



FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

*memorandum*

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Federal Communications Commission  
Office of Secretary

TO: Chief, Reference Operations Division

FROM: Daniel M. Armstrong *DMA*  
Associate General Counsel *by PWS*

SUBJECT: Missouri State Conference of Branches of the NAACP, et al. v. FCC, D.C. Cir. No. 97-1115 and The Lutheran Church-Missouri Synod v. FCC, D.C. Cir. No. 97-1116. Filing of two new Notices of Appeal in the United States Court of Appeals for the District of Columbia Circuit.

DATE: March 18, 1997

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This is to advise you that the Missouri State Conference of Branches of the NAACP, et al. on February 28, 1997 and The Lutheran Church-Missouri Synod on March 3, 1997, filed Section 402(b) Notices of Appeal of: In re Applications of The Lutheran Church/Missouri Synod - For Renewal of Licenses of Stations KFUO/KFUO-FM, Clayton, Missouri, FCC 97-21, MM Docket No. 94-10, released January 31, 1997. The cases have been consolidated.

These consolidated appeals challenge the Commission's decision to renew the licenses of The Lutheran Church/Missouri Synod for radio stations KFUO(AM) and KFUO-FM, Clayton, Missouri, for a full term, subject to reporting conditions based on the Church's failure to comply with the Commission's EEO rules. In addition, the Commission concluded that the Church made misleading statements about its EEO practices to the FCC but, in view of a pertinent provision of the statute of limitations, imposed a forfeiture of only \$25,000 for this misconduct.

The Court has docketed these cases as Nos. 97-1115 and 97-1116. The attorney assigned to handle the litigation of these cases is David Silberman.

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