

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

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| In the Matter of |) | EB Docket No. 07-147 |
| |) | |
| PENDLETON C. WAUGH, CHARLES M. AUSTIN, and JAY R. BISHOP |) | File No. EB-06-IH-2112 |
| |) | NAL/Acct. No. 200732080025 |
| |) | |
| PREFERRED COMMUNICATION SYSTEMS, INC. |) | FRN No. 0003769049 |
| |) | |
| Licensee of Various Site-by-Site Licenses in the Specialized Mobile Radio Service |) | |
| |) | |
| PREFERRED ACQUISITIONS, INC. |) | FRN No. 0003786183 |
| |) | |
| Licensee of Various Economic Area Licenses in the 800 MHz Specialized Mobile Radio Services |) | |
| |) | |

SUPPLEMENTAL RESPONSE BY CHARLES M. AUSTIN TO REQUEST FOR PRODUCTION OF DOCUMENTS

Charles M. Austin (“Austin”), by his attorneys and pursuant to Section 1.325 of the Commission’s Rules, hereby provides this supplemental response to the First Request for Production of Documents to Preferred Acquisitions, Inc. (“Document Request”), filed October 15, 2007 by the Enforcement Bureau (“Bureau”) herein.

All of the documents produced today are **CONFIDENTIAL**. Within the meaning of that term contained in the Protective Order, FCC 07M-44 released November 2, 2007 in this proceeding. Therefore, the Bureau, as Receiving Party of these documents, is hereby on notice to treat the documents accordingly, in keeping with the Protective Order.

This supplemental response is being submitted pursuant to the Presiding Judge’s *Memorandum Opinion and Order* (FCC 08M-37; released July 2, 2008), ruling on a motion to compel filed by the Bureau in response to objections by PCSI. To the extent the ALJ has sustained the previous general objections, those objections are renewed here.

Two sets of documents are being produced contemporaneously with this filing. Approximately 2,200 pages of paper documents are being hand delivered to the Bureau in accordance with instructions worked out with Bureau counsel. The references herein to stamp numbers without a prefix refer to these documents. Approximately 4,000 pages of additional documents are being delivered in electronic (PDF) format. The references herein to stamp numbers with the "PCSI" prefix refer to these documents.

2. *All documents relating to and/or Austin's knowledge of each of the felony convictions of Waugh.* After a diligent search, no such documents have been found that were not previously produced to the Bureau.

3. *All documents relating to and/or evidencing Austin's knowledge of each of the felony convictions of Bishop.* After a diligent search, no such documents have been found that were not previously produced to the Bureau.

5. *All applications filed by or on behalf of PCSI with the Commission and all documents evidencing Austin's involvement in the planning, preparation, review and filing of such applications.* There are no such documents, other than those already produced to the Bureau in response to pre-designation requests from the Bureau.

6. *All documents filed by or on behalf of PAI with the Commission and all documents evidencing Austin's involvement in the planning, preparation, review and filing of such applications.* After a diligent search, no such documents have been found that were not previously produced to the Bureau.

7. *All documents relating to any financial obligations that Austin has incurred on behalf of PCSI.* After a diligent search, no such documents have been found that were not previously produced to the Bureau.

9. *All documents relating to the hiring, firing, and/or supervising by Austin of PCSI employees, agents or other personnel.* See documents stamped 001922 – 001941, and PCSI 003572 – 003666.

10. *All documents relating to the hiring, firing, and/or supervising by Austin of PAI employees, agents or other personnel.* See response to No. 9, above.

11. *All documents relating to any contracts, arrangements, understandings, and/or agreements that Austin has negotiated or participated in negotiating, on behalf of PCSI.* See documents stamped 000172 – 000751, 001027 – 001060, 001125 – 001176, PCSI 004018 – 004054, PCSI 004055 – 004060.

12. *All documents relating to any contracts, arrangements, understandings, and/or agreements that Austin has negotiated or participated in negotiating, on behalf of PAI.* See documents stamped PCSI 003681 – 003700,

13. *Any documents relating to salaries, profits, monies and/or other consideration or compensation, whether tangible or intangible, of any kind and to any extent whatsoever, that Austin has ever earned from, or been promised by PCSI.* See documents stamped 001942 – 001943, 000046A – 000054, and 000777 – 000819.

15. *All documents supporting each of Austin's answers to the Bureau's First Set of Interrogatories to Charles M. Austin.* There are no such documents that were not previously produced to the Bureau, save and except any notes and correspondence between Austin and legal counsel in connection with the preparation of the interrogatory responses, which are subject to privilege as attorney-client communications and/or attorney work-product.

Respectfully submitted,

CHARLES M. AUSTIN



By:

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August 5, 2008

His Attorneys

Certificate of Service

I, Robert J. Keller, counsel for Charles M. Austin; Preferred Communication Systems, Inc.; and Preferred Acquisitions, Inc., in EB Docket No. 07-147, hereby certify that I have, on the date indicated below, caused copies of the foregoing filing* to be served to the following addressees via electronic mail (with paper copies to be sent subsequently via first class U.S. mail, postage prepaid) to the persons indicated and at the addresses shown below.

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Date: August 5, 2008

* The produced documents have also been served to the extent they are available in electronic format. Parties desiring copies of the produced paper documents may contact undersigned counsel to make arrangements for copying at the expense of the requesting party.