

- i. describe specifically and in detail the nature of each transmission that you interrupted;
- ii. explain fully why you caused the transmission to interfere with ongoing amateur radio communications;
- iii. identify each ham operator whose communications you interrupted.
- iv. describe what steps, if any, that you took to cease causing the interference.

Applicant objects hereto on the ground that this Interrogatory is irrelevant and not calculated to lead to the discovery of admissible evidence, absent a preliminary showing that the mere complaint constitutes a Part 97 violation.

Applicant further objects hereto on the basis that the Enforcement Bureau has violated the priority of discovery which was established by Applicant with his First Set of Interrogatories propounded to the Enforcement Bureau, to which the Bureau has objected in bad faith, has largely refused to answer, and as to which there is pending Applicant's Second Motion to compel the Bureau to answer same. Applicant has been wrongfully prevented from formulating his claims and defenses herein due to the Enforcement Bureau's said bad faith in discovery.

Applicant also objects hereto on the basis that the Enforcement Bureau lacks the authority to compel the production of evidence because it has not made a preliminary showing that it has actual intercepts evidencing a violation of Part 97.

Applicant further objects to this Interrogatory on the ground that, due to its bad faith and arbitrary and capricious regulatory conduct in failing to have a screening mechanism for complaints nor rising to the level of a Part 97 violation, and absent a preliminary showing that the complaint rises to the level of a Part 97 violation, the Enforcement Bureau has waived the right to, and is estopped from, conducting any discovery or presenting any evidence concerning mere complaints.

53. If you did not interfere with ongoing communications during the time frame noted in Interrogatory No. 52, above, but did transmit communication on that frequency during that time frame, for each such transmission:

- a. describe specifically and in detail the nature and duration of the transmission;
- b. identify each participant to such transmission
- c. describe the reaction of each other participant to your transmission.

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violation, the Enforcement Bureau has waived the right to, and is estopped from, conducting any discovery or presenting any evidence concerning mere complaints.

54. State whether you have ever registered or otherwise signed up any amateur radio operator, without his/her consent, to receive pornographic pictures, email, and/or other material. If so, for each such occurrence:

- a. identify the amateur radio operator you so registered
- b. provide the address of the amateur radio operator used during registration;
- c. state how you acquired the address of the amateur radio operator;
- d. provide the email address of each website to which you registered the amateur radio operator;
- e. describe with specificity and detail each type of material that you requested be sent to the amateur radio operator from each website and/or other location;
- f. describe specifically and in detail your reason for registering such amateur radio operator to receive pornographic material.

Applicant objects to this Interrogatory on the grounds that it is irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence herein.

Applicant further objects hereto on the basis that the Commission has neither subject matter nor ancillary jurisdiction over the internet.

Applicant further objects hereto on the basis that the Enforcement Bureau has violated the priority of discovery which was established by Applicant with his First Set of Interrogatories propounded to the Enforcement Bureau, to which the Bureau has objected in bad faith, has largely refused to answer, and as to which there is pending Applicant's Second Motion to compel the Bureau to answer same.

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55. State whether you have ever been banned from any internet forum or website. If so, for each such forum or website:

- a. identify the forum or website;
- b. state the date when you were banned;
- c. state the length of time you were banned;
- d. explain in detail each reason that you were banned;
- e. state whether you have been allowed to return to that forum or website;
- i. if not, provide each reason you have not been allowed to return to that website.

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Applicant also objects hereto on the basis that the Enforcement Bureau lacks the authority to compel the production of evidence because it has not made a preliminary showing that it has actual intercepts evidencing a violation of Part 97.

Applicant further objects to this Interrogatory on the ground that the Enforcement Bureau has waived the right to, and is estopped from, conducting any discovery or presenting any evidence concerning Applicant's internet activities because Riley Hollingsworth repeatedly and specifically advised the amateur community to keep any disputation and questionable materials off the ham radio and put them on the internet instead.

56. State whether you have informed any amateur radio operator that he/she may be sued for publicly making unfavorable comments about an attorney who is licensed in California. If so, for each amateur radio operator told:

- a. identify the amateur radio operator;
- b. state the date and time of such communication;
- c. describe in detail the circumstances surrounding such communication;
- d. describe specifically and in detail the nature and content of such communication;
- e. explain specifically and in detail each reason for so informing the amateur radio operator;
- f. list each authority upon which you relied which is worded to specifically benefit attorneys;
- g. list each legal authority supporting such statement.

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Applicant further objects hereto on the basis that the Commission has neither subject matter nor ancillary jurisdiction over the internet.

Applicant also objects to this Interrogatory on the basis that the Commission may not deny a license based upon an unconstitutional premise. Applicant has the same full range of free-speech rights, both on and off the air, as any U.S. citizen has in private conversation, and any attempt by the Commission to deny Applicant's renewal based upon a post facto review of Applicant's speech violates his First Amendment rights to free speech.

Applicant further objects hereto on the ground that this Interrogatory is irrelevant and not calculated to lead to the discovery of admissible evidence, absent a preliminary showing that the mere complaint constitutes a Part 97 violation.

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because Riley Hollingsworth repeatedly and specifically advised the amateur community to keep any disputation and questionable materials off the ham radio and put them on the internet instead.

57. State whether you sent emails on December 28, 2005 at 6:24 a.m. with the subject "KABA T-shirt" in which you stated: "Dear Friends: This is to officially announce the commencement of the 'Kick Ali Bell's Ass' (signal-strengthwise[sic]) RF signal strength contest." If so, for each such email describe specifically and in detail what you were referring to in this email and your reasons for sending the email.

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Applicant further objects hereto on the ground that this Interrogatory is irrelevant and not calculated to lead to the discovery of admissible evidence, absent a preliminary showing that the mere complaint constitutes a Part 97 violation.

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58. State whether you sent an email with the subject of "What a sniveler!" to w71 w@direcway.com on June 7, 2006 at 6:30 a.m. If so:

- a. state the purpose for sending this email;

- b. identify who you sent copies of the email to and explain rationale for so doing;
- c. explain what you meant when you stated: "BTW, what CW frequency are you going to be on? My goon friends and I might want to join our QSO."

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59. State whether you sent an email with the subject "You no-good fuckin son of a bitch!" in which you stated, "Listen, John, you no-good fucking son of a bitch, I today received recordings of you on 3765 last night, repeatedly accusing me of jamming the frequency. This is a warning: you either knock off making such false allegations against me, or I'm going to take a trip down to you QTH and kick your ass! Understand fucktard? I have no intention of continuing to tolerate your lies and false allegations" to W6WFE@cox.net on Sunday, August 6, 2006 at 1:25 p.m. If so:

- a. state each reason why you sent this email;
- b. identify who you sent copies of the email to and explain rationale for so doing;

c. state whether you have a copy of the recording to which you refer in the email.

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Applicant further objects to this Interrogatory on the ground that the Enforcement Bureau has waived the right to, and is estopped from, conducting discovery on this issue due to the bad-faith conduct of Riley Hollingsworth in throwing away, or otherwise failing to read, every communication from Applicant, and in conspiring with other radio amateurs to set Applicant up for an intentional interference violation.

60. State whether you have ever threatened any amateur radio operator during an amateur radio transmission, in an email, or in any other communication with violence. If so, for each such threat:

- a. state the date and time of such communication;
- b. state the type of communications (i.e., radio transmission, email, letter, phone call, etc.);
- c. identify the target of the threat;
- d. describe specifically and in detail the nature of the threat;

- e. describe specifically and in detail your reason for making such threat;
- f. state what action you took to follow through on such threat.

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Applicant further objects to this Interrogatory on the ground that the Enforcement Bureau has waived the right to, and is estopped from, conducting discovery on this issue due to the bad-faith conduct of Riley Hollingsworth in throwing away, or otherwise failing to read, every communication from Applicant, and in conspiring with other radio amateurs to set Applicant up for an intentional interference violation.

61. State whether you sent an email on Friday, August 18, 2006 at 2:30 pm with the subject "What is going to happen to Orv if he doesn't turn the radio off" in which you stated, "When a fat, disgusting old diabetic like Orv gets himself all worked up emotionally from listening to the ham radio, the doctors have to start clipping him. First they clip the toes, then up to the ankles, and then up to the knees, etc. He really should stop listening to the ham radio, for his own good." If so, describe specifically and in detail to whom and what you were referring to in this email and your purpose in sending this email.

Applicant objects to this Interrogatory on the grounds that it is irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence herein.

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Applicant also objects to this Interrogatory on the basis that the Commission may not deny a license based upon an unconstitutional premise. Applicant has the same full range of free-speech rights, both on and off the air, as any U.S. citizen has in private conversation, and any attempt by the Commission to deny Applicant's renewal based upon a post facto review of Applicant's speech violates his First Amendment rights to free speech.

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62. State whether you posted a message on the guestbook of Emily, the 13-year-old daughter of an amateur radio operator, on July 10, 2006 in which you made the following comments, among others: "And speaking of idiots, what's the deal with your father? .... It is terribly sad to see a man who's so deluded. Can you talk to him, and let him know what a loser he really is.... I feel sorry for you having an idiot like that for a father." If so:

- a. identify the person whose guest book the message was posted in;
- b. identify the father to whom you refer in the message;
- c. describe specifically and in detail why you posted this message.

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Applicant further objects hereto on the basis that the Commission has neither subject matter nor ancillary jurisdiction over the internet.

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63. State whether, prior to posting the message referenced in Interrogatory No. 62, above, you had any communications with Emily, the recipient of that message. If so, for each prior communication:

- a. state the date and time of the communication;
- b. state the type of communication (i. e., email, phone call, etc.);
- c. summarize the substance of the communication;
- d. if the communication was by phone call, provide:
  - i. the phone number used to make the call, and
  - ii. the phone number called;
- e. if the communication was by email, provide:
  - i. the email address used to send the communication;

- ii. the email address to which it was sent, and
- iii. the text of the email.

Applicant objects to this Interrogatory on the grounds that it is irrelevant, immaterial and not calculated to lead to the discovery of admissible evidence herein.

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64. State whether, subsequent to posting the message referenced in Interrogatory No. 62, above, you have had any communications with Emily. If so, for each such subsequent communication:

- a. state the date and time of the communication;
- b. state the type of communication (i.e., email, phone call, etc.);
- c. summarize the substance of the communication;
- d. if the communication was by phone call, provide:
  - i. the phone number used to make the call, and

- ii. the phone number called;
- e. if the communication was by email, provide:
  - i. the email address used to send the communication;
  - ii. the email address to which it was sent, and
  - iii. the text of the email.

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65. Describe specifically and in detail all facts which support or which you contend support your claim that you are qualified to retain an amateur license and/or upon which that claim is based in whole or in part.

Applicant objects to this Interrogatory due to lack of foundation and because it assumes a fact not in evidence, since Part 97, §97.501, provides that in order to

obtain or renew an amateur radio license, the applicant must only have applied to take, and passed, the pertinent radio examination. No other requirements are contained in the Rules as a precondition to obtaining a license, nor could it contain any such preconditions because they would be unconstitutionally discriminatory.

Applicant further objects hereto on the basis that the Enforcement Bureau has violated the priority of discovery which was established by Applicant with his First Set of Interrogatories propounded to the Enforcement Bureau, to which the Bureau has objected in bad faith, has largely refused to answer, and as to which there is pending Applicant's Second Motion to compel the Bureau to answer same. Applicant has been wrongfully prevented from formulating his claims and defenses herein due to the Enforcement Bureau's said bad faith in discovery.

Applicant also objects hereto on the basis that the Enforcement Bureau lacks the authority to compel the production of evidence because it has not made a preliminary showing that it has actual intercepts evidencing a violation of Part 97.

Applicant further objects to this Interrogatory on the ground that, due to its bad faith and arbitrary and capricious regulatory conduct in failing to have a screening mechanism for complaints nor rising to the level of a Part 97 violation, and absent a preliminary showing that the complaint rises to the level of a Part 97 violation, the Enforcement Bureau has waived the right to, and is estopped from, conducting any discovery or presenting any evidence concerning mere complaints.

Applicant further objects to this Interrogatory on the ground that the Enforcement Bureau has waived the right to, and is estopped from, conducting discovery on this issue due to the bad-faith conduct of Riley Hollingsworth in throwing away, or otherwise failing to read, every communication from Applicant, and in conspiring with other radio amateurs to set Applicant up for an intentional interference violation

66. To the extent, if any, not otherwise provided in response to the preceding Interrogatories, identify each individual who has, or who you believe has, knowledge or information consistent with or contrary to the information set forth in the Hearing Designation Order ("HDO"). For each person identified, provide a summary of the information which you believe that person has regarding the matters set forth in the HDO.

Applicant objects hereto on the basis that the Enforcement Bureau has violated the priority of discovery which was established by Applicant with his First Set of Interrogatories propounded to the Enforcement Bureau, to which the Bureau has objected in bad faith, has largely refused to answer, and as to which there is pending Applicant's Second Motion to compel the Bureau to answer same. Applicant has been wrongfully prevented from formulating his claims and defenses herein due to the Enforcement Bureau's said bad faith in discovery.

Applicant also objects hereto on the basis that the Enforcement Bureau lacks the authority to compel the production of evidence because it has not made a preliminary showing that it has actual intercepts evidencing a violation of Part 97.

Applicant further objects to this Interrogatory on the ground that, due to its bad faith and arbitrary and capricious regulatory conduct in failing to have a screening mechanism for complaints nor rising to the level of a Part 97 violation, and absent a preliminary showing that the complaint rises to the level of a Part 97 violation, the Enforcement Bureau has waived the right to, and is estopped from, conducting any discovery or presenting any evidence concerning mere complaints.

67. To the extent, if any, not otherwise provided in response to the preceding Interrogatories, identify each individual who has or who you believe has knowledge or information consistent with or contrary to your claims and/or

defenses with respect to this matter, or any of them, and provide a summary of that information which such individual has or you believe such individual has with respect to your claims and/or defenses.

Applicant objects hereto on the basis that the Enforcement Bureau has violated the priority of discovery which was established by Applicant with his First Set of Interrogatories propounded to the Enforcement Bureau, to which the Bureau has objected in bad faith, has largely refused to answer, and as to which there is pending Applicant's Second Motion to compel the Bureau to answer same. Applicant has been wrongfully prevented from formulating his claims and defenses herein due to the Enforcement Bureau's said bad faith in discovery.

Applicant also objects hereto on the basis that the Enforcement Bureau lacks the authority to compel the production of evidence because it has not made a preliminary showing that it has actual intercepts evidencing a violation of Part 97.

Applicant further objects to this Interrogatory on the ground that, due to its bad faith and arbitrary and capricious regulatory conduct in failing to have a screening mechanism for complaints nor rising to the level of a Part 97 violation, and absent a preliminary showing that the complaint rises to the level of a Part 97 violation, the Enforcement Bureau has waived the right to, and is estopped from, conducting any discovery or presenting any evidence concerning mere complaints.

68. State whether you are a licensed attorney. If so, for each state in which you are licensed to practice law:

- a. state the name of the state;
- b. provide your Bar membership number, if any;
- c. provide the date when you were initially admitted to practice law in the state;