

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

In the Matter of	)	
	)	
ENTERTAINMENT MEDIA TRUST,	)	MB Docket No. 19-156
DENNIS J. WATKINS, TRUSTEE	)	
	)	
Applications to Renew License:	)	
	)	
KFTK(AM) (formerly WQQX(AM)), East St.	)	Facility ID No. 72815
Louis, Illinois	)	File No: BR-20120709ACP
	)	
WQQW(AM), Highland, Illinois	)	Facility ID No. 90598
	)	File No. BR-20120709AC0
	)	
KZQZ(AM), St. Louis, Missouri	)	Facility ID No. 72391
	)	File No. BR-20120921AAW
	)	
KQQZ(AM), DeSoto, Missouri	)	Facility ID No. 5281
	)	File No. BR-20120921ABA
	)	
Application for Consent to Assignment of	)	
Licenses:	)	
	)	
KFTK(AM) (formerly WQQX(AM)), East St.	)	Facility ID No. 72815
Louis, Illinois	)	File No: BAL-20160919ADH
	)	
WQQW(AM), Highland, Illinois	)	Facility ID No. 90598
	)	File No. BAL-20160919ADI
	)	
KZQZ(AM), St. Louis, Missouri	)	Facility ID No. 72391
	)	File No. BAL-20160919ADJ
	)	
KQQZ(AM), DeSoto, Missouri	)	Facility ID No. 5281
	)	File No. BAL-0160919ADK
	)	
Application for Permit to Construct New	)	Facility ID No. 200438
Station:	)	File Nos. BNPFT-20170726AEF
	)	BNPFT-20180314AAO
W275CS, Highland, Illinois	)	

To: Marlene H. Dortch, Secretary  
Attn: Administrative Law Judge Jane Hinckley Halprin

## **ENFORCEMENT BUREAU'S OPPOSITION TO EMT'S MOTION FOR STAY OF PROCEEDINGS OR IN THE ALTERNATIVE EXTENSION OF TIME**

1. The Presiding Judge ordered Entertainment Media Trust, Dennis Watkins, Trustee (EMT) to respond to the first set of interrogatories served by the Enforcement Bureau (Bureau) “on or before Thursday, September 12, 2109.”<sup>1</sup> Instead of meeting this deadline, EMT filed on the evening of September 11, 2019, a motion requesting an immediate stay of these proceedings in accordance with the automatic stay provisions of the Bankruptcy Code or, in the alternative, a further “indefinite extension of time” to respond to the Bureau’s first set of interrogatories and document requests served by Petitioner Mark Kern (Motion).<sup>2</sup> EMT asserts, without citing to any legal support or precedent, that a stay of this proceeding is warranted now that EMT has filed for Chapter 7 bankruptcy protection and because it will be filing, at some undefined time in the future, a petition for extraordinary relief in accordance with the *Second Thursday* doctrine for as yet unidentified transactions.<sup>3</sup> For the reasons set forth below, the Chief, Enforcement Bureau (Bureau), by her attorneys, opposes EMT’s Motion.<sup>4</sup>

### **The Hearing Proceeding Is Not Subject to the Automatic Stay Provisions Set Forth in 11 USC § 362**

2. EMT alleges that, pursuant to section 362(a)(1) of the U.S. Bankruptcy Code, the filing of its bankruptcy petition automatically “operates as a stay” of any administrative

---

<sup>1</sup> Order, FCC 19M-08 (ALJ, rel. Sept. 6, 2019), at 3, para. 5. The Presiding Judge granted EMT this extension from the original due date of September 3, 2019 after EMT failed to comply with the earlier deadline set by the Commission’s rules and instead moved for an extension of time. See EMT’s Motion for Extension of Time (Sept. 3, 2019).

<sup>2</sup> Motion for Stay of Proceedings or in the Alternative Extension of Time (Sept. 11, 2019) (Motion).

<sup>3</sup> See *id.*

<sup>4</sup> See 47 CFR § 1.294(b) (oppositions to an interlocutory request shall be filed within 4 days after the original pleading is filed); see also 47 CFR § 1.4(g) (unless otherwise provided, if the filing period is less than 7 days, intermediate holidays as that term is defined in 47 CFR § 1.4(e)(1) shall not be counted in determining the filing date).

(continued....)

proceeding – including the instant proceeding – brought against EMT.<sup>5</sup> Section 362(b)(4) of the Bankruptcy Code, however, in relevant part, exempts from the automatic stay provision any “action or proceeding by a government unit . . . to enforce such governmental unit’s . . . police and regulatory power.”<sup>6</sup> This proceeding falls within that exception.

3. There is no dispute that Congress assigned to the Commission exclusive “regulatory power over all forms of electrical communication, whether by telephone, telegraph, cable, or radio,”<sup>7</sup> and that the Commission has “exclusive authority” to determine whether to grant license applications.<sup>8</sup> Likewise, because the Commission “must be satisfied that the public interest will be served by . . . the license,”<sup>9</sup> it also has exclusive regulatory power over the rules and conditions pursuant to which an applicant is entitled to a Commission license.<sup>10</sup> Indeed, “no court can grant an applicant an authorization which the Commission has refused.”<sup>11</sup> It follows that the Commission’s decision-making process concerning “which entities are entitled to [its] licenses under rules and conditions it has promulgated,”<sup>12</sup> falls squarely within the core of its regulatory authority.<sup>13</sup>

---

<sup>5</sup> See Motion at 2, para. 2.

<sup>6</sup> 11 USC § 362(b)(4).

<sup>7</sup> *United States v. Southwestern Cable Co.*, 392 U.S. 157, 168 (1968) (citation omitted).

<sup>8</sup> *Metro Broadcasting, Inc. v. FCC*, 497 U.S. 547, 553 (1990), *overruled on other grounds*, *Advanced Constructors, Inc. v. Pena*, 5151 U.S. 200 (1995) (internal citations omitted).

<sup>9</sup> *FCC v. WOKO, Inc.*, 329 U.S. 223, 229 (1946).

<sup>10</sup> See, e.g., *P&R Temmer v. FCC*, 743 F.2d 918, 927 (D.C. Cir. 1984).

<sup>11</sup> *Scripps-Howard Radio v. FCC*, 316 US 4, 14 (1942); see also *In re NextWave Personal Communications, Inc.*, 200 F.3d 43, 54 (2nd Cir. 1999) (“It is beyond the jurisdiction of a court in a collateral proceeding [such as a bankruptcy proceeding] to mandate that a licensee be allowed to keep its license despite its failure to meet the conditions to which the license is subject.”) (*NextWave*)

<sup>12</sup> *NextWave*, 200 F.3d at 54.

<sup>13</sup> See *id.* (concluding that when the Commission makes decisions as to which entities are entitled to its licenses it exercises the full extent of its regulatory capacity); see also *In re FiberTower Network Svcs.*, 482 B.R. 169, 180 (N.D. Texas Oct. 11, 2012) (recognizing that the Commission’s decision regarding “whether or not the Licenses are or should be terminated for non-compliance with the Substantial Service Standard ‘lies within the heart’ of [the Commission’s] police and regulatory power”) (citations omitted) (*FiberTower*).

(continued....)

4. The instant hearing proceeding was commenced for the very purpose of determining whether EMT violated the Commission's rules and whether it is entitled to be and remain a Commission licensee.<sup>14</sup> As such, this proceeding plainly constitutes an action by "a governmental unit . . . seeking 'to enforce' its 'regulatory power'"<sup>15</sup> to which the exemption in section 362(b)(4) of the Bankruptcy Code applies. On this basis alone, the Presiding Judge should deny EMT's motion.

#### **EMT Does Not Address the Commission's Four-Part Test for a Stay**

5. When considering whether to grant a petitioner's request for a stay, the Commission has traditionally required that the petitioner demonstrate that: (1) it is likely to prevail on the merits; (2) it will suffer irreparable harm if a stay is not granted; (3) other interested parties will not be harmed if the stay is granted; and (4) the public interest favors granting a stay.<sup>16</sup> The burden is thus plainly on EMT to establish why its request for a stay should be granted. Here, EMT has failed to meet this burden. EMT does not even reference this test in its Motion, let alone demonstrate that it satisfies any of the factors. On this basis, as well, the Presiding Judge should deny EMT's motion.

---

<sup>14</sup> See *Entertainment Media Trust, Dennis J. Watkins, Trustee*, Hearing Designation Order and Notice of Opportunity for Hearing, DA-19-506 (MB June 5, 2019) (HDO).

<sup>15</sup> *In re FCC*, 217 F.3d 125, 138 (2nd Cir. 2000), *cert denied*, 531 US 1029 (2000). See also *id.* at 139 (instructing "the bankruptcy court to refrain from interfering with the licensing decisions of the FCC"); *FiberTower*, 482 B.R. at 180, n.25 (recognizing that governmental agencies qualify for the "police and regulatory exception" under section 362(b)(4) when they bring actions intended to bring entities in compliance with applicable regulations) (citations omitted).

<sup>16</sup> See, e.g., *Tennis Channel v. Comcast Cable Communications, LLC*, 27 FCC Rcd 9274, 9279, para. 17 (OGC 2012) (applying four-factor test in evaluating request to stay Commission order); *Brunson Commc'ns, Inc. v. RCN Telecom Servs., Inc.*, 15 FCC Rcd 12883, 12883-84 (CSB 2000) (same); see also *Virginia Petroleum Jobbers Ass'n v. FPC*, 259 F.2d 921, 925 (1958) (setting forth four-factor test traditionally applied in assessing a request for a stay).

6. Moreover, as discussed in greater detail below, based on the information currently before the Commission, it is questionable whether EMT can even meet the first factor of this test – its likelihood of success on the merits.

**EMT Has Not Provided Any Basis for Seeking Relief  
Under the *Second Thursday* Doctrine**

7. As an additional basis for its request for a stay, or indefinite extension of time, EMT asserts that the Chapter 7 Trustee will be liquidating EMT's assets, and will, at some undefined time in the future, "be seeking consent to the assignment of licenses at issue herein from the Commission in accordance with the *Second Thursday* doctrine as an exception to the Commission's *Jefferson Radio* policy."<sup>17</sup> EMT represents that the "expected liquidation sale" and the *Second Thursday* petition will "have the overall effect of more swiftly resolving the matters in this proceeding . . . than a continuation of the proceeding without delay."<sup>18</sup> This presupposes, however, the success of EMT's as yet unfiled *Second Thursday* petition. In this regard, EMT has put the proverbial cart before the horse.

8. The Commission's *Jefferson Radio* policy prohibits the transfer of any license in the face of unresolved questions about the licensee's basic qualifications to hold a license.<sup>19</sup> This policy "reflects the Commission's understanding that permitting a licensee to evade the consequences of alleged or adjudicated misconduct by transferring his interest or assigning his license will diminish the deterrent effect that revocation or renewal proceedings should have on . . . licensees."<sup>20</sup> In *Second Thursday Corp.*,<sup>21</sup> the Commission carved out a narrow exception to

---

<sup>17</sup> Motion at 3, para. 6.

<sup>18</sup> *Id.* at 4.

<sup>19</sup> See *Jefferson Radio Company v. FCC*, 340 F.2d 781 (D.C. Cir. 1964).

<sup>20</sup> See *Family Broadcasting, Inc.*, 25 FCC Rcd 7591, 7596, para. 17 (2010).

<sup>21</sup> See *Second Thursday Corp.*, 22 FCC 2d 515 (1970).

(continued....)

this general prohibition as a way to balance the policies of the Communications Act with the policies of federal bankruptcy law that protect innocent creditors.<sup>22</sup> Under the *Second Thursday* doctrine, the Commission may allow an assignment or transfer by a licensee with basic qualifications issues outstanding only when three conditions are present. First, the licensee in question must be in bankruptcy. Second, the Commission must determine that, notwithstanding unresolved questions about the licensee's basic qualifications, the proposed transaction will benefit innocent creditors. Third, the Commission must find that "the individuals charged with misconduct will have no part in the proposed operations and will either derive no benefits from favorable action on the applications or only a minor benefit which is outweighed by equitable considerations in favor of innocent creditors."<sup>23</sup>

9. To date, EMT has, at best, only met the first of these conditions – it has filed for bankruptcy protection.<sup>24</sup> EMT has not identified any transactions for which it purportedly intends to seek *Second Thursday* treatment. Indeed, it has not even confirmed whether the Bankruptcy Trustee will liquidate all of the licenses in hearing.<sup>25</sup> It has also failed to identify potential buyers or a timetable for finding such potential buyers or explained how the proceeds of any potential transactions shall be distributed only to benefit innocent creditors. Most importantly, EMT has not demonstrated that the proceeds of any such potential transactions shall not be distributed to any of the alleged wrongdoers in this proceeding. In fact, EMT has

---

<sup>22</sup> See, e.g., *id.* at 518, para. 9; *LaRose v. FCC*, 494 F.2d 1145, 1146 and 1149 (1974).

<sup>23</sup> *Second Thursday Corp.*, 22 FCC 2d at 516, para. 5. See also *Shell Broadcasting, Inc.* 38 FCC 2d 929, 931, para. 5 (1973) (*Second Thursday* relief allowed only when alleged wrongdoers will derive no benefit).

<sup>24</sup> It is not even clear yet whether the bankruptcy case will proceed. On September 12, 2019, U.S. Bankruptcy Judge Laura K. Grandy issued an Order and Deficiency Notice in EMT's bankruptcy case identifying a required document that EMT had failed to submit with its bankruptcy petition. Judge Grandy ordered EMT to submit a "Corporate Ownership Statement" on or before 14 days from September 11, 2019 or risk dismissal of the bankruptcy case. See Exhibit A attached hereto.

<sup>25</sup> If the Chapter 7 Trustee does not liquidate all of the licenses, but only those necessary to reimburse the innocent creditors, the remaining licenses and the related applications would still be subject to this proceeding.

presented no evidence – such as its financial statements, an itemization of its assets and liabilities, or a list of its creditors – demonstrating that its bankruptcy claim is even legitimate, and not just a litigation tactic to avoid responding to pending discovery requests and continuing with this hearing. To stay all of the procedural dates in this proceeding now, under such speculative circumstances, would be inconsistent with Commission precedent and the public interest in having the questions designated for hearing addressed expeditiously.<sup>26</sup> The Presiding Judge should deny EMT's request for a stay.

10. Notably, EMT failed to attach its voluntary bankruptcy petition to its Motion. The Bureau has obtained a copy of this petition, however, and attaches it hereto for the record.<sup>27</sup> Based on the information set forth in this petition, it is difficult to see how EMT will ultimately succeed in its request for *Second Thursday* relief. In particular, EMT identifies the total amount owed to its innocent creditors as \$121,495.77.<sup>28</sup> However, it lists the total value of its assets – namely, the four Commission licenses that are presently in hearing and its accounts receivable – as more than \$2,000,000.00.<sup>29</sup> There is thus a significant likelihood that, if the Chapter 7 Trustee liquidates each of the Commission licenses, as EMT suggests it will do, the liquidation will yield considerably more than is owed to EMT's creditors. Indeed, it could potentially result in a windfall of nearly \$1.9 million dollars to EMT and/or its beneficiary, Katrina M. Sanders. Since

---

<sup>26</sup> See *MobileMedia Corp. et. al*, 12 FCC Rcd 7927, 7931-32, paras. 13, 15 (1997) (stayed license revocation hearing to permit MobileMedia to seek relief under the *Second Thursday* doctrine only after it identified the transactions for which it sought *Second Thursday* treatment and after it sufficiently demonstrated that potential wrongdoers could not benefit as a result of those transactions); see also *Peoria Community Broadcasters, Inc.*, 79 FCC 2d 311, 328, para. 35 (1980) (proceeding with hearing on license renewal application when “no showing has been made that individuals charged with misconduct will not benefit” from the transaction).

<sup>27</sup> See Exhibit B attached hereto.

<sup>28</sup> See Exhibit B at Schedules D at 11 of 25, Part 1, line 2.1 and E/F at 13 of 25, Part 4, line 5c. Notably, the only creditors identified are the Commission (for the payment of regulatory fees that are not due to be paid until September 24, 2019) and EMT's counsel of record in this proceeding for payment of legal fees due as of August 16, 2019 and August 31, 2019.

<sup>29</sup> See Exhibit B at Schedule A/B at 10 of 25, Part 12, line 92.

both EMT and Ms. Sanders (together with Robert S. Romanik) “are charged with misconduct” in this case, any such windfall would plainly preclude the applicability of the *Second Thursday* exception.

11. Despite EMT’s assertions to the contrary, therefore, staying this proceeding for an indefinite period of time while the Chapter 7 Trustee identifies potential buyers, liquidates the licenses, and files a petition for extraordinary relief under *Second Thursday* that is almost certain, based on the information currently before the Commission, to fail, does not conserve litigant and administrative resources. It merely delays the expenditure of those very same resources until a later date while at the same time prejudicing the public’s interest in having the questions designated for hearing resolved expeditiously. On this basis, as well, the Presiding Judge should deny EMT’s request for a stay.

**The Bankruptcy Proceeding Does Not Address All Issues Designated for Hearing**

12. The HDO designates a number of issues for hearing. Specifically, it directs the Presiding Judge to determine whether the following captioned applications should be granted: (a) the applications for renewal of the license for Stations KFTK(AM) (formerly WQQX(AM)), WQQW(AM), KZQZ(AM), and KQQZ(AM) (collectively, Station Licenses);<sup>30</sup> (b) the applications seeking consent to assign the Station Licenses to a second trust to be known as Entertainment Media Trust #2;<sup>31</sup> and (c) the applications to construct a new FM translator, W275CS, Highland, Illinois (Translator), to rebroadcast Station WQQW (Translator Applications).<sup>32</sup> Pursuant to the HDO, before action can be taken on *any* of these applications, the Presiding Judge must resolve certain questions concerning EMT and its qualifications to be a

---

<sup>30</sup> See HDO at 2, para. 2 and n.1.

<sup>31</sup> See *id.* at 8, para. 17 and n.54.

<sup>32</sup> See *id.* at 11, para. 27 and n.85.

(continued....)



licensee.<sup>33</sup> The HDO also directs the Presiding Judge to determine whether the Trust shields the grantor or beneficiary from the ownership attribution requirements under section 73.3555 of the Commission's rules (Rules).<sup>34</sup>

13. In its bankruptcy petition, EMT has listed only the four Station Licenses as assets to be liquidated by the Chapter 7 Trustee.<sup>35</sup> Thus, even if EMT were ultimately successful in its request for extraordinary relief pursuant to the *Second Thursday* doctrine, such relief would, at best, address only the four Station Licenses and the designated issues pertaining to the related applications.<sup>36</sup> EMT has failed to explain how the bankruptcy filing and the subsequent request for *Second Thursday* relief would resolve the designated issues concerning its Translator Applications or whether the Trust shields its grantor or beneficiary from section 73.3555's ownership attribution requirements.

14. Since the Presiding Judge would still need to determine, at a minimum, whether Romanik is a real-party-in-interest to the Translator Applications,<sup>37</sup> whether EMT engaged in misrepresentation and/or lack of candor in applications and communications with the Commission or otherwise violated section 1.17 of the Rules,<sup>38</sup> and whether EMT shields the grantor or beneficiary from the Commission's ownership attribution requirements,<sup>39</sup> there is no reason to stay the instant proceeding. For this reason, as well, the Presiding Judge should deny EMT's motion.

---

<sup>33</sup> See, e.g., *id.* at 22-23, paras. 65(a)-(e). See also *id.* at 19-20, para. 56 (designating substantial and material questions as to whether Robert S. Romanik (Romanik) is the real party-in-interest to the Translator Applications).

<sup>34</sup> See *id.* at 23, para. 65(e).

<sup>35</sup> See Exhibit B at Schedule A/B at 8 of 25, Part 10, line 62.

<sup>36</sup> See HDO at 23, paras. 65(f) and (g).

<sup>37</sup> See *id.* at 19-20, para. 56.

<sup>38</sup> See *id.* at 23, para. 65(d).

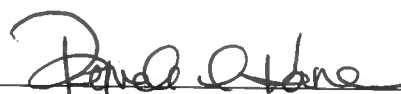
<sup>39</sup> See *id.* at 23, para. 65(e).

### Conclusion

15. For the foregoing reasons, the Bureau respectfully asks the Presiding Judge to deny EMT's request to stay or to delay the proceeding indefinitely. This proceeding should move forward unfettered, with EMT promptly serving on the Bureau its answers to the Bureau's outstanding interrogatories and document requests, and with all parties continuing with this case in accordance with the schedule set by the Presiding Judge.

Respectfully submitted,

Rosemary C. Harold  
Chief, Enforcement Bureau

  
\_\_\_\_\_  
Pamela S. Kane  
Special Counsel  
Investigations and Hearings Division  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street, SW, Room 4-C330  
Washington, D.C. 20554  
(202) 418-1420

Jeffrey Gee  
Division Chief  
Investigations and Hearings Division  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street, SW, Room 4-C330  
Washington, D.C. 20554  
(202) 418-1420

September 17, 2019

## **EXHIBIT A**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

IN RE:

Entertainment Media Trust

In Proceedings  
Under Chapter 7

BK 19-31224-lkg

Debtor(s)

SSN/Individual Taxpayer ID Number (ITIN):    Employer Tax ID Number (ETIN):  
84-6639949

**ORDER AND DEFICIENCY NOTICE**

To the Debtor(s) and Counsel, if any:

Pursuant to the Federal Rules of Bankruptcy Procedure debtor(s) has **14 DAYS FROM THE DATE OF FILING** the above-entitled case to file the required statements, schedules, lists and plan. The document(s) listed below are to be filed with the Court on or before 14 days from 9/11/19, the date of the filing of the above-captioned case.

Corporate Ownership Statement

**IT IS ORDERED** that should the debtor(s) fail to **fully** comply by filing all missing documents on or before the stated due date, this case may be dismissed without further notice or hearing.

ENTERED: September 12, 2019

/s/ Laura K. Grandy  
UNITED STATES BANKRUPTCY JUDGE

United States Bankruptcy Court  
Southern District of Illinois

In re:  
Entertainment Media Trust  
Debtor

Case No. 19-31224-lkg  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0754-3

User: ki  
Form ID: 181

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 12, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 14, 2019.

db +Entertainment Media Trust, 100 W. Main Street, Belleville, IL 62220-1540

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 14, 2019

Signature: /s/Joseph Speetjens

---

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 12, 2019 at the address(es) listed below:

Donald M. Samson dnldsamson@gmail.com, ill17@ecfcbis.com;dms@trustesolutions.net  
Jerry D Graham, Jr on behalf of Debtor Entertainment Media Trust court@jdgrahamlaw.com,  
jdgrahampc@gmail.com;r47365@notify.bestcase.com  
United States Trustee USTPRegion10.es.ecf@usdoj.gov

TOTAL: 3

## **EXHIBIT B**

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF ILLINOIS

Case number (if known)

Chapter 7☐ Check if this an amended filing

## Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Entertainment Media Trust

2. All other names debtor used in the last 8 years  
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 84-6639949

4. Debtor's address Principal place of business

100 W. Main Street  
Belleville, IL 62223

Number, Street, City, State &amp; ZIP Code

Saint Clair  
County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State &amp; ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State &amp; ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☒ Other. Specify: Trust

Debtor **Entertainment Media Trust**  
Name

Case number (if known)

**7. Describe debtor's business** A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5151**8. Under which chapter of the Bankruptcy Code is the debtor filing?***Check one:*

- ☒ Chapter 7
- ☐ Chapter 9
- ☐ Chapter 11. *Check all that apply:*

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	When	Case number
District	When	Case number

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship
District	When
	Case number, if known



Debtor **Entertainment Media Trust**  
Name

Case number (if known)

**11. Why is the case filed in this district?**

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other**Where is the property?**

Number, Street, City, State &amp; ZIP Code

**Is the property insured?**☐ No☐ Yes. Insurance agency

Contact name

Phone

**Statistical and administrative information****13. Debtor's estimation of available funds**

Check one:

☐ Funds will be available for distribution to unsecured creditors.☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☒ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Entertainment Media Trust**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures****WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **September 11, 2019**  
MM / DD / YYYY**X /s/ Dennis J. Watkins**

Signature of authorized representative of debtor

**Dennis J. Watkins**

Printed name

Title **Trustee****18. Signature of attorney****X /s/ J. D. Graham**

Signature of attorney for debtor

Date **September 11, 2019**

MM / DD / YYYY

**J. D. Graham 06211732**

Printed name

**J. D. Graham, PC**

Firm name

**#1 Eagle Center; Suite 3A****O Fallon, IL 62269**

Number, Street, City, State &amp; ZIP Code

Contact phone **(618) 235-9800**Email address **jd@jdgrahamlaw.com****06211732 IL**

Bar number and State

**Fill in this information to identify the case:**Debtor name **Entertainment Media Trust**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF ILLINOIS**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 202****Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☐ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **September 11, 2019****X /s/ Dennis J. Watkins**

Signature of individual signing on behalf of debtor

**Dennis J. Watkins**

Printed name

**Trustee**

Position or relationship to debtor

## Fill in this information to identify the case:

Debtor name **Entertainment Media Trust**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF ILLINOIS**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206Sum  
Summary of Assets and Liabilities for Non-Individuals**

12/15

**Part 1: Summary of Assets****1. Schedule A/B: Assets-Real and Personal Property** (Official Form 206A/B)**1a. Real property:**Copy line 88 from *Schedule A/B*..... \$ **0.00****1b. Total personal property:**Copy line 91A from *Schedule A/B*..... \$ **2,015,950.00****1c. Total of all property:**Copy line 92 from *Schedule A/B*..... \$ **2,015,950.00****Part 2: Summary of Liabilities****2. Schedule D: Creditors Who Have Claims Secured by Property** (Official Form 206D)Copy the total dollar amount listed in Column A, *Amount of claim*, from line 3 of *Schedule D*..... \$ **14,875.00****3. Schedule E/F: Creditors Who Have Unsecured Claims** (Official Form 206E/F)**3a. Total claim amounts of priority unsecured claims:**Copy the total claims from Part 1 from line 5a of *Schedule E/F*..... \$ **0.00****3b. Total amount of claims of nonpriority amount of unsecured claims:**Copy the total of the amount of claims from Part 2 from line 5b of *Schedule E/F*..... +\$ **106,620.77****4. Total liabilities**Lines 2 + 3a + 3b..... \$ **121,495.77**

**Fill in this information to identify the case:**Debtor name **Entertainment Media Trust**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF ILLINOIS**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206A/B****Schedule A/B: Assets - Real and Personal Property**

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

**Part 1: Cash and cash equivalents****1. Does the debtor have any cash or cash equivalents?**

- ☒ No. Go to Part 2.  
☐ Yes Fill in the information below.

All cash or cash equivalents owned or controlled by the debtor

Current value of debtor's interest

**Part 2: Deposits and Prepayments****6. Does the debtor have any deposits or prepayments?**

- ☒ No. Go to Part 3.  
☐ Yes Fill in the information below.

**Part 3: Accounts receivable****10. Does the debtor have any accounts receivable?**

- ☐ No. Go to Part 4.  
☒ Yes Fill in the information below.

**11. Accounts receivable**

11a. 90 days old or less:	<b>15,950.00</b>	-	<b>0.00</b>	= ....	<b>\$15,950.00</b>
	face amount		doubtful or uncollectible accounts		

**12. Total of Part 3.**

Current value on lines 11a + 11b = line 12. Copy the total to line 82.

**\$15,950.00****Part 4: Investments****13. Does the debtor own any investments?**

- ☒ No. Go to Part 5.  
☐ Yes Fill in the information below.

**Part 5: Inventory, excluding agriculture assets****18. Does the debtor own any inventory (excluding agriculture assets)?**

Debtor **Entertainment Media Trust**  
Name

Case number (if known)

- ☒ No. Go to Part 6.  
☐ Yes Fill in the information below.

**Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)**

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

- ☒ No. Go to Part 7.  
☐ Yes Fill in the information below.

**Part 7: Office furniture, fixtures, and equipment; and collectibles**

38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?

- ☒ No. Go to Part 8.  
☐ Yes Fill in the information below.

**Part 8: Machinery, equipment, and vehicles**

46. Does the debtor own or lease any machinery, equipment, or vehicles?

- ☒ No. Go to Part 9.  
☐ Yes Fill in the information below.

**Part 9: Real property**

54. Does the debtor own or lease any real property?

- ☒ No. Go to Part 10.  
☐ Yes Fill in the information below.

**Part 10: Intangibles and intellectual property**

59. Does the debtor have any interests in intangibles or intellectual property?

- ☐ No. Go to Part 11.  
☒ Yes Fill in the information below.

	General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
60.	Patents, copyrights, trademarks, and trade secrets			
61.	Internet domain names and websites			
62.	Licenses, franchises, and royalties FCC Broadcast Licenses: KFTK (Facility ID #72815) KQQZ (Facility ID #5281) KZQZ (Facility ID #72391) WQQW (Facility ID #90598)	\$2,000,000.00	Comparable sale	\$2,000,000.00
63.	Customer lists, mailing lists, or other compilations			
64.	Other intangibles, or intellectual property			
65.	Goodwill			
66.	Total of Part 10.			

Add lines 60 through 65. Copy the total to line 89.

**\$2,000,000.00**

Debtor **Entertainment Media Trust**  
Name

Case number (If known)

67. Do your lists or records include personally identifiable information of customers (as defined in 11 U.S.C. §§ 101(41A) and 107)?  
☒ No  
☐ Yes
68. Is there an amortization or other similar schedule available for any of the property listed in Part 10?  
☒ No  
☐ Yes
69. Has any of the property listed in Part 10 been appraised by a professional within the last year?  
☒ No  
☐ Yes

**Part 11: All other assets**

**70. Does the debtor own any other assets that have not yet been reported on this form?**

Include all interests in executory contracts and unexpired leases not previously reported on this form.

- ☒ No. Go to Part 12.  
☐ Yes Fill in the information below.

Debtor **Entertainment Media Trust**  
Name

Case number (if known)

**Part 12: Summary**

In Part 12 copy all of the totals from the earlier parts of the form

Type of property	Current value of personal property	Current value of real property
80. Cash, cash equivalents, and financial assets. Copy line 5, Part 1	\$0.00	
81. Deposits and prepayments. Copy line 9, Part 2.	\$0.00	
82. Accounts receivable. Copy line 12, Part 3.	\$15,950.00	
83. Investments. Copy line 17, Part 4.	\$0.00	
84. Inventory. Copy line 23, Part 5.	\$0.00	
85. Farming and fishing-related assets. Copy line 33, Part 6.	\$0.00	
86. Office furniture, fixtures, and equipment; and collectibles. Copy line 43, Part 7.	\$0.00	
87. Machinery, equipment, and vehicles. Copy line 51, Part 8.	\$0.00	
88. Real property. Copy line 56, Part 9.....>		\$0.00
89. Intangibles and intellectual property. Copy line 66, Part 10.	\$2,000,000.00	
90. All other assets. Copy line 78, Part 11.	+ \$0.00	
91. Total. Add lines 80 through 90 for each column	\$2,015,950.00	+ 91b. \$0.00
92. Total of all property on Schedule A/B. Add lines 91a+91b=92		\$2,015,950.00



## Fill in this information to identify the case:

Debtor name **Entertainment Media Trust**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF ILLINOIS**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

## Official Form 206D

**Schedule D: Creditors Who Have Claims Secured by Property**

12/15

Be as complete and accurate as possible.

## 1. Do any creditors have claims secured by debtor's property?

- ☐ No. Check this box and submit page 1 of this form to the court with debtor's other schedules. Debtor has nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

**Part 1: List Creditors Who Have Secured Claims**

2. List in alphabetical order all creditors who have secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim.

		Column A Amount of claim  Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	
2.1	<b>Federal Communications Commission</b> Creditor's Name  <b>445 12th Stree SW</b> <b>Washington, DC 20554</b> Creditor's mailing address  Creditor's email address, if known  <b>Date debt was incurred</b> <b>2019</b> <b>Last 4 digits of account number</b>  <b>Do multiple creditors have an interest in the same property?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Specify each creditor, including this creditor and its relative priority.	Describe debtor's property that is subject to a lien <b>FCC Broadcast Licenses:</b> <b>KFTK (Facility ID #72815)</b> <b>KQQZ (Facility ID #5281)</b> <b>KZQZ (Facility ID #72391)</b> <b>WQQW (Facility ID #90598)</b>  Describe the lien <b>FCC Regulatory Fees</b> Is the creditor an insider or related party? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is anyone else liable on this claim? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)  As of the petition filing date, the claim is: Check all that apply <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$14,875.00</b>	<b>\$2,000,000.00</b>
2.2	<b>Howard M. Liberman, Esq.</b> Creditor's Name <b>Wilkinson Barker Knauer</b> <b>1800 M Street, NW</b> <b>Suite 800N</b> <b>Washington, DC 20036</b> Creditor's mailing address  Creditor's email address, if known  <b>Date debt was incurred</b>  <b>Last 4 digits of account number</b>	Describe debtor's property that is subject to a lien <b>Notice Only</b>  Describe the lien  Is the creditor an insider or related party? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is anyone else liable on this claim? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)	<b>\$0.00</b>	<b>\$0.00</b>

Debtor **Entertainment Media Trust**  
Name

Case number (if know)

Do multiple creditors have an interest in the same property?

☒ No☐ Yes. Specify each creditor, including this creditor and its relative priority.

As of the petition filing date, the claim is:

Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

3. Total of the dollar amounts from Part 1, Column A, including the amounts from the Additional Page, if any.

**\$14,875.00****Part 2: List Others to Be Notified for a Debt Already Listed in Part 1**

List in alphabetical order any others who must be notified for a debt already listed in Part 1. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for secured creditors.

If no others need to be notified for the debts listed in Part 1, do not fill out or submit this page. If additional pages are needed, copy this page.

Name and address

On which line in Part 1 did you enter the related creditor?

Last 4 digits of account number for this entity

Jeffrey Gee, Esq.  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554Line 2.1Pamela Kane, Esq.  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554Line 2.1

**Fill in this information to identify the case:**Debtor name Entertainment Media TrustUnited States Bankruptcy Court for the: SOUTHERN DISTRICT OF ILLINOIS

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206E/F****Schedule E/F: Creditors Who Have Unsecured Claims**

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY unsecured claims and Part 2 for creditors with NONPRIORITY unsecured claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G). Number the entries in Parts 1 and 2 in the boxes on the left. If more space is needed for Part 1 or Part 2, fill out and attach the Additional Page of that Part included in this form.

**Part 1: List All Creditors with PRIORITY Unsecured Claims**

1. Do any creditors have priority unsecured claims? (See 11 U.S.C. § 507).

☒ No. Go to Part 2.☐ Yes. Go to line 2.**Part 2: List All Creditors with NONPRIORITY Unsecured Claims**

3. List in alphabetical order all of the creditors with nonpriority unsecured claims. If the debtor has more than 6 creditors with nonpriority unsecured claims, fill out and attach the Additional Page of Part 2.

Amount of claim

3.1 Nonpriority creditor's name and mailing address

**Fletcher, Heald & Hildreth, PLC**  
**11th Floor, 1300 North 17th Street**  
**Arlington, VA 22209**

Date(s) debt was incurred 8/31/19Last 4 digits of account number 0078

As of the petition filing date, the claim is: Check all that apply.

☐ Contingent  
☐ Unliquidated  
☐ Disputed

Basis for the claim: Legal feesIs the claim subject to offset? ☒ No ☐ Yes**\$99,632.14**

3.2 Nonpriority creditor's name and mailing address

**RadioTVLaw Associates LLC**  
**4101 Albemarle St. NW #324**  
**Washington, DC 20016-2151**

Date(s) debt was incurred 8/16/19

Last 4 digits of account number \_\_\_\_\_

As of the petition filing date, the claim is: Check all that apply.

☐ Contingent  
☐ Unliquidated  
☐ Disputed

Basis for the claim: Legal feesIs the claim subject to offset? ☒ No ☐ Yes**\$6,988.63****Part 3: List Others to Be Notified About Unsecured Claims**

4. List in alphabetical order any others who must be notified for claims listed in Parts 1 and 2. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for unsecured creditors.

If no others need to be notified for the debts listed in Parts 1 and 2, do not fill out or submit this page. If additional pages are needed, copy the next page.

Name and mailing address

On which line in Part 1 or Part 2 is the related creditor (if any) listed?

Last 4 digits of account number, if any

**Part 4: Total Amounts of the Priority and Nonpriority Unsecured Claims**

5. Add the amounts of priority and nonpriority unsecured claims.

5a. Total claims from Part 1

5b. Total claims from Part 2

5c. Total of Parts 1 and 2

Lines 5a + 5b = 5c.

Total of claim amounts

5a. \$ **0.00**5b. + \$ **106,620.77**5c. \$ **106,620.77**

**Fill in this information to identify the case:**Debtor name **Entertainment Media Trust**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF ILLINOIS**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206G****Schedule G: Executory Contracts and Unexpired Leases**

12/15

**Be as complete and accurate as possible. If more space is needed, copy and attach the additional page, number the entries consecutively.****1. Does the debtor have any executory contracts or unexpired leases?**☐ No. Check this box and file this form with the debtor's other schedules. There is nothing else to report on this form.☒ Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B: Assets - Real and Personal* (Official Form 206A/B).*Property***2. List all contracts and unexpired leases****State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease**2.1. State what the contract or lease is for and the nature of the debtor's interest **Local Programming and Marketing Agreement**State the term remaining **approx 3 years**

List the contract number of any government contract \_\_\_\_\_

**Insane Broadcasting Corp  
6500 W Main Street  
Suite 315  
Belleville, IL 62220**

## Fill in this information to identify the case:

Debtor name **Entertainment Media Trust**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF ILLINOIS**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206H  
Schedule H: Your Codebtors****12/15**

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

**1. Do you have any codebtors?**

- ☒ No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.  
☐ Yes

**2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, Schedules D-G. Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.**

Column 1: Codebtor

Column 2: Creditor

	Name	Mailing Address	Name	Check all schedules that apply:
2.1	_____	Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G
2.2	_____	Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G
2.3	_____	Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G
2.4	_____	Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G

Fill in this information to identify the case:

Debtor name **Entertainment Media Trust**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF ILLINOIS**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 207****Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy**

04/19

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

**Part 1: Income****1. Gross revenue from business**☐ None.

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue  
Check all that applyGross revenue  
(before deductions and exclusions)**2. Non-business revenue**

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☐ None.

Description of sources of revenue

Gross revenue from each source  
(before deductions and exclusions)**Part 2: List Certain Transfers Made Before Filing for Bankruptcy****3. Certain payments or transfers to creditors within 90 days before filing this case**

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☐ None.

Creditor's Name and Address

Dates

Total amount of value

Reasons for payment or transfer  
Check all that apply**4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider**

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☐ None.Insider's name and address  
Relationship to debtor

Dates

Total amount of value

Reasons for payment or transfer

**5. Repossessions, foreclosures, and returns**

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

Debtor **Entertainment Media Trust**

Case number (if known)

☐ None

Creditor's name and address	Describe of the Property	Date	Value of property
-----------------------------	--------------------------	------	-------------------

**6. Setoffs**

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☐ None

Creditor's name and address	Description of the action creditor took	Date action was taken	Amount
-----------------------------	---	-----------------------	--------

**Part 3: Legal Actions or Assignments****7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits**

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☐ None.

Case title Case number	Nature of case	Court or agency's name and address	Status of case
7.1. In the Matter of Entertainment Media Trust, Dennis J. Watkins, Trustee MB No. 19-156	Applications to Renew License and Application for Consent to Assignment of Licenses	Federal Communications Commission 445 12th Street SW Washington, DC 20554	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> On appeal <input type="checkbox"/> Concluded

**8. Assignments and receivership**

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☐ None**Part 4: Certain Gifts and Charitable Contributions****9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000**☐ None

Recipient's name and address	Description of the gifts or contributions	Dates given	Value
------------------------------	---	-------------	-------

**Part 5: Certain Losses****10. All losses from fire, theft, or other casualty within 1 year before filing this case.**☐ None

Description of the property lost and how the loss occurred	Amount of payments received for the loss	Dates of loss	Value of property lost
	<p>If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received.</p> <p>List unpaid claims on Official Form 106A/B (Schedule A/B: Assets – Real and Personal Property).</p>		

**Part 6: Certain Payments or Transfers****11. Payments related to bankruptcy**

Debtor **Entertainment Media Trust**

Case number (if known)

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring, seeking bankruptcy relief, or filing a bankruptcy case.

☐ None.

	Who was paid or who received the transfer? Address	If not money, describe any property transferred	Dates	Total amount or value
11.1.	J. D. Graham, PC #1 Eagle Center; Suite 3A O Fallon, IL 62269	\$3,675 Attorney Fees \$335 Filing Fee	September 9, 2019	\$4,000.00
	Email or website address jd@jdgrahamlaw.com			
	Who made the payment, if not debtor? Katrina M. Sanders			

### 12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device. Do not include transfers already listed on this statement.

☒ None.

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
-------------------------	-----------------------------------	---------------------------	-----------------------

### 13. Transfers not already listed on this statement

List any transfers of money or other property by sale, trade, or any other means made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None.

Who received transfer? Address	Description of property transferred or payments received or debts paid in exchange	Date transfer was made	Total amount or value
-----------------------------------	--	------------------------	-----------------------

### Part 7: Previous Locations

#### 14. Previous addresses

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

Address	Dates of occupancy From-To
---------	-------------------------------

### Part 8: Health Care Bankruptcies

#### 15. Health Care bankruptcies

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or
- providing any surgical, psychiatric, drug treatment, or obstetric care?

☒ No. Go to Part 9.

☐ Yes. Fill in the information below.

Facility name and address	Nature of the business operation, including type of services the debtor provides	If debtor provides meals and housing, number of patients in debtor's care
---------------------------	--	---



Debtor **Entertainment Media Trust**

Case number (if known)

**Part 9: Personally Identifiable Information****16. Does the debtor collect and retain personally identifiable information of customers?**

- ☐ No.
- ☐ Yes. State the nature of the information collected and retained.

**17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?**

- ☐ No. Go to Part 10.
- ☐ Yes. Does the debtor serve as plan administrator?

**Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units****18. Closed financial accounts**

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved, or transferred?  
Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☐ None

Financial Institution name and Address	Last 4 digits of account number	Type of account or instrument	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer
--	---------------------------------	-------------------------------	--	---

**19. Safe deposit boxes**

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

☐ None

Depository institution name and address	Names of anyone with access to it Address	Description of the contents	Do you still have it?
---	--	-----------------------------	-----------------------

**20. Off-premises storage**

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☐ None

Facility name and address	Names of anyone with access to it	Description of the contents	Do you still have it?
---------------------------	-----------------------------------	-----------------------------	-----------------------

**Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own****21. Property held for another**

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☐ None**Part 12: Details About Environment Information**

For the purpose of Part 12, the following definitions apply:

**Environmental law** means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).

**Site** means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.

Debtor **Entertainment Media Trust**

Case number (if known)

*Hazardous material* means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☐ No.  
☐ Yes. Provide details below.

Case title Case number	Court or agency name and address	Nature of the case	Status of case
---------------------------	-------------------------------------	--------------------	----------------

23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?

- ☐ No.  
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
-----------------------	---------------------------------------	-----------------------------	----------------

24. Has the debtor notified any governmental unit of any release of hazardous material?

- ☐ No.  
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
-----------------------	---------------------------------------	-----------------------------	----------------

**Part 13: Details About the Debtor's Business or Connections to Any Business**

25. Other businesses in which the debtor has or has had an interest

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

- ☐ None

Business name address	Describe the nature of the business	Employer Identification number Do not include Social Security number or ITIN.	Dates business existed
-----------------------	-------------------------------------	--	------------------------

26. Books, records, and financial statements

26a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

- ☐ None

Name and address	Date of service From-To
------------------	----------------------------

26b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

- ☐ None

26c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

- ☐ None

Name and address	If any books of account and records are unavailable, explain why
------------------	---

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

Debtor **Entertainment Media Trust**

Case number (if known)

☐ None

Name and address

**27. Inventories**

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☐ No☐ Yes. Give the details about the two most recent inventories.

Name of the person who supervised the taking of the inventory

Date of inventory

The dollar amount and basis (cost, market, or other basis) of each inventory

**28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.****29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?**☐ No☐ Yes. Identify below.**30. Payments, distributions, or withdrawals credited or given to insiders**

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

☐ No☐ Yes. Identify below.

Name and address of recipient

Amount of money or description and value of property

Dates

Reason for providing the value

**31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?**☐ No☐ Yes. Identify below.

Name of the parent corporation

Employer Identification number of the parent corporation

**32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?**☐ No☐ Yes. Identify below.

Name of the pension fund

Employer Identification number of the parent corporation

Debtor **Entertainment Media Trust**

Case number (if known)

**Part 14: Signature and Declaration**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **September 11, 2019**

**/s/ Dennis J. Watkins**

Signature of individual signing on behalf of the debtor

**Dennis J. Watkins**

Printed name

Position or relationship to debtor **Trustee**

Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?

☒ No

☐ Yes

B2030 (Form 2030) (12/15)

**United States Bankruptcy Court**  
**Southern District of Illinois**

In re Entertainment Media Trust

Debtor(s)

Case No.

Chapter 7

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:
 

For legal services, I have agreed to accept	\$ <u>4,000.00</u>
Prior to the filing of this statement I have received	\$ <u>0.00</u>
Balance Due	\$ <u>4,000.00</u>
2. The source of the compensation paid to me was:
 

☐ Debtor ☒ Other (specify): **Katrina M. Sanders, Trust Beneficiary**
3. The source of compensation to be paid to me is:
 

☒ Debtor ☐ Other (specify):
4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.  
☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
  - a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - d. [Other provisions as needed]  
**Exemption Planning**
6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:  
**Representation of the debtors in any dischargeability actions, judicial lien avoidances (chapter 7 only), redemptions or any other adversary proceedings; filing of reaffirmation agreements and applications as needed; or section 2004 examinations. All Additional fees shall require prior approval of the Bankruptcy Court. Nothing in this disclosure prevents counsel from collecting Court-Approved fees in connection with violations committed by third parties in Ch. 7 and Ch 13 cases above and beyond the flat fee agreement.**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

**September 11, 2019**

*Date*

**/s/ J. D. Graham**

**J. D. Graham 06211732**

*Signature of Attorney*

**J. D. Graham, PC**

**#1 Eagle Center; Suite 3A**

**O Fallon, IL 62269**

**(618) 235-9800 Fax: (618) 235-9805**

**jd@jdgrahamlaw.com**

*Name of law firm*

**United States Bankruptcy Court  
Southern District of Illinois**

In re **Entertainment Media Trust**

Debtor(s)

Case No.  
Chapter

**7**

**VERIFICATION OF CREDITOR MATRIX**

I, the Trustee of the Trust named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge and that it corresponds to the creditors listed in our schedules.

Date: **September 11, 2019**

**/s/ Dennis J. Watkins**

**Dennis J. Watkins/Trustee**  
Signer/Title

Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Fletcher, Heald & Hildreth, PLC  
11th Floor, 1300 North 17th Street  
Arlington, VA 22209

Howard M. Liberman, Esq.  
Wilkinson Barker Knauer  
1800 M Street, NW  
Suite 800N  
Washington, DC 20036

Insane Broadcasting Corp  
6500 W Main Street  
Suite 315  
Belleville, IL 62220

Jeffrey Gee, Esq.  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Pamels Kane, Esq.  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

RadioTVLaw Associates LLC  
4101 Albemarle St. NW #324  
Washington, DC 20016-2151

**CERTIFICATE OF SERVICE**

Pamela S. Kane certifies that she has, on this 17th day of September, 2019, sent copies of the foregoing "ENFORCEMENT BUREAU'S OPPOSITION TO EMT'S MOTION FOR STAY OF PROCEEDINGS OR IN THE ALTERNATIVE EXTENSION OF TIME" via email to:


The Honorable Jane H. Halprin  
Administrative Law Judge  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

John B. Adams  
Office of the Administrative Law Judge  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Anthony Lepore, Esq.  
Radiotvlaw Associates, LLC  
4101 Albermarle St., NW #324  
Washington, D.C. 20016-2151  
[anthony@radiotvlaw.net](mailto:anthony@radiotvlaw.net)  
(Co-counsel for Entertainment Media Trust)

Davina S. Sashkin, Esq.  
Fletcher, Heald & Hildreth, LLC  
1300 North 17<sup>th</sup> Street  
11<sup>th</sup> Floor  
Arlington, VA 22209  
[sashkin@fhhlaw.com](mailto:sashkin@fhhlaw.com)  
(Co-counsel for Entertainment Media Trust)

Howard M. Liberman  
Robert G. Kirk  
Wilkinson Barker Knauer, LLP  
1800 M Street, NW Suite 800N  
Washington, D.C. 20036  
[HLiberman@wbklaw.com](mailto:HLiberman@wbklaw.com)  
[RKirk@wbklaw.com](mailto:RKirk@wbklaw.com)  
(Counsel for Mark A. Kern)

  
Pamela S. Kane