

IN THE UNITED STATES COURT OF APPEALS
FOR THE ARMED FORCES

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ROBERT B. BERGDAHL,	:	
Sergeant, U.S. Army,	:	MOTION OF NBC NEWS,
	:	A DIVISION OF
Appellant,	:	NBCUNIVERSAL MEDIA, LLC
	:	FOR LEAVE TO FILE A
v.	:	BRIEF AS <i>AMICUS CURIAE</i>
	:	
PETER Q. BURKE,	:	
Lieutenant Colonel, AG	:	
U. S. Army,	:	Crim. App. Misc. Dkt. No.
in his official capacity as	:	Army 20150624
Commander, Special Troops	:	
Battalion, U.S. Army Forces	:	USCA Dkt. No. 16-0059/AR
Command, Fort Bragg, NC, and	:	
Special Court-Martial Convening	:	
Authority,	:	Dated: 22 October 2015
	:	
and	:	
	:	
UNITED STATES,	:	
	:	
Appellees.	:	
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TO THE HONORABLE, THE JUDGES OF THE UNITED STATES
COURT OF APPEALS FOR THE ARMED FORCES:

NBC News, a division of NBCUniversal Media, LLC ("NBC News"), by its undersigned counsel, a member of the Bar of this Court, respectfully moves for leave to appear as *amicus curiae* and file the attached brief in support of the writ-appeal petition submitted by Sgt. Robert B. Bergdahl.

NBCUniversal Media, LLC ("NBCUniversal") is a diversified media company that develops, produces and markets a wide range of programming, films and information to a global audience. NBC

News, a division of NBCUniversal, provides national news and public affairs programming to more than 200 affiliated television stations across the country, and produces the "Today" show, "NBC Nightly News," "Dateline" and "Meet the Press." Among other businesses, NBCUniversal also owns and operates the NBC Television Network; the Spanish-language television network Telemundo; the cable news network MSNBC and business news network CNBC, several cable entertainment networks including USA and Bravo; a television stations group consisting of 27 owned-and-operated NBC and Telemundo television broadcast stations that produce substantial amounts of local news, sports and public affairs programming; and the Universal and Focus Features film and television studios.

NBC News, along with NBCUniversal's cable and local news organizations, has a strong interest in supporting robust access by the press and public to legal proceedings and legal filings in criminal and civil cases that generate public interest, whether on the national or local level. Without such access, the news media cannot perform its vital function in our democracy of keeping the public informed with regard to the significant underlying matters in dispute that have engendered those legal proceedings. NBC News regularly intervenes in pending legal matters to ensure that courts and tribunals are affording such access in accordance with established constitutional, common law

and regulatory rules and standards. NBC News joins here with the other *amici* that have already appeared in this matter in order to supplement their submissions with expanded discussion of the strongly applicable common law access standards governing the hearing exhibits at issue.

WHEREFORE, NBC News respectfully requests that the Court grant leave for its counsel to file the attached brief as *amicus curiae*.

Dated: October 22, 2015

Respectfully submitted,

NBCUNIVERSAL MEDIA, LLC



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