Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Application of:	)	
	)	
LIBERTY PRODUCTIONS, A LIMITED PARTNERSHIP (Assignor)	)	File No. BALH-20040116ACT
	)	
SAGA COMMUNICATIONS OF NORTH CAROLINA, L.L.C. (Assignee)	)	
	)	
For Assignment of License of Station WOXL-FM	)	
	)	
Facility No. 37242	)	
	)	
Biltmore Forest, North Carolina	)	

To: The Secretary

Attention: Chief, Audio Division, Media Bureau

COMMENTS ON OPPOSITIONS TO SECTION 1.41 REQUEST

Respectfully submitted,

WILLSYR COMMUNICATIONS, LIMITED PARTNERSHIP

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Tel: 202-329-4200

May 8, 2006

COMMENTS ON OPPOSITIONS TO SECTION 1.41 REQUEST

Willsyr Communications, Limited Partnership ("Willsyr"), by its counsel, pursuant to 47 CFR 1.41, hereby submits its comments on the "Opposition to Section 1.41 Request for Commission Action," filed on April 5, 2006, by Liberty Productions, a Limited Partnership ("Liberty"), and the "Joint Comments on and Opposition to Section 1.41 Request for Commission Action," filed on April 5, 2006, by Saga Communications of North Carolina, L.L.C. ("Saga") and Asheville Radio Partners, L.L.C. ("ARP").

The request for Section 1.41 action was filed by David T. Murray, a limited partner of Liberty, who is now deceased. His counsel has sought leave for an extension of time until May 17, 2006, to file a reply to the oppositions. In its comments on the oppositions, Willsyr requests that the Commission take action to disqualify Liberty and its General Partner, and also Saga and ARP.

Murray's Request for Rescission of the Grant of Assignment

In his request for Section 1.41 action, Murray asked the Commission to rescind the grant of assignment of license from Liberty to Saga. Although not a party to the assignment application, ARP will directly receive all the proceeds from the sale of the station (some $10 Million).

In their oppositions, filed in unison and with nearly identical arguments, Liberty, Saga, and ARP accuse Murray of "abuse of process." According to them, Murray filed a pleading on March 18, 2004, supporting grant of the assignment and has now changed positions with no valid reason, or any explanation.

However, it is Liberty, Saga, and ARP that are engaging in an

"abuse of process" by attempting to intimidate Murray and to foreclose a Section 1.41 inquiry. A review of the March 14, 2004, pleading by Murray shows no actual change of position. Therein, Murray presented evidence of disqualifying misconduct by Valerie Klemmer Watts, the General Partner of Liberty, and pleaded that he had no knowledge of or role in her wrongdoing, and thus he should not be penalized by the Commission.

Although Murray nominally supported grant of the application for assignment, it appears that this was the result of threats of legal action and other intimidation by Liberty, Saga, and ARP, if Murray "opposed" the grant. In a letter, dated May 28, 2004, to local counsel for Murray, the local counsel for Watts stated on behalf of Liberty, Saga, and ARP that:

"We are all very troubled by the actions your client took in his filing with the FCC ...."

"I am sure that you understand that ... counsel for Liberty, Saga, and ARP, as well as I, most strongly disagree with [Mr. Murray's] assessment."

"I also expect that Liberty, Saga, and ARP would deem such actions [by Mr. Murray] to constitute intentional interference with contract and unfair trade practices, as well as other violations of law." [although counsel for Watts claims not to speak for Liberty, Saga, and ARP as to this threat, he invites Mr. Murray to hear it directly from them].

In view of the foregoing, a substantial and material question of fact is raised that Watts, Liberty, Saga, and ARP, all acting in concert, attempted to threaten and intimidate Murray from "opposing" the grant of the application for assignment, and are

now threatening and intimidating his estate from pursuing a Section 1.41 action to rescind the grant. Accordingly, an inquiry and hearing must be conducted to determine whether Watts, Liberty, Saga, and ARP each possess the requisite qualifications to be a Commission licensee.

Attempts by a licensee to prevent potentially or arguably damaging information from coming to the attention of the Commission warrant disqualification. RKO General, Inc., 2 FCC Rcd 4807 (1987). The threat to file a legal action against a complainant in an ongoing Commission proceeding with the intention to thwart an inquiry as to a licensee's past compliance with Commission rules warrants disqualification. Character Qualifications, 102 FCC2d 1179, para. 62 (1986).

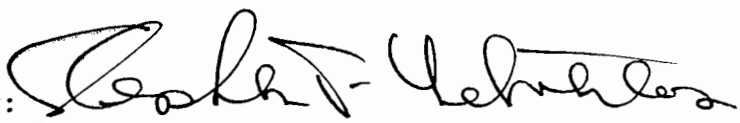
Under North Carolina law, a partner in a general or limited partnership has no fiduciary duty or obligation to withhold damaging information from regulatory agencies or to shield the partnership from enforcement actions. See, N.C.G.S. 59-51 and 59-1102, fiduciary obligations of partners. Moreover, the "Noerr-Pennington" doctrine applies in North Carolina. Hospital Building Co. v. Trustees of Rex Hospital, 791 F.2d 288, 292 (4th Cir. 1986). This doctrine bars any claim or legal action against a person, Federal or state, commonlaw or statutory, that has as its gravamen, Constitutionally protected petitioning activity by that person before a regulatory or governmental agency.

Conclusions

WHEREFORE, in view of their repeated and ongoing attempts to threaten legal actions and intimidate Murray, and now his estate, from supporting or pursuing enforcement actions against Liberty before the Commission (where such petitioning activity by Murray is Constitutionally protected), Watts, Liberty, Saga, and ARP each must be disqualified as Commission licensees.

Respectfully submitted,

WILLSYR COMMUNICATIONS, LIMITED PARTNERSHIP

By: 

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May 8, 2006

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May 28, 2004

Erin E. Burke, Esquire
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RE: Murray v. Watts

Dear Erin:

Enclosed please find the documents that have been produced to my office by Painter, Russell & Associates, F. Foster Shriner, CPA, PA, Cumulus Broadcasting, Inc., Ashville [sic] Radio Partners, LLC, and Saga Communications. The documents from Dungan & Associates have not arrived early enough in the day for us to be able to process them today. We will get them out to you as quickly as we reasonably can.

All of the documents supplied herewith have been numbered and stamped to designate that they are deemed confidential pursuant to the terms of the Protective Order of Judge Hyatt, and also are covered by that Protective Order pursuant to the terms of Judge Winner's Order of earlier this week. In sending these documents to you I want to reiterate on behalf of my client, and also convey on behalf of counsel for Liberty Productions, Saga Communications and Ashville Radio Partners that these documents and all information contained in them are to be held in the strictest confidence. We are all very troubled by the actions that your client took in his filing with the FCC regarding documents that were produced earlier, and we were all disappointed that he did so through counsel from your firm. We understand that Mr. Murray takes the position that he was within his rights to do what he did. I am sure that you understand (even if he does not) that counsel for Liberty, Saga and ARP, as well as I, most strongly disagree with that assessment. If your client undertakes similar activities with regard to the documents that are produced herewith we would deem such actions to be a gross violation of the Orders of the Court. I also expect that Liberty, Saga and ARP would deem such actions to constitute intentional interference with contract and unfair trade practices, as well as other violations of the law. I do not speak for any of those entities on this issue, and if you have any questions I suggest that you discuss them with counsel for those parties. Mr. Murray must

understand that he is only a limited partner in Liberty and as such he does not have a "place at the table" regarding any of the dealings regarding Liberty, Saga and ARP. Moreover, he only has access to much of the documentation that you are being provided herewith because of the pending litigation and not because of his status as a limited partner. He has now obtained these documents through the discovery process, but with that comes the responsibility not to use the documents for any improper purpose. I sincerely hope that you can convince your client to maintain his conduct within the parameters of the law.

Also enclosed is a statement for the copying and shipping costs that we incurred in making these copies for you. Please remit the amounts shown within five days.

Very truly yours,

Martin Reidinger

MKR/s
C: Ms. Valerie Klemmer Watts
Sharon Tracey Barrett, Esquire
Timothy K. Brady, Esquire
Robert E. Dungan, Esquire

CERTIFICATE OF SERVICE

I, Stephen T. Yelverton, an attorney licensed to practice in the District of Columbia, do hereby certify that on this 8th day of May, 2006, I have caused to be hand-delivered or mailed, U.S. Mail, first-class, postage prepaid, a copy of the foregoing "Comments on Oppositions to Section 1.41 Request" to the following:

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*Hand delivery