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

FCC 09M-40  
07950

In the Matter of	)	MB Docket No. 08-214
	)	
TCR Sports Broadcasting Holding, L.L.P.,	)	File No. CSR-8001-P
d/b/a Mid-Atlantic Sports Network,	)	
Complainant	)	
v.	)	
Comcast Corporation,	)	
Defendant	)	

MAILED  
JUN -1 2009  
FCC

**ORDER**

Issued: May 14, 2009

Released: May 14, 2009

**First Day**

Evidence Admission Session is set for May 18, 2009, commencing 10:00 a.m. Documents pre-marked will be identified, marked and received on-the-record as rapidly as is practicable. Assuming few objections (if any),<sup>1</sup> completion of admissions session should be mid-day or early afternoon. Therefore, immediately following counsel's opening statements, MASN should have a first witness taking the stand.

**Electronic Interference**

Blackberries must be turned off before entering the Courtroom, and no calls are to be made in the corridor outside the Courtroom. Otherwise, witnesses will be interrupted and distracted due to the fact that when the Court Reporter cannot decipher a witness, there must be a shut-down in order to locate an offending Blackberry. This has occurred several times a day and causes delay.

**Transparency**

Soon after the outset of the NFL Enterprises litigation, attending members of the Press were prematurely directed out of the Courtroom to accommodate anticipatory concerns of disclosures of evidence considered to be Confidential.

An immediate written objection from Bloomberg's general counsel was received post haste by the Presiding Judge, with copies directed to the parties' counsel. This pointed, though proper, assertion of Press rights in FCC court proceedings resulted in restructuring witness presentation to better accommodate the Press.<sup>2</sup> To avoid another erroneous press embargoe from the hearing, the parties should keep concerns of confidentiality to a minimum, readily done

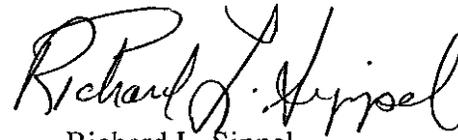
<sup>1</sup> Compare admissions sessions in the NFL network and WealthTV cases.

<sup>2</sup> Overnight copies of transcripts were made available to press, with deletions if necessary.

by having testifying witnesses not disclose confidential facts in open-court, while leaving protected data/matters in evidentiary documents that are redacted or amendable to redactions.<sup>3</sup>

SO ORDERED.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION



Richard L. Sippel  
Chief Administrative Law Judge

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<sup>3</sup> With welcome frequency, designations of Confidential were rescinded in open court so as to permit complete unredacted copies of written testimony of party witnesses and experts to be forthwith provided to the Press via an alert FCC Press Office.

<sup>4</sup> Courtesy copies e-mailed to counsel and FCC Press office on date of issuance.