

1           Answer: "Nothing other than that's where I go every  
2 day. I go to the offices at the offices I mentioned earlier,  
3 ten different holding companies, eight different -- I mean,  
4 that's all they really are."

5           Question: "What I mean is though you say I worked as  
6 an employee of Sinclair. What were you attempting to convey  
7 when you used the words an employee of Sinclair?"

8           Answer: "I think it's -- interpretation. I don't  
9 necessarily view myself as an employee. I think I mentioned  
10 earlier I don't work 9:00 to 5:00, I don't have a boss that  
11 tells me what my job description is. I create my own job  
12 functions -- so don't necessarily view myself as a per se  
13 employee. So it isn't necessarily the most appropriate  
14 characterization. I think owner/operator would be a more  
15 appropriate characterization."

16           Does that explain your position?

17           A     I think fairly accurately, yes.

18           Q     Now --

19           JUDGE SIPPEL: Well, would you like to supplement it  
20 with anything?

21           WITNESS: Nothing specific, no.

22           BY MR. GREENEBAUM:

23           Q     Now, one of your big points --

24           MR. LEADER: Your Honor?

25           JUDGE SIPPEL: Yes?

1 MR. LEADER: May I -- I'm not sure that the record  
2 was clear that the testimony that Mr. Greenebaum read was in  
3 response to a question from the Mass Media Bureau counsel.

4 JUDGE SIPPEL: I heard it that way.

5 MR. GREENEBAUM: That's exactly what I said.

6 JUDGE SIPPEL: Yeah, I heard it that way.

7 BY MR. GREENEBAUM:

8 Q Well, one of your points is that you don't have  
9 office hours. Is that correct?

10 A I have no prescribed office hours, that's correct.

11 Q Well, do you recall on page 1142 of your prior  
12 testimony, line 23, I asked you, "Well, let's start with what  
13 are your office hours?" Answer: "8:30 to 5:30 average." Is  
14 that correct?

15 A Yes. That's what I choose them to be when I choose  
16 them to be it.

17 Q And how long has that been your choice?

18 A I would say a number of years -- varies as a  
19 function of where I am or what I'm doing.

20 Q So, you have a full day there?

21 A Not necessarily, no.

22 Q Well, do you recall on page 1144, line 13,  
23 Question: "So, you have a full day?"

24 Answer: "Yeah, I would say so."

25 A Well, I think the question I'm -- I guess the point

1 | is is that do I work 260 days a year in that office and the  
2 | answer to that would be no if that was your point. I may  
3 | spend 50 days a year, 75 days a year out of the market -- so  
4 | I'm not sure really what your point is.

5 | Q I'm merely tracking your prior testimony.

6 | A I understand.

7 | Q And you also indicated that you spent a good deal of  
8 | time working after hours with syndicator. Is that correct?

9 | A Well, I have dinners with them, yes.

10 | MR. LEADER: I'm going to object to that because his  
11 | testimony in the deposition is not that he spends a lot of  
12 | time having dinner with syndicators. His testimony I believe  
13 | in response to questions by Mr. Zauner was that there were  
14 | periods when film syndicator take him out to dinner and that  
15 | that is not a very frequent occasion. It's not substantial.  
16 | I mean, I think Mr. Greenebaum out to define what he means by  
17 | substantial time.

18 | JUDGE SIPPEL: Well, the witness was being -- I took  
19 | the witness to being responsive to the question.

20 | MS. SCHMELTZER: But, Your Honor, the question was  
21 | not -- it was a different question.

22 | JUDGE SIPPEL: Well, all right.

23 | MS. SCHMELTZER: The answer was -- I mean, he's  
24 | misleading the witness with respect to the deposition.

25 | MR. GREENEBAUM: I'm not misleading the witness.

1 MS. SCHMELTZER: Well, you're misleading the record  
2 then.

3 MR. LEADER: Well, find the word substantial time  
4 with syndicators with the testimony that you're reading to  
5 him, Mr. Greenebaum.

6 MR. GREENEBAUM: I won't interrupt you. Are you  
7 finished? I don't believe that I have to ask the question the  
8 way Mr. Leader wants me to. As a matter of fact, I wasn't  
9 reading from the deposition, I was reading from his direct --  
10 his testimony on cross in this proceeding previously and I  
11 made that clear.

12 MR. LEADER: Well once again then, I'd like  
13 Mr. Greenebaum to give us a cite -- spent substantial time  
14 having dinner with syndicators which was the predicate of his  
15 question.

16 JUDGE SIPPEL: We'll get back to that. But let me  
17 first say I misspoke and Ms. Schmeltzer called me on it. This  
18 is true, he was not being responsive to Mr. Greenebaum's  
19 question with respect to his office hours 8:30 to 5:30. He  
20 volunteered the information that he had dinners with  
21 syndicators and I take that to mean that's sometime after 5:30  
22 in the evening. Now, that's my participation thus far in this  
23 process. Now, your objection is to the use of the term  
24 substantial time, Mr. Leader?

25 MR. LEADER: Yes, Your Honor.

1 JUDGE SIPPEL: Was that in your question,  
2 Mr. Greenebaum?

3 MR. GREENEBAUM: I believe it was in the question I  
4 asked him which was a different question, yes.

5 JUDGE SIPPEL: Well, can you go to that question  
6 then in either the deposition or --

7 MR. GREENEBAUM: I wasn't reading from the  
8 deposition. I was asking --

9 JUDGE SIPPEL: Just asking the question straight  
10 out?

11 MR. GREENEBAUM: Yes.

12 JUDGE SIPPEL: That was his question.

13 MR. GREENEBAUM: I've got to ask it before I can  
14 impeach him if I want to do that, and I don't have to do that  
15 either.

16 JUDGE SIPPEL: I think Mr. Leader was thinking that  
17 -- well, I'm not sure what Mr. Leader was thinking but the  
18 question was raised as to whether or not you were reading  
19 from --

20 MR. LEADER: Well, he said -- I think to go back, he  
21 said --

22 MR. GREENEBAUM: I'll re-ask --

23 MR. LEADER: -- and your testimony was that you  
24 spend substantial time having dinner with syndicators.

25 JUDGE SIPPEL: I think we've clarified it as best as

1 we can. We're going to go back and Mr. Greenebaum is going to  
2 rephrase the question or he's going to come at it again.

3 BY MR. GREENEBAUM:

4 Q How much time do you spend after hours working with  
5 syndicators?

6 A I think I -- in the context of either a deposition  
7 in terms of being questioned by you or Mr. Zauner, there's  
8 nothing very regulatory about it from the stand point of, you  
9 know, scheduling stuff. They come down when they have a  
10 product to sell and occasionally I have dinner with them. I  
11 mean, I couldn't tell how many days a year it is or how many  
12 nights a year or -- periodically.

13 Q And during the course of the day do you also spend  
14 time on strategic planning between 8:30 and 5:30. Isn't that  
15 correct?

16 A Yes. Among other things.

17 Q And you have dinner with syndicators with some  
18 regularity don't you, sir?

19 A I didn't say that. I said I have dinner with them  
20 when their needs warrant it.

21 Q Well, do you recall on page 25 of your deposition of  
22 July 21, 1994, line 13 -- I'll start with line 7. "You work  
23 in the evenings on occasion don't you?"

24 Answer: "I work in the evenings. If I do work in  
25 the evening it's usually not in the building, it's usually

1 entertaining clients or entertaining syndicators or people of  
2 that nature."

3 13, "Do you have dinners with syndicators with some  
4 regularity or don't you?"

5 Answer: "Yes. That's what I just said."

6 A Well, let's define what regular as. I mean, if  
7 we're going to argue about time periods --

8 Q I don't argue with you. I'm just asking you if you  
9 recall being asked those questions and giving those answers.

10 JUDGE SIPPEL: Mr. Leader?

11 MR. LEADER: Well, I think Mr. Greenebaum -- the  
12 witness should have kept reading.

13 MR. GREENEBAUM: Well, that's not my point. My  
14 point is he just said he did not.

15 JUDGE SIPPEL: No, I heard it, I heard it. That's  
16 all right, you don't have to go back over what -- I know  
17 exactly where we are right now. Mr. Leader's question is is  
18 that -- or Mr. Leader's concern is that there hasn't been a  
19 sufficient reading of the deposition.

20 MR. GREENEBAUM: He wants me to go further to define  
21 what frequency or regularity means, that wasn't the question.

22 MS. SCHMELTZER: No, no, no, no.

23 MR. LEADER: Well, that was the question. You asked  
24 him at the deposition -- following right on you said to him  
25 yes, that's what I said, how frequently do you do that and he

1 | said a couple times a month so I don't --

2 |           MR. GREENEBAUM: The question was, Your Honor, if he  
3 | had dinner with syndicators with some regularity. Today he  
4 | said no, he didn't -- said that's exactly what he had said in  
5 | his deposition and he reminded me he had said that before in  
6 | his deposition.

7 |           JUDGE SIPPEL: I hear you. I hear you, and  
8 | Mr. Leader has just read in the subsequent portion of the same  
9 | page where we're talking -- he was talking about a couple of  
10 | times a month.

11 |           MR. LEADER: Mr. Zauner asked him to define  
12 | regularly and he said regularly to him was a couple times a  
13 | month.

14 |           JUDGE SIPPEL: Well, let me just interject here  
15 | right now. First of all, that certainly is an appropriate  
16 | question on redirect but I want Mr. Greenebaum to be able to  
17 | go through his cross-examination with as few interruptions as  
18 | possible we can conclude this. You may proceed,  
19 | Mr. Greenebaum.

20 |           BY MR. GREENEBAUM:

21 |           Q     Has there been any change in status of your  
22 | relationship with Sinclair since 1991?

23 |           A     No, not that I can think of. I'm still the  
24 | president.

25 |           Q     Now, Sinclair is in the business of managing its

1 wholly-owned subsidiary stations. Is it not?

2 A Yes.

3 Q Sinclair has no business other than the management  
4 of its subsidiaries and planning its expansion in the normal  
5 course. Is that correct?

6 A Yes.

7 Q Now, if you will look at the 9/28/93 Sinclair filing  
8 with the FCC which is Tab 14, Your Honor.

9 JUDGE SIPPEL: Tab 14 of Exhibit 40?

10 BY MR. GREENEBAUM:

11 Q Yes, Your Honor. If you'll turn to page 3 under the  
12 heading "The Company."

13 MR. LEADER: I'm lost.

14 MR. GREENEBAUM: Page 3 of the document, it's page  
15 06 is the date stamp.

16 JUDGE SIPPEL: Do you have it, Mr. Smith?

17 WITNESS: Yes, sir.

18 BY MR. GREENEBAUM:

19 Q Do you see the bottom of the page where it says "The  
20 company's operating strategy is," and it lists i, ii and iii?  
21 Would you read that paragraph into the record, please?

22 MR. ZAUNER: Objection. It's already in the record.  
23 It will be in the record if it's relevant.

24 BY MR. GREENEBAUM:

25 Q Let me ask you this.

1 JUDGE SIPPEL: Sustain the objection.

2 BY MR. GREENEBAUM:

3 Q As to i, the acquisition of quality programming,  
4 that's something you do. Is that correct?

5 A Occasionally, yes.

6 Q Isn't that the scope of your responsibility?

7 A Is there a question there somewhere?

8 Q Aren't you the person that acquires the programming?

9 A I'm one of a number of people that does.

10 Q And do you recall on page 1141 of your transcript  
11 here before Judge Sippel starting with line 12, it's the  
12 second sentence, a long answer, "What are your duties as  
13 president and chief executive officer and chairman of the  
14 board?

15 Answer: "My responsibilities extend to growth of the  
16 business, strategic planning of the business, finance as need  
17 be, things of that nature."

18 "And do you do the programming for all these  
19 stations as well?"

20 "I acquire the programming. I don't do the  
21 programming."

22 "But you're the person that goes out and acquires it  
23 aren't you?"

24 Answer: "I don't go out. If somebody comes to the  
25 office and attempts to sell its product to us."

1 "But when you do that they sit with you?"

2 "That's correct."

3 "And so you're the person responsible -- isn't that  
4 correct?"

5 "I'm one of the people responsible."

6 So, that takes up a good portion -- you're the  
7 person who does that, is that correct, the major person?

8 MR. LEADER: Objection.

9 MR. GREENEBAUM: I'll withdraw the question.

10 MR. LEADER: He just read into the record that he  
11 said I'm one of the people, now he's trying to get him to say  
12 I am the person.

13 JUDGE SIPPEL: Sustain the objection.

14 BY MR. GREENEBAUM:

15 Q Who helped you with the programming?

16 A General managers.

17 Q Do they help you acquire it or do they merely decide  
18 when it'll play at the station?

19 A They're involved in the acquisition process if need  
20 be.

21 Q And ii, the cost control, that's something you and  
22 your brothers reserve to yourself. Is it not?

23 A Not necessarily, no. General managers who run the  
24 day-to-day operation of the businesses are involved in that  
25 process.

1 Q And you haven't read your brother's testimony in  
2 this case have you?

3 A No.

4 Q Not familiar with what he said about that in his  
5 deposition?

6 A No, I'm not.

7 Q Can a general manager acquire a program without your  
8 approval?

9 A Certain kinds of programming, yes.

10 Q And is it true that nobody spends any money unless  
11 they ask you or your brothers?

12 MR. LEADER: I'm going to object to that question.

13 JUDGE SIPPEL: I'll sustain the objection. Narrow  
14 it a bit, Mr. Greenebaum.

15 BY MR. GREENEBAUM:

16 Q If I were to represent that your brother testified  
17 in his deposition --

18 MR. ZAUNER: Objection. This is not cross on his,  
19 on his testimony. He's cross-examining on his brother's  
20 testimony, Your Honor.

21 MR. GREENEBAUM: I want to ask him if he agrees with  
22 a certain statement.

23 JUDGE SIPPEL: He can ask him if he agrees with a  
24 certain statement that his brother made.

25 MS. SCHMELTZER: Which brother?

1 JUDGE SIPPEL: Well, you will identify who the  
2 brother is?

3 MR. GREENEBAUM: I was going to say your brother  
4 Robert in pages 22 and 23 of his deposition testified that  
5 "Nobody spends any money unless they ask us," if he would  
6 agree with that statement.

7 MS. SCHMELTZER: That's a different question.

8 JUDGE SIPPEL: I'll sustain the objection. I think  
9 part of the problem, Mr. Greenebaum, with the breadth of that  
10 question is nobody -- I mean, I think you're going to have to  
11 get it into some kind of a -- lay some kind of a foundation in  
12 terms of personnel at the station, personnel at Sinclair.

13 MR. GREENEBAUM: I really don't want to cross-  
14 examine on his brother so -- had a specific statement and I'll  
15 reserve it for his brother.

16 JUDGE SIPPEL: All right.

17 BY MR. GREENEBAUM:

18 Q Do you have the exhibits in front of you?

19 A Yes.

20 Q Would you look at Tab I, please, sir?

21 JUDGE SIPPEL: This is Exhibit -- Tab 1 of Exhibit  
22 40?

23 BY MR. GREENEBAUM:

24 Q Yes, Your Honor. Do you see that as a three-page  
25 exhibit, Mr. Smith?

1 A Yes.

2 Q If you look at the first page it says, "Attachment  
3 to Schedule -- Officers." Do you see that?

4 A Yes.

5 Q I believe that should be the second page even though  
6 it came to us marked as the first page. If you'll look at the  
7 second page which is a part of a tax return at the bottom it  
8 says "See Attachment E-1 Overflow."

9 A Yes.

10 Q See that? And then it reflects that for 1992 you  
11 spent 90 percent of your time to the business of Sinclair. Do  
12 you see that?

13 A I'm not --

14 Q The first page --

15 A The first page?

16 Q -- which is the attachment.

17 A Yes. I see that, yes.

18 JUDGE SIPPEL: This is FJS0013?

19 MR. GREENEBAUM: Yes, Your Honor. I believe that  
20 should have come after FJS0014 because -- attachment to that  
21 document. And based on your recollection is that  
22 90 percent -- was that accurate as of 1992?

23 MR. LEADER: Can I object and just ask the relevance  
24 of this to the issue that we're here for? I mean, this seems  
25 to me to go to integration and not to the issue that we're

1 here to discuss.

2 JUDGE SIPPEL: You know, we've been down this road  
3 before, Mr. Leader. I determined that there is sufficient  
4 overlap between the added issue and the integration issue to  
5 permit testimony which might be relevant to both and  
6 materiality and the weight is something else again but I'm  
7 going to permit the questions to go.

8 BY MR. GREENEBAUM:

9 Q That 90 percent was accurate to the best of your  
10 recollection for the year ending December 31, 1992?

11 A I don't know that the 90 percent is, is accurate or  
12 inaccurate, Mr. Greenebaum. Frankly, I guess I mentioned  
13 earlier in deposition this is the first time I've ever seen  
14 the document before. These are documents filled out by my tax  
15 either lawyers or accountants so it's not something I'm  
16 accustomed to dealing with.

17 JUDGE SIPPEL: Well, do you have any reason to --  
18 I'm just trying to move this on a little bit, but do you have  
19 any reason to doubt the accuracy of what's reported there?

20 WITNESS: No. I just don't understand what the  
21 purpose of it is. That's all.

22 BY MR. GREENEBAUM:

23 Q Well, look at the next page, FJS0015 which is for  
24 1992 which suggests your percentage of time devoted to  
25 business to be -- I'm sorry, for the year ending December '91

1 | would have been 100 percent. Is that correct?

2 |       A       That's what it says, yes. Again, I'm -- as I said,  
3 | I don't understand what the purpose of the document is and the  
4 | notification. Whether it's two or 100 percent, I don't  
5 | understand that.

6 |       JUDGE SIPPET: Well, isn't there some agreement that  
7 | the purpose of the information requested in the document is to  
8 | reflect accurately the questions that are asked?

9 |       WITNESS: I presume that's accurate, yes.

10 |       JUDGE SIPPET: He seems to be doubting -- I'm sorry,  
11 | Mr. Leader, he --

12 |       WITNESS: No, I'm not doubting.

13 |       JUDGE SIPPET: Well, I'm, I'm --

14 |       WITNESS: I'm questioning, questioning --

15 |       JUDGE SIPPET: -- getting qualified answers to  
16 | information which seems to me would be in the course of  
17 | business to be reported accurately to the IRS. There  
18 | shouldn't be much confusion in that it would seem to me.

19 |       MR. LEADER: I agree, but I think what he's saying  
20 | is he doesn't know the purpose for which it was submitted.

21 |       MR. GREENEBAUM: I didn't ask him for the purpose.  
22 | I asked him if it was an accurate representation of what the  
23 | purpose --

24 |       MR. LEADER: I think that's what the -- excuse me,  
25 | Mr. Greenebaum, you were talking about interrupting.

1 MR. GREENEBAUM: I apologize.

2 MR. LEADER: Thank you. I think the witness  
3 testified he wasn't doubting the accuracy. I think he did say  
4 that I don't know the purpose for it.

5 JUDGE SIPPEL: The tax purpose.

6 MR. LEADER: Exactly. That was during his colloquy  
7 with you, Your Honor.

8 JUDGE SIPPEL: I know. The record will be clear on  
9 that and I understand that, Mr. Leader. Mr. Zauner?

10 MR. ZAUNER: Your Honor, it just seems to me this is  
11 a little vague. For example, on the first page it indicates  
12 percent of time to business but we don't know percentage of  
13 what time to business. Also, we don't know what question on  
14 the tax form this is responsive to, we don't know what the  
15 instructions are for calculating the percentage. It seems to  
16 me it's a figure that doesn't have much meaning absent a  
17 context.

18 JUDGE SIPPEL: Well, are you objecting to the  
19 question on --

20 MR. ZAUNER: No, just pointing that out, that --

21 JUDGE SIPPEL: Go ahead, Mr. Greenebaum.

22 MR. GREENEBAUM: I believe it's -- if you're looking  
23 at page FJS0013 it's attachment to FJS0014 at the bottom of  
24 the page which has to do with the compensation of the officers  
25 and it gives the amount of compensation, has been x'd out and

1 we've agreed in this case that wherever there is an x there  
2 was a number and this requires the percentage of time to the  
3 business for a variety of tax reasons which we don't need to  
4 debate here and I'm merely trying to establish the accuracy of  
5 his recollection, spent 90 percent of his time on the business  
6 of Sinclair Broadcast Group, Inc. for the year ending December  
7 31, '92 and 100 percent for the year ending 1991 as reflected  
8 on FJS0015.

9 JUDGE SIPPEL: You're using this to refresh his  
10 recollection?

11 MR. GREENEBAUM: I want to get into the record that  
12 he has claimed in tax forms that he spent 100 percent of his  
13 time on the business of Sinclair Broadcast Group for the year  
14 ending 1991.

15 JUDGE SIPPEL: That's established, that's  
16 established.

17 MR. LEADER: That's not -- Your Honor, that's not  
18 what this says.

19 JUDGE SIPPEL: I'm sorry?

20 MR. LEADER: He said that he wants to get on the  
21 record that he spends 100 percent of his time on the  
22 business -- 100 percent of his time at the business. The form  
23 says percentage of time devoted to business and I would just  
24 submit that the percentage without knowing what the numerator  
25 and the denominator should be is meaningless, but argue as you

1 want. Rule as you wish. I mean, I --

2 JUDGE SIPPEL: I hear you, Mr. Leader. The  
3 refinements are certainly going to be made in proposed  
4 findings. I mean, I've heard Mr. Zauner's comments, I'm  
5 listening to all of this, believe me, I am. But I'm trying to  
6 keep my focus at the same time in a different direction. I  
7 want to ask the witness right up front did you spend -- for  
8 the year 1992 did you spend 90 percent of your time on  
9 Sinclair business?

10 WITNESS: I couldn't tell you how much time I spent  
11 on Sinclair business. I couldn't tell you precisely -- at the  
12 same time I can't argue with what the document says. I  
13 wouldn't presume to do that. I didn't fill out the document.  
14 I mean, my tax lawyers do.

15 JUDGE SIPPEL: I return the questions to  
16 Mr. Greenebaum.

17 MR. GREENEBAUM: Thank you. Your Honor, do you want  
18 us to move these tabs into evidence as we reach them or do you  
19 want us to wait until the end?

20 JUDGE SIPPEL: I would rather we move to -- I would  
21 rather that we wait till the end because I can -- I'll hear  
22 from Mr. Leader on that if you have a different position.

23 MR. LEADER: Whatever you'd like to.

24 JUDGE SIPPEL: I just think it will move faster --

25 MR. GREENEBAUM: Okay.

1 JUDGE SIPPEL: -- and I can gauge on a quantitative  
2 basis. I won't be with maybe exact precision but I can do it  
3 certainly in a quantitative basis as to the relevancy of the  
4 information. Mr. Zauner, do you have --

5 MR. ZAUNER: My only thought, Your Honor, was that  
6 if we move it at the end we'll forget what it was that went on  
7 with regard to each of these tabbed documents and we'll be  
8 trying to recall, you know, for objections on relevancy or  
9 arguments based upon relevancy we'll have to recall what  
10 happened and it may not be -- you know, as time goes on our  
11 recollections all dim. But that was my only concern.

12 JUDGE SIPPEL: It's a valid point, it's a valid  
13 point. Is there an objection to Tab 14?

14 MR. LEADER: I would object on the basis of its  
15 relevance and materiality because it doesn't demonstrate  
16 anything unless --

17 MR. ZAUNER: I'm sorry, is this Tab 14 or Tab 1?

18 MR. LEADER: We already did 14. We were just  
19 looking at the SEC --

20 MR. ZAUNER: Tab 1 is the one we are now discussing.

21 JUDGE SIPPEL: Yeah, well, what about Tab 14? Was  
22 there an objection with relevance --

23 MR. LEADER: Well, Tab 14 is -- I would object and  
24 the relevancy of that is that it was superseded by other  
25 documents, by later iterations to respond to inquiries in

1 | Securities and Exchange --

2 |           JUDGE SIPPEL: Well, that's already in the record if  
3 | I'm not mistaken.

4 |           MR. GREENEBAUM: Tab 14 was admitted at the prior  
5 | hearing, Your Honor.

6 |           JUDGE SIPPEL: So, we need to go beyond that. I  
7 | think what Scripps Howard has done is try to facilitate our  
8 | proceedings today by putting these two volumes together.

9 |           MR. LEADER: May I make a suggestion that perhaps we  
10 | follow your initial suggestion and go through and then maybe  
11 | at the luncheon break Mr. Howard and Mr. Greenebaum can tell  
12 | us which of these documents are already in the record --

13 |           JUDGE SIPPEL: Sure.

14 |           MR. LEADER: -- so that we don't have to -- and then  
15 | as to those that are not in the record we'll discuss?

16 |           JUDGE SIPPEL: Certainly, in the spirit of  
17 | cooperation and I believe that approach is going to make this  
18 | move a lot faster.

19 |           MR. GREENEBAUM: That's fine, Your Honor.

20 |           JUDGE SIPPEL: Thank you, Mr. Leader. Go ahead, Mr.  
21 | Greenebaum.

22 |           BY MR. GREENEBAUM:

23 |           Q     Now, you indicated that general managers have  
24 | certain responsibility for the management of these stations.  
25 | Is that correct?

1 A Yes.

2 Q And in your direct testimony in September 1993 on  
3 page 2 you say, "Each of the other stations owned or to be  
4 acquired by SBG has a professional general manager who is  
5 fully responsible for each station's day-to-day operations."  
6 Do you recall that?

7 A Yes, generally.

8 Q And is there a general manager for each of those  
9 stations?

10 A Are you asking me a question?

11 Q Yes.

12 A Yes.

13 Q Do all of your stations have general managers?

14 A What we characterize as a general manager, yes.

15 Q And do all the general managers have the same duties  
16 and responsibilities?

17 A Generally.

18 Q So that the general manager at WTTO for example  
19 would have the same responsibilities as the general manager of  
20 WBFF in Baltimore?

21 A Generally that's correct.

22 Q Now, by those answers did you mean to convey that  
23 there's a different general manager for each station?

24 MR. LEADER: We object to this on the relevance of  
25 this.

1 JUDGE SIPPEL: I'm going to permit this on cross-  
2 examination. The witness should be able to answer that  
3 question.

4 WITNESS: What was the question, Mr. Greenebaum?  
5 What was the question again?

6 BY MR. GREENEBAUM:

7 Q Did you mean to suggest by your frozen direct at the  
8 first hearing and your testimony at your deposition in the  
9 interim and your latest direct on page 2, paragraph 4 that  
10 says -- that refers to that language again, that each of the  
11 stations owned or to be acquired by SBG has a professional  
12 general manager and so forth, did you mean to suggest that  
13 there's a different general manager for each station?

14 A Not necessarily, no, just where there are general  
15 managers they generally perform the same functions.

16 Q You didn't take the words each station has a general  
17 manager to mean that there was a different general manager for  
18 each station?

19 A I don't know because I understand how they run.

20 Q As a matter of fact, how many stations have you  
21 acquired since the last hearing?

22 A When was the last hearing?

23 Q Well -- let me do it this way. You have WPGH in  
24 Pittsburgh. Is that correct?

25 A That's correct.

- 1 Q And you have WBFF in Baltimore. Is that right?
- 2 A Correct.
- 3 Q And you have -- in Columbus. Is that correct?
- 4 A That's correct.
- 5 Q And those were the stations that you owned at the  
6 time you filed your application in this proceeding. Isn't  
7 that correct?
- 8 A In Sinclair, that's correct.
- 9 Q And since then you've acquired WCGV in Milwaukee.  
10 Is that correct?
- 11 A Right.
- 12 Q And you've acquired WTTO in Birmingham. Is that  
13 correct?
- 14 A Yes.
- 15 Q And so you have one, two, three, four, five stations  
16 at this time at Sinclair. Is that correct?
- 17 A That's correct.
- 18 Q How many different general managers do you have for  
19 these five stations at the present time?
- 20 A Three.
- 21 Q That's Mr. Frank, Mr. Marks and Mr. Quigley. Is  
22 that correct?
- 23 A That's correct.
- 24 Q And Mr. Frank takes care of Pittsburgh and  
25 Milwaukee. Is that correct?

1 A At the present time, that's correct.

2 Q And Mr. Marks takes care of Baltimore and  
3 Birmingham. Is that correct?

4 A That's correct.

5 Q And Mr. Quigley takes care of Columbus. Is that  
6 correct?

7 A That's correct.

8 Q And so since you filed your application you've gone  
9 from three to five stations but you still only have three  
10 general managers. Is that correct?

11 A That's correct.

12 Q And that was the situation when we took your  
13 deposition on July 21, 1994. Is that correct?

14 A Yes.

15 Q And are you about to acquire additional television  
16 stations?

17 MR. LEADER: Objection.

18 JUDGE SIPPEL: What's the basis of your objection?

19 MR. LEADER: The basis is inquiring into the state  
20 of mind, it may be proprietary and it shouldn't be discussed  
21 in a public forum because this is a company that has  
22 outstanding debts and there are legal obligations with respect  
23 to whether they're going to acquire or not acquire or dispose  
24 of -- and it's irrelevant.

25 MR. GREENEBAUM: My understanding, Your Honor, is