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September 25, 1990

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Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

92-111 /
RECEIVED
SEP 28 1992

JEROME S. BOROS
(212) 940-3800

Re: Deas Communications, Inc.
File No. BPH-910208MB

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

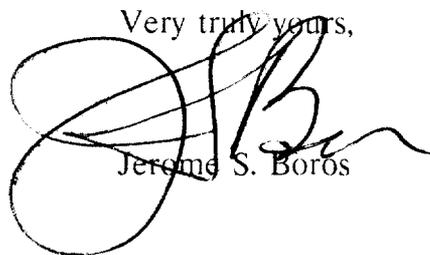
Dear Ms. Searcy:

Enclosed for filing, on behalf of Healdsburg Empire Corporation, are an original and two copies of a MOTION TO POSTPONE EVIDENTIARY HEARING UNTIL OCTOBER 15, 1992 in this proceeding.

Please address responsive communications to the undersigned at:

Rosenman & Colin
575 Madison Avenue
New York, New York 10022

Very truly yours,



Jerome S. Boros

JSB:m
Enclosures (3)

cc: All Persons On Attached List I

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

SEP 28 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of) MM Docket 92-111
DEAS COMMUNICATIONS, INC.) File No. BPH-910208MB
HEALDSBURG EMPIRE CORPORATION)
For Construction Permit for a)
New FM Station on Channel 240A)
in Healdsburg, California)

TO: Hon. Edward J. Kuhlman
Administrative Law Judge

MOTION TO POSTPONE EVIDENTIARY HEARING
UNTIL OCTOBER 15, 1992

HEALDSBURG EMPIRE CORPORATION ("Empire"), by its attorneys, hereby moves the Presiding Judge to postpone the evidentiary hearing in this proceeding, scheduled to commence on Monday, October 5, 1992. In support of this motion, Empire shows the following:

1. At the July 21, 1992, Prehearing Conference in this proceeding, there was extensive discussion concerning the appropriate starting date and duration of the evidentiary hearing. TR. 18-24. Summarizing those deliberations: the Presiding Judge stated that he would definitely not hold a hearing session on Wednesday, October 7, 1992 because of the Yom Kippur holiday (TR. 19); the Presiding Judge also observed that the entire hearing might last only two days (TR. 19,20); Empire counsel pointed out that even the hearing session on Tuesday, October 6, would be

a "shortened day" (TR. 20), because of pre-holiday preparations and because the holiday commences on Tuesday night; and the Presiding Judge ultimately concluded that he would defer changing hearing dates at that time (July 21), pending further developments (TR.23).

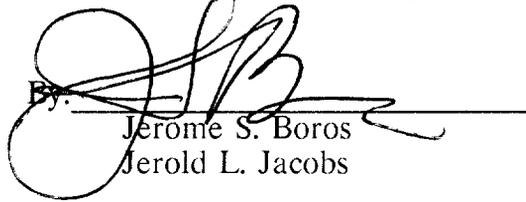
2. This proceeding now has narrowed to two applicants, and the applicants have been engaged in settlement discussions. However, no settlement agreement has been reached, and the parties have exchanged notices of witnesses for cross-examination. These notices show that two witnesses will be called for cross-examination -- Mr. Edgar Deas and Empire's Ms. Joanne Kilmartin. These witnesses are the proponents of the direct case exhibits and the only principals who are proposed to be integrated. It is possible that the two cross-examinations, plus other hearing details, can be accomplished within one and one-half hearing days - which effectively is all the time available if religious observation is to be maintained but, given the solicitude expressed by the Presiding Judge at the Prehearing Conference concerning the religious observances of counsel, Empire respectfully urges that no hearing session be held at all on Tuesday, October 6, regardless of which the signatories hereto represents Empire. The reason is that hearing attendance on that day by either attorney would work a hardship (personal, physical, and psychological) because of the above-described time constraints. Empire further believes that it would be unreasonably burdensome on the witnesses to begin hearing on Monday, October 5 and then have a two-day recess until Thursday, October 8. Rather than require that, Empire urges the Presiding Judge to rule that

the entire hearing should commence on Thursday, October 15, or such other time as the Presiding Judge should order which provides two full days for hearing.

WHEREFORE, in light of the foregoing, Empire respectfully urges that this Motion be granted.

Respectfully submitted,

HEALDSBURG EMPIRE CORPORATION

By: 
Jerome S. Boros
Jerold L. Jacobs

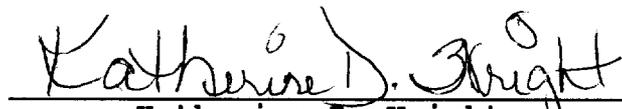
ROSENMAN & COLIN
575 Madison Avenue
New York, New York 10022
(212) 940-3800

Its Attorneys

Dated: September 25, 1992

CERTIFICATE OF SERVICE

I, Katherine D. Wright, a secretary with Rosenman & Colin, certify that on this 28th day of September, 1992, I have sent by first-class mail or caused to be hand delivered a copy of the foregoing "**MOTION TO POSTPONE EVIDENTIARY HEARING UNTIL OCTOBER 15, 1992**" to all persons on the attached LIST I.


Katherine D. Wright

LIST I

Hon. Edward J. Kuhlmann*
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W.
Room 220
Washington, D.C. 20554

Larry A. Miller, Esq.
Hearing Branch
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, D.C. 20554

Lawrence Bernstein, Esq.
Brinig & Bernstein
1818 N Street, N.W.
Washington, D.C. 20036
(Counsel for Deas Communications, Inc.)

* By Hand