

FCC MAIL SECTION

Federal Communications Commission

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

FCC 97M-141
71705

In re Applications of)	
)	
Martin W. Hoffman)	MM Docket No. 97-128
Trustee-in-Bankruptcy for)	
Astroline Communications Company)	
Limited Partnership)	
)	
For Renewal of License of)	File No. BRCT-881201LG
Station WHCT-TV,)	
Hartford, Connecticut)	
)	
and)	
)	
Shurberg Broadcasting of Hartford)	
)	
For Construction Permit for a New)	File No. BPCT-831202KF
Television Station to Operate on)	
Channel 18, Hartford, Connecticut)	
)	

ORDER

Issued: August 20, 1997; Released: August 21, 1997

Under consideration are the following:

Petition for Modification of Procedural Dates, filed August 5, 1997,
by Alan Shurberg d/b/a Shurberg Broadcasting of Hartford ("SBH");
and

Comments of Richard P. Ramirez ("Ramirez") on Petition for
Modification of Procedural Dates, filed August 13, 1997.

SBH seeks a modification of procedural dates. In support SBH states that it and the Mass Media Bureau have initiated discovery efforts through document production requests and that in response some 17 boxes of documents, numbering in the tens of thousands of pages have been produced. These documents include trial testimony and several hundred exhibits from the Bankruptcy Court hearing as well as deposition transcripts and 14 boxloads of miscellaneous, unindexed documents compiled in the course of the bankruptcy proceeding.

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SBH states that in view of the nature of the documents already produced, it is likely that stipulations based on those documents may be reached which could substantially reduce both the discovery phase and the hearing phase of the instant proceeding. Counsel for SBH has informally discussed the possibility of such stipulations with counsel for Martin Hoffman, who has the ultimate burden of proof in this case, and with counsel for the Mass Media Bureau. Both have tentatively indicated a willingness to consider stipulating to matters as described above.

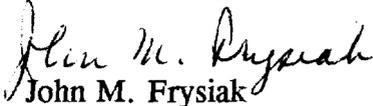
SBH states that the reviewing of the thousands of documents is time consuming and must be completed first before stipulations can be reached and before the remainder of discovery can be completed. SBH states that the modification is warranted in light of the fact that the pendency of Mr. Ramirez' petition for a stay of this proceeding hampered discovery. SBH requests that all procedural dates be deferred for 60 days.

For good cause shown, SBH's Petition for Modification of Procedural Dates, filed August 5, 1997 IS GRANTED to the extent indicated herein. The following procedural dates will control:

- November 10, 1997 - Completion of discovery.
- November 24, 1997 - Exchange of applicant's exhibits.^{1*}
- December 1, 1997 - Notification of witnesses desired for cross-examination.*
- December 15, 1997 - Commencement of hearing at 10:00 a.m. in the offices of the Commission.

IT IS FURTHER ORDERED that in light of the above, the hearing scheduled for October 21, 1997 IS CANCELLED.

FEDERAL COMMUNICATIONS COMMISSION


John M. Frysiak
Administrative Law Judge

¹ All exhibits will be assembled in a binder with each exhibit bearing a number with a tab on each document. An index containing a descriptive title of each exhibit shall be submitted. A prefix will be used to indicate the party sponsoring the exhibits. Each exhibit shall be separately and consecutively paginated, including attachments. If stipulations are entered into, they are to be executed by counsel, prepared as joint exhibits, suitably bound, tabbed and paginated.

* These documents shall be hand served.