

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

In re Application of	)	
	)	
LIBERTY PRODUCTIONS,	)	File No. BALH-20040116ACT
A LIMITED PARTNERSHIP	)	Facility ID No. 37242
(Assignor)	)	
	)	
SAGA COMMUNICATIONS OF	)	
NORTH CAROLINA, LLC	)	
(Assignee)	)	
	)	
For Assignment of License	)	

To: Office of the Secretary  
Attention: The Chief, Media Bureau

**JOINT STATEMENT FOR THE RECORD**

Saga Communications of North Carolina, LLC ("Saga"), proposed assignee of the license of WOXL-FM, Biltmore Forest, North Carolina, and Ashville Radio Partners, L.L.C. ("ARP"), by their attorneys, hereby file this Joint Statement for the Record concerning a pleading denominated "Comments on Oppositions to Section 1.41 Request" filed May 8, 2006, by Willsyr Communications, a Limited Partnership ("Willsyr").

Willsyr's pleading is unworthy of comment since it is woven completely of whole cloth. Moreover, it must be dismissed as it is not authorized by Section 1.45 of the Rules.<sup>1</sup> But, when a great lie is told, it is appropriate for the parties about whom the lie is spun to respond. That is the case here. Willsyr bases its pleading on a letter dated May 28, 2004, from Martin Reidinger,

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<sup>1</sup> To the extent necessary, for good cause shown, Saga and ARP request leave to file this Statement for the Record.

local North Carolina counsel for Valerie Watts,<sup>2</sup> to an attorney for the late David Murray<sup>3</sup> that was obtained in a North Carolina civil action. Willsyr claims that the letter is indicative that Saga, ARP and Liberty are “engaging in an ‘abuse of process’ by attempting to intimidate Murray and to foreclose a Section 1.41 inquiry.”

This accusation is made in the face of evidence precisely to the contrary. Mr. Reidinger’s letter to counsel for Murray specifically states, “**I do not speak for any of those entities [Liberty, Saga and ARP] on this issue**, and if you have any questions, I suggest you discuss them with counsel for those parties.” Willsyr omits this sentence, substituting its own bracketed editorial comment: “[although counsel for Watts claims not to speak for Liberty, Saga, and ARP as to this threat, he invites Mr. Murray to hear it directly from them].” Based on this, and in direct contravention of Mr. Reidinger’s *caveat*, Willsyr makes the stunning assertion<sup>4</sup> that “a substantial and material question of fact is raised that Watts, Liberty, Saga and ARP, all acting in concert, attempted to threaten and intimidate Murray from “opposing” the grant of the application for assignment, and are now threatening and intimidating his estate from pursuing a Section 1.41 action to rescind the grant. Accordingly, an inquiry and hearing must be conducted to determine whether Watts, Liberty, Saga and ARP each possess the requisite qualifications to be a Commission licensee.”

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<sup>2</sup> General Partner of Liberty Productions, a Limited Partnership (“Liberty”).

<sup>3</sup> Liberty limited partner.

<sup>4</sup> Because the pleadings in this case are already voluminous and Saga and ARP do not wish to unduly burden the staff, Saga and ARP have restrained themselves from filing a completely justified Motion to Strike Willsyr’s pleading on the grounds that it violates Section 1.52 of the Rules (no good ground to support pleading) and requesting sanctions against Willsyr’s counsel (An attorney may be subjected to appropriate disciplinary action, pursuant to Sec. 1.24, for a willful violation of [Section 1.52] or if scandalous or indecent matter is inserted.)

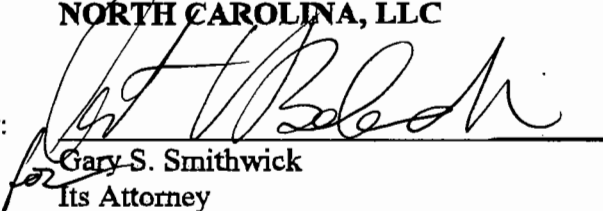
This is unmitigated poppycock. Saga and ARP have every right to oppose Murray's request for rescission of the grant of consent. Willsyr's extremely serious accusation is supported by not even a *scintilla* of probative evidence; and the only document on which it is based clearly states that the attorney does not "speak for any of those entities..." Willsyr's latest pleading must be disregarded as "a tale...full of sound and fury, signifying nothing."<sup>5</sup>

For the reasons set out herein, Saga respectfully requests that the Commission return Willsyr's pleading as unauthorized without any further consideration.

Respectfully submitted,

**SAGA COMMUNICATIONS OF  
NORTH CAROLINA, LLC**

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May 23, 2006

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<sup>5</sup> Shakespeare, *Macbeth*. Willsyr has cited no cases on point; just a group of generally accepted legal chestnuts that are inapposite here, and which do not require further discussion.

## CERTIFICATE OF SERVICE

I, Sherry L. Schunemann, do hereby certify that a copy of the foregoing "Joint Statement for the Record" was mailed by First Class U.S. Mail, postage prepaid, or hand delivered as marked by an asterisk, this 23rd day of May, 2006, to the following:

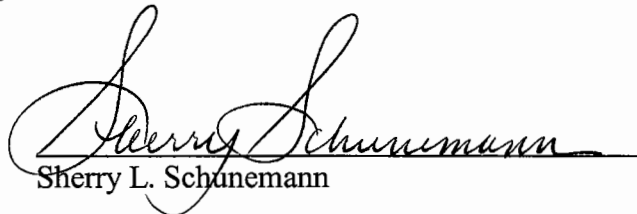
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