBAM in Steele IV stating MLBAM "has no parent corporation."

Steele raised the issue of your conflicting statements in his opening brief in First Circuit appeal No. 10-2173, filed on December 6, 2010 at page 22, note 4, putting you and the Court on notice of the issue. Nonetheless, on January 10, 2011, your disclosure statement for MLBAM in that appeal again stated MLBAM "has no parent corporation." Your brief in appeal No. 10-2173 failed to address the issue.

Steele again raised your apparently conflicting MLBAM ownership statements in his reply brief in the same appeal, filed on January 27, 2011, at page 30. However, you thereafter again stated that MLBAM "has no parent corporation" just two days ago in your March 23, 2011 "updated" disclosure statement in that appeal (No. 10-2173). I should point out that your alternating identification of MLBAM as "Major League Baseball Advanced Media, L.P." and "MLB Advanced Media, L.P." in the March 23, 2011 "update" has not gone unnoticed and Steele assumes - as the Court will - that this is a distinction without a difference, whether intentional or inadvertent.

In conclusion, I plan to file motions in all three cases (Steele III, IV, and Appeal No. 10-2173) seeking orders compelling MLBAM to file amended disclosure statements that accurately reflect MLBAM ownership and for other relief, if appropriate. In the event you prefer to address and correct the disclosure statements on your own, prior to involving the courts, I will hold my motions until no later than noon on Monday, March 28, 2011 to allow you to do so.

Thank you for your attention to this matter.

Very truly yours,



Christopher A.D. Hunt

cc: Kenneth Plevan, Esq. (via e-mail only)
Scott D. Brown, Esq. (via e-mail only)
Matthew J. Matule, Esq. (via e-mail only)
Christopher G. Clark, Esq. (via e-mail only)