

1 an antenna booster in the area when the Highway Patrol keys up
2 sees the Highway Patrol's interference.

3 Q And they see it in terms of?

4 A Wavy lines, possibly hearing the voice.

5 JUDGE STIRMER: Let me ask you this, Mr. Lampe. KOKS
6 went on the air when?

7 THE WITNESS: I believe, according to the transmitter
8 manual, in late '88 or early '89.

9 JUDGE STIRMER: All right. When did the Highway Patrol
10 come into existence with their radio equipment at that loca-
11 tion?

12 THE WITNESS: I have to guess about 15 years ago. They
13 used to be located down in my area, so I watched them on my
14 television set until they moved north.

15 JUDGE STIRMER: But they were there long before KOKS
16 went on the air?

17 THE WITNESS: Yes, sir.

18 JUDGE STIRMER: All right.

19 BY MR. SHOOK:

20 Q Did you ever service, you know, provide television
21 repair service to persons who lived within the vicinity of the
22 Highway Patrol prior to KOKS coming on the air?

23 A Yes, sir.

24 Q And approximately how many, you know, such residences
25 did you go to?

FREE STATE REPORTING, INC.

Court Reporting Depositions

D.C. Area 261-1902

Balt. & Annap. 974-0947

1 A There again, that's a hard number to call.

2 Q Okay. All I am asking for is an approximate number.

3 A I won't even venture a number. I have been doing
4 service calls in the area for over 20 years.

5 Q Okay. Do you remember any of the names of those
6 persons?

7 A Not off the top of my head, no, sir.

8 Q Okay. Did you ever receive a call from Doris Smith?

9 A Yes.

10 Q About the Highway Patrol? Let me start, let me back up
11 a little bit. It may have been confusing, and it is my fault.
12 I am focusing now on the series of questions that I had
13 before, and we are talking about calls, service calls made by
14 you from people who were complaining about interference that
15 it turns out to be from the Highway Patrol.

16 A Okay.

17 Q Okay. And you had indicated that there were many such
18 persons, and I just want to focus on whether there are, you
19 know, any particular persons.

20 A All right.

21 Q I am asking about Doris Smith. Was she one such
22 person?

23 A Where I made a service call to her home?

24 Q Okay.

25 JUDGE STIRMER: The question relates to whether or not

FREE STATE REPORTING, INC.

Court Reporting Depositions

D.C. Area 261-1902

Balt. & Annap. 974-0947

1 | you made a service call to the individuals that counsel is
2 | going to identify.

3 | THE WITNESS: Okay.

4 | JUDGE STIRMER: Relating solely to the Highway Patrol
5 | radio transmissions disrupting their television service or
6 | radio service. And this is probably before KOKS went on the
7 | air.

8 | MR. SHOOK: Before KOKS. Yes, Your Honor.

9 | JUDGE STIRMER: All right.

10 | THE WITNESS: No, I didn't receive any calls from here
11 | before KOKS.

12 | BY MR. SHOOK:

13 | Q Okay. How about Ms. Irene Jean Hillis?

14 | A No.

15 | Q Mr. Dariel L. Denton Jr.?

16 | A No.

17 | Q Sandra Durbin?

18 | A No.

19 | Q Clara or Clyde Freeman?

20 | A No.

21 | Q Joanne or William Gray?

22 | A No.

23 | Q Edward Hodgins?

24 | A No.

25 | Q The Whispering Oaks Boarding Home?

1 A No.

2 Q Mary Wynn?

3 A No.

4 Q Leatha Piper?

5 A No.

6 Q Marie or Fred Ellis?

7 A Are you asking me concerning just Highway Patrol
8 interference?

9 Q Yes, sir.

10 A No.

11 Q Thomas Crutchfield?

12 A No.

13 Q Now did you ever conduct tests with the Highway Patrol
14 and KOKS to verify, you know, what interference might be
15 caused by the Highway Patrol?

16 A No.

17 Q Now before you mentioned, you know, harmonic frequen-
18 cies. What are KOKS's harmonic frequencies?

19 A You have half of their frequency divided by 2. You
20 have double their frequency of second harmonic, which is twice
21 the 89.5. And then your harmonics, you have much into the
22 tower, and you get, the more you see then.

23 Q Okay.

24 A The more severe they are.

25 Q Okay. So one harmonic of KOKS would be one-half of its

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

- 1 89.5?
- 2 A Yes.
- 3 Q Which would put it almost exactly at the same place as
4 the IF beat, would it not?
- 5 A Yes.
- 6 Q Do you know what the strength of the KOKS harmonic
7 frequencies are when the KOKS main frequency's effective
8 radiated power is at 100,000 watts?
- 9 A No.
- 10 Q Is it your understanding, or from your experience would
11 it be appropriate say that KOKS harmonics could cause blanket-
12 ing?
- 13 A They would be part of the -- they could be part of the
14 problem. Are you saying -- would you rephrase that a little
15 bit? What exactly were you saying?
- 16 Q Okay. Could KOKS harmonic frequencies cause blanket-
17 ing?
- 18 A They could cause FM interference.
- 19 Q Okay. Is that equivalent to blanketing, or is that you
20 are distinguishing between FM interference and something else?
- 21 A My understanding of blanketing is the FCC's definition
22 of a blanketed area.
- 23 Q Okay. Well, that defines the area. Let's define the
24 effect.
- 25 A All right.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 Q Okay. Now we have KOKS's main frequency. It is at
2 100,000 watts. We have a harmonic, which is one-half of that,
3 and apparently that is very close to both the IF beat fre-
4 quency that you talked about here and what that television
5 receiver is going to be trying to decide whether to receive or
6 not. You know, is it an appropriate frequency to receive?
7 And this harmonic frequency apparently is quite close.

8 A There are certain things designed into the transmitter
9 to diminish certain frequencies, such as a second harmonic
10 filter that is in there at the output of the transmitter to do
11 that. And they can -- sure, they can cause a problem.

12 Q Now I want you to turn to, it is KOKS Exhibit 3. You
13 don't have that with you, I guess?

14 MR. SHOOK: Do you mind if I stand up there?

15 MR. DUNNE: No, not at all.

16 JUDGE STIRMER: Are you going into a new area now?

17 MR. SHOOK: This is the last of this area and then I
18 will be finished, Your Honor.

19 JUDGE STIRMER: Very well.

20 MR. SHOOK: Okay. Your Honor, I am referring to
21 Attachment A in KOKS Exhibit 3. There is a letter from the
22 FCC, and then there are a number of articles that appear
23 afterwards.

24 JUDGE STIRMER: Very well.

25 MR. SHOOK: Okay. Mr. Lampe, what I am referring to

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 now is -- it shows, Your Honor, as page 16 from Radio World,
2 May 1, 1988. I haven't marked these pages yet, so I don't
3 know exactly what page we are talking about in this exhibit.

4 JUDGE STIRMER: All right. I have it.

5 MR. SHOOK: Okay.

6 BY MR. SHOOK:

7 Q Mr. Lampe, if you could, just read to yourself from the
8 bottom of page 16 through the second paragraph.

9 (Pause.)

10 A Do you want it read down to checking the antenna?

11 Q Oh, no, no, no. I mean, I am sure you have read way
12 beyond what I had in mind.

13 A Okay, all right.

14 Q Okay. Now reading what you have up there, and it talks
15 about harmonics. Correct?

16 A Yes.

17 Q Now with respect to KOKS, am I to understand that, you
18 know, KOKS's harmonic, which is one-half of its main fre-
19 quency, is that the first harmonic, first of all?

20 A The first harmonic? Do you mean half the frequency?

21 Q Right.

22 A No. The first harmonic is, or the second harmonic is a
23 multiple of 2. The first harmonic is the frequency you are
24 on. That is their frequency.

25 Q Okay. The first harmonic is the frequency itself?

FREE STATE REPORTING, INC.

Court Reporting Depositions

D.C. Area 261-1902

Balt. & Annap. 974-0947

- 1 A Yes.
- 2 Q The second harmonic is what?
- 3 A Two times that.
- 4 Q Two times?
- 5 A Yes.
- 6 Q And what is the harmonic that is one-half? Is that
7 also the second?
- 8 A That is a half.
- 9 Q Oh, it's a half? Okay.
- 10 A I don't know the technical term of it.
- 11 Q Okay. But the one that is a half, that, from your
12 understanding of how KOKS operates, is or is not causing any
13 interference, any blanketing interference, to television
14 reception?
- 15 A The only way it could would be getting directly into IF
16 stage of the television. In other words, it would have to be
17 strong enough to push through, regardless of the traps that
18 are in there.
- 19 Q Do you know the relative strength of that half
20 harmonic --
- 21 A No, sir.
- 22 Q -- as opposed to the IF beat frequency?
- 23 A No, I do not.
- 24 Q And the IF beat frequency, just for clarification, is
25 the difference between the Highway Patrol and the KOKS main

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 frequency?

2 A No, I don't. I don't know the difference.

3 Q Okay.

4 MR. SHOOK: Your Honor, this would be an appropriate
5 time for a break.

6 JUDGE STIRMER: All right. Why don't we take a
7 10-minute recess at this time?

8 (Whereupon, a brief recess ensued.)

9 JUDGE STIRMER: Please come to order. Mr. Shook, would
10 you continue, please?

11 BY MR. SHOOK:

12 Q You do recall when you were hired by KOKS? Correct?

13 A Yes.

14 Q Approximately February of '89?

15 A Eighty-nine.

16 Q Okay. What kind of preliminary discussions or negotia-
17 tions did you have with KOKS before you actually signed the
18 contract? And by the "contract," let me clarify that I am
19 referring to --

20 MR. DUNNE: Excuse me, Your Honor. I am having prob-
21 lems hearing the testimony and the question with the goings-on
22 here.

23 JUDGE STIRMER: All right. Please, spectators, I will
24 ask you to refrain from talking while the lawyers are ques-
25 tioning the witness.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 MR. DUNNE: Thank you, Your Honor.

2 BY MR. SHOOK:

3 Q Okay. Mr. Lampe, first of all, I am talking about the
4 contract that appears as Attachment A to your testimony. And
5 it has at the top of it, "On this 1st day of February 1989,"
6 and it reflects that it was signed by you and Mr. Don Stewart
7 on February 3, 1989. How long before that time were you in
8 contact with KOKS for purposes of negotiating the contract
9 that we see as Attachment A?

10 A Basically, we spoke on the phone once or twice before.

11 Q Okay.

12 A No big -- there was no big discussion of it. I told
13 them what I would do and what the cost would be, and we came
14 to terms and drew up an agreement.

15 Q Okay. And so that was done on the basis of two tele-
16 phone conversations?

17 A Probably two or three. It's hard to say.

18 Q Any face-to-face meetings?

19 A None that I remember.

20 Q Okay. And were your discussions confined with
21 Mr. Stewart, or did they include anybody else?

22 A Basically Mr. Stewart.

23 Q And what period of time from the time Mr. Stewart first
24 called you until, you know, the contract was actually signed?

25 A Possibly ten days, two weeks.

FREE STATE REPORTING, INC.

Court Reporting Depositions

D.C. Area 261-1902

Balt. & Annap. 974-0947

1 Q Did you know Mr. Stewart before this first contact that
2 we just talked about? You know, the ten days to two weeks
3 prior to your signing the contract? Did you have any contact
4 with Mr. Stewart before that time?

5 A None that I can recall.

6 Q Had you had any contact with Ms. Stewart before that
7 time?

8 A No, none that I can recall.

9 Q Okay. Did Mr. Stewart call you or did you call him?

10 A Mr. Stewart called me.

11 Q And when he called you, what did he say?

12 A I don't remember exactly what he said.

13 Q Okay.

14 JUDGE STIRMER: Well, what was gist of the conversa-
15 tion? What did he say to you, and what did you say to him?

16 THE WITNESS: Just basically he said that he would like
17 to contract my services as contract engineer. And I told him
18 what it would cost him, and he said the terms were fine. And
19 I drew up an agreement and took it by.

20 JUDGE STIRMER: And this is the agreement that you drew
21 up?

22 THE WITNESS: Yes.

23 JUDGE STIRMER: And you signed it and he signed it?

24 THE WITNESS: Yes.

25 JUDGE STIRMER: All right.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 BY MR. SHOOK:

2 Q When you were hired KOKS, were you aware that there
3 were complaints of blanketing interference from KOKS?

4 A Yes, and it is noted in the contract. There is a
5 sentence in there concerning blanketing in that contract.

6 Q Okay. Can you point out to me specifically what you
7 have in mind?

8 A At the bottom, I think, of the agreement. "I will not
9 be responsible for any interference caused by FM blanketing,"
10 I believe is in that contract.

11 Q Okay. Can you read me the specific language that you
12 are referring to?

13 A Let me see if I can find it. Is it in here? Okay.
14 "Mr. Lampe or Charlie's TV Repair will not be responsible for
15 any problems arising from pre-existing radio frequency inter-
16 ference."

17 Q Okay. And that was a paragraph that you wrote?

18 A Yes.

19 Q And what was the purpose of that paragraph?

20 A Because I had prior knowledge of the RFI.

21 Q And what in your mind is this paragraph supposed to
22 mean to you?

23 A In my mind, it would keep me from having to dig into my
24 own pocket to foot portions of the bill or things of this
25 matter for KOKS in creating a pre-existing problem.

FREE STATE REPORTING, INC.

Court Reporting Depositions

D.C. Area 261-1902

Balt. & Annap. 974-0947

1 Q Okay.

2 JUDGE STIRMER: Excuse me. By "pre-existing radio
3 frequency interference," did you mean blanketing problems?

4 THE WITNESS: Yes.

5 JUDGE STIRMER: Now what was the extent of the blanket-
6 ing problems as you knew them when you signed this agreement?

7 THE WITNESS: I knew that in the area of the tower that
8 people were calling me, asking me if there was anything that I
9 knew of that I could help them with their problems.

10 JUDGE STIRMER: Now these calls, I take it, began after
11 KOKS went on the air?

12 THE WITNESS: After they came on the air.

13 JUDGE STIRMER: Now where is the tower located? Is it
14 in a commercial area or a residential area?

15 THE WITNESS: Residential.

16 JUDGE STIRMER: And how closely are the houses to the
17 tower?

18 THE WITNESS: There are houses within hundreds of feet.

19 JUDGE STIRMER: I take it there is no zoning which
20 would --

21 THE WITNESS: There is no county zoning in this area,
22 no, sir.

23 JUDGE STIRMER: All right. Excuse me, Mr. Shook.

24 MR. SHOOK: Okay. Court reporter, is there a problem
25 with his --

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 COURT REPORTER: I can hear him.

2 MR. SHOOK: You can hear him?

3 THE WITNESS: Oh, I'm sorry.

4 MR. SHOOK: I just noticed that the mike was covered
5 up.

6 THE WITNESS: I'm sorry.

7 COURT REPORTER: I can hear him.

8 THE WITNESS: I will move it. I'm sorry.

9 BY MR. SHOOK:

10 Q Okay. Prior to working for KOKS, did you tell the
11 Stewarts -- you know, Mr. and Ms. Stewart, or either of them
12 -- about your views concerning the Highway Patrol and/or IF
13 beat interference?

14 A No, sir.

15 Q When, if ever, prior to your written testimony, did you
16 tell them about the Highway Patrol and/or IF beat inter-
17 ference?

18 A I don't know exactly when I told them, but I do know
19 that I made them aware that the Highway Patrol was posing an
20 interference problem in the area.

21 Q Okay. Can you give us a rough idea of when it was that
22 you told the Stewarts about the Highway Patrol?

23 A No, sir, I can't.

24 Q Prior to working for KOKS, did you tell the Stewarts,
25 either of them, about the experiences that you had described

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 | to us this morning with KKLR?

2 | A I don't recall that I did.

3 | Q Okay. Now getting back to the paragraph that you read
4 | into the record, is my understanding correct that you wanted
5 | to make sure that you were not going to be personally respon-
6 | sible for the financial cost of restoring service to
7 | complainants of blanketing interference?

8 | A Financially, and to minimize my liabilities.

9 | Q In other words, if somebody has got a problem, if the
10 | complainant has a problem, you want to make sure that their
11 | problem is with the station and not with you?

12 | A That is correct.

13 | Q Now when you signed this agreement with the Stewarts,
14 | the agreement that appears here as Attachment A, were you
15 | aware that one of the duties of a station that is causing
16 | blanketing interference was to resolve certain listener
17 | complaints at no cost to the complainant?

18 | A I was aware of that.

19 | Q Did you and the Stewarts ever discuss that?

20 | A Yes.

21 | Q Do you recall approximately when that discussion
22 | occurred and what the gist of the discussion was?

23 | A It was basically an ongoing discussion. I think the
24 | seriousness of it, they increased whenever, I think, that we
25 | were given a deadline in which to resolve the complaints.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 Q So this was a topic of periodic discussion between you
2 and the Stewarts?

3 A That is correct.

4 Q And when would the first of these discussions have
5 taken place?

6 A Probably within the first week that I was at the
7 station.

8 Q Okay. Now I would like you to refer to --

9 MR. SHOOK: Your Honor, I am going to have to go up
10 here again.

11 JUDGE STIRMER: Very well.

12 MR. SHOOK: Your Honor, I am turning to the second page
13 of the body, so it would be third page of KOKS Exhibit 5.

14 BY MR. SHOOK:

15 A Now looking at this paragraph, it is the first, second,
16 third, fourth, fifth paragraph that begins with, "Ms. Smith
17 indicated that earlier efforts," etc., through the end of that
18 paragraph. Why don't you read that to yourself, please?

19 (Pause.)

20 A All right.

21 Q Okay. Now do you know, do you have any reason to know
22 why Mr. Poole would have advised Ms. Smith or encouraged
23 Ms. Smith to contact you?

24 A I wasn't aware that he had until I read this now.

25 Q Okay. So you had no knowledge that that had taken

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 place?

2 A No.

3 JUDGE STIRMER: Now wait just a minute. You are
4 reading something into this that may not be there. There is
5 no indication that Mr. Poole was the one who encouraged Smith.
6 It may have been the station that encouraged Smith.

7 MR. SHOOK: Okay.

8 JUDGE STIRMER: I mean, I think you are reading some-
9 thing in here that may be true or may not be true, saying that
10 it was Poole who made the suggestion.

11 MR. SHOOK: All right. Well, I am just looking at this
12 sentence.

13 BY MR. SHOOK:

14 Q Do you have any knowledge as to why a suggestion,
15 regardless of who made it, would have been made? I mean, let
16 us take the Judge's tack and, you know, that Mr. Poole didn't
17 make this recommendation. But do you have any reason to know
18 why Ms. Smith would have been encouraged to contact you?

19 A No, I don't.

20 Q Now I would like to move to paragraph 10 of your
21 testimony. Now in paragraph 10, the first sentence states,
22 you know, the second clause, "I only made one visit to any-
23 one's home with respect to any FM blanketing complaint." Now
24 does mean any blanketing complaint at all or just KOKS
25 blanketing?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 A That was KOKS.

2 JUDGE STIRMER: Whose home did you visit with respect
3 to that complaint?

4 THE WITNESS: Mr. Hillis.

5 JUDGE STIRMER: Mr. Hillis? You visited him before you
6 were retained by --

7 THE WITNESS: No, no. No, I went prior. Wait a
8 minute. Yes, right after I was retained by KOKS, we went to
9 Mr. Hillis's home.

10 BY MR. SHOOK:

11 Q When you went to the Hillis household, did the radio
12 station, did KOKS show you any of the written statements that
13 had been made by the Hillises to the FCC?

14 A None that I recall.

15 Q Okay. Your knowledge of what the Hillises' complaints
16 were was what they told you walked in the door?

17 A I was told by Ms. Stewart that they were having
18 complaint. I saw very little of the paperwork that ran
19 through the station.

20 Q Okay. So, in other words, any complaint that may have
21 been in the possession of the radio station that the Hillises
22 made, you didn't see it before you went to the Hillises' house
23 the first time?

24 A That is correct.

25 Q Now with respect to the Poole report that reflects a

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 visit by the FCC engineer, Clarke Poole, in May of 1989, I
2 would like you to turn to the third full page of that report.
3 Now do you see in the third full paragraph or the fourth full
4 paragraph, I can't tell which, the reference to 1,000
5 complaints received?

6 A Yes.

7 Q Did Mr. Stewart make you aware that there were that
8 many complaints lodged against the station?

9 A No, sir.

10 Q Did Mr. Stewart give you any number in terms of how
11 many complaints had been lodged against the station?

12 A No specific number.

13 Q Did he give you an approximate number?

14 A Approximately 200, I believe.

15 Q And what were the circumstances in which he, you know,
16 told you about 200 complaints?

17 A Prior to us making home visits to install 89.5 FM
18 traps, as the scheduling was taking place, he told me that we
19 had approximately 200 home visits to make.

20 Q Okay. So that would have taken place in late 1990 or
21 early 1991?

22 A That is correct.

23 Q And that was the first time that you had been told
24 about how many people were complaining of blanketing inter-
25 ference?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 A Any fixed number.

2 Q Now in the middle of page 6 of your testimony, and that
3 is paragraph 10, there is a statement that reads, "I knew the
4 station was not responsible for interference to items like
5 VCRs and computers." Do you see that statement?

6 A Yes.

7 Q And what is your understanding based on?

8 A That was what I was told by station management.

9 Q Okay. Specifically whom?

10 A Don Stewart.

11 Q Okay. And did you have an understanding as to where
12 Mr. Stewart derived his understanding?

13 A From --

14 MR. DUNNE: Objection, Your Honor. Mr. Stewart can
15 testify to that. That is hearsay.

16 JUDGE STIRMER: Sustained.

17 BY MR. SHOOK:

18 Q When you were at the Hillis residence in 1989, did you
19 ever explain or try to explain to the Hillises your under-
20 standing of KOKS's blanketing rule obligations?

21 A No, I did not.

22 Q Now moving on to paragraph 11, the first sentence
23 reads, "Because I am a TV repairman, I went to many houses in
24 the Poplar Bluff area during this time period." Can you tell
25 me what time period you are referring to?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 A During the time of being employed for KOKS.

2 Q Okay. So the beginning of the period is roughly
3 February of '89?

4 A That is correct.

5 Q Now during this period, did you have any knowledge that
6 each residence within a three-mile radius, or a 2.45-mile
7 radius, of the KOKS tower that you visited in order to restore
8 television reception was related to a complaint that KOKS was
9 causing blanketing interference?

10 A Would you go through that again? She opened the door,
11 and I lost part of that when she came in.

12 Q Okay. Now beginning in February of '89 --

13 A Yes.

14 Q -- when you start to, when you go to somebody's house
15 and they live within two and half miles, 2.45 miles, to be
16 exact --

17 A That is correct.

18 Q -- to the KOKS radio tower, and you are there to
19 restore somebody's television reception, did you have any
20 understanding that you were there or you could have been there
21 because of KOKS blanketing interference?

22 A Yes, I was aware of that.

23 Q Did you inform the Stewarts of your visits to any of
24 these residences?

25 A No.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 Q Can you explain to us why you did not so inform the
2 Stewarts?

3 A I informed the people that I was at that they should
4 contact the station.

5 Q Okay. What are they supposed to tell the station when
6 they contact them?

7 A They were experiencing FM blanketing and what the
8 station could do for them.

9 Q Now when you were at any of these residences, did you
10 ask to see any of the complaints that these individuals may
11 have lodged against the radio station, that the radio station
12 was causing blanketing interference?

13 A No, sir.

14 Q What was your typical, you know, service charge for
15 such a visit?

16 A At that time, twenty fifty.

17 Q Okay. Does that mean 20.50?

18 A Twenty dollars and fifty cents.

19 Q And what period of time was that meant to cover?

20 A That covers the first half-hour.

21 Q And what would the charge be for, you know, any time
22 thereafter?

23 A At that time, it was \$18.50 per hour.

24 Q Okay. Did you ever inform the Stewarts of the charges
25 that you made for the visits that we are talking about here?

FREE STATE REPORTING, INC.

Court Reporting Depositions

D.C. Area 261-1902

Balt. & Annap. 974-0947

1 A No, sir.

2 Q Can you tell us why you never told the Stewarts?

3 A Because my business, Charlie's TV Repair, and my
4 contract with KOKS are two separate entities. When somebody
5 calls me at my business to do service work for them as
6 Charlie's TV Repair or Charlie Lampe, which is what I have
7 been doing for 20 years, that is what I do. And then I inform
8 the people if it is a blanketing area or a blanketing problem,
9 that they should contact KOKS about their problem and see what
10 the station can do for them.

11 Q Okay. And what is the station -- what is your under-
12 standing as to what the station is supposed to do for them
13 once these people contact the station?

14 A As far as antenna reception goes, they must offer
15 advice and repair or add filters to an existing system. It is
16 not their responsibility to install a completely new antenna
17 system in a place that an antenna system has been up for 30
18 years and is, you know, completely a pile of junk.

19 JUDGE STIRMER: Let me ask you some questions,
20 Mr. Lampe.

21 THE WITNESS: Yes, Your Honor.

22 JUDGE STIRMER: In your first sentence in paragraph 11,
23 you state that you went to many houses. What do you mean by
24 "many"? How many?

25 THE WITNESS: Well, Your Honor, on an average back then

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 -- I no longer make service calls as such now -- but back then
2 on an average I was making five to eight service calls a day.

3 JUDGE STIRMER: Per day, related to the complaint that
4 there was blanketing?

5 THE WITNESS: Not really to that complaint, no, sir.
6 Probably in that area, 15 to 20.

7 JUDGE STIRMER: Fifteen to twenty complaints about
8 blanketing?

9 THE WITNESS: Well, the service calls and of course the
10 phone calls that I received.

11 JUDGE STIRMER: All right. Now you say in your testi-
12 mony that these complainants, Ms. Smith, Ms. Hillis, and other
13 complained about their inability to receive Channel 6 and they
14 wanted to know how they can improve their reception of that
15 channel. Is that what your testimony -- that is your testi-
16 mony, is it not?

17 THE WITNESS: May I take a second to read this over,
18 Your Honor?

19 JUDGE STIRMER: Certainly.

20 THE WITNESS: Thank you.

21 JUDGE STIRMER: Paragraph 11.

22 THE WITNESS: Mr. and Ms. Hillis did not contact me.
23 Ms. Smith contacted me prior to my going to work for KOKS
24 about her reception problems many times, but I was never asked
25 to make a service call. She never did ask me to come out and

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 see what I could do for her prior to my being employed by
2 KOKS. I am calling neighbors people that live in the adjoin-
3 ing trailer courts basically, and they called me.

4 JUDGE STIRMER: Well, again we are getting back to the
5 question that counsel asked you at the outset, to define what
6 you meant by this time period. And I thought this was after
7 you were retained by KOKS.

8 THE WITNESS: Yes.

9 JUDGE STIRMER: Isn't that what you testified to?

10 THE WITNESS: Yes. Yes, that is the time period that
11 we are talking about at the top.

12 JUDGE STIRMER: All right. So Smith called you?

13 THE WITNESS: She called me after that also.

14 JUDGE STIRMER: And many other people called you?

15 THE WITNESS: Yes.

16 JUDGE STIRMER: And their main complaint was their
17 inability to receive Channel 6?

18 THE WITNESS: Yes.

19 JUDGE STIRMER: Did they say they were able to get
20 Channel 6 before KOKS went on the air?

21 THE WITNESS: Yes.

22 JUDGE STIRMER: And now that KOKS was on the air, they
23 were no longer able to get that signal?

24 THE WITNESS: That is correct.

25 JUDGE STIRMER: And that was the nature of their

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947