

1 the only copy I have here.

2 JUDGE STEINBERG: Okay. It is a one page
3 document. It appears to be a memorandum to Gene Blabey from
4 Wes Weis, dated February 13, 1995. And it will be marked
5 for identification as Monticello Mountaintop Broadcasting
6 Exhibit 8.

7 (The document referred to was
8 marked for identification as
9 Monticello Mountaintop
10 Broadcasting Exhibit 8.)

11 MR. RILEY: Thank you, Your Honor.

12 BY MR. RILEY:

13 Q Mr. Blabey, is this document descriptive of an
14 arrangement under which had you sold time to be broadcast
15 locally on WXTM, you would have received a commission
16 payment as described in the document?

17 A Yes. I have sold time under the basis of that
18 agreement, and I have yet to be paid.

19 Q Is this agreement still in effect?

20 A Yes. I think Wes owes me \$20.

21 Q You did not, however, in the first year after this
22 document, succeed in making sales?

23 A No.

24 Q Did you make presentations for sales?

25 A Yes.

1 MR. RILEY: Your Honor, I would like to offer this
2 into evidence as Monticello Mountaintop Exhibit 8.

3 JUDGE STEINBERG: Any objection?

4 MR. ARONOWITZ: No objection, Your Honor.

5 JUDGE STEINBERG: Mr. Helmick? Mr. Helmick is
6 shaking his head no.

7 MR. ARONOWITZ: I am assuming these were in the
8 disclosed documents?

9 MS. SCHMELTZER: Yes.

10 MR. ARONOWITZ: Okay.

11 JUDGE STEINBERG: Okay. Monticello Mountaintop
12 Exhibit 8 is received.

13 (The document referred to,
14 having been previously marked
15 for identification as
16 Monticello Mountaintop
17 Broadcasting Exhibit 8, was
18 received in evidence.)

19 JUDGE STEINBERG: You have permission, once it is
20 marked, to withdraw it. And provide two copies of it to the
21 Reporter and then one to each of the parties, and one to me.

22 MR. RILEY: Thank you, Your Honor.

23 JUDGE STEINBERG: You can do that over the
24 weekend.

25 MR. RILEY: Thank you, Your Honor.

1 BY MR. RILEY:

2 Q Mr. Blabey, this morning you also testified that
3 there was a time early on when you sought to engage a
4 salesperson to act locally for WXTM. Not yourself --

5 A That's correct.

6 Q -- but a salesperson. I would like to show you
7 another document that you produced at your deposition under
8 subpoena by the Mass Media Bureau.

9 MR. RILEY: Your Honor, I am showing Mr. Blabey a
10 letter dated February 8, 1995 from Mr. Blabey to Mr. Weis.

11 BY MR. RILEY:

12 Q Mr. Blabey, would you look at that document? Do
13 you recall?

14 A Yes.

15 Q Did Mr. Weis approve the hiring of Mr.
16 Silverstein?

17 A Yes.

18 Q For the purpose of making local sales for WXTM?

19 A Yes. As a freelance consultant, i.e., not on the
20 payroll, but as an independent advertising salesman.

21 Q He would be compensated --

22 A On the basis of commissions.

23 Q Did he receive any such compensation?

24 A No. He was not successful in selling the station.

25 MR. RILEY: Your Honor, I would like to have this

1 marked as Monticello Mountaintop Broadcasting Exhibit 9.

2 JUDGE STEINBERG: Okay. It is one page on the
3 letterhead of Monticello Mountaintop Broadcasting Inc. A
4 letter from Mr. Blabey to Mr. Weis, dated February 8, 1995.
5 It will be identified as MMBI Exhibit 9.

6 (The document referred to was
7 marked for identification as
8 Monticello Mountaintop
9 Broadcasting Exhibit 9.)

10 JUDGE STEINBERG: Let me also just interrupt here.
11 This witness is not adverse to you, so even though this is
12 technically cross-examination, I would prefer that you did
13 not lead.

14 MR. RILEY: Very well, Your Honor.

15 JUDGE STEINBERG: Unless it is meaningless
16 leading, and I think we all know what meaningless leading
17 is. But if it is anything of substance, do not lead.

18 MR. RILEY: I won't.

19 BY MR. RILEY:

20 Q Mr. Blabey, in the third paragraph from the bottom
21 of that letter, there is a reference to a project you were
22 working on. Is that something about which you gave
23 testimony this morning?

24 A Yes.

25 Q Could you briefly describe for us what that is?

1 A Well, as I said this morning, I thought that there
2 was some synergy between then WXTM and WVOS, where I would
3 be able to interest an advertiser in a package that would
4 involve both radio stations. And the hospital, because of
5 its -- I won't say appeal, but because of its market to
6 older citizens, seemed to be a very logical candidate for a
7 program that would be focused on health concerns and
8 directed in many ways toward senior citizens.

9 And I presented to this to Selma Field, who for
10 many years has been the development director of Community
11 General Hospital, and is a lady I have known and worked with
12 ever since I came to Sullivan County. Her husband, Ed
13 Field, is a WJUX/WXTM listener, and, as a matter of fact,
14 was the producer of "People Who Make A Difference" or the
15 man who did "People Who Make A Difference" program. So, I
16 figured it was logical, and I would be successful in teaming
17 up the two stations in making a pitch. I was wrong.

18 Q Thank you.

19 A And I have done it subsequently, and I'm still
20 wrong.

21 MR. RILEY: Your Honor, I would like to offer the
22 February 8, 1995 letter from Mr. Blabey to Mr. Weis into
23 evidence as Monticello Mountaintop Broadcasting Exhibit 9.

24 JUDGE STEINBERG: Any objection?

25 MR. ARONOWITZ: No, Your Honor.

1 MR. HELMICK: No, Your Honor.

2 JUDGE STEINBERG: Okay. Exhibit 9 is received.

3 (The document referred to,
4 having been previously marked
5 for identification as
6 Monticello Mountaintop
7 Broadcasting Exhibit 9, was
8 received in evidence.)

9 JUDGE STEINBERG: After the Reporter marks it,
10 then you can withdraw that and make appropriate copies on
11 Monday, also.

12 MR. RILEY: Your Honor, if I might have one break
13 here.

14 JUDGE STEINBERG: Okay. We will go off the
15 record.

16 (Whereupon, a short recess was taken.)

17 JUDGE STEINBERG: Back on.

18 MR. RILEY: Your Honor, I am going to place before
19 Mr. Blabey a copy of Monticello Mountaintop Broadcasting
20 Exhibit 3, about which Mr. Blabey was asked questions this
21 morning.

22 BY MR. RILEY:

23 Q I would like to direct Mr. Blabey's attention to
24 Page 7. Mr. Blabey, I am looking at the hand numbered pages
25 in the lower right corner.

1 MR. ARONOWITZ: Your Honor?

2 JUDGE STEINBERG: Yes?

3 MR. ARONOWITZ: I would raise an objection. The
4 material contained within Exhibit 3 was not the subject of
5 direct examination this morning. There were no questions on
6 it. I do not see how this fits within the scope of cross-
7 examination.

8 JUDGE STEINBERG: I do.

9 MR. RILEY: You, Your Honor --

10 JUDGE STEINBERG: I do. I think I know where you
11 are going. If you go there, fine. The objection will be
12 overruled. If you do not go there, I will reconsider. So,
13 for now, it is overruled.

14 BY MR. RILEY:

15 Q I am directing the witness's attention to hand
16 numbered Page 7, in the lower right corner. Do you have
17 that, Mr. Blabey? It has a typewritten four at the top
18 center.

19 A Yes, I see it.

20 Q That page contains a list of programs under the
21 title, "People Who Make A Difference." Is that program
22 produced in Sullivan County, New York?

23 A Yes.

24 Q By whom?

25 A The man who did it -- and it's no longer produced,

1 but the man who did it was Ed Field, who not only produced
2 it for the radio, but had a newspaper version, which
3 appeared in the Sullivan County Democrat, a weekly
4 newspaper.

5 Q Did WVOS broadcast this program, as well as WJUX?

6 A Yes.

7 Q This program, so far as you know, this Page 4
8 contains an accurate listing of when this broadcast.

9 A Yes.

10 Q You do not have any reason to believe that this is
11 not accurate, do you?

12 A Eddie Field -- No. I have no reason to believe
13 that. Eddie Field used to come into the JUX studio and
14 record these. We got a copy of the tape, and another copy
15 was sent down to the Network.

16 Q So, it was actually produced in the WJUX --

17 A It was recorded in the WJUX studio. Yes.

18 JUDGE STEINBERG: All right. That is where I
19 thought you were going, so now I will overrule your
20 objection. If you want to know more details, there was
21 questioning about whether there was any public affairs
22 programming being broadcast or produced at WJUX directed to
23 the Sullivan County area.

24 Although, it was mentioned that one program, the
25 "Open Mike" program, and I think there was a question about

1 when this type of programming was broadcast, and we could
2 not pin down a date. And I tried to use Exhibit 3, Page 17
3 to try to pin down the date. And so, Mr. Riley's subsequent
4 questioning is certainly within the scope of what I asked,
5 and was within the scope of what you asked.

6 MR. ARONOWITZ: Your Honor, with his answer, do I
7 understand it that he has just said that there is nothing,
8 to his knowledge, that would contradict this? He is not
9 verifying this document. Is that correct?

10 JUDGE STEINBERG: He was asked if he has any
11 knowledge that anything in here is incorrect. And he said
12 no. It is accurate as far as he knows. It says what it
13 says.

14 BY MR. RILEY:

15 Q Mr. Blabey let me refer a moment to the FCC
16 inspector's visit to the WVOS/WJUX studio. You were asked
17 this morning whether you answered all the FCC inspectors
18 questions. You were also asked some questions about the
19 WJUX studio and the production room.

20 Did the FCC inspector ask you questions about the
21 WJUX studio?

22 A Yes.

23 Q I do not know what question it might have been,
24 but in response to any of his questions, did you tell him
25 that in order to put that studio on the air, one had to

1 visit the WXTM FM transmitter site?

2 A No.

3 Q Again, I do not know what his question might have
4 been. But was there a question that even delved into --

5 JUDGE STEINBERG: Let me stop you. If I think I
6 heard it right, you said in order to put the station on the
7 air?

8 MR. RILEY: I meant to say --

9 JUDGE STEINBERG: Studio. Why don't you rephrase?
10 Did I hear it wrong? Why don't we start again? If you said
11 the right thing the first time, I apologize.

12 BY MR. RILEY:

13 Q Again, Mr. Blabey, I do not know what his question
14 to you might have been, but did you provide him with an
15 answer, that in order to put that studio room on the air,
16 one had to visit the WXTM FM transmitter site?

17 A No. I said you --

18 Q Let me --

19 A The answer is no, I did not tell him that you had
20 to go to the transmitter site, the VOS/XTM transmitter site
21 on East Mongaup Road to physically put that studio on the
22 air.

23 Q Do you recall a question from him about whether
24 anything had to be done to put that studio room on the air
25 outside of the studio room? And if you do, do you recall

1 what answer you gave to him?

2 A Yes. He asked me -- My recollection is that he
3 asked me and probably pretty close to, you know, his initial
4 look over the equipment, how do -- Can you go on the air
5 from here, and how do you put it on the air from here? And
6 I told that you had to go to the VOS transmitter room, which
7 is about ten feet down the hall. Fifteen at the most, where
8 a switch was installed to put that studio on to the line
9 which goes from the Ferndale studio to the WJUX transmitter.

10 Q Thank you.

11 A And that system has been in effect since the very
12 beginning, and is in effect -- was in effect up until the
13 time that Wes built the new studio in the lower floor where
14 we don't have the switch any more.

15 JUDGE STEINBERG: Let me ask you. Do you remember
16 his name, by the way?

17 THE WITNESS: Serge -- I remember Serge, because
18 it's a Russian name. It seemed appropriate. No. I can't
19 remember his last name.

20 JUDGE STEINBERG: Do you remember telling him that
21 in order to use the WXTM main studio for programming, would
22 require going to the transmitter site and effectuating a
23 change in cabling at the patch panel to connect the
24 transmitter to the studio?

25 THE WITNESS: No. I never told him that. And

1 it's never been the case, and that's erroneous.

2 JUDGE STEINBERG: What is a patch panel?

3 THE WITNESS: Patch racks are where you take an
4 audio cord, and you'll have a panel with a group of holes --
5 Remember the old telephone jacks with --

6 JUDGE STEINBERG: You mean switchboard operators.

7 THE WITNESS: Yeah, switchboard operators. Well,
8 that's the equivalent of a patch panel. You can take one
9 circuit, jack it into a hole, and transfer that circuit to
10 another circuit.

11 JUDGE STEINBERG: Is the AM transmitter side in
12 your building in Ferndale?

13 THE WITNESS: That is correct.

14 JUDGE STEINBERG: The FM transmitter site is --

15 THE WITNESS: 2.3 miles away.

16 JUDGE STEINBERG: Is there a patch panel at the FM
17 transmitter site?

18 THE WITNESS: No.

19 JUDGE STEINBERG: Is there a patch panel at the AM
20 transmitter?

21 THE WITNESS: Yes.

22 BY MR. RILEY:

23 Q Mr. Blabey, one other question you talked about
24 this morning, was shared equipment. You were asked whether
25 you ever borrowed equipment from the WJUX production room.

1 And this led to a discussion of shared equipment.

2 Was the WJUX studio room --

3 JUDGE STEINBERG: Let's go off the record.

4 (Discussion held off the record.)

5 JUDGE STEINBERG: Back on the record. I am sorry,
6 Mr. Riley.

7 MR. RILEY: Quite all right.

8 BY MR. RILEY:

9 Q With reference to equipment used to create
10 programming for broadcast, was the WJUX production room,
11 regularly equipped with the equipment necessary to generate
12 programming?

13 A Yes.

14 Q And that equipment was the equipment assigned to
15 that room for WJUX?

16 A That is correct.

17 Q So, if you had not occasion to borrow a microphone
18 or tape recorder for use by your station, that microphone or
19 tape recorder would have been in that studio?

20 A Absolutely.

21 Q And had WXTM been originating programming at any
22 given moment, would you have walked in there and interrupted
23 it?

24 A Of course not.

25 Q You were asked by Mr. Helmick a series of

1 questions having to do with radio station formats and
2 categories of radio stations. And one of the categories was
3 full service radio stations within that line of questioning.
4 I recall Mr. Helmick asking whether WJUX would be
5 categorized as a full service station. And you gave an
6 answer to that question.

7 My question to you is, within the radio broadcast
8 industry, what is full service? How is that term used in
9 the radio industry?

10 A Arbitron, which classifies all of the -- the
11 rating agency, Arbitron, which classified all of the radio
12 stations, has on their quarterly information request from
13 two radio stations, a number of categories which describe
14 common formats in the industry. AOR, Album Oriented Rock.
15 AC, which is Adult Contemporary, or Country or Full Service.
16 That is one of the categories.

17 And they -- The stations self-describe their
18 formats to Arbitron and to the advertising industry in one
19 of these pretty standard categories. You'll also notice if
20 you look in the Broadcasting Yearbook they will have
21 classified the stations as to format. If it's a CHR,
22 Contemporary Hit Radio or AOR. One of these formats -- One
23 format is called Full Service. It is, as I say, getting to
24 be a dinosaur format, because, with the exception of a few
25 old line heritage stations like KMOX in St. Louis, or these

1 sort of things, the industry has become very targeted
2 towards specific formats. And Full Service is -- a word
3 that is, to a certain degree, archaic.

4 I categorize, because I fill out the Arbitron
5 information request for WJUX. Their format is characterized
6 as Nostalgia. Big band or Nostalgia refer to the kind of
7 music that they play. And as I said this morning, nobody
8 would characterize that as full service, anymore than they
9 would characterize it as adult oriented rock or album
10 oriented rock or adult contemporary. It is a specific
11 format category. Their category is Nostalgia.

12 Q When you told Mr. Helmick that no one would
13 categorize WJUX as a full service station, were you
14 intending to derogate and --

15 A No. It's a format category. It doesn't denigrate
16 a station that a station is a contemporary hit radio. A lot
17 of very successful stations are CHR. They're not full
18 service.

19 MR. RILEY: One more time through my notes, Your
20 Honor.

21 JUDGE STEINBERG: Do you want to go off the
22 record?

23 MR. RILEY: If I could.

24 JUDGE STEINBERG: Let's go off the record.

25 (Whereupon, a short recess was taken.)

1 JUDGE STEINBERG: Mr. Riley?

2 BY MR. RILEY:

3 Q You were asked by Mr. Helmick a question that, as
4 I recall the phrasing, came out like this. Did you
5 understand that WJUX was going to be used to principally
6 target Bergen County, New Jersey? This at the time you were
7 first meeting with Mr. Weis. Your answer was, not
8 originally.

9 What did you take Mr. Helmick to mean when he said
10 principally target Bergen County, New Jersey?

11 A I suspect that their primary source of advertising
12 revenue would be -- or I suspected that their primary source
13 of advertising revenue would be Bergen County, New Jersey,
14 which is a lot more fertile field than Sullivan County.

15 MR. RILEY: Fine. I have no other questions for
16 Mr. Blabey, Your Honor.

17 JUDGE STEINBERG: Mr. Naftalin?

18 MR. NAFTALIN: Very briefly, Mr. Blabey.

19 BY MR. NAFTALIN:

20 Q Sir, do you recall one way or the other, at any
21 time when lightning may have struck the WJUX antenna and
22 caused damage to it?

23 MR. ARONOWITZ: Objection, Your Honor.

24 JUDGE STEINBERG: On what basis?

25 MR. ARONOWITZ: This is outside the scope of

1 direct.

2 JUDGE STEINBERG: Overruled. It is not. There
3 were many, many questions concerning what would happen in an
4 emergency if WJUX's service was interrupted. And I think
5 this would be in the scope of that questioning.

6 MR. ARONOWITZ: Your Honor, we talked about
7 emergency --

8 JUDGE STEINBERG: Go on.

9 MR. ARONOWITZ: We talked about emergency
10 broadcast in general. I do not think that we spoke to
11 lightning strikes in that category.

12 JUDGE STEINBERG: Well, it is an occasion on which
13 the transmission was disrupted. We know this from other
14 testimony. The fact that you did not say, specifically,
15 lightning strike, does not mean that they cannot ask about
16 it, if it falls within the scope of the categories of your
17 questioning. So, it is overruled.

18 MR. NAFTALIN: Thank you.

19 THE WITNESS: Yes.

20 BY MR. NAFTALIN:

21 Q And you do recall, at any time, as a consequence
22 of a lightning strike to the WJUX antenna which caused it
23 damage, that the WJUX transmitter may have been forced to
24 operate at reduced power?

25 A Yes.

1 Q Mr. Blabey, can you tell me whether such an
2 occasion was going on at the time the inspection took place?

3 MR. ARONOWITZ: Objection, Your Honor. Again, we
4 were not talking about specific incidents in this category
5 in the course of direct examination.

6 JUDGE STEINBERG: That does not mean he cannot ask
7 about specific incidents on cross. The only thing I would
8 have an objection to the question is that, I think you ought
9 to try to elicit from Mr. Blabey, through his whatever
10 recollection, as to when this occurred. And then, get at it
11 as to his recollection when, before you suggest something to
12 him.

13 MR. NAFTALIN: Okay.

14 BY MR. NAFTALIN:

15 Q Mr. Blabey, can you place in time when such an
16 occasion may have occurred?

17 A Over the years, we've had a number of lightning
18 hits.

19 Q We, meaning WJUX?

20 A We, being the VOS antenna site, upon which the JUX
21 antenna is mounted, along with my own and other antennas.

22 Q Okay.

23 A That happens when you stick a big pole up in the
24 sky. As to the exact date of any lightning hit, I can't --
25 I couldn't tell you now. I could consult transmitter logs

1 and that sort of thing. But I can't, off the top of my
2 head, tell you when and what dates we were hit by lightning
3 three years ago or two years ago.

4 Q All right.

5 A I don't think -- well.

6 Q Okay. If you cannot remember, that is fine.

7 MR. NAFTALIN: That is all I have, Your Honor.

8 JUDGE STEINBERG: Redirect?

9 MR. ARONOWITZ: Yes, Your Honor. I have hopefully
10 a couple of few quick questions.

11 REDIRECT EXAMINATION

12 BY MR. ARONOWITZ:

13 Q Mr. Blabey, just a few moments ago, you testified
14 with respect to the show "People Who Make A Difference"?

15 A Yes.

16 Q And I believe Mr. Riley asked you whether that
17 show was produced in Sullivan County?

18 A Yes.

19 Q And you said yes?

20 A Yes.

21 Q Do you know where in Sullivan County that show is
22 produced?

23 A Yeah.

24 Q Where was it produced?

25 A Old Route 17, Ferndale, New York.

1 Q And that would be?

2 A The studio.

3 Q Of?

4 A VOS/WJUX.

5 Q When he was there, was he --

6 A He was doing it --

7 JUDGE STEINBERG: Who is he?

8 MR. ARONOWITZ: I think there was some mention
9 about producer. And I mean he, the producer.

10 JUDGE STEINBERG: Okay.

11 THE WITNESS: He was Ed Field.

12 MR. ARONOWITZ: Ed Field.

13 THE WITNESS: Ed Field recorded the shows in bulk,
14 as I've said before, four or five at a time. Maybe more
15 than that at a time. And he did it in the WJUX studio. We
16 broadcast it later by tape --

17 JUDGE STEINBERG: We, being?

18 THE WITNESS: We, being WVOS, broadcast it later
19 by tape from the WVOS studio, and the Network originated it
20 in Dumont, and it was broadcast on WJUX.

21 BY MR. ARONOWITZ:

22 Q When you are referring to the WJUX main studio,
23 prior to its being the WJUX main studio, what was that
24 studio used for?

25 A It was a spare production studio for WVOS.

1 Q So, it was a production studio at WVOS. So, when
2 his program was being recorded, would you say the studio was
3 being used more as a production facility, or was it
4 originating over the air, or actually being broadcast from
5 that studio?

6 A As I said, he recorded --

7 MS. SCHMELTZER: Objection. I want to make sure
8 that the witness understands --

9 JUDGE STEINBERG: Is Mr. Blabey confused by the
10 question?

11 THE WITNESS: I guess so.

12 JUDGE STEINBERG: Let me see if I can get at what
13 you are getting.

14 When these programs were produced, was the studio
15 being leased by WJUX, or was it still a WVOS studio?

16 Is that what your question is?

17 MR. ARONOWITZ: Well, that is one of my questions.

18 JUDGE STEINBERG: Of course, I would not ask
19 anything but good questions.

20 Why don't you answer that one first? Before you
21 answer, let me put in front of you, Monticello Mountaintop
22 Exhibit 3, Page 7, so you can refer to the dates.

23 THE WITNESS: From the very beginning, I agreed
24 with Wes that we would lease non-exclusive use of that
25 production studio to WXTM, later WJUX. By non-exclusive

1 use, I mean the studio is there 24 hours a day. We use it.
2 Sometimes it's not in use by anybody. On these occasions,
3 it was in use by JUX. When George Spicka plays his tapes,
4 it's used. When he does his EBS tests, it's used.

5 There's plenty of time for that studio to serve
6 multiple purposes. When Ed Field recorded this program, as
7 I said, it was recorded to prior broadcast in bulk, a number
8 of episodes at a time. He would come in. He would record
9 the program in the WJUX studio, the one that I identified to
10 the FCC inspector as the WJUX main studio. That's what he
11 used. That's where the tapes were made.

12 BY MR. ARONOWITZ:

13 Q Would it be fair to describe the WJUX main studio
14 at times as a WVOS production studio?

15 A Yes.

16 Q When this program, "People Who Make A Difference"
17 was produced, did WVOS pay Mr. Field for the production of
18 that program?

19 A No.

20 Q Was the program aired first on WVOS?

21 A No. I can't say that individual -- I said we ran
22 a tape. I can't say that individual episodes were aired
23 first on WJUX or first on WVOS.

24 Q To your knowledge, did WJUX pay for the production
25 of this program?

1 A No.

2 Q Is it fair to say that "People Who Make A
3 Difference" was recognized as a WVOX program, however you
4 determine that?

5 A I would suspect that for our listeners, who heard
6 it on VOS, they thought it was a VOS program. If you heard
7 it on JUX, and you didn't listen to VOS, you thought it was
8 a JUX program.

9 Q Okay.

10 A The program was not identified in the program as
11 anything more than, "Hi. This is Ed Field with people who
12 make a difference."

13 Q When you really say that it was produced in the
14 WJUX main studio, you are just using that as a general
15 identifier of the room. Correct?

16 A Yes.

17 Q And an equal identifier of the room would be a
18 WVOX production studio. Is that correct?

19 A Yes.

20 Q Mr. Riley also asked you with respect to a Stan
21 Silverstein. I am not sure --

22 A Silverstein.

23 Q I think that was in relation to MMBI Exhibit 9.

24 MR. RILEY: That is correct.

25

1 BY MR. ARONOWITZ:

2 Q I believe you referenced a Stan Feinman?

3 A No. That's a separate Stan.

4 Q Okay.

5 A That's a separate Stan. And his name is
6 Feinblatt.

7 Q Okay.

8 A It's a separate Stan. No connection between the
9 two.

10 Q Okay. Did Mr. Silverstein work in connection with
11 both WVOS and WJUX?

12 A Not simultaneously to my knowledge. Stan -- I
13 don't think Stan ever --

14 JUDGE STEINBERG: Which Stan?

15 THE WITNESS: Silverstein. I can't say whether he
16 actually made presentations for WJUX or not. I think he
17 did, but very, very quickly after he originally agreed to
18 work as a freelancer. He backed out. Found it was
19 difficult to sell the station and became a real estate
20 broker.

21 BY MR. ARONOWITZ:

22 Q Just to conclude this, did he sell any ads for
23 WJUX?

24 A No.

25 Q I would like to now talk about, very briefly, what

1 Mr. Riley or His Honor asked about.

2 When you were with the inspector, did you tell the
3 inspector how programming could originate on WJUX from Old
4 Route 17 studio to the transmitter?

5 A Yes.

6 Q How did you tell him?

7 A There is a switch patch in the VOS transmitter
8 room. And I was talking about the WVOS AM transmitter room,
9 which is down the hall, where you can take the studio feed,
10 patch it out to the transmitter.

11 Q Did you explain it to the inspector as you
12 explained it to us in fashion, that it was the WVOS
13 transmitter room down the hall or at the VOS transmitter?

14 A I cannot recall the exact words, obviously, at
15 this time, but my recollection is that I said, "No, you have
16 to switch over a switch at the transmitter room."

17 Q Okay. Are you saying that it was the transmitter
18 room?

19 A Whether I said it was the AM transmitter room --

20 Q Understood.

21 A The fact of the matter is if you're in the
22 building, and you're running a line from that building to
23 the transmitter, you're talking about making the patch at
24 the site of the studio, not at the transmitter. It would be
25 silly to make it at the transmitter.