

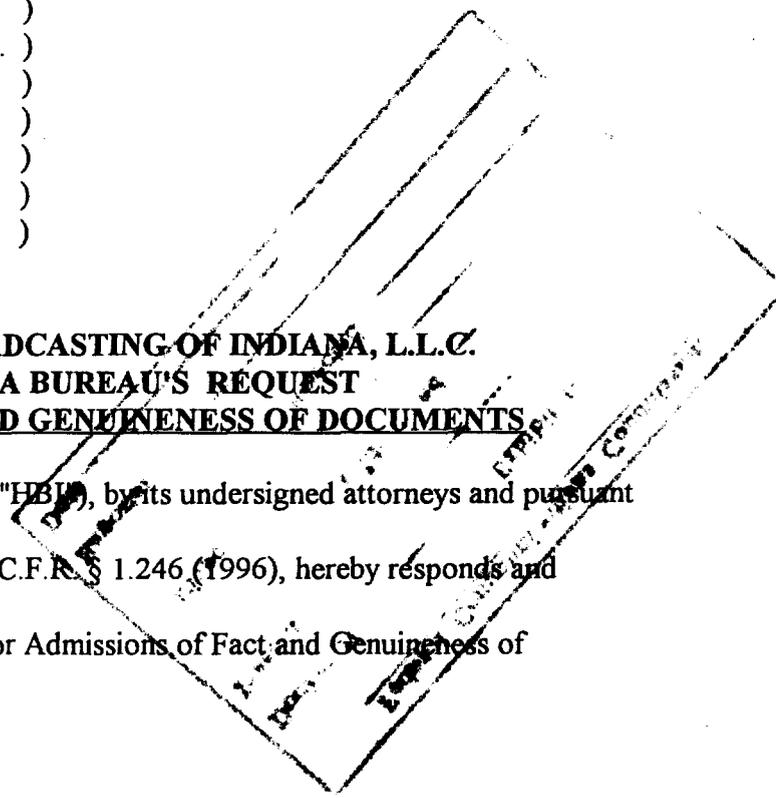
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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In re)	
)	
HICKS BROADCASTING)	MM Docket No. 98-66
OF INDIANA, LLC)	
)	
Order to Show Cause Why the License for)	
FM Radio Station WRBR(FM),)	
South Bend, Indiana, Should Not Be Revoked;)	
)	
AND)	
)	
PATHFINDER COMMUNICATIONS CORP.)	
)	
Order to Show Cause Why the License for)	
FM Radio Station WBYT(FM),)	
Elkhart, Indiana, Should Not Be Revoked;)	
)	
AND)	
)	
Applications of)	
)	
MICHIANA TELECASTING CORP.)	File Nos. BAL-960809GQ &
(ASSIGNOR))	BALH-960809GR
)	
and)	
)	
PATHFINDER COMMUNICATIONS CORP.)	
(ASSIGNEE))	
)	
For assignment of the licenses of:)	
)	
WNDU-AM-FM, South Bend, Indiana)	

**RESPONSE OF HICKS BROADCASTING OF INDIANA, L.L.C.
TO THE MASS MEDIA BUREAU'S REQUEST
FOR ADMISSIONS OF FACT AND GENUINENESS OF DOCUMENTS**

Hicks Broadcasting of Indiana, L.L.C. ("HBI"), by its undersigned attorneys and pursuant to Section 1.246 of the Commission's rules, 47 C.F.R. § 1.246 (1996), hereby responds and objects to the "Mass Media Bureau's Request for Admissions of Fact and Genuineness of



Report Date <u>10-9-97</u>	
Presented by <u>M.M.G.</u>	Disposition <u>856-9-97</u>
Doctor No. <u>M.M.G.</u>	Rejected <u>11-9-97</u>
Federal Communications Commission Registration No. <u>H</u>	Identified <u>11-9-97</u>

Documents" ("Bureau Request") served June 29, 1998. In addition, HBI hereby reserves the right to amend and/or to supplement its responses and/or the objections set forth herein as further responsive information is identified during the course of these proceedings.

I. GENERAL OBJECTIONS

HBI makes the following general objections to the Bureau Request, which objections are incorporated by reference into each response to each request for admission. Accordingly, each and every response set forth hereinafter is made subject to, and without waiving, these general objections.

1. HBI objects to any and all requests for admissions to the extent that they call for the identification or disclosure of any information that is protected by the attorney-client privilege, the work-product doctrine, or any other applicable claim of privilege.

2. To the extent the definition is intended to be used in responding to the Bureau's request for admissions, HBI objects to the definition of "Hicks Broadcasting" set forth in the Mass Media Bureau's Request for Production of Documents as overbroad and unduly burdensome.

II. RESPONSES TO REQUEST FOR ADMISSIONS OF FACT AND GENUINENESS OF DOCUMENTS

REQUEST 1. Since at least December 22, 1993, David L. Hicks ("Hicks") has been the President and CEO of Hicks Broadcasting.

HBI RESPONSE: Admitted.

REQUEST 2. Since at least December 22, 1993, Hicks has held a 51% majority interest in Hicks Broadcasting.

HBI RESPONSE: Admitted.

REQUEST 3. Since at least December 22, 1993, Alec C. Dille, Sarah F. Dille and John F. Dille, IV (collectively, "the Dille children") have each held a 16.33% non-controlling minority interest in Hicks Broadcasting.

HBI RESPONSE: Admitted.

REQUEST 4. John F. Dille, III ("Dille") is the father of the Dille children.

HBI RESPONSE: Admitted.

REQUEST 5. Hicks has known since at least November 30, 1993, that Dille is an officer, director and majority stockholder of Pathfinder Communications Corporation ("Pathfinder").

HBI RESPONSE: Admitted.

REQUEST 6. Hicks has known since at least November 30, 1993, that each of the Dille children is a minority stockholder of Pathfinder.

HBI RESPONSE: Denied. David L. Hicks has no personal knowledge regarding Pathfinder's present ownership structure, and he did not first become aware of any details concerning the Dille children's ownership interests in Pathfinder until sometime after the specified date, in connection with the preparation of the application for consent to assign the license for Station WRBR from Booth American Company ("Booth") to HBI which was filed with the Commission on December 22, 1993 (the "WRBR Assignment Application").

REQUEST 7. Hicks has known since at least November 30, 1993, that Pathfinder is the licensee of WTRC(AM), Elkhart, Indiana, and WBYT(FM), Elkhart, Indiana.

HBI RESPONSE: Admitted.

REQUEST 8. Hicks has known since at least November 30, 1993, that Dille is an officer, director and 23.3% stockholder of Truth Publishing Company, Inc. ("Truth"), and also has certain voting rights as a trustee of three trusts holding an additional 24.6% of Truth stock.

HBI RESPONSE: Denied. David L. Hicks has no personal knowledge regarding the present ownership structure of Truth Publishing Company, Inc., and he did not first become aware of any details concerning Mr. Dille's interests in Truth until sometime after the specified date, in connection with the preparation of the WRBR Assignment Application.

REQUEST 9. Hicks has known since at least November 30, 1993, that each of the Dille children holds or is a beneficiary of a trust holding 1.3% of Truth stock.

HBI RESPONSE: Denied. David L. Hicks has no personal knowledge regarding the present ownership structure of Truth, and he did not first become aware of any details concerning the Dille children's ownership interests in that company until sometime after the specified date, in connection with the preparation of the WRBR Assignment Application.

REQUEST 10. Hicks has known since at least November 30, 1993, that Truth publishes *The Elkhart Truth*, a daily newspaper in Elkhart, Indiana.

HBI RESPONSE: Admitted.

REQUEST 11. In the Summer of 1993, Dille contacted Hicks to suggest the possibility of Hicks obtaining a controlling interest in an entity that would acquire WRBR(FM), South Bend, Indiana from Booth American Company ("Booth").

HBI RESPONSE: Admitted with the clarification that David Hicks had previously been contacted by a representative of Booth who informed Mr. Hicks of Booth's desire to sell Station WRBR(FM) (the "Station") and inquired about Mr. Hicks' interest in purchasing the Station. Subsequent to that initial contact by Booth, Mr. Dille contacted David Hicks to

determine whether Mr. Hicks continued to have an interest in acquiring the Station, and thereafter suggested an acquisition by an entity in which Mr. Hicks would hold a majority interest.

REQUEST 12. On November 30, 1993, Booth and Hicks Broadcasting executed an Asset Purchase Agreement for the sale of WRBR, South Bend, Indiana from Booth to Hicks Broadcasting.

HBI RESPONSE: Denied that HBI executed the Asset Purchase Agreement, with the clarification that David L. Hicks executed the Asset Purchase Agreement on behalf of an Indiana limited liability company to be formed under the name of HBI.

REQUEST 13. On November 30, 1993, Hicks Broadcasting made a \$50,000 escrow deposit for the purchase of WRBR.

HBI RESPONSE: Denied that HBI made the escrow deposit, with the further clarification that David L. Hicks made the escrow deposit as agent for an Indiana limited liability company to be formed under the name of HBI.

REQUEST 14. Hicks provided a bank letter of credit in the amount of \$25,500 for his pro rata (51%) portion of the escrow deposit.

HBI RESPONSE: Admitted.

REQUEST 15. The Dille children provided checks totalling \$24,500 for their pro rata (49%) portion of the escrow deposit.

HBI RESPONSE: Admitted.

REQUEST 16. Dille provided the Dille children with the funds for their portion of the escrow deposit.

HBI RESPONSE: Admitted that Dille provided the funds to the Dille children; however, denied to the extent it suggests or implies that David Hicks had any knowledge or

awareness of the source of the funds that the Dille children furnished to HBI for their pro rata portion of the escrow deposit.

REQUEST 17. On December 22, 1993, Booth and Hicks Broadcasting filed with the Commission an application to assign the license for WRBR, South Bend, Indiana from Booth to Hicks Broadcasting.

HBI RESPONSE: Admitted.

REQUEST 18. Attachment A is a true and accurate copy of the assignment application, including all exhibits, submitted to the Commission by Booth and Hicks Broadcasting on December 22, 1993.

HBI RESPONSE: Admitted.

REQUEST 19. In the assignment application for WRBR, Hicks Broadcasting certifies in response to Section II, Question 15 that there are no documents, instruments, contracts or understandings relating to ownership or future ownership rights, including options.

HBI RESPONSE: Admitted that HBI responded in the negative to Question 15 of Section II of the WRBR Assignment Application and later, in response to Part II of Section VI of the application, certified "that the ASSIGNEE'S statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith."

REQUEST 20. Attachment B is a true and accurate copy of a February 17, 1994 letter from Alan C. Campbell, Esq. ("Campbell") to Hicks notifying Hicks that Commission staff had requested two pieces of information in the form of amendments to supplement the assignment application for WRBR.

HBI RESPONSE: Admitted that Attachment B is a true and accurate copy of a letter from Alan C. Campbell, Esquire, to David Hicks dated as of February 17, 1994. With respect to its content, the document speaks for itself.

REQUEST 21. Hicks received the February 17, 1994 letter from Campbell sometime before February 24, 1994.

HBI RESPONSE: Admitted.

REQUEST 22. On February 24, 1994, Hicks Broadcasting submitted to the Commission two amendments to the assignment application for WRBR.

HBI RESPONSE: Admitted with the clarification that Campbell filed the amendments with the Commission on behalf of HBI.

REQUEST 23. Hicks signed a cover letter amending the assignment application for WRBR.

HBI RESPONSE: Admitted with the clarification that David Hicks signed a cover letter for each of the two amendments to the WRBR Assignment Application that Campbell filed with the Commission on HBI's behalf on February 24, 1994.

REQUEST 24. Attachment C is a true and accurate copy of a statement by Dille, dated February 22, 1994, amending the assignment application for WRBR, including the accompanying cover letter signed by Hicks.

HBI RESPONSE: Admitted that Attachment C contains a true and accurate copy of a statement by Dille dated February 22, 1994, and a true and accurate copy of a cover letter signed by David Hicks and dated February 23, 1994. However, to the extent that Request 24 suggests or implies that Mr. Hicks' cover letter is a part of Mr. Dille's statement, it is denied.

REQUEST 25. On March 16, 1994, the Commission granted the application to assign the license for WRBR from Booth to Hicks Broadcasting.

HBI RESPONSE: Admitted.

REQUEST 26. Hicks Broadcasting and Booth closed on the sale of WRBR on March 31, 1994.

HBI RESPONSE: Admitted.

REQUEST 27. Attachment D is a true and accurate copy of the Joint Sales Agreement ("JSA") between Booth and Pathfinder dated December 18, 1992.

HBI RESPONSE: Admitted.

REQUEST 28. Booth's rights and obligations under the JSA with Pathfinder were assigned to and assumed by Hicks Broadcasting at the closing on the sale of WRBR.

HBI RESPONSE: Admitted.

REQUEST 29. Attachment E is a true and accurate copy of the Operating Agreement of Hicks Broadcasting executed by Hicks and the Dille children.

HBI RESPONSE: Admitted with the clarification that the copy of the document appended as Attachment E is not executed by the Dille children.

REQUEST 30. Section 7.4(b) of the Operating Agreement of Hicks Broadcasting gives the Dille children an option to purchase Hicks' entire interest in Hicks Broadcasting at any time.

HBI RESPONSE: Admitted.

REQUEST 31. On March 31, 1994, Hicks and the Dille children executed a letter which supplements the Operating Agreement of Hicks Broadcasting ("Side Letter").

HBI RESPONSE: Admitted.

REQUEST 32. Attachment F is a true and accurate copy of the Side Letter executed by Hicks and the Dille children on March 31, 1994.

HBI RESPONSE: Admitted with the clarification that the copy of the document appended as Attachment F is not executed by the Dille children.

REQUEST 33. The Side Letter includes a "Put Provision," which gives Hicks the option to require the Dille children to purchase his entire interest in Hicks Broadcasting at any time.

HBI RESPONSE: Denied. The "Put Provision" in Paragraph 2 of the letter dated March 31, 1994, permits David L. Hicks to require the Dille children to purchase his interest in HBI at any time "[o]n or after 3 years from the date of [the] letter"

REQUEST 34. The Side Letter provides that the Dille children will indemnify Hicks for any costs, losses, claims, liabilities, fines, expenses, penalties, and damages in connection with or resulting from the \$25,500 letter of credit provided by Hicks as his pro rata portion of the escrow deposit.

HBI RESPONSE: Admitted.

REQUEST 35. The Side Letter provides that the Dille children are required to contribute their full 49% of the \$250,000 guaranty amount to Booth before Hicks is obligated to make any payments on the guaranty.

HBI RESPONSE: Admitted.

REQUEST 36. On March 23, 1994, Hicks Broadcasting and Pathfinder entered into an accounting agreement, pursuant to which Pathfinder provides all accounting functions for Hicks Broadcasting.

HBI RESPONSE: Admitted.

REQUEST 37. Attachment G is a true and accurate copy of the accounting agreement entered into by Hicks Broadcasting and Pathfinder on March 23, 1994.

HBI RESPONSE: Admitted.

REQUEST 38. Attachment H is a true and accurate copy of a December 29, 1995 amendment to the accounting agreement between Hicks Broadcasting and Pathfinder.

HBI RESPONSE: Admitted.

REQUEST 39. Hicks Broadcasting has never maintained a separate bank account for WRBR.

HBI RESPONSE: Denied. HBI maintains a bank account for WRBR which was opened on April 22, 1997.

REQUEST 40. Hicks Broadcasting's employees and creditors are paid with checks written by Pathfinder on a checking account that identifies Pathfinder as the account holder.

HBI RESPONSE: Admitted. Pursuant to its obligations to HBI under the Accounting Agreement referenced in Request 36 above, Pathfinder performs clerical functions on behalf of HBI and under its supervision which include making payments to HBI's creditors and employees. To the extent Request 40 implies that Pathfinder's performance under the Accounting Agreement constitutes something other than an operating efficiency or clerical convenience for HBI, the implication is denied.

REQUEST 41. From June 1994 through March 1995, and from December 1995 through May 1996, Pathfinder made payroll payments and payments to creditors on behalf of Hicks Broadcasting, even though Hicks Broadcasting had a cumulative negative operating balance during these periods, without charging Hicks Broadcasting interest.

HBI RESPONSE: Admitted with the clarification that, although HBI had a negative cumulative operating balance, it had positive monthly operating balances from January through March, 1995, and from February through May, 1996. The negative operating balances were not subject to interest because they were carried as short term receivables by Pathfinder.

REQUEST 42. The Dille children loaned Hicks Broadcasting \$2,450, their 49% pro rata share, for each of the six monthly \$5,000 purchase loan payments due to Booth between October 1, 1994 and March 1, 1995.

HBI RESPONSE: Admitted.

REQUEST 43. The Dille children each provided checks in the amount of \$35,000 to Hicks Broadcasting for the \$105,000 purchase loan payment due to Booth on April 1, 1995.

HBI RESPONSE: Admitted.

REQUEST 44. Hicks did not make any contribution towards the \$105,000 purchase loan payment due to Booth on April 1, 1995.

HBI RESPONSE: Admitted.

REQUEST 45. The \$35,000 payments to Hicks Broadcasting from each of the Dille children for the \$105,000 purchase loan payment due to Booth on April 1, 1995, were initially treated as paid in capital in the books of Hicks Broadcasting, but were reclassified as loans in December 1995.

HBI RESPONSE: Admitted with the clarification that the payments were always viewed as loans and their initial treatment on the books viewed only as administratively expedient at the time the funds came in.

REQUEST 46. The Dille children loaned Hicks Broadcasting the entire \$10,000 for the \$10,000 purchase loan payment due to Booth on May 1, 1996.

HBI RESPONSE: Admitted.

REQUEST 47. The Dille children loaned Hicks Broadcasting \$4,900, their 49% pro rata share, for the \$10,000 purchase loan payment due to Booth on June 1, 1996.

HBI RESPONSE: Admitted.

REQUEST 48. Dille provided the Dille children with all of the funds that they provided to Hicks Broadcasting between September 1994 and June 1996 for payments due to Booth on the purchase loan for WRBR.

HBI RESPONSE: Admitted, except to the extent it suggests that David Hicks was aware of the source of the funds that the Dille children furnished to HBI.

REQUEST 49. On December 29, 1995, Hicks Broadcasting sent checks in the amount of \$42,999.99 to John F. Dille, IV; \$43,000 to Sarah F. Dille; and \$43,816.67 to Alec C. Dille.

HBI RESPONSE: Admitted.

REQUEST 50. The December 29, 1995 payments from Hicks Broadcasting to the Dille children were treated as repayment of the funds the Dille children provided for the November 30, 1993 escrow deposit and the \$105,000 purchase loan payment to Booth.

HBI RESPONSE: Admitted.

REQUEST 51. The December 29, 1995 payments from Hicks Broadcasting to the Dille children did not include any interest payments.

HBI RESPONSE: Admitted.

REQUEST 52. Between September 1, 1994 and July 1, 1995, Hicks was included on the payroll of Truth and was paid with checks written by Truth.

HBI RESPONSE: Admitted.

REQUEST 53. From September 1, 1994 to January 1, 1995, Hicks worked for Sign-Pro of Indiana, Inc. ("Sign Pro"), a vinyl sign business owned by Dille.

HBI RESPONSE: Admitted.

REQUEST 54. From January 1, 1995 to July 1, 1995, Hicks worked for Pathfinder providing national sales assistance to all Pathfinder radio stations, while also continuing to work part-time for Sign-Pro.

HBI RESPONSE: Admitted with the further clarification that, working pursuant to the Joint Sales Agreement, David Hicks also provided national sales assistance to Station WRBR(FM), which is not a Pathfinder station, and his compensation was allocated among his responsibilities.

REQUEST 55. From September 1, 1994 to July 1, 1995, Hicks' salary was approximately \$70,000 per year, plus bonuses and fringe benefits.

HBI RESPONSE: Denied. David L. Hicks received a salary of \$60,000 per year during the period from September 1, 1994 through December 31, 1994. From January 1, 1995, through July 1, 1995, Mr. Hicks received a salary of \$70,000 per year.

REQUEST 56. From July 1, 1995 to February 28, 1997, Hicks worked as General Manager of Pathfinder-owned radio stations WCUZ(AM)/WCUZ(FM), Grand Rapids, Michigan and WAKX(FM), Holland, Michigan.

HBI RESPONSE: Admitted with the further clarification that David Hicks actually served as interim General Manager for the stations identified.

REQUEST 57. From July 1, 1995 to February 28, 1997, Hicks' salary was approximately \$100,000 per year, plus bonuses and fringe benefits.

HBI RESPONSE: Denied. David Hicks' salary for the specified period was \$70,000 per year.

REQUEST 58. Hicks Broadcasting does not have its own personnel manual or written personnel policies.

HBI RESPONSE: Admitted subject to the further clarification that HBI independently reviewed and adopted the personnel manual and policies then in use by Pathfinder, and HBI is identified separately on the joint manual which is used by both companies.

REQUEST 59. Employees of Hicks Broadcasting are subject to the same personnel policies as employees of Pathfinder.

HBI RESPONSE: Admitted subject to the same clarification set forth in the response to Request 58.

REQUEST 60. WRBR is co-located with WBYT(FM), which is licensed to Pathfinder.

HBI RESPONSE: Admitted with the clarification that HBI has paid rent to Pathfinder for its occupation of Pathfinder's premises pursuant to an oral rental agreement between the parties that has existed since the stations became co-located.

REQUEST 61. Pathfinder employees holding the following positions have performed the same duties for WRBR: Chief Engineer, Operations Manager, Production/Continuity, Event Coordinator, General Sales Manager, Office Manager/Traffic, and General Manager.

HBI RESPONSE: Admitted.

REQUEST 62. Steve Kline ("Kline") was hired by Dille to be the General Manager of WBYT(FM) and WRBR in September 1993.

HBI RESPONSE: Denied. On information and belief, Steve Kline was hired by Pathfinder in September 1993 to serve as General Manager of Station WBYT(FM) and of Radio One, an entity previously created pursuant to the Joint Sales Agreement between Pathfinder and Booth to manage joint sales of the participating stations. Mr. Kline became General Manager of Station WRBR(FM) in April 1994 when he was hired by David Hicks.

REQUEST 63. Kline did not meet Hicks until sometime in the summer of 1994.

HBI RESPONSE: Denied. David Hicks and Mr. Kline first met in late 1993 or early 1994.

REQUEST 64. During a period of time following the acquisition of WRBR by Hicks Broadcasting, Phil Britton was Program Director for both WRBR and WBYT.

HBI RESPONSE: Admitted that Phil Britten held the position of Program Director both for WRBR and WBYT, with the further clarification that primary responsibility for implementing programming policies at WRBR during this period rested with other staff members, Joe Turner and Bob Henning. Subject to David Hicks' supervision, Mr. Turner and Mr. Henning effectuated programming policies that Mr. Hicks had established, working with a programming consultant whom he had retained.

REQUEST 65. During a period of time following the acquisition of WRBR by Hicks Broadcasting, Joe Turner was Assistant Program Director for both WRBR and WBYT.

HBI RESPONSE: Denied. Mr. Turner briefly served as interim Program Director for WRBR and WBYT, not Assistant Program Director.

REQUEST 66. News programming on WRBR originates from the same source as other Pathfinder stations.

HBI RESPONSE: Denied to the extent it suggests that Station WRBR is a Pathfinder station. However, although most of the news programming on WRBR comes from network or syndicated programming sources, some of the news programming broadcast on the Station has originated from the radio news room of Pathfinder Station WTRC(AM). The news programming provided to WRBR by WTRC is produced pursuant to programming policies established by Mr. Hicks and WRBR's Program Director, Joe Turner, and communicated to WTRC's News staff, in order to ensure that the newscasts are appropriately tailored to WRBR's programming.

REQUEST 67. The 1 mV/m contour of WRBR encompasses the entire community of Elkhart, Indiana.

HBI RESPONSE: Admitted.

REQUEST 68. At least until the release of the Order to Show Cause, Hearing Designation Order and Notice of Opportunity for Hearing in this proceeding, FCC 98-88, released May 18, 1998, the law firm of Irwin, Campbell & Tannenwald, P.C. (or predecessors thereof) has represented both Hicks Broadcasting and Pathfinder.

HBI RESPONSE: Admitted.

REQUEST 69. Attachment I is a true and accurate copy of the civil trial deposition given by Hicks on December 15, 1995 in *Hicks v. Crystal Radio Group, Inc.*, No. B94-3603-NZ (Michigan Circuit Ct., Kalamazoo, Michigan).

HBI RESPONSE: Admitted.

REQUEST 70. Attachment J is a true and accurate copy of the civil trial deposition given by Hicks on December 28, 1995 in *Hicks v. Crystal Radio Group, Inc.*, No. B94-3603-NZ (Michigan Circuit Ct., Kalamazoo, Michigan).

HBI RESPONSE: Admitted.

REQUEST 71. Attachment K is a true and accurate copy of the civil trial deposition given by Sarah F. Dille on January 30, 1996 in *Hicks v. Crystal Radio Group, Inc.*, No. B94-3603-NZ (Michigan Circuit Ct., Kalamazoo, Michigan).

HBI RESPONSE: Admitted.

REQUEST 72. Attachment L is a true and accurate copy of the civil trial deposition given by John F. Dille, IV on January 30, 1996 in *Hicks v. Crystal Radio Group, Inc.*, No. B94-3603-NZ (Michigan Circuit Ct., Kalamazoo, Michigan).

HBI RESPONSE: Admitted.

REQUEST 73. Attachment M is a true and accurate copy of the civil trial deposition given by Steven Kline on January 30, 1996 in *Hicks v. Crystal Radio Group, Inc.*, No. B94-3603-NZ (Michigan Circuit Ct., Kalamazoo, Michigan).

HBI RESPONSE: Admitted.

I hereby certify upon penalty of perjury that the foregoing responses to request for admissions are true and correct.

HICKS BROADCASTING OF INDIANA, L.L.C.



By

David L. Hicks
President

With respect to the foregoing objections,

HICKS BROADCASTING OF INDIANA, L.L.C.

By:



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Its attorneys

Date: July 31, 1998

CERTIFICATE OF SERVICE

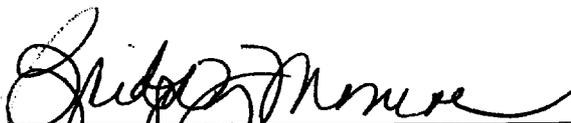
I, Bridget Y. Monroe, a secretary for the law firm of Verner, Liipfert, Bernhard, McPherson, and Hand, Chartered, hereby certify, that I have this thirty-first (31st) day of July, 1998, caused a copy of the foregoing "Response of Hicks Broadcasting of Indiana, L.L.C. to the Mass Media Bureau's Request for Admissions of Fact and Genuineness of Documents" to be sent by first class United States Mail, postage prepaid (* by hand delivery), to each of the following:

The Honorable Joseph Chachkin
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Office of Administrative Law Judges
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