

1 Q In fact, if it were not common, there would be no
2 need for this provision in the form. Would there?

3 A That's correct.

4 Q Okay. I am going to have you turn to Exhibit 19,
5 and ask you a series of questions. In the subject of the
6 context, the questions I am going to ask I think, are going
7 to be generally applicable to Exhibits 19, 21 and 23. But
8 just for clarity purposes, we will use Exhibit 19 as our
9 example.

10 First of all, you testified yesterday that this is
11 a letter that was prepared by Mr. Kay to be submitted to the
12 FCC that you reviewed and signed before it was filed.
13 Correct?

14 A Yes.

15 Q Just take a moment to review and refresh your
16 memory by looking at the first paragraph of the letter.
17 Now, does it not state there that this letter is being
18 submitted in response to an Application Return Notice?

19 A Yes.

20 Q What is an Application Return Notice?

21 A It's the FCC's way of saying, there's something
22 wrong with your application, or that they have some
23 questions in processing it. It covers anything that
24 would -- It's the application they return to you for
25 correction.

1 Q Is it generally returned to you in the mail?

2 A Yes.

3 Q So if Mr. Kay is preparing this response to it,
4 how did he become aware of the Application Return Notice?

5 A I told him about it.

6 Q Where did you get it?

7 A The Commission mailed it to me.

8 Q To your office?

9 A Yes.

10 Q Okay. And you took it to Mr. Kay, and you asked
11 him to prepare the letter?

12 A Yes.

13 Q After Mr. Kay prepared the letter, you read it and
14 reviewed it?

15 A Yes.

16 Q You understood it?

17 A Yes.

18 Q You concurred or agreed that it was accurate?

19 A Yes.

20 Q So you signed it?

21 A Yes.

22 Q Do you remember if the Application Return Notice
23 that you were responding here, asked you for any information
24 regarding the billing address or the remittance address for
25 billing records?

1 A No.

2 Q Did the Application Return Notice ask you for any
3 information concerning your relationship with James Kay?

4 A No.

5 Q Was the billing address in any way relevant to the
6 information you were providing in this letter?

7 A No.

8 Q Was it related to the information in this letter?

9 A No, not at all.

10 Q Yesterday you stated, if I understood you
11 correctly, when Mr. Schauble was examining you, that in
12 looking at the attachments to the actual invoices, you said
13 at first, you were not certain whether or not this invoice
14 was associated with a certain station or certain repeater.
15 But then you were able to verify that to him, by going back
16 and matching it up with the information that was in the
17 letter.

18 A Yes.

19 Q Can you explain to me, why is it not possible to
20 simply look at the invoice and know whether or not this
21 customer is on a given channel or a given repeater?

22 A The invoice doesn't give the repeater's frequency
23 or its call sign, or even it's location. It's just a method
24 financially, to bill the customer.

25 Q The invoice does not provide that information?

1 A That's correct.

2 Q How were you able to determine at the time you
3 reviewed this letter, that these customers were, in fact, on
4 this repeater?

5 A I helped to gather the customer list off the
6 computer information at Mr. Kay's office. I was able to
7 pull up the frequencies that were questioned and the
8 locations where the customers were. I generated the names
9 of the customers.

10 Q So you can go to the computer, and at any given
11 time, generate a list of which customers are on which
12 channels?

13 A Yes.

14 JUDGE FRYSIK: Did he have free access to Mr.
15 Kay's office?

16 THE WITNESS: Yes.

17 BY MR. KELLER:

18 Q Well, let make sure I clarify that then. Do you
19 have 24 hour access to Mr. Kay's office?

20 A No. Business hours access.

21 Q During business hours, you have free access to get
22 to your financial records?

23 A I can walk around and use the computers at will.
24 I don't have to ask people's permission.

25 Q Okay. I just wanted to make clear. Unlike his

1 home office where Mr. Kay does not have a key, he does not
2 have 24 hour access, but he does have access.

3 You also then testified yesterday that you did not
4 recall for sure, whether these attachments were actually
5 physically with this letter when you signed it. Do you
6 recall that?

7 A Yes.

8 MR. SCHAUBLE: Your Honor, I am not sure that was
9 exactly the witness's testimony. Well, the witness can
10 answer the question.

11 MR. KELLER: Well, let me ask the question. I
12 thought I understood. It is the only reason I am pursuing
13 the part of the question.

14 BY MR. KELLER:

15 Q Do you specifically recall whether or not these
16 attachments were on this letter when you signed it?

17 A Specifically, no. But I assume that they are,
18 because these came out of my file copies.

19 Q Okay.

20 A Okay? And when I sign something, I always get
21 copies. And since I provided these letters to the Bureau
22 through discovery, I assume that I did have them. But
23 specifically recalling whether or not they were attached, I
24 did not recall specifically.

25 Q Assuming for the sake of argument that there is a

1 possibility that they were not attached when you signed the
2 letter, is it nonetheless true that this listing of the
3 customers on the last page of the letter, Page 3 of 7,
4 Bureau Exhibit 19, was compiled and in the letter?

5 A Yes.

6 Q It would then be your understanding that all that
7 would then be necessary to complete the letter with the
8 attachments, for somebody to simply go to the computer, and
9 dump the most current invoices for these customers?

10 A Correct.

11 Q Okay. After you signed the letter, you did obtain
12 a copy of what you signed and what was filed with the FCC,
13 and it did include these attachments?

14 A Yes.

15 Q Because that is what was in your files?

16 A Yes.

17 Q In doing discovery in this proceeding, did you
18 reveal only your own documents?

19 A Yes.

20 Q You searched only for documents in your own
21 possession?

22 A Correct.

23 Q You did not search for any documents in Mr. Kay's
24 possession?

25 A Correct.

1 Q I do not want to repeat the same series of
2 questions as to each of these forms, because similar
3 circumstances and similar answers would apply if I asked you
4 the same questions as to Exhibit 21 and 23, would they not?
5 You might just want to take a quick look at them.

6 A Yeah. They're all the same.

7 Q There is an issue now with the date, either having
8 been highlighted and not legible in the copy. It is
9 obvious. The date is not legible in these copies.

10 Do you have an understanding or a belief as to the
11 approximate date of the letters in Exhibits 21 and 23?

12 A I found the original copy, so I actually have the
13 date. I'm sorry.

14 Q Well --

15 A It was done -- well, yeah. Here's the first one.
16 Exhibit 19 shows the date of March 18, 1993. I believe, and
17 my recollection is, that all three of these letters were
18 prepared in the same time frame within days or weeks.

19 Q So, within days, or at the most, weeks of one
20 another?

21 A Correct.

22 MR. SCHAUBLE: Your Honor, does Counsel have the
23 original letter?

24 MR. KELLER: I do not have it. I have one
25 original letter, but it is 19, the one that is not marked.

1 The witness may have been able to go back and discover the
2 actual dates on some of the letters. If he has that, we
3 will provide that information to you.

4 Do you think you have it with you, Mr. Sobel?

5 THE WITNESS: One moment. I don't have it here.

6 MR. KELLER: If we discover it, we will either
7 supply it or stipulate the dates or provide that
8 information.

9 MR. SCHAUBLE: I can see them at lunch break.

10 MR. KELLER: If we can get it. But we will get it
11 to you, one way or another, to the extent that we have it.

12 MR. SCHAUBLE: Okay.

13 MR. KELLER: But I think also, there was testimony
14 yesterday, we were presuming that it was done in 1993. I
15 think now, we are just narrowing it down that it was
16 approximately the same time as the first letter.

17 MR. SCHAUBLE: Understood.

18 BY MR. KELLER:

19 Q I would now ask you Mr. Sobel, to please turn to
20 what is Bureau Exhibit 25. I just have a few questions
21 about this. It is Page 76 of 80. Do you see invoice 4038?
22 It also has a Bates Stamp of 410?

23 A Yes.

24 Q You have testified that you cannot decipher or
25 segregate easily from these invoices, what work may have

1 been done for your managed stations, paid for through Mr.
2 Kay, versus what work is done for Mr. Kay's stations, which
3 do not belong to you. Is that correct?

4 A Yes.

5 Q Why is that? Can you explain the process of how
6 you fill out these invoices, and therefore, why you cannot
7 segregate the information?

8 A Well, first of all, if I had charged the different
9 rate, I would have segregated it. So, I didn't charge a
10 different rate. That was our agreement. So, it wasn't
11 necessary for me to segregate it.

12 The invoices represent some time I spent at the
13 various locations. I keep track of it on a -- you know,
14 kind of a -- any piece of paper I have in my truck at the
15 time. And I kind of, collect them and write my invoices
16 from time to time and submit them as bills.

17 Mr. Kay trusts the information I provide him as
18 accurate. Once in a blue moon, he might ask me about it,
19 and I clarify it for him. But he is -- He's satisfied with
20 the format that I presented my invoices to him.

21 Q Okay. So, for example, on this particular
22 invoice, I see an entry there for December 6. It says:
23 "Mount Lukens, and Santiago." And you have a listing of
24 thirteen and a half hours.

25 At Mount Lukens, do you have managed stations?

1 Again, for clarity of the record, we are using the term
2 "managed stations" in this proceeding as a shorthand term.
3 And it refers to the 800 megahertz stations, licensed to Mr.
4 Sobel, but subject to the radio system agreement between Mr.
5 Sobel and Kay.

6 Do have managed stations at Mount Lukens?

7 A Yes.

8 Q Does Mr. Kay also have stations licensed to
9 himself at Mount Lukens?

10 A Yes.

11 Q What about at Santiago?

12 A Same thing.

13 Q Okay. So, all you know for sure, years after the
14 fact, is that you billed thirteen and a half hours for work
15 done at those locations, but this invoice does not tell you,
16 specifically, which repeaters you worked on. Is that
17 correct?

18 A Correct.

19 JUDGE FRYSIK: How would Mr. Kay know what is
20 attributed to his stations?

21 THE WITNESS: He wouldn't. Not by the detail that
22 I provided here.

23 JUDGE FRYSIK: Would it make a difference to him
24 to know?

25 THE WITNESS: I don't think so.

1 BY MR. KELLER:

2 Q It would not make a difference to him because he
3 is not paying a different hourly rate?

4 A That's correct. It's the same rate. It's a
5 financial record, more than a factual record of what was
6 done on what repeater.

7 JUDGE FRYSIAK: But for his tax purposes, it would
8 not make a difference?

9 THE WITNESS: No. Because -- I'm not an
10 accountant, tax person. But I think he's just responsible
11 for showing IRS that he paid money to me. I am responsible
12 to show that I received it.

13 JUDGE FRYSIAK: How does he know what to attribute
14 to his own stations, as opposed to what would attribute to
15 your stations?

16 THE WITNESS: I don't -- He can't do that. But in
17 light of an IRS situation, he's -- I don't think --

18 JUDGE FRYSIAK: There was no process adopted to
19 differentiate that?

20 THE WITNESS: Correct.

21 JUDGE FRYSIAK: Okay.

22 BY MR. KELLER:

23 Q Are you aware that it is necessary for him to
24 segregate them for any tax purposes?

25 A No. I don't think so.

1 Q I guess we can ask Mr. Kay about that. What is
2 the hourly rate for which you bill Mr. Kay?

3 MR. SCHAUBLE: For clarification, is this current?

4 BY MR. KELLER:

5 Q Yes. What is your current hourly rate?

6 A I was going to say, currently it's \$30 an hour.

7 Q Is that the standard rate that you bill other
8 customers, other than Mr. Kay?

9 A No.

10 Q What is the current hourly rate that you bill
11 other customers?

12 A End user customers I bill at \$75 an hour. Other
13 radio dealers, it's a different scale as I've used for Mr.
14 Kay. It can be anything from \$30 to \$45, \$50 an hour.

15 Q An individually negotiate, depending on the
16 business circumstances?

17 A That's correct.

18 Q Would it be safe to say that Mr. Kay has most
19 favored nation treatment in that regard?

20 A Yes.

21 Q In other words, there is nobody you charge a lower
22 rate to, is there?

23 A That's correct.

24 Q Is that the same rate that you apply to your own
25 stations that Mr. Kay manages?

1 A Yes.

2 Q Back at the time frame in question, I am looking
3 at this 1990 invoice, the rate down here is \$18 an hour.
4 That was the rate you were charging him at that time?

5 A Yes.

6 Q What was your standard hourly rate at that time,
7 if you recall?

8 A I think it was about \$50 an hour.

9 Q So that has been consistent throughout, that you
10 have always charged Mr. Kay a reduced rate?

11 A Yes.

12 Q That is in consideration for what?

13 A I do a lot of work for him. As a contractor, I
14 felt that I should give him a package deal. It wasn't that
15 he called me once in a while to work on one of his
16 repeaters. So, I considered a special setup.

17 Q I am now going ask you to refer to Wireless Bureau
18 Exhibits 26 through 37. These are the tax records.

19 You have testified to this several times, I am
20 sure, that you are not employee of Mr. Kay. Have you ever
21 been an employee of Mr. Kay?

22 A No.

23 Q Has Mr. Kay ever made any tax withholdings for
24 monies that he has paid to you?

25 A I don't believe so.

1 Q Have you ever received any W-2 forms or any forms
2 indicating that he has made such withholdings?

3 A No.

4 Q Are you familiar, generally, with the IRS
5 guidelines for what constitutes an independent contractor?

6 A Yes.

7 Q Are you satisfied, within the scope of your
8 understanding of those guidelines, that you satisfy those
9 guidelines insofar as your relationship with Mr. Kay is
10 concerned?

11 A Yes. I believe the guidelines are something to
12 the affect that the majority of my income is derived from
13 other sources or multiple sources, versus one independent
14 source.

15 Q Who determines your working hours?

16 A I do.

17 Q Are you always available to respond immediately to
18 Mr. Kay when he calls upon you to do something?

19 A No.

20 Q Why not?

21 A Because I just aren't.

22 Q What types of things are keeping you from jumping
23 when he calls?

24 A Well, I have other business. Personal business as
25 well as other radio businesses.

1 Q When you go to these repeater sites to work on Mr.
2 Kay's repeaters, what sort of equipment might you typically
3 take with you?

4 A I have a four-wheel drive vehicle that I own and I
5 lease.

6 Q Does your business lease that?

7 A Yes.

8 Q So it is a business vehicle?

9 A Yes.

10 Q Okay.

11 A I take my service monitor with me, which is the
12 guts of taking care of repeaters. It's a piece of -- very
13 expensive piece of test equipment that is used to monitor
14 the frequency of the radio, provide generate frequencies.
15 And technically repair and make sure the radio is operating
16 correctly.

17 Q How expensive is a piece of equipment like that?

18 A I spent about \$19,000 on my service monitor.

19 Q What other types of equipment might you take?

20 A Normal tools, screwdrivers, pliers, things like
21 that. I have some other ancillary test equipment that I
22 take -- sometimes necessary. And I have some general
23 supplies of my own.

24 Q All right. And this equipment belongs to you?

25 A Yes.

1 Q Was it purchased by Mr. Kay for you?

2 A No.

3 Q Where do you keep the equipment when you are not
4 flying up to a mountain site?

5 A At my office.

6 Q At your home office?

7 A Yes.

8 Q Before we get into the specific IRS forms, just as
9 a general rule, can you break down your total business
10 income into categories? Can you categorize the sources from
11 where you derive your business income?

12 A Yes. Approximately half of my income is derived
13 from what I call repeater service. This is a recurring
14 billing that I charge my customers on a monthly basis or
15 quarterly basis.

16 Q Let me interrupt you there for a moment. When you
17 say repeater service, you are talking about the taxi
18 drivers, the tow trucks, the people who actually have the
19 radios installed who use your repeater and pay you a monthly
20 fee to use the repeater?

21 A That's correct.

22 Q So that is like a recurring revenue, not unlike I
23 might pay monthly for paging service or cellular service?

24 A No. It is like the monthly paging and cellular
25 service.

1 Q Right. And that is approximately half of your
2 income?

3 A That's correct.

4 Q What is the other half of your income?

5 A The other half of my income is derived out of the
6 sales and service and maintenance of my customers radios,
7 other jewelers radios customers, consulting fees that I
8 might charge my clients.

9 Q So this is the various types of work that you do
10 at an hourly rate?

11 A Yes.

12 Q You also mentioned that you are a radio dealer, as
13 well. So you sell radio equipment to various people in the
14 industry, whether they be users or other radio men. Where
15 does that fit into this half and half division?

16 A That fits in the division of the sales and service
17 side. And by the way, I'm an authorized dealer by several
18 manufacturers to sell their products.

19 Q The half of your revenue that is derived from
20 repeater sales, is any of that revenue currently
21 attributable to Mr. Kay, either directly or through the
22 managed stations?

23 A He subleases space from me at the Hollywood Hills
24 location. And I bill that through my repeater service side
25 of my business.

1 Q Okay. So some portion of your income that you
2 treat as repeater service, is really that lease for
3 Hollywood Hills?

4 A That's correct.

5 Q Approximately, how much money is that on an annual
6 basis?

7 A I think it's about \$7,000 or \$8,000 a year now.

8 Q Okay. About \$8,000, let's call roughly. So half
9 of your income is derived from that number, but only about
10 \$8,000 of it is attributed to Mr. Kay. And that is for site
11 lease?

12 A A sublease.

13 Q Sublease.

14 A And I pay that amount of money right back out to
15 the landlord. I don't --

16 Q So, it is a pass through?

17 A Yeah. It's a pass through.

18 Q I would like to ask you to run through some
19 numbers here with me. If you look at Wireless Bureau
20 Exhibit 26, this is the IRS Form 1040, Schedule C for 1996,
21 for Marc Sobel, AirWave Communications.

22 In Part 1, Item 1, which lists as your gross
23 receipts or sales, what is the number listed there? Just
24 round it off. If I can lead you a little bit, is \$192,780
25 correct?

1 A Yes.

2 Q Turning to Wireless Bureau Exhibit 27, which is
3 the Form 1099 provided to you by Lucky's Two-Way, the amount
4 on that is what?

5 A \$16,640-something and 72 cents.

6 Q Your testimony yesterday was that you believed
7 this \$299 to represent all the monies that you received from
8 Mr. Kay. Except, possibly, for some equipment sales to a
9 separate entity, Southland Communications, for which you
10 could not locate a 1099. Is that correct?

11 A That's correct.

12 Q All right. And you formed an opinion, however,
13 based on your past, that there is an approximate average of
14 annual equipment sales that you make to Southland in the
15 \$2,000 to \$3,000 range?

16 A In the past few years, that's about what they --

17 Q So if we use a figure of \$2,500, that is a pretty
18 good average?

19 A That's good.

20 Q If I add that \$2,500 to the \$16,640, I come up
21 with a little over \$19,000. Is that about accurate, of
22 money you received from companies owned or controlled by Mr.
23 Kay?

24 A Yes.

25 Q So, Your Honor, you can do the math. But that is

1 approximately ten percent of your gross receipts for 1995?

2 A Approximately.

3 Q Okay. Turning to Exhibit 29. That was 1996. Did
4 I say 1995?

5 A I think you used 1995.

6 Q Turn to Exhibit 28. This is a Schedule C for
7 1995. Also for Marc Sobel. What is the gross receipts
8 figure at Item 1 there?

9 A \$156,600 and something.

10 Q My copy looks like six hundred thirty. And if you
11 turn to Wireless Bureau Exhibit 29, which is the Lucky's
12 Two-Way 1099 Form for 1995, what is the number there?

13 A \$18,837.01.

14 Q Okay. If we add again, \$2,500 to that number, to
15 account for equipment sales, my math comes out to about
16 \$22,337, approximately.

17 A Yes.

18 Q Total receipts from those companies. That appears
19 to be approximately 14 percent at the \$156,630. Is that
20 correct?

21 A Sounds right.

22 Q Turn to Exhibit 31. This is the Schedule C for
23 Marc D. Sobel for 1994. Again, can you tell me the gross
24 receipts from Item 1 in that year?

25 A \$169,120 something.

1 Q You were unable to locate any Form 1099's for this
2 year in your records, either mislaid or whatever. Correct?

3 A That's correct.

4 Q But you testified yesterday that you believed the
5 numbers, based on your knowledge, would have been no less
6 than \$10,000 and no more than \$20,000. Is that correct?

7 A That's correct.

8 Q So, let's take the big end of that. Let's assume
9 \$20,000, and add to that \$2,500 to account for equipment
10 sales. That would put us at \$22,500. Comparing that to the
11 \$169,120, we get approximately 13 percent of your gross
12 receipts. Does that sound accurate?

13 A Yes.

14 Q Turn now to the 1993 form, which is Wireless
15 Bureau Exhibit 32, Schedule C, Item 1 for Marc Sobel. What
16 is the gross receipts figure in that year?

17 A \$145,466.

18 Q Okay. If we turn over to Exhibit 33, it is the
19 1993 1099 Form from Lucky's Two-Way Radios. What is the
20 figure there?

21 A \$22,017.50.

22 Q If I, again, add \$2,500 to account for equipment
23 sales, that brings the total up to about \$24,517. Does that
24 sound accurate?

25 A Yes.

1 Q Would that work out to approximately 17 percent of
2 your gross receipts for that year?

3 A Yes.

4 Q Turn then, finally, to Exhibit 34. This is the
5 Schedule C for Marc Sobel for 1992. In Item 1, what is the
6 gross receipts number recorded there?

7 A \$145,022.

8 Q Exhibit 35 is, again, Lucky's Two-Way 1099. What
9 is the amount recorded on that form?

10 A \$16,630.48.

11 Q Again, if we add \$2,500 to account for equipment
12 sales to Southland, that brings the total to \$19,130, which
13 calculates to approximately 13 percent of your gross
14 receipts. Is that accurate?

15 A Yes.

16 Q Finally, let's look at Wireless Exhibit 36, which
17 is your 1991 Schedule C. What is your gross receipts
18 reported on Item 1 there?

19 A \$118,486.

20 Q You have a 1099 here, but it says for Buddy Corp.
21 Southland Communications. What is the amount on that?

22 A \$2,831.75.

23 Q This is Buddy Corp. Southland Communications. Do
24 you have a belief as to whether this represents equipment
25 sales or something else?

1 A This would be equipment sales.

2 Q There was no other 1099 that we found. Would
3 there have been other hourly rate work or some other income
4 you got from Mr. Kay in this year?

5 A You're going back quite a while here, and now
6 you're coming to the point that I may have or may not have
7 received much income from Lucky's Two-Way. I believe I did,
8 but I did not have the 1099.

9 Q If you do not recall what it is --

10 A Yeah. I don't know. It wasn't a lot of money.

11 Q Let me ask you this. Going back through the
12 various years then, we have seen for 1996 approximately ten
13 percent of your gross receipts were attributable to Mr. Kay.
14 Fourteen percent in 1995. Thirteen percent in 1994.
15 Seventeen percent in 1993. Thirteen percent in 1992.

16 Would you expect it to be more or less than any
17 one of those numbers, or in the same ballpark?

18 A Well, actually, I think it was significantly less,
19 because --

20 Q But it certainly would not have been more than any
21 of those numbers?

22 A At this time frame, I was doing work on his
23 equipment, and I may not even have had my own license
24 registrations on the air at that time.

25 Q Overall, less than 15 percent of your gross

1 receipts are attributable to sources from Mr. Kay, plus or
2 minus, depending on the year you are looking at. Correct?

3 A That's correct.

4 Q If you lost all of your business with Mr. Kay,
5 would you be on the unemployment line?

6 A No.

7 MR. SCHAUBLE: Objection to the form of the
8 question, Your Honor.

9 MR. KELLER: Well, it has been asked and answered.
10 If Your Honor wishes to forget --

11 JUDGE FRYSIAK: I understand. The objection is
12 overruled.

13 BY MR. KELLER:

14 Q What if you lost all of your UHF licenses, which
15 represent half of your income?

16 A I'd be financially desecrated.

17 Q That income has nothing to do with Mr. Kay. Does
18 it?

19 A No.

20 Q I would now like you to turn to Wireless Exhibits
21 38 and 39.

22 Wireless Bureau Exhibit 38 is the radio system
23 management and marketing agreement dated October 28, 1994.
24 You testified yesterday that you had already been operating
25 under an oral arrangement with Mr. Kay for at least two to

1 three years before you entered into this written document?

2 A Yes.

3 Q That is correct? Whose idea was it to obtain this
4 written document?

5 A It was my idea.

6 Q Were you unhappy with the business terms of your
7 arrangement with Mr. Kay?

8 A No.

9 Q Were you dissatisfied with Mr. Kay's performance
10 under his end of the deal?

11 A No.

12 Q Did you have any reason to distrust Mr. Kay?

13 A No.

14 Q Then why did you want a written agreement?

15 A It was clear that the Commission was confused
16 about our relationship between Mr. Kay and myself.

17 Q So, as you testified before, you wanted a written
18 document that established on paper that you were two
19 separate entities, just doing business together?

20 A Yes.

21 Q Yesterday I had you read a quote from the
22 Commission. In fact, I will go back and refer to that for a
23 moment, because I believe, if you turn to Wireless Bureau
24 Exhibit 45, Page 2 of that Exhibit, Paragraph 9. Hold on.
25 That is not correct. Page 14. I am sorry. Page 3 of that