

**SUPPLEMENT TO EXHIBIT 4**

The Assignor answered "no" to Section II, Question 3 because the schedules and the sole exhibit to the filed Asset Purchase Agreement (the "APA") are not material to the Commission's consideration of the application, and were omitted. The schedules were identified in the table of contents to the APA, which, along with the identification of the exhibit to the APA, was submitted with the application as originally filed.

Specifically, the sole exhibit – Exhibit A (FCC Application) – was excluded as it is merely a draft copy of the very FCC application to which this supplement is being filed. In the case of Schedules 2.1.1 (FCC Licenses) and 4.8 (Pending FCC Matters), these schedules were omitted because the information regarding the FCC licenses which are being assigned is already part of this application (*see* Section II; Question 2 – Authorizations to be Assigned) and, along with the information regarding pending FCC applications contained in Schedule 4.8, is also available elsewhere in the Commission's publicly-available records. However, out of an abundance of caution, Schedule 2.1.1, which lists the FCC licenses being assigned

(including auxiliary licenses and one antenna structure registration), and Schedule 4.8, which lists pending FCC applications, are attached hereto.

Additionally, the following is a inventory of the schedules to the APA which were omitted and the reasons why these schedules are not material:

Omitted Schedules

Schedule 2.1.2                      Leased Transmitter Sites

Schedule 2.1.4                      Studio Sites

Reason for Omission: These omitted schedules are called for by Article II of the APA and relate to the assets (other than the FCC licenses) being assigned, and therefore are not material to the Commission's review of the application. *See In Re Solar Broadcasting Company, Inc. (Assignor) and Cumulus Licensing Corp. (Assignee)*, 17 FCC Rcd 5467, 5488-89 (2002) ("*Solar*").

Omitted Schedules

Schedule 4.3	Consents and Approvals
Schedule 4.5	Title to Personal Property
Schedule 4.7	Tangible Personal Property
Schedule 4.12	Litigation
Schedule 4.15	Third Party Consents

Reason for Omission: These schedules relate to representations and warranties by Assignor with respect to assets other than the FCC licenses and therefore are not material to the Commission's review of the application. *See Solar*, 17 FCC Rcd at 5488-89.

Omitted Schedules

Schedule 2.3                      Assumed Contracts

Schedule 7.5                      Required Third Party Consents for Closing

Reason for omission: These exhibits set forth information related to contracts being assumed by the buyer and therefore are not material to Commission processing of the application. *See LUJ*, 17 FCC Rcd 16980, 16983 (2002).

Omitted Schedules

Schedule 3.5                      Allocation of Purchase Price

Schedule 5.6.3                      Ownership Structure of Nassau License Sub

Schedule 6.10                      Employees of the Stations

Reason for omission: These exhibits either contain proprietary information and/or information that is contained elsewhere in the application and therefore are either not material or necessary to the Commission's review of the application. *See LUJ*, 17 FCC Rcd 16980, 16983 (2002).

Each of the omitted schedules may also contain information which is of a proprietary nature and thereby are eligible for confidential treatment. *See* 47 C.F.R. § 0.459. The

applicant believes that the documentation that has been submitted provides all relevant information necessary for the Commission's examination of this application and that the omitted schedules and the exhibit are not material to any Commission rule or policy. *See LUJ* at 16983.

## SCHEDULE 2.1.1

### FCC LICENSES

#### Main Station FCC Licenses:

<u>Call Sign</u>	<u>Facility ID</u>	<u>Location</u>	<u>FCC File No.</u>	<u>License Expiration Date</u>
WWXY(FM)	61089	Hampton Bays, NY	BLH-19980827KC	6/01/2006
WWYY(FM)	54689	Belvidere, NJ	BMLH-20010716AAK	6/01/2006
WWZY(FM)	32983	Long Branch, NJ	BLH-19980521KB	6/01/2006
WYNY(FM)	50056	Briarcliff Manor, NY	BLH-19980521KA	6/01/2006

#### Main Station FCC Construction Permit:

<u>Call Sign</u>	<u>Facility ID</u>	<u>Location</u>	<u>FCC File No.</u>	<u>Permit Expiration Date</u>
WWYY(FM)	54689	Belvidere, NJ	BPH-20000614ACJ	2/28/2004

#### Auxiliary FCC Licenses:

WWXY(FM):	WGW993	Aural Studio Link	Expires: June 1, 2006
WWZY(FM):	WHE822	Remote Pickup	Expires: June 1, 2006
WYNY(FM):	KPK855	Remote Pickup	Expires: June 1, 2006

#### Pending FCC Applications:

WWZY(FM): (1) Form 302-FM license to cover construction permit (FCC File No. BPH-20000614ACI), accepted for filing August 19, 2002. FCC File No. BLH-20020815AAO;

(2) Form 301 for construction permit for minor change in licensed facilities, accepted for filing August 15, 2002. FCC File No. BPH-20020813AAA.

#### FCC Antenna Structure Registration:

WWZY(FM): Registration No. 1045608 (Long Branch, NJ) by Big City Radio-NYC, L.L.C.

## **SCHEDULE 4.8**

### **PENDING FCC MATTERS**

#### **Pending FCC Applications:**

WWZY(FM): (1) Form 302-FM license to cover construction permit (FCC File No. BPH-20000614ACI), accepted for filing August 19, 2002. FCC File No. BLH-20020815AAO;

(2) Form 301 for construction permit for minor change in licensed facilities, accepted for filing August 15, 2002. FCC File No. BPH-20020813AAA