

# STAMP AND RETURN

Before the  
Federal Communications Commission  
Washington, DC 20554

FILED/ACCEPTED

SEP 11 2009

Federal Communications Commission  
Office of the Secretary

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

To: Marlene H. Dortch, Secretary  
Federal Communications Commission

Attn: The Honorable Richard L. Sippel  
Chief Administrative Law Judge

## MOTION FOR LEAVE TO SUPPLEMENT MOTION FOR LIMITED INTERVENTION AND RENEWED MOTION FOR LIMITED INTERVENTION

Michael D. Judy, on behalf of himself and the undersigned Movants (collectively "Movants"), hereby seeks leave to file the attached materials as a supplement for the Motion for Limited Intervention and the Renewed Motion for Limited Intervention filed in the above-captioned proceeding July 17, 2009 and September 8, 2009 respectively.

As discussed in the Motion for Limited Intervention, Mr. Judy has filed a complaint in the Court of Chancery of the State of Delaware alleging that Mr. Charles M. Austin lacks legal

authority to exercise any ongoing or future managerial power over the Company, including representing the Company in this proceeding or executing the Settlement Agreement on behalf of the Company.<sup>1</sup> The attached materials are filings Mr. Judy and Mr. Austin have made in the Chancery Court that further explicate the serious legal issues related to the Company's management.

Given the significant questions related to whether Mr. Austin has the authority to represent the Company, as well as the fundamental conflict of interest arising from Mr. Austin's representation of both himself and the Company in this matter, it is critical that the attached documents be included in the record so that the Presiding Judge can consider these issues as he evaluates the purported Settlement Agreement. The Presiding Judge should grant leave for Moyants to file the attached materials.

Respectfully submitted,

By: Michael D. Judy  
Michael D. Judy

5874 Nces Avenue  
Clovis, CA 93611  
(559) 246-3979

On behalf of himself and:

---

<sup>1</sup> See Motion for Limited Intervention at 2-3, Exhibits 1 and 2.

Linda Allen  
Kenneth E. Aull  
Alison D. Aull  
Carole Lynn Downs  
Kenneth Fry  
Lia R. Gutierrez  
James Herrick  
Jane Herrick  
Jamison N. Herrick  
Mary E. Herrick  
John Herrick  
Sharlene Herrick  
Julie Herrick

Marilyn Huckins  
Lee Jones  
R. J. Leedy  
Alan D. Pelton  
Kathryn A. Pelton  
Neil Alan Scott  
Michael A. Scott  
John G. Talcott III  
Dorothea J. Talcott  
John G. Talcott, Jr.  
Richard Thayer  
Mayr Thayer  
Paul P. Tucker  
Lyle L. Wells

September 11, 2009

**CERTIFICATE OF SERVICE**

I, Michael D. Judy, do hereby certify that on this 11th day of September, 2009, the foregoing Motion for Leave to File Supplemental Material was served by first class mail, postage prepaid, on the following persons:

The Honorable Richard L. Sippel Chief Administrative Law Judge Federal Communications Commission 445 12 <sup>th</sup> Street, S.W., Room 1-C768 Washington, DC 20554	Charles M. Austin Preferred Acquisitions, Inc. Preferred Communications Systems, Inc. 400 E. Royal Lane, 9 Suite N-24 Irving, TX 75039
Gary A. Oshinsky, Esq. Anjali K. Singh, Esq. Investigations and Hearing Division Enforcement Bureau Federal Communications Commission 445 12 <sup>th</sup> Street, S.W., Room 4-C330 Washington, DC 20554	William D. Silva, Esq. Law Offices of William D. Silva 5355 Wisconsin Avenue, N.W. Suite 400 Washington, DC 20015-2003 Attorney for Pendleton C. Waugh
Jay R. Bishop P.O. Box 5598 Palm Springs, CA 92262	

  
\_\_\_\_\_  
Michael D. Judy