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

In the Matter of	)	MB Docket No. 14-82
	)	
PATRICK SULLIVAN	)	FRN 0003749041, 0006119796,
(Assignor)	)	0006149843, 0017196064
	)	
and	)	Facility ID No. 146162
	)	
LAKE BROADCASTING, INC.	)	File No. BALFT-20120523ABY
(Assignee)	)	
	)	
Application for Consent to Assignment of	)	
License of FM Translator Station W238CE,	)	
Montgomery, Alabama	)	

To: Richard L. Sippel
Chief Administrative Law Judge

ENFORCEMENT BUREAU'S
REPORT REGARDING INVOLVEMENT OF TAMMY GREMMINGER WITH MICHAEL RICE DURING HIS PAROLE

Pursuant to *Order*, FCC16M-19, counsel for the Enforcement Bureau (Bureau) submits the following report in advance of Ms. Tammy Gremminger's deposition.[1] In pertinent part, this *Order* states:

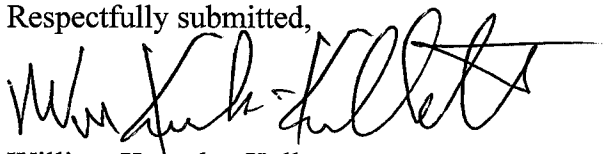
> [T]he Bureau stated that "Ms. Gremminger' s testimony is based on her position as a person representing local law enforcement with knowledge of Mr. Rice's background and records, *not on personal contact with Mr. Rice.*" Bureau Response at 2, para. 3 (emphasis added, footnote omitted). However, the Bureau's response seems to contradict Ms. Gremminger's sworn statement, which does indicate some form of personal contact with Mr. Rice. *See* Statement of Tammy Gremminger (Nov. 16, 2015) at 1, para. 2 (stating that she "remember[s]" Mr. Rice and that her opinions are based in part on her "recollection" of Mr.

[1] *See Order*, FCC 16M-19 (ALJ, rel. June 8, 2016).

> Rice's performance during his parole). Therefore, the Judge orders the Bureau to submit a written explanation, either from Ms. Gremminger herself or a Bureau representative having knowledge of the facts, explaining and clarifying whether Ms. Gremminger had contact(s) with Mr. Rice and, if so, in what capacity. Such written explanation shall be exchanged and filed in this matter no fewer than **ten (10) business days** before Ms. Gremminger's scheduled deposition.[2]

In accordance with this direction, Bureau counsel contacted Ms. Gremminger, and confirmed that, she did in fact have personal contact with Mr. Rice during the period of his parole and probation, in her role as a partner to Mr. Rice's official parole officer.[3] She further explained that it is the policy/practice in her office that, when dealing with sex offenders, a parole officer generally will not make personal contact alone with a parolee/offender, but instead will ask their partner to accompany them during such contact as backup. Thus, in her capacity as the partner to Mr. Rice's parole officer, Ms. Gremminger met Mr. Rice on home visits, office visits, and in group sessions at the time of his supervision.[4]

Respectfully submitted,



William Knowles-Kellett
Attorney, Investigations & Hearings Division

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[2] The Order addresses statements in the Notice of Intent To Depose, filed by Lake Broadcasting Inc., dated May 17, 2016, that Mr. Rice has "no recollection" of personal contact with Ms. Gremminger.

[3] Bureau counsel contacted Ms. Gremminger by telephone on August 24, 2016, and confirmed that she had personal contacts with Mr. Rice, a fact of which counsel was previously unaware.

[4] Mr. Rice's counsel also requested the Bureau, separately, to inquire of Ms. Gremminger whether any documents existed reflecting her involvement with Mr. Rice. As a courtesy to Mr. Jacobs, Bureau counsel asked Ms. Gremminger on August 24, 2016, if she has documents relating to her meetings/involvement with Mr. Rice. She stated that she does not believe there are any such documents as her involvement was simply the result of the office policy described above.

Gary Oshinsky
Attorney, Investigations & Hearings Division

Federal Communications Commission
Enforcement Bureau
Investigations & Hearings Division
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Washington, D.C. 20554
(202) 418-1420
August 29, 2016

CERTIFICATE OF SERVICE

I, William Knowles-Kellett, an attorney in the Enforcement Bureau's Investigations & Hearings Division, certify that on this 29th day of August, 2016, I sent via First Class United States Mail and via email copies of the foregoing ENFORCEMENT BUREAU'S REPORT REGARDING THE INVOLVEMENT OF TAMMY GREMMINGER WITH MICHAEL RICE DURING HIS PAROLE to:

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Counsel for Patrick Sullivan and Lake Broadcasting, Inc.

A copy of the foregoing also was served via hand-delivery to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W., Room 1-C861
Washington, DC 20554