

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

FILED/ACCEPTED  
MAY 19 2008

Federal Communications Commission  
Office of the Secretary

|   |   |                         |
|---|---|-------------------------|
| In the Matter of  | ) | WT Docket No. 08-20     |
|   | ) |                         |
| <b>WILLIAM F. CROWELL</b>   | ) | FCC File No. 0002928684 |
|   | ) |                         |
| Application to Renew License for Amateur<br>Radio Service Station W6WBJ | ) | File No. EB-08-IH-0434  |
|   | ) |                         |

To: William F. Crowell

**ENFORCEMENT BUREAU'S FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS**

The Enforcement Bureau ("Bureau"), pursuant to Section 1.325 of the Commission's Rules, 47 C.F.R. § 1.325, hereby requests that William F. Crowell ("Crowell") produce the documents specified herein for inspection and copying. Production shall be made at the offices of the Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, Suite 4-C330, 445 12<sup>th</sup> Street, S.W., Washington, DC 20554 (or at some other location that is mutually acceptable to the Bureau and Crowell) within 10 days of the date of this request.

**Definitions and Instructions**

a. As used herein, the term "William F. Crowell," "Crowell," and/or "you" means William F. Crowell, the Amateur Radio Operator and Licensee of Amateur Radio Service Station W6WBJ (formerly N6AYJ), FRN No. 0014454912 and/or anyone acting at the request of or on behalf of William F. Crowell.

b. "Document" means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on

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the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail (including, but not limited to, any and all attachments thereto), file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, personnel file, personnel folder, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of Crowell.

c. "Relate to" and "relating to" mean constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, concerns or in any way is pertinent to the specified subject, including documents concerning the preparation of the documents.

d. "All" shall be construed to include the word "any."

e. The term "identify" when used with reference to a person or persons, means to state his or her full name; last known business and residence addresses; last known business and residence telephone numbers; and all known email addresses for each person.

f. The term "identify" when used with reference to a document means to state the full name, business address, resident address, home phone number, business phone number and all known email addresses of each person who wrote and prepared the document and each

recipient of the document; in addition to the date; title and specific subject matter of the document.

g. Each Document produced shall be identified by the number of the Document request to which it is responsive, and each Document shall be produced in its entirety, even if only a portion of that Document is responsive to a request herein. This means that the Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. Each written document must be the most clearly legible available. Each picture must be the most clear, good quality picture available. All written materials necessary to understand any Document responsive to these inquiries must also be produced.

h. If a Document responsive to any request herein existed but is no longer or not currently available, or if Crowell is unable for any reason to produce a Document responsive to any request, each such Document shall be identified by author, recipient, date, title, and specific subject matter, and a full explanation shall be provided why the Document is no longer available or why Crowell is otherwise unable to produce it.

i. If any Document produced in response to any request herein is not dated, the date on which the Document was prepared shall be provided. If any Document does not identify its author(s) and recipient(s), you shall identify the author(s) and recipient(s) of that document.

j. This Request is continuing in nature, requiring immediate production if a further or different Document responsive to any Request herein comes into the possession, custody, or control of Crowell during the pendency of this proceeding.

k. If production of any Document responsive to any Request herein called for by this Request is refused pursuant to a claim of privilege, the Document shall be identified by reference

to its author, recipient(s) (including any person receiving a copy, regardless of whether that recipient is listed on the Document), date, and subject matter. The basis for the privilege claimed for such Document shall be specified with sufficient precision to permit assessment of the applicability of the privilege involved.

1. The terms "interfere" and "interference" mean interference which seriously degrades, obstructs or repeatedly interrupts a radio communication service operating in accordance with the radio regulations. *See* 47 C.F.R. § 97.3(a)(23).

m. Unless otherwise provided herein, the period covered by the Requests shall be from January 1, 2000 to the present.

#### **Documents Requested**

1. All documents which you or anyone on your behalf submitted to and/or received from the Commission at any time relating to any application filed by you or on your behalf with the Commission.

2. All documents which you or anyone on your behalf submitted to and/or received from the Commission relating to any of the matters set forth in the Hearing Designation Order ("HDO") relating to your conduct as an amateur radio operator.

3. To the extent not provided in response to the preceding Requests, all documents which you or anyone on your behalf submitted and/or received from the Commission with respect to your conduct as an amateur radio operator.

4. All documents which discuss, describe, refer to, or evidence any complaint, criticism, and/or negative comments regarding your conduct as an amateur radio operator, whether submitted to the Commission or not.

5. To the extent not produced in response to the preceding Request, all documents which discuss, describe, refer to, or evidence any communication between and/or among you and any other amateur radio operators regarding your conduct as an amateur radio operator.

6. All documents which discuss, describe, refer to, or evidence your having been banned from or otherwise asked or instructed to refrain from using an internet forum or website.

7. All documents which discuss, describe, refer to, or evidence your having registered or signed up other amateur radio operators to receive pornographic email or other pornographic material.

8. All documents which discuss, describe, refer to, or evidence your contention that the Commission, or anyone acting on its behalf, stated that jamming or otherwise interfering with communications or transmissions over amateur radio frequencies is acceptable.

9. All press releases or other notices you received from the Commission or anyone acting on its behalf regarding amateur radio operation.

10. All writings, articles, and/or compositions you have drafted regarding amateur radio, whether published or not.

11. All documents which discuss, describe, refer to, or evidence any writing, article, and/or composition you have drafted about amateur radio, whether published or not.

12. All pictures you have created and/or posted on the internet at [www.hamjamming.com](http://www.hamjamming.com), [www.eHam.net](http://www.eHam.net), or other website regarding the Commission, any Commission employee, any Commission rules, and/or any amateur radio operator.

13. A CD recording of each song you or anyone on your behalf or at your direction or request transmitted on any amateur radio frequency, in whole or in part, and a transcript thereof.

14. All documents which describe, refer to, or evidence any song you have written or otherwise created or otherwise assisted in writing or creating regarding the Commission, and/or any Commission employee, and/or Commission rules regarding amateur radio and/or any amateur radio operator.

15. All documents which discuss, describe, refer to, or evidence any steps you took or have taken in an effort to eliminate interference with ongoing radio communications or transmissions over amateur radio frequencies.

16. All documents which support or which you contend support the position that you possess the requisite character qualifications to remain a Commission licensee.

17. All documents which support or which you contend support the position that you did not willfully and/or repeatedly violate Section 333 of the Communications Act of 1934, as amended, and/or Section 97.101(d) of the Commission's Rules by intentionally interfering with and/or otherwise interrupting radio communications or transmissions.

18. All documents which support or which you contend support the position that you did not willfully and/or repeatedly violate Section 97.113(b) of the Commission's Rules by transmitting one-way communications on amateur frequencies.

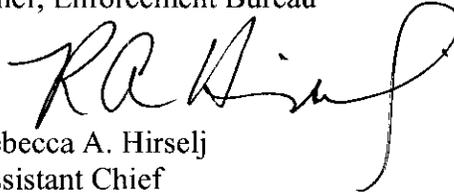
19. All documents which support or which you contend support the position that you did not willfully and/or repeatedly violate Section 97.113(a)(4) of the Commission's Rules by transmitting indecent language.

20. All documents which support or which you contend support the position that you did not willfully and/or repeatedly violate Section 97.113(a)(4) of the Commission's Rules by transmitting music.

21. All documents which you reviewed, relied upon, or otherwise referred to in answering the First Set of Interrogatories directed to you.

22. To the extent, if any, not otherwise produced in response to the preceding Requests, all documents which you intend to introduce into evidence at the hearing.

Respectfully submitted,  
Kris Anne Monteith  
Chief, Enforcement Bureau



Rebecca A. Hirselj  
Assistant Chief  
Investigations and Hearings Division



Judy Lancaster  
Investigations and Hearings Division

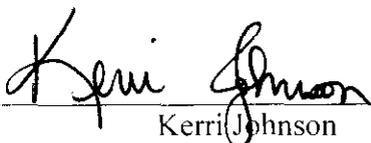
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 4-C330  
Washington, D.C. 20554  
(202) 418-1420  
May 19, 2008

**Certificate of Service**

I, Kerri Johnson, a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, hereby certify that on this 19<sup>th</sup> day of May, 2008, true and correct copies of the foregoing document, "Enforcement Bureau's First Request for Production of Documents," were served via email and first-class mail, postage prepaid, upon the following:

William F. Crowell  
1110 Pleasant Valley Road  
Diamond Springs, CA 95619-9221

Administrative Law Judge Arthur I. Steinberg \*  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Suite 1-C768  
Washington, D.C. 20054

  
Kerri Johnson

\* Hand-Delivered