

ORIGINAL

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

Revocation of License of
SANDRA V. CRANE
Amateur Radio Station
N6TFO
Marina Del Ray, California

and

Suspension of License of
SANDRA V. CRANE
Amateur Extra Class
Radio Operator License

and

Revocation of License of
CHARLES P. PASCAL
Amateur Radio Station
WB6CIY
Carson City, Nevada

and

Suspension of License of
CHARLES P. PASCAL
Amateur Extra Class
Radio Operator License

To: Hon. Joseph Chachkin
Administrative Law Judge

PR Docket No. 92-119

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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FILE

RESPONDENTS OUTLINE OF EVIDENCE AND WITNESS LIST

Respondents Sandra V. Crane and Charles P. Pascal, by counsel and pursuant to the Administrative Law Judge's Order, FCC 92M-697 (June 22, 1992), file their outline of evidence and list of witnesses in this proceeding.

1. Terry Pierce will testify concerning:
 - a. the generation and administration of the August 4, 1991 test given after a class taught by respondents.

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b. that Mr. Pascal keyed but did not administer the Morse Code exam for the August 4, 1991 test because the taped Morse Code test broke.

c. the January 6, 1991 test given to Tracy Gullotti.

2. Lance Ferante will testify concerning:

a. the generation and administration of the August 4, 1991 test given after a class taught by respondents.

b. Bias and ill will of Fred Maia toward the respondents.

3. Bob Osburne will testify concerning:

a. the generation and administration of the August 24, 1991 test given after a class taught by respondents.

4. Tom Fakaheny will testify concerning:

a. Generation of the August 24, 1991 and September 14, 1991 tests given after classes taught by respondents.

b. Bias and ill will of Fred Maia toward the respondents.

5. J. Edward McKinley will testify concerning:

a. Bias and ill will of Fred Maia toward the respondents.

b. The generation and administration of the test given after a class taught by the respondents on September 14, 1991.

6. Michael Bryant will testify concerning:

a. The administration of the Morse Code examination on September 14, 1991.

7. Tracy Gullotti will testify concerning:

a. the fact that she had not met Charles Pascal prior to November 12, 1990 and that she did not inform him on or before that date that she was the daughter of Sandra Crane.

b. the testing procedures occurring on November 12, 1990, January 6, 1991, and April 12, 1991 with respect to tests administered to her, and her lack of knowledge as to the contents of these tests prior to their administration.

8. J.J. Quinn will testify concerning:

a. the administration of an examination to Tracy Gullotti on January 6, 1991.

b. the administration of the August 4, 1991 test given after a class taught by respondents.

9. George Sfare will be called as an adverse witness to testify concerning:

a. the administration of an examination to Tracy Gullotti on January 6, 1991.

10. Koleol Achavarian (not certain of spelling) will testify concerning:

a. the administration of the August 24, 1991 test given after a class taught by respondents.

11. Fred Ordway will be called as an adverse witness to testify concerning:

a. the general acceptability in the amateur community of the methods used by Mr. Pascal to teach classes to students in preparation to take amateur radio examinations.

b. investigations by the Official Observer program in the Los Angeles area concerning amateur instruction programs.

c. Bias and ill will of Fred Maia toward the respondents.

12. Sandra Moore will testify concerning:

a. the administration of the August 4, 1991 test given after a class taught by respondents.

b. Bias and ill will of Fred Maia toward the respondents.

13. Dan Magro will testify concerning:

a. the administration of the January 4, 1991 test given to Tracy Gullotti.

14. Ray Nevaro will testify concerning:

a. the generation and administration of the September 14, 1991 test given after classes taught by respondents.

15. Charles P. Pascal will testify concerning:

a. His method of instructing students in preparation for amateur radio license examinations. It is intended that Mr. Pascal will give a demonstration of his teaching techniques which will be analyzed by the Bureau's alleged expert witness, Mr. Ramsey, from notes to be taken by the Bureau witness Ms. Christine McElwain. It is intended to show that Mr. Pascal's teaching techniques emphasize concepts, not specific test questions, but that through teaching these concepts, students have sufficient knowledge to answer all questions which may be asked.

b. The classes he taught on August 4, 1991, August 24, 1991 and September 14, 1991.

c. That other than his general knowledge of the question pool, he was unaware of the specific examination questions which would be given to the students of his classes.

d. His lack of knowledge at the time he certified Tracy Gullotti's examination (on November 12, 1990, that she was related to Sandra Crane.

e. His background in amateur radio and in instruction of amateur radio students.

f. His relationship with Sandra Crane, especially as it relates to providing instruction of amateur radio students.

g. His conversations with James Georgias.

h. The administration of examinations to Tracy Gullotti on November 12, 1990; January 6, 1991, and April 12, 1991.

16. Sandra Crane will testify concerning:

a. That she did not inform Mr. Pascal prior or on November 12, 1990 that Tracy Gullotti was her daughter.

b. That she was unaware at the times when she so acted that it was improper for her to act as a Volunteer Examiner of her daughter; but that her daughter neither received any special treatment, nor were the examinations given her compromised in any way.

c. Her relationship with Charles Pascal, especially as it relates to providing instruction to amateur radio students.

d. The classes she taught on August 4, 1991, August 24, 1991 and September 14, 1991.

e. That other than her general knowledge of the question pool, she was unaware of the specific examination questions which would be given to the students of her classes.

f. Her background in amateur radio and in instruction of amateur radio students.

g. Other mitigating factors concerning her possible violation of Section 97.515(d) of the Commission's Rules and Regulations.

17. Ermon Pessis will testify concerning the administration of the test given following a class taught by respondents on September 14, 1991.

18. Depending on the results of discovery, respondents may also present one or more of the following adverse witnesses concerning methods of instruction in amateur radio and the bias and ill will of Fred Maia toward the respondents:

- a. Arnie Gansom.
- b. Peter Deyelle.
- c. Gordon West.

19. In addition to the foregoing, respondents will present evidence in rebuttal to the evidentiary submissions of Bureau witness Christine McElwain, Fred Maia, James Georgias and Walter Ramsey.

20. Respondents are unable to specify what documents they expect to produce or the witnesses who would authenticate such

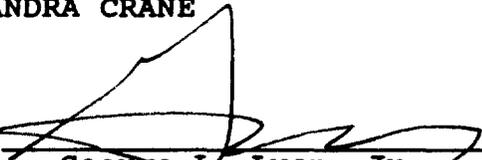
documents at this time as the Bureau has not yet responded to a Freedom of Information Request submitted by respondents, and the Bureau has not otherwise voluntarily made available to respondents documentary evidence in its possession. For this reason, the respondents reserve the right to supplement this list of witnesses outline of evidence.

21. Respondents reserve the right to add to this list after examining facts arising from discovery.

Respectfully submitted,

CHARLES P. PASCAL

SANDRA CRANE

By 

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June 29, 1992

CERTIFICATE OF SERVICE

I, Lydia H. Redfearn, Secretary, at the law firm of Lukas, McGowan, Nace & Gutierrez, Chartered, certify that true copies of the foregoing document were sent this 29th day of June 1992, via first class mail, postage prepaid to the following:

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