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Federal Communications Commission

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Before the
Federal Communications Commission
Washington, D.C. 20554

FCC 97M-119
71493

In the Matter of)	WT Docket No. 97-56
)	
MARC SOBEL)	
)	
Applicant for Certain Part 90 Authorizations)	
in the Los Angeles Area and Requestor Of)	
Certain Finder's Preferences)	
)	
MARC SOBEL and MARC SOBEL)	
d/b/a AIR WAVE COMMUNICATIONS)	
)	
Licensees of Certain Part 90 Stations in the)	
Los Angeles Area)	
)	

ORDER

Issued: July 2, 1997 ; Released: July 3, 1997

Under consideration is a Motion to Strike Wireless Telecommunications Bureau's Second Motion to Compel Production of Documents from James A. Kay, Jr. ("Kay"), filed June 19, 1997.

Kay's Motion to Strike is based on the grounds that the Bureau's Motion to Compel was not timely filed. Kay served his objections to Bureau's Second Motion to Compel personally on one Bureau counsel and by mail on another. It is deemed that Kay's service was effected by mail. In light of this, the Bureau's Motion to Compel was timely filed.

Accordingly, Kay's Motion to Strike Wireless Telecommunications Bureau's Second Motion to Compel IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



John M. Frysiak
Administrative Law Judge