

1           A     I'm assuming we did because had we not someone  
2 probably would have called and said where is your report.

3           Q     Whose responsibility was it to send that community  
4 ascertainment report?

5           A     I would have taken all these reports and sent, told  
6 each of the department heads who would have been responsible  
7 for these areas that the reports were due.

8           Q     Did you ever see any community ascertainment report  
9 for the period May 30, 1991 to September 3, 1991?

10          A     Not that I recall.

11          Q     Did anyone ever tell you that you didn't have to  
12 send the community ascertainment report for the period between  
13 May 30, 1991 and September 3, 1991?

14          A     Not that I recall.

15          Q     Do you recall being told by anyone whether you --  
16 there were other reports that you did not -- that are listed  
17 on this page that you did not have to send to Scripps Howard  
18 during the period May 30, 1991 to September 3, 1991?

19          A     Not that I recall.

20          Q     You don't recall any discussions or memos that would  
21 have advised you that you did not have to meet those  
22 requirements?

23          A     No. We were easing into Scripps Howard and I know  
24 that we didn't have to on May 30th start to do everything that  
25 Scripps Howard had done on that date, but I don't know what it

1 is we had to do right away and what it is we didn't have to  
2 do. I just don't recall.

3 Q Did you do anything with this memo after you  
4 received it?

5 A I told you that already. I passed those  
6 responsibilities on to the department heads that they would --

7 Q Well, now this memo also refers to a general  
8 manager's report from all stations.

9 A That's correct.

10 Q And that says monthly by the 15th.

11 A Yes.

12 Q You didn't pass that on to another department, did  
13 you?

14 A No.

15 Q That was your responsibility?

16 A Yes, it was.

17 Q Did you prepare a general manager's report monthly  
18 by the 15th?

19 A To the best of my knowledge I did.

20 Q And this was during the period May 30, 1991 to  
21 September 3, 1991?

22 A To the best of my knowledge.

23 Q Do you know where that report, those -- where the  
24 reports for that period of time would be?

25 A I do not.

1 Q Well, to whom did you send them?

2 A I would have sent them to corporate.

3 Q Would that have been to Mr. Schroeder?

4 A Mr. Jansson and I'm assuming copies to Mr. Schroeder  
5 but I don't know.

6 Q Did you ever have any conversations with anyone in  
7 the corporate office about your general manager's report  
8 between May 30, 1991 and September 3, 1991?

9 A Not that I recall.

10 Q Were there any other reports of a programming or  
11 ascertainment nature that were sent to Scripps Howard between  
12 May 30 and September 3, 1991?

13 A I don't know.

14 Q You didn't send any I take it?

15 A I don't think so.

16 Q What did your general manager's report when you did  
17 those reports consist of?

18 A A summary of what was going on at the television  
19 station, each department head and some sub-department heads  
20 could send me a report what was going on, could be business  
21 conditions, would be programming, programming about meeting  
22 the needs of the community, important ascertainments,  
23 projects, sponsorships.

24 Q Between May 30, 1991 and September 3 of 1991 did you  
25 receive any department head reports from Ms. Barr?

1 A I'm sure I did.

2 Q Do you recall what they would have discussed?

3 A What they would have discussed between May 30th and  
4 September 3rd?

5 Q Right.

6 A Not specifically in that time period, no.

7 JUDGE SIPPEL: Are you asking him about, Ms.  
8 Schmeltzer, the written or oral reports or --

9 MS. SCHMELTZER: Written. I'm asking about written.  
10 Thank you, Your Honor.

11 BY MS. SCHMELTZER:

12 Q Did you receive any written department --

13 A My recollection is that Ms. Barr would have given me  
14 her department's monthly report from which I wrote my monthly  
15 report, yes.

16 Q And that would have been in writing?

17 A Yes.

18 Q Do you know where reports, are there any written  
19 department head reports that exist from the period May 30,  
20 1991 to September 3, 1991?

21 A None.

22 Q Did you normally attach the department head report  
23 to your general manager's report?

24 A No. I normally took the department head reports,  
25 scratched through them, edited them, added things to them and

1 | threw them away.

2 |           MS. SCHMELTZER: Your Honor, I'd like to have marked  
3 | for identification as Four Jacks Exhibit 24 a one page  
4 | document -- I'm sorry, two page document entitled Monthly  
5 | Reports. It's on the stationery of Scripps Howard  
6 | Broadcasting and it's dated December 26th, 1989.

7 |           JUDGE SIPPEL: 1989?

8 |           MS. SCHMELTZER: Right.

9 |           JUDGE SIPPEL: All right. The Reporter will mark  
10 | that for identification.

11 |   (Whereupon the document referred to  
12 |   as Four Jacks Exhibit No. 24 was  
13 |   marked for identification.)

14 |           JUDGE SIPPEL: In view of that date, you're going to  
15 | have to show some relevancy right up front.

16 |           BY MS. SCHMELTZER:

17 |           Q    Mr. Kleiner, I'd like you to look at this memo from  
18 | Scripps Howard Broadcasting. Can you tell us if you remember  
19 | receiving this after Scripps Howard acquired WMAR-TV?

20 |           JUDGE SIPPEL: I want to go off the record so he can  
21 | have a chance to read this.

22 |           MS. SCHMELTZER: Certainly.

23 |   (Off the record.)

24 |   (On the record.)

25 |           JUDGE SIPPEL: Let's go back on the record. Have

1 you had a chance to --

2 MR. KLEINER: Yes, sir.

3 JUDGE SIPPEL: -- identify that or familiarize  
4 yourself with the document?

5 MR. KLEINER: Yes. Thank you.

6 JUDGE SIPPEL: Ms. Schmeltzer?

7 BY MS. SCHMELTZER:

8 Q Do you recall seeing the December 26th, 1989 Scripps  
9 Howard interoffice memo that's been identified as Four Jacks  
10 Exhibit 24 after Scripps Howard acquired WMAR-TV?

11 A I know I got this memo but I quite frankly don't  
12 recall seeing it.

13 Q I'm sorry. You say you know you got the memo.

14 A Yes. And I know I got it because my general manager  
15 reports followed this structure and they would not have  
16 followed this format rather and they would not have had I not  
17 received the memo.

18 Q Right. You just don't recall the specific date that  
19 you received it, is that --

20 A I don't even recall seeing it other than the fact  
21 that I know I did. I know that's confusing. I'm sorry.

22 Q Do you recall speaking with anyone at Scripps Howard  
23 about monthly general manager's reports?

24 A I do not.

25 Q Now, if you'll look at page 2, that outlines a

1 format for the general manager's monthly --

2 JUDGE SIPPEL: I think you ought to move it into  
3 evidence at this time.

4 MS. SCHMELTZER: Okay, Your Honor.

5 JUDGE SIPPEL: Is there going to be an objection to  
6 this, Mr. Zauner?

7 MR. ZAUNER: Yes, Your Honor, relevance. I mean,  
8 it's a monthly manager's report. What that has to do with  
9 what the station needs ascertained, how they ascertained those  
10 needs and what they did about the ascertained needs to me is  
11 not clear at all.

12 MR. HOWARD: And foundation, Your Honor, she has not  
13 established that this format, this precise format identified  
14 here was in effect at the time. Some elements of it were  
15 apparently, but not all of these from 1989 were still in  
16 effect in 1991.

17 JUDGE SIPPEL: Yeah, but as I heard Mr. Kleiner  
18 testify that he said that he was comfortable in saying that he  
19 received this document because he was familiar with using this  
20 format.

21 MR. HOWARD: Just the general format.

22 JUDGE SIPPEL: The general format and it does cover  
23 programming. I mean, there's a category programming in there  
24 and news.

25 MR. HOWARD: Yes.

1 MR. ZAUNER: Well, what kind of finding could I make  
2 based upon this?

3 JUDGE SIPPEL: Well, we have to look at it all  
4 together, Mr. Zauner. There's not going to be any thing, one  
5 thing come out of this, perhaps, but it is cross examination.  
6 It's not a voluminous item and it does talk about programming  
7 and news and the witness said that he's familiar with the  
8 format, that he's received the document. So --

9 MR. HOWARD: Your Honor, there's also -- may I?

10 JUDGE SIPPEL: Go ahead, yes.

11 MR. HOWARD: There's also testimony from the witness  
12 that at least one of these directions in this memorandum was  
13 not followed in his general manager report. So if that's the  
14 basis for putting it in, the evidence actually shows that this  
15 document was not the operating -- If the basis is because he  
16 followed it since there's testimony that he didn't follow it,  
17 that supports the contrary position that not all these were in  
18 effect.

19 JUDGE SIPPEL: Well, I don't think --

20 MS. SCHMELTZER: He never said anything like that.

21 JUDGE SIPPEL: I don't think that that's advancing  
22 the issue. The point is that he's -- I just heard him. I  
23 mean, he told us that he's used this format and that there's  
24 no question in his mind that he received the document, he just  
25 doesn't have the specific recollection of it. Mr. Zauner, I'm

1 sorry. I didn't hear you follow through.

2 MR. ZAUNER: No, I think I've said what I had to say  
3 and --

4 JUDGE SIPPEL: I'm going to just -- well, in my  
5 discretion I'm going to receive it into evidence, overrule the  
6 objections. You may proceed, Ms. Schmeltzer.

7 (Whereupon the document referred to  
8 as Four Jacks Exhibit No. 24 was  
9 received into evidence.)

10 MS. SCHMELTZER: Thank you, Your Honor.

11 BY MS. SCHMELTZER:

12 Q Mr. Schroeder (sic), I'd like to turn your attention  
13 to page --

14 A Mr. Kleiner.

15 Q I'm sorry. Mr. Kleiner, I'd like to turn your  
16 attention to page 2 of what's been received as Four Jacks  
17 Exhibit 24 and it says general manager's monthly report. Is  
18 that the format that you followed for preparing a monthly  
19 report?

20 A Generally.

21 Q Generally. And can you tell us what parts of it you  
22 followed and what parts you didn't?

23 MR. HOWARD: Objection to -- on relevance, Your  
24 Honor.

25 JUDGE SIPPEL: I'll sustain that objection.

1 BY MS. SCHMELTZER:

2 Q Category 2 on that page, Mr. Kleiner, refers to  
3 department summaries. Is that the department head reports to  
4 which we referred earlier?

5 A Yes.

6 Q And are those the categories that were covered by  
7 department head reports?

8 A I'm sorry?

9 Q If you'll look under II.

10 A I see that.

11 Q Are those the categories that were covered by  
12 department head reports?

13 A Those were some of the categories.

14 Q Were there any other categories?

15 A Yes, there were.

16 Q Such as what?

17 MR. HOWARD: Your Honor, objection again on  
18 relevance. It's not advancing any issue relevant to this  
19 particular --

20 JUDGE SIPPEL: I'll overrule it. Go ahead, Ms.  
21 Schmeltzer.

22 BY MS. SCHMELTZER:

23 Q Such as what?

24 A Public relations, public affairs.

25 Q Anything else?

1 A Not that I can recall offhand.

2 Q What was the nature of the brief and concise  
3 statements that you would put in your overview?

4 A Generally financial information and the overall  
5 state of the market, what conditions were like.

6 Q Do you recall how often you had --

7 A Are you through with this?

8 Q Yes, for now. Excuse me. Do you recall how often  
9 you had discussions, face to face discussions with Terry  
10 Schroeder during the period May 30 to September 3, 1991?

11 A Face to face?

12 Q Face to face.

13 A I have no idea.

14 Q Do you recall whether Mr. Schroeder came to the  
15 station on or about May 30, 1991 when Scripps Howard took over  
16 the station?

17 A I'm not sure whether he was there or not.

18 Q You don't recall?

19 A No.

20 Q Do you recall Mr. Jansson coming to the station on  
21 or about May 30, 1991?

22 A Yes.

23 Q And what did you discuss with Mr. Jansson at that  
24 time?

25 A They were about to take over the station and the

1 discussion was that basically how happy they were to have us  
2 come into the Scripps Howard family and it was all just good  
3 discussion welcoming us into the fold.

4 Q Was there any kind of a discussion about programming  
5 during that meeting?

6 A There might have been.

7 Q Do you remember anything specific?

8 A No.

9 Q Do you recall any other face to face meetings with  
10 Terry Schroeder between May 30 and September 3, 1991?

11 A Not that I can recall.

12 Q Do you recall any other face to face meetings with  
13 Mr. Jansson between May 30 and September 3, 1991?

14 A Not that I recall.

15 Q Do you recall any face to face meetings with Mr.  
16 Lowe during that period of time?

17 A None that I can recall.

18 Q I'd like to direct your attention to paragraph 25 of  
19 your testimony. This is SH2-9. It begins at the bottom of  
20 that page and goes over to the next page.

21 JUDGE SIPPEL: Let's go off the record.

22 (Off the record.)

23 (On the record.)

24 BY MS. SCHMELTZER:

25 Q That says prior to and during the renewal period Mr.

1 Jansson and Mr. Schroeder both visited the station on several  
2 occasions.

3 A Yes.

4 Q Okay. What occasions were there other than May 30,  
5 1991 that you can recall?

6 A You asked me if I specifically recalled. I know  
7 they visited but I don't specifically recall when they visited  
8 or what was talked about.

9 Q Okay. And then you say although I do not recall the  
10 specific dates or details of our discussions, I do know that  
11 both individuals encouraged us in these meetings to continue  
12 producing quality issues responsive programming.

13 A Correct.

14 Q Is that correct? What specific face to face  
15 discussions do you remember that concerned programming?

16 A When Mr. Schroeder or Mr. Jansson came to town they  
17 came in for usually a 24 or 36 hour period. We spent an awful  
18 lot of time together and we covered a lot of things. As far  
19 as the specifics of programming, we'd sit and we'd watch  
20 television and we'd look at things and they would ask general  
21 questions, what are you doing, how's this, how was that. And  
22 it was always words of encouragement to do more and do things  
23 as best we can do.

24 Q But you can't recall --

25 A No.

1 Q -- any specific meetings that you had with them --

2 A No.

3 Q -- between May 30 and September 3, 1991?

4 A I cannot. No.

5 JUDGE SIPPEL: Would those meetings be recorded,  
6 have had to be recorded in your daily diary or in your  
7 calendar?

8 MR. KLEINER: They might be.

9 JUDGE SIPPEL: Do you have --

10 MR. KLEINER: No.

11 JUDGE SIPPEL: You didn't -- your personal practice  
12 was not necessarily or what was your personal practice with  
13 respect to making those kinds of entries?

14 MR. KLEINER: My personal practice was to put in  
15 every appointment that I had so that I didn't double up. But  
16 if they were in town my guess is they would have been noted in  
17 my calendar but I'm not positive.

18 BY MS. SCHMELTZER:

19 Q Now, the only meeting that you could remember today  
20 was Mr. Jansson coming on or about May 30, 1991, is that  
21 correct?

22 A Yes.

23 Q Okay. And do you know whether Mr. Schroeder  
24 attended that meeting?

25 A Don't recall.

1 Q Was there any discussion about programming at that  
2 time?

3 A Not that I recall.

4 Q After Scripps Howard took over WMAR-TV did the  
5 station do any surveys of the general public?

6 A You mean between May 30th and September 3rd?

7 Q Right.

8 A I don't believe so.

9 Q Does the witness have a copy of Attachment F to Ms.  
10 Barr's testimony?

11 JUDGE SIPPEL: Let's go off the record.

12 (Off the record.)

13 JUDGE SIPPEL: On the record.

14 BY MS. SCHMELTZER:

15 Q Attachment F, Mr. Kleiner, at SH3-0339 refers to the  
16 third quarter 1991 issues and programs list. Do you see that?

17 A Yes, I do.

18 Q Have you seen that list before?

19 A Yes, I have.

20 Q Did you see that list in the summer of 1991 or in  
21 the fall of 1991?

22 A Probably not.

23 Q Did you ever review this list before it was put in  
24 the public inspection file?

25 A I might have but I don't recall.

1 Q Was it your normal practice not to review the issues  
2 programs list?

3 A To specifically review the list, yes, it was  
4 normally not my practice.

5 Q It was not your practice. And so you would not have  
6 reviewed the second quarter list either?

7 A Probably not.

8 Q Have you reviewed the list, however, at some point?

9 A Yes.

10 Q Okay. And if you would look on page 1 of that third  
11 quarter list, it says -- would you read the first paragraph,  
12 please?

13 A The following program --

14 Q You can read -- I'm sorry. You can read that to  
15 yourself.

16 A Oh, I'm sorry.

17 JUDGE SIPPEL: Off the record.

18 (Off the record.)

19 (On the record.)

20 BY MS. SCHMELTZER:

21 Q That paragraph refers to surveys of the general  
22 public. Were any such surveys conducted?

23 A I think that you are taking the term surveys of the  
24 general public a little too literally.

25 JUDGE SIPPEL: Well, can you answer her question,

1 first, and then you can explain your answer?

2 MR. KLEINER: To the best of my knowledge we did not  
3 take what I would call or you might call a survey of the  
4 general public.

5 JUDGE SIPPEL: Do you want to qualify that answer --

6 MR. KLEINER: Yes, I would like to. We took surveys  
7 of the general public every day. We were out in the  
8 community. We were meeting people. We were having meetings.  
9 We were at functions. We were ascertaining the public. In  
10 the true sense of the word that is a survey of the general  
11 public. We did not hire an outside firm to go do a survey for  
12 us which is I believe what you mean.

13 BY MS. SCHMELTZER:

14 Q Did you conduct any surveys or interviews with  
15 members of the general public that were memorialized in  
16 writing?

17 A I don't know.

18 Q Have you ever seen any documentation that interviews  
19 or surveys with members of the general public were done, any  
20 written documentation?

21 A I have not.

22 Q When you spoke with leaders in the community did you  
23 put in writing any of the issues that you discussed? This was  
24 between May 30, 1991 and September 3, 1991?

25 A I didn't put the -- no.

1 Q Did you at any time between the period of May 30,  
2 1991 and September 3, 1991 come up with a list of the  
3 representative groups in the community such as minority,  
4 labor, religious?

5 A In what fashion come up with the --

6 Q Did you come up with any kind of a written list of  
7 the representative groups in the community, in Baltimore?

8 MR. HOWARD: Objection, Your Honor, on relevance.

9 JUDGE SIPPEL: Well, I'll overrule that objection.  
10 We're into ascertainment. It's cross examination. I'll  
11 permit it.

12 MR. KLEINER: Not to my knowledge but we ascertained  
13 and had discussions with members of all -- not all, most  
14 groups.

15 BY MS. SCHMELTZER:

16 Q But you didn't have any list defining the groups,  
17 any written list defining the groups?

18 A Not to my knowledge.

19 Q Did you make any attempt to -- between May 30, 1991  
20 and September 3, 1991 to come up with a list of representative  
21 groups within the service area of the station?

22 A Not to my knowledge.

23 Q Did you come up with any written list to determine  
24 whether leaders of community groups that you spoke with  
25 between May 30, 1991 and September 3, 1991 were representative

1 of all the groups in the community?

2 A Not to my knowledge.

3 Q Did you participate in department head meetings, you  
4 personally, between May 30 and September 3, 1991?

5 A Yes, I ran those meetings.

6 Q Every department head meeting?

7 A No, no. There's only one department head meeting  
8 and then the others were department meetings.

9 Q Did you participate in department meetings?

10 A No.

11 Q Did you participate in the Barr group meetings  
12 between May 30 and September 3, 1991?

13 A Not usually.

14 Q Were the topics that were discussed in those  
15 meetings written down?

16 MR. ZAUNER: Objection. If he didn't participate  
17 how would he know?

18 BY MS. SCHMELTZER:

19 Q If you know.

20 JUDGE SIPPEL: Wait a minute. Wait a minute. We  
21 have an objection here. I suppose somebody could have told  
22 him.

23 MR. KLEINER: You're correct.

24 JUDGE SIPPEL: I mean, he's in the zone of possible  
25 learning -- mentioned. Did you answer -- Did he answer your

1 question?

2 MR. ZAUNER: My thought on that, Your Honor, was  
3 that somebody could have been sitting there making notes and  
4 he wouldn't know whether or not those notes were made and kept  
5 in somebody's pocket or file or something of that nature. It  
6 would be very difficult for him to know whether any written  
7 memorialization of what had occurred was done.

8 JUDGE SIPPEL: Well, let's see what he said because  
9 he's been answering the questions. Did you get an answer to  
10 your question?

11 MS. SCHMELTZER: No.

12 BY MS. SCHMELTZER:

13 Q The question was, did you participate -- I'm sorry.  
14 Were the topics that were discussed in the Barr group meetings  
15 written down?

16 A Not to my knowledge.

17 Q Now, I believe you said in your testimony that you  
18 had informal luncheon meetings, is that correct?

19 A Yes.

20 Q Were the topics that were discussed at the informal  
21 luncheon meetings written down?

22 A No.

23 Q Did Ms. Covington ever give you any ascertainment  
24 reports in writing?

25 A Not that I recall.

1 Q Did Ms. Velleggia?

2 A No.

3 Q Was Ms. Velleggia on any kind of any leave of  
4 absence from the station during June of 1991 to your  
5 knowledge?

6 A Not to my knowledge.

7 Q I'd like to refer you to paragraph 28 of your  
8 testimony, Mr. Kleiner, at SH2-11. In the first sentence you  
9 refer to supervising the ascertainment efforts of other  
10 station personnel who conducted regular interviews both  
11 directly and indirectly and I'm going to ask you, what's an  
12 indirect interview?

13 A And indirect interview could be where you attend a  
14 meeting where a community leader is speaking and you might not  
15 be the only person in the meeting and other people are asking  
16 questions, too.

17 JUDGE SIPPEL: Well --

18 MR. HOWARD: Your Honor, I think she's  
19 mischaracterizing the testimony.

20 JUDGE SIPPEL: I'm going to -- yeah. He's responded  
21 to your question, but let me see if -- because I want to get  
22 it clarified in my own mind. You see that first sentence in  
23 paragraph 28?

24 MR. KLEINER: Yes, I do.

25 JUDGE SIPPEL: And it says at the end directly and

1 | indirectly. Does that modify your supervision or the  
2 | interviews?

3 | MR. KLEINER: It could be both.

4 | JUDGE SIPPEL: Could be both. It's your testimony.  
5 | You tell us which, please.

6 | MR. KLEINER: I believe the intent at the time was  
7 | that I supervised the personnel directly and indirectly, not  
8 | the interviews directly and indirectly.

9 | MR. HOWARD: Move to strike his answer as based on  
10 | an incorrect presumption by counsel as to what his testimony  
11 | was.

12 | JUDGE SIPPEL: Well, I'm not going to strike it yet  
13 | because, well, he still answered the question. I mean, he  
14 | still answered the factual question but having made that  
15 | comment or this qualification or having answered my question,  
16 | to your knowledge were there such interviews conducted that  
17 | could be, that you would characterize as being indirect  
18 | interviews?

19 | MR. KLEINER: I don't know.

20 | JUDGE SIPPEL: Well, if you had to --

21 | MR. KLEINER: Not to my knowledge.

22 | JUDGE SIPPEL: Not to your knowledge. All right.  
23 | It's not definite enough one way or the other for me to strike  
24 | it. I'm just going to leave the record the way it is. You  
25 | may proceed, Ms. Schmeltzer.

1 MS. SCHMELTZER: It's approximately 10:30. Do you  
2 -- and the area that I'm going into will take a little bit of  
3 time, so --

4 JUDGE SIPPEL: Are you finished with paragraph 28?

5 MS. SCHMELTZER: I'm finished with paragraph 28.

6 JUDGE SIPPEL: All right. Then it is close to  
7 10:30. We'll take a recess until quarter of 11. Go off the  
8 record.

9 (Whereupon, at 10:30 a.m. the hearing recessed to  
10 reconvene at 10:45 a.m.)

11 MS. SCHMELTZER: Your Honor --

12 JUDGE SIPPEL: Mr. Kleiner, you're still under oath,  
13 sir.

14 MR. KLEINER: Yes, sir. Thank you.

15 MS. SCHMELTZER: As a preliminary matter, Mr.  
16 Kleiner referred in his testimony this morning to -- he said  
17 if he had any visits with Mr. Schroeder or Mr. Jansson they'd  
18 be reflected in his calendar. We had earlier marked his  
19 calendar --

20 MR. HOWARD: Your Honor, that's not correct as what  
21 he testified. He did not say that they necessarily would be  
22 marked in his calendar.

23 JUDGE SIPPEL: That's correct. I, you know, don't  
24 try and literally tell us what he testified to. He did  
25 testify to that manner in which he handled his diary or his



1 MS. SCHMELTZER: I would say some of the pages are  
2 cleaner. I can't promise that all of them are, but a number  
3 of them.

4 JUDGE SIPPEL: Well, let's proceed with what we have  
5 and if we see that that would be a significant benefit then  
6 we'll take the time to do that. But right now let's go with  
7 what we have. This was marked as Exhibit 16 for  
8 identification? Is that correct?

9 MS. SCHMELTZER: That's right.

10 JUDGE SIPPEL: And what is it that you intend to  
11 show this witness?

12 MR. KLEINER: I don't have one.

13 JUDGE SIPPEL: Yeah, well, if you have to answer  
14 questions you will. Thank you, Mr. Kleiner. The witness  
15 doesn't have a copy yet.

16 MS. SCHMELTZER: Some of the pages --

17 JUDGE SIPPEL: With respect to what, with respect to  
18 his --

19 MS. SCHMELTZER: Testimony.

20 JUDGE SIPPEL: -- his testimony and how he reports

21 --

22 MS. SCHMELTZER: Right.

23 JUDGE SIPPEL: -- records or doesn't record --

24 MS. SCHMELTZER: That's correct.

25 JUDGE SIPPEL: -- meetings that he has?