

Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of:

)

Renewal Application of

)

File Number 0000188715

WQZS

)

Facility ID 57424

Filed by

)

Roger Wahl

)

)

PETITION TO DENY

This Petition to Deny is filed by **American Militia Association** (hereinafter “Petitioner”) regarding the renewal application File Number 0000188715 for Facility ID 57424 and in accordance with 47 CFR § 73.3584(a).

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I. SUMMARY

Petitioner is requesting the denial or dismissal of the application to renew the license of WQZS contending that Roger Wahl has openly and repeatedly violated a vast number of FCC rules and regulations, most of which involve undisputable material facts evidenced by the applications, statements and certifications made or not made by Roger Wahl, material contained and absent from the Online Public Inspection File of WQZS, as well as additional facts evidenced by multiple exhibits attached to this petition.

Specifically, Petitioner contends and will show why the WQZS renewal application is defective and should have never been accepted for filing. In addition, Petitioner shall point out a great number of violations of Commission rules and other facts that should disqualify Roger Wahl as a licensee due to his severe lack of candor and character since the very beginning of his involvement with the Commission more than 30 years ago and which has only worsened to the current state, where Roger Wahl has been increasingly openly defiant of Commission rules, where he has undoubtedly acted and continues to act contrary to the public interest.

Petitioner contends that the application to renew WQZS should be dismissed as defective and that it had been inadvertently accepted for filing in error. Petitioner

additionally contends that Roger Wahl's failure to inform the public regarding the hearing designation order against him should also act to render this application as defective and dismissed with prejudice. If not dismissed, Petitioner contends the application for renewal be denied based on sufficient undisputable material facts which already clearly prevent the Commission from making a determination that it is in the public interest to renew the licensure of Roger Wahl. In addition, Petitioner contends that Roger Wahl is and has been operating an unauthorized and unlicensed radio station. Petitioner finally contends that further unlicensed operation of the WQZS facility should be quickly remedied by an immediate action by the Commission in the public interest.

Finally, Petitioner contends that the currently existing hearing designated against Roger Wahl fails to lay all issues on the table, including but not limited to the fraudulent ownership representations made by Roger Wahl, the willfully fraudulent attempt to transfer the station to his daughter and his long history of defiance of Commission rules which continue even after a hearing had been designated.

II. STANDING OF PETITIONER

(a) The Petitioner has standing to file this petition as a party of interest because it is a licensee and permittee in good standing sharing the same exact community of license as WQZS and held to many of the same rules and standards of the Commission. Roger Wahl's long history of repeated violations of Commission rules, character disqualifications and lack of candor has caused direct harm to Petitioner, the community of Meyersdale, Pennsylvania and the public interest at large.

WQZS is not the only community radio station in Meyersdale, Pennsylvania and County of Somerset, contrary to statements made by the licensee in its representations to the public which are further supported and evidence by the documents filed by Roger Wahl in the current revocation hearing regarding his license. Such documents included by supposed supporters of Roger Wahl insinuate or outright claim that the loss of WQZS would result in their being no station available in the community to serve the public interest.

This Petitioner operates **WHYU-LP on 102.3 MHz** and granted a construction permit for **WHYU-FM on 89.1 MHz** (both in Meyersdale, Pennsylvania).

Roger Wahl lacks the character and candor to be a license specifically based on his record and other facts shown in this Petition to Deny. Roger's acts have diminished the reputation of all licensed radio station operators, especially in the local community of Meyersdale where the Petitioner operates its licensed facility and is actively working on its granted construction permit. Petitioner contends that Roger Wahl's acts have and will further negatively economically impact the ability of the Petitioner to acquire funding from the community of license for future operations of its radio station based on the widespread publicity of Wahl's criminal activity and violations of Commission rules as a representative of broadcasters in our shared community of license and the public generally. Petitioner contends that a continued potential direct and substantial injury, economic hardship, would result if the renewal application of WQZS is granted mainly due to the lack of trust of the community in broadcasters, promulgated by Roger Wahl's criminal actions, immorality, lack of character and lack of candor with the public and the Commission.

(b) Petitioner also has standing in that it represents a group of Petitioners staff, organization members, affiliated organizations and listeners who work and/or reside within the community of Meyersdale, Pennsylvania, having substantial concern regarding the public interest of this community of

license of WQZS, within the 60dBu or higher coverage contour of WQZS and where we jointly contend that the station has not been properly operated or managed in the public interest. Petitioner therefore contends that a potential and direct injury, the substantial absence of public interest, is likely to continue if the renewal application of WQZS is granted.

(c) If, for any reason, it is concluded the Petitioner lacks standing, Petitioner requests this filing be converted to an Informal Opposition to the renewal of Roger Wahl's license. Petitioner also believes the details and evidence presented as part of this petition to deny may benefit the enforcement bureau's investigation related to the current hearing¹ regarding the consideration of revocation of Roger Wahl's continued licensure, and might be acceptable as intervention, comment and/or issue expansion. However, should the Commission deny or dismiss this renewal application, it is possible the already active hearing might be rendered moot.

¹ See MB Docket 21-401

III. DEFECTIVE RENEWAL APPLICATION ACCEPTED FOR FILING, INCOMPLETE and FALSE CERTIFICATIONS

According to Commission rule § 73.3566 Defective applications (a) Applications which are determined to be patently not in accordance with the FCC rules, regulations, or other requirements, unless accompanied by an appropriate request for waiver, will be considered defective and will not be accepted for filing or if inadvertently accepted for filing will be dismissed. Requests for waiver shall show the nature of the waiver or exception desired and shall set forth the reasons in support thereof.

Petitioner hereby contends the renewal application was patently not in accordance with multiple FCC rules, including but not limited to § 73.3514, and should not have been accepted for filing.

(a) NO WAIVER REQUESTED

Important here is that Roger Wahl specifically indicated “No” as the answer to the question if any waivers of Commission rules are requested. As such, no such waivers should be entertained by the Commission pertaining to this renewal application and consideration as to whether or not it is patently in accordance with the FCC rules, regulations or other requirements.

Additionally, the Commission has already in fact requested additional documents and information not included in the prescribed application form used to file this renewal application, and has failed to comply with multiple document² and information requests³ by the FCC and ordered by the ALJ⁴ which should invoke §73.3566(b) which requires this application to be deemed defective and dismissed.

§ 73.3568 Dismissal of applications. (a) (1) Failure to prosecute an application, or failure to respond to official correspondence or request for additional information, should also be cause for dismissal of this renewal application.

(b) CHARACTER ISSUE FALSE CERTIFICATION AND INSUFFICIENT
EXHIBITS

Roger Wahl lacked candor when he falsely certified in this renewal application that neither the licensee or any party to the application has **any** connection with **any** broadcast application in any proceeding where character issues were left unresolved. Evidence of this being true is already on the record⁵.

² ENFORCEMENT BUREAU'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS TO ROGER WAHL, March 14 2022, March 14 2022, MB Docket 21-401

³ ENFORCEMENT BUREAU'S FIRST SET OF INTERROGATORIES TO ROGER WAHL, March 14 2022, MD Docket 21-401

⁴ Order, April 5, 2022, MD Docket 21-401

⁵ HEARING DESIGNATION ORDER, ORDER TO SHOW CAUSE, AND NOTICE OF OPPORTUNITY FOR HEARING, October 19 2021 by the Chief, Media Bureau

Roger Wahl does answer truthfully to the second question regarding a **pending** broadcast application and the Adverse Findings question, however the original false certification says much about Roger Wahl's competence in completing applications correctly, and further evidences a lack of candor required to be a licensee, or confidence by the public that such applications are correct.

Roger Wahl submitted two exhibits as part of this renewal application, having identical content, "Character_Qualifications.docx" and "Character_Qualifications2.docx" which matched up as exhibits addressing the second question and Adverse Findings certification. It may be assumed he would have uploaded a third identical copy if he had responded correctly to the first certification question, however other missing explanatory exhibits again indicate a lack of understanding of the requirements of the application.

The contents of these exhibits however are wholly inefficient to explain to the public and the Commission through this renewal application in regards to what specific applications are applicable, the resolution status and/or what the adverse findings were.

(c) ADMISSION OF VIOLATIONS WITHOUT EXHIBIT

Quite stunning in this application, although Petitioner completely agrees as to the accuracy of the statement, Roger Wahl indeed certifies he has violated the

Communications Act of 1934, as amended, or the regulation of the Commission during the preceding license term. The supplied exhibits in the application however do not provide any complete or even partial descriptions of any violations. The application is defective in that no such required exhibit was provided, denying the public or Petitioner from reviewing the nature of such violations being admitted to. That said, Petitioner shall help Mr. Wahl and the Commission to piece together the missing details throughout this Petition of a plethora of violations committed, although this outright declaratory admission to violation of Commission rules should be fully adequate to preclude renewal of licensure by Roger Wahl.

(d) MULTIPLE OWNERSHIP VIOLATION ADMITTED WITHOUT
EXHIBIT

This certification in this renewal application made by Roger Wahl is extremely telling in regards to his lack of qualification to remain a licensee. He certifies that he did not comply with an ownership rule. Perhaps, as Mr. Wahl knows the hot water he is in, pertaining to the lack of reporting the interest of Target Broadcasting, Inc. shareholders and others, that he meant to finally admit this ownership reporting violation here. However, this rule which he certifies as

breaking is actually related to multiple ownership⁶ limits. Unless Roger Wahl actually has interests in more stations than WQZS that he has never reported to the Commission, this answer clearly indicates his severe lack of comprehension of Commission rules and as such cannot be trusted to follow them.

Regardless of why he answered the way he did, Roger Wahl lacked candor when he certified in the negative in this renewal application that: The licensee certifies that, with respect to the station(s) for which renewal is requested, it complied with 47 CFR Section 73.3555. Due to his answer, however, the application should be rendered defective absent an explanatory exhibit. If he is to be taken at his certified word for affirmatively declaring violation of the multiple ownership rule, this application should be denied on that ground and further investigated to identify any other stations where Roger Wahl might be a party of interest.

(e) LATE OWNERSHIP REPORTS – FALSE CERTIFICATION

Despite evidence to the contrary, Roger Wahl lacked candor when he certified in this renewal application that: Licensee certifies that the station's Biennial Ownership Report (FCC Form 323 or 323-E) has been filed with the Commission, as required by 47 C.F.R. Sections 73.3615 and 74.797.

⁶ See § 73.3555 Multiple ownership

§ 73.3615 Ownership reports are required to be filed by December 1st **in all odd numbered years**, and current as of October 1 **in the year it was filed**. While Roger Wahl did file some ownership reports both in even years of 2018 and 2022, these reports were filed months after they were due⁷ and indicated “As of” dates in prior years rather than the clear requirement they must be in the year in which the report is filed. Thus, Roger Wahl has failed to timely file proper ownership reports for 2017, 2019 and 2021 as required by the rules, and any claim otherwise is absolutely false.

Each of the filed reports also contained false representations as to the true parties of interest of the radio station WQZS, which should have included the actual owner Target Broadcasting, Inc. and each of its shareholders as required and the amount of each individual interest.

(f) ONLINE PUBLIC INSPECTION FILE FALSE CERTIFICATIONS

Despite evidence to the contrary, Roger Wahl lacked candor when he certified on this renewal application that: Licensee certifies that the documentation required by 47 C.F.R. Section 73.3526 or 73.3527, as applicable, has been uploaded to the station's public inspection file as and when required.

⁷ See Online Public Inspection File, Ownership Reports Section: File Number 0000045088 (Date Filed 02/28/2018) and File Number 0000186660 (Date Filed: 03/15/2022)

i. PUBLIC FILES MISSING, LATE OR FALSE

WQZS is required to keep an online public file with required documents. In the online public file as of March 15th, 2022 we have noted the following:

(A) Falsified ownership reports and Applications

All ownership reports and applications filed by Roger Wahl over the past 30 years neglect to mention the station is owned and operated by Target Broadcasting, a Pennsylvania corporation. Roger Wahl has not reported any former or current parties of interest, including his ex-wife Helen Wahl, former partner Andreas Barth and his surviving spouse Julie Barth, Gary Klieman and other investors that were scammed by Roger Wahl into believing they were in fact partners, shareholders and most definitely parties of interest in the station WQZS.

(B) Extremely Late Filed Issue Lists

There were no “Issues and Program Lists” for the third and fourth quarter of 2020, all four quarters in 2021 until just an hour prior to the renewal application being filed⁸. An additional missing report due to be filed in 2019 was uploaded after this

⁸ See WQZS Online Public Inspection File, More Public Files, Issues and Program lists <https://publicfiles.fcc.gov/fm-profile/WQZS/Issues%20and%20Programs%20Lists/8187a799-4a74-9236-47e5-26a51ed7e99f> WQZS Third Quarter 2020 QPI, WQZS Fourth Quarter 2020 QPI, WQZS First Quarter 2021 QPI, WQZS Second Quarter 2021 QPI (1), WQZS Third Quarter 2021 QPI, WQZS Fourth Quarter 2021 QPI (All Files Uploaded on 4/1/2022 at 3:14PM)

renewal application was filed⁹. Roger has been using the same basic template file for each of these reports only copying and pasting elements from one of the shows occasionally aired on the station. These reports serious lack any detail related to issues of significant community interest. § 73.3527(e)(8) requires that the list for each calendar quarter is to be filed by the tenth day of the succeeding calendar quarter. Roger Wahl repeated this violation in December of 2018, publishing lists due in 2016, 2017 and earlier that year on a single day¹⁰ rather than when required to do so.

Petitioner also conducted a more in depth analysis of all posted issue lists and created a report¹¹. This report was created by checking the properties of each posted issue lists file, downloaded from the WQZS Online Public Inspection File and opened using Adobe Acrobat. Petitioner recorded available property information regarding the program used to create the file, the date and time the file

⁹ See WQZS Online Public Inspection File, More Public Files, Issues and Program lists <https://publicfiles.fcc.gov/fm-profile/WQZS/Issues%20and%20Programs%20Lists/8187a799-4a74-9236-47e5-26a51ed7e99f> WQZS Third Quarter 2019 QPI (Uploaded 4/1/2022 11:35PM)

¹⁰ See WQZS Online Public Inspection File, More Public Files, Issues and Program lists <https://publicfiles.fcc.gov/fm-profile/WQZS/Issues%20and%20Programs%20Lists/8187a799-4a74-9236-47e5-26a51ed7e99f> WQZS 3Q 2016 QPI, WQZS 4Q 2016 QPI, WQZS 1Q 2017 QPI, WQZS 2Q 2017 QPI, WQZS 3Q 2017 QPI, WQZS 4Q 2017 QPI, WQZS 1Q 2018 QPI, WQZS 2Q 2018 QPI2 (All Uploaded 12/06/2018)

¹¹ See Exhibit 37

was created, the date and time the file was last modified (before being uploaded), and the indicated author of each file. The deception is clearly revealed in this report as to the timeliness of the actual creation and posting of these uploaded files. Roger Wahl not only upload the majority of these files extremely late, most were not appropriately kept locally or even created until the same dates they were uploaded. Of particular interest is the author of all of the late filed documents just about an hour before, on the same date, April 1st, 2022, that this renewal application was filed. The author participating in this deception is clearly indicated as Wendy Sipple.

(C)No citizen agreements

Despite letters of support from several authors submitted by Roger Wahl in the open revocation case, including school sports broadcasters, churches and the borough of Meyersdale which indicate agreements exist with Wahl and/or WQZS, there has never been a single copy of any citizen agreements in the online public file.

(D)No Transfer of Control Notice or Documentation

As declared by Roger Wahl in application file number BALH - 20200305AAH, we are to believe he was unable to write up a contract regarding the transfer of his

station to his daughter rather than hide it within the application¹² and refusing to post any details of the agreement as he is required to do¹³ and certified that he would do¹⁴. Of particular public interest is any disposition of the studio at 128 Hunsrick Rd, owned by Target Broadcasting, Inc., but not owned, according to Wahl by himself or WQZS. Roger Wahl certified in Section II(3)(a) that he has placed in its public inspection files, agreement for sale of the station. He has not done so.

(E) *No Materials Relating to FCC investigation or Complaint*

There is absolutely no required¹⁵ documentation or information in the WQZS public file pertaining to the open investigation, including but not limited to any of the documentation demanded by the enforcement bureau.

(F) *No Political Files*

Despite the regular airing of political advertisements on WQZS, including candidates for public office, Roger has never posted a single political file against

¹² See File Number BALH - 20200305AAH, Exhibit 5, Agreement for Sale of Station

¹³ See § 73.3526(f)(2)

¹⁴ See File Number BALH - 20200305AAH, Section II(3)(a)

¹⁵ See § 73.3526(3) In the event that the online public file does not reflect such required information [investigative information requests from the Commission], the licensee will be responsible for posting such material.

the public interest¹⁶ and in further violation of multiple Commission rules¹⁷. Roger Wahl directly solicits advertisements from candidates as seen in a post on the station's facebook page¹⁸.

(G)No Phone or Email

No phone number or email address or link provided to the WQZS facebook page, which acts as its only internet website, is posted on the FM Station Information page of the online public inspection file for WQZS in violation of Commission rule § 73.3526(b)(2)(ii).

¹⁶ *Political Record Keeping Obligations*, Report and Order (2022) MB-Docket No. 21-293, Section II(5) Requiring these entities to maintain complete and up to date political files is critical because the information in these files directly affects, among other things, the statutory rights of opposing candidates to request equal opportunities under section 315(a) of the Act and present their positions to the public prior to an election. In addition, the political files allow the public to verify that Commission licensees and regulatees have complied with their obligations relating to use of their facilities by candidates for political office and to obtain information about entities sponsoring candidate and issue advertisements.

¹⁷ See rules § 73.1943(a), § 73.1943(b), § 73.1943(c), § 73.3526(e)(6) and 47 U.S.C. § 315. See Bipartisan Campaign Reform Act of 2002, P.L. 107–155, 116 Stat. 81 (2002).

¹⁸ See Exhibit 10

(H) *No Required Local Public Notice Announcements or Certifications*

There are no certifying statements in the online public inspection file in violation of 73.3526(e)(10) for any associated application for the station, including but not limited to the transfer of control to his daughter, his hearing designation order **or this renewal application**. This is of no surprise as Roger Wahl has never posted required local public notice announcements or aired any of the over the air announcements required¹⁹ by the Commission since he has had the privilege of licensure.

While WQZS does not maintain its own website domain, it does have a Facebook page at <https://www.facebook.com/WQZS-933-755021331539326/> which should be considered as the website for WQZS where Roger Wahl regularly posts other information to the public regarding the radio station, neglecting required public notices. He has never posted any such actually required announcements on the station's Facebook page or any other publically available website.

(g) FAILURE TO GIVE PUBLIC NOTICE OF THIS RENEWAL APPLICATION

Petitioner has deliberately waited to file this petition to deny, giving Roger Wahl the time and opportunity to inform the public as required regarding this renewal

¹⁹ See § 73.3580

application and to certify that he has done so. Based on Roger Wahl's past record of non-compliance and suspicion that this rule would be violated yet again, Petitioner's staff recorded and monitored all broadcasted transmissions airing on WQZS between 6 AM and midnight local time, each day (Monday through Friday) beginning on April 1st, 2022, the date the renewal application was filed. To be extra certain we would be able to hear if the on air notice, Petitioner recorded and monitored one hour before and one hour after each day in the notification period to ensure we would not miss such announcements based on any time delays or potential clock offset issues.

WQZS was not silent or operating under any STA during this period.

As we expected, Roger Wahl had never once aired any required on air public announcement regarding this renewal application and has not certified that he has done so by the date required²⁰ by the Commission within the online public inspection file. As a public notice by the FCC was given on April 4, 2022 that this renewal application was accepted for filing, Wahl was required to make the first on air public announcements between Monday, April 11th and Friday, April 15th, 2022 between 7AM and 11PM. The final, fourth consecutive week period must have ended no later than Friday, May 6th, 2022. The certification that such required

²⁰ See § 73.3526(e)(13)

broadcasts were made was required to be posted to the online public inspection file for WQZS no more than 7 days later, which was May 13th, 2022. No certification has been posted and any such certification, had it been posted, would have been completely false.

The announcement that must have aired on WQZS must have contained the following:

“On April 1st, 2022, Roger Wahl (or Target Broadcasting, Inc), licensee of WQZS, 93.3 MHz, Meyersdale, filed an application with the Federal Communications Commission for license renewal. Members of the public wishing to view this application or obtain information about how to file comments and petitions on the application can visit publicfiles.fcc.gov, and search in WQZS public file.”

The licensee of WQZS also failed to post any required public announcement on any internet website or the WQZS facebook page.

Such announcements, had they actually been given, would have alerted those in the community who might oppose Roger Wahl remaining a licensee or the renewal of his license by the Commission with the information necessary to obtain information about the limited opportunity available for them to file comments and/or petitions against the application. While the WQZS online public inspection

lacks required, timely filed reports and contains applications lacking candor with insufficient explanatory exhibits, no listeners or members of the public within the community of Meyersdale, Pennsylvania were even made aware that a renewal application had been submitted for WQZS and subsequently were never afforded timely opportunity to review the renewal application contents. Motives for Roger Wahl's intent to willfully violate these rules were clearly to hide this information regarding the renewal application's existence and the comment filing period from the public and community of Meyersdale in order to prevent the Commission from learning about anything other than such specifically selected potentially positive comments submitted by Wahl himself²¹ in the hearing already designated against him. This continuous failure to act as required by Roger Wahl has obstructed the public interest of the community, denying Meyersdale residents from being sufficiently informed of the details surrounding the renewal of his licensure, including active character questions, where the details within the application had been made purposefully vague and limited by Wahl through his supplication of insufficient exhibits and the exclusion of other required exhibits in their entirety. Roger Wahl, by his acts and failures to act as required, further hid from the public his additional admissions of violating Commission rules, again without sufficient exhibits presented within the renewal application, with an intent to slip the renewal

²¹ See the 8 PDF documents received in ECFS from Roger Wahl on March 9, 2020

through unopposed by diminishing the potential for community review or response.

(h) RENEWAL APPLICATION FALSE CERTIFICATION OF STATEMENTS

Roger Wahl lacked candor when he finally certified that **all** statements made in the renewal application and its contents are true, complete, correct and made in good faith. This is known to be false by the facts already discussed and detailed within this Petition. Contrary to that certification, the statements made in the renewal application are at least partially and willfully false, incomplete, incorrect and made in poor faith.

Roger Wahl signed the application as the authorized party in this renewal application, with knowledge regarding the potential for liabilities such as penalties which could include fines, imprisonment, revocation of station authorization and forfeiture relating to willful false statements. He certifies that this application includes all required and relevant attachments, which have clearly not been included and which should have triggered the Commission to dismiss the filing rather than initially making the public announcement that it had been accepted for filing. Petitioner believes that the Commission had not yet taken a hard look at the application and that its action was inadvertent.

(i) INCONSISTENT / CONFLICTING APPLICATION

Under rule § 73.3518 this renewal application is inconsistent and in conflict with pending application BALH-20200305AAH which has not been decided²². Roger Wahl has answered differently on these two applications regarding multiple ownership in this application and the not applicable response given by him in regard to Section II(4) Other Authorizations. While the types of applications are different in respect to form and purpose, they nonetheless specify inconsistent information that conflict with each other, and at least one of them should be dismissed.

²² File No. BALH-20200305AAH, Order, FCC 20-93 (July 13 2020), “IT IS HEREBY ORDERED, pursuant to 47 U.S.C. § 155(c)(4) and 47 CFR § 1.117(b) and (c), that the Media Bureau action granting the Application IS SET ASIDE and the Application IS RETURNED TO PENDING STATUS.

IV. ADDITIONAL LACK OF CHARACTER AND CANDOR ISSUES

Roger Wahl, a convicted felon, has repeatedly made willful and intentional, deliberate misrepresentations and other misleading and deceptive statements to the Commission in order to conceal additional parties of interest of WQZS and a vast array of additional Commission rule violations.

(a) Untruthful Statements and Responses in MB Docket 21-401

While the content of this Petition thus far particular relates to the content of renewal application filed by Wahl, it does not include the complete record of the long history by Roger Wahl relating to his lack of candor or character qualifications. In fact, Petitioner will request entry as an intervening party or for potential consolidation with the current hearing designated for Roger Wahl, seeking expansion of the issues in MB Docket 21-401, including additional evidence that directly pertains to the existing issues. While Petitioner addresses the additional issues throughout this Petition, Petitioner hereby addresses the false representations by Roger Wahl made thus far in the hearing under MB Docket 21-401.

Roger Wahl made false statements to the commission in violation of § 73.1015 Truthful written statements and responses to Commission inquiries and

correspondence, as part of his responses²³ to interrogatories presented to Roger Wahl by the Commission's Enforcement Bureau.

i. Criminal Charges

Roger Wahl was asked to provide a detailed explanation of the specific acts and/or behavior which led to him to being charged with criminal use of a communication facility. His response was "not understanding this question, cannot answer for the police officers thought when I was charged". Roger must know what the acts were that led him to plead guilty to this charge, but wants everyone to believe he has no clue why the police charged him with that crime. This question was framed exactly the same way in question number 5, 6, 7 and 8 in regards to being charged with recklessly endangering another person, unlawful dissemination of an intimate image, tampering with evidence and identity theft where he answered each by way of referring to attached documents.

ii. Studio and Equipment Use

In answer to question 10, regarding the use of his private cell phone, he claims it is not used in connection with the operation of the station. Yet the truth is that Roger

²³ Interrogatories, ECFS Id 103260385726417 submitted by Roger Wahl (March 26 2022)

Wahl regularly disseminates his “private” cell phone, 814-279-1631 for station related business, such as communications with potential advertisers²⁴.

In answer to question 12 regarding locations where the station has operated, Roger Wahl falsely states the station has only been operated from the studio at 128 Hunsrick Road, eliminating from that answer all other places he has been known to operate the station, such as on location at a number of remote events like the Somerset County Fair, Maple Festival, local high school sports and other places.

Petitioner also feels it important to reiterate to the Commission that as part of Roger Wahl’s sentencing in his criminal case, he was placed on home detention, his home being that of the WQZS studio and that he was not to make any broadcasts during that time. WQZS did continue to remain on the air, however Petitioner believes it is extremely important when the Commission has such authority to do so, that they must consider the acts by Wahl and the consequences thereof **which directly involved the station and studio of the licensee, as well as the content of its broadcast** when evaluating the public interest of allowing Wahl to remain a licensee.

²⁴ See Exhibit 11, Roger Wahl’s email reply to David Gnagey

iii. Target Broadcasting Inc.

Roger Wahl lied to the Commission, not just in answers to every single interrogatory question 24 thru 33 but throughout every representation to the Commission over the past 30 years in regards to Target Broadcasting, Inc., in Roger Wahl filed the Articles of Incorporation²⁵ with the Commonwealth of Pennsylvania, stamped on February 15th, 1990 (not in 1991 as answered by Wahl in #26) and where that document authorized the issue of 1000 shares.

Target Broadcasting, Inc. was thus formed 5 months prior to Roger Wahl's original grant of a construction permit BPH-19880808MP by the Commission on July 3rd, 1990. The purpose for forming the company was not simply only for funding the development of a studio for WQZS, rather it was to give the corporation "unlimited power to engage in and to do any and all lawful acts concerning any and all lawful business". Evidence provided by Petitioner will show the company was formed to operate WQZS, pay station employees, receive revenue, and most unfortunately to perpetuate a fraud on partners and investors. The only reason Roger Wahl never mentions Target Broadcasting, Inc. to the FCC was to take advantage of everyone who helped plan, fund and work to get the station on the air, by denying them what was rightfully theirs, as true parties with ownership interest

²⁵ See Exhibit 1, Articles of Incorporation of Target Broadcasting, Inc.

in the radio station WQZS. He used the fact that he had filed applications for the station under his own name with the Commission as a sole proprietorship in order to rip all of these individuals off and has been getting away with that for 30 years. Those who invested in Target Broadcasting Inc. had in fact invested in the radio station WQZS, not simply the building that houses the studio and provides Roger Wahl with a private residence, as he claims. It is completely false that they purchased stock limited to the physical structure surrounding a radio station's core operating location, rather than the radio station itself. In 30 years, none of the investors ever received any return on their investments whatsoever while the station operated and brought in 30 years of advertising revenue.

(A) Gary Kleiman²⁶

Shortly after filing for a construction permit of the radio station that would become WQZS, Roger Wahl solicited the help of an experienced individual having worked with other existing stations in Western Pennsylvania, Gary Kleiman. Roger did not know anything about starting or running a station and offered Gary Kleiman a 50/50 partnership with Wahl in exchange for his expertise and hard work putting everything together to get the station on the air, including acquisition of the lease from the Pennsylvania Department of Natural Resources where the WQZS tower

²⁶ See Exhibit 3, Statement from Gary Kleiman

still sits today, the station's program format, equipment leasing and acquisition and even the hiring and training of staff. Kleiman had been fully involved in the decision making process of the station through business planning and loan requests where his resume was integral to those applications, technical decisions, marketing plans, broadcast content planning and the hiring of staff for the station. Gary lead the effort to change the location for the station's tower, which caused Roger Wahl to modify the original permit by submitting application BMPH-19910604ID. Of course, in that modification application, with full knowledge of his partnership with Kleiman, he did not notify the Commission regarding either the formation of Target Broadcasting or Kleiman's role. Gary Kleiman attests that the studio building, although empty, had already been constructed while he was an active partner with Wahl. Roger Wahl had already significantly benefited from all the hard work and experience of Kleiman getting the station ready and prepared for success until just before the station went on the air as a child of Target Broadcasting, Inc. in October of 1992, when Wahl decided to completely ignore the partnership agreement he had made with Kleiman. Civil litigation against Wahl by Kleiman²⁷ began on July 2nd, 1992 naming ROGER D WAHL ET AL, TARGET BROADCASTING ET AL and WQZS FM ET AL as defendants. The case history reflects that attorney James M. Jacobs, Jr., Esq filed an appearance on

²⁷ See Exhibit 12

behalf of Roger and Target Broadcasting trading as WQZS FM. After many years of delays and tactics by Wahl, Kleiman gave up the suit after nearly a decade of trying, as it was advised by his lawyer that he was throwing away good money after bad. In all of that time, the only amount Kleiman received was a check for \$300 from Target Broadcasting, Inc., a single payment, which was supposed to be a monthly payment on a much larger amount of \$25,000 in order to settle Kleiman's very real partnership interest in WQZS that has yet to be legally resolved. Gary Kleiman retains a cognizable interest in WQZS.

(B)Helen Wahl

Currently, on file with the Commonwealth of Pennsylvania²⁸, his ex-wife Helen Wahl is currently listed as an officer of Target Broadcasting, Inc., although she has never been listed as a party of interest for the station with the Commission. Her interest in WQZS was awarded to Roger in the divorce decree which was finalized on May 19th, 2016. Prior to the divorce decree, Roger and Helen's daughter Rachel Kimmel attempted to purchase the shares in possession of Julie Barth for \$5000 on behalf of her mother in order that Helen might have a controlling interest in Target Broadcasting, Inc and the fate of the station WQZS. Helen Wahl was most definitely an integral part of the management and decision making regarding

²⁸ See Exhibit 2, Pennsylvania Business Profile of Target Broadcasting, Inc.

the radio station and was commonly heard on the air talking about such things and was well known as a co-owner of Target Broadcasting and WQZS.

(C) Julie and Andreas Barth (Deceased)²⁹
Andreas Barth was also known to the public as a partner in WQZS, not simply Target Broadcasting, which was exemplified in his obituary³⁰ published in the Daily American newspaper on January 25th, 2012. According to the surviving spouse Julie Barth, she still retains a 20% interest in Target Broadcasting, and Helen Wahl who had owned 40% gave those shares back to Roger as part of a divorce decree. Andy was also a member of the board of directors of the company and participated in board meetings for the station. Matching perfectly with the issued 1000 shares in the Articles of Incorporation, this equated to a 40, 40, 20 split with at least 3 shareholders and an 80/20 split currently as it pertains to parties of interest in WQZS. This however excludes and neglects the partnership claim of Gary Kleiman and other investors.

The shares now in possession of Julie Barth, each with quantity of 50 shares, are numbered 6, 7, 8 and 9 respectively for a total of 200 shares. 200 of 1000 shares is exactly 20% of the issued shares (not 25% as Wahl claims in answer #30). The

²⁹See Exhibit 4, Email from from Julie Barth sent to the ALJ, Jane Halprin on February 8, 2022.

³⁰ See Exhibit 5, Obituary of Andreas Barth (January 25 2012)

value of each share at the time Andrew purchased them was \$100. When the shares were originally authorized, they only had a par value of \$1 per share.

(D) Regina A Hochard (Deceased)

Regina A. Hochard, who passed away in 2013, was another victim of Roger Wahl's deception pertaining to investment and ownership in the radio station WQZS. She also sued³¹ Roger Wahl naming Target Broadcasting and WQZS as defendants beginning in 1992 for the amount of \$15,000, equal potentially to 150 shares. In this suit, Wahl was ordered to but never complied with discovery motions for minutes of the meetings of the corporation and SBA loan documents. The failure of Wahl to comply with discovery mandates when required to do so by legal bodies is not a new issue. An interview with Hochards daughter, Tina Hochard Phillippi³², revealed that after Tina's father Carl Hochard died, her mother Regina loaned her inheritance money to Roger for the radio station, expecting to be repaid in addition to being able to move onto the studio property. Roger Wahl simply spent her money on the station and never gave Regina a dime and completely reneged on his promises to her, leaving her family broke, forcing her family to sell everything they owned in 1995 while Wahl was already sitting pretty with his well-funded radio station that he only acquired off the backs of others,

³¹ See Exhibit 13

³² See Exhibit 6, Interview with Tina Hochard Phillippi

repaying no one, never even compensating the families whatsoever of those who died well after putting him and the station he falsely defends as his own, on the air, three decades after their investments.

(E) Target Doing Business As WQZS

While Roger Wahl falsely states in answer #25 that Target Broadcasting, Inc. does not do any business, this flies in the face of reality, officially recorded acknowledgements, general public knowledge throughout the community of license and the direct knowledge by his forgotten partners.

In fact, Roger Wahl, Target Broadcasting, Inc. and WQZS had been named as co-defendants in lawsuits filed with the Somerset County Court³³, the jurisdiction where the station operates. Ownership of WQZS by Target Broadcasting, Inc. was in fact advertised to the public by Wahl in his release of information to the local Somerset County newspaper, the Daily Journal in which two articles had been published on September 24th 1992³⁴, September 25th 1992³⁵ announcing the launch of the station a few weeks later, which went on the air on October 26th, 1992. This was reaffirmed 3 years later, again, in a lengthy special edition of the same paper, about the history of the area. In that article it discussed the history of industry,

³³ See Exhibits 12,13, and 14

³⁴ See Exhibit 7

³⁵ See Exhibit 8

newspapers and radio broadcasters. Included in that April 7th 1995 article³⁶ it was reiterated that WQZS was owned by Target Broadcasting, Inc. and had 14 current employees. While Roger Wahl declares today that such ownership of the station by the corporation is and has always been false, there is no record of him ever once requesting any correction to any of these articles.

Target Broadcasting, Inc. paid the checks for staff of the station well after the studio was constructed and twice in 2004 and again in 2018, the corporation, WQZS and Roger Wahl were named as a defendants by the Pennsylvania Department of Labor and Industry for failure to pay required employee withholding fund³⁷, thereby the corporation is recognized by the Commonwealth of Pennsylvania to trade as WQZS.

Everyone knew then, just as they still do today, that WQZS was synonymous with Target Broadcasting. This was public knowledge. He avoided telling the Commission about the true ownership of the station, intent on being able to protect his license from all of the people that he scammed out of their energies and savings, while convincing them they were part owners of the radio station and would be compensated from the station's successes.

³⁶ See Exhibit 9

³⁷ See Exhibit 15,16 and 18.

Roger Wahl also fails to recall or address any tax liens in the answer to question #21, against Target Broadcasting, Inc., while the official record shows a long history of tax liens against Wahl and Target Broadcasting, Inc. by both the Commonwealth of Pennsylvania³⁸ and the Federal government³⁹. It is impossible to escape the fact that Target Broadcasting had liens for not paying revenue taxes when Roger Wahl claims it had never done any business, other than to raise funds for the studio construction. If that is the case, why was there ever any taxable revenue for Target Broadcasting, Inc. whatsoever that went unpaid? According to property tax records, the land upon which the studio was built was transferred to Target Broadcasting, Inc. for \$0 from Roger Wahl⁴⁰. Target Broadcasting has also repeatedly been late in paying property taxes, reported by the County of Somerset many times by public notice in the Daily American Newspaper.

(b) Fraudulent Transfer of Control Attempt

Roger Wahl would have us believe that he is the sole proprietor of WQZS and attempted to transfer the station to his daughter by application number BALH - 20200305AAH after being arrested several months prior on charges which included Criminal Use of Communication Facility, Recklessly Endangering

³⁸ See Exhibits 18, 19 20, 21, 22, and 24

³⁹ See Exhibits 25, 26, 27, 28, 29, 30, 31, and 32

⁴⁰ See Exhibit 33

Another Person, Unlawful Dissemination of Intimate Image, Tampering with Physical Evidence and Identity Theft. This action and its timing alone is substantial evidence of a motive to avoid a hearing designation order, license revocation or non-renewal by hurrying to transfer the station to a family member he can control before the criminal case was final. He didn't care that this would further implicate his own daughter, Wendy Sipple, had the transfer succeeded in continuing to misrepresent all of the parties of interest of the radio station. Wahl was looking for a way to keep the station (in the family), knowing his character would be questioned once convicted in an attempt to trick the Commission.

i. No public Notice of Transfer

If it were not for public notices made by the Commission and disseminated to the community of Meyersdale by the press, none would have even been aware of the attempted transfer. Roger Wahl and WQZS made absolutely no public notice on the air or on any public website, including the WQZS facebook page, regarding the application to transfer control to his daughter Wendy Sipple, file number BALH - 20200305AAH, which is in violation of rule § 73.3580(c)(4) and an act by Wahl against the public interest of the community. The online public file does not contain any certification of public notice in violation of § 73.3580(e)(2). Due to these violations by Wahl, Petitioner and others in the community were not made

aware of the filing and subsequently denied an opportunity to oppose or request denial of the transfer of control application.

Wahl also certified in that transfer of control application that he has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580, again showing his lack of candor with the Commission. He has never done so. This dismissive attitude regarding Commission rules and the interest of the public to know the details of any agreements regarding transfer of control of a station and provide comment further emphasizes the lack of character for Roger Wahl to remain a licensee or permit the renewal of the license. Based upon the fact that no public notice was properly given, that application should be dismissed or denied.

ii. No Legal Agreement

In Application file number BALH - 20200305AAH, Roger Wahl simply declares that there is no written agreement between him and his daughter Wendy Sipple and therefore no requirement for him to place anything related to this transfer in the public file, again intentionally choosing not to give any public notice of the details of the agreement. Wahl did not supply the required agreement as an exhibit in violation of § 73.3514 and also failed to place a copy of such an agreement in the online public file of the station.

§ 73.1150 (a) also precludes a licensee from reserving the right to use the facilities of the station for any period whatsoever, however Roger Wahl lives at the station's studio address at 128 Hunsrick Road, and has not indicated any agreement to move out of that residence, where he also would retain full control and access to the studio, because this building is owned by Target Broadcasting, Inc., for which he claims to be the only surviving shareholder. Therefore, the agreement, if you can call it that, would have to be considered substantially incomplete and could not be valid under the rules. Based on the fact that Wahl deliberately did not reach or report an acceptable agreement with Wendy Sipple for the transfer of control of WQZS, such application should have already been dismissed or denied by the Commission.

iii. Opposition to Transfer

As the transfer of control is currently in abeyance and due to the lack of required public notice, Petitioner believes it should be permitted to present at least informal comments in opposition to the transfer of control of WQZS, where a question exists as to whether or not Petitioner or anyone else will be given such an opportunity window based on Roger Wahl's failure to give proper public notice and the return of such application to a pending status. For the foregoing reasons Petitioner, in order to limit this filing to the denial of the renewal application in accordance with Commission rules, limits these oppositions to the transfer as

additional cause for such denial of the license renewal application. Petitioner believes that the transfer application itself should have already been returned, dismissed or denied based on its own deficiencies. Petitioner contends it is still prudent that this Petition to Deny further uncover the lack of character by both Roger Wahl and Wendy Sipple exposed by this transfer attempt. Petitioner also understands that a finding that Roger Wahl could no longer be a licensee, should disable his ability to transfer a license he does not possess. Petitioner's oppositions to the transfer and denial of renewal continue, however, as follows:

The FCC has long since ended its former policy permitting licensees to transfer or assign a station through a "distress sale" at a reduced value in order to escape a revocation hearing. Transfer of control to Roger Wahl's daughter Wendy Sipple for \$10 was a willful attempt by both parties to bypass the Commission's elimination of that policy and undoubtedly implicates the unavoidable direct conflict in terms of parties of interest of family members of licensees who may be found to lack candor or have the requisite character to operate a station themselves. The public interest could not be served by such a transfer, where Roger Wahl's daughter would be deceptively converted to the new sole owner of the station. Petitioner contends that outstanding existing ownership interests by other parties should prevent such a transfer from occurring when their interests could not possibly be satisfied by a \$10 cash sale between Roger and Wendy. Such a

transaction would constitute further fraud upon the investors of the station and implicate potential violations of additional civil and criminal law. The mere intent to commit such fraud speaks loudly to the character of both Roger Wahl and Wendy Sipple. Despite the validity or culpability extending from such a transaction, the bigger picture is how Wendy Sipple has and would likely continue in her father's footsteps further extending and enhancing the lack of character and candor by the license holders of WQZS. Wendy has and would continue to receive training, guidance and assistance from her father, Roger Wahl, who resides at the studio. A transfer to his daughter would not prevent Wahl from participating in the daily operations of the station, consulting with advertisers or content providers, financially benefitting from the revenues of the station or doing his "Commander In The Morning" radio show. There is absolutely no sufficient instrument which guarantees the transfer would be in the public interest or that such a transfer would even be genuine.

This transfer attempt was simply Roger Wahl's culpability escape plan. By rushing to transfer the station to his daughter, he did the only thing he knew of in order to get away with his ability to continue to "own" and operate the station, knowing full well that his character to remain a licensee would be questioned as soon as he plead guilty to his criminal acts and that open case was completed, invoking a requirement for him to inform the Commission. If he no longer had an

“official” ownership link to the station with the FCC, there would have been no requirement to report. Even if Roger Wahl’s acts became noticed by the Commission, the Enforcement Division would be legally prevented from acting to remove him as a licensee, because it would have been moot the moment that transfer was fully consummated. As Roger Wahl has proven he will only inform the public with information that benefits him, no one in the community would have been wise to any official transfer of the license to his daughter and everyone would continue to believe the lie that he, alone, continued to own the radio station.

The paper transfer only through the Commission of a dishonest ownership change to his daughter is merely another ruse, like so many others, perpetuated by Roger Wahl to intentionally concurrently fool both the public and the Commission. The truth is that Roger Wahl would still exercise full authority of the station and will maintain that control through the direct control and influence over his own daughter, continuing to operate WQZS right there from his own house, the studio on Hunsrick Road, the same location where he was previously confined for months on house arrest as a condition of his probation.

Roger Wahl’s own lack of candor with the Commission as Wendy Sipple’s trainer also severely implicates the potential for her to continue her father’s questionable practices. Wendy Sipple has already been significantly groomed by Wahl and his lack of character and candor and evidence this is already clearly exists.

iv. Wendy Sipple's False Statement

In the email converted by the commission as a motion to intervene sent by Wendy Sipple⁴¹ she declares, "I am an applicant with application pending before the Federal Communications Commission regarding the station license WQZS which pre dates the events in the hearing designation order" and that she is "innocent third party" certifying these statement as true. The fact is that the transfer of control application, BALH - 20200305AAH was signed by Wendy Sipple on March 5th, 2020. The events in the HDO refer to Wahl's crimes committed the previous year, in 2019. She knew that Roger Wahl had already been arrested and charged with the crimes he committed well in advance of the application she filed. She is also not "an innocent third party" as she joined the cunning effort to thwart an anticipated character evaluation by the Commission in advance of an impending final criminal case disposition of her father. This effort was set in motion by the father/daughter duo in order move quickly in a clear attempt to protect the continued licensure of the station and her father's legacy. Her involvement in this plot and the claims in the motion further implicate the likelihood that she would continue the lack of candor and character, inherited from her father.

⁴¹ See Exhibit 34

Furthermore, Wendy Sipple fraudulently prepared Issue and Program Lists that were knowingly untimely created and untimely uploaded into the Public Online Inspection File for WQZS on the very same day, just about an hour prior to the filing of the application to renew the license of the station and moments ahead of the April 1st, 2022 deadline. Both Roger and Wendy worked as a team to file the application as late as possible without missing the deadline, to avoid detection and notice by the public and the media. Wendy Sipple has been working in an active daily role with her father in the operation of WQZS, including the preparation of filings, and she is just as culpable as Roger Wahl in the attempts to deceive the Commission and act contrary to the public interest.

V. FAILURE TO GIVE PUBLIC NOTICES

(a) Character Issues / Investigation

The amended application to transfer control signed on August 8th, 2020 is the first instance where there is any accessible record filed with the commission and accessible to the public where Roger Wahl certifies having any character issues which were required to be reported to the Commission. Issue under investigation are also required to be reported in the station's online public file. Nothing has been placed in the public file relating to character issues or investigations.

(b) No Hearing Designation Order Announcements

Roger Wahl also completely failed to air any required announcements on WQZS related to the investigation by the Enforcement Bureau or the Hearing Designation Order, in violation of all provisions under § 73.3594 (Local public notice of designation for hearing), or certify the airing of these required announcements in the public file for WQZS or comply with Paragraph (b) by failing to provide any statements and copies as required. Roger Wahl did not post any information about the hearing designation order on any public website, or the WQZS facebook page it commonly uses to communicate with the public on the Internet. Paragraph (c) of the applicable rule explicitly indicates that a failure to comply with the provisions

of that section **is cause for dismissal of an application with prejudice**⁴². As such Petitioner contends that the Commission has the authority to immediately dismiss this renewal application with prejudice and without further need for additional hearings, completely based on the record of the absence of any submitted certification of WQZS compliance of making these required public announcements, which is completely defiant of the public interest.

It might be argued by Wahl that such regulation should not apply to the renewal application or the transfer application. Petitioner disagrees as in the designated hearing, should it be certified to the Commission that Roger Wahl lacks the requisite character qualifications to remain a licensee, both such applications equally share the same jeopardy under the rules, where the Commission may revoke the license and thereby dismiss such applications as moot. The regulation specifically uses the words “an application” which could apply to either or both such applications pending before the Commission.

It was this lack of public notice required to be made by Wahl which delayed Petitioner from being able to directly and timely intervene in hearing designated under MB Docket No. 21-201. This further prevented other parties of interest and the public from either making motions to intervene or submit comments or

⁴² See § 73.3594 (c) “The failure to comply with the provisions of this section is cause for dismissal of an application with prejudice.”

evidence related to the issues in the designated hearing. The failure of WQZS to make such public notices regarding the hearing designation order also acts to “whitewash”⁴³ the issues by Roger Wahl’s resulting act of the radio station keeping completely silent when it was required to report.

⁴³ See FCC 20-65, Second Report and Order, Page 23 (May 12, 2020), “Additionally, any attempt by a party to a hearing to “whitewash” the issues in a local notice is subject to disclosure to the Administrative Law Judge by the Enforcement Bureau or other parties to the hearing designation order”

VI. ADDITIONAL PUBLIC INTEREST ISSUES

(a) MB Docket 21-401 Comment Rebuttal

Petitioner now addresses documents submitted for the record by Roger Wahl, as it relates to persons who have made comments in support of him and the radio station WQZS and claims made in answers # 37 and # 38. His responses are incomplete and none of the claims supporting Wahl should be acceptable as they are not affidavits or other official comments. However, Petitioner will still address and provide rebuttal to some of them here.

Comments in support of WQZS reviewed mainly implicate the value of the content heard on the station but not necessarily supportive of the character of its stated owner, Roger Wahl. Many of them suggest or assume WQZS is the only aural service in the community, without regard to the existence of WHYU-LP, first noncommercial service WAIJ or the second aural noncommercial service that will be provided upon the completion of construction of WHYU-FM. However, many other stations can also be heard within the community which are not technically within a 60 dBu service contour over Meyersdale. Plenty of these stations in the region do carry local sports, news, weather, and traffic information.

Petitioner stipulates that Roger Wahl and WQZS have provided a wide variety of localized content of benefit to the public interest of the community of license.

However, character and candor are very important to the public interest as well, including information available in the online public inspection file, accuracy and truthfulness of applications, correctly constructed facilities and more.

A good portion of the comments submitted by Wahl in the designated hearing come in response from the public pleadings by Pastor Sam Coughenour who admittedly airs a radio show for 2 hours every Sunday on WQZS. Pastor Sam has asked the flock of his Church, visitors of his website, posts on his facebook account and all of the listeners to his broadcast on WQZS to submit comments in support of Roger Wahl and WQZS based on an absolute fear that his broadcast may no longer be aired. While Roger Wahl never insured public notice was given about the designated hearing, Pastor Sam has commented on his radio program that Roger Wahl's licensure was being reviewed by the FCC, while "whitewashing" issues that sparked the process. Pastor Sam told listeners to his program on WQZS that he was by Roger's side at his court appearances and that: Wahl has sought forgiveness; that Wahl already paid the price for his acts; that the public should not be punished by the FCC by taking WQZS and Pastor Sam's show off the air; that he has forgiven Wahl; and that the Commission and others should forgive him too. Many of those who commented were well outside of the community of license of Meyersdale, Pennsylvania. Petitioner contends that the Commission should weigh

such remarks in terms of favorable comments of public support for Roger Wahl and WQZS accordingly.

Margie Coughenour writes, as part of a petition on behalf of WQZS orchestrated by her husband Pastor Sam Coughenour:

“There are many who have come to me in tears who are worried that their radio station will be taken off the air. [...] It will be a tremendous loss to the community if it goes off the air. WQZS is a hometown radio station, a local radio station that is a community station, and as a community, something that I pray we can and will keep.”

Pastor Sam asks:

“He gave me “FREE TIME”. What radio stations can you mention that would do that[?]”

WHYU and all NCE or LPFM stations in the United States are unable to charge for time, unlike Roger Wahl and WQZS. Substantial Christian programming is available on other stations in the area, including American Family Radio’s WAIJ.

Jim Mayer writes:

“Without WQZS none of this would be even possible due to the outrageously high costs to get on another station that could be heard locally” (in regards to local high school sports)

As already discussed, any NCE or LPFM station, including WHYU are potentially available for the broadcast of local high school sports programming without charge. Many other stations which can be heard in Somerset County also already air additional local sports programming.

Peggi Zadzor writes:

“When our radio station (which is no longer in business) decided to stop broadcasting sports we had no where to go. In stepped Roger Wahl and radio station WQZS-93.3 FM. [...] Many local people depend on WQZS for news, sports, traffic reports in winter time and also a lot of business for advertising. It would be a shame if WQZS would be taken off the air.”

There is no cause for the community to depend only on WQZS for such content when WHYU and other stations are available for the same purposes. WHYU, NCE and LPFM stations cannot offer commercial advertising, although it can air acknowledgments by supporters of the station or its programming, and stations may broadcast information related to issues deemed to be in the public interest of

the community, including the business community, without any material benefit to the station.

Dixie Kelly Lemley writes:

“Roger made personal decisions that I DO NOT agree with nor condone, but to punish both he and the public for a community service radio station, in my opinion, is the wrong thing to do.”

The existence of Petitioner as a fully qualified licensee of WHYU and other licensed stations in the area negate the notion that the community would be somehow punished if Roger Wahl is determined to be a non-qualified licensee and WQZS goes off the air. The greater punishment to the community is the further operation of WQZS, should the Commission actually condone the misconduct and lack of candor of Roger Wahl by permitting him to further remain a licensee.

Blake D. Henry writes:

“For many of us it is the only source of local news”

WHYU, other broadcast radio, television and newspapers provide local and national news coverage. WQZS cannot and should not maintain a monopoly over such content in the community.

Henry goes on to explain:

“WQZS offers us affordable advertising that is not available to us from the large nationally owned stations. This station is very charitable to non-profits, churches, volunteer fire departments and student organizations.

We have all suffered major set-backs due to the pandemic. All small businesses need to advertise to keep their customers informed of the latest restrictions and varying hours of operation”

The truth is that WQZS is a commercial station and charges for advertising. WHYU, and other NCE or LPFM stations are not commercial operations like WQZS and must always act in the public interest, without any financial consideration, to discuss any issued deemed relative to the public interest by the broadcaster, such as local restrictions or impacts to the local community businesses in the area by any emergency. A business who financially supports most noncommercial stations are usually acknowledged and thanked by such station on the air for their support. These acknowledgements typically include the name of the businesses, slogan, main products or services, location, telephone and website information so long as such announcements comply with Commission rules. In any event, the comment here alludes to the fact that the individual making the statement advertises on WQZS and has motive to comment fearing loss of his ability to advertise on that station and should be weighed accordingly.

Jeff Irwin, DDS and President of the Meyersdale Borough Council, is concerned that the loss of WQZS would result in a “devastating blow” for the community and for the ability of the borough to have emergency announcements broadcasted on the radio. All broadcast radio and television stations are required to air emergency broadcast messages on the air, and most are further committed to providing on the air announcements requested by most local community organizations when such information is deemed to be in the public interest.

Irwin further addresses some personal opinions regarding the character of Roger Wahl, identified as his life long friend and former school buddy. Irwin, as expected, praises Wahl and the awards he received for his past honorable contributions regarding local events. However, Irwin does not in any way address the local community impact and negativity regarding Wahl’s more recent criminal actions. Irwin makes no mention that Roger Wahl is no longer revered as he once was in this community, has removed himself from public office and is not being invited to participate in former roles because of the great stain he himself has placed on his own soiled reputation, and that many no longer want themselves or their organizations linked to Roger Wahl in any way.

Dr. Jeff Irwin is also an advertiser on WQZS and has an interest in supporting Roger Wahl who personally makes, in Wahl’s own voice, regular commercial announcements on behalf of Dr. Jeff Irwin’s dental practice.

VII. UNAUTHORIZED / UNLICENSED FACILITY

Roger Wahl has constructed and operates an unauthorized and unlicensed facility.

(a) Two Bay Antenna

Roger Wahl has facilities for WQZS that have violated the filing requirements of § 73.1690(c).

Facility ID 57424 is authorized for only a single section SWR FM3/1 antenna, transmitter output power of 1.5 kW and ERP of 630 watts. Upon inspection by Petitioner's staff of the facility, a two bay antenna system is installed⁴⁴. No required modification of license application has ever been filed by Roger Wahl indicating this significant deviation from the authorization by the Commission. As such, Roger Wahl is and has been operating an unlicensed facility for quite some time. Petitioner's studio for WHYU is located in full view of the tower erected by Roger Wahl and our Chief Executive, Robert Kluver, who has lived at the studio location since 2010, can and does attest that the tower has contained two antenna bays for as long as he can remember. This is further supported by the public satellite imagery available on Google Earth⁴⁵ since 2013 of the tower location clearly showing two antenna bays. The antenna bays combine into a single power divider and cable leading to the building at this location. A second cable is

⁴⁴ See 38

⁴⁵ See Exhibit 35, 36 and 37

connected to a studio to transmitter link antenna pointed at an azimuth in the direction of the WQZS studio at 128 Hunsrick Road.

(b) Radiation Hazard

On Roger Wahl's 2016 application to renew the license of WQZS, Wahl falsely certified⁴⁶, that "TOWER/ANTENNA ACCESS IS RESTRICTED BY A FENCE AND WARNING SIGNS."

There is absolutely no fence or any warning sign posted at this facility and no evidence of any prior fencing ever having existed at the property. The license held by Roger Wahl for WQZS contains the following restriction:

WQZS BLH-19921109KB

Special operating conditions or restrictions:

1 THE PERMITTEE/LICENSEE MUST REDUCE POWER OR CEASE OPERATION AS NECESSARY TO PROTECT PERSONS HAVING ACCESS TO THE SITE, TOWER OR ANTENNA FROM RADIOFREQUENCY RADIATION IN EXCESS OF FCC GUIDELINES.

⁴⁶ See Application for Renewal of Broadcast Station License, FCC 303-S, File Number BRH - 20060320AAV, Exhibit 15 (3/20/2006)

(c) Unlawful Operation

Roger Wahl has engaged in unlawful operation of a radio station pursuant to § 73.1745

Field strength testing was conducted by Petitioner staff in April 2022 and the results indicated that Roger Wahl was operating at an unauthorized ERP of approximately 750 watts, more than 100 watts above the authorized ERP of 630 watts at a facility which is not constructed as indicated in any of its construction, modification or license applications filed with the Commission. When Roger Wahl made false certification in the lease⁴⁷ of the land for the tower from the Commonwealth of Pennsylvania Department of Natural Resources, he had specified a facility with an alarming transmitter output power of 6,000 watts using a QEI FMQ/5000 transmitter. A photograph in the Daily American⁴⁸ shows at least 3 bays clearly, potentially 4 when the tower for WQZS was originally raised. The lease also showed a plan for the installation of a block building and a required fence around the perimeter. Due to all of these related circumstances, Roger Wahl has been operating an unlicensed facility for decades. Petitioner contends it is impossible for the Commission to renew or accept any application for renewal of an unauthorized or unlicensed facility.

⁴⁷ See Exhibit 41

⁴⁸ See Exhibit 39

VIII. Request for Dismissal/Denial of Renewal Application

Petitioner contends that the application to renew the license of WQZS should be rendered defective and/or dismissed with prejudice, as it is patently not in accordance with a massive number of FCC rules, regulations and other requirements including required exhibits and the fact that no waiver has ever been requested by Roger Wahl, in this renewal application and all others.

Petitioner contends that no hearing is necessary for the Commission to simply dismiss and return the defective application and that there is sufficient undisputable evidence that the application is factually defective and was inadvertently accepted for filing, an error which can easily be remedied by the Commission.

Should the Commission for any reason not dismiss the application as defective, and the FCC is unable to make a finding that the public interest, convenience and necessity will be served by the granting of Wahl's renewal application, Petitioner contends there is already ample evidence sufficiently established, even without this filing by Petitioner, which can easily be judicially noticed by the Commission based on the record, certifications and online public file status alone to designate this matter for hearing and to ultimately deny the application. Such undisputable facts are prima facie inconsistent with § 309(k)(1). As such, Petitioner asks the Commission, in accordance with all applicable regulations, including but not

limited to § 309, § 73.3564, § 73.3566, § 73.3568 and/or § 73.3594 to deny the application.

§ 73.3539(b) is also applicable based on the § 73.3613 failure of Roger Wahl to provide the Commission with ownership documents requested by the Commissions' Enforcement Bureau or the ALJ within 7 days, thereby the renewal of the station should not be considered and returned to the applicant.

Roger Wahl is intent on delaying the loss of his license, and has already taken steps to do so that are part of the public record. Wahl has a clear motive and intent to deceive⁴⁹ the public and Commission by his logical desire to continue operating the station for as long as possible in order to benefit financially from advertising revenues as long as he is able to continue airing them and get away with his rule violations, complete lack of character, lack of candor and fraudulent dealings with the Commission. An immediate dismissal of the application as defective will work to immediately curtail Wahl's continued exploits and likely render existing hearings moot upon expiration of the license.

⁴⁹ *Hearing Designation Order, Notice of Opportunity for Hearing, and Notice of Apparent Liability for Forfeiture, DA 22-187, MB Docket No. 22-76, Federal Register Volume 87, Number 44 (Monday, March 7, 2022):* Intent to deceive can be found where a licensee or applicant knowingly makes a false statement (or false certification), and can also be found from motive or logical desire to deceive, or when the surrounding circumstances clearly show the existence of intent to deceive.

Petitioner recognizes that if a hearing be designated against Wahl in regards to this Petition to Deny that there is a potential to consolidate such similar issues or expansion of those newly raised issues in this Petition with the existing hearing already designated against Roger Wahl. Petitioner however contends that this Petition to Deny should be granted based on those concrete violations of Commission rules where there are absolutely no unresolved material questions of fact as the record and online public inspection file clearly show which could not possibly be contested.

Petitioner additionally contends that an order to show cause as to why a cease and desist order should not be issued against Wahl for the unlawful and unauthorized operation of the facility being used to broadcast WQZS, which is not in accordance with the existing license, should be considered by the Commission.

Finally, petitioner contends that the actions of Roger Wahl have severely tarnished the image of all broadcasters licensed by the Commission. It is important to the public interest that listeners of broadcasters in our communities of license can trust such broadcasters to have the requisite character and candor required to be a licensee and keep them informed as required by Commission rules. In the public interest, Petitioner opines that the Commission should not only consider the dismissal or denial of the renewal application for the licensure of Roger Wahl, but also do all which is necessary to repair the negative image of broadcasters and the

respect for Commission rules by pursuing the maximum penalties and forfeitures for every instance of Roger's long history of willful violations, including but not limited to the arrest and criminal prosecution of Roger Wahl for multiple knowingly willful violations of U.S. Code Title 18 §1001.

Index of Attachments

The following exhibits have been attached to this Petition.

1. Articles of Incorporation of Target Broadcasting, Inc.
2. Pennsylvania Department of State Record for Target Broadcasting, Inc.
3. Statement of Gary Kleiman
4. Email from Julie Barth
5. Obituary of Andreas “Andy” Barth
6. Statement of Tina Hochard Philippi
7. Clip from The Daily American, September 24th, 1992
8. Clip from The Daily American, September 30th, 1992
9. Clip from The Daily American, April 17th, 1995
10. WQZS Facebook Post, April 17th, 2019
11. Reply Email from Roger Wahl, March 10, 2022
12. Somerset County Pennsylvania Civil Case Detail Report 1992-50349
KLEIMAN GARY H (vs) WAHL ROGER D ET AL Target Broadcasting
TA WQZS
13. Somerset County Pennsylvania Civil Case Detail Report 1992-50585
HOCHARD REGINA A AKA ET AL (vs) WAHL ROGER D ET AL
14. Somerset County Pennsylvania Civil Case Detail Report 1994-50445 T M
CENTURY INC (vs) TARGET BROADCASTING INC DBA

15. Somerset County Pennsylvania Civil Case Detail Report 2004-72521

COMMONWEALTH OF PA DEPT OF LAB (vs) TARGET

BROADCASTING INC ET AL

16. Somerset County Pennsylvania Civil Case Detail Report 2004-72858

COMMONWEALTH OF PA DEPT OF REV (vs) TARGET

BROADCASTING INC

17. Somerset County Pennsylvania Civil Case Detail Report 2008-72708

COMMONWEALTH OF PA DEPT OF REV (vs) TARGET

BROADCASTING INC - EMPLOYEE WITHHOLDING

18. Somerset County Pennsylvania Civil Case Detail Report 2010-40715

PENNSYLVANIA DEPARTMENT OF REV (vs) TARGET

BROADCASTING INC

19. Somerset County Pennsylvania Civil Case Detail Report 2016-40579

COMMONWEALTH OF PA DEPT OF REV (vs) TARGET

BROADCASTING INC

20. Somerset County Pennsylvania Civil Case Detail Report 2016-40821

COMMONWEALTH OF PA DEPT OF REV (vs) TARGET

BROADCASTING IN

21. Somerset County Pennsylvania Civil Case Detail Report 2016-40970
COMMONWEALTH OF PA DEPT OF REV (vs) TARGET
BROADCASTING INC
22. Somerset County Pennsylvania Civil Case Detail Report 2017-40206
COMMONWEALTH OF PA DEPT OF REV (vs) TARGET
BROADCASTING INC
23. Somerset County Pennsylvania Civil Case Detail Report 2020-40572 BEER
REAM CO. (vs) ROGER WAHL
24. Somerset County Pennsylvania Civil Case Detail Report 1997-72090
COMMONWEALTH OF PA DEPT OF REV (vs) TARGET
BROADCASTING INC
25. Somerset County Pennsylvania Civil Case Detail Report 1995-16008 IRS
(vs) TARGET BROADCASTING INC
26. Somerset County Pennsylvania Civil Case Detail Report 1996-16092 IRS
(vs) TARGET BROADCASTING INC
27. Somerset County Pennsylvania Civil Case Detail Report 1996-16121 IRS
(vs) TARGET BROADCASTING INC
28. Somerset County Pennsylvania Civil Case Detail Report 1996-16126 IRS
(vs) TARGET BROADCASTING INC

29. Somerset County Pennsylvania Civil Case Detail Report 1996-16177 IRS
(vs) TARGET BROADCASTING INC
30. Somerset County Pennsylvania Civil Case Detail Report 2007-16969
INTERNAL REVENUE SERVICE (vs) TARGET BROADCASTING INC
31. Somerset County Pennsylvania Civil Case Detail Report 2007-16987
INTERNAL REVENUE SERVICE (vs) TARGET BROADCASTING INC
32. Somerset County Pennsylvania Civil Case Detail Report 2014-17584
INTERNAL REVENUE SERVICE (vs) TARGET BROADCASTING INC
33. Somerset County Pennsylvania Civil Case Detail Report Somerset County
Property Tax Report for 128 Hunsrick Rd
34. Email from Wendy Sipple
35. Google Earth 2013 – WQZS Facility
36. Google Earth 2015 – WQZS Facility
37. Google Earth 2016 – WQZS Facility
38. Photos of WQZS Facility, April 23rd, 2022
39. Clip from the Daily American October 9th,1992
40. WQZS Issue & Program List File Data Report
41. WQZS Tower Lease

Affidavit of Personal Knowledge

I, **Robert Gerry Kluver, Jr**, in my professional capacity as *President* of the *American Militia Association* and personally as an individual residing in the community of Meyersdale, Pennsylvania, do hereby declare under penalty of perjury that I have reviewed all of the facts stated herein and that all such facts are true and correct to the best of my personal knowledge, information and belief.

/S/

Robert Gerry Kluver, Jr

President

American Militia Association

1112 Matlick Road

Meyersdale, PA 15552

Certification of Service Statement

I, **Robert Gerry Kluver, Jr**, hereby certify that a copy of the foregoing has been sent by mail via the U.S. Postal Service to Roger Wahl at 128 Hunsrick Rd, Meyersdale, Pennsylvania 15552.

/S/

Robert Gerry Kluver, Jr

President

American Militia Association

1112 Matlick Road

Meyersdale, PA 15552

Exhibit 1

Articles of Incorporation of Target Broadcasting, Inc.

ARTICLES OF INCORPORATION

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF STATE - CORPORATION BUREAU
 308 NORTH OFFICE BUILDING, HARRISBURG, PA 17120

PLEASE INDICATE (CHECK ONE) TYPE CORPORATION:

- DOMESTIC BUSINESS CORPORATION
- DOMESTIC BUSINESS CORPORATION
A CLOSE CORPORATION - COMPLETE BACK
- DOMESTIC PROFESSIONAL CORPORATION
ENTER BOARD LICENSE NO.

**FEE
\$75.00**

010 NAME OF CORPORATION (MUST CONTAIN A CORPORATE INDICATOR UNLESS EXEMPT UNDER 15 P.S. 2908 B)
TARGET BROADCASTING, INC.

011 ADDRESS OF REGISTERED OFFICE IN PENNSYLVANIA (P.O. BOX NUMBER NOT ACCEPTABLE)
R. D. 3, Box 194

012 CITY Meyersdale	033 COUNTY Somerset	013 STATE Pennsylvania	084 ZIP CODE 15552
-------------------------------	-------------------------------	----------------------------------	------------------------------

050 EXPLAIN THE PURPOSE OR PURPOSES OF THE CORPORATION

This corporation shall have unlimited power to engage in and to do any and all lawful acts concerning any and all lawful business for which corporations may be incorporated under the Business Corporation Law of 1933 as amended and under which this corporation is organized.

(ATTACH 8 1/2 x 11 SHEET IF NECESSARY)

The Aggregate Number of Shares, Classes of Shares and Par Value of Shares Which the Corporation Shall have Authority to Issue:

040 Number and Class of Shares: 1000	041 Stated Par Value Per Share If Any \$1.00	042 Total Authorized Capital \$1,000.00	031 Term of Existence Perpetual
--	--	---	---

The Name and Address of Each Incorporator, and the Number and Class of Shares Subscribed to by each Incorporator

060 Name	061, 062 063, 064 Address (Street, City, State, Zip Code)	Number & Class of Shares
Roger D. Wahl	R. D. 3, Box 194 Meyersdale, Pennsylvania 15552	1000
(ATTACH 8 1/2 x 11 SHEET IF NECESSARY)		

IN TESTIMONY WHEREOF, THE INCORPORATOR HAS (HAVE) SIGNED AND SEALED THE ARTICLES OF INCORPORATION THIS 13th DAY OF February 1990.

[Signature]
 NOTARIAL SEAL
 MICHELE R. DUNN, NOTARY PUBLIC
 SOMERSET COUNTY, PENNSYLVANIA
 MY COMMISSION EXPIRES AUG 3, 1992

[Signature]

- FOR OFFICE USE ONLY -

031 FILED FEB 15 1990	002 CODE	003 REV BOX	SEQUENTIAL NO.	100 MICROFILM NUMBER 9007 651
<i>Christopher A. Lewis</i>	REVIEWED BY	004 SIC	AMOUNT	001 CORPORATION NUMBER 1551803
	DATE APPROVED		\$	
	DATE REJECTED	CERTIFY TO	INPUT BY	LOG IN
	MAILED BY DATE	<input type="checkbox"/> REV. <input type="checkbox"/> L & I <input type="checkbox"/> OTHER	VERIFIED BY	LOG IN (REFILE) LOG OUT LOG OUT (REFILE)

Exhibit 2

**Pennsylvania Department of State Record for Target
Broadcasting, Inc.**

Corporations ▾ Search Business Entities (corpsearch.aspx)

Search UCC Transactions (uccsearch.aspx) Forms ▾

Contact Corporations (<http://www.dos.pa.gov/BusinessCharities/Pages/default.aspx>)

Login (<https://hub.business.pa.gov/login>)

Search entity / Select entity / **Order documents**

Order Business Documents



Date: 04/25/2022

Business Name History

Name	Name Type
TARGET BROADCASTING, INC.	Current Name

Business Entity Details Officers

Name	TARGET BROADCASTING, INC.
Entity Number	1551803
Entity Type	Business Corporation
Status	Active
Citizenship	Domestic
Entity Creation Date	02/15/1990
Effective Date	02/15/1990
State Of Inc	
Address	RD3 BOX 194 MEYERSDALE PA 15552-0 Somerset

Name	HELEN E WAHL
Title	SECRETARY
Address	
Name	HELEN E WAHL
Title	TREASURER
Address	128 HUNSRICK RD MEYERSDALE PA 15552-7247
Name	ROGER D WAHL
Title	PRESIDENT
Address	128 HUNSRICK RD MEYERSDALE PA 15552-7247

Filed Documents

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Exhibit 3

Statement of Gary Kleiman

To: Federal Communications Commission

Re: Roger Wahl, Target Broadcasting, Inc. and the radio station WQZS

My name is Gary Kleiman. I accepted an offer made by Roger Wahl to be a 50% partner of the radio station WQZS. Roger Wahl found me when he was attempting to put the station together, after he filed a successful application for a construction permit for WQZS. He got my name from a broadcast broker in Pittsburgh that knew me. I put 2 radio stations on the air in the Johnstown market back in 1980 and 82. I had been Local sales manager at WYSP FM in Philadelphia and before that Promotions manager for WFIL in Philly in 1973 when AM was still king. Roger called me and told me all about his plans but had no idea where to begin. He already had the license but he knew nothing about the business end or how to get a bank loan to fund the project. We made a deal that I would put it all together for him and split the ownership 50/50. Since I knew what it would take to buy or lease all the equipment, I wrote the business plan and presented it and my resume to banks in Somerset County. Part of the loan application was my resume which indicated that I had built and managed WGLU FM in Johnstown, was the local sales manager at WYSP FM in Philadelphia, the general manager at WFEC AM in Harrisburg, the promotion manager at WFIL AM in Philly, and have a BS degree

in Communications from Temple University in Philadelphia. The loans were for the acquisition of studio equipment plus the tower, antenna and transmitter equipment.

Being a broadcast engineer myself, I explained to Roger where we had to put the tower. It was going to go on the highest mountain in PA just outside of Meyersdale and we would only need a 1 bay antenna to cover about a 60-mile radius due to the extreme height above average terrain. I worked to acquire a lease for property from the Pennsylvania Department of Natural Resources for the station. This is where the WQZS tower remains today.

I had visited the studio building at 128 Hunsrick Road in Meyersdale which was already constructed, but empty. I knew WQZS and Target were one and the same and Target did not own anything except for WQZS.

Roger had never managed any employees and knew nothing about conducting job interviews, I did that and met with about 10 perspective staff members at the Holiday Inn in Cumberland about 6 months prior to the expected on air date.

Roger was in the conference room with me but said little and that was OK with me because every time he opened his mouth it was with something negative and he used foul language a few times and he embarrassed me.

I did set proper expectations for any future staff members by letting them all know that the sign-on date is not set in stone and can be changed by the FCC.

I did meet with a few local business owners to let them know who I was and why I was in town. Every one of them was very surprised, first because they could not believe Roger had been able to get a construction permit to build the station and second because he was smart enough to bring on an experienced broadcaster to help him get it on the air and run the day to day operations.

Some warned me about Roger but would not go into detail for fear Roger would retaliate.

After doing so much to help getting the station ready, Roger became agitated with any hints spreading around town that I was the one mainly running the show because of how important it was to his ego that the town believed a false narrative of him as being the only one who put the station on the air and not some hotshot broadcaster from out of the area.

My wife and I were already making plans to move to the area when Roger told me he wanted the station all for himself and for me to go away. He agreed to buy my interest in the station out for \$25,000. I could see that he just used me and wanted me out and realized he was planning all along to get rid of me after I did most of the work to start up the station. He had never given or offered me any shares of the

corporation. I only received a single check in an amount near \$300 from Target Broadcasting, Inc. and nothing else. I had attempted to sue in court naming as defendants Roger Wahl, Target Broadcasting, Inc. and WQZS. The case went on for years because of delays by Roger. After many years and being advised by my attorney that Wahl was never going to pay and that the cost of continued litigation could be more than I could realistically recover from him or Target, I ended that pursuit. I have never been made whole for my partnership interest in the station stolen from me by Roger Wahl. Roger Wahl has proven to me that he is extremely dishonest and lacks any sense of character not only as a licensee, but also that of a human being with any sense of morality.

I hereby certify these facts as true to the best of my knowledge.

Respectfully submitted,

By: /s/

Gary Kleinman

115 Tall Timber Lane

Fruitland, MD 21826-1318

gkleimancap@yahoo.com

(410) 546-0500

Exhibit 4

Email from Julie Barth

Jane Halprin

From: Julie Barth [REDACTED]
Sent: Tuesday, February 8, 2022 4:43 PM
To: Jane Halprin
Subject: [EXTERNAL]: Pre-Hearing Status Conference re. WQZS/Roger Wahl felony conviction

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CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Dear Judge Halprin:

I recently saw an article in my local newspaper regarding a pre-hearing status conference scheduled before you on March 8, 2022. This matter involves the radio station, WQZS 93.3, in Meyersdale, PA, and its operator, Roger Wahl.

As you probably know, on July 8 2020, Mr. Wahl pled guilty to criminal use of a communication facility, a felony. In order to protect the radio station from being seized from his control, he transferred the license to his daughter, which was originally approved by the FCC. I understand from the newspaper article that the FCC has since revoked that transfer, and is now planning to decide if Mr. Wahl will be permitted to hold his license, as the FCC has the ability to revoke any license based on factors that include, "the character of an applicant," and that among those factors is "evidence of any conviction for misconduct constituting a felony."

The newspaper article stated that the matter before you relates to the "decision-making process on whether to keep WQZS 93.3 FM in Roger Wahl's control, to give another operator the right to do so in the future, or to close it down altogether...".

My reason for contacting you is this: I am a 20% share holder in this radio station. My late husband, Andreas (Andy) Barth, and I purchased this stock in 1992. I have four stock certificates, numbered 6, 7, 8, and 9, signed by Roger Wahl and his ex-wife, Helen Wahl, certifying that my late husband owns 50 shares of Target Broadcasting, Inc. on each certificate (total 200 shares).

I also have a signed and notarized letter dated August 17, 1992, explaining the transfer of the stocks to my late husband, noting buy-back rights that expired after 24 months, giving my husband first chance at any stock offering the corporation may offer in the future, indicating that a dividend would be declared at the end of each calendar year, and giving my husband the right to examine all financial documents during regular business hours. (I have never received any declaration of dividends at the end of any calendar year).

The letter was later amended, waiving Target Broadcasting's right to repurchase the stock in a set period of time for any set amount of money, but retaining first right to purchase stocks from my husband if he ever wanted to sell.

Finally, I am aware that when Roger Wahl and his wife, Helen, divorced a few years ago after several years of contentious fighting in court, Roger was awarded Helen's 40 percent of Target Broadcasting, in exchange for the home they owned jointly when they were married. The divorce decree, which was

sent to me by Helen and Roger's daughter, Rachel Kimmel, stated clearly that I am a 20% owner in this radio station. The divorce decree indicated the value of the station at that time, and included a notation of what my share was worth. Unfortunately, I cannot currently find that copy of the divorce decree that Rachel sent to me, and I was told by our prothonotary's office in Somerset County, PA, that I am not entitled to get a copy of the divorce decree. I do not recall the estimated value of my 20% share of this radio station, but it was significant, and I'm vaguely recalling it was in the range of \$80,000 to \$90,000.

I do not fully understand the possible ramifications of the upcoming pre-hearing conference before you, or how that may play out in subsequent hearings. The purpose of my letter to you today is to be sure that somebody knows I exist, and that I am a 20% shareholder in this radio station, and that the Court of Common Pleas of Somerset County, Pennsylvania has recognized me in Mr. Wahl's divorce settlement as a 20% shareholder of Target Broadcasting. I doubt that I will ever get any money back from Roger Wahl. With him owning 80% of the shares, I have no voice. But if/when he sells this station, or if/when it is seized from him and sold to another party, I want to be recognized and paid 20% of the sale value, in exchange for my stock certificates.

I am sure you are, or will be aware, of Mr. Wahl's past failure to pay taxes to the IRS on this corporation. That situation went through the courts, and while I believe Mr. Wahl's troubles with the IRS started before my husband passed away on January 22, 2012, since then, the only things I ever knew about that was what may have appeared in our local newspaper. I know that Mr. Wahl came to some sort of repayment agreement with the IRS, and in that process he tried to purchase my shares of stock for a total of \$5000, which I declined to accept. My husband and I bought the shares we own for a total of \$20,000 (\$5000 for 50 shares, and we bought a total of 200 shares).

Thank you for taking time to read about my interest. For what it is worth, I have no interest or desire to run a radio station, and if it is put out for sale, I would hope to recoup no less than \$20,000, our original investment.

Again, thank you for your time and for any helpful response you may send.

Julie Barth

[REDACTED]

Exhibit 5

Obituary of Andreas “Andy” Barth

Exhibit 6

Statement of Tina Hochard Philippi

To the Federal Communications Commission:

My father, Carl J. Hochard, passed away July 14th, 1989. Shortly thereafter, my mother Regina Hochard, who is also now deceased, invested funds she received from my father's death with Roger Wahl, for the building of the Radio Station WQZS in Meyersdale, Pennsylvania. In addition, I was aware that Roger Wahl had made promises to her that she was going to be able to put a house at the property on Hunsrick Road.

Roger Wahl, however, never repaid my mother anything for her investment that she made in the station or permitted her or my family to live at the property as she was promised. He lied to her and our family. My mother was forced to take Roger Wahl to court, naming both Target Broadcasting, Inc and WQZS as co-defendants.

She fought him for many years in court and was forced to simply give up trying while Roger Wahl kept the radio station for himself, despite my mother's investment. By 1995, our family had been forced to sell all of our stuff in order to get by while Roger was sitting pretty with WQZS.

Our family had come to accept that after so many years, that Roger Wahl is a liar and that he would never receive any sort of disciplinary action against him whatsoever.

I strongly believe that Roger Wahl should not be able to keep the station or transfer it to anyone in his family.

I, Tina Hochard Phillippi, hereby certify that my understanding of these facts are true and correct to the best of my personal knowledge, information and belief.

/S/

Tina Hochard Phillippi

1393 Markleton School Rd.

Markleton, PA 15551

April 28th, 2022

Exhibit 7

Clip from The Daily American, September 24th, 1992

Radio station plans to open in October

MEYERSDALE — Target Broadcasting Inc. expects to begin operations of its new FM radio station, WQZS in southern Somerset County, in October.

WQZS will be at 93.3 FM on the dial.

The new station will be transmitting from Mt. Davis, the highest point in Pennsylvania at 3,213 feet.

WQZS-FM will be a full service station, operating seven days a week from 5:30 a.m. through midnight. The music format will be programmed to encompass only certified hits from the past and hit music from today's favorites. A request line will be open during the day.

Local, regional and national news will be programmed during the day with 20/20 Newsbreak.

The WQZS-FM studio and office is located two miles south of Meyersdale, along Route 219 on the Hunsrick road.

Exhibit 8

Clip from The Daily American, September 30th, 1992

Radio station to open Oct. 19

MEYERSDALE - Target Broadcasting Inc. will begin operations of its new FM radio station, WQZS in southern Somerset County, Oct. 19.

WQZS will be at 93.3 FM on the dial.

The new station will be transmitting from Mt. Davis, the highest point in Pennsylvania at 3,213 feet. This height will allow WQZS-FM to cover a large portion of the tristate area with a clear signal.

WQZS-FM will be a full service station, operating seven days a week from 5:30 a.m. through 12 midnight. The music format will be programmed to encompass only certified hits from the past and hit music from today's favorites. A request line will be open during the day with very little repetition of music.

Local, regional and national news will be programmed during the day with 20/20 Newsbreak. That means news coverage will air at 20 minutes past the hour with a 93 second Newsbreak update and again at 20 minutes before the top of the hour with a five minute newscast.

Because the coverage of WQZS-FM is so large, a weather service that would supply a complete coverage of South-Central Pa., Western Maryland and northern and eastern parts of West Virginia was needed. Air Science Consultants of Pittsburgh, owned by Dick Mancini, former weather consultant for WTAE-TV in Pittsburgh, was hired. The service is known as SKY*WATCH weather and will air at different times during the day. Severe storm warnings will be aired as soon as they are received.

The WQZS-FM studio and office is located two miles south of Meyersdale, along Route 219 on the Hunsrick road. Business hours are 9 a.m. to 5 p.m. Monday through Friday or call, 634-0882.

Exhibit 9

Clip from The Daily American, April 17th, 1995

(Continued from page 34)
revived by William V. Marshall. **The Gleaner** was founded in Frostburg, Md., by Henry F. Cook in 1899 and moved to Berlin in August 1903. It was renamed the **Berlin Gleaner**. The name was changed back to **The Gleaner** on Oct. 1, 1904, when a stock company purchased the paper.

The Windber Era was first printed by Amos Clair in March of 1899. In more recent times, it was taken over by the Johnstown Tribune-Democrat and eventually was discontinued. **The Windber Journal** was established in July 1899, with J.W. Reed as editor. The paper was discontinued in 1906.

The Rockwood Gazette made its first appearance in August 1903, with Charles F. Overacker as editor and publisher. He sold the plant to James R. Barron in the fall of 1905, who suspended the publication. The plant was turned over to Barron Dec. 8, 1905 and the **Rockwood Leader** began with U.S. Werner as editor.

The Turkeyfoot News appeared April 6, 1906, published by Beggs Bros. & Co. in Confluence. The **Quemahoning Sentinel** was issued at Boswell on April 28, 1906, with Charles E. Overacker as publisher and editor.

The Somerset Herald, founded in 1828 by George Mowry, was published in the first decade of the 1900s.

In 1929 Henry Baker Reiley founded the **Somerset Daily American** and was editor and publisher until 1962. The Rev. Henry B. Reiley Jr. took over as president and editor and served until 1984.

The **Boswell News** and several other papers eventually became part of the Daily American. The founder's grandson, David H. Reiley, became publisher in 1984.

The company, Somerset Newspapers Inc., publishes the Daily American with a circulation of 13,600 in Somerset County. It also publishes the weekly Sunday Shopper, along with regional editions: the Maple Valley News, for the Meyersdale, Berlin, Salisbury and Rockwood areas; Central City News; Windber Spirit; the Black Diamond for the Boswell, Jennerstown, Davidsville areas; and Let's Talk Turkey for the Confluence and Addison areas.

The company employs 85. It has expanded services to include special projects, such as publishing a Rails to Trails guide book and a Lincoln Highway drive guide, and is planning a telephone directory in the spring.

Somerset County radio
WVSC radio was Somerset's first commercial broadcasting station. It went on the air at noon Jan. 15, 1951, with Rev. Galen R. Blough, pastor of the Church of the Brethren and president of the Somerset Ministerium, giving the invocation.

Ernest Mark, program director, was the first to greet Somerset countians. There were six people in the studio to hear the invocation and words of welcome from Haldor Saylor, president of the Somerset Chamber of Commerce. Various

dignitaries voiced congratulations. WVSC's owners were Theodore Oppeger and Carl Lee. The station was broadcasting on 990 kilocycles. Dick Maley and Ted Gosman were the announcers. The AM station went on the air from the basement of the Beacon Restaurant. In 1966, it moved to its present site on Husband Road and added FM.

In 1976, WVSC went from two towers at 5,000 watts to 10,000 watts on the AM frequency. In January 1994, the FM side went to a higher tower, all of which increased the station's coverage area. The AM side offers country music, the FM adult contemporary. Ridge Communications Inc. has owned WVSC since 1971.

WADI radio, owned by Norlin Broadcasters Inc., went on the air June 15, 1981 as a top-40 music radio station. Jerry Langley was the first to go on the air with a 6 a.m. newscast. The AM station is now all news, talk and sports shows. Ron Lorence and his son, Brad, conduct an early morning show.

WYSN, Central City "Sunny 101" was bought by Norlin Broadcasters Inc. on May 18, 1988. It has a nostalgia format, playing classic tunes.

WADI and WYSN are both owned by Norlin Broadcasters Inc. and employ 10.

Meyersdale's new station, WQZS, claims it is the "top of the rock," which literally it is. It is the highest radio station in Pennsylvania. The transmitter is located on Mount Davis, the highest point in the state at 3,213 feet. WQZS went on the air Oct. 26, 1992.

The station is also known for its community involvement, airing remote broadcasts from such events as the Somerset and Garrett county fairs, Mountain Craft Days and the Maple Festival.

Owned by Target Broadcasting Inc., WQZS employs 14 people.

Telegraph, telephone

The first telegraph line to enter or even cross Somerset County was built along the National Road in the southwestern part of the county.

Somerset County's first telegraph office was established in Petersburg, now Addison, in about 1850. After just over a year, this telegraph line was abandoned. Then the first permanent telegraph line was established in 1868 along the National Road. It was the Western Union line.

The Western Union line was also the first permanent telegraph line along the Pittsburgh and Philadelphia Turnpike, the Lincoln Highway. The line was established before 1860.

The second telegraph office in Somerset County was established at Stoystown. Somerset was the third town in the county to have a telegraph office.

Telephones were introduced to the residents of Somerset County mostly because of the farming community. The first line was a farmers' mutual line near Springs in Elk Lick Township. It was a private line.

The promoters of the line were two farmers, Bender and Blough. The farms were scattered. Traveling was difficult over the mud roads. The mutual phone line was erected as a convenience to the farmers. It also gave the women a chance to find out all the neighborhood gossip.

The calls were made with a system of long and short rings. Each customer on the line had a special ring. All those on the line knew everyone's ring.

Five short rings meant an important call, all on the line were to pick up. Weather reports were given at the same time every day.

Afterwards it merged into the Somerset Telephone Co., which established the first commercial telephone lines in the county in

Somerset Daily American Bicentennial Edition, April 17, 1995 35

1892. The line was owned by Ed H. Werner, the father of the editor of the **Somerset Democrat** who with associates had the line constructed.

In 1903 the lines were purchased by the Johnstown Telephone Co.

The first telephone lines in Davidsville were built by local citizens and farmers with a central station in Soap Hollow. The company was called Citizen's Telephone Co.

There were eight to 10 people on the same line. Conversation often was in Pennsylvania Dutch. The company eventually became a part of General Telephone Co.

The Central District and Printing Telephone Co., now known as the Bell Telephone Co.,

came into Somerset County in 1899. Bell controlled or connected nearly all the telephone lines in the county at one time.

Cable television

Somerset County is served by several different cable television companies providing customers with up to 51 television channels. TCI serves the Central City, Stoystown, Berlin and Somerset areas. TRIAX covers the Rockwood, Confluence, Markleysburg and Jefferson Township areas.

Addison is served by the Somerset Cable Company. SRW gives the Meyersdale area television cable service and Harold's operates in the Salisbury area.

Newly Expanded Service!

Proudly Celebrating Somerset County's Bicentennial

Your Next Fundraiser's

In The Bag!

Discover The Endless Possibilities

- Candy & Candy Bars
- Wrapping Paper
- T-Shirts & Sweatshirts
- Novelties & Gift Items
- Plus Much, Much More!

For An Appointment Call Lisa Dawn Mastoller, Fundraising Coordinator

SCC Somerset Candy Company
233 West Main Street
Somerset, PA 15501
814-445-2247 • 800-696-7481

Tired Of Restroom Paper Waste?

Try our exclusive **Mölnlycke** controlled-use paper dispensing system!

FREE Two Week Trial

- Drastically reduces maintenance time
- Eliminates theft
- Meets standards of the "Americans with Disabilities Act"

We also carry H. Howard, Scott, James River & Dart

Commercial Cleaning Supplies
Automotive Care Products • Paper Products

No Minimum Ordering Requirements • FREE Delivery

SOMERSET CHEMICAL & PAPER Call Our Friendly Staff Today!
814-445-2247
800-696-7481

A Division of Somerset Candy Co. **SCC**
233 West Main Street, Somerset, PA 15501

SOMERSET COUNTY'S OLDEST CHEVROLET DEALER

Through three generations over sixty years . . .

BAKER CHEVROLET

has maintained quality sales and service to Somerset County.

We thank you for your patronage and look forward to continuing to meet your future needs.

111 Center Street, Meyersdale
Ph.: 634-8318

Exhibit 10

WQZS Facebook Post, April 17th, 2019

Screenshot from:

https://www.facebook.com/permalink.php?story_fbid=806220183086107&id=755021331539326

 **WQZS 93.3** April 17, 2019 ·  ⋮

Election time is fast approaching! Let us help you get the word out! Political rate for ads is \$24 for 60 second ads, and \$22 for 30 second ads in morning and afternoon drive times! Call the station at 814-634-9111 or shoot an email to wqzsradio@gmail.com for more info!!!

 Like  Comment  Share

 Write a comment...   

Exhibit 11

Reply Email from Roger Wahl, March 10, 2022



David` Gnagey <davidgnagey@gmail.com>

WQZS Advertising?

2 messages

David` Gnagey <davidgnagey@gmail.com>

Tue, Mar 8, 2022 at 10:26 AM

To: wqzsradio@gmail.com

Hello,

Can you send me a rate card for advertising fees on WQZS for our local farm equipment and supply business?

Thank you,
David Gnagey
WRAP 4-U

Roger Wahl <wqzsradio@gmail.com>

Thu, Mar 10, 2022 at 12:15 PM

To: David` Gnagey <davidgnagey@gmail.com>

hi david...roger at qz-93...please call my cell phone 814 2791631 late afternoon after 3pm thru 6pm thanks so much..

WQZS Radio 93.3 fm**Roger Wahl, owner****P.O. Box 218****Meyersdale, PA 15552****814-634-0737 Station line****814-634-0882 Fax****814-634-9111 Roger****814-442-8785 Joyce / Billing**

[Quoted text hidden]

Exhibit 12

**Somerset County Pennsylvania Civil Case Detail Report
1992-50349 KLEIMAN GARY H (vs) WAHL ROGER D ET
AL Target Broadcasting TA WQZS**

Case No..... 1992-50349 KLEIMAN GARY H (vs) WAHL ROGER D ET AL

Reference No..... 1992-00349
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... OLD CASE DISPOSITION
----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

Filed..... 7/02/1992
Time..... 12:31
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 1/16/2001
Higher Crt 1...
Higher Crt 2...

Indexed Party
KLEIMAN GARY H

WAHL ROGER D ET AL
TARGET BROADCASTING ET AL
WQZS FM ET AL

++ GENERAL INDEX ++

PLAINTIFF
DEFENDANT
DEFENDANT
DEFENDANT

Attorney Info

++ DOCKET ENTRIES ++

<u>Date</u>	<u>Entry Text</u>
	FIRST ENTRY
7/02/1992	02 JULY 1992, @12:31 PM, PRAECIPE FOR WRIT OF SUMMONS FILED.
7/02/1992	02 JULY 1992, @12:32 PM, WRITS ISSUED AND DELIVERED TO SHERIFF FOR SERVICE.
7/16/1992	16 JULY 1992, @10:26 AM, SHERIFF'S RETURN FILED WHEREIN ROGER D. WAHL SERVED ON JULY 14, 1992.
10/29/1992	29 OCTOBER 1992, @09:05 AM, COMPLAINT CIVIL ACTION, FILED BY D.C. NOKES, JR., ESQ.
11/12/1992	12 NOVEMBER 1992, @02:45 PM, APPEARANCE OF JAMES M. JACOBS, JR., ESQ., FILED ON BEHALF OF ROGER D. WAHL AND TARGET BROADCASTING T/A WQZS-FM, DEFENDANTS. (11-12-92, FOUR (4) CERTIFIED COPIES RETURNED TO ATTY. JACOBS.)
11/12/1992	12 NOVEMBER 1992, @02:46 PM, PRELIMINARY OBJECTIONS, FILED BY JAMES M. JACOBS, JR., ESQ. (11-12-92, FOUR (4) CERT. COPIES RETURNED TO ATTY JACOBS, JR.)
11/20/1992	20 NOVEMBER 1992, @03:50 PM, BRIEF IN SUPPORT OF DEFENDANT'S PRELIMINARY OBJECTIONS, FILED BY JAMES M. JACOBS, JR., ESQ. (11-20-92, THREE (3) CERT. COPIES RETURNED TO ATTY. JACOBS.)
11/20/1992	20 NOVEMBER 1992, @03:51 PM, SCHEDULING PRAECIPE - (ARGUMENT CASE) FILED BY JAMES M. JACOBS, JR., ESQ. (11-20-92, ONE (1) CERT. COPY PLACED IN COURT ADMIN.'S BOX.)
12/23/1992	23 DECEMBER 1992, @09:32 AM, AMENDMENT TO COMPLAINT, FILED BY D.C. NOKES, JR., ESQ.
1/25/1993	25 JANUARY 1993, @03:44 PM, AMENDMENT TO PRELIMINARY OBJECTIONS, FILED BY JAMES M. JACOBS, JR., ESQ. (1-25-93, FOUR (4) CERT. COPIES RETURNED TO ATTY. JACOBS.)
3/10/1993	10 MARCH 1993, @03:19 PM, SCHEDULING ORDER FILED. (3-10-93 COPY PLACED IN ATTY. JACOB'S BOX, COPY MAILED TO. D.C.NOKES, JR, ESQ., 243 ADAMS ST., JOHNSTOWN, PA. 15901-2002, GARY H. KLEIMAN, 115 TALL TIMBER LANE, FRUITLAND, MD., ROGER D. WAHL, TARGET BROADCASTING, WQZS-FM, RD 3, BOX 194, MEYERSDALE, PA. 15552.)
3/30/1993	30 MARCH 1993, @09:31 AM, CASE CALLED FOR ARGUMENT ON PRELIMINARY OBJECTIONS, BEFORE THE HON. EUGENE E. FIKE, II, P.J. AND UNDER ADVISEMENT.
5/17/1993	17 MAY 1993, @03:48 PM, MEMORANDUM, FILED WITH ORDER, AS FOLLOWS: NOW THIS 17 DAY OF MAY, 1993, IT IS ORDERED THAT DEFENDANTS' PRELIMINARY OBJECTION IN THE NATURE OF A MOTION FOR MORE SPECIFIC PLEADING IS SUSTAINED. PLAINTIFF SHALL HAVE 20 DAYS WITHIN

Case No..... 1992-50349 KLEIMAN GARY H (vs) WAHL ROGER D ET AL

Reference No..... 1992-00349
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... OLD CASE DISPOSITION
----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

Filed..... 7/02/1992
Time..... 12:31
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 1/16/2001
Higher Crt 1...
Higher Crt 2...

WHICH TO FILE AN AMENDED COMPLAINT. BY THE COURT: /S/
EUGENE E. FIKE, P.J. (5-17-93, PLACED COPIES IN THE FOLLOWING:
JAMES M. JACOBS, ESQ., (2 COPIES), MARK D. PERSUN, ESQ., (1 COPY),
MAILED COPIES TO: D.C. NOKES, JR., ESQ., 243 ADAMS ST.,
JOHNSTOWN, PA., 15901-2002, (2 COPIES), GARY H. KLEIMAN, 1151 TALL
TIMBER LANE, FRUITLAND, MARYLAND, ROGER D. WAHL, RD 3, BOX 194,
MEYERSDALE, PA., 15552, TARGET BROADCASTING, RD 3, BOX 194,
MEYERSDALE, PA., 15552, TARGET BROADCASTING, RD 3, BOX 194.
MEYERSDALE, PA., 15552, WQZF-FM, RD 3, BOX 194, MEYERSDALE, PA.,
15552.)

6/04/1993 04 JUNE 1993, @03:10 PM, AMENDMENT TO COMPLAINT, FILED WITH
CERTIFICATE OF SERVICE OF D.C. NOKES, JR., ESQ., WHEREIN A TRUE
AND CORRECT COPY OF AMENDMENT TO COMPLAINT, SERVED BY U.S. MAIL,
UPON ATTORNEY FOR DEFENDANT, ON JUNE 4, 1993.

6/24/1993 24 JUNE 1993, @03:05 PM, PRELIMINARY OBJECTIONS TO AMENDED
COMPLAINT, FILED BY JAMES M. JACOBS, JR., ESQ. (6-24-93, THREE (3)
CERT. COPIES RETURNED TO ATTY. JACOBS.)

6/24/1993 24 JUNE 1993, @03:06 PM, BRIEF IN SUPPORT OF DEFENDANT'S
PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT, FILE DBY JAMES M.
JACOBS, JR. ESQ. (6-24-93, THREE (3) CERT. COPIES RETURNED TO
ATTY. JACOBS.)

6/29/1993 29 JUNE 1993, @02:34 PM, SCHEDULING PRAECIPE - (ARGUMENT CASE),
FILED BY JAMES M. JACOBS, JR., ESQ. (6-29-93, ONE (1) CERT. COPY
PLACED IN COURT ADMIN.'S BOX.)

11/15/1993 15 NOVEMBER 1993, @11:29 AM, SCHEDULING ORDER FILED. (11-15-93 ONE
(1) COPY PLACED IN J.M. JACOBS, JR., ESQ.'S BOX, AND MAILED TO:
D.C. NOKES, JR., ESQ., 243 ADAMS ST., JOHNSTOWN, PA 15901, GARY H.
KLEIMAN, 115 TALL TIMBER LANE, FRUITVILLE, MD 21826, TARGET
BROADCASTING, ROGER D. WAHL, WQZF-FM, RD 3 BOX 194, MEYERSDALE, PA
15552.)

11/18/1993 18 NOVEMBER 1993, @03:29 AM, REVISED SCHEDULING ORDER, FILED.
(11-18-93, PLACED COPIES IN THE FOLLOWING BOXES: D.C. NOKES, JR.,
ESQ., 243 ADAMS ST., JOHNSTOWN, PA., 15901, GARY H. KLEIMAN, 115
TALL TIMBER LANE, FRUITVILLE, MD 21826, TARGET BROADCASTING, RD 3,
BOX 194, MEYERSDALE, PA., 15552, ROGER D. WAHL, RD 3, BOX 194,
MEYERSDALE, PA., 15552, WQZF-FM, RD 3, BOX 194, MEYERSDALE, PA.,
15552.)

11/29/1993 29 NOVEMBER 1993, @04:01 PM, MOTION FOR CONTINUANCE, FILED BY D.C.
NOKES, WITH ORDER. (11-29-93, CERT. COPY GIVEN TO J.M. JACOBS,
JR., ESQ.)

11/30/1993 30 NOVEMBER 1993, @01:26 PM, CASE CALLED FOR ARGUMENT ON
PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT, BEFORE THE HON. JOHN
M. CASCIO, J. AND CONTINUED.

12/17/1993 17 DECEMBER 1993, @08:53 AM, SCHEDULING PRAECIPE - (ARGUMENT
CASE), FILED BY D.C. NOKES, JR., ESQ. (12-17-93, ONE (1) CERT.
COPY PLACED IN COURT ADMIN.'S BOX.)

3/25/1994 25 MARCH 1994, @03:40 PM, SCHEDULING ORDER FILED. (3-28-94 COPY
PLACED IN ATTY. JACOB'S BOX, COPY MAILED TO D.C.NOKES, ESQ., 243
ADAMS ST, JOHNSTOWN, PA. 15901, GARY H. KLEIMAN, 115 TALL TIMBER
LANE, FRIENDSVILLE, MD, 21826, ROGER D. WAHL, TARGET BROADCASTING,
WQZS-FM, RD 3, BOX 194, MEYERSDALE, PA 15552)

4/06/1994 06 APRIL 1994, @10:10 AM, CASE CALLED FOR ARGUMENT ON PRELIMINARY
OBJECTIONS TO AMENDED COMPLAINT, BEFORE THE HON. JOHN M. CASCIO,
J. AND DECIDED.

Case No..... 1992-50349 KLEIMAN GARY H (vs) WAHL ROGER D ET AL

Reference No..... 1992-00349
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... OLD CASE DISPOSITION
----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

Filed..... 7/02/1992
Time..... 12:31
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 1/16/2001
Higher Crt 1...
Higher Crt 2...

- 4/11/1994 11 APRIL 1994, @05:07 PM, ORDER FILED. (4-11-94, PLACED IN JAMES M. JACOBS, ESQ., BOX. MAILED COPY TO THE FOLLOWING: DONALD C. NOKES, JR., ESQ., 243 ADAMS ST., JOHNSTOWN, PA. 15901, GARY H. KLEIMAN, 115 TALL TIMBER LANE, FRUITVILLE, MD. 21826, ROGER D. WAHL, RD 3, BOX 914, MEYERSDALE, PA.15552, TARGET BROADCASTING, WQZS-FM, RD 3, BOX 194, MEYERSDALE, PA. 15552.)

- 5/31/1994 31 MAY 1994, @10:01 AM, SECOND AMENDMENT TO COMPLAINT, FILED BY D.C. NOKES, ESQ. (5-31-94, THREE (3) CERT. COPIES RETURNED TO D.C. NOKES, JR., ESQ.)

- 7/07/1994 07 JULY 1994, @03:35 PM, PRELIMINARY OBJECTIONS TO SECOND AMENDED COMPLAINT, FILED BY JAMES M. JACOBS, JR., ESQ. (7-7-94, TWO (2) CERT. COPIES RETURNED TO J.M. JACOBS, JR., ESQ.)

- 7/28/1994 28 JULY 1994, @01:18 PM, REPLY TO PRELIMINARY OBJECTIONS TO SECOND AMENDED COMPLAINT, FILED BY D.C. NOKES, ESQ. (7-28-94, FOUR (4) CERT. COPIES RETURNED TO D.C. NOKES, ESQ.)

- 9/29/1994 29 SEPTEMBER 1994, @10:17 AM, SCHEDULING PRAECIPE - (ARGUMENT CASE), FILED BY D.C. NOKES, JR., ESQ. (9-29-94, ONE (1) CERT. COPY PLACED IN COURT ADMIN.'S BOX.)

- 11/15/1994 15 NOVEMBER 1994, @11:45 AM, SCHEDULING ORDER FILED. (11-15-94 PLACED COPY IN JAMES M. JACOBS, JR., ESQ., BOX. MAILED COPY TO: D C NOKES, JR., ESQ., 243 ADAMS ST., JOHNSTOWN, PA. 15901, GARY H. KLEIMAN, 115 TALL TIMBER LANE, FRIENDSVILLE, MD. 21826, ROGER D. WAHL, TARGET BROADCASTING, WQZS-FM, R D #3, BOX 194, MEYERSDALE, PA. 15552.)

- 12/02/1994 02 DECEMBER 1994, @12:42 PM, BRIEF IN SUPPORT OF DEFENDANTS' PRELIMINARY OBJECTIONS TO SECOND AMENDED COMPLAINT OF PLAINTIFF, FILED BY JAMES M. JACOBS, JR., ESQ. (12-2-94, THREE (3) CERT. COPIES RETURNED TO J.M. JACOBS, JR., ESQ.)

- 12/02/1994 02 DECEMBER 1994, @12:44 PM, CERTIFICATE OF SERVICE OF JAMES M. JACOBS, JR., ESQ., FILED WHEREIN BRIEF IN SUPPORT OF DEFENDANTS' PRELIMINARY OBJECTIONS TO SECOND AMENDED COMPLAINT OF PLAINTIFF, SERVED BY FIRST CLASS MAIL, UPON D.C. NOKES, JR., ESQ., ON DECEMBER 2, 1994. (12-2-94, ONE (1) CERT. COPY RETURNED TO J.M. JACOBS, JR., ESQ.)

- 12/07/1994 07 DECEMBER 1994, @11:48 AM, ORDER OF COURT FILED. (12-7-94 PLACED COPY IN JAMES JACOBS, JR., ESQ., BOX. MAILED COPY TO THE FOLLOWING: DONALD C. NOKES, JR., ESQ., 243 ADAMS ST., JOHNSTOWN, PA. 15901, GARY H. KLEIMAN, 115 TALL TIMBER LANE, FRIENDSVILLE, MD. 21826, ROGER D. WAHL, TARGET BROADCASTING, WQZS-FM, RD #3, BOX 194, MEYERSDALE, PA. 15552.)

- 3/24/1995 24 MARCH 1995, @03:28 PM, MEMORANDUM FILED WITH ORDER AS FOLLOWS: AND NOW, THIS 24TH DAY OF MARCH, 1995, CONSISTENT WITH THE FOREGOING MEMORANDUM, DEFENDANTS' PRELIMINARY OBJECTIONS TO SECOND AMENDED COMPLAINT OF PLAINTIFF ARE SUSTAINED. PLAINTIFF'S SHALL BE PERMITTED TO FILE AN AMENDED COMPLAINT WITHIN TWENTY (20) DAYS OF RECEIPT OF NOTICE OF THE ENTRY OF THIS ORDER. BY THE COURT: /S/ JOHN M. CASCIO, J. (3-24-95 TWO COPIES PLACED IN ATTY. JACOB'S BOX, ONE COPY PLACED IN ATTY PERSON'S BOX, TWO COPIES MAILED TO DONALD C. NOAKES, JR. ESQ., 243 ADAMS ST., JOHNSTOWN, PA. 15901-2002, ONE COPY MAILED TO GARY H. KLEIMAN, 115 TALL TIMBER LANE, FRIENDSVILLE, MD 21826, ROGER D. WAHL, RD 3, BOX 194, MEYERSDALE, PA. 15552, TARGET BROADCASTING, WQZS-FM, RD 3, BOX 194, MEYERSDALE, PA. 15552.)

- 3/24/1995 24 MARCH 1995, @03:29 PM, BRIEF IN OPPOSITION TO DEFENDANTS'

Case No..... 1992-50349 KLEIMAN GARY H (vs) WAHL ROGER D ET AL

Reference No..... 1992-00349
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... OLD CASE DISPOSITION
----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

Filed..... 7/02/1992
Time..... 12:31
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 1/16/2001
Higher Crt 1...
Higher Crt 2...

PRELIMINARY OBJECTIONS FILED BY D. C. NOKES, JR. ESQ.

- 4/17/1995 17 APRIL 1995, @03:13 PM, THIRD AMENDED COMPLAINT, FILED WITH AFFIDAVIT OF SERVICE OF D.C. NOKES, ESQ.
- 5/05/1995 05 MAY 1995, @02:17 PM, DEFENDANTS' PRELIMINARY OBJECTIONS TO PLAINTIFF'S THIRD AMENDED COMPLAINT PURSUANT TO PA.R.C.P. 1017 AND 1028, FILED WITH CERTIFICATE OF SERVICE OF JAMES M. JACOBS, JR., ESQ. (5-5-95, TWO (2) CERT. COPIES RETURNED TO J.J. JACOBS, JR., ESQ.)
- 6/20/1995 20 JUNE 1995, @09:32 AM, SCHEDULING PRAECIPE (ARGUMENT CASE), FILED BY D.C. NOKES, JR., ESQ. (6-20-95, ONE (1) CERT. COPY PLACED IN COURT ADMIN.'S BOX.)
- 9/01/1995 01 SEPTEMBER 1995, @03:00 PM, SCHEDULING ORDER FILED. (9-5-95 PLACED COPY IN J.M. JACOBS, JR., ESQ'S BOX AND MAILED TO: DONALD C NOKES, JR., ESQ., 243 ADAMS ST. JOHNSTOWN, PA. 15901, GARY H KLEIMAN, 115 TALL TIMBER LANE, FRIENDSVILLE, MD. 21826, ROGER D WAHL, TARGET BROADCASTING, WQZS-FM, RD #3, BOX 194, MEYERSDALE, PA. 15552.)
- 9/07/1995 07 SEPTEMBER 1995, @12:22 PM, BRIEF IN SUPPORT OF DEFENDANTS' PRELIMINARY OBJECTIONS TO THIRD AMENDED COMPLAINT OF PLAINTIFF, FILED WITH CERTIFICATE OF SERVICE OF JAMES M. JACOBS, JR., ESQ.
- 9/11/1995 11 SEPTEMBER 1995, @01:35 PM, CASE CALLED BEFORE THE HON. JOHN M. CASCIO, JUDGE AND UNDER ADVISEMENT.
- 9/13/1995 13 SEPTEMBER 1995, @11:45 AM, ORDER OF COURT FILED. (9-14-95 PLACED COPY IN J M JACOBS JR ESQ., AND MAILED TO: DONALD C NOKES JR ESQ., 243 ADAMS ST., JOHNSTOWN PA 15901, GARY H KLEIMAN, 115 TALL TIMBER LANE, FRIENDSVILLE MD 21826, ROGER D WAHL, TARGET BROADCASTING, WQZS-FM, R D #3 BOX 194, MEYERSDALE PA 15552.)
- 9/21/1995 21 SEPTEMBER 1995, @02:25 PM, BRIEF IN SUPPORT OF PLAINTIFF'S REQUEST FOR DENIAL OF PRELIMINARY OBJECTIONS TO THIRD AMENDED COMPLAINT OF PLAINTIFF FILED BY D.C. NOKES, JR., ESQ.
- 12/28/1995 28 DECEMBER 1995, @11:42 AM, ORDER FILED AS FOLLOWS, AND NOW, THIS 27TH DAY OF DECEMBER, 1995, AFTER HEARING ON DEFENDANT'S PRELIMINARY OBJECTIONS TO PLAINTIFF'S THIRD AMENDED COMPLAINT, AND UPON CONSIDERATION OF PLAINTIFF'S FAILURE TO FILE A REPLY BRIEF AS ORDERED BY OUR ORDER OF SEPTEMBER 11, 1995, THE PRELIMINARY OBJECTIONS ARE SUSTAINED, SUBJECT TO PLAINTIFF'S RIGHT TO FILE AN AMENDED COMPLAINT WITHIN THIRTY (30) DAYS. BY THE COURT: /S/ JOHN M. CASCIO, J. (12-28-95 PLACED COPY IN J.J. JACOBS, JR., ESQ'S BOX AND MAILED TO: DONALD C. NOAKES, JR., ESQ., 243 ADAMS ST., JOHNSTOWN, PA. 15901, GARY H. KLEIMAN, 115 TALL TIMBER LANE, FRIENDSVILLE, MD. 21826, ROGER D. WAHL, TARGET BROADCASTING, WQZS-FM, R D 3, BOX 194, MEYERSDALE, PA. 15552.)
- 2/06/1996 06 FEBRUARY 1996, @01:55 PM, CERTIFICATE OF SERVICE OF D.C. NOKES, JR., ESQ., FILED WHEREIN BRIEF, SERVED BY FIRST CLASS MAIL, UPON JAMES M. JACOBS, JR., ESQ., ON JANUARY 29, 1996.
- 3/12/1998 12 MARCH 1998, @03:40 PM, SCHEDULING PRAECIPE - CIVIL TRIAL CASE FILED BY D.C. NOKES, JR., ESQ., (3-12-98 ONE (1) CERT. COPY PLACED IN COURT ADMIN.'S BOX.)
- 6/05/1998 05 JUNE 1998, @03:42 PM, MOTION TO STRIKE CASE FROM THE JUNE 1998 CIVIL TRIAL LIST FILED BY JAMES M. JACOBS, JR., ESQ. WITH ORDER. (06-05-98 THREE (3) CERT. COPIES RETURNED TO ATTY. JAMES JACOBS.)
- 10/10/2000 10 OCTOBER 2000, @08:29 AM, INACTIVE OPEN CASE ORDER FOR HEARING

Case No..... 1992-50349 KLEIMAN GARY H (vs) WAHL ROGER D ET AL

Reference No..... 1992-00349
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... OLD CASE DISPOSITION
----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

Filed..... 7/02/1992
Time..... 12:31
Execution Date. 0/00/0000
Jury Trial.....
Disposed Date.. 1/16/2001
Higher Crt 1...
Higher Crt 2...

ON DECEMBER 13, 2000, PER ORDER FILED AND DISTRIBUTED AS FOLLOWS:
10/12/00 COPY PLACED IN ATTY. JACOB'S BOX AND COPY MAILED TO:
DONALD C. NOAKES, JR., ESQ. 243 ADAMS STREET, JOHNSTOWN, PA 15901.
(DW)

12/13/2000 13 DECEMBER 2000, @01:30 PM, CASE CALLED FOR INACTIVE BEFORE THE
HON. JOHN M. CASCIO, JUDGE AND DECIDED. (BJM)

12/14/2000 14 DECEMBER 2000, @11:17 AM, INACTIVE OPEN CASE CONTINUED FOR 60
DAYS FOR FURTHER PROCEEDINGS PER ORDER FILED AND DISTRIBUTED AS
FOLLOWS:12/21/00 COPY PLACED IN ATTY. JACOB JR'S BOX AND 1/18/01
COPY MAILED TO: DONALD C. NOAKES, JR., ESQ. - 243 ADAMS ST.,
JOHNSTOWN PA 15901 (BJM)

1/16/2001 16 JANUARY 2001, @09:14 AM, PRAECIPE TO DISCONTINE FILED BY D.C.
NOKES, JR., ESQ. DIRECTING THE PROTHONOTARY TO MARK THIS ACTION
DISCONTINUED. PLAINTIFF HEREBY SETTLES HIS FOREVER AS TO ALL
CLAIMS AND HEREBY RELEASES AND FOREVER DISCHARGES ALL DEFENDANTS,
THEIR SUCCESSORS AND ASSIGNS. (JC)

LAST ENTRY

\$.00 \$.00 \$.00

End of Case Information

Exhibit 13

**Somerset County Pennsylvania Civil Case Detail Report
1992-50585 HOCHARD REGINA A AKA ET AL (vs)
WAHL ROGER D ET AL**

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.
----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

++ GENERAL INDEX ++

<u>Indexed Party</u>		<u>Attorney Info</u>
HOCHARD REGINA A A/K/A ET AL	PLAINTIFF	
WAHL ROGER D ET AL MEYERSDALE, PA 15552	DEFENDANT	
HOCHARD JEAN A ET AL	PLAINTIFF	
TARGET BROADCASTING INC ET AL MEYERSDALE, PA 15552	DEFENDANT	
HOCHARD REGINA A AKA MEYERSDALE, PA 15552	PLAINTIFF	
WAHL ROGER D MEYERSDALE, PA 15552	DEFENDANT	
TARGET BROADCASTING INC ET AL	DEFENDANT	

++ JUDGEMENT INDEX ++

<u>Indexed Party</u>	<u>Amount</u>	<u>Date</u>	<u>Description</u>
TARGET BROADCASTING INC ET AL	\$13,500.00	4/22/1993	PRAE FOR JUDGMENT/CI
HOCHARD REGINA A ET AL			PLAINTIFF
TARGET BROADCASTING INC			DEFENDANT
TARGET BROADCASTING INC	\$13,500.00	4/22/1993	PRAE FOR JUDGMENT/CI
WAHL ROGER D	\$15,000.00	4/22/1993	PRAE FOR JUDGMENT/CI
TARGET BROADCASTING INC ET AL	\$15,000.00	6/07/1993	WRIT OF EXECUTION/CI

++ DOCKET ENTRIES ++

<u>Date</u>	<u>Entry Text</u>
	FIRST ENTRY
11/06/1992	06 NOVEMBER 1992, @03:38 PM, PRAECIPE FOR WRIT OF SUMMONS, FILED. (11-6-92, THREE (3) CERT. COPIES RETURNED TO JON A. BARKMAN, ESQ.)
11/06/1992	06 NOVEMBER 1992, @03:39 PM, WRITS ISSUED AND DELIVERED TO SHERIFF FOR SERVICE.
11/17/1992	17 NOVEMBER 1992, @12:45 PM, SHERIFF'S RETURN FILED WHEREIN ROGER D. WAHL, TARGET BROADCASTING, INC., SERVED NOVEMBER 16, 1992.
1/19/1993	19 JANUARY 1993, @01:13 PM, COMPLAINT CIVIL ACTION, FILED BY JON A. BARKMAN, ESQ., JURY TRIAL DEMANDED (1-19-93, FOUR (4) CERT. COPIES RETURNED TO ATTY. BARKMAN.)
1/19/1993	19 JANUARY 1993, @01:14 PM, TWO (2) CERT. COPIES OF COMPLAINT DELIVERED TO SHERIFF FOR SERVICE.
2/09/1993	09 FEBRUARY 1993, @03:22 PM, SHERIFF'S RETURN FILED WHEREIN ROGER D. WAHL, TARGET BROADCASTING, INC., SERVED FEBRUARY 4, 1993.
3/08/1993	08 MARCH 1993, @03:03 PM, PRELIMINARY OBJECTIONS OF DEFENDANT TARGET BROADCASTING, INC., FILED BY JAMES M. JACOBS, JR., ESQ. JURY TRIAL DEMANDED (3-8-93, TWO (2) CERT. COPIES RETURNED TO ATTY. JACOBS.)

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

- 3/08/1993 08 MARCH 1993, @03:04 PM, BRIEF IN SUPPORT OF DEFENDANT TARGET BORADCASTING, INC.'S PRELIMINARY OBJECTIONS, FILED BY JAMES M. JACOBS, JR., ESQ. JURY TRIAL DEMANDED (3-8-93, TWO (2) CERT. COPIES RETURNED TO ATTY. JACOBS.)

- 3/24/1993 24 MARCH 1993, @10:31 AM, AFFIDAVIT OF SERVICE OF JAMES M. JACOBS, JR.,E SQ., FILED WHEREIN A TRUE AND CORRECT COPY OF PRELIMINARY OBJECTIONS AND BRIEF IN SUPPORT, SERVED BY PLACING IN BOX IN COURTHOUSE, UPON JON A. BARKMAN, ESQ., ON MARCH 9, 1993. JURY TRIAL DEMANDED

- 4/22/1993 22 APRIL 1993, @10:25 AM, PRAECIPE FOR JUDGMENT FILED BY JON A. BARKMAN, ESQ., DIRECTING THE PROTHONOTARY TO PLEASE ENTER JUDGMENT IN THE ABOVE CAPTIONED CASE AGAINST THE DEFENDANT, ROGER D. WAHL, IN THE AMOUNT OF \$15,000.00 PLUS INTERET AND COST OF SUITE.

- 4/22/1993 22 APRIL 1993, @10:26 AM, PER ABOVE PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT FILED, JUDGMENT ENTERED IN JUDGMENT INDEX IN COMPUTER AGAINST ROGE D. WAHL. /S/ SANDRA MILLER HICKTON, PRO (LS)

- 4/22/1993 22 APRIL 1993, @10:37 AM, NOTICE OF ENTRY IF JUDGMENT MAILED TO DEFENDANT, ROGER D. WAHL, RD 3, MEYERSDALE PA 15552.

- 6/07/1993 07 JUNE 1993, @01:28 PM, WRIT OF EXECUTION NOTICE FILED. ((6-7-93, FOUR CERT COPIES DELIVERED TO SHERIFF FOR SERVICE.)

- 6/07/1993 07 JUNE 1993, @03:27 PM, PRAECIPE FOR WRIT OF EXECUTION FILED.

- 6/07/1993 07 JUNE 1993, @03:29 PM, WRITS ISSUED IN THE AMOUNT OF \$15,000 PLUS COSTS AND INTEREST FROM 4-22-93.

- 6/07/1993 07 JUNE 1993, @03:30 PM, ENTERED IN JUDGMENT INDEX IN COMPUTER AGAINST TARGET BROADCASTING INC., IN THE ABOVE AMOUNT. WRITS ISSUED AND DELIVERED TO SHERIFF FOR SERVICE. /S/ SANDRA MILLER HICKTON, PROTHONOTARY (LS)

- 10/26/1993 26 OCTOBER 1993, @02:44 PM, PRAECIPE TO REISSUE WRIT OF EXECUTION FILED BY JON A. BARKMAN, ESQ., (10-26-93, FOUR CERT COPIES DELIVERED TO SHERIFF FOR SERVICE.)

- 10/26/1993 26 OCTOBER 1993, @02:45 PM, WRITS ISSUED AND DELIVERED TO SHERIFF FOR SERVICE.

- 10/29/1993 29 OCTOBER 1993, @10:21 AM, SHERIFF'S RETURN FILED WHEREIN TARGET BRADCASTING INC SERVED ON OCTOBER 29, 1993.

- 11/05/1993 05 NOVEMBER 1993, @03:33 PM, GARNISHEE TARGET BROADCASTING, INC.'S PRELIM,INARY OBJECTIONS TO LEVY EXECUTION AND SHERIFF SALE PURSUANT TO 42 PA.R.C.P. 3142 (A), FILED BY JAMES M. JACOBS, JR., ESQ. (11-5-93, FOUR (4) CERT. COPIES RETURNED TO J.J. JACOBS, JR., ESQ.)

- 11/09/1993 09 NOVEMBER 1993, @03:35 PM, MOTION TO STAY EXECUTION PURSUANT TO RULE 3121(A) 3 AND 4 AND (B) 1 AND 2 , FILED BY JAMES M. JACOBS, JR., ESQ., WITH ORDER, AS FOLLOWS: AND NOW, ON THIS 9TH DAY OF NOVEMBER, 1993, THE SHERIFF'S SALE SCHEDULED FOR NOVEMBER 12, 1993 IN THE ABOVE CAPTIONED MATTER IS STAYED FOR A PERIOD NOT TO EXCEED 90 DAYS, SAID STAY APPLYING TO ALL PROPERTY LEVIED UPON. SAID STAY IS PURSUANT TO THOSE PROVISIONS AT PA.R.C.P. 3121 AND IS FOR THE PURPOSE OF ALLOWING ALL PARTIES TO PRESENT THEIR CLAIMS OF OWNERSHIP TO THE PROPERTY LEVIED UPON. BY THE COURT: /S/ JOHN M. CASCIO, J. (11-9-93, FOUR (4) CERT. COPIES REETURNED TO J.J. JACOBS, JR., ESQ.)

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

2/09/1995 09 FEBRUARY 1995, @02:52 PM, BRIEF IN RESPONSE OF DEFENDANT,
TARGET BROADCASTING, INC., PRELIMINARY OBJECTIONS, FILED BY JON A.
BARKMAN, ESQ. (2-9-95, FOUR (4) CERT. COPIES RETURNED TO J.A.
BARKMAN, ESQ.)

2/09/1995 09 FEBRUARY 1995, @02:54 PM, SCHEDULING PRAECIPE, (ARGUMENT CASE),
FILED BY JON A. BARKMAN, ESQ. (2-9-95, ONE (1) CERT. COPY PLACED
IN COURT ADMIN.'S BOX, THREE (3) CERT. COPIES RETURNED TO J.A.
BARKMAN, ESQ.)

5/25/1995 25 MAY 1995, @11:28 AM, SCHEDULING ORDER FILED. (5-25-95
PLACED COPY IN THE FOLLOWING BOXES: J.A. BARKMAN, ESQ., J.M.
JACOBS, JR., ESQ.'S BOX. MAILED COPY TO: REGINA A. HOCHARD, RD #3,
MEYERSDALE, PA. 15552, ROGER D. WAHL, TARGET BROADCASTING, INC.,
RD #3, MEYERSDALE, PA. 15552.)

6/12/1995 12 JUNE 1995, @01:44 PM, CASE CALLED FOR ARGUMENT ON PRELIMINARY
OBJECTIONS BEFORE THE HON. JOHN M. CASCIO, JUDGE AND DECIDED.

6/16/1995 16 JUNE 1995, @02:24 PM, ORDER OF COURT FILED. (6-20-95, COPY
PLACED IN THE FOLLOWING BOXES: W.E. SEGER, ESQ., J.M. JACOBS,
ESQ., AND MAILED TO: REGINA A. HOCHARD, RD 3, MEYERSDALE PA
15552; ROGER D. WAHL, TARGET BROADCASTING INC., RD 3, MEYERSDALE
PA 15552.)

6/29/1995 29 JUNE 1995, @03:05 PM, FIRST AMENDED COMPLAINT, FILED BY JON A.
BARKMAN, ESQ. (6-29-95, FOUR (4) CERT. COPIES RETURNED TO J.A.
BARKMAN, ESQ.)

7/19/1995 19 JULY 1995, @02:19 PM, PRELIMINARY OBJECTIONS OF DEFENDANT,
TARGET BROADCASTING, INC., TO AMENDED COMPLAINT OF PLAINTIFF,
FILED WITH CERTIFICATE OF SERVICE OF JAMES M. JACOBS, JR., E SQ.
JURY TRIAL DEMANDED (7-19-95, THREE (3) CERT. COPIES RETURNED TO
J.J. JACOBS, ESQ.)

11/03/1995 03 NOVEMBER 1995, @03:05 PM, PRAECIPE TO REISSUE WRIT OF
EXECUTION FILED BY JON A. BARKMAN, ESQ.,

11/17/1995 17 NOVEMBER 1995, @01:49 PM, PETITION FOR STAY OF EXECUTION, FILED
BY REX W. MCQUAIDE, ESQ. (11-17-95, CERT. COPY RETURNED TO R.W.
MCQUAIDE, ESQ.)

11/17/1995 17 NOVEMBER 1995, @01:50 PM, RULE, FILED. (11-17-95, CERT. COPY
RETURNED TO R.W. MCQUAIDE, ESQ.)

11/17/1995 17 NOVEMBER 1995, @01:51 PM, RULES ISSUED AND MAILED TO: REX W.
MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQ. I, STE. 200,
JOHNSTOWN, PA., 15904.

11/27/1995 27 NOVEMBER 1995, @03:02 PM, ANSWER TO PETITION TO STAY EXECUTION
FILED BY JON A. BARKMAN, ESQ. (11-27-95 THREE CERT COPIES
RETURNED TO ATTY. BARKMAN)

12/15/1995 15 DECEMBER 1995, @01:46 PM, CASE CALLED FOR HEARING ON PETITION TO
STAY EXECUTION HELD BEFORE THE HONORABLE JOHN M. CASCIO, JUDGE AND
DECIDED.

12/22/1995 22 DECEMBER 1995, @01:18 PM, ORDER OF COURT FILED. (12-22-95
COPIES PLACED IN J. BARKMAN, ESQ., BIX, MAILED TO REGINA A.
HOCHARD, RD 3 MEYERSDALE PA 15552, ROGER D. WAHL, RD 3 MEYERSDALE
PA 1552, TARGET BROADCASTING INC, RD 3 MEYERSDALE PA 15552 DAVID
SWAN, ESQ., 1405 EISHEHOWER BLVD, RICHLAD SQ 1, SUITE 200,
JOHNSTOWN PA 15904.)

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

- 12/29/1995 29 DECEMBER 1995, @03:02 PM, PROPERTY CLAIM, FILED.
-
- 12/29/1995 29 DECEMBER 1995, @03:03 PM, PROPERTY CLAIM, FILED.
-
- 1/04/1996 04 JANUARY 1996, @09:41 AM, SHERIFFS NOTICE AND DETERMINATION FILED.
-
- 1/04/1996 04 JANUARY 1996, @09:42 AM, SHERIFFS NOTICE AND DETERMINATION FILED.
-
- 5/30/1996 30 MAY 1996, @03:10 PM, BRIEF IN RESPONSE OF DEFENDANT, TARGET BROADCASTING, INC. TO AMENDED COMPLAINT OF PLAINTIFF'S PRELIMINARY OBJECTIONS FILED BY JON A. BARKMAN, ESQ.WITH CERTIFICATE OF SERVICE. (5-30-96 FOUR CERT COPIES RETURNED TO ATTY. BARKMAN)
-
- 5/30/1996 30 MAY 1996, @03:11 PM, SCHEDULING PRAECIPE (ARGUMENT CASE) FILED BY JON A. BARKMAN, ESQ. (5-30-96 THREE CERT COPIES RETURNED TO ATTY. BARKMAN, CERT COPY GIVEN COURT ADMINISTRATOR)
-
- 9/26/1996 26 SEPTEMBER 1996, @02:56 PM, BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS OF DEFENDANT, TARGET BROADCASTING, INC., TO AMENDED COMPLAINT OF PLAINTIFF FILED BY DAVID I. SWAN, ESQ., WITH CERTIFICATE OF SERVICE.
-
- 10/08/1996 08 OCTOBER 1996, @01:30 PM, CASE CALLED FOR ARGUMENT ON BRIEF IN RESPONSE OF DEFENDANT TARGET TO AMEND COMPLAINT OF PLAINTIFFS PRELIMINARY OBJECTIONS BEFORE THE HON EUGENE E FIKE P J AND DECIDED.
-
- 10/08/1996 08 OCTOBER 1996, @01:39 PM, STIPULATION FILED BY JON A. BARKMAN ESQ., AND DAVID I. SWAN, ESQ. (10-9-1996 TWO (2) CERT COPIES RETURNED TO ATTY BARKMAN)
-
- 10/09/1996 09 OCTOBER 1996, @03:08 PM, ORDER OF COURT FILED. (10-9-96 ONE (1) COPY PLACED IN THE FOLLOWING BOXES: J.A. BARKMAN, ESQ., J.M. JACOBS, JR., ESQ., AND MAILED TO: REX MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQUARE I, SUITE 200, JOHNSTOWN, PA 15904, REGINA HOCHARD, RD 3, MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING, INC., RD 3, MEYERSDALE, PA 15552.)
-
- 11/08/1996 08 NOVEMBER 1996, @03:35 PM, REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT TARGET BRAODCASTING, INC. FILED BY JON A. BARKMAN, ESQ. WITH CERTIFICATE OF SERVICE.
-
- 11/08/1996 08 NOVEMBER 1996, @03:37 PM, SECOND AMENDED COMPLAINT FILED WITH CERTIFICATE OF SERVICE OF JON A. BARKMAN, ESQ. JURY TRIAL DEMANDED.
-
- 11/20/1996 20 NOVEMBER 1996, @02:47 PM, SECONDED AMENDED COMPLAINT FILED BY JON A. BARKMAN, ESQ. JURY TRIAL DEMANDED. (11-20-96 THREE (3) CERT COPIES RETURNED TO ATTY BARKMAN.)
-
- 1/03/1997 03 JANUARY 1997, @12:53 PM, ANSWER AND NEW MATTER TO PLAINTIFF'S SECOND AMENDED COMPLAINT FILED BY ERIC D. HOCHFELD, ESQ. (1-3-97 TWO (2) CERT. COPIES RETURNED TO ATTY. HOCHFELD, ESQ.)
-
- 1/16/1997 16 JANUARY 1997, @02:25 PM, REPLY TO NEW MATTER FILED WITH CERTIFICATE OF SERVICE OF JON A. BARKMAN, ESQ. JURY TRIAL DEMANDED (1-16-97 THREE CERT. COPIES RETURNED TO ATTY. BARKMAN)
-
- 2/03/1997 03 FEBRUARY 1997, @03:40 PM, SCHEDULING PRAECIPE-CIVIL ARBITRATION CASE FILED BY JON A. BARKMAN, ESQ. (2-3-97 ONE (1) CERT. COPY TO COURT ADMIN., THREE (3) CERT. COPIES RETURNED TO ATTY. BARKMAN.)
-

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

- 4/24/1997 24 APRIL 1997, @03:36 PM, ARBITRATION APPOINTMENT ORDER WITH ARBITRATION HEARING ORDER FILED. (04-24-97 COPY PLACED IN THE FOLLOWING BOXES: MARY E. SCHELLHAMMER, ESQ., KENNETH W. JOHNSON, ESQ., NATHANIEL A. BARBERA, ESQ., JON A. BARKMAN, ESQ., AND COPY MAILED TO THE FOLLOWING: REX MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQ., I, STE 200, JOHNSTOWN, PA 15904.)

- 6/17/1997 17 JUNE 1997, @03:50 PM, SUBSTITUTE ARBITRATOR ORDER AND ARBITRATION HEARING ORDER FILED. (06-17-97 COPY PLACED IN THE FOLLOWING BOXES: MARY E. SCHELLHAMMER, ESQ., MARK D. PERSUN, ESQ., JEFFREY L. BERKEY, ESQ., JON A. BARKMAN, ESQ., KENNETH JOHNSON, ESQ., NATHANIEL A. BARBERA, ESQ., AND COPY MAILED TO THE FOLLOWING: REX MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQ. I, SUITE 200, JOHNSTOWN, PA 15904.)

- 6/24/1997 24 JUNE 1997, @03:46 PM, SCHEDULING PRAECIPE-CIVIL ARBITRATION CASE FILED BY JON A. BARKMAN, ESQ. (6-24-97 TWO (2) CERT. COPIES RETURNED TO ATTY. BARKMAN, AND ONE (1) CERT. COPY TO COURT ADMIN.)

- 6/25/1997 25 JUNE 1997, @11:44 AM, LETTER FROM JON A. BARKMAN, ESQ. FILED.

- 7/28/1997 28 JULY 1997, @03:36 PM, CONTINUANCE ORDER WITH ARBITRATION HEARING ORDER FILED. (07-28-97 COPY PLACED IN THE FOLLOWING BOXES: MARY E. SCHELLHAMMER, ESQ., MARK D. PERSUN, ESQ., JEFFREY L. BERKEY, ESQ., JON A. BARKMAN, ESQ., AND COPY MAILED TO THE FOLLOWING: REX MCQUAIDE, ESQ., 0405 EISENHOWER BLVD., RICHLAND SQUARE I, SUITE 200, JOHNSTOWN, PA 15904.)

- 9/02/1997 02 SEPTEMBER 1997, @03:32 PM, ARBITRATION RELOCATION ORDER FILED. (09-02-97 COPY PLACED IN THE FOLLOWING BOXES: MARY E. SCHELLHAMMER, ESQ., MARK D. PERSUN, ESQ., JEFFREY L. BERKEY, ESQ., JON A. BARKMAN, ESQ., DOMESTIC RELATIONS AND COPY MAILED TO THE FOLLOWING: REX MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQUARE I, SUITE 200, JOHNSTOWN, PA 15904.)

- 9/11/1997 11 SEPTEMBER 1997, @10:03 AM, REPORT OF BOARD OF ARBITRATORS FILED WITH AWARD AS FOLLOWS: IN FAVOR OF THE PLAINTIFF AND AGAINST DEFENDANT, TARGET BROADCASTING INC., IN THE AMOUNT OF \$13,500.00, WITH INTEREST AT 6%, TO ACCRUE ONLY PON ENTRY OF AWARD. ENTERED IN JUDGMENT INDEX AGAINST TARGET BROADCASTING INC. /S/ SANDRA J. MILLER, PRO.

- 9/11/1997 11 SEPTEMBER 1997, @10:04 AM, NOTICE OF FILING OF THE AWARD PLACED IN THE FOLLOWING BOXES, J. L. BERKEY, ESQ., M. D. PERSUN, ESQ., M. S. SCHELLHAMMER, ESQ., J. A. BARKMAN, ESQ., AND MAILED TO REX MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQUARE I, SUITE 200, JOHNSTOWN, PA. 15904. BILLED COMMISSIONERS

- 10/07/1997 07 OCTOBER 1997, @03:16 PM, NOTICE OF APEAL FROM AWARD OF BOARD OF ARBITRATORS FILED BY ERIC D. HOCHFELD, ESQ. WHEREIN NOTICE IS GIVEN THAT DEFENDANT, TARGET BROADCASTING, INC. APPEALS FROM THE AWARD OF THE BOARD OF ARBITRATORS ENTERED IN THIS CASE ON SEPTEMBER 11, 1997. A JURY TRIAL IS DEMANDED. I HEREBY CERTIFY THAT THE COMPENSATION OF THE ARBITRAOTRS HAS BEEN PAID. CERTIFICATION OF ADDRESSES ATTACHED.

- 10/07/1997 07 OCTOBER 1997, @03:17 PM, RECEIVED \$380.00 REPRESENTING ARBITRATORS'S FEES FROM ERIC D. HOCHFELD, ESQ. FOR APPEAL FROM BOARD OF ARBITRATORS.

- 10/07/1997 07 OCTOBER 1997, @03:18 PM, NOTICE OF ARBITRATORS APPEAL PLACED IN JON A. BARKMAN, ESQ.'S BOX, AND MAILED TO ERIC D. HOCHFELD, ESQ.

- 10/10/1997 10 OCTOBER 1997, @02:05 PM, SCHEDULING PRAECIPE-CIVIL TRIAL CASE FILED BY JON A. BARKMAN, ESQ. JURY TRIAL (10-10-97 FOUR (4))

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

CERT. COPIES RETURNED TO ATTY. BARKMAN, ONE (1) CERT. COPY TO COURT ADMIN.)

- 10/15/1997 15 OCTOBER 1997, @11:55 AM, REQUEST FOR PRODUCTION OF DOCUMENTS FILED BY JON A. BARKMAN, ESQ. WITH CERTIFICATE OF SERVICE. (10-15-97 THREE (3) CERT. COPIES RETURNED TO ATTY. BARKMAN.)
- 11/17/1997 17 NOVEMBER 1997, @02:35 PM, MOTION FOR ORDER REQUIRING DEFENDANT TO COMPLY WITH PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS FILED JON A. BARKMAN, ESQ. WITH CERTIFICATE OF SERVICE. (11-17-97 FOUR (4) CERT. COPIES RETURNED TO ATTY. BARKMAN.)
- 12/03/1997 03 DECEMBER 1997, @09:08 AM, CASE CALLED FOR MOTION COURT BEFORE THE HON EUGENE E. FIKE II AND DEICDED.
- 12/03/1997 03 DECEMBER 1997, @10:50 AM, OBJECTION TO PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS FILED BY ERIC D. HOCHFELD, ESQ. WITH CERTIFICATE OF SERVICE.
- 12/08/1997 08 DECEMBER 1997, @12:05 PM, ORDER OF COURT FILED AS FOLLOWS: THIS 3RD OF DECEMBER, 1997, THE COURT HAVING BEEN ADVISED THAT EXTENDED HEARING IS NECESSARY, AT THE REQUEST OF COUNSEL, PRESENTATION OF THE MOTION IS STRICKEN. HEARING WILL BE SCHEDULED UPON THE FILING OF A SCHEDULING PRAECIPE BY EITHER PARTY. BY THE COURT: /S/ EUGENE E. FIKE, II, P.J. (12-8-97 COPY PLACED IN ATTY. BARKMAN'S BOX, COPY MAILED TO REX W. MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQ 1, SUITE 200, JOHNSTOWN, PA. 15904, REGINA A. HOCHARD, A/K/A JEAN HOCHARD, RD 3, MEYERSDALE, PA. 15552, ROGER D. WAHL, TARGET BROADCASTING INC., RD 3, MEYERSDALE, PA. 15552.)
- 12/10/1997 10 DECEMBER 1997, @02:31 PM, SCHEDULING PRAECIPE-ARGUMENT CASE FILED BY JON A. BARKMAN, ESQ. (12-10-97 ONE (1) CERT. COPY TO COURT ADMIN., TWO (2) CERT. COPIES PLACED IN ATTY. BARKMAN'S BOX.)
- 12/15/1997 15 DECEMBER 1997, @11:49 AM, SCHEDULING ORDER FILED. (12-15-97 COPY PLACED IN THE FOLLOWING BOX: JON A. BARKMAN, ESQ., AND COPY MAILED TO THE FOLLOWING: REX W. MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQUARE I, SUITE 200, JOHNSTOWN, PA 15904, REGINA A. HOCHARD, JEAN HOCHARD, R.D.#3 MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING INC., R.D.#3, MEYERSDALE, PA 15552.)
- 12/15/1997 15 DECEMBER 1997, @03:54 PM, SCHEDULING ORDER FILED. (12-15-97 COPY PLACED IN JON A. BARKMAN, ESQ.'S BOX AND COPY MAILED TO THE FOLLOWING: REX MCQUAIDE, ESQ., ERIC HOCHFELD, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQUARE I, JOHNSTOWN, PA 15904, REGINA A. HOCHARD % JEAN HOCHARD, R.D.#3, MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROAD CASTING, INC., R.D.#3, MEYERSDALE, PA 15552.)
- 12/17/1997 17 DECEMBER 1997, @03:46 PM, SCHEDULING PRAECIPE-ARGUMENT CASE FILED BY JON A. BARKMAN, ESQ. (12-17-97 THREE (3) CERT. COPIES RETURNED TO ATTY. BARKMAN, ONE (1) CERT. COPY PLACED IN COURT ADMIN'S BOX.)
- 1/05/1998 05 JANUARY 1998, @03:51 PM, RESCHEDULING ORDER FILED. (01-05-98 COPY PLACED IN THE FOLLOWING BOX: JON A. BARKMAN, ESQ., AND COPY MAILED TO THE FOLLOWING: REX W. MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQUARE I, JOHNSTOWN, PA 15904, REGINA A. HOCHARD, JEAN HOCHARD, R.D.#3 MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING INC., R.D.#3, MEYERSDALE, PA 15552.)
- 1/05/1998 05 JANUARY 1998, @03:52 PM, SCHEDULING ORDER FILED. (01-05-98 COPY PLACED IN THE FOLLOWING BOX: JON A. BARKMAN, ESQ., AND COPY MAILED TO THE FOLLOWING: ERIC D. HOCHFELD, ESQ., 1405 EISENHOWER BLVD., RICHLAND SQUARE I, JOHNSTOWN, PA 15904, REGINA HOCHARD, JEAN

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

HOCHARD, R.D.#3, MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING INC., R.D.#3, MEYERSDALE, PA 15552.)

1/06/1998 06 JANUARY 1998, @11:54 AM, MOTION FOR CONTINUANCE FILED BY JON A. BARKMAN, ESQ. WITH ORDER AS FOLLOWS: ON THIS 5TH DAY OF JANUARY, 1998, UPON THE UNOPPOSED MOTION FOR CONTINUANCE, THE MATTER NOW SCHEDULED FOR JANUARY 9, 1998, AT 9:30 A.M. AND THE TRIAL ARE HEREBY CONTINUED. BY THE COURT: /S/ JOHN M. CASCIO, J. (01-06-98 THREE (3) CERT. COPIES RETURNED TO ATTY. BARKMAN.)

1/20/1998 20 JANUARY 1998, @11:47 AM, SCHEDULING ORDER MAILED TO REGINA HOCHARD A/K/A JEAN HOCHARD, R.D.#3 MEYERSDALE, PA 15552 RETURNED AND RE-MAILED TO 100 SHERMAN ST., MEYERSDALE, PA 15552.

1/28/1998 28 JANUARY 1998, @09:24 AM, ORDER OF COURT FILED AS FOLLOWS: NOW, THIS 26TH DAY OF JANUARY, 1998, THE CASE HAVING BEEN CONTINUED BY ORDER OF THIS COURT DATED JANUARY 5, 1998, THIS MATTER IS STRICKEN FROM THE TRIAL LIST AND WILL BE RELISTED ONLY UPON THE FILING OF A SCHEDULING PRAECIPE BY ONE OF THE PARTIES. BY THE COURT: /S/ KIM R. GIBSON, J. (01-28-98 COPY PLACED IN THE FOLLOWING BOX: JON A. BARKMAN, ESQ., AND COPY MAILED TO THE FOLLOWING: REGINA A. HOCHARD, A/K/A JEAN HOCHARD, R.D.#3, MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING, INC., R.D.#3, MEYERSDALE, PA 15552, REX MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., JOHNSTOWN, PA 15904.)

1/30/1998 30 JANUARY 1998, @03:26 PM, RESCHEDULING ORDER FILED. (02-02-98 COPY PLACED IN ATTY. JON A. BARKMAN, ESQ.'S BOX AND COPY MAILED TO THE FOLLOWING: REX W. MCQUAIDE, ESQ., ERIC D. HOCHFELD, ESQ., 1405 EISENHOWER BLVD., JOHNSTOWN, PA 15904, REGINA A. HOCHARD, R.D.#3, MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING INC., R.D.#3, MEYERSDALE, PA 15552.)

2/02/1998 02 FEBRUARY 1998, @02:33 PM, SCHEDULING PRAECIPE-CIVIL TRIAL CASE FILED BY JON A. BARKMAN, ESQ. (2-2-98 THREE (3) CERT. COPIES RETURNED TO ATTY. BARKMAN, ONE (1) CERT. COPY PLACED IN COURT ADMIN.'S BOX.)

2/04/1998 04 FEBRUARY 1998, @01:52 PM, NOTICE OF EARLIEST TRIAL DATE PURSUANT TO MANDATE OF PA. R.C.P. 212.1 FILED. (2-4-98 COPY PLACED IN J.A. BARKMAN, ESQ.'S BOX, AND COPY MAILED TO REX MCQUAIDE, ESQ.)

2/12/1998 12 FEBRUARY 1998, @11:33 AM, SCHEDULING ORDER FILED. (02-12-98 COPY PLACED IN THE FOLLOWING BOX: JON A. BARKMAN, ESQ., AND COPY MAILED TO THE FOLLOWING: REX MCQUAIDE, ESQ., ERIE HOCHFELD, ESQ., 1405 EISENHOWER BLVD., JOHNSTOWN, PA 15904, REGINA A. HOCHARD, R.D.#3, MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING, INC., R.D.#3, MEYERSDALE, PA 15552.)

3/03/1998 03 MARCH 1998, @03:32 PM, ORDER FILED AS FOLLOWS: NOW, THIS 3RD DAY OF MARCH, 1998, AN ORDER HAVING BEEN ENTERED CONTINUING THE PRETRIAL CONFERENCE AND TRIAL, IT IS CONFIRMED THAT THE CASE IS STRICKEN FROM THE TRIAL LIST FOR THE APRIL TRIAL SESSION. BY THE COURT: /S/ EUGENE E. FIKE, II, P.J. (03-03-98 COPY PLACED IN THE FOLLOWING BOX: JON A. BARKMAN, ESQ. AND COPY MAILED TO THE FOLLOWING: REGINA A. HOCHARD, A/K/A JEAN HOCHARD, 100 SHERMAN ST., MEYERSDALE, PA 15552, REX W. MCQUAIDE, ESQ., 1405 EISENHOWER BLVD., JOHNSTOWN, PA 15904, ROGER D. WAHL, TARGET BROADCASTING INC., R.D.#3, MEYERSDALE, PA 15552.)

3/11/1998 11 MARCH 1998, @02:26 PM, ORDER OF COURT FILED AS FOLLOWS: THIS 4TH OF MARCH, 1998, PLAINTIFF'S COUNSEL HAVING REPORTED THAT DEFENSE COUNSEL HAS INDICATED DEFENDANTS WILL BE COMPLYING WITH

Case No..... 1992-50585 HOCHARD REGINA A A/K/A ET AL (vs) WAHL ROGER D ET AL

Reference No..... 1992-00585
Case Type..... WRIT OF SUMMONS/CIVIL
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... SAT, DISC, DISM, ETC.

Filed..... 11/06/1992
Time..... 3:38
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/03/1999
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE=11

THE REQUEST FOR PRODUCTION OF DOCUMENTS; AND PLAINTIFF'S
COUNSEL CONSEQUENTLY HAVING REQUESTED A CONTINUANCE OF THE
HEARING; IT IS ORDERED THAT THE HEARING IS CONTINUED AND WILL
BE RESCHEDULED UPON THE FILING OF A SCHEDULING PRAECIPE BY EITHER
PARTY, IF NECESSARY. BY THE COURT:
/S/ EUGENE E. FIKE, II, P.J. (03-13-98 COPY PLACED IN THE
FOLLOWING BOXES: JON A. BARKMAN, ESQ., AND COPY MAILED TO THE
FOLLOWING: REGINA A. HOCHARD A/K/A JEAN HOCHARD, 100 SHERMAN ST.,
MEYERSDALE, PA 15552, REX W. MCQUAIDE, ESQ., ERIC D. HOCHFELD,
ESQ., 1405 EISENHOWER BLVD., JOHNSTOWN, PA 15904, ROGER D. WAHL,
T/A/ TARGET BROADCASTING INC., R.D.#3, MEYERSDALE, PA 15552.)

4/07/1998 07 APRIL 1998, @02:06 PM, SCHEDULING PRAECIPE-ARGUMENT CASE
FILED BY JON A. BARKMAN, ESQ. 04/07/98 ONE (1) CERT.
COPY PLACED IN COURT ADMIN.'S BOX.) (2) CERT COPIES PLACED IN
ATTORNEY BARKMAN'S BOX.

4/20/1998 20 APRIL 1998, @03:51 PM, SCHEDULING ORDER FILED. (04-21-98 COPY
PLACED IN THE FOLLOWING BOX: JON A. BARKMAN, ESQ., AND COPY MAILED
TO THE FOLLOWING: REX MCQUAIDE, ESQ., 1405 EISENHOWER BLVD.,
JOHNSTOWN, PA 15904, REGINA A. HOCHARD, 100 SHERMAN ST.,
MEYERSDALE, PA 15552, ROGER D. WAHL, TARGET BROADCASTING INC.,
R.D.#3, MEYERSDALE, PA 15552.)

5/19/1998 19 MAY 1998, @10:40 AM, CASE CALLED MOTION FOR ORDER REQUIRING
DEFENDANT TO COMPLY WITH PLAINTIFF'S REQUEST FOR PRODUCTION OF
DOCUMENTS BEFORE THE HON. EUGENE E. FIKE, II PRESIDENT JUDGE AND
DECIDED

5/21/1998 21 MAY 1998, @03:42 PM, ORDER OF COURT FILED AS FOLLOWS: THIS
19TH OF MAY, 1998, AT THE TIME SCHEDULED FOR ARGUMENT ON THE
MOTION FOR ORDER REQUIRING DEFENDANT TO COMPLY WITH PLAINTIFF'S
REQUEST FOR PRODCUTION OF DOCUMENTS, COUNSEL HAVING REPORTED
THAT THE DEFENSE IS ABLE TO PROVIDE THE REQUESTED DOCUMENTS WITHIN
30 DAYS, PURSUANT TO THE IDENTIFICATION OF THOSE DOCUMENTS
PLACED OF RECORD BY COUNSEL, IT IS ORDERED THAT THE DEFENSE
WILL PROVIDE TO PLAINTIFF'S COUSNEL THE S.B.A. LOAN, THE TAX
RETURNS, AND THE MINUTES WHICH WERE IDENTIFIED, WITH THE SAME TO
BE PROVIDED WITHIN 30 DAYS. BY THE COURT:
/S/ EUGENE E. FIKE, II, P.J. (05-21-98 COPY PLACED IN ATTY. JON A.
BARKMAN'S BOX AND COPY MAILED TO THE FOLLOWING: REX W. MCQUAIDE,
ESQ., 1405 EISENHOWER BLVD., JOHNSTOWN, PA 15904.)

5/06/1999 06 MAY 1999, @03:27 PM, SHERIFF RETURNS WRIT WITH THE
FOLLOWING NOTATION 5-6-99 UNDER RULE 3120 THE WRIT SHALL BE
ABANDONED IF SALE HAS NOT BEEN SET WITHIN 6 MONTHS. IF DEBT HAS
NOT BEEN FULL COLLECTED, CAN RE-FILE AT A LATER DATE. HENCE THIS
WRIT RETURNED.

8/03/1999 03 AUGUST 1999, @03:38 PM, PRAECIPE TO SETTLE AAND DISCONTINUE
FILED BY JON BARKMAN, ESQ (AGS)
----- LAST ENTRY -----

\$.00 \$.00 \$.00

End of Case Information

Exhibit 14

**Somerset County Pennsylvania Civil Case Detail Report
1994-50445 T M CENTURY INC (vs) TARGET
BROADCASTING INC DBA**

Case No..... 1994-50445 T M CENTURY INC (vs) TARGET BROADCASTING INC D/B/A

Reference No..... 1994-00445
Case Type..... MISCELLANEOUS - COMMON
Judgment..... \$.00
Judge Assigned....
Disposed Desc.....

Filed..... 8/29/1994
Time..... 10:45
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 0/00/0000
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE= 9

++ GENERAL INDEX ++

<u>Indexed Party</u>		<u>Attorney Info</u>
T M CENTURY INC DALLAS, TX 75234	PLAINTIFF	
TARGET BROADCASTING INC D/B/A MEYERSDALE, PA 15552	DEFENDANT	
RADIO STATION WQZS ET AL MEYERSDALE, PA 15552	DEFENDANT	
CENTRURY T M INC DALLAS, TX 75234	PLAINTIFF	
TARGET BROADCASTING INC ET AL MEYERSDALE, PA 15552	DEFENDANT	

++ JUDGEMENT INDEX ++

<u>Indexed Party</u>	<u>Amount</u>	<u>Date</u>	<u>Description</u>
TARGET BROADCASTING INC ET AL	\$5,941.67	10/11/1994	PRAE FOR JUDGMENT/CI
RADIO STATION WQZS ET AL MEYERSDALE, PA 15552			DEFENDANT
RADIO STATION WQZS ET AL	\$5,941.67	10/11/1994	PRAE FOR JUDGMENT/CI
TARGET BROADCASTING INC ET AL	\$5,941.67	6/26/1997	SATISFIED
RADIO STATION WQZS ET AL	\$5,941.67	6/26/1997	SATISFIED

++ DOCKET ENTRIES ++

<u>Date</u>	<u>Entry Text</u>
8/29/1994	29 AUGUST 1994, @10:45 AM, COMPLAINT CIVIL ACTION, FILED ARBITRATION
8/29/1994	29 AUGUST 1994, @10:46 AM, ONE (1) CERT. COPY OF COMPLAINT DELIVERED TO SHERIFF FOR SERVICE.
9/01/1994	01 SEPTEMBER 1994, @03:32 PM, SHERIFF'S RETURN FILED WHEREIN TARGET BROADCASTING, INC., D/B/A RADIO STATION WQZS, SERVED AUGUST 31, 1994.
10/11/1994	11 OCTOBER 1994, @11:31 AM, PRAECIPE FOR JUDGMENT FILED BY JAMES R. APPLE, ESQ., DIRECTING THE PROTHONOTARY TO ENTER JUDGMENT AGAINST THE DEFENDANT ABOVE NAMED IN DEFAULT OF AN ANSWER IN THE AMOUNT OF \$5,941.67, COMPUTED AS FOLLOWS: AMOUNT NAMED IN COMPLAINT 200.00 INTEREST FROM AUGUST 1M 1993 TO OECTOBER 1, 1994 ON \$200.00 14.00 TOTAL COUNT ONE 214.00COUNT TWO AMOUNT NAMED IN COMPLAINT 3,750.00 INTEREST FROM SEPTEMBER 21, 1993 TO SEPTEMBER 21, 1994 ON \$3,750.00 675.00 ATTORNEY FEES 1,250.00 TOTAL COUNT TWO 5,675.00COUNT THREE AMOUNT NAMED IN COMPLAINT \$3,950.00 INTEREST FROM SEPTEMBER 21, 1993 TO SEPTEMBER 21, 1994 ON \$3,950.00 675.00 ATTORNEYS FEES 1,316.67 TOTAL COUNT THREE 5,941.67 TOTAL ALL COUNTS

Case No..... 1994-50445 T M CENTURY INC (vs) TARGET BROADCASTING INC D/B/A

Reference No..... 1994-00445
Case Type..... MISCELLANEOUS - COMMON
Judgment..... \$.00
Judge Assigned....
Disposed Desc.....

Filed..... 8/29/1994
Time..... 10:45
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 0/00/0000
Higher Crt 1...
Higher Crt 2...

----- Case Comments -----
ITYPE= 5 FTYPE= 1 LTYPE= 9

5,941.67 11 OCTOBER 1994, @11:31 AM, PER ABOVE PRAECIPE FOR
DEFAULT JUDGMENT FILED ENTERED IN JUDGMENT INDEX IN COMPUTER
AGAINST TARGET BROADCASTING INC, RADIO STATION WQZS IN THE AMOUNT.
/S/ SANDRA MILLER HICKTON, PRO (LS)

10/11/1994 11 OCTOBER 1994, @11:33 AM, NOTICE OF ENTRY OF JUDGMENT MAILED TO
DEFENDANT, TARGET BROADCASTING INC, RADIO STATION WQZS, RD 3, BOX
194, MEYERSDALE PA 15552.

12/12/1994 12 DECEMBER 1994, @11:20 AM, PRAECIPE FOR WRIT OF EXECUTION
FILED.

12/12/1994 12 DECEMBER 1994, @11:21 AM, WRITS ISSUED IN THE AMOUNT OF
\$5,675.00, WITH INTEREST FROM SEPTEMBER 22, 1994, TO NOVEMBER 22,
1994, ON 5,675.00, AMOUNT OF INTEREST \$56.75, SUBTOTAL \$5,731.75,
COSTS TO BE ADDED BY PROTHONOTARY. ENTERED IN AGAINST TARGET
BROADCASTING INC, AND RADIO STATION WQZS. WRITS ISSUED AND
DELIVERED TO SHERIFF FOR SERVICE. /S/ SANDRA MILLER HICKTON
PRO (LS)

12/12/1994 12 DECEMBER 1994, @11:22 PM, WRIT OF EXECUTION NOTICE FILED.
(12-12-94, ONE CERT COPY DELIVERED TO SHERIFF FOR SERVICE.)

6/16/1997 16 JUNE 1997, @03:27 PM, SHERIFF RETURNS WRIT OF EXECUTION
WITH THE FOLLOWING NOTATION: RECEIVED NOTIFICATION TO CLOSE OUT
CASE FROM THE PLAINTIFF HENCE THIS WRIT RETURNED.

6/26/1997 26 JUNE 1997, @09:36 AM, PRAECIPE FOR SATISFACTION OF JUDGMENTS
FILED AS FOLLOWS: SATISFY THE ABOVE CAPTIONED JUDGMENT, WITH
CERTIFICATE OF SERVICE OF JOEL E. HAUSMAN, ESQ.
- - - - - LAST ENTRY - - - - -

\$.00 \$.00 \$.00

End of Case Information

Exhibit 15

**Somerset County Pennsylvania Civil Case Detail Report
2004-72521 COMMONWEALTH OF PA DEPT OF LAB
(vs) TARGET BROADCASTING INC ET AL**

Exhibit 16

**Somerset County Pennsylvania Civil Case Detail Report
2004-72858 COMMONWEALTH OF PA DEPT OF REV
(vs) TARGET BROADCASTING INC**

Exhibit 17

**Somerset County Pennsylvania Civil Case Detail Report
2008-72708 COMMONWEALTH OF PA DEPT OF REV
(vs) TARGET BROADCASTING INC - EMPLOYEE
WITHHOLDING**

Exhibit 18

**Somerset County Pennsylvania Civil Case Detail Report
2010-40715 PENNSYLVANIA DEPARTMENT OF REV
(vs) TARGET BROADCASTING INC**

Exhibit 19

**Somerset County Pennsylvania Civil Case Detail Report
2016-40579 COMMONWEALTH OF PA DEPT OF REV
(vs) TARGET BROADCASTING INC**

Case No..... 2016-40579 COMMONWEALTH OF PA DEPT OF REV (vs) TARGET BROADCASTING INC

Reference No.....		Filed.....	7/11/2016
Case Type.....	CERT COPY OF LIEN/JUDG	Time.....	10:35
Judgment.....	\$.00	Execution Date..	0/00/0000
Judge Assigned....		Jury Trial.....	
Disposed Desc.....		Disposed Date..	0/00/0000
----- Case Comments -----		Higher Crt 1...	
		Higher Crt 2...	

++ GENERAL INDEX ++

<u>Indexed Party</u>		<u>Attorney Info</u>
COMMONWEALTH OF PA DEPT OF REVENUE	PLAINTIFF	
HARRISBURG, PA 17128-0948		
TARGET BROADCASTING INC	DEFENDANT	
BOYNTON, PA 15532-0136		

++ JUDGEMENT INDEX ++

<u>Indexed Party</u>	<u>Amount</u>	<u>Date</u>	<u>Description</u>
TARGET BROADCASTING INC	\$9,036.72	7/11/2016	CERT COPY OF LIEN

++ DOCKET ENTRIES ++

<u>Date</u>	<u>Entry Text</u>
	----- FIRST ENTRY -----
7/11/2016	CERTIFIED COPY OF LIEN FILED IN THE AMOUNT OF \$9,036.72 INTEREST COMPUTATION DATE 8/10/2016. FILED @10:35AM. (DJ) 2 Image page(s) exists for this entry
7/11/2016	NOTICE MAILED TO DEFENDANT(S) TARGET BROADCASTING INC. FOR ADDRESS SEE PAPER IN FILE. (DJ)
	----- LAST ENTRY -----

++ Escrow Information ++

<u>Cost / Fee</u>	<u>Beg. Balance</u>	<u>Pymts/Adjmts</u>	<u>End. Balance</u>
COMMONWLTH WRIT	\$.50	\$.50	\$.00
COMMON AUTO	\$5.00	\$5.00	\$.00
SATISFACTION	\$12.00	\$12.00	\$.00
COMMONWLTH REV	\$10.00	\$10.00	\$.00
	-----	-----	-----
	\$27.50	\$27.50	\$.00

End of Case Information

Exhibit 20

**Somerset County Pennsylvania Civil Case Detail Report
2016-40821 COMMONWEALTH OF PA DEPT OF REV
(vs) TARGET BROADCASTING IN**

Exhibit 21

**Somerset County Pennsylvania Civil Case Detail Report
2016-40970 COMMONWEALTH OF PA DEPT OF REV
(vs) TARGET BROADCASTING INC**

Exhibit 22

**Somerset County Pennsylvania Civil Case Detail Report
2017-40206 COMMONWEALTH OF PA DEPT OF REV
(vs) TARGET BROADCASTING INC**

Exhibit 23

**Somerset County Pennsylvania Civil Case Detail Report
2020-40572 BEER REAM CO. (vs) ROGER WAHL**

Case No..... 2020-40572 BEER REAM CO. (vs) ROGER WAHL

Reference No.....
Case Type..... TRANS OF JUDGMENT/JUDG
Judgment..... \$.00
Judge Assigned....
Disposed Desc.....
----- Case Comments -----

Filed..... 9/30/2020
Time..... 10:30
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 0/00/0000
Higher Crt 1...
Higher Crt 2...

++ GENERAL INDEX ++	
<u>Indexed Party</u>	<u>Attorney Info</u>
BEER REAM CO SOMERSET, PA 15501	PLAINTIFF
TARGET BROADCASTING INC MEYERSDALE, PA 15552	DEFENDANT
WAHL ROGER MEYERSDALE, PA 15552	DEFENDANT

++ JUDGEMENT INDEX ++			
<u>Indexed Party</u>	<u>Amount</u>	<u>Date</u>	<u>Description</u>
TARGET BROADCASTING INC	\$7,928.27	9/30/2020	TRANSCRIPT OF JUDG
WAHL ROGER	\$7,928.27	9/30/2020	TRANSCRIPT OF JUDG

++ DOCKET ENTRIES ++	
<u>Date</u>	<u>Entry Text</u>
	FIRST ENTRY
9/30/2020	TRANSCRIPT OF JUDGMENT FROM THE DOCKET OF KENNETH W. JOHNSON DISTRICT JUSTICE MAGISTERIAL DISTRICT NO. 16-3-03 FILED OF A JUDGMENT RENDERED PUBLICALLY AGAINST DEFENDANT' (S) TARGET BROADCASTING, INC., AND ROGER WAHL IN FAVOR OF THE PLAINTIFF, BEER REAM CO., IN THE AMOUNT OF \$7,928.27. ENTERED IN THE JUDGMENT INDEX AGAINST TARGET BROADCASTING, INC. AND ROGER WAHL. FILED @10:30AM (DJ) /S/ ANGIE SVONAVEC, PROTHONOTARY 3 Image page(s) exists for this entry
9/30/2020	NOTICE OF RULE 236 NOTICE PROVIDED/MAILED TO DEFENDANT(S) TARGET BROADCASTING, INC., AND ROGER WAHL. FOR ADDRESS SEE PAPER IN FILE. (DJ)
	LAST ENTRY

++ Escrow Information ++			
<u>Cost / Fee</u>	<u>Beg. Balance</u>	<u>Pymts/Adjmts</u>	<u>End. Balance</u>
TRANS OF JUDG	\$12.00	\$12.00	\$.00
TRANSCRIPT	\$.25	\$.25	\$.00
DJ JUDG AUTO	\$5.00	\$5.00	\$.00
	-----	-----	-----
	\$17.25	\$17.25	\$.00

End of Case Information

Exhibit 24

**Somerset County Pennsylvania Civil Case Detail Report
1997-72090 COMMONWEALTH OF PA DEPT OF REV
(vs) TARGET BROADCASTING INC**

Exhibit 25

**Somerset County Pennsylvania Civil Case Detail Report
1995-16008 IRS (vs) TARGET BROADCASTING INC**

Case No..... 1995-16008 (vs) TARGET BROADCASTING INC

Reference No..... 1995-06008
Case Type..... FEDERAL TAX LIEN INDEX
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... OLD CASE DISPOSITION
----- Case Comments -----
ITYPE= 1 FTYPE= 0 LTYPE= 0

Filed..... 5/31/1995
Time..... 10:13
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 8/06/1999
Higher Crt 1...
Higher Crt 2...

++ GENERAL INDEX ++		<u>Attorney Info</u>
<u>Indexed Party</u> INTERNAL REVENUE SERVICE	PLAINTIFF	
TARGET BROADCASTING INC MEYERSDALE, PA 15552-9317	DEFENDANT	

++ JUDGEMENT INDEX ++			
<u>Indexed Party</u>	<u>Amount</u>	<u>Date</u>	<u>Description</u>
TARGET BROADCASTING INC	\$9,834.94	5/31/1995	FEDERAL TAX LIEN IND
TARGET BROADCASTING INC	\$9,834.94	8/06/1999	SATISFIED

++ DOCKET ENTRIES ++			
<u>Date</u>	<u>Entry Text</u>		
5/31/1995	31 MAY 1995, @10:13 AM,	FIRST ENTRY	
		NOTICE OF FEDERAL TAX LIEN FILED.	
		1 Image page(s) exists for this entry	
8/06/1999	06 AUGUST 1999, @09:22 AM,	CERTIFICATE OF RELEASE OF FEDERAL	
	TAX LIEN FILED.		
		1 Image page(s) exists for this entry	
		LAST ENTRY	
		\$.00	\$.00
			\$.00

End of Case Information

Exhibit 26

**Somerset County Pennsylvania Civil Case Detail Report
1996-16092 IRS (vs) TARGET BROADCASTING INC**

Exhibit 27

**Somerset County Pennsylvania Civil Case Detail Report
1996-16121 IRS (vs) TARGET BROADCASTING INC**

Case No..... 1996-16121 (vs) TARGET BROADCASTING INC

Reference No..... 1996-06121
Case Type..... FEDERAL TAX LIEN INDEX
Judgment..... \$.00
Judge Assigned....
Disposed Desc..... OLD CASE DISPOSITION
----- Case Comments -----
ITYPE= 1 FTYPE= 0 LTYPE= 0

Filed..... 4/11/1996
Time..... 9:50
Execution Date.. 0/00/0000
Jury Trial.....
Disposed Date.. 7/12/1996
Higher Crt 1...
Higher Crt 2...

++ GENERAL INDEX ++		<u>Attorney Info</u>
<u>Indexed Party</u> INTERNAL REVENUE SERVICE	PLAINTIFF	
TARGET BROADCASTING INC MEYERSDALE, PA 15552	DEFENDANT	

++ JUDGEMENT INDEX ++			
<u>Indexed Party</u>	<u>Amount</u>	<u>Date</u>	<u>Description</u>
TARGET BROADCASTING INC	\$796.31	4/11/1996	FEDERAL TAX LIEN IND
TARGET BROADCASTING INC	\$796.31	7/12/1996	SATISFIED

++ DOCKET ENTRIES ++			
<u>Date</u>	<u>Entry Text</u>		
4/11/1996	11 APRIL 1996, @09:50 AM,	FIRST ENTRY	
		NOTICE OF FEDERAL TAX LIEN FILED.	
		1 Image page(s) exists for this entry	
7/12/1996	12 JULY 1996, @10:22 AM,	CERTIFICATE OF RELEASE OF FEDERAL	
	TAX LIEN FILED.		
		1 Image page(s) exists for this entry	
		LAST ENTRY	
		\$.00	\$.00
			\$.00

End of Case Information

Exhibit 28

**Somerset County Pennsylvania Civil Case Detail Report
1996-16126 IRS (vs) TARGET BROADCASTING INC**

Exhibit 29

**Somerset County Pennsylvania Civil Case Detail Report
1996-16177 IRS (vs) TARGET BROADCASTING INC**

Exhibit 30

**Somerset County Pennsylvania Civil Case Detail Report
2007-16969 INTERNAL REVENUE SERVICE (vs)
TARGET BROADCASTING INC**

Exhibit 31

**Somerset County Pennsylvania Civil Case Detail Report
2007-16987 INTERNAL REVENUE SERVICE (vs)
TARGET BROADCASTING INC**

Exhibit 32

**Somerset County Pennsylvania Civil Case Detail Report
2014-17584 INTERNAL REVENUE SERVICE (vs)
TARGET BROADCASTING INC**

Exhibit 33

**Somerset County Pennsylvania Civil Case Detail Report
Somerset County Property Tax Report for 128 Hunsrick Rd**



Emergency Services

General

Human

County Directory

Somerset County Education Center

Gas Well Information

Court of Common Pleas

Real Estate Search and Tax Calculator

Assessment Paid Access

Prothonotary Paid Access

Maps

Job Openings

Wellness Initiative

Links

Home

Real Estate Search

[Return to Search Results](#)

PROPERTY INFORMATION

Property ID: 460002670

Municipality: 46 - SUMMIT TOWNSHIP

Owner: TARGET BROADCASTING INC

Owner 2:

Care of:

Mailing Address: PO BOX 218
MEYERSDALE PA 15552

Grantor: WAHL ROGER D

Location

Property Location: 128 HUNSRICK RD

Property Zip Code: 15552

Map Number: S46-012-023-00

School: 3 - MEYERSDALE AREA

Description

Landuse: [CCO](#)

Description 1: 0.65 A

Description 2: 2675/864

Description 3:

Description 4: 1 STY BR BLDG

Deed Book/Page: 1087 /340

Sale Date: /0

Sale Amount: \$0.00

Tax Claim Property*:

Clean & Green Year**:

No

Homestead:

Market Value

Land: \$11,110.00

Building: \$76,160.00

Total: \$87,270.00

Assessed Value (50% of Market Value rounded up

Total: \$43,640.00

[View Property Tax Calculator](#)





*If Yes Property Is Under Trustees

**If Yes Land Values Displayed Ar

County Annex Office Building
300 North Center Avenue
Somerset, PA 15501

Somerset County Courthouse
111 East Union St.
Somerset, PA 15501

Exhibit 34

Email from Wendy Sipple

Before the
Federal Communications Commission
Washington D.C 20554

In the matter of: X
Roger Wahl. X MB Docket No 21-401
WQZS (FM). X facility ID No. 57424

I Wendy Sipple, move to intervene as a party in the proceeding. I am an applicant with application pending before the Federal Communications Commission regarding the station license WQZS which pre dates the events in the hearing designation order.

I am an innocent third party to acquire the station license.

If granted, proceeds from operation of the station be used to pay it's innocent creditors.

I certify under penalty that the foregoing is correct under my knowledge, information, and belief.

Respectfully submitted

S/: Wendy Sipple

Wendy Sipple

p.o box 317

Salisbury, pa 15558

Exhibit 35

Google Earth 2013 – WQZS Facility

WQZS Google Earth 2013

Legend

Google Earth

20 m



Exhibit 36

Google Earth 2015 – WQZS Facility

Legend

WQZS Google Earth 10/2015



Google Earth

20 m



Exhibit 37

Google Earth 2016 – WQZS Facility

Legend

WQZS Google Earth 11/2016

Google Earth

500 m



Exhibit 38

Photos of WQZS Facility, April 23rd, 2022

I, Robert Kluver, certify that the following pictures were taken by me from my cell phone at the location of the WQZS tower on North Wolf Rock Rd on April 23rd, 2022:



The photo above clearly shows the 2 bay antenna system installed at the site along with the STL link confirmed to match the azimuth between the site and the studio on Hunsrick Road.



The photo above shows the WQZS equipment shelter and tower base. No fencing with warning sign exists at this facility as indicated on previous FCC application. In addition the building and site is not built in accordance with specifications indicated in lease paperwork submitted as part of an additional exhibit.



The photo above shows two lines between the shelter and tower, one going to the splitter for the 2 bay antennas and the other to the STL. This further validates that the second bay is not fed by a separate line, and is not an auxiliary or emergency antenna.

Respectfully Submitted:

Signature: /S/ Robert G. Kluver, Jr

Robert G. Kluver, Jr.

President

American Militia Association

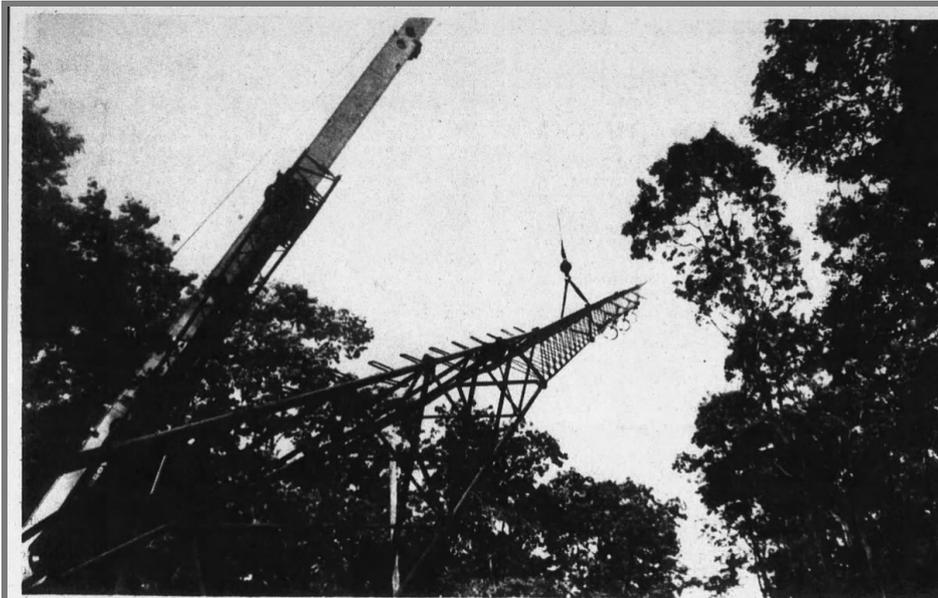
1112 MATLICK RD

MEYERSDALE, PA 15552

rgkluver@yahoo.com

Exhibit 39

Clip from the Daily American October 9th,1992



Radio tower on Mount Davis

A crane raises a 120-foot, 3-section radio tower on Mount Davis in southern Somerset County. The tower was constructed by Lincoln Supply and Equipment of Somerset. At right, workers

guide the tower to be bolted to its concrete base. It will transmit music, news and weather information for WQZS-FM, a new Meyersdale radio station, beginning some time this month. The

tower was being assembled this week. The crane was supplied by the Beitzel Corp. (Photos by Gay Brownlee)

WQZS Tower Install Photo



Clipped By:

rgkluver

Sat, Apr 9, 2022

Exhibit 40

WQZS Issue & Program List File Data Report

WQZS Issue & Program List File Data Report

Filename	Quarter	Year	Originally Created	Last Modified	Software Identified	Author Identified	Required	Posted	Late?
wqzs-first-quarter-2022-qpi-20220402-033520912-pdf.pdf	1	2022	4/1/22 11:34 PM	4/1/22 11:34 PM	Word	Lynch Flick, Lauren	4/10/ 2022	4/1/ 2022	N
wqzs-fourth-quarter-2021-qpi-20220401-191454841-docx.pdf	4	2021	4/1/22 2:52 AM	4/1/22 2:59 PM	Word	Sipple, Wendy	1/10/ 2022	4/1/ 2022	Y
wqzs-third-quarter-2021-qpi-20220401-191454872-docx.pdf	3	2021	4/1/22 2:40 PM	4/1/22 2:51 PM	Word	Sipple, Wendy	10/10 /2021	4/1/ 2022	Y
wqzs-second-quarter-2021-qpi-1--20220401-191415842-docx.pdf	2	2021	4/1/22 2:35 PM	4/1/22 2:40 PM	Word	Sipple, Wendy	7/10/ 2021	4/1/ 2022	Y
wqzs-first-quarter-2021-qpi-20220401-191510752-docx.pdf	1	2021	4/1/22 2:26 PM	4/1/22 2:34 PM	Word	Sipple, Wendy	4/10/ 2021	4/1/ 2022	Y
wqzs-fourth-quarter-2020-qpi-20220401-191451535-docx.pdf	4	2020	4/1/22 2:21 PM	4/1/22 2:25 PM	Word	Sipple, Wendy	1/10/ 2021	4/1/ 2022	Y
wqzs-third-quarter-2020-qpi-20220401-191417765-docx.pdf	3	2020	4/1/22 2:16 PM	4/1/22 2:16 PM	Word	Sipple, Wendy	10/10 /2020	4/1/ 2022	Y
wqzs-qpi-second-quarter-2020-20200711-025613590-pdf.pdf	2	2020	7/10/20 10:38 PM	7/10/20 10:39 PM	Word	Lynch Flick, Lauren	7/10/ 2020	7/10 /2020	N

wqzs-qpi-first-quarter-2020-20200711-025613604-pdf.pdf	1	20 20	7/10/20 10:35 PM	7/10/20 10:36 PM	Word	Lynch Flick, Lauren	4/10/ 2020	7/10/ /202 0	Y
wqzs-fourth-quarter-2019-qpi-20220401-191433645-docx.pdf	4	20 19	4/1/22 2:17 PM	4/1/22 2:17 PM	Word	Sipple, Wendy	1/10/ 2020	4/1/ 2022	Y
wqzs-third-quarter-2019-qpi-20220402-032436192-pdf.pdf	3	20 19	4/1/22 11:23 PM	4/1/22 11:23 PM	Word	Sipple, Wendy	10/10/ /2019	4/1/ 2022	Y
wqzs-second-quarter-2019-qpi-1--20220401-191433636-docx.pdf	2	20 19	4/1/22 2:19 PM	4/1/22 2:21 PM	Word	Sipple, Wendy	7/10/ 2019	4/1/ 2022	Y
wqzs-1st-q-2019-20190411-035923018-pdf.pdf	1	20 19	4/10/19 11:56 PM	4/10/19 11:57 PM	Word	Lynch Flick, Lauren	4/10/ 2019	4/10/ /201 9	N
wqzs-4th-q-2018-20190411-040310530-pdf.pdf	4	20 18	4/11/19 12:00 AM	4/11/19 12:02 AM	Word	Lynch Flick, Lauren	1/10/ 2019	4/11/ /201 9	Y
wqzs-3q-2018-qpi-20181206-204818329-pdf.pdf	3	20 18	12/6/18 4:46 PM	12/6/18 4:46 PM	Word	lynchflickl	10/10/ /2018	12/6/ /201 8	Y
wqzs-2q-2018-qpi2-20181206-204818344-pdf.pdf	2	20 18	12/6/18 4:30 PM	12/6/18 4:30 PM	Word	lynchflickl	7/20/ 2018	12/6/ /201 8	Y
wqzs-1q-2018-qpi-20181206-181250252-pdf.pdf	1	20 18	3/30/18 7:39 PM	3/30/18 7:47 PM	Acrobat 5.x	Unknown	4/10/ 2018	12/6/ /201 8	N

wqzs-4q-2017-qp-20181206-181413294-pdf.pdf	4	2017	3/30/18 7:39 PM	3/30/18 7:46 PM	Acrobat 5.x	Unknown	1/10/ 2018	12/6 /2018	Y
wqzs-3q-2017-qp-20181206-181350346-pdf.pdf	3	2017	3/30/18 7:39 PM	3/30/18 7:45 PM	Acrobat 5.x	Unknown	10/10/ /2017	12/6 /2018	Y
wqzs-2q-2017-qp-20181206-181350350-pdf.pdf	2	2017	3/30/18 7:38 PM	3/30/18 7:45 PM	Acrobat 5.x	Unknown	7/10/ 2017	12/6 /2018	Y
wqzs-1q-2017-qp-20181206-204818364-pdf.pdf	1	2017	12/6/18 4:21 PM	12/6/18 4:21 PM	Word	lynchflickl	4/10/ 2017	12/6 /2018	Y
wqzs-4q-2016-qp-20181206-181250239-pdf.pdf	4	2016	3/30/18 7:39 PM	3/30/18 7:46 PM	Acrobat 5.x	Unknown	1/10/ 2017	12/6 /2018	Y
wqzs-3q-2016-qp-20181206-181227305-pdf.pdf	3	2016	3/30/18 7:38 PM	3/30/18 7:43 PM	Acrobat 5.x	Unknown	10/10/ /2016	12/6 /2018	Y
quarterly-issues-program-summary-2016-20180302-044145367-pdf.pdf	2	2016	3/2/18 12:30 AM	3/2/18 12:34 AM	Acrobat 7.x	Lynch Flick, Lauren	7/10/ 2016	3/1/ 2018	Y
quarterly-issues-program-summary-2016-20180302-044145367-pdf.pdf	1	2016	3/2/18 12:30 AM	3/2/18 12:34 AM	Acrobat 7.x	Lynch Flick, Lauren	4/10/ 2016	3/1/ 2018	Y
quarterly-issue-program-summary-2015-20180302-044145417-pdf.pdf	4	2015	3/2/18 12:30 AM	3/2/18 12:36 AM	Acrobat 7.x	Lynch Flick, Lauren	1/10/ 2016	3/1/ 2018	Y

quarterly-issue-program-summary-2015-20180302-044145417-pdf.pdf	3	20 15	3/2/18 12:30 AM	3/2/18 12:36 AM	Acrobat 7.x	Lynch Flick, Lauren	10/10 /2016	3/1/ 2018	Y
quarterly-issue-program-summary-2015-20180302-044145417-pdf.pdf	2	20 15	3/2/18 12:30 AM	3/2/18 12:36 AM	Acrobat 7.x	Lynch Flick, Lauren	7/10/ 2016	3/1/ 2018	Y
quarterly-issue-program-summary-2015-20180302-044145417-pdf.pdf	1	20 15	3/2/18 12:30 AM	3/2/18 12:36 AM	Acrobat 7.x	Lynch Flick, Lauren	4/10/ 2016	3/1/ 2018	Y

Exhibit 41
WQZS Tower Lease

APPLICATION FOR ANTENNA SITE ON STATE FOREST LAND

The applicant shall include with this application a statement justifying the use of State Forest land for the proposed purpose, including alternate sites which were considered and reasons for not using them.

1. Applicants Name Roger Wahl, State in which incorporated Pa.
Address R.D. #3 box 194, State Pa. ZIP 15552
Meyersdale, Federal ID. No. 880808 MP
(SAME AS WILL APPEAR ON FCC LICENSE)
2. Location of proposed site: (City or Township) Elk Lick, County Somerset
3. Latitude 38° 47' 49" NORTH: Longitude 79° 10' 05" WEST
(SAME AS WILL APPEAR ON FCC LICENSE)
4. Access Road: Length 80 Ft., Width 12' Ft.; Is new construction required? Yes
5. Is electric/telephone line construction required? Yes, Length apx. 50' Ft.
6. Site Elevation: 3,160 Ft., above mean sea level
7. Site Dimension: 50' Ft. Wide by 50' Ft. Long; Will site be fenced? Yes
8. Building Dimensions: 8' Ft. Wide by 12' Ft. Long by 10' Ft. High
9. Type of Building Construction Concrete Block
10. Type of Radio Tower: (Self-Supporting or guyed) Self, Height 120' Ft.
If existing tower will be used, indicate name, address, radio call sign and name of radio service, under Item #21 below.

11. Frequencies to be employed at this site:

Rf. MHz	TRANSMIT		RECEIVE	
	Tone Hz	Rf. MHz	Tone Hz	Rf. MHz
1. <u>93.3</u>	_____	_____	_____	_____
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____

*NOTE APPLICANT MUST LIST ALL FREQUENCIES TO BE USED AT THIS SITE

If additional space is required, use item #21

12. Transmitter RF power Output: 6,000 Watts
(LIST FOR EACH FREQUENCY INDICATED IN ITEM 11)
13. Model and Manufacturer of each radio transmitter receiver. QEI FMO/5000
14. Are you presently operating radio equipment at this specific location (YES-NO) No
15. If yes, Name of RADIO SERVICE _____ FCC Call Sign _____
Transmit frequencies _____ MHz
Receive frequencies _____ MHz
16. Name of Radio Service proposed under this application Commercial Broadcast
17. Type of Radio Station proposed (SAME AS LISTED ON FCC LICENSE) Class A commercial
18. Number of other units in radio system: Bases _____, Relays _____, Mobiles _____, Port. _____
19. Is the system to be used by other than the applicant? No; If yes, indicate names and address under Item #21 below.
20. Will the applicant own the radio equipment at this site: Yes; If no, indicate name and address of owner under Item #21 below.
21. Indicate additional information as necessary:

Our STL link frequencies are not known at this time, but will be made available to the state as soon as there granted from the FCC

***** USE BACK IF ADDITIONAL SPACE IS REQUIRED *****

1-14-91
DATE FILED

Roger Wahl
SIGNATURE OF APPLICANT (PRINT NAME AFTER SIGNATURE)
Telephone Number 814-634-0502

ROGER WAHL
TITLE
OWNER

SUBMIT THIS APPLICATION IN TRIPPLICATE WITH FOUR (4) COPIES OF DRAWINGS SHOWING SITE, ELECTRIC/TELEPHONE LINE AND ACCESS ROAD TO THE LOCAL DISTRICT FORESTER.

District Forester Approval Daniel Williams, District # 4, Date 1/23/91

Radio Engineer Approval RC [Signature], Date 2/1/91

In the event harmful interference is produced to existing users in the vicinity of this proposed site by the applicant; then the applicant will be required to correct conditions producing this harmful condition including site relocation or agreement cancellation.

9. The Licensee shall not attach or cause to be attached any wires, brackets, cross arms, insulators, cables or other such facilities to any standing tree on or off the leased premises.
10. The Licensee shall have the right of ingress and egress to and from the right of way but shall use no existing forest road or trail or construct any new road without having received written permission from the Department to do so.
11. The Licensee shall pay the Department the value of all forest growth cut, damaged or destroyed by Licensee or his agents in the exercise of the privileges herein granted. The value of such material will be computed by Department in accordance with the methods used by the Department for such computations. Should any additional damage to the Commonwealth result at any time from the construction, operation, maintenance, or removal of said facilities not herein contemplated or specifically mentioned but which as a usual or natural consequence may arise from the presence of said facilities, Licensee shall make full compensation to Department, the same to be estimated and calculated by Department as near as may be by the methods used by the Department for the computation of damage.
12. Licensee agrees to operate the facilities so as to cause no interference with the operation of Department-owned radio equipment, and that any electronic interference with the operation of other similar stations shall be resolved by the Licensees subject to the final approval of the Department.
13. No fire shall be set on or adjacent to said right of way by Licensee or any of its agents, employees, contractors, or sub-contractors. Should any such fire be set and escape damaging any State land or other property, Licensee shall be liable for all such damages and for all costs incurred by the Department in controlling the fire.
14. Licensee shall refill to contour all ditches or other excavations caused by the construction, operation maintenance or removal of said facilities; construct cross ditches; lime, fertilize and seed or replant the right of way; keep said facilities in good repair and appearance, and take such other measures as may be deemed necessary by the Department to control erosion and sedimentation and to maintain or restore the natural and aesthetic values as directed by the Department.
15. Licensee shall at all times perform under this Agreement in such a manner as to prevent the possibility of polluting the environment. In the event that the construction, operation, maintenance or removal of said right of way or facilities causes pollution or other damage to any portion of the environment in or outside the right of way, Licensee shall be held strictly liable. In the event of any damage to the environment in or adjacent to the right of way, the burden shall be on Licensee to prove that Licensee's conduct was not the cause, direct or indirect.
16. Recognizing that the Commonwealth is trustee of the public natural resources for the benefit of all the people of the Commonwealth, Licensee acknowledges the standing of the people of the Commonwealth to enforce rights as such beneficiaries for non-compliance with any provisions of this agreement or with the relevant laws, rules and regulations.
17. The Licensee shall at all times hereafter indemnify and save harmless the Department from and against any and all detriment, damage, loss, claims, demands, suits, costs and expenses not herein provided for, which the Department may suffer, sustain, or be subjected to directly and indirectly by reason of the exercise of any of the privileges hereby granted.
18. The Department reserves the privilege of using and authorizing the use of said right of way for any reasonable purpose, including one similar to that for which this license is granted, in connection with the utilization, administration, or management of the said forest land deemed by the Department to be not incompatible with the right hereby granted Licensee.
19. Failure of Licensee to pay the annual rental hereunder or violation of any of the conditions or stipulations of this agreement shall be cause for termination of this agreement and the revocation of the privileges hereby granted. The Department may increase the annual rental fee at the end of any annual term hereof, provided that the Department gives the Licensee sixty (60) days advance written notice of such increase at the last known address of the Licensee.

7-K-350

LICENSE FOR RIGHT-OF-WAY (STATE FORESTS)

THIS AGREEMENT, made this 1st day of September, 19 92, between the COMMONWEALTH OF PENNSYLVANIA, acting through the DEPARTMENT OF ENVIRONMENTAL RESOURCES, party of the first part, (hereinafter called the "Department") and Roger Wahl, RD 3, Box 194, Myersdale, PA 15552

_____ party of the second part (hereinafter called the "Licensee"):

WITNESSETH WHEREAS, in accordance with the existing laws, Licensee has applied for a license for right of way or easement over and on a portion of State Forest land in Forbes State Forest, in Elk Lick Township, Somerset County, in order to install 120 foot self-supporting tower and service building

_____ hereinafter referred to as "said facilities"

WHEREAS, the Department under Section 514, paragraph (a) and Section 1903A, paragraphs (3), (8) and (9), Act of April 9, 1929, P. L. 177, as amended, did consider said application for the grant of the aforesaid License, subject to the terms and conditions herein set forth;

NOW THEREFORE, Department, in consideration of the foregoing and of the promises and agreement hereinafter contained and to be performed on the part of the said Licensee, hereby grants to the Licensee, for the term of one (1) year from the date hereof, and from year to year thereafter, unless and until sooner terminated as hereinafter provided, a right of way upon and across a portion of State Forest land in the aforementioned Township and County, more particularly described as follows: Along North Wolf Rock Road 1060 feet west of the intersection of North Wolf Rock Road and State Route 55008.

at the location shown on drawings 1 and 2 dated 2/1/92 attached hereto and made a part hereof for the purpose of constructing, operating, maintaining and removing said facilities.

IN CONSIDERATION WHEREOF, the Licensee promises faithfully to abide by, perform and fulfill each and all of the following terms, conditions and stipulations:

1. The Licensee will, within one year from the date of this agreement, construct said facilities in accordance with the plans submitted to and approved by the Department.
2. The Licensee shall operate and maintain said facilities during the term of this agreement in a neat and workmanlike manner.
3. The Licensee shall pay annually, in advance, to the Department, on the 1st day of February in each year during the term of this agreement, the annual rental of Five Hundred Dollars (\$500.00).
4. The Licensee shall keep in full force and effect for the performance of the conditions of this agreement security acceptable to the Commonwealth of Pennsylvania in the amount of No Dollars (\$ -0-).
5. The Licensee shall promptly request termination of this agreement at any time when the use for which this License is granted ceases.
6. Upon termination of this agreement, the Licensee shall remove all of said facilities within a reasonable time not to exceed ninety (90) days and restore the site as near as possible to the conditions which existed prior to the granting of the right of way. Such restoration may require grading, liming, fertilizing, seeding and planting. The Department shall be the sole judge of the requirements of restoration.
7. The Licensee shall have the right to cut or trim such forest growth upon said land as may be approved in advance by the Department which will also designate the disposition of all such forest growth and the method of cutting and disposal.
8. This agreement shall not be assigned, nor shall Licensee enter into any other agreement respecting said right of way, without prior written approval of the Department.

20. Either party hereto may terminate this agreement at any time during the term hereof by giving the other party thirty (30) days written notice of intention to do so.

21. Nothing in this agreement shall in any way be so construed as to impair the powers, privileges and duties of the Commonwealth or the applicable rules and regulations promulgated thereunder, now in force or hereafter enacted or adopted.

22. Authorization is granted to operate only the frequencies listed below. The use of any frequencies other than those listed below without prior written approval of the Department shall result in the termination of this agreement.

TRANSMIT
93.3 MHz

RECEIVE

23. Licensee agrees to furnish the Department with a copy of their FCC license promptly upon receipt from the Commission.

24. The following amendments which are part of this agreement have been made to this agreement prior to execution by the parties:

(a) Paragraph(s) -0- amended as follows:

(b) Exhibit A containing new paragraph(s) -0- has been attached hereto and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have signed and sealed these presents as of the day and year first hereinbefore written.

Witness as to Department:

Donna Chappell

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

By: James C. Nelson
James C. Nelson, State Forester
Bureau of Forestry

Witness as to Licensee:

By: Roger D. Wells
Licensee

Approved as to legality and form: Maura R. Smith

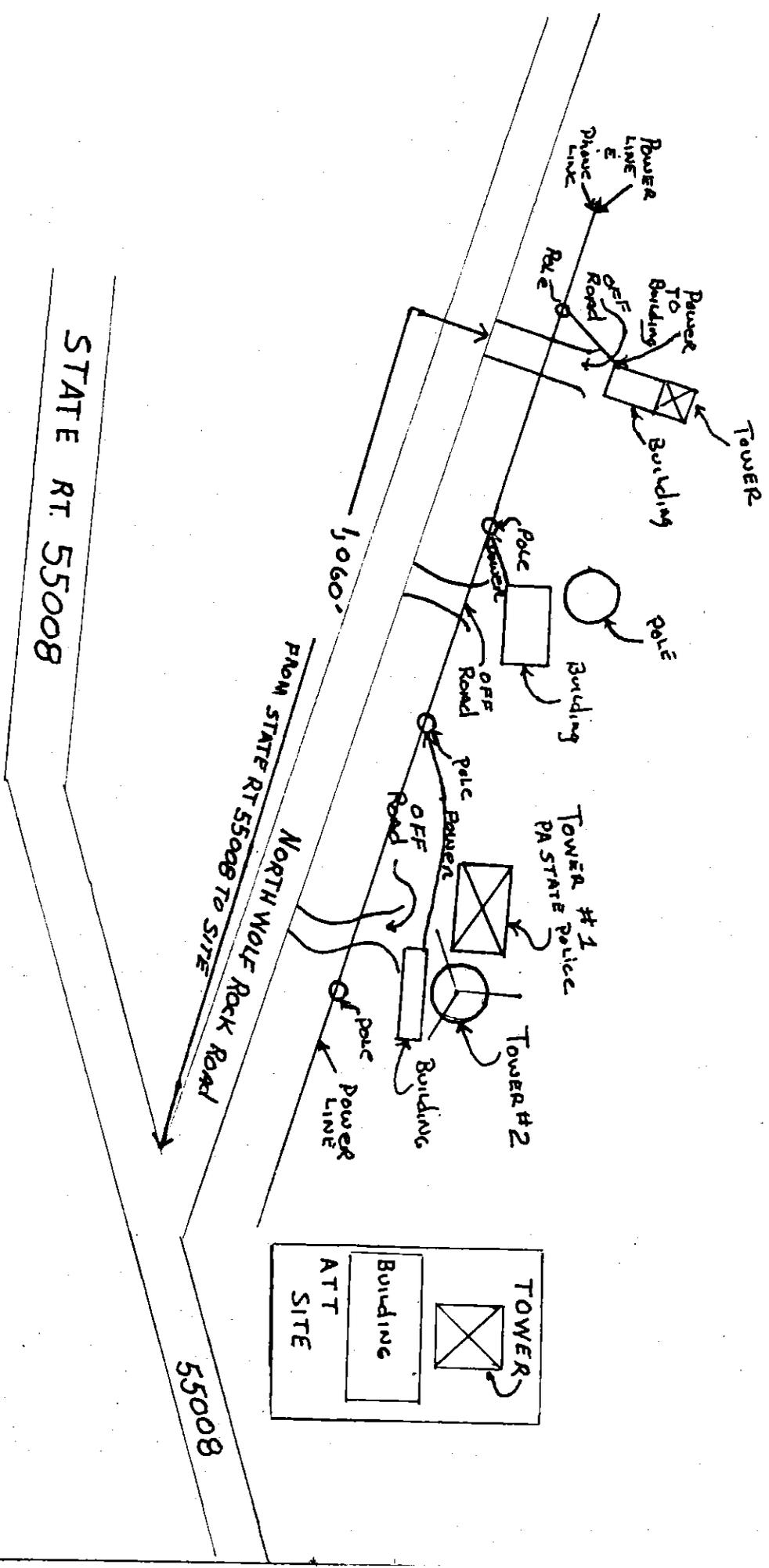
John M. Hall
Office of Attorney General

By: K. S. Wells
Chief/Assistant Counsel
Department of Environmental Resources

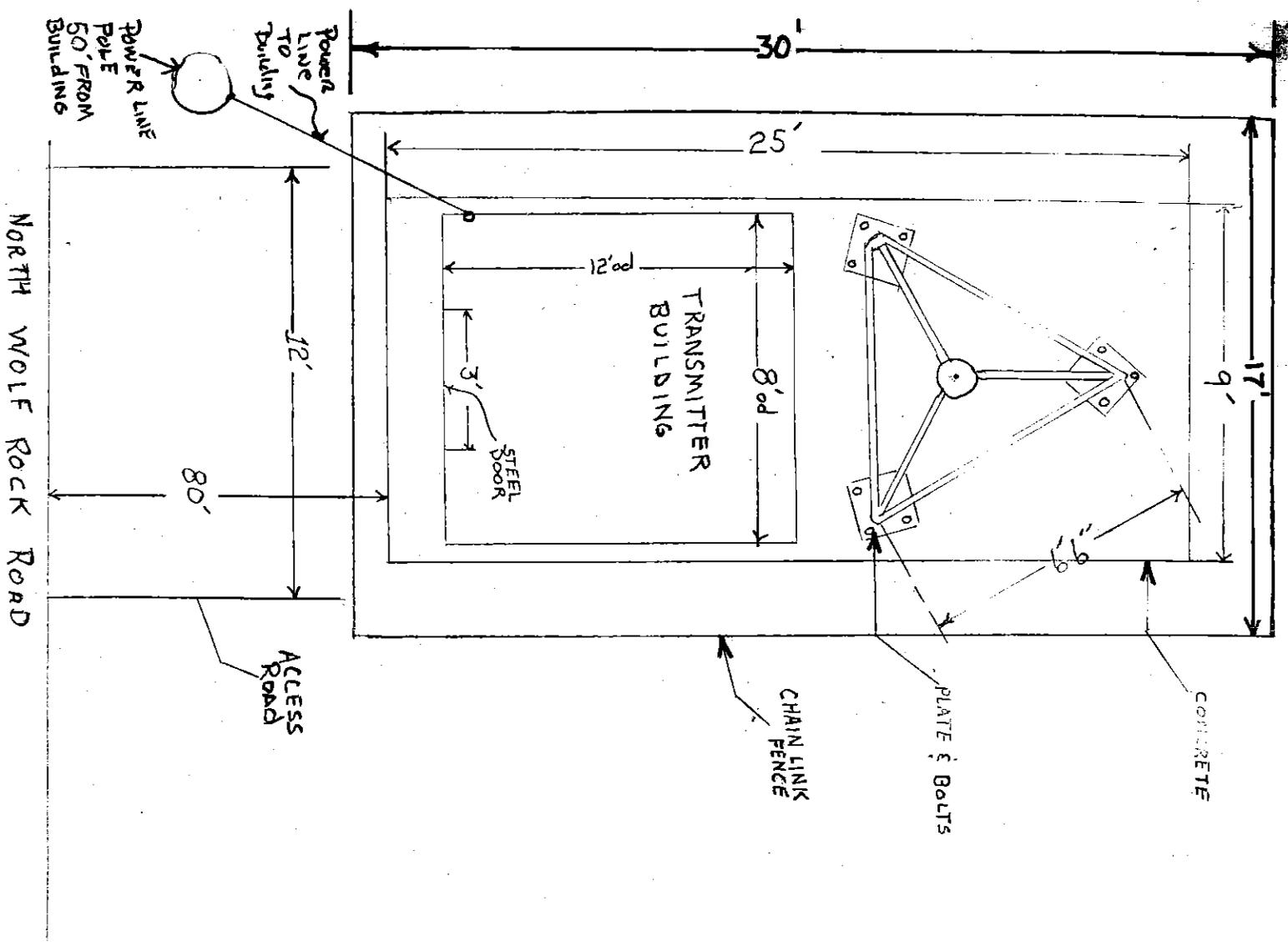
DRAWING # 1 of 2

2/1/92

Not to scale

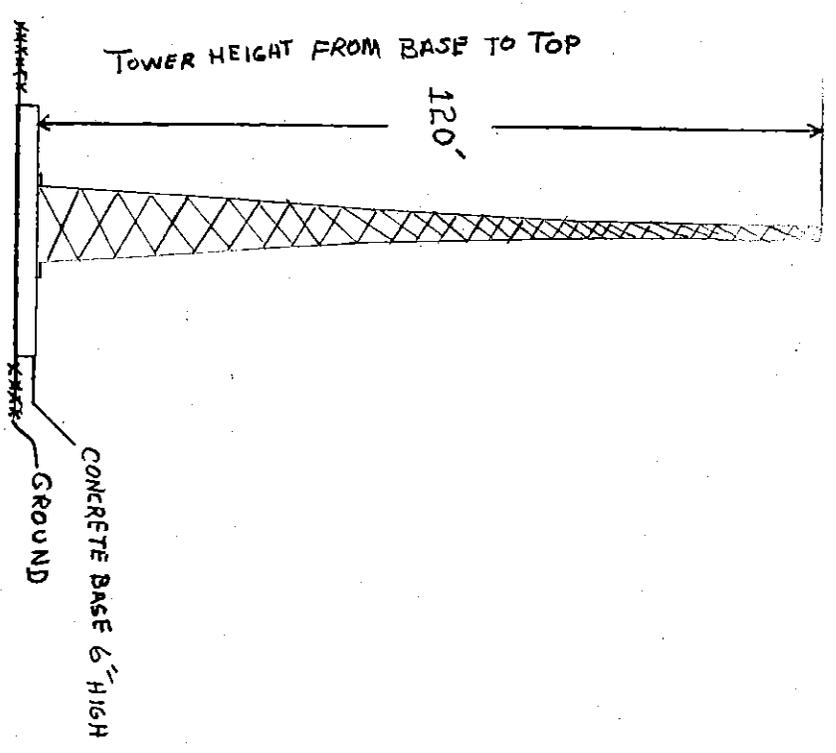


WAZS - FM
 SITE - LOCATION
 MT. DAVIS
 ROGER WJML
 814-634-0502
 LATITUDE 39°
 LONGITUDE 79°
 $47'$
 $10''$
 $49''$ NORTH
 $05''$ WEST



TOTAL AREA SIZE 30'x17' FENCED IN
 80' of Access Road from North Wolf Rock

Drawing # 2 of 2
 2/1/92



WQZS - FM RADIO
 TOWER/TRANSMITTER
 MT. DAVIS - SITE
 ROGER WAHL
 814-634-0502
 LATITUDE 39° 47' 49" NORTH
 LONGITUDE 79° 10' 05" WEST