

On April 7, 1999, Davis Broadcasting, Inc. ("Davis") filed a Petition to Deny (the "First Davis Petition") the applications of Cumulus Licensing Corp. ("CLC") requesting the Federal Communications Commission's ("FCC's") consent to the assignment to CLC of the FCC authorizations for stations WDAK(AM), Columbus, Georgia and WSTH-FM, Alexander City, Alabama (File Nos. BAL(H)-19990204EB-EC). The First Davis Petition, and Davis's subsequent related filings, allege that CLC lacked candor with respect to certain matters not disclosed in that assignment application. On September 11, 2000, Davis filed with the FCC a similar Petition to Deny (the "Second Davis Petition") the applications of CLC to assign certain FCC authorizations in the Columbus, Georgia area (File Nos. BAL(H)-20000728ACS-ACX), in which Davis makes similar allegations.

On February 21, 2002, the FCC denied the First Davis Petition and the Second Davis Petition, finding that Davis failed to make a *prima facie* showing supporting its allegations, granted the applications in File Nos. BAL(H)-20000728ACS-ACX, and dismissed, at CLC's request, the applications in File Nos. BAL(H)-19990204EB-EC. *Solar Broadcasting Company, Inc.*, released March 19, 2002. Davis has filed a Notice of Appeal of the FCC's action with the United States Court of Appeals for the District of Columbia Circuit. In addition, the FCC indicated that it would address certain of Davis' allegations when it acted on another application which is currently pending. *See Solar Broadcasting Company, Inc.* at para. 83.

Lyn Communications, Inc. also filed Petitions to Deny (the "Lyn Petitions") against certain applications requesting the FCC's consent to the transfer of control or assignment to Cumulus Media Inc. or its subsidiaries of FCC authorizations for radio stations in the Mobile, Alabama and Pensacola, Florida areas. The Lyn Petitions essentially asserted the same allegations made in the First and Second Davis Petitions. The Lyn Petitions have been denied and those applications have been granted by the FCC; however, Lyn Communications, Inc. has filed with the FCC applications for review of such FCC action.