

FCC MAIL SECTION
Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 98M-108

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In Matter of

WT DOCKET NO. 94-147

JAMES A. KAY, JR.

DISPATCHED

Licensee of one hundred fifty two
Part 90 licenses in the
Los Angeles, California area.

ORDER

Issued: August 19, 1998

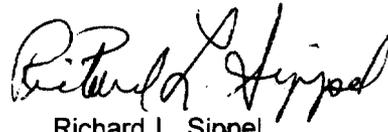
Released: August 20, 1998

IT IS ORDERED that the Appeal of Memorandum Opinion And Order FCC 98M-101, denying Motion To Recuse Presiding Judge, which Appeal was filed on August 4, 1998, IS CERTIFIED to the Commission pursuant to 47 C.F.R. §1.245(b)(4).

IT IS ORDERED that the Further Appeal of Memorandum Opinion And Order FCC 98M-105 and Addendum, denying Supplement To Motion To Recuse Presiding Judge, which Further Appeal was filed on August 18, 1998, IS CERTIFIED to the Commission pursuant to 47 C.F.R. §1.245(b)(4).¹

IT IS FURTHER ORDERED that in accord with 47 C.F.R. §1.245(b)(4), the hearing IS SUSPENDED pending a ruling on the questions by the Commission.²

FEDERAL COMMUNICATIONS COMMISSION



Richard L. Sippel

Administrative Law Judge

¹ The questions certified are contained in (1) Motion To Recuse Presiding Judge, with accompanying Declaration of James A. Kay, Jr. that were filed on July 22, 1998, and Memorandum Opinion And Order, FCC 98M-101, released July 30, 1998, denying recusal; (2) the Supplement To Motion To Recuse filed on July 28, 1998, with accompanying Declaration of Aaron P. Shainis, Esquire, and Memorandum Opinion And Order, FCC 98M-105, released August 11, 1998 and Addendum, denying recusal.

² An Admission Session that was set for August 4-7, 1998, was cancelled as a result of the August 4 appeal. Hearings are set for September 2-11, 1998, in Washington, D.C. and for September 14-25, 1998, in Los Angeles, CA. See Order FCC 98M-40, released April 2, 1998, and the Secretary's Notice Of Place Of Hearing (Mimeo 81245), released August 14, 1998.