

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Court Order: Outlets Look to Capitalize on Depp-Heard Surge

The *Johnny Depp v. Amber Heard* trial took the globe by storm as the latest celebrity court case where millions put their legal hats on and watched the proceedings. Many of them tuned into outlets like **Law & Crime** and **Court TV**, resulting in major surges in viewership for their live streams and programming dedicated to the case.

The civil defamation trial began April 11, followed by six weeks of testimonies and a final verdict delivered on June 1. Depp sued his ex-wife because of an op-ed she wrote and was published in the Washington Post in late 2018 where Heard claims she “became a public figure representing domestic abuse.” She didn’t list Depp by name and he denied all allegations of abuse, but his belief that the op-ed obviously tied him to the abuse claims spurred him to file a lawsuit seeking \$50 million in damages. Heard filed a countersuit for \$100 million after Depp’s lawyer referred to her accusations as a hoax. This was the second defamation lawsuit filed by Depp, with the first being in the U.K. when Depp sued News Group Newspapers and former The Sun executive editor *Dan Wootton* in 2018. The judge ruled 12 incidents of domestic violence had occurred, making The Sun’s article and headline to be true.

Law & Crime’s trial tracking team flagged Depp v. Heard as one that would likely bring a lot of attention, but it was the breadth that surprised people like network President

Rachel Stockman. One of the key differences between the cases was that cameras were allowed inside the courtroom for the U.S. trial. Court TV set up two pool cameras, and the viewership started to climb.

“We certainly knew going into this given the UK case, given they were big celebrities, this would definitely be one of our high-profile trials,” Stockman told **CFX**. “In reality, we had no idea the level of interest that it would garner from such a broad audience.”

Stockman said clips related to the trial eclipsed 1 billion views, and 3.5 million concurrent viewers tuned in to watch the verdict be delivered on **YouTube**. Statistics from other platforms Law & Crime is on are yet to be reported. As the trial progressed, analytics showed more engagement not only in the U.S. but from around the world as many left comments, analysis and predictions in chat sections.

Law & Crime doesn’t typically cover civil cases. It mainly covers criminal trials, but the peculiar circumstances of Depp v. Heard made it intriguing enough to dedicate a primary focus. However, the deviance from its normal flow sparked new ideas for the future. About a week into the trial, Stockman and the network noticed legal-specific questions being asked on YouTube, Twitter, TikTok and other platforms. Thus began a lunchtime program where an attorney would read through the inquiries and provide legal expertise.

“Our aim is really to keep those viewers engaged in



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trials,” Stockman said. “We know they have a high interest in celebrity legal news, so we’ve been putting out a lot of content regarding that. But I think also opening a lot of these viewers’ eyes to trials that have never kind of been trial watchers before [or] have been interested in the criminal justice system ... I think we have been and will continue to keep them engaged in watching trials.”

Court TV enjoyed similar success. The network had over 500,000 viewers for the verdict—the most since it relaunched in 2019—and was one of the highest-rated TV networks among broadcast and cable during the 3:15pm-3:30pm window. Court TV’s coverage of Depp v. Heard helped enlarge daily streaming hours by more than five times, and the network isn’t stopping with the final verdict. Legal correspondent *Chanley Painter* will interview Depp’s attorney *Ben Chew*, which will appear on “Closing Arguments with *Vinnie Politan*” at 8pm on Wednesday.

“We were very nimble with our programming,” Head of Court TV *Ethan Nelson* said. “When we saw the interest in the trial, we just went live ... For the final week or week-and-a-half, we encored the testimony overnight.”

Now for Nelson and his team, it is all about keeping the momentum up and ensuring they can retain at least some of the viewership they’ve seen in the past few months. While not every case will have celebrities at its core, Court TV hopes that the way it covers trials will continue to resonate. “Making sure that we do what we did in Depp, which is bring people the front-row seat to these big trials and provide them with insightful and incisive analysis,” he said.

FCC WELCOMING VISITORS ONCE MORE

The **FCC** is reopening for business... sort of. Starting Thursday, visitors who adhere to the FCC’s security process and COVID-19 safety protocols will be allowed into the agency’s new headquarters if they have a scheduled meeting with FCC staff. The FCC’s open meeting in July will be the first since the start of the COVID-19 pandemic to allow in-person media and public attendance. The news came during the Commission’s June open meeting, during which the four-commissioner panel voted to begin an information gathering process examining the possible current and future needs, uses and impacts of offshore wireless spectrum use. The Notice of Inquiry also asks for comment on various spectrum rights models and what license assignment mechanisms could work best when it comes to offshore operations. The Commission also proposed rules for collecting data on the price and subscription rates of broadband received by households enrolled in the Affordable Connectivity Program. The NPRM asks for comments on data to be collected as well as timing of the collection,

The WHO and the WHY

CFX’s spotlight on recent new hires & promotions



BEN

Grad

SVP, HEAD OF STRATEGIC PARTNERSHIPS AND OPERATIONS

FUBOTV

3 THINGS TO KNOW

- Ben was named SVP, Head of Strategic Partnerships and Operations for FuboTV, where he’ll be responsible for developing and leading external partnerships and internal cross-functional initiatives for Fubo. His role also entails driving new revenue streams and accelerating the company’s path to profitability.
- Prior to joining Fubo in 2017 as head of content strategy and acquisition, he was the head of content strategy and business development for Verizon/FIOS. He was responsible for content acquisition on consumer platforms, affiliate relations, pricing, packaging and more. His experience in strategy also stems from roles at Fuse, Time Warner and Universal Music Group.
- Ben is a double-Ivy League graduate, holding a bachelor’s degree in economics from Princeton and an MBA from the Wharton School of the University of Pennsylvania.

among other considerations. Separately, it proposes to collect information through the National Lifeline Accountability Database to ease some of the burdens placed on households and participating providers.

NETFLIX BUYING ROKU?

The rumor mill began spinning again Wednesday with **Roku** stocks skyrocketing more than 10% following reports that its employees are actively discussing a potential acquisition by streaming giant **Netflix**. *Business Insider* was the first to report on the rumblings. It’s not the first time someone has been rumored to be eyeing a Roku buy (remember when **Comcast** was supposedly investigating an [acquisition](#) last year?) and the investment community isn’t convinced stakeholders should give the rumors a second thought. In an [appearance](#) on **CNBC**’s “Squawk Box,” **Lightshed Partners** co-founder *Rich Greenfield* called the rumor one of the most absurd he’s ever heard. “Netflix owning hardware and basically prioritizing one hardware over the thousands of devices that Netflix runs on seems completely antithetical to everything *Reed Hastings* and *Ted Sarandos* have built over the last 20 years,” he said. “Not to mention, Netflix’s core business is not advertising and will never be advertising.” A portion of the business

will shift to advertising as Netflix looks to introduce an ad-supported tier to its platform by the end of the year, but subscription revenue will continue to dominate the bottom line, Greenfield added.

CABLE CENTER HONORS DANIELS, ESSER

The Cable Center revealed Wednesday that late cable television pioneer *Bill Daniels* has been named the recipient of the 2021 Bresnan Ethics in Business Awards. Former **Cox Communications** President/CEO *Pat Esser* has been named the recipient of the 2022 award. The honors will be presented at the 25th annual Cable Hall of Fame celebration on September 15 at the Ziegfeld Ballroom in New York City.

VERIZON KEEPS COMMITTING TO DIGITAL INCLUSION

Verizon celebrated 10 years of Verizon Innovative Learning on Wednesday. The program, an education initiative focused on breaking down barriers of digital inclusion, has dedicated \$1 billion in market value to support digital equity over its lifetime. Verizon plans to expand the initiative this fall, equipping 50 more Title I schools in 11 cities with devices and up to four years of data. It will also launch 50 learning labs in Title I schools later this year, offering students access to emerging technology like VR and 3D printing stations. Additionally, on Tuesday, Verizon Foundation pledged \$3 million in support to eight NYC nonprofits supporting STEM education, digital access and online learning. The distribution of those funds began in 2020 and will continue through 2023.

ZIPLY BUYING EASTERN OREGON NET

Ziply Fiber agreed Tuesday to acquire **Eastern Oregon Net** (EONI). EONI, one of Oregon's longest-serving providers, primarily offers fiber internet, fixed wireless and voice solutions for residential and business customers in Baker, Union and Wallowa counties. The acquisition should close later this year, and current EONI customers shouldn't experience any immediate changes to their service. Ziply Fiber and EONI plan to merge their network infrastructure to deliver greater redundancy and reliability, as well as deliver faster speeds through Ziply's multi-gig plans.

PLUME WELCOMES THREE TO BOARD

Former **Comcast** CTO *Tony Werner*, former **Medialia** EVP/CFO *Roxanne Oulman* and **Informed.IQ** Executive Chair *Magdalena Yesil* are the latest appointments to **Plume's** board. The independent directors join Plume after a strong 2021 for the company where it raised \$540 million across two rounds of funding from Insight Partners and Softbank Vision Fund 2.

PLUTO TV HEADING NORTH

Pluto TV is coming to Canada this fall through a partnership with **Corus Entertainment**. Corus will act as the service's ad representative in Canada and Pluto TV will offer a curated slate of Corus originals and library content in its channels.

AMC, AD COUNCIL TOGETHER FOR STEM

AMC Networks Content Room and the **Ad Council** have partnered on a series of PSAs focused on girls in STEM and encouraging young women and trans and non-binary youth to become interested in those fields. The TV spots and social videos, to be shown on TikTok and Instagram, feature behind-the-scenes talent from "The Walking Dead." The content will be featured on AMC Networks' linear channels and digital platforms, on The Walking Dead's social media channels and as part of the Ad Council's national "She Can STEM" campaign.

WOW! BOLSTERS FLORIDA OPERATIONS

WOW! is adding more support to its operations in Florida as it works to complete its greenfield expansion within the state. The provider acquired a field operations and warehouse facility that will support both the Seminole County and Orange County markets. It also promoted *Michael Healy* to Director, Government Affairs with a focus on WOW!'s greenfield markets. *Artney Dennis* will relocate to the Central Florida region to serve as Operations Manager for those greenfield markets.

FRONTIER, MYBUNDLE.TV SHAKE HANDS

Frontier Communications is teaming up with **MyBundle.TV** to offer existing and new customers with free personalized streaming service discovery tools. MyBundle.TV assists customers in finding the streaming services they need through the use of a survey and helps them easily sign up for those services.

PROGRAMMING

IFC greenlit original comedy drama series "SisterS." IFC and **Sundance Now** hold the U.S. rights to the series while **Crave** has it in Canada and **RTE** will distribute it in Ireland. **Fremantle** will handle distribution in all other territories. – **Fox Weather** signed meteorologist *Michael Estime* an on-air host. He'll join the network in New York City on June 20. – "Silos Baking Competition" will premiere simultaneously on **Magnolia Network** and **Food Network** on Sunday at 8pm ET and stream the same day on **discovery+**.

PEOPLE

Sowmyanarayan Sampath has been elevated to EVP/CEO, **Verizon Business**, effective July 1. He'll succeed *Tami Erwin*, and she'll transition into the role of Strategic Advisor to the CEO until the end of 2022. Sampath joined Verizon in 2014 and serves as Chief Revenue Officer, Verizon Business. He's also spent time as SVP, Business Transformation and as Chief Product Officer for the Consumer and Enterprise businesses. – *Christopher Malone* is joining **Allen Media Group** as EVP/Head, Corporate Development. He'll lead M&A efforts as well as corporate strategic initiatives across capital markets, private equity and credit. Malone most recently served as a Principal at **Stellex Capital Management** and was a Director at Brightwood Capital before that.

Think about that for a minute...

Net Neutered

Commentary by Steve Effros

A strange thing is happening at, and to the FCC these days, and you can't say the powers that be weren't warned ahead of time! It all revolves around the long-delayed decision by the administration to nominate Gigi Sohn as an FCC Commissioner (some say the delay was because there was a fight over nominating her Chair!)

As I've said before, I know, and have worked with, and fought against Gigi in the telecommunications policy world for many years. Sometimes we agree, many times we don't. But if there's one thing that can be said with certainty it's that Gigi is very, very smart and absolutely "qualified" to be an FCC Commissioner. The problem, however, as has also been said many times, is that Gigi, in her past public lives, has taken some very hard and fast positions on telecom policy. Lots of folks don't agree with those positions, and therefore didn't want her to be in a critical voting role at the Commission.

After all, the FCC is an agency that oversees and regulates a vast group of businesses, many of which are the most powerful influencers in the country. Think broadcasting and broadband. Remember that until the advent of Facebook, Google, Twitter and Tik Tok the primary source of influential news and opinion in this country was split between television stations and networks, cable channels, and some major newspapers. The FCC has a significant role in affecting the workings of two of those, and the third, newspapers, are indirectly affected by in many cases being owned by the same folks as the first two.

So there shouldn't be any surprise that appointments to the voting positions at the five-commissioner FCC are watched very closely by key industries. They have a right to protect their (and their shareholders) interests. Now don't jump down my throat too fast on that last statement. Shareholders are "the public" too!

Anyway, with a Democratic President, the Chair and two Commissioners are generally of his party and the other two commissioners are from the other side. Thus the most con-

tentious issues are generally "3-2" votes. The administration gets its agenda pushed forward by a slim majority. In this case, however, we are still sitting with a two to two Commission since the Sohn nomination has been totally hung up in the Senate. There simply don't appear to be the votes to get her confirmed, and the administration took so long to name her in the first place that we are now in that strange situation where more delay, indeed any delay could find us with a "tied" Commission until 2024! How? Well, if Gigi can't be confirmed soon, and Congress breaks for the Summer there won't be time left in the fall, with the midterm elections, for a new nominee to clear the Senate. Then if the Republicans gain control of the Senate it could doom any other nominee for the remaining two years!

Do I think this is good? No. It emasculates the FCC at a time when major issues should be dealt with or at least considered. And I'm not talking about things like "net neutrality" which, ironically, is still the rallying cry of those trying to push Gigi's nomination. That is really a very old, and pretty moribund issue. Far more important is the ownership of Twitter, for instance, or the regulation of Google or Facebook.

Does the FCC have the jurisdiction to get into those things? Well, maybe, in part. And what about the billions for broadband deployment? Much of it has been moved out of the FCC purview in part because the agency has been so emasculated. Gigi should have been approved by Congress. But that apparently is not to be. Time to move on or the FCC will be net neutered.



Steve

T:202-630-2099
steve@effros.com

(Steve Effros was President of CATA for 23 years and is now an advisor and consultant to the cable industry. His views do not necessarily reflect the views of Cablefax.)

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