

***** DKT/RM: 87-558 *** *****

12/03/87 HEARING DESIGNATION ORDER ADOPTED BY CHIEF, AUDIO SERVICES DIVISION DESIGNATING THE APPLICATIONS OF EASTERN BROADCASTING COMPANY (BPH-860317MR) AND CHARLES W. BERGER (BPH-860317MS) FOR HEARING IN A CONSOLIDATED PROCEEDING, AT A TIME AND PLACE TO BE SPECIFIED IN A SUBSEQUENT ORDER, UPON THE ISSUES AS STATED THEREIN; THAT IN ADDITION TO THE COPY SERVED ON THE CHIEF, HEARING BRANCH, A COPY OF EACH AMENDMENT FILED IN THIS PROCEEDING SUBSEQUENT TO THE DATE OF ADOPTION OF THIS ORDER SHALL BE SERVED ON THE CHIEF, DATA MANAGEMENT STAFF, AUDIO SERVICES DIVISION, MM BUREAU, ROOM 350, 1919 M ST., NW, WASHINGTON, D.C. 20554. (DA 87-1780) REL. 12/29/87 WEG

12/30/87 ORDER ADOPTED BY CHIEF JUDGE FITZPATRICK DIRECTING THAT ALJ JOSEPH STIRMER SHALL SERVE AS PRESIDING JUDGE IN THIS PROCEEDING; THAT THE HEARING SHALL BE CONVENED ON 03/30/88, AT 10 A.M., AND THE PREHEARING CONFERENCE SHALL BE HELD ON 02/29/88, COMMENCING AT 9 A.M. (FCC 87M-3412) REL. 01/04/88 WEG

01/13/88 ORDER ADOPTED BY JUDGE STIRMER DIRECTING THAT THE PREHEARING CONFERENCE SHALL BE HELD ON 03/09/88, COMMENCING AT 9 A.M. (FCC 88M-096) REL. 01/14/88 WEG

01/20/88 NOTICE OF APPEARANCE FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG

01/21/88 NOTICE OF APPEARANCE FILED BY ROY R. RUSSO, ATTORNEY FOR EASTERN BROADCASTING COMPANY. WEG

02/02/88 ORDER ADOPTED BY JUDGE STIRMER DIRECTING THAT THE PREHEARING CONFERENCE IN THIS PROCEEDING SHALL BE HELD ON 03/10/88, COMMENCING AT 9 A.M. (FCC 88M-287) REL. 02/04/88 WEG

03/07/88 NOTICE OF COMPLIANCE WITH PUBLICATION REQUIREMENTS FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. WEG (05/09/88 GRANTED & ACCEPTED)

03/10/88 HEARD (PREHG. CONF.) BEFORE JUDGE STIRMER WITH PARTY APPLICANTS, AND HEARING IS SCHEDULED FOR 06/14/88. WEG

03/10/88 ORDER ADOPTED BY JUDGE STIRMER DIRECTING THAT THE FOLLOWING SCHEDULE SHALL GOVERN HEARING PROCEDURES IN THIS PROCEEDING:

- 03/17/88 FILING OF INTEGRATION AND DIVERSIFICATION STATEMENTS AS DISCUSSED AT PREHEARING CONFERENCE.
- 03/24/88 INITIATION OF DISCOVERY.
- 05/03/88 PRELIMINARY EXCHANGE OF ALL ENGINEERING EXHIBITS.
- 05/24/88 FINAL EXCHANGE OF ALL EXHIBITS AND SWORN WRITTEN TESTIMONY.
- 05/31/88 NOTIFICATION OF WITNESSES DESIRED FOR CROSS-EXAMINATION.
- 06/14/88 COMMENCEMENT OF HEARING AT 10 A.M.

THAT THE HEARING SCHEDULED FOR 03/30/88, IS CANCELLED. (FCC 88M-709) REL. 03/11/88 WEG

03/17/88 INTEGRATION STATEMENT FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. WEG

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03/21/88 INTEGRATION STATEMENT FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG (04/06/88 REJECTED)

03/21/88 MOTN. TO ACCEPT HIS 03/21/88 INTEGRATION STATEMENT FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG (04/06/88 DENIED)

03/23/88 MOTN. FOR AN ORDER REQUIRING THE PRODUCTION OF DOCUMENTS FROM EASTERN BROADCASTING COMPANY FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG (04/15/88 GRANTED)

03/24/88 NOTICE OF DEPOSITION UPON CHARLES W. BERGER FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. WEG

03/24/88 INTERROGATORIES PROPOUNDED TO EASTERN BROADCASTING COMPANY FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG

03/24/88 NOTICE TO TAKE DEPOSITIONS UPON HAROLD PAUL PARSONS AND DONALD GRANT

PARSONS FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG
03/24/88 MOTN. FOR PRODUCTION OF DOCUMENTS FROM CHARLES W. BERGER FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. WEG (04/15/88 GRANTED)
03/25/88 OPPOSITION TO CHARLES W. BERGER'S 03/21/88 MOTN. TO ACCEPT INTEGRATION STATEMENT FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. WEG
03/29/88 ORDER ADOPTED BY JUDGE STIRMER DIRECTING BERGER TO ELECT WHETHER HE WISHES TO PROCEED WITH DISCOVERY BY WAY OF HIS INTERROGATORIES OR HIS NOTICES TO TAKE DEPOSITIONS WITHIN 5 DAYS OF THE RELEASE OF THIS ORDER; THAT BERGER WILL NOT BE PERMITTED TO ENGAGE IN DISCOVERY BY UTILIZING BOTH INTERROGATORIES AND DEPOSITIONS. (FCC 88M-897) REL. 03/30/88 WEG
03/30/88 MOTN. FOR PROTECTIVE ORDER FROM CHARLES W. BERGER'S 03/24/88 NOTICE OF DEPOSITIONS UPON HAROLD AND DONALD PARSONS FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. WEG (05/09/88 MOOT)
04/05/88 OPPOSITION TO EASTERN BROADCASTING'S 03/30/88 MOTN. FOR PROTECTIVE ORDER FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG
04/06/88 ORDER ADOPTED BY JUDGE STIRMER DENYING CHARLES W. BERGER'S 03/21/88 MOTN. TO ACCEPT INTEGRATION STATEMENT, AND THE INTEGRATION AND DIVERSIFICATION STATEMENT APPENDED THEREWITH IS REJECTED. (FCC 88M-971) REL. 04/07/88 WEG
04/08/88 NOTICE OF WITHDRAWAL OF HIS 03/24/88 INTERROGATORIES FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG
04/15/88 ORDER ADOPTED BY JUDGE STIRMER GRANTING CHARLES W. BERGER'S 03/24/88 AND EASTERN BROADCASTING'S 03/24/88 MOTNS. FOR AN ORDER REQUIRING THE PRODUCTION OF DOCUMENTS FROM THEIR RESPECTIVE OPPONENTS' APPLICATIONS, AND THE REQUESTED DOCUMENTS SHALL BE PRODUCED FOR INSPECTION AND/OR COPYING AT THE RESPECTIVE OFFICES OF COUNSEL WITHIN 10 DAYS OF THE RELEASE OF THIS ORDER OR AT SUCH OTHER TIME AND PLACE AS MAY BE MUTUALLY CONVENIENT TO COUNSEL. (FCC 88M-1132)

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REL. 04/18/88 WEG
04/18/88 REQUEST FOR PERMISSION TO FILE INTERLOCUTORY APPEAL OF THE 04/06/88 ORDER, FCC 88M-971, FILED BY STANLEY G. EMERT, JR., ATTORNEY FOR CHARLES W. BERGER. WEG (05/03/88 DENIED)
05/03/88 ORDER ADOPTED BY JUDGE STIRMER DISMISSING CHARLES W. BERGER'S (?)04/18/88 MOTN. TO RECONSIDER. (FCC 88M-1350) REL. 05/05/88 WEG
05/03/88 ORDER ADOPTED BY JUDGE STIRMER DENYING CHARLES W. BERGER'S 04/18/88 REQUEST FOR PERMISSION TO FILE INTERLOCUTORY APPEAL. (FCC 88M-1351) REL. 05/05/88 WEG
05/09/88 ORDER ADOPTED BY JUDGE STIRMER DIRECTING THAT EASTERN BROADCASTING'S 03/30/88 MOTN. FOR PROTECTIVE ORDER IS MOOT. (FCC 88M-1386) REL. 05/12/88 WEG
05/09/88 ORDER ADOPTED BY JUDGE STIRMER GRANTING EASTERN BROADCASTING'S 03/07/88 NOTICE OF COMPLIANCE, AND EASTERN'S PROOF OF PUBLICATION IS ACCEPTED. (FCC 88M-1387) REL. 05/12/88 WEG
06/02/88 REQUEST FOR SUSPENSION OF HEARING DATE FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. WEG (06/06/88 GRANTED)
06/03/88 JOINT PETN. FOR APPROVAL OF AGREEMENT WHICH PROVIDES FOR THE DISMISSAL OF THE CHARLES W. BERGER APPLICATION (BPH-860317MS), AND THE GRANT OF THE EASTERN BROADCASTING APPLICATION (BPH-860317MR) FILED BY ROY R. RUSSO AND SUSAN V. SACHS, ATTORNEYS FOR EASTERN BROADCASTING COMPANY. (SETTLEMENT AGREEMENT ATTACHED THERETO) WEG 07/18/88 SUPPLEMENT FILED. WEG (07/19/88 GRANTED, MO&O)
06/06/88 ORDER ADOPTED BY JUDGE STIRMER GRANTING EASTERN BROADCASTING'S 06/02/88 REQUEST FOR SUSPENSION OF HEARING DATE, AND THE HEARING IS CONTINUED, WITHOUT DATE. (FCC 88M-1767) REL. 06/07/88 WEG
07/19/88 MO&O ADOPTED BY JUDGE STIRMER GRANTING EASTERN BROADCASTING'S & BERGER'S 06/03/88 JOINT PETN. FOR APPROVAL OF AGREEMENT, AS

SUPPLEMENTED ON 07/18/88; THAT THE AGREEMENT IS APPROVED; THAT THE APPLICATION OF CHARLES W. BERGER (BPH-860317MS) IS DISMISSED WITH PREJUDICE; THAT THE APPLICATION OF EASTERN BROADCASTING COMPANY (BPH-860317MR) IS GRANTED; AND THAT THIS PROCEEDING IS TERMINATED. (FCC 88M-2316) REL. 07/21/88 WEG