Received & Inspected
APR 10 2017
FCC Mail Room

William F. Crowell

1110 Pleasant Valley Road
Diamond Springs, California 95619

April 1, 2017

Marlene H. Dortch, Secretary
Federal Communications Commission
445 – 12th Street S.W.
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: Application of William F. Crowell to renew Amateur Service license W6WBJ
WT Docket No. 08-20; FCC file no. 0002928684

Dear Secretary Dortch:

I am the applicant-licensee in the above-entitled case.

Enclosed you will please find the original and six (6) copies of my Request to Take Judicial Notice therein.

Please file and docket this document and direct it to ALJ Sippel in the manner that you deem appropriate. I have filed it with the ECFS. Thank you for your cooperation.

Yours very truly,

WILLIAM F. CROWELL

WFC:wfc
encls.

No. of Copies rec'd 0+6
List ABCDE

Received & Inspected

APR 10 2017

FCC Mail Room

Before the
Federal Communications Commission
Washington, D.C. 20554

In re Application of	)	WT Docket No. 08-20
	)	
WILLIAM F. CROWELL	)	FCC File No. 0002928684
	)	
	)	
For Renewal of Amateur Radio Advanced Class Operator License	)	
	)	

To: Marlene H. Dortch, Secretary
Federal Communications Commission

Attn: Robert L. Sippel,
Administrative Law Judge

LICENSEE'S MOTION THAT THE ALJ TAKE JUDICIAL NOTICE
[Title 47 CFR, Chapter I, Subchapter A, Part 1, Subpart B, Sec. 1.351 and FRCP 201]

Section 1.351 of the Commission's Rules of Practice and Procedure provides that, except as otherwise provided by Subpart B thereof, the rules of evidence governing civil proceedings in matters not involving trial by jury in the courts of the U.S. shall apply to ALJ proceedings. Since Subpart B contains no provisions concerning the taking of judicial notice, Federal Rule of Civil Procedure 201 governs such requests, and Rule 201 allows them liberally.

Upon reading the ALJ's recent "case summary" Memorandum, Opinion and Order (FCC 17M-3) herein, Applicant notes that the ALJ refers to an "aborted deposition"[1] in November of 2010. That is incorrect. Said deposition was born alive.

While it is true that there was some preliminary skirmishing between the parties prior to the deposition concerning the ground rules that would apply thereto, when my objections were overruled by the ALJ I respected the ALJ's Orders, did attend said depositioin and answered questions.

By the ALJ's use of said term "aborted", Applicant fears that the ALJ mistakenly believes that Applicant disrespected the Court by failing to attend said deposition. Such is *most emphatically* not the case. I did attend said deposition, which lasted several hours, and answered all the questions that Judy Lancaster, Esq. asked of me, except for a couple of questions to which I objected as being irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence (the names and contact information of my ex-wives). Ms. Lancaster never filed any motion to compel futher answers, and her right to do so has expired, so she must be content with the answers that I provided.

In addition, after the deposition I did prepare, execute, had notarized and filed supplemental answers thereto, within the prescribed time limit for filing same.

The ALJ can easily verify the correctness of the foregoing, if he so desires, by making inquiry of Bureau Counsel at the upcoming conference hearing.

1 FCC 17M-3, at page 4, paragraph "H" (3-28-2017)

An official transcript of said deposition was made by a certified shorthand reporter. Said transcript, as well as my notarized supplement answers, are available for filing, if the ALJ thinks they should be.

Therefore Applicant prays that the ALJ understand that I have shown the proper respect to the OALJs, to the ALJ and to Bureau Counsel by attending said 2010 deposition in good faith and by fully cooperating and answering the Bureau's questions therein.

I declare under penalty of perjury that the foregoing is true and correct, and that this Motion is signed on March 31, 2017 at Diamond Springs, El Dorado County, California.

Respectfully submitted,

William F. Crowell
Applicant-licensee

////////////////////

/////////////////

PROOF OF SERVICE BY MAIL
[47 C.F.R. Part I, Subpart A, §1.47]

I am a citizen of the United States and a resident of El Dorado County, California. I am the Applicant-licensee herein. I am over the age of 18 years. My address is: 1110 Pleasant Valley Road, Diamond Springs, California 95619-9221.

On March 31, 2017 I served the foregoing Motion That the ALJ Take Judicial Notice on all interested parties herein by placing true copies thereof, each enclosed in a sealed envelope with postage thereon fully prepaid, in a United States mail box at Diamond Springs, California, addressed as follows:

Office of the Secretary, Federal Communications Commission
Attention: ALJ Sippel
445 – 12th Street S.W., Washington, D.C. 20554
(original and 6 copies)

Pamela S. Kane, Special Counsel
Investigations & Hearings Division, Enforcement Bureau
Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554

I further declare that, on this same date, I emailed a copy of this document to the ALJ and to Bureau Counsel, and that I filed this document under the Commission's Electronic Comment Filing System.

I declare under penalty of perjury that the foregoing is true and correct, and that this proof of service was executed on March 31, 2017 at Diamond Springs, California.

William F. Crowell