

WYENN & ASSOCIATES  
815 South Central Avenue  
Suite 20  
Glendale, CA 91204  
State License Number PI-10818

December 21, 1995

Southland Communications  
15525 Cabrito Road  
Van Nuys, California 91406

Attn: James Kay, Jr.

Re: Matter of Century Communication Services/Pro Roofing  
Company.

CONFIDENTIAL INVESTIGATION REPORT

This is a confidential communication. This report and all information contained herein has been completed at the direction of and under the supervision of legal counsel. It is considered as being of a confidential and privileged nature and subject to the attorney/client and work product privileges.

On December 15, 1995, this investigator met with your technician, Marc Sobel, at the Pro Roofing Company located at 38029 West Pico Boulevard, Los Angeles, California 90006, telephone number (213) 733-2411, in order to complete our investigation into the unauthorized use of your firm's repeater located on Mount Lukens by the Pro Roofing Company.

Information provided by your firm prior to contacting Pro Roofing Company was the following:

1. Technician Marc Sobel discovered an unauthorized user operating on your firm's Mount Lukens repeater without your firm's knowledge and authorization.
2. It was indicated that Sobel contacted the unauthorized user (Pro Roofing Company) wherein they provided their name, address, and telephone number for later contact.
3. It was indicated that the individual spoken to by Marc Sobel at the time was a woman by the name of Young.
4. It was indicated that Young had stated to Sobel that the radio company that programmed and installed the radios was Century Communication's, Harold Pick, located at 5310 Century Boulevard, Los Angeles, California.

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5. Technician Sobel indicated technically he had dialed up the control station on 852.6875 for Mount Lukens which can monitor traffic. This station can read out which PL or DPL tone code was being used as the customer speaks.

6. Technician Sobel indicated he listened as the business speaking Asian female was busy stepping on other users.

7. Technician Sobel indicated he looked up the tone code, 203.5 to see who it was.

8. Technician Sobel indicated the code was on as a test and was not assigned.

9. Technician Sobel indicated that after speaking with Young, she indicated the radios were changed by an individual named Hector approximately one month ago and the company had approximately seven or eight radios changed.

Based upon the above described information, the direction of the investigation was to then retrieve further information as it related to under what circumstances the Pro Roofing Company had been provided radios and why those radios had been programmed to utilize an unauthorized service belonging to your company.

After arriving at Pro Roofing Company both this investigator and Marc Sobel entered the building and were first greeted by a woman who identified herself as Young Yin who indicated she was the office manager. A short time later, a gentleman who identified himself as Marvin Han, the general manager of the company, also came into the location. The entire matter was reviewed with both parties.

Both Ms. Yin and Mr. Han indicated the following:

1. Approximately one month ago they had spoken with a gentleman who identified himself as Harold Pick of Century Communications.

2. Mr. Pick had sold them on the service of changing their mobile unit with base and all hand-helds for their trucks to a new system.

3. Mr. Han indicated they were referred to Century Communications from Ace Tech Auto Body and that Ace Tech Auto Body had used the Century Communications company for their service, identifying an individual by the name of Hector.

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Ms. Yin then provided a copy of the Century Communications Invoice Number 09756 indicating the reprogramming of 4 handheld radios and one mobile unit. Additionally, Ms. Yin provided a business card from Century Communications Services identifying Harold Pick as the name on the card. Also, Ms. Yin provided a copy of a past Nextel invoice, which indicated the serial numbers for the units they had at the location.

Mr. Han then indicated the following:

1. The company started on the new service approximately one month ago using the system in it's current configuration.
2. He (Mr. Han) had never signed any documents having to do with any licensing agreements, but was told he would be billed for one month's service.
3. He (Mr. Han) had not received a bill/invoice to date for the service.
4. He (Mr. Han) had requested three more radios ready to use from Mr. Pick which he has not received to date.

Mr. Han was then provided a contract by Mr. Sobel for service from your company (Lucky Two-Way) which he read over and executed understanding the service he has been using was not legally his to use. Mr. Han indicated he wanted to clear the matter up immediately as he was not aware of what has occurred to the radios and wanted to make sure the company would not lose its ability to communicate with its employees out in the field.

During the time of the investigative interview, your technician, Marc Sobel ran a test on the Pro Roofing Company base station unit in order to determine/verify the system that was operating was using the Mount Lukens repeater belonging to your firm. Mr. Sobel indicated he verified the unauthorized use.

Subsequent to that occasion, Mr. Sobel returned to Pro Roofing Company on September 19, 1995 wherein he utilized a computerized piece of equipment to test the unchanged system in place which then provided a print-out which is included with this report.

**PRELIMINARY INVOICE INDICATING DAMAGES (COSTS/LOST REVENUE)**

- |  |           |
|--|-----------|
| 1. \$18/month per radio x 5 radios (1 month)         | \$ 90.00  |
| 2. \$37.50 per radio set up fee x 5 radios (1 month) | \$ 187.50 |
| 3. \$75.00 start up fee                              | \$ 75.00  |

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4. Base antenna kit charge	\$ 175.00
5. Base antenna set up labor charge	\$ 150.00
6. Charge for technician to identify service problem: 1 hr @ \$100/hr	\$ 100.00
7. Charge for technician to check system and set Pro Roofing Company up to operate properly: 3 hrs @ \$100/hr	\$ 300.00
Preliminary Total	\$1077.50

Per your firm's request, this office is pursuing contact with the local law enforcement agency in order to file a crime report relating to theft of service on your behalf. At this time, the file is being prepared to be turned over to the Los Angeles Police Department Wilshire Division as it appears the location of where the "crime" was committed was at the Pro Roofing Company location, and therefore jurisdiction would be by the Wilshire Division of the Los Angeles Police Department. Contact has been completed with Detective Escontreras who indicated he would be willing to assist in the processing of the crime report.

Following the completion of the crime report procedure, no further investigative activities will be initiated without further direction from your office.

End of Report

WYENN & ASSOCIATES



**CENTURY COMMUNICATION SERVICES**

Shop: 5310 W. Century Blvd.  
 Los Angeles, CA 90045  
 Shop (310) 678-8888 Office (310) 454-9561  
 Fax (310) 499-2688

NAME <b>Pro Roofing</b>			09756
ADDRESS <b>3029 W Pico Blvd</b>		HOME PHONE	
CITY, STATE & ZIP <b>L.A. Ca 90006</b>		BUSINESS PHONE <b>(213) 733-2411</b>	DATE PROMISED
MAKE	MODEL	SERIAL NO.	DATE ORIGINAL INSTALLATION <b>11/17/95</b>
MAKE	MODEL	SERIAL NO.	<input type="checkbox"/> ESTIMATE <input type="checkbox"/> PICK UP
MAKE	MODEL	SERIAL NO.	<input type="checkbox"/> WARRANTY <input type="checkbox"/> DELIVER
			<input type="checkbox"/> CONTRACT <b>YES</b>

**REPAIRS DESCRIBED:**  
 Reprogram 4 handheld MTX 8000  
 1 MOTOROLA MATRAC MOBILE TO SADDLE  
 PEAK REPEATER. 800MHz.

**TECHNICAL SERVICE PERFORMED:**  
 Provide Service Call to Cust Location  
 INSTALL BASE ANT. CABLE.

**PAID CK # 10555**

**MATERIAL AND LABOR RECORD**

QTY.	PART # / DESCRIPTION	PRICE	AMOUNT	TIME	DATE				
35	RG 213 U CABLE			1.40					
	WITH CONNECTOR	1.90	66.50	4.00	11/17/95				
	MISC MOUNTING HARDWARE TO			1.0	TOTAL HRS. @ 80				
1	3dB GAIN CUSHCRAFT			LABOR	85				
	ANT		95.00	TOTAL MATL	166.50				
CASH	CHECK	ON ACCT.	CREDIT	MOD	VEND	AMER	BANK NO.	TRAVEL	85.00
LAND #									175.00
AUTHORIZED SIGNATURE		PAID TO #515 FROM		SETUP FEE	250.00				
X USY				TOTAL	775.00				

Signature above constitutes acceptance of above work as being satisfactory - and that equipment has been left in good condition.

Thank You

COPY

SEE WARRANTY ON OTHER SIDE

OFFICE: (310) 870-0008  
FAX: (310) 489-2855



**CENTURY  
COMMUNICATIONS SERVICES**

**2-WAY RADIOS  
SERVICE • SALES • RENTALS**

6310 W. CENTURY BLVD., #102  
LOS ANGELES, CA 90045

HAROLD PICK

Marvin Han  
General Manager

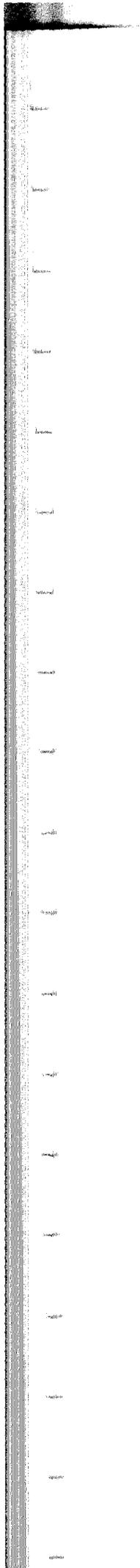
STATE LIC. NO  
C-39 674063



**PRO ROOFING CO.**

3029 W. Pico Blvd., Los Angeles, CA 90008  
Tel.: (213) 730-2411, (800) 540-9822  
Fax.: (213) 730-4858

28-3





950749043

THEFT OF SERVICES

WIT-1 (WYNN) STATED THAT HE IS A HIGHLY  
SUSPICIOUS WYNN WAS HIRING WIT-1 TO  
INVESTIGATE VICT'S THEFT OF SERVICES.

WIT-1 (WYNN) STATED THAT VICT OWNS FREQUENCY  
802.6875 MHz FOR A TWO-WAY RADIO AND  
THAT SOMEONE WAS USING THE FREQUENCY UNAUTHORIZED.

WIT-1 FURTHER STATED THAT VICT TRACKED THE FREQUENCY  
SIGNAL TO W/2. PRO ROOFING.

VICT & WIT-1 SPOKE TO PRO ROOFING AND WERE ADVISED  
BY PRO ROOFING THAT PRO-ROOFING RENTED THE  
FREQUENCY AIR TIME FROM SUSP (CENTURY COMMUNICATIONS)  
WIT-2 FURTHER STATED THAT SUSP IS A COMMUNICATIONS  
COMPANY WHICH RENTS OUT AIRTIME FOR TWO WAY  
RADIOS.

VICT HAS NOT ALLOWED ANYONE TO USE THEIR FREQUENCY  
WITHOUT PERMISSION

VICT HAS NOT CONTACTED SUSP REGARDING THIS MATTER.

DET. ESCOBAR #24189 (WILSON) WAS ADVISED OF THIS  
MATTER & WOULD INVESTIGATE.

**FOLLOW-UP INVESTIGATION**

DATE THIS REPORT MADE AVAILABLE BY: 1-11-96  
 DATE THIS TYPE CASE BY: 10-29-95  
 TYPE OF SERVICES: TIEUP OF SERVICES  
 CASE NO: 754  
 FILE NO: 950149045

VICTIM NAME: SOUTHLAND COMMUNICATIONS  
 VICTIM ADDRESS: 1888 LAU

CASE STATUS: 1 CLEARED BY AGENT 2 CLEARED OTHER 3 REPORT UNFOUNDED 4 INVESTIGATION CONTINUED

PROPERTY VALUE: [Blank]  
 DATE OCCURRED: [Blank]

PROPERTY VALUE	ADDITIONAL LOSS	PARTIAL RECOVERY	TOTAL RECOVERY	BELEVE FROM THIS RPT	DOES THIS CASE INVOLVE A VIOLATION OF FEDERAL LAWS	IF YES, WHICH ONE(S)

SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & STREET, IF APPLICABLE)	ACTION TAKEN	LA OR BUREAU NO
1	M	W						PICK (HARD)		
2										
3										

NARRATIVE (USE BELOW COLUMN FOR MULTIPLE REPORTS ONLY)

REPORT UNFOUNDED

SUMMARY  
 SUSP SOLD COMMUNICATION FREQUENCY TO CUSTOMERS WITHOUT ADVISING THE VICT

656 JAN 3 11995

IID INVESTIGATION

IID CONTACTED THE SUSP CENTURY COMMUNICATIONS COMPANY AND SPoke WITH THE OWNER PICK, HAROLD WHO ADVISED THE IID HE IS AWARE OF THE PROBLEM. FOR THE LAST TWO YEARS THE VICT AND HIS HIRED AGENTS HAVE BEEN HARASSING HIM CAUSING THE OWNER TO OBTAIN A RESTRAINING ORDER AND GETTING ASSISTANCE FROM THE FCC

THE OWNER SAID HE SOLD SOME ELECTRONIC EQUIPMENT TO THE VICT AND BOTH OF THEM SAID HE REPEATER, HOWEVER THE VICT CONSTANTLY ACCUSES THE OWNER OF INTERFERING WITH THE VICTS FREQUENCY.

THE IID CONTACTED THE FCC (717) 337-1311 EXT 130 AND SPOKE WITH SHARON BOWERS SHE SAID THE FCC IS AWARE OF THE PROBLEM AND THEY ARE INVESTIGATING.

SEE REVERSE SIDE

HAS PROPERTY SEIZED IN CONNECTION WITH THIS REPORT OR INCIDENT?  YES  NO

IF YES, HAS IT BEEN COMPLETED?  NO  YES

REPORTING OFFICER: [Signature] SERIAL NO: 26323 DIVISION: [Blank]

DATE & TIME REPRODUCED: [Blank] DIVISION: [Blank] CLERK: [Blank]

THE I/O COULD FIND NO EVIDENCE IF PHONE TALK  
CASE IS GOING TO BE UNFOUNDED.

Los Angeles Police Department PRELIMINARY INVESTIGATION OF

COMBINE EVID. REPORT MULTIPLE DRG ON THIS REPORT

PRELIMINARY CASE SCREENING, PREMISES (BUSINESS), ENTRY (METHOD), VICTIM'S VEH., REPORTING EMPLOYEE(S) form with handwritten details.

INSTRUCCIONES EN ESPANOL AL REVERSO KEEP THIS REPORT FOR REFERENCE

(210) 485-4022

Your case will be assigned to a detective for follow-up investigation based upon specific facts obtained during the initial investigation.

TO REPORT ADDITIONAL INFORMATION: If you have specific facts to provide which might assist in the investigation of your case, please contact the detective Monday through Friday...

COPY OF REPORT: If the checkbox under your signature is checked, this copy is the complete report. If it is not checked and you wish to purchase a copy of the complete report, phone 485-4193...

DR NUMBER: If you are interested in this form, the DR number may be obtained by writing to Records and Identification Division...

CREDIT CARDS/CHECKS: Immediately notify concerned credit corporation or banks to avoid possibility of being liable for someone else using your stolen or lost credit card or check.

HOW YOU CAN HELP THE INVESTIGATION OF YOUR CASE

- Keep this memo for reference. If stolen items have serial numbers not available at time of report attempt to locate them and phone them to the detective at the listed number.

VICTIM-WITNESS ASSISTANCE PROGRAM: The Los Angeles City and County Victim-Witness Assistance Program (VWAP) can help to determine if you qualify for Victim of Violent Crime compensation.

To find the program location nearest to you, call the Victim-Witness Assistance Program at the Los Angeles City Attorney's Office (213) 485-6876...

VICTIMS OF VIOLENT CRIME COMPENSATION: Refer to paragraph at bottom of reverse side.



WYENN & ASSOCIATES  
815 South Central Avenue  
Suite 20  
Glendale, CA 91204  
State License Number PI-10818

January 29, 1996

Southland Communications  
15525 Cabrito Road  
Van Nuys, California 91406

Re: Matter of Century Communication Services/Pro Roofing

**CONFIDENTIAL INVESTIGATION REPORT**

This is a confidential communication. This report and all information contained herein has been completed at the direction of and under the supervision of legal counsel. It is considered as being of a confidential and privileged nature and subject to the attorney/client and work product privileges.

On January 29, 1996, this investigator spoke with Detective Martinez (213-485-4033) of the L.A.P.D. Wilshire Division in regards to the crime report filed with that agency with reference to the above entitled matter.

Det. Martinez indicated the matter was rejected by the City Attorney's Office. Det. Martinez explained he had spoken with Ms. Sharon Bowers of the F.C.C. @ 717-337-1311 x130. Det. Martinez indicated she provided him with certain confidential information as well as the fact that James Kay was under investigation by that agency.

Det. Martinez indicated he then took all the information and reviewed it with the City Attorney's Office who later decided to reject the case. Det. Martinez indicated Harold Pick was about to file a stalking charge against the investigator for James Kay due to "hang up calls and following him around". Asked why Pick did not file a stalking charge, Det. Martinez indicated Pick is pursuing the matter with the F.C.C. at this time.

Det. Martinez indicated if he had originally reviewed the case he would have rejected it out of hand as a civil matter and not a criminal one based upon the information presented.

It is respectfully suggested that 1) counsel complete a review of the foundation for the rejection of this case and 2) a decision made as to whether or not counsel should communicate directly with the City Attorney's Office for a rereview of the case for possible prosecution.

No further investigative activities will be initiated without further direction from your office.

Joel S. Wyenn - Investigator

WYENN & ASSOCIATES

CITY OF LOS ANGELES  
**Los Angeles Police Department**  
WILSHIRE DETECTIVE DIVISION

DETECTIVE  
G. M. ESCONTRIAS, #24189  
4861 W. Venice  
Los Angeles, CA 90019

(213) 485-4033  
Fax (213) 237-0668

Nothing More Like...



INVESTIGATIONS & SECURITY

5699 Kanan Rd.  
Suite 300  
Agoura Hills, CA 91301

Corporate Offices:

(818) 735-0055 TEL

(818) 735-0056 FAX

CA LIC. # 9385

April 26, 1996

Captain John Mutz, Commanding Officer  
Wilshire Detective Division  
Los Angeles Police Dept.  
4861 W. Venice Blvd.  
Los Angeles, CA 90019

Re : Our File 96-0304  
Police Rpt.# : 95-0749045

Dear Captain Mutz:

A "theft of service" report was completed on 12-29-95 by victim, Southland Communications. There is an ongoing dispute between the victim of this crime and the suspect and in addition to this crime report, several other crime reports have been filed on behalf of Mr. Kay, owner of Southland Communications. The report was then investigated by detective Martinez. We are in possession of a follow-up report where detective Martinez states that the suspect, Harold Pick obtained a restraining order against our client, Mr. Kay.

Enclosed is a copy of the restraining order which indicates that the true victim is in fact Mr. Kay and not Mr. Pick. We have written letters to both Detective Martinez and his supervisor requesting that this case be reopened and be filed as a 484 P.C. or at the very least a city attorney hearing.

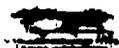
My client is adamant that this case be handled and treated as more than just a business dispute, because the fact is we have declarations from witnesses who have personal knowledge that the suspect Harold Pick, has in fact threatened the life of our client Mr. Kay.

Your immediate response to this request is sincerely appreciated.

Sincerely,

Howard Leader  
President

cc: To Burton C. Jacobson



SERVICE WORLDWIDE

7827181

April 1, 1996

COPY

Mr. Alan Dahle, Deputy City Attorney  
312 S. Hill Street, 2nd Fl.  
Los Angeles, Ca 90013

Re: LAPD REPORT # 95-074904E

Dear Mr. Dahle:

I write this letter in desperation because each time my office communicates (if we can get through) with those who have had the above mentioned report pass through their hands, we seem to be given the "kiss off". Having worked for the police department for more than 22 years myself, I am somewhat familiar with what can and cannot be done as it pertains to crime reports, and all we're asking for our client, Mr. James Kay, is fair representation from your office.

On 12-29-95 a "Theft of Service" report was completed and forwarded to Detective Martinez at Wilshire Division. We were advised that the matter was rejected by deputy C/A Elizabeth Gartz because she believed that this matter would be better investigated by the FCC. The reason, was that the punishment, if the defendant was convicted, would be more severe.

I contacted Mr. Bill Kellett, (attorney for the FCC) who stated that this is not something they would investigate. Hence, we are back to square # 1.

I am enclosing copies of documentation that indicates that the city attorneys office does in fact investigate these type of crimes, and in fact, is successful at getting a conviction. Mr. Kay will supply the police department or your office with all documentation and evidence that will prove that a crime has been committed and that he is the victim of the crime.

This is just one of several reports on file. The continuing dispute between Mr. Kay and Mr. Pick has now gone so far to include death threats, in addition to an offer from Mr. Pick to pay \$5,000.00 to an individual to kill Mr. Kay. A police report was filed with Pacific division (Detective Herron) regarding this most recent crime. The matter will be taken to the District Attorneys office for a possible filing on 4/3/96.

COPY

Mr. Alan Dahle  
April 1, 1996  
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We are again requesting that you review this case. If your decision is to still not file this matter, we ask that you contact my office in hopes that Mr. Kay, his attorney and our office can meet with you to further discuss this situation so that we can do what is necessary to insure that this case is heard before a judge or jury.

On behalf of Mr. Kay, I thank you for your prompt attention to this letter.

Sincerely,

Howard Leader  
President

CC: Deputy City Attorney Elizabeth Gertz  
Detective Ron Marino, Wilshire Division  
Detective Martinez, Wilshire Division  
Burton C. Jacobson, Attorney for James Kay



# Federal Communications Commission

1270 Fairfield Road  
Gettysburg, PA 17325-7245

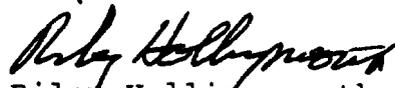
January 10, 1995

Harold Pick  
350 Mesa Road  
Santa Monica, CA 90408

Dear Mr. Pick:

Enclosed is a statement based on our interview with you in October concerning the James Kay matter. Please review it, make and initial any additions or corrections you feel are necessary and sign before a Notary Public. We would appreciate it if you could mail it back to us as soon as possible in the enclosed envelope.

Thanks,



Riley Hollingsworth  
Deputy Associate Bureau Chief  
Office of Operations - Gettysburg  
Wireless Telecommunications Bureau

**ATTACHMENT No. 32**

Statement of Harold Pick to the  
Federal Communications Commission

I, Harold Pick, make the following statement under oath in connection with an official proceeding before the Federal Communications Commission.

My mother, Ann Pick, is since the cartoid operations my father, Gerard Pick, underwent. My father, Gerard Pick, and I are co-owners of a two-way radio sales and service business. I naturally assist my mother as I used to assist my father. We got into the repeater business in 1988 or 1989 with a UHF repeater. I met James Kay at some later time and he was reasonably friendly towards me at first. However, I ran into problems with Mr. Kay sometime in 1988 when we met at a Denny's Restaurant on Sherman Way in Reseda.

At the time I was renting space on Oat Mountain from Kay, who had Buddy Sales at the time, and I was meeting with him to explore how I could expand my business and ask him to help me to get a channel of my own. At this meeting, Mr. Kay warned me never to interfere with his "empire." Mr. Kay told me that I could do anything I wanted on UHF, but to stay away from 470-512 MHz or 800 MHz, because those channels were his. He told me that if I did, he would fight me in anyway he could.

Nevertheless, I decided to file applications at 470-512 MHz, 500 MHz, and one with NABER at 800 MHz. All three came under "major attack" from Kay--a paper avalanche of petitions to dismiss, petitions to deny, and the whole gamut of oppositions. Mr. Kay made lots of unfounded statements in the pleadings and claimed I was unfit, and since the FCC had to consider all of these charges, my applications were delayed. *and even more delayed by Kay's interference* Even though I *but with my father's (and later my mother's) help* didn't have an attorney, I responded to everything that Mr. Kay *and so*

filed and eventually I was licensed in all 3 frequencies I had applied for. I was granted ten units at 470 MHz, call sign WIK 837, but the FCC later set this aside because Kay convinced the FCC that only two units were available. The license was granted in March 1991, but returned to NABER after being set aside.

At that point I was becoming frustrated, so I decided to make peace with Mr. Kay. I contacted Ray Lucas of ProCom in Ventura <sup>County</sup> ~~City~~ and asked him to set up a meeting with Mr. Kay. We all met in 1992 at a Coco's Restaurant at Route 405 & Roscoe across from the Anheiser Busch Brewery in Van Nuys. Mr. Kay was doing business then as Southland Communications, located only a half-mile away.

At the meeting Mr. Kay directed me to "give up" the 470-512 MHz channel, WIK 837. Mr. Kay wanted it. He told me to tell NABER that I didn't want the 470-512 MHz channel, but instead wanted another channel that Mr. Kay showed me at the meeting. Mr. Kay told me that the 470-512 MHz channel was "his" (Kay's) channel. Mr. Kay also told me that I was not to have the 800 MHz channel. Since I was willing to do anything to make peace, I agreed to give up 470 MHz frequencies, but I asked Mr. Kay what I could have. Mr. Kay gave me two channels out of his head that I should go after, but one of the channels was already loaded and Marc Sobel already had the other. I hoped that Mr. Kay would leave me alone as a result of this meeting.

However, before the meeting I had filed an opposition to Kay's petition against me on WNYR 747, and Mr. Kay found out