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Federal Communications Commission  
c/o John Crigler, Esq.  
Garvey Schubert Barer  
Fifth Floor, Flour Mill Bldg.  
1000 Potomac St. N.W.  
Washington, D.C. 20007-3501  
**VIA EMAIL: [jcrigler@gsblaw.com](mailto:jcrigler@gsblaw.com)**

RE: East Texas Community Repeater Group

Dear Sir or Madam,

At the request of East Texas Community Repeater Group, a Texas general partnership, I have been asked to offer an opinion of the effect of a partner's death. I am an attorney licensed to practice law in the State of Texas, the United States District Court for the Eastern District of Texas and the United States Court of Appeals for the Fifth Circuit. Since graduating from Baylor University School of Law in 1994 I have practiced continually in Texas. My opinions set forth hereinbelow are based upon my education, training and experience.

The pertinent facts presented to me are that:

- i) East Texas Community Repeater Group (ETCRG) is a Texas general partnership;
- ii) The original partners in ETCRG were Dana Pearce and Dawn Michelle Price. Ms. Pearce has not transferred her partnership interest;
- iii) Dawn Michelle Price died on December 30, 2008;
- iv) At the time of her death, Ms. Price was married to Charles Lawrence Price;
- v) Ms. Price left a valid will bequeathing her entire estate to Mr. Price; and
- vi) The partnership agreement for ETCRG does not prohibit the transfer of a deceased partner's interest.

In Texas, under the Revised Partnership Act<sup>1</sup> which governs general partnerships created between January 1, 1994, and December 31, 2005, upon the death of a general

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<sup>1</sup> Effective January 1, 2006, the Business Organizations Code replaced the Revised Partnership Act. Partnerships formed under the Revised Partnership Act are governed by

partner the deceased partner's interest passes to her surviving spouse and to his heirs, legatees or personal representatives. TEX. REV. CIV. STAT. art. 6132b-5.04(b). This transfer occurs by operation of law without the necessary of a formal written transfer of the interest.

In my opinion, based upon the facts stated above and my interpretation of applicable Texas law, the death of Dawn Michelle Price transferred all of her interest in East Texas Community Repeater Group to Charles Lawrence Price as surviving spouse and sole beneficiary of her estate.

**My engagement has been limited to the issue addressed above. I am not expressing any opinion as to the effect of Ms. Price's death and the transfer of her interest on the continued operations of the partnership.**

I trust that if you should have any questions you will not hesitate to contact me.

Sincerely,



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that Act, unless they elect to be governed by the Business Organizations Code. For our purposes, there is no substantive difference between the Act and the Code regarding the effect of the death of a partner. TEX. BUS. ORG. C. § 152.406(a)(2).