

DOCKET FILE COPY ORIGINAL

Before the
Federal Communications Commission
Washington, DC 20554

FCC 08M-41
07274

In the Matter of)	EB Docket No. 07-13
)	
DAVID L. TITUS)	FRN No. 0002074797
)	File No. EB-06-IH-5048
)	
Amateur Radio Operator and Licensee of)	
Amateur Radio Station KB7ILD)	

MAILED

JUL 30 2008

FCC COMM. DIVISION

ORDER

Issued: July 23, 2008

Released: July 23, 2008

Hearing of the respective cases-in-chief was completed on July 16, 2008. Counsel for the Enforcement Bureau ("Bureau") requested on-the-record that the Bureau be permitted to submit rebuttal evidence. The Presiding Judge found it appropriate to require the Bureau to make its request by written motion, and the following pleading cycle was set: ¹

September 8, 2008	Bureau to file Motion for Leave to Present Rebuttal
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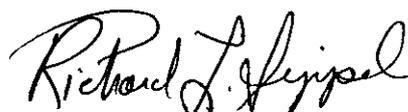
September 22, 2008	Mr. Titus to file Opposition to Rebuttal
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Rebuttal evidence will not be received to improve or bolster the Bureau's case-in-chief. Rebuttal evidence, if allowed, only will be received to rebut Titus' evidence that was received in evidence. The Bureau shall cite precedent to support its request.

The Bureau must proffer the proof that it intends to offer in rebuttal. The Bureau must specify those portions of the record (including specification of testimony by page citation) which the Bureau contends qualify for rebuttal. The Bureau must identify each witness to be called on rebuttal and provide a brief summary of expected testimony.

SO ORDERED.²

FEDERAL COMMUNICATIONS COMMISSION



Richard L. Sippel
Chief Administrative Law Judge

¹ Reporter's transcript preparation and delivery were factors for dates.

² Courtesy copies of this Order are being e-mailed to each counsel on date of issuance.