Warren Havens

January 15, 2014

Richard L. Sippel
Chief Adminstrative Law Judge
Federal Communications Commission
445 12th Street, S.W.

Re: Order FCC 14M-1 (the "Order") in docket 11-71 (Maritime)

Dear Judge Sippel,

I respectfully submit the following, reserving the right to further address these matters.

(i) Initially, in filings I plan to submit on January 15, 2014 under rule sections 1.301(a) and (b), within the required five days, some matters related to the below are included, including that the Order is a basis for an interlocutory appeal under section 1.301(a)(2),[1] and extend matters in my pending filings under sections 1.301(a) and (b).

1. The Order is vague as to facts, law, purposes, etc. In addition, while it is vague, I believe the Order and matters pursuant thereto should not have involved, and should not further involve, parties and persons other than the Limited Counsel and myself.[2] I object to the Order and actions pursuant thereto for the above reasons.

2. The information required under the Order[3] from the Limited Counsel (defined

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[1] "(2) If the presiding officer's ruling requires testimony or the production of documents, over objection based on a claim of privilege, the ruling on the claim of privilege is appealable as a matter of right."

[2] The Order and subsequent releases from your office related to the Order were even sent by email to persons that are not current parties or their representatives, for no reason provided and no good reason understandable.

[3] The Order's current language, and any derivatives.

below)[4] that relate to me and the SkyTel entities *is fully subject to attorney-client communication and relation privileges* (together, "Privileges"),[5] and I have made clear to each attorney called to testify at the hearing under the Order now set for this Friday (the Hearing)[6] and their firms ("Limited Counsel")[7] that I fully assert the Privileges, with no waivers or exceptions, regarding myself and all companies I manage (often called "SkyTel entities").[8]

I request *that you vacate the Hearing since* (i) if you accept these assertions of Privilege, there is no need for the Hearing; and (ii) if you reject these assertions, then I will respectfully appeal to the Commission under rule section 1.301(a)(2) in which case there is no need for the Hearing; and (iii) if you decide to consider these assertions for a period beyond the Hearing before deciding to accept or reject them, then there is no need for the Hearing as scheduled.

3. I do not see (i) how the Order was served,[9] or (ii) that, even if the method of

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[4] The Order requires me to attend, but does not call for me to testify. If at some point I am ordered to testify on matters related to the Order, I intend to consider and engage appropriate counsel, including under USC § 555 (b) and relevant FCC law. I fully deny any actual or apparent charges in the Order, and find them too vague to understand.

[5] As to communications, work product, confidentiality, and other matters.

[6] Currently set for January 17, 2014.

[7] With regard to Limited Counsel Neil Ende, his letter to you noted in the Order was filed without consultation with me, was not served on me (for reasons of which I am not aware) and did not have a certificate of service. I object to his letter commenting on what Mr. Chen's services to me may be, and other disclosures that are not public that I did not authorize. The letter is improper and I request that it be stricken or disregarded.

[8] The Privileges apply regardless of any such communications in which I express these to counsel, for a particular situation that may arise, such as caused by the Order.

[9] In addition, the Limited Counsel were not parties or representative counsel and had no reason to check ECFS to see if any such order directed to them would be released. I am not their (or anyone's) agent to receive service. Release on ECFS of an order compelling action would not appear to be effective service.

courtesy email (which was used) is effective legal service,[10] how the advance-time provided (5 business days) was reasonable.[11] The rescheduling of the Hearing, and the non-Ordered request to bring documents for ordered testimony (apparently for Limited Counsel to obtain off of ECFS, review and be able to discuss) cause further burdens. These matter create undue hardship and clouds. For these reasons also, I object to the Order and Hearing.

At minimum, if the request above to vacate is not granted, I request *that you continue the Hearing for a week to ten days*, and make reasonable attempts to accommodate the Limited Counsels' and my schedules and situations and mitigate hardship. I request this myself since the demands of the Order on them adversely affect me and the SkyTel entities I manage.

4. I believe that Order is not effective as to the SkyTel entities since they are not parties. Also, the SkyTel entities were not served the Order. You barred me from representing them, and I have ceased that under protest. Since then, they are not parties, and will not be unless and until they get one or more representative counsel that files a notice of appearance that you accept, as I understand your ruling.[12] I do not accept to act as representative of any SkyTel entity for any purpose or aspect of the Order and the Hearing at

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[10] Especially for non parties, which include the Limited Counsel and the SkyTel entities, they had no reason to look at the 11-71 docket on ECFS to see if there was any such Order posted, and it is not clear that you have to post all orders and releases on EFCS (most transcripts are not, and some contain orders and instructions, etc.)

[11] Timely action is a "law of the case" (e.g., see my pending request under §1.301(a) and (b)). This "law" should be uniformly and equally applied, whether in meeting a deadline or imposing one.

[12] You have set other conditions also, including that any new representative counsel must be for the duration of the proceeding, which is beyond what bar association and court rules require (as I understand), and I believe is unjustified and prejudicial. It imposes added costs, limits the pool of candidates, etc., as does the vague and prejudicial Order.

this time, nor have any of these entities authorized it at this time.[13] I believe the Order improperly and unlawfully subjects the SkyTel entities as non-parties, and entities with no representation based on your bar,[14] to action against and potentially against their interests. I object to the Order and the Hearing for the reasons in this paragraph, in addition.

Respectfully submitted,

/s/

Warren Havens
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[13] But, due to the Order involving SkyTel entities, I cannot avoid my fiduciary duties to respond herein to defend SkyTel entities' Privileges and other rights and interests.

[14] In enforcing this bar, I have previously asserted and maintain that you did not provide any reason for the bar under section 1.21(d). Thus, I have asserted and maintain that the bar was unlawful.

CERTIFICATE OF SERVICE

The undersigned certifies that he has on this Monday the 15[11h] day of January, 2014 caused to be served by first class United States mail copies of the foregoing letter to:

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/ s / [Electronically signed. Signature on file.]

Warren Havens