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FCC MAIL SECTION  
FCC 92M-626

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of	)	MM DOCKET NO. 92-35
	)	
BROWN COMMUNICATIONS	)	
	)	
Licensee of Station WKIJ(AM)	)	
Parrish, Alabama	)	
	)	
Order to Show Cause Why the License	)	
for Station WKIJ(AM), Parrish,	)	
Alabama, Should Not Be Revoked	)	

DISPATCHED BY

O R D E R

Issued: May 27, 1992;

Released: May 29, 1992

A Prehearing Conference was held on May 27, 1992, to consider whether settlement or summary decision were a possible option and to guide the pro se respondent party in trial preparation. <sup>1</sup>

After discussion with the parties, the Presiding Judge determined that neither settlement nor summary decision were available alternatives to the scheduled trial which will go forward on June 29, 1992, at 9:30 a.m. in a Commission courtroom in Washington, D.C. <sup>2</sup>

The following specific bench rulings were made:

**June 5, 1992** - All discovery closes.

1 The respondent party Brown Communications is appearing pro se through its majority owner, Jimmy D. Brown. The elements of the required Trial Brief (FCC 92M-413) were reviewed with Mr. Brown in detail.

2 Mr. Brown was advised of the place of trial:

Office of Administrative Law Judges  
Second Floor  
2000 L Street, N.W.  
Washington, D.C. 20554

Mr. Brown should check the bulletin board, which is located inside the entrance to the FCC second floor suite, for the courtroom number assigned for this case.

- June 22, 1992 - Trial Briefs (with documents) to be delivered to the parties (air courier if needed to meet the delivery date).<sup>3</sup>
- June 24, 1992 - Deadline for delivering copies of Trial Brief (12 noon) (with documents) to the Presiding Judge.
- June 29, 1992 - Trial to commence in a Commission courtroom in Washington, D.C. at 9:30 a.m.

Brown was specifically instructed to have in the Courtroom two copies of each document that he intends to have marked and offered in evidence. Brown also was instructed to bring originals of each document which he intends to offer in evidence that is not a document originated by the Commission.<sup>4</sup> Brown was also instructed on the need for witnesses<sup>5</sup> and the scope of historical background evidence which he should be prepared to introduce.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION



Richard L. Sippel  
Administrative Law Judge

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<sup>3</sup> Documents referred to in a Trial Brief which are already in the actual possession of an opposing party need only be identified in the Trial Brief.

<sup>4</sup> It is apparent from correspondence used in connection with Request For Admissions that there will be issues of fact litigated relating to receipt of correspondence. If there is any question about readability or genuineness, the original document should be in the courtroom for comparison.

<sup>5</sup> If Brown intends to use a neutral witness to establish a fact (e.g. postal employee about mail delivery) he should alert Bureau counsel as soon as possible to explore the taking of the testimony by speakerphone. An appropriate courtroom will be reserved to accommodate telephone witnesses. But Brown must appear personally in the Courtroom to testify.