I would certainly assume so.

Do you know if Mr. Tichenor is fluent in Spanish?

I believe he is.

Do you know if Mr. Hinson is fluent in Spanish?

I don't know.

If you turn to page 53830.

MR. TERRELL: 53 what?

MR. DWYER: 830.

Do you see where Hispanic market is underserved?

Uh-huh.

What did you mean by that?

Well, I think that that was what we were talking about earlier, that the amount of advertising dollars directed to the Hispanic population was less than what their percentage of total retail spending made up of the total.

And are the next -- the next slides, for example, is 53831 a slide that you presented to -- to demonstrate graphically and numerically that proposition that the Hispanic population is underserved?

That's my general recollection, yes.
Q So would I correctly understand this chart on 53831 to mean that less than three percent of U.S. advertising -- radio advertising dollars are spent on Spanish-language radio advertising even though the Hispanic population is nine-and-a-half percent of the population?

THE WITNESS: Can you repeat that?

Sorry.

(The requested portion was read back)

A I think that's accurate, yes.

Q And was there -- was there a point that you were trying to convey in making this -- in using this chart?

A I think that the title says a significant upside potential of Hispanic ad market.

Q So you thought that if -- if -- because of the higher percentage of the population that's Hispanic and the higher percentage of consumer expenditures that's Hispanic that the advertising dollars would eventually rise to or at least approach those higher percentages?

A I think that was the general theory, yes.

Q Is that -- has that theory panned out?

A Again, I think I testified earlier I don't know if it has or it hasn't.
Q If you wanted to know the answer you would ask somebody at HBC?

A Yeah. Or I'd go back to some of those sources that were listed. But my first call would probably be to them.

Q And who would you ask there? Mr. Tichenor?

A I would probably ask Mr. Tichenor, yes.

Q If you look at the next page, which is 53832, that -- which is the -- a chart that says Spanish Radio Industry Revenue Potential, in the -- in the middle it says -- uses the phrase revenue gap. What did you mean by that?

A I think what this is saying is that if the Spanish radio industry revenue share equaled its audience share that you would generate $600 million when in fact it only generates $321 million, and so that there's a difference between those two which I think is being labeled the revenue gap.

Q And -- and the point of the presentation here was that that's the -- that's the upside potential for the New Heftel to try to get a large share of that 279 million that might be generated if advertising catches up to listenership in the Hispanic population?

A I think the idea was that the Hispanic
market was underserved and they were trying to find a way to quantify that, get it in -- put it into perspective.

Q But from a presentation perspective you're trying to tell the bondholders that the New Heftel that you were putting together would -- would participate to a great extent in going after that additional revenue.

A That was our hope, yes.

Q You see the bottom under Source, the last item is Katz Hispanic Media?

A I do.

Q So does that refresh your recollection whether Katz has a group called Katz Hispanic Media?

A It would certainly suggest that's what it was called.

Q Now, the next page, 53833, the heading says U.S. Hispanics Continue to Favor Spanish-language Media.

What -- what did you mean by that?

A I -- I don't know -- I don't know that I gave this part of the presentation so I'm not sure I would be the best person to ask that.

Q Okay. You can put that document aside. I think we've come to the end of what I think we're --
part of the presentation of you being. Have you had any communications with anyone from an investment banking firm from 1996 to the present concerning analyst -- research analyst coverage of SBS stock?

THE WITNESS: Can you repeat the question?
(The requested portion was read back)
A No.
Q Do you know whether anyone else from Clear Channel has had any such conversation?
A I don't believe so.
Q Do you know whether Mr. Hinson has had any such conversations?
A I have no idea.
Q Do you know whether anyone from HBC has had such conversations?
A I have no idea.
Q Would you agree that you would be wrong if anyone from Clear Channel or HBC tried to limit or eliminate coverage of SBS stock by securities analysts?
A I would say that would probably be inappropriate, yes.

MR. TERRELL: I'm sorry. I can't
THE WITNESS: I would say that that would probably be inappropriate.

Q Did you -- do you know a man named Tim Wallace who is a research analyst at Lehman?

A Yes.

Q And did he cover Clear Channel stock prior to leaving Lehman Brothers in 1999?

A He did.

Q And have you -- have you been in touch with him since -- since he left Lehman in 1999?

A Yes.

Q Is he -- does he still cover Clear Channel stock at Bank of America?

A Yes.

Q So you've -- you've had conversations with him over time?

A Yes.

Q Do you know how -- how it came that Mr. Wallace left Lehman to join Bank of America?

A Not specifically, no.

Q Do you have a general understanding of why he left?

A I think he was offered a better job.

Q Do you know who offered him the better job?
A I believe Bank of America.

Q Did anyone from Clear Channel or HBC have any role in his being brought to the attention of Bank of America?

A I recall Tom Carter, who was our contact person at Bank of America, calling me after they made the acquisition with Montgomery and asking me -- they were looking for a new research analyst and asking me if I had any suggestions on individuals that they might think to look at. And I recall giving him three or four names, one of which I remember being Mr. Wallace's name.

Q When was that conversation?

A I couldn't tell you specifically.

Q Was it about the time that -- just after B of A acquired Montgomery?

A I don't know if it was specifically. That's my general recollection.

Q But would it be about that time?

A That's my general recollection.

Q Who else did you recommend?

A You know, I can't -- I can't remember specifically. I think I mentioned Niraj Gupta and possibly Paul Sweeney. I just -- I don't remember specifically. You'd have to ask Mr. Carter.
And where are Mr. Gupta and Mr. Sweeney?

I think at the time Mr. Gupta was -- where was he? He might have been at Orthime (phonetic) Shroder. He's now currently at Salomon. And I think Mr. Sweeney was actually at Salomon and is now at First Boston. They tend to move around a lot.

Did you feel any disloyalty to Lehman by Orthime or Salomon by suggesting to Bank of America that they contact a research analyst to potentially hire?

No. I think that I viewed it a person asked me for honest information about who I thought were the good analysts and I relayed that to them.

I asked you before whether this had occurred about the time that B of A acquired Montgomery and, you know, we were a little fuzzy on time. Do you know whether this occurred about the same time that you had your conversations with Elizabeth Satin concerning Mr. Alarcon and drug use?

I have -- I don't know.

Did you let Mr. Gupta and Mr. Sweeney or Mr. Wallace know that you had given their names to Bank of America?

Mr. Wallace eventually called me and said that he was considering going to work for Bank of
American and did I have any impression of that. And I said that I thought they were a very good firm.

I can't recall whether or not I did or didn't suggest to him at that time that I had suggested that he might be a good candidate for them to look at.

Q At some earlier or subsequent time did you let him know that you had been a -- a recommender of his?

A I don't know that I ever did, no.

Q Did you ever tell him you thought it was a good place to work?

A I told him I thought that Bank of America was an excellent place.

Q Did you tell him if you went there -- if he went there that you'd try to get Clear Channel or Heftel to give business to Bank of America that he would get originating credit for?

A Absolutely not.

Q Did you tell Mr. Carter that if he hired Mr. Wallace or any of the other analysts you recommended that you would see that underwriting business or debt business run his way?

A Absolutely not.

Q Did you tell Mr. Wallace that Bank of
America was a good place to work?

A I told him that I thought that it was an excellent firm.

Q Do you know if anyone from HBC talked to Mr. Wallace about his -- his leaving Lehman and going to Bank of America?

A I don't know.

Q Do you know if anyone else from Clear Channel talked to Mr. Wallace or Mr. Carter about that subject?

A I don't know.

Q Had -- prior to your having that conversation with Mr. Wallace -- I'm sorry.

MR. DWYER: Withdrawn.

Q Prior to your having that conversation with Mr. Carter had Bank of America done any work for Clear Channel?

A Yes.

Q And has Bank of America continued to do work for Clear Channel?

A Yes.

Q And prior to that conversation had Bank of America done any work for Heftel?

A I think they -- I shouldn't say I think because I don't know that they did or they didn't.
Q Subsequently has Bank of America done work for Heftel?
A I don't know that they have or they haven't.
Q Have you ever had a -- any oral or written communication from an investment banker seeking business who discussed with you any desire to initiate coverage of Clear Channel -- analyst coverage of Clear Channel?

THE WITNESS: Can you repeat that?
(The requested portion was read back)
A I'm not sure I -- I'm not sure I totally understand the question. But as I -- as I think I understand it, the answer is no.
Q Is it important for a research analyst to have access to the company that he's covering?
A When you say important, what do you mean?
Q Well, what -- you're -- you're the -- you've been the CFO at Clear Channel for a number of years now. Correct?
A Yes.
Q And do you deal with -- you deal with research analysts?
A I do from time to time.
Q And what is the nature of your dealings with research analysts?
They're generally asking me questions about the company.

And do they then use the answers you give them in preparation of their reports on Clear Channel?

Yes.

And would it -- would it impact a research analyst in doing his job if you -- if you refused to answer his questions anymore?

I think it would make it more difficult but I don't think it would make it impossible. I mean there's a lot of research analysts who cover Clear Channel who I never talk to.

I'm making the distinction that you never to that you refused to talk to. Have you ever refused to talk to any research analyst trying to cover Clear Channel?

No.

You would perceive that in your interest -- self-interest as the CFO of the company to have -- to let research analysts have access to you.

To the extent that it wasn't something that consumed so much of my time that it became an issue for me from a time resource standpoint.

Do you think it would be wrong for a CFO to tell a research analyst that he wouldn't let him have
access to him if he covered somebody else’s stock?

A I -- I would not think that would be appropriate.

MR. DWYER: I’m going to mark as Exhibit 71 the subject we talked about a little before, a November 15th, 1999 letter to Deutsche Bank Securities signed by Mr. Mays which is CC 141 through 156.

(Exhibit 71 was marked)

Q Mr. Mays, before I get into the substance of the document I have some formatting questions for you which is --

A Okay.

Q -- are the first two pages of this document related to the -- to the rest of the document?

A I don’t believe so, no.

Q So let’s start out by asking you about the first two pages of the document which are Bates numbers 141 and 142. Is that your signature on the second page of the document?

A I believe so, yes.

Q And did you send this to Deutsche Bank Securities on or about November 15th, 1999?

A It certainly would appear that I did, yes.

Q Remember we -- I asked you before if -- if