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FCC MAIL SECTION
Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FCC 94M-393

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

ORDER

Issued: June 03, 1994 ; Released: June 06, 1994

A telephone conference was conducted on June 02, 1994, to discuss the status of discovery and trial preparation.¹ All parties participated through counsel. The following rulings were made:

- Four Jacks will hand serve an Opposition to Scripps Howard's Motion To Compel Supplemental Production Of Documents by 4:00 p.m. on June 07, 1994.²
- Four Jacks will hand serve an Opposition to Scripps Howard's Motion To Strike by 12:00 noon on June 09, 1994.
- The parties will advise the Presiding Judge in writing by 12:00 noon on June 10, 1994, the schedule arrived at for taking and completing depositions.

The Presiding Judge also ruled that Scripps Howard's unopposed Motion For Leave To Submit Newly Discovered Evidence With Respect To Scripps Howard's

¹ The event prompting the conference was a motion to compel the production of documents that was filed by Scripps Howard on June 01, 1994. Scripps Howard had made a delivery by hand late in the afternoon of June 01, 1994.

² Counsel were constructed to continue to negotiate the production of these documents.

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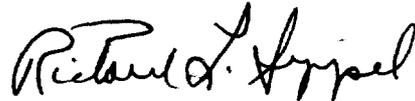
Cross-Motion For Summary Decision And To Offer Comments Thereon that was filed on April 07, 1994, is granted.^{3/4}

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SO ORDERED.

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Richard L. Sippel
Administrative Law Judge

³ Scripps Howard's counsel was instructed to have the document properly identified, assigned an exhibit number, and received into evidence on-the-record at the hearing.

⁴ Scripps Howard asks that its Cross-Motion For Summary Decision on the misrepresentation/lack of candor issue against Four Jacks be granted in light of "new evidence" which is a Four Jacks Form 10-K that was filed with the SEC by the Sinclair Broadcast Group, Inc. on March 30, 1994. The Presiding Judge expects depositions of the Smiths, in connection with documents that were ordered to be produced, to be completed before there can be an elimination of the genuine issues of material fact. In view of the closeness of the hearing date it is doubtful that a summary decision could be granted prior to hearing the evidence.