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Block the Merger Groups File Amicus Brief Urging Court to Reject Paramount's Deal with State AGs

OAKLAND — Late Thursday evening, core groups within the Block the Merger coalition filed an [amicus brief](#) to oppose the weak consent decree that Paramount Skydance-Warner Bros. Discovery struck with state AGs. The brief follows Thursday morning's ruling by Judge Araceli Martínez-Olguín on the Block the Merger groups' [emergency motion](#) requesting the opportunity to file, submitted earlier that day.

The amicus brief, filed by **Free Press**, the **Committee for the First Amendment**, the **Freedom of the Press Foundation**, the **Future Film Coalition** and the **International Documentary Association**, argues both that the consent decree's arbitrary picks of winners and losers among competing interest groups represent an unfair process and that it abjectly fails to address the merger's harms to fair competition.

The concerns laid out by the Block the Merger groups mirror the harms 12 state attorneys general cited when they sued to block the merger. Yet these concerns have been swept aside in favor of a backroom settlement that leaves workers, journalists, and consumers in the lurch.

"The Attorney General for the lead Plaintiff State, California, publicly criticized the very behavioral remedies that the parties now ask the Court to approve," states the brief. "But whatever the reasons for the States' about-face, neither time nor circumstance changes the fact that this merger lessens competition."

"The structure of the proposed consent decree puts Plaintiff States in the position of simultaneously representing two sets of stakeholders whose fundamental interests trade off," the brief argues, noting that small business owners and independent contractors will not receive the same handouts that members of major unions will if the consent decree is not upheld. "That is precisely the kind of conflict that makes representation inadequate and a settlement procedurally unfair," it adds.

As for the so-called remedies the settlement offers, they do nothing to protect fair competition. The brief questions the constitutionality of the proposed Paramount-appointed CNN and CBS "independence board," which is categorically not independent, and details gaping holes in the weak offerings made regarding film production and distribution, and cable consolidation.

Because courts cannot rewrite an agreed-upon settlement, the Block the Merger groups ask the court to reject the settlement outright.

"Since the terms of the consent decree were announced on Monday morning, few outside of those with a financial interest in this deal have suggested that it addresses the harms to competition, creativity, and independent journalism this merger will cause for years to come. The deal has been met with silence, skepticism, or tepid support at best," **Free Press, the Committee for the First Amendment, the Freedom of the Press Foundation, the Future Film Coalition and the International Documentary Association** said in a joint statement. "The arguments laid out in this brief reflect the concerns that just days ago, California Attorney General Bonta also willingly voiced. While we may never know what caused the radical turnabout to deliver such a toothless settlement, we do know that this consent decree bucks governmental safeguards designed to protect the public from harm. The court should reject it outright."

Separately, the League of United Latin American Citizens (LULAC) and faith leaders have also filed their own [amicus brief](#) against the settlement. Senator Cory Booker has also submitted his concerns to the court.

The Block the Merger coalition has [blasted](#) the deal as bad "for the future of film, entertainment, independent journalism, and a strong democracy in this country," and too reliant on the sorts of behavioral remedies that California Attorney General [Rob Bonta's](#) had previously consistently called unacceptable and unenforceable.

Brendan Benedict, principal at [Benedict Law Group](#), and Jessica J. González, the co-CEO of Free Press, represented the Amici as co-counsels.

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