

1 THE WITNESS: That is correct.

2 JUDGE SIPPEL: For real money, right?

3 THE WITNESS: Yes.

4 JUDGE SIPPEL: Okay. Was there any other use to
5 which this letter was put?

6 When I say "any other use," I'm talking about the
7 specific situation that you were talking about.

8 THE WITNESS: Not that I recall. I would just
9 again indicate this letter is exactly in parallel with the
10 verbal advice that I got from Mr. Wadlow, and I used that
11 through our disclosures and all the other things that
12 involve, but it really was the finance, I believe, and the
13 negotiations leading up to the ending of the bankruptcy that
14 this -- that was the reason that I requested the letter.

15 JUDGE SIPPEL: And that's the only time in which
16 you -- on that particular letter, that you relied on it for
17 gaining something?

18 THE WITNESS: Yes.

19 JUDGE SIPPEL: In other words, you showed it to
20 somebody and said --

21 THE WITNESS: I was already relying on the advice
22 that was --

23 JUDGE SIPPEL: I understand that. But other
24 people -- obviously, other people weren't.

25 THE WITNESS: That is correct, sir, and I asked

1 for it in writing.

2 JUDGE SIPPEL: Because they said they wanted to
3 see it in writing?

4 THE WITNESS: That is correct.

5 JUDGE SIPPEL: All right. Okay. I think I'm
6 finished with that.

7 MR. COLE: One quick.

8 BY MR. COLE:

9 Q Mr. Parker, isn't it true that in your
10 conversations with Mr. Wadlow, Mr. Wadlow advised you that
11 it was the review board's approval of the settlement in the
12 San Bernardino case which eliminated any problems in terms
13 of your qualification?

14 MR. HUTTON: Objection; foundation.

15 JUDGE SIPPEL: Well, the foundation would be --
16 yeah, this is a question of is Mr. Cole accurately
17 recasting, not recasting, but rather recapitulating the
18 testimony, summarizing the testimony that we had this
19 morning, and I thought that that was -- that's pretty close
20 to it.

21 THE WITNESS: As long as you include the portion
22 that I talked about that his explanation to me and my
23 understanding of it, and I assume that it was his
24 explanation was that once the ALJ's opinion was appealed,
25 then the controlling document was the review board; not just

1 their opinion on the 850,000, but their opinion rendered in
2 terms of -- at least my understanding of what that opinion
3 was -- that for comparative analysis she didn't get the
4 credit, but they didn't extend on to the rest of the
5 opinion, and I'm sure you guys will argue about that, but
6 that was my understanding.

7 BY MR. COLE:

8 Q So your understanding of Mr. Wadlow's advise was
9 once the review board had acted --

10 A Yes.

11 Q -- the significance of the ALJ's decision went
12 away; is that correct?

13 A Yes. And really, that's the answer to your
14 previous question where we got off for awhile, and I'm
15 trying to figure out when you ask about the amendment in
16 KIJ, it's kind of the same comment; that my state of mind
17 and my belief was that those issues went away after the
18 review board had made the ruling.

19 Q And when you refer to "KIJ," may I correctly
20 assume that you're referring to KCBI?

21 A At that point it was KCBI. It's now KIJ, same
22 radio station, and it was the amendment that you were asking
23 me about, and that's really the crux, I suppose, of the
24 argument.

25 But my belief was that there weren't any issues

1 that were outstanding in 1992 in this case; that it had been
2 resolved.

3 Q I hate to reopen this line but I'm required to at
4 this point because if Mr. Wadlow had been telling you that
5 once the review board acted in San Bernardino, there were no
6 further problems, why then did he write to you that it was
7 the ALJ who had not found that you had done anything
8 improper?

9 A That was the first paragraph or the third
10 paragraph. The fourth paragraph, I believe, speaks that
11 that he -- or I'm sorry, I want to get -- yeah, it's the
12 fourth paragraph that --

13 JUDGE SIPPEL: You're on Adams 58 now, right?

14 THE WITNESS: Yes. Yes, Your Honor, page 1, the
15 last paragraph said, "You served as a principal of other FCC
16 licensees. We are aware of no question that has ever been
17 raised as to your qualifications to hold such a position."

18 I think you really have to tie his advice
19 together, and that's what I relied upon.

20 BY MR. COLE:

21 Q Mr. Parker, I appreciate that answer. It's a
22 swell answer, but it's not responsive to my question. My
23 question is if Mr. Wadlow and you had multiple
24 conversations, which I understand your testimony to be, to
25 the effect that the review board, not the judge's decision,

1 the review board in acting eliminated any problems, then why
2 is Mr. Wadlow addressing the ALJ in this letter?

3 MR. HUTTON: Objection; argumentative; also asks
4 for Mr. Wadlow's state of mind.

5 JUDGE SIPPEL: Well, again, I'm going to overrule
6 the objection. I think we're trying to get some
7 clarification here.

8 THE WITNESS: I don't know.

9 BY MR. COLE:

10 Q And if you had had multiple conversations with Mr.
11 Wadlow about this, as you have testified, and if Mr. Wadlow
12 had told you that it was the review board, not the ALJ's
13 decision which was of significance to you, as you have
14 testified, did you ask Mr. Wadlow why it is that all of a
15 sudden in the February 18 letter he's referring to the ALJ
16 and not the review board?

17 A No.

18 Q Did you wonder about that?

19 A No.

20 Q Did you have any concern that the letter because
21 it referred only to the ALJ and not to the review board was
22 in any way inaccurate?

23 A No.

24 Q Did you advise anyone to whom you gave this letter
25 that the letter as written did not accurately reflect what

1 Mr. Wadlow had told you orally?

2 A Well, the answer to your question is no, but I
3 didn't believe that to be the case anyway, as I testified
4 before.

5 Q Now, one last line of questions in this area.

6 In your response a moment ago where you sought to
7 clarify your answers to testimony earlier on about the KCBI
8 amendment.

9 Do you recall?

10 A Yes.

11 Q Could you restate that clarification?

12 A Well, like I was saying, in 1992, going back and
13 trying to find where that amendment was.

14 Q The amendment is in 58, Adams 59. I'm sorry, it's
15 not Adams 59. It's Adams 55.

16 A I've got it.

17 I'm just simply saying, in 1992, it was clearly my
18 understanding that there were no issues pending and that
19 they had been resolved in that case, and, you know, I did
20 not write the amendment. But in terms of it responding to
21 the Commission, I thought I was signing an accurate
22 statement.

23 Q So --

24 A Whether it applied toward San Bernardino or not, I
25 think you have to read it and make your own conclusion. But

1 clearly the testimony there, it could have applied towards
2 San Bernardino. There were no issues, in my opinion, and
3 what I had been told and so on, that were outstanding.

4 Q When you signed this amendment, did you understand
5 the amendment to include San Bernardino or not to include
6 San Bernardino?

7 A I don't know that I focused on it. As far as I'm
8 concerned, it included everything that was asked for. If
9 that was San Bernardino, then yes, it would have included
10 that as well.

11 Q So is the statement in your amendment on Exhibit
12 55, page 3, that no character issues had been added or
13 requested against those applicants when those applications
14 were dismissed, was that accurate with respect to San
15 Bernardino?

16 A Certainly in terms that they had been resolved one
17 way or the other, yes.

18 Q Mr. Parker, that wasn't my question.

19 The language which you subscribed to in this
20 amendment states that no character issues had been added or
21 requested against the applicant in question, and the case
22 we're talking about San Bernardino Broadcasting Limited
23 Partnership. We've established earlier on, and I believe
24 you testified that you were aware that a character issue had
25 been requested against San Bernardino Broadcasting Limited

1 Partnership and a character issue had in fact been added
2 against San Bernardino Limited Partnership.

3 That being the case, is it not true that this
4 sentence in the amendment to the Dallas assignment
5 application, Exhibit 55, page 3, is inaccurate insofar as
6 San Bernardino is concerned?

7 MR. HUTTON: Objection. Mischaracterizes the
8 document. He's trying to -- well, if you want to exclude
9 the witness, I'll explain.

10 JUDGE SIPPEL: All right. Why don't you step
11 outside and stretch your legs.

12 THE WITNESS: Is it alright if I break for a
13 second and I'll go down the hall?

14 JUDGE SIPPEL: That's alright.

15 THE WITNESS: Thank you, sir.

16 (Witness temporarily excused.)

17 JUDGE SIPPEL: Okay, we've got to get this
18 straightened out and get off of this because --

19 MR. COLE: Your Honor, I --

20 JUDGE SIPPEL: I'm not being critical. I may be
21 as much at fault but we've been over this thing so many
22 which ways.

23 MR. COLE: Well, Your Honor, I get different
24 answers.

25 JUDGE SIPPEL: All right.

1 MR. HUTTON: Your Honor, Mr. Cole is trying to
2 read out the last phrase of the sentence which is "...when
3 those applications were dismissed." If he wants to ask the
4 question that includes that phrase, that's fine. But to
5 drop that phrase from the question, I think, is unfair.

6 MR. COLE: Your Honor, it asks whether character
7 issues had been added or requested, and the answer is
8 character issues had been added or requested.

9 MR. HUTTON: Against those applications when those
10 applications were dismissed, and Mr. Parker is testifying he
11 interpreted that to mean what was the case when the
12 application was dismissed as the language reads.

13 MR. SHOOK: Your Honor, if I may?

14 JUDGE SIPPEL: Yes, please.

15 MR. SHOOK: I believe I have heard two different
16 explanations for the amendment as it was written that
17 justify the veracity of that last sentence.

18 The first testimony I thought I heard was to the
19 effect that that sentence did not mean to include a
20 reference to the San Bernardino application. That's what I
21 thought I heard him say.

22 What I just heard him say is that it was meant to
23 include it but it was true for, you know, another reason. I
24 believe that's where Mr. Cole is coming from, to try to just
25 get it squared away once and for all what is it that Mr.

1 Parker meant to include or not include with respect to that
2 sentence. And if he can't get it, I'm going to try.

3 MR. COLE: Your Honor, if Mr. Shook is going to
4 try and do it, I'm certainly happy to accede that ground to
5 him and move on because I've now tried and I agree with Mr.
6 Shook that I have heard at least two different versions of
7 the story this afternoon, neither of which I recall hearing
8 in his deposition, but that's neither here nor there. And,
9 you know, I think at this point I'm not sure what else I can
10 do about it, and I really don't want to belabor the point
11 unnecessarily. I think it is an important point. But you
12 know, I've tried. If Mr. Shook wants to try, that's fine
13 with me.

14 JUDGE SIPPEL: Well, I think if you've got a
15 different version in the deposition and you've got two
16 versions here, I think, you know, if that's the case, I
17 mean, in the sense you have made the point. To keep going
18 back and getting a fourth, fifth and sixth version --

19 MR. COLE: No, the only reason I went back this
20 time is because the second version popped up just as you
21 were moving off, but that's when he said, "Oh, let me
22 clarify my answer," and out comes the clarification.

23 Anyway, I just --

24 JUDGE SIPPEL: Well, I think that -- you know, I
25 think it's clear that Mr. Parker -- I think in a sense he's

1 kind of outvoted here. We are all trying to get -- we're
2 trying to come away with his version of the story and have
3 it so we all understand what it is.

4 MR. HUTTON: That's fine but --

5 JUDGE SIPPEL: And we keep coming at it from
6 different ways.

7 MR. HUTTON: That's fine, but, number one, it's
8 fair for a witness to clarify his prior testimony; and
9 number two, all I ask is that when the witness is asked a
10 question about a particular sentence, that the sentence be
11 read in its entirety and not critical portions dropped out.

12 JUDGE SIPPEL: Well, that's fair. I mean, that is
13 very fair. But let's -- you are going to have an
14 opportunity to redirect this witness. And if this is that
15 important, I'm assuming you're going to -- if we don't pin
16 it down, maybe you will be able to pin it down. But you're
17 going to come back at this.

18 But what I'd like to do is I'd like to give Mr.
19 Shook a chance. Before we pass off the subject --

20 MR. COLE: Okay.

21 JUDGE SIPPEL: -- is give Mr. Shook a chance to
22 get his clarification on it, and then we can move on.

23 MR. COLE: And my last line of question is fairly
24 brief, Your Honor, so once we get through with Mr. Shook I
25 would expect to be done fairly quickly.

1 JUDGE SIPPEL: Okay, and it's not because I am --
2 you know, I don't have confidence in terms of anybody here
3 having the same ability to do it. It's just that we have
4 all approached it, you know, and this is a tough witness.

5 MR. SHOOK: Your Honor, if I may, I would prefer
6 to ask all of my questions at one time rather than ask about
7 a particular subject, wait and then jump back in again.

8 JUDGE SIPPEL: All right.

9 MR. SHOOK: If that's acceptable.

10 MR. COLE: And if you want to do it right now and
11 then --

12 MR. SHOOK: No, I would rather wait.

13 JUDGE SIPPEL: No, he wants to wait until you have
14 completed all your questions, and then you will do your
15 cross and then Mr. Hutton will redirect. And then if there
16 is something left over, we'll clean it up.

17 All right, ask the witness to please come back in.

18 (Witness resumes witness stand.)

19 JUDGE SIPPEL: All right, Mr. Parker, we have
20 reached a point where we feel that it would be -- we're
21 going to move on so that we can finish this examination, but
22 you've still got Mr. Shook for cross-examination and you've
23 got your own counsel on redirect. So we're not off the
24 subject, but we're going to move into a different area.

25 THE WITNESS: I understand, Your Honor.

1 BY MR. COLE:

2 Q Mr. Parker, did you provide consulting services to
3 Christine Shaw in connection with her application to acquire
4 Station KCBI in Dallas?

5 A Yes, I did.

6 Q And did you provide consulting services to Ms.
7 Shaw in connection with an application for a new television
8 station in Avalon, California?

9 A Yes, I did.

10 Q And didn't you testify as an expert witness in the
11 Avalon proceeding on behalf of Ms. Shaw?

12 A Yes, I did.

13 Q And am I correct that your testimony in this case
14 related to Ms. Shaw's financial qualifications?

15 A Yes, it did.

16 Q Do you recall that your testimony was given in
17 connection with the trial of an issue which was added
18 against Ms. Shaw in that Avalon proceeding?

19 A Yes, I did. Yes.

20 Q Did you have occasion to read the motion to
21 enlarge issues that was filed against Ms. Shaw which led to
22 the addition of the financial qualifications issue?

23 A I'm sure I did. I don't recall it specifically.

24 Q And you're aware, are you not, that in the Avalon
25 proceeding a real party in interest issue was also sought

1 against Ms. Shaw in the same motion to enlarge issues?

2 Would you agree with that?

3 A If you say so. I'd have to go back and read it.
4 It's been years.

5 MR. COLE: Your Honor, let me ask Mr. Booth to
6 present to the witness and the parties a document three
7 pages in length, which is a memorandum and order -- strike
8 that, memorandum opinion and order in the Avalon Television
9 proceeding, an order of Judge Luton, reflecting his
10 disposition of a petition to enlarge issues against
11 Christine Shaw which, according to paragraph one of Judge
12 Luton's order, seeks real party in interest, financial
13 qualification and misrepresentation issues against Shaw.

14 I would like to show that to the witness. Strike
15 that. I would like to have that marked for identification
16 as Adams 85.

17 JUDGE SIPPEL: It will be so marked as Adams 85
18 for identification.

19 (The document referred to was
20 marked for identification as
21 Adams Exhibit No. 85.)

22 MR. COLE: Yes. I'd like to show that to the
23 witness and ask him if that refreshes his recollection
24 concerning the fact that a real party in interest issue was
25 also sought at the same time as the financial qualification

1 issue against Ms. Shaw in the Avalon proceeding.

2 THE WITNESS: Yes.

3 BY MR. COLE:

4 Q And do you recall what Judge Luton -- what action
5 Judge Luton took with respect to the motion -- petition to
6 enlarge issues relative to the real party in interest issue?

7 A No, I don't.

8 Q Do you know what the final disposition of Ms.
9 Shaw's application was?

10 A I think she dropped her application, withdrew or
11 whatever. I'd have to go back and look at the exact term of
12 it.

13 Q Okay, Mr. Parker, with respect to Adams 85, the
14 document that I have just handed you, let me refer your
15 attention to paragraph two on page two, the last sentence,
16 which reads, "No real party in interest issue is warranted."

17 Does that refresh your recollection as to Judge
18 Luton's disposition of the real party in interest allegation
19 against Ms. Shaw and Avalon?

20 A It's pretty apparent on the face of that's exactly
21 what happened.

22 Q But paragraph three of Judge Luton's order
23 indicates that he did add a financial qualification issue
24 against Ms. Shaw; is that correct?

25 A That is correct.

1 Q And that was the issue in connection with which
2 you offered testimony as an expert on behalf of Ms. Shaw; is
3 that correct?

4 A That is correct.

5 Q And do you know what the disposition of the
6 financial issue against Ms. Shaw was?

7 A I don't recall at what stage she withdrew versus
8 what the judge ruled, so no, I don't.

9 MR. COLE: Your Honor, I would like to show the
10 witness a document which is two pages in length, but as I
11 read it over it should probably be three pages in length,
12 and I appear to be missing a second page. But I think for
13 our purposes this afternoon all Mr. Parker needs to look at
14 is page 1 and page 3, but I will make an effort to find page
15 2. I would like to have this marked as Adams 86.

16 It's another memorandum opinion and order from
17 Judge Luton in the Avalon case, and my primary purpose in
18 showing this to Mr. Parker is to refer him to paragraph six
19 and seven, and then the final ordering clause to see if that
20 refreshes his recollection concerning the ultimate
21 disposition of the financial qualifications issue with
22 respect to Ms. Shaw and Avalon.

23 JUDGE SIPPEL: Yes, the reporter will mark that
24 document as Adams Exhibit No. 86.

25 //

1 (The document referred to was
2 marked for identification as
3 Adams Exhibit No. 86.)

4 MR. COLE: Thank you, Your Honor.

5 BY MR. COLE:

6 Q And what was the disposition of the financial
7 qualifications issue against Ms. Shaw, Mr. Parker?

8 MR. HUTTON: Objection. I don't understand the
9 relevance of any of this.

10 JUDGE SIPPEL: You want to make a proffer of it so
11 that we can clear it up?

12 MR. COLE: Sure. Can I ask the witness to be
13 excused?

14 JUDGE SIPPEL: You sure may.

15 The witness is leaving the courtroom.

16 (Witness temporarily excused.)

17 MR. COLE: Your Honor, yesterday when Mr. Wadlow
18 was on the witness stand we presented evidence indicating
19 that Mr. Parker, in connection with the Christine Shaw
20 assignment application for a shortwave station, was the
21 subject of real party in interest inquiries by the Mass
22 Media Bureau beginning in February of 1991 and extending
23 thereafter.

24 What I am doing is setting up some antecedent
25 facts to demonstrate that Mr. Parker was aware of Ms. Shaw's

1 specific history relative to real party in interest, not
2 only as of February '91, but as of August of 1990.

3 What happened in that proceeding, in Avalon, was
4 that a real party in interest issue was sought, but rejected
5 by the judge, and in what I have identified as Adams 86 the
6 judge dismissed her application at Ms. Shaw's request
7 specifically finding that she was qualified to be a
8 licensee, an absolute clean bill of health and specifically
9 stated in Judge Luton's memorandum opinion and order.

10 Mr. Parker testified in his deposition that he had
11 advised Ms. Shaw that her assignment application to acquire
12 KCBI wouldn't be successful. As it turns out, in February
13 of 19 -- and he assisted her in the preparation of filing
14 that application in November of 1990, three months after
15 Judge Luton had given her a clean bill of health.

16 In February of 1991, the Mass Media Bureau starts
17 the process which we discussed yesterday with Mr. Wadlow,
18 that in fact irrespective of whatever Judge Luton found in
19 terms of cleaning her record under real part in interest or
20 financial qualifications or anything else, irrespective of
21 that the Bureau was interested and wanted to see what it was
22 all about, engaged in extensive inquiry set forth in the
23 June 1991 letter, and Mr. Parker will testify, I believe,
24 today that in July of 1992, more than a year and a half
25 after Ms. Shaw's assignment application was filed it was

1 still sitting there unprocessed, and it was because of that
2 that she dismissed the application, and he stepped into her
3 shoes and filed his own application to acquire Dallas, and
4 so it's been reported.

5 From the point of view of his state of mind in
6 preparing, for example, the Norwell application in 1991,
7 June - July of 1991, Mr. Parker at that point knew that Ms.
8 Shaw had had an absolute clean bill of health expressly
9 stated by Judge Luton in an order, but notwithstanding that
10 had been the subject of a significant line of inquiry from
11 the Mass Media Bureau which prevented her application from
12 being granted. Mr. Parker knew all that and had numerous
13 conversations with Sidley & Austin attorney about it, as
14 their billing records demonstrate, and yet in July of 1991
15 he filed the Norwell application in which he didn't mention
16 anything about the disqualifying real party in interest
17 issue in San Bernardino.

18 JUDGE SIPPEL: San Bernardino.

19 MR. COLE: And my view is that this is all
20 relevant to his state of mind, certainly his familiarity
21 with the entire Christine Shaw history is relevant to his
22 state of mind leading up to the preparation of the San
23 Bernardino -- I'm sorry -- the Norwell application. And I
24 would like to develop a record, and I do not think it will
25 take too long, that Mr. Parker was familiar with the facts.

1 He has already indicated he's familiar with the disposition
2 of Ms. Shaw's Avalon application.

3 And what I am trying to do now is hook him up to
4 where we ended up with Mr. Wadlow yesterday. Now, with Mr.
5 Wadlow the trail -- my evidentiary trail starts in or around
6 February 22, 1991, when the Sidley & Austin bills indicate
7 that Sidley & Austin first became aware of the FCC's inquiry
8 into Ms. Shaw in connection with the Dallas assignment
9 application.

10 Mr. Parker, as it turns out, knew about Ms. Shaw's
11 history prior to that, that's what I'm trying to build up to
12 here.

13 JUDGE SIPPEL: And how does the Avalon -- the
14 Avalon comes into this in what, that Judge Luton gave her a
15 clean bill of health?

16 MR. COLE: Gave Ms. Shaw a clean bill of health.

17 JUDGE SIPPEL: Yes?

18 MR. COLE: As opposed to Judge Gonzales in San
19 Bernardino. In other words, put yourself into Mr. Parker's
20 position.

21 Mr. Parker has an extremely adverse decision
22 from -- strike that -- has an adverse decision on real party
23 in interest issues from Judge Gonzales. He then has a
24 review board decision which, while Mr. Parker may say that
25 he thought it cleaned him off, there is still extremely

1 strong language in there which does not -- you know, which I
2 think makes at least arguable his conclusion.

3 And yet Mr. -- and so he's got that weighing on
4 him. He knows Ms. Shaw has got an absolutely clean bill of
5 health from Judge Luton and yet she is still stalled out by
6 the Mass Media Bureau, which is concerned about real party
7 in interest allegations, which were raised and he thought
8 completely disposed of affirmatively and expressly by the
9 judge.

10 JUDGE SIPPEL: So you're saying that he is seeing
11 that she's running into that much of a problem with the FCC
12 staff, and he's got a worst case scenario, so that he would
13 more than likely run into a really tough time.

14 MR. COLE: That's correct.

15 JUDGE SIPPEL: Mr. Hutton.

16 MR. HUTTON: Your Honor, I think we're clearly
17 into grassy knoll territory here. The Avalon proceeding is
18 at least two steps removed from this. There has been no
19 showing that Mr. Parker ever connected Ms. Shaw's dealings
20 with the FCC with his own history in San Bernardino. And I
21 think we need to focus on his own history in San Bernardino.
22 That's what this issue is supposed to be about. Let's deal
23 with that. We don't need to go into proceedings that are
24 twice removed.

25 JUDGE SIPPEL: What do you think, Mr. Shook?

1 MR. SHOOK: Context is everything. When you are
2 an applicant and you are making a representation, that
3 representation is based on the sum of all knowledge that you
4 have that leads up to that point. And one of the things
5 that I believe Mr. Cole is trying to develop here is what
6 knowledge it is that Mr. Parker had at various points in
7 time. And it seems to me that there is some significance to
8 this. It may not be very much. It may be when Mr. Parker
9 is finished testifying we won't be able to make much use of
10 this. I am sure Mr. Cole may try to make use of it, but the
11 rest of us, you know, may not be able to.

12 However, I am still interested in hearing in
13 hearing what Mr. Parker has to say on this subject. I
14 believe this is relevant albeit it's a little bit of a
15 stretch. You have to go back a few steps to see how things
16 are tied in, but there is a tie-in.

17 MR. COLE: Your Honor, if I might also refer Your
18 Honor and the parties to Adams 78, which is one of the
19 Sidley & Austin billing records which reflects that on
20 February 25, 1991, Mr. Carr of Sidley & Austin had a
21 conference with Mr. Parker and Ms. Glaser, who is California
22 counsel for Ms. Shaw, as I understand it, concerning delay
23 in FCC processing of KCB assignment application, meeting
24 with Ms. Glaser and FCC staff re hearing branch
25 investigation of real party in interest allegations from old

1 Avalon proceeding.

2 Flipping over to Adams 80, which is the May 9,
3 1991 bill, there is an entry for April 10, 1991 in which Mr.
4 Carr -- there is an entry that says, "Arrange FedEx to Ms.
5 Shaw; review language from Avalon case denying real party in
6 interest issue; discuss same with Mr. Parker."

7 JUDGE SIPPEL: This is what, on Mr. Wadlow's time
8 billing or?

9 MR. COLE: These are the Sidley & Austin --

10 JUDGE SIPPEL: Sidley & Austin.

11 MR. COLE: -- concerning Mr. Carr, but it is
12 Sidley & Austin statements that are in the record now.

13 When the FCC order, I'm sorry, the FCC letter of
14 inquiry came out on June 20, 1991, Mr. Parker was the second
15 person on the addressee list. And apparently he was sent
16 two faxes because we have two fax cover sheets at separate
17 addresses, one to Reading and one to -- appears to be a
18 number in California.

19 JUDGE SIPPEL: All right, I think I have heard
20 enough. I think I have heard enough.

21 It's an old saying, Mr. Hutton, that sometimes
22 even paranoid people get followed. I don't know. Well,
23 we'll see where it goes. You have got it half way there
24 anyway.

25 MR. COLE: Well, no, I've got things to tie in but

1 I don't want to have to write findings that then they are
2 going to say, well, you didn't ask the witness about. You
3 know what I'm saying? And I think we all should have the
4 opportunity to confront the witness.

5 Now, the witness may --

6 JUDGE SIPPEL: All right, that's good enough.

7 MR. COLE: All right.

8 JUDGE SIPPEL: That's good enough.

9 Let's bring the witness back in.

10 (Witness returns to witness stand.)

11 JUDGE SIPPEL: Yes, the witness is back in the
12 room.

13 Mr. Parker, I'm not going to take the time to
14 explain to you what we discussed.

15 THE WITNESS: Okay. Fine, Your Honor.

16 JUDGE SIPPEL: I'll let Mr. Hutton explain it to
17 you later.

18 THE WITNESS: Okay.

19 JUDGE SIPPEL: But we are going to let this line
20 of questioning go forward.

21 THE WITNESS: All right.

22 JUDGE SIPPEL: Go ahead, Mr. Cole.

23 MR. COLE: Thank you, Your Honor.

24 BY MR. COLE:

25 Q Mr. Parker, do you agree with me -- refer to Adams

1 No. 86, please, and would you agree that the final paragraph
2 of that, final unnumbered paragraph of that reflect a
3 determination by Judge Luton that Ms. Shaw was qualified to
4 be a Commission licensee?

5 A Yes.

6 Q Now, in November of 1990, which would be three
7 months after the release of Adams 86, you assisted Ms. Shaw
8 in the preparation and filing of her application to acquire
9 KCBI in Dallas, didn't you?

10 A Yes.

11 Q And do you recall during your deposition you
12 testified that you advised Ms. Shaw that you thought her
13 application would be successful?

14 A I did.

15 Q Why did you think her application would be
16 successful?

17 A I was unaware that there were any problems with
18 her qualifications at that point.

19 Q Can you tell the Court whether her application was
20 ultimately successful?

21 A No, it was not.

22 Q Can you state why?

23 A All I remember was she ran into problems at the
24 Commission.

25 Q Do you know what kind of problems she ran into