

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
Herring Broadcasting, Inc. d/b/a Wealth TV,)	MB Docket No. 08-214
Complainant)	File No. CSR-7709-P
v.)	
Time Warner Cable Inc.)	
Defendant)	
)	
Herring Broadcasting, Inc. d/b/a Wealth TV,)	File No. CSR-7822-P
Complainant)	
v.)	
Bright House Networks, LLC,)	
Defendant)	
)	
Herring Broadcasting, Inc. d/b/a Wealth TV,)	File No. CSR-7829-P
Complainant)	
v.)	
Cox Communications, Inc.,)	
Defendant)	
)	
Herring Broadcasting, Inc. d/b/a Wealth TV,)	File No. CSR-7907-P
Complainant)	
v.)	
Comcast Corporation,)	
Defendant)	

To: Marlene H. Dortch, Secretary
Federal Communications Commission

Attn: Arthur I. Steinberg
Administrative Law Judge

**HERRING BROADCASTING, INC., D/B/A WEALTHTV'S
SECOND DESIGNATION OF EXHIBITS**

Pursuant to the procedures adopted in the Presiding Judge's case management Order of October 23, 2008,¹ Herring Broadcasting, Inc. d/b/a WealthTV ("WealthTV") hereby submits this Second Designation of Exhibits ("Second Designation") for the hearing in the above-captioned matters. WealthTV is submitting this Second Designation as promptly as possible in

¹ Order, *Herring Broad., Inc. v. Time Warner Cable Inc., et al.*, FCC 08M-44, at 2 (rel. Oct. 23, 2008) ("Order").

order to facilitate expedition of the proceeding.² WealthTV anticipates that it will supplement this Second Designation prior to the procedural deadline for exchanging direct case exhibits and lists of witnesses once such a deadline is re-established.

As a part of its affirmative case, WealthTV expects to introduce the following exhibits, which are being provided to each of the defendants in this joint fashion because WealthTV anticipates the possible use of each of these exhibits in its affirmative case against each of the defendants in the above captioned matters:³

Exhibit Letter:	Title of Exhibit:	Sponsoring Witness:	# of Pages:
WealthTV Exhibit C	Program Access Complaint of DirecTV, Inc. in the matter of DirecTV, Inc. v. iN DEMAND, LLC (File No. CSR 6901-C)	Charles Herring	137
WealthTV Exhibit D	iN DEMAND, LLC's Answer to the Program Access Complaint of DirecTV, Inc. in the matter of DirecTV, Inc. v. iN DEMAND, LLC (File No. CSR 6901-C)	Charles Herring	98
WealthTV Exhibit E	Program Access Complaint of EchoStar Satellite, LLC v. iN DEMAND, LLC (File No. CSR 6913-P)	Charles Herring	122
WealthTV Exhibit F	iN DEMAND, LLC's Answer to the Program Access Complaint of EchoStar Satellite, LLC in the Matter EchoStar Satellite, LLC v. iN DEMAND, LLC (File No. CSR 6913-P)	Charles Herring	81
WealthTV Exhibit G	Comcast Corporation 10-Q and 10-K Filings reporting Financial Results from First Quarter 2007 through Third Quarter 2008	Charles Herring	287
WealthTV Exhibit H	Time Warner Cable 10-Q and 10-K Filings reporting Financial Results from Second Quarter 2007 through Third Quarter 2008	Charles Herring	698
WealthTV Exhibit I	Time Warner Cable Press Release Reporting First Quarter 2007 Financial Result including Unaudited Financial Statements	Charles Herring	16

² As evidenced by counsel's comments during the pre-hearing conference on October 27, 2008, the other complainants in these consolidated proceedings share WealthTV's commitment to facilitate expedition of these proceedings, as does the Enforcement Bureau. *See* Enforcement Bureau Comments on Issues Designated for Hearing, MB Docket No. 08-214, File Nos. CSR-7709-P *et al.* (Oct. 27, 2008) (noting that the Enforcement Bureau submitted its comments on defendants' interlocutory requests "early to expedite this hearing proceeding to the extent possible").

³ In accordance with the Presiding Judge's Order, *Order* at 2, n.7, copies of each of these exhibits will promptly be provided to the Presiding Judge, the Enforcement Bureau, and the defendants.

WealthTV may supplement this Second Designation; if it does so, it will provide the Defendants and the Presiding Judge with copies of any additional exhibits prior to the re-established procedural deadline for submission of exhibits. WealthTV reserves the right to introduce additional exhibits to rebut evidence and/or testimony presented by the Defendants.

Respectfully submitted,

//signed//

Kathleen Wallman
Kathleen Wallman, PLLC
9332 Ramey Lane
Great Falls, VA 22066
(202) 641-5387

*Counsel for Herring Broadcasting, Inc. d/b/a
WealthTV*

November 10, 2008

CERTIFICATE OF SERVICE

I, Kathleen Wallman, certify that I caused the foregoing Second Designation of Exhibits, dated November 10, 2008, to be served on the following parties as indicated.

Art Steinhauer, (via email at asteinhauer@sbandg.com)
Cody Harrison, (via email at charrison@sbandg.com)
R. Bruce Beckner, (via email at bbeckner@fh-law.com)
Mark Denbo, (via email at mdenbo@fh-law.com)
Rebecca Jacobs, (via email at rjacobs@fh-law.com)
Counsel to Bright House Networks

Art Harding, (via email at aharding@fh-law.com)
Micah Caldwell, (via email at mcaldwell@fh-law.com)
Seth Davidson, (via email at sdavidson@fh-law.com)
Jay Cohen, (via email at jaycohen@paulweiss.com)
Henk Brands, (via email at hbrands@paulweiss.com)
Samuel Bonderoff, (via email at sbonderoff@paulweiss.com)
Counsel to Time Warner Cable

J. Christopher Redding, (via email at credding@dowlohnes.com)
Jason Rademacher, (via email at jrademacher@dowlohnes.com)
David Mills, (via email at dmills@dowlohnes.com)
Counsel to Cox Communications

Michael Hammer, (via email at mhammer@willkie.com)
James L. Casserly, (via email at jcasserly@willkie.com)
David Soloman, (via email at dsoloman@wbklaw.com)
Andy Tollin, (via email at atollin@wbklaw.com)
Michael P. Carroll, (via email at michael.carroll@dpw.com)
David B. Toscano, (via email at david.toscano@dpw.com)
Megan Anne Stull, (via email at mstull@willkie.com)
Jonathon Friedman, (via email at jfriedman@willkie.com)
Michael Hurwitz, (via email at mhurwitz@willkie.com)
Counsel to Comcast Corporation

Kris Anne Monteith, (via email at kris.monteith@fcc.gov)
Gary Schonman, (via email at gary.schonman@fcc.gov)
Elizabeth Mumaw, (via email at elizabeth.mumaw@fcc.gov)

//signed//

Kathleen Wallman