

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 98M-54

80815

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|-----------------------------------|---|----------------------|
| In Matter of |) | WT DOCKET NO. 94-147 |
| |) | |
| JAMES A. KAY, JR. |) | |
| |) | |
| Licensee of one hundred fifty two |) | |
| Part 90 licenses in the |) | |
| Los Angeles, California area. |) | |

DISCOVER
 MAY 1 3 20 PM '98
 FCC MAIL SECTION

ORDER

Issued: April 29, 1998 ; Released: May 1, 1998

On April 14, 1998, Further Written Interrogatories were served by James A. Kay, Jr. ("Kay") on the Wireless Telecommunications Bureau ("Bureau"). On April 28, 1998, the Bureau filed universal Objections to all of Kay's interrogatory questions in addition to asserting specific objections to selected questions.

Discovery closes on May 18, 1998. Order FCC 98M-40, released April 2, 1998.¹

The parties have served faxed courtesy copies of their pleadings. Therefore, actual notice was received on the respective dates of filings noted above. It is in the interest of advancing this case to set specific dates for a pleading cycle in the event that Kay elects to file a motion to compel answers.

The following schedule is set:

- May 6, 1998** - Motion To Compel Answers; and
- May 13, 1998** - Opposition To Motion To Compel Answers.

¹ Based on recent Status Reports filed on April 28, 1998, there will be favorable consideration given to clean-up discovery after May 18th such as the completion of the Jensen deposition, the taking of the deposition of Jim Hanno (Kay's expert), and the completion of the delivery by Kay of miscellaneous documents that are the subject of previously initiated discovery. See correspondence of counsel dated April 22, 1998.

Service of courtesy copies of pleadings on the parties shall continue to be effected by fax on the date of filing in addition to the required first-class mailing.

SO ORDERED.²

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Richard L. Sippel". The signature is written in a cursive style with a large initial "R".

Richard L. Sippel
Administrative Law Judge

² Courtesy copies of this Order were sent to counsel by fax or e-mail on the date of issuance.