

1 MR. HOWARD: Objection. Your Honor, it's, it's,  
2 it's --

3 JUDGE SIPPEL: He's answered the question. He's  
4 answered the question.

5 MR. MASTERS: Can I clarify the question?

6 JUDGE SIPPEL: Well, let's see if he's --

7 MR. HOWARD: No.

8 JUDGE SIPPEL: Wait just a minute. Wait just a  
9 minute. The witness has answered the question straight on and  
10 he's asked for an opportunity to explain it and it's -- if it  
11 doesn't come out now it's going to come out later on redirect  
12 or in some way. I, I, I want to get his out now and I will  
13 permit you further cross-examination on this answer. So,  
14 let's -- you wanted to expand on that answer?

15 THE WITNESS: Well, I just wanted to say he mentions  
16 financial and sales, but we also received program reports, EEO  
17 reports, personnel reports, almost 80 percent of the reports  
18 on that list, not just financial and sales.

19 JUDGE SIPPEL: All right, but you had a specific  
20 question that was answered with respect to ascertainment.

21 MR. MASTERS: That's correct.

22 JUDGE SIPPEL: And you're got your answer. Now,  
23 your next question?

24 BY MR. MASTERS:

25 Q During this same period, May 30th, 1991 through

1 September 3rd, 1991, did Mr. Kleiner send you any memos on  
2 programming policies being observed at WMAR-TV?

3 A The only memo that I received by a carbon through  
4 Dick Janssen in programming would be the expansion of the  
5 "Morning News."

6 Q Did you or anyone at Scripps Howard corporate  
7 headquarters send any memos to WMAR-TV during this same period  
8 on programming policies?

9 A Yes. There was a memo send by Ken Lowe to the  
10 station, talked about the preparation we wanted to do for the  
11 fourth quarter fall season -- suggestion that was sent to not  
12 only WMAR but to all our stations giving suggestions in the  
13 programming, business and news type of areas.

14 Q Do you remember the date of that memo, Mr. Shroeder?

15 A It was mid-September or so.

16 JUDGE SIPPEL: Is this a tabbed item?

17 THE WITNESS: It thought it was an exhibit. I think  
18 that was one of the ones that was stricken. The question was  
19 through September 30th and that was before September 30th.

20 BY MR. MASTERS:

21 Q No, I'm sorry, Mr. Shroeder, my question was through  
22 the 3rd and not the 30th. If I mis-spoke I'm sorry.

23 A Okay. Not through September 3rd that I'm aware of.

24 Q Okay. During this said period, May 30th through  
25 September 3rd, 1991, did anyone at WMAR send to you any memos

1 on how ascertainment was being conducted at the station?

2 A Not that I'm aware of.

3 Q During this same period did anyone at WMAR send you  
4 any memos on what locally-responsive programming was being  
5 broadcast?

6 A No written memos that I'm aware of.

7 MR. MASTERS: Your Honor, I wonder if we might take  
8 our break a few minutes early. I think I'm pretty much done  
9 here. I, I would like to just have a few minutes to see if I  
10 need anything of a, of a cleanup nature.

11 MR. HOWARD: Your Honor, I'd request that he finish  
12 up and then we can have a break before redirect.

13 JUDGE SIPPEL: Well, you're going to -- the, the  
14 time frame should remain the same. Sounds like we're going to  
15 finish with this witness this morning and it's five minutes  
16 before we would normally take a break. We'll -- I'll, I'll  
17 grant you the request and we'll come back at five minutes of  
18 11:00.

19 MR. HOWARD: My understanding is that you clarified  
20 the scope of the questions that counsel was asking when asking  
21 about reports, is that he was referring to written reports, is  
22 -- when he asked if there were reported received and I just  
23 wanted to make it clear that that's -- that was -- I could  
24 wait until redirect to go back to this thing but it may not be  
25 clear exactly what reports we're talking about during that

1 time.

2 JUDGE SIPPEL: Well, I -- you know, I -- it's, it's,  
3 it's imminently clear, Mr. Zauner first raised the question, I  
4 raised it, it's clear. Let's go off the record. We'll be  
5 back at five minutes of 11:00.

6 (Whereupon, a short break was taken from 10:40 until  
7 10:57.)

8 JUDGE SIPPEL: Mr. Masters?

9 MR. MASTERS: Thank you, Your Honor.

10 JUDGE SIPPEL: You're still under oath, Mr.  
11 Shroeder.

12 BY MR. MASTERS:

13 Q Just a few more questions, Mr. Shroeder. Can I  
14 direct your attention back to Attachment F of your testimony?  
15 Specifically, I'd like to refer you to the second page of  
16 Attachment F which is SH-1-0025. Down at the bottom, category  
17 "Administrative/FCC/Other," do you see the entry for "Problems  
18 issues report"?

19 A Yes.

20 Q Under "Due date" beside "Problems issues report," it  
21 says, "Quarterly by the 10th." Have I read that correctly?

22 A Correct.

23 Q So, am I correct that the first problems issues  
24 report Scripps Howard would have expected from WMAR was --  
25 would have been due on October 10th of 1991?

1 A Correct.

2 Q Mr. Shroeder, what was -- I'm sorry, when did you  
3 receive the first issues programs list from WMAR-TV?

4 MR. ZAUNER: Objection. Are we now talking about a  
5 period outside the renewal period?

6 MR. MASTERS: Yes, we are, but -- right, it's a  
7 report that covers that period of time and also I'm offering  
8 this for impeachment purposes.

9 JUDGE SIPPEL: Well, it covers the -- Mr. Howard?

10 MR. HOWARD: Yes, Your Honor, I, I second -- I  
11 object as well --

12 JUDGE SIPPEL: You, you object as well.

13 MR. HOWARD: -- on the grounds that it's not -- that  
14 it was unclear what period he's referencing, whether the  
15 question goes to the, the one that would have due before the  
16 renewal period that was put -- due to be put in the public  
17 file for the renewal period or subsequent to that which would  
18 not be relevant to this proceeding.

19 JUDGE SIPPEL: I understand the question is it's a  
20 quarterly report that would cover the renewal period.

21 MR. MASTERS: That's correct.

22 JUDGE SIPPEL: Do you understand the question that  
23 way, Mr. Shroeder?

24 THE WITNESS: Now I do. Now I do.

25 JUDGE SIPPEL: Then I, I overrule the objection.

1 You may proceed.

2 BY MR. MASTERS:

3 Q When was -- I'm sorry, you had something to say?

4 JUDGE SIPPEL: Restate the question please.

5 BY MR. MASTERS:

6 Q When was the first time that Scripps Howard received  
7 issues programs list from WMAR-TV?

8 MR. HOWARD: Your Honor, objection. That's the --  
9 that's the same problem as we originally objected to.

10 JUDGE SIPPEL: You had it -- I thought we had this  
11 thing nailed. Your question to him was did he receive a  
12 quarterly report by the 10th of October that would have  
13 covered this renewal period. That was your first question.  
14 Do you understand that question?

15 THE WITNESS: Yes, I do.

16 JUDGE SIPPEL: What's your answer?

17 THE WITNESS: The answer is no, we did not receive  
18 that report.

19 BY MR. MASTERS:

20 Q When did you receive that report?

21 A We did not receive that report.

22 Q You never received that report?

23 MR. HOWARD: Asked and answered, Your Honor.

24 JUDGE SIPPEL: I, I sustain the objection -- all  
25 right. Another question? Another question?

1 MR. MASTERS: I have no further questions, Your  
2 Honor.

3 JUDGE SIPPEL: Mr. Zauner?

4 MR. ZAUNER: Yes, Your Honor.

5 CROSS-EXAMINATION

6 BY MR. ZAUNER:

7 Q Does Scripps Howard -- or during the period of the  
8 renewal, May 30th, 1991, to September 3rd, 1991, did Scripps,  
9 Scripps Howard have any policy that ascertainment interviews  
10 by its stations be memorialized in writing?

11 A Yes, at our stations we did. We asked the, we asked  
12 the stations to complete the ascertainments and we also had  
13 our stations send in quarterly confirmations that those  
14 ascertainments took place.

15 Q No, I'm talking now about the individual interviews  
16 that may have been accomplished with community leaders. Was  
17 there a policy that those interviews be memorialized in some  
18 written form?

19 A We didn't have a specific policy requirement.

20 JUDGE SIPPEL: Well, why don't, why don't you ask  
21 the witness to describe what it was that he expected to  
22 receive in the written ascertainment reports? What exactly  
23 did this document look like, what did it consist of, what  
24 subjects were covered.

25 BY MR. ZAUNER:

1 Q Could you answer that question? I don't think I  
2 need repeat it.

3 A The -- well, we asked -- we --

4 MR. HOWARD: Your Honor, Your Honor, may I object to  
5 the question --

6 JUDGE SIPPEL: Sure.

7 MR. HOWARD: -- since it's in evidence that the  
8 ascertainment report that was, was not received during the --  
9 this time period and thus the specific question as to what the  
10 ascertainment reports consist of in general is not relevant to  
11 this proceeding?

12 JUDGE SIPPEL: Well, it's going to help me in terms  
13 of understanding factually what -- you know, what is and isn't  
14 done and what, what might be done, what might be, might --  
15 what, what Scripps Howard does. As he has testified, he's  
16 gone right to the line on this. I just want him to go over  
17 the line and tell me what it is he expects to see in a written  
18 report when they're coming in.

19 THE WITNESS: What we asked for in that  
20 ascertainment report is a confirmation that the ascertainments  
21 took place and basically a quantity type of a statement of how  
22 many ascertainments took place during that preceding quarter.  
23 We do not ask for a summary of what was found in those since  
24 that's really in the program issues report. Nor do we ask for  
25 the details of, of the contents of the individual ones. It's,

1 it's primarily a check-and-balance safeguard to assure us that  
2 the ascertainment were being undertaken.

3 BY MR. ZAUNER:

4 Q Do, do you ask for the names and titles of the  
5 individuals who are interviewed?

6 A No, we do not.

7 Q When you made your visits to WMAR, were you aware  
8 that WMAR did not use a form to memorialize interviews with  
9 community leaders as part of its ascertainment process?

10 A I was not aware of that.

11 MR. ZAUNER: I have no further questions.

12 JUDGE SIPPEL: Redirect?

13 MR. HOWARD: Yes, Your Honor, a few questions.

14 REDIRECT EXAMINATION

15 BY MR. HOWARD:

16 Q In response to an inquiry, inquiry on cross-  
17 examination about your role in hiring Arnie Kleiner as the  
18 general manager of Station WMAR for Scripps Howard you  
19 mentioned that you investigated his reputation. Would you  
20 tell -- would you explain what you found out in that  
21 investigation?

22 A Well, I made a few phone calls to people I knew  
23 within the industry regarding Arnie. Arnie at one point in  
24 time worked for Westinghouse Broadcasting and so did I even  
25 though not at the same period of time. So, I talked to an

1 individual by the name of Art Kern who, who had worked at  
2 Westinghouse at the time Arnie was there and got a character  
3 reference on Arnie on that situation. I talked to the head of  
4 Telerep which was a sales rep firm who represented WMAR and  
5 got a reference on Arnie from them as far as their  
6 relationship with the station from a man named Steve Perzon  
7 (Phonetic), I also talked to another general manager who was  
8 the general manager for Gillette, the same company that Arnie  
9 was working with, a man named Jack Sander, WAGA-TV in Atlanta,  
10 got a reference there. In addition, I talked to our general  
11 manager at our radio station in Baltimore and got a read from  
12 Jim Fox who at that time was the general manager of WBSB in,  
13 in Baltimore as to Arnie's reputation within the community,  
14 his involvement in the community and the station's  
15 involvement, their reputation within the community.

16 Q You've, you've explained the process. Do -- is  
17 there anything you might add about the -- what the results of  
18 your -- of that investigation was?

19 A Yes. During those interviews what, what I found out  
20 is that he had an excellent reputation within the industry, he  
21 was highly regarded both professionally outside of the market  
22 with organizations. His peers worked well with him both in  
23 the positions prior to him being the general manager and also  
24 in the case of another general manager for Gillette, a peer  
25 relationship within the same company. And from Jim Fox I

1 found that Arnie was very involved in community organizations  
2 as was the station and other management individuals at the  
3 station. So, overall it was a very, very favorable  
4 performance and I passed it on to Dick Janssen for  
5 -- in the decision-making to retain Arnie.

6 Q Did you explain who, who Jim Fox is?

7 A I think I did. Jim Fox was the general manager of  
8 our FM station in Baltimore.

9 Q Thank you. In the cross-examination you were  
10 questioned about Attachment F to your testimony and the, the  
11 reports that are -- the summary of recurring reports and  
12 projects. Mr. Masters asked if his assumption was correct  
13 that these reporting requirements were in effect. Would you  
14 turn to, to page 8 of your direct case testimony, paragraph  
15 15, line 1 of that? Would, would you elaborate on the -- on,  
16 on whether the reporting requirements as they were  
17 characterized were in effect for all Scripps Howard station  
18 during the renewal period?

19 A The, the reporting requirements were in place.  
20 Prior to this memo there was a pervious memo that had gone out  
21 to all the stations prior to acquiring WMAR that would have  
22 set the procedures up for our other stations. This was an  
23 update to our other stations and the initial memo for  
24 Baltimore. So, this would have been the first time that Arnie  
25 was aware of these procedures and we gave him some time to, to

1 fully adapt into following these procedures and policies.

2 Q Thank you.

3 MR. ZAUNER: That's all, Your Honor.

4 RE CROSS-EXAMINATION

5 BY MR. MASTERS:

6 Q Just one question on recross. Why didn't Scripps  
7 Howard extend Mr. Kleiner's employment contract?

8 MR. HOWARD: Objection, Your Honor.

9 JUDGE SIPPEL: Sustained.

10 MR. MASTERS: I would say for the record, Your  
11 Honor, that I believe with all of the testimony just a minute  
12 ago by Mr. Shroeder as to the investigation of Mr. Kleiner's  
13 reputation and so forth they've opened up the subject.

14 JUDGE SIPPEL: Well, but it becomes irrelevant once  
15 he leaves the company. There's -- I'm certainly not going to  
16 allow an inquiry into some personnel decision as to him going  
17 on to, to, to a, to a different, a different employer. It, it  
18 -- we're only talking about what happened during the relevant  
19 period and, you know, why he left after that is really  
20 irrelevant and it could get into some matters that are  
21 personal. I don't want to do that. I do have a question or  
22 two. You testified -- you don't have a copy of this Exhibit O  
23 do you?

24 THE WITNESS: No, I don't, Your Honor.

25 JUDGE SIPPEL: I'm going to show you -- this is,

1 this is a copy of Ms. Barr's exhibits and I've turned to  
2 Exhibit O, and you, you referred to this in your testimony.

3 THE WITNESS: Um-hum.

4 JUDGE SIPPEL: And this, this memo is dated July 10,  
5 1991. How firm were these figures in terms of being approved  
6 at that time?

7 THE WITNESS: At that time it was just a draft. It  
8 was a working document. We really solidified these during my  
9 late-August visit to the station at the end of August of '91.

10 JUDGE SIPPEL: At what point were they solidified?

11 THE WITNESS: For the '91 -- for this -- for the '91  
12 items here, there's another list back, for this list here they  
13 were solidified in my visit at the end of August.

14 JUDGE SIPPEL: So, that's \$691,000 --

15 THE WITNESS: Correct.

16 JUDGE SIPPEL: -- worth of equipment?

17 THE WITNESS: Yes, sir.

18 JUDGE SIPPEL: Now, of that equipment which of it  
19 can you characterize as being upgrade? That is, upgrade from  
20 what had previously been on the scene under the prior owner?

21 THE WITNESS: Cyclesat installation was not existing  
22 prior to that so that would have been a new situation. The TV  
23 received only dish and installation was an additional dish so  
24 that would have been upgraded to receive more programming to  
25 and to facilitate the station. I don't know what two Category

1 A antennas are. Those are most likely replacement. The two  
2 ENG vans were an upgraded technology. The two vans that we  
3 had in place at the station were older electronic news-  
4 gathering vans with an older antenna type of, of a situation  
5 were very worn and so we moved forward with that and  
6 upgraded technology in those two vans. Lockers -- irrelevant,  
7 tripods are replacement, wireless is replacement. Five  
8 cameras. These are news-gathering cameras. Again, we were  
9 not pleased with the technology of the five -- the replacement  
10 cameras that were in the field. These are -- some of the  
11 cameras that are replacing were two P's that were connected by  
12 cable that had high maintenance situations. These are  
13 basically one-piece cameras so this was an improvement in  
14 technology. News cars were just replacement. Asbestos  
15 removal was just a building maintenance situation. The AM  
16 news sets is an upgrade. This goes along with our approval to  
17 expand the "Morning News," and there was some additional set  
18 and microphones and equipment needed for that expansion.  
19 Outdoor signs are just what they are. This is just  
20 miscellaneous stuff most of which was replacement.

21 JUDGE SIPPEL: All right. That -- The items that  
22 you just referred to as miscellaneous, is the, is the grouping  
23 below the first grouping and it, it totals \$20,100.

24 THE WITNESS: Right, is not including the 691.

25 JUDGE SIPPEL: And the 691,000 is what you've just -

1 -

2 THE WITNESS: Correct.

3 JUDGE SIPPEL: -- explained to me?

4 THE WITNESS: Yes.

5 JUDGE SIPPEL: All right. I've got one other, one  
6 other question, and that is with respect to the 90-minute  
7 "Morning News" programming that's referred to in Tab C of your  
8 testimony, Tab C is the memo to Mr. Janssen from Mr. Kleiner  
9 and it looks like it's July 9th, 1991. Is that correct?

10 THE WITNESS: Yes, sir.

11 JUDGE SIPPEL: And it talks about in the first line,  
12 "Staffing plan for the expanded 90-minute 'Morning News'  
13 Program." What date -- this -- what date can you testify as  
14 being the date when the expanded 90-minute news program went  
15 into effect, on or about?

16 THE WITNESS: Approximately mid-September. I'm, I'm  
17 not sure of the first air, air date of it.

18 JUDGE SIPPEL: Of '91?

19 THE WITNESS: Of '91, yes.

20 JUDGE SIPPEL: That's all I have.

21 MR. MASTERS: Your Honor, now that your questions  
22 have raised Attachment O might I be permitted a few questions  
23 as to that attachment?

24 JUDGE SIPPEL: You had your chance. I, I asked you  
25 if you wanted to go back into finances.

1 MR. MASTERS: Okay.

2 JUDGE SIPPEL: Anything on redirect?

3 MR. HOWARD: No, Your Honor.

4 JUDGE SIPPEL: Okay. You're excused as a witness.  
5 I have to caution you, do not discuss your testimony with any  
6 of the witnesses in this case for Scripps Howard until Scripps  
7 Howard's case is completed which should be by Friday  
8 afternoon.

9 THE WITNESS: I understand.

10 JUDGE SIPPEL: I'm, I'm talking about the facts of  
11 the case. You understand?

12 THE WITNESS: Yes, sir.

13 JUDGE SIPPEL: All right. It's quarter after 11:00.  
14 I, I have -- you may be excused. I have -- this is not in the  
15 form of a request, but I know you had mentioned to me, Mr.  
16 Zauner, that you asked if I might be interested in receiving  
17 views from the Commission with respect to restrictions to be  
18 put on these letters that we've been discussing. That is, the  
19 Tab R letters and the, the letters that I still have under  
20 advisement from, from Ms. Schmeltzer.

21 MR. ZAUNER: Yes, Your Honor, what I wanted was a  
22 -- just an opportunity to, to look through some of the renewal  
23 cases to see if I could find something that would give us  
24 perhaps some guidance on this particular question. I, I had  
25 looked at a number of cases but it was only a very quick

1 review and did not find anything that, that really answered  
2 the question to my satisfaction. And all I was going to say,  
3 that if I could find something I would let you and the parties  
4 know, you know, one way or the other.

5 JUDGE SIPPEL: Well, I, I, I, I'm inclined to, to,  
6 to take you up on that offer. If you can get something to me,  
7 you know, now that we're breaking early by tomorrow -- by  
8 Friday afternoon.

9 MR. ZAUNER: How about -- well, maybe Friday at the,  
10 at the hearing.

11 JUDGE SIPPEL: At the hearing.

12 MR. ZAUNER: I, I, I will look this afternoon and  
13 see if I can find anything and I will inform you and the  
14 parties on, on Friday morning if I do.

15 JUDGE SIPPEL: That would be, that would be fine.  
16 That, that would -- that, that, that -- I expect that that  
17 would assist me. What I intend -- and of course any other  
18 party is, is invited if they care to participate in that. I'm  
19 not looking for anything extensive, just some points and  
20 authorities on any limitations that might be appropriate.  
21 My -- yes, go ahead.

22 MS. SCHMELTZER: Is it possible to await Mr.  
23 Zauner's comments --

24 JUDGE SIPPEL: Yes, yes, you may.

25 MS. SCHMELTZER: -- before filing --

1 JUDGE SIPPEL: Yes, you may. I was going to say --  
2 my next point is, is that whatever you receive from the Bureau  
3 you'd have till Monday afternoon to get something to me to  
4 respond to it. And I -- what I intend to do is --

5 MR. ZAUNER: -- orally, Your Honor.

6 JUDGE SIPPEL: Well, that would be fine too. That  
7 would be fine too. Any way that you all want to handle it.  
8 What I would expect to do is, is wait until I set the dates  
9 for the, for the proposed findings and conclusions and I'll  
10 give my instruction at that time with respect to what, you  
11 know, what limitations I'm, I'm going to impose on the, on the  
12 proposed findings in terms of that evidence. And I also -- of  
13 course, I have to make a decision with respect to receiving it  
14 as well. I may make that, I may make, I may make, I may make  
15 that decision independently of the limitation, but it's still  
16 under advisement right now. All right? That's it. Does  
17 anybody have anything more? Mr. Howard?

18 MR. HOWARD: We will be -- we will argue to you,  
19 Your Honor, that the decision on the admissibility should be  
20 made while the case is proceeding, while there'd be an  
21 opportunity for us to explore what it is that the Four Jacks  
22 applicant perceives in these letters to be detrimental to  
23 WMAR's renewal expectancy.

24 JUDGE SIPPEL: But there's no witness to cross-  
25 examine on this. The, the letters are, the letters are there.

1           MR. HOWARD: Your Honor, there, there should be a  
2 proffer -- we will argue there should be a proffer to explain  
3 how this is relevant to the case and that goes to the, to the  
4 applicant's view of reputation and is something that is  
5 relevant to expiration.

6           JUDGE SIPPEL: Well, I'm satisfied on the relevance  
7 and I, I -- what I -- I say where I'm -- in general I'm  
8 satisfied with the relevance. What I'm, what I'm, what I'm  
9 wrestling with here is what limitations to put on. For  
10 example, letters that I can't read are no good, that's one  
11 extreme. Then we get down into some letters that just comment  
12 on the programming in general, the point that Mr. Zauner  
13 raised. And the exhibits in general comment good or bad about  
14 commercial programming, that is, that is not going to -- that  
15 does not relate to evidence that would go to the public  
16 interest issue, so that really is not relevant.

17           MR. HOWARD: Yes, Your Honor, and there are others  
18 where there is a, a gray area.

19           JUDGE SIPPEL: All right. There are others, and  
20 that's, that's why we're talking about giving me some  
21 guidance, if -- you know, if you find some cases that are on  
22 point on this. I think the Review Board has recently written  
23 about this in the Fox TV case and I think they came close to,  
24 to, to giving some specific guidance but not quite -- well,  
25 maybe it is close enough and I need to re-read it, I don't

1 want to sound critical of it, but I'll, I'll, I'll, I'll use  
2 the best I can get between now and the time we close the  
3 record. Your -- I'm, I'm going to take your request under  
4 advisement, too, Mr. Howard. You're saying that you want, you  
5 want a decision soon, you want a decision before this record  
6 is closed --

7 MR. HOWARD: Yes, Your Honor.

8 JUDGE SIPPEL: -- with respect to the admissibility  
9 of Exhibit 5?

10 MR. HOWARD: Yes, Your Honor.

11 JUDGE SIPPEL: All right. Well, we'll talk about  
12 that Friday morning. Friday morning it is. We are -- is  
13 there anything else that anybody else wants to raise?

14 MS. SCHMELTZER: What, what time would you like to  
15 commence on Friday morning?

16 JUDGE SIPPEL: 9:00 a.m.

17 MS. SCHMELTZER: 9:00?

18 JUDGE SIPPEL: 9:00 a.m. The reporter has been so  
19 informed. Mr. Kleiner is coming in from the West Coast --

20 MR. HOWARD: Yes, Your Honor.

21 JUDGE SIPPEL: -- and we want to get him out of here  
22 in time to meet the -- beat the traffic rush over to the  
23 airport Friday afternoon and that's, -- I, I -- you know,  
24 you're going to get your right to cross-examine the man but  
25 that's what I'm intending to do. Then we are in recess until

1 9:00 a.m. Friday morning.

2 (Whereupon, off the record at 11:20 a.m.)

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

IN THE MATTER OF SCRIPPS HOWARD BROADCASTING COMPANY  
**Name** AND FOUR JACKS BROADCASTING, INC.

MM DOCKET NO. 93-94

**Docket No.**

WASHINGTON, D.C.

**Place**

NOVEMBER 10, 1993

**Date**

We, the undersigned, do hereby certify that the foregoing pages, numbers 840 through 909, inclusive, are the true, accurate and complete transcript prepared from the reporting by MARYKAE FLEISHMAN 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.

November 22, 1993

**Date**

James H. Lowell  
James H. Lowell, Transcriber  
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November 22, 1993

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**Date**

Marykae Fleishman  
Marykae Fleishman, Reporter  
Free State Reporting, Inc.

**FREE STATE REPORTING, INC.**

Court Reporting Depositions  
D.C. Area 261-1902  
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