

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Marcel Emile	)	File Number: EB-06-NY-073
	)	
East Orange, NJ	)	NAL/Acct. No: 20073238000x
	)	
	)	FRN: 0015 1919 68

**FORFEITURE ORDER**

**Adopted:** August 14, 2007

**Released:** August 16, 2007

By the Regional Director, Northeast Region, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Marcel Emile (“Emile”) for willfully and repeatedly violating Section 301 of the Communications Act of 1934, as amended (“Act”),<sup>1</sup> by operating an unlicensed radio transmitter on the frequencies 96.7 MHz and 104.7 MHz in East Orange, NJ.

2. On March 28, 2007, the Commission’s New York Field Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$10,000 to Emile.<sup>2</sup> Emile has not filed a response to the *NAL* or paid the proposed forfeiture. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended (“Act”),<sup>3</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules,<sup>4</sup> Marcel Emile **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully and repeatedly violating Section 301 of the Act.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within thirty (30) days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>5</sup> Payment of the forfeiture must be made by check or similar instrument, payable to the order

<sup>1</sup> 47 U.S.C. § 301.

<sup>2</sup> *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200732380010 (Enf. Bur., New York Office, released March 28, 2007).

<sup>3</sup> 47 U.S.C. § 503(b).

<sup>4</sup> 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

<sup>5</sup> 47 U.S.C. § 504(a).

of the Federal Communications Commission. The payment must include the NAL/Acct. No. and FRN No. referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 358340, Pittsburgh, PA 15251-8340. Payment by overnight mail may be sent to Mellon Bank /LB 358340, 500 Ross Street, Room 1540670, Pittsburgh, PA 15251. Payment by wire transfer may be made to ABA Number 043000261, receiving bank Mellon Bank, and account number 911-6106. Requests for full payment under an installment plan should be sent to: Associate Managing Director, Financial Operations, 1A625, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Marcel Emile at his address of record.

**FEDERAL COMMUNICATIONS COMMISSION**

Russell Monie, Jr.  
Regional Director, Northeast Region  
Enforcement Bureau

---

<sup>6</sup> See 47 C.F.R. § 1.1914.