

AUG 7 1980 RECD

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ORIGINAL

August 7, 1980

VIA TELECOPIER

June Gottchalk, Esq.
Coudert Brothers
200 Park Avenue
New York, New York 10017

Dear June:

This will confirm our telephone conversation of this afternoon concerning NAB's posture in Phase II regarding sports programming. I concluded that NAB is not yet convinced that the Tribunal means what it has thrice said about the entitlement of sports interests to file claims for sports programming.

You explained that you intended to telephone the Chairman of the Tribunal, Ms. Burg, to discuss the procedural "quandry" that NAB assertedly sees that it is in. The fashion in which you described the matters that you wished to discuss with Ms. Burg prompted me to advise you that I objected to your initiating -- or attempting to initiate -- any discussion with Ms. Burg about this subject matter unless other counsel were present.

Since you said you would make the call anyway, I thought it best that I notify you in writing of the position I stated by phone. If NAB still wishes to discuss the ruling in issue and what evidence it can adduce in Phase II on this matter, that would be a waste of everyone's time, in my judgment. However, if such discussions are nevertheless to be held with any member of the Tribunal, we would like, and we believe we are entitled, to participate in them.

ARNOLD & PORTER

June Gottchalk, Esq.
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I am sending this letter to you via telecopier and am having a copy hand carried to the Tribunal in the hopes that a conversation with Ms. Burg has not occurred. In the event that you do communicate with Ms. Burg on this matter, I expect to be advised.

Very truly yours,

A handwritten signature in cursive script that reads "David".

David H. Lloyd

cc: Ms. Mary Lou Burg, Chairman
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