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

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In the Matter of	)	MB Docket No. 10-157
	)	
EDDIE FLOYD	)	NAL/Acct No. 201041410018
	)	
Licensee of FM Translator Station K273AF, Carson City, Nevada	)	FRN: 0011733425 Facility ID No. 13529
	)	
EDDIE FLOYD	)	
	)	
and	)	
	)	
WILKS LICENSE COMPANY-RENO LLC	)	File No. BALFT-20070904ACU
	)	
For Assignment of License of FM Translator Station K273AF, Carson City, NV	)	
	)	
EDDIE FLOYD	)	File No. BMLFT-20071218ABH
	)	
For Modification of License of FM Translator Station K273AF, Carson City, NV	)	

ORDER

Issued: November 18, 2010 ; Released: November 19, 2010

To become sufficiently informed on facts and circumstances regarding the business relationship between Eddie Floyd and Wilks-Reno, it is necessary that Mr. Floyd respond fully and completely to outstanding Requests for Admission previously served by the Enforcement Bureau, and that Wilks- Reno reconsider its failures to fully answer the Bureau's outstanding requests for admission addressed to Wilks- Reno. Both parties had agreed at Prehearing Conference of September 28, 2010 that requests to admit directed to both parties of the formerly intended assignment would provide useful information to assist in favorably considering dismissal of Wilks-Reno as a party to this proceeding.[1] See Prehearing

[1] However, the enforcement Bureau could continue to investigate its concern for a failure to disclose Mr. Floyd's conviction and incarceration in connection with an intended assignment that has aborted.

Conference at Tr. 70-71 (Wilks- Reno counsel suggests "collaboration" leading to "stipulation" based on sufficient facts to consider in connection with motion to dismiss.)

Therefore, IT IS ORDERED that Wilkes-Reno review questions presented by Enforcement Bureau to which it has objected rather than answered, with a view to full and complete disclosure.[2] Alternatively, all parties may stipulate to all necessary relevant facts that will support a dismissal of Wilks- Reno.

IT IS FURTHER ORDERED that Eddie Floyd provide his answers to Bureau's Requests for Admission, as he promised at the Prehearing Conference. See Prehearing Conference at Tr. 57-58, 66, 68-78.

The parties ARE ON NOTICE that there will not be a favorable ruling on the outstanding request of Wilks-Reno for dismissal and no Prehearing Conference will be held to consider any relief to be requested under the Second Thursday Doctrine, without first providing the aforesaid information. Such information shall be submitted and exchanged on the same date to be agreed upon by counsel in order to avoid any possible prejudice.

FEDERAL COMMUNICATIONS COMMISSION

Richard L. Sippel

Richard L. Sippel
Chief Administrative Law Judge [3]

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[2] Objections of relevance to questions for facts in a discovery request does not assist a decision maker. Out of eighty seven questions posed to Wilks- Reno, forty were left unanswered on grounds of relevance (even under broad meaning of relevance to discovery, 47 C.F.R §1.311). Five questions were admitted, thirteen denied on grounds of non-involvement with drafting assignment application, thirteen more denied as to amended application for same reasons of non-involvement, twelve more denied based on non-drafting of a modification application.

[3] Courtesy copies of this Order are sent to counsel and Mr. Floyd by e-mail on issuance.