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May 7, 2003

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Ex Parte Notice – MM Docket No. 02-277**

Dear Ms. Dortch:

On May 6, 2003, I met with Commissioner Jonathan S. Adelstein to discuss the need for adoption of the 25% Independent Producer Rule to further the FCC's mandate to promote program diversity and competition in the narrow prime time television programming marketplace.

Subjects discussed during this meeting included: the current status of the narrow prime time television programming marketplace; the advertising marketplace for prime time television programming; the 25% Independent Producer Rule proposed by the Coalition for Program Diversity; the judicial sustainability of the 25% Independent Producer Rule; and the public interest benefits from the Commission's adoption of the 25% Independent Producer Rule. Additionally, the following articles were discussed during this meeting: Brian Lowry, Wishing Grant Could Tinker with Prime Time, L.A. Times, April 30, 2003, at E1; Bill Moyers, Barry Diller Takes on Media Deregulation, NOW with Bill Moyers, April, 28, 2003 available at <http://www.alternet.org/story.html?storyID=15768>.

Pursuant to Section 1.1206(b) this letter is being submitted for inclusion in the above referenced docket.

Sincerely,

Michael R. Gardner  
Counsel for the Coalition for Program Diversity

cc: Commissioner Jonathan S. Adelstein  
Johanna Mikes - Advisor for Media Issues