

1 Koteen & Naftalin to apply for them on my behalf.

2 Q Do you know where those -- do you know what station
3 had previously used the call sign WJUX?

4 A Yes, Franklin Lakes.

5 Q And that station, sir, was licensed -- well, you
6 understood that that station was licensed to an entity
7 controlled by Mr. Turro?

8 A Yes.

9 Q Did Mr. Turro tell you that the call letters WJUX
10 were going to be made available?

11 A Yes.

12 Q And he told you in advance that he was going to
13 turn them in and for you to apply for them?

14 A I don't know if he told me in advance, but he
15 certainly told me. Let me just say yes.

16 JUDGE STEINBERG: I think if you have reservations
17 about your answer, you should explain them rather than --
18 you shouldn't just say "yes." If there is something you
19 want to add --

20 THE WITNESS: Let's leave it at yes, he did tell
21 me in advance.

22 BY MR. HELMICK:

23 Q Mr. Weis, did Mr. Turro tell you that it would be
24 very beneficial to Jukebox network if the Monticello station
25 had -- obtained the call letters WJUX?

1 A No.

2 Q Did you understand it to be important to Mr.
3 Turro, for whatever reason, that the Monticello station
4 pick up the call letters WJUX?

5 A Yes.

6 Q Why else would he tell you that they were
7 available if it weren't --

8 A Get first crack at them.

9 Q But you understood that it was an important
10 consideration to Mr. Turro that --

11 A Yeah.

12 Q -- the Monticello station --

13 A Yes.

14 Q Okay. I would like to direct you to your
15 statement, Mr. Weis, MMBI Exhibit No. 1 where you are
16 discussing -- the fourth paragraph starting with "Prior to
17 my acquisition."

18 Do you see that?

19 JUDGE STEINBERG: What page, please?

20 MR. HELMICK: On page 1. Excuse me.

21 BY MR. HELMICK:

22 Q You see that first sentence?

23 A Yes.

24 Q It says, "Mr. Turro described to me a ruling which
25 he had received through his attorneys."

1 Wasn't at this particular time, prior to the time
2 you acquired the Monticello permit, wasn't -- his attorneys,
3 Mr. Turro's attorneys were Koteen & Naftalin, were they not?

4 A Yes.

5 Q And were they not also your attorneys?

6 A Yes.

7 Q Is there a reason why you chose to say "had
8 received through his attorneys" rather than "our attorneys"?

9 MR. RILEY: I object, Your Honor. I think that
10 Mr. Helmick has got to put a time frame on that. The date
11 of the letter is known, and he should ask the direct
12 question to Mr. Weis with respect to that date.

13 JUDGE STEINBERG: Why don't you rephrase it?

14 MR. HELMICK: All right. I think Mr. Riley's
15 point is well taken.

16 BY MR. HELMICK:

17 Q Let's just leave it -- at the time --

18 JUDGE STEINBERG: In November '91.

19 THE WITNESS: Is there a question?

20 BY MR. HELMICK:

21 Q In November '91, through October of '94, that time
22 frame, Koteen & Naftalin was your attorney as well as Mr.
23 Turro's attorney, correct?

24 A With regards to the FM translator, correct.

25 JUDGE STEINBERG: On November 19, 1991, which is

1 the date of Mr. -- the date of the first letter, was Koteen
2 & Naftalin your attorney?

3 THE WITNESS: I don't believe so.

4 JUDGE STEINBERG: That's why you used the word
5 "his" in the sentence that Mr. Helmick asked you about?

6 THE WITNESS: Yes.

7 (Pause.)

8 BY MR. HELMICK:

9 Q Take you to a new topic. The FCC inspection at
10 WJUX on April 13, 1995, are you familiar with that event,
11 more or less, the date?

12 A I wasn't there.

13 Q I know you weren't there, but would you accept the
14 date as being the date?

15 A Yes.

16 Q Okay. How did you learn about that inspection,
17 Mr. Weis?

18 A Mr. Turro told me.

19 Q Where were you when Mr. Turro told you?

20 A At the NAB convention in Las Vegas.

21 Q Were you there with Mr. Turro or had you gone
22 separately or what?

23 A We flew out on the same planes, but we have
24 different business interests at the convention so we weren't
25 together all day.

1 Q Okay. Do you recall about what time of the day or
2 what the circumstances were when you first learned of the
3 fact that the FCC had paid a visit to WJUX?

4 A I don't remember the time of day, but it was on
5 the convention floor, and Mr Turro come up to me and said
6 that there was an inspector there. Was upset because it
7 happened while we were away, and there was nothing he could
8 do about it.

9 Q Did he tell you anything else other than the fact
10 that an inspector was there?

11 A Well, that they wanted to turn the transmitter on
12 and off the next day for tests, and Mr. Blabey had engaged
13 George Spicka, I believe, George Spicka to go up there and
14 turn the transmitter on and off. The problem was a -- the
15 antenna was down from the lightening strike. So Jerry was
16 very concerned that we would blow up the transmitter, or
17 sorry, blow up the antenna beyond this marginal use, and
18 then there would be nothing on the air.

19 Q Mr. Turro say anything to you about whether the
20 FCC was interested in whether there was remote control from
21 Dumont to the WJUX transmitter?

22 A No.

23 Q Did he say anything to you about doing a test to
24 see whether there was remote control that day from the
25 studio in Dumont over the WJUX transmitter in Monticello?

1 A No.

2 Q One follow-up question, I had. Do you remember
3 the \$40,000 inducement fee to enter into the network
4 affiliation agreement we talked about previously?

5 A Yes.

6 Q Was that an inducement fee from MMBI to enter into
7 the agreement because Mr. Turro could not acquire WJUX, and
8 he was dependent upon MMBI acquiring the station?

9 A No.

10 Q What was the inducement fee for then, sir?

11 A The network affiliation agreement.

12 Q It was an inducement for MMBI to enter into the
13 agreement, correct?

14 A Yes.

15 JUDGE STEINBERG: What would you have done if you
16 had not entered into a network affiliation agreement, what
17 would you have broadcast over WXTM?

18 THE WITNESS: Probably would not have built the
19 station.

20 JUDGE STEINBERG: So that's all the -- the network
21 affiliation agreement and all those arrangements were a part
22 of your decision as to whether or not to acquire the CP?

23 THE WITNESS: Yes.

24 JUDGE STEINBERG: Is it fair to say then that the
25 \$40,000 was an inducement to do the whole deal, if you

1 follow what "do the whole deal" means?

2 I mean, you understand that means acquire the CP,
3 build the station, enter into the network affiliation
4 agreement and operate the way the venture has been operated?

5 THE WITNESS: Without the agreement, I would not
6 have built the station, and the agreement was based on that
7 \$40,000 up front payment.

8 BY MR. HELMICK:

9 Q How did you arrive at a \$40,000 figure for the
10 inducement fee, if you will, under the agreement?

11 Is that tied into the fact that you had to make a
12 payment to Mr. Fishman of \$40,000 on the purchase price for
13 WJUX?

14 A It appears that way from all the paperwork, but I
15 really can't say that's true. I'm just not sure, and it has
16 to do with my calculations and everything that I did.

17 Q Do you listen to WJUX on a regular basis?

18 A Yes.

19 Excuse me. Regular? Would you expand on
20 "regular"?

21 Q Well, explain whatever you mean by regular.

22 A Daily; just to monitor it to see what it sounds
23 like; listen to the news.

24 Q About how much time do you spend on a daily basis
25 monitoring the station?

1 A Three to five minutes because it's only an eight
2 mile drive from my house to work

3 Q Three to five minutes a day?

4 A Each way.

5 Q Okay. So --

6 JUDGE STEINBERG: Eight miles in five minutes?

7 THE WITNESS: No, no, no. I don't listen to it
8 all the way.

9 JUDGE STEINBERG: Oh, okay.

10 BY MR. HELMICK:

11 Q So a maximum of about six to 10 minutes a day?

12 A Yes.

13 Q And this would be in morning drive time and
14 evening drive time?

15 A Well, before morning and after evening on most
16 days.

17 Q Well, you say "before morning." You mean by early
18 in the morning?

19 A Yes. I'm in the office by seven.

20 Q Okay. In the evening, you would mean after eight?

21 A After seven.

22 Q After seven. Okay.

23 And this would be primarily -- you would listen
24 primarily to the news?

25 A Whatever is on.

1 Q Whatever is on.

2 Do you know what a quarterly issues programs lists
3 are, Mr. Weis?

4 A Yes.

5 Q Do you know who prepared the WJUX quarterly issues
6 programs list?

7 A Jukebox Radio staff.

8 MR. HELMICK: Take a couple minutes, Your Honor.
9 Just a second.

10 JUDGE STEINBERG: Do you want to go off the
11 record?

12 MR. HELMICK: Yes.

13 (Whereupon, a recess was taken.)

14 JUDGE STEINBERG: Back on the record.

15 MR. HELMICK: Your Honor, I think I'm going to
16 finish up and pass the baton.

17 JUDGE STEINBERG: Ms. Friedman, you're going to be
18 doing the cross?

19 MS. FRIEDMAN: Yes.

20 JUDGE STEINBERG: Okay, do you want to take a
21 lunch break now or after you finish?

22 MR. FRIEDMAN: After Mr. Helmick finishes?

23 JUDGE STEINBERG: Mr. Helmick is finished.

24 MR. HELMICK: I am finished.

25 MS. FRIEDMAN: Okay, I would prefer to take a

1 lunch break and then start fresh after lunch.

2 JUDGE STEINBERG: Okay. Now, I would ask you, Mr.
3 Helmick has done a very thorough job of questioning on the
4 subject matters that he's been questioning on, and I would
5 ask you, if you would, to avoid going over in super detail
6 all the stuff he has gone over. Of course, if there is
7 something in those areas that's different that hasn't been
8 asked, of course, you can go into that. But I prefer that
9 there be as little overlap as possible.

10 And let me ask if Mr. Naftalin, do you want to
11 cross-examine?

12 MR. NAFTALIN: I have no plans to do so at this
13 point, Your Honor. I would have to see when we get --

14 JUDGE STEINBERG: Yes, okay.

15 MR. NAFTALIN: I am not -- procedurally, where
16 would I fit -- if I had a question, where would I fit in?

17 JUDGE STEINBERG: After the Bureau.

18 MR. NAFTALIN: After the Bureau? Right now I
19 don't have anything to ask .

20 JUDGE STEINBERG: Okay. So let's break until
21 1:45? 1:45. Okay, thank you.

22 (Whereupon, at 12:28 p.m., the hearing was
23 recessed, to resume at 1:45 p.m., this same day, Tuesday,
24 December 9, 1997.)

25 //

1 A F T E R N O C N S E S S I O N

2 (1:49 p.m.)

3 JUDGE STEINBERG: Please be seated.

4 Off the record.

5 (Discussion off the record.)

6 JUDGE STEINBERG: We're back on the record, and I
7 think we were going to commence Ms. Friedman's cross?

8 MS. FRIEDMAN: That's correct.

9 Whereupon,

10 WESLEY WEIS

11 having been previously duly sworn, was recalled as a witness
12 herein, and was examined and testified further as follows:

13 MS. FRIEDMAN: Your Honor, I would like to ask
14 just a question, if I could have some leeway to ask this
15 witness some leading questions just to move things along?

16 JUDGE STEINBERG: Sure. Yes, he's an adverse
17 witness to you.

18 MS. FRIEDMAN: Yes.

19 JUDGE STEINBERG: So you can lead.

20 CROSS-EXAMINATION

21 BY MS. FRIEDMAN:

22 Q Good afternoon, Mr. Weis.

23 I would like to refer you to Mass Media Bureau 11,
24 which is your response to the letter of inquiry.

25 JUDGE STEINBERG: Okay, I don't think he's got

1 that in front of him. So it would be helpful to --

2 MR. ARONOWITZ; We have -- we have -- I represent
3 there are only two lines on it.

4 JUDGE STEINBERG: Why don't you show it to Mr.
5 Riley and see if --

6 MR. ARONOWITZ: Okay.

7 JUDGE STEINBERG: If he --

8 MR. RILEY: I may have an extra one here, but I
9 don't know that mine is marked as received, Your Honor.

10 JUDGE STEINBERG: We can do this off the record.

11 THE COURT REPORTER: Off the record.

12 (Discussion off the record.)

13 JUDGE STEINBERG: Back on the record.

14 While we were off the record, the witness was
15 provided with a copy of Mass Media Bureau Exhibit No. 11.

16 BY MS. FRIEDMAN:

17 Q Mr. Weis, I would like to turn your attention to
18 page 3 of your letter, which is stamped at the bottom with
19 page 163. Okay, at the top of the page, okay?

20 The first full sentence, could you read that to
21 yourself? Just read --

22 JUDGE STEINBERG: It's "Counsel"?

23 MS. FRIEDMAN: "Counsel recommended..."

24 JUDGE STEINBERG: Have you got the right spot?

25 THE WITNESS: Yes.

1 BY MS. FRIEDMAN:

2 Q Just to where it says "amendments" at the end of
3 the sentence.

4 A Okay.

5 (Witness reviews document.)

6 BY MS. FRIEDMAN:

7 Q Ready? Okay.

8 To what extend did you understand that your
9 existing network affiliation agreement did not comply with
10 Commission policy?

11 A Only to the extent that what was added in the
12 amendment.

13 Q Well, could you explain further how you thought
14 one document was different from the other?

15 A Well, I don't think it was different. I think it
16 clarified what my obligations were.

17 Q And it says that counsel recommended. What was
18 the name of your counsel at that point?

19 A It was Koteen & Naftalin.

20 Q Now, did Koteen & Naftalin help you prepare this
21 response?

22 JUDGE STEINBERG: The amendment?

23 MS. FRIEDMAN: The amendment -- no, the letter of
24 inquiry.

25 JUDGE STEINBERG: Oh.

1 MS. FRIEDMAN: The response to the letter of
2 inquiry.

3 JUDGE STEINBERG: Okay, so we have changed --

4 MS. FRIEDMAN: Yes.

5 JUDGE STEINBERG: So now --

6 MS. FRIEDMAN: I'm discussing this response to the
7 letter of inquiry, which is Mass Media Bureau Exhibit 11.

8 JUDGE STEINBERG: Okay

9 MR. RILEY: I think that answer can be answered
10 giving a yes or no without getting into an attorney/client
11 privilege. it's just a simple fact question.

12 MS. FRIEDMAN: That's all I want to know.

13 BY MS. FRIEDMAN:

14 Q You say, "When counsel recommended," I would like
15 to know who --

16 A Yes.

17 Q Yes, it was?

18 A Koteen --

19 JUDGE STEINBERG: Wait, I'm lost.

20 "When counsel recommended"

21 MS. FRIEDMAN: Yes.

22 JUDGE STEINBERG: -- on page 163.

23 MS. FRIEDMAN: Right.

24 JUDGE STEINBERG: You want to know what counsel.

25 MS. FRIEDMAN: What counsel.

1 JUDGE STEINBERG: And the answer is?

2 THE WITNESS: Koteen & Naftalin.

3 JUDGE STEINBERG: Okay. So you don't want to know
4 who, if anyone, assisted in the preparation of Bureau 11?

5 MS. FRIEDMAN: I also asked him that.

6 JUDGE STEINBERG: Okay, that's where I got lost.

7 MS. FRIEDMAN: Okay

8 JUDGE STEINBERG: So Mass Media Bureau Exhibit No.
9 11, the July 27, 1995, letter, did counsel assist you in the
10 preparation of that letter?

11 THE WITNESS: Yes.

12 JUDGE STEINBERG: And which counsel?

13 THE WITNESS: Koteen & Naftalin.

14 JUDGE STEINBERG: Okay.

15 BY MS. FRIEDMAN:

16 Q Just to clarify, to what extent did you understand
17 that the amended network affiliation agreement would bring
18 the original network affiliation agreement into compliance
19 with Commission policy?

20 A I believe that it's further explaining what -- or
21 stating what my duties are, and they weren't stated in the
22 original agreement.

23 Q As a result of signing this amended network
24 affiliation agreement, did your activities with respect to
25 operating WJUX change in any way?

1 A No.

2 JUDGE STEINBERG: Let me just state for the record
3 that in the last couple of questions there were assumptions
4 built into the questions, and the assumptions were basically
5 that the original agreement wasn't not in some way violated
6 the Commission's policies, and therefore an amendment was
7 required, and that hasn't been established in the record,
8 and the conclusion -- if there is a conclusion that in some
9 what the original network affiliation agreement was not in
10 compliance with the Commission's rules, that's a conclusion
11 that has to be reached from the facts. And, you know, you
12 can ask the witness, perhaps you should, whether in his
13 opinion the original network affiliation agreement was in
14 compliance with all Commission's rules and regulations, and
15 whether the amended one was.

16 But your questions have built in assumptions which
17 I didn't comment on at the time but which you can't use the
18 answers to find that Mr. -- to find Mr. Weis testified that
19 the original agreement was not in compliance with the
20 Commission's rules because that's -- if you see what I mean.

21 MS. FRIEDMAN: Okay, can I --

22 JUDGE STEINBERG: I'm just trying to be helpful.

23 MS. FRIEDMAN: Okay.

24 BY MS. FRIEDMAN:

25 Q So, Mr. Weis, did you -- is it your opinion that

1 your original network affiliation agreement was not in
2 compliance with Commission policy?

3 A No. No.

4 Q So you believed it was in compliance then, that it
5 was a valid network affiliation agreement?

6 A Yes.

7 Q The first one.

8 A Yes.

9 Q All right, Mr. Weis, I would now turn your
10 attention to the deposition. Do you remember taking a
11 deposition on July 17th?

12 A Yes.

13 JUDGE STEINBERG: Is this a recollection
14 refresher, or a contrary answer?

15 MS. FRIEDMAN: Recollection refresher.

16 JUDGE STEINBERG: Okay.

17 MS. FRIEDMAN: Okay.

18 BY MS. FRIEDMAN:

19 Q Mr. Weis, did you state in your deposition that
20 you understood there to be no difference between the
21 original network affiliation agreement and the amended
22 agreement?

23 JUDGE STEINBERG: Okay, let's show him a copy of
24 the deposition and let him read it, and ask if that
25 refreshes his recollection, and whether he would want to

1 change any of the answers.

2 MS. FRIEDMAN: I just want to show, Your Honor,
3 there is a few marks on the page, but I think it's --

4 JUDGE STEINBERG: Okay, show them to Mr. Riley.

5 MS. FRIEDMAN: Okay.

6 JUDGE STEINBERG: If he doesn't object to putting
7 it in front of the witness, I don't.

8 JUDGE STEINBERG: It's which page?

9 (Pause.)

10 MR. RILEY: Your Honor, we are still on the
11 record, aren't we? Are we still on the record?

12 JUDGE STEINBERG: Yes. Just you and Ms. Friedman
13 were having a little side conversation which I didn't thing
14 that --

15 MR. RILEY: Yes, well, the reason I asked is if we
16 are on the record I wanted to say this. I don't -- Ms.
17 Friedman's page as it's marked, I have no problem with
18 putting that in front of the witness, but I may have
19 objections to questions based on it because I don't think
20 that there is anything on that page or the related pages
21 that would impeach his testimony.

22 And as far as refreshing recollection, I have just
23 read it and I think, although the words are not identical,
24 that it is essentially the same as the testimony he has
25 given here.

1 JUDGE STEINBERG: What page number and what lines?

2 MS. FRIEDMAN: Twenty-one, lines eight through 14.

3 JUDGE STEINBERG: Okay, let Mr. Weis read that.

4 (Witness reviews document.)

5 JUDGE STEINBERG: Okay, now, you may want to re-
6 ask your question.

7 BY MS. FRIEDMAN:

8 Q My question is just that you were -- that that was
9 your testimony at the deposition and you are confirming it
10 here today; that this was something you did at your
11 attorney's request?

12 MR. RILEY: I didn't --

13 JUDGE STEINBERG: Well, that's what the pending
14 question is.

15 MR. RILEY: Well, I object to that. What is it he
16 did -- oh, oh, I'm sorry.

17 MS. FRIEDMAN: Okay.

18 MR. RILEY: We're still talking about the
19 amendment --

20 MS. FRIEDMAN: Yes. Yes.

21 MR. RILEY: I withdraw my objection, Your Honor,
22 as long as it's clear.

23 JUDGE STEINBERG: Okay. Why don't you re-ask then
24 because I'm a little lost.

25 MS. FRIEDMAN: Okay.

1 JUDGE STEINBERG: I'm suer Mr. Weis is too.

2 MS. FRIEDMAN: Okay.

3 BY MS. FRIEDMAN:

4 Q My question is basically I'm confirming that your
5 testimony at your deposition and your testimony today is
6 that the network affiliation was amended as a result of
7 advice by counsel?

8 A Yes.

9 Q I believe you testified this morning that at one
10 point Mr. Turro was the chief operator for WJUX?

11 A Yes.

12 Q Okay. Did Mr. Turro receive any compensation for
13 this?

14 A No.

15 Q Is there a reason why he didn't receive any
16 compensation?

17 A It's my belief the FCC rules preclude that.

18 JUDGE STEINBERG: Which rules?

19 THE WITNESS: Translator rules.

20 BY MS. FRIEDMAN:

21 Q Excuse me? I didn't hear.

22 A I was answering the Judge.

23 JUDGE STEINBERG: No, I asked which rules and his
24 answer was the "translator rules."

25 MS. FRIEDMAN: Translator rules. Okay.

1 BY MS. FRIEDMAN:

2 Q And from whom did you learn or what brought you to
3 this understanding that you could not compensate Mr. Turro?

4 A I really don't know. It's common knowledge, and
5 it's just I may have known it for 10 years. I may have
6 known it for two. I don't really know the answer.

7 Q You don't. Okay.

8 How long did Mr. Turro serve as the chief operator
9 of WJUX?

10 A Until he was replaced with Alan Kirschner. I
11 don't have a date.

12 Q You don't. Could you give me a year, perhaps?

13 A 1995.

14 Q Any idea of when?

15 A June, maybe? Again, I really don't know. I just
16 know it was definitely 1995.

17 Q Was it after the FCC inspection?

18 A Yes.

19 Q Are you aware of any head of a network that serves
20 as a chief operator of one of its affiliates?

21 A No.

22 Excuse me. I'm assuming you mean other than
23 Jukebox Radio?

24 Q Yes, I am. Okay.

25 Turning back to the '91 letter from Mr. Roy

1 Stewart from the Mass Media Bureau that was previously
2 discussed, Mass Media Bureau Exhibit 1, the 1991 letter, do
3 you have it in front of you?

4 JUDGE STEINBERG: No. Well, he does but his is
5 different, from a different exhibit. Okay, the pages that
6 Mr. Weis is looking at are pages 437 and 438.

7 BY MS. FRIEDMAN:

8 Q Do you have it in front of you?

9 A Yes.

10 Q Okay. Is what is in that 1991 letter reflect the
11 current arrangement between you and Mr. Turro?

12 A Is that with respect to every single item?

13 Q To the best of your knowledge.

14 A No.

15 Q Excuse me? No?

16 A No.

17 Q What would you -- okay, I realize I'm jumping.

18 A I'm sorry. Let me change that answer to yes.

19 Q So you do believe the 1991 letter --

20 A Yes.

21 Q -- reflects your current arrangement with Mr.
22 Turro?

23 A Yes.

24 Q Okay. Now, forgive me for jumping from subject to
25 subject. We're just trying to tie up some loose ends here.

1 You had testified this morning that Mr. Turro had
2 given you \$40,000 as an inducement to sign the network
3 affiliation agreement?

4 A Yes.

5 Q Okay. Was this money they applied to purchase the
6 WXTM construction permit?

7 A Not directly.

8 Q Well, so is it your testimony that the money did
9 not go from Mr. Turro to Mr. Fishman? Is that --

10 A That's correct.

11 Q So when you received the \$40,000, where did you
12 put -- where did it go?

13 A Monticello Mountaintop's checking account.

14 Q I see. And from MMBI's checking account, where
15 did the money then go?

16 A It was commingled in there for 24 hours or
17 whatever, and then \$40,000 went to Mr. Fishman.

18 Q Okay.

19 JUDGE STEINBERG: Was there other money in the
20 MMBI account?

21 THE WITNESS: Yes.

22 BY MS. FRIEDMAN:

23 Q So, Mr. Weis, would it be fair to say that the
24 \$40,000 from Mr. Turro indirectly went to pay Mr. Fishman?

25 A Indirectly? Yes.

1 Q Okay. Mr. Weis, is it your understanding of the
2 network affiliation agreement that Mr. Turro has the
3 ultimate responsibility to compensate you for any expenses
4 that you may have in operating WJUX?

5 A No.

6 Q Mr. Weis, I would like again to direct you to your
7 deposition.

8 JUDGE STEINBERG: He hasn't got it in front of
9 him. Maybe we are going to have to put a copy in front of
10 him and leave it there.

11 MS. FRIEDMAN: Let me just show it to Mr. Riley
12 first.

13 THE WITNESS: I have one here, but it's marked up.
14 Is that okay?

15 JUDGE STEINBERG: That's fine.

16 MS. FRIEDMAN: That's better to --

17 JUDGE STEINBERG: Yes, that's okay. That's
18 wonderful.

19 (Pause.)

20 JUDGE STEINBERG: You can go off the record.

21 (Pause off the record.)

22 JUDGE STEINBERG: Back on the record.

23 Mr. Weis has retrieved his own copy of his
24 deposition and now you want to refer some pages to him?

25 BY MS. FRIEDMAN:

1 Q Okay, Mr. Weis, if you could turn to page 13, read
2 from line two and through line 13.

3 (Witness reviews document.)

4 BY MS. FRIEDMAN:

5 Q Does that change your answer to my question?
6 Do you want me to repeat my question?

7 A Yes, repeat the question.

8 Q Okay. Is it your understanding that the network
9 affiliation agreement, under that agreement that Mr. Turro
10 or BCCBF would have the ultimate responsibility to
11 compensate you for all your expenses for WJUX?

12 A We're apples and oranges, so I need a second to
13 think this through.

14 (Pause.)

15 THE WITNESS: Starting at the previous page, and
16 we're back to page 12, and it refers to the amortization of
17 the equipment, and the personal guarantee. So that in that
18 case Mr. Turro is ultimately responsible for paying the
19 amount that's under the guarantee.

20 BY MS. FRIEDMAN:

21 Q Now, I don't follow because this question that I'm
22 referring you to is saying that you needed to be compensated
23 for the entire set up, until everything was paid for.

24 Now, what did you mean by that?

25 A That's --