

**From:** Brian Fridley  
**To:** [ATR-LitIII-Information](#)  
**Subject:** PARAMOUNT CONSENT DECREE REVIEW  
**Date:** Thursday, October 4, 2018 2:31:51 AM

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To Whom It May Concern,

I adamantly believe the Paramount Consent Decree needs to remain in force if not updated and expanded on.

Violations of the decree happened and were enforced in the 1990's. 20th Century-Fox was sued and found guilty. If this wouldn't have happened these practices would have continued rampantly by several film companies.

Price fixing, contrary to the decree is happening currently. It is called Per Capita's or Blended Per Capita's.

Theatres film companies will serve on national release are determined by using grosses on comparison movies which may not really resemble the market for a certain type of film but which theaters they wish to serve. Usually in accordance with keeping the 3 major theatre operators happy. Also these major theatre operators are potential acquisitions if the film companies can own movie theatres. The key point in the decree.

Film companies on every movie set a theatre count and if you do not qualify based upon gross you do not get the movie on national release. Not always a bad thing. But this may be changing with the sun setting of VPF's (Virtual Print Fees).

Clearances were done away with a couple years ago by certain film companies. Is it a surprise that the companies that were first choosing to do so are also those that are name companies in the decree. I believe this may have been in light of trying to do away with enforcement of the Paramount Consent Decree.

The consolidation of Film Companies and Media companies as a whole is of deep concern. Putting the power of the media into fewer hands is not a good thing. We need to make sure the peoples voice has an avenue.

If the decree were no longer enforced certain things would certainly happen.

#1- Film companies would buy or form partnerships with the biggest or most preferred theatre operators as they did in the 1920's, 1930's, 1940's and 1950's.

#2- Price fixing would proliferate since there wouldn't be anything in place to stop it.

#3- Competition in the marketplace wouldn't exist since without a substantial product to sell you are no longer in business.

#4- If you have a substantial theatre operation that a theatre operator or film company wants you may be forced to sell due to restriction of movie availability.

I know expanding and including current film companies into the decree is difficult to do. But keeping the Paramount Consent Decree in full effect is a wise move for giving the people a competitive marketplace. I can also understand that Consent Decree's of the past that are no longer relevant and shouldn't be enforced exist. This isn't one of them.

Thank you for your consideration.

Sincerely,  
Brian Fridley  
President  
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