

ATTACHMENT A

Part I. Definitions

This motion for production of documents is addressed to Scripps Howard Broadcasting Company and any persons who are past or present directors, principals, shareholders, officers, representatives or agents of such applicant as further defined below and collectively referred to as "Scripps Howard":

1. "Scripps Howard" means, but is not limited to, the renewal applicant and all parent companies, subsidiaries and affiliates, as well as all shareholders, officers, directors, principals, employees, agents, accountants, attorneys, independent contractors or other representatives of the company and any person or entity under the control of any of the above.

2. The term "principal" includes, but is not limited to, all persons who hold any ownership or equity interests in Scripps Howard or options or other rights to acquire any ownership or equity interests in Scripps Howard and all officers and directors of Scripps Howard.

3. The term "representative" or "agent" includes, but is not limited to, present and former legal counsel, engineering and all other consultants, accountants, employees or agents.

4. The term "persons" includes, but is not limited to, natural persons, corporations, partnerships, associations, and other legal entities, including governmental bodies, commissions, boards, agencies or entities.

5. "Interest" means (a) any form of ownership, whether direct or indirect, whether beneficial or legal, and whether actual or contingent, including ownership through a corporation,

partnerships, association, investment company, bank or other entity; or (b) any form of office or other position in any business entity.

6. "Station" means television station WMAR-TV, Channel 2, Baltimore, Maryland.

7. The term "Documents" refers to the original, and each tangible thing recording or reproducing, in any manner, any visual or auditory data in the producing party's possession, control or custody, including without limitation correspondence, memoranda, drafts, transcripts, photographs, stenographic or handwritten notes, studies, evaluations, analyses, reports, reviews, calendars, diaries, working papers, books, charts, telegrams, pamphlets, pictures, video or audio tapes, voice recordings, computer tapes, printouts or cards, microfilm or microfiches, telephone records, any papers on which words have been written, printed, typed or otherwise affixed, and shall mean a copy where the original is not in the possession, or control of a producing party, and shall mean every copy of every document where such copy is not an identical copy of an original.

8. "Relevant period" means May 30, 1991 to September 3, 1991 and any evidence showing the implementation of Scripps Howard's programming plans from May 30, 1991 through September 30, 1991.

9. "Relate to" and "relating to" mean whether the requested document constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any way pertinent to the specified subject, including documents concerning the preparation of other documents.

10. References to the masculine include reference to the feminine. References to the feminine include reference to the masculine.

11. All other words not defined herein shall be given their usual and natural meaning so as to be fully responsive to the questions asked.

Part II. Instructions

1. This document request covers the relevant period.

2. This document request calls for production of all documents in the possession, custody or control of Scripps Howard.

3. In the event that a document whose production is called for in this document request is or has been destroyed, or alleged to have been destroyed, or exists but is no longer in Scripps Howard's possession, custody or control, Scripps Howard shall identify the document and state what disposition was made of it and the date that disposition occurred, the reasons for its destruction or other disposition, the identity of persons having knowledge of its destruction or other disposition, and the identity of persons responsible for its destruction or other disposition, and describe with specificity the content of the document. For documents that still exist but are no longer within Scripps Howard's possession, custody or control, Scripps Howard shall identify any person known or believed to have possession, custody or control of the document.

4. Documents are to be produced as they are kept in the usual course of business, organized and clearly labeled to identify the document request to which each document responds.

5. If production of any Document called for by this request is refused pursuant to a claim of privilege, the Document should be identified by reference to its author, recipient(s) (including any person receiving a copy, regardless of whether that recipient is listed on the Document), date, and subject matter. The basis for the privilege claimed for such Document should be specified with sufficient precision to permit assessment of the applicability of the privilege involved.

6. This request calls for original Documents to be produced for inspection and copying to the extent available. Each copy made is to be marked with the initials of Scripps Howard, immediately after this prefix, each page is to be numbered consecutively beginning with "1", using an ink other than black (preferably red).

7. Any singular form herein includes the plural; any conjunctive includes the disjunctive.

8. This document request is continuing in nature and requires supplemental responses within 5 business days (fewer if hearing is 5 or fewer days away) if Documents are discovered in the course of the proceeding which should have been produced in response to this Motion.

9. Any Document requested which is on file with the Commission, or has been previously served on the parties to this proceeding, need not be produced, provided that each such Document is described and the date on which it was filed or

served is identified. Copies of Documents filed with the Commission will be produced upon request if the Commission file copy which is incorporated by reference proves not to be readily available for inspection and copying.

Part III. Documents Requested

- (a) All Issues/Programs Lists covering the relevant period.
- (b) All Documents relating to the preparation of the above Issues/Programs Lists, including Documents describing the conduct and results of ascertainment efforts, general public surveys (if any) and Documents reflecting the compilation of responsive programming lists.
- (c) All Documents identifying the station's non-entertainment programming staff during the relevant period and describing their qualifications, work hours and job descriptions.
- (d) All station program and operating logs for the relevant period, including any discrepancy sheets.
- (e) All Documents describing how news, PSAs and public affairs programming were selected, prepared and broadcast during the relevant period.
- (f) All Documents promoting non-entertainment programming aired during the relevant period such as station flyers, advertisements run in the local press, and the text of station on-air promotions.
- (g) All Documents that reflect or refer or relate to the names of all Scripps Howard personnel who were responsible for, or participated in, the station's ascertainment efforts, public survey efforts, selection of programs and/or program topics, and

preparation of the station's issues/programs lists during the relevant period.

(h) Tapes of all programs upon which Scripps Howard expects to rely to establish its service to the community and to support its renewal expectancy claim.

(i) All Documents reflecting or describing or relating to station involvement in community activities during the relevant period.

(j) All Documents relating to letters (or other records of communications) from the public, including letters of complaint, which comment in any way on community issues, Scripps Howard programming, or absence or quality of programming, and the operation of the station, and Scripps Howard's responses to such communications for the relevant period.

(k) All Documents relating to requests from the public and/or from civic and community groups requesting coverage of community events and Scripps Howard's responses for the relevant period.

(l) For the relevant period, all Documents regarding statistics or studies prepared by Scripps Howard with regard to station programming and operation, and/or which describe the percentages of programming broadcast as news, PSAs, religious, public service, and entertainment, as well as notes, tabulations, and other documents reflecting or relating to the methodology employed in computing such statistics or conducting such studies.

(m) All Documents identifying and describing any community witnesses which Scripps Howard intends to call to attest to station programming and/or operation during the relevant period

and all Documents relating to communications between or among Scripps Howard and such persons.

(n) All Documents relating to non-entertainment programming by other area stations, including comparisons of their non-entertainment programming to that of WMAR-TV, as well as notes, tabulations, and other Documents reflecting or relating to the methodology employed in preparing any such comparisons.

(o) All Documents reflecting or relating to notices of violation, forfeiture, letters of admonishment, etc. from the Federal Communications Commission which relate to the station during the relevant period.

(p) To the extent not otherwise requested herein, all Documents that Scripps Howard considers relevant to its claim for a renewal expectancy.

CERTIFICATE OF SERVICE

I, Sybil Briggs, a secretary in the law firm of Fisher, Wayland, Cooper and Leader, do hereby certify that true copies of the foregoing "MOTION FOR PRODUCTION OF DOCUMENTS BY SCRIPPS HOWARD BROADCASTING COMPANY" were hand-delivered this 11th day of June, 1993 to the following:

Honorable Richard L. Sippel
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 212
Washington, D.C. 20554

Norman Goldstein, Esq.
Robert Zauner, Esq.
Hearing Branch Enforcement Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, D.C. 20554

Kenneth C. Howard, Jr., Esq.
Leonard C. Greenebaum, Esq.
David N. Roberts, Esq.
Baker & Hostetler
1050 Connecticut Ave.
Suite 1100
Washington, D.C. 20036
Counsel for Scripps Howard Broadcasting Company


Sybil Briggs

Certificate of Service

I, Ruth Omonijo, a secretary in the law offices of Baker & Hostetler, hereby certify that I have caused copies of the foregoing "Opposition to Petition to Reopen the Record and Enlarge the Issues" to be hand-delivered this 22nd day of December, 1993 to the following:

The Honorable
Richard L. Sippel
Presiding Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W.
Room 218
Washington, DC 20554

Martin R. Leader, Esq.
Fisher Wayland Cooper & Leader
1255 23rd Street, N.W.
Suite 800
Washington, DC 20037
Counsel to Four Jacks
Broadcasting, Inc.

Robert Zauner
Hearing Branch-Mass Media Bureau
Federal Communications Commission
2025 M Street, NW
Room 7212
Washington, DC 20554


Ruth Omonijo