

## C. The Sherwood Tapes

### 1. Gilbert's Alleged Review of the Tapes

As demonstrated in Reading's Motion, Gilbert has, throughout the course of these proceedings, given various, differing, accounts of his alleged review of the videotapes prepared by Paul Sherwood (the "Tapes"). (Reading's Motion at 32-40.) These discrepancies raise substantial questions as to Adams' candor with respect to that review.

The motive for deceit is apparent. Adams' claim that it undertook a bona fide investigation of WTVE's programming prior to filing its application depends in large part on Gilbert's claim that he reviewed the Tapes, believed them to be of WTVE's programming, and concluded therefrom that WTVE was not serving the public interest. (Gilbert conceded that he did not view WTVE's programming on any of his visits to Reading, nor did he initiate a review of WTVE's public inspection file before Adams filed its application.) If, however, as Reading believes, Gilbert did not review the Tapes (or, at best, made only a nominal effort to review the Tapes), Adams' bona fides become even more uncertain. Thus, Gilbert had every incentive to fabricate and exaggerate his review of the Tapes. Compare Gilbert Decl. at 5:

As that taping project was ongoing, I spoke regularly with the person who was in charge of making the tapes, and I was regularly briefed on the contents of the programming being taped. The information which I obtained through those reports strongly confirmed my belief that the station was not serving the public.

With Tr. 1088:17 – 1089:1:

I watched every transmission. . . . I watched it all. It was not exactly fun.

In its Opposition, Adams attempts to justify a number of these discrepancies. (Adams' Opposition at 23-36.) In that regard, Adams misses the forest for the trees; it is the totality of the discrepancies, taken all together, that must be considered. Taken as a whole, the discrepancies, even crediting Adams' uncertain explanations, call into question the veracity of Gilbert's testimony about the extent and diligence of his asserted review of the Tapes.

Moreover, Adams' explanations are, themselves, less than convincing. Thus, Adams suggests that Gilbert's January testimony that he reviewed the Tapes and was convinced that they were of WTVE's programming because he saw "Reading PSAs" is corroborated by Mr. Mattmiller's testimony that the first six-hour tape contained three PSA's for children missing from Pennsylvania. (Adams' Brief, ¶¶ 57-58.) Gilbert's January testimony is, at best, vague as to what he claims to have seen in his alleged review of the Tapes. Thus, Gilbert claimed that he saw "Reading PSAs," "Pennsylvania PSAs," and "Reading PA PSAs." (Gilbert Testimony, Tr. at 11070:2-11, 1085:7-14.) Gilbert further claimed that these PSAs "had to do with Pennsylvania problems, and as I recall they had to do, occasionally there was a mention of Reading." (Id. at 1085:16-20.) Gilbert's asserted conclusion, that those PSAs confirmed that he was watch WTVE's programming, is not corroborated by Mr. Mattmiller's testimony since, as Mr. Mattmiller confirms, the Tapes include PSAs for missing children (these were the only PSAs) from 21 different states with New York appearing most frequently overall and Florida appearing most in the first six-hour tape. None of the Tapes mention any missing children from Reading or the

Reading area. (Testimony of George Mattmiller, ¶¶ 9-15, Attachment E (Mr. Mattmiller's testimony is part of the record as Reading Hearing Ex. 47.))

Adams also attempts to excuse Gilbert's failure to notice, in any of the approximately 392 hours of recorded programming that he claims he reviewed,<sup>9</sup> any paid advertising or station identifications for WTVE on the basis that "he was focused on non-entertainment matter, which consisted of occasional PSA's." (Adams' Opposition at 24.) However, Adams' Answers to Interrogatories (at 11-12) claimed that Gilbert fast-forwarded through "home shopping programming" but then backed up the tape for real-time viewing of "any other type of programming," which would include paid advertising and station identifications. Given the amount of programming involved, the idea that Gilbert actually reviewed it and was completely oblivious to the lack of ads or station identifications is, itself, incredible.

Finally, Adams does not even try to explain the inconsistencies in Gilbert's claimed "real time" review of the Tapes, which went from 24-36 hours in Adams' April, 2000, Answers to Interrogatories, to 6-12 hours in its May, 2000, Supplement to Answers to Interrogatories, one six-hour tape in June, 2000. (Adams' Answers to Interrogatories at 11-12; Supplement to answers to Interrogatories at 10-11; Gilbert Testimony, Tr. 2487:13-22.) Nor has Adams offered an explanation of how Gilbert could have possibly "listened" to the audio portion of the taped programming while conducting a fast-forward scan. (Reading's Motion at note 24.)

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<sup>9</sup> Gilbert Testimony, Tr. 1083:18-20; 1135:3-10.

As demonstrated in Reading's Motion and further discussed here, it appears that even a cursory review of the Tapes would have, at the very least, raised questions about the origin of the programming recorded. Gilbert initially stated that he was briefed on the content of the Tapes; he did not claim that he reviewed the Tapes. Gilbert Decl. At 5. Gilbert subsequently claimed that he reviewed all of the Tapes and, not only did he not question the origin of the programming but concluded therefrom that they were in actuality the programming of WTVE. Gilbert's testimony in this respect is highly dubious. What's more, there is ample motive to fabricate and exaggerate such a review. The facts, however, do not support Gilbert's claimed review and, at the least, raise sufficient questions to require designation of a misrepresentation/lack of candor issue.

## **2. Sherwood's "Reports"**

In its Motion, Reading identified certain inconsistencies concerning Gilbert's claimed reports from Mr. Sherwood. (Reading Motion at 40-42.) Thus, Gilbert claimed in January that he spoke to Mr. Sherwood daily; Mr. Sherwood subsequently testified in his deposition and at the June 2000 hearing, that (beyond the initial contact and instruction to continue taping) he could recall only one conversation with Mr. Gilbert; Gilbert then revised his testimony, based on his review of Mr. Sherwood's deposition transcript, to claim that they spoke "a couple times a week." (Gilbert Testimony, Tr. at 1069:13-21, 2492:10-2493:5, 2549:13-20; Transcript of the May 19, 2000, Deposition of Paul Sherwood, 44:20-45:14 (pertinent

excerpts of Mr. Sherwood’s deposition transcript are attached to Reading’s Motion as Exhibit F); Sherwood Testimony, Tr. at 2149:2-18.)

These inconsistencies raise substantial questions as to Adams’ candor with respect to the extent of the “reports” it had from Mr. Sherwood. In particular Gilbert’s June testimony, based, as it is, solely on Mr. Sherwood’s testimony rather than any apparent independent recollection by Gilbert, raises serious questions as to the veracity of his January testimony – e.g., that he spoke to Mr. Sherwood on a daily basis – and, for that matter, as to his present testimony that he spoke with Mr. Sherwood “a couple times a week.” Given the importance Adams has placed on Mr. Sherwood’s “reports” to support its conclusion that Reading was not serving the public interest, Gilbert had ample motive to fabricate the extent of his contacts with Mr. Sherwood.

Adams’ Opposition rests entirely on mischaracterizing Reading’s position. Thus, Adams begins its Opposition with the premise that Reading asserts that “Gilbert lied about conferring with Mr. Sherwood by telephone while the tapes were being made.” (Adams’ Opposition at 26.) Adams then relies on Sherwood’s testimony to support the claim that Gilbert did speak to Mr. Sherwood during the taping process. (Id.) Reading, however, never disputed that Gilbert and Mr. Sherwood spoke, just Gilbert’s claims concerning the extent of their conversations.

In addition, Adams suggests that Gilbert’s January claim to “daily” reports can be forgiven because it was based on his faulty recollection and has been recanted. (Id. at 27.) Given the importance Adams places on the reports from Mr. Sherwood to support its conclusion that Reading was not serving the public interest,

Gilbert was clearly motivated to exaggerate the extent of those reports, which he now admits he did. This is no innocent misstatement that might be forgiven or overlooked, but part of a calculated effort to bolster Adams' claim to having conducted a diligent investigation of WTVE's programming prior to filing its application. Gilbert's knowingly false and intentionally deceptive exaggeration cannot and should not be blithely set aside.

In fact, the Commission has disqualified an applicant for misrepresentations under similar circumstances:

We found from discrepancies in her own testimony that the petitioner had been less than candid in responding in the initial hearing session to cross-examination concerning her remarks to supervisors and co-workers as to whether she actually intended to carry out her proposal to move to Lenoir and manage a new FM station there. She repeatedly affirmed at the first session that she had told her supervisors that she was proposing to move to Lenoir if her application were granted and denied having told them that she did not really intend to carry out that ostensible plan. But after opposing counsel elicited impeaching testimony from four of her former supervisors and co-workers, she conceded that she had deliberately lead them to believe that there was little likelihood that she would ever quit her current job and move to Lenoir.

See Maria M. Ochoa, 9 FCC Rcd 56 (1993). Similarly here, in January Gilbert testified that he had spoken to Mr. Sherwood on a daily basis. After Mr. Sherwood testified that he could recall only one conversation, Gilbert recanted his initial testimony and now contends that he only spoke to Mr. Sherwood "a couple times a week." Given the motive to exaggerate his contacts with Mr. Sherwood, the contradictions in Gilbert's testimony clearly raise sufficient questions about Adams' candor to require designation of a misrepresentation/lack of candor issue.

### 3. Gilbert's Instructions

In its Motion, Reading questioned Gilbert's testimony that he very specifically instructed Mr. Sherwood to tape WTVE/Channel 51 and that Mr. Sherwood verified that he could receive WTVE/Channel 51. (Reading's Motion at 43-45.) The conflict between Sherwood's testimony and Gilbert's testimony raises a substantial and material question as to whether Gilbert intentionally and knowingly exaggerated the clarity of his instructions, asserting instead that Mr. Sherwood was responsible for taping the wrong channel, in an effort to circumvent the negative impact of having failed to properly instruct Mr. Sherwood as to the taping and the concomitant implication that Adams made only a superficial effort to tape the programming. (Id.)

Adams focuses its Opposition on attacking Mr. Sherwood's recollection of the instructions or, alternately, his ability to understand those instructions. (Adams' Opposition at 28-29.) Adams' further attempts to shift the blame to Mr. Sherwood, however, serve only to reinforce Reading's point that Gilbert was less than completely truthful when he claimed to have very specifically instructed Mr. Sherwood to tape WTVE/Channel 51. Simply put, had Gilbert very specifically instructed Mr. Sherwood to tape WTVE/Channel 51, Mr. Sherwood would not have taped the Home Shopping Club. Or, more accurately, had he received very specific instructions, Mr. Sherwood would have advised Gilbert that he could not receive WTVE/Channel 51 on his television.<sup>10</sup>

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<sup>10</sup> At the time of the taping, Mr. Sherwood's cable company did not carry WTVE. (See Sherwood Testimony, Tr. at 2147:7-2148:4, 2165:15-18, 2169:15-23; TV  
(footnote continued)

The plain fact that WTVE/Channel 51 was not taped, combined with the conflict between Sherwood's testimony and Gilbert's testimony, raises sufficient doubt about Gilbert's testimony regarding his dealings with Mr. Sherwood warrant further inquiry.

**D. Programming In General**

During the course of these proceedings, Adams has given inconsistent explanations of the nature of the programming it intends to air should it succeed to the license for Channel 51 in Reading, Pennsylvania. (Reading's Motion at 45-51.) Thus, Adams' Application makes no mention of Spanish language programming (Adams Application, Exhibit 4 (a copy of the Adams Application is in the record as Reading Hearing Ex. 10)), while A. R. Umans, an Adams officer and Director, claimed that he discussed the intention to use Spanish language programming with Messrs. Gilbert and Haag at the "onset" of the application. (Transcript of the October 14, 1999, Deposition of A. R. Umans (Umans Depo.), 8:20-11:2 (the Umans Depo. is in the record as Reading Hearing Ex. 45.)) Mr. Haag, however, remembers no such conversations. (Haag Depo., 18:21-19:2 (Reading Hearing Ex. 44).)

Wayne Fickinger, another Adams officer and Director, testified at his deposition that Adams had only decided in May or June 1999 (coinciding with its dealings with Telemundo) that it would go with Spanish language programming. (Transcript of the October 14, 1999, deposition of Wayne J. Fickinger ("Fickinger

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Times, from the Reading Eagle for the week of May 29 to June 4, 1994, at 5 (a copy of the TV Times is in the record as Adams Hearing Ex. 11.))

Depo.”), 10:15-19 (pertinent excerpts of the Fickinger Depo. are attached to Reading’s Motion as Exhibit G.)) Yet, in June, Mr. Fickinger recanted his prior testimony and asserted that he had always understood that Adams would use Spanish language programming. (Fickinger Testimony, Tr. at 2444:18-2445:21.) These inconsistencies raise sufficient doubts as to Adams’ candor to warrant designation of a misrepresentation/lack of candor issue.

In its Opposition, Adams first tries to explain the inconsistency between the lack of any mention of Spanish language programming in its Application and Mr. Umans’ testimony that Adams intended from the beginning to provide Spanish language programming.<sup>11</sup> Adams does so by arguing that there is no requirement that the Application specify specialized programming and that, in any case, the statement of programming intent in the Application is not inconsistent with the notion of providing Spanish language programming. (Adams’ Opposition at 29-30.) Of course, if Spanish language programming is the same as “regularly scheduled news, public affairs and other nonentertainment programming (including locally-produced and locally-oriented programming and public service announcements) responsive to the needs and interests of Reading and the rest of the station’s service area,” perhaps these statements aren’t inconsistent. However, given the passion Adams claims to have for providing Spanish language programming (remember that, just prior to undertaking this comparative renewal process, Adams/Monroe

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<sup>11</sup> Although Adams overlooks it, the lack of any mention of Spanish language programming in the Application is also at odds with Mr. Fickinger’s most recent assertion that Adams always has intended to use Spanish language programming.

had abandoned Channel 44 because they could not find a source of Spanish language programming), if Adams truly intended to continue to pursue Spanish language programming in this proceeding, one would reasonably expect that intention to be reflected in the Application.

With respect to Mr. Fickinger's reversal from his deposition to his hearing Testimony, Adams asserts that the inconsistency actually results from the deposition question. (Adams' Opposition at 30-31.) This assertion is specious and is plainly belied by the testimony. Thus, the relevant deposition questioning in full was:

**Mr. Hutton:** Have you had any discussions with any of the other stockholders of Adams Communications about the programming that Adams would air on this station if Adams is successful?

**Mr. Fickinger:** I talked with two of the leaders, yes.

**Q:** What was the nature of that discussion?

**A:** Hispanic is what we currently would be planning to do.

**Q:** When did you have that discussion?

**A:** The first time around I'm going to say about four of five months ago and this morning.

**Q:** Would the plan be to affiliate with a Hispanic network or to air independent Hispanic programming?

**A:** I don't know.

**Q:** Was that discussed?

**A:** Not in my presence.

**Q:** Was the availability of an affiliation with a Hispanic network discussed?

A: Not really. There was one mentioned that works with them, but no affiliation was discussed.

Q: Which one – I’m sorry. Which one works with them?

A: The one that currently works with the station, with Channel 51.

Q: To your knowledge, has anyone affiliated with Adams Communications held discussions with a representative of a Hispanic network on any subject?

A: Not to my knowledge.

**Q: Prior to four or five months ago, did you have any understanding or any discussion with other Adams principals as to what programming Adams would air if Adams were successful?**

**A: No.**

Fickinger Depo., 9:8-10:19 (emphasis added).

Adams claims that, when Mr. Fickinger answered “no” to the question whether “[p]rior to four or five months ago, did you have any understanding or any discussion with other Adams principals as to what programming Adams would air if Adams were successful,” he was answering only with respect to “any discussions” and not, as the question plainly asks, with respect to “any understanding or any discussions.” In this regard, however, it is not insignificant that only a few lines prior to the question at issue, Mr. Fickinger testified about the first discussions about Spanish language programming, thus he would certainly have understood that the later question called for something more. Furthermore, if Mr. Fickinger was actually limiting his answer only to “any discussions,” candor required him to say so. He did not. Under the circumstances, and reading the deposition

examination in total, Mr. Fickinger was clearly answering to both any understanding and any discussions.

In its opposition Adams objects that the deposition question “was a compound question which asked simultaneously any ‘understanding’ or any ‘discussion.’ Mr. Fickinger’s negative answer was clearly consistent with his earlier testimony insofar as ‘discussions’ were concerned.” (Adams’ Opposition at 30.) Of course, in that regard Adams concedes that Mr. Fickinger’s answer is clearly inconsistent insofar as “understandings” are concerned. When Mr. Fickinger was asked about this discrepancy with his deposition testimony at the hearing, he did not claim that he had not understood the deposition question. Rather, he claimed that his deposition testimony was not correct because “I was always under the assumption that it was designed to be an Hispanic station.” Fickinger Testimony, Tr. 2442:6 – 2445:21.<sup>12</sup>

In any case, if Adams’ counsel really thought that the question was improper he was required to object at the time. He did not. Since the claimed impropriety was in the form of the question and could have easily been obviated had an objection been presented at the time, that objection was waived when it was not made during the deposition and is improperly asserted now. See 47 C.F.R. § 1.319(b) (“Errors and irregularities occurring at the oral deposition . . . in the form of the question . . . and any errors of any kind which might be obviated, removed, or

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<sup>12</sup> See U.S. v. Cohen, 83 F.2d 1030, 1044 (8<sup>th</sup> Cir. 1978) (compound question irrelevant where no vagueness or confusion is present in the answer and party was given an opportunity to clarify testimony on cross-examination).

cured if promptly presented, are waived unless reasonable objection thereto is made at the taking of the deposition.”); see also F.R.C.P., Rule 32(d)(3)(B).

As demonstrated in Reading’s Motion and further explained above, the inconsistencies in the record regarding Adams’ intent to provide Spanish language programming raise sufficient doubts as to Adams’ candor to warrant designation of a misrepresentation/lack of candor issue.

**E. Corporate Dissolution**

On June 21, 2000, Gilbert swore that Adams had prepared and regularly filed its Annual Reports with the Massachusetts Secretary of State. (Gilbert Testimony, Tr. at 2522:6-10.) On June 22, 2000, Gilbert, who testified that he is and always has been Adams’ corporate attorney,<sup>13</sup> swore that Adams had failed to file Annual Reports with the Massachusetts Secretary of State. (Adams’ Application for Revival, attached as Exhibit H to Reading’s Motion to Enlarge Issues.) Adams asserts that the Gilbert’s June 21 testimony is not false, despite the fact that he directly contradicted it the very next day, because the evidence shows that the failure to file the Annual Reports was the result of “some inadvertent oversight outside the knowledge of Mr. Gilbert.” (Adams’ Opposition at 33.) Adams, however, does not cite to any evidence whatsoever in support of this assertion, nor does Adams offer to explain what the inadvertent oversight was. Adams’ protestations of innocence ring hollow.

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<sup>13</sup> Gilbert Testimony, Tr. 2519:20-2520:3.

Contrary to Adams' unsupported supposition, what the evidence actually does show is that Gilbert has given two contradictory sworn statements, one of them to this tribunal, which he has not explained beyond unsupported supposition.<sup>14</sup> The clearly contradictory statements raise sufficient doubts about Adams candor to warrant designation of the requested misrepresentation / lack of candor issue.<sup>15</sup>

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<sup>14</sup> By way of contrasting example to Adams' unsupported assertion that the failure to file Annual Reports was due to some oversight beyond Gilbert's knowledge, it is just as easily argued that, when he testified that Adams had filed Annual Reports, Gilbert actually knew that it had not filed any such Reports, but assumed that Reading would not know that and, therefore, figured he could slip one by – note that the question concerning the filing of annual reports precedes the disclosure of the Certificate of Dissolution. (Gilbert Testimony, Tr. 2522:6-9, 2523:20-25.) In any case, the point is that further inquiry is called for.

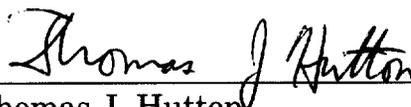
<sup>15</sup> While the issue of Adams' corporate statement, of itself, may not be significant, the issue here is the honesty of Gilbert's testimony. *See* cases cited *supra* at 1-3.

### III. CONCLUSION

As demonstrated in Reading's Motion and further shown above, Adams has made numerous misrepresentations during the course of these proceedings that raise significant questions about its candor; accordingly, the requested issues should be added and further inquiry made into these matters.

Respectfully submitted,

READING BROADCASTING, INC.



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(202) 955-3000

Its Attorneys

Dated: August 18, 2000

**Exhibit 1**

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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In re Applications of, ) MM Docket No. 99-153  
READING BROADCASTING, INC., ) File No. BRCT-940407KF  
For Renewal of License of )  
Station WTVE(TV), Channel 51, )  
Reading, Pennsylvania )  
and )  
ADAM COMMUNICATIONS ) File No. BPCT-940630KG  
CORPORATION )  
For Construction Permit )

Deposition of A.R. UMANS, held at the  
offices of Holleb & Coff, 55 East Monroe Street,  
Suite 4000, Chicago, Illinois, commencing at  
1:50 p.m., 14th day of October, 1999 before Renee E.  
Brass, Notary Public for the State of Illinois.

1 recall being involved in any discussions about that?

2 A. No.

3 Q. Do you remember ever being advised that the  
4 budget was being increased?

5 A. I don't recall.

6 Q. Do you know who would have been responsible  
7 for conducting that analysis?

8 A. I do not.

9 Q. Have you ever been involved in any  
10 discussions as to possible affiliation of the station  
11 with the Telemundo network?

12 A. No.

13 Q. Have you ever been involved in any  
14 discussions as to whether or not any other party had  
15 made an offer to Adams Communications to pay money  
16 for the dismissal of the Adams application?

17 A. No.

18 Q. Out of the hundreds of TV stations around  
19 the country, do you know why the station in Reading,  
20 Pennsylvania was selected as the subject of a  
21 competing application by Adams?

22 A. I believe what Mr. Gilbert indicated was

**Exhibit 2**

BEFORE THE  
 FEDERAL COMMUNICATIONS COMMISSION  
 Washington, DC 20554

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In re Applications of, ) MM Docket No. 99-153  
 )  
 READING BROADCASTING, INC., ) File No. BRCT-940407KF  
 )  
 For Renewal of License of )  
 Station WTVE(TV), Channel 51, )  
 Reading, Pennsylvania )  
 )  
 and )  
 )  
 ADAM COMMUNICATIONS ) File No. BPCT-940630KG  
 CORPORATION )  
 )  
 For Construction Permit )

Deposition of WAYNE J. FICKINGER, held at  
 the offices of Holleb & Coff, 55 East Monroe Street,  
 Suite 4000, Chicago, Illinois, commencing at  
 10:20 a.m., 14th day of October, 1999 before Renee E.  
 Brass, Notary Public for the State of Illinois.

1 Q. And are you an officer or director of Adams  
2 Communications?

3 A. Yes.

4 Q. What office do you hold or --

5 A. Vice president.

6 Q. Are you a director?

7 A. Yes.

8 Q. Have you had any discussions with any of  
9 the other stockholders of Adams Communications about  
10 the programming that Adams would air on this station  
11 if Adams is successful?

12 A. I talked with two of the leaders, yes.

13 Q. What was the nature of that discussion?

14 A. Hispanic is what we currently would be  
15 planning to do.

16 Q. When did you have that discussion?

17 A. The first time around I'm going to say  
18 about four or five months ago and this morning.

19 Q. Would the plan be to affiliate with a  
20 Hispanic network or to air independent Hispanic  
21 programming?

22 A. I don't know.

1 Q. Was that discussed?

2 A. No, not in my presence.

3 Q. Was the availability of an affiliation with  
4 a Hispanic network discussed?

5 A. Not really. There was one mentioned that  
6 works with them, but no affiliation was discussed.

7 Q. Which one -- I'm sorry. Which one works  
8 with them?

9 A. The one that currently works with the  
10 station, with Channel 51.

11 Q. To your knowledge, has anyone affiliated  
12 with Adams Communications held discussions with a  
13 representative of a Hispanic network on any subject?

14 A. Not to my knowledge.

15 Q. Prior to four or five months ago, did you  
16 have any understanding or any discussion with other  
17 Adams principals as to what programming Adams would  
18 air if Adams were successful?

19 A. No.

20 Q. Have you participated in any discussions  
21 with other Adams principals about the proposed  
22 management of the station if Adams is successful?

1 don't know. There was a law firm and I can't recall  
2 the name of it to be honest with you. I just don't  
3 know.

4 Q. Do you know if Mr. Cole was involved in  
5 that representation?

6 A. I don't remember.

7 Q. With respect to the proposed programming,  
8 do you know if Monroe was planning to operate as an  
9 affiliate of a Hispanic network or to air independent  
10 Hispanic programming?

11 A. We had talked with several, I'm going to  
12 call it Hispanic network operations, and that was --  
13 as I recall, that was to be part of our plan, to use  
14 one of those two.

15 Q. Do you know which network operations those  
16 were?

17 A. Telemundo is one, and it starts with a U.

18 Q. Would it be Univision?

19 A. Yeah, I think so.

20 Q. But I take it from your prior testimony  
21 that there has been no similar discussion with either  
22 of those networks with respect to the Adams

READING EXHIBIT 43  
PAGE 39

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## CERTIFICATE OF SERVICE

I, Myra Powe, a secretary of the law firm of Holland & Knight LLP hereby certify that I caused a copy of the foregoing, Reading Broadcasting, Inc.'s Motion to Enlarge Issues and supporting Memorandum to be HAND DELIVERED, this 18<sup>th</sup> day of August, 2000, as follows:

The Hon. Richard L. Sippel  
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Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
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