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JUL 12 2011

THOMAS R. FALLOQUIST
SPOKANE COUNTY CLERK

SPOKANE COUNTY SUPERIOR COURT, STATE OF WASHINGTON

EARLE T. KAZMARK and BARBARA)
L. KAZMARK, husband and wife, and the)
marital community composed thereof,)

Plaintiffs,

v.

PRO-ACTIVE COMMUNICATIONS,)
CORP., et al,)

Defendants.)

NO. 06-02-02513-4

AMENDED ORDER NUNC PRO TUNC
AUTHORIZING TRANSFER OF LICENSE

In Re:

PRO-ACTIVE COMMUNICATIONS,)
CORP., a registered corporation in the)
State of Washington; also know as)
PRO-ACTIVE COMMUNICATIONS,)
INC.)

Debtor.

NO. 09-2-01937-6

AMENDED ORDER NUNC PRO TUNC
AUTHORIZING TRANSFER OF LICENSE

By order of the court dated August 3, 2010, NANCY L. ISSERLIS ("Receiver"),
received authorization to transfer the Federal Communications Commission ("FCC") the
license and certain related assets of Station KAZZ (FM), Deer Park, Washington (the

AMENDED ORDER -1

Waldo, Schweda & Montgomery, P.S.
Attorneys at Law
2206 N. Pines Road
Spokane, Washington 99206-4756
(509) 924-3686 • Fax (509) 922-2196

1 "Station") to the Estate of EARLE T. KAZMARK, deceased, in the event that a
2 purchaser of the Station not be found.

3 By operation of a Washington Community property agreement dated October 28,
4 2005, and the prior death of BARBARA L. KAZMARK, all assets of the KAZMARKS'
5 are being administered under the probate estate of EARLE T. KAZMARK (the
6 "Kazmark Estate"), Spokane County Superior Court Cause No. 09-4-01047-3.

7 On March 9, 2011 by order of the Spokane County Superior Court, JOSEPH
8 NAPPI, JR, Attorney at Law, was appointed successor Personal Representative of said
9 estate, and has since qualified.

10 In light of the fact that to date a purchaser for the Station still has not been found,
11 it is deemed in the best interest of the Estate to transfer the Station into the name of
12 JOSEPH NAPPI, JR., as Personal Representative of the Estate of EARLE T.
13 KAZMARK.

14 This Court has previously determined that no other person has a pending interest
15 in the Station other than The Kazmark Estate and a judgment in favor of FIRST
16 BROADCASTING PARTNERS, L.L.C. The Kazmark Estate has a judgment against
17 FIRST BROADCASTING PARTNERS, L.L.C. for which a set-off is required in the
18 event that the Station is sold or is later determined that the Station has value to the
19 Kazmark Estate. No appeal of any prior order has been made.

20 A liability exists for attorneys fees and costs in favor of the Receiver, in Spokane
21 County Superior Court Cause No. 09-2-01937-6 and which is reserved.

22 No notice is required to any other person or entity as a result of this order being
23 entered as no appeal of any issue has been previously made.

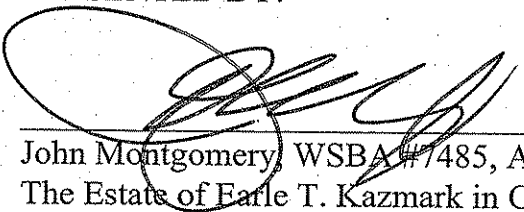
24 THEREFORE, IT IS HEREBY ORDERED, nunc pro tunc, that pursuant to
25 RCW 7.60.260 that the license is hereby transferred to JOSEPH NAPPI, JR., as Personal
26 Representative of the Estate of EARLE T. KAZMARK, Spokane County Superior Court

1 Cause No. 09-4-01097-3, and which transfer is contingent upon the approval of the FCC
2 in accordance with law. Upon transfer no right of redemption shall exist in any person.
3

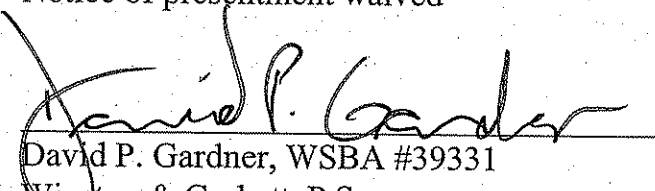
4 Done in open court this 12 day of July 2011.

5
6 
JUDGE ANNETTE PLESE

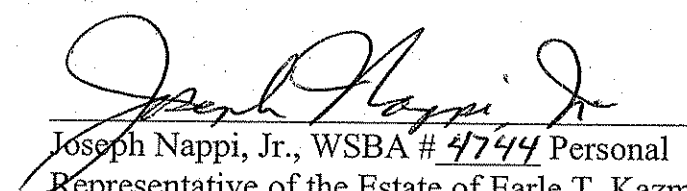
7
8 PRESENTED BY:

9
10 
11 John Montgomery, WSBA #7485, Attorney for
12 The Estate of Earle T. Kazmark in Cause
13 No. 06-2-02513-9 only

14 APPROVED FOR ENTRY:
15 Notice of presentment waived

16 
17 David P. Gardner, WSBA #39331
18 Winston & Cashatt, P.S.
19 Attorney for Receiver

20
21 APPROVED FOR ENTRY:
22 Notice of presentment waived

23 
24 Joseph Nappi, Jr., WSBA # 4744 Personal
25 Representative of the Estate of Earle T. Kazmark
26

AMENDED ORDER -3

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