

1 A I believe I did, yes.

2 Q Did you read it?

3 A Yes.

4 Q Now, included in this opposition is a declaration  
5 of William Helgeson and what I'd like you to read to  
6 yourself is, first of all, paragraph three of that  
7 declaration. Do you recall reading this document at the  
8 time on or about the date that it was filed at the FCC?

9 A Yes, I do.

10 Q And with respect to paragraph three, there's a  
11 representation in there that he had responsibility for  
12 maintaining a file drawer, and apparently one of those  
13 drawers contained the KALW Public File. Is that consistent  
14 with your understanding?

15 A I was not aware of that until I saw this  
16 declaration.

17 Q Did you happen to speak with Mr. Helgeson  
18 subsequent to the filing of the opposition pleading that  
19 contained his declaration, as to what his responsibilities  
20 were for maintaining the public file?

21 A No, I did not.

22 Q Are you aware of anybody who has spoken to him  
23 about that?

24 A I'm not aware.

25 Q Now, if you could look at paragraph four of

1 Mr. Helgeson's declaration, are you aware of what  
2 Mr. Helgeson's responsibilities may have been with respect  
3 to the maintenance of the KALW Public File?

4 A No.

5 Q Did you ever speak with him after this declaration  
6 was prepared, as to what his responsibilities were for  
7 maintaining the Public File?

8 A No, I didn't.

9 Q Do you know of anybody who has spoken with  
10 Mr. Helgeson about that matter?

11 A No, I don't know.

12 Q The document that I'm going to show you now bears  
13 a date of February 17, 1998 and it was apparently filed at  
14 the FCC on February 18, 1998. Could you tell me what this  
15 document is?

16 A This is our reply to SFUSD's opposition.

17 Q And there's a signature on the first page,  
18 apparently the cover letter, and whose signature is that?

19 A That's mine.

20 Q Now, with respect to the contents of the reply,  
21 could you tell us who drafted the reply pleading that  
22 appears here?

23 A The references to cases, case law, and the actual  
24 legal proceedings, Alan Corne drafted that part. There are  
25 certain sections that I drafted, which have to do with

1 specific --

2 Q Why don't you go through the document and you can  
3 tell us which portions of it that you had drafted?

4 A It's been awhile since I've seen this.

5 Q Just as a preliminary question, besides yourself  
6 and Mr. Corne, was there anybody else, that you know of, who  
7 was involved in the drafting of this reply?

8 A Of this reply, no, it was Alan Corne and me. Alan  
9 was definitely responsible for the first four, five, let's  
10 see -- I guess in this last section I was responsible for  
11 several of these points.

12 Q And by last section, if you could identify more  
13 specifically what you're referring to?

14 A The part that says 'GGPR has presented to the  
15 Commission substantial and material questions of facts  
16 sufficient to warrant a renewal hearing.' And Alan edited  
17 the document, so it is more in his language, but he was not,  
18 he was working for us sort of pro bono at the time, not even  
19 pro bono, he was just giving us advice and helped us with  
20 this part, and then edited my language to suit him, suit  
21 himself.

22 Q Now, his signature doesn't appear anywhere in the  
23 document though, does it?

24 A No, it doesn't.

25 Q So, would it be fair to say that whatever it was

1 that was drafted there, you ultimately subscribed to as  
2 being true and accurate so far as you knew?

3 A Yes. Especially the latter part which deals with  
4 the factual --

5 Q If you could identify it by either pages or  
6 section numbers or something?

7 A Section 5(b), 'SFUSD concedes that it has no EEO  
8 program, does not refute that station management is aware it  
9 engaged in improper hiring practices', all those sorts of  
10 things. These were things that I developed from their  
11 opposition and I believe that Alan, because he wrote this  
12 first section, which actually deals with more legalese --

13 Q First section meaning what?

14 A First section, the first couple of sections, one,  
15 two, three and four.

16 Q The Roman numerals?

17 A The Roman numeral ones, yes. Because he dealt  
18 with these things, he wrote those things and took what I  
19 wrote and wrote it in his own style.

20 Q Oh. Did you initially draft something for  
21 sections one through four?

22 A No, not one through four, just for five. He wrote  
23 this section here, one through four, and then I provided  
24 information on these sections here, the last ones, which  
25 would be 5(b).

1 Q And 5(c)?

2 A And (c), yes, those were mine as well.

3 Q Now, there are a number of attachments to this  
4 Petition to Deny, first of all, when we get to page 29  
5 there's a signature there, can you identify that signature?

6 A That's my signature.

7 Q And it bears a date of February 17, 1998?

8 A Yes.

9 Q And then there's another, there's a declaration  
10 that follows, is this declaration from you?

11 A Yes, that's right.

12 Q And there's a signature there, is that yours?

13 A Yes, that's mine.

14 Q And the date?

15 A February 17, 1998.

16 Q And we have another declaration, my goodness. You  
17 were busy. Okay. This is a four page declaration and is  
18 this also from you?

19 A Yes.

20 Q And that's your signature that appears on the  
21 fourth page?

22 A Yes, it is.

23 Q And the date is?

24 A The 17th of February 1998.

25 Q Now, did you draft this declaration?

1           A     I believe I drafted most of this. Alan may have  
2 helped me with parts that dealt with, again, the legal  
3 procedures that we apparently violated when we originally  
4 drafted the thing and sent it to SFUSD.

5           Q     In any event, before you signed your name to this,  
6 you read through it?

7           A     I read through it, oh yes.

8           Q     And it's your belief that the information that is  
9 attested to is true and accurate, so far as you know?

10          A     Yes.

11          Q     Now, we come to a number of attachments here and  
12 I'd like you to tell me with respect to attachment A, what  
13 does attachment A represent, it apparently consists of 12  
14 pages, Exhibit A rather, to the reply pleading?

15          A     Apparently they're donors, or actually revenue,  
16 this is a revenue statement it looks like, or income  
17 statement.

18          Q     And how is it that GGPR came to possess this  
19 document, or the various documents that make up Exhibit A?

20          A     I don't -- we may have had these documents before  
21 we even filed the petition, these may have been leftover  
22 documents. Dave basically provided a whole box of papers.  
23 We had a list of things that we knew were not coppice (sic),  
24 like employees, management employees showing up without, you  
25 know, and so we had a list of all these sorts of things to

1 look for and Dave looked for those things. And these may  
2 have been things that were extracted at that time as well.

3 Q When you use that wonderful Italian term, did that  
4 mean to say that things weren't quite Kosher?

5 A Right, weren't Kosher, right.

6 Q I grew up in Skokie, I understand Kosher, even  
7 though I'm married to an Italian, you'd think I'd know the  
8 other too but -- okay. Now, that would be Exhibit A. With  
9 respect to Exhibit B, what is Exhibit B?

10 A This is something provided to announcers for  
11 underwriting announcements, so they would know which  
12 underwriting announcements to read at which times throughout  
13 the morning.

14 Q So, in other words, when they're doing their  
15 program, they could tell the audience that this program is  
16 sponsored by or underwritten by blah, blah, blah, whoever  
17 they are?

18 A Exactly. And they, as you can see, they coincide  
19 at 5:19 there's the announcement, you know, this s just a  
20 cheat sheet so that the gobbledygook of all these numbers  
21 and everything won't confuse you. You can just look at this  
22 and know at 5:19 I'm going to do the Sam Goody announcement.

23 Q I see. Okay. And how did Golden Gate Public  
24 Radio come to possess what appears as Exhibit B?

25 A I may have, that may have been a day that I worked

1 there or somebody, these were just lying around all the  
2 time, program logs and that sort of thing. They were out in  
3 the bins where program materials are, and then the log and  
4 all those things are just, you know, freely available.  
5 They're not top secret or anything, they just show what you  
6 have to play.

7 Q All right. Somehow what I have goes from Exhibit  
8 B to Exhibit D, there's probably a C someplace and it maybe  
9 that I'll come across it later on in here but, in terms of  
10 Exhibit D, could you tell me what Exhibit D is?

11 A This is the Civil Service requirements for hiring  
12 procedures at the radio station, hiring procedures that the  
13 station management was not following.

14 Q Okay. And apparently there's seven pages of that  
15 information?

16 A Um-hum.

17 Q That's a yes?

18 A Yes. Sorry.

19 Q And could you tell me what Exhibit E represents?

20 A This is the task force report, the KALW task force  
21 report. This is the KALW task force report which came to  
22 several conclusions that the radio station was in serious  
23 need of reorganization and governance.

24 Q Was this document published or otherwise made  
25 public?

1           A     Yes, it was handed out to all of the announcers at  
2 the radio station.

3           Q     Approximately when?

4           A     March 1996.

5           Q     The date that is referenced on the first page of  
6 Exhibit E?

7           A     Yes. Or shortly thereafter.

8           Q     What follows, in at least what I have, is a six  
9 page declaration from Deirdre Kennedy. Do you have any  
10 knowledge as to how this document came to be prepared?

11          A     No, I don't.

12          Q     IN other words, you didn't draft it?

13          A     I didn't draft it.

14          Q     We've already talked about when it was that Golden  
15 Gate Public Radio came to be, and with respect to the two  
16 pages that immediately follow the Secretary of State's  
17 certificate, it appears there are Articles of Incorporation.  
18 Did you have any role in drafting those Articles of  
19 Incorporation?

20          A     I drafted those.

21          Q     You drafted these?

22          A     Yes.

23          Q     Okay. And so on what is marked as Exhibit A, page  
24 three of three, which is attached to Ms. Kennedy's  
25 declaration, or a part of Ms. Kennedy's declaration. There

1 are a number of signatures, can you identify those  
2 signatures?

3 A Yes. My signature, Mel Baker's and Dave Evans.

4 Q And what follows that is Exhibit B, one page,  
5 could you tell us what that represents?

6 A This is Dave Evans request to resign from the  
7 board, and we granted that to him.

8 Q And did anybody join as a consequence?

9 A Yes. Deirdre Kennedy did.

10 Q Now, did Mr. Evans have any -- what is it -- why  
11 would Mr. Evans have left the board, do you have any idea as  
12 to why he would have left the board of GGPR?

13 A Up to this point Dave, I don't think anybody  
14 thought that the radio station was going to sort of careen  
15 further down a hole. I think that we believed that at some  
16 point somebody was going to notice what was going on and  
17 Dave I thing saw the writing on the wall and saw that, you  
18 know, if the things that we felt, you know, Mel and Deirdre,  
19 and me, and others at the radio station too, who were sort  
20 of allied with us in all of this, that it was going -- Dave  
21 just felt like this could get ugly because he felt like  
22 SFUSD, the chances of them responding were nil. He felt  
23 like Jeff Ramirez was going to lie. He and talked once  
24 before this and he said, he's going to do it, he's going to  
25 lie on this thing. He said that Public File is a mess, it's

1 missing all sorts of things, and he's going to do it. And I  
2 think when Dave realized that, he did not want to be  
3 associated with the actual petition anymore, even though his  
4 name was on this, he wanted to get out, because he didn't --  
5 he felt like he was squeezed in between doing the right  
6 thing and also being loyal to your radio station. But, then  
7 again he told me, he said, it's not my job to protect the  
8 license to the FCC, that's what you hire a General Manager  
9 for. That's what the General Manager's job is. My job is  
10 to make sure that I help the General Manager do that, and he  
11 said this GM is not doing it. And so Dave was very  
12 concerned that Jeff was going to lie and that if he lied,  
13 Dave did not want to be -- and maybe it's, you know, maybe  
14 it's splitting hairs and maybe it wouldn't have mattered  
15 but, he did not want to be technically associated with GGPR  
16 if he was going to help get this Petition to Deny, make it  
17 successful.

18 Q Certainly there does seem to be a fine line  
19 because we know, from looking at the Petition to Deny, he  
20 had a declaration that was there front and center that  
21 talked about the Public File and its supposed shortcomings.

22 A But, he was also very careful, this is why I know  
23 in that particular case he composed that, he was very  
24 careful to say this is -- I don't want to say officially  
25 that he had any other motives except those as a chief

1 engineer. I believe that Dave Evans did what he did because  
2 he felt that following the rules of the FCC was not a  
3 burden, he was an idealist, many chief engineers actually  
4 are very idealistic about this, that the airwaves belonged  
5 to the public and that the least a radio station can do is  
6 follow the rules outlined by the Federal Communications  
7 Commission. And that they're not that burdensome,  
8 especially the Public File. Maybe, you know, calibrating  
9 your transmitter periodically is much more burdensome than  
10 filling out a sheet of paper and putting it in a file. So,  
11 Dave was extremely concerned, he was very conscientious  
12 about his job and about what the radio station should do.  
13 And I think there's a certain point where he felt like his  
14 duty to broadcasting was more important than his duty to  
15 SFUSD.

16 Q Now, Exhibit C is just a newspaper article, so I'm  
17 not going to ask about that. The same with Exhibit D,  
18 Exhibit E, Exhibit F. Now, what is Exhibit G?

19 A When we moved the radio station to Burton High  
20 School, there were some break-ins, and it's near a high  
21 crime area, two high crime areas.

22 Q Were you involved in that move?

23 A I was with the radio station when it moved, yeah.

24 Q And it moved from where to where?

25 A It moved from the Mission in San Francisco on

1 Harrison Street, like Harrison and 20th or 22nd or something  
2 like that, to I think it's Salem High School, I can't  
3 remember the names, it's two people's names, Burton High,  
4 which is south of the city just before you get over the  
5 bridge to Candlestick Park and it's up the hill a little  
6 bit. It's near, I think, McKenzie Park where dead bodies  
7 are found from time to time. And then there's another  
8 section just over the hill, which is kind of a high crime  
9 area, and there's Hunter's Point. And so when we moved out  
10 there, people who signed off at night, you know, they would  
11 leave at 12:30 at night, 1:00 in the morning, were walking  
12 out into the dark to get into a car all by themselves in  
13 this area. And so I know that there was an issue raised  
14 about this. I don't, right now I don't know why we put this  
15 in here, I'd have to read completely through that.

16 Q That's okay. For some reason I'm missing Exhibit  
17 H. And Exhibit I, did you have any role in drafting  
18 whatever appears here as Exhibit I?

19 A No, I believe Deirdre Kennedy drafted that?

20 Q That's the signature that appears on this letter?

21 A Yes.

22 Q I'm not going to ask you anything about Exhibit J  
23 or the declaration that follows from, purportedly from Jeff  
24 Brichenko, and the exhibits that follow from that, I'm not  
25 going to ask you about those either. Oh, here's Exhibit H,

1       sorry.

2                   MS. REPP:   That's out of order too.

3                   MR. SHOOK:   I moved it, I put it in the wrong  
4       place.

5                   BY MS. LEAVITT:

6           Q       Anyway, could you tell me what Exhibit H is and  
7       then I'll get it back to the right place?

8           A       Oh, this was a citation against SFUSD from the  
9       State OSHA Board.

10          Q       And do you know how it was that Golden Gate Public  
11       Radio came to possess this document?

12          A       I think this was posted for public view.

13          Q       I guess there's still one exhibit in this pleading  
14       that I don't have.

15                   MS. REPP:   Which one?

16                   MR. SHOOK:   I went through it and there was a gap,  
17       I think it was Exhibit C that I didn't have, whatever that  
18       may have been.

19                   THE WITNESS:  It's referred to in there.

20                   MR. SHOOK:   Oh, another newspaper article, okay.  
21       Then I won't worry about it.

22                   BY MR. SHOOK:

23          Q       Okay.  I next want to show you a document that is  
24       dated March 31 and bears an FCC mail room stamp of April 1,  
25       1998, if you can tell me what this document is?

1           A     This is a reply to SFUSD's reply to our reply to  
2     opposition.

3           Q     And the signature that appears on the first page  
4     of the document, the cover letter, could you tell me whose  
5     that is?

6           A     That's mine.

7           Q     And what role, if any, did you have in drafting  
8     the document that is styled GGPR's Opposition to SFUSD's  
9     Motion to Dismiss GGPR's Petition to Deny And -- ' and then  
10    it goes on?

11          A     Right. This I believe was, this was composed by  
12    Alan Corne.

13          Q     When we get to the signature page, which --

14          A     I believe it was.

15          Q     The signature page is page 16, whose signature is  
16    that?

17          A     That's mine.

18          Q     I take it that when you signed this, you had read  
19    through it?

20          A     Yes.

21          Q     And as far as you knew it was accurate?

22          A     Yes.

23          Q     And it bears the date of what?

24          A     March 31, 1998.

25          Q     There's a declaration that immediately follows, is

1 that your declaration?

2 A Yes.

3 Q And so the signature that appears on it is yours?

4 A Yes.

5 Q And it's dated March 31?

6 A March 31, 1998.

7 Q I won't worry about the various documents that  
8 follow that. Now, we had talked about a review of the  
9 Public File that you made in July of 1997, did you have  
10 occasion to look at the KALW Public File at anytime after  
11 July of 1997?

12 A Yes, I did.

13 Q And was it one time or more than once?

14 A It may have been more than once, but in order to  
15 reply, I can't remember actually why but, in order to reply  
16 I looked at it again. I found that very little had changed  
17 in it. There may have been some changes, I'm not sure.

18 Q Now, I'm going to show you a document that bears a  
19 date of April 5, 2001 and an FCC received date of April 6,  
20 2001, and ask you if you've ever seen this document before?

21 A Yes, I have.

22 Q And to your understanding what does this document  
23 represent?

24 A This is a, this is just another reply. Oh, this  
25 is 2001. This is a reply of SFUSD to a phone message, I

1 believe a phone message, left with their counsel at the time  
2 regarding a clarification of several points in previous  
3 filings. That's what it is.

4 Q I'll show you a document that is dated February 5,  
5 2001, and ask you whether you've seen that before?

6 A Yes, I've seen this.

7 Q And what is it, what is your understanding of what  
8 the February 5, 2001 document is?

9 A Well, it does respond to concerns they had over  
10 our goof in allowing, I believe, credit card numbers and  
11 that sort of thing to show up in a previous filing.

12 Q And by they, you mean the FCC, when you say they  
13 were concerned about --

14 A That SFUSD was concerned about pledge forms from  
15 donors to KALW and the fact that we did not, I think we  
16 blackened out credit card, we may not have blackened out  
17 credit card numbers, I don't remember but, anyway, we  
18 allowed too much information through and I think that's part  
19 of what this is, to put those under seal, the pledge sheets.

20 Q Now, if I remember right, the letter has a series  
21 of questions?

22 A Right, okay. So these are -- all right, so I'm  
23 remembering it wrong but, I know that at some point there  
24 was just a -- I know at some point I was told that Ernie  
25 Sanchez wrote a formal document in response to a phone call,

1 maybe this was it, but it's not it, this wasn't written --

2 Q Did you ever receive a copy of the FCC's letter  
3 dated February 5, 2001?

4 A Yes, I did.

5 Q You did, okay.

6 A So, this is, this document --

7 Q The April 5 letter?

8 A The April 5, 2001, is a response to the FCC's  
9 questions for more information regarding the Public File.

10 Q I see. Now, one of the questions that the FCC  
11 asked was question number one, was that on August 1, 1997,  
12 did the KALW Public File contain certain information. Now,  
13 if you could please take a look at the response, this is  
14 with respect to the Ownership Reports?

15 A Right, and I remember responding to this, saying  
16 that they basically said yes, to say yes to the question but  
17 then no, they basically at the end of it say no, actually  
18 they weren't all in there.

19 Q Now, there were some documents that were included  
20 as responsive to the FCC's questions and I want to go  
21 through some of those with you. I'm turning to the portion  
22 of the letter that has, as its cover page, SFUSD 1993  
23 Supplemental Report from KALW Public Inspection File. Now,  
24 I want you to take a look at what follows and when you get  
25 finished I'll ask you a question?

1 A Okay. I'm familiar with this document.

2 Q When you were looking at the KALW Public File in  
3 July of 1997, was there a 1993 Ownership Report present?

4 A I don't believe so. I think when I looked at that  
5 Public Inspection File, I think there was one Ownership  
6 Report or none in there, I can't, I don't recall. I'd have  
7 to look at the petition to know exactly what was in there.

8 Q Well, also, in view of the fact that this  
9 particular document bears a date of July 30, 1997 --

10 A Right, two days after I looked in there.

11 Q So, assuming that this document is accurate and  
12 genuine, you wouldn't have seen it when you looked at the  
13 Public File because apparently it had not yet been prepared?

14 A Right. On the 28th of July, when I looked at the  
15 Public File, apparently that document wouldn't have been in  
16 there because Rojas signed it two days later.

17 Q AT least in terms of what SFUSD is telling the  
18 Commission in April of 2001?

19 A Right. And I'd be curious to know, just to throw  
20 it out there, to find out if the 20th is on a Saturday, I  
21 think it would be interesting to know about that.

22 Q Also, in terms of the 1995 supplemental report,  
23 which appears as the following exhibit, I want you to take a  
24 look at that and tell me whether or not you saw a 1995  
25 supplemental report when you looked in July of 1997?

1           A     No, I didn't see this. Can I refer back to the  
2 petition very quickly?

3           Q     Yes, you may.

4           A     I just want to -- that's the only record that I'm  
5 really familiar with. Yes, so there was an absence of  
6 Ownership Reports.

7           Q     When you looked in July of 1997?

8           A     Yes. And from what I understand, the Ownership  
9 Reports weren't on file, some of them weren't on file even  
10 with the FCC.

11          Q     And you came to that understanding how?

12          A     In the subsequent letter from June of this year,  
13 July, apparently we made a clairvoyant jump, we couldn't  
14 have known that they weren't there but they turned out not  
15 to be there as well, with the FCC.

16          Q     Well, let me clue you in on something. Sadly,  
17 there are all sorts of documents that are actually sent to  
18 the FCC that somehow never magically appear in the files  
19 where they're supposed to and every once in a while we goof.  
20 But, that may or may not have anything to do with this  
21 particular matter.

22                   Now, the next thing that I want to show you is  
23 information that was sent to us recently by the School  
24 District, and this, what I'm showing you, is a document that  
25 bears the date of September 7, 2004, and it's titled, 'San

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1 Francisco Unified School District's Objections and Responses  
2 to Enforcement of Bureau's Request for Admission of Facts  
3 and Genuineness of Documents', and one of the documents that  
4 appears in this, one of the exhibits rather, is Attachment  
5 2, and I want you to take a look at that Attachment 2 and if  
6 you could tell me what your understanding of Attachment 2  
7 is?

8 A It's the same Ownership Report from the previous  
9 document.

10 Q For which year?

11 A For 1993.

12 Q And does this document reflect when it was signed?

13 A Yes, December 10, 1997.

14 Q And it appears that that date does not match what  
15 was initially told us in April of 2001, with respect to the  
16 1993 report. That in April of 2001 it appears that what the  
17 FCC received as a signing date of July 30, 1997, and the  
18 Attachment 2 has a different signing date?

19 A Yes.

20 Q And the Admissions Responses, what signing date is  
21 that?

22 A That's December 10, 1997.

23 Q All right. Moving on to --

24 A Can I see the first page of that? Can I just  
25 compare the first page? I'm sorry to ask this question

1 but, does this, does the FCC -- I'm just wondering, I mean  
2 the copy marks are exactly the same as if they came from the  
3 same --

4 Q Well, you don't have to worry about that.

5 A Okay. I'm just wondering, because I'm just trying  
6 to --

7 Q SFUSD has provided an explanation, I'm just asking  
8 for your understanding of what's going on here?

9 A Right. I guess I got too involved in the deeper  
10 things, I'm sorry.

11 Q That's okay. Now, I want to show you what has  
12 been marked or included as Attachment four, and actually,  
13 before I go on, with respect to Attachment 2 of the  
14 Admissions Responses, did you see Attachment 2 in the  
15 station's Public File when you looked at it in July of 1997?

16 A No, I did not.

17 Q When you looked at the Public File at KALW  
18 subsequently, did you ever see what appears as Attachment 2  
19 to the Admissions Responses?

20 A I don't recall.

21 Q Moving on to what is the 1995 SFUSD report,  
22 Ownership Report, if you look at Attachment 4 to the  
23 Admissions Responses, could you tell me what it is that  
24 you're seeing?

25 A This is the 1995 Ownership Report.

1 Q And what signature or what date appears for the  
2 signature that appears?

3 A Tenth of December 1997.

4 Q When you looked at the T Public File in July of  
5 1997, did you see an Ownership Report or supplemental Public  
6 File for the year 1995?

7 A No, I didn't.

8 Q For both 1993 and 1995, you did not see it?

9 A I did not see it, o.

10 Q Now, do you recall, in any subsequent viewings of  
11 the Public File at KALW, whether you saw a 1995 supplemental  
12 report?

13 A I may have, in that other -- I'm pretty sure my  
14 declaration in that other -- our response to their  
15 opposition, I may speak to that matter in my declaration.

16 Q So, if it's there, it's there?

17 A Yeah.

18 Q Now, I think I want to move on to the Issues  
19 Programs List. We've already talked about them in the  
20 context of the Petition to Deny and what appeared as an  
21 exhibit. Now, I'm going to ask you to take a look at the  
22 April 2001 letter, and there were a number of materials that  
23 appear here as documents that had something to do with the  
24 Programs Issues List, and it's under the heading of  
25 'Issues Programs List Last Quarter 1997". Now, did there

1 come a time when you looked at the station Public File and  
2 you saw a document that appears to be the one that's  
3 attached to the April 2001 letter that reflects that it's  
4 from, it looks like John Cobell, Executive Producer of City  
5 Visions, have you ever seen this document before?

6 A Well, I saw it in this filing, but I didn't see it  
7 in the Public File.

8 Q The next document we're looking at is the KALW  
9 Program Guide, April, May, June 1997. Could you tell me  
10 have you ever seen this document before, other than in the  
11 letter itself?

12 A Sure, that's a Program Guide.

13 Q And the Program Guide represents what?

14 A It's just like a TV Guide or whatever, it's just a  
15 schedule of all the shows that you hear on KALW.

16 Q Did you find this document in the station's Public  
17 File when you looked in July 1997?

18 A No.

19 Q Now, the next document that follows bears a title  
20 of, 'Quarterly Issues Report for AIDS Update'. Do you know  
21 what this document is?

22 A I had not seen it before I received this filing.

23 Q The letter?

24 A Yeah.

25 Q So, you didn't see this document when you looked

1 in the station's Public File in July of 1997?

2 A No, I didn't.

3 Q For the information that appears on the document,  
4 can you go through and tell me what the various headings  
5 represent?

6 A Well, it appears to be a list of people  
7 interviewed on a program.

8 Q There are a number of headings so if you could go  
9 through one by one and tell me what the headings are and  
10 what information is underneath?

11 A Right. The air dates, so this would be April 4,  
12 1997, Jeff Deluccio Brock, or whatever is his name, the  
13 media relations associate with the San Francisco AIDS  
14 Foundation, and then some other information regarding the  
15 interview, miscellaneous information. And a series of other  
16 interviewees.

17 Q And so far as you know, was this document in the  
18 KALW Public File in July of 1997 when you looked?

19 A I did not see it.

20 Q What is the next document, if you could describe  
21 that for me please?

22 A This looks like City Visions Quarterly Issues  
23 Program List 1992 to 1997. And it looks like it was  
24 transmitted to KALW October 24, 1997.

25 Q And there's a name that appears underneath the