

November 1, 2021

VIA EMAIL DELIVERY to [Victoria.McCauley@fcc.gov](mailto:Victoria.McCauley@fcc.gov)

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554  
*Attn: Audio Division, Media Bureau*

Re: K291CT, Duncan, OK  
Facility ID No. 200286  
Construction Permit File No. [BNPFT-20171201ANT](#)  
Original Construction Deadline: January 5, 2021

K244FW, Lawton, OK  
Facility ID No. 202253  
Construction Permit File No. [BNPFT-20180418ABU](#)  
Original Construction Deadline: May 14, 2021

***Status Report and Request for Continued Waiver of Construction Deadlines***

Dear Ms. Dortch:

Mollman Media, Inc. (“Mollman”) holds the above-captioned construction permits (“Construction Permits” or “Stations”) to construct the facilities of K291CT, Duncan, OK and K244FW, Lawton, OK. Pursuant to Sections 1.3 and 73.3598(b) of the Commission’s Rules,<sup>1</sup> Mollman requested tolling of the respective construction periods for the Construction Permits. By Letter 1800B3-VM dated December 11, 2020,<sup>2</sup> the Commission denied the tolling request and instead granted waiver of the construction deadlines for the Construction Permits, finding that “rare and exceptional circumstances beyond the permittee’s control”<sup>3</sup> existed due to the pendency of litigation. As the litigation that gave rise to the original tolling request remains unresolved, Mollman hereby requests continued waiver treatment and asks that the

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<sup>1</sup> 47 C.F.R. §§ 1.3, 73.3598(b).

<sup>2</sup> See Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, 1800B3-VM (Dec. 11, 2020).

<sup>3</sup> See *1998 Biennial Regulatory Review—Streamlining of Mass Media Application Rules and Processes*, Report and Order, 13 FCC Rcd 23056 (1998), *recon. granted in part and denied in part*, Memorandum Opinion and Order, 14 FCC Rcd 17525, 17541 (1999).



IN THE DISTRICT COURT OF STEPHENS COUNTY  
STATE OF OKLAHOMA

FILED DISTRICT COURT  
Stephens County, Okla.

MOLLMAN MEDIA, INC., an Oklahoma Corporation; PAS PROPERTIES LLC, an Oklahoma limited liability company; and THE TOWER COMPANY, LLC, an Oklahoma limited liability company;

Plaintiffs,

v.

PERRY PUBLISHING & BROADCASTING COMPANY, INC. (SIC. PERRY BROADCASTING COMPANY, Inc.), an Oklahoma corporation; et al.

Defendants.

Case No. CJ-2019-139R

OCT 19 2021

MELODY HARPER  
Court Clerk

**ORDER**

This matter came on for hearing this 15<sup>th</sup> day of October, 2021 pursuant to Defendants' respective Motion for Leave to Amend their Counterclaim; and Defendants' Motion to Extend the Discovery Deadline and Pretrial Conference date, etc., as further set forth in said motion. Upon reviewing the briefs and hearing the arguments of counsel, Defendants' motions are granted.

The Court Orders as follows:

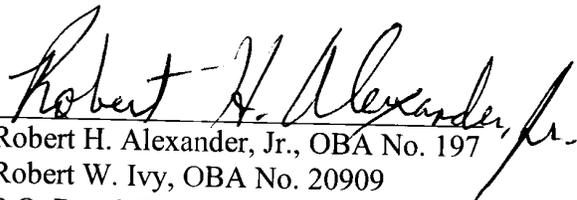
1. Defendants are granted leave to amend their counterclaim.
2. Matthew Mollman is ordered to be re-presented for deposition for a maximum of no more than three (3) hours.
3. Discovery shall be completed by December 1, 2021.
4. This matter is set on the Court's March 7, 2022 Pretrial Conference docket at 3:00 p.m.
5. The remaining deadlines of this Court's Amended Scheduling Order dated 1-15-21 shall remain unaffected.

IT IS SO ORDERED this 19<sup>th</sup> day of October, 2021

  
DISTRICT COURT JUDGE

Submitted by:

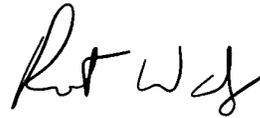
**The Law Office of  
Robert H. Alexander, Jr., p.c.**

  
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(405) 232-0519 – facsimile  
**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 19th day of October, 2021, a true and correct copy of the above and foregoing **Order** was sent by electronic mail to:

Randon J. Grau  
Patrick L. Neville, Jr.  
CHEEK & FALCONE, PLLC  
6301 Waterford Blvd., Suite 320  
Oklahoma City, OK 73118-1168  
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Robert W. Ivy