

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

In re Application of)	MB Docket No. 22-76
)	NAL/Acct. No. MB-202241410006
The Marion Education Exchange)	FRN: 0023109846
)	
For Renewal of License for)	Facility ID No. 193826
Station WWGH-LP)	File No. 0000115702
Marion, Ohio)	

ORDER SUMMARIZING INITIAL CONFERENCE

Adopted: April 21, 2022

Released: April 21, 2022

Appearances: George M. Wolfe, Esq., on behalf of The Marion Education Exchange; Pamela S. Kane, Esq., Anya Baez, Esq., and Jeffrey Gee, Esq., on behalf of the Enforcement Bureau, Federal Communications Commission

1. This Order summarizes the initial status conference conducted in the above-captioned matter held on April 20, 2022. The purpose of the initial status conference was to establish a schedule for discovery and filing of pleadings in this proceeding.

2. The FCC's Media Bureau initiated this hearing proceeding on February 23, 2022, by Hearing Designation Order, Notice of Opportunity for Hearing, and Notice of Apparent Liability for Forfeiture.¹ The schedule established during the prehearing conference is as follows:

Deadline for Completion of Discovery	December 20, 2022
Deadline to Request Hearing on a Written Record ²	January 24, 2023
Deadline to File Motion for Summary Decision	February 22, 2023
Response to Motion for Summary Decision Due	March 10, 2023
Deadline for Exchange of Exhibits, Witness Lists, And Written Direct Testimony	April 18, 2023
Deadline for Exchange of Witness Lists for Cross-Examination	April 25, 2023
Deadline for Objections to Exhibits and Written Testimony	May 3, 2023
Deadline for Replies to Objections	May 10, 2023
Hearing Begins	June 6, 2023

¹ *The Marion Education Exchange*, Hearing Designation Order, Notice of Opportunity for Hearing, and Notice of Apparent Liability for Forfeiture, MB Docket No. 22-76, DA 22-187 (MB rel. Feb. 23, 2022).

² See 47 CFR §§ 1.248(b), 1.370-1.377.

Proposed Findings of Fact and Conclusions of Law Due	20 days after hearing ends
Replies to Proposed Findings of Fact and Conclusions of Law Due	50 days after hearing ends

A live session for the submission of evidence may be added to the schedule at a later date.

3. During the status conference, the Presiding Judge noted that counsel for The Marion Education Exchange (MEE) had not filed a proposed schedule, as required by the Initial Case Order in this proceeding.³ Counsel had also failed to file a response to the Enforcement Bureau's Request for Admissions.⁴ That response was initially due by April 14, 2022. Unanswered requests for admissions are deemed admitted under the Commission's rules.⁵ Due to counsel's unfamiliarity with FCC procedures, and based on his assurance that he was prepared to file a response that day, the Presiding Judge granted an extension of time to file until April 20, 2022.⁶ MEE's counsel was informed that extensions of time are not routinely granted and was cautioned to review Part 1 of the Commission's rules, 47 CFR Part 1. There are significant consequences for missing deadlines in an FCC hearing proceeding. Failure to adhere to Commission hearing regulations and procedures, including failure to meet filing deadlines or respond to orders of the Presiding Judge, could lead to dismissal of this proceeding with prejudice and, in turn, dismissal of the licensee's application for renewal, such that MEE would lose its FCC license.

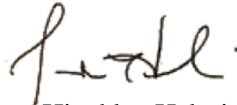
4. Accordingly, **IT IS ORDERED** that the hearing schedule detailed above **IS ADOPTED**.

5. **IT IS FURTHER ORDERED** that all written submissions in this proceeding shall be filed using the Commission's Electronic Comment Filing System (ECFS) by 11:59 PM Eastern Time on the filing date.

6. **IT IS FURTHER ORDERED** that the parties shall serve all filings on each other via electronic mail.⁷

7. **IT IS FURTHER ORDERED** that the parties are reminded that they are expected to be fully cognizant of Part 1 of the Commission's rules concerning practice and procedure, 47 CFR Part 1, Subparts A and B.

FEDERAL COMMUNICATIONS COMMISSION



Jane Hinckley Halprin
Administrative Law Judge

³ *The Marion Education Exchange*, Initial Case Order, MB Docket No. 22-76, FCC 22M-07 (ALJ Mar. 18, 2022).

⁴ Enforcement Bureau's Request for Admissions to The Marion Education Exchange, MB Docket No. 22-76 (filed Apr. 4, 2022).

⁵ 47 CFR § 1.246(b).

⁶ MEE filed a response by that deadline. Answers to First Request for Admissions, The Marion Education Exchange, MB Docket No. 22-76 (filed Apr. 20, 2022).

⁷ Courtesy copies of motions, pleadings, and other submissions are to be emailed to the Presiding Judge (Jane.Halprin@fcc.gov) and Special Counsel John B. Adams (JohnB.Adams@fcc.gov).