

1 specific matter. That's fine. But will also
2 Mr. Floyd feel comfortable and make available
3 Mr. Shroeder and Ms. Wells? Is she still with
4 U.S. Realty?

5 MR. FLOYD: As a matter of fact,
6 there is no more U.S. Realty due to this
7 incarceration. But Ms. Wells and Mr. Shroeder
8 are more than willing and want to give a
9 statement to the FCC.

10 MR. ZARAGOZA: Okay. Thank you.

11 JUDGE SIPPEL: Well, it sounds
12 like it's just a question of what's the most
13 efficient way of getting this information.
14 And I leave that to you all.

15 MR. ZARAGOZA: What we are trying
16 to do, I think, Your Honor, focusing on the
17 issues of resources, burdens, dispatch of your
18 calendar, is to try to focus on the issue and
19 try to reach as quick an agreement as possible
20 on the primary facts. And then parties can
21 choose what inferences they want to draw and
22 legal conclusions.

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1 JUDGE SIPPEL: I am going to leave
2 it to both parties, if you can do it, to
3 coordinate on what would be appropriate
4 questions to ask. You can send it out jointly
5 or independently. I don't care.

6 MS. LEAVITT: And Your Honor,
7 would it be helpful to you if we talked
8 amongst ourselves and set a deadline and got
9 back to you with proposed deadlines for
10 resolving, at least, that particular issue?

11 JUDGE SIPPEL: Sure. That is
12 fine. That's fine. I'm going to keep the
13 November date, though. I'll tell you what.
14 I'm going to keep these dates from November on
15 down for purposes of the narrow issue, of the
16 issue that underlies this case.

17 That is, the incarceration issue.
18 So that doesn't get lost. If we have to
19 change dates because something else happens
20 here, which would -- I'm not anticipating
21 that. Then we have to change dates. But
22 that's going to be the hearing.

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1 What I'm saying, Mr. Floyd, is
2 that the hearing that I expect to have is
3 going to be the hearing on only one question,
4 and that is whether your conviction --
5 nonwithstanding your conviction, that you are
6 still entitled to keep your license. I'll put
7 it that way.

8 MR. FLOYD: Yes, sir.

9 JUDGE SIPPEL: All this other
10 business, which I consider to be a contract
11 gone bad, gone sour, is going to be explored
12 so that we can make a determination as to
13 whether or not Wilks stays in this case.
14 That's basically all I want to make the
15 decision on.

16 So this is going in two different
17 directions, but don't lose sight of the fact
18 that your license is very much in jeopardy as
19 a result of the conviction, and you're going
20 to need -- well, that's as much as I'm going
21 to say right now.

22 And I would again suggest, if

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1 you're going to pursue that question, that you
2 see if you can get a lawyer who will help you.

3 MR. FLOYD: Yes, sir.

4 JUDGE SIPPEL: But that's where
5 I'm going to leave it today. And I will issue
6 an appropriate order to this effect, and thank
7 you again for getting up early in the morning.

8 MR. FLOYD: Thank you, sir.

9 JUDGE SIPPEL: And thank you even
10 twice for being so cooperative, as well as
11 Mrs. Floyd. And that's going to make this --
12 hopefully it's going to make this a lot less
13 difficult to resolve. So does anyone have
14 anything more that they want to say? Nothing
15 more?

16 Then we are in recess until my
17 next call. And I'll wait to hear from the
18 parties on how they're going to proceed on
19 this, as to what dates we're going to talk
20 about for October.

21 (Whereupon, the proceedings in the above-
22 entitled matter were concluded at 10:41 a.m.)

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Eddie Floyd

Name of Hearing

MB DOCKET NO. 10-157

Docket No. (if applicable)

445 12th STREET, S.W., WASHINGTON, D.C.

Place of Hearing

September 28, 2010

Date of Hearing

We, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 78, inclusive, are the true, accurate and complete transcript prepared from the reporting by John Mongoven (Reporter's Name) in attendance at the above identified hearing, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription statement of Work and have verified the accuracy of the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the hearings and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the hearing or conference.

September 28, 2010

John Mongoven

Date

Legible Name and Signature of Reporter

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September 28, 2010

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