

1 twice and she could never locate it, the actual calendar.

2 JUDGE SIPPEL: The calendar -- She could never  
3 locate the calendar?

4 THE WITNESS: No, she, she, she had the calendar --

5 JUDGE SIPPEL: Oh.

6 THE WITNESS: -- because that's how she had  
7 originally given me these notes. She never actually gave me  
8 her calendar. She used her calendar in order to provide me  
9 with these notes.

10 JUDGE SIPPEL: What did you ask her for?

11 THE WITNESS: Originally?

12 JUDGE SIPPEL: Yes.

13 THE WITNESS: Originally, I asked her for her  
14 calendar. And when she asked me why, I explained what was  
15 going on and that I needed to know what interviews she had  
16 conducted. And she said to me I better write it out for you  
17 because you'll never be able to decipher my calendar. So she  
18 wrote me these handwritten notes which indicated the date  
19 and --

20 JUDGE SIPPEL: Did you tell her that the attorneys  
21 wanted the calendar?

22 THE WITNESS: At the time, I didn't know that the  
23 attorneys wanted the calendar. All I knew at the time was  
24 that the information was required. I didn't know --

25 JUDGE SIPPEL: Who, who gave you that instruction,

1 to get the information?

2 THE WITNESS: Counsel gave me the instructions to  
3 get the information.

4 JUDGE SIPPEL: And it was to be gotten from  
5 calendars?

6 THE WITNESS: Well, it was to be gotten in whatever  
7 recordkeeping we had, which in that time was calendars.

8 JUDGE SIPPEL: Did you get any instruction from  
9 counsel to retain the information that you assembled? That  
10 is, the, the, the original of the information that you had  
11 assembled. Did you have instructions for that?

12 THE WITNESS: It came to me, as I recall, after we  
13 had assembled the information.

14 JUDGE SIPPEL: Go ahead.

15 BY MS. SCHMELTZER:

16 Q Ms. Barr, why did you ask your counsel in 1993 if  
17 the term "documents" in the document production order referred  
18 to handwritten notes?

19 A What, what are you referring to? When did I --

20 Q Do you recall asking your counsel in 1993 if the  
21 term "document" in the document production request referred to  
22 handwritten notes?

23 A I don't, I don't -- When did I --

24 MR. HOWARD: Your Honor, I object to the question as  
25 going to the attorney/client privilege.

1 attorneys, so I used her notes to plug into the format.

2 JUDGE SIPPEL: All right. What I'm going to require  
3 to be turned over, Mr. Howard, is that portion of the  
4 formatted work product that has the Covington information.  
5 Everything else can be masked.

6 MR. HOWARD: Provided to you, Your Honor, in camera?

7 JUDGE SIPPEL: No, I'm, I'm going to require that it  
8 be turned over, because even if it is work product, I think  
9 there's sufficient cause for it to be turned over. And it's  
10 3:00 now. Is this readily available at your office?

11 MR. HOWARD: I'm frankly not certain, Your Honor.  
12 I, I think so.

13 JUDGE SIPPEL: What, what I'd like to see done is  
14 I'd like to see it given to, to Ms. Schmeltzer, at least  
15 Ms. Schmeltzer, by some time -- by later this afternoon. I, I  
16 don't want to put a time on it, but if you could get it to her  
17 by 5:00, otherwise first thing tomorrow morning.

18 MR. HOWARD: Okay. I just don't know if we can go  
19 -- We'll certainly try, Your Honor.

20 JUDGE SIPPEL: I understand. Well, I, I understand  
21 you don't know. I'm saying what I'd like to see done, so that  
22 this -- primarily, so that we don't detain the witness  
23 unnecessarily, is to get it in Ms. Schmeltzer's hands as soon  
24 as possible so that we can come back to this subject tomorrow.  
25 I don't see anything else that you can, can do on this today,

COPY

TRANSCRIPT OF PROCEEDINGS

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of:

SCRIPPS HOWARD BROADCASTING COMPANY  
and  
FOUR JACKS BROADCASTING, INC.  
Baltimore, Maryland

MM DOCKET NO. 93-94

DATE OF HEARING: November 9, 1993  
PLACE OF HEARING: Washington, D.C.

VOLUME: 8  
PAGES: 640-839

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1 JUDGE SIPPEL: That will be marked as Four Jacks 18  
2 for identification. And I am -- you may -- Mr. Howard, you  
3 may want to introduce this letter into the record if you care  
4 to, but at this time I'm going to read that last paragraph of  
5 the July 13th letter so that it's noted in the record at this  
6 -- at the time that we're considering this evidence. And that  
7 letter says that -- and this is in conjunction with  
8 transmitting documents in discovery on July 13, 1993 where Mr.  
9 Howard writes to Mr. Leder with copies to myself and to  
10 Bureau counsel the following: "Finally, Janet Covington, the  
11 former Public Relations Director of WMAR-TV who retired in  
12 December 1991, at one time possessed personal notes that  
13 recorded various ascertainment meetings in which she  
14 participated during the relevant period. These notes were not  
15 retained in any files at WMAR-TV. Scripps Howard recently  
16 contacted Ms. Covington to ascertain whether she possessed any  
17 of these notes and determined that she did not. If you have  
18 any questions regarding this matter, please contact me," and  
19 it's signed by Mr. Howard. All right? Go ahead.

20 (The document that was referred to as  
21 Four Jacks Exhibit No. 18 was marked  
22 for identification.)

23 BY MS. SCHMELTZER:

24 Q Ms. Barr, when you finished with Ms. Covington's  
25 notes -- well, let me ask you this first. When you finished

1 retained in any other files?

2 MR. HOWARD: Your Honor, let me just state my  
3 objection one more time that we're continuing on the same line  
4 and I believe the objection was sustained, that this line of  
5 inquiry --

6 JUDGE SIPPEL: I'm going to sustain the objection.

7 MS. SCHMELTZER: Can you tell me why when this  
8 matter was reported in connection with document production  
9 that it was not disclosed that these notes had been destroyed?

10 MR. HOWARD: Objection, Your Honor. It's the same  
11 line of inquiry.

12 MS. SCHMELTZER: Well, Your Honor, this letter does  
13 not say that.

14 MR. HOWARD: It was disclosed in the letter. In  
15 advance of Ms. Barr's deposition it was disclosed.

16 MS. SCHMELTZER: Your Honor, with all due respect,  
17 the letter says, "Scripps Howard recently contacted Ms.  
18 Covington to ascertain whether she possessed any of these  
19 notes and determined that she did not." This letter is very  
20 carefully worded. It does not say that the notes were  
21 destroyed.

22 JUDGE SIPPEL: Well, I think we explored this  
23 sufficiently yesterday and you certainly had an opportunity  
24 between July 13th depositions and the admissions session in  
25 October to, to raise this as an interlocutory matter if you

1 felt that you were -- you seem to be feeling that that  
2 evidence is being intentionally withheld from you. I don't  
3 see anything to indicate that and I gave you considerable  
4 leeway yesterday. We're really doing discovery during this  
5 witness' cross-examination.

6 MS. SCHMELTZER: No. I think this all goes to the  
7 preparation of a very critical exhibit in this case,  
8 Attachment E.

9 JUDGE SIPPEL: Well, I --

10 MS. SCHMELTZER: -- and very important evidence that  
11 was used to prepare this exhibit is not available.

12 JUDGE SIPPEL: Well, you've had the explanation and  
13 over the objection of counsel for the other side I've given  
14 you work product. I've made them produce their work product  
15 which is the second best from what -- as to what's been lost.

16 MS. SCHMELTZER: Right, and I appreciate that.

17 JUDGE SIPPEL: And that's where -- this is where the  
18 inquiry ends, so let's move on to substance.

19 BY MS. SCHMELTZER:

20 Q Now, I would like you to take a look, Ms. Barr, at  
21 Four Jacks Exhibit 18 which is the materials that you  
22 initially sent your counsel about the Covington interviews.  
23 Is that correct?

24 A With the latest issue ascertainment? This one?

25 Q Four Jacks Exhibit 18. It says copy with the number

1 MS. SCHMELTZER: I can't probe into that without  
2 having Exhibit 18 received into evidence.

3 JUDGE SIPPEL: Well, I don't, I don't think that the  
4 probing that would prompt Exhibit 18, I don't see -- except in  
5 the limited way that I pointed out to you, I don't see where  
6 that's going to advance this record at all and I don't see  
7 where you're being prejudiced by my refusing to hear that line  
8 of questioning because you don't really, you don't really have  
9 -- you don't have an idea as to where that line's going to go.

10 MS. SCHMELTZER: I know where --

11 JUDGE SIPPEL: You're basically in discovery. If  
12 you -- well, I told you very clearly. If you can find an  
13 inconsistency, a significant inconsistency, in terms of what  
14 was written down on Exhibit 18 and what is in E, and I gave  
15 you an illustration, you know, then I want to hear about it  
16 and, you know, we'll make an appropriate ruling at that time,  
17 but for the -- for right now I, I don't see any showing of  
18 cause to bring this into the, into the record. This is a  
19 discovery document. It's been given over objection because  
20 it's work product. It is not a complete document. If  
21 anything can cause misleading up the line -- the <sup>char</sup>change of  
22 command for review, it would be a document like this it seems  
23 to me. So I'm going to handle this with, with the care that I  
24 think is appropriate. I'm going to reject it as an exhibit.

25 MS. SCHMELTZER: For the record, we disagree that

1 JUDGE SIPPEL: Is this footnote 6 of her testimony?

2 MS. SCHMELTZER: Right.

3 WITNESS: What page? I'm sorry.

4 BY MS. SCHMELTZER: Page 16. If you look at the  
5 last sentence of that it says, "It did not occur to me to  
6 preserve Ms. Covington's handwritten notes after our  
7 discussions?

8 MR. HOWARD: Your Honor, it's the same --

9 MS. SCHMELTZER: Am I correct that you --

10 MR. HOWARD: -- exact same matter.

11 JUDGE SIPPEL: Let me hear this. Let me hear the  
12 question --

13 MS. SCHMELTZER: I haven't asked the question.

14 JUDGE SIPPEL: -- and then you can make the  
15 objection.

16 MS. SCHMELTZER: Am I correct that you did preserve  
17 Ms. Covington's handwritten notes for a period of time after  
18 your discussions?

19 MR. HOWARD: Your Honor, that's asked and answered  
20 repeatedly.

21 JUDGE SIPPEL: I'm going to sustain the objection.

22 MS. SCHMELTZER: She has not answered that question.

23 JUDGE SIPPEL: Well, you had your chance yesterday.  
24 She was on this stand for -- in excess of 30 minutes going  
25 down this whole line of questioning and I'm, I'm not going to

1 permit you to keep coming back to it at later times. That was  
2 the time that you had your opportunity and you had many more  
3 opportunities starting with July 13th. This lady's got to  
4 finish her testimony.

5 BY MS. SCHMELTZER:

6 Q Ms. Barr, turning to page 2 of Attachment E -- do  
7 you have Attachment E in front of you?

8 A Yes.

9 Q Now, I take that all of this material -- all of the  
10 information that's imparted on this page was given to you by  
11 Ms. Covington?

12 A Yes.

13 Q Was Ms. Covington the president of the Fuel Board?

14 MR. HOWARD: I'm sorry, counsel. What page are you  
15 on?

16 MS. SCHMELTZER: Page 2 of Attachment E.

17 MR. HOWARD: Oh, I'm sorry.

18 MS. SCHMELTZER: SH3-0226.

19 MR. HOWARD: Thank you.

20 BY MS. SCHMELTZER:

21 Q Was Ms. Covington the president of the Fuel Fund of  
22 Central Maryland?

23 A At that time I believe she was.

24 Q So she had a meeting with Rebecca Warren concerning  
25 an organization of which she was the president? Is that

1 issue?

2 A The issue was race relations.

3 Q Did you put race relations down here as the issue?

4 A No, I did not.

5 MR. HOWARD: Your Honor, objection.

6 MS. SCHMELTZER: Was Brotherhood --

7 JUDGE SIPPEL: Wait a minute.

8 MR. HOWARD: The document speaks for itself with  
9 respect to what was put down. She'd already asked, in fact,  
10 what it said.

11 JUDGE SIPPEL: Well --

12 MR. HOWARD: The witness identified what the issue  
13 was.

14 JUDGE SIPPEL: Well, there's -- the witness said  
15 race relations and the document says Brotherhood/Sisterhood,  
16 etc., so there seems to be -- it may be explainable, but there  
17 seems to be an inconsistency or one of these statements is  
18 missing something, so on cross-examination I'll permit it.  
19 Can you explain that?

20 WITNESS: Yes, I can. When I was preparing this  
21 document it was, it was my understanding that counsel was  
22 asking me for information with respect to what had taken  
23 place, whether it was a meeting or it was a reception or what  
24 might have taken place. I did not at the time that I was  
25 putting this together always indicate a specific issue because

1 that came from Janet Covington's notes. The supplementary  
2 material that was put in was -- it has been testified to, came  
3 from the conversations that Ms. Barr had with Ms. Covington  
4 about those notes to fill in the additional information.  
5 Thus, this exploration is going over exactly the same material  
6 that we had, and I believe you had ruled, we had covered in  
7 full and --

8 JUDGE SIPPEL: Well, my ruling was that if you  
9 showed -- if there was an inconsistency shown --

10 MS. SCHMELTZER: And we're saying that this is an  
11 inconsistency.

12 JUDGE SIPPEL: Well, there's a gap but, as she  
13 explained, there were, there were numbers of ways in which she  
14 completed, as she put it, the reincarnation of Exhibit E, so  
15 the only thing that you're going to find out is where she got  
16 the name Fran Thompkins from. I don't --

17 MS. SCHMELTZER: Well, she just testified that she  
18 got the name from Ms. Covington's notes.

19 MR. HOWARD: That's not true, Your Honor. The  
20 witness testified --

21 JUDGE SIPPEL: No, no, no.

22 MR. HOWARD: -- that she got notes and conversation.

23 JUDGE SIPPEL: No, no. This is it. I mean, it's  
24 -- look, we know what we're dealing with here, Ms. Schmeltzer,  
25 and to go down this line by line is going to add more

1 MR. ZAUNER: Your Honor, I was just going to, to say  
2 that with the limited purpose that's been defined here by Mr.  
3 Howard, we would have no objection to it, but we agree with  
4 what you're saying essentially and that is that the  
5 programming after September 30th should not be considered. As  
6 I understand it, Mr. Howard is not really arguing with that.

7 JUDGE SIPPEL: He's not?

8 MR. ZAUNER: He's not arguing with that. He's not.

9 JUDGE SIPPEL: But Ms. Schmeltzer wants us to go  
10 through here and strike this type of thing and I'm just not  
11 going to do it, but I wanted to explain why I'm not going to  
12 do it. All right. Do we have any more questions with respect  
13 to Exhibit E?

14 MS. SCHMELTZER: No, Your Honor.

15 JUDGE SIPPEL: Can we move into another area then?

16 MS. SCHMELTZER: Yes.

17 BY MS. SCHMELTZER:

18 Q Did there come a point in time after the competing  
19 application was filed, Ms. Barr, that you contacted NBC?

20 A With respect to what? I talk to NBC several times a  
21 week.

22 Q That you contacted NBC with respect to the  
23 programming that your station ran during the relevant period  
24 of time?

25 A Yes. I contacted NBC to ask them to send me

1 computer files, paper copies of computer files.

2 Q Why did you contact NBC?

3 A At the request of counsel.

4 Q And did you compose a letter that you sent to NBC?

5 A I sent them -- I believe it was a memo.

6 MR. HOWARD: I object as to the exploration of the  
7 preparation of the exhibit and, unlike the case before where  
8 there was not -- the documents hadn't been fully revealed and  
9 perhaps there wasn't an underlying document that was -- here  
10 all the underlying documents are in counsel's hands.

11 JUDGE SIPPET: I get the feeling that we're going to  
12 get to this NBC documentation that was recently turned over.  
13 Is that correct?

14 MS. SCHMELTZER: Yes, and Mr. Howard sent us a  
15 letter waiving work product.

16 JUDGE SIPPET: Well, he's waiving as to what he --

17 MR. HOWARD: With respect to the document.

18 JUDGE SIPPET: -- turned over to you. I'm going to  
19 -- this is -- again, we're just getting into methodology here.  
20 She hasn't gone down to any specific give or take between  
21 counsel yet and she won't do that, I'm sure. So, okay, this  
22 -- we're at the point anyway where the progress of this was a  
23 memo?

24 WITNESS: That's correct.

25 JUDGE SIPPET: You prepared the memo?

1 WMAR-TV Baltimore letterhead dated August 10, 1992, addressed  
2 to Nancy Cole and Vicky Anderson from Emily Barr, re: Archive  
3 Request. All right. Do you have a question on that now?  
4 MS. SCHMELTZER: Yes. This is a six page document.  
5 JUDGE SIPPEL: Thank you.  
6 BY MS. SCHMELTZER:  
7 Q Ms. Barr, do you recall seeing this letter before?  
8 A Yes, I do.  
9 Q And is this the letter that you sent to Nancy Cole  
10 and Vicky Anderson at NBC?  
11 A Yes, it is.  
12 Q Do you know what Nancy Cole's position is at NBC?  
13 A She is in the Archives Department. I believe she is  
14 the manager of Archives.  
15 Q And was in August '92, I take it?  
16 A Yes.  
17 Q And do you know what Vicky Anderson's position was  
18 at NBC?  
19 A I believe they also have a west coast archival  
20 department that handles their entertainment archives.  
21 Q And Ms. Anderson was in the west coast office?  
22 A That's correct.  
23 Q Now, did you have any phone calls with Nancy Cole or  
24 Vicky Anderson that preceded the sending of this letter?  
25 A As I indicate in my memo, I spoke to them on the

1 Friday prior.

2 Q Did you speak to both of them in one call?

3 A As I recall, I spoke to them individually.

4 Q And what did you ask them for when you spoke to them  
5 over the phone?

6 A I asked them for a copy of archival information with  
7 respect to programming that had aired on NBC for the period of  
8 May 30, 1991 through September 30, 1991.

9 Q And you were -- did you tell them that you were  
10 looking --

11 A I'm sorry. June 1, 1991 through September 30, 1991.

12 Q And did you tell them that you were looking for  
13 examples of both network and local programming?

14 A As I said in my memo --

15 MR. ZAUNER: Your Honor, the document speaks for  
16 itself.

17 JUDGE SIPPEL: The document will speak for itself.

18 MS. SCHMELTZER: Okay.

19 JUDGE SIPPEL: I mean, if you want to get into  
20 questions like what was the purpose of the, you know, the  
21 purpose of sending the memo or what was she trying to get from  
22 NBC, for what purpose, but we know what's in the memo.

23 BY MS. SCHMELTZER:

24 Q Did you -- is this your handwriting on the  
25 attachment which is the handwritten list of issues?

1 | in terms of being the person who was in control of putting the  
2 | ascertainment issues together. She had to utilize a very  
3 | significant resource. I think we're entitled to have the  
4 | record explained just why and how. It's not going to take  
5 | very long. It's in. It's received in evidence as Four Jacks  
6 | No. 19.

7 | (The document that was previously  
8 | marked for identification as Four  
9 | Jacks Exhibit No. 19 was received  
10 | into evidence.)

11 | JUDGE SIPPEL: I'm sorry. Did the Bureau have a  
12 | position on this?

13 | MR. ZAUNER: No, Your Honor. You've ruled.

14 | BY MS. SCHMELTZER:

15 | Q For what purpose did you send this letter to NBC in  
16 | August of 1992?

17 | A I was asking them for a paper copy of all of the  
18 | programming, news and entertainment programming, that they had  
19 | run in 1991 that would have dealt with the issues that we had  
20 | ascertained locally as having been relevant to the Maryland --  
21 | to the central Maryland community that we served. This is not  
22 | information that I have through the general course of  
23 | business.

24 | Q And did NBC --

25 | JUDGE SIPPEL: I don't understand that answer. Why

1 | wouldn't you have that information?

2 |           WITNESS: Well, what NBC would send us on a, on a  
3 | daily basis is a, is a record of what programming is going to  
4 | air, but after that programming airs we don't retain copies of  
5 | it as a general rule of thumb. We would have mountains of  
6 | paper. So once -- and this was a year later. So I had -- I  
7 | was trying to reconstruct what NBC had done with respect to  
8 | news and, and programming. We are an NBC affiliate. We carry  
9 | NBC's programming so, therefore, in order for me to  
10 | reconstruct what NBC had done I had to go back to the source  
11 | which was NBC because as just general work practice I didn't  
12 | keep a record of every NBC story that ran in the news or on  
13 | the Today Show or, or wherever. There would just be no reason  
14 | to keep that information locally.

15 |           JUDGE SIPPEL: All right. You're telling us then  
16 | that as a matter of practice, as a matter of business  
17 | practice, at WMAR-TV going back that far into 1991 there would  
18 | not be an in-house way of reconstructing what the programming  
19 | was at any given day?

20 |           WITNESS: On the -- on programming that was, that  
21 | was delivered through NBC.

22 |           JUDGE SIPPEL: Through NBC?

23 |           WITNESS: That's correct.

24 |           JUDGE SIPPEL: That's -- that was assumed in my  
25 | question, but you're absolutely right. That's a very

1 MR. HOWARD: Your Honor, discovery is -- it was  
2 recognized that she made a mistake and the letter has now been  
3 produced.

4 MS. SCHMELTZER: I don't think it's been testified  
5 to.

6 JUDGE SIPPEL: Well, she wanted to cross-examine.  
7 She thinks she -- I understand. I understand. Go ahead.

8 BY MS. SCHMELTZER:

9 Q Do you recall telling me at your deposition, Ms.  
10 Barr, that you didn't have a copy of this letter?

11 A Yes, I do.

12 Q Well, when did you discover the copy of the letter?

13 A After I went back through my files on several  
14 occasions and I found it.

15 Q That was after your deposition?

16 A After my deposition.

17 Q Approximately when after your deposition?

18 A It was not until quite recently. As soon as I found  
19 it I turned it over to counsel.

20 Q And when was that?

21 A That was, as I stated a moment ago, very recently,  
22 but I don't remember the exact date. I've done a lot of file  
23 searching in the last two years and I just don't remember  
24 every time I looked through my files and found a document.  
25 I'm sorry.



Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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IN THE MATTER OF:	)	
SCRIPPS HOWARD BROADCASTING COMPANY	)	MM DOCKET NO. 93-94
and	)	
FOUR JACKS BROADCASTING, INC.	)	
Baltimore, Maryland	)	
-----)	)	

The above-entitled matter came on for hearing pursuant to Notice before Judge Richard L. Sippel, Administrative Law Judge, 2000 L Street, Courtroom Four, Washington, DC, on Tuesday, November 16, 1993, at 9:30 a.m.

APPEARANCES:

On behalf of Scripps Howard Broadcasting:

KENNETH C. HOWARD, JR., Esquire  
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On behalf of Four Jacks Broadcasting:

MARTIN R. LEADER, Esquire  
KATHRYN R. SCHMELTZER, Esquire  
GREGORY L. MASTERS, Esquire  
Fisher, Wayland, Cooper and Leader  
Suite 800  
1255 23rd Street, NW  
Washington, DC 20037

1 the transcript, we have 10 days delivery on the transcripts so  
2 I've counted 10 days from today would bring delivery of the  
3 last volume on November the 26th.

4 MS. SCHMELTZER: Are we off the record?

5 JUDGE SIPPEL: No, we're on the record.

6 MS. SCHMELTZER: I mean, you may be a little  
7 optimistic on that. Sometimes they come on time, sometimes  
8 they don't. You know, it depends on --

9 JUDGE SIPPEL: Well, it's in their contract, and  
10 I'm, I'm, I'm basing it on that. Well, let me give you these  
11 dates off the record and then we'll come back on.

12 (Whereupon, a brief recess was taken.)

13 JUDGE SIPPEL: These are the dates that were  
14 announced off the record: corrections to transcript by the  
15 17th of December -- I didn't -- my preference would be that it  
16 be done by, by -- it be done jointly to the extent that's  
17 feasible, but if it can't be done jointly then you can file  
18 them separately, or you can file segments separately that  
19 can't be agreed to. The record is closed as of today for all  
20 purposes except for purposes of making those corrections, but  
21 for purposes after those corrections are made, the record will  
22 be closed on the 20th of December for all purposes, and I --  
23 except as I had indicated when we talked about the SEC  
24 filings, if there's another SEC filing that's substantially of  
25 impact on the information that we've been handling in this

**EXHIBIT B**

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C.

In re Applications of	)	MM Docket No. 93-94
	)	
SCRIPPS HOWARD BROADCASTING COMPANY	)	File No. BRCT-910603KY
	)	
For Renewal of License of	)	
Station WMAR-TV,	)	
Baltimore, Maryland	)	
	)	
and	)	
	)	
FOUR JACKS BROADCASTING, INC.	)	File No. BPCT-910903KE
	)	
For a Construction Permit for	)	
Television Facility on	)	
Channel 2 at	)	
Baltimore, Maryland	)	

To: The Honorable Richard L. Sippel  
Administrative Law Judge

**MOTION FOR PRODUCTION OF DOCUMENTS BY  
SCRIPPS HOWARD BROADCASTING COMPANY**

Four Jacks Broadcasting, Inc. ("Four Jacks"), by its attorneys and pursuant to Section 1.325 of the Commission's Rules, hereby respectfully moves for the production by Scripps Howard Broadcasting Company ("Scripps Howard") of the documents specified herein relating to Scripps Howard's renewal expectancy.<sup>1/</sup> The documents are to be produced for inspection and photocopying at the offices of Fisher, Wayland, Cooper and Leader, 1255 23rd Street, Suite 800, Washington, D.C. 20037, within ten days of the Judge's Order granting this Motion. In support hereof, the following is submitted:

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<sup>1/</sup> This motion covers only existing issues. If any issues are added, Four Jacks reserves the right to pursue further discovery.

6-11-93

1. This motion is based on the Judge's Order, FCC 93M-337 (released June 7, 1993), establishing June 11, 1993 as the date for the filing of Motions for Production of Documents on the renewal expectancy issue and defining the relevant period for the adduction of evidence on Scripps Howard's license renewal expectancy.

2. The documents requested are relevant to Scripps Howard's claimed renewal expectancy. Each document request is reasonably calculated to lead to the discovery of admissible evidence. This evidence is necessary for the compilation of a full record at hearing.

WHEREFORE, for the foregoing reasons, Four Jacks respectfully requests that Scripps Howard deliver the requested documents to undersigned counsel for Four Jacks.

Respectfully submitted,

By:   
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Lauren Ann Lynch

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Dated: June 11, 1993