

Sweetwater Broadcasting Company (Licensee)  
Uhlmann/Latshaw Broadcasting, LLC (Transferor)  
Bozeman Trail Communications Company (Transferee)  
Station KCWY(TV), Channel 13, Casper, Wyoming

### ***ADVERSE FINDINGS***

The transferee to this application, Bozeman Trail Communications Company, is owned 100% by Sunbelt Communications Company ("Sunbelt"). Sunbelt is also the 100% owner of Yuma Broadcasting Company, the licensee of KYMA, Yuma, Arizona.

The following describes the only action against KYMA in which an adverse finding or adverse final action has resulted:

On May 1, 1992, Donna Kehl, a former employee of Yuma Broadcasting Company, dba KYMA, filed a complaint of sex and retaliation discrimination with the Arizona Office of the Attorney General and the Equal Employment Opportunity Commission against KYMA (Charge No. 35A-92-0222). Ms. Kehl alleged that she was sexually harassed by her supervisor, Jack O'Connor, and that after verbally complaining to management, she was terminated by KYMA. After investigation into these complaints, on June 24, 1992 the Company advised the EEOC that it believed Ms. Kehl was terminated based on lack of performance which was to generate new advertising revenue for the television station and denied each and every part of Ms. Kehl's allegations. During 1993, 1995 and 1996, KYMA responded to requests from the EEOC for information in order to assist them in their investigation of this charge. Additionally, on May 24, 1996, KYMA participated in a telephone conference with the EEOC, Jack O'Connor, and the company's legal counsel.

On August 28, 1996, the EEOC issued a determination against KYMA based on evidence concluding there was reasonable cause to believe the Company violated Section 703(a) of Title VII of the Civil Rights Act of 1964, as amended, when its management official sexually harassed Donna Kehl and in violation of Section 704(a) of Title VII of the Civil Rights Act of 1964, as amended, it discharged her because she opposed practices made unlawful under Title VII of the Civil Rights Act of 1964. In October 1996, KYMA agreed to participate in a collective effort with the EEOC and Ms. Kehl to resolve the matter. The EEOC informed KYMA that they would work with Ms. Kehl in calculating back pay due her and prepare a conciliation agreement that would contain general provisions for KYMA to comply with in order to settle the case.

On December 3, 1997, a conciliation agreement was reached by all parties and Ms. Kehl was paid a gross settlement amount of \$6,598.08 for back pay, a neutral letter of reference was issued to Ms. Kehl regarding her employment with KYMA, and all matters that pertained or related to this charge were expunged from her employment records. Additionally, as part of the provisions of the conciliation agreement, the Company agreed to review and update its existing policies and procedures and the Commission's guidelines on Title VII. Thus, on March 16, 1998, an updated sexual harassment policy was distributed to KYMA employees and posted in a prominent place frequented by all KYMA personnel.