



THE LOFT CINEMA
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To Whom It May Concern,

We are writing from The Loft Cinema in Tucson, AZ. We run a three-screen, nonprofit, independent cinema focused on showing independent, foreign, documentary, and classic films. As an institution, The Loft Cinema has existed for 45 years, 15 of those as a nonprofit under current leadership. In the last 15 years, attendance at The Loft Cinema has quadrupled, even as much of the rest of the industry has stagnated. We have had success by focusing on what our community wants and responds to, and by putting quality first. But our growth could be even more impressive were it not for unfair competition, and the thought of the Paramount Consent Decrees going away is a frightening one.

Our current biggest competition comes from the Century 20 El Con, a 20-screen movie theatre showing all the biggest Hollywood films, and the higher end of the independent, foreign, and documentary film market. The Century brand of movie theatres is owned by Cinemark Theatres, the third-largest chain of movie theatres in the country. Many of the big theatre chains argue for “zones,” another word for an arbitrary radius within which two theatres cannot play the same film at the same time. Despite the fact that there are four Cinemark theatres in Tucson, they choose to designate the location closest to The Loft Cinema as the only Cinemark theatre in town that plays independent, foreign, and documentary films. As a result of this designation and the fact that a chain of theatres with 4,566 screens has more buying power than a three-screen movie theatre, The Loft Cinema is blocked from booking films that it wants.

In fact, on the rare occasions that The Loft Cinema has been able to play a film side-by-side with competing theatres, the films do better at The Loft Cinema than they do elsewhere. In other words, the decision to not book films at The Loft Cinema on the part of the distributors is not made because the film will perform better elsewhere – it is made because of anti-competitive practices on the part of other theatres.

All of this is done with the Paramount Consent Decrees in place, and we believe that Block Booking, Circuit Dealing, and Overbroad Clearances happen anyway. If the Decrees do not stay in place, competition could be further eroded, leading to regional monopolies.

It is our sincere belief that competition is good for films and good for audiences. Without the Paramount Consent Decrees or some new and improved version in place, the tendency for anticompetitive practices will worsen, and local, community-based organizations will inevitably suffer as a result.

Thank you for your time and consideration.

Sincerely,

[Redacted Signature]

The Loft Cinema is an Arizona nonprofit corporation organized pursuant to IRS Secs. 501(c)(3) and 170(b)

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