

ORIGINAL

ORIGINAL
FILE

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)

PR Docket No. 92-119

RECEIVED

SEP - 8 1992

Federal Communications Commission
Office of the Secretary

To: Hon. Joseph Chachkin
Administrative Law Judge

RESPONDENTS SUBMISSION OF RESPONSIVE CASE IN CHIEF

Charles P. Pascal and Sandra V. Crane ("Respondents"), pursuant to the procedures adopted in this proceeding, hereby notify the Commission that they have submitted their written case in chief in response to the Case in Chief submitted by the Private Radio Bureau. Respondents' Responsive Case in Chief consists of the following:

046
FBI
NO. OF COPIES RECD

1. Declaration of Charles P. Pascal.
2. Declaration of Sandra V. Crane.
3. Declaration of George L. Lyon, Jr.^{1/}
4. Declaration of Lance B. Ferrante.
5. Declaration of Terence M. Pierce.
6. Declaration of Thomas E. Fakehany.
7. Declaration of Michael L. Bryant.
8. Declaration of James E. McKinley.
9. Declaration of Tracy L. Gullotti.
10. Declaration of Christopher D. Imlay.^{2/}
11. Declaration of Jeffrey M. Reinhardt.
12. Declaration of Norman M. Goodkin.
13. Declaration of Thomas J. Cavey.
14. Declaration of Raymond P. Bailey.
15. Declaration of Valerie F. Cumming.
16. Declaration of Nelson E. Jones.
17. Declaration of Robin Burt.
18. Declaration of Rick Stenlake.
19. Declaration of Erman Pessis.
20. Declaration of Sandra Moore.
21. Transcript of Tape Recording Provided Pursuant to FOIA inquiry.

^{1/} Counsel's declaration is submitted solely to authenticate the documents which are appended to his declaration.

^{2/} The text of Mr. Imlay's declaration had not been finalized as of the close of business this day. That declaration will be supplied by supplement to the Respondents' Case in Chief.

Respondents seek official notice of the following documents in the Commission's files:

1. Letter of Erman Pessis to Thomas Fitz-Gibbon (December 3, 1991).
2. Letter to FCC from Robert G. Osborn, Jr. (November 2, 1991; letter from FCC to Robert G. Osborn, Jr. (undated).
3. Letter from FCC to Thomas J. Cavey (November 6, 1991); Letter from Thomas J. Cavey to Thomas Fitz-Gibbon (October 17, 1991) with attachment.
4. Letter to Thomas Fitz-Gibbon from Gerald C. De Carnelle (October 29, 1991); Letter to Gerald C. De Carnelle from Robert H. McNamara (November 6, 1991).
5. Letter to Thomas Fitz-Gibbon from Richard S. Stenlake (October 15, 1991); Letter to Richard S. Stenlake from Robert H. McNamara (November 6, 1991).
6. Letter to Thomas Fitz-Gibbon from Richard Kelsey (October 14, 1991); Letter to Richard Kelsey from Robert H. McNamara (November 6, 1991).
7. Letter from Robert H. McNamara to Roger A. Menese (November 6, 1991); Letter Roger A. Menese to Thomas Fitz-Gibbon (October 14, 1991) with attachment.
8. Letter from Robert H. McNamara to Valerie F. Cumming (November 6, 1991); Letter from Valerie F. Cumming to Thomas Fitz-Gibbon (October 12, 1991); Letter from Valerie F. Cumming to Thomas Fitz-Gibbon (November 10, 1991).

9. Letter from Dennis J. Stouffer, Ph.D. to Thomas D. Fitz-Gibbon (October 14, 1991).

10. Letter from Dennis J. Stouffer, Ph.D. to Thomas D. Fitz-Gibbon (October 18, 1991).

11. Letter from Norman C. Riker to Thomas D. Fitz-Gibbon (October 18, 1991).

12. Letter from Frederick O. Maia to Thomas D. Fitz-Gibbon (August 28, 1991), without attachments.

13. Agreement Between The FCC and ARRL relating to Amateur Auxiliary Program, dated March 28, 1984.

14. Letter from Fred J. Ordway, Jr. to Thomas Fitz-Gibbon (August 1, 1991); July 18, 1991 letter from Fred J. Ordway to Fred Maia; July 11, 1991 letter from Frederick O. Maia to Thomas Fitz-Gibbon.

Respondents will introduce the following documents:

1. Letter from Frederick O. Maia to Thomas Fitz-Gibbon (July 11, 1991), to be authenticated on cross-examination of Mr. Maia.

2. Correspondence to and from Charles P. Pascal and Frederick O. Maia from July 1986 to May 1988, to be authenticated by oral testimony of Mr. Pascal and/or Mr. Maia.

Respondents intend to call the following adverse witnesses. The nature of their testimony has been previously disclosed in Respondents' witness list and supplement thereto.

1. George Sfare
2. Fred Ordway.

3. David Morse.

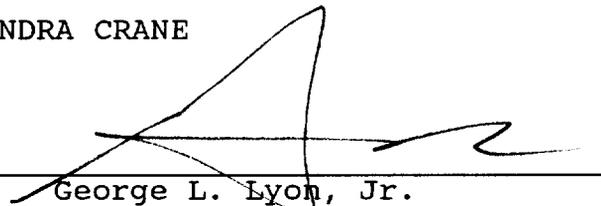
Please be advised that in some instances unexecuted declarations have been included herein as executed copies have not yet been received. The final editions of such declarations may have minor corrections made by the declarants. Respondents reserve the right to supplement any testimony presented in writing with oral testimony and/or redirect any witness produced in response to a request for cross-examination at the behest of the Private Radio Bureau. Respondents further reserve the right to supplement their case in chief to the extent any additional facts become discovered by them relevant to this proceeding prior to commencement of the hearing. Respondents further reserve the right to introduce additional documents as necessary to impeach the testimony elicited of the Private Radio Bureau's witnesses on cross-examination.

Respectfully submitted,

CHARLES P. PASCAL

SANDRA CRANE

By

A handwritten signature in black ink, appearing to read "George L. Lyon, Jr.", written over a horizontal line.

George L. Lyon, Jr.
Their Counsel

Lukas, McGowan, Nace and Gutierrez, Chartered
1819 H Street, N.W., 7th Floor
Washington, D.C. 20006

(202) 857-3500

Martin J. Barab
Of Counsel to Sandra Crane
9606 Santa Monica Blvd., 3rd Floor
Beverly Hills, CA 90210

(310) 859-6644

September 8, 1992

CERTIFICATE OF SERVICE

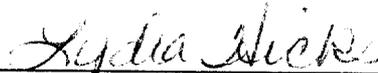
I, Lydia N. Hicks, Secretary, at the law firm of Lukas, McGowan, Nace & Gutierrez, Chartered, certify that true copies of the foregoing document were sent this 8th day of September 1992, via first class mail, postage prepaid to the following:

Honorable Joseph Chachkin*
Office of Administrative Law Judges
Federal Communications Commission
2000 L Street, NW, Room 226
Washington, DC 20554

Thomas D. Fitz Gibbon*
Eric J. Malinen*
Private Radio Bureau
Federal Communications Commission
Room 5331, 2025 M Street, NW
Washington, DC 20554

Martin J. Barab, Esquire
9606 Santa Monica Boulevard
Third Floor
Beverly Hills, CA 90210

*Hand-Delivered



Lydia N. Hicks