

1 and the context among counsel, I'm not, I'm not suggesting  
2 that there was anything wrong or in -- there was any  
3 impropriety involved in terms of ethics or anything like that,  
4 but I'm -- I am concerned that I'd be in the loop when those  
5 kinds of things are going on because it's -- I might be in a  
6 position to prevent a motion from being filed or having to go  
7 through all that type of thing.

8 MR. ZAUNER: Our opposition in doing that was that  
9 we were interested in seeing that a full and complete record  
10 was made on the issues. It was an informal communication. We  
11 noticed that the questions had been raised in our mind by the  
12 exhibit and I informed --

13 JUDGE SIPPEL: No problem.

14 MR. ZAUNER: -- Mr. Howard of that.

15 JUDGE SIPPEL: No problem. I think that -- I mean,  
16 I rely on the Bureau to be sure -- to help me assure that  
17 there is a full and complete record. I'd just like to be  
18 around when it's being done. That's all to the extent, and so  
19 it's, you know, it's a -- you're right. It is a de minimus  
20 item. Mr. Howard?

21 MR. HOWARD: Your Honor, two matters. One, our  
22 witness notification is being delivered by messenger now. The  
23 second thing that I did want to -- a point of clarification  
24 about what you would like in the testimony to be exchanged,  
25 we did not include diversification information in our direct

1 case testimony anticipating that that would be taken better  
2 than stipulation that was coming later, and also there's no  
3 surprises in it since it was filed with -- much earlier in the  
4 proceeding -- if I'm wrong, I'll -- we'll prepare an exhibit  
5 and get it in direct -- There was information about  
6 diversification in Four Jacks --

7 JUDGE SIPPEL: I -- I'm sorry. In your direct case?  
8 I do recall, I do recall exactly what you're saying and that  
9 is -- Ms. Schmeltzer, you -- are you attuned to what we're  
10 talking about here?

11 MS. SCHMELTZER: Yes.

12 JUDGE SIPPEL: There will be a stipulation with  
13 respect to Scripps' diversification.

14 MS. SCHMELTZER: That's fine.

15 JUDGE SIPPEL: That's the way I would like to  
16 receive it, too. All right? Then that being it, we're in  
17 recess until 5 October. Thank you.

18 (Whereupon, the conference adjourned at 10:30 a.m.).

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**CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER**

Federal Communications Commission  
**Name** IN RE APPLICATIONS OF BALTIMORE, MD

MM Docket NO. 93-94  
**Docket No.**  
2000 L.st. Washington D.C  
**Place**  
Court Rm 4 -

Sept-17-93  
**Date**

We, the undersigned, do hereby certify that the foregoing pages, numbers 71 through 96, inclusive, are the true, accurate and complete transcript prepared from the reporting by ALICE WEHNER in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.

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