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Federal Communications Commission
Office of Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	EB Docket No. 03-96
	)	
	)	File No. EB-02-TC-119
	)	
NOS Communications, Inc ,	)	Acct. No 200332170003
Affinity Network Incorporated and	)	
NOSVA Limited Partnership	)	FRN No 0004942538

JOINT OBJECTIONS AND RESPONSES TO ENFORCEMENT BUREAU'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

NOS Communications, Inc ("NOS"), Affinity Network, Incorporated ("Affinity," "ANI"), NOSVA Limited Partnership ("NOSVA") (collectively and otherwise referred to as the "Companies"), by counsel and pursuant to the Rules and Regulations of the Federal Communications Commission, hereby submit these Joint Objections and Responses to Enforcement Bureau's First Request for Production of Documents.

GENERAL OBJECTIONS

The Companies reserve the right to amend or supplement these responses as discovery in the case progresses, as new facts develop and as new information is obtained. The following responses are given without prejudice to the Companies' right to produce or rely on additional evidence at trial or in connection with any pretrial proceedings.

The Companies make the following General Objections and incorporate each of them into every specific response made below. The assertion of the same, similar or additional objections in any specific response does not waive the Companies' objections as set forth below.

The Companies object to each of the individual Requests for Production to the extent that they call for information protected by the attorney-client privilege, the work product doctrine, or

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any other applicable privilege or immunity Such privileged information will not be produced and any inadvertent disclosure or production thereof will not be deemed a waiver of any privilege or protection

The Companies object to each of the individual Requests for Production to the extent that they purport to require disclosure of any information protected by the right to privacy under the constitutions of the United States and/or any state in which the Companies are located

The Companies object to each of the individual Requests for Production to the extent that they purport to impose the burden of furnishing information that is not available to the Companies or that is equally or more readily available to the Enforcement Bureau.

The Companies object to each of the instructions, definitions and individual Requests for Production to the extent that they purport to impose any obligation on the Companies greater than or different from that imposed by the Rules of the Federal Communications Commission.

The Companies object to each of the individual Requests for Production to the extent that they are vague, ambiguous, overly broad and/or unduly burdensome.

The Companies object to each of the individual Requests for Production to the extent that they seek documents that are irrelevant to the present dispute and which are furthermore not reasonably calculated to lead to the discovery of admissible evidence.

The Companies object to each of the individual Requests for Production to the extent that they purport to require the Companies to disclose any information that is commercially sensitive, confidential, proprietary or reflects trade secrets. Any inadvertent disclosure or production thereof will not be deemed a waiver of any privilege or protection.

The Companies object to the Definition "Winback" on the grounds of burden, scope, relevance and breadth As defined, the Bureau seeks information regarding "winback" programs

not identified in its Order to Show Cause and Notice of Opportunity for Hearing ("Show Cause Order")[1] As with most telecommunications companies, the Companies engage in a variety of efforts to "winback" customers (1) that have recently left its service, (2) that are in the process of leaving its service, but still have lines left behind, or (3) for which it has received an indication that the customer might soon completely or partially leave its service The Show Cause Order – including each attached affidavit and script – relates solely to the second type of "winback" effort of the Companies – an attempt to win back customers who have partially left its service (referred to as "Winback I" within the Companies).[2] "Winback I" efforts were typically triggered by the Companies noticing that some lines with it had no recent traffic, while others still had traffic, or by receiving a code from the local exchange carrier that the customer has changed service providers, while active lines remained with the Companies This was not an infrequent event when a customer sought to change carriers The other "winback" efforts of the Companies are neither discussed nor alluded to in the Show Cause Order and, therefore, could not be reasonably calculated to lead to the discovery of admissible evidence.

The Companies, therefore, object to the Definition of "Winback" to the extent it seeks information regarding the "winback" program not identified in its Show Cause Order. The Show

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1 In re NOS Communications, Inc., Affinity Network Incorporated and NOSVA Limited Partnership, Order to Show Cause and Notice of Opportunity for Hearing, EB Docket No. 03-09 (April 7, 2003)

2 As the Show Cause Order directs, the Hearing is limited in scope to whether the Company engaged in "improper inducements [that] apparently included the Companies contacting their former customers and describing 'problems' that the customers' chosen carriers were allegedly having in completing the customers' requests to establish new service." Id. at para 2. Or, as the Commission specifically alleged, "In reality, the consumers had already been switched to their new preferred carriers and the Companies' marketing campaign was an apparently misleading scheme to trick consumers into returning to the Companies' service." Id.; see also para 16 In other words, the Show Cause Order is limited to a practice referred to within the Company as a "Winback I," "partial line winback" or "partial line save" (herein referred to as "Winback I") – an attempt to win back customers that have left the Companies' service, but that have left lines behind with the Companies

Cause Order does not reflect any issue with any other "winback" initiative except for the initiative related to attempting to "winback" customers that have partially left the Companies' service To include all other "winback" initiatives would greatly broaden the scope identified within the Show Cause Order "Winback I" was limited to certain of sales agents, reached far fewer customers and had scripts separate and distinct from other "winback" scripts. The Companies' response, therefore, will be limited to the scope, relevance and breadth as identified in the Show Cause Order

In addition to the General Objections, the Companies reserve all rights to supplement or modify any of its responses as the discovery process continues

Subject to the above objections, the Companies respond as follows

RESPONSES AND SPECIFIC OBJECTIONS

Request No. 1:

1 All documents relating to the article of incorporation and by-laws of NOS and/or Affinity since their respective incorporations.

Objections and Response to Request No. 1:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

The Companies are in the process of compiling responsive material and intend to produce such material by Friday, August 1, 2003

Request No. 2:

2. All documents relating to the partnership agreement of NOSVA since its formation.

Objections and Response to Request No. 2:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows

The Companies are in the process of compiling responsive material and intend to produce such material by Friday, August 1, 2003

Request No. 3:

3 All documents relating to the minutes of all board of directors meetings and NOS and/or Affinity since the incorporation of each entity

Objections and Response to Request No. 3:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows·

The Companies are in the process of compiling responsive material to the extent it may exist and intend to produce such material by Friday, August 1, 2003

Request No. 4:

4 All documents relating to the interrelationship, if any, between or among NOS, Affinity and/or NOSVA and/or any other business entities

Objections and Response to Request No. 4:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

Objection. The Companies listed as parties to this proceeding are the three businesses "between or among NOS, Affinity and/or NOSVA and/or any other business entities" falling within the jurisdiction of the Federal Communications Commission. There are no other

companies falling within the jurisdiction of the Commission. Responsive documents are produced to the extent such documents are responsive consistent with this objection.

Request No. 5:

5 All documents relating to any ownership interest of any kind whatsoever that NOS, Affinity and/or NOSVA have, or have had, in any other business entity

Objections and Response to Request No. 5:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

Objection The Companies listed as parties to this proceeding are the three related businesses falling within the jurisdiction of the Federal Communications Commission. Responsive documents are produced to the extent such documents are responsive to other Requests herein

Request No. 6:

6 All documents relating to any ownership interest of any kind whatsoever that any individual or entity has, or has had, in NOS, Affinity, and/or NOSVA

Objections and Response to Request No. 6:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

The Companies are in the process of compiling responsive material to the extent it may exist and intend to produce such material by Friday, August 1, 2003

Request No. 7:

7 All documents identifying the officers, directors, and shareholders of NOS and Affinity

Objections and Response to Request No. 7:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows

The Companies are in the process of compiling responsive material to the extent it may exist and intend to produce such material by Friday, August 1, 2003

Request No. 8:

8 All documents identifying the general and limited partners of NOSVA

Objections and Response to Request No. 8:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows:

The Companies are in the process of compiling responsive material to the extent it may exist and intend to produce such material by Friday, August 1, 2003.

Request No. 9:

9. All documents relating to the criminal conviction of any individual who is or has ever been an officer, director, partner (general or limited partner) or shareholder of NOS, Affinity, and/or NOSVA, regardless of the date of conviction.

Objections and Response to Request No. 9:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows:

Objection. The Companies are not in possession of documents responsive to this Request. To the extent such documents may exist and are not privileged, the Companies object that such documents are not relevant nor reasonably calculated to lead to the discovery of admissible evidence

Request No. 10:

10 All documents relating to federal or state tax returns filed by or on behalf of NOS, Affinity, and/or NOSVA

Objections and Response to Request No. 10:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows

Objection. The Companies object that such documents are not relevant nor reasonably calculated to lead to the discovery of admissible evidence

Request No. 11:

11 All documents relating to instructions and/or directions for making winback calls provided to NOS. Affinity, and/or NOSVA employees and/or agents.

Objections and Response to Request No. 11:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows·

Without waiving said objections, responsive material is produced.

Request No. 12:

12 All documents relating to NOS, Affinity, and/or NOSVA winback-related activities prepared by or on behalf of, sent from or on behalf of, and/or addressed, copied or forwarded to· Robert Faulkner, Marsha Gibbs, Tim Slingerland, Raymond Perea, Martin Mazzara, and/or Regal Megret.

Objections and Response to Request No. 12:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 13:

13 All documents relating to scripts used in connection with NOS, Affinity, and/or NOSVA winback-related activities.

Objections and Response to Request No. 13:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced

Request No. 14:

14 All documents relating to NOS, Affinity, and/or NOSVA winback-related activities prepared by or on behalf of, sent from or on behalf of, and/or addressed, copied or forwarded to: and NOS, Affinity, and/or NOSVA officer, director, partner (general or limited partner), manager, or supervisor

Objections and Response to Request No. 14:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows:

The Companies are in the process of compiling responsive material to the extent it may

exist and intend to produce such material by Friday, August 1, 2003.

Request No. 15:

15. All documents relating to the capability of NOS, Affinity, and/or NOSVA employees and/or agents to monitor, observe, analyze, and/or scrutinize in real time the telephone activity of NOS, Affinity, or NOSVA customers

Objections and Response to Request No. 15:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 16:

16 All documents received by NOS, Affinity and/or NOSVA from local exchange carriers and/or inter-exchange carriers relating to NOS, Affinity, and/or NOSVA customers that switched their service from NOS, Affinity, and/or NOSVA to another carrier

Objections and Response to Request No. 16:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 17:

17 All documents relating to each instance in which a NOS, Affinity, and/or NOSVA employee and/or agent identified himself or herself as a NOS, Affinity, and/or NOSVA customer (or former NOS, Affinity, and/or NOSVA customer) during a telephone conversation with a representative from a local exchange carrier and/or inter-exchange carrier in order to effectuate or attempt a change of service on behalf of the current or former NOS, Affinity, and/or NOSVA customer.

Objections and Response to Request No. 17:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows

Without waiving said objections, responsive material is produced.

Request No. 18:

18. All documents upon which NOS, Affinity, and/or NOSVA (including their respective officers, directors, partners, managers, supervisors and/or employees) relied upon in determining that one or more winback calls would or should be made to representatives of. Advanced Tex, All Tek Transportation, Appeal Insurance Company, Arizconsin Group, d/b/a Crandon Nursing Home, Bank of the Sierra, Becker Wagonmaster, Inc., Century 21 Associates, Chicago Title Insurance Co , EarthAction Alerts Network, Genisys Financial d/b/a Magellan Mortgage, Nelson Engineering, The Bank of Yellville, Tri-V Services or Tideland Membership Corp.

Objections and Response to Request No. 18:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows

Without waiving said objections, responsive material is produced

Request No. 19:

19 All documents relating to NOS, Affinity, and/or NOSVA winback-related activities involving Advanced Tex, All Tek Transportation, Appeal Insurance Company, Arizconsin Group, d/b/a Crandon Nursing Home, Bank of the Sierra, Becker Wagonmaster, Inc , Century 21 Associates, Chicago Title Insurance Co , EarthAction Alerts Network, Genisys Financial d/b/a Magellan Mortgage, Nelson Engineering, The Bank of Yellville, Tri-V Services or Tideland Membership Corp

Objections and Response to Request No. 19:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows·

Without waiving said objections, responsive material is produced

Request No. 20:

20 All documents (including audiotapes and electronic recordings or files of and kind) relating to NOS, Affinity, and/or NOSVA winback-related calls from Marsha Gibbs and Tim Slingerland to NOS, Affinity, and/or NOSVA current and/or former customers between April 20 and 30, 2002, and between March 20 and 30, 2003.

Objections and Response to Request No. 20:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows:

Objection Overbroad and burdensome In response to other Requests, the Companies are producing material including recordings of all calls relating to each of the complainants

identified in the Show Cause Order Retrieving calls made by the two employees identified for the twenty day period requested is an overly broad and burdensome task, which will not result in material reasonably calculated to lead to the discovery of admissible evidence. During the time period identified the Companies do not believe that Marsha Gibbs and Tim Slingerland were limited to a single phone extension within the Companies The Companies would, therefore, have to retrieve from storage and review twenty days of calls from all Winback Sales Representatives in order to discover arguably responsive material.

The Companies have advised Bureau counsel of its inability to timely respond to this Request and are currently attempting to reach a compromise solution.

Request No. 21:

21 All documents received by NOS, Affinity, and/or NOSVA from or on behalf of NOS, Affinity, and/or NOSVA current and/or former customers relating to complaints about or criticisms of NOS, Affinity and/or NOSVA winback-related activities.

Objections and Response to Request No. 21:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 22:

22 All documents relating to LOAs received from and/or submitted on behalf of: Advanced Tex, All Tek Transportation, Appeal Insurance Company, Arizconsin Group, d/b/a Crandon Nursing Home, Bank of the Sierra, Becker Wagonmaster, Inc , Century 21 Associates, Chicago Title Insurance Co., EarthAction Alerts Network, Genisys Financial d/b/a Magellan Mortgage, Nelson Engineering, The Bank of Yellville, Tri-V Services or Tideland Membership Corp.

Objections and Response to Request No. 22:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows

Without waiving said objections, responsive material is produced.

Request No. 23:

23 All documents relating to how NOS, Affinity, and/or NOSVA determine or determined the identity of customers to whom its employees and/or agents will or would direct winback calls

Objections and Response to Request No. 23:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows

Without waiving said objections, responsive material is produced

Request No. 24:

24 All documents relating to any disciplinary action of any kind whatsoever taken and/or imposed against any NOS, Affinity and/or NOSVA employee and/or agent involving any apparent, alleged, and/or perceived failure to follow and/or conform to any winback script during one or more win back calls made by the employee and/or agent on behalf of NOS, Affinity and/or NOSVA.

Objections and Response to Request No. 24:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 25:

25 All documents relating to training of NOS, Affinity, and/or NOSVA employees an/or agents involved in making winback calls on behalf of NOS, Affinity and/or NOSVA

Objections and Response to Request No. 25:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows·

Without waiving said objections, responsive material is produced

Request No. 26:

26 All documents relating to sales goals, incentives, or disincentives for NOS, Affinity, and/or NOSVA employees and/or agents involved in winback-related activities.

Objections and Response to Request No. 26:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced

Request No. 27:

27. All documents relating to and/or reflecting performance appraisals of Robert Faulkner.

Objections and Response to Request No. 27:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows

Without waiving said objections, responsive material is produced.

Request No. 28:

28 All documents relating to and/or reflecting any severance package provided to Robert Faulkner.

Objections and Response to Request No. 28:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced

Request No. 29:

29 All documents relating to any meetings in March or April 2002 between or among Robert Faulkner and/or Joseph Koppy and/or Michael Arnau

Objections and Response to Request No. 29:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 30:

30 All documents relating to the performance of the NOS, Affinity, and/or NOSVA Accounts Receivable and Collections Department during the period of April 2001 through April 2002

Objections and Response to Request No. 30:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 31:

31 All documents relating to and/or reflecting all performance appraisals of Marsha Gibbs

Objections and Response to Request No. 31:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows

Without waiving said objections, responsive material is produced.

Request No. 32:

32 All documents relating to and/or reflecting all organizational charts of NOS, Affinity and/or NOSVA

Objections and Response to Request No. 32:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows

The Companies are in the process of compiling responsive material and intend to produce such material by Friday, August 1, 2003

Request No. 33:

33 All documents relating to "calling as customer" initiatives or practices of NOS, Affinity and/or NOSVA.

Objections and Response to Request No. 33:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows

Without waiving said objections, responsive material is produced.

Request No. 34:

34 All documents relating to "short term winback" initiatives or practices of NOS, Affinity, and/or NOSVA.

Objections and Response to Request No. 34:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 35:

35 All complaints, counter-claims, and/or cross-claims filed in any county, state or federal court against NOS, Affinity and/or NOSVA alleging the companies engaged in fraudulent marketing practices

Objections and Response to Request No. 35:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows·

Other than material produced in response to Request No 21, the Companies are not aware of any "complaints, counter-claims, and/or cross-claims filed in any county, state or federal court against NOS, Affinity and/or NOSVA alleging the companies engaged in fraudulent marketing practices" relating to Winback practices as identified in the Show Cause Order

Request No. 36:

36 All documents relating to the resolution of such complaints, counter-claims, and/or cross-claims, as referenced in Request No 35

Objections and Response to Request No. 36:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows:

Other than material produced in response to Request No 21, the Companies are not aware of any "complaints, counter-claims, and/or cross-claims filed in any county, state or federal court against NOS, Affinity and/or NOSVA alleging the companies engaged in fraudulent marketing practices" relating to Winback practices as identified in the Show Cause Order.

Request No. 37:

37 All complaints, indictments, orders to show cause, hearing designation orders or similar proceeding-initiating documents filed against NOS, Affinity and/or NOSVA by any state public utility commission containing the allegation that any such entity engaged in fraudulent marketing practices

Objections and Response to Request No. 37:

The Companies hereby incorporate their General Objections to the extent applicable Subject to, and without waiving their objections, the Companies respond as follows

Other than material produced in response to Request No 21, the Companies are not aware of any "complaints, indictments, orders to show cause, hearing designation orders or similar proceeding-initiating documents filed against NOS, Affinity and/or NOSVA by any state public utility commission containing the allegation that any such entity engaged in fraudulent marketing practices" relating to Winback practices as identified in the Show Cause Order.

Request No. 38:

38 All documents relating to the resolution of all complaints, indictments, orders to show cause, hearing designation orders or similar proceeding-initiating documents, as referenced in Request No. 37.

Objections and Response to Request No. 38:

The Companies hereby incorporate their General Objections to the extent applicable. Subject to, and without waiving their objections, the Companies respond as follows

Other than material produced in response to Request No. 21, the Companies are not aware of any "complaints, indictments, orders to show cause, hearing designation orders or similar proceeding-initiating documents, as referenced in Request No. 37" relating to Winback practices as identified in the Show Cause Order

Request No. 39:

39 All documents relating to LOAs received from and/or submitted on behalf all NOS, Affinity and/or NOSVA current and/or former customers relating to the provision of service by NOS, Affinity and/or NOSVA on a temporary basis and/or for a temporary period of time

Objections and Response to Request No. 39:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced.

Request No. 40:

40 All documents relating to the discharge of all NOS, Affinity, and/or NOSVA employees and/or agents who were discharged for reasons related to their winback-related activities on behalf of NOS, Affinity and/or NOSVA

Objections and Response to Request No. 40:

The Companies hereby incorporate their General Objections to the extent applicable

Subject to, and without waiving their objections, the Companies respond as follows:

Without waiving said objections, responsive material is produced

Request No. 41:

41 All documents relating to the relocation or proposed, planned and/or contemplated relocation of any or all NOS, Affinity and/or NOSVA facilities, offices, and/or operations to Nevada or to a location or locations elsewhere

Objections and Response to Request No. 41:

The Companies hereby incorporate their General Objections to the extent applicable.

Subject to, and without waiving their objections, the Companies respond as follows:

Objection To the extent such documents may exist and are not privileged, the Companies object that such documents are not relevant nor reasonably calculated to lead to the discovery of admissible evidence

RESERVATION OF RIGHTS

The Companies' investigation of the facts and circumstances surrounding the matters identified by the Enforcement Bureau is ongoing These Objections and Responses are based on currently available information The Companies reserve the right to supplement and/or amend

these Objections and Responses at a later time if additional information is discovered during the course of future investigation

Respectfully submitted,

Counsel for

Affinity Network, Inc
NOSVA Limited Partnership

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July 29, 2003

* Licensed in the District of Columbia.
** Licensed in Maryland and the District of Columbia.

CERTIFICATE OF SERVICE

Alice Burress, certifies that she has, on this 29th day of July, 2003, except where noted, sent by first class United States mail copies of the foregoing a copy of the foregoing "Joint Objections and Responses to Enforcement Bureau's First Request to Enforcement Bureau's First Request for Production of Documents" to

Honorable Arthur I Steinberg
Administrative Law Judge
Federal Communications Commission
445 12th Street, S W , Rm 1-C861
Washington, D C 20554
(By Hand Delivery)

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