

- i. state the date and time when the exhibit was posted;
  - ii. state whether the exhibit was removed and, if so, by whom and the date and time when of its removal.
- h. identify each and any person known to you who posted this exhibit on a web page or removed it from a web page and, for each such person, identify the web page and state whether he/she posted it, removed it, or did both.

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. 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 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.*

19. State whether you or someone on your behalf or otherwise at your request or direction prepared the Good Operator the Report attached hereto as Exhibit 14.

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 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.

20. State whether you published Exhibit 14 or otherwise cause it to be published online or otherwise. If so:

a. identify the date, time, and location of such publication; and.

b. identify the reason for such publication.

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. 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 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.

21. State whether you distributed, published, or otherwise disclosed any letter you received from the Commission or anyone on its behalf on the

*hamjamming.com* web page, any other web page, or in another forum. If so, for each such web page or forum used to publish the letter(s), identify:

- a. the web page or forum internet address on which each letter was published or distributed;
- b. the publisher of each letter;  
each person who submitted each letter for publication or posting;
- c. the title of the article or posting in which each letter appeared;
- d. the date when each article or posting was published or posted;
- e. explain why each letter was published or posted.

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. 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 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.

22. State whether you are the author of the article, "All Hams Need a Secret Jamming Location" that appeared on www.eHam.net on or about August 31, 2004.

If so:

- a. explain why you wrote the article;
- b. identify each web page or forum to which you submitted the article;
- c. specify each date the article was published by or posted on, each web page or forum identified in subsection (b), above.

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. 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 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.

23. Identify any and all articles about amateur radio that you have written which have been published. For each such article:

- a. explain why you wrote the article;
- b. identify each web page or forum to which you submitted the article;
- c. -provide each date the article was published by, or posted on, each web page or forum identified in subsection (b) above.

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 also objects to this Interrogatory on the basis that the Commission may not deny a license based upon an unconstitutional premise. Part 97, §97.3(4) provides that the purpose of the amateur radio service is to exchange messages of a purely personal nature, and the Commission has not adduced any evidence to suggest that this is not exactly what Applicant was doing in all of his radio

transmissions. Nowhere else in Part 97 does the Commission specify any impermissible subjects of amateur conversation, and every attempt to amend Part 97 so as to specify any such impermissible subjects of discussion has failed. Furthermore, the First Amendment to the U.S. Constitution grants Applicant the right of free speech off-the-air. Therefore radio amateurs have the same full range of free-speech rights on 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, whether on or off the air, violates his First Amendment rights to free speech and to petition the government for redress of grievances.

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 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.

24. State whether you have ever had any communication with the Commission, its employees and/or staff regarding allegations that you engaged in deliberate interference to ongoing communications. If so, as to each such communication:

- a. state the date of the communication;
- b. state whether the communication was written or oral;
- c. identify each party to or person who participated in the communication;
- d. summarize the substance of the communication;
- e. state the purpose of the communication and any response thereto; and
- f. identify each witness to the communication.

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.

Among other reasons for being irrelevant, the Interrogatory improperly equates, and therefore confuses, the actions of Riley Hollingsworth with the actions of the Commission. They are not the same because Hollingsworth does not speak for the Commission, since the Commission itself promulgated Part 97 but Hollingsworth's so-called "interpretations" thereof are entirely inconsistent with and contrary to Part 97's plain meaning. Therefore, whether or not Applicant respects Riley Hollingsworth is irrelevant to the issue of whether or not Applicant respects and follows the Commission's Rules.

Applicant also objects to this Interrogatory on the basis that the Commission may not deny a license based upon an unconstitutional premise. Radio amateurs have the same right as any other U.S. citizen to complain to the federal government, or its agencies, when its employees perform their jobs incompetently, as Riley Hollingsworth has done herein. Therefore, any attempt by the

Commission to deny Applicant's renewal based upon his complaints about Riley Hollingsworth's many mistakes violates his First Amendment rights to free speech and to petition the government for redress of grievances.

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. Due to the Enforcement Bureau's said bad faith in refusing to answer Applicant's Interrogatories, Applicant has insufficient information to answer this Interrogatory. 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 the Enforcement Bureau has waived the right to, and is estopped from, conducting any discovery or presenting any evidence concerning Applicant's emails to Riley Hollingsworth because 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.

Applicant also 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 alleged entrance into existing QSOs because Riley Hollingsworth had previously advised Alan Strauss, WA4JTK, that he interpreted Sec. 97.101(b) as requiring amateurs to share the

frequency in such circumstances, and Applicant relied upon Hollingsworth's said interpretation.

Without waiving the foregoing objections, Applicant refers the Enforcement Bureau to, and hereby incorporates, the Exhibits attached to Applicant's Response to the Bureau's First Request for Production of Documents.

25. State whether you have ever had any communication with the Commission, its employees and/or staff regarding a license renewal and/or vanity call sign application filed by you or on your behalf. If so, as to each such communication:

- a. state the date of the communication;
- b. state whether the communication was written or oral;
- c. identify each party to or person who participated in the communication;
- d. summarize the substance of the communication;
- e. state the purpose of the communication and any response thereto; and
- f. identify each witness to the communication.

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 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. Due to the Enforcement Bureau's said bad faith in refusing to answer Applicant's Interrogatories, Applicant has insufficient information to answer this Interrogatory. 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.

Without waiving the foregoing objections, Applicant refers the Enforcement Bureau to, and hereby incorporates, the Exhibits attached to Applicant's Response to the Bureau's First Request for Production of Documents.

26. State whether you have ever had any communication with the Commission, its employees and/or staff, regarding complaints received by the Commission about your allegedly unauthorized, improper, and/or illegal actions. If so, as to each such communication:

- a. state the date of the communication;
- b. state whether the communication was written or oral;
- c. identify each party to and person who participated in the communication;
- d. summarize the substance of the communication;
- e. state the purpose of the communication and any response thereto; and
- f. identify each witness to the communication.

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 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. Due to the Enforcement Bureau's said bad faith in refusing to answer Applicant's

Interrogatories, Applicant has insufficient information to answer this Interrogatory. 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.

Without waiving the foregoing objections, Applicant refers the Enforcement Bureau to, and hereby incorporates, the Exhibits attached to Applicant's Response to the Bureau's First Request for Production of Documents.

27. State whether, on the morning of April 05, 2008 at 10:02:00 a.m., you posted a comment on the website at <http://hamfanz.blogspot.com/search/labellw6wbj>. If so: state whether the comment referenced "A high-ranking FCC employee, who is a ham, [who] is sympathetic to my case and wishes to remain anonymous" and, if so, identify the FCC employee to whom you so referenced. State further whether the comment also referenced another, male "FCC staff person with whom I have been speaking" and, if so, identify that FCC staff member.

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 also objects to this Interrogatory on the basis that the Commission may not deny a license based upon an unconstitutional premise. Applicant has a Constitutional right to contact FCC employees to discuss his case, and any attempt by the Commission to inquire into said communications denies Applicant's rights to free speech and to petition the government for redress of grievances.

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.

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.

Without waiving the foregoing objections, when are the federal agencies going to stop lying about their mail problems? There is definitely something wrong when the federal government cannot, or will not, receive mail from its taxpaying citizens on the pretext of an infectious disease scare. It has become obvious that federal employees are using this pretext not to open their mail, in order to lighten their workloads, and the public is becoming aware that their mail is never opened. For the agencies to lie about it, by denying that they really have a mail problem, and that it is somehow the citizen's fault that his mail is not being received, merely represents insult added to injury. Didn't it ever occur to you that this is a symptom of a disintegrating governmental system? If this problem is not corrected soon, the public will interpret it as a virtual admission by the U.S. government that it lacks the inherent power, internal authority and structure to sustain itself in the long term.

28. Describe specifically and in detail all steps you have taken in an effort to eliminate interference in response to the Commission letter to you dated August 21, 2000.

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 complaints in question constitute 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 not 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 also 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 alleged entrance into existing QSOs because Riley Hollingsworth had previously advised Alan Strauss,

WA4JTK, that he interpreted Sec. 97.101(b) as requiring amateurs to share the frequency in such circumstances, and Applicant relied upon Hollingsworth's said interpretation.

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.

29. State whether you ever volunteered to refrain from using the 3820 frequency. If so:

- a. describe specifically and in detail the circumstances by which you agreed not to use that that frequency;
- b. state when the agreement was made;
- c. identify each person with whom you agreed not to use the frequency;
- d. state whether the agreement was written and, if so:
  - i. state the title, if any, of the agreement;
  - ii. state when the written agreement was executed;
  - iii. identify each party to the written agreement;
- e. provide the date when you last broadcast over the 3820 frequency;
- f. state whether you continue to refrain from using the 3820 frequency.

Applicant objects to this Interrogatory on the ground that it does not comply with Title 47 of the Code of Federal Regulations, Part 1, Subpart A, §1.19, in that it cannot be determined what units of frequency measurement are being used therein.

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 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 not 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 also 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 alleged entrance into existing QSOs because Riley Hollingsworth had previously advised Alan Strauss, WA4JTK, that he interpreted Sec. 97.101(b) as requiring amateurs to share the

frequency in such circumstances, and Applicant relied upon Hollingsworth's said interpretation.

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

30. State whether you were ever instructed to not use the 3820 frequency. If so:

- a. describe specifically and in detail the circumstances by which you were instructed to refrain from using that frequency;
- b. state when the instruction was given;
- c. identify each person(s) who instructed you not to use the frequency;
- d. state whether that instruction was written and, if so, for each written

instruction:

- ii. provide the date(s) the instruction was written and sent;
- ii. provide the date the instruction was received; III. identify each person who signed the instruction.

Applicant objects to this Interrogatory on the ground that it does not comply with Title 47 of the Code of Federal Regulations, Part 1, Subpart A, §1.19, in that it cannot be determined what units of frequency measurement are being used therein.

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 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 not 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 also 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 alleged entrance into existing QSOs because Riley Hollingsworth had previously advised Alan Strauss, WA4JTK, that he interpreted Sec. 97.101(b) as requiring amateurs to share the

frequency in such circumstances, and Applicant relied upon Hollingsworth's said interpretation.

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

31. State whether you have ever referred to W. Riley Hollingsworth ("Hollingsworth") during an on-air transmission(s), on the hamjamming.com web page, in any internet blog, in correspondence, or otherwise as any or all of the following: "Princess," "Hollywood," "Mr. Hollywood," "Riley Hollywood," "Tsarina Hollywood," "Tsarina," and/or "Colonel Klink-Hollywood." If so, for each such name used:

- a. state the name;
- b. provide each date when such name was used;
- c. describe the type of communication containing each such name (i. e., letter, blog, etc.);
- d. describe the circumstances in which you used the name;
- e. explain specifically and in detail your reason for doing so.

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.

Among other reasons for being irrelevant, the Interrogatory improperly equates, and therefore confuses, the actions of Riley Hollingsworth with the actions of the

Commission. They are not the same because Hollingsworth does not speak for the Commission, since the Commission itself promulgated Part 97 but Hollingsworth's so-called "interpretations" thereof are entirely inconsistent with and contrary to Part 97's plain meaning. Therefore, whether or not Applicant respects Riley Hollingsworth is irrelevant to the issue of whether or not Applicant respects and follows the Commission's Rules.

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 possesses the same full range of free-speech rights on the internet and elsewhere 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 and to petition the government for redress of grievances.

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 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.

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.

32. State whether in a blog posting on or about August 31, 2004, on www.eHam.net regarding "All Hams Need a Secret Jamming Location" you stated, "If we all set up SJL's [secret jamming locations], it would have the added advantage of actually giving Riley [Hollingsworth] something to do besides sending out his form letter warning notices, permit him to save a lot of money on Vaseline [sic], and give his right hand a well-deserved rest."

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.

Among other reasons for being irrelevant, the Interrogatory improperly equates, and therefore confuses, the actions of Riley Hollingsworth with the actions of the Commission. They are not the same because Hollingsworth does not speak for the Commission, since the Commission itself promulgated Part 97 but Hollingsworth's so-called "interpretations" thereof are entirely inconsistent with and contrary to Part 97's plain meaning. Therefore, whether or not Applicant respects Riley

Hollingsworth is irrelevant to the issue of whether or not Applicant respects and follows the Commission's Rules.

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 possesses the same full range of free-speech rights on the internet and elsewhere 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 and to petition the government for redress of grievances.

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.

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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 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.

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.

33. State whether in response to a blog posting by "Goodbuddy" on August 31, 2004 (stating: "Yeah most of us have heard old Billy Boy's behavior on 3840. A fine example of how to harass and interfere with on going [sic] QSO's. The echo effects were nice Billy.") you responded by stating, "but how did you like Bilitzniklick the Martian... and The Creature from the Black Slacks Lagoon... I thought they were even better than the reverb! .... Man that Behringer DSP-2024 digital audio processor is a fantastic unit." If so" describe specifically and in detail what you are referring to by "Bilitzniklick the Martian" and "The Creature from the Black Slacks Lagoon."

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 also objects to this Interrogatory on the basis that the Commission may not deny a license based upon an unconstitutional premise. Applicant possesses the same full range of free-speech rights on the internet and elsewhere 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 and to petition the government for redress of grievances.

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 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.

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.

34. State whether in response to an internet website posting on www.eHam.net. you sent an email to rinehard@troyst.edu ("Rinehard") on August 31,2004 at 20: 18:56 (EDT). If so:

a. did you call Rinehard a "loser" or refer to his profession [professor of political science] as "bullshit artists," a "bunch of idiots" and/or other insulting terms in that email? If so, state each term used to describe Rinehard and his profession;

b. Explain specifically and in detail each reason for your email to Rinehard and the remarks made in it;

c. provide each email address used to send this email;

d. provide each email address copied on this email;

e. state whether you have ever corresponded or otherwise communicated with Rinehard. If so:

i. provide the date of each such communication;

ii. provide the method used for each such communication (i.e., email);

iii. provide the text of each such communication. If the text is not available, provide a detailed summary of the communication, including, but not limited to, each insulting word or phrase used therein;

iv. If the communication was via email, provide:

a. each email address used to send the email;

b. each email address used for Rinehard;

c. the email address of each person copied on your email to Rinehard

and an explanation regarding why you copied each individual on the email.