

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA	)	Facility ID No. 72672
)	
Permittee of FM Station KNKS, Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICES, INC.	)	Facility ID No. 3365
)	
Permittee of FM Station KAAX, Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL SERVICES, INC.	)	Facility ID No. 9993
)	
Permittee of FM Station KYAF, Firebaugh, California)	
)	
H. L. CHARLES D/B/A FORD CITY BROADCASTING	)	Facility ID No. 22030
)	
Permittee of FM Station KZPE, Ford City, California)	
)	
LINDA WARE D/B/A LINDSAY BROADCASTING	)	Facility ID No. 37725
)	
Licensee of FM Station KZPO, Lindsay, California)	

To: Marlene H. Dortch, Secretary
Attn: Chief Administrative Law Judge Richard L. Sippel

ENFORCEMENT BUREAU'S MOTION TO COMPEL AVENAL EDUCATIONAL SERVICES, INC. TO PROVIDE RESPONSES TO SECOND DOCUMENT REQUESTS

1. On January 12, 2016, the Presiding Judge issued a *Memorandum Opinion and Order* stating his intention of adding several issues to the above-captioned matter and ordered that, beginning January 19, 2016, the Enforcement Bureau (Bureau) was authorized to serve additional discovery requests, including requests for admission, requests for documents, and interrogatories.¹ In compliance with that *Order*, on February 2, 2016, the Bureau served requests for admissions on Avenal Educational Services, Inc. (Avenal). On February 4, 2016, the Bureau served document requests on Avenal (Second Document Requests).² Pursuant to the Commission's rules, Avenal was obligated to provide its answers and/or objections to these discovery requests by February 18, 2016.³ The Bureau did not receive any responses to its requests for admissions or document requests from Avenal (as represented by Mr. Zawila).⁴

2. For the reasons set forth below, the Chief, Enforcement Bureau, through his attorneys, respectfully submits a motion to compel Avenal (as represented by Mr. Zawila) to provide responses to the Bureau's Second Document Requests.

¹ See *Memorandum Opinion and Order*, FCC 16M-01 (ALJ, rel. Jan. 12, 2016), at 5.

² See Enforcement Bureau's Second Set of Requests for Production of Documents to Avenal Educational Services, Inc., served Feb. 4, 2016, attached hereto as Exhibit A.

³ See 47 C.F.R. §§ 1.246(b) and 1.325(a)(2).

⁴ Avenal (as represented by Mr. Couzens) filed a motion for protection from answering any of the Bureau's discovery requests including the Bureau's requests for admissions and document requests. See Motion for Protective Order (47 C.F.R. Sec. 1.313), filed Feb. 8, 2016. Thus, Avenal (as represented by Mr. Couzens) is not subject to the instant Motion. The Bureau, however, has opposed this motion. See Enforcement Bureau's Opposition to Motion for Protective Order, filed Feb. 11, 2016. Should the Presiding Judge deny the motion for protection, the Bureau requests that Avenal (as represented by Mr. Couzens) be ordered to provide complete responses to the Bureau's Second Document Requests.

The Bureau's Requests for Admissions

3. Pursuant to Section 1.246 of the Commission's rules, "[e]ach of the matters of which an admission is requested shall be deemed admitted unless, within a period designated in the request, not less than 10 days after service thereof, . . . the party to whom the request is directed serves upon the party requesting an admission either: (1) A sworn statement denying specifically the matters of which an admission is requested . . . , or (2) written objections on the ground that some or all of the requested admissions are privileged or irrelevant or that the request is improper in whole or in part."⁵

4. Although Avenal (as represented by Mr. Zawila) filed a request to join the pending motion for protection filed by Mr. Couzens, this Joinder was not filed until February 20, 2016 – two days *after* Avenal's discovery responses were due.⁶ It is well-settled in federal discovery practice that "[m]otions for a protective order must be made *before or on the date the discovery is due*"⁷ and that failure to do so constitutes grounds for denial.⁸ Here, Avenal (as represented by Mr. Zawila) has failed to offer any good cause for its untimely filing. In fact, Mr. Couzens filed his motion for protection nearly two weeks earlier – on February 8, 2016.⁹ Thus, Mr. Zawila had more than sufficient time to join Mr. Couzens' motion on behalf of Avenal before the February 18, 2016 deadline to respond to the Bureau's requests for admissions. Instead, Mr. Zawila waited until after the deadline – and until after the Presiding Judge instructed him to use the time before the March 22, 2016 status conference to comply with the Bureau's

⁵ 47 C.F.R. § 1.246(b).

⁶ See Joinder in Motion for Protective Order (47 C.F.R. § 1.313), filed Feb. 20, 2016 (Joinder).

⁷ *Ayers v. Continental Casualty Co.*, 240 F.R.D. 216, 221 (N.D. W. Va. 2007) (citing *United States v. IBM Corp.*, 70 F.R.D. 700, 701 (S.D.N.Y. 1976)) (emphasis added).

⁸ See, e.g., *Brittain v. Stroh Brewery Co.*, 136 F.R.D. 408, 413 (M.D.N.C. 1991) ("The failure to timely move for a protective order constitutes grounds for denying the same.") (citations omitted).

⁹ See, *infra*, note 4.

outstanding discovery requests – to file the Joinder.¹⁰ As a result, the Joinder should be denied.

5. Since Avenal (as represented by Mr. Zawila) did not provide any response to the Bureau's requests for admissions – whether it be a denial or an objection – and its Joinder to the motion for protection was untimely and should be denied, the Bureau's requests for admission to Avenal (as represented by Mr. Zawila), by operation of the Commission's rules, are deemed admitted in their entirety.

The Bureau's Second Document Requests

6. As noted above, Avenal (as represented by Mr. Zawila) did not provide any objections or responses to the Bureau's Second Document Requests by the February 18, 2016 deadline set forth in the Commission's rules. Although Avenal (as represented by Mr. Zawila) filed a request to join the pending motion for protection filed by Mr. Couzens, as noted above, this Joinder was untimely and should be denied. As a result, Avenal (as represented by Mr. Zawila) should be obligated to provide a complete response to the Bureau's pending Second Document Requests.

7. Moreover, federal courts have traditionally ruled that a failure to provide timely objections to a party's document requests may also constitute a waiver of those objections.¹¹ Since Avenal's Joinder was untimely and should be denied, its filing should not protect Avenal from the consequences of failing to provide objections to the Bureau's Second Document Requests by the February 18, 2016 deadline. As a result, Avenal (as represented by Mr. Zawila) waived any objections it may have had to these discovery requests.

¹⁰ See *Order*, FCC 16M-03 (ALJ, rel. Feb. 18, 2016), at 2.

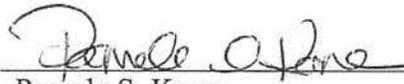
¹¹ See, e.g., *Hall v. Sullivan*, 231 F.R.D. 468, 473-74 (D. Md. 2005) (noting that federal courts have ruled that a failure to raise an objection in an answer to a document request may constitute a waiver); see also *Brenford Environmental Sys., L.P. v. Pipeliners of Puerto Rico, Inc.*, 269 F.R.D. 143, 147 (D. Puerto Rico 2010) (concluding that, in light of the defendant's failure to timely object to plaintiff's document requests, any objections to the requests are waived).

Conclusion

8. For the reasons stated above, the Bureau respectfully requests that the Presiding Judge issue an order compelling Avenal (as represented by Mr. Zawila) to serve comprehensive responses to the Bureau's Second Document Requests.

Respectfully submitted,

Travis LeBlanc
Chief, Enforcement Bureau



Pamela S. Kane
Special Counsel
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C330
Washington, D.C. 20554
(202) 418-1420

Michael Engel
Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C366
Washington, D.C. 20554
(202) 418-7330

February 25, 2016

EXHIBIT A

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA	)	Facility ID No. 72672
)	
Permittee of FM Station KNKS, Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICES, INC.	)	Facility ID No. 3365
)	
Permittee of FM Station KAAK, Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL SERVICES, INC.	)	Facility ID No. 9993
)	
Permittee of FM Station KYAF, Firebaugh, California)	
)	
H. L. CHARLES D/B/A FORD CITY BROADCASTING	)	Facility ID No. 22030
)	
Permittee of FM Station KZPE, Ford City, California)	
)	
LINDA WARE D/B/A LINDSAY BROADCASTING	)	Facility ID No. 37725
)	
Licensee of FM Station KZPO, Lindsay, California)	

To: Avenal Educational Services, Inc.

**ENFORCEMENT BUREAU'S SECOND SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS TO AVENAL EDUCATIONAL SERVICES, INC.**

Pursuant to Section 1.325 of the Commission's rules, 47 C.F.R. § 1.325, the Enforcement Bureau (Bureau) hereby requests that Avenal Educational Services, Inc. (Avenal), produce the documents, as defined and specified herein, and deliver the documents to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12th Street, S.W., Washington, D.C. 20554 (or at some other location that is mutually acceptable to the Bureau and Avenal) within ten (10) days of the date of this Request.

DEFINITIONS

For the purposes of this document, the following definition shall apply:

a. "Avenal" "you" and "your" shall mean Avenal Educational Services, Inc., any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing

b. "William L. Zawila" or "Mr. Zawila" shall mean William L. Zawila.

c. "Central Valley" shall mean Central Valley Educational Services, Inc., any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

d. "FCB" shall refer to The Estate of H.L. Charles d/b/a Ford City Broadcasting, H.L. Charles d/b/a/ Ford City Broadcasting, any affiliate, d/b/a, including all other persons acting or

purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

e. "Lindsay Broadcasting" shall refer to The Estate of Linda Ware d/b/a Lindsay Broadcasting, Linda Ware d/b/a Lindsay Broadcasting, any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

f. "EAS" shall mean Emergency Alert System.

g. "Public Inspection Files" shall mean those files identified in Section 73.3526 of the Commission's Rules.

h. "Rules" means the Commission's regulations found in Title 47 of the Code of Federal Regulations.

i. "KNGS" means radio broadcast station KNGS (FM), Coalinga, California.

j. "KAAX" means radio broadcast station KAAX (FM), Avenal, California.

k. "KYAF" means radio broadcast station formerly known under call sign KAJF (FM), Firebaugh, California."

l. "KZPE" means radio broadcast station KZPE (FM), Ford City, California.

m. "KZPO" means radio broadcast station KZPO (FM), Lindsay, California.

n. "Act" shall mean the Communications Act of 1934, as amended.

o. "Commission" or "FCC" shall mean the Federal Communications Commission.

p. "WTB" shall mean the Wireless Telecommunications Bureau of the Commission.

q. "Audio Division" shall mean the Audio Division of the Commission's Media Bureau.

r. "FCC Form 854" shall mean the FCC Form 854 used to register structures used for wire or radio communication service in any area where radio services are regulated by the Commission; to make changes to existing registered structures or pending applications; or to notify the Commission of the completion of construction or dismantlement of structures, as required by Title 47 of the Code of Federal Regulations, Chapter 1, Part 17 (FCC Rules Part 17) which can be located at <https://transition.fcc.gov/Forms/Form854/854.pdf>.

s. The terms/phrases "referring to," "relating to" and/or "concerning," as used herein, shall be interpreted broadly and shall include, but not be limited to, the following meanings: constituting, comprising, evidencing, reflecting, respecting, discussing, referring to, stating, describing, recording, noting, considering, embodying, evaluating, analyzing, mentioning, containing, concerning, regarding, indicating, pertaining to, showing, bearing upon, studying, memorializing, or commenting upon, or any other term synonymous with or similar to the foregoing.

t. "State" and "describe" mean to set forth a complete and detailed statement of all information, circumstances and facts that refer to, relate to, reflect, comprise or bear upon the matter concerning which information is requested.

u. The terms "identify" and "identification" when used in reference to an individual person mean to state his full name, residence and business telephone numbers, and present residence and business addresses if known, and his present or last known title, position and business affiliation.

v. The terms “identify” and “identification” when used in reference to a person other than a natural person mean to state the full and official name of the business entity, its principal place of business, and the main telephone number of such business entity.

w. The terms “identify” and “identification” when used in reference to a document mean to state its date, type (e.g., memo, telecopy, email), and its authors, addressees, title, if any, and, if no title, a brief description of the subject matter of the document and its present or last known location and custodian. If any document once was, but is no longer, in your possession, custody, or control, state what disposition was made of it and the reason for such disposition.

x. The terms “identify” and “identification” when used in reference to any act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication, mean to: (a) describe the nature and substance of the act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication; (b) state the date when and place where it occurred; and (c) identify each person who was a participant therein.

y. The term “and” also means “or” and the term “or” also means “and.”

z. The term “each” also means “every” and the term “every” also means “each.”

aa. The term “all” also means “any” and the term “any” also means “all.”

bb. The term “identify” when used with reference to a person or persons, means to state his or her full name; last known business and residence addresses; and last known business and residence telephone numbers.

cc. The term “document” means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on

the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including, but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of Avenal.

dd. "Discussion" means any assembly, congregation, encounter, meeting or conversation between or among two or more individuals for any purpose, whether or not planned, arranged, or scheduled in advance. "Discussion" includes, without limitation, all oral communications, whether or not in person, by telephone (including voicemails and similar recordings), or otherwise, and electronic communications (including emails) between two or more individuals.

ee. "Communication" means any discussion or any written or electronic correspondence or recorded voice message of any kind.

ff. "Employee" means any director, trustee, officer, employee, partner, corporate parent, subsidiary, affiliate or servant of the designated entity, whether active or retired, full-time or part-time, current or former, and compensated or not.

gg. "Representative" means any consultant, expert, attorney, contractor or other individual or entity engaged by the designated entity to perform some task or assignment for the entity.

hh. "Entity" means any corporation, company, partnership, proprietorship, joint venture, or business, as well as any governmental unit.

ii. "Person" means any natural person or legal entity, including, but not limited to any corporation, partnership, proprietorship, firm, trust, association, government entity, organization, or group of persons.

Instructions

a. The singular of a term includes the plural number and vice versa, any use of gender includes both genders, and a verb tense includes all other verb tenses where the clear meaning is not distorted by addition of another tense or tenses.

b. Unless otherwise specified, supply all annual data requested on a calendar-year basis; if any basis other than a calendar-year basis is used, such as to accommodate a fiscal-year basis, state as part of the response the nature and type of the basis so used.

c. You are to produce entire documents, including attachments, enclosures, cover letter, memoranda, and appendices.

d. Any document or thing called for under these Requests but not produced on the basis of a claim of privilege should be identified by the name of the preparers, the name of all recipients (including copy recipients), the date of the document, the nature or type of document (*e.g.*, memorandum, letter, etc.), and the general nature of the subject matter for which a privilege is claimed. All such documents and/or things shall be listed on a privilege log and the log shall be supplied at a time and place to be agreed upon by counsel.

e. In response to each Request, you shall affirm whether responsive documents exist and have been, or shall be, produced.

f. Unless otherwise specified, supply all information requested for the period January 1, 1989 through the present.

Documents Requested

1. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, documents constituting certificates of incorporation, articles of incorporation, bylaws, or other rules, regulations, and procedures, and any proposed and final amendments or modifications thereto.

2. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, documents constituting filed federal tax returns for each year from 1989 to the present.

3. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, documents constituting filed state tax returns for each year from 1989 to the present.

4. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, documents constituting organizational charts for each year from 1989 to the present.

5. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, documents sufficient to identify Avenal's employees for each year from 1989 to the present.

6. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, documents sufficient to identify all owners, officers, or individuals who controlled this entity for each year from 1989 to the present.

7. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, documents sufficient to identify the board of directors for each year from 1989 to the present.

8. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, all minutes, recordings, summaries, or reports of meetings, whether formal or informal, of the members of each board of directors of and of each committee or subgroup of each board from 1989 to the present.

9. For the entity Avenal Educational Services, Inc., with the California business entity number C2156039, all documents that report, describe, summarize, analyze, discuss or comment on the corporate structure for each year from 1989 to the present.

10. All documents constituting any communication between the entity Avenal Educational Services, Inc., with the California business entity number C2156039, and the Commission from 1989 to the present.

11. All documents constituting any communication between the entity Avenal Educational Services, Inc., with the California business entity number C2156039, and the California Secretary of State from 1989 to the present.

12. All documents relating to any suspension or revocation of the authority of the entity Avenal Educational Services, Inc., with the California business entity number C2156039, to transact business in California from 1989 to the present.

13. All documents constituting any communication between any entity named Avenal Educational Services, Inc. and Michael T. McKenna.

14. All documents constituting any communication between any entity named Avenal Educational Services, Inc. and George Sullivan.

15. All documents constituting any communication between any entity named Avenal Educational Services, Inc. and Steve Nelson.

16. All documents constituting any communication between any entity named Avenal Educational Services, Inc. and Stephen Newcomb.

17. All documents constituting any communication between any entity named Avenal Educational Services, Inc. and Maria Garcia.

18. All documents constituting any communication between any entity named Avenal Educational Services, Inc. and William L. Zawila.

19. All documents constituting any communication between any entity named Avenal Educational Services, Inc. and Verne White.

20. All documents referring or relating to any litigation or potential litigation between any entity named Avenal Educational Services, Inc. and William L. Zawila.

21. Documents sufficient to identify who was/is authorized to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C2156039, for each year from 1989 to the present.

22. Documents sufficient to show that William L. Zawila was authorized at any time to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C2156039, for each year from 1989 to the present, including but not limited to, letters of retention, invoices, and billing statements.

23. Documents sufficient to show that any person or entity other than William L. Zawila was authorized at any time to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C2156039, from 1989 to the present, including but not limited to, letters of retention, invoices, and billing statements.

24. Documents sufficient to show that William L. Zawila was at any time an owner, officer, or individual who controlled the entity Avenal Educational Services, Inc., with the California business entity number C2156039, in each year from 1989 to the present.

25. Documents sufficient to show that Station KAAX had a toll-free telephone number for each year from 1988 to the present, including but not limited to any bills or invoices sent to the entity Avenal Educational Services, Inc., with the California business entity number C2156039, from any telecommunications provider from whom that entity purchased telecommunications services, and any payments made thereon.

26. Documents sufficient to show that Station KAAX had a local telephone number for each year from 1988 to the present, including but not limited to any bills or invoices sent to the entity Avenal Educational Services, Inc., with the California business entity number C2156039, from any telecommunications provider from whom that entity purchased telecommunications services, and any payments made thereon

27. Documents sufficient to show the policies or procedures of the entity Avenal Educational Services, Inc., with the California business entity number C2156039, for compliance with any federal or state law in connection with Station KAAX.

28. Documents sufficient to show the policies or procedures of the entity Avenal Educational Services, Inc., with the California business entity number C2156039, for compliance with California corporation laws.

29. Documents sufficient to show the policy of the entity Avenal Educational Services, Inc., with the California business entity number C2156039, concerning retention, storage, or destruction of any document.

30. Documents constituting the Supplement to FCC Form 302-FM purportedly attached to the August 9, 1999 Application for FM Broadcast Station License filed by Avenal Educational Services, Inc.

31. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, documents constituting certificates of incorporation, articles of incorporation, bylaws, or other rules, regulations, and procedures, and any proposed and final amendments or modifications thereto.

32. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, documents constituting filed federal tax returns for each year from 1989 to the present.

33. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, documents constituting filed state tax returns for each year from 1989 to the present.

34. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, documents constituting organizational charts for each year from 1989 to the present.

35. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, documents sufficient to identify Avenal's employees for each year from 1989 to the present.

36. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, documents sufficient to identify all owners, officers, or individuals who controlled this entity for each year from 1989 to the present.

37. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, documents sufficient to identify the board of directors for each year from 1989 to the present.

38. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, all minutes, recordings, summaries, or reports of meetings, whether formal or informal, of the members of each board of directors of and of each committee or subgroup of each board from 1989 to the present.

39. For the entity Avenal Educational Services, Inc., with the California business entity number C2574975, all documents that report, describe, summarize, analyze, discuss or comment on the corporate structure for each year from 1989 to the present.

40. All documents constituting any communication between the entity Avenal Educational Services, Inc., with the California business entity number C2574975, and the Commission from 1989 to the present.

41. All documents constituting any communication between the entity Avenal Educational Services, Inc., with the California business entity number C2574975, and the California Secretary of State from 1989 to the present.

42. All documents relating to any suspension or revocation of the authority of the entity Avenal Educational Services, Inc., with the California business entity number C2574975, to transact business in California from 1989 to the present.

43. Documents sufficient to identify who was/is authorized to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C2574975, for each year from 1989 to the present.

44. Documents sufficient to show that William L. Zawila was authorized at any time to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C2574975, for each year from 1989 to the present, including but not limited to, letters of retention, invoices, and billing statements.

45. Documents sufficient to show that any person or entity other than William L. Zawila was authorized at any time to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C2574975, from 1989 to the present, including but not limited to, letters of retention, invoices, and billing statements.

46. Documents sufficient to show that William L. Zawila was at any time an owner, officer, or individual who controlled the entity Avenal Educational Services, Inc., with the California business entity number C2574975, in each year from 1989 to the present.

47. Documents sufficient to show that Station KAAX had a toll-free telephone number for each year from 1988 to the present, including but not limited to any bills or invoices sent to the entity Avenal Educational Services, Inc., with the California business entity number C2574975, from any telecommunications provider from whom that entity purchased telecommunications services, and any payments made thereon.

48. Documents sufficient to show that Station KAAX had a local telephone number for each year from 1988 to the present, including but not limited to any bills or invoices sent to the entity Avenal Educational Services, Inc., with the California business entity number C2574975, from any telecommunications provider from whom that entity purchased telecommunications services, and any payments made thereon

49. Documents sufficient to show the policies or procedures of the entity Avenal Educational Services, Inc., with the California business entity number C2574975, for compliance with any federal or state law in connection with Station KAAX.

50. Documents sufficient to show the policies or procedures of the entity Avenal Educational Services, Inc., with the California business entity number C2574975, for compliance with California corporation laws.

51. Documents sufficient to show the policy of the entity Avenal Educational Services, Inc., with the California business entity number C2574975, concerning retention, storage, or destruction of any document.

52. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, documents constituting certificates of incorporation, articles of incorporation, bylaws, or other rules, regulations, and procedures, and any proposed and final amendments or modifications thereto.

53. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, documents constituting filed federal tax returns for each year from 1989 to the present.

54. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, documents constituting filed state tax returns for each year from 1989 to the present.

55. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, documents constituting organizational charts for each year from 1989 to the present.

56. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, documents sufficient to identify Avenal's employees for each year from 1989 to the present.

57. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, documents sufficient to identify all owners, officers, or individuals who controlled this entity for each year from 1989 to the present.

58. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, documents sufficient to identify the board of directors for each year from 1989 to the present.

59. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, all minutes, recordings, summaries, or reports of meetings, whether formal or informal, of the members of each board of directors of and of each committee or subgroup of each board from 1989 to the present.

60. For the entity Avenal Educational Services, Inc., with the California business entity number C3777274, all documents that report, describe, summarize, analyze, discuss or comment on the corporate structure for each year from 1989 to the present.

61. All documents constituting any communication between the entity Avenal Educational Services, Inc., with the California business entity number C3777274, and the Commission from 1989 to the present.

62. All documents constituting any communication between the entity Avenal Educational Services, Inc., with the California business entity number C3777274, and the California Secretary of State from 1989 to the present.

63. All documents relating to any suspension or revocation of the authority of the entity Avenal Educational Services, Inc., with the California business entity number C3777274, to transact business in California from 1989 to the present.

64. Documents sufficient to identify who was/is authorized to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C3777274, for each year from 1989 to the present.

65. Documents sufficient to show that William L. Zawila was authorized at any time to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C3777274, for each year from 1989 to the present, including but not limited to, letters of retention, invoices, and billing statements.

66. Documents sufficient to show that any person or entity other than William L. Zawila was authorized at any time to serve as counsel for, or otherwise represent, the entity Avenal Educational Services, Inc., with the California business entity number C3777274, from 1989 to the present, including but not limited to, letters of retention, invoices, and billing statements.

67. Documents sufficient to show that William L. Zawila was at any time an owner, officer, or individual who controlled the entity Avenal Educational Services, Inc., with the California business entity number C3777274, in each year from 1989 to the present.

68. Documents sufficient to show that Station KAAX had a toll-free telephone number for each year from 1988 to the present, including but not limited to any bills or invoices sent to the entity Avenal Educational Services, Inc., with the California business entity number C3777274, from any telecommunications provider from whom that entity purchased telecommunications services, and any payments made thereon.

69. Documents sufficient to show that Station KAAX had a local telephone number for each year from 1988 to the present, including but not limited to any bills or invoices sent to the entity Avenal Educational Services, Inc., with the California business entity number C3777274, from any telecommunications provider from whom that entity purchased telecommunications services, and any payments made thereon.

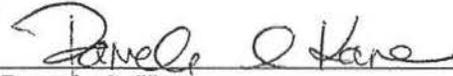
70. Documents sufficient to show the policies or procedures of the entity Avenal Educational Services, Inc., with the California business entity number C3777274, for compliance with any federal or state law in connection with Station KAAX.

71. Documents sufficient to show the policies or procedures of the entity Avenal Educational Services, Inc., with the California business entity number C3777274, for compliance with California corporation laws.

72. Documents sufficient to show the policy of the entity Avenal Educational Services, Inc., with the California business entity number C3777274, concerning retention, storage, or destruction of any document.

Respectfully submitted,

Travis LeBlanc
Chief, Enforcement Bureau



Pamela S. Kane
Special Counsel
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C330
Washington, D.C. 20554
(202) 418-1420

Michael Engel
Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C366
Washington, D.C. 20554
(202) 418-7330

February 4, 2016

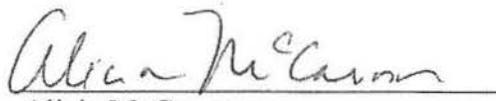
CERTIFICATE OF SERVICE

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 4th day of February, 2016, sent copies of the foregoing "ENFORCEMENT BUREAU'S SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO AVENAL EDUCATIONAL SERVICES, INC." to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

William Zawila, Esq.
12600 Brookhurst Street, Suite 105
Garden Grove, CA 92804-4833
(714) 636-5040 (telephone)
& 714) 636-5042 (facsimile)
(by facsimile and first-class mail)

Michael Couzens
Michael Couzens Law Office
6536 Telegraph Avenue
Suite B201
Oakland, CA 94609
(by first-class mail and email to cuz@well.com)


Alicia McCannon

CERTIFICATE OF SERVICE

Pamela S. Kane certifies that she has on this 25th day of February, 2016, sent copies of the foregoing "ENFORCEMENT BUREAU'S MOTION TO COMPEL AVENAL EDUCATIONAL SERVICES, INC. TO PROVIDE COMPLETE RESPONSES TO SECOND DOCUMENT REQUESTS to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

Rachel Funk
Office of the Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

William Zawila, Esq.
12600 Brookhurst Street, Suite 105
Garden Grove, CA 92804-4833
(714) 636-5040 (telephone)
& (714) 636-5042 (facsimile)
(by facsimile and first-class mail)

Michael Couzens
Michael Couzens Law Office
6536 Telegraph Avenue
Suite B201
Oakland, CA 94609
(by first-class mail and email to cuz@well.com)


Pamela S. Kane