

1 Street, Baltimore, Maryland 21230.

2 JUDGE SIPPEL: All right. Mr. Howard.

3 DIRECT EXAMINATION

4 BY MR. HOWARD:

5 Q Ms. Barr, are there any corrections or changes you
6 would like to make to your testimony at this time?

7 A Yes, there are.

8 Q Would you explain those changes, please?

9 A Sure. The first change refers to my title change
10 which happened on November 1st of this year. I was prior to
11 that acting general manager of WMAR-TV. Then I returned to
12 the position of assistant general manager at that time. Want
13 me to go on? The second change was on page 270 under
14 "Responsive Programming." Goodwill games was capitalized and
15 it should have been in small letters. It referred to a, a
16 type of games as opposed to the actual Goodwill Games that Ted
17 Turner I guess sponsors.

18 Q So you've lower cased --

19 A Lower cased it, yeah. It was, it was in reference
20 to a style of games as opposed to -- I believe that was in
21 reference to the McCoby games and those games were goodwill
22 games in that they were games that brought people from other
23 parts of the country together.

24 JUDGE SIPPEL: Any objection to this,
25 Ms. Schmeltzer?

1 MS. SCHMELTZER: I assume it's in the attachments,
2 SH-3-270? Scripps Howard has a -- kind of an unusual page
3 reference here. I assume that's in the attachments. Is that
4 correct?

5 MR. HOWARD: Attachment E, Tab E. I can show you a
6 copy.

7 MS. SCHMELTZER: Well, that's all right, so long as
8 -- it is.

9 JUDGE SIPPEL: Let's go off the record.
10 (Off the record.)

11 MS. SCHMELTZER: I'll just go through this and make
12 the corrections on the applicable pages.

13 JUDGE SIPPEL: But in terms of the substance of it
14 as testimony, you have no objections?

15 MS. SCHMELTZER: I have no objection.

16 JUDGE SIPPEL: Thus far. Mr. Zauner?

17 MR. ZAUNER: No objection.

18 JUDGE SIPPEL: All right. The next one is your
19 third one?

20 THE WITNESS: Yes, on page 238. I had said four to
21 five times a week and it is in fact three times per week.

22 JUDGE SIPPEL: That's with respect to "Responsive
23 Programming"?

24 THE WITNESS: It was, it was with -- Yes, it was
25 with respect to project environment reports.

1 JUDGE SIPPEL: All right. Is there any objection to
2 that change?

3 MS. SCHMELTZER: No, Your Honor.

4 JUDGE SIPPEL: Mr. Zauner?

5 MR. ZAUNER: No.

6 JUDGE SIPPEL: Okay, Number 4?

7 THE WITNESS: Number 4 was a typo. It should have
8 read \$83 and it said \$830.

9 JUDGE SIPPEL: I'm hearing no objection to that.
10 Why don't you move on to Number 5?

11 THE WITNESS: On Number 5, there's just an incorrect
12 entry there. Should be deleted, on page 794.

13 JUDGE SIPPEL: This is SH3-0794. You say the entry
14 for 10/1/91 should be deleted?

15 THE WITNESS: Yes.

16 JUDGE SIPPEL: What was the entry for 10/1/91?

17 THE WITNESS: I need to, I need to refer to the
18 attachment.

19 JUDGE SIPPEL: Let's go off the record a minute.

20 (Off the record.)

21 JUDGE SIPPEL: All right, we're back on the record
22 and we do have -- This is a reference to -- I'm going to quote
23 it here as I see it in the exhibit, SH3-0794. "Governor of
24 South Carolina, Campbell, criticizes U.S. public school
25 education." And the explanation is that this is to be deleted

1 | because it's outside the renewal period, correct?

2 | THE WITNESS: That's correct.

3 | JUDGE SIPPEL: All right, that's deleted. Your next
4 | item?

5 | THE WITNESS: The next one is on page SH3-0849. The
6 | last entry in the, in the right-hand network column should be
7 | moved to the left column. It was a local report as opposed to
8 | a national report.

9 | MS. SCHMELTZER: Is that 0849 or 0869? Which item
10 | are we on, six or --

11 | THE WITNESS: Number 6.

12 | MS. SCHMELTZER: Number 6?

13 | THE WITNESS: "Children learn about AIDS at rec
14 | centers."

15 | JUDGE SIPPEL: All right, let's go off the record on
16 | this, too.

17 | (Off the record.)

18 | JUDGE SIPPEL: No objection to the change that the
19 | witness just testified to. Number 6 change, "Children learn
20 | about AIDS at rec centers" should be on the left-hand side,
21 | which is local as opposed to network?

22 | THE WITNESS: That's correct.

23 | JUDGE SIPPEL: All right. When I say left-hand
24 | side, I mean the left-hand side of the exhibit, which is Tab
25 | J.

1 THE WITNESS: That's correct.

2 JUDGE SIPPEL: Of the page, of the page you have
3 indicated. All right. And your last change?

4 THE WITNESS: The last change is a similar change,
5 on page SH3-0869. The network entry that's dated 6/21/91
6 "double Dutch championships in state," was also a local story.
7 So that should be moved to the left-hand column.

8 JUDGE SIPPEL: All right, any objection?

9 MS. SCHMELTZER: No.

10 JUDGE SIPPEL: Very well. Mr. Zauner, any
11 objection?

12 MR. ZAUNER: No objection.

13 JUDGE SIPPEL: Then we'll receive those corrections
14 as stated. Is there anything more on direct, Mr. Howard?

15 MR. HOWARD: No, Your Honor.

16 JUDGE SIPPEL: You may cross, Ms. Schmeltzer.

17 MS. SCHMELTZER: Has Ms. Barr been sworn in?

18 JUDGE SIPPEL: Yes, she has.

19 MS. SCHMELTZER: Okay.

20 CROSS EXAMINATION

21 BY MS. SCHMELTZER:

22 Q Ms. Barr, would you state your full name and
23 residence address for the record?

24 JUDGE SIPPEL: She's already said that.

25 MS. SCHMELTZER: Okay.

1 BY MS. SCHMELTZER:

2 Q Ms. Barr, are you on any kind of medication today?

3 A Yes, I am.

4 Q Would you tell us what that is?

5 A Sure. I take Synthroid and Dipentum.

6 Q And what are those for?

7 A One is for thyroid and the other is for colitis.

8 Q Is there any reason that you cannot give full and
9 accurate testimony here today?

10 A No.

11 Q Now, is it correct that up until May 9, 1993, you
12 were director of Broadcast Operations at WMAR-TV?

13 A That is correct.

14 Q And did your position change on May 9, 1993?

15 A Yes, it did.

16 Q What did you become on that date?

17 A I became the assistant general manager.

18 Q Was that position created for the first time in May
19 of 1993?

20 A As far as I know, yes.

21 Q And do you know how that position came to be
22 created?

23 A Yes. I had been director of Broadcast Operations
24 for almost five years, and during that time my duties and
25 responsibilities had increased to the point where my boss,

1 Arnie Kleiner, decided that it would make more sense to have
2 my title better reflect what I was doing.

3 Q Do you know whether Mr. Kleiner consulted with
4 anyone at Scripps Howard?

5 A Yes, he did.

6 Q Was that position posted for general application?

7 A As far as I know, it was not.

8 Q Do you know why it was not?

9 A No, I do not.

10 Q Did you actually apply for the position?

11 A We -- Arnie and I discussed it on several occasions.
12 I wouldn't -- I never filled out an application.

13 Q So you did not apply for the position as assistant
14 general manager?

15 A In that sense, no.

16 Q Since you have been working at WMAR-TV, prior to May
17 9th had they ever had an assistant general manager?

18 MR. ZAUNER: Objection, Your Honor. What is the
19 relevance of whether or not they've had an assistant general
20 manager in the past? I could see the prior questions,
21 developing a little bit of the background of this witness, but
22 this line is just losing me.

23 JUDGE SIPPEL: I'll, I'll overrule the objection.
24 I'm trying to focus this witness on her position. This isn't
25 going to take very long. Go ahead, Ms. Schmeltzer.

1 BY MS. SCHMELTZER:

2 Q During the time that you'd been working at WMAR-TV,
3 prior to May 9, 1993, had the station ever had -- under
4 Scripps Howard, had the station ever had an assistant general
5 manager before?

6 A We were not owned by Scripps Howard at that --

7 Q Well --

8 A I'm sorry, that was 1993. During the time I was
9 there, no.

10 Q And did anyone interview you for that position as
11 assistant general manager?

12 A Yes. I was -- I had a meeting with Frank Gardner.

13 Q As assistant general manager.

14 A Prior to my, prior to my being named assistant
15 general manager, I had a -- an interview with Frank Gardner.

16 Q Of Scripps Howard?

17 A That's correct.

18 Q And is that the only official of Scripps Howard that
19 you met with?

20 A With respect to that position?

21 Q With respect to that position.

22 A Yes.

23 Q Do you know if he interviewed anyone else?

24 A No, I do not.

25 Q Did he tell you why you were being made assistant

1 | general manager?

2 | A Again, as I stated earlier, my duties and
3 | responsibilities had increased to the point where Arnie
4 | Kleiner felt that the title would better reflect what I was
5 | doing and had discussed it with both Terry Schroeder and Frank
6 | Gardner after Frank Gardner was hired at Scripps Howard, which
7 | I believe was in March or April of that year.

8 | Q Mr. Gardner was hired in March or April of '93?

9 | A I don't recall the exact date, but, yes, he was --
10 | he came on board at some point.

11 | Q And did you meet with Mr. Schroeder prior to
12 | becoming assistant general manager in May of 1993?

13 | MR. HOWARD: Your Honor, I object on the grounds
14 | that this is not just establishing background and I, like
15 | Mr. Zauner, have no idea as to what the relevance of these --
16 | this line of inquiry is to this --

17 | MR. ZAUNER: It has nothing to do with renewal
18 | expectancy that I can see, Your Honor.

19 | MS. SCHMELTZER: Your Honor, it goes to credibility.
20 | It goes to Mr. Schroeder's functions at the company. He's
21 | going to be a witness here tomorrow.

22 | JUDGE SIPPEL: I'm going to overrule the objection.
23 | You're not --

24 | MS. SCHMELTZER: No.

25 | JUDGE SIPPEL: All right.

1 THE WITNESS: Could you ask the question again?

2 BY MS. SCHMELTZER:

3 Q Did you interview with Mr. Schroeder prior to being
4 appointed assistant general manager in May of 1993?

5 A No, I did not.

6 Q Now, did there come a time in early -- Did there
7 come a time after May of 1993 that your title changed?

8 A Yes.

9 Q And when was that?

10 A I believe the date was July 17th.

11 Q July 17, 1993.

12 A 1993.

13 Q What did your title become at that point in time?

14 A Acting general manager.

15 Q Did you interview with anyone for the position as
16 acting general manager?

17 A The position of acting general manager? No, I did
18 not.

19 Q Who appointed you acting general manager?

20 A Frank Gardner.

21 Q Did you consult with Mr. -- Or did you interview
22 with Mr. Schroeder concerning the position as acting general
23 manager?

24 A No, I did not.

25 Q Was the position of acting general manager posted

1 for general application?

2 A No, it was not.

3 Q Do you know why it was not posted for general
4 application?

5 A I do not know.

6 Q Had Scripps Howard had any position of acting
7 general manager before during the time that you worked at the
8 station under Scripps Howard?

9 A I don't, I don't recall. There are, there are nine
10 other TV stations.

11 Q No, I'm talking about WMAR-TV.

12 A At WMAR-TV, no.

13 Q They had not had an acting general manager?

14 A At WMAR-TV, no.

15 Q When did you learn that Mr. Kleiner was going to be
16 leaving WMAR-TV?

17 A We had discussed it a few days prior to his
18 announcement to Scripps Howard that he would be leaving, which
19 I believe was in late June of 1993.

20 Q Do you know the reasons that Mr. Kleiner left WMAR-
21 TV?

22 A Yes. He was offered and accepted a position at
23 another television station in San Diego.

24 Q Do you know if he had been looking for a job?

25 A As far as I know, he was not.

1 Q Do you know if he had been in negotiations with
2 Scripps Howard over his employment contract?

3 A I, I don't -- I wouldn't have any reason to know.

4 Q He didn't discuss that with you?

5 A No.

6 Q Do you know whose decision it was to appoint you
7 acting general manager?

8 A Yes, Frank Gardner.

9 Q And was it Mr. Gardner who told you you would be
10 acting general manager?

11 A Yes, it was.

12 Q Did he tell you how long you would be acting general
13 manager?

14 A No. He, he called me on the telephone the day that
15 Arnie had resigned and said I'm going to appoint you acting
16 general manager and we will try to get this wrapped up as
17 quickly as possible, and you are one of the first people I'd
18 like to speak to with respect to the job. That's all he said.

19 Q When he said we will try to get this wrapped up,
20 what, what did he mean by that?

21 A He meant hiring a permanent general manager for the
22 TV station.

23 Q And did you apply for the slot as the permanent
24 general manager?

25 A Yes, I did.

1 Q When did you apply for that?

2 A On the -- Well, unofficially, on the telephone that
3 day when we spoke.

4 Q In, in late June of 1993?

5 A That's correct.

6 Q Did you fill out an application form?

7 A No, I did not fill out an application form.

8 Q Was that job posted for general application?

9 A I don't know. It was not posted in the station.

10 Q Do you know whether there were -- the job was sent
11 to Broadcasting Magazine?

12 A I don't know if it was or wasn't.

13 Q Do you know if other people applied for the job as
14 general manager?

15 A Yes, I do know that other people applied for the
16 job.

17 Q Did you have any interviews to become general
18 manager?

19 A Yes, I did.

20 Q And when did those occur?

21 A It occurred at the very end of June. I, I don't
22 remember the exact date, but I believe it was the 29th or 30th
23 of June.

24 Q With whom did you have an interview?

25 A Frank Gardner.

- 1 Q Did you meet with Mr. Schroeder at all --
- 2 A Yes, I did.
- 3 Q -- concerning this position?
- 4 A Yes, I did.
- 5 Q Was that an interview?
- 6 A It was part of the interview, yes.
- 7 Q Part of the interview that you had with Mr. Gardner?
- 8 A Yes.
- 9 Q On the same day?
- 10 A Yes.
- 11 Q Did you meet with anyone else connected with Scripps
- 12 Howard?
- 13 A That day? We said hello to several people in the
- 14 corporate offices. I wouldn't say that they were interviews.
- 15 Q Were there any follow-up interviews after late June?
- 16 A There were telephone conversations.
- 17 Q With whom did you have telephone conversations?
- 18 A Frank Gardner.
- 19 Q But you never filled out an application form?
- 20 A No, I did not.
- 21 Q Now, your counsel has advised us today that your
- 22 position has been changed from acting general manager to
- 23 assistant general manager?
- 24 A That's correct.
- 25 Q And that's as of November 1st?

1 A That's correct.

2 Q And what was the reason for that change?

3 A A general manager was hired on a permanent basis.

4 Q And who was that?

5 A His name is Joseph Lewin.

6 Q And when did you learn that the general -- that this
7 general manager had been hired?

8 A Approximately two-and-a-half weeks prior to November
9 1st.

10 Q Do you know whether he filled out an application?

11 A I would have no way of knowing.

12 JUDGE SIPPEL: All right, that's -- You know, you've
13 got the personalities I think pretty well identified now with
14 the titles. Can we move into another area?

15 MS. SCHMELTZER: Yeah.

16 BY MS. SCHMELTZER:

17 Q Now, as assistant general manager, Ms. Barr, do you
18 receive a salary?

19 A Do I receive a salary?

20 Q Right.

21 A Yes.

22 Q Do you also receive a bonus?

23 A Yes, I do.

24 Q And what is your bonus tied to?

25 A It is, it is a bonus that is determined at the

1 discretion of the general manager and it is my understanding
2 that the amount can vary, depending upon the profitability and
3 overall performance of the station.

4 Q Are there any other factors that would enter into
5 the determination of what your bonus is?

6 A My job, my specific job performance.

7 Q I'd like -- Do you have a copy of your direct case
8 exhibits in front of you?

9 A No, I do not.

10 MS. SCHMELTZER: Well, I think the witness is going
11 to need a complete copy of her direct case exhibits and
12 attachments.

13 JUDGE SIPPEL: We go off the record so somebody can
14 get them for her.

15 (Off the record.)

16 JUDGE SIPPEL: Do you have, do you have -- Yes,
17 ma'am, go ahead. You wanted to say something?

18 THE WITNESS: Yes. I just wanted to -- There are
19 notations in here?

20 MR. HOWARD: Yes. Those are the strikes from the
21 admission session of that --

22 THE WITNESS: I just wanted to make sure.

23 JUDGE SIPPEL: Those were all done in the course of
24 the admission session. Go ahead, Ms. Schmeltzer.

25 BY MS. SCHMELTZER:

1 Q Ms. Barr, by the way, do you know if Scripps Howard
2 has ever had a female general manager?

3 A Yes, they do.

4 Q And where is that?

5 A In Kansas City.

6 MR. ZAUNER: Objection, Your Honor. This is way
7 afield.

8 JUDGE SIPPEL: I'll sustain.

9 BY MS. SCHMELTZER:

10 Q Let me turn your attention to page 4 of Scripps
11 Howard Exhibit 3. Do you have that in front of you?

12 JUDGE SIPPEL: What she may have is 3A. Are you --
13 page, page 4.

14 BY MS. SCHMELTZER:

15 Q Okay, I'd like you to look at paragraph 10 under the
16 category of "Programming Summary."

17 A Um-hum.

18 Q Now, you say there that WMAR-TV dedicated over 35
19 percent of its broadcast time to news and public affairs
20 programs. Do you see that?

21 A Yes.

22 Q And that's during the period from May 30 to
23 September 3, 1991?

24 A That's correct.

25 MR. ZAUNER: Excuse me, Kathy. Could you please

1 state the page number that you're on.

2 MS. SCHMELTZER: SH3-4.

3 MR. ZAUNER: Thank you.

4 BY MS. SCHMELTZER:

5 Q And, and I, I take it, Ms. Barr, when you refer to
6 WMAR-TV throughout here you mean Scripps Howard, correct?

7 A I mean WMAR-TV which is owned by Scripps Howard.

8 Q But you mean WMAR-TV licensed to Scripps Howard?

9 A Yes.

10 Q You're not talking about some other licensee?

11 A No.

12 Q Okay. Now, you say WMAR-TV dedicated over 35
13 percent of its time to news and public affairs. Did you come
14 up with this figure as the result of a study that you did?

15 A I came up with this as a result of examining our
16 program schedule and calculating the number of hours --
17 actually, the number of minutes per day that were devoted to
18 news and public affairs.

19 MR. HOWARD: Objection, Your Honor. The testimony
20 explains exactly how the, the figure was arrived at in the
21 footnote.

22 MS. SCHMELTZER: Well, Your Honor, I'm free to cross
23 examine her on this. I realize it's in her testimony, but --

24 MR. HOWARD: You had noted, you had noted that you
25 would not go over this material that had already been

1 testified to.

2 JUDGE SIPPEL: Well, well, that's, that's one of the
3 difficulties with cross examination. You do have to -- happen
4 to go over ground that's already been covered. But the
5 witness could answer a question like that just as readily by
6 saying that it's in the footnote. I'm not sure where that
7 gets us, but -- Ms. Schmeltzer? She's already testified as to
8 one explanation and you've got the footnote explanation as
9 well.

10 BY MS. SCHMELTZER:

11 Q You said you went over the daily program reports.
12 Is that correct? And are those the reports that are contained
13 in Attachment A to your exhibit, Ms. Barr?

14 A Yes, they are.

15 Q Did you look at the station's program logs at all
16 before you did your calculation?

17 A No. I based it on the program schedules that are in
18 Attachment F.

19 Q You just based it on the program schedules?

20 A Schedules, yes.

21 Q And were you the person that did this or did other
22 people join in with you on this project?

23 A I worked on this with counsel.

24 Q With counsel. Now, if you would just look at
25 Attachment A for a moment, do you see any reference to news or

1 public affairs or entertainment or any similar categorization
2 on Attachment A?

3 A You mean with respect to defining what each program
4 might be?

5 Q Right.

6 A No.

7 Q So when you went down Attachment A, you just decided
8 what was news and what was public affairs and what was
9 entertainment?

10 A No. I am -- One of the things I'm responsible for at
11 the station is programming. I know what is news and what is
12 public affairs. So by looking at the program schedule, I can
13 tell you what is news and what is public affairs.

14 Q But you didn't consult the program logs at all to
15 see what they said?

16 A I did not need to.

17 Q Because you knew that the program logs would reflect
18 that the programs you considered news were news. Is that the
19 case?

20 A Yes.

21 Q Do you ever look at the station's program log?

22 A Yes, I do.

23 Q On a regular basis?

24 A Yes, I do.

25 Q Now, in, in terms of making your calculations, you

1 made the decision that the "Today Show" should be logged as
2 news. Is that correct?

3 A That's correct.

4 Q I would like to show you a copy of a station program
5 log from Thursday, June 6th, 1991.

6 MR. ZAUNER: Your Honor, can we get a point of
7 information on the witness's last answer? She was asked
8 whether she had made the decision about the programs being
9 logged as public affairs, news, and she answered yes. Is that
10 logged in the exhibit and in her calculations, or is that
11 logged in the station's logs? I didn't understand her answer.
12 Because it seems to me we really are dealing with a logging
13 that was done here in the exhibits, and also, Mrs. Schmeltzer
14 has asked questions about the station's I guess internal
15 logging procedures.

16 MS. SCHMELTZER: I thought it was clear, Your Honor.

17 JUDGE SIPPEL: I did too. I'll --

18 MR. ZAUNER: Maybe I'm, maybe I'm the only one.

19 MR. HOWARD: I don't recall that -- Was that the
20 question that she asked?

21 JUDGE SIPPEL: I'm, I'm going to permit this to be
22 cleared up to the extent that you think it is necessary when
23 it's your turn to cross examine, because I don't think that
24 Ms. Schmeltzer's going down the same garden path that you are
25 and this might interfere with what she's trying to establish

1 now.

2 MR. ZAUNER: It's just that the word was --

3 JUDGE SIPPEL: This is why we take turns in cross
4 examination. Go ahead.

5 BY MS. SCHMELTZER:

6 Q Ms. Barr, I'm going to show you a copy of the
7 program log for June 6th, 1991, and if you would look at the
8 "Today Show," do you see an entry there for logging it?

9 A The "Today Show," right here.

10 Q Right, yes. If you would look across there. Is
11 that logged as entertainment?

12 A I'm not sure what the E stands for.

13 Q Well, the source would be network, correct?

14 A That's correct. That's an N, yes.

15 Q Type, wouldn't that entertainment, the E?

16 A It, it may be. I'm not sure.

17 Q You're not sure?

18 A No.

19 Q Well, why don't you look through that log and see if
20 there are other programs that you can define as entertainment?

21 JUDGE SIPPEL: While she's looking through that,
22 Ms. Schmeltzer, is this, is this document that you're showing
23 her, is it in the record as an exhibit?

24 MS. SCHMELTZER: No, it's not, Your Honor.

25 JUDGE SIPPEL: You're going to have to bring these

1 into the record. How many of these are you going to have her
2 look at?

3 MS. SCHMELTZER: Well, there'll be a, a small
4 collection and we can make an exhibit out of it.

5 BY MS. SCHMELTZER:

6 Q Now, when something, when something is put down
7 under Type E, isn't that normally considered entertainment?

8 MR. HOWARD: Your Honor, I would, I would raise an
9 objection. It would be valuable for counsel to have a copy as
10 we're going through this and it is what was contemplated in
11 your, in your pretrial order on deposition testimony, that
12 copies be available for, for all the parties to have.

13 MS. SCHMELTZER: Well, these are documents that were
14 turned over by Scripps Howard, so I assume they have --

15 JUDGE SIPPEL: Well, I understand that, but I don't
16 see where -- I don't know what it is that she's looking at.
17 And there is an orderly way of, of getting at this information
18 so that everybody's attuned to what's happening. These should
19 probably be marked as exhibits for cross examination and
20 offered into evidence before she has to answer to them.
21 Otherwise, we're going to have a record that isn't going to
22 understand what it is that she looked at.

23 MS. SCHMELTZER: Well, I'm going to make them
24 exhibits. I will make them exhibits. We have only a few to
25 show her.

1 JUDGE SIPPEL: Well --

2 MS. SCHMELTZER: So I don't think this should --
3 Frankly, I don't think this should be very complicated.

4 JUDGE SIPPEL: Well, I hope they're not either, but
5 you've already shown it to her. She's looked through them and
6 you've asked her one specific question with respect to the
7 "Today Show." If you want to ask her some general question
8 about, about how the logs are prepared and handled by her,
9 that's fine. But if you're going to go down individual
10 pages --

11 MS. SCHMELTZER: I'm just going to ask about certain
12 programs, that's all.

13 JUDGE SIPPEL: On what pages, though?

14 MS. SCHMELTZER: Well, they're in different logs.

15 JUDGE SIPPEL: Well, that's the problem. You're
16 going to have to put the --

17 MS. SCHMELTZER: I mean, I didn't want to burden the
18 record with the entire log.

19 JUDGE SIPPEL: Well, you don't, but the ones that
20 you're going to ask her about you need to make excerpts of.
21 Well, let's just stay with the one page that she's working on.

22 MS. SCHMELTZER: Frankly, Your Honor, we thought
23 this would be a very simple thing that wouldn't necessitate a
24 lot of questioning. It's turning out to be a little more
25 complicated than we envisioned.

1 JUDGE SIPPEL: All right. Well, why don't you
2 withdraw that document then and try it again later?

3 MS. SCHMELTZER: Well, I, I would like to go over
4 with her now this area.

5 JUDGE SIPPEL: Well, the area of how -- Let's strike
6 that now. You know, what is the area that you want to go
7 over?

8 MS. SCHMELTZER: Well, that, that she seemed to not
9 know whether the E meant entertainment or not.

10 JUDGE SIPPEL: Well, I understand that. You can
11 proceed on that point.

12 BY MS. SCHMELTZER:

13 Q Let me ask you that, Ms. Barr. When something is
14 logged E under type on the program log, doesn't that mean
15 entertainment?

16 A I, I don't know if it does or not.

17 Q But you said you were familiar with the program
18 logs.

19 A I am familiar with the program log.

20 Q Well, when something is, is logged N under type,
21 what does that mean?

22 A It would to me imply news.

23 Q And let me show you on the same log -- I will show
24 counsel first.

25 MR. HOWARD: Your Honor, are we going to -- I