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

42897
FCC 94M-537

SEP 21 4 15 PM '94

In the Matter of)	CC Docket No. 94-89
)	
Elehue Kawika Freeman and)	
Lucille K. Freeman,)	
Complainants,)	
)	
v.)	File No. E-90-393
)	
American Telephone and Telegraph Company)	
Defendant)	

ORDER
Issued: September 19, 1994 ; Released: September 21, 1994

On September 16, 1994, the Trial Judge voided several alleged Notices to Take Depositions that Elehue K. Freeman purportedly filed on September 9, 1994. See FCC 94M-529 released September 16, 1994.

As a result of certain filings with the Commission on September 15, 1994, the Trial Judge can now identify those voided documents with more preciseness. They are:

- (1) A 5-page document indicating that Elehue K. Freeman will depose Nancy Zolnikov on October 20, 1994; however, there is no indication that Ms. Zolnikov has ever been served with that document; there is a totally unrelated verification of a previously filed Appearance Notice; there are two dissimilar Certificates of Service; neither Certificate of Service indicated that the Common Carrier Bureau was served; and there is no indication that Elehue K. Freeman has complied with 47 CFR 1.315(a)(3);
- (2) A 2-page document indicating that Elehue K. Freeman will depose D. Ross on October 20, 1994; however, there is no certificate of service; there is no indication that D. Ross has ever been served with the document; there is no indication the Common Carrier Bureau has been served; and there is no verification attached pursuant to 47 CFR 1.52.
- (3) A two-page document indicating that Elehue K. Freeman will depose Joseph Ward on October 20, 1994; however there is no certificate of service; there is no indication Joseph Ward has ever been served with the documents; there is no indication the Common Carrier Bureau has been served; there is no verification attached pursuant to 47 CFR 1.52; and Elehue K. Freeman hasn't signed the document.
- (4) A 2-page document indicating that Elehue K. Freeman will depose Sharon Lampl on October 20, 1994; however there is no certificate of service; there is no indication that Sharon Lampl has ever been served with the document; there is no indication the Common Carrier Bureau has been served; and there is no verification attached pursuant to 47 CFR 1.52.
- (5) A 2-page document indicating that Elehue K. Freeman will depose Dr. Utt on October 20, 1994; however, there is no certificate of service; there is no indication that the Common Carrier Bureau has ever been served; there is no verification attached pursuant to 47

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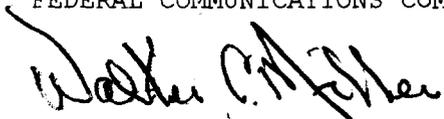
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CFR 1.52; and there is no indication that Elehue K. Freemon has complied with CFR 1.315(a)(3).
SEP 21 4 15 PM '54

We cannot continue to proceed in this manner. Elehue K. Freemon appears bent on jamming up the procedural machinery and hindering the search for the truth. This cannot be permitted.
DISCONTINUED BY

The next time Elehue K. Freemon files grossly defective procedural documents, the Trial Judge intends to issue a Show Cause Order to determine why Elehue K. and Lucille K. Freemon's complaint shouldn't be dismissed.

FEDERAL COMMUNICATIONS COMMISSION



Walter C. Miller
Administrative Law Judge