

FCC MAIL SECTION

JUL 22 1 20 PM '98

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

FCC 98M-98

DISPATCHED BY

81167

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.)	

ORDER

Issued: July 20, 1998 ; Released: July 22, 1998

Admission Session

In view of the volume of the exhibits that were exchanged between the parties, the Admissions Session will be extended an additional two days to include **August 5 and 6, 1998**, if that is necessary to complete the session.

Los Angeles Hearing Phase

The Presiding Judge requests that counsel for James A. Kay, Jr. confirm on-the-record the dates in the Los Angeles phase of the hearing that he will be absent¹ and whether his co-counsel will appear and participate so that the Los Angeles hearing could be conducted without interruption on the dates proposed by counsel for the Los Angeles session. Those dates are **September 15 - 24, 1998**. Order FCC 98-40, released April 2, 1998. Alternatively, the Presiding Judge will consider a 2-day hiatus for the observance by Mr. Kay's counsel of a religious holiday.

¹ Mr. Shainis recently advised in a telephone conference that he will observe Rosh Hashanah which is identified on a Government-issued calendar as occurring on Monday, September 21, 1998. He advised that he will observe the holiday for two days: Monday September 21 and Tuesday September 22, 1998. The Presiding Judge has recently learned that notwithstanding the one-day calendar reference, some persons observe the Rosh Hashanah holiday for two days while others observe it on only one day.

To clarify this matter on-the-record, a Prehearing Conference IS SET for **July 23, 1998, at 9:00 a.m.** The Presiding Judge will also address related matters in Kay's pleading entitled Response To Order dated July 16, 1998.²

The Presiding Judge has relied in good faith on the hearing dates that were submitted by counsel for both parties as being definitive dates. He raised the question of a Rosh Hashanah observance upon the appearance of newly retained counsel who had not participated in selecting the hearing dates. The Presiding Judge will at all times fully respect religious observances of all persons.

SO ORDERED.³

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Richard L. Sippel". The signature is fluid and cursive, with the first name "Richard" being particularly prominent.

Richard L. Sippel
Administrative Law Judge

² In particular, the Presiding Judge will set out the circumstances under which he became partially uninformed at the time of the telephone conference.

³ Courtesy copies of this Order were e-mailed or faxed on date of issuance.